U.S. Congress.

UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 77th CONGRESS
SECOND SESSION

VOLUME 88—PART 2

FEBRUARY 23, 1942, TO MARCH 25, 1942
(PAGES 1503 TO 2958)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1942

DEPOSITED BY THE
UNITED STATES OF AMERICA

DEC 29 42

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 77th CONGRESS, SECOND SESSION

SENATE

MONDAY, FEBRUARY 23, 1942

(Legislative day of Friday, February 13, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess

The Reverend Theodore Otto Wedel, canon chancelor, Washington Cathedral, Washington, D. C., offered the following prayer:

Almighty God, the Ancient of Days, before whose seeing eye the pageant of history unfolds and before whom the nations live out their predestined day: Grant to us of our generation to acknowledge Thy rule over the children of men. Ours is a heritage of reverence for Thy law and Thy truth. This very day is sacred in our memory, as we recall the Father of our Country, for he, too, bowed the knee before Thee and walked in the fear of the Lord. Make us, we pray Thee, aware of the tokens of Thy discipline and Thy mercy in our Nation's past. Imprint upon our hearts such a dread of Thy judgments and such a grateful sense of Thy goodness to us as may make us both afraid and ashamed to offend Thee. We ask it through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, February 19, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that the President had approved and signed the following acts:

On February 19, 1942:

S. 314 An act for the relief of certain Basque aliens.

On February 20, 1942:

S. 2192. An act to extend the time for examination of quarterly accounts covering expenditures by disbursing officers of the United States Navy.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Ellender	Nye
Bailey	Gerry	O'Daniel
Ball	Gillette	O'Mahoney
Bankhead	Glass	Overton
Barkley	Green	Radcliffe
Bilbo	Guffey	Reed
Bone	Gurney	Reynolds
Brewster	Hayden	Russell
Brown	Herring	Schwartz
Bulow	Hill	Smith
Bunker	Holman	Stewart
Burton	Johnson, Calif.	Taft
Butler	Johnson, Colo.	Thomas, Idaho
Byrd	Kilgore	Thomas, Okla.
Capper	La Follette	Truman
Caraway	Langer	Tunnell
Chavez	McCarran	Tydings
Clark, Idaho	McKellar	Vandenberg
Clark, Mo.	McNary	Van Nuys
Connally	Maloney	Wallgren
Danaher	Maybank	Wheeler
Davis	Millikin	White
Downey	Murray	Wiley
Doxey	Norris	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from Utah [Mr. MURDOCK] are absent from the Senate because of illness.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Georgia [Mr. GEORGE], the Senators from Delaware [Mr. HUGHES and Mr. TUNNELL], the Senator from Oklahoma [Mr LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from West Virginia [Mr. ROSIER], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], the Senator from Utah [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. My colleague the Senator from Vermont [Mr. AIKEN] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is absent in a hospital because of a hip injury.

The Senator from New Jersey [Mr. BARBOUR] is unavoidably absent.

The Senator from Minnesota [Mr. SHIPSTEAD] is detained at his home by illness.

The Senator from Massachusetts [Mr. LODGE] and the Senator from Illinois [Mr. BROOKS] are absent on official business.

The Senator from Indiana [Mr. WILLIS] is necessarily absent from the city.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Pursuant to the standing order of the Senate of January 24, 1901, and in accordance with the designation heretofore made, THEODORE FRANCIS GREEN, a Senator from the State of Rhode Island, will now read Washington's Farewell Address.

Mr. GREEN advanced to the desk and read the Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination

incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large

a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jeolousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the

effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interests guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maximum no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
19th September, 1796.

ENROLLED BILL SIGNED DURING RECESS

Under authority of the order of the 19th instant,

The VICE PRESIDENT announced that on February 20, 1942, he signed the enrolled bill (H. R. 6548) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes, which had been signed previously by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letter, which were referred as indicated:

AMENDMENT TO BUDGET, AFFECTING EXISTING APPROPRIATIONS (S. DOC. NO. 183)

A communication from the President of the United States, transmitting a proposed provision in the form of an amendment to the Budget for the fiscal year 1943, affecting existing appropriations for the fiscal year 1942, and the estimates of appropriations for the fiscal year 1943 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE FOR MILITARY ACTIVITIES OF THE WAR DEPARTMENT (S. DOC. NO. 184)

A communication from the President of the United States, transmitting an emergency supplemental estimate of appropriation, in the amount of $596,836,000, fiscal year 1942, to remain available until June 30, 1943, for the military activities of the War Department (with an accompanying paper); to the Com-

mittee on Appropriations and ordered to be printed.

INCREASED ESTIMATES OF APPROPRIATION FOR THE DEPARTMENT OF COMMERCE (S. DOC. NO. 185)

A communication from the President of the United States, transmitting certain modifications of the Budget for the fiscal year 1943, involving changes in appropriation text and increases of estimates of appropriations for the Department of Commerce, amounting to $113,700 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

FACILITATION OF COLLECTION PROCEDURE IN THE INTERIOR DEPARTMENT

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to facilitate and simplify collection procedure in the Department of the Interior (with an accompanying paper); to the Committee on Public Lands and Surveys.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Board of Chosen Freeholders of Passaic County, N. J., protesting against the enactment of legislation to impose a Federal tax on municipal, county, or State bonds; to the Committee on Finance.

A petition of sundry citizens of Alameda and Oakland, Calif., praying for the enactment of legislation to control prices in the Nation; ordered to lie on the table.

A letter in the nature of a petition from W. Edgar Bate, of Philadelphia, Pa., praying for the repeal of the law granting annuity benefits to Members of Congress and other officials; ordered to lie on the table.

A concurrent resolution of the Legislature of the State of Kentucky; to the Committee on Banking and Currency.

"Senate Resolution No. 42

"Adopted by the Senate of Kentucky February 16, 1942, and concurred in by the House of Representatives February 17, 1942

"Whereas 151 years ago President George Washington approved an act of Congress authorizing the admission into the Union of the State of Kentucky, effective on the 1st of June 1792; and

"Whereas the sons and daughters of this Commonwealth that was carved out of the wilderness ever have been an important and often a deciding factor in the struggles of the United States to maintain its independence and nurture its democratic institutions; and

"Whereas there has been no more appropriate time in the entire history of the Nation for emphasizing to all America the pioneer sacrifices made and the signal courage exhibited by Kentuckians to help establish, promote, and protect the independence and democracy of the United States; and

"Whereas this year, in which the United States is engaged on a world-wide scale in a war to preserve its cherished institutions against the arms of dictatorial powers seeking to destroy her independence, marks the sesquicentennial of Kentucky's admission to statehood; and

"Whereas the General Assembly of Kentucky has appointed a commission to fittingly celebrate and commemmorate the State's one hundred and fiftieth birthday and memorialize the valiant deeds of her heroes and heroines of pioneer days, which are an inspiration today to patriotic service and devotion; and

"Whereas the Government of the United States thus far has given no formal recognition of this momentous and colorful event in Kentucky's glorious history: Therefore be it

"Resolved by the Senate of the Commonwealth of Kentucky (the House of Representatives concurring), That the Congress of the United States be memorialized to pass an act directing that an issue of half dollars, especially commemorative of the sesquicentennial of Kentucky statehood, be struck by the United States Mint this year and the President of the United States be respectfully urged to approve the said act."

By Mr. CAPPER:

A letter signed by Rev. O. M. Showalter, pastor of the State Avenue Baptist Church, of Kansas City, Kans., embodying a resolution adopted by a State-wide meeting of Kansas Baptist ministers at Topeka, Kans., on February 13, 1942, protesting against the enactment of legislation to establish lotteries as a means of increasing the revenue of the Government; to the Committee on Finance.

By Mr. TYDINGS:

A petition of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. GREEN:

A joint resolution of the Legislature of the State of Rhode Island; to the Committee on the Judiciary.

"Whereas there is now in existence, as a select and special committee of the Congress of the United States a special committee to investigate un-American activities, popularly known as the Dies committee; and

"Whereas the continuation of said Dies committee is now a matter for serious consideration by Congress, in that the value of its services must be appraised in the light of present-day circumstances and the entrance of the United States of America into world war: Now, therefore, be it

"Resolved, That, with full recognition of the sincere and honest effort which the members of the Dies committee have given to the extremely essential need for investigation of plans, programs, and activities of all anti-American forces, this general assembly now commends said committee for its achievement and findings in this special congressional committee to investigate un-American activities by providing such appropriate funds to further this work that the solidarity of our Nation may be preserved from the enemy within as well as on our far-flung battle lines; and be it further

"Resolved, That the secretary of state be authorized to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States and to the chairman of the special congressional committee to investigate un-American activities."

PRODUCTION OF INDUSTRIAL AND SYNTHETIC ALCOHOL AND SYNTHETIC RUBBER—REPORT OF A COMMITTEE DURING RECESS

Under authority of the order of the 19th instant,

Mr. GILLETTE, from the Committee on Agriculture and Forestry, to which was referred the resolution (S. Res. 224) for an investigation relative to the production of industrial alcohol, synthetic alcohol, and synthetic rubber (submitted by Mr. GILLETTE on February 17, 1942), reported it on February 20, 1942, with an amendment and submitted a report (No. 1112) thereon, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GILLETTE. Mr. President, in the closing moments of the session of the Senate on Friday last, the eminent senior Senator from Nebraska [Mr. NORRIS] obtained unanimous consent that during the contemplated recess of the Senate the Committee on Agriculture and Forestry be permitted to report Senate Resolution 224, relating to the production of industrial and synthetic alcohol and synthetic rubber, and that the Secretary of the Senate should then automatically refer the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate.

I announce that, in compliance with that authority, the report of the Committee on Agriculture and Forestry was filed on Friday morning, and the Secretary of the Senate has referred it to the Committee to Audit and Control the Contingent Expenses of the Senate. The eminent chairman of that committee is not present, but an equally eminent and able member of the committee, the Senator from Maryland [Mr. TYDINGS] is present; and on behalf of the Committee on Agriculture and Forestry I express the hope that the Committee to Audit and Control the Contingent Expenses of the Senate will act at the earliest possible moment in submitting its report to the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McKELLAR, from the Committee on Appropriations:

H. R. 6611. A bill making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; with amendments (Rept. No. 1113).

By Mr. McCARRAN:

From the Committee on the Judiciary:

H. R. 5880. A bill to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances; without amendment (Rept. No. 1114).

From the Committee on the District of Columbia:

H. R. 5075. A bill to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes; with an amendment (Rept. No. 1115); and

H. R. 5784. A bill to consolidate the police and municipal courts of the District of Columbia, and for other purposes; with amendments (Rept. No. 1116).

By Mr. RADCLIFFE, from the Committee on Commerce:

H. R. 6291. A bill to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States; with amendments (Rept. No. 1117);

H. R. 6550. A bill to extend and amend subtitle "Insurance," of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes; with an amendment (Rept. No. 1118);

H. J. Res. 260. A joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.; without amendment (Rept. No. 1120); and

H. J. Res. 231. A joint resolution to approve and authorize the continuance of cer-

tain payments for the hospitalization and care of Leo Mulvey, and for other purposes; without amendment (Rept. No. 1119).

By Mr. BROWN, from the Committee on Commerce:

S. 1971. A bill to legalize a bridge across Bayou Lafourche at Valentine, La.; without amendment (Rept. No. 1121);

S. 2133. A bill to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940; with amendments (Rept. No. 1123);

S. 2134. A bill to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; with amendments (Rept. No. 1124);

H. R. 6072. A bill authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.; without amendment (Rept. No. 1122); and

H. J. Res. 176. A joint resolution granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission; with amendments (Rept. No. 1125).

By Mr. BAILEY, from the Committee on Commerce:

S. J. Res. 130. A joint resolution to extend and amend certain emergency laws relating to the merchant marine, and for other purposes; with amendments (Rept. No. 1126).

By Mr. O'MAHONEY, from the Committee on Public Lands and Surveys:

H. R. 2300. A bill to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931; without amendment (Rept. No. 1127);

H. R. 2302. A bill to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes; without amendment (Rept. No. 1128);

H. R. 3014. A bill to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes; without amendment (Rept. No. 1129);

H. R 4386. A bill to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes; without amendment (Rept. No. 1130);

H. R. 5413. A bill to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes; without amendment (Rept. No. 1131); and

H. R. 6332. A bill to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee; without amendment (Rept. No. 1132).

ENROLLED JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on February 19, 1942, that committee presented to the President of the United States the enrolled joint resolution (S. J. Res. 133) amending section 7 of the Neutrality Act of 1939.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 2294. A bill to amend certain provisions of the Internal Revenue Code relating to the production of alcohol; to the Committee on Finance.

By Mr. McKELLAR:

S. 2295. A bill to provide for the termination of the National Youth Administration and the Civilian Conservation Corps; and

S. 2296. A bill to avoid unnecessary appropriations, to eliminate wasteful expenditures, to prevent duplication of functions, and to provide for efficiency in the making and execution of plans by consolidating and coordinating various activities of the United States relating to housing, and for other purposes; to the Committee on Education and Labor.

By Mr. GUFFEY:

S. 2297. A bill to clear the title of certain properties now in liquidation in Philadelphia, Pa.; to the Committee on Education and Labor.

By Mr. BUTLER:

S. 2298. A bill to grant pensions to certain World War veterans 64 years of age or over; to the Committee on Finance.

By Mr. REYNOLDS:

S. 2299. A bill to authorize the Director of the Census to issue certifications of birth records; to the Committee on Military Affairs.

(Mr. TYDINGS introduced Senate bill 2300, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

(Mr. CLARK of Missouri introduced Senate bill 2301, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. O'MAHONEY (for Mr. HATCH):

S. 2302. A bill to grant a preference right to certain oil and gas lessees; to the Committee on Public Lands and Surveys.

By Mr. O'MAHONEY (for himself, Mr. BONE, and Mr. LA FOLLETTE):

S. 2303. A bill to provide for the use of patents in the interest of national defense or the prosecution of war, and for other purposes; to the Committee on Patents.

By Mr. REYNOLDS:

S. J. Res. 135. Joint resolution providing additional facilities for the national defense, for improving the transportation system of the United States, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. TAFT:

S. J. Res. 136. Joint resolution recognizing the invalidity of Executive Orders 9001 and 9023, dated December 18, 1941, and January 16, 1942, respectively; to the Committee on the Judiciary.

TRANSFER TO WAR DEPARTMENT OF OFFICE OF CIVILIAN DEFENSE

Mr. TYDINGS. Mr. President, I ask unanimous consent to introduce a bill to abolish the Office of Civilian Defense and to provide for the transfer of its functions to the War Department. If I may say so, the prompting force back of this bill is, it seems to me, that we are but duplicating the experience which has already been had in Great Britain, where such an agency was first set up under civilians, but time and circumstance demonstrated that it could best be operated in the interest of the public by having at its head a member of the War Department. I introduce this bill not intending criticism of any person in the Office of Civilian Defense but because I believe that circumstances will soon show that we must adopt this plan.

I hope the Committee on Military Affairs will view it with favor and report it to the Senate so that all the volunteers of this country who are giving of their time and effort without any thought of compensation may have what I believe the overwhelming majority of them want to have—an Office of Civilian Defense devoted primarily to that objective and in charge of a trained experienced man who knows how to give the people what they want to have in the way of protection.

There being no objection, the bill (S. 2300) to abolish the Office of Civilian Defense and to provide for the transfer of its functions to the War Department was read twice by its title and referred to the Committee on Military Affairs.

TRANSFER TO WAR DEPARTMENT OF OFFICE OF CIVILIAN DEFENSE

Mr. CLARK of Missouri. Mr. President, I ask unanimous consent to introduce a bill to abolish the Office of Civilian Defense and to authorize the Secretary of War to provide for the physical defense of the civilian population of the United States.

I should like to say, in connection with the introduction of the bill, Mr. President, that I have not had the opportunity as yet of examining the bill introduced by the Senator from Maryland [Mr. TYDINGS] a few moments ago, and, in fact, I did not know he intended to introduce such a bill until my bill had already been prepared. It may be that his bill attains the objectives I have in mind.

If the Senate will indulge me for a moment, I should like to say that I want it particularly understood that the introduction of this bill is not intended to be, and should not be considered to be, a reflection on anybody, either the former heads of the Office of Civilian Defense or the new head who has recently assumed the position. I purposely refrained from introducing the bill which I thought was necessary and desirable until any element of controversy in connection with the Office of Civilian Defense had been dissipated. Certainly I intend no reflection upon the President of the United States, who set up the Office of Civilian Defense by Executive order. That was an entirely proper procedure for him at that time, just as it was for him to set up the Price Fixing Administration by Executive order. Later it was found in that case necessary to have its power clarified and confirmed by Congress. That is what the bill I now introduce is intended to do in the case of the Office of Civilian Defense.

It seems to me, Mr. President, that the physical protection of the civilian population of the United States from air raids or parachute troops or any kind of raid is a matter which is so immediately and closely identified with the business of military defense that it should be under the War Department, because, to a very large extent, it partakes of a military nature.

I have provided in the bill, Mr. President, that the Administrator of the Office of Civilian Defense shall be a general officer of the Army or the Marine Corps or a flag officer of the Navy on either the active or the retired list, or else a former general officer of the Army or Marine Corps or of the National Guard or the Reserves, or a former flag officer of the Navy. That has nothing whatever to do with the other activities of the Office of Civilian Defense which have been a matter of much controversy. If the President desires that they be continued he can continue the other activities by an Executive order in some other agency where they will not complicate the vitally necessary defense of the civilian population against air raids, parachute attacks, or other attacks. The bill simply transfers to the War Department, where it seems to me they ought to be, those activities so intimately connected with the defense of the United States that they form a part of the defense system. It seems to me that a civilian agency or a civilian bureau has no more business prescribing and regulating such matters than it would have to regulate the disposition of troops or the dispatch of naval vessels.

Furthermore, I have included another provision which seems to be one of obvious advantage to the country at this time, that is, to authorize, and, in fact, to recommend, that the Secretary of War in setting up this agency shall avail himself of the services, either individually or as organizations, of the great organizations of ex-service men in this country, such as the American Legion, the Veterans of Foreign Wars, the Disabled Veterans, the Spanish American War veterans, and any other veterans' organization composed of men who have served in various wars of this country. It seems to me perfectly obvious that these men, all of whom have had military or naval training, most of whom have passed the age for active service in this war, by their experience, and by their membership in organizations which inculcate the spirit of discipline and military organization, are inevitably calculated to form a very splendid nucleus of the organization which is provided for by the bill. I hope the Committee on Military Affairs will give these suggestions the fullest consideration. In this connection, I have no idea of excluding from the fullest participation in these activities the great multitude of patriotic men and women who do not belong to these organizations. I merely suggest these organizations are a ready-made nucleus of proven patriotism and military efficiency.

I have included retired general officers and former general officers as eligible for this administratorship. Many of these officers are in excellent physical shape of such ability and experience as to peculiarly fit them for this type of duty. I have in mind, for instance, one of the most distinguished and able of all our former Chiefs of Staff, at least one retired lieutenant general and several retired major generals of marines and several very excellent former division commanders of the National Guard, who have been forced out of command in pursuance of the Regular Army scheme for replacing National Guard officers with Regulars.

There being no objection, the bill (S. 2301) to abolish the Office of Civilian Defense and to authorize the Secretary of War to provide for the physical defense of the civilian population of the United States, was read twice by its title and referred to the Committee on Military Affairs.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. McKELLAR submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, the following amendment, namely:

On page 10, after line 24, insert a new section reading as follows:

"SEC. 403. Limitations on appropriations heretofore enacted and available for obligation during the fiscal years 1942 and 1943, which prohibit the use of such appropriations and other funds for the employment in the service of the District of Columbia and the United States (including any agency a majority of the stock of which is owned by the Government of the United States) of persons who are not citizens of the United States or who have not filed declarations of intention to become such, shall not apply hereafter to citizens of the Commonwealth of the Philippines."

Mr. McKELLAR also submitted an amendment intended to be proposed by him to House bill 6611, making additional appropriations for the national defense, fiscal year 1942, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. THOMAS of Oklahoma. Mr. President, House bill 6611 has been reported to the Senate today. It is the large defense appropriation bill. The committee authorized the senior Senator from Alabama [Mr. BANKHEAD] to offer an amendment on the floor tomorrow. The amendment may be construed to be legislation, in which event a notice in writing of a motion to suspend paragraph 4 of rule XVI will be necessary. I want the RECORD to show that I am now making the request that during the course of today such a notice in writing and the text of the proposed amendment may be filed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. THOMAS of Oklahoma (for Mr. BANKHEAD) subsequently submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, the following amendment, namely:

At the proper place in the bill to insert a new section, as follows:

"SEC. 404. All agricultural commodities and all products processed from such commodities authorized to be purchased and secured with funds appropriated and made available by this act shall be purchased in the open market as now provided by law."

Mr. THOMAS of Oklahoma (for Mr. BANKHEAD) also submitted an amendment intended to be proposed by him to House bill 6611, making additional appropriations for the national defense, fiscal year 1942, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENT TO FIFTH SUPPLEMENTAL DEFENSE APPROPRIATION BILL

Mr. THOMAS of Oklahoma submitted an amendment intended to be proposed by him to the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, which was ordered to lie on the table and to be printed.

GENERAL LEAR AND THE THIRTY-FIFTH DIVISION—EDITORIAL FROM KANSAS CITY JOURNAL

Mr. TRUMAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial from the Kansas City Journal, entitled "An Inconsistent General." The writer of the editorial spends some time in taking Lt. Gen. Ben Lear apart for his attitude toward the Thirty-fifth Division.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Journal of February 20, 1942]

AN INCONSISTENT GENERAL

Lt. Gen. Ben Lear, commanding general of the Second Army, discussed the Thirty-fifth Division in a folksy manner in a Kansas City address last night. He said it is Kansas City's home-town division and that it was natural that he should give a brief report on our division.

"I am happy," he said, "that it can be a highly favorable report."

General Lear went on to explain that when the division was mobilized more than a year ago it included many inexperienced troops, a condition which made basic elementary training necessary in all units.

General Lear seems to have been pleased by the results of the training period. He said:

"Your Thirty-fifth Division developed speedily and well, did a fine job during our 2 months of maneuvers last fall, and at their last inspection we were convinced that wherever they go and whatever they are called upon to do, the Second Army and all of you on the home front will have ample reason for pride in their accomplishments."

He continued:

"Officers and men alike will go into battle better trained and more effectively equipped than their predecessors in the last World War. They will suffer losses that are inevitable in battle, but they should suffer fewer losses that would reflect insufficient training and insufficient discipline."

Very good for the Thirty-fifth Division. But what of General Lear?

In this period of successful training, in which the Thirty-fifth was raised from an outfit of recruits to a well-disciplined fighting

machine, its commanding officer was Maj. Gen. Ralph E. Truman, formerly of the Missouri National Guard. After the maneuvers, in which General Lear says, the Thirty-fifth did a fine job, he relieved General Truman of his command in a humiliating fashion. General Truman is now on inactive duty.

We do not doubt that everything General Lear says about the Thirty-fifth is true, but for the sake of elementary consistency he should let the praises be said by somebody else. He stands convicted of removing a commander who transformed an untrained division into a unit which, according to General Lear himself, is better trained and equipped than the original Thirty-fifth, which was chosen by General Pershing for the difficult and costly task of opening the initial phases of the Meuse-Argonne offensive in 1918.

It doesn't make sense—certainly not the kind of sense necessary to win this war

NEED FOR PLANES IN THE FAR EAST—ARTICLE BY MARTIN AGRONSKY

Mr. LA FOLLETTE. Mr. President, I desire to have printed in the body of the RECORD, as a part of my remarks, a very interesting, amazing, and, I think, shocking account of the conduct of affairs in the Far East, written by Mr. Martin Agronsky, who is a correspondent of the National Broadcasting Co. The article appears in the Times-Herald of this morning, and I hope that all members of the subcommittee of the Senate Committee on Appropriations which has charge of the naval appropriations, and from which have been reported the bills calling for the appropriation of billions upon billions of dollars for the Navy, will read this article. I likewise hope every member of the Committee on Naval Affairs will read it.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The article is as follows:

[From the Washington Times-Herald of February 23, 1942]

ONE THOUSAND FIVE HUNDRED PLANES NEEDED AT ONCE TO SAVE JAVA, BROADCAST SAYS—OUTNUMBERED 15 TO 1, ALLIES FIGHT LOSING BATTLE, SYDNEY REPORT WARNS

(Through lack of foresight a bungling British high command which turned away shiploads of planes which vainly endeavored to land and fight at Singapore; because of American warships equipped with faulty ammunition, the Allied Nations are in a fair way to lose the entire Far East, Martin Agronsky, National Broadcasting Co. correspondent, warned this country in a Nation-wide broadcast from Sydney, Australia. Only the immediate arrival of a thousand American fighter planes and pilots and 500 American bombing planes and pilots can save the day in Java and elsewhere, he said.)

(By Martin Agronsky)

I arrived here today from the Dutch East Indies, after a flight in a Dutch bomber, with a Jap air patrol over Java in the Indian Ocean in the air behind me.

The Japs, with the capture of Singapore, already had accomplished the first phase of their drive for empire in the Far East. The day I left Java they had successfully attacked and captured Palembang in South Sumatra.

As I flew over the Indian Ocean toward Australia the Japs made an attack on Bali, just over Java's southernmost tip. The outcome of the Allied defense of Bali is not yet completely known. It would take an incurable optimist to doubt the ultimate result. The Allied defenses there, as throughout the far eastern theater of war, are pitifully weak.

With Bali in Japanese possession Java will sit in a dangerous sandwich. From Sumatra across the narrow Sunda Straits to the north and Bali to the south; from Borneo and Celebes to the east the Japs will be able to throw dangerously powerful forces at the Allied defenders of Java.

The attack on Java already begun from the air is what can be described as the second phase of Japan's Asian offensive. That is the capture of the Netherland East Indies.

FLYERS OUTNUMBERED

You must realize at home exactly what your sons and husbands are fighting against in this part of the world. You must know that every time an American pilot takes off to meet the Japs, he knows before his machine leaves the ground that if he is lucky he will be outnumbered by at least five to one.

If he runs into the usual Jap attacking formation, the odds against him will be 15 to 1.

You must know that when land fighting starts in Java the odds will be equally great; that in the seas throughout this entire area the sailors of the American and Allied forces today have to face equally overwhelming odds.

If 1,000 American fighter pilots and machines and another 500 bomber pilots and machines were to arrive today, the Allies would have a good chance of holding Java.

Java today means two things to the Allies. First, with the exception of Burma, where the Allied forces are steadily being pushed back, it provides the only land base from which aerial offensive operations can be undertaken on a large scale against the Jap land, sea, and air forces in this part of the world.

If the Allied forces are pushed back to Australia, we will be forced almost completely on the defensive.

ONLY DEFENSIVE BASE

Second, it provides the only defensive base from which the Allies can threaten or hamper the Japanese concentration of all available forces in the southwestern Pacific for an attack on Australia itself.

The fight for Java has begun. If Java falls, the fight for Australia—what must be recognized as the third phase in the Jap drive for empire in Asia—lies in the immediate future.

There is no important speculation as to whether Java will or will not hold for the next couple of weeks. Perhaps even the next few days will decide that.

What is vital is that for once the democratic nations do everything in their power, while there is still time, at least to create forces that will have a fighting chance.

In Malaya, the British were not only outnumbered but outsmarted and outgeneraled. Even admitting the original underestimation of the Japs' strength put the British forces at a vital disadvantage, it still remains true that from the first days of the campaign the Japs gained nearly as much from enemy bungling as through their own well-executed attack.

Time and again in the course of the British retreat, lack of organization gave the Japs air fields, petrol stores, and ammunition depots intact.

When I left Singapore it was on board an Australian warship. On the docks of the naval base thousands of pounds worth of war material lay unprotected, undispersed, a perfect target for the Jap bombers.

Out in the Indian Ocean our warship picked up a large convoy that for weeks had been on the high seas en route to Singapore from England. On board one ship were a large number of Royal Air Force ground personnel accompanied by a large number of fighter pilots, veterans of the battle of Britain.

SHIP CARRIED PLANES

In another ship were the crated planes that the pilots were to fly. Warships took the convoy southward through the Straits of Sumatra and into Singapore in the face of continued Jap bombing attacks.

Three days later, in Java, I met one of the pilots. From him I learned that due to some fatal blunder the ship's destination had been mistaken.

On the way out from England, the pilot told me, the men on board voluntarily organized their unit so that they would be ready to go into action immediately when they landed. They had a detailed map of Singapore Island. Realizing that the airdromes might be unusable, they had laid out on their maps streets from which they could take off with fighters. They had drilled on board ship until they were letter-perfect in the use of the Beaufort planes and the guns they carried.

Every detail of assembly of the crated planes had been worked out beforehand. They believed they could have their planes in the air and functioning within 24 hours of landing.

When these men arrived in Singapore they found that no one at the docks even knew they were expected.

SENT TO JAVA

After much searching they reached a Royal Air Force headquarters officer and asked that they be allowed to go into action. Instead they were informed that they were not expected in Singapore, that they could not operate there, but would have to go to Java and receive instructions from the high command.

All of this time their ship was being heavily bombed at the dock. They finally got back to Java.

The pilot officer ended this story with the laconic remarks, "It did not improve the morale."

And on the American side there is an equally pretty story. A few minutes after my plane landed at a small town an American naval plane came in; an American naval lieutenant and a general were in the plane.

The pilot told me he had flown to shore from an American warship which I cannot name. The warship was convoying American troopships to somewhere in Java. When the convoy was 6 hours at sea the warship picked up a Jap broadcast from Tokyo accurately describing both the make-up of the convoy and its destination.

Two hours later 32 Jap bombers appeared overhead and bombed the convoy. The Japs hit one of the gun turrets of the warship. A 20-year-old machinist's mate went into the gun turret, which was stacked with shells and filled with flames from burning powder bags. The shells were red hot and could have exploded at any moment.

The young machinist's mate played water on the red-hot shell cases until the fire was out.

HARD TO HIT JAPS

Being an American, I was proud of this story of courage. I told the lieutenant so and asked him if he had shot up any of these Japs. He answered it was pretty hard to hit the Japs with the ammunition on board.

I asked why. He explained that the antiaircraft ammunition was 1930 and 1931 issue; that when it had been tested a year ago it was found to be only 30 percent effective.

The lieutenant told me it was impossible to range with this type of ammunition, as the bursts were too ununiform to enable the gunners to work out a fire pattern.

The lieutenant added he would like to have been able to tie to the foremast of that warship the gentleman responsible for the United States warship being equipped with this type of ammunition.

He made me promise to tell this story to you people at home. If we hope to stop the Japs, the United States will have to do better than this.

The men fighting in the far-eastern countries for their defense and ultimately for the

defense of the United States deserve better of their country than they are getting.

On an isolated airfield in the Far East I found a young American pilot in charge. He was a fighter pilot. He had been grounded following a crash. One finger of his right hand was paralyzed. Because it got in his way he was no longer permitted to fly.

He told me that he would not be on the ground much longer, as he had arranged to have the finger amputated so that he could take a new medical examination and he was sure he could pass.

And against this spirit should be put the pronouncement of various American spokesmen that it would be best to keep the majority of the American forces at home to defend America.

Almost every American soldier with whom I have spoken in the Far Eastern theater of war has begged me to try and fight this kind of short-sighted view.

ODDS LONG AGAINST THEM

It is the sincere belief of every American observer in this part of the world that first Singapore, then Java, and last Australia are the outer defenses of California.

They feel equally that if we reinforce the Allied power immediately we would have a fighting chance to stop the Japs in Australia, even if Java falls.

No matter what courage the Allies possess, they cannot stop the Japs with 10- and 15-to-1 odds against them.

Just before I left Java I interviewed a Dutch officer. "It can scarcely be repeated too often," he said, "that when a country is thrown on the defensive as regards to shore line the eventual function of the fleet is to take the offensive."

If you do not recognize that quotation that the Dutchman had framed, I will tell you who wrote it—Admiral Mahan, United States naval strategist.

GEN. DOUGLAS MACARTHUR

Mr. DAVIS. Mr. President, Washington crossing the Delaware is a picture known to every man, woman, and child in the United States. The heroism, devotion, and courage of that memorable day have inspired our people to valiant action in countless ways, and still live on.

Perhaps the surest proof that the American spirit, the Washington spirit, lives on is found in the amazing stand taken by Gen. Douglas MacArthur. Our country is supremely proud of him. He has once again given us the spirit of victory.

Mr. President, I ask unanimous consent to have included in the RECORD as a portion of my remarks the article by John White in the Times-Herald of Washington, D. C., February 23, 1942.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times-Herald of February 23, 1942]

MACARTHUR HAILED AS "NAPOLEON OF LUZON"—HIS DEFENSE OF PHILIPPINES AMAZES THE ARMY AND THE WORLD

(By John White)

Today is the seventy-eighth day of the defense of the Philippines; the seventy-eighth day of one man's defiance of an empire.

Without Douglas MacArthur the islands would long ago have fallen to the Japanese. Military experts, ever since the Spanish-American War, have stated that if (when) the Japs attacked, the Philippines could only resist for 6 weeks, at most——unless help in large quantities came.

Somehow, MacArthur has held. Without help. The Filipinos have named him "The Napoleon of Luzon."

Six weeks after Pearl Harbor, January 18, MacArthur was still on his feet; still slugging. The War Department communique for that day said:

"Enemy pressure on American and Philippine positions in the Bataan Peninsula has lessened. Repeated enemy thrusts have been parried."

FIGHTING IN TWELFTH WEEK

Yesterday was the end of 11 weeks of fighting. Still MacArthur was swinging away. The Japs had attacked him ceaselessly, always 10 (or more) men to 1. They had used special beach-landing equipment, special V-shaped tanks—to deflect bullets—special fire-bombs, special fifth-column work, special everything.

But they hadn't licked MacArthur. He was right up in front.

The War Department communique said he was sending in reports praising the loyalty of the Filipinos. "Civilian resistance is growing in intensity and is becoming increasingly effective."

MAC ARTHUR STILL THERE

MacArthur was, like Francis Scott Key's flag, still there. And the islands were with him.

Why was this?

America is supremely proud of Gen. Douglas MacArthur today; in the midst of bad news from everywhere but Russia, his gallant stand continually reminds us of our heroic past, and the heroism we are capable of now.

Why is it that MacArthur can do this? Why is MacArthur so successful? In short, why is MacArthur?

There has been much written about this 62-year-old hero of two wars, youngest man ever to be appointed United States Army Chief of Staff, only man ever to hold that position more than one term.

There will be a great deal more written about him.

For Gen. Douglas MacArthur is on the highroad toward fame as lasting as that of his immortal predecessor King Arthur of the Round Table.

The Philippine Islands have known Douglas MacArthur as "the Napoleon of Luzon." Some people mocked at his large ideas, especially those people who thought the Japanese would never attack; but most people, including most Filipinos, admired his vision and liked the way he got things done.

NEVER A RETIRING MAN

With practically no money from Congress or the Philippine government, he worked like a dog to build Philippine defenses.

Not like a frightened dog, mind you.

Douglas MacArthur, son of Arthur MacArthur, lieutenant general, United States Army), grandson of Arthur MacArthur (associate justice, District of Columbia Supreme Court), great-grandson of Arthur MacArthur (of Glasgow, Scotland), has never been a retiring man.

Even when he retired from the Army in 1937 he retired in a notable manner on the last day of the year. Much was written then about his achievements, and he proceeded to add to his reputation with occasional thunderings from the Philippines, where he remained as field marshal of the Philippine Army.

He has always been a man with a flare. What is called colorful.

He acts quickly, with decision, with finesse.

He speaks in strong language; he has an extraordinary knack of phrase making.

Reminiscent of the great Napoleon is his manner of addressing his soldiers.

The islands call it "MacArthurian style."

"Only those who are willing to die are fit to live," he once quoted. Anybody will agree to that sentiment. Many of us have said the same thing. But not in quite that arresting fashion.

"LET'S KEEP FLAG FLYING"

"Let's keep the flag flying," the order, or suggestion, he recently gave when his men remarked that the flag over his Bataan headquarters might attract enemy fire, hit America squarely in the eye.

He is a showman.

Some Army men, many of whom it must be confessed have not liked MacArthur in the years since he left West Point and began his headlong rush to the top, have often mumbled that the field marshal of the Philippines, the personal outpost of America in the Pacific, takes the spotlight more than is necessary.

They have complained that he creates situations so that he may play the big part, that he overglorifies routine deeds.

Too much of a showman, they said.

But they will also admit that his record in World War No. 1 was brilliant, that his objectives since 1919 have been correct, that his conduct of his forces since Pearl Harbor has been the most skillful maneuvering since the days of Ulysses Grant.

(Ulysses Grant's grandson, by the way, graduated second to MacArthur in the 1903 class at West Point.)

And they will also admit—gladly—that the MacArthurian style is invaluable now.

It's the kind of thing that makes men fight when the battle seems lost before it's begun, the kind of thing that makes whole countries rise. The kind of thing that might have saved France from an ignoble collapse, if not from ultimate defeat.

CREATES NEW LEGEND

Rapidly this Napoleon of Luzon is creating about himself and his heroic handful of American and Philippine warriors a twentieth century legend—the MacArthurian Legend.

Just as the tales of Arthur and his Knights of the Round Table fired men's spirits in the days of pomp, dragons, and chivalry, so do the unfolding chapters of the Book of Bataan, now being written in blood 7,000 miles away, stir America.

"Our P-40 is full of holes, send us another," MacArthur's men wired recently.

Nothing heroic in the sound of that, until you realize that those men had waited patient weeks for planes with which to fight the constant Japanese bombings with even 1-to-10 odds.

GIVES SIMPLE "THANKS"

Three days ago MacArthur replied to a cordial greeting sent by 60,000 arsenal employees of the Ordnance Department with the one word:

"Thanks."

America understands that sort of talk.

Just as it understood the feeling of MacArthur and his men when he sent the President a birthday message (4 days after his own sixty-second birthday):

"Today, January 30, the anniversary of your birth, smoke-begrimed men, covered with the marks of battle, rise from the fox holes of Bataan and the batteries of Corregidor to pray reverently that God may bless immeasurably the President of the United States."

SILENCE ANSWERS LEAFLETS

Just as it understands why he replied with silence (broken by the rattle of machine guns) when the Japanese on January 10 dropped leaflets over his lines:

"You are well aware that you are doomed. The end is near—your prestige and honor have been upheld—in order to avoid needless bloodshed, surrender."

The Filipinos, too, understand MacArthur's kind of talk, and his kind of action. That's why they responded with "much mirth" to the message sent them by Japan: "You are

cornered to the doom—blinded General MacArthur has stupidly refused our proposal and continues futile struggle at the cost of your precious lives—dear Filipino soldiers—surrender at once."

The United States is now buzzing with "MacArthur for President." Filipinos want him to be President of the Islands.

The MacArthurian legend, the Saga of One Man Against an Empire, is unfolding before our eyes.

MacArthur in all his 62 years has lost only one battle, the fight with Congress to arm the country. Though he seems now "cornered to the doom," he may win the Battle of Bataan. If he does * * *.

FINANCIAL PROBLEM IN THE WAR CRISIS—ADDRESS BY JOHN W. HANES

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address on the financial problem in the war crisis delivered by John W. Hanes, formerly Under Secretary of the Treasury, at the Town Hall meeting of the air on February 12, which appears in the Appendix.]

DECORATION OF MEN IN THE ARMED FORCES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a statement by Angelo Scott, editor of the Iola (Kans.) Register, relative to a roll of honor, which appears in the Appendix.]

PREPAREDNESS FOR WAR—EDITORIALS FROM OMAHA EVENING WORLD AND SIDNEY TELEGRAPH NEWS

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial from the Evening World Herald, of Omaha, Nebr., and one from the Telegraph News, of Sidney, Nebr., relating to preparedness, which appear in the Appendix.]

PRICES OF FARM PRODUCTS—EDITORIAL BY W. A. MACPHERSON

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an editorial by W. A. Macpherson, published in the Lamar (Colo.) News, concerning the so-called O'Mahoney amendment to the Price Control Act, which appears in the Appendix.]

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 268. An act for the relief of James Wood;

H. R. 793. An act for the relief of the estate of Charles D. Talbert, deceased;

H. R. 2183. An act for the relief of Hiram O. Lester, Grace D. Lester, and Florence E. Dawson;

H. R. 2712. An act for the relief of the Branchland Pipe & Supply Co.;

H. R. 2780. An act for the relief of O. C. Ousley;

H. R. 3141. An act for the relief of Fred Farner and Doris M. Schroeder;

H. R. 4537. An act for the relief of H. D. Bateman, Henry G. Conner, Jr., executor of the last will and testament of P. L. Woodard, and J. M. Creech; and

H. R. 4622. An act for the relief of Catherine Schultze.

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The Parliamentarian has suggested to the present occupant of the chair that announcement be made that, under a determination reached at the last session, the unfinished business before the Senate is Senate bill 2255, to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation. It was also the understanding that the bill should go over, so far as discussion is concerned, until the meeting of the session at noon tomorrow, Tuesday.

INFORMATION SERVICES OF THE GOVERNMENT

Mr. VANDENBERG. Mr President, I ask to have printed in the body of the RECORD that portion of an editorial appearing in the New York News and the Washington Times-Herald which indicates that 2,995 full-time employees and 31,618 part-time employees are now engaged in the so-called information services of the Government at a cost of $27,000,000 a year. I take the liberty of observing that the chief product of this gargantuan effort seems to be a lack of adequate and conclusive information. A demobilization of a large part of this printer's ink brigade might result, through concentrated effort, in the production of more information at less expense.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the excerpt from the editorial was ordered to be printed in the RECORD, as follows:

This multitude of Government "information services," too ($27,000,000 a year, 2,995 full-time employees, 31,618 part-time), is building up in many people's minds a suspicion that this administration is putting together a propaganda ministry of the German, or Dr. Paul Goebbels' type, for use both during and after the war. From that suspicion, it is an easy jump to a suspicion that this administration expects to be running some sort of totalitarian government either before or after the end of this war, and is prudently getting ready for same.

SENATOR FROM NORTH DAKOTA

Mr. GREEN. Mr. President, as chairman of the Committee on Privileges and Elections, I wish to give notice that at the session next Monday, March 2, I shall move to take up the report of the Committee on Privileges and Elections on the question of seating the junior Senator from North Dakota [Mr. LANGER].

Mr. McNARY. Of course, Mr. President, the Senator may do as he pleases in that regard. I should probably have something to say in opposition. I have been discussing this matter with the able Senator from Illinois [Mr. LUCAS] who is in charge of the case on the floor, as I have been advised, though he is not chairman of the committee. It was agreed in a colloquy had here a few days ago that some time in March this case would be at issue, and would be taken up at a time mutually agreeable.

It will be impossible to take the case up next week without very great inconvenience to the Senator from Oregon, who may be away a portion of the time, and also the Junior Senator from North Dakota [Mr. LANGER], because he desires to attend at that time a meeting of the Non-Partisan League, of which he is an active and influential member. I assume usual courtesies will be extended to these Senators. I am willing to enter into an agreement—though I should not wish to do so in the absence of the able Senator from Illinois [Mr. LUCAS]—that we might proceed 2 weeks from today, which will be the 9th of March.

In view of the understanding heretofore had, and in consideration of the inconvenience which would be attendant upon proceeding next week, I shall oppose any action that may be taken with regard to setting this case for a week from today.

Mr. NORRIS. Mr. President, I inquire of the Senator from Rhode Island whether the minority report has been filed.

Mr. GREEN. So far as I know, no minority report has been filed, although at the time of the filing of the majority report I asked the three members of the committee who did not join in the report whether they wished to file a minority report, and if so, when they would file it. Since then I have heard nothing from them on the subject.

Mr. NORRIS. I should like to suggest to the Senator from Rhode Island that if there is to be a minority report, it seems to me the Senator should not take the matter up until a few days, at least, after the filing of such report. So far as I am concerned, I should like to see the minority report, if there is to be one filed.

Mr. GREEN. It has been weeks since the majority report was filed.

Mr. NORRIS. I realize that.

Mr. GREEN. And I have not been advised that any member of the minority wishes to file a report.

Mr. NORRIS. I have talked with one of the minority members of the committee who said he intended to file a minority report.

Mr. GREEN. Let me add one word. I have given this notice at the request of the Senator from Illinois, to whom reference has been made. Before I was made chairman of the Committee on Privileges and Elections the Senator from Illinois [Mr. LUCAS] and the Senator from Vermont [Mr. AUSTIN] were appointed a subcommittee to have charge of the North Dakota senatorship case on the floor, and it was at the request of the Senator from Illinois that I gave the notice today about bringing the matter up next Monday.

Mr. BARKLEY. Mr. President, inasmuch as I have participated in some of the conferences revolving around this matter, I think it should be stated that week before last, as I remember, although I do not recall the date, this matter came up in connection with a suggestion by the Senator from Illinois [Mr. LUCAS] in regard to the filing of a minority report. The Senator from Oregon tentatively stated at that time that the minority report would be filed last Tuesday. When that day arrived the Senator from Oregon [Mr. MCNARY] advised me that it would not be filed until

Thursday of last week, but that it would be filed on that day. I had supposed it had been filed. I had not heard anything to the contrary. It seems that it has not yet been filed.

At the time we discussed this matter and it was suggested that the minority report would be filed last Tuesday or last Thursday, March 2 was suggested as the day on which the matter might be taken up for consideration. That is the day on which the Senator from Illinois has been insisting the case should be considered. In the meantime the Senator from Vermont [Mr. AUSTIN] suggested a later date, and I advised him to confer with the Senator from Illinois [Mr. LUCAS], the two of them being members of the subcommittee in charge of the matter. I was informed only this morning, in private conversation, that next Monday would be satisfactory. I received word from the Senator from Illinois, who is unavoidably absent today, that he would like to begin consideration of the matter on March 2, which will be next Monday.

Of course, I am not disposed, so far as I am concerned, to inconvenience anyone. This is a matter of the highest privilege, but if attending a Non-Partisan League convention is a higher privilege than that then the Senate should yield in respect to a matter of that kind. I had been led to believe that a question involving membership in the Senate was of the highest privilege. I certainly should not wish to inconvenience the Senator from Oregon, who, I am sure, desires to be present when the matter is taken up, and who has shown his personal desire to cooperate in having it disposed of.

Personally, I have no objection to the case being taken up the 9th of March, but I have stated all along, in public as well as in private conversations and conferences, that I would be governed by the wishes of the subcommittee in charge of the case. In suggesting the 2d of March I am sure the Senator from Rhode Island thought—and I certainly thought—that that would be agreeable to the Senator from Vermont and the Senator from Illinois. However, in view of the objection, I presume we might leave the matter in abeyance at least until the return of the Senator from Illinois.

Mr. McNARY. Mr. President, according to the RECORD, I stated last week that I thought the report of the minority members of the Committee on Privileges and Elections would be filed on Thursday. I am not a member of the committee; I relied upon what some of the members told me as to the time the minority report might possibly be filed. I am advised that was not done because the members were not able to agree upon some of the legal phases in connection with the report, and I understand the report has not yet been filed.

It was clearly understood that the issue could not be drawn until both reports were before the Senate and the Members of the Senate for their consideration. I thought the matter was open, and I still believe it to be open, and I insist that it remain open for the present. Of course, it is not very important whether the Senator from North Dakota attends the Non-Partisan League convention, or whether any Senator should visit any other convention, or make any speech, but we usually accord some courtesy to Members who are absent. That is all I was taking into consideration—the usual courtesy, in a matter like this, of affording opportunity for consultation with others who are interested. I thought it was thoroughly understood that the matter was left open.

I think probably the minority report will be filed during the week—possibly by tomorrow, though I notice the absence of the minority members of the committee. It is certainly fair that the able Senator from North Dakota [Mr. LANGER] should have the minority report presented. I did not observe any very great haste in filing the majority report. Weeks went by before that report was filed. I have no interest in the case one way or the other, other than to see that there shall be fair play, decent treatment, and impartial conduct. Upon that I insist, and I am certain the case may be set to the satisfaction of all.

Mr. NORRIS. Mr. President, I think an observation ought to be made in response to that made by the Senator from Kentucky [Mr. BARKLEY] about Senators being absent on important business. In that respect I think we very often go to the extreme. I myself have often been dissatisfied because the Senate has put off taking action with respect to a certain matter simply because some Senator was absent on important business, and I think it is well known that in many such instances the Senators are absent because of engagements to deliver addresses somewhere. We have gone to the extreme in permitting matters to go over in the Senate simply to accommodate Senators for such reasons. It is a common occurrence for a Senator to be absent making a political speech, and the Senate sometimes puts over consideration of a matter in which he is interested until he returns.

I have no interest in the Non-Partisan League, but I presume a meeting of the Non-Partisan League is probably just as important to the Senator from North Dakota as a national convention is to Republican or Democratic Senators, and we adjourn the Senate so Senators may attend those conventions.

Mr. President, I recognize that this is a highly privileged matter, and that the Senator from Rhode Island [Mr. GREEN] has a technical right to call it up now if he desires. He is entitled to consideration. I think there has been a great deal of delay in connection with the case. I am anxious that when we do take it up, the issue shall be joined, and that means that, if a minority report is to be filed, it should be filed as promptly as possible, and we should have a reasonable time to consider it. That is all I care for. I understand the minority report has not yet been filed. It should have been filed before this time. So far as I know, ample time within which to file it has elapsed. It seems to me sufficient time has been given for filing that report; but if we are going to be lenient in such instances, and if we can obtain a better understanding of the North Dakota case by having a minority report filed, we should not begin consideration of the case until the minority report is filed.

Mr. GREEN. I wish to speak but a moment. For the information of the Senate, I may say that the majority report was filed January 29. Before that time I communicated with the members who were unwilling to sign the report, and I will state again that I asked them in writing, as well as orally, whether they would like to file a minority report, and if so, by what date, and I have not received any communication from any of them indicating that they wished to file a minority report. It seemed to me, and I think it seems to other members of the committee, that we have waited long enough for a minority report. The minority members have not filed a report. There must be some limit to the time for filing such a report. A month has gone by since the filing of the majority report, and, so far as I know, the minority members have not yet filed a report.

The PRESIDING OFFICER. It is not the Chair's understanding that the Senator from Rhode Island [Mr GREEN] has presented any matter for the consideration of the Senate at this time, but has merely given notice that he will ask leave to do so in the future.

Mr. BARKLEY. Mr. President, merely in order to keep the record straight, I wish to refer to a discussion which occurred on the floor of the Senate on February 13, a week from last Friday, in which the Senator from Illinois [Mr. LUCAS], the Senator from Oregon [Mr. MCNARY], and I participated. The Senator from Illinois was expressing the hope on that day, as the record shows, that he might take up the case 2 weeks from the following Monday; that is, 2 weeks from last Monday and a week from today. During the colloquy the Senator from Oregon and I said:

> Mr. MCNARY. Mr. President, I am in accord with the observations of the Senator, and it is my judgment now, from the facts I have in hand, that probably we can form the issues next week and early in March proceed with the consideration of the case on the floor of the Senate.
>
> Mr. BARKLEY. Mr. President, if I may inject a remark here, I am glad to learn from the Senator from Oregon [Mr. MCNARY], the able and very cooperative minority leader, that minority views may be expected by Tuesday.

That referred to last Tuesday. Of course, the Senator from Oregon was, I realize, more or less speculating as to the date. He could not be assured of it, but when the minority views were not forthcoming on Tuesday we were, as I thought, assured that they would be filed last Thursday. They ought to be filed, of course, before the Senate takes up the case. I think any report should be filed long enough in advance so the Senate may make a study of it before the case is taken up, and I hope that if a minority report is to be filed, it may be filed within the next day or two so we may familiarize ourselves with the issues, and take the case up as soon as possible.

CRITICISMS OF LACK OF COAST DEFENSE

Mr. GUFFEY. Mr. President, one day last week when I was absent from the city on official business the senior Senator from California [Mr. JOHNSON] se-

verely criticized the administration for not providing proper defenses on the Pacific coast and at the same time complained of the failure to send relief to General MacArthur and the Philippines. Later that day, during the same debate, the senior Senator from Massachusetts [Mr. WALSH], the chairman of the Naval Affairs Committee, complained also about the lack of defense on the Atlantic coast.

Coming to my office in the morning, I usually pass the Pennsylvania Avenue side of the beautiful Archives Building. On the bases of the two heroic statues in front of the building are carved two quotations from Shakespeare, the first being "What is past is prologue," and the other, "Study the past." Those expressions have been modernized and popularized by former Governor Smith, of New York, who said so frequently, "Let us study the record."

So today I am going to ask the Senate to examine the CONGRESSIONAL RECORD, volume 62, of the Sixty-seventh Congress, second session, and study the action taken on March 29, 1922, which appears on page 4718. The Senate then voted on the so-called disarmament treaty. It was ratified by a vote of 74 to 1. Both Senators who raised the question the other day were present and voting on that occasion. The only Senator who voted against ratifying the treaty was Senator France, of Maryland. I shall ask that the speech which he delivered on the floor of the Senate in opposition to the treaty at that time be included in my remarks; but first I wish to quote one paragraph from the speech which Senator France then made. He said:

Mr. President, it is not many years since Great Britain, under the hysteria of a pacifist movement there, was almost persuaded to do what we shall do when we ratify this treaty. A great naval expert of Great Britain, a man who has since been highly honored by the Empire, called attention to the grave danger which might confront the Empire within a few short years if she should adopt the policy which we are adopting today, when, with war threatening, I say, from many directions, we are preparing to scrap so much of our great—real and proposed—Navy. He warned then, I say, as to the danger which might confront Great Britain in a few years if she adopted a policy of drastic naval reduction. By a very narrow margin the contrary policy was adopted, and the great British Fleet was preserved; but if it had not been for the courage and for the vision of that Briton who refused to be swept from his feet by an unreasoning hysteria of pacifism, the history of the last war would have been very different, and the future course of history would have been in a totally different direction.

I ask that the speech delivered by Senator France, of Maryland, on the floor of the Senate in opposition to the treaty at that time, be included in the RECORD as a part of my remarks. The speech appears on pages 4708, 4709, and extends to page 4710.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Mr. FRANCE. Mr. President, I desire to say but a few words in explanation of my vote upon the pending treaty. It is not pleasant for me to mar the beautiful picture of harmony which would have been created by a unanimous vote in ratification of the pending treaty, but I shall vote against it. I shall stand in the minority here in the Senate, but, standing in the minority here, I believe that I shall stand with the overwhelming majority of the American people.

When innumerable doves of peace are beating the air with obedient wings, when all our senses are being enchanted with the intoxicating harmonies of universal pacifism, when we have recently surveyed floating from our public buildings the flags of the great empires of the earth in places of equal honor with the incomparable flag of this Republic, the first prophet and last defender of liberty, it is not pleasant for me to disturb the perfect harmony by rising here to remind the Senate that languishing in prison cells, under sentences of extraordinary severity, are men convicted under a Federal statute of the crime of pacifism.

When the greatest assault in history was being made upon the institutions of liberty by one of the mighty empires of Europe these men, standing in the minority, painted the horrors of war. They dwelt upon its inhumanity. They called attention to the crime of the shedding of one man's blood by another. They extolled the beauties of universal brotherhood, universal love, and universal peace, and for that, under a Federal statute clearly out of harmony with the Constitution of the United States, they were convicted of the then newly created crime of pacifism and were cast into prison where today they languish. And now men are taking today, even in the legislative halls of the Republic, the positions which those men took.

I believe that those men were unjustly convicted. I believe they should be freed, but I believe they were mistaken—mistaken, however, when they were exercising the constitutional right of every man who is a citizen of this Republic to express the minority, even if the repugnant, opinion. But they were doing then what is being done now today. They were preaching pacifism. Now, to my mind pacifism is nothing less than the doctrine which desires peace at any price. It is the doctrine which says, "Let us have peace regardless of the terms of that peace." Pacifism is for peace and for disarmament even when injustice is in the saddle and when the iron hoofs of empire are crushing the anguished hearts and trampling upon the inalienable rights of men.

I am not a pacifist. I do not believe that any progress can be made in the direction of disarmament, in the direction of doing away with the settlement of international disputes by force, until there shall be set up some different method of settling international disputes, until there shall be some international tribunal where oppressions, wrongs, and injustice can be remedied and where the oppressed can find redress.

Loathing war as I do, looking forward fondly as I do to the time when there shall be set up international tribunals for the establishment of international justice, I shall vote against the pending treaty. I shall vote against it because that time has not come. I must confess, as the Senator from Montana, Mr. Walsh, was indicating a few moments ago, to certain twinges of conscience with reference to my attitude upon the League of Nations when I contemplate this new international arrangement which is far less satisfactory. The League of Nations at least pretended to set up a tribunal of justice which should take the place of force in the settlement of international disputes, but under this arrangement we are offered disarmament with no substitute whatever in the way of an international tribunal designed to give us justice.

Mr. President, I am surprised at much of the shallow thought of the statesmanship of our time. It seems not to have ever occurred to some of the statesmen who have been studying the problems of peace, of war, and of disarmament that armaments are not the disease, that great armies and great navies and great guns are not what ails the world, that these are not in themselves the disease, but that they are only the symptoms of the disease and that those symptoms will persist until the disease is cured. Of course, the disease is nothing else than international injustice and oppression. Loving peace as I do, I love liberty, progress, and justice far more. I do not wish to see disarmament, I do not wish to see the navies disappear until I can be assured that there may be set up the means by which justice may be secured and by which the progress of liberty throughout the world may be made more certain.

I want to say to the Members of the Senate and I want to say to the Members of the House of Representatives that the people of the United States understand this question better, I believe, than do their representatives. The people of the United States love the American Navy. Throw upon the screen of any moving-picture palace or theater of humbler degree in any part of the Republic the animated picture of great American battleships bravely plowing the turbulent waters of the ocean, bearing the Stars and Stripes, representative not only of the wealth, the majesty, and the power of this great Republic, but of its invincible devotion to the higher ideals of liberty, and from the spectators, whose hearts beat true to American traditions, there will arise tumultuous applause. The American people love the American Navy. They realize that it is their first line of defense. They realize that with their great wealth the support of this Navy is an insignificant burden upon them. They realize, further, that our Navy will never be used to promote injustice or oppression, and that it will always be used in the defense of the American ideals of emancipation, of elevation, of liberation.

I shall vote against the ratification of this treaty; and from having noted an actual canvass in my State made some time ago by one of the newspapers, I am convinced that the people of Maryland—a State which has done so much for the Navy, not only in contributing to the great Navy of the United States heroes of years past and of more recent days, but in contributing at Annapolis every year a magnificent class of young midshipmen—are opposed to the crippling of our splendid Navy. I know that they will trust the Republic. I know that the people of the United States believe that this Republic should have the most powerful Navy in the world as a first wall of defense for the protection of our own liberties and as the great benevolent right arm to be always extended for conciliation, for propitiation, for mercy, for humanity, for liberty, and for justice over all the peoples of the world.

Oh, Mr. President, what a prophet was the Father of our Country when he warned us against the insidious wiles of foreign influence! How insidious are these influences! Is there an American Senator or an American Representative or an American citizen who believes that our financial condition is such that we cannot afford to support the largest Navy in the world? I do not know of such a one. It was not long since that all of our newspapers, before the insidious influence of foreign lands began to operate, were speaking proudly of our great achievements in building up a navy. As an illustration of that, I desire to close my remarks with an editorial from the Washington Post of December 23, 1920, which, to my mind, reads like good, old-fashioned Americanism; an Americanism still held by such reactionary old gentlemen as myself; an Americanism which will be held by this reactionary old gentleman, he hopes, until he is consigned to his eternal rest, perhaps with the flag draped about him in some recognition of what he has tried to do in maintaining and defending the ideals of this

Republic. From the Washington Post of only a year ago I read this editorial:

"AMERICAN SUPREMACY AT SEA

"Within 3 years the United States will hold supremacy over the seas. After 300 years of undisputed supremacy, the British Navy will take second place and the Stars and Stripes will float over a fleet stronger than the two fleets that fought the Battle of Jutland. In number of ships, in number of guns, and in size of guns and weight of broadsides the American Fleet will be overwhelmingly superior to the British Fleet. The two navies will stand about as follows in 1924, counting capital ships only:

	Great Britain	United States
Ships	18	27
Displacement, tons	487,450	983,000
Heaviest guns, inch	15	16
Greatest speed, knots	31.50	33.25

"Japan is building 8 capital ships and by 1924 will be a promising rival of Great Britain. Indeed, some naval experts are of opinion that the Japanese Fleet by that year will be more effective than the British, although the British Fleet will excel in tonnage. A point to be borne in mind is that, while the American and Japanese ships are new, the British vessels are of an older pattern. No first-class capital ship has been laid down in Europe since the war began, while the United States and Japan have been building up their navies quite actively. The program adopted in 1916 in the United States provided for 157 ships of various types. Among them are 4 battleships of 32,600 tons each and 6 battleships of 43,200 tons each, besides 6 battle cruisers of 35,300 tons each, with a greater speed than any similar vessels afloat or planned.

"Japan's program calls for 24 capital ships, of which at least 8 will be of the latest type, equal to those of any other fleet. Japan's spokesmen announce that the Empire cannot halt its shipbuilding program while the United States continues to increase its fleet, and it is recognized that the disparity of strength will be in favor of the United States in spite of all that Japan can do.

"There is no reason to look for a cessation of American naval increase. President-elect Harding has in fact already announced his policy in his speech at Norfolk upon his return from Panama. He favors a navy and a merchant marine second to no other in the world."

I will say that this is not a criticism of the President, because the President believes that under this plan we shall have a navy second to none in the world, and therefore a navy in harmony with what he said upon this occasion:

"Therefore he will not interpose objections to a reasonable continuation of the expansion program, and certainly he cannot be expected to cut down the program adopted in 1916 and now in process of execution.

"The resources of Great Britain and the disturbed conditions in the British Isles do not seem to encourage a great naval increase. Hence it need not be apprehended that the United States will fail to take first place by 1924, or perhaps by 1923.

"Premier Lloyd George took occasion only yesterday to discuss th question of disarmament. Speaking to the British and imperial delegates to the League of Nations, he said there could never be real peace until the nations ceased competition in armament and until all nations were in the League of Nations, for all nations must act together in this matter. No nation dares to take the risk of disarmament unless all will agree to disarm."

Of course Mr. President, when Mr. Lloyd George said that he overlooked—as have all the statesmen of the world recently overlooked—the fundamental principle to which I have called attention—the principle that to attempt to get rid of the symptom until you cure the disease is the utmost of folly. All the armies of today might be disbanded, all of the battleships might be scrapped, but if oppression and injustice remained new methods of warfare would be invented. From the beginning of the world men have fought, generally on the one side fighting against injustice and oppression and on the other side fighting for self-aggrandizement, exploitation, and oppression. Men have fought since the beginning of time. They fought with stones; they fought with stone weapons, with bronze-tipped spears; they defended themselves with shields made of hides; they fought in canoes; they fought, after gunpowder was first discovered, with makeshift arms; and now they fight with vast machinery of the utmost perfection and power of destruction. If all the navies of the world should be destroyed tomorrow and the reason for those navies should remain, we would still have conflicts just as deadly, just as destructive, between merchant ships carrying guns.

Someone has said that in the old days we had wooden ships and iron men, while today we have iron ships and wooden men. That is not true of the American Navy. The American Navy is made up of iron men, with courage in their blood, with patriotism in their hearts, and with a knowledge of world conditions which constitute those men among the best prepared in this Republic to know what our naval policy should be; and generally they are opposed to this wholly irrational scheme.

But scrap the big battle cruisers and the big dreadnaughts of the world and then let one imperial nation attempt to take advantage of a weaker but honest competitor in the markets of the world, and before we know it merchantmen will be carrying guns, and great disasters like the *Lusitania* disaster, one of the most terrible in all the history of the world, will have their repetition.

Mr. President, I am not surprised that the Senator from Montana [Mr. WALSH] feels that the rejection of the League of Nations plan, which, at least, attempted to substitute an international tribunal of justice for force, was a mistake and that that plan should have been accepted rather than this. The editorial continues:

"These statements, like all others that have appeared on the subject, omit one all-important qualification. Everything depends upon the nation that is superior in arms. If it is determined to have peace, it can have peace instead of war."

Here is the essence of the whole matter. I challenge any Senator or any Representative in Congress to go out upon the streets or to talk, as I do when I have occasion, with his farmer neighbor across the fence, and ask him whether a nation should have a large navy. I am sure if a Senator will ask his neighbor at home whether a nation should have a big navy or not, the average neighbor would answer very much in this language:

"Everything depends upon the nation that is superior in arms. If it is determined to have peace, it can have peace instead of war. We deny"—

And the average American will deny, as was denied a year ago by the editor of the Post—

"We deny that superiority in armament makes a nation warlike or that competition in armaments drives nations into armed conflict. Great Britain herself is a witness against Mr. Lloyd George. The British Navy is supreme on the seas, and yet Great Britain does not provoke war. She did not start the World War, although her navy was armed to the teeth and could have defeated Germany by a sudden stroke at any time before the completion of the Kiel Canal.

"The strongest army in the world in 1919 was the United States Army. But it did not seek war. The possession of enormous armed strength on land and sea did not make the United States a whit more warlike than during the seemingly pacifist years 1914–16. Who is the American who believes that in 1924, when the United States will possess the greatest navy afloat, this Nation will seek war? We believe the United States will use its Navy to promote peace, as the British Navy has been used.

"The most important part of Mr. Lloyd George's observation is that which makes it clear that the nations do not trust one another."

Mr. President, there is still some slight evidence of this condition today, even after the great disarmament conference; a condition under which the nations do not trust one another.

"That is a solid, incontrovertible fact, a fact that outweighs the mountains of theories concerning brotherhoods, leagues, and peace based on loving confidence. Not trusting one another, the nations must retain their independence and their strength. So far as the well-meaning and reliable nations can cooperate for the world's welfare, well and good; but they have traitors and assassins among them, and therefore they dare not depend upon leagues as substitutes for armies and navies.

"The United States craves the privilege of cooperating with enlightened and free nations for the sake of all mankind. At the same time, seeing the world as it is, and not as it might appear through rainbow-tinted spectacles, the United States uses its resources in its own defense. As this Nation contains most of the world's wealth and as its resources are the greatest in the world, it is proper that the United States Navy should be the most powerful in the world."

This is an editorial from the Washington Post of a year ago.

Mr. President, it is not many years since Great Britain, under the hysteria of a pacifist movement there, was almost persuaded to do what we shall do when we ratify this treaty. A great naval expert of Great Britain, a man who has since been highly honored by the empire, called attention to the grave danger which might confront the empire within a few short years if she should adopt the policy which we are adopting today, when, with war threatening, I say, from many directions, we are preparing to scrap so much of our great—real and proposed—Navy. He warned them, I say, as to the danger which might confront Great Britain in a few years if she adopted a policy of drastic naval reduction. By a very narrow margin the contrary policy was adopted, and the great British Fleet was preserved; but if it had not been for the courage and for the vision of that Briton who refused to be swept from his feet by an unreasoning hysteria of pacifism the history of the last war would have been very different, and the future course of history would have been in a totally different direction.

I believe that we should build our Navy. I believe that we should go on to complete our 1916 program. I believe that the great institutions of liberty upon the Western Contingent will face grave dangers during the next decade. I believe that we should be prepared with ships and men to defend the American ideal and the American flag against the menacing dangers of the great empires of the world, which hate with a deep, abiding hatred which will never die as long as the imperial system lives the very system and ideals of Americanism, which are in conflict with everything for which the empires stand.

There is not one of those great empires which would not crush the life out of the

American ideal and the American system if it could—an ideal and a system which, unless they be destroyed, will march steadily on with irrestible conquering force until the ideals and system of imperialism have been wiped from the earth, which for so many centuries has been stained and cursed by them.

I shall vote against this treaty if I vote alone, and I shall wait for the patient years to vindicate my vote; and I know that the majority of the American people fully realize that this policy, which is indeed a sudden reversal of a well and long considered policy—this policy of scrapping so much of the great American Navy at the very moment when that Navy was coming to a position where it would have held supremacy of the seas—is a grave mistake.

As far as I am concerned, I can vote "nay" with perfect confidence that my vote is the proper vote, and if that unhappy time shall ever come, which I pray God may not be, when we shall be menaced by a combination of the empires which hate us, if we shall be unprepared the blood, the havoc, the destruction shall not be charged to me nor to my record as a Member of the Senate of the United States.

Mr. GUFFEY. Senator France, as Senators know, was usually regarded as a pacifist. I call the Senate's attention also to the action taken by the Senate on March 19, 1920, which is found on page 4599, volume 59, part V, of the second session of the Sixty-sixth Congress. I think the Senators who were criticizing the administration the other day will find, if they study the two questions discussed on the floor on the occasions referred to and the resulting votes, what caused the present world war, which has to date resulted in more than 10,000,000 casualties, and which will cost this country more than $150,000,000,000.

After a little more research and study I found in David Loth's book on Woodrow Wilson, a quotation from a letter written by former President Taft to Gus J. Karger on February 22, 1919. I shall now proceed to read the quotation from that letter:

As I write I look out upon the desert of Nevada, and it suggests the waste that war makes; and when I think of the vicious narrowness of Reed; the explosive ignorance of Poindexter; the ponderous Websterian language and lack of stamina of Borah; the vanity of Lodge as an old diplomatic hand on the Foreign Relations Committee; the selfishness, laziness, and narrow lawyer-like acuteness of Knox; the emptiness and sly partisanship of Hale; with the utter nothingness of Fall, in the face of this great world's crisis, I confess I don't see where we have any advantage over the women—at least in this juncture.

I beg of you to believe I am not drunk or wild, but am only roused to the critical situation in world affairs that those who gather around the council board in Paris know, and that these barking critics do not seem to realize.

It is their American selfishness, their American littleness, blinding them to the real interests of this Nation as well as of the world that arouses me. I can see that little head of Hays wagging over the errors I have made from a political standpoint. I can hear the discussions in the cloakrooms and the damning of me. I can hear the wiseacres say, "That shows what defeated the party in 1912, and here's a repetition of it.

"Weren't the progressives justified in breaking off? Taft's loyalty to the party was always weak. Now, thank God, he is out of it."

To have incurred this condemnation by so noble a body as the Republicans of the Senate, and such a shining leader as Fess, is certainly a sad fate, but I must bear it.

That is all of the letter that has been made public. I think it is sufficient to demonstrate his viewpoint.

Mr. President, I propose to continue to search the record when any statements are made with which I do not agree and believe to be wrong or misleading, and I will report to the Senate.

RETIREMENT PRIVILEGE FOR MEMBERS OF CONGRESS

Mr. BYRD. Mr. President, I have noted some newspaper discussion with respect to the effect of the legislation to repeal the congressional pension plan.

The amendment offered by the Senator from North Carolina [Mr. BAILEY], the Senator from Ohio [Mr. BURTON], the Senator from Colorado [Mr. JOHNSON], and myself, had as its purpose the repeal of any pension benefits to the elective branch of the Government—members of the Senate and House of Representatives, the President, and the Vice President—as well as Cabinet officers. This amendment eliminated the new provisions relating to such pensions adopted in the last Retirement Act, which became a law on January 24, 1942.

I offer a statement from the Legislative Counsel of the United States Senate, where the amendment was prepared.

The question of a contractual obligation which may be established by payment into the retirement fund by any Member of the Congress, the President, Vice President, or Cabinet officer prior to the repeal of this legislation is one, of course, for legal determination; but the Legislative Counsel is of the opinion that the section of the repealer amendment which requires the immediate return to the applicant of any payments made certainly protects this question.

I am fully convinced that in view of the repeal legislation, no Member of Congress would attempt to take advantage of a technicality by making payments into the retirement fund and thereby endeavoring to establish a contractual obligation, even though such a technicality might permit such action. In any event, if this should occur it would be the fault of the original legislation, which the repealer remedies so far as is possible.

I ask unanimous consent to have printed in the RECORD as a part of my remarks a statement by the Legislative Counsel.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The amendment to H. R. 6446, which you offered and which was agreed to by the Senate, will, if it remains in the bill, eliminate, so far as it is possible to do so, any retirement privileges which were accorded to Members of Congress by the act of January 24, 1942.

It has been asserted that your amendment will not affect the right to receive retirement benefits now enjoyed by a very limited number of Members of Congress who, befor becoming Members of Congress, were employed by the United States in positions covered by the Civil Service Retirement Act and who, upon coming to Congress from such positions, continued to make payments into the retirement fund. It is not altogether clear that such assertions are correct. It should be noted that this group of Congressmen do not derive their rights to retirement benefits from the act of January 24, 1942, but had acquired their rights under the Civil Service Retirement Act as it read before January 24, 1942. Hence, even if such Members of Congress continue to enjoy rights to retirement benefits, it will not mean that your amendment will have failed to take away all rights to retirement benefits which were conferred by the act of January 24, 1942.

Subsection (d) of your amendment provides for paying back to the Members of Congress who are made ineligible for annuity benefits by your amendment of any sums which they may have paid into the retirement fund, whether as deductions from salary or as deposits to buy full credit for past service. Certainly if such sums are paid back to such Members and accepted by them their rights to retirement benefits will have been eliminated.

However, it has been contended that those Members who have paid sums into the fund since January 24, 1942, have acquired a contractual right to retirement benefits which cannot be taken away from them. This contention would not seem to be very sound, and if such rights may constitutionally be taken away from them your amendment will be effective in doing so.

Mr. BYRD. Mr. President, I have no desire to encumber the RECORD with communications respecting the so-called congressional pension law, but in view of the insertions made by the distinguished Senator from New York [Mr. MEAD], I am offering for inclusion in the body of the RECORD a joint resolution unanimously adopted by the General Assembly of the State of New Jersey in opposition to any Federal pension system applicable to Members of Congress; and also a resolution adopted unanimously by the General Assembly of the State of Virginia.

I am further informed that Assemblyman Orlo M. Brees, of Binghamton, N. Y., has introduced a similar resolution in the New York State Legislature; but I am not informed whether any action has been taken on it.

Only five State legislatures meet in regular session in 1942. Had more legislatures been in session, it is, of course, probable that additional memorials to Congress on this subject would have been adopted.

I offer for insertion in the body of the RECORD a resolution adopted by the Board of Supervisors of Appomattox County, Va.; a resolution adopted by the New Jersey State Federation of Women's Clubs; a resolution adopted by the West Wenatchee Grange, No. 1024, and the Chelan County Pomona Grange, No. 23, of the State of Washington; a telegram received from Mr. Earl W. Decker, president of the ladies' and men's Democratic clubs of Johnson City, N. Y.; a telegram from Roscoe Harp, secretary of the Grays Harbor Industrial Unity Council, affiliated with the Congress of Industrial Organizations of the State of Washington; a resolution adopted by the junior chamber of commerce of the city of Danville, Va.; and a resolution adopted by the Board of Supervisors of Halifax County, Va. These represent only a very small proportion of the resolutions

adopted on the subject which have been sent to me.

I also offer for insertion in the RECORD the result of the Gallup poll.

I shall not encumber the RECORD further, although hundreds of editorials and communications are available for insertion in opposition to the pension legislation; and I am offering these only because of the insertions made by the junior Senator from New York. I ask unanimous consent that the various communications, resolutions, and so forth, to which I have referred, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

Whereas the Seventy-seventh Congress has enacted into law House Resolution 3487, which revises the Federal Civil Service Retirement Act to include provisions granting for the first time in the Nation's history liberal pension privileges to elected Federal officials, including the Members of the United States Senate and House of Representatives; and

Whereas the extension of the Federal pension system to Members of Congress, in many cases providing lucrative payments at trivial cost to the beneficiaries, will result in additional tax burdens upon the people in a period when they are already asked to bear unprecedented tax burdens in the furtherance of national defense; and

Whereas the action by Congress in making its Members beneficiaries of the Federal pension system opens the floodgates to the lavish demands of irresponsible pressure groups for billions of dollars' worth of new and additional public pensions and subsidies, thus placing in jeopardy the national credit; and

Whereas the New Jersey Legislature, having adopted a fiscal program for this State which calls for the strictest economy in the operations of our State government, likewise desires to safeguard the interests of its people against additional Federal tax burdens not related to the war effort; and

Whereas the action of Congress hereinabove referred to is deemed inimical to the interests of the people of New Jersey and of all other States and completely out of step with the Nation's need to conserve its resources for the prosecution of the war: Now, therefore, be it

Resolved by the Senate and General Assembly of the State of New Jersey:

1. The Legislature of the State of New Jersey urges and petitions the Congress of the United States to repeal all provisions of Public Law 411 (77th Cong., approved January 24, 1942), which amend the Federal Civil Service Retirement Act to provide pensions to elected Federal officials.

2. The secretary of state be, and he is hereby, directed to transmit copies of this joint resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and the Senators and Representatives of the State of New Jersey in the Congress.

3. This joint resolution shall take effect immediately.

Whereas the Nation is engaged in war in which the very existence of the Republic is at stake; and

Whereas toward the successful prosecution of the war Congress has pledged the full resources of the Nation and sacrifices and self-denial are demanded from all citizens in every walk of life; and,

Whereas it is incumbent upon all the leaders of the country, including the Members of Congress to set an example to the people in the making of such sacrifices; and

Whereas recently the Congress has enacted a bill under which pensions have been voted to its own Members: Now, therefore, be it

Resolved by the Senate of Virginia (the House of Delegates concurring) That during these perilous times it is not sound public policy for elected public officials to receive pensions payable from the Public Treasury; and be it further

Resolved, That the action of Virginia's junior United States Senator, HARRY F. BYRD, in opposing the passage of this legislation and in urging its repeal is commended, and has the approval of the people of Virginia; and be it further

Resolved, That the other Members of the Virginia delegation to the Congress be, and they hereby are, urged to support the immediate repeal of the aforesaid legislation; and be it further

Resolved, That a copy of this resolution shall be certified to each of the Members of the Virginia delegation to the Congress of the United States, to the Speaker of the House of Representatives thereof, and to the Vice President of the United States.

Whereas our country is facing a national crisis and is calling upon its citizens of all walks of life to make tremendous sacrifices of their time, money, nd effort, and to give our young men in large numbers to defend its very life and existence; and

Whereas even the poorest of our people are responding splendidly to the urgent appeals for Red Cross war relief, the purchase of Defense bonds and stamps, and are patriotically giving their boys to die, if necessary, for our country; and

Whereas in view of all these facts the Congress of the United States has seen fit to vote itself pensions under circumstances which are especially favorable to the present Members of Congress; and

Whereas this action is calculated to undermine the confidence of our people in the present Congress and has incurred the resentment of a great number of our people: Therefore be it

Resolved by the Board of Supervisors of Appomattox County in regular meeting this 11th day of February 1942, That it strongly condemns this act of Congress, and those Members who voted for the passage of the same, but wholeheartedly commends those who voted against the passage of said act and the efforts of those who are seeking to have the same repealed.

Whereas the amendment to the Civil Service Retirement Act providing pensions for Members of Congress places them in the same category as civil servants; and

Whereas the advocacy of the principle that such persons are entitled to pension benefits imposes great and unforeseen strains on existing pension funds to which civil servants have contributed over a period of many years; and

Whereas the Nation is in a state of war and committeed to the vast costs of equipping and maintaining our armed forces and to the unpredictable costs of hospitalization and rehabilitation of these forces upon demobilization: Therefore be it

Resolved, That the State board of trustees of the New Jersey State Federation of Women's Clubs, meeting February 13, 1942, endorse Senate bill No. 2242 and House of Representatives bill No. 6508 repealing this amendment to the Civil Service Retirement Act, on the ground that it is contrary to the public interest.

Whereas a bill has been introduced into Congress providing a pension for Congressmen after they have served their elected term, and said bill has become a law; and

Whereas the Nation is in one of its most critical crises and threatened with danger from all sides; and

Whereas the people are being called upon to sacrifice, even to the necessities of life; and

Whereas the Nation is being called upon to give and give until it hurts to many different causes to alleviate human distress; and

Whereas thousands of our young men and boys are arrayed on fields of battle after giving up homes and jobs, knowing that in many cases they will never return; and

Whereas the passing of such a law will have a demoralizing effect on our soldiers and sailors who have given their all, as well as on the general populace, who will have to pay most of the pensions: Therefore be it

Resolved, That West Wenatchee Grange No. 1024 and Chelan County Pomona Grange No. 23 go on record urging all Senators and Representatives to reconsider this bill and repeal it; and be it further

Resolved, That a copy of this resolution be sent to the Congressmen who were outstanding in the arguments against this bill and to our own State Representatives.

JOHNSON CITY, N. Y., *February 7, 1942.*

Senator BYRD,
Care Senate Chamber,
Washington, D. C.:

At a joint meeting of the Ladies' and Men's Democratic Clubs of Johnson City a resolution was unanimously passed pledging full support to any move you make to repeal the Meade-Ramspeck pension bill. We will be glad to assist you any way to eliminate this stain on our congressional body.

EARL W. DECKER, *President.*

ABERDEEN, WASH., *February 7, 1942.*

The Honorable Senator BYRD,
Washington, D. C.:

In regular meeting we, a delegated body representing 7,000 workers in the woodworking industry, are asking you to use your influence and best efforts in repealing the pension law for Congressmen. The opinion is that the pension law is an unjust piece of legislation and tends to retard the sale of defense bonds and stamps to our members.

ROSCOE HARP,
Secretary, Grays Harbor Industrial Unity Council, affiliated with Congress of Industrial Organizations.

JUNIOR CHAMBER OF COMMERCE,
Danville, Va., February 18, 1942.

The Honorable HARRY FLOOD BYRD,
The United States Senate,
Washington, D. C.

SIR: As president of the Danville Junior Chamber of Commerce, I have been commanded, by unanimous vote of the organization, to write to you in their behalf expressing their strong disapproval of the action of our Congress in permitting a bill to be passed creating pensions for individual Members of our elected legislative body.

* * * * *

Yours very truly,

JAMES L. HOWE,
President.

In view of the critical situation of our country when our citizens are being called upon to make tremendous and necessary sacrifices in money, time, and effort, and when our young men are being called to the colors in large numbers to defend the very life of our country; and

In view of the fact that the Board of Supervisors of Halifax County considers the action of the Congress of the United States in voting for itself pensions under circumstances which are peculiarly favorable to the present Members of Congress, as calculated to undermine the confidence of the people; and

In view of the fact that even the poorest of our citizens are responding splendidly to the urgent appeal for Red Cross war relief, for the purchase of Defense Savings stamps and bonds and are sending their young men uncomplainingly to die, if necessary, for their country: Be it

Resolved, That the Board of Supervisors of Halifax County strongly condemns this act of Congress as against the public interest and as destructive to public morale; be it further

Resolved, That the board of supervisors commends Senator BYRD, Congressman BURCH, and those Members of the United States Senate from Virginia and of the House of Representatives from Virginia who favor the repeal of this measure; be it further

Resolved, That a copy of this resolution be sent to the county papers, the Times-Dispatch, the News-Leader, the Danville Register, the Lynchburg News, and the Associated Press, and to the members of the Virginia congressional delegation.

VOTERS OPPOSE PENSIONS FOR CONGRESS

(By Dr. George Gallup)

PRINCETON, N. J., February 17.—Public reaction to the issue of pensions for Congressmen is one of strong opposition, first returns in a Nation-wide survey by the American Institute of Public Opinion indicate.

Approximately three voters in every four, on the average, the poll finds, have heard or read about the principle involved in the legislation passed by the House of Representatives which would allow Members of Congress to put themselves under the civil-service retirement system if they have served 5 years.

Those who knew about the plan were asked in the poll:

"Do you approve or disapprove of giving a pension to Congressmen when they leave office?"

	Percent
Yes	10
No	84
Undecided	6

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. GILLETTE in the chair) laid before the Senate a message from the President of the United States nominating Callis H. Atkins to be an assistant sanitary engineer in the United States Public Health Service, to take effect from date of oath, which was referred to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Oscar S. Cox, of Maine, to be Assistant Solicitor General of the United States, vice Charles Fahy, resigned.

By Mr. HILL, from the Committee on Commerce:

Jean H. Hawley, to be Assistant Director of the Coast and Geodetic Survey with rank of rear admiral, and several employees of the Coast and Geodetic Survey to be hydrographic and geodetic engineers with the rank of lieutenant in the Survey.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTER—GABRIEL J. CHOPP

The legislative clerk read the nomination of Gabriel J. Chopp to be postmaster at Ahmeek, Mich.

Mr. BROWN. Mr. President, I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 44 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 24, 1942, at 12 o'clock noon.

NOMINATION

Executive nomination received by the Senate February 23 (legislative day of February 13), 1942:

UNITED STATES PUBLIC HEALTH SERVICE

Callis H. Atkins to be an Assistant Sanitary Engineer in the United States Public Health Service, to take effect from date of oath.

CONFIRMATION

Executive nomination confirmed by the Senate February 23 (legislative day of February 13), 1942:

POSTMASTER

MICHIGAN

Gabriel J. Chopp, Ahmeek.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 23, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Give ear, O Lord, unto our prayer; in the beauty and glory of Thy infinite nature, incline unto us. In these hallowed moments it is given us to realize the patriotic devotion and character of our forefathers. From the unseen heights of Thy throne Thou didst guide their broken columns as they toiled in sacrificial suffering to bring order out of chaos, service out of selfishness, and man out of the throes of political tyranny. Oh, consider and hear us as we pray the prayer of the immortal Virginia patriot:

"Almighty God, we make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government, and entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large. And finally that Thou wilt most graciously be pleased to dispose us all to do justice, love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion without a humble imitation of whose example in these things we can never hope to be a happy nation. Grant our supplication, we beseech Thee, through Jesus Christ, our Lord. Amen."

The Journal of the proceedings of Thursday, February 19, 1942, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6446. An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following agencies:

1. Government Printing Office.
2. The National Archives.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had, on February 19, 1942, examined and found truly enrolled a bill of the House of the following title:

H. R. 6548. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes.

The SPEAKER. The Chair desires to announce that, pursuant to the authority granted him on February 19, 1942, he did, on Friday, February 20, 1942, sign the enrolled bill of the House, H. R. 6548, the first deficiency appropriation bill.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD by including therein an address delivered by the Honorable GEORGE A. DONDERO before the Michigan State College Alumni.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GEORGE WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. The Chair thinks it proper first to recognize the gentleman from Nebraska [Mr. STEFAN] to read George Washington's Farewell Address. The gentleman from Nebraska.

Mr. STEFAN. Washington's Farewell Address:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings

from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions. to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jeolousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit

of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a

disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter. .

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim.um no less applicable to public than private affairs, that honesty is always the best policy I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has ben virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I

promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES.
19th September, 1796.

FACTS CONCERNING GEORGE WASHINGTON'S FAREWELL ADDRESS TO THE PEOPLE OF THE UNITED STATES

Mr. STEFAN. Mr. Speaker, when the House honored me with the privilege of reading this famous address on the birth anniversary of our first President, I made some inquiry about its history, and here are certain interesting facts.

President Washington wrote the address primarily to eliminate himself as a candidate for a third term. It was never read by the President in public, but printed in Claypool's American Daily Advertiser, Philadelphia, September 19, 1796.

The address is in two parts. In the first, Washington definitely declines a third term, gives his reasons, and acknowledges a debt of gratitude for the honors conferred upon him and for the confident support of the people. In the second and more important part he presents, as a result of his experience and as a last legacy of advice, thoughts upon the Government.

After Claypool's death the manuscript was ordered to be sold at auction on February 12, 1850. Senator Henry Clay on January 24, 1850, offered a joint resolution for its purchase by the Government, but the resolution was not signed by President Taylor until the day of the sale. The manuscript was sold to James Lenox for $2,300, and passed, with his library, to the New York Public Library.

There is no evidence of any bid on behalf of the National Government.

PROTECTION OF THE CAPITOL

The SPEAKER. One of the responsibilities of the Speakership is the protection of the Members and the places in which they work. This responsibility, of course, is a little more anxious one right now than in ordinary times, and anything that is done or any regulation that is issued is issued after the best and most competent advice the Speaker is able to get.

Some time ago cards were issued and no one was allowed to come into the gallery without one. These cards have been outstanding for some time, and I am sorry to say they have been widely distributed, many of them mailed to distant points in the country. The Chair and those who advise him have decided that it is best to revoke all outstanding cards of admission to the galleries. New cards have been printed and will be distributed to the Members today and tomorrow, as the cards to the gallery outstanding will not be honored after Wednesday morning. And may the Chair hazard just one suggestion, and that is that as to the men around the Capitol, and especially those in uniform, who, at the request of the organization on Capitol Hill, are sent up here, that we be not impatient with them when we happen to leave our identification cards at home or in our office. They are here to protect you and me and this invaluable property in which we work; and to the young men around the Capitol I would bespeak the same consideration.

Another thing that those who advise me think is highly advisable is that the people entering any of the galleries, except the Members' gallery, submit themselves to search. This is thought wise and judicious by men who will be in the Capitol and who will be competent for the work.

I hope this may not seem too irksome to some of our people who may come to Washington. I am willing to take this responsibility for the reason that if a mishap occurs around the Capitol somebody has got to take the responsibility, and I am willing to share my part of it. So I hope the cards that will be issued in lieu of those outstanding may be handed in Washington to visitors and constituents of yours and not be mailed around the country.

Mr. RANKIN of Mississippi. Mr. Speaker, on that point may I make the suggestion to the Chair that instead of issuing these cards for the duration of the Congress that they be limited to a given number of days or for the time or the day when the visitor expects to visit the House?

Mr. DINGELL. And, Mr. Speaker, may I make the further suggestion that all cards be signed by the recipients in their own handwriting, because you cannot identify a card holder without a signature.

EXTENSION OF REMARKS

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a report to the Secretary of Agriculture from the Commissioner of Narcotics on the drug traffic, with respect to the dangers in relation thereto, together with a brief editorial regarding the matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a news item from this morning's Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address which I delivered yesterday, February 22, at Mount Vernon during the ceremonies in which diplomatic representatives from the peoples who are battling the Japanese in the Pacific placed wreaths upon the tomb of George Washington.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLOOM. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by Mr. Sumner Welles.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech delivered by Hon. JOSEPH W. MARTIN, of Massachusetts, at Kansas City.

The SPEAKER. Is there objection?

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the San Francisco News.

The SPEAKER. Is there objection?

There was no objection.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brief item.

The SPEAKER. Is there objection?

There was no objection.

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include three short letters.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. KRAMER] may have permission to extend his remarks in the RECORD and include an address by James Rowe, an assistant to the Attorney General.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Mayor Bowron, of Los Angeles.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a sermon by the Reverend Charles Barbour.

The SPEAKER. Is there objection?

There was no objection.

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include certain newspaper comments on Mr. Tugwell, the Governor of Puerto Rico.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks and include a very remarkable editorial by R. W. Hitchcock, in the Rapid City Journal, entitled "Washington, Talk to Yourself."

The SPEAKER. Is there objection?

There was no objection.

DOCUMENTARY EVIDENCE OF UNITED STATES CITIZENSHIP

Mr. LEWIS, on behalf of the gentleman from Illinois [Mr. SABATH], and by direction of the Committee on Rules, submitted the following resolution (H. Res. 443) for printing, under the rule, which was read and referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6600) providing for the issuance of documentary evidence of United States citizenship. That

after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

TO EXPEDITE THE PROSECUTION OF THE WAR

Mr. LEWIS, on behalf of the gentleman from Illinois [Mr. SABATH] and by direction of the Committee on Rules submitted the following resolution (H. Res. 444) for printing, under the rule, which was read, and referred to the House Calendar and ordered printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the act (S. 2208) to further expedite the prosecution of the war. That after general debate, which shall be confined to the act and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the act shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the act to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion, except one motion to recommit.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution on unemployment benefits under the W. P. A.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOOK. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement that I issued with regard to the so-called congressional pensions.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars and include newspaper editorials.

The SPEAKER. Is there objection?

There was no objection.

FARM LABOR

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for half a minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. BURDICK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter from one of my constituents and a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Mankato Free Press, and also an editorial from the Saturday Evening Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by Maj. George Fielding Eliot.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a recent address by the archbishop of New Orleans.

The SPEAKER. Is there objection?

There was no objection.

SECURITY FOR THE AGED

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and include therein a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREEN. Mr. Speaker, when we have for consideration tomorrow the bill to repeal the annuity for House and Senate Members, the civil-service amendment, it will be an opportune time for the House to give consideration effectively to security of the aged of our country.

I hope the House will join with me tomorrow in substituting for this bill a reasonable, straight Federal pension for the aged of this country.

PASS, NOW, OLD-AGE PENSION BILL AND REPEAL SENATORS' AND CONGRESSMEN'S LAW

During the past few weeks much correct and incorrect publicity has been given to the civil-service amendment bill, H. R. 6528. As you, of course, understand, one of the provisions of this bill extends to Senators and Congressmen the optional right to contribute 5 percent of their salaries into a retirement fund and to draw back from this fund an annual annuity after they reach the age of 62, if they are then retired from Congress. This bill may better be called the social-security extension bill. However, that is not the impression that the American public has of it. The impression has gone out that this bill would grant large, comfortable, and unjustifiable pensions to Senators and Congressmen.

I VOTE FOR REPEAL

Under the provisions of the bill, in my own case it would be necessary for me to now put into the fund approximately $8,400 in order for me to draw out of the fund, upon reaching retirement age, $101 per month. Of course, I have not this large sum of money, and, if I did have it, could not afford to put it into the fund. The law means nothing to me. I am not participating under it; I did not vote for it; and I shall vote for its immediate repeal. I am not willing to be a party to a law like this while the senior citizens of our Nation go unprovided for. It is true that we have social security for them, but it is true, likewise, that under existing conditions this social security is not carrying adequate relief and is carrying no relief to the large majority of the aged of America.

Our great and beneficent Government has extended rather liberal retirement for employees of the Government other than, of course, Congressmen and Senators. Take, for instance, the officers of the Army and Navy may retire upon three-fourths pay, and without contributing to their own retirement fund. Federal judges may retire upon full pay without contributing toward their own retirement fund. Regular civil-service employees may retire upon reasonable annuity, but they, of course, are compelled to contribute a percentage of their salaries to the retirement fund. They are, I believe, now contributing 5 percent of each month's salary to the retirement fund. This retirement fund is maintained largely by these civil-service employees' contributions. Social-security retirement is brought about, I believe, through contribution of 3 percent on the part of the participant, and some social-security contributors may receive as high as $60 or $80 per month upon retiring. We have passed a law for the retirement of railroad employees. The employee, I believe, contributes 3 percent to his retirement fund, and the railroad company contributes a percentage. One of the most meritorious pieces of legislation ever passed by the Congress was the Railroad Employees' Retirement Act.

I suggest that in legislation for the repeal of H. R. 6528, we include in this repeal legislation, an item for a straight Federal pension for American citizens above the age of 60 years. In other words, let us have the courage to substitute for our own pension retirement possibilities a real straight Federal pension for the aged. I would prefer to see these aged and needy citizens have even a small pension than for me to have a pension or annuity; and by the way, when a Senator or Congressman reaches his 60 years of age, he can then come under the general old-age retirement pension bill that I propose now we substitute for this so-called Congressmen-and-Senators pension bill. There is no difference between a Congressman or Senator and other aged citizen of our country. Under our great scheme of American affairs, we are all equal and should share and share alike in the responsibilities to our Government, and in any benefits springing from the Government.

TOWNSEND PLAN BILL

We have before us now many bills and plans for pension for the aged. At least two of these I know are receiving the serious consideration of a large number of the Members of the House. One of them is H. R. 1036, as introduced by our colleague from Montana [Mr. O'CONNOR], and known as the Townsend plan bill. It is workable; it is meritorious; and will in fact bring security to the aged of our land. I have long supported this legislation and was 1 of the 101 House Members who signed petition for consideration of this bill in the previous Congress. Among these 101 signatures, Florida gave four of its five Members. They were PETERSON, HENDRICKS, CANNON, and myself. We have now a petition on the

Speaker's desk, bearing the signatures of almost half of the membership of the House. This is Discharge Petition No. 7, and would call for the immediate consideration of H. R. 1036. I am proud to tell you that Florida now has on that petition all of her 5 House Members; PETERSON, HENDRICKS, CANNON, SIKES, and myself.

Many of us who believe in this legislation have meetings at frequent intervals in an effort to obtain the required 218 signatures to bring about consideration by the House of Representatives of this bill. Dr. Francis E. Townsend and thousands of American citizens throughout the country have labored for years to bring about the writing into law of this meritorious legislation. Recently I had a letter from Dr. Townsend, in part as follows:

"As an organization we are extremely anxious not to lose any of the friends in Congress who have so dependably supported us, so I am confident that there will be little or no opposition to your proposed candidacy for Congressman at Large.

I hope you may be elected to that important post."

GENERAL WELFARE BILL

The other bill which is of unusual merit and worthiness for our immediate consideration is H. R. 1410. It is sponsored by thousands of American citizens throughout this country and is known as the General Welfare Act. We have on the Speaker's desk Petition No. 6 which would compel consideration by the House of this worthy legislation. This petition is signed by scores of Congressmen, almost enough to bring the bill to a vote. I signed this petition. Mr. Speaker and my colleagues, it is noteworthy that practically all the Congressmen signing Petition No. 6 are signers of Petition No. 7. This is convincing proof that those of us in the House of Representatives who are sincerely endeavoring to obtain security for the aged of this land are not concerned primarily with language in bills but are concerned about the eminent and meritorious need for straight Federal pension for the aged of our country, and we want passage now.

The General Welfare Federation of America has thousands of sponsors but one of the most sincere and helpful advocates is Hon. Arthur L. Johnson, the executive and legislative secretary of this association. Recently I received a letter from Arthur, which I prize very highly. It is as follows:

GENERAL WELFARE FEDERATION OF AMERICA,
Washington, D. C., January 30, 1942.

Hon. LEX GREEN,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR MR. GREEN: We desire to thank you most sincerely for all you have done for the cause of pensions at our National Capital, and to assure you, as an organization, of our unqualified and enthusiastic support in the coming campaign.

In accordance with our national bylaws, our board of directors has given you its unanimous endorsement on account of what you have done for pensions.

The writer knows personally, after 5 years of association with you, just how effective this aid has been, and we hope to be able, in cooperation with the pension groups in Florida that are associated with us, to be an effective unit in the campaign to make certain that you remain in Congress to continue your activities on behalf of the senior citizens of America.

With best wishes for your continued success as one who has served your State well in Congress for 18 years and with kindest regards, we remain,

Very sincerely yours,
ARTHUR L. JOHNSON,
Executive and Legislative Secretary.

Time will not permit me to attempt an analysis of the two bills just mentioned. This can and will be done when the legislation is before the House for a vote, which I trust will be in the very, very near future. All I would hope to do today is to urge upon you the merit and importance of legislation now for straight Federal pension for the aged and to remind you of the appropriateness of the enactment of legislation for this purpose simultaneously with the repeal of the so-called pension for Senators and Congressmen legislation.

I WANT FEDERAL PENSIONS FOR THE AGED ON PAY-AS-YOU-GO BASIS NOW

I believe that each of you realize with me the eminent necessity of more adequate security for the aged of our Nation and also you know as well as I do that existing social-security legislation has not fully met this requirement. It is true that social-security legislation now in existence has carried helpful benefits to some of the aged, the blind, needy, children, and the weak. Only a small percentage of those entitled to and in need of these benefits have been able to receive them. This lack of assistance is caused both by the inadequacy of the legislation itself and by the various States not sufficiently matching funds.

TITLES I AND II, SOCIAL SECURITY ACT

Of the existing social-security legislation, I would call your particular attention to titles I and II of the Social Security Act, as amended. These are the provisions which should be repealed and for which reasonable, just, and fair legislation should be substituted.

It has been estimated that of an average group of 1,000 American citizens over 65 years of age in 1937, only 128 had current earnings, only 150 had savings, and only 73 had public or private pensions, while 203 were dependent wholly or in part on private or public charity, and 446 were living on the hand-outs of friends and relatives. This revelation was made by statistics prepared, I believe, by the Social Security Board. These statistics show the alarming need for adequate help for the some 7,000,000 citizens in America above 65 years of age and also for almost an equal number between 60 and 65 years of age.

There are between thirteen and fourteen million American citizens over 60 years of age. According to the above statistics, some 85 percent of them were in need of assistance or were actually receiving assistance.

Some time ago there was an announcement from the Social Security Board that $114,000,000 would be distributed among 912,000 old people this year. This, of course, is only about $10 per month, and bear in mind that this 912,000 is only about 25 percent of those in the country who are above 65 years of age, and who are in desperate need.

The average pension, or income of $10 per month for a person 65 years of age or above, is so meager and inadequate that it is ridiculous. Now, I am not condemning these payments because they have helped and are helping the aged of our country a great deal, but what I am trying to impress upon you is the great necessity of the Congress to now pass pay-as-you-go pension legislation which will bring security for all of the aged citizens in our country.

Under existing law, the Federal Government puts up $20 per month, providing this $20 is equally matched by the State. Under the existing plan, the State of California is, I believe, the only State fully matching the $20 and paying a pension of $40 per month. The scale goes on down among the several States, and reaches a low of average pension in another State of $5.80 per month. The total average paid throughout the United States, in all States, is $19 or $20 per month.

I contend that the present social-security set-up in the way it affects the aged is not adequate.

UNFAIR TO WEAK STATES

I would not have you get the impression that all of the aged citizens in the various States who are in need are receiving these pensions—quite the contrary. I can speak better for my own State than I can for others. Our State has failed to provide funds to adequately match the Federal offer and through regulations, fully three-fourths of the aged who should receive pensions are not getting a thin dime. In other words, the "need clause" is forcefully stressed, making it practically impossible for one to get any allowance unless he is, in fact, a destitute pauper. The poor States are not able to match the $20 per month, or they are not doing it, and through default of this matching, funds from the weak States are siphoned out into the rich States. The powerful and rich States are the ones that are matching the highest Federal funds. When a small, weak State defaults on matching, the people of this State still pay into the social-security fund their industrial and employment pro rata of Federal taxes. They enrich the national fund which is in turn siphoned out into the powerful States. This plan is wrong.

An aged person can be just as hungry in Florida, Georgia, or Arkansas as he is in California, Pennsylvania, or New York. Hunger respects no State line and destitution chooses no particular locality.

The citizens of my State are in dead earnest about obtaining passage of legislation for real security for the aged. They are organized in all parts of the State and are earnestly and actively cooperating with the Florida delegation in Congress for passage of this legislation.

All citizens owe their allegiance to the Constitution of the United States. State constitutions control locally, but cannot supersede the Federal Constitution. Likewise, American citizens are citizens of the United States; to it they owe their allegiance, and from it they are entitled

to security and protection. Pensions to the aged and to the blind should be paid equally and in equal amount in every State in the Union. In practice of existing law this is not being done. This grievous wrong must be righted.

CONTRIBUTIONS FROM WAGE EARNERS ARE TOO HEAVY

Under existing social-security retirement plan, contributions are made from wage earners up to $250 per month, beginning, of course, with a meager earning of, I believe, $200 per year. In some sections of this country, particularly in the farm areas, many wage earners do not obtain as much as $200 a year. What about his social-security retirement under the present law? Also, what about the man who is not employed during each year gainfully the required number of days, and who does not receive the required amount during each quarter? This man loses his contribution rights and also his retirement-benefit rights. Under the present plan of retirement at 65 years of age, it is indicated that 15 percent of those taxed will be returned nothing at all, since they failed to qualify. Another 15 percent will get the statutory minimum of the act, of $10 a month; and a good 40 percent more will receive under $19 per month. This last group will have a monthly average of about $14.50 per month. From this it is apparent that more than half of those now contributing to old-age pension retirement through their wages will get on an average of $14.50 per month retirement after they reach 65 years of age. The other 50 percent of contributors will receive monthly pensions of from, say, $19 up to $85 per month. A comparatively few will receive $85 per month, because these will be the ones having paid in on monthly salaries of $250 per month.

THE RICH SHOULD PAY ALSO

Why should contributions stop on salaries of $250 per month and none be taxed on the higher salaries? This is all wrong. Regardless of the income and the salary of the individual the proportionate rate of payment should be made. Under actual operation of existing law those receiving the largest monthly payments will be those in the main who are already financially secure and who really do not need any Federal assistance while the large majority of cases, those receiving the pittance of from $10 to $14.50 per month, will be the ones who are weak and insecure financially. My friends, again this is wrong.

The aged of our country should be adequately provided for and should share and share alike, in their old days, in Government pensions. Security of the aged is a Federal responsibility. Our Nation and our Government is as strong only as its citizens are. An economically secure and happy citizenship is the best assurance that our Nation can ever have prosperity and peace.

Under existing social-security law the large volume of payments and the burden of its operations come from those least able to pay. I favor social-security legislation which will exact a due and fair toll from those most able to pay rather than to continue to bleed the weak.

The large salaries and incomes of individuals should appropriately be taxed to help take care of the needy. These incomes are more enormous than one would casually believe. Some 2 years ago the Treasury Department made public names of those who receive more than $75,000 per year. The fabulous incomes of such individuals as Henry Ford and John D. Rockefeller are not included, but included are a few which are considered by the ultrarich as modest incomes; for instance, Thomas J. Watson, head of International Business Machines Corporation, with $453,440; that was for 1938. This same year motion-picture actress Claudette Colbert pulled down an income of $301,944, and Louis B. Mayer, M. G. M. head, in 1937 drew a salary of $1,161,753. Bing Crosby crooned out $260,000, and even little Shirley Temple was paid $114,848. Charles B. Dulcan, Sr., director of Hecht Co. Department Store, Washington, D. C., received the modest sum of $101,309. William Randolph Hearst, the great publisher, drew $500,000 in 1937. George Washington Hill, of the American Tobacco Co., obtained $380,976 in 1938 and almost as much in 1937, and probably a great deal more in 1939, as the past year was a much better business year than 1938, and, mind you, during the past year of 1939 the tobacco growers in my district hardly obtained cost of production of the tobacco. The price of cigarettes, chewing tobacco, and snuff remained the same or even more during this bad sales period of 1939. W. S. Knudsen, of General Motors, was paid $303,400; Walter P. Chrysler, of Chrysler Motors, $189,136; and Winthrop Aldrich, of the Chase National Bank, New York City, in 1938 was paid $177,600; Owen D. Young, General Electric Corporation, drew the handsome salary of $245,447. Why, H. F. Sinclair, of Consolidated Oil Co., drew $200,550 in 1938.

It is only fair and just and in the interest of better life in America that these huge salaries and incomes should bear their part toward giving the necessities of life and security to the aged of this country, and I shall never cease my efforts nor lay down my weapons until the aged and needy of this Nation are cared for.

PAY AS YOU GO

With the large Federal expenditures now required, and the huge deficit in the Federal Treasury, it is indeed appropriate to have security for the aged on a pay-as-you-go basis. It would occur to me that any individual or organization receiving more than $250 per month would be willing to give 2 percent for the security of the aged and less fortunate. The earning possibilities of these who pay this 2-percent income tax will be substantially enhanced.

STATE $1, FEDERAL $2

While the social-security bill was before the House, a large number of us did all possible to favorably amend this bill. I voted for amendment which would have given for pensions for the aged 100 percent from the Government. When this failed, I voted for amendment for the State to put up $1, the Federal Government $4; when this amendment failed, I voted for amendment for the State to put up $1, the Government $3; when this failed, I voted for amendment for the State to put up $1 and the Government $2. This last proposition of $2 to 1, indeed, should have been adopted, but, in spite of all that we liberals could do, we were outvoted by those who felt the State should put up $1 and the Government $1; in other words, the present 50–50 matching plan of $20 by the Federal Government and $20 by the State government, making a total pension of $40 per month possible.

FLORIDA LEGISLATURE FAILS TO MATCH FEDERAL FUNDS

The Florida State Legislature has miserably failed to put up Florida's $20 to match the Federal $20. If the Florida Legislature now will appropriate sufficient moneys and repeal harsh State law restrictions, the needy aged of my State would all now be getting $40 per month. It appears, however, that the Florida Legislature will not be able to do this. I desire to see the elimination of the existing inspection of, questioning of, and embarrassment of the aged of my State concerning their applications for old-age pensions. I urge you, my colleagues, to now join with us and enact a straight Federal pension in some reasonable monthly amount to be sent straight to the individual from the Federal Treasury, and making it necessary for the applicant to prove only his age and his loyal American citizenship. I have been encouraged in this cause recently by a noble expression from our great President, as follows:

THE WHITE HOUSE,
Washington, October 7, 1941.

Hon. LEX GREEN,
Member of Congress, Starke, Fla.

MY DEAR LEX: I am in receipt of your letter of October 4 relative to old-age pensions. I am now studying various plans for the future development of the social-security program, and you may be certain that in doing so the matter of providing security for the aged will not be overlooked.

I appreciate very much having your views concerning this matter.

With all good wishes, I am,

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

WAR CRISIS INCREASES NEED

Finally, my friends, I would impress upon you that during this war crisis and following the war the needs of our unemployable aged citizens, many of them indeed infirm and bedridden, will grow more and more acute. Now is the time to give them a reasonable straight Federal pension.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an address delivered by our colleague, Hon. JOSEPH W. MARTIN, Jr., on last Saturday at the Editorial Banquet at Indianapolis.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I also ask unanimous consent to extend my remarks and include therewith a poem written by Mrs. Constance S. Conrad, of Connellsville, Ind., on the subject Our America.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech that I made on defense and the Japanese question on February 9.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article from the Santa Monica Daily, A Traitor Still at Large, referring to Robert Noble.

The SPEAKER. Is there objection?

There was no objection.

AXIS PROPAGANDA

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein an article by Dorothy Thompson.

The SPEAKER. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Speaker, the many and oft-repeated criticisms cast regarding the war efforts of our British Allies are the result of clever Axis propoganda. Some of this criticism is true, but the most of it is untrue, unfair, and scurrilous. It is subtle sabotage of morale in both nations and certainly furnishes aid and comfort to our mutual enemies. Repetition of such malicious criticism is, to say the least, poor judgment and certainly tends to injure the common cause for which we are all fighting.

Certainly, the British have made mistakes in strategy and politics, which has cost them dearly. They have suffered reverses, some of which might have been avoided. So have we. They are in need of reforms, both political and military. We could do with some such reforms ourselves.

The insidious statement so often made that the British will fight to the last Frenchman, Greek, or what have you, never had the slightest foundation of fact. The courage of the British soldier has been proven on land and sea in every corner of the globe for centuries. Slow, blundering, and hard-headed he may be, but the Britisher is no coward. Their bulldog tenacity is legendary.

Whether or not the Britisher from the islands is as able physically as are the colonials, is another matter. Certainly men reared for generations in the congested areas of the island of Britain are not likely to equal those from the more open spaces of the world in physique and therefore will not equal them in endurance. Men bred from generations of shopkeepers, factory, and mill workers, are not as naturally adapted to army life as are those from the farms, ranches, and woods, but the fact remains that they are every bit as courageous.

The critics of Britain love to quote the population of the British Empire as over 500,000,000 people. That is true, but in all of this population there are less than 70,000,000 people far enough up in the scale of civilization to make soldiers in a modern sense. This less than 70,000,000 is scattered clear around the globe with many vital localities to defend.

Germany has 80,000,000 of people in a compact nation. She has control of 50,000,000 more in contiguous territory, and Italy another 45,000,000. Japan has a population of over 70,000,000 at home, plus some 60,000,000 more in Korea and Manchukuo, separated only by the easily protected sea of Japan.

To feed the people on the island of Britain and to supply her industries, the British must maintain an enormous merchant marine. To guard the island, convoy supplies, and to protect the far-flung empire, she must maintain an enormous navy. Both the merchant marine and navy take men.

The island of Britain is the political, social, financial, and industrial heart of the British Empire. If that island should be destroyed the defeat of the other components of the empire would be only a matter of the time necessary to defeat them in detail. Therefore, the heart must be protected first.

The false statements to the effect that the British depend upon the colonials to furnish troops for the empire armies and keep the troops from the island at home, is also Axis propaganda. The truth is, that in proportion to the population, Britain has retained less of her soldiers at home than have any of the dominions except New Zealand. The cry of a British war but the colonials fight, is also untrue. The casualty lists show that the soldiers from the island of Britain are doing all of their share of the fighting. With about 65 percent of the white population of the empire on the island of Britain, men from that island have suffered more than 70 percent of the battle casualties not to speak of the civilian casualties due to air raids.

Yes, the British have made many errors and have their faults. These errors and faults have cost them heavily. With all their faults, we must remember that they did not have to go to war with Hitler. They could have stood idly by while he overran the continent of Europe. If they had have done so they would not have made some of the strategic blunders for which they are now being so severely censored. The Japanese did not declare war upon the British, but as unprepared and as weak as the British knew themselves to be in the Far East, they went to war with Japan. With all of their blundering, I do not know of any nation I more welcome as an ally.

The article by Dorothy Thompson is as follows:

[From the Washington Evening Star]

ON THE RECORD—SINGAPORE CRITICISM RECALLS THAT WE WEREN'T SO HOT AT PEARL HARBOR, EITHER

(By Dorothy Thompson)

All right; all right; yes, I read Cecil Brown, and so did Goebbels. He's quoting him all over the place. Yes; I know the show in Singapore was not so good. Yes; I know about the complacency; yes, I know they didn't follow a "scorched earth" policy. Yes—you can't feel worse about it than I did. I know what it means. Maybe I know what it means better than you do—the fall of Singapore.

Just the same, I can't stand the cackling. Who's calling whom names? Is this war in the Far East the fault of the British? We talked a year and a half. The British supported us in the Far East, not we the British. Do you remember Pearl Harbor? Were we so hot at Pearl Harbor?

Listen, brothers: This is a war against Japan and Nazi Germany. Get this straight: The British are our Allies.

THE LADY AND HER CAT

I read all the interviews with the American citizens who came from Penang. The British didn't evacuate the Americans properly. The British didn't have antiaircraft guns. The British didn't this and the British didn't that. The lady with the Siamese cat had plenty to say, as I remember.

Listen, sister, you got home all right, didn't you—you and the Siamese cat? Ever occur to you to offer one prayer of gratitude to God? If you weren't properly protected, what have you ever done to protect anybody else? Listen, sister, you get busy and join the air-raid precaution service. Get busy. There's a lot to do right here. And if things don't go well right here whom will you blame—the British?

The British didn't have to have a war with Japan and they didn't have to have a war with Hitler. Do you know that? They could have tossed the continent to the winds and made a deal with both our enemies—against us. A military deal, a financial deal, a trade deal. All they had to do was go Nazi. All they had to do was agree about spheres of influence in the Western Hemisphere and the east. Hitler's still moaning that they didn't do it.

SEVENTY MILLION ANGLO-SAXONS

Did you ever look at the map? There are seventy-odd-million Anglo-Saxon members of the English-speaking world outside the United States and they are scattered from Land's End to hell and gone. Not quite 2 years ago they had the Germans at the Channel and there weren't any antiaircraft guns in Britain, either. Forty-seven million people on a little island and they could starve in a fortnight. And for a year and a half they held the world at bay alone. That doesn't make any impression on you? Fifty thousand of them died—right in England. I can't remember that anybody whimpered.

When the King of Belgium made a separate peace, Paul Reynaud cried, "Treason." Churchill said, "We reserve judgment."

Did you ever read Lincoln's second inaugural address? Take a look at it again. "The judgments of the Lord are true and righteous altogether."

Listen to the Vichyites in New York. "Britain let us down." Not one mumbling word from Britain about the France that handed over everything to Hitler. Not a word. Only faith in France—when even France didn't have any.

WORK OF CENTURIES

You'd think to listen to some of you that you want Britain to lose. Careful, careful, be quiet and pray.

It took Britons and Hollanders, Frenchmen, and Americans hundreds of years to open this globe for white men. Japan, since Perry, is 88 years old. And in a few weeks hundreds of years may be swept into the ash-can, and the Japs have a straight open line from India to Suez.

You don't think much of the British Empire? No?

Well, brother, if Britain goes, write finis over western civilization. Or do you think perhaps that America can carry it alone?

You don't know what England means, my friend. England is very tired, and England is old. Yet, though it slay me, I tell you this: England is the last refuge of the civilized soul. Pray for England. I say England. England, so proud, and England who knows humility.

AGAIN, PEARL HARBOR

Have you heard the British say a word against the Americans? Did they crow over Pearl Harbor? Did they rush into print to talk of our smugness and complacency?

Did you ever have an Englishman or an Englishwoman for a friend? Did that friend ever let you down?

In the hour of her greatest distress, her greatest disaster, I, an American, write these

lines to England. And I say to England: In spite of Singapore I sing with you, "Land of hope and glory, mother of the free." And I sing with you. "There'll always be an England, and England will be free." And I ask you to sing with me the great songs of America, Sweet Land of Liberty, and Columbia, the Gem of the Ocean and Mine Eyes Have Seen the Glory—songs written in the world's greatest language, the great language of resistance.

THROUGH THE PERILOUS FIGHT

There's a line in the Star-Spangled Banner—"Stars through the perilous fight."

There are stars, England.

And don't believe the lady with the Siamese cat is America.

America knows where she is going, and she knows who's going with her—Holland and Norway and Russia, China and India. Yes, India.

And by and by the whole round globe.

And with you, Great Britain.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief newspaper article on two American heroes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

DEFENSE OF ALASKA

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. PADDOCK. Mr. Speaker, 6 years ago Gen. Billy Mitchell said to the Military Affairs Committee of this House:

I think whoever holds Alaska will hold the world.

These prophetic words of a great American have deep meaning for us today. We know that from Alaska we can strike at Japan. We know that from Alaska Japan can dangerously threaten the United States.

What have we done to protect Alaska? Until lately, almost nothing. Even now, not enough, by far.

With all our realization of the enormous military value of this outpost which means as much to as as Hawaii, we have communication only by sea and air. There is no road to Alaska, built, building, or even surveyed.

Let us build that road now. Let us call it the Billy Mitchell Road, so that for all time the name of an American military genius will be linked with the defense of the country he loved. No better memorial could be created to his courage and wisdom than a highway to insure the development and protection of Alaska, which he knew and we know, must be defended if the United States is to be safe against attack.

As Frank C. Waldrop, of the Washington Times-Herald, said in a recent issue:

Alaska is in danger.

Alaska is ours.

We need safer and better communication with Alaska than we now have.

The sea route we already dominate. We must dominate also the land route and the air route.

This is essential to our safety, to Alaska's safety, and to Canada's.

The Canadians are unable to guard their own coast. They have only a minuscule naval detachment and of that almost all is over in the Atlantic looking after transport of supplies to England. Yet the greatest danger to Canada lies in the Pacific.

If Japan gets free in that ocean, her swing will take her not only down through Alaska but also into Canada on her way toward the United States proper.

Canada has no means of stopping such an attack. We have.

Under the present threat against both Canada and the United States, the former Canadian objections to this Alaskan highway should be abandoned, freely and promptly. If not, we should strongly urge the military necessity of this construction. I hope and believe that our proposals will receive the speedy consent of the Canadian authorities.

PERMISSION TO ADDRESS THE HOUSE

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

(By unanimous consent, Mr. LEA was granted permission to revise and extend his own remarks.)

Mr. HOFFMAN. Mr. Speaker, I have two requests to submit: First, to print in the Appendix a letter from the Chairman of the War Labor Board with an answer thereto; and second, to be permitted to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I take this time to ask the gentleman from Mississippi [Mr. RANKIN] a question: Is not the organization to which the gentleman refers the Civil Liberties Union, the organization which is heading the attempt to kill the Dies committee; the organization which is sending each Congressman propaganda asking him to end the existence of the Dies committee?

Mr. RANKIN of Mississippi. I do not know that it is heading that drive——

Mr. HOFFMAN. Sure it is.

Mr. RANKIN of Mississippi. But I understand it is attacking the Dies committee and the F. B. I., and that it has been attacking a great many things American here lately. It has been doing everything possible to stir up race trouble all up and down the Atlantic seaboard and throughout the Southern States for many years.

[Here the gavel fell.]

ESTABLISHMENT OF MILITARY AREAS ON THE WEST COAST

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROLPH. Mr. Speaker, President Roosevelt is to be highly commended for instructing the War Department to establish military areas from which all civilians—citizens or aliens—may be excluded.

Senators and Representatives in Congress from the Pacific coast, as well as the Delegate from Alaska, joined in recommendations to the President, urging this action. Our constituents are gravely concerned about the alien proposition and will deeply appreciate the President's interest in our welfare.

The President's authorization to the Army is aimed primarily at the 105,000 Japanese located on the west coast.

We of the Pacific coast are thankful.

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a resolution regarding the welfare of the independent tire dealers and recappers of Wisconsin.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters from the Civil Service Commission.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ENTANGLING ALLIANCES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, George Washington warned us in his Farewell Address that we should keep out of foreign entanglements.

Over the week end I received a circular, World Fellowship, Inc., sent out in an envelope of the National Highway Association, Washington, D. C. How did they get the National Highway envelope? The letters bear the post-office stamp of New York City by special-delivery postage. It comes from World Fellowship, Inc., wanting to start a world government foundation in which it desires this country to participate in a world government. I am fearful of this proposal, just as the gentleman from Mississippi is fearful of communistic organizations within this country. Our only protection against them is to heed the warnings given us by George Washington against foreign entanglements. If we are not very careful we will get ourselves so tangled up in world affairs we can never get out, and we will lose our own Government, our freedom, and the things Washington and his army paid such a dear price for us to receive. Beware of communism and the Reds within as well as foreign entanglements and world governments. It is a fantastic dream. It may sound good but

it is most dangerous to our good and our country's welfare.

UNITY OF THOUGHT AND EFFORT

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, upon this momentous day when we in the House of Representatives celebrate the anniversary of George Washington's birth, and on which we shall hear the President of the United States speak to the American people, I think it not inappropriate that those who believe in the Congress, who believe in the people, who believe in our democracy, reassert their faith in our Government.

A lot of criticism has been recently made of the Congress and this administration. Some of it has been warranted. For example, the so-called congressional pension was a great mistake, wrong in principle. It has been pending for years, having been first considered by the House in 1939. I am glad to say that I have never favored it or voted for it, and I have urged the repeal of the act, which I hope will occur at the session tomorrow. Wasteful nondefense spending is bad; the employment of so-called fan dancers in Government positions is bad.

But, Mr. Speaker, let me say that I have not lost faith in the American people, in the Congress, or in the President. The people want the truth; they are impatient with side issues, nonessentials, foolishness, and waste, but they are hungry for a chance to make a real contribution to the war effort. The people are aroused; everything they have is at stake, and they are ready to make greater sacrifices in order to assure victory for God and country.

And, if we stand united, victory will be ours, and the faith of George Washington in this Nation will again be vindicated.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DIMOND. Mr. Speaker, I have two requests to submit. First, to extend my remarks in the RECORD and include therein an address delivered on February 22, 1941, at Manila by Admiral Thomas Hart, commanding our Naval Establishment there, and by Gen. George Grunert, commanding the general Philippine Department at that time; and second, to extend my remarks and include therein an address delivered by Hon. Golden W. Bell, legal adviser to the Commissioner of the Philippines and formerly Associate Solicitor General of the United States, on the same occasion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 268. An act for the relief of James Wood;

H. R. 793. An act for the relief of the estate of Charles D. Talbert, deceased;

H. R. 2183. An act for the relief of Hiram O. Lester, Grace D. Lester, and Florence E. Dawson;

H. R. 2712. An act for the relief of the Branchland Pipe & Supply Co.;

H. R. 2780. An act for the relief of O. C. Ousley;

H. R. 3141. An act for the relief of Fred Farner and Doris M. Schroeder;

H. R. 4537. An act for the relief of H. D. Bateman, Henry G. Conner, Jr., executor of the last will and testament of P. L. Woodard, and J. M. Creech; and

H. R. 4622. An act for the relief of Catharine Schultze.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on February 20, 1942, present to the President, for his approval, a bill of the House of the following title:

H. R. 6548. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 24 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 24, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Subcommittee on Petroleum of the Committee on Interstate and Foreign Commerce, at 10 a. m., Wednesday, February 25, 1942.

Business to be considered: To resume hearings on petroleum as outlined in Mr. COLE's memorandum of February 6, 1942.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, February 25, 1942, at 10:30 a. m., for the continuation of hearings on S. 1476 (Florida tick bill).

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions at 10:30 a. m., Wednesday, February 25, 1942, in room 247, House Office Building, for the purpose of considering private bills.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, February 26, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred, as follows:

1419. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the St. Elizabeths Hospital for the fiscal year 1942, amounting to $200,000 (H. Doc. No. 632); to the Committee on Appropriations and ordered to be printed.

1420. A communication from the President of the United States, transmitting two supplemental estimates of appropriations totaling $56,100,000 for the fiscal year ending June 30, 1943, for civil functions administered by the War Department (H. Doc. No. 633); to the Committee on Appropriations and ordered to be printed.

1421. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $1,025,000 for the fiscal year ending June 30, 1942, for the War Department for flood control, general (H. Doc. No. 634); to the Committee on Appropriations and ordered to be printed.

1422. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated November 7, 1941, submitting a report, together with accompanying papers on a review of reports on the Mississippi River between Coon Rapids Dam and mouth of the Ohio River, with a view to providing flood control on the Big Grassy and Little Grassy Creeks, Ill., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on May 1, 1940; to the Committee on Flood Control.

1423. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to further amend section 206 of the act entitled "An act to provide for the establishment, administration, and maintenance of a Coast Guard Auxiliary and a Coast Guard Reserve," approved February 19, 1941, as amended; to the Committee on the Merchant Marine and Fisheries.

1424. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill for the relief of the First National Bank, Huntsville, Tex.; to the Committee on Claims.

1425. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to authorize the leasing of Indian lands for business and other purposes; to the Committee on Indian Affairs.

1426. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to facilitate and simplify collection procedure in the Department of the Interior; to the Committee on Expenditures in the Executive Departments.

1427. A letter from the Secretary of War, transmitting a draft of a proposed bill to relieve disbursing and certifying officers of the United States of responsibility for overpayments made on transportation accounts under certain circumstances; to the Committee on Expenditures in the Executive Departments.

1428. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Kayaderosseras Creek, Fish Creek, and tributaries, and Saratoga Lake, N. Y., authorized by the Flood Control Act approved on June 28, 1938; to the Committee on Flood Control.

1429. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated Sep-

tember 26, 1941, submitting a report, together with accompanying papers, on a review of reports on the Ohio River with a view to improvement in the interests of navigation and hydroelectric power in the vicinity of Letart, Ohio; Hogsett, W. Va.; and Greenup, Ky., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on November 2 and December 5, 1938, and by resolution of the Committee on Commerce, United States Senate, adopted on September 14, 1938; to the Committee on Rivers and Harbors.

1430. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 7, 1941, submitting a report, together with accompanying papers, on a review of reports on the Mississippi River between Coon Rapids Dam and mouth of the Ohio River, with a view to providing flood control on Reeds Creek, Marys River, Kinkaid Creek, and Clear Creek, Ill., requested by resolution of the Committee on Flood Control, House of Representatives, adopted on May 1, 1940; to the Committee on Flood Control.

1431. A letter from the Postmaster General, transmitting the Cost Ascertainment Report and Appendix for the fiscal year 1941; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 443. Resolution for the consideration of H. R. 6600, a bill providing for the issuance of documentary evidence of United States citizenship; without amendment (Rept. No. 1817). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 444. Resolution for the consideration of S. 2208, an act to further expedite the prosecution of the war; without amendment (Rept. No. 1818). Referred to the House Calendar.

Mr. BROOKS: Committee on Military Affairs. H. R. 2804. A bill authorizing bestowal upon the unknown unidentified American buried in the Memorial Amphitheater of the National Cemetery at Arlington, Va., the decoration of the Purple Heart; without amendment (Rept. No. 1819). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 6636. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, for the purpose of making elective officers ineligible to receive benefits under this act; without amendment (Rept. No. 1820). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. House Joint Resolution 263. Joint resolution to provide decorations for outstanding conduct or service by persons serving in the American merchant marine; without amendment (Rept. No. 1821). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS of Arkansas: Committee on Claims. S. 1669. An act for the relief of James Franklin Smith; without amendment (Rept. No. 1806). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillipps, Charles Ray Phillips, and David Delano Phillips; without amendment (Rept. No. 1807). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. S. 1906. An act for the relief of the estate of V. H. Himley; without amendment (Rept. No. 1808). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 246. A bill for the relief of Mrs. Murray Freeman; with amendment (Rept. No. 1809). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4842. A bill for the relief of Cohen, Goldman & Co., Inc.; with amendment (Rept. No. 1810). Referred to the Committee of the Whole House

Mr. WEISS: Committee on Claims. H. R. 5295. A bill for the relief of the estate of Romano Emitrani; with amendment (Rept. No. 1811). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 5504. A bill for the relief of H. J. Abney; without amendment (Rept. No. 1812). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 5563. A bill for the relief of Joe A. Mumford and the estate of W. C. Mumford; with amendment (Rept. No. 1813). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 5778. A bill for the relief of Luther Herbert Tench and Mrs. Mildred Farmer Tench; with amendment (Rept. No. 1814). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 6036. A bill for the relief of Roy L. Riales; without amendment (Rept No. 1815). Referred to the Committee of the Whole House.

Mr. COSTELLO: Committee on Military Affairs. H. R. 3337. A bill to provide for the issuance of a duplicate adjusted-service certificate to Andrew J. Bessinger; without amendment (Rept. No. 1816). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on Military Affairs. S. 2063. An act to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere; without amendment (Rept. No. 1822). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 6641. A bill to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937; to the Committee on the Merchant Marine and Fisheries.

H. R. 6642. A bill to amend section 8 of the act entitled "An act to provide for the establishment, administration, and maintenance of a Coast Guard Auxiliary and a Coast Guard Reserve," approved February 19, 1941, as amended; to the Committee on the Merchant Marine and Fisheries.

By Mr. COLLINS:

H. R. 6643. A bill authorizing appropriations to reimburse States, counties, and other political subdivisions for loss of tax receipts on account of the acquisition of certain lands by the United States; to the Committee on the Public Lands.

By Mr. DIMOND:

H. R. 6644. A bill to further amend the Alaska game law; to the Committee on the Territories.

By Mr. PAGÁN:

H. R. 6645. A bill to provide for the investigation of the feasibility and desirability as an aid in the war effort of establishing a naval station at Jobos Harbor, Guayama, P. R.; to the Committee on Naval Affairs.

By Mrs. ROGERS of Massachusetts:

H. R. 6646. A bill to provide that the unexplained absence of any individual for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. FADDIS:

H. R. 6647. A bill to abolish the Office of Civilian Defense and to provide for the transfer of its function to the War Department; to the Committee on Military Affairs.

By Mr. GREEN:

H. R. 6648. A bill to safeguard the health of military and civilian personnel of the United States, the District of Columbia, and the Territories and possessions; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Washington:

H. R. 6649. A bill to establish the Office of the Supreme War Command, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. VINSON of Georgia:

H. R. 6650. A bill to amend subsection 11 (b) of the act approved July 24, 1941, entitled "An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes"; to the Committee on Naval Affairs.

H. R. 6651. A bill to authorize inclusion of service on active duty as service on the active list in computation of service of commissioned warrant officers in the Navy for pay purposes; to the Committee on Naval Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to consider their resolution relative to the war insurance passed and provided for be made extensive to Puerto Rico; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to consider their Senate Resolution 42, relative to the commemoration of the State's one hundred and fiftieth birthday; to the Committee on Coinage, Weights, and Measures.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHIPERFIELD:

H. R. 6652. A bill granting a pension to Maud C. Lucas; to the Committee on Invalid Pensions.

By Mr. GREEN:

H. R. 6653. A bill for the relief of William R. Ivey; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2460. By Mr. FITZPATRICK: Petition of the New York State Sewage Works Association, favoring the passage of House bill 5676

to create a division of water pollution control in the United States Public Health Service; also the passage of Senate bill 1617 to amend the Employment Stabilization Act of 1931; to the Committee on Rivers and Harbors.

2461. By Mr. LUTHER A. JOHNSON: Petition of James B. Caudle, Groesbeck, Tex., favoring House bill 6390; to the Committee on Military Affairs.

2462. Also, petition of Ossie Downes, Route 5, Bryan, Tex., favoring House bill 998; to the Committee on the Merchant Marine and Fisheries.

2463. By Mr. KEOGH: Petition of the Allies Products, Inc., Suffern, N. Y., concerning Senate bill 2015 and House bill 5949, amending the Interstate Commerce Act, as amended, to provide for regulation of the sizes and weights of motor vehicles engaged in transportation in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

2464. By Mr. ROLPH: Assembly Joint Resolution No. 20 of the State of California, relative to memorializing the President and Congress to amend the Federal Social Security Act to permit certain small income to aged and dependent beneficiaries in addition to the aid which they may receive under Federal, State, and local laws; to the Committee on Pensions.

2465. By the SPEAKER: Petition of the International Workers Order, Inc., New York, N. Y., petitioning consideration of their resolution with reference to racial discrimination; to the Committee on Military Affairs.

2466. Also, petition of the Steel Workers Organizing Committee, Martins Ferry Local Union No. 1238, Martins Ferry, Ohio, petitioning consideration of their resolution with reference to unemployment benefits and Work Projects Administration; to the Committee on Ways and Means.

2467. Also, petition of the Bergen County Woman's Republican Club, Inc., Glen Rock, N. J., petitioning consideration of their resolution with reference to the Civil Service Retirement Act; to the Committee on the Civil Service.

2468. Also, petition of the Central Joint Committee of the Coalition Party, San Juan, P. R., petitioning consideration of their resolution with reference to Gov. Rexford G. Tugwell; to the Committee on Insular Affairs.

2469. Also, petition of Local 1950, Steel Workers Organizing Committee, affiliated with Congress of Industrial Organizations, Cleveland, Ohio, petitioning consideration of their resolution with reference to House Resolution 420; to the Committee on Rules.

2470. Also, petition of the Los Angeles County Board of Supervisors, Los Angeles, Calif., petitioning consideration of their resolution with reference to compensation for injuries or death sustained by volunteer civilian defense workers in line of duty; to the Committee on the Judiciary.

SENATE

TUESDAY, FEBRUARY 24, 1942

(Legislative day of Friday, February 13, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Reverend Charles W. F. Smith, canon, Washington Cathedral, Washington, D. C., offered the following prayer:

O God, the God of the far ends of the earth and of the broad seas, who, though Thou dost rule the heavens, yet by Thy Spirit dwellest in the soul of man, be with us today. Inform our minds and guide our wills, that we may be less concerned with calculation than with consecration. We have made with Thee a solemn pact of truth and with each other. Before Thee we have sworn not to yield. Now confirm our resolution. Keep before our eyes both the heroes of the past and the unborn generations to come, so that we may be worthy of the one and careful for the other.

We thank Thee for our allies of every clime and creed. By comradeship with Thee, our God, teach us effective unity with others that our power may grow after Thy will. Give spread to our wings, strength to our arms, and certainty to our minds. And to Thee be the glory, for Thine is the Kingdom for ever and ever. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, February 23, 1942, was dispensed with, and the Journal was approved.

ADDRESS BY THE PRESIDENT ON THE CONDUCT OF THE WAR

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the address delivered last evening by the President over various Nation-wide hook-ups, and also to have printed in connection with it an editorial from the Washington Post of today entitled "The American Eagle."

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT DELIVERED OVER THE RADIO FEBRUARY 23, 1942

The PRESIDENT. Washington's Birthday is a most appropriate occasion for us to talk with each other about things as they are today and things as we know they shall be in the future.

For 8 years General Washington and his Continental Army were faced continually with formidable odds and recurring defeats. Supplies and equipment were lacking. In a sense, every winter was a Valley Forge. Throughout the Thirteen States there existed fifth columnists—selfish men, jealous men, fearful men, who proclaimed that Washington's cause was hopeless, that he should ask for a negotiated peace.

Washington's conduct in those hard times has provided the model for all Americans ever since—a model of moral stamina. He held to his course, as it had been charted in the Declaration of Independence. He and the brave men who served with him knew that no man's life or fortune was secure without freedom and free institutions.

The present great struggle has taught us increasingly that freedom of person and security of property anywhere in the world depend upon the security of the rights and obligations of liberty and justice everywhere in the world.

This war is a new kind of war. It is different from all other wars of the past, not only in its methods and weapons but also in its geography. It is warfare in terms of every continent, every island, every sea, every air lane in the world.

That is the reason why I have asked you to take out and spread before you the map of the whole earth, and to follow with me the references which I shall make to the world-encircling battle lines of this war. Many questions will, I fear, remain unanswered; but I know you will realize I cannot cover everything in any one report to the people.

The broad oceans which have been heralded in the past as our protection from attack have become endless battlefields on which we are constantly being challenged by our enemies.

We must all understand and face the hard fact that our job now is to fight at distances which extend all the way around the globe.

We fight at these vast distances because that is where our enemies are. Until our flow of supplies gives us clear superiority we must keep on striking our enemies wherever and whenever we can meet them, even if, for a while, we have to yield ground. Actually we are taking a heavy toll of the enemy every day that goes by.

We must fight at these vast distances to protect our supply lines and our lines of communication with our Allies—protect these lines from the enemies who are bending every ounce of their strength, striving against time, to cut them. The object of the Nazis and the Japanese is to separate the United States, Britain, China, and Russia, and to isolate them one from another, so that each will be surrounded and cut off from sources of supplies and reinforcements. It is the old familiar Axis policy of "divide and conquer."

There are those who still think in terms of the days of sailing ships. They advise us to pull our warships and our planes and our merchant ships into our own home waters and concentrate solely on last-ditch defense. But let me illustrate what would happen if we followed such foolish advice.

Look at your map. Look at the vast area of China, with its millions of fighting men. Look at the vast area of Russia, with its powerful armies and proven military might. Look at the British Isles, Australia, New Zealand, the Dutch Indies, India, the Near East, and the Continent of Africa, with their resources of raw materials and of peoples determined to resist Axis domination. Look at North America, Central America, and South America.

It is obvious what would happen if all these great reservoirs of power were cut off from each other either by enemy action or by self-imposed isolation:

1. We could no longer send aid of any kind to China—to the brave people who, for nearly 5 years, have withstood Japanese assault, destroyed hundreds of thousands of Japanese soldiers and vast quantities of Japanese war munitions. It is essential that we help China in her magnificent defense and in her inevitable counteroffensive—for that is one important element in the ultimate defeat of Japan.

2. If we lost communication with the southwest Pacific, all of that area, including Australia and New Zealand, would fall under Japanese domination. Japan could then release great numbers of ships and men to launch attacks on a large scale against the coasts of the Western Hemisphere, including Alaska. At the same time she could immediately extend her conquests to India and through the Indian Ocean to Africa and the Near East.

3. If we were to stop sending munitions to the British and the Russians in the Mediterranean and Persian Gulf areas, we would help the Nazis to overrun Turkey, Syria, Iraq, Persia, Egypt, and the Suez Canal, the whole coast of north Africa, and the whole coast of west Africa—putting Germany within easy striking distance of South America.

4. If, by such a fatuous policy, we ceased to protect the North Atlantic supply line to Britain and to Russia, we would help to cripple the splendid counteroffensive by Russia against the Nazis, and we would help to deprive Britain of essential food supplies and munitions.

Those Americans who believed that we could live under the illusion of isolationism wanted the American eagle to imitate the tactics of the ostrich. Now, many of those same peo-

ple, afraid that we may be sticking our necks out, want our national bird to be turned into a turtle. But we prefer to retain the eagle as it is—flying high and striking hard.

I know that I speak for the mass of the American people when I say that we reject the turtle policy and will continue increasingly the policy of carrying the war to the enemy in distant lands and distant waters—as far as possible from our own home grounds.

There are four main lines of communication now being traveled by our ships—the North Atlantic, the South Atlantic, the Indian Ocean, and the South Pacific. These routes are not one-way streets, for the ships which carry our troops and munitions outbound bring back essential raw materials which we require for our own use.

The maintenance of these vital lines is a very tough job. It is a job which requires tremendous daring, tremendous resourcefulness, and, above all, tremendous production of planes and tanks and guns and of the ships to carry them. And I speak again for the American people when I say that we can and will do that job.

The defense of the world-wide lines of communication demands relatively safe use by us of the sea and of the air along the various routes; and this, in turn, depends upon control by the United Nations of the strategic bases along those routes.

Control of the air involves the simultaneous use of two types of planes—first, the long-range, heavy bomber; and, second, light bombers, dive bombers, torpedo planes, and short-range pursuit planes which are essential to the protection of the bases and of the bombers themselves.

Heavy bombers can fly under their own power from here to the southwest Pacific, but the smaller planes cannot. Therefore these lighter planes have to be packed in crates and sent on board cargo ships. Look at your map again and you will see that the route is long—and at many places perilous—either across the South Atlantic around South Africa or from California to the East Indies direct. A vessel can make a round trip by either route in about 4 months, or only three round trips in a whole year.

In spite of the length and difficulties of this transportation, I can tell you that we already have a large number of bombers and pursuit planes, manned by American pilots, which are now in daily contact with the enemy in the southwest Pacific. And thousands of American troops are today in that area engaged in operations not only in the air but on the ground as well.

In this battle area Japan has had an obvious initial advantage. For she could fly even her short-range planes to the points of attack by using many stepping stones open to her—bases in a multitude of Pacific islands and also bases on the China, Indochina, Thailand, and Malay coasts. Japanese troop transports could go south from Japan and China through the narrow China Sea, which can be protected by Japanese planes throughout its whole length.

I ask you to look at your maps again, particularly at that portion of the Pacific Ocean lying west of Hawaii. Before this war even started the Philippine Islands were already surrounded on three sides by Japanese power. On the west the Japanese were in possession of the coast of China and the coast of Indochina, which had been yielded to them by the Vichy French. On the north are the islands of Japan themselves, reaching down almost to northern Luzon. On the east are the mandated islands, which Japan had occupied exclusively and had fortified in absolute violation of her written word.

These islands, hundreds of them, appear only as small dots on most maps. But they cover a large strategic area. Guam lies in the middle of them—a lone outpost, which we never fortified.

Under the Washington Treaty of 1921 we had solemnly agreed not to add to the fortification of the Philippine Islands. We had no safe naval base there, so we could not use the islands for extensive naval operations.

Immediately after this war started the Japanese forces moved down on either side of the Philippines to numerous points south of them—thereby completely encircling the islands from north, south, east, and west.

It is that complete encirclement, with control of the air by Japanese land-based aircraft, which has prevented us from sending substantial reenforcements of men and material to the gallant defenders of the Philippines. For 40 years it has always been our strategy—a strategy born of necessity—that in the event of a full-scale attack on the islands by Japan we should fight a delaying action—attempting to retire slowly into Bataan Peninsula and Corregidor.

We knew that the war as a whole would have to be fought and won by a process of attrition against Japan itself. We knew all along that, with our greater resources, we could outbuild Japan and ultimately overwhelm her on sea, on land, and in the air. We knew that, to obtain our objective, many varieties of operations would be necessary in areas other than the Philippines.

Nothing that has occurred in the past 2 months has caused us to revise this basic strategy—except that the defense put up by General MacArthur has magnificently exceeded the previous estimates, and he and his men are gaining eternal glory therefor.

MacArthur's army of Filipinos and Americans, and the forces of the United Nations in China, in Burma, and the Netherland East Indies, are all together fulfilling the same essential task. They are making Japan pay an increasingly terrible price for her ambitious attempts to seize control of the whole Asiatic world. Every Japanese transport sunk on Java is one less transport that they can use to carry reinforcements to their army opposing General MacArthur in Luzon.

It has been said that Japanese gains in the Philippines were made possible only by the success of their surprise attack on Pearl Harbor. I tell you that this is not so.

Even if the attack had not been made, your map will show that it would have been a hopeless operation for us to send the fleet to the Philippines through thousands of miles of ocean, while all those island bases were under the sole control of the Japanese.

The consequences of the attack on Pearl Harbor—serious as they were—have been wildly exaggerated in other ways. These exaggerations come originally from Axis propagandists; but they have been repeated, I regret to say, by Americans in and out of public life.

You and I have the utmost contempt for Americans who, since Pearl Harbor, have whispered or announced "off the record" that there was no longer any Pacific Fleet—that the fleet was all sunk or destroyed on December 7—that more than 1,000 of our planes were destroyed on the ground. They have suggested slyly that the Government has withheld the truth about casualties—that eleven or twelve thousand men were killed at Pearl Harbor instead of the figures as officially announced. They have even served the enemy propagandists by spreading the incredible story that shiploads of bodies of our honored American dead were about to arrive in New York Harbor to be put in a common grave.

Almost every Axis broadcast directly quotes Americans who, by speech or in the press, make damnable misstatements such as these.

The American people realize that in many cases details of military operations cannot be disclosed until we are absolutely certain that the announcement will not give to the enemy military information which he does not already possess.

Your Government has unmistakable confidence in your ability to hear the worst, without flinching or losing heart. You must, in turn, have complete confidence that your Government is keeping nothing from you except information that will help the enemy in his attempt to destroy us. In a democracy there is always a solemn pact of truth between government and the people; but there must also always be a full use of discretion—and that word "discretion" applies to the critics of government as well.

This is war. The American people want to know, and will be told, the general trend of how the war is going. But they do not wish to help the enemy any more than our fighting forces do; and they will pay little attention to the rumor mongers and poison peddlers in our midst.

To pass from the realm of rumor and poison to the field of facts: The number of our officers and men killed in the attack on Pearl Harbor on December 7 was 2,340, and the number wounded was 946. Of all the combatant ships based on Pearl Harbor—battleships, heavy cruisers, light cruisers, aircraft carriers, destroyers, and submarines—only 3 were permanently put out of commission.

Very many of the ships of the Pacific Fleet were not even in Pearl Harbor. Some of those that were there were hit very slightly; and others that were damaged have either rejoined the fleet by now or are still undergoing repairs. When those repairs are completed the ships will be more efficient fighting machines than they were before.

The report that we lost more than a thousand airplanes at Pearl Harbor is as baseless as the other weird rumors. The Japanese do not know just how many planes they destroyed that day, and I am not going to tell them. But I can say that to date—and including Pearl Harbor—we have destroyed considerably more Japanese planes than they have destroyed of ours.

We have most certainly suffered losses—from Hitler's U-boats in the Atlantic as well as from the Japanese in the Pacific—and we shall suffer more of them before the turn of the tide. But, speaking for the United States of America, let me say once and for all to the people of the world: We Americans have been compelled to yield ground, but we will regain it. We and the other United Nations are committed to the destruction of the militarism of Japan and Germany. We are daily increasing our strength. Soon we, and not our enemies, will have the offensive; we, not they, will win the final battles; and, we, not they, will make the final peace.

Conquered nations in Europe know what the yoke of the Nazis is like. And the people of Korea and of Manchuria know in their flesh the harsh despotism of Japan. All of the people of Asia know that if there is to be an honorable and decent future for any of them or for us, that future depends on victory by the United Nations over the forces of Axis enslavement.

If a just and durable peace is to be attained, or even if all of us are merely to save our own skins, there is one thought for us here at home to keep uppermost—the fulfillment of our special task of production.

Germany, Italy, and Japan are very close to their maximum output of planes, guns, tanks, and ships. The United Nations are not—especially the United States of America.

Our first job then is to build up production so that the United Nations can maintain control of the seas and attain control of the air—not merely a slight superiority, but an overwhelming superiority.

On January 6 of this year I set certain definite goals of production for airplanes, tanks, guns, and ships. The Axis propagandists called them fantastic. Tonight, nearly 2 months later, and after a careful survey of progress by Donald Nelson and others charged with responsibility for our production, I can tell you that those goals will be attained.

In every part of the country, experts in production and the men and women at work in the plants are giving loyal service. With few exceptions, labor, capital, and farming realize that this is no time either to make undue profits or to gain special advantages, one over the other.

We are calling for new plants and additions to old plants and for plant conversion to war needs. We are seeking more men and more women to run them. We are working longer hours. We are coming to realize that one extra plane or extra tank or extra gun or extra ship completed tomorrow may, in a few months, turn the tide on some distant battlefield; it may make the difference between life and death for some of our fighting men. We know now that if we lose this war it will be generations or even centuries before our conception of democracy can live again. And we can loose this war only if we slow up our effort or if we waste our ammunition sniping at each other.

Here are three high purposes for every American:

First. We shall not stop work for a single day. If any dispute arises we shall keep on working while the dispute is solved by mediation, conciliation or arbitration—until the war is won.

Second. We shall not demand special gains or special privileges or advantages for any one group or occupation.

Third. We shall give up conveniences and modify the routine of our lives if our country asks us to do so. We will do it cheerfully, remembering that the common enemy seeks to destroy every home and every freedom in every part of our land.

This generation of Americans has come to realize, with a present and personal realization, that there is something larger and more important than the life of any individual or of any individual group—something for which a man will sacrifice, and gladly sacrifice, not only his pleasures, not only his goods, not only his associations with those he loves, but his life itself. In time of crisis when the future is in the balance, we come to understand, with full recognition and devotion, what this Nation is, and what we owe to it.

The Axis propagandists have tried in various evil ways to destroy our determination and our morale. Failing in that, they are now trying to destroy our confidence in our own allies. They say that the British are finished—that the Russians and Chinese are about to quit. Patriotic and sensible Americans will reject these absurdities. And instead of listening to any of this crude propaganda, they will recall some of the things that Nazis and Japanese have said and are still saying about us.

Ever since this Nation became the arsenal of democracy—ever since enactment of lend-lease—there has been one persistent theme through all Axis propaganda.

This theme has been that Americans are admittedly rich, and that Americans have considerable industrial power—but that Americans are soft and decadent, that they cannot and will not unite and work and fight.

From Berlin, Rome, and Tokyo we have been described as a nation of weaklings—"playboys"—who would hire British soldiers, or Russian soldiers, or Chinese soldiers to do our fighting for us.

Let them repeat that now.

Let them tell that to General MacArthur and his men.

Let them tell that to the sailors who today are hitting hard in the far waters of the Pacific.

Let them tell that to the boys in the flying fortresses.

Let them tell that to the marines.

The United Nations constitute an association of independent peoples of equal dignity and importance. The United Nations are dedicated to a common cause. We share equally and with equal zeal the anguish and awful sacrifices of war. In the partnership of our common enterprise we must share in a unified plan in which all of us must play our several parts, each of us being equally indispensable and dependent one on the other.

We have unified command and cooperation and comradeship.

We Americans will contribute unified production and unified acceptance of sacrifice and of effort. That means a national unity that can know no limitations of race or creed or selfish politics. The American people expect that much from themselves. And the American people will find ways and means of expressing their determination to their enemies, including the Japanese admiral who has said that he will dictate the terms of peace here in the White House.

We of the United Nations are agreed on certain broad principles in the kind of peace we seek. The Atlantic charter applies not only to the parts of the world that border the Atlantic but to the whole world; disarmament of aggressors, self-determination of nations and peoples, and the "four freedoms"—freedom of speech, freedom of religion, freedom from want, and freedom from fear.

The British and the Russian people have known the full fury of Nazi onslaught. There have been times when the fate of London and Moscow was in serious doubt. But there was never the slightest question that either the British or the Russians would yield. And today all the United Nations salute the superb Russian Army as it celebrates the twenty-fourth anniversary of its first assembly.

Though their homeland was overrun, the Dutch people are still fighting stubbornly and powerfully overseas.

The great Chinese people have suffered grievous losses; Chungking has been almost wiped out of existence, yet it remains the capital of an unbeatable China.

That is the conquering spirit which prevails throughout the United Nations in this war.

The task that we Americans now face will test us to the uttermost.

Never before have we been called upon for such a prodigious effort. Never before have we had so little time in which to do so much.

"These are the times that try men's souls."

Tom Paine wrote those words on a drumhead, by the light of a campfire. That was when Washington's little army of ragged, rugged men was retreating across New Jersey, having tasted nothing but defeat.

And General Washington ordered that these great words written by Tom Paine be read to the men of every regiment in the Continental Army, and this was the assurance given to the first American armed forces:

"The summer soldier and the sunshine patriot will in this crisis shrink from the service of their country; but he that stands it now deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us: That the harder the sacrifice, the more glorious the triumph."

So spoke Americans in the year 1776.

So speak Americans today!

[From the Washington Post of February 24, 1942]

AMERICAN EAGLE

The assignment which the President undertook last night was one of the toughest in his varied experience. He had to clear the air of many myths. He had to furnish a new foundation of fact for an appraisal by the American people of what is going on in this war of the great oceans. He had to explain a strategy in terms which would encourage the American people without enlightening the enemy. And he had to reassert a leadership which in a democracy is always in need of constant repair. The President acquitted himself well of his assignment. Eyes that throughout the exposition had been riveted on big maps are now clearer; ears have become the channel to a greater understanding; and, most important of all, hearts and souls have received a tonic the administration of which is always the reward of inspiring leadership.

There were two keynotes in the President's speech which badly needed to be struck. First was the reminder that in this greatest of all conflicts the United States is fighting side by side with the United Nations. That must never be forgotten. Such is the crucial importance of our common effort to the survival of this Nation that disloyalty to the United Nations is disloyalty to the United States. We are just as dependent upon them as they are on us. Our enemies are forever seeking to drive a wedge between the members of our grand alliance because they know that they can hang us separately. Divide and conquer is as old as the Roman Empire, but never before would the success of this policy at our expense have such ill consequences for our Nation and our civilization. We are not so strong that we can do without a single one of our associates, especially at this time when, because of our as yet unexploited resources, we have to fight on the defensive.

The President's plea for this greater unity should be weighed in every American heart and in every American mind. As he said, the United Nations is an association of independent peoples of equal dignity and equal importance. The emphasis is upon the equality. In this equal partnership the United States must share in a unified plan in which all the nations must play their several parts. It is welcome to hear the equality stressed in the President's exposition. For hitherto there has been a disposition to think of this war as a sort of Anglo-American enterprise in which the other Allies are admitted only after decisions have been made. The President disposes of such a suspicion. Well he might, for we in this country require others by our side equally with the British. The salute to those associates which the President gave last night will be echoed by the people as they ponder the facts of our war situation.

The second keynote of the President's address was his insistence that of necessity the part we must play must be world-wide. There are those who want us to fight behind our own possessions. These are the isolationists in war dress, or, as the President put it, ostriches who have turned turtles. The American people will remember how mistaken were the ostriches in seeking to lull the Nation into half-preparedness on the grounds that our territory could never be invaded. Now that we have been invaded, their counsel is equally defeatist. It would bring the war to our shores. No; our frontier is now in the battle line, and we must fight the enemy where he is, guard the lines of communications to Allies who are also fighting him, or invite a complete and ignominious defeat. That is the eagle policy—the policy, as the President put it, of "flying high and striking hard." As such, it conforms with the American tradition, let alone with the necessities of our American position.

ADDRESS BY THE VICE PRESIDENT ON VICTORY THROUGH SACRIFICE

Mr. McKELLAR. Mr. President, last night there was a very notable gathering at the Mayflower Hotel on the occasion of the George Washington Dinner, and the Vice President of the United States

delivered an eloquent and inspiring address which I hope will be read by every Senator, regardless of party. I commend it most earnestly to every Member of the Senate and to all who like to read good speeches. I ask unanimous consent that the address by the Vice President may be printed in the RECORD as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The VICE PRESIDENT. Our great Commander in Chief in a few moments will speak to us of the tremendous task which confronts us. In so doing he will invoke the spirit of our first Commander in Chief. No matter how dark the skies may turn in 1942, no matter how searching is our criticism of ourselves, no matter how greatly we must sacrifice for victory, all this we know will be as nothing compared with the trouble faced by George Washington and the American people from 1775 to 1783. In those years, with the most slender means, our country had to fight against a better trained and better armed opponent, whose feet were planted on our own soil.

Our strength now is many hundred times as great as it was in 1778, but our battle front is perhaps a thousand times more extended. To win—and with all-out effort we shall win—we must send our power to Java, Australia, Africa, India, China, Russia—wherever we can find our foes. We must stand shoulder to shoulder with our 16 fighting Allies and all the members of the United Nations battle line.

America can face the future in 1942 with infinitely more confidence than could George Washington in 1778. We can be certain of victory—but provided only that we exert ourselves to the utmost on all fronts. We cannot afford to lose a single day in producing ships, planes, tanks, and guns.

Complete production, complete awareness, complete effort, and sacrifice of every kind—these are the price of victory. We have the power. All we need is the willingness to pay the price, and to pay it every day in 1942. Our suffering will be great, but infinitely less than that of George Washington's Continentals. Through years of suffering they fought on to victory. Only by the completeness of our sacrifice can we prove ourselves worthy of our heritage.

There are those who say that we were asleep until Pearl Harbor awakened us and that we went to sleep again until Singapore fell. The President of the United States has been awake all along. Every one of us must be vigilant, and vigilant every minute of the time.

Criticism of the conduct of the war has its place, but no criticism, no sniping is justified which does not lead to complete, all-out effort.

No one in Washington who has sat in at meetings with the President has any illusions about the utter seriousness of the situation. The President has watched for a long time the tri-partite looting agreement against the property and peace of the world and he has never underestimated the magnitude of the threat.

We know that an Axis victory would mean imprisonment and death for many peaceful Americans, the permanent exploitation of our farmers, and the disappearance without a trace of free business and free labor.

In a Hitlerized world we would all be tied to the Nazi chariot—spiritual and economic slaves of a so-called German "master race." We would be worse off than were the captives who were pulled down the streets of ancient Rome.

Sabotage, whether mental or physical, we must recognize as treason and do our best to prevent. We must all do our share to increase the war effort. It is better to give up all of our incomes, if need be, than to share the fate of those poor unfortunates who are in Hitler's clutches in Europe.

In countries far away and on the seven seas gallant men are risking their lives in this struggle against the Axis. Dutch, British, Russians, Chinese, and our own brave men all are fighting for our freedom. We must give them guns to hold in their hands. Let us vow to God that we shall wage total war on all fronts. We must be hard—as hard as the enemy. Let there be no softness in this war.

We of the United States, we of the United Nations, are rising in our wrath. With unstinting effort, with supreme sacrifice we shall do the job. Japan will knock at the door of India and Australia. Germany may try to join forces with her in a gigantic drive from the west. As the Axis makes its last great desperate assault we must hold firm in body and spirit. Our factories must produce without limit while our boys by the million learn to fly and fight.

Before long we shall catch up—with ships, with planes, with fighting forces trained to blast the enemy from the lands he has overrun. Until then we have dark days. May we bear them with the fortitude of Washington at Valley Forge—bear them until our righteous anger purges from the world the bloody ruthlessness of the enemy by the very methods which he forced the world to take. Our anger must burn fiercely until the job is done, and the 26 United Nations by their mighty deeds have purchased for all mankind a just and lasting peace.

MUTUAL AID IN PROSECUTION OF WAR—AGREEMENT BETWEEN THE UNITED STATES AND GREAT BRITAIN

Mr. BARKLEY. Mr. President, I ask to have printed in the RECORD at this point the agreement announced today from the White House between the United States and the United Kingdom with reference to the lend-lease program heretofore provided for by Congress, and also a statement for the press released at the same time from the White House.

There being no objection, the agreement and press release were ordered to be printed in the RECORD, as follows:

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND OF THE UNITED KINGDOM ON THE PRINCIPLES APPLYING TO MUTUAL AID IN THE PROSECUTION OF THE WAR AGAINST AGGRESSION, AUTHORIZED AND PROVIDED FOR BY THE ACT OF MARCH 11, 1941

Whereas the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland declare that they are engaged in a cooperative undertaking, together with every other nation or people of like mind, to the end of laying the bases of a just and enduring world peace securing order under law to themselves and all nations; and

Whereas the President of the United States of America has determined, pursuant to the act of Congress of March 11, 1941, that the defense of the United Kingdom against aggression is vital to the defense of the United States of America; and

Whereas the United States of America has extended and is continuing to extend to the United Kingdom aid in resisting aggression; and

Whereas it is expedient that the final determination of the terms and conditions upon which the Government of the United Kingdom receives such aid and of the benefits to be received by the United States of America in return therefor should be deferred until the extent of the defense aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the United States of America and the United Kingdom and will promote the establishment and maintenance of world peace; and

Whereas the Governments of the United States of America and the United Kingdom are mutually desirous of concluding now a preliminary agreement in regard to the provision of defense aid and in regard to certain considerations which shall be taken into account in determining such terms and conditions and the making of such an agreement has been in all respects duly authorized, and all acts, conditions, and formalities which it may have been necessary to perform, fulfill, or execute prior to the making of such an agreement in conformity with the laws either of the United States of America or of the United Kingdom have been performed, fulfilled, or executed as required.

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

ARTICLE I

The Government of the United States of America will continue to supply the Government of the United Kingdom with such defense articles, defense services, and defense information as the President shall authorize to be transferred or provided.

ARTICLE II

The Government of the United Kingdom will continue to contribute to the defense of the United States of America and the strengthening thereof and will provide such articles, services, facilities, or information as it may be in a position to supply.

ARTICLE III

The Government of the United Kingdom will not, without the consent of the President of the United States of America, transfer title to, or possession of, any defense article or defense information transferred to it under the act or permit the use thereof by anyone not an officer, employee, or agent of the Government of the United Kingdom.

ARTICLE IV

If, as a result of the transfer to the Government of the United Kingdom of any defense article or defense information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defense article or information, the Government of the United Kingdom will take such action or make such payment when requested to do so by the President of the United States of America.

ARTICLE V

The Government of the United Kingdom will return to the United States of America at the end of the present emergency, as determined by the President, such defense articles transferred under this agreement as shall not have been destroyed, lost, or consumed and as shall be determined by the President to be useful in the defense of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

ARTICLE VI

In the final determination of the benefits to be provided to the United States of America by the Government of the United Kingdom full cognizance shall be taken of all property, services, information, facilities, or other benefits or considerations provided by the Government of the United Kingdom subsequent to March 11, 1941, and accepted or acknowledged by the President on behalf of the United States of America.

ARTICLE VII

In the final determination of the benefits to be provided to the United States of America

by the Government of the United Kingdom in return for aid furnished under the act of Congress of March 11, 1941, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end they shall include provision for agreed action by the United States of America and the United Kingdom, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the joint declaration made on August 12, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

At an early convenient date conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other like-minded governments.

ARTICLE VIII

This agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Signed and sealed at Washington in duplicate this 23d day of February 1942.

An agreement between the Governments of the United States and Great Britain on the principles applying to mutual aid in the prosecution of the war was signed yesterday (Monday) by the Acting Secretary of State and the British Ambassador.

The agreement is made under the provisions of the Lend-Lease Act of March 11, 1941. By this act of the Congress and the great appropriations by which it has been supported, this Nation is able to provide arms, equipment, and supplies to any country whose defense is vital to our own defense.

On December 7, 1941, we were attacked. We are now one of the 26 United Nations devoting all of their united strength to the winning of this war and to the establishment of a just and lasting peace. The vast resources which Providence has given us enable us to insure that our comrades in arms shall not lack arms. Congress has granted the authority and the means. United and equipped by the overwhelming productive power of their resources and ours, we shall fight together to the final victory.

Recent developments in the war have shown, if proof was required, the wisdom and necessity of the policy of lend-lease supplies to the United Nations. That policy continues and is expanding to meet the expanding needs of the fighting fronts. The agreement signed yesterday reaffirms our purpose to supply aid to Great Britain. The British Government will supply this country with such reciprocal aid as it is in a position to give.

As to the terms of settlement between the two countries, the agreement states that it is too early in this struggle to foresee or define the precise and detailed terms. Instead the agreement lays down certain of the principles which are to prevail. These principles are broadly conceived, for the scale of aid is so vast that narrow conceptions of the terms of settlement would be as disastrous to our economy and to the welfare of our people as to the welfare of the British people. Articles which at the end of the war can be returned to us, and which we wish to have back, will be returned. Full account will be taken of all reciprocal aid.

The fundamental framework of the final settlement which shall be sought on the economic side is given in article VII. It shall be a settlement by agreement open to participation by all other nations of like mind. Its purpose shall be not to burden but to improve world-wide economic relations. Its aims will be to provide appropriate national and international measures to expand production, employment, and the exchange and consumption of goods, which, the agreement states, are the material foundations of the liberty and welfare of all peoples, to eliminate all forms of discriminatory treatment in international commerce, to reduce tariffs and other trade barriers, and, generally, to attain the economic objectives of the Atlantic Charter

To that end article VII provides for the early commencement of conversations, within the framework which it outlines, with a view to establishing now the foundations upon which we may create after the war a system of enlarged production, exchange, and consumption of goods for the satisfaction of human needs in our country, in the British Commonwealth, and in all other countries which are willing to join in this great effort.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Radcliffe
Ball	Glass	Reed
Bankhead	Green	Reynolds
Barbour	Gurney	Russell
Barkley	Hayden	Schwartz
Bilbo	Herring	Smathers
Bone	Hill	Smith
Brewster	Holman	Stewart
Brown	Hughes	Taft
Bulow	Johnson, Calif.	Thomas, Idaho
Bunker	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Tobey
Butler	La Follette	Truman
Byrd	Langer	Tunnell
Capper	McCarran	Tydings
Caraway	McKellar	Vandenberg
Chavez	McNary	Van Nuys
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh
Connally	Millikin	Wheeler
Danaher	Murray	White
Davis	Norris	Wiley
Downey	Nye	
Doxey	O'Daniel	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from Utah [Mr. MURDOCK] are absent from the Senate because of illness.

The Senator from Pennsylvania [Mr. GUFFEY] is detained on important public business.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Georgia [Mr. GEORGE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from Arizona [Mr. MCFARLAND], the Senator from West Virginia [Mr. ROSIER], the Senator from Arkansas [Mr. SPENCER], and the Senator from Utah [Mr. THOMAS] are necessarily absent.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of injuries and illness.

The Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Massachusetts [Mr. LODGE], and the Senator from Indiana [Mr. WILLIS] are unavoidably absent.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

COST-ASCERTAINMENT REPORT, POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, the cost-ascertainment report, with an appendix of the Post Office Department for the fiscal year 1941 (with accompanying papers); to the Committee on Post Offices and Post Roads.

LEASE OF INDIAN LANDS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the leasing of Indian lands for business and other purposes (with an accompanying paper); to the Committee on Indian Affairs.

DISTRIBUTION OF NATURAL AND MANUFACTURED GAS—TYPICAL GAS BILLS

Five letters from the Chairman of the Federal Power Commission, transmitting, in further response to Senate Resolution 177 (submitted by Mr. LA FOLLETTE and agreed to October 9, 1941), statements showing the prices charged to residential customers for gas service in all communities in the East South Central States, the West North Central States, the West South Central States, the Mountain States, and the Pacific States, and stating that similar statements for the other geographic areas, as required by the resolution, have been transmitted previously (with accompanying papers); to the Committee on Commerce and ordered to be printed as parts 6, 7, 8, 9, and 10 of Senate Document No. 122.

PETITION

Mr. CAPPER presented a letter in the nature of a petition signed by members of Rosedale Post, No. 346, American Legion Auxiliary, of Kansas City, Kans., praying for the enactment of the bill (H. R. 4) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes, which was referred to the Committee on Finance.

RESOLUTION OF EXECUTIVE COMMITTEE OF THE ATLANTA (GA.) CHRISTIAN COUNCIL—NATIONAL LOTTERY

Mr. RUSSELL presented a resolution adopted by the executive committee of the Atlanta (Ga.) Christian Council, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas a bill is now pending before the Congress, offered by Representative HAROLD KNUTSON, of Minnesota, to legalize a national lottery, the proceeds from which would be used in financing the present war emergency; and

Whereas a recent Gallup poll indicated that a majority of the persons interviewed were in favor of a national lottery; and

Whereas the proposed measure would require every postmaster in the Nation to become an agent in promoting and selling tickets of chance, thus hiding the historic vice of gambling under the guise and glamor of patriotism; and

Whereas the verdict of history, both sacred and secular, emphatically comdemns gambling, in whatever form, as a breeder of crime, a destroyer of character, and the source of poverty and debauchery; and

Whereas our Nation is confronted by the greatest challenge in our history—a challenge which calls for sacrifice and conservation, rather than prodigality and waste; and

Whereas every nation that has ever sought to raise funds by legalizing lotteries has met with grief, including several States in the American Union: Therefore be it

Resolved by the Executive Committee of the Atlantic Christian Council, in regular monthly session this February 16, 1942, That we most earnestly and respectfully petition the President and the Congress of the United States, and particularly the Members of the Congress from Georgia, to use their full influence in promptly defeating this measure, believing, as we do, that it would be a calamity for such legislation to be enacted in this crucial hour of our united effort to preserve the American way of life.

REPORT OF COMMITTEE ON THE JUDICIARY

Mr. VAN NUYS, from the Committee on the Judiciary, to which was referred the bill (H. R. 6270) to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia, reported it without amendment.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OVERTON:

S. 2304. A bill for the relief of Ruth Groff; to the Committee on Claims.

By Mr. REYNOLDS:

S. 2305. A bill to relieve disbursing and certifying officers of the United States of responsibility for overpayments made on transportation accounts under certain circumstances; to the Committee on Military Affairs.

By Mr. WALSH:

S. 2306. A bill to further amend section 206 of the act entitled "An act to provide for the establishment, administration, and maintenance of a Coast Guard Auxiliary and a Coast Guard Reserve," approved February 19, 1941, as amended; to the Committee on Naval Affairs.

By Mr. HUGHES:

S. 2307. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of residents of St. Georges, Del.; to the Committee on Claims.

By Mr. McNARY:

S. 2308. A bill providing for taxation by the States and their political subdivisions of certain real property acquired for military purposes; to the Committee on Agriculture and Forestry.

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION—AMENDMENTS

Mr. AIKEN, Mr. BROWN, and Mr. TAFT each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 2255) to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation, which were severally ordered to lie on the table and to be printed.

COMMITTEE SERVICE

On motion of Mr. McNARY, and by unanimous consent, it was

Ordered, That the Senator from Ohio [Mr. TAFT] be excused from further service as a member of the Committee on Mines and Mining, and that the Senator from Colorado [Mr. MILLIKIN] be assigned to service on that committee to fill the vacancy.

ATTITUDE OF CITIZENS TOWARD THE WAR

Mr. HOLMAN. Mr. President, I am in receipt of a letter from a patriotic citizen of Oregon which expresses well the current thoughts of a growing number of other good citizens. I desire to have the letter made a part of my remarks, and printed in the body of the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 21, 1942.

RUFUS C. HOLMAN,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: Like many other citizens, I don't like the constant charge from Washington that we are too complacent about the war; that we are not doing our duty; to put it plainly, we are supposed to be slackers.

As for myself and family here is our lineup:

1. We are making regular purchases of defense bonds.

2. We contributed to the Red Cross, and generously, too.

3. We helped in the Red Cross, soliciting 3 full days in the rain.

4. Mrs. —— is supply chairman of the Red Cross, working full time.

5. My daughter, —— ——, is knitting instructor, working every day at Red Cross headquarters.

6. My employees are buying defense bonds, and regularly.

7. All rationing has been cheerfully accepted by ourselves and everyone we know.

8. All of this in spite of the confusing information from news commentators and, worst of all, from the Government.

Frankly, I believe the Government has misinterpreted the sentiment of the people. I am in the bank daily where I see a waiting line to buy bonds. So far the higher taxes have not brought a protest from anyone I know.

Now, Senator, what does the Government want us to do beyond all they have asked? I am worried, as are all of my friends. Some of us don't sleep well because of the war, but we haven't sat on the curb and cried. Here are some things that are disturbing the people:

1. The belief that censorship is being used to cover error and hide the actual facts.

2. Failure to provide stock piles of rubber, tin, etc. This is attributed to gross incompetence.

3. Lack of aggression by the higher-ranking Government officials and an honest facing of fact.

4. Federal pay roll of a threatened 2,000,000 employees, against 235,000 during the last World War.

5. Heavy appropriation to Michigan labor in an election year while factories are being converted to defense, in spite of Michigan unemployment compensation.

6. The bungling of civilian defense.

7. Nonessential spending of all kinds.

I list all of these to show that our people with plenty to criticize are going along 100 percent. That they are not complacent, but are actually worried to beat the band. First, because we are at war; and, secondly, because of lack of executive direction, which is obviously apparent.

A number of years ago you came down to —— and rode around to the various granges with me. At that time you were very anxious to learn what folks were most interested in. This letter is intended to convey the kind of information I think you want, and is for your personal information. We have to be careful in our United States of America, as folks think an unbiased appraisal shows a lack of loyalty, hence the confidential nature of this letter.

So far as loyalty and support are concerned, the folks here are all that could be expected, but if the need for sacrifice is not soon recognized by the Government and the reckless spending goes on uninterrupted, the explosion in England against the Churchill government will be nothing in comparison to what will happen here.

The people are resentful of the charge that they are complacent. They feel, and rightly so, that the administration is passing the buck.

Yours very truly,

—— ——.

MAKING SECURE THE STATE

Mr. WILEY. Mr. President, "by understanding a house is built." In Nehemiah we read:

> So built we the wall * * * for the people had a mind to work * * * we returned all of us to the wall, everyone unto his work * * * and we set a watch * * * day and night * * * for the builders everyone had his sword girded by his side, and so builded.

The demands of this hour are coldly realistic. We have seen the diabolical efficiency of the Axis Powers. They plan and execute. They go after what they want, and there is no fooling in their methods. When tanks and planes are required, they let nothing interfere. They know that in war nothing can go on as usual. War is the great disarranger of peacetime pursuits, peacetime concepts. Not by oratory but by hard work, not by life as usual but by sacrifice, will tyranny be conquered. Not by stupidity but by a realistic approach will we meet the challenge of these times.

Half the globe has been dispossessed of freedom. Slavery is the lot of many of our kinfolk in the Old World. The hour calls for more than brave words. We must have brave deeds, not only on the battlefield but by men and women in the factories, in the shipyards, and on the farms. The 8-hour day is out of date in wartime; and unless we win the war, it will be out of date for all time. The conquered nations of Europe know that. The four freedoms, our republican form of government, our economic system, Christianity, were not obtained cheaply. They were bought with a great price. They are becoming more dear to us every day. They can be retained and maintained only at a great price. A great American once said:

> Is life so dear or peace so sweet as to be purchased at the price of chains and slavery?

Well might we paraphrase that statement now and say, "Are these values of so little consequence that we will prejudice them by carrying on life as usual?"

Let us not for one moment forget that while we are trying to match plane with plane and maintain our control of the seas and step up production on tanks and munitions the Axis Powers are doing the same. Hitler has Holland, France, Belgium, Czechoslovakia, and other countries. He has taken over shipyards in Norway, Denmark, France, and Holland. Hundreds of thousands of skilled workers in the occupied countries are working the clock around, producing, producing, producing. If we close our eyes to this situation and think we can continue normal living here—life as usual—we are just blind to realities.

In the days of Nehemiah "the people had a mind to work." They were on the alert and so "built the wall," making secure the state.

GEORGE WASHINGTON'S VISION OF AMERICA — ADDRESS BY SENATOR DAVIS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by him at Fort Stanwix Hotel, Johnstown, Pa., on Washington's Birthday, which appears in the Appendix.]

THE FUTURE OF AMERICA—ADDRESS BY SENATOR TRUMAN

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Senator TRUMAN at the Washington Day banquet, Benjamin Franklin Hotel, Philadelphia, on Monday, February 23, 1942, which appears in the Appendix.]

ADDRESS BY SENATOR SMATHERS AT WASHINGTON-JACKSON DAY DINNER

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Senator SMATHERS at the Washington-Jackson Day dinner at Newark, N. J., on February 23, 1942, which appears in the Appendix.]

WASHINGTON BIRTHDAY ADDRESS BY SENATOR BARBOUR

[Mr. MCNARY asked and obtained leave to have printed in the RECORD an address delivered by Senator BARBOUR at Newark, N. J., February 23, 1942, which appears in the Appendix.]

ADDRESS BY HALSEY B. LEAVITT IN HONOR OF DEAD OF BATTLESHIP "MAINE"

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by Halsey B Leavitt at Memorial Continental Hall, Washington, D. C., on February 14, 1942, in honor of the dead of the battleship *Maine* and an article from the Asheville (N. C.) Times on the same subject, which appear in the Appendix.]

CONDUCT OF THE WAR—EDITORIAL FROM SCOTLAND NECK (N. C.) COMMONWEALTH

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the Scotland Neck (N. C.) Commonwealth of February 20, 1942, entitled "Plain Words About a Serious Situation," which appears in the Appendix.]

THE DUTY OF CITIZENS DURING THE WAR—EDITORIAL FROM CHICAGO DAILY TIMES

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an editorial appearing in the Chicago Daily Times of February 18, 1942, entitled "Get Back to Your Damn Gun," which appears in the Appendix.]

CONDUCT OF THE WAR—EDITORIAL FROM RAPID CITY (S. DAK.) JOURNAL

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial appearing in the Rapid City (S. Dak.) Journal, entitled "Washington, Talk to Yourself," which appears in the Appendix.]

STATEMENT BY SENATOR MURRAY REGARDING CONVERSION OF SMALL BUSINESS ENTERPRISES TO WAR PRODUCTION

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a statement made by him before the Senate Banking and Currency Committee on the subject of the conversion of small business enterprises to war production, which appears in the Appendix.]

SMALL BUSINESS ENTERPRISES AND WAR PRODUCTION—STATEMENT BY CHARLES H. KALETZKI

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a statement in regard to Senate bill 2250, made before the Senate Banking and Currency Committee by Charles H. Kaletzki, which appears in the Appendix.]

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (S. 2255) to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation.

Mr. GILLETTE. Mr. President, a great Nation becomes involved in a great war, and a great President delivers a great message to an interested people. In that message, delivered last night, the President outlined three very succinctly put thoughts and goals toward which the American people should strive. I shall now read them:

1. We shall not stop work for a single day. If any dispute arises we shall keep on working while the dispute is solved by mediation, conciliation, or arbitration—until the war is won.

I think there is not an American citizen who will not subscribe to that.

2. We shall not demand special gains or special privileges or advantages for any one group or occupation.

I am convinced there is not a citizen of the United States who is not ready and willing to subscribe to that.

3. We shall give up conveniences and modify the routine of our lives if our country asks us to do so. We will do it cheerfully, remembering that the common enemy seeks to destroy every home and every freedom in every part of our land.

That, of course, is a statement of the national enterprise on which we are embarked, and with which we are all in hearty accord.

I wish to speak of the second of these goals:

We shall not demand special gains or special privileges or advantages for any one group or occupation.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. VANDENBERG. Before the Senator goes to the second of the goals, will he not read the first again?

Mr. GILLETTE. Certainly. The first reads:

We shall not stop work for a single day. If any dispute arises, we shall keep on working while the dispute is solved by mediation, conciliation, or arbitration—until the war is won.

Mr. VANDENBERG. If that indispensable objective cannot be reached voluntarily, could it not be reached by legislation?

Mr. GILLETTE. Expressing my own opinion, I should most certainly agree with the Senator that if it cannot be reached by voluntary compliance of the American people, means must and shall be found to attain the goal.

Mr. President, I wish now to call attention to one of a number of editorials which have appeared in recent weeks. I have selected this one because it is particularly concise. It is from the Boston Herald of February 12, 1942, and is entitled "Farm Bloc Hits Again." At the head of the editorial is this list: JOHN H. BANKHEAD, Jr., Alabama; GUY M. GILLETTE, Iowa; ELMER G. THOMAS, Oklahoma; RICHARD B. RUSSELL, Georgia; SCOTT LUCAS, Illinois.

The names of these five men deserve special recognition in histories of America's participation in World War No. 2.

When General MacArthur and his small army were fighting a heroic but losing battle in the Philippines, when Singapore was on the point of falling, and when the outlook of the Axis foes was dismally black, these United States Senators concentrated their efforts on forcing up the price of cotton, wheat, corn, and other basic farm commodities still further so that some of their constituents might exploit the national emergency more handsomely. In other words, the congressional farm bloc, angered by Secretary Wickard's plan to keep basic farm prices at or about their present high levels—which range from 50 to 100 percent above last year's—are on the political warpath again.

I shall not read further, but this editorial is typical of the complete misapprehension, misunderstanding, misconception, misconstruction, or deliberate misinterpretation of the problem which faces the agricultural group of the Nation.

Mr. SMITH. Mr. President, may I ask the Senator a question?

Mr. GILLETTE. I yield to my distinguished colleague from South Carolina.

Mr. SMITH. Does the Senator think it is a deliberate misapprehension? Does he not realize that those making such statements know all about the situation? They are merely deliberately trying to deceive the American people.

Mr. GILLETTE. Of course, as to whether it is deliberate is a matter for judgment based on probably partial information; but it is either deliberate or it is based on ignorance which is so abysmal that I felt it proper to call attention to it at this time.

Mr. President, let me cite two imaginary conversations. A nation is trying to expand its peace economy to meet the needs of a war industry, to bring about tremendously increased production of the necessities for both war and peace. An agent of the government goes to a manufacturing firm which might be able to manufacture tanks and says, "We want to make a contract with you to utilize your plant to manufacture tanks for the

government." The representative of the firm says, "All right. Present your specifications and we will bid in accordance with the law." The agent says, "Time does not permit bidding. The need is so great, time is so short, that we are going to negotiate a contract with you for the utilization of your industry." The representative of the firm says, "Well, but our plant is not sufficient to fulfill the contract you want to place with us. We do not have the money to build a plant, to buy the new machine tools, to build new units, to expand in order to undertake the contract, and if we had the money we could not afford to utilize it or to spend it in that way, because as soon as this emergency is over we shall be left with this plant on our hands which we cannot use in ordinary peace economy." The agent says, "Very well, we will furnish you the money; we will expand your plant; we will enable you to purchase the tools and the facilities you need to perform the contract." The representative of the firm replies, "What are you going to pay us?" The agent says, "You make an estimate of what it is going to cost you to produce every one of those units and we will guarantee to pay that cost." The representative of the firm says, "Well, but there are uncertain factors. In war emergency labor is hard to get, especially skilled labor. The price of materials may increase. How are we going to estimate at this time what the cost of a unit will be?" The agent says, "We will allow you an ample factor, an ample margin of safety in the contract to enable you to perform it, so that you will be willing to undertake it, and we will pay you every cent it costs you to produce the material for the nation, and will guarantee you a percentage of profit on the production. No matter what wage you pay for the labor, we will pay it to you for every man you hire. We will pay the cost of your production. We will guarantee you a profit. We will expand your factory. Go ahead."

Mr. President, I have no fault to find with such a procedure, nor has any American who wants to get the job done any fault to find with it.

However, another Government agent, we will say, goes into my State of Iowa and calls upon Mr. John Doe, who has a quarter section of land, or the agent goes into the State of the Senator from Mississippi [Mr. BILBO] to Richard Roe, and says—quoting Secretary Wickard:

> Food will win this war and dictate the peace. We need food and fiber and we need tremendous expansion of production. We not only have to carry on the peace and war economy of the United States, but under our lease-lend commitments to our Allies we are going to feed them, we are going to furnish them with war materials, we are going to furnish them with agricultural products. We want you to expand.

John Doe says, "Well, what am I going to get? What kind of a contract are you going to make with me? Are you going to estimate what it costs me to produce a pound of cotton, or what it costs me to produce a bushel of wheat, and are you going to guarantee me the cost, and guarantee me a profit above the cost? I shall need additional machinery. I shall need additional labor. The draft boards are taking away my labor. If I am deprived of labor, I shall need additional machinery, I shall need a new tractor, I shall need a new harvester, I shall need a new planter. Will the Government furnish them? Will you guarantee that the Government out of the National Treasury will expand my little factory which I have to operate for a living and for the needs of the Nation?" The agent answers "Oh, no."

John Doe asks, "Will you guarantee me the cost of production of my factory plus a profit?" The agent says, "Oh, no. Oh, no."

Mr. President, I ask Senators in all fairness, regardless of the section from which they come, in the parallel I have drawn is there anything exaggerated? Is there anything unjust in it? Is there anything inequitable in it?

Let me go further. I will go to the third group which is not to have special privileges. I have spoken of the industrial group which is guaranteed cost of production plus a profit, and cost of production with a margin of safety, and an expansion of plants, and contrasted with that the condition of the agricultural section of the country.

Now consider labor. The Government agent says to labor, "We are going to continue in effect our support of wages, of a wage scale, under our wage-and-hour law, which fixes a minimum. We are going to maintain the prevailing wage for your section of the country; and if you work overtime, we shall see that you are paid time and a half for overtime and for Sundays and holidays. We are going to protect the purchasing power of labor."

Mr. President, that is all right. I am in favor of that. I have no objection to it. I am standing here speaking in my poor way for the third group that has no guaranty, no guaranty of cost, no guaranty of wages, no guaranty of extra profits for overtime, nothing for working Sundays and holidays, no assurance whatever that it is to be compensated for its vital effort in behalf of the national defense.

When anyone comes before the Congress and asks for fair and decent and just consideration for this third of our population, then we have on the part of editorial writers of our country such contemptible ebullitions as "Iniquitous farm bloc," "Another raid on the Treasury," "These men ought to have their names blazoned beside that of Benedict Arnold and all the other traitors who are trying to despoil the American people and impede the war effort."

Mr. President, the failure of these gentlemen to understand the basic, fair situation is to me so fundamental and pertains so greatly to the kindergarten or primary constituent elements of the problem that it seems unfair for me to take the time of the United States Senate to refer to it, but I shall refer to it because I have started on the subject and, as Senators know, I do not speak very often on the Senate floor.

There are Senators who are associated with me in connection with the pending bill who are able and keen lawyers. They will speak on that phase of the bill. I am not competent to speak on it. I am a farmer. I came here from between the handles of the plow, hopping clods myself, not doing so through any hired man or agent. I came here from milking my own cows. I came here after I had campaigned for the first time in the election of 1932, when there was the great convulsion and political revulsion that resulted in sending Democrats here from rock-ribbed Republican States such as Iowa and Michigan.

When I campaigned I went home at night, because I had to return in order to milk my cows. I went home and drove through ranks of farmers who were picketing the roads of northwestern Iowa, refusing to allow produce of any kind to go to the market. At that time farm foreclosures in great numbers were taking place, as suggested to me by a Senator, and in a few moments I shall tell the Senate why foreclosures were taking place. The farmers picketing the roads would stop me and say, "Have you any potatoes? Have you any eggs? Have you any butter? Are you taking anything to market?"

I would say "No, I am going home to work." They would say "Very well, go ahead." The same law-abiding, honest farmers, as honest and law abiding as any others in the country, were driven to such a point of desperation at that time that they went into a courtroom to stop one of those foreclosures, took the judge off the bench, carried him up the road, tied one end of a rope around his neck, threw the other over the branch of a tree, and told him if he signed any more foreclosures or if he did not agree to refuse to sign decrees of foreclosure taking their homes away from them they would string him up.

The judge knelt there in the road and said, "May I pray?" They said to him, "Yes." And the judge said, "Almighty God, forgive them, for they know not what they do." And they did not know what they were doing, simply because they were driven to desperation.

Mr. President, I came here in 1933 and spent the first 4 years in the House. In all that time since 1933 I have been associated with my good friend the Senator from Michigan [Mr. BROWN]. We came over to the Senate together and sat side by side on the "Cherokee strip" for a while, and then we were moved to the Democratic side. The Senator from Michigan has been my guide and mentor and help. I hope he will help me in this matter, but I fear he will not. Speaking personally, the situation is unpleasant from that standpoint. But all that time we have been trying to rehabilitate agriculture, and the Government has spent hundreds of millions of dollars out of the United States Treasury in an effort to do so. A Representative from New York with whom I was associated in the House of Representatives came to me after I had been in that body for 2 or 3 years, and said:

> For heaven's sake, GUY, what is the matter with your people out there? Are they going always to be in the position of having to live out of the Public Treasury? I cannot understand your agricultural community. Have they not enough manhood, have they not enough stamina, to stand on their own feet

and conduct their own business? I understand there are farmers in your State who have radios, who have telephones in their farmhouses, and who have electric ice boxes. I understand that they are living on that scale; and yet they come and ask for this kind of relief.

Why did he say that? Not because he was unreasonable, not because he was unjust. It was because he did not understand.

I said we would come back to the kindergarten stage. That part of the discussion will be very brief. One hundred years ago the majority of the people of this country were engaged in operating little factories on the farm. They utilized a large portion of their production. Such production as they had over and above the family needs they exchanged by barter with their neighbors and with a few artisans in the small villages in the eastern section of the country. With the development of means of transportation through the railroads, the great Middle West, the great West, and the great areas of the South were opened up; rich farm lands were developed, and the products of the labor of the farmers could be taken to industrial centers to be processed. Thousands upon thousands of people became engaged in the distribution or transportation end. Others engaged in the handling end; and still others in the industrial processing end. The trend was continual. In addition, there was developed machinery whereby the labor of the man on the farm was multiplied over and over and over again, until at the present time approximately one-third of the people of the country are engaged in producing food and fiber for the other two-thirds.

That would not be bad in itself; but a diabolical picture presented itself from the farmer's standpoint. It has been referred to over and over again. I will wager that I have heard the distinguished chairman of the Committee on Agriculture and Forestry [Mr. SMITH] refer to it 20 times on this floor. The farmer does not fix the price of a nickel's worth of his product. He can not do so. He must take it to the nearest market town or railhead and say, "What will you give me?" In Chicago a board of trade was set up to handle such products. It was not always the real product which was bought and sold. Sometimes it was so-called futures. In other sections of the country exchanges were set up for handling other products. The result was that the farmer was absolutely dependent on the willingness of the gentlemen who fixed the market to pay him what they wanted to pay. He could take it or leave it. He had no choice in the matter.

What was the result? Another serious factor, which is not always taken into consideration by those who have never been nearer a farm than Fifth Avenue in New York City, is that the farmer's factory does not run the year round. When business is slack and his product is not selling at a remunerative figure, the factory owner lays off some of his employees and closes his factory during August, September, and October, perhaps, until business picks up and the inventories on his shelves can be sent out to purchasers throughout the country.

The farmer cannot do that. His factory works seasonally. In the South at this time the farmers are preparing to plant the corn crop—or they would be if they had any labor with which to plant it. They are preparing to plant it. In my State the corn crop will be planted in May; and if it is not planted between the 10th of May and the 20th of May, it will be caught by frost in the fall, and we shall have no corn crop.

Can the farmer close his factory? He cannot plant another crop until the following May. Does he know when he puts in his crop how much he will reap? He cannot know. He may have 50 bushels to the acre. He may have 75. He may have 10. He may get nothing. There are hazards which he cannot control and which no one else can control, because they are controlled by Almighty God. The farmer cannot control climatic conditions, pests, and a hundred and one other things which interfere with his production. He can only work from morning until night, from daylight until dark, produce as much as he can under the conditions as they develop, and then take it to market and on his knees ask what someone will pay him for it.

To rectify that condition, we have been trying through various devices to save the situation for the farmer. Remember that when the farmer's factory is closed it is closed for the season. Seventy percent of the new wealth produced every year is in the form of agricultural commodities—not processed wealth, but new wealth which, in turn, is divided with the dentist, the doctor, the lawyer, the railroad man, the laborer, the factory worker, the millionaire, and the tycoon. Every one participates in that product when it is processed and made ready for use. Seventy percent of the new wealth is produced on the farm; and if the farmer closes his factory for the season, that wealth is never produced.

I now wish to refer to the policy to which the Congress has committed itself over and over again in the hope of meeting this situation. Another friend of mine on the House side said, "Why do not the farmers ask for tariff protection? We will give them some tariff protection in proportion to what the industrial interests have. We will protect their prices by a tariff."

Why do we not do it? Simply because, as every Senator knows, we produce exportable surpluses, or we did. Let me use two homely illustrations. If in my county in Iowa we should produce 100 head of horses a year when we have a market for only 90, what good would it do? What good would it do to say to the farmers in that county, "You have 10 horses too many. We are going to protect you. We will build a tariff wall around your county. We will not let any cheap horses come in from Mississippi. We will not let any horses produced by the cheap labor of Michigan come in. We will build this wall a mile high, or 7 miles high, or 162 miles high." We should still have 10 horses too many. That is why we cannot do it.

Various methods have been suggested for correcting this condition. One school says, "Cut down the production of horses to 90. That is the way to do it." But if I do not put in my crop on my farm I lose a season's work. The advocates of the school of limiting production say, "In the interest of the public we will provide payments to reimburse you for cutting down your production." That is the production-control school, under which we have been operating in the main for some time.

Another group says, "Find uses for the other 10 horses. Find a market for them." That is the expanded-market school. That would be a grand school if its theory would work.

A third group says, "Take the 10 surplus horses out of the market. Let the market be controlled so that they will not depress the market." Through the device of a loan we have been utilizing that suggested method to a certain extent.

Again let me use an illustration. On my farm, when I am working there—and I hope to goodness I shall be working there in a very short time—it does not make much difference to me whether I receive a dollar for a bushel of corn and pay a dollar for a shirt, or receive 50 cents for a bushel of corn and pay 50 cents for a shirt, or receive 10 cents for a bushel of corn and pay 10 cents for a shirt. I can exchange a bushel of corn for a shirt. If I have to pay obligations which have been incurred on the basis of $1 corn or 10-cent corn, that is something else again; but the matter of being placed in a parity relationship to other industries is vital.

I have referred to the policy to which the Congress has committed itself. I shall read a portion of one of the acts. It is rather brief.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield before he comes to that point?

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. GILLETTE. I yield.

Mr. THOMAS of Oklahoma. I understood the Senator to say that if he could buy a shirt for 10 cents, he would be perfectly willing to sell a bushel of corn for 10 cents. Is that correct?

Mr. GILLETTE. That is a conclusion. I did not go quite to that length. I referred to the exchange value or the parity relationship.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield further?

Mr. GILLETTE. I yield.

Mr. THOMAS of Oklahoma. Let me make this suggestion for the RECORD. We now are facing a national indebtedness of approximately $150,000,000,000. We can see that much, I think, and I am fearful that we may have to see more. When the war is over, if it does not run too long, I think we shall face an annual Budget of upward of $15,000,000,000. It will be made up of approximately $4,000,000,000 in interest payments, $1,000,000,000 annually to support the Army indefinitely, $1,000,000,000 annually to support the Navy indefinitely, $1,000,000,000 annually to support the Air Corps indefinitely, and we shall have to appropriate at least $1,000,000,000 to take care of the hospitals and the hospitalization and the com-

pensation of those who, unfortunately, may become casualties of the war. Those are the extraordinary expenses that I can now foresee. I do not see much chance to decrease the regular expenses of Government, which may amount to $6,000,000,000. They are more than that now. When we add together the expenses that we certainly can foresee, after the war is over we shall face an annual Budget of at least $15,000,000,000.

The question now is, How can we possibly raise that much money on dollar wheat and even 20-cent cotton and other things in proportion? From my viewpoint it is utterly impossible.

Mr. GILLETTE. I thank the Senator from Oklahoma. If he will recall, I mentioned the relationship merely in the matter of exchange; but I referred to a high price level required in order to liquidate obligations incurred on the basis mentioned—a problem which is entirely different.

Back in the Seventy-first Congress we established a Federal Farm Board—an organization of unpleasant memory in a good many ways. I quote from the act establishing the Board:

SECTION 1. (a) That it is hereby declared to be the policy of Congress to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, so that the industry of agriculture will be placed on a basis of economic equality with other industries, and to that end to protect, control, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their food products—

* * * * *

(4) By aiding in preventing and controlling surpluses in any agricultural commodity, through orderly production and distribution, so as to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in prices for the commodity.

In the Seventy-third Congress, when we Democrats arrived on the scene and were rescuing the country, the first Agricultural Adjustment Act enacted in that Congress provided:

That the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of agricultural and other commodities, which disparity has largely destroyed the purchasing power of farmers for industrial products, has broken down the orderly exchange of commodities, and has seriously impaired the agricultural assets supporting the national credit structure, it is hereby declared that these conditions in the basic industry of agriculture have affected transactions in agricultural commodities with a national public interest, have burdened and obstructed the normal currents of commerce in such commodities, and render imperative the immediate enactment of title I of this act.

The Seventy-fifth Congress, in adopting an amendment to the act I have just cited, made the following declaration:

It is hereby declared that the disruption of the orderly exchange of commodities in interstate commerce impairs the purchasing power of farmers and destroys the value of agricultural assets which support the national credit structure and that these conditions affect transactions in agricultural commodities with a national public interest, and burden and obstruct the normal channels of interstate commerce.

Now I quote from Public, No. 69, of the Seventy-fifth Congress:

Whereas a permanent farm program should * * * (c) safeguard farmers and the business of the Nation against the consequences of farm price decline; and

Whereas it is the sense of Congress that the permanent farm legislation should be based upon the following fundamental principles:

(1) That farmers are entitled to their fair share of the national income;

* * * * *

(4) That control of agricultural surpluses above the ever-normal granary supply is necessary to safeguard the Nation's investment in loans and to protect farmers against a price collapse due to bumper yields resulting in production beyond all domestic and foreign need.

Now let me refer to the Agricultural Adjustment Act of 1938. I shall not read the whole declaration of policy of the act; but one of its purposes among others, is—

to assist farmers to attain, insofar as practicable, parity prices for such commodities and parity to income.

That is the first time there comes into the picture the statement of parity relationship, as such, and a distinction between parity income and parity price.

Mr. BONE. The first time?

Mr. GILLETTE. That is the first time, so far as I have observed.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. GILLETTE. Certainly; I yield.

Mr. HUGHES. As I recall, the first time I heard of parity prices was when the expression was used by President-elect Hoover in his inaugural address, in which he promised that there would be parity prices, a parity of agricultural products with industrial products. Thereafter the matter was dropped, and no more was heard of it.

Mr. GILLETTE. I thank the Senator. I referred to the first time I observed it in the law, which was in the Agricultural Adjustment Act of 1938, which provided for parity payments.

As will be recalled, the first Agricultural Adjustment Act, was declared unconstitutional—and, I think, properly so. I think so as a farmer and also as a lawyer. The unanimous opinion, I think, of the Supreme Court was that it was unconstitutional because it tried to control production within the local community.

Mr. BANKHEAD. So as to keep the record straight, let me say that there were three dissents. One of them was by the present Chief Justice, Mr. Stone. I think his dissent in that case had much to do with his appointment as Chief Justice.

Mr. GILLETTE. In other words, the decision was 6 to 3. I thank my colleague from Alabama and cosponsor of the pending measure.

When the first Agricultural Adjustment Act was declared unconstitutional, there had to be devised some other means by which to control production and do it constitutionally. We developed the soil conservation payment program so that certain acreage would be taken out of production, thus depleting the production of certain crops, and making land available for the planting of soil-building crops, and making certain additional payments.

Then in the Agricultural Adjustment Act of 1938 we provided that if with these devices and the loan assistance there was not secured for the farmer a parity relationship, then, if and when funds were made available out of the United States Treasury, we would make additional payment to him in the way of parity payments, and, for the purpose of supporting the price, for the purpose of protecting agriculture in the anomalous position in which it has always been, we provided that, through the device of loans, certain warehouse crops could be taken out of the market.

As Senators know, the farmer has a seasonal crop. He borrows money from the bank in order to pay his grocery bill and to pay the doctor. When he buys a piece of machinery he says, "I will pay you when I sell my wheat" or "I will pay you when I sell my hogs," or "I will pay you when I sell my cotton." Everything is based on that process, that is his purchasing power.

The result was that marketing was conducted in a condition of glut. In order to meet his obligations, when a farmer had his crop ready to sell he had to take it to market, where those who controlled the market drove the price down, and the farmer had to sell because he had to meet his obligations.

In order to aid the farmer we devised this method, saying, "We will loan you money on your warehouse product to enable you to meet your present obligations, and then you can market your product in an orderly way. We will try to maintain for you something of a price level."

Theoretically, the price level was to be the amount of the loan, but actually it did not work out that way. Everyone knows that to be so. In my State, in the corn-producing section, for instance, when from 57 to 63 cents, as I recall, were being loaned on a bushel of corn, corn was selling on the cash market for from 50 to 51 cents. But we did a wonderful thing for the farmer. The present administration and the Congress did a wonderful thing in trying to support the price by taking off the market the surplus that would absolutely press it down and destroy it. We also aided the farmer by providing that he could liquidate his loan by turning the proper security over to the Government—to the Commodity Credit Corporation, as it later developed.

Now I have come to the point which I have been trying to reach. The purpose was to remove a surplus from the market so that the price level would not be forced down to a destructive point. It was never intended in God Almighty's world that the Government should throw those surpluses onto the market, to destroy the market that we had endeavored to maintain for the farmer. That is what has happened at the present time.

Now let me quote from an authority on this situation. Mr. Wickard, in his report as Secretary of Agriculture, dated January 26, 1942—and I hope the Senators, who being kind enough to give me

their attention, will listen to this—made the following statement:

There is a perfectly practical and obvious reason for stipulating that no ceiling should be imposed on farm products at exactly parity. As every farmer knows, farm-product prices fluctuate every day. The supply of a commodity coming on the market changes from day to day, and the demand changes from day to day. Prices fluctuate accordingly. Price fluctuations may be desirable to stop the flooding of markets at certain periods.

* * * If ceilings were placed exactly at parity—

And I shall refer to that in a moment—

If ceilings were placed exactly at parity, the daily fluctuations in the market would necessarily all be between parity and some lower figure, and, as a result, farmers could not possibly average parity. The real purpose of restricting ceilings to a point somewhat above parity is to make it reasonably sure that farmers will have an opportunity to get parity. After all, it happens to be the expressed policy of Congress -

As I have demonstrated by a half a dozen expressions and quotations—

After all, it happens to be the expressed policy of Congress and the administration to achieve and maintain farm prices at parity. Actually, most farmers oppose inflated prices; for themselves they want only fair prices now and later. As long as the parity principle works they have that benefit.

There, Mr. President, is the reason, expressed in the words of the Secretary of Agriculture, why in the price-control bill we provided that a ceiling should not be fixed below 100 percent of parity, but not, as some ignorant commentators seem to think, for the purpose of putting agriculture in a preferred position. They suggest that we were not satisfied with the 100-percent relationship, but insisted on having a guaranty of a price 10 percent above parity. How many editorials have the Senator from Alabama and I read to the effect that the farmer was guaranteed 100 percent of parity, but was not satisfied, and the group the Senator from Alabama so nobly headed, a group of bucketeers and pirates, who were waiting to get their hands into the Public Treasury, were not satisfied with that relationship, but wanted a guaranty of 110 percent of the price level.

Then, after they have secured that, we hear it intimated that the Senator from Alabama has the abominable effrontery to lead this group of greedy farm Representatives in the Congress of the United States in an effort to provide that the surpluses which were taken off the market in order to sustain prices shall not be thrown onto the market—in order to keep them below 110 percent? No; in order to keep them from going to parity. That is what the present proposition is.

Let me quote again from the Secretary of Agriculture. He is sound, if he is allowed to be. Before the Senate Banking and Currency Subcommittee, on January 2, 1942, he said:

For several years we have been making parity payments to partially compensate for the difference between parity prices and prices the farmers receive. Recently the President told me he considered such a policy a wise one. Now it is evident that the nearer farm prices get to parity on the average the less payments will be needed to make up the difference. Of course, farm prices will never average parity if they cannot get above parity. That is why I favor a 110 percent of parity ceiling, rather than 100 percent.

I want to call attention to the fact that the Secretary of Agriculture said he presented the matter to the President and the President thought the policy a wise one.

But what has happened? The corn, the wheat, and the cotton that are held in the granaries and warehouses, taken off the market to sustain and uphold the market for the farmers, suddenly appear on the market. Secretary Wickard, as every member of the Committee on Agriculture and Forestry knows, when called before the committee stated that some 60,000,000 bushels of corn which had been taken from the C. C. C. and sold for the purpose of distilling, if I remember correctly, were used by the purchasers to speculate in and to hedge against, and that, after they bought it below parity, they sold it upon the Chicago market. These people, in order to hold prices down below parity, had hedged against it in dealings on the board of trade, and had made as much as 7 cents a bushel. As soon as he had learned of it, the Secretary had stopped it, and tried to prevent it occurring again, but this corn was thrown on the market with the intention of holding down the price. The Secretary said, "I will not sell any of it below 75 cents; I will see that it does not go below 75 cents; I will see that wheat does not go below 90 cents," which is about 80 percent of parity. He said in reply to our questions these people were making up to 7 cents a bushel profit in speculation and then were distilling it and were guaranteed 50 cents a gallon for the alcohol, at the rate of 2 gallons and a half from each bushel, or a dollar and a quarter out of the alcohol and 7 cents a bushel for speculation, and 17 or 18 pounds of residue left over as a little bit of lagniappe, as I believe it is called in Louisiana.

That is what we are complaining of; that is the situation in which we are interested. I like Secretary Wickard; he has the greatest power now that any Secretary of Agriculture ever had; I know that he would not use it unfairly if he were left free; but he makes a statement which I quote from the Washington Post of February 12, 1942:

Secretary Wickard asserted yesterday that a proposal sponsored by congressional farm leaders to forbid sale of Government-owned corn and wheat at less than parity prices would raise the food bill of American consumers at least a billion dollars a year.

Mr. President, in all kindness to Secretary Wickard, let me say that every man, especially a man in public life, should at least be reasonably careful about his assertions. I do not say that he misrepresents things or intends to misrepresent them; but any man who says that the holding of corn and wheat and cotton below parity, at 85 percent of parity, would make a difference of 15 percent in the Nation's food bill, simply does not know what he is talking about; it is mathematically impossible. If a billion dollars is 15 percent, 1 percent is one-fifteenth of that, and 100 percent is a hundred times that, or $7,000,000,000; and if agriculture, as the Federal Trade Commission has reported, gets 43 cents out of the consumer's dollar, the annual income from food alone would, according to that kind of computation, be $11,500,000,000. Yet the tables of the entire gross income from farm products for the years 1921 to 1938, inclusive show that at no time did the gross income from agricultural production amount to over $12,000,000,000. Yet the Secretary makes a careless statement such as that, and the commentators and editorial writers pick it up. Why do they pick it up? Why do they magnify it? Why do they distort it? Why do they misrepresent it? Why do they try to hold up to ridicule the agricultural sections of the country? I will show the Senate why. The Washington Post, in the same issue which called attention to this "raid on the Treasury" by the farm bloc, set forth on its financial page certain figures as to corporate income. Let me read excerpts from it:

Total taxes of the Bell System, including the Western Electric Bell Telephone Laboratories, for 1941, were $268,493,000, a jump of $88,279,000. * * * Operating revenues in 1941 amounted to $1,298,689,000, an increase of $124,367,000 over 1940, * * * and they made a profit of $10.26 a share.

* * * * *

Eighty-seven rails show a gain of 25.8 percent in January gross.

* * * * *

Western Union Telegraph Co. announced its net earned income for 1941 totaled $7,366,240, after provision for Federal taxes, compared with $3,621,581 in 1940.

Or more than double.

The New York Air Brake Co. reported for 1941 a net profit of $1,309,770 * * * compared with $1,046,656 in 1940.

The St. Joseph Lead Co. had a net profit of about $200,000 over that made in 1941.

The American News Co., for the year ended December 31, showed a net profit of $1,117,000 as against $1,100,000 in 1940.

The Kroger Grocery & Baking Co. showed net earnings of $4,970,000 as against $4,600,000 for 1940.

Mr. President, that is just part of the picture.

American Woolen net in year soars to $11.23 a share.

Capital store receipts in the Nation's Capital, the retail stores receipts, were up 34 percent during the week.

Local sales in the 4 weeks ending February 14 were reported 47 percent heavier than in the corresponding period last year.

The Fifth Federal Reserve reported a 33-percent gain all over the district on an average.

There we have the picture, every one of these organizations making substantial and heavy profits over those of the previous year because of the present condition. With 200,000 additional employees coming to Washington and being placed on the public pay rolls, the local stores see their sales increase 40 percent, and they advertise in the Washington Post.

In the same sheet there is a long article about the plans of the retailers throughout the Nation to prevent Government

interference with their profits. They want to regulate their own profits, so that the Government will not have to step in. Who would not want to do so?

I find the following in another portion of the newspaper of the same date, the 21st day of February:

CHICAGO GRAIN

CHICAGO, February 21.—Grain prices resumed their downward trend today with small fractional losses.

Dealers blamed the quiet selling partly on evening up of accounts prior to the Sunday and Monday holidays and to Washington reports, apparently from reliable sources, that the administration still is opposed to legislation which would forbid Commodity Credit Corporation sales of wheat and corn at prices below parity.

When that news first appeared the market in cotton and the market in corn and the market in wheat broke all the law allowed the prices to break, merely on the publication of the information that such a thing was intended and was expected. When the farmer in the State took his corn to the elevator that day the check he received was based on the quotation in the Chicago market. He lost 5 cents a bushel. Indeed, he lost more than that, because the local buyer, the elevator man, has to protect himself against a falling market, and if he does not hedge, he has to have enough margin to protect himself. The farmers in the State of Iowa, the farmers in the Cotton Belt, the farmers in the Corn Belt, lost thousands upon thousands of dollars because of the report or suggestion that the authorities were going to use the surpluses to depress the market.

Pick up any newspaper published since that time—I do not care what it is—and look at the reports of the Chicago grain market. The price would be found up 2 cents on the information that the farm bloc was going to put this measure through the Congress; it would be down two cents and a half because it was understood that the President would veto the bill if Congress did so; it would be up a cent and a half because the reports from Congress intimated that Senator Bankhead was adamant and was going to put it through. Then the price would drop again because further advices were that Secretary Wickard would oppose it.

Here is the poor farmer, not fixing the price he can get, but seeing it fixed by agencies such as those to which I have referred, and we allow a factor such as that to come into the picture, and the surpluses which we were told would support prices put on the market to be speculated in, in order to drive the prices down.

Oh, it is said, "we must help England." Let me read further from the same newspaper to which I have been referring. Let me give my colleagues some other information. On the same day to which I have just referred, the following appeared in a London Associated Press dispatch:

BRITISH WHEAT PRICE ADVANCED TO $1.71

To insure food production on a necessary scale in Britain and give farmers a reasonable return, the Agriculture Ministry raised the price of wheat yesterday by 18 pence (30 cents) to 16 shillings ($3.20) per hundredweight.

This, in bushels, was an increase from $1.55 to $1.71. No. 2 hard wheat sold in Chicago Friday for $1.29¼.

The ministry ordered this in a general uplifting of farm-product prices, including an average increase of 6 shillings 6 pence ($1.30) per live hundredweight for fat cattle and a promise of 2 pence (3 cents) more per pound for the wool clip.

While Great Britain takes action to support farm prices and to raise them in order to secure their farmers and encourage production, we find a statement from our Department that food will win the war, and we turn loose on the market surpluses which will inevitably drive prices down. We are not going to let prices go above 85 percent of parity. That is not the principle to which we have been committed for years. It is not the principle to which Congress has subscribed and which it has enacted over and over again. The principle Congress has adopted is that I have just quoted Secretary Wickard as confirming. It is the principle the President says is wise. Yet when we come and ask for relief, what happens? I know I am taking a good deal of time, but this subject is very close to my heart, and I hope my colleagues will bear with me if I read a few brief extracts from letters from constituents of mine.

Mr. O'DANIEL. Mr. President——

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Iowa yield to the Senator from Texas?

Mr. GILLETTE. I yield.

Mr. O'DANIEL. With reference to the raising of the price of wheat in England, has the Senator explored the subject further to see whether they are using lend-lease money they got from the United States with which to do that?

Mr. GILLETTE. I have not done so, but I will say to the Senator from Texas that that is a very interesting inquiry.

In a letter I have received from a constituent, he says:

I would like to call to your attention what might turn out to be a very serious matter. As you know, the administration during the past week has tried to influence the packer into depressing prices of hogs and cattle—

I do not think that is true, but I am quoting what he says—

and while they tried to do it through the packers, and without the hand of the administration being shown, it got to the producers in a hurry, and why the efforts to control grain prices made them mad (the farmers) this last move has given them the real jitters, and leads to the belief that when they have produced the increase asked for, that they stand a good chance of having prices lowered to where they will mean losses to the producers. In other words, they are rapidly losing faith in the administration's promises to maintain parity. If this method is followed much further I will not be a bit surprised if a lot of brood sows that were intended to farrow are dumped on the market, and that would be just too bad. I bought for feeding purposes several bunches of hogs Saturday weighing from 140 to 155 pounds.

They were intended to farrow and were sold to the local buyers and at the neighboring town because of the news of the depression efforts of the administration.

To those of my colleagues who do not know about the hog business, I may state that they do not realize how serious it is at this time of the year to turn onto the market at 140 or 155 pounds hogs which were intended to produce the pigs to provide the pork and the lard for our great needs during the coming year.

Now, let me read an excerpt from another letter:

I am a large grain and livestock farmer, farming about 800 acres of land and feeding 1,000 head of cattle and 400 head of hogs.

I call attention to that merely to show that this writer is an expert.

Now, I operate this business myself even though I am only 29 years old; I believe that I have had some experience as I have built this up from a small enterprise.

How does our Government expect us to buy bonds, pay interest, income tax, or anything else if the minute corn gets up to the price that the Agricultural Adjustment Administration has strived so hard to attain they (Mr. Henderson and Mr. Wickard) arise and bemoan the fact that the grain market is out of hand, the hog market is too high, the cotton market has run away, and that we must drive them down?

Mr. President, I have read the opinions of two practical farmers. There are speakers coming after me the latchets of whose shoes I am not worthy to unloose, and I have been taking up their time. I am trying to give the picture from the standpoint of the practical farmer.

I received a letter this morning from a personal friend informing me that one of the radio commentators, Mr. Kaltenborn, stated night before last that he had visited the Middle West, and that he was astounded to find that the people had no realization that the war was on, that they were mildly interested in more news, but were interested in nothing else. My correspondent called attention to the work they are doing, the anxiety they feel, along with every other American, to do what is necessary for America in order to win the war.

The farmers are not asking for a dole. The Secretary says that he will keep prices down; the prices of meat products and other products and the loss to the farmer will be supplemented by an appropriation for parity payments next fall so as partially to make up the difference.

The farmer is not on relief, the distinguished majority leader to the contrary notwithstanding. This is not a farm-relief bill. The farmer, I repeat, does not want a dole. The farmer wants to stand on his own feet. The farmer wants to operate his business the same as any other man operates his business—with a fair prospect of having a profit. He cannot operate at a loss. He cannot operate under impossible conditions. No one says anything about curtailing or cutting down the charges, partly racketeering charges, partly criminal charges, partly dishonest charges, and partly honest charges, which are levied on the farmers' products between the farm and the consumer, which take from the price paid by the consumer 60 percent and leave to the farmer 40 percent. They must be taken out of the farmer's hide.

Mr. President, inflation is mentioned. It is said that inflation will follow if farm prices are raised; that the workingman

will want higher wages, industrialists will want to receive more in payment of their contracts, living costs will go up, and the spiral will start. It is said it starts with the farm income.

I wish to place in the RECORD a statistical record of the operation of our national economy, being a comparison of the years from 1921 to 1938, showing in one column the gross agricultural income, in another column the factory pay rolls, and in a third column the gross national income. The statement shows that the factory pay rolls follow just as surely as day follows night the rise in agricultural income; and it is legitimate and proper, because the agricultural income is the source of the new wealth.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statistical record of the operation of our national economy

	Gross agricultural income (millions)	Factory pay rolls (millions)	Gross national income (millions)
1921	8,900	8,300	62,300
1922	9,900	9,100	61,100
1923	11,000	11,000	59,200
1924	11,300	10,500	71,900
1925	12,000	10,800	76,500
1926	11,500	11,400	80,200
1927	11,600	11,200	82,900
1928	11,700	11,300	84,100
1929	11,900	11,700	81,100
1930	9,500	9,600	75,400
1931	7,000	7,000	63,300
1932	5,300	5,200	48,800
1933	6,400	5,500	44,200
1934	7,300	6,800	50,400
1935	8,500	7,600	55,800
1936	9,500	8,800	63,900
1937	9,800	9,300	67,500
1938	7,500	7,800	54,100
Total	170,600	162,900	1,192,600

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. ELLENDER. In connection with the table which the distinguished Senator has been discussing, I wonder if he will permit me to place in the RECORD at this point, following the table he has just submitted for the RECORD, a break-down of the supposed cash which comes to the farmer? As I have pointed out on two or three occasions, although it is often said that the farmers of the Nation receive from 4 to 10 percent of the national income, yet when the figures are broken down it will be found that the actual cash received by them, in some instances, is less than 3 percent.

Some time ago a member of the staff of the Department of Agriculture challenged the figures which were submitted by me for the RECORD under date of November 13, 1941, and January 22, 1942, and I suggested to him that he furnish me with the proper figures as he deemed them to be. Yesterday I received the corrected figures from the Department, and I do not find very much difference between their figures and the ones previously submitted by me. It remains evident that 35 percent of our population, who feed and clothe us, receive but a pittance of our national income. I suggest a careful study of the figures submitted, and it will be found that the farmers received much less than 50 percent of the actual cash attributable to farm income.

Mr. President, I ask to have two tables placed in the RECORD at this point. The first table is headed "Net cash available to persons on farms after farm expenditures, 1910–40." The second table is headed "Net income to persons on farms, by sources, 1910–40."

Mr. GILLETTE. Mr. President, I shall be very glad to have those tables included in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Net cash available to persons on farms after farm expenditures, 1910–40*

Year	Cash income including Government payments	Current operating expenses [1]	Cash spent on buildings and for buying machinery	Mortgage interest, taxes, and rent [2]	Cash wages to laborers not on farms [3]	Total cash expenditures	Net cash available to persons on farms after farm expenditures [4]
	Million dollars	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*
1910	5,793	1,380	846	754	171	3,151	2,642
1911	5,596	1,349	844	810	173	3,176	2,420
1912	6,017	1,483	921	862	183	3,449	2,568
1913	6,248	1,544	911	907	190	3,552	2,696
1914	6,050	1,577	904	952	190	3,623	2,427
1915	6,403	1,544	919	1,044	195	3,702	2,701
1916	7,750	1,821	1,070	1,220	221	4,332	3,418
1917	10,746	2,384	1,368	1,565	271	5,588	5,158
1918	13,461	3,290	1,465	1,689	323	6,767	6,694
1919	14,602	3,500	1,915	1,880	365	7,660	6,942
1920	12,608	3,829	1,927	1,701	456	7,913	4,695
1921	8,150	2,592	812	1,677	293	5,374	2,776
1922	8,594	2,608	942	1,776	289	5,615	2,979
1923	9,563	2,778	1,218	1,849	317	6,162	3,401
1924	10,221	3,105	1,123	1,888	320	6,436	3,785
1925	10,995	3,147	1,231	1,808	327	6,513	4,482
1926	10,564	3,150	1,250	1,776	367	6,543	4,021
1927	10,756	3,128	1,297	1,866	349	6,640	4,116
1928	11,072	3,451	1,321	1,861	348	6,981	4,091
1929	11,296	3,328	1,414	1,863	355	6,960	4,336
1930	9,021	2,942	1,044	1,690	302	5,978	3,043
1931	6,371	2,267	600	1,437	214	4,518	1,853
1932	4,743	1,820	300	1,249	139	3,508	1,235
1933	5,445	1,819	377	1,218	119	3,533	1,912
1934	6,763	2,011	570	1,266	125	3,972	2,791
1935	7,615	2,140	872	1,363	150	4,525	3,090
1936	8,571	2,358	1,037	1,369	164	4,928	3,643
1937	9,176	2,651	1,230	1,386	197	5,464	3,712
1938	8,130	2,382	1,038	1,334	191	4,945	3,185
1939	8,658	2,723	1,088	1,369	185	5,365	3,293
1940	9,120	2,898	1,222	1,372	188	5,680	3,440

[1] Includes purchases of feed, livestock, seed, fertilizer and lime, spraying and dusting materials, containers for shipping farm products, binder twine, hardware, and dairy supplies and expenses for operating automobiles, trucks and tractors, operating stationary gas and steam engines, interest on short-term debt, cotton ginning, electricity used for production, irrigation, grazing fees, insurance, blacksmithing, veterinary services, pressing and boiling down sirup, and greenhouse and nursery expenses.

[2] Mortgage interest payable; real estate and personal property taxes levied; and net rent paid to landlords not living on farms.

[3] In addition to cash, farm laborers not living on farms receive food, meals, and other perquisites included in estimating the total cost of hired labor but excluded here.

[4] This column does not represent the total cash available to farm families, because the following items are not considered: (1) Earnings from nonfarm employment, (2) changes in volume of debt, (3) dividends, interest, profits or loss from nonfarm business or investments, pensions, annuities, relief, gifts, and inheritances.

Source: Bureau of Agricultural Economics, U. S. Department of Agriculture.

TABLE 2.—*Net income to persons on farms, by sources, 1910–40*

Year	Net cash available to persons on farms after farm expenditures [1]	Rental value of farm homes [2]	Value of home-produced food consumed by persons on farms [3]	Net investment in buildings and machinery [4]	Net income excluding value of changes in inventories [5]	Value of changes in inventories of livestock and crops for sale	Net income to persons on farms
	Million dollars	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*
1910	2,642	382	1,137	+162	4,323	+151	4,474
1911	2,420	393	1,052	+143	4,008	−67	3,941
1912	2,568	404	1,099	+195	4,266	+96	4,362
1913	2,696	420	1,111	+170	4,397	+26	4,423
1914	2,427	427	1,118	+147	4,119	+426	4,545
1915	2,701	434	1,088	+133	4,356	+73	4,429
1916	3,418	473	1,260	+210	5,361	−266	5,095
1917	5,158	540	1,802	+362	7,862	+521	8,383
1918	6,694	618	2,088	+259	9,659	+39	9,698
1919	6,942	713	2,323	+410	10,388	−450	9,938
1920	4,695	894	2,324	+158	8,071	+348	8,419
1921	2,776	760	1,507	−614	4,429	−613	3,816
1922	2,979	734	1,497	−349	4,861	+18	4,879

[1] Table 1.

[2] The estimates of national income include an item for the imputed net rent of owner-occupied dwellings, approximately equal to the net income received by landlords from rentals of similar dwellings. The estimates here shown represent (1) interest at current mortgage interest rates on the value of farm homes, plus (2) expenses, such as taxes, insurance, and repairs, ordinarily paid by landlords. The reason for including the second item as income is that taxes, insurance, and repairs on farm homes are treated as expenses of agricultural production.

[3] These values are from 28 to 82 million dollars smaller than figures for the "value of home consumption" included in gross income. The difference represents the value of food and meals furnished to laborers not living on farms.

[4] Excess of purchases over depreciation (plus) or excess of depreciation over purchases (minus).

[5] Sum of preceding 4 columns.

TABLE 2.—*Net income to persons on farms, by sources, 1910–40*—Continued

Year	Net cash available to persons on farms after farm expenditures	Rental value of farm homes	Value of home-produced food consumed by persons on farms	Net investment in buildings and machinery	Net income excluding value of changes in inventories	Value of changes in inventories of livestock and crops for sale	Net income to persons on farms
	Million dollars	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*	*Million dollars*
1923	3,401	781	1,562	−24	5,720	−75	5,645
1924	3,785	780	1,562	−109	6,018	−412	5,606
1925	4,482	791	1,721	+14	7,008	−93	6,915
1926	4,021	803	1,771	+27	6,622	+25	6,647
1927	4,116	800	1,631	+70	6,617	−259	6,358
1928	4,091	811	1,603	+87	6,592	+136	6,728
1929	4,336	829	1,633	+141	6,939	−166	6,773
1930	3,043	830	1,479	−187	5,165	+12	5,177
1931	1,853	754	1,208	−447	3,368	+150	3,518
1932	1,235	665	976	−590	2,276	+39	2,315
1933	1,912	587	995	−428	3,066	−56	3,010
1934	2,791	616	1,071	−258	4,220	−664	3,556
1935	3,090	616	1,304	+4	5,014	+63	5,077
1936	3,643	615	1,369	+110	5,737	−297	5,440
1937	3,712	648	1,412	+220	5,992	+230	6,222
1938	3,185	632	1,244	+33	5,094	+4	5,098
1939	3,293	636	1,193	+50	5,172	+200	5,372
1940	3,440	665	1,191	+166	5,462	+38	5,500

Source: Bureau of Agricultural Economics, U. S. Department of Agriculture.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. AIKEN. Before the Senator from Iowa concludes, I should like to have one thing made clear in my mind. We understand that the Commodity Credit Corporation has several hundred million bushels of wheat on its hands, and we further understand that some of this wheat has been kept in storage so long that it is no longer useful for the purpose of making high-grade flour, but that it still is valuable for feeding purposes. Is the Senator from Iowa satisfied that under the pending bill the Commodity Credit Corporation could sell for feeding purposes the wheat which has lost its value for making flour, at a lower price, even considerably less than the Corporation paid for it in the first place? That is one thing I am sure our people want to know, because, as I understand, the Department of Agriculture contemplates putting this wheat on the market, particularly in the drought-stricken areas, the dairy sections of the country, at a price which the farmers can afford to pay, to be used by them in the production of milk and other dairy products. Is that particular situation protected in the bill?

Mr. GILLETTE. Again expressing my own personal opinion, I will say that I think it is. The query is a very pertinent one. It has been bothering some Senators. I believe the way the bill is drafted it prohibits utilization of the surpluses in a way to drive down the market. I believe the bill fully covers that situation. If there is any doubt in anyone's mind, an amendment fully safeguarding the situation, so no one can raise any question about it, would be perfectly satisfactory to me personally.

Mr. AIKEN. Mr. President, I simply wondered how parity could be figured on wheat which was originally first-class grain and has since deteriorated. The Corporation should be permitted to sell it for what farmers can afford to pay.

Mr. GILLETTE. Mr. President, in that connection there come to my mind two other small items, which I shall mention before I close. One of them is the attempt to convey the idea to the dairy States and the livestock interests that the price of feed is being kept down for them. They entirely overlook the fact that the price-control bill provides for a comparable price for all other agricultural products to keep them in line with the price level of the grain. The price level that could be put on butter, that could be put on evaporated milk, and other products, is adjusted in relationship to the feed level.

The second thing to which I wish to direct attention is that farmers in my section, and in other sections, for the years 1937, 1938, 1939, 1940, and 1941, have corn and wheat under loan. If the loan is called—and it can be called now—all the sale price of the accumulated stock that is warehoused on the farm goes into the market, and it will appear as income in 1942; and the farmer will pay for in 1942, when the rate is determined, when the new tax bill is enacted, on that as income that has accumulated since 1937.

Mr. President, there is one more table which I shall ask unanimous consent to have placed in the RECORD. I shall refer to it in closing. It contains a comparison of 2 years, 1928 and 1932. It is difficult to keep these figures in mind, but I shall ask Senators to try to do so.

In 1928 there were produced 5,333,000,000 bushels of oats, wheat, rye, barley, flax, and corn. In 1932 5,253,000,000 bushels of oats, wheat, rye, barley, flax, and corn were produced. The production in those 2 years, 5 years apart, is almost identical.

In 1928 there were produced 17,007,000,000 pounds of beef, pork, mutton, and veal. In 1932 there were produced 16,800,000,000 pounds of beef, pork, mutton and veal. In those 2 years there was an almost identical production of those products.

In 1928 the farm income was $11,700,000,000 and in 1932 it was $5,300,000,000, or less than half what it was in 1928.

Factory pay rolls in 1928 amounted to $11,400,000,000, and in 1932 amounted to $5,200,000,000.

The national income in 1928 was $82,000,000,000, and in 1932 was $39,000,000,000, or a reduction of more than one-half.

Mr. President, I ask unanimous consent that the table be placed in the RECORD at this point as part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Production

1928—5,333,000,000 bushels of oats, wheat, rye, barley, flax, corn.

1932—5,253,000,000 bushels of oats, wheat, rye, barley, flax, corn.

1928—17,007,000,000 pounds of beef, pork, mutton, veal.

1932—16,800,000,000 pounds of beef, pork, mutton, veal.

Income

	Farm	Factory pay rolls	National
1928	$11,700,000,000	$11,400,000,000	$82,000,000,000
1932	5,300,000,000	5,200,000,000	[1] 39,000,000,000
Loss	6,400,000,000	6,200,000,000	43,000,000,000

[1] After deducting $9,000,000,000 of capital losses.

Mr. GILLETTE. Mr. President, I thank the Senators for listening so patiently to me.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. LANGER. Before the Senator concludes, I wish to tell him that the farmers of North Dakota agree wholeheartedly with what he has said. What the Senator has said with respect to the conditions prevailing in Iowa applies equally to the conditions prevailing among the 78,000 farmers in North Dakota. In their behalf I desire to thank the Senator for the excellent speech he has made on the Senate floor today.

Mr. GILLETTE. I sincerely thank the Senator from North Dakota.

Mr. President, I will again say that the farmers of Iowa, the farmers of North and South Dakota, the farmers of Oregon, and the farmers of Georgia do not want doles from the Treasury. They want an opportunity to work as American citizens and to receive a fair return compared with that received by others, in parity relationship to others. That is all they are asking for. Secretary Wickard said:

> We will keep the prices down to 85 percent of parity. We will supplement the income next fall with an appropriation out of the Treasury.

With the American people convinced, as those who misrepresent the fact have convinced them, that the farmers are asking a premium relationship of 110 percent and a guaranteed price, in what sort of position will they be next fall to ask for an appropriation out of the United States Treasury to pay them a bonus in the way of an income or a parity demand? Senators know what will be said. Senators know what they would say, and I know what I would say. Mr.

President, the farmer simply asks for fair consideration.

Again I will refer in closing to the President's statement:

> We shall not demand special gains or special privileges or advantages for any one group or occupation.

Mr. President, we do not want agriculture to continue to be placed at a disadvantage with the other groups in the national economy.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MASS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6470) to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased, in which it requested the concurrence of the Senate.

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (S. 2255) to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation.

Mr. THOMAS of Oklahoma obtained the floor.

Mr. BANKHEAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Radcliffe
Ball	Glass	Reed
Bankhead	Green	Reynolds
Barbour	Gurney	Russell
Barkley	Hayden	Schwartz
Bilbo	Herring	Smathers
Bone	Hill	Smith
Brewster	Holman	Stewart
Brown	Hughes	Taft
Bulow	Johnson, Calif.	Thomas, Idaho
Bunker	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Tobey
Butler	La Follette	Truman
Byrd	Langer	Tunnell
Capper	McCarran	Tydings
Caraway	McKellar	Vandenberg
Chavez	McNary	Van Nuys
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh
Connally	Millikin	Wheeler
Danaher	Murray	White
Davis	Norris	Wiley
Downey	Nye	
Doxey	O'Daniel	

The PRESIDING OFFICER. Seventy-six Senators have answered to their names. A quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, I shall occupy but a very few moments. The pending bill, Senate bill 2255, seeks to assist in the establishment of an agricultural price policy. Recently some of us thought that we had established a farm-price policy in the enactment of the so-called price-control bill; but shortly after that measure became law we discovered that in that hope at least we were mistaken. The bill passed by the Congress, so far as it affected agricultural products, placed at least four possible ceilings below which the Price Administrator could not assume jurisdiction even to undertake to fix prices. The first ceiling was the parity price of any agricultural product; the second ceiling was the price current on October 1, 1941; the third ceiling was the price as of December 15, 1941; and the fourth ceiling was the average price of any given commodity during the period 1919–29.

As soon as the bill became law many of us were somewhat shocked to learn that some of the officials of the Government were assuming to exercise power which they have, or which they assume they have, to keep prices, or some of them, from reaching any of those ceilings. Unless prices can reach the highest of the ceilings the Price Administrator cannot assume jurisdiction; and if the prices can be kept below the highest ceiling, the Price Administrator can never assume jurisdiction—in which event the Secretary of Agriculture would have full control over prices so long as they do not reach the highest ceiling.

Mr. President, as stated by the senior Senator from Iowa [Mr. GILLETTE], it seems that some of our people are under the impression that the farmers are now enjoying great prosperity. That is not true. The farmers of the country, even under present prices, are not enjoying any sort of prosperity. I might make an exception in one or two cases. I think the wool growers are not complaining. In the recent price control bill a ceiling was fixed for wool. The highest ceiling was the price current on the 15th of December 1941. That price was 37.1 cents. That is the highest of the four ceilings. Wool has reached that price; and when it did so the Price Administrator took jurisdiction, and he now is assuming to control and regulate and fix prices with regard to wool and wool products. As I understand, the wool growers are not complaining. The policy is fixed by the Congress. The wool growers understand that policy, and are satisfied with it. As to how much money they are making on their wool, I am not able to say. But, Mr. President, but few agricultural products have today reached the highest ceiling. And I shall place in the RECORD a little later a statement of exactly what those ceilings are and exactly what the present prices are.

A moment ago I said that the farmers of the country are not prosperous. Like the Senator from Iowa, I am receiving a number of letters. My letters come mainly from my own State, but I happen to receive some letters from outside my State. I have in my hand a letter received from a resident of the State of Indiana. I am not seeking to criticize the conditions in Indiana; I use this letter because it is typical, and is the last one I have received, or the last which has been called to my attention.

The letter is dated February 13, 1942. It comes from the small town of Monroeville, Ind., and is signed by C. N. Jeffrey. I desire to read for the RECORD merely one or two sentences from his letter:

> If there is not something done—

Says Mr. Jeffrey—

> to bring the farmers' prices where they belong, in regard to other commodities, including labor, why, the farmers are going to quit and go to town where they can get time and one-half for overtime and time and double time on Sundays and holidays.

Another sentence from the letter is as follows:

> I am enclosing a list of farm sales. The most of them are leaving the farm on account of the Government attitude, as they all give me the same story. I can make more money in town, in the factory, than I can by slaving on the farm.

At a later point in his letter Mr. Jeffrey says that he is sending me a clipping giving a list of the farm sales in his community during the month of February. I desire to comment briefly on the list of farm sales in that particular county in Indana in the month of February. The sales are auction sales. That means that the farmer advertises that on a certain date he will sell all the stuff that he possesses, and on that date the people of the community—those who care to do so—assemble at the farmhouse, and the auctioneer puts up the various articles, and they are sold to the highest bidder. The list I have in my hand is a list of 41 sales in that 1 county in the month of February, the present month.

According to the clipping, on February 14, Irvin Rush—and the advertisement gives the location of his farm—held a sale. It was a close-out sale, meaning that Mr. Rush sold everything he possessed at auction on the 14th of February. That sale is over.

On February 16, Mr. Mechling—and the advertisement states the location of his farm—had a complete close-out sale, meaning that he sold at auction everything he had.

On February 17, a Mr. Spencer had a complete close-out sale; that is the language used in the advertisement.

On February 19, Erma Woods had a close-out sale. On February 21, a Mr. Huber had a complete close-out sale. On February 21, a Mr. Beaty had a close-out sale. On February 23, a Mr. Carmall had a complete close-out sale. On February 24, today, a Mr. Walters is to have a complete close-out sale; and on February 25, a Mr. Beachy is to have a complete close-out sale.

I have stated only the complete close-out sales. The other auctions listed in the advertisement are not complete close-out sales; some of them are sales of

household goods; some are sales of the farmers' livestock, and some are sales of the farmers' feed crops and grain.

I submit the letter and the list of sales in that one county in Indiana as evidence of the fact that the farmers in that particular section are not in a prosperous condition.

Mr. President, on a former occasion I had something to say about the wages farmers receive for the production of their crops. I have before me a copy of an address delivered on February 11, at Edgewater Park, Miss., by Mr. I. W. Duggan, director of the southern division of the Agricultural Adjustment Administration. I desire to read merely one paragraph from the address, as follows:

It takes on an average of 220 man-hours to produce a bale of cotton. Charge half the value to labor, $50, let us say, and you get, on an average, a little less than 23 cents an hour as the wages of the cotton grower. This, mind you, when cotton is selling at present parity.

Mr. President, following that quotation I desire to place in the RECORD a list of the hourly wages which are being paid in Washington, D. C. The list appeared in the last few days in a local newspaper. This is the Alley Dwelling Authority wage scale:

	Per hour
Bricklayers	$1.75
Carpenters	1.62½
Cement finishers	1.50
Electricians	1.80
Laborers	.85
Ironworkers	2.00
Painters	1.71⅞
Plasterers	2.00
Plumbers	1.75
Shovel operators	2.00
Roofers (composition)	1.55
Roofers (slate and tile)	1.75
Sheet metal workers	1.75
Steel fitters	1.75
Tile setters	1.50
Truck drivers, up to	1.00

Those are the regular rates they receive. If they work overtime they are paid the wages indicated, plus 50 percent more; and if they work double time, so I am advised, they get double those rates of pay.

Now, Mr. President, I desire to quote from a news release by a former Member of Congress. The former Member of Congress is Mr. Pettengill, from the State of Indiana, which happens to be my native State. I desire to read two or three short paragraphs from his news release, which is dated January 27, 1942. I read as follows:

In 1929 about 52 percent of all farmers had a gross annual farm income of $1,000 or more from farm products sold and used by farm households. Ten years later, in 1939, only 21 percent grossed $1,000 or more.

Further on I read:

Going to the very poorest of our farmers, in 1929, 93 percent received a farm income of more than $250 annually. In 1939 only 79 percent of the farms exceeded $250. In short, the number of farmers earning less than $250 annually increased from 6.6 percent to 20.8 percent in that time.

Excluding benefit payments under the Agricultural Adjustment Administration, the farm income in 1929 was $11,011,000,000, whereas in 1939 it was only $7,813,000,000. Not only were there more low farm incomes; the total of all farm incomes was over $3,000,000,000 less.

I quote one further paragraph from Mr. Pettengill's news release:

Let us look at farm wages. The Department of Agriculture has just released figures for 1941. Last year the hired man who "boarded himself" averaged $47.77 a month, or $573.25 a year. Those whose board and room were furnished averaged $36.61 a month, or $439 a year. Assuming the hired man who boarded himself worked 8 hours a day for 25 days a month, he got only 24 cents an hour. If he averaged 10 hours a day, or 60 hours a week, which must be closer to the fact, he averaged only 19 cents an hour, and there were 8,665,000 farm workers—about the same number as in organized labor.

When these incomes are contrasted against those paid in the mass-production industries, the charge that the farm bloc is the greediest group in America is shown to be singularly devoid of justice.

Now, Mr. President, on a former occasion the junior Senator from Michigan [Mr. BROWN] made the statement time and time again that farm prices were at substantial parity. I desire to place in the RECORD at this point figures showing the percentage farm prices are to parity. I quote from a little booklet published by the United States Chamber of Commerce. The particular article was prepared by its agricultural department committee, and the particular chairman was Elmer H. Sexauer. I quote the latest parity prices of several farm commodities, as follows:

In the case of wheat the price on January 15 was 82 percent of parity.

These are the latest figures obtainable. I called the Agricultural Department this morning, and was advised that these are the latest available figures. The February figures will not be available until the latter part of this month or the first of March.

Corn, on January 15, was 78 percent of parity; oats were 89 percent of parity; barley was 67 percent of parity; rye was 62 percent of parity; flaxseed was 79 percent of parity; rice was 133 percent of parity.

Rice is the first exception we have found in this list.

Cotton was 94 percent of parity; cottonseed was 131 percent of parity.

Cottonseed is the second article we find above parity.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BANKHEAD. It has been practically agreed on all sides, I think, that the old parity of 1909–14 on cottonseed would have no application at this time, because of changed conditions in the industry.

Mr. THOMAS of Oklahoma. That is true for the very obvious reason that in the base period 1909–14 cottonseed was thought to be almost worthless. Since that time by treating cottonseed by a new process every vestige of lint is removed, so that after the cottonseed goes through the mill, it is as slick as a lima bean, it has nothing on it whatever, the extraneous substances having been extracted. The cottonseed then is of great value. Then the cottonseed is crushed, the hull is removed, and a ready market is found for cottonseed hulls. Then the seed, the kernel, is crushed, and from it comes cottonseed oil, a product of great value. In the base period of 30 years ago it did not have such value. Then, after the oil is obtained, there remains cottonseed cake, which is also of great value for feeding livestock, especially for cattle. So, Mr. President, it is easy to be seen why cottonseed had little value 30 years ago, but now when it has all these new uses the price has gone up naturally, and it is worth much more than it was in the early base period.

The next item on the list is potatoes, 93 percent of parity; sweetpotatoes, 73 percent of parity; peanuts, 73 percent of parity; hogs, 100 percent of parity. So, we find that the price of hogs on the 15th of January was at the parity level.

Beef cattle, 128 percent of parity. That is another commodity which is above the parity price.

Veal calves, 123 percent of parity; lambs, 120 percent of parity. Of course, the demand for beef cattle and for veal and lambs has increased considerably during the past year because of the need for meat to be sent to our soldiers wherever they may be located.

Butterfat is 90 percent of parity; chickens, 102 percent of parity; eggs, 105 percent of parity. So chickens and eggs are slightly above parity price.

Wool, 139 percent of parity. The reason wool has gone up in value is because of the extraordinary demand for wool for uniforms for men in the armed services of the United States.

Hay, 59 percent of parity; soybeans, 119 percent of parity. The reason soybeans are above parity is that until recently soybeans were not known to have any particular value save for feeding livestock. Now soybeans are one of the great crops of the country. They are treated very much like cottonseed is treated, and from them are made a great number of commodities of great value throughout the commercial world.

Mr. President, at the close of my remarks, I desire to submit for the RECORD a copy of a letter written by Mr. C. M. Mauldin, of Columbiana, Ala. The letter was written February 14, 1942, and was sent to the New York Times and printed in that publication.

The PRESIDING OFFICER. Without objection the letter will be printed in the RECORD.

(See exhibit A.)

Mr. THOMAS of Oklahoma. So, Mr. President, it is obvious to me that the farmers of the country are not now in a prosperous condition. If they were in a prosperous condition, we would not learn of the many forced sales, foreclosures, and failures which are taking place.

At this point I wish also to call attention to a statement by the present Secretary of Agriculture. It is found in his annual report for the year 1941, and was prepared, of course, by the Secretary or approved by him and sent to the Congress. It was probably first sent to the

President, and then the President sent it to Congress. I wish to place on record the statement of policy of the Secretary, because since this was written I think he has changed his policy somewhat; at least those who read these remarks may draw their own conclusions. I read from page 29 as follows:

> If ceilings were placed exactly at parity, the daily fluctuations in the market would necessarily all be between parity and some lower figure, and, as a result, farmers could not possibly average parity. The real purpose of restricting ceilings to a point somewhat above parity is to make it reasonably sure that all farmers will have an opportunity to get parity. After all, it happens to be the expressed policy of Congress and the administration to achieve and maintain farm prices at parity.

Since that report was published the Secretary has changed his goal somewhat. It seems to me he is now not so much interested in securing parity prices for the farmer as he is interested in securing parity income prices for the farmer. There is a difference between a parity price and a parity income price. A parity price is the full amount of parity. The parity price of cotton at the present time is 18.1. If the administration or the Congress desires to secure the full parity price of cotton to the farmer, it must insist that for the average grade of cotton, the standard grade, which until recently was what is called middling, seven-eighth inch cotton, I believe it was, the farmer should receive 18.1 cents per pound. The Secretary has abandoned that goal, and he says he wants to get the cotton farmer a parity-income price. The parity-income price is made up of two items, the price the farmer receives, plus a subsidy payment. If the farmer receives 15 cents a pound for his cotton at his farm, he is deficient by 3.1 cents of parity. So the Secretary says that if the farmer gets 15 cents, or some other comparable sum, then "I shall make up to the farmer the difference between what he receives for his cotton and the full parity price." That means that the Secretary will have to pay the cotton farmer and the wheat farmer and the corn farmer, the difference between the prices they receive on the farm and the full parity prices.

Mr. BROWN. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BROWN. I think the Senator from Oklahoma, in the remarks he has just made, has put his finger on the real issue. I take it that it is the purpose of the authors of the bill to insist that the farmer shall receive parity without consideration of the conservation and other benefit payments. I think there will be no real objection if the farmer were assured of parity in the calculation of the price received, plus the benefit payments made by the Agricultural Adjustment Administration and any other agency which adds to the price. I do not think there would be much difference between those of us who are opposing the bill, or much difference between the Department of Agriculture and the authors of the bill if we could agree upon that principle; but I take it that what the Senator from Oklahoma and the other authors of the bill desire is a hundred percent of parity, plus the benefit payments made by the United States Government.

Mr. THOMAS of Oklahoma. Let me for one deny that that is my purpose; and it is not the purpose of those for whom I presume to speak.

Mr. BANKHEAD. Mr. President, if the Senator from Oklahoma will permit, I call the attention of the distinguished Senator from Michigan to the fact that parity payments are made on the basis of bringing up the market price as nearly as possible to the parity level, and therefore, if the market price is equal to parity, no parity appropriations are made, under the law.

Mr. BROWN. Will the Senator from Oklahoma yield further?

Mr. THOMAS of Oklahoma. I yield.

Mr. BROWN. I ask the Senator to take the bill, Senate bill 2255, and follow me as I read a portion of it and suggest an amendment, and ask whether the authors of the bill would be agreeable to such an amendment. I refer to page 1 line 8, after the word "price," where I suggest that the following language be inserted, "which, together with the parity and conservation payments in respect to such commodity, will yield a return," so that the provision would read as follows:

> That hereafter no agricultural commodity, title to which is in the Commodity Credit Corporation on the date of enactment of this act, or title to which is acquired, directly or indirectly, by such Corporation after such date, shall be sold or otherwise disposed of by such Corporation for use within the United States at a price which, together with the parity and conservation payments in respect to such commodity, will yield a return below the parity price for such commodity.

I ask the Senator whether he would accept such an amendment?

Mr. THOMAS of Oklahoma. Before I answer the question I wish to ask the distinguished Senator from Michigan a question. In a few days we will have before this body the agricultural appropriation bill. Would the Senator from Michigan vote for an item of $100,000,000 or $200,000,000 or $500,000,000, whatever may be necessary, to be placed in the hands of the Secretary of Agriculture so that he could continue next year to make the benefit parity payments?

Mr. BROWN. Mr. President, that involves a change of policy. Our policy in commodity credit is that we will make such loans and appropriate such sums of money if necessary to support the loans—and much has already been appropriated—to maintain a price of 85 percent of parity. What the Senator wants to do, in times when prices are below 100 percent of parity, is to change the eighty-five to a hundred percent. I am not sure now whether I would favor or oppose such a proposal; but do I rightly put my finger upon the point the Senator is making?

Mr. THOMAS of Oklahoma. Mr. President, I agree thoroughly that this is the whole point to the bill; it is a point that is pivotal before the Congress and before the Department of Agriculture.

Changing conditions make a change of laws necessary. When we met a year ago we were not at war. We were fearful that we might be drawn into war, but we were not at that time at war. Since the bill was passed last year making an appropriation of several hundred million dollars with which to make parity payments, we have become involved in war. So I contend that changing conditions make changing policies necessary.

It is my viewpoint—I cannot speak for the Senator from Michigan or for any other Senator—that the Committee on Appropriations of the Senate will not recommend to this body any income-parity payments in the bill to be reported some time later on in this session. It is my opinion that when the Secretary exhausts his present fund in making parity payments the fund will not be replenished.

Mr. BROWN. Then the Senator should not object to my amendment.

Mr. THOMAS of Oklahoma. I would not object to the amendment at the present time, but it is now almost the first of March, and the present fund may become depleted, at least legally, by the first day of July. If the fund is not obligated at that time, the amount left will revert to the Treasury. So the Secretary must make his payments between now and the first day of July, because after that time the funds he has on hand he cannot pay, and it is my judgment he will not have any other fund. So the making of parity payments, of benefit payments, of conservation payments, will end with the termination of the present funds in the hands of the Secretary of Agriculture. Therefore, we are making this bill, as I hope and as I believe, to govern the Department after the first of July. I wanted to govern them now, and if the farmers who have cotton in their warehouses, in their storehouses, in their barns, wherever it may be, and the farmers who have wheat or corn in their granaries, wherever it may be stored, can get a parity price for their cotton or for their wheat or their corn, I would not be in favor of making those farmers any kind of a benefit payment. I would not object to that being written into the law, but I certainly should object to the provision which the Senator has just suggested.

I now call attention to another statement made by the Secretary of Agriculture. It is rather peculiar to me, and I wish to read it. It was made in connection with the hearings on this identical bill. Mr. Wickard was before the Committee on Appropriations of the House of Representatives.

Mr. BROWN. If the Senator will pardon me, were there hearings on the bill before us?

Mr. THOMAS of Oklahoma. No; the hearings which were printed were hearings on the fifth supplemental national defense appropriation bill, which is now ready to be called up by the Senator from Tennessee [Mr. MCKELLAR].

Let me read what Mr. Wickard said. Mr. WOODRUM was questioning him. I shall have to read two or three questions and answers in order to get the connection.

> Mr. WOODRUM. No arrangements have been made for parity for automobile dealers, or salesmen, or countless thousands of other

American citizens who have gone out of business because of this war, they have to take it?

Mr. RABAUT. They have parity in reverse.

Mr. WOODRUM. Yes. In this matter, however, the procedure is such that the farmer will be taken care of, but in no sense is our primary effort to keep up rising prices for farm products?

Mr. WICKARD. No; but I think you have to pay the farmers something like production costs.

There we have the policy of Mr. Wickard. He believes that we should or must pay the farmers something like production costs.

I should like to ask the distinguished Senator from Michigan a question. The Government now needs thousands of motor trucks; it needs thousands of automobiles, thousands of engines, and thousands of instruments of war. Suppose the Government should go to Detroit and say to the factories in Detroit, in the home State of the distinguished Senator, "We want trucks. We expect you to make them for us and deliver them to us at about production cost. It may be that we cannot give you quite production cost, but we will give you about production cost." What would the response be from the distinguished managers of the great factories in the great State of Michigan?

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. THOMAS of Oklahoma. I yield.

Mr. BROWN. On the last Saturday in January a large number of newspapermen went to the city of Detroit to look over the change-over in production from automobiles to tanks, airplanes, and other instruments of war, and the financial head of one of the "big three," a gentleman whom I happen to know fairly well, said this in response to a question from one of the newspaper men:

"Profits?" he said. "If you can find insurance companies which will guarantee that when this business of war is ended my company will not have lost, that we will wind up our war contracts on an even financial keel, without one red cent of loss, I will pay $5,000,000 for such an insurance policy."

I know that the gentleman who made that statement meant exactly what he said. If he thought that his organization could come out of this entire affair with a loss of not in excess of $5,000,000 he would be glad to do it in that way.

Mr. THOMAS of Oklahoma. I think that is a very patriotic statement, and I commend the man who made it; but after we have heard the statements made, it is obvious that he will not agree to produce supplies for the War Department and for the Government unless he is insured against loss. He is going to exact a profit, and if he cannot get the insurance—and he cannot get it—he is going to ask to be paid for the supplies produced a price sufficiently high to enable him to pay cost of production, take care of strikes, take care of increases in wages, take care of increased production costs, and make a handsome profit.

Mr. President, the farmer, under Mr. Wickard's statement, is to get only something like production cost.

I wish to read one or two further statements. After Mr. Wickard had made the statement which I read, Mr. WOODRUM said:

That is all right, but we do not guarantee that to anybody else.

Secretary WICKARD. I do not think you ask the automobile manufacturer or the gun manufacturer or the munitions manufacturer to sell his product at anything less than cost.

Of course we are not getting those products at cost; we are not getting them at anything like cost. I do not know how much profit the producers exact, but no doubt they are making what they think they are entitled to make, if not as much as the traffic will bear.

Mr. President, I simply rose to give my support to the bill and to try to show from the evidence I have that agriculture even on the present basis is not a prosperous institution.

(Exhibit A)

[From the New York Times]

WAGE PARITY FARM PROBLEM—PRICES, IT IS HELD, SHOULD BE BASED ON THIS AND NOT COMMODITY VALUES

To the EDITOR OF THE NEW YORK TIMES:

Your editorial, "Politics as Usual," of February 12 made me hope that you will later give some information on what they should be working for to the farm bloc in Congress and to the Farm Bureau in the lobby. A little thoughtful attention will convince anyone that they are widely missing the mark. In asking for parity prices of 30 years ago they fail to consider some very essential progress that has been made in all industries. Without due allowance for these improvements it is impossible to fix, even approximately, the prices of farm commodities so that labor will stay on the farm and produce what our country needs.

The farm bloc in Congress and the Farm Bureau officials are contending for parity prices based on the average price of farm products compared with the average price of 250 other commodities during the years 1909-14. They say that if the average price of these 250 commodities rises above or falls below their average price of this period of 30 years ago, the price of farm products should be raised or lowered accordingly.

But they are overlooking the main factor that necessarily enters into the price structure of all commodities. That is the price of labor. There has been more improvement in machine tools and therefore in the cheapness and efficiency of machinery in the period 1912–42 than in any preceding 100 years. We can now buy for less money a much better automobile than was on the market 30 years ago. But the laborers in the automobile plants are being paid higher wages than laborers received in 1912. The better cars are cheaper but wages are higher.

In the cotton mills 30 years ago 1 weaver could run 12 looms. Today 1 weaver can attend to 40 looms. His wages are higher, but the cloth is being woven cheaper—on a parity—than 30 years ago.

Look now to the farms. The laborer who could hoe 1 acre of cotton a day in 1912 has no improved tool with which he can hoe 2 acres a day in 1942. And the cotton picker who could weigh up 200 pounds a day in 1912 has no device by which he can bring to the scales 400 pounds a day in 1942. Extending this illustration of increasing the wages while lowering the cost of production to all the 250 commodities that are used as a basis for the parity of 30 years ago, we can see that unless prices of crop products are such that farm laborers can be paid wages on a parity with wages paid to other laborers (basis of 1912, if you wish), they will not stay on the farm. Then no board of price fixers in Washington or elsewhere, who fix prices on commodity parity instead of a wage parity, will be able to bring to harvest the crop we need to feed and clothe this hungry and belligerent world.

Guarantee the farmer prices that will enable him to pay his labor wages on a parity with wages paid to other labor, and he will feed America and her Allies. Parity of wages will keep farms producing, but parity of commodity prices will cause more farms to be abandoned.

C. M. MAULDIN.

COLUMBIANA, ALA., *February 14, 1942.*

Mr. BROWN. Mr. President, I find myself in a somewhat difficult position. I come from a State which is quite diversified. It has a large industrial population and a large farm population. It is a commercial, financial, and agricultural State of considerable importance to the country.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. McNARY. I do not want to interfere with the Senator's remarks. I only wish to say that perhaps he may be spared the necessity of making his speech, if I correctly understand the nature of the amendment which he proposed a few moments ago. I am curious to know what would be the position taken by the Senator if his amendment on page 1, line 8, were incorporated in the bill? Would he then support the measure?

Mr. BROWN. I did not catch all of the Senator's statement.

Mr. McNARY. I ask, if the amendment the Senator proposed were incorporated in the bill, would the Senator from Michigan support the bill?

Mr. BROWN. I am inclined to think I would.

Mr. McNARY. That would end the controversy on that issue, and we could go on to something else.

Mr. BROWN. I asked the Senator from Alabama, who introduced the bill, if he would accept such an amendment, and he informed me that he was unwilling to do so.

Mr. BANKHEAD. That is correct, because that would place the situation where Secretary Wickard now wants it.

Mr. McNARY. Mr. President, of course, I cannot claim, as much as I should like to possibly, any authorship in this measure. I favor its general purpose, and will probably speak to that end a little later today. But I might take issue with the able Senator from Alabama and say that I do not think the amendment would destroy the purpose of the bill. I think it would give to the farmer a fair measure of protection.

Mr. BROWN. Mr. President, I agree with the Senator fully in that respect, and I offered the amendment in the hope that we might avoid this controversy. I feel that particularly in the present condition of affairs in the country we cannot be representatives of agricultural blocs, we cannot be representatives of industrial groups, or of any class or group of the American people. It is our duty to use our best judgment in endeavoring to decide fairly between the somewhat conflicting interests of the various groups which go to make up our country.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. McKELLAR. The Senator from Michigan knows how devoted I am to him. I admire him very greatly. But in view of the statement he just made this inquiry comes to my mind. As we all know, the parity arrangement was brought about for the purpose of increasing the prices of certain farm products. Under the law which was recently passed, parity has been brought about on the markets for some of the crops, notably the wheat crop, and I believe the corn crop substantially, or practically substantially.

Mr. BROWN. At parity?

Mr. McKELLAR. At parity—or just below.

Mr. BROWN. Yes; if we consider the soil-conservation and soil-benefit payments.

Mr. McKELLAR. Let us leave corn entirely out of the consideration. But wheat has risen to parity, as have some other crops. The purpose of the Congress was to bring about parity prices, and we have brought about parity prices for some products. Does the Senator think it is fair to permit a construction of the law to arise, which certainly was not intended by the Congress, by which you can single out one crop and say that that crop shall not have parity?

Mr. BROWN. I think the Senator from Tennessee is venturing onto rather dangerous ground, if I may be pardoned for so accusing him.

Mr. McKELLAR. I should be very glad if the Senator would tell me what such a construction would mean.

Mr. BROWN. If we adopt such a policy as that, then we shall have thrown the law of supply and demand out the window, and we shall have entered definitely into a Government price-fixing arrangement. What we have done through the Commodity Credit Corporation and the Agricultural Adjustment Administration working together is to assure the farmer 85 percent of parity, but above that figure we leave prices to the operation of the law of demand and supply. If wheat and beef and certain other commodities to which the Senator from Oklahoma [Mr. THOMAS] referred, which are above parity at the present time, go there, they go there by reason of the operation of the law of supply and demand. If cotton and some other products are below 100 percent of parity, it is largely because of the operation of the law of supply and demand. The purpose of the Agricultural Adjustment Administration and of the Commodity Credit Corporation in financing the operation is to prevent the price from going below 85 percent of parity.

I take it that the Senator from Tennessee by the question he asks me would favor an arrangement by which everything would be brought up to 100 percent of parity. That would be Government price fixing.

Mr. McKELLAR. If the Senator would let me reply, I should be very happy to tell him what runs through my mind.

Mr. BROWN. Certainly.

Mr. McKELLAR. Unquestionably, under the laws we have passed respecting certain agricultural products, parity will be reached by them all in the natural course of business, and in obedience to the law of supply and demand. But as I understand the situation—and we might as well speak out with perfect plainness—the Government happens to own about 4,000,000 bales of cotton, and as I understand, the Secretary of Agriculture proposes to use a part of that 4,000,000 bales of cotton which is now owned by the Government and put it on the market for the purpose of depressing the price. Is not that the way the Senator understands it?

Mr. BROWN. No; I do not understand it that way.

Mr. McKELLAR. May I ask the Senator from Alabama, who is an expert on these questions, who is my expert, at any rate, on these questions——

Mr. BROWN. I do not think the Senator from Tennessee needs an expert. He is an expert himself.

Mr. McKELLAR. I want to ask the Senator from Alabama if that is not the situation.

Mr. BANKHEAD. I think the Senator has stated it with exact accuracy.

Mr. McKELLAR. That is the way it seems to me. I am a great admirer of the Secretary of Agriculture, I think he is a very great man, but I think in all fairness and all justice to the cotton farmers that they should not be penalized in that way, but that the law with respect to parity payments should be applied to all products to which Congress intended it to apply, with equal justice. I do not believe a bill could have passed the Senate providing for parity payments if we had excluded cotton. I doubt very much if such a bill could have been passed. We passed a bill dealing with wheat and cotton and corn as the principal agricultural products which we wanted to protect and to see that the farmer received a fair price for them. We have done that, but as to one of these products, as I understand, the Secretary of Agriculture has stated that they will use the Government-held cotton, amounting to 4,000,000 bales, and throw it on the market in such a way as to depress the price so that parity cannot be attained.

If my information is correct, I think the proposal is exceedingly unfair to the producers of cotton. I again ask the Senator from Alabama if my statement is correct.

Mr. BANKHEAD. It is correct, as I understand it.

Mr. BROWN. Mr. President, in my judgment, the Senator from Tennessee, the Senator from Alabama, and other southern Senators have most adequately protected the cotton farmer. I know of no other product which has the protection legally thrown about it that cotton has at the present time. For example, there is no limitation upon sales of commodities held by the Commodity Credit Corporation, with the exception of cotton. With respect to cotton, the Administrator is denied the right to sell more than 300,000 bales a month.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BANKHEAD. In view of the Senator's statement, I ask him if he does not think that the principle stated by him would bind the Commodity Credit Corporation so that it could not legally sell or otherwise dispose of cotton at a price lower than the parity price.

Mr. BROWN. From my experience in handling legislation respecting the Commodity Credit Corporation, price control, and allied matters, I have been led to the general belief that more than 300,000 bales of cotton a month cannot be sold. Whether there are exceptions in the law relative to furnishing such supplies for relief purposes, and so forth, I do not know; but so far as sales in the market for any purpose whatsoever are concerned—influencing the prices or any other purpose—my understanding is that the Commodity Credit Corporation should not and cannot sell more than 300,000 bales a month. I supposed that was the law.

Mr. BANKHEAD. I am glad to hear the Senator make that statement. The Senator also knows that there has been an effort to turn cotton over to the Army and Navy and to trade it off to cotton mills, regardless of the limitation contained in the Agricultural Adjustment Act of 1938. The very announcement of such a purpose caused a depression in the price of cotton amounting to approximately $5 a bale.

Mr. BROWN. I do not know that what the Senator says is so; but I have usually found that what the Senator from Alabama says is true. In the rather warm discussion we had over the effect of the price-control bill on the Commodity Credit Corporation, I was delighted to find that the Senator from Alabama, against his interest and against his views, conceded that under the terms of the price control bill we would exercise no control over the Commodity Credit Corporation. I honor him highly for that statement. I am always disposed to accept what the Senator from Alabama says.

I do not know, from anything that has been said to me, that the Department of Agriculture proposes to do any such thing as the Senator from Alabama suggests.

Mr. BANKHEAD. I heard the Secretary of Agriculture say that it was under consideration.

Mr. BROWN. I think it would be unlawful to sell or dispose of more than 300,000 bales of cotton a month.

Mr. BANKHEAD. Various members of the Committee on Agriculture and Forestry, which requested the Secretary to appear before it, heard him make the statement to which I have just referred. Such a proposal is under consideration. The proposal is that, regardless of the provisions of the Agricultural Adjustment Act of 1938, cotton be turned over to another agency of the Government to be used in exchange for cotton goods, and for other purposes.

Let me make one further statement. I know that the Senator is a fair-minded man. I do not know what his purpose was, unless it was to create some feeling that the cotton people were receiving special favors. When the limitation on

sales contained in the Agricultural Adjustment Act of 1938 was enacted, no other agricultural commodity was held by the Commodity Credit Corporation.

Mr. BROWN. But there is no such restriction on wheat or corn.

Mr. BANKHEAD. At that time cotton was the only commodity of which there was a surplus in the possession of the Commodity Credit Corporation. That surplus was so large and so depressing on the price that the very threat or possibility of its release caused Congress, without any opposition, to provide a limitation on sales, and to provide for the orderly disposition of the cotton so as to prevent undue and unreasonable price depressions, even though at that time the price was so low that the cotton farmers were on a starvation basis. That was not done for the special protection of cotton. It was done because cotton was the only agricultural commodity held by the Commodity Credit Corporation; and therefore specifications were made without any information or knowledge that thereafter wheat, corn, and tobacco would also accumulate in large quantities.

Representatives of the cotton producers are endeavoring to give to wheat, corn, and tobacco producers with surpluses held by the Commodity Credit Corporation the same protection that we are asking for cotton, and that is that during this emergency, with the constantly increasing trend upward in prices, none of those commodities shall be sold at less than parity. All the commodities are on the same basis. No special treatment is asked for cotton.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. McKELLAR. First, I wish to correct an inadvertent error which I made a few moments ago. I said that the price of wheat had reached parity. I regret very much to say that I have since learned that the price of wheat has not reached parity. Of course, that has nothing to do with the question we are now discussing. I merely wished to be correct in my statement.

Mr. BROWN. The Senator was correct about wheat if he included the benefit payments.

Mr. McKELLAR. But without the benefit payments it has not yet reached that point. I hope it soon will.

I should like to have a word to say about the cotton situation. For a great many years the Congress has uniformly treated cotton all right. I have no complaint to make. All Senators, regardless of party, have tried to treat the farmers of the country fairly, because we know that for many years they had not been receiving a just return for their crops. I think we have evolved a most satisfactory policy. It has been of the greatest benefit to the entire country. It has been of benefit to the wheat farmer, the corn farmer, the tobacco farmer, the cotton farmer, and all others who have come within the sphere of its operations. I think it has done well. I have no complaint to make against the Government.

We worked out a plan in the Congress. I am not sure whether the Secretary of Agriculture has always agreed with us. I do not remember, although I think that generally he has been favorable to the parity-payment program. We must all admit that the parity-payment program has been of wonderful advantage not only to the farmers of the country, who deserve fair treatment, but to the whole country. It has brought us into a situation in which we have and will continue to have ample foodstuffs for the prosecution of the war. We have ample cotton for the prosecution of the war I think we have been very fortunate in carrying out the program. The last bill with respect to parity payments passed the Senate by a very large majority, if not unanimously. After we have already agreed upon the policy and it has been successful, it seems to me that for the Government to use the cotton it has for the purpose of depressing the price is not exactly fair to the cotton farmer. If the same proposal were made with respect to wheat or corn I should be opposed to it. I think we ought to carry out the program, which has done such a wonderful work for the people of the country.

Mr. BROWN. As the Senator from Tennessee well knows, we are not proposing to change the program.

Mr. McKELLAR. It is being changed by administrative measures. That is the thing to which I object.

Mr. BROWN. The proposal of the Senator from Alabama is that we raise the price at which the Government may dispose of its cotton from 85 percent of parity to 100 percent of parity.

Mr. BANKHEAD. Along with the prices of all the other commodities held by the Corporation.

Mr. BROWN. That is true.

Mr. BANKHEAD. No special treatment is asked for cotton.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BARKLEY. In regard to the question of what has actually been done and is being done by the Department of Agriculture, I think it might be well to call the Senate's attention to the fact that, under the present situation, the Commodity Credit Corporation owns approximately 5,000,000 bales of cotton. We are now discussing cotton. The sales of cotton by the Corporation are now limited by law to 300,000 bales in any one month, or 1,500,000 bales in any one year. The first sales into normal domestic channels of the 5,000,000 bales held by the Government and owned by the Government were made in January 1942. Those sales amounted to 200,000 bales, which were sold to the domestic cotton mills and cotton merchants at prices slightly above parity.

So the pending bill would not affect, under similar circumstances, the 200,000 bales sold above parity to cotton mills and in the ordinary channels of commerce—that is to say, 200,000 of the 300,000 bales which can be sold in any one month. That was in January.

An additional 80,000 bales were sold at below parity prices for export. The pending bill would not affect that sale, because it does not apply to cotton sold for export.

The aforementioned sales account for 280,000 bales sold in January. So there remain only 20,000 bales which could be sold, and those 20,000 bales were sold at below parity prices for use in the manufacture of cotton bagging and other new uses of cotton. We all understand that cotton bagging is a commodity used very largely by farmers; they have to use it in the production and the marketing of cotton.

So out of the 300,000 bales which the pending bill would affect if the same proportion and the same situation existed from month to month, only 20,000 bales were sold under parity prices that would be affected by this bill; and those 20,000 bales—an infinitesimal quantity, as compared to the 5,000,000 bales the Government owns—were sold for the production of cotton bagging, which is a commodity which the farmers who produce cotton need and must have.

So it seems to me that it is not quite accurate to say that the Secretary of Agriculture or the Department of Agriculture are deliberately putting this cotton on the market for the purpose of deliberately depressing the price of cotton; because two-thirds of what they sold was sold at more than parity, and nearly a third of what they sold was in export trade and would not be affected by the bill, and only 20,000 bales that were sold under parity would be affected by the bill, and that cotton was sold into the channels of commerce, for the manufacture of a product needed by the very cotton farmers who are involved.

Mr. BROWN. I thank the Senator for his contribution.

Mr. SMITH and Mr. McKELLAR addressed the Chair.

Mr. BROWN. I will yield to both Senators in just a moment, but first I desire to have the attention of the majority leader for a further moment.

The Senator from Alabama intimated that the Secretary of Agriculture had under consideration, as he put it, sales in excess of 300,000 bales per month, I take it. In all the discussions the Senator from Kentucky, the majority leader, has had with representatives of the Department, is there anything upon which the Senator could base a statement that the Secretary of Agriculture intends to violate the law which is now on the statute books, limiting the sales to 300,000 bales a month?

Mr. BANKHEAD. Mr. President——

Mr. BARKLEY. Mr. President, let me answer the Senator's question.

Mr. BROWN. I yield to the Senator from Kentucky.

Mr. BANKHEAD. Mr. President, I should like to have the Senator yield to me.

Mr. BROWN. In just a moment I shall be glad to yield to the Senator from Alabama.

Mr. BARKLEY. The question is directed to me, and I will answer it as best I can. I am not a member of the Committee on Agriculture and Forestry, and, of course, I cannot say what the Secretary said before the committee, upon which the Senator from Alabama bases his conclusion that the Secretary was considering making certain sales. The

figures I am quoting are taken from a letter from the Department of Agriculture, not signed by the Secretary of Agriculture, but signed by the Under Secretary, in the absence of the Secretary on account of illness. In the paragraph from which I quoted it is admitted that they are limited by law to the sale of 300,000 bales a month, or 1,500,000 bales a year. I have talked with the Secretary, the Under Secretary, and other officers of the Department of Agriculture, and I have not received from any of them any information or intimation or suggestion that it is their purpose to go beyond the provisions in the law limiting them to the sale of 300,000 bales a month or a million and a half bales a year. Of course, the Senator realizes that with 5,000,000 bales now in the possession and ownership of the Government, if 300,000 bales were sold every month, or 1,500,000 bales every year, it would take more than 3 years for them to dispose of the cotton they now have in the ownership of the Government by reason of the loans made upon cotton and the defaults in payment which result in the ownership of the cotton by the Government

Mr. BROWN. I thank the Senator from Kentucky for his statement; and that is the same understanding I had in respect to the situation.

Mr. BARKLEY. I talked with them as late as this morning, because all I tried to do and all I want to do is to ascertain the real facts about the matter. None of us here, I take it for granted, wants to put anything over on anyone else in regard to this program. None of us wants to deceive or mislead anyone about it. We all want to be frank and fair about it; and I have tried to obtain information from the Department as to its program, what has been done up to now, and what it proposes. I think that is the only basis on which we can deal with the problem, because it is important. I realize how important it is to Senators from the cotton-growing States and Senators from the wheat-growing States and Senators from the corn-growing States, because those crops are the three great products that are mainly involved in the situation. Of course, a number of other products are involved, but not so largely as are the three commodities I have mentioned—cotton, wheat, and corn. I have undertaken to obtain information from the Department of Agriculture, and I think that in my discussions, which have been personal—inasmuch as I am not a member of the Committee on Agriculture and Forestry, it was necessary for me to have only personal conversations; I have tried to obtain the information from personal interviews and investigations of my own—what I have tried to do, and what I am sure the Senator from Michigan, the Senator from Tennessee, and all other Senators, including the Senator from Alabama, the Senator from South Carolina, the Senator from Oklahoma, and all other Senators have tried to do, is obtain the facts about the situation. It is a serious condition and a complicated matter, upon which it is difficult to get a straight line right down the furrow, and to say that all on the right belongs to a certain equation and that all on the left belongs to another.

All we are seeking is honest information; and, based upon that information, we are required here to legislate on the subject. I believe I can state that, so far as I am concerned, there has been no withholding of facts by the Department from me in regard to any of these commodities. I think the Department is honestly seeking to carry out the law which we have enacted, at the same time recognizing that when the cotton, wheat, corn, and other products were taken over and the loan was made of 85 percent of what was then parity—it may not be parity now, but it was parity then—plus the payments made under the agricultural program, conservation, or the Agricultural Adjustment Act, or whatever it may be called, or all of them combined, they undertook to carry out the mandate of Congress to bring about the receipt by the farmer of what was the equivalent of parity prices at the time when the farmer received them.

Mr. McKELLAR. Mr. President, will the Senator yield to me now?

Mr. BROWN. I think the Senator from Alabama first asked me to yield to him; I yield to him at this time.

Mr. BANKHEAD. Mr. President, the Senator from Vermont desired to make a statement in connection with the statement I made. If the Senator from Michigan will permit me to do so, I shall defer in favor of the Senator from Vermont.

Mr. BROWN. Certainly.

Mr. AIKEN. Mr. President, I should like to substantiate the remarks of the Senator from Alabama, because I happened to be one of those who was with him at the time when the discussion with the Secretary of Agriculture took place. The Secretary did tell us that a plan was under consideration whereby large amounts of cotton would be transferred to other departments of government; and I think he had particular reference to the War Department. I, for one, believed that if the War Department were to use the cotton for splinter-proofing buildings, or work of that nature, it probably would have the right to do so.

Mr. BANKHEAD. No objection would come from any source.

Mr. AIKEN. But if the War Department were to make the cotton available to cotton mills for the manufacture of fabrics, I believe that would be in violation of the law relating to the disposal of 300,000 bales of cotton per month, which would come in competition with cotton sold through ordinary channels.

I simply desire to back up the remarks made by the Senator from Alabama, because I know that what he says is so.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. BROWN. I yield to the Senator from Tennessee.

Mr. SMITH. If the Senator from Tennessee will permit me to do so, I should like to make a statement in this connection. I was a member of the committee which heard the Secretary of Agriculture make the statement to the effect that he had under consideration the disposition of cotton to other departments of the Government.

Mr. McKELLAR. Mr. President——

Mr. BANKHEAD. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I will be through in just a moment, Mr. President. I have not had any conferences with the Secretary of Agriculture about the matter. I do not know anything about it except what Senators have said on the floor of the Senate. I make no charges, of course. I am sure the officials of the Department are trying to do the best job they can do. But I do want to call the attention of Senators to an item in the present appropriation bill, which will be considered immediately after the pending bill is disposed of. In the appropriation bill there is an item which rather disturbs me in connection with the particular situation now under discussion. In the pending bill we appropriate for the use of 353,000 bales of cotton. In other words, the cotton goods authorized by this bill will require 353,000 bales of cotton.

Mr. THOMAS of Oklahoma. That is, in the Senator's bill?

Mr. McKELLAR. That is the big appropriation bill, the $33 000,000,000 appropriation bill which we shall consider when the pending bill is disposed of.

Mr. President, 353,000 bales of cotton is a very large amount of cotton. If Government cotton were made available at below parity prices to the mills, it might very seriously affect the prices received by the farmers of the country for their cotton. The Senator can see that. Three hundred and fifty-three thousand bales of cotton are provided for in just one bill—and we have many bills in which provision is made for the purchase of cotton goods. But here is just one bill which provides for the use of 353,000 bales of cotton.

It behooves those of us who come from cotton-growing States, in view of the legislation now on the statute books in regard to parity, to be exceedingly careful that the law be carried out in regard to parity payments. That is my reason for interrupting the Senator. He has been very gracious, and I thank him, but I wanted to call that especial matter to his attention and to the attention of the Senate.

Mr. BROWN. The Senator from Tennessee realizes, does he not, that 353,000 bales would be only a little more than 1 month's release under the provisions of the existing law?

Mr. McKELLAR. That is true, but, as I understand—I am not an expert, so far as the sale of cotton is concerned—353,000 bales of cotton properly used could have a tremendously depressing effect upon the market, or it might have a contrary effect. At any rate, 353,000 bales of cotton is quite a large amount of cotton.

Mr. BANKHEAD. Mr. President——

Mr. BROWN. I yield to the Senator from Alabama.

Mr. BANKHEAD. It has been stated both by the majority leader and by the Senator from Michigan that they have

not been informed of any prospective action with regard to the sale of cotton in conflict with the Agricultural Adjustment Act of 1938 which should be calculated to cause apprehension on the part of those who oppose such action. I wish now to remind the Senator and others who are here that when the President signed the price-control bill he accompanied his action with an announcement on the subject in which he took occasion to make special reference to the cotton held by the Commodity Credit Corporation. I assume the Senator recalls that?

Mr. BROWN. I do.

Mr. BANKHEAD. At any rate, the speech of Secretary Wickard in Georgia about 2 days previously caused a drop of about two dollars and a half a bale in the price of cotton, and when the President's statement came out there was another drop of two or three dollars a bale. On February 2, just 2 or 3 days after this action, I made a statement in the Senate on this subject. The statement will be found in the CONGRESSIONAL RECORD of February 2, beginning on page 909. In that statement I called attention to the language contained in the Price-Control Act on this particular subject, and I pointed out and included in my statement the sections of the Price-Control Act which, in my judgment, prevented the action which the President had indicated would be taken.

There was no response to that statement or to the argument here or to the quotation of the sections from the Price-Control Act and the Agricultural Adjustment Act of 1938, coupled with the positive expression of opinion that the language of the Price-Control Act made it obligatory and compulsory to carry out in its details the limitations contained in the Agricultural Adjustment Act of 1938. I have never had any reaction to my statement.

I called that fact to the attention of the Department of Agriculture, and I asked them to submit it to the Solicitor's Office. I have never heard anything further. The Department was not under the duty to reply perhaps, but I was acting in response to the publication of the statements to which I have referred and following the statement of the Secretary of Agriculture in the committee room of the Committee on Agriculture and Forestry that there was under consideration such a plan. The representative of the Department to whose attention I called the matter was, according to my recollection, present at the time, certainly other representatives of the Department were there with the Secretary, and I thought that, having taken it up in the Senate and having made the statement that there was no authority in the law for the disposition of cotton except as provided in the Agricultural Adjustment Act of 1938, and having in mind the statement of the Secretary and the announcement by the President, some further follow-up would be made, because it was well known, it was stated here and everyone familiar with market conditions knew that what had occurred had greatly upset and disturbed the price situation with respect to cotton.

It was further developed that about one-third of the entire cotton crop of last year, about three and a half million bales, according to statements of representatives of the Department made in the presence of the Secretary at that meeting in the committee room, was still owned by the farmers who produced it, and that the announcement which had been made had seriously disturbed the confidence of the buyers of cotton, those who buy cotton at a given time, though they do not need it, in the expectation later of making some profit out of it. This quantity of cotton is still held by the farmers, and the statement until now has not been disputed or denied or explained that, in addition, 300,000 bales a month, or not exceeding one and a half million bales during the calendar year, of cotton of the Commodity Credit Corporation, might be taken out of that pool and disposed of.

Now let me read the statement to which I just referred as having been made by the President as justification for the action that we are taking. Of course, it has been said by both Senators referred to that they knew no reason why anyone should think that the limitations contained in the Agricultural Adjustment Act of 1938 would not be actually carried out. The President said:

> I also should like to call attention to the fact that I am requesting the departments of the Government possessing commodities to make such commodities available to other departments in order to aid our war effort. This request, primarily, will affect the cotton stocks of the Commodity Credit Corporation and will permit such stock to be utilized, directly or by exchange, in the production of war goods. Such transfers will be in addition to the quantities which are now available for sale. The request will also include grain and other commodities which may be needed by the departments concerned.

I hope the Senator will realize, as I am sure he will, the feeling of uneasiness, the feeling of uncertainty that statement generated, especially when the Committee on Agriculture and Forestry undertook promptly to follow it, and found that the Secretary was inclined to go further, and, though he said that he had not been given any orders for the transfer, such transfer had been discussed and was under consideration by his Department. What could those who are interested in preventing a depression in the price of cotton reasonably expect in view of such a statement from the very highest authority of the Government?

There is another proposition involved, which is proper for the Senator from Michigan to consider, and that is the effect the program, if carried out, of putting additional cotton onto the market or threatening to put it onto the market or asserting the right to put it onto the market, whichever way one may desire to consider it, has on the price of cotton aside from the question of the limitation on the quantity that may be sold periodically.

We do not want the price of cotton driven down. It is at approximately parity now for the first time or it was lately; it is not quite there now; it got there, and was there at about the time this announcement came out; but it was driven down. We hope that these surpluses will not be used in such a way as to depress the price.

We have not protested to any agency of the Government; we have not brought any appeal to the Senate to change the quantity of cotton the Agricultural Adjustment Act of 1938 permitted to be sold. We did not, in the conference committee, as the Senator knows, press for a provision to make any change in that or to provide the price at which it could be sold. Such a suggestion was presented by one of the House conferees, but when the Senator from Michigan and the Senator from Kentucky expressed positive opposition and it developed the Secretary of Agriculture was opposed to it, the suggestion was not pressed. In my judgment, however, the conferees well understood, for we had this point under discussion, that the limitations contained in the Agricultural Adjustment Act of 1938 and all the provisions contained therein, since there were no suggested changes or amendments, were preserved by the section in the Price Control Act.

Mr. BROWN. The Senator knows that I took the view—and I think it was legally sound—that it was unnecessary in the Price Control Act to reaffirm the law as laid down in the A. A. A. Act of 1938.

Mr. BANKHEAD. I very distinctly recollect the Senator taking that position. That is one reason, knowing him as well as I do know him, that I asserted here today that I was not surprised at all when the Senator took the position that the Agricultural Adjustment Act on that point in all its phases was the law of the land.

I am delighted to have that admission from the majority leader and the great Senator from Michigan [Mr. BROWN]. I am not referring to the great senior Senator from Michigan [Mr. VANDENBERG], who is a great Senator, but to the junior Senator from Michigan. I am delighted to have that admission, because it is the first time during the whole controversy that any responsible authority has taken issue with the suggestion which has been brought to us, both publicly, as I pointed out, and by the Secretary of Agriculture, that in addition to the right to sell 300,000 bales a month, three million and a half a year, the disposition of that additional cotton was under contemplation, with the possibility, if put into execution at all, that the whole amount could be dumped on the market at one time, and thereby of course bring about another panic in the cotton market.

If the authorities had told us they were not going to carry out the provision when we protested, if we had been given some indication when the speech was made in the Senate pointing out the reasons for the law, which the able Senator from Michigan so well recognizes and justifies, if we had gotten some indication that they were not going to follow the qualitative consideration, perhaps we would not have been upset. We are asking for no special consideration, but all the cotton the mills need is available to them in the open markets, in the market places, where farmers owning

three and a half million bales of cotton could sell their cotton. But, as I see it, without reason, without necessity, the officials are pushing this cotton in, one month, the second month, they are selling now again, and selling upon a peculiar basis, upon call, holding the cotton with the right in the Government to fix the price when it gets ready to make the buyer pay for the cotton. If the price rises, the Government can say, "You are called. You take the cotton at this price." Then the buyer has to go into the market and place it under a hedge. He has to find an investor somewhere who will take that hedge at the price at which it is hedged, and of necessity that drives down the price of cotton, as it would the price of any other commodity the price of which is fixed by the daily trades on the exchange.

They have a right to do it. I think they should hold their cotton. I think the time will come when the Government will in fact need it. But right now they appear to be a little afraid that the market price of cotton might put its nose under the tent slightly above the parity-price level. So, without any necessity for it in the market, they are selling it. I am not questioning their right; I am questioning their judgment. The Government will need that cotton in the course of the years to come. And I will say the same thing about wheat, I will say it about corn, while I am on the floor—and if the Senator objects, I will stop now and say it later——

Mr. BROWN. The Senator may proceed.

Mr. BANKHEAD. Everyone familiar with conditions must recognize that the quality production, which has prevailed in the case of all the farm commodities during the last preceding years, cannot be expected to continue, and not only on account of the weather conditions. We have had remarkable weather in all sections of the country, which has been in large measure responsible for the biggest surpluses of corn, wheat, and cotton in the history of America. We had some accumulations resulting from good crops in the years just behind.

I am sure the Senator knows, because he is a well-informed man for whom I have the highest respect and really an affectionate regard, that production conditions in every field of agriculture in America are under a cloud. He must know that industrial wages are 4, 5, 6, even 10 times as high as agricultural wages, and are drawing labor from the farms day by day, and will continue to draw at an accelerated speed. How is that labor to be replaced? Who is going back to the farm when the boys and unmarried men are drawn into industry? Where are the farmers to get laborers? The last place any workingman wants to go, from the standpoint of financial income, is the farm. The laborers are drawn away by the alluring wages in industry, the highest ever known. Do not forget that the selective service law is drawing from the farms of this country the flower of our young manhood.

Do not forget that a higher percentage, in proportion to population, have volunteered from the farms to render service to their country in this day of trying need. How is that labor to be replaced? I do not know where else the condition applies, but in the South the question of fertilizer has gotten to be a pressing problem. The supply of fertilizer is extremely low, and everyone familiar with cotton production knows that without fertilizer on the lands where the plant food has been extracted over a long period of time, and without an ample and adequate supply of fertilizer, the yield per acre this year will be much less than it has been in the preceding years.

Do not forget that farm implements—hoes, plows, tractors, and everything else the farmer must have in order to make his crop—have very greatly increased in price. That condition is not confined to the production of cotton, as my colleagues know. I am not as much disturbed for the cotton farmer, in view of the statements which have been made by the two able Senators, as I am for the wheat and particularly the corn producers. I did not originate the bill now before us; it came out of the Corn Belt and the wheat section—the neighbors of the State of the Senator from Michigan—who felt the need of at least parity prices in order to bring about the production which is necessary to meet the requirements of our national defense program and our people.

I may have something further to say later; I did not intend to say this much, but it was brought into the debate in such a way that I could not well resist. I certainly hope that neither the Senator from Michigan, nor any other Senator, will think that this is particularly a cotton program. The Secretary of Agriculture proposes to mistreat the corn farmers worse than he does the cotton farmers, as the Senator well knows, if it is mistreatment to put their prices down around the low point of 85 percent of parity.

I feel in my heart for the farmer in America, whether it is in the South, the North, the East, or in the West. I have never been sectional in my attitude in regard to this or any other subject, so far as I know. I have a deep and abiding interest, not only in the farmers but, as a student of rural conditions, in the farm outlook with regard to production, and I am more convinced than I ever was before—and the Senator knows I have entertained the feeling from the beginning of the price-control legislation—that adequate production—assured production—is the fundamental and most important phase of the whole agricultural program, and that some people are emphasizing a little difference in prices, but are closing their eyes entirely to the needs, not only of our Allies but of our own American people, so far as food and clothing are concerned.

Mr BROWN. I thank the Senator for his contribution. When I was interrupted—and I was very happy to have the interruptions because they have been most illuminating—I was briefly referring to the necessity of those in charge of legislation in the Congress of the United States endeavoring to judge fairly between the various economic groups in the United States—the farmer, labor, industry, finance, the consumer—all of the groups. We must take the over-all view, and that is the view I am endeavoring to take today.

My able colleague, Mr. VANDENBERG, and myself represent a State which stands very high in agricultural production, which stands very high in industrial production, and it is, of course, a tremendous consuming State. So, from the State as well as from the national viewpoint, I think it is our duty as legislators to take the over-all view.

I recognize fully, as the Senator from Alabama [Mr. BANKHEAD], and the Senator from Iowa [Mr. GILLETTE], and other Senators have said, that the lot of the farmer for the past 10 or 15 years has not been a happy one. I am among those who hope that natural conditions will be such that the tremendous demand we have for the products of the soil will cause high and higher prices for farm products.

The Senator from Alabama, and the Senator from Iowa, and the other Senators who are advocating the bill, seem to intimate that farm prices are below parity. The Senator from Oklahoma read the various prices of items as of January 15, 1942. Prices today are on the average 102 percent of parity. I now read from the January 29 Bulletin of the Department of Agriculture, the authority which fixes parity:

> A 6-point rise in the index of prices received by farmers and a 3-point rise in the index of prices paid brought the average of farm-product prices on January 15 to 102 percent of parity

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BROWN. I shall yield in just a moment. That means without the inclusion of benefit payments, soil-conservation payments, or any of the various sums of money which are paid the farmer on top of the parity price.

I now yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, if the prices paid the farmer have reached 102 percent of parity, as the Senator from Michigan has just indicated, what objection can there be to the pending bill, which simply provides that the Commodity Credit Corporation cannot sell its cotton or any products it owns for less than parity?

Mr. BROWN. For the reason that there are many commodities above parity. Many commodities are considerably above parity. Many commodities are considerably below parity. The theory of the price-control law was that natural conditions, the law of supply and demand, should, so far as possible, control prices until they had reached 110 percent of parity with respect to agricultural prices. I say to the Senator from Louisiana that the price of every one of the three principal commodities held by the Commodity Credit Corporation—corn, wheat, and cotton are at or above parity—and I may say the fourth commodity, tobacco—produced in the State of the chairman of the Committee on Agriculture and Forestry [Mr. SMITH], who does me the honor of listening to me

now, is considerably above parity. The prices of corn, wheat, and cotton are all at or above parity when we consider the benefit payments.

Mr. ELLENDER. Mr. President, will the Senator again yield?

Mr. BROWN. I yield.

Mr. ELLENDER. May I further say that we had the same contention made before the Committee on Agriculture and Forestry some time ago by Mr. Wickard, and he contented himself by advocating that the difference between market price and parity should be paid out of appropriations made from the United States Treasury. Does not the Senator from Michigan think it would cause a much healthier condition in our country for the parity prices of agricultural commodities to come normally—that is, from the markets—rather than to dip into the Treasury of the United States to make up the difference?

Mr. BROWN. I agree with the Senator from Louisiana fully, and I hope he will support the amendment which I offered to the bill, which I shall now read to him. If he will look at the bill he will find that in line 8, page 1, I propose to add, after the word "price," the following:

> Which, together with the parity and conservation payments with respect to such commodity, will yield a return—

That simply means that the limitation on sale by Commodity Credit would not apply if the market price of the commodity plus the benefit payment equal parity.

Mr. ELLENDER. But, as was pointed out by the distinguished Senator from Alabama [Mr. BANKHEAD] money from the Treasury is not utilized to make parity payments to farmers if the market price for their products is above parity.

Mr. BROWN. Yes, but they are paid if the prices do not reach parity, and that is the point where we think the farm prices should be at the present time, unless the law of supply and demand raises them above that figure.

So, Mr. President, I wish to bring forward as the foundation for our opposition to the bill this fundamental proposition, that we should so regulate our price-fixing that the law of supply and demand, natural economic conditions, should control prices until they reach the point where, under the price-control law which we have heretofore enacted, they are, in the judgment of the administrator, excessive. Those standards are definitely laid down in the price bill.

What was the purpose in creating the Commodity Credit Corporation? The purpose was to provide a financial implement by which the Agricultural Adjustment Act could be made effective. When we created the Commodity Credit Corporation we in effect guaranteed to the farmer that upon his agricultural products he would receive 85 percent of parity. How did we do it? By providing that we would loan to him upon his product 85 percent of the parity price of that product. And what did the Commodity Credit Corporation, which is an agency of the Government, take? It took a note without recourse. In other words, if the price went below 85 percent of parity, and the Government had to take the product, the Government could not collect anything from the farmer. His note was without recourse. He won if the price went below 85 percent, because he got a price better than market. He won if it went above 85 percent of parity, because he received the increase if he paid his loan and got his product back.

Let us look at the situation from the standpoint of a financing institution—and that is the way we should view the situation, because the money of the Government of the United States is involved, for the capital is supplied by the Reconstruction Finance Corporation. Let us look at the situation from the standpoint of sound financing. Let us say the Government makes an 85-percent loan upon a product, and we may use cotton as an example. After it has made the loan, and after it has had an opportunity to get back the money it has loaned by selling the product above 85 percent of parity, after the deal has been made between the debtor and creditor, is it sensible to come in with a new statute and change entirely the conditions under which the loan was made to the detriment of the Government of the United States? It would not be done with respect to any private banking institution in the United States.

Mr. President, I hope the example I shall now give will work out. I have no idea that it will. But suppose at the present time there should be a collapse of the enemies against whom we are fighting, which is always within the realm of possibility, which would be followed, if the experience of other wars is borne out, by a collapse of prices.

Up to date we have lost $170,000,000 in the Commodity Credit Corporation. With the collapse of the prices of cotton, wheat, corn, and tobacco we should have further losses.

The financial organization which the Government has set up now has an opportunity to dispose of its security at a reasonable return to itself. Prices have so risen that at the present time we can wipe out entirely the $170,000,000 loss and can break even in the immense financial undertaking which the Government has assumed. We can sell the products only under the limitations that are laid down. No product is better protected than cotton, because we cannot sell more than 300,000 bales in any 1 month, and we cannot sell more than one and a half million bales in any 1 year—a second limitation. We have on hand between 5,000,000 and 6,000,000 bales of cotton which the Government has taken over, upon which the note holders have defaulted. In effect they have turned over the security to the Government.

We have 1,858,000 bales of cotton under loan, making a grand total of 7,296,000 bales of cotton, with a value of almost half a billion dollars. Strictly from the standpoint of sound financing, we ought not to change the rules by which the loans were made. They were made for the benefit of the cotton farmer, the wheat farmer, the corn farmer, the tobacco farmer, and those who produce the other commodities. There are several others involved in comparatively small amounts. The loans were made at a time when it was a great risk to make a loan at 85 percent of parity.

Undoubtedly the Commodity Credit Corporation, the Agricultural Adjustment Administration, and the various other Government agencies which have aided agriculture have brought about a stabilization in agricultural prices that could not have existed without such action. The various acts are the pride of the majority party, especially those of us who came here in 1933 and have voted continually to build up the agencies by which the Government has strengthened and sustained agricultural prices.

It seems to me that strictly on the basis of sound finance—and that is what we must have fundamentally in this country—we ought not now to change the rules and conditions under which the loans were made, to the detriment of the finances and fiscal affairs of the Government.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BURTON. As I recall our discussion in connection with the passage of the price-control bill, it was primarily to aid us in fighting against inflation.

Mr. BROWN. The Senator is correct. That was one of the fundamental purposes.

Mr. BURTON. Will the Senator comment upon what effect, if any, the passage of this bill would have in the fight against inflation?

Mr. BROWN. The Senator's logical mind has reached down to the very subject matter I was about to take up. I had concluded my argument on the financial basis. I summarize it as follows:

We have made a loan at 85 percent of parity. We have restrictions which in my judgment are binding upon the Commodity Credit Corporation and upon the Secretary of Agriculture, particularly with respect to cotton. There are some restrictions with respect to other commodities. The financial agency of the Government now has an opportunity to sell its product at a time when not only the country but the world needs it, when there is a great demand for it. It ought not now to be restricted in the sale of the commodities it holds, when the farmer is receiving 102 percent of parity, on the average, without consideration of the benefit payments that are made by the Government. I am glad he is receiving that much. I hope he gets more. Upon the three principal commodities involved in this controversy—namely, corn, wheat, and cotton—he is getting parity, considering the benefit payments which the Government makes to him.

Second, Mr. President, following the line suggested by my able friend from Ohio, there is this argument: We have a great stock of goods. I wonder if Senators know how much. We have 15,000,000 bushels of barley, 394,000,000 bushels of corn, 7,296,000 bales of cotton, 677,000 bushels of flaxseed, 3,067,000 bushels of rye, 338,000,000 pounds of tobacco, and 518,000,000 bushels of wheat—a grand total of book value somewhere between $1,250,000,000 and $1,500,000,000.

Those stocks are held by the Government of the United States. Why? They are held for the purpose of sustaining agricultural prices. Had the Commodity Credit Corporation not been created and had we had no Agricultural Adjustment Administration, all those commodities would have been on the market, or held in storage by brokers and speculators. Now they are held by an agency of the Government of the United States which is directed so to control them that prices may be stabilized.

With respect to the question raised by the Senator from Ohio, the Government of the United States has a duty not only to the producers of agricultural commodities but to the consumers as well.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. HUGHES. In connection with the statement which the Senator has just made, I understood the Senator to state that we have on hand 518,000,000 bushels of wheat. As I understand, the Government has not that amount on hand. The Government has on hand, under loan, 350,000,000 bushels.

Mr. BROWN. I gave the totals held, owned, and under loan. There is very little difference.

Mr. HUGHES. I was wondering whether it would give the correct impression to say that the Government has it on hand.

Mr. BROWN. There is very little difference, because if the price should go above 85 percent of parity the farmer would pay his loan and get the extra amount for himself. If it were under 85 percent of parity, he probably would not do so.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. THOMAS of Oklahoma. While it is true that the Commodity Credit Corporation has under its control approximately 500,000,000 bushels of wheat, I think the record will show that the Commodity Credit Corporation owns only about 350,000,000 bushels of wheat, and that the remainder is under loan. The farmers who have borrowed on the wheat are entitled to all the profit which the law of supply and demand will permit.

Mr. BROWN. That is what I said in answer to the Senator from Delaware.

Mr. THOMAS of Oklahoma. If the Government takes steps to beat down the price and keep it down, the Government is depriving the man who owns the wheat under loan of the difference between the loan and what he might sell the wheat for. In other words, the Government is using its power to reduce the value of the equity of the owners of 350,000,000 bushels of wheat held by the Commodity Credit Corporation.

Mr. BROWN. The Senator puts the matter in exactly the opposite way from that in which I would put it. By the action of the Government in making the loan to the wheat farmer he is enabled to hold from the market 350,000,000 bushels of wheat so that the price will not go below 85 percent of parity. The Government is merely saying that when the price reaches the point at which the commodity can be sold at above 85 percent of parity, it does not now want a new law to change the arrangements under which it had a right to sell its security.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. AIKEN. I should like to ask the Senator from Michigan if he can tell us how the retail price index today compares with the retail prices of, say, January 15. Has the rise in retail prices been completely checked, or is it still on the up-grade?

Mr. BROWN. Let me say to the Senator that last evening I happened to be in the office of the Price Control Administrator. The Price Control Administrator had 10 days after February 9 or 10 to announce his first price control. Those controls were announced in the Federal Register which was published Saturday. So, as far as technical operations of price-control administration under the law are concerned there has been no effect up to date. However, it is my judgment—and I have not sufficient information to be accurate in this respect—that as a result of his previous operations there has been some rise in retail prices since January 15, 1941.

Mr. AIKEN. It is my understanding, based upon a newspaper item of a few days ago, that while the prices of farm commodities have been depressed somewhat during the past 3 or 4 weeks, the retail rise has not yet been checked. Therefore, there is today a wider spread between the prices received by the farmers and those paid by consumers than there was a few days ago.

Mr. BROWN. Yes; that is true.

Mr. AIKEN. The Senator may remember that the basis of my objection to the price-control bill was that it did not control transportation, processing, and distribution, which seemed to me to be very vital factors in consumer costs.

Mr. BROWN. The Senator knows that in the bill is the right to control margins between wholesale and retail prices, which is exercised through the licensing power given to the Administrator in the bill. There is no question in my mind that an effective control of maximum margins at least can be exercised by the Price Administrator. But since the regulations were issued only last Saturday, there has not been any opportunity to test out the Administrator's ability to so do under the law.

Mr. McNARY rose.

Mr. BROWN. Does the Senator from Oregon desire to make an inquiry?

Mr. McNARY. Mr. President, has the Senator answered the inquiry propounded by the able Senator from Ohio?

Mr. BROWN. I have been unable to get to that point because I was interrupted.

Mr. McNARY. Then I shall not intrude. I, too, desire to get the Senator's answer, and then I shall have an inquiry to propound.

Mr. BROWN. That is the subject matter of the second and final part of my remarks.

The purpose of the price-control bill was to give to the Government one more implement by which we could control inflation in the United States. I am reliably informed by the Department of Agriculture that if the pending bill is passed, the effect upon corn, wheat, cotton, and the other commodities controlled by the Commodity Credit Corporation in part, and the indirect effect of higher prices upon all other commodities agricultural and manufactural will be to raise the cost of living in the United States by approximately $1,000,000,000. The statement which the experts of the Department and I have prepared shows the effect. If the law were left as it is, with the restrictions respecting cotton, which we have discussed this afternoon, and the Government were permitted to dole out from time to time, wheat, corn, cotton, flaxseed, rye, and other products held by the Commodity Credit Corporation—and I think we must assume that through the Secretary of Agriculture it would be done reasonably, fairly, and properly—the billion-dollar rise in the cost of living would not follow.

I am sure the Senator from Ohio and the Senator from Oregon do not want me again to go into the question of spirals or the effect of an increase of a billion dollars in the cost of living upon wage agitation and upon attempts to increase the prices of commodities in general, including manufactured, agricultural, and other commodities, because we went fully into that matter in our discussion of the price-control bill. It must be remembered that the base upon which we endeavored to construct our price structure was the price conditions of October 1 to 15, 1941. That was the fundamental purpose of the bill; and with some exceptions we held rather closely to that base throughout the price-control bill. If we favored any class through the action of the Senate and the House it was the producers of agricultural commodities; and I am not here to say that they were not entitled to some consideration in that respect. That base—October 1 to 15 for prices and April 1, 1941, for rents—is the ideal which we seek to achieve by the law, and which we direct the Administrator to achieve in his administration of the act. If we now establish new limitations, we shall unbalance the structure which we thought we built up in the price-control law.

It is the hope of those who oppose the pending bill that, by its defeat, we shall confirm what was heretofore done in the price-control law, and say to the administration that it may continue upon the course upon which it has started in its use of all of the implements—and there are several beside price control with which to fight inflation.

I think that the pending bill came about because of some unfortunate discussions held in the Committee on Agriculture and Forestry. I was not present; but various statements which have been made upon the floor of the Senate and upon the floor of the House of Representatives caused the President, the Secretary of Agriculture, the able Senator from Alabama [Mr. BANKHEAD], and the able Senator from South Carolina [Mr. SMITH] to carry on a long-distance dis-

cussion about the effect of the price-control bill. I am reliably informed that the result was—and I think any Senator who knows anything about the subject is informed as well as I am upon this particular subject matter—that an opinion was requested from the Attorney General as to what the Agricultural Adjustment Act, the Price Control Act, and any other applicable statutes meant with respect to the powers of the President and the Secretary of Agriculture.

I am reliably informed that that opinion has not yet been handed down by the Attorney General. I think it would be wise for the authors of the pending bill to await the determination of the Attorney General as to what the law is with respect to the subject matter of the pending bill. When that determination has been made, if in the judgment of the Senate and the House of Representatives the opinion is not in accord with what we meant by the Agricultural Adjustment Act, the act creating the Commodity Credit Corporation, and the Price Control Act, we can then take such action as may seem appropriate.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. BROWN. I yield to the Senator from Alabama.

Mr. BANKHEAD. So far as I know, only one legal question has been raised on this floor by the advocates of the bill or the friends of the farmers, and that is the construction of the Agricultural Adjustment Act of 1938 in reference to cotton. I have stated to the Senator that the bill really came out of the Corn Belt, although, of course, the cotton growers are intensely interested in it. There certainly would not be any justification for postponing such legislation because of a desire to await the Attorney General's opinion, if the whole question relates primarily to cotton.

The real question is, regardless of the law, whether the parity price payment is to be upheld by Congress in the face of the power which the Administrator is conceded to have to sell other surpluses in a way to depress prices.

Mr. BROWN. Mr. President, I conclude my remarks with the following statement of the issue as I see it: The issue raised by the bill introduced by the Senator from Alabama and the other sponsors is, Shall we include in our calculations of the parity price which the farmer receives the benefit payments made by the Government, or shall we exclude them? If the pending measure should be enacted the farmer would not only receive 102 percent of parity on the average, but there would be added to that the benefit payments supplied by the taxpayers of the United States. If the bill should not pass the farmer would receive, on the average, 102 percent of parity at this hour.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BROWN. I yield to the Senator from Oregon.

Mr. McNARY. I do not want to take the Senator away from an orderly development of his thought; but I desire to ask one question. I think that the statement that parity is the market price plus benefit payments and conservation payments is misleading. That is what I should call the total price, as distinguished from a parity price. A parity price, in all its nakedness, is the price which can be obtained on the market the day the produce is offered for sale. That is the market price. Parity is the level of interchange as between the farm dollar and the industrial dollar or the service dollar.

Today the farmer who produces cotton, wheat, or corn is not receiving 102 percent of parity; he is receiving for wheat, according to figures which I obtained today as of today, $1.06 a bushel, whereas parity is $1.29 a bushel. In order to ascertain the total sum he is receiving, the Senator adds conservation payments and benefit payments, which represent the total sum received, but that does not represent a parity price for the commodity itself.

Mr. BROWN. The Senator is exactly right about that.

Mr. McNARY. Today cotton is selling at 16 cents and a fraction, whereas parity is between 18 and 19 cents. If we keep in mind what is called the total sum the farmer receives, which combines three elements, namely, market price, conservation price, and benefit price, we are reaching then, to some extent, what the farmer receives, whether it is parity or total. So, I think the Senator is sometimes confusing in his remarks on the subject matter, for when he speaks of parity price being 102 percent, he means the total price the farmer receives.

Mr. BROWN. I agree with the Senator generally, but the 102 percent is parity.

Mr. McNARY. One hundred and two percent is the total the farmer receives. Parity refers to the price of the commodity. Parity has to do with the prices of today, which, in the case of cotton, according to the figures I received today from the Department of Agriculture, is selling at 93 percent of parity; wheat is selling for 82 percent of parity, and corn for 77 percent of parity. Those are the figures given this morning by the able Senator from Oklahoma. When we consider the other factors, then we are getting a total price rather than a parity price.

Having made that statement—and I may be incorrect, although I am satisfied of the correctness of my position—I am interested and almost intrigued, I may say, by the amendment offered by the able Senator from Michigan, and I desire to analyze it. I cannot follow the language, because I do not have the amendment before me, but I should like to know what the interpretation of the Senator is. Would the farmer, under his amendment, receive the market price, which the Senator hopes will be the parity price, or would he receive the benefit and conservation payments plus the parity price?

Mr. BROWN. Perhaps I had better express it in a little different way. The Commodity Credit Corporation would be prohibited from selling any commodity below the parity price plus the benefit payments.

Mr. McNARY. I think that is probably a correct interpretation. Let us go one step further, and assume that the Congress, despite all its generous fairness in the past, will not appropriate a large sum of money this year to make up the deficit between the market price and the parity price, would the Senator then still carry the inhibition to the point of preventing the sale of the property now controlled by the Commodity Credit Corporation unless it were sold at naked parity?

Mr. BROWN. I think if Congress should reduce the benefit payments the legislation should be changed. This proposed legislation, necessarily, is based upon benefit payments as they are at the present time.

Mr. McNARY. I have no objection to the Senator's definition as of today, but what I fear is its application if Congress should suddenly decide to end the conservation and benefit payments. In that case I am curious to know if it is the view of the Senator that the prohibition against selling the surpluses would still endure until the market price reached the parity price?

I assume that everyone who is interested in the amendment or in the bill desires to prevent the dumping of Government-owned and controlled surpluses on the market?

Mr. BROWN. The Senator is correct.

Mr. McNARY. I recall, almost unpleasantly, back in 1929 under the old Marketing Act, which it was my duty and chore to handle on the floor of the Senate during the Hoover administration, vast sums were loaned to the cotton and wheat farmers, approximately $450,000,000, which we thought was a large sum in those days, and the price was "pegged" at a sum that might be called parity today, but which then we called a price of justice and equality to the farmer. Later it was determined by the Farm Board to throw that accumulated stock on the market, with the result that wheat tumbled in 5 weeks from 74 to 38 cents a bushel. There is no factor in all the field of agriculture that is so depressing as a surplus owned by the Government. I can foresee what would happen to the farmers if this surplus were dumped on the market. The price would eventually go very much below parity.

So the whole philosophy of agricultural legislation during the last 25 years has been in accord with the parity conception. I recall a bill which, in part, bears my name, which was before the Senate for 5 years and which was vetoed twice by a Republican President. We called it a measure to provide "equality for agriculture," which was the same thing as parity, and sought to make the farm dollar equal to the service and industrial dollar. Then came the Marketing Act. We created the stabilization corporation for the same purpose of maintaining parity and to hold off the market vast quantities of cotton and wheat. We recognized that philosophy in the 1934 edition and in the second edition of the A. A. A. in 1938, and we also recognized it in the creation of the Commodity Credit Corporation. We recognized the same

philosophy and adhered to it in the price-control bill. I want to maintain that philosophy in the interest of agriculture, as I think the Senator does. Am I correct in that?

Mr. BROWN. The Senator is correct.

Mr. McNARY. It has become the established statutory policy of Congress and is a wise one.

The fear I have, if the attitude of the Secretary of Agriculture is that the commodities which he controls should be sold at any figure he can obtain, is that he is going to pull down upon the farmers a structure which we set up for them after 25 years of toil. If I can get that thought out of my mind, I might go along a part of the way with the Senator from Michigan.

Now coming down to the Senator's amendment, if it means that the farmer will get the total sum, parity, market price plus benefit payments, plus conservation payments, I think the amendment would not injure this bill at all or change its general objective, but if the Congress should cease to appropriate for benefit payments and soil conservation, then, I am desirous of knowing whether the cotton, corn, and other products now owned or controlled by reason of loans by the Commodity Credit Corporation would be sold before the price had, in fact, reached parity. That is a direct question.

Mr. BROWN. The Senator's analysis of the situation is, in my judgment, correct. So long as the benefit payments are made as they are, the amendment which I propose would bring a fair return to the corporation, which means to the farmer.

Mr. McNARY. Let me state a hypothetical case, if the Senator will bear with me—I do not want to take his time or bother him by moot questions: Suppose this year the Appropriations Committees of the House and the Senate having to do with agricultural appropriations should decide not to appropriate further sums to bring about a parity position for farm products; we will probably have this year 650,000,000 bushels of wheat as of July 1, which is the beginning of the wheat marketing year, and probably have from ten to eleven million bales of cotton as of August 1, which is the beginning of the cotton marketing year, thus providing a supply next year, and the Commodity Credit Corporation has 5,000,000 bales of cotton and three or four or five hundred million bushels of wheat. Would the Senator's amendment compel the Commodity Credit Corporation to withhold next year the stocks they have on hand, if the market price then were only 82 percent of parity, or would it permit the Commodity Credit Corporation to throw onto the market the surplus at any price below parity?

Mr. BROWN. It would not, in my judgment, throw the products upon the market.

Mr. McNARY. If that be true, I do not think the Senator's amendment would in any way impair the vitality and objectives of the bill.

Mr. BROWN. Let me say something which I think confirms what the Senator from Oregon has stated, that if not a cent were appropriated for the purpose of making benefit payments, then, under my amendment, it would be necessary for the price to reach 100 percent of parity before the Commodity Credit Corporation could sell.

Mr. BARKLEY. Mr. President, I wanted to confirm the suggestion by reading the amendment, which has been handed to me in typewritten form. If the Senator will look at the bill on page 1, line 8, where his amendment comes in, he will find that if the amendment were adopted it would read as follows:

> That hereafter no agricultural commodity * * * shall be sold or otherwise disposed of by such corporation for use within the United States at a price which, together with the parity and conservation payments with respect to such commodity, will yield a return below the parity price for such commodity * * *.

Of course, there are three prongs to that situation. One is that if the prices, by the process of supply and demand, reach parity, then the Secretary could sell products held by the Government at the market price, which would be parity, and the pending bill would not prevent that. If Congress should refuse to appropriate for benefit payments, and the prices should not go to parity as a result of natural conditions——

Mr. BROWN. The Commodity Credit Corporation could not sell.

Mr. BARKLEY. Certainly Congress would either have to provide some other way by which the difference between the market prices and parity would be taken care of, or it would have to assume that there would be no difference.

If under the Agricultural Adjustment Act and the conservation program, agricultural prices had been at parity, which is the objective of all our legislation, there would have been no benefit payments, because it would not have been necessary to have paid out any benefits which the Government has paid to the farmer, in order that he might receive approximately the objective, which is parity. But, reading the amendment as I understand it, if for any reason Congress should decline to appropriate money to pay benefits, and should decline to make any other provision for any difference between the price and parity, under the Senator's amendment the Commodity Credit Corporation, in the absence of benefit payments, could not sell the product until the price, without benefit payments, had reached parity, and I do not think there is any escape from that interpretation of the amendment offered by the Senator.

Mr. BROWN. Mr. President, I should like to have the attention of the Senator from Oregon, as well as the Senator from Kentucky. As I view the situation, under the amendment, in any event the Commodity Credit Corporation may not sell unless the price is at parity or above. If it takes the market price, plus benefit payments, plus conservation payments to make up the total, very well. If benefit payments and conservation payments are not provided for by Congress, then the Commodity Credit Corporation may not sell unless the market price brings the price of the commodity up to parity.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. GILLETTE. I have just had my attention called to the amendment, which I assume is to be offered by the Senator, and I am sorry I did not hear the earlier discussion.

I should like to ask the Senator how it would be possible to effectuate such an amendment? Let us take the present situation, when the Commodity Credit Corporation, or the Surplus Marketing Corporation, functioning under the original authority of the Commodity Credit Corporation, has under its control cotton, corn, and wheat, from the 1937, 1938, 1939, 1940, and 1941 crops. The benefit payments are not determined until after the crop is in, and the Department knows what the compliance is, and how the compliance has been checked.

Parity payments are made, if at all, as the statute provides, after compliance payments are checked after the market is taken into consideration, and then, if an additional appropriation is made, it will supplement the parity price for a given commodity for that crop season. The Commodity Credit Corporation, as I have said, have under their control, for instance, a warehouse commodity for the last 4 years, in some cases 5 years, and how are they to determine, if they desire to go into the market to make a sale in the case of wheat or cotton from the crop of 1938, whether the parity price is going to be supplemented by compliance payments to be made in the future, or parity payments which may be made in the future? It is simply impossible, as I see it.

Mr. ELLENDER. Mr. President, will the Senator from Michigan yield?

Mr. BROWN. I yield.

Mr. ELLENDER. The distinguished Senator from Iowa anticipated the question I was about to ask the Senator from Michigan. Are we to understand that the Congress will have to appropriate the money and have it available before the Commodity Credit Corporation can exercise its right to sell any of the commodities?

Mr. BROWN. I think both Senators misapprehend the general purpose of the bill; and I beg the pardon of the Senator from Iowa, who is one of the authors of the bill. The bill is concerned with sales by the Commodity Credit Corporation at any particular time. The principle which the Senator from Iowa lays down is that no sale shall be made unless the price at the time of sale is 100 percent of parity. My amendment merely changes that to provide what shall happen with respect to the price at the present time—not with reference to the corn or cotton or wheat the Corporation acquired some 3 or 4 years ago, but with respect to the price at the present time, because the whole purpose of the bill is to prevent the affecting of the present market condition. My amendment would provide that sales could be made when the present market, plus the benefit payments, whatever they may be for the particular year, equal parity.

Mr. ELLENDER. Mr. President, suppose the Commodity sold for 85 percent of parity today, let us say. What assurance is there that Congress will provide

the 15 percent difference to make up the 100 percent?

Mr. BROWN. I understand that whatever the prevailing benefit payments are at the time the Commodity Credit Corporation intends or tries to sell, they would have to be used in the calculation of the limitation fixed by the Gillette-Bankhead bill.

Mr. ELLENDER. But, as was pointed out by the Senator from Iowa, the appropriations are made long after the sales would be consummated.

Mr. BROWN. I do not think there will be any difficulty in ascertaining what the benefit payments are to be.

Mr. ELLENDER. As I pointed out a few minutes ago, why dig down into the Treasury of the United States in order to make these benefit payments? Why not let the commodity sell for parity, and be through with it? That is exactly what would occur under the bill which is now pending.

Mr. BROWN. The Senator and I are not in disagreement at all, but what the Bankhead-Gillette bill would do would be to prevent a sale when the price was not only parity, but parity plus the benefit payments.

Mr. GILLETTE. Mr. President, will the Senator yield further?

Mr. BROWN. I yield.

Mr. GILLETTE. The bill with which my name is associated provides that the Commodity Credit Corporation shall not sell the stored commodities, shall not put them on the market, at less than the parity price.

Mr. BROWN. Yes.

Mr. GILLETTE. The Senator's amendment provides that they shall not be put on the market at less than parity price, taking into consideration benefit payments and parity payments and compliance payments. The compliance payments for what time? Benefit payments for what time? One year we appropriated $212,000,000, another year we appropriated $225,000,000, another year we appropriated nothing. The compliance payments are based on the soil-conservation program of the individual farmer, not on the market price. It is what the individual farmer does that controls. What payment? What conservation payment, in what year? What parity payment, in what year? The parity payments for this year may never be paid. The compliance payments for this year as to all these commodities will be checked next fall. I say in all kindness to the Senator that, however erudite and keen he is ordinarily, I am afraid he has picked up a hot potato.

Mr. BROWN. I have before me the statement of the Commodity Credit Corporation, which shows exactly how it works out at the present time.

Mr. GILLETTE. That will be very interesting.

Mr. BROWN. The sale price of the Commodity Credit Corporation on corn is now 83 cents, the payments 14 cents—total 97 cents. That is what the farmer is getting.

Mr. GILLETTE. Payments made when?

Mr. BROWN. I cannot tell the Senator when they were made.

Mr. BARKLEY. They were made on the 1941 crop during the marketing season. That extended over a period of several months.

Mr. GILLETTE. Will the Senator permit me to interrupt him?

Mr. BROWN. Certainly.

Mr. GILLETTE. The 1941 crop is going under loan right now. A small percentage of it has gone under loan. The 1937, 1938, 1939, and 1940 crops have been under loan.

Mr. BARKLEY. I understand that. But part of the commodity which is now held and owned by the Government is of the 1941 crop, although a very considerable portion of it represents crops of previous years.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. BROWN. I wanted to answer properly the Senator from Iowa, and then I shall be glad to yield to the Senator from Alabama. The comparison of 1941 loan rates and Government payments with parity price as of the beginning of the market year, can be calculated, and is calculated. The comparison will be contained in the statement which the Senator from Michigan will put into the RECORD. Those figures show that the sales price of the Commodity Credit Corporation on corn is 83 cents-plus per bushel. Payments of 14 cents make a total of 97 cents per bushel. Current price at the farm is 93.7 cents per bushel. The market equivalent—because parity is figured at the farm—is 98 cents. Therefore corn at the present time would be one cent per bushel under parity. Therefore under my amendment the Commodity Credit Corporation could not sell corn.

On wheat the sales price is $1.31. I think these figures are of January 15, or thereabouts. Government payments are 18 cents. Total $1.49. Current parity price at farm, $1.29. Market equivalent, $1.46.

On cotton the minimum sales price is 18.10 cents per pound. Benefit payments are 2.75 cents. The total price 20.85 cents per pound for cotton. Market price at the farm, 18.10 cents. Market equivalent 18.10 cents.

So the Department assumes that cotton is substantially at parity, and therefore sales could be made under the amendment.

Mr. GILLETTE. Mr. President, will the Senator yield once more?

Mr. BROWN. I promised to yield to the majority leader, who asked me to yield a few moments ago.

Mr. BARKLEY. Mr. President, I do not want to interfere with the Senator from Iowa, but I wish to say a word with respect to the point raised by the Senator from Oregon. The amendment of the Senator from Michigan, as I understand, provides that so long as the market price for these commodities, plus the benefit payments, equals parity, the Commodity Credit Corporation can sell.

Mr. BROWN. That is correct.

Mr. BARKLEY. If the market price went up to parity without regard to benefit payments the Commodity Credit Corporation could sell. So that if Congress should fail to provide for benefit payments, and in spite of that the market price went up to parity, the Commodity Credit Corporation could sell; but it could not sell until the price had gone to parity if Congress should see fit in the meantime to deny the benefit payments to the farmer. So that instead of having two equations to consider in arriving at the sum of the price which would be parity, we would have only one, and that would be the market price, and under the Senator's amendment the Commodity Credit Corporation could not sell until that one equation had reached the point where it would be equal to the two, if two of them were in play.

Mr. BROWN. I agree with the Senator.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. GILLETTE. The Senator has been very courteous to me, and he has been on his feet for a long time. This is the last time I shall interrupt him. I wish to call the Senator's attention to this situation. The soil-conservation payment is made to the individual farmer who is in the program, and who complies with the restrictions for his particular farm. At the end of the crop year his production is checked on the basis of the amount allotted to him, and on his practices in building up his soil.

Section 101 of the act provides that that individual farmer's compliance will be checked, and his soil-conservation payment pertains to him alone. It does not pertain to the market price of the commodity. It does not pertain to the market at all. It is the individual farmer's return for his voluntarily reducing his production and complying with the rule with respect to soil building. So much for soil-conservation payment. That has nothing to do with the price. It is simply paying the individual farmer for what he has been asked by the Government to do.

Mr. BROWN. If the Senator will permit, I wish to say that in the statement which was prepared by the Commodity Credit Corporation, I find the following:

> In addition the corn farmers have received a parity payment—
>
> After stating the price at 85 percent of parity—
>
> of 5 cents and a conservation of 9 cents per bushel.

Mr. GILLETTE. Yes.

Mr. BROWN. Then why cannot that be calculated and added to the other?

Mr. GILLETTE. Because the only farmer that benefited by it was the farmer who complied with the rules for his particular farm. That is why. The farmers who are not in the program, the farmers who have no association with his particular farm may benefit at the rate of 7 cents per bushel or 9 cents per bushel, but it is an individual proposition, and has nothing to do with the market.

Mr. BROWN. It is based on the price per bushel, and that is all we want to know.

Mr. GILLETTE. But it is based on compliance for that particular year, at the conclusion of the crop year.

Mr. BROWN. We are talking about the market price plus the payments for the current year. The entire bill is based upon a limitation on the part of the Commodity Credit Corporation to sell, at this particular time, below parity.

Mr. GILLETTE. Then the Corporation could sell the cotton, and the corn, and the wheat which it obtained in 1937, 1938, and 1939, without any regard to the bill.

Mr. BROWN. No; it would be bound by the present price received by the cotton farmer, plus whatever benefit payments he is now receiving.

Mr. GILLETTE. Let me read section 303. This is the provision dealing with parity payments, and the only one:

If and when appropriations are made therefor—

There may not be any—

If and when appropriations are made therefor, the Secretary is authorized and directed to make payments to producers of corn, wheat, cotton, rice, or tobacco, on their normal production of such commodities, in amounts which, together with the proceeds thereof, will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit. All funds available for such payments with respect to these commodities shall, unless otherwise provided by law, be apportioned to these commodities in proportion to the amount by which each falls to reach the parity income.

Not a parity price, I will say to the Senator, but a parity income. There is an entire misconception with regard to that.

Mr. BROWN. I know the difference between parity price and parity income.

Mr. GILLETTE. Very well. Then if and when appropriations are made available they shall be allocated among these favored commodities in the proportion that they have failed to make up a parity income for the farmer.

Mr. BROWN. If the Senator was reaching back and trying to find out what the income of the individual farmer was, what price he received for a commodity turned over to the Commodity Credit Corporation in 1939 and 1940, it would be correct. But it seems to me the fundamental error of the Senator from Iowa is that he fails to comprehend that we are talking about a price limitation upon the Commodity Credit Corporation at this time. That limitation, under the bill offered by the Senator from Iowa [Mr. GILLETTE], would be parity price. That limitation under my amendment would be the sum of parity price plus conservation payments, not of 2 or 3 or 4 years ago, but plus the benefit payments, whatever they may be, as of the present time, and their effect upon that price.

Mr. GILLETTE. Mr. President, I promised not to interrupt the Senator from Michigan any more, and I shall keep my promise.

Mr. BANKHEAD. Mr. President, will the Senator yield,

Mr. BROWN. I yield.

Mr. BANKHEAD. I merely wanted very briefly to confirm the position which the Senator from Iowa [Mr. GILLETTE] has taken with respect to the subject. If the Senator from Michigan will look into the matter further I think he will find that while his idea is good, his formula is absolutely unworkable. As a member of the Senate Committee on Appropriations I will say that we have dealt with this subject every year, and we have endeavored to find out, if we could, some way under which the parity payments covered by the parity appropriations under section 303, of which section I happen to be the author, could be made current with the harvesting of the crop, so that during the same year for which they were intended they could be added to the income of the farmer, supplementing the market price.

We have never been able to work that out, and I will state very briefly why we have not been able to do so. The junior Senator from Georgia [Mr. RUSSELL] has been chairman of the subcommittee dealing with the subject, and he has been very active, as we all know, in connection with the parity appropriation program. These parity payments cannot be made under section 303—and that is the only authority for them, and under the other provisions of the Agricultural Adjustment Act with reference to compliance, until compliance has been completed. In other words, the parity payments are based upon the average production upon an acreage for the preceding 5 years. Agents do not go around and figure the actual weight of every farmer's cotton to see what he is entitled to, but his preceding 5-year basis is figured up. It is figured on the basis of the preceding 5 years. The acreage must be measured, because the law requires its measurement. The actual acreage must be ascertained. The quantity of cotton is not actually involved, but it is involved because of the acerage which the farmer must show that he cultivated to completion of the crop. That cannot be shown until the crop is completed. In the case of cotton—and there would probably be a similar problem in connection with wheat, because there are two wheat crops—ginning is not finished until January. The total crop for last year has not been announced, because the thing has been dragging along, because of harvesting, ginning, and things of that sort. So it cannot be worked out.

The Senator would require a finer mathematical mind than any of those on the Senate Appropriations Committee if he were to complete the complicated facts. The Appropriations Committee was unable to do so when it was trying to do it, not for any specific objective, but to work out a plan by which the payments could be made promptly. The appropriations, on their face, are not payable until the following year. Take the appropriations based upon the crop of 1941. That has not been paid. Payments are to be made some time this year. All the information has not yet been worked out, and cannot now be worked out.

The system which the Senator suggests might be fine theoretically; but we could not tell until the crop had practically all been sold what kind of parity payments the farmer should receive. We could not tell what the aggregate amount would be for the whole crop, because we could not know until completion of the ginning.

As used in the appropriation for parity, "parity" is the average received for the whole crop. There is a limitation. The parity appropriation can be used only to the extent of supplementing the returns from the market, up to the parity level. When that is reached we must stop. How is the Senator to ascertain the base from which to start in ascertaining the amount of parity to be paid? It cannot be ascertained until we know the results of the crop, until the whole thing has been completed, and compliance has been shown all along the line. We could not sooner ascertain the amount.

Another thing which shows that the system suggested by the Senator is not a fair basis is that the parity program does not take into account the quality of the product. It merely provides for payments with respect to certain commodities—corn, wheat, cotton, tobacco, and rice. There is a difference in the grades of cotton. I assume there is also a difference in the grades of corn and wheat. One farmer may receive 1, 2, or 3 cents a pound more for his cotton than another farmer receives, based upon different conditions. So when we work the whole thing out each farmer does not receive the same treatment. What he receives is based upon his production and the quality of his cotton. I presume the same thing would be true of corn or wheat. The parity payment to each farmer on the 1942 crop could not be ascertained until 1943. So the cotton cannot be sold on the theory that the farmer is to receive a parity payment of 2 or 3 cents a pound. When the time comes he may not receive anything, because the market price may have risen. In the meantime we have been working on the thing without knowing exactly where we are driving.

Mr. BROWN. I thank the Senator from Alabama.

PAY AND ALLOWANCES FOR ARMY, NAVY, MARINE CORPS, AND COAST GUARD

The PRESIDING OFFICER (Mr. BUNKER in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, and Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH, Mr. TYDINGS, and Mr. DAVIS conferees on the part of the Senate.

Mr. BROWN. Can the Senator tell us what was done with respect to the amendment abolishing the retirement privileges for Members of Congress?

Mr. WALSH. I am informed that the House instructed its conferees to concur in the amendment repealing pensions to legislative officials and that the House is in accord with the Senate in relation to the repeal of such pensions. It would appear there is no difference between the two branches on that question. I presume the other amendments will be dealt with in conference.

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (S. 2255) to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation.

Mr. BONE. Mr. President, I am not certain that I understand what has been said, or whether there is a certain amount of confusion as to what the proposed amendment means.

As I gathered from what the Senator from Oregon [Mr. McNARY] said, it was intended by the amendment that the Commodity Credit Corporation should receive for any commodities which it sold on the market the parity price plus the parity and conservation payments, or rather the aggregate of those three things—the then parity price, the parity payment, if and when it should be made, and the conservation payments.

Is that the intention? If so, I wish the Senator would give me some illustration. Suppose the parity price of wheat were a dollar, and the conservation payment to the farmer were 5 cents or 10 cents, and his share of the parity payments were 5 cents. Would he then receive the $1 parity price, or would the Government sell at the parity price plus the other two payments?

Mr. BROWN. The Senator must remember that the Gillette-Bankhead bill is a limitation upon the power of the Commodity Credit Corporation to sell. It is not concerned with what the farmer receives.

Mr. BONE. I understand that.

Mr. BROWN. That is merely a matter of calculation under the limitation. I have before me the calculations of the Department of Agriculture with respect to particular commodities.

Mr. BONE. I am thinking of the legal consequences of the amendment. It was my understanding when I first heard the bill discussed that, subject to such amendment as might be introduced and passed, it would prevent the Government from selling below the parity price any wheat or corn which had deteriorated. If that be true, obviously such commodities could not be sold at all unless they could be sold at a lesser price. It was my understanding that the purpose of the proposal of the Senator from Iowa, the Senator from Alabama, and the Senator from Oklahoma was that the Government should not be permitted to sell through the Commodity Credit Corporation any of such commodities at less than the parity price, in order to prevent crashing the price.

Mr. BROWN. The Senator is correct.

Mr. BONE. The limitation was to be the parity price, which we all understand. Now we are injecting some new formula, under which the Government must sell at the parity price plus some other additions. There is some confusion.

Mr. BROWN. The Senator again misapprehends.

Mr. BONE. I wish to understand the proposal clearly.

Mr. BROWN. Under the terms of the Gillette bill the Government may not sell below parity. Under the amendment which I propose it may not sell at a price below parity, considering the benefit payments made by the Government. The Senator must bear in mind that that is a limitation.

Mr. BONE. I understand; but this amendment simply says, in effect, that the Commodity Credit Corporation may not sell a bushel of wheat for less than the prevailing parity price plus what is ascertained to be the conservation payment and the parity payment which Congress might provide by appropriation. Is that a clear understanding of the thing?

Mr. BROWN. No.

Mr. BONE. Can the Senator simplify it?

Mr. BROWN. As expressed in the Gillette bill, it is a limitation expressed in rather a negative way. Let us take an illustration of the commodity when the price of cotton is, as it is today, 18.10 cents a pound, and the payments are 2.75 cents a pound, making a total of 20.85 cents a pound as being the price of cotton, which the farmer gets at the present time. The current price at the farm—that is, the price reduced from 20.85 at the market to 18.10 at the farm, because parity is based upon the farm price—happens to be in this calculation the current parity price. Therefore the Commodity Credit Corporation could sell cotton under the Brown amendment. Under the Gillette-Bankhead bill, since the 2.75 cents Government payment is not included in the limitation, cotton cannot be sold; because the price is considerably below—2.75 cents below—the parity price at the farm. That is the difference between the two propositions.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. O'DANIEL. Mr. President——

Mr. BROWN. I do feel that I have been on my feet for a long time. I have been most generous about yielding. I should like to conclude my statement, and then yield the floor.

Mr. OVERTON. I have not interfered at all thus far in the presentation of the Senator's statement; and I should be glad to have him yield to me now.

Mr. BROWN. I yield to the Senator from Louisiana.

Mr. OVERTON. Do I correctly state the amendment offered by the Senator from Michigan when I say that the Commodity Credit Corporation cannot sell except under the following circumstances: We take the parity price, and from it we deduct the conservation-benefit payments and the parity payments, and thereby obtain the net price below which the Commodity Credit Corporation cannot sell?

Mr. BROWN. I think the Senator states my amendment accurately. I thought that I myself did so, when I stated it in my own way. But I should like to put it in my own way. Under the Gillette amendment the price of any farm commodity would have to be at parity before the Commodity Credit Corporation could sell.

Mr. OVERTON. That is correct.

Mr. BROWN. Under the Brown amendment if the price of the commodity, made up of the market price plus the Government benefits, equals parity, then sale may be made.

Mr. OVERTON. Yes; that is the way I understand it.

Mr. BROWN. Mr. President, the principle of reserve supplies enunciated by the Congress of the United States in the Agricultural Adjustment Act of 1938 declared that loans and marketing quotas should be established to enable the orderly, adequate, and balanced flow of agricultural commodities in interstate and foreign commerce for the twofold purpose, one, of assisting farmers to obtain parity prices and parity income, and, two, of assisting consumers to obtain an adequate and steady supply of such commodities at fair prices.

At the time the farm program was authorized, the agricultural production of this country was in excess of consumption requirements, and, through a system of loans, large quantities of these commodities were placed in storage and withheld from the market to enable the orderly marketing of those quantities which were actually needed for consumption. Thus, these reserve supplies served a very useful purpose in assisting the farmer in moving his produce to market and in protecting his income.

But even then, our farsighted leaders envisioned a time that shortages would develop when these supplies, accumulated during times of surplus harvest, would be needed.

That time has come. To meet the expanded requirements of this country and those nations allied with us in the war, larger quantities of feed are needed to produce livestock, dairy, and poultry products which we must have to achieve victory.

Fortunately, our reserve supplies of feed and fiber are adequate to produce the food and clothing needed.

The ever-normal granary will prove its usefulness if these commodities are allowed to flow through the normal channels of commerce into consumption as they are needed.

The full purpose of the granary, however, will not be realized unless this flow is permitted at prices which are fair to producers and consumers.

Now the law plainly states that the objective on the one hand is to assist producers in receiving parity prices and in attaining parity income. I have always been a supporter of the farm program and have always favored the parity

objective. Furthermore, I strongly urge that we maintain the objective not only of parity prices, but of parity income for the farmer. He deserves it and is entitled to it from the standpoint of justice and pure economic wisdom.

At the present time I am glad to say the producers of our basic agricultural commodities are all receiving about parity income. The market price of corn this fall has been between 70 and 85 cents at Chicago for the standard grade, No. 2 yellow. Sales by Commodity Credit Corporation have been made at prices equal to 85 percent of parity, and the loan has also been available at 85 percent of parity. In addition, the corn farmers have received a parity payment of 5 cents and a conservation payment of 9 cents a bushel, which, when added to the market price or the loan value, has amounted to parity in every case. Since the corn crop this year is about average, it can be considered that the corn farmers are also receiving parity income.

The case of wheat, the market price at Kansas City has been between $1.03 and $1.24 for the standard grade, No. 2 hard winter, and, of course, the loans have also been available on wheat at 85 percent of parity as of the beginning of the marketing year. The parity payments made the wheat farmers in 1941 amounted to 10 cents per bushel, and the conservation payments amounted to 8 cents per bushel, so the wheat farmers in every case also received full parity price this year. Since the wheat crop was considerably above average, parity price represented substantially more than parity income.

The market price of cotton has been above 85 percent of parity all during the current marketing season, and for the past month has been around 100 percent of parity. Again, a price of 85 percent of parity has been guaranteed by the loan program.

When the parity payments of about 1.38 cents per pound and the conservation payments of 1.37 cents per pound are taken into consideration, the per-pound income of the cotton producers will be found to be slightly above parity price; but the current cotton crop of 10,700,000 bales is considerably under an average or normal crop, so they are just about receiving parity income after all.

For the sake of emphasis, let me repeat that in considering the producer's parity income, we must calculate the Government payments he receives, which are just as much a part of his income as the sale of his crop. The payments operate to benefit the farmer just as if the price he received for the commodities was increased by that amount.

If market prices increase above the current rates, the returns to producers will exceed parity income and the added costs will be borne by the consumers. While I reiterate that a return to the farmers commensurate with parity income is fair and very much to be desired, I want to say also that returns above parity are not fair to the consumers of the Nation. And if they go higher, we are heading for trouble, for as consumer costs increase, the inflationary spiral swings higher. Demands will then be heard to readjust labor wages to the increased costs of living. One step will lead to another, carrying us further and further into the horrible maelstrom of inflation.

We will be taking just such an inadvertent step toward this maelstrom if we enact the legislation proposed by the Senator from Alabama and his colleagues to prevent the disposition of commodities owned by the Commodity Credit Corporation at prices less than parity.

The release of Commodity Credit reserve stocks of corn and wheat during recent months has augmented supplies of feed in deficiency areas and generally encouraged the production of hog, livestock, dairy, and poultry products. To maintain the ratio between the present value of these meat, dairy, and poultry products and the value of the feed, the corn has been sold at prices which have averaged about 85 percent of parity. As corn stocks have been reduced in particular areas, wheat has been substituted as a feed, and since it has about the same feeding value, was made available at about the price of corn. Other sales of wheat have been made through the regular market channels to supplement supplies of certain qualities that are needed to meet the current demand, at prices which have averaged about 90 percent of the parity price of wheat.

Then, grain—both corn and wheat—has been employed in place of sugar and molasses in the manufacture of commercial ethyl alcohol for military purposes. With sugar supplies already rationed, such substitutions are necessary. Prices at which this grain has been released for conversion have been less than parity; and, as a general rule, distillers could not continue using grain at parity prices and sell the alcohol produced therefrom at a ceiling price established for alcohol.

Furthermore, the movement of grain, particularly wheat, is expedient to free storage space for the new crop which will be coming to market. There is a much better chance of effecting this disposition if the wheat is priced to move.

In order to present a clear picture of what the sale of commodities owned by Commodity Credit Corporation has meant, I should like to describe the sales of the major commodities—cotton, corn, and wheat—that have taken place recently.

Corn acquired by Commodity Credit Corporation in satisfaction of loans since the programs were originated amounted to approximately 300,000,000 bushels. Sales have totaled 210,000,000 bushels, including 25,000,000 bushels under the export program in 1940, 11,000,000 bushels under lease-lend during the fall of 1941, 124,000,000 bushels under the general sales program to the 1st of January 1942, and 50,000,000 bushels during the month of January 1942. Stocks of corn owned by Commodity Credit Corporation at the end of January, after making deductions for sales in process, amounted to 90,000,000 bushels. Corn liquidated during the month of January by Commodity Credit Corporation was sold at an average price of 82½ cents per bushel, No. 2 Yellow, basis Chicago, for terminal locations, and one-half cent above the applicable loan rate for country locations. These release prices averaged slightly above 85 percent of the January 15 parity price.

Since the wheat loan programs have been in operation, approximately 200,000,000 bushels have been taken over by Commodity Credit and pooled for the account of producers. Total sales have amounted to approximately 65,000,000 bushels, of which 28,000,000 have been sold during the month of January, as follows: 17,000,000 bushels under the general sales program in the domestic market, at prices which averaged 15½ cents over the loan rate at terminal locations and 18½ cents over the loan rate at country locations, and 3,000,000 bushels for export at about 10 cents under the loan value, and 8,000,000 bushels for feed at the corn loan rate or the wheat loan rate, whichever was lower, but not less than 90 cents per bushel. A total of approximately 135,000,000 bushels are held in pools by Commodity Credit Corporation at the present time. The prices at which wheat was sold under the general sales program averaged about 90 percent of parity, while other prices were slightly less.

Commodity Credit Corporation has acquired title to approximately 7,000,000 bales of cotton, of which about 2,000,000 bales have been disposed of to date, including the cotton-rubber barter, lend-lease transactions, the exchange program, sales for export, sales for new uses, and the general sales program. Of this total, approximately 300,000 bales were sold during the month of January, of which 200,000 bales were released under the general sales program at a price basis 19 cents per pound for ⅞-inch middling at Carolina mill points, which represents about 100 percent of parity, while nearly 80,000 bales were sold under the export program at a price based on 13¼ cents per pound, ⅞-inch middling at Carolina mill points, which represents the approximate investment in this cotton, and the remaining 20,000 bales were sold for new uses, principally cotton insulation and for relief mattresses and for cotton bagging, at prices which also represented the investment in the cotton. Stocks of cotton owned by Commodity Credit Corporation on February 1, 1942, total approximately 5,000,000 bales, including cotton which has been earmarked for lend-lease and for export and new-uses programs.

The sale of cotton for new uses and for bagging would have to be discontinued if the proposed legislation, S. 2255, were enacted.

Should the sale of grain be prohibited at prices less than parity, the sale of wheat for feed and for alcohol would be terminated. It is also necessary from time to time, to dispose of wheat to prevent loss from insect infestation, and the sales for this purpose would also be precluded.

Prices for other domestic sales would be increased from 10 to 15 percent for both wheat and corn.

Do not forget that if and when these feed prices do go up, the price of bread and meat, yes, butter and eggs—and most

other foods will go up—too. An increase of 10 to 15 percent in feed costs, I understand, will increase this Nation's food bill about $1,000,000,000 annually.

I say to you frankly, such an increase in consumer costs for food is unwise. Now our farmers are assured a parity income, I cannot believe they will insist on more than their fair return. This is a scheme to thwart the original purpose of the ever-normal granary, which is, as we have pointed out, to assist the producers in receiving a parity of income and to assure adequate supplies and prices that are fair and reasonable to the consumer. It flaunts the will of the Congress, prostitutes the purpose of the act, and serves the selfish interest of willful minority seeking to profit during the Nation's hour of peril.

I ask that this bill be defeated as being against the national interest.

I present two tables in connection with my remarks, which I ask to have printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Comparison of 1941 loan rates and Government payments with parity price as of the beginning of the marketing year

	Corn (cents per bushel)	Wheat (cents per bushel)	Cotton (cents per pound)
Loan	74.8	98.0	14.02
Payments	14.0	18.1	2.75
Total	88.8	116.1	16.77
Parity at beginning of marketing year	88.6	116.7	16.49

Comparison of minimum prices at which sales are being made by Commodity Credit Corporation plus Government payments and the current farm parity price and market parity prices comparable with minimum sales prices

	Corn	Wheat	Cotton
	Cents		*Cents*
Commodity Credit Corporation minimum sales price [1]	83.0	$1.31 [2]	18.10 [3]
Payments	14.0	.18	2.75
Total	97.0	1.49	20.85
Current parity price at farm	93.7	1.29	18.10
Market equivalent [4]	98.0	1.46	18.10

[1] No. 2 Yellow corn in store in Chicago.
[2] No. 2 Hard Winter wheat in store in Chicago.
[3] Farm parity price. No sales being made in the domestic market below parity except for insulation and cotton bagging.
[4] Market parity price that is comparable with the minimum Commodity Credit Corporation sales price.

Mr. O'DANIEL. Mr. President, will the Senator yield to me?

Mr. BROWN. Does the Senator from Texas desire to have me yield to him, or does he desire the floor?

Mr. O'DANIEL. I should like to have the Senator yield to me.

Mr. BROWN. Very well; I yield to the Senator from Texas.

Mr. O'DANIEL. At this time, after listening to all the splendid arguments for and against the pending bill, I should like to bring to the attention of the Senate, Mr. President, the feelings of some of the real farmers in the State of Texas, which I represent. Their feeling is expressed in telegrams I have received from 62 farmers. I desire to read one of the telegrams into the RECORD at this time. This telegram is typical of others which I have received from various sections of Texas.

We, the undersigned farmers of Dallas County, deeply resent and strongly protest the recent statements made by the Secretary of Agriculture which are defeating the intent of the price-control legislation recently passed by Congress and have already caused the cotton market to break approximately $8 a bale. We further protest the release of 4,000,000 bales of Government-held cotton, which is a further act to circumvent the price-control law. It is our understanding that legislation had been effected whereby the release of this cotton would not exceed 300,000 bales in 1 month or one and a half million bales in any one year. Further, we do not understand the Secretary's statement to the effect that he would rather see a parity income maintained through subsidies at the taxpayers' expense rather than through parity prices, which is in effect prior to his recent statement. We feel that the aforementioned statement and acts discriminate against the farmer, while there has been no effort for legislation to control the wages of labor. We strongly urge that you take immediate steps to correct these wrongs, and that Federal restrictions be removed, to the end that the market be allowed to reach the levels as prescribed in the Price Control Act.

Mr. President, in compliance with this telegram, and many other telegrams and letters of like nature, also in line with what I consider good legislation, not only for our farmers but for my State and Nation as a whole, I desire to support the pending bill being sponsored by the Senator from Alabama [Mr. BANKHEAD] and others, and oppose the suggested amendment sponsored by the Senator from Michigan [Mr. BROWN].

Mr. BROWN. Mr. President, it is my earnest desire to preserve the benefits of commodity credit for the farmers. If we go too far, and I think this bill goes too far, it may result in a movement detrimental to the farmer. One hundred percent of parity is his goal; my amendment would assist in obtaining it. When benefit payments are made they should be calculated in parity, when not made they are not a factor. My amendment would assure that no sales would be made by C. C. C. at a price below parity. That is all the farmer has asked. To give parity plus benefits is more than he has heretofore or, in my judgment, now asks.

ORGANIZATION OF CIVILIAN DEFENSE

Mr. BUTLER. Mr. President, I am very happy that other Senators, including the Senator from Maryland [Mr. TYDINGS] and the Senator from Missouri [Mr. CLARK] are continuing to give their attention to the problem of the proper organization of civilian defense machinery. I am far from sure that the recent changes in that agency have satisfactorily settled matters, and I am hopeful that the bills introduced yesterday will lead to constructive results.

Some weeks ago I interested myself in this question. On January 20, I wrote a letter to President Roosevelt making a suggestion right along the same line as that presented by the Senator from Missouri, namely, that members of local posts of the American Legion be used as volunteers in organizing this important task. I received a very courteous reply from the President, indicating that the matter was being given serious study. I ask unanimous consent that my letter to the President and his reply be inserted in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JANUARY 20, 1942.

The Honorable FRANKLIN D. ROOSEVELT,
President of the United States,
The White House.

DEAR MR. PRESIDENT: While the problem of reorganizing our civilian defense is under your consideration, I urge you to give some attention to the possibility of using the services of local posts of the American Legion.

The American Legion represents our largest single organization of responsible men who have proved their devotion to their country and their fidelity to its ideals under the fire of actual combat. Certainly during the last war their patriotism was severely tested, and they justified our faith in them. Since that time the Legion has been a sound and healthful influence in building character and inculcating the principles of good citizenship.

Now, Legionnaires as a group are mostly outside the draft ages or will be deferred for other reasons, but are, I am sure, willing and eager to serve in any way they can. Their experience in the last war has undoubtedly fitted them to meet the problems of this one. They are used to working under strict discipline and understand the necessity of unquestioned obedience to orders. Certainly, it would be a mistake to neglect the patriotism and potential service represented by this body of men who so well served their country.

I am sure that if you accept my suggestion and call upon the Legion for this important task, you will find a readiness to undertake it and a faithfulness in fulfilling it, and that the duties will be executed systematically and efficiently, and in full harmony with the Army authorities of the respective communities.

Yours very truly,

HUGH BUTLER.

THE WHITE HOUSE,
Washington, January 26, 1942.

Hon. HUGH BUTLER.
United States Senate,
Washington, D. C.

MY DEAR SENATOR BUTLER: During the last few days Commander Stambaugh, Mr. Landis, and Mr. Dudley, a representative of the American Legion, working with the Office of Civilian Defense, have been engaged in preparing a program of action for the American Legion. I understand that the main outlines of this program are agreeable to all the parties concerned and that the matter of ironing out the details is only a matter of a few days.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. BUTLER. Mr. President, I think nothing has been more inspiring than the devoted service which has been given to their country by the members of the local draft boards, serving without compensation. Yesterday I received a letter from a member of one of our boards in Nebraska that illustrates this point so well that I should like to quote briefly from it. This correspondent says:

The appeals, or some of them, are pitiful and excite sympathy, and others are frameups and stir one to resentment, but all war brings about pitiful situations. It is pitiful that some are so selfish as to want others to do their fighting and sacrificing.

He concludes the letter with this statement:

Our draft board jobs are not so much sought after as others, but under the circumstances we feel that we cannot resign any more than the boys in the Army can get out.

I believe that kind of service might well serve as a model in organizing other branches of our war effort, and it is for that reason that I suggest that the American Legion, that has volunteered its services, be assigned the task of organizing civilian defense. This is not intended in any sense as a criticism of the many civilian volunteers who have given of their time and energy to the civilian defense organization; but I believe that if the Legion undertakes this job, we can feel confident that they will give the same kind of devoted, efficient service that members of our local draft boards have rendered.

MARKETING QUOTAS FOR TOBACCO

Mr. BARKLEY. Mr. President, I ask unanimous consent that the bill messaged over from the House today be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 6470) to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased, was read twice by its title.

Mr. BARKLEY. Mr. President, this is a bill passed today by the House. It is a companion bill to a bill which I have introduced and which has been referred to the Committee on Agriculture and Forestry. The chairman of the committee had arranged to hold a hearing on the bill tomorrow, but it is very necessary that the bill be passed today. It applies only to burley tobacco, and extends the time for considering the quotas up to March 1, from December. Such privilege is already enjoyed by flue-cured and other types of tobacco. Notwithstanding the fact that the Senate bill is now in the Committee on Agriculture and Forestry, I ask unanimous consent that the House bill be taken up and acted upon at this time. Of course, otherwise it will be only a day or two before the Senate will receive a report from the Committee on Agriculture and Forestry on the Senate bill relating to this subject.

Mr. McNARY. Mr. President, I am familiar with the objectives of the bill. I think it is a very meritorious bill, and I have no objection to its consideration at this time, unless the chairman of the Committee on Agriculture and Forestry has objection.

Mr. SMITH. I have no objection, Mr. President; the bill passed by the House is almost identical with the Senate bill, and I think it should be passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 6470) was ordered to a third reading, read the third time, and passed.

Mr. BARKLEY. I thank the Senator from Oregon, the Senator from South Carolina, and all other Senators who have cooperated in securing the passage of this meritorious bill.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. VAN NUYS, from the Committee on the Judiciary:

Benjamin B. Mozee, of Alaska, to be United States marshal for the second division, District of Alaska; and

Charles R. Price, of North Carolina, to be United States marshal for the western district of North Carolina.

By Mr. KILGORE, from the Committee on the Judiciary:

Joe V Gibson, of West Virginia, to be United States attorney for the northern district of West Virginia.

By Mr. BURTON, from the Committee on the Judiciary:

John D. Clifford, Jr., of Maine, to be United States attorney for the District of Maine.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of Oscar S. Cox, of Maine, to be Assistant Solicitor General of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified. That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, February 25, 1942, at 12 o'clock noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 24 (legislative day of February 13), 1942:

DEPARTMENT OF JUSTICE

Oscar S. Cox to be Assistant Solicitor General of the United States.

COAST AND GEODETIC SURVEY

Jean H. Hawley to be Assistant Director, with rank of rear admiral.

TO BE HYDROGRAPHIC AND GEODETIC ENGINEERS WITH RANK OF LIEUTENANT

George R. Shelton
John Bowie, Jr.
Chester J. Beyma
Raymond H. Tryon, Jr.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 24, 1942

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord our God, when we recall our preservation in the midst of peril and change and are reminded of Thy guidance, we pray that it may be spontaneous and easy for us to be grateful. Keep us in the spirit of the deepest realization that our assignment to this Chamber means a large privilege, a larger opportunity, and the largest responsibility. Help us to put our intelligence, our power of will, and our strength of moral earnestness into our tasks until our very beings burn with zeal. Grant that our ideals of government and emancipation from all wrong may receive their vision and true explanation from the attitude of the Man of Galilee toward all poor and rich.

Continue Thy richest blessings upon Thy children everywhere: Surely our lines are fallen into pleasant places. Thou hast possessed us of a land flowing with milk and honey, but Thou who holdest our destiny in Thy infinite hand, teach us that the glory and perpetuity of any people are in the moral and spiritual fiber woven into the warp and woof of a nation's heart having the will to fight against false propaganda. Oh, thus may we be great and glorious, altogether worthy of Thy blessed approbation. Heavenly Father, we devotely pray that a united country may be most loyally united with our President that the breakers of passion and self-interest may cease surging on the shorelines of our Nation's soul. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address which I delivered over the stations in my district by electrical transcription.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ELLIOTT of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ELLIOTT]?

There was no objection.

Mr. ELLIOTT of California. Mr. Speaker, last night an enemy submarine shelled our western coast. The attack was made just north of the city of Santa Barbara, Calif., within the congressional district I represent. During the blackout which was immediately enforced a number of Japanese aliens and American-born Japanese were active, and two of those arrested were armed and were cruising on our coast highway, apparently endeavoring to give assistance to those making the attack. It is known that many of the American-born Japanese put loyalty to Japan above loyalty to America. Yet we are permitting them to remain on our very front line.

To permit any Japanese to remain in California, adjacent to our extensive oil fields, which supply aviation gasoline to our armed forces, near our hydroelectric and steam plants, which furnish huge quantities of electric power to our defense industries, near our forests, or near our airfields is to invite sure and certain fifth-column activities and disaster to any plan of defense conceived for the protection of our west coast.

It is the height of folly to procrastinate. Remove all alien and American-born Japanese immediately. This is serious. We are permitting Japanese to have trained fifth columnists behind our very lines, all poised to strike a dagger at the heart of America. Let us realize that we are at war and let us take steps that common sense dictate. Our people are wrought up and any act of violence at this time may result in retaliation on the part of those who now hold some of our youth as prisoners of war.

Let us see that these American-born Japanese and aliens are removed damn quick from the entire Pacific coast not only for our protection but for their protection.

EXTENSION OF REMARKS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a telegram to the Attorney General.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. CURTIS]?

There was no objection.

REPEAL OF CONGRESSIONAL PENSIONS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute at this time.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. CURTIS]?

There was no objection.

Mr. CURTIS. Mr. Speaker, I shall vote for repeal of the Congressional pensions, but I do not think we have gone far enough when that is done. I am today dropping into the hopper a resolution amending the rules of the House of Representatives, which amendment reads as follows:

Provided, No bill providing monetary or other benefits for Representatives, Delegates, or Resident Commissioners shall be placed on the Consent Calendar.

It is hard to realize how we operate in a body where there are over 10,000 bills pending all the time. At the close of last week there were 10,097 bills pending and more are being introduced each day. I think this amendment to the rules should be adopted, as it will be a protection to all of us. There never was a majority in favor of pensions for Congressmen, yet it went through this House without debate or a vote taken. The passage of my resolution will prevent such a thing from happening again.

EXTENSION OF REMARKS

Mr. SPENCE. Mr. Speaker, June 1 of this year is the one hundred and fiftieth anniversary of the statehood of Kentucky. I ask unanimous consent to extend my own remarks in the RECORD and to include therewith a resolution adopted by the General Assembly of the Commonwealth of Kentucky on that subject.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

(Mr. O'BRIEN of Michigan asked and was given permission to extend his own remarks in the RECORD.)

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the text of the agreement and an explanation of the agreement between the Governments of the United States and Great Britain on the principles applying to mutual aid in the prosecution of the war, which was signed yesterday, Monday, February 23, by the Acting Secretary of State and the British Ambassador.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address on the subject of unity which I made at the city club in the city of Cleveland, Ohio, on Saturday, February 21, 1942.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio [Mrs. BOLTON]?

There was no objection.

LEAVE OF ABSENCE

Mr. ANGELL. Mr. Speaker, my colleague the gentleman from Oregon [Mr. PIERCE] has been called home on account of a death in his family. I ask unanimous consent that he may be excused for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 25 minutes. I relinquish the time I have been allowed for today.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

(Mr. HAINES, Mr. COLLINS, and Mr. ROMJUE asked and were given permission to extend their own remarks in the RECORD.)

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Milwaukee Journal.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

JAPANESE IN CALIFORNIA

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I want to add to the remarks of my colleague the gentleman from California [Mr. ELLIOTT]. The newspaper accounts show that signals were made from the hills to direct the fire from a submarine operating up above Santa Barbara. We know that this is a serious matter. We are asking for real, honest-to-goodness action. The President has concurred and issued orders in line with our recommendations, but we feel that all the Japanese should be immediately removed from any strategic area where they can signal to U-boats at sea in order to direct their fire.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. I yield to the gentleman from Mississippi.

Mr. RANKIN. They are doing the same thing in Hawaii now. From the mountaintops in the Hawaiian Islands the Japs are flashing lights and signaling Japanese submarines and war vessels out at sea.

Mr. LELAND M. FORD. They are also at Catalina Island. Our Forestry Department agent there has reported the presence of U-boats there several times, but does not seem to get anywhere. He devised some means of his own for stopping them, but they stopped him.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Frank Kent appearing in the Washington Star.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LETTER FROM A SOLDIER IN THE PHILIPPINES

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. HINSHAW addressed the House. His remarks appear in the Appendix.]

REPEAL OF CONGRESSIONAL RETIREMENT ACT

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement I have received from four professors of Butler University.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Oxford Review-Times.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FARM LABOR SHORTAGE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for one minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, the House Committee on Agriculture, of which I am a member, has held hearings during the last 2 days with reference to the probable shortage of farm labor. We have questioned General Hershey and other selective-service officials and agricultural officials as to the future draft policy insofar as it relates to agricultural youths.

Mr. Speaker and fellow Members of the House, Oklahoma youths are extremely patriotic. Thousands have volunteered to the extent that Oklahoma is second in the United States in its percentage of voluntary enlistment. Our selective-service draft boards and the citizens of Oklahoma as a whole are so patriotic that very few young farmers have been exempt from the draft. General Hershey voiced the opinion that producing "food for freedom" was likewise essential. It seems to me that specific instructions from the national selective-service headquarters will be necessary in some instances with reference to retaining some farm youths where it is shown that they are absolutely essential to the production of necessary foods.

Prior to the Pearl Harbor incident the priorities division allotted to the farming industry an amount equal to 83 percent of the farm implements purchased in 1940. To produce the amount of "food for freedom" as fixed by the quotas at that time it would require 107 percent of the 1940 purchases of implements. Since then the goals of many necessary items, such as oils, fats, and so forth, have been changed and it would now require farming equipment equal to 120 percent of the 1940 purchases.

And even if we had the additional farming equipment we would still have a shortage of labor on the farms.

Therefore, in view of the future outlook, I earnestly recommend that in addition to the foregoing recommendations I have made that the Social Security Board and the various public welfare commissions amend their rules to permit the aged who are able and willing to perform farm duties to do so and receive compensation therefor without deduction from their pension payments. I have introduced a bill that would amend the law accordingly.

Mr. KOPPLEMANN. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. I yield to the gentleman from Connecticut.

Mr. KOPPLEMANN. May I add that the Japs and others whom it is now suggested be placed in concentration camps should rather be placed on the farms of this country to help produce foods for us and our Allies.

Mr. RANKIN of Mississippi. Oh, no; we have enough farmers without putting these Japanese to raising crops in competition with them. Our own farmers are entitled to our first consideration.

Mr. WICKERSHAM. I personally would recommend that the 126,947 Japs who according to the last available census were in the United States on April 1, 1940, of whom I am told 47,305 were foreign-born and therefore alien and ineligible for citizenship, be placed in carefully guarded concentration camps far removed from all defense projects. And, to insure the proper protection, care, and safe return of our fine American boys that are being held captive by the Axis Powers, I would favor offering to deliver five Japs in exchange for each American safely returned to us.

[Here the gavel fell.]

WORKING HOURS IN WAR INDUSTRIES

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, while we are repealing pension legislation, there is certain other legislation which should be repealed or suspended for the duration of the war. It is ridiculous for war industries to operate on an 8-hour day and a 40-hour week. Such restrictions should be suspended for the duration. This should also apply to Government employees. On almost every corner in the Capital temporary buildings are being constructed and filled with temporary employees. We are told that we are facing a labor shortage. It seems to me that it would not hurt anybody in this country to work 9 and 10 hours, or longer, per day, if necessary, and thereby create a greater supply of labor.

Some weeks ago the House passed the so-called Smith bill outlawing strikes in war industries for the duration. This bill now sleeps in another chamber. It should be enacted into law immediately.

[Here the gavel fell.]

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ENEMY ALIENS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, hundreds of enemy aliens, mostly Japanese, are being taken into custody. Thousands, however, are still free to come and go as they please, ready to carry out acts of destruction at the proper time. A few matches carefully applied in our Montana forests, on our rich grasslands, or in our wheatfields could do untold damage. As this Danvers gentleman points out, how is one to tell a good Jap from a bad Jap? This may seem a little in the extreme but I say that all such enemies or potential enemies of the United States should be put in inland concentration camps where they can do no harm. These people could be put to work—under armed guards—on public works for the duration. This may sound like a harsh step to take, but these are wartimes and we must consider our own safety first. You can bet your last cent there are no Americans running around the streets of Tokyo, Rome, or Berlin. Remember the old saying: "Once a Jap, always a Jap."

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman.

Mr. CASE of South Dakota. Where would the gentleman have the concentration camps?

Mr. O'CONNOR. I do not want them in South Dakota either.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the Commissioner from Puerto Rico?

There was no objection.

CANCEL A DEFENSE STAMP SO UNCLE SAM WILL NEVER HAVE TO CASH IT

Mr. FORAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FORAND. Mr. Speaker, every American is anxious to do something to help our country win the war. Whether in the armed forces, in a factory, in a shop, or in an office, all of us can contribute a share to defeat the enemy by doing to the best of our ability the work in which we are engaged.

A new and novel way to add to that which we are now doing by our labor and by our purchase of Defense stamps and bonds has just been suggested by Mr. Edward Barber, of my home State. Mr. Barber points out that under the ordinary procedure, which is a most commendable one, we only loan our money to the Government when we purchase Defense stamps and bonds. Why not make a direct gift, he suggested to his fellow members of the Cranston Lions Club a few days ago. Why not each member of the Lions Clubs purchase a 25-cent Defense stamp and cancel it by writing his name on it, and then send it to President Roosevelt as a contribution?

I heartily approve of Mr. Barber's suggestion, Mr. Speaker, and I pass the suggestion along in the hope that millions of American citizens will adopt it. A million persons, each purchasing and canceling a 25-cent Defense stamp, would thereby make a gift of $250,000 to Uncle Sam and help purchase victory. A nice, tidy sum, I say, and I sincerely hope it will be realized.

EXTENSION OF REMARKS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Judge Pritchard, of North Carolina.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

WORKING HOURS IN WAR INDUSTRIES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I simply want to say that I doubt if there is a single war industry that is only working 40 hours a week. I am trying to ascertain the exact number of hours worked by these industries, and the latest information I have had is to the effect that, on the average, the number of hours being worked per man per week is between 50 and 60 hours a week, depending on the industry.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks on two different subjects.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MARKETING QUOTAS FOR TOBACCO

Mr. CHAPMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6470) to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under secton 312 (a) of the Agricultural Adjustment Act of 1938, may be increased.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object, to ask the gentleman from Kentucky to explain just what the bill does.

Mr. CHAPMAN. Mr. Speaker, the purpose of this bill is to change from December 31 to March 1 the closing date of the period within which the Secretary of Agriculture may increase tobacco quotas. Under the Agricultural Adjustment Act of 1938 it is the duty of the Secretary of Agriculture on the 1st day of December each year to proclaim quotas of the different types of tobacco, and then, not later than the 31st of December, he may, in his discretion, increase by not more than 20 percent, the quotas on any type of tobacco if he thinks such increase is justified by conditions in the tobacco industry.

Mr. KOPPLEMANN. Or decrease them.

Mr. CHAPMAN. No. The purpose of this bill is to change that closing date of the period within which he may make such adjustment from December 31 to March 1. The necessity for the bill arises from the fact that the marketing season for some types of tobacco is entirely finished before December 31, but in the case of burley tobacco, and also of the different types of dark tobacco produced in Kentucky and Tennessee the market opens about the first week in December and continues until a few days before Christmas, at which time it is suspended until after Christmas, and then usually continues into the new year for several weeks. By December 31, in the midst of the marketing season, it is impossible for the Secretary, with much of a degree of certainty, to reach a conclusion concerning conditions in tobacco markets so as to determine intelligently whether or not an increase in the quota is justified.

Mr. MARTIN of Massachusetts. The bill has been acted upon by the Committee on Agriculture?

Mr. CHAPMAN. It comes with a unanimous report from the Committee on Agriculture.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. CHAPMAN. Yes; I yield.

Mr. ROBSION of Kentucky. I have no desire to object, but I want to get some information from the gentleman. Is there a general demand for this legislation?

Mr. CHAPMAN. Mr. Speaker, there is considerable demand for it. There is also considerable demand for an increase of burley quotas for 1942. The enactment of this bill into law, however, does not mean necessarily that there will be any increase this year. The purpose of this bill is to place burley, and also dark, tobacco on an equal footing, so far as quotas are concerned, with the types of tobacco whose markets are closed before December 31. The question as to whether or not an increase of quotas is justified is an economic question, to be decided by the Secretary of Agriculture. The purpose of this bill is to make it possible for him to grant an increase if such increase is justified by conditions that develop or become apparent between December 31 and March 1.

Mr. ROBSION of Kentucky. I have had quite a number of demands from my district for this legislation, and I commend the gentleman and the Committee on Agriculture, and endorse the bill.

Mr. CHAPMAN. I thank my colleague. I have no doubt that the gentleman has, as have some of the rest of us who represent tobacco-producing sections of the country, received numerous endorsements of this bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I reserve the right to object.

Mr. GREEN. Mr. Speaker, will the gentleman yield?

Mr. CHAPMAN. Yes.

Mr. GREEN. I wonder if this will affect the planting season in Florida. In other words, if you delay the extension of the allocation of quotas until February or March, which is past the planting time in Florida, then we would not participate in any left-over quotas?

Mr. CHAPMAN. I answer the gentleman from Florida by saying that the Secretary under the Agricultural Adjustment Act of 1938 proclaims quotas December 1.

Mr. GREEN. And this bill would not obviate that?

Mr. CHAPMAN. It would not change that at all. It would merely extend the period within which quotas can be increased.

Mr. GREEN. Or affect the Florida early planting?

Mr. CHAPMAN. No.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CHAPMAN. Yes; I yield to the gentleman from Pennsylvania.

Mr. RICH. Does not the gentleman think that while giving the Secretary of Agriculture power to do this, we ought also to include in that wheat and sugar as well?

Mr. CHAPMAN. I do not think that has anything whatever to do with this bill.

Mr. RICH. It does not with this bill, but it gives the Secretary of Agriculture the right to increase the quota on the other commodities. We are short of sugar, but if we are to be the granary of the world we ought to raise all the produce in this country we can instead of paying the farmers for not raising things.

Mr. CHAPMAN. If the gentleman is correct in his conclusion, that can all be accomplished by amendments to the

sugar quota and other quotas. This affects only the types of tobacco that are peculiarly situated so that the date, December 31, makes the operation of the present law unfair as to them.

Mr. RICH. I am in sympathy with that, as well as giving the Secretary power to increase the quotas on other agricultural commodities.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 312 (a) of the Agricultural Adjustment Act of 1938, as amended (U. S. C., 1940 edition, title 7, sec. 1312 (a)), is amended by striking out "December 31" and inserting in lieu thereof "the following February 15."

With the following committee amendment:

Page 1, line 7, strike out "February 15" and insert "March 1."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHECKING APPROPRIATIONS

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANHAM. Mr. Speaker, in accordance with suggestions made by me in recent remarks on the floor of this House, I am today introducing a bill authorizing some agents of the House of Representatives to follow up the appropriations made by the Congress to see how the money is spent and how we can reduce expenditures and eliminate duplication and waste.

I realize it is not a perfect bill, but it is at least a basis for consideration of this important matter. I think a proper solution of this problem will save the taxpayers of this country many millions of dollars.

I think also that such a measure, if adopted, would be of assistance to the President and to the Bureau of the Budget in determining the economies that can be effected in the proper reduction of the amounts that we are appropriating and expending.

[Here the gavel fell.]

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business in order this week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE RAMSPECK BILL

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, we are about to repeal one provision of the Ramspeck Act which will eliminate pensions for Congressmen, Senators, and Cabinet officers; but what about the other provision of that act which pensions 250,000 purely political jobholders, drawing salaries up to $12,000, even $18,000, a year, at a cost to the American people, to begin with, of $44,000,000 a year? We are not doing our duty today unless we take steps immediately to repeal this other part of the Ramspeck Act.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BLACKNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL UNITY

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. BENNETT addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the Courier Journal of Louisville, Ky., announcing another great victory for the people in the valley of Kentucky.

The SPEAKER. Is there objection?

There was no objection.

CALL OF THE HOUSE

Mr. VINSON of Georgia. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered. The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 27]

Anderson, N. Mex.	Johnson, Lyndon B.	Sacks
Arnold	Kleberg	Schaefer Ill.
Byron	Kramer	Sheridan
Cole, Md.	Magnuson	Smith, Pa.
Eberharter	Mitchell	Somers, N. Y.
Eliot, Mass.	Norton	Sparkman
Englebright	O'Brien, N. Y.	Stearns, N. H.
Fish	O'Day	Stratton
Gearhart	Osmers	Tolan
Healey	Patman	Traynor
Jarrett	Pierce	Walter
Johnson, Calif.	Rizley	West
		Worley

The SPEAKER. Three hundred and ninety-four Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation:

The Honorable SAM RAYBURN,
House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I herewith respectfully submit my resignation from the Select Committee of the House to Investigate National Defense Migration.

Sincerely yours,

FRANK C. OSMERS, Jr.

The SPEAKER. Pursuant to the provisions of House Resolution 63 of the Seventy-sixth Congress and continued by House Resolution 16 and House Resolution 113 of the Seventy-seventh Congress, the Chair appoints as a member of the Select Committee To Investigate National Defense Migration the gentleman from Ohio [Mr. BENDER] to fill the existing vacancy thereon.

PAY AND ALLOWANCES OF PERSONNEL OF ARMY, NAVY, MARINE CORPS, AND COAST GUARD, AND REPEAL OF RETIREMENT FOR ELECTIVE OFFICERS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, on February 19, the Senate passed the bill, H. R. 6446, after having amended it by striking out all after the enacting clause and inserting in lieu thereof new matter. Included in this amendment was a provision embodied in section 15, providing for the repeal of that part of the Civil Service Retirement Act granting retirement privileges to elective officers. After considering the entire amendment, I find it advisable and necessary to ask a conference with the Senate in order to work out the details of some of the other features of the Senate amendment.

Under the parliamentary situation as it now exists, the only satisfactory way of giving Members of the House an opportunity of passing upon that provision of the Senate amendment providing for the repeal of the retirement provision is to offer a motion to instruct the conferees on the part of the House to insist upon the retention of that portion of the Senate amendment relating to the repeal provision as it applies to elective officers. If that motion, which I shall offer at the appropriate time, is agreed to, I can assure my colleagues in the House that the conference report will retain the provisions of the Senate amendment relating to the repeal of the Retirement Act as it applies to elective officers.

I may say, Mr. Speaker, that I have arranged this procedure because the Members of the House insist upon an opportunity of voting separately upon the repeal provision. This is the only practical way that it can now be had. I hope that no Member will object to my request to send the bill to conference so that I may make this motion which will give Members of the House an opportunity of recording themselves on a yea-and-nay vote on the proposition of whether they want to retain retirement provisions for elective officers or whether they want to repeal it.

Therefore, a vote of "aye" on my motion to instruct will be equivalent to voting for the repeal of that portion of the Retirement Act relating to elective officers.

Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, with Senate amendments, disagree to the Senate amendments, and request a conference with the Senate on the disagreeing votes of the two Houses.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not, because I am heartily in favor of the gentleman's proposal to repeal the so-called pensions for elective officers, I aided in defeating the same proposal in 1939 and have never favored the suggestion. I want to congratulate the gentleman from Georgia in giving the membership of the House an opportunity to vote. I think the repeal of this provision will be a splendid public service.

The people of the country are deeply disturbed about the excessive spending and the financial condition of the country. They are being called upon to pay out a large part of their income in the form of taxes. These taxes will be materially increased.

Billions of dollars must be spent to win the war in which we are engaged. No one will question these expenditures. They want the money spent properly, and they want economy, but they will cheerfully pay taxes for war purposes, as they appreciate their liberties and security are at stake.

The people are demanding drastic reductions in the nondefense spending. They are demanding a retrenchment of spending on the part of the bureaucrats. These curtailments must be made if we are to remain a solvent Nation. It is because of this desperate condition of the finances of the Nation that this repeal vote should be passed. It will restore confidence on the part of the people that Congress will strive to put our finances in better condition. I congratulate the gentleman from Georgia upon his position, and I hope there will be no objection to his request.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, and it is not my purpose to object to this unanimous-consent request, I have repeatedly said I would never join the retirement system unless I paid the back money, which in my case would be around $8,000, and $41.67 a month thereafter. I will vote for a retirement bill to retire Members of Congress where the Member makes such contributions, but I want to call the gentleman's attention and to the House this Senate amendment.

What caused all the trouble in this country was the statement by a Senator that a man by paying 5 percent of 1 day's salary could retire and get the benefits of the Retirement Act. If this be so, why did the Senate not delete that from the Retirement Act now under consideration? And again I will call your attention to other provisions so you will go into this matter with your eyes wide open and to prevent the question from bouncing back in your lap again, that the amendment provides not only to deny Members of Congress the right to participate but also the President and the heads of the executive departments. What is an executive department? Only a department that has a Cabinet officer at its head. The amendment stops there. Have you stopped to think what that means? If you will follow me, I propose to tell you; so listen, and do not say at a later date you did not so understand the situation. Do not say anyone took advantage of you. Practically the entire membership of the House is present at the moment.

Now listen:

Under the Senate amendment you are denying the Honorable Cordell Hull, a Cabinet officer, a man who served in this House with great distinction, who served in the other body with great distinction, and has been one of the greatest Secretaries of State this country has ever known, the right to retire. He was the father of our original estate and gift tax laws. He fought for proper revenue legislation and against destructive tariffs. Yes, to him belongs the credit for reciprocal tariff agreements. Sunday I read in a paper where Secretary Hull has gone south to try to regain his health. The author of that article—I do not know whether he knew what he was talking about—but he also said that the Secretary was also broke in pocket. Again I say, now listen. You deny Secretary Hull the right to retire, but you give to the members of the Interstate Commerce Commission and every other commission, bureau, and independent agency of this Government the right to retire. If the Senator was right about his 5 percent of 1 day's pay proposition, then look into it when you go to conference, and when you come back with the conference report bring something back so it will not return to plague you.

I do not want to be critical but we have heard a great deal recently from Members concerning this legislation. Let it be known the bill was placed on the Unanimous Consent Calendar November 19, 1941. It remained there until December 1, 1941, when it passed without objection. Every morning there is a calendar delivered to our desks giving the status of legislation and any Member has an opportunity to see what legislation is in order. Furthermore, everyone knows a bill must be on the Consent Calendar for 3 days before it is eligible to be called up, but in this instance the bill remained on the calendar 12 days.

For years the question of permitting Members of Congress to benefits under the retirement act has been a topic of discussion not only on the floor but in the cloak rooms.

The gentleman from Georgia [Mr. RAMSPECK] in bringing in this legislation after it had been ordered reported by his committee was doing something that I am sure a majority of this House had been advocating at one time.

It is my understanding the Senator who voiced the strongest objection in the Senate stood ready to support the bill if an amendment which he offered was adopted.

Outstanding businessmen in my city advocated the passage of legislation permitting Members of Congress to come under the Retirement Act. Every big corporation in the country has some kind of a retirement system for its officials. The employees are taken care of under the Unemployment Insurance Act. I have voted for social-security legislation ever since being a Member of this House. I believe in it. A number of States have laws where the members of their legislative bodies as well as other elective officials can benefit.

If this question was properly placed before the country I cannot conceive there would be any opposition. The outstanding factor in opposition to this legislation now undoubtedly was the time it was enacted.

I bow to the will of public opinion but I hope some day Congress will provide for its Members to be covered under the Retirement Act provided they contribute the back money to the retirement fund. I really feel in the end it would be beneficial to the taxpayers because they might be more independent in their approach to legislation. That was the argument advanced in the article I read in the Readers Digest on the subject which I referred to on a previous occasion.

Mr. VINSON of Georgia. Mr. Speaker, I wish to inform the House that if this request prevails, I propose to submit a privileged motion which will read as follows:

That the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, be, and they are hereby, instructed to agree to those portions of the Senate amendment relating to the repeal of that part of the Civil Service Retirement Act providing retirement privileges to elective officers.

So the subject matter that was discussed by the distinguished gentleman from Missouri [Mr. COCHRAN] can be taken into consideration by the conferees.

Mr. COCHRAN. That is all I request.

Mr. VINSON of Georgia. All we are doing now is going on record by a yea and nay vote in reference to that portion of the Byrd amendment relating to the President, the Vice President, the Senators, and Members of the House. The matter involving the executive heads of the Government is one the conferees will consider in conference.

Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

Mr. GREEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GREEN. I would like to be advised if it will be in order to offer as a substitute for the motion of the gentleman from Georgia a motion to take up

one of the pending bills for the relief of the aged of this country?

The SPEAKER. Not unless the gentleman from Georgia [Mr. VINSON] yields for that purpose.

Mr. VINSON of Georgia. I assure the gentleman I will not yield for that purpose.

Mr. GREEN. Mr. Speaker, then I shall have to object.

Mr. NICHOLS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NICHOLS. I would like to find out whether or not, if the gentleman's motion prevails, which will instruct the conferees to insist on the amendment, when the conference report comes back to the House, there will be opportunity for the membership of the House to vote directly on the repeal of this act?

Mr. VINSON of Georgia. No. This is the only way, and it is deliberately done this way, to instruct the conferees. This is the only way parliamentarily you can vote directly on the Byrd amendment, because it is one amendment, one amendment from the Senate. When the conference report comes back there will be various subject matters in this one amendment and you will have to vote it up or down. So this is the only opportunity that we have of voting directly on the proposition relating to the repeal of annuities, retirements, or pensions to elective officers.

Mr. NICHOLS. When the conference report comes back could not the gentleman by unanimous consent obtain a separate vote on this amendment?

The SPEAKER. The gentleman could not, because the Chair would not entertain a unanimous-consent request of that nature. Is there objection to the request of the gentleman from Georgia [Mr. VINSON].

Mr. MARTIN J. KENNEDY. Mr. Speaker, reserving the right to object——

The SPEAKER. The gentleman cannot be recognized for that purpose. The regular order has been demanded. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

Mr. MARTIN J. KENNEDY. Mr. Speaker, I object.

Mr. VINSON of Georgia. Mr. Speaker, I wish to announce to the House that I shall proceed to the Rules Committee for a rule to carry out the arrangements I have just explained to the House.

SECOND WAR POWERS ACT, 1942

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 444 and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 444), as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the act (S. 2208) to further expedite the prosecution of the war. That after general debate, which shall be confined to the act and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the act shall be read for amendment under the 5-minute rule. At the conclusion of such consideration the Committee shall rise and report the act to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, the rule now being presented to the House is one making in order the so-called war powers bill. I shall not undertake to discuss the merits of the bill. I simply wish to make an explanation as to why this rule dealing with a bill involving so many mixed questions was granted.

There are a great many separate titles to this bill—I believe 16 in all—dealing with questions over which committees other than the Committee on the Judiciary have primary jurisdiction. Your Rules Committee held up reporting this rule for several days. The hesitation on the part of the committee in granting the rule was due to the fact that we questioned somewhat the reporting of a bill of this character dealing with so many different questions, the different titles of which had not previously been cleared through committees having jurisdiction of the various questions. However, there was a necessity for speed, and the committee granted the rule, but with the understanding that hereafter when these omnibus bills came to the committee no rule for consideration would be granted except on the condition that the different questions had been cleared through the various committees of the House. It was the feeling of the Committee on Rules that the taking of that attitude was necessary in order to protect the different committees in their jurisdiction of the several questions involved.

This is an ordinary open rule. All germane amendments will be in order. I may say that consideration was given to the question of making in order a bill offered by the gentleman from Virginia [Mr. SMITH] which provides for the suspension of the 40-hour-week law during the period of the war. We concluded, however, that we would not in this instance report a rule making in order that bill.

While I have the floor, I wish to express the hope that when the next omnibus bill comes to this House for consideration—and one will be coming in soon, I am informed—it will carry an item embodying the provisions of the Smith bill.

We are at war. It is no longer a question of whose war it is. It is everybody's fight. It is not a matter of extending aid to England any longer, or of carrying the four freedoms to the four corners of the globe. It is a war for the saving of our own America; it is a war in which we must all do our part.

I hope the House will accept the resolution without any extended controversy, so that you may immediately and promptly proceed to the consideration of the bill, for which full time for debate is provided in the rule.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, as the gentleman from Georgia has wisely said, this bill is all-comprehensive. In my judgment, there has never been one bill presented to the Congress throughout its history that abandoned so many of the principles which obtain in our Government in peacetimes, and which principles are closely connected with and necessary to the functioning of a democracy.

This bill contains titles which should have been discussed and considered by the several legislative committees familiar with the particular subject matter, and, in fact, expert along that line. However, I voted as a member of the legislative committee to which the bill was referred to report the bill favorably. As a member of the Committee on Rules, I voted to make the bill in order and bring it before the House. I did this because this is an administration bill, submitted to the Congress with the approval of every administration official, from the President down through the heads of the several departments, including Justice, War, Navy, and the others. In other words, we are told that this is an essential national defense bill. We are told frankly that the only excuse for bringing it before the Congress is that the national defense requires its enactment and requires that enactment now.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Kentucky.

Mr. MAY. May I inquire of the gentleman, since I have not had an opportunity to read the bill or the hearings on it, if it is a national defense bill, why was it not referred to the House Committee on Military Affairs, or why should that committee not have considered certain parts of it, in view of the gentleman's statement awhile ago that it contains so many different subjects?

Mr. MICHENER. The only reason is that the Committee on the Judiciary was advised that speed is essential, that time is of the essence of this action. Extensive hearings are impractical when the powers herein granted are needed to repel our enemies.

As one who has consecrated himself to go along with our leadership and with the Commander in Chief of the Army and the Navy in all matters which are deemed absolutely essential to the winning of the war, I feel that this is a time when I am justified and warranted, in voting to give vitality to this bill.

Mr. MAY. Mr. Speaker, will the gentleman yield further?

Mr. MICHENER. I would rather not take any more time now. The bill will be discussed by those who are much more familiar with its details than I am I do want to make it clear, however, that there is no necessity for me to make my position clear to every Member of this Congress. You know my position as far as granting these extraordinary powers to the administration and to the Chief Executive is concerned. Under no conditions would I vote to grant these additional powers if I did not realize the condition the country is in today.

This war is being directed by the Commander in Chief of our Army and Navy. He asks and he demands this power. Far be it from me under such conditions to withhold any power which seems to be essential. These are extraordinary times and require extraordinary remedies. I cannot assume the responsibility of denying the President what he here demands.

I only say that I do this reluctantly. I hope and I believe that an all-wise Creator will forgive me for supporting much of the legislation passing the Congress in recent weeks. Nothing short of national preservation will excuse such legislation.

Mr. MAY. Mr. Speaker, will the gentleman yield for one other question?

Mr. MICHENER. If it is short.

Mr. MAY. In view of what transpired between us just awhile ago, I do not want to be understood as criticizing any reference of this bill to any other committee than the House Committee on Military Affairs, but in view of the debate here, I think the gentleman should state, if he knows, whether or not it is true that the House Committee on Military Affairs does not delay things any more than any other committee of the House.

Mr. MICHENER. The gentleman's committee does a very good job and all the committees do a very good job. I hope it will not be necessary to adopt this extraordinary procedure at any other time.

Mr. Speaker, I now yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I do not know whether much can be added to what has already been said. I am particularly pleased to observe the reactions of some of the other members of the Rules Committee to the particular procedure here involved, and I trust that in the future bills of this sort can be avoided.

Sometimes it is charged that in times of crisis and emergency, representative government is too cumbersome to function with maximum efficiency. I suspect there is a measure of truth in this and that is the reason that in these times we are resorting to a lot of short cuts. We are resorting to the centralization of power, but at the same time I think there must be some point where the regular legislative processes will be followed and, certainly, it seems to me that the legislative processes should be followed unless a clear case can be made for the abandonment of those policies.

If there is need for extreme haste, then, of course, resort to something like this is needed, but in the absence of some very well defined situation like that I am convinced that this sort of bill is bad practice.

Now, it is not at all a matter of jealousy of prerogatives on the part of committees. Rather is it a matter of referring to a committee the amendments of statutes now existing, amendments that may be and undoubtedly are of far-reaching importance and consequence that deal with the technical problems of the statute and its administration. Certainly the particular committee which is familiar with the statute and the field it occupies is the best committee to do the job. For instance, title IV of this bill contains matter that would properly go to the Banking and Currency Committee. If enacted it will permit the purchase by the Federal Reserve banks of the obligations of the United States Government by direct transactions. The law as presently written requires that these bonds, if they are purchased, shall be purchased on the open market. Now, I recall that the Banking and Currency Committee gave this matter a great amount of study and there was much debate about it.

It is no indictment of the Judiciary Committee to point out that they are much less familiar with that proposition than the Banking and Currency Committee.

Another title of this bill undertakes to amend the Interstate Commerce Act and greatly to broaden the powers of the Interstate Commerce Commission over the motor-vehicle industry and its operations. I think anyone who has dealt with these general problems of transportation and the application of the law to them and the administration of those laws recognizes that that particular title is dealing with a matter that is highly technical and peculiarly within the province of the Interstate and Foreign Commerce Committee. Would not that committee be in much better position to pass upon the tremendous grant of power involved?

On the matter of haste, I recall that not so long ago there was before the Interstate and Foreign Commerce Committee a proposal to broaden the powers of the F. C. C. over the wire communications of the country. Hearings were held and a bill was brought to the floor. I do not believe the whole time was over 4 or 5 days from beginning to end, or from the time the proposal was first made to the Congress until it was finally enacted into law. So, certainly, if we can have that much expedition in respect to such matters it would seem to me that careful consideration would direct that they be sent to the committees that have had them in charge. In that particular matter the committee was very careful to provide certain safeguards with the grant of power made.

You know frequently it happens that while we must grant these tremendously broad powers to be administered by some executive or administrative agency of the Government, a committee familiar with all of the operations of the statute, including its administration, can write in certain protections and safeguards that might turn out to be very helpful and for the best interests of the country. So I trust that in the future when matters of this sort are to be proposed, unless it is absolutely essential that we enact them so quickly that we can only do so in an omnibus bill, that the matters be referred to the committees which would have jurisdiction of them in the usual course of legislative process.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. NICHOLS] such time as he may desire.

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a petition which I have filed with the Committee on the Civil Service.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NICHOLS. Mr. Speaker, the following is a petition containing the signatures of 205 Members of the House of Representatives, which I prepared and started circulating on Friday, February 13, 1942, and which was filed with the Committee on the Civil Service in the House of Representatives just after noon on Thursday, February 19, 1942.

The Civil Service Committee at the close of its hearing on Thursday, February 19, 1942, voted out of said committee a bill, H. R. 6636, providing for the repeal of that portion of House Resolution 3482, extending the Civil Service Retirement Act to include Members of the House of Representatives and the Senate, and other elective officers, as provided for in this petition.

I wish to take this opportunity to thank those whose names appear on the petition because I am sure that the Committee on the Civil Service was happy to be advised by this direct means the feelings of so many Members of the House of Representatives.

I think it fair that I should further state that since this petition was not a formal one and could not be placed on the Speaker's table for signatures, and thus no announcement was ever made in the House of its circulation, that many Members whose names do not appear on the petition would have signed the same had they known of its circulation, or had I been able to contact them.

PETITION TO THE STANDING COMMITTEE ON THE CIVIL SERVICE OF THE HOUSE OF REPRESENTATIVES

We, the undersigned Members of the House of Representatives, convened in the second session of the Seventy-seventh Congress, petition and insist that your committee bring to the floor of the House of Representatives for immediate consideration, a bill providing for the repeal of that portion of House Resolution 3487 which provides for the extension of the Civil Service Retirement Act, approved May 29, 1930, to include Members of the House of Representatives and the Senate, and other elective officers.

Jack Nichols, Mike Monroney, Wesley E. Disney, Lyle H. Boren, Wilburn Cartwright, Jed Johnson, Victor Wickersham, Ross Rizley, Everett M. Dirksen, George W. Gillie, Andrew Edmiston, Usher L. Burdick, Raymond S. Springer, Paul W. Shafer, Albert J. Engel, Thomas D'Alesandro, Jr., John H. Folger, Estes Kefauver, John A. Meyer, R. L. F. Sikes, Thad F. Wasielewski, Carl Hinshaw, Stephen Pace, John J. McIntyre, Oren Harris, Charles Robertson, W. O. Burgin, Fritz G. Lanham, William M. Whittington, J. E. Rankin, S. O. Bland, L. Mendel Rivers, Sam W. Russell, Merlin Hull, Reid F. Murray, Albert Gore, B. Frank Whelchel, Karl E. Mundt, Clinton P. Anderson, Joshua L. Johns, William H. Stevenson, Richard P. Gale, A. Willis Robertson, John W. Boehne, Jr., Milton H. West, Frank Carlson, Robert L. Doughton, Donald H. McLean, Thomas A. Jenkins, George W.

Johnson, Wilbur D. Mills, E. C. Gathings, E. Harold Cluett, James W. Wadsworth, Thomas E. Martin, Karl M. LeCompte, Martin F. Smith, Fred C. Gilchrist, Paul Cunningham, Joseph R. Bryson, A. Sidney Camp, Carl T. Curtis, Dow W. Harter, William S. Jacobsen, J. P. Richards, Henry O. Talle, Robert B. Chiperfield, Howard W. Smith, George A. Paddock, Clyde T. Ellis, J. Percy Priest, W. F. Norrell, Frank B. Keefe, Butler B. Hare, R. M. Duncan, D. D. Terry, T. G. Burch, George Mahon, John H. Tolan, Dan R. McGehee, Fred J. Douglas, Fadjo Cravens, A. L. Ford, Paul Brown, L. C. Arends, Pat Cannon, Jessie Sumner, William R. Thom, W. G. Andrews, Clifford Davis, M. A. Romjue, Harry Sauthoff, Jerry Voorhis, Philip A. Traynor, U. S. Guyer, Clifford R. Hope, W. P. Lambertson, B. J. Gehrmann, Greg Holbrock, Jacob E. Davis, Thomas E. Scanlon, Louis E. Graham, J. W. Ditter, Ivor D. Fenton, J. Roland Kinzer, Harve Tibbott, Charles L. Berlach, Cliff Clevenger, Joseph J. O'Brien, L. W. Hall, Ed Gossett, James M. Barnes, Robert F. Rich, Harry B. Coffee, Thomas J. Lane, Lansdale G. Sasscer, Arthur G. Klein, Samuel A. Weiss, James A. Shanley, Frederick C. Smith, Ross A. Collins, Oren S. Copeland, Rudolph G. Tenerowicz, Herron Pearson, Hugh D. Scott, Jr., Robert F. Rockwell, John M. Vorys, W. H. Larrabee, A. J. Elliott, R. L. Rodgers, M. C. Tarver, Wirt Courtney, R. E. Thomason, D. J. Ward, E. V. Creal, L. F. Arnold, Oscar Youngdahl, J. Hardin Peterson, E. E. Cox, Elmer H. Wene, Katharine Edgar Byron, William J. Fitzgerald, Lex Green, Lawrence E. Imhoff, Edward H. Reed, N. M. Mason, Phil A. Bennett, J. Edgar Chenoweth, H. Carl Andersen, Edwin A. Hall, William H. Stevenson, William T. Pheiffer, Frank Fellows, Jesse P. Wolcott, Clarence J. Brown, Lewis K. Rockefeller, George A. Dondero, Lawrence H. Smith, Ward Johnson, James V. Heidinger, George H. Bender, Earl C. Michener, Ralph A. Gamble, William E. Hess, William W. Blackney, William S. Hill, Bartel E. Jonkman, Lewis D. Thill, Charles H. Elston, John W. Gwynne, George J. Bates, Robert F. Jones, Karl Stefan, Joseph P. O'Hara, Melvin J. Maas, Clarence E. Kilburn, Fred Bradley, Edith Nourse Rogers, John C. Kunkel, Henry C. Dworshak, John Jennings, Jr., Joseph E. Talbot, Frances P. Bolton, William M. Colmer, George D. O'Brien, Louis Ludlow, Charles A. Plumley, Jamie L. Whitten, Richard M. Simpson, Walter C. Ploeser, A. D. Baumhart, Jr., W. H. Wheat, Evan Howell, Robert W. Kean, Stephen A. Day, Homer D. Angell, Robert A. Grant, Leo E. Allen, Noble J. Johnson, Foster Stearns, Jeannette Rankin, Francis H. Case, Anton J. Johnson, Stephen M. Young, H. P. Fulmer.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. LEWIS].

Mr. LEWIS. Mr. Speaker, it is not often that I ask the indulgence of the House to hear me; but I do feel very strongly that this rule which has just been called up should be defeated. The rule, if adopted, would make in order S. 2208, an omnibus bill, which, in my opinion, is particularly objectionable. It includes no less than 16 titles. After a hasty examination of the bill, I believe that no one title is germane to any of the other 15.

The gentleman from Indiana [Mr. HALLECK], who last spoke, referred to the fact that of these 16 titles some are of a technical nature. Several are certainly of a controversial nature. Let us run over these titles very rapidly. Title I refers to "Emergency powers of the Interstate Commerce Commission over motor and water carriers." Title II refers to "Acquisition and disposition of property." Title III has to do with "Priorities powers." Title IV relates to "Purchase by Federal Reserve banks of Government obligations"; title V to "Waiver of navigation and inspection laws"; title VI to "Power to requisition"; title VII to "Political activity"; title VIII to "Compensation for certain civilian defense workers"; title IX to "Protection of war industries and protection of resources subject to hazards of forest fires"; title X to "Free postage for soldiers, sailors, and marines"; title XI to "Naturalization of persons serving in the armed forces of the United States during the present war"; title XII to "Acceptance of conditional gifts to further the war program"; title XIII to "Coinage of 5-cent pieces"; title XIV to "Inspection and audit of war contractors"; title XV to "Utilization of vital war information"; and title XVI to "Time limit and short title."

I believe the Rules Committee should not approve a practice of bringing before the House a bill of this character, covering so many different, diverse, unrelated subjects.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. LEWIS. Yes.

Mr. CELLER. Does not the gentleman recall that we passed a war-powers bill which contained a great many provisions in an omnibus bill, similar to the bill that we are now considering.

Mr. LEWIS. I say that I certainly do not approve of continuing a bad practice. As to any one of several of those 16 diverse titles, there may be a great difference of opinion, but Members must vote for all or against all.

Mr. THOM. Mr. Speaker, will the gentleman yield?

Mr. LEWIS. Yes.

Mr. THOM. I call the gentleman's attention to the fact that under title XI where we treat the question of the naturalization of persons serving in the armed forces during the present war, that all of that material was contained in a previous bill adopted by the House and sent to the Senate, and thereupon the Senate incorporated that subject in this powers bill, so that we are not doing anything new with reference to naturalization.

The SPEAKER. The gentleman from Colorado has consumed 5 minutes.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman 5 minutes more.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. LEWIS. Yes.

Mr. COX. I think it might be made plain that the gentleman is expressing no feeling of disapprobation of the Committee on the Judiciary. In other words, he is not criticizing the Committee on the Judiciary, but is simply criticizing the practice.

Mr. LEWIS. I am criticizing the practice.

Mr. COX. And he would have no objection to the House consideration of an omnibus bill provided the committee to which it was referred would first clear the different subject matters through the several committees having primary jurisdiction?

Mr. LEWIS. Certainly. But I am also considering the position in which the Members of the House are placed under such a rule. I believe it is a part of the duty of the Committee on Rules to consider the effect upon individual Members of the House of the rules which the committee brings before the House. For example, a great proportion of the 16 titles in this bill are not objectionable to me. But several of the titles are highly objectionable to me, and, I dare say, to various other individual Members of the House—perhaps not the same ones that I have in mind. So that the result will be, if this rule is adopted, that if motions to strike out certain titles are made, and those motions should be rejected, that I and other Members would be confronted with this situation, we would have to vote for the whole bill or vote against the whole bill, comprising 16 different titles, some of which the individual Member may approve and the rest disapprove strongly. On a roll call the Member would be charged with responsibility for approving or disapproving the entire bill.

I shall vote against this rule; something I have never done before during the several years since I have been a member of the Committee on Rules. I have high regard for the Committee on the Judiciary, of which I was formerly a member, and I have a very high regard for each and every member of the Committee on Rules. However, I think to adopt this rule would be to follow a very, very bad practice. With very little loss of time we could have had two or three bills embodying titles concerning which there would be no controversy or objection and another bill or bills comprising that title or those titles concerning which there is controversy. We could dispose of each of such bills without consuming much time. Furthermore, Members could register their convictions on each of the subjects without being obliged to vote for a title or titles to which he objects in order to express his approval of title or titles of which he approves. That represents my position.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. LEWIS. Yes.

Mr. MAY. Of course I am raising no question now as to the propriety or impropriety of this bill, and nobody admires the great Committee on the Judiciary of the House any more than I do, but I call attention to title IV, the power of requisition, which deals directly with the act of October 16, 1941, which was

adopted after lengthy hearings on a measure from the House Committee on Military Affairs. I am not certain but that this bill now repeals the provision which the House insisted should go into the act of 1941 authorizing the requisitioning of firearms owned by citizens of the country. I believe it does actually repeal it.

Mr. LEWIS. The gentleman has mentioned just one of perhaps a dozen important questions, which in 2 days' hearings before the Rules Committee were brought up. I am convinced it would be very bad legislative practice to bring this bill with all its 16 diverse titles before the House under this rule. I deeply regret that I am constrained to differ from a number of my colleagues on the Committee on Rules. I voted in committee against reporting this rule and am opposing it now. But I think in their hearts some members feel a good deal as I do and feel this is a bad practice. In this, as in some other cases, the statement was made, in private conversation, "Oh, the President approves of this." In several other cases I have found that some bureaucrats down town have the habit of saying concerning a measure they favor, "Oh, yes; the President approves of this," when I know to my certain knowledge, on certain occasions, when such claims have been made that the President had probably never heard of the bill and certainly had never given to it his blessing or approval. I do not know whether or not the President favors all or any part of this bill. Certainly we have a constitutional duty to perform.

Mr. MAY. One of my colleagues has called attention to the fact that this bill actually does repeal that portion of the War Requisitioning Act which we passed, that prohibited the taking away from a plant or industry certain pieces of machinery that would not be really required.

The SPEAKER. The time of the gentleman from Colorado has again expired.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier today.

The SPEAKER. Without objection, it is so ordered

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. McLAUGHLIN].

Mr. McLAUGHLIN. Mr. Speaker, I should not speak on the rule were it not for the fact that it fell to my lot as chairman of one of the standing subcommittees of the Judiciary Committee to act as chairman in the hearings which were held on this bill.

Members who have addressed themselves to the rule to date have addressed themselves to the proposition that the rule is hardly proper for the reason that the bill contains a number of subjects which, under ordinary circumstances, are within the jurisdiction of the various committees other than the Judiciary Committee, and that it is hardly proper to refer, in the nature of an omnibus bill, so many titles to the Judiciary Committee. Speaking as a member of the Judiciary Committee—and I am sure I speak for the entire Judiciary Committee—I may say that that committee had nothing whatever to do with the reference of this bill to the committee. That is a parliamentary matter which rests outside of the Judiciary Committee. The Judiciary Committee is made up of good soldiers who do what they are told to do in the House of Representatives with respect to the performance of their duties. They do not do what anybody tells them to do in matters within their own conscience, I can assure you, but when they are told to take jurisdiction of a bill the Judiciary Committee does take jurisdiction of that bill.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Georgia.

Mr. COX. Of course, nobody is attacking the reference made of the bill by the Speaker, and I do not understand anybody is attacking the Judiciary Committee.

Mr. McLAUGHLIN. I am glad to have that statement. I am sure it is correct.

Mr. COX. You did a good job with a troublesome proposition.

Mr. McLAUGHLIN. I thank the gentleman.

Mr. COX. I think the gentleman is in error in the statement that those having addressed the House already on the rule are insisting that it is an improper rule. I think it is a very proper rule. The thought is that hereafter it might be well that the committee to which omnibus bills are referred should first clear the subjects contained in that omnibus bill through the various committees which might have jurisdiction.

Mr. McLAUGHLIN. I thank the gentleman for that statement. It assists in clarifying the situation.

This bill, I may say, is a wartime bill. It is a bill to vest certain powers in certain places and to change existing law in order to make it more workable, in order to cope with war problems more efficiently.

There are 16 titles in this bill. I shall not attempt to discuss the individual titles at this time, but in due time, in general debate, I shall be glad to endeavor to explain each of the provisions in order that the membership may be advised as to the titles and as to the scope of the bill.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN. I only have a few minutes, but I will be glad to yield to my friend.

Mr. MAY. I would like to be permitted to make it perfectly clear that I am not criticizing the House Judiciary Committee, and I am not criticizing the Speaker in his reference of the bill, but when you consider the fact that this is a war-powers bill, and at least 10 of the 16 titles of it relate to matters of national defense, and 3 or 4 of them repeal sections of statutes that have been enacted within the past 2 years on reports from the House Military Affairs Committee, I think I ought to make it perfectly clear that that is the reason why I objected to the reference.

Mr. McLAUGHLIN. I am confident that the gentleman is actuated by the highest motives in his observations.

Mr. CELLER. Mr. Speaker, will the gentleman yield briefly?

Mr. McLAUGHLIN. I yield to the gentleman.

Mr. CELLER. It is also well to state to the Members of the House that this bill passed the Senate, and as passed by the Senate, with all of the provisions and all of its titles, was referred to our committee.

Mr. McLAUGHLIN. That is correct.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, it is not my purpose at this time to discuss the pending rule but rather to discuss the question of procedure in the House. Early in the day the gentleman from Georgia [Mr. VINSON], the Chairman of the Naval Affairs Committee, sought unanimous consent to consider the conference report on the naval affairs bill, to which was attached an amendment, or rider, providing for the repeal of the retirement bill, which provided, among other things, for an annuity for elective officers, including Members of Congress. The gentleman from New York [Mr. MARTIN J. KENNEDY] objected to that procedure. Whereupon the chairman of the Naval Affairs Committee announced that he would seek a rule from the Rules Committee for the consideration of the matter. However, I now understand that the gentleman from New York has withdrawn his objection, and that it is the purpose of the gentleman from Georgia [Mr. VINSON] to call the matter up for consideration at the conclusion of consideration of the present rule.

Now, Mr. Speaker, what I want to call to the attention of the House is the fact that in the first instance this retirement bill should have been considered under a rule in the orderly and regular procedure, and, in calling this matter to your attention, I assure you that it is not my purpose to censure anybody or to undertake to lecture this House. I do, however, want to most strenuously object to that kind of procedure which permits a controversial measure of this type to be placed on the Consent Calendar. Of course, Members of Congress, it might be said, are supposed to familiarize themselves with all legislation which is introduced and considered. That is good in theory, but you and I know that in these sessions of Congress there are often more than 10,000 bills introduced, and that it is a physical impossibility for any Member to familiarize himself with all of them. Moreover, it is a physical impossibility for a Member to keep up with all of the hearings and consideration of legislation considered before all of the committees of the Congress. Recognizing this fact, a procedure has been worked out whereby bills of minor importance and without controversy are usually placed upon the Consent Calendar, while the more important bills and those of a

controversial nature are considered under a rule first had and granted by the Rules Committee. But there seems to have grown up a practice on the part of Members with reported bills of national interest and of a controversial nature to have them placed on the Consent Calendar rather than to go before the Rules Committee and seek a rule and go to the trouble of having a hearing thereon. The fact that this is bad practice is demonstrated in the retirement bill, the repeal of which the House will consider today.

This bill was placed on the Consent Calendar without a rule having been sought, along with 50 or more other bills. Had a rule been sought or obtained for the consideration of this legislation as a result of the hearing that would have been had thereon, the bill would not have passed in the first instance, and the House would not today be in the position of considering the repeal of that legislation. No explanation was made of the bill other than the fact that it affected the general retirement law and added some new classes not theretofore provided for.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am sorry, but my time is up. But, Mr. Speaker, I do, in conclusion, desire to express again the hope that Members—and particularly chairmen of committees—will in the future bear this matter in mind and see to it that bills of this nature are considered in the proper and usual manner.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, my remarks will be directed to title IV of this bill.

I have no objection to the adoption of the rule; as a matter of fact, I think the House could well afford to spend some time debating the vast powers covered in the provisions of this proposal.

Mr. Speaker, the Federal Reserve System and the Bank of England today carry a financial burden such as has never before been placed upon financing institutions. Mr. Montagu Norman, who has for some 22 years been the Governor of the Bank of England, according to the best information I can get, directs the Chancelor of the British Exchequer. I say he directs it. We have reached a situation here in the United States through the financial burden which our central reserve banking system must carry, not only in connection with our own war and peacetime burdens but in connection with that portion of the British Empire's burden which we are assuming financially, which, in my opinion, will force activities along the lines set forth in title IV; so, perhaps, irrespective of how much we dislike to have such practices again renewed, it may be necessary.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. Let me proceed just a minute.

As the report points out on pages 7 and 8 the Federal Reserve banks were, prior to 1935, able to buy issues direct from the Treasury instead of going through the open market mechanism. The Banking Act of 1935 forced discontinuance of that practice. Today the Federal Reserve banks, when instructed by the open market committee and the Board of Governors to proceed along certain lines, must all proceed; that is the 12 banks must; there is no dropping out permitted by any individual Reserve bank. They must all go along.

It seems to me that the procedure set forth in title IV ties directly into the question of inflation and with which we must now deal and with which we are attempting to deal under the so-called Price Control Act which became law only last month. I understand that the latest estimates show we shall have a national income this year of about $102,000,000,000, that we shall produce consumer goods and services of approximately $63,000,000,000. leaving a difference there of about $39,000,000,000. If within the next few weeks this House enacts tax laws calling upon our people to throw into the Federal Treasury say $22,000,000,000 a year in the form of Federal taxes, that will leave us with an excess of approximately $17,000,000,000; and, borrowing language of the Price Administrator, that $17,000,000,000 can rattle around in our pockets and add to the prices of goods which we buy if we are permitted to bid against each other in the open market therefor. As the Federal Reserve banks proceed to take up these issues directly from the Treasury we shall probably find that that is as inflationary as any bank activity can possibly be; but I would not say any more inflationary than it would be for the commercial banks of the country to make the purchases direct from the Federal Treasury.

Either way you wish to make it, that is, through the 12 Federal Reserve banks or through the 5,500 to 5,700 reserve member banks when they buy these issues directly from the Treasury, it will eventually add to the demand deposits of the people of this country and thereby throw fuel on the fires of inflation.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I yield 2 additional minutes to the gentleman from Michigan.

Mr. CRAWFORD. So as the debate proceeds under this bill we shall hear a lot more about the potential consequences, financial, economic, and otherwise, under title IV of this vast, power-giving proposal. I hope close attention will be given to all the debate on this bill. With the others, I regret that such powers are called for, I regret that they are necessary; but after all we shall find out that this war effort will eventually take our full measure.

Mr. Speaker, this is a very big and rather grave question. It will bear very close investigation, study, and discussion. We have a very long way to go before this war, and its aftermath, will have been financed. It has been pointed out that if the people out of their own individual savings and income go to the Treasury and purchase bonds with which to finance the war activities that, to that extent, inflation will be prevented. But that approach can well be questioned. For example, our people now have within their possession, whether it be in hiding or otherwise, some $11,200,000,000. We will admit that at least $6,000,000,000 of this is in active circulation, making it more convenient to transact business from day to day. But that still leaves $5,200,000,000 to deal with. If this latter sum is used with which to purchase Government issues and is then distributed to individuals by the Treasury who proceed to spend the $5,200,000,000 instead of having it remain idle, or let us say in hoarding as originally, it can in that case actually develop into an inflationary force. We might make a similar observation with reference to demand deposits to the credit of an individual. Suppose that I have a very inactive demand deposit account to my credit at the banks of, let us say, $10,000 and I proceed to purchase Defense bonds to that extent and later the Treasury disburses that money to individuals who make it active in the open market. It would then become an inflationary force as against an inactive sum of money so long as I keep it squelched by not letting it act, although in the form of a demand deposit to my account. Now that we must, whether we like it or not, deal with this question of financing the war activity and inflation and advance in the cost of living and increased wages and frozen prices, we might as well give the whole matter more serious attention than we are doing at present. It does appear to me that the program of the Treasury and the Congress is one that will bring about great inflation in prices. I have not yet seen how this is to be prevented. I have no great faith in the ultimate accomplishments of the price-control machinery, as conscientious as it may operate. It will need help and a great deal of it. This proposal gives us another opportunity to further consider the whole approach.

Mr. CRAWFORD. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman yields back 1 minute.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, in considering the rule the Judiciary Committee had considerable of a problem in dealing with so many unrelated acts. For example, many of them are legislative matters which would probably have been referred to other committees. There are many feature of this bill that are necessary; however, I agree with the gentleman from Michigan that there is much to be worried about in reference to title IV of this act.

May I say also in regard to title II of the act dealing with the acquisition of property that I hope the House will consider very seriously an amendment to be offered by the gentleman from Alabama [Mr. HOBBS] in connection with this particular title: I do not know of anything that is more drastic than the condemnation and the acquisition of property by Federal, State, or municipal governments. For the first time in the history of this country we will have the matter of acquisition of personal property. The

element of damages which enters into this fact is something that unless there is protection for the property owner as to the measure of damages to which he is entitled can do a great injustice to that property owner. I sincerely hope that the matter of this amendment will be very seriously considered by the House when the amendment is offered.

Mr. DEWEY. Will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Illinois.

Mr. DEWEY. One of the gentlemen in discussing the rule mentioned confiscation of firearms. Was that brought up in the committee at all?

Mr. O'HARA. No. That is specifically exempted under title VI of the act.

Mr. DEWEY. There is the inclusion of personal property. Would those be exempt?

Mr. O'HARA. Those are exempted under title VI of the act, as I understand it.

Mr. MAY. Will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman will recall that title VI of this bill relates to the acquisition of personal property and that last year we passed a bill authorizing the President to requisition personal property.

Mr. O'HARA. The gentleman is correct.

Mr. MAY. He would first fix a valuation on it, pay the owner 50 percent of the value, then the owner could go in and state his case in court in a condemnation proceeding by the Government and get the remainder of the value of the property.

Mr. O'HARA. That is right.

Mr. MAY. The Military Affairs Committee brought this bill to the House of Representatives, and under an amendment suggested by the gentleman from New York [Mr. TABER] there was matter written in the bill to protect the owner of a machine in a private industrial plant. It went to conference and was brought back to the House. The House rejected the conference report, which had eliminated that; yet they come back here, go to another committee, and ask that it be reinserted.

Mr. O'HARA. The gentleman's observation is, I feel, a justifiable criticism in referring so many unrelated matters to one committee.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. I may say to the gentleman that the Taber amendment was adopted before this country went into war. Conditions since December 7 are vastly different from those obtaining before that time. The amendment to which the gentleman refers, striking the Taber amendment, is an amendment that was agreed to and reported favorably by the Committee on the Judiciary in the light of war conditions.

Mr. MAY. Will the gentleman yield further?

Mr. O'HARA. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman from Nebraska, of course, is a good lawyer, and he knows that under the other act the owner was given 50 percent of the value, then the Government would immediately requisition the property and take it over. There was no delay.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, the debate thus far has demonstrated clearly the importance of this bill. The chairman of the Committee on Military Affairs has stressed the necessity of sending the several titles to the respective committees ordinarily dealing with the subject matter. May I suggest that this rule provides for 4 hours of general debate, which is liberal. All Members will have an opportunity to understand what the bill is about. Under the rule the bill will then be considered under the 5-minute rule. May I suggest to the gentleman from Kentucky [Mr. MAY] that when the title in which he is interested is up for discussion, that he, with his committee, be on the floor and fully advise the House and offer such amendments as in the judgment of the Military Affairs Committee are proper.

If the Committee on Interstate and Foreign Commerce will follow the same course; if the Committee on Banking and Currency will follow the same course; if every committee interested in any title in this particular bill will follow that course and religiously become interested and come upon the floor, there is no reason why a proper bill should not be written and the House be fully advised. This is Tuesday. There will be no vote on this bill, I am informed, before Thursday, or Friday if necessary. There will be sufficient time under the 5-minute rule to consider thoroughly all the details and the necessity of granting these extraordinary powers.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Kentucky.

Mr. MAY. I cannot speak for my committee but I can speak for myself. I think that when title VI is reached I shall be here with a motion to strike it out.

Mr. MICHENER. I hope the gentleman will be present and give the House the benefit of his views. I want it understood that the Committee on the Judiciary did not seek this bill. That committee as a whole did not think that this bill should come in this form. However, due to administration insistence and because of the necessities of the war and the time requirement, the committee reported the bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Missouri.

Mr. SHORT. Does the gentleman feel it is necessary and essential for us to abandon democracy here in order to try to establish it abroad, or that we should set up a Hitler by the passage of this bill in order to get rid of one 4,000 miles away?

Mr. MICHENER. I answer the gentleman from Missouri by saying this: No war ever has been won by this country and no war can be won by this country, if this country insists upon all its peacetime democratic principles, rights, and privileges during the time of war. During the Civil War the President even suspended the writ of habeas corpus.

Let us be fair about this. I think I have a right to talk about the Bill of Rights and all that, because I have been one of those who, down through the years, has in season and out of season, objected to vast powers being granted to the Executive—this gnawing away of the democratic rights of a free people. But today we find ourselves in the war. It does not make any difference how we got in, it does not make any difference whose war it was or is, it is our war now. It is our fight. We must yield to the administration any power necessary to win. If we do not win, we are going to lose. That is unthinkable but it can happen if we quibble over form and hold back essential power. All the democratic principles which we cherish so dearly, which we hope and expect to regain, and which this bill provides shall be returned after the emergency, will not be enjoyed by our people in the future unless we win this war. That is why I am going to vote to surrender some of these powers momentarily—to help win the war. I do not want to lose our liberties any more than the gentleman from Missouri does. To me it is necessary to surrender some of our freedoms temporarily in order that those same freedoms may be assured to us down through the years.

Mr. Speaker, I yield the minute I have remaining to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, may I supplement the observations made by the distinguished gentleman from Michigan [Mr. MICHENER] by directing attention to this interesting fact I have observed, that Anglo-Saxon government, that is, our sort of government, has been able to fight great wars because we have had the genius to concentrate emergency powers in the Executive, and at the same time to retain the power to control the exercise of such powers if necessary, and to retain the power to recapture and redistribute those extraordinary powers when the emergency has been ended.

With regard to this particular bill, it will be observed that that is exactly what the Committee on the Judiciary has attempted to do. At the conclusion of the bill it will be observed that the Committee on the Judiciary has incorporated a provision which enables termination of these extraordinary powers by concurrent resolution.

I compliment the distinguished gentleman from Michigan on having clearly stated the policy which must be observed by a democracy fighting a great war.

Mr. SMITH of Virginia. Mr. Speaker, I yield one-half minute to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Speaker, I have asked for this time simply to say that I do not believe the gentleman from Minnesota [Mr. O'HARA] meant to sever the two amendments I shall offer relating

to the seizure of personal and real property. I think he favors both of them.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, a good deal has been said here about the number of various and sundry odds and ends contained in this bill that could have properly gone to other committees. I am sure everybody in the House shares my own feeling that no committee of the House is better equipped to handle a variety of questions than the Committee on the Judiciary. I do think this bill has placed quite a hardship upon that committee. I am glad to say an arrangement has been worked out for the future for these war-powers bills by which the Committee on the Judiciary and the other standing committees of the House will be able to consider the various titles more or less in joint fashion.

I believe we will all agree that, as has been said by the gentleman from Michigan, in times of stress such as these we do have to grant wide powers, and it is necessary to do so in this bill. I think the only question in this bill is that the House should examine it with a great deal of care, title by title, and debate it title by title with one purpose in view; first, to see that we do grant all necessary powers for this emergency, and second, to see that we do not grant any unnecessary powers.

As I have examined this bill during the hearings before the Committee on Rules on the subject it has occurred to me that there are powers in this bill that go further than may be necessary for this emergency. I believe and I hope that as the bill progresses in consideration under the 5-minute rule we shall examine these titles with a great deal of care and, if necessary, put limitations in the way of amendments on these powers so as to cut the grant of powers to the point that may be necessary to be sure that we grant all the powers needed to be granted but do not grant unnecessary powers that may be at some future time misused.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PAY AND ALLOWANCES OF PERSONNEL OF THE ARMY, NAVY, MARINE CORPS, AND COAST GUARD AND REPEAL OF RETIREMENT FOR ELECTIVE OFFICERS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, with a Senate amendment, disagree to the Senate amendment and ask for a conference.

Mr. MARTIN J. KENNEDY. Mr. Speaker, reserving the right to object——

Mr. MARTIN of Massachusetts. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll when the following Members failed to answer to their names:

[Roll No. 28]

Anderson, N. Mex.	Johnson, W. Va.	Powers
Arnold	Kleberg	Rizley
Cole, Md.	Kramer	Sacks
Eberharter	McGranery	Schaefer, Ill.
Eliot, Mass.	Magnuson	Sheridan
Fish	Marcantonio	Smith, Pa.
Gearhart	Mitchell	Somers, N. Y.
Healey	Norton	Sparkman
Jarrett	O'Day	Stearns, N. H.
Johnson, Calif.	Osmers	Tolan
Johnson, Lyndon B.	Patman	Vreeland
	Pierce	Walter
	Plumley	Worley

The SPEAKER. On this roll call 394 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6446 with a Senate amendment, disagree to the Senate amendment, and ask for a conference.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, there has been some question on this side concerning the extent to which the gentleman's instructions go. There are many who realize under the act 200,000 employees have been brought into the pension roll, including many heads of departments and others holding high positions in the Government. These minority Members wish to know if there will be an opportunity to have a separate vote upon these additions to the pension rolls.

Mr. VINSON of Georgia. Mr. Speaker, if the gentleman will permit, I shall try to explain the situation so everyone will thoroughly understand just what we are trying to do. If I am granted permission by unanimous consent to go to conference then I shall offer this motion:

Mr. VINSON of Georgia moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H. R. 6446 be, and they are hereby, instructed to agree to those portions of the Senate amendment relating to the repeal of that part of the Civil Service Requirement Act providing retirement privileges to elective officers and heads of executive departments.

Now, the House will understand that section 15, commonly referred to as the Senator Byrd amendment, is in this language:

SEC. 15. (a) The last sentence of subsection (c) of the first section of the Civil Service Retirement Act, approved May 29, 1930, as amended, is amended by striking out "any elective officer."

Now, I am instructing the conferees to agree to that part of the Senator Byrd amendment, subsection (a) of section 2 of the act of May 29, 1930, as amended by striking out—

Provided, however, That no provision of this or any other act relating to automatic separation from the service shall have any application whatever to any elective officer.

By my motion I am instructing the conferees to agree to that.

This is the only portion of the Byrd amendment that relates to elective officers, and, in my motion, I am asking that we be compelled by direction of the House to adhere and agree to that.

Then the Byrd amendment does what? It puts another provision into the Ramspeck law that was passed in this language:

This act shall apply to all officers and employees in or under the executive, judicial, and legislative branches of the United States Government, and to all officers and employees of the municipal government of the District of Columbia, except elective officers and heads of executive departments.

By the motion I am offering I am binding the House conferees and enabling you to have a direct vote on two points: One is adhering and repealing the annuity retirement or the pension to elective officers, and, also, eliminating any opportunity of executive heads of departments having the benefit of the retirement law. This is the parliamentary situation and it is what happens by virtue of the instructions given here.

Mr. MARTIN of Massachusetts. The gentleman intends in conference to make certain that the full Byrd amendment is accepted and passed; that the high-salaried executives be also excluded from the pension provisions.

Mr. VINSON of Georgia. Then the House conferees will consider how far these other portions of the Byrd amendment apply, and to whom it applies, and take up the consideration of the act as it applies to all officers and employees in and under the executive, judicial, and legislative branches of the Government. If the conferees determine that that is too broad, then the conferees will bring in a restriction. If, on the other hand, the conferees determine that that is all right, then it is submitted back to the House for you to determine whether or not you agree with the recommendations of the conferees. Then the House will have full opportunity to vote up or vote down the acts of your conferees, with the assurance that the conferees must do two things—adhere to eliminating the elective officers and the heads of executive departments if you adopt this privileged motion that I am offering.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I reserve the right to object to the unanimous-consent request of the gentleman from Georgia [Mr. VINSON]. My reservation runs to the principle involved in the present procedure.

The explanation given by the gentleman from Georgia [Mr. VINSON] proves that this legislation should be treated as a separate item and not as a rider to a naval bill. The statement by the gentleman from Georgia [Mr. VINSON] concerning the proposed amendment demonstrates that no subject, as involved as retirements benefits should be regarded as a side issue.

It is difficult to vote on a proposal that is so little understood but so greatly misrepresented. However, I feel sure that the conferees will work out a solution of their problem that will be satisfactory to all the interested parties.

Another thing it might be well to discuss, is the merits of the retirement plan. Without any proper debate on the amendment we are being rushed into a vote on the proposition and without any good reason for the haste.

Thirty-three Members of this House and the two Senators from my State are members of our employees' retirement system. We from New York will not be affected financially one way or the other by the action we take here today. We will not get one penny out of the Federal Treasury from the Retirement Act we now propose to repeal. Our interest in this question is purely academic, but if 35 members of the Congress are eligible for a retirement allowance from a State system, and 10 former Members of the Congress are receiving a pension, I believe that a similar plan should be made available to the entire House membership.

The whole subject of retirement allowances has been presented in a loose and unfair fashion. The press has made Congress look ridiculous before the whole country on the basis of a pension "grab." During a recent discussion on this floor I submitted some cost figures, which were published in the RECORD, in order to show the actual outlay for membership in the retirement system. Briefly, before I reach the retirement age I will have more than 28 years of service to my credit and will have contributed at least $9,000 in cash. That is a different story compared to the story printed in the newspapers.

I regard the position, assumed by some Members on this question, as a confession of guilt that does not in fact exist. Members of Congress who have served for more than 25 years are entitled to consideration by way of retirement benefits. Unfortunately, public opinion has been inflamed by the press and radio and, as a result, there is a demand for repeal. We might as well try to hold back the rising tide as to stop or change public opinion on this issue.

I would like the matter of repeal to come up as a separate bill; the bill to be limited to the question of the repeal of the retirement benefits, now available, to the Members of Congress. The Members could then have unlimited discussion on the bill.

Under the existing circumstances, I feel that my position is like that of a man crying in the wilderness. Therefore I have concluded not to object further to the unanimous-consent request of the gentleman from Georgia. My decision to abandon my original position to the pending measure was reached after talking to a large percentage of the membership. I learned that a majority had decided that it was politically expedient to vote for the repeal of the Retirement Benefits Act. I bow to the wishes of the majority.

Mr. HOFFMAN. Mr. Speaker, I reserve the right to object and ask the gentleman from Georgia to yield.

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If the House conferees are out-voted on this matter of excluding the political appointees, estimated at some 200,000 to 250,000, and the conferees come back here with that report, including pensions for political appointees, then in order to vote to exclude those political appointees, the Members of the House will be forced to vote for a pension for themselves; will they not?

Mr. VINSON of Georgia. No.

Mr. HOFFMAN. The gentleman is mistaken for that is just the situation which will arise unless the gentleman is going to give us a separate vote. Will that be done?

Mr. VINSON of Georgia. No; we would ask for instructions on the part of the House.

Mr. HOFFMAN. On that one proposition?

Mr. VINSON of Georgia. That would be the only point involved.

Mr. HOFFMAN. Why not ask for instructions now on those political appointees?

Mr. VINSON of Georgia. Here is all that you are doing now——

Mr. HOFFMAN. I understand that—we are getting ourselves in a hole.

Mr. VINSON of Georgia. Oh, no; we are not; we are getting ourselves out of a hole.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MOTT. I want to ask a question along the line suggested by the gentleman from Michigan [Mr. HOFFMAN]. In the circumstances there is, of course, nothing to do but to adopt the gentleman's privileged motion. I think it should be observed, however, that this House is repealing the act, insofar as it applies to elective officers, not because Members believe it to be bad legislation, but because the enemies of social security in any form or for any purpose have so misrepresented this legislation to the people that they have succeeded in thoroughly convincing the people that the Congress has voted a pension for its own Members while denying the same consideration under the same kind of a law to all people. The only way that this intolerable situation can be corrected, of course, is by repeal of the act insofar as it applies to Members of Congress.

Now, I want to ask the gentleman this question. We instruct the conferees, by this motion, only to eliminate elective officers and executive heads?

Mr. VINSON of Georgia. That is right.

Mr. MOTT. I want to ask the gentleman, as chairman of the House conferees, if on his own part he can give us assurance that a report will come back from the conferees which will also eliminate from the benefits of the Retirement Act such administrative officers as Harry Hopkins, Sidney Hillman, Joe Lash, and a host of others on the Federal pay roll who are not now under the provisions of the Retirement Act, and to none of whom the Congress, I believe, would be willing to grant a pension.

Mr. VINSON of Georgia. All I can say about that—of course, the House recognizes the fact that this is a Navy bill. This was dumped onto the Navy bill at the other end of the Capitol. We will try to familiarize ourselves as much as possible with a matter that is foreign to the Naval Affairs Committee, as a usual proposition, but I think we will be able to do a good job. I know the gentleman's viewpoint. I know the viewpoint of practically the rank and file of the House on that subject matter which the gentleman from Oregon has just discussed. Always, as a conferee, I have tried to follow the viewpoint of the House. That is as far as I think I could go in trying to answer the gentleman's question.

Mr. MAY. Mr. Speaker, reserving the right to object—and I do not intend to object—I just want to make one or two observations. I think there is a misapprehension here as to what is being done on the part of some of us.

Mr. VINSON of Georgia. I hope not.

Mr. MAY. In the first place, this legislation is misnamed by nearly everybody who talks about it. It is not a pension bill at all. It is merely an extension of the provisions of the Federal Retirement Act to legislative officers and other officers not heretofore included. The actual legislative situation here is that most everybody seems to think we are voting today for the repeal of that provision. What we are doing today is instructing the conferees, and unless we are here when the conference report comes in we will not be here at the time when the actual legislative act is taken.

Mr. VINSON of Georgia. As a matter of fact, to be technical, it does not all happen until the President signs the bill. But we are today going on record by a yea-and-nay vote, if the House orders it, to eliminate from the law that is on the statute books that portion relating to elective officers, and it is the only direct way you can get a vote on that question.

Mr. MAY. Will the gentleman yield further?

Mr. VINSON of Georgia. Yes; I yield.

Mr. MAY. Let us suppose that the conferees never come back with a report, then there would be no repeal of the act, so that the time when it is repealed is when the final action is taken.

Mr. VINSON of Georgia. Oh, of course, the conferees are going to come back with a report. The conferees have already asked for a conference tomorrow morning, and I hope to have the conference report back one day this week, so that the whole matter can be wound up and signed by the President just as soon as the bill gets to him, or at least he can exercise his discretion.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ROBSION of Kentucky. Mr. Speaker, reserving the right to object, but I shall not object. If I understand the gentleman's privileged motion, a vote for the motion is a vote in favor of repealing the annuities or pensions to Members of the House and Senate, to the President, the Vice President, and the heads of the various departments and bureaus of the

Government? I desire to vote to repeal this law.

Mr. VINSON of Georgia. The gentleman has stated it absolutely correctly. On this motion when we ask for the yeas and nays, if the yeas and nays are ordered, all those who vote for this instruction go on record as in favor of repeal of pensions, as it has been flippantly called in the newspapers, for Congressmen, Senators, President, Vice President, and executive heads.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MONRONEY. I would like to ask the chairman if the House conferees intend to insist upon retaining in this bill the all-important provisions of authorization for the construction of the Soo locks?

Mr. VINSON of Georgia. I am glad the gentleman asked that question. Yesterday the Naval Affairs Committee considered all these amendments. They were discussed. What I am doing here is by direction of the Naval Affairs Committee. It was the unanimous decision of the Naval Affairs Committee to adhere to that provision of the bill providing for $8,000,000 authorization for the immediate construction of the Soo Canal between Lake Michigan and Lake Huron. So that will come back. I want to say that is in accordance with what the Military Affairs Committee has agreed to and in accordance with what the Rivers and Harbors Committee, of which Judge MANSFIELD is chairman, has agreed to.

Mr. FADDIS. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. FADDIS. I want to congratulate the gentleman and the Committee on Naval Affairs upon their recognition of the importance of the Soo locks to the national defense of this Nation. Eighty-five percent of the iron ore consumed in this country must go through these Soo locks. It is indeed a point of as much strategic importance as the Panama Canal itself.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from New York demands the regular order. The regular order is: Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I offer the following privileged motion.

The Clerk read as follows:

Mr. VINSON of Georgia moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H. R. 6446 be, and they are hereby, instructed to agree to those portions of the Senate amendment relating to the repeal of that part of the Civil Service Retirement Act providing retirement privileges to elective officers and heads of executive departments.

Mr. VINSON of Georgia. Mr. Speaker, I yield 15 minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Speaker, my purpose at this time is to take a look at the record and to state my personal position regarding the matter of retirement benefits for elected officials.

HISTORY OF THE PROPOSAL

The plan to give retirement benefits to Senators and Congressmen is no new proposal. In 1938, on February 13, the Baltimore Sun published an article by Charles S. Forbes advocating a pension for all Congressmen. He wanted to pay every Congressman his full salary for life. Mr. Forbes thought it would save the taxpayers money. His article was condensed and published in the Reader's Digest of April 1938.

In 1939 a distinguished Member of the other branch of the Congress had a study of the question made by the Railroad Retirement Board and the suggested plans were printed as a Senate document.

In the summer of 1939 the House passed a bill amending the Retirement Act from which was stricken a provision including Senators and Congressmen. Considerable debate was had at that time.

Almost every day since that time Members of the House have urged me to make another effort to include them in the retirement legislation.

The recent bill was first introduced on February 19, 1941. The original draft contained the following language:

SEC. 3. (a) This act shall apply to all officers or employees in and under the executive, judicial, and legislative branches of the United States Government, all elective or appointive officers in or under the said branches, and to all officers and employees of the municipal government of the District of Columbia.

That language was never changed. The bill passed both Houses of Congress in that exact form. Therefore, the many charges that the provision relating to Senators and Congressmen was a "joker," a "rider," or an "amendment" are false and misleading.

Hearings were held on the bill on June 3, 4, and 11, and August 23, 1941. The public and newspaper reporters attended these hearings.

I have in my possession a double-column article which appeared in the Washington Times-Herald on September 8, 1941, in which Members of Congress are specifically mentioned in connection with a discussion of the testimony of the first witness before the committee.

On October 20, 1941, the bill was favorably reported to the House. No minority report was filed.

I have in my possession a clipping from the Washington Times-Herald of October 16, 1941, in which reference was made to the inclusion of the President, the Vice President, Senators, and Congressmen in the bill.

I have articles from the same paper under date of December 2 and 19 in which particular mention is made of the inclusion of Members of Congress and Senators.

For weeks before the bill passed the House I was constantly asked by Members who were interested, "When is our bill coming up?" I told many of them that it would be placed on the Consent Calendar.

In 1939 more than a dozen Members of the House made speeches against the provision in that bill relative to Senators and Congressmen. I listed those who spoke against it and gave copies of that list to a number of Members who favored such a provision in the retirement law. They told me that they would see those who opposed it in 1939 and endeavor to persuade them that elected officials should have retirement benefits.

At least a hundred Members of the House discussed the matter with me, and many of them wanted to know what annuity they could receive under the bill.

The bill was a live topic of discussion in the cloakrooms, in the corridors, and offices of Members and between the Members wherever they met.

On December 1, 1941, the bill passed the House by unanimous consent. One objection would have stopped it.

It is possible that a few Members did not know that the bill was on the Consent Calendar, but I am sure that most did. It was called in its regular order on that calendar. Every Member knows that the Consent Calendar is regularly called each first and third Monday in the month.

All of this occurred before the war was declared. The bill passed the House 6 days before Pearl Harbor. Therefore it is not true, as often charged, that we considered this matter in the first instance after the war commenced.

On December 22, 1941, the bill was reported to the Senate with certain amendments. One of these amendments made it possible for Senators and Congressmen to determine whether or not they would participate in the system at any time during "the calendar year 1942." The House bill required this choice to be made within 6 months after the effective date of the act.

It was this amendment, which no one opposed in the other body, that brought against us the charge that a Member could "get a substantial pension by paying $1.49." That statement was never true, in my opinion. It is my belief that the act required a Member to pay from the effective date of the act. It is certain that he would have been required to have paid more than $1.49, regardless of the construction placed upon that feature, because our terms end January 3, 1943, and not on December 31, 1942.

On January 19, 1942, the Senate considered the bill for several hours. Two roll-call votes were had. No Member of the other body made any effort to amend the bill by striking out the provision relating to elected officials. The author of the repeal measure, now under consideration here, did not do so.

The Senate proceedings were in the CONGRESSIONAL RECORD delivered to our offices and our homes on January 20, 1942. If any Member of the House then failed to take notice of the provisions of the bill, they simply did not read the RECORD and the Washington newspapers, which carried headline stories of the Senate action.

On January 20, 1942, just after the House adjourned I discussed the Senate amendments with a number of Members, including the minority leader, and advised them that on the following day I would ask unanimous consent that the House concur in the Senate amendments.

On the morning of January 21, 1942, I asked the Speaker for recognition for

the purpose of getting unanimous consent to concur in the amendments. I advised the majority and minority leaders and the ranking Republican member of my committee of this action before securing recognition. That is the usual and customary practice in the House.

After considerable discussion during which I was questioned regarding the status of Members of the House under the bill, the request was submitted to the House and no Member made an objection. Any one Member could have stopped that procedure.

On January 24, 1942, the President signed the bill.

On January 20, 1942, the day after the Senate passed the bill, the Washington Daily News printed the following story by the United Press:

Congressmen who haven't had the foresight to lay away a little nest egg may not have to worry any more. The public's chosen Representatives have all but completed action on a little bill which, with minor reservations, assures them a lifetime income at your Uncle Samuel's expense. The exact amount of the pension would depend upon the length of service, but in numerous cases in both houses it would be around $4,000 a year, and in some cases it would be even more. The bill sets 70 as the compulsory retirement age for all Government employees except Members of Congress. A Member of the Senate or House, or any other branch of the Government, however, may retire voluntarily at the age of 60 after 30 years of service, at 62 after 15 years of service, and at 55 after 30 years of service. Voluntarily retirement under the 55-year-old provision carries a somewhat reduced annuity. The measure, labeled the Ramspeck-Mead bill, was passed by the Senate yesterday on a roll call vote of 42 to 24. The House still must act on minor Senate amendments, but little opposition is expected there.

Senator HARRY F. BYRD, Democrat, Virginia, led a fight to force Members of Congress to pay back premiums before they would be eligible to receive the bill's benefits. He said many governmental employees had been paying premiums since 1920, and it wasn't fair to them for Members of Congress to retire without paying the back premiums.

Mr. Speaker, this article had a double-column, three-line heading, as follows:

Want $4,000 a year pension—Senators vote own nest egg.

This article was very misleading. It left the impression that Congress had voted itself a pension of $4,000 per year for which they would pay nothing. It utterly failed to mention the $500 per year each Member was required to contribute.

On the afternoon of January 20 I telephoned the chief of the United Press Bureau and called his attention to the misleading effect of the story and told him that if he would send the author of the article to my office, I would give him the correct facts.

He did send another United Press reporter to my office and I did give him the facts, which he later told me he wrote and turned in at the United Press Bureau, but no correction was ever made.

That inaccurate story set the pace for the campaign of distortion to which this act has been subjected. All over our country the people were led to believe that Congress had voted its Members a pension of $4,000 per year.

This campaign of misleading and distorted news will forever constitute a blot upon the white pages of our free press.

I wish to commend those papers and those radio commentators who sought to bring the true facts to the public. However, the correction of a false statement never catches up with the original error—and some of the stories not only did not correct the original errors but continued to distort the true facts as to this matter.

Mr. Speaker, notwithstanding statements to the contrary, no Senator and no Congressman, under this act, would receive an annuity of $4,000 per year unless he paid for service prior to the passage of the act a sum approximating $10,000.

The bill we passed brought almost 300,000 persons under the provisions of the retirement law, which Congress originally passed in 1920. It required each of those persons to pay 5 percent of their salary into the retirement trust fund. Any Member electing to participate—and it was a matter of choice for us—would pay $500 per year. At age 62 he would receive for each year of service $142 in annual annuity.

Since the average service here, from 1789 through 1938, for 8,005 persons elected to serve in this body, has been 5 years, the average annuity for Members of the House would be $710 per year.

It is therefore a fact that our part in the bill was a very, very small one. A mountain has been made out of a molehill.

In view of the widespread demand for a reconsideration of this matter, the Civil Service Committee last Thursday ordered reported, without recommendation, a bill I introduced which repeals that part of the bill relating to elected officials.

Since the Senate has placed a similar provision on a bill emanating from the Naval Affairs Committee, I am agreeable that the matter be disposed of under the pending procedure.

My convictions as to the wisdom and the justice of retirement benefits for elected officials have not changed. If only my personal position was involved in the matter, I would gladly continue the fight.

However, Mr. Speaker, we are now at war. We cannot afford to continue any controversy over which our people are divided. Our whole attention and all of our efforts should be directed toward the defeat of our enemies. For that reason and because I am convinced that the people I represent desire it, I have decided to make no further objection to the repeal of this provision.

I sincerely believe that had this matter been presented to the public fairly and correctly, they would not have objected. That has not been done, but we cannot stop now to wage this battle.

In some sections of the country there is evidence that this controversy is retarding the purchase of Defense bonds. I am not willing to take part in continuing a controversy that slows up the sale of bonds.

Therefore, let us drop this controversy and devote our total effort to the fight for liberty and freedom. Let us do nothing here to divide our own people. We must have unity.

There is an old saying that "we must hang together or we will hang separately." It is applicable to the present situation confronting our beloved Nation. Because this is true, and because our people now oppose this matter, whether they understand it or not, we must no longer permit it to bring division and disunity to our ranks.

I am willing to reverse my position regarding the matter, because I believe that to do so will aid our country toward victory.

I shall, therefore, vote for the motion to instruct the conferees to agree to the Senate amendment repealing the provision as to elected officials.

Mr. VINSON of Georgia. Mr. Speaker, I yield 15 minutes to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in 1939 I spoke against the so-called annuities or pensions for elected officials. At that time I said:

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I earnestly hope this bill will be passed, or certain provisions of it. I believe it will be somewhat of a help to a great many civil-service employees. It has the endorsement of many civil-service groups. I am sorry the provision is in it which provides a pension for the Members of Congress, because I feel that that should be in a separate measure and voted up or down on its merits. I am not going to suggest to the Members of Congress how they shall vote upon that, because that lies within the wishes of each individual Member. I am not going to attempt to dictate to them what they shall do. I personally feel strongly against that provision, and I am very sorry it is in the bill and I shall vote to remove it; but I earnestly hope the other provisions in the bill will be passed. If the bill contains the annuities for Members of Congress, I shall be obliged to vote against the bill. We have a great responsibility to the taxpayers of the country, and I mean by that everyone in the United States, as everyone in the United States pays taxes either directly or indirectly. We have a very serious economic condition in the country today. Our responsibility is greater than ever before in all our history.

I personally felt it was not right then, I feel that an annuity or so-called pension is not right today. I feel there is no Member of this House who has ever had any doubt as to my position in the matter. I have felt, though, that it was entirely a matter for each individual Member of Congress to decide. I understand when Mr. RAMSPECK introduced that provision first, he did so by request. It was not his own idea or plan.

I earnestly hope, Mr. Speaker, that the so-called Byrd amendment will pass. We are in the midst of a very grim and difficult war and our time should be spent in passing war measures rather than annuities.

Mr. Speaker, I yield 5 minutes to——

Mr. VINSON of Georgia. Mr. Speaker, I make the point of order that the gentlewoman from Massachusetts cannot yield time. I yielded to her only for the purpose of making a statement. If she does not desire to use her time she should yield it back.

Mrs. ROGERS of Massachusetts. Then, Mr. Speaker, I will use my time.

Mr. REES of Kansas. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes, I shall be very glad to yield.

Mr. REES of Kansas. I appreciate this courtesy from the gentlewoman from Massachusetts. It is my understanding that when this time was allotted the gentlewoman from Massachusetts was going to be allowed to yield part of it as she saw fit. I ask the gentlewoman from Massachusetts whether or not she agrees with me with reference to some of the observations I would like to submit.

I would like to make this observation: That so far as I am concerned, this matter is a question of personal views, as the gentleman from Georgia has suggested, but I think we made a grave mistake in not having brought this measure to the floor of the House under a rule, as was done in 1939, so we could have expressed our personal views regarding it. Does not the gentlewoman from Massachusetts agree with me that it is usually understood among the Members that only those measures are placed upon the Consent Calendar that do not contain important controversial items?

Mrs. ROGERS of Massachusetts. The gentleman from Kansas is correct.

Mr. REES of Kansas. I call the attention of the membership of the House to the fact that this particular legislation was of a highly controversial nature, and that after all it is the type of legislation that should be brought to the floor where the Members could have a chance to discuss it. Of all the measures that should come to the floor of the House, surely one involving the Members themselves is that type of measure and should not have been put on the Consent Calendar. It should have been brought in under a rule in the regular way and submitted to a vote, as was done in 1939.

I believe, as a matter of principle, that it is all wrong. I also think that by allowing such a measure to stand we would be weakening the independence of the membership of Congress.

Mrs. ROGERS of Massachusetts. I was under the impression that Members of the House realized the provisions of the bill.

Mr. MUNDT. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from South Dakota.

Mr. MUNDT. Mr. Speaker, I want to make an observation to clear up a rather unfortunate and, I am sure, unintentional implication in the statement made by the gentleman from Georgia [Mr. RAMSPECK]. He said that when the bill was considered and voted on July 14, 1939, it was debated, and that something over 12 Members spoke against it. He then went on to say that some Members talked to him to find out who those Members were who opposed the pension program in 1939, and he made up a list of those who had spoken against the bill and it was agreed, I believe the phrase was, that they would work on these pension opponents before the bill came up again.

As one of the 12 Members who spoke against that bill on July 14, 1939, may I say that nobody in this House came to me and tried to influence my vote or tried to change my position in any way. I opposed pensions for Congressmen as a matter of principle, and I oppose them as a matter of principle now. I imagine that is also true of others who opposed congressional pensions in 1939. Had I been on the floor when the pension program passed this time I would have again voted against pensions for Congressmen just as I did in 1939, and just as I shall vote for their repeal in today's roll call.

Mr. CARLSON. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Kansas.

Mr. CARLSON. Mr. Speaker, every Member of Congress has felt the lash of criticism since the passage of this act, which should never have been approved by this body in the first place. The people rose in righteous wrath and demanded its repeal. Today Congress responds to that demand. It seems to me this is most encouraging. It proves once again that democracy lives and acts through its duly elected representatives. Public sentiment and reaction are most important if we are to have a living democracy.

Much has been written in recent days about the complacency of the American people. There is no complacency with the average citizen, but I am fearful there is a smugness or sense of security in our leadership that might prove disastrous. Our people are sending their sons to war; they are accepting regulations and rationing without complaint; they are buying bonds without stint, and they are prepared for much greater sacrifices that will no doubt be ours before we achieve victory. A people who are willing to make such contributions have a right to demand honest, efficient, and competent leadership. They have a right to demand that Congress enact legislation that will prohibit strikes in national defense industries. They have a right to demand that there be no profiteering in defense contracts. In fact, they are not only demanding, but are insisting that action be taken immediately on strikes and profiteering. There is no justification in placing a young man in the military service at $21 a month while at the same time we allow other groups to take advantage of a national emergency to demand extremely high wages and engage in strikes in our national defense industries if their demands are not satisfied.

The people are expecting Congress to take some drastic action, and rightly so. Let us prove to them that we can act in times of emergency.

Mrs. ROGERS of Massachusetts. I think an explanation of the whole measure is healthy. I was against this matter from the beginning, but in my opinion it is extremely important to have the whole thing explained. I think the annuity provisions also should be explained because I do not think the public understood them fully.

Mr. CRAWFORD. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I was very anxious to submit a question to the chairman of the Committee on Naval Affairs, the gentleman from Georgia [Mr. VINSON], but the gentleman from New York [Mr. ANDREWS] was very impatient and asked for the regular order. Here is the observation I wanted to make: When the conference report comes back to the House, it is my understanding there will be in the conference report acceptable to the conferees the Michigan Straits Lock proposition, which I very much favor. If the conferees bring back to this House a proposal to continue the pension provisions to the heads of the executive, judicial, and legislative branches, the unelected heads, I shall certainly be opposed to that proposition, but I cannot vote against that and at the same time preserve the Michigan Straits Locks up at the Soo. That is the predicament that the Michigan Members will be up against, as I view the situation. I see no indication from the people of my district that they are in favor of pensions for elected officials of our Government or for the executive heads thereof, and I am not so sure that they are in favor of pensions for anybody. But that remains to be seen.

Mr. REED of New York. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. REED of New York. For 23 years I have never knowingly misled or deceived my constituents on any issue. May I say here and now that I was not at the telephone when the vote was taken, I was not eating a sandwich, I was not consulting a constituent, I was not lined up getting to the washroom. I knew what was going on and I did not object to the bill. The people have spoken, but they have been misled. The cost of this annuity or so-called pension that might wreck the Government, forgetting the billions and billions of dollars that have been thrown down rat holes for years, would, if enacted, cost each taxpayer one-tenth of 1 cent annually. Any person who wrote to me or to any Member protesting against the tremendous cost of this so-called annuity, probably spent 3 cents postage. The 3 cents would have purchased an annuity for 30 years for an aged Member of Congress. Just one-tenth of 1 cent. So I just want to make my position clear. The annuity would mean nothing to me. The people, however, have become aroused, and they feel that this act should be repealed. Like the rest of you, I propose to bow to the will of the people at this time and vote to repeal the act.

Mrs. ROGERS of Massachusetts. It is the principle of the thing I object to.

Mr. GEHRMANN. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Wisconsin.

Mr. GEHRMANN. Does not the gentlewoman feel that since the committee

has reported out a bill that it would have been much better if that bill had been brought out here under a rule, so that we could have debated it and could have included any others we wanted to? As I understand it, we are still limited to the proposition of Members of Congress and Cabinet officers.

Mrs. ROGERS of Massachusetts. I think so. The matter should be reported to the House under an open rule. But as the gentleman knows it is not possible always to secure a rule and at least we can repeal the annuities for Members of Congress.

Mr. CREAL. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Kentucky.

Mr. CREAL. I was one of the dozen who spoke against the bill in 1939. As the gentleman on the other side of the aisle said, no one ever saw me to find out whether or not I had changed my opinion. When I discussed that bill then, without discussing the merits or the demerits of it very much, and without discussing them now, for lack of time, I pointed out that if you passed the bill there would happen just what has happened in this case, a world of demagoguery inside and outside of Congress would be faced, and my prophecy was good that it was bad business to pass it. I have never supported the idea and signed the petition to bring out a repeal before the Senate acted.

Mrs. ROGERS of Massachusetts. And every Member knows I have never changed my mind.

Mr. SMITH of Ohio. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. The Congress is in serious trouble with the country. Does not the gentlewoman believe that we are just about to jump into something a lot hotter than we are in now if we fail to repeal along with congressional pensions that provision in the Ramspeck Act which grants pensions to 250,000 political job holders earning salaries up to $12,000 and even $18,000, at a cost to the taxpayers of $44,000,000 a year?

Mrs. ROGERS of Massachusetts. I am sorry I can yield no longer to the gentleman; so many of the Members wish to ask questions.

Mr. BENDER. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. BENDER. The gentlewoman knows that, like the gentleman from Kentucky and the gentleman from North Dakota, I was one of the 11 or 12 Members who spoke against the bill in 1939.

Mrs. ROGERS of Massachusetts. I recall the gentleman's speech very well.

Mr. BENDER. The statement that someone called on Members to get them to change their views on this matter is certainly not correct as far as I am concerned. No one called on me. I was against the pension bill for Congressmen in 1939 and I am against the proposal now. Let us vote for repeal and vote now.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a speech I made in 1939.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. MOSER] for debate.

Mr. MOSER. Mr. Speaker, I happen to be in an anomalous position, although having been a member of the Committee on the Civil Service ever since I came to the Congress, of not having been present on the day the executive session of the committee was held, when the bill to permit elective officials of Government to elect to come under the Retirement Act was voted out; because on that particular day, as chairman of the Committee on the Census, we were holding hearings. I happen also to have been in the position of neither having voted to report the bill out nor of having opposed it on the floor, but I confess to full knowledge of its content and import, which has been so greatly distorted and decried. In consequence thereof, many things have been said that I do not propose to attempt to repeat.

The editor of a home paper, the Reading Times, on February 12 proceeded to take up some of the things that were easy to gather, a whole lot easier to gather than if he had worked the matter out for himself or had sought the truth. That did not seem to be productive of any constituent correspondence.

On last Thursday, when the Committee on the Civil Service held a session, and reported out a bill to repeal this provision of the Retirement Act, I directed a question to my friend and colleague on the committee, the gentleman from Kansas [Mr. REES], as to whether in his opinion the press would give the same publicity to the proposal of the gentleman from West Virginia [Mr. RANDOLPH] as when they undertook to smear the Congress. For this I was rebuked by this highly prejudiced editor and charged with critical disagreement with my colleagues, to which I here and now afford any of you opportunity to take exception.

This has been called a "pension grab" by this editor, similar description not elsewhere noted. Far be it from me to sit idly by and "take it on the chin" when somebody attempts to make the misrepresentation that it is a "pension grab." That has been described, and I shall not take up any more of your time on that subject, but I have here a paragraph from an editorial in the Reading Times of February 21 that I want to read:

> If the public clamor which forced both Senate and House to act to undo the pension legislation was based on a false picture, Congress must today be a puerile, spineless body to reverse its stand, to retreat so readily.

Previous to and further on in the editorial I am personally named and personally charged.

Whatever my reaction might be, no matter how strongly I might feel toward giving the administration the fullest amount of support possible to win this war, and whatever might have been my stand with respect to it, I say now that I accept that editor's challenge. I am going to answer the question.

Mr. Speaker, I am going to vote against the motion.

Mr. Speaker, the editor names me personally as being irked by the "pension grab" repealer movement. I assert that I am no more irked by the proposal to repeal than I was by its consideration in the committee prior to enactment.

When I was employed in the Postal Service a Republican Congress enacted and a Democratic President approved the Federal Employees' Retirement Act of 1920. I was opposed to it for the specific reason that I had 38 years of contributions to make to the fund before I would reach the retirement age and realize any return from the investment. It was arbitrarily imposed and by its provisions 2½ percent of my wages was deducted to be placed into a fund from which retired pay was issued to disabled and superannuated employees. The Government derived the benefit and contributed nothing. The funds were raised entirely from the penalties on the young and active classified employees of the Federal service. When I left the Postal Service my contributions were refunded.

When the funds thus derived were found inadequate to meet the drain of retiring thousands of employees, a Republican Congress enacted and a Republican President approved an amendment to the Retirement Act by which the employee contributions were increased from 2½ to 3½ percent of their wages, the Government contributing nothing for the benefits it derived in the interest of its taxpayers.

Subsequent amendments have been enacted to permit broadening of its coverage by taking under its provisions other employees of the Federal Government. When for the first time in 1939 such extension to take elective officials under this coverage—although the bill was reported from the Committee on the Civil Service unanimously, I voting affirmatively along with all my colleagues—when the bill came to the floor of the House for enactment it was pounced upon and that specific provision was defeated. In no single instance, to my knowledge, did this become an issue in the 1940 campaigns, and there were no casualties as a consequence.

Mr. Speaker, in this Congress, as so aptly and correctly described a few minutes ago by the chairman, the gentleman from Georgia [Mr. RAMSPECK] there were many Members who discussed and urged the favorable report on this provision of the bill they are now joining in the stampede to repeal because, as some put it, they would rather repeal than undertake to present the facts in a true light to their constituencies, under the mendacious attack of irresponsible editors, too lazy, too indifferent, or both, to present the facts to the public in truth.

For my part, when I was first elected, my constituency took me on faith and have since reelected me twice on confidence. Because I have never done

anything to shatter that confidence, in turn I have that much confidence in my constituency, to believe that I can truthfully present a correct picture of this act to them, and at the same time reaffirm to them that I am not one Member of "a puerile, spineless body" as stated by the mendacious editor, "to retreat so readily."

Under the provisions of this act, I want the public to know that its provisions require that by my consent $500 annually would be deducted from my salary to go into this fund; that I am too young and could not get retirement annuities before I reached the age of 62 years; that it would then be allotted on an actuarial basis worked out from insurance company tables, determined by the amount contributed to the fund and the years of coverage; moreover, that I have neither the desire nor the intention of retiring, an act on my part that would have the approval of those enemies who try to defeat me each election, to which none can attest better that I am able to do from experience.

Aside from naming me personally six times in the editorial, additional references of a personal nature appear by title and nativity. Among these I quote:

If, as Mr. MOSER puts it, any truths are to be told about pensions for judiciary and other Government workers, let them be told by the Congressmen in Congress and if these truths bring out some unsavory practices, let Congress correct these practices.

I am glad the editor issued that challenge. I shall accept it and point out the unsavory practice of free mailing privileges to newspapers in the county of publication. For this same mailing service the public must pay 1 cent for each 2 ounces or fraction thereof. The Postmaster General's report for the year 1941 shows a postal revenue loss of $83,835,363.94 from this free mailing privilege to newspapers, not at the rate the public must pay, but at the further subsidized rate of 1 cent per pound.

Mr. Speaker, again the editor published:

It is a safe bet that all the farmers of Berks County, many of them struggling heroically to eke out a bare existence with Government subsidy, would vote almost to a man against pensions for Congressmen.

Certainly they would, and I as their Congressman would vote with them. But their Congressman is equally certain these same farmers, whom he knows to be honest, would have no objection to annuities paid for by the Congressmen out of their wages, the same as their rural carriers and the clerks and postmasters in the post office. None of these farmers, nor any other citizen, except perhaps an editor, would have any fault to find with their Congressman having survived and paid out two life-insurance policies, and the fact he still carries and pays on another. It cannot be believed they would object to this or any other method of systematic saving on the part of their Congressman or anybody else.

Of course, the editor studiously avoids any mention of the new pension system established by the commissioners for Berks County's employees, from which employees will be and have been retired on a public-maintained pension appropriation by the commissioners. This evidence of prejudice in contrast to a Congressman's assessment to his own ultimate annuity at $500 per year is most outstanding.

I will now point out for my colleagues and the farmers exactly how much the Eagle and Times has been subsidized by free mailing privileges since I was elected to Congress in 1936.

READING EAGLE

Calendar year	Pounds	Cost to public
1936	80,283	$6,422.64
1937	75,758	6,060.64
1938	55,976	4,478.08
1939	54,506	4,360.48
1940	39,670	3,173.60
1941	16,736	1,338.88
Total	[1] 322,929	25,834.32

[1] 161 tons 929 pounds.

READING TIMES

1936	155,232	[1] 12,418.56
1937	150,540	12,043.20
1938	132,043	10,563.44
1939	93,983	7,518.64
1940	57,062	4,564.96
1941	47,824	3,825.92
Total	[2] 636,684	50,934.72
Reading Eagle		25,834.32
Total		76,769.04

[1] 318 tons 684 pounds.

When collusion between these two daily newspapers started, the Reading Times advanced its rate from $3 per year to $4, the same rate charged by the Eagle. At the time my personal subscriptions expired after coming to the Congress, my rate advanced from $4 to $6 per year for mail delivery outside the free county area. With the acquisition of the Times by the Eagle in 1940, the rate advanced to $9 per year for each paper. With this monopoly of control by the Eagle-Times Publishing Co., advertisers have since been compelled to run their advertisements in both newspapers. That is exploiting their monopoly on newspaper advertising and the editor mentions a Government subsidy to farmers. By this monopoly, only what the publisher would have read is printed, all else to the contrary withheld.

The editor, in possession of full knowledge of this unsavory practice of free mailing privileges, is quite alert to draw a red herring across the trail of the Eagle-Times Publishing Co., and attack the Congressman to becloud and keep concealed a real issue. "What do we elect a Congress for anyway?" says the editor. In answer, one thing is to expose and stop such unsavory practices. Another thing is not to have the Congressman owned and bossed by the editor, or to cringe in fear of his personal malevolent prejudice, like the "puerile, spineless" Member of Congress he would like to make of him.

On one occasion he gave me a personal pep talk on how to rely on an editor for information on public sentiment and trends After I had named a supervisor, assistant supervisor, and a chief clerk, to take the 1940 decennial census, he undertook another critical opposition to my appointments, on the grounds of their individual unfitness and utter lack of comprehension of public relations, because they observed the rules of the Government and did not give to him for publication the confidential information prohibited which he desired to publish. As these men were also applicants for the postmastership of Reading, Pa., he sought to establish their unfitness for such appointment, declaring that Postmaster Ringler, is the only man fit and qualified for the position, and it was my obligation to have him reappointed.

The fact his preference had three terms in the general assembly, followed by three 4-year terms as county commissioner, when defeated for nomination for a fourth term boasted that his successors would have no money to spend because "we bankrupted the county." The Times recently published the Statewide announced distinction that Berks County is foremost among third-class counties in public debt. The Times also published that Lancaster County, its neighbor, suspended county taxes this year, proclaiming it would operate its budget from fees, counseling its citizens to purchase Defense bonds, stands in contrast to the debt balance of some $7,000,000, out of the $10,000,000 debt his candidate vaunted as an accomplishment.

The mere fact that Mr. Ringler had opposed my ambition, my candidacy, and my nomination and election was of no moment to the editor. The fact that the postmaster was active in seeking and supporting my opposition, and in one campaign made a frequenting place of his office at the post office and at his home for meetings between himself, my chief rival and others, was of no moment, but something to be overlooked by the Congressman in making an appeasement offer to the editor.

Mr. Speaker, this will readily manifest itself to the public, in the support given to the present candidacy for Congress of an old employee of the Eagle-Times Publishing Co. and the burning hostility to the Congressman so plainly evidenced in the columns of the newspaper he edits and the editorials published in the fulfillment of his prejudice toward the Congressman.

In this same editorial the editor charged:

Permitting a "lame duck" Congressman, repudiated by his constituents, to purchase a life income December 31, 1942, for as little as $1.39 is indefensible.

Of course, that would be, if true. The fact that it is untrue is an indefensible charge on the part of the editor. The act became effective the date the President signed the bill. As the bill passed the House before the country was attacked and we became involved in the war, elective officials were afforded the right to elect within 6 months from the date of enactment to sign up to have $500 per year deducted from their salaries. As the Senate amended the bill, it extended the time from 6 months after the enactment date to December 31, 1942, and the mendacious charge made against Members of Congress is an untruthful statement. It is also a fully unjust charge to

call the proposal "pensions" or a "pension grab," as the editor of the Times styled it.

Mr. Speaker, there is abundant evidence of organized effort to effect disunity within the United States and among its people. These efforts are subversive. Let us see and note how subversive this attack by the press on Congress actually was and what an irresponsible press accepted as fact and walked into the trap of carrying forward the propaganda. The bill passed the Senate after considerable debate, publicity, and on record votes, after the Nation's entrance into the war. With the approval by the President on enactment, simultaneously the Spokane Athletic Round Table launched a campaign from Spokane, Wash., to provide a "bundles for Congress" style of ridicule. The president of this so-styled Spokane Athletic Round Table was one Joseph Albi, who from November 1929 to June 1941, when Italy withdrew its consuls from the United States, was the Italian consular agent for Idaho and eastern Washington. Another active member of this athletic round table was one Ashley Holden, for some years the secretary-manager of the Japanese Chamber of Commerce in Spokane, to and including the date of attack on Pearl Harbor, also writer and reporter for the Spokane Spokesman and Review, with full access to press wires.

With the "Bundles for Congress," campaign of ridicule launched by the so-styled Athletic Round Table, press wires carried it as a news item and radio announcers began to broadcast it that very night and the next morning's press carried it as a news item. I heard it broadcast and read it in the newspapers. With this sort of inspiration within the Athletic Round Table, the public should not be slow in catching up with the truth, that Congress has been made the target of a subversive attack to shake the confidence of the American people in their form of representative government, an outstanding objective of our Axis enemies to effect disunity within and among the people of the United States.

Mr. Speaker, I have never deceived my constituents and never intend to do so. I vote "No" on the conference report of a Navy authorization bill, not because I am against the authorization or irked by the rider amendment of the proposed repeal of the privilege of paying $500 a year toward a retirement annuity after I reach the age of 62 years, but I do so because I have an abundance of confidence in the people I represent and am not afraid to tell them the truth, and only regret that all the people of the United States will not have a chance to read what I have had to say on this act. Nobody is taking occasion to discuss the other Senate amendment to authorize an $8,000,000 expenditure for another set of locks on the Soo Canal, not heretofore passed by the House of Representatives. The President has proclaimed this war a war of four freedoms; in this we are engaged to establish to the world that the American philosophy was settled many years ago, that man acknowledges no master, nor the right to make of another his slave.

Mr. WHITTINGTON. Mr. Speaker, I have always opposed the policy of retirement benefits and pensions for Members of Congress. When the recent bill was passed by the House and when it was called on the Consent Calendar, the chairman of the Committee on the Civil Service, the gentleman from Georgia [Mr. RAMSPECK], when requested to explain the bill on the floor of the House, did not state that the bill included Senators and Representatives in Congress. No statement was made on the floor of the House that Senators and Representatives were embraced in the bill.

On July 14, 1939, I opposed similar provisions for retirement benefits and, as shown by the CONGRESSIONAL RECORD of July 14, 1939, page 9191, I not only opposed such pensions and retirement benefits in principle but I made a speech on the floor of the House and opposed generally the measure during the course of the debate. I now quote from my speech that appears on page 9191 of the CONGRESSIONAL RECORD of July 14, 1939:

> So far as I am concerned, I oppose the principle of retirement for Senators and Members of Congress. They should be impartial and not embraced in legislation that provides for additional Federal benefits for Federal employees. I trust that this amendment to eliminate Senators and Representatives from the retirement benefits of the pending bill may be adopted.

The amendment was adopted by a division vote and by teller vote, the teller vote being 119 in favor of the amendment to 73 against it, as shown by page 9195 of the RECORD of said date of July 14, 1939.

When the bill that recently passed the House was amended in the Senate and when the bill came on for consideration in the House, after having been amended in the Senate, I intended again to vote against the measure, as I had voted against it in July 1939. The gentleman from Georgia [Mr. RAMSPECK] had the floor and was discussing the bill when I found that it was before the House. I thereupon inquired from the proper source whether the gentleman from Georgia [Mr. RAMSPECK] had moved to concur in the Senate amendments. I was advised that he had so moved. I thereupon submitted, as shown by the RECORD of Wednesday, January 21, 1942, page 516, questions to the gentleman from Georgia [Mr. RAMSPECK] respecting the bill, and I quote from the RECORD of that date:

> Mr. WHITTINGTON. As far as I am personally concerned, I would like to vote for those provisions (with respect to the retirement of Federal employees), but I am opposed to embraing elective officers within the terms of the retirement act. For that reason I shall be compelled to vote against the gentleman's bill, as I have always opposed their inclusion heretofore.

I was surprised and astounded at the announcement of the Chair that the bill had passed without objection when I had been informed that a motion to concur was pending, and when my statement, just quoted, shows that I was of the opinion that such a motion was pending, and that a vote against the bill was in order. If I had been informed when I inquired that the gentleman from Georgia [Mr. RAMSPECK] had submitted a unanimous consent to agree to the Senate amendments, I would have objected, as I announced I would vote against the bill.

I not only opposed the measure but I favor its prompt repeal. I favor the pending motion to instruct the conferees. Elective officers are not in the same class or group with Federal employees. They pass on retirement benefits; they should be impartial; their terms are indefinite; they may be retired at the pleasure of their constituents.

I have always opposed the inclusion of elective officers, including Senators and Representatives, in pension or retirement benefits.

I think the Nation-wide agitation growing out of the passage of the bill has served a good purpose. Personally, I should like to see the whole bill and all of the provisions of the bill with respect to contributions and with respect to other groups taken in, reexamined and reconsidered by the Congress. Hereafter, when retirement acts of any kind, whether they affect Federal employees, railway employees, or any other groups, should be carefully and scrupulously considered by both Houses of Congress.

The principle underlying Federal pensions and Federal retirement is that during their service employees will under the bill passed and under all other retirement legislation contribute 50 percent of the retirement fund and the Federal Government will contribute the remaining 50 percent. The taxpayers thus have a vital interest, and their interest should be safeguarded by their Senators and Representatives in all legislation with respect to retirement and pensions affecting any group, whether they are Federal employees or whether they are railway employees or whether they are other employees over which the Congress has jurisdiction.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of inserting their own remarks at this point in the RECORD.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. VINSON of Georgia. No; I have submitted a request.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, is it in order to offer an amendment to the motion to instruct conferees? I have such an amendment.

The SPEAKER. That may be done if the gentleman from Georgia yields for such purpose.

Mr. VINSON of Georgia. Mr. Speaker, I insist on the regular order on my unanimous-consent request.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. RICH. Reserving the right to object, Mr. Speaker, if we are going to permit Members to insert speeches in the RECORD now, after we have heard so much about the Pension Act this afternoon, we shall have to get a new printing establishment pretty soon to take care of it.

Mr. VINSON of Georgia. Mr. Speaker, I demand the regular order.

Mr. RICH. I object, Mr. Speaker.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the Appendix of the RECORD.

Mr. RICH. I object, Mr. Speaker.

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Georgia.

Mr. VINSON of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 7, not voting 35, as follows:

[Roll No. 29]

YEAS—389

Allen, Ill.	Cooley	Green
Allen, La.	Cooper	Gregory
Andersen, H. Carl	Copeland	Guyer
	Costello	Gwynne
Anderson, Calif.	Courtney	Haines
Andresen, August H.	Cox	Hall, Edwin Arthur
	Cravens	
Andrews	Crawford	Hall, Leonard W.
Angell	Creal	
Arends	Crosser	Halleck
Baldwin	Crowther	Hancock
Barden	Cuikin	Hare
Barnes	Cullen	Harness
Barry	Cunningham	Harrington
Bates, Ky.	Curtis	Harris, Ark.
Bates, Mass.	D'Alesandro	Harris, Va.
Baumhart	Davis, Ohio	Hart
Beam	Davis, Tenn.	Harter
Beckworth	Day	Hartley
Beiter	Delaney	Hébert
Bell	Dewey	Hefferman
Bender	Dickstein	Heidinger
Bennett	Dies	Hendricks
Bishop	Dingell	Hess
Blackney	Dirksen	Hill, Colo.
Bland	Disney	Hill, Wash.
Bloom	Ditter	Hinshaw
Boehne	Domengeaux	Hobbs
Boggs	Dondero	Hoffman
Bolton	Doughton	Holbrock
Bonner	Douglas	Holmes
Boren	Downs	Hook
Boykin	Drewry	Hope
Bradley, Mich.	Duncan	Houston
Bradley, Pa.	Durham	Howell
Brooks	Dworshak	Hull
Brown, Ga.	Eaton	Hunter
Brown, Ohio	Edmiston	Imhoff
Bryson	Elliott, Calif.	Izac
Buck	Ellis	Jackson
Buckler, Minn.	Elston	Jacobsen
Buckley, N. Y.	Engel	Jarman
Bulwinkle	Englebright	Jenkins, Ohio
Burch	Faddis	Jenks, N. H.
Burdick	Fellows	Jennings
Burgin	Fenton	Jensen
Butler	Fitzgerald	Johns
Byrne	Fitzpatrick	Johnson, Ill.
Byron	Flannagan	Johnson, Ind.
Camp	Fogarty	Johnson, Luther A.
Canfield	Folger	
Cannon, Fla.	Forand	Johnson, Okla.
Cannon, Mo.	Ford, Leland M.	Johnson, W. Va.
Capozzoli	Ford, Miss.	Jones
Carlson	Ford, Thomas F.	Jonkman
Carter	Fulmer	Kean
Cartwright	Gale	Kee
Case, S. Dak.	Gamble	Keefe
Celler	Gathings	Kefauver
Chapman	Gavagan	Kelley, Pa.
Chenoweth	Gehrmann	Kelly, Ill.
Chiperfield	Gerlach	Kennedy, Martin J.
Clark	Gibson	
Clason	Gifford	Kennedy, Michael J.
Claypool	Gilchrist	
Clevenger	Gillette	Keogh
Cluett	Gillie	Kerr
Cochran	Gore	Kilburn
Coffee, Nebr.	Gossett	Kilday
Coffee, Wash.	Graham	Kinzer
Cole, N. Y.	Granger	Kirwan
Collins	Grant, Ala.	Klein
Colmer	Grant, Ind.	Knutson
Kocialkowski	Pfeifer, Joseph L.	Snyder
Kopplemann		South
Kunkel	Pheiffer, William T.	Spence
Lambertson		Springer
Landis	Pittenger	Starnes, Ala.
Lane	Plauché	Steagall
Lanham	Ploeser	Stefan
Larrabee	Plumley	Stevenson
Lea	Poage	Sullivan
Leavy	Powers	Sumner, Ill.
LeCompte	Priest	Sumners, Tex.
Lesinski	Rabaut	Sutphin
Lewis	Ramsay	Sweeney
Ludlow	Ramspeck	Taber
Lynch	Randolph	Talbot
McGehee	Rankin, Miss.	Talle
McGregor	Rankin, Mont.	Tarver
McIntyre	Reece, Tenn.	Tarverowicz
McKeough	Reed, Ill.	Terry
McLaughlin	Reed, N. Y.	Thill
McLean	Rees, Kans.	Thom
McMillan	Rich	Thomas, N. J.
Maas	Richards	Thomas, Tex.
Maciejewski	Rivers	Thomason
Maciora	Robertson, N. Dak.	Tibbott
Mahon		Tinkham
Manasco	Robertson, Va.	Traynor
Mansfield	Robinson, Utah	Treadway
Martin, Iowa	Robsion, Ky.	Van Zandt
Martin, Mass.	Rockefeller	Vincent, Ky.
Mason	Rockwell	Vinson, Ga.
May	Rodgers, Pa.	Voorhis, Calif.
Merritt	Rogers, Mass.	Vorys, Ohio
Meyer, Md.	Rolph	Wadsworth
Michener	Romjue,	Ward
Mills, Ark.	Russell	Wasielewski
Mills, La.	Sanders	Weaver
Monroney	Sasscer	Weiss
Mott	Satterfield	Welch
Mundt	Sauthoff	Wene
Murdock	Scanlon	West
Murray	Schuetz	Wheat
Myers, Pa.	Schulte	Whelchel
Nelson	Scott	White
Nichols	Scrugham	Whitten
Norrell	Secrest	Whittington
O'Brien, Mich.	Shafer, Mich.	Wickersham
O'Brien, N. Y.	Shanley	Wigglesworth
O'Connor	Shannon	Williams
O'Hara	Sheppard	Wilson
O'Leary	Short	Winter
Oliver	Sikes	Wolcott
O'Neal	Simpson	Wolfenden, Pa.
Pace	Smith, Maine	Wolverton, N. J.
Paddock	Smith, Ohio	Woodruff, Mich.
Patrick	Smith, Pa.	Woodrum, Va.
Patton	Smith, Va.	Wright
Pearson	Smith, Wash.	Young
Peterson, Fla.	Smith, W. Va.	Youngdahl
Peterson, Ga.	Smith, Wis.	Zimmerman

NAYS—7

Boland	McCormack	Rogers, Okla.
Casey, Mass.	Mitchell	
Flaherty	Moser	

NOT VOTING—35

Anderson, N. Mex.	Kleberg	Sacks
	Kramer	Schaefer, Ill.
Arnold	McGranery	Sheridan
Cole, Md.	Magnuson	Somers, N. Y.
Eberharter	Marcantonio	Sparkman
Eliot, Mass.	Norton	Stearns, N. H.
Fish	O'Day	Stratton
Gearhart	Osmers	Tolan
Healey	O'Toole	Vreeland
Jarrett	Patman	Walter
Johnson, Calif.	Pierce	Worley
Johnson, Lyndon B.	Rizley	
	Sabath	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Kleberg with Mr. Johnson of California.

Mr. Cole of Maryland with Mr. Vreeland.

Mr. Patman with Mr. Stearns of New Hampshire.

Mr. Sparkman with Mr. Jarrett.

Mr. Kramer with Mr. Gearhart.

Mrs. Norton with Mr. Rizley.

Mr. Eliot of Massachusetts with Mr. Stratton.

Mr. Pierce with Mr. Fish.

Mr. Somers of New York with Mr. Osmers.

Mr. Tolan with Mr. Marcantonio.

Mr. Magnuson with Mr. Arnold.

Mr. Sheridan with Mrs. O'Day.

Mr. Eberharter with Mr. Lyndon B. Johnson.

Mr. Walter with Mr. Schaefer of Illinois.

Mr. McGranery with Mr. Sabath.

Mr. Anderson of New Mexico with Mr. Sacks.

Mr. Healey with Mr. Worley.

The result of the vote was announced as above recorded.

The Speaker appointed the following conferees:

Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MAAS.

EXTENSION OF REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks and ask that they be extended in the RECORD immediately following the remarks of the gentleman from Pennsylvania [Mr. MOSER] before the question was taken on the pending motion to instruct conferees.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter written by George Washington to the Hebrew Congregation of Newport, R. I.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address delivered by the Speaker of the House.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Bob Ruark, of the Detroit News.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain editorials from the St. Albans Messenger.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, since I was not permitted to complete my statement a few minutes ago, I want to say further that the Senate amendment to repeal the legislation that would permit elective officials to be included under the terms of the Civil Service Retirement Act is similar to legislation I introduced in this House immediately after the act was passed by Congress the latter part of January.

Mr. Speaker, I have, since I have been a Member of this body, consistently op-

posed legislation that would permit Members of Congress to be included in any plan whereby the Government would be required to contribute to retirement benefits. I opposed similar legislation when it was included in a civil-service bill that was considered and debated on its merits in the House more than 2 years ago. At that time I succeeded in securing the adoption of an amendment that struck congressional retirement benefits out of the bill.

The legislation we are striking out today should never have been included in a big civil-service retirement bill. The sponsors who wanted this legislation should have brought it in as a separate proposal and have it subjected to consideration and debate on its merits.

Furthermore, Mr. Speaker, I maintain the sponsors and advocates of that bill should not have placed it on the Consent Calendar where it would not be subject to open debate as controversial measures are usually and ordinarily handled. I think it is generally understood, and if any Member disagrees with my statement on this point I shall be glad to hear from him, bills on the Consent Calendar are regarded as being noncontroversial in their nature. They do not, in the judgment of those in charge of the legislation, need to be debated on the floor of the House. Certainly this provision of the bill was highly controversial and should have been fully and properly debated. Then have a roll call so the Members could be counted and recorded.

Let it be understood that I have no quarrel with those who differ with my views, and who believe in the merits of such legislation.

Although there has been some misunderstanding with regard to the effect of such legislation, I believe it is fundamentally wrong. I believe, among other things, it helps to destroy the independence of Congress, and that is one thing we need right now.

Mr. Speaker, there are many of us who insist that all nonessential expenditures be cut out; that spending of money not needed for the prosecution of the war be curbed wherever it is possible to do it. We must have economy in Government wherever it can be accomplished.

Right now, people throughout this broad land of ours are asked to economize, so as to have more to contribute to the Red Cross and to buy Defense stamps and bonds. A whole lot more of it is going to be required in the near future. I believe that economy, like charity, should begin at home. Legislation granting retirements for elective officials is unsound, uncalled for, unnecessary, and ill-advised. It should be repealed.

Mr. Speaker, our country is facing the most critical hour in its history. If we ever needed unity of purpose it is at this very hour. That purpose is to win the war, and to do it at the earliest possible date. We must bend all of our energies and our efforts in that direction, and do it now.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short statement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SOUTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an order from the city council of the city of Lynn.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SIKES. Mr. Speaker, on February 22 our distinguished majority leader, the Honorable JOHN W. MCCORMACK, delivered an address to the United America-Franklin D. Roosevelt dinner. It is an outstanding message from a great American. It merits the careful thought and consideration of every Member of this House, and I ask unanimous consent that it may be inserted in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered by my colleague, the gentleman from New York [Mr. MARTIN J. KENNEDY], on Sunday, February 22, 1942.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of business on the Speaker's table and any special orders, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include a short statement.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I want to compliment the Naval Affairs Committee on its action taken yesterday in unanimously approving of keeping section 16 in this bill. This is identical with S. 2132. I also appreciate the frank statement in reference thereto made during the course of this debate this afternoon by the gentleman from Georgia [Mr. VINSON]. I was pleased indeed to see that the House offered no objection on the part of any Member to the inclusion of this provision in this bill, which will insure the earliest possible completion of the new lock in the St. Marys River at Sault Ste. Marie, Mich.

Mr. Speaker, you and every Member of this House know that I have repeatedly been advocating the early adoption of S. 2132 and that the provision for this lock be forthwith taken out of the omnibus rivers and harbors bill, where it has lain bottled up for months. I have repeatedly made statements on this floor with respect to the importance of this new lock. During the course of this afternoon several Members have informed me that it is felt by a number of the members of the Rivers and Harbors Committee that I have at times unjustly attacked the chairman of that committee, Judge MANSFIELD, of Texas. I intended no attack. I want to assure you that I have the highest personal regard for our esteemed colleague from Texas. I have frequently sought, and he has graciously given me, advice on pending legislation pertaining to his committee. On other occasions he has cooperated wholeheartedly with me in the furtherance of legislation pertaining to problems within my district. I sincerely admire him and have always regarded him as a personal friend. I have as sincerely felt that the action, for which I have been told he assumed responsibility—of keeping this Soo lock measure bottled up in the omnibus bill—was unwise at this time and seriously detrimental to the Nation's welfare. For that reason, and for that reason only, I have felt justified in criticizing his official action in that regard. I am at all times more than willing to apologize to him for anything which he might consider an unfair personal attack and shall be more than glad to seek unanimous consent to withdraw from the RECORD any utterances of mine which might be considered as an attack on him personally.

I understand from the newspapers that Judge MANSFIELD now not only approves of our action here today but, if called upon, stands ready to speak in favorable support of our action. From the bottom of my heart I thank him for his change of heart.

SECOND WAR POWERS ACT, 1942

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 2208), to further expedite the prosecution of the war.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 2208, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 15 minutes to the gentleman from Nebraska [Mr. MCLAUGHLIN].

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. MCLAUGHLIN. Yes.

Mr. RANKIN of Mississippi. Mr. Chairman, I do this to announce that

our distinguished colleague the gentleman from Oregon, Mr. WALTER M. PIERCE, was called home suddenly on account of the death of his son. He asked me to announce that if he were present he would vote "yea" on the resolution just agreed to.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield also to me?

Mr. McLAUGHLIN. Yes.

Mr. PLUMLEY My colleague the gentleman from New Hampshire [Mr. STEARNS] was unable to be present. If present he would have voted "yea."

Mr. McLAUGHLIN. Mr. Chairman, the bill before the committee under the rule is S. 2208, the second war powers bill. We have already passed one War Powers Act, with which we are familiar. The present bill, as has been pointed out during the debate upon the rule, is an extensive and a comprehensive bill. Some discussion has been had as to the propriety of the reference of the bill to the Committee on the Judiciary. During the debate on the rule I was granted a short period of time, and attempted at that time to set forth the circumstances under which the bill was referred to the Committee on the Judiciary. I may amplify that by saying that the first war powers bill, an emergency bill dealing with subjects and having to do with matters involved in the prosecution of the war, contains subject matter which normally would not have been referred to the Judiciary Committee, but that bill was made up into the form of an omnibus bill in order that it might be considered expeditiously for the reason that the topics or subject matter had to do with emergency powers, and matters in connection with the prosecution of the war. The same thing is true of the present bill, except that the present bill is more extensive and more elaborate. I think it only proper at the outset to say that the fears of many of the Members of the House who have asked members of the Committee on the Judiciary about this matter are unfounded. This bill is not the drastic, far-reaching, I might even say radical, bill, which some Members of the House fear that it is. The fact is that this bill is not highly controversial. It contains some provisions upon which there will be difference of opinion, and that difference of opinion will no doubt be threshed out during the general debate, and, under the 5-minute rule, when full opportunity will be afforded for the offering of amendments.

S. 2208, entitled "An act to further expedite the prosecution of the war" is generally known as the Second War Powers Act. It consists of 16 titles, 15 of which deal with substantive law, and the sixteenth with formal matters such as the time limit of the act and title thereof.

Of the 15 titles dealing with substantive law, seven or eight have to do with legislation upon subjects which are normally referred to the Judiciary Committee. The bill is in the form of an omnibus bill, and the entire bill was referred to the Judiciary Committee, where it was considered. Hearings were held before subcommittee IV, of which I happen to be chairman, and the bill was reported to the full Judiciary Committee. The committee reported favorably to the House. The subjects dealt with have to do with matters affecting the prosecution of the war. The bills in their original form are the result of the work of a Committee which was organized in the Department of Justice with the approval of the President shortly after the war broke out. The members of the Committee were: Judge Townsend, Acting Solicitor General; Mr. Oscar Cox, General Counsel of the Office of Production Management; Mr. Kemp, General Counsel of the Bureau of the Budget, designated by Mr. Harold Smith, Director of the Budget; and Mr. Francis Biddle, Attorney General of the United States.

This committee wrote to all departments and requested them to clear through the committee any legislation they had in mind in view of the fact that the bill might affect various governmental departments. The titles, therefore, have been cleared through the various departments and also with the Bureau of the Budget. The proposed legislation was submitted to the Speaker of the House and referred to the Judiciary Committee.

TITLE I

Title I of the bill confers upon the Interstate Commerce Commission the same emergency powers over motor carriers which the Interstate Commerce Commission now has over railroads under section 15, part 1, of the Interstate Commerce Act. Under these powers the Interstate Commerce Commission is authorized to suspend the ordinary lengthy procedure involved in Interstate Commerce proceedings and to make directions with respect to the operation of railroads so as to permit speedy movement of traffic by means of directions for preference and priority of movements. This power is very definitely needed in wartime because of the dangers of congestion in traffic and the necessity for permitting delivery of necessary materials. Under the existing law the emergency powers of the Interstate Commerce Commission over railroads and water carriers is limited to a period of 180 days. Under title I of the act these powers are extended to cover the period covered by the act. On the termination of the emergency the 180 days' restriction will be reinstated.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I would be glad to yield to my colleague.

Mr. HOLMES. With reference to the powers granting the Interstate Commerce Commission the power to take over motor carriers the same as applies to section 15, part 1, of the act, I presume that has reference to common carriers by motor and contract carriers by motor?

Mr. McLAUGHLIN. That is correct.

Mr. HOLMES. And it does not refer to private owners of trucks?

Mr. McLAUGHLIN. That is right. It deals with common carriers, the subject over which the Interstate Commerce Commission has jurisdiction.

Before leaving that subject, I may say there has been some discussion as to whether or not this interferes with State laws and regulations with respect to sizes and weights of motor vehicles. That power is continued in the State commissions. The bill does not affect the powers of the State commissions in that respect.

Title II of the bill relates to the acquisition of real and personal property. The present war-purpose act of 1917 relates to the acquisition of real property and applies only to the Secretary of War. Title II extends the terms of this act so as to cause it to apply to the Secretary of the Navy and to any other officer or agency designated by the Government, and also extends the act so as to provide that personal property may be acquired in the same condemnation in which real property is acquired, provided the personal property is obtained only as an incident to the purpose of obtaining the real property.

The act of 1917 was not clear on this point and title II clarifies the law and makes it definite that real property and personal property attached thereto may be condemned in one action. The title also provides a method of saving time in acquiring property by allowing the Government to take over lands condemned before the Attorney General has passed or approved the validity of the title. This cannot be done under the present law.

TITLE III

Title III is proposed by Mr. Donald Nelson of the new War Production Board. It puts teeth in the priorities law enacted by Congress in 1940 and amended in 1941. Under the present law various administrative provisions affecting priorities are available to the Office of Production Management. These are in the way of sanctions, such as cutting off power, and the withdrawing from a factory of materials, such as aluminum. However, this defeats its own purpose, as it is the intention of the Government that the factory continue to operate. This title puts a criminal penalty into the act in order to make it effective. It provides enforcement machinery by extending the power of the President so as to authorize him to require the keeping of records and to authorize the inspection of books and documents, and the making of all investigations which he may deem necessary or appropriate to the administration of the priorities system. It writes into the law the same provisions with respect to the subpena powers as now appear in the price-control law recently enacted.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield.

Mr. HINSHAW. I confess to some ignorance as to whether there is contained in other law a provision that a man may be fined a considerable sum of money or placed in jail for the violation of a rule or regulation promulgated under the law. Is that contained elsewhere in other statutes?

Mr. McLAUGHLIN. It is not contained in the present law affecting this situation.

Mr. HINSHAW. But it is in this amendment to the law?

Mr. McLAUGHLIN. That is correct.

Mr. HINSHAW. Is this the first time it has appeared that a man can be fined or imprisoned for the violation of a rule?

Mr. McLAUGHLIN. So far as concerns priorities, this is the provision which puts the penalty in the law.

Mr. HINSHAW. The gentleman is an eminent member of the Committee on the Judiciary. I am wondering whether he has considered the possibility of, perhaps not under the present administration, but under some administration, the abuse of such provision——

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. HINSHAW. Whereby some rule might be promulgated that would cause a man to be fined or be put in prison for violation of a rule that he would not have any knowledge of, because it would not be a law and he would not know it had been printed. It is printed only in the Federal Register because it is simply a regulation. I would like to have the gentleman explain that provision of the bill.

Mr. McLAUGHLIN. I am glad to know the gentleman's concern about that. That is a particular subject that has been discussed on this floor, and we are all conscious of what has transpired with respect to it. So far as the bill under consideration is concerned, I do not believe it would contribute much to an understanding of this bill to discuss the administrative sanctions under the law.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield.

Mr. HANCOCK. The subpena provision in this bill is identical with a similar provision in the price-control bill which was passed by the House some months ago.

Mr. McLAUGHLIN. That is correct.

Mr. HANCOCK. And is much more liberal than the subpena laws which were copied from other statutes.

Mr. McLAUGHLIN. I thank the gentleman from New York for his contribution. The gentleman from New York has taken a very active part in working on this bill and was very helpful in working out this provision to which he refers.

Provision is made for the maintenance of secrecy of the information secured where such information is deemed to be confidential or where a request for confidential treatment is made by the person furnishing such information. A penalty is provided for violation of this provision of the act. The power of this title is of tremendous importance in the conversion of civil plants to war orders, and in providing for the maximum use of our Nation's industry. It is imperative that the Government have the power to require particular plants to carry out particular war orders whether such plants are working on a contract with the Government or on a subcontract. Provision is contained in subsection 7 to title II which will relieve from damages or penalties for default under any contract or order, any person whose penalty or default results directly or indirectly from compliance with the priorities provision of the act, regardless of whether the rule or regulation or order setting up such priorities is subsequently declared by judicial or other authority to be invalid.

TITLE IV

Title IV of the bill permits the Federal Reserve Bank to purchase Government securities directly from the Treasury instead of requiring such purchases to be made in the open market.

In other words, title IV amends the present Federal Reserve Act of 1935 by removing the restriction that the purchase of Government securities by the Federal Reserve System shall be limited to purchases in the open market.

From 1913 when the Federal Reserve System was established, to 1935, no restriction existed with respect to the method in which the Federal Reserve System might purchase Government securities. In 1935 the Federal Open Market Committee, comprised of the members of the Federal Reserve Board and five representatives of the Federal Reserve banks, was empowered to control purchases of Government securities which were made by the 12 Federal Reserve banks. It was then felt desirable to restrict purchases of Government securities to purchases in the open market. In view of the war emergency and the large amount of borrowing that will be necessary to finance the war, the Federal Reserve System must now be able to meet any situation which may arise. The Chairman of the Board of the Federal Reserve System testified before the subcommittee on this subject and stated that it is essential for the Federal Reserve System to be given the power to purchase Government securities directly from the Treasury as well as in the open market in order to maintain a stable market for Government securities during the war. Title IV has the approval of the Chairman of the Banking and Currency Committee of the House and of Senator CARTER GLASS, the author of the law which established the Federal Reserve System in 1913. The bill does not contain any provision requiring or compelling the Federal Reserve System to purchase Government securities directly from the Treasury. The effect of the title is merely to remove the existing restriction so as to permit the Federal Reserve System to purchase Government securities either on the open market or directly from the Treasury as it deems advisable. The Chairman of the Federal Reserve Board testified that it is necessary to have the open market restriction removed in order to meet emergencies which may arise during the war and which cannot be foreseen at this time. The powers which title IV will give to the Federal Reserve System are now possessed by other central banks, such as the Bank of Canada and the Bank of England. The Committee on the Judiciary is of the opinion that this title is essential not only for the purpose of financing the war but as a protection to the holders of Government securities who may be disastrously affected if the Government securities market does not remain stable.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I am glad to yield to my colleague from Wisconsin.

Mr. KEEFE. Does the gentleman from his consideration of title IV and the testimony which was taken on it believe there is any greater threat of inflation that will result from the passage of this amendment permitting the direct purchase by the Federal Reserve Bank System of Government securities than that which now exists as a result of the recurrence of continuous huge deficits?

Mr. McLAUGHLIN. I am personally satisfied that the plan under which securities are purchased by the Federal Reserve banks directly from the Treasury is no more inflationary than the plan under which they are required to be purchased in the open market.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the distinguished gentleman from the Committee on Banking and Currency.

Mr. WOLCOTT. Did the gentleman's committee have any witnesses before it other than Mr. Eccles on this matter?

Mr. McLAUGHLIN. We had Mr. Eccles, and we had written communications from the Secretary of the Treasury who gave his approval unqualifiedly of this provision of the bill. I may say that in addition to the testimony before our subcommittee of the Judiciary Committee the Rules Committee had before it the economist of the Federal Reserve System, who was examined at considerable length.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. McLAUGHLIN. I yield.

Mr. SUMNERS of Texas. As I recall it, the president of the American Bankers Association addressed a communication to the committee endorsing the bill.

Mr. McLAUGHLIN. I thank the distinguished chairman of the Judiciary Committee. He is correct. The president of the American Bankers Association advised the Judiciary Committee that that association was in favor of title IV of the bill.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. From New York newspaper and press reports I got the impression that all of the New York banks of consequence were fairly cooperative in going along with this proposal. Was there any testimony before the gentleman's committee contrary to that?

Mr. McLAUGHLIN. We have had no opposition from that source and I assume they are well advised as to that provision of the bill.

Mr. CRAWFORD. Is it not the gentleman's conviction based on testimony submitted to his committee that financing the Treasury's issues through sales to commercial banks directly from the Treasury is just as inflationary as it is for the Treasury to sell its issues directly to the Federal Reserve banks? Do I make myself clear?

Mr. McLAUGHLIN. Yes; the gentleman makes himself clear. This provision, title IV, is a mere removal of restriction on Federal Reserve banks.

Mr. CRAWFORD. I understand that.

Mr. McLAUGHLIN. And it does not deal with the question to which the gentleman refers, but simply removes the restriction now imposed upon the Federal Reserve banks that they must purchase their securities in the open market.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 additional minutes to the gentleman from Nebraska.

Mr. CRAWFORD. If the gentleman will permit, I think my question goes right to the heart of this and it is the only problem in my mind about title IV. Would it be more inflationary to sell Treasury issues directly through the 12 Federal Reserve banks than to sell those issues directly to commercial banks?

Mr. KEEFE. That is just the question I asked a moment ago.

Mr. McLAUGHLIN. I shall not attempt to pass on that. I am not a member of the gentleman's committee and I yield to his superior knowledge on the subject. However, we are not confronted with that question at this time. Government obligations will be bought by the Federal Reserve System whether or not title IV becomes law. The effect of the title, if enacted into law, will be merely to permit the Federal Reserve System to continue to purchase Government obligations on the open market as it now does, or, in the exercise of its discretion, if you please, to purchase them directly from the Treasury. It will not have any particular effect on the commercial banks. Certainly it will have no compulsory effect on either the commercial banks or the Federal Reserve banks.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. May I direct attention to the fact that the chief reason urged by the representatives of the Federal Reserve Board as to why this alteration in existing law should be made is that in a situation where something has happened, like Pearl Harbor, it had a tendency to weaken the general market for securities; and it would be better if the Federal Reserve banks could take a pending offer of securities directly from the Treasury than it would be to wait until those securities struck a weak market. There would be less shock. They would avoid a shock. That was the chief reason offered, as I recall it.

Mr. McLAUGHLIN. I thank the gentleman. That is one of the reasons, and it is one to which I referred, without pointing out a specific catastrophe, such as Pearl Harbor, when I stated that it is needed to meet any emergency which may arise and which may not be foreseen at this time.

Mr. DEWEY. Will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Illinois.

Mr. DEWEY. In regard to the letter from the president of the American Bankers Association, may I question the endorsement of that organization, because it is stated that the American Bankers Association does not oppose this extension of authority to the Federal Reserve System as a war measure. It recognizes that certain restrictions which normally safeguard the fiscal, monetary, and banking systems are often inoperative in time of war. It is of the utmost importance, however, that there be a definite termination of the authority with the resumption of peace, as has been provided in this bill. That is scarcely an endorsement. They say, "We will go along, provided the powers are very, very conservatively used."

Mr. SUMNERS of Texas. May I say to my distinguished friend that insofar as I gather the attitude of the Judiciary Committee it is in agreement with the position of that gentleman.

Mr. McLAUGHLIN. That is correct. Of course, this is an emergency provision that terminates with the termination date of the bill, which is December 31, 1944.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. McLAUGHLIN. Mr. Chairman, title V directs the Secretary of Commerce to waive compliance with navigation and inspection laws upon the request of the Secretary of the Navy and Secretary of War to the extent deemed to be necessary during the conduct of the war by the officer making the request. The Secretary of Commerce, and the Chairman of the Maritime Commission, and representatives of the Army and Navy urge that the power of waiver be granted because of the need for speed in the movements of troops and materials under wartime conditions. The original proposal set up a complicated system as a condition precedent to securing waiver, and the authorities dealing with shipping took the position that this would so slow up the procedure that it would interfere with the war movements of ships.

Title VI removes from the requisitioning law the prohibition which forbids the taking of machinery or equipment which is in actual use and necessary for the operation of a factory or business. This provision was inserted in the law in October 1941, prior to our entry into the war. War conditions are such that it is necessary to remove this restriction in order that there may be no interference with proper requisitioning of essential equipment where it is needed in connection with our Nation's war efforts.

Title VII amends the Hatch Act so as to exclude from its operation certain part-time officers and part-time employees of the Federal Government serving in the existing war effort with nominal compensation or without compensation. The exemption does not apply to so-called dollar-a-year men. Employees in the Selective Service System are retained within the provision of the Hatch Act in order that the men doing this very important work may be placed above any possible criticism that action by draft boards may be influenced by political considerations. The title also retains within the provisions of the Hatch Act all employees of the Federal Government serving in any capacity relating to the procurement or manufacture of war materials.

Title VIII extends the provisions of the Federal employees' compensation system to certain civilian defense workers. Compensation is limited to those persons who have been duly appointed as such by an officer or agent of the United States acting under lawful authority. Where such person's services are rendered on a voluntary basis for compensation amounting to less than $100 per month, he is regarded as receiving compensation for services at the rate of $100 per month for purposes of computing the amount of compensation for death or disability. The title provides that no compensation shall be paid for injury or death where the case comes within the purview of any workmen's compensation law or any State or Territory, or possession, or in which the claimant has received or is receiving similar benefits for injury or death. It is further provided that the Commission may establish new and utilize existing regional offices and personnel and facilities, and the facilities of other governmental agencies for carrying out the provisions of the title.

Mr. Chairman, title VIII is contained in the present draft bill now before the membership, but upon reconsideration of this title the Judiciary Committee has concluded to offer an amendment eliminating it.

Mr. BEITER. Will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from New York.

Mr. BEITER. It is my understanding that title VIII was to provide employees' compensation for persons working as fire wardens and for persons engaged in the Office of Civilian Defense.

Mr. McLAUGHLIN. The gentleman is correct.

Mr. BEITER. I noticed in the colloquy that occurred between the gentleman from New York [Mr. HANCOCK] and Mr. Biddle that the question was asked whether or not a voluntary fireman would be protected in the event he was called upon to fight fires in some of the defense plants. Mr. Biddle replied:

> Yes, they may be, but that is an administrative order.

I have taken that matter up with some of the legislative representatives of the Voluntary Firemen's Association of the State of New York and I find that is not the case, that they will not be protected under title VIII. I have a bill pending before the Judiciary Committee that will take care of that. I am wondering whether any provision or any thought has been given by members of the committee to protecting volunteer firemen who are called upon to fight fires at these various defense plants that may be located outside the city limits of our cities throughout the Nation.

Mr. McLAUGHLIN. The title under consideration, title VIII, is an amendment to the Federal Workmen's Compensation Act, and it has the effect of enlarging the definition of the word "employee." The title would cause to be

included within the definition of "employee" persons in the protective services engaged in the civilian defense who had been duly appointed as such by an officer or agent of the United States acting under lawful authority. If the volunteer firemen were so appointed, and this title were enacted into law, they would be covered into the act.

Mr. BEITER. Volunteer firemen are not appointed in that fashion. They are not appointed by the Federal Government. They are appointed by the mayors or supervisors of the towns in which the fire department is located.

Mr. McLAUGHLIN. If that is true, and of course it is, then the volunteer firemen would not be included in title VIII if title VIII were continued in the act; but let me call attention to the fact, as I have indicated, that the Judiciary Committee intends to present a committee amendment to strike out title VIII.

Title IX empowers the President to direct the Administrator of the Federal Security Agency to assign the manpower of the Civilian Conservation Corps to the extent necessary to protect war industries, municipal water supply, power, and other utitlities, and other resources subject to hazards of forest fires.

Title X provides that our armed forces shall be given free postage for first-class mails sent to any person in the United States or our Territories or possessions. It includes the entire naval and military personnel, nurses as well as soldiers, sailors, and marines, and officers as well as enlisted men and draftees. It applies to members of our armed forces serving at home as well as to those serving abroad.

Those of us who served abroad in the last war recall that when we got overseas we could mail our letters free of charge, but that we had not been accorded that privilege while we were serving in the United States. This title, if enacted, will grant the free postage privilege both in this country and abroad.

Title XI provides for the naturalization of aliens honorably serving in the armed forces of the United States during the present war. It is somewhat similar to the policy adopted by Congress in the first World War. Under the bill qualifications of age, length of residence, and education may be waived and the ordinary procedure of requiring naturalization by a court is supplemented by a provision for the naturalization of aliens through cooperation with representatives of the Immigration and Naturalization Service in areas not within the jurisdiction of any naturalization court where, by affidavit, it can be established by at least two credible witnesses that the petitioner is a person of good moral character and attached to the principles of the Constitution of the United States and disposed to the good order and happiness of the United States.

A committee amendment is being proposed that the bill shall be made applicable only to those persons who are residents of the United States, or its Territories or possessions, at the time of their enlistment or induction into the military or naval forces of the United States.

Provisions of the title permit aliens to seek citizenship within 1 year after the termination of the second war powers bill. The purpose of the bill is to bring naturalization proceedings to the individual who is serving in the military or naval forces of the United States, and who is qualified to take advantage of the act. It waives the requirement of appearance before a court, and permits the naturalization proceedings to be conducted by a representative of the Immigration and Naturalization Service in areas not within the jurisdiction of any naturalization court, and provides for the forwarding to and filing by the clerk of the naturalization court of the record of naturalization proceedings conducted outside of court.

Title XII authorizes the Secretary of the Treasury to accept, on behalf of the United States, gifts of money, property, or services made on condition that they be used for a particular war purpose. The existing law prohibits the Treasurer from accepting qualified or conditional gifts and applying them to the specific purpose for which they are given. The passage of this title will permit money, received by the Secretary of the Treasury as a qualified gift, to be placed in the miscellaneous account of the Treasury to await appropriation by Congress and to be dealt with in such a way as to most nearly effectuate the intent of the donors in each case. It will permit the use of the money or property by the Government with a minimum of administrative difficulty through the regular accounting and disbursement procedures of the Treasury Department.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from New York.

Mr. WADSWORTH. Did the Committee on the Judiciary reach the conclusion that that particular title is necessary?

Mr. McLAUGHLIN. It did.

Mr. WADSWORTH. I am not opposing it at all, but I was furnished some time ago with a public release from one of the departments of the Government in which the method of offering gifts was outlined as well as the method by which they would be received, and how the money would be used

Mr. McLAUGHLIN. I may say to the distinguished gentleman from New York that there is nothing in the law at the present time that prohibits anyone from making an unqualified gift to the United States. However, qualified or conditional gifts are not permissible under existing law. This title meets the situation in which people attempt to make qualified gifts. I may illustrate by saying that the citizens of Arizona, after the Pearl Harbor incident, raised money and desired to give it to the United States Government to purchase a plane to avenge the destruction of the battleship *Arizona*. It could not be accepted because under existing law qualified gifts cannot be accepted. This provision would permit a qualified gift to be accepted and applied to the purpose which will best effectuate the purpose of the donor.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from New York.

Mr. HANCOCK. Instances were pointed out to us where communities wished to give automobiles, ambulances, and airplanes, but were unable to do so under the present law.

Mr. McLAUGHLIN. I thank the distinguished gentleman from New York. That is correct. Many instances appear in the hearing record of attempts to make contributions to the United States Government which were not permissible under existing law, and this will permit them to be made.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman such further time as he may desire.

Mr. McLAUGHLIN. Title XIII changes the existing composition of the 5-cent piece and makes it one-half copper and one-half silver. It provides for a certain amount of tolerance for an additional alloy so that the coin may be available for use in food-vending machines and machines in which the coin could not be used if it were required to be composed entirely of copper and silver in equal proportions. The purpose of the title is to permit the release of the nickel which is now used in the coinage of the 5-cent piece. It will likewise release an equal amount of copper. The present 5-cent piece is composed three-fourths of copper and one-fourth of nickel. In changing the content to one-half copper and one-half silver, one-fourth of the copper and all of the nickel used in the coinage of the 5-cent piece will be released. On this basis it is estimated for the fiscal year 1941 there would be a saving of 870,000 pounds of nickel and the same amount of copper. Nickel is indispensable in armor plate for tanks and battleships, machinery bearings, bomb racks, and condenser tubes of boilers and naval vessels. The amount of nickel saved in 1 year would be sufficient for the production of 16,000 tons of armor plate and enough for 1,000 heavy tanks.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Michigan.

Mr. WOLCOTT. What will be the actual value of the nickel when this new formula is in effect?

Mr. McLAUGHLIN. I would be glad to supply it. It is in the record. Of course, it will be greatly in excess of the present actual intrinsic value.

Mr. HANCOCK. Something over 4 cents, as I recall; four and a fraction cents.

Mr. WOLCOTT. I have been informed that it will be something over 4 cents.

Mr. McLAUGHLIN. That is correct, it will be something over 4 cents.

Mr. WOLCOTT. Does not the gentleman think that will induce the hoarding of nickel to the point where perhaps we shall have to coin enough more nickels to offset the savings?

Mr. McLAUGHLIN. Representatives of the Treasury Department appeared before the committee and inquiry along that line was made. Statements were furnished, written statements as well as oral, on the effect of the operation of this law, if it becomes a law. The Treasury Department is not of the opinion that that fear is well-founded, I may say to the gentleman.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Is it not true that the Treasury is purchasing a rather large amount of silver, and is it intended to use that silver in connection with the coinage of these nickels?

Mr. McLAUGHLIN. Of course, a large amount of silver will be used.

Mr. CHENOWETH. Does the gentleman think this is a salutary provision, to use some of this silver?

Mr. McLAUGHLIN. Yes; I do. I think that is another consideration that can well be taken into account as an argument in favor of this title.

Title XIV extends the act of 1926 so as to confer on the Government the right to inspect the plant and audit the books and records of war contractors and subcontractors. The present act applies only to aircraft manufacturers.

The purpose of the act is to enable the Government to determine costs so as to fix a basis for a cost-plus-fixed-fee contract. The same power of inspection and audit and subpena are permitted in this title as are permitted in title III of the act, having to do with the fixing of penalties for the violation of the priorities law.

Title XV is a new title added to the bill by the Judiciary Committee of the House. Its inclusion was requested by Mr. Jesse Jones, Secretary of Commerce, who pointed out that the authority is especially needed by the Department of Commerce in order to collect information in connection with war efforts without delay, and to make this and other information now obtained by the Department of Commerce under the seal of confidence available to other war agencies. The new provision will permit special investigations and reports of census or statistical material which may be needed in connection with the conduct of the war.

Title XVI of the bill provides that it shall terminate with the exception of titles XI, XIII, and XIV on December 31, 1944, or at such earlier date as Congress may determine by concurrent resolution or which the President may designate.

Mr. Chairman, I have attempted in this statement to outline the provisions of the bill title by title. As I said at the outset and now repeat, I do not believe this bill is the controversial measure which some Members fear it may be. There are some differences of opinion among Members as to certain provisions of certain titles of the bill. On the whole, I think the bill will be found to be an acceptable and a useful one.

We are at war. It is necessary, as we all recognize, that some of the rights and privileges which the individual may possess in peacetime must be subordinated to the Nation's program in time of war. Our personal way of life may be affected; our whole scheme of living, perhaps, will encounter many changes during the course of this war. We, as patriotic Americans, are willing to give up those things upon which we have felt we had a right to insist in order that our war efforts may be successful. The Judiciary Committee has reported a bill in which the processes of our form of government are adhered to. I submit that the bill in its present form carries out the intention which it is designed to carry out. I trust it will be passed.

Mr. SUMNERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill, S. 2208, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. O'HARA, for 1 week beginning February 25, 1942, on account of official business.

To Mr. ANDERSON of New Mexico, for 1 week, on account of official business.

EXTENSION OF REMARKS

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent, on behalf of my colleague, the gentleman from Michigan [Mr. HOFFMAN], that he may be given permission to extend his remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PRESIDENT ACCEPTS REPUBLICAN ECONOMY SUGGESTION

Mr. HOFFMAN. Mr. Speaker, in answer to the charge sometimes heard from the majority side that Republicans do not offer constructive suggestions, permit me to call your attention to the Appendix of the CONGRESSIONAL RECORD, page A289, where the gentleman from Ohio, Mr. ROBERT F. JONES, pleaded, as he has so often before, for efficiency and economy. He inserted in the RECORD a statement showing the waste and extravagance connected with defense housing in the city of Washington.

The gentleman from Ohio [Mr. JONES] there called attention to the inefficiency and the economic waste connected with the handling of housing problems by the Federal Government. Among other things, he said:

> There are 12 or 13 agencies of the Government handling housing. Assuming that each one of these agencies goes to a separate Budget examiner, or at least some of them do, I would like to suggest that nobody has a complete, over-all picture of where the money already available from Federal agencies is being spent, and whether it is being spent wisely and in the most needed spots.

He concluded his remarks with these observations:

> Think of it again when I summarize: Congress appropriated directly over a billion dollars. Another billion dollars are available from funds gained in the Insull type of corporate manipulation, and the Federal Housing Administration obligates the Government for another billion dollars' worth of defense housing. Finally, 13 Federal agencies handle housing apparently independently without an over-all examiner in the Bureau of the Budget.

We learn from the press this morning that at last the administration itself has yielded to the public demand for economy and efficiency, which has been so ably, on so many occasions, called to the attention of this House by the gentleman from Ohio [Mr. JONES]. The President, the press tells us, has ordered the consolidation of 16 of the Federal housing agencies.

If this administration had on occasion accepted some of the constructive suggestions made by the gentleman from Ohio [Mr. JONES], not only would others be encouraged to continue our good efforts, but the administration would save the taxpayers of the country millions of dollars and bring about some of the things which are necessary.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Mississippi [Mr. MCGEHEE] is recognized for 15 minutes.

Mr. MCGEHEE. Mr. Speaker, we have been taught since our elementary-school training that eternal vigilance is forever the price of freedom. I noted in one of the daily periodicals recently a slogan adopted by some religious organization, "Wake Up, America, Wake Up." This organization evidently is sensing the attitude of the general public of our great country as one of lethargy and apathy. In fact, in my humble opinion, this is true. If so, there certainly are contributing causes for the existence of this situation. It is my purpose today to call the attention of the Congress to some of these contributing factors as I see it, and I believe a great majority of our people will agree with me that at least some of them are the controlling elements that are causing this general situation among our people.

As I see it, there is becoming a general fear as to what is to happen in the near future, yet a lingering in the minds of our general populace that in the ultimate end all will be well. Mr. Speaker, it is time now for us to gird ourselves at the earliest possible moment for the affray with the wholehearted cooperation of all to make an end to the world catastrophe that is facing us, and not await a time in the distant future when the successful termination of it by reason of delay would leave our people in such a state of being that they might likely be receptive to any "ism" that is un-Americanism.

Singapore has fallen; Hong Kong has fallen; practically every Far Eastern base has fallen; and it may be the next flash

will be the sad news that General MacArthur and his little force have surrendered. The German Fleet sailed through the Straits of Dover practically unharmed—a major victory for the Axis and its allies. The debacle of Pearl Harbor is history. Immediately after its consummation there was a more unitization of the minds of the people of this country than has existed in the past 10 years, because this country has been ruled by an organized minority rather than an unorganized majority, the unorganized majority accepting the decrees of the organized minority in an apathetic way, feeling that the future would bring forth a change. All of this was forgotten immediately after December 7, but the public is beginning to fall back into that state, and to reassure it and to gird ourselves for the conflict there must be a more firm and serious stand taken by our leadership and administration; otherwise that disturbing and demoralizing condition which prevailed in France before and after the outbreak of the present war will prevail here. Visionary radicals were in control of the French Government. In this country there are too many socialistic, theoretical, and inexperienced persons in major and key positions controlling the destiny of this Nation, their ideas and past life being trained in socialistic reforms; and when men with a practical and successful background are placed in a position to aid us in this national emergency and crisis, they are thwarted and circumscribed by the powers of the inexperienced to the extent they are not able to carry on.

The morale of the people of this country must be built up to the extent the Nation as a whole must be ready to sacrifice all, even unto life, for its preservation. This cannot be done until there is a complete reversal in the manner we have started out to do things and the method in which they are to be done. To secure the confidence of all the people and a determination on their part to make that every sacrifice which as American citizens they will be compelled to before we win this war and preserve our freedom many things must be done.

First. In the primary organization and the present set-up in the Office of Civilian Defense, there should be a complete overhauling and an entire change in the manner in which it should be handled; that is, there should certainly not be any fan dancers for the amusement of children nor any high-falooting actors who are "pinkish" from head to foot, or salaried people handling same in any capacity. There are enough patriotic people with practical experience who will gladly take charge of any phase of this organization without remuneration. It should be headed by an outstanding retired military officer. The public's reaction to what has been done so far in the organization of this necessary set-up for our national defense has been most demoralizing. Their reaction, as I gleam it, is this is an hour of peril and not one of entertainment, one of pleasure, or one of joy; not an hour when "pinkish" influences should be infiltrated into the hearts and minds of the youth and people of this country. It is an hour when they need the leadership of a man of wide experience and especially in defensive measures and one who can instill into them patriotic motives and a reincarnation of that love of freedom and liberty that was inculcated in them by the deeds of our forefathers.

Second. There is an entire lack of faith and confidence in the National Labor Relations Board and many of the judges of our courts in decisions recently rendered, and the racketeering leadership of certain labor leaders as Sidney Hillman, John L. Lewis, Philip Murray, and others. The laboring man, who by toil and sweat, earns his livelihood and food and substance for the little family and whom I want to praise as a class of our most loyal and patriotic citizenship, are mere pawns in the cat's paw of those who would have them believe they are working for their interest, and when it is only one of selfishness.

Strikes almost every day are being called, but I am sure that 98 percent of those men who are working and are compelled to strike are satisfied in every respect, for the reason they realize that the ultimate outcome of this war will depend on their efforts because they are the men that are toiling day in and day out to produce materials which will make possible the salvation of their wives and babes and their future prosperity, liberty, and freedom.

Third. There is being advocated, talked, and taught and forced, in some instances in the guise of liberalism, social equality between the Negro race and the white race, which is just as impossible as the mixing of milk and ink. This is being done to the extent that Negroes are placed with the white daughters and sons on an equal basis in the offices, cafeterias, and in other governmental agencies throughout the country.

The Negroes are beginning to believe that this administration is fostering social equality, and there is certainly some basis for them to think so, to the extent they are forming organizations to enforce the same. This was reported by a New York paper a few weeks ago, in which its headlines said "War will aid Southern Negroes right wrongs imposed by whites." "Colored leaders propose to strike for franchisement and other liberties, even though it means disorder, bloodshed, and suffering for a generation."

Visualize if you please, the morale of the white race of this country, because they are aware of the trouble, the strife and suffering that will be caused in the ranks of both when this war is over; shaking the confidence of both races at this time with a worry in the minds of each as to what the future will bring, when there should be a unity of purpose of both races to preserve the liberties that all now enjoy.

Fourth. There are many men and women in key positions in our defense program and in the services of our Government, holding key positions in our defense plants, that should be removed and a close watch placed over them.

The general public is aware of this and this, too, is lessening the morale, because they are wondering when it is all over, will they take charge of our Government under some form of "ism," which is not Americansim. There is no question in the minds of the public but that this thought and determination is in their minds at present; many of these persons' names have been disclosed on this floor and there are literally hundreds that have not been.

Fifth. The Congress passed an act establishing price control and legislation for the proper functioning of this new agency, yet, long prior to its passage there was appointed a man as administrator, and as I understand, he has been reappointed to this important position; many of his rulings and especially his antics, have caused a general distrust in the minds of the public as to his proper fitness and background for the handling of this office, which will affect the lives and actions of every individual.

On the front pages of papers throughout the country, there appeared pictures of this man as a bicycle rider, blond toter, cheroot smoker, and 1917 model T Ford fender straightener, the public's reaction being that if he had the ability to administer this act, certainly he would have been possessed with a dignity that would have foregone any such maneuvers.

This is a trying hour and the morale of the people, as I stated, must be built up up rather than torn down and I am making the prediction that public confidence will never be restored and a proper enforcement of price control, until there is a change of personnel and a man of practical experience and with a background of universal approval placed in this office.

Sixth. There is a lack of confidence of the people because of the withholding of facts. The debacle at Pearl Harbor and the regrettable losses by reason thereof, the public has never been informed of except in general terms. Kimmel and Short had thrown in their laps the entire blame for it. There is no question in the minds of the people but that Kimmel and Short were derelict in their duty, but there is that question mark that pervades the thoughts of every person that there were other persons higher up that were particeps criminis in this dereliction of duty. The entire facts and entire losses should be revealed to the people and when so done, their reaction will be one of more determination to gird themselves for a greater fight.

Drew Pearson and Robert Allen in their column last December said:

> We feel that this war cannot be won without knowing what we face. We believe the American people will respond all the greater if there is no punch-pulling or political covering of the grave defeat at Pearl Harbor.

In their column of February 16, they called attention to the fact that the happenings at Pearl Harbor on December 7—

> caused an absolute unified nation, but that today that unity is slowly evaporating for the

reason, first, too great a feeling of optimism was radiated from higher places immediately after and since. Second, because the public, not even today, has been given any real idea of how devastating were the losses at Pearl Harbor.

Seventh. The people have been for some time, and are now, expecting a more individual thought and action by the membership of the two branches of the Congress. Congress has been doing the dancing all along and practically none of the fiddling. It has been taking orders from economists and theorists. One never heard of an economist making a correct analyzation or prediction or a theoretical problem which proved practical.

Admiral Harry E. Yarnell, when commander in chief of the United States Asiatic Fleet, in January 1939 wrote Rear Admiral Snyder, president of the United States Naval War College at Newport, R. I., and copies of his letter were sent to naval operations, the commander in chief of the United States Fleet and the chairman of the General Board of the Navy, outlining the preparations and precautions this country should take in the Far East, and in his admonition to them he said, "The former theories of eccnomists are open to question." Admiral Yarnell recognized the futility of following the economists of our war college in their recommendation as to our future and preparedness protection program in the Far East.

Eighth. Provisions in the amended Retirement Act permitting elective officers, including Members of the House and Senate, to qualify for retirement benefits, has been a factor in creating this lack of confidence in the administration of things. The House voted this afternoon to repeal this measure, removing to a certain extent this troublesome matter.

I might add that I think a mountain was made out of a molehill by the public and the press, because, as I see it, there would not be over 10 or 15 percent of the Members of the two branches qualify, because of the enormous expenditures in doing so. But, this is no time for the passage of such legislation. As we all remember, the House by an overwhelming vote killed a similar amendment to the Retirement Act a year or so ago.

Ninth. Permit me to just call attention to a few things that are further causing distrust among the people, without going into detail because each and every act is familiar to us.

(a) The destruction of the *Normandie* was a tragedy of negligence and incompetency as gross as Pearl Harbor.

(b) The turning loose of Harry Bridges after this House passed a bill to deport him; his case being then referred to the courts and the courts ordered him deported and yet, he is still carrying on his nefarious work through the manipulation of governmental agencies.

(c) The appointment of Harold Loeb as senior business specialist under Leon Henderson and authority to ration all goods sold at retail.

(d) Malcolm Cowley appointed in a key position in the Office of Facts and Figures—supposed to be a poet, but a political comrade of William Foster and James W. Ford, both Communists.

(e) The manner in which the National Labor Relations Board agents are going about the country advising manufacturers about the hours to be observed.

The people of this country are willing to put up with the anomalous Daylight Saving Time Act passed by the Congress, they are willing to adhere to rationing control of food and raiment, they are willing to tighten their belts and eat less, they are willing to make every sacrifice possible for any human to make, so as to preserve and make safe for their children the liberty and freedom we have enjoyed during the history of our Nation; but let us give them men and women to administer the different jobs and positions that are necessary to carry out this program that they have confidence in and men and women whose thoughts are not painted pink.

I again say as the slogan of the religious organization says "Wake up House of Representatives, wake up United States Senate, wake up our entire administration, wake up America, wake up."

THE WAR POWERS BILL

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore (Mr. COCHRAN). Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, I simply wish to give notice of an amendment which I shall offer in two places in the pending bill, S. 2208, one relating to the condemnation of real estate and the other to the requisitioning of personal property. The amendment reads as follows:

> The amount paid for any property so taken shall include fair compensation for losses proximately caused by the taking, in addition to the amount which would otherwise have been payable.

It seems to me this is fair and right and should be adopted. I invite the attention of the House to this amendment, and I shall ask the concurrence of as many of you as may find yourselves in accord with its manifest purpose.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on Monday, February 23, 1942, present to the President, for his approval, bills of the House of the following titles:

H. R. 268. An act for the relief of James Wood;

H. R. 793. An act for the relief of the estate of Charles D. Talbert, deceased;

H. R. 2183. An act for the relief of Hiram O. Lester, Grace D. Lester, and Florence E. Dawson;

H. R. 2712. An act for the relief of the Branchland Pipe & Supply Co.;

H. R. 2780. An act for the relief of O. C. Ousley;

H. R. 3141. An act for the relief of Fred Farner and Doris M. Schroeder;

H. R. 4537. An act for the relief of H. D. Bateman, Henry G. Conner, Jr., executor of the last will and testament of P. L. Woodard, and J. M. Creech; and

H. R. 4622. An act for the relief of Catharine Schultze.

ADJOURNMENT

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 25, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Subcommittee on Petroleum of the Committee on Interstate and Foreign Commerce, at 10 a. m., Wednesday, February 25, 1942.

Business to be considered: To resume hearings on petroleum as outlined in Mr. COLE's memorandum of February 6, 1942.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, February 25, 1942, at 10:30 a. m., for the continuation of hearings on S. 1476 (Florida tick bill).

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions at 10:30 a. m., Wednesday, February 25, 1942, in room 247, House Office Building, for the purpose of considering private bills.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, February 26, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1432. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 3, 1942, submitting an interim report, together with accompanying papers and an illustration, on an investigation of the San Diego River, Calif., authorized by an act of Congress approved on May 6, 1936, and the Flood Control Act approved on June 22, 1936 (H. Doc. No. 635); to the Committee on Flood Control and ordered to be printed, with an illustration.

1433. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated September 30, 1941, submitting a report, together with accompanying papers and illustrations, on a beach-erosion study, Coronado, Calif., authorized by the River and Harbor Act approved July 3, 1930, and by act of Congress approved June 26, 1936 (H. Doc. No. 636); to the Committee on Rivers and Harbors and ordered to be printed, with 11 illustrations.

1434. A letter from the Administrator, Agricultural Conservation and Adjustment, Department of Agriculture, transmitting the Eighth Annual Report of the Agricultural Adjustment Administration, covering the period July 1, 1940, through June 30, 1941; to the Committee on Agriculture.

1435. A letter from the Attorney General, transmitting a draft of a proposed bill to provide for lump-sum payments for annual leave due to Government employees in certain cases, and for other purposes; to the Committee on the Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS of Virginia: Committee on Public Buildings and Grounds. S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors; without amendment (Rept. No. 1823). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 4092. A bill for the relief of E. P. Corley; with amendment (Rept. No. 1824). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr GORE:

H. R. 6654. A bill to provide under the Soldiers' and Sailors' Civil Relief Act of 1940 additional benefits with respect to insurance, civil rights, and taxes; to the Committee on Military Affairs.

By Mr HENDRICKS:

H. R. 6655. A bill to extend eligibility for benefits, under the Railroad Retirement Act of 1937, to individuals who are ineligible only by reason of the time of separation from service; to the Committee on Interstate and Foreign Commerce.

By Mr FULMER:

H. R. 6656. A bill to provide for use of net weights in interstate commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes; to the Committee on Agriculture.

By Mr JENNINGS:

H. R. 6657. A bill to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes; to the Committee on the Public Lands.

By Mr. VINSON of Georgia:

H. R. 6658. A bill providing for the rank of chiefs of bureaus of the Navy Department in time of war, and for other purposes; to the Committee on Naval Affairs.

By Mr KLEIN:

H. R. 6659. A bill creating the office of photographic imports; and providing for the admission into the United States duty-free of certain historical, educational, documentary or religious photographic dry plates and films; to the Committee on Ways and Means.

H. R. 6660. A bill to grant Government employees who are members of certain military units leaves of absence for periods of active service; to the Committee on the Civil Service.

By Mr. ROGERS of Oklahoma:

H. R. 6661 (by departmental request). A bill to authorize the leasing of Indian lands for business and other purposes; to the Committee on Indian Affairs.

By Mr. LANHAM:

H. R. 6667. A bill to establish an Office of Fiscal Investigations as an agency of the House of Representatives; to the Committee on Accounts.

By Mr. JONES:

H. J. Res. 284. Joint resolution recognizing the invalidity of Executive Orders Nos. 9001 and 9023 dated December 18, 1941, and January 16, 1942, respectively; to the Committee on the Judiciary.

By Mr. CANNON of Missouri:

H. J. Res. 285. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

By Mr. CURTIS:

H. Res. 445. Resolution providing that no bill providing monetary or other benefits for Representatives, Delegates, or Resident Commissioners shall be placed upon the Consent Calendar; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY of New York:

H. R. 6662. A bill for the relief of Mary Herta; to the Committee on Claims.

By Mr. CRAVENS:

H. R. 6663. A bill for the relief of Dan Crotts; to the Committee on Claims.

By Mr. CREAL:

H. R. 6664. A bill for the relief of Gus A. Vance; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 6665. A bill for the relief of Alberta Ward Johnson, administratrix; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 6666. A bill for the relief of George W. Henry; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2471. By Mr. FORAND: Resolution of the Rhode Island State Industrial Union Council, Congress of Industrial Organizations, making full representation to leaders in Congress requesting that an appropriation of $300,000,000 be made available immediately for increased unemployment compensation benefits in order to provide money payments, as well as retraining facilities through increased quotas for Work Projects Administration, for those workers who are being rendered unemployed as the result of the conversion of industrial plants from a peace to a wartime basis, together with the operation of necessary priorities; to the Committee on Ways and Means.

2472. Also, resolution of the Central Falls Veterans' Council, Central Falls, R. I., to provide a method of replacing able-bodied men now holding jobs in nondefense industries or Government agencies not connected with national defense by handicapped men, including disabled war defenders of World War No. 1, men beyond and under the draft age, and women qualified to do such work, so that the able-bodied men might be placed in jobs essential to the Nation's production for the army of democracy in order to defeat Hitler and his partners; to the Committee on Military Affairs.

2473. By Mr. GOSSETT: Petition of Young County citizens, urging suspension of Agricultural Adjustment Administration acreage restrictions for the duration of the war, etc.; to the Committee on Agriculture.

2474. By Mr. KEOGH: Petition of the United Sugar Refinery Workers, of Long Island City, favoring the passage of Senate bill 2161 for postage-exempt mail for members of the military and naval forces of the United States; to the Committee on the Post Office and Post Roads.

2475. By Mr. KRAMER: Petition of the board of supervisors, Los Angeles County, Calif., respectfully petitioning the House and Senate of the United States to enact either House bill 6316 or Senate bill 2208, or a bill which would accomplish the requests to provide for compensation for injuries or death sustained by volunteer civilian defense workers in the line of duty; to the Committee on the Judiciary.

2476. By Mr. LAMBERTSON: Petition of Vernon Kopp and two other women of Sabetha, Kans., Women's Missionary Association of the United Brethren Church, wishing to go on record as favoring the bill of Senator W. LEE O'DANIEL, of Texas, barring the sale of liquors, wines, and beers at Army and Navy posts; to the Committee on Military Affairs.

2477. Also, petition of Clement T. Farrell Post, No. 306, of the American Legion, and 100 citizens of Hanover, Kans., requesting support of legislation for the repeal of the Pension Act for Members of Congress; direction of efforts against the use of funds for physical culture in the Office of Civilian Defense; support of legislation to outlaw labor strikes for the duration of the war; that the House of Representatives and the Senate ask for the resignation of Mrs. Roosevelt from Office of Civilian Defense; also the support of legislation prohibiting excess war profiteering; to the Committee on Military Affairs.

2478. By Mr. LANE: Petition of the City Council of the City of Lynn, Mass., opposing the imposition of a Federal tax upon the income from State and municipal bonds; to the Committee on Ways and Means.

2479. By Mr. MERRITT: Resolution of the New York State Sewage Works Association, requesting the adoption of a policy to support legislation now before Congress as defined in Senate bill 1617 and House bill 5638; to the Committee on Labor.

2480. By Mr. RICH: Resolution of the Council of the City of Williamsport, Pa., protesting against legislation to impose Federal tax on municipal bonds; to the Committee on Ways and Means.

2481. By Mr. ROLPH: Resolution of the war council of the American Legion, Department of California, relative to the alien-enemy problem; to the Committee on Military Affairs.

2482. By Mr. SMITH of Wisconsin: Petition of the Bartenders' Union, Local No. 322, Racine, Wis., protesting against the proposed 5-percent cabaret tax on entertainment and juke-box dancing; to the Committee on Ways and Means.

2483. By Mr. THOMAS of New Jersey: Petition of Ralph W. Lester Post, No. 130, Veterans of Foreign Wars of the United States of Westwood, N. J., commending the bill introduced by Congressman THOMAS of New Jersey to confer a Congressional Medal of Honor on Gen. Douglas A. MacArthur; to the Committee on Military Affairs.

2484. Also, resolution adopted by the Ridgewood unit of Republican Women, Ridgewood, N. J., favoring an appropriation by Congress now of sufficient funds for the Dies committee to continue its work, and that such appropriation be made now to cover the duration of the war, with a present annual minimum appropriation equal to the past maximum, said appropriation to be increased if necessary, but not decreased; to the Committee on Appropriations.

2485. Also, resolution adopted at a regular meeting of the Bergen County Woman's Republican Club, Inc., Hackensack, N. J., recommending that the Dies committee be continued for the war emergency; to the Committee on Rules.

2486. By the SPEAKER: Petition of the Board of Chosen Freeholders of the County of Passaic, Paterson, N. J., petitioning consideration of their resolution with reference to the Federal tax on municipal, county, or State bonds; to the Committee on Ways and Means.

SENATE

WEDNESDAY, FEBRUARY 25, 1942

(Legislative day of Friday, February 13, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Reverend Theodore Otto Wedel, canon chancelor, Washington Cathedral, Washington, D. C., offered the following prayer:

O God, our help in ages past, our hope today and forever, have mercy upon all who fear Thy name in this hour of history. Pity our blindness, our fear, our halting hope, our faltering courage. Deliver us from lust for power, and from ignoble hatred, yet give us strength of will and heart to do the right, even on fields of battle, as we, in humility and trust, see that right. Keep us unstained from pride and the desires of domination, yet strong in the might of Thy mysterious purpose. Protect all who serve this Nation in selfless service. And bring us speedily to the harbor of a righteous peace and to the restored covenant of Thy law among nations. We ask it through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, February 24, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that the President had approved and signed the following acts and joint resolution:

On February 21, 1942:

S. 1133. An act to authorize the transfer of lands from the United States to the Maryland-National Capital Park and Planning Commission under certain conditions, and to accept title to another tract to be transferred to the United States;

S. 1521. An act to provide that the Navy ration may include canned or powdered or concentrated fruit or vegetable juices;

S. 1526. An act to provide decentralization of the issuance of orders authorizing the payment of travel expenses in connection with the transfer of civilian employees from one station to another; and

S. J. Res. 133. Joint resolution amending section 7 of the Neutrality Act of 1939.

On February 23, 1942:

S. 1630. An act to provide for the advancement on the retired list of certain officers of the United States Navy and Marine Corps.

On February 24, 1942:

S. 1368. An act relating to lands of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Norris
Austin	Gerry	Nye
Bailey	Gillette	O'Daniel
Ball	Glass	O'Mahoney
Bankhead	Green	Radcliffe
Barbour	Guffey	Reed
Barkley	Gurney	Reynolds
Bilbo	Hayden	Rosier
Bone	Herring	Russell
Brewster	Hill	Schwartz
Brown	Holman	Smathers
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Okla.
Byrd	La Follette	Tobey
Capper	Langer	Truman
Caraway	McCarran	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wallgren
Danaher	Mead	Walsh
Davis	Millikin	Wheeler
Downey	Murdock	White
Doxey	Murray	Wiley

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Louisiana [Mr. OVERTON] is unavoidably detained.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Georgia [Mr. GEORGE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senator from Arkansas [Mr. SPENCER], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of injuries and illness.

The Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Massachusetts [Mr. LODGE], and the Senator from Indiana [Mr. WILLIS] are unavoidably absent.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

PETITION AND MEMORIAL

Petitions, etc., were laid before the Senate or presented, and referred as indicated:

By the VICE PRESIDENT:

A telegram in the nature of a memorial from R. M. Streibel, chairman of a convention of the Wells County (N. Dak.) Non-Partisan League, on behalf of that organization, remonstrating against the consideration of certain charges brought against the Senator from North Dakota [Mr. LANGER], and favoring dismissal of the proceeding involving the right of that Senator to his seat in the Senate; ordered to lie on the table.

By Mr. CAPPER:

The petition of members of Russell Blackburn Unit, No. 123, American Legion Auxiliary, of Strong City, Kans., praying for the enactment of the bill (H. R. 4) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes; to the Committee on Finance.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. REYNOLDS. Mr. President, I have before me a letter in the nature of a petition which I read:

Hon. ROBERT R. REYNOLDS,
Chairman, Senate Military Affairs Committee, Senate Building, Washington, D. C.

DEAR SENATOR REYNOLDS: At a union meeting held at the Methodist Church in Louisa, Va., on Sunday, January 18, the congregation voted to request the pastors present to write to you, stating that it appealed to Congress to pass protective legislation for our soldiers from the liquor and vice traffics similar to that passed in 1917. It respectfully requests that this action be read by you on the floor of the Senate and that it be made a part of the CONGRESSIONAL RECORD.

H. F. TURNER,
Pastor, Methodist Church.
R. CARTER RANSOME,
Pastor, Baptist Church.

The VICE PRESIDENT. The letter presented by the Senator from North Carolina will lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALLGREN, from the Committee on Public Lands and Surveys:

H. R. 4336. A bill to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes; without amendment (Rept. No. 1133).

By Mr. WILEY, from the Committee on Claims:

H. R. 962. A bill for the relief of Multnomah County, Oreg.; without amendment (Rept. No. 1134).

By Mr. ELLENDER, from the Committee on Claims:

H. R. 4665. A bill for the relief of Harry Kahn; with an amendment (Rept. No. 1135);

H. R. 5605. A bill for the relief of Lt. Col. J. B. Conmy; without amendment (Rept. No. 1136); and

H. R. 5646. A bill for the relief of Joseph Simon, lieutenant commander (SC), United States Navy, and R. D. Lewis; without amendment (Rept. No. 1137).

By Mr. TUNNELL, from the Committee on Claims:

S. 2187. A bill for the relief of Tom G. Irving; Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale; without amendment (Rept. No. 1138); and

H. R. 5473. A bill for the relief of Allene Ruhlman and John P. Ruhlman; with amendments (Rept. No. 1139).

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

H. R. 1793. A bill to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States; without amendment (Rept. No. 1140).

PROBLEMS OF SMALL BUSINESS—ADDITIONAL REPORT OF A COMMITTEE AND BILL REPORTED (PT. 3 OF REPT. NO. 479)

Mr. MURRAY. Mr. President, I ask unanimous consent to file an additional report from the special committee appointed by the Senate under Senate Resolution 298, Seventy-sixth Congress, to study and survey the problems of small-business enterprises. The report, No. 479, part 3, relates specifically to the effect of the recent freezing and rationing orders of the Government and to the conferences held by the Committee on Small Business Problems on January 9, 1942, and presents recommendations to aid small-business enterprises in meeting the impact of these orders which I have mentioned.

The VICE PRESIDENT. The report will be received and printed, under the rule.

Mr. MURRAY. Mr. President, in connection with this report which I have just submitted, I desire to say that the Senate Committee on Small Business Problems, of which I am chairman, has for the past 8 weeks conducted extensive studies into the problems of small-business enterprises which have arisen out of the orders promulgated by our Government freezing stocks of merchandise and directing the rationing of articles and commodities during the war emergency period.

The serious threat of ruin and bankruptcy to small-business enterprises, brought about by Government rationing orders, reached a dramatic climax in January with the decision of the Government to convert the entire automobile-manufacturing industry to the production of munitions of war and to freeze the stocks of new passenger automobiles and light trucks in the hands of distributors wherever they were found on January 1.

As a result of these freezing orders our committee received hundreds of telegrams from independent automobile and truck dealers throughout the Nation. Likewise, scores of telegrams and letters of similar nature were directed to the attention of every Member of the United States Senate and House of Representatives. On January 5 the then president, L. Clare Cargile, and the executive vice president, Ray Chamberlain, of the National Automobile Dealers Association, personally called upon me on behalf of the thousands of dealers and their employees which this association represents. I immediately consulted with the members of the Small Business Committee and, upon their advice, I called a conference for January 9 between the committee, Mr. Leon Henderson, Administrator of the Office of Price Administration, and the officers and executive committee of the dealers' association.

The purpose of the conference was twofold. First, our committee believed it was the best possible way to enable the representatives of the automobile dealers to present their problems arising out of the freezing order to the Price Administrator, and to enable the Administrator and his assistants to have the advice of the automobile dealers as to how to draft such rationing and pricing plans so as to result in the least possible injury to the dealers. Second, we wished to determine whether or not there was need for national legislation on the subject. As a measure of the interest in and importance of this conference, I cite the fact that, in addition to those I have named, the conference was attended by a total of 36 Members of the Senate and a scattering representation from the membership of the House of Representatives.

Before proceeding further with a discussion of these matters and the report and legislative recommendations of our committee, I deem it proper to refresh your memory regarding the action of the Government preceding the conference called by your committee, which I have just mentioned.

On January 1, 1942, Donald M. Nelson, then Director of Priorities of the Office of Production Management, issued Order L–2–f, restricting the sale and delivery of passenger automobiles, and Order L–3–e, further restricting the sale and delivery of light motortrucks for the period January 1 to January 15, 1942. The immediate effect of these two orders was to freeze every new passenger automobile and light motortruck then in the hands of automobile and truck manufacturers, wholesalers, and retailers. The purpose of these orders was to temporarily freeze new automobiles and trucks until such time as the Price Administrator could work out fair and equitable rationing and pricing policies on such automobiles and trucks, in anticipation of the fact that the Government proposed to entirely curtail their manufacture and bring about the conversion of the automobile manufacturing industry to the manufacturing of munitions of war. Subsequently thereto, the freezing order was extended until February 2, 1942.

Within this latter period the Office of Price Administration issued Rationing Order No. 2, restricting the sale of new automobiles to those persons who can show a need related to the public interest. The Office of Price Administration shortly thereafter issued a second order establishing maximum wholesale and retail prices for new passenger automobiles as a measure of coordination with the rationing program. This order is known as Price Schedule No. 85 and deals exclusively with new passenger automobiles.

The immediate effect of the January 1 freezing order, and the conversion of the automobile-manufacturing industry to war production struck the more than 44,000 automobile dealers of the Nation and their half million employees a sudden and terrific blow. The ultimate result of the impact of the order presented to these dealers the specter of bankruptcy and ruin.

Mr. President, it is the opinion of our committee that the conference and the result of its subsequent studies clearly demonstrate that there is need for legislative action if thousands of dealers in articles and commodities whose stocks are thus frozen and rationed are to be saved from ultimate bankruptcy. Our committee is of the opinion that legislative steps should be immediately taken to remedy, insofar as possible, the hardships which are incurred by dealers whose possibility of survival is seriously impaired by Government rationing orders; and that such legislation should be made general enough in terms so as to cover not only the difficulties of the 44,000 automobile dealers of the country but all firms and businesses which might at any time be similarly affected by Government action of this nature.

In order that our committee's recommendations for legislation to this end might be based on as thorough an investigation and study as possible, I met with more than 2,500 automobile dealers assembled in convention in Chicago between the dates of January 18 and 22, 1942. At that time I personally conferred with many of the dealers and with the board of directors of their association, as well as with its executive officers and legal counsel. In addition, all the members of our committee have given independent consideration and study to the drafting of such legislation. We have consulted many other sources as to the effect of similar rationing orders upon small businesses of all descriptions and kinds. The legislation which we now propose to the Congress represents the result of all of these studies and conferences.

Our committee has found that the damaging effect of such rationing orders lies in two directions.

First, impossible burdens are now placed upon dealers where rationing orders compel them to carry substantial investments and inventories of their affected articles and commodities over a long period of months. For the present our legislative recommendation confines itself to the alleviation of these financial burdens upon the dealers.

Second, where the livelihood and income of dealers is substantially imperiled by such rationing orders, the effect upon their ability to meet the conditions imposed upon them by long-term leases, mortgages, and other similar forms of obligations is a serious one. Our committee has before it now a draft of a bill proposing certain forms of relief from the burden of these types of obligation. There are serious questions raised as to the constitutionality of such legislation. We are conducting further studies on this question and will have a legislative recommendation to make to the Congress just as soon as we feel that this legislation is reasonably secure from attack on constitutional grounds.

Before referring to the bill which our committee proposes, I would like to digress for a moment to say that in addition to this proposed legislation we have found that there are certain additional means of relief to dealers:

First. Where the Administrator of the Office of Price Administration promulgates freezing orders, he has the power to ameliorate the blow of such orders upon dealers in the terms and conditions which he may lay down in his subsequent rationing and pricing orders.

Second. The Reconstruction Finance Corporation has already established a fund of $100,000,000 from which to make loans to automobile retailers and wholesalers to enable them to carry their investment in some 204,000 automobiles which have been manufactured since January 1.

Third. The President is considering plans for temporary relief to employees of all firms and industries whose businesses are seriously curtailed by reason of Government freezing and rationing orders.

I desire now to explain briefly the bill which I am about to submit on behalf of our committee.

Under the terms of the bill relief is not confined exclusively to dealers in automobiles and light trucks, of whom I have already spoken. It is intended to provide relief for all dealers in articles or commodities rationed under the authority of the United States when it is evident that substantial burdens of the carrying and warehousing of such inventories will be

imposed upon the said dealers for a period of 6 months or longer. Any such dealer may request a loan from or ask that the Reconstruction Finance Corporation purchase outright any or all of such inventories. When such requests are made to the Reconstruction Finance Corporation, it is required to make such loans or to purchase such commodities only in the case that the principal business of such dealers consists of dealing in and servicing the rationed articles or commodities. Such purchases and loans shall be made on a basis which will enable any such dealer to secure for the rationed article or commodity an amount not less than its prime cost to him, incurred in the ordinary course of trade or business, plus a reasonable allowance for transportation costs, storage, handling, servicing, insurance, carrying charges, and other expenses incurred by the dealer in connection with the carrying of his inventory and the protecting and preserving of such articles or commodities in first-class condition.

The Reconstruction Finance Corporation may prescribe such additional terms and conditions with respect to the said purchases and loan as it deems to be necessary and consistent with the purposes of this bill, except that the R. F. C. shall not be required to make purchases or loans on any article or commodity which is not in a salable condition or which has suffered substantial damage or deterioration as a result of neglect or lack of proper care on the part of the dealer.

The Reconstruction Finance Corporation is authorized to sell at public or private sale, with or without competitive bidding, any article or commodity which it may acquire under the terms of the bill. However, until the expiration of 1 year and 30 days after the beginning of the rationing period of such article or commodity, the R. F. C. shall make no such sale except to a dealer in the article or commodity. If the sale is made to any other department or agency of the Government, such department or agency may pay for the article or commodity any price not in excess of a fair retail market price as of the date of such sale. The R. F. C. may make such agreements or arrangements as are necessary and appropriate for carrying out the purposes of the bill, including agreements to pay to those from whom it acquires articles or commodities a portion of the proceeds realized by the R. F. C. from their sale.

Under the terms of this bill any article or commodity shall be deemed to be rationed whenever its sale to the general public in the ordinary course of trade or business has been restricted or prohibited by any regulation or order promulgated by the Government to aid in the more effective prosecution of the war, or for the purpose of conserving the supply of such article or commodity.

The bill is intended to protect credit agencies furnishing credit to dealers in such commodities under the same terms and conditions as to the dealers themselves.

In the event that the Government rationing plan does not permit the complete sale of frozen stocks to the people entitled to purchase them under the rationing plan within 1 year of the beginning of the rationing period, then at the end of the year the dealer shall have the right to sell any or all of his remaining stock of rationed goods on hand to the Reconstruction Finance Corporation at a fair retail price plus a reasonable allowance for transportation costs, storage, handling, servicing, insurance, carrying charges, and other expenses incurred by the dealer in connection with such article or commodity.

Therefore, under the terms of the bill, any dealer whose principal business is in the rationed commodity may liquidate his stock within the year to the Reconstruction Finance Corporation at his wholesale price plus the cost of handling, or at the end of the 1-year rationing period at a fair retail price plus his cost of handling.

Mr. President, from the Special Committee to Study and Survey Problems of American Small Business Enterprises, on behalf of myself and the members of our committee, the Senator from Connecticut [Mr. MALONEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from New York [Mr. MEAD], the Senator from Tennessee [Mr. STEWART], the Senator from Kansas [Mr. CAPPER], and the Senator from Ohio [Mr. TAFT], I report a bill, which I have described, and ask that it be appropriately referred.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

The bill (S. 2315) for the relief of dealers in certain articles or commodities rationed under authority of the United States, which was read twice by its title and referred to the Committee on Banking and Currency.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROWN:

S. 2309. A bill for the relief of the First National Bank of Huntsville, Tex.; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 2310. A bill for the relief of Roy Chandler; and

S. 2311. A bill to correct the military record of Joseph Narewski; to the Committee on Military Affairs.

By Mr. MALONEY:

S. 2312. A bill to amend the Nationality Act of 1940; to the Committee on Immigration.

By Mr. BARKLEY:

S. 2313. A bill for the relief of Mrs. Anna Gallagher Peak, widow of Capt. John Peak, deceased; to the Committee on Claims.

By Mr. McKELLAR:

S. 2314. A bill to provide that officers and employees of any department or agency of the Government who are no longer necessary for the performance of the functions of such department or agency shall be transferred, without the loss of any rights under the civil-service laws, to other positions in the Government service or given a preference with respect to such positions; to the Committee on Civil Service.

CONSOLIDATION OF POLICE AND MUNICIPAL COURTS OF THE DISTRICT—AMENDMENT

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes, which was referred to the Committee on the District of Columbia and ordered to be printed.

CONSOLIDATION OF HOUSING AGENCIES

Mr. TAFT. Mr. President, I have often had occasion on the floor to criticize the housing set-up of the Federal Government. I have frequently recommended the consolidation of the housing agencies. I wish to say that I cannot praise too highly the action of the President yesterday in consolidating all the housing agencies under one housing administrator and appointing Mr. Blandford as the head of the housing administration. Some 17 housing agencies have been consolidated. The problem is a single problem, and it should long ago have been dealt with under a single head.

Mr. Blandford, whom I happen to know, was assistant city manager of Cincinnati at one time. He has been the executive officer of the Tennessee Valley Authority and Assistant Director of the Bureau of the Budget. I know that he approaches this task with a real administrative ability, with a completely open mind as to the different kinds of housing, with willingness to give a fair judgment to all the different plans that have been urged and presented by different bureaus. I feel confident that in the action taken yesterday we are starting on a systematic and unified approach to the housing problem.

Only this week our committee has seen the confusion which is involved. Yesterday we had before us representatives of five or six different housing agencies, trying to get them to agree on a program for the District of Columbia, and agreement was reached finally by everyone agreeing that his particular project should go into the general plan, thereby raising the cost about 40 percent over the original plan.

Mr. President, I hope that Mr. Blandford may go on now to a complete study of the entire housing program, so that we may develop not only a proper defense building program but also a permanent Government plan for dealing with the housing situation during the next 20 or 30 years. I have often been critical of the President, and I am all the more pleased to praise the action which he took yesterday.

WASHINGTON AND FREEMASONRY—ADDRESS BY SENATOR CONNALLY

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator CONNALLY on February 22, 1942, on the subject Washington and Freemasonry, which appears in the Appendix.]

RELATION OF FARM INCOME TO FACTORY PRODUCTION—ADDRESS BY SENATOR DAVIS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address entitled "United We Stand," delivered by Senator Davis during the National Grange hour, in New York City, December 20, 1941, which appears in the Appendix.]

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (S. 2255) to establish a policy with respect to the disposition of agri-

cultural commodities acquired by the Commodity Credit Corporation.

The VICE PRESIDENT. The clerk will state the first amendment of the committee.

The CHIEF CLERK. On page 2, line 13, after the word "to", it is proposed to insert the words "or by."

The VICE PRESIDENT. The Chair lays before the Senate a letter received from the President of the United States, which the clerk will read.

The Chief Clerk read as follows:

THE WHITE HOUSE,
Washington, February 24, 1942.

MY DEAR MR. PRESIDENT: My attention has been called to the introduction in Congress of bills (S. 2255 and H. R. 6564) which, if enacted, would prevent the Commodity Credit Corporation from disposing of its holdings of agricultural commodities below parity prices.

I believe that irreparable damage to the war effort and to the farmers of this country would result from the enactment of this legislation. In this hour when the very existence of our Nation as a free people is at stake, we cannot afford to indulge in the promotion of selfish interests such as are involved in this legislation.

Food production is playing a vital part in the conduct of the war. Not only this country but all of the United Nations are relying upon abundant production of food by the farmers of America. The two classes of products of which we have the greatest need for increased production are livestock products and oil-producing crops. Expansion in the production of both of these classes of products would be impeded by the enactment of legislation restricting the sale or disposition of the corn, wheat, and other products held by the Commodity Credit Corporation.

During the last 4 years the Commodity Credit Corporation, through its price-supporting activities authorized by the Agricultural Adjustment Act of 1938, has acquired large stocks of corn and wheat. These stocks were withdrawn and withheld from the markets when excessive supplies would otherwise have seriously reduced prices. At the time they were withdrawn from the market it was generally understood that they would be available for use in time of emergency. That emergency is now upon us and the conversion of these reserve stocks of grain into livestock products is urgently needed. This conversion can be brought about only through the maintenance of a favorable ratio between the price of feed and the price of livestock products. Such a ratio exists at the present time with respect to most livestock products and production of these products is being expanded rapidly. This expansion, however, would be seriously impeded by an increase of 15 percent in the cost of feed to dairy, poultry, and livestock producers which probably would follow the enactment of this legislation. The curtailment of the production of livestock products would, of course, be followed by higher prices for livestock products and substantial increase in the cost of living, which in turn would lead to more inflation and demands for higher wages.

On the other hand, higher prices for corn in the near future would tend to encourage farmers to plant more corn and thus increase the difficulties of attaining the production goals that have been established for soybeans, an oil-bearing crop which is urgently needed. This legislation would also increase the price at which peanut seed, now being acquired by the Commodity Credit Corporation, could be furnished to growers and thus discourage the planting of this important oil-bearing crop.

Thus the restrictions proposed in this legislation would tend to prevent the liquidation of the reserve stocks of grain at a time when they are needed, and also prevent the increased production of the products which are most needed in the war effort. Clearly this legislation cannot be defended as a war measure and neither can it be defended on the grounds that it is necessary in order to give farmers parity. In determining whether farmers are receiving parity, Government payments as well as market prices must be taken into consideration, and none of the major commodities—corn, wheat, and cotton—are being sold at prices which, when added to the conservation and parity payments, would result in a return below parity. As a matter of fact, in the case of cotton, production of which was relatively low in 1941, no sales are being made below parity price excluding payments. The only immediate effect of this legislation with respect to cotton, therefore, would be to stop the special sales that are being made in order to stimulate the use of cotton in the manufacture of insulation and in the manufacture of cotton bagging which can be sold at a low cost to cotton growers.

In addition to these and many other considerations, it should be kept in mind that substantial assistance, very properly, has been extended to farmers in the past and further assistance probably will be necessary in the future. The good will of the consuming public should not be shattered by grasping for a few extra dollars in the name of farmers. I hope these matters will be weighed very carefully by the Congress.

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

HON. HENRY A. WALLACE,
President, United States Senate,
Washington, D. C.

The VICE PRESIDENT. The letter will lie on the table.

Mr. WILEY. Mr. President, in view of the President's letter to the Vice President just read, I wish to make a few remarks.

I wish to compliment the Senators who spoke yesterday on the pending bill. I sat in the Senate through most of the debate and learned much about parity and the ignorance of the public generally as to the position of the farmers of the country. I feel that the language we have just heard about the "grasping" farmer is another indication of what has been carried on through the newspapers, namely, a real campaign of misrepresentation.

The press this morning announce that enemy planes have been over Los Angeles, and if we are to carry through in the tremendous endeavor in which we are engaging, we should recognize that the farm segment of the country is entitled at least to be understood, not misunderstood.

Speaking yesterday in the Senate, I said, quoting the Book of Books, that "by understanding a house is built." I claim that the farmers are not the grasping kind, but if, as indicated by the Senator from Oregon [Mr. MCNARY], it has been the policy of our Government for years to see that the farmers receive a return based upon parity, then the present is no time for Government to step in and endeavor to dislodge that well-established policy.

Furthermore, something was said in the message this morning about getting rid of surpluses. I am wondering how, if this country of ours should tomorrow face the responsibility of feeding a disrupted and disjointed world, we would do it if our surpluses were exhausted. According to all the evidence produced yesterday by men who spoke on the subject, there never has been an occasion when the dumping of products possessed by the Government did not result in a demoralization of the market, to the detriment of the farmer.

The facts are undisputed. Twenty-nine million people in this great country embracing from 22 to 23 percent of our population, are dependent for their living on what they produce on their farms. Even now the national income which goes to the farmer is only $11,000,000,000, compared with a total national income of $100,000,000,000. Twenty-three percent of the population receives 11 percent of the income.

Mr. President, I feel that by the letter to the Vice President there is continued a misrepresentation which should not be tolerated. If the backbone of any individual is weakened he is not in a very good condition to carry on. The farmers of the country constitute the backbone of the Nation, and up to within a few months ago, when the law of supply and demand came into operation, that backbone had been weakened over a period of years. And now when we are to put forth the greatest effort in the history of our Nation we receive a message indicating that we should break faith.

Senators heard the junior Senator from Michigan [Mr. BROWN] on the floor of the Senate yesterday ask, "Why do Senators not wait until they see whether the Attorney General of the United States sustains the position which they maintain is the law?"

Mr. President, the only purpose of the pending bill, as I understand, is to restate definitely what we thought was the law of the land a few weeks ago, and if the idea of the Chief Executive is that the farmers of the United States constitute "the grasping class," it is very evident that we can never hope to have in the Executive position in this country men who can comprehend the problems of the farmer, unless they acquire "understanding"—not misinformation.

Yesterday the Senate was given statistics from the floor of the Senate showing the average income of farmers. A comparison with the income of other classes should throw a little light on the subject.

Mr. President, I rose to ask permission to have printed in the RECORD a letter, sent to me by a man connected with Lawrence College, Wisconsin, which graphically depicts the position of the average citizen. He recognizes, as I stated on the floor yesterday, that "we must make secure the state," and we cannot make the state secure if we continue to carry on as "usual," carry on, on an 8-hour day, and go forward in the old, old way.

Mr. President, I ask that this letter addressed by the Kiwanis Club of Appleton, Wis., to the president and officers of Kiwanis International, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LAWRENCE COLLEGE,
Appleton, Wis., January 21, 1942.

To the President and Officers of Kiwanis International.

GENTLEMEN: Inasmuch as President Donley of Kiwanis International has pledged President Roosevelt and his Cabinet the wholehearted cooperation and support of Kiwanis

International, it does not seem improper or presumptuous on the part of this organization to make a few suggestions with regard to the solution of some of the urgent problems that confront us as a nation at this time.

Therefore the Kiwanis Club of Appleton, Wis., through its committee on public affairs and with the full support of the board of directors, suggests that the officers of Kiwanis International forward, in substance, the following suggestions to the President of the United States and to each Member of his Cabinet and both Houses of the Congress as representing the views of our organization on these matters of public interest and welfare.

1. The millions of our fellow citizens who are now serving in our fighting forces, or will hereafter join them, are called upon to serve for a mere pittance and must be ready to make the supreme sacrifice. In their task there is no 40-hour week and no time and a half for overtime. Everyone is called upon to serve to the utmost, night and day. Those of us who are permitted to stay at home, working at our private jobs and for our own interests, ought, at the very least, not to expect extra pay for this privilege, nor extra profits. We therefore suggest that Congress reexamine and amend our present law establishing a 40-hour workweek and that it add, with proper safeguards for legitimate rights of labor and industry, provisions which would abolish for the duration of the present emergency: First, the payment of time and a half for overtime; second, all excess profits; and third, forbid all strikes.

2. That Congress enact a law to fix and regulate the prices of all essential commodities for the duration of the emergency and to put this task into the hands of one competent man—such as Herbert Hoover, for example—a man of wide experience in this field and one who commands the respect and confidence of the whole Nation. To allow special privileges to certain groups would mean the break-down of the entire structure, and would ultimately result in serious inflation.

3. Inasmuch as we shall have to produce food not only for ourselves but also for the other countries associated with us, we suggest that the acreage restrictions placed upon the farmers by the Agricultural Adjustment Act be at once lifted for the duration of the emergency and that benefit payments be discontinued for the present. With substantial increases in prices already in force the farmers do not need to be bribed to do their part in this crisis, for in doing their part they will work for their own interests.

We believe that these suggestions might well be adopted as the views of Kiwanis International and forwarded to and urged upon President Roosevelt and the Congress.

The passage of the laws suggested here would result in a more even distribution of the burdens of the war. It would result in the saving of billions of dollars that are sorely needed for actual defense, and it would convince our boys in the service that the rest of us are not shirking, and would therefore result in a better morale both at home and among our fighting forces.

Very respectfully submitted.

KIWANIS CLUB OF APPLETON, WIS.

The VICE PRESIDENT. The question is on agreeing to the first committee amendment on page 2, lines 13 and 14.

The amendment was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment of the Committee on Agriculture and Forestry was, on page 2, after line 14, to insert a new section, as follows:

SEC. 2. Nothing in this act shall be construed to authorize any sale or other disposition of any agricultural commodity contrary to the provisions of the Agricultural Adjustment Act of 1938, as amended.

Mr. GILLETTE. Mr. President, I spoke at some length yesterday on the pending measure, and would not have sought recognition at this time if any other Senator desired to speak on the bill. I have some remarks I wanted to make, but I certainly have no desire to speak twice on the measure if there are other Senators waiting for the opportunity to speak. I understand, after conference with the majority leader, that he may wish to make a statement with reference to the measure later, but he prefers that I should go ahead now.

Mr. President, I have some additional things to say. I was very much disturbed and somewhat agitated by the reading of the letter from the Chief Executive addressed to the Vice President, in opposition to the passage of this measure. Without discussing the conclusions stated in the letter, which I had some difficulty in hearing when it was read, I desire to say that this is a very unusual procedure in legislation so far as my knowledge goes. The Chief Executive of the United States has a function with reference to legislation, and a duty which is laid upon him by the Constitution of the United States. Under the Constitution he sends to the Congress from time to time messages on matters affecting the public weal. A message coming at the opening of Congress from the Chief Executive, messages coming from time to time, are perfectly within the province of the President and are necessary and essential and very helpful to the Congress in the performance of its duties.

If the President, after Congress has acted on a pending legislative proposal, desires in the exercise of his further constitutional power to veto it, no one can have any objection to his action or can properly make any criticism of it. Then the Congress, under the Constitution, has the power further to consider the matter in the light of the President's veto and either vote to sustain the veto or vote to override it. Those are the orderly processes of legislation.

Mr. President, I have not always seen eye to eye with the President, and in differing with him I have felt that I was exercising the prerogative of an American citizen and an American Democrat. I perhaps will differ with him on matters that will come up from time to time during the remainder of my legislative service; but, Mr. President, on the question of the conduct of the war from the time we became involved in it I have been meticulously careful not to do or say anything which would hamper or obstruct in any way the conduct of the war on which every American citizen is embarked, and for the successful culmination of which we have placed at the disposal of the President the lives of our people and everything we are, everything we hope to be. I would not be on my feet at the present time representing a farm constituency if I thought there was any citizen of the State of Iowa or any citizen of any other State of the Union who was advocating or supporting a proposal that would hamper in any way, that would divert in any way, the exercise or the application of the Nation's strength to the winning of the war. I do not believe that I or any other Member of the Senate is advocating such a proposal.

The President has a perfect right to draw a different conclusion; there is no question about that; and the President has a right in the exercise of that conclusion to veto the action of the Congress; but I question that it is proper procedure for the President of the United States, when a measure is pending before the Senate of the United States, not to send a message to the Congress, but to send a letter to the Presiding Officer of the Senate, the Vice President of the United States, to be laid before the Senate, to influence our action in a matter which is before us.

Mr. President, it is not pleasant for me to stand here and offer criticism of the President of the United States at a time like this.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BARKLEY. I appreciate the sincerity of the Senator from Iowa, but I am sure he will recognize the fact that there is nothing unusual in the course pursued by the President today. From time immemorial Presidents have assumed the right and exercised the privilege of communicating with Congress, not simply by formal messages at the beginning of the session, but during the session. So far as I can remember, certainly during my service in the House and Senate, Presidents have from time to time sent letters to the Presiding Officers of the two Houses in regard to pending legislation. I know it was done in the House when I was a Member of that body during the administration of President Wilson. I know it was done previously by other Presidents, and has been done since by other Presidents.

It may be that from a strict standpoint of formality the President ought not to communicate with Congress except in a formal message. I, myself, have never adhered to that view. I think that under the Constitution and under the obligation which the President assumes he has a right to take the position that from time to time he may properly communicate information or suggestions to Congress, and not simply wait until some convenient time when he can send a formal message to Congress with respect to a matter of that sort. I think any President is justified in laying facts before Congress which may influence its judgment, rather than waiting until legislation is enacted, if it is to be enacted, and sent to him, and then by veto returning it to Congress, where a two-thirds vote would be necessary to override the veto.

I realize how earnest the Senator from Iowa is in regard to this matter; but it is a practice which has not just started today; it is one which has been in vogue for many decades on the part of Presidents. I did not want the impression to be created that the Senator from Iowa feels that this is the only time that any President has ever injected himself into the consideration of legislation by sending a letter while the legislation is pending before the Congress.

I feel that the President was justified in giving to Congress the facts set out in the letter. The Senator from Iowa may not be influenced by them; other Senators may not be influenced by them. We are a part of the Government; and the various parts of the Government must work together. When President Wilson delivered his first personal message to a joint session of Congress he said that he did not regard the Chief Executive as occupying an island of safety and aloofness away off somewhere, which could be approached only by the formal resolutions and declarations of legislative bodies. He did not think that that ought to be the attitude of the Chief Executive of the Nation. I agreed then with that view, and I agree now with that conception of the duty of the Chief Executive.

Whether such a communication influences any Senator's vote is another matter. However, I think the President is well within his rights in bringing to the attention of Congress facts and suggestions which occur to him as pertinent, even while legislation is under consideration.

Mr. BROWN. Mr. President, I wish to read to the Senate the provision of the Constitution of the United States with respect to this matter. Section 3 of article II, delineating the powers of the President, says:

> He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

In furtherance of the phrase I have just read—"recommend to their consideration such measures as he shall judge necessary and expedient"—it seems to me perfectly proper for the President also to send to the Congress his views as to those measures which he does not consider expedient and proper. As the majority leader says, it has been the practice for more than a hundred years to do so. I think it is strictly authorized by section 3 of article II of the Constitution.

Let me say to the Senator from Iowa that as one of those who are opposing the pending bill I had absolutely nothing to do with suggesting or recommending to the President that he write any such letter to the President of the Senate; but I wish to state that, in my judgment, it is not only perfectly proper but entirely within the intent, meaning, and purpose of the constitutional provision relating to communications from the President of the United States.

Mr. GILLETTE. Mr. President, I very much appreciate the restrained expressions of both the majority leader and my dear friend at my right. My experience and service have been much more limited than those of the majority leader. I said in my previous statement, and I repeat, that, so far as my recollection goes, I have never seen presented to the Senate, through the medium of a letter to the Presiding Officer, an opinion or expression from a President on a pending measure. I have no recollection of such an instance.

Let me say to my good friend the Senator from Michigan that a few moments ago I referred definitely to the provision of the Constitution which he has cited. I shall read it again:

> He shall from time to time give to the Congress—

What is the Congress of the United States? The Senate and the House of Representatives—

> information of the state of the Union.

There was ample time to prepare as a message the same letter which was sent to the Presiding Officer if the President had wanted to present it as a message. There was ample time, on the same typewriter, to draw it as a message and send it to Congress as a message, which would have been perfectly proper, perfectly justifiable, wholly within the rights of the Chief Executive, and beyond question.

Let me read further from the Constitution——

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GILLETTE. Let me complete this thought, and then I shall be glad to yield.

Again, reading from the provision of the Constitution to which the Senator from Michigan just referred:

> He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

If he thinks any measure is necessary and expedient he calls it to our attention through the medium of a message to the Congress. If he is opposed to the action which Congress has taken his method of expressing his disapproval is by vetoing such action. He recommends to the Congress, as provided by the Constitution, such action as he sees fit. There is no provision which suggests that a President of the United States shall send a letter to the Presiding Officer of the Senate, to be read to the Senate when a measure is pending, in opposition to the measure under consideration.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. I merely wished to suggest to the Senator—and I presume from his remarks that he and I do not see eye to eye on this subject—that it seems to me there would have been no occasion to send a message to the two Houses. This matter is not pending on the floor of the House. It may never pend there.

Mr. GILLETTE. There is another bill pending there, to which the President called attention.

Mr. BARKLEY. That is true. It has been introduced and is still in committee. It has not been reported by the committee; and I do not know what action the committee will take.

Mr. GILLETTE. The President cited it by number.

Mr. BARKLEY. That is true. He cited it because the two bills are companion measures. However, the House bill is not before the Senate. It seems to me—and no doubt it seemed to the President—that the situation does not call for a formal message to the two Houses, in one of which the bill has not even been reported by the committee. Nobody knows whether it will be. I certainly would not assume to predict what action may be taken there.

I think the President had the right to choose whether to send a formal message to both Houses, when the matter is not pending, except in a very tenuous way, in one of them, or to send a communication to the Vice President. The President has sent communications to others in the Senate besides the Presiding Officer, and to others in the House besides the Presiding Officer. It is a matter of choice as to whom the President shall direct his letters. Certainly a letter to the Vice President, who is the Presiding Officer of the Senate, or to the Speaker of the House, who is the Presiding Officer of the House, is more formal than a letter written to the majority leader or to any Senator who is in charge of a bill or who is opposing a bill. Next to a formal message, it seems to me that the President has pursued the most formal course he could have pursued.

Mr. GILLETTE. Again, I appreciate the expressed conviction of the majority leader.

Mr. BARKLEY. Mr. President, if the Senator will further yield, it seems to me that, after all, any disagreement over the course the President pursues in conveying his views to us is beside the question. It seems to me that the meat of the whole matter is whether what the President said is worthy of our consideration, and whether he presented facts which ought to be weighed by us in determining what course we shall pursue. It seems to me that while the form or method he may use in putting the facts before us may be the subject of disagreement as to propriety, it really has no bearing on the merits of the matter we have before us.

Mr. GILLETTE. Mr. President, I further express my gratitude to the majority leader, and I may say that I am in agreement with him; that, after all, the vital matter which we shall have to determine by our votes on the pending measure is the question of the actual rights of the matter. I have expressed myself as clearly as I was able to do as to my opinion of the impropriety of the action and its unwisdom. I said before, and I repeat, that nothing is more distasteful to me, nothing could be more repugnant to me than to stand on the floor of the United States Senate at a time like this and criticize the Chief Executive of the United States for any action he may have taken on legislation or on any public matter. As I say, I may differ with him. In the past I have differed with him; probably I shall do so again. I have agreed with him hundreds of times. At this time especially it hurts, it hurts down deep, to have to give utterance to the opinions I have just stated; but I believe them, and I am sure everyone will credit me with sincerity in expressing them.

The letter is here. The President has expressed certain sentiments with reference to the pending legislation; and, as the majority leader has just said, the purport of the objections should be given consideration.

Mr. President, I hope the Senate will be indulgent with me a little while longer

to supplement what I said yesterday in answer to the arguments presented by my distinguished colleagues the Senator from Michigan [Mr. BROWN] and the Senator from Kentucky [Mr. BARKLEY]. In connection with the President's conclusion, as just expressed, as I understood it from the letter as it was hurriedly read, let me read from the report of the Administrator of the Agricultural Adjustment Administration for 1941, made available to me day before yesterday. The report is by the chief of the section, a Mr. R. M. Evans, who, I understand, has been nominated to be a member of the Federal Reserve Board. In his statement contained in the report I read from a section entitled "The Program and the Consumer," appearing on page 3:

> Actually it is impossible to keep farm returns exactly at parity, and in view of the long period in which farmers have had returns of less than parity there should not be great concern at prices for some commodities temporarily going slightly above this level. Parity remains the goal—

This, Mr. President, is the conclusion of the officer appointed by the Chief Executive and charged with administration of these matters.

Again quoting:

> Parity remains the goal, and the abundant production of American farmers is the best possible assurance to consumers and others that food is going to continue to be forthcoming at prices fair to both consumers and farmers. To the extent that increases in food prices represent parity prices to farmers, these increases are justified, and prices which consumers in fairness should be willing to pay.

It has been asserted that it is unfair to the consumer to allow the farmers to receive a parity price for their production, and that the price is to be held by artificial means below parity—85 percent, if you please, or lower. Yet we have the assertion of the agent of the executive department whose duty it is to administer these matters, who says:

> To the extent that increases in food prices represent parity prices to farmers, these increases are justified, and prices which consumers in fairness should be willing to pay.

I am still quoting from the report of the Agricultural Adjustment Administration:

> However, the price paid to the farmer represents only a portion of the price paid by the consumer. The rest of the consumer's dollar goes to middlemen, such as processors, handlers, and distributors. Actually, the middlemen collectively get a larger portion of the consumer's food dollar than does the farmer. Thus, the farmer properly is as much concerned with the margin going to the middlemen as is the consumer.

Now let us recall the statement of Secretary Wickard as to the billion-dollar increase in the cost of living, which was referred to yesterday by the Senator from Michigan:

> During the first half of 1941 farmers received only a little over a cent from the sale of a loaf of white bread retailing at almost 8 cents on the average. The producer's share of a 7-cent package of corn flakes averaged less than a cent and a half. Cotton growers got about 8 cents for producing the material in a dollar cotton shirt.
>
> The average workingman spent $415 for food in 1929, but at the prices prevailing the first half of 1941 the same amount of food cost only $327, or about a fifth less. Thus, in spite of some rises in food prices, the city consumer's food-buying power in 1940–41 was the highest since the World War.

That is the evidence of the agent representing the executive department dealing with the question of consumers' buying power.

Mr. President, at the risk of further trespassing on the patience of the Senate, let me refer briefly to the proposed amendment which was suggested yesterday by the Senator from Michigan [Mr. BROWN], and which was supported with considerable force by the majority leader. I do not want to have to speak in opposition to the amendment if it is not to be presented, and I sincerely hope that it is not to be presented. The Senator from Michigan advises me that the amendment which he suggested yesterday has been changed to read as follows——

Mr. BROWN. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BROWN. I may say that the amendment which I suggested yesterday was prepared by the vice president of the Commodity Credit Corporation, and was presented by me in the form in which he had prepared it, after I had looked it over and had found that it contained the general ideas I had in mind. Because of some of the arguments made by the Senator from Iowa, who is a thorough student of the question, it was felt that the amendment should be slightly changed and improved, having in mind the general purpose of the original amendment, and which I had in mind in offering it. There is no fundamental change in it at all; it merely spells out a little more clearly exactly what payments shall be used in considering the make-up of the final parity price, which is the limitation contained in the Senator's bill.

I have offered neither amendment as yet, but the amendment which I now hand to the Senator from Iowa is the amendment which I shall offer at the appropriate time.

Mr. GILLETTE. With the Senator's permission and the assurance that he expects to offer the amendment later, may I read it as a prelude to my remarks?

Mr. BROWN. Very well.

Mr. GILLETTE. Does the Senator have any objection to my doing so?

Mr. BROWN. No.

Mr. GILLETTE. The amendment proposes to insert at the proper place the following words:

> less the rate of the parity and conservation payments made in connection with the acreage allotments established for the crop of such commodity harvested in the calendar year in which the then current marketing year began.

Mr. President, let me refer to the legislative proposals which are designed to assist the farmer to obtain an income from his crops. When the old Agricultural Adjustment Act was declared unconstitutional, Congress enacted the Soil Conservation Act which, with amendments, is carried in the existing Agricultural Adjustment Act of 1938. By it we provided that the individual farmer, in return for taking out of production certain acreage, and abiding by the rules of the Department in respect to building up the soil fertility of such acreage by planting soil-building crops, or leaving the acreage lie fallow, would be compensated by a soil-conservation payment in proportion to his compliance on his farm with the rules laid down. Under that law there is no relation whatever between the soil-conservation payment which JIM HUGHES gets for his farm and the market price obtained for GUY GILLETTE'S corn or his cotton or anything else he takes to market. The money received for soil conservation is a payment to Senator HUGHES for taking out of production certain acreage, and the payment is made in an attempt to compensate him in part therefor. So to include a conservation payment in a determination of what a farmer has received as income is entirely beside the point. The majority of the farmers are not in the program. Some of them had their compliance payments cut down because they did not comply in full; perhaps they put only some of the withdrawn acreage into soil-building crops. To say that the Commodity Credit Corporation cannot sell without taking into consideration the conservation payments would require them to take into consideration the conservation payments made to every individual in the United States who was in the program and to find out how much he received from it.

Notwithstanding the conservation payments under the plan taking acreage out of production, it was recognized that the price for the farmer's product might be away below parity. So the Congress provided a further payment called a parity payment, to which I referred yesterday, and to which I shall refer again, under which, if at the close of any marketing year the Congress made appropriations for the purpose, such appropriations could be allocated to the extent funds were available among the different crops in the proportion that they had fallen below an income price in that year. That is the parity payment and it is based, as the Presiding Officer [the Vice President in the chair] well knows, not on the parity price of the unit in the market but on the parity income of the individual.

Mr. President, the pending bill provides this and no more: That the Commodity Credit Corporation shall not use the crop surpluses which they have under their control by putting them on the market below a parity price. It is utterly ridiculous in all fairness to say that the surplus cannot be put on the market below a parity price plus the conservation payments that Bill Smith got plus a parity price that may or may not have been paid in some past year.

In this connection let us think for a moment of what crops come within the control of the Commodity Credit Corporation and why. The Senator from Kentucky, the majority leader [Mr. BARKLEY], yesterday in the colloquy between the Senator from Michigan and the Senator from Kentucky and myself when I asked when the Commodity Credit Corporation has within its control crops raised in 1937, 1938, 1939, and 1940, how

could the Corporation know what parity payments, if any, were made in those years, the Senator from Kentucky said, "We are talking about the crop of 1941." Let me say to the Senator that the Commodity Credit Corporation does not have one pound of the crop of 1941; it can not have it. It is impossible for the Commodity Credit Corporation at the present time to have under its control one nickel's worth, one pound, one ounce of the crop of 1941. The 1941 crop goes under loan and is warehoused on the farm if and when the producers of the crop want to take advantage of the loan provision and borrow on the crop and warehouse it on the farm. In that connection in 1938 and 1939 farmers who warehoused corn on the farm and borrowed money on it instead of turning it back, were asked when the loans became due, to reseal it, and they were given a premium of 6 or 7 cents additional for keeping it instead of turning it over to the Commodity Credit Corporation. If the Commodity Credit Corporation has loaned to a farmer in Alabama, or Mississippi, or Oklahoma, or Oregon, or any other State on the 1941 crop, when the loan becomes due or when it is called the Corporation could get possession of the crop, but the Corporation does not have possession of it now.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BARKLEY. I am aware of the fact the Senator has just stated. When I referred yesterday to the crop of 1941 I did not have in mind any part of that crop that is owned or held by the Government; but certainly this bill is presented by its sponsors at this time, I imagine, with a view that if it is enacted it may affect the price of the crop of 1941 still in the hands either of the growers or in the hands of other people who have not distributed it through general commercial channels.

Mr. GILLETTE. The Senator is entirely right.

Mr. BARKLEY. There are considerable quantities of the crop of 1941 upon which there is no loan, and which have not yet been sold to the public; otherwise, I cannot imagine any reason at all for presenting a bill of this kind at this time.

Mr. GILLETTE. The Senator's statement is a hundred percent correct. The object of the measure is that when a farmer goes to market with his load of corn or his load of wheat or his load of hogs or his load of cotton, rice, or tobacco, he must not be compelled to sell it on a market that has been depressed through the operations of the governmental agencies that have taken control of the crops in previous years. In that connection, as I said yesterday, recently the mere statement that certain action would be taken by the governmental agencies broke the corn market and the wheat market in Chicago 5 cents a bushel, and every farmer who took his product to market within the following 2 or 3 days had that much money taken out of his pocket.

There is another matter to which I did not refer yesterday, but to which I should like to refer at this time. How do these surpluses come within the control of the Commodity Credit Corporation? First, because when a farmer's loan becomes due he may turn over the grain or the cotton which secures the loan, and the Corporation must take it and cannot obtain a personal judgment against the farmer for the balance due. In that way, the Corporation comes into possession of some of these surpluses. How else does it come into possession of surpluses? Section 612 (C), title VII, of the code provides:

> There is appropriated for each fiscal year beginning with the fiscal year ending June 30, 1936, an amount equal to 30 percent of the gross receipts from duties collected under the customs laws * * * and shall be used by the Secretary of Agriculture—

Now listen—

> to encourage the exportation of agricultural commodities—

To pay the losses to the farmers and to—

> encourage the domestic consumption of such commodities or products by diverting them, by the payment of benefits or indemnities or other means, from the normal channels of trade or commerce or by increasing their utilization through indemnities, donations or by other means, benefits, among persons in low income groups as determined by the Secretray of Agriculture.

In section 713 (C) of title XV of the Code those powers were transferred to the Federal Surplus Commodities Corporation and in effectuating the subsection which I have just read which enabled the Corporation in domestic uses to handle these products and to use the money derived there was added a provision: That in the application of section 612 (C) the Federal Surplus Commodities Corporation could use such transferred funds for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling all agricultural commodities and products.

By the use of 30 percent of the customs receipts the Commodity Credit Corporation formerly, now the Federal Surplus Commodities Corporation—and their authority has since been transferred to the Surplus Marketing Administration and yesterday that was changed again to some other organization which exercises the same power and functions—in addition to securing control of agricultural surpluses through the liquidation of loans, has a right to use 30 percent of the customs receipts to go into the market and buy agricultural commodities, process and sell them, use them, transfer them in any way it sees fit. Yet when we come before the Senate and ask that this power shall not be used for the avowed purpose of driving farm prices below parity, we are criticized by eminent authority and on down.

Mr. BROWN. I hope the Senator is not referring to me as an "eminent authority."

Mr. GILLETTE. No; I did not mean authority "down" to the Senator from Michigan; I meant further down than the niche that is so well occupied by the Senator from Michigan.

Mr. President, before I take my seat, may I again refer to what actually occurred? In view of what has occurred, is it any wonder that we fear what might occur? The Surplus Marketing Corporation, originally the Commodity Credit Corporation, took 60,000,000 bushels of corn since the first of the year and threw it on to the market at less than parity.

Those who purchased it speculated with it, bought against it, and then threw it on to the market to drive down the price so that they could cover their sales, to the tune of a profit of 7 cents a bushel. Secretary Wickard admitted that that was done, and said he took steps to stop it. In addition they processed and made $1.25 a bushel on corn which they had bought at 81 cents from the Commodity Credit Corporation, and they had a residue of feed, 17 or 18 pounds to the bushel which was sold at a profit. That is what we do not want to happen. That is what we are asking the Congress of the United States to prevent.

Some say that under the terms of the bill the grain could not be used by the War Department, and could not be used by the Navy Department. There is nothing in the pending bill which would prevent such use. It merely says:

> You cannot dispose of it at less than the parity price, nor can any organization or agency of the Government to which you transfer it dispose of it at less than the parity price.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. CLARK of Missouri. There is nothing in the bill to prevent using the surplus of grain for the production of industrial alcohol, thereby relieving the sugar situation, is there?

Mr. GILLETTE. Nothing whatever.

Mr. CLARK of Missouri. Is it not a fact that to some extent the sugar shortage has been created by some of the corn-sirup manufacturers, who do not want to have grain used to relieve the sugar shortage, but who want to have a sugar shortage so that people will have to use corn sirup?

Mr. GILLETTE. That is true, and, specifically, the R. F. C. bought 1,200,000 long tons of Cuban sugar to compensate for the loss of a million tons of Philippine sugar, and they are holding it, as they say, for the manufacture of industrial alcohol, instead of using surplus grain, when they can manufacture alcohol from grain and reduce the necessity for sugar rationing. That is what is going on, and at the proper time we will show it. I thank the Senator from Missouri for the suggestion.

For the time being, let me plead with the people to abide by the President's suggestion made night before last in his broadcast, not to put the agricultural group of this country into a strait jacket. I have no criticism to make of all the assistance and protection that is given industry, I have no objection whatever to the floor under wages and the lack of ceiling over wages, for labor, but I object to saying to the farmer: "We will not let you have a parity position, we are going to prevent you getting into parity relationship, and we shall use the governmental agencies for a purpose for which they were not intended, to drive down the prices of your farm commodities when they tend to reach the parity

to supplement what I said yesterday in answer to the arguments presented by my distinguished colleagues the Senator from Michigan [Mr. BROWN] and the Senator from Kentucky [Mr. BARKLEY]. In connection with the President's conclusion, as just expressed, as I understood it from the letter as it was hurriedly read, let me read from the report of the Administrator of the Agricultural Adjustment Administration for 1941, made available to me day before yesterday. The report is by the chief of the section, a Mr. R. M. Evans, who, I understand, has been nominated to be a member of the Federal Reserve Board. In his statement contained in the report I read from a section entitled "The Program and the Consumer," appearing on page 3:

Actually it is impossible to keep farm returns exactly at parity, and in view of the long period in which farmers have had returns of less than parity there should not be great concern at prices for some commodities temporarily going slightly above this level. Parity remains the goal—

This, Mr. President, is the conclusion of the officer appointed by the Chief Executive and charged with administration of these matters.

Again quoting:

Parity remains the goal, and the abundant production of American farmers is the best possible assurance to consumers and others that food is going to continue to be forthcoming at prices fair to both consumers and farmers. To the extent that increases in food prices represent parity prices to farmers, these increases are justified, and prices which consumers in fairness should be willing to pay.

It has been asserted that it is unfair to the consumer to allow the farmers to receive a parity price for their production, and that the price is to be held by artificial means below parity—85 percent, if you please, or lower. Yet we have the assertion of the agent of the executive department whose duty it is to administer these matters, who says:

To the extent that increases in food prices represent parity prices to farmers, these increases are justified, and prices which consumers in fairness should be willing to pay.

I am still quoting from the report of the Agricultural Adjustment Administration:

However, the price paid to the farmer represents only a portion of the price paid by the consumer. The rest of the consumer's dollar goes to middlemen, such as processors, handlers, and distributors. Actually, the middlemen collectively get a larger portion of the consumer's food dollar than does the farmer. Thus, the farmer properly is as much concerned with the margin going to the middlemen as is the consumer.

Now let us recall the statement of Secretary Wickard as to the billion-dollar increase in the cost of living, which was referred to yesterday by the Senator from Michigan:

During the first half of 1941 farmers received only a little over a cent from the sale of a loaf of white bread retailing at almost 8 cents on the average. The producer's share of a 7-cent package of corn flakes averaged less than a cent and a half. Cotton growers got about 8 cents for producing the material in a dollar cotton shirt.

The average workingman spent $415 for food in 1929, but at the prices prevailing the first half of 1941 the same amount of food cost only $327, or about a fifth less. Thus, in spite of some rises in food prices, the city consumer's food-buying power in 1940–41 was the highest since the World War.

That is the evidence of the agent representing the executive department dealing with the question of consumers' buying power.

Mr. President, at the risk of further trespassing on the patience of the Senate, let me refer briefly to the proposed amendment which was suggested yesterday by the Senator from Michigan [Mr. BROWN], and which was supported with considerable force by the majority leader. I do not want to have to speak in opposition to the amendment if it is not to be presented, and I sincerely hope that it is not to be presented. The Senator from Michigan advises me that the amendment which he suggested yesterday has been changed to read as follows——

Mr. BROWN. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BROWN. I may say that the amendment which I suggested yesterday was prepared by the vice president of the Commodity Credit Corporation, and was presented by me in the form in which he had prepared it, after I had looked it over and had found that it contained the general ideas I had in mind. Because of some of the arguments made by the Senator from Iowa, who is a thorough student of the question, it was felt that the amendment should be slightly changed and improved, having in mind the general purpose of the original amendment, and which I had in mind in offering it. There is no fundamental change in it at all; it merely spells out a little more clearly exactly what payments shall be used in considering the make-up of the final parity price, which is the limitation contained in the Senator's bill.

I have offered neither amendment as yet, but the amendment which I now hand to the Senator from Iowa is the amendment which I shall offer at the appropriate time.

Mr. GILLETTE. With the Senator's permission and the assurance that he expects to offer the amendment later, may I read it as a prelude to my remarks?

Mr. BROWN. Very well.

Mr. GILLETTE. Does the Senator have any objection to my doing so?

Mr. BROWN. No.

Mr. GILLETTE. The amendment proposes to insert at the proper place the following words:

less the rate of the parity and conservation payments made in connection with the acreage allotments established for the crop of such commodity harvested in the calendar year in which the then current marketing year began.

Mr. President, let me refer to the legislative proposals which are designed to assist the farmer to obtain an income from his crops. When the old Agricultural Adjustment Act was declared unconstitutional, Congress enacted the Soil Conservation Act which, with amendments, is carried in the existing Agricultural Adjustment Act of 1938. By it we provided that the individual farmer, in return for taking out of production certain acreage, and abiding by the rules of the Department in respect to building up the soil fertility of such acreage by planting soil-building crops, or leaving the acreage lie fallow, would be compensated by a soil-conservation payment in proportion to his compliance on his farm with the rules laid down. Under that law there is no relation whatever between the soil-conservation payment which JIM HUGHES gets for his farm and the market price obtained for GUY GILLETTE'S corn or his cotton or anything else he takes to market. The money received for soil conservation is a payment to Senator HUGHES for taking out of production certain acreage, and the payment is made in an attempt to compensate him in part therefor. So to include a conservation payment in a determination of what a farmer has received as income is entirely beside the point. The majority of the farmers are not in the program. Some of them had their compliance payments cut down because they did not comply in full; perhaps they put only some of the withdrawn acreage into soil-building crops. To say that the Commodity Credit Corporation cannot sell without taking into consideration the conservation payments would require them to take into consideration the conservation payments made to every individual in the United States who was in the program and to find out how much he received from it.

Notwithstanding the conservation payments under the plan taking acreage out of production, it was recognized that the price for the farmer's product might be away below parity. So the Congress provided a further payment called a parity payment, to which I referred yesterday, and to which I shall refer again, under which, if at the close of any marketing year the Congress made appropriations for the purpose, such appropriations could be allocated to the extent funds were available among the different crops in the proportion that they had fallen below an income price in that year. That is the parity payment and it is based, as the Presiding Officer [the Vice President in the chair] well knows, not on the parity price of the unit in the market but on the parity income of the individual.

Mr. President, the pending bill provides this and no more: That the Commodity Credit Corporation shall not use the crop surpluses which they have under their control by putting them on the market below a parity price. It is utterly ridiculous in all fairness to say that the surplus cannot be put on the market below a parity price plus the conservation payments that Bill Smith got plus a parity price that may or may not have been paid in some past year.

In this connection let us think for a moment of what crops come within the control of the Commodity Credit Corporation and why. The Senator from Kentucky, the majority leader [Mr. BARKLEY], yesterday in the colloquy between the Senator from Michigan and the Senator from Kentucky and myself when I asked when the Commodity Credit Corporation has within its control crops raised in 1937, 1938, 1939, and 1940, how

could the Corporation know what parity payments, if any, were made in those years, the Senator from Kentucky said, "We are talking about the crop of 1941." Let me say to the Senator that the Commodity Credit Corporation does not have one pound of the crop of 1941; it can not have it. It is impossible for the Commodity Credit Corporation at the present time to have under its control one nickel's worth, one pound, one ounce of the crop of 1941. The 1941 crop goes under loan and is warehoused on the farm if and when the producers of the crop want to take advantage of the loan provision and borrow on the crop and warehouse it on the farm. In that connection in 1938 and 1939 farmers who warehoused corn on the farm and borrowed money on it instead of turning it back, were asked when the loans became due, to reseal it, and they were given a premium of 6 or 7 cents additional for keeping it instead of turning it over to the Commodity Credit Corporation. If the Commodity Credit Corporation has loaned to a farmer in Alabama, or Mississippi, or Oklahoma, or Oregon, or any other State on the 1941 crop, when the loan becomes due or when it is called the Corporation could get possession of the crop, but the Corporation does not have possession of it now.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BARKLEY. I am aware of the fact the Senator has just stated. When I referred yesterday to the crop of 1941 I did not have in mind any part of that crop that is owned or held by the Government; but certainly this bill is presented by its sponsors at this time, I imagine, with a view that if it is enacted it may affect the price of the crop of 1941 still in the hands either of the growers or in the hands of other people who have not distributed it through general commercial channels.

Mr. GILLETTE. The Senator is entirely right.

Mr. BARKLEY. There are considerable quantities of the crop of 1941 upon which there is no loan, and which have not yet been sold to the public; otherwise, I cannot imagine any reason at all for presenting a bill of this kind at this time.

Mr. GILLETTE. The Senator's statement is a hundred percent correct. The object of the measure is that when a farmer goes to market with his load of corn or his lead of wheat or his load of hogs or his load of cotton, rice, or tobacco, he must not be compelled to sell it on a market that has been depressed through the operations of the governmental agencies that have taken control of the crops in previous years. In that connection, as I said yesterday, recently the mere statement that certain action would be taken by the governmental agencies broke the corn market and the wheat market in Chicago 5 cents a bushel, and every farmer who took his product to market within the following 2 or 3 days had that much money taken out of his pocket.

There is another matter to which I did not refer yesterday, but to which I should like to refer at this time. How do these surpluses come within the control of the Commodity Credit Corporation? First, because when a farmer's loan becomes due he may turn over the grain or the cotton which secures the loan, and the Corporation must take it and cannot obtain a personal judgment against the farmer for the balance due. In that way, the Corporation comes into possession of some of these surpluses. How else does it come into possession of surpluses? Section 612 (C), title VII, of the code provides:

> There is appropriated for each fiscal year beginning with the fiscal year ending June 30, 1936, an amount equal to 30 percent of the gross receipts from duties collected under the customs laws * * * and shall be used by the Secretary of Agriculture—

Now listen—

> to encourage the exportation of agricultural commodities—

To pay the losses to the farmers and to—

> encourage the domestic consumption of such commodities or products by diverting them, by the payment of benefits or indemnities or other means, from the normal channels of trade or commerce or by increasing their utilization through indemnities, donations or by other means, benefits, among persons in low income groups as determined by the Secretray of Agriculture.

In section 713 (C) of title XV of the Code those powers were transferred to the Federal Surplus Commodities Corporation and in effectuating the subsection which I have just read which enabled the Corporation in domestic uses to handle these products and to use the money derived there was added a provision: That in the application of section 612 (C) the Federal Surplus Commodities Corporation could use such transferred funds for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling all agricultural commodities and products.

By the use of 30 percent of the customs receipts the Commodity Credit Corporation formerly, now the Federal Surplus Commodities Corporation—and their authority has since been transferred to the Surplus Marketing Administration and yesterday that was changed again to some other organization which exercises the same power and functions—in addition to securing control of agricultural surpluses through the liquidation of loans, has a right to use 30 percent of the customs receipts to go into the market and buy agricultural commodities, process and sell them, use them, transfer them in any way it sees fit. Yet when we come before the Senate and ask that this power shall not be used for the avowed purpose of driving farm prices below parity, we are criticized by eminent authority and on down.

Mr. BROWN. I hope the Senator is not referring to me as an "eminent authority."

Mr. GILLETTE. No; I did not mean authority "down" to the Senator from Michigan; I meant further down than the niche that is so well occupied by the Senator from Michigan.

Mr. President, before I take my seat, may I again refer to what actually occurred? In view of what has occurred, is it any wonder that we fear what might occur? The Surplus Marketing Corporation, originally the Commodity Credit Corporation, took 60,000,000 bushels of corn since the first of the year and threw it on to the market at less than parity.

Those who purchased it speculated with it, bought against it, and then threw it on to the market to drive down the price so that they could cover their sales, to the tune of a profit of 7 cents a bushel. Secretary Wickard admitted that that was done, and said he took steps to stop it. In addition they processed and made $1.25 a bushel on corn which they had bought at 81 cents from the Commodity Credit Corporation, and they had a residue of feed, 17 or 18 pounds to the bushel which was sold at a profit. That is what we do not want to happen. That is what we are asking the Congress of the United States to prevent.

Some say that under the terms of the bill the grain could not be used by the War Department, and could not be used by the Navy Department. There is nothing in the pending bill which would prevent such use. It merely says:

> You cannot dispose of it at less than the parity price, nor can any organization or agency of the Government to which you transfer it dispose of it at less than the parity price.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. CLARK of Missouri. There is nothing in the bill to prevent using the surplus of grain for the production of industrial alcohol, thereby relieving the sugar situation, is there?

Mr. GILLETTE. Nothing whatever.

Mr. CLARK of Missouri. Is it not a fact that to some extent the sugar shortage has been created by some of the corn-sirup manufacturers, who do not want to have grain used to relieve the sugar shortage, but who want to have a sugar shortage so that people will have to use corn sirup?

Mr. GILLETTE. That is true, and, specifically, the R. F. C. bought 1,200,000 long tons of Cuban sugar to compensate for the loss of a million tons of Philippine sugar, and they are holding it, as they say, for the manufacture of industrial alcohol, instead of using surplus grain, when they can manufacture alcohol from grain and reduce the necessity for sugar rationing. That is what is going on, and at the proper time we will show it. I thank the Senator from Missouri for the suggestion.

For the time being, let me plead with the people to abide by the President's suggestion made night before last in his broadcast, not to put the agricultural group of this country into a strait jacket. I have no criticism to make of all the assistance and protection that is given industry, I have no objection whatever to the floor under wages and the lack of ceiling over wages, for labor, but I object to saying to the farmer: "We will not let you have a parity position, we are going to prevent you getting into parity relationship, and we shall use the governmental agencies for a purpose for which they were not intended, to drive down the prices of your farm commodities when they tend to reach the parity

position which we have said for 20 years we were going to see that you got."

Once more, Mr. President, I apologize to the Senate for taking so much time, but I sincerely hope that Senators will be fair to agriculture. I have no criticism of any Senator for any opinion or conclusion he may reach. I have tried in my poor way to express my views. If I have failed to present the argument convincingly, the shortcoming is mine, and does not indicate lack of justice or equity or merit in the case.

Mr. NORRIS. Mr. President, I expect to vote for the pending bill, and I favor its enactment into law. I did not intend to speak on the bill, and I should not have done so had it not been that since the President's letter was read at the desk there have been severe criticisms of the method the President takes to communicate with Congress. It seems to me that some of the criticism is not only unwarranted, but that it is disrespectful to the Chief Executive, at a time when, above all things on earth, we should present to the world a united front, no matter how we may disagree among ourselves as to methods employed.

Mr. President, I believe that under the Constitution of the United States the President has a right to communicate his ideas to either body of Congress by letter addressed to its Presiding Officer. The Constitution provides that it shall be his duty to communicate to the Congress, and to recommend such legislation as he believes to be good for the Nation. It does not specifically say that he has a right to call attention to proposed legislation with which he does not agree.

Are we to quibble on that point? Even assuming that the Constitution may be so strictly interpreted as to mean that the President has no right to say to Congress, except through a veto, that he opposes legislative proposals, are we to question his motives, as I think has been done this morning by the Senator from Wisconsin [Mr. WILEY]? Are we to criticize him because he pursues a method which we would not pursue if we occupied his position? Assuming, of course, that we could do better than he does, should we not in these times give to him the privilege of following his own ideas as to how he will communicate with Congress?

Under the Constitution as I understand it, the President is a part of the legislative function of the Government. If he cares to exercise his function by telling us he does not like legislation which is pending, and offering his objection and giving his reasons for objecting, are we to question him and say, "Mr. President, all you say may be true, but the Constitution does not permit you to communicate with us in this way. We are on a different pedestal. To approach us you must follow technical provisions of the Constitution, and veto a bill if you do not like it."

Mr. President, this quibbling over a technicality which is immaterial, this fault finding with the Chief Executive because we do not agree with the method he has pursued, is a dangerous attitude for us to take. What of it? Suppose the Constitution is silent about the matter, suppose such a thing has never been done by any President in the past; will we not permit the President to send a letter to the Vice President telling the Senate that he thinks something we are about to do should be modified, or that it is not right?

Mr. President, this makes me think of a certain country justice of the peace, before whom there was pending a replevin action, in which the plaintiff sought to replevin some hogs. One of the attorneys took the attitude that the action would not lie, and cited an opinion of the supreme court of the State in a case exactly like the one pending. The attorney sat down thinking that he had convinced the court, and that there could be but one decision; but the justice of the peace, on his pedestal, with his superior wisdom, called the attention of the attorney to the insult he had offered the court. He said, "We have before us a replevin case involving hogs, and you have cited a case passed on by the supreme court involving cattle. What has that to do with hogs? You should be disbarred for offering such an insult to this high court."

Mr. President, we are at war. We are battling to save civilization itself—in my opinion, the greatest question ever involved in war at any time, anywhere. The happiness of future generations the world over depends on the outcome, and here, while enemy planes are flying over our coastal cities, while bombs are falling upon our soil, we quibble as to whether the President has a right to send a letter to the Vice President to be read to the Senate.

Let us suppose the President does not have such a right; what difference does it make? Are we going to stop the clock of civilization in order to settle an immaterial quibble which has nothing to do with the great battle before us to save the world from paganism and slavery?

I speak now because this is not the only occasion when the same kind of criticism has been directed against our Chief Executive. I have no objection to anyone criticizing the Chief Executive constructively, but if I had to weigh such a point now, with the work which is before us, I should hesitate to say that, instead of sending a letter to the Vice President, he should have sent a message to both Houses of Congress, or should have remained silent and waited until he gets an opportunity to veto the measure.

I hear criticism almost daily coming from Members of the Senate. The criticism may be slight. Some may say, "Yes; I agree with what the President has done, and it is all right, but the President has not done it in the right way. I know that someone else could do it better."

Mr. President, suppose that is true; what difference does it make? If I think I can do a job better than the President can do it, what has that to do with the matter? I am not President. I cannot be. Franklin Roosevelt is President, and he is my President, and he is your President, and he is battling for the same objective we all desire to attain.

I was greatly pleased the other day to read in a newspaper that there was a movement on foot in Oregon for both or all parties there to unite and get behind the Republican Senate leader [Mr. MCNARY], who sits before me now. I thought that was the kind of spirit which ought to be shown in these terrible times, not because we always agree with the Senator from Oregon, but because it would exemplify to our enemies unanimity of purpose and patriotism here which casts all politics and disagreements aside. That one action, if carried out, would, in my judgment, be a greater victory for us in this cause than the building of a battleship. It would create a belief and a knowledge, probably not here, but in Germany, in Italy, in Japan, that they were contending against an enemy who was united at home. Every one of these little disagreements go to Hitler and to his fat boy, Mussolini; every one of them goes to Japan; and it gives the enemy relief, it gives the enemy a greater spirit to fight on in opposition to what they say is a divided country here.

So, Mr. President, while I expect, as I said, to vote for the bill, I believe firmly that the President in writing a letter to the Vice President of the United States in regard to the measure, and calling his attention to what he believes are deficiencies in it, pursued a proper course. He could follow that course or he could take some other course; but if I did not believe that the President had the right to do what he did, giving him credit, as I do, for being conscientious and honest, I would object to the course he took. I do not think it would be any defense to say that someone else could do it in a different way and in a better way. For the sake of the cause we might admit all that.

Mr. President, these little things, little by little, every day and every hour, coming from somewhere, the finding of fault with something which is immaterial and which does not amount to anything, no matter which way it is done, are hurting us, are injuring our cause, and making it more difficult for our brave men to achieve on the battlefield the victory which we expect eventually. None of those things in themselves and standing alone are perhaps worthy of notice, but when they come continually every day and every hour, mingled sometimes with faint praise in order, I think, to cover up the effect of criticism, they result in injury to our cause.

I do not want anything I have said to cause anyone to feel that I object to criticism of the President, or of Senators, or of anyone else, when the criticism is made in a spirit of justice, in a spirit which will not divide us and send us off in different directions when we all want to accomplish the same objective.

Mr. President, what I am now saying is not said with the idea of finding fault with Senators for exercising their rights, but it seems to me I have often heard similar criticisms. I do not mean to say that much which has been said in regard to the letter which has come here is necessarily wrong. I have no objection to a Senator feeling that the President ought not to communicate with us in that way, and expressing his feeling. That is not the reason for my taking the floor. I

do not want to be misunderstood, but I want to say, if I can only find words to say it, that, in order to present the proper front to our enemies, in order to bring success to the cause which we all want to succeed, in order to accomplish the object which is common to every one of us without exception, these immaterial things pertaining particularly to procedure, which cannot hurt anyone, which cannot do any injury to anyone, ought not to be the vehicle for raising criticism against any official in our Government.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6470) to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased, and it was signed by the Vice President.

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (S. 2255) to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation.

Mr. AIKEN. Mr. President, I should like to call up for consideration the amendment which I submitted last night, and which was ordered to be printed and to lie on the table.

The PRESIDING OFFICER (Mr. RUSSELL in the chair). The Chair advises the Senator from Vermont that a committee amendment to the bill is pending, which has not yet been agreed to.

Mr. AIKEN. I beg the Chair's pardon. I thought that committee amendment had been acted upon.

The PRESIDING OFFICER. The pending committee amendment will be read again for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, after line 14, it is proposed to insert the following new section:

SEC. 2. Nothing in this act shall be construed to authorize any sale or other disposition of any agricultural commodity contrary to the provisions of the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. AIKEN. Mr. President, I now ask that my amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 14, after the word "purposes" it is proposed to insert a comma and the following: "nor to grain which has substantially deteriorated in quality and is sold for the purpose of feeding or the manufacture of alcohol."

Mr. AIKEN. Mr. President, I do not anticipate there will be any objection to the amendment. I think the wording explains its purpose. It is to make sure that under the bill the Commodity Credit Corporation will be empowered to sell at a lesser price for the purpose of feeding or making alcohol, grain which has deteriorated.

Mr. BANKHEAD. Mr. President, the sponsors of the bill feel that this amendment is a good one; and, insofar as they have the power to do so, they are willing to accept it.

Mr. BROWN. Mr. President, as one of those who oppose the bill, let me say that the amendment is a limitation, and for that reason it is not unsatisfactory to us. I am very glad to acquiesce in the amendment.

Mr. RUSSELL. Mr. President, let me suggest to the Senator from Vermont that he also include commodities which are to be used for seed purposes.

Mr. AIKEN. I have no objection to accepting that modification.

Mr. BANKHEAD. We have no objection to it.

Mr. RUSSELL. If the Senator will permit me to do so, I suggest striking out the period after the word "alcohol" in the Senator's amendment and inserting "or commodities sold to farmers for seed."

Mr. AIKEN. That modification is perfectly satisfactory to me; but I wonder if it covers exactly what the Senator from Georgia means, because the amendment relates to grain which has deteriorated in quality.

Mr. RUSSELL. If the modification which I have suggested should be agreed to, the Senator's amendment would read as follows:

On page 2, line 14, after the word "purposes"—

Which, of course, applies to commodities distributed to those on relief—

insert "nor to grain which has substantially deteriorated in quality and is sold for the purpose of feeding or the manufacture of alcohol, or commodities sold to farmers for seed."

Mr. AIKEN. That wording is perfectly agreeable. I merely wished to make sure that deteriorated grain is not sold for seed.

Mr. RUSSELL. I used the word "commodities." As a matter of fact, I did not have grain in mind in suggesting the amendment.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Vermont [Mr. AIKEN].

The amendment as modified was agreed to.

Mr. TAFT. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. On page 1, line 3, after the word "hereafter", it is proposed to insert the words "until 6 months after the end of the wars in which the United States is now engaged."

Mr. TAFT. Mr. President, the bill, as drafted, apparently proposes a permanent policy for the Government for all time to come. It seems to me obvious that whether or not it should apply during the war, it certainly would be a very unwise policy after the war. The purpose of the amendment is to limit it to the period of the war and 6 months thereafter, during the readjustment.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. TAFT. I yield.

Mr. VANDENBERG. The language which the Senator has used is the orthodox form in which similar language has been used repeatedly by Congress during the past few months by way of limitation upon emergency legislation.

In the Foreign Relations Committee a couple of weeks ago I was struck by the fact that there may be a very different definition of what is meant by the end of the war than the one the Senator may have in mind. Let me express what I mean in the form of a question. Did the World War end with the armistice, or did it end 2 or 3 years later when the peace treaty was ratified?

Mr. TAFT. I think it ended with the signing of the peace treaty.

Mr. VANDENBERG. Then it strikes me that the limitation language which we are using in these statutes is a very faulty limitation, because the law may extend after every semblance of war is over, and reach into 2 or 3 years of peace and reconstruction.

Mr. TAFT. As I recall, the peace treaty was signed 6 or 8 months after the armistice. Of course, it was not finally ratified by the Senate for some time.

Mr. VANDENBERG. What does the Senator mean? Does he mean the signing of the peace treaty or the ratification of the treaty?

Mr. TAFT. I suppose it would mean the ratification of the treaty.

Mr. VANDENBERG. Then, the Senator is talking about a period which may extend for 2 or 3 years after the war has actually ended.

Mr. TAFT. I think there should be some period after the war has ended, because in all these matters of price control it will probably be necessary to control the price question after the end of the war.

When this question arose in connection with the second War Powers Act, the Senator from Missouri [Mr. CLARK] offered an amendment about which there was a good deal of debate, and with respect to which there was considerable change. Finally he settled down to the 31st of December 1944, unless extended by the Senate. If it is agreeable to the sponsors of the bill, I am perfectly willing to suggest, instead of this amendment, the same limitation which is in the second War Powers Act, so that all these powers may come to an end at the same time.

Mr. VANDENBERG. If the Senator will further yield, what I am saying is only casually related to his amendment. I have no particular interest one way or the other in the language of the pending amendment; but I am raising a question

which I think has heretofore been overlooked in connection with the formula of limitation. I think the formula of limitation, as we have written it, may ultimately be construed in a totally different manner than we contemplated.

Mr. TAFT. I think that most of the powers which have been limited have related either to the emergency declared by the President or to specific dates. I think there are very few limitations of the character which I have proposed. I quite agree that the amendment would not be a very wise provision. If it is agreeable to the sponsors of the bill, I suggest that the amendment be changed to read in accordance with the limitation in the second War Powers Act.

In the first War Powers Act the limitation reads as follows:

> Titles I and II of this act shall remain in force during the continuance of the present war and for 6 months after the termination of the war, or until such earlier time as the Congress by concurrent resolution, or the President, may designate.

Mr. VANDENBERG. What does the phrase "termination of the war" mean? Does it mean the end of the shooting, or the ratification of the peace treaty?

Mr. TAFT. I think it means the ratification of the peace treaty. Of course, there is the provision that the Congress may terminate the powers sooner if it so desires. I think the first War Powers Act would continue until the peace treaty and 6 months after the peace treaty, unless Congress should terminate it sooner.

Mr. VANDENBERG. I do not think that is the sort of limitation which most Senators had in mind when they were supporting the formula of limitation. We know from experience that the war powers may be extended for 2 or 3 or 4 years into the post-war peace era.

Mr. TAFT. I agree with everything the Senator has said.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BROWN. I call the Senator's attention to the fact that under existing law the Commodity Credit Corporation's right to do business ends on June 30, 1943. In view of that fact it seems to me that that is probably a very much earlier date than any of the dates which the Senator is now discussing.

Mr. TAFT. Of course, the War Powers Acts cover every agency of the Government.

Mr. President, I withdraw the amendment which I have offered. As soon as I have redrafted it I shall offer it again.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. BROWN. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 2, line 1, it is proposed to strike out the period after the word "law" and insert the following: "less the rate of the parity and conservation payments made in connection with the acreage allotments established for the crop of such commodity harvested in the calendar year in which the then current marketing year began."

Mr. BROWN. Mr. President, I know that the majority leader desires to express himself on this amendment. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Norris
Austin	Gerry	Nye
Bailey	Gillette	O'Daniel
Ball	Glass	O'Mahoney
Bankhead	Green	Radcliffe
Barbour	Guffey	Reed
Barkley	Gurney	Reynolds
Bilbo	Hayden	Rosier
Bone	Herring	Russell
Brewster	Hill	Schwartz
Brown	Holman	Smathers
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Okla.
Byrd	La Follette	Tobey
Capper	Langer	Truman
Caraway	McCarran	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wallgren
Danaher	Mead	Walsh
Davis	Millikin	Wheeler
Downey	Murdock	White
Doxey	Murray	Wiley

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, before I discuss the bill and the pending amendment, I desire to refer briefly to the question raised by the Senator from Iowa [Mr. GILLETTE] as a result of the letter relative to the pending bill sent to the Senate, through the Vice President, by the President of the United States. In the colloquy with the Senator from Iowa I suggested that this method of communicating with either or both branches of Congress is one which has been followed almost from time immemorial. It has been practiced, I am sure, during my service in both Houses—a service which runs over a period of 29 years. No one ever objected to the procedure. I recall that on the 19th of July last year the present Chief Executive of the United States sent a letter—as appears on page 320 of the Senate Journal—to the Vice President, referring to a letter he had written on the 3d day of July 1941 to the Speaker of the House in reference to the flood-control bill, which was House bill 4911. No one objected to the President's writing to the Speaker with regard to the flood-control bill at that time pending in the House, and still pending there.

The President of the United States addressed a letter—as is shown on page 497 of the Journal—dated December 15, 1941, to the Vice President, as the Presiding Officer of the Senate, in regard to the Selective Training and Service Act of 1940, amendments to which were then pending in the Senate. So far as I recall, and so far as the record shows, no one objected to that method of communicating with the Senate of the United States. I may state that for many years the Journal of the Senate and the Journal of the House have contained communications of this nature addressed to the Congress or to one of its branches by the Chief Executive in office at the time, calling attention to his support of or his objection to legislation pending before the branch which he addressed in that fashion.

I have always believed, and I now believe, that the less formality and the more cordiality and personal cooperation there may be between the legislative and executive branches of our Government, the better will be the result in legislation. Certainly at a time like this we should not stand on ceremony, we should not rare back and call for meticulous observance of formalities as between the various branches of the Government, especially the legislative and executive, both of which must work together in the enactment of legislation, because under the Constitution the President of the United States is a part of the legislative process, since he is required to give his approval to bills passed by the Congress—and in that act he is a part of the legislature—or, if he disapproves, to return the measures to the Congress, noting his objections thereto. But, as I indicated in the colloquy with the Senator from Iowa, such a discussion does not really go to the merits of the suggestions of the President or the contents of the pending bill.

Mr. President, I do not take the floor with any expectation that what I may have to say will influence many, if any, votes on the pending bill; but I am unwilling for the Senate to vote upon the measure without submitting for the RECORD and for the consideration of the Senate what I regard to be some pertinent facts which, in my judgment, ought to be taken into consideration, and which certainly had some influence with me in determining my attitude on this proposed legislation.

I do not suppose that I need to expatiate upon my record in the House and in the Senate in behalf of legislation to improve the condition of agriculture. It is a record of which I am proud, beginning back in the Wilson administration, when there was enacted the first farm-credit legislation ever passed by the Congress of the United States, and including the enactment of good-roads legislation, openly designed to aid agriculture in obtaining and reaching markets for the sale of agricultural products. I voted in the House of Representatives for the legislation sponsored by the distinguished Senator from Oregon, known as the McNary-Haugen bill. I am sure that I do not have to prove to the Senator from Oregon that any man who would vote for that bill must have been a friend of the farmer. So I speak today, I hope, as one whose record is established in the journals of the two Houses as friendly and enthusiastic in behalf of legislation to benefit agriculture. I not only voted for but I helped, as best I could, in the passage of the Agricultural Adjustment Act, the Soil Conservation Act, and other acts which were designed to benefit, and which have benefited immeasurably, the agricultural interests of the United States.

In the enactment of all this legislation Congress had in mind, the administration had in mind, fixing a relationship

between the income and the outgo of the farmer which would come as nearly as possible to the relationship prevailing in the period during which the normal income and outgo in the way of expenditures were as representative as was possible. In order to provide a standard for agricultural prices, we fixed the period from 1909 to 1914 as the 5 years which represented as well as if not better than any other similar period in recent agricultural history, the normal relationship, and we called that relationship parity. It has been the objective of all the laws enacted by Congress to bring about a gradual approach to that relationship, or parity, where the income of the farmer and the price of the things which he is required to buy approximately represent the same relationship, though not the same prices, as that which existed in the period from 1909 to 1914.

With the exception of one or two phases of the governmental payments under the triple A and under the soil-conservation program, I think we may assume that if the farmer had received prices which might be said to represent parity in the last 8 years there would not have been any need for any benefit payments.

We undoubtedly and admittedly have resorted to artificial means by which to control production by the adoption of quotas, voted by the farmers on themselves, in the case of cotton, wheat, corn, tobacco, rice, and more lately peanuts. Those votes had to be by two-thirds majority, by which the farmers imposed upon themselves a restriction on production in order that production might be reduced somewhat to the requirements of commercial demands; but, recognizing that that could not be done in a day or a week or a year, we adopted a program under which the agencies of the Federal Government, including the Commodity Credit Corporation, the Soil Conservation Service, and others, might hold off the market surpluses of certain crops, so that the dumping of such surpluses on the market at a depressed price would not drag down the price of the balance of the crop sold during any given year.

Congress had two things in mind in the adoption of that policy. One was, even in normal times, in peacetimes, but particularly when prices were depressed by conditions over which the farmer had no control, to hold the surpluses off the market, in order that the prices might not be depressed still further. I may say that was the primary objective in mind in the creation of the Commodity Credit Corporation and various other agencies under laws enacted by Congress during the past few years.

There was, however, another objective, even though it may be described as secondary, and that was to hold the surpluses off the market until there might be created, or might come into existence, an emergency, when it would not only be proper but would be wise to feed the surpluses to the public and to the market as the market might be able to absorb them; but, in order that there might be no sudden dumping of the surpluses upon the market, even in the existence of an emergency, Congress enacted legislation limiting the amount which could be sold in any month or in any year, so that they might be fed to the commercial market, somewhat after the fashion of the demand of the commercial market, and in such quantities as would not suddenly depress the prices of the commodities.

Now we are dealing particularly with wheat, corn, and cotton, although there are other products, such as tobacco and rice and peanuts which constitute what we call the basic agricultural commodities. During the existence of this program, I think it might be well for the Senate to bear in mind the fact that since 1933 the Commodity Credit Corporation has made loans on about 1,100,000,000 bushels of corn.

Under the contract entered into between the Commodity Credit Corporation and the grower, loans are made on the basis of 85 percent of parity; and in many cases the 85 percent of parity, which represented the loan of the Government to the grower, was above the market price of corn at the time the loan was made. The same thing is true of wheat; the same thing is true of cotton; in other words, when the Government of the United States, through the agency of the Commodity Credit Corporation, agreed to loan 85 percent of parity, and did make the loan, 85 percent of parity was above the market price at the time the loan was made.

Mr. DAVIS. Mr. President, can the Senator tell me how much the Government has loaned on cotton and wheat?

Mr. BARKLEY. I am coming to that, if the Senator will allow me.

So, Mr. President, in adopting and in carrying out this policy, the Government of the United States made loans on some of these commodities which were at the time greater than the prices which could have been received for the commodities if they had been put on the market for sale. In that very process the prices of the commodities were boosted, because whenever the Government of the United States announced that it was willing through the Commodity Credit Corporation to lend on any given product more than the product was bringing in the market, the natural result was to increase the price of the commodity in the market, and in that respect to benefit the growers of the product throughout the United States.

I stated that since 1933 the Commodity Credit Corporation had made loans on 1,100,000,000 bushels of corn. Under the terms of the loan contracts the Commodity Credit Corporation had the right to take over title and ownership to the corn of which I am at the moment speaking, if there were a default in the payment of a loan, without the requirement of going into court and foreclosing a mortgage. Of the 1,100,000,000 bushels of corn upon which loans have been made since 1933, the Commodity Credit Corporation has acquired title to and now owns approximately 300,000,000 bushels of corn.

Prior to January 1, 1941, perhaps none of this corn was sold, except odd lots and off-grade corn, and about 25,000,000 bushels sold to Great Britain in the summer of 1940. In 1941, however, about 135,000,000 bushels of corn were sold, including about 11,000,000 bushels shipped to Great Britain under the lend-lease program. Thus far in 1942 about 50,000,000 bushels have been sold, and 90,000,000 bushels are still owned by the Corporation. In addition to the corn owned by the Corporation, loans were outstanding on January 31, 1942, on approximately 250,000,000 bushels of corn.

Mr. President, I may say that as the result of this program of lending money, not my money or your money, not the money of a mythical old man with long whiskers here in Washington known as Uncle Sam, but the money of the American people, taxpayers of the United States, collected either through taxes levied upon them or through loans made in their names—through the processes of these loans and the defaults on them which resulted in the Government acquiring, or the Commodity Credit Corporation, as the agency of the Government, acquiring the title to the commodity involved, we now have on hand, to which the Government has title through the Commodity Credit Corporation, approximately 5,000,000 bales of cotton, approximately 90,000,000 bushels of corn, approximately 135,000,000 bushels of wheat. We have a quantity of barley, which is not involved particularly, we have flaxseed, rye, tobacco, turpentine, rosin, and other products upon which loans have been made, in regard to which defaults have occurred, which have resulted in the ownership of the commodities by the Commodity Credit Corporation.

We have passed a law with respect to cotton, providing that not more than 300,000 bales a month may be sold, and that not more than a million and a half bales a year may be sold, so that at that rate it would require practically 3½ years for the Commodity Credit Corporation to dispose of the 5,000,000 bales of cotton it now owns. Therefore it is impossible, as I see it, to dump the 5,000,000 bales of cotton on the market at any one time, or to dump them at all, or even to sell them in the orderly processes, assuming that the Corporation sold the maximum of 300,000 bales a month allowed by the law—it would be impossible for them to dump or sell, whichever term one may wish to use, more than 300,000 of the 5,000,000 bales of cotton owned by the Commodity Credit Corporation.

There was practically no sale of this cotton prior to January, and it so happens that fear was aroused, or created, or came over the cotton growers, and those who are friends of the cotton growers, among whom I number myself, which was the result of sales in January. What does that mean? The Corporation did sell 300,000 bales of cotton in January. Two hundred thousand of the 300 000 bales were sold at prices above parity, so there is no danger there, and, if it were enacted, the pending bill would not affect those 200,000 bales. Eighty thousand of the 300,000 bales the Corporation was permitted to sell were sold for export, and therefore those 80,000 bales would

not be affected by the proposed legislation, because the bill itself does not prohibit the sale of cotton below parity for export purposes. So that when we subtract 280,000 bales from the 300,000 maximum which could have been sold in January, we find that only 20,000 bales of cotton were sold at below parity, and those 20,000 bales were sold to go into the manufacture of cotton bagging, in lieu of jute and other products which are not now being imported into the United States, the cotton bagging being for the use of the very cotton growers who were producing the cotton about which we are now talking. In other words, by the sale of 20,000 bales at a price below parity cotton farmers will be able to buy cotton bagging, which is necessary in the baling and marketing of cotton, at a cheaper price than they would have to pay for it if they were required to buy cotton bagging manufactured out of cotton sold at parity or above parity.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BARKLEY. I am glad to yield.

Mr. McKELLAR. Under the law as it is now, and under the present administration of the law, does the Senator conceive that the Government could take a portion of this cotton and turn it over to manufacturers, and receive in return therefor cotton goods which are needed by the Government in national defense?

Mr. BARKLEY. That is a legal question, and a matter of legal interpretation of the power of the Commodity Credit Corporation respecting the manner of disposing of the cotton which it now owns. I should not like to express a categorical opinion as to whether they could, for instance, take all the 300,000 bales a month which they are permitted under the law to dispose of, turn it over to the War Department, or the Navy Department, or to any other department of the Government, and have it manufactured into cotton cloth for the use of the Army or the Navy or for any other defense purpose. Without looking into the legal question a little further, I should not like to give the Senator an opinion as to that. I will say, however, that I doubt that the Commodity Credit Corporation either would or could by devious route circumvent the law itself which Congress has enacted, which the Corporation has been observing up to now, and which I have no doubt it will continue to observe, in order in a surreptitious manner to dispose of cotton which it could not otherwise dispose of, although much might be said in behalf of using the cotton for which the Government has paid, and which it now owns, for purposes of manufacturing a commodity which the Government itself may need, notwithstanding the fact that that might take the Government out of the market for that much cotton, if it had to go into the open market and buy it.

Mr. McKELLAR. If the Corporation proceeded in that way, would the Senator think the amount of cotton so used would have to be deducted, under the law, from the 300,000 bales?

Mr. BARKLEY. That is my present opinion.

Mr. McKELLAR. I agree with the Senator.

Mr. BARKLEY. In other words, that they could not take advantage of an emergency situation to dispose of more of the cotton than they are permitted under the law to dispose of, which would be a maximum of 300,000 bales a month, or not to exceed a million and a half bales a year.

Mr. McKELLAR. Can the Senator tell us whether anyone connected with the Commodity Credit Corporation or with the Department of Agriculture has in view an exchange of this kind? It has been constantly stated in the press and elsewhere, probably on the floor of the Senate yesterday, that there is proposed a program of that sort. That is something which concerns me very much.

Mr. BARKLEY. I will tell the Senator that all I can say on this subject is that I have talked to the Secretary of Agriculture and the Under Secretary of Agriculture, Mr. Appleby, and also Mr. J. B. Hutson, who has for many years been one of the high officers engaged in the administration and the working out of the agricultural program, and none of those gentlemen have intimated to me that there is any such program in contemplation.

That is the situation with respect to cotton. Let us now consider corn. I said a while ago that the Commodity Credit Corporation had in the period since 1933 made loans——

Mr. McKELLAR. Mr. President, before the Senator leaves the particular subject he has been discussing, will he yield to me?

Mr. BARKLEY. I yield.

Mr. McKELLAR. If I recall correctly, it was stated on the floor of the Senate yesterday, or perhaps a quotation was made from a message of the President, to the effect that it was the purpose to exchange Government-owned cotton for cotton goods.

Mr. BARKLEY. I was not present when such statement was made. I have not seen any statement to that effect. I would not say that it was not made, but it has not come to my knowledge.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield to me at that point?

Mr. BARKLEY. I yield.

Mr. THOMAS of Oklahoma. A few days ago, when the Secretary of Agriculture was before the Committee on Agriculture and Forestry, this matter was discussed at some length, and the Secretary told the committee that he was advised by his attorneys, some of whom were present, that it is a debatable question and that the Department hoped, as I understood, that the law would permit them to exchange cotton as well as to sell, but that nothing had been done, that the matter was under consideration.

On Monday of this week, when the large appropriation bill was before the committee, I called a certain general in the War Department—I will not mention his name, but if any Senator wants it, I shall give it to him—and asked him whether his Department was considering this matter. He said that it was under consideration by the War Department and by the War Production Board, but that, so far as he knew, no decision had been reached.

Mr. BARKLEY. Mr. President, I thank the Senator from Oklahoma. That is the understanding I had, that it has been under consideration. Of course, a great many things are always under consideration in all the departments, and especially at a time such as this, but that does not mean that action is going to be taken. One cannot predict what will be done; but I will say that, in fairness to the Government of the United States and to the people of the United States who have furnished the money with which to buy this cotton, through loans that were defaulted, if the Government of the United States needs in its Army and Navy certain things that can be made out of cotton, it would be an anomalous situation to deny to the Government the right to use its own cotton to make the things, and require it to go out into the open market and buy what it already has, in order that it might produce the finished products which are so necessary.

Mr. McKELLAR. Mr. President, I can understand that situation, and I am rather inclined to think that the Senator from Kentucky is correct in his position; but to my mind that is not the question. If it were sold at not less than parity, I think the Government would be entirely within its rights.

In order to clear up the question as to whether the matter is being considered, I read from the text of the statement which the President made in signing the emergency price control bill. I quote as follows from it in regard to this matter:

> I also should like to call attention to the fact that I am requesting the departments of the Government possessing commodities to make such commodities available to other departments in order to aid our war effort. This request primarily will affect the cotton stocks of the Commodity Credit Corporation and will permit such stocks to be utilized directly or by exchange in the production of war goods. Such transfers will be in addition to the quantities which are now available for sale. The request will also include grain and other commodities which may be needed by the departments concerned.

So apparently it is a matter which is being determined, and that is what gives me concern. It seems to me that if assurance had been given that in the making of these exchanges the law regarding parity prices would not be interfered with and that the transfers or exchanges would be made at parity prices, such assurance would have been sufficient; but assurance is not given us.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TYDINGS. Simply listening to the debate and not knowing much about the subject matter, as is true of a great many Members of the Senate, particularly those who are not on the Committee

on Agriculture and Forestry, I am somewhat confused by the situation now presented. The Government acquired cotton and other commodities as a means, or, at least, with the intention, of raising the price of cotton and other commodities at a time when cotton and other commodities were selling at a very low figure.

Mr. McKELLAR. Below the cost of production.

Mr. TYDINGS. Below the cost of production. Obviously the Government could not turn right around and sell the commodities without destroying the very objective for which the initial action was taken. As the cost of the commodities rises I think we are faced with this problem: If the Government does not dispose of these commodities when the price is high it can never dispose of them at all. Naturally the Senator from Tennessee wishes that they should be so disposed of, even in the time of high prices, as not to result in injury to the general producers, but my contention is that unless we can find a way to dispose of the cotton now on a high market, or the other commodities on a comparatively high market, whatever the mechanics may be, we are faced with the alternative that we can never dispose of these commodities.

Mr. McKELLAR. The Senator is correct, and, of course, I do not disagree with him at all.

Mr. TYDINGS. It is a question of mechanics.

Mr. McKELLAR. I think this is a very good time to dispose of the commodity, but in order to carry out the intent of the Congress in passing the law the commodity ought to be disposed of at this time without detriment to the producers in whose interest the law was passed. I agree with the Senator from Maryland that the commodity ought to be sold, and sold really as rapidly as possible.

Mr. TYDINGS. Not only cotton——

Mr. McKELLAR. Not only cotton but all commodities should be sold in that way; that is perfectly correct; but in doing so let us not injure those for whose benefit the law was passed.

Mr. TYDINGS. That is perfectly understandable. If the Senator will permit, I will state to what I was trying to direct my thoughts. As I understand the proposed legislation, it is designed to prevent the sale or utilization of this cotton in ways that might unnecessarily injure the producer. It seems to me that if we could evolve—I cannot do it; those who are familiar with cotton and the other commodities are probably better able to do so—but if we could evolve a program providing how to dispose of the commodity rather than a program providing how not to dispose of it, I think we would probably handle the problem in the most efficient manner. As I have heard the debate—I may be entirely wrong—all those who have spoken have tried to suggest ways to keep the commodity from being released so that it will not injure the farmers.

Mr. BANKHEAD. Mr. President, I hope the Senator understands the situation. There is no objection to the commodity being released.

Mr. TYDINGS. There is no objection to the commodity being disposed of?

Mr. BANKHEAD. No; but we do not want it done in a way that will break the parity price. Let me ask the Senator from Maryland a question: Does he not feel sure that as time passes the prices are inevitably going up?

Mr. TYDINGS. I think so.

Mr. BANKHEAD. And that the Government is not going to lose any money by not selling the cotton now at a price below parity?

Mr. TYDINGS. I think the Senator is correct.

Mr. BANKHEAD. If the Corporation continues to hold it and not sell it below parity price, the time will come shortly when it can sell it at a price substantially above parity.

Mr. TYDINGS. I think the Senators who represent the cotton States are amply justified in trying to find ways even then by which the cotton may be fed into the market with the least possible harm.

Mr. McKELLAR. The Senator from Maryland is entirely correct in that statement.

Mr. TYDINGS. I believe the Senator has made a proper suggestion along that line. Here is a department of the Government which may need the cotton, and it seems to me that the cotton which could be utilized could very properly, under reasonable safeguards, be handed over to that department. Simply from listening to the debate I am not quite clear with respect to the situation.

I wish to cooperate in every way I can to achieve the general objective; but I should like to see at least some alternative proposal made under which eventually the commodity could be fed into the market without injuring the farmer unnecessarily.

Mr. BANKHEAD. The law provides, as I think the Senate understands, that 300,000 bales a month may be sold, with a limit of 1,500,000 bales a year.

Mr. BARKLEY. But it could not be sold under the provisions of the bill for less than parity, and the parity price fixed in the bill does not include benefits which have been paid by the Government to growers, which benefits make up the difference between the market price and parity, and which the farmers have received or are eligible to receive if they participated in the program. If they did not, of course, that was their misfortune or their fault. They had a right to become parties to the program.

Mr. BANKHEAD. As I see it, the effort is to hold the price down, not keep it up. The law requires that the receipts from the sales of commodities owned by the Government shall go to the Treasury.

Mr. BARKLEY. The bill provides that the receipts from sales of all commodities owned by the Government shall be turned into the Treasury.

Mr. BANKHEAD. The Agricultural Adjustment Act of 1938 requires the proceeds from the sale of cotton to be paid into the miscellaneous receipts of the Treasury.

Mr. BARKLEY. As I understand, the Commodity Credit Corporation uses the proceeds from its sales, if any, to pay off any notes or obligations it has incurred in borrowing money. It has no money of its own. It must issue its obligations to obtain it. In that respect it is like the Reconstruction Finance Corporation and other agencies.

Mr. BROWN. Its capital is supplied by the Reconstruction Finance Corporation.

Mr. BARKLEY. Yes; its capital is supplied by the Reconstruction Finance Corporation; it is a subsidiary. However, it has been using the proceeds from sales to pay off, insofar as possible, the obligations which it has incurred in borrowing money to enable it to carry out the program. The bill now under consideration would require that that money be turned into the general fund of the Treasury. The corporation could not discharge its obligations without an appropriation from Congress authorizing it to do so.

Mr. BROWN. The Senator is correct about that. I wished to observe, for the information of the Senator from Maryland [Mr. TYDINGS] and along the line of his statement, that at the present time there is a loss of $170,000,000 carried on the books of the Commodity Credit Corporation. That has been reduced by appropriations. If, however, we were permitted to sell the corn, wheat, and cotton today—all the cotton could not be sold, because the sale of cotton is limited by the restrictions to which the Senator from Alabama has referred—or if we should value those commodities at the present market, we should come out just about even and make up the $170,000,000 loss which has been on the books.

Mr. BANKHEAD. If we wait a little while, we can make a profit.

Mr. BROWN. The point in my argument yesterday was that what the Senator from Alabama says may be true; and yet it may not be true, because we do not know which way things are going. The purpose of my amendment is to assist in keeping the Commodity Credit Corporation solvent, as I think Government corporations should be.

Mr. BARKLEY. In order that we may have before us at the moment what the bill does, let me read a few lines from the heart of it:

> That hereafter no agricultural commodity, title to which is in the Commodity Credit Corporation on the date of enactment of this act, or title to which is acquired, directly or indirectly, by such Corporation after such date, shall be sold or otherwise disposed of by such Corporation for use within the United States at a price below the parity price for such commodity determined and published by the Secretary of Agriculture as authorized by law.

In other words, regardless of any benefit payments by the Government, which must come out of the taxes levied on all

the people, the Commodity Credit Corporation could neither sell nor otherwise dispose of any of the commodities now owned by it or hereafter acquired by it at a price less than parity, which disregards entirely whatever has been paid as benefits to the growers of those products out of the Treasury of the United States. Let me say while I am on that phase of the subject that it is for that reason chiefly, and for one or two others, that I expect to support the amendment offered by the Senator from Michigan [Mr. BROWN], which, in effect, provides that the Commodity Credit Corporation may not dispose of the commodities it now owns for less than the combined market price plus the benefits given to the growers by the Government. In some cases even now the market price is above parity.

Mr. TYDINGS. That would make the Government whole.

Mr. BARKLEY. Yes; it would make the Government whole.

Mr. BANKHEAD. It might result in further loss.

Mr. BARKLEY. In some cases it might result in a slight profit to the Government; and in some cases it might result in a loss.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. GILLETTE. I dislike to go over the same field again and again; but the Senator has referred to the conservation payments as a part of the income of the farmer. The conservation payments are paid to the individual farmer for compliance with rules and regulations on his farm.

Mr. BARKLEY. Yes.

Mr. GILLETTE. They are to compensate him for taking acreage out of production.

Mr. BARKLEY. That is correct.

Mr. GILLETTE. Such payments have no more reference to the market price or to farm income than they have to the price of peanuts in Siam. They compensate the farmer for complying with the rule on his farm.

Mr. BARKLEY. A rule enjoined by the Government through cooperation with the farmers under an act of Congress designed to pay the farmer for pursuing a course which will benefit him.

Mr. GILLETTE. Yes.

Mr. BARKLEY. I am for that program. For years I believed that some assistance should be extended to the owners of agricultural lands in this country to enable them to improve their lands and to save them from waste and destruction by soil erosion. Ever since I can remember, I have everywhere preached the doctrine that, as population increases in this country, every acre of land must support more people each year than it did the previous year; and that unless we halt the waste of soil by erosion and negligence, the time may come when the people of the United States will not be able to support themselves on their own land.

We have inaugurated this program for the benefit of individual farmers who participate in it, and for the benefit of future generations; and we have paid them for it while we were doing it, all of which I favored and supported. Nevertheless, such payments go into the income of the farmer each year. I agree that they do not go into the price of his agricultural products.

Mr. GILLETTE. We say to him, "If you do not produce your crop on a certain acreage, we will try to compensate you for taking that much out of the general production."

Mr. BARKLEY. That is true; but, even though it is separate, in a way it is part of the same program; and the payments go into the income of the man who owns the land.

Mr. GILLETTE. They compensate him for income of which he deprives himself. They have no relation to the price structure.

Mr. BARKLEY. In the long run, it is a question whether he is depriving himself of anything by improving his own farm and being paid by the Government of the United States to do so.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McKELLAR. The payments under the soil-conservation program and other payments going to the farmers are not mentioned in the Parity Payment Act. They are not a part of it. The acts were separate, as I recall.

Mr. BARKLEY. That is correct.

Mr. McKELLAR. They were entirely separate acts, and cannot be taken into consideration in either fixing the prices of parity or administering the parity prices.

Mr. BARKLEY. I agree to that; but it is all part of the agricultural program which we adopted a good many years ago.

Mr. BROWN. Mr. President, will the Senator yield to permit me to clear up that point? I think this would be a good time to do it. I shall not consume more than 3 or 4 minutes.

Mr. BARKLEY. I yield to the Senator.

Mr. BROWN. This amendment was prepared by the vice president of the Commodity Credit Corporation. Officials of the Corporation and of the Department have in their own minds no doubt about their ability to calculate both the conservation and parity payments in the make-up of this limitation. They give me this statement:

> This amendment provides that the parity and conservation payments made with respect to a commodity shall be taken into consideration in determining the minimum price at which commodities held by the Commodity Credit Corporation may be sold. Under this amendment the minimum price at which commodities could be sold by the Commodity Credit Corporation would be the parity price less the rate of the parity and conservation payments made in connection with the acreage allotments established for the crop of such commodity harvested in the calendar year in which the then current marketing year began. For example, in the case of wheat, under this amendment the minimum price at which the Commodity Credit Corporation could make sales at the present time would be at a price equivalent to a farm price of 111.1 cents per bushel. This minimum sales price would be determined by subtracting from the current parity price (129.1 cents per bushel as of January 15, 1942) the parity and conservation payments (18.0 cents per bushel) made in connection with the acreage allotments for the 1941 wheat crop. The rate of these payments is definitely known at this time and in fact most of the payments on the 1941 allotments have been made. After July 1, 1942, the beginning of the 1942–43 wheat marketing year, the minimum price at which the Commodity Credit Corporation could sell wheat would be the then current parity price less the rate of the parity and conservation payments made in connection with the acreage allotments established for the 1942 wheat crop. The rate of these payments will be known prior to the beginning of the 1942–43 marketing year. Under this amendment sales by the Commodity Credit Corporation would not prevent a producer from receiving a parity return on his crop since the minimum sales price at any time, plus the parity and conservation payments made in connection with the acreage allotments for the crop being marketed at that time, would be at least equal to parity.

I supplement that statement by saying that those gentleman are charged with administering the Commodity Credit Corporation. They would be charged with administering the proposed act, as it is sought to be amended. They are satisfied that they can do it. They are satisfied that they can calculate the minimum or limitation which is established by the Bankhead bill. I myself fail to see why the payments cannot be calculated in their relationship to wheat, corn, tobacco, or any other product. The Department says it can do it. I think we can accept the word of the Department.

Mr. BARKLEY. Mr. President, let me go further with submitting the facts with respect to three crops—cotton, corn, and wheat. I have already stated that the Commodity Credit Corporation has acquired about 300,000,000 bushels of corn. None of that corn was sold prior to January 1, 1941, except for some odd lots and off-grade corn, and about 25,000,000 bushels sold to Great Britain in the summer of 1940.

> In 1941, however, about 135,000,000 bushels of corn were sold, including about 11,000,000 bushels shipped to great Britain under the lease-lend program. Thus far in 1942 about 50,000,000 bushels have been sold and 90,000,000 bushels are still owned by the Corporation. In addition to the corn owned by the Corporation, loans were outstanding on January 31, 1942, on approximately 250,000,000 bushels of corn.
>
> The price at which corn is being sold by the Corporation at the present time—

That is, as of February 21, last Saturday—

> is equivalent to 85 percent of parity. The parity price of corn, as of January 15, 1942, was 93.7 cents per bushel and the average price at which corn is now being sold is equivalent to about 80 cents per bushel on a farm-price basis.

Of course, that statement confirms my suggestion that we cannot really separate the programs; they are all a part of the program to aid agriculture.

> Under the 1941 parity and conservation program, cooperating corn producers received payments totaling 14 cents per bushel.

These payments when added to the price at which corn is being sold by the Corporation provide a per-bushel return equal to the parity price of corn.

In other words the parity price of corn is 93.7 cents a bushel. The price at which the corn owed by the Commodity Credit Corporation has been sold, plus the payments to the farmers, is 94 cents a bushel, which is slightly above the parity price.

Sales of corn by the Corporation, therefore, are not preventing cooperating producers from receiving a parity return per bushel of corn produced in 1941. Furthermore, this per-bushel return on the relatively large crop of corn produced in 1941 provides producers with a parity income with respect to corn.

This is a statement which was sent to me. I asked the Department of Agriculture for the facts with reference to the production, sale, and prices especially of corn, wheat, and cotton. The statement continues as follows:

On the other hand, the sales policy being followed by the Commodity Credit Corporation with respect to corn and with respect to wheat for feed is making feed available to the producers of livestock products at a price which encourages these producers to increase their production of the concentrated food products that are most needed in the prosecution of the war. Even with present feed prices, however, some dairymen and poultrymen are finding it difficult to produce milk, eggs, and chickens profitably, and an increase of as much as 15 percent in the price of feed grains, which probably would result from the enactment of this bill, may reduce substantially the production of these commodities. The final result, of course, will be higher prices for milk, eggs, butter, and other livestock products.

I may say in that connection, Mr. President, that while in our debates and our conversations here over this subject we talk about the producers of wheat and cotton and corn as being farmers, we might well at the same time keep in mind the fact that the producers of livestock are farmers, and frequently they are the identical farmers who produce the commodities about which we are talking so much. In my own State tobacco is grown extensively. We are making no complaint about the price of tobacco, and the pending bill would not help the tobacco growers. At this year's market tobacco has brought parity prices and prices above parity. The pending bill would not be of any benefit to our tobacco growers. They have received the prices I have mentioned.

Mr. BANKHEAD. Mr. President, will the Senator yield to me so that I may ask a question?

Mr. BARKLEY. I will yield in a moment. The farmers have received these prices for tobacco this year largely as a result of the program which has been adopted by the Government of the United States and by the Congress of the United States in dealing with that commodity; but, as I was about to say, men who produce tobacco in my State also produce wheat, they produce corn, they produce livestock, and some of them whose farms are located along the border between the State of Kentucky and the State of Tennessee produce even cotton. So when we talk about farmers we cannot afford to overlook the fact that the growers of livestock—whether it be beef cattle or swine or sheep—and the producers of butter, milk, and poultry are farmers no less than the men who produce the commodities which are uppermost in our minds during our discussion in regard to the pending bill.

I yield now to the Senator from Alabama.

Mr. BANKHEAD. Mr. President, the Senator from Kentucky referred to tobacco. I note from the statement prepared by the Commodity Credit Corporation that the Government now owns 277,499,111 pounds of tobacco. In addition, it has loans totaling $11,566,521 on a large quantity of tobacco. With respect to the latter figure, 4,713,195 pounds of tobacco are held as collateral for the loans. If the Government were to dump all that tobacco on the market, I am wondering whether the producers of tobacco would thereafter occupy the happy position they now occupy with reference to receiving prices above the parity price.

Mr. BARKLEY. I will say to the Senator from Alabama that the loans made by the Commodity Credit Corporation on tobacco have been made largely on what is called the dark-fired type of tobacco. The loans have been made over a period of years to the tobacco growers' organizations. There is one such organization called the Western Kentucky Dark-Fired Tobacco Association, and in Tennessee there is a similar organization, which goes by another name. Its headquarters are in the city of Clarksville. They are two separate organizations. In normal times 85 percent of the crop of that type of tobacco found its market in Europe. It was an export commodity. Only about 15 percent of it was used domestically in the United States. Because of the difficulty of marketing that type of tobacco in Europe it became necessary for farmers' organizations and farm associations to take over large quantities of the tobacco and to hold it off the market. In order to do so they had to have help from the Government, and they came to Washington and asked for help. The senior Senator from Tennessee [Mr. McKELLAR], the junior Senator from Tennessee [Mr. STEWART], my colleague from Kentucky [Mr. CHANDLER], and I, and others have been very anxious and disturbed about that situation, because the European conditions destroyed a very large market for the dark-fired tobacco grown in west Tennessee and in west Kentucky.

Mr. BANKHEAD. As they did with respect to cotton.

Mr. BARKLEY. Yes; as they did with respect to cotton; that is true. That period runs back as far as 1932 and 1933. During that period these loans were made. At this time loans are outstanding on 61,143,000 pounds, and because of the default in the payment of loans the Corporation owns 277,000,000 pounds which it can sell. But, of course, the selling of the tobacco depends upon the market. Practically speaking, there is no market for the domestic consumption of that tobacco; and it would be of no benefit whatever to sell the tobacco on the American market now. It has been possible to divert a certain portion of the tobacco for the manufacture of nicotine, which is a commodity used in the United States. But 277,000,000 pounds is still on hand, held in the name of the Commodity Credit Corporation; and, in spite of the unfavorable conditions, I will say that this year the market price for tobacco of that type and of the higher-priced types was reasonably satisfactory. That has not been true, however, until the season of 1941–42.

Mr. BANKHEAD. I am sure the Senator understands that my question was not asked in any critical way.

Mr. BARKLEY. Oh, no; I understand and I appreciate that fact.

Mr. BANKHEAD. I am fully as sympathetic with the problems in regard to tobacco as I know the Senator from Kentucky is in regard to the problems in regard to cotton.

Mr. BARKLEY. That is true; and the Senator from Alabama has been very friendly. I appreciate that, and I think the Senator from Alabama can say that we who come from the tobacco-growing States have likewise cooperated in behalf of cotton.

Mr. BANKHEAD. There is no doubt of that; and I hope the Senator does not think I was criticizing.

Mr. BARKLEY. No; I appreciate the Senator's position.

Mr. BANKHEAD. The Senator has not very satisfactorily answered my question. It is this: With the loss of markets for tobacco, if a large portion of the crop were dumped on the market, what would be the effect on the price received? How would it compare with parity?

Mr. BARKLEY. The figures I have before me give the outline of the Commodity Credit Corporation's program from April 1, 1941, to January 31, 1942. The tobacco season for this type of tobacco did not close until a day or two ago, and I am not able at this moment to say how much of the tobacco held by the cooperative associations or by the Commodity Credit Corporation has been sold at market prices during the last 2 or 3 months, beginning in December.

Mr. President, I think it might be well to have printed in the RECORD at this point, as a part of my remarks, a table giving a summary of the programs of the Commodity Credit Corporation from April 1, 1941, to January 31, 1942, including barley, corn, cotton, flaxseed, rye, tobacco, wheat, turpentine, and rosin, showing the quantities of various commodities now under loan, the quantities owned by the Commodity Credit Corporation, the total of the two items of quantities under loan and quantities owned, the total book value, and various other figures regarding these crops. I ask that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Commodity Credit Corporation summary of programs, Apr. 1, 1941, to Jan. 31, 1942

	Outstanding Jan. 31, 1942[1]				Liquidation since Apr. 1, 1941			Loans made on 1941 crops	
	Quantities			Total book value	Redeemed	Sold	Average sales price	Quantities	Average loan
	Under loan	Owned	Total						
Barley ..... bushels	15,823,000	73,000	15,896,000	$6,317,000	5,656,000	13,000	$0.60	16,855,000	$0.40
Corn ..... do	249,655,000	[2] 144,639,000	394,294,000	277,964,000	113,000,000	97,080,000	.80	68,775,000	.73
Cotton ..... bales	1,858,000	[2] 5,438,000	7,296,000	454,515,000	4,310,000	737,000	82.00	1,909,000	70.00
Flaxseed ..... bushels	677,000	.....	677,000	1,128,000	26,000	.....	.....	703,000	1.67
Rye ..... do	3,067,000	.....	3,067,000	2,247,000	2,777,000	1,132,000	.60	2,361,000	.50
Tobacco ..... pounds	61,143,000	277,499,000	338,642,000	82,847,000	41,193,000	125,000,000	.23	108,000,000	.23
Wheat ..... bushels	350,675,000	[2] 167,432,000	518,107,000	494,573,000	100,000,000	[2] 23,000,000	1.00	353,863,000	.98
Turpentine ..... gallons	.....	.....	.....	.....	4,549,000	.....	.....	.....	.....
Rosin ..... barrels	745,000	.....	745,000	8,784,000	719,000	.....	.....	133,000	11.86

[1] Per statement of loans and commodities owned.
[2] Includes quantities in process of sale. After deduction of sales in process, owned stocks would be approximately as follows: Cotton, 5,000,000 bales; corn, 90,000,000 bushels; wheat, 135,000,000 bushels.
[3] Derived from dollar amount of sales proceeds.

Mr. BARKLEY. Now, let me continue the discussion with respect to corn.

Mr. STEWART. Mr. President, before the Senator resumes his discussion, will he yield to me?

Mr. BARKLEY. I yield.

Mr. STEWART. I desire to ask a question concerning the workability of the amendment. The Senator from Michigan [Mr. BROWN] introduced the amendment. If the copy which I have of the amendment is a correct copy, it is made to read in substance as follows:

The Commodity Credit Corporation, after the date of the passage of this act, shall not sell any of the commodities acquired by it, as to which it has obtained title, below parity price—

And so forth—

less the rate of the parity and conservation payments made in connection with the acreage allotments established for the crop of such commodity harvested in the calendar year in which the then curernt marketing year began.

What I do not understand is how that would be workable, and how, as a practical matter, it could be made to apply. I have not understood that each bale of cotton which originally goes into a loan and to which later title may be acquired by the Commodity Credit Corporation is identified as having come off the farm of a certain individual who might or might not have availed himself of conservation payments or in any way cooperated in the conservation program. Therefore, I do not see how the calculation can be made.

Mr. BARKLEY. The amendment suggested yesterday by the Senator from Michigan provided that the Corporation could not sell these commodities at a price less than——

Mr. STEWART. The rate of parity and the conservation payments.

Mr. BARKLEY. Less than the market price, plus the benefit payments; in other words, the two would have to be added together. The objection was made that that would not work because it might apply to crops which are on hand and which were grown in 1936, 1937, 1938, 1939, and 1940; but I understand the Senator from Michigan has changed his amendment in order to meet that objection. The substance of the amendment, as I understand it—and I would not want to explain the amendment of the Senator from Michigan in preference to his doing it himself—but, as I understand, the object of it is to bring about as nearly as possible in the year in which the crop is being sold consideration of price, plus the benefits, in order to arrive at a figure below which the Commodity Credit Corporation may not sell any of the commodities it holds. If I am in error about that, I will ask the Senator from Michigan to correct me.

Mr. BROWN. The Senator from Kentucky accurately describes the situation. I may say that about 15 minutes ago I stated the situation as I saw it. After criticism of the Senator from Ohio and the Senator from Iowa and others made of the amendment I took the matter up with the vice president of the Commodity Credit Corporation, who assured me that under the original amendment, which the Commodity Credit Corporation officially drew, as well as under the amendment which is slightly modified, the conservation and parity payments could be calculated, that they have heretofore been calculated and could be calculated under the Bankhead-Gillette bill.

The figures which I gave yesterday on the subject matter with which the Senator from Tennessee is very familiar in the case of cotton are typical. The figures, as they appear in the RECORD, are these: The Commodity Credit Corporation sales price on cotton was 18.10 cents; that is the price at the farm. The current parity price happens to be identical, 18.10; the payments which were made during the preceding fiscal year were 2.75 cents, making 20.85 cents a pound as being the present limitation on the sale of cotton by the Commodity Credit Corporation. That limitation being above parity of 18.10 cents, under my amendment cotton could be sold by the Commodity Credit Corporation. If it were not for my amendment, which calculates in addition to the market price 2.75 cents by way of benefit payments, cotton could not be sold, because its price is just at or just under parity.

As to how these matters can be calculated, I have not at hand sufficient information of the mathematics of the conservation payments and parity payments to state to the Senator, but I can state that the experts of the Commodity Credit Corporation, the experts of the A. A. A., and the Agricultural Department itself are satisfied that they have heretofore made calculations, and they can make calculations under this amendment which would ascertain this limitation by the sum of the market price, plus the parity and conservation payments, to make a total limitation, as fixed in the Gillette bill, as proposed to be amended by my amendment.

Mr. STEWART. I thank the Senator, but I still am unable to understand how the provision would be workable. It is not the Senator's fault; but at the same time, even if the experts of the Commodity Credit Corporation can work it out, if the price of cotton, as the Senator illustrates, is 18.10 cents, and the value of the conservation payments is 2.75 cents, it simply means that the cotton would sell at 18.1 cents, less the average payment of conservation and other benefits, which should be 2.75 cents. It is a matter of mathematics and would be only 15.35 for the cotton, I believe.

Mr. BROWN. It would not mean that the Corporation would sell at that price; it would mean that the limitation in the bill would not be operative.

Mr. STEWART. Would not the effect of it be to deprive the farmers, at any rate, of the soil-conservation payments?

Mr. BROWN. Oh, no; I could not follow the Senator's statement in that respect. It would simply mean, taking the view of the Senator from Alabama and the Senator from Iowa, that the price at which the Commodity Credit Corporation could sell might be such as would depress the price of cotton slightly below parity, but not below parity considering conservation and benefit payments and market price.

Mr. STEWART. Of course it is not applied only to cotton, but to every other class of agricultural products which may be held by the Commodity Credit Corporation.

Mr. GILLETTE. Mr. President——

Mr. BARKLEY. I should like to proceed, for I have taken more time than I had intended, but I will yield to the Senator from Iowa.

Mr. GILLETTE. I thank the Senator. I hope not to interrupt him again, and I promise not to do so again, but in connection with the discussion just had between the Senator from Tennessee and the Senator from Michigan, may I read the provision under which the loan is made on cotton:

The Corporation is directed to make available to cooperators loans upon cotton during any marketing year beginning in a calendar year in which the average price on August 1 of seven-eighths Middling spot cotton on the 10 markets designated by the Secretary is below 52 percent of the parity price of cotton on such date.

The parity price of cotton which the Senators are trying to figure in connection with the amendment is the parity price now in 1942, and they are trying to tie in conservation payments made for compliance last year and on a parity price as of the date the loan was made on the cotton. In the amendment it is stated, " in which the current marketing year began," although the law requires parity to be fixed on the 1st of August, when the relationship of the loan to parity and price comes into play. What the amendment proposes is, in my opinion, simply a mathematical impossibility.

Mr. BARKLEY. Mr. President, let me further elaborate briefly what I was saying about corn. In the first place, the sales program of the Commodity Credit Corporation, so far as corn and wheat are concerned, is largely based upon the desire to feed the corn and even the wheat to producers of livestock. We can well understand what will happen to producers of livestock if they are required to pay 15 percent more for feed corn. We know that livestock are produced and fed and marketed according to the market price of the livestock. The ability of any producer of livestock to produce cattle or hogs or sheep at a reasonable profit depends upon the price which he must pay for feed. Most of them must buy the feed; they do not produce it; and many of them buy feed in large quantities.

Now, the Commodity Corporation sales program on corn has been largely limited to the sale of corn for the purpose of feeding livestock and also for the production of industrial alcohol. That question was raised a while ago. I might at this moment state that in peacetime the use of corn in the production of industrial alcchol is inconsequential. Today two and a half million bushels of corn a month are being used in the production of alcohol necessary in the conduct of the war and from the two and a half million bushels of corn sold 5,500,000 gallons of alcohol a month, or 66,000,000 gallons a year, are being produced to add to the industrial-alcohol production of the country.

In order to further supplement feed supplies, in addition to corn, for the production of livestock, the Commodity Credit Corporation has sold 100,000,000 bushels of wheat at approximately corn prices. Much of this wheat has been shipped to the Pacific coast, where the growers do not produce sufficient wheat and corn together to feed their livestock. They have to ship it in. Of course, they could not pay wheat prices for wheat produced in the Middle West and pay transportation charges on it in order to get it out to California, Washington, Oregon, and other Pacific coast States for the purpose of producing feed for livestock.

Under the pending bill the Commodity Credit Corporation could not sell below parity a bushel of wheat to be used in the United States for any purpose.

What are the facts about wheat? The wheat about which I was just speaking is being sold in deficit corn-producing areas, that is, in areas where there is a deficit of corn production for the feeding of livestock, and it is being sold at a price comparable to the price of corn, as it must be. Any wheat sold under this program must be used only for feed. The contract entered into between the seller, the Commodity Credit Corporation, and the purchaser, stipulates that it must be used for feed, and therefore it does not come in competition with wheat that is being used for the production of flour.

Mr. President, if we are willing to admit that every man who produces livestock in the form of cattle, hogs, or sheep is a farmer, and that the production of livestock and meat is essential at this time, and that there is a drive on in the country to stimulate the production of livestock, we are bound to conclude, it seems to me, that the sale of this wheat owned by the Government of the United States, paid for by money out of its Treasury put there by the taxpayers, is in the interest of a group of farmers who are no less important than are those engaged in the production of other commodities; in other words, it is for the benefit of the producers and growers of livestock who are depended upon to produce the meat which we need now in this great emergency.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. As I saw the quotations yesterday, hogs were selling at 13 cents and corn was selling at 72 cents. The usual relation, as I understand, is about 10 to 1; so that if the present relationship is maintained, and if the Department holds corn down to 72 cents, a wholly unreasonable profit will be given to the raisers of hogs. The relationship is entirely out of line.

I received a letter this morning from hog raisers in Ohio, who said that the price of corn could well rise, so far as they could see, with the price of hogs as it is at present, to a dollar, without in any way being out of line, or increasing the price of hogs, or making the raising of hogs unprofitable.

Mr. BARKLEY. The parity price of corn as of January 15 was 93.7 cents a bushel, and the average price at which corn is now being sold is 80 cents a bushel, not 72. Of course, although it might not be true of some individual farmer who sold corn, the program now being carried out by the Commodity Credit Corporation affords to the producers of corn as a whole 94 cents a bushel, although a part of the price comes out of the Treasury of the United States.

Mr. TAFT. I am quite prepared to vote for the Brown amendment, but it seems to me that the policy proposed of holding down all feed crops is one which discriminates against the raisers of those crops, and gives an undue profit to others.

Mr. BARKLEY. It is not a policy of holding down the prices of all products. Some of the wheat and some of the corn goes into areas of the country where the growers do not produce enough to feed their own stock, and to the price paid for it must be added the cost of transportation, which of course goes into the price of the finished product of the hog, the cattle, or the sheep.

Now let us see about wheat. Wheat is being offered for sale in regular commercial channels at the present time on the basis of a minimum price of $1.32 a bushel for No. 2 wheat in storage at Chicago. The Chicago price is comparable with an average farm price of about $1.15 a bushel. Payments on wheat under the 1941 parity and conservation programs totaled 18 cents a bushel. Those payments, plus the current minimum sales price, equal a per-bushel return of $1.33, as compared with the current parity price of wheat of $1.29. In other words, adding the Chicago price of $1.32 a bushel, or the farm price of $1.15, to the 18 cents paid by the Government in the form of conservation and benefit payments, results in a price of $1.33 a bushel to the grower, as compared with a parity price for wheat of $1.29.

Mr. President, in view of these facts, which I do not think can be disputed, because they are taken from the statements and records of the Department of Agriculture, it seems to me that we cannot justify the proposed legislation on the ground that the program now in operation is detrimental to the producers of wheat, corn, and cotton.

There is another program to which the attention of the Senate was called this morning in the letter of the President. The discontinuance of the sale of wheat for feed will not only contribute to a higher price for feed but will also make more difficult a very tight storage situation. This is another matter which I think the Congress should consider. With a prospective carry-over of 600,000,000 bushels of wheat, there will be a relatively small amount of elevator space available for the 1942 crop, and much of it may have to be piled on the ground.

With 600,000,000 bushels carried over, and considering the prospective yield of wheat in 1942, both spring and winter wheat, there probably will not be enough storage space in the United States, or the wheat will have to be dumped on the ground at the time it is being threshed, which, in my judgment, will do more to drive down the price of wheat to the grower of wheat on the farm than the program now in operation by the Commodity Credit Corporation.

The use of 100,000,000 bushels of wheat for feed prior to the 1942 wheat harvest would greatly improve the grain-storage situation. Any release of existing storage facilities will work to the advantage of wheat growers in selling the 1942 crop, since, without storage facilities, the quantity of wheat that could be put under loan would be curtailed, and buyers would not purchase wheat except at greatly reduced prices.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. I should like to ask the majority leader when the wheat now owned by the Government was acquired, during what years.

Mr. BARKLEY. It was not all acquired in any one year. It represents the Commodity Credit Corporation's program from as far back as 1936, I should say, on down to the present time. I have here the table to which I referred a while ago, giving their program from April 1, 1941, to January 31, 1942, in regard to wheat, which shows that the number of bushels now under loan is

350,000,000-plus, and the number of bushels owned by the Government is 167,000,000-plus, subject to a deduction of about 135,000,000 bushels, which leaves, I think, about 90,000,000 bushels still under Government ownership. But the wheat purchased and now owned by the Government does not represent wheat produced in 1941 only. It goes back over a period of several years.

Mr. AIKEN. That is as I understand it. I have the impression that the amendment which I offered a while ago, and which was adopted, will easily enable the Commodity Credit Corporation to dispose of 100,000,000 bushels of Government-owned wheat for feeding purposes, or for the purpose of making alcohol at whatever price they see fit to sell it; and that was the purpose I had in offering the amendment. I do not know how much the Corporation has on hand which has deteriorated materially. I have heard it was 200,000,000 bushels. I do not know whether that is so; but I felt sure they would be empowered to dispose of 100,000,000 bushels under the amendment, and I thought the amendment would partially meet the objections raised by the President in the letter which he sent to us this morning.

Mr. BARKLEY. I have not given careful study to the Senator's amendment, but I shall be glad to do so.

Furthermore, in handling grain, the Commodity Credit Corporation, in order to avoid incurring excessive transportation costs, or to avoid losses from moisture, insect infestation, or damage, finds it necessary to sell individual lots of wheat or corn from time to time regardless of the price then prevailing. Such sales apparently would be prohibited if the market price were below parity. In other words, the Corporation would be prohibited from selling this wheat or corn in order to preserve it from actual destruction by moisture or by insects, or from damage of any sort. They could not sell it below the parity price in order to preserve it for the consumption of the people.

Such a restriction on sales may cause the total loss of substantial quantities of grain, and result in very large losses to the Government.

There is another consideration which I think we must keep in mind. There has been before the Senate and the House from time to time a controversy with respect to the production of oils from vegetable products. There has been some jealousy between the producers of what are called animal fats and the producers of what are called vegetable fats. We have had to deal with that question in the consideration of quotas, in the consideration of tariffs, and of excise taxes, and the question has arisen in other connections. But certainly no one can deny that now, when importations of vegetable oils from the Philippines, and from Hawaii, and from other points of the Pacific are cut off or reduced, it becomes necessary and desirable that we concentrate, insofar as we can, upon the production of vegetable oils in the United States, so as to bring about an increase of domestic vegetable oils. Soybeans, peanuts, and other vegetable commodities from which oil is produced are essential. If the bill should become a law, although peanuts are a part of the basic commodities dealt with in the Agricultural Adjustment Act, by amendment of the law, by act of Congress it would be impossible to sell those peanuts at a price below parity for the purpose of providing seed for the growers of peanuts in order to produce greater quantities of vegetable oil. If the bill should become a law it would be impossible to sell soybeans at a price below parity in order that the soybean production might be increased for the purpose of producing more vegetable oil in the United States.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. May I advise the Senator again that that matter is covered in the amendment offered by the Senator from Georgia [Mr. RUSSELL] today, whereby the provisions of the bill would not apply to commodities which are sold by the Government for seed purposes.

Mr. BARKLEY. I am talking about the bill as it is. The Senator from Georgia offered the amendment——

Mr. AIKEN. And the amendment was adopted.

Mr. BARKLEY. The amendment was adopted; but we have to talk about this measure as it may finally become enacted, and there is no way of predicting in what form it may be when enacted and signed by the President, if it should be signed by the President. I make no predictions on that subject.

Mr. President, I have taken more time than I intended to take, but I have tried to yield to Senators, and I appreciate the fact that they have all contributed something to the debate.

In conclusion I wish to say that I believe the enactment of the proposed legislation, while not so intended, would result in breaking faith with other agricultural groups in the United States in order to create a situation more favorable to the groups contemplated in the bill. We have enacted a price-control measure providing not a legislative price fixing, not a floor or a maximum fixed by law, but providing that the Administrator of the Price Control Act cannot touch an agricultural product by way of any restriction as to price until the price has reached 110 percent of parity, or until it has reached the price which it had originally reached on the 15th of October, or the 31st of December. The way that will work in respect to some agricultural products, for instance, lint cotton, cottonseed, lambs and wool, is that price ceilings cannot be fixed by the Administrator until the prices have reached 120 percent of parity. It was not intended to guarantee that sort of a price; it was not intended artificially to increase the price; but the Administrator cannot touch those prices until they have by the law of supply and demand, or by natural processes, reached either 110 percent, or 120 percent, or some figure between them, or it may be above them in individual cases.

The Agricultural Adjustment Act contemplates that reserves shall be built up in the case of our major commodities, to be used in time of emergency. In my judgment, we are now in the midst of such an emergency.

If we enact the pending legislation, while it is proposed in the utmost good faith, and is not so intended by the authors or the sponsors of the measure, in my judgment it would work an injustice to other agricultural producers in the United States who depend upon the purchase of some of these commodities at fair and reasonable prices in order that they may produce other agricultural commodities upon which the American people depend.

We cannot lose sight altogether of the consumer. We hear much about raises in wages, and there have been demands that Congress by legislation fix a maximum wage rate. When the price-control bill was under consideration I could not agree to the inclusion of wages, because I do not believe that it is within the power of any one man to fix the wages of 40,000,000 working people in the United States. Furthermore, I felt that to do so would nullify and wipe out all the wage-adjusting agencies that have been established by the United States Government and by Congress. While my position on that subject is not agreed to by large groups of people in this country, I nevertheless adhere to it, at least for the present, until some better remedy shall be offered.

Mr. President, the 40,000,000 wage earners in the United States, and the wives and children of our soldiers and sailors and marines, who must for the time being depend upon what may be an inadequate compensation, an inadequate purchasing power to support themselves, must not be forgotten in dealing with the economic results of legislation which we enact. Therefore, I think that, without intending it, the enactment of the proposed legislation would do an injustice to these large groups.

The enactment of the proposed legislation, in my judgment, would check the expansion already in progress of livestock production, which I have already discussed.

The enactment of the proposed legislation would reduce the market outlets for corn and wheat, tighten the storage situation, and increase transportation difficulties to regions which need wheat and corn especially because they do not produce them in quantities sufficient for their own consumption.

In my judgment, the enactment of the proposed legislation would reduce the consumption of cotton and tobacco. Some cotton is being sold at less than market prices for use in making cotton bale covers and for insulating material. It is not much—only 20,000 bales out of 300,000 were sold in January—but some of it is being sold for that purpose. Such sales would be discontinued and difficulties would be experienced in getting bale covers except at prices almost twice as high as they now are, which would have to be paid by the producers of cotton in the baling of their product.

The enactment of the proposed legislation would, in my judgment, result in damage to products that would be wasted, especially products of a character which are called off-grade. As I said a while ago, often these products become

damaged and must be sold at whatever price can be obtained for them in order that they may not be absolutely destroyed and become useless.

The enactment of the bill would make it impossible to sell these products, especially grain, for less than the parity price to be paid in the United States, although not to sell them would result in their total destruction.

The enactment of the bill, in my judgment, would increase the appropriations which Congress would be called upon to make. The bill provides that the receipts from sales of all commodities owned be turned into the Treasury. This would mean that appropriations would be requested equal to the value of all commodities taken over under the loan program.

Finally, the enactment of the bill, as I believe, would result in inflation. The freezing of supplies obviously contributes to the spiraling of prices. In the end farmers would lose as much or more from spiraling prices than any other group, and in the long run this action would work to the disadvantage and not to the advantage of the farmer.

Mr. President, for these reasons I have been compelled to reach the conclusion that the bill is unwise, and that in the long run, if enacted, it will do more harm to the farmers than it will do good. I cannot conceive that the farmers of the United States, who have a stake in this country, who have their feet planted in the soil of this Nation, desire anything done in their name or on their behalf that will be injurious to the country as a whole or that would result ultimately in the long stretch in doing to them more harm than good.

I do not believe that the farmers of the United States look upon this or any other program in the defense of our country from a selfish, narrow, or bigoted standpoint. Whenever I lose faith in the patriotism, dependability, level-headedness, and integrity of our farmers, I shall lose faith in American democracy. They are giving up their sons. They are not complaining about it. They remember what occurred after the last war. Although temporarily they received a benefit in higher prices, they suffered in the long run by the loss of their markets and their farms. I believe that the inflationary prices during and following the World War, from 1914 to 1920, had as much to do with the depression in agriculture as any other one thing.

For these reasons, much as I regret to find myself in disagreement with some of my warmest friends in the Senate, some of whom have worked with me for years in behalf of agriculture, I cannot support the proposed legislation. I shall support the amendment offered by the Senator from Michigan [Mr. BROWN], and I hope it will be adopted, because it fixes a standard toward which we have been working for years—that is, that the farmers shall receive parity, either in a market price which represents parity or in a contribution out of the Treasury representing the difference between the market price and parity.

I apologize to the Senate for taking so much of its time; but I wanted the Senate to have these facts in mind when it votes, and I wanted the RECORD to contain what I think are indisputable facts and considerations to be weighed in connection with the proposed legislation.

I ask unanimous consent to have printed in the RECORD at this point a letter dated February 21, 1942, from the Under Secretary of Agriculture.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 21, 1942.

Hon. ALBEN W. BARKLEY,
United States Senate.

DEAR SENATOR BARKLEY: The following is submitted in response to your telephone request for information relative to the operations of the Commodity Credit Corporation in connection with the consideration of S. 2255.

Briefly stated, this bill would prevent the sale or other disposition for use in the United States of any commodities now held or hereafter acquired by the Commodity Credit Corporation at a price below the parity price for such commodity. The only exception to this rule would be the sale or other disposition of such commodities to the Agricultural Marketing Administration exclusively for relief purposes. The bill would also require that the proceeds of any such sale or other disposition be covered into the Treasury as miscellaneous receipts rather than being used to retire the obligations of the Corporation.

The principal immediate effects of the enactment of this bill would be the discontinuance of sales of corn and wheat for feed and for conversion into alcohol with resulting increases in feed prices and decreased production of livestock products and alcohol which are urgently needed in the war effort.

Since 1933, the Commodity Credit Corporation has made loans on about 1,100,000,000 bushels of corn. These loans have generally been made at rates above the market price of corn and at the time they were made had the effect of substantially increasing corn and feed prices. The users of corn—dairy, poultry, and livestock producers—have at times protested the price increases resulting from the corn-loan program, but they were assured that corn withdrawn from the market at that time would be available later at reasonable prices in the event of a short corn crop or a sudden increase in the demand for corn. The war has brought about such an increase in demand. Greatly increased quantities of cheese, dry skim milk, evaporated milk, eggs, pork, and other livestock products are needed both at home and abroad. In addition, corn is now being converted into alcohol which is needed in the manufacture of munitions.

During the course of its corn-loan operations, the Commodity Credit Corporation has acquired approximately 300,000,000 bushels of corn. Prior to January 1, 1941, practically none of this corn was sold except odd lots and off-grade corn and about 25,000,000 bushels sold to Great Britain in the summer of 1940. In 1941, however, about 135,000,000 bushels of corn were sold, including about 11,000,000 bushels shipped to Great Britain under the lend-lease program. Thus far in 1942, about 50,000,000 bushels have been sold, and 90,000,000 bushels are still owned by the Corporation. In addition to the corn owned by the Corporation, loans were outstanding on January 31, 1942, on approximately 250,000,000 bushels of corn.

The price at which corn is being sold by the Corporation at the present time is equivalent to 85 percent of parity. The parity price of corn as of January 15, 1942, was 93.7 cents per bushel, and the average price at which corn is now being sold is equivalent to about 80 cents per bushel on a farm-price basis. Under the 1941 parity and conservation program, cooperating corn producers received payments totaling 14 cents per bushel. These payments, when added to the price at which corn is being sold by the Corporation, provide a per-bushel return equal to the parity price of corn. Sales of corn by the Corporation, therefore, are not preventing cooperating producers from receiving a parity return per bushel of corn produced in 1941. Furthermore, this per-bushel return on the relatively large crop of corn produced in 1941 provides producers with a parity income with respect to corn.

On the other hand, the sales policy being followed by the Commodity Credit Corporation with respect to corn and with respect to wheat for feed is making feed available to producers of livestock products at a price which encourages these producers to increase their production of the concentrated food products that are most needed in the prosecution of the war. Even with present feed prices, however, some dairymen and poultrymen are finding it difficult to produce milk, eggs, and chickens profitably, and an increase of as much as 15 percent in the price of feed grains, which probably would result from the enactment of this bill, may reduce substantially the production of these commodities. The final result, of course, will be higher prices for milk, eggs, butter, and other livestock products.

In order to further supplement feed supplies the Commodity Credit Corporation has made available for livestock feed a total of 100,000,000 bushels of wheat. This wheat is being sold in deficit corn-producing areas at a price comparable to the price of corn. Any wheat sold under this program must be used only for feed and, therefore, does not come into competition with wheat used in making flour. In addition to the wheat being made available for feed, wheat is being sold for conversion into alcohol at prices ranging from 80 to 90 cents per bushel.

Wheat is being offered for sale in regular commercial channels at the present time on the basis of a minimum price of $1.32 per bushel for No. 2 wheat in store at Chicago. This Chicago price is comparable with an average farm price of about $1.15 per bushel. Payments on wheat under the 1941 parity and conservation programs totaled 18 cents per bushel. These payments plus the current minimum sales price equal a per-bushel return of $1.33, as compared with the current parity price for wheat of $1.29 per bushel.

With respect to corn and wheat, the enactment of S. 2255 would necessitate the following immediate changes in the operations of the Commodity Credit Corporation. The sale of corn for feed would be suspended until such time as the market price advances above parity. The sale of both corn and wheat for conversion into alcohol would be discontinued unless the price ceiling on alcohol is raised. The sale of wheat for feed probably would be permanently discontinued since wheat could not be sold for feed at parity in competition with corn and other feed grains.

Discontinuance of the sale of wheat for feed will not only contribute to a higher price for feed but will also make more difficult a very tight storage situation. With a prospective carry-over of 600,000,000 bushels of wheat, there will be a relatively small amount of elevator space available for the 1942 wheat crop and much of it may have to be piled on the ground. The use of 100,000,000 bushels of wheat for feed prior to the 1942 wheat harvest would greatly improve the grain storage situation. Any release of existing storage facilities will work to the advantage of wheat growers in selling the 1942 crop since without storage facilities the quantity of wheat that could be put under loan would be curtailed and buyers would not purchase wheat except at greatly reduced prices.

In handling grain the Commodity Credit Corporation, in order to avoid incurring excessive transportation costs or to avoid losses

from moisture, insect infestation or damage, finds it necessary to sell individual lots of wheat or corn from time to time regardless of the price prevailing at the time. Such sales apparently would be prohibited if the market price were below parity. Such a restriction on sales may cause the total loss of substantial quantities of grain and result in large losses to the Government.

The provisions of S. 2255 would have very little effect on the operations of the Commodity Credit Corporation with respect to cotton at the present time. The only sales of cotton now being made that would be eliminated by the provisions of S. 2255 are sales of cotton for use in the manufacture of cotton bagging and for use in the manufacture of insulating materials. The elimination of these sales would tend to reduce the consumption of cotton and increase the price that cotton growers would have to pay for bale coverings.

The Commodity Credit Corporation now owns approximately 5,000,000 bales of cotton. Sales of cotton by the Corporation are now limited by law to 300,000 bales in any one month and 1,500,000 bales in any calendar year. The first sales into normal domestic channels were made in January 1942, when about 200,000 bales were sold to domestic cotton mills and cotton merchants at prices slightly above parity. An additional 80,000 bales were sold at below-parity prices for export. Also 20,000 bales were sold at below-parity prices for use in the manufacture of cotton bagging and other new uses for cotton. Only the latter sales would have been prohibited by the provisions of S. 2255.

In addition to market prices, which at the present time are in excess of parity, cotton growers received payments totaling 2.75 cents per pound under the 1941 parity and conservation programs. Cotton growers therefore are receiving per unit returns (price plus payments) in excess of parity in 1941, and these per unit returns are yielding a parity income even on the relatively small crop produced in 1941.

In the case of peanuts, the Commodity Credit Corporation is now acquiring a supply of seed in order to be in a position to furnish these peanuts to growers to assist them in increasing their acreage of peanuts for oil in 1942. These peanuts are being supplied to growers at a price of approximately $100 per ton. Under the terms of S. 2255, it would be necessary to increase the price of these seed peanuts to about $140 per ton. Such an increase in the cost of peanut seed would tend to prevent the achievement of the peanut production goals in 1942. A very great increase in the acreage of peanuts has been requested in 1942 in order that more fats and oil will be available to meet war needs.

From the foregoing description of the operations of the Commodity Credit Corporation in connection with the disposal of its commodities, it may be observed that the Corporation is following a definite policy in the sale of its commodities. This policy may be stated briefly as follows: Stocks of the basic crops are sold in regular commercial channels only at prices which, payments taken into consideration, will not interfere with the attainment of the parity price and parity income objectives set forth in the Agricultural Adjustment Act of 1938. Once these objectives are attained, however, sales are made in such manner and in such volume as are determined to be in the national interest, giving particular attention to war needs and the prevention of speculative price fluctuations and inflation. In pursuance of this policy in the case of cotton, no sales are now being made in regular commercial channels at less than parity prices in view of (1) the relatively small crop produced in 1941, and the need for higher returns per unit in order to attain the parity income objective with respect to cotton, and (2) the relatively small percentage of the final cost of cotton goods that is accounted for by the cost of the cotton therein.

In the case of corn and wheat, sales are being made at more nearly the minimum prices consistent with the parity price objectives of the Agricultural Adjustment Act of 1938 in view of the vital role these commodities are playing in the increased production of livestock products and alcohol needed in the war effort, the relatively favorable income received from the large crops of these commodities produced in 1941, and the importance of the prices of these commodities in connection with living costs and inflation.

In addition to the sales made in accordance with the above-stated general sales policy, sales are made for export, to encourage new uses, to avoid losses from deterioration and insect infestation, and to encourage production of so-called war crops (the sale of peanuts for seed, for example) on the basis of cost to the Corporation or such other basis as is determined to be in the public interest and in accordance with existing law.

S. 2255 would substitute for the above sales policies a sales policy in which only parity prices would be taken into consideration completely ignoring (1) the fact that Government payments are made with respect to some commodities and not with respect to others; (2) the parity income objectives of the Agricultural Adjustment Act of 1938 except insofar as these objectives are identical with the parity price objectives of the act; (3) war needs; (4) new uses; and (5) deterioration of commodities in storage.

One other item to which attention should be called involves the handling of funds obtained from the sale of commodities by the Commodity Credit Corporation. The funds of the Commodity Credit Corporation are obtained primarily by means of the sale of its notes either to the United States Treasury or to private investors. Thus borrowed funds are used in the acquisition of commodities and when sales are made the proceeds are normally used to retire obligations of the Corporation. This bill, however, provides that the proceeds from the sale of commodities must be covered into the Treasury as miscellaneous receipts. This procedure would necessitate large appropriations to meet obligations of the Corporation which now are being paid directly from the proceeds of sales.

Enclosed for your information are two tables giving data relative to the commodities the Commodity Credit Corporation owns or has under loan and the prices at which corn, wheat, and cotton are being sold in relation to parity prices and Government payments.

Sincerely,

PAUL H. APPLEBY,
Under Secretary.

[Enclosures—2.]

Comparison of 1941 loan rates and Government payments with parity price as of the beginning of the marketing year

	Corn	Wheat	Cotton
	Cts. per bu.	*Cts. per bu.*	*Cts. per lb.*
Loan	74.8	98.0	14.02
Payments	14.0	18.1	2.75
Total	88.8	116.1	16.77
Parity at beginning of marketing year	88.6	116.7	16.49

Comparison of minimum prices at which sales are being made by Commodity Credit Corporation plus Government payments and the current farm parity price and market parity prices comparable with minimum sales prices

	Corn	Wheat	Cotton
Commodity Credit Corporation minimum sales price	*Cents* [1] 83	[2] $1.32	*Cents* [3] 18.10
Payments	14	.18	2.75
Total	97	1.50	20.85
Current parity price at farm	93.7	1.29	18.10
Market equivalent [4]	98	1.46	18.10

[1] No. 2 Yellow corn in store in Chicago, for February delivery, March delivery 1 cent higher.
[2] No. 2 Hard Winter wheat in store in Chicago price in effect during last 2 weeks of February.
[3] Farm parity price. No sales being made in the domestic market below parity except for insulation and cotton bagging.
[4] Market parity price that is comparable with the minimum Commodity Credit Corporation sales price

U. S. Department of Agriculture, Commodity Credit Corporation—Statement of loans and commodities owned Jan. 31, 1942

	Advances on commodity loans	Repayments, acquisitions, and adjustments on commodity loans	Commodity loans held by Commodity Credit Corporation	Commodity loans held by banks	Total commodity loans outstanding	Total quantities of commodities held as collateral
Barley loans:						
1940 barley, Form A	$573,197.18	[1] $510,158.77	$63,038.41		$63,038.41	194,620 bushels
1940 barley, Form B	920.30	920.30				
1941 barley, Form A	101,697.69	32,277.60	69,420.09	$5,736,349.47	5,805,769.56	14,488,831 bushels
1941 barley, Form B	12,357.84	1,904.97	10,452.87	311,917.60	322,370.47	879,678 bushels
Subtotal	688,173.01	545,161.64	142,911.37	6,048,267.07	6,191,178.44	15,563,129 bushels
1940 barley rescaling program: Noncash transfers of principal	117,576.86	33,938.16	83,638.70		83,638.70	259,580 bushels
Subtotal (all barley)	805,749.87	579,199.80	226,550.07	6,048,267.07	6,274,817.14	15,822,709 bushels
Corn loans:						
1938 corn	16,599,391.57	16,597,074.23	2,317.34		2,317.34	[2] 936 bushels
1938–39 corn	141,596,856.97	[1] 141,536,963.88	60,893.09		60,893.09	[2] 46,389 bushels
1939 corn	160,556,688.00	[1] 160,542,966.98	13,721.02		13,721.02	26,307 bushels
1940 corn	9,100,122.13	7,537,814.63	1,562,307.50	27,974,022.09	29,536,329.59	48,436,657 bushels
1941 corn	380,127.95	97.20	380,030.75	49,823,218.48	50,203,249.23	68,775,022 bushels
Subtotal	328,233,186.62	326,213,916.92	2,019,269.70	77,797,240.57	79,816,510.27	117,285,311 bushels

[1] Includes noncash transfers to rescaling programs.
[2] Inventory subject to adjustment.

U. S. Department of Agriculture, Commodity Credit Corporation—Statement of loans and commodities owned Jan. 31, 1942—Continued

	Advances on commodity loans	Repayments, acquisitions, and adjustments on commodity loans	Commodity loans held by Commodity Credit Corporation	Commodity loans held by banks	Total commodity loans outstanding	Total quantities of commodities held as collateral
Corn loans—Continued						
1938-39 corn resealing program:						
Noncash transfers of principal	$114,415,646.32					
Storage disbursements	16,918,537.07					
Subtotal (resealing)	131,334,183.39	$43,329,250.23	$88,004,933.16		$88,004,933.16	132,370,234 bushels
Subtotal (all corn)	459,567,370.01	369,543,167.15	90,024,202.86	$77,797,240.57	167,821,443.43	249,655,545 bushels
Cotton loans:						
1938 cotton	118,940,24 .50	117,504,282.67	1,435,959.83	24.82	1,435,984.65	28,638 bales
1939 cotton	1,213,010.65	1,213,010.65				
1940 cotton	71,355,420.53	71,354,398.09	1,022.44		1,022.44	14 bales
1941 cotton	108,209,443.48	6,961,512.61	101,247,930.87	27,025,733.55	128,273,664.42	1,829,016 bales
Subtotal	299,718,117.16	197,033,204.02	102,684,913.14	27,025,758.37	129,710,671.51	1,857,668 bales
Flaxseed loans:						
1941 flaxseed, Form A	25,100.45	1,083.80	24,016.65	596,941.61	620,958.26	365,055 bushels
1941 flaxseed, Form B	10,564.52	278.73	10,285.79	497,121.31	507,407.10	312,214 bushels
Subtotal	35,664.97	1,362.53	34,302.44	1,094,062.92	1,128,365.36	677,269 bushels
Grain sorghums loans:						
1940 grain sorghums, Form A	6,007.15	5,797.55	209.60		209.60	741 bushels
1941 grain sorghums, Form A	1,233.59		1,233.59	4,646.64	5,880.23	15,566 bushels
1941 grain sorghums, Form B	2,018.11		2,018.11	25,837.65	27,855.76	98,869 bushels
Subtotal	9,258.85	5,797.55	3,461.30	30,484.29	33,945.59	115,176 bushels
Prune loans: 1940 prunes	5,869,483.27	4,591,400.64	1,278,082.63		1,278,082.63	[2] 75,764 tons
Rye loans:						
1939 rye	627,909.88	[1] 627,853.88	56.00		56.00	125 bushels
1940 rye	1,130,539.56	[1] 1,086,040.21	44,499.35		44,499.35	115,399 bushels
1941 rye	36,094.27	864.00	35,230.27	1,129,627.13	1,164,857.40	2,339,839 bushels
Subtotal	1,794,543.71	1,714,758.09	79,785.62	1,129,627.13	1,209,412.75	2,455,363 bushels
Rye resealing programs:						
1939 noncash transfers of principal	6,850.11	2,726.19	4,123.92		4,123.92	9,198 bushels
1940 noncash transfers of principal	309,831.46	36,313.90	273,517.56		273,517.56	603,075 bushels
Subtotal (resealing)	316,681.57	39,040.09	277,341.48		277,641.48	612,273 bushels
Subtotal (all rye)	2,111,225.28	1,753,798.18	357,427.10	1,129,627.13	1,487,054.23	3,067,636 bushels
Soybean loans:						
1941 soybeans, Form A	16,483.65	180.60	16,303.05	107,520.19	123,823.24	118,833 bushels
1941 soybeans, Form B				5,751.97	5,751.97	5,899 bushels
Subtotal	16,483.65	180.60	16,303.05	113,272.16	129,575.21	124,732 bushels
Tobacco loans:						
1939 dark tobacco	484,604.34	11,008.36	473,595.98		473,595.98	4,713,195 pounds
1940 flue-cured tobacco	6,319,258.85	2,199,908.79	4,119,350.06		4,119,350.06	21,892,827 pounds
1940 dark tobacco	4,752,658.38	882,672.15	3,869,986.23		3,869,986.23	34,536,653 pounds
Subtotal	11,556,521.57	3,093,589.30	8,462,932.27		8,462,932.27	61,142,675 pounds
Turpentine and rosin loans:						
1938 rosin	12,538,128.17	10,577,962.15	1,960,166.02		1,960,166.02	174,992 barrels
1939 rosin	9,307,611.60	7,806,321.54	1,501,290.06		1,501,290.06	125,470 barrels
1940 rosin	6,964,126.42	3,222,865.59	3,741,260.83		3,741,260.83	313,557 barrels
1941 rosin	1,602,415.35	21,099.69	1,581,315.66		1,581,315.66	130,503 barrels
Subtotal	30,412,281.54	21,628,248.97	8,784,032.57		8,784,032.57	744,522 barrels
Wheat loans:						
1939 wheat, Form A	10,272,363.97	10,206,718.01	63,645.96		63,645.96	85,991 bushels
1940 wheat Form A	11,999,030.80	[1] 10,661,622.26	1,337,408.54		1,337,408.54	1,873,354 bushels
1940 wheat, Form B	154,508,577.99	154,504,173.70	4,404.29		4,404.29	[3] 521 bushels
1941 wheat, Form A	2,883,968.80	160,568.55	2,723,400.25	104,291,570.45	107,014,970.70	114,656,512 bushels
1941 wheat, Form B	22,474,785.99	1,499,059.10	20,975,726.89	211,538,964.75	232,514,691.64	230,658,311 bushels
Subtotal	202,138,727.55	177,034,141.62	25,104,585.93	315,830,535.20	340,935,121.13	347,274,689 bushels
1940 wheat resealing program:						
Noncash transfers of principal	2,907,638.08	351,017.57	2,556,620.51		2,556,620.51	3,400,818 bushels
Storage disbursements	1,145.34	66.78	1,078.56		1,078.56	
Subtotal (resealing)	2,908,783.42	351,084.35	2,557,699.07		2,557,699.07	3,400,818 bushels
Subtotal (all wheat)	205,047,510.97	177,385,225.97	27,662,285.00	315,830,535.20	343,492,820.20	350,675,507 bushels
Total commodity loans	[3] 1,015,149,667.14	[3] 775,615,174.71	239,534,492.43	429,069,247.71	668,603,740.14	

COMMODITIES OWNED BY COMMODITY CREDIT CORPORATION

Commodity	Quantity	Book value	Commodity	Quantity	Book value
Barley	72,781 bushels	$41,697.14	Rye	1,132,864 bushels [7]	$760,315.03
Corn	144,638,807 bushels [4]	110,142,181.13	Tobacco	277,499,111 pounds [8]	74,384,345.55
Cotton, 1934-35 [5]	1,183,587 bales	95,242,956.86	Wheat [9]	167,431,525 bushels [2 10]	151,079,836.53
1937-38 [5]	4,249,922 bales	229,314,516.28	Other commodities		58,444,472.50
1939-40	150 bales	7,022.29			
1940-41	5,002 bales	240,091.78	Total commodities owned		754,155,932.11
Rubber	90,495 tons [6]	34,498,497.02			

[1] Includes noncash transfers to resealing programs.
[2] Inventory subject to adjustment.
[3] Excludes $1,042,847,246.49 of closed loan programs.
[4] Includes approximately 54,000,000 bushels of corn in process of sale.
[5] Includes cotton in process of sale.
[6] Includes rubber accepted, and rubber delivered or afloat, subject to inspection.
[7] All pooled rye sold. Sales proceeds held in suspense account, pending inventory adjustments.
[8] Consists of 276,421,979 pounds dry weight and 1,077,132 pounds green weight.
[9] Includes wheat held in producers' pools.
[10] Includes approximately 31,500,000 bushels of pooled wheat in process of sale.

STRIKES IN DEFENSE INDUSTRIES

Mr. BYRD. Mr. President, if the United States is to unify its war production program it becomes increasingly obvious that Congress must adopt a definite declaration of national labor policy.

In his speech on February 23, the President said:

We shall not stop work for a single day.

Yet, even while that speech was being made strikes were being called; and now, 2 days later, strikes in defense industries continue seriously to retard the production of military equipment, and the efforts of the Army and Navy to stop defense strikes have so far been futile.

We cannot have a total war effort in this country with continued strikes in defense industries. A first and very important step toward adopting a firm and definite labor policy is to remove the present Secretary of Labor, Madam Perkins, and appoint in her place a Secretary of Labor who will be fair and just to labor at all times, but who will require that in this great emergency there shall be no interruption of work by those engaged in the production of essential military equipment.

From the very beginning of her administration as Secretary of Labor, Miss Perkins has shown inefficiency, ineptness, and incapacity to meet her duties such as have rarely been duplicated in the history of our country by one holding a highly important and responsible public position. Yet, after 9 years of such incompetence, and in the face of the greatest emergency this country has ever known, when labor troubles constitute a weak link in our chain of national defense, Miss Perkins is continued in office.

From the day she condoned and, by implication, even approved, sit-down strikes, her influence in all labor disputes has not been exerted for the best interests of America as a whole.

It will be recalled that when the National Defense Mediation Board was first appointed during the epidemic of strikes in defense industries she did not make certifications of strikes to the Mediation Board until an aroused and incensed public opinion demanded that she do so. In the first coal strike called by John L. Lewis she refused to make certification to the National Defense Mediation Board until after the strike had been in existence for 24 days. In that period 30,000,000 tons of coal production was lost.

She has given no leadership in the solution of defense strikes, and our national welfare would be promoted by her removal.

In this emergency we must not have any special privileges for any special class, whether it be labor, the manufacturer exacting exorbitant profits, or any other class of our citizens; and especially should those in authority prevent the entrenchment of unfair practices, either by labor or industry, using the emergency as a leverage for their accomplishment.

Mr. William M. Leiserson, member of the National Labor Relations Board, in an address delivered in New York City on February 18, made a very excellent contribution to clear thought on this problem. He said.

As things look now, it appears inevitable that Congress will be forced to act, because the problems are too big and too crucial for the War Labor Board to solve.

Time and time again ruthless labor leaders have gained selfish advantages during this emergency because neither the President, nor Congress, has been willing to meet this issue. John L. Lewis won his victory over the Government last April because of this fact. Later another demand by Mr. Lewis for a closed shop in the so-called captive mines was rejected by the National Mediation Board. Mr. Lewis refused the request of the President of the United States to keep open the mines supplying fuel for the operation of steel plants, so the plants began to shut down. The President then appointed a new board of three, after first submitting the names to Mr. Lewis and asking Mr. Lewis to become a member of the new arbitration board and to sit in judgment upon his own case. As the third member of the Board had previously supported the closed-shop principle, the final decision, of course, was, in fact, rendered in advance. The result was that John Lewis won his second victory over the Government in December. In fact, the announcement of John Lewis' victory was made on December 7, the day of America's defeat at Pearl Harbor, and he obtained the closed shop in the captive mines because he had the ruthless determination to sabotage, if necessary, the whole defense effort in order to accomplish his purpose.

The Committee on Education and Labor in the Senate has, so far, declined to report the labor legislation passed by the House. On June 7, 1940, the Smith bill, making changes in the Wagner Labor Act, passed the House and went to the Senate Committee on Education and Labor. To date it has not been reported. On December 3, 1941, the Smith amendments, having as their purpose the control of strikes, passed the House and went to the Senate Committee on Education and Labor. They have not been reported to the Senate. When those amendments passed the House, I wrote to the chairman of the Senate Committee on Education and Labor, the Senator from Utah [Mr. THOMAS]. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks my letter to him.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD. Mr. President, I received definite assurance from the Senator from Utah that hearings would begin immediately on the Smith amendments, and that some action would be taken toward reporting this legislation to the Senate. Nearly 90 days have elapsed, and no action has been taken.

I want to express my protest, Mr. President, that a committee of the Senate should suppress such important legislation, passed by the House of Representatives, which has a direct influence and effect upon the unified production of war materials so necessary for our success in this war. I want to express, too, the hope that this committee will take immediate action to report the labor legislation passed by the House, either favorably, adversely, or with amendments; but report it, so that Members of the Senate may have an opportunity to discuss this legislation on the floor and take such action as may be advisable.

Again I emphasize the fact, Mr. President, that the time has come when the Congress of the United States must meet the labor situation fairly and squarely and adopt a definite labor policy for the duration of the emergency.

We are faced with deadly peril. Not a single obstacle to our defense efforts can be tolerated. First things must come first. The war can be won only by making the war effort first and supreme in all our activities, both of the Government and of individual citizens.

I ask unanimous consent to have printed in the RECORD as a part of my remarks an article by Mr. David Lawrence, published in the Washington Evening Star of February 24.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of February 24, 1942]

LEISERSON CALLS FOR A LABOR POLICY—PIECEMEAL TACTICS SEEN AS ENCOURAGING LAGS IN PRODUCTION

(By David Lawrence)

There ought to be some way of paying tribute to those members of President Roosevelt's administration who brave the frowns of criticism and speak out publicly against mistakes being made.

Perhaps the most useful contribution yet offered to the solution of the vexatious problems of management-union friction has just been made by William M. Leiserson, who, as an appointee of President Roosevelt, is one of the three members of the National Labor Relations Board, which enforces the Wagner Act.

Mr. Leiserson is known as friend of the laboring man, having served for several years with distinction as chairman of the National Mediation Board, which is the organization charged by law with handling disputes growing out of labor problems on the railroads.

What Mr. Leiserson has said is worth reading by labor union officers, by management executives, by Members of Congress and, most of all, by President Roosevelt himself. It is a speech so plainly objective and impersonal and so tactfully phrased to avoid giving offense to any Government agency or group that it must rank as a constructive contribution to the cause of accelerated production, which alone can help to bring victory in the war.

CITES REPRESENTATION GRANTED

Mr. Leiserson doesn't mince words. He says labor groups have been granted representation in the O. P. M., in the old National Defense Mediation Board, in the new President's Committee on Labor Problems, and in the new War Labor Board, but still labor isn't satisfied. He points out that the Labor Division of the O. P. M. failed because "we do not have to be versed in the philosophy of management to understand that it is not practical to mix the policy-making functions of an organization with the operating functions."

On this point, Mr. Leiserson says bluntly:

"This experience makes it plain that the entirely legitimate aspiration of the labor movement to participate on equal terms with industrial management in the common war effort cannot be satisfied by the mere process

of appointing labor men to Government jobs paralleling jobs held by industrial managers. It does not work and satisfies no one. It leads to maneuvering and argument about policy among operating officials whose sole duty should be to carry out promptly and efficiently the operating orders of policy-making authorities. It turns a production organization into a debating society."

Mr. Leiserson goes on to say that the old National Defense Mediation Board collapsed because "the Board itself made a fatal error in confusing mediation with arbitration." Of the new War Labor Board, he says there is no essential difference between it and its predecessor. "One," he says, "was a mediation board that arbitrated, the other is an arbitration board that mediates."

URGES NATIONAL POLICY

Pointing out that the two major issues—request for a closed shop and wage increases—call for a national policy rather than piecemeal treatment, Mr. Leiserson predicts stormy days ahead and fears that "war production will be impeded unless broad policies are determined in advance and people may know what to expect in the way of compulsory union membership or wage adjustments in relation to cost of living."

Still believing that these questions can be mutually adjusted between management and labor, Mr. Leiserson says President Roosevelt made a mistake recently in adjourning his War Labor Committee conference of union leaders and employers without coming to grips finally with these points. He says that the conference ought to be reconvened to that end or else Congress must enunciate a national policy. He thinks management-union committees should be consultative and cites an example of the same thing working successfully alongside rather than inside the Government.

The foregoing excerpts hardly tell the story of what was contained in Mr. Leiserson's address of 5,000 words originally delivered at the College of the City of New York, but if any reader wishes a copy and will send a self-addressed envelope, this correspondent will be glad to supply the full text with his compliments. The address is 2201 M Street NW., Washington.

EXHIBIT 1

COPY OF LETTER TO SENATOR ELBERT D. THOMAS, CHAIRMAN, SENATE COMMITTEE ON EDUCATION AND LABOR FROM SENATOR HARRY F. BYRD, DEMOCRAT, VIRGINIA, DECEMBER 6, 1941

Senator ELBERT D. THOMAS,
Chairman, Committee on Education and Labor, United States Senate,
Washington, D. C.

MY DEAR SENATOR THOMAS: May I be permitted to communicate with you as chairman of the Senate Committee on Education and Labor, relative to the Smith labor bill, which passed the House of Representatives by the large majority of 252 to 136, and which has been referred to your committee for consideration.

I want to express the very earnest hope that your Committee will convene at the earliest possible time, preferably Monday, to consider this legislation and make a report thereon to the Senate, so that the bill may come promptly before the Senate through the orderly process of usual parliamentary procedure.

It must be obvious, I think, that the Smith bill, as passed by the House of Representatives by a vote of almost two to one, is in recognition of an overwhelming demand on the part of the people of America that the Congress of the United States take immediate, effective, and constructive action to curb strikes in defense industries, which have done so much to sabotage the defense program of our country.

Quick action is imperative and, by the parliamentary rules existing between the Senate and the House of Representatives, consideration of the Smith bill presents the only opportunity for completed legislative action on the part of the Congress before the Christmas holidays, as this legislation, already having been passed by the House, would only go back to the House in the event of amendments, and then for the purpose of conference only. No delay would result, therefore, in final enactment, while if another bill is passed by the Senate, it would go to the House as an original measure, necessitating committee consideration and House action, and then, if amended, it would come back to the Senate for conference.

In the emergency now confronting us, the Senate, I think, owes to the House of Representatives, as a concurrent agency of government, the obligation of giving immediate consideration to vital legislation adopted for the promotion of our program of national defense. Failure to give immediate consideration through the normal process of parliamentary procedure would do much, in my judgment, to occasion on the part of the people of America a loss of confidence in the legislative branch of our Government. It is vital that the confidence and respect of the people of America in the constitutional agencies of their Government be preserved in this day of national peril. I feel certain you will agree in these views as to the preservation of this confidence, as well as in abiding by the normal process of parliamentary procedure, and I hope that this suggestion will be accepted in the spirit in which it is made.

Only the vital need for quick action, after long months of delay in meeting the strike crisis, has prompted me to take the liberty of expressing my views on this matter and to use this method of making known, as well, my views to the public, which is so deeply interested in this legislation.

With best wishes, I am,

Faithfully yours,

HARRY F. BYRD.

DISPOSITION OF AGRICULTURAL COMMODITIES BY COMMODITY CREDIT CORPORATION

The Senate resumed the consideration of the bill (S. 2255) to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation.

Mr. THOMAS of Oklahoma obtained the floor.

Mr. GILLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Norris
Austin	Gerry	Nye
Bailey	Gillette	O'Daniel
Ball	Glass	O'Mahoney
Bankhead	Green	Radcliffe
Barbour	Guffey	Reed
Barkley	Gurney	Reynolds
Bilbo	Hayden	Rosier
Bone	Herring	Russell
Brewster	Hill	Schwartz
Brown	Holman	Smathers
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Okla.
Byrd	La Follette	Tobey
Capper	Langer	Truman
Caraway	McCarran	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wallgren
Danaher	Mead	Walsh
Davis	Millikin	Wheeler
Downey	Murdock	White
Doxey	Murray	Wiley

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, I desire to address myself for a very few moments to the Brown amendment. I make the statement that if the Brown amendment is agreed to, the pending bill will be defeated. Were not that the purpose of the amendment it would not have been offered.

Mr. President, for 10 years Congress passed legislation and made appropriations by the billions of dollars in order to increase farm prices. Now we have the spectacle of an effort being made to drive farm prices down. We cut the content of the gold dollar in order to raise prices. We adopted a silver program in order to raise prices. We killed pigs and cattle and plowed up wheat and cotton in order to make the prices of those commodities higher. Our goal was parity. Now, before we reach parity, we find this effort being made to keep prices from reaching parity. I cannot support such an amendment.

I am not complaining because some prices are up to parity. I am glad that wool is at the highest ceiling provided under the so-called price-control law. I am glad that tobacco is up to the highest ceiling. But, Mr. President, if the Senators coming from tobacco-growing States were to find governmental agencies driving the price of tobacco down so as to help the poor hay growers in my State who now are receiving 59 percent of parity, I wonder if such Senators would remain silent. If the same thing were to happen to the wool growers, I wonder whether Senators from the wool-growing States would remain silent. So I cannot go along with the distinguished Senator from Kentucky when he and his colleague from Michigan are leading a movement to drive farm prices down. That is all the amendment is; it is an amendment to keep the prices of farm commodities from ever reaching parity.

I understand that a few days ago the Secretary of Agriculture made a statement to the effect that if the pending bill should be passed the cost of food used by the consuming public of America would be increased to the extent of $1,000,000,000. If that statement be true—and if the pending bill should pass and should raise prices to parity—then the farmers would be getting the $1,000,000,000 instead of having the consumers save the $1,000,000,000. But I make the statement that if the amendment is agreed to and if prices are kept below parity, the producers of America will lose $1,000,000,000 in the sale of their commodities below parity.

If Senators desire to agree to an amendment which would keep cotton for cloth, wheat for bread, and corn for bread and for feed $1,000,000,000 below parity, they will have the chance to do so when the amendment comes before the Senate on a yea-and-nay vote. I make the charge that any man who says the pending bill would increase costs to the consumers by $1,000,000,000 wants the producers of America to produce at a sacrifice of $1,000,000,000 the food and clothing for our people. He wants them

to produce such supplies at $1,000,000,000 below parity. That is not the highest level. One hundred and ten percent of parity is higher than parity. The average of 1929 is above parity, and in most cases above 110 percent of parity; and with respect to some commodities the December 15 price level is higher than either of those I have mentioned. Yet, if the amendment should be adopted, it might force the price of cotton down to around 15 cents a pound.

In a moment I shall give the figures to support the statements I have just made; but before doing so let me say to my friends from the cotton-growing States that during the past 10 years cotton has sold on the average at 60 percent of parity. I make the further statement that if we should give the cotton farmers 110 percent of parity, 40 years would have to elapse before they could regain what they have lost during the past 10 years.

Mr. President, yesterday at the closing of the stock market in the South spot cotton was quoted at 19.38 cents a pound. The cotton farmer does not receive that price.

It is true that yesterday the standard grade of cotton, fifteen-sixteenths of an inch, sold at the 10 concentration points on an average of 19.38 cents a pound. The parity price is only 18.10 cents, so the price of cotton at the concentration point now is, approximately, 1 cent above the parity price. Yet we hear Senators on this floor advocating an amendment which would force the price down about 3 or 4 cents below what cotton is selling for at Augusta, Savannah, Norfolk, and other concentration points.

This amendment is very simple. It provides, so its author states, that the price at which the Commodity Credit Corporation may sell the cotton it holds starts at 18.1 cents a pound. The 1.38 cents parity payment plus 1.37 cents, the conservation payment, make 2.75 cents. Subtracting 2.75 cents from the parity price leaves a price of 15.35 cents. Those who favor this amendment want the Commodity Credit Corporation to have the privilege of selling its stock of cotton at a price of 15.35 cents a pound. As I have said, at the 10 concentration points yesterday, cotton sold for 19.38 cents. Subtract 2.75 cents and it leaves the price at which the Commodity Corporation can sell its cotton, at 15.35 cents. Subtract 15.35 cents from 19.38 cents and we find a differential of 4 cents a pound on cotton, or $20 a bale. Those who favor this amendment want to give the opportunity to the Commodity Credit Corporation to sell its stock of cotton at $20 a bale less than cotton sold for yesterday in New Orleans, La., in Dallas, Tex., in Savannah, Ga., at the 10 concentration points, for the average yesterday was 19.38 cents. I cannot understand why Senators should come upon this floor and advocate that the Government sell the cotton it holds at $20 a bale below what cotton is selling for today. That is what this amendment means. If I am wrong at any time, I shall be only too glad to yield to any Senator who will point out my error.

Mr. President, the Government owns now about 5,000,000 bales of cotton, and if it should sell the 5,000,000 bales at a loss of $20 a bale, multiply 5,000,000 by $20, and the result is a loss of $100,000,000 alone on the stock owned by the Government. I should like to hear someone justify a Federal statute that would authorize a loss of $100,000,000 upon the existing stock of cotton held by the Commodity Credit Corporation.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I am glad to yield.

Mr. RUSSELL. The Senator might further point out that if the amendment proposed by the Senator from Michigan contemplates that the Congress shall continue to make appropriations for parity payments, whereas if the original bill is enacted into law, the farmer will get parity for his commodity in the market place, and there will be saved to the National Treasury $212,000,000 annually which are now being appropriated for the purpose of making parity payments to the farmers.

Mr. THOMAS of Oklahoma. I am sorry that the distinguished junior Senator from Virginia [Mr. BYRD] is not present to hear the statement just made by the Senator from Georgia. If this amendment should prevail, representatives of the Department of Agriculture will appear before the committee of the Senator from Georgia asking for $450,000,000 for one purpose, and one alone, to make the soil-conservation payments. They asked for $500,000,000; the Bureau of the Budget approved $450,000,000. So the Budget Bureau is asking the Congress to include in the Agricultural appropriation bill $450,000,000 in order to make one class of payments, namely, soil-conservation payments. That does not include parity payments. How much will they ask for parity payments? They have not submitted an estimate for a specific sum, but it will be up to someone to say how much will be required for parity payments. The present appropriation is $212,000,000. Add $212,000,000 and $450,000,000, and what is the total? It is $662,000,000.

Mr. RUSSELL. The amendment offered by the Senator from Michigan is predicated upon a parity payment appropriation of $212,000,000.

Mr. THOMAS of Oklahoma. Very well, if his amendment is adopted it will serve notice on Congress and the country that there must be appropriated $662,000,000 in the agricultural appropriation bill in order to make these subsidy payments to the farmers, when if the amendment is rejected and prices of the commodities are allowed to rise to parity, we will not have to appropriate a single cent to cover soil conservation or to cover parity payments. If I am not correct, I yield to the Senator from Michigan to make a correction.

Mr. BROWN. Mr. President, I am happy to have the Senator offer me the use of his time. In the first place, the Senator talks as if I were proposing some legislation. I am not. I would be satisfied to have the Senator from Alabama and the Senator from Iowa withdraw their bill and leave conditions exactly as they are at the present time. I am not initiating any legislation; I am resisting some legislation which I think if enacted, would place undue limitations upon the Commodity Credit Corporation.

Mr. THOMAS of Oklahoma. Mr. President——

Mr. BROWN. I am glad to have the Senator make comment upon what I have said.

Mr. THOMAS of Oklahoma. We have this bill before the Senate, hoping that it will pass, and, if it passes, that farm prices will rise to parity. If the amendment should prevail, they will not rise to parity, because of the vast stocks in the hands of the Commodity Credit Corporation which will be used to keep the prices down, and, to the extent they are kept down, we must make appropriations to pay the difference between the selling price of the commodity and the parity price.

Mr. BROWN. What was the purpose of the creation of the Commodity Credit Corporation, may I ask the Senator?

Mr. THOMAS of Oklahoma. The purpose of the creation of that organization was to take from the surpluses on the farm and in the warehouses a certain amount of the commodities such as surplus cotton, surplus corn, surplus wheat, and surplus tobacco, to make loans on them, and, if the loans could not be paid, then to take over the commodities and hold them in what we might term the "ever-normal granary."

Mr. BROWN. I think the Senator has stated it with reasonable accuracy. I have had considerable to do with the setting up of the Commodity Credit Corporation, and have handled, under the leadership of the Senator from Alabama, who is chairman of the subcommittee in charge, much of that character of legislation upon the floor; but I would put it in this way: We provided by the Commodity Credit Corporation a means of financing farm surpluses so that they would not be thrown upon the market at any one time. We, in effect, guaranteed to the farmer that he would have 85 percent of parity. Now, at a time when prices have advanced beyond 85 percent of parity, and the Commodity Credit Corporation wants to use its judgment as to when it should sell the commodities it holds, having in mind the limitations upon the cotton held by the Corporation, it is sought, after the loans have been made by the Government, to change entirely the arrangement by which the loans were secured. I say to the Senator from Oklahoma it is not good business, it is not sound financial policy to deprive the Commodity Credit Corporation of the opportunity which it has to liquidate its stock of commodities at the present time, when it can make itself solvent and bring about such a condition that the Treasury can be made whole through the sale of these commodities. Why change the rules now after the loans have been made?

Mr. THOMAS of Oklahoma. Mr. President, we have heard much about good business in this discussion. I wonder if the distinguished Senator from Michigan calls it good business to adopt an amendment which would make it necessary for the Congress to appropriate

$662,000,000 in order to make payments which, if it were not adopted, the farmers would get the same sum by the natural rise and increase in the prices?

Mr. BROWN. The Senator is entirely in error in that respect. My amendment does not contemplate parity payments at all; it simply provides that in the calculation of the limitations upon it the Commodity Credit Corporation shall consider in arriving at parity not only the market price but the payments which are made to the farmer under the Agricultural Adjustment Act.

It seems to me that that is sound and reasonable. The Senator is interested in this bill, and I, myself, want to see the farmer get parity. I say the farmer is getting 102 percent of parity today without consideration of benefit payments. I say on cotton, on wheat, and on corn, the three principal commodities involved, the farmer is getting parity or above parity except in one instance where, I think, the price is a cent under parity. He is substantially getting parity by reason of the benefit payments. That is the situation as it affects the farmer himself. I have not at any time, as the Senator from Oklahoma suggests, favored doing anything which would bind the Congress in the future with respect to parity payments. I am merely saying that in the calculation of this limitation upon the Commodity Credit Corporation today, we should consider not only market price but should add to that market price the benefit payments, and when those together equal parity, then the Commodity Credit Corporation should be permitted to sell.

Mr. THOMAS of Oklahoma. Mr. President, the Senator has made the statement upon this floor no less than five or six times in my presence that the farmers are today receiving parity, and in some cases 101 percent of parity, and in other cases 102 percent of parity.

Mr. BROWN. I am advised by the Department of Agriculture that their average today is 102 percent of parity.

Mr. THOMAS of Oklahoma. I placed in the RECORD yesterday a table showing the percentages of parity which the various crops are bringing. The figures were of date January 15, slightly more than 30 days ago, and are the latest we have. At that time wheat was bringing 82 percent of parity, corn 78 percent, oats 89 percent, barley 67 percent, rye 62 percent, flaxseed 70 percent, and so on down the list. It is true that a few commodities are at parity, and a few are above parity, and a few considerably above parity. Soybeans, for example, are above parity, based upon the 1909 to 1919 period, and at that time they were not heard of. They came to be used as feed, and later on it was found they contained valuable oil. So the soybean is now a very valuable commercial product, and it is much more valuable than it could possibly have been when it was used for the feeding of livestock only.

The same thing may be said of cottonseed. Thirty years ago cottonseed was not a valuable product; it was almost worthless. Now, when the seed is taken from the cotton in a regular gin it is run through another process, and every vestige of cotton is taken from it, and the producers get from the cottonseed thousands of bales of very short, fine cotton, what they call linters, valuable in the making of guncotton, if for nothing else.

The cottonseed itself is very valuable. The processors take from the seed the hulls which are valuable. Then they crush the seed for oil, and from the oil they make hundreds of products. After the seed is taken from the lint and the hulls taken from the kernel and the oil taken from the kernal, there is a byproduct called cottonseed cake or cottonseed meal, which is valuable for feed. So it is easy to see why cottonseed is today selling at above parity, as based upon the average 30 years ago.

Mr. BROWN. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BROWN. In the first place, in regard to the cottonseed question, the Senator knows that no one battled more than did I, and I think no one with more success, in establishing a reasonable price for cottonseed oil. The Senator recalls the occurrences in the Senate in 1941, when I think I did as well for the cotton growers of the South as if I had been a Representative from Georgia or from Oklahoma.

What I call attention to is that the Senator has repeatedly attacked my statement—he did so yesterday and he has done so today—that farm prices on the average are 102 percent of parity. The official statement of the Department of Agriculture, which is the same source the Senator uses, is as follows:

> The average of farm-product prices on January 15 is 102 percent of parity, the Department of Agriculture reported today.

That is without consideration of benefit payments. In regard to the January 15 prices of the three crops to which the Senator has referred, Commodity Credit Corporation's minimum sale price of corn was 83 cents, the benefit payments were 14 cents, so the total was 97 cents a bushel. The current parity price at the farm is 93 cents a bushel. The market equivalent of that farm price is 98 cents. Therefore corn is about 1 percent under parity today.

In the case of wheat, Commodity Credit Corporation's minimum sales price is $1.31. The benefit payments to the farmer are 18 cents, making a total of $1.49 as being the price per bushel. The current parity price at the farm is $1.29. The market equivalent of that parity price is $1.46. Therefore wheat is approximately 17 cents above parity, considering the benefit payments.

As to cotton, as I have stated many times—and the Senator's figures and mine do not differ in the slightest—18.1 cents a pound as is the minimum sales price, there are benefit payments to cotton farmers of 2.75 cents, making 20.85 cents a pound as the price. The market equivalent of that, that is, taking into consideration the fact that the price is the price at one of the eight or ten concentration points, is 18.1 cents, which is exactly parity today.

Therefore I say that the agricultural administration has achieved its purpose in reaching parity prices for the farmer in the cases of these essential commodities largely held by the Corporation.

Mr. THOMAS of Oklahoma. Mr. President, the Senator confuses parity price and parity income. It is true, perhaps, in some of these cases, that the farmers are receiving parity income, but they are not receiving parity prices, except in a few isolated cases. I am glad they are receiving parity income. I am only too glad to have the farmer's commodities rise, so that they can be sold at parity prices, and we are trying to keep anyone here or in any other place from driving the prices down below parity. That is the whole effort I am making. I want to see all farm prices reach the highest ceiling provided by law. Then I shall cease my effort.

Wool prices are up, and the wool producers are not complaining. I am glad they are receiving what they are getting. I am glad that the tobacco producers, for example, have their price up to the highest ceiling. I am not complaining about that; but I do want to keep the price of cotton up to a high ceiling. I want to see wheat go up to a high ceiling, to see corn go up to a high ceiling, and to see rice and the other farm products go up. I am opposed to any amendment, any bill, any statement, any activity of anyone, calculated to drive these prices down, especially since we have worked for 10 years to get them up to where they now are.

Mr. BONE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BONE. I am curious about one aspect of the matter. Suppose the parity price of wheat, as has been indicated, is $1.29 on the farm. If the Commodity Credit Corporation releases on the market 100,000,000 bushels of wheat at $1.29, which is the parity price, and there is a tendency for the price of wheat to fluctuate one way or the other, will not the fact that the buyer has access to this pool of 100,000,000 bushels of wheat make the price, $1.29, fixed by the Commodity Credit Corporation, the market price? Is not that amount of wheat sufficient to establish the price, and not permit it to be boosted or depressed?

Mr. THOMAS of Oklahoma. The purpose of the amendment, as I understand it, is to give the Commodity Credit Corporation a free hand to use their 100,000,000 bushels of wheat, their 100,000,000 bushels of corn, their millions of bales of cotton, to dump them on the market when they see fit to do so, in order to drive the price down.

Mr. BONE. Suppose the proposal now before us should become law and under it the Corporation could not sell the wheat or corn or cotton under the parity price. If they released enough of it, and the tendency of the price was to go above that, this would enable them to fix the price at parity. If the price fell below they could not sell for anything under the parity price.

Mr. THOMAS of Oklahoma. That is the purpose of the bill as it is now, but if the amendment should be enacted, the Corporation would not sell at parity price, but would sell at parity income price. If

the farmer gets 15 cents on the farm for cotton, the Agricultural Department can add 3 more cents out of Federal funds, making 18 cents, which is parity. So this amendment provides that the farmer shall receive parity income, but not parity price, and to enable him to obtain parity income we must appropriate this year $662,000,000. Along with the multiplied billions for defense purposes, we will be called upon to appropriate $662,000,000 to make up to the farmer the difference between what he receives on the farm and the parity price. If we do not do that, the price will rise to parity.

Mr. BONE. My approach to this question was without any regard to the amendment tendered by the Senator from Michigan. I was thinking only in terms of the pending bill divested of the Brown amendment. It would seem to me that there is sufficient leverage there to maintain parity prices. I was concerned only with the question of how much effect it would have on the parity price with the Department operating under the bill without the Brown amendment. There is ample power to keep the market at parity if it had a tendency to balloon up. If parity was $1.29 and wheat suddenly zoomed up to $1.50, the Commodity Credit Corporation would have the power to restore it to $1.29, because 100,000,000 bushels of wheat is a vast amount, and if there were access to that pool of wheat, that certainly would tend to fix the price.

Mr. THOMAS of Oklahoma. So far as wheat and corn are concerned, the Commodity Credit Corporation can sell their entire supply. They have about 500,000,000 bushels of wheat. It owns 150,000,000 bushels outright and has made loans on 350,000,000 bushels.

Mr. BONE. The possession of that much wheat and corn would enable the Corporation to keep prices above parity.

Mr. THOMAS of Oklahoma. But the purpose of the amendment is not to permit prices to rise to parity, but to keep them from doing so.

Mr. BONE. My question was not with respect to the Brown amendment.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield for a question, but not for a speech.

Mr. BROWN. The Senator has invited me to make a speech.

Mr. THOMAS of Oklahoma. The Senator has made several. I shall yield to him now.

Mr. BROWN. The Senator continually reiterates that my amendment would place a limitation upon the Commodity Credit Corporation. There is now no limitation whatsoever on the Commodity Credit Corporation's right to sell. If the Gillette-Bankhead bill were adopted, with the Brown amendment in it, the Senator will concede that from his standpoint the situation would be better than it is under existing law, because at the present time there is no limitation whatsoever on the power of the Commodity Credit Corporation to sell.

Mr. THOMAS of Oklahoma. Mr. President, in order that I may put some figures into the RECORD I shall ask the Senate to give consideration to the present status. At the latest date for which we have figures, the farm price of cotton was 16.93 cents. That means that the farmer who grows the cotton on his farm, based on the latest available statistics, is receiving 16.93 cents per pound for his cotton. The parity price is 18.1 cents. So today the farmer is receiving 1.17 cents less than parity. That is $5.85 a bale less than parity. So today the farmer who sells his bale of cotton is not receiving, by $5.85 a bale, the parity price. In order that the farmer may receive parity income he must receive a payment from the Federal Treasury to make up the difference between what he is receiving and the parity price, which is $5.85 a bale.

Mr. President, what are the facts with respect to wheat? The parity price of wheat is $1.29. The latest figures we have are to the effect that the farmers are receiving $1.06 a bushel for their wheat on the farm. Subtracting the farm price from the parity price, we find that today, when the farmer sells his bushel of wheat, he receives 23 cents a bushel less than parity. Yet on this floor we hear the argument made that the greedy farm bloc is trying to put its hands in the Federal Treasury.

Only a few years ago I attended the hearings held by the Committee on Agriculture and Forestry, of which the Senator from South Carolina [Mr. SMITH] is chairman. The hearings were held in various cities. In one city a farmer appeared before our committee. He had on old brogans, but no socks of any kind or character. He had on the remnants of an Army pair of pants, patched with cotton sacks and burlap, and a shirt of the same nondescript material. The farmer said, "I have raised cotton all my life. It seems to me that I have grown enough cotton to weave a belt around the earth, yet these are the best clothes I have and the best clothes I can afford."

When hearings were held by the committee 2 years ago; one or two members of the committee were standing in front of a bank in one of the finest towns of the Southwest, located in a fertile valley, surrounded by some of the best farm land in the country.

As we were standing waiting for our hearings to begin a man came out of the bank. He had on very poor clothes, indeed. The knees of his trousers were gone. One who picks cotton does so on his knees, and the knees of the trousers will quickly wear out unless the customary equipment, which is a leather kneecap properly padded, is used for that purpose. He had on a very cheap sweater, which was just as large at the top as it was at the bottom. The sweater was full of lint from the cotton patch. The farmer had in his hand two $1 bills and 23 cents in change. A friend of his accosted him, to whom he said, "Look, here is what I got for my part from the sale of a bale of cotton. When I took my cotton to the gin I got a check. I took that check to the bank and when my part was paid, my return was $2.23."

Mr. President, there are Senators who represent consuming sections in the main, Senators who represent the great cities in the main, who seem to have no conception of the farm problem, and if they do, they care not for the plight of the men who clothe and feed them.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. DOWNEY. Verifying the Senator's statement, I want to say that after several months' investigation of the returns on cotton in the Southern States it seemed undeniable that the people of the cotton-growing States did not receive enough for cotton to enable their people to buy back one-half or one-third of the manufactured cotton products they needed to keep warm and clean. Until the cotton growers of the South are paid sufficient, at least, to enable them to buy back their own cotton in the form of the manufactured products which they so vitally need, I shall be disturbed about the cotton growers of the South getting a high price for their cotton.

Mr. THOMAS of Oklahoma. Mr. President, I said a moment ago that if the pending amendment should prevail it would place a tax, or a possible tax, upon the Treasury in the total sum of $662,000,000. That represents the request of the Bureau of the Budget approximately, as I understand it. Six hundred and sixty-two million dollars represents only a small part of the cost of this amendment. The Government owns 5,000,000 bales of cotton which it wants to have the right to sell at a loss of $20 a bale. Multiply 5,000,000 by $20, and the result is the loss to the Government. That would mean a loss to the Commodity Credit Corporation of $100,000,000.

That is not all. The Commodity Credit Corporation has approximately 2,000,000 bales of cotton in loans, the title to which is in the farmers. If the price is permitted to rise to parity the farmers will get what they received in the way of a loan in the first instance, plus the difference between that and parity; but if the price is kept down to 15 cents there are 2,000,000 bales of cotton the legal title to which is in the farmers, upon which they will lose $20 a bale. Multiply 2,000,000 bales by $20 per bale and we find $40,000,000 more is lost by the cotton farmers.

Mr. President, these figures are staggering. The Government loses $100,000,000, and the farmers lose $40,000,000. There is $140,000,000 loss on this cotton sold at 15 cents, which could be sold at 18 cents.

The fact is that cotton is selling now for 19 cents a pound in the southern concentration points. That is $5 more than the parity price, but the farmer does not receive that price.

That is not all. The Government has a vast amount of wheat on hand, which it wants to sell below the parity price. The parity price now is $1.29. The cash price is $1.06, or 23 cents below parity. Multiply the amount of wheat which the Government owns by 23 cents, and then multiply the amount of wheat the farmers own by a similar sum, and we find that there is a loss to the farmers of approximately $200,000,000. The loss on corn is $200,000,000 more. Add the loss

to the Government on cotton, the loss to the farmers on cotton, the loss to the wheat growers on wheat, and the loss to the corn growers on corn, and the figure reaches almost $1,000,000,000.

It is on the basis of such figures that the Secretary makes the statement that the bill, if passed, would cost the consumers $1,000,000,000. If the bill is passed, the farmers will have a chance to get the $1,000,000,000, and, of course, the consumers will have to pay a little more for their commodities; but is the consumer justified in asking his Government to drive down the price of his food and clothing below the cost of production in order that he may get them at the lowest possible figure?

Mr. BONE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BONE. I have been interested in the newspaper reaction to the efforts which are being made to help the farmer. Almost without exception the newspaper editorials have pictured the farmer as a ruthless Treasury raider. As the picture rests in the public mind, in the minds of many fine persons, we find the farmer pictured by the press of America, in the editorials which have come to my attention, as an outright, forthright Treasury raider. The newspapers have been almost as savage about that question as they were in discussing the congressional retirement plan.

Mr. THOMAS of Oklahoma. Reacting to the suggestion made by the distinguished Senator, if prices are kept below parity it is obvious that farmers will demand of the Congress that money be appropriated from the Treasury to make up to them the difference between what they receive for their commodities and parity. That is the reason the Government is asking for $662,000,000—$450,000,000 for soil-conservation payments and $212,000,000 for parity payments.

Mr. BONE. Apparently Congress is not going to back away from its long-established policy of making those payments in aid of agriculture. If they are to be maintained—and I see no indication that we are to abandon them—obviously they will have to be made. I think it is only a question of how the load is to be carried—either by giving the farmer an increased price which would render financial assistance from the Treasury unnecessary, or by giving him an added price in the market price of his commodities. Am I wrong in assuming that to be the case? If I am I should like to have some Senator explain the matter.

Mr. THOMAS of Oklahoma. The Congress now has an opportunity to take down the bars and let prices rise to parity. That is not the highest ceiling which Congress has provided. Parity is the lowest ceiling. I am not asking for 110 percent of parity. The only excuse for 110 percent of parity is to allow the price of a commodity to rise slightly above parity to offset the price when it was slightly below parity. That is the only purpose of 110 percent of parity. It is not the purpose, and was not the purpose, as I understand, to guarantee the farmer 110 percent of parity. That provision was inserted in the law only to let the price rise a little above parity. Then the brakes could be put on and the price driven down perhaps a little below parity, so that the prices above and below would average parity.

When we have an opportunity to obtain parity and save the Treasury $662,000,000 I cannot support the amendment of the Senator from Michigan, which in effect would force the Congress to appropriate $662,000,000 to make up the soil conservation and the parity payments, those two payments together constituting the benefit payments.

I wonder what the distinguished Senator from Virginia [Mr. BYRD] will say when the bill comes before Congress asking for $450,000,000 for soil conservation payments and $212,000,000 for parity payments. I am wondering what my friend from Tennessee [Mr. MCKELLAR], who is on the Appropriations Committee, will say. What will the committee say? Even now the administration is stopping appropriations made by Congress for development purposes in various ways, because they are not essential; they are not in the interest of national defense. The Government is not spending the money, the funds already appropriated, and the money is being impounded. Yet we are asked to support an amendment which would make mandatory the appropriation of $450,000,000 for one purpose and $212,000,000 for another.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr THOMAS of Oklahoma. I yield.

Mr. GILLETTE. If the Senator has finished with that line of thought I wonder if he will permit me to propound an interrogatory along another line?

Mr. THOMAS or Oklahoma. I shall be glad to have the Senator do so.

Mr. GILLETTE. One of the speakers this afternoon has referred to farmers other than the producers of the basic commodities, and the difficulties they would have in securing feed for their stock He apparently did not know that we had adopted the Aiken amendment, which will permit the Commodity Credit Corporation to sell all its feed at parity, and will permit it to sell any of the feed which has deteriorated at any price it chooses below parity.

In that connection I should like to ask the Senator if I am not correct in stating that every livestock organization, every dairy organization, and every farm organization in the United States has endorsed this proposal so long as it can be kept in the relationship to parity which the Price Control Act provides.

Mr. THOMAS of Oklahoma. The Senator states the situation correctly. If the pending bill should become a law, under the Aiken amendment the Commodity Credit Corporation could sell deteriorated wheat at any price the wheat might be determined to be worth. It could sell cottonseed if it had any. It could sell wheat if it had any—and it has. It could sell corn if it had any—and it has—for seed purposes at a fair price, so that the farmers could obtain seed and feed.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. O'DANIEL. The Senator from Oklahoma has repeatedly referred to an appropriation of $662,000,000 which will be necessary to make up parity payments, or the difference between what the farmer receives and what he is entitled to. Is it not a fact that the amendment offered by the Senator from Michigan would entirely remove the floor under the prices at which the Commodity Credit Corporation may dispose of such products, leaving a gap of an undetermined amount to be filled? The amount might be much greater than $662,000,000.

Mr. THOMAS of Oklahoma. The Senator is entirely correct. I was only using the current figures and reports of the Department in making that estimate.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. ELLENDER. I was very much interested in the Senator's reference to the statement of the Senator from Michigan yesterday with respect to an anticipated increase of more than $1,000,000,000 in the cost of living I noticed in today's Washington Post an article written by my good friend Robert C. Albright. He uses that figure in his column.

It has been admitted on various occasions by the distinguished Senator from Michigan that the three commodities which are now in the hands of the Government, that is, cotton, wheat, and corn, are today selling for parity, or the farmer is receiving parity. How it can be argued that if we continue to sell those commodities at parity the cost of living will be increased by $1,000,000,000 is something which I am unable to understand. I may be dumb, but I should like to have some Senator explain the matter to me.

Mr. THOMAS of Oklahoma. As I see it, the statement of the proposal answers the question implied.

Mr. BROWN. Mr. President, I shall be glad to explain it to the Senator.

Mr. THOMAS of Oklahoma. Just a moment, and then I shall conclude.

I wish to call to the attention of the Senate one phase of this matter which has not been discussed in my presence. To hear this debate one would think that the United States is knee-deep in wheat and waist-deep in cotton and corn. One would expect to find a bale of cotton at every step he takes.

What are the facts? We are now using approximately 1,000,000 bales of cotton a month. One million bales of cotton a month are required to run the mills. So at the present time we have barely a 1 year's supply of cotton within continental United States. In 12 months 12,000,000 bales would be required. That is all the cotton we have. Suppose that, during the coming year, for one or various reasons, or a combination of various reasons, the cotton crop should be less than 10,000,000 bales. Suppose there should be a shortage of labor, high-priced fertilizer, great floods such as we have had during the past year in some sections of the country, and drought in other sections; what would then be the conditions? Next year we should not have a 1 year's supply of cotton on hand in the United States. We are now using 1,000,-

000 bales a month in connection with the expansion of our Military Establishment, now numbering 1,700,000 men. By December we shall have 3,600,000 men under arms. A little later we shall have 5,000,000 men under arms; and still later perhaps as many as 7,000,000 or 8,000,000 men under arms. If 1,000,000 bales of cotton a month are required to supply the present Establishment, how much will be required to supply an Army and the incidental uses for that Army when the Army is trebled or quadrupled? I wish the Senate would think about that matter. We are now trying to reduce the price of cotton and practically give it away to get rid of it.

What is the situation with respect to wheat? Is the country under a great cloud of wheat? We have on hand only a year's supply of wheat. In normal times we consume about 600,000,000 bushels of wheat a year, and that is about the amount of wheat we now have. We have a 12 months' supply of wheat in the United States, with a small Army, so to speak. The Army is to be increased. Labor will become scarce. More wheat will be required in the future than is now required; and we now have only 1 year's supply of wheat. Suppose the same thing should happen to the wheat crop next year that has happened in the past. Suppose bugs should get into the wheat, or rust should curtail the production, drought should destroy wheat, and likewise floods to some extent. Suppose there should be a shortage of labor. What might be the situation with regard to wheat before another 12 months have come and gone?

The same thing is true of corn. What is true of one commodity could be true of another.

So we do not have on hand any great supply of cotton; we have only a 12 months' supply. We do not have on hand any great supply of wheat; we have only a 12 months' supply. We have only a 12 months' supply of corn.

I throw out that suggestion for the consideration of the Senate. I am not lamenting, as some Senators seem to be, that we have 5,000,000 bales of cotton in our warehouses belonging to us. I am not complaining that we have 500,000,000 bushels of wheat in our warehouses and storage places belonging to us. I am not complaining that we have 500,000,000 or 600,000,000 bushels of corn—if that be the amount—in our warehouses, granaries, and cribs belonging to us. I am glad of it. If I had my way I should not sell much of that cotton wheat, or corn until we can see what next year's crop is likely to be. Then we can take some steps. We shall be here every day—or some of us will. We shall be here next fall. We shall be here next winter. We shall be here next spring. Will we suffer any irreparable loss by holding the cotton we have?

Another idea, Mr. President, is that we shall not acquire any more cotton under the loan program. The men who secured loans on the cotton got only approximately 14 cents a pound for it. They will not let the Government take over the cotton at 14 cents a pound. At their call the cotton must be sold. The Commodity Credit Corporation will get its part and the farmer will get the balance. But we shall get no more loan cotton and no more loan wheat, Mr. President, and no more loan corn unless, perchance, we have a great overabundance next year. Under such conditions, if loans must be made next year, then the price will go down to such a point that the farmers will not be able to protect themselves.

Mr. President, as I see the picture, there is not a single reason in the world why the amendment should be agreed to, but there is every reason why it should be rejected.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. GILLETTE. I wish to correct a statement which, if I correctly understood the Senator, he inadvertently made. I believe he referred to the fact that some of the Senators opposing the measure had referred to the farmer's representatives or the farmers as "the greedy farm bloc." I do not believe the Senator intended to make such a statement.

Mr. THOMAS of Oklahoma. No. If I made such a statement, far be it from me to mean that, because such a thought was the farthest from my mind.

Mr. GILLETTE. The statement was made by certain newspapers and individuals, but not by any Senator.

Mr. THOMAS of Oklahoma. That is correct. I know of no Senator or anyone who would like to be a Senator, or anyone who has been a Senator—and the statement applies to the Members of the House of Representatives—who, if he knew the facts, would think of making such a statement, because it is wholly aside from the facts.

Mr. THOMAS of Oklahoma subsequently said: Mr. President, since the discussion closed, two messages have been delivered, one addressed to the Senator from Iowa [Mr. GILLETTE], signed by Mr. M. W. Thatcher, and one addressed to me, signed by Richard T. Harriss. I ask that the two messages may be placed in the RECORD at the conclusion of the remarks I made a few moments ago.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., *February 25, 1942.*

Hon. GUY M. GILLETTE,
Senate Office Building:

Have just sent the following telegram to the Honorable JOHN BANKHEAD:

"The undersigned, at special meetings held at Kansas City, Mo., directed me to vigorously support and demand the bill offered by yourself and Senators GILLETTE and THOMAS of Oklahoma to protect farmers against the Federal agencies selling farm products below parity prices. There should be a provision which would determine parity price for the 'contract grade' and thus permit normal premiums and discounts for grade and quality differentials to assert themselves in the cash market. Parity and soil-practice payments should be excluded in determination of such prices, because such payments cover reduced production on the one hand and soil protection and improvement on the other. Your bill should include a provision which would prohibit the Commodity Credit Corporation from selling farm products to the 'normal buyers' unless through public hearings the Secretary of Agriculture would determine that private and cooperative distributors will not serve the Commodity Credit Corporation at reasonable service rates.

"The National Farmers Union is the dominant farm organization in the important wheat States in the field of membership and cooperative marketing. The National Federation of Grain Cooperatives includes every regional cooperative grain-marketing institution west of the Mississippi River and renders services to grain producers in all of those States and does a business in excess of $100,000,000 a year."

May we have your vigorous support of this bill?

M. W. THATCHER,
Chairman, National Farmers Union Legislative Committee; President, National Federation of Grain Cooperatives.

NEW YORK, N. Y., *February 25, 1942.*

Senator ELMER THOMAS,
Senate Office Building,
Washington, D. C.:

For your information the average price received by farmers for their cotton during the 10 crop years 1931–32 to 1940–41, inclusive, was 9.50. The average parity price during this same decade was 15.8. Thus for these 10 years cotton farmers received only 60 percent of parity, hence have an accumulated deficit of 400 percent of parity. Can you wonder that the administration has designated the South as the Nation's No. 1 economic problem? If the cotton farmer receives 110 percent of parity for the next 40 years he would the" and only at that time be on a par with industrial labor.

RICHARD T. HARRISS.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. BROWN].

Mr. McNARY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THOMAS of Oklahoma. I suggest the absence of a quorum.

Mr. BANKHEAD. I join in the suggestion of the Senator from Oklahoma; I want every Senator to be given a chance to be present and to vote.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Nye
Austin	Gerry	O'Daniel
Bailey	Gillette	O'Mahoney
Ball	Green	Overton
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Capper	Langer	Tobey
Caraway	McCarran	Truman
Chavez	McKellar	Tunnell
Clark, Idaho	McNary	Tydings
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wallgren
Danaher	Mead	Walsh
Davis	Millikin	White
Downey	Murray	Wiley
Doxey	Norris	

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from Michigan [Mr. BROWN]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I am not advised how he would vote. If permitted to vote, I should vote "yea."

Mr. OVERTON (when his name was called). On this vote I have a pair with the Senator from Michigan [Mr. VANDENBERG]. I transfer that pair to the Senator from Montana [Mr. WHEELER] and will vote. I vote "nay."

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. I transfer that pair to the senior Senator from Minnesota [Mr. SHIPSTEAD], who, I understand, if present, would vote "nay." So I am at liberty to vote, and vote "nay."

Mr. TAFT (when his name was called). On this vote I have a pair with the senior Senator from South Carolina [Mr. SMITH]. If the senior Senator from South Carolina were present, he would vote "nay." If I were permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. BYRD. My colleague, the senior Senator from Virginia [Mr. GLASS], has a general pair with the junior Senator from Massachusetts [Mr. LODGE]. If present and permitted to vote, the senior Senator from Virginia would vote "yea." I am not advised how the junior Senator from Massachusetts would vote.

Mr. THOMAS of Oklahoma. The junior Senator from Oklahoma [Mr. LEE] is necessarily absent. If present, he would vote "nay."

Mr. McNARY. The junior Senator from Indiana [Mr. WILLIS] is necessarily absent. If present, he would vote "nay."

Mr. HAYDEN. The junior Senator from Arizona [Mr. MCFARLAND] is necessarily absent. If present, he would vote "nay."

Mr. RUSSELL. My colleague the senior Senator from Georgia is necessarily absent. If present, he would vote "nay."

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH], the Senator from South Carolina [Mr. SMITH], and the Senator from Utah [Mr. MURDOCK], are absent from the Senate because of illness.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. THOMAS], the Senator from Arkansas [Mr. SPENCER], and the Senator from New York [Mr. WAGNER], are necessarily absent.

The Senator from Montana [Mr. WHEELER] is detained in a committee meeting. I am advised that if present and voting, he would vote "nay."

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of injury and illness. He has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Massachusetts [Mr. LODGE], who has a general pair with the Senator from Virginia [Mr. GLASS], is necessarily absent. I am not advised how he would vote.

The Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness. If present, he would vote "nay."

The Senator from Michigan [Mr. VANDENBERG] is absent on official business. He has a pair with the Senator from Louisiana [Mr. OVERTON]. If present, the Senator from Michigan would vote "yea."

The Senator from Nebraska [Mr. BUTLER] is necessarily absent. If present, he would vote "nay."

The Senator from Illinois [Mr. BROOKS] is necessarily absent.

The result was announced—yeas 24, nays 48, as follows:

YEAS—24

Austin	Gerry	Tobey
Barbour	Green	Truman
Barkley	Guffey	Tunnell
Brewster	Kilgore	Tydings
Brown	Maloney	Van Nuys
Burton	Mead	Wallgren
Byrd	Radcliffe	Walsh
Danaher	Smathers	White

NAYS—48

Aiken	Ellender	Millikin
Bailey	Gillette	Murray
Ball	Gurney	Norris
Bankhead	Hayden	Nye
Bilbo	Herring	O'Daniel
Bone	Hill	O'Mahoney
Bulow	Holman	Overton
Bunker	Hughes	Reed
Capper	Johnson, Calif.	Reynolds
Caraway	Johnson, Colo.	Rosier
Chavez	La Follette	Russell
Clark, Idaho	Langer	Schwartz
Clark, Mo.	McCarran	Stewart
Connally	McKellar	Thomas, Idaho
Downey	McNary	Thomas, Okla.
Doxey	Maybank	Wiley

NOT VOTING—24

Andrews	Hatch	Smith
Bridges	Lee	Spencer
Brooks	Lodge	Taft
Butler	Lucas	Thomas, Utah
Chandler	McFarland	Vandenberg
Davis	Murdock	Wagner
George	Pepper	Wheeler
Glass	Shipstead	Willis

So Mr. BROWN's amendment was rejected.

Mr. TAFT. Mr. President, I offer an amendment.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "hereafter", it is proposed to insert "until December 31, 1944, or until such earlier time as the Congress by concurrent resolution may designate."

Mr. TAFT. Mr. President, this amendment would have the same effect as the one I offered earlier and withdrew. I have made the term conform to the provision in the second War Powers Act, which was adopted by the Senate, so that the amendment now reads the same as the provision which was offered to that act by the Senator from Missouri [Mr. CLARK].

Mr. BANKHEAD. Mr. President, the authors of this bill are familiar with the amendment of the Senator and have no objection at all to it.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

The VICE PRESIDENT. The bill is still before the Senate and open to further amendment. If there be no further amendment proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered; and the legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the Senator from Kentucky [Mr. CHANDLER], who is necessarily absent. I, therefore, withhold my vote.

Mr. OVERTON (when his name was called). On this vote I have a pair with the senior Senator from Michigan [Mr. VANDENBERG]. I transfer that pair to the senior Senator from Montana [Mr. WHEELER] and will vote. I vote "yea."

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER], who is absent because of illness. On this vote, I transfer that pair to the senior Senator from Minnesota [Mr. SHIPSTEAD]. If the Senator from Minnesota were present, he would vote "yea," and, if the Senator from New York were present, he would vote "nay." I vote "yea."

The roll call was concluded.

Mr. THOMAS of Oklahoma. My colleague the junior Senator from Oklahoma [Mr. LEE] is necessarily absent. Were he present, he would vote "yea."

Mr. McNARY. I again announce that the junior Senator from Indiana [Mr. WILLIS] and the junior Senator from Nebraska [Mr. BUTLER] are necessarily absent. If present, both Senators would vote "yea."

Mr. HAYDEN. I announce that if my colleague the junior Senator from Arizona [Mr. MCFARLAND] were present, he would vote "yea."

Mr. BYRD. My colleague the senior Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present and permitted to vote, he would vote "nay." I am not advised how the Senator from Massachusetts [Mr. LODGE] would vote if present.

Mrs. CARAWAY. I announce that my colleague the junior Senator from Arkansas [Mr. SPENCER] is necessarily absent. Were he present, he would vote "yea."

Mr. RUSSELL. My colleague the senior Senator from Georgia [Mr. GEORGE] is necessarily absent. Were he present, he would vote "yea."

Mr. BANKHEAD. The senior Senator from South Carolina [Mr. SMITH] is absent because of illness. If present, he would vote "yea."

Mr. CHAVEZ. My colleague the senior Senator from New Mexico [Mr. HATCH] is absent because of illness. If present, he would vote "yea."

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of injury and illness. He has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Michigan [Mr. VANDENBERG] is absent on official business. He has a pair with the Senator from Louisiana [Mr. OVERTON]. If present, the Senator from Michigan would vote "nay."

The Senator from Illinois [Mr. BROOKS] is necessarily absent.

Mr. HILL. I announce that the Senator from Utah [Mr. MURDOCK] is absent from the Senate because of illness.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Montana [Mr. WHEELER] is detained in a committee meeting. I am advised that if present and voting he would vote "yea."

The result was announced—yeas 50, nays 23, as follows:

YEAS—50

Aiken	Gillette	Norris
Bailey	Gurney	Nye
Ball	Hayden	O'Daniel
Bankhead	Herring	O'Mahoney
Bilbo	Hill	Overton
Bone	Holman	Reed
Bulow	Hughes	Reynolds
Bunker	Johnson, Calif.	Rosier
Capper	Johnson, Colo.	Russell
Caraway	La Follette	Stewart
Chaves	Langer	Taft
Clark, Idaho	McCarran	Thomas, Idaho
Clark, Mo.	McKellar	Thomas, Okla.
Connally	McNary	Tunnell
Downey	Maybank	Wallgren
Doxey	Millikin	Wiley
Ellender	Murray	

NAYS—23

Austin	Gerry	Smathers
Barbour	Green	Tobey
Barkley	Guffey	Truman
Brewster	Kilgore	Tydings
Brown	Maloney	Van Nuys
Burton	Mead	Walsh
Byrd	Radcliffe	White
Danaher	Schwartz	

NOT VOTING—23

Andrews	Hatch	Smith
Bridges	Lee	Spencer
Brooks	Lodge	Thomas, Utah
Butler	Lucas	Vandenberg
Chandler	McFarland	Wagner
Davis	Murdock	Wheeler
George	Pepper	Willis
Glass	Shipstead	

So the bill (S. 2255) was passed.

PROGRAM FOR THE WEEK

Mr. BARKLEY. Mr. President, I wish to announce that tomorrow we hope to dispose of the appropriation bill which the Senator from Tennessee [Mr. MCKELLAR] will presently move to take up, and following that I hope we may have a call of the calendar for the consideration of measures to which there is no objection, and probably dispose of one or two other routine measures, after which the hope is that we may adjourn over until the following Monday.

FIFTH SUPPLEMENTAL DEFENSE APPROPRIATIONS

Mr. McKELLAR. Mr. President, I move that the Senate proceed to consider House bill 6611, making additional appropriations for the national defense.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

REGULATION OF FEES IN CERTAIN CASES

Mr. BONE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 5880, relating to the fees of clerks in certain cases. I should not make this request except that it is a very important matter for my State, which is particularly affected by the bill. It is not general legislation.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5880) to abolish certain fees charged by clerks of the district courts and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances, which was read, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925 (43 Stat. 857, as amended; U. S. C., 193 ed., title 28, sec. 550), is amended by striking out the period at the end thereof and inserting a colon and the following: *"And provided further*, That in any proceeding instituted under any law of the United States to acquire property or any interest therein by eminent domain, defendants and other parties adverse to the condemnor shall not be required to pay the fees prescribed by this section."

SEC. 2. Paragraph 8 of section 8 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925 (43 Stat. 857; U. S. C., 1934 ed., title 28, sec. 555), is hereby repealed.

Mr. BONE. Mr. President, there are a great many Government condemnations in my section of the country which, of course, is true of all sections, but in our State the defendant is required to go into court and pay a $5 appearance fee, and $2 for filing certain other papers. The bill now before us would eliminate the payment of those small fees. Clerks are salaried officers, and there is no real merit in allowing the payment of such fees, and the Committee on the Judiciary of the Senate has agreed to their abolition.

There is another provision to the bill, and I think every Senator will agree that the practice at which the second provision is aimed is a very stupid one. For many years there has been on the statute books a provision requiring the clerk of court to collect a 1-percent fee for a certain type of transaction. In my State certain power districts have condemned some portions of a private power system. In one instance they paid $5,000,000 for the system, and in another six million. This old, archaic provision of law allows the clerk to collect 1 percent of the amount involved merely for taking the check through the wicker and passing it on to someone else. That amounted to $50,000 in one case and $60,000 in another. Such a fee is outrageous. There are very few operations of this kind; it is well off the beaten path, and the bill merely abolishes that one specific thing, which has really no counterpart in other provisions of the law. It is a tragic price for a little power district of farmers in my section of the country to pay for the privilege of taking over a piece of property. The bill would abolish that requirement. The Committee on the Judiciary accepted the provision, and reported the bill favorably, and I ask that the bill be passed.

The VICE PRESIDENT. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

PACIFIC AND ALASKAN DEFENSES

Mr. REYNOLDS. Mr. President, 5 years ago I seriously suggested that our Government acquire from our sister Republic of Mexico the peninsula known as Lower California, which belongs to that Republic. On innumerable occasions since then, several times on the floor of the Senate, I have repeated the suggestion, rather feeling that if ever we became involved in war, our enemies on the Pacific would doubtless be the Japanese, and that unless we owned the peninsula of Lower California, and thereby controlled the waters lying between that peninsula and the mainland of Mexico, there would be grave danger of our enemy in the Pacific sheltering ships and submarines in the waters there to be found, and grave danger of their establishing enemy air fields perhaps, in the great open spaces of the peninsula.

I have chosen this opportunity to mention this situation since when the President was delivering his address night before last shells fell upon California soil, and further for the reason that I noticed in the headlines of today's newspaper that enemy planes were observed flying over Los Angeles and San Francisco.

I am rather of the layman's opinion that were they Japanese enemy planes they no doubt came from a section which we have not been able to guard as well as we might have guarded it had we had control of the area of which I have just spoken.

I do not for a second desire anyone to infer from my words or suggestions that I am in anywise criticizing our neighbors to the south, the Mexicans, for not now guarding well our borders and the Pacific coast of their land, because were I to do so we would be subject to criticism for having permitted enemy U-boats to wend their way through our so-called band of steel in the Caribbean and making an attack upon Aruba and Curacoa, as was done several days ago.

Mr. President, I now wish to bring to the attention of the Members of this body a letter written to me under date of February 18, 1942, by Charles A. Bland, port traffic manager, Board of Harbor Commissioners, Long Beach, Calif., in reference to the subject concerning which I have just spoken. I request that his letter be published at this point as a part of my remarks, together with an editorial from a California newspaper, the Long Beach Telegram, of February 13, 1942, entitled "Good Idea: Not Usable."

There being no objection, the letter and telegram were ordered to be printed in the RECORD, as follows:

BOARD OF HARBOR COMMISSIONERS,
Long Beach, Calif., February 18, 1942.

Hon. ROBT. R. REYNOLDS,
Senate Office Building,
Washington, D. C.

DEAR BOB: I enclose herewith an editorial clipping from the Long Beach Press-Telegram dated Friday, February 13, concerning the purchase of Lower (Baja) California, from which you will note that the California conference of the Daughters of the American Revolution have taken an interest in this matter.

Now that the femmes have moved in maybe something can be accomplished.

As I recall it you were quoted as being favorable to the acquisition of the peninsula by the Government. I am more or less familiar with the area, and unquestionably this country should acquire it, if it is possible to do so.

Now that our relations with Mexico have improved we should open up negotiations with them. This peninsula is similar in all respects to the peninsula of Florida, and could be developed, the same way Florida has been developed, if not even to a greater extent. The development possibilities are tremendous along both the Pacific shore as well as the eastern shore along the Gulf of California.

I spent a week in Miami last November and was very much impressed with the tremendous development in that area. A similar development program could be carried on in Lower California. All it needs is a high-powered promoter.

At the moment it's an undeveloped virgin area, and if you care to have me do so I will be glad to dig up all available data concerning the area and send it to you.

With kindest regards,

Sincerely,

CHAS. A. BLAND,
Port Traffic Manager.

[Enclosure.]

GOOD IDEA: NOT USABLE

Purchase of Lower California by the United States has been proposed in a resolution now pending before the California Conference of the Daughters of the American Revolution. The chief purpose is to prevent the expansion of Japan's colonial ambitions in territory immediately adjacent to the United States.

It is a worthy desire, but it has its handicaps. In the first place, the Mexican Constitution forbids any such action. While it might be possible to amend the constitution, that would be a difficult process, and it might stir up strife between two nations that have been gradually increasing their friendly relations to a point where Mexican cooperation for defense of the hemisphere has become more and more pronounced. The present regime in Mexico is giving particular attention to the defense of the Pacific coast, and no doubt is fully familiar with the Japanese situation in Lower California and along the coast farther south.

It is unfortunate that events could not have been foreseen when the United States and Mexico settled their differences at the close of the war between the two countries in 1848. The treaty of peace should have included the transfer of Lower California to this country, along with Alta California; but that is past history now.

Mr. REYNOLDS. Mr. President, in connection with Pacific defenses I wish to make one other remark in regard to matters relating to the safety of the American people. In 1938 I visited all of Alaska. I was at the northernmost point of the Western Hemisphere, known as Point Barrow. I also visited Fairbanks, Juneau, the capital, and Seward. I visited the Pribilof Islands, as well as the Diomedes, and I was likewise in the Aleutian Islands. On my return from that visit, and speaking to the Members of this body about the tour I had made, I suggested then that immediate consideration should be given to the fortification of Alaska, mentioning at that time—more than 3 years ago—that if ever we became involved in a war in the Pacific it would certainly be either with Japan or Russia, and in view of the fact that the Aleutian Islands, our possessions, are in the immediate proximity of Russian and Japanese territory, that we should there first be prepared, because our Aleutian Islands of the Alaskan Territory are closer to Russia and Japan than any other portion of continental United States or our Territories or insular possessions. That was in 1938.

In January of 1939, according to my recollection, when I was interesting myself in that subject in this body, an appropriation of about $13,000,000 was requested for the fortification of those defenses. That request finally came to the attention of this body, and as I recall, the $13,000,000 appropriation was made in the Senate. The then Senator from Washington, Mr. Schwellenbach, and I, succeeded in getting placed in the appropriation bill that mere drop in the bucket appropriation of $13,000,000. Matters have developed since then to prove that Alaskan Territory in the present struggle, insofar as the Pacific is concerned, is going to prove to be the most important section of our portion of the world.

A moment ago on the floor of the Senate I was talking with the Senator from Washington [Mr. BONE], who for many years has been greatly interested in the development of the Alaskan Territory, for it is, one might say, adjacent to his Commonwealth of Washington. We discussed very briefly the suggestion in reference to the extension of the Pan-American Highway across British Columbia to Fairbanks in the center of Alaska. I wish to say that in 1938, when I was in Alaska with the then Asistant Secretary of War, Mr. Louis Johnson, I advocated as strongly as I could the immediate construction of that highway, and, now that our Navy and Army officials recognize that the development of such a highway is essential, I am highly pleased that our President has but recently stated that an appropriation initially in the amount of $25,000,000 should be made for the immediate development of the highway from the American border to Fairbanks in the center of Alaska.

Mr. President, I express now merely a layman's viewpoint. As chairman of the Military Affairs Committee of the United States Senate it has been my personal policy to go along 100 percent with every single request which the War Department has made of that committee. I have by some been severely criticized for not opposing any measures that have come before the committee, but I may say that prior to that I was criticized by the same persons for maintaining the view of the isolationists.

I have no apologies to make for having gone along 100 percent with the requests of the War Department, because, as a Member of Congress, I recognize that we must place our faith in someone, and I am perfectly willing that we should place our faith in our leaders, and the directors, and the officials of the War Department in carrying on this war. Nevertheless, I know that it is my privilege, as expressed by our great President only recently, to give expression to my thoughts and ideas, so now I do so, not as chairman of the Military Affairs Committee, not as endeavoring to hold myself out as an expert upon military matters, for I know nothing about them except that which I have gleaned from the press and the knowledge which I have obtained as a member of the Military Affairs Committee for a number of years; but I wish to say that, as a layman and as a Member of this body, I am of the opinion, which is sound, I believe, that in order to bring about the defeat of Japan and to stop Japan, which is one of our two objectives, we must concentrate our efforts and thoughts upon one point.

I am rather of the opinion that we could best stop Japan, that we could make better progress, if we should now, as has been suggested by some of our military experts and as I suggested a number of years ago, concentrate our thoughts and our attention upon the construction of the highway across Canada to Fairbanks, in the center of the vast Territory of Alaska, and likewise develop our airways across the Canadian border to Alaska.

In that connection I note that our friendly neighbors, the Canadians, have agreed that the Northwestern Airways may have passage through Canada.

I think also that we should not only bring about a greater development of our naval bases at Sitka, the old Russian capital, and on Kodiak Island, and likewise at Dutch Harbor, which is our westernmost naval base and lies at the base of the Bering Sea, but that we should concentrate immediately upon the development of the Aleutian Islands, all of which belong to us, as far westward as Attu, which island is a distance of about 1,500 miles westward, in the chain of islands extending in arm-like fashion through the Pacific to the immediate proximity of Japanese territory.

The island of Attu is of considerable area, insofar as islands in that section of the world go. It is only a very few hundred miles from islands which belong to the Russians and to the Japanese. Attu itself is only about 1,000 miles from what may be called the mainland of Japan, one island of which virtually holds the larger part of the population of Japan. The bulk of the 90,000,000 Japanese are inhabitants of one island on which we find the great industrial war-weapon-making section, in which are cities such as Yokohama, Tokyo, Osaka, and Kobe. If and when we shall have cleared the Pacific by way of the Alaskan coast and the Aleutian group to the territory of Japan, and if and when we shall have established our stone steps, one by one, to our most western outpost of Attu, then we can with

our flying fortresses and our big bombers without great difficulty attack the great industrial centers of Japan. With a thousand or more of our flying fortresses and our tremendous bombers from the springboard of the Aleutian Islands I am confident we can destroy hundreds of thousands of Japanese, we can spill the blood of those who have taken the lives of our sons in the Philippines, in the Dutch East Indies, in China, and the Malay States.

The sooner we find ourselves in a position to attack, and do attack, the industrial centers and nests of Japanese, millions of whom are engaged in making implements of war, the sooner we shall cut from under their foreign forces the foundations of the Japanese Government and the sooner we shall win this war and conserve the lives of 1,000,000 young American soldiers who may die in the Dutch East Indies, in Australia, in the Malay States, in Indochina, in Burma, and in China itself, including the island of Victoria, upon which the city of Hong Kong is situated.

It is my impression from what I hear, from what I have seen with my own eyes, and from what I have read in the writings of so-called military experts, that we can best annihilate the enemy by immediately destroying his foundations. The sooner we find ourselves in a position to kill several hundred thousand Japanese in their homeland and destroy the plants which are engaged in the manufacture of implements of war with which to murder our own sons the sooner we can destroy the morale of the enemy. The sooner we can blast into death and hell itself the Japanese people who are supporting this war of aggression the sooner we shall win the war in the Pacific, and the sooner we shall begin the conservation of the lives of American soldiers in the Orient.

Mr. President, I have taken the opportunity to make these observations because I feel that it is the duty of every American citizen to give expression to any ideas which he may personally feel might be worth something to his Republic in this hour of peril. I believe it is his duty to give expression to such ideas if he feels within himself that they are well worth while, regardless of whether anybody else agrees with him.

So far as I am concerned, I have not the slightest doubt in my mind as to our ultimate victory in this war. It is true that we were attacked in dastardly fashion at a time when we were negotiating for peace. It is true that the enemy slipped up behind us and struck with his stiletto at an hour when we were not watching for him. It is true that the Japanese have been eminently successful in the Orient; but their successes have not been attributable altogether to their courage and their preparedness. They have been the result in many instances of fifth-column activities, which accounted for about 35 percent of their success in the Malay States when they first pounced upon Penang and proceeded southward through the Malay States to Singapore.

Although it is not generally known, those who have taken the trouble to inquire find that the fall of the Island of Victoria, upon which is located the city of Hong Kong, was attributable to the extent of about 50 percent to fifth-column activities. Today we are rounding up alien enemies in this country and putting forth every effort to protect ourselves internally in order that we may, as a great Nation in pleasant and courageous unity, proceed to the annihilation of the enemy in all parts of the world wherever he may be found.

In conclusion, in reference to the one thing which has greatly hampered us in America in our war efforts, namely, fifth-column activities by alien enemies and alien criminals, let me say that, were it within my power to have charge of matters relating to the distressful events which have prevented our going forward as rapidly as we perhaps might have, I should without hesitation place within a concentration camp—and by that I mean an enclosure surrounded by barbed wire, electrically charged, every single alien enemy within the confines of the United States. I would keep such alien enemies there until we have won this war. I make that suggestion without the slightest hesitation. We are informed, through the columns of the press, that the Japanese have mistreated our nationals in the Philippines and have not allowed them any liberties of any nature whatsoever. I think we should give the Japanese a dose of their own medicine.

I thank the Senate for having given me such a very earnest and eager ear. I appreciate it with my whole heart.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for appointment and promotion in the Navy.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of John D. Clifford, Jr., to be United States attorney for the district of Maine.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Joe V. Gibson to be United States attorney for the northern district of West Virginia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Benjamin B. Mozee to be United States marshal for the second division, district of Alaska.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles R. Price to be United States marshal for the western district of North Carolina.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The VICE PRESIDENT. Without objection, it is so ordered.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 43 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 26, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate February 25 (legislative day of February 13), 1942:

COLLECTOR OF CUSTOMS

William Jennings Bryan, Jr., to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif. Reappointment.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE A BRIGADIER GENERAL

Col. James Clawson Roop, Army of the United States.

TO BE A LIEUTENANT GENERAL

Maj. Gen. Joseph Warren Stilwell (brigadier general, U. S. Army), Army of the United States.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

Brig. Gen. James Alexander Ulio (colonel, Adjutant General's Department), assistant The Adjutant General for appointment in the Regular Army of the United States as The Adjutant General, with the rank of major general, for a period of 4 years from date of acceptance, vice Maj. Gen. Emory S. Adams, The Adjutant General, to be retired February 28, 1942.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Brig. Gen. Follett Bradley (colonel, Air Corps), Army of the United States.

Brig. Gen. George Churchill Kenney (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Oliver Patton Echols (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Henry Jervis Friese Miller (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Thomas Jay Hayes (colonel, Ordnance Department), Army of the United States.

Brig. Gen. Ralph McTyeire Pennell (colonel, Field Artillery), Army of the United States.

TO BE BRIGADIER GENERALS

Col. Westside Torkel Larson (lieutenant colonel, Air Corps), Air Corps.

Col. John Kenneth Cannon (lieutenant colonel, Air Corps), Air Corps.

Col. Samuel Martin Connell (lieutenant colonel, Air Corps), Air Corps.

Col. Barney McK. Giles (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. William E. Kepner (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Asa North Duncan (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Bennett Edward Meyers (major, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Kenneth Bonner Wolfe (major, Air Corps; temporary lieutenant colonel, Army of the United States), Air Corps.

Col. Ralph Hudson Wooten (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Dwight Frederick Johns (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. George Clark Dunham (lieutenant colonel, Medical Corps), Army of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 25 (legislative day of February 13), 1942:

UNITED STATES ATTORNEYS

John D. Clifford, Jr., to be United States attorney for the district of Maine.

Joe V. Gibson to be United States attorney for the northern district of West Virginia.

UNITED STATES MARSHALS

Benjamin B. Mozee to be United States marshal for the second division, district of Alaska.

Charles R. Price to be United States marshal for the western district of North Carolina.

POSTMASTERS

COLORADO

Edgar I. Crutchfield, Akron.
Margaret E. McCrone, Creede.
Herman W. Neuhaus, Woodmen.

ILLINOIS

Ernest J. Kruetgen, Chicago.
Delos Solterman, Evergreen Park.
Leah Pearl York, Hartford.
Ernest O. Reaugh, Kewanee.
Forest Vernon McNabney, Menard.
Earle E. Bower, Richmond.
James Higgins, St. David.
Herman E. Rinkema, South Holland.

LOUISIANA

John M. Carville, Plaquemine.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 25, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father and our God, we lift our hearts to Thee in prayer; have mercy upon us and blot our transgressions; rebuke our impatience and show us our imperfections. Behold us with Thine eyes, whose power is in their compassion, and give us strength to overcome our tendencies with all the earnestness of our being. While the whole earth seems to sigh and groan, O God, redeem and restore us, clearing the way for a new life whose task shall be to lift men up from the abyss of hate and sorrow.

Dear Lord, in this world where so many things are wrong and difficult, speak to our citizens as never man spake, teaching us that until we cease longing for pleasure, seeking rewards, and indulging in prodigal wastes, we shall fail in strength to endure that which is painful and hard. We pray Thee to inspire us with faithfulness and loyalty, keeping those silent promises made to ourselves, leading us to a just life, justly honored. In an ease-loving day, do Thou disturb our country's complacency and allow not our story of human freedom to be one long, piteous tragedy. Oh, let it be soon heralded, now the mighty have fallen and the weapons of oppressors tremble and break in defeat, as the cruel hands struggle to recover. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6470. An act to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 6446) entitled "An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. DAVIS to be the conferees on the part of the Senate.

REMOVAL OF TARIFF DUTIES ON SCRAP IRON, ETC.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6531) to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous scrap, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Will the gentleman from North Carolina please explain the bill?

Mr. DOUGHTON. Mr. Speaker, the purpose of the bill, which has a unanimous report from our committee, after considerable hearings, especially of those who are interested in the legislation, is to suspend, during the national emergency, the tariff duties on scrap iron and scrap steel and non-ferrous-metal scrap. The War Production Board, and those responsible for the production of war materials, appeared before our committee and said, that after exhausting all available domestic scrap, we would be then at least 6,000,000 tons per year short. We all know that to win the war we must have steel and scrap steel and scrap iron and nonferrous scrap, such as scrap copper and brass, and material of that sort are necessary in the manufacture of steel. They are not only essential, but are necessary in the production of steel. Therefore, in order to go forward with full production of war materials, those responsible for the production of such materials, convinced our committee beyond the shadow of a doubt—and everyone knows that when you convince a Republican member of the Ways and Means Committee that it is justifiable to suspend the tariff on anything, it must be a good case. As I said, those who appeared as witnesses convinced the members of our committee that this is a necessary piece of legislation. It is a war measure pure and simple. We are short at least 6,000,000 tons per year of necessary scrap material, that much short in our domestic production. I may say in that connection that the Department of Agriculture is now conducting a campaign, as are other agencies of the Government interested in scrap steel, to try to obtain all of the domestic scrap possible. This campaign is being carried on among the farmers and elsewhere, in order to secure all of the available scrap in the United States. After that is done, we will still be short and it is necessary in order that full production of war materials go forward, as I say, that tariff duties be suspended. It was stated before our committee and not contradicted, that the high duties now on imported materials of this kind are such that they prevent the importation of scrap.

Mr. MARTIN of Massachusetts. The duty is 4 cents a pound on scrap, is it not?

Mr. DOUGHTON. Yes. I understand there is a ceiling on copper, and that copper is so scarce that some high-cost copper mines are being subsidized, and that all copper available and the other scrap material that can be secured in the United States is being collected, but that we are at least 6,000,000 tons short of the necessary amount.

Mr. MARTIN of Massachusetts. I understand that we have to get all of the scrap and may have to get it from all over the world, to win the war. Does this legislation take in the output of all copper materials, raw materials at least, or just scrap?

Mr. DOUGHTON. Just the scrap, that is all, and I think if the gentleman will

look into it he will be satisfied that it is absolutely necessary legislation.

I yield now to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Speaker, this bill was introduced by the gentleman from Massachusetts [Mr. CASEY]. It was unanimously reported by the Committee on Ways and Means after hearing all the evidence that was given us by those officials in the war production department and others who were qualified to give us the necessary information.

It modifies or amends section 301 of the Tariff Act, which provides for a duty of 75 cents per ton on scrap. As has been said so well by the chairman, we need all the scrap steel we can get. Unfortunately we delivered 7,000,000 tons to Japan, which we are getting back in a little different form and with tragic results. We now find there is available in Caribbean territory something like a million and a half tons of scrap that may be acquired for the purpose of making steel.

There has been one amendment added in order that old and used rails, which are not included in the tariff bill in the description of scrap steel, may be made available. There are a great many tons of used and old rails on many of the sugar plantations in this Carribean territory I think there is immediately available from Cuba alone close to 12,000 tons.

Of course, it was a little hard for the Republican members of the committee, and it is constantly becoming more difficult month after month, for us to yield on the policy of protective tariff that has been a fundamental of Republican faith for a great many years. I said to the committee the other day that as a result of the trade treaties and the constant processes of attrition on tariff rates that are going on under provisions of the trade-agreement policy, there may come a time when I shall feel compelled to introduce a resolution in the House asking that a day be set aside for a memorial service for the protective tariff.

However, under the conditions developed by the war emergency, we yield and bow as gracefully as is possible under the circumstances.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Is this legislation permanent, or just for the emergency?

Mr. DOUGHTON. Oh, no; it is only for the duration of the emergency.

I would like to say further that in our committee during this emergency politics is absolutely adjourned.

Mr. MARTIN of Massachusetts. I appreciate this legislation is very essential for the conduct of the war. I therefore withdraw my reservation of objection.

Mr. REED of New York. Mr. Speaker, earlier today a bill was taken up by unanimous consent which came from the Ways and Means Committee. The purpose of H. R. 6531 is to suspend the tariff duties on scrap iron as laid down in the Tariff Act of 1930. I just want to say that I am in hearty accord with the action taken, but I do feel that the reason these tariff duties are removed on scrap iron and on rails at this time should be made clear to the Members of the House and to the country. Some time ago, in speaking in the House on this subject, I told the story of the American eagle which turned its head and saw that the arrow piercing its heart was feathered from its own wing. Now the reason we are removing the duties at this time is because this country is stripped of scrap iron and steel which we now need for our own national defense. These millions of tons of iron and steel are now being hurled at our armed forces.

The tragedy of it is that for several years, while the sparks of war were falling everywhere in the world, we were arming our potential enemies. If you do not care to call them potential enemies, we were arming nations with scrap iron to destroy nations with which we were then and now are on friendly terms, costing the lives of millions of people.

You might be interested to know the extent to which we sent the scrap iron away. According to the committee report on the bill we are short 6,000,000 tons of scrap iron and steel. Well, from 1939 to 1940, inclusive, we shipped to Japan alone 8,311,000 tons, but our total exports, including some of our other potential enemies, now actual enemies, were 18,113,000 tons. So, we were arming our enemies and stripping our country of essential war materials. Now we have to bring out this bill and make Uncle Sam a junk peddler and send his agents through the countries of Central America, South America, and the islands of the Caribbean Sea to gather scrap iron. The bottoms sorely needed for the transportation of other things for this war, possibly to carry needed men and supplies to General MacArthur must be used to transport scrap iron.

We must comb the highways and byways of nonbelligerent countries for scrap iron to make it possible for us to produce the steel to carry on this war.

As I said at the start, I am heart and soul with this bill and it is quite proper. Furthermore, the tariff should be removed on other minerals and other materials necessary for the war at this time, but it is deplorable that those in power were so short-sighted as to make all of these shipments to foreign countries with which we are now at war.

Here is some further interesting information. During the year 1941 the total consumption of scrap iron and steel in this country exceeded 40,000,000 tons, with steel mills using about 45 percent scrap to 55 percent pig iron in this open-hearth furnaces. In producing castings foundries consumed about 70 percent scrap and 30 percent pig iron, which gives you some idea of how vital these things are to our national defense.

This very situation in which we now find ourselves ought to cause this Congress, at this time of national peril, to scrutinize every piece of legislation and to feel free, regardless of what anybody may say, and no matter how high their position in the Government, to criticize those things that may prove inimical or vitally dangerous to our country in the months and possibly the years to come. Let not those in high positions imitate Dr. Goebbels by asserting that only the party in power shall have the right to criticize.

Exports of iron and steel scrap

Thousands of tons and thousands of dollars

Year	Total exports	United Kingdom	Germany	Italy	Japan
1935	2,045	277	4	283	1,065
	$20,750	$2,360	$99	$4,165	$10,844
1936	1,877	365	7	285	1,010
	$21,766	$3,791	$122	$3,564	$11,897
1937	4,048	846	88	381	1,873
	$76,563	$15,808	$1,610	$6,640	$37,418
1938	3,151	387	231	436	1,365
	$44,932	$6,112	$3,046	$6,061	$21,685
1939	3,559	508	17	None	2,035
	$54,790	$7,245	$238		$32,732
1940	2,792	969		319	963
	$47,097	$16,242	None	$5,243	$17,082
1941 [1]	611	(2)	(2)	(2)	(2)
	$11,355				

[1] First 9 months.

[2] The Bureau of Foreign and Domestic Commerce has not published or given out figures covering exports to individual countries since March 1941. It may be noted that total exports of iron and steel scrap for the first 9 months of 1941 are far below the level of previous years.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no duties or import taxes shall be levied, collected, or payable under the Tariff Act of 1930, as amended, or under section 3425 of the Internal Revenue Code, with respect to scrap iron, scrap steel, as defined in paragraph 301 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1001, par. 301), or non-ferrous-metal scrap entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of enactment of this act and ending with the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

With the following committee amendment:

Page 1, line 8, insert "relaying and rerolling rails."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CRUDE-OIL PIPE LINE FOR THE EAST COAST

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RIVERS. Mr. Speaker, we are witnessing today a sad spectacle on the east coast of the United States. Our tankers are being sunk very rapidly. Recently some 10 or 12 have gone to the bottom, and on occasions as many as 2 a day. If this appalling loss continues to mount, we will be unable to furnish the consumers of petroleum in this section of the United States with this necessity, so important to our economy.

Visioning the day when there will be a real shortage of petroleum in my section of the country, and hoping that we will be able to supply the great refineries in

this area with crude petroleum, we had a hearing the other day in the Interstate Commerce Building, at the direction of Mr. Joseph Eastman, to take testimony on the merits on a proposed crude pipe line. To my astonishment, I witnessed the appearance of a brigadier general of the United States under the guise of a representative of the War Department to oppose this project. That general, I am informed, is a vice president of one of the large oil companies. If this is true, Mr. Speaker, it is a sad commentary on the deceitful way certain interests are impeding our war effort. I am convinced the construction of this pipe line will advance the war effort, in spite of the fact that it may step on the toes of a few representatives of the vested interests who have wormed their ways into the inner circles of our war strategy.

My information on this matter comes, among other places, from this morning's release of the Washington Merry-Go-Round. I ask unanimous consent to extend my remarks and include therein a copy of the Washington Merry-Go-Round of the date herein above referred to.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. CAPOZZOLI. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution adopted by the student body of the Townsend Harris High School in my city.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE ON INDIAN AFFAIRS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Indian Affairs may be permitted to sit during the session of the House this afternoon.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an editorial from the San Francisco Call-Bulletin, entitled "The Truth About San Francisco."

The SPEAKER. Is there objection?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an editorial by Hon. Frank Gannett, distinguished newspaper owner of the State of New York, the editorial entitled "We Must Have Air Power To Win the War."

The SPEAKER. Is there objection?

There was no objection.

UNIDENTIFIED PLANES OVER WEST COAST

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, we have just heard from California by way of press reports that some Japanese were picked up off the pier signaling. That is about a mile from my home. Antiaircraft batteries went into action last night over Manhattan, about 6 miles from my home, against enemy planes. Identically the same thing occurred over the Palos Verde hills on into Long Beach where they opened up on them simultaneously. They even opened up from inside Los Angeles. We have not been able to identify these planes and we have not been able to make sure whether the Japs are signaling. We are therefore going to reserve our opinion, but if we find that these Japanese are signaling and that these are enemy planes, we certainly are going to press for action out on that coast.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include several excerpts from reports by Governor Tugwell, of Puerto Rico.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. CRAWFORD addressed the House. His remarks appear in the Appendix.]

LONGEVITY PAY FOR POSTAL EMPLOYEES

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I am receiving numerous inquiries in regard to the longevity-pay-for-postal-employees' bill which we passed in the House July 23, 1941. It passed the Senate in amended form on December 9, 1941, and on December 10, 1941, the House asked for and the Senate agreed to a conference.

This meritorious legislation, providing modest salary increases to rural carriers and other postal employees, and amended to include third- and fourth-class postmasters, has been kept in cold storage since December 10, 1941, nearly 3 months. For some inexplainable and what appear to be inexcusable reasons, the conferees are simply marking time and failing to act on this important legislation. Such protracted delay cannot be justified; and, speaking for the postal employees of my district, I desire to join with my colleagues in protesting against such dilatory and quasi-filibustering tactics on the part of the distinguished gentlemen of both bodies who are holding up final action on the bill, H. R. 1057, which we passed in the House over 7 months ago, and which has been in conference for nearly 3 months.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DOWNS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter from the Bridgeport Chapter of the American Red Cross.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a short poem, entitled "Work or Fight," by a constituent, together with a newspaper reference to the poem.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROTECTION AGAINST SABOTAGE

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks; also to extend my remarks in the Appendix of the RECORD and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINSHAW. Mr. Speaker, pending confirmation of the news from California, I want to discuss a little different subject, which probably is of importance to every Member of this House in his own district.

A newspaper reporter out in my district, under an assumed name of foreign sound, went into a hardware store and asked to purchase 50 pounds of dynamite. He was allowed to purchase that 50 pounds of dynamite, with caps and fuze, without any identification or proof of the purpose to which he intended to put this dynamite; and he walked out of the store with a box of dynamite and with a permit from the sheriff's office to carry that dynamite to his home.

Somebody in this Government ought to look after the sale of dynamite, because this man could have been a man with sabotage ideas, an enemy agent. Anyone else could walk off with the dynamite as easily as he did. Suppose he were an enemy alien and planted that dynamite under a power plant or water conduit to destroy the utilities of the neighborhood, what damage could be done! It would be terrific. I do not know what department of the Government has charge of or could have charge of the retail sale of dynamite, but I suggest that they get busy right now and close down on it.

[Here the gavel fell.]

EXTENSION OF REMARKS

(Mr. BLACKNEY asked and was given permission to extend his remarks.)

PAY BILL FOR POSTAL WORKERS

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I share the view expressed by the gentleman from Washington [Mr. SMITH] regarding the longevity pay bill for postal workers. A conference committee was appointed last December, but I understand no meetings have been held. The postal workers throughout the country are asking for action on this measure. The Congress should demand a report from its conferees. Who is responsible for this delay? I call upon the membership to insist upon immediate consideration.

EXECUTIVE ORDERS 9001 AND 9023, DIVIDING POWERS OF GENERAL ACCOUNTING OFFICE

Mr. JONES. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JONES]?

There was no objection.

Mr. JONES. Mr. Speaker, I call the attention of the House to Executive Orders 9001 and 9023. These Executive orders attempt to dilute, if not emasculate, the powers of the General Accounting Office. In 1921 the Congress organized the General Accounting Office as the exclusive agency of Congress. These Executive orders would distribute the powers of the General Accounting Office to settle claims against the Government among several different agencies of the executive branch of the Government, under the domination, control, and will of the President.

I call attention to these orders and to a bill which I introduced yesterday to declare these Executive orders null and void. I hope that the Members will join in this effort to preserve the integrity of our own organization, responsible solely to Congress and established exclusively for Congress, the General Accounting Office.

EXTENSION OF REMARKS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. JARMAN]?

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from a constituent, and also to extend my own remarks in the RECORD and to include an editorial from the Springfield Republican.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. FLAHERTY]?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include the views of the Honorable Paul V. McNutt on the St. Lawrence waterway as a defense measure.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. RABAUT]?

There was no objection.

(Mr. YOUNG asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain editorials.

The SPEAKER. Is there objection to the request of the Resident Commissioner from Puerto Rico?

There was no objection.

PURCHASE OF DYNAMITE AND EXPLOSIVES BY UNAUTHORIZED INDIVIDUALS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

Mr. KEEFE. Mr. Speaker, I was interested in the comment of the gentleman from California [Mr. HINSHAW]. May I call to his attention, and to the attention of any others who may not be advised, that we have on the statute books of the Nation an Explosives Control Act, supervised and managed by the Explosives Control Division of the Department of the Interior? That Department has now issued regulations, which are available, requiring every handler, processor, or transporter of dynamite and explosive materials to secure licenses. These licenses will be issued beginning March 1, 1942, so I was advised yesterday by that Department.

It is to be hoped that these licensees will be very carefully checked so that the handling of dynamite by irresponsible persons may be forestalled.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

[Mr. DICKSTEIN addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

[Mr. COFFEE of Washington addressed the House. His remarks appear in the Appendix.]

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

LABOR STRIFE AND WAR PRODUCTION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask for this time merely to read a few headlines in the Washington Post of February 25 and to comment briefly thereon. This is one headline:

Bataan troops want to buy their own bomber; in United States labor strife ties up war jobs.

The slogan these brave men have selected is "Better buy a bomber than be buried on Bataan."

A "bomber for Bataan" fund has been started among the American-Filipino troops fighting the Japanese on the Bataan Peninsula and from Corregidor and other fortified Manila Bay islands.

I see in other headlines that a submarine has shelled California and that Japanese planes are sweeping over that State. At the same time we read a dispatch from San Pedro, Calif., stating that 3,500 men have tied up ship construction and at other points airplane production is tied up. I wonder who in the name of God those strikers expect to protect them and their families? The American people are fed up on strikes in defense plants, especially when a great number of these strikes are being caused by a demand for closed-shop agreements, interunion quarrels, and longer-than-8-hour days. When the men in our Army, Navy, and Marine Corps are in many instances fighting 24 hours per day, with many losing their lives.

I was so much in hopes our President would deal more firmly with the situation Sunday night, but his remarks did not indicate either a remedy or challenge. This is the time for every able-bodied, good American to help America by either working or fighting, and our people have a right to expect this Congress and this administration to stop anyone who would hinder, slow up, or stop production. Let us give our men adequate and dependable weapons as quickly as possible and provide ways and means for handling anyone who would attempt to prevent this from being done.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Along the same line of thought as the gentleman from North Carolina has just been speaking, permit me to speak. Last week the majority leader made a very true statement. He said that this was not a Democratic war or a Republican war. Get this from a Detroit paper:

The executive board of the Michigan Congress of Industrial Organizations council has demanded that organized labor be represented fully in all civilian defense councils.

Just why should labor come into this? If Republicans and Democrats, and other organizations of all kinds are out, why should labor take part in this as an organization, why not as individuals, as all others of our 131,000,000 people are required and are willing to do?

Note this, too. At Flint on Sunday Walter Reuther, the same man who, when in Russia, wrote Fight for a Soviet America, demanded that the C. I. O. be given guns. In the sit-down strikes the C. I. O. had the help of the armed forces of the State. Why should they be given guns now? Are the Reds getting ready to take over when this war has ended?

EXTENSION OF REMARKS

(Mr. HARRIS of Virginia asked and was given permission to extend his own remarks in the RECORD.)

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD

and include therein a speech by the Governor of Kentucky.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

SECOND WAR POWERS BILL, 1942

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2208) to further expedite the prosecution of the war.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

Mr. GUYER. Mr. Chairman, I want to emphasize the suggestion already made that members of other committees, the Banking and Currency Committee and the Committee on Military Affairs, to which parts of this bill might correctly have been referred, engage in the debate and that, when the bill is read, they offer, if they deem it necessary, amendments for its improvement. As has been already declared, the Committee on the Judiciary had nothing to do with its reference. I am sure all members of our committee agree with our distinguished chairman and the able chairman of the subcommittee [Mr. MCLAUGHLIN] who worked so devotedly on the hearings and on the preparation of this important bill.

At the time of the framing of the Constitution there were those who wanted a stronger, more energetic government than the one finally agreed upon. But it soon became evident that if a stronger government, a government granting greater power to the Executive, was submitted to the people for ratification it would surely be rejected. The people of the Colonies had just fought a long and gruelling war against a government whose king had grossly abused his power, and the people were intensely jealous of anything that seemed like arbitrary power in the Executive, so they were determined that their own government should not be tainted with anything that would or might produce an opportunity for some arbitrary master to impose upon them the wrongs from which they had just been liberated. So, our form of government is as it was written, with surprisingly few amendments. No government is any stronger than it is in a crisis. For that reason every time some seemingly supreme crisis catches up with us we find it necessary to give wide powers to the President in order to supply that power which was lacking in the letter of the Constitution.

So we are submitting this bill granting great and wide powers to the President in order that he may prosecute with utmost vigor the war in which we are now engaged. The people, through their Congress, have decreed this war and the time for argument concerning how we got into it is over—it is now history. Every patriotic man in this Congress and out of it must back up the President. I never voted for him, but when elected he is my President and I am behind his every effort to victoriously terminate the war. When it is over we can resort to the good old game of American politics, but this is not the time for that.

I want to compliment the distinguished and patriotic gentleman from Massachusetts, Hon. JOSEPH W. MARTIN, Jr., our Republican leader, who at Kansas City last week, declared:

> Let men and women of every party, of every section of the country, of every phase of our national life join in one great push for victory. With such an effort, we will not fail.

That I am sure is, and should be, the attitude of every Republican on this floor. As my distinguished colleague from Michigan [Mr. MICHENER] said yesterday:

> But today we find ourselves in the war. It does not make any difference how we got in, it does not make any difference whose war it was or is, it is our war now. It is our fight. We must yield to the administration any power necessary to win.

I am certain, too, that the gentleman from Michigan [Mr. MICHENER] has voiced the sentiment of every Republican in the House.

In the past 9 years I have at times charged this House with abdicating its powers and delegating them to men and agencies who never received a vote from the people, powers that only the House was authorized to exercise in time of peace. But, as stated by our distinguished colleague from Michigan, this is war, our war, and we should confer upon our President all needed power to prosecute the war as Congress did in the case of President Lincoln and of President Woodrow Wilson. These great leaders never abused those powers and surrendered them with the termination of hostilities. This is no time to split hairs about technicalities and trifles.

Mr. Chairman, I yield myself I additional minute.

This is the position I think everybody who is patriotic in this country takes, to grant to the President such powers as are necessary to prosecute the war, and if we do this and get behind this, there is no question about eventual victory.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. GUYER. Yes.

Mr. CRAWFORD. Mr. Chairman, I wish to ask the gentleman a question with reference to the language at the top of page 2 of the bill, lines 3 to 7, speaking of the Interstate Commerce Commission. As I understand that language, it does not give the Commission any authority to regulate the sizes or weights of motor vehicles contrary to State legislation. Is that correct?

Mr. GUYER. I think the gentleman is right. I did not pay a great deal of personal attention to that but I listened to the remarks of the gentleman from Nebraska [Mr. MCLAUGHLIN] yesterday in regard to it.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, I expect to confine what few remarks I make on this bill to title IV. Title IV, you will notice, seeks to give to the Federal Reserve the power and authority to buy Government bonds directly from the Treasury. This might appear to the casual reader to be quite innocuous, but I wish that we would give very close attention to the remarks which will be made on this title, because it seems to me to be fully as important as anything in the bill.

I grant you that we must give to the Chief Executive new and, perhaps, unusual powers to prosecute the war, but it is as essential that we maintain a stable currency and a stable credit during the war as it is that we be victorious in the field. It would not profit us very much to bring this war to a victorious conclusion only to have to go through the experiences which Germany and France went through in respect of their currencies.

It is highly desirable to keep the Federal debt and the currency as far apart as possible if we are going to have a stable currency. There have been tendencies throughout the past few years to bring the debt and our currency into close affiliation. This title IV weds the debt to our currency. It weds our currency to the debt. So as the debt increases, as it is bound to increase, in proportion we depreciate the value of our currency.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. VOORHIS of California. Would not the gentleman agree that the sale of bonds to any bank which makes the purchases on book credits is wedding the currency to the public debt, whether it be the Federal Reserve banks or any other banks?

Mr. WOLCOTT. No; I am sorry I cannot agree with the gentleman in that respect.

Mr. VOORHIS of California. I wish the gentleman would speak on that.

Mr. WOLCOTT. I believe I will later on.

You will remember that the Federal Reserve is a bank of issue and that the law now is that direct obligations of the Federal Government may be used as collateral or as security for the issuance of Federal Reserve notes. That is why I say that if we grant this authority to the Federal Reserve to buy obligations direct from the Treasury that we wed our currency to our debt, and that our currency depreciates in value as our debt increases.

Mr. CELLER. Mr. Chairman, will the gentleman yield at that point?

Mr. WOLCOTT. I prefer to go ahead. It has been suggested, and I think there is much truth to the statement, that at the end of the fiscal year 1943, which will be July 1, 1943, the national debt will approximate $150,000,000,000. I know that in high places there is too little concern for the fact that the national debt might perhaps go to $200,000,000,000. I believe that the Federal Reserve and the Treasury are looking much further into the future than perhaps they want us to look. I believe that they look forward to the time when because of high taxes, when because of an intense war effort, the people will be no longer in a position to buy Government obligations, and they seek to stabilize the currency by issuing paper with which to buy these bonds, and make it appear that the Federal credit is

all right. Mr. Chairman, we can meet that issue when we come to it. We do not need to throw the banks and industry and agriculture into chaos at a time when there should be stability.

Inflation is about 80 percent psychological. Whether we have inflation or not as a result of currency expansion depends largely on the attitude of the people, how closely they affiliate the volume of currency with prices. It has been said that nobody understands money, which is a falsity. The careful student understands money. Money is a simple thing, but what the economists mean and what the bankers mean and what everybody else means when they say that nobody understands money is that very few people understand the relationship between money and prices. There is no formula that you can lay down; you cannot say that a volume of currency, we will say, of $10,000,000,000 will make the price of beans or oats a certain amount. There is no definite, well-established formula that we can use. About 80 percent of it, I say, is psychological, the fear which the people have of a cheapened currency, due to an expansion of the currency, and that is what we must guard against at this particular time more than at any other time.

As far as I am able to determine, there is not a sound economist in the United States who favors title IV of this bill. Most of them have denounced it as inflationary, and I have a sheaf of telegrams from men whom I consider the outstanding economists, the sound economists in the United States.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. GUYER. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. If the gentleman will permit me to go on for just a moment, I shall be glad to yield.

Mr. SUMNERS of Texas. My question will not interrupt the gentleman's argument. It is only to determine when the gentleman will yield.

Mr. WOLCOTT. I intended to make a general statement, and then I will yield. There is an organization called the Economist National Committee. It is made up of the professors of economics of outstanding universities, men like Oliver M. W. Sprague, of Harvard University; like Edward W. Kemmerer, of Princeton University; Walter E. Spahr, of New York University; and many others of prominent standing. The purpose of this committee is to pass on to Congress and the people the benefit of their research work in respect to our economic conditions, and they denounced title IV vehemently as an inflationary movement. I shall read you now a telegram from Professor Kemmerer, of Princeton University, addressed to me:

> I strongly oppose authorizing Federal Reserve bank to purchase Government securities directly from the Treasury, as provided in title IV of the war powers bill of 1942. This bill, if enacted, is almost certain to prove highly inflationary in its results. Our paper currency is no longer convertible into gold on demand. Federal Reserve notes will be secured increasingly by Government bonds and Government bonds are payable principal and interest in Federal Reserve notes. This is essentially the character of German inflation of World War No. 1 period. Treasury will dominate Federal Reserve Board, and proposed amendment would make much easier dangerous inflationary exploitation of the Nation's currency for fiscal purposes and would increase likelihood of there being saddled on Federal Reserve banks permanently enormous holdings of Government securities, which would greatly impair the banks' usefulness.
>
> E. W. KEMMERER.

All of these telegrams say about the same thing.

An outstanding former president of the American Bankers Association, Mr. Orval Adams, speaking in Oakland, Calif., on February 16, says:

> In my opinion, no more dangerously inflationary proposal could have been made, no greater threat to the savings and earning power of the people have been offered.

I will say parenthetically he is referring to title IV.

> The proposal—

He continued—

> should have been labeled "An act to set up a printing press in the Treasury."
> Remember—

Mr. Adams pointed out—

> during and after the last war the Governments of Germany and France borrowed directly from central banks; checks and balances were disregarded. This direct operation made possible and was the culminating act in the deficit economy which resulted in the complete destruction of the German mark and a 90-percent depreciation of the French franc.

The French franc, if you will recall, depreciated in value in relation to the dollar from about 24 cents to about 4 cents.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. EATON. Will the gentleman state who it was who made that statement?

Mr. WOLCOTT. This is an excerpt from a speech by Orval Adams, former president of the American Bankers Association. His speech is filled with denunciations of this proposal as inflationary, one of the most dangerous that can be had at this particular time if we are going to maintain a stable currency.

Mr. EATON. Is not the present president of the American Bankers Association in favor of this?

Mr. WOLCOTT. From the colloquy on the floor yesterday, I understand that he is, with reservations.

Mr. EATON. Which are you for, Philip drunk or Philip sober?

Mr. WOLCOTT. Well, I do not rely solely upon Philip when he is drunk or Philip when he is sober. I rely upon what I consider the common sense of very sober-minded people who see a grave danger to our entire economy in this measure.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. If I may go on for just a moment, I will yield later.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. SUMNERS of Texas. Mr. Chairman, I will yield the gentleman a couple of minutes if he will answer questions.

Mr. WOLCOTT. I will if the gentleman will allow me to comment for about half a minute.

Mr. SUMNERS of Texas. No; not out of my time.

Mr. WOLCOTT. I think if the gentleman yields me time it is my time, and I do not want to be restricted in the use of it. I do not want the gentleman's time with restrictions.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, the distinguished minority leader of the Committee on the Judiciary in his opening remarks expressed my ideas exactly in regard to this piece of legislation. I do not like it in peacetime. I shall vote for it in wartimes, when it comes up, no matter whether it be amended or not. We are at war and we must carry on the war the way that the executive departments, who are, after all, responsible for the conduct of the war, deem necessary.

However, I rise in opposition to the broad manner in which the Federal Reserve Act is proposed to be amended by title IV. I am in sympathy with the purposes but not the method.

National credit, like the good name of a woman, is ever a target for gossip. The best defense from such malicious rumors is propriety of action. The action permitted by the proposed amendment is improper in the eyes of experienced bankers, and may cause unfavorable public comment. Hence, I am generally opposed to the title IV amendment.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield briefly.

Mr. O'CONNOR. Is there any restriction removed from the banks in the purchase of bonds that we are now purchasing, known as Defense bonds?

Mr. DEWEY. I will cover that in my statement. I expect to make a comprehensive statement and I will take that up later, as it interrupts my chain of thought to inject it here.

The proponents of this amendment were not entirely candid, in their desire to obtain the broad powers that are contained therein. They mentioned that those powers are given to the Bank of England. However, they do not mention that that section of the Bank of England, the issue department, is controlled by parliamentary action. The amount of currency that can be issued, the amount of British bank notes that can be issued, is controlled by act of Parliament. There is no such limitation in this amendment. Mr. Eccles in his testimony stated that he felt that his right of issue was practically unlimited; and I think it is. Certainly by paying interest and taking advantage of the full powers in the act, he could go up to probably $200,000,000,000 of currency issue.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I would like to continue, if you please.

The claims that the amendment would permit the Federal Reserve Board to assist the Treasury Department in periods of emergency, such as existed at the time of the attack on Pearl Harbor, are true, but the Federal Reserve Board has those powers now. There was outstanding an issue of about $150,000,000 of bills for distribution on Monday following the Pearl Harbor attack. They were taken care of the way they have been taken care of ever since there has been a Federal Reserve Board and Open Market Committee.

Mr. CELLER. Will the gentleman yield?

Mr. DEWEY. Not now. To stabilize the market the Federal Reserve Board may take undistributed securities off the hands of the bond dealers. The commission to the bond dealers is one-thirty-second of 1 percent, or about 31¼ cents per $1,000 bond. Ever since the passage of the first Federal Reserve Act way back in 1917 this has been the customary and traditional way of stabilizing the Federal bond market. It is well known and has worked out well. Goodness knows, it must have, for the simple reason that our public debt is advancing toward $60,000,000,000, and that needs some stabilizing. I, however, think that even if the Federal Reserve Board has to pay 31¼ cents commission on a thousand-dollar bond, it is not an exorbitant price to pay for the service.

At this time we should keep active all agencies to distribute our securities. The Governors of the Federal Reserve Board and the Secretary of the Treasury have said time after time that it is the policy of the financial departments of the Government to distribute the Defense bonds and the other securities to the people and not to the banks. Why break down agencies when we need them most? True, they still demand the average one-thirty-second of 1 percent commission, but, after all, the agencies have to pay rent and pay for their services in carrying out the work. I do not think it is an exorbitant charge.

Mr. Eccles, in his testimony, stated that the competition given by purchases direct from the Treasury instead of through the open market would cause Federal interest rates to be stable and lower. I cannot concur in the statement of Mr. Eccles. Interest rates have always been set, first, by confidence in the obligation; second, by the amount of money there is free for the investment; and, third, by the length of the maturity.

I believe there will be greatest confidence, greatest stability if it is known that the Federal Reserve bank will be always ready to get behind the market when there is an emergency and stabilize it. In case of an emergency, I believe that at a word from the Secretary of the Treasury every bank, every trust company, every insurance company would come to the aid of the Treasury and take up any pending issue of securities; and then the Federal Reserve bank would be there to perform the duties which a reserve bank is set up to perform, to stabilize the market; by taking off the hands of the subscribers those securities that cannot be distributed in the ordinary way to the public. No; I think that stability and confidence is the best way to keep interest rates low. May I say in passing that the people of this country are justified in having confidence in their currency and in the security of their Government obligations; and it is our duty to see that that confidence is always justified.

Mr. WHITE. I wonder if the gentleman would yield at that point.

Mr. DEWEY. No; I do not yield.

In the discussion in the other House it was brought out that this authority given to the Federal Reserve Board was permissive, not mandatory. I can only say that the high authorities which made that statement must have been a little forgetful of the act, for the reason that the powers to buy these securities rest in the open-market committee, and the open-market committee consists of the seven members of the Federal Reserve Board and five presidents of Federal Reserve banks.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Illinois.

Mr. DEWEY. Section 10, paragraph 6, of the Federal Reserve Act, reads as follows:

> Nothing in this act contained shall be construed as taking away any powers heretofore vested by law in the Secretary of the Treasury which relate to the supervision, management, and control of the Treasury Department and bureaus under such department; and whenever and wherever any powers vested by this act in the Board of Governors of the Federal Reserve System or the Federal Reserve agent appear to conflict with the powers of the Secretary of the Treasury, such powers shall be exercised subject to the supervision and control of the Secretary.

This power therefore as given is mandatory upon the Federal Reserve Board, the majority of the Open Market Committee, should the Secretary of the Treasury demand it.

In closing I would like to mention one thing that has been traditional in the Treasury Department and customary with almost all central banks of issue: The Treasury Department should again have the right to finance itself around tax-payment dates. As I said in my opening statement I am in sympathy with the purpose of this amendment but not the method proposed. Prior to 1935 it had been the custom of the Treasury Department to sell to the Federal Reserve banks certificates of indebtedness with a maturity of a week, 2 weeks, 3 weeks, and sometimes but 1 or 2 days, to finance itself around tax-payment dates when there was a lag between payments by the taxpayers to the collectors and the deposit of the money to the Treasury's account in the Federal Reserve banks. It is right and proper that the Treasury should have an opportunity to finance itself around tax-payment dates and it is also right and proper that the Treasury Department should have the right to finance itself during the period of an emergency. I am in favor of that, but I believe this amendment as written goes too far and at the proper time I shall offer a substitute amendment which will take care of the Treasury requirements at the time of an emergency; it will also take care of the Treasury requirements at the time of tax-payment dates and at the same time will not raise suspicion in the minds of our fellow citizens whom we wish to buy Government securities that there are loose banking methods being employed by our high financial leaders.

Mr. MICHENER. Will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Michigan.

Mr. MICHENER. When the gentleman speaks on matters of finance, possibly his remarks carry a little more weight with some of us than many other Members. His background as a banker, as Assistant Secretary of the Treasury, and as financial adviser to Poland, makes his opinion most valuable. The gentleman has had a vast experience. Can he tell us what the position of the American Bankers Association is in reference to this amendment?

Mr. DEWEY. I read the statement of the president of the American Bankers Association yesterday and I will put the statement in the RECORD. This is from a letter addressed to the Honorable HATTON W. SUMNERS, and is signed by H. W. Koeneke, president, American Bankers Association. I read only one paragraph, but it is the principal paragraph of the letter:

> The American Bankers Association does not oppose this extension of authority to the Federal Reserve System as a war measure.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. I know the gentleman is eminently fair. I suggest that the entire letter of the American Bankers Association be inserted in the RECORD at this point.

Mr. DEWEY. I will be very glad to accede to the gentleman's request and put the whole letter in.

Mr. McLAUGHLIN. It appears on pages 45 and 46 of the hearings.

Mr. DEWEY. The letter referred to is as follows:

THE AMERICAN BANKERS ASSOCIATION,
OFFICE OF THE PRESIDENT,
Ponca City, Okla., January 29, 1942.

The Honorable HATTON W. SUMNERS,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D. C.

DEAR MR. SUMNERS: The second war powers bill, which we understand is embodied in H. R. No. 6403 (S. 2208), would permit the Federal Reserve banks to purchase securities which are primary obligations of the United States or fully guaranteed by the United States directly from the Treasury instead of through the open market only, as provided in existing legislation. The bill in its present form provides that this authority will expire automatically 6 months after the termination of the war emergency, or at such earlier time as the Congress by concurrent resolution, or the President may designate.

The American Bankers Association does not oppose this extension of authority to

the Federal Reserve System as a war measure. It recognizes that certain restrictions which normally safeguard the fiscal, monetary, and banking systems are often inoperative in time of war. It is of the utmost importance, however, that there be a definite termination of the authority with the resumption of peace, as has been provided for in this bill.

The present provision of law was adopted in the Banking Act of 1935 after careful deliberation and extended hearings. The law should not be changed permanently without equally careful consideration.

These are considerations which you probably have in mind, but the matter is of such great importance that we wanted to be sure you knew the views of the American Bankers Association.

Cordially yours,
H. W. KOENEKE, *President.*

Mr. MICHENER. Now, will the gentleman answer my question?

Mr. DEWEY. Would the gentleman like to have me read the letter?

Mr. MICHENER. Just briefly, what is the answer?

Mr. DEWEY. The answer is that the bankers will go along with the Treasury Department and the Federal Reserve Board in any manner in order that this war may be financed and brought to a successful conclusion, but this does not mean that morality in banking, as morality in everything else, must not be safeguarded. Why not ask for those things which they really want rather than ask for powers which time after time the Governor of the Federal Reserve Board said he did not expect to use? He wants to cover the emergency, as I mentioned. The amendment I will propose at the proper time, permitting him to purchase, and the Treasury to sell, Government obligations having a maturity of 6 months or less will do exactly that without undermining the confidence of the people in our long-term securities.

Mr. EATON. Will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from New Jersey.

Mr. EATON. I would like to know whether this letter is the expression of the president of the bankers' association himself or of the organization as a whole, because one of the leading bankers, a member of that organization, in my district, is violently opposed to title IV.

Mr. DEWEY. It is signed by the president of the American Bankers Association.

Mr. CELLER. The first paragraph on page 46 states that the American Bankers Association does not oppose this extension of authority to the Federal Reserve System as a war measure.

Mr. DEWEY. That is the paragraph I first intended to read.

Mr. CELLER. And the letter is on the stationery of the American Bankers' Association. The letter is official?

Mr. DEWEY. That is true. It is official.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. DEWEY. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. If the provision as written in the bill is adopted, what is there to prevent the Treasury from issuing bonds and selling them to the Reserve banks, thus forcing them on the market at no interest at all?

Mr. DEWEY. Nothing.

Miss SUMNER of Illinois. It will be virtually printing-press money.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. As a layman, a lot of this is difficult for me to understand; but, as I get it, the need for any such emergency power would be to take care of a situation when the public would be so shaken, perhaps by some crisis in our war effort, that the public market would not be available for our Government obligations; is that correct?

Mr. DEWEY. That is the purported reason.

Mr. VORYS of Ohio. Would not the passage of such an authorization which envisages such crises as coming help to shake public confidence and tend to break the market?

Mr. DEWEY. I think that psychological point of view should be considered with this amendment. The claimed purposes will be covered by an amendment which I expect to offer which gives the Treasury permission to sell securities with a 3 months' maturity or less direct to the Federal Reserve banks. Certainly that should be long enough for the Treasury and the investing public to reorganize themselves.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. O'CONNOR. Will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Montana.

Mr. O'CONNOR. Suppose the Congress passes title IV of this bill. Does that take off the restrictions that are now placed upon the banks—and I refer to the Federal Reserve banks—from purchasing defense bonds sold to individuals? Suppose I have some defense bonds and I need the money. If we pass this law, can I take those bonds to the bank and sell them to the bank?

Mr. DEWEY. No; I do not think so. I do not believe this amendment restricts the action of the Federal Reserve Board in any way whatever. It broadens it to a great extent. They can either go into the open market or go directly to the Treasury, or the Secretary of the Treasury can tell them what to do.

Mr. O'CONNOR. Yes; but the banks cannot now buy these bonds from individuals.

Mr. DEWEY. This amendment has nothing to do with private banks; it only concerns the Federal Reserve System and the Treasury.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I have read this bill rather carefully and have marked up much that might lead to discussion. The powers granted to bureaucrats are enormous and rather frightening. I predict that we, as Congressmen, will be asked to relieve many a citizen from the rules and regulations promulgated under authority granted in this act. However, some such legislation is undoubtedly necessary, and I shall vote for the bill.

I hope to make one or two constructive criticisms. The English have made some constructive criticisms to Churchill which were to the end that he get rid of some of those persons who have not proven that they were able to carry on successfully. This is not harsh criticism of the President, but lately so many men have been brought to the top whose virtues were not weighty enough to keep them to the bottom. Think that over. Their very virtues were not weighty enough to keep them at the bottom. It seems the fashion nowadays for men without merit to become famous. Thus, my criticism would be that, as in the case of Churchill of England, certain persons high in authority should be relieved and the confidence of the people renewed.

I wish to talk about title IV in particular. I desire to vote for the amendment that will be offered by the gentleman who preceded me, because he knows a good deal about this subject. He will probably present some limitation of this authority. Some of you say you do not quite understand this title. It is very clear.

Did you not hear that in connection with the last issue of Government bonds that the Federal Reserve assured certain banks that they might subscribe for more than they desired, and under the open-market operation the Federal Reserve would take them over? If they can whip the devil around the stump like that, they do not need this highly dangerous authority. That is not difficult to understand. It is, of course, the desire on the part of the Treasury to be assured in advance that every issue of bonds be assured of success, as they would have the Federal Reserve to guarantee it.

"We have taken vast powers back to Washington which in other hands would be highly dangerous." Who said that?

Mr. DONDERO. The President.

Mr. GIFFORD. Yes. We must watch very carefully lest these vast powers fall into dangerous hands, hence the warning now reiterated and suggested to its originator.

What will be the next move? It will probably be that all bonds should be guaranteed by the Government not to go below par value. A bond might then be used even as currency. Some $4,000,000,000 is now being hoarded, largely in $1,000 bills. These people now think those bills afford more safety than the bonds. But when we guarantee bonds at par, then the hoarder will see no advantage. He might then as well use his money and get his interest. He can get his cash at any time for full value. The next step we can easily foretell, the need of a full-fledged managed currency. This is on the way. With managed currency, heaven help us if the men at the helm are not men of wisdom.

Managed currency is what Hitler has in his own and conquered countries today. There is a 300,000,000-franc occupation

fee to be paid daily by France. How shrewdly he has solved the matter of reparations. They collect reparations "on the barrel." With special marks, they are buying up everything of value in those countries. When the conquered peoples take these German marks they take them to their government authorities and receive more inflated national currency. A diabolical method of robbery by managed currency.

In the Philippines today the Japs are saying at the point of a gun, "Don't you dare complain about Japanese money." They are copying the German plan with their usual remarkable ability as imitators.

Well, let us grant this particular power today, if you insist it is necessary. As was suggested, the bonds may not bear any or little interest if the Federal Reserve saw fit not to require it, and certainly the people will not know when the flotation was really successful or not. They will not be informed as to the portion guaranteed or taken by the Federal Reserve without careful inquiry.

This may be reassuring to the public and it may be needed. I fear the administration of the act, and while I do not like to compare the present administration with the administration during the last war, I feel that we have too many ready to experiment in making America over now holding high positions. "What of our national debt? Do not we owe it to ourselves?" Such expressions lead us to dread granting these powers to those who so lightly view the seriousness of the situation.

Vast powers have been granted in the last 8 years and none of them have we been able to take away. They are not willing to give them up. I dread to put these powers into the hands of such authorities. I hesitate to criticize the President, but he only has the power to appoint these men "whose virtues are not weighty enough to keep them at the bottom."

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Miss SUMNER of Illinois. Does not the gentleman think this will interfere with the sale of bonds by frightening people who would ordinarily buy bonds?

Mr. GIFFORD. I do not know. People are frightened enough when they will hoard $4,000,000,000.

You say the bankers favor this. The gentleman from Michigan quoted a former president of the association. The committee produced evidence that the present head of the association favors the measure. "Yes, as a war measure," and I would think they would favor it. What would happen to those bankers, loaded with such securities, unless these flotations succeed and par guaranteed? Do not be surprised if they now say, "Yes, the American Bankers Association are in favor of this." For their own safety they must be in favor of this. Their own real opinion as to its moral side may be quite different. They surely desire to play safe as long as possible.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman.

Mr. BROWN of Ohio. Is it not a matter of fact that as a result of present conditions the banking association, as a matter of policy, was practically forced to write such a letter?

Mr. GIFFORD. For their own safety, of course, they must be for it.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. CELLER. Is it not a matter of trust and confidence only? In this sense it is well to recall that in 1933 we passed the so-called Thomas greenback inflation amendment, which provided that the Secretary of the Treasury could——

Mr. GIFFORD. I know about that and the $3,000,000,000 was never printed.

Mr. CELLER. Could we induce the Federal Reserve System to go into the market and buy $3,000,000,000 worth of bonds, which would form the basis of the issuance of $3,000,000,000 of greenbacks.

Mr. GIFFORD. I do not know how to answer that.

Mr. CELLER. But the Treasury did not invoke that power.

Mr. GIFFORD. No; the administration dare not do it because it would destroy confidence.

Mr. CELLER. Does not that show we should have confidence in them?

Mr. GIFFORD. But they would not let us repeal that act. They also demand that we keep up the silver fiasco.

Now, before I answer further questions, I want again to say that I do not wish to embarrass my President. I want to make the constructive criticism that he remove these people who have dangerous notions and who have been bringing us toward financial ruin the last several years. The confidence of the people will be destroyed. I greatly fear that our financial doctors at the helm have lost the confidence of the people. Change them even though they may not be guilty. The people must be reassured and that is the gist of my appeal at the moment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman.

Mr. AUGUST H. ANDRESEN. Does not the gentleman feel that title IV is a forerunner for the request that the President be given unlimited power to fix the value of gold at any figure?

Mr. GIFFORD. I have told you plainly that it is the forerunner of managed currency in all its damnable forms, as illustrated by its effect on other nations. I have tried to give you a warning of what is coming. This is only one step. Let us take it very regretfully, very carefully, and if it can be amended to limit it to safer bounds, let us do it. I plead that these doctrines we have been hearing, such as "What about our national debt?" "Don't we owe it to ourselves?" be a warning to us and guide our actions. I plead that the President reassure the people, else there may, indeed, be trouble in the flotation of good securities.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman.

Mr. DONDERO. Was there any power granted during World War No. 1 that is parallel to the power contained in title IV?

Mr. GIFFORD. I think not; but even if so granted, there were different people at the helm of the ship of state. That is not politics; but in the light of recent happenings, I have to say that that is true. Our President needs prudent and safe advisers at this critical moment, and it is no time to trust financial policies to ardent, even though patriotic, experimenters with our currency.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 5 minutes. There is just one proposition involved and that is whether or not the Federal Reserve banks shall be permitted to buy directly from the Treasury exactly what they can buy in the open market. I had hoped that the gentlemen who discussed this question would devote themselves to the question in issue which is all there is to it. Let me see if I can make a statement, and if I am incorrect in this statement I would like to be corrected. Bonds secured by purchases in the open market are just the same basis for the issuance of additional currency as though they were bought directly from the Treasury. Is that correct?

Mr. DIRKSEN. I do not think it is.

Mr. SUMNERS of Texas. Then the gentleman will speak on that later, I assume?

Mr. DIRKSEN. Yes.

Mr. SUMNERS of Texas. We have testimony here of Mr. Goldenweiser, replying to a query made by the distinguished gentleman from Michigan [Mr. MICHENER]. Mr. Goldenweiser is the expert for the Federal Reserve bank. Mr. MICHENER, before the Rules Committee, asked him a question concerning the matter of inflation, and he said this proposed amendment would not bring that about.

He was referring to inflation. He said that it is a situation that is exactly as has existed ever since the Federal Reserve System. It is the statement that I have made. I have been advised by gentlemen who have been connected with the Banking and Currency Committee that during the last war, and until 1935, the law was exactly as proposed in this bill.

Mr. STEAGALL. Yes.

Mr. SUMNERS of Texas. Let us see about this. The Committee on the Judiciary wants to do what you all say you want to do, so let us not confuse the situation but determine what ought to be done. We have been told—and it appears to be a reasonable thing—that in this war emergency it is a valuable thing for the Federal Reserve banks to be able to buy directly from the Treasury in some situations, something that is not now permitted. They did do something directly after the Pearl Harbor matter, which, while not exactly regular, they

thought they had to do to save that situation. There was an issue of $150,000,000, I believe, coming on the market at that time. The market was shaken by the Pearl Harbor incident. There was one of two things that could be done in that situation. One was to let this issue come on the market, strike a weak market, and imperil the whole market, or have the thing done that was done rather circuitously, and that, in effect, is buy directly from the Treasury. That seemed to be the sensible arrangement. This amendment would restore the law to what it was when we fought the World War and as it was until 1935.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GUYER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I again say that I am sympathetic to the Federal Reserve banks being permitted to buy issues directly from the Treasury under certain conditions, on certain occasions. I do not believe that under present conditions it is necessary to go as far as we are going in this bill, and I shall give a few reasons for that. The background of title IV if to stabilize the bond market and protect outstanding issues held by the people and to encourage prospective buyers to take on additional purchases. I think the gentleman from Texas [Mr. SUMNERS], who has just spoken, emphasized that. He has indicated there might be psychological market reactions where the people would become fearful for a moment or two, a day or so, and thus precipitate a break in the bond market. Let us look at the necessity for this title as it is written just for a moment. In 1941 the interest-bearing debt of the Government increased approximately $13,000,000,000. The Federal agencies in connection with their trust accounts purchased two billions of that issue and the banks about four and one-half billions.

The life insurance companies, approximately one and one-tenth billion; and investors who purchase nonnegotiable, nonmarketable Defense bonds, five and four-tenths billion; or, in round figures, $13,000,000,000.

We find that private holders increased their open-market Federal bond holdings about $300,000,000, or less than 3 percent of the increase in the debt of last year. I am now referring to the group which is likely to precipitate a break in the market, thereby making this type of legislation necessary. This method of financing places little strain upon the Government's bond market. With about 33 percent of the issues of last year going to the commercial banks in the form of open-market securities, all sane bankers know that they will not dare throw their portfolio holdings back on the market and thus add to or accelerate a break in the market when an important issue is coming out, and when the situation is a little bit crucial. Sane bankers simply do not dump their holdings or offer their holdings under conditions which now exist and will exist for some time to come. That would invite trouble. They know better than to try it.

We also find that the Treasury will undoubtedly proceed with little change in its approach to placing long-term open-market issues in the hands of the public. Those issues will be placed in the hands of the commercial banks, of the insurance companies, and in the hands of the Federal Reserve banks. But this is not in line with the policy followed in World War No. 1, where private citizens were loaded with long-term open-market issues, as against the absence of such today, but with the public holding nonnegotiable issues in the form of Defense bonds which cannot be sold to any institution, but which may be cashed by making demand call on the Treasury after they have been held for 60 days, without interest at that time, but if held longer a little interest is paid on them. So it seems to me that we are about to go entirely too far in passing this legislation as here presented.

While I have not discussed the amendment with the gentleman from Illinois [Mr. DEWEY], just based on what he said a few moments ago I think I will be inclined to support that amendment, because it seems to me that under a $60,000,000,000 a year expenditure for war material, $5,000,000,000 a month is the maximum the Treasury will have to sell. With the sales of Defense bonds running about a billion a month, with your trust accounts of the Government buying more or less bonds all the time, and with the commercial banks certainly taking a great deal of those bonds, it seems to me that from a three to six billion dollars lift on short-term and long-term paper, if that is the way the Dewey amendment is worded, would be sufficient to meet any kind of an emergency that the Treasury can possibly face under a $60,000,000,000 per annum war budget. If we are going to go into a hundred-billion-dollar-per-annum war budget as a result of our recent agreement between Lord Halifax and Sumner Welles, I would want to change my remarks very materially in that case. But I am speaking in terms of the $60,000,000,000 a year war budget.

So, I hope when it comes to considering the Dewey amendment we will give considerable consideration to restricting this language so that the gate will not be so wide open as it is in this bill. It seems to me that would be a very constructive step we could take in connection with encouraging people to buy defense bonds. Certainly, with the gate partly closed, there will be more pressure upon the Treasury to sell bonds to the people direct—I mean defense issues, not open-market issues. It will thereby materially relieve the situation as far as the price administration is concerned. It may help the situation considerably as far as the tax program is concerned, and I think altogether will be exceedingly constructive.

It seems to me that the Federal Reserve Board and the Treasury might have come up here and faced the situation squarely and said to us, "We want the privilege of selling two billion, four billion, or six billion to the Federal Reserve banks and we want it for some short-time and some long-time paper." I believe had that course been followed it would have been more constructive all the way along the line. My thoughts are running in that direction today. The more I consider this subject the more I am inclined to make that approach.

Incidentally, it seems to me that the people will have to buy enormously greater amounts of defense bonds than we are buying at the present time. Personally I think the people at home are falling down on the fellows who are at the fronts. I do not think we have caught the spirit of this thing insofar as the financing of the program is concerned. I shall not be at all satisfied with the sales of defense bonds until we pass two and a half billion dollars per month, or at least $25,000,000,000 per year. I am not talking about institutional purchases now. I hope the Ways and Means Committee will bring to this House a tax bill imposing upon me and other citizens of this country a minimum of $25,000,000,000 of Federal taxes per annum, based on this year's estimated annual income of $102,000,000,000. I would rather give fee title to all the property that I have, transfer everything that I have to the Government and submit to a tax of 90 percent of my income than to proceed on the program we have been following and are following at the present time of building such huge deficits thereby creating capital levies against our equities.

I am one of those fellows who really believes in paying as they go, even if it takes the heart and most of the blood; so I am looking for big heavy tax bills. I think that is part of this general program and I hope the Ways and Means Committee brings it in.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, may I inquire as to the status of the time?

The CHAIRMAN. The gentleman from Nebraska has 1 hour and 5 minutes remaining, the gentleman from Michigan 58.

Mr. McLAUGHLIN. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. WILLIAMS], a member of the Committee on Banking and Currency.

Mr. WILLIAMS. Mr. Chairman, it seems to me there has been a good deal of unnecessary excitement about this title IV. I am a little astonished by my friend from Michigan [Mr. WOLCOTT], advocating the star-gazing theory that has been advanced by certain economists, some of these theorists that he has so severely condemned in the past. I believe perhaps that he and the gentleman from Illinois [Mr. DEWEY] are pursuing a rather weird phantom that is the result of an overworked or perhaps an oversensitive imagination.

There is just one plain, simple thing in this title IV, and that is all: Shall the Federal Reserve banks be permitted to buy bonds directly from the Treasury as well as in the open market or shall their operations be confined to the open market? The gentleman from Michigan [Mr. DONDERO], I believe it was, asked if there was any such provision in the law during the last war as

is provided in this title—that is, whether the Federal Reserve banks had the authority to buy obligations directly from the Treasury. That provision, of course, was in the Federal Reserve Act permitting the buying of bonds by the Federal Reserve banks directly from the Treasury from the very inception. That was in the original law and remained in it until 1935.

Mr. WOODRUFF of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I would like to proceed for a moment. I have only 5 minutes.

The CHAIRMAN. The gentleman from Missouri declines to yield.

Mr. WILLIAMS. If I can get some more time I will be pleased to yield for any question concerning this issue.

It is well worth while to remember—and I call the attention of some of the older members of the Committee on Banking and Currency of the House to this fact, that in the 1935 act this provision limiting the purchase of bonds in the open market was not in the bill reported by the Banking and Currency Committee of the House and was not in the bill that passed this House at that time. It was put in in the Senate and accepted in conference. You ask me why it was put in the 1935 act and I tell you very frankly that I do not know why. I certainly saw no reason for it then and I know there is no reason for it now. It looks very much like it might have been slipped in there through the persuasion of some big bond broker or big financial interest, although I do not know that. There is not a scintilla of reason why that limitation should be in this law now or at any other time. It should never have been put in there. When any man gets on this floor and tells me that the purchase of bonds direct from the Treasury by the Federal Reserve bank is more inflationary than buying the same bonds in the open market from the commercial banks of this country I challenge that statement, because it is not true. Every bond that is bought in the open market by the Federal Reserve banks from the commercial banks of this country is 100 percent inflationary and you cannot possibly make it any more so by buying the same bonds from the Treasury direct. There is not anything in that argument, there cannot be. There has not been a man on this floor, I say, and there has not been one of these men who sent in all these letters, messages, and telegrams that has given a single reason why one method of buying bonds is more inflationary than the other. They simply make the bald statement that it is more inflationary to buy bonds directly from the Treasury than in the open market. I deny that and challenge the statement.

In order that there may perhaps be a better understanding, let us consider the mechanics by which these bonds are purchased. To start with, the Federal Reserve banks have the right and the authority to purchase Government securities limited now only in the open market. The provision of title IV strikes that out and permits them to buy either in the open market or from the Treasury direct, or both, as they choose. The Open Market Committee is composed of the Board of Governors of the Federal Reserve System and five representatives of the Federal Reserve banks from the different sections of the country. The Committee operates through an agent which in practice is the Federal Reserve Bank of New York.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I yield 3 additional minutes to the gentleman from Missouri.

Mr. WILLIAMS. The Open Market Committee determines the policy under the law. Now, remember this, the policy which the Open Market Committee follows in the purchase of bonds is laid down by Congress. Congress charts the course that they shall follow. We lay down the standards by which they operate. They in their policy must consider the general credit situation throughout the country and they must consider the needs of agriculture, industry, and commerce. The Treasury Department has no more to do with it than I.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I know what the gentleman read during his argument, which is subsection 6 of section 10 of the Federal Reserve Act. It has no application at all to this amendment contained in title IV. The gentleman evidently obtained his suggestion from Walter Spahr, the famous economist from New York University, because he wrote me a similar letter and sent me the same statement. Subsection 6 of section 10 has no more to do with this amendment, I say, than a Hottentot in Africa.

Mr. DEWEY. The gentleman does not believe in the Federal Reserve Act?

Mr. WILLIAMS. I read and studied it thoroughly, and I know that it does not have any connection, because the gentleman must know it does not say a word about the Open Market Committee.

Mr. DEWEY. It refers to the Federal Reserve Board, which is composed of the Open Market Committee.

Mr. WILLIAMS. I am surprised; I am astonished that the gentleman from Illinois with his experience and learning, splendid ability, and high standing would come in here with that suggestion which was made by Walter Spahr to the Members of the House and to the members of the Banking and Currency Committee. When it is analyzed, I say again as a lawyer who has studied it and studied it carefully, and I say it upon the advice and authority of the general counsel of the Federal Reserve Board, it has absolutely nothing at all to do with this measure and has nothing to do with the Open Market Committee. This committee is entirely independent and free of all direction and control by the Treasury. The Treasury Department is as far from dominating the Open Market Committee as it is any other separate agency or department of government. I say again this committee has its work to do in accordance with standards established by Congress and is in no way connected with or subject to the orders of the Treasury. The Treasury might act in an advisory capacity, it might make suggestions, that is true. May I ask the gentleman if there is any reason, especially in an emergency, why the Treasury of the United States and the great central banking system should not work in cooperation, why they should not coordinate their efforts, why they should not work in harmony?

Mr. DEWEY. None whatever.

Mr. WILLIAMS. In order to finance this Government and in order to take care of the general credit situation throughout this country, it seems to me that the gentleman's position implies that the committee or the Treasury Department, or both, would misuse their authority and violate their trust. I assume that the Treasury and the Open Market Committee are as much interested in the credit conditions and general welfare of the country as either the gentleman or I. And, so far as I am concerned, I am willing to admit they know as much about the problems involved as I.

Mr. DEWEY. The gentleman asked me a question.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DEWEY. Will the gentleman permit me to answer the question?

Mr. WILLIAMS. No; I will not yield any further. I think I have answered the gentleman's question.

There are two important reasons why this limitation should be removed. In the first place, it will do away with the commission that the gentleman spoke about, and I want to ask the Members here on the floor what reason is there for the Open Market Committee to go out on the open market and pay a banker or pay a bond broker a commission to buy bonds? If the need to buy them exists on the part of the Open Market Committee, why not buy them direct from the Treasury and not be at the mercy of the bond brokers of this country? Why should the committee be compelled to pay a commission to a bond broker in order to buy bonds in the open market, when they can buy the same bonds directly from the Treasury without paying a commission? There can be no answer to that proposition. In the next place, it is a humiliating and a disgraceful thing to have the Open Market Committee representing the great central banking system in the greatest Nation on this earth go out, as this law now compels them to do, and on bended knees and with hat in hand ask the commercial banks through their bond brokers to buy a bond issue in order to sustain the bond market of this country. It is a disgraceful thing to have to do that, but that is the situation we are in and that is what we had to do after the Pearl Harbor incident. It should not happen again. The Board should have the right to buy them direct, and be saved this humiliation and expense. Title IV should remain in the bill.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, as I take it, this amendment has been offered

by the Judiciary Committee to the House upon the recommendation of the Treasury and the Federal Reserve System for one purpose and one purpose only, namely, to stabilize the Federal bond market. It would be very anomalous indeed if the rank and file of the Nation were persuaded to buy defense stamps and defense bonds to support the great war effort only to find those bonds and those stamps in a falling and declining market.

Situations are bound to arise during the emergency where the market must indeed be properly stabilized. The purpose of this amendment is to be certain that there cannot be even by the widest stretch of the imagination a situation develop where the bonds would so fall in price as to affect dangerously public morale. Around March 15 the Treasury usually has great obligations to assume. Large sums must be paid out and large sums are coming in, but the outgo and the income are not synchronized; they do not meet exactly to the penny; therefore the Treasury must get sufficient funds to run the Government and to meet its obligations exactly on time. It cannot wait. It must rely upon the Federal Reserve System to which it turns over its bonds and gets the cash.

It might be that the open-market transactions could meet a situation of that character. It may be, on the other hand, extremely difficult to expedite the bringing into the Treasury of sufficient funds to meet Treasury obligations at that particular time, to wit, March 15, merely through open-market transactions. Direct purchases from the Treasury may be necessary to supplement such open-market purchases. Anything can happen in a war. We must be ready for all emergencies. The Treasury cannot be embarrassed at any time. It should not be. It must have sufficient funds at all times. It should never be placed in the position of being badly pinched because of large withdrawals.

The purpose of this amendment is to facilitate these arrangements, and nothing should stand in the way of that facilitation. You heard something said today and yesterday about Pearl Harbor. It would be tragic, indeed, if the bonds that were offered by the Treasury on December 8, the day after the Pearl Harbor tragedy, had not been taken up completely by the public. It so happened that they were taken up successfully by the public. But the Federal Reserve Board was not taking any chances. It went out on the open market and made purchases. This type of making purchases might grow extremely difficult in another emergency, and we are going to have to go through many emergencies. The startling news had caught the Treasury in the midst of a large and difficult fiscal operation. That crisis was properly and logically met by Federal Reserve purchases in the open market to hold up prices for the Government bonds. But under the same or more tragic circumstances it might be awkward, if not extremely difficult, for the Reserve System to buy successfully in the open market. We can take no chances. The limitation of direct purchases must be lifted. Otherwise we get into serious difficulties. I do not say we will. We may.

In time of war our fiscal authorities ought not to be handcuffed.

Furthermore, what happened on December 8? The Federal Reserve went to a number of brokers and asked them to make the arrangements whereby the Federal Reserve could get the amount of bonds they sought. Without putting up a single dime, without putting up a single penny, these dealers reaped a rich harvest, and all they did was to write a few letters and have a few interviews. The transaction was then closed, and they pocketed thousands of dollars.

It might sound very little to state, as the gentleman from Illinois did state, that it was only 31 cents' commission on every $1,000, but multiply that 31 cents by millions of $1,000-bond transactions and you will get a rather tidy sum. The Treasury and the Federal Reserve System should not be placed in the embarrassing position of being compelled in an emergency of that character to go to any dealer or any set of dealers for a compulsory purchase of this character.

It has been stated and bruited about that the Treasury could by this amendment have an instrument to bludgeon the Federal Reserve System to do its bidding. Let me read briefly from the testimony of Chairman Eccles of the Federal Reserve Board:

> The Treasury cannot compel the Reserve System to purchase Government securities. The Federal Reserve System has the discretionary power to purchase them. The Treasury has no mandatory power to require it.

That should be sufficient answer to those who are disturbed that the Treasury may get control of the Federal Reserve System in this regard.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Idaho.

Mr. WHITE. The gentleman says that the Treasury cannot force the Federal Reserve to buy bonds. If the Federal Reserve does not support the bonds, with all their huge reserves of Government bonds, what becomes of their reserves?

Mr. CELLER. Yes; but the Federal Reserve System has always done everything in its power to aid the Treasury. The point I am trying to make is that the Treasury has no power to coerce and to force the Federal Reserve Board to do its bidding.

Mr. WHITE. If the Treasury shoves out a big issue of bonds and the Federal Reserve does not buy them and the bonds fall in price, what happens to all the reserves in the form of bonds held by the banks?

Mr. CELLER. Thank God we have a Federal Reserve Board and a Treasury Department that cooperate with each other. They confer with each other, work faithfully with each other. The situation which the gentleman conjures up could not, would not happen.

This whole situation can be summed up in the word "confidence." We must have confidence in the Federal Reserve Board. It is just like giving a doctor the power to put cocaine or morphine into the body of a patient. The doctor can give an overdose, the doctor can give too much, but you have confidence in the discreation and the wisdom of that doctor, and you give him the right to inject that cocaine or morphine into that disturbed and diseased body. So it is with the Federal Reserve System and the Treasury. We must have the uttermost confidence in those two entities or we may as well not have any bill at all. They are our fiscal doctors. They, with this amendment, may have power to create great inflation. That is possible. They could conspire to bring about great inflation. But we have confidence in these doctors. They will help and cure us. They will not inject into us any virus of inflation.

I am willing to give them this additional power, particularly since we have the experts who know something about fiscal matters telling us there is no danger.

Senator CARTER GLASS, of Virginia, former Secretary of the Treasury—and there is no one better informed than he on financial matters—is the author of the original amendment that took this power away from the Federal Reserve System in 1935. He is now the author, as it were, in the Senate of this amendment embodied in title IV. He now feels that as a result of the war and the necessity of bolstering up the powers of the fiscal agencies of the Government, that the restriction of direct purchases should be removed from the Federal Reserve System powers.

Mr. Eccles also indicated that unless we take away this restriction from the Federal Reserve Board it is going to cost the Nation more money to finance the war effort. I will read what he said:

> In the last war the cost of financing the war was increased all during the war. In other words, the Government was paying increased interest rates during the entire period. The member banks, instead of having any excess reserves or excess funds, were borrowing heavily from the Federal Reserve System. They borrowed as much as $2,000,000,000 from the Reserve System to finance the many people who were purchasing governments and also to finance commerce, industry, and agriculture.
>
> Now, if the Reserve System at that time had either purchased a lot of securities in the market or purchased directly from the Treasury, they could have kept that interest rate down, instead of having the 4½-percent rate, tax-free, which was outrageous, in my opinion. Instead of the basis they did finance it on, they could have financed at 2½ or 3, or whatever rate they wanted to establish.

In other words, taking away this restriction by passing title IV will enable the Federal Reserve System to sell its bonds at a lower rate of interest than they were sold at during the last war. That is worthy of our consideration and should prompt us indeed, if nothing else should, to adopt this title IV.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HANCOCK], a member of the committee.

Mr. HANCOCK. Mr. Chairman, the course the debate has taken up to date indicates quite clearly that omnibus bills of this type are inadvisable. Fully half

the time that has already been consumed has been taken up in the discussion of one item in the bill, title IV, and nearly all of that time has been used by Members of the Committee on Banking and Currency. I think it is plain that we would have gotten a better piece of legislation and a better understanding of this title if it had been introduced as a separate bill and had been referred to the Committee on Banking and Currency, where their differences of opinion could have been discussed in the committee room.

When this bill was introduced a few days ago the membership of the House was stunned and shocked at its wide scope and the magnitude of its provisions. I judge from remarks I have heard on the floor and in the cloakroom that Members are suspicious of it and are afraid of it. They imagine there are all kinds of ghosts here. They see in it a complete destruction of our civil liberties and our property rights. I wish to reassure the Members on this side at least that this bill is in the main wise and necessary. I intend to vote for it whether it is amended or not. I think there are some questionable features in it and, perhaps, some amendments should be adopted, but most of the 15 titles are emergency measures which we need in the prosecution of this war.

If you have read the bill you will realize it embraces subject matter which properly comes under the jurisdiction of the House Committees on Interstate and Foreign Commerce, Banking and Currency, Merchant Marine, Post Office and Post Roads, Immigration and Naturalization, Coinage, Weights and Measures, Census, Military Affairs, the Judiciary and, perhaps, other committees. I do not believe that in the history of the Congress we have had a bill that was quite so far reaching and covered so much ground as this measure. It is a bigger job than one small subcommittee can handle satisfactorily.

I had the privilege and responsibility of sitting on the subcommittee which listened to the representatives of the departments and bureaus that are interested in the various items. We only heard the proponents. I am not blaming anybody for this. The chairman of our subcommittee, the gentleman from Nebraska [Mr. McLAUGHLIN] worked diligently and faithfully to give the bill adequate study and consideration and to bring it to the floor of the House as expeditiously as possible because many of the provisions should be enacted without unnecessary delay. I compliment him for his conscientious devotion to an important and arduous task.

In opening his statement to us, the Attorney General said:

> It might interest you to know the method in which the bill was originally prepared, as I think it is probably a very good technique, particularly during this period when many of the departments are anxious to get through bills which they think affect their efficiency in the war.

He then explained that an emergency legal committee had been set up in his office to ascertain the legislation desired by the agencies of the Government to aid them in their war efforts. Their requests are incorporated in this bill.

I say it is extremely bad technique, and with all due respect to the Attorney General, his zeal, his high motives, and patriotism, I hope he will not recommend another piece of legislation of this kind. I do not believe he fully appreciates that the legislative committees of the House develop specialists on the subjects within their jurisdiction, that they are jealous of their prerogatives and resent attempts to usurp their functions. Without exception, the Members of Congress wish to be helpful and to cooperate with the executive branch in every possible way.

We have heard a couple of hours of discussion of title IV. I think the advisability of that title is extremely questionable. I also doubt the advisability of section 6.

You will recall that a requisition bill was passed a few weeks ago. An amendment was offered by the gentleman from New York [Mr. TABER] and adopted. This amendment made it impossible for the Government to go into a plant and seize a piece of apparatus or machinery which was necessary for the operation of that plant. Title VI repeals that provision, and it leaves the owner of such a plant in the position where his recovery is limited to the fair market value of the property seized. In other words, an agency of the Government can go into a man's plant under this title, take machinery essential to the operation of that plant, and the only damage which the owner can recover is the value of that machine as a second-hand article. This is not fair. In my opinion, the principle of severance damages should be applied here. In most jurisdictions, when a part of a parcel of real estate is taken, the measure of damages is the value of the whole parcel of land before and after taking a part thereof. I think a similar rule ought to be applied here. I do not believe that the Requisitioning Act could have been passed without the Taber amendment. Here, with little discussion and with a very weak showing of the necessity for it, we are asked to repeal the so-called Taber amendment.

I think title VIII is also questionable. This title opens wide the doors to every employee officially employed by the Office of Civilian Defense to the benefits of the United States Employees Compensation Act. It is not needed at the present time. The question should receive further consideration than it has been given. I understand our distinguished chairman will move to strike it out of this bill.

I also have some doubt about the advisibility of the title providing for the coinage of a new 5-cent piece, to be made principally of silver and copper. The present coin costs one-fifth of a cent to make, the new one will cost 4½ cents. Since we are now coining nickels at the rate of over 300,000,000 a year the change will cause a substantial loss in seigniorage. The proposed coin will be so valuable intrinsically, so nearly worth par, that there is danger it will be hoarded. This title ought to have been considered by the Committee on Coinage, Weights, and Measures.

I should like to discuss the bill in greater detail but I have not the time. I think it ought to be passed. Improve it if you can, but do not defeat it. If there are mistakes in it they can be corrected by subsequent legislation.

All of us realize the grim, bitter truth that our country is face to face with the most perilous, fateful period in its history and we are reconciled to the necessity of sacrifice, privation, and, as we believe, a temporary suspension of our property and civil rights. Every true American is eager to do his duty, to carry his full share of the burden. This bill will cause some hardship on different groups of people, but it ought to be passed, with or without amendment.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, may I say at the outset of the short period I have to talk on this subject that all of us realize we are engaged in war and that great power must be extended to the Chief Executive in time of war. We must win this war and we must win it as quickly as possible.

This bill is what we term ordinarily an omnibus bill. There are 15 titles in it. I agree with the gentleman from Colorado [Mr. LEWIS], a member of the Rules Committee, who spoke on the rule on this bill and referred to the numerous titles and numerous subjects involved in the measure, many of which should never have come before the Judiciary Committee, but should have gone before a committee to which that particular title or subject is applicable.

I want to call the attention of the Members of the House especially to title II of this bill. As I mention matters in this connection I want to say that I have the highest regard for the chairman of subcommittee No. 4 of the Judiciary Committee, the gentleman from Nebraska [Mr. McLAUGHLIN]. We heard the evidence on this bill and, finally, after a full hearing, the bill was reported out. Under title II, I want to call your attention particularly to the fact that there is an attempt to broaden the field of eminent domain. Heretofore condemnation has been applicable only to real estate, but in this bill condemnation is extended to personal property as well as to real estate. A new field has been entered. We are exploring a new procedure with reference to the condemnation laws.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Certainly.

Mr. McLAUGHLIN. I think it would be well for the gentleman to point out that the personal property to which this power is extended is only personal property that is a part of the real estate which is taken by the process of condemnation.

Mr. SPRINGER. I wish to thank the gentleman. I am coming to that point just now, and I shall read that portion of the bill, so the membership will hear it

and know just what the provision is. In line 13, on page 3, the bill provides:

or may cause proceedings to be instituted in any court having jurisdiction of such proceedings, to acquire by condemnation, any real property, temporary use thereof or other interest therein.

It will be observed that this language is very broad. I do not know that the provision could be made broader, because it provides for the condemnation of the real estate, the temporary use thereof, or other interest therein. Then listen to the following provision of that section of the bill—

together with any personal property located thereon or used therewith.

When we refer to that language, that appeals to me that there can be a condemnation of the real estate and the personal property which is located thereon and used therewith.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. GUYER. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. SPRINGER. And there may also be condemnation of, or the decree of the court may extend to, the temporary use of the real estate, and of the personal property, as well as "or other interest therein" of both personal property and real estate.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Certainly.

Mr. DITTER. Would the gentleman say that there could be a condemnation proceeding which might destroy that personal property right, that is the right in the personal property, entirely independently?

Mr. SPRINGER. I think the gentleman is entirely correct, and I am just coming to that particular point in this discussion.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Yes; I am happy to yield to my colleague from Pennsylvania.

Mr. GRAHAM. Is there anything in that language that the gentleman has just quoted which will prevent the sale or disposal of this property to anyone, so that there would not be recourse in the original owner?

Mr. SPRINGER. There is not, and it provides in lines 21 and 22 that the Government may dispose of such property, or interest therein, by sale, lease, or otherwise, in accordance with section 1 of the act of July 2, 1940, 54 Statutes, 712, and I shall read from that statute. This is section 1 (b) of 54 Statutes, 712. I quote:

The Secretary of War is further authorized, with or without advertising, to lease, sell, or otherwise dispose of such plants, buildings, facilities, utilities, appurtenances thereto, and land, under such terms and conditions as he may deem advisable.

Therefore, under that provision of the law, the man whose property is taken stands by and these agencies have the power to sell and dispose of it, with or without advertising, in such manner and in such form as they may determine.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Certainly. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Will it permit them to condemn without its being necessary? In the R. F. C. bill all they have to show is that it is advantageous. I ask the gentleman if there is any precedent for this, in the common law or statute?

Mr. SPRINGER. As I stated, this is an entirely new field in the law of eminent domain, and under the provisions of this proposed act itself, in line 17, where it refers to the taking of the personal property, the provision is further stated:

that shall be deemed necessary, for military, naval, or other war purposes.

And the condemnation can then proceed in the manner and form as provided by law.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Yes. I yield to the distinguished gentleman from Kentucky.

Mr. ROBSION of Kentucky. It developed that one of the things that would likely take place is that they could go in and take the real estate, take the plant, and take any part, or take any part of the machinery therein, or any part of any machine. Isn't that it?

Mr. SPRINGER. That is true, and I shall reach that point in a moment if the gentleman will permit. Under this proposed law, and under this plan of condemnation, any part of the real estate may be taken, or any part of the personal property may be taken. In other words, under this plan of condemnation proceedings, the real estate and the factory buildings may be taken, and any master machine or machines might be taken.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. GUYER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SPRINGER. A master machine or machines may be taken out of that plant, leaving all other machines and all other property which is subsidiary or secondary to the master machine practically valueless and worthless to the owner of that plant. The distinguished gentleman from Alabama [Mr. HOBBS] will offer an amendment to title II of this act, to which I have addressed my remarks. I suggest for your consideration in this connection the measure of damages as now provided in the law is the fair market value of the property which is taken. If the real estate and master machines are taken, then the measure of damages would be the fair market value of that property which is taken, without regard to any damage to any other property or to any other machines in that plant. My conclusion is in this connection, since we are exploring a new field and since we are going into a new theory of condemnation under the law of eminent domain, that the property should be considered as a whole, and the value of that plant or of that farm, or whatever property is taken, should be considered as a whole, both the real estate and the personal property and the value thereof ascertained before the taking occurs, and then the value of that same property estimated after the taking has occurred, and the difference in value would constitute the measure of damages, so that fair and just compensation may be awarded to the people of this country who own the property and which property may become subject to condemnation under this proposed bill. I urge that our people be protected and that their property and their rights therein be not taken without just compensation being paid therefor by our Government. We are at war, but our people must be protected in their property rights.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GWYNNE.]

Mr. GWYNNE. Mr. Chairman, I intend to vote for this measure. I shall now confine my remarks to three titles in the bill.

Under title VII we put the members of the selective draft boards under the Hatch law. I am in favor of the Hatch Act. I doubt, however, the advisability of extending it to cover members of the selective draft boards. The Hatch Act is not extended to cover other civilians who have similar duties and functions. Members of those selective draft boards are chosen in a nonpartisan way. In my section, at least, they are people of very high standing. They are performing a necessary and many times painful duty. I believe the bill might well be amended to exempt them from the operation of the Hatch law.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE. I yield.

Mr. WADSWORTH. And will the gentleman remind the House that they serve without pay?

Mr. GWYNNE. That is true.

Now, I want to go to title II and title VI, about which something has been said recently. I cannot agree with my colleagues that those two titles make any great fundamental changes in the law of eminent domain as it now exists in this country. If there is anything wrong about the proceeding by which the Government takes your property it is because of laws heretofore passed, and because of court decisions heretofore rendered.

What changes do we make in the law? In title II here are the principal changes: We extend the power of taking, now held by the Secretary of War, to the Secretary of the Navy and any other officers or agencies designated by the President.

Second, we give the Government power to take immediate possession—that is, when the petition for condemnation is filed. That right exists now in many States.

Third, we empower the Government to take the real estate and incidental personal property thereon. As I understand this title, the right to take personal property under this title is limited to personal property that is used on or in connection with the real estate. For example, a fence attached to a farm would be part of the realty. A temporary fence, not attached but used habitually in connection with the farm, would be the kind of

properly, I think, that is meant to be covered by this particular amendment.

It also gives the Government the right to take and improve the property before the opinion of the Attorney General is given as to the title. That is title II.

Title VI amends an act we passed on October 16, 1941, which allowed the Government to requisition personal property. The only amendment we make in title VI is to strike out the Taber amendment to the original act. You will remember under that amendment the Government could not take a piece of machinery which was in actual use in a factory and necessary to the operation of the factory. I supported that amendment then. I believe now, however, circumstances require the repeal of it.

Let me call your attention to a very important amendment that will be offered by the gentleman from Alabama [Mr. HOBBS]. That has to do with the amount of damages that will be awarded in these cases. He will offer this amendment:

> The amount paid for any property so taken shall include fair compensation for losses proximately caused by the taking, in addition to the amount which would otherwise have been payable.

I suggest if you wish to see some interesting litigation that will never end, adopt that amendment.

Now, what is the situation about this eminent domain? The right of the Government to take property for a public purpose is a constitutional right, based upon the fact that the Government is sovereign. In a thousand cases from the beginning of our Government, the Federal Government, State governments, municipal governments, and public utilities have taken private property for a public use. Now, what damage do they pay? That is more or less regulated also by the Constitution, as interpreted by the courts.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. GWYNNE. As you know, there is an inhibition in the Federal Constitution and most of the State constitutions against the taking of private property without just compensation. The courts in innumerable cases have recognized the fact that the assessing of damages can never be reduced to an exact science, but the courts in their experience in these cases have pointed out the guideposts which in most cases show the way to a just decision. The general rule adopted is that if your property is taken you will be awarded the reasonable market value of that property. If part of your property is taken, consideration is always given to that fact and you are usually awarded the difference between the market value of the entire tract before the taking and the reasonable market value after the taking. In arriving at market value the courts have allowed great latitude in the taking of evidence and will do so in this type of case.

My objections to this amendment are twofold. First it would unsettle the well-established laws of eminent domain relating to damages; and, secondly, you would make the Federal Government pay more for the same property than they would be required to be paid if the property were taken by the State, or the municipal government.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE. I yield.

Mr. GIFFORD. What worries me is personal property, good will, and that sort of thing. I hardly think there is an established procedure for determining the loss of good will and the loss of labor through the taking of machinery, for instance.

Mr. GWYNNE. It is done very often, let me say to the gentleman from Massachusetts. When they take a factory, and it is done now, they give the reasonable market value; and in computing the market value they consider prospects and good will. Everything should be and is considered by the average jury.

In this and other legislation we are granting to the Executive great powers. There is nothing unusual nor undemocratic about such procedure. The carrying on of a war is a function of the Executive. He alone, through his experts, can say where the men and the weapons shall be employed. Practically all democratic governments have recognized this necessity and have made arrangements for it. The provision for appointment of a dictator in the ancient Roman Republic is an example. Even among the Indian tribes in America it was the practice to choose a war chief whose powers terminated with the coming of peace.

The framers of our Constitution had learned from experience the futility of divided authority against an enemy. The powers given to the President as Commander in Chief of the Army and Navy are comprehensive and have been so construed by the courts. The methods of warfare have radically changed since Revolutionary days. It is no longer an effort made on well-defined battlefields by a relatively small body of soldiers. Now the fighting forces consist of the entire population. Industry, commerce, and agriculture must all be mobilized for victory. This necessitates a control by the Executive in fields where in time of peace he has no constitutional authority.

An emergency due to war also increases the power and responsibility of the Congress. Insofar as the delegation of war powers is concerned, the Congress should be guided by three fundamental principles:

First. The powers granted should be only for the purpose of carrying on the war.

Second. Constant vigilance should be exercised to see that these powers are used efficiently.

Third. Adequate steps should be taken now to guarantee the return of the powers to the people when the emergency has ended.

Since the first World War gigantic forces have been operating all over the world. After incredible crimes these forces have succeeded in establishing in Germany, Italy, Japan, and Russia governments founded on principles widely differing from our own. In a more limited way these same forces have been operating in our own country. Certain groups in our population, some consciously and others unconsciously, have been advocating policies which must eventually lead to a totalitarian state. Their work has been made easier because of the depression following the first World War. That emergency made necessary the exercise of certain powers by the Federal Government and particularly by the executive branch. In the field of relief, for example, we set up such organizations as the C. C. C., the N. Y. A., and the W. P. A. In their day they may have been necessary.

However, we now face a different situation and these organizations are not useful in the prosecution of the war. The appropriations for them should be drastically reduced or their activities completely eliminated. Great care should be taken to prevent further making over of our Government under the guise of the national defense.

In the second place, it is the duty of the Congress to insist that the vast powers granted shall be exercised with the greatest efficiency. The organization of our war effort still leaves much to be desired. Many persons holding important positions were chosen because of their attitude toward certain reforms thought by the administration to be desirable. Valuable as they may be in that field, many of them do not have the administrative ability necessary to carry on the war. They should be replaced by men who have demonstrated in their private life their ability to get things done. The duty of Congress does not end when it appropriates the necessary funds. Through its proper committees it should keep the country constantly advised concerning what it is securing for its money.

When the war is won it will be our duty to return the country to normal American life. Although we must have it in times of emergency, the concentration of great power in the Federal Government is not consistent with that way of life. History has often demonstrated the difficulties of getting back powers delegated even temporarily. This particular bill attempts to meet that situation in two ways. First, it provides that the powers granted may be terminated at any time by a concurrent resolution of the Congress. This is an excellent provision, although there is some doubt about its constitutionality. There is a further provision that the power shall not be exercised after December 31, 1944. This is a very definite and effective safeguard and a similar provision should be carried in all bills making great and unusual grants of power.

Mr. Chairman, I yield back the balance of my time.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, this administration blows hot and it blows cold in its war efforts, all in the same day. It asks unlimited, arbitrary power, on the theory that it needs it to carry on the war, but it refuses to exercise the

power it has to end practices by its political allies which prevent successful, efficient production of necessary war matériel.

Under this bill the President is granted authority to do almost anything he wants to do. He can destroy the rights granted to us under the Constitution; he can take away our property. Now, the majority party brings in a bill of this kind and gets us in a hole. That is characteristic of the majority party. They did it yesterday, they are doing it again today.

For example, you are getting me where I must vote for this bill or be charged with being against the administration's war effort; and at the same time you place me in a position where when I vote for this bill I destroy the rights of constituents I represent. There is no question about it. Under one of the sections of this bill the administration, or Sidney Hillman, if the President designates him, can take possession of any factory in Michigan for the purposes of war production and turn that factory over to a group designated by the union. There is no question about that; he can do it. Any Federal agency named by him can do it. What a club over employers that gives to the labor politicians. But you say we must vote for the bill. We must give the President authority in order to win the war. Unless he quits playing politics with labor politicians, we will never win the war. All right, I will go along with you; I will vote to give him power; but, believe me, we are going to hold you, the majority party and this administration, to strict accountability for the way in which this power is exercised. What do we have on the other side of the picture?

On Monday night, the President, in his report on the progress of the war, which came while his political adherents were sitting down to a $100-a-plate dinner here in Washington, said:

We shall not stop work for a single day.

Twice again in that admirable, inspiring address, he reiterated that sentiment.

But, what is the fact?

PLAYING POLITICS WITH FIRE

This administration, and the majority party, in spite of the war and notwithstanding the losses which, except the loss of the *Normandie*, may have been unavoidable, are playing politics.

By that charge I mean that the administration, without being checked by the majority party in Congress, is following a course in connection with war production which tends directly to, and is, and for some time in the past has been, not only delaying but diminishing our supply of materials for the fighting men.

This course the administration is not following unwittingly nor inadvertently. It is following it knowingly and deliberately. It apparently has weighed the disadvantages and the advantages. The administration knows that its labor policy has curtailed, that it is and that it will continue to curtail, production of essential war materials. That is the disadvantage of that program. The only possible advantage is the one which flows directly to the administration itself, as distinguished from the country at large. The labor policy of this administration is designed to, is followed for the purpose of, and the result of it is, the securing of political support from the leaders of organized labor.

Whatever may have been said by the administration about the four freedoms, about how Hitlerlike it would be to deny to American citizens their moral and legal right to work without being forced into a union, it is nevertheless true that the policy adopted by the administration and sanctioned by this Congress by its refusal to give relief has deprived and is depriving American citizens not only of the opportunity to exercise their unqualified right to work in defense of their country and to earn a livelihood for themselves, but is also directly and to an alarming extent depriving our armed forces of their urgently needed and absolutely necessary supplies and munitions.

Notwithstanding his statement that this Government would not force men to join a union, that very thing is being done by agencies created and controlled by the President. Defense workers are being "Hitlerized," as the President termed it, by being forced into unions controlled by Murray and Green.

Monday night, the President pointed out how far-flung were our battle lines; how incredibly long were our supply lines; the almost insurmountable difficulties of maintaining lines of communication between the home base and the fighting front.

The President knows, or should know, something of the magnitude of the task which confronts not only the fighting forces but the civilian population. Unfortunately, he has refused, and he still refuses, to act at the source of the danger here at home—to change the policy which is slowing down the wheels of industry, delaying the day when we can say that civilians at home are doing their utmost for those who are bearing arms.

On February 17 last, a Member of this body uttered these words:

There has been no strike in defense industries, and there are no strikes today.

To show how inaccurate was that statement and the necessity for action by Senate and by House, from the United States News, dated February 27, I print the following, which refers to strikes reported during the very week the Member was making his statement:

STRIKES

Twenty-four strikes, involving more than 8,710 employees, were reported in Washington last week. Included were four slowdowns of which the Government took official cognizance. The most serious of these cut production by 40 percent at Monroe Steel Castings Co., Monroe, Mich.

The totals:

Eleven American Federation of Labor strikes involving more than 2,895 employees.

Ten Congress of Industrial Organizations strikes involving more than 3,815 employees.

Three independent union strikes involving more than 2,000 employees.

In the list below, the figures in parentheses are the approximate number of employees involved in each strike. Asterisks indicate the slow-downs.

INVOLVING AMERICAN FEDERATION OF LABOR UNIONS

Building trades: Edwin F. Guth, St. Louis, Mo. (20); Dennison Engineering Co., Columbus, Ohio; Timken Ordnance Co., Canton, Ohio (50); Noank Shipyards, Noank, Conn. (70).

Electrical workers: Spicer Manufacturing Co., Toledo, Ohio.

Garment workers: Cable Raincoat Co., Boston, Mass. (1,400); Sun Manufacturing Co., St. Joseph, Mo. (270).

Leather workers: Elkland Leather Co., Elkland, Pa. (875).

Metal trades: Columbian Bronze Co., Freeport, N. Y. (150); Curtiss-Wright Corporation, Caldwell, N. J.*

Miscellaneous: E. C. Atkins & Co., Indianapolis, Ind. (60).

INVOLVING CONGRESS OF INDUSTRIAL ORGANIZATIONS UNIONS

Aluminum workers: Aluminum Co. of America, Detroit, Mich. (2,000); Detroit Nut Co., Detroit, Mich. (60); Federal Mogul Corporation, Detroit, Mich. (500); Firestone Rubber & Metal Products Co., Wyandotte, Mich.*; Monroe Steel Castings Co., Monroe, Mich.*

Paper workers: Detroit Container Corporation, Detroit, Mich.

Textile workers: New York Mills, Inc., New York (375); Union Manufacturing Co., Union Point, Ga. (600).

Woodworkers: Booth-Kelly Lumber Co., Springfield, Oreg. (200).

Miscellaneous: Dorset Foods Corporation, New York, N. Y. (80).

INVOLVING INDEPENDENT UNIONS

Curtiss-Wright Corporation, Columbus, Ohio.—The Aircraft.*

Gulf Shipbuilding Corporation, Chickasaw, Ala. (800)—United Brotherhood of Independent Welders.

Peter Cailler Kohler Candy Co., Fulton, N. Y. (1,200).

It will be noted that six of the C. I. O. strikes occurred in Michigan.

From a morning paper published here in Washington I read the following, calling attention to the situation which exists today, and which is captioned by the President's statement Monday night, "We Shall Not Stop Work for a Single Day":

WE SHALL NOT STOP WORK FOR A SINGLE DAY—FIRST OF THE "HIGH PURPOSES" FOR AMERICANS GIVEN IN PRESIDENT ROOSEVELT'S SPEECH MONDAY

THE ANSWER: PHIL MURRAY'S BOYS—5,000 REFUSE TO WORK 10-HOUR DAY IN WEST

Labor controversies yesterday slowed up war production in a number of localities. Associated Press dispatches brought word of these interferences:

Five thousand Congress of Industrial Organization workers walked off the job at the Bethlehem Steel Co. yards at San Pedro, Calif., at the end of 8 hours and said they would refuse to work a 10-hour shift on the $81,000,000's worth of Navy destroyers being built by the company.

Production was crippled at the Monarch Aluminum Manufacturing Co., Cleveland, engaged in producing bomb and aircraft parts, by Congress of Industrial Organization employees remaining off the job because they said they were being "terrorized" in the plant.

Striking Congress of Industrial Organization employees of the Ralston Steel Car Co., Columbus, Ohio, were urged to resume work at once by a regional director of the National Labor Relations Board, who cited President Roosevelt's Monday night address in his appeal.

At the demand of the War Department, 350 maintenance and construction workers (American Federation of Labor) of the Union Electric Co., of Missouri, resumed work after a brief sit-down strike over transfer of two employees from one plant to another.

Seven American Federation of Labor men, held at Louisville for stopping a truck and trying to persuade the driver to join a strike,

were warned by a Kentucky judge that "we are not going to have strikes here while the war is on if I can help it."

UNION URGED THREE SHIFTS

SAN PEDRO, CALIF., February 24.—Five thousand C. I. O. shipyard workers persisted today in their refusal to work more than 8 hours of a scheduled 10-hour day at the Bethlehem Steel Co. yards, where $81,000,000 worth of Navy destroyers are under construction.

"The Government asked the company to operate 24 hours a day, 7 days a week," said Philip M. Connelly, State C. I. O. president. "Instead of putting on three 8-hour shifts, the company put on the two 10-hour shifts."

There was no change in the total number of men employed.

The C. I. O. workers left their jobs after 8 hours' work yesterday and continued the schedule today. A conference between union and Bethlehem rspresentatives failed to bring an agreement. No statement was forthcoming from Bethlehem officials.

Earlier, union spokesmen emphasized that the workers were not striking.

C. S. Brown, Sr., union business agent, and Walter Brunnock, secretary, said all employees had been handed pamphlets reading:

"Eight hours is a day's work under our agreement with Bethlehem and the United States Government. Starting February 23, all men go home at the end of 8 hours, by unanimous vote of local No. 9. Any man who fails to comply with this order is subject to disciplinary action by local No. 9."

WAR PRODUCTION CRIPPLED

CLEVELAND, February 24.—A labor-management dispute today crippled war production at the Monarch Aluminum Manufacturing Co., wholly engaged in making aluminum bombs and aircraft parts.

Company spokesmen said production was cut in half by a controversy with the Congress of Industrial Organizations Mine, Mill, and Smelters Union. Alex Balint, union representative, asserted no strike had been called, but that 95 percent of the 150 day-shift workers voted yesterday not to return to work "until we can be assured we will not be terrorized inside the plant."

Balint added that the union seeks to represent employees and reinstatement of 12 Congress of Industrial Organizations members laid off. D. R. Gould, Monarch's secretary, declared the company is dealing with the Independent Aluminum Workers Organization, Inc., because this group was voted bargaining agent last September.

"The present curtailment is holding up important aircraft parts," Gould added. "We are getting pleas daily from Glenn L. Martin and other aircraft manufacturers for speedier delivery."

At the Philadelphia Navy Yard, where they are building ships to transport supplies to the soldiers, C. I. O., Local 420, has a contract with the company which calls for the payment of $1.50 an hour for a 5-day week of 7 hours a day, with $3 an hour for all hours worked over 35 in 1 week.

Notwithstanding that contract, the officials of the union called a strike in the yard's No. 4 drydock, said to be the largest in the world; and, when 17 steam fitters refused to violate their contract and go out on strike, the union refused to accept their dues, canceled their membership, and caused their discharge. Those men are now appealing to the court to protect them in their efforts to work for national defense.

Neither Germany, Italy, nor Japan is fighting this war on a 40-hour-a-week schedule. Neither is any one of them paying a wage and a half for every hour worked over 40 hours a week, and double pay for work performed on holidays and Sundays.

The losses sustained so far in this war by Britain and by us should bring home to us the cold, hard fact that we must cease our efforts to profit out of the war; that we should lay aside our selfishness. We should now be convinced that, when the war imposes additional burdens, calls for additional service, those burdens must be assumed and that service must be rendered without any attempt to nullify the effect of those burdens, those sacrifices, by insisting upon more compensation.

If we are to win the war, the 40-hour week must go, and we here at home, like the armed forces, must devote our whole time, all of our energies, toward efforts to win that war.

The President's statement, "We shall not stop work for a single day," are words of high purpose, but they are only words. They are not, and the principle they state has not in the past been, backed by Presidential or congressional action. They are, after all, only words. They will be only words until this House asserts itself, passes legislation to remedy the evil, and insists that the other body take action.

We have no right in this House to attempt to influence the action of the other body, but we have the right, and it is our duty, to insist that it act. This House should insist—and we have the power in our hands to enforce our demand—that the other body act on the legislation which we have sent to it.

It is absurd to attempt to fight a war while, at the same time, denying to those who are laying the foundation not only for our defense but for our offense, the right to create, to produce, the things which are necessary if we are to win. It is foolish to talk about carrying the four freedoms to the uttermost corners of the world, while we deny to men here at home the right to earn a livelihood.

It is silly for this Congress to make appropriations of billions of dollars; to pass bills granting arbitrary and unlimited power to the Executive to carry on a war and, at the same time, follow a policy which denies to our citizens—ready, willing, patriotic—the opportunity to do their utmost in support of that war. That policy this administration is now following by playing politics with the leaders of organized labor; supporting them in their organizing campaigns, in their efforts to enrich their treasuries.

I appeal to the Members of this House to assert their independence; to act courageously and to adopt legislation which will free every American so that he may do his utmost in support of our fighting forces and to do it without first being compelled to pay tribute to, buy a license to work from, labor politicians who are seeking to profiteer out of this war.

Just as surely as day follows night, unless we remedy this situation, break the stranglehold which certain union leaders have on our country and which they are using to throttle, to shut off the lifeblood from our armed forces, the people will arise in their might and execute politically every man who has condoned this political, unpatriotic, un-American policy.

A far worse fate may await us. Our lack of foresight, our lack of courage, our unwillingness to face the facts and meet the situation may result in the loss of this war, the destruction of our national existence.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2½ minutes.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, at first I was rather disturbed about certain provisions in this bill because the Judiciary Committee has undertaken to legislate on matters dealing with the naturalization of persons serving in the armed forces of the United States during the present war. This is a problem which should be, and has been, considered by the proper committee handling legislation dealing with naturalization, namely, the Committee on Immigration and Naturalization. However, I shall support this measure. My committee has reported a similar bill, which was placed on the consent calendar a few weeks ago. When that bill is called on the consent calendar I will ask that it be withdrawn. I will support this committee bill which contains a similar provision.

The provision under title XI, page 17, of the pending bill is a worthy provision. It takes care of persons entering the service of the United States in time of war and it will give them the right, as the right was given in the last war, to become citizens of the United States provided they are otherwise qualified and believe in our form of government. This legislation is needed now because there are thousands of such persons seeking to enter the service of the United States and ready to defend this country with their lives and it is no more than fair that we should recognize those people who desire to become part and parcel of our defense program, and at the same time give them the right to become citizens of the United States without a lot of red tape.

Mr. Chairman, this is a worthy provision and it ought to be enacted into law at the earliest possible moment. The Committee on Naturalization wishes this committee godspeed and will support their bill.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, may I say at the outset that this bill, in my judgment, is an excellent one, and to the distinguished chairman of the subcommittee the Honorable CHARLES F. MCLAUGHLIN, of Nebraska, and to the distinguished chairman of the full committee, Hon. HATTON W. SUMNERS of Texas, and to the membership of the Committee on the Judiciary on both sides of the political fence, this House and

the Nation owe a real debt of gratitude for a hard job well done. Every word of this bill has been studied and I believe that a microscopic examination of it will verify and justify the favorable report of the Committee on the Judiciary.

Much to my surprise, the fight has been quite vehement on title IV, but that attack has been so completely repelled by those who have met it already in this debate I feel there is nothing further to be said, especially by a country boy from Alabama who knows nothing whatever about money except that it is awfully hard to get and harder to keep. May I, however, as a humble member of a great committee that has held full hearings on this bill, add that it seems to me we should be happy to have the privilege of voting for title IV, as well as for the other titles of this bill, because it is infinitely more important to preserve this Nation and its credit than it is to preserve the control of the bond market by the big banks and brokers of this country. There are two commissions here involved: One, to get the Treasury's offering into the market, and, the other, to buy it out again. Two commissions under the present status of such affairs, that has existed only since 1935, which amount to "big money," even in these days, because of the huge size of the war issues.

If we revert to the old, time-honored system, by adopting title IV, a purchaser under no compulsion from the Treasury, the Government, or any other influence, may freely and voluntarily deal with the authorized agency of our Government, offering any issue of bonds for sale and buy such bonds as may be desired, directly and without commission. Why not? Why should we force the payment of tribute to the kings of the money market for the artificial privilege of lending our own Government the money needed to win the war? The hearings verify our common sense demand that this be done. Testimony proves that this may be the only way to preserve the credit of this Nation beyond question, in view of the terrifically large offerings that will have to be made.

This title IV is not in the interest of anybody except the people we are supposed to represent. This is not against the interest of the rank and file of the banks. They pay tribute also, and would be freed of this exaction by title IV to a great extent. We have no particular quarrel with the economists. Of course, they favor the system they set up. But, they must give us more reason to maintain this, their playhouse of power and profits, than their unsubstantial professional opinion.

The theme song of the money market is the same as it has been since the days of Andrew Jackson. What we are saying is that in this emergency, and only for the duration of the emergency, there may be some in this country not under the influence of the dominant factors of the world of finance who can help Uncle Sam win this war by stabilizing the bond market through direct, independent, timely buying.

Mr. KEEFE. Will the gentleman yield?

Mr. HOBBS. I will be so happy to yield to the distinguished and able gentleman from Wisconsin.

Mr. KEEFE. The facts demonstrate, I believe, that this very provision was in the Federal Reserve Act up to 1935.

Mr. HOBBS. That is right.

Mr. KEEFE. I have heard no one make a statement on the floor of the House as to what reason was asserted as to why that provision was taken out in 1935. Will the gentleman discuss that?

Mr. HOBBS. I will answer the gentleman's question, and I appreciate his asking it. It was put in, as it has been put in every time that any such encroachment upon the rights of the people has taken place, at the behest and under the influence of the bankers and the brokers who dominate the bond market. I thank the gentleman for the suggestion, and may I point out, also, that up until 1935 it was the law and throughout the whole history of the Federal Reserve System there was never one complaint registered against the way the power was used.

I want to get down to a discussion of the amendment which I feel compelled to offer. May I say, in the first place, that my good friend the gentleman from Iowa [Mr. GWYNNE] is one of the ablest and soundest lawyers in this body. Only occasionally do we catch him off first base. He was inadvertent today when he said that this right of eminent domain is a constitutional right. Of course, he knows better. It is not a right that arises from the Constitution; it antedated the Constitution and is inherent in sovereignty. Being an attribute of sovereignty, there was no need for it to be granted in the Constitution, nor is it so granted. I stand on that statement.

There is in the Constitution a restriction upon that right of sovereignty, to wit, that no private property may be taken for public use without just compensation. That is what we are talking about. We are not here debating whence the power of eminent domain arises. It arises out of and is inherent in the sovereignty of every free government. We not only do not dispute the existence of that right, but we say that right should be exercised in this emergency or in any other emergency when the need of the public demands it, and that it is not only a right but it is a solemn duty to use it, and to do it as expeditiously as possible. Therefore we in the past, and also in this bill, have extended that right so as to couple with it the right of immediate possession whenever the need to take private property for public use is established.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Most gladly I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. The use of the three words "temporary use thereof" indicates a deviation from the standard approved condemnation, which is for the permanent occupancy and use.

Mr. HOBBS. Possibly so, but I think temporary use has always been included in the power of eminent domain.

Mr. GRAHAM. This contemplates a reversion. What will happen to a man who owns a plant and has built up and established goodwill if, when the time comes to get it back, he has it sold from under him?

Mr. HOBBS. The gentleman poses a question which is not easy to answer from a theoretical standpoint, and I believe that only from a theoretical standpoint will it ever arise. Practically all laws are good or bad as they are administered well or ill. Therefore that question should never arise in practicality if the act be administered wisely, as we hope it will be.

I am coming now to the point I wish to stress. I want to make it clear that we have no quarrel with those who assert the existence of the right of eminent domain. It existed before the Constitution. It existed after the Constitution as limited by the fifth amendment. It still obtains. It must be maintained. We are saying that it has not been administered in accordance with the manifest purpose of the fifth amendment.

"Just compensation" means exactly that. It can never mean less. Inadequate compensation is not "just compensation." For instance, you own a factory, as was the case down at Norfolk, Va. I hold no brief for the management of that plant. I am simply pointing out the most exaggerated case we have before us. There there was a gear cutter. The Government wanted it and sought to purchase it. The management said, "If you take our gear cutter, it will shut down our entire plant. Therefore I will not sell you the gear cutter."

Now the Government under this bill could go into the plant and take the gear cutter and pay for the gear cutter, wholly without reference to any other damages that might proximately flow from the taking. What we are saying is not that the Government ought to buy the whole plant, not that the Government ought to pay any remote or speculative damages, any damages of anticipated profits or what not, but that if the Government takes a gear cutter, which right we say the Government should have, the owner should be paid the damages which proximately result from that taking, as well as the fair market value of the thing in itself.

What do we mean by that? Bear in mind that we say the proximate damages, not the consequential damages but proximate damages, those which inevitably and directly flow from the taking. To be concrete, we say, "If you take this man's gear cutter you ought to pay, in addition to its reasonable market value, what it will cost him in the open market to get such gears cut as he may need in the operation of his business."

The testimony in that case, I believe, was that he did not use this gear cutter more than a few times a year, at a small cost per operation. You would not shut down his plant if you would agree either to cut the gears that he needed or to pay the fair market value of having them cut during the time that you had removed his gear cutter from the plant.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I would be delighted to yield to the distinguished gentleman from Kentucky.

Mr. ROBSION of Kentucky. The gentleman assumes that that man cannot obtain a gear cutter at this time.

Mr. HOBBS. If it were obtainable in the market the Government would have no right to take it. It is the fact that we are in an emergency, at war, that creates the necessity and enables the Government to take it. If it could be gotten in the open market, of course that condition could not be said to obtain, and the Government could get it just as easily or more easily than he could.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am so glad to yield for a question.

Mr. KEEFE. Will the gentleman address himself to the provisions of title II, especially lines 16 and 17? I am not quite sure that I understand the gentleman's position as to exactly what that language means where it states that the Government may acquire by condemnation any real property, the temporary use thereof, or other interest therein.

What is contemplated in the event the Government seeks to condemn the temporary use of real estate or personal property or seeks to condemn some undefined, illusory other interest therein? What is meant by the language of that statute, so that we shall know what we are voting for? I confess to be ignorant on that.

Mr. HOBBS. I think the language is so strong as to make the gentleman's question one that should be answered, but I have not the time in which to do it. I will say this, that as far as that goes, and its scope is almost unlimited, in the face of this national emergency and toward the winning of the war, we are willing for our Government to take any rights that they may need for the prosecution of this war. If under your land there be underlying deposits of tin, the Government ought to have the right to take it. If there be any other mineral rights, any other water rights, or any rights at all that are necessary for the winning of this war, then the Government ought to have the power to take such rights.

Now, then, please let me conclude.

My amendment would require of the Government in the exercise of its right of eminent domain only what the fifth amendment of the Constitution requires, but what in many cases has been ignored. The law is clear. The taking is perfectly proper. But "just compensation" frequently is not paid.

We could not change the Constitution by the passage of the pending bill if we would. We would not if we could. But we can so amend it as to call the attention of those administering this drastic power to the requirement of the Constitution. That is what, and all, my amendment seeks to do.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I ask unanimous consent to proceed out of order for the 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Chairman, I also ask unanimous consent to have my remarks follow the remarks made this morning in connection with the scrap-iron bill which is H. R. 6531.

The CHAIRMAN. Permit the Chair to suggest that the Chair believes that request should be made in the House and not in Committee of the Whole.

Mr. REED of New York. I assumed that that might be true.

Mr. SUMNERS of Texas. Mr. Chairman, I now yield 5 minutes to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, for a long time prior to December 7, 1941, this Chamber and the Nation in general was hopelessly divided on questions of international policy and foreign war involvement. Exercising the constitutional right of free speech, various schools of thought honestly expressed sincere convictions, demonstrating to the world our American way of life. Then came the vicious attack by the Empire of Japan upon our sovereign territory at Pearl Harbor. Overnight we became a united people. The people's branch of our National Government, the Congress of the United States, met the challenge of Japan, Germany, and Italy and the puppet governments embraced in the Axis orbit by the declaration of war against them. Every true American wants to see the war fought to a victorious conclusion, so that the governments of, for, and by the people shall not perish from the face of the earth. During these critical days every American worthy of the name will do everything possible to insure national solidarity and national unity. This does not mean that we should refrain from honest criticism concerning the conduct of the war, or cease to keep in mind the welfare of our armed forces, or refrain from exposing those individuals or agencies who would profit excessively by war contracts. Just as the National, State, and local governments should crack down on subversive activities designed to give aid and comfort to our enemies, so should we crack down and expose those agencies which would disturb our national war efforts by an attack along the home front, which can have but one result—division and chaos. I am referring specifically to the efforts of some of our misguided individuals and organizations in attempting once more to lay the foundation for national prohibition. A few days ago the New York Sunday News published the startling news story that one Edward Page Gaston, generalissimo for the World Prohibition Association, was operating an underground campaign for national prohibition from room 153 in the Old House Office Building, on Government property. This organization is made up of the old Anti-Saloon League, the Methodist Board of Temperance, and kindred organizations. It is described in the newspaper article as a holding company for over 100 anti-liquor outfits. I shall seek leave of the Chairman to append to this speech the newspaper article from which I have just quoted, together with a timely editorial on the subject from the same newspaper.

This modern Wayne B. Wheeler who heads up this outfit, implies that our armed forces at Pearl Harbor on December 7, 1941, were not on the alert because they were under the influence of intoxicating liquor, and capital is being made out of this scurrilous charge to advance the cause of national prohibition. Such a foul aspersion cast upon our living and dead heroes of Pearl Harbor must not go unchallenged. The Roberts Report made careful inquiry into this subject matter of drinking, and reported that in the entire vicinity of Honolulu, on the eve of December 7, 1941, there were only 36 individuals of the Navy and Army forces arrested because of drink, as against 39 civilians arrested for intoxication on the same evening in the same vicinity. Such a charge is unpatriotic and deserves to be exposed as such.

Gentlemen of the Congress, I hope to God you have not forgotten the horrible nightmare of national prohibition. The noble experiment that lasted for 12 long years. Twelve years of terror under crime, lawlessness, and bootlegging of all kinds, the effects of which despite repeal, have not been wholly obliterated. Mr. Speaker, I came to the Congress in 1931, resigning from a judicial post in the city of Cleveland, to fight the evils of national prohibition. I joined forces with my then colleagues, Fiorello LaGuardia, now the mayor of New York City; Congressman John J. O'Connor, of New York, late chairman of the Rules Committee; and a handful of liberal Members who were determined to break the backbone of the national prohibition. In the second session of the Seventy-second Congress we were able to force a test vote, the first one in 12 years on a modification of the Volstead Act, and the repeal of the eighteenth amendment to the Constitution. The result of these votes indicated that the majority of the people of the United States were sick and tired of the lawlessness brought about by national prohibition. I was a delegate to the Democratic National Convention in Chicago in 1932, and helped to nominate Franklin D. Roosevelt for President. His campaign acceptance speech at the convention calling for the outright repeal of the eighteenth amendment and the Democratic platform pronouncement of the same subject, won more votes for Franklin Roosevelt than any other issue in that campaign.

Mr. Chairman, national prohibition was sneaked into law when millions of our soldiers and sailors were fighting in the last World War. Over 2,000,000 of our boys were in Europe at the time the Congress voted prohibition. They have never forgiven the legislators of that day for such cowardice in denying them the right to vote on that issue. Hundreds of liquor and wine distilleries and breweries were put out of business, together

with thousands of wholesalers and retail liquor, wine, and beer dealers, without receiving a cent of compensation for their property or their personal business. The ranks of the unemployed grew in proportion, but worse yet, we gave birth to the gangster, the bootlegger, the murderer and the kidnaping racket, not forgetting the tremendous loss of millions and millions of dollars in taxes suffered by the States and the National Government. Now it appears that a serious attempt to bring back national prohibition under the guise of patriotism is once more at hand. I call upon the Speaker and the committee in charge of buildings on Capitol Hill to investigate the activities of Edward Page Gaston in using the Government services and property to promote his racket of national prohibition. My own independent investigation discloses that he utilized the mimeograph services of the Minority Room 153, Old House Office Building. Let this agitator, who seeks to divide the American people on this issue during wartime, move once more across the Plaza to the Methodist Building, which is not public property and which was the headquarters of the Anti-Saloon League during the 12 years of Hell known as national prohibition. Unless he does, some of us will carry the fight to the Nation. The liquor, wine, and beer industries in the Nation pay in excess of $1,140,000,000 in taxes to Federal, State, and local governments. They will pay more as the war continues. The wholesale and retail venders of liquor, wine, and beer are patriotic citizens. They don't want to see their life investments and means of livelihood destroyed as they were before. They and the operators of distilleries and breweries, together with their thousands of employees are united in our war effort. I call upon the liberal forces of the United States of America. I call upon the advocates of law and order. I call upon the armed forces of our country, who are now making every effort to win the war, and if necessary the supreme sacrifice, to rally their forces now, before it is too late, to drive back the forces of disorder and deceit, who are getting ready to double-cross our soldiers and sailors and defense workers, under the guise of patriotism. Do not let the advocates of national prohibition pull a Pearl Harbor, like the sneaky Japs. If the liberal forces of the Nation are on the alert, it cannot happen again in this generation.

[From the New York Sunday News of January 11, 1942]

DRYS PLAN COUP FOR WARTIME PROHIBITION

WASHINGTON, D. C.—A double-barreled drive, master-minded right from Capitol Hill, to impose prohibition on wartime America, has gained such momentum that its sponsors are confident of success. Using surprise tactics, they expect to present their legislation to Congress early in the new session. They have meanwhile quietly obtained pledges of support from key Senators and Representatives.

Headquarter of the underground campaign is room 153 in the old House Office Building, occupied officially by Marshall W. Pickering, caucus-room miority messenger. Ensconced in the room now, however, is Edward Page Gaston, founder of the World Prohibition Federation.

Through its consultative committee, this organization functions as the "holding corporation" for such powerful dry lobby groups as the Methodist Board of Temperance and kindred church bodies, the Anti-Saloon League, the Woman's Christian Temperance Union, the American Businessmen's Research Foundation, the National Reform Association, and more than 100 similar agencies.

HERE'S PLAN OF ACTION

In Pickering's office Gaston avails himself of a mimeograph machine and the services of three or four girls who mail out his organization's propaganda. The rent of this office, of course, is paid for by American taxpayers. As outlined by Gaston, the drive to make America dry will consist of two steps:

1. Enactment of Senate bill 860, banning the sale of liquor to our soldiers, sailors, and marines.

2. Passage of Joint Senate Resolution No. 21, providing for blanket prohibition.

Gaston's analysis of the necessity for these measures and the chances of their adoption by Congress is as follows:

"Taking first place as a means for national defense is Senate bill 860, introduced by the late Senator, Morris Sheppard, of Texas, to protect our soldiers and sailors from disease and drunkenness. This measure is now sponsored by Senator EDWIN C. JOHNSON, of Colorado.

"At the first favorable opportunity we expect to bring it up for final passage. Reform forces are pressing for an early vote. This Sheppard-Johnson bill is giving the powerful liquor lobby at Washington deep concern, as its probable passage will sweep great areas of the country into dryness under military and naval enforcement. Few legislators dare vote against it.

"Passage of the Sheppard enabling amendment (Joint Senate Resolution No. 21) would bring in national prohibition at once if adopted by a bare majority vote in Congress, where it could be passed over the Presidential veto, if exercised."

Gaston declares the United States "must take warning from France, whose collapse in 1940 was largely due to alcoholism."

[From the New York Sunday News of January 18, 1942]

HAPPY NEW YEAR FOR GANGSTERS

As reported by Fred Pasley to this newspaper a few days ago, and as expected by a lot of people for a long time, the drys are trying to stage a comeback on what they hope is a wave of wartime hysteria.

One Edward Page Gaston, brother of the late anticigarette lady, Lucy Page Gaston, is running an undercover drive for wartime prohibition from an inconspicuous little office in Washington. His World Prohibition Association is described as a sort of holding company for more than 100 antiliquor outfits, including the Methodist Board of Temperance, the Anti-Saloon League, and the Woman's Christian Temperance Union—remember?

Gaston hopes Congress will pass two measures he and his cronies have drawn up—Senate bill 860, to forbid the sale of liquor to soldiers, sailors, and marines; and Senate Joint Resolution 21, providing for complete national prohibition.

The first of these two measures, says Gaston, will "protect our soldiers and sailors from disease and drunkenness." The second is "much simpler than the previous eighteenth amendment, and would have a greater prospect of enforcement by the present sweeping change in public sentiment."

He intimates that our armed services in Hawaii at the time of the Pearl Harbor attack were not only not on the alert but were getting over a large collection of hang-overs as well, from the previous Saturday night. Gaston feels that the American people are highly indignant over the episode, as he describes it, and want prohibition back again.

He isn't ballyhooing the proposition to the allegedly indignant people, however. Rather, Gaston is quietly drumming up pledges of votes from Senators and Congressmen, and the plan apparently is to slip prohibition over on us some day when we aren't looking.

BACK TO DRY ERA?

If this plot succeeds, we shall go through the same miseries and break-downs of law and respect for law that we went through before.

Wartime prohibition will not "protect our soldiers and sailors from disease and drunkenness." It will only force them to drink liquor of unknown quality, instead of liquor passed by Government inspectors.

And it will be a step toward making Boy Scouts instead of fighters out of our soldiers and sailors. Liquor goes with war; always did, and for a reason grounded in the human mental and physical make-up. Fighting men need liquor's relaxation, and nothing else will give them that relaxation. The British for generations have had a navy whose fighting qualities nobody has ever questioned—and British sailors get a daily issue of grog out of big barrels captioned in big letters: "The King, God Bless Him."

As for Gaston's hope that prohibition can be enforced better this time on civilians, of course it can't. Most of us learned the technic of beating the prohibition law during the 1919–33 dry era, and practically all of us lost any respect or fear we may once have had for laws which seek to tell citizens what they may and may not put down their own personal throats into their own personal stomachs.

The bootleggers will simply get going again faster than they did before. Rum-running and "hijacking" gangs will quickly organize and start shooting one another's members, kidnaping ditto, corrupting police and public officials, and selling uninspected liquor and needled beer to all comers. Add this strain on our social system to the many strains of the war effort, and it is more than likely that a second go at Federal prohibition will wreck the country entirely.

A renewal of Federal prohibition will do government of all kinds out of a lot of money at a time when government of all kinds badly needs money. Liquor taxes paid to Federal, State, county, and city governments now total about $1,140,000,000 a year.

Life without liquor may be better than life with liquor. We don't know, not having tried it for years.

We are convinced that the majority of Americans do not want to try it and will not try it * * * that wartime prohibition or any other kind of prohibition will be a mistake for which we shall pay through the nose * * * and that the only people who have cause to be cheerful over this renewed drive for prohibition are people of the stripe of Al Capone and the late Dutch Schultz.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, I shall address my remarks to title III, page 17, with reference to the provisions to naturalize men who have served in our Army:

Notwithstanding the provisions of sections 303 and 326 of this act, any person not a citizen, regardless of age, who has served or hereafter serves honorably in the military or naval forces of the United States during the present war may be naturalized upon compliance with all of the requirements of the naturalization laws except that (1) no declaration of intention and no certificate of arrival and no period of residence within the United States or any State shall be required.

Then turning over to page 19, section 702, we read:

During the present war, any person entitled to naturalization under section 701 of this act, who while serving honorably in the military or naval forces of the United States is not within the jurisdiction of any court authorized to naturalize aliens, may be naturalized in accordance with all the applicable provisions of section 701 without appearing before a naturalization court.

I shall not read the remaining part of this title, but I call the attention of the committee to the possible wide application of this provision. Its application can be very broad and cover a great deal, much more, I believe, than the Congress intends.

To make sure of my position in the matter, I took it up with certain authorities in the War Department, who confirmed my interpretation of the provision I am discussing.

Suppose we have a division of soldiers in some other part of the world—let us say in France or China. Under the proposed law, a national of either of those countries could enlist in the Army of the United States, join our division, and after serving a certain length of time, if he chose to do so, could virtually automatically become a citizen of the United States. I do not believe the Congress intends to pass an act of this kind. It would upset and destroy our whole body of immigration laws.

Another interesting question could arise here, that of race and color. Let us say that in France there are 100 Frenchmen who enlist in the United States Army, assuming our Army can get into France. They serve a certain length of time and, if they so desire, virtually automatically become citizens of the United States. Over in China a hundred Chinamen enlist in the United States Army, supposing we have forces there, yet though they may, at least in their own way of looking at the matter, serve as well as the Frenchmen, yet under our present laws could not, because of color and race, become citizens of the United States. I do not believe we want any such question as this to arise, especially at the present time. I believe this act should apply only to aliens who are in the United States.

Think of the possibilities of an act of this kind. If my interpretation of it is correct, and I think it is, it would be possible for a division or a regiment of ours in any country where it might be located to take any number of foreign nationals into the United States Army, and thus automatically make them citizens of the United States.

I wish the Committee would give serious consideration to this title, and I hope someone will offer an amendment to correct it. If this is not done by another, I expect to offer an amendment to limit the provision to aliens within the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. THOM].

Mr. THOM. Mr. Chairman, the granting of permission to the Federal Reserve System to buy United States securities direct from the Treasury, as provided in the pending bill, has the endorsement of such a conservative newspaper as the New York Times, which recently said editorially:

The second war powers bill, in authorizing the Federal Reserve System to make purchases of Government securities directly from the Treasury, instead of exclusively through the open market, does not break new and untried ground. It would merely restore the old familiar instrument of money-market control which the Reserve System regularly employed in the tight money days of the 1920's, but which was taken away by the Banking Act of 1935.

Now, let us see the purpose of this change. If securities were offered by the United States Treasury in the open market in a time of military defeat a soft market would result and cause other owners of bonds to dump their holdings, thus further depressing the market price of bonds. Such a situation might compel a higher interest rate, and such an increase in interest rate would in turn cause other security holders to dispose of their bonds because they would wish to seek the higher interest rate. This would cause a highly unstabilized market situation. Direct sale to the Federal Reserve banks would avoid all these depressive effects.

Now, after Pearl Harbor the United States Treasury was about to raise money and it faced a market that was naturally not favorable. Now, exactly what was done to meet this situation? In order to remedy the disastrous results the Treasury agreed that the purchasers of these securities at a set price, mutually agreed upon, would be protected in that the Federal Reserve System would immediately purchase those same bonds at a similar price. This indirect method of stabilizing the market was necessary because the Federal Reserve System could not purchase direct from the United States Treasury.

Now, we realize that the change is hurtful to dealers in bonds, because they lose the commissions which would be theirs if the Treasury Department sold its securities only in the open market. This is where the complaint comes against this bill, but the demands of the emergency are paramount and must be satisfied.

This provision is sound and it ought not to be weakened or crippled by amendments limiting the powers granted in this act to the Federal Reserve System.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. THOM. I yield.

Mr. HINSHAW. I do not fully understand the operations of this Federal Reserve System in the matter of purchasing Government bonds. What do they use for money or credit in the purchase of these bonds? Where do they get it?

Mr. THOM. The Federal Reserve System?

Mr. HINSHAW. Yes.

Mr. THOM. Well, the Federal Reserve System has all the time plenty of resources with which to purchase bonds.

Mr. HINSHAW. What are their resources?

Mr. THOM. Their resources, among others, are the reserves deposited with the Federal Reserve banks by various member banks all through the United States, the original capital stock with which they began business, plus gold certificates, plus the power to issue Federal Reserve notes as provided by law.

Mr. HINSHAW. Can the gentleman tell me how much that totals right now? I am curious to know.

Mr. THOM. I am not able to answer that.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania, [Mr. DITTER].

Mr. DITTER. Mr. Chairman, the act before us is captioned "An act to further expedite the prosecution of the war." I know that we must do extraordinary things under the extraordinary circumstances that face us. The emergency is acute. Stern measures must be adopted to meet the emergency. I, for one, would do nothing which might prevent the expeditious prosecution of the war. But I do believe, Mr. Chairman, that somewhere in the line of consideration of the acts that we pass there is a place for deliberate and careful consideration before powers of an extraordinary kind are granted. We have a twofold duty. War powers must be granted, and at the same time every right of the people which can be safeguarded must be preserved. It will be a hollow victory if in the winning of the war we lose the freedoms for which we fight.

I want to address my remarks for a moment to title II. If I am in error I will yield at any time to the members of the Judiciary Committee, whose opinion, of course, on matters of this kind I value.

I take it that the phrase "temporary use thereof" in connection with a condemnation proceeding is unusual. If I understand "condemnation" correctly, "condemnation" contemplates the acquisition of private property for the permanent use thereof. If I am incorrect in that, I yield to my distinguished friend, the chairman of the committee.

Mr. SUMNERS of Texas. Just to make the observation that in most jurisdictions you condemn ordinarily for temporary use. That is to say, you condemn for the right of use as long as you are using it for the purpose for which you condemn; and when you cease to use it, the property reverts to the original owner.

Mr. DITTER. I appreciate that contribution. Now, since the gentleman has offered that observation, I should like to ask him whether in his experience it has not been customary when condemnation proceedings have been resorted to, to anticipate the permanent use of the property that has been condemned? Circumstances may arise when condemnation for certain purposes might contemplate the temporary use of property, as, for instance, the condemnation for a quasi public use. But I submit that when the Federal Government resorts to the taking of private property, it is anticipated that the taking will be for the permanent use of the property.

Mr. SUMNERS of Texas. In most jurisdictions I believe it is the contemplation of the right to use. I do not believe I could state it better than that. If you build a railroad, for instance, you contemplate that the railroad shall remain there permanently, but the gentleman has known of many railroads in recent years that have had their rails taken up and the property has reverted to the original owners.

Mr. DITTER. I come back again to the gentleman. I appreciate his ability to parry a question.

Mr. SUMNERS of Texas. Does the gentleman think that statement is quite fair?

Mr. DITTER. I refer to that fine subtlety for which the gentleman is known throughout the country in handling himself under pressing circumstances. I come back with this question. The gentleman is recognized as a master debater. I intended no unfavorable reflection.

Mr. SUMNERS of Texas. I think the gentleman is trying to put me in a hole.

Mr. DITTER. I am complimenting the gentleman's ability, and I am trying in a very humble way to get something which I believe the gentleman can provide.

Mr. SUMNERS of Texas. I would like to help the gentleman.

Mr. DITTER. Again I repeat my question: Out of the gentleman's experience, does he know of cases where a temporary use was contemplated when condemnation proceedings were resorted to?

Mr. SUMNERS of Texas. The gentleman means, for instance, taking for a year, something like that? I do not.

Mr. DITTER. I am not therefore out of the way when I say that this is a rather extraordinary use of the right of condemnation when we anticipate that the act provides for the temporary use of the property. That is a reasonable statement, is it not?

Mr. SUMNERS of Texas. I believe so.

Mr. DITTER. I believe there is a distinction between condemnations for such purposes as the building of a railroad by private owners and the exercise of the same right for purposes such as we are presently considering. The private company may go out of existence, its franchise may be surrendered.

I believe there is a distinction between condemnations for such purposes as the building of a railroad by private owners and the exercise of the same right for purposes such as we are presently considering. The private company may go out of existence, its franchise may be surrendered, its worth may decline so that it no longer would have an excuse for its existence. We have had many examples of this kind in the transportation field in recent years. But, something entirely different is contemplated here.

This act gives the Federal Government the right to resort to the condemnation of private property with the definite idea in mind that the taking will be only for a temporary time—for such time as the emergency may require. Under this act an automobile plant may be condemned for the "temporary use thereof." When that condemnation is made there is no intention that the plant is to become a permanent property right of the Government. It is anticipated that at some time the Government need of that plant will come to an end, the extraordinary conditions which required the use of the plant for public purposes will terminate. Instead of making tanks for war, the plant will be available for the manufacture of cars for peace. The public need can then, with safety, give away to private use. All of us hope that that day may be speeded. It is because of that hope that we grant the powers in this act.

What is true of the automobile plant is true of every shop and factory, every privately owned enterprise in the country, every property right for which men have toiled, and which, under our system of Government, they have the right to protect. I submit, Mr. Chairman, that some safeguard should be provided for the owners of private property that when the public need of that property has terminated that it revert to the former owner. The right which has been surrendered temporarily should be as jealously guarded as the claim of the Government is ungrudgingly granted.

I fail to find such safeguard, Mr. Chairman. The act which is now before us provides:

> The Secretary of War, the Secretary of the Navy, or any other officer, board, commission, or governmental corporation authorized by the President, * * * may dispose of such property or interest therein by sale, lease, or otherwise, in accordance with section 1 (b) of the act of July 2, 1940 (54 Stat. 712).

The property which may be disposed of is the property condemned for the "temporary use thereof."

A reference to the act of July 2, 1940, proves conclusively that no safeguard is provided for the protection of the anticipated reversion. On the contrary that statute affords an unusual latitude to the Government for the disposition of property taken under condemnation. The only limitation imposed upon the Government for the disposition of such property under the section 1 (b) of the act of July 2, 1940, is that it may be deemed "advisable." What a government official "may deem advisable" is the standard of protection afforded by the act of 1940 to the owners of private property who have relinquished their rights temporarily for the public welfare. Does the emergency require such "plenitude of power"? I am at a loss to see how the expeditious prosecution of the war will be interfered with in any way by assuring to a private property owner the right of recapture after the "temporary use" of his property is no longer necessary for war purposes.

It seems to me, Mr. Chairman, that a problem associated with this temporary use of property is the matter of how the damages are to be measured for such use. What value will be placed on the property after the use period is ended? Mark you, Mr. Chairman, I am not objecting to the temporary use, but I am contending that as powers of an extraordinary character are granted, some regard should be had for the rights of the private citizen and that every precaution should be taken against possible eventuality which would destroy principles which many of us still prize as fundamental possessions.

We cannot be unmindful of trends in recent years as we consider this problem. Many of us have looked with doubts and misgivings on the overreaching of the Government, on the centralization of power, on the extraordinary exercise of privileges, on the persistency with which the Federal Government has forced itself into ever expanding fields of activity. The expression of Justice Cardozo recurs to me as he described the powers sought under the N. R. A., as "unconfined and vagrant." Powers thus described are dangerous. Ours is the duty to be cautious in the granting of power. Every effort should be made to circumscribe these delegations so that irreparable damage will not be done to the fundamental rights of free men. The war must be prosecuted with every expedition. Nothing can be permitted to stand in the way of the winning of the war. But by the same token nothing should be done which will make of that winning a hollow victory by the surrender of rights which can and should be retained.

Mr. SUMNERS of Texas. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from Texas has 17½ minutes remaining, the gentleman from Kansas 15½ minutes.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the first thing I would like to do is to answer more completely than I think it was the question of my colleague from California about the source of funds for the Federal Reserve banks, and I would like to read to him from a paper written by Mr. Goldenweiser, the Chief Research Director of the Federal Reserve Board, wherein he states:

> A Reserve bank derives the funds available for its loans and investments from powers conferred upon it by Congress. The capital it has is prescribed by Congress and constitutes a small part of the funds at its disposal. The other source of funds of the Reserve banks is its power to issue notes and to accept and create deposits.

The truth about the matter is that when the banks purchase Government bonds they purchase them with deposits created for the purpose. But I want to speak to the point of the gentleman from Michigan earlier in the day when he said that if title IV of this bill were enacted we would then be tying our currency to the public debt. My contention is, and I am sure I am correct, that we have already done so to a very great extent indeed, because it is also true that when a commercial bank purchases Government bonds, as they do in considerable amounts, they purchase those bonds with book credits which are also new money created for that purpose.

Thus, again in that case our money is tied to the public debt. I agree heartily that our money should not be tied to or dependent upon evidences of public debt. My own belief is that there is no harm

in title IV as such. It will not increase measurably the danger of inflation, which is always inherent in any system which permits thousands of private banks to claim ownership of the public credit and expand our fractional reserves. I would point out, however, that the sale of defense bonds to individuals who give up purchasing power to buy them is a counter inflationary movement, but that the sale of any kind of bond to any bank, Federal Reserve or otherwise, which creates the money with which to buy the bonds has a tendency to expand the amount of money in circulation. Finally I would like to say in connection with this matter that it seems to me, in view of the fact that the Federal Reserve banks and Board derive their power to buy these bonds from a power given them by the Congress itself, that the banks are banks of issue exercising a power that belongs rightfully to the people's Congress; therefore it is economically indefensible that these banks, privately owned as they are, should collect interest on the bonds they purchase with newly created money or credit on the books. I shall therefore offer an amendment to that title of the bill to provide that such interest as may be paid on bonds bought directly from the Treasury shall be repaid by the Federal Reserve banks to the Treasury annually.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, the gentleman from Iowa referred all too briefly to one of the provisions of this act, which I would like to comment upon in the short time allotted me. It is the portion of title VII entitled "Political Activity," found on page 15. As I read it, the effect of that provision is to include within the provisions of the Hatch Act members of the selective-service and training boards set up all over the country under the selective-service law.

There are 6,500 of those boards, and in addition to the membership on the 6,500 boards, there are appeal agents in the districts and the States heading up to what might be termed "a court of last appeal" here in Washington. I am not sure that the Hatch Act has been construed already as including members of the selective-service boards. I have not heard any announcement about that from anybody. I hope they have not. However, this particular title makes it certain that they will be hereafter subject to the provisions of the Hatch Act.

I may have a misconception of the selective-service law or the fundamentals upon which it is founded. In my view, it presents to the country a great ideal, and in the attempt to reach that ideal the law is careful to decentralize the administration of it back to the communities themselves. The members of these draft boards in each of the draft districts are residents of the district. They are nominated by the Governors of the States to the President, and without exception the President accepts those nominations. The Governors in most instances—they vary, of course—invite the advice of the county judges, of leading citizens in a community, who in turn invite the most prominent and trusted citizens in those respective communities to serve as members of the local draft board They respond to that call. They regard it as a duty so to do. Many of them, an overwhelming majority of them, sacrifice a great deal in time and effort in the performance of the duty. They do that without any salary. They have no perquisites and no appointing authority whatsoever. They are merely citizens who occupy a place in this great American effort to create an army and a navy worthy of the Nation. They do it imbued with a purely democratic spirit.

It strikes me that a provision such as this, which decrees that members of local draft boards shall be placed in the same category as political appointees working for salaries, would be an unfortunate thing.

Mr. HANCOCK. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from New York.

Mr. HANCOCK. Does the gentleman think it would be wise to permit candidates for office and local political leaders to sit on draft boards? What would be the effect on public confidence, even though these people are honest? They have tremendous powers over the lives of the boys of this Nation. If candidates for office are to be permitted to pass upon the eligibility of boys for the military service, what would be the effect on the public confidence?

Mr. WADSWORTH. Let us assume that a member of a draft board becomes a candidate for a political office. The law provides that he may be removed on the recommendation of the Governor, and he is removed. Every time one of them is apprehended in anything that is of suspicious character he is removed. I do not like to see the stigma of political appointment and patronage seekers placed on members of these draft boards. It breaks down the whole ideal of the system and the conception of it which our people have.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, I hope the idea of the distinguished gentleman from New York [Mr. WADSWORTH] will be discussed more fully later on, because I have always been inclined to the same view he has about the inclusion of members of the appeal boards under the Hatch Act. But that is not the point in the bill I want to discuss at this time.

Mr. Chairman, I desire to mention two things in connection with title IV of this bill that have not been brought out very clearly. One protection that is in the Federal Reserve Act that might allay any fears about inflation that some people suppose might result from this amendment is the fact that the present Federal Reserve Act requires that once a week a public statement giving a full and complete financial picture of transactions shall be published, so that there will not be any way for the Treasury Department and the Federal Reserve Committee to connive—which, of course, would never happen—in order to have a lot of bonds sold secretly to the Federal Reserve banks that the people do not know anything about.

The second point I think a great deal of significance should be attached to is the fact, as brought out by the gentleman from Ohio [Mr. THOM], that we are not only legislating in connection with bonds that will be issued hereafter but we are also legislating as to bonds that the people of the country now own. If bonds of the United States should be forced on the market at a time of distress, such as the days following Pearl Harbor, it would have not only a bad effect on that issue, but upon the entire market, and might cause many people to throw their bonds on the market. Of course, you know what happens when a cycle like that starts.

The third point is that Senator GLASS in 1935 initiated the amendment which put in the open-market provision. Of all of our public officials, Senator GLASS, in my opinion, probably knows more about the Federal Reserve System than any other. The reason that Senator GLASS is now in favor of going back to the provision as it was before 1935 is that he realizes that we must have a stable market and that the 1935 provision might not work so well during a time of crisis. It was changed in 1935 because the Federal Reserve Open Market Committee was created at that time and had the power, either through duress or persuasion, to require the Federal Reserve banks to take Treasury issues. The only reason for the change now is to maintain a stable market and to prevent any fluctuation in price.

The other matter I want to discuss is the so-called Hobbs amendment which would change the method of paying compensation for private property that may be taken. It would change the method that has been followed in this country since the adoption of the Constitution, the Fifth Amendment, which provides that just compensation shall be paid. The Hobbs amendment would allow the payment of something in addition to just compensation.

In the first place we cannot all expect to come out whole in this war. Anybody who has the idea that we can pass legislation to make everybody even and to keep anybody from having to sacrifice has a terribly mistaken idea about what this war means. So I cannot see how we can vote or seriously consider voting for any amendment which will require our Federal Government during this time of great peril to pay more for property than the private utilities and the States pay in the exercise of eminent domain. They pay and the Federal Government pays under the general definition of just compensation.

Another reason is that the Department of Justice through its land acquisition section, either by negotiation or by condemnation suits, has purchased thousands and thousands of acres of property from thousands of property holders. Many of these people feel that they did not get ample compensation. If we should change the rule now as to the amount of compensation we are going to

allow hereafter, every one of these people who have been settled with or who have been litigated with would feel that they had a just complaint. And they would come here and ask that the law be made retroactive, or they would feel justified in asking for the filing of a claim bill to be paid additional compensation.

The law of compensation based upon just compensation has been built up case by case ever since the adoption of our Constitution. It allows damage for severance, but it does not allow remote or indirect damages. I think the Government and the Department of Justice have been very reasonable in taking into consideration all elements of damage in making settlements with people. They have had to litigate only a very small percentage of their cases, some 2 or 3 percent, so that the matter is being handled very satisfactorily. Of course, there are some people who have just grievances.

I think we would be making a great mistake if we changed the rules of the game in the middle of this war.

The part of the law about requisitioning personal property is intended to apply only where there is some recalcitrant person or corporation who will not negotiate with the Government as to what a reasonable price is. The law as it is written here certainly takes care of that situation.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Chairman, the proponents of the bill under consideration urge its enactment into law on the grounds that its various provisions are necessary for the national defense. Assuming that to be the case what I am about to state is absolutely germane to the bill.

A highway running through British Columbia connecting continental United States with the Territory of Alaska is, and always has been a national defense necessity.

One of the many mysteries in national defense preparedness is the endless delay in the consummation of an all land connection between the main body of the United States and its Territory of Alaska.

The first action taken by Congress with respect to this proposed highway, was the passage of an Act in 1930 authorizing the President to have a study made of the subject. A commission was appointed which made a report in 1933. The Canadian National Government at that time made it known that it was not interested. Following that report, Congress passed a law approved August 26, 1935, authorizing the President to negotiate and enter into an agreement with the Government of Canada for the construction of this road. Our State Department had extended conferences with the representatives of the Government of the Dominion of Canada, but absolutely without results. The Government of Canada made it manifest that it was not interested in the construction of the road under any conditions.

On May 31, 1939, Congress passed and the President approved a third act authorizing the creation of the present Commission, but up to the present time without results. The Canadian Government again disapproved the project.

It took the treacherous assault of the Japanese upon Pearl Harbor to bring this country and the War Department to a full realization of the strategic and military importance of this highway. Up to date it has not been ascertained whether Canada still maintains the same indifference or opposition to this road, which will mean so much to the security of both nations.

President Roosevelt, in a speech at Kingston, Ontario, Canada, on October 18, 1939, stated:

I give to you the assurance that the people of the United States will not stand idly by if domination of Canadian soil is threatened by any other empire.

This assurance was given Canada 1 year before it declared war on Germany. Today we are Allies, fighting for a common cause. The security of this country means the security of Canada.

It has long been known that Alaska is the most vulnerable part of our Pacific defense triangle, extending from the Aleutian Islands and Hawaii to the Panama Canal Zone. There should be no delay in building this road, so badly needed as a supply line to supplement the slow and uncertain water route and the inadequate air transport service.

Our military authorities realize now more than ever that Japan's flanking route to the United States via Alaska is 1,400 miles shorter than by Hawaii. It is known, of course, that Japan's Paramushiro base is only 750 miles from the American Aleutians. Should Japan attack Russia and by chance take the Kamandorski Island base, she would be only 260 miles from our Territory. The Bering Strait stepping stones of the Siberian and Alaskan Diomede Islands are less than 3 miles apart, which is proof positive of the necessity of this highway, which some of us from the west coast have been advocating for years.

There are apparently no major engineering barriers to surmount. It is estimated that a gravel road approximately 1,200 miles long and 24 feet wide could be built under pressure in from 12 to 18 months, at a cost of $50,000,000.

The winding and unwinding of diplomatic red tape in dealing with this vital necessity should cease once and for all. The very recent attack by a Japanese submarine on the mainland of the Pacific coast should remove all objections to this important military highway.

Mr. GUYER. Mr. Chairman, I yield 5½ minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, when this bill was before the Committee on the Judiciary I appeared in the interest of the subject matter concerning which I expect to offer an amendment to this bill tomorrow during its consideration under the 5-minute rule. In the hearings on this bill there was some discussion on the subject.

The amendment which I shall offer proposes to suspend during the period of the war all the various and sundry 8-hour laws and 48-hour-week laws that are now handicapping every branch of our war effort. I expect some of you would be surprised, and I was very much surprised, to find that in order to cope with this subject it is necessary to suspend the operation of 17 different acts of Congress which from time to time, running back over a period of 20 or 30 years, have undertaken to put a limitation on the time for which a man may be employed. For the information of the House, I have prepared the following analysis of these various and sundry laws:

1. The act of July 2, 1940 (title V, U. S. C., 189a), prescribed 8-hour day or 40-hour week for all laborers and mechanics employed by the War Department engaged in the manufacture or production of military equipment, munitions, or supplies during any national emergency declared by the President; provides that the Secretary of War may, by regulation, prescribe a longer work period by paying not less than time and a half.

2. The act of October 21, 1940 (Public, 873, 76th Cong.), requires payment at the rate of time and a half for all time in excess of 40-hours per week for employes of the field services of the War Department and field services of the Panama Canal, and also to professional employes, blue printers, photostat and rotaprint operators, inspectors, storekeepers, toolkeepers, and shop superintendents.

3. The act of June 3, 1941 (Public, 100, 77th Cong.), provides overtime of one and one-half the regular rate in excess of 40 hours for employes when in the field services of the War Department, Panama Canal, Navy Department, and Coast Guard.

4. The act of March 3, 1931 (title V, U. S. C., sec. 26a), provides half-holidays for all Federal employes except certain field officers.

5. The act of June 30, 1936 (41 U. S. C., secs. 35 and 40; commonly known as Walsh-Healey Act) prescribes that on contracts with the United States exceeding $10,000 in value, payment of not less than minimum wages as determined by the Secretary of Labor to be the prevailing minimum wage in the locality; and

No person employed by the contractor "shall be permitted to work in excess of 8 hours in any 1 day or in excess of 40 hours in any 1 week."

Section 40 provides that the Secretary of Labor shall make exceptions in specific cases upon a written finding of the contracting agency or department that justice or public interest will be served thereby, excess hours, drawing the overtime rate of not less than one and one-half times; and the president is authorized to suspend, in the public interest, any or all of the provisions of section 35.

6. The act of October 10, 1940 (Public, 831, 76th Cong.), provides "that until otherwise provided by laws provisions of law prohibiting more than 8 hours labor in any 1 day of persons engaged upon work covered by United States Maritime Commission contracts for the construction, alteration or repair of vessels shall be suspended", provides that work in excess of 8 hours a day and 40 hours a week shall be paid at not less than one and one-half times.

This provision terminates June 30, 1942, unless the Congress shall otherwise provide.

7. The act of June 28, 1940 (Public, No. 671, 76th Cong.): This is a general war-power bill and contains the following provisions relative to hours and rates of pay: Section 5a provides that the regular work hours for Navy Department and Coast Guard shall be 8 hours a day, or 40 hours a week during the emergency, provided the head of the Department may prescribe longer hours upon paying compensation of time and one-half. And, further, the President is authorized to suspend for "the War and Navy Departments and

for the Coast Guard and their field services" the provisions of the act of March 31, 1931 (U. S. C., title V, 26a). Section 29a provides that heads of departments shall agree upon uniform hours of work for employees of departments.

And section 5b provides during the national emergency declared by the President the provisions of the law prohibiting more than 8 hours' labor in any one day of persons engaged upon work "covered by Army, Navy, and Coast Guard contracts" shall be suspended.

Section 12 provides "the provisions of all preceding sections of this act shall terminate June 30, 1942, unless the Congress otherwise provides."

8. The Communications Act of 1934, amendment approved March 23, 1941 (Public, 20, 77th Cong.), directs the Commission to fix the rate of extra compensation for overtime services of radio inspectors who are required to be on duty between certain hours but provides that the act shall not be construed to alter the length of a work-day or the overtime pay fixed.

9. The act of March 3, 1917 (48 U. S. C. 737), next to last paragraph in act, providing civil government for Puerto Rico, provides that 8 hours shall constitute a day's work in all cases of employment of laborers and mechanics by the Government on public works except in cases of emergency.

10. The act of March 2, 1941 (Public, 46, 77th Cong.) provides that until June 30, 1942, the Maritime Commission shall apply provisions of Public, 831, Seventy-sixth Congress, relating to compensation for all hours worked by laborers and mechanics in excess of 8 hours a day or 40 hours a week and not less than one and one-half times basic pay.

11. The act of July 1, 1932 (15 U. S. C. 605 b (6)). The Reconstruction Finance Corporation Act provides that under loans made by Reconstruction Finance Corporation that "so far as practicable no individual directly employed on any such project shall be permitted to work more than 30 hours in any one week."

12. Fair Labor Standards Act (wage-hour law, 29 U. S. C. 207, 208) prohibits work in excess of 40 hours a week unless such excess is paid for at time and a half.

13. The act of June 19, 1912 (40 U. S. C. 324) contains a provision that on any contract with the Government involving employment of laborers or mechanics, no laborer or mechanic shall be "required or permitted to work more than 8 hours in any 1 calendar day"; provides a penalty of $5 for each laborer for each day of violation (the act of June 28, 1940, Public. 671 of the 76th Cong., sec. 5b) suspends provisions of law prohibiting more than 8 hours' labor for persons working on Army, Navy, and Coast Guard contracts, but this suspension expires June 30, 1942.

14. The act of August 1, 1892 (40 U. S. C. 321) provides an 8-hour day for all laborers and mechanics on Government work and makes it unlawful to "require or permit" such persons to work more than 8 hours "except in cases of extraordinary emergency."

15. The act of September 9, 1940 (40 U. S. C. 325a) provides that wages of laborers and mechanics employed on any public works shall be computed on the rate of 8 hours per day and work in excess of 8 hours shall be permitted upon compensation for all excess hours worked at not less than time and a half.

The act of March 4, 1917 (40 U. S. C. 326) authorizes the President, in case of national emergency, to suspend the 8-hour law provided pay is for time and a half for excess hours.

16. The act of March 30, 1931 (40 U. S. C. 276a) (Prevailing Wage Act) directs the Secretary of Labor to determine minimum wages on Government work, which shall be that "prevailing for the class of laborers and mechanics employed on projects of a character similar to the contract work" in the place in which the work is to be performed.

17. The act of March 4, 1917 (40 U. S. C. 326) provides that laborers and mechanics employed on Government work shall be paid time and a half for hours in excess of 8 hours a day.

The fact is that some of these laws have operated so severely against the defense effort that on two different occasions different agencies of the Government have come to the Congress and obtained suspensions. In one case, the Maritime Commission got an act through that suspended the operation of a law as far as it affected them. In another case we passed a law which suspended the operation of a certain law as far as the Army and Navy were concerned. But in both of those laws it is provided that the suspension shall only last until June 1942. Therefore, at the end of about 3 months, unless Congress acts, our war production is going to be tied up again just the way we were before Congress passed the suspensions.

Of course, these suspensions did not suspend all of the acts that must be suspended in order to cover comprehensively this subject. I hope the House will give this matter very serious consideration tomorrow, and I hope those Members who are interested will read the extension which I am placing in my remarks that gives you a summary of the various and sundry 17 acts of Congress which have got to be suspended if we are going to lift the hand of this deterring legislation off of our war efforts.

I think the House will recall that only on yesterday on the west coast the Bethlehem Steel had a walkout of their men at the end of an 8-hour day. They wanted to put in a 10-hour day, but the union said, "No; you cannot work but 8 hours." So they handicapped the construction of destroyers in that plant, and that strike is going on today.

Of course, everybody, I think, who reads the papers must have felt very badly about the situation which occurred on the west coast on George Washington's birthday when the authorities of the Government called upon the workmen there to ignore that holiday and give us continuous performance throughout Monday on the birthday of the father of our country, and that request was refused. That day of work was lost, because, forsooth, the employers were not able to pay them time and a half or double time as the case may have been for working for the defense of our country on the day of the birth of the father of our country.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I have not the time to yield now, but I shall yield later if I can.

I am sure the House is going to want to give serious consideration to this matter. As I said before, unless you do do it, these laws which you have already suspended are going to be placed in effect again on the 30th day of June, by reason of the expiration of limit fixed by the Congress at the time of their suspension.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield now to the gentleman from Massachusetts [Mr. HEALEY] if I have any more time or to the gentleman from Michigan.

Mr. HOFFMAN. Did the gentleman note in today's paper that at Philadelphia union men who wanted to work were deprived of their membership by the union because they refused to strike and that automatically forced the company to discharge them, and they are now seeking to be reinstated?

Mr. SMITH of Virginia. I will say to the gentleman that I have read about so many stoppages and strikes in the papers in the last 2 or 3 days that I cannot keep them all straight.

Mr. HOFFMAN. That was a case where the union men wanted to work and their own union would not let them.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Massachusetts.

Mr. HEALEY. I wonder if the gentleman read, in connection with the holiday on Washington's birthday, about the voluntary and patriotic contribution of the American Federation of Labor wherein they are endeavoring to raise a billion dollars from workers in this country to purchase war bonds and war stamps and——

Mr. SMITH of Virginia. I have your question.

Mr. HEALEY. Let me conclude my question.

Mr. SMITH of Virginia. I do not yield any further because I can answer it from that point.

I will say in reply to the gentleman that you could sell $100,000,000,000 worth of bonds, but you will never win this war unless you convert those bonds into tanks and planes and guns and munitions with which to fight the war.

Mr. HOFFMAN. And if the gentleman will yield, an A. F. of L. union is asking for an increase in wages of 15 cents an hour at the same time. An editorial from the February 24 issue of the Somerset American of Somerset, Pa., on that very subject is interesting.

It is as follows:

GREEN

William Green seems to imagine himself long on the "long green" and in harmony with the views of the White House, that appropriations will win the war.

We are speaking of the William Green who is president of the American Federation of Labor.

The same wire which brought a story of Mr. Green's declaration that the American Federation of Labor members would purchase $1,000,000,000 worth of Defense bonds during the year brought another to the effect that between 55,000 and 60,000 lumbermen, members of the American Federation of Labor in Washington and Oregon intend to strike unless they get 15 cents an hour increase in wages.

Considered as part and parcel of the program of the American Federation of Labor, the two don't make sense.

Only a few months ago this same Mr. Green was promising that the American Federation of Labor unions would not strike during the war. They have struck and threaten more strikes.

If Mr. Green can't make good on his no-strikes promise, what confidence can be placed in his promise that American Federation of Labor members will buy a billion dollars' worth of bonds?

Too much stress has been laid upon the money end of this war; too little upon personal, physical sacrifices.

Two million men are in the Army and Navy. Those boys are making sacrifices. They have sacrificed good jobs, many of them; they have broken home ties; they face death.

The lumber workers of Oregon and Washington are getting a minimum of 75 cents an hour, whether they earn it or not; they want 90 cents. Is Mr. Green going to let them strike to get it?

The Federal Bureau of Investigation announced Sunday that it had arrested 6,000 enemy aliens in the California-Oregon-Washington area, some of them dangerous.

Suppose the Japanese should land in southern California and invade Oregon and Washington while the American Federation of Labor lumber workers are striking. The absence of the produce of their labor might be the fatal factor in the conflict. In that event, of what value would the extra 15 cents an hour be to them? In that event, of what value would a subscription for a billion dollars' worth of bonds be worth?

Defense bonds are of value when the money paid for them purchases the implements necessary to the national defense.

If the workers charged with producing defense goods are on strike, of what value is a billion dollars?

Mr. Green ought to go out to Orgeon and Washington and try to harmonize the conduct of his lumbermen's union with his pledges. That's the most important job facing Mr. Green.

If labor unions are to be centers of sedition, they should be disbanded and their leaders incarcerated.

Unless the word of labor leaders can be made to mean a little something they had better quit talking.

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I take this time to make a few more or less disconnected statements to complete the record.

With regard to the inquiry of the gentleman from Pennsylvania [Mr. DITTER], I would like for it to be incorporated in the RECORD that there is now authority granted to the War Department "to acquire temporary use thereof or other interest therein," referring to property "or right pertaining thereto for the sites, locations," and so forth. I would like next to direct to the attention of the committee that on page 17, line 23, which is the part of the bill having to do with the naturalization of persons engaged in the military and naval forces, the committee will offer an amendment to incorporate this language, "who is a resident of the United States or any of its Territories or possessions at the time of his enlistment or induction." Under the language of the bill as reported, that residence is not required.

Perhaps the most important amendment that will be proposed by the committee is to strike out title VIII of the bill. This has to do with the compensation for injuries of voluntary civilian defense workers. I assume that this provision is pretty well understood. It proposes to make available to these hundreds of thousands of voluntary defense workers, air wardens, and people of that sort doing voluntary, community service, in their respective communities, the benefit of the Federal compensation law, based on a $100 per month basis. The committee has given very careful consideration to this provision and has arrived at the conclusion that at least for the time being it would be a serious mistake if the Federal Government should put these patriotic citizens in the attitude of having any dependence upon the Federal Government at all. Let their respective communities where they serve take care of everything.

I do not think there is the slightest doubt that we of the communities shall never reach the point where those of us engaged in the attempt to save this democracy can be looking to the Federal Government all the time. We are engaged in war with one group of people whose religion, or whose philosophy is that if they die in the service of the Emperor they have made a mighty good deal. They are not fighting for anything except for the opportunity to die in the service of the Emperor. On the other hand, we are opposing a great group of people who have submerged themselves literally into the structure of the state—everything for the state.

You cannot fight a war against people like that with people who are looking to Uncle Sam to get something out of a busted Treasury, where everything is paid for, for the individual, and the individual is compensated for everything. We need more than armies and material to win this war. We need a great people to win this war, and potentially we have a great people. As I said the other day, I have been taking samples of public attitude and fitness in America for the last 2 years. When I began I knew if our people were the sort of people that we see on the surface—soft, childish, apparently selfish—we could not win; but under the surface, in the people that I have talked to in the last 2 years, I have seen something magnificent. I have seen the people brush aside that unfit personality and stand forth the most magnificent thing I have ever seen on this earth or ever expect to see. I have seen a great, strong, sturdy, determined American people with its wonderful personality come to the surface, with that attitude, that willingness to serve and to sacrifice which we have to have to win.

It is a fine thing, a magnificent example, these private citizens in their respective communities engaged in all these various community activities for their local defense, expecting not one red cent from the Federal Government. That is the reason why we are going to offer that amendment.

We do not know what is coming later on; and if later on some of our communities should come under destructive bombing, if later on it should become necessary, then the Congress can consider the legislation proposed in this section. Do not do it now. These magnificent citizens have not asked it. Their devotion and patriotism is a fine example of what we have got to have if we are to win.

Mr. Chairman, I shall not take any more time, and I assume that we are now ready to begin the reading of the bill. May I state to the Members of the Committee that we hope to continue until around 5:30 o'clock today, and then if we do that we ought to be able to conclude the bill in a reasonable time tomorrow, say, 3 or 4 o'clock in the afternoon. I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc.,

TITLE I—EMERGENCY POWERS OF THE INTERSTATE COMMERCE COMMISSION OVER MOTOR CARRIERS

SEC. 101. Section 204 of the act of August 9, 1935 (49 Stat. 543), otherwise known as the Motor Carrier Act, 1935, as amended, is hereby amended by adding after subsection (d) thereof the following:

"(e) The Commission shall have authority with respect to motor carriers, to be exercised under similar circumstances and procedure, equivalent to the authority it has with respect to other carriers under section 1 (15) of part I, and shall have authority, to the extent necessary to facilitate the prosecution of the war and not in contravention of State laws and regulations with respect to sizes and weights of motor vehicles, to make reasonable directions with respect to equipment, service, and facilities of motor carriers, and to require the joint use of equipment, terminals, warehouses, garages, and other facilities; and motor carriers shall be subject to the same penalties for failure to comply with action taken by the Commission under this paragraph as other carriers for failure to comply with action taken by the Commission under section 1 (15) of part I.

"(f) Notwithstanding any other applicable provision of this act, to the extent that it may be in the public interest, the Commission may modify, change, suspend, or waive any order, certificate, permit, license, rule, or regulation issued under this part."

With the following committee amendments:

Page 1, line 4, in the title after the word "motor", insert the words "and water."

Page 1, line 6, after the word "the", strike out the remainder of the line and all of line 7 and the words "act, 1935", in line 8, and insert "Interstate Commerce Act."

Page 1, line 8, after the word "amended", insert "(U. S. C., 1940 ed., title 49, sec. 304)."

The committee amendments were severally agreed to.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection?

Mr. SUMNERS of Texas. Mr. Chairman, I will not object to this request, but I shall object to any other requests of that kind.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, yesterday I learned that the Navy Department had discharged from a naval defense construction job a certain George Deatherage. The reason for the removal of this domestic Fascist was that he was considered undesirable. This action of the Navy is most laudable.

I now call the attention of the House to the solicitude with which Mr. Deatherage was treated at the time he appeared before the Dies committee. George Deatherage was the national chairman of the Knights of the White Camelia, and he appeared before the Dies committee on May 23, 1939. His testimony appears in

volume 5 of the record, on page 3455, and we find the following testimony on pages 3472 and 3473.

He was asked the following questions and he gave the following answers. By the way, in pointing out this testimony to you I give you the following background: That when several members of the Communist Party appeared before the Dies committee and refused to answer questions with regard to the membership lists in order to protect their members from persecution, they were haled before this House as being in contempt of the House of Representatives, and indictments on the basis of the resolutions which this House passed are now pending and the defendants are now waiting trial in the United States district court in the city of Washington.

Now, listen to this testimony and let us see what happened to Mr. Deatherage:

Mr. WHITLEY. Is your own organization a membership organization?

Mr. DEATHERAGE. It is.

Mr. WHITLEY. Do you have chapters located in various parts of the country?

Mr. DEATHERAGE. Yes, sir.

Mr. WHITLEY. How many chapters do you have, Mr. Deatherage?

Mr. DEATHERAGE. When I took my oath as commander of this organization there is one thing I promised on the value of my life never to reveal, and that is the number of members we had, the number of posts, and the members; and I am sorry I can't answer; and if that is in contempt of court and I have to go to jail, I am quite content.

Mr. WHITLEY. I am not asking you to identify any members, but as to the number of chapters or the number of members I don't see where that would hurt anyone.

Mr. DEATHERAGE. It may not; but that is my oath, and I am going to stay with it.

Mr. WHITLEY. Was that a voluntary oath?

Mr. DEATHERAGE. That is a compulsory oath.

Mr. WHITLEY. That you never reveal any of that information?

Mr. DEATHERAGE. That is right; and that oath is the same as a Klansman's oath.

Mr. WHITLEY. Does each member of your organization have to take a similar oath?

Mr. DEATHERAGE. He does.

Mr. WHITLEY. And it is 100 percent a secret, sub rosa organization as far as the membership is concerned?

Mr. DEATHERAGE. That is right.

Mr. WHITLEY. You, as its national commander, are the only one who is publicly identified with the organization; is that correct?

Mr. DEATHERAGE. Well, it would be rather difficult to answer that. The Jews have been watching this thing so much that they have got certain fellows identified. But as far as the fellow who comes out and sticks his neck out in the open, that is me.

Mr. WHITLEY. You are the national commander publicly identified as in that position, and with reference to your association with your organization?

Mr. DEATHERAGE. Official goat; yes, sir.

Mr. WHITLEY. You mentioned your organization and Mr. Pelley's as being the two largest—you wouldn't, for the information of the committee, you couldn't possibly even indicate approximately what your membership is; I am not asking you to give the exact figures if that is against the rules?

Mr. DEATHERAGE. It is against my oath; I am sorry I can't answer.

He refused to answer question after question that was addressed to him. This happened on May 23, 1939. This Fascist and unworthy citizen of our country was treated with the greatest possible solicitude before the Dies committee. Despite his contempt, despite his defiance, despite the fact that others have been brought by Mr. DIES before this House for contempt of this same committee for refusing to answer the same kind of questions, Mr. Deatherage was never haled before this House on a contempt resolution. Not the slightest effort was ever made to punish him.

I submit that, on the basis of this testimony, on the basis of what the Dies committee has done with regard to other witnesses, this solicitude is tantamount to protection. Mr. Deatherage was, therefore, not subjected to an investigation and exposure. He used the committee as a sounding board for his foul preachings, and the Dies committee never sought to have him punished for refusing to reveal the pertinent facts about his organization. Mr. Deatherage thus received protection at the hands of this committee, despite his defiance. The Navy Department has now declared him to be undesirable to hold down a defense job. The Secretary of the Navy is deserving of commendation. The Dies committee is deserving of condemnation in the Deatherage case.

I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 102. Subsection (a) of section 210a of said act is hereby amended by striking out the words "but for not more than an aggregate of 120 days."

With the following committee amendment:

Page 2, line 21, insert "as amended (U. S. C., 1940 ed., title 49, sec. 310a (a))."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 103. Subsection (a) of section 311 of said act is hereby amended by striking out the words "but not for more than an aggregate of 180 days."

With the following committee amendment:

Page 2, line 25, insert "as amended (U. S. C., 1940 ed., title 49, sec. 911 (a))."

The committee amendment was agreed to.

The Clerk read as follows:

Title II—Acquisition of property.

With the following committee amendment:

Page 3, line 3, after the word "Acquisition", insert "and disposition."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 201. The act of July 2, 1917 (40 Stat. 241), entitled "An act to authorize condemnation proceedings of lands for military purposes," as amended, is hereby amended by adding at the end thereof the following section:

"SEC. 2. The Secretary of War, the Secretary of the Navy, or any other officer, board, commission, or governmental corporation thereto authorized by the President, may acquire by purchase, donation, or other means of transfer, or may cause proceedings to be instituted in any court having jurisdiction of such proceedings, to acquire by condemnation, any real property, temporary use thereof, or other interest therein, together with any personal property located thereon or used therewith, that shall be deemed necessary, for military, naval, or other war purposes, such proceedings to be in accordance with the act of August 1, 1888 (25 Stat. 357), and any other applicable Federal statute, and may dispose of such property or interest therein by sale, lease, or otherwise, in accordance with section 1 (b) of the act of July 2, 1940 (54 Stat. 712). Upon or after the filing of the condemnation petition, immediate possession may be taken and the property may be occupied, used, and improved for the purposes of this act, notwithstanding any other law. Property acquired by purchase, donation, or other means of transfer may be occupied, used, and improved, for the purposes of this section prior to the approval of title by the Attorney General as required by section 355 of the Revised Statutes, as amended."

With the following committee amendment:

Page 3, line 11, strike out the word "thereto."

The committee amendment was agreed to.

Page 3, line 20, strike out the word "and" where it appears the first time and insert the word "or."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: On page 3, line 23, after the period, insert: "The amount paid for any property taken shall include fair compensation for losses proximately caused by the taking in addition to the fair value of the property itself."

Mr. SPRINGER. Mr. Chairman, when I spoke on the bill during the general debate I mentioned the fact that such an amendment would be offered to title II of this bill. The amendment which I have offered is fair and equitable, and will aid in reaching an equitable solution in fixing the measure of damages sustained. As was explained at that particular time, during the general debate, title II of this bill enters a new field under the law of eminent domain. It provides for the condemnation of real estate, as is now provided by law, and then it enters into a new field of condemning personal property. It is not limited, alone, to personal property, because it gives the right of condemning the entire title, which has always been observed under the law, and it gives the additional right to condemn "the temporary use thereof" or "any other interest therein." In other words, under the law as we have known it throughout the years, under condemnation proceedings, when we condemn land we took full and complete title to it; but under this proposed law you can take any part of it, or the temporary use of the real estate, or any other interest therein. The same broad provision applies to personal property under title II of this bill.

As I mentioned awhile ago in the general debate on the bill, after the property

is acquired, that is, the full interest, or any other interest therein, then it may be disposed of, or any interest therein which is taken may be disposed of, by sale by the Government. That leaves the owner of the property subject to whatever disposition the Government should desire to make of it. That provision for sale under title II of this proposed law would give the Government the power to dispose of the real estate, or the personal property, or both, or any interest therein which the Government acquired under the condemnation proceedings, and the former owner would have no redress.

The further provision is set forth under section 1 (b) of the act of July 2, 1940 (54 Stat. 712). It provides how that sale shall be made, and I want you to listen to the language of section 1 (b) of the statute. This is the language. I quote:

1 (b). The Secretary of War is further authorized with or without advertising to lease, sell, or otherwise dispose of such plants, buildings, facilities, utilities, appurtenances thereto, and lands under such terms and conditions as he may deem advisable.

In other words, I want to impress upon the membership this: The unfairness of this proposed plan. Let us take a hypothetical case. Suppose we have an owner whose property is taken under condemnation, either the whole interest, or any temporary use thereof, or any other interest therein, under that provision of law. How would that property owner be able to recoup his property at the end, or at the time of sale? We must remember the sale may be made with or without advertising, and in such manner as the head of the department or agency may determine—that is, the manner in which the sale is held. The property would be sold out from under the man who owned it. He would have little or no opportunity to recapture it.

Mr. MAY Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the distinguished gentleman from Kentucky.

Mr. MAY. Might the Government under this statute, if the Government desired to do so, condemn a man's house and lot, including his household goods and everything within it, take them over and use them, if they wanted to?

Mr. SPRINGER. There is no question in the world but what that could be done. That is precisely the power which is granted to the Government under this proposed legislation.

Mr. MAY. Or take it for the purpose of making a storage dump out of it, if they wanted to?

Mr. SPRINGER. That is entirely correct under the broad provisions and terms of this proposed law. Under the amendment which I have offered—which I hope will be adopted by the committee—the measure of damages which the owner sustains by reason of the condemnation will be computed by making an assessment of the value of the whole and entire property before the taking occurs, both real estate and personal property, and by fixing the value of the residue or remainder of the property, which the Government fails to take, and the difference in such values would constitute the measure of damages.

Mr. Chairman, we are at war. We have a stupendous task ahead. We will meet it, and we will win this war. But as we look forward throughout the future years we must not pass legislation which will assume to take the property of the people of this Nation without just compensation therefor. The amendment which I have proposed will aid in the determination of that highly important question—the just compensation for the property taken in such condemnation proceedings.

I hope the committee will see fit to adopt the amendment which I have offered.

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I offer a substitute for the pending amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS as a substitute for the Springer amendment: On page 3, line 23, after the period, insert "The amount paid for any property so taken shall include fair compensation for losses proximately caused by the taking in addition to the amount which would otherwise have been payable."

Mr. HOBBS. Mr. Chairman, I am going to let the Supreme Court make this argument for me. The *United States* v. *Russell* (13 Wall. 629):

A taking of private property by Government when emergency of public service in time of war or impending public danger is too urgent to admit of delay is everywhere regarded as justified if the necessity for the use of the property is imperative and immediate and the danger impending; and it is equally clear that the taking of such property under such circumstances creates an obligation on the part of the Government to reimburse the owner to the full value of the service. Private rights under such extreme and imperative circumstances must give way for the time to public good, but the Government must make full restitution for the sacrifice.

From *Jacobs* v. *U. S.* (290 Ala.), pages 16 and 17, I quote:

The circuit court of appeals, distinguishing the present suits from condemnation proceedings instituted by the Government, held that the suits were founded upon an implied contract and, hence, that interest could not be allowed, citing *United States* v. *North American Co.* (253 U. S. 330).

This ruling cannot be sustained. The suits were based on the right to recover just compensation for property taken by the United States for public use in the exercise of its power of eminent domain. That right was guaranteed by the Constitution. The fact that condemnation proceedings were not instituted and that the right was asserted in suits by the owners did not change the essential nature of the claim. It rested upon the fifth amendment. Statutory recognition was not necessary. Such a promise was implied because of the duty to pay imposed by the amendment. The suits were thus founded upon the Constitution of the United States (28 U. S. C. 41 (20)).

The amount recoverable was just compensation, not inadequate compensation. The concept of just compensation is comprehensive and includes all elements, "and no specific command to include interest is necessary when interest or its equivalent is a part of such compensation." The owner is not limited to the value of the property at the time of the taking; he is entitled to such addition as will produce the full equivalent of that value paid contemporaneously with the taking. Interest at a proper rate "is a good measure by which to ascertain the amount so to be added." (*Seaboard Air Line R. Co.* v. *United States*, 261 U. S. 229, 306).

Yet, in spite of the Constitution and in defiance of this decision, owners of private property taken for public use are generally denied any interest or its equivalent, no matter if payment be delayed for a year or more after the taking.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. As soon as I have finished this statement but not before, and I will bear that in mind and come back to the gentleman, whose requests are always granted with pleasure.

Resuming—interest or its equivalent is the first right being denied by reason of erroneous administration.

The second is rents. Rents are indivisible for farm lands, and unless the tenant occupies the land for the crop period and until he has a chance to gather his crops, the landlord cannot collect one dime of rent, but the tenant if dispossessed can recover for the estimated value of the growing crops. The landlord loses both rents and his part of the crops if the Government takes the farm and dispossesses a tenant and the landlord before a crop season is over.

Next is taxes. Suppose the Government says it wants possession of your land on September 1 and State taxes are due and payable in October. You give possession September 1. Does the Government pay the taxes after October 1? Not at all, unless the deal is closed and the title has become vested. This may not happen for months, or even longer.

Then there is the matter of seed and fertilizer. The money you paid for the laborers and for the mules to plant the crops, you cannot get a dime of that back. That is what they call speculative damages. Yet they speculate on the value of a growing crop to the tenants but not to the landlord. The landlord loses his rent, which may be his only income from land, provided the property is taken in possession by the Government before the crop period is over.

This amendment does nothing in the world more than to require what is right between a man and his government. Just compensation is the sole measure. We are not seeking to add remote, speculative, or any other kind of damages. All we are asking is that the constitutional requirement of the payment of just compensation be observed and complied with.

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute in order to yield to the gentleman from Tennessee [Mr. KEFAUVER].

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

Mr. KEFAUVER. I thank the gentleman. I want to ask the gentleman if as a practical matter the Government does not pay the owner of the property or pay into court its appraisal of the value of the property with the taking, then the balance, if there is any balance, is litigated, if the owner is not satisfied? Is not that the practical way it works out?

Mr. HOBBS. I do not think that is either the practice or the theory. Certainly it is not the provision of this act. My experience in over 700 cases is that nothing like that is done.

Mr. KEFAUVER. I am sure the gentleman will agree that an appraisal price is paid into court, which the owner can withdraw without prejudice in his suit against the Government, if he is not satisfied. Will the gentleman agree to that?

Mr. HOBBS. I do not agree with that statement. That is not my understanding of the method pursued. I think a token deposit is all that is paid in many cases. I know of one instance where a very small amount of money was paid in a matter invclving a very, very large amount of undisputed value.

Mr. KEFAUVER. If it is proven to the satisfaction of the gentleman that that is true, would the gentleman then be satisfied that his amendment has no place in the bill?

Mr. HOBBS. No, sir. If the law and the practice be what you think it is, what harm can my amendment possibly do? If the Government agents are already doing what my amendment would require, it would not affect them in the slightest degree.

But if, as I most earnestly insist, the plain mandate of the Constitution is being ignored and citizens penalized thereby, my amendment would stop at least some of it, and should be adopted.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I rise in opposition to the amendments offered by the gentleman from Indiana [Mr. SPRINGER] and the gentleman from Alabama [Mr. HOBBS].

Mr. Chairman, I am sure we all agree with the general objectives of the gentlemen. I commend them for their zeal and effort to protect the people whom they represent, but I am confident the amendments they offer are not necessary.

In my opinion, the first authority cited by the gentleman from Alabama is the best authority in support of this bill as drawn, because the authority which the gentleman cited, and I do not have it before me now, laid down the proposition which is recognized in the courts that damage for the taking of property by the Federal Government is that damage recognized by the Constitution as just compensation. Therefore, regardless of any statutory enactment, a person whose property is taken by the Federal Government is entitled to just compensation.

Let me read from a decision of the Supreme Court in the case of *Seaboard Air Line Ry.* v. *U. S.* (261 U. S. 299) at page 306. This was a case in which the question at issue was the amount of compensation to which the property owner was entitled.

The decision states:

> It is obvious that the owner's right to just compensation cannot be made to depend upon State statutory provisions.
>
> The Constitution safeguards the right and section 10 of the Lever Act directs payment. The rule above referred to, that in the absence of agreement to pay or statute allowing it, the United States will not be held liable for interest on unpaid accounts and claims, does not apply here. The requirement that just compensation shall be paid is comprehensive and includes all elements, and no specific command to include interest is necessary when interest or its equivalent is a part of such compensation.

And I call particular attention to this additional excerpt from the opinion:

> Where the United States condemns and takes possession of land before ascertaining or paying compensation, the owner is not limited to the value of the property at the time of the taking; he is entitled to such addition as will produce the full equivalent of that value paid contemporaneously with the taking.

Mr. Chairman, we are now passing upon a war-powers bill. This bill comes before the House because we are at war. It provides the rights and remedies which will be granted to those citizens who are affected by the impact of the war. The rule with respect to the damages to which a person is entitled whose property is taken by the Government through condemnation is well known and well established. It is the existing law and it will be applied, regardless of statute; it will be applied under the constitutional provisions protecting citizens in that circumstance.

The suggestion is made by the distinguished gentleman from Alabama, for whom I entertain the highest regard personally as a legislator and as a lawyer, that the rule be changed or that an attempt be made to change the rule. In what respect?

By amending this bill to provide that the amount paid for any property taken shall include fair compensation for losses proximately caused by the taking in addition to the amount which would otherwise have been payable.

Something in addition to what would be payable under the existing law is being asked for by the gentleman from Alabama at a time when this country is at war. The gentleman from Alabama, in his great zeal to protect those whom he so ably represents, comes before this House and asks that the United States Government in the time of its extremity be required to pay more for the taking of property than it is normally required to pay under ordinary circumstances. He asks that greater damages be allowed under the circumstances that exist at this time than those allowed under the circumstances that have existed throughout the time covered by the period in which the United States Government has been taking private property.

The effect of this amendment would be to so muddy the situation that it would create untold lawsuits and untold claims, which could not be settled except with tremendous difficulty, if ever, by the United States Government. I sincerely trust the amendment will be defeated.

[Here the gavel fell.]

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I share the views of the gentleman from Nebraska who just addressed you with reference to our distinguished colleague the gentleman from Alabama [Mr. HOBBS]. We all have the greatest respect for him. However, I and the previous speaker must respectfully disagree with him as to his amendment.

As I understand, his amendment provides that the amount paid for any property so taken shall include not only fair compensation for the property itself but also damages "proximately caused" by the taking.

The words "proximately caused" are highly indefinite. They are too vague to permit of proper administration. The courts would be hard put to it to understand and determine damages "proximately caused." That would be an entirely new idea of damages. It would open a brand new line of attack for enterprising lawyers. If we were to allow these words to remain in the statute as per the amendment of the gentleman from Alabama we would open wide the doors to allowing all manner and kind of damages to be assessed against the Government. Damages would be without let or hindrance so long as they be "proximate," whatever that means. There would be interminable litigation before "proximate" could be defined.

Let me give you one or two concrete cases. A gentleman up in my district manufactures lipstick, let us say. In the manufacture of the cosmetic containers he uses copper and brass. He may have a quantity of copper and brass that the Government covets and must have for the war effort. If this copper and brass were taken from him, under the amendment offered by the gentleman from Alabama that man would finally be compensated not only for the actual value of the copper and the brass, the enhanced value, which would be perfectly proper, but also for the value of the lipstock containers that would in the future have been manufactured from that copper and brass. There would be "proximately" caused to him a damage because he could not sell the lipstick material that goes into the containers. He would be able to get compensation for his loss of goodwill. What would be the value of that goodwill? There is no court of record that has any definite standard by which we could gage that man's damage to his goodwill. It would be an entirely new note in damages.

I have in mind another individual in New York City who has a cutlery plant. The Government may take away the stainless steel or chrome that he uses in the manufacture of knives, forks, and spoons. The handles of those knives, forks, and spoons are often made of plastic material. Under the suggested amendment he could say, "If you take this steel away from me you must give me the value of the steel. You must also give me the value of all my plastics, because I might not have any use for them. Therefore I will be damaged to a greater degree. In addition, you are ruining my business, and you must give me the value of my losses, the value of my plant as a going concern, and the value of my goodwill." It would be highly difficult to plumb the depths of the value of that goodwill, the amount of all the "proximate" business losses.

Take the case of a man who has an automobile establishment. The Government may want the rubber in the tires

on his cars. The man would say, "You are ruining my cars. You must give me the value of the automobiles. In addition, you are ruining my business and must give me the value of my goodwill that is destroyed. Furthermore I cannot go on with my lease. If I could go on I would make $50,000 a year. My lease has 10 more years to run. Thus I am damaged in addition to my cars, my goodwill, 10 times $50,000 or $500,000."

That opens the door mighty wide, and that man could mulct the Government out of thousands and thousands of dollars, whereas the man in the trenches, possibly making the supreme sacrifice, would be getting $21 a month. Businessmen must also make some degree of sacrifice. They should not ask for the pound of flesh, and that is what would happen under this amendment. Business would get its pound of flesh out of the Government.

I do hope we pause long before we give such tremendous damages as would be involved in the use of the words "proximately caused by the taking."

[Here the gavel fell.]

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Alabama [Mr. HOBBS].

The substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Indiana [Mr. SPRINGER].

The amendment was rejected.

The Clerk read as follows:

TITLE III—PRIORITIES POWERS

SEC. 301. Subsection (a) of section (2) of the act of June 28, 1940 (54 Stat. 676), entitled "An act to expedite national defense, and for other purposes," as amended by the act of May 31, 1941 (55 Stat. 236), is amended as follows:

(a) In paragraph (1) of said subsection (a), strike out the words "this section" and the words "this subsection" wherever they appear, and substitute the words "this paragraph."

(b) Strike out paragraph (2) of said subsection and substitute a new paragraph (2) and add paragraphs (3) to (8), as follows:

"(2) Deliveries of material to which priority may be assigned pursuant to paragraph (1) shall include, in addition to deliveries of material under contracts or orders of the Army or Navy, deliveries of material under—

"(A) Contracts or orders for the government of any country whose defense the President deems vital to the defense of the United States under the terms of the act of March 11, 1941, entitled 'An act to promote the defense of the United States';

"(B) Contracts or orders which the President shall deem necessary or appropriate to promote the defense of the United States;

"(C) Subcontracts or suborders which the President shall deem necessary or appropriate to the fulfillment of any contract or order as specified in this subsection.

Deliveries under any contract or order specified in this subsection may be assigned priority over deliveries under any other contract or order; and the President may require acceptance of and performance under such contracts or orders in preference to other contracts or orders for the purpose of assuring such priority. Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilities for defense or for private account or for export, the President may allocate such material or facilities in such manner, upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense.

"(3) The President shall be entitled to obtain such information from, require such reports and the keeping of such records by, make such inspection of the books, records, and other writings, premises or property of, any person (which, for the purpose of this subsection, shall include any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not), and make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this subsection.

"(4) For the purpose of obtaining any information, verifying any report required, or making any investigation pursuant to paragraph (3), the provisions of sections 9 and 10 of the act of September 26, 1914 (38 Stat. 722), are hereby made applicable to the jurisdiction, powers, and duties of the President.

"(5) Any person who willfully performs any act prohibited, or willfully fails to perform any act required by, any provision of this subsection or any rule, regulation, or order hereunder, whether heretofore or hereafter issued, shall be guilty of a misdemeanor, and shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than 1 year, or both.

"(6) The district courts of the United States and the United States courts of any Territory or other place subject to the jurisdiction of the United States and the courts of the Philippine Islands shall have jurisdiction of violations of this subsection or any rule, regulation, or order or subpena hereunder, whether heretofore or hereafter issued, and of all civil actions under this subsection to enforce any liability or duty created by, or to enjoin any violation of, this subsection or any rule, regulation, order, or subpena hereunder whether heretofore or hereafter issued. Any criminal proceeding on account of any such violation may be brought in any district in which any act, failure to act, or transaction constituting the violation occurred. Any such civil action may be brought in any such district or in the district in which the defendant resides or transacts business. Process in such cases, criminal or civil, may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found; and subpena for witnesses who are required to attend a court in any district in any such case may run into any other district. No costs shall be assessed against the United States in any proceeding under this subsection.

"(7) No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from his compliance with this subsection or any rule, regulation, or order issued hereunder, notwithstanding that any such rule, regulation, or order shall thereafter be declared by judicial or other competent authority to be invalid.

"(8) The President may exercise any power, authority, or discretion conferred on him by this subsection, through such department, agency, or officer of the Government as he may direct and in conformity with any rules or regulations which he may prescribe." * *

With the following committee amendments:

Page 4, strike out lines 8 down through and including line 19 and insert in lieu thereof the following:

"SEC. 301. Subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), entitled "An act to expedite national defense, and for other purposes," as amended by the act of May 31, 1941 (Public Law No. 89, 77th Cong.), is hereby amended to read as follows:

"'SEC. 2. (a) (1) That whenever deemed by the President of the United States to be in the best interests of the national defense during the national emergency declared by the President on September 8, 1939, to exist, the Secretary of the Navy is hereby authorized to negotiate contracts for the acquisition, construction, repair, or alteration of complete naval vessels or aircraft, or any portion thereof, including plans, spare parts, and equipment therefor that have been or may be authorized, and also for machine tools and other similar equipment, with or without advertising or competitive bidding upon determination that the price is fair and reasonable, and deliveries of material under all orders placed pursuant to the authority of this paragraph and all other naval contracts or orders and all Army contracts and orders shall, in the discretion of the President, take priority over all deliveries for private account or for export: *Provided*, That the Secretary of the Navy shall report every 3 months to the Congress the contracts entered into under the authority of this paragraph: *Provided further*, That contracts negotiated pursuant to the provisions of this paragraph shall not be deemed to be contracts for the purchase of such materials, supplies, articles, or equipment as may usually be bought in the open market within the meaning of section 9 of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936 (49 Stat. 2036; U. S. C., Supp. V, title 41, secs. 35–45): *Provided further*, That nothing herein contained shall relieve a bidder or contractor of the obligation to furnish the bonds under the requirements of the act of August 24, 1935 (49 Stat. 793; 40 U. S. C. 270 (a) to (d)): *Provided further*, That the cost-plus-a-percentage-of-cost system of contracting shall not be used under the authority granted by this paragraph to negotiate contracts; but this proviso shall not be construed to prohibit the use of the cost-plus-a-fixed-fee form of contract when such use is deemed necessary by the Secretary of the Navy: *And provided further*, That the fixed fee to be paid the contractors as a result of any contract entered into under the authority of this paragraph, or any War Department contract entered into in the form of cost plus a fixed fee, shall not exceed 7 percent of the estimated cost of the contract (exclusive of the fee as determined by the Secretary of the Navy or the Secretary of War, as the case may be).'"

Paragraph (C)—Page 7, in line 9 before the period, and in line 11 after the word "subsection", insert "(a)".

Paragraph (C)—Page 8, in lines 3 and 9, after the work "subsection", insert "(a)".

The committee amendments were agreed to.

The Clerk read as follows:

Page 8, strike out paragraph (4), lines 9 through 14, inclusive, and insert in lieu thereof the following:

"(4) For the purpose of obtaining any information, verifying any report required, or making any investigation pursuant to paragraph (3), the President may administer oaths and affirmations, and may require by subpena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be relevant to the inquiry. Such attendance and testimony of witnesses and the production of such books, records, or other documentary or physical evidence may be required at any designated place from any State, Territory, or other place subject to the jurisdiction of the United States: *Provided*,

That the production of a person's books, records, or other documentary evidence shall not be required at any place other than the place where such person resides or transacts business, if, prior to the return date specified in the subpena issued with respect thereto, such person furnishes the President with a true copy of such books, records, or other documentary evidence (certified by such person under oath to be a true and correct copy) or enters into a stipulation with the President as to the information contained in such books, records, or other documentary evidence. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. No person shall be excused from attending and testifying or from producing any books, records, or other documentary or physical evidence in obedience to any such subpena, or in any action or proceeding which may be instituted under this subsection (a), on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be subject to prosecution and punishment or to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that any such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The President shall not publish or disclose any information obtained under this paragraph which the President deems confidential or with reference to which a request for confidential treatment is made by the person furnishing such information, unless the President determines that the withholding thereof is contrary to the interest of the national defense and security; and anyone violating this provision shall be guilty of a felony and upon conviction thereof shall be fined not exceeding $1,000, or be imprisoned not exceeding 2 years, or both."

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 9, line 6, after "copy of", insert "extracts of all material portions of."

Mr. SMITH of Virginia. Mr. Chairman, it occurs to me that in this provision under which an agency of the Government may require a company to produce its books at a distant point, the committee is undertaking to alleviate the situation by providing that instead of producing the books, the party could produce copies of the books. My amendment, instead of requiring them to produce copies of all their books and records, as the agency might require them to do, will merely require them to produce such material extracts as may be necessary for that purpose.

I do not think this injures your bill at all and it would be a matter of convenience to parties who have to deal with an agency, because, under the bill as written, such agency could require any corporation whose books it wanted to examine either to bring all of their books, which might be truckloads or trainloads, to a distant point, or to bring full copies of all their books. All I want to do in this amendment is to let them bring copies of the material and necessary extracts which will give the Government all of the information needed.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. MAY. Under the provisions of the bill as written, a company that had a large amount of records might be required to expend hundreds of dollars copying such records if they were required.

Mr. SMITH of Virginia. Yes.

Mr. MAY. And the gentleman's amendment would relieve them of that by furnishing the necessary extracts from the books.

Mr. SMITH of Virginia. Yes.

Mr. KOPPLEMANN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. KOPPLEMANN. Do I understand that under this bill it is discretionary with the court to decide whether it wants all of the records or a part of the records?

Mr. SMITH of Virginia. It is not a question of the court getting the records but the agency getting them.

Mr. KOPPLEMANN. But is it not discretionary with the President to say whether he wants all of them or part of them?

Mr. SMITH of Virginia. No; it is discretionary with the agency down there, looking at your books. I can give you, for example, a concrete illustration.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield in order to get us going straight?

Mr. SMITH of Virginia. Yes.

Mr. SUMNERS of Texas. Whatever is furnished would be a copy of whatever is subpenaed.

Mr. SMITH of Virginia. Yes.

Mr. SUMNERS of Texas. And if the subpena is for a part of the records, then the copy would be that, and how could you arrange it so that the subpena would be for one thing and the compliance would be for something different?

Mr. SMITH of Virginia. I would say that your subpena would be for such material parts of the record as the agency wanted, just as you would proceed under a subpena duces tecum.

Mr. SUMNERS of Texas. Is it the gentleman's notion that you would furnish something different from that required by the subpena duces tecum?

Mr. SMITH of Virginia. No; for instance, suppose you wanted an extract of all of company A's accounts with company B. You would just ask for copies of all of company A's entries on its books of account with company B. But under the bill as you have it now the agency could ask you to bring all of your books or make copies of all of your books with all of your customers from A to Z.

Mr. SUMNERS of Texas. Will the gentleman yield further so I can get it straight in my own mind?

Mr. SMITH of Virginia. Yes.

Mr. SUMNERS of Texas. Is it the gentleman's intention to limit the scope of the subpena?

Mr. SMITH of Virginia. No; I would not say that. It is to limit the scope of the compliance.

Mr. SUMNERS of Texas. Let us get that straight, because I know the gentleman wants to help us and so do we want to help. If the compliance required covers the whole scope of the subpena, would the gentleman have any complaint about that arrangement?

Mr. SMITH of Virginia. I do not get that.

Mr. SUMNERS of Texas. If the copy required is a copy of that which is subpenaed, would that be satisfactory?

Mr. SMITH of Virginia. No; because they might subpena all of the company's books and records under this language. Suppose they subpenaed all of the books when they did not need them.

Mr. SUMNERS of Texas. Suppose they did subpena them.

Mr. SMITH of Virginia. I do not want them to be permitted to subpena all the books. I want them to be permitted to bring only such parts as are material.

Mr. SUMNERS of Texas. Who is going to determine what is material in the event of their presentation in court?

Mr. SMITH of Virginia. I think if you put this in there, whatever agency is calling for these books is going to determine in advance what extracts it wants and ask for them.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Virginia. Will the gentleman let me illustrate what makes me offer this amendment? It is an incident that occurred in my own experience. A certain corporation was called on by a Government agency to give it information about one of its customers. The corporation doubted whether it could properly do that without going into court and getting a court order. This particular agency did not argue it at all. It issued a subpena against this corporation. It said, under the law bring all of the records of your institution to a certain distant point on a certain day. That actually happened. If compliance had been had, that institution must have closed its doors, taken all its books and papers, and moved them by a number of trucks to a distant point. We did manage to straighten it out and gave the agency what it wanted without having to close the shop and take the books to some other part of the country. That is all that I am seeking to stop here. I think this amendment does it.

Mr. SUMNERS of Texas. Mr. Chairman, I ask for recognition in opposition to the amendment. I have sympathy with what the gentleman has in mind. The amendment is offered to the proviso. The proviso refers to the copy of the document subpenaed. That is all. That is all that is provided for with reference to the copy. Let us get that straight. He is a businessman, and he has some books that are subpenaed. He does not want to bring the books into court. This bill gives him the choice of bringing that which has been subpenaed or bringing a copy of that which has been subpenaed. What I cannot understand is how you

can limit as to the copy of that which would have been required if the original had been brought.

Mr. McCORMACK. If you make an extract of it that is in a sense a copy.

Mr. SUMNERS of Texas. The point I make is that you have to provide a copy of that which is subpenaed, and if there is any limitation to be imposed in this bill, it ought to be with reference to that which you may subpena. This particular proviso is for the convenience of the businessman.

Mr. McCORMACK. And furthermore, this is the regular stock form of language more or less that is carried in all of the bills with reference to a power that we delegate.

Mr. SUMNERS of Texas. Mr. Chairman, yes; and the point I am trying to make out of the amendment is that it is a limitation on the copy. If there should be any limitation proposed, it ought to be as to the books.

Mr. McCORMACK. I agree, and there is an additional reason——

Mr. SUMNERS of Texas. Oh, I have stated a reason that is a good one, and when you get a good reason there is no need of running off after another one.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was rejected.

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. A hasty reading of this committee amendment leads me to believe that only the President may subpena this record.

Mr. SUMNERS of Texas. As a matter of fact, the President does not do it, but he delegates the power to somebody else to do it.

Mr. WADSWORTH. Is that implied?

Mr. SUMNERS of Texas. It is specified.

Mr. WADSWORTH. Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The Clerk will report the remaining committee amendments.

The Clerk read as follows:

Page 10, line 14, after the word "subsection", insert the article "(a)".

The committee amendment was agreed to.

The Clerk read as follows:

Page 10, line 15, strike out the word "hereunder" and insert the word "thereunder."

Page 10, line 23, after the word "subsection", insert the article "(a)".

Page 10, line 24, strike out the word "hereunder" and insert the word "thereunder."

Line 25, after the word "subsection", insert the article "(a)".

The foregoing committee amendments were severally agreed to.

Mr. HINSHAW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. After the Clerk has finished the reading of the committee amendments to the several paragraphs, is it true that the paragraph is agreed to as read, or are the paragraphs subject to further amendment after being first amended by the committee?

The CHAIRMAN. Paragraphs not sought to be amended by committee amendments, of course, are open to any other amendment that may be offered that may be germane. Of course, the committee amendment is subject to amendment.

Mr. HINSHAW. For example, after passing section 5 on page 10, is that section subject to amendment after it has been read?

The CHAIRMAN. Yes; that is true. However, the whole section is read. The gentleman has invited attention to a paragraph of a section. The whole section is read and then any part of that section is subject to amendment.

The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 11, line 1, after the word "subsection", insert "(a)."

The committee amendment was agreed to.

The Clerk read as follows:

Page 11, line 2, strike out the word "hereunder", and insert "thereunder."

The committee amendment was agreed to.

The Clerk read as follows:

Page 11, line 14, after the word "subsection", insert "(a)."

The committee amendment was agreed to.

The Clerk read as follows:

Page 11, line 17, after the word "from", strike out the word "his."

The committee amendment was agreed to.

The Clerk read as follows:

Page 11, line 18, after the word "subsection", insert "(a)", and at the end of the line strike out the word "hereunder" and insert "thereunder."

The committee amendment was agreed to.

The Clerk read as follows:

Page 11, line 23, after the word "subsection", insert "(a)."

The committee amendment was agreed to.

The CHAIRMAN. That disposes of the committee amendments to that section.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word for the purpose of obtaining the floor to ask a question of the very eminent and distinguished lawyers on the committee handling this bill.

On page 10, lines 12 to 18, is a penalty provision which would impose a fine of $10,000 and imprisonment for not more than 1 year upon any person who willfully performs any act prohibited, or willfully fails to perform any act required by any provision of this subsection, and then there is the following language, "or any rule, regulation, or order hereunder."

I would like to ask one of the members of the committee whether the publication of a rule or regulation in a Government publication, such as the Federal Register, is such legal notice to persons in this country that failure to adhere to those rules and regulations so published constitutes a willful violation, even in the event they did not happen to read them. Perhaps the chairman of the committee, the gentleman from Texas [Mr. SUMNERS], can answer that question.

Mr. McLAUGHLIN. The same rule applies to this as to all administrative rules and regulations. I do not think there is anything new in this.

Mr. HINSHAW. But can the gentleman answer me? Is it a willful violation of the rule, when that rule has been published some place by some department or agency or administrative officer of the Government, yet it is not known that it has been published, by the person who violates it?

Mr. McLAUGHLIN. I should say that a person charged with such violation could raise that as a defense if he saw fit to do so.

Mr. HINSHAW. Does the gentleman think that would be a good defense in court?

Mr. HANCOCK. That is a question for the jury to decide after hearing the evidence. Each case will stand on its own facts and circumstances.

Mr. McLAUGHLIN. That is what I intended to imply.

Mr. HINSHAW. After this rule has been published in the Federal Register or on some bulletin board, is that sufficient notice to a person who might violate it, without knowing of its being published?

Mr. McLAUGHLIN. I assume you are intending to ask if the publication in the Federal Register is constructive knowledge of its publication?

Mr. HINSHAW. If he should violate that rule, which was duly published some place, but without his happening to have seen it, could he be convicted of willful violation of the rule?

Mr. McLAUGHLIN. I should say that the word "willful" implies that he has actual knowledge of it.

Mr. HINSHAW. That is what I wanted to ask the distinguished barristers here, whether the word "willful" would be construed to mean that he must have had actual knowledge, and has directly and willfully violated the regulation, in accordance with his knowledge of it?

Mr. McLAUGHLIN. I should say that all the facts and circumstances would be taken into account, as to whether under the circumstances he should have known that such rule existed.

Mr. HINSHAW. I am still at sea about it, but I thank the gentleman for attempting to instruct me.

I can only add that there is already such confusion in published orders, rules, and regulations that no one can conduct his affairs without violating one or more of them. There are rules and amendments to rules and then rescinding orders, and there are regulations and amendments to them, with new ones pouring out of the mill every day. Instead of being a government by law we are fast becoming a government by Executive order, rule, and regulation, all having the force of law. How can John Citizen avoid violating orders, rules, and regulations and thereby avoid liability to fine and imprisonment when he cannot

know what they all are nor when he is likely to find himself up against a fresh one?

[Here the gavel fell.]

Mr. WHITE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in reading this bill, S. 2208, it seems to violate and flout the orderly proceedings and the plan of procedure in this House.

In the first place, the House is constituted so that Members are assigned to committees to handle certain classes of legislation. By long experience and process of selection and elimination the membership of these committees are particularly qualified to handle the legislation that comes before the regular committee.

Now, this is an omnibus bill. I do not know why, in dealing with one of the most important financial policies of this country, our good friend the gentleman from Alabama [Mr. STEAGALL] and the Committee on Banking and Currency, was ignored by bringing in title IV in this omnibus bill. Or why the Committee on Coinage, Weights, and Measures was overlooked in considering the provisions of title 9.

If you can pass this bill under this procedure, and override the rules and procedure of this House, you can pass anything.

I would like to know what consideration the Judiciary Committee gave to a matter as important as title IV of this bill.

In the great emergency of the Civil War when the source of money and credit failed in this country, particularly money, and bonds no longer brought in cash with which to finance the war, the great war President, Abraham Lincoln, decided to finance the Civil War with non-interest-bearing promissory notes of the Treasury, and the Treasury issued the famous greenbacks of the Civil War, and we all know that our Government was successful in carrying out the operations of that war with that kind of financing. We did not pile up a huge interest load on the people by that process. Here we go into this war with an interest load of over $2,000,000,000 annually, a $50,000,000,000 debt, and we have authorized wholesale appropriations that total well over a hundred billion—thirty-two billion in the last appropriation bill, if I recall correctly. Then it is proposed that we provide an inflationary scheme whereby the Treasury can turn over its power to the Federal Reserve and by making some bookkeeping entries continue to pile a load of interest on the people of these United States that they, their children, and their children's children can never pay. We are undermining the financial structure of the Nation, we are undermining the financial stability of the United States, and this condition will be reflected in our dealings with the rest of the world.

Under the inflationary scheme put through in title IV what becomes of the reserves of the insurance companies, of the reserves of our banking system? What becomes of the stability of the financial structure with the eminent gentlemen of the Judiciary Committee bringing in a thing like that and putting it through under the guise, if you please, of stabilizing the credit of the United States? And then they talk about inflation!

If that is not inflationary I would like to know what it is. That is one provision in this bill to say nothing of all these other schemes to put into the hands of the executive branch of the power conferred by this bill, drastic powers—I do not know what the Members of this House are thinking about in undertaking to consider and pass legislation of this kind.

[Here the gavel fell.]

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

TITLE IV—PURCHASE BY FEDERAL RESERVE BANKS OF GOVERNMENT OBLIGATIONS

SEC. 401. Subsection (b) of section 14 of the act of December 23, 1913 (38 Stat. 265), otherwise known as the Federal Reserve Act, as amended, is hereby amended by striking out of the proviso the words "but only in the open market," so that the proviso will read as follows: "*Provided*, That any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities."

Mr. SUMNERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose and the Speaker having resumed the chair, Mr. COOPER, chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill S. 2208, to further expedite the prosecution of the war, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. GOSSETT. Mr. Speaker, on behalf of the gentleman from Texas [Mr. MANSFIELD], I ask unanimous consent that he may extend his own remarks in the RECORD and include a letter from Mr. Wallace McClure of the Cosmos Club on the subject of international executive agreements.

The SPEAKER. Is there objection to the request of the gentleman from Texas, [Mr. GOSSETT]?

There was no objection.

PROBLEMS OF THE PACIFIC COAST

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for one-half minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California, [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, for a variety of reasons I believe the President's order empowering the Army to establish restricted zones in areas important and vital to the defense of our country and to exclude from those areas anyone—alien or citizen—that it might be deemed wise to exclude was a wise and proper move. In saying this I fully realize that the Army could exclude a Congressman if they thought his speeches were likely to undermine public morale. And that is all right with me, too.

We are at war and we are at war against a ruthless enemy. There is no doubt in my mind of the sincere loyalty to the United States of the vast majority of people of German, Italian—yes, and of Japanese—ancestry. But we do know that Germany and Japan particularly have highly developed espionage systems and that they have ways of compelling even unwilling people who may be subject to their pressure to serve their interests.

We hope and believe no enemy can successfully attack our shores. But already a submarine has shelled one point on the California coast, and today there are serious reports of what may have been a raid on Los Angeles; and in cases of this kind we want to be sure there would be no one on shore to assist him.

Just who the commanding general of the west coast area will decide to exclude from the restricted areas we do not yet know. Already the F. B. I. has taken into custody a very considerable number of enemy aliens, and the Department of Justice is carrying out an evacuation order affecting enemy aliens from certain specially important areas.

But the larger movement, which, partly at least for their own protection, will probably include all the Japanese even though they be American citizens, will present much greater problems.

One of these must be prevented. That is the hit-or-miss congregation of large numbers of these people in areas immediately adjacent to the areas from which they have been moved or in areas where others of their own race are now living. Instead of this there should be prepared a place to which they can be removed. It should be an area where farming can be carried on and where other types of useful and important work can be carried on. There should be and need be no persecution and no hardship inflicted.

People known to be loyal to this country should be appealed to to assist with the job of resettlement and to take responsibilities. There must be supervision by such agencies of government as are designated to do the job.

Another problem will be that of property which these people will be compelled to abandon. This should not be the occasion for anyone else to profit. A Government custodian for such property should be appointed at once. The farm lands should be kept in cultivation. And either the property should be held by the custodian until the end of the war or else sold with the consent of the owners, to whom, of course, the proceeds should go.

We can demonstrate two things in this whole affair: One, that the United States can act decisively and in thoroughgoing fashion when necessary or wise to do so in self-protection. Second, that such action can be carried out in such a way as to increase and

not decrease the feeling of loyalty to this country on the part of all who possess it.

RURAL ELECTRIFICATION IN FLORIDA

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. GREEN]?

There was no objection.

Mr. GREEN. Mr. Speaker, I want to call the attention of the House to the great progress that rural electrification has made in my State.

RURAL ELECTRIFICATION IS A GLOWING EXAMPLE OF APPLIED DEMOCRACY—IT RELIEVES TOIL

Mr. GREEN. Mr. Speaker and fellow Members, rural electrification is a glowing example of applied democracy. It is lifting the burden of toil off the backs of farmers and their wives. It is harnessed electricity made to serve man. It has banished gloom and despair and lighted up the halls of farm homes with joy and comfort. It has brought to rural life comforts, conveniences, and economies which were heretofore enjoyed only by city dwellers, and is rapidly causing the drift of people from cities to farms rather than from farms to cities. Rural electrification was in fact made possible through establishment of the Tennessee Valley Authority about 8 years ago. It was my happy privilege to preside over the House of Representatives the day the T. V. A. was created and also to vote for this measure.

Prior to the creation of the T. V. A. there were comparatively few farms in the country which had rural electrification. Occasionally a prosperous farmer had been able to install his own small Delco outfit, but electrical power was a high luxury and not to be even dreamed of by the average farmer. We will take, for instance, the charges made by the Mississippi Power Co., which is near the T. V. A., which charges were for 1,400 kilowatt-hours under the old rate, and compare them with the T. V. A. rate of 7½ mills a kilowatt-hour of today.

Residential rates

	Mississippi Power Co. rates, 1932	Present Tennessee Valley Authority rates
First 30 kilowatt-hours a month	$3.00	$0.90
Next 170 kilowatt-hours a month	13.60	3.60
Next 300 kilowatt-hours a month	21.00	2.40
Next 350 kilowatt-hours a month	21.00	1.40
Next 550 kilowatt-hours a month	27.50	2.20
Total (1,400 kilowatt-hours a month)	86.10	10.50

You will see that the old rate charged by the power company was 5 cents a kilowatt-hour, as compared to 7½ mills under the T. V. A. rate. The T. V. A. opened up to the American people the possibility and practicability of rural electrification and the feasibility of the Government participating in this great enterprise. During the last 7 years the Federal Government has made loans available for R. E. A. purposes in the amount of about $400,000,000. This fund has carried electrical current to some 1,500,000 farm families, or approximately 25 percent of all farms in our country. The R. E. A. has constructed about 200,000 miles of line, and the number of patrons on these lines is rapidly increasing as the farm families understand and appreciate more the benefit, the luxury, and the comfort of having electrical current.

In Florida we have a cosmopolitan citizenship with diversified interests. On this account we have not realized as great benefits from R. E. A. as we should have. Our State has not taken advantage of rural electrification in the same proportion as some other States have. However, Florida has received from the R. E. A. $2,850,000, which has been used in the construction of 3,000 miles to serve 7,100 families. We have extension applications now pending, and it is expected that they will receive allotments in due course of time. We also have additional new projects which are in the process of preparation and development, when war conditions permit use of copper and iron.

One of the about 20 R. E. A. generating plants in the country is located in the Second Congressional District within 10 miles of Starke, my home town. It was necessary for the farmers to get money from the Government to build this plant because the local power companies did not cooperate for cheap wholesale prices for electrical current. The private power companies in Florida are not now fighting R. E. A.; they are cooperating. R. E. A. serves, in the main, territory not desired by the power companies. This plant stands out as a service monument to the present Democratic administration. The R. E. A. thought enough of this marvelous establishment to give special mention to it in the 1939 annual report. It is a modern, up-to-date Diesel-motor generating plant. From this plant service goes out to consumers in 8 to 10 counties. The rapid increase in patrons will in all probability in the near future again require plant enlargement. Two years ago this modern farm-owned electric plant was dedicated with public barbecue and gathering of thousands of people from many counties.

In the Suwannee River Valley, the Suwannee Valley Electric Association some 2 years ago opened up 151 miles and is serving 400 to 600 patrons. Of the 15 rural counties in my congressional district, about all have rural electrification. I shall not cease my efforts until electrical current is offered to every farm desiring it within my State. No other agency of the Government is carrying real benefit to farmers comparable with rural electrification.

There are some 20,000 farmers' electrical cooperatives in the United States which with Federal funds have constructed enough power lines to reach around the earth 4 times. This service should and will continue as an economic measure until practically all farms in the United States have been given electrical current. The older countries of the world have long realized the economy and benefit of having electrical current on farms. Norway, Sweden, and Denmark, and other old nations of Europe, have electrical current supplied to more than 90 percent of the farms. This was before the present war. Conservation and economy have taught these older nations that rural electrification is not only a comfort but is also a business asset to any farm.

In many homes—in fact, in the majority of them—in the Tennessee Valley area, where current can be produced cheaply, they are using electricity even for heating purposes. It has been found in these places that electricity for heating the entire house costs less than wood or coal. For instance, here is the story of one Mississippi home in the T. V. A. area: 37 lights in the house, together with electric iron, refrigerator, range cooking stove, grill, three fans, vacuum cleaner, waffle iron, and six electrical heating units—heaters. During the month of January, which is the coldest month, this home used 1,036 kilowatt-hours of electricity, which cost $9.04. Another housewife in this same area, without home-heating appliances, in the month of March used lights in her home and garage, a radio, electric refrigerator, electric iron, electric cooking stove, a vacuum cleaner, a hot-water heater—82 kilowatt-hours of electricity, which cost $2.14 for the month. March is a comparatively cold month in that area. Of course, the rate is cheaper in the T. V. A. area than we can immediately expect in areas with less production and less consumption. In other words, they have the hydroelectric dams constructed there and the 7½ mills per kilowatt-hour is quite reasonable; however, this 7½ mills per kilowatt-hour, it has been figured, takes into consideration and provides for the retirement of the cost of building lines and also the amortization of the cost of dam construction.

There are hundreds of watersheds throughout the United States which are capable of developing and producing an enormous quantity of electrical current. The power possibilities of these streams is nature's gift to the American people. It is a crying shame for this potential power to go to waste in the oceans adjacent to our country for the lack of dams and machinery to harness it. In my own State, we have many streams capable of development of considerable water power; of course, not in the volume as generated on the Tennessee and Columbia Rivers, but of adequate possibility to take care of each farm in the State of Florida. Among these streams is the historic and majestic Suwannee River. The Army engineers are now giving further study to possibility of development on this stream. As a result of joint effort of Congressman SIKES and myself the United States Army engineers are making further survey of possibilities of power development on Chipola River. Other Florida streams have power possibilities.

The war has absorbed all available copper and other metallic substance needed in R. E. A. expansion. After the war we may well predict R. E. A. expansion in Florida to take in practically every developed farm community which does not

now have electrical current either from R. E. A. or power companies.

I remember very well farm homes in my district before our farmers had rural electrification. I have seen the housewife go about the drudgery and duties of her home in all of its toil and physical pain. On washday, for instance, she must draw the water with a hand pole or long chain with a big bucket, carry it several yards to a big black pot and large tubs, or the big, long, old-time washing trough, rub and scrub the family clothes for 2 or 3 hours, then place them on the end of the trough or on a block and take a stick weighing several pounds and beat them until the buttons fly off; then throw them in the old black pot with a tarry fire blazing up around it on a hot summer day, stir them, push them down until they are bleached; then, by hand, take the scalding garments from the pot, rinse and rinse and rinse them, and hang them up to dry; then, from 12 until 1 o'clock, while she is resting, she must cook a big dinner on a red-hot stove for a large family, clean up the little children, and feed them; then, in a steaming, hot kitchen, wash up the dishes; then go to finish the washing, or scrub, by hand, the kitchen floor. The next day—practically all day—with her irons before a blazing fire, shut up in a hot house, she irons and irons until the garments are pressed and ready for the use of the family. In the kitchen an ice box is unknown. Things left over from the meal, also milk and eggs, spoil because it is too hot in the kitchen. The supper is cooked by a small kerosene lamp. After supper has been served, the small school children study their lessons by a pine-knot fire or a small, smoke-shaded kerosene lamp.

I will not go into the details of the drudgery of the farmer himself in watering his stock, shelling his corn by hand, blundering around in the barn with no light, and various other necessary endeavors on a dark farm.

The picture is quite different now. In two to three thousand homes in my congressional district the washing machine, the electric iron, the electric fan, the Frigidaire, the electric light, the electric pump, the vacuum cleaner, and other devices have taken the drudgery off their tired and honest backs, while the radio has given them joy and comfort in living. The trend now is not from the farm home to the city for these comforts and luxuries, but is from the city back to the farm to enjoy more of Nature's blessings and invention's comforts. The farmers of my district are living in the dawn of a new day of farm enjoyment and comfort.

On February 2, 1940, the Suwannee Democrat, edited by Hon. Charles Helfenstein, a Yale man, which is one of the best weekly newspapers in the United States, had the following to say:

FARM HOMES GET ELECTRIC POWER AS RURAL ELECTRIFICATION ADMINISTRATION ENERGIZES—FIRST SECTION COOPERATIVE COMPLETED—OTHER SECTIONS AS HOMES ARE WIRED

Electric lights burned in many Suwannee County farm homes last night as the local electric cooperative began energizing its lines in this and Lafayette Counties. Thursday afternoon shortly after 2 o'clock electric power coursed through the high-tension lines of the Suwannee Valley Electric Cooperative Association to serve farm homes in the McAlpin, Pinemount, O'Brien, Beulah, and Central communities of this county.

Plans for a rural-electrification line in this county were started nearly 3 years ago. With the assistance of Congressman R. A. GREEN, who has secured two of the four Rural Electrification Administration projects in Florida for his district, an appropriation was secured to construct the lines here.

The project manager of the Suwannee Valley Electric Association also conveyed the following expressions:

SUWANNEE VALLEY ELECTRIC COOPERATIVE ASSOCIATION, INC.,
March 12, 1940.

Hon. LEX GREEN,
Member of Congress, Starke, Fla.

DEAR SIR: I wish to take this opportunity of expressing my high regard for your effort toward the advancement of rural electrification in Florida. I sincerely believe I express the thoughts of the majority of, if not all, our cooperative members.

Your continued efforts in behalf of the wonderful program of "electricity on the farm" cannot help but be appreciated by the thousands of farmers throughout the State.

Very respectfully yours,
GEORGE CARVER,
Project Manager.

New River, Bradford County, Fla., is the scene of my childhood days. This community had R. E. A. lines extended through and from the farmer-owned plant at Keystone Heights, but owing to congestion of duties the management had been unable to get current turned on in this community. In December, as the Christmas holidays approached, my boyhood friends and neighbors became anxious to have light during the holiday season. Through the special cooperation of the R. E. A. Administrator in Washington, we were able to get the line energized on December 19. I read the following from the county agent of Bradford County, indicating their appreciation and cooperativeness:

STARKE, FLA., *December 21, 1939.*

Hon. R. A. (LEX) GREEN,
Starke, Fla.

DEAR LEX: On behalf of the 68 farmers who are members of the Clay Electric Cooperative of the Rural Electrification Administration on the New River extension, I wish to express the deepest appreciation for the aid you gave us in getting our New River line energized. The line was energized at 11 o'clock Tuesday, December 19.

I visited about a dozen of the homes that night, and it was indeed a pleasure to see the enjoyment they received from the energization of the line. They are overjoyed at the prospects of lights for Christmas. They are indeed grateful to you for your cooperation in helping to get the line energized.

With the very best of holiday wishes, I am,
Very truly yours,
T. K. MCCLANE, Jr.,
County Agent.

During this Christmas holiday my heart was made to rejoice in knowing that I had been helpful to the men and women with whom I had been reared, in making them happy and in making their Christmas bright and joyous. Of all times of the year the Christmas season is the one most worthy of joy and happiness and, although this accomplishment is small in a way, it gives me more happiness than practically any accomplishment of my life.

Rural Electrification Administration officials cooperate thoroughly with farmers desiring to borrow money for the establishment of R. E. A. service. The following is statement from one of the R. E. A. officials:

UNITED STATES DEPARTMENT,
OF AGRICULTURE,
RURAL ELECTRIFICATION ADMINISTRATION.

The Honorable LEX GREEN,
House of Representatives,
Washington, D. C.

DEAR LEX: I am enclosing an interesting tabulation of information about the Florida Rural Electrification Administration projects. I cannot help noticing the large number of areas in your district that have been served already by our projects. If anyone accuses us of favoritism, we shall, of course, have to explain that your great activity and interest in this project made you first on the scene.

You are represented, in part, in five out of our eight existing projects, and the first cooperative project developed in Florida was in your district.

You are one of those Congressmen working with and instructing their constituents in such a manner that the Federal agencies are able to serve the people.

Yours very sincerely,
BOYD FISHER,
Special Assistant to the Administrator,
in Charge of State Relations.

Now, my friends, I think you will agree with me that no other branch of the Government is really carrying to the farmers of our Nation equal benefit, joy, contentment, and comfort as that carried by the Rural Electrification Administration. The farmers of our Nation deserve so much and receive so little. My effort will go forth for rural electrification to farm homes in Florida.

The following letter from the R. E. A. Administrator gives interesting information concerning the development of R. E. A. in Florida.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
RURAL ELECTRIFICATION ADMINISTRATION,
Washington, February 13, 1942.

Hon. LEX GREEN,
House of Representatives.

MY DEAR MR. GREEN: Please excuse my delay in answering your letter of January 31 regarding Rural Electrification Administration's current progress in Florida. As you know, however, my time has been taken up of late with a great many concerns.

As of January 1, 1942, the Rural Electrification Administration has energized approximately 3,006 miles of lines in Florida. Our total allocations to 13 Florida projects amount to $2,848,907.45. These 13 systems are serving 7,067 consumers. It is gratifying to me to note that this number is constantly increasing as new rural dwellers are being connected to our lines.

During the past year 2 new cooperatives at DeFuniak Springs and Quincy have made excellent progress. The Choctawhatchee Electric Cooperative, Inc., at DeFuniak Springs has been developed to serve 1,143 members over approximately 348 miles of line, and the Talquin Electric Cooperative, Inc., at Quincy has 194 miles now with 362 consumers. An acquisition amounting to $129,333 and involving 101 miles of rural lines has been successfully negotiated with the Florida Power Corporation. These rural lines and towns were integrated into the system of the Talquin Electric Cooperative, Inc., at Quincy. This cooperative will serve the town of Havana wholesale. The Tri-County Electric

Cooperative, of Madison, Fla., acquired the distribution systems in Greenville and Aucilla from the Florida Power Corporation, and now serve these 2 towns. This cooperative is also to serve the Farm Security Administration project at Cherry Lakes, although negotiations have not been settled.

In northwest Florida, the West Florida Electric Cooperative Association, Inc., with 454 miles in operation now serving 1,051 consumers, is negotiating with the city of Marianna for the rural lines.

The Escambia River Electric Cooperative, Inc., now has 187 miles in operation serving 442 consumers. Their B project cannot be allotted because of the material situation.

A new cooperative has been developed in Bay County but cannot be allotted.

We also have a new cooperative developed at Dade City (Florida 33 Pasco), but unfortunately no allotment of funds can be made for it because of the material situation.

The Clay Electric Cooperative Association, Inc., at Keystone Heights now serves 1,565 consumers over 740 miles of rural lines. This cooperative is in need of additional power capacity now and we are studying the problem.

The Peace River Valley Electric Membership Corporation, Inc., at Wauchula, now serves 251 consumers over 122 miles of line.

The Lee County Electric Cooperative, Inc., at Fort Myers, serves 262 consumers over 74 miles of line.

I cannot look forward to any great expansion of Rural Electrification Administration's activities in the near future. Because of the copper situation, we are concentrating our efforts on advancing the Nation's war pursuits. This involves supplying power to flying fields, training camps, and war industries.

With best regards, I am,

Sincerely yours,

HARRY SLATTERY, *Administrator.*

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to include in the remarks I made today before the committee two newspaper articles to which I made reference.

The SPEAKER. Is there objection to the request of the gentleman from Ohio, [Mr. SWEENEY]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to include as a part of my remarks a table on exports.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

NEWSPAPER HEADLINES

Mr. HINSHAW. Mr. Speaker, I ask unanimous to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California, [Mr. HINSHAW]?

There was no objection.

Mr. HINSHAW. Mr. Speaker, the afternoon papers carry heavy headlines about "Jap planes zooming over Los Angeles." Careful inquiry made at the War Department elicits the information that they do not know of any Jap planes flying over Los Angeles. They do know there were probably two temporarily unidentified air vehicles of some kind that flew over that area, not two flights of 50 airplanes. They might have been United States planes or any other planes, but they are not known to be Jap planes.

I think the newspapers ought to be a little more careful about headlines that they put on some of these articles concerning the national defense in various parts of the country. We are glad that the interceptor command took the prompt action they did, and we want to be on the keenest alert constantly. But let us not cry "wolf" or "Jap" willy-nilly, and frighten our people. Recurrence of such publication will tend to make our people lose confidence in the accuracy and veracity of the press. Then when the genuine article appears some day it may not be believed. Shame upon the newspapers which carried such unconfirmed statements.

AMENDMENT TO S. 2208

Mr. DEWEY. Mr. Speaker, I ask unanimous consent to place in the RECORD at this point an amendment to title IV, which I contemplate offering tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DEWEY]?

There was no objection.

The matter referred to follows:

Amendment of Hon. CHARLES S. DEWEY: On page 12, strike out lines 6 to 11, inclusive, and add the following by striking out the semicolon after the word "market" of the proviso, adding a comma and the following words: "except that such transactions in such obligations having maturities of 6 months or less need not be in the open market.", so that the proviso will read as follows:

"*Provided*, That any bonds, notes, or any obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market, except that such transactions in such obligations having maturities of 6 months or less need not be in the open market."

EXTENSION OF REMARKS

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio speech which I delivered.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]?

There was no objection.

(Mr. HAINES asked and was given permission to extend his own remarks in the RECORD.)

HOME GUARD

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There was no objection.

Mr. COSTELLO. Mr. Speaker, today I have introduced a bill providing for the creation of a home guard defense unit. I believe that this is very necessary if we are really going to put the Nation on an all-out war basis. This will provide an opportunity for civilians to serve in defense programs on a part-time basis while they are continuing their ordinary civilian activities.

Sabotage, token attacks, or invasion attempts will be sad experiences for our enemies—only if we are prepared to meet them. Neither Norway nor Holland would have been overwhelmed if they had been organized and prepared to meet their attackers. Now war is playing its grisly acts on the remote circuits of the Pacific islands and the little winter playhouses on the Russian steppes. But our enemies are an arrogant lot. They want to play and control the big time. New York and San Francisco, Seattle and Los Angeles. Even Dallas and Detroit. With their final boastful performance in the White House where they plan to take over the management of the world stage and dictate a song of subservience and a hoop-jumping routine to all free people.

Last night our President said we must fight at distances; but he also told us we must fight the enemy wherever we meet him. There was solemn warning in his statement that if we lose in the Far East, Japan could launch attacks on a large scale against the west coast of North America. The mayor of New York has notified his people to expect raids. Secretary of War Stimson has spoken to prepare us mentally for these eventualities. But materially we have done practically nothing to meet these eventualities. Let us look this war in the eye. Let us realize that it soon may be as close to us as the corner grocer. Let us have a home defense that will stop in his tracks any invader or saboteur before he has a chance to get in his dirty work.

I have introduced a bill today that will give us an adequate home defense. The measure was put on paper by me, but its provisions have been in the minds of uncounted numbers of Americans for a long time. Like a folk song in the making, it is the refrain of millions of Americans who want to go all out to protect their homes, to protect themselves, and to win this war as speedily as is possible. A little group of far-seeing patriots in California suggested this legislation to Congressman JOHN ANDERSON and myself almost 2 years ago. We introduced bills for a home defense organized reserve many months ago. But the need was not apparent; the situation was not critical; and they gathered dust in committee files. Since that time the reconstruction of this measure has been suggested to me from countless sources. Today, I have put in the hopper the up-to-the-minute legislation we need. You are going to want to know about this bill, and you are going to know about it because your constituents will be demanding that we carry out its provisions. It is a challenge and an opportunity to every American whether he is an A-1 selectee or not.

This measure will establish as a reserve component of the Regular Army, a home defense organized reserve for local home defense. When enacted it will release from certain forms of guard duty thousands of trained soldiers of the Regular Army who are equipped and anxious to follow the American eagle to the present theater of operations. Troops that should be with MacArthur on Bataan will not be patrolling the rear exits of our congressional office buildings. It will provide us with an effective fighting force on the home front that can act as an auxiliary to the Regular Army and can meet the enemy at death grips any day. It will provide an additional reser-

voir of disciplined and trained men for bullet-line action whenever the Regular Army needs replacements or expansion. It will protect us from the torch of the saboteur, the machine gun of the parachute trooper, and the devastating confusion of bombs and incendiaries.

What is more, it will place home defense on a "must" basis in contrast to the "We can take it or leave it alone" programs now pathetically and ineffectually in operation. State guards need not be without incidental value, but financial difficulties and political obstructions place a definite limit on their effectiveness. This is our Nation's war. There is no occasion for Pennsylvania or California to maintain a private army to fight off the Japs or Nazis. The civilian defense program has a place in our affairs. It has done some good work in promoting first-aid training courses and in otherwise planning the civilian's role in meeting attacks. But its activities are mainly precautionary. It is as impotent to direct the repulsing of an enemy attack as the Community Chest of Washington is unable to carry the entire social-security program. Some present activities of civilian defense are essential functions of home defense and must be placed under competent military directives.

In establishing a Home Defense Organized Reserve we will develop a hitherto untapped source of defense that will reveal the reserves of patriotism our country possesses. The splendid veterans of the last war who have offered themselves to our country by the thousands since Pearl Harbor will have a real opportunity to serve again. Those over the present age limit for front-line service will find an opportunity for effective full-time service here at home, where their experience and training will be indispensable. In large part, these men will build and guide the home defense program. They will make up a large part of its officers and directives. Equally important, there is room and to spare in the program for the defense worker who has his evenings free, the professional man with dependents, the clerk with a physical defect that keeps him from front-line service. Pass this bill and we will have no rocking-chair warriors. Last night the President told us that we shall give up conveniences and modify the routine of our lives if our country asks us to do so. Urgency walked with his words. This bill must be enacted now. And when it is, the man behind the man behind the gun will be only a place to the rear—not a 7-league stride removed from an all-out effort to reduce our enemies. Enact it and sabotage, token attacks, or invasion attempts truly will be sad experiences for our enemies.

EXTENSION OF REMARKS

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the floor today and include certain newspaper excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I also ask unanimous consent to revise and extend my remarks and include therein a newspaper editorial, in connection with the remarks I made in the colloquy with the gentleman from Virginia [Mr. SMITH].

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a poem by Horace C. Carlisle, of Alabama.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

REPUBLICAN RIVER COMPACT

Mr. WHITE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Idaho? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WHITE, ROBINSON of Utah, MURDOCK, SHORT, and WINTER.

NOW

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Speaker, Mr. Churchill told us recently that this is our war now. Such candor is refreshing, and he is right. But, since it is our war, let us decide now, before it is too late, how we are going to fight it. Let us benefit from the experiences and profit by the mistakes of our Allies. Let us take inspiration from the courage of the British and Dutch, the fortitude of the Russian soldier, the endurance of the Chinese. But let us not think we can win a war by "muddling through," by gallant rear-guard actions, by wishfully hoping Hitler will make mistakes, or by planning to tire out our enemy by schemes for months or years of defensive warfare.

Wars are not won that way. And you do not need to be a military expert to know that this war will not be won unless and until we take the offensive.

We can take the offensive now, and in several directions:

First. On the production line. If we cannot win the war with a 40-hour week—and we cannot—we know well that the American workman is a decent, patriotic citizen; tell him we cannot; tell him a 40-hour week is not enough to beat Hitler. Tell him—and tell the employer—we need to ask both labor and capital to make sacrifices and to make them now.

The die-hard reactionaries and the professional agitators do not speak for capital, and they do not speak for labor.

Call on the great reservoir of patriotism in this country for more taxes and longer hours. But now. Do it now.

Second. We can take the offense now in another direction:

All Europe is ripe for the proper attack through the air and, until we get the clouds of promised planes, the air has another use—the radio.

We Americans are masters of advertising. We can turn our skill at selling each other everything from hairpins to locomotives; turn it toward selling ourselves and our plans for beating the daylights out of the oppressors. We can fill the ether with this message, to the despairing millions in the occupied countries.

Let us be frank: British propaganda broadcasting is notoriously bad. There are well-authenticated instances where it has done more harm than good. If we do not enter the field, and with the smartest talent we have, we are throwing away a golden opportunity to take the offensive into thousands of homes and scores of thousands of minds in the occupied countries.

We ought to be telling these people, for whom hope has become about all that they have left, that the Yanks are coming; that the tanks are coming; and the planes, and after that food and surcease from cruelty and fear, and a chance to walk their streets and talk to their fellow men and build again on the ruins of their homes and to look at the sky where no crooked cross remains, and to know again the blessed healing peace of freedom.

The propaganda leaflets are an offensive weapon, too, and they are being used. But they should be followed up as often as possible by more messages from this country—by word to the occupied countries supplementing the broadcasts, and carrying a message also to the German people, and the Italian people, that there is no longer any hope for the victory of their leaders, that the people of Germany and Italy have more to gain by conversion to the democratic way of life than by continued war under tyrannical leadership, and that they are being deceived by their frantic masters.

They will not believe it? How do you know they will not? Have you ever been hungry? Have you ever been through what the Europeans are going through now? Is it not worth trying? And trying on a larger scale? And with unremitting offensive perseverance? And trying now?

There are other ways of carrying the war to the enemy besides sitting on our back-door step and contemplating the damage he did as he came in that way.

Obviously, and in the end, the really decisive offensive must come by force of arms, by hurling at the Axis everything we have got, as soon as we can get enough of it in one place to take that kind of

action. The harder we work, the sooner that day will come.

It is not for us here to attempt to dictate military strategy. Where the military blows fall is for the commanders to decide. When they fall and how soon is, in part, up to us.

That these mighty strokes will fall, that they will crush our enemies, that victory will be upon our banners, these things we know in our hearts. That it will not come save after grievous days and events of dire travail we accept, because we must.

But we do not and must not accept blunders, stupidity, smugness, slavish imitation of lost opportunities as inevitable.

Every blunder avoided shortens the war. Every missed opportunity lengthens it.

Let us get on with the war, and let us get on the offensive, wherever, whenever, and however we can.

And may the lord of battles bear us witness that every hour, every day, we did our best.

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 30 minutes.

THE "NORMANDIE" INCIDENT—WAS IT AN ACCIDENT?

Mr. DICKSTEIN. Mr. Speaker, I wish to bring to the attention of the House and of the country the question of the steamship *Lafayette*, formerly known as the *Normandie*, that is now lying helpless in the harbor of New York.

A number of investigations have been made by various agencies and a subcommittee of the Committee on Naval Affairs is now conducting an investigation as to whether or not the *Normandie* was sabotaged. Apparently everybody agrees there was no sabotage and no destruction caused by enemy aliens.

About 2 weeks ago when this incident happened I addressed this Congress and then stated that I was going to make a certain survey and report back to the House as to what I believe actually happened. In spite of all the reports that were made by the various investigating committees and boards and despite the fact that a subcommittee of the Committee on Naval Affairs is presently conducting an investigation, I think it is important that I present the information I have so that the proper committee or any other authority may follow it through.

I do not intend to take up the time of the House by reciting the things I propose to submit for the RECORD, but I am going to call the attention of the House and the country to what I believe are important facts which have been overlooked in all the investigations conducted thus far. Had the investigators followed through the investigation of the McCormack committee into certain Nazi activities in this country, they might have been able to trace the possible cause of the fire and place the responsibility for it.

A few days ago in going through some old records I found that the McCormack committee examined one William Drechsel back in 1934 and 1935. He apparently is a naturalized citizen. He was representing the North German Lloyd and the North German Piers. He is the same No. 1 Nazi in New York and in this country who has been inculcating the Nazi philosophy into the children of America. He is the same Drechsel who conducted tours from the North German Lloyd to Germany at the expense of the German Government.

When war broke out in 1939 and the North German Lloyd and the Hamburg-American Line ceased to operate, I discovered, only a few days ago, he organized a new scheme. He has organized what is known as the Oceanic Service Corporation in New York City, and you would not know what the Oceanic Service Corporation is unless you dug into the matter and found out who is at the head of it. Who do you think is at the head of that corporation? The same William Drechsel who was a Nazi agent for the North German Lloyd. What are they doing? They are supplying guards and agents for the piers in New York and other places in the country.

Now, I charge, Mr. Speaker, that Capt. William Drechsel, one of the former agents of the Nazi Government, has supplied the *Normandie* with at least 30 or more persons or alien Nazi agents who were working on the *Normandie* at the time it was being reconditioned, and who were guarding the *Normandie* upon recommendation of Capt. William Drechsel, who admitted in the spy trial of 1938 that he bailed out all the Nazi agents who were convicted about 2 years ago.

Now, here, Mr. Speaker, we have the Intelligence Bureau of the Navy and yet not one of the persons who was recommended by the Oceanic Service under the control of this Nazi agent, was checked by Naval Intelligence which is responsible for determining who shall or shall not go on the piers or who should or should not work on the *Normandie* or any other ship in the American service. If the Naval Intelligence had made any kind of investigation or if anyone in our Government had made any sort of check-up about the men who were recommended by this Nazi agent who now owns Oceanic Service Corporation, as to the men he actually put on board that ship, then anyone could easily answer the question himself. I charge that the fire was caused by sabotage and that it was done with the deliberate design of destroying the *Normandie*. There is not any American, I do not care how black he may be, who would dare to do such a dastardly thing as was done on the *Normandie*.

Mr. Speaker, not a single investigation was made by the Naval Intelligence of the third district to determine who was on that boat or who was guarding that boat, and I again say that if any investigation were made they could have traced very easily the responsibility to some place within the scope of the Oceanic Service which is controlled by this Nazi agent, who was in control of the North German Lloyd.

I am not going to take up the further time of the House. I hope to put into the RECORD some information that will give a pretty clear picture of what possibly happened on the *Normandie*, as would be shown if a proper investigation were made. You cannot conduct an investigation in Washington behind a closed door after listening to some reports made by certain naval officials or by the fire patrol or by some other persons who simply say "yes" or "no."

We must get to the truth about the *Normandie* or the *LaFayette*. How could such a thing possibly have happened when the ship was supposedly guarded by hundreds of men, with 2,200 men working there? It seems to me no one has been able to give us a clear picture of the whole situation.

I suggest to the Naval Affairs Committee that if it has the power of subpena that it bring before it immediately Capt. William Drechsel, former executive of the North German Lloyd Line and the Hamburg-American Line, and let him produce a list of the persons he recommended and who were guarding the *Normandie*. And let each one of those persons be examined very thoroughly, and then they can come to a thorough understanding of just what happened on the *Normandie*.

Mr. Speaker, a peculiar condition has arisen in New York Harbor in connection with the supervision of piers of large steamship companies. A good many ships have been tied up for the duration of war, and very often ships use berths of other companies.

As a result, it is very important that New York Harbor be watched very closely. One would think the Government would make it its special business to watch our piers, but strange as it may seem, instead of using our own naval watchmen to do this inspecting, the business of watching ships was placed in the hands of private agencies, and I shall give you the story as related by the Herald Tribune in its issue of February 20, 1942:

> This business of watching is largely in the hands of eight private agencies, of which the Oceanic Service Corporation is one of the largest. Back in 1898, a State law was enacted requiring all such agencies and their operatives, whether doing pier guard work or not, to obtain licenses as detectives and necessitating strict character qualification. This provision, however, was amended in 1938, in which pier guards were specifically exempt from licensing and were therefore relieved of qualifying as to character or record for these pier-watching duties.
>
> Because of an agreement between the shipping interests and the International Longshoremen's Association, these watchmen must all be members of the International Longshoremen's Association. There are about 2,000 of them banded together in the Port Watchmen's Local 1456, of the International Longshoremen's Association, with headquarters at 164 Eleventh Avenue. A few of the steamship lines have organized their own civilian pier guards, but even these call on the agencies for help on rush occasions.
>
> It is known that many of these watchmen are aliens or of alien origin, and no qualifications as to citizenship are required by the port watchmen's local. While admission to piers has been largely at the gateman's discretion, some guidance was offered by the Coast Guard several weeks ago, and a series of cards

have been distributed to persons who may have business on piers for commercial or military purposes.

Up to last night more than 100,000 of these credentials had been distributed among workmen, businessmen, and the armed forces, and it is expected that about 400,000 of them will have been issued by March 1, when all persons desiring to enter piers about the city must have them. Around 2,500 were issued yesterday, and they will continue to be distributed at the rate of about 3,000 daily.

These cards are in four colors—white for citizens; green for aliens; pink for seamen and others remaining in port temporarily; and yellow for persons whose hands or fingers have been injured, preventing fingerprinting.

For the most part, these cards are available to any person who has been certified to the Coast Guard by his union or employer. Joseph A. Ryan, head of the International Longshoremen's Association, said that while the union is confident of the loyalty of the great bulk of the rank and file of the 35,000 longshoremen in this port, the responsibility for checking character, citizenship, and other qualifications is entirely up to the employers.

Mr. Ryan admitted that a large number of the union men were aliens and probably citizens of Germany and Italy, although he would not venture a guess as to the percentage. In some other quarters it was said that probably 30 to 40 percent were not American citizens.

The agencies handling the watchmen, in addition to the Oceanic Service Corporation, are the McRoberts Protective Agency, Inc., 15 Moore Street; the Charles Van Hoesen Watching Service, an affiliate of the McRoberts organization, also of 15 Moore Street; Van Hoesen & Bro., headed by Fred Lohman, Jr., 24 Stone Street; Vachris Detective Agency, 3909 Third Avenue, Brooklyn, headed by Anthony Vachris, a former police lieutenant; the Allied Maritime Protective Service Co., Inc., of 2 Rector Street, headed by Roderick J. Campbell and William McIlwraith; Mealli's Detective Service, of 17 Battery Place, headed by Michael Mealli; and the Marine Detective Service, of 25 Broadway, headed by James Di Briensa, also a former policeman.

The Oceanic Service Corporation is headed by Jeremiah A. Sullivan, a former police official, who is president of the organization. William Drechsel, marine superintendent of Hapag-Lloyd, a combination of the Hamburg-American and North German Lloyd Lines, is vice president. Christian J. Beck, managing director of the Hamburg-American Line, is chairman of the Oceanic Service Corporation board of directors. The secretary is William B. Devoe, general counsel for the Hamburg-American Line, who is also listed as a director of the United American Lines, UFA Films, Inc., the big German film corporation, and the Domestic Fuel Corporation.

Sullivan is familiarly known along the waterfront as Cap and Jerry, and is noted for his good fellowship. His staff of watchmen numbered several hundred before the outbreak of the present war, but the loss of overseas trade has reduced his staff considerably. His men, however, may be found from time to time on the piers of most of the lines in the port.

For a long time Sullivan's men have been watchers on the French Line piers, although the French Line also employed men of its own. At the time the Coast Guard placed members of its force on the *Normandie* in May 1941, Sullivan's men were employed to watch both the ship and parts of the French Line pier. A Sullivan man is still the gateman at the pier.

Sullivan also got work for his watchers with the British lines, such as the Cunard and Furness-Withy, when they were rushed. He had men on the Polish line piers and on the Chilean line docks. He also had watchmen on the Alcoa Line, most of whose ships, plying the southern seas in the shipment of aluminum ore, have been taken over by the American Government.

The McRoberts agency gets much of the private watching work of the British lines, all of which now operate under the British Ministry of Shipping. This agency's men also have been employed to watch the piers of the Panama Line, operated by the United States.

Much of the Grace Line's watchmen are privately employed and so are the United Fruit watchmen. They are not members of the I. L. A.

State authorities have for many years believed that the piers here should be under some form of official control, and ever since the passage of the amendment exempting these watchers from the licensing provisions of the detective law, efforts have been made to have them placed under licensing control.

Michael F. Walsh, secretary of state of New York, has for the last 2 years sponsored two separate bills—the Carl Pack bill of 1941 and the William Condon bill of this year—which would place pier guards, among others, under strict licensing. Mr. Walsh feels that in these times the community should take no risks on the character of the men employed in such vital positions on the city's water front.

Mr. Ryan, president of the I. L. A., however, feels that the comparatively meager salaries earned by these workers—around $35 a week—would hardly enable them to meet the licensing charges of $200 an individual for permission to do this work, and that it would be an unnecessary burden to require them to pay this substantial fee. Corporations employed in this business must pay a licensing fee of $300.

It is clear that a thorough housecleaning is necessary if we want to keep our piers well guarded and prevent destruction and sabotage. To entrust the guardianship of our piers to aliens and their friends is inviting destruction and it seems that the public is entirely indifferent to this situation.

I cannot emphasize too strongly how many years ago, when my investigating committee first started to function, I took it upon myself to investigate conditions on our piers and conducted inquiries about all details of steamship inspection and the smuggling of propaganda on the German boats.

This brings me to a discussion of the men whose activities have again become the subject of public interest, Capt. William Drechsel and Christian Beck.

Capt. William Drechsel was a former U-boat captain in the last war and was also in charge of a mine sweeper in the North Sea during those days. During the German spy trials in October 1938 he admitted to Federal authorities that he handled the $125,000, bail put up for various persons involved in the charges.

Captain Drechsel, a citizen of the United States, was subpenaed in 1934 to testify before my congressional committee relative to his Nazi activities while an executive of the North German Lloyd Lines at Piers 84 and 86, North River. This man, loyal to Germany during the first World War, was in complete charge of all details relative to incoming and outgoing steamships of his line at the port of New York. He knew what propaganda was being brought in from Germany, by his own admission under oath. Seizures of propaganda material had been made by customs agents, notably the steamship *Estedes*, consisting of hundreds of pounds of literature, consisting of booklets, pamphlets, photographs, and magazines coming from the German propaganda ministry in Berlin and Erfurt. He also had knowledge of propaganda material contained in seamen's lockers, and had the right to seal these lockers if propaganda was discovered, but this he failed to do. He was also responsible for the counting of German seamen who deserted ship, and recommendations had been made to him for a more detailed check-up of men leaving the ships, and their return. He paid absolutely no attention to this.

In this particular period, 1933, 1934, 1935, and 1936, when the activities of the Nazi agents were predominant, Drechsel had charge of the public relations of his steamship company with hundreds of educational institutions in the vicinity of New York City. The purpose of this propaganda, or relations, were to lure teachers and their pupils, children, to come aboard the German liners in the New York harbor, whereupon, said pupils were given a liberal education as to "beautiful Germany," the efficiency of the German Government, and so forth, and were also shown about the ships. Congressional testimony showed that these pupils did respond to the bait, and bus fares and transportation was paid by the North German Lloyd Steamship Co.

Subsequently, thousands of Germans with technical knowledge were sent back to Germany, and it was Drechsel who had charge of this activity. He allowed them to go back, and their passage money was similarly paid, and all this was part and parcel of the Nazi scheme in the control of industry.

In the days of Spanknowbel, a Nazi agent, who came to the United States for the purpose of propaganda and espionage, and later, as in the case of Dr. Friebel, escaped while the F. B. I. was

searching for him, via the North German Lloyd steamer, we find that Captain Drechsel was responsible and had full knowledge of these activities. It is also important to note that Joachim Paffrath, then admitted head of the D. K. V. a subsidiary of the German-American Bund, swore out a criminal summons and complaint against seven Nazi Bund leaders, accusing them of attempting to kidnap him aboard a North German Lloyd liner, to be sent back to Germany for trial. He swore that Captain Drechsel was informed of this scheme, and that he was heartily in favor of lending effort in the kidnaping of Paffrath to be sent back to Nazi authorities. Paffrath subsequently escaped, and is now an American citizen living in Cleveland, Ohio.

Captain Drechsel's own testimony discloses that he was in complete charge of everything connected with this shipping line in New York harbor, and all activities were known to him. Nazi agents were smuggled in at random on these lines and in some instances even guns were smuggled into this country, while knives were brought in in other instances, together with other weapons.

Came the break with Germany, and we find Captain Drechsel and Mr. Beck, vice president now, taking an active part in a corporation known as the Oceanic Service Corporation, in New York City. This corporation was set up for the purpose of hiring guards for antisabotage purposes and the guarding of piers. Some responsible agency in the Government called upon this guard service as well as many others to supply men to guard the piers within the past 2 months. It would be interesting to follow up and note how many men were hired from the Oceanic Corporation and to establish their backgrounds. Is it a coincidence that we find that one Baron von Wrangle, a former America Firster, isolationist, and rampant street speaker, seeking and securing employment as a guard upon the steamship *Normandie?* It would also be interesting to note how many other such guards were secured from the Oceanic agency.

The German-American Bund formerly met frequently on board liners in New York Harbor. In the official year book of the German-American Bund, 1937, the bund was urged on July 10 to visit the U-boat *Deutschland,* then in Baltimore Harbor. On September 10, 1937, on Friday, the bund, then known as Friends of New Germany, met on board the *Resolute.* Previous to this time, in the summer of 1936, Captain Drechsel arranged the passage of between 300 and 400 bunders and their families on board the German liner *New York* to go to Berlin, participate in the Olympics, and they subsequently paraded in the streets of Berlin before Adolf Hitler and Marshal Goering.

Christian J. Beck, formerly managing director of the Hamburg-American Line, is chairman of the Oceanic Service Corporation board of directors. The secretary is William B. Devoe, general counsel for the Hamburg-American Line, who is also listed as a director of the United American Lines; UFA Films, Inc., the large German film corporation; and the Domestic Fuel Corporation.

It is people of this type who are left in control of our invaluable shipping and who have it in their hands to engage in all acts of espionage and sabotage.

Mr. Speaker, in view of the time, I yield back the balance of my time.

EXTENSION OF REMARKS

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the order of three additional giant generators at Coulee Dam.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, on Monday, February 23, I introduced H. R. 6649 which authorizes the President to designate and appoint Gen. Douglas MacArthur as supreme war commander. At this point I include said bill:

H. R. 6649

A bill to establish the Office of the Supreme War Command, and for other purposes

Be it enacted, etc., That the President of the United States, as Commander in Chief of the Army and Navy, is, in his discretion, authorized to create the Office of the Supreme War Command and to designate and appoint Gen. Douglas MacArthur, United States Army, the Supreme War Commander and such other staff war command officers as he may desire.

That the offices of the War and Navy Departments, the Air Corps, and other armed forces, will operate under the direction of the Supreme War Command as the Army, Navy, and air war commands, respectively.

My reason for introducing this bill is threefold:

First. General MacArthur is well qualified for such a position by birth, by training, and especially by the splendid and heroic defense he has made in the Philippines for the past 3 months. It overshadows even the gallant and courageous defense of Fort Sumter in the early days of the Civil War.

Second. General MacArthur has deservedly become a popular hero and the people of these United States without exception would approve of such a selection and give united, unstinted, and unswerving support to such a military leader.

Third. Our Commander in Chief, President Roosevelt, asserted in his international broadcast night before last that it would be a long time before we could send reinforcements to the Philippines. Hence, all that can be done there for the present is to hold the two impregnable forts which guard the entrance to Manila Bay. This can be done under the leadership of some other general now there. That General MacArthur is needed here at home has been voiced by many, including such outstanding men as Wendell Willkie and Sergeant York. I sincerely trust that the Congress will enact this legislation and that our President will see fit to act in accordance therewith. They will thereby do a splendid thing and unite all forces for the winning of an early and complete victory over the Axis.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. HOOK, for 3 days, on account of official business.

To Mr. THOMAS of Texas, for 3 days, on account of important official business.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6470. An act to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 6470. An act to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased.

ADJOURNMENT

Mr. LANE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 23 minutes p. m.) the House adjourned until tomorrow, Thursday, February 26, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, February 26, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1436. A communication from the President of the United States, transmitting a supplemental estimate of appropriation, fiscal year 1943, in the form of an amendment to the Budget for said fiscal year for the legislative establishment, Government Printing Office, involving an increase of $1,075,000 in such estimates (H. Doc. No. 637); to the Commit-

tee on Appropriations and ordered to be printed.

1437. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $64,214, for the fiscal year ending June 30, 1942, for the War Department for the maintenance and operation of the United States Soldiers' Home (H. Doc. No. 638); to the Committee on Appropriations and ordered to be printed.

1438. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal year, 1943, amounting to $155,525, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 639); to the Committee on Appropriations and ordered to be printed.

1439. A letter from the Secretary of War, transmitting a letter from the Chief of Ordnance, United States Army, dated February 20, 1942, forwarding statements of the cost of manufacture at the armory and arsenals named therein, for the fiscal year ended June 30, 1941; to the Committee on Expenditures in the Executive Departments.

1440. A letter from the Secretary of the Interior, transmitting a statement of the fiscal affairs of all Indian tribes for whose benefit expenditures from public or tribal funds were made during the fiscal year ended June 30, 1941; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 726. A bill for the relief of Anna Malama Mark; with amendment (Rept. No. 1825). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 1826. A bill for the relief of Mary Alexina McKinnon; with amendment (Rept. No. 1826). Referrd to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COSTELLO:

H. R. 6668. A bill to establish as a part of the Reserve component of the Regular Army a Home Defense Organized Reserve for local home defense; to the Committee on Military Affairs.

By Mr. KEOGH:

H. R. 6669. A bill to prohibit the registration of trade-marks containing the words "White House"; to the Committee on Patents.

By Mr. KING:

H. R. 6670. A bill to provide for an irrigation and water-utilization project on the island of Molokai, T. H.; to the Committee on Irrigation and Reclamation.

By Mr. ROBINSON of Utah:

H. R. 6671. A bill to authorize the Secretary of the Interior to acquire lands or interest in lands for the Geological Survey; to the Committee on the Public Lands.

By Mr. COLLINS:

H. R. 6672. A bill providing the cost of laundry and cleaning to soldiers, sailors, and marines in the armed forces; to the Committee on Military Affairs.

By Mr. HARRIS of Virginia:

H. R. 6673. A bill to permit the payment of compensation for overtime of certain immigration inspectors required to work overtime in the performance of duties under the Alien Registration Act; to the Committee on Immigration and Naturalization.

By Mr. COFFEE of Washington:

H. Res. 446. Resolution requesting certain information from the Secretary of State; to the Committee on Foreign Affairs.

By Mr. VINSON of Georgia:

H. Res. 447. Resolution for consideration of S. 2249, a bill authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes; to the Committee on Rules.

By Mr. STEFAN:

H. Res. 448. Resolution authorizing the printing of the proceedings in the House of Representatives on December 19, 1941, commemorating the service of William Tyler Page; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE of Washington:

H. R. 6674. A bill for the relief of Jennie Walker; to the Committee on Claims.

By Mr. JENKINS of Ohio:

H. R. 6675. A bill for the relief of Renzie Graham; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 6676. A bill for the relief of F. A. Holmes, former United States disbursing clerk for the State of Illinois; to the Committee on Claims.

By Mr. TINKHAM:

H. R. 6677. A bill for the relief of Ronald Lerov Chen; to the Committee on Immigration and Naturalization.

By Mr. WHELCHEL:

H. R. 6678. A bill for the relief of Mrs. Claud Tuck; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2487. By Mr. GRAHAM: Petition of the Women's Missionary Society of the Highland United Presbyterian Church of New Castle, Lawrence County, Pa., protesting against not only the sale of beer in our Army camps, but the sale of hard liquors, and the establishing of houses of prostitution and ill fame in and about the vicinity of all Army camps of our Nation; to the Committee on Military Affairs.

2488. By Mr. KEOGH: Petition of the State of New York joint legislative committee on interstate cooperation, Assembly Chamber, Albany, N. Y., favoring the passage of House bill 6020; to the Committee on the Merchant Marine and Fisheries.

2489. By Mr. KRAMER: Petition of the Board of Supervisors of the County of Los Angeles, Calif., recommending the proposed extension of social-security taxation to cover those not now included by the Social Security Act; to the Committee on Ways and Means.

2490. By Mr. MERRITT: Resolution of the American Bureau of Chiropractic, Inc., Auxiliary No. 17, urging that the President of the United States take cognizance of the situation and take appropriate steps for the permanent creation of a place in the Health Service for chiropractic, either as a part of the present set-up of the Medical Corps or that a separate and distinct chiropractic corps be created to be confined strictly to the administration of chiropractic to soldiers who are in need of that particular type of health service; to the Committee on Military Affairs.

2491. By Mr. ROLPH: Resolution of the State of California Assembly, Joint Resolution No. 22, relative to memorializing the Federal Government to protect the acquired retirement rights of State employees brought into the Federal service by reason of the transfer to the Federal Government of the employment functions of the department of employment; to the Committee on Ways and Means.

SENATE

THURSDAY, FEBRUARY 26, 1942

(Legislative day of Friday, February 13, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Reverend Charles W. F. Smith, canon, Washington Cathedral, Washington, D. C., offered the following prayer:

Almighty God, who dost measure the waters in the hollow of Thy hand, who weighest the mountains in a balance, and to whom the nations are as the drop of a bucket: Thou rememberest our frame; Thou knowest that we are but dust. Have mercy upon us, for Thou art our Father. Before Thee we stand as children seeking Thy guidance, Thy provision, Thy love. In our darkness, light Thou our way. In our confusion, clear Thou our path. In our fear, take our hands in Thine. Send Thy gracious Spirit into our midst that we may be calm before every phantom of terror and bold to dispel every threat of force. Do Thou go with us and show us the way we should walk in, for Thou art our God for ever and ever; Thou shalt be our guide unto death. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, February 25, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WHITE, Mr. ROBINSON of Utah, Mr. MURDOCK, Mr. SHORT, and Mr. WINTER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6531) to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and non-ferrous-metal scrap, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5880) to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances, and it was signed by the Vice President.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Radcliffe
Ball	Green	Reed
Bankhead	Guffey	Reynolds
Barbour	Gurney	Rosier
Barkley	Hayden	Russell
Bilbo	Herring	Schwartz
Bone	Hill	Shipstead
Brewster	Holman	Smathers
Brown	Hughes	Stewart
Bulow	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Okla.
Byrd	La Follette	Thomas, Utah
Capper	Langer	Tobey
Caraway	McCarran	Truman
Chavez	McKellar	Tunnell
Clark, Idaho	McNary	Tydings
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Walsh
Danaher	Millikin	Wheeler
Davis	Murray	White
Downey	Norris	Wiley
Doxey	Nye	
Ellender	O'Daniel	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH], the Senator from Utah [Mr. MURDOCK], and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Georgia [Mr. GEORGE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from Arkansas [Mr. SPENCER], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of injury and illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

PETITIONS

Petitions, etc., were presented, and referred as indicated:

By Mr. GREEN:

A joint resolution of the Legislature of Rhode Island; to the Committee on Finance:

"House Joint Resolution 685

"Joint resolution requesting the Senators from Rhode Island in the Congress of the United States to use their best efforts to have passed H. R. No. 4, being an act, entitled 'An act to provide more adequate compensation for certain dependents of World War veterans'

"Whereas there is now pending in the Congress of the United States of America, an extremely important bill, known as H. R. 4, being an act, entitled 'An act to provide more adequate compensation for certain dependents of World War veterans,' which act has already passed the lower body of Congress and is now in the Senate Finance Committee: Now, therefore, be it

"*Resolved*, That the Senators from Rhode Island in the Congress of the United States be, and they hereby are, respectfully requested to use their best efforts to have enacted into law H. R. No. 4, being the act, entitled 'An act to provide more adequate compensation for certain dependents of World War veterans'; and be it further

"*Resolved*, That the secretary of state is hereby authorized to transmit duly certified copies of this resolution to the Senators from Rhode Island in the Congress of the United States of America."

By Mr. CAPPER:

A resolution adopted by the stockholders of the Decatur County National Farm Loan Association, of Oberlin, Kans., favoring the enactment of legislation to continue the 3½ percent interest rate on Federal land bank and Land Bank Commissioner loans for a period of 5 years; to the Committee on Banking and Currency.

PROHIBITION OF THE MANUFACTURE AND SALE OF ALCOHOLIC BEVERAGES IN WAR EMERGENCY

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution recently adopted by the official board of the Woodbine Methodist Church, Woodbine, Kans., urging that the grains now used in the manufacture of alcoholic beverages be diverted to purposes which will better serve the needs of the present war emergency. I believe this to be a suggestion worthy of the most serious consideration.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

A PETITION TO OUR CONGRESSMEN

So many factories and business firms, both large and small, have been compelled to discontinue the manufacture of their usual products and turn aside to the production of arms, guns, tanks, planes, and other necessities of war that it has brought a real hardship upon most of our people by denying them many of the very necessities of life and business.

Yet there has been very little curtailment in the brewing and distilling of intoxicating alcoholic beverages. The manufacture of these various liquors require millions of bushels of food grains and sugar sorely needed for food for our livestock and our people and our Allies.

We, therefore, the official board of the Woodbine Methodist Church representing about 300 members and constituents assembled in regular session on January 26, 1942, go on record as being greatly opposed to a continuance of such conditions and we sincerely petition, you our Representatives in the National Legislature, and our President, Franklin D. Roosevelt, to use your influence and vote to bring about the absolute prohibition of the manufacture, transportation, and sale of all hard liquors and malt beverages for beverage purposes throughout the duration of this war. We further desire that you cause a copy of these resolutions to be printed in the CONGRESSIONAL RECORD.

Respectfully submitted.

CHAS. L. RUHLEN,
President.
LOUIS C. WESTRUP,
Secretary.

Mr. REED. Mr. President, I ask leave to have printed in the RECORD and appropriately referred a petition or resolution regarding the manufacture, sale, and transportation of hard liquors and malt beverages throughout the duration of the war. This resolution was adopted by the official board of the Woodbine Methodist Church, of Woodbine, Kans., and was signed by Charles L. Ruhlen, president, and Louis C. Westrup, secretary.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD. [For text of resolution referred to, see the foregoing identical resolution presented by Mr. CAPPER.]

RESOLUTION OF HAWKINSVILLE (GA.) ROTARY CLUB—LABOR LEGISLATION

Mr. RUSSELL presented a telegram from the Hawkinsville (Ga.) Rotary Club embodying a resolution which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

HAWKINSVILLE, GA., *February 26, 1942.*

RICHARD B. RUSSELL,
United States Senator,
Washington, D. C.:

The Hawkinsville Rotary Club unanimously passed today the following resolution:

"*Resolved*, That the Congress pass legislation removing the restrictions from the labor laws so that laborers may work any necessary number of hours during the present emergency.

"*Resolved further*, That the Congress pass without delay legislation prohibiting strikes during the present emergency and affixing drastic penalties for its violation.

"*Resolved*, That a copy of this resolution be sent to the Senators from this State and the Congressman from this district."

HAWKINSVILLE ROTARY CLUB.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Claims:

H. R. 6328. A bill for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; without amendment (Rept. No. 1141).

By Mr. TUNNELL, from the Committee on Claims:

S. 221. A bill for the relief of the Beacon Oyster Co.; with amendments (Rept. No. 1142).

By Mr. CAPPER, from the Committee on Claims:

H. R. 1535. A bill for the relief of the estate of John J. Murray; without amendment (Rept. No. 1143);

H. R. 2120. A bill for the relief of John H. Durnil; without amendment (Rept. No. 1144);

H. R. 2430. A bill for the relief of John Huff; without amendment (Rept. No. 1145);

H. R. 4896. A bill for the relief of David B. Byrne; without amendment (Rept. No. 1146); and

H. R. 5478. A bill for the relief of Nell Mahoney; without amendment (Rept. No. 1147).

By Mr. O'MAHONEY, from the Committee on Public Lands and Surveys:

H. R. 2320. A bill to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains

National Park, and for other purposes; with an amendment (Rept. No. 1148).

PRODUCTION OF INDUSTRIAL AND SYNTHETIC ALCOHOL AND SYNTHETIC RUBBER—REPORT OF A COMMITTEE

Mr. TYDINGS. From the Committee to Audit and Control the Contingent Expenses of the Senate, in the absence of the Senator from Illinois [Mr. LUCAS] and at his request, I report back favorable, with an additional amendment, Senate Resolution 224, which was submitted by the Senator from Iowa [Mr. GILLETTE] February 17, 1942, and which provides for a special Senate committee to inquire into the rubber and kindred situations. As soon as it is appropriate to do so I shall ask for the consideration of the resolution.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 2316. A bill to provide for the placing in Gallinger Hospital of a memorial to George Earle Chamberlain; to the Committee on the District of Columbia.

By Mr. ELLENDER:

S. 2317. A bill for the relief of Lillian LaBauve Linney; to the Committee on Claims.

By Mr. DOWNEY:

S. 2318. A bill for the relief of Primo Giordanengo and Angie Giordanengo; to the Committee on Claims.

S. 2319. A bill to provide for the appointment of a district judge for the northern district of California in order to fill a vacancy in the office of an additional district judge heretofore authorized for such district; and

S. 2320. A bill to provide compensation for personnel sustaining disease or injury while performing civilian defense duty, and to provide indemnities to the beneficiaries of such personnel in certain cases; to the Committee on the Judiciary.

By Mr. SHIPSTEAD:

S. 2321. A bill granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center; to the Committee on Commerce.

By Mr. WHEELER:

S. 2322. A bill to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects; to the Committee on Agriculture and Forestry.

HOUSE BILL REFERRED

The bill (H. R. 6531) to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and non-ferrous-metal scrap was read twice by its title and referred to the Committee on Finance.

EXTENSION OF BENEFITS OF TITLE II OF SOCIAL SECURITY ACT

Mr. SMATHERS submitted the following resolution (S. Res. 226), which was referred to the Committee on Finance:

Whereas various legislative proposals to extend the benefits of title II of the Social Security Act, as amended, to employees of States, political subdivisions thereof, and instrumentalities of States or political subdivisions are now pending in the Congress; and

Whereas many of such employees are now members of State or local government retirement systems and have made substantial contributions from their salaries to the funds used to finance such systems; and

Whereas should title II of the Social Security Act, as amended, be so amended as to extend its benefits to such employees, it is probable that several of the State and local government retirement systems would be abolished; and

Whereas the continuance of the possibility of abolition of such systems is adversely affecting the morale and efficiency of such employees: Therefore be it

Resolved, That it is the sense of the Senate that it will not favorably consider any legislation designed to extend the benefits of title II of the Social Security Act, as amended, to employees of States, political subdivisions thereof, and instrumentalities of States and political subdivisions.

ADDRESS BY COL. E. A. EVANS TO HOLLYWOOD VICTORY COMMITTEE

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an address delivered by Col. E. A. Evans, Army liaison officer, to the Hollywood Victory Committee for Stage, Screen, and Radio, at the Beverly-Wiltshire Hotel, Hollywood, Calif., on February 12, 1942, which appears in the Appendix.]

GEORGE WASHINGTON—ARTICLE FROM PM

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article from PM for Monday, February 23, 1942, entitled "An Old Tory Warns Against That Man at Valley Forge," which appears in the Appendix.]

THE COLLEGES AND SERVICE IN THE MILITARY FORCES

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article and 10 questions and answers appearing in the February number of the Journal of Chemical Education, which appear in the Appendix.]

THE RUBBER SITUATION—NOTICE OF HEARING

Mr. TRUMAN. Mr. President, some time back the junior Senator from California [Mr. DOWNEY] offered a resolution for an investigation of the rubber situation. The resolution was referred to the Committee on Military Affairs, and was by that committee sent to the Special Committee to Investigate the National Defense Program, of which I am chairman. I appointed a subcommittee of that committee, composed of the Senator from Iowa [Mr. HERRING], as chairman, the Senator from West Virginia [Mr. KILGORE], and the Senator from Maine [Mr. BREWSTER], and they have been holding confidential hearings on the rubber situation with a view to ascertaining exactly what the situation is, so that public hearings may be held without disclosing any strategic information which would be of value to the enemy.

The public hearings will be of vital interest to car drivers and rubber users generally, and the first hearing will be held a week from today, at 10:30 o'clock, in the Senate Office Building, room 318.

Mr. Leon Henderson, the Price Control Administrator, will be the first witness. I think the statement which will be made by Mr. Henderson will be of great importance to the country. I do not believe the automobile drivers and the general users of rubber realize exactly what the rubber situation is. Every effort must be made to conserve that commodity, for the simple reason that the synthetic-rubber program will be much longer coming into production than was at first anticipated. We shall go into that situation in detail in the public hearings which will start next week. I think it will be of interest to automobile users to conserve their tires more carefully, for they are not going to get any more.

Mr. BREWSTER. Mr. President, supplementing what has been stated by the chairman of the Committee Investigating the National Defense Activities, the Senator from Missouri [Mr. TRUMAN], I wish to mention a matter of concern not only to the committee but possibly the Senate in connection with a story which appeared in a local paper this morning dealing with supposedly secret hearings, in which my name was involved.

Walter Lippmann states in his column this morning:

We have very few Senators who can resist the pleasure of telling all they are told, and none of us can bear not to hear it and spread it about.

An article appearing in a local newspaper this morning would seem to furnish very convincing evidence of the correctness of that statement in at least one case. If it concerned me only, I should not trespass upon the time of the Senate, but since it concerns the functioning of the committee of which the Senator from Missouri is chairman and the subcommittee which he has designated to deal with the rubber situation, I wish to clarify the situation somewhat.

The article in question says:

Information received by the committee in secret session, Senator BREWSTER declared, indicated—

And so forth. I would not say that the members of the press gallery were seeking to teach a lesson to the Senate, but I can conceive of nothing more nicely calculated for our education than the printing of a statement of this character—

Information received by the committee in secret session, Senator BREWSTER declared.

I cherish my associations with the press and with the particular gentleman who wrote the article in question. I wish to believe that he was not deliberately trying to make trouble or to embarrass anyone, but any other explanation is exceedingly difficult. I presume that at times all of us discuss matters decidedly off the record. Part of this statement may have a semblance of correctness, and other parts are inaccurate.

At any rate, in the interest of the relations of the Senate committee with the Departments in Washington, where it is vital that we should enjoy each other's confidence, I wish that they, as well as the Members of the Senate, shall realize that certainly I could never have authorized the publication of any such article as here appears.

Mr. President, I trust this will indicate that I have some conception of the very high responsibilities of the office of Senator.

In connection with the most critical and pressing problem of synthetic rubber and crude rubber and the consequences of the prospective shortage to

our entire economy and particularly to our victory program, there are a number of Government agencies involved, and their harmonious and cooperative functioning is of supreme importance.

In the aluminum program a most regrettable controversy between members of the Cabinet may have greatly delayed our rearmament.

Mindful of this, I made a public statement 2 days ago in which I said that "what we want is rubber and not rows."

I believe everyone should cooperate to that end. I feel encouraged that real progress is being made and that everyone concerned is more and more appreciative of the demand of the people of America that nothing shall be permitted to obstruct or delay our victory program.

Mr. TRUMAN. I am very happy to hear the Senator make the statement he has made, because the hearings of the subcommittee of which he is a member were authorized for the purpose of ascertaining just what could be made public and what should not be made public. Those hearings have been entirely off the record, and they were off the record for strategic purposes. There is nothing the committee desires to cover up, but we felt that rubber was of such vital importance to the war program that we should know exactly what we were going into before we invited the public to listen.

Mr. SCHWARTZ. Mr. President, I wish to reply for a moment to one remark made by the distinguished Senator from Missouri [Mr. TRUMAN], when he said that we should all take good care of our tires, because we were not going to get any more.

I believe that certain segments of our population will get tires when it is necessary for them to get them. The transportation of over half the goods and men carried in the United States moves on rubber over our highways. Farm products have to go from the farms to the railroads over the highways; and the situation, distressing as it is, is not so bad, from all I can find from informed sources, for where they are necessary to carry on the particular necessary businesses, tires will be available in proper amounts for that kind of service.

Mr. TRUMAN. In very small quantities; and there will not be nearly enough for those necessary services, so that the ordinary fellow will not get any more tires when those he has wear out.

Mr. SCHWARTZ. I am not speaking in the interest of the "ordinary fellow"; I am interested in the men who have to have tires in order to get their commodities to the market. Those men, of course, are going to be supplied, and necessarily must be supplied.

Mr. TRUMAN. They cannot be supplied when the tires are not in existence.

Mr. SCHWARTZ. The distinguished Senator is going to conduct a hearing and hear from many experts, so I shall not argue with him about what he is going to hear at the hearings; but I have investigated this matter probably as much as has the Senator, and I do not want the public to understand that we are going suddenly to be paralyzed in all our transportation the coming year, nor do I want the public to understand that we are not going to be able to create much synthetic rubber before the fall of 1943. It is true that up to date some of the major oil companies are still adjusting their willingness to create butadiene and other products for the production of rubber, according to where it is most economical to do it. We are going to cure that, too. I do not want the American people to think we are folding up all at once and have our enemies across the water get the same idea. Today railroads are paralleling their lines with large busses, each using from 6 to 10 immense rubber tires, and at the same time many of the railroad cars are half filled with passengers. We can save rubber by discontinuing some of these busses and thus get some rubber for farmers moving their products to market and to businessmen for necessary delivery and transfer purposes.

ECONOMIC POST-WAR PROBLEMS—STATEMENT BY BLAIR MOODY

Mr. DOWNEY. Mr. President, in time of war we are under an equal compulsion to plan for peace, lest all that we seek to win be lost in the aftermath. It is encouraging to me to note that at least one writer in Washington has devoted himself intelligently and exhaustively to the economic problems we shall face when peace comes. I refer to Blair Moody, noted Capital correspondent, whose book, Boom or Bust, has recently appeared.

I should like to call to the attention of the Senate some of the most pertinent passages from this important work.

Obscured by the rush to arm and the pressure of imminent war, there has taken shape in the highest reaches of official Washington a sweeping shift in basic slant, a gigantic awakening to economic realism.

Nothing except the single issue of peace or war is so important to the average citizen as whether this little publicized but rapidly spreading point of view fades or becomes the dominant pattern of the United States after the crisis. On what President Roosevelt does about this, scarcely less than on what he does about the Nazis, may rest the future welfare of the American people.

If Government spending on arms can make the factories whir, if the shortage of food abroad can reverse our whole scarcity farm plan, if the bookkeeping items that represent Uncle Sam's borrowing can increase profits and shove the national income right up through the skylight, why cannot the factories and farms be made to whir also by spending of the people—people buying to increase their own standard of living with money they earn, in the aggregate, producing those goods?

In other words, if we turn our productive power loose when the war is over and call overproduction by its real name, underconsumption, why would not that provide the answer for which we have all been looking? Certainly it could not be much worse than what seems inescapably ahead under the alternative system of scarcity.

Obviously, Government spending is justified in an emergency. In the future, under a program integrated with the rest of the economy, it may provide one of the most important parts of the answer. But is it justified perpetually if nothing is being done meanwhile to straighten out what is basically wrong? To that question the orthodox business traditionalists, to the last man, will roar a resounding "No," but so far they have not seen the real picture clearly enough to correct it in order that Government spending could stop.

The Capital's keenest analysts hold that the New Deal spending of the 1930's failed, except as a stop-gap, because it merely put a plaster on the wounds, never went deep enough to cure them. There still were not enough goods to go around, or rather, not enough money in the hands of the people to take goods off the shelves and stimulate production of more, which would create more jobs.

But now, for an entirely different purpose, which no one can question, has come a spending program of great enough magnitude really to get the economy rolling at full throttle. If managed properly, the progressives believe, we can keep it rolling.

Will we have the wit to take full advantage of this tremendous momentum of spending power? Or will we allow this opportunity to knock, and pass by, and then try to lift ourselves by our bootstraps all over again after it has gone?

It is now or never.

There should be no doubt in which direction that is. Our productive capacity is greater today than ever before. It exceeds by far the peak reached in the boom of the 1920's. It can be even greater, much greater. We have the manpower, the materials, the management, and the financial resources to make this a $120,000,000,000 country in any peacetime year instead of a sixty- or a seventy- or an eighty-billion-dollar country. And we can do it without disturbing in any particular any essential, basic principle of the capitalistic system. That system is in danger only if we do not make it work.

DEFENSE OF THE WEST COAST

Mr. DOWNEY. Mr. President, on February 11 of this year a column by Walter Lippmann appeared in the press, describing the administrative problems of the Pacific coast.

Mr. Lippmann is concerned—as I am, too—with the difficulties encountered by our Government in attempting to run the defense of the west coast by remote control from Washington. As he remarks:

Anyone who comes here from Washington will, I believe, soon be convinced that the distance is too great, that communication is too difficult, and that questions are often too peculiar to be dealt with by referring them back and forth between the many separate Government departments in the Capital and their many separate subordinates out there.

Mr. President, because the issue which Mr. Lippmann has raised is one of an increasingly critical nature, and because he has set it forth with all his accustomed clarity and fecility of expression, I request that his statement be included in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times of February 11, 1942]

TODAY AND TOMORROW—A REPORT FROM SOUTHERN CALIFORNIA

(By Walter Lippmann)

SAN FRANCISCO.—From what I have seen in southern California I have the very strongest impression that the control exercised by Washington is too remote for efficiency and that some way must be found by which urgent military and civil questions can be decided on the Pacific coast itself. I am not speaking of the general strategical planning of the great war, but of the internal and external defense of this combat area which contains the main bases and some of the principal arsenals of the Pacific war. Anyone who comes here from Washington will, I believe,

soon be convinced that the distance is too great, that communication is too difficult, and that the questions are often too peculiar to be dealt with by referring them back and forth between the many separate Government departments in the Capital and their many separate subordinates out here.

I myself, for example, have had two personal experiences in California, trifling in themselves perhaps, which nevertheless are, I believe, illustrative. Before leaving Washington I was given permission to visit some of the important base areas on the Pacific coast. My credentials named certain officers and their commands. The first time I used the credentials it turned out that the officer named in my papers from Washington had in fact retired quite some time ago. No doubt this was no more than a clerical error by one bureau of one large department in Washington. But it does suggest how remote is Washington when even one bureau concerned with such matters can fail to be vividly and wholly aware of the very name of the man who commands one of the most important bases in continental United States.

NO REAL CONTROL

My second experience was with credentials from Washington authorizing me to visit certain plants producing weapons. My Washington papers named one specific plant in southern California which I was allowed to visit. As a matter of fact, I was actually taken without papers to two plants and was invited to visit several others. There was nothing in the notion, which seemed to prevail in Washington, and involved a lot of time and paper work, that Washington really controlled who visited what plant in California.

The only point in mentioning these things is that they illustrate the general conclusion, which few out here would dispute, that in spite of the Roberts report on Pearl Harbor there is as yet no solution in this vulnerable region of the problem of adequate authority and of unified command and of clearly fixed responsibility. I visited one base area which must be protected at all costs. Undoubtedly much has been accomplished since December 7. The Navy and Army, the Civilian Defense, the Department of Justice, and the local government were alert and in close and friendly relations. But my impression was that there existed no clear division of authority, much less a final over-all authority, and that in matters which might at any moment become critically dangerous the several commanders and civilian officials on the spot were entangled in confusing theoretical, ideological, and academic discussions with officials in Washington. I was unable to feel that the officials at their desks in Washington could fully grasp the practical questions they were trying to decide, or could realize how urgent they are.

COMMAND NEEDED

Officers and civilian officials, who may at any moment be face to face with the enemy striking from without and from within, were still corresponding with Washington about questions which call for the equipment of constitutional lawyers, international lawyers, diplomats, economists, sociologists, politicians, and even journalists. Now it is inconceivable that they can put their whole minds and all their energy to protecting this base against what might be irreparable damage if they are not allowed to decide what security requires and are unable to get prompt approval or modification of their decisions from high Government authority nearer to the situation than Washington can hope to be.

When one considers the size of the country, the complexity of this war, the many commands, the many civilian departments concerned with security, and the multiplicity of local authority, the States, the counties, the municipalities, it does not seem possible that the right measures can be taken by invoking the blessed words "coordination, cooperation, and consultation." War requires authority, command, obedience, and discipline, and to be effective these things must be exercised and enforced by men who are not too remote from the scene of action.

POSSIBLE SOLUTION

I do not know how it is to be done. But I am satisfied that there is needed in the Pacific coast region not only unity of military command at the top with a direct chain of unified command to each critical position, but also a unity of civil authority, a something in the nature of a governor-general with cabinet council entrusted with most of the war powers now lodged in Washington.

It is easy enough to think of all the reasons why this is novel and unprecedented and difficult to do. But if it is a necessary thing to do, we ought not to wait for another Pearl Harbor before doing it. Now, the fact is that the Pacific coast is an absolutely vital region both to the defensive and to the offensive power of the United States. It is very much more vulnerable than we like to realize.

The real obstacle to thorough measures is, it seems to me, a false perspective in Washington and to a considerable extent on the Pacific coast as well. There is a general hesitation about exercising powers which in effect approximate martial law, and of concentrating these powers where they can be effectively exercised. This hesitation arises from scruples, which are quite proper in time of peace, against overriding private interests, vested interests, local and departmental prerogatives.

But these hesitations will be seen in proper perspective when we take as our standard of judgment the fact that the damage done by acting promptly and drastically can be repaired, while the damage which may result from inaction can be irreparable. It may be unpleasant to lock the stable door tight while the horse is still there. But it is far more unpleasant to lock it after the horse is stolen.

FIFTH SUPPLEMENTAL DEFENSE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

CONSOLIDATION OF POLICE AND MUNICIPAL COURTS OF THE DISTRICT

Mr. McCARRAN. Mr. President, there is pending on the calendar House bill 5784 to consolidate the Police and Municipal Courts of the District of Columbia, and for other purposes, to which I desire to draw the attention of the Senate, and for which I shall ask present consideration for the reason that my good friend, the Senator from Maryland [Mr. TYDINGS] may be required to be absent from the Senate if the bill were to be considered later in the day. The calendar number is 1152. The Senator from Tennessee [Mr. MCKELLAR] in charge of the pending appropriation bill, has very kindly consented that I may bring up House bill 5784, and temporarily displace the unfinished business, providing the consideration of the bill does not take to exceed 30 minutes. If the consideration of the bill requires to exceed 30 minutes, then I shall desist, and will attempt to have the bill considered at another time.

Mr. President, the reason for asking consideration for the bill now is that the senior Senator from Maryland desires to present an amendment to the bill, to which I, as the author of the bill, cannot agree. I desire to have the matter presented to the Senate, and if the Senate sees fit to adopt the amendment of the Senator from Maryland, well and good. If it does not, then the bill might go through as amended by the Senate Committee on the District of Columbia.

With that in mind, I shall now ask unanimous consent that House bill 5784 be immediately considered, thus displacing the pending business, but providing that if at the end of 30 minutes from this time the bill shall not have been disposed of, we shall desist and allow the unfinished business to be taken up. I make that request, if it is satisfactory to the Senator from Tennessee.

Mr. MCKELLAR. Mr. President, with that understanding I have no objection. I suggest that the Senator from Nevada ask unanimous consent that the unfinished business be temporarily laid aside for the purpose of proceeding with the consideration of his bill for half an hour.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily, and that the Senate proceed to the consideration of House bill 5784.

The VICE PRESIDENT. Is there objection to the unanimous-consent request that the unfinished business be temporarily laid aside, and that the Senate proceed to consider House bill 5784?

There being no objection, the Senate proceeded to consider the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause, and to insert in lieu thereof the following:

That the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, be, and they are hereby, consolidated into a single court to be known as "The Municipal Court for the District of Columbia."

THE MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

The court shall consist of 10 judges appointed by the President with the advice and consent of the Senate, 1 of whom shall be designated by the President as chief judge.

The terms of the judges shall be in accordance with the following schedule: The first two appointments shall be for a term of 10 years each; the second two appointments shall be for a term of 8 years each; and the remaining six appointments shall be for a term of 6 years each. The judges of the Police and Municipal Courts of the District of Columbia holding office on the effective date of this act shall, however, serve as judges of the Municipal Court for the District of Columbia hereby created until the expiration of their respective commissions and until their successors are appointed and qualified.

The court shall adopt and have a seal, and shall be a court of record.

SEC. 2. Subsequent appointments and reappointments to this court shall be for a term of 10 years each. All judges shall continue in office until their successors shall be appointed and qualified. Each judge shall be subject to removal only in the manner and for the same causes as are now or hereafter provided for the removal of Federal judges. The salary of the chief judge shall be $8,500 per annum and the salary of each associate judge shall be $8,000 per annum. Each judge, when

appointed, shall take the oath prescribed for judges of courts of the United States. No person other than a bona fide resident of the District of Columbia and maintaining an actual place of abode therein for at least 5 years immediately prior to his appointment shall be appointed and further such appointee shall have been actively engaged in the practice of the law in the District of Columbia for a period of at least 5 years immediately prior to his appointment, or shall have been a judge of one of the courts of the District of Columbia.

SEC. 3. (a) The chief judge shall, from time to time and for such period or periods as he may determine, designate the judges to preside and attend at the various branches and sessions of the court. He shall have the power to determine the number and fix the time of the various sessions of the court, to arrange the business of the court, and to divide it and assign it among the judges. He shall also be charged with the general administration and superintendence of the business of the court.

(b) The chief judge shall give his attention to the discharge of the duties especially pertaining to his office, and to the performance of such additional judicial work as he may be able to perform.

(c) It shall be the duty of the chief judge and the associate judges to meet together at least once in each month in each year, at such time as may be designated by the chief judge, for the consideration of such matters pertaining to the administration of justice in said court as may be brought before them.

It shall be the duty of each associate judge to attend and serve at any branch or session of the court to which he is assigned. Each associate judge shall submit to the chief judge a monthly report in writing of the duties performed by him, which report shall specify the number of days attendance in court of such judge during said month, and the branch courts upon which he has attended, and the number of hours per day of such attendance, and such other data as may be required by the chief judge, and in such form as the chief judge shall require.

The chief judge shall submit to the Attorney General of the United States and to the Commissioners of the District of Columbia a quarterly report in writing of the business of the court and of the duties performed by each of the judges of the court during the preceding 3 months. A copy of said report shall be filed in the office of the clerk of the court and shall be available and subject to public inspection during business hours.

In the event of the absence, disability, or disqualification of the chief judge, his duties shall devolve upon and be performed by the other judges in the order of seniority of their commissions.

Each judge shall be entitled to vacation, which shall not exceed 36 court days in any one calendar year, and which shall be taken at such times as may be determined by the chief judge.

The court shall have authority to appoint and remove a clerk of the court, whose salary shall be fixed by the court in accordance with the Classification Act of 1923, as amended, and the clerk so appointed shall have and exercise the powers and authority heretofore had or exercised by the clerk of the Police Court of the District of Columbia and the clerk of the Municipal Court of the District of Columbia.

The clerk of the court shall have authority, subject to the approval of the chief judge, to appoint and remove such deputy clerks and such other employees as he may deem necessary, and to have their compensation fixed by the chief judge in accordance with the Classification Act of 1923, as amended, and shall have supervision and direction over them, except clerks serving the respective judges, who shall be appointed and removed from office by the respective judges, their compensation to be fixed by the respective judges in accordance with the Classification Act of 1923, as amended.

The court shall have authority to appoint and remove a probation officer of the court, whose salary shall be fixed by the court in accordance with the Classification Act of 1923, as amended, and the probation officer so appointed shall have and exercise the powers and authority heretofore had or exercised by the probation officer of the Police Court of the District of Columbia.

The probation officer of the court, subject to the approval of the chief judge, shall have authority to appoint and remove such assistant probation officers and such other employees of the probation office as he may deem necessary, and to have their compensation fixed by the chief judge in accordance with the Classification Act of 1923, as amended, and shall have supervision and direction over them.

All officials and employees of the Police Court of the District of Columbia and of the Municipal Court of the District of Columbia holding office on the effective date of this act shall continue in office unless and until they are removed therefrom; and all appropriations for the said police court or the said municipal court shall be available for the payment of the salaries and expenses of the Municipal Court for the District of Columbia as hereby established.

SEC. 4. (a) The Municipal Court for the District of Columbia, as established by this act, shall consist of a criminal and a civil branch. The court and each judge thereof shall have and exercise the same powers and jurisdiction as were heretofore had or exercised by the Police Court of the District of Columbia or by the Municipal Court of the District of Columbia or the judges thereof on the effective date of this act, and in addition the said court shall have exclusive jurisdiction of civil actions, including counterclaims and crossclaims, in which the claimed value of personal property or the debt or damages claimed, exclusive of interest, attorneys' fees, protest fees, and costs, does not exceed the sum of $3,000 and, in addition, shall also have exclusive jurisdiction of such actions against executors, administrators, and other fiduciaries: *Provided, however,* That the District Court of the United States for the District of Columbia shall have jurisdiction of counterclaims and cross claims interposed in actions over which it has jurisdiction. The court shall also have jurisdiction over all cases properly pending in the Municipal Court of the District of Columbia or the Police Court of the District of Columbia on the effective date of this act.

(b) Service of process in the criminal division of the court shall be had as provided under existing law for the Police Court of the District of Columbia; service of process in the civil division of the court shall be had as provided under existing law for the Municipal Court of the District of Columbia, or in such other manner as may be prescribed by rules of court.

(c) All judgments entered by the Municipal Court for the District of Columbia on or after the effective date of this act shall remain in force for 6 years and no longer unless the same be docketed in the office of the clerk of the District Court of the United States for the District of Columbia. Upon payment of a fee of 50 cents the clerk of the Municipal Court for the District of Columbia shall prepare a copy of any judgment of the said court whether heretofore rendered and in force and effective on the effective date of this act or hereafter rendered, and the same upon being docketed with the clerk of said District Court shall have the same force and effect for all purposes as if it had been a judgment of said district court. For the docketing of the same the clerk of said district court shall charge a fee of 50 cents.

SEC. 5. (a) If, in any action, other than an action for equitable relief, pending on the effective date of this act or thereafter commenced in the District Court of the United States for the District of Columbia, it shall appear to the satisfaction of the court at any pretrial hearing thereof that the action will not justify a judgment in excess of $1,000, the court may certify such action to the Municipal Court for the District of Columbia for trial. The pleadings in such action, together with a copy of the docket entries and of any orders theretofore entered therein, shall be sent to the clerk of the said Municipal Court, together with the deposit for costs, and the case shall be called for trial in that court promptly thereafter; and shall thereafter be treated as though it had been filed originally in the said Municipal Court, except that the jurisdiction of that court shall extend to the amount claimed in such action, even though it exceed the sum of $3,000.

(b) The Municipal Court for the District of Columbia shall have the power and is hereby directed to prescribe, by rules, the forms of process, writs, pleadings and motions, and practice and procedure in such court, to provide for the efficient administration of justice, and the same shall conform as nearly as may be practicable to the forms, practice, and procedure now obtaining under the Federal Rules of Civil Procedure. Said rules shall not abridge, enlarge, or modify the substantive rights of any litigant. After their effective date all laws in conflict therewith shall be of no further force or effect: *Provided, however,* That nothing in this section shall be construed to require any change in the existing rules, procedure, or practice now in effect in the small claims and conciliation branch of the presently constituted Municipal Court of the District of Columbia; nor shall this act or any section thereof in any way repeal or modify the provisions of the act of March 5, 1938 (52 Stat. 103, ch. 43), establishing said small claims and conciliation branch.

(c) The Municipal Court for the District of Columbia shall have the power to compel the attendance of witnesses from any part of the District of Columbia by attachment, and any judge thereof shall have the power to punish for disobedience of any order, or contempt committed in the presence of the court by a fine not exceeding $50 or imprisonment not exceeding 30 days.

THE MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

SEC. 6. There is hereby established and created an intermediate appellate court for the District of Columbia to be known as the Municipal Court of Appeals for the District of Columbia, for the hearing of appeals from judgments and orders of the Municipal Court for the District of Columbia as established by this act, and of the Juvenile Court of the District of Columbia, as hereinafter provided.

The court shall adopt and have a seal, and shall be a court of record.

The said court shall consist of three judges appointed by the President, with the advice and consent of the Senate, two of whom shall constitute a quorum, and one of whom shall be designated by the President as chief judge.

The chief judge shall be appointed for a term of 10 years, and the associate judges shall be appointed initially for terms of 8 and 6 years each.

Subsequent appointments and reappointments to this court shall be for a term of 10 years each. All judges shall continue in office until their successors shall be appointed and qualified. The qualifications for judges of said court shall be the same as those for judges of the Municipal Court for the District of Columbia. Each judge shall be subject to removal only in the manner and for the same causes as are now or hereafter provided for the removal of Federal judges. The salary of the chief judge shall be $9,500 per annum, and that of each associate judge shall be $9,000 per annum. Each judge, when

appointed, shall take the oath prescribed for judges of courts of the United States. In the event of the absence, disability, or disqualification of any judge of the Municipal Court of Appeals for the District of Columbia, or in the event of a vacancy in the office of any such judge, the chief judge of said court may designate and assign any judge of the Municipal Court for the District of Columbia to act temporarily as a judge of said court. Likewise the chief judge, whenever he finds it in the public interest to do so, may designate and assign any judge of said Municipal Court of Appeals to act temporarily as a judge of the Municipal Court for the District of Columbia. In the event of the absence, disability, or disqualification of the chief judge of said court, his powers shall be exercised by that judge of said court next in seniority according to the date of commission.

The said court shall appoint a clerk who shall exercise the same powers and perform the same duties in regard to all matters within the jurisdiction of the court as are exercised and performed by the clerk of the United States Court of Appeals for the District of Columbia, so far as the same may be applicable, and his compensation shall be fixed by the court in accordance with the Classification Act of 1923, as amended. The clerk of the court, subject to the approval of the chief judge, shall have authority to appoint and remove such deputy clerks and such other employees as he may deem necessary, and to have their compensation fixed by the chief judge in accordance with the Classification Act of 1923, as amended, and shall have supervision and direction over them, except clerks serving the respective judges, who shall be appointed and removed from office by the respective judges, their compensation to be fixed by the respective judges in accordance with the Classification Act of 1923, as amended.

SEC. 7. (a) Any party aggrieved by any final order or judgment of the Municipal Court for the District of Columbia, as created by this act, or of the Juvenile Court of the District of Columbia, may appeal therefrom as of right to the Municipal Court of Appeals for the District of Columbia. Appeals may also be taken to said court as of right from all interlocutory orders of the Municipal Court for the District of Columbia whereby the possession of property is changed or affected such as orders dissolving writs of attachment and the like: *Provided, however,* That reviews of judgments of the small claims and conciliation branch of the Municipal Court of the District of Columbia, and reviews of judgments in the criminal branch of the court where the penalty imposed is less than $50, shall be by application for the allowance of an appeal, filed in said Municipal Court of Appeals. Said application shall be on a standard form, in simple language, prescribed by the Municipal Court for the District of Columbia. When the appealing party is not represented by counsel it shall be the duty of the clerk to prepare the application in his behalf. The application for appeal shall be filed in the Municipal Court of Appeals for the District of Columbia within 3 days from the date of judgment. It shall be promptly presented by the clerk to the chief judge and to each of the associate judges for their consideration. If they or any one of them are of the opinion that the appeal should be allowed, the appeal shall be recorded as granted, and the case set down for hearing on appeal and given a preferred status on the calendar, and heard in the same manner as other appeals in said court. If the chief judge and both associate judges shall be of the opinion that an appeal should be denied, such denial shall stand as an affirmance of the judgment of the trial court, from which there shall be no further appeal.

After the effective date of this act no writs of error or appeals, except in respect of judgments theretofore rendered, shall be granted by the United States Court of Appeals for the District of Columbia to the said Municipal Court or to the said Juvenile Court.

(b) The Municipal Court of Appeals for the District of Columbia shall have the power to prescribe by rules what parts of the proceedings in the court below shall constitute the record on appeal, and to require that the original papers be sent to it instead of copies thereof, and generally to regulate all matters relating to appeals, whether in the court below or in said the Municipal Court of Appeals for the District of Columbia.

(c) The Municipal Court of Appeals for the District of Columbia shall not require the record or briefs on appeal to be printed, and if they are printed, the cost of printing shall not be taxed as costs in the case. Said court shall review the record on appeal and shall affirm, reverse, or modify the order or judgment in accordance with law. If the issues of fact shall have been tried by jury, the Municipal Court of Appeals for the District of Columbia shall review the case only as to matters of law. If the case shall have been tried without a jury, the Municipal Court of Appeals for the District of Columbia shall have the power to review both as to the facts and the law, but in such case the judgment of the trial court shall not be set aside except for errors of law or unless it appears that the judgment is plainly wrong or without evidence to support it.

(d) This section shall not apply to any judgments rendered prior to the effective date of this act.

SEC. 8. Any party aggrieved by any judgment of the Municipal Court of Appeals for the District of Columbia may seek a review thereof by the United States Court of Appeals for the District of Columbia by petition for the allowance of an appeal. The petition shall be in writing and shall be filed with the clerk of said United States Court of Appeals within 10 days after the entry of such judgment, the contents of the petition to conform to the requirements which said United States Court of Appeals may by rule prescribe. Said Court of Appeals may prescribe rules governing the practice and procedure on such applications, the preparation of and the time for filing the transcript of the record in such cases, and generally to regulate all matters relating to appeals in such cases. If said Court of Appeals shall allow an appeal, the court shall review the record on appeal and shall affirm, reverse, or modify the order or judgment in accordance with law.

SEC. 9. (a) The Municipal Court of Appeals for the District of Columbia shall have the power and is hereby directed to prescribe, by rules, the forms of process, writs, pleadings and motions, and practice and procedure in such court, to provide for the efficient administration of justice, and the same shall conform as nearly as may be practicable to the forms, practice, and procedure now obtaining under the Federal Rules of Civil Procedure. Said rules shall not abridge, enlarge, or modify the substantive rights of any litigant. After their effective date all laws in conflict therewith shall be of no further force or effect.

Service of process shall be made by the United States marshal for the District of Columbia.

(b) The Municipal Court of Appeals for the District of Columbia, or any judge thereof, shall have the power to punish for disobedience of any order or contempt committed in the presence of the court by a fine not exceeding $50, or imprisonment not exceeding 30 days.

SEC. 10. The Municipal Court for the District of Columbia, and the Municipal Court of Appeals for the District of Columbia, as established by this act, shall have full power and authority to censure, suspend, or expel from practice, at their respective bars, any attorney for any crime involving moral turpitude, or professional misconduct, or any conduct prejudicial to the administration of justice. Before any such attorney is censured, suspended, or expelled, written charges under oath against him must be presented to the court, stating distinctly the grounds of complaint. The court may order the charges to be filed in the office of the clerk of the court and shall fix a time for hearing thereon. Thereupon a certified copy of the charges and order shall be served upon the attorney personally by the marshal or such other person as the court may designate, or in case it is established to the satisfaction of the court that personal service cannot be had, a certified copy of such charges and order shall be served upon him by mail, publication, or otherwise, as the court may direct. At any time after the filing of said written charges, the court shall have the power, pending the trial thereof, to suspend from practice at its bar the person charged.

SEC. 11. (a) Any judge of the Municipal Court for the District of Columbia, any judge of the Municipal Court of Appeals for the District of Columbia, as established by this act, or any judge of the Juvenile Court of the District of Columbia, may hereafter retire after having served as a judge of such court for a period or periods aggregating 20 years or more, whether continuously or not. Any judge who so retires shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of 30 years, the same to be paid in the same manner as the salary of such judge. In no event shall the sum received by any such judge hereunder be in excess of the salary of such judge at the date of such retirement. In computing the years of service under this section, service in either the Police Court of the District of Columbia, or the Municipal Court of the District of Columbia, or the Juvenile Court of the District of Columbia, as heretofore constituted, shall be included whether or not such service be continuous. The terms "retire" and "retirement" as used in this section shall mean and include retirement, resignation, or failure of reappointment upon the expiration of the term of office of an incumbent.

(b) Any judge receiving retirement salary under the provisions of this act may be called upon by the chief judge of the Municipal Court for the District of Columbia or the chief judge of the Municipal Court of Appeals for the District of Columbia to perform such judicial duties as may be requested of him in either of said courts, or in the Juvenile Court of the District of Columbia, but in any event no such retired judge shall be required to render such service for more than 90 days in any calendar year after such retirement. In case of illness or disability precluding the rendering of such service such retired judge shall be fully relieved of any such duty during such illness or disability.

SEC. 12. If any provision of this act, or the application thereof to any person or circumstance, shall be held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby; and if any provision hereof becomes inoperative, either by reason of failure of appropriations or otherwise, it shall not affect the legality or operative effect of any or all of the remaining features and provisions hereof.

SEC. 13. The appropriations in the 1942 District of Columbia Appropriation Act, approved July 1, 1941, for the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, are hereby continued available for the purposes specified therein, and for the expenditures authorized by this act. And there is hereby authorized to be appropriated, out of any

moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, such funds as may be necessary to carry out the provisions of this act.

SEC. 14. The provisions of this act authorizing the appointment and salaries of the judges of the Municipal Court of Appeals for the District of Columbia and the clerk, deputy clerks, and other employees of said court, shall take effect one month after approval of this act. The other provisions of this act shall take effect 3 months after the date of its approval.

The expression "effective date of this act," as used in this act, means 3 months after the approval of this act.

Amend the title so as to read: "A bill to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia', to create 'The Municipal Court of Appeals for the District of Columbia', and for other purposes."

Mr. TYDINGS. Mr. President, I send to the desk an amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 15, beginning with line 16, it is proposed to strike out all down to and including line 19 and insert in lieu thereof the following:

No person shall be appointed a judge of the Municipal Court for the District of Columbia unless he shall have been.

Mr. TYDINGS. Mr. President, if I may have the attention of the Senate for 2 or 3 minutes I can explain what is in controversy. I am thoroughly in favor of the bill; I am thoroughly in favor of all the amendments which have been offered by the committee, with one exception. As the bill is drawn, no one can be appointed a judge under its provisions unless he not only practices law in the District of Columbia, but also lives in the District of Columbia. That is the way the bill comes before the Senate. My amendment does not require residence in the District of Columbia, but does require that the appointee be in active practice in the District of Columbia.

The reason for the amendment is that a number of eminent Washington attorneys have come to me and have pointed out that a great many of the attorneys who practice in the District, really a tremendously large proportion of them, live in the suburbs around the District, for example, in Chevy Chase, which is a continuation of the District of Columbia. Many of those who practice in the District of Columbia live just over the line in my own State of Maryland; they are really Washingtonians who maintain law firms and offices in the District, but they would be precluded from being appointed judges because they live across the line. Therefore it has been pointed out that the selection should be made from all the available talent actively engaged in the practice of law in the District of Columbia. As the bill is drawn, talent for appointment as judges cannot be considered except from among those who live in the District.

It is a matter of no particular concern to me as an individual, nor am I primarily making this plea on behalf of persons who live in my State. Let us consider the city of Baltimore. There are any number of Baltimore lawyers who live in the suburbs of Baltimore, but who make their living in and are at their offices every day in the city of Baltimore. The situation, however, is somewhat different in Washington. The limits of the city define an entirely different political entity. When a person crosses the District line he enters another jurisdiction, and if he lives across the line his home is in a State. If the bill is passed without the amendment I suggest, it will mean that consideration will not be given to men such as Roger Whiteford, one of the eminent lawyers of this city, whose law firm contains some 20 lawyers. He does not want any of these places, and I simply use his name by way of illustration. Most of the members of his law firm live either in Virginia or in Maryland, although some of them live in the District. Under the bill as now drawn, the best talent will quite often be excluded, because Senators will find by going through the lawyers' index of the regular practicing Washington attorneys that a great many of them live outside the District, but their place of business is in the city of Washington, and many of them have been practicing the legal profession here for 20 or 25 or 30 years.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. NORRIS. In connection with the Senator's amendment, I think it would be well to know something about the proposed courts. I have not read the bill reported by the District of Columbia Committee. I notice, however, that it proposes to set up a new court called the municipal court, which will consist of 10 judges. I should like to know whether that court will have any jurisdiction outside the District or whether it will be like a municipal court in any ordinary city which simply handles municipal affairs?

Mr. TYDINGS. I think it is correct to say that the court will handle simply municipal matters. I think it is only fair to say in opposition to my own amendment that if it shall be adopted men may be appointed to the court who live in Virginia, across the river in Alexandria, or in Chevy Chase, or in Bethesda or Silver Spring, within a mile or a mile and a half of the District, who will be passing on affairs or events happening exclusively within the District. That is an objection, but there is this to be said on the other side: A large percentage of the legal profession of the city of Washington engaged in regular practice does not live in the District. Those lawyers live in the suburbs. The question is whether the Senate wants to get only the best talent from among men who are regularly engaged in the practice of law in the District of Columbia and who live in the District, or whether the Senate wants to get the best talent from among not only those who live in the District and who practice here and make their living here before these very courts but also from among those who live lightly beyond the point where the District line is drawn, even though the city is continuous.

Mr. CHAVEZ. Mr. President, will the Senator yield

Mr. TYDINGS. I yield.

Mr. CHAVEZ. I believe there is much of merit in what the Senator from Maryland has stated. My objection would be to a judge being appointed to preside in the District of Columbia who comes from a distance. I do not object to judges being selected from the class of persons of whom the Senator has just spoken. The city of Washington and the District of Columbia have fine lawyers, highly respected attorneys, who would be a credit to any community. The objection I have is that frequently when it is necessary to select a judge to preside in a court in the District of Columbia, a lawyer is chosen from some other section of the country who could not be elected in his own home town, or someone who could not be recommended for such a position in his own home State. If a lawyer chosen from Massachusetts for appointment as judge in the District is so good, why is he not selected for such a position in Massachusetts?

Mr. TYDINGS. The Senator is entirely correct. Even with my amendment, what the Senator inveighs against would not be possible of accomplishment. Let me illustrate. In order to be appointed to a judgeship a person must have been actively engaged in the practice of law in the District of Columbia for at least 5 years immediately prior to his appointment, or must have been a judge of one of the courts of the District of Columbia.

Mr. CHAVEZ. Mr. President, will the Senator further yield?

Mr. TYDINGS. I shall be glad to yield in a moment. I wish only to leave the thought that no outside attorney could be appointed to any one of these places, either under the terms of the bill or under the terms of my amendment, unless he had been actively engaged for a period of at least 5 years in the practice of law in the District of Columbia.

I now yield to the Senator from New Mexico.

Mr. CHAVEZ. I know of my own knowledge that there are many fine lawyers in the District of Columbia. I am speaking about real lawyers, not the ones who go to the departments to try to do a little "fixing." I am speaking of practitioners before the courts of the District of Columbia. But what do we see? A man who could not be recommended for a judgeship in the State of Iowa is good enough to come here and interpret the law in the District of Columbia. A man who could not possibly be recommended in another State comes to the District of Columbia and obtains an appointment as a judge. I think it is unfair. I object to such a situation just as much as I would object to appointing someone even from the good State of Maryland to be a judge in my State of New Mexico.

Mr. TYDINGS. I think the Senator's position is absolutely sound. As I pointed out, the condition against which he inveighs would not be possible under the terms of the bill or under the terms of

my amendment. No one could come to the District of Columbia and be appointed a judge unless for 5 years immediately preceding his appointment he had been in active practice before the District of Columbia courts.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McKELLAR. Suppose a man is with the Department of Justice, the Securities and Exchange Commission, the Interstate Commerce Commission, or some other agency of the Government, and has been practicing law here for 5 years. Would he be eligible under the terms of the Senator's amendment?

Mr. TYDINGS. In my judgment, he would not be if he were working for the Government.

Mr. McCARRAN. If he were living here and practicing law here he would be eligible.

Mr. TYDINGS. He would be eligible even without my amendment.

Mr. McKELLAR. Would the Senator's amendment change that situation?

Mr. TYDINGS. Not at all.

Mr. McKELLAR. Is the Senator from Nevada of the opinion that he would be eligible?

Mr. McCARRAN. He would be eligible, with this understanding: The bill proposes to set up a municipal court, dealing with and having to do exclusively with matters within the boundaries of the District of Columbia. The amendment of the Senator from Maryland addresses itself to the language of the bill, in which it is provided that persons eligible for appointment to the bench shall be those who have practiced law for 5 years within the District of Columbia, and who live within the District of Columbia. That is now the law. It has been the law for many years; and I have merely carried into the pending bill the provision of the existing law. The amendment of my good friend from Maryland seeks to change that which is now the law with regard to qualifications.

Mr. TYDINGS. With regard to residence.

Mr. McCARRAN. With regard to the qualification of residence for judges. Please understand that one who practices law in the District of Columbia, however long he may have practiced, may not practice law in Maryland, although he may live in Maryland. The laws of Maryland and the regulations governing the Maryland bar do not permit the practice of law over the line in the State of Maryland by such a person.

The purpose of the amendment is to throw the doors open so that judges may be selected not only from Maryland but from any other State in the Union to fill the bench in the District of Columbia.

It has been my judgment ever since I have been a member of the Committee on the District of Columbia that those who live in the District of Columbia and carry on their practice here should have the honors and responsibilities which belong to the District of Columbia. I have tried to carry out that policy. It has been written into the bill. It is now the law; and that is the reason I cannot agree with my good friend from Maryland.

Mr. TYDINGS. Mr. President, I do not want to leave the Senate under a misapprehension, which I am afraid the altogether accurate remarks of my friend from Nevada would create. The only difference between the bill as now written and the bill as it would be if my amendment were adopted, is in one particular. The Senator from Nevada and I are in agreement as to the requirement of actual practice in the District of Columbia. The issue before the Senate does not involve any disagreement between us as to the qualification with regard to practice. The only thing on which we disagree, and the sole issue embraced in the amendment, is that under the plan of the Senator from Nevada no one could hold a judgeship in the municipal court, notwithstanding the fact that he might have been practicing here for 30 years, unless he lived within the District of Columbia. Under my amendment, if a person had lived in Virginia or Maryland, but had been in active practice before the courts of the District of Columbia for 30 years, residence would not be a necessary qualification. That is all there is in my amendment. I have retained everything in the original bill relating to the qualification as to practice. Under the bill as now written and under my amendment, no person could be appointed to one of these places unless he had been actively engaged in the practice of law in the District of Columbia for a period of at least 5 years immediately prior to his appointment. My amendment would strike from the bill the requirement that he must have had residence in the District of Columbia for at least 5 years immediately preceding his appointment.

I do not have the figures, but I think it is safe to say that at least a third, if not more, of the lawyers who practice daily in Washington live in either Virginia or Maryland. In most cases they do not practice in the Maryland or Virginia courts. Their sole field of operation is in the District. Therefore, if we exclude such persons from consideration in making these appointments, even though they have been practicing here for 25 or 30 years, we narrow the field of the best candidates available. I do not think anybody will dispute that statement.

Because of the crowded condition in Washington, as a general rule, the average successful lawyer, who acquires a reputation as a practitioner and who makes money, begins to look for a residence in the suburbs. If Washington were part of a State, the city limits would have been extended long ago, as they have been extended in New York, Philadelphia, Pittsburgh, and Baltimore; but because the District is an entirely different entity from a State, that is not possible. I do not think we should exclude from the privilege of holding judgeships in the District of Columbia courts those who may have practiced here for 25 or 30 years, but who may have moved across the line.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WILEY. I thoroughly agree with what the Senator has said; but there is one question in my mind which I should like to have cleared up. The term "municipal court" has various connotations. Would the proposed municipal court be a court of general jurisdiction?

Mr. McCARRAN. Yes.

Mr. WILEY. If it were a court of general jurisdiction it would be the same as what we call a circuit or district court in the States. If that be the case, I can very well follow the Senator from Maryland in his argument. If the court were more restricted, and in the nature of a justice court, then I should hold with the sponsor of the bill.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. NORRIS. It seems to me, from a reading of the Senator's amendment, that it covers too much territory. I have knowledge of firms of attorneys in the District of Columbia which also have offices in other cities. I have in mind one firm which has two offices, one in Washington, D. C., and the other in Seattle, Wash. Would it be possible to appoint a member of such a firm as a judge in the District of Columbia, even though he might live in the State of Washington? I can see some reason for including Chevy Chase and some other adjoining places, but it seems to me we ought not to go beyond that.

Mr. TYDINGS. Let me read the provision as it would be if my amendment were adopted:

> No person shall be appointed a judge of the Municipal Court for the District of Columbia unless he shall have been actively engaged in the practice of the law in the District of Columbia for a period of 5 years immediately prior to his appointment, or shall have been a judge of one of the courts of the District of Columbia.

I should say that the term "actively engaged" would not include a corresponding attorney. He would have to be in daily active practice in the District of Columbia, with an office in the city.

Mr. NORRIS. I am thinking of an attorney who might retain his residence in New York, let us say, and be a member of a firm practicing law in the District of Columbia. He might spend most of his time here.

Mr. TYDINGS. But if the Senator will permit me to do so, let me say that the amendment provides that—

> No person shall be appointed * * * unless he shall have been actively engaged in the practice of the law.

Mr. NORRIS. Yes. Would not that provision include an attorney who, let us assume, was actively engaged in practice here and also actively engaged somewhere else?

Mr. TYDINGS. I should be glad if words could be found to express even more clearly the purpose of my amendment.

Mr. NORRIS. It seems to me that the point I have raised would be covered if the Senator would limit his amendment by providing residence within a certain distance from the District of Columbia.

Mr. TYDINGS. Will the Senator give me his idea of what he thinks would be a fair distance?

Mr. NORRIS. I should want to make the area large enough so as to take in what is in reality the city of Washington.

Mr. TYDINGS. Would a provision "within 5 miles of the District of Columbia" be fair?

Mr. NORRIS. Probably the distance should be a little greater than that. Let us say 10 miles.

Mr. TYDINGS. I, myself, think it should be 10 miles.

Mr. NORRIS. I should think that would accomplish what we have in mind.

Mr. TYDINGS. I am anxious to meet any suggestion that will limit the opportunity under the bill to lawyers who practice in the District of Columbia. The sole purpose of my amendment is to take care of such a situation as I will state. I will take a case which is very favorable to my viewpoint, as most of them are insofar as location is concerned. Let us take the case of a man who lives a quarter of a mile from the District line, who has an office in the District of Columbia, and who has been practicing in the District of Columbia for 25 years. He ranks well as a lawyer, and has been recommended by the Bar Association itself for appointment to one of the judgeships. The Bar Association would like to have him appointed but is told, "No; all lawyers who live in Chevy Chase or across the river in Virginia, or anywhere else outside the District of Columbia are excluded. It is true that the lawyer in question has been an active member of the District Bar for 30 years; but he does not actually have a home in the District of Columbia, and therefore he cannot be eligible for appointment to such a position."

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. OVERTON. I should like to obtain some information from the Senator from Maryland.

Mr. TYDINGS. Certainly, if I am able to answer the Senator's questions.

Mr. OVERTON. Does the Senator know of any State whose law permits of the appointment of a person domiciled outside the State as a judge of one of its courts?

Mr. TYDINGS. No.

Mr. OVERTON. Does the law of Maryland allow such an appointment?

Mr. TYDINGS. No.

Mr. OVERTON. Would not the Senator's argument apply with equal force to a great many cities that are near the border of adjoining States?

Mr. TYDINGS. No. As I pointed out awhile ago—and probably I did not make the point clear—if we take, for example, the city of Baltimore or the city of New Orleans or the city of New York, of course, each of them is a part of a State, and as the population grows the boundaries of those cities are constantly changed; but in the case of the District of Columbia, to all intents and purposes, the boundary lines of the District of Columbia will never change.

Mr. OVERTON. Will the Senator yield again to me?

Mr. TYDINGS. Yes; I yield.

Mr. OVERTON. There are many extra-State lawyers who practice within a State; and I know of no State that, by reason of the fact that lawyers from an adjoining State practice within its borders, permits such lawyers to be appointed to judgeships in any of its courts. If we are to make provision for such appointments, it seems to me there should be some reciprocity.

Mr. TYDINGS. We have only 30 minutes in which to discuss this matter, and I have taken all the time allowed to me.

Mr. OVERTON. I appreciate the fact that the time is limited, but I have not previously spoken regarding it, and I rarely interrupt the Senator from Maryland.

Mr. TYDINGS. That is true.

Mr. OVERTON. I am interested in the matter. It seems to me that there should be some reciprocity, and that Maryland, Virginia, and other States should make provision of similar privileges.

Mr. TYDINGS. That is correct.

Mr. OVERTON. If not, we should follow the same policy we have been following not only in the District of Columbia but throughout the United States.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. TYDINGS. I desire to yield to my generous friend the Senator from Nevada [Mr. McCARRAN], who has allowed me to take a great deal of the 30 minutes available.

I desire to be more than fair. I see a great deal of merit in the point of view of the Senator from Nevada. I think that Senators can quite properly decide the question either way. There is only one question involved. I agree that only lawyers who are actively engaged in practice in the District of Columbia should be appointed to such positions. We are agreed on that point. The difference between us is that the Senator from Nevada would require that lawyers eligible for such appointments actually live in the District of Columbia. Before the amendment is voted upon I shall modify it so as to try to circumscribe the limits beyond Washington proper, in order to afford equal opportunity to all lawyers who really practice and do their work in the District of Columbia. That is all there is to the matter. I am willing to have the question submitted without further argument, and to abide most cheerfully by whatever the best judgment of the Senate may be as to the settlement of the controversy.

Mr. GERRY. Mr. President, will the Senator from Nevada yield to me? I should like to ask a question.

Mr. McCARRAN. Yes; but, of course, we are proceeding under a limit of time.

Mr. GERRY. I am trying to reach a clear understanding of the matter. Do I correctly understand that anyone who is practicing law in the District of Columbia before the Government would be treated as if he were domiciled in the District and would be eligible under the present law?

Mr. McCARRAN. If he lived here and actually practiced here and actually were bona fide domiciled here, he would be recognized as eligible.

Mr. GERRY. Would it be required that he be domiciled here? His domicile could not be somewhere else?

Mr. McCARRAN. Yes; the District of Columbia must be his place of abode. That is the present law.

Mr. President, I should like to make a short statement. We are dealing with what is the law now and what has been the law for many years. In other words, the men who have already been appointed to such positions were eligible at the time when they were appointed or else they would not have been appointed. They were residents of the District of Columbia; and no one who is not a resident of the District of Columbia would be eligible to appointment to the present court.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. McCARRAN. Yes; I yield.

Mr. NORRIS. I dislike to take up any more of the time——

Mr. McCARRAN. That is quite all right.

Mr. NORRIS. But I do not think the Senator should insist upon a vote on the measure after only half an hour of debate. We have not debated at all, as yet, the matter of what the court is to do. If the judges are to be merely municipal judges as we ordinarily understand the term, I do not see any necessity for lifting the domicile requirement unless the judges are to have greater jurisdiction than a municipal judge usually has.

Mr. McCARRAN. By way of explanation, let me say that because of the fact that my good friend the Senator from Maryland [Mr. TYDINGS] is to be called away, to be gone several days, and because I wanted to present the bill in its entirety at a proper time, I brought up the amendment now so that he might present his views at this time. If the Senate should think it best to defer consideration of the entire bill to a later date, that will be satisfactory to me.

Mr. NORRIS. That will be perfectly satisfactory.

Mr. McCARRAN. Yes.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. AUSTIN. I happen to be a member of the committee of which the distinguished Senator from Nevada is chairman and which considered the bill. I desire to point out that the bill has peculiarities which do not obtain in the ordinary case; in fact, I do not think they obtain in any other case. In my judgment, they tend to support the amendment suggested by the Senator from Maryland. One of them is that the municipality of the District of Columbia is different from any other municipality in the United States. It is, and should be, regarded as a part of every State in the Union, for it is the Capital City.

The other peculiarity of the bill is that it not only streamlines the municipal business but it takes away from the United States Court of Appeals for the District of Columbia some of its jurisdiction and sets up an intermediate appellate tribunal which will handle all the appeals which may come from the munic-

ipal court and other courts specified in the bill. These two facts it seems to me, add to the suggestions already made by the Senator from Maryland in support of the amendment which he has offered.

Mr. McCARRAN. Let me say in reply, if I correctly understood the full force of the Senator's remarks, that all of the expenses of maintaining these courts are now and under the bill will be, paid by the courts—not by the Federal Treasury. The courts pay their own way—and more, too.

That is all I have to say on the matter. It can be decided either way, so far as I am concerned; the matter is not of personal interest to me. I believe that lawyers who live in the District of Columbia should have the honors and the responsibilities of the offices that belong to the District of Columbia. That is my view on the subject. I call for a yea-and-nay vote.

Mr. TYDINGS. Mr. President, I should like to modify my amendment before the vote is taken. I should like to offer the amendment so that it would read as follows:

On page 15, beginning with line 16, strike out all down to and including line 19 and insert in lieu thereof the following: "No person shall be appointed a judge of the municipal court for the District of Columbia unless he shall have been actively engaged in the practice of law in the District of Columbia for a period of not less than 5 years immediately prior to his appointment and is living either within or not more than 10 miles from the District of Columbia or shall have been a judge of one of the courts of the District of Columbia."

The only purpose is to confine such appointments to lawyers who ostensibly live and work in the District of Columbia.

I think that in our discussion of the matter we have "covered the water front," and I am perfectly willing to accept the judgment of the Senate.

The PRESIDING OFFICER (Mr. BUNKER in the chair). The question is on the modified amendment offered by the Senator from Maryland [Mr. TYDINGS] to the amendment reported by the committee.

Mr. McCARRAN. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the Senator from Massachusetts [Mr. LODGE]. I am not advised how he would vote if present. I transfer that pair to the Senator from Illinois [Mr. LUCAS], and will vote. I vote "yea."

Mr. McNARY (when his name was called). On this vote I have a pair with the junior Senator from Pennsylvania [Mr. GUFFEY]. Not knowing how he would vote if present, I withhold my vote. If permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. TYDINGS. My colleague [Mr. RADCLIFFE] is necessarily absent. If he were present, he would vote "yea."

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I understand that, if present, he would vote as I am about to vote. Therefore, I am at liberty to vote, and vote "yea."

Mr. McNARY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business. He has a general pair with the Senator from Montana [Mr. WHEELER].

The Senator from Indiana [Mr. WILLIS] is necessarily absent.

Mr. AUSTIN. The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH], the Senator from Utah [Mr. MURDOCK], and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Pennsylvania [Mr. GUFFEY] is detained on official business.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Georgia [Mr. GEORGE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from West Virginia [Mr. KILGORE], the Senator from Arizona [Mr. McFARLAND], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from Arkansas [Mr. SPENCER], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

The Senator from North Carolina [Mr. BAILEY], the Senator from Washington [Mr. BONE], the Senator from Idaho [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], and the Senator from Montana [Mr. WHEELER] are detained in committee meetings.

Mr. THOMAS of Utah (after having voted in the affirmative). I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from Maryland [Mr. RADCLIFFE] and allow my vote to stand.

The result was announced—yeas 40, nays 23, as follows:

YEAS—40

Austin	Glass	Nye
Ball	Gurney	Russell
Barbour	Herring	Schwartz
Barkley	Hill	Stewart
Brown	Holman	Taft
Bulow	Hughes	Thomas, Okla.
Byrd	Johnson, Calif.	Thomas, Utah
Caraway	Johnson, Colo.	Tobey
Chavez	McKellar	Tydings
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Walsh
Davis	Millikin	Wiley
Doxey	Murray	
Gerry	Norris	

NAYS—23

Aiken	Ellender	Overton
Bankhead	Green	Reynolds
Bilbo	Hayden	Rosier
Brewster	La Follette	Shipstead
Bunker	Langer	Smathers
Burton	McCarran	Thomas, Idaho
Capper	O'Daniel	Tunnell
Danaher	O'Mahoney	

NOT VOTING—33

Andrews	Guffey	Radcliffe
Bailey	Hatch	Reed
Bone	Kilgore	Smith
Bridges	Lee	Spencer
Brooks	Lodge	Truman
Butler	Lucas	Vandenberg
Chandler	McFarland	Wagner
Clark, Idaho	McNary	Wallgren
Downey	Mead	Wheeler
George	Murdock	White
Gillette	Pepper	Willis

So Mr. TYDINGS' modified amendment to the committee amendment was agreed to.

Mr. McCARRAN. Mr. President, I now ask unanimous consent that the bill may be temporarily laid aside, so that the regular order of business may proceed. I express my gratitude to the Senator from Tennessee for his courtesy.

COMPACT WITH RESPECT TO THE WATERS OF THE REPUBLICAN RIVER BASIN

The PRESIDING OFFICER (Mr. BUNKER in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BANKHEAD. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BANKHEAD, Mr. McCARRAN, Mr. OVERTON, Mr. McNARY, and Mr. JOHNSON of California conferees on the part of the Senate.

PRODUCTION OF INDUSTRIAL AND SYNTHETIC ALCOHOL AND SYNTHETIC RUBBER

Mr. McKELLAR obtained the floor.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. TYDINGS. Shortly before the bill which has just been laid aside was taken up I had reported from the Committee to Audit and Control the Contingent Expenses of the Senate on behalf of the Senator from Illinois [Mr. LUCAS], a Senate Resolution 224. I suggested that I would ask later for its consideration. The resolution provides for the appointment of a committee to investigate the production of industrial and synthetic alcohol and synthetic rubber, and was originally submitted by the Senator from Iowa [Mr. GILLETTE]. As it will take only a minute, I am confident, to act on the resolution, if it is in order, I ask that it be considered and disposed of now.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 224) submitted by Mr. GILLETTE on February 17, 1942, providing for an investigation relative to the production of industrial alcohol, synthetic alcohol, and synthetic rubber, reported with amendments.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. BARKLEY. Mr. President, reserving the right to object, I desire to ask the Senator from Maryland about the matter.

I understand the committee of which the Senator from Missouri [Mr. TRUMAN] is chairman has been and is now conducting an investigation with respect to the rubber situation. What is the need for another committee to do the same thing? It strikes me—and I say this not to affect this particular resolution—that we are liable to get into a situation where we are appointing too many committees to investigate too many things and a number of them covering the same territory.

I have had it in my mind—and I so suggested to the Senator from Iowa [Mr. GILLETTE] a few days ago in personal conversation—that this particular resolution is one of those which might involve duplication. Aside from the expense involved, which is not great, there is the matter of confusion and diversity of opinion that may arise from two committees investigating the same thing. What is the situation in that regard?

Mr. TYDINGS. The situation is that the Senate already has passed upon the substance of the resolution, and after the Senate adopted it the resolution then went to the Committee to Audit and Control the Contingent Expenses of the Senate. The sole function of that committee was to confine the resolution insofar as the money involved is concerned.

Mr. BARKLEY. I am not certain that the Senator states the situation accurately. The procedure here regarding an investigatory resolution is, first, that the resolution shall go to the appropriate committee, and then be reported by such committee.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. Then it is referred to the Committee to Audit and Control the Contingent Expenses of the Senate without action on the part of the Senate on the resolution itself. So the function of the Committee to Audit and Control is not merely to decide about the amount of money to be appropriated, but to report the resolution to the Senate with a recommendation one way or the other. It is not quite accurate to say that the Senate has adopted the resolution merely by referring it to the Committee to Audit and Control the Contingent Expenses of the Senate. I desire to obtain information as to why this particular investigation is needed, in addition to the one being conducted by the Senator from Missouri [Mr. TRUMAN], chairman of the Committee to Investigate Defense Activities.

Mr. GILLETTE. In response to the very natural and proper inquiry of the distinguished majority leader, I may say that the resolution which I offered and which has been before these committees, was submitted before I had any information of any action taken by the Truman committee. After the resolution had been submitted I took occasion to discuss the matter with the distinguished chairman of the Truman committee, which committee, as the Senator from Kentucky knows, has been doing superb work. The Senator from Missouri told me of a subcommittee which had been appointed with my own colleague, the junior Senator from Iowa [Mr. HERRING], as chairman. We discussed the phases of the work his committee is doing, which is a grand work, and also the phase of the work contemplated by my resolution, which was reported unanimously by the Senate Committee on Agriculture and Forestry. It was the opinion of both of us that the latter resolution covered enough of a different field so that there would be no overlapping whatever, that it would be supplemental, and the utilization of grains and other agricultural products in the manufacture of alcohol, and, incidentally, the possible manufacture, ultimately, of rubber, put it into such a widely different category that there would be no conflict, no overlapping whatever, in the work of the committees.

Mr. BARKLEY. The Senator from Missouri is not on the floor at the moment. I should like to have this matter go over until I can confer with him.

Mr. GILLETTE. Of course, that is proper.

Mr. TYDINGS. I withdraw the request for the consideration of the resolution.

FIFTH SUPPLEMENTAL DEFENSE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with; that it be read for amendment; and that committee amendments be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McKELLAR. Mr. President, I may say to the Senate that this is the largest appropriation bill ever reported by any committee and larger than any ever passed by this or any other body, for the Committee on Appropriations has increased the bill as it passed the House by about $500,000,000 plus.

The Senate committee added to the House appropriation $691,836,000, so that the amount recommended, as reported to the Senate, is $30,412,737,900. To that sum must be added the contract authorizations in the bill, amounting to $2,350,000,000, which will make the total, including the contract authorizations, $32,762,737,900, or approximately $33,000,000,000. No such sum was ever authorized for war or peacetime expenditure by the government of any nation which has ever existed on the face of the earth, so far as I have been able to ascertain.

The principal items of expenditure are as follows:

For the War Department, as per Budget estimates submitted in House Document No. 615, $22,888,901,900, and as submitted in Senate Document No. 184, $596,836,000, making appropriations in all for the War Department of $23,485,737,900.

Mr. President, this is the amount which is carried in the bill for military purposes, under the War Department, and is entirely for the procurement of equipment and facilities for expediting production.

As a break-down of this enormous appropriation, I give the following:

Expediting production, $3,011,512,000.

For the subsistence of the Army—that is, of the increasing Army—$145,813,000.

Regular supplies for the Army, $67,982,000.

Clothing and equipage, $1,525,764,000.

Army transportation, $2,245,701,000.

Horses, draft, and pack animals, $2,725,900.

Signal Service of the Army, $1,349,000,000.

Air Corps of the Army, $167,440,000.

I may say at this point that the Air Corps, it will be recalled, received a very large appropriation a short time ago, in the month of December, and this appropriation is only for parts, and some of the activities of the corps.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McNARY. I do not desire to propound a question which has any relation to the substance of the bill, but my interrogatory is more in the nature of an inquiry as to procedure. Is it the intention of the Senator to proceed to final disposition of the bill today?

Mr. McKELLAR. No; it is not.

Mr. McNARY. That being the answer—and I know it is a correct one—should we not merely take the bill up and then adjourn to Monday, and have the Senator's statement made on Monday, when we are ready to act?

Mr. McKELLAR. I think it would be better to have in the RECORD the figures I am giving, so that Senators may read them tomorrow, and I hope the Senator will permit me to proceed along that line.

Mr. McNARY. I had not intended to interpose an objection; I was merely making a suggestion in the interest of orderly procedure.

Mr. McKELLAR. These figures are so important that I think they should be considered by Senators during the recess between now and Monday, as I understand our leaders intend to let the bill go over.

The next item is for medical and hospital department, $171,178,000; engineer service of the Army, $1,226,300,000.

The next is the largest item:

Ordnance service and supplies of the Army, $13,252,200,000; chemical warfare service, $288,336,000; seacoast defenses, $31,769,000; amount, in all, for the War Department, $23,485,737,900.

Mr. NORRIS. Mr. President, cannot the Senator give us a break-down of that largest item?

Mr. McKELLAR. The details of the item were discussed before the committee, and off the record. What was said in that regard does not appear in the

report of the hearings. It was thought better by those in charge of the Ordnance service of the Army not to make the details public at this time.

Mr. NORRIS. I do not find fault with that.

Mr. McKELLAR. The appropriation covers some 278 different items. The officials of the Army made a very full statement but it was off the record.

Mr. NORRIS. Would it violate any confidential information the Senator has if he should give us some idea about the air force of the Army?

Mr. McKELLAR. The air force does not come under this appropriation, except incidentally.

Mr. NORRIS. Are they involved in that item?

Mr. McKELLAR. In the bill there is a very small amount appropriated for that service, so that it is not a matter of importance in connection with this measure.

Mr. NORRIS. Has enough been appropriated for the air force?

Mr. McKELLAR. Oh, yes. I shall come to that a little later, and I think I can give the Senator the information he desires without violating any of the secrets of the Department.

As our report states:

> For military reasons, details as to the types and quantities of articles to be secured are withheld. However, it is fair to say that they embrace every type of munition and every type of article for which a soldier has use.

In other words, the plan is very thorough and comprehensive all along the line. The amounts allowed provide for essential and critical items of equipment for a force of approximately 3,600,000 men.

Naturally, it is necessary to appropriate a large sum for expediting production, and that is one of the largest items in the break-down I have just given. It is the second largest item, and amounts to over $3,000,000,000. From the evidence presented to us it was found to be absolutely necessary to provide these large sums in order to put to work in making Army equipment plants which are now not making such equipment. I am sure the Senate will understand that. Many factories had to be changed from peacetime factories to factories producing war materials. This is all necessary if we are to carry forward the proposal of the Commander in Chief of the Army and Navy. I am glad new plants are being built, and that peacetime plants are being changed into wartime plants for military purposes.

I shall illustrate what our Army is doing. The Senator from Nebraska [Mr. NORRIS] asked for some details with respect to airplanes. At the beginning of the program—and I ask Senators to keep the figures in mind—there were only 14 great concerns engaged in the manufacture of airplanes in the United States. That number has increased to 41, and the number will be further increased as necessities arise. Provision for airplane-manufacturing facilities was made in the fourth supplemental defense appropriation, 1942, which was passed in January last.

The other items are, subsistence for the Army, regular supplies, clothing and equipage, Army transportation, horses, draft, and pack animals, Signal Service of the Army, Air Corps, Army medical and hospital department, engineer service—all items which must be supplied for the ever increasing Army.

For ordnance service and supplies $13,252,200,000 are appropriated. That is an enormous sum, but it is absolutely necessary, so our experts and Army officers claim, if we are to obtain the necessary big guns, machine guns, small arms, rifles, and ordnance of every kind for the increased Army.

Our program is progressing splendidly, but many of the appropriations in the bill are for the increased Army.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. NORRIS. I wish to ask the Senator when these sums will be available.

Mr. McKELLAR. They will be available immediately. The testimony is that all the sums embraced in this appropriation of practically $33,000,000,000 will be translated into equipment and supplies, guns of every kind, artillery of every kind, small arms, ammunition, whatever is necessary to carry on the war. The testimony is that all the sums provided for in the bill will be translated into actual materials for war during the present year, that is, by the first of January 1943, with one exception, and that exception is that as to some of the very large guns, it will take until about the first of April 1943 to translate the money provided for them into actual guns ready for use.

The Chemical Warfare Service gets a large portion of this appropriation, and it was shown to us that this was necessary.

Our seacoast defenses likewise are of great importance at this time, and are being provided for by $31,769,000.

I am very happy to state that the witnesses who appeared before the committee advised us that all this enormous sum of money would be expended for the purposes stated, and the production completed, as I stated a while ago, by January 1, 1943, with the exception of some large guns, which will be delivered by April 1, 1943.

Mr. President, the sum of money represented by the bill is tremendous, but if we are to continue the struggle and win this war, which it is absolutely necessary for us to do, and which we are going to do, there is no other way to accomplish that end.

I may add that the committee recommended that the amount for clothing and equipage be increased from $928,928,000 by the additional sum of $596,836,000. The additional amount is requested so as to provide basic cloths, duck, webbing, and the like, to meet the needs of the ever-increasing Army.

In addition to the foregoing, the bill contains an appropriation of $1,502,000,000 cash and $2,350,000,000 in contract authorizations to build new ships for the Maritime Commission. The new program calls for 1,476 ships, to be built at a total cost of $3,850,000,000. I stated that the money provided for war supplies would be translated into supplies by January 1, 1943. I should explain that the money for ships will not all be translated into ships by that date, but the ships are being built as rapidly as possible. The total program of ships to be built for the United States Maritime Commission calls for 2,877 ships, with an aggregate net weight tonnage of 30,834,421 tons. These ships are absoutely necessary for our successful war effort. Excellent progress, I can say, is being made in the building of these ships.

LEASE-LEND PROGRAM

The lend-lease program has production estimates of $5,430,000,000. Representatives of the lease-lend organization came before the committee and advised us that all the $12,985,000,000 already appropriated for lend-lease purposes has been allocated, that it was necessary to continue this program, and the committee recommends that provision of the bill.

The committee also recommended an increase in connection with lend-lease of $95,000,000 to furnish depots, which are claimed by Mr. Stettinius to be necessary in order to protect the goods aready manufactured and ready for transportation. The committee thought he was correct in that conclusion.

Mr. President, the Army officials who appeared gave our committee, off the record, very clear and convincing statements as to the remarkable production of war materials. They told us that our aircraft production was increasing monthly at an excellent rate. These official reports were most encouraging. So were the reports dealing with ordnance, and the production of other war materials and supplies. In one or two instances production was slightly behind the expected rate, and in some instances production was ahead of the expected rate. The two instances in which they were probably behind were not of the most consequential kind.

Mr. President, it is indeed true that we are spending a vast amount of money. If we consider what we have appropriated since January 5 down to date it will be seen that we have appropriated $67,000,000,000 in 2 months.

I submit a statement of the appropriations under the various bills that have been passed in January and February of 1942 as follows:

Naval Appropriation Act	$23,738,865,474.00
Fourth supplemental national defense, 1942	12,556,672,474.00
First deficiency, 1942	163,780,819.77
China relief	500,000,000.00
Fifth supplemental national defense, 1942, as reported to the Senate	30,412,737,900.00
Total	67,372,056,667.77

Naturally, Mr. President, these tremendous sums are frightening. However, war has been declared against us, and our Army and Navy experts and our Commander in Chief have recommended these expenditures as being proper in order to win the war, and the committee feels that we must uphold them to the last degree.

The committee also feels that we must not take any chances. We are willing to cut down on nondefense appropriations, and we expect to do so, but so far as the military, naval, and Air Corps expenditures are concerned our committee feels that we must follow the recommenda-

tions of those in charge of our Army, Navy, and air forces.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LA FOLLETTE. I have been very much interested in the statement made by the Senator from Tennessee regarding this record-breaking appropriation bill. I should like to ask him if the committee has obtained any figures to show the status of past appropriations which have already been made by the Congress? By that I mean, can the Senator give the figures, for example, for the War Department, showing the total amount of appropriations which it has received, what proportion of the appropriations has been allocated, what proportion has been contracted for, and what proportion has been expended?

Mr. McKELLAR. Mr. President, in answer to the Senator's question I think I will first answer as to the total appropriations for war purposes. The amount up to date, in round figures, is $142,000,000,000.

Mr. LA FOLLETTE. Does that include contract authorizations?

Mr. McKELLAR. That includes contract authorizations. By January 31, 1942, we had already expended $16,616,000,000. I need not give other than round figures. From February 1 to June 30, 1942, we will expend $13,684,000,000. For the fiscal year 1943 the figure is $52,800,000,000. That makes a total of $83,000,000,000 in round numbers. For the period subsequent to 1943 the figure is $58,904,000,000, making a total of approximately $142,000,000,000. That includes the War Department, the Navy Department, and various other departments.

Mr. LA FOLLETTE. I thought perhaps the figures were broken down; but even if they are not, the over-all figure is of great interest to me.

Mr. McKELLAR. It should be of great interest to us all, because it is an enormous figure. These appropriations are being translated into war materials of every kind and description and into war activities as fast as it is humanly possible to do so. To my mind the figures are very enlightening.

In answer to questions by the committee it developed that, with the exception of a reasonably small portion for heavy guns, it is expected that during the present year the enormous sum of $33,000,000,000 will be fashioned into implements and services of war. It is quite remarkable that such a program is under way, and that it is felt it can be accomplished.

Mr. NYE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. NYE. When the Senator speaks of the present year he means the calendar year, does he not?

Mr. McKELLAR. I am talking about the calendar year. In speaking of materials, I refer to materials largely for the Army. The same thing is true of the lend-lease expenditures provided in the bill, which are more than $5,000,000,000. All of that is expected to be used during the present calendar year.

For the building of ships by the Maritime Commission, under the direction of Admiral Land, $3,850,000,000 is carried in the pending bill. Of course, we all know that that cannot all be expended during the present calendar year. Many things might come up to slow down that program; but, in my judgment, Admiral Land is proceeding as rapidly, vigorously, and actively as a man could.

Mr. NYE. Mr. President, will the Senator yield for the purpose of further clarifying the record?

Mr. McKELLAR. I yield.

Mr. NYE. The Senator from Tennessee spoke of the total appropriations for this war as being in the neighborhood of $142,000,000,000.

Mr. McKELLAR. That is correct.

Mr. NYE. Is it not fair to say that the total appropriations for this war, starting with the fiscal year 1941, has been $142,000,000,000?

Mr. McKELLAR. In that neighborhood.

Mr. NYE. The total of $142,000,000,000 traces from the fiscal year 1941, does it not?

Mr. McKELLAR. Of course, the Senator must remember that that figure includes 1943 appropriations, a large amount of which will not be available until July 1, 1943.

Mr. NYE. But the total of $142,000,000,000 of which the Senator speaks is for appropriations beginning with the fiscal year 1941, is it not?

Mr. McKELLAR. I do not believe I understand the question.

Mr. LA FOLLETTE. The Senator has kindly loaned me his penciled memorandum. It says, "$142,000,000,000 in round numbers, total appropriations, contracts, and pending estimates for 1941, 1942, and 1943."

Mr. McKELLAR. It includes all three.

Mr. NYE. That was what I wanted to establish.

Mr. LA FOLLETTE. Mr. President, if the Senator from Tennessee has concluded, I should like to say a few words.

Mr. McKELLAR. I have finished, unless some other Senator wishes to ask a question.

Mr. LA FOLLETTE. Mr. President, although this measure is not to be disposed of today, I wish to make a few observations concerning it.

It may be recalled by some of the Senators present that on other occasions when we have had astronomical war or defense appropriation bills under consideration I have indicated that great caution should be observed by the Congress in granting appropriations unless it could be assured that they would be expended within a reasonable length of time. My position is justified on several grounds. The country—and perhaps even the Congress itself—is lulled into a condition which I might describe as complacency by the fact that enormous sums of money have been and are being appropriated constantly for war materials. Mr. President, appropriations will not win this war. The only way in which we can win is by the translation of the appropriations into actual production and the delivery of war materials into the hands of our own forces and the fighting personnel of those who are associated with us in this war on the battle fronts.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. I am very frank to say that when we went into the hearings I had similar views to those which the Senator from Wisconsin has just expressed; but upon going into the details as to what is actually being done I am compelled to believe that our officials are doing everything humanly possible to translate the appropriations into war materials as rapidly as possible for the purpose of winning the war. I found no evidence indicating that that was not being done. I am sure that if the Senator had been present and had heard every word of the testimony, as I heard it, he would have come to the same conclusion.

I can understand how the Senator feels about the matter, because these are large sums. It was welcome news to me when we were assured that even as to the enormous sum of $23,000,000,000 for the Army, it was expected to be translated during the present year into materials for winning this war.

Mr. LA FOLLETTE. Mr. President, I hope that nothing I have said will give any indication of an expression of feeling on my part that those responsible for the expenditure of these moneys have not been making a conscientious effort to spend them properly and promptly. The only thing I wish to say is that based upon our experience up to date, so far as it has been revealed to all Members of Congress, there has been much evidence that we have been appropriating money which has not been spent because of the bottlenecks in production. I shall not take the time to do so, but any Senator who will go back and read the last lend-lease report will find that, although Congress had appropriated many billion dollars for lend-lease purposes, only an infinitesimal part of it had been translated into materials which had been exported to Great Britain, the principal beneficiary of our lend-lease policy. I realize that expansion of productive facilities is going on each month. I realize that more and more existing facilities are being converted to war production purposes. Nevertheless, Mr. President, I am not relieved of my apprehension that we are appropriating vast sums of money which we may find to our sorrow have not been expended and translated into war goods as anticipated, although I wish to say that, as the Senator from Tennessee well knows, I have great confidence in his judgment. It is somewhat reassuring to me to have him say that the off-the-record testimony before his committee has allayed his apprehensions in this respect. That is just one phase of it.

The second phase, which has been of grave concern to me, and to which I have heretofore referred, is that in time of war it becomes necessary for the Congress to surrender great segments of power into the hands of the Executive for the prosecution of the war. I recognize that. I do not begrudge the sur-

render of all the powers which are actually essential to the conduct of the war. However, as one who desires above all else, when this holocaust shall have come to a conclusion, to see the preservation of the democratic process in the United States, I have endeavored to the best of my ability to caution my colleagues about surrendering any more power than is essential to the conduct of the war, or surrendering power in advance of the actual necessity of its exercise by the Executive. There is burned into my memory the difficulty which was encountered, and in some respects the futile efforts of those who, after the last World War, sought to wipe from the statute books legislation which had conferred power upon the Executive for the conduct of that war.

There is one power which the Congress does not have to surrender, and that is the power over the purse strings. Congress does not have to appropriate more money than is necessary or than would be spent in a reasonable length of time in the future. I desire to say, Mr. President, that it is my firm conviction that Congress has already built up a huge backlog of appropriations sufficient, if Congress were not to appropriate another dollar of money, to run the war for a considerable period of time.

With all that I have said I want to hasten to add that I shall not oppose the pending bill. How could one Senator—especially one not a member of the committee and not having the privilege of hearing the testimony, such as it was, either on or off the record—be in position to offer any specific proposals in relation to such proposed legislation? I think it is clear that there is nothing that such a Senator could do in that respect; and I shall support the bill. But I want at least to have upon the record for my own satisfaction my own apprehension that, in the first place, much of the money we are appropriating will not be translated into materials of war as rapidly as is anticipated; and, in the second place, that Congress is unnecessarily stripping itself of power by the appropriation of these vast sums of money which place the Executive in such a position that it is not necessary to give an accounting to the Congress for some time to come.

In this connection, Mr. President, while I realize that the comparison is perhaps not of too great value, I should like to point out that in the first 2 years of the present war Great Britain paid out $22,800,000,000 in direct expenditures for war. In addition, the rest of the British Empire and the Dominions contributed about $4,000,000,000 to the war effort. At the end of the present fiscal year, March 31, 1942, the direct expenditures of all the British Empire and Dominions, excluding our own lend-lease supplies, will have reached perhaps approximately $35,000,000,000. Mr. President, I am not offering these figures for the purpose of making any invidious comparison, but I am trying to point out that the British Empire has found it possible, since the beginning of actual warfare, to expend only approximately $35,000,000,000. In the light of that fact, our astronomical appropriations and contract authorizations, which already mount up, since the 1st of July 1940, to more than $142,000,000,000, should be some indication that we are creating a dangerous backlog of appropriations over which the Congress has no direct future control.

Mr. President, one other thing I should like to point out is that recently—in fact, on February 23, 1942—the Executive announced an agreement which had been entered into between the executive branch of this Government and His Majesty's Government. I desire to read article VII of the agreement:

> In the final determination of the benefits to be provided to the United States of America by the Government of the United Kingdom in return for aid furnished under the act of Congress of March 11, 1941, the terms and conditions thereof shall be such as not to burden commerce between the two countries but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end, they shall include provision for agreed action by the United States of America and the United Kingdom, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the joint declaration made on August 12, 1941—

That is the so-called Atlantic Treaty—

> by the President of the United States of America and the Prime Minister of the United Kingdom.

I am not proposing to take up the agreement for any critical discussion at this time, but I wish to point out in connection with the pending appropriation bill that it seems clear from the agreement and, especially from article VII, that, insofar as the persons who sat down to negotiate and who ultimately signed the agreement are concerned, it is not contemplated, now or in the future, that Great Britain shall make any payment or repayment of any moneys which have been advanced to her in the form of matériel under the lend-lease program. Such moneys will amount to $18,410,000,000, when we shall have passed the pending bill. According to the committee's report, $12,985,000,000 has been previously appropriated, and in the pending bill there is provided an additional $5,425,000,000.

I point out in this connection that in considering the astronomical character of these appropriations we should bear in mind that, so far as $18,410,000,000 of the $142,000,000,000 are concerned, the Executive has entered into an agreement which to all intents and purposes provides that the countries receiving the money shall never be called upon to repay those huge sums. This fact causes me, Mr. President, to express the hope that perhaps some day we shall be able to negotiate an instrument which will be as generous to the present generation and to the oncoming generations in the United States of America as the Executive is proposing to be generous to the beneficiaries under the lend-lease program. If the British empire can never repay the gigantic sums which have been advanced to her under the lend-lease program, how can we expect to fry even greater sums out of the hides of this and future generations in the United States of America?

I know that statistical examples are not too helpful; but we have gotten so far up in the stratosphere of appropriations that, so far as I am concerned, my hermetically sealed mathematical airplane has begun to leak, and I have the "bends," so far as these sums of money are concerned. Just now I had someone figure out for me a few little comparisons regarding the sum of $150,000,000,000. I thought I should use that figure because I was afraid that the Appropriations Committee or some Senator on the floor of the Senate would lift the $142,000,000,000 to $150,000,000,000 before I could have the calculations made. If the sum of $150,000,000,000 were in $100 bills, and if it were counted at the rate of one per second, and if the process of counting were continuous it would take 47½ years to count the $150,000,000,000. If $150,000,000,000 in $1 bills were laid end to end it would make approximately 60 rows of $1 bills between the earth and the moon. If the $150,000,000,000 were put into the form of $20 bills a 45-foot highway between New York and San Francisco could be paved with the bills.

Mr. President, the sooner we find out that we cannot defeat our brutal and tough enemies with anything except superior firepower and superior concentration of forces, the better off it will be for the people of the United States and those with whom we are associated in the war. Paper appropriations will not win the war; speeches will not win the war; radio propaganda will not win the war.

I shall support the bill, and I suppose I shall support other bills which may come along. I am in the situation where I cannot refuse my consent when the executive branch of the Government responsible for the expenditures asks for them, even though I am not privileged to read the testimony because most of it is off the record. Nevertheless, Mr. President, I want to urge again upon the committees of Congress, and especially those of the Senate that are concerned with these matters, that they insist upon having from the responsible officials to whom these astronomical sums of money have been provided monthly reports as to how they are translating the appropriations into actual matériel of war. I urge that no future appropriations be granted until the sums previously provided by Congress be broken down so as to show, insofar as secret military information is not disclosed, an itemized listing of backlogs of unexpended appropriations, including amounts allocated by purpose but not contracted for production, and amounts allocated and contracted but not in the process of production because of backlogs in orders.

Let us not be lulled into complacency by the fact that we have exceeded the

record of all governments in the written history of the world in appropriating money for war purposes.

JAPANESE IN THE UNITED STATES

Mr. STEWART. Mr. President, I wish to speak for a few minutes on an entirely different subject than the one now pending. I understand that the appropriation bill is not to be proceeded with further today?

Mr. BARKLEY. That is correct; yes.

Mr. STEWART. Mr. President, I think the time has arrived when we should deal sternly with the Japanese in this country. If we do not, we may come to grief. I have, therefore, introduced a bill which has for its purposes the incarceration of all Japanese in the United States and its Territories.

There are within this country, especially in the States on the west coast and in some of our island possessions such as Hawaii, many thousands of Japanese who were born on American soil, and for that reason, under the first clause of the fourteenth amendment of the Constitution of the United States, claim citizenship. The first clause of the fourteenth amendment provides that all persons born in the United States are citizens of the United States, provided they are subject to the jurisdiction thereof.

It is my belief that Japanese born on American soil should not be allowed citizenship within the meaning of the fourteenth amendment, because they are not "subject to the jurisdiction" in the sense that the amendment intends. Their parents could not have become naturalized under the laws of the United States, and it seems absurd to claim that those whose parents could not themselves become naturalized should become citizens by the mere accident of birth on American soil. Furthermore, under the Japanese law, every person whose father is Japanese is a subject of the Emperor and a citizen of Japan. We have, therefore, the question of dual citizenship to contend with if we permit American citizenship by reason of birth on American soil.

America is at war and will have to fight to the bitter end. The Japanese are among our worst enemies. They are cowardly and immoral. They are different from Americans in every conceivable way, and no Japanese who ever lived anywhere should have a right to claim American citizenship. A Jap is a Jap anywhere you find him, and his taking the oath of allegiance to this country would not help, even if he should be permitted to do so. They do not believe in God and have no respect for an oath. They have been plotting for years against the Americas and their democracies.

It is my belief that one Jap at large in this country or its possessions is a threat to the defense program of America.

I introduced the bill to which I have referred last Thursday, February 19, and on Saturday morning thereafter I was delighted to read in the newspapers that the President of the United States had issued an Executive order giving full wartime authority to remove any and all persons, even American citizens, from any area he might wish. We are given to understand that this action is aimed principally at the Japanese. This is a wise step. Many Japs live near our oil-reserve properties, naval bases, and factories which manufacture defense materials.

My bill, which is S. 2293, directs the Secretary of War to take into custody and restrain, to the extent by him deemed necessary in the interest of national defense, any person who is considered by the laws of any foreign power with whom we are at war to be a citizen of such nation and is of a race or nationality ineligible to naturalization in the United States. The bill, therefore, is directed at the Japanese and raises directly the question of its constitutionality under the fourteenth amendment of the Constitution and, specifically, the first clause thereof which provides:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

As is known by most lawyers, the Supreme Court of the United States, by a divided Court, has held that a child born in the United States of parents of Chinese descent, who at the time of his birth are Chinese subjects but have a permanent domicile and residence in the United States and are carrying on a business and not employed in any diplomatic or official capacity for the Chinese Government, becomes at the time of his birth a citizen of the United States under the first clause of the fourteenth amendment of the Constitution.

The case to which I refer is styled United States against Wong Kim Ark, and is reported in volume 169, United States Reports, page 649 et seq. It involves a young Chinese boy who was born in California, who returned to China for a temporary visit with intention of returning to the United States and who did return to the United States but was refused admission by the collector of customs, whereupon habeas corpus was sued out. This was in 1897, 45 years ago. The Supreme Court turned to the common law and its principles and history, and interpreted the first clause of the fourteenth amendment in that light.

The case is quite interesting in view of present-day developments. The opinion of the majority was written by Mr. Justice Gray. There was a dissenting opinion written by the then Chief Justice, Mr. Fuller, and concurred in by Justice Harlan. Justice McKenna, who had just come to the bench, did not participate—thus a six-judge opinion became the law.

The majority opinion, in interpreting the exclusion clause of the fourteenth amendment—that is, "subject to the jurisdiction thereof"—held it to mean only those born of alien enemies in hostile occupation and children of diplomatic representatives of a foreign state. This is a narrow construction, and one that should not obtain. As I have already stated, a Jap born on our soil is a subject of Japan under Japanese law; therefore, he owes allegiance to Japan, and, so owing allegiance to Japan, certainly he is not "subject to the jurisdiction" of the United States under a proper construction and in the light of modern beliefs.

I should like to quote briefly from the dissenting opinion in the Wong Kim Ark case. I think the reasoning there is much sounder than in the majority opinion and ought to be the law. At the beginning of the opinion, the Chief Justice states:

> I cannot concur in the opinion and judgment of the court in this case.
>
> The proposition is that a child born in this country of parents who were not citizens of the United States, and under the laws of their own country and of the United States could not become such—as was the fact from the beginning of the Government in respect of the class of aliens to which the parents in this instance belonged—is, from the moment of his birth a citizen of the United States, by virtue of the first clause of the fourteenth amendment, any act of Congress to the contrary notwithstanding.
>
> The argument is, that although the Constitution prior to that amendment nowhere attempted to define the words "citizens of the United States" and "natural-born citizens" as used therein, yet that it must be interpreted in the light of the English common law rule which made the place of birth the criterion of nationality; that that rule was in force in all the English colonies upon this continent down to the time of the Declaration of Independence, and in the United States afterward, and continued to prevail under the Constitution as originally established; and that before the enactment of the Civil Rights Act of 1866 and the adoption of the constitutional amendment, all white persons, at least, born within the sovereignty of the United States, whether children of citizens or of foreigners, excepting only children of ambassadors or public ministers of a foreign government, were native-born citizens of the United States.
>
> Thus the fourteenth amendment is held to be merely declaratory except that it brings all persons, irrespective of color, within the scope of the alleged rule, and puts that rule beyond the control of the legislative power.
>
> If the conclusion of the majority opinion is correct, then the children of citizens of the United States, who have been born abroad since July 28, 1868, when the amendment was declared ratified, were, and are, aliens, unless they have, or shall on attaining majority become citizens by naturalization in the United States; and no statutory provision to the contrary is of any force or effect. And children who are aliens by descent, but born on our soil, are exempted from the exercise of the power to exclude or to expel aliens, or any class of aliens, so often maintained by this court, an exemption apparently disregarded by the acts in respect of the exclusion of persons of Chinese descent.

The soundness of the dissenting opinion is repeatedly shown. Applying it, or at least parts of it, to conditions of today, it seems almost prophetic. Discussing the application of common-law principles in construing the first clause of the fourteenth amendment and as a reply to the majority opinion, I quote from the dissent:

> Obviously, where the Constitution deals with common-law rights and uses common-law phraseology, its language should be read in the light of the common law; but when the question arises as to what constitutes citizenship of the Nation, involving as it does international relations, and political as contradistinguished from civil status, international principles must be considered, and, unless the municipal law of England appears to have been affirmatively accepted, it cannot

be allowed to control in the matter of construction.

Nationality is essentially a political idea, and belongs to the sphere of public law. Hence Mr. Justice Story, in *Shanks* v. *Dupont* (3 Pet. 242, 248), said that the incapacities of femes covert, at common law, "do not reach their political rights, nor prevent their acquiring or losing a national character. Those political rights do not stand upon the mere doctrines of municipal law, applicable to ordinary transactions, but stand upon the more general principles of the law of nations."

Twiss, in his work on the Law of Nations, says that—

Natural allegiance, or the obligation of perpetual obedience to the government of a country, wherein a man may happen to have been born, which he cannot forfeit, or cancel, or vary by any change of time, or place, or circumstance in the law of nations, as it is in direct conflict with the incontestable rule of that law (vol. 1, p. 231).

The dissenting opinion goes on to discuss the matter of natural-born citizens and points out that society cannot exist and perpetuate itself otherwise than by the children of the citizens. Here quoting from Vattel:

Before the revolution, the views of the publicists had been thus put by Vattel: "The natives, or natural-born citizens, are those born in the country, of parents who are citizens. As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights. The society is supposed to desire this, in consequence of what it owes to its own preservation; and it is presumed, as matter of course, that each citizen, on entering into society, reserves to his children the right of becoming members of it. The country of the fathers is therefore that of the children; and these become true citizens merely by their tacit consent. We shall soon see whether, on their coming to the years of discretion, they may renounce their right, and what they owe to the society in which they were born. I say that, in order to be of the country, it is necessary that a person be born of a father who is a citizen; for, if he is born thereof a foreigner, it will be only the place of his birth, and not his country" (book I, ch. 19, No. 212). "The true bond which connects the child with the body politic is not the matter of an inanimate piece of land, but the moral relations of his parentage. The place of birth produces no change in the rule that children follow the condition of their fathers, for it is not naturally the place of birth that gives rights, but extraction.

To the same effect are the modern writers, as, for instance, Bar, who says:

To what nation a person belongs is by the laws of all nations closely dependent on descent; it is almost a universal rule that the citizenship of the parents determines it—that of the father where children are lawful, and where they are bastards that of their mother, without regard to the place of their birth; and that must necessarily be recognized as the correct canon, since nationality is in its essence dependent on descent" (International Law, No. 31).

Good sense, patriotism, public policy, even self-preservation demand that all persons who become citizens of the United States should first sever the ties, whatever they might be, that bind them to any other nation. Certainly the Japanese law which provides that all Japs are the Emperor's subjects is a tie to all Japanese.

Concluding the dissenting opinion, Chief Justice Fuller states:

It is not to be admitted that the children of persons so situated become citizens by the accident of birth. On the contrary, I am of opinion that the President and Senate by treaty, and the Congress by naturalization, have the power, notwithstanding the fourteenth amendment, to prescribe that all persons of a particular race, or their children, cannot become citizens, and that it results that the consent to allow such persons to come into and reside within our geographical limits does not carry with it the imposition of citizenship upon children born to them while in this country under such consent, in spite of treaty and statute.

In other words, the fourteenth amendment does not exclude from citizenship by birth children born in the United States of parents permanently located therein and who might themselves become citizens; nor, on the other hand, does it arbitrarily make citizens of children born in the United States of parents who, according to the will of their native government and of this Government, are and must remain aliens.

I am calling attention to this Wong Kim Ark case because it ought to be reversed or overruled. It is not good, sound law, and never was. No country should so fetter itself by laws that it cannot prosper and grow and be under the complete control of its actual, bona fide citizens who love it and cherish its institutions, and such full and complete control should be demanded and retained by them.

The presence of Japanese in America is inimical to the interests of the people. We should oust them from our land, and now is the opportune time. They do not share the views of Americans; our social, political, and religious views are as different and as far apart as is the East from the West. In fact, this is a case of "never the twain shall meet." Their customs are not our customs, and ours can never be theirs. They retain allegiance to Japan, and we must deal with them accordingly.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. JOHNSON of Colorado. In his discussion of the Japanese situation, which is very informative from a legal point of view, the Senator made reference to the President's order or proclamation giving the Army control of citizens who it is thought are dangerous when at large.

Mr. STEWART. Those residing in certain strategic areas; yes.

Mr. JOHNSON of Colorado. I presume the Senator has made a study of the order, and I wish to ask him a question. Many of the farmers in Colorado, Wyoming, and other States interested in the culture of sugar beets, have been greatly disturbed lately by reports that the Japanese were to be brought from California and used as laborers in beet culture. Does the Senator understand that there is any possible broad application of the President's order which would permit such a thing as that?

Mr. STEWART. I have not made a careful study of the order. It was issued last Saturday, as I recall, and that was the first information I had about it. I have seen the order, and, as I understand, it merely empowers the War Department, or specifically designates one of the generals, whose name I forget, to seize or take into custody all persons, including American citizens, whom he thinks should be taken into custody, and who live in certain prescribed areas, that is, areas close to plants manufacturing defense material, close to oil fields, airports, and other areas which have been or might be declared by the President to be important from a military or production standpoint. I presume that if they are seized they will merely be held, perhaps incarcerated. I do not know of any reason why they should be taken into the Senator's beet producing section, and allowed to interfere in any way with the operation of growing beets in Colorado.

Mr. JOHNSON of Colorado. I share the Senator's opinion, that that would be unwarranted, and, as I understand, it would conflict with the provision against involuntary servitude. Even if the Japanese were willing to serve in such a capacity, certainly their services could not be forced upon the farmers in the areas referred to. It seemed to me to be a silly interpretation of the order, but our newspapers, and the people in the western States, are much disturbed over the likelihood of some such arrangement being made.

Mr. STEWART. I have no information that such a thing is contemplated.

FIFTH SUPPLEMENTAL DEFENSE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

Mr. DANAHER. Mr. President, in the course of his very able address a few minutes since the Senator from Wisconsin [Mr. LA FOLLETTE] was dwelling upon the extent to which the appropriations we are making seem to antedate their possible expenditure. I should like very much to call the attention of the Senator from Wisconsin to a colloquy which occurred in the course of the House hearings. It must become apparent to all of us, especially those who are not on the Committee on Appropriations, that we cannot know the extent of the multiplicity of details covering the expenditure of these vast sums. We necessarily must depend, so far as we can, upon the hearings available to us. All too often in the course of the hearings, just when, in our study, we reach a most important point, something which we should like to know most about, we find in parentheses the expression, "Then followed a discussion off the record," and we still do not know what the answer may be.

With his consent, if the Senator will be so kind, I should like to call to the attention of the Senator from Wisconsin a colloquy appearing at pages 188 and 189 of the House hearings, when Mr. Stettinius was testifying. Representative WIGGLESWORTH was questioning him:

Mr. WIGGLESWORTH. You have had $12,985,000,000, and you are now asking for $5,430,000,000. In order to get the total picture, there should be added whatever may come to you under the military title of the bill and the Maritime Commission part of it?

Mr. STETTINIUS. Not in funds—in items of material, but not in funds.

Mr. WIGGLESWORTH. How much of the $12,985,000,000 have you allocated?

Mr. STETTINIUS. $12,225,000,000.

Mr. WIGGLESWORTH. As of what date?

Mr. STETTINIUS. As of the 12th. Today is the 13th.

Mr. WIGGLESWORTH. As of February 12?

Mr. STETTINIUS. As of February 12. Of the total appropriation of $12,985,000,000, $12,225,000,000 has been allocated.

Mr. WIGGLESWORTH. What are the obligations?

Mr. STETTINIUS. The obligations are $7,925,000,000 as of February 8.

Mr. WIGGLESWORTH. How much of that has been expended?

Note the answer, Mr. President.

Mr. STETTINIUS. The expenditures, as of January 31, were $1,811,000,000.

Has the Senator from Wisconsin had a chance to perceive the comparatively small ratio of disbursements and expenditures in relation to the enormous requested appropriations?

Mr. LA FOLLETTE. Mr. President, the Senator from Connecticut has pointed out an important example of just what I was discussing, and it was my hope that the Committee on Appropriations would procure figures as to the total war and defense appropriations which would be comparable to those which the Senator from Connecticut has furnished from the House hearings, because, first, these moneys are allocated, then they are obligated, then they are contracted for, and finally the stage of expenditure is reached. All these appropriations, as I understand, go into the hopper, so to speak, then they go through these various stages. Until we know how much of the backlog has been expended, we have not any very definite understanding of what the total backlog amounts to, because, for instance, once the funds are allocated, that does not necessarily mean that the allocation is going to be followed, for it can be shifted around later on.

Let me point out that when this bill shall have been passed, there will have been appropriated for lend-lease specifically $18,410,000,000, and, taking the figure which Mr. Stettinius gave to the House committee, as the Senator from Connecticut has just read it, which is $1,811,000,000 in round numbers, that leaves $16,599,000,000 unexpended out of the total lend-lease appropriations, including that provided for in the pending bill.

I hope that when we are called upon to consider the next one of these bills, which will probably be in a few days, the Committee on Appropriations will procure for us the figures, so that we can tell more definitely how much of this is backlog and how much of it has been expended.

Mr. DANAHER. I thank the Senator from Wisconsin for his comment and his view on this important matter.

There is another observation which it seems to me should be made, namely, that upon the Executive rests, after all, the responsibility for actual disbursement. When we are building this enormous backlog, and we have appropriated, let us say, a year or a year and a half hence for the estimated needs, at a time when we have actually expended only some 10 percent of the total appropriated for lend-lease alone, we are putting beyond the control of the Congress itself the actual disbursement of the funds appropriated. To show to what extent the situation can be carried, let me recall that it is only a matter of a few weeks since we appropriated funds for the highway plan. Yet this morning's Washington Post opens an article on the front page with this paragraph:

President Roosevelt has frozen for the duration of the war projected outlay of about $500,000,000 in Federal funds for construction of highways, a secret order to the Federal Works Administrator revealed yesterday.

Mr. Roosevelt instructed the Administrator to restrict approval of projects to those essential to national defense in order to release materials and manpower for the war effort.

Only $88,000,000 has been provided for highway construction in the coming fiscal year in contrast to the big outlays running from $150,000,000 up to $350,000,000 a year in the past few years.

Granting that we made these appropriations in furtherance of the war effort, as we are led to believe through the witnesses, if, Mr. President, they are thereafter subject to Executive order, if in fact expenditures can be suspended, and, to carry the case to a possible extreme, assuming that in the November elections the House of Representatives should change its complexion, and assuming that in response to the sentiment of the public there should be some change of the viewpoint of those in the House as to exactly what should be done in this, it should be remembered that the Congress in these acts at this time is passing completely out of our hands and into the hands of the Executive control over the future of the country, and the course of the conduct of the war, and the future of the expenditures we thus appropriate.

Mr. President, the Senator from Wisconsin has rightly stated, it seems to me, that a note of caution should be injected into our thinking along these lines. I believe that as these measures come along we should be given more detail. We cannot dodge our responsibility in this situation, expecting that in the future all the funds will be expended in exactly the way we hope they will be spent.

Mr. BONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Washington?

Mr. DANAHER. I yield.

Mr. BONE. I did not care to ask a question. I simply rose to make a few remarks about the report.

Mr. BARKLEY. Mr. President, I may suggest to Senators that the bill is going over. It is not going to be passed on today. We desire to take up the calendar and dispose of it, and these matters might well be discussed when the bill is again taken up. I do not want to shut off the Senator from Connecticut.

Mr. DANAHER. I know, Mr. President, that the Senator from Kentucky has no desire to shut off the Senator from Connecticut. I am certain of that.

Mr. BARKLEY. I not only have no desire to do it, but I realize the impossibility of doing it.

Mr. DANAHER. The Senator knows quite well, of course, that he would listen to more wisdom during the remainder of the afternoon than he had expected to listen to, but I do not want to go into a thing of that kind with him. I know very well that when the Senator from Kentucky says he does not want to shut off the Senator from Connecticut, but would like to take up the calendar, that what he really means is that he would like to shut off the Senator from Connecticut so that the Senate may take up the calendar.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. McKELLAR. I was interested in the statement the Senator just made about these appropriations. We had a tremendous amount of testimony before our committee. Witnesses from the departments interested, and others, including the Assistant Secretary of War, who is a very excellent man in every respect, and seems to know his business thoroughly, appeared before the committee. I am quite convinced that if the Senator from Connecticut, with his keen and penetrating mind, with his ability, sagacity, and industry, and every other attribute he possesses—and they are many and splendid, and I take off my hat to him—had been in attendance at the meetings of the committee, he would feel, as I do, that the amount of appropriations asked for at this time is necessary to carry on the war as the Senator would like it to be carried on, and as I would like it to be carried on, and as we all would like it to be carried on. The witnesses who appeared before the committee seemed to be much in earnest, and as sincere and truthful a lot of men as I have interviewed in a long time. I am quite sure that had the Senator from Connecticut been a member of the committee he would feel as I do, that it is necessary to appropriate this money in order that our war effort may succeed, as I know the Senator wants it to succeed, and as I want it to succeed, and as we all want it to succeed.

Mr. DANAHER. Mr. President, will the Senator from Tennessee please tell us upon which part of the proceedings we should place the greater reliance, that which appears in the Senate report, or that which was off the record and which the Senator asks us to accept.

Mr. McKELLAR. Upon both, of course.

Mr. DANAHER. The Senator would not ask that we place greater reliance upon that part which was off the record?

Mr. McKELLAR. No. I ask that reliance be placed upon both. If the Senator finds something in the printed record which he thinks is not correct, then he is absolutely right in criticizing it. There is no objection to criticism, anyway. That is the only way we can bring out the facts. I am always glad to have any act of mine criticized. I know what I am doing when other men criticize my action and tell

me what is wrong with it. I am always perfectly willing to be subjected to criticism, and I am glad to have the Senator's views about the bill.

Mr. DANAHER. Mr. President, I have always found the Senator from Tennessee to be cooperative, and I thank him for his cordial offer of continued cooperation. I respectfully submit that a reading of pages 1 to 48, which comprise the entire record of the hearing, will show no justification in detail for the expenditure of another dollar. If we were to rest on that record, Mr. President, there is nothing upon which we could base our judgment. I agree that there was much off the record which, had we the benefit of knowing it, might alter our receptivity. If it were not for the fact that I repose in the Senator from Tennessee that degree of confidence in his honesty and integrity to which I know him to be entitled, and which he would wish us to extend to him, I might feel otherwise than I do about the bill. As it is, Mr. President, I, too, will support the measure, relying upon the Senator from Tennessee and others. I believe, however, that as time goes on we may with more critical examination give more careful attention and inspection to the need for the funds as the requests are presented to us.

Mr. TAFT. Mr. President, will the Senator yield so that I may ask the Senator in charge of the bill a question?

Mr. DANAHER. I yield.

Mr. TAFT. I did not quite understand the answer given to the question raised by the Senator from Wisconsin [Mr. LA FOLLETTE]. It is said that with what we are now appropriating, the total of the expenditures will be $142,000,000,000. In the fiscal year just ending we will spend, so far as I can judge, about $22,000,000,000 for defense purposes. It is the President's estimate that in the next fiscal year we will spend $53,000,000,000 for defense purposes. It is perhaps doubtful if we can spend that much money in that time.

Assuming that we shall spend another $53,000,000,000 in the fiscal year ending June 30, 1944, even all added together will not be $142,000,000,000. It will be $106,000,000,000, plus $22,000,000,000, which is $128,000,000,000, and yet the Senator says we are now appropriating the one hundred and forty-second billion dollars, and we have not yet taken up the regular appropriation bills for the Army and the Navy for the fiscal year 1943. So, I do not quite understand why we are not appropriating money now for the next 3 years, practically through the fiscal year 1945, instead of through the fiscal year 1943. I am willing to take the Senator's word for the fact that this expenditure is necessary, but I do not see how the figures can be reconciled with the actual expenditures which we can reasonably hope to make, even if we use 55 or 60 percent of the productive capacity of the country.

Mr. McKELLAR. I will say to the Senator that I have sent for the memoranda I used in explaining the bill. When one is dealing with figures he wants to have the figures before him. They will be here in a moment and I will give the Senator the figures.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. OVERTON. I think the Senator fell into an inadvertent error in stating that the regular annual department appropriation bills for 1943 had not been enacted. One has been enacted.

Mr. TAFT. The Navy Department bill has been enacted.

Mr. OVERTON. Yes.

Mr. TAFT. But not the Regular Army appropriation bill for the fiscal year 1943, and, of course, there will be another bill for the fiscal year 1944, so all that has to be added, but taking into account all those figures, I do not see how it is possible to spend $142,000,000,000, on any basis that I can judge of, in the time specified.

Mr. McKELLAR. My recollection is that there is a provision in the Constitution that funds which are not expended must go back into the Treasury. So money appropriated, but not expended, will go back into the Treasury after the year 1943.

The Senator asked me a question. I shall give the break-down in a general way. One hundred and forty-two billion dollars has been appropriated up to date. Sixteen billion six hundred and sixteen million dollars has been expended up to January 1942. Between now and June of this year we shall expend $13,684,000,000 more.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. TAFT. I do not want to question the Senator's figures, but it seems to me that that is far beyond anything we can hope to spend in 3 or 4 months.

Mr. McKELLAR. I will give the Senator the figures as they were given to me.

Mr. TAFT. The figures are far beyond the Budget estimate of the 1st of January.

Mr. McKELLAR. The amount given by the Bureau of the Budget at this time is $13,684,000,000 to be expended from February 1 to June 30, which is 5 months in 1942. For the fiscal year 1943 the amount to be expended is $52,800,000,000. For the period subsequent to 1943 contracts will be made, but the goods will not be translated into war materials this year. The amount is $58,904,000,000. That is the entire amount for every department.

The Army and Navy have been supplied with enormous sums of money for their materials. As I told the Senator, these are stupendous sums. They frighten me; they frighten the Senator; they frighten all of us; but in order to win this war we must follow what our military and naval authorities have recommended, because we are not experts or authorities. They certainly have made a splendid case so far as our committee is concerned. The Senator can verify that statement from any member of the committee, whether on the Democratic side or the Republican side. I think the whole committee agrees that they are making the best possible use of the money.

We cannot make war materials and munitions of war merely by making contracts. Enormous sums must be spent for tools to make guns of every kind, from heavy cannon on down. We are spending an enormous amount for tanks. We are spending great sums for aircraft. I was very happy to find that the aircraft production is rapidly increasing; and while I am not permitted to give the figures, it seems to me that it is in splendid condition. To be perfectly frank, that subject interested me probably more than anything else, because I think this war is to be won very largely by aircraft. It is tremendously encouraging to me to know that our aircraft production is proceeding in the accelerated way in which it is progressing.

Mr. DANAHER. Mr. President, I invite the attention of Senators who have not had an opportunity to read the Senate hearings to one or two matters in that connection.

On page 3, General Moore was testifying:

General MOORE. I have given a brief outline of the equipment program and shall be glad to answer any questions regarding it. Other War Department witnesses will give you any details of the estimates which you desire. I have a break-down, for the information of the committee, of these estimates.

(A discussion followed, off the record.)

On page 4, General Moore was still testifying:

I would say we would better go off the record.

Senator McKELLAR. Yes.

(A discussion followed, off the record.)

On page 7, General Arnold was discussing the matter of the Air Corps articles to be procured.

(A discussion followed, off the record.)

On page 8:

Senator THOMAS. Before we conclude, I want to go into the question of the production of high-test gasoline.

(A discussion followed, off the record.)

Mr. McKELLAR and Mr. HAYDEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and, if so, to whom?

Mr. DANAHER. Just a moment.

On page 8, further:

Senator McKELLAR. * * * We know we have to make these contributions to the manufacturers in order to make ready, and what we are interested in now is for them to get ready as quickly as possible.

(A discussion followed, off the record.)

On page 8:

Senator O'MAHONEY. * * * In other words, are we producing the ordnance equipment rapidly enough for the contemplated Army?

(A discussion followed, off the record.)

I shall not go on. I merely wish to point out that in our attempted analysis of the needs for these appropriations those of us who are not on the committee are most certainly at a disadvantage.

We simply do not have the facts. I agree that they should not be made public; I agree that they should not be broadcast all over the world, or even to our citizens—certainly not to the enemy, or any possible enemy—but when the Senate itself does not have the facts it must be agreed that the record is barren of fact or incident to justify these enormous sums, except as we repose trust and confidence in the distinguished Senator from Tennessee, who is entitled to such trust and confidence, and to whom I now yield.

Mr. McKELLAR. Mr. President, there are 48 printed pages of hearings. General Moore, to whom the Senator first referred, testified to an extent which I have no doubt would have covered more than 48 pages. He was before the committee on two separate days. He was a most enlightened and enlightening witness. He was frank in giving his testimony. I have no doubt that on the 2 or 3 days he was before the committee he testified to a greater extent than the volume represented by the printed hearings. The same thing is true of General Arnold. I think those two men were the highest officials we had before us, with the exception of Assistant Secretary of War Patterson, who is a very fine man and who knows his subject. He is in charge of production. I am sure that each of those three gentlemen testified to an extent greater than 48 pages.

After the testimony of those men and officers under them who had the facts concerning each and every item in the bill, the committee was convinced that the bill was proper.

What struck me with a great deal of force was the possibility of expending a huge sum like $33,000,000,000 at any time; but when they told me that during the present calendar year they expected to spend practically all of the Army appropriation; that much of the appropriation for the Maritime Commission would be spent; and that all the lend-lease appropriation would be spent, it put a very different phase on the matter.

Of course, we all realize that the amount proposed to be appropriated is an enormous sum. The mere statement of it in billions makes it enormous; but it seems to me that it is necessary to spend it in order to win the war, and that we ought to appropriate it.

Mr. BONE. Mr. President, as a part of my remarks I should like to have printed in the body of the RECORD a very brief statement by Mr. Edward Stettinius, which appears on pages 3 and 4 of the committee's report on the pending bill. I ask that that be done because I have had many inquiries as to the scope and extent of the lease-lend operations now being conducted by the Government. I find many persons not well advised concerning the extent and scope of those operations. They know that vast sums are being spent but, unfortunately, citizens generally do not have access to committee reports or hearings before committees, and as a consequence have only a very vague idea as to what is going on. The statement of Mr. Stettinius is brief, and will serve to enlighten those who care to read it. It will be more interesting in history, because it is given to us as a part of the greatest financial operation in all human history; for, unless I am gravely mistaken, this bill is the greatest single financial operation in human history. I doubt if there has been anything in the history of the world which transcends it in amount or in the seriousness of the object which it seeks to attain.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The major point of overriding importance to us as Americans—a point that I want to make unmistakably clear—is that this is a World War that stretches across every ocean and every continent. Every man fighting the Axis wherever he may be—in the central part of China, or the island of Java, in New Britain, at Rangoon, in the Leningrad area, or the Crimea, in Libya or Iran—any man who is manning the guns of ships of the sea and the controls of ships of the air are integral parts of our forces. The lend-lease program is our mechanism for making available the supplies necessary to strengthen these nations, to serve them as though they were our own, to serve our own as well, and thus to bind together into a united whole all the free peoples of the world—fighting or not—who are resisting Axis aggression.

Australia, New Zealand, the Dutch East Indies, China, India, and Burma are America's front line in the Pacific, sustained in part by lend-lease aid. In the next 10 months the Lend-Lease Administration hopes to provide tremendous impetus to the production abroad of military weapons and to the general preparedness of these Allies. Trucks, road-building machinery, locomotives, tracks, ties, and so forth, will put their transportation facilities in fighting shape. Radios, receiving sets and sending stations, telephones, and wire and electrical equipment will bolster their communication system for the war effort. Raw materials, tools, generators, machine oil, and countless other types of supplies and equipment will expand their own production of military weapons.

Here are a few examples of what this type of aid can do:

Australia, in spite of sending over a half million men into her armed forces out of a total population of some 7,000,000 people, has her own plane- and tank- and gun-building program. Our studies, made together with the Australians, revealed that if we provided certain processed steel and a relatively small number of tools and some component parts and other supplies, Australia's output of planes and tanks and guns would be tremendously stepped up at practically no expense to our own.

Similarly, lend-lease can make a contribution toward solving shortages in critical materials, such as rubber. We find that by supplying such items as sulfur and tire molds to tire factories in India, Australia, and South Africa we can appreciably increase the tire output of these factories using their own supplies of raw rubber. We can thus reduce the number of tires which would otherwise be allocated from the United States. The results are an increase in total Allied production of war matériel, a tremendous saving in shipping space and time-consuming transportation so vital to the united war effort.

Lend-lease activities have and continue to assist our armed forces all over the world. The air ferrying service across the Atlantic to the Middle East, created last summer and operated with lend-lease funds, has now been extended so that the bombers for our fighting forces, as well as those of our Allies, can be flown by that route to the fighting areas of the southern Pacific. Lend-lease aid to the Free French and Free Belgians contributes to the protection of this route across Africa. Bases in Scotland and Northern Ireland, built with lend-lease funds, are now available for our troops in that part of the world.

Then there is lend lease in reverse. Lend lease is and can be a two-way thing: We cannot only make available our supplies to the Allied Nations but the Allied Nations can make their supplies available to us in the same manner. Thus there is a method available for each of these nations to contribute supplies for the common effort to the fullest measure of their capabilities. There is also another focal point for further cementing the relationships of our Allies so that their manpower, their hearts, and all their resources can be most effectively joined to the end of defeating the Axis Powers.

In this spirit some of the lend-lease countries have freely offered us supplies, and others have initiated conversations with us looking to lend leasing supplies to us. Thus, for example, we have been supplied without payment through lend lease in reverse with antiaircraft guns and ammunition for vital needs. We have been graciously offered the complete equipment for a gun factory. We, of course, welcome this spirit and fact of reciprocal aid in the common cause.

The Lend Lease Act thus provides the method for the full and efficient exchange and utilization of the total war material of our Allies and ourselves in the interest of prosecuting the war. Using this procedure to the fullest extent possible should result in invaluable conservation of shipping space and the most effective use of the other resources of the Allied Nations in prosecuting the war.

CONSIDERATION OF MEASURES ON THE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 1093, where we left off on the 13th of February.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Daniel
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hayden	Rosier
Bilbo	Herring	Russell
Bone	Hill	Schwartz
Brewster	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Stewart
Bunker	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Capper	Langer	Thomas, Utah
Caraway	McCarran	Tobey
Chavez	McKellar	Truman
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Maybank	Van Nuys
Danaher	Mead	Walsh
Davis	Millikin	Wheeler
Downey	Murray	White
Doxey	Norris	Wiley
Ellender	Nye	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

The clerk will proceed to state the first business on the calendar, beginning with calendar 1093, under the unanimous consent agreement.

J. G. FOX

The bill (H. R. 3032) for the relief of J. G. Fox was considered, ordered to a third reading, read the third time, and passed.

JOHN E. NEWMAN

The bill (H. R. 3697) for the relief of John E. Newman, was considered, ordered to a third reading, read the third time, and passed.

LONNIE BALES

The bill (H. R. 3829) for the relief of Lonnie Bales was considered, ordered to a third reading, read the third time, and passed.

JOHN J. JENKINS

The bill (H. R. 4019) for the relief of John J. Jenkins was considered, ordered to a third reading, read the third time, and passed.

MRS. WILLIE M. MAYE

The Senate proceeded to consider the bill (H. R. 3761) for the relief of Mrs. Willie M. Maye, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "$5,444" and insert "$544."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 4068) conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders was announced as next in order.

Mr. DANAHER. Mr. President, may we have an explanation of the bill? I should like to know particularly whether there has ever been established a precedent to the effect that the Government would be liable for the failure of an inspector in the Bureau of Animal Industry to detect some disease, as a result of which failure, in the case covered by the bill, the particular 150 head of cattle involved became infected with ticks, thus giving rise to the alleged claim. If there is some precedent for it, I should like to know; that is the purpose of my inquiry.

The PRESIDING OFFICER. The Senator in charge of the bill does not appear to be on the floor.

Mr. DANAHER. Then, Mr. President, in the absence of an explanation, I should prefer to have the bill passed over.

The PRESIDING OFFICER. The bill will be passed over.

FRANK SHEPPARD

The Senate proceeded to consider the bill (S. 2220) for the relief of Frank Sheppard, which had been reported from the Committee on Claims with amendments, on page 1, lines 5 and 6, after the word "Treasury", to strike out "allocated by the President for the maintenance and operation of the Work Projects Administration" and to insert "not otherwise appropriated"; in line 8, after the words "sum of", to strike out "$1,500" and insert "$300"; in line 10, after the words "account of", to strike out the word "permanent"; and on page 2, in line 3, after the word "blast", to strike out "carelessly, negligently, and without warning set off by Work Projects Administration workmen, employees of the Government then and there engaged in repair work upon the public streets of said town" and insert "set off by employees of the Work Projects Administration: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Sheppard, of Lewisburg, W. Va., the sum of $300, in full settlement of all claims against the United States for damages sustained by the said Frank Sheppard on account of personal injuries suffered by him on August 24, 1939, when, while sitting on the front porch of his home at the town of Lewisburg, W. Va., he was struck by a heavy stone thrown by a blast set off by employees of the Work Projects Administration: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

C. M. SHERROD AND DAISY MIMMS

The bill (H. R. 1755) for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms, was considered, ordered to a third reading, read the third time, and passed.

RUTH STEWARD, ADMINISTRATRIX OF ESTATE OF LUTHER F. STEWARD

The bill (H. R. 2460) for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward, was considered, ordered to a third reading, read the third time, and passed.

BESSIE PEARLMAN AND GEORGE ROTH

The bill (H. R. 3433) for the relief of Bessie Pearlman and George Roth was considered, ordered to a third reading, read the third time, and passed.

MRS. NOEL WRIGHT AND BUNNY WRIGHT

The bill (H. R. 5573) for the relief of Mrs. Noel Wright and Bunny Wright was considered, ordered to a third reading, read the third time, and passed.

MRS. EDDIE A. SCHNEIDER

The Senate proceeded to consider the bill (H. R. 5290) for the relief of Mrs. Eddie A. Schneider, which had been reported from the Committee on Claims, with an amendment, on page 1, line 7, after the words "sum of", to strike out "$10,000" and insert "$5,000."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BIBIANO L. MEER

The bill (S. 2175) for the relief of Bibiano L. Meer was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to allow credit in the account of or otherwise to relieve Bibiano L. Meer, collector of internal revenue, Manila, P. I., for the value of certain series 108, class C, cigar 500's internal-revenue stamps amounting to $250, which were charged to the collector of internal revenue at Manila and which for some unknown reason were not delivered to him or disappeared from his office, or for which because of an error in labeling he was not allowed credit upon their return to the Stamp Section, Accounts and Collections Unit, United States Bureau of Internal Revenue.

JOHN SNURE, JR.

The Senate proceeded to consider the bill (S. 1766) for the relief of John Snure, Jr., which had been reported from the Committee on Claims, with amendments, on page 1, in line 5, after the words "sum of", to strike out "$399.99," and insert "$382.21"; and, in line 10, after "October," to strike out "14", and insert "13", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Snure, Jr., the sum of $382.21, in full satisfaction of his claim against the United States for compensation for services rendered by him in the service of the Joint Army and Navy Selective Service Committee, and in the service of the Selective Service System, during the period from September 1 to October 13, 1940: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD BOVE

The bill (H. R. 691) for the relief of Richard Bove was considered, ordered to a third reading, read the third time, and passed.

G. F. BROWN

The bill (H. R. 2428) for the relief of G. F. Brown was considered, ordered to a third reading, read the third time, and passed.

MINNIE C. SANDERS

The bill (H. R. 3610) for the relief of Minnie C. Sanders was considered, ordered to a third reading, read the third time, and passed.

ANDREW WICHMANN

The bill (H. R. 4414) for the relief of Andrew Wichmann was considered, ordered to a third reading, read the third time, and passed.

BELLA COSGROVE

The Senate proceeded to consider the bill (H. R. 4355) for the relief of Bella Cosgrove, which had been reported from the Committee on Claims, with an amendment, to strike out all after the enacting clause, and to insert:

That jurisdiction be, and it is hereby, conferred upon the United States District Court for the Southern District of New York to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Bella Cosgrove, of New York City, N. Y., for damages resulting from personal injuries received by her on May 6, 1940, by reason of the negligence of the Work Projects Administration at the roadway of the intersection of One Hundred and Sixth Street and Central Park West, in the city of New York: *Provided*, That the judgment, if any, shall not exceed $5,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon the claim of Bella Cosgrove."

JEAN N. BURTON AND LAURA JONES

The bill (H. R. 2718) for the relief of Jean N. Burton and Laura Jones was considered, ordered to a third reading, read the third time, and passed.

WILLIAM H. EVENS

The bill (H. R. 2908) for the relief of William H. Evans was considered, ordered to a third reading, read the third time, and passed.

THELMA CARRINGER AND OTHERS

The bill (H. R. 4010) for the relief of Thelma Carringer and others was considered, ordered to a third reading, read the third time, and passed.

CATHERINE WARD

The bill (H. R. 794) for the relief of Catherine Ward was considered, ordered to a third reading, read the third time, and passed.

BUILDERS SPECIALTIES CO.

The bill (H. R. 5865) for the relief of Builders Specialties Co. was considered, ordered to a third reading, read the third time, and passed.

TITLE TO LAND IN DEARBORN, MICH.

The bill (H. R. 1060) to vest absolute in the city of Dearborn the title to lot 19 of the Detroit Arsenal grounds subdivision, Wayne County, Mich., was considered, ordered to a third reading, read the third time, and passed.

WATER CONSERVATION AND UTILIZATION PROJECTS IN GREAT PLAINS AND ARID AND SEMIARID AREAS

The bill (S. 1441) to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States", as amended by the Act of October 14, 1940 (54 Stat. 1119), was announced as next in order.

Mr. NORRIS. Mr. President, the House has passed a bill (H. R. 4648), which deals with the same subject, and which is identical with the Senate bill if the amendment to the Senate bill were to be agreed to. Unfortunately, the House bill is not on the calendar. It has been referred to the Committee on Irrigation and Reclamation, and I think there has been no meeting of the committee since the reference was made. Of course, the House bill is the one which should be passed.

Therefore, I ask unanimous consent that the Committee on Irrigation and Reclamation be discharged from further consideration of House bill 4648, so that the Senate may consider the House bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the Committee on Irrigation and Reclamation is discharged from the further consideration of House bill 4648.

Mr. NORRIS. I now ask that the House bill be substituted for the Senate bill and be considered at this time.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 4648) to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119), which was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1441 will be indefinitely postponed.

Mr. MILLIKIN. Mr. President, I should like to have an explanation of the bill which was just passed.

Mr. NORRIS. The bill provides for a slight amendment of the Jones-Wheeler Act providing for construction of contemplated projects in the Great Plains and arid and semiarid areas of the United States. Passage of the bill is recommended by the Bureau of Reclamation. So far as I know, thus far, there has been no objection to the bill. It passed the House by unanimous vote, and was unanimously reported by the Senate committee.

Have I sufficiently explained the bill to the Senator?

Mr. MILLIKIN. Yes. I thank the Senator for his explanation.

STAFF DEPARTMENTS OF MARINE CORPS

The Senate proceeded to consider the bill (S. 2229) to provide for the retirement, rank, and pay of heads of staff departments of the Marine Corps, which had been reported from the Committee on Naval Affairs with an amendment, on page 2, line 6, after the word "pay", to insert "or allowances", so as to make the bill read:

Be it enacted, etc., That any officer of the Marine Corps who may be retired while serving as head of a staff department of the Marine Corps, or who has served or shall have served 2½ years or more as head of a staff department of the Marine Corps, and is retired after completion of such service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the rank, pay, and allowances authorized by law for the highest grade or rank held by him as such head of a staff department of the Marine Corps: *Provided*, That the President in his discretion may extend the privileges herein authorized to such officers as have heretofore been retired and who satisfy the foregoing conditions: *Provided further*, That no increase provided herein in retired pay or allowances shall be held to have accrued prior to the passage of this act.

Mr. WALSH. Mr. President, the bill involves no additional expense to the Government. It simply places the heads of staff departments of the Marine Corps on the same basis as the heads of staff departments of the Navy in reference to retirement, rank, and pay.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF SUBWAYS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the joint resolution (H. J. Res. 248) to direct the Commissioners of the District of Columbia and the Public Utilities Commission to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, in line 3, after the word "Columbia," to strike out "and the Public Utilities Commission"; in line 4, after the word "authorized", to insert "and directed"; in line 8, after the name "Columbia", to strike out the words "and the Utilities Commission"; on page 2, in line 4, after the name "Columbia", to strike out "and the Utilities Commission"; and in line 6, after the word "than" to strike out "March 15, 1942", and insert "one hundred and twenty days after the enactment of this act."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "Joint resolution to direct the Commissioners of the District of Columbia to

make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic."

AMENDMENT OF DISTRICT OF COLUMBIA TRAFFIC ACT OF 1925

The bill (S. 2122) to amend the District of Columbia Traffic Act of 1925, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (d) of section 9 of the District of Columbia Traffic Act, approved March 3, 1925, as amended, is amended to read as follows:

"(d) Any individual violating any provision of this section, except where the offense constitutes reckless driving, shall, upon conviction thereof, be fined not more than $300 or be imprisoned not more than 90 days."

SEC. 2. That subsection (e) of section 7 of the District of Columbia Traffic Act, approved March 3, 1925, as amended, is amended to read as follows:

"(e) No individual shall operate a motor vehicle in the District, except as provided in section 8, without having first obtained an operator's permit issued under the provisions of this act. Any individual violating any provision of this subsection shall, upon conviction thereof, be fined not more than $300 or be imprisoned not more than 90 days."

REGULATION OF PRACTICE OF THE HEALING ART IN THE DISTRICT OF COLUMBIA

The bill (S. 2154) to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929, was announced as next in order.

Mr. AUSTIN. Mr. President, reserving the right to object, I should like to have an explanation made of the bill by the distinguished chairman of the Committee on the District of Columbia.

Mr. McCARRAN. Mr. President, the bill provides that any person admitted to the practice of the healing art in the District of Columbia shall be a citizen of the United States of America. That is all that is provided in the bill.

Mr. AUSTIN. I have no objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That so much of section 25 of said act as reads: "An applicant who desires to obtain a license without examination, by virtue of a license issued to him by a State, Territory, or other jurisdiction forming a part of the United States, or by a foreign country, shall submit proof, satisfactory to the Commission, that he is not less than 21 years of age and is of good moral character;" is amended so as to read: "An applicant who desires to obtain a license without examination, by virtue of a license issued to him by a State, Territory, or other jurisdiction forming a part of the United States, or by a foreign country, shall submit proof, satisfactory to the Commission, that he is not less than 21 years of age, of good moral character, and a citizen of the United States;".

SEC. 2. So much of section 26 of said act as reads: "Each applicant for a license to practice the healing art, to be issued after examination, shall submit with his application proof satisfactory to the Commission that he is not less than 21 years of age; that he is of good moral character;" is amended so as to read: "Each applicant for a license to practice the healing art, to be issued after examination, shall submit with his application proof satisfactory to the Commission that he is not less than 21 years of age; that he is of good moral character; a citizen of the United States;".

CANTEEN AT GLENN DALE (MD.) SANATORIUM

The Senate proceeded to consider the bill (H. R. 4401) to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md., which had been reported from the Committee on the District of Columbia, with an amendment, at the end of the bill to insert:

The Commissioners of the District of Columbia are authorized to fix the term of such concession and a reasonable rental to be paid therefor: *Provided*, That no charge shall be made for such concession if granted to a nonprofit charitable corporation or association whose primary object is to assist needy tuberculous patients in rehabilitation work.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

THEFT FROM VEHICLES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 6375) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, which had been reported from the Committee on the District of Columbia, with amendments, on page 2, line 4, after the word "accessory," to strike out "regardless of the value thereof" and insert "of the value of less than $50"; and at the end of the bill to insert the following: "*Provided*, That nothing contained in this act shall be construed to affect the offense of grand larceny as defined by existing law."

The amendments were agreed to.

The amendments were ordered to be grossed and the bill to be read a third time.

The bill was read the third time and passed.

UTILIZATION FOR BURIAL SITES OF CERTAIN LAND IN ROCK CREEK CEMETERY

The bill (H. R. 6107) to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek Parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF DISTRICT OF COLUMBIA ZONING ACT

The bill (H. R. 6003) to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4109) to provide aid to dependent children in the District of Columbia was announced as next in order.

Mr. AUSTIN. Mr. President, reserving the right to object, I ask the chairman of the Committee on the District of Columbia for an explanation of the bill.

Mr. McCARRAN. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

CHANGE OF NAME OF CONDUIT ROAD TO MacARTHUR BOULEVARD

The bill (H. R. 6536) to change the name of Conduit Road in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1980) to amend section 7 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended, was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from Nevada explain the purpose of that bill?

Mr. McCARRAN. The Senator from Mississippi [Mr. BILBO] reported the bill, and I will ask that it go over until he is present.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER OF BLAIR COUNTY, PA., TO MIDDLE JUDICIAL DISTRICT

The bill (H. R. 5481) to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle district of Pennsylvania was considered, ordered to a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 131) appointing a joint committee of the Congress to make a study of war and postwar problems was announced as next in order.

Mr. BYRD. I ask that the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

TRAVEL PAY FOR CERTAIN MILITARY AND NAVAL PERSONNEL

The bill (S. 2268) to further amend section 126 of the act of June 3, 1916, as amended, to authorize travel pay for certain military and naval personnel on discharge or release or relief from active duty was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 126 of the act of June 3, 1916 (39 Stat. 217, 10 U. S. C. 752), as amended, is hereby further amended by adding a further proviso at the end of said section to read as follows: "; *Provided further*, That from and after August 27, 1940, upon discharge or relief or release from active duty, an enlisted man inducted into the military or naval service under the Selective Training and Service Act of 1940, as amended, or Public Resolution Numbered 96, approved August 27, 1940, shall, under such regulations

as the Secretary of War or the Secretary of the Navy, respectively, shall prescribe, receive the said 5 cents per mile for the distance from the place of discharge or relief or release from active duty to the location of the local board where he first reported for delivery to an induction station in the case of a selectee, or to the home station of the National Guard unit in the case of a National Guard enlisted man, or to the place where he was selected for enrollment in the Civilian Conservation Corps in the case of a Civilian Conservation Corps enrollee so inducted: *And provided further*, That the enlisted men of the Naval Reserve, the Marine Corps Reserve, the Enlisted Reserve Corps, and the Regular Army Reserve shall receive, upon discharge or relief or release from active duty, the same mileage allowance as herein prescribed, and under the same conditions as herein prescribed for enlisted men inducted into the military or naval service under the Selective Training and Service Act of 1940, as amended, except that the distance for which mileage is computed shall be from the place of discharge or relief or release from active duty to the place from which ordered to active duty.

BILL PASSED OVER

The bill (S. 2284) to amend the Civil Service Retirement Act of May 29, 1930, as amended, for the purpose of making elective officers and heads of executive departments ineligible to receive annuity benefits under such acts was announced as next in order.

Mr. BYRD. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

NATIONAL HEATING CO.

The bill (H. R. 2980) for the relief of the National Heating Co., Washington, D. C., was considered, ordered to a third reading, read the third time, and passed.

ESTELLA KING

The Senate proceeded to consider the bill (H. R. 3966) for the relief of Estella King, which had been reported from the Committee on Claims with an amendment, on page 2, line 2, before the word "Administration", to strike out "Work Projects" and insert "Works Progress."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CLAIMS OF W. M. HURLEY AND JOE WHITSON

The bill (H. R. 3200) conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson was considered, ordered to a third reading, read the third time, and passed.

LEGAL GUARDIAN OF JANE HAWK, A MINOR, AND J. L. HAWK

The bill (H. R. 4626) for the relief of a legal guardian of Jane Hawk, a minor, and J. L. Hawk was considered, ordered to a third reading, read the third time, and passed.

LOUIS PUCCINELLI BAIL BOND CO.

The bill (H. R. 5026) for the relief of the Louis Puccinelli Bail Bond Co. was considered, ordered to a third reading, read the third time, and passed.

MRS. EDNA B. CROOK

The Senate proceeded to consider the bill (H. R. 4557) for the relief of the estate of Mrs. Edna B. Crook, which had been reported from the Committee on Claims with an amendment on page 1, at the beginning of line 7, to strike out "$2,500" and insert "$470."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. AGNES S. HATHAWAY

The Senate proceeded to consider the bill (S. 1776) for the relief of Mrs. Agnes S. Hathaway, which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the words "sum of" to strike out "$2,873.64", and insert "$1,770", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Agnes S. Hathaway, of Topeka, Kans., the sum of $1,770, in full settlement of all her claims against the United States for personal injuries, medical expenses, and property damage sustained by her on March 10, 1941, when the automobile which she was driving was struck by an Army truck on United States Highway No. 24, near Victory Junction, Kans.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. DUGDALE AND WIFE

The bill (H. R. 1647) for the relief of William H. Dugdale and wife was considered, ordered to a third reading, read the third time, and passed.

LEGISLATURE OF ALASKA

The Senate proceeded to consider the bill (H. R. 5458) to amend the Organic Act of Alaska which had been reported from the Committee on Territories and Insular Affairs, with amendments.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TAFT. Mr. President, I think we should have an explanation of the bill.

Mr. HAYDEN. The bill, which is a House bill, would increase the number of members of the House of Representatives of the Legislature of Alaska from 16 to 24 and the members of the Territorial Senate from 8 to 16. As reported by the committee the suggestion is made that this change be postponed until 1944, but upon second thought, it occurred to me that it could be put into immediate effect by merely providing that the increased membership shall be considered as filling vacancies. I have consulted the members of the committee, and, therefore, offer the amendment which I send to the desk in lieu of the committee amendments. In other words, I request that the committee amendments be rejected and that the amendment offered by me be adopted at the end of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were rejected.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will now be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following:

On page 7, after line 19, in lieu of the committee amendments, insert the following: "SEC. 4. (b) Upon the enactment of this act there shall be deemed to exist vacancies in the offices of the senators and representatives which this act creates in excess of those existing immediately prior to the date of the said enactment. These vacancies shall be filled in the manner prescribed by article III of chapter 17 of title 2 of the Compiled Laws of Alaska: *Provided, however*, That in the event this act becomes effective less than 30 days before the general election of 1942 and more than 30 days before the subsequent convening of the legislature in regular session, the Governor shall call a special election in the manner prescribed in said article."

Mr. McKELLAR. Mr. President, I inquire why is it necessary to increase the number of representatives and senators for the Legislature of Alaska?

Mr. HAYDEN. The bill was prepared in the House after consultation with the Delegate from Alaska and citizens of Alaska. The bill merely enlarges the number of each House. Why the number was changed I do not know.

Mr. McKELLAR. Are the speaker of the house and the presiding officer of the senate, respectively, elected by the other members?

Mr. HAYDEN. Yes.

Mr. McKELLAR. It seems to me there ought to be an odd number of members.

Mr. TYDINGS. Mr. President, may I say to the Senator from Tennessee that, basically, Alaska is divided into four districts; that one district has about 35 percent of the population; the next district has about an average number; and two districts have very little population, most of whom are Eskimos or Indians. Therefore, such a situation has been created in the Senate and House of Representatives of the Alaska Legislature that one man can block all legislation, because there are only eight members in the senate.

The committee held several hearings on this bill. It not only is approved by the Governor of Alaska and the Delegate from Alaska in the House of Representatives but by the department of the Federal Government concerned; and there is every reason, in my judgment, why some change should be made there, if the legislature is to transact business properly.

Mr. McKELLAR. My question did not go to the desirability of the bill but merely to the peculiar situation of having an even number in each house of the legislature. Under the bill there will be 24 in one and 16 in the other. I believe that is rather unusual.

Mr. CLARK of Missouri. Mr. President, this body operates very well with an even number of Members.

Mr. McKELLAR. That is true; but it is not often that a State or Territorial legislature does.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 1842) to extend certain benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 was announced as next in order.

Mr. TAFT. At the request of the junior Senator from South Dakota [Mr. GURNEY], who reported the bill, I ask that it go over. I understand that some further amendments are to be offered to it.

The PRESIDING OFFICER. The bill will be passed over.

H. EARLE RUSSELL

The bill (H. R. 5545) for the relief of H. Earle Russell was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 5075) to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes, was announced as next in order.

Mr. AUSTIN. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

POLICE AND MUNICIPAL COURTS OF THE DISTRICT

The bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, that bill was considered by the Senate earlier today and then was passed over.

Mr. McCARRAN. Mr. President, the Senator from Nebraska [Mr. NORRIS] is not present. I think perhaps he wanted to raise some question about the bill. Unless the Senator thinks that we could take the bill up under the 5-minute rule, I suggest that it had better go over for further consideration.

Mr. McKELLAR. I think the Senator from Nebraska understood the bill was to go over.

The PRESIDING OFFICER. The bill will be passed over.

FORWARDING AND SERVICING OF WATER-BORNE EXPORT AND IMPORT COMMERCE

The Senate proceeded to consider the bill (H. R. 6291) to amend the Merchant Marine Act of 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States, which had been reported from the Committee on Commerce with amendments.

Mr. LA FOLLETTE. Mr. President, will the Senator from Maryland explain this bill, and also one or two others on the calendar which follow it?

Mr. RADCLIFFE. I shall be glad to do so. The pending bill is known as the forwarders bill. I assume it is not necessary for me to take the time of the Senate to explain the functions of forwarders. Their activities are well known and the need of them so obvious as not to require any specific statements of description.

This bill authorizes the Administrator of the War Shipping Administration, who, of course, is Admiral Land, to coordinate all public and private forwarding activities. He will have the authority to deal with the various departments of Government and to make such arrangements and perform such acts as are necessary in order to carry out the policy called for by this bill.

A number of foreign countries, such as Great Britain and others, have already set up public agencies similar to the one provided by the bill, and it is very desirable for that reason, as well as for other reasons, that there should be similar authority in our Government—for instance, as to the allocation of ports, the selection of routes to be followed, and very many other arrangements. Foreign governments through their own public forwarders have certain authority and certain power and therefore are able to do various things that cannot be done by us if we have to rely entirely upon private forwarders.

There is an amendment which has been reported to the bill merely from the standpoint apparently of precaution. It is to the effect that this act shall not in any way interfere with the authority of the Interstate Commerce Commission.

This act has reference to water-borne exports and imports in foreign commerce only. Its passage is desired by the private forwarders and by all the agencies of the Government which have come closely in contact with and are familiar with the situation.

The PRESIDING OFFICER. The first amendment reported by the committee will be stated.

The first amendment was, on page 3, line 1, after the word "directed", to insert the following proviso: *"And provided further*, That nothing herein shall be deemed to affect the power or jurisdiction of the Interstate Commerce Commission, nor confer upon the Maritime Commission concurrent power or jurisdiction over any matter within the power or jurisdiction of the Interstate Commerce Commission."

The amendment was agreed to.

The next amendment was, on page 3, after line 6, to insert:

(c) In conformity with the President's Executive order of February 7, 1942 (No. 9054; 7 Federal Register 837), the functions and duties of the Commission, under this section, insofar as they pertain to functions and duties of the Commission transferred by such Executive order to the Administrator of the War Shipping Administration, shall be performed by such Administrator.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXTENSION OF LIFE OF MARINE WAR RISK INSURANCE ACT

The Senate proceeded to consider the bill (H. R. 6550) to extend and amend subtitle, Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong), approved June 29, 1940, and for other purposes, which had been reported from the Committee on Commerce with an amendment.

Mr. RADCLIFFE. Mr. President, I understood the Senator from Wisconsin desires an explanation of this bill.

Mr. LA FOLLETTE. Yes; I should like to have the Senator explain the bill.

Mr. RADCLIFFE. Mr. President, the law which this bill seeks to prolong will otherwise expire on March 10, and the purpose of the bill is to continue the present law beyond that date.

Under the existing law the Maritime Commission has been authorized to provide for marine insurance, to try to work out with private insurers such arrangement as seems to be best and, when that cannot be done suitably, to place the insurance in the Maritime Commission. A certain amount of such public insurance has been made effective, and there have been one or two losses.

So far the insurance which has been effected has been on hulls only, but the Maritime Commission now has under consideration arranging for insurance on cargoes. Of course, it is easy to understand that war conditions make it more and more difficult for private insurance companies to handle this business satisfactorily. Therefore any need which might have existed for the enactment of this bill before the war began has, of course, been increased very much by the fact that we now have war conditions with which to reckon.

There is one amendment which eliminates in the pending bill a prohibition upon the insurance of contraband of war. It is not thought necessary that that provision should remain in the bill, because being now in a state of war, contraband of war is not a live question, and also because it is possible that an act of last November, the so-called Neutrality Act, probably repealed the provision as to contraband by implication.

The PRESIDING OFFICER. The amendment reported by the committee will be stated.

The CHIEF CLERK. On page 1, line 9, after the word "as", it is proposed to insert "the Congress by concurrent resolution or."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEO MALVEY

The joint resolution (H. J. Res. 231) to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Malvey, and

for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF LANDS IN NEW YORK BY MARTIME COMMISSION

The joint resolution (H. J. Res. 260) to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y., was considered, ordered to a third reading, read the third time, and passed.

BAYOU LAFOURCHE BRIDGE, LA.

The bill (S. 1971) to legalize a bridge across Bayou Lafourche at Valentine, La., was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a pontoon bridge already constructed by Valentine Sugars across Bayou Lafourche at Valentine, La.: *Provided*, That said bridge has been authorized by the Legislature of the State of Louisiana and as located and constructed affords reasonably free, easy, and unobstructed navigation.

SEC. 2. When the location and plans of said bridge have been approved as provided in section 1 of this act, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

COLORADO RIVER BRIDGE, CALIF.

The bill (H. R. 6072) authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif., was considered, ordered to a third reading, read the third time, and passed.

BRIDGE ACROSS THE STRAITS OF MACKINAC

The Senate proceeded to consider the bill (S. 2133) to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac," which had been reported from the Committee on Commerce with amendments, on page 2, line 4, after the word "within", to strike out "1 year" and insert "2 years", and in line 5, after the word "within", to strike out "3" and insert "4", so as to make the bill read:

Be it enacted, etc., That the act approved September 25, 1940, granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan, be, and is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 2 years and completed within 4 years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ST. MARYS RIVER BRIDGE, MICHIGAN

The Senate proceeded to consider the bill (S. 2134) to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River," which had been reported from the Committee on Commerce with amendments. On page 2, line 5, after the word "within", to strike out "1 year" and insert "2 years," and in line 6, after the word "within", to strike out "3" and insert "4", so as to make the bill read:

Be it enacted, etc., That the act approved December 16, 1940, authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada, be, and is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 2 years and completed within 4 years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAKE CHAMPLAIN BRIDGE COMMISSION

The Senate proceeded to consider the joint resolution (H. J. Res. 176) granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont to creation of the Lake Champlain Bridge Commission, which had been reported from the Committee on Commerce with amendments.

Mr. AUSTIN. Mr. President, I wish to ask the Senator in charge of the joint resolution, or any one who knows, whether there is a provision in the measure which would make the bonds which are authorized by the compact to be issued by a corporation, which is, in effect, a municipal corporation, taxable by the Federal Government. Can any Senator answer the question? No answer being given, I ask that the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

Mr. AUSTIN subsequently said: Mr. President, since rising and making inquiry about House Joint Resolution 176, I have been able to find the measure, and I find that there was stricken out, on page 7, lines 17 and 18, the following words:

Said bonds, and the interest thereon, shall be exempt from taxation.

So that if the bill were considered and passed, Congress would act upon a fundamental question, and I give notice that I object to this measure being considered on any consent call of the calendar. I hope this statement will be respected in the future.

Mr. McKELLAR. Mr. President, if the joint resolution is otherwise all right, why not vote to reject the amendment, and let the joint resolution pass?

Mr. AUSTIN. That would be entirely satisfactory to me, but I would not take advantage of the absence of the Senator in charge of the joint resolution.

Mr. McKELLAR. I do not know about the matter in detail. Of course, the Senator would not want to do that.

EMERGENCY LAWS RELATING TO THE MERCHANT MARINE

The Senate proceeded to consider the joint resolution (S. J. Res. 130) to extend and amend certain emergency laws relating to the Merchant Marine and for other purposes, which had been reported from the Committee on Commerce with amendments, on page 1, line 8, after the words "time as," to insert "the Congress by concurrent resolution or"; on page 2, line 1, after "1940" to strike out "subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, Numbered 677, Seventy-sixth Congress), approved June 29, 1940"; on page 2, line 8, after "1941" to insert "and all authority of the Commission under such acts and resolutions, insofar as the same pertains to functions and duties of the Commission transferred to the Administrator of the War Shipping Administration by the President's Executive order of February 7, 1942 (numbered 9054; 7 Federal Register 837), shall be performed by such Administrator in conformity with such Executive order;" and on page 2, after line 15, to strike out section 2, as follows:

SEC. 2. The proviso in section 222 (a) (2), in subtitle, Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), is hereby repealed.

So as to make the joint resolution read:

Resolved, etc., That the provisions of each of the following acts and resolutions, and all authority thereunder, are hereby continued in full force and effect until 6 months after the termination of the present war shall have been proclaimed or, in the case of any one or more of such acts and resolutions, until such earlier time as the Congress by concurrent resolution or the President may designate: Public Resolution No. 74, Seventy-sixth Congress, approved May 14, 1940; Public Resolution No. 82, Seventy-sixth Congress, approved June 11, 1940; Public, No. 831, Seventy-sixth Congress, approved October 10, 1940; Public Law 46, Seventy-seventh Congress, approved May 2, 1941; Public Law 101, Seventy-seventh Congress, approved June 6, 1941; Public Law 173, Seventy-seventh Congress, approved July 14, 1941; and all authority of the Commission under such acts and resolutions, insofar as the same pertains to functions and duties of the Commission transferred to the Administrator of the War Shipping Administration by the President's Executive order of February 7, 1942 (No. 9054; 7 Federal Register 837), shall be performed by such Administrator in conformity with such Executive order.

Mr. LA FOLLETTE. Mr. President, will not the Senator from North Carolina give us a brief explanation of the joint resolution?

Mr. BAILEY. Mr. President, the joint resolution proposes to extend the force and effect of certain emergency maritime

legislation which has heretofore been passed and approved. If there is any necessity for a statement, the Senator can find it, beginning on the second page of the report of the committee and at the top of the third page, a statement as to the several statutes the effect of which is extended until 6 months after the war. The committee inserted an amendment providing that the Congress itself by concurrent resolution may terminate the act.

Mr. LA FOLLETTE. If I understand the Senator correctly, no change is made in the existing laws which are proposed by this measure to be extended.

Mr. BAILEY. None whatever; it is merely an extension. If the Senator desires a full explanation, he can find it in the report, or, if anyone requests, I shall be glad to make a statement.

Mr. LA FOLLETTE. With the Senator's statement that there is no substantive change in the statutes which have already been enacted, so far as I am concerned, I do not care for anything further.

Mr. BAILEY. There is no change in the statutes.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BRYCE CANYON NATIONAL PARK

The bill (H. R. 2300) to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931, was considered, ordered to a third reading, read the third time, and passed.

CEDAR BREAKS NATIONAL MONUMENT AND THE DIXIE NATIONAL FOREST, UTAH

The bill (H. R. 2302) to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

JURISDICTION OVER ISLE ROYALE NATIONAL PARK, MICH.

The bill (H. R. 3014) to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ADDITIONS TO ISLE ROYALE NATIONAL PARK, MICH.

The bill (H. R. 4386) to provide for the addition of certain lands to the Isle Royale National Park in the State of Michigan, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

MATANUSKA SETTLEMENT PROJECT IN ALASKA

The bill (H. R. 5413) to validate settlement claims established in sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CHICKAMAUGA-CHATTANOOGA NATIONAL MILITARY PARK

The bill (H. R. 6332) to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF JUDICIAL CODE RELATING TO COUNTY OF MERIWETHER, GA.

The bill (H. R. 6270) to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the County of Meriwether from the Columbus division of the middle district of Georgia to the Newman division of the northern district of Georgia, was considered, ordered to a third reading, read the third time, and passed.

MULTNOMAH COUNTY, OREG.

The bill (H. R. 962) for the relief of Multnomah County, Oreg., was considered, ordered to a third reading, read the third time, and passed.

LT. COL. J. B. CONMY

The bill (H. R. 5605) for the relief of Lt. Col. J. B. Conmy was considered, ordered to a third reading, read the third time, and passed.

JOSEPH SIMON AND R. D. LEWIS

The bill (H. R. 5646) for the relief of Joseph Simon, lieutenant commander (S. C.), United States Navy, and R. D. Lewis, was considered, ordered to a third reading, read the third time, and passed.

HARRY KAHN

The Senate proceeded to consider the bill (H. R. 4665) for the relief of Harry Kahn, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, to strike out "$5,000" and insert "$2,500."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TOM G. IRVING AND OTHERS

The bill (S. 2187) for the relief of Tom G. Irving; Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to satisfy and discharge of record as to the defendants hereinafter named, without cost to said defendants, the judgment recovered by the United States on June 26, 1933, in the District Court of the United States for the District of Arizona (No. L-903-Phoenix), against Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale, as sureties upon the appeal bond given in the case of the United States against Tom G. Irving, such judgment having been rendered against the said sureties by reason of an alteration in such appeal bond which was made by an assistant United States attorney without notice to and without the consent of said sureties, or any of them, and after they had executed such bond.

ALLENE RUHLMAN AND JOHN P. RUHLMAN

The Senate proceeded to consider the bill (H. R. 5473) for the relief of Allene Ruhlman and John P. Ruhlman, which had been reported from the Committee on Claims with amendments, on page 1, line 6, to strike out "$5,221" and insert "$2,721"; and in line 7, to strike out "$3,185" and to insert "$1,185."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

OLYMPIC NATIONAL PARK, WASH.

The bill (H. R. 4336) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

MAILING OF SMALL FIREARMS

The bill (H. R. 1793) to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. That completes the calendar.

AUTHORIZATION FOR COMMITTEE REPORTS, SIGNING OF BILLS, ETC.

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the recess of the Senate, committees may be authorized to make reports on bills, resolutions, and nominations; that the Vice President or the Presiding Officer be authorized to sign bills and resolutions ready for signature; and that the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONSOLIDATION OF POLICE AND MUNICIPAL COURTS OF THE DISTRICT OF COLUMBIA

Mr. McCARRAN. Mr. President, I should like to ask the Senator from Kentucky whether it is the intention of the leader that the Senate shall recess over until Monday.

Mr. BARKLEY. It is.

Mr. McCARRAN. Is there any specific business to come up on Monday?

Mr. BARKLEY. The unfinished business, the appropriation bill, will be the principal business on Monday. I hope it will not take long to dispose of it.

Mr. McCARRAN. I should like to state to the Senate at this time that it is my purpose to arrange to have the District court bill brought up on Monday, if possible; if not, then at the next session of the Senate after Monday. I make this statement so that those who wish to inquire into the District court reorganization bill, or wish to be present when it is considered, may avail themselves of the opportunity.

RADIO BROADCAST, MONDAY, MARCH 2, ON DEVELOPMENT OF WESTERN MINERALS

Mr. O'MAHONEY. Mr. President, I desire to take the liberty to announce

that on next Monday evening, at 9 o'clock eastern war time, the Secretary of the Interior, Mr. Harold Ickes, will engage in a radio discussion over the blue network with the chairman of the subcommittee of the Committee on Public Lands and Surveys, which has been studying western resources and the problem of developing mineral deposits in continental United States, and of the possibility of developing and utilizing power from water and power from coal. I believe this matter, which has been the subject of a good deal of attention by the Committee on Public Lands and Surveys, merits the consideration of the country at large. The broadcast will be under the auspices of the Washington Star, and is on the program commonly known as the National Radio Forum.

Mr. President, there has been a mistaken assumption that the efforts of western Senators and Representatives to draw attention to the neglected natural resources of the West have to do with a purely sectional problem. I dare say it is considerably more than a sectional problem. It has to do immediately with procuring for the United States the critical and strategic minerals which are essential to the winning of the war. It has to do also with the development of local economic independence in such a manner that when the war shall have been won, as it will be won, there will remain opportunity for the employment of men and money in developing American minerals.

I venture to express the hope that this announcement may come to the notice of many people throughout the country who, I know, are interested in the subject matter of this broadcast. The Secretary of the Interior, responding to a letter written by the chairman of the subcommittee of the Committee on Public Lands and Surveys, which was published in the CONGRESSIONAL RECORD on January 9, last, has laid before the committee, before the Senate, and before the country, a comprehensive program which, if adopted, will make it possible to undertake immediately the mobilization of our much needed resources.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BUNKER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of Pollard Hugh Mercer, to be postmaster at Winnfield, La., in place of P. H. Mercer.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask that the President be notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be so notified.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 28 minutes p. m.) the Senate took a recess until Monday, March 2, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate February 26 (legislative day of February 13), 1942:

DIPLOMATIC SERVICE

Pierre de L. Boal, of Pennsylvania, now Envoy Extraordinary and Minister Plenipotentiary to Nicaragua, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Arthur Bliss Lane, of New York, now Envoy Extraordinary and Minister Plenipotentiary to Costa Rica, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Colombia.

Boaz Long, of New Mexico, now Envoy Extraordinary and Minister Plenipotentiary to Ecuador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

Wesley Frost, of Kentucky, now Envoy Extraordinary and Minister Plenipotentiary to Paraguay, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

Robert M. Scotten, of Michigan, now Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Costa Rica.

Avra M. Warren, of Maryland, now a Foreign Service officer of class 1, assigned as Chief of the Visa Division in the Department of State, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Dominican Republic.

James B. Stewart, of New Mexico, now a Foreign Service officer of class 1 and Consul General at Zurich, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nicaragua.

NATIONAL HOUSING ADMINISTRATOR

John B. Blandford, Jr., of the District of Columbia, to be National Housing Administrator.

DEPARTMENT OF LABOR

L. Metcalfe Walling, of Rhode Island, to be Administrator of the Wage and Hour Division in the Department of Labor.

APPOINTMENT IN THE NAVY

Capt. Jesse B. Oldendorf to be a rear admiral in the Navy for temporary service, to rank from the 27th day of November 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 26 (legislative day of February 13), 1942:

POSTMASTERS

OHIO

Ethel A. Compton, Blacklick.
Martin M. Helwick, Bolivar.
Alex C. Frans, Jr., Cleves.
Robert L. Stygler, Gahanna.
Harry G. Benjamin, Mount Blanchard.
Lema M. Collins, Proctorville.
Mable L. Sloan, Rushsylvania.
Evelyn M. Barker, Sardis.

PROMOTIONS IN THE NAVY

The nominations of Bryson Bruce et al. for promotion in the Navy, whose names appear in full in the CONGRESSIONAL RECORD of February 18, 1942, under the caption "Nominations," beginning on page 1394.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 26, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

In the blush of a new day, our heavenly Father, again Thou hast spoken unto us. In the pale light and in the glimmering of the dawn, Thou hast revealed Thyself over all and above all; in the kingdom of the soul we pray for Thy merciful presence. While hearts may feel faint and sick, let our eyes grow dim with tears of gratitude that Thou hast counted us as Thy children, rejoicing that works of righteousness cannot be repressed but that they make secure the moral and spiritual destiny of man.

With thankful breath we pray that "God is good" and glory be unto Thy name, O Lord Most High. By untiring and unselfish devotion at the altar of our country enable us to pour forth songs of a robust faith and cheer into the arteries of the world's soul. May our daily pledge be to our conscience, our country, and to our God that we shall leave such a heritage that history will not willingly let die. On bended knee we ask for strength to live within the right, believing that the glorious earth is one great land with Thee as Ruler and eternal truth the only sword. In the name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communi-

cated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On February 16, 1942:

H. R. 2372. An act for the relief of Paul E. Cook;

H. R. 3118. An act for the relief of the State Compensation Insurance Fund of California; and

H. R. 5164. An act for the relief of Arthur W. Jorgenson, and the legal guardian of Robert R. Jorgenson, a minor.

On February 18, 1942:

H. R. 446. An act for the relief of the estate of Opal June Lindsay, Luck A. Lindsay, Thelma Louise Lindsay, and Laura Kathleen Lindsay;

H. R. 3225. An act for the relief of Dale L. Barthel and others;

H. R. 3647. An act for the relief of the San Diego Consolidated Gas & Electric Co.;

H. R. 4354. An act for the relief of D. H. Dantzler;

H. R. 4773. An act for the relief of Brooks Equipment & Manufacturing Co.;

H. R. 5040. An act for the relief of William Robert Shaneyfelt and Mildred Shaneyfelt;

H. R. 5282. An act for the relief of J. W. Daughtry;

H. R. 5572. An act to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel and certain Federal civil employees for personal property lost or damaged as a result of the hurricane and flood at Parris Island, S. C., on August 11–12, 1940," approved April 23, 1941; and

H. R. 5984. An act for the relief of Solomon Brown.

On February 19, 1942:

H. R. 5206. An act for the relief of Nettie Woolfolk Montague and Jerry L. Woolfolk and others; and

H. R. 6145. An act for the relief of Mason C. Brunson.

On February 20, 1942:

H. R. 329. An act for the relief of Lulu Heron;

H. R. 3539. An act to provide for the deposit and expenditure of various revenues collected at schools and hospitals operated by the Indian Service in Alaska;

H. R. 3542. An act to authorize the purchase from appropriations made for the Indian Service of supplies and materials for resale to natives, native cooperative associations, and Indian Service employees stationed in Alaska;

H. R. 3823. An act for the relief of Edwin B. Formhals;

H. R. 4198. An act for the relief of John King;

H. R. 5280. An act for the relief of G. P. Allen, chief disbursing officer, Treasury Department, and for other purposes;

H. R. 5387. An act for the relief of Mrs. Anna M. Paul; and

H. R. 6225. An act for the relief of certain individuals in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho.

On February 21, 1942:

H. R. 5773. An act for the relief of Libby, McNeill and Libby; and

H. R. 6548. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1942, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes.

On February 23, 1942:

H. R. 1905. An act for the relief of Mr. and Mrs. Michael Lewenczuk; and

H. R. 4831. An act for the relief of Katherine McCue.

On February 24, 1942:

H. R. 268. An act for the relief of James Wood;

H. R. 2712. An act for the relief of the Branchland Pipe & Supply Co.;

H. R. 2780. An act for the relief of O. C. Ousley;

H. R. 4537. An act for the relief of H. D. Bateman, Henry G. Conner, Jr., executor of the last will and testament of P. L. Woodard, and J. M. Creech;

H. R. 4622. An act for the relief of Catharine Schultze; and

H. R. 5056. An act for the relief of the Burlington Auto Co.

On February 25, 1942:

H. R. 2724. An act for the relief of the estate of Mary E. Philpot, Sandra G. Philpot, and Mrs. R. L. Keckler.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5880. An act to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2255. An act to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article by Dr. N. R. Danielian, Director of the St. Lawrence Seaway Survey, United States Department of Commerce, entitled "Need for the St. Lawrence Seaway." This slightly exceeds the rule. I have an estimate from the Printer and the additional cost is $123.75. I ask unanimous consent that it may be inserted notwithstanding.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I also ask unanimous consent to revise and extend my remarks and include an article by Mr. Richard L. Neuberger, of the Bonneville project, and Dr. Raver, Administrator.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Daily Herald of Columbia, Tenn.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Boston Post of Thursday, February 5, 1942, with a copy of the statistics on the reverse side of the editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and insert therein an editorial from that great independent newspaper of New Jersey, the Trenton Evening Times.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program and any other special orders that may have been granted, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

CENSORSHIP

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial by Mr. Wilbur Peterson, of the Marshall Daily Messenger, of Marshall, Minn., which newspaper, by the way, has several times received national recognition for its editorial excellence.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

[Mr. YOUNG addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an address made by the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN], on February 18 at Phoenix, Ariz.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. ANGELL was granted permission to extend his own remarks.)

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD. I have an estimate from the Public Printer which shows that it slightly exceeds the space limitation. The estimate is $101.25. I ask unanimous consent notwithstanding the extra cost, to extend this in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. PLOESER was granted permission to extend his own remarks in the RECORD.)

LT. FRANKLIN D. ROOSEVELT, JR.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, we read in the newspapers that Lt. Franklin D. Roosevelt, Jr., who holds his lieutenancy simply by virtue of accident of birth, although he has entirely

recuperated from a simple appendectomy, is being granted 1 month's shore leave so that the doctors may keep him under observation. The commanding officer of the Brooklyn Naval Hospital is quoted by the Associated Press dispatch as saying that the lieutenant is in fine condition.

Now, it is just this sort of thing that is causing so much criticism and justifiable resentment throughout the country. If the son of one of the poor families of your district or my district had completely recovered as has Lieutenant Roosevelt from an appendectomy, he would immediately be put back into the service after perhaps being given a few days in which to regain his sea legs. It simply symbolizes the vicious system whereby commissions are handed out on a silver platter and whereby the sons of prominent men are often given favored treatment in our armed services. I do not indict Lieutenant Roosevelt, but I do indict the practice of which he is a symbol—a practice whereby the sons of prominent men are advanced in rank above their more obscure fellows and become teacher's pets. There is no place for the slightest degree of favoritism in our armed services. Justice must be dispensed with an even hand to every man in the Army and the Navy. A soldier or a sailor from the humblest and most obscure family must stand on an equal footing in all respects with those who are members of the most prominent families in the land. That is a fundamental precept of our American form of government.

EXTENSION OF REMARKS

(Mr. JOHNSON of California and Mr. PADDOCK asked and were given permission to extend their own remarks in the RECORD.)

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make in the Committee of the Whole today and to include therein a letter addressed to me by the National Grange and one from the American Farm Bureau.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LT. FRANKLIN D. ROOSEVELT, JR.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, I think we are sinking a little bit down the ladder in our thinking, and especially in our public utterances, when a Member of the House of Representatives takes the floor to make the criticism just made by the distinguished gentleman from New York who just addressed the House.

Lieutenant Roosevelt, the son of the President of the United States, has, I believe, a modest commission in the Navy—lieutenant, junior grade. He has been ill, he has been in the hospital. He is being kept there and he should be kept there until he has recovered and is physically able to return to the service. And this treatment, let me say to the gentleman from New York, is being accorded to every citizen in the United States armed forces today. The best we can give the boys, whether they be sons of the President or not, is none too good. We have appropriated hundreds of millions of dollars to give these boys fine environment in the cantonments and the very best in medical attention and medical treatment when they are ill. Shame on any man in this House who stands in the Well at a time like this and makes that sort of statement.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I did not know I was going to say a thing about operations when I first thought of asking for time, but I am constrained to do so by the remarks just made by the gentleman from New York. I have had an appendectomy and I assure the gentleman that while the operation may be simple, recovery absolutely is not, and one runs great danger in going back to work until he is fully recovered. I know the time Lieutenant Roosevelt was operated on and I know, regardless of what any doctor states, that he is not able to go back to active duty at this time.

I have not had much to say about criticism in the past, but I am going to have more to say about this sort of thing in the future. It is time the American people stopped this kind of foolishness.

I believe that Roosevelt junior is perfectly justified in not returning to duty until he is absolutely healed.

The purpose for which I rose was to say that we have had many splendid tributes paid to Florida's first hero of World War No. 2, Capt. Colin Kelly, but one of the finest tributes to be paid to him was that made by our colleague the gentleman from Alabama [Mr. BOYKIN] shortly after Captain Kelly's death. Not only did the gentleman from Alabama [Mr. BOYKIN] feel strongly about this matter, but he and his friends, Danciger Bros., of Fort Worth, Tex., have contributed $500 to the Capt. Colin Kelly memorial fund and to Mrs. Colin Kelly. The people of Florida are grateful to FRANK BOYKIN and Danciger Bros., of Fort Worth, Tex., for this contribution and their splendid tribute to Captain Kelly.

I ask unanimous consent, Mr. Speaker, to extend my remarks and include a letter from the gentleman from Alabama [Mr. BOYKIN] and from Danciger Bros.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I was not on the floor when the remarks were first made about Lieutenant Roosevelt, but I have inquired and learned what was said. I join with the distinguished gentleman from Virginia [Mr. WOODRUM] in the answer he made.

The only effect of critical remarks of that kind is to undermine the respect of the American people for the President of the United States, a dangerous thing for men to play with in these days. It is an illustration of the sniping that is going on, individual sniping. That is all it is, individual sniping.

I know that every son of the President of the United States is seeking the most hazardous duty to which he can be assigned.

Members of Congress must discipline themselves the same as the American people in time of war. We have got to be hard-boiled. We have to discipline ourselves. As the leader of the House, as a Member of the House, and, as an American citizen, I urge that future utterances be tolerant and temperate, because we are playing with the future of our country. As the gentleman from Virginia [Mr. WOODRUM] well said the other day, our first task, not as Democrats, Republicans, or as members of any other group, but as Americans, is to win the war.

PERMISSION TO ADDRESS THE HOUSE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter that I have sent to my constituents, and also to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

CRITICISM

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I take the floor at this time not to offer criticism of the son of the President of the United States, but to defend the gentleman from New York [Mr. WILLIAM T. PHEIFFER] in at least one remark he made. He stated in substance that it is high time some consideration be given to the rank and file of American soldiery which is fighting so gallantly on every front that our Army and Navy have been assigned to defend.

Mr. Speaker, although the gentleman from Virginia [Mr. WOODRUM] was quick to criticize the gentleman from New York [Mr. WILLIAM T. PHEIFFER], it will be recalled that at the time I offered an amendment to give the boys in service transportation home during furlough, the same gentleman was just as eager to block that amendment as he is now to criticize other Members on the floor of the House. If you will read the RECORD of the debate which ensued over the Hall free furlough transportation amendment, you will find that the gentleman from Virginia [Mr. WOODRUM] characterized my proposal as "mushy-soft" legislation.

I urge that immediate consideration be given to the soldiers and sailors of the United States in the form of insurance for at least a $5,000 policy to each man so that his dependents will be taken care of in case he does not return.

[Here the gavel fell.]

PENALTY FOR THEFT OF TIRES AND TUBES

Mr. TALLE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. TALLE]?

There was no objection.

Mr. TALLE. Mr Speaker, I rise to call attention to H. R. 6635, a bill which I introduced several days ago and which proposes to make the theft of tires and tubes a Federal offense during the period of emergency.

Because of the rationing now in effect as a defense measure, the theft of tires and tubes has become a serious national problem. Obviously the increase in value and the consequent increase in thefts of these articles are the direct results of the restrictions placed on their sale and use.

In normal times the theft of a small article of this nature comes under the heading of petty larcency and is properly within the jurisdiction of local authorities. Under present circumstances, however, the theft of a single tire might conceivably make a motor vehicle inoperative for the duration of the war, thus causing irreparable damage to the owner and placing a further strain on public transportation systems.

Mr. Speaker, this is a Federal problem. It grew out of Federal regulations. The criminal statutes pertaining to stolen tires in the several States were enacted before the present situation developed. In this connection, it should be noted that only about eight of the State legislatures are in regular sessions and special sessions are contemplated in only four or five additional States. Consequently, prompt revision of State laws would not be possible in many instances. Furthermore, the States are not in position to cope with interstate traffic in stolen tires.

In order to protect the motoring public under these conditions it is my opinion that Federal legislation is not only desirable but, in fact, urgently necessary.

Mr. Speaker, I expect to make a further statement concerning this matter in the near future. In the meantime, I plan to present to the House Committee on the Judiciary testimony offered by leading automobile associations and automobile insurance companies in support of my bill.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address recently made by the gentleman from Massachusetts [Mr. MARTIN].

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an address delivered by Father Butler, of St. Norberts College, Green Bay, Wis.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. JOHNS]?

There was no objection.

NAMING OF PROPOSED DAM IN ARKANSAS "DOUGLAS MACARTHUR DAM"

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. ELLIS]?

There was no objection.

Mr. ELLIS. Mr. Speaker, I have just introduced H. R. 6679, providing for the naming of a huge dam now under construction in Arkansas "Douglas MacArthur Dam."

Douglas MacArthur was born January 26, 1880, at Little Rock, Ark. Gen. Douglas MacArthur, the Washington of the Philippines, with his handful of men holding off the full tide of an ocean of Japs, is writing daily new pages in the history of democracy, of Christianity, and of free men everywhere.

On the White River in my district this giant multipurpose dam, to be the fifth largest such structure in the Nation, is now 20-percent complete. It is being built by the United States Army engineers as a war project. It will be helping to make more aluminum and other materials of war long after those brave men of Luzon have completed their final victory.

I propose, Mr. Speaker, that just as we named the project on the Arkansas in Colorado "John Martin Dam" by act of Congress, we now name this project on the Norfork in Arkansas "Douglas MacArthur Dam."

PARLIAMENTARY INQUIRY

Mr. BEITER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BEITER. Mr. Speaker, a bill, H. R. 1057, known as the Postal Service employees longevity bill, passed the House on July 23, 1941. It passed the Senate in amended form on December 9, 1941, and has been in conference ever since December 10, 1941. Is there any procedure that the House may follow to discharge the conferees so that this legislation may be given final action?

The SPEAKER. If the gentleman will consult the rules and precedents of the House, he will find that the remedy is in rule XXVIII.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the newspaper, the Brooklyn Citizen, concerning the Greater New York Fund.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

AIR RAIDS OVER LOS ANGELES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, out of the welter of rumors and reports—and it is certainly to be regretted our sources of news cannot be more accurate—about what may have happened in the skies over Los Angeles yesterday, there is one thing that stands out clear and definite and that is the spirit in which the people stood up under the conditions that prevailed. Within about 2 minutes after the alarm was sounded I am informed there was a perfect black-out over our whole region. The people of that entire country maintained their calm and equilibrium in a remarkable way, in spite of the fact that there were apparently some actual casualties. There was no hysteria or undue excitement. Our people met a test which to them at least was very real and they met it in excellent fashion. I suppose a Member who represents some of those people has a right to say that.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, you are all familiar with the fake reports about air raids over Los Angeles yesterday. This matter was taken up with the War Department and much of this news was found to be sensational.

Why were unidentified planes fired on? This either was a practice raid, or a raid to throw a scare into 2,000,000 people, or a mistaken identity raid, or a raid to lay a political foundation to take away from southern California its industries. At any rate, they were successful in creating a hysterical condition among 2,000,000 people, apparently unnecessary.

What kind of procedure is this? It appears to be highly improper. Therefore, I am calling on this House to ask for the appearance of the Secretary of War, the Secretary of the Navy, and other subordinates responsible for this spectacle, to make proper explanation. The effect of this kind of activity will be to destroy the confidence of our people in the defense program and will break down their morale.

Our people ought to know whether this was a practice raid, whether it was a political raid, or what kind of a raid it was.

The morale of California is extremely high and our people can take the truth, but they do resent this program of misrepresentation and wonder what it is all about. They are not jittery, and were not hysterical, but are beginning to believe that the Army and Navy are. The truth should be given in this matter.

FEDERAL-AID HIGHWAYS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, one of the most important, most satisfactory, and long-standing Federal-aid systems we have had is the contribution of Federal aid for highways. It was long before the New Deal era. I notice in this morning's paper that $500,000,000 of such funds has been frozen for the duration,

and secretly frozen. It was just announced this morning. I protest this action. The roads of the interior are not so well completed as those on the coasts. For instance, I live on the direct line that goes through Wheeling, Columbus, Springfield, Hannibal, St. Joseph, and Denver. Only 50 miles of the 400 miles in Kansas are paved.

We have a number of contractors in the small towns in the interior who are dependent on this and similar work to keep operating and who are ready to go ahead with this work. They are not participating in defense projects. I believe this to be an unfortunate saving. There are so many things that could be done to save more effectively. This action affects everybody's district, more particularly those Members from the interior. It is a further destruction of small business and is a renewed blow at the Federal-aid system for roads.

[Here the gavel fell.]

GENERAL MACARTHUR

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON. Mr. Speaker, of late we have heard a lot about naming dams, camps, streets, and cities after General MacArthur. I am thinking of how General MacArthur feels about this. He is not a cheap seeker of publicity and honor. He wants tanks, guns, planes, munitions, and men in the Philippines in order to prosecute this war. Let us honor him by getting them to him.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. Whatever else we do, let us not name a curfew after him.

Mr. WILSON. I am sure General MacArthur would concur on any plan that would restore efficiency and deliver arms to his brave and gallant men fighting against tremendous odds in the hell holes of Luzon Island.

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. COFFEE of Washington addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein an article on Mr. Justice Douglas.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

DEFENSE INDUSTRIES

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. HINSHAW addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert, as an example of the use of "refined" English, a letter by the Honorable Harold L. Ickes and the reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article appearing in the Fort Wayne papers about the farmers in my district not accepting any more hand-outs from the A. A. A. for the duration of the war.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILLIE. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD and to include a short article by Dr. Norman Sweet concerning fifth columnists.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address delivered by a former majority leader of the House, Hon. John Q. Tilson.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—DANIEL ELLIOTT AND HELEN ELLIOTT (H. DOC. NO. 641).

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 4998, "for the relief of Daniel Elliott and Helen Elliott."

The bill proposes to provide for the payment of the sum of $500 to Daniel Elliott and the sum of $3,000 to Helen Elliott, both of Baltimore, Md., as compensation for personal injuries and expenses resulting from a collision between an automobile in which they were riding and a truck of the Work Projects Administration.

It appears that on October 29, 1940, Daniel Elliott, accompanied by his wife, was driving his automobile in the suburbs of Baltimore, near an intersection at which a flagman of the Work Projects Administration was stationed. The flagman waved to him to proceed into the intersection. Simultaneously, however, a truck of the Work Projects Administration entered the intersection at a right angle to the automobile and a collision resulted. The conclusion is warranted that the accident was caused by the negligence of an employee of the Work Projects Administration, and that, therefore, the Government should assume responsibility in the matter. Accordingly, the sum of $343.10 has already been paid to Mr. Elliott administratively as compensation for damages to his automobile.

It is now proposed to pay him a further sum of $500 to compensate him for hospital, medical, and other expenses which he has incurred, or may incur, for the benefit of his wife, Helen Elliott, who was hurt in the accident.

It is also proposed by this bill to pay her the sum of $3,000. The evidence indicates that Mrs. Elliott's principal injury was a fracture and dislocation of the right elbow. She was in a hospital for 7 days and stayed away from her employment for a total period of 3 weeks, losing $60 in wages. She does not appear to have sustained any permanent injuries of such nature as would prevent her from continuing in the occupation in which she was engaged at the time of the accident.

The balance of the proposed payment of $3,000, amounting to $2,940, must, therefore, be ascribed largely to pain and suffering. In dealing with claims for personal injuries, it is indeed proper to make a reasonable allowance for pain and suffering. I have frequently approved private bills in which an appropriate award for pain and suffering, in addition to medical and hospital expenses, was proposed to be made. In this case the proposed payment of $3,000 appears to be excessive and far beyond an amount that would seem reasonable under the circumstances. If the bill provided for a payment of the sum of $1,000 to Mrs. Elliott in addition to a payment of $500 to Mr. Elliott, it would have appeared unobjectionable.

I regret that, under the circumstances, I feel constrained to withhold my approval from the present bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 26, 1942.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and, without objection, the bill, together with the message, is referred to the Committee on Claims and ordered to be printed.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 30]

Anderson, N. Mex.	Green	Patman
Arnold	Halleck	Pearson
Baldwin	Hook	Peterson, Fla.
Blackney	Jarrett	Pierce
Buck	Jensen	Rizley
Buckley, N. Y.	Johnson, Lyndon B.	Rogers, Okla.
Burgin	Johnson, W. Va.	Sacks
Byron	Kennedy, Michael J.	Schaefer, Ill.
Cartwright	Kleberg	Sheridan
Cole, Md.	Knutson	Sikes
Cole, N. Y.	Kramer	Smith, Pa.
Copeland	McGranery	Sparkman
Douglas	McIntyre	Stratton
Eberharter	Magnuson	Tolan
Fish	O'Day	Vreeland
Gathings	O'Hara	Walter
Gavagan	Osmers	West
Gearhart		Wolfenden
		Worley

The SPEAKER. On this roll, 377 Members have answered to their names, a quorum.

Mr. COOPER. Mr. Speaker, I move to dispense with further proceedings, under the call.

The motion was agreed to.

WAR DAMAGE CORPORATION

Mr. SABATH, by the direction of the Committee on Rules, reported the following resolution (H. Res. 449, Rept. No. 1828), which was read and referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the act (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes. That after general debate, which shall be confined to the act and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the act shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the act to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion, except one motion to recommit.

SECOND WAR POWERS BILL, 1942

Mr. SUMNERS of Texas. Mr. Speaker, before moving to go into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208, if I may be permitted, it is the purpose of the Committee to hold the House in session today until we finish the bill. If Members will stay in the Chamber, we will have a much better chance to adjourn early.

Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208, to further expedite the prosecution of the war.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208, with Mr. COOPER in the chair.

The Clerk reported the title of the bill.

Mr. DEWEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. DEWEY: On page 12, strike out lines 6 to 11, inclusive, and add the following by striking out the semicolon after the word "market" of the proviso, adding a comma and the following words: "except that such transactions in such obligations having maturities of 6 months or less need not be in the open market.", so that the proviso will read as follows:

"*Provided*, That any bonds, notes, or any obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market, except that such transactions in such obligations having maturities of 6 months or less need not be in the open market."

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. DEWEY. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. DEWEY. Yes.

Mr. SMITH of Virginia. As the gentleman knows, it is my purpose to offer a substitute amendment to the amendment the gentleman from Illinois has just offered, as soon as I can obtain recognition for that purpose, and I am wondering if it would be agreeable to the gentleman from Illinois to have the Clerk read my amendment now for the information of the House.

Mr. DEWEY. I am agreeable to that.

The CHAIRMAN. Without objection, the Clerk will read the amendment to be proposed by the gentleman from Virginia [Mr. SMITH].

The Clerk read as follows:

Amendment to be offered by Mr. SMITH of Virginia as a substitute for the amendment of Mr. DEWEY: On page 12, line 11, after the word "interest", insert "to an adequate amount, not exceeding $5,000,000,000."

Mr. DEWEY. Mr. Chairman, the purport of this amendment is to place some limit on the purchase of Government securities by the Federal Reserve banks directly from the Treasury of the United States. It is contended that this power will be used by the open-market committee and the Federal Reserve Board only in times of emergency.

I believe such power should exist in the Secretary of the Treasury and the Federal Reserve Board, cooperating together, to relieve our financial divisions of the Government from any anxiety or from any difficulty at the time of an emergency, but at the same time this is a historical way for creating inflationary movements. It is well known that dealings between the Treasury and a bank of issue generally bring inflationary expansion of the currency. There is always the claim that the power will be carefully used, and used only as an emergency exists, but I still maintain that the Congress should have some hold over the situation.

I admit there are daily reports from the Treasury and annual reports from the Federal Reserve Board to the Congress, but I think that in advance there should be laid down some limits to the amount of securities the Federal Reserve System may purchase from the Treasury Department, or there should be laid down some limit as to the maturity and type of security that they may purchase.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. Briefly.

Mr. GORE. Is there any limit to the amount of securities which the Federal Reserve may now purchase?

Mr. DEWEY. I think $65,000,000,000 is the amount of the public debt, and under the amendment proposed the Federal Reserve banks could purchase up to the limit of the public debt.

Mr. GORE. My inquiry applies to the amount which can be issued. The gentleman proposes now to limit the Federal Reserve Board in the amount that it may purchase from the Treasury.

Mr. DEWEY. I covered in that statement of mine as to limit the proposed amendment to my amendment by the gentleman from Virginia. My amendment only limits by maturity, permitting the Federal Reserve System to buy only securities that are of 6 months' maturity, to really cover the emergency; to cover an emergency around tax-payment dates when the Treasury needs cash to cover the lag in the receipt of taxes.

Mr. GORE. Mr. Chairman, will the gentleman yield further?

Mr. DEWEY. Briefly.

Mr. GORE. I believe we should all recognize that one thing we want to avoid is a repetition of what happened in the last war when each successive issue bore a higher interest rate. Our debt is now of such proportion that we could not stand that.

Mr. DEWEY. I would answer that directly, but I prefer to incorporate the answer in my general statement. I contended yesterday when speaking that competition between the Treasury Department and the open market does not reduce interest rates. It is the confidence in the securities, and we must have people keep their confidence in the securities. But if there are dealings between the Federal Reserve and the Treasury, that confidence may be lost. For that reason, I believe there should be some limit as proposed by the gentleman from Virginia [Mr. SMITH] or as to the limit as to maturity which will cover short-term periods when an emergency might exist. For that reason, I believe, without any partisanship at all, but thinking very carefully of the future stability of our currency and future stability of our Government securities, that the House should give this matter very careful consideration.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield.

Mr. SMITH of Ohio. This provision in the bill is proposed as a temporary expedient? The provision in the bill is to meet a temporary situation; that is true, is it not?

Mr. DEWEY. That is true.

Mr. SMITH of Ohio. And probably not lasting certainly more than a period of a few months; let us say 6 months?

Mr. DEWEY. That would certainly be all that I could see, for the simple reason

that the Treasury has already met probably the greatest emergency they will have to meet, because at the time of Pearl Harbor they had an offering out of over a billion dollars, and it was handled in the old, traditional way that it has always been handled—through the open market.

Mr. SMITH of Ohio. Practically all that you propose is that this be limited to that particular thing—an emergency or a short-period proposition?

Mr. DEWEY. That is what the proponents of the amendment kept mentioning and what the members of the Federal Reserve staff kept reiterating. This is to take care of an emergency situation.

Mr. SMITH of Ohio. In other words, you do not want it to be made a policy of the Government merely for the Federal Reserve banks to take any amount of securities that the Treasury might offer to them?

Mr. DEWEY. They should not, because it is their announced policy that they wish to sell securities to the people and not to the banks.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield to the chairman.

Mr. SUMNERS of Texas. It is the understanding of the committee, I believe, that that arrangement which the gentleman just mentioned was consummated by agreement in advance on the part of the Federal Reserve banks that they would take this billion and a half issue off of the hands of the purchasers from the Treasury.

Mr. DEWEY. That is always the way, except instead of taking it direct, it has been traditionally customary ever since there has been an open-market committee for the banks to come in and subscribe, and anything that they cannot distribute to the people, the Federal Reserve System, performing the functions for which it was set up, takes that surplus off the hands of the banks and distributors. That was done.

Mr. SUMNERS of Texas. Now, what is the difference, insofar as the strain or danger upon the System—what is the difference in substance if the Federal Reserve banks take this issue directly from the Treasury or these buyers of the bonds, who want to get some profit, take them from the Treasury and then sell them to the Federal Reserve banks?

Mr. DEWEY. I do take exception to saying that an organization of people that has been in business since 1917 is insisting on this in order to get a little profit. They do not do that. It is a service, and they get precious little for it—31¼ cents per $1,000 bond. But I believe it is an advisable thing to keep the distributing service alive at this time. It would be exactly as if Ford said, "The Ford car will sell itself and we do not need any more agents." We will need a precious number of agents to distribute our defense bonds, and I believe that system should be carried on. If it were an exorbitant fee, or if it was a fee that was demanded to be increased, that would be something different.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that the gentleman may have 2 additional minutes. I want to ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SUMNERS of Texas. What we are all trying to get at is what is the difference in the strain upon the credit and the power to issue, or in the public danger, between the sale of these bonds by the Treasury directly to the Federal Reserve banks and the sale of these bonds to the distributors who in turn sell to the Federal Reserve banks such of the issue as they cannot distribute otherwise?

Mr. DEWEY. One is the well-known and traditional way of distributing Government securities. It has been employed since 1917 from the time of the first Liberty Loan. The other system has a history and tradition of loose banking. There has been so much talk of its use and about what has happened in Germany and what has happened in France that I think it will have a bad psychological effect on our people.

Mr. SUMNERS of Texas. But would the gentleman address his explanation directly to the question, and that is: What is the difference between the perils to the Federal Treasury or Government of Federal Reserve banks buying directly from the Treasury or buying from those to whom the Treasury sells? That is the question.

Mr. DEWEY. I will answer that question. If the Treasury sells to the distributors and the Federal Reserve bank takes the surplus off the distributor's hands, at least some of the securities have stayed in the hands of the public, whereas, if they go directly from the Treasury to the Federal Reserve bank they do not pass through the distributor's hands but later on will have to be distributed—I hope—by the Federal Reserve bank through these same distributors. How will the Federal Reserve bank, unless it intends to purchase and keep these securities, ever get rid of them?

[Here the gavel fell.]

Mr. DEWEY. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes. I have been very liberal with my time.

Mr. WHITE. Mr. Chairman, reserving the right to object, will the gentleman yield to me during these 5 minutes?

Mr. DEWEY. I will yield as far as I can, but I think the gentleman will agree that for the most part of my time I have yielded to everybody. I have said very little for myself.

Mr. WHITE. I would like to further answer the question of the gentleman from Texas. Will the gentleman yield to me if I do not object?

Mr. DEWEY. I will yield to the gentleman if he will let me use part of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Idaho.

Mr. WHITE. Answering the gentleman from Texas as to these bonds being in the hands of the distributors and the Federal Reserve banks, there is a very great difference between the privileges a distributor would have and a Federal Reserve bank. The Federal Reserve bank could use them as eligible paper for the issuance of currency. The distributor would not have that privilege. Is that right?

Mr. DEWEY. That is right.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield.

Mr. GIFFORD. I want to call the attention of the distinguished gentleman from Texas to the fact that there is a very great difference. The Treasury could call the Federal Reserve banks on a small issue and the public need not know anything about it. You know the power of the Federal Reserve banks to distribute issues if they needed to do so; and the rate of interest can be held down by that method. We all know and can see very plainly where that quiet little method of working together would obviate the necessity of going to the general public, which would demand a pretty high rate if they were for any term of years. I want to say to the gentleman again that the tremendous amount of short-term issues already outstanding will soon require refinancing for a long period.

Mr. DEWEY. My time is running.

Mr. GIFFORD. I am sorry.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. Further answering the gentleman from Texas, does not all recent history show that nation after nation after nation in times like these, when they have allowed their treasury to obtain funds directly from central banks of issue, that the temptation is too great to resist and that road leads on to uncontrolled inflation?

Mr. DEWEY. That is the history, and I think that it creates a bad psychology.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield.

Mr. WOLCOTT. Still further answering the gentleman from Texas, the Treasury exerts tremendous power over the Federal Reserve banks and they could not decline to execute the policy of the Treasury. The law at the present time allows the Treasury to dominate the policy of the Federal Reserve Board. Section 10, paragraph 6 of the Federal Reserve Act reads:

> Wherever any powers vested by this act in the Board of Governors of the Federal Reserve System or the Federal Reserve agent appear to conflict with the powers of the Secretary of the Treasury such power shall be exercised subject to the supervision and control of the Secretary.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. For just one question.

Mr. THOMAS F. FORD. Did not the Federal Reserve Board have the right to purchase these bonds prior to 1935?

Mr. DEWEY. They had that right until 1935.

Mr. THOMAS F. FORD. And the country did not go broke, did it?

Mr. DEWEY. I have answered the gentleman's question.

Since this war started many, many central banks of issue were ruined simply because the country followed that system; and in every reorganized country after the first World War one of the factors laid down most clearly was that there should be no dealings between the Treasury and the central bank of issue except at arm's length.

Mr. WHITE. Mr. Chairman, will the gentleman yield for a brief question?

Mr. DEWEY. I think I must proceed, my time is running.

Mr. SUMNERS of Texas. I must suggest to the gentleman that I cannot agree to any further extension of time.

Mr. DEWEY. I agree with that.

May I say in closing that I hope this House will view without partisanship but with great care this amendment, which is basic as far as the good of our securities is concerned. I believe there should be some limit somewhere by the Congress over the dealings between the Treasury and the Federal Reserve Board.

Mr. WHITE. The primary objective of open-market transactions is simply a brake on inflation and to control the volume of currency and credit through open-market transactions. Is that not the primary object of that?

Mr. DEWEY. Yes; it is.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. DEWEY].

Mr. Chairman, reference was made to the matter of jurisdiction of this legislation, but that question is not before us now. The question of jurisdiction is really not important in comparison to the extreme importance of this legislation. The question now is the passage of the bill. I am glad to give my wholehearted support to title 4 of the bill as reported by the Judiciary Committee.

This provision, as has been stated, would simply restore to the Federal Reserve Act the exact language that was in the original law which obtained throughout its history down to the time of the passage and approval of the Banking Act of 1935. At that time it was thought by some that this method might tend to encourage extravagance. The Senate passed a provision striking from the law the authority of the Treasury to sell its obligations directly to the Federal Reserve banks. It so happens that the distinguished Senator from Virginia, Senator GLASS, who is the author of that provision in the banking bill of 1935 unreservedly approves and supports now the provision incorporated in the bill before us.

The simple fact is that there is not the slightest difference between the different plans for selling these bonds, whether bought by the public or sold directly to the Federal Reserve banks, insofar as the danger of inflation is concerned. Under the existing law they are bought by the banks of the country, and principally by a few banks, mainly in one city. It should be understood by all that the authority of the Federal Reserve banks to issue currency upon obligations based upon Government is just exactly the same with regard to obligations held generally by the general banks of the country as would be the case as to obligations that would be sold directly to the Federal Reserve banks.

Much has been said about inflation. Let me say that it is possible under existing law, this very day, to expand our currency more than $50,000,000,000 by the use of the gold coverage which we are prepared to supply, and by supplemental Government bonds now available for use by the Federal Reserve banks as a coverage for currency. In addition to that, we have the power to issue three billions in currency and the Federal Reserve Act specifically authorizes the use of eligible paper as cover for Federal Reserve notes. It is possible now, under the present law, to increase our currency more than $50,000,000,000, which means that we could have an expansion by the use of the currency and credit so created to the amount of more than $250,000,000,000 overnight. So, with all due respect to the learned gentleman who has just addressed the House, there is no valid reason for opposition to the adoption of the provision of the bill as it stands.

The temporary operation of the proposal is not the only thing that is important. Let us be frank about it. We are engaged in a stupendous task in financing our part in this unprecedented World War. We do not know how great the demands will become. Let us not disparage the credit of our Government. Let us not throw a monkey wrench into the machinery which is so important and which may become indispensable to the successful financing of this war. We must not hamstring the Treasury and Federal Reserve System in conducting the necessary operation to win the war. That is what we will do if we adopt the proposed amendment. The provision contained in title IV is the most important provision of the entire bill. The proposed amendment would defeat its purpose. It would be more desirable to eliminate the proposal than retain it with the amendment.

[Here the gavel fell.]

Mr. ROBERTSON of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my distinguished friend from Illinois is one of the best-posted men in this House on the subject of Federal financing. He is a former Assistant Secretary of the Treasury, and I would not presume to pit my judgment against his in a matter of this kind. In opposing his amendment, I will tell you whom I am following. I am following the unanimous action of the Board of Governors of the Federal Reserve bank, a private banking system speaking for private capital, even though under some measure of Federal control. I am following the American Bankers Association that has given this bill its approval and endorsement. I have seen two splendid editorials in the New York Times. No one would accuse that paper of advocating inflation, controlled or uncontrolled.

Tom Paine was quoted on the floor of the House this week as saying at Valley Forge:

> These are the days that try men's souls.

I quote Tom Paine as saying:

> Credit is suspicion gone to sleep.

These are again times that try men's souls; these are the times when people must have confidence in the security of their Government bonds. Let the Government undertake after some bad war news to float a loan of three, four, or five billion dollars to meet a contemplated expenditure which may run at the rate of $5,000,000,000 per month for the next fiscal year and the open market refuse to take those bonds, suspicion that should be asleep will be struck awake, confidence will be destroyed, and down goes the credit of the Government, pulling after it every bank in this Nation.

A former Senator from Mississippi, John Sharp Williams, a great man, said:

> I am a Senator of the United States from Mississippi. The senior Senator from Virginia can justly make the same statement. He belongs to the Nation, and all have respect for his judgment in matters of this kind.

This provision disturbed me, and I went privately to Senator Glass and asked him:

> Senator, what must I do?

He said:

> Willis, these are critical times. My advice to you is, do not rock the boat.

I am going to vote for this section and against all amendments that may be offered to it. I give you for what you may think it is worth the reasons for my doing so, the Federal Reserve Board, the American Bankers Association, and an outstanding authority of America on the subject of sound fiscal policies.

Mr. SUMNERS of Texas. Mr. Chairman, I should like to see if we cannot arrive at some agreement as to the time for debate on this section. I ask unanimous consent that all debate on this section and all amendments thereto close in 25 minutes.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Chairman, this is a very important amendment and 10 Members are standing seeking recognition. If each of them should have 5 minutes, that would be only 50 minutes.

Mr. SUMNERS of Texas. All right; let it go a little while yet.

Mr. WHITE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in the first place, a provision as important as this has no business in a bill of this kind. The provisions included in this title should receive very careful consideration from qualified Members of the House composing the Committee on Banking and Currency before being brought in here to be hurried through as a part of an omnibus bill.

I am very much interested in the qualifications of the gentleman who is the author of the pending amendment, a banker from the State of Illinois, who

I am told was a financial adviser to the Government of Poland. If he was ever a financial adviser to Poland, he certainly should be qualified to deal with shaky finance.

Back in the good old days before the depression of 1929, before all the governments were forced off the gold standard, Poland attempted to circulate brass zloty pieces and tried to make them popular with the people of Poland. James Harvey Rogers, the eminent economist from Yale University, cited Poland as a great example of a shortage of an adequate reserve in support of the national currency, which stymied international business. If a man in this country found a customer in Poland, at the time, when our good friend was probably financial adviser to Poland and when Poland had scanty gold reserves, and if a citizen of Poland went to his Polish bank with Polish money to get exchange to remit for international consignment purchased in this country, he was simply refused banking exchange acceptable in this country because, they said, they could not possibly let their international exchange go out, as it would come back as a draft on their scanty gold reserve. This was a barrier and a blockade to international business. That is the kind of monetary system they had in Poland.

The good chairman of the Committee on Banking and Currency said, "Let us not rock the boat, let us not upset the credit of this country." I am wondering which is worse, an unbearable interest load piled on the backs of the American people, or the so-called inflation. There was a time in the history of this country when the Members of this Chamber were confronted with a great emergency. There was a shortage of credit and cash. Abraham Lincoln met that emergency by issuing interest-free Treasury notes, so-called greenbacks.

Mr. Chairman, if we are going to issue unlimited credit by the Government, let us not pile an interest load on the backs of the American people, a pyramid that cannot be supported, an inflation that will destroy the financial reserves of this country. Let us take over the Federal Reserve System. Let it belong to the Government. If the American people are going to be forced to pay interest as a control of inflation, let them pay it to themselves.

We do not hear anything from this eminent banker who comes here from the city of Chicago to advise us how to run the banking and fiscal policy of this country about relieving the people of America of the interest load by letting the Federal Reserve banks be taken over by the Government. If there is interest to be paid, if that is the price of controlling inflation, let the American people have that interest and not a little group of bankers who are going to undermine and destroy every financial foundation of this country.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Montana.

Mr. O'CONNOR. Has the gentleman seen any particular evidence of an inflation in the price of mine products or farm products or livestock?

Mr. WHITE. The fiscal record of this country in the last 8 years has exploded every argument, every false statement that has been made here about the use of a metallic money as the foundation of our fiscal system.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, if the amendment offered by my colleague, the gentleman from Illinois [Mr. DEWEY] is not adopted, I fear this will be a very sorry day for the American people. I say this with all sincerity. Whether we who are opposed to inflation succeed in convincing this committee and this House that this title as proposed is bad legislation, I want it distinctly understood that there should be no detraction from the sincerity with which we present this issue. There is not going to be very much satisfaction on the part of any of us who oppose inflation in being able to say, "I told you so," 6 months, a year, or perhaps 2 years from now when property values have been wiped out as they were wiped out in Germany, and when the American dollar has depreciated perhaps 90 percent, as the franc depreciated from its par.

At least, there is some doubt about the feasibility of this legislation. There is doubt as to the necessity of buying obligations direct from the Treasury by the Federal Reserve. That doubt should be resolved in favor of conservatism and sound fiscal policies. This Congress will be in session for a good many months without very much interruption. The Treasury and the Federal Reserve have not as yet made out a case of necessity. It is all right for individuals to say it must be done, but the chairman of the Board himself tells us that they do not expect to use this power except in case of emergencies.

We are providing the machinery in the Dewey amendment for him to smooth over those periods of disruption without bringing about fear of inflation in the face of an intense effort to finance this war.

Somebody suggested that we should not rock the boat at this time. My heavens, Mr. Chairman, what does this proposal in this bill do but rock the boat? It rocks the very foundation of an otherwise sound economic system. It gives encouragement to the rumors that our bonds are in jeopardy. And let me tell you of a personal experience, if I may be pardoned. My youngster, 12 years old, had $40 saved up and he said, "Dad, what shall I do with it?" I said, "Go down and buy some Defense bonds and some stamps." He said, "Oh, Billy tells me the bonds are not going to be any good; that we are going to have inflation."

That is the answer to this. My 12-year-old boy talking about inflation in the same breath that defense bonds are mentioned. Here, after struggling for months on a price-control bill to prevent inflation, we are today offsetting all the benefits of that legislation by throwing the very fear of God into the American people who must finance this war effort.

If it is not necessary, if the Federal Reserve has not made out a clear case of necessity, then it is our duty to look into this further before we act.

This is what they say about it. You heard quoted a New York paper. Let me quote an editorial from a New York paper, the Wall Street Journal, which is pretty close to business and industry and banking, and they say:

> Considering the 12 Federal banks of the Reserve System as a single central bank, a purchase by any 1 or by all 12 of Government bonds directly from the Treasury would be in its nature the precise equivalent of the transactions during and after the last war between the Reichsbank and the Banque de France and their respective governments. In both those cases the government borrowed from the central bank directly. Both banks were banks of issue and, as all remember, the result was the orgy of inflation which wiped out the German mark and destroyed 90 percent of the French franc. Theoretically, direct borrowing by the Treasury from the Federal Reserve System, if indefinitely continued, would produce the same results with the Federal Reserve currency. At present the law contains provisions restraining this process by imposing a minimum ratio of reserve to be maintained by the System against both reserve deposits of member banks and note issues. Continuance of these provisions in the law would exclude or at least postpone any such consequences as those in the cases of the franc and the mark.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, as my remarks will be rather directed to the chairman of the Judiciary Committee I regret that he is out of the room. He asks "What is the difference between these methods." Said the Englishman to the Scotsman, "We are all Englishmen and after all there is very little difference." The Scotsman replied, "Thank God for the difference."

There is a great difference. This limitation is against opening the door making the sky as the limit. The gentleman from Illinois has made it clear that his amendment takes care of emergencies and we should not be asked to go beyond that. Contemplate the danger of this proceeding. No longer would the Treasury have to worry about offerings of securities to the people. You know how these offerings are now made, do you not? The governors of the Federal Reserve bank consult the large bankers as to how much of the issue should be short term and how much long term and what rate of interest they think would have to be offered. There is, of course, a good deal of worry as to whether the public will respond. In recent years, it has usually been decided that only about half of the issue should be for long terms, 5 years, 10 years, perhaps, and the other half should be short-term notes. This seems to have been the plan for the last several years.

Consider the Treasury needing money and quietly calling the Federal Reserve bank and require them to take bonds at a low rate of interest, well knowing their authority or influence in distributing them quietly to member banks.

I have heard it said here that the banks suffer no duress in being forced to take these issues. Not true. Some large bank in some large city would act as agent for the Federal Reserve. They call up the other member banks and say: "You have been allocated so much." Sometimes these banks reply: "We do not want them." Then the answer is usually this, as one of the directors of a bank has told me, and I can well believe it is quite true, "If you do not take this allocation you might be placed on the black list of the Federal Reserve. Sometime you might have a little difficulty in discounting with them." Direct statement need not be made, a slight suggestion would be all that would be necessary. This should be expected and only slight pressure would be needed. It is perhaps proper that they should use this pressure, but do not attempt to deny that they do not do it. What bank would dare to refuse to accept the allocation? They usually accept but often sell the bonds as early as possible.

This present proposal is an easy way of financing the Government and holding down interest rates. I have often argued on this floor that it is a pity that the savings of our people could not command a little more interest and a higher return on their investment.

Now, there is a great difference in this language and the Dewey amendment. The Dewey amendment fully takes care of any emergency. It is a protective suggestion. I want to remind the chairman of the Judiciary Committee, the gentleman from Texas, who twice recently has lectured the House on the dangerous pace we have been traveling, and that he had voted for many things that he, perhaps, ought not to have voted for. He advised us to watch our steps in the future. Before he delivers any more of those lectures I want some votes of his to prove that he means what he says, and here is a splendid opportunity for him to apply the brakes. Like Pat, in handling live electric wires, he said, "I feel them very carefully before I take hold of them." We all appreciate the possible danger of this legislation, and here is a chance to place a limitation. Later on, if the necessity arises, as it may, we will grant further authority. We will weigh the wisdom displayed by those in authority in the use of the power already granted. The gentleman from Virginia [Mr. ROBERTSON] said that he was going to take the advice of the Federal Reserve Board. Take the advice of a board or commission that desires the power? Doubtful advice, is it not? Are they the best ones to advise us when we know their great thirst for more and more unusual powers?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last two words. First, I want to answer the question raised by the gentleman from Texas [Mr. SUMNERS]. I see he is not on the floor at the present time, and I wish he were. If I understood his question correctly, it was this: What is the difference between the method of financing as provided in title IV of this act and the policy of the Federal Reserve in buying in the open market at the present time? It may be that I confuse somewhat the question asked by the gentleman from Texas [Mr. SUMNERS]. It may be he asked the difference between the method of financing proposed under title IV and the present method of distributing bonds and Government securities to the commercial banks through the Federal Reserve System.

What is the difference between financing proposed under title IV and the present method of buying in the open market? The difference is this, and it is very vital. When the Federal Reserve buys in the open market at the present time, it pays for the securities it purchases with its assets, with the assets of the Federal Reserve bank. There is an exchange of value for value. Under title IV what the Federal Reserve bank will do is this: It will set up to the credit of the Treasury the amount of the securities which it takes over.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I would rather not yield now. It sets up a credit to the Treasury for the amount of securities it takes from the Treasury. Then the Treasury merely issues checks against this credit to pay its current obligations. In effect, what actually happens is this: For the time that the Federal Reserve bank holds these securities, it does nothing more or less than print money, and when it disposes of those securities, if it should dispose of them through the commercial banks, it may still be simply carrying on the process of printing money. Nevertheless, we should understand the difference between the proposal in title IV and the present open-market policy. In the one instance, the Federal Reserve pays for the securities it takes over with its assets. In the other case it merely sets up a credit in favor of the Treasury.

There is, however, no fundamental difference between the policy of purchasing securities by the Federal Reserve under title IV of this proposed act, and the present method or policy of distributing the securities to the commercial banking system. In the end both are simply processes of printing money. We have gone a long way from orthodox financing. I now yield to the gentleman from California.

Mr. VOORHIS of California. I agree with the gentleman completely in his statement that the Federal Reserve, when it takes these bonds, will buy them with new credit which it creates, and also with the statement that there is no difference between that and the sale of bonds to the commercial banks, but I do not agree with the statement that the Federal Reserve bank uses assets to buy bonds in the open market. I believe they use Federal Reserve credit, backed, it is true, by their power to create notes, if those notes are asked for by the bank; but I am not quite positive that is what the Federal Reserve banks use when they purchase bonds on the open market. It is merely Federal Reserve credit.

Mr. SMITH of Ohio. The gentleman is perhaps 60 percent right, with respect to the situation to which he refers, where Government securities are used as collateral for Federal Reserve notes. It should be remembered that even where Government securities are so used the Federal Reserve Act still requires 40 percent gold coverage for the notes.

Mr. VOORHIS of California. There would have to be when the notes are issued. They must be backed by some power of the Board to create the notes, but that is the same power as the power to create credit.

Mr. WHITE. The gentleman from California says they do not use assets. Does the gentleman say they have credit without assets?

Mr. VOORHIS of California. I say precisely that.

Mr. SMITH of Ohio. The statements I have made are on the basis solely of the provisions in the Federal Reserve Act.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SMITH of Virginia. Mr. Chairman, I offer a substitute amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia as a substitute for the amendment offered by Mr. DEWEY: On page 12, line 11, after the word "interest", insert "to an aggregate amount not exceeding $5,000,000,000".

Mr. SMITH of Virginia. Mr. Chairman, I think many of us at least will agree that the next worst thing to losing this war would be wild, uncontrolled printing press inflation. A good many of us are afraid that is just about what this is going to lead to. I think everybody here wants to give to the Treasury and to the administration every power that is necessary to win this war, but I think we do not want to give them any powers that are not necessary.

This matter caused a good deal of discussion in the Committee on Rules when we had the application for the rule before us. Mr. Goldenweiser, economist from the Treasury Department, came to talk to us about it. He said very frankly that the transactions contemplated here would be just the creation of money. I have always understood that the creation of money was just another name for inflation. I do not want any more inflation than we have to have. So I have offered what I think is a common sense solution of the difficulty, which will give to the Government all the power that they said they needed. All the power they said they needed was the power in instances such as Pearl Harbor, where an offering of bonds was imminent and where there was a fear that by reason of some disaster that might occur the bond market would be demoralized for the moment, and that therefore they needed this power only in case of emergency and did not expect to use it except in cases of emergency. Therefore, I have offered what I regard as a very practical proposition, namely, to give them the right to do what they ask to do, but put a ceiling of $5,000,000,000 on it. That gives them everything they need. Why give them something they say they do not need, which will have the danger of printing press money?

I am not criticizing anybody and I am not saying it is going to happen, but when we are dealing with legislation, when we are granting powers, we must be careful that the powers which we grant are not so great that something unforeseen and unintended may happen. That is exactly what I am trying to do.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Just excuse me for a moment.

Now, you can readily see that with this created money, if it was desired to be done, all they would have to do would be to take a truckload of bonds from the Treasury down to the Federal Reserve every morning and bring back a truckload of printing-press money and scatter that throughout the country. Now, that can happen under this bill. Why let it happen, when by a limitation of $5,000,000,000 on the aggregate we can prevent such a thing happening?

Mr. DEWEY. Will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. DEWEY. I would say that I think the gentleman's amendment is doing just exactly what my amendment attempted to do, and I would be willing to withdraw my amendment in favor of his.

Mr. SMITH of Virginia. I thank the gentleman.

Mr. MAY. Will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Kentucky.

Mr. MAY. The only thing you limit them on is the amount?

Mr. SMITH of Virginia. Only the amount. It is just as if you went down to the bank to get yourself a line of credit, and the bank said, "We will give you a line of credit of $5,000." You say, "I may need $10,000." The bank says, "All right. Go out and spend that $5,000, and if you do it wisely, you come back and we will give you another line of credit." That is all I am asking to do for the United States Treasury.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, yesterday in speaking on this matter I left the impression that I would support the Dewey amendment, under certain conditions. I stated at that time that I had not discussed it with Mr. Dewey. Since then I have had occasion to read the amendment offered by the gentleman from Illinois. I do not believe I could go along with that at all, because, as I understand it, it would tend to drive all of the paper issued under this particular title into 6 months or less as to maturity. Is that correct?

Mr. DEWEY. It would attempt to cover what has been usual in the past, that is, a temporary emergency, which would be supposed to be of less than 6 months' maturity. They would refund those 6 months or less maturities with permanent securities.

Mr. CRAWFORD. Now, if we run into a situation where it would be extremely difficult to refund, then your debt would tend more and more to move into short-term paper, which to me is terribly dangerous. That is about the only objection I have to the demand call feature of the present Defense bonds. We are building up potential billions of dollars of call on the Treasury by the holders of Defense bonds who can come and call for the redemption of those bonds. So, I think the gentleman from Illinois is very smart in offering to accept the substitute amendment offered by the gentleman from Virginia [Mr. SMITH]. I am in favor of the Smith amendment and would be glad to support that. That amendment, as I understand, limits the amount to $5,000,000,000 the Reserve banks are to purchase and hold at one time. Should this prove insufficient, Congress could certainly amend and increase to the amount experience requires.

I think that $5,000,000,000 would take care of at least 60 days financing of this type on a 60 billion annual budget, or on a basis of 5 billion a month outgo from the Treasury. So it seems to me a 60-day authorization would probably be all that the Board of Governors or the Treasury would come up here and attempt to justify. I have not talked to either group since the bill was called up; I do not know what their present position is except what I have heard in the debate and read in the RECORD, but I do not believe they would aggressively try to obtain more than a 60-day coverage.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. EATON. Since this legislation is of such profound importance to the future of this country and there is such a difference of opinion as to its validity and practicability, why would it not be a good thing to cut out title IV entirely, refer the thing to the Banking and Currency Committee and have a bill brought in here after proper hearings, a bill that we could agree on?

Mr. CRAWFORD. I do not suppose the members of the Banking and Currency Committee would object to that, and I do not know that the Board of Governors or the Treasury would object to it, or that anybody else would object to it, but that is simply something for the committee to decide upon.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. WHITE. Does the gentleman approve or favor the differentiation made between the character of the so-called defense bonds and these bonds that have been subscribed to by the banks of the country?

Mr. CRAWFORD. The defense bonds are not negotiable; you cannot trade in them on the open market, and the amount you put into them is guaranteed back to you by the Government. This is a matter I contended for as far back as 1935, and if we are going to have elevator boys, washwomen, shoeshiners, and many other people in the low-income brackets buy them, then let us guarantee them against market decline and fix it so they will not lose their little grubstake.

Mr. WHITE. Does the gentleman believe it would be an unpatriotic thing for those people to demand that they have the same kind of bonds that were given to the banks?

Mr. CRAWFORD. Let them demand what they please, because whether you sell any Defense bonds or not, the war is going to be financed. If they cannot finance it through selling bonds to the people, then they will finance it through creating money out of nothing, which this very proposition does. I think the Defense bonds are more acceptable to the individuals than the open market issues being sold to banks. Individuals may buy long- or short-term bonds.

Mr. WHITE. Would the gentleman be in favor, then, of creating money without interest rather than piling up an interest load on these interest-bearing bonds? How does the gentleman stand on that proposition?

Mr. CRAWFORD. Insofar as financing the war is concerned, we will finance the war. The problem is this: What are you going to do with the debt structure in the post-war period? That is what I was thinking about yesterday when I advocated heavier taxes.

Mr. WHITE. Would it be better to pile up the interest load or to reduce it by issuing non-interest-bearing notes?

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the present Federal Reserve Act is bad enough. I am not sure that this bill helps it very much, but I am sure that these amendments would make it worse. We might as well understand the situation. If the Congress had done its duty, in my opinion, we would have taken over the Federal Reserve banks and stopped the Government from paying interest on its own money.

These amendments would simply tend to hamper the system that we now have of issuing currency for the financing of this war without improving it.

It is utterly impossible to finance this war on the present price levels. If something is not done, we not only run the risk of a crash but we will probably invite repudiation. It is necessary to make some modification; and so far as I have been able to see, with the exception of the proposal to take over the Federal Reserve banks, this bill as it came from the committee is about the best proposition that has come before us.

I think the amendment offered by the gentleman from Illinois [Mr. DEWEY] would probably destroy the bill; and the amendment offered by the gentleman from Virginia, instead of starting us out, as he said, on wholesale inflation, would start us out on a policy of deflation at a time when expansion is necessary because we have more Federal Reserve notes out now than his amendment would provide.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. For a question, yes.

Mr. SMITH of Virginia. I believe the gentleman from Mississippi for many years has been a very distinguished advocate of outright inflation. Am I right?

Mr. RANKIN of Mississippi. No; if the gentleman from Virginia had been listening he would be better informed.

I have advocated from the very beginning a controlled expansion of the currency, in order to raise the price level and enable us to raise revenue sufficient to carry on the Government instead of going out on a very different kind of policy of borrowing from the rich and spending it by the billions in an effort to restore prosperity by artificial means. That policy has brought us to the predicament we are in today when we are going to have to do something drastic in order to raise money to carry on the war.

Senator THOMAS of Oklahoma and I introduced a bill in 1933, which finally became law, giving the administration the right to issue $3,000,000,000 in currency against the gold we then had. If that policy had been carried out, if we had had a reasonable, controlled expansion of the currency, commodity prices would have risen, we would not have continued in the depression. If we had followed that policy, instead of starting out on a policy of borrowing from the rich and giving to the poor, this country would have been enjoying a period of unprecedented prosperity for the last 7 or 8 years.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I wonder if the gentleman from Mississippi will inform us as to the difference between what he terms controlled expansion of the currency and inflation?

Mr. RANKIN of Mississippi. When you take the lid off and just permit uncontrolled inflation by issuing unlimited volumes of currency, as they did in Germany and Russia just after the last war, which the bankers and you banker-minded Congressmen have harped on so much, where it was tied to no metallic standard, where there was no limitation on it and it was done for the sole purpose of wiping out internal debts, you run into disaster. If we had followed the policy, on the other hand, laid down in the bill passed in 1933 for a limited, controlled expansion, with a 40-percent gold reserve behind every dollar, we would have raised prices to their normal levels, we would have been able to fight our way out of the depression and for the last 7 or 8 years this country would have enjoyed a reasonable measure of real prosperity. Then we would have had no relief rolls. Our farmers as well as our industries would have recovered from the depression, and the Government would have saved billions of dollars.

May I say to the gentleman from Virginia that it was not a wild and uncontrolled inflation in World War days that brought about the depression of 1920 and 1921. We had an expansion during the World War that raised commodity prices to new levels. But when the war was over, this same group that now seems to control the Federal Reserve banks secured control and through the Governor of the Board, W. P. G. Harding, brought about a ruinous deflation. That is your danger now, and it will be your danger when this war is over. That is the reason I want this power to coin money and regulate the value thereof back in the hands of Congress where the framers of the Constitution placed it. That is the reason I supported Senator OWEN, of Oklahoma, at that time instead of the distinguished Senator from Virginia [Mr. GLASS] who is largely responsible for the present Federal Reserve System that, in my opinion, has caused most of our troubles for the last 20 years.

Mr. Chairman, I am going to vote against both of these amendments. As I said before, the Federal Reserve Act is bad enough. Probably the committee amendment improves it a little. But I feel certain that these two amendments, or either one of them, would be a detriment to the country.

[Here the gavel fell.]

Mr. BURDICK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I have waited for this opportunity for 8 years. I see around me all the financial experts of Congress, and I am going to ask them two or three questions, then leave the floor. If they can answer any one of them I will never take the floor again on this subject. Instead of issuing bonds and having a fight over the interest, which by the end of July 1 this year will amount to the expense of Government almost, and I refer to the interest on those bonds, why do you not cut it all out and issue the money in each instance, issue the currency instead of issuing the bonds?

Here is my first question: Is there anything behind a bond that is not also behind a piece of paper money? Now, some of you experts answer that.

Mr. HOFFMAN. Mr. Chairman, I am no expert, but if you let these fellows down here issue all the money they want to, there would not be any limit. There is a limit to the bonds you may sell.

Mr. BURDICK. I am satisfied that the gentleman from Michigan could not answer the question even if he were an expert.

Here is the second proposition. This is not an "ism," this is not an imaginary program. This is a program that we put into effect one time when we were in just the same situation we are in today. During the Civil War we issued over $400,000,000 of flat money. The gentleman from Kentucky this morning showed me one of those bills. The people have never paid a cent of interest on those since 1865. If you want to pile up an interest load that will become bigger than the cost of government, then you stick to your banker system. If you want to fight for the American people, issue the money and cut out these bonds.

Mr. HALLECK. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman is in favor of printing money and issuing it instead of issuing bonds. Would he also be in favor of printing the money and issuing it instead of taxing the people to pay any of the expenses of Government?

Mr. BURDICK. The question answers itself. The only way that the money would be retired is through taxation and through income from other sources.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from California.

Mr. VOORHIS of California. Is not the gentleman willing to agree with this statement: You can get inflation quite as well by having the bankers create money against Government interest-bearing debt as you would get if the Government itself created too much money, either in the form of cash or credit. What is going to happen in both cases is there have to be proper limitations to maintain a stable relationship between the total volume of money in circulation and the amount of actual production.

Mr. BURDICK. The gentleman from California is precisely right. They would not be apt to issue any more currency than they would bonds. You would issue enough to carry on the business of this war, as you did before.

Let me tell you something. If you had today to pay the interest on the Lincoln currency, or the Lincoln bonds, if you should call them bonds, of $450,000,000, it would cost you $2,000,000,000.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Idaho.

Mr. WHITE. When we went into the Civil War we did not have $50,000,000,000 of debt, and we did not have a $2,000,000,000 interest load as a handicap.

Mr. BURDICK. I presume the gentleman is right.

I am going to leave these two questions with you: Why can you not issue the currency? Why do you want to issue the bonds and keep up this interest system, when it will amount to more in 1943 than the cost of this Government? Why do you do it, you experts?

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, as Amos said to Andy, "Where is we?"

From the time the Federal Reserve System was established in 1913 until 1935 that System had authority to buy bonds directly from the Treasury of the United States. In 1935 it was changed by an amendment in an act that went through this Congress. It is now proposed by title IV of this bill to restore the power that existed from 1913 to 1935. The question arises, Why should it not be restored? What is the difference between buying bonds directly from the Treasury and buying them in the open market?

There is much difference between buying bonds from the Treasury and buying them in the open market. The first thing you do, of course, is to weaken the stabilizing function of the open-market activity. The whole purpose of the Federal Reserve's activity in shopping in the open market is to sell bonds and siphon money from the market. Its purpose is to buy bonds and put money into the market. It is a stabilizing operation.

Is there any stabilization in taking the bonds as they roll from the printing

press and hauling them down to the Federal Reserve? There is no stabilization whatever. What you do is to make a bond repository out of the Federal Reserve for the issuings of the Treasury Department. If the amendment is not adopted, there is no limit to where you can go in piling up these bonds in the Federal Reserve System.

The second difference between buying bonds from the Treasury, as is proposed in title IV, and buying them in the open market is that you cannot buy a bond in the open market until it is in the market. How does it get into the market? The Treasury issues it. Before it goes into the market it has to have a maturity. Before it goes into the market there has to be an agreed interest rate. The rate has to be conditioned upon the condition of the market and what it will accept. You can send these bonds to the Federal Reserve out of the Treasury if you like—and there is no limitation—without any interest rate whatsoever. It may never be done, but the permissive authority in this bill makes it possible.

They say they will not use the power. Can we be sure? They say it is permissive. Can we be sure? They say it is temporary. Yes; the Silver Purchase Act was temporary in 1934, and it has cost us $1,400,000,000 worth of useless, sterile, barren silver, for which we paid a subsidy of $500,000,000. It is still on the books.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Not now.

Mr. WHITE. The gentleman does not want to be informed, then.

Mr. DIRKSEN. Mr. Chairman, I do not care to be interrupted.

The Reciprocal Trade Agreement Act was temporary. It has been on the books for 8 years.

Do not be deluded about this sort of thing as to whether or not it will be used. There are $2,250,000,000 of these bonds in the Federal Reserve today. It was so stated in the Senate. The amendment will be salutary in placing thereon a limit of $5,000,000,000 on bonds from the Treasury. The reason for it is that you will not then be able to monetize the whole debt through the Federal Treasury and the Federal Reserve System.

If the interest rate goes to nothing, then according to my friend from Mississippi there will be no difference between issuing a piece of green paper called currency and issuing a bond. The gentleman from North Dakota says, "What is the difference?" There is a lot of difference. Anyone can see that the only amount of currency that remains in the market is the amount that is used because of the necessities of trade, industry, and commerce. Instead of there being $12,000,000,000 in currency, suppose you have $60,000,000,000; what happens? It goes right back to the banks. Then what? It is impounded, it is useless, and we have to go through the same process all over again, until finally you get to the condition that existed in Chile just a few years ago, when a pair of ordinary shoes cost $250.

That is the answer. There is no need of belaboring this point any longer. This could be a dangerous provision. I do not say it is; but this title standing in the naked language in which it was submitted to the House could be a very dangerous power, indeed, if it were used and had to be used without limit. Let us put a limit on this pipe line from the Treasury Department to the Federal Reserve by at least adopting that amendment. It will have a wholesome effect on the country.

[Here the gavel fell.]

Mr. KEAN. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I must say that I agree with almost everything the proponents of this bill say with reference to this title, for the practical workings of the proposed methods of financing would actually be no more inflationary than are the present methods.

What is the great difference between buying bonds directly from the Treasury or letting the Treasury sell bonds first to, say, the Chase Bank, and then having the Federal Reserve banks buy the same bonds from the Chase Bank? Both methods are highly inflationary.

But, in spite of these facts, I am supporting the Smith amendment. Why? Because inflation is largely a question of psychology. This title permits one branch of the Government, the Treasury, to sell bonds direct to what to all intents and purposes is another branch of the Government, the Federal Reserve, which provides the funds either by establishing merely a book debit or uses the bonds themselves as security to print the money to pay for them. Certainly in the eyes of the public this will not look like a real sale but only a scheme for printing-press money.

Today inflation is a touch-and-go proposition, and anything which might frighten the people should be avoided. As this is the same method which was used in France and Germany to bring about inflation, many people rightly or wrongly fear its consequences. The provisions of the Smith amendment should be sufficient to take care of all emergencies and would not subject the morale of the people to any question as to future buying power of the dollars which we are asking them to place in defense bonds. Any inflation psychology must be avoided at all costs at this time.

Mr. DEWEY. Mr. Chairman, I move to strike out the last two words.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a minute to see if we can arrange some limit with regard to debate?

Mr. VOORHIS of California. Mr. Chairman, I have another amendment I want to offer to this section.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, is the 20 minutes in addition to the time that has already been allotted to the gentleman from Illinois [Mr. DEWEY].

Mr. SUMNERS of Texas. It would include that time.

Mr. WOLCOTT. Can the gentleman from Texas give us any assurance there will not be other amendments to this provision?

Mr. SUMNERS of Texas. I would not want to undertake that.

Mr. VOORHIS of California. Mr. Chairman, I have an amendment to this title.

The CHAIRMAN. If the Chair may be indulged a moment, the Chair is advised by the Clerk that there is only one amendment pending on the desk to title IV, and that is the one offered by the gentleman from California [Mr. VOORHIS].

Mr. WOLCOTT. Does not the gentleman believe that the limitation should be on the pending amendment and not all amendments to the title?

Mr. SUMNERS of Texas. Then I ask unanimous consent, Mr. Chairman, that all debate on this amendment and all amendments thereto, close in 15 minutes exclusive of the time of the gentleman who now has recognition.

The CHAIRMAN. Does the gentleman make that request with respect to the amendment offered by the gentleman from Illinois and the substitute amendment offered by the gentleman from Virginia [Mr. SMITH]?

Mr. SUMNERS of Texas. That is correct.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on the amendment offered by the gentleman from Illinois [Mr. DEWEY] and the substitute amendment offered by the gentleman from Virginia [Mr. SMITH] close in not to exceed 15 minutes, exclusive of the 5 minutes already allotted to the gentleman from Illinois [Mr. DEWEY]. Is there objection?

There was no objection.

Mr. DEWEY. Mr. Chairman, in addressing the House this morning relative to the amendment I offered I stated that the main purpose of the amendment was to take care of the requirements of the Treasury Department during any possible emergency, but at the same time to somewhat limit what they might consider was the emergency requirement. I like the amendment offered by my colleague the gentleman from Virginia [Mr. SMITH], and am prepared to withdraw my own amendment, because his amendment sets a definite limit in dollars as to the amount of securities the Treasury may sell directly to the Federal Reserve System, and, as I understand, have outstanding in an aggregate amount at any one time. I would like to ask the gentleman from Virginia if what I have stated is his understanding.

Mr. SMITH of Virginia. That is my understanding. The only limitation imposed by the amendment is that the Treasury cannot sell directly to the Federal Reserve in excess of $5,000,000,000.

I would like, if the gentleman will yield further, to make this statement. I have been asked two or three times what limitation this imposes upon a Federal Reserve bank to own bonds. It imposes no limitation. A Federal Reserve bank has the right to buy bonds in the open market, or to own bonds, or to acquire them in any way other than directly from the

Treasury, and that right is not affected in any way, shape, or form by either the amendment of the gentleman from Illinois or the amendment which I have offered. The sole limitation this places is that in the aggregate the Federal Reserve cannot buy directly from the Treasury more than $5,000,000,000 worth of bonds.

Mr. DEWEY. Mr. Chairman, I ask unanimous consent to withdraw my amendment to title IV.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I now offer my amendment as an original amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 12, line 11, after the word "interest", insert "to an aggregate amount not exceeding $5,000,000,000."

Mr. McLAUGHLIN. Mr. Chairman, we have all been very much interested and I am sure entertained by the discussions of the general subject of money and monetary policy. As a member of the Committee on the Judiciary which held hearings on this bill, I should like to be permitted in these closing moments to address myself to the title under discussion, title IV. Let us get back to the fundamentals of the case. Title IV, Mr. Chairman, merely proposes to remove from the existing law that provision which restricts the Federal Open Market Committee of the Federal Reserve System in its purchases of Government obligations to purchases on the open market. If title IV is enacted, the Federal Reserve System can buy either in the open market or directly from the Treasury. It may proceed either way it sees fit. The Chairman of the Federal Reserve Board testified before our committee and stated that in the opinion of the Federal Reserve Board, this power to purchase in either way it sees fit is essential in this time when our country is in its war crisis. You will note particularly in the report the statement on page 8 that it was represented to this committee that this power will not be used as a substitute for the ordinary method of financing Government securities, but will be used as an extraordinary power at times when the stability of the market may be otherwise impaired. The main objection to this title running current through this whole discussion is that if it is enacted, it will be inflationary in effect. I am not going to ask you to be governed by my words on the subject. We have listened with interest and respect while a great many Members discussed the matter. I now quote another whose words, we will all agree, are worthy of our solemn and most respectful consideration. I refer to the distinguished gentleman from Virginia, the author of the Federal Reserve System in 1913, Senator CARTER GLASS, who says, and I ask the attention of the committee, because it seems to me that this is the heart of the whole controversy:

It is represented to me that it is necessary in the case of such an emergency as occurred by the action at Pearl Harbor. I do not think there will be a recurrence of that sort of incident, and it ought not to have occurred when it did occur; but there is nothing of a mandatory nature provision relative to the purchase of bonds by the Federal Reserve banks. They need not purchase a dollar of bonds unless they want to do so; it is altogether permissive.

I do not care much about it. I do not think it is going to result in any inflation whatsoever, because I do not think the Federal Reserve banks are going to buy Government bonds unless they want to buy them, and unless it is to the interest of the banks to buy them. The Federal Reserve banks are not owned by the Government; they are owned by private authority; they are owned by the stockholder member banks of the respective districts, and the Government cannot force the banks to buy its bonds unless they want to buy them.

The gentleman from Illinois [Mr. DEWEY] and the gentleman from Michigan [Mr. WOLCOTT] both quote from a letter from Professor Spahr, the economist.

Mr. DEWEY. Oh, I rise to correct that I did not quote from him. That was in the original act.

Mr. McLAUGHLIN. The gentleman quoted the law. Mr. Chairman, I have in my possession a letter from the general counsel of the Federal Reserve Board, the Honorable Walter Wyatt, who for many years has occupied that position. He states that the law quoted relates to possible conflicts of jurisdiction between the Secretary of the Treasury and the Governor of the Federal Reserve System, and has nothing whatever to do with the Federal Open Market Committee, which is the only body having any power to require the Federal Reserve banks to buy Federal bonds. Mr. Chairman, the additional question may arise as to whether, if you give this power to the Federal Reserve System, it will be exercised in an inflationary way. I submit that the record of past performance of the Federal Reserve System demonstrates that it will not. I call attention to the fact that the Federal Reserve Board on December 31, 1940, submitted a report to the Congress in which it urged specific recommendations to hold down inflation. In other words, the Federal Reserve Board is not an inflationary board—not actuated by inflationary motives. It is against inflation. There is nothing inflationary about title IV. I submit it should be enacted in the form in which it appears in the bill.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion of the gentleman from Michigan.

The Clerk read as follows:

Mr. WOLCOTT moves to strike out all of title IV, as a substitute for the Smith amendment.

The CHAIRMAN. That is not a substitute and it certainly is not a preferential motion.

The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were ayes 84 and noes 92.

Mr. MARTIN of Massachusetts. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. SMITH of Virginia and Mr. MCLAUGHLIN.

The Committee again divided; and the tellers reported there were ayes 128 and noes 93.

So the amendment was agreed to.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment, which is at the desk.

Mr. SUMNERS of Texas. Mr. Chairman, I wonder if we may not reach some agreement as to time for closing debate on this section? I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, I have not yet heard the gentleman's amendment. I think many of us are in the same position.

The CHAIRMAN. Does the gentleman object to the request?

Mr. SUMNERS of Texas. Mr. Chairman, I will withdraw the request for the moment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: On page 12, line 11, strike out the period and the quotation marks at the end of the line and add the following: ": *And provided further*, That all obligations of the United States bought directly from the Treasury by any Federal Reserve bank shall be non-interest-bearing obligations."

Mr. VOORHIS of California. Mr. Chairman, I offer this amendment because it is right. Other Members have made parts of my speech today over and over again. Other Members have pointed out that the Federal Reserve banks are privately owned institutions. They have also pointed out that when the Federal Reserve banks purchase obligations from the Treasury they do it with new money which they create for the purpose—generally in the form of credit upon their books. In other words, by that transaction the American people would be paying interest to a private institution when that private institution exercised the fundamentally governmental power of monetary creation. My amendment seeks to make that impossible.

I know two objections that will be raised to it. One of them will be to say that you need to have these bonds so that they can be sold by the Federal Reserve if desirable, and that they could not sell them if they did not bear interest. Of course that is true, but if the time comes when a further amount of interest-bearing bonds can be put on the market by the Treasury, the Treasury could then sell those bonds and redeem the non-interest-bearing bonds which the Federal Reserve had taken, if that were wise policy.

Another argument will be that you need to compensate these Federal Reserve banks for their work in handling the Government account. I submit that at present since they hold two and one-quarter billions of Government interest-bearing obligations, and the yield from that alone is $50,000,000 a year, I think they can get along. Member banks have received their 6-percent dividends regularly all through the depression and still, even in these years, a surplus considerably in excess of the paid-in capital has been accumulated.

There are three ways to finance this war. One is by taxes. The other is by real borrowing, whereby the Government obligations are sold to people who buy those obligations with money or credit that they have in their possession and which they give up in order to buy the bonds. The third method of financing the war is by what I call false borrowing. It is by money creation, which, however, takes place at present through the banks who create credit, backed in the end by the power of the Federal Reserve to issue Federal Reserve notes and then loan that credit to the United States Government by purchasing interest-bearing obligations.

The gentleman from Virginia [Mr. SMITH] offered an amendment which limited to $5,000,000,000 the amount of bonds that could be bought directly by the Federal Reserve. In my judgment that would not have made the slightest bit of difference in the amount of total bonds that would have been sold in this way. As the chairman of the Committee on Banking and Currency previously explained today, there is no essential difference between selling these bonds to any commercial bank or selling them to the Federal Reserve banks, so far as bringing about the creation of new money is concerned. Had the gentleman's amendment been a limitation on the total amount of bonds that could be sold to any bank for newly created money, it would have been a very different proposition, and one very appealing to me as a matter of monetary principle. Because if you want to avoid inflation, if you really want to do it, the important thing is not who creates the money, not whether an interest burden is unjustifiably placed on the American people, but whether or not new money is created by anybody on the one hand, or on the other hand whether the war can be financed by means of taxes and the sale of bonds to the people for their real purchasing power which they give up to their Government temporarily.

I voted against the Smith amendment because it would only limit sales to the Federal Reserve—not to banks generally. It would not have prevented the manufacture of money by the banks—a thing which could happen in the colossal amounts already set forth today by the able chairman of the Banking and Currency Committee [Mr. STEAGALL]. Therefore the Smith amendment would only have narrowed very sharply indeed the chance of the Federal Reserve to act in time of emergency and to keep down the rate on Government bonds.

My appeal for my amendment is very simple. I think it indefensible to expect the American people to pay interest to a private banking institution when all that private banking institution does is to create money and purchase from the people's Treasury an interest-bearing obligation.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, the gentleman from California has very thoroughly explained his amendment. It ought to be understood by everybody in the House. I ask unanimous consent that all debate on this amendment do now close.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, I would like 3 minutes.

Mr. SUMNERS of Texas. Mr. Chairman, I modify my request and ask unanimous consent that all debate on this section and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

There was no objection.

The CHAIRMAN. The gentleman from Michigan is recognized for 3 minutes.

Mr. HOFFMAN. Mr. Chairman, we are going to have an election in November and you gentlemen are all interested just the same as I am. I want to be reelected and come back here and I suspect that some of you have a similar desire. There are a lot of farmers in my district. They want some more money. Most people do. They have been getting a whole lot of money in the last few years from the Government, but they want more. That is nothing abnormal. Over in the Senate yesterday, they passed a little legislation which will give the farmers some more money. I would like to go along and give my farmers some more money. Then some of them may vote for me. That would be a natural reaction. Up in Michigan the C. I. O. wants $300,000,000 from the Federal Government to be handed out to those of its members who are temporarily out of jobs. They want something like $24 a week for 20 or more weeks, though under State law they would get something like $20 a week for a limited period. The farmers do not get anything while they are waiting for the crops to grow nor while the cow is dry. My district is thoroughly organized by the C. I. O., even my little home town; and those fellows are not going to vote for me—at least they say they will not—unless I do something for them. The C. I. O. wants an increase of a dollar a day in their wage. Sometimes they only ask for an increase of 10 cents an hour. They want double pay if they work on Sunday or on a holiday. And they do not want anyone who does not belong to their union to work where they have good jobs.

Now, I would like to give them some more money. I would like to vote for everything they want. I would like to be 110 percent C. I. O., A. F. of L., nonunion. Then everyone would be happy and I would get a lot of votes. I would like to vote for everything anybody wants. Then I would get all the votes—or would I? Then I have a large number of Townsendites, and have had for something like 6 years. Their present demands are comparatively modest. They say that as long as we voted ourselves pensions, they ought to have something. At one election 8,000 of them voted against me. I would like their votes. It would help a lot. Then there is a group of postal employees—mail carriers and clerks in the post office and others—who want pensions or increase in pay or shorter hours or something. They tell me without any equivocation at all that they are going to skin my political hide right off of me unless I go along and help them out. It makes me shiver and get all goose pimply just to hear them. Now, I want to do that, give everyone something and, incidentally, I could go on here naming groups and organizations and people and projects almost without end. You know the story. But I would like to know what I have got to do and got to vote for in order to be reelected. If I can, I would like to save at least a few dollars to carry on the war. But if I vote for everything I am asked to vote for there will not be anything left for the war. And people keep telling me and writing me that if I do not vote the way they want me to vote I will not be here next year. So if you will just write me a letter confidentially—I will not use your name—telling me how I can be reelected, I would appreciate it. Or maybe I will die before next election and all my worry is just silly. So on second thought you need not write me at all. Just follow the good advice you would have given me.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 12, after line 11, insert a new title, as follows:

"TITLE IV–A

"That during the national emergency declared to exist by the President on May 27, 1941, the following provisions of law, as amended, are suspended, insofar as they—

"(a) Prescribe the maximum hours, days, or weeks of labor in any specified period of time;

"(b) Require compensation at a rate higher than the usual rate at which an employee is employed (1) for labor in excess of a specified number of hours, days, or weeks in any specified period of time, or (2) for labor on Sundays, holidays, or during the night; or

"(c) Require stipulations in contracts which prescribe maximum hours of labor or require compensation at a rate higher than the usual rate at which an employee is employed for labor in excess of a specified number of hours, days, or weeks in any specified period of time, or for labor on Sundays, holidays, or during the night—

"(1) 'An act to expedite the strengthening of the national defense', approved July 2, 1940;

"(2) 'An act establishing overtime rates for compensation for employees of the field services of the War Department, and the field services of the Panama Canal, and for other purposes', approved October 21, 1940;

"(3) 'An act authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing

additional pay for employees who forego their vacations', approved June 3, 1941;

"(4) 'An act providing for Saturday half holidays for certain Government employees', approved March 3, 1931;

"(5) 'An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes', approved June 30, 1936;

"(6) 'An act to expedite national defense by suspending, during the national emergency, provisions of law that prohibit more than 8 hours' labor in any 1 day of persons engaged upon work covered by contracts of the United States Maritime Commission, and for other purposes', approved October 10, 1940;

"(7) 'An act to expedite national defense, and for other purposes', approved June 28, 1940;

"(8) Communications Act of 1934;

"(9) 'An act to provide a civil government for Puerto Rico, and for other purposes', approved March 2, 1917;

"(10) 'An act to make emergency provisions for certain activities of the United States Maritime Commission, and for other purposes', approved May 2, 1941;

"(11) 'An act to relieve destitution, to broaden the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program', approved July 21, 1932;

"(12) Fair Labor Standards Act of 1938, as amended;

"(13) 'An act limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes', approved June 19, 1912;

"(14) 'An act relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and the District of Columbia', approved August 1, 1892;

"(15) 'An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes', approved September 9, 1940;

"(16) 'An act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes', approved March 3, 1931;

"(17) 'An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes', approved March 4, 1917."

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Virginia [Mr. SMITH] on the ground that it is not germane to the bill.

The CHAIRMAN. The Chair will be pleased to hear the gentleman in support of his point of order.

Mr. CELLER. Mr. Chairman, I make this point of order with reluctance, because we all have the greatest respect generally for the gentleman from Virginia and specifically for his ability as a parliamentarian; nevertheless, as a member of the Judiciary Committee and pursuant to the wishes of the committee to keep the bill intact as reported, I submit the point of order.

I believe that the so-called Smith amendment suggested to title IV-a is not germane to the text of the bill and is not germane to the specific purposes of the bill. It is not germane to any particular title of the bill. It is offered as a brand-new title. The only similarity I see is in the heading of the Smith amendment, which is in fact a mere restatement of his bill, H. R. 6616, entitled "An act to expedite the prosecution of the war effort." The Senate bill before us carries the heading "To further expedite the prosecution of the war." It may be the same label but it is different wine in a different bottle. And the title or label does not change the contents of the bill or the bottle. Merely calling a thing something does not make it so.

The Smith amendment is exclusively a labor provision.

If you examine the Senate bill you do not find the word "labor" mentioned even once throughout the length and breadth of the bill. The so-called Smith amendment refers specifically to maximum hours of labor and rates of pay, and suspends some 17 specific acts relating to labor. The only mention you have in the entire bill—S. 2208—remotely resembling labor is the word "employee," which appears on page 15 of the bill, and that refers to the O. C. D., the Office of Civilian Defense. The only other word remotely connected with labor is to be found with reference to an amendment to the Hatch Act on page 15, where the word "employee" is used. The Hatch Act concerns primarily political activity of those who hold governmental positions.

The word "employee" in title VII and in title VIII, page 15, has not the slightest connection with anything having to do with the general labor provisions of the so-called Smith amendment.

There is a third significant word used in the bill before us that only has a remote connection with labor, and that is the use of the word "manpower" on page 16, line 20, which has reference to the Civilian Conservation Corps manpower. I submit that has nothing to do with the provisions of the Smith labor amendment.

The Smith amendment provides for maximum hours of employment and rates of pay. It suspends the operation of some 17 different public acts. The bill before you has nothing to do with any or all of the acts thus sought to be suspended. It has naught to do with hours of employment or rates of pay. It is not a labor bill.

If the Chair will examine carefully the bill S. 2208 he will find that title I, if it had been submitted as a separate and distinct bill to its appropriate committee, would not have been referred to the Labor Committee but would have been referred to the Committee on Interstate and Foreign Commerce, because it amends the Interstate Commerce Act.

Title II, were it a separate bill, since it concerns the activities of the Secretary of War, the Secretary of the Navy, and the subordinate boards of those entities, would have been referred, if it had been offered as a separate bill, either to the Military Affairs Committee or the Naval Affairs Committee.

Title III, referring to priority powers might have been referred to either the Military or Naval Affairs Committees or to the Judiciary Committee since it concerns the negotiation of contracts for the acquisition, construction, and repair of naval vessels or aircraft. Since it also concerns the requisitioning of records and involves jurisdiction of the courts, it might have been appropriately and logically referred to the Committee on the Judiciary. It would not have been referred to the Committee on Labor.

If the Chair will examine title IV he will find that it concerns, primarily, fiscal matters having to do with the direct purchase by the Federal Reserve Board of Government bonds, and would in the ordinary course of events have been referred to the Committee on Banking and Currency. It could not have gone to the Committee on Labor.

Title V, since it refers to the waiver of navigation and inspection laws, would, of necessity, have been referred to the Maritime Committee, and not to the Labor Committee.

Title VI, since it concerns registration of firearms and has something to do with the power to requisition property, might have been referred to either the Judiciary Committee or the Committee on Interstate and Foreign Commerce.

Title VII refers to the Hatch Act, which is within the exclusive province of the Judiciary Committee. It does not concern labor.

The Committee on Military Affairs undoubtedly would have had control over title VIII, concerning compensation for certain civilian defense workers.

Title IX, since it concerns the protection of war industries and the assignment of manpower of the C. C. C. and to the protection of munitions and defense plants, might have been referred to the Committee on Military Affairs. Labor is foreign to it.

Title X would undoubtedly have gone to the Post Offices and Post Roads Committee, since it concerns free postage for soldiers, sailors, and marines.

Title XI is exclusively a naturalization section and would have gone to the Committee on Immigration and Naturalization.

Title XII, since it concerns the setting up of a sort of war-contribution fund and provides for the reporting of gifts and funds to Congress, might have gone either to the Committee on the Judiciary or to the Ways and Means Committee.

Title XIII would have gone to the Committee on Coinage, Weights, and Measures.

Title XIV concerns the inspection and audit of war contracts and contractors' activities, and might have gone and probably should have gone, were it a separate bill, to the Committee on the Judiciary.

Lastly, title XV exclusively concerns census reports and would have gone to the Committee on the Census.

So that not a single title of this lengthy bill would have gone to the Labor Committee, to which the Smith amendment, if it had been a separate bill, should undoubtedly have been referred.

It may be that the Smith amendment generally relates to the provisions of the bill before us in certain respects, but it is not germane to it and germaneness and relativity are two entirely different propositions.

There are a number of precedents on the subject. I do not care to belabor the point too much. I think the chairman of the Committee of the Whole is familiar with the precedents, therefore I

shall not outline them. They are all outlined in section 794 of the rules of the House. There are a number of very excellent precedents for both my contentions and I shall not dwell longer on the subject matter.

Mr. Chairman, I trust the point of order will be sustained.

Mr. MARTIN J. KENNEDY. Mr. Chairman, I rise in support of the point of order.

The CHAIRMAN (Mr. COOPER). The Chair will be pleased to hear the gentleman, and will appreciate it if arguments on the point of order are confined to the point of order and as succinctly stated as possible.

Mr. MARTIN J. KENNEDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN J. KENNEDY. May I ask the form in which this is proposed at this time? Is it a new paragraph?

The CHAIRMAN. It is in the form of a new title to the pending bill.

Mr. MARTIN J. KENNEDY. Mr. Chairman, the question before this committee is the germaneness of the amendment of the gentleman from Virginia [Mr. SMITH] to the pending bill. The amendment in the form of a new title proposes to do something that was not intended to be done by the pending bill.

The rule as to germaneness goes back to the early days of the Congress and is a well-recognized principle of parliamentary procedure. The principle was developed for the purpose of stopping hasty, ill-conceived legislation from finding its way to the floor without an adequate or proper hearing. In my opinion, the amendment of the gentleman from Virginia [Mr. SMITH] is the sort of proposal, a proposal to repeal 18 existing laws, some of which date back to 1868, all affecting the workingman, that should not be considered as an amendment to a pending bill—but if offered should be ruled out on a point of order.

Those laws which would be affected by the Smith amendment have become a part of our social system. When it is attempted to do so by a single amendment, offered as a new title to a bill under consideration, the Chair should interpret the rule on germaneness in deciding a point of order, literally and not otherwise.

We have come to realize that laws affecting hours of labor, wages, and working conditions are most important and vital to the welfare of our people and country. We are bound to preserve the rights of the working people of this Nation and should resist every attempt, under any title or guise, to take from labor its social gains.

This proposed title would make it possible to change all of gains by one sweep of the hand without a hearing being accorded to labor. I cannot believe the people of this country would want nor do I believe the philisophy of our parliamentary law contemplated our abandoning an established policy, the American way, through a clever amendment to an important bill requested by the President's committee for the national emergency.

We all know that in existing law there is nothing that could prohibit the Army or Navy from demanding any employee to work more than the stipulated time. The Commander in Chief, President Roosevelt, is in charge of the war program and can make a ruling to meet any situation during the war.

Mr. Chairman, I respectfully submit that this is not the proper time to consider the Smith amendment. Under the ruling of Chairman Fitzgerald, in 1914, and other rulings, since that time, it has been the practice of this House to only consider matters of such importance separately and on their merits and not as a tail to a war measure.

There are 17 separate laws, which are to be repealed by the Smith amendment, and they are to be repealed by 1 vote. Mind you, only 1 vote to wipe out 17 laws and the social gains of more than 50 years.

Because I firmly believe that to allow the Smith amendment to be considered as an amendment to the war powers bill is against the best interest of our Nation and every worker, and because, in my opinion, it violates the principle of our parliamentary procedure, requiring debate and proper hearings, it should be regarded by the Chairman as not being germane, and accordingly I ask that the point of order made by the gentleman from New York [Mr. CELLER] against the Smith amendment be sustained.

Mr. HEALEY. Mr. Chairman, I desire to address the Chair on the point of order.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Massachusetts on the point of order.

Mr. HEALEY. I assure the Chair I shall be very brief and confine myself to the point involved.

Mr. Chairman, this proposed amendment seeks to suspend the provisions of existing law. I make the point that the laws affected, or any sections of those laws, or any matters related to them are not presently before the House for consideration.

I make the further point that the laws themselves or certain sections of the laws should be before the House for consideration in order for this amendment to be germane. While a committee may report a bill containing several subjects and unrelated subjects, it is not in order during consideration of that bill to introduce a new and entirely unrelated subject.

I submit, Mr. Chairman, that the amendment deals with the suspension of sections of laws relating to hours and wages, and that there is no section of the bill now under consideration, as reported by the committee, that deals with that subject or any subject related to it.

I make the further point that this amendment is so comprehensive as to suspend or repeal the provisions of 17 different statutes, and that it is remote and unrelated to the subjects under consideration in the bill and is therefore not germane to the bill.

Mr. Chairman, the purpose of the application of the rule of germaneness is to prevent hasty and ill-considered legislation; legislation which may not be at all related to the subject matter under consideration; legislation which Members may have had no intimation would be presented on the floor. A well-ordered and proper consideration of legislation should prevent the introduction of an amendment, such as this, entirely unrelated and irrelevant and remote from the subject matter under consideration.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Virginia in opposition to the point of order.

Mr. SMITH of Virginia. Mr. Chairman, the Chair, and everyone else, of course, recognize that this is an unusual situation, because we are considering what is known as a war-powers bill, a bill which has 16 separate titles, no two of which are germane to each other.

The argument in the matter has gone to a great deal of length to show that the different titles already in the bill would have gone to sundry committees. Of course, they probably would, but we are dealing with an extraordinary situation by reason of the fact that we are seeking to enact emergency legislation, as expressed in the title, to further expedite the prosecution of the war.

I respectfully submit, Mr. Chairman, that the argument that has been made here by the gentleman in support of this point of order can be made with equal force and with equal authority against every single title in the pending bill, because there is not one of them that is germane to any other part of the bill, and when he argues a point of order against my amendment, he argues against every title of his own bill.

However, that is not the question that is involved here, Mr. Chairman. The question that is involved here is, What is the fundamental purpose of the legislation under consideration? The fundamental purpose of the legislation is to facilitate the war effort.

Let us take the history of this particular amendment and see what has happened to it. In the first place, the Committee on the Judiciary held hearings on this very proposition. I appeared before the committee. Nobody then seemed to conceive the idea that it was not a proper feature to go into this war-powers bill.

I then introduced an amendment to the first war-powers bill, which is the same amendment that is being offered here today as a new title to this bill, and it is so entitled "A bill to amend the First War Powers Act."

Now, certainly, if it is relevant and germane to the first War Powers Act it is germane to the second War Powers Act, and when I introduced that bill to amend the first War Powers Act it was referred to the Judiciary Committee and no one indicated then that the Judiciary Committee would not have jurisdiction or that it would not be in all respects germane.

I think I should correct a misstatement, doubtless inadvertently made, by the gentleman from Massachusetts, to the effect that this amendment repeals certain laws. If the gentleman would take the trouble to read the first few sections of the bill he will see it does not repeal anything. There is a difference between repeal and suspension and, as a

matter of fact, this is an emergency matter. The only reason we are here today with all these 15 titles is the emergency we are in. Let us see what is the emergency with respect to this particular matter.

With respect to this particular item we are in a situation where Congress has heretofore on two occasions suspended most of the provisions contained in this amendment. Why? You suspended them because it was necessary in order to carry on our war efforts, but under the terms of that suspension, such suspensions will expire on the 30th day of June of this year and unless Congress acts, and acts in an emergency manner, we are going to be back in the very place where we were before Congress acted on suspending them temporarily.

I would now like to call the attention of the Chair to certain extracts from Hinds' Precedents. Of course, I believe the Chair will probably agree with me that there is very little precedent on this direct point. I think it is fair to say this is a novel point, where a point of order is raised to the germaneness of a new title to a bill that has 16 titles, none of which is related to the other. So you cannot depend upon the ordinary rules and precedents of the House, because there has never been any precedent for any such situation as now exists, but there are rulings on related questions to be found and I direct the attention of the Chair to volume 8 of Cannon's Precedents, paragraph 2911, where it says:

> The rule providing that amendments must be germane has been construed as requiring that the fundamental purpose of an amendment be germane to the fundamental purpose of the bill to which it is offered.

This was a ruling by Chairman Kitchen and all that seems to be necessary in a situation of this kind is that the fundamental purpose of the bill, which is, namely, to expedite the war effort, shall be germane to the fundamental purpose of the bill to which it is offered. In volume 8 of Cannon's Precedents, at section 2935, we find this ruling:

> The rule of germaneness does not necessarily require that an amendment offered as a separate section be germane to the preceding section of the bill or to any other particular section of the bill, but it is sufficient that it is germane to the subject matter of the bill as a whole.

Now, Mr. Chairman, I respectfully submit that the amendment is in order and ask for a ruling by the Chair.

Mr. McLAUGHLIN. Mr. Chairman, I rise to make a statement in connection with the point of order.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on the point of order.

Mr. McLAUGHLIN. I ask for recognition for the reason that I happen to be chairman of the subcommittee which heard the witnesses on the bill before us, S. 2208, and for that reason, perhaps, can contribute something that may be beneficial to the Chair in making a determination of the issue before him.

The bill before us was introduced by the chairman of the Judiciary Committee, the gentleman from Texas [Mr. SUMNERS], and referred to Subcommittee 4, of which, as I say, I happen to be chairman. The hearing record, with which, I assume, the membership is familiar, contains a statement of the genesis of the bill, contains a statement that the bill is the result of the work of a committee appointed by the President very shortly after we entered the war, and that the purpose of the bill is to modify by amendment existing laws for the purpose of bringing the law into such a state that it will serve to expedite our war efforts. Hearings were had on the bill, which contained 15 titles. Prior to the conclusion of the hearings and before the subcommittee entered upon executive consideration of the bill, following the hearings, the Department of Commerce came before our committee and suggested an additional title, representing that it was in harmony with the purpose of the President and the committee to which I have referred. This title was incorporated in the bill and now appears as title XV. The then title XV was moved to title XVI, the last formal title in the bill.

Following this, the gentleman from Virginia [Mr. SMITH] came to the judiciary room at a time when the subcommittee was in consideration of the bill in executive session for the purpose of reporting it out after the hearings. The hearings had been closed. The gentleman from Virginia [Mr. SMITH] came before the committee and asked if he could make a statement, and he was permitted to do so. He stated he desired to present an amendment, which, I presume, would be somewhat in line with the amendment he here presents, although the amendment was not presented. So this matter came before the subcommittee in the informal way which I have described.

Mr. Chairman, it occurs to me that this bill is a bill with a single common purpose running firmly through it, and that is to expedite the war effort. I think the title so indicates. The amendment proposed by the gentleman from Virginia [Mr. SMITH] is an amendment which would modify 17 different laws which are now on the statute books. The question of whether or not this amendment is germane to the bill itself is, of course, as has been pointed out, one upon which there is no precedent for the reason that the bill is an omnibus bill, and I presume one the character of which has never been known before. However, in applying the test of germaneness, it occurs to me that the question before the Chair would be whether this amendment is in strict line with the purposes of the bill as manifest within the four corners of the bill.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from Illinois.

Mr. McKEOUGH. Are we to assume, in the light of the amendment that is now being subjected to consideration, not being incorporated in the bill, that the gentleman's committee assumed that it was not within the four corners of the purposes of the bill that is pending before the House?

Mr. McLAUGHLIN. I may say to the gentleman that we were endeavoring to cooperate with those who are charged primarily with the prosecution of the war. The President and his committee organized for the purpose of suggesting amendments to laws which amendments would have the effect of expediting prosecuting the war submitted to our distinguished chairman a bill which was represented to us to be a bill to accomplish that purpose. We did not go outside the scope of that bill to entertain an additional bill except as to one title, to which I referred, title XV, as it now appears, which had the approval of the President's committee, and in that way was incorporated in effect as a part of the original bill. For that reason we did not entertain Mr. SMITH's proposed amendment, an amendment I may say that the gentleman from Virginia [Mr. SMITH] did not present and did not attempt to introduce before the committee.

Mr. MARTIN J. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. MARTIN J. KENNEDY. Do I understand that no request came to the gentleman or to the gentleman's committee from the President or from the President's committee for the proposals that are included in the Smith amendment?

Mr. McLAUGHLIN. That is correct. Mr. Chairman, I submit that statement for the purpose of endeavoring to add something to the record upon which the Chair may be able to reach a conclusion.

The CHAIRMAN. The Chair is prepared to rule. Of course, it is not within the province of the Chair to pass upon the question of the merits of the pending amendment. It is the province and the duty of the Chair to pass upon the question of the point of order made. The gentleman from Virginia [Mr. SMITH] offers an amendment to the pending bill, which has been reported. The gentleman from New York [Mr. CELLER] makes the point of order against that amendment upon the ground that it is not germane to the pending bill. The Chair has been pleased to hear the arguments for and against the point of order. The Chair invites attention to the fact that the purpose of the pending bill is to further expedite the prosecution of the war. The bill embraces 16 different titles, all upon different subjects, neither of the 16 titles related to another. The very able argument offered by the distinguished gentleman from New York [Mr. CELLER] in support of his point of order rather emphasized the fact that the various titles included in the bill are not related one to another. As pointed out by him, if introduced as separate bills, these different titles would have gone to a number of different standing committees of the House. The amendment offered by the gentleman from Virginia has for its purpose to expedite the prosecution of the war effort. This amendment is embraced in a bill, H. R. 6616, which was referred to the Committee on the Judiciary. The Committee on the Judiciary is the committee reporting the pending bill and having charge of the bill during its consideration here. During the course of the able argument offered by the distinguished gentleman

from Nebraska [Mr. McLAUGHLIN] in support of the point of order, the Chair understood a statement to be made that had the pending amendment been included among the recommendations made by the President's committee on this subject, it would doubtless have been included in the pending bill.

Mr. McLAUGHLIN rose.

The CHAIRMAN. For what purpose does the gentleman from Nebraska rise?

Mr. McLAUGHLIN. Mr. Chairman, I rise to state that I could not speculate on whether this amendment, if proposed to the chairman of the Committee on the Judiciary by the President's committee, would have been incorporated in the present bill. The chairman of the Committee on the Judiciary introduced the bill and of course it is within his province to introduce such bills as he sees fit to introduce.

I would not want the impression to remain that I stated that if the amendment suggested by the gentleman from Virginia [Mr. SMITH] had been presented to the Judiciary Committee or to the introducer of the bill it would necessarily have found a place in this bill. I am not in a position to make such a statement.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Nebraska, in view of the previous statement made by him and the statement now made, if the provisions of the amendment had been included in the recommendations of the President's committee, in the opinion of the gentleman from Nebraska would the question of germaneness have been raised in his committee?

Mr. McLAUGHLIN. I am not in a position to pass upon that hypothetical question, Mr. Chairman.

The CHAIRMAN. Resuming, the Chair was endeavoring to point out that there is an unusual situation presented in that the pending bill embraces 16 different titles, all titles on different and unrelated subjects. Therefore the Chair is of the opinion that the only proper and reasonable test that can be applied in a situation of this kind is the subject matter and the purpose covered by the pending bill and the pending amendment. The purpose of the pending bill is to further expedite the prosecution of the war. The purpose of the amendment offered is to expedite the prosecution of the war effort.

Therefore the Chair is of the opinion that the amendment is germane to the purposes of the bill, and the Chair therefore overrules the point of order.

Mr. MARTIN J. KENNEDY. Mr. Chairman, I respectfully appeal from the decision of the Chair, and on that point I would like to be heard.

The CHAIRMAN. Does the gentleman desire recognition on his appeal from the decision of the Chair?

Mr. MARTIN J. KENNEDY. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is entitled to be heard for 5 minutes.

Mr. MARTIN J. KENNEDY. Mr. Chairman and Members, I appreciate the serious responsibility of the Chairman of the Committee of the Whole in making a ruling upon this important point of order. At the same time, I realize the importance of his decision because it is so far-reaching and will serve as a precedent in the future. Unless we reverse the decision of the Chair, we might as well eliminate all the standing committees of the House and create one new committee, which could be called the Omnibus Bill Committee.

The Chair, during his ruling, mentioned the fact that a bill similar to the Smith amendment now before the House had been referred to the Judiciary Committee and that the Judiciary Committee had reported the pending bill. The impression seemed to prevail that there was some connection between the two bills because of the committee reference. There is no relationship existing other than the fact that the Judiciary Committee failed to act on the Smith bill, now the Smith amendment. As this matter involves 18 separate laws, it should be considered as a separate bill. It affects many vital phases of our relationship with labor that should be weighed most carefully before we make any changes in existing law.

Since 1868 the Congress and the thinking people of the United States have been deeply concerned about working conditions. To pass a law whereby you suspend all that has been accomplished in 74 years in the field of social welfare is the worst possible thing we could do, especially while we are pleading for national unity. We are talking about the supplies that are so necessary for the war program of our Government, but we must have more than talk; you must have men to do the work. You cannot expect men to work hard unless their hearts are in the job. The passing of this legislation will have the opposite effect. It is a sad blow for the working people of this country to have us decide that all favorable labor legislation must now be suspended. It is a very doubtful and unhappy procedure that makes it permissible at this point by a parliamentary device to obtain action in the House on an amendment which has never been carefully considered by a standing committee. It is absolutely wrong to permit, and I think the Chair erred in not ruling against the Smith amendment as an amendment to the pending bill.

Mr. GORE. Mr. Chairman, a point of order. The gentleman is not speaking to the question before the Committee.

The CHAIRMAN. The gentleman will proceed in order.

Mr. MARTIN J. KENNEDY. The ruling as to the germaneness of this particular title has been made upon the ground that it applies to the pending bill. I do not believe that it does apply. You may be able to regulate the issuance of bonds by law; you can fix the metal content of the 5-cent piece by law, but you cannot legislate ability, mechanical skill, and energy into a workingman. This type of legislation will not only fail to inspire men but I fear for the opposite result.

I am sorry that the Chair has ruled the Smith amendment to be germane to the war-powers bill. I do not think it is germane under rulings heretofore made in this House, and for that reason I respectfully disagree with the ruling of the Chair overruling the point of order against the Smith amendment. I think my appeal against the ruling of the Chair is well-founded and I trust the Committee will sustain my appeal.

The CHAIRMAN (Mr. COOPER). The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and on a division (demanded by Mr. O'BRIEN of Michigan) there were—ayes 218, noes 14.

So the decision of the Chair stood as the judgment of the Committee.

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] is recognized for 5 minutes in support of his amendment.

Mr. SMITH of Virginia. Mr. Chairman, I spoke to this amendment on yesterday in general debate. I do not know that there is a great deal more I can say except to repeat to you, for the benefit of those who may not have been present and who have not read the RECORD, just exactly what it does, and no more.

A lot of wild statements have been made about what this amendment proposes to do. If you will get a copy of the bill H. R. 6616 you can see for yourself exactly what it does and what it does not do. Here is what it does: The amendment suspends all of the limitations on hours and the requirement for the payment of overtime for hours used in excess of 40 per week or 8 per day. That is all it does, and it is limited to the duration of the emergency declared by the President. At the end of that time it comes back to what the present law is.

I am frank to say I am puzzled; I cannot understand why it is that Members on this floor who I know are just as loyal to this Government as I ever hope to be, who I know to be just as anxious for the perpetuation of this Government as I ever hope to be, and who I know are just as anxious as I am to prosecute this war successfully—I cannot understand why they persist in resisting a suspension of those things which are daily, and hourly, and weekly, and monthly handicapping the efforts of this Government to save itself in the hour of emergency.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at this moment. I am glad that I do not have the poor opinion of the workingmen of this Nation that seems to fill the breasts of some of those who take the floor in opposition to measures such as this. I am glad I do not believe as the gentleman from New York—who spoke on his appeal a few moments ago said he believed—that national unity has to be purchased at the price of 8 hours a day and time and a half for overtime to the laboring men of this Nation.

Mr. Chairman, we have already suspended by act of Congress within the past year certain of these provisions insofar as they relate to the Navy, the Coast Guard, and the Maritime Commission. I suppose the Army is now operating in violation of the law; but those suspensions last only until June of this year and unless you adopt this amendment or some other amendment

that will continue the suspension of the 8-hour law, then on the 30th of June of this year you are going to be right back where you were before that legislation was enacted. I do not believe this Congress wants to find itself in that position. I think we have been handicapped enough—God knows—by strikes and stoppages of work for silly reasons, not by the men themselves, but because they were ordered out by some arbitrary labor leader who has the power to say to them that they may work or that they shall not work, just as he dictates to them.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. WHITTINGTON. Is it not true that if this amendment is adopted it will merely prevent the continued operation of statutes that require the payment of time-and-a-half overtime for extra hours and for work on holidays and Sundays?

Mr. SMITH of Virginia. Yes.

Mr. WHITTINGTON. And will not prevent the employer and the employee from agreeing upon any terms they may desire with respect to their demands.

Mr. SMITH of Virginia. It leaves it exactly up to the employee and the employer to determine for themselves by collective bargaining what the wages and hours will be, something many of our friends who claim to be the champions of labor have been contending for for many years. Now, if they will just leave it to collective bargaining—that is the instrument Congress has given them—then the matter of wages and hours will be settled.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. MONRONEY. I would like to ask the distinguished gentleman from Virginia whether his amendment applies to nondefense industries as well as to defense industries; if candy-factory hours can be lengthened under the amendment and if hours in other kindred industries could be extended?

Mr. SMITH of Virginia. Yes; it suspends the law as to all industry.

Mr. MONRONEY. As to everything?

Mr. SMITH of Virginia. Yes.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Virginia. Not only do these laws limit time but in many instances they absolutely prohibit work in excess of 8 hours a day or work in excess of 40 hours a week. They actually make it unlawful for a man working on a tank or on a ship or on a gun to work longer for his country than 40 hours a week and assess a penalty if he does so. Furthermore, the Reconstruction Finance Corporation Act contains a limitation of 30 hours a week. That was done for a reason: because we were trying to spread work; we had more workers than we had work; now we have more work than we have workers, and the conditions are just the reverse. There is a provision in the R. F. C. Act which says that all loans made under that act should, as far as practical, be confined to 30 hours a week.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HANCOCK. The gentleman no doubt recalls that a few weeks ago the House passed by suspension a bill introduced by the gentleman from Virginia designed to prevent work stoppages. The Senate refused to act on that bill. Has the gentleman any hope that the Senate will accept this amendment?

Mr. SMITH of Virginia. I can only speak in the language of the poet, "Hope springs eternal in the human breast."

Mr. Chairman, pursuant to permission obtained in the House this morning, I attach to my remarks letters on this subject addressed to me by the National Grange and the American Farm Bureau Federation:

THE NATIONAL GRANGE,
Washington, D. C., February 25, 1942.

Hon. HOWARD W. SMITH,
House Office Building,
Washington, D. C.

DEAR MR. SMITH: The National Grange is in favor of the enactment of your bill, H. R. 6616, suspending the 40-hour week, together with that provision of the Fair Labor Standards Act which provides that workers shall be paid on the basis of time and a half for overtime.

When this legislation was enacted there were millions of unemployed men in the country, and the chief argument used in support of it was that it would spread employment opportunities.

Today we are confronted with a totally different situation, with labor shortages developing in many quarters.

It is universally recognized that our best chance of defeating the aggressor nations lies in utilizing and developing our productive capacity to the utmost. For anyone to contend that the workers of the United States cannot put in more than 40 hours a week without ill effects amounts to the same thing as saying that we do not have what it takes to win the war.

At the time of its enactment, the time-and-a-half rule for overtime was frankly intended to make it so expensive for an industry to operate more than 40 hours a week that it would not be attempted except for short periods and under the most compelling circumstances. Under the changed conditions existing today this rule, which retards our war effort and hamstrings us in other ways, should be suspended for the duration of the war, as provided in your bill. It is, of course, understood that every worker should be paid at regular rates for every hour of service rendered.

The 40-hour week in industry, with time and a half for overtime, is a leading factor in bringing about a farm-labor shortage, which is already assuming critical proportions in various sections of the country. The welfare of the Nation as a whole demands that this question be dealt with realistically, sensibly, and without further delay.

Sincerely yours,
THE NATIONAL GRANGE,
FRED BRENCKMAN,
Washington Representative.

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., February 25, 1942.

Hon. HOWARD W. SMITH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN SMITH: We wish to strongly endorse your amendment to the second war powers bill to suspend for the period of the war emergency the provisions of existing laws which prescribe the 8-hour day or the 40-hour week and which require an increased rate of compensation for overtime, Sunday, and holiday work.

The conditions which led to the enactment of such legislation are no longer important. Instead of the need to spread the available work, we are confronted now with the grave problem of working fast enough to produce the planes, guns, tanks, and ships needed to win the war. Our objective now must be maximum production per worker and per plant.

We are fighting for our lives and our very existence as a nation of free men. Millions of our boys are responding patriotically to serve their country for $30 per month. They are risking their lives at all hours of the day and night, including Sundays and holidays, without thought of asking for an 8-hour day or 40-hour week or extra pay for overtime.

Farmers and the great masses of the working people of this country are patriotic and want to do their part and do not desire a price be put on their patriotism. Millions of farmers have already pledged themselves to cooperate with the Government in an all-out effort to produce adequate food and fiber needed for ourselves and our Allies. They are not going to stop work at 8 hours. They will work 10 hours or 12 hours or whatever is necessary to do their part to win the war. The workers who produce the war materials for our fighting forces are now being paid the highest wage rates in history. We believe the great mass of working people would be glad to work whatever hours are necessary without extra rates of compensation as their contribution to produce the necessary materials to win the war.

At a time like this, when we have already appropriated or obligated $150,000,000,000 for war expenditures, it is unwarranted and indefensible to continue restrictions which saddle unnecessary burdens on the Government to be paid for by all the people.

We therefore strongly urge that Congress adopt your amendment to suspend legislation relative to maximum hours and increased rates of pay for overtime for the duration of the war.

Respectfully yours,
EDWARD A. O'NEAL, *President.*

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia [Mr. SMITH], and I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Chairman, I am very sorry that the gentleman from Virginia [Mr. SMITH] has undertaken to amend this very important war measure which is so essential to the successful prosecution of the war by offering the very controversial amendment which he has offered. When we were considering an appropriation bill only a few days ago the gentleman offered an amendment, which if adopted, would have for all practical purposes prevented the speedy operation of that great appropriation bill so necessary for our defense. Today we find the gentleman again offering an amendment.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I think the gentleman is rather unfair in his statement.

Mr. McCORMACK. The gentleman from Massachusetts is not unfair in his statement. If the gentleman is going to get into characterizations, that is an entirely different proposition.

Mr. SMITH of Virginia. Well, I do not propose to make a personal attack on the majority leader, but neither do I intend to sit here and let him make a personal attack on me.

Mr. McCORMACK. It is an expression of opinion as to what would have resulted from the amendment which was offered by the gentleman a few days ago.

We are in a war and we do not want to lose our heads. The effect of this amendment is to suspend the efforts of 50 years of legislation which goes back as far as 1892, legislation that both sides of the aisle have fought for, legislation that was passed when the Republican Party was in control of the Congress, the Bacon-Davis Act, for example. This amendment affects the Bacon-Davis Act. It suspends the operation of 17 different laws, the first of which was enacted as far back as 1892, without calm consideration by a committee, without viewing the matter rationally. Of course, I would not say for an instant that the gentleman from Virginia, for whom I have great respect, had any intention of introducing an antilabor amendment, but certainly the effect in the minds of labor all over the country is the same as if the intent existed.

It seems to me that calm judgment should dictate to us that this matter might well be left with the President of the United States, who is charged with the successful conduct of the war. Certainly no man has had more vision during the past 5 years as to the danger confronting this country than has Franklin D. Roosevelt.

The gentleman from Virginia has this year and last year offered his amendment. If this amendment is adopted the condition that exists would only become greater and more aggravated. Certainly if any conditions exist which require some kind of treatment and cure, we do not want to undertake by legislation a method which will only aggravate the situation.

Mr. STARNES of Alabama. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Alabama.

Mr. STARNES of Alabama. The distinguished majority leader does not take the position, does he, that the Congress of the United States by the passage of one certain law relating to one segment of our social order should never be changed, should never be repealed, should never be altered under any or all circumstances, even though our Nation were in travail and war at this hour?

Mr. McCORMACK. Of course, the gentleman understands I would not take that position. The fact is, however, that is not the situation now, as I see it.

This is an amendment which would go back to 1892 and affects 17 acts passed since that time or at different times since 1892. These acts the amendment would suspend for the duration of the war—the operation of that progressive legislation insofar as the workingmen of the country are concerned.

I hope that no one in a few days will undertake to attack the agricultural leaders for their position in putting through a bill that responsible men have said will cost the consumers $1,000,000,000. I am not attacking those leaders, and I will not. I will defend them in their right, although I disagree with them. If anyone undertakes to attack them in the near future for their leadership, I shall defend them. We have too much idle talk these days about the leadership in labor. But what about the leadership in industry? What about the leadership in agriculture? There are other things involved beside the leadership of labor. There are some that should be criticized, but not all. The great majority are acting constructively and patriotically in this crisis.

In an attempt to cure a disturbing situation, which disturbs me also, but which has been gradually cured through voluntary action since December 7, this amendment is offered, the result of which will only aggravate and bring about sullen resistance, because the effect of this amendment will be construed by organized labor as an attack against labor.

In war there are three important elements necessary for the successful outcome of that war. First, production. You have to have tanks, airplanes, guns, ammunition, food, and clothing, and we look to the men and women of the factories to furnish those things. What do you think their opinion will be if an amendment of this kind is adopted, which will be construed as a reflection upon their patriotism?

Certainly 99 percent of labor, both organized and unorganized, are doing the things that they ought to do in this crisis. Why, before the President of the United States recognizes the danger, before he as our leader has recognized it, should we undertake to punish the 99 percent for what 1 percent or less might be doing? In a democracy that is unwise; it is procedure which is inconsistent with the application of common sense and is dangerous in the situation that confronts our country today.

In an attempt to cure the situation, the gentleman from Virginia, in good faith—I do not attack or impugn his motives—offers an amendment, the result of which will be to aggravate a situation and to place labor in the position of being unpatriotic. I do not think any Member of Congress ought to take that risk.

[Here the gavel fell.]

Mr. COX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret that my friend, our majority leader, has manifested impatience with the effort of the gentleman from Virginia to give voice to public opinion. It just is not good sportsmanship, and I wonder if it is good leadership. I have hoped that at some time the gentleman from Massachusetts, our majority leader, would come to a realization of the fact that he is supposed to speak for the majority of this House rather than for somebody else.

He denounces the Smith bill as antilabor legislation. On every occasion when a proposal is offered to do something which the racketeers in labor might oppose, the gentleman from Massachusetts rushes to the Well for the purpose of defending these people who are responsible for the bad conditions that prevail in this country.

The gentleman from Virginia is not trying to punish labor. He is trying to do something which must be done if we are to successfully prosecute the war in which we are engaged.

We may just as well be honest about this thing. We are already living under a labor government, rapidly headed into a labor dictatorship which, if not checked, will soon run into labor despotism.

Mr. McKEOUGH. Mr. Chairman, I demand that the words be taken down.

Mr. COX. Let us be real, let us be men, let us be Americans rather than the representatives of some organized group.

The CHAIRMAN. The gentleman from Georgia will suspend.

Mr. McKEOUGH. Mr. Chairman, I make the point of order that the gentleman from Georgia has described this Government as a labor government, fast becoming a labor dictatorship, and I demand that his words be taken down.

Mr. COX. And which, if not stopped, will run into a labor despotism.

Mr. McKEOUGH. I demand that his words be taken down, Mr. Chairman.

The CHAIRMAN. The gentleman from Georgia will be seated.

The Clerk will report the words objected to.

The Clerk read as follows:

Mr. Cox. We are already living under a labor government, rapidly headed into a labor dictatorship which, if not checked, will soon run into labor despotism.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (S. 2208) to further expedite the prosecution of the war, certain words used in debate were objected to and on request were taken down and read at the Clerk's desk, and that he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words taken down.

The Clerk read as follows:

Mr. Cox. We are already living under a labor government, rapidly headed into a labor dictatorship which, if not checked, will soon run into labor despotism.

The SPEAKER. Whatever might be the opinion of anybody who occupies this place, the present occupant would think that it would be going very far, even though words were harsh, if Members were precluded from expressing an opinion with respect to a Government tendency. The Chair sees only in these words the expression of an opinion by the gentleman from Georgia and therefore feels constrained to hold that they are not unparliamentary.

The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further

consideration of the bill S. 2208, with Mr. COOPER in the chair.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. COX. Mr. Chairman, we are at war, and as I said a few days ago, it is everybody's fight. It is not a matter of saving England any longer, it is not a matter of reforming the rest of the world, but it is a matter of saving our own beautiful America. You and I are soldiers just as much and to a large extent in the same sense as the boys who have been gathered up throughout this country and sent to do the fighting, and we ought to behave like people who do have a sense of responsibility and we ought to give them support. It is a shame and a disgrace that something has not already been done to stop and bring to an end the bad behavior in labor which has slowed down the war efforts. It constitutes an ugly indictment of the Congress and of the Government. We ought to do our best to make amends. As I say, we ought to come here and stand up on our own feet and do our own thinking and behave like people who love their country and who are determined to do their part in saving it. That is just what I have to say with regard to the attack, slight as it may have been, that the gentleman from Massachusetts has found it in his heart to make against as sweet and as gentle and as patriotic a man as ever lived, the gentleman from Virginia, my friend, HOWARD SMITH.

[Here the gavel fell.]

Mr. CELLER rose.

The CHAIRMAN. Is the gentleman from New York [Mr. CELLER] seeking recognition?

Mr. CELLER. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. CELLER. Mr. Chairman, it was the famous philosopher, Voltaire, who many years ago said, "I disapprove of what you say, but I will defend to the death your right to say it." We should allow anyone here to express his opinions, however we may hate them. We may not agree with them, but we should allow them to be said. That is the essence of our democracy. We must be tolerant of the opinions we loathe.

Now, I venture the assertion with reference to this so-called Smith amendment, although I have no pipe line of communication to the White House, nevertheless, I caution you in this fashion. If this amendment is adopted this entire bill will be vetoed. Our great President's entire record of achievement here and abroad precludes his acceptance of this amendment. His proclaimed aims and aspirations forbid. His lofty purposes would preclude acceptance. He would have no choice but to veto.

We should do all in our power to get a record vote on this bill so that those of you who vote for the Smith amendment may be, indeed, on a hot spot when they face their constituents; you who have any preponderating numbers of laboring men in your districts beware. I do not like to say this, but it is true. I need not remind you that our votes are always scrutinized, but in this instance our votes will be watched more closely than ever.

I am willing to trust the President's committee that fashioned and proposed this bill originally, composed of representatives of the Department of Justice, the Office for Emergency Management, and the Bureau of the Budget.

This committee considered the Smith amendment and deemed it advisable, under all considerations and particularly because of the emergency confronting us, not to include the provisions thereof in this omnibus bill. They knew whereof they spoke. They had canvassed the situation. They knew all details of our great war effort. They deemed it more advisable to omit the Smith antilabor provisions.

The Smith amendment would wash away at one fell swoop all the fruits of years of labor to the laboring man. It is most ill-advised to do this and I hope you will not do it.

There have been charges made against labor. Of course, labor is not perfect. There have been stoppages of work and strikes and difficulties in various parts of the country, but the rank and file of the laboring men are patriotic and want to do their duty and are doing their duty. Most defense plants work far more than 40 hours per week; for example, most work 60 and 65 hours per week.

Do not bring an indictment against labor as a whole because of the derelicticns of a few renegades in labor's ranks.

Protect labor and it will protect you. These bills that are sought to be wiped away—suspension means wiped away and wiped out—have only been secured for labor's benefit after years of "blood and sweat and tears." Labor, the men who have tunneled the mountains, built the bridges, laid down the railroad ties, dug the subways, welded the steel girders of great buildings—the "hewers of stone, the drawers of water"—the great army fabricating our ships, planes, and tanks—shall they be insulted by this amendment? Insult them you will. Belittle them you will with this provision. This is hardly a reward for their sacrifices, their struggles to build America and to make of it a great industrial Nation.

Pass this amendment and you will not aid the war effort. You will create disturbance, disorder, discord, dissatisfaction. You surely will not create amity, accord, and unity. You browbeat the men who work with the sweat of their brow.

What are these 17 acts that you are going to obliterate so suddenly, without notice, without a hearing—by a sort of drumhead court martial? Does anyone in this room, with the exception, very likely, of the gentleman from Virginia [Mr. SMITH] know what these 17 acts are? Have you read them? I defy any man or woman within the hearing of my voice to tell me what is contained in these 17 bills that you are going to repeal. Just cast your eye over these bills. The mere titles of them indicate to you their high importance. They are specific statutes, emanating from a dozen different departments, covering specific subjects. They cover almost the entire geography of the world—the entire United States, parts of Europe, the Philippines, and the Caribbean insular possessions, places over which the Maritime Commission has jurisdiction; they cover the War Department and the Navy Department and the Reconstruction Finance Corporation, and so forth. You have had no time to digest properly the provisions of these statutes thus to be destroyed. Don't you think that the amendment should come up under a separate bill to be voted up or down, as your conscience dictates, and not in this offhand manner. The amendment impugns the patriotism and loyalty of labor. Why take this potshot at labor? We did not do this against the empolyers or against the men of agriculture. No, but some seek to have us do it against labor. I am not going to do it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WHITTINGTON. Mr. Chairman, defense is lagging, tanks are not being produced, planes are not coming off of the assembly line. MacArthur is begging for just a few bombers. We can lose this war. Last week, Donald Nelson said that he would like to have all defense plants work on Washington's Birthday. He did not have the legal power to enforce that request, and he could not make it a command. There were statutes in the way. We do not want any 8-hour-a-day soldiers, and we do not need any 8-hour workers to provide for any 8-hour soldiers. We do not want any sunshine soldiers, and we do not want any fair-weather workers. There is nothing new about this proposed amendment. It has been said that it provides for the suspension of 17 statutes. Suppose it does? Most of them are statutes that relate to national-defense production. One of them applies to Federal employees. Why should it not apply, if they are to apply, in the factory? What about the workers who are not engaged in defense plants? The patriotic worker would be willing to work longer than 8 hours a day or 40 hours a week if he could thereby release more workers for our defense plants. Let us give the workers a chance. The gentleman from Massachusetts [Mr. MCCORMACK], the distinguished majority leader, said that labor had been voluntarily cooperative. The purpose of this amendment is to enable labor voluntarily to cooperate. This amendment merely repeals the statutes that restrict hours to 8 a day and work to 40 hours a week. It does not prevent the bargaining over time and a half for overtime. It contemplates collective bargaining. It is fair to the employer and the employee.

Is there anything new about the amendment? This is a bill to provide for expediting the prosecution of the war. One of the first of the 1940 war bills provided that the President be authorized to suspend in the Navy Department and the War Department the 8-hour-a-day provision. Is this the proper place for legislation to provide for additional hours to expedite the program? Shortly after the fall of France one of the first war-power bills passed, one of the first

things we did in our effort to provide for national defense, was to give the President power to suspend the 8-hour day in the War and Navy Departments by the act of June 28, 1940 (Public, No. 671, 76th Cong.).

Again, Mr. Chairman, it is said by my good friend, the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK], that this amendment will, during the duration of the emergency, suspend labor laws passed in 1892. One of the first laws suspended in the pending bill is not a law passed in 1892, but it is law that has come down to us from the days of Runnymede. Under that statute my home, my castle, your home, your land, can be taken immediately without concluding condemnation proceedings. I respectfully submit that if it is necessary to change a statutory provision that has come down to us, not from 1892 but from the days of Washington, from the days of Runnymede, in order to prepare for the defense of our country to prosecute the war, we can efford, during the emergency, to suspend the statutes that will provide for our laborers to arm and clothe our boys who are in the camps, on the seven seas, on the battlefields, and in the air fighting for liberty and freedom. If men are to die for their country, they must work for their country. It is time for action and for work and sacrifice. The fate of the Republic is at stake.

In extending, I emphasize, as stated, that one of the first general war-power bills passed after the fall of France was the act of June 28, 1940. It authorized the President to suspend the provisions of the law prohibiting more than 8 hours labor in 1 day of persons engaged in work covered by the Army, Navy, and Coast Guard contracts. This suspension terminates on June 30, 1942, unless Congress otherwise provides.

The act of March 2, 1941, provides for the suspension of the 8-hour day and the 40-hour week by the Maritime Commission until June 30, 1942.

We need munitions and we need ships. If the hours and weeks of labor were properly suspended in these two acts until June 30, they should be suspended as provided by the pending amendment.

The pending amendment was introduced as a bill, H. R. 6616. It was referred to the Committee on the Judiciary. The amendment and the bill provide that during the national emergency, declared to exist by the President on May 17, 1941, the provisions of all laws prohibiting more than 8 hours labor in one day, the provisions of all laws prohibiting more than 40 hours of work per week, the provisions of all laws requiring pay for excess hours at not less than one and a half times, and for pay at not less than one and a half times for Sundays or holidays shall be suspended. Under the terms of the bill the amendment would remain in force only until December 31, 1944, or until such earlier time as the Congress by concurrent resolution or the President may designate.

Men are being drafted to die for their country. The property of citizens is being taken for the defense of the country and for the prosecution of the war. Taxes have been levied and many citizens are paying taxes that are burdensome. These taxes will be increased. In the high brackets 85 and 90 percent of every dollar of income is being paid as taxes. In the high brackets three-fourths of all the estate left is being taken by the Government. All are sacrificing. The gallant MacArthur and his brave men are fighting not 8 hours but 24 hours a day. The purpose of the bill is to increase production.

We might as well admit that blunders were made and that there was an unjustified lag in the defense program in 1941. Many of the advisers of the administration seem to think that the appropriation of billions of dollars will win the war. Money is essential, but production and leadership are more essential.

We cannot do business as usual and win the war. In 1941 the automobile industry did business as usual; in fact, they did more business than usual. They brought out new models and they increased production by one-third. Their plants were not converted. The Government invested billions of dollars to build new plants. These plants will have to be tooled. Automobile plants are now being converted. There is a lack of skilled workers. It has been proposed that the skilled workers in the automobile area be paid to do nothing for 6 months while the automobile plants are being tooled for defense production. Meantime there is a lack of skilled workers in the plants that the Government has constructed. The wise thing to do is to transport the skilled workers to the plants where they are needed. If the Government can transport soldiers from camp to battlefield, from one country to another, the Government can transport workers from one area to another. Men leave their homes to die; they can leave their homes to work.

America should awake. We have gone from one defeat to another. I am being realistic. I believe that America will win the war, but we know that America can lose the war. It is going to take more hours and it is going to take more workers to produce airplanes, tanks, and guns. We must about face. I want to be constructive in my criticism. I know it is easy to find fault. I want to remove the faults. I want to eliminate the bottlenecks. The labor problem is one of the bottlenecks. It was wisely said a long time ago when a wise man has a stomach ache he tries to get rid of the ache and not the stomach.

There is a lag and there is delay. Strikes and labor difficulties are largely responsible. William Leiserson, of the National Labor Relations Board, said recently, and I quote:

> Some agreement will have to be made on what the attitude of the Government shall be on the closed shop, or else Congress will have to fix the policy.

The House has acted. We passed the so-called Smith bill in December. It is in the Senate. If the Commander in Chief would say the word, I believe the Senate would report and pass the bill. If it is imperfect, it should be perfected. It is time for the President to take a definite stand; it is time for Congress to take a definite stand.

The pending bill has 16 titles. They are giving to the Government emergency powers; they involve the surrender of rights and privileges that citizens have enjoyed, in many cases, from the foundation of the Government.

There is nothing so essential to war production as labor. No rights are being surrendered; no laws are being repealed. The laws are merely suspended during the greatest emergency that ever confronted our country.

I have already noted some of the objections to the pending amendment. It is said that labor is cooperating voluntarily. The 8-hour day and the 40-hour week were laws passed by Congress. If Congress can pass laws for the benefit of labor, Congress can pass laws to govern and control labor. Laws that are applicable in peacetimes are not applicable in war; hence the pending bill provides for the surrender of many rights and privileges of citizens.

I shall not argue that much time has been lost by strikes. We speak of the morale of the Army. There must be the morale of the country. The citizen is losing morale when he feels that there are unjustified strikes in defense plants and in defense industries. The citizen loses morale when Donald Nelson, charged with production, calls upon the navy yards and defense plants to work on Washington's Birthday and calls in vain. There is a statute that requires the payment of overtime and a half for working on holidays and at nights. Donald Nelson is thus impeded in doing the job. Donald Nelson knows that every hour counts, every week counts. It means fewer lives lost. The purpose of the bill is to enable work to be done on holidays. It does not prevent the payment of time and a half for overtime. One statute requires 30 hours, another statute may require other hours. There are many statutes. All provisions are suspended in the pending bill in the interest of national defense.

It is said that the pending bill not only provides for suspension in defense plants but for suspension in private industry. What of it? Why should not Federal employees be required to work Saturday afternoons during the emergency? Why should laborers on the farm and in the factory not have the privilege of working longer than 8 hours a day and 40 hours a week? They could produce more food and more clothing; they could feed and clothe the soldiers better; they could do work that would provide for the release of other workers needed in national-defense industries. Why make flesh of one and fowl of the other? Workers in nondefense plants are just as patriotic as workers in defense plants. I glanced through the 17 acts. Three-fourths of them relate to national defense. We fought every war in which we have been engaged without a wages and hours act. If the pending amendment should be

perfected to eliminate any nondefense work, an amendment would be in order to that effect. The amendment should not be defeated.

It is said that labor is patriotic. My sympathies are with labor; it is said that the labor organizations are buying millions of dollars in defense bonds; they are to be commended. Many war profiteers justify their corrupt practice by saying they are investing their profits in war bonds. The widow is investing her savings in war bonds. The rich and the poor are asked to make their investments. Workers want to work longer so that individually they can invest in war savings bonds. The pending bill will enable workers to work more hours and to make more money to buy more bonds. It will free them from the domination of selfish and ambitious labor leaders who are apparently more interested in their place and their power than they are in the defense of their country.

It is time for Congress to act. The House has acted; it is time for the Senate to act again. Labor is essential to the winning of the war; it must not be shackled. The pending bill will free labor. We must work or we will be enslaved. For my part I would rather die on my feet than cringe on my knees. America should awake. We must conquer; we must unite. All must do their part.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. McKEOUGH. Mr. Chairman, I rise in opposition to the amendment.

I ask unanimous consent, Mr. Chairman, to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McKEOUGH. Mr. Chairman, I would like, with your indulgence, to call attention to the fact that when this amendment was being considered as to its germaneness, the Chair ruled, and, I submit, properly, that it was germane on the basis that it was introduced in keeping with the title of the bill that is now being considered. The title of that bill is "To further expedite prosecution of the war." The amendment that is now being considered is contained in the bill H. R. 6616, a bill to amend an act entitled "An act to expedite prosecution of the war effort," approved December 18, 1941.

Before I proceed to discuss my objection to this particular amendment, I would like, in passing, although I do not think he needs any defense, to call attention to the fact that the distinguished majority leader of my party does not rush to the well of the House to defend labor racketeers whenever any labor legislation is before the House, as recently charged. I do not believe the distinguished majority leader of my party needs any defense as to his conduct as a Member of this body. I think he was well within his province and right as a Member of the House to express his views on the legislation that is now before us.

I have profound respect for his judgment and equally high regard for his qualities as a leader.

Now, if this is a bill to expedite the war, let us be a little realistic. If this amendment is adopted all legislation with relation to control of wages and hours, Sunday and night work provided in the statutes referred to, some 17 of them, are immediately canceled. Offhand, I do not know how many millions of workers in America are subject to the benefits of the legislation that is affected. I trust you will not feel I am trespassing too much on your indulgence when I repeat what I have frequently said. I do not believe there is a member of this body who is any better American than 99.99 percent of those who toil in this country. Who are those who will defend our country in the air, on the sea and below it, and on the land? It is the stalwart sons and daughters of those who toil, whether they be in the factory, mill, or mine, or on the farms. Who will defend and are now defending our country? They are all toilers. They are all Americans. They are all patriots. While I in no way impugn the motives of the gentleman from Virginia [Mr. SMITH], I do, however, feel that it might be worthy of some attention in passing to recall that I am sure he yields to none in this House in the perseverance and persistence with which he attempts to make more difficult the benefits that this Congress and previous Congresses have enacted into law for the benefit of those who work for a living.

I want to pay him the high compliment of being No. 1 in the direction of making sure that those who toil are not continued in the benefits that the Government of my country and his, after full and deliberate study, has enacted into law for them.

In the perserverance with which he exercises himself in that direction he apparently has overlooked another law that has a basic 8-hour day, a law passed in 1916, before this country was involved in World War No. 1. I refer to the Adamson 8-hour law that covers employees in the train and engine service of the steam railroads of this country.

I am surprised that the distinguished gentleman from Virginia [Mr. SMITH] has apparently overlooked several hundred thousand Americans who are involved in the benefits of that law. May I remind him and this House that it was enacted in 1916—not 1917 after April when we were belligerents, but before this country was involved in the war. I am reliably informed, and I think correctly so, that the basic 8-hour day was established by Executive order of the World War President at that time, Woodrow Wilson, for the factories and mills and mines of this country.

You will recall the gentleman from Nebraska [Mr. MCLAUGHLIN] stated that the gentleman from Virginia [Mr. SMITH] came to his subcommittee after the hearings were closed and asked to be heard on this amendment to the 17 laws that he now seeks to suspend. The gentleman from Nebraska stated that he was heard, but, strangely, he was unable to testify for the benefit of the Members of this House that those who might have opposed the inclusion of such amendments in this act were never notified and were, therefore, denied any hearings before Subcommittee No. 4 of the Committee on the Judiciary of this House.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. McKEOUGH. Yes; I yield.

Mr. McLAUGHLIN. In order that the record may be straight——

Mr. McKEOUGH. I want it straight.

Mr. McLAUGHLIN. I believe the record will show that I said that the gentleman from Virginia [Mr. SMITH] came before the committee and presented no amendments and the hearings had been concluded. I would not characterize the presence of the gentleman from Virginia [Mr. SMITH] before the subcommittee of the Judiciary Committee as a hearing before the subcommittee. We listened to the gentleman from Virginia [Mr. SMITH] when he said he had in mind some amendments, but he did not present the amendments, and I would not say that he had a hearing or that a hearing was accorded him or that those in opposition to such amendments as he may have had in mind were not accorded any rights which they should have been accorded.

Mr. McKEOUGH. I thank the gentleman and I hope that my original statement will in no way be interpreted as an indictment of the gentleman from Nebraska.

Mr. MARTIN J. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. McKEOUGH. Briefly.

Mr. MARTIN J. KENNEDY. If the gentleman will examine the hearings printed by the Judiciary Committee, he will find there a statement of the gentleman from Virginia [Mr. SMITH], which might give the impression that he was heard and had something to say.

Mr. McKEOUGH. I will accept the word of the gentleman from Nebraska; and now in passing let me point out something I think ought to be given some consideration.

We hear much about strikes and loss of man-hours and man-days in defense-production plants. Has anybody come to the Well and asked as to the total number of man-days that were lost as the result of the delayed conversion of the automotive industry from peacetime to war production? Have we all forgotten that the President of the United States has urged the Congress to allocate some $300,000,000 to care for the several hundred thousand people who are now out of work in Detroit and other automobile areas of this country while the automobile industry is being converted to war production? Where is the gentleman from Virginia and the great exercise of his influence in the production program for defense when attention is directed to that sort of proposal?

I submit, Mr. Chairman, that if this amendment is adopted the purpose of the bill as described in the title: An act to expedite the prosecution of the war efforts will be completely defeated. Those who labor, whether organized or otherwise, I submit are Americans. I submit, too, their sons and daughters will win this war, not I or the gentleman from Virginia. I hope this amendment will be defeated in order that our country may

be the country in the future that you and I were privileged to have lived in during our lifetime. I plead with you to defeat this amendment. Let us go forward as real Americans and whip the enemy by defeating this proposal.

[Here the gavel fell.]

Mr. HEALEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in the time I have been here I have never witnessed such procedure employed for the consideration of such sweeping and far-reaching legislation. The amendment under consideration suspends the wages-and-hours provisions of 17 different statutes for the duration of the war. Among the many statutes affected is one enacted in 1892, providing for an 8-hour day for laborers and mechanics in the Government service. It suspends the Bacon-Davis Act, which was passed under Republican aegis, a bill sponsored by Senator DAVIS in the Upper Chamber and the late Robert Bacon, who served with many of us in the House. That act has been on the books since March of 1931. It will also suspend the wages-and-hours provisions of the Walsh-Healey Act and the Wages and Hours Act, and in fact every law that has ever been enacted by Congress for the benefit of the workers of the country.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield.

Mr. MARCANTONIO. I take it, it is very significant that the very people who are seeking to suspend contemporary labor legislation, under the guise of war necessity, opposed that very labor legislation when it was enacted during peacetimes.

Mr. HEALEY. I thank the gentleman for his contribution. Now, there is a point I wish to make. There is not anything, so far as I know, in any of this legislation that prevents men from being employed for more than 40 hours. Under the provisions of the Wages and Hours Act, the Walsh-Healey Act, and the Bacon-Davis Act, and all of the principal labor acts, men may be employed for 50 or 60 hours a week, providing that time and a half is paid for all hours in excess of 40.

Mr. Chairman, let us think this thing through, let us not take hasty and ill-advised action on such an extensive and far-reaching proposition. The efforts of organized labor for 50 years to promote humane and progressive legislation is at stake here today. The forward, progressive and social advancement of half a century may be swept away after a few hours debate here this afternoon on a measure of such tremendous concern to the millions of toilers and their families. There is an orderly way to consider legislation, and that is its introduction and reference to proper committees, proceeding through the channels provided by the parliamentary system that obtains in this body. A most extraordinary method has been pursued to obtain consideration of this measure as an amendment to the pending bill. The able and distinguished occupant of the Chair had very little precedent to guide him in making the ruling that the amendment was germane. I am convinced his ruling was sound, but his decision had to rest on a pretty broad construction.

The bill is entitled, "An act to further expedite the prosecution of the war," and the Smith amendment is presumably offered for that purpose. I fear however, that if it is passed the result may be detrimental to the production effort of the workers affected.

I submit that on the record the loyalty and patriotism of the workers cannot be successfully assailed. To summarily tear down the efforts of a half a century by the enactment of such legislation is shabby treatment indeed for labor.

This bill ought to be submitted to the serious consideration and deliberation of the appropriate committees of this House rather than be subjected to the hasty and ill-considered action that this method entails. I trust the amendment will be defeated.

[Here the gavel feel.]

The CHAIRMAN. The gentleman from New York [Mr. BALDWIN] is recognized for 5 minutes.

Mr. BALDWIN. Mr. Chairman, I have spoken against this kind of amendment before, but I want to add briefly my several reasons for opposing it this afternoon. In the first place, may I preface my remarks by stating that I do not think there is anyone in this House whose motives can be questioned, and certainly it is not my intention to question the motives of any Member.

My principal reason for opposing an amendment of this kind is because I am convinced that psychologically it will not help the purpose of this bill. You cannot legislate enthusiasm, you and I cannot even legislate love of that flag if it does not stand for anything. What we want now is the cooperation of labor in its enthusiasm for the prosecution of this war, and that is what we have got to have. It is my own conviction that we are slowly and effectively getting it.

The President in his speech the other night stated that our production was on schedule; that in spite of the doubts of our enemies, we would have the planes, the tanks, the guns, the ships, and the ammunition that he announced we would have. I am prepared to take his word for that.

It must not be forgotten that this legislation does not stop strikes. We gave the President the power to stop strikes, and he has used it on several occasions. It is not a question of strikes or antistrikes here. We must remember also that we can give the President power to suspend such legislation as may be necessary when and if he deems it necessary and if we have not already given it to him.

It stands to reason that if we pass this legislation today the great mass of the working people are going to assume that the Congress is opposed to the progressive legislation that Congress itself has passed during the last 50 years. Personally I do not want to have any part of it, and I think it would be a terrible mistake in the prosecution of our war efforts to pass such legislation at this time.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. If the Congress of the United States can pass legislation to promote labor, why cannot that same Congress pass legislation to control labor and to prepare for the defense of our country by suspending temporarily during emergencies certain provisions of law?

Mr. BALDWIN. The Congress can do anything it pleases, but when it passed legislation to promote labor, it was passed in proper, orderly fashion, and if we are going to pass legislation to suspend labor laws, then we should use the same method today. Nobody has had a chance to talk about this. This is all important, and, Mr. Chairman, we should not forget two things. In the first place, there are millions of workers who are not in defense industries who will be affected by the very statement of the gentleman from Virginia himself.

Mr. RUSSELL. Will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Texas.

Mr. RUSSELL. Does the gentleman know of a single one of them who is objecting to any hours of work?

Mr. BALDWIN. I do not know of any labor organization that is objecting to any hours. It has been stated here that under existing law they can work just as many hours as they want to work or as the Government or anybody else wants to have them work.

Mr. WHITTINGTON. Does the gentleman imply by his statement that if that bill were brought up separately and on another day he would vote for it?

Mr. BALDWIN. No. But may I say that I am sympathetic toward many of the purposes intended by the amendment offered by the gentleman from Virginia [Mr. SMITH] if properly brought up, and the President is given discretionary power to suspend laws, where necessary, and to handle the situation as it arises, instead of engaging in a blanket suspension. I would be much more sympathetic toward such a suggestion.

In the first instance I submit that we have to consider two things, first, the workers who are not in defense activities, and most important of all, and I know what I am talking about because I served as a private in the last war, there are thousands and thousands of young Americans who are relying on their families to continue to live as they want them to live and who cannot support their families on $21 a month. Thousands and thousands of these young Americans today hope that progress is maintained so far as labor is concerned because the bulk of the men in the armed forces will go back to labor.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Does the gentleman think that the maintenance of some of the special privileges accorded labor is helping the morale of the $21-a-month soldier?

Mr. BALDWIN. I so happen to think that way, because his family is involved, and his future stake in labor is involved. He would resent any abrogation of the progress that has been made on his behalf.

Mr. Chairman, I very strongly oppose the amendment offered by the gentleman from Virginia. Politics has been mentioned. May I say there are no labor votes I know of in my district.

[Here the gavel fell.]

The CHAIRMAN. The gentlewoman from New Jersey [Mrs. NORTON] is recognized for 5 minutes.

Mrs. NORTON. Mr. Chairman, I rise in opposition to this amendment. May I say that it seems to me extraordinary the way our blood pressures rise just as soon as the question of labor is brought to the floor of this House. In my opinion, the majority of people want to be fair to labor, and I believe also that the majority of the Members of this House, speaking for both sides of the aisle, want to be fair to labor. Because of that, I venture to say that the pending amendment will be defeated. I certainly hope it will be.

I do not know whether the Members have made very much of a study of this bill, H. R. 6616, but certainly it is a bill important enough to come to the House and stand on its own feet. It should not be offered as an amendment to a bill as important as the one before the Committee today: Apparently the author of this amendment does not seem to realize that the President has appointed a War Labor Board. Certainly that War Labor Board should be able to deal with the questions involved in this controversy. If the present War Labor Board is not, then another one probably will be appointed. My point is that we have no way of knowing, when an amendment of this kind is offered to an important bill such as this, whether or not the amendment is good. My opinion is the amendment is unjust, unfair, and altogether bad. Its object is to destroy all labor legislation, using the war emergency as an excuse to do what otherwise would not be possible—all in the name of national defense. Mr. Chairman, we are in a grave crisis and the working men and women of the country are doing a great job. There may be a few troublemakers, but why punish millions of faithful, courageous workers for the sins of a small minority?

Is it not true that because of the sacrifices and patriotism of the workers all industries are daily reporting deliveries of needed supplies far ahead of schedule?

I am thinking of the millions of men working in the foundries and the factories of the country today, giving their all, toiling and sweating for the defense of their country, supplying the implements of war that are so necessary to our boys in the Army and the Navy. What kind of a feeling are they going to have when they are told that the Congress of the United States does not believe in their patriotism, does not believe in their desire to help their country?

I say to you that when that word goes out to the millions of people working in this country it is going to be pretty bad for the war effort we are trying to make. You cannot legislate patriotism, you cannot legislate enthusiasm. Both are necessary to win the war. You will find these qualities in the men and women who constitute labor. They will never let their country down.

While we are waging a war for democracy, the author and supporters of this amendment are waging a war in support of industrial slavery, for that is exactly what this means. It just cannot be done, and you know it. If free men are deprived of their rights, what kind of work will they produce? It would be just the difference between enthusiasm and complete discouragement.

When men work with their hearts as well as with their heads and their hands, we may count on victory. For God's sake, do not kill the spirit of the average American workingman. It means more than all the other considerations in our war effort.

In simple language, this amendment would destroy practically every present labor law. Even England, after 2 years of fighting, has not attempted to do that. Kill this amendment for all time and let the War Labor Board decide on labor policy. It is their job, and they are in a better position to do the job than we are.

Let the American working men and women know that at least we in the Congress have confidence in their patriotism and ability and also in their endurance, and that we are not a lot of Shylocks demanding our pound of flesh.

Mr. Chairman, is there anything wrong with paying a man overtime after he has worked 8 hours? I say to you that this bill eliminates overtime compensation and the limit on the number of hours a man may be compelled to work. Do you think men can do their best work under such compulsion? How dare we do anything like that to the working men and women of this country?

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Chairman, the so-called amendment under consideration is a bill, H. R. 6616, introduced by the gentleman from Virginia. It was referred to the Committee on the Judiciary and has not been considered by that committee. I doubt very much if a half dozen Members of this House ever read the bill which is offered in the form of an amendment to the pending measure.

It repeals in one fell swoop 17 labor laws including the Fair Labor Standards Act—wage-and-hour law—of 1938. This act is regarded by every fair-minded person in the country as one of the most humanitarian measures ever enacted into law. Before its enactment thousands of women engaged in textile and other like industries were receiving as low as $5 and $6 a week and in many cases working 9 and 10 hours a day. Over 45,000 of them resided between the District of Columbia and the Hudson River.

Before the enactment of this law an owner of a textile industry in the State of Georgia paid his employees such a miserly wage that they had to receive contributions from local relief agencies. This is a matter of record. In the State of Mississippi the textile workers received from $2.50 to $7.50 a week.

Before the enactment of this law many unscrupulous employers of labor, who paid miserably low wages and as a result resorted to cutthroat competition, actually forced honest and conscientious employers of labor, who believe in the just policy of live and let live, to the alternative of meeting their terms or going out of business. These employers with high ideals craved this act, and I am positively sure are unalterably opposed to its repeal, as provided for in the so-called Smith amendment.

The repeal of the Fair Labor Standards Act would deprive hundreds of thousands of the lowest-paid workers in the country of the just gains granted under this act. The exploitation of 200,000 home workers is one of blackest spots in the economic life of America. This was eradicated by the wage-and-hour law which the gentleman from Virginia would repeal. It has only been through honest and rigid enforcement of the law that its beneficiaries were protected from those who would continue to exploit them.

Mr. Chairman, the bill under consideration, S. 2208, makes a grant of power to the President of the United States far beyond anything ever anticipated under our democratic form of government. Reference was made to this fact by the distinguished but conservative gentleman from Michigan [Mr. MICHENER], who stated in part:

> But today we find ourselves in the war. It does not make any difference how we got in; it does not make any difference whose war it was or is; it is our war now. It is our fight. We must yield to the administration any power necessary to win.

[Here the gavel fell.]

Mr. WELCH. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

Mr. SUMNERS of Texas. Reserving the right to object, Mr. Chairman, I shall not object to this request, but I believe we cannot adopt the policy of agreeing to extensions of time beyond the 5 minutes allowed under the rule.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WELCH. Mr. Chairman, to whom are we to look for guidance? Is it the President of the United States, who said in his speech of February 23, and I quote:

> In every part of the country, experts in production and the men and women at work in plants are giving loyal service—

or is it to the gentleman from Virginia [Mr. SMITH] who would repeal nearly every humanitarian law on the statute books?

Mr. SUMNERS of Texas. Mr. Chairman, I should like to see if we can make an agreement with reference to a limitation of debate.

Mr. MARTIN of Massachusetts. If the gentleman will yield, there are a number of Members who are not here tonight who might like to speak on this amendment. I wonder if we could not fix the time tomorrow instead of tonight.

Mr. SUMNERS of Texas. In view of the number of Members who wish to speak on this amendment, perhaps I should change my request and ask that those Members rise who do not want to speak.

The CHAIRMAN. Does the gentleman from Texas desire to submit a unanimous-consent request?

Mr. SUMNERS of Texas. No, Mr. Chairman.

Mr. GOSSETT. Mr. Chairman, I rise in support of the amendment, and I am here to contend that this is a prolabor and not an antilabor amendment. I submit that 95 percent of the laboring people of this country, as has been alleged, are 100 percent American, wholly patriotic, and greatly concerned with the success of the war effort. It is the 95 percent who need protection from the 5 percent.

Within the last several days I have had a half dozen letters from people in my district whose sons are in the Philippine Islands. These mothers and fathers of boys fighting on the far-flung battlefields in defense of America express righteous indignation at anything that slows down or stops defense production in any way.

Now, let me give you a specific example of what this bill will do for labor. War Production Director Donald Nelson last week requested that no stoppage occur in celebration of George Washington's Birthday. On Monday, February 23, some 100,000 workers on the west coast wanted to work. Under the law it was provided they must receive double time for working on a holiday, and the employer said, "We cannot afford double time"; both were within their legal, if not moral, rights; so they did not work. Under existing laws no adjustment of this difference could be made. The War Labor Board has no authority to suspend existing laws. The Smith amendment does not repeal any law. It simply suspends for the duration such laws as may interfere with the war effort. Today more than ever before this is a war of production, and I submit that anybody, saint or sinner, rich or poor, farmer, laborer, industrialist, Government official or employee, or anybody else who stops or interferes with production is an enemy of this Republic.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. POAGE. Is it not a fact that under the present laws a man who has a plant capable of turning out material needed by the Government, cannot run that plant 24 hours a day even though the employees may be willing to work three shifts, because the 40-hour week and the 8 hours a day laws will keep them from operating 24 hours a day with three shifts.

Mr. GOSSETT. I believe that is true. I have here the Washington Post for Wednesday, February 25. On the front page appears this head:

Phil Murray's boys: 5,000 refuse to work 10-hour day in West.

In a parallel column appears this head:

MacArthur's boys: Troops willing to buy own bomber in Bataan.

In the text of the article is the following report:

Five thousand Congress of Industrial Organizations workers walked off the job at the Bethlehem Steel Co. yards at San Pedro, Calif., at the end of 8 hours and said they would refuse to work a 10-hour shift on the $31,000,000 worth of Navy destroyers being built by the company.

The boys in the fox holes of Bataan Peninsula and in the caves of Corregidor have no 8-hour per day limitations on shedding blood for this country, nor do they get time and one-half for overtime and double time for Sundays and holidays.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. WRIGHT. The gentleman spoke about those men who he says walked out of a plant on the west coast as being "Phil Murray's boys."

Mr. GOSSETT. I did not say that.

Mr. WRIGHT. In fairness to Mr. Murray, does not the gentleman think he ought to follow that by the statement that he directed them to walk out?

Mr. GOSSETT. No; I did not mention Phil Murray in connection with the west coast holiday stoppage. I said they could not agree on the pay because the law said double time for holidays and they could not get together; but if we would suspend those regulations they could agree and would not walk out on such occasions. I am sorry I have not the time to yield further.

In another part of the paper there is an article referring to a strike in an aluminum manufacturing plant in Cleveland, Ohio. Listen to this—here is what the Washington Post reports on the man who called the strike:

Alex Blaint, who was reported by the Associated Press yesterday as having led Congress of Industrial Organizations workers out of the Monarch Aluminum Manufacturing Co. plant at Cleveland, figured last year in hearings before the Dies committee investigating un-American activities.

On June 10 he was pictured before the committee as a Communist, an alien, and a former convict. He denied testimony of two witnesses who said he had told them he was a Communist, but admitted he was a Hungarian whose final citizenship papers had been held up, and that he had served 11 months in a reformatory on a charge of automobile theft.

An alien and an admitted ex-convict stops production on vital airplane parts. That is an insult to patriotic labor throughout America. Speaking further of this strike is the following news report:

D. R. Gould, Monarch's secretary, declared the company is dealing with the Independent Aluminum Workers Organization, Inc., because this group was voted bargaining agent last September.

"The present curtailment is holding up important aircraft parts," Gould added. "We are getting pleas daily from Glenn L. Martin and other aircraft manufacturers for speedier delivery."

I submit to you it is high time that we have a definite labor policy in this country.

Both industry and labor are entitled to know what to expect from government, and the people of America are entitled to know what to expect from government, industry, and labor.

No one should be permitted to profiteer out of this crisis. Equal sacrifices must be required of all. This proposed amendment does not meet with my entire approval. It is a vast improvement, however, over our present policy of leaving matters up to the conscience of so-called leaders of industry and labor. Anything less than the best efforts of all Americans at this time is criminal.

[Here the gavel fell.]

Mr. HOPE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, if the last two and a half years of war has demonstrated anything, it has demonstrated that you cannot conduct a war with business as usual. The opposition to this amendment apparently takes the position that, irrespective of what happens in any other segment of our economic life, we still have to have business as usual as far as labor is concerned.

There have been a great many extravagant statements made this afternoon as to the effect of this bill, some rather hysterical statements, it seems to me. All that this bill does is to suspend for the period of the emergency—for the period while this Nation is fighting for its life—those provisions of law which provide that a working day shall consist of a limited number of hours and that employers whose employees work more than those hours shall be penalized by being compelled to pay a higher rate of wages for such overtime work.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Not right now. I am sorry.

Something has been said this afternoon about the effect that the passage of this bill might have on the morale of the working people of this country.

I would like to have you consider what the effect of our failure to pass this amendment will have upon the morale of the great mass of the citizens of this country who are working more than 8 hours a day, more than 40 hours a week, what effect it would have upon our men in the service in the Philippines, in Java, in Iceland, and in every part of the world, who are working unlimited hours for $21 a month. This is not a backward step, as far as labor legislation is concerned. We do not repeal any legislation. We suspend it for the period of the emer-

gency, during a time when every citizen of the country is making many sacrifices, and is going to be called upon to make many more. I cannot believe that the morale of the working people of this country is going to be impaired. I have too much confidence in their morale. I know they want to carry their part of the burden. They are not putting any price on their patriotism. They want to produce, they want to work, they want to contribute anything they can, because they are just as much interested in what happens during this period of emergency as anyone else. It is their country, it is their boys who are fighting all over the world, and they are interested in any measure which will help us to achieve victory.

I say that those who are urging the adoption of this amendment are paying a greater tribute to the workingmen of this country than those who by their actions suggest that working people are not patriotic and will not work unless we continue legislation which is all right in peacetime, but is not applicable to a period such as we are in at the present time.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. HOPE. Yes.

Mr. WHITTINGTON. Is it not true that practically every title in this bill involves the suspension of rights that the citizens have exercised under statutes since the Government was established?

Mr. HOPE. Certainly that is right; and this is only one of many bills that we have passed since the emergency began to suspend the rights of the citizens of this country so that we may go ahead and carry on this war to a victorious conclusion.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 2208 and had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and insert a statement by former Speaker Clark of the House.

The SPEAKER. Is there objection?

There was no objection.

PAY AND ALLOWANCES, ARMY AND NAVY, ETC., DURING ABSENCE FROM POST OF DUTY

Mr. VINSON of Georgia. Mr. Speaker, I submit a conference report and statement upon the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, for printing, under the rule.

EXTENSION OF REMARKS

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter, together with a resolution from Mr. Murray, president of the Congress of Industrial Organizations.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution by Southern Colorado Tire Dealers Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a letter from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio address by former State Senator of Maryland, Mr. E. Milton Altfeld.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from the Soldiers and Sailors' Home in the city of Washington.

The SPEAKER. Is there objection?

There was no objection.

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. JONES. Mr. Speaker, to provide for an immediate report to Congress by the Federal Bureau of Investigation with respect to investigations heretofore made by it of certain employees of the Federal Government, I have offered the following bill:

Be it enacted, etc., That within 3 days after the date of the enactment of this act, and on the first of each month thereafter, the Federal Bureau of Investigation, pursuant to the last paragraph under the heading "Federal Bureau of Investigation" of the Department of Justice Appropriation Act, 1942, shall report to Congress upon all investigations, and its findings thereon, heretofore made of the employees of the departments, agencies, and independent establishments of the Federal Government who are members of subversive organizations or advocate the overthrow of the Federal Government.

The background of this bill is an amendment offered by me and adopted on the floor of the House with only one dissenting vote, as near as I can recall. This amendment to the 1942 Department of Justice supply bill follows:

of which $100,000 shall be available exclusively to investigate the employees of every department, agency, and independent establishment of the Federal Government who are members of subversive organizations or advocate the overthrow of the Federal Government, and report its findings to Congress.

The conference committee of the House and the Senate added two words so that the amendment as finally adopted read as follows:

of which at least $100,000 shall be available exclusively to investigate the employees of every department, agency, and independent establishment of the Federal Government who are members of subversive organizations or advocate the overthrow of the Federal Government, and report its findings to Congress.

This language is a positive mandate to the Federal Bureau of Investigation to investigate beginning July 1, 1941, all Federal employees who are members of subversive organizations or advocate the overthrow of the Federal Government, and to report its findings to Congress.

Notwithstanding this mandate, the then Attorney General, Hon. Robert Jackson, determined the following policy for the Federal Bureau of Investigation. In my opinion, Mr. Jackson's policy hamstrung the positive mandate of Congress.

On page 14 of the hearings for the Department of Justice supply bill for 1943, the new Attorney General, Hon. Francis Biddle, reported the policy adopted by former Attorney General Jackson in the following statement. I quote Mr. Biddle:

Please do not think that I am critical of my predecessor. I am not in any sense critical. But you are always improving and changing your technique.

Theretofore, before this was instituted, the practice had been, in order to disrupt the organization of the Department as little as possible, to write to the Department head and say, "We have information that John Jones is subversive. Therefore, when we get your approval, we will go ahead with the investigation."

It seemed to me on studying the mandate of the Congress that that was not the proper thing to do. The Congress said that the Federal Bureau of Investigation should make this investigation. They gave them $100,000, and they told them to report.

Therefore the method was changed. It took a little work with the department heads, but they all agreed to it. The method was changed and was expressed in this letter.

For all practical purposes Mr. Jackson's policy directed Mr. Hoover to delay the investigation in any department until the department head permitted the investigation. The mandate of Congress was practically nullified until October 22, 1941, over 3½ months' delay.

When Mr. Biddle changed this policy the following results have been obtained by the Federal Bureau of Investigation. I quote the testimony of J. Edgar Hoover on page 126 of the Department of Justice hearings on the 1943 supply bill:

Since the clarification of the expedited procedure authorized on October 22, 1941, the Federal Bureau of Investigation has disposed of 656 such cases by investigation with the following results:

1. Determined no longer to be Government employees	387
2. Reports sent to employing agencies after completion of investigation:	
(a) Not answered	189
(b) Answered:	
No action deemed warranted by employing agencies	69
Discharged	11

The sources of names upon which investigations were initiated are carefully analyzed by the Federal Bureau of Investigation, and investigations are not initiated except where there is some substantive allegation against the employee of the Federal Government.

The total number of cases for investigation received to date is 3,695, which are analyzed as follows:

A. Total number of names appearing on the list submitted by Congressman MARTIN DIES to the Attorney General:	
1. Employees of the War Department, Navy Department and District of Columbia	130
2. Members of organizations not yet declared subversive by the Department	305
3. To be investigated on the Dies list	686
	1,121
B. Cases of persons whose names do not appear on the above list—cases initiated by the Federal Bureau of Investigation on the basis of complaints received from various sources:	
1. Employees of War Department, Navy Department, and District of Columbia	146
2. To be investigated	2,428
Total	2,574

It will be noted that the War and Navy Departments are investigating their own personnel under authority of the delimination agreement entered into between G–2 Office of Naval Intelligence and the Federal Bureau of Investigation, which was based upon the Presidential directive of September 6, 1939, with reference to the handling of espionage, sabotage, and subversive activities. District of Columbia employees are not considered Federal employees within the purview of Public Law No. 135, Seventy-seventh Congress, under a ruling of the Attorney General.

You can see from this report of 269 employees by Mr. Hoover's organization only 11 persons have been discharged by the department heads, or 4 percent of the total.

In the cases of 69 of those so reported by the F. B. I. the department heads determined no action was warranted, and apparently these individuals will remain on the Federal pay roll unless Congress breaks the bottleneck. In 189 cases the department heads have not even seen fit to give the F. B. I. or the Department of Justice the courtesy of a reply. The department heads have ignored 95 percent of the F. B. I. report.

Remember that the positive mandate of Congress required a report of the findings direct to Congress. Hon. Francis Biddle, the Attorney General, established a policy requiring the F. B. I. to report to the department heads. You can see from the report of J. Edgar Hoover that his reports to the department heads of subversive employees and members of subversive organizations which advocate the overthrow of the Federal Government does not separate them from the toil and sweat of the American people who do not want these enemies of our way of life on the Federal pay roll.

The department heads do not consider 70 percent of the names given them by the F. B. I., your Government's highly trained and efficient fact finders for presentation of criminal cases, as worthy of any action to be taken by them, or worthy of any reply to the Department of Justice.

Here is the nub of what this bill I am introducing today will correct.

Mr. Biddle established the policy on October 22, 1941, as reported in the hearings on the supply bill, page 14. I quote Mr. Biddle:

Therefore, we said to the Department, "We will make the examination ourselves without giving you any notice. When the file is completed we will send the information to you, and then you must take action one way or the other."

This policy adopted by Mr. Biddle is not warranted in the face of the positive action of Congress in adopting the Jones amendment. The congressional action did not contemplate reporting the facts to the department heads, but to Congress. The report of J. Edgar Hoover shows that Mr. Biddle's unwise and unwarranted policy of reporting his findings to the department heads is fruitful of no results, and the people of the United States and Congress are hamstrung by the time it requires for Mr. Hoover to send his report to the department heads with 4-percent results. Remember, the department heads discharged as a result of the F. B. I. report 4 percent of the employees who have been reported, or 11 persons.

I have confidence that if the report is made to Congress forthwith, Congress will take positive action as the supply bills for each department, agency, and independent establishment are brought before it for consideration to eliminate the F. B. I. list of undesirable employees, since the department heads have failed to act on 95 percent of the cases.

I discussed this matter with the Attorney General on the 13th of January 1942 in regard to making an immediate report to Congress, and I quote from page 19 of the hearings:

Mr. JONES. I do not think it is a good idea, in view of some department heads having a tendency to turn under your reports on the ground of their being too busy, to keep from reporting that to the Congress.

Mr. BIDDLE. I am not sure about that. I would like very much to get you gentlemen's view after talking to Mr. Hoover. I think it might be wise to make an immediate report. I am not at all sure.

Our first thought was that we had better do the substance of the job and give you the whole picture, particularly as I was new. I did not start until after October. But I would like to have your advice about that. It might be that Mr. Hoover has gotten to the point where now it would be a very helpful thing within the next 2 weeks to give you the progress of the thing. I would like to have your judgment after you talk to Mr. Hoover of just what you want.

What would your feeling be about that, Mr. Jones?

Mr. JONES. I think that the report ought to be made, in view of the fact that the time has run over such a long period since the first Dies committee report was made. I think that Congress sought to be able to take action in the way of a positive enactment during this coming session.

Mr. BIDDLE. Yes; I think I agree with you.

Forty-two days ago I said, "I think that Congress ought to be able to take action in the way of a positive enactment during this coming session," and Mr. Biddle agreed with me. However, after a lapse of 42 days, no report has been forthcoming.

Supply bills for several agencies are yet to be passed by the House and Senate. If this report is delayed further, Congress is losing valuable time in eliminating the enemies of our way of life from the Federal Government pay roll.

Bear in mind that to date the reports of the F. B. I. referred to were Federal employees originally on the Dies list. Some of them were reported over 2 years ago. Now they are reported again by the F. B. I. to the heads of the department, and only 4 percent of these enemies are off the pay roll. Three hundred and eighty-seven apparently ran when they saw the F. B. I. coming.

This is a little less than tragic, and I think stronger language would apply. Were we not in war I would use stronger terms in describing my feelings. I am not so sure that some positive action should be taken against department heads, agency heads, and independent establishment heads, who by inertia or otherwise refuse to take immediate action, both upon the Dies list and the F. B. I. report.

I sincerely hope that the committee to which this bill is referred will give it an immediate hearing and that Congress will pass the bill to preserve the American way of life.

If the F. B. I. report clears all these Federal employees to their entire satisfaction, it is just as important for Congress and the people to know that fact. The guilty should be fired and the innocent should have their names cleared now. One way or the other, Congress should have the F. B. I. report without delay.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. THOM, for today, on account of death in family.

To Mr. PEARSON (at the request of Mr. COOPER), for the remainder of the week, on account of illness.

EXTENSION OF REMARKS

(By unanimous consent, Mr. MILLS of Arkansas was granted permission to extend his own remarks in the RECORD.)

ORDER OF BUSINESS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask the majority leader when the bill relating to the Women's Auxiliary Army Corps will be taken up? There are very few women employed in war production or the war movement today. Very few compared with those employed in the World War and today the war is fraught with far greater danger to the United States. Hundreds of women have asked for a chance to serve their country by enlisting. Many women have asked to come in and hear the debate on the bill. Can the majority leader tell me when it will come up?

Mr. McCORMACK. As the gentleman from Massachusetts [Mr. MARTIN] knows, I am very anxious to bring the bill up.

Mrs. ROGERS of Massachusetts. I am sure of it.

Mr. McCORMACK. As a matter of fact, I announced several days ago that it would be brought up when a rule was

reported out. Then three or four rules came out all together. I placed them in the order of their importance. I stated last week this present bill under consideration would be taken up first; then the war-risk property-insurance bill next, and the Rogers bill after that. That is the order. However, that order is always subject to appropriation bills, as the gentlewoman from Massachusetts well knows. On Monday of next week we will have the Department of Agriculture appropriation bill. Then after that we will have the War Department civil-functions appropriation bill; and after that the legislative appropriation bill. After those are disposed of, then the war-risk property-insurance bill and the Rogers bills will come up. I will adhere to my promise.

Mrs. ROGERS of Massachusetts. The Army is so anxious to have the bill, particularly so far as air-warning and filter-station operators are concerned, and with the recent alert in Washington and the alert on the west coast, it seems to me it is one of the most vital war measures today, much more vital than agriculture.

Mr. McCORMACK. Of course, the appropriation bills have the right-of-way, and that will come up on Monday. The gentlewoman from Massachusetts has been here a few years longer than I have and she is aware of the fact that appropriation bills take precedence.

Mrs. ROGERS of Massachusetts. I know the gentleman will do everything in his power to bring it up, because he realizes the extreme need.

Mr. McCORMACK. I assure the gentlewoman that I hope it will be brought up as quickly as possible.

LEAVE OF ABSENCE

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to absent myself for the balance of the week on account of illness in my family.

The SPEAKER. Without objection it is so ordered.

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2255. An act to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5880. An act to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 5880. An act to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Friday, February 27, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1441. A letter from the Secretary of War, transmitting an itemized report of the proceedings of the American National Red Cross for the fiscal year ended June 30, 1941; to the Committee on Military Affairs.

1442. A letter from the Administrator, Federal Works Agency, transmitting the Second Annual Report of the Federal Works Agency and its constituent administrations and authority for the fiscal year June 30, 1941; to the Committee on Expenditures in the Executive Departments.

1443. A communication from the President of the United States, transmitting in the form of amendments to the Budget for the fiscal year ending June 30, 1943, two supplemental estimates of appropriations for the Panama Canal, to remain available until expended, totaling $29,223,200, of which $7,493,200 is to be made available (H. Doc. No. 640); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NICHOLS: Select Committee to Investigate Air Accidents. House Resolution 125, Seventy-seventh Congress, first session. Resolution creating a Select Committee to Investigate Air Accidents; without amendment (Rept. No. 1827). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 449. Resolution to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes; without amendment (Rept. No. 1828). Referred to the House Calendar.

Mr. FULMER: Committee on Agriculture. H. R. 5636. A bill to expedite the settlement of claims and accounts incident to certain agriculture adjustment programs, and for other purposes; with amendment (Rept. No. 1831). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 6446. A bill to provide for continuing of payment and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, and for other purposes; without amendment (Rept. No. 1832). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5762. A bill granting an increase of pension to Mollie Alexander; with amendment (Rept. No. 1829). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5918. A bill granting an increase of pension to Ethel H. Chaffee; without amendment (Rept. No. 1830). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIS:

H. R. 6679. A bill to change the name of the Norfork Dam to Douglas MacArthur Dam; to the Committee on Flood Control.

By Mr. JONES:

H. R. 6680. A bill to provide for an immediate report to Congress by the Federal Bureau of Investigation with respect to investigations heretofore made by it of certain employees of the Federal Government; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 6681. A bill to subject Indians of the State of California to the laws of that State; to the Committee on Indian Affairs.

By Mr. DOUGHTON:

H. R. 6682. A bill to suspend in part the processing tax on coconut oil; to the Committee on Ways and Means.

By Mr. SWEENEY:

H. R. 6683. A bill to provide a judicial method of trying charges against postal employees; to the Committee on the Post Office and Post Roads.

By Mr. BATES of Kentucky:

H. R. 6686. A bill to furnish each person in the armed forces of the United States on active duty with one package of cigarettes per week; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of San Juan, P. R., memorializing the President and the Congress of the United States to consider their Senate resolution dated February 9, 1942, relative to the brutal and treacherous attacks on Pearl Harbor and the Philippine Islands; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. O'TOOLE:

H. R. 6684 (by request). A bill for the relief of August Michela, infant; to the Committee on Claims.

By Mr. VAN ZANDT:

H. R. 6685. A bill authorizing the President to present a Congressional Medal of Honor to Gen. Douglas MacArthur; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2492. By Mr. MERRITT: Resolution of the Carbloc Paving Corporation of Brooklyn, N. Y., requesting that in the future all asphalt pavements the War Department may lay for roads in Army bases, runways on airports, supply roads, or whatever may be necessary in the line of highway building, be built by contractors' forces and not by Government forces; to the Committee on Military Affairs.

2493. By Mr. ROLPH: Resolution of the Allied Automotive Industries of California, Ltd., at San Francisco, relative to federalization of unemployment insurance program; to the Committee on Ways and Means.

2494. By Mr. WOLCOTT: Petitions and resolution adopted by the Common Council of Marine City, Mich., to amend section 451 of the Tariff Act of 1930, as set out in House bill 4763; to the Committee on Ways and Means.

2495. By the SPEAKER: Petition of the Congress of Industrial Organizations, Washington, D. C., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 27, 1942

The House met at 12 o'clock noon, and was called to order by the Speaker

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, our heavenly Father, we pray Thee to enter into the holy land of our souls and allow nothing to tarnish them that we may love Thee and hate only evil. Cleanse us from all unrighteousness and renew a right spirit within us that we may be deeply conscious of the eternal truth that whatsoever a man soweth that shall he also reap. He who sows hate, resentment, or anger shall have forgiveness and love thrust out of his life. Many a green and fruitful isle shall blossom in our sea of sorrow when watered by the "well of life," springing out of the surge which beats against the soul.

We praise Thee, Almighty God, that somewhere in the pilgrimage of life there is a merciful fountain for smoothing the pathway and cleansing the dust from the wings of the soul. O do Thou continue to abide with us, ever affirming that Thou art with us and will hold human nature to its native simplicity and dignity. Oh, help us to catch the vision of transfigured sorrow and sanctified suffering, of conquered fears and immortal hopes; and Thine shall be the glory and praise forever. Through Christ, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 691. An act for the relief of Richard Bove;

H. R. 794. An act for the relief of Catherine Ward;

H. R. 962. An act for the relief of Multnomah County, Oreg.;

H. R. 1060. An act to vest absolute in the city of Dearborn the title to lot 19 of the Detroit Arsenal grounds subdivision, Wayne County, Mich.;

H. R. 1647. An act for the relief of William H. Dugdale and wife;

H. R. 1755. An act for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 2302. An act to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes;

H. R. 2428. An act for the relief of G. F. Brown;

H. R. 2460. An act for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2908. An act for the relief of William H. Stevens;

H. R. 2980. An act for the relief of National Heating Co., Washington, D. C.;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3433. An act for the relief of Bessie Pearlman and George Roth;

H. R. 3610. An act for the relief of Minnie C. Sanders;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4414. An act for the relief of Andrew Wichmann;

H. R. 4626. An act for the relief of the legal guardian of Jane Hawk, a minor, and J. L. Hawk;

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.;

H. R. 5413. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska settlement project in Alaska, and for other purposes;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. R. 5545. An act for the relief of H. Earle Russell;

H. R. 5573. An act for the relief of Mrs. Noel Wright and Bunny Wright;

H. R. 5605. An act for the relief of Lt. Col. J. B. Conmy;

H. R. 5646. An act for the relief of Joseph Simon, lieutenant commander (SC), United States Navy, and R. D. Lewis;

H. R. 5865. An act for the relief of Builders Specialties Co.;

H. R. 6003. An act to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938;

H. R. 6072. An act authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.;

H. R. 6107. An act to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek Parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery;

H. R. 6270. An act to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia;

H. R. 6332. An act to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee;

H. R. 6536. An act to change the name of Conduit Road in the District of Columbia;

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes; and

H. J. Res. 260. Joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3966. An act for the relief of Estella King;

H. R. 4355. An act for the relief of Bella Cosgrove;

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.;

H. R. 4557. An act for the relief of the estate of Mrs. Edna B. Crook;

H. R. 4665. An act for the relief of Harry Kahn;

H. R. 5290. An act for the relief of Mrs. Eddie A. Schneider;

H. R. 5458 An act to amend the Organic Act of Alaska;

H. R. 5473. An act for the relief of Allene Ruhlman and John P. Ruhlman;

H. R. 6291. An act to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States;

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6550. An act to extend and amend subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia and the Public Utilities Commission to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1766. An act for the relief of John Snure, Jr.;

S. 1776. An act for the relief of Mrs. Agnes S. Hathaway;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2122. An act to amend the District of Columbia Traffic Act of 1925;

S. 2133. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940;

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940;

S. 2154. An act to amend the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929;

S. 2175. An act for the relief of Bibiano L. Meer;

S. 2187. An act for the relief of Tom G. Irving; Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale;

S. 2220. An act for the relief of Frank Sheppard;

S. 2229. An act to provide for the retirement, rank, and pay of heads of staff departments of the Marine Corps;

S. 2268. An act to further amend section 126 of the act of June 3, 1916, as amended, to authorize travel pay for certain military and naval personnel on discharge or release or relief from active duty; and

S. J. Res. 130. Joint resolution to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 5945) entitled "An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BANKHEAD, Mr. MCCARRAN, Mr. OVERTON, Mr. MCNARY, and Mr. JOHNSON of California to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. MACIEJEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a resolution passed at a mass meeting held in my district in Chicago, Ill.; and also that I may be allowed to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TO PRINT THE PROCEEDINGS COMMEMORATING THE SERVICES OF WILLIAM TYLER PAGE

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1833) back favorably without amendment a privileged resolution (H. Res. 448) authorizing the printing of the proceedings in the House of Representatives on December 19, 1941, commemorating the service of William Tyler Page, as a House document, and I ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

Resolved, That the proceedings held in the House of Representatives on December 19, 1941, in commemoration of the sixtieth anniversary of the service of William Tyler Page in various capacities in the House of Representatives, together with the proceedings attendant upon the ceremony in the studio of the broadcasting station of WWDC, in Washington, D. C., on the evening of October 19, 1941, commemorating his birthday anniversary, be printed, with illustrations, as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered over the Columbia Broadcasting System on the Church of the Air program.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from Ernest H. Cherrington, executive secretary of the Board of Temperance of the Methodist Church.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a table to be printed in tabular form.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a resolution adopted by the State Senate of Pennsylvania.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter from the Oakland County (Mich.) Farm Bureau.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a resolution adopted by the Puerto Rico Teachers' Association in its annual convention held at Mayaguez, P. R., on January 31.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PAY AND ALLOWANCES OF PERSONNEL OF ARMED FORCES DURING ABSENCES FROM POSTS OF DUTY AND REPEAL OF RETIREMENT FOR ELECTED OFFICIALS

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 6446) to provide for continuing of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments during periods of absence from post of duty, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, is this the conference report on the bill that has to do with congressional pensions?

Mr. VINSON of Georgia. Yes; it is.

The SPEAKER. Is there objection to the request of the gentleman from Georgia that the statement be read in lieu of the report?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That for the purpose of this Act—

"(a) the term 'person' means (1) commissioned officer, warrant officer, enlisted person (including persons selected under the Selective Training and Service Act, as amended), member of the Army or Navy Nurse Corps (female), wherever serving; (2) commissioned officer of the Coast and Geodetic Survey or the Public Health Service; and (3) civilian officers and employees of departments, during such time as they may be assigned for duty

outside the continental limits of the United States or in Alaska;

"(b) the term 'active service' means active service in the Army, Navy, Marine Corps, and Coast Guard of the United States, including active Federal service performed by personnel of the retired and reserve components of these forces, the Coast and Geodetic Survey, the Public Health Service, and active Federal service performed by the civilian officers and employees defined in paragraph (a) (3) above;

"(c) the term 'dependent' shall be as defined in United States Code, title 37, sections 8 and 8 (a) or such dependent as has been designated in official records;

"(d) the term 'department', including such term when used in the amendment made by section 16, means any executive department, independent establishment, or agency (including corporations) in the executive branch of the Federal Government.

"SEC. 2. Any person who is in active service and is officially reported as missing, missing in action, interned in a neutral country, or captured by an enemy shall, while so absent, be entitled to receive or to have credited to his account the same pay and allowances to which such person was entitled at the time of the beginning of the absence or may become entitled to thereafter: *Provided*, That such person shall not have been officially reported as having been absent from his post of duty without authority: *Provided further*, That expiration of the agreed term of service during the period of such absence shall not operate to terminate the right to receive such pay and allowances: *And provided further*, That should proper authority subsequently determine that the person concerned had been absent from his post of duty without authority, such person shall be indebted to the Government in the amount for which payments have been made or pay and allowances credited to his account in accordance with the provisions of this Act during such absence.

"SEC. 3. Any person entitled under section 2 of this Act to receive pay and allowances, and who has made an allotment of pay for the support of dependents or for the payment of insurance premiums, shall be entitled to have such allotments for dependents or insurance premiums as he previously may have executed continued for a period of 12 months from date of commencement of absence, notwithstanding that the period for which the allotments had been executed may have expired during such 12 months' period, and the proper disbursing officer shall so continue the allotments during such absence: *Provided*, That in the absence of a previously executed allotment, or where the allotment made is not sufficient for reasonable support of a dependent and for the payment of insurance premiums, the head of the department concerned may direct that an allotment not to exceed the base pay, plus longevity of the person concerned, shall be paid by the appropriate disbursing officer to the insurer or such dependent as has been designated in official records or, in the absence of such designation, to such person as may be determined by the head of the department concerned, or by such person as he may designate, to be a bona fide dependent within the meaning of section 1 (c): *Provided further*, That for the initial period of six months, unless prior decision as to status is made, a monthly allotment for support of such dependent shall be paid in an amount not to exceed the monthly base pay, plus longevity, without regard to the fact that the six months' death gratuity may be paid later: *Provided further*, That at the expiration of the initial six months' period, no further decision having been made as to status, the payment as heretofore provided shall continue for an additional period not to exceed six months; any payment paid to a dependent for a period subsequent to date of death, if death occurred subsequent to the expiration of the first six months' period, shall be deducted from the six months' gratuity: *Provided further*, That the premiums on insurance issued on the life of the person paid by the Government subsequent to the declared date of death and unearned shall revert to the appropriations of the department concerned: *And provided further*, That the total of all payments made under this section, including those for insurance premiums, shall not exceed the total pay and longevity pay due.

"SEC. 4. When in the opinion of the head of the department concerned the circumstances surrounding the absence of a missing person of one of the classes mentioned in section 2 of this Act justifies such action, in the interest of the Government, or of the missing person, or of a dependent of the missing person, the head of the department, or such person as he may designate, may direct the continuance, suspension, or resumption of payments of the pay and allowances of such person. Except as provided in section 6 of this Act, in the case of a person in the hands of an enemy or interned in a neutral country, payment of allotments may not continue beyond the twelve months' period following the officially reported date of commencement of absence from his post of duty.

"SEC. 5. Upon the expiration of twelve months from the date the person is reported as missing, or missing in action, in the absence of an official report of death of the missing person, the head of the department concerned is authorized to make a finding of death of such person Following a finding of death, the six months' death gratuity provided by law is authorized to be paid. In the event of the later return of such missing person to the controllable jurisdiction of the head of the department concerned, the pay account of such person shall be reopened and charged with the amount of the six months' death gratuity which may have been paid: *Provided*, That the head of the department concerned in his discretion shall determine a monthly basis for liquidation of the amount of the death gratuity so charged in a reopened pay account.

"SEC. 6. When it is officially reported by the head of the department concerned that a person missing under the conditions specified in section 2 of this Act is alive and in the hands of an enemy or is interned in a neutral country, the payments authorized by section 3 of this Act are, subject to the provisions of section 2 of this Act, authorized to be made for a period not to extend beyond the date of the receipt by the head of the department concerned of evidence that the missing person is dead or has returned to the controllable jurisdiction of the department concerned.

"SEC. 7. The head of the department concerned is hereby authorized to direct the payment of new allotments from the pay of persons in active service (other than persons entitled under section 2 or section 14 of this Act to receive pay and allowances) to increase or decrease the amount of any allotment heretofore or hereafter made by such persons and to continue payment of any allotments of such person which may have expired in November 1941 and any month subsequent thereto, with or without the consent of such person, subject in all cases to termination by specific request of such persons, whenever in the judgment of the head of the department such action is considered essential for the well-being and protection of dependents of persons in active service.

"SEC. 8. Whoever shall obtain or receive any money, check, or allotment under this Act, without being entitled thereto, with intent to defraud shall be punished by a fine of not more than $2,000 or by imprisonment for not more than 1 year, or both.

"SEC. 9. Within the scope of the authority granted by this Act, the determination by the head of the department concerned, or by such person as he may designate, of the status of a person in the military or naval forces, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, or civilian officers or employees as defined in paragraph (a) (3) of section 1 of this Act, or his direction relative to continuance, temporary suspension, or resumption of payment of pay and allowances, or finding of death, shall be conclusive.

"SEC. 10. The determination of the fact of dependency under the provisions of this Act, and the determination of the fact of dependency under the provisions of any and all other laws providing for the payment of pay, allowances, or other emoluments to enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States where such payments are contingent upon dependency, shall be made by the head of the department concerned, or by such subordinate as he may designate, and such determination so made shall be final and conclusive: *Provided*, That the Act of June 4, 1920 (41 Stat. 824), as amended (U. S. C., title 34, sec. 943), is hereby amended by deleting the word 'actually' in the first proviso.

"SEC. 11. The head of the department concerned, or such person as he may designate, is authorized to settle the accounts of persons for whose account payments have been made pursuant to the provisions of sections 2 to 7, both inclusive, of this Act, and the accounts of survivors of casualties to ships, stations and military installations which result in loss or destruction of disbursing records, and such settlements shall be conclusive upon the accounting officers of the Government in effecting settlements of the accounts of disbursing officers.

"SEC. 12. The dependents and household and personal effects of any person on active duty (without regard to pay grade) who is officially reported as injured, dead, missing as the result of military or naval operations, interned in a neutral country, or captured by the enemy, may be moved (including packing and unpacking of household effects) to the official residence of record for any such person, or, upon application by such dependents, to such other locations as may be determined by the head of the department concerned or by such person as he may designate, by the use of either commercial or Government transportation: *Provided*, That the cost of such transportation, including packing and unpacking, shall be charged against appropriations currently available.

"SEC. 13. Notwithstanding any other provision of law, in the case of any taxable year beginning after December 31, 1940, no Federal income-tax return of, or payment of any Federal income tax by—

"(a) any individual in the military or naval forces of the United States, or

"(b) any civilian officer or employee of any department

who, at the time any such return or payment would otherwise become due, is a prisoner of war or is otherwise detained by any foreign government with which the United States is at war, or

"(c) any individual in the military or naval forces of the United States serving on sea duty or outside the continental United States at the time any such return or payment would otherwise become due,

shall become due until one of the following dates, whichever is the earliest:

"(1) the fifteenth day of the third month following the month in which he ceases (except by reason of death or incompetency) to be a prisoner of war, or to be detained by any foreign government with which the United States is at war, or to be a member of the military or naval forces of the United States serving on sea duty or outside the continental United States, as the case may be, unless prior to the expiration of such fifteenth day he again is a prisoner of war, or is detained by any foreign government with which the

United States is at war, or is a member of the military or naval forces of the United States serving on sea duty or outside the continental United States;

"(2) the fifteenth day of the third month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President; or

"(3) the fifteenth day of the third month following the month in which an executor, administrator, or conservator of the estate of the taxpayer is appointed.

Such due date is prescribed subject to the power of the Commissioner of Internal Revenue to extend the time for filing such return or paying such tax, as in other cases, and to assess and collect the tax as provided in sections 146, 273, and 274 of the Internal Revenue Code in cases in which such assessment or collection is jeopardized and in cases of bankruptcy or receivership. For the purpose of this section, the term "continental United States" means the States and the District of Columbia, and the terms "individual" or "member" of the military or naval forces of the United States means any person in the Army of the United States, the United States Navy, the Marine Corps, the Army or Navy Nurse Corps (female), the Coast Guard, the Coast and Geodetic Survey, or the Public Health Service.

"SEC. 14. The provisions of this Act, applicable to persons in the hands of an enemy, shall also apply to any person beleaguered or besieged by enemy forces.

"SEC. 15. This Act, except sections 13, 16, 17, and 18, shall be effective from September 8, 1939, and shall remain in effect until the termination of the present war with Germany, Italy, and Japan, as proclaimed by the President, and for twelve months thereafter.

"SEC. 16. (a) The last sentence of subsection (c) of the first section of the Civil Service Retirement Act, approved May 29, 1930, as amended, is amended by striking out "any elective officer,".

(b) Subsection (a) of section 2 of such Act of May 29, 1930, as amended, is amended by striking out ": *Provided, however,* That no provision of this or any other Act relating to automatic separation from the service shall have any application whatever to any elective officer".

"(c) Subsection (a) of section 3 of such Act of May 29, 1930, as amended, is amended to read as follows:

"'(a) This Act shall apply to all officers and employees in or under the executive, judicial, and legislative branches of the United States Government, and to all officers and employees of the municipal government of the District of Columbia, except elective officers and heads of executive departments: *Provided,* That this Act shall not apply to any such officer or employee of the United States or of the municipal government of the District of Columbia subject to another retirement system for such officers and employees of such governments: *Provided further,* That this Act shall not apply to any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, until he gives notice in writing to the disbursing officer by whom his salary is paid, of his desire to come within the purview of this Act; and any officer or employee within such classes may, within sixty days after January 24, 1942, withdraw from the purview of this Act by giving similar notice of such desire. In the case of any officer or employee in the service of the legislative branch of the Government on January 24, 1942, such notice of desire to come within the purview of this Act must be given within the calendar year 1942. In the case of any officer or employee of the legislative branch of the Government who enters the service after January 24, 1942, such notice of desire to come within the purview of this Act must be given within six months after the date of entrance to the service.'

"(d) The amounts deducted and withheld from the basic salary, pay, or compensation of any officer made ineligible for the benefits of such Act of May 29, 1930, as amended, by the amendments made by this section to such Act of May 29, 1930, and deposited to the credit of the civil-service retirement and disability fund, and any additional amounts paid into such fund by such officer, shall be returned to such officer within thirty days after the date of enactment of this Act.

"SEC. 17. The existing project for the Great Lakes and connecting channels is modified to provide for a new lock about eight hundred feet long, eighty feet wide, and thirty feet deep, at Saint Marys Falls Canal, Michigan, together with suitable approaches thereto, said lock to replace the present Weitzel lock and approaches, all in accordance with the recommendations contained in House Document Numbered 218, Seventy-seventh Congress, first session.

"This improvement is hereby adopted and authorized and shall be prosecuted in the interest of national defense under the direction of the Secretary of War and supervision of the Chief of Engineers, subject to the conditions set forth in said document.

"SEC. 18. Hereafter the base pay of any enlisted man, warrant officer, or nurse (female) in the military or naval forces of the United States shall be increased by 20 per centum and the base pay of any commissioned officer in such forces shall be increased by 10 per centum for any period of service while on sea duty, or duty in any place beyond the continental limits of the United States or in Alaska, which increases in pay shall be in addition to pay and allowances as now authorized: *Provided,* That the per centum increases herein authorized shall be included in computing increases in pay for aviation and submarine duty: *Provided further,* That this section shall be effective from December 7, 1941, and shall cease to be in effect twelve months after the termination of the present war is proclaimed by the President."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

DAVID I. WALSH,
M. E. TYDINGS,
JAMES J. DAVIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment differed substantially from the House bill in the following particulars:

(1) It extended the bill to include officers of the Coast and Geodetic Survey and the Public Health Service, and civilian personnel of the various Government departments serving outside the continental limits of the United States, who have been reported as missing, missing in action, interned in a neutral country, or captured by an enemy, and who are not presumed to be dead or deserted.

(2) It provided that the pay of the persons covered by the bill may be allotted to pay the premiums on all types of life insurance policies instead of upon Government policies only.

(3) It extended the provisions of the bill regarding deferment for a limited period of time of the payment of Federal income tax to include the civilian personnel covered by the bill.

(4) It provided that dependents and household and personal effects of persons covered by the bill who are officially reported as killed or missing in action as a result of military or naval operation may be moved at Government expense to such locations as the head of the Department concerned may consider necessary.

(5) It struck out of the House bill the section which provided that the head of the department concerned was authorized to settle the accounts of persons covered by the bill and that such settlement should be conclusive upon the accounting officers of the Government in effecting settlements of the accounts of disbursing officers.

(6) It provided for a modification of the existing project for the Great Lakes so as to provide for a new lock at St. Mary's Falls Canal, Mich.

(7) It provided for a 20 per centum increase in the base pay, in the case of enlisted men, warrant officers, and nurses (female), and 10 per centum in the base pay in the case of commissioned officers, for any period of service while on sea duty or on duty in any place beyond the continental limits of the United States, or in Alaska.

(8) It repealed so much of section 3 of the Civil Service Retirement Act of 1930 as made elective officers and heads of departments eligible to the annuities provided in that act.

The conference agreement contains the provisions of the Senate amendment described above in paragraphs (1), (2), (3), and (4). The conference agreement also contains the provisions described above in paragraph (5), which was stricken from the House bill by the Senate amendment. The provision of the Senate amendment providing for an increase in base pay for sea duty and for service outside the United States is also contained in the conference agreement in an administratively workable form, but its application is limited to the period beginning December 7, 1941, and terminating twelve months after the war. The conference agreement also contains the provisions of the Senate amendment providing for a new lock at St. Mary's Falls Canal, Mich.

The provisions of the conference agreement with respect to the Civil Service Retirement Act are, except in one respect, the same as the Senate amendment, in that they exclude from the coverage of the Retirement Act the President, the Vice President, Members of the Senate and House, and heads of departments.

"Department" is defined in the first section of the conference agreement to include the executive departments, independent establishments, and agencies (including Government corporations) in the Executive branch of the Government, and it is the heads of departments, as so defined, which are thus excluded.

The provisions of the Senate amendment prohibiting the payment of retirement benefits to any person for any period during which such person is receiving any benefits under a retirement system of any State, is omitted from the conference agreement.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, so that the Members may thoroughly understand what is going on and everybody be fully apprised of the situation, I ask your indulgence while I explain the

action of your conferees in regard to H. R. 6446. You will recall that when this bill was presented to the House it was a Navy bill dealing with taking care of the families of sailors and soldiers who have been captured or interned, or who are missing. When the bill reached the Senate three separate amendments were added. One of them is known as the Byrd amendment, the second is known as the Brown amendment, and the third is known as the Clark amendment.

I think it important to call the attention of the House to the difference between the House bill and the Senate bill with reference to the naval phase of it over which we had original jurisdiction. Bear in mind that all of these other things were dumped on this naval bill because it was floating around over in the Senate. The change between the House bill and the bill as sent back by the Senate with reference to naval matters are in five different respects. These are the changes: It extends the bill to include officers of the Coast and Geodetic Survey, the Public Health Service, and the civilian personnel in various Government departments serving outside the continental limits of the United States.

When we had the bill before us we only dealt with the Army and Navy. The Senate, however, has included in this the Coast and Geodetic Survey, the Public Health Service, and civilian personnel of the various departments, such as the Treasury Department. There were some 13 or 14 employees of the Treasury Department who were captured and are now interned when Cavite and Manila were seized. That is how far and to whom it applies.

It also provides that the pay of missing persons may be allotted to pay the premiums on all types of life insurance, instead of just Government policies. When the bill was considered by the House we confined it entirely to taking a part of the enlisted man's money and paying his Government insurance. The Senate has amended it to include the payment of any private contract insurance that he may have had.

It extends a provision of the bill with regard to deferment for a limited period of time to the payment of Federal income taxes to include civilian employees and officers of the Government. We merely confined it to the Army and Navy with reference to income tax returns, but this extends it to civilians who may be outside the continental limits of the United States.

We made no recommendation with regard to household effects. The Senate put a new provision in it providing that the household effects of dependents killed or missing in action as the result of military or naval operations may be moved at Government expense. That was a new thought that was put in the bill by the Senate. In other words, if the main support of a family, a husband, for instance, has been killed and the wife desires to move her personal effects to some other place, then the Government pays for the removal of the personal effects.

The Senate struck out a section known as section 12 of the bill, but in conference the section was reinserted. The section struck out dealt with giving the Navy and the War Department exclusive jurisdiction of determining a new roll that may be made up after a ship has been sunk and the roll is lost or after a company roll has been destroyed. Under our view, and according to the view of the military authorities, the establishment of that roll should be conclusive. The Senate did not agree with us in the first instance, but I am happy to say that in the conference the Senate recedes and adopted the viewpoint that whatever roll the Army or Navy established, it is final and conclusive on the Accounting Office of the Government.

That covers everything with reference to the Navy end of the bill. I may say that in debate in the Senate a question was asked if this bill applied to the 1,000 workers captured at Wake. It does not apply to any of those men who were captured at Wake, because a bill that we passed on February 6 takes care of those people's dependents. The Navy Department has already set aside $5,000,000 to meet the emergency of those people. In my opinion, it has become necessary to have further legislation to do justice to these civilian employees of the contractor by the Naval Affairs Committees of the House and Senate, and those two committees will give the matter consideration.

Mr. ANDREWS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. ANDREWS. As I recall it, a soldier or sailor, insofar as a mortgage is concerned, is covered by the Soldiers and Sailors' Relief Act. What about a civilian, is he covered on a mortgage?

Mr. VINSON of Georgia. If he had given a mortgage to some private concern, we do not deal with that. He is protected under the Draft Act.

Mr. HINSHAW. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from California.

Mr. HINSHAW. Would the gentleman state how he personally feels with reference to what should be done in the future for these civilians who were on Wake or Guam Islands?

Mr. VINSON of Georgia. Well, it is a very doubtful question as to what is the proper thing to do. We have adopted the policy here of paying a civilian employee who is captured his pay right straight along just like we do with an Army or Navy man who is captured. His pay runs along. I do not know whether or not we should adopt the policy that a man who is employed by a contractor, and who may be captured, and making three or four hundred dollars a month, and who may be interned for a period of 12 months or longer, should be paid his salary or wages by the Government during the time he is in captivity. We have already said that we will take care of his dependents. That is as far as we can go on that question just at this time, because it is a new one that we have to reach a decision on only after careful consideration.

Mr. HINSHAW. As I understand it, the Navy Department is now authorizing the payment of a hundred dollars a month to those dependents?

Mr. VINSON of Georgia. That is correct. The dependents of every civilian who was captured at Wake is paid $100 a month, and the Navy Department has set aside $5,000,000 for the purpose of supporting their dependents. I do not know whether the Congress should go one step further and say to that civilian, "We are going to pay your full salary while you are interned or while you are in captivity."

Mr. HINSHAW. I have a bill pending before the gentleman's committee providing for payment of two-thirds of that salary.

Mr. LUTHER A. JOHNSON. What benefits are conferred under the bill to those serving beyond the continental limits of the United States?

Mr. HARE. Does the gentleman mean to convey the idea that, if a civilian employee is captured, every member of his family will get a hundred dollars a month?

Mr. VINSON of Georgia. No; not at all. If a civilian employee of the Government is captured—and 13 of them were captured—under this bill his salary goes right along, just as if he were doing the work for the Government. However, there is nothing in this bill to pay the contractor's employees, because that was dealt with in a bill passed on February 6. Under that arrangement we are giving to the family of each such employee $100 to support that family while the head of the family is interned, probably, in Shanghai or somewhere else.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. What will be done for the families of the soldiers?

Mr. VINSON of Georgia. I may say to the gentlewoman that that is the very purpose of this bill.

Mrs. ROGERS of Massachusetts. That is what I understood.

Mr. VINSON of Georgia. If he has not made any allotment, then the Government can step in and, based upon the pay he was drawing, can give it all to support his family. That is the purpose of the bill.

Mrs. ROGERS of Massachusetts. Will it give any more than that?

Mr. VINSON of Georgia. Not any more than what he was earning.

Mr. Speaker, I think this covers everything with reference to the Navy.

Another provision placed in this bill was to give to the officers and enlisted men of the armed forces a 10-percent and a 20-percent increase in pay for serving outside the continental limits of the United States. The Senate agreed to the House interpretation of that section. When the bill passed the House no such provision was in the bill. Senator CLARK of Missouri offered an amendment having the same effect as a law in effect during the World War under which soldiers and sailors serving outside the continental limits of the United States got an increase amounting to 20 percent of their base pay in the case of

enlisted men and 10 percent in the case of officers. We rewrote the amendment in conference to make it administratively workable. That is all in regard to that.

Senator BROWN offered an amendment with reference to the Soo locks, a very important amendment, and I am glad to state to the House that we accepted that amendment.

This brings us down to the much-discussed civil-service amendment, known as the Byrd amendment, and I want the House to listen to what I have to say with reference to that.

With reference to the Civil Service Retirement Act, the conference agreement follows the provisions of the Senate amendment, except in two respects:

First. That provision of the Senate amendment which prohibited an employee from receiving on retirement any benefits from the civil-service retirement fund during any period during which he is receiving retirement benefits from any State or political subdivision thereof is omitted from the conference agreement. There are many employees who were State employees prior to their Federal service, and these employees have made payments both into the State fund and the Federal fund. It seemed to the conferees unfair to deprive these employees of the Federal benefits for which they have paid a portion of their salary each month simply because they have also paid for the benefits they are receiving from a State fund.

There are probably only four States in the Union that have a retirement law, the State of New York, the State of North Carolina, and probably one or two other States which I do not now recall. The conferees struck out that provision and said that if these employees who worked for the States before they came into the Government service were making payments and thus were included under the prior retirement acts, they can continue to make their payments as they have done in the past.

Second. The conference agreement clarifies the meaning of the term "heads of departments" as that term is used to describe a class of officers who are not to be entitled to the benefits of the Retirement Act. The first section of the bill defines the term "department" when used in the bill, including such term when used in the amendment made to the Civil Service Retirement Act, to mean any executive department, independent establishment, or agency—including Government corporations—of the Federal Government. Thus, under the Senate amendment, not only are the President and his Cabinet, the Vice President, and Members of the Senate and House excluded from the coverage of the Retirement Act but also the heads of agencies like the Federal Security Agency, the Federal Works Agency, the Federal Loan Agency, and like agencies. The same is true of members of commissions and boards, such as the Securities and Exchange Commission, the Employees Compensation Commission, the Communications Commission, the Board of Tax Appeals, the National Labor Relations Board, the Home Loan Bank Board, the Federal Power Commission, the Interstate Commerce Commission, the Maritime Commission, the Board of Directors of the Tennessee Valley Authority, the Board of Directors of the Reconstruction Finance Corporation, and other Government corporations. The term "heads of departments" also includes heads of the defense agencies like the O. C. D., the War Production Board, the Board of Economic Warfare, the Office for Emergency Management, the Office of Price Administration, and the like.

All of that group falls under our classification "heads of departments," and therefore they are excluded from the benefits of the Retirement Act.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. DONDERO. Does it include officials of the various States nominated or appointed under the W. P. A. agency of the Government?

Mr. VINSON of Georgia. If he comes within the group that is classified as heads of departments, he is excluded.

This is what your conferees tried to do, and I think we were backed by the sentiment of the House.

It was the intention of the conferees on the part of the House to bring back to the House a conference report under which the coverage of the Civil Service Retirement Act would be restored to exactly what it was prior to the enactment of the act of January 24 and we had prepared an amendment to that effect which was tentatively agreed to by the conferees on the part of the Senate. After showing this amendment to the Parliamentarian of the House, however, I was advised that it was beyond the powers of the conferees and that they were limited to dealing with the changes that the Senate amendment had made in existing law.

I was hopeful that we might bring back the coverage as it was before January 24, but we could not do that under the parliamentary situation, for it would have been subject to a point of order.

Mr. Speaker, that covers all the explanation I have to submit. If there are any questions, I yield now.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. COLE of New York. Referring to commissions, such as the Securities and Exchange Commission and the Board of Tax Appeals, does the provision referred to cover just the head of that Commission or all the members of the Commission?

Mr. VINSON of Georgia. While you have a Chairman of the Commission or Board, yet the whole Board constitutes the head, and there is no doubt that I am correct on this because we went into that very question.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman have any estimate of the amount of the pay roll that will be involved in this group which the gentleman defines as executive heads, and so forth?

Mr. VINSON of Georgia. I have seen the statement, and I read the hearings before the Civil Service Commission, and it said to administer the law would have cost about $19,000,000. The gentleman from Ohio has figures going to show it will cost about $68,000,000. I do not know what it is going to cost; I was trying to get at the new coverage and eliminate them, but I could not do so under the parliamentary situation.

Mr. SMITH of Ohio. Maybe the gentleman does not quite understand my question.

Mr. VINSON of Georgia. Yes; I understand the gentleman's question.

Mr. SMITH of Ohio. I merely wish to know what the pay roll will likely be of the group that will be excluded under your definition of executive heads.

Mr. VINSON of Georgia. No; of course, I have not figured that out.

Mr. SMITH of Ohio. Does the gentleman have any idea of the approximate amount?

Mr. VINSON of Georgia. I have not.

Mr. SMITH of Ohio. It would not be very much compared with the total cost involved in blanketing in under the Ramspeck Act the 250,000 appointive officers, would it?

Mr. VINSON of Georgia. Anyhow, it reaches that group of officials whose salaries are over or around $9,000.

Mr. SMITH of Ohio. Let me ask the gentleman one more question. This conference report, as I understand, excludes the possibility of eliminating the immense group that was blanketed in under the Ramspeck Act.

Mr. VINSON of Georgia. We could not do that. That is what the conferees wanted to do, but the conferees could not do that under the parliamentary situation. Therefore, we merely broadened what was meant by heads of executive departments, and I have read you a partial list of those heads that cannot participate in this retirement.

However, if the conferees could have eliminated all of the 285,000 people covered by the act of January 24, 1942, most of them would have come under the retirement law within the next 18 months, because they will be classified as civil-service employees under the civil-service extension law passed in 1940.

Mr. SMITH of Ohio. Accordingly it appears, then, that the conferees were willing to repeal the provision that blankets in those 250,000.

Mr. VINSON of Georgia. That is right.

Mr. SMITH of Ohio. Then the gentleman would join in repealing pensions for this group of 250,000?

Mr. VINSON of Georgia. I may say that, so far as I am individually concerned, I would not extend the coverage to anybody beyond January 24.

Mr. SMITH of Ohio. That is, after the time the bill passed.

Mr. VINSON of Georgia. And I mean I would stop there and would not have

enacted the new bill. May I say in this connection that I am trying to explain this report so that no Member will be able to jump up later on and say he did not understand it.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I want some information and I desire to express my appreciation of the action of the conference committee. I understood the gentleman from Georgia [Mr. RAMSPECK] to say the other day that the new act, which included Members of the House and Senate, the President, and so forth, took in something like 285,000 or more people.

Mr. VINSON of Georgia. That is correct.

Mr. ROBSION of Kentucky. Could the gentleman give us, roughly, the number of persons who are included by this conference report or the number that are taken out?

Mr. VINSON of Georgia. Yes. Those that have been excluded are the President, the Vice President, Members of the Senate, Members of the House of Representatives and the heads of these Departments that I have read. They are excluded beyond the shadow of a doubt. Now some 200,000 employees have been covered in by the act of January 24. We sought to exclude those, but we were barred by the parliamentary situation and we could not do it. If the House wants to exclude those that came in after January 24, they have a parliamentary way to present the matter to the House.

Mr. ROBSION of Kentucky. The gentleman now is speaking of that number of around 200,000?

Mr. VINSON of Georgia. Two hundred thousand.

Mr. ROBSION of Kentucky. Does the recent act include, for instance, the postmasters of New York City and Chicago?

Mr. VINSON of Georgia. They were included under a previous act.

Mr. ROBSION of Kentucky. Does this exclude the United States district attorneys and the United States marshals?

Mr. VINSON of Georgia. No; there is nothing in the conference report that would exclude the district attorneys.

Mr. ROBSION of Kentucky. And it was the desire of the gentleman and the other conferees of the House and Senate to take them all out.

Mr. VINSON of Georgia. They are in by the law of January 24.

Mr. ROBSION of Kentucky. I am referring to the 285,000.

Mr. VINSON of Georgia. That is correct.

Mr. ROBSION of Kentucky. But the parliamentary situation was such that that could not be done, and the parliamentary situation is such now that we cannot vote on that question.

Mr. VINSON of Georgia. The gentleman is right about that.

Mr. HOFFMAN. Mr. Speaker, when this matter was here the other day I asked the gentleman from Georgia [Mr. VINSON] if, when the report came back, it contained a provision which would repeal the so-called pension provision for Congressmen, it would also include a provision which would cover in, under the law, an additional number, something like 200,000, how we could vote. And, if we wanted to vote against our own pensions, we would be compelled to vote to cover these new employees in.

Mr. VINSON of Georgia. Why, you could not touch it from a parliamentary point with a 10-foot pole.

Mr. HOFFMAN. So that if I want to vote against a pension for myself, I must also vote to cover in these new employees.

Mr. VINSON of Georgia. That is correct, because the House unanimously passed the other bill which it was in.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. RAMSPECK. Mr. Speaker, the statement of the gentleman from Michigan [Mr. HOFFMAN] is incorrect, because the question that he is talking about is not involved in this conference report at all. The 285,000 other people were brought in by the act of January 24, and a vote on this conference report does not involve bringing them in or keeping them out.

Mr. VINSON of Georgia. The gentleman is correct, because the House passed that on January 24.

Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. VINSON of Georgia. Mr. Speaker, notwithstanding that the previous question has been ordered, I ask unanimous consent to make a statement in order to correct what I said a moment ago to the gentleman from Michigan [Mr. HOFFMAN], because I did not exactly catch what he meant.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, there is nothing in this bill that deals with the 250,000 employees referred to, because that has already been passed, and when we vote to exclude ourselves, we have nothing to do with the 200,000 who have already been brought in by previous law.

Mr. HOFFMAN. Mr. Speaker, I am sending up an amendment or instructions to the desk.

The SPEAKER. The gentleman from Michigan sends up the following:

That the report of the conferees be rejected and the House conferees be instructed to insist that all provisions of the bill which would cover additional individuals or groups be stricken out.

The Chair thinks that is not in order either as an amendment or an instruction at this point. The only thing that the House can do now is to vote up or down the conference report. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

MARINE INSURANCE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6550) to extend and amend Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Line 9, after "as", insert "the Congress by concurrent resolution or."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I understand the only change that has been made in the House bill is in respect to this concurrent resolution.

Mr. BLAND. That is all.

Mr. MARTIN of Massachusetts. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

The SPEAKER. The Chair thinks it is proper to dispose of one or two conference reports before taking up the unfinished business, and suggests that if speeches be somewhat curtailed, it is possible that we can dispose of the unfinished business today.

UNIFORMS AND EQUIPMENT FOR CERTAIN RESERVE OFFICERS

Mr. MAY. Mr. Speaker, I call up the conference report upon the bill (S. 1891) to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army, so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1891) to amend an Act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment and in lieu of the comma following the matter proposed to be inserted by the House amendment, insert the following: "below the grade of major, on or"; and the House agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "*Provided*, That any officer of the Officers' Reserve Corps commissioned prior to Sep-

tember 26, 1941, who has received any allowance under the provisions of the Act of May 14, 1940 (Public, Numbered 511, Seventy-sixth Congress), as originally approved, or who would have been entitled to receive such allowance if he had completed any duty prescribed in the said Act and, in either case, who has not completed his first three periods of active duty training of three months or less in separate fiscal years following his original appointment, shall be entitled to receive the allowance provided in this section, if he has been or shall be ordered to, found qualified, and accepted for active duty for a period in excess of three months under his commission: *Provided, however,* That any sum which shall have been paid to any officer under the provisions of section 1 of this Act"; and the House agree to the same.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
Managers on the part of the House.

ELBERT D. THOMAS,
ED. C. JOHNSON,
WARREN R. AUSTIN,
CHAN GURNEY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1891) to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment prevents the payment of the uniform and equipment allowance to persons commissioned in the Army of the United States subsequent to September 26, 1941, in the grade of major or any higher grade. The conference agreement adopts the amendment with an amendment thereto for the purpose of assuring that those officers who were commissioned on September 26, 1941, shall be entitled to the allowance for uniforms and equipment.

Amendment No. 2: This amendment provided for the payment of the uniform and equipment allowance to every officer of the Officers' Reserve Corps commissioned prior to September 26, 1941, and subsequent to June 3, 1916, who has been or shall be on active duty for more than 3 months. The Senate bill provided for payment of the allowance only to reserve officers who could qualify under the act of May 14, 1940. Only officers serving under their original appointments could qualify under the act of May 14, 1940. The amendment also clarified the application of the bill to those officers who have heretofore been, or may before the enactment of the bill into law be, called to active duty. The conference agreement rejects so much of the House amendment as would make the allowance payable to officers who were not eligible for the allowance under the act of May 14, 1940, and includes so much of the House amendment as clarifies the application of the bill to those officers who have heretofore been, or may before the enactment of the bill into law be, ordered to active duty.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
Managers on the part of the House.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. To ask the gentleman to explain this.

Mr. MAY. Mr. Speaker, this bill simply amends the act of May 19, 1940, which allowed to officers of the Regular Army and Navy of the United States $150 in lieu of uniforms. That was payable under the act in installments of $50 a year. The bill that is before the House at this time on the conference report changes that, not in amount, but so as to provide that it is limited to all officers not only of the Army of the United States, but of the Reserve Corps who were inducted into the service subsequent to September 26, 1941, and provides that where they have been paid any portion of the $150 credit shall be given for such sum as has been paid, less the allowance to officers from the grade of major down.

Mr. MARTIN of Massachusetts. But it really extends it to the Reserve officers?

Mr. MAY. That is correct.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. WADSWORTH. I would like to ask the chairman of the Committee on Military Affairs if the committee made any comparison as between the allowance proposed here and the allowance made to corresponding officers of the Navy?

Mr. MAY. I do not recall that there was any testimony on that subject in the hearings on this bill, but I think it was agreed in conference that probably the allowances were the same in both the Navy and the Army when this bill was passed.

Mr. THOMASON. Will the gentleman yield?

Mr. MAY. I yield to my colleague from Texas.

Mr. THOMASON. The distinguished chairman of the committee is mistaken about that, I think, because the allowance for the Navy is considerably more, but it ought not to be. These allowances ought to be equalized as between the Army and the Navy, and I am sure the gentleman from New York will agree with me.

Mr. WADSWORTH. That was the purpose of my asking the question; not to oppose the conference report. But I suspect that here is another instance where the pay schedules and allowances of the Army and the Navy are beginning to lack uniformity, and that men in one service get more for performing the same duties than the corresponding officer in the other service.

Mr. MAY. That is true, but the Army did not ask for any more than the committee gave them. The committee gave them all they did ask for.

Mr. WADSWORTH. I am not complaining about the amount, but when another branch of the service comes and asks for more money they get it. The situation is going to become indefensible.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to my colleague from New York.

Mr. ANDREWS. I might say that it was pointed out by some of the Navy that their service is more rigorous and they require more money for their allowance than the men in the same service in the Army.

Mr. WADSWORTH. That is open to debate.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

IRRIGATION AND WATER UTILIZATION, MOLOKAI, T. H.

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the Committee on Irrigation and Reclamation be discharged from further consideration of the bill (H. R. 6670), to provide for an irrigation and water utilization project on the island of Molokai, T. H., and that the same be re-referred to the Committee on the Territories. I have conferred with the chairman of the latter committee and the sponsor of the bill, and this action is agreeable to them.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT FOR TRAVEL OF PERSONS DISCHARGED FROM THE ARMY ON ACCOUNT OF FRAUDULENT ENLISTMENT

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment.

The Clerk read the title of the bill.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
Managers on the part of the House.

ELBERT D. THOMAS,
WARREN R. AUSTIN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment provided that persons who fraudulently enlist in the Army, representing themselves to be within the age for enlistment when they are below such age, should hereafter receive honorable discharges; and that persons heretofore given dishonorable discharges or discharges without honor from the Army because of having

represented their age to be greater than it was should be deemed to have been given honorable discharges. The conference agreement eliminates the House amendment.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, this bill covers the question of fraudulent enlistments where soldiers enlist and make false representation as to their age in order to get in. The Army thinks they ought to be honorably discharged as far as that is concerned and be paid $10, the usual fee that is paid for transportation back home, if that is the smaller of any amount that is due.

Mr. MARTIN of Massachusetts. It is just a question of transportation back home,

Mr. MAY. Transportation and honorable discharge to those who just made the sole misrepresentation as to their age.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. MOTT. As I understand, there is a provision in this bill providing that the person be discharged from the Army if he falsifies as to his age when he came in. What is the provision that the gentleman is talking about?

Mr. MAY. The provision is that where he makes representation solely as to age, by saying he was 21 when he was not 21, in order to get into the Army, that he be given an honorable discharge and given pay to go back home.

Mr. MARTIN of Massachusetts. They are not discharged now, anyway, are they?

Mr. MAY. No.

Mr. MOTT. Then, why is this provision in the bill?

Mr. MAY. Some of them may be discharged for that reason or for other reasons.

Mr. MOTT. Does the gentleman know that a number of our outstanding Army officers would have been out of the service long ago if that rule had been applied?

Mr. MAY. They have not been giving them dishonorable discharges in recent years for that.

Mr. MOTT. The recent Adjutant General of the Army, General Adams, lied about his age in order to get into the Spanish-American War.

Mr. MAY. And he has rendered great service to the Government.

Mr. MOTT. Thousands of other boys 17 and 18 are lying a little about their age, and they have rendered great service.

Mr. MAY. That is true. That is what I am talking about.

The SPEAKER. The question is on agreeing to the conference report.

Mr. WHITE. Mr. Speaker, I do not think one side should have all the privilege of inquiry. I would like to ask a question.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

SECOND WAR POWERS BILL, 1942

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2208) to further expedite the prosecution of the war.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208, with Mr. COOPER in the chair.

The Clerk reported the title of the bill.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to address the Committee for a minute to make an announcement.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. With regard to the Smith amendment adopted by the committee yesterday, there has been prepared a memorandum of explanation, copies of which are on the tables, both on the majority and the minority side, so that Members who may want to examine it will find it available. May I state in this connection that, as set forth in this memorandum, a great many people place the construction on this amendment that it would limit future purchases, from now on, of bonds and obligations of the Federal Government to five billion without limit. Something will have to be done about that. Anyway, the memorandum is on the desk.

Mr. CARLSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARLSON. May I ask the Chairman if the Smith amendment suspending certain labor provisions is not open for debate and discussion at this time?

The CHAIRMAN. The gentleman is correct.

Mr. CARLSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas is recognized for 5 minutes.

Mr. CARLSON. Mr. Chairman, yesterday I received a letter from one of my constituents who has three sons in the draft. One of the boys is now in the southern Pacific, another one is on the way, and the third has been given a deferred draft status because of defense work. This father is pleading with Congress to do something to secure supplies for our boys who are fighting so gallantly with General MacArthur in the Philippines and other southern Pacific points. His plea is the same as that of thousands of other fathers and mothers in this Nation. The son who has been given a deferred status is now working in a national defense factory at a salary of $8 a day; time and a half or $12 for working on Saturday, and double time or $16 a day for Sunday work. Last Monday he reported to the plant as usual and was advised by a union leader that he would not be allowed to work because the factory would not pay double time for Monday, which they regarded as a holiday.

The boys in the service receive $21 a month. Working hours are not considered—there is no double pay for overtime and their life is in danger every minute. Not even a radical labor leader can justify the stoppage of work in hundreds of our plants last Monday because they would not pay double time.

In this debate it has been suggested that the President should be allowed to continue handling the labor situation. The record speaks for itself. On numerous occasions the President has had an opportunity to deal with labor and its problems but about the only thing he has done is appoint new boards. Today Congress has an opportunity to express itself. It should express itself. We have an obligation to our people in this national emergency. Everyone must sacrifice and I am positive the laboring men and women of this country want to do their share. They have sons at the battle front and are gravely concerned about the production and transportation of war supplies. The pending amendment is not an antilabor amendment. It merely suspends, for the duration of the emergency, the provisions of law which have been adopted in past years as part of a great labor-improvement program. There was some justification for these laws during peacetimes, but during a war we must suspend every law that impedes our defense effort.

Our citizens are making sacrifices. We are accepting, without complaint, the regulations placed upon us by governmental order. We are investing our money in bonds and stamps. We are bearing increased tax burdens and in the near future we will be forced to reduce our standard of living. This is no time for the farmer, the industrialist, or laborer to demand excessive financial gains. This is a time of sacrifice. Every day and every hour lost in the factories because of pre-war laws and regulations may prove disastrous. Congress has the direct responsibility of clearing all decks for action. The American people are ready to give their all in this emergency. Our boys are at the battle front and labor has a desire to devote all of its energy to final and complete victory. As I see it existing laws passed by this Congress, together with the action of certain labor leaders, are the obstacles that hinder production. Again I want to say that this amendment does not question the patriotism of labor, nor is it antilabor. It is pro-labor and pro-American. Why not forget all personal interest in the matter and for the sake of God and for the sake of our country let us adopt it.

Mr. TARVER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I rise in support of the Smith amendment. It is not, in my judgment, intended to punish labor. The vast majority of workers in this country are just as patriotic as you or I. They have done nothing which deserves punishment. On the contrary, their patriotism, their industry, their willingness to sacrifice in the national defense is the finest evidence of the success of democratic government that we have today. Thank God that it is so.

Whenever it becomes necessary to force American labor to perform its patriotic duty, we might as well lay down our arms and quit the fight. There will be no chance to win except by the continuance of the voluntary, enthusiastic, and full-measure cooperation of the vast majority of American workers—on the farm, in the factory, and everywhere else.

That there are exceptions to these general declarations must be recognized. These exceptions must be dealt with. Isolated cases, where workers, deceived by irresponsible and, in some cases, unpatriotic leadership, are refusing to build ships and bombers and manufacture munitions while our brave soldiers and sailors die for lack of those things, must be eliminated. The great majority of workers themselves desire that it may be done. It is unfair that they shall be condemned because of the misconduct of a comparatively small number. But the small number who will not cooperate voluntarily must be made to cooperate, just as the small number who do not voluntarily meet their obligations in selective service and in other defense efforts are made to recognize their responsibilities.

This is not an amendment to enslave labor. It is an amendment to free labor—to permit patriotic Americans in industry upon whom our hopes largely depend to throw themselves fully into the national defense effort to the limit of their capacity, just as our boys in the battle lines are doing for small compensation. Who says that in the face of this great national peril Americans in industry desire to be limited to working 8 hours a day, 5 days a week, unless they are paid time and a half for overtime and double for Sundays and holidays? I deny any such contention. Take the fetters off of American labor and see how fully it will meet your expectations in the defense of our national life and liberty. A sacrifice; yes. Who claims that American labor is unwilling to sacrifice? The arguments advanced here which would bear that construction are not made by men who really represent the heart and soul of American labor.

This proposal, or one like it, will be enacted into law. You may not do it now; you may do it when it is too late. It may be necessary to wait for another Congress to do it. But it will be done, because the American people are not going to stand for the enforcement during this emergency of laws that hamper our defense effort. When Uncle Sam is fighting for his life, they are not going to stand for their own Congress leaving him with one hand tied behind his back by laws that restrain and restrict our defense program. He will be untied. You will either do it or the American people will send somebody here who will. God grant that it may not be done too late, as in the case of France.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, coming from a district in which there is much manufacturing but not having "supped at labor's table" and fearful that I may not be invited, I should perhaps make a statement relative to this amendment. I think that I voted for all these measures that you wish now to modify for the duration. I have often asked labor leaders what I have voted against that did not suit them. They do not seem to be able to tell me.

Mr. Chairman, if we take everybody else by the scruff of the neck under this bill, why should we refuse to act in this matter? It really changes little the advantages already gained by labor. To object so strenuously I cannot understand. We are placing priorities, price control, and every sort of restriction on everybody else. Why not free labor from some of the exactions of the present laws? I have received strong letters from my district asking me if I have not any courage left. The country as a whole is demanding that we show some courage here today, even though it may be a day to try some of your souls, lest you be misunderstood. We must do all possible to prevent delay of production. This ought to be helpful.

I recall what happened in the city I represent on Washington's Birthday. The papers have carried correspondence expressing both sides of the question of working on that holiday. Mr. Nelson requested workers to work on that day. The union leaders requested their members not to do so. They said that only legislators could make holidays and employers had no right to require them to work. And if they did work on that holiday they should demand time and a half, and if they worked on the following Saturday they also wanted a ruling that they would get time and a half for that day also. I do wish they had returned to work and adjusted the differences later.

Of course, Mr. Chairman, labor does not want to give up anything. They seem to want to consolidate and increase their gains during these critical times. They have some right to deny lack of patriotism by comparison with some other groups. I was on the sidelines when the cantonment in my district was being constructed. I saw men refused jobs on this defense construction unless they paid $75 to the union. The treasury of that little union was filled to overflowing. In spite of the fact that the labor leaders in my city are of unusual ability and fairly conservative, they undoubtedly feel that they must not yield to any possible weakening of their position. During the last 10 years I have often seen fit to congratulate them in their conduct and the direction of their followers. However, it seems that when a legislator goes along 99 percent, but fails them 1 percent, they have no further use for him. I might as well warn you that unless you vote 100 percent all the time you are no longer trusted by them. Many have tried it. I do not know how the public feel in my district about labor's failure to respond on February 22. I have carefully read the statements of the labor leaders and those who asked them to work, and I again repeat their argument that only legislators can change the situation. Apparently they cannot work more than 40 hours, even if they wish to work, unless they get time-and-a-half pay. This amendment, if passed, would not prevent bargaining and arbitration relating to their pay. It is very generally allowed above the 40 hours.

For the duration of the war I want to uphold the President's hands. Our President seems to think he can handle this labor situation. Some of us do not think he has handled it successfully. He has always given ground, and he will be criticized unmercifully by labor leaders if he does not go all the way. He cannot be 99 percent and fail on the 1 percent, either. I think he must have already learned that. I am sorry to hear the cry go up to the heavens from these Members proclaiming that this amendment does away with all the gains that labor has made. It is not true. This legislation is only for the duration and really affects the situation but little. Strikes and demands and collective bargaining and arbitration will still be in order. It is quite apparent that this act would simply allow longer hours and different adjustments of pay when both parties agree to the conditions on arbitration.

[Here the gavel fell.]

Mr. MONRONEY. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY to the amendment offered by Mr. SMITH: On page 1, line 9, of the Smith amendment, after "as amended", strike out the remainder of the line and insert "may be suspended by the President in plants determined by him to be vital to production of war supplies insofar as they."

Mr. MONRONEY. Mr. Chairman, this is a very simple amendment offered in an effort to meet a situation which I believe we all realize we are faced with. This is not a prolabor amendment nor an antilabor amendment. We recognize we are in the greatest conflict that has ever faced this Nation. The House is very nervous because the people are very nervous. The strain of war is just beginning to be felt. With our second wind we will soon be ready for all-out effort. We are facing desperate losses in the Pacific.

I believe amendments such as that introduced by the gentleman from Virginia [Mr. SMITH] would have a very disrupting effect upon our war production at this time. It would divide our country without increasing war production.

As Members of the House we have one principal job to get done here. We must ask ourselves the question, "Will it give us more war production?" The Smith bill as offered, I am afraid, would give us less war production. I believe it will promote strikes instead of discouraging strikes. Further—and I believe it is unintentional on the part of the gentleman from Virginia—it comes in under the guise of war effort, but would take away from a great mass of unorganized American workers in strictly nondefense industries the rights and privileges they have long deserved. I do not believe that any group should use the war emergency as an excuse to repeal or suspend protection for workmen in nondefense industries.

From the figures released by the Department of Commerce we find that last year only 25 percent of the industrial capacity of the United States could be devoted to the war effort. The most optimistic estimate of the portion of American industry that will be devoted to the war effort during this coming year is 58 percent at the close of this year. These Smith amendments would take away from at least 42 percent of our workers—those not engaged in the war effort—protection they need against sweatshop conditions.

I realize well that in essential war industries we must have all-out production. I feel that wage-and-hour limits must be suspended in plants and factories vital to the war effort. My amendment so provides that the President may suspend limitations where such production is vital to our war effort.

The President has demonstrated his great humanitarian ideals. He realizes as Commander in Chief the problems that face us on the production line. We in this House cannot, in legislating, exempt one group of industry and put another under the Wage and Hour Act; but the President, knowing all the war-production conditions and knowing where the bottlenecks in industry exist, has possession of the facts that will enable him to make this determination judiciously. With my amendment in the bill, the President will be given the power he needs to smash defense bottlenecks.

In this war effort we need unity more than anything else. We can lose territory in the Pacific and shipping in the Atlantic and still win the war if we do not lose our unity. Any measure that is brought in here that does not tend to promote unity at this hour is, indeed, dangerous to the future of the Union.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, the day before yesterday I picked up the paper and read an article stating that MacArthur's men are calling for tools with which to fight the Japs. You read that article. The night before last I picked up the evening paper and read that MacArthur himself is calling for tools to fight with.

The lovable majority leader said that this amendment is antilabor. I beg leave to differ with that distinguished gentleman, and say that this is an amendment of pro-Americanism. When the time comes that American labor cannot be free it is high time that this Congress should act. If MacArthur is calling for help, if those boys are calling for help, for tools to fight with over there, do you not think it is high time that America answer that call?

The original bill that is before the House seeks to suspend the operation of 13 or 14 statutes. One of those statutes is as dear to the American way of life as life is itself. It covers the right to maintain and own property and preserve it until under condemnation proceedings adequate compensation has been paid therefor; yet this title seeks to set aside the basic law of the land. I wonder why someone is not objecting to that part of this bill. We do not hear any objection to it.

The day before yesterday I received this letter:

DEAR SAM: Why should my son sacrifice everything—possibly his life—

I may say that that son is fighting today in the Bataan Peninsula—

while at the same time members of labor unions refuse to work on holidays unless they get double-time pay?

I think that it is high time that Congress puts a stop to all that tommyrot. If the labor unions are stronger than Congress, we might as well do away with the President and Congress and let John L. Lewis and the other foreign agents run things—they're running them anyway. While they are doing it our sons are getting ready to die.

Sam, this is serious. Don't you think that if a member of a labor union doesn't want to work, he should be immediately drafted into the Army at the Army pay and made to do just like the other boys do? It has come to a matter of fight or work. There are a lot of things I don't like about my job, but I'm not striking about it.

Pull the skids out from under whatever is blocking action against the labor unions there in Congress and let's have a control program that will put the workers in the unions on the same basis as all of the rest of us for the duration.

This father is a professor.

Mr. Chairman, in that same mail I received this letter:

From the standpoint of an average citizen, it looks as if the Members of Congress are going to have to demonstrate to the citizenship of this country that they have some intestinal fortitude. This with special reference to the matter of union labor. Under war conditions, the actions of some of these unions are to the average citizen pitiful. People generally are "riled" up this morning at the action of the union, which for the paltry difference in time and time and a half or double time for 1 day have lost so many work hours from the production for war. The general attitude is expressed by the favorite words of the funny-paper character Yard Bird Smith that "time's awasting" for some action to force the unions to do the right thing in case they do not see the swing away from any sympathy for their cause at all. Surely legislation could be passed for the duration of the war to handle this matter. After the war then the law passed would be of no effect.

I have heard it said and written the Congress is not to blame, as the President would block such legislation. People are back of the President fully and believe that he wants to do everything to win this war, so doubt this seriously. It looks as if it is up to Congress, and if they pass this legislation, then and not until then have they done their duty.

If this gentleman from my district had been here yesterday and today, he could readily have seen who is blocking such legislation, and he would at once know that the men in Congress who are opposed to such tactics on the part of any organization and who are fighting their hearts out to eliminate such un-American activities, then he would not blame Congress, and especially those men who have the real interest of America at heart.

Under the war program, as under the main parts of the bill we are now discussing, statutes have been modified for the duration of the emergency. Rights have been taken from citizens and even communities, because we want to further our chances in this terrible conflict. The automobile business—one of the first casualties of the war—has been completely driven out. The men working in automobile establishments have necessarily lost their full jobs. The tire dealers are another war casualty. They too have been put out of business, and their employees have lost their full jobs. In many instances small business enterprises have been completely ruined—all to further the war effort.

And now we find in Congress men who still want to shield labor leaders and object to any kind of a suspension of the labor laws which woud free labor and give those men and women the right to work an extra hour or two in order that our soldiers who are fighting unto death may secure better weapons and tools with which to defend themselves.

Mr. Chairman, this does not appeal to me as true Americanism, and I know it does not appeal to the rank and file of union labor, 85 percent of which is patriotic and wanting to be freed so that they may assert their Americanism in added production for our boys. The Smith amendment will give labor this freedom; it will give them the right to work for our boys who are so sorely in need today. It will allow union labor to work 1, 2, 3, or 4 extra hours in the manufacture of defensive equipment, without extra pay, without time and a half or double time pay, for those boys. And I say again that the rank and file of American labor desires this freedom.

Those union laborers are under a dictatorship. They have to abide by the wishes of their leaders. The Smith amendment would suspend these laws for the duration and throw off the yoke of dictatorship from those people who want to give their best in behalf of their fellow Americans who now are fighting on the battle lines in order that they and their country might survive.

So, Mr. Chairman, let our answer be to the mothers and fathers of America who have boys in our fighting forces, whose businesses have been dislocated—let this Congress now say that it is backing those boys and those people to the fullest by passing this Smith amendment and give their brother Americans who are engaged in the manufacture of equipment, the right to do their best in this hour of peril to all of us.

[Here the gavel fell.]

STRIKES AGAINST THE GOVERNMENT MUST STOP NOW

Mr. CLUETT. Mr. Chairman, I favor the amendment offered by the gentleman from Virginia as title IV-A of the bill now under consideration and will support it. If we are to win this war, labor and our fighting forces must be placed on an equal footing. This is no time to quarrel over hours and pay. We demand of our soldiers everything they have and shall we tell them here that everything they demand from us will not be forthcoming?

While we are engaged in this greatest of all human endeavors, no special privileges should be granted to anyone—high or low, rich or poor, in or out of the Government. Are these demands of labor to

be granted? Shall we not resist this pressure on Members of Congress to favor them with shorter hours and increased pay, slowing up our productive capacity when the crying need of the Nation is for the fullest measure of our physical capacity? Is all this the sort of news we wish to send our fighting men in their anxiety for more and more weapons? While we argue they may die, and the blame will rest with us. The President has told us these delays must end. Let us insist that we give him the power to act, and without delay.

There is not in these United States today any more important subject discussed than that of interference with our war production. No matter by what method or by what group, either of capital or labor, it constitutes what is and what will prove to be a most dangerous situation. Jurisdictional disputes, the right of a closed or open shop, intimidation and violence, and the forceable prevention of a man's right to work present a picture of revolution and disrespect for orderly government which every decent citizen must resent.

While I am aware of the decisions of our highest courts, I have always believed that picket lines strike at the very foundation of orderly government.

I have before me a cartoon or sketch which appeared in yesterday's Times-Herald, which probably you have seen. It depicts a private soldier marching in front of general headquarters, and on this banner are the words "Gen. Douglas MacArthur is unfair to Company C." Is this the kind of thing we are coming to in these dangerous hours?

We have witnessed these scenes from the very doors of the Capitol and protests over them ignored. Even the White House has been subject to such displays. Banners calling men and their places of business unfair and subjecting them to ridicule, and in many cases disruption and loss of their business, and this in a free country. Lines marching under the shadow of our Supreme Court Building with the words "Equal justice under law" emblazoned on that majestic building, a symbol of all we hold right and secure for every citizen. Picketing and its certain corollaries, strikes, and disorders not only have no part in our supreme war effort, but people are demanding that the Government put a stop to them at once. Appeals for sacrifice for the purchase of Defense bonds and for immediate and all-out defense production become a mockery unless every lawful method is employed to prevent these attacks.

The news of such disorders and delays and disruption of our war effort is enough to dismay and dishearten the millions of our young men who are eagerly waiting and watching for fighting equipment which may mean life or death to them—men waiting to make more sacrifices than those of us at home can possibly contribute. Unless this Government can prevent such a situation, I shall be ashamed to call myself a citizen. Can any demand be more compelling?

Legislation passed by this House last year which would have corrected to a large extent strikes and disorders and subsequent closing down of defense factories has been refused immediate consideration by the Senate, and apparently our voice and efforts have been of no avail. Who are responsible for this? What a waste of our time—valuable time, critical time—and today thousands of man-hours are being lost which cannot be regained despite reports that all is quiet on the Potomac, and everywhere else where quiet means lay-offs and shut-downs and idle defense machinery.

Let us compel these racketeers to work or fight. No one would approve of this order more than labor itself, who are sick and tired of the commands and penalties put upon them by irresponsible union leaders.

We have seen all other efforts of conciliation and compromise fail. In God's name let this Congress act now before it is too late.

Mr. THOMASON. Mr. Chairman, I rise in support of the Monroney amendment.

Mr. Chairman, I can in good conscience and with complete sincerity support the Monroney amendment, because I think there is a lot of virtue in it. But when it comes to the so-called Smith amendment, I honestly fear that some of the Members of the House are letting their prejudices get the better of their judgment. Perhaps the Monroney amendment should be defeated until the committee has time to give it careful study; but if either is to be adopted now, it is far preferable to the Smith amendment.

A careful reading of the Smith amendment will disclose that, without any hearings or testimony by the committee, an amendment is offered to the war powers bill by the gentleman from Virginia [Mr. SMITH] suspending 17 labor acts that have been passed during the last 30 or 40 years. I am not certain, but some have claimed that it even suspends the Adamson 8-hour law for railroad men.

Mr. RUSSELL. Oh, no.

Mr. THOMASON. That charge was made here yesterday, and I have not had opportunity to give it close study, but certainly, whether it does suspend that law or not, it repeals some of the most important labor laws that have been passed during the last 25 years, regardless of what administration may have been in power. I am not going to be a party to any such hasty and unwise action. Such a law would be an unjust and futile slap at all labor, organized and unorganized.

Mr. RUSSELL. The gentleman means "suspends" instead of "repeals."

Mr. THOMASON. Yes; I accept the correction. I mean suspend, which would probably amount to the same as repeal. Honest labor would never regain its lost ground.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. Is it not a fact that there is probably in this repealer or suspension a repeal of the child-labor provision?

Mr. THOMASON. I have heard that strongly contended; and not only the child-labor provision, but some are even claiming it suspends the right of collective bargaining and that we go back to the old sweatshop days and suspend all labor laws insofar as they affect private industry. Honest and patriotic labor has fought for years for this legislation. I am not willing to sabotage them now.

I am one of those who believes that 98 percent of labor is just as patriotic as any of the Members of this House, and I am not willing to indict and to condemn 98 percent of the American laboring people for the sins of 2 percent. If you want to be both fair and practical about this thing, it seems to me the adoption of the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY] would be quite reasonable and accomplish the desired end. As for my own part, I did what the great majority of the Members did when we passed the Smith bill which is now pending in the Senate. I supported and spoke for the so-called Connally bill. But we are not responsible for the action of another body; and now to go along with this bill and with one bold stroke, without any hearing or study, suspend 17 of the labor laws for which decent, honest, patriotic labor has struggled for 25 years, I undertake to say, is not fair, and I am not willing to support it. As the gentleman from Oklahoma so well said, such action will be conducive of discord rather than harmony. Such legislation would provoke rather than stop strikes. I join with him in his plea for unity. If there ever was a time when we ought to say to the 98 percent of honest and patriotic labor in this country, whether in munitions plants or wherever they may be, that they ought to be commended and we should applaud them for their efforts, it is now. I will support, as I have done, a bill to put the 2 percent, including their crooked leaders, out of business.

I sincerely hope that the Smith amendment is not adopted. I think the other is quite feasible and quite reasonable and will accomplish the desired end.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman.

Mr. HOFFMAN. Is not the Monroney amendment an amendment to the Smith amendment?

Mr. THOMASON. Yes; and I am for it. I am willing to trust the Commander in Chief to do the necessary thing. I still believe in him.

Mr. HOFFMAN. A substitute for what?

Mr. THOMASON. It amounts to a substitute for the Smith amendment.

Mr. HOFFMAN. Do we not have to adopt the Smith amendment in order to get in the Monroney amendment?

Mr. THOMASON. The vote comes first on the Monroney amendment.

Mr. HOFFMAN. Yes.

Mr. THOMASON. I am not certain what the parliamentary situation is in that respect. Regardless of what it may be, it will have the effect of killing that part of the Smith amendment that absolutely suspends all these acts. It leaves it to the discretion of the President and refers only to defense industries.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. With all deference, the Monroney amendment is an amendment to the Smith amendment, and the substance of it is that it gives the President of the United States power to suspend such acts in plants determined by him to be vital in war production.

Mr. THOMASON. I stand corrected, and I thank the gentleman. That is the end sought to be accomplished, and I hope the Monroney amendment will be adopted. There is not a word in the Smith amendment about strikes. It would not accomplish that end. It would only create confusion and discord. We all want to stop strikes, and I have voted for every bill that has that for its purpose. The Connally bill had that for its objective. The only thing this Smith amendment would accomplish would be to place in the pockets of big rich contractors who already have lump-sum contracts the large sums of money they would save by not having to pay time and a half for overtime under their collective bargaining contracts. This is no time to smear all honest and patriotic labor for the sins of a few. I will not be a party to it.

Mr. O'CONNOR. Mr. Chairman, I am just as much opposed to any interruption in the production of our war equipment by strikes, or by any other reason, as any Member of this House. I listened to the President of the United States the other night, and he made this statement, and he made it in such fashion that I know that he meant it. He said that there will be no interruption in production. He has the power to put that statement into effect now. Automatically, when war was declared by this country, the President of the United States assumed a dual capacity—first, as President, and, second, as Commander in Chief of the American Army and Navy. He is responsible for the conduct of this war. He knows what we need. He knows what is best to keep up and facilitate production. He has not asked for the Smith amendment, nor has he asked for the Monroney amendment. Let us not give him something he may not want. I am willing to trust the President of the United States in this matter. What is the history of this proposed legislation? Parenthetically speaking, several men supporting these amendments have taken this floor and deprecated the fact that our draftees and selectees are serving in the Army for $21 per month. I feel the same way as they profess now to feel, but I wonder where they stood when I tried to raise the base pay of the selectees to $50 per month when the conscription bill was before the House for consideration. Where were those gentlemen then? Did they vote for my amendment?

Mr. MURDOCK. Mr. Chairman, I want to remind my friend that I voted for this amendment offered by him.

Mr. O'CONNOR. I want to read from what the Attorney General, Mr. Biddle, said. He is testifying before the committee which reported out this bill. The gentleman from Nebraska [Mr. McLAUGHLIN], the chairman of the subcommittee who held the hearings, yesterday very lucidly, clearly, and ably told us how this bill came into existence, and that should be enough for any Member of this House to satisfy him that the bill should not be amended by including such a controversial subject as is embraced in the amendment of the gentleman from Virginia. What did Mr. Biddle say? I quote from his testimony:

> It might interest you to know the method in which the bill was originally prepared, as I think it is probably a very good technique, particularly during this period when many of the departments are anxious to get through bills which they think affect their efficiency in the war.
>
> What we have done—we did this immediately after war broke out, with the approval of the President—was to organize a small subcommittee in the Department of Justice, of which the members are Judge Townsend, who is the Acting Solicitor General, and in charge of our Opinion Section and Drafting Section; Mr. Cox here, who is General Counsel for the Office for Emergency Management, an important job, who is a member; and a Mr. Kemp, general counsel of the Bureau of the Budget, who was designated by Mr. Harold Smith, the Director, to sit on that subcommittee. In that way we were able to clear rather more quickly than by the usual procedure the demands and requests of the various departments. I wrote to all of the departments and requested them to clear, through me, any legislation they had in mind, because so often a bill will affect different departments.

So, every department was called upon to submit to the Department of Justice what they thought was necessary to facilitate the production of war materials. The bill was drafted, now what follows? He further stated that after that the bill was sent to the leaders of the Senate and the House, to Mr. BARKLEY, and the Speaker of the House, and that they would, of course, distribute it to the various committees.

The Speaker of the House then referred the bill, very properly, to the Committee on the Judiciary of the House. This committee to my way of thinking is one of the ablest and just of this body.

Mr. Chairman, has the Speaker asked for any change in this? Has the President asked, or the Department of Justice asked for this addition? No. Now what is this bill? I quote further from Mr Biddle's testimony:

> The second war powers bill is composed of a number of measures needed by the various Government departments and agencies in the prosecution of the war effort.

Mr. Chairman, I think if this amendment were to be adopted by Congress it would not serve to increase production and after all is said and done that is what we are aiming to do by this bill. That is why the Department of Justice worked on it pursuant to requests from the various other departments and that is why the President approved it. Increased production was and is our objective. We cannot, by innuendo or otherwise, cast aspersions upon the patriotism of the laboring class of people of this country. They are the ones who are actually making the ships, planes, tanks, guns, and ammunition. They are as patriotic as we are or as any other body of men and women are. Among them, of course, are exceptions but such exceptions constitute a negligible percentage.

Now as the gentleman from Massachusetts [Mr. McCORMACK] well said yesterday, he did not believe it was the intention of the gentleman from Virginia [Mr. SMITH] to indict labor as a specific class, but regardless of the intention of the author of the amendment, the reasonable interpretation to be placed upon it when the debates of the House will be examined is that it takes a crack at labor. Had we better not, in the interests of unity, in the interest of sustained and increase of production of war materials, be on our guard lest we question the patriotism of such a class of people as the laborers of this country, because after all that old saying, "you can lead a horse to water but you cannot make him drink," still rings true. Ninety-nine percent of labor today is behind our Commander in Chief of the Army and Navy. Our Commander in Chief knows this—hence he is not asking for this legislation. Again let me say we must not overlook the fact that we should not be blind to the forest because we see nothing but some brush close to us. The forest I have in my mind's eye is our great big, fine United States and all of our people. The brush that obscures our views of the forest is the maybe 1 percent of the laggards in our production program.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. FOLGER. Mr. Chairman, I offer the following amendment as a substitute for the Smith amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Mr. FOLGER offers the following amendment as a substitute for the Smith amendment: Amend title IV of S. 2208, by adding after the period in line 11, the following:
>
> "Whoever, during the period of this war and while the United States is engaged therein shall order, call, advise, or cause any strike, walk-out, or lock-out of workers (a strike, walk-out, or lock-out resulting) in any plant, factory, mill, mine, or other place engaged in defense or war production work, shall be guilty of a felony, and, upon conviction, shall be punished by fine of not more than $5,000 or imprisoned for not less than 1 year nor more than 10 years, in the discretion of the court. Such offense shall be deemed as an offense against the United States of America and shall be cognizable in the district courts of the United States and the District of Columbia."

Mr. CASEY of Massachusetts. Mr. Chairman, I make the point of order against the substitute amendment.

The CHAIRMAN. The gentleman will state the ground of his point of order.

Mr. CASEY of Massachusetts. It has to do with walk-outs, lock-outs, strikes, and it contains penal provisions, punishment for certain action that has nothing whatever to do with the purpose of the bill under consideration.

The CHAIRMAN. Does the gentleman make the point of order upon the ground that the substitute is not germane?

Mr. CASEY of Massachusetts. That it is not germane.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from North Carolina on the point of order.

Mr. FOLGER. As the Chair observed yesterday this is an unusual bill in that it deals with many subjects, but at the same time is designed and intended to expedite and to prevent interference with war production in this country. I submit, Mr. Chairman, that this strikes at the very root of interference with and therefore tends to expedite the war production in this country. I am seeking to get at the leaders and not to take away from the men themselves every right in the world that they have obtained under the law.

Mr. CLARK rose.

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard on the point of order?

Mr. CLARK. I do, sir.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. CLARK. Mr. Chairman, as I understand the question of germaneness, it means things between which there is a close relationship; a pertinency. If you go right to the bottom of the term, technically it means kinship.

On yesterday when the point of order against the Smith amendment was being presented, the gentleman from New York [Mr. CELLER] at some length proceeded to show how the several subjects in this bill are wholly unrelated and not germane one to another. Certainly there is no close relationship between the naturalization of a citizen and the right of the Federal Reserve bank to buy bonds directly from the Treasury.

The CHAIRMAN. Would the gentleman indulge the Chair a moment at that point?

Mr. CLARK. Certainly, Mr. Chairman.

The CHAIRMAN. The Chair directs attention to the fact that the question here presented is not a point of order against the amendment offered by the gentleman from North Carolina [Mr. FOLGER] to the pending bill. The point of order here presented is that the amendment offered by the gentleman from North Carolina [Mr. FOLGER] is not germane to the amendment offered by the gentleman from Virginia [Mr. SMITH]. The question here presented is whether the amendment offered by the gentleman from North Carolina is germane to the pending amendment—not to the pending bill.

Mr. CLARK. I thank the Chair for having noted that distinction. May I make a parliamentary inquiry of the Chair?

The CHAIRMAN. The gentleman will state it.

Mr. CLARK. Would the way be open to offer the amendment as an amendment to the original bill? If so, I would not care to discuss the point of order at the present time.

The CHAIRMAN. It could be offered at the proper time. The Chair could not undertake to rule on what question might be raised later.

Mr. CLARK. Now, on the other point, as to whether this may be germane to the Smith amendment, I only want to make this brief observation: The bill under consideration, from its inception, wholly ignores any rule of germaneness as we commonly consider that question. The only common ground upon which these several subjects can stand is that they would facilitate or expedite the war effort. If the Smith amendment is germane to the bill it must stand only upon that ground—the common ground of promoting the war effort. If the amendment now offered by the gentleman from North Carolina [Mr. FOLGER] qualifies as being in line with the general principle of promoting the war effort, of expediting the war effort, then it would have its feet planted firmly upon the only ground upon which these several wholly different subjects could be considered by the Congress.

Let me add, Mr. Chairman, I say that because since the fall of France the primary problem of America has been one of production. As the tragic days have passed that problem has increased day by day, and we have come now to the point where unless America can produce itself out of its difficulty it will not get out. In my judgment, from a common-sense standpoint, if the amendment offered by the gentleman from North Carolina [Mr. FOLGER] would tend to increase the productive power of the Nation, it must be germane to this omnibus war-powers bill.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from North Carolina [Mr. FOLGER] offers an amendment as a substitute for the pending amendment offered by the gentleman from Virginia [Mr. SMITH]. The gentleman from Massachusetts [Mr. CASEY] makes a point of order against the amendment offered by the gentleman from North Carolina [Mr. FOLGER] on the ground that it is not germane to the amendment offered by the gentleman from Virginia [Mr. SMITH].

The Chair feels it appropriate to again call attention to the fact stated a moment ago that there must be borne in mind a very clear distinction on the point as to whether the amendment now offered by the gentleman from North Carolina would be in order to the pending bill and as to whether it would be in order as a substitute for the pending amendment. Of course, the Chair does not now undertake to pass upon the question of whether the amendment offered by the gentleman from North Carolina would be in order if offered as an amendment seeking to include a new title in the pending bill.

The Chair has analyzed the amendment offered by the gentleman from North Carolina solely on the question presented by the point of order made by the gentleman from Massachusetts as to whether the amendment offered by the gentleman from North Carolina is germane to the pending amendment offered by the gentleman from Virginia. The Chair invites attention to the fact that the amendment offered by the gentleman from Virginia relates only to the question of hours, days, or weeks of labor and compensation therefor. The amendment offered by the gentleman from North Carolina goes much further and is much broader than the scope of the amendment offered by the gentleman from Virginia.

The amendment offered by the gentleman from North Carolina, among other things, deals with strikes, walkouts, lock-outs, and imposes penalties. The amendment offered by the gentleman from Virginia does not go nearly that far and does not undertake to impose penalties. The Chair is therefore of the opinion that the amendment offered by the gentleman from North Carolina is much broader than the amendment offered by the gentleman from Virginia and is not therefore germane.

The Chair sustains the point of order.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last several words.

Mr. Chairman, we have heard from nearly everybody on this subject except the soldier. I have a letter here which I had caused to be printed some time ago in the Appendix of the RECORD. This letter comes from a young man serving in the Philippines and was mailed from the Philippines on December 19. It arrived here not long ago, and if you will bear with me and give me your consent I shall be very happy to read it. It reads:

DECEMBER 19.

DEAR MOTHER AND DAD AND MY GOOD FRIEND THE CENSOR: This is to let you know that I am still alive and kicking and expect to be when I reach home. I'll probably slip and fall in the bathtub after I get there. But I'll be alive when I get back. I can't tell you anything because this is censored about three times. So I'll try to put down what I think won't be scratched out.

Stan sent a telegram to his mother, and I hope she called you because he said I was safe. I don't know whether Stan is alive or dead. I haven't seen him for 2 weeks. We who are with the planes have been separated from our regular outfit for about 2 weeks. We've practically been hiding from the enemy ever since the war started. We are so shorthanded that each man is doing the work of 10. And you can't accomplish much when you expect a rain of death from above every time you hear the drone of an airplane.

I can tell you right now that, for the rest of my life, every time I hear a plane my insides are going to quiver from the thought of some of the smells and sights I've seen.

SLAUGHTERHOUSE OF DEMOCRACY

The Philippine Islands might appropriately be called the slaughterhouse of democracy.

I wish you would spread it around in that "arsenal of democracy" (so-called) that you're living in that we could use a little help over here. I went through two visits from our so-called little yellow friends, and let me tell you here and now I'll never eat chop suey again. I'm going to hear the scream of falling bombs for a long time. Tell Jonesy to tell all the gang who work at Lockheed that we boys who are crouching down here in the jungle when a slant eye comes over would appreciate it if they took a little interest in their work and worked a little faster. And you might use a few swear words when you tell them. I might tell you that the place where we were stationed is now nothing but blood and sand and a few smoking wrecks, but I won't, because the censor will probably cut it out.

LOSES BELONGINGS

I'm glad to get out of there because it got kind of tiresome diving for trenches every few minutes and having to dig sand out of my ears for hours later. We have been isolated from all towns and villages, so I cou'dn't send a wire. All my belongings were lost back at

the field. I have one pair of shoes, socks, and coveralls to my name. Well, I must close now. Lord knows when I'll be able to write again. I love you both and I'll see you soon.

JACK.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. CASEY of Massachusetts. Does the gentleman think the passage of this Smith amendment would expedite production at the Lockheed plant which was mentioned in the letter?

Mr. HINSHAW. I am not attempting, at this point, to discuss the Smith amendment. I merely offer this view of the ordinary soldier, who is doing the actual fighting and dying. I hope the Lockheed plant will continue as it is now, producing far in excess of its schedule. It is far ahead of its program, all of which would be good news to the writer of that letter if he could but hear it.

Mr. CASEY of Massachusetts. That is what it is doing at the present time without the Smith amendment?

Mr. HINSHAW. Yes. In fact, they are so far ahead of schedule that it has been found necessary temporarily for them to drop back to the 5-day week in order to give their subcontractors and material supply men time to catch up.

Mr. Chairman, as I read the Smith amendment, it does not affect any of the rights of collective bargaining, and, in fact, it has very little effect, if any, upon wage-and-hour agreements now in force. I doubt that it can have any force or effect upon any contract now existing between an employer and his employees. Consequently it can only affect the employment conditions of that great body of workers, unorganized, who have no contracts with their employers, and these workers are not employed to any great extent in defense industries. I believe the amendment is intended by its author to prevent the payment of time and one-half and double time to employees in defense industries when they work overtime or on Sundays or holidays, but these provisions exist in contracts or agreements between workers and employers in defense industries. I doubt that any law we could pass could abridge those contracts. If that be true, then this amendment merely opens up to exploitation that great body of workers not working under wage-and-hour contracts and not employed in defense industries.

Mr. Chairman, the ramifications and far-reaching effects of this amendment should be carefully studied by a committee of this House, and a carefully thought-out measure submitted before I care to vote on the questions involved. I shall, therefore, vote against this amendment, while recognizing that there are great questions here yet to be solved.

Mr. BULWINKLE rose.

The CHAIRMAN. For what purpose does the gentleman from North Carolina rise?

Mr. BULWINKLE. In opposition to the amendment.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. BULWINKLE. Mr. Chairman, I rise at this time to ask the gentleman from Virginia, the author of the amendment, if he will give me the sections of the Communications Act of 1934 which his amendment attempts to repeal or suspend.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. SMITH of Virginia. I take exception to the gentleman's use of the word "repeal," because it does not repeal any provision of law; it merely suspends them during the emergency.

Mr. BULWINKLE. I said "or suspend."

Mr. SMITH of Virginia. The gentleman will find in the RECORD of day before yesterday a full and complete reference to all laws sought to be suspended.

Mr. BULWINKLE. I am asking the gentleman now if he can state to me that particular section?

Mr. SMITH of Virginia. If the gentleman will yield further, if he will read the provisions of H. R. 6616, which is this amendment, he will find exactly what is suspended. No law is suspended in toto.

Mr. BULWINKLE. I am asking the gentleman again if he can and will tell the Committee what portion of the act of July 21, 1932, which applies to the Reconstruction Finance Corporation is suspended?

Mr. SMITH of Virginia. And I reply again to the gentleman that if he will look at the extension of remarks which I put in the RECORD day before yesterday he will find that out.

Mr. BULWINKLE. May I inquire of the gentleman: Does he not know what he repeals?

Mr. SMITH of Virginia. If the gentleman is not going to allow me to answer his question, I cannot enlighten him.

Mr. BULWINKLE. I am asking the gentleman for information.

Mr. SMITH of Virginia. If the gentleman will permit me to answer, I will.

Mr. BULWINKLE. Answer. That is what I am trying to get.

Mr. SMITH of Virginia. I cannot answer if the gentleman persists in interrupting me.

Mr. BULWINKLE. Go ahead, sir.

Mr. SMITH of Virginia. I set forth in my extension of remarks the laws that are affected. Now, in a few minutes' time, if the gentleman has not had time to read it by then, I can answer his question further. I cannot offhand.

Mr. BULWINKLE. Cannot the gentleman tell me what part of the Communications Act it suspends?

Mr. SMITH of Virginia. If the gentleman will yield, it would not be necessary for me to tell him if the gentleman would read the amendment, which is this: It suspends that part of each one of those laws which prescribes maximum hours, days, or weeks of labor.

Mr. BULWINKLE. What are the section numbers?

Mr. SMITH of Virginia. Section numbers of what?

Mr. BULWINKLE. Of the laws that it suspends.

Mr. SMITH of Virginia. Every section that fixes hours and wages. (b) It suspends that part which requires compensation at a higher wage than usually paid by an employer.

Mr. BULWINKLE. What section is that, sir?

Mr. SMITH of Virginia. That is section (b) of the amendment, section No. 1.

Mr. BULWINKLE. Of the original Communications Act. That is what I am trying to get.

Mr. SMITH of Virginia. I do not know what it is, and it is not material what section number it is.

Mr. BULWINKLE. It is not?

Mr. SMITH of Virginia. No; of course it is not.

Mr. KEEFE. I can tell the gentleman.

Mr. BULWINKLE. Does not the gentleman think it is material to the membership that it should know what is to be repealed, what we are acting on?

Mr. SMITH of Virginia. I am certain I do not follow the gentleman. Will the gentleman yield further?

Mr. BULWINKLE. There is a gentleman over here who says he knows which section of the law it repeals. I would like for him to tell me.

Mr. KEEFE. It is perfectly obvious that any law or any sections of the Communications Act are only the sections that are touched in the particular specified in the Smith amendment. It seems to me that we ought to get down to some real argument in connection with this matter instead of being capricious and captious about it. Anyone who has read this law knows what is in it.

Mr. BULWINKLE. Has the gentleman read the original law to know what he is repealing?

Mr. KEEFE. I will tell the gentleman in a few minutes when I take the floor, and I will not take up a lot of foolish time, either.

Mr. BULWINKLE. I will give the gentleman time now if he will tell me.

Mr. HEALEY. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Does the gentleman think it is good legislative practice to attempt to suspend or repeal a section of law without referring specifically to the section?

Mr. BULWINKLE. No; I do not; and that is the very reason why I speak before the Committee now, because, with 435 Members on the floor of the House, some information ought to be given. I listened to the speech of the gentleman from Virginia yesterday, and not one word was stated pointing out the particular sections in any act which it was attempted to repeal.

Mr. McCORMACK. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I call the attention of the gentleman from Wisconsin [Mr. KEEFE] to the fact that the gentleman from North Carolina [Mr. BULWINKLE] is one of the most honorable Members of the House and very sel-

dom bothers the House by taking up its time.

Mr. BULWINKLE. I thank the gentleman.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that if there is no provision of the Communications Act of 1934 respecting hours or respecting compensation that act will not in anywise be repealed by this amendment?

Mr. BULWINKLE. Well, then, it shows the absolute absurdity of the way we are trying to legislate now.

[Here the gavel fell.]

Mr. GWYNNE. Mr. Chairman, I offer a substitute amendment, which I have at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. GWYNNE as a substitute for the Smith amendment: Page 12, after line 11, insert a new title, as follows:

"TITLE IV–A

"The Judiciary Committee of the House is hereby directed to make an immediate study of all laws now regulating or relating to the hours, rate of pay, compensation, and other conditions of employment, both public and private, with a view to determining which of such laws actually impede or delay the production of munitions or implements of war, and to make such recommendations as may appear advisable to expedite the production of munitions and implements of war."

Mr. McLAUGHLIN. Mr. Chairman, it is with some reluctance that I rise to make a point of order against the substitute amendment offered by my distinguished colleague from Iowa [Mr. GWYNNE], for whom I entertain the highest respect; but in order to keep this debate within bounds and to keep the consideration on the subject matter of this bill I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from Iowa [Mr. GWYNNE] desire to be heard on the point of order?

Mr. GWYNNE. Mr. Chairman, in view of the ruling made by the Chair yesterday, this amendment which is offered as an amendment to the bill would, in view of the broad purposes of the bill, be germane, in my opinion. It is true that the question here is whether the substitute amendment is germane to the Smith amendment. But the Smith amendment deals with the suspension of certain laws. This deals with a survey of those same laws. I submit, Mr. Chairman, it is germane, and it is offered, of course, as a substitute.

Mr. SMITH of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Is there not another amendment pending to this amendment, the Monroney amendment?

The CHAIRMAN. There is an amendment to the amendment pending. This is offered as a substitute for the Smith amendment.

Mr. SMITH of Virginia. For the original amendment?

The CHAIRMAN. For the original Smith amendment.

Mr. CASE of South Dakota. Mr. Chairman, I merely wish to observe that as I heard the proposed substitute amendment read it deals with the same subject as the Smith amendment and does not expand the scope of the Smith amendment. It has modified rather than expanded it. If that is true, it is germane and the question of germaneness would rest upon the same grounds as the Chair held the Smith amendment germane yesterday.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from Iowa [Mr. GWYNNE] offers an amendment as a substitute for the pending amendment offered by the gentleman from Virginia [Mr. SMITH]. The gentleman from Nebraska [Mr. McLAUGHLIN] makes a point of order against the amendment offered by the gentleman from Iowa [Mr. GWYNNE] on the ground it is not germane to the pending amendment offered by the gentleman from Virginia [Mr. SMITH].

The Chair would invite attention to the distinction heretofore pointed out as to the question of germaneness to the pending bill and germaneness to the pending amendment. The Chair does not feel it necessary to comment further on this distinction.

The amendment offered by the gentleman from Virginia undertakes to enact certain substantive provisions of law. The amendment offered by the gentleman from Iowa provides for an investigation. Of course, the matter of ordering an investigation would be a proper subject matter to address to the House Committee on Rules.

The Chair invites attention to section 2911, volume 8, Cannon's Precedents of the House. Without taking time to read the decision in full, the Chair invites attention to the fact that there an amendment was offered to a pending revenue bill to provide for an investigation of certain questions relating to the subject of revenue. It was held that such an amendment was not in order.

The Chair feels that in view of that decision the amendment offered by the gentleman from Iowa is not germane to the pending amendment offered by the gentleman from Virginia and, therefore, sustains the point of order made by the gentleman from Nebraska.

The Chair recognizes the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Chairman, it is always a good thing whether in baseball or golf or in legislation to keep your eye on the ball. We have talked here about strikes, about MacArthur's men needing help, and about production, and these have no place in the Smith amendment. The Smith amendment does not seek to regulate anything with respect to labor. The Smith amendment does not seek increased production, and its purpose certainly would not be fulfilled if it did seek it. All the Smith amendment would do is to destroy certain wage standards, to cut wages.

Whose wages would be cut? Let me make this point that has not been made. Not the men who are members of the C. I. O., not the men who are members of the A. F. of L., and not the men who are members of the brotherhoods, because they have existing contracts they have negotiated which guarantee them time and a half for overtime. Therefore, who would the amendment affect? It would affect those who toil and are not covered by existing union contracts, those who need our help, those who are not getting high wages.

Mr. Henderson testified before a committee recently that two-thirds of the income of that group was overtime pay. Therefore, you see the effect of an ill-advised, ill-conceived amendment like this. It would be to exploit the poorest class of wage earners.

Who would they be? There are some sections of the country where textile mills are located. There are some sections of the country where textile mills are wanted. The employers would have the advantage down there of not having to pay union rates with time and a half for overtime. Do you begin to see the light in this? This is not a war measure.

Take an employee who is working on a war contract; let us see how it would affect him. It does not concern the employer's profits, which are already fixed. He is going to get his profits, which are already fixed. But if you allow him to take away the time-and-a-half provisions which were considered when his profits were fixed, and not pay time and a half for overtime to his employees, he pockets that as extra profits. That is the result of this bill; he pockets that as extra profits. In other words, this means higher profits for the employer who is outside of union contracts, because he takes advantage of the wage cuts suffered by those who can ill afford them.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield to the gentleman from California.

Mr. LELAND M. FORD. In the case of highly trained and highly skilled men, there may be a million men, out of which perhaps only 100,000 would be qualified to work on airplanes. You cannot get additional men, yet you must have planes produced and munitions produced and guns produced. These men are the only ones trained and qualified to produce such articles. Does the gentleman, therefore, not think it reasonable to stretch the hours so that the production we need so badly can be increased? There is one spot where this amendment would be helpful.

Mr. CASEY of Massachusetts. I agree that is what we should do, but that is not one spot where this would be helpful, because the men who are skilled, the men who are making airplane parts, are members of craft unions and are already getting high wages and are guaranteed time and a half for work over 8 hours. This bill does not affect them one iota.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I have here a letter from the Department of Labor stating that a very large number of firms

are working 48, 50, even 60 hours per week now.

Mr. CASEY of Massachusetts. Of course, they are working 48, 50, and 60 hours, and this amendment will not increase the time the men will be employed one bit. This does not increase production, it does not have any regulations, it does not affect the men who have ever struck, it does not affect union men, and it does not affect men covered under union contracts now, but it does affect those in the lower strata of labor who are not covered by bargaining contracts.

[Here the gavel fell.]

Mr. CASEY of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. McLAUGHLIN. Mr. Chairman, I shall not object to this request by the gentleman from Massachusetts, but I am going to object to any further requests for additional time. It is now 2 o'clock on Friday afternoon. We have debated this section at considerable length. There has been no effort to stifle debate. However, it is hoped that this bill may be acted upon before the close of today's session. Of course, time is running on and we will have to regulate the time of the membership because we still have 12 more titles of this bill to pass upon. So I now serve notice that, so far as I am concerned, I shall object to additional requests for extensions of the 5 minutes.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, may I ask the gentleman in charge of the bill, what about later on in the afternoon? There are some of us who have been waiting since yesterday noon to talk on this subject. Are you going to ask, after a while, for a restriction on the debate so as to shut us out?

Mr. McLAUGHLIN. It is hoped, I may say to the gentleman, that we may be able to arrive at an understanding or an agreement as to the time to be consumed on this title.

Mr. HOFFMAN. This looks like pay and a half or time and a half for the gentleman who is talking.

Mr. CASEY of Massachusetts. Of course, I am in favor of that.

Mr. RICH. Mr. Chairman, reserving the right to object, if the gentleman who is in charge of the bill is going to refuse any further requests for additional time, why does not the gentleman start in now to do it? I like to hear the gentleman from Massachusetts speak. I love him, and I think he is a fine fellow, but we do not want to give preference to anybody. I think we ought to clear the floor now and observe the 5-minute rule.

Mr. RANDOLPH. Mr. Chairman, reserving the right to object, I am sure the gentleman and the committee in charge of this debate are going to be fair to the individual Members, no matter on which side they may sit, and I do feel that this is a matter of extreme importance and that the House could well afford to continue in session today and tomorrow, if necessary, to bring it to a conclusion.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY] to proceed for 5 additional minutes?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Chairman, I want to address my remarks to some of the Members from the agricultural districts. I heard my beloved friend the gentleman from Kansas [Mr. HOPE] speak in favor of the Smith amendment. I am sure, if he had considered it in all of its implications, he would not have taken that stand, and that is why I am trying to reason this out with all the logic I possess, and after giving the matter some study.

Next week there will come before this body the Bankhead Act, which has for its purpose the freezing of staple commodities like wheat and forbidding the Government to sell at below the parity price. Now, I represent a few dairy farmers. Those who represent the rural sections will undoubtedly support such legislation, and then, of course, my dairy farmers will have to pay more for the feed for their cows. They will have to transmit an increase of 2 or 3 cents a quart for milk to the consumers and to those who labor. The same thing applies to the men who raise hogs. The cost of their feed rises and the prices of hogs and of meat go up correspondingly. The same thing is true of wheat that goes into bread. This causes the price of the food of the poor to go up. I am not discussing the merits of such legislation now, but I am showing you the illogical and inconsistent position in which some of you will find yourselves. Next week some gentlemen representing agricultural districts will support a bill that will inevitably mean higher living costs, and today they are supporting a bill that cuts the income of those who will have to buy the things coming from the agricultural districts. I do not see how anyone can consistently maintain both positions.

Another objection that has been raised here is that a soldier gets only $21 a month. Now let us examine that argument. You cannot buy patriotism. You cannot put a price upon the worth of a man who is willing to go out and place his life upon the altar of his country and make the supreme sacrifice. You cannot put that in dollars and cents. We do make it obligatory by selective service, and we do allow it to be voluntary; but if you take that $21 standard and if you apply it to labor, and you say, "Labor, you have got to do this just as the soldiers have to do it," then you might as well go into civilian life and go into the shops and the mines and the mills and the factories and cut their pay and fix their hours of employment by legislative fiat. Do this, and you make them serfs of a totalitarian government. Then you must go all the way and have your socialized state or your totalitarian government. Take over your capital and your management and everything else concerned, and then you have a socialized state, if you want to go that way. But do not just take labor alone as an example and always say, "Look what the soldiers are doing for $21 a month." After all, labor knows what the soldiers are doing for $21 a month. Labor is a numerous group in this country. The sons and brothers of those who work are soldiers, and they know and appreciate their problems.

Now, in closing, I want to tell you there is only one thing to keep our eyes on now, and that is this: The front line of this war is in the shops; it is in the factories; it is in the mills. We can lose it or we can win it there. This war will require billions of dollars' worth of raw materials, it will require billions of dollars in money; but it will also require the work of millions of hands and the work of millions of brains. We want to be unified. We do not want to be disturbed by sniping at any particular group. This is an attempt to undermine wage standards that have been established for 30 years and that have been won through hard work, through agitation, through public sentiment favoring them. It will be undermining through the back door, under the guise of "we are in a crisis," the very people whose loyalty we depend on now. We can lose this war if we slow up our factories or waste our ammunition by sniping at one another. If labor is forced to consume its time and energy trying to protect its very existence, it will not be free to devote all of its talents to the No. 1 job of production. American labor, American farmers, and American capital are an unbeatable combination. Let us stop sniping. Let us all work together.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I move to strike out the last word. I am delighted that the gentleman from Massachusetts [Mr. CASEY] has brought this argument out of the realm of hysteria and prejudice and has discussed this bill through the eyes of common sense and reason. I was amazed yesterday to hear the remarks of the distinguished gentlewoman from New Jersey, the distinguished gentleman from Chicago [Mr. MCKEOUGH], and the distinguished gentleman from Massachusetts, Judge HEALEY, who indicated to this House that if the Smith amendment were adopted, labor would lose at one full swoop all of the rights that it had taken 50 years to develop.

Mr. HEALEY rose.

Mr. KEEFE. I cannot yield. The RECORD speaks for itself.

Mr. HEALEY. But the gentleman has mentioned my name.

Mr. KEEFE. The RECORD speaks for itself. As the gentleman from Massachusetts [Mr. CASEY] has so very distinctly stated, there is not a thing in this Smith bill that takes away from labor the rights that it has taken 50 years to achieve. Anyone who has read the amendment must be convinced of the fact that the only thing the Smith amendment will do will be to simply suspend the provisions in existing laws insofar as they provide for maximum hours and increased compensation for overtime work. That is all this amendment does. I call attention to the fact that the Walsh-Healey Act applies to every Government contract involving an expenditure of over $10,000. The gentleman from Massachusetts [Mr. HEALEY] par-

ticipated in the drafting of that act. If it is production that we are looking for, if production is going to win this war, and if all of the factories and businesses of the Nation must be involved in wartime production, it follows as a matter, of course, that all business in this country will ultimately be subjected to the provisions of the Walsh-Healey Act. We must, therefore, consider this matter in the light of the provisions of that act, which is now on the statute books. It requires the writing into every Government contract of a provision inflexibly limiting the hours of labor to 40 hours per week, and providing for an 8-hour day.

Mr. HEALEY rose.

Mr. KEEFE. I cannot yield.

Mr. HEALEY. I want to enlighten the gentleman.

Mr. KEEFE. I am thoroughly familiar with the law and nothing that the gentleman would say would enlighten me when I have the law right before me.

Mr. HEALEY. Read the law.

Mr. KEEFE. Mr. Chairman, may I be protected against these intrusions?

The Walsh-Healey Act in paragraph (c) of section 1 provides:

> No person employed by the contractor or in the manufacturing or furnishing of materials, supplies, articles, or equipment used in the performance of the contract shall be permitted to work in excess of 8 hours in any 1 day, or in excess of 40 hours in any 1 week.

That is an inflexible provision that must be put in every contract where the amount involved is $10,000 or over, and the only exception there is to it is found in section 6 of the law which gives to the Secretary of Labor under existing law the right, when the contracting agency and the contractor agree upon the necessity for it, to modify the terms of the law. I read from section 6:

> Upon the joint recommendation of the contracting agency and the contractor, the Secretary of Labor may modify the terms of an existing contract respecting minimum rates of pay and maximum hours.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask for 5 additional minutes.

The CHAIRMAN. Is there objection?

Mr. SUMNERS of Texas. Mr. Chairman, I reserve the right to object.

Mr. KEEFE. I would like to finish this argument. I think it is very interesting to the Members of the House, and it has not been touched upon so far.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I reserve the right to object.

Mr. SUMNERS of Texas. Mr. Chairman, I am reserving the right to object, and the only reason I do so regretfully is because of the tremendous number of gentlemen who want to speak on this amendment, and if we allow extra time, I do not see how we can get through.

Mr. KEEFE. May I ask the gentleman from Texas to bear with me? This is a matter that has never been raised on the floor of this House by any Member who has spoken so far and I think the membership of the House is greatly interested in it, and I would like to be able to finish the statement. I want to state the reasons why I am opposed to this amendment and why I shall vote against it. I think they will be based upon sound, legal grounds and not upon the basis of prejudice or hysteria.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, reserving the right to object, and I do not wish to, but as one who has been trying to get recognition for 2 days, and noting that not a Member from the State of Pennsylvania on this side of the House, where we have enormous industries, has had time, I would like to know whether the distinguished chairman of the committee will attempt to shut off debate if the gentleman from Wisconsin is allowed an additional 5 minutes later?

Mr. SUMNERS of Texas. Now, let us see where we are getting. I think we are getting more enthusiastic about this all the time.

I ask unanimous consent that all debate on this section and all amendments thereto close in 1 hour.

Mr. HOFFMAN. Mr. Chairman, I object. I have been waiting here for 2 days.

Mr. SUMNERS of Texas. How long will it take the gentleman from Wisconsin to conclude his statement?

Mr. KEEFE. Five minutes. I will try to finish before that.

Mr. BRADLEY of Pennsylvania. May I ask the gentleman if he would then attempt to move to close debate?

Mr. SUMNERS of Texas. Well, the gentleman was not protected during the first 5 minutes. Go ahead and take your 5 minutes.

Mr. HEALEY. Reserving the right to object, Mr. Chairman, and I will not object, of course, but I want to be fair with the gentleman and I know he wants to be fair with me. I request that the gentleman read the whole of section 6, which will not require over a minute and a half if he is not interrupted. The gentleman reads very fast and I think he can read it in a minute and a half. I ask that as a condition. I ask that the gentleman do that. I will withdraw the condition, but I ask that he read the whole text rather than part of it.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, to ask a question: When the chairman of the committee was absent, the gentleman from Nebraska, who is in charge of this bill, when another Member asked for an additional 5 minuts, was asked whether or not those of us who have been waiting since yesterday noon to get an opportunity to speak would be given that opportunity. Now, if you go and cut us out in an hour or two there are a number of us who will not have a chance to speak at all. I do not think that is fair.

Mr. SUMNERS of Texas. The gentleman has not had an opportunity to speak on the bill?

Mr. HOFFMAN. No; and I have been on my feet almost all of the time.

Mr. RAYBURN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order has been demanded. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE] that he be allowed to proceed for 5 additional minutes?

Mr. SUMNERS of Texas. There seems to be some juggling around here and everybody wants to speak. I do not object, but I will not object if anybody else objects.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 additional minutes.

Mr. KEEFE. Mr. Chairman, when I was cut off a few moments ago I was reading section 6 of the Walsh-Healey Act in order to demonstrate that under existing law the power exists in the Government, represented by the Secretary of Labor, to deal with this specific problem in most of its aspects. Let me read the provision of section 6, specifically applicable:

> Upon the joint recommendation of the contracting agency and the contractor the Secretary of Labor may modify the terms of an existing contract respecting minimum rates of pay and maximum hours of labor, as he may find necessary and proper in the public interest, or to prevent injustice or undue hardship. The Secretary of Labor may provide reasonable limitations and may make rules and regulations allowing reasonable variance, tolerance, and exemptions to and from any or all provisions of this act respecting minimum rates of pay and maximum hours of labor, or the extent of the application of this act to contractors as hereinbefore described. When the Secretary of Labor shall permit an increase in the maximum hours of labor stipulated in a contract he shall set a rate of pay for any overtime, which rate shall not be less than one and one-half times the basic hourly rate received by the employees affected.

I want to call that to your attention for the reason that the law as presently written places in the hands of the Government the power to deal with this question of overtime. The only thing that is lacking is the authority to restrict overtime pay. So far as I am personally concerned, I want to say that until this Congress shall, by legislation, recapture from those corporations which, by their own financial statements and admissions before congressional committees, are making huge and tremendous profits out of this war effort, I am not going to begin to economize by taking time and a half away from their employees. That is my personal feeling in this matter.

What is the fundamental thing we are seeking to achieve? We are seeking to achieve production and to stop strikes that interfere with production. I ask the gentlemen who have made these arguments on the floor of the House where there is anything in this amendment that will stop strikes? There is not a thing in this amendment that does away with labor's right of collective bargaining or any of the other rights provided under the National Labor Relations Act. All labor working in mass defense industries, as the gentleman from Massachusetts pointed out, have their rights provided for as a result of collective-bargaining contracts. That is all there is to it. Pass this amendment and what happens? Nothing. The union goes to the management and says, "Here is what I want; 8 hours a day and time and a half for

overtime, and double time for Sundays and holidays." Management either agrees to the proposal or a strike occurs. There is nothing in this amendment that in the remotest way curtails labor's right to strike. It in no way repeals or suspends any of the rights of collective bargaining. Thus the evil that the proponents of this bill complain of are not dealt with at all. This amendment would not hurt organized workers but it would open the door to long hours without overtime compensation to those industries in the South and in some of the sweat shops and lofts of the North, where the workers are unorganized. The poorest paid group of workers in the country would be hurt. The workers in all of the great defense industries are unionized. They control their hours and wages through collective bargaining agreements without reference to the standards of the wage-hour law.

Mr. Chairman, careful study of this amendment convinces me that it is ill-advised.

Until the Congress is ready to deal effectively with this problem in an affirmative manner it seems to me we are doing nothing but muddying the waters in attempting to pass this amendment at this time. We are doing nothing that will clear up labor disputes and as a result we will not achieve increased production.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CASEY of Massachusetts. The gentleman has very well stated the case. In addition to doing nothing to stimulate the flow of production, the passage of this Smith amendment will throw into the field of bargaining between employer and employee the question of time and a half. What a field of contention and strikes that will be.

Mr. KEEFE. Exactly. Now let me say this also to the Members of this body: We are going to have to deal with this problem. We are not going to just shift the responsibility. The public of the United States are demanding that we deal with this problem. Merely to offer this amendment and send out word to the public that the adoption of this amendment deals with the problem is to me demonstrating the impotence of Congress. We must deal with this problem effectively and encourage the patriotic workers to drive from their midst the racketeers and alien leaders who would slow up or destroy our productive effort.

Remember labor must do this job. Generally it is responding to the country's call. The rank and file of labor want to get rid of the racketeers in their midst. Let us help them do it. I am sure that with the support of the people and the Congress the rank and file of labor itself will carry on the fight to stop any effort that slows up production.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, we have taken a lot of time on this amendment. I would like to see if we cannot determine upon time for debate. I would like to know how many gentlemen wish to be heard.

The CHAIRMAN. If the gentleman will indulge the Chair, when the first effort was made to limit debate 16 Members sought recognition. The second time the effort was made 24 Members sought recognition. The third time the effort was made 32 desired to be recognized. The number has increased every time the effort has been made.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 1 hour and 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. SUMNERS of Texas. Mr. Chairman, I move that debate on this amendment and all amendments thereto close in 1½ hours.

The CHAIRMAN. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The Chair requests that very careful attention be given to the reading of the list of names of those who were standing, and the Chair assumes they were seeking recognition. After the list has been read the Chair will inquire as to whether anybody seeking recognition has been omitted. The Chair has recorded the names of the following gentlemen: Messrs. WRIGHT, MARCANTONIO, HOFFMAN, COFFEE of Washington, VOORHIS of California, CASE of South Dakota, WHITTINGTON, DONDERO, REED of New York, JENSEN, WEISS, BRADLEY of Pennsylvania, WASIELLWSKI, DOWNS, FOGARTY, COFFEE of Nebraska, SACKS, ELIOT of Massachusetts, HARE, MCGRANERY, THOM, KERR, MASON, CRAWFORD, MURDOCK, JOHNSON of West Virginia, SUMNERS of Texas, BUTLER, ROBSION of Kentucky, and CLASON.

The Chair now inquires whether the name of any Member seeking recognition on this amendment and who was standing has been omitted.

Mr. GIBSON. Mr. Chairman, I desire to be heard on the amendment.

The CHAIRMAN. The gentleman's name will be added to the list.

Mr. WHITE. Mr. Chairman, I was on my feet seeking recognition.

The CHAIRMAN. The name of the gentleman from Idaho [Mr. WHITE] will be added.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I respectfully request that the Chair take my name from the list. The time to be allotted to each Member will not be sufficient for any data to be presented.

The CHAIRMAN. The gentleman's name will be taken off the list.

Does any other gentleman desire his name to be taken from the list? [After a pause.] The Chair hears no response.

Mr. SUMNERS of Texas. Mr. Chairman, the gentleman from Nebraska [Mr. MCLAUGHLIN] is momentarily absent. I do not know whether he desires recognition on this amendment, but I would like a place reserved for him, if possible.

The CHAIRMAN. The name of the gentleman from Nebraska [Mr. MCLAUGHLIN] will be added to the list.

Mr. HARE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARE. May I inquire of the Chair whether the Members will be recognized in the order in which the names have been listed?

The CHAIRMAN. As a matter of convenience, the Chair will announce that the Chair will recognize Members in that order.

Mr. CASEY of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASEY of Massachusetts. Will those Members who spoke on this amendment yesterday be eligible to speak on it again today?

The CHAIRMAN. There has certainly been no limitation of that nature fixed by the Committee of the Whole.

Mr. CASE of South Dakota. Mr. Chairman, if a gentleman has already spoken on the pending amendment, he would not be entitled to recognition, would he?

The CHAIRMAN. The Chair did not understand the gentleman.

Mr. CASE of South Dakota. If the gentleman has spoken on the pending amendment, he would not be entitled to recognition in precedence over a Member who had not spoken, if objection is made?

The CHAIRMAN. The Chair has no way of knowing what a Member is going to say when he gets up. The Chair does not know whether he is going to make the same speech all over again or not.

Mr. MURDOCK. Mr. Chairman, did the vote taken a moment ago preclude substitutes for the pending amendment?

The CHAIRMAN. It does not preclude the offering of substitutes. It only fixed time on debate on the pending amendment and all amendments thereto.

Mr. MURDOCK. It does not preclude the offering of a substitute amendment?

The CHAIRMAN. The motion did not preclude that.

Mr. SMITH of Virginia. Mr. Chairman, I was on my feet when a notation was made of the Members who desired to speak.

The CHAIRMAN. The gentleman's name does not appear on the list. Does he desire to be recorded as seeking recognition on the pending amendment?

Mr. SMITH of Virginia. Yes.

The CHAIRMAN. There are 34 names on the list. This will mean 2½ minutes for each Member. The gentleman from Pennsylvania [Mr. WRIGHT] is recognized.

Mr. WRIGHT. Mr. Chairman, I have noticed recently that most of our labor legislation has obtained its principal support from the agricultural sections. Those gentlemen who wish to legislate on the problems of the workers in mills and factories in the main have no mills or factories in their districts. I wonder if a more intimate knowledge of industrial relations, of their history and background, and of their more recent trends, would not move some of the gentlemen from their present position. Such a knowledge cannot be obtained entirely from the press or even from testimony adduced before a legislative committee. It is almost necessary to live among these prob-

lems, to discuss them with the workers, with their chosen representatives, and with representatives of their employers. I think the gentlemen would find that these problems are not as simple of solution as they would like to think.

I come, as you know, from the very center of the heavy-steel industry. The mills and mines and factories of the Pittsburgh district are already operating at such a peak capacity that the Government has found it necessary to order the construction of vast new plants so that war production may be again and again increased. Work stoppages by reason of labor disputes have been insignificant in our mills. This has been recognized by the Navy, which has awarded the outstanding performance of both management and workers by conferring upon several of our mills the Navy "E," and another such award will shortly be made to a shipbuilding concern in this area, the Dravo Corporation.

The workers are a hardy, self-respecting lot. They have won literally by hunger and bloodshed over a period of generations certain fundamental economic rights, without which to them political rights are an empty shell. Important among these are the right of collective bargaining and the right to a basic 8-hour day. These guaranties are the workers' only protection against a recurrence of the old industrial peonage from which they have emerged. To them these benefits are a fundamental part of that free America in which they live and for which they would gladly die. They are jealous of these rights and will resent any effort to destroy them. They are suspicious of the motives underlying the constant sniping to which these rights have been subjected. They feel that such efforts are prompted not so much by patriotism as by a reactionary antilabor philosophy which uses the war as a pretext to first temporarily and at last permanently turn back the calendar to the dark ages of American industry.

Certainly we are at war, certainly our first thought must be the winning of the war, certainly we must be prepared to sacrifice our privileges—even, if need be, our lives—to preserve our country.

All of us plan first the winning of the war. We differ in our choice of methods. One method is the conscription of labor by legislative and executive controls. That is Hitler's method. I hope to God we never have to resort to it. If our position becomes desperate we may have to tell our men and women where they shall work and for what hours and for what wages. The Government may have to conscript industry and operate the mills and factories without profit to the owner. But the workers will then under patriotic leadership voluntarily submit themselves to the orders of their Government, in the same manner as they have now voluntarily agreed that they will not strike regardless of provocation.

But we have not yet arrived at that last-ditch st :d. Our plants are being operated by their owners under contracts made with the Government and I have never heard it suggested that they are operating at a loss.

Whether or not this amendment be passed our workers will not confine themselves to a day of 8 hours. What this amendment will do is to unfairly discriminate against them when their employers are left untouched. For Congress, without any hearings, with no show of necessity to pass this ill-considered amendment in the heat of debate, would, I am confident, profoundly disrupt both morale and production.

There is another method to win this war—the democratic method of voluntary cooperation. Let us not abandon democracy in our effort to preserve it. Let us not be deceived that despotism is more efficient than liberty. Admittedly it has taken us precious time to get under way. Admittedly the division of sentiment throughout the country has delayed our war effort but we are at last united and geared for production. This delay has not been all loss. We have gained something precious and of the spirit. We have finally as a people arrived at the firm and unalterable conviction that this war is not the President's war, not the Army's war, but the personal war of every American. We will each of us fight it according to our station and to our best ability to the final extinction of the enemy who would enslave us. Let us not destroy that spirit in the American people.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, it is very significant that the pending amendment is offered and supported by those who opposed labor-protecting legislation in peacetimes. They sought to defeat such legislation then, and now use the war as a pretext to perpetuate the exploitation of labor.

The argument has been made that production is restricted to a 40-hour week. This argument is dishonest. You must know that there is nothing under existing law which prevents workers from working for more than 40 hours a week. All that is required is payment of time and a half, which helps insure a living wage, particularly at a time when the cost of living is going up to extraordinarily high levels. Hence, this legislation is advanced for only one purpose, and that is to destroy the protection we have given labor against exploitation and at the same time to increase the profits of those who are becoming enriched as a result of this war situation.

We are not fighting a mere war, we are engaged in an international civil war, we are fighting an anti-Fascist war, and in order to win this war we need the support of the masses, of the workers, of the people not only of the United States, but of Britain, India, China, Russia, and of various other parts of the world. If we adopt the Smith amendment we shall raise doubts in the minds of the people of the world as to the character of the war we are waging, because we will be adopting toward labor the same attitude that Fascist countries adopted toward labor. On the other hand, a defeat of this amendment will be an assurance to the masses of the people throughout the world that we are conducting a war against fascism, that it is an anti-Fascist struggle, and that we refuse to impose upon American labor the bondages of fascism which we are seeking to overthrow by force of arms and production. This amendment is not only antilabor, it is contrary to the best interest of the war effort, it establishes in America the doctrine of vicious Vichyism, a Fascist doctrine that led to the conquest of France. This is a peoples' war and the people will not permit the exploitation of American labor.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized for two and a half minutes.

Mr. HOFFMAN. Mr. Chairman, without bitterness, unreasonableness, or personal animosity, come, let us reason together.

Whenever legislation of this kind is brought before the House it is met by a certain well-defined group with at least three arguments:

First. It is charged with being sponsored by antilabor, labor-baiting Members and interests.

Second. That the occasion on which it is offered and the manner of procedure is neither the proper time nor method, and that, while its objective may possibly be good, some other occasion, some other way, should be found.

Third. It is always contended that the result of the legislation will deprive the American worker of some fundamental right.

First. The charge yesterday so vehemently made that these amendments were introduced and sponsored by labor-baiting, antilabor Congressmen rests upon the false assumption that only self-appointed spokesmen who oppose legislation of this type are friends of labor.

There is no more truth in that charge than there would be in the charge which I might make that the gentlemen from Massachusetts, Mr. MCCORMACK and Mr. HEALEY, the Member from New Jersey, Mrs. NORTON, the gentleman from New York, Mr. CELLER, are each and all the spokesmen for, the mouthpieces of, union gangsters and politicians.

That charge, neither directly nor indirectly, by innuendo or by insinuation, do I make. There is no foundation for such a charge. Nor is there any more reason for the charge which some Members make that I and others whose philosophy I follow are antilabor.

It is undoubtedly true that legislation of this type is abhorrent to labor politicians, to labor gangsters, and racketeers, to all those who use the name and the cause of labor as a false front behind which they carry on their own unfair, unlawful practices to further their own personal ends. So much for that.

Second. Now, having reached the common ground where we all accord to every Member of this body that sincerity and right thinking which we all must possess and exercise if we are to be true representatives of our people, let us turn to the argument that the procedure here today is unusual.

The procedure is not that heretofore customarily followed by the House of sending bills concerning certain topics to certain committees organized to consider them.

It is, however, the procedure frequently followed in the other body. Moreover,

this bill is a most unusual bill. It is an omnibus wartime bill, and, as the Chairman of the Committee of the Whole so appropriately stated yesterday, the title and the provisions which it is sought to add to the bill by these amendments are as germane to the title of the bill as are any of the titles and provisions originally contained in it.

In one fell swoop, this bill takes from many of our citizens constitutional guaranties of protection heretofore enjoyed by them. It will pass this House only because of the great danger in which we find ourselves and because we all realize that there should and must be a central control of our war activities; that, in wartime, the rights of the citizen must be submerged for the preservation of the Union.

One Member, announcing his intention of voting for the bill, evidently realizing what he was doing, the rights of his constituents which he was voting to surrender, evidently from the depths of his heart said:

> I hope and I believe that an all-wise Creator will forgive me for supporting much of the legislation passing the Congress in recent weeks.

Third. The charge made by the Member from New Jersey [Mrs. NORTON] that the adoption of these amendments would enslave the worker; the charge made by others that the amendments were a direct challenge to the patriotism of the American worker, are utterly without foundation.

As has been pointed out, these amendments do not repeal any law. They merely suspend for the duration certain special privileges which have been granted to a group or class of our population.

These amendments, if adopted, would not prevent the payment of a wage and a half for overtime nor of double wages for Sunday and holiday work. Now do not forget that fact.

As the law stands today, no man can work overtime unless he is paid added compensation. If he works in defense of his country more than a certain number of hours, it is a criminal offense if he be not paid, even though he does not ask, at a wage and a half for the overtime.

As the law stands today, a patriotic American worker cannot, in his usual employment, give in the service of his country one single hour's time without rendering his employer guilty of a criminal offense.

These amendments do not take away the right of the employee and the employer to bargain collectively for the payment of wages and a half for overtime; of double wages for Sunday and holiday work. They merely make it permissible for the patriotic worker to put in more than the specified number of hours in defense of his country, in support of the fighting men, without being compelled to receive, or his employer to pay, a premium for that sort of patriotic service. The amendments will not abrogate one single collective-bargaining contract now in force.

The amendments will free the American worker from the limitation now placed upon his patriotic service. In my humble judgment, these amendments would, if presented to labor organizations, receive the overwhelming support of the rank and file; the opposition of only the labor politicians, gangsters, and racketeers.

Any other conclusion, any other result, would be an indication that the organized American workingman asserts his patriotism with a reservation, a string attached to his declaration of loyalty; that he will work in defense of his country but a certain number of hours; and, if more than the prescribed number, only if he receives additional compensation.

With that conclusion, I cannot agree. My argument is that those who assert that the average American worker is now insisting in this time of danger to his country that he be paid a wage and a half or a double wage for necessary service are completely mistaken; that they unwittingly make the gravest and unfounded challenge to the patriotism—to the loyalty—of a large group of our citizens.

You cannot make me believe that the American worker—a loyal union member, who has a son in the Army, Navy, or Air Corps—will not work to supply that boy with the things he needs unless he is paid a premium for the extra hours. Gladly and willingly will that American workingman—yes; and his wife and the other members of his family—work throughout the day and far into the night in support of the absent one.

Something was said yesterday in the debate about the demand of the farmers for special treatment. Do not be too harsh on the farmers. They are no more greedy—no more selfish—than the rest of us.

For several years now the bureaucrats, emulating Satan of old, have taken our farmers up into the high places and have shown them the promised land of soil-conservation payments, of parity legislation, of special payments for this, that, and the other.

Some farmers, knowing full well that other individuals—other groups—have received special consideration from the Federal Government, being human, feeling the pinch of poverty, swayed perhaps by what they consider rank injustice, have not turned their backs completely upon the temptation offered by these Federal gratuities, and have been getting theirs while the getting was good.

Another group—organized labor—there being a surplus of devils in this country—has also been taken up to the mountaintops by certain labor politicians and organizers, and tempted with the promise of an ever-increasing wage, an ever-lessening workday, has momentarily yielded to the temptation, as Congressmen yielded not so long ago to the lure of a retirement fund.

Come hell and high water, fair weather or foul, each and all of us have our moments of weakness. Today, in our hour of danger, not for one moment do I believe that organized labor, as distinguished from some of its leaders, will condemn us for the adoption of these amendments.

Unless we take some measure to remedy the situation which now confronts us and which is intolerable, with which we are all familiar, the rising tide of public indignation, which manifested its power more than a year ago when this House adopted, by a vote of 2 to 1, the Smith amendments to the Wagner Act, will overwhelm this Congress and sweep on to wipe out labor's gains of the last 50 years.

Just a few days ago this House, driven by the lash of public opinion, with complete loss of dignity, ran like a bunch of boys routed from a melon patch to the bomb shelter of repeal of the so-called Pensions for Congressmen Act.

Let us profit by the lesson we then learned and follow now the reasonable demand of our constituents—of the workingmen of America themselves—that we free them from the shackles which hinder them in rendering full patriotic service to their country in this, her hour of danger.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE of Washington. Mr. Chairman, in my conception, the Smith amendment will eventuate in the same sorry spectacle as was the affliction of France if allowed to become law and unchanged, and if related bills to eviscerate labor are considered and adopted. France has often been cited as the horrible example which we should shun.

What happened in France? In January and February of 1939, 8 months before her participation in World War No. 2, France embarked upon a program remarkably similar to that foreshadowed by the Smith amendment, all component parts of the fabric of fascism. The new French leaders clamped down on organized labor; they extended the hours of work; they cut out overtime pay; they threw the liberals out of the French Chamber of Deputies; they established a dictatorship; they put Daladier in in March 1939. Six months later the World War began, and 10 months later France fell, a monument to the stupidity and the lack of foresight of her totalitarian ministers. Why? Because they destroyed the spirit and the enthusiasm of organized labor, which provided the temper and was interwoven into the fiber and the soul of France. They killed that soul by making labor think it was suspect, that in their minds their parliamentarians, purged of labor's spokesmen, did not believe the French worker to be patriotic.

Are we going to ignore the lesson France has taught us? Do we want to give to the worker of the United States the feeling that in the minds of the men in Congress labor is not patriotic?

Mr. Chairman, we have had letters cited on this floor purporting to come from boys who are in service in Bataan, in the Philippines. It has been made to appear that the men in the armed services of the United States came from some families, forsooth, who must have been living in an ivory tower, separate from the organized workers of the United States. Who supplies the men in the armed services of our Nation? Whence do these boys, these young men, come? They come from the families of workers,

organized and unorganized, whether they are in the factory, the foundry, or the farm; but we have had men get on this floor who have the temerity to fulminate and asseverate to their colleagues in this House that the men in the armed services of the United States must come from an entirely separate and distinct group.

Are we in the House of Representatives going to penalize labor? I hope to God we are not, because I believe in the future improved social-economic order of this, our beloved United States, in which labor will indispensably participate, and which will embrace as a necessary ingredient the four freedoms and ideals which we hold out to the distressed races of the world.

Why should we single out the forces of labor as suspect? Do we want the country to appear to point the finger of suspicion at those who toil? The effect of the Smith amendment is not to strangle the men and women identified with organized groups, but, rather, to require bank clerks, office accountants, and white-collar workers generally, who have no unions, particularly in certain areas, to fight the battle in their behalf. These workers have no signed contracts with their employers assuring them fair wages, overtime pay, and reasonable hours.

Labor has all along exhibited an inspiring desire to make sacrifices corresponding with all other segments of our population. But it naturally feels that a genuine price-control bill, with teeth in it, should be on the statute books, and that the profits of war industry should be drastically limited.

There is no provision in this bill for a recapture by the Federal Government of the funds saved by not paying overtime wages for work performed above and beyond the 8-hour day and on Sundays and holidays. There is no refund for extra added profits by reason of these economies. Why should we punish labor and contemporaneously augment the profits of war industries? Is this a scheme for circumventing the wage-and-hour bill? There is a law of diminishing returns. If men are worked for too long days and for too protracted periods, their efficiency is impaired and their unit-per-hour production is reduced.

Do we propose now to turn the clock back for 50 years? Shall we, at one stroke, abrogate labor's legislative gains following decades of bitter struggle? The sponsors and chief supporters of this amendment are the most persistent opponents of labor legislation in Congress. Is it not, therefore, ironical for them to seize upon our involvement in war as the pretext for adopting some of the schemes of fascism?

The President of the United States is our Commander in Chief. He vigorously opposes the Smith amendment. He is charged with responsibility for directing our war activities and is in a position to make the appropriate recommendations as to those measures best designed to facilitate and expedite war production.

In this war Great Britain and Canada have not seen fit yet to adopt such legislation as is here promulgated.

Yet, Great Britain has had the courage to impose a 100-percent tax upon wartime profits of industries directly or indirectly engaged in war production. In the last war Woodrow Wilson inaugurated the 8-hour day and became the leading exponent of legislation and contracts providing for overtime pay and reduction of hours.

The zeal and enthusiam of labor must be stimulated. One cannot legislate into the heart and the soul of the toiler, patriotism. It is indefinable and intangible. It is that quality which somehow partakes of the spiritual. It is either there or it is not there. The Soviet Union has it in abundance. France lacked it, following the crack down upon liberalism and upon the toiler. The Japs and the Nazis, though we may not like to admit it, have shown that fervor and esprit de corps which makes them willing to endure any hardship in battle. The United States has that spirit in abundance. But we are a nation confused. We are a people afflicted with frustrations, confusions, and prone to look for scapegoats upon whom to visit our anger.

This Nation is made up of the families of millions of toilers. The Army and the Navy are drawn from their ranks in a large part. We cannot pay for this war by greatly adding to the tax burden while limiting the wages and reducing them with respect to the men and women of brain and brawn who produce the articles of war. Judging from the debate on the Smith amendment one would assume that all the soldiers and sailors were spending their time cursing and cussing the skilled mechanic at home who provides the artillery, ammunition, tanks and planes with which the man in the armed services carries on the war against our common foe. Yet very often that soldier or sailor is the brother or son, or even the grandson, of the skilled worker at home.

Mr. Chairman, I trust this amendment authored by the learned legal scholar from the Old Dominion, HOWARD SMITH, will be decisively defeated.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the cause for which America fights in this war is the cause of the common people of the world. When we forget that we have forgotten the most important thing about it all.

The Smith amendment must be defeated for one primary reason, and that primary reason is that without in any way extending the length of time that can or will be worked on defense materials and war production it will deprive the poorest workers, those least able to defend themselves and their standards in this whole Nation, of one of the protections the Congress gave them precisely because they are not organized, namely, the right to draw time and one-half pay when they work overtime.

If I knew of a single statute on the books of this country that imposed an absolute limitation on the number of hours a man could work, and thus prevented war production from being at the very maximum, I would vote for its suspension. That is not the issue. These laws do not limit the hours that can be worked. They only say that if more than a certain number of hours are worked time and a half shall be paid. The issue has been described by other gentlemen who have pointed out that the issue is how much pay men shall receive, not how many hours they shall work.

It has also been pointed out, and very effectively, that if we really feel that our war effort is not going forward as rapidly as it should, we then must consider it fairly and from every standpoint.

I have received too many letters from men working in plants, and from other people as well, complaining that workers are told by their foremen and superintendents to "go slow" or "take it easy," for me to fail to see that in these cases it is management that is responsible for retarding production. We cannot overlook the fact that a lot of our contracts are cost-plus-fixed-fee contracts, and that the higher the cost on one contract the larger can be the fee on the next one. I do not believe such practices are general by any means, but they should not exist at all, and certainly they should be condemned as roundly and as universally as some of labors faults about which so much is made.

Mr. Chairman, the amendment of the gentleman from Virginia is very wide of the mark. The mark is increased production, the removal of every obstacle to such increase. Hours of labor now are so far as I am able to determine, in most cases, just about as long as men can effectively work. There are other limitations. Complaint was made the other day about an airplane plant going on a 5-day week. It was not mentioned that the plant works 24 hours a day. Nor was it pointed out that the reason for the 5-day week was purely and simply the fact that certain materials necessary for the particular type of plane being made by this company had been assigned by the War Production Board to other companies so other types of planes could be produced in larger quantity. That is not labor's fault, nor management's fault, for that matter. Neither has it anything whatsoever to do with the Wages and Hours Act.

Again many Members have quoted the first part of an article in the Washington Post of Wednesday of this week wherein the headlines simply indicated that employees of Bethlehem Steel in California had refused to work 10 hours. Anyone who did not take the trouble to turn the page and read the whole article did not know that what these workers were asking was as a matter of fact, 24-hour operation of the shipyard instead of 20-hour operation. They wanted three 8-hour shifts instead of two 10-hour shifts. And anyone who has ever worked in industry will know that three 8-hour shifts can turn out work far in excess of two 10-hour shifts. In what way the passage of the Smith amendment taking away time and a half pay for overtime would help to solve this problem, I am utterly unable to see.

Moreover, there is this to be said. There are still men out of work—unemployed—in this country. One thing that will help production is to get every single one of them into a job. Which may have been in the minds of the men who asked that instead of their being given 2 hours

of overtime more men be hired and a third shift put on.

Now, no one as yet has put into this record the facts about the number of hours actually being worked today. I have taken the trouble to secure the latest available figures from the Bureau of Labor Statistics. Here they are. Not over 20 percent of all the workers in America are today working as little as a 40-hour week. And two-thirds of these who do not work more than 40 hours are in continuous-process industries—industries where the plant never stops operating at all and where in everyone's opinion the best organization of working hours is three 8-hour shifts.

The other 80 percent of the workers of the country, I am informed, are working in practically all cases at least 48 hours a week. Most of the workers even in continuous-operation plants are working 48 hours. Many are working as much as 60 hours. One of the largest plants in Detroit just recently went off a 70-hour shift onto a 56-hour shift. I spent the better part of of 2 years of my life working on factory assembly lines and I know that more will be turned out by men working 56 hours than by men working 70 hours.

In machine tools average hours today are 53.8 per week; in other machinery, 46.3; in aircraft, 46.2; in aero-engines, 49.9—and so it goes. Furthermore, these are hours actually worked per man and all time out for accidents or sickness are excluded so that the actual number of hours worked per worker is substantially higher than the figures I have given. And yet in the face of these facts Members have repeatedly said that we must do something to get rid of the 40-hour week. By and large there just is not any such thing right now.

What then would be the effect of the Smith amendment? It would be twofold. First the wages now being paid would be cut—not in highly paid industries where collective bargaining prevails but in the low-paid industries where the only protection is the Wages and Hours Act. And this in the face of a rising cost of living. Is this the story we want to send round the world, as the Axis radio will certainly do? I think not. Second result will be that profits of corporations would be correspondingly increased, unless labor itself took steps to protect itself. Is that a situation that will promote production? I think not. Neither do I think it fair.

The truth of the matter is, though few people seem to realize it, that we are doing pretty well. In many lines our production is even ahead of the goals the President has set. And the millions of American workers are the only people on earth who have been or can continue to be the backbone, strength, and sinews of that production record.

But we are not doing as well as we ought to do. Nor will we be doing that well until every bit of selfishness is buried away and every bottleneck broken. That is a big order. But not too big for America to fill.

It requires that several things happen. It requires that labor do certain things. It is true that not a single strike of any importance has taken place since the war began, but there have been some little ones. There ought not to have been any. I am not saying—nor can anyone say—they have been labor's fault in every case or even in a majority of cases, but they have happened. And I wish it were possible to have the men in positions of labor leadership in the locals where these strikes have taken place understand how deeply every single strike that takes place, however small and unimportant it may be, is today hurting the cause of labor. The newspapers will play up to the utmost every such occurrence, and in many cases all the facts will not be told. For the duration of the war the no-strike policy has got to be a complete no-strike policy, with no exceptions.

Moreover, there ought not to be any cases where a closed shop—closed union—practice exists. By that I mean there ought not to be any cases where a union that has a closed shop, either by the charging of high initiation fees or by any other means, excludes from employment any qualified worker at all. As I have said before in the House, the extent to which the closed shop is extended makes it the more certain that Congress will one day enact a labor code in this country which, without taking from labor any of its rights, will be protective of the rank and file.

Any union practices or rules that hamper in any way the full output of every man should be suspended for the duration of the war.

On the other hand, there must not be a slow-down policy on the part of any company. I have had too many reports of situations where men eager to work at full tilt have been advised by their superintendents and bosses to slow down for me not to believe that there is substance to these reports. If strikes on the part of labor are wrong today, so, certainly, is this sort of thing. Indeed it is far less excusable. And so far as I can discover, the reason this sort of thing takes place is in order that costs may be increased and a larger fee justified for the companies.

And, furthermore, as the gentleman from Wisconsin has so well said, there are corporations which as a result of this war are making exorbitant and unjustified profits. Nor will our present tax laws effectively reduce them to justifiable earnings. As long as this situation exists, to pass a law, like the Smith amendment, which will merely cut down the earnings of labor would be an act so patently unjust as to make Members in the future ashamed to have done so.

No, Mr. Chairman, I am not attempting today to say that labor must not be asked to give up anything. Labor, like every other group in our society is giving its sons to the Army and to the Navy. Labor in America is the basic dependence of all the United Nations around the world. Without the men and women who today are laboring in the mills and shops and plants of this Nation, America and all the nations with whom she fights would inevitably suffer defeat.

My final appeal is that Congress must so act that everyone in America will know we have been fair. If we are to abandon our present general policy of depending on the patriotism of labor and management to deliver the production we so desperately need then the remedy is clear. It is not to pass a bill that cuts the wages of poorly paid workers. Neither is it a bill that would unfairly penalize employers for labor's benefits. Mr. Chairman, when the House believes it must go to some other program it must go into it with its eyes open and in thoroughgoing fashion. That would be to say that only by cutting out all profit and chance for gain, and suspending at the same time the normal functioning of our labor laws can we achieve the production we need. Are we ready to say that? If we are, then we should put everyone and everything connected with the war-production industries into the service of the Nation. We should, for the period of the war, operate the plants not for private profit but for the national need. We should pay salaries to the executives and fair wages, determined by the War Labor Board, to the workers. And then, gentlemen, if we do all that, will be the time and the only time when Congress can suspend the operation of labor laws and forbid strikes, for then all these men will be working for the Government and there will be no profit but only a fair and just return to all.

There may be a real question as to which method we will have to use before we are through. Every strike, every dereliction on the part of management, every grasping for additional profit will be a blow at our present relatively free method of handling things. I hope these blows will not be struck. I hope we can win through with a minimum of governmental control. But win we must and whatever it takes to do it we must do.

The foundation stone upon which every act of Congress must be based is that it makes more fair and equitable and never less so the distribution of the burdens of this war and the sharing of all groups in America's great effort today and in the hope she can afford to every person in a happier tomorrow.

America's cause is the cause of all the common people of the world. Let us never forget that for a single moment. The Smith amendment should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, 10 minutes ago I was called to the telephone and had the privilege and pleasure of talking with an old friend of mine, a Democrat whom I know to be honest and upright, and who today is connected very closely with the laboring men of this country, union men, in defense industries. He said, "Ben, I want you to know that at least 90 percent of the union men are willing that this 40-hour week be taken off and canceled out. Mr. Chairman, I yield to no man in my support of the men and women who toil. They are patriotic. They resent the idea that Members on the floor of Congress and other people as well say that while everybody else is doing his part in this war effort, and while our boys are fighting and dying, labor is demanding time

and a half for overtime and double time for Sundays and holidays." They want to work and work hard at regular pay. I do have a feeling that we would have been better off in this Nation if we had not entered into the program of appeasing the Japs. If we are going to start appeasing the very small minority of labor who are against doing everything and all they can in this all-out war effort, then we may find ourselves and our country in a very precarious position at the most critical time.

I know that next spring, next summer, next fall, next year, and maybe longer, you will see old men, old women, and young children by the thousands working almost night and day on the farms to produce more food and more fiber for this Nation and our Allies because their sons and hired men have left the plow in defense of their country.

Mr. Chairman, I feel this amendment should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WEISS].

Mr. WEISS. Mr. Chairman, I rise to answer some of the statements made by the distinguished gentlemen from Virginia and Mississippi. Yesterday, on page 1713 of the RECORD, the gentleman from Virginia [Mr. SMITH] said:

> I think we have been handicapped enough—God knows—by strikes and stoppages of work for silly reasons.

On page 1715 the gentleman from Mississippi [Mr. WHITTINGTON] said:

> Defense is lagging, tanks are not being produced, planes are not coming off of the assembly line.

Every Member of the House knows that these statements are not true. They, no doubt, have been inadvertently made, because every Member of the House knows that the shipbuilding facilities engaged in production in this country, including every shipyard in the country, is from 3 months to 19 months ahead of schedule.

Let me also say this. Coming from one of the largest steel industrial districts in the country, the city of Pittsburgh, every plant in this area since December 7 is producing far beyond anticipated expectation. One example is the Christy-Parks Works, of McKeesport, Pa., the same plant that led in the manufacture of shells during the last World War, is far ahead of its schedule, as evidenced by the production charts showing production during the months of December and January and up to the 16th of this month. I am reliably informed this morning that all plants are far beyond anticipated production throughout the entire steel area. The Pittsburgh Steel Foundry, of Glassport, Pa., which is producing anchors for the Navy, is way ahead of its schedule of production. There is no stoppage, and there has been no stoppage in the production of any materials of war in our Pittsburgh steel industrial district or in any other industrial section, for that matter, because labor is doing its part and showing its true spirit, loyalty, and patriotism in aiding in the successful prosecution of this war.

These statements made by the gentleman from Virginia [Mr. SMITH] and those made by the gentleman from Mississippi, to which I have referred, are erroneous. For instance, take our plane production. We produced over 3,000 planes last month, which was all that we expected to produce; and the only reason we are not producing more is because the automobile manufacturers failed to heed the advice and warning given a year ago with regard to readjusting their assembly lines and for the further reason that the Aluminum Co. of America monopoly failed in warnings and orders given them over a year ago to produce aluminum and manganese so vital to plane production now. Even with that failure by industry and through no fault of labor, we will be producing the 60,000 planes which the President predicted we would be producing before the end of 1942. Let us not be hysterical and blame labor for every trouble in the country. We are away ahead of schedule on the entire industrial front.

Let us take up the matter of profits, because little has been said in the House during the present debate about that. Neither the gentleman from Virginia [Mr. SMITH] nor the gentleman from Mississippi [Mr. WHITTINGTON] made any effort to recapture the profits of industry. Let me say to this House that for the first half of this year General Motors showed a profit of $126,000,000, which was 26 percent over the profits of the last half of last year; American Telephone & Telegraph showed profits of $117,000,000; and Standard Oil showed profits of $77,000,000. Will anyone question the right of labor to receive time and one-half for overtime in view of these tremendous profits of industry? A decent standard of living to the workingman is just as vital as a decent schedule of airplane production.

Let us play fair both with labor and capital. Let us not try to hamstring labor in this critical hour of a great war in which the liberties and freedoms that are our heritage are not only threatened but civilization itself. Let us strive for unity, so essential to the successful prosecution of this war. Let Government, industry, and labor work hand in hand, and we cannot fail.

As Kipling so well said:

> It is not the individual or the army as a whole,
> But the everlasting teamwork of every blooming soul.

The sons of labor, too, are serving in the armed forces of America and more than willing to give their lives for you and me.

And I include herein a letter from Mr. Joseph O'Hara, a member of the United Mine Workers of America:

Hon. SAMUEL A. WEISS,
House of Representatives,
Washington, D. C.

DEAR MR. WEISS: I am writing you in protest of the House of Representatives' action in passing the Smith bill to suppress what was free labor in a land of democracy, hoping and praying that the Senate will be more discreet in their action toward labor.

It was with the thoughts of preserving our democracy that Mrs. O'Hara and I consented to our two sons joining the armed forces 2 years ago and signed their papers accordingly, David being just 18 years 4 months old and Jim 17 years and 4 months old. Knowing as I do what happened in the last war, I wanted my two boys to be trained in the tactics of war and have the knowledge of the weapons used. I agreed with President Roosevelt for his wisdom in the creating of the draft for young men to the service of our dear land.

But whilst Mrs. O'Hara and I are willing to sacrifice the most precious jewels we possess—namely, our sons—in the defense of our democracy from without, we abhor the action from within by our own House of Representatives in suppressing free labor and turning this Republic into a Nazi state. We of the working class know that the action of the House gave comfort to the industrial barons and that they were licking their chops because they now feel their employees will become industrial slaves again, and that they will have a better chance to become war profiteers as in the last war.

My sons will be in the front line of attack for the defense of this Nation; that is where I want them to be. But if we are going to have some form of nazi-ism or any other "ism" except Americanism, I hope to God they die before taking the field. I also know that some of those industrialists with the one son, who are always looking in Washington for comfort from labor unions, will also be looking for deep dug-out jobs in the Army for that one son of theirs if inducted.

The United Mine Workers of America made a 3-year contract in the last war of $5 minimum when coal was $2.25 at the tipple. When the last war finished, the coal operators were getting from $12 to $18 a ton, but the mine worker was still getting the $5 minimum.

If democracy is worth having, it's worth fighting for. That is why we of the United Mine Workers send our sons today to defend it just as 70,000 United Mine Workers of America sons were in the armed forces of the last war. If we are to be a democracy, let's have it, don't take it away from us.

In expressing my thoughts here, I feel I am also expressing the thoughts of those whose lot it is to toil for a living and who are the backbone of these United States, and the greatest of all Americans.

Very truly yours,

JOSEPH O'HARA.

To verify my position of production exceeding expectation, I herewith include a newspaper item by Mark Sullivan, clearly proving labor is on the job in producing implements of war:

TWO CHEERING DEVELOPMENTS SEEN IN WAR—MATERIAL IS ROLLING BETTER THAN QUOTA—FEW TIE-UPS NOW

(By Mark Sullivan)

WASHINGTON, February 24.—There are two definite, cheering developments. One is, the stuff is rolling out of the factories. The President, in his speech last Monday night, really understated it. Every important war material, including ships, is coming out of the mills and yards at a pace greater than was anticipated, hence more than enough to meet the immense program for this year and next, which Mr. Roosevelt laid before the opening session of Congress last month. If there is a possible exception, it is the bigger planes. These lag behind tanks and some other forms of war material. But planes lag behind the others only because the others are so far ahead of program. As to planes and everything else, the pace today is faster than enough to meet the program.

That program, when the President laid it down on January 6, was called by some fantastic. Today it is in sight of fulfillment. If the program is not met, it will be because of unforeseen conditions arising in the future.

The fulfillment that is in sight, if not interrupted, actually will turn out to be more than fulfillment. For once a process of this kind gets headway, it gathers momentum which carries it beyond early expectations.

How did this come about? One reason is, the American system of factory mass production was at last given a chance. To achieve factory mass production, certain conditions are necessary. One is agreement upon a model—and agreement not to change the model. This condition now exists generally.

For more than 2 years, before the defense program got into the factories, while it was still in the hands of Washington, Washington kept changing the models. To this, no blame attaches. The technical men at Washington, watching the war abroad, saw defects arise in existing planes and other war materials. They saw improvements made by practically all the countries in the war. That our technical men should take advantage of these improvements was necessary. That they should try to devise even greater improvements of their own was desirable. It was not merely a matter of more planes, it also was a matter of better planes. But all this led to constant changes in design. It distracted the factory managers. Orders were given in comparatively small lots, and even when planes were going through the factories, changes were made in blueprints. Mass production was impossible.

There are other reasons. Preceding Pearl Harbor there were countless strikes; since Pearl Harbor there have been few. Also, throughout the early period some labor leaders wished to bring about a fundamental change, wished to get for themselves a voice equal to that of management in the conduct of industry. The economic, social, and ultimate political aspects of that need not be discussed now. Even if a new way of conducting industry were known to be better than the old, making the change would, at the very least, cause delay. Mere agitation for it caused delay. Apparently the agitation is now abandoned. Whatever the defects of the old way, it works—and now it is given a chance to work.

To feel cheer over the production of war materials may lead to unfortunate complacency. War materials pouring out of the factories is one thing, war materials on the battle front is another. Between the two are many hurdles. There is a monstrous hurdle of distance. To carry war material from an American port to practically any of its destinations is a 2-month trip for a cargo vessel, 4 months for the round trip, as President Roosevelt pointed out Monday night. There is the further problem of judgment in determining which shall be the destination for a given tank, or gun, or plane—whether to Australia, or to China, or to Russia, or to North Africa, or elsewhere. There are immense and intricate problems of coordination. For these problems we can hope we have the talent or can find it. That the materials are being made is the first step, it is going satisfactorily, and that is cheering.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I have prepared an analysis, assisted by competent authorities, of every one of the 17 measures affected by the so-called Smith bill, and I challenge the gentleman from Virginia [Mr. SMITH] to show in any of these acts anything which prohibits a workweek of over 40 hours. No one knows the provisions of these acts better than the gentleman from Virginia, and he knows that more than 40 hours is not prohibited.

Mr. Chairman, I hope the Members will vote on this question with their eyes open and not on the misinformation which has been given in this House.

I hope you realize that when you vote for this bill you are not increasing production. What you are doing is increasing the profits of the manufacturers on contracts, which have already been entered into on the basis of time and a half for a week in excess of the 40-hour week. So the gentleman from Virginia, when he neglected to bring in companion legislation covering also the profits of these corporations, which would be increased as the result of his proposal, certainly, in my opinion, failed in his responsibility to the House.

Now, I am not going to impugn his motives, but I have been here for 5 years and my recollection is that during that time the gentleman from Virginia has opposed every piece of legislation that would be beneficial to labor. My further recollection is that every time a national defense bill has been offered in this House the gentleman from Virginia has attempted to use it as a vehicle to enact legislation which would be unfavorable to labor.

I am wondering, in all charity toward him, because I shall not question his motives, whether or not in his zeal and in his enthusiasm, he perhaps is not influenced in the present instance because of his animosity toward those things which have meant so much to labor and which he has always opposed.

I think we have, as the previous speaker said, to keep our eyes on the ball and not, under the pretense of correcting a condition which needs no correction, legislate here to increase profits and create a situation which would only cause disunity and perhaps dislocate present industrial schedules. It seems to me that the real purposes of the amendment are concealed and are other than the ones emphasized by the gentleman from Virginia [Mr. SMITH].

The following is a résumé of the acts affected by the Smith amendment to the second War Powers Act. A careful reading of this analysis will prove the accuracy of the contention I have made—that there is no prohibition against the working of hours in excess of 40 in 1 week by any of these measures.

1. Act of July 2, 1940 (Public, No. 703, 76th Cong.), Army speed-up bill prescribing 40-hour week and 8-hour day for laborers and mechanics employed directly by the War Department engaged in the manufacture or production of military equipment, munitions, or supplies. Overtime may be worked upon payment of time and one-half.

2. Act of October 21, 1940 (Public, No. 873, 76th Cong.) prescribes 40-hour week with time and one-half for overtime for specified field employees of the War Department and of the Panama Canal.

3. Act of June 3, 1941 (Public, No. 100, 77th Cong.), provides time and one-half for over 40-hour week for per annum employees of War Department, Panama Canal, Navy Department, and Coast Guard, and provides additional compensation for employees of War Department and Canal Zone foregoing vacations.

4. Act of March 3, 1931 (5 U. S. C. 26 (a)), provides Saturday half holiday for civil employees of Federal Government and District of Columbia, exclusive of employees of certain departments, and contains provision for compensating time off. Executive orders have suspended this act as to certain civil employees of the military departments (see Executive Orders Nos. 8816, 8860, 8876).

5. Act of June 30, 1936 (41 U. S. C. 35–40, Walsh-Healey Act), providing 8-hour day and 40-hour week stipulations in Government supply contracts of over $10,000 worked in excess of 8 hours a day and 40 hours a week permitted at time and one-half. Upon finding and need by contracting department, all overtime requirements may be suspended by the Secretary of Labor.

6. Act of October 10, 1940 (Public, No. 831, 76th Cong.), prescribes 8-hour day and 40-hour week on Maritime Commission contracts, overtime permitted at time and one-half.

7. Act of June 28, 1940 (Public, No. 671, 76th Cong.), Navy speed-up act providing 8-hour day and 40-hour week for certain specified employees of Navy Department and Coast Guard with time and one-half for overtime; suspends during the emergency the provisions of law prohibiting more than 8 hours of labor in any one day on Army, Navy, and Coast Guard contracts. (NOTE.—See No. 15, below.)

8. Communications Act of 1934, as amended by the act of March 23, 1941 (47 U. S. C. 154 (f) (2)), provides for additional compensation for Federal Communications Commission inspectors for night work and holidays.

9. Act of March 2, 1917 (48 U. S. C. 737), Organic Act of Puerto Rico, providing an 8-hour day for laborers and mechanics on public work by or on behalf of Puerto Rican government. No. 15, described below, permits overtime after 8 hours upon payment of time and one-half for contract work with Puerto Rican government.

10. Act of May 2, 1941 (Public, No. 46, 77th Cong.), extends No. 6, above, to emergency contracts for Maritime Commission.

11. Act of July 21, 1932 (15 U. S. C. 605 (b)), empowering the Reconstruction Finance Corporation to require a 30-hour week so far as practicable on liquidating projects (merely hortatory).

12. Act of June 25, 1938 (29 U. S. C. 207–208), wage-and-hour law requiring time and one-half after 40 hours a week for employees in or producing for interstate commerce.

13. Act of June 19, 1912 (40 U. S. C. 324–325), prescribing an 8-hour day for laborers and mechanics on public works. No. 15, below, suspends prohibition if time and one-half is paid.

14. Act of August 1, 1892 (40 U. S. C. 321–323), prohibiting work in excess of 8 hours a day on public works by Government or its contractors. So far as Army, Navy, Coast Guard, and Maritime Commission contracts are concerned, this law was suspended by No. 6 and No. 7, above. As to direct employees of the Government, the law has been suspended with respect to Army, Navy, Panama Canal, and Coast Guard Executive Orders, Nos. 8623, 8797, 8837, 8848, and 8859, leaving unaffected only normal activities of peacetime agencies. As to these, the President has full authority to make suspensions by Executive order.

15. Act of September 9, 1940 (40 U. S. C. 325 (a)), amends No. 13, above, to permit overtime after 8 hour a day at time and a half on public works contracts with the United States. (By act of March 4, 1917, 40 U. S. C. 326, President had corresponding power to permit overtime at time and a half.)

16. Act of March 3, 1931, original Davis-Bacon Prevailing Wage Act, which was revised and amended by act of August 30, 1935 (40 U. S. C. 276 (a)), providing for a predetermination of minimum wages for laborers and mechanics on Government construction contracts over $2,000. (This act contains no maximum-hour restrictions to be suspended.)

17. Act of March 4, 1917 (40 U. S. C. 326), empowers the President to permit work over 8 hours, notwithstanding No. 13, above, if time and a half is paid. This statute is made obsolete by No. 15, above.

Mr. WASIELEWSKI. Mr. Chairman, we are engaged in a war, the result of which will affect the future of each and every one of us. It will affect the future of industry, agriculture, and labor alike. It calls for an all-out effort on the part of all Americans. This is no time for us to be group conscious. Above everything we must remember we have a job to perform in the preservation of our American way of life by winning this war. If we lose this war, the rights and privileges of industry, labor, agriculture, or any other group will mean nothing.

Several years back before the clouds of war began to take definite form, we had adopted legislation in this country that would take the profit out of war, hoping thereby that we would avoid war. We have found, however, that whether or not we were to engage in war depended not alone on our own choice. Now that we are at war, no person nor group should be allowed to make a profit from it. Yet on every side we find that our Government is paying more for certain products, for certain labor, and for certain agricultural commodities than does a private buyer. If we are to bring this war to a successful conclusion this condition cannot continue. We cannot expect to build morale in our armed forces where men are asked to give service to their country at $21 and $30 a month while men at home, who are no better than they, and no better trained than they, are permitted to earn many times that sum in 1 week. We are all in this war and we should shoulder the responsibility and burden of it equally.

The 40-hour week was adopted in order that the work available might be spread among more men. The employer was in a sense penalized to the extent of paying time and a half, or double time, for using his employees beyond said hours. In our war effort today we need 18 men in industry and agriculture to support 1 man in the front lines. There is a threatened shortage of skilled mechanics and labor. To meet this situation it is as fair to expect our workers in the plants to suspend the rights and privileges of the 40-hour week, just as we expect our men in the armed forces not to be bound by any such laws and provisions.

I feel constrained to vote against the amendment proposed by the distinguished gentleman from Virginia because his bill does not go far enough. His measure, if adopted, would limit the profits from war only to the workingman and laborer. It makes no attempt to limit or control the profits of industry and agriculture. I wish, if I may, make a suggestion to the gentleman from Virginia that he bring before the House legislation that will take profit out of the war for industry, agriculture, labor, and all other groups alike, and I will support it.

I am sure that in such action we will have the support of our Nation, and that such action on the part of Congress will bring about unity, promote morale, and an early victory. It is our solemn duty to limit all war profits now and not wait until the war is over.

Mr. POWERS. Mr. Chairman, I merely rise to read to the Committee a section of Public Law No. 2—chapter 2, Seventy-seventh Congress, first session—H. R. 1776, the first Lease-Lend Act. Section 3–A of that act reads as follows:

> Notwithstanding the provisions of any other law, the President may from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government:
>
> (1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure to the extent to which sums are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

I am not a lawyer, but I have shown this section to many good lawyers in the House. They are of the opinion that the President now has the power which the gentleman from Virginia [Mr. SMITH] wishes to give him in his amendment.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. POWERS. Yes.

Mr. DONDERO. I have listened to the reading of that clause, and if any language is explicit, that is that the President now has the authority sought to be given to him by the Smith amendment.

Mr. POWERS. The President, in the opinion of many good lawyers in the House, already has that power.

Mr. WHITTINGTON. Does not that power expire in practically all of those acts on the 30th of June 1942?

Mr. POWERS. I am not speaking about the expiration of the law, but I am stating that the President has the power now.

Mr. WHITTINGTON. And that is the reason it should be reenacted, because the power does expire at that time.

Mr. POWERS. Then you admit he has the power?

Mr. DOWNS. Mr. Chairman, I did not intend to take the floor to discuss the Smith amendment, but I feel, in all fairness to the thousands of laboring people in my district, that I must raise my voice in their defense.

It is proposed, with a single stroke, to wipe out the entire progressive advancement of labor and return to the days of 1892. Some of the largest defense plants in this entire country are located in the district which I have the privilege of representing in this House. We have had no labor troubles of any consequence in this district. These people have toiled long and willingly to turn out planes, boats, guns, and ammunition, and other defense materials to carry on this war. I cannot stand by and see them unjustly penalized without raising my voice in protest.

I do not claim that every act of labor in this country has been right, but I have stated in the Well of this House several times, that we should not penalize the rank and file for the acts of a few renegade leaders.

I have heard other Members in this debate point to the fact that the boys in our armed forces, today, are receiving a low salary of $21 per month while defense workers are being paid high salaries. That is true. It was true in the last war, but may I point out that a large majority of the boys in our fighting forces are the sons of men and women in the laboring group. Many of them have gone from the ranks of labor into the service themselves. I know of one defense worker, toiling long hours, who has six sons in the service of his country; I know of another with four sons in the service, and still another with three. Certainly the patriotism of these men cannot be questioned.

Under the present law there is no limit on the number of hours a man can work. If this amendment is adopted, I am afraid it will only serve to increase profits and lower production. These are days when this Nation is crying for unity, and certainly a slap at the defense workers of this Nation now is not going to bring about a greater degree of unity. In my opinion, it is going to create disunity.

It is time that the people and the legislators stop sniping at the administration, the Army, the Navy, and labor, and turn to the task of winning this war. If we do not bring this war to a successful conclusion, it will not make a great deal of difference what happens to any of us.

It is my hope that the Members of this House will use sane and sound judgment and not throw this country into turmoil by adopting this amendment today. I urge that it be voted down in the interest of our country—the greatest Nation on the face of this earth.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. FOGARTY. Mr. Chairman, I speak to you today not only as Member of Congress but as one of those whom this bill is aimed at, namely, a labor man or labor leader. In the State of Rhode Island we have, I believe, by far the outstanding labor leaders in the Nation. We have our share of defense work and we have had no trouble with strikes on defense work. The gentleman from Georgia yesterday referring to this bill included all labor leaders as racketeers. Mr. Chairman, the gentleman from Georgia by that remark also referred to me because I am still considered a labor leader in Rhode Island. I hold office in my local union in Providence as president emeritus of the Bricklayers, Masons and Plasterers Subordinate Union of Providence, R. I. I am still interested in them, their problems are mine and as long as I am a Member of Congress I will do everything within my power to defend them against such unwarranted attacks as we are listening to today, and I want to inform the gentleman from Georgia that I am just as patriotic as he is and that he is no more patriotic than all the labor leaders in Rhode Island or any person in the State of Rhode Island who earns his bread by the sweat of his brow, regardless of whether he or she is a member of a union or not.

The gentleman from Georgia said yesterday let us be real, let us be men, let us be Americans rather than the representatives of some organized group. I say to the gentleman from Georgia if he wants to be real, wants to be a real American, would he vote for the repeal

of the antilynching law, would he vote to repeal the poll-tax law which keeps the poor whites and the colored from voting in the district he represents, will he or the rest of you who are supporting this amendment and who represent an agricultural district speak and vote against the agricultural bill which has just passed the Senate which will cost the consumers at least $1,000,000,000?

The supporters of this amendment proclaim that this is just a suspension of the laws for the duration; well, I fail to agree. I maintain that this is just the beginning of a drive that is being carried out all over the country conceived and sponsored by the manufacturers, the industrialists, the press, and those of you in and out of Congress who hate and fear labor, the ultimate purpose to shackle labor, to take away from them everything they have gained during the past 50 years, to drive them back to the sweatshop days, back to the cut-throat conditions, back to the days of starvation wages and unlimited hours; yes, back to the days of slavery. When the gentleman from Virginia or the gentleman from Georgia or the gentlemen from Mississippi get up on the floor of this House and claim that in the interest of national unity they are sponsoring or supporting a bill that has to do with labor, I question their sincerity. I have been here for only 14 months but it took me only 2 months to find out those who were attempting to do whatever they could to take away from labor in this country everything that it has gained and day in and day out attempt to scuttle the labor laws that have been so justly earned.

Mr. Chairman, the very men who are seeking to have this amendment adopted under the guise of national unity opposed this very same labor legislation when it was being enacted.

If they are sincere, why do they not come down to the Well of the House and tell the truth; why do not they give all sides of the story? Why do not they play the game on the level, be square and be fair. Why does not the sponsor of this amendment explain to the House both sides of the story that he told yesterday in regards to the walk-out at the Bethlehem Steel Corporation in Los Angeles which is that when the Bethlehem ordered two 10-hour shifts instead of three 8-hour schedules they defied the Navy Department, the Maritime Commission, and the War Production Board? The company took the position that it was ahead of schedule on ship construction and that it should not be bothered by the Government. They also claimed that a night shift is not efficient; but all other shipbuilders have found out otherwise. The union at the plant tried by negotiation to have the company rescind its new policy but to no avail. This story was also carried by the press of the country in such a way as to discredit the union and their leaders, which is nothing new for the press to do. The newspapers do not seem to be interested in constructive labor news; on the contrary, everything they can dig up that will be detrimental to organized labor is what they delight in giving the front page. On several occasions yesterday during debate I listened to Members quoting from the headlines of various newspapers misleading stories in regard to the labor situation of today. Mr. Chairman, those of us who know labor pay no attention to these stories; we know that the allegedly free press owe their loyalty to the moneybags who control their publications; we know they speak the policy of big business; we know they hate and fear labor; we know they seize upon every opportunity to smear labor; and those in this House who hate and fear labor take a great deal of pleasure in reading into the RECORD these biased distorted, viciously ridiculous, misguided, and silly stories in regard to organized labor.

Why do they not go back to the days when this program was started, when the manufacturers held up this defense program for 6 months in order to get the terms that they wanted from the Government? Did they get them? They did get them. They claim on the floor of this House that this is not an antilabor bill. Do any of those gentlemen think I am silly enough or dumb enough to know that it is not an antilabor bill? Do you think I am silly enough or dumb enough to think it is for the benefit of labor? These men who are working in the defense plants today are not only producing the arms and ammunition for our boys, but they are also producing in another way. They are not practicing birth control like the idle rich, the 400, the leaders of society. It is the working men and women of this country who raise the families and have to support them. They are the ones who are fighting our wars today.

Mr. Chairman, I hope this amendment is defeated in order that this country may be the country in the future that you and I and our brothers and sisters, our sons and daughters were privileged to have lived in during our lifetime. Let us go forward as real Americans and defeat this amendment so that we will not create disturbance, disorder, discord, dissatisfaction, but create unity and get the planes off the paper and into the air.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SACKS] is recognized.

Mr. SACKS. Mr. Chairman, the attempt on the part of those who would suspend all labor laws is one that they say is in the interest of unity. Somebody on this floor the other day said, "You cannot legislate unity; you cannot legislate patriotism." I know and you know that this attempt is not one for the benefit of increased war production, because if it was, if this was a question of production, they would also include in this bill a limitation on the profits.

I do not know who it was, but somebody said that profits by some are a sign of their patriotism. A committee in the other Chamber found that the profits were excessive in many instances in the preparation of our war effort. There is nothing in the amendment presented by the gentleman from Virginia that would prevent the employers from taking the profits that they would make by forcing labor to work overtime without paying time and a half.

Let me show the difference in patriotism between the laborer and the employer in my district. The iron workers and steel workers in my district worked 1 day and gave all their pay to the Navy relief, which amounted to $50,000. It was presented last Sunday to the Navy relief. Did the employers take the profits of that day and give it to the Navy relief? No.

Let us not question the motives of those who toil and are vitally interested in this war. They do not want the ideology of nazi-ism to triumph. They are fighting this war to protect democracy. We ought not impugn their patriotism. American labor is patriotic. Their sons are in the Armies and Navies of this great Nation. They are ready to give their all. Must we by legislation brand them as selfish and unpatriotic? To pass this would be doing such. I am opposed to the Smith amendments. All our experts tell us our production is ahead of schedule. This properly establishes labor as doing its share. Let us not by legislation again revert to the era of exploitation and economic slavery. Let us not be economically patriotic and use it as a cloak to destroy progressive, liberal legislation. This war must not be a vehicle where selfish interests again dominate American legislative halls. Defeat 1942's blitzkrieg on American labor by the old, selfish interests of enslaved labor control.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, we have been discussing the Smith amendment for several hours. There seemed to be much discussion with regard to the patriotism and motives of labor, particularly as it applies to organized labor. That sort of an argument is superficial. Of course, I have many organized workers in my district, both A. F. of L. and C. I. O. However, there is something that this House has overlooked in this debate. I refer particularly to those present who do not have the problem of organized workers. Do you realize that the organized worker, in most instances, is fully protected on the overtime and time-and-one-half feature by contract, which is valid and enforceable and which will hold regardless of what action we might take? What I am interested in and what I am calling to your attention very forcefully, for it applies to the unorganized workers of 80 percent of the Members in their districts, is that this is going to affect more directly and vitally the interests of the unorganized worker, the worker in the big chain mercantile store, in the small town, and to thousands of others deep in the hinterland and far removed from the industrial districts. These are the people who will pay the price if you take away this minimum protection afforded by law. They will return to a 60- to 72-hour week at a 50 percent cut in their wages.

I want to call this to your attention—those of you who do not have the organized workers in your district. You are voting away their best interests—wiping

out their hard-won gains. The workers in our districts will be able to take care of themselves as long as they are organized and as long as their contracts are in effect and hold. But in your cities and small towns—deep in the interior, where you do not have the protection of the C. I. O. and the A. F. of L. for your workers—that is where this Smith amendment is going to put a crimp in your workers. That is where you will feel the sting when the time comes.

I want you take this into account when you vote on the amendment because you are overlooking something. If you think you are going to apply this to the big industrial areas and to their disadvantage, you are mistaken. It is going to hurt most in your own districts.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Chairman, I rise merely to state two facts and then to ask two questions. The two facts are included in correspondence which has been handed to me, between the Commissioner of Labor Statistics and our majority leader, the gentleman from Massachusetts [Mr. MCCORMACK]. The first of those facts is that at the present time in defense industries most firms are working many more than 40 hours a week. In the airplane industry, for instance, under most of the big contracts we find the workingmen working 52 hours a week. This merely brings out the fact that there is no Federal law today limiting the number of hours to be worked.

The second point in that correspondence is that there are in outstanding contracts about $8,000,000,000 for wage payments. If this amendment is adopted, a good deal of this money, hundreds of millions of dollars of it which has already been contracted to be paid to the employer, will simply not be paid to the employee. It will simply be a windfall for the employer at the expense of both the Government and his employees.

The two questions are these: The sixteenth law mentioned in the amendment offered by the gentleman from Virginia is the Bacon-Davis law pertaining to wages on Government construction contracts. It does not refer to hours in any way. I am wondering why a virtual minimum wage law is included in this amendment.

The second question is: Why in a sweeping amendment of this sort taking away protection from millions of workers some groups are excluded? I wish personally they had all been excluded, but they are not; and I hope we shall learn today why the employees of the railroads were excluded from this amendment. I hope very much the gentleman from Virginia in his own time in a little while will answer these two questions. I hope that then this House will vote down his amendment.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from South Carolina [Mr. HARE] is recognized.

Mr. HARE. Mr. Chairman, the purpose of this bill, as shown by the title, is to further expedite the prosecution of the war. The action of the Congress for the last 3 days in an effort to pass the bill might indicate that it is doing just about as much to delay the war efforts as other agencies by its insistence to discuss matters really not germane to the subjects involved. Our actions suggest to me the story of the long-winded Member of Congress a number of years ago when the subtreasury questions were the paramount issue in public life. After he had spoken about 2 hours to a country audience he straightened himself up and with outstretched arms exclaimed, "Fellow countrymen, I am speaking for future generations," whereupon a farmer in the audience arose and said, "By gum, if you speak much longer they will be here."

My thought is if we continue to speak on this bill there will be little or no necessity for trying to expedite the prosecution of the war effort. The war may be over before we get ready for it.

But my purpose, Mr. Chairman, in asking for recognition at this time is to say a few words on behalf of those who are now in the war, particularly the young men who are in it. They are interested in this bill. They are interested in expediting our efforts to end the war. They are not in the armed forces with the idea of making a military career out of it. They would like to see the war brought to a close as soon as possible and they would like to have munitions and implements with which to do it. They would like to see this war end next month the next 6 months, or within the next year in order that they may go home and begin to lay foundations for future living. They have little patience with our delay in furnishing them with munitions and equipment due to strikes in our defense activities and bickerings between labor leaders and industry, coupled with Congress debating whether this or that program will dovetail into the post-war program. If some of us were as anxious to demonstrate our patriotism as Shirley Crow, of Oconee County, S. C., who walked 30 miles a few days ago to present himself at the office of the draft board to say: "If my country needs me, I am ready to go," the morale of the people generally would be better and the morale in the armed forces would be greatly improved. If strikes delaying production in defense industries continue, the morale in both groups will grow worse. The services of these boys are not limited to so many hours per day or any number of hours per week. They are subject to call over 150 hours a week, and they know it. They are saying now that if they are not supplied with defense weapons without delay there may not be a post-war program, and if there is continued delay on account of strikes for selfish gain I think I can hear them saying: "If there is a post-war program we will write the formula after we get home and you are just delaying the whole thing by bothering with it at present."

The urgent and tragic need right now is additional fighting equipment, and the purpose of this bill is to expedite its production. The necessity for haste is so pronounced that to me it seems almost unpatriotic to spend days talking about peacetime recreation, peacetime occupation, or peacetime legislation. We should realize the war is on. The battle is raging, and men in the front lines are begging for weapons to protect their own lives and to preserve the country they love.

Not only the young men in the armed forces are interested in this bill but their fathers and mothers are greatly interested. Many of them have sons already on the firing line—sons whose lives they are willing to sacrifice on the altar of their country provided they are given an equal chance for life with equal equipment for use in combat. I feel that I speak the sentiment of a lot of these fathers and mothers, for I happen to be the father of one of these boys in the front line somewhere in the Pacific and I am anxious to see that he and his comrades, wherever they may be, are furnished with such equipment as will give them at least an equal chance in the battle for liberty and freedom. His father and mother will not complain if he should fall in mortal combat equally armed with his antagonist, but I am unable to contemplate my feelings if I should learn he has sacrificed his life because the Congress of the United States or the people for whom he is fighting failed on account of strikes, selfish bickerings, and incident delay to furnish him with sufficient bombs or necessary equipment to defend himself in battle with a merciless foe. On the other hand, I would be mortified and feel like an unworthy sire of a courageous and patriotic son if he should return home in defeat, humiliation, and shame, place his hand upon my shoulder, look me in the face and say: "Father, we did the best we could with what we had to do it with, but the battle was lost while you and others debated what effect an hour's work per day would have on the social life of the country after the war."

There may be some things in this bill I would not support under ordinary circumstances, but since it is designed to expedite our war effort it is my purpose to support the bill in toto.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MCGRANERY] is recognized.

Mr. MCGRANERY. Mr. Chairman, I ask unanimous consent that for the information of the Committee the Clerk read an amendment, which I have pending at the desk.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendment to be offered by Mr. MCGRANERY to the Smith amendment: Page 2, line 11, after "or during the night", insert *"Provided,* That the value in dollars and cents which will accrue to the employer as a result of the adoption of this act in connection with the subject of overtime shall revert to the United States Treasury and the same shall be collected by the Commissioner of Internal Revenue."

Mr. SMITH of Virginia. Mr. Chairman, I reserve a point of order against the amendment.

Mr. MCGRANERY. Mr. Chairman, I quite agree with my good friend the distinguished gentleman from South Carolina, that we should really get down to

winning the war. This is no time to create disunity. We need unity here and now; and if my good friend the gentleman from Virginia had thought well of the amendment he proposes here, he would have included in it language which would not let benefits accrue to the employer to the detriment and at the expense of the employee. If we are to win this war, we must win it with the working men and women of America; we must win it with their loyalty and devotion to their country in the prosecution of their jobs. They are not going to do it if by reason of the suspension of laws passed for their benefit you take advantages away from them and let the employer retain profits from the sweat of their overtime. The employer is undoubtedly unjustly enriched if the Smith amendment were to pass. Today in almost every instance employer and employee are getting along very well together; the passage of this so-called Smith amendment will in my opinion destroy this relationship. If they are sincere about their amendment, I ask the gentleman from Virginia now if he will not accept my amendment.

The working men and women of America are loyal Americans and if this amendment is passed and they know that their money is going back into the Treasury of the United States they will have no objection to it, but if it is only going to fatten the profits of an employer, then, of course, the working men and women of America will feel that we here have discriminated against them to the benefit of the employer and they will not have the enthusiasm in their jobs they now have. I sincerely hope that the Smith amendment is defeated, but if it is to pass, I trust you will adopt my amendment, which provides for the recapture of profits that would otherwise go into the pockets of the employer; the funds recaptured would then be paid into the United States Treasury.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Ohio [Mr. THOM] is recognized.

Mr. THOM. Mr. Chairman, I rise to make a very pertinent inquiry. I should like to know from the author of this amendment why the civil employees of the government of Puerto Rico were included in it? If he can give us any light on that subject I should like to have it.

Mr. SMITH of Virginia. Puerto Rico is a possession of the United States.

Mr. THOM. Is there any particular defense work upon which these civil employees are employed at the present time which would necessitate the lifting of the 8-hour law?

Mr. SMITH of Virginia. I have not been there, but I imagine so.

Mr. THOM. But the gentleman has no advices from the government of Puerto Rico?

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. THOM. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. The gentleman from Virginia says he has not been there but he imagines so. I hope this whole amendment is not based on imagination.

Mr. THOM. Mr. Chairman, I have gone to the statute books and I find that the organic law of Puerto Rico adopted in 1917 contains the following provision:

That 8 hours shall constitute a day's work in all cases of employment of laborers and mechanics by and on behalf of the Government of the island on public works except in cases of emergency.

It seems to me that the suspension of the above provision is wholly unnecessary for if there is any work that needs to be undertaken because of this war emergency someone in Puerto Rico who knows more about it than we do has the right under this statute to lift the 8-hour provision affecting the civil employees of Puerto Rico. I can only assume from these facts that this particular part of the Smith amendment has not been carefully considered and that the author did not advise himself that there is a provision in the statutory law itself which permits lifting of the 8-hour limitation.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. THOM. I yield to the gentleman.

Mr. SMITH of Virginia. If the gentleman had read my extension of remarks the other day in which I endeavored to explain everything that was suspended, he would have found that I stated that it could be done in case of an emergency.

Mr. THOM. Why include it in this act, if the power now resides in the Government of Puerto Rico?

Mr. SMITH of Virginia. If the gentleman wants me to answer that I will be glad to do so.

Mr. THOM. I should be glad to hear the answer.

Mr. SMITH of Virginia. The purpose of this amendment is to suspend the 8-hour laws that did not have to do with safety measures. You will find a great many in there that may not be very material, but I have undertaken, with the aid of the drafting service, to have a comprehensive inclusion of all bills which restricted hours and labor.

Mr. THOM. Whether that is necessary or not?

Mr. SMITH of Virginia. That is a matter that the gentleman and I might differ on.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. KERR].

Mr. KERR. Mr. Chairman and members of the Committee, I regret very much that I find myself in disagreement with my distinguished friend from Virginia who has offered the amendment to the bill before the House known as the Smith amendment. I do not think that this amendment affects any class of labor at all except unorganized labor.

Certainly most of us have a very great respect for the unorganized labor of this Nation and none of us would be willing to exploit it under any circumstances. To confirm the opinion which I have about this bill I want to read to the House a telegram which should weigh very heavily with it as a piece of evidence. It is a telegram from one of the outstanding cotton manufacturers in the State of North Carolina, whose organization for many years has conducted one of the most successful cotton mills in my State. Here is what an official of the Rocky Mount Cotton Mills has to say about the amendment under consideration:

ROCKY MOUNT, N. C., *February 27, 1942.*
Hon. JOHN H. KERR,
House of Representatives:

I sincerely hope you will oppose the Smith amendment to suspend the 40-hour week. The elimination of overtime will only affect unorganized labor and permit certain industries to realize more profits. The wage and hour law has been a godsend to the working men and women of this State, and the overtime provisions are holding down production is generally made by those who have always opposed such regulation and want to see it destroyed.

Kindest regards.

HYMAN L. BATTLE.

Mr. Chairman, I know that this evidence will weigh very heavily with the membership of the House, and I not only place it in the RECORD as confirming my own opinion about this proposed amendment, but I want to further convey to this House that it is the opinion of one of the great manufacturers in one of the great industrial States of this Union.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent that the Clerk read for the information of the Committee the amendment I have at the desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MURDOCK as a substitute for the amendment offered by Mr. SMITH: On page 12, after line 11, insert the following:

"Notwithstanding any other provision of law, the President is hereby empowered and directed, when necessary to speed war production for national safety, to suspend any provision of existing law pertaining to hours of labor in defense industries for the duration of the war."

Mr. MURDOCK. Mr. Chairman, as a father of two soldiers, I can understand how parents feel about their sons in the military service who may not be adequately equipped. However, I have no such reports concerning my sons. I understand what any delay in military production, which is so vital now to our winning the war, means, and I want no such delay. I feel that throughout this country there is a fear of delay and an imperative demand on the part of the public that nothing be permitted which would retard the production of the war equipment we must have to win this war.

In spite of that fact, I feel that the Smith amendment goes too far, and I offer a substitute amendment as a compromise. Although it has been stated on the floor of the House today that the President already has the power my amendment would give him, I doubt that he now has it and I want it to be written into the law. I do not know whether or not the President wants this power, as I have not talked with him for weeks and months. I have no means of knowing whether or not he would desire it. I know, however, that the President of the

United States is the Commander in Chief of the Army and Navy. On his shoulders rests the responsibility of the military phases of this war, and I think that on his shoulders should be placed this responsibility of military production, which is equally vital in the winning of the war.

According to the Constitution of the United States, the President is virtually a dictator in time of war. Outstanding Presidents have heretofore been so under their oath of office. George Washington was, Abraham Lincoln was, Woodrow Wilson was, and Franklin D. Roosevelt must be in the conduct of this war.

The laboring people of this country know the President of the United States. They know very well that labor has never had a greater friend in the White House than its present occupant. Yet he has dealt firmly with labor leaders and labor situations where the welfare of the country was at stake.

My amendment would provide simply that not all regulations should be suspended, but only those it is found necessary to suspend for the proper production of war material conducive to our national safety. The President would not go beyond due bounds in this respect. No man knows better than he what is needed. No man is more concerned or anxious about the outcome of this gigantic conflict than is the President. I believe American labor will be satisfied to have confidence in the President's direction of any necessary changes in working hours conducive to our safety.

Mr. Chairman, I hope this compromise amendment will be regarded as wiser than the far-reaching amendment offered by the gentleman from Virginia.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, I do not know that what I have to say will have much bearing on this question, although I think I am one of the latest to come from the labor world into the House.

From what I have heard in the last 2 days regarding this amendment that suspends the operation of 17 labor laws for the duration of this war, I think there is no one here who can explain all the laws that will be suspended. Perhaps we shall go back to the old sweatshop conditions and child labor, once these laws are suspended. We know we had a long-drawn-out fight to get these laws enacted—to get laws passed to protect the 48,000,000 people who are working in the labor world today. Approximately 12,000,000 of the 48,000,000 are organized. The 12,000,000 are the ones who have fought to get these bills passed to protect the other 36,000,000 people, and they are still fighting to protect these 36,000,000 people.

I do hope that the Smith amendment will be defeated. I do not say this of the man who introduced the bill, but the bill itself has been more or less steeped in the spleen of hate toward labor, and I hope the Members will defeat it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, the bill before us under consideration is Senate bill 2208. The title of the bill states "To further expedite the prosecution of the war." I dare say that no measure since I have been a Member of the House covers a wider field or is more far-reaching in the powers granted to the President than the bill before us. We are advised that this measure was worked out in its original form by the President, the Navy Department, the War Department, and other important departments of the Government, together with those who are engaged directly in the war production and in the prosecution of the war. It was introduced in the Senate and carefully considered by the Senate. It then came to the House and was referred to our Judiciary Committee. Our committee heard representatives of the Navy, War, Justice, other departments and agencies of the Government charged with the duty of providing for the defense of this Nation and the prosecution of the war.

The bill covers 16 titles. The subject treated in no one title is related to the subject treated in any other title. These several titles cover what the administration considers as the additional essential powers needed by the Government in order to expedite production and the prosecution of the war. Ordinarily the matters contained in these several titles would have been referred to several committees of the House, which, under the rules of the House, would probably consider them, but in order to expedite prompt consideration and passage of this important bill the administration deemed it in the interest of the national defense to combine all of these matters in one bill and have it considered by the Judiciary Committee of the House.

With the exception of title 8, this important measure received the unanimous approval of the Judiciary Committee. Title 8 was stricken from the bill. Let us bear in mind that this bill was worked out by the President and the other departments and agencies of the Government for the single purpose of expediting the prosecution of the war and that the bill before us has the approval, as I understand it, of the President, the War Department, the Navy Department, and every other department and agency of the Government charged with providing for our national defense and in the prosecution of our war effort.

The gentleman from Virginia [Mr. SMITH] has offered an amendment to this bill. It has provoked a great deal of discussion and controversy. The important question is, Will his amendment expedite the prosecution of the war? If it will, we ought to adopt it. We are in a great war, and everything necessary should be done to bring victory to our armed forces at the earliest moment possible. If the amendment of the gentleman from Virginia will not aid production of war supplies and will not expedite our war effort, it should be rejected.

Under our Constitution the President is the Commander in Chief of our armed forces. Congress has voted for war purposes alone since July 1, 1940, more than $142,000,000,000 and has granted to President Roosevelt much more power than has ever been given to any other American President in peace or in war, and acting with the President are the War Department, Navy Department, Hon. Donald Nelson, who has been placed at the head of our war production. He is ably assisted by General Knudsen, one of the great production executives of the Nation, and there are other agencies cooperating with the President.

I propound these questions to the distinguished gentleman and good Democrat from Virginia: Does the gentleman contend that the Commander in Chief of the Army and Navy is for his amendment? Does the gentleman contend that the Secretary of the Navy is for his amendment? Does he contend that the Secretary of War is for his amendment? Does he contend that Hon. Donald Nelson, who is the generalissimo in charge of war production, is for his amendment? Does the gentleman contend that General Knudsen, or any other important director, leader, or agency interested in the national-defense effort or in expediting our war effort, is for his amendment? I understand all of these important executives are against his amendment. It has been heard around here that the President would veto this important and necessary bill, if it contained the Smith amendment.

We have every reason to believe that the Secretary of War, the Secretary of the Navy, Mr. Nelson, and all of those engaged in war production efforts and in charge of our defenses are against his amendment. If the President, who is the Commander in Chief, the Secretary of War, the Secretary of the Navy, Hon. Donald Nelson, General Knudsen, and others are opposed to this amendment, there must be something wrong with the amendment. They are charged with the defenses of this Nation. They, undoubtedly, are interested in doing those things that will expedite the prosecution of the war.

As the gentleman from Virginia has intimated that he would speak after me, I should like for him to answer these important questions. If the President and those in charge of our armed forces on land and sea and in the air and in charge of our production efforts are all of the opinion that the amendment of the gentleman from Virginia will hinder rather than expedite the defenses and the war efforts of this Nation, the Congress should stop, look, and listen before taking that action. If this amendment is adopted, the bill would go back to the Senate, and to conference where it would likely provoke a long debate. Those in charge of our defenses and in our war production efforts say that this measure is of vital importance and must be passed now.

It has also been pointed out that the amendment of the gentleman from Virginia was introduced from the floor of the House. It is far reaching. It proposes to repeal many important and far-reaching laws themselves, covering a period of 50 years and involving industry, commerce, as well as labor. It may be that some steps should be taken. No committee has considered the Smith amendment. Neither the representatives of the Government, nor industry,

nor labor nor commerce have had an opportunity to be heard. None of these proposals have been carefully checked or studied by any committee. The Smith amendment involves much more than the question of hours and pay of workers.

This Nation is now engaged in the greatest, costliest, and bloodiest war in which it ever took part. We are now in the war. It is not the time or place to debate as to how we became involved in the war. The people of this Nation and its resources must now unite in the most effective effort to win the war. The interest of any particular individual or group cannot outweigh the national interest. If there are any laws upon our statute books or any conditions that can be and should be corrected by congressional action, a measure or measures should be introduced to repeal any such acts and to correct any such conditions, and then those bills should be referred to the proper committees and hearings should be held where all interested parties, including the Government, will have an opportunity to present their respective views, and the committee report such measure or measures to the House and Senate and there to be considered on their merits, looking alone to the highest and best interest of our country. I have no doubt but what the Congress would not hesitate to protect the Nation against any or all selfish interests or groups and will take the necessary action to promote production and expedite the war effort and our national defense. The American people will not tolerate the attempts of any individual or group to promote their own selfish interest as against the welfare of our Nation.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Chairman, I strongly favor the Smith amendment, and shall vote for same.

Throughout this debate I have heard statements for and against this measure, and I am forced to say that I fear the real peril facing the democracies of the world is going over the heads of many of us. Are we the guardians of the labor leaders or any other special interest, or are we guardians of the peace, liberty, freedom, and happiness of our beloved democracy? I wish this question could sink deep into the hearts of the membership of this House. The life of our democracy hangs in the very balance, we can lose this war, and if we do not depart from this schoolboy picnic philosophy, we are going to lose it. We can win, but it is going to take the best and all there is in every citizen of this great country.

I have no disposition to take any right from any laboring man, and I further realize that labor is due its rights of protection. However, the rights of labor, industry, and every American citizen is critically in peril, and we must all sacrifice now to save the future of all of us. Think of those in the automobile and oil business, they have been called upon to virtually forfeit their businesses, but they have not murmured, and why should some other class complain when they are called upon to work more than 40 hours a week? It is perfectly ridiculous to think of winning this war on any such efforts. Germany and Japan are working 100 hours per week. Is not our cause as dear and priceless as theirs? Do not our workingmen and women love our country as much as their barbarous aggressors do theirs? The great majority of labor is willing to work for this victory and want to work for this victory.

I have heard so many remarks about what happened in 1892. For this I am not responsible, as I did not discover America until 1893. I am, however, responsible for actions here now and for the future of my Nation and the rights of my people, and I shall give all there is in me toward a victory that will preserve American freedom for my children and the children of this Nation and those yet to be born. Where is the man or woman that is not willing to work more than 40 hours a week to save a Nation with all its glory, that has meant to freedom-loving people what this democracy has meant to us. I recall that the Holy Writ says in substance that we shall work 6 days and rest on the seventh, and further in substance, if the ox falls in the ditch on the Sabbath he may be taken out. If we could only realize it, something more precious than your ox is now in the ditch; the American eagle is in the ditch, and it is going to take a different type statesmanship and war effort than that so far exercised to pull it out.

Production of fighting equipment is going to be the determining factor in this war, and we have no way of knowing just how few lost hours will lose it for the democracies. Why take a chance, why not stiffen up our backs and face the issue without regard to our political future and put our Nation above ourselves? Think of the sons of our American mothers and fathers who are fighting on foreign soil not alone for the protection of democracy but for their own lives, which hang in jeopardy 24 hours a day, who are in dire need of fighting equipment. Are you willing to desert them now? Suppose they gently reposed on a 40-hour-week effort. They are either in action 24 hours a day or standing ready. How do you like to walk the streets and argue and quarrel while they are fighting for you and needing the products of your labor?

I would like to remind you that this is in no sense a repeal of any law affecting the rights of labor. It merely suspends the operation of a 40-hour week, thereby permitting employers to work its labor more than 40 hours, and labor, a majority of which is fully patriotic, to work more than 40 hours per week and thereby do its full part in our war efforts. We have sawmills in my district that took Government contracts for materials badly needed in the national defense when labor was plentiful. Their bids were made and accepted with the knowledge that they could work two shifts and not be forced to pay any overtime. Since then labor has become so scarce that they either must work overtime at time and a half—and therefore lose money on their contracts—or either shut down when 8 hours are up and thereby delay production of material badly needed at this time. I personally know that the laborer wants to work more than 8 hours at regular pay and would gladly sign a waiver of the law if they were permitted to do so. It is more than ridiculous that this House is not only willing but anxious to suspend the operation of this law through the duration, and this is all the amendment seeks to do.

I appeal to every Member of this House to rally to the support of our cause and vote for this amendment.

I want to say to you and to the people of the Nation that, if we do not wake up and realize that we have got something besides a grand, sweet song to sing, we may wake up with the flag of Germany and of Japan floating over your country and mine. I do not believe the American people, with all the glorious traditions behind them, will tolerate or think about tolerating winning the war against the powers we have got to fight on a 40-hour week. Such a thought all but nauseates me.

Let me remind you in conclusion that the Stars and Stripes were not hoisted over free America on a 40-hour-per-week basis, and that she will not continue to float on free air on such a basis.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, this amendment is so framed that I feel it may work most unfairly. For instance, the War Department has between 60,000 and 70,000 employees in its manufacturing arsenals. At Springfield, Mass., in the famous armory which is producing the Garand rifle, there are more than 8,000 of such per diem employees. Under the present law, they may work up to 48 hours a week. They can work 40 hours on straight pay and the 8 hours overtime at pay and a half. They are not limited to 8 hours in any one day, but they are limited to 48 hours in any one week. If the Smith amendment is adopted, I am advised by an official in the War Department that it is very likely these employees would find themselves in the position where they might be called upon to work more than 40 hours a week, perhaps only 48, or perhaps 60, but they still would be limited, in all probability, to straight pay and no overtime.

These 8,000 employees of the Springfield Armory are very patriotic American citizens. I think the recent report of Gen. Douglas MacArthur on the effectiveness of the Garand rifle in the Philippines shows best of all the kind of product they are turning out.

In the same community there are thousands of other people employed in similar types of work. They, through their union contracts, are in a position to secure overtime pay, time and a half, or even double time under certain conditions, when they work over the stipulated number of hours a week, usually 40 hours, even though this amendment is adopted. I feel that it is very unfair that in one community or, for that matter, throughout the United States, persons who happen to be employees of the arsenals of the War Department should find themselves in a position where they will not be given the same kind of treatment as employees

in private industry will get. Their unions cannot demand from the Government, and they cannot strike for better wages. In fact, they would not think of striking. They are upholding a most honorable, century-old tradition. Their representatives confer with the armory officials as occasion demands. They are meeting schedules regularly in production of the Garands. They are entitled to the same treatment as all other Americans. This amendment discriminates against them. I shall, therefore, vote against its adoption.

Mr. BURDICK. Mr. Chairman, I rise to make this short observation, which will not take 2 minutes: If we should pass the Smith amendment today, we will be doing exactly what the French Nation did before their defeat by Germany. It will be recalled that we read that labor organizations in France were squelched before there was any defending done against the German Army. If you think that is the way to get patriotic service from labor in America—to abolish all of the laws that they have gathered throughout the last 50 years for their own protection and brand labor as unpatriotic—then I say you are taking a step which, in my judgment, will lead to a slack defense when we need from unions nearly everything this country possesses.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. Yes.

Mr. WHITE. Is it not a fact that when the railroad men struck in France to improve working conditions the nation called them to the colors and told them as an army to run the railroads and break the strike?

Mr. BURDICK. In any event, the action against labor in France defeated the French Republic.

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD on the Smith amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Chairman, we are now in the midst of a devastating war, world-wide in its scope, which threatens to destroy not only our own liberties and our country but civilization itself. Under our Constitution our President is the Commander in Chief of our Army and Navy and the directing head of all our fighting forces. In every war in which this country has been engaged, beginning with the War of the Revolution, we have lodged absolute and complete control and authority in the President as Commander in Chief. It would be impossible to carry on successfully an enterprise such as the one in which we are now engaged without delegating to the Commander in Chief the power to direct our war activities. We have already passed one bill extending these war powers to the President.

We now have before us S. 2208, known as the second war-powers bill, which has for its purpose to further expedite the prosecution of the war, to accomplish which broad and all-comprehensive powers are placed in the hands of the President. In peacetimes it is true we would not tolerate the abdication of Congress by the surrender of controls which logically should be retained by it. Now we are in war. We must govern ourselves accordingly. We cannot haggle, debate, and procrastinate over what should be done with respect to acts which are necessary to bring success to our arms. We must lodge the power of decision over these matters in this critical hour facing us in our Commander in Chief.

For my own part I determined my course on December 7 last when the war was thrust upon us by the cowardly acts of the Japanese in their attack upon Pearl Harbor while professing to be negotiating for peace. I determined then that everything that lay within my power I would do to help to defeat our enemies who are seeking to crush us. I determined then that in order to successfully prosecute the war we would have to clear the decks for battle, lay aside all differences which would in any way interfere with carrying out our war efforts, and lodge supreme and complete power in our Commander in Chief to bring to bear every resource we possess to the one end of winning the war. The determination I made on December 7 I shall endeavor to maintain until our efforts are successful.

This bill now before us, it is true, is an omnibus bill covering 16 titles, each of which is separate and distinct, all of which, however, have to do with the one undertaking to further expedite the prosecution of the war. These war powers which by the bill are lodged in the President as Commander in Chief, are the result of the labors of all the department heads of the Government having to do with the prosecution of the war. They have been meticulously examined and determined upon as the powers that are necessary to aid in the prosecution of the war. They have not only had the approval of the legal department of the Government but of the War and Navy Departments and others and in addition they come to us with the approval and recommendation of the Commander in Chief himself. The powerful Judiciary Committee of the House has given full consideration to these recommendations and the bill now comes before us with the approval of that committee.

Mr. Chairman, for my own part I feel duty bound to give my full support to this bill embodying as it does the combined recommendations of these key departments of our Government and the President. To do less, I would violate my fixed determination to do everything within my power to uphold the President in meeting the grave responsibilities resting upon him as Commander in Chief of our fighting forces.

Mr. Chairman, we now have presented for consideration the so-called Smith amendmen' offered by the gentleman from Virginia [Mr. SMITH] which embodies the provisions of H. R. 6616. This amendment, if enacted, would suspend during the national emergency 17 laws heretofore enacted by the Congress having to do with hours, wages, overtime, and other provisions for the protection of labor. These provisions have not come to us with the recommendation of the Judiciary Committee and do not constitute a part of the recommendations of the Departments of War and Navy and others in charge of our war efforts. Furthermore, the amendment is disapproved by the President and therefore does not constitute a part of the war program designed to expedite the prosecution of the war efforts as promulgated by those having the matter in hand. These 17 suspensions of the protective measures heretofore enacted have not been the subject of hearings or examinations by the committee with a view to determining their full scope and the result that might follow from this wholesale suspension of these enactments. The hardships that would follow the suspension of these laws would fall most heavily on nonunion employees who constitute the greatest number of the laboring public. Union employees both A. F. of L. and C. I. O. have their hours of labor, pay, and other working conditions fixed by contracts entered into as a result of their bargaining rights.

In order to win the war we must maintain complete and sincere unity of purpose among all the forces of our Nation necessary for the prosecution of the war. Capital, labor, and the general public must join hands wholeheartedly in a sincere and honest effort to work together in unison to bring about the fullest production in all of our war activities. Everything else must be subordinated to this one effort. Without the full cooperation of labor we cannot hope to be successful. The adoption of this amendment with its far-reaching consequences in this critical hour of our Nation's fight to preserve its life would be ill-advised, in my judgment. Particularly so is this true when to adopt it would be against the recommendations of all those whom we have placed in charge of our war efforts and in direct opposition to the desires and wishes of the President himself as Commander in Chief, charged with the duties of bringing our productive processes to full capacity.

Mr. Chairman, I urge that we adopt S. 2208 without amendments, except clarifying ones and those recommended by the committee, to the end that the prosecution of the war may be carried forward without interruption and that production may be increased to the fullest extent, so that our fighting forces on the far-removed battle front may be implemented with every instrument and tool for the prosecution of the war that lies within our power to give to them. Let us all join hands in the one supreme effort in this grim hour confronting our Nation to the end that this devastating conflict may be brought to a successful determination at the earliest possible time.

Mr. WHITTINGTON. Mr. Chairman, I have an amendment, which I am sending to the desk, and I ask to have it reported for information at this time.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Mr. WHITTINGTON offers the following as a substitute for the pending amendment:

"TITLE IV–A

"That during the national emergency declared to exist by the President on May 27, 1941, the following provisions of law, as amended, except to the extent that they are

applicable to employers and employees, performing work which the President finds and by order declares is not necessary for the prosecution of the war"—

Mr. WHITTINGTON (interrupting the reading). Mr. Chairman, the remainder of the amendment is an exact copy of the Smith amendment. I ask unanimous consent that the further reading be dispensed with at this time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, do I understand that this is offered as a substitute?

The CHAIRMAN. The amendment is read only for information, and will later have to be offered if it is desired to have it considered.

Mr. WHITTINGTON. Mr. Chairman, the pending motion is the Monroney amendment. The Monroney amendment provides—and I quote:

In plants determined by him to be vital to the production of war supplies, the President may suspend—

And so forth. The amendment that I propose is really a substitute for the Monroney amendment; and instead of providing that the President may suspend the hours, days, or weeks of labor, the amendment I propose automatically suspends by the adoption of the Smith amendment those days, hours, and weeks and gives the President of the United States the authority to declare what work is not necessary to the prosecution of the war by excepting such work from the Smith amendment—and I quote my amendment:

Except to the extent that they are applicable to employers and employees performing work which the President finds and by order declares is not necessary to the prosecution of the war.

In a word, the Smith amendment, which has been analyzed by the remarks of the gentleman from Virginia, as shown by the CONGRESSIONAL RECORD of February 25, 1942, page 1650, suspends only the days, weeks, and hours of 17 acts, including the Communication Act, as amended, which has reference to the hours of radio inspectors, and including the Puerto Rico Act affecting only Government work in Puerto Rico.

I am delighted that the gentleman from Massachusetts [Mr. CASEY] has said that the Smith amendment can do no injustice to organized labor. The amendment provides that the two acts where we gave the President the right to suspend until June 30, 1942, shall be continued until December 31, 1944, and provides, not for the repeal but for the suspension as respect hours and days and weeks of each of these 17 acts that have to do either with defense construction or with Government work, and that they shall be suspended for the duration of the war.

I am glad to know that the gentlemen who spoke from districts where there is organized labor say that these amendments can do them no injustice. I believe we can depend upon it that if they do not do any injustice to organized labor they will not do any injustice to unorganized labor.

I believe in the man who toils; I favor collective bargaining. My sympathies are with the laboring man. I believe, however, that labor has been imposed upon by designing and selfish leaders. This does not apply to all labor. At heart labor is sound.

Again, I believe that labor has in many instances been under subversive influences. Labor is not altogether to blame. The country is demanding that labor free itself from undesirable leaders and undesirable influences. The purpose of the Smith amendment is really to free labor.

I extend to say that, while I have opposed wages-and-hours legislation generally, I have done so in the conviction that it was for each State to determine the regulations for that State. I have opposed sweatshops and child labor, and I have advocated a square deal for labor, both organized and unorganized.

I repeat that I was glad to hear the gentlemen representing districts where there is much organized labor, including the C. I. O. and the A. F. of L. organizations, say that the Smith amendment would have no effect on them, that they would be uninfluenced by the passage of the Smith amendment. They state that organized labor is protected by contracts that will run along for some time. The complete answer is that if organized labor is not affected they have no complaint with respect to the Smith amendment. The further answer is that if organized labor is not affected, certainly unorganized labor is not injured. The fact is that none of the real rights of either organized or unorganized labor is invaded by the pending amendment. No legislation against sweatshops and child labor, and no similar legislation is involved.

It is no time for quibbling. A question was asked as to what section and paragraph of the Communications Act of 1934, as amended in 1941, was involved. Members of Congress have received full notice; they know what provision of the Communications Act is involved. The gentleman from Virginia [Mr. SMITH] was careful to state that the pending amendment was prepared by the drafting service and he was careful to state that the analysis of the amendment and that the statutes affected by the amendment have been placed in the CONGRESSIONAL RECORD in connection with his speech of February 25, 1942, and a full analysis appears on page 1650 of the RECORD. The only part of the Communications Act, as amended, that is affected involves the compensation for radio inspectors. They are Government employees.

Another question was asked with respect to the statute of March 3, 1917, respecting the government of Puerto Rico. The analysis of the bill shows that it refers to the 8 hours with respect to the employment by the Government on public works. If the United States is to pay for work in Puerto Rico during the war, the workers should cooperate and work longer hours, if necessary.

Every one of the 17 laws and the provisions of the laws were set forth in the CONGRESSIONAL RECORD of Wednesday, February 25. He who runs should have known just what provisions are suspended.

All of the 17 acts referred to involve hours, days, or weeks of labor, and only those provisions of the acts involving hours, days, or weeks and involving Sundays or holidays or nights and involving payment for time-and-a-half overtime are suspended. All of the statutes have to do with either defense plants or with Government works.

The act of October 10, 1940, prohibiting more than 8 hours upon work covered by Maritime Commission contracts stipulates that the provision terminates on June 30, 1942. One of the first general war-power bills, known as the act of June 28, 1940, authorizes the President to suspend for the War and Navy Departments and the Coast Guard the provisions of the act respecting 8 hours' labor, and the act stipulates that it shall terminate on June 30, 1942.

If it be unfair to labor, either organized or unorganized, to pass the pending Smith amendment, it was unfair to pass the acts, from which I have just quoted, in 1940. There is nothing new about the principle. If it were necessary to suspend in 1940 to prepare for war, it is a great deal more necessary to suspend in 1942 to win the war.

There is another reason for the suspension provided in the pending amendment. One of the statutes at least prohibits more than 30 hours in any one week under loans furnished by the Reconstruction Finance Corporation. Taxpayers must foot the bill. Others of the statutes only involve the suspension of the 8-hour day in emergencies. No reference is made to the 40-hour week.

The amendment contemplates the statutory suspension of the provisions in any of the laws, and they do occur in several of the acts, that require payment of time and a half for overtime and for holidays and for nights.

Such provisions were inserted in the act for peacetimes. They are not repealed; they are only suspended for the wartime. If soldiers can fight longer than 8 hours a day or longer than 40 hours a week, laborers should be willing to work longer.

There must be no misunderstanding. The amendment does not prohibit the payment of time and a half for overtime; it does not in any wise prevent collective bargaining; it leaves the employees free to bargain collectively; it leaves unorganized labor just where it is. There is no discrimination between the two.

Some of the 17 statutes, I repeat, refer to 8 hours. They do not refer to the 40-hour week. Some of them make no reference to time and a half for overtime. The real purpose of the pending amendment is to provide for the abolition of the 40-hour week in war industries. Wages are not involved—only hours, days, and weeks are involved in this amendment. It is intended to apply to defense indus-

tries. Such is the purpose of the Monroney amendment.

I believe it is time for Congress to speak up. Under the Monroney amendment it would be for the President to suspend the hours, the days, and the weeks laws in defense plants. Congress should not straddle any longer. If it is sound for the President to suspend, it is equally sound for Congress to suspend.

While I have opposed wages-and-hours legislation, my activities in the pending amendment are directed toward production in national-defense industries. If by any construction any part of the 17 acts that are involved relates to manufacturing or to industries that are not engaged in the production of war supplies, they are not involved, but to make assurance doubly sure and to present the concrete question to Congress and to abolish the 40-hour week in defense industries, I believe that it would be better to substitute for the Monroney amendment, which authorizes the President, in plants determined by him to be vital to the production of war supplies, to suspend the hours and the days, and in lieu of that to amend the Smith amendment by providing that the Smith amendment shall not be applicable to any employers or employees performing work which the President finds, and by order declares, is not necessary to the prosecution of the war. While I favor the Smith amendment, I shall, therefore, propose in due time the Smith bill with the proposed amendment; or, if the Monroney amendment is defeated, I will offer an amendment to the Smith bill, excepting from the suspension and making the Smith amendments inapplicable to employers and employees performing work which the President finds is not necessary to the prosecution of the war.

Labor is patriotic; labor wants to work longer than 8 hours when necessary. Labor wants to work longer than 40 hours a week when necessary. Labor is willing to work on holidays. I believe that if soldiers are not paid time and a half for overtime, labor will be willing to work, or at least will be satisfied with the right to bargain collectively as to overtime.

The question before the House is the passage of legislation to promote the winning of the war. I know of no better way to aid in that great objective than in freeing labor from subversive influences, undesirable leadership, and leadership that may contribute to depriving labor of many of the gains it has obtained.

The real purpose of the Smith amendment is to save labor, organized and unorganized, from those who would sacrifice labor to promote their selfish ends.

Those who oppose the Smith amendment have admitted that organized labor will be deprived of no rights because there is nothing to prevent collective bargaining. They ask, however, for the defeat of the pending amendment on the ground that they will prejudice unorganized labor. I believe that those who make these statements are unconsciously influenced by their partiality for organized labor. The best proof I can offer of this statement is that those who said it would injure unorganized labor have failed to mention or to describe a single provision of the pending amendment that will injure or destroy a single right of unorganized labor. I repeat that if it will not interfere with the rights of organized labor, it will not interfere with the rights of unorganized labor.

I put country above labor, either organized or unorganized. No man has denounced the profiteer more than I. No man has denounced the corrupt contractor more than I. I have advocated legislation to curb excessive profits to contractors. I wish there were such legislation in the pending bill. The amendment deals with labor. Other bills cover contracts and cover taxes. I will continue to vote to eliminate the racketeer, whether he be a contractor or whether he be a labor leader. I will continue to vote to curb the racketeer, whether he is a capitalist or whether he is a so-called labor leader.

I believe in the rights of labor. I am always sympathetic with those who toil, but I will continue whenever and wherever I can to eliminate the racketeers who would destroy the gains and rights that labor has attained.

My purpose in offering the amendment to the Smith amendment is to promote the passage of the substance of the Smith amendment, and the real purpose of that amendment is to abolish the 8-hour day and the 40-hour week for the duration of the war.

If any oppose the real purpose of the amendment on the ground that collective bargaining would be affected, or if they oppose it on the ground that they favor time and a half pay for overtime work, then I suggest that an amendment would be in order to state definitely that collective bargaining is not affected or an amendment to strike out the provisions that would suspend payment of time and a half for overtime. The remedy is not to defeat an amendment that will enable labor to produce. The remedy is to perfect legislation that will enable Donald Nelson, charged with production, to have defense plants work on holidays.

I believe that our soldiers are just as patriotic as our workers. We have drafted soldiers; we did not depend on volunteers. If we can draft soldiers, if we have not depended on volunteers for the armed forces, we can legislate, and we should legislate, to suspend the 40-hour week for the duration of the war.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] is recognized.

Mr. SMITH of Virginia. Mr. Chairman, the gentleman from Mississippi [Mr. WHITTINGTON] has just offered a substitute for the so-called Smith amendment. As I understand the parliamentary situation, before that substitute can be voted upon we must first vote upon the various pending amendments and the amendments which have been read for information. After the Smith amendment has been perfected—if I may use that expression—then the substitute offered by the gentleman from Mississippi will be in order without further debate. Have I stated it correctly, Mr. Chairman?

The CHAIRMAN. Does the gentleman make that statement as a parliamentary inquiry?

Mr SMITH of Virginia. Yes, Mr. Chairman.

The CHAIRMAN. The Chair invites attention to page 6 of Cannon's Precedents, where a diagram appears, that clearly shows the parliamentary situation. An amendment is in order. An amendment to the amendment is in order. A substitute for the amendment is in order, and an amendment to the substitute. All those can be pending at one time, but any other would be in the third degree.

Mr. SMITH of Virginia. As far as I am concerned, the Whittington substitute is entirely agreeable to me. The effect of it is that it suspends these same laws, but it leaves in the hands of the President the power to exempt from that exception any industry that he regards as not essential to national defense.

Now, Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Can the Whittington substitute be offered and voted upon before the others are disposed of?

The CHAIRMAN. If the amendment is offered as a substitute for the pending Smith amendment it can be offered, but the amendment to the amendment, such as the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY] would be voted on first before the question would recur on the substitute for the pending amendment.

Mr. SMITH of Virginia. Then after all these amendments are voted on the Whittington substitute would be voted upon?

The CHAIRMAN. If it is offered it would be voted upon next preceding the vote on the gentleman's amendment.

Mr. WHITTINGTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. Under the parliamentary situation, is it not true that I am precluded from offering the amendment which I propose to the original Smith amendment, as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY]?

The CHAIRMAN. The gentleman is correct in that no amendment to the amendment offered by the gentleman from Oklahoma is in order, because it would be in the third degree.

Mr. WHITTINGTON. For that reason I did not offer it as an amendment to the amendment.

A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. I have announced that I propose to offer that as an amendment. Is it not true that in the event the Monroney amendment is rejected by the committee, then it would

be in order for me to offer this amendment as an amendment to the Smith amendment?

The CHAIRMAN. The gentleman is correct.

Mr. WHITTINGTON. And that I propose to do.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. I have a substitute for the Smith amendment. In what order is it presented?

The CHAIRMAN. It would be in order to be offered at any time before action on the Smith amendment is taken.

Mr. MURDOCK. Mr. Chairman, I have a substitute amendment for the Smith amendment which is at the desk, and if debate is closed I would like to have the Clerk read it.

The CHAIRMAN. Debate is not closed because there are two more names on the list.

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it

Mr. DONDERO. Would the amendment proposed by the gentleman from Arizona [Mr. MURDOCK] be in order before the amendment offered by Mr. MONRONEY is voted on?

The CHAIRMAN. It could be offered, but it would not be voted on before the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY]. But it is not offered as an amendment to the Smith amendment. I understand it will be offered as a substitute for the Smith amendment.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. If the Monroney amendment is adopted, will there be a vote on the Smith amendment?

The CHAIRMAN. Yes. Action cannot be taken in the House without the House voting, except by unanimous consent.

The Chair would like to make an inquiry. There are two other names appearing on the list, the gentleman from Texas [Mr. SUMNERS] and the gentleman from Nebraska [Mr. MCLAUGHLIN]. Do both gentlemen seek recognition?

Mr. SUMNERS of Texas. I do not seek recognition, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. MCLAUGHLIN] for 5 minutes.

Mr. MCLAUGHLIN. Mr. Chairman, I think it would be well for us in passing on this amendment to consider the circumstances under which the bill comes before us.

We are at war. The President of the United States is the Commander in Chief of the armed forces of our Nation. He is the Commander in Chief of those on the left side of the aisle as well as of those on the right. The President of the United States requested certain changes in existing law for the purpose of expediting our war efforts. Our effort is devoted to the winning of this war. Unless we win this war there will be no parties, there will be no capital, there will be no labor, there will be no agriculture. Unity is essential to the winning of this war. This bill came before the subcommittee of which I am chairman under those circumstances. Hearings were had, and on both sides of the aisle in the subcommittee and in the full Committee on the Judiciary the views and expressions of the President were listened to respectfully and patriotically.

This provision that comes before us today in the form of an amendment which will have the effect, the far-reaching effect, of changing drastically 17 laws, dating back as far as 1892, was not before the subcommittee or the full Committee on the Judiciary. Hearings were had on the other titles but not on this. I do not think this is a partisan thing; I do not think this is a thing in which we need consider anything but our patriotic duty as Americans.

I think we should give regard—Democrats, Republicans, and Independents—to the views and wishes of the Commander in Chief of the armed forces of the United States and pass this bill as it has been recommended with such suggestions in the titles which are submitted as we deem proper, but I do not believe, as chairman of the subcommittee which conducted these hearings, that it is in line with proper procedure and that it is going to effectuate unity or forward our war aims to come into this House without a word of hearings from anyone in the Army, the Navy, the President himself, or his advisers, or those who are delegated by him, and attempt to legislate on the floor of the House. I think if we are going to approach the question involved in the Smith amendment, we should do it in an orderly way, and that we should have the advice and counsel of those who are primarily charged with the responsibility of conducting this war. Let us remember that we are at war. Let us remember that this Nation is in peril. When we vote on this amendment we should consider the views of those who are primarily charged with the responsibility of the war. We have not had the benefit of their views. For this reason I do not believe the Smith amendment should be adopted, or any proposal in substitution for it.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent that as each amendment is voted on the Clerk may read it so that we may have it clearly in mind and not be confused.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will again report the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: Page 1, line 9, after "as amended", strike out the remainder of the line and insert "may be suspended by the President in plants determined by him to be vital to production of war supplies, insofar as they—"

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma to the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. MONRONEY) there were ayes 83 and noes 162.

So the amendment was rejected.

Mr. WHITTINGTON. Mr. Chairman, I offer an amendment. This is the same amendment that has been reported, but I now offer it independently.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON to the amendment offered by Mr. SMITH of Virginia: On page 1, line 9, after "amended", insert "except to the extent that they are applicable to employers and employees performing work which the President finds and by order declares is not necessary to the prosecution of the war."

The CHAIRMAN. All debate on the amendment is exhausted. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

Mr. MURDOCK. Mr. Chairman, I offer a substitute for the Smith amendment.

The Clerk read as follows:

Amendment offered by Mr. MURDOCK as a substitute for the amendment offered by Mr SMITH of Virginia: On page 12, after line 11, insert:

"Notwithstanding any other provision of law the President is hereby empowered and directed, when necessary to speed war production for national safety, to suspend any provision of existing law pertaining to hours of labor in defense industries for the duration of the war."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. MURDOCK] to the amendment offered by the gentleman from Virginia [Mr. SMITH].

The amendment to the amendment was rejected.

Mr. McGRANERY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McGRANERY. Mr. Chairman, in view of the fact that I have sent to the Clerk's desk an amendment, and in view of the statement made by the distinguished chairman of the Subcommittee on the Judiciary and the vote just taken, I do not desire to press my amendment at this time. Will it be necessary for me to obtain unanimous consent to withdraw that amendment?

The CHAIRMAN. It is not, because the amendment has not been offered. It was read for information only.

Mr. McGRANERY. I may say, Mr. Chairman, that I will not offer it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 62, noes 226.

So the amendment was rejected.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: Immediately following title IV insert a new title as follows:

"Title IV (a) relating to eligibility for the benefits of the Civil Service Retirement Act and the preservation of the credit of the

Government to facilitate the prosecution of the war.

"That the Civil Service Retirement Act of May 29, 1930, as amended, shall not apply to any officer or employee of the United States or of the municipal government of the District of Columbia in a class or position which was not within the purview of such act of May 29, 1930, as amended, on January 23, 1942."

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. May I inquire, Mr. Chairman, whether or not that amendment is to be inserted after title IV (a) which was just defeated, or title IV?

The CHAIRMAN. The Chair understands it is offered as a new title to follow title IV.

Mr. McLAUGHLIN. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from Ohio [Mr. SMITH] desire to be heard?

Mr. SMITH of Ohio. I do, Mr. Chairman.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. SMITH of Ohio. Mr. Chairman, the purpose of S. 2208, as stated in the title, is "To further expedite the prosecution of the war."

There are 15 titles in this bill, not 1 of which is related to any of the others.

Perhaps the most germane part of this whole bill to its objective is title IV. This is specifically designed to preserve the credit of the Government. The debates relating to it clearly show that it is intended to provide a reserve market for Government securities. Under this title the Treasury is supposed to use the powers granted in it only in emergency—when there may be danger of a falling market for Government securities.

Now, my amendment is also specifically designed to safeguard the credit of the Government. It seeks to save to the taxpayers, and therefore to the Treasury, $44,000,000 annually by repealing the provision in the Ramspeck Act which sets up pensions for 250,000 political job holders drawing salaries up to ten and twelve thousand dollars a year.

What possibly could be more necessary to prosecute this war than to protect the credit of the United States Treasury? It is unqualifiedly the most-needed thing in the United States today to prosecute this war. We have not got a dime to pay pensions to political job holders. We need every penny we can rake and scrape together to buy guns, planes, tanks, and ships.

I therefore submit, Mr. Chairman, that my amendment is germane to the purpose of this bill.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from Ohio [Mr. SMITH] offers an amendment which is sought to be included as a new title to the pending bill. The gentleman from Nebraska [Mr. McLAUGHLIN] makes a point of order against the amendment on the ground it is not germane.

The Chair has examined the amendment offered by the gentleman from Ohio [Mr. SMITH], and in that connection invites attention to a part of the ruling of the Chair made yesterday on a point of order made at that time, as follows:

Therefore the Chair is of the opinion that the only proper and reasonable test that can be applied in a situation of this kind is the subject matter and the purpose covered by the pending bill and the pending amendment. The purpose of the pending bill is to further expedite the prosecution of the war.

The amendment offered by the gentleman from Ohio [Mr. SMITH] has to do with the Civil Service Retirement Act of May 29, 1930, as amended, and would affect the domestic employees of the Government. Certainly there is nothing in the pending amendment to indicate to the Chair that it is related to the subject matter covered by the pending bill.

The Chair is of the opinion it is not germane to the pending bill and sustains the point of order.

Mr. KEOGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEOGH: On page 12, after line 11, insert a new title, as follows:

"TITLE IV (A). The President shall have the power to deal with each of the titles of this bill as if each title were a separate bill, as is provided by article I, section 7, of the Constitution."

Mr. KEOGH. Mr. Chairman, while I appreciate that perhaps the necessity for this amendment is not as cogent as it might have been if the events of the last 15 minutes had turned out differently, I should, however, like to submit for the earnest consideration of the Committee this amendment, since it embraces a principle of legislating that has been long advocated by serious students of government, and which, in fact, has been adopted by 39 of the 48 States.

If this House earnestly seeks to implement by the pending bill the prosecution of the war, it must, I respectfully submit, give serious consideration to the principle involved in this amendment. The various titles embraced in this bill are in fact separate bills. The bill seeks to confer upon the Executive such supplementary power as he deems necessary to carry out his constitutional responsibility. That is his and not our primary responsibility. We should not, therefore, present to him such a comprehensive bill as the one under consideration and compel him to accept it or reject it in toto. We must not assume in this connection to invade the Executive's prerogatives. Above all, we should not attempt to include within the bill additional matters about whose merits there may be any doubt.

This bill, being in reality 16 separate and distinct bills, we should as a result recognize that fact, and we can recognize it by including here the well defined and recognized principle embraced in the amendment. Our sole objective should be, as stated in the title of the bill, further to expedite the prosecution of the war. This objective should never be lost sight of by any branch of the Government or by any segment of the people.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. KEOGH. I yield to the gentleman from New York.

Mr. HANCOCK. I wish the gentleman would tell us where he finds the constitutional authority for this amendment.

Mr. KEOGH. I would be very happy to refer the gentleman to the very distinguished chairman of the House Committee on the Judiciary, who on May 5, 1937, submitted an informal opinion to the then Speaker. It seems to me that the crux of the constitutional question would turn upon the fact that the various titles of this bill are separate and distinct and, in fact, constitute separate bills.

MAY 5, 1937.

Hon. WILLIAM B. BANKHEAD,
Speaker, the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: You will recall that the other day when we were discussing your suggestion that I prepare a proposed amendment to the Constitution authorizing the President to veto separable items in appropriation bills, I suggested that it might be worth while to consider whether such power may not be exercised without amending the Constitution.

I have been able to examine only the text of the applicable provisions of the Constitution. I have some familiarity with the historical background, none with the precedents, decisions, etc. But the purpose and plan are so clearly revealed by the text of the Constitution that an examination of precedents and decisions is unnecessary to the formation of a tentative opinion which I am transmitting for your consideration.

It is my opinion that the word "bill," which is the key word in the text, insofar as the instant question is concerned, should have a construction not more narrow than the separable items in the bill, I mean items which might have been the subject matter of separate bills. I do not hold this word may not be given even a more liberal construction, but I am willing to go as far as separable items without any further explorations. If I should find contrary decisions, etc., I would not be able to agree with them though I might be compelled to abide by them.

I have no hesitancy in saying that the purpose and plan of the Constitution would be carried out by the construction which I have indicated, and that it is not carried out by the present construction. The present construction makes it necessary to veto an entire bill in order to give to the Congress the benefit of the President's objection to a single item in that bill. On the other hand, it compels the President to give official approval to an item which he does not approve in order to avoid vetoing the whole bill, some provisions of which he may consider very important.

The plan of the Constitution in its entire concern is that proposed legislation which has received congressional endorsement shall become law when the President shall examine and approve it; and if it be disapproved, the judgment of the Congress be taken again in the light of the President's objections, which judgment is to be expressed by a two-thirds vote of the Houses of Congress. It is a part of the plan that legislation which the Houses of Congress and the President, as a matter of fact, approve become law as soon as their minds meet and the formalities of the Constitution are complied with. Permitting official approval by the President of that which is agreed to and disapproval of that to which he objects would be in harmony with the plan and purpose of the applicable provision of the Constitution. Any construction of the word "bill" which compels the President officially to approve that which he does not approve in order to avoid striking down the whole bill, or, on the other hand, to strike down the whole bill in order to reach items he does not approve, is a construction contrary to this plan.

No accepted rule of constitutional construction makes it incumbent upon effectuating officers so to construe this word "bill" as to compel them to violate the clear purpose and plan of the Constitution. The "bill" to be returned with objections means not the entire number of separable legislative items assembled under one caption, but any of the items assembled under that caption which it is practical to isolate and make the object of Executive disapproval.

This, you understand, is a tentative opinion. I am asking a couple of members of the Judiciary Committee to examine further into the matter. As soon as they shall have completed the examination and a conference is had, I shall advise you further.

With kind personal regards,

Sincerely yours,

HATTON W. SUMNERS.

Mr. HANCOCK. The titles in this bill are not separate bills any more than the items of an appropriation bill.

Mr. KEOGH. The closest analogy that I think I might call to the gentleman's attention is an omnibus claims bill, where this House votes upon the omnibus bill and, under the rules of the House, on the passage of that bill it is dissolved into its separate titles. I feel, however, that this is not the time nor the place to argue the constitutionality of this provision. I am certain there are students of constitutional law here who will concede that this is a principle which comes squarely within our Constitution and has long been advocated, especially with respect to appropriation bills.

Mr. HANCOCK. I may say that omnibus claims bills consist of titles originally introduced as individual bills and under the rules are considered as one bill, but that is only for the purpose of expediting and facilitating action in the House. After the House has acted upon them, they are divided into the separate bills they were originally.

Mr. KEOGH. I do not mean to get into a lengthy colloquy with the gentleman, but actually that has been the practice which has been incorporated in this bill. The 16 separate titles would have gone to upward of 10 of the standing committees, but for the purpose of expediting the consideration of this bill they have been embraced within this omnibus bill, which was referred to the Committee on the Judiciary.

Mr. HANCOCK. It may be bad practice, but all these titles are embraced in one bill. They have not been considered separately. Under the Constitution the President can only sign it or return it with his objections.

Mr. KEOGH. I question the validity of that statement, but I do not mean to be impolite.

Mr. HANCOCK. I refer the gentleman to article I, section 7, of the Constitution.

Mr. KEOGH. I refer the gentleman also to a statement that appeared in the CONGRESSIONAL RECORD of January 14, 1938.

Certainly we should follow no course, at the moment, other than to work in complete harmony with our Commander in Chief. We should go further and assiduously avoid in any way interfering or restricting the war policy of our Government.

The legislative procedure adopted in the pending bill might tend to run counter with the fast-changing events of these days.

Vesting authority in the President to consider the titles of this bill, as if each were a separate bill would, it seems to me, be sound legislating and urge that the committee will give careful, complete, and I hope, favorable consideration to the amendment I have proposed.

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on yesterday this committee did a thing which apparently it did not intend to do. At the proper time I expect to offer an amendment to correct the error which was made yesterday.

According to the debate on the amendment offered by the gentleman from Virginia [Mr. SMITH] to title IV, it was clearly the intention of the committee to restrict the amount of bonds and other obligations which the Federal Reserve might buy directly from the Treasury to $5,000,000,000. Because that amendment was inserted in the wrong place, it is very apparent that what we did do, unwittingly and unconsciously, was to restrict to $5,000,000,000 the amount of bonds and other obligations which the Federal Reserve could buy either in the open market or from the Treasury. What we did in fact, apparently, was to confine the financing of this war to $5,000,000,000. I do not think that was the intent of the committee.

This shows the difficulty of trying to amend bills of this nature hurriedly on the floor of the Congress. Of course, this gives weight to the argument that this provision should have been given several days of hearings before it was ever reported by the committee in the first place.

Now, I expect to offer an amendment at the proper time to insert the language in its proper place, which would be following the quotation marks and the period at the end of the sentence, on page 11. The amendment will be to add a proviso that the total of all holdings purchased by the Federal Reserve directly from the Treasury of the United States should not exceed $5,000,000,000. If that is accepted, as it should be to clear up the error, then I shall ask unanimous consent that the language adopted yesterday and inserted in an incorrect place following the word "interest" may be stricken from the bill. I hope it will be accepted, because it apparently was the intent of the committee to do that very thing yesterday.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. CASEY of Massachusetts. Is the gentleman offering that amendment now?

Mr. WOLCOTT. No; I say I shall offer it at the proper time.

Mr. CASEY of Massachusetts. I think the gentleman is absolutely correct.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from Michigan [Mr. WOLCOTT] has very correctly stated to the House just what is involved in the amendment that was adopted on yesterday. I will say that, like other Members of the House, I had not read the amendment until after it was adopted. I went to the Speaker's desk and found that instead of fixing a limitation upon the amount of bonds which the Treasury might sell direct to the Federal Reserve banks, the limitation applied to all obligations that might be purchased by the Federal Reserve banks.

Now, what is the situation? There is very little difference between what we did yesterday and what will be done if we adopt the amendment that has been suggested by the gentleman from Michigan. Already we have something like $50,000,000,000 of direct Government obligations; in addition to that some twelve or fifteen billion dollars of indirect obligations. Before we shall have finished with financing the war we are sure to have an enormous increase in the amount of Government obligations incident to the war program. The amount of $5,000,000,000 is insignificant in the present program. So if we limit the Federal Reserve banks to the amount of $5,000,000,000 that they may purchase directly from the Treasury, we might just about as well leave the law as it is and strike out the provisions of title 4 of the bill. Either amendment would nullify the purpose of the provision of the pending bill. The purpose of the provision is to permit the Federal Reserve banks to purchase sufficient obligations to prevent any embarrassment or difficulty in floating such obligations as may be necessary in the future and, meantime, protect outstanding obligations already in the hands of the public. These obligations must be fully protected to insure successful war operations of the Treasury.

There is no danger of inflation in this provision. This has been explained already.

The same authority for the issuance of currency exists in connection with obligations purchased from the public as would be the case as to obligations purchased directly from the Treasury. Federal Reserve officials are not favorable to inflation. They have used their powers repeatedly by raising reserve requirements to prevent inflation.

Let me say to the House that this amendment is calculated to create great difficulties for the Government in financing this war. It ought not to be adopted. This bill should be passed as it was originally reported and be retained until the task now confronting the country shall have been finished. The hasty vote yesterday should admonish us that this kind of legislation should not be acted upon hastily, or in the absence of a full and complete understanding of what it involves. I hope the Committee will not adopt any amendment to the provisions of title IV of this bill. The thing to do is to defeat the amendment now before us,

and when the bill is considered in the House let the amendment hastily adopted on yesterday be eliminated by a separate vote.

Mr. DEWEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I would like to read into the RECORD at this point the colloquy between the gentleman from Virginia [Mr. SMITH], who proposed the amendment, and myself. The amendment that my most able chairman of the Banking and Currency Committee refers to has already been passed, but it did not quite correctly carry out the meaning and the spirit of the amendment.

I read the following:

Mr. DEWEY. Mr. Chairman, in addressing the House this morning relative to the amendment I offered I stated that the main purpose of the amendment was to take care of the requirements of the Treasury Department during any possible emergency, but at the same time to somewhat limit what they might consider was the emergency requirement. I like the amendment offered by my colleague the gentleman from Virginia [Mr. SMITH], and am prepared to withdraw my own amendment, because his amendment sets a definite limit in dollars as to the amount of securities the Treasury may sell directly to the Federal Reserve System, and, as I understand, have outstanding in an aggregate amount at any one time. I would like to ask the gentleman from Virginia if what I have stated is his understanding?

Mr. SMITH of Virginia. That is my understanding. The only limitation imposed by the amendment is that the Treasury cannot sell directly to the Federal Reserve in excess of $5,000,000,000.

I would like, if the gentleman will yield further, to make this statement. I have been asked two or three times what limitation this imposes upon a Federal Reserve bank to own bonds. It imposes no limitation. A Federal Reserve bank has the right to buy bonds in the open market, or to own bonds, or to acquire them in any way other than directly from the Treasury, and that right is not affected in any way, shape, or form by either the amendment of the gentleman from Illinois or the amendment which I have offered. The sole limitation this places is that in the aggregate the Federal Reserve cannot buy directly from the Treasury more than $5,000,000,000 worth of bonds.

It is to make that point clear that the amendment suggested by the gentleman from Michigan will be offered.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The question is on the amendment offered by the gentleman from New York [Mr. KEOGH].

Mr. MARTIN J. KENNEDY. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the Keogh amendment.

There was no objection, and the Clerk again reported the amendment offered by Mr. KEOGH.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. WOLCOTT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 12, line 11, strike out the period and the quotation marks, add a colon and the following: "*Provided, however,* That the total of all holdings purchased direct from the Treasury of the United States shall not exceed $5,000,000,000."

Mr. WOLCOTT. Mr. Chairman, the amendment is in keeping with the remarks that I have previously made, and if it is adopted I expect to ask unanimous consent to strike out the language that was adopted yesterday, in keeping with the amendment offered by the gentleman from Virginia [Mr. SMITH] where it appears after the word "interest" in the bill.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the Wolcott amendment.

There was no objection, and the Clerk again reported the Wolcott amendment.

Mr. SUMNERS of Texas. Mr. Chairman, if I understand the amendment from its reading, it puts a limit upon the purchases that may be made by the Federal Reserve banks throughout this emergency. Is that correct?

Mr. WOLCOTT. That is correct.

Mr. SUMNERS of Texas. We hope that the amendment will be defeated, because it puts a limitation upon the total purchases that may be made from now on to the end of the war.

Mr. WOLCOTT. Oh, no. I apparently did not understand the gentleman's question. The language as adopted by the House yesterday would put a limitation on the Federal Reserve holdings by limiting the amount of bonds, notes, and other obligations, which the Federal Reserve could buy directly from the Treasury or in the open market. Of course, it is clear that was not the intent of the committee. It was the intent of the committee to limit to $5,000,000,000 the amount of bonds, obligations, and other holdings which the Federal Reserve might buy directly from the Treasury, and my amendment seeks to clarify that.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a specific question?

Mr. WOLCOTT. Certainly.

Mr. SUMNERS of Texas. Is the language of his proposed amendment that the aggregate amount of such obligations purchased direct from the Treasury shall not at any one time exceed $5,000,000,000?

Mr. WOLCOTT. It provides that the total of all holdings purchased directly from the Treasury of the United States shall not exceed $5,000,000,000.

Mr. SUMNERS of Texas. But not at any one time.

Mr. WOLCOTT. Not at any one time. I do not want to mislead the gentleman, because I believe that the clause "holdings purchased" would limit the amount which could be purchased in the aggregate to $5,000,000,000, the same as the amendment adopted yesterday.

Mr. SUMNERS of Texas. Mr. Chairman, the reason that I feel that that amendment should not be adopted is because it puts a limitation upon the total amount of purchases that may be made during the war. There was some confusion and I was endeavoring to think of something else when this was introduced. I desire to offer an amendment to the amendment, if it has not already been agreed to. There was some confusion as to the parliamentary situation.

The CHAIRMAN. The question before the Committee is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

Mr. SUMNERS of Texas. Is it in order now for me to offer an amendment to that amendment?

The CHAIRMAN. It is.

Mr. SUMNERS of Texas. Then I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas to the amendment of the gentleman from Michigan:

"*Provided, however,* That the aggregate amount of such obligations purchased directly from the Treasury which are held at any one time shall not exceed $5,000,000,000."

The CHAIRMAN. Does the gentleman desire to offer that as an amendment to the pending amendment or as a substitute?

Mr. SUMNERS of Texas. I think it should be offered as a substitute.

The CHAIRMAN. The Clerk will again report the amendment offered by the gentleman from Texas as a substitute for the pending amendment.

The Clerk read as follows:

Mr. SUMNERS of Texas offers a substitute for the pending amendment:

"*Provided, however,* That the aggregate amount of such obligations purchased directly from the Treasury which are held at any one time shall not exceed $5,000,000,000."

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes in support of the substitute amendment.

Mr. SUMNERS of Texas. Mr. Chairman, this amendment is offered candidly as a compromise between the Smith amendment and what was urged by the Federal Reserve Banking System, as I understand it.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. GORE. There should be no compromise. The original provision of the bill as brought before the House by the committee was right. We made a mistake yesterday. There should be no limit. Therefore the gentleman's amendment should be defeated. The amendment written into the bill should be taken out when the Committee rises.

Mr. SUMNERS of Texas. It is entirely satisfactory to me if you do that.

Mr. McKEOUGH. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. McKEOUGH. I hope the House will understand that if the amendment adopted yesterday is not removed from the bill when the Committee rises there is no limitation as to what the amount may be that the Treasury Department may borrow wherever it cares, and the Federal Reserve may buy through the Treasury or otherwise. Those that promoted this proposal apparently have forgotten this

serious possibility: In the event a very heavy issue is offered and there is no response and the market breaks wide open, those existing obligations that are now in the portfolios of the banks, insurance companies, and other fiduciary institutions of the country will suffer untold damage. This amendment has no place in this measure. Neither did the amendment offered by the gentleman from Virginia have any place in it, because it destroys the very thing that some people seek to bring about.

Mr. SUMNERS of Texas. Mr. Chairman, in view of what seems to be the attitude of the gentlemen on the floor I will ask unanimous consent to withdraw the amendment just offered.

Mr. STEAGALL. In the gentleman's time, let me say that $5,000,000,000 would only finance on the present basis of operation 1 month's Government obligations.

Mr. SUMNERS of Texas. I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection?

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, and I shall not object, I want to state to the gentleman from Alabama that is just what we want to avoid. The committee yesterday wanted to avoid the necessity of tying this down, but did so. All I am offering to the committee today is a correction of a very apparent error, and I am offering my amendment to prevent the thing which the gentleman commented upon. So that the financing of the war effort will not be confined to $5,000,000,000. They will be able to go into the open market and buy as much as they have money to buy.

Mr. STEAGALL. The gentleman fully understands just what was done yesterday, but what the gentleman does now is merely to correct that error insofar as what was intended.

Mr. WOLCOTT. Yes. The House adopted it earlier.

Mr. STEAGALL. I understand the gentleman's position; but let me say this, and I will not say any more, that if this provision is not voted out of this bill the Treasury will not be able to float its obligations through the Federal Reserve System and we will be in great difficulty before the war is over. This should be voted down now, and we should vote out the other one when we get into the House, and this matter will be clear.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS] that he may withdraw the substitute amendment?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the amendment. I hope to disperse some of this cloudy weather. The gentleman from Texas withdrew what he termed a "compromise." It would have been a happy one. The Federal Reserve would have bought the bonds but could not get rid of them. A happy compromise. I congratulate the gentleman for thinking of it. Now we try to take advantage of an error made yesterday in the House. The House expressed itself in favor. We are now trying to remedy their little mistake made in the language. They over here now seem to want to take advantage of that little error so that it cannot be voted in after the Committee rises. Do not let them do it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were ayes 64 and noes 96.

Mr. WOLCOTT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WOLCOTT and Mr. MCLAUGHLIN.

The committee again divided; and the tellers reported that there were—ayes 94, noes 119.

So the amendment was rejected.

The Clerk read as follows:

TITLE V—WAIVER OF NAVIGATION AND INSPECTION LAWS

SEC. 501. During the national emergency declared by the President on May 27, 1941, to exist, for the purpose of securing the most expeditious transportation consistent with safety of men and materials that are necessary to national defense and to reduce delays in water-borne transportation, provide quicker turn arounds, expedite deliveries, and help to prevent shortages in defense or critical materials, and, when in the opinion of the Secretary of Commerce there is no other reasonable recourse, the Secretary of Commerce is authorized, upon written recommendation of the Secretary of the Navy, and of the Secretary of War, and of the Secretary of the Treasury and of the Secretary of Labor, and of the Chairman, United States Maritime Commission, or any three of the above-named officials, to waive compliance with the navigation and vessel inspection laws of the United States, except laws requiring the division of crews of vessels of the United States into watches, or limiting the hours of labor of seamen on such vesels, but only to such extent and in such manner and upon such terms as he may find after investigation to be necessary or proper for the national defense: *Provided, however,* That the Secretary of Commerce shall not waive compliance with any of such laws to such an extent as will permit the navigation of any vessel in an unsafe condition, nor with the coastwise laws of the United States where the service desired can be supplied promptly by American ships: *Provided further.* That in the exercise of authority granted by this act, the Secretary of Commerce shall waive compliance with any of such laws only by specific rulings for specific occasions, and shall in each case specifically state the particular laws with which compliance is waived and the reasons therefor: *And provided further,* That during the effective period of this act the Secretary of Commerce shall at the convening of each session of Congress, and monthly while the Congress is in session, report to the Congress every action taken by him under authority of this act.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out the entire section 501 and insert on page 13, line 24, a new section 501, as follows:

"SEC. 501. The Secretary of Commerce is directed to waive compliance with the navigation and vessel inspection laws upon the request of the Secretary of the Navy or the Secretary of War to the extent deemed necessary in the conduct of the war by the officer making the request. The Secretary of Commerce is authorized to waive compliance with the navigation and vessel inspection laws to such extent and in such manner and upon such terms as he may prescribe either upon his own initiative or upon the written recommendation of the head of any other Government agency whenever he deems that such action is necessary in the conduct of the war."

The amendment was agreed to.

The Clerk read as follows:

TITLE VI—POWER TO REQUISITION

SEC. 601. The last paragraph of section 1 of the act of October 16, 1941 (55 Stat. 742), entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States", is amended by deleting subdivision (3) thereof, so that the paragraph will read as follows:

"Nothing contained in this act shall be construed—

"(1) to authorize the requisitioning or require the registration of any firearms possessed by an individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law):

"(2) to impair or infringe in any manner the right of any individual to keep and bear arms."

Mr. HANCOCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 14, after line 25, insert a new paragraph, as follows:

"Whenever any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business is requisitioned pursuant to the act of October 16, 1941 (55 Stat. 742), the owner thereof shall be paid fair and just compensation, which shall not be less than the difference between the fair market value of such factory or business before and after the taking of such equipment or machinery."

Mr. SUMNERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 2208) to further expedite the prosecution of the war, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUSPENSION OF CALENDAR BUSINESS ON MONDAY, TUESDAY, AND WEDNESDAY OF NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar on Monday, the call of the Private Calendar on Tuesday, and the call of the Calendar of Committees on Wednesday of next week may be dispensed with.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not, can the majority leader tell us what the program will be for next week?

Mr. McCORMACK. On Monday of next week the war risk property insurance bill will be taken up.

Tuesday, the agricultural appropriation bill. After that the civil functions appropriation bill. I do not know whether that will fill the week, but following that will come the legislative appropriation bill.

Mr. MARTIN of Massachusetts. I believe probably that will be about all that can be accomplished in a week.

Mr. McCORMACK. That is my impression and my own opinion.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

EXTENSION OF REMARKS

(Mr. COSTELLO asked and was given permission to revise and extend his own remarks.)

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a letter I received and my answer thereto.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole and include therein a letter written by the chairman of the Committee on the Judiciary.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent to include in the remarks I made in the Committee of the Whole today a statement by Mark Sullivan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a short editorial from the Detroit News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. GEHRMANN asked and was given permission to extend his own remarks in the RECORD.)

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the San Francisco Chronicle.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ROLPH]?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD. The Public Printer informs me that the printing of this matter will cost $225 in addition to the usual allowance. I ask unanimous consent that these remarks may be printed notwithstanding the cost.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. TENEROWICZ]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. TENEROWICZ]?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, it is with reluctance that I rise at this late hour after a strenuous day for all of the Members on the floor of the House. However, I wish to speak of a defense housing project in Detroit, Mich; a matter which is of vital importance to our city.

I am becoming more convinced daily that the deadliest force threatening America is not the fact that some mad dictators are directing the world conflict that rages across the seas, but rather is it the disintegrating force of "false and assumed leadership" that is deliberately seeking to bore from within the heart of America.

Out of this leadership there often arises situations inimical to the best interests of the people. Such a situation has arisen in Detroit with regard to the proposed defense housing project on Nevada and Fenelon Avenues in a 100-percent white neighborhood.

I know every foot of this neighborhood. As a physician and surgeon, I have operated on over 4,600 people in this area. I have been in hundreds of homes on sick calls. These people are law-abiding home owners who have put their life savings into their homes.

The project was designated for white occupancy by Mr. Charles F. Palmer and Mr. Baird Snyder 3d. Later the decision regarding occupancy was reversed.

My first information regarding the controversy over the proposed defense housing project on Nevada and Fenelon Avenues in the city of Detroit, Mich., was upon the receipt of the following letter, dated June 23, 1941, from a representative of the Conant Garden Community Association, a Negro organization:

On behalf of the resident and property owners of the Conant Garden section of Detroit, I wish to go on record as opposing the building of the proposed defense housing project on the land bounded by Stockton, Fenelon, Nevada, and Justine.

The Conant Garden section is the approximate area bounded by Seven Mile Road, Ryan, Nevada, and Conant Avenues, and for the past few years has been the scene of much home building and home improvement. This section is the only part of Detroit where the Federal Housing Administration will approve home-construction loans for Negroes. People in this area have built and bought homes ranging in price from $4,000 to $12,000, and are naturally interested in maintaining an atmosphere and environment commensurate with their investment. We feel that the building of the proposed defense homes project in such close proximity to the Conant Garden section will cause a deterioration in the existing housing values and discourage further building in a section which promises to be a model district and a distinct advantage in a socioeconomic way to the city of Detroit.

We would like to point out another factor which causes us to protest against the proposed location of this project. The project recreational facilities would of necessity be centered around Pershing High School field and Conant Garden area lying between the high-school grounds and the proposed project would become a thoroughfare, bringing with it attendant problems.

We are in favor of defense homes, but believe that they should be placed where they can help rather than hinder the neighborhood. We hope that you will give this matter your careful consideration and would welcome an opportunity to discuss the matter with you in person.

Awaiting your reply.

CONANT GARDEN COMMUNITY ASSOCIATION.

P. S.—You, as the Congressman of our district, have always exhibited an understanding of our problems. We urge you to do all in your power to see to it that this project is not built on the proposed site.

On June 24, 1941, the following notice was issued by the Conant Garden Community Association:

There will be a meeting of all residents of the Conant area Tuesday, June 24, at 8:45 p. m., Pershing High School.

We are meeting to further the protest on the proposed location of homes for defense workers near Atkinson School.

Time is vital and we must act at once if we are to protect our home investments. Come out Tuesday and be on time.

On June 27, 1941, a committee from Detroit called on me in Washington. The committee was composed of two white members and one Negro member and we met with Colonel Starr and Mr. Von Storch, of the United States Housing Authority. The committee bitterly opposed the site selected by the United States Housing Authority, and as a result it was suggested by Colonel Starr that a search be made for a more suitable site. Accordingly I replied to the letter from the Conant Garden Community Association on June 28, 1941, informing them of this meeting at Colonel Starr's office and suggesting that another site be located and facts regarding the alternative site be submitted to Colonel Starr for further consideration.

On July 3, 1941, the Negro member of the committee wrote the following letter to Colonel Starr:

This is in line with our recent telegram requesting that the 200-family defense project be located at Dequindre and Modern Streets, in the city of Detroit. This matter was presented to the Common Council of the City of Detroit at its regular meeting on Tuesday, July 1, together with a representative from the Detroit Housing Commission and the Detroit City Planning Commission. After considering same, council voted to wire you, recommending that the project be located at the Davison and Modern site.

I am well aware of the conference had with you and Mr. Von Storch when I was in Washington on June 27, but since my return to the city I have had a number of persons to get in touch with me who do not live in the vicinity of Nevada and Fenelon, but who concur that it would certainly be unharmonious to erect a defense housing project on that site and they believe that the Davison-Modern site would be appropriate. There is a spur railroad track which, we believe, could be moved and the project would then not be sitting directly on the belt line. The Nevada property is across the street from manufacturing and industrial concerns and the belt railroad tracks.

I was looking at another site at the intersection of East Davison and Oakland Avenues

which covers a large amount of territory, on the northeast corner, and it may be that some consideration may be given to that site.

Again thanking you for your kind consideration to our committee when in Washington and hoping that you will accept the wishes of the vast majority of the home owners in the Ryan-Fenelon district, and that you will change the location from that district and use the one at Dequindre and Modern.

On July 8, 1941, at my suggestion that he contact Senator PRENTISS BROWN, he wrote the following letter to the Senator:

On behalf of the residents who reside in the district bounded by Nevada on the south, Jos. Campau on the west, Outer Drive on the north, and Mount Elliott on the east, who petitioned the United States Housing Authority not to build a defense housing project in that area, particularly selected as being on Nevada and Fenelon, for the following reasons:

1. That the defense homes would not be in keeping with the homes already built in that neighborhood, which cost from $4,000 to $20,000 to build.

2. That the community is 90 percent occupied by home owners and is in the process of further development.

3. It is believed that it will cause a number of owners to become delinquent with Federal Housing Administration mortgages and other contract payments if this project is erected on Nevada Street.

4. That it is further believed that it will cause a depreciation in the market value of our property.

5. That there are other appropriate sites closer to defense plants where there are no present building restrictions and there are no buildings.

6. That the character of the neighborhood is well established as to the type of homes being built and those that have been built.

That on Friday, June 27, 1941, a committee representing the home owners appeared before the United States Housing Authority regional director No. 5, Colonel Starr, and Mr. Von Storch, and presented petitions signed by approximately 1,400 persons who reside in that vicinity, who object to the site selected by the United States Housing Authority.

We have recommended that the project be located at Dequindre and Modern Streets, and on July 1, 1941, the Common Council for the City of Detroit voted to wire the United States Housing Authority urging that they locate the project at Dequindre and Modern. This also is in agreement with the Detroit Housing Commission and the city planning commission.

I also wrote Colonel Starr under date of July 3, suggesting the property located at the intersection of East Davison and Oakland, northeast corner.

At our conference on the 27th Dr. TENEROWICZ was present, and on last Saturday, July 5, he suggested that I write you and request your assistance in this matter. He will contact you when he returns to Washington.

It is suggested that, if possible, you take this matter up with Mr. Carmody's office in an effort to have the project located at a different site.

We urgently request your assistance in having a different location set for the project now being planned for the Nevada-Fenelon district.

Mr. Von Storch, of the U. S. H. A., subsequently met with this man to look over other sites and on July 11, 1941, I received the following telegram from him:

Viewed site at Oakland and Davison with Von Storch last night. Want you to contact Carmody to request him to make complete investigation.

I should also like to quote an excerpt from a letter received from this same man. The letter was dated August 12, 1941:

There is also to be noted that the residents in the Conant Garden district who favor the project being located on the Nevada site consist of about 5 percent and the other 95 percent have signed the petition now in the office of Colonel Starr in opposition to the project being located on Nevada Avenue.

Mr. Speaker, at this point I should like to emphasize two pertinent facts. I ask that excerpts from the minutes of the Detroit Housing Commisison be inserted and I wish to show Negro opposition to the Nevada-Fenelon site and to confirm the fact that the site selected by the U. S. H. A was condemned by the Detroit Housing Commission, including the Negro member of the Detroit Housing Commission:

[Excerpts from minutes of Detroit Housing Commission]

JUNE 4, 1941

In considering sites to be recommended to the United States Housing Authority for the location of the two defense housing projects allocated to Detroit, the commission determined its choice on the basis of the strategic position of the sites in relation to defense industrial areas and their availability to school facilities.

On motion of Commissioner Kelly, supported by Commissioner Sabbe, the commission unanimously voted to approve the site located on the northeast corner of the intersection of Mound Road and Outer Drive, on a piece of land largely unsubdivided, for the 300–55 unit project. The site approved for the project for Negro defense workers is located on the northwest corner of the intersection of Dequindre Road and Modern Avenue, on a piece of unsubdivided land.

JUNE 16, 1941

Commissioner White questioned the selection of the site for the 200 units between Nevada Avenue and Stockton Avenue adjacent to the Atkinson School, but, pending further investigation, did not commit himself definitely.

JUNE 19, 1941

Commissioner Thal commented that if the recommendations as to sites and architects submitted by the housing commission were to be disregarded, and the decisions made by the United States Housing Authority, it seemed to him that the role assigned to the housing commission in the defense-housing picture was a sort of nonexistent agency—one to take the blame if anything went wrong, without having the opportunity to formulate any of the policies or decisions.

JUNE 26, 1941

Commissioner White felt that the commission ought not to capitulate so easily to decisions made by the United States Housing Authority. He felt that the commission ought to go on record and use all the pressure it could to further its recommendations, as he felt the housing commission was much more familiar with housing problems in Detroit.

Commissioner White declared that while he was opposed to the site selected and to the proposed plans he had seen, yet felt that every cooperation should be offered to the United States Housing Authority, and ended by saying, "I want you all to know that I am not mad about this, I am just democratically indignant."

DECEMBER 1, 1941

The director-secretary read letters pro and con the occupancy of the Sojourner Truth project by Negroes. Some discussion followed during which it was developed that the commission was not in favor of the site originally, that it did not make recommendations for approval of this particular site, that the common council did not approve it, but in spite of these facts it was chosen by Washington and designated as a Negro project.

Here I call your attention to the following policy regarding sites for defense housing for Negro occupancy which was adopted by the Division of Defense Housing Coordination on January 28, 1941:

It should be the basic policy of the Federal agency selecting sites for defense housing to secure the opinions, approval, and cooperation of the local housing authorities and/or other responsible public and civic groups, including responsible Negro leadership, before final decision and public announcement is made of a site. This should tend to offset possible local opposition.

I also call your attention to the method of operation, which is set forth on page 10 of Homes for Defense, a Statement of Function, issued by the Division of Defense Housing Coordination:

Before formulating a specific program for a defense area several preliminary steps are necessary, of which the foremost is a thoughtful and thorough examination of the community problem. Such examination aids materially in preventing dislocation of the normal life of the community, which is a vitally necessary consideration.

We are then told that the sources of information to ascertain housing needs and to program projects to satisfy them are derived from field studies made for the Division by the Bureau of Employment Security, the Work Projects Administration, the Bureau of Labor Statistics, and the Federal Housing Administration.

I have no complaint to make against these policies. As a matter of fact, I am confident that if they had been adhered to the present controversy would have been averted. Yet we find the opinions and recommendations of local housing authorities totally ignored, Negro opposition disregarded, and no attempt to consult the local F. H. A. officials whose wealth of knowledge regarding property values and housing needs in the city of Detroit certainly could have been used to great advantage.

Mr. George Edwards, when director-secretary of the Detroit Housing Commission, stated that—

The United States Housing Authority told us they were not asking our approval or disapproval of the site they selected at Fenelon and Nevada and said they would take full responsibility.

Here again we have a flagrant disregard of policy.

Numerous committees came to Washington in the interest of the people in the Fenelon-Nevada vicinity. These committees not only conferred with Colonel Starr and Mr. Von Storch but with Mr. Clark Foreman, then Director of the Division of Defense Housing. They were led to believe that, in view of the fact that construction had already begun on the Fenelon-Nevada site, another housing project was to be constructed for colored occupancy and the Nevada-Fenelon site would be opened for white occupancy. These committees were also asked to locate other sites for Negro occupancy to be submitted to Mr.

Foreman and Colonel Starr for consideration.

I attended all of these meetings and subsequent meetings at which numerous sites were submitted and discussed. The ratio between white and colored populations in the vicinities of the various sites suggested was also discussed.

No further action was taken until suddenly the Fenelon-Nevada project was named Sojourner Truth.

After being led to believe that the sites submitted were under consideration, and because no apparent action was forthcoming, other committees came to Washington. Following their conferences with Colonel Starr on August 18 and 19, letters were written to home owners in this vicinity by Colonel Starr, and I quote one which is typical, and which was dated November 8, 1941:

Permit me to acknowledge your letter of November 3, in which you again raise points of protest against the development of the Lanham defense housing project at Nevada and Fenelon Avenues in Detroit.

I have very little to add to our past correspondence on this subject, but should like to bring to your attention the results of conferences held in Washington on August 18 and 19 last between representatives of the Federal Works Agency and the United States Housing Authority.

At that time it was agreed that the development of the project would proceed as planned, but that the question of racial occupancy would remain open until construction was completed and tenant selection started, at which time the matter would be settled.

No further action has been taken, and the matter rests as it was left then.

A letter dated December 9, 1941, addressed to Mr. Joseph Buffa, president, Seven-Mile Fenelon Improvement Association, 18855 Keystone Avenue, from Clark Foreman, reads as follows:

This will acknowledge your letter of December 1, containing protest against the housing project at Nevada and Fenelon Avenues, Detroit, Mich.

The question of the occupancy of that project is still being studied, and before any final decision is made, your protest will be given every consideration.

The Coordinator of Defense Housing, Mr. C. F. Palmer, told a member of one of the committees that—

It wasn't the usual procedure to pick occupancy or to seek tenant selections for these projects anywhere within 60 days of the occupancy.

In the meantime I was being deluged with letters, telegrams, and petitions of protest from people living in the immediate vicinity of this project, many of which were signed by both white and colored. Oddly enough, a majority of the communications favoring colored occupancy of the project came from outside of the district, and in some instances from cities in other States.

Apparently city officials were receiving similar communications and I would like to insert at this point a telegram to Mr. Charles F. Palmer from Thomas D. Leadbetter, city clerk of Detroit, dated December 10, 1941:

Detroit Common Council feels there is merit in protests presented pertaining to defense housing project at Fenelon and Nevada Avenues and suggests it would be desirable for Federal Works Agency or responsible governmental division to give interested parties a hearing in Detroit.

On November 19, 1941, I contacted Mr. Klutznick, Regional Coordinator, Division of Defense Housing Coordination, suggesting that due to the conflicting statements which were being issued by Federal officials and the ever-increasing bitterness of the controversy, I thought it advisable to hold a hearing in Detroit so that this problem could be properly investigated and the true facts brought to light. Mr. Klutznick agreed with me and suggested that the United States Housing Authority, Federal Works Agency, Office of Emergency Management, the local Federal Housing Administration, and the Detroit Housing Commission meet in Detroit for this purpose. However, this was not done due to the reluctance of some of the agencies based on the fear that the meeting would be picketed. This information was given to me by Mr. Klutznick and accordingly I made an alternative suggestion that representatives of these agencies meet in the office of Senator BROWN. The meeting was held in the Senator's office, the matter was discussed, and the agencies decided that they would hold a closed meeting in Detroit. Two men appeared in Detroit, one from the coordinator's office and one from the office of the Division of the Defense Housing. It is my understanding that these gentlemen arrived in Detroit in the morning and were back in Washington the following morning after having completed what they termed an "investigation."

Mr. Speaker, at this point I would like to insert a telegram dated November 19, 1941, which I received from Rev. Horace A. White, the Negro member of the Detroit Housing Commission:

Reurtel, I feel that a public hearing would be very ill advised. I happen to know that one man has been offered a sum if he defeats the project and I do not think that the Federal agencies ought to be pushed around by misrepresentations because one man has as his goal the collection of a fee. I still want to talk to you on Tuesday about it. I am of the opinion that you have been misinformed on the whole affair.

I was amazed to receive such a wire from a member of the Commission. In my opinion, the Commission should have welcomed an investigation in order to straighten out this question of occupancy and to reach an amicable agreement, to say nothing of an investigation of his charge. Accordingly I sent the following wire in reply:

Believe that charge made in your telegram is further justification for airing and hearing on housing matter. Will be glad to see ou on Tuesday afternoon.

When the Public Buildings and Grounds Committee of the House of Representatives held its hearing and investigation of this site in Detroit, they went on record for white occupancy. Their recommendation was based on a result of their investigation made in the city of Detroit.

On January 8, 1942, a member of the Detroit Housing Commission unofficially presented the true facts of the Nevada-Fenelon site controversy to Mr. Baird Snyder III, Acting Administrator of the Federal Works Agency. Mr. Snyder advised that we see Mr. Palmer. Mr. Palmer was not in his office, but his secretary suggested that we see Mr. Jacob Crane, of Mr. Palmer's staff. This we did, and the Detroit Housing Commission member presented the facts to Mr. Crane. He criticized Federal authorities not only for their disregard of the recommendations made by the local Federal Housing Administration, the Detroit Planning Commission, and the Detroit Housing Commission, but said that he felt that the Modern-Dequindre location originally selected was the logical site and that a mistake had been made when the U. S. H. A. insisted upon the site now under controversy.

Tenancy was not as yet decided, and on January 15 of this year a meeting was held in Mr. Palmer's office, and the following persons were present: Charles F. Edgecomb, executive secretary of the Detroit Housing Commission; Rev. Horace A. White, member of the commission; Mr. Palmer; Mr. Snyder; members of the staffs of the two agencies; and I.

Both sides of the question were presented and questions asked by both Mr. Snyder and Mr. Palmer. Mr. Edgecomb produced the original minutes of the Detroit Housing Commission. During the discussion I raised the serious question of violence and I, no doubt the others too, was surprised at Mr. White's comment when he said, "We will meet violence with violence." That afternoon the following statement was issued by the Division of Defense Housing Coordination:

Detroit will get a new defense housing project for Negro occupancy, to be located on a site unanimously recommended by the Detroit Housing Commission last June, according to a joint announcement of Charles F. Palmer, Coordinator of Defense Housing, and Baird Snyder III, Acting Administrator of the Federal Works Agency. At the same time it was announced that the project soon to be opened at Nevada and Fenelon Avenues will be scheduled for white occupancy.

Approval of the project followed a conference in Washington today attended by local and Federal officials. Congressman Rudolph G. Tenerowicz, of Detroit; Charles F. Edgecomb, executive secretary of the Detroit Housing Commission; and Rev. Horace A. White, a member of the commission, presented their views concerning the housing situation to Mr. Palmer, Mr. Snyder, and members of the staffs of both agencies.

Mr. Speaker, I wish to insert here a letter sent out by Mr. Klutznick to Mr. and Mrs. F. Roikes, 18656 Fenelon, on January 28, 1942:

Mr. Palmer has asked me to acknowledge your letter of January 20, 1942. Attached hereto is a copy of the press release which describes at greater length the decision which was made in regard to the project at Nevada and Fenelon Avenues.

The statement referred to by Mr. Klutznick is the statement which I have just quoted which was issued by Mr. Palmer and Mr. Snyder. Many similar letters were sent to home owners in the Fenelon-Nevada vicinity advising of this decision.

Following the decision of January 15 the Negro leaders whose motives are apparently somewhat obscure insofar as the colored people are concerned since they refused 300 defense housing units in

preference to 200 units, thereby losing 100 additional needy families that could otherwise have been provided for, went far and wide seeking sponsors for their cause.

They contacted a number of persons by telephone and by employing the question of racial discrimination with a deliberate intent to misrepresent facts, submitted the following list to housing officials, conveying the impression that the people whose names were listed, had signed the statement. Before submitting this list I would like to say that I have proof that some of those listed did not sign the statement. Two of the alleged signers were here in Washington recently and flatly denied signing the statement. They did say that they had been contacted by telephone and a totally different picture presented to them. On February 26 I received a long-distance telephone call from Detroit advising me that the same was true regarding others on the list. The statement and list is as follows, and is dated January 28, 1942, Detroit, Mich.:

STATEMENT ON SOJOURNER TRUTH HOUSING PROJECT

We strongly protest the barring of Negro defense workers from the Sojourner Truth housing project as an act disruptive of the unity of our people, which jeopardizes the defense of our Nation.

The Sojourner Truth project was expressly planned for and promised to the Negro defense workers of our city, in recognition of the especially critical housing problem faced by this group. A Negro manager has been chosen for the project; not only that, but a substantial number of Negro families had already been selected for occupancy in it.

In his recent message to the Congress and the American people, President Roosevelt warned us that if we are to achieve victory in our war for freedom "We must guard against divisions among ourselves. * * * We must be particularly vigilant against racial discrimination in any of its ugly forms."

The denial of the Sojourner Truth project to the Negro defense workers for whom it was originally intended is precisely the sort of dangerously divisive action so strongly condemned by the President. We demand that this discriminatory decision be reversed.

Signed: Mrs. G. H. Attarian, Cosmopolitan Women's Club; Rev. Charles P. Bayless, William Ford Memorial Methodist Church; Mrs. Pauline Bass; Walter G. Bergman; Rev. W. F. Bostick, Redford Baptist Church; Fred M. Butzel; Mrs. Harold G. Coyer, League of Women Voters; Mrs. Christine De Weerd, executive secretary, Russian War Relief, Inc.; Tracy M. Doll, president, Greater Detroit and Wayne County Congress of Industrial Organizations Council; Mrs. Ira Field, board of education of Highland Park; Rabbi Leon Fram, Temple Israel; Dr. Leo M. Franklin, rabbi emeritus, Temple Beth El; Philip Gentile, youth director, Metropolitan Methodist Church; Mrs. Philip Gentile; Mrs. Josephine Gomon; Ernest Goodman, attorney; Herman Jacobs, director, Jewish Community Center; Charles Livermore, council of social agencies; Charles C. Lockwood, attorney; Benjamin Marcus, attorney; Prof. Edward W. McFarland, Wayne University; Nathan L. Milstein, attorney; James Montante, attorney; Mrs. C Rudolph Mueller, Consumers League of Michigan; Hon. Gerald L. Murphy, State representative; Walter M. Nelson, attorney; Rev P. Ray Norton, Preston Methodist Church; Hon. Stanley Nowak, State senator; Mrs. Fanny S. Pope; John E. Porter, principal, McMichael intermediate school; Jack Raskin, executive secretary, Civil Rights Federation; August Scholle, president, Michigan State Congress of Industrial Organizations Council; Dr. Jay J. Sherman, Wayne University; Nedwin L. Smokler, executive secretary, National Lawyer's Guild, Detroit chapter; Rev. Robert C. Stanger, Bethel Evangelical and Reformed Church; Rev. O. G. Starrett, Central Methodist Church; Donald M. D. Thurber, Metropolitan Detroit Youth Council; John E. Zaremba, International Union, United Auto Workers and Congress of Industrial Organizations.

To further substantiate that this was so, I ask permission to have printed the following statement made by Mrs. G. H. Attarian just a few days ago:

Regret to say that I was not fully given the entire facts relative to this project. Now that I know that this is an entirely white neighborhood, I positively forbid the use of my name.

Upon the receipt of this list, I contacted the Committee to Investigate Un-American Activities and submitted the list to the committee. As a result I found that 16 of those listed are conspicuously and frequently mentioned in the records of the committee for their un-American activities.

Another person not mentioned in this list but whose activities nevertheless were solicited by the Negro leaders in this cause is the State secretary of the Michigan Communist Party, Mr. Patrick Toohey. Detroit was circularized and hundreds of Communist organizations throughout the country were ordered to send resolutions of protest. Here I think it appropriate to show the activities of this gentleman by listing the following citations furnished me by the Committee to Investigate Un-American Activities:

PATRICK TOOHEY

Organization	Association of the individual	Authority
Communist Party	Pennsylvania State secretary; representative to Virginia State convention of Communist Party.	Daily Worker, May 11, 1938, p. 3.
Do	Delegate to Tenth National Convention; speaker, reporting from eastern Pennsylvania.	Daily Worker, May 31, 1938, p. 4.
Do	Candidate for Congress, New York County, Seventeenth District, New York, 1940.	Daily Worker, Aug. 5, 1940, p. 5.
Do	Candidate for United States Senate from Pennsylvania.	Daily Worker, Apr. 6, 1938, p. 5.
Do	Eastern Pennsylvania district secretary; member of presiding committee for the Tenth National Convention.	Daily Worker, May 28, 1938, p. 5.
Do	Announces candidacy for United States Senator from Pennsylvania.	Daily Worker, Mar. 15, 1938.
Do	Candidate for Congress, Seventeenth District, New York County; speaker.	Daily Worker, Sept. 26, 1940, p. 4.
Do	Main speaker	Daily Worker, Sept. 24, 1940, p. 5.
Do	do	Do.
Do	Barred from speaking in Louisville, Ky	Daily Worker, Sept. 19, 1940, p. 5.
Coal Diggers, official organ of the National Miners Union	Contributor	Daily Worker, Jan. 28, 1930, p. 4.
The Communist	Contributor (reprint)	The Communist, Mar. 1928, p. 180.
Communist Party	Chairman at Lenin memorial meeting in Philadelphia.	Daily Worker, Jan. 11, 1938, p. 5.
Do	District organizer and shock brigadier	Daily Worker, Jan. 13, 1938, p. 5.
Do	Contributor, The Communist	The Communist, March 1940, p. 278.
Do	Contributor, Party Organizer	Party Organizer, June 1936. p. 8.
Do	Secretary of Eastern Pennsylvania Communist Party	Daily Worker, Jan. 8.
Do	Speaker at Lenin memorial meeting in Boston	Daily Worker, Jan. 8, 1938, p. 2.
Communist Party, Lenin memorial meeting	Speaker	Daily Worker, Jan. 18, 1930, p. 7.
Communist Party	Quoted, Party Organizer	Party Organizer, August-September, 1938, p. 8.
Do	Contributor, Party Organizer	Party Organizer, November 1934. p. 6.
Do	Candidate for United States Senator, Pennsylvania, 1938.	Letter from Secretary of State.
Do	do	Letter from county commissioner, Philadelphia.
Do	Candidate for State treasurer, Pennsylvania, 1936	Daily Worker, Nov. 3, 1936, p. 2.
Do	Barred from speaking in San Antonio	Daily Worker, Sept. 18, 1940, p. 5.
Do	Candidate for Congress, New York, 1940	Daily Worker, May 21, 1940, p. 5.
Do	Candidate for State treasurer, Pennsylvania, 1936	Daily Worker, Sept. 2, 1936, p. 4.
Do	Candidate for State treasurer, Pennsylvania	Daily Worker, Nov. 3, 1936, p. 2.
Do	Delegate to national convention from eastern Pennsylvania.	Daily Worker, May 24, 1938, p. 5.
Communist Party National Committee, Communist Party, United States of America.	Member	Daily Worker, Apr. 24, 1939, p. 4.
Communist Party, Philadelphia Workers School	Instructor	Daily Worker, Aug. 20, 1936, p. 5.
Communist Party	Member, central committee	Daily Worker, Nov. 28, 1936, p. 5.
Communist Party	Member, convention presiding committee	Daily Worker, June 25, 1936, p. 2.
Communist Party election rally, Chicago, October 13, 1940	Member of national committee; speaker	Daily Worker, Oct. 14, 1940, p. 1.
Do	do	Do

PATRICK TOOHEY—Continued

Organization	Association of the individual	Authority
Communist Party	Member of central committee; speaker at mass meeting in support of striking longshoremen in Puerto Rico.	Daily Worker, Feb. 9, 1938, p. 3
Do	Organizer, Philadelphia district	Daily Worker, July 1, 1936.
Do	Organizer in eastern Pennsylvania	Daily Worker, Jan. 22, 1936, p. 3.
Do	Speaker at Lenin memorial meeting	Do.
Do	Speaker; rally, Houston, Tex	Daily Worker, Sept. 18, 1940, p. 5.
Communist Party National Committee election rally	Speaker; Milwaukee, Wis	Daily Worker, Oct. 12, 1940, p. 3.
Communist Party	Speaker; national committee election rally Milwaukee, Wis.	Daily Worker, Oct. 11, 1940, p. 5.
Do	Speaker; election rally, Chicago	Daily Worker, Oct. 11, 1940, p. 5.
Communist Party "stop the draft" demonstration	Member, national committee; speaker	Sunday Worker, Sept. 1, 1940, p. 5.
Communist Party National Committee	Member; reports on southern tour	Daily Worker, Sept. 23, 1940, p. 3.
Do	Spoke on radio from New Orleans	Daily Worker, Sept. 14, 1940, p. 5.
Communist Party of Pennsylvania	Candidate for United States Senator	The Communist, October 1936, p. 935.
Communist International	Pamphlet advertised	Communist (October), Sept. 5, 1934, p. 868.
Daily Worker	Contributor	Daily Worker, Feb. 7, 1938, p. 2.
Labor Unity	Editor	Labor Unity, October 1934, p. 2.
Lenin Memorial Meeting in Philadelphia	Chairman	Daily Worker, Feb. 4, 1938, p. 2.
National Miners' Union	Secretary-treasurer	Daily Worker, Feb. 18, 1930, p. 3.
Do	Leader	Daily Worker, Jan. 1, 1930, p. 1.
Do	Secretary-treasurer	Daily Worker, Jan. 28, 1930, p. 4.
Unemployed demonstration	Speaker	Daily Worker Mar. 7, 1930, p. 3.

To prove the above report, I wish to call attention to one of the circulars which was issued under the auspices of Section I, Communist Party, 2419 Grand River, Detroit, Mich., calling a meeting for February 21, 1942, on which Mr. Patrick Toohey and a "prominent member of the Sojourner Truth Housing Committee" were advertised as being the principal speakers.

This same group approached the mayor of the city of Detroit, the Honorable Edward J. Jeffries, Jr., and for reasons known to him alone the following letter, dated January 29, 1942, was sent to Mr. Baird Snyder, Mr. Charles F. Palmer, and Col. F. Charles Starr:

Our Detroit Housing Commission was instructed last week to accept applications for the Sojourner Truth defense housing project from white persons.

To refresh your memory, for months the tenant selection division of the Detroit Housing Commission has been accepting and investigating applications from Negroes. In fact, from the inception of this project the housing commission, together with the informed citizenry of Detroit, was of the opinion that this was to be a Negro defense housing project. Since our instructions to change this to a white project, a cursory but yet a relatively complete survey of the city has been made for the purposes of locating an alternative Negro project. No place apparently is available with anything like the same satisfaction. In fact, it appears that to build a project of any size with the requirements laid down by the Defense Housing Authority as to vacant land, it seems necessary to go beyond the borders of the city.

Therefore I have discussed this matter at length with the members of the Common Council of the City of Detroit, and we feel that the Defense Housing Authority has made a mistake in diverting this to a white project, and that in fairness to the Negro population of the city of Detroit and the Negro defense workers, this project should be maintained as a Negro defense housing program.

We earnestly request you to authorize the housing commission of Detroit to place Negro defense workers in the Sojourner Truth project.

Let me call the attenton of the mayor to this portion of the above letter:

In fact, from the inception of this project, the housing commission, together with the informed citizenry of Detroit, was of the opinion that this was to be a Negro defense housing project.

Then let me ask the mayor to reconcile the following statements made by him at the hearing of the Common Council of the city of Detroit and the Seven Mile Fenelon Improvement Association on February 3, 1942:

Mayor JEFFRIES. I would be very glad to tell you my attitude on it. The project, in the first place, we thought, should be located at Modern and Dequindre. That is the place that was recommended. The Federal Government publicized and advertised to everybody that they were going to build Negro and white houses and that the Negro housing program was to be located not at Modern and Dequindre, as we recommended, but at Nevada and Fenelon, contrary to our recommendation.

When Jeffries was asked the direct question as to whether he favored placing a colored project in a white neighborhood, he replied "No."

The mayor laments the fact that since the commission has been accepting and investigating applications from Negroes, there should be any question of white occupancy. What, then, about the fact that the Detroit Housing Commission approved the Government's decision at a meeting Thursday, January 22, after a discussion with Earl Von Storch, U. S. H. A. project adviser, and the Tenant Selection Division was authorized to accept applications of white defense workers in the Nevada-Fenelon project?

I would like to further quote the mayor in his statement before the common council on February 3:

I knew what our housing commission had recommended to the Government, and I knew that we were not in favor of—that is, we favored another location instead of this one, but I didn't know the neighborhood had protested until in the fall, relatively late in the fall.

Perhaps the mayor can reconcile the following excerpt from a letter written by George Edwards, then director-secretary of the Detroit Housing Commission under date of July 23, 1941, to Messrs. Vincent Siluk et al., St. Louis the King Church Committee, 11805 St. Louis Avenue:

Your petition addressed to Mayor Jeffries has been referred by him to me for reply.

I believe you will be interested to know that the choice of the site at Nevada and Fenelon Avenues for a defense housing unit was made by the United States Housing Authority and the Federal authorities on their own responsibility. This action was taken after the Detroit Housing Commission, as agents of the United States Housing Authority in the defense work had recommended another site, and it was taken in spite of the fact that the Detroit common council requested that this project be built at the site originally selected by the Housing Commission.

On February 12 the following delegates met with Mr. Baird Snyder, Acting Administrator of the Federal Works Agency:

Joseph A. Craigen, Kappa Alpha Psi Fraternity.

LeBron Simmons, attorney, National Negro Congress.

Harper Poulson, Detroit Youth Assembly.

Andrew Brown, Council of Social Agencies.

Clifford Moore, Local 663, Teamsters, American Federation of Labor.

Joseph Stambouly, Ford Local Congress of Industrial Organizations No. 600.

Geraldine Bledsoe, Alpha Kappa Alpha Sorority.

Jack Raskin, Civil Rights Federation.

Boris Shiskin, American Federation of Labor.

John Davis, national secretary of National Negro Congress.

P. L. Prattis, executive editor of the Pittsburgh Courier.

Three of the persons listed are also closely identified with communistic activities.

On February 13, 1942, I received the following letter from Baird Snyder, III, in which he reversed the decision of January 15:

As the record now stands on Sojourner Truth Homes, the common council represented by the mayor of Detroit, have sent the Administrator an unrescinded advice that in their opinion this project should be occupied by Negroes.

The Detroit Housing Commission has also given the Administrator an unrescinded resolution to the same end. The local representatives of the American Federation of Labor and the Congress for Industrial Organizations, the president of the American Federation of Labor and the president of the United Automobile Workers of America have similarly advised the Administrator. Furthermore, the Civil Rights Federation, representing 300 Michigan organizations with a total membership of more than 500,000, advised the Administrator that in their opinion an injustice will be done if Negro occupancy is not permitted. This latter includes a number of churches, synagogues, clubs, councils

of social agencies, State representatives, schools, and is highly representative of the civic groups in the city of Detroit.

On this record of local opinion and in view of the fact that protestants against colored occupancy are in a minute minority, it is my duty as Acting Administrator to permit the selection of Negro tenants beginning Monday, February 16.

With his letter Mr. Snyder attached Mayor Jeffries' letter of January 29, the list dated January 28, both of which I have heretofore quoted. He also furnished me with a copy of a resolution dated January 30, signed by Charles F. Edgecomb, written on paper bearing no letterhead, stating that the mayor and the common council had officially asked the National Defense Housing Authority to change the status of the Nevada-Fenelon defense housing project from white to Negro. This was not true, as proven by subsequent council hearings. There was also enclosed an opinion from the United States attorney's office concerning deed restrictions on the buying property of the site and a copy of the following wire from R. J. Thomas, president, C. I. O. chairman, C. I. O. Committee on Housing; president, U. A. W. and Aircraft Workers of America, dated February 12, 1942:

Protracted delay in arranging for immediate Negro occupancy of Sojourner Truth housing project in Detroit is resulting in unfortunate confusion detrimental to the unity and welfare of the community and the furtherance of the war effort. The Congress of Industrial Organizations and United Automobile and Aircraft Workers believe it imperative that you stand on your recent decision that this housing development be allotted to Negroes as originally planned. Any new reversal of position on this score by the Federal Government would reflect on Federal agencies and impose unwarranted responsibilities on local authorities who look to Washington for a firm decision along the lines indicated.

Mr. Snyder informed me that he reversed his decision on the basis of Mayor Jeffries' letter, labor recommendations, and the list allegedly signed by citizens in Detroit, nonresidents of this district in which the site is located.

I take issue with Mr. Thomas when he presumed to speak for the rank and file of the C. I. O., and to substantiate this I request that a few of the telegrams and excerpts of letters received from C. I. O. members be included. I have omitted the signatures of these communications, but they are available in my office for public inspection.

TELEGRAMS

Urge you to stop colored people from moving into the Fenelon-Nevada housing project. White people only. (Member executive board of Local No. 3, U. A. W., C. I. O.)

Local B 17, I. B. E. W., voted unanimously at their last meeting, February 2, to protest colored occupancy of Sojourner Truth. (Member, Local B 17, I. B. E. W.)

I protest Negro occupancy of Nevada and Fenelon housing project. Ninety percent of rank and file of Local 490 are against Negro occupancy of this project. (Member, Local No. 490, U. A. W., C. I. O.)

I protest Negro occupancy of Nevada and Fenelon housing project. Ninety percent of rank and file of Local 600 are against Negro occupancy of this project. (Member, Local No. 600, U. A. W., C. I. O.)

I am a dues-paying member of the American Federation of Labor and believe that Thomas, of the C. I. O., has taken a very unintelligent view in asking for Negro occupancy of the Federal housing project at Nevada and Fenelon, which is in a 100-percent white community, thereby setting up a very dangerous race problem. (Member, Local No. 2, A. F. L.)

I am a dues-paying member of the C. I. O. I sincerely believe that Thomas, in making statement he did, is not speaking for the rank and file of the C. I. O. members. I also believe that he is fomenting a crucial race problem when he asks for Negro occupancy in the 100-percent white neighborhood of the Fenelon-Nevada housing project. (Member, Local No. 140, U. A. W., C. I. O.)

We, the undersigned, protest Thomas' unauthorized asking for Negro occupancy of Federal Housing Project at Fenelon and Nevada located in a 100-percent white neighborhood. This sanctioning of Negro occupancy would set up a race problem. (Members of Locals 52 and 140, U. A. W., C I. O. (six members).)

Am violently opposed to Thomas' unauthorized stand on Sojourner Truth housing project. (Member, Local No. 83, C. I. O.)

I, with every other dues-paying C. I. O. member with whom I have talked, are violently opposed to Thomas' stateme t favoring Negroes in the Nevada-Fenelon housing project. We believe that his statement is without representation among the members at large. (Member, Local No. 3, U. A. W., C. I. O.)

Demand white occupancy Sojourner housing project. Prevent race riots. (Member, Local No. 742, U. A. W., C. I. O.)

As a dues-paying member of the C. I. O., I protest Thomas' unauthorized sanction of Negro occupancy of the housing project at Fenelon and Nevada. This is a 100-percent white community. (Member, Local No. 236, C. I. O.)

We, members of the C. I. O., who live within a block of this project, all have F. H. A. homes. Protest President R. J. Thomas' actions in backing this project at Fenelon and Nevada for Negroes. (Members of Locals 3, 2, 236, 351, 280, 212, 1229, 157, 51, 742, 817, and 226, U. A. W., C. I. O.)

Being a property owner in the Fenelon-Nevada area, I protest Negro occupancy of the Sojourner Truth housing project. (Member, Local No. 890, C. I. O.)

I don't agree with the stand taken by the C. I. O. on the Sojourner Truth housing project. (Member, Local No. 51, C. I. O.)

As home owner in Fenelon-Nevada project district and member of C. I. O. Packard Local, No. 190, we want white people. We demand our rights (Member, Local No. 190, C. I. O.)

I protest the action of R. J. Thomas in his stand for Negro occupancy of Fenelon-Nevada project. (Member, Local No. 771, C. I. O.)

I protest the action of R. J. Thomas in his stand for Negro occupancy of Fenelon-Nevada project (Member, Local No. 174, C. I. O.)

I protest colored occupancy of Sojourner Truth housing project in Detroit. (Member, Dodge Local No. 3, C. I. O.)

I protest colored occupancy of Sojourner Truth housing project in Detroit. (Member, Local No. 273, C. I. O.)

I am opposed to the C. I. O. council's stand on housing project at Fenelon and Nevada. (Member, Local No. 51, C. I. O.)

As a resident in Fenelon Nevada district most emphatically object to Negro occupancy of project built here since neighborhood is all white. As a member of the C. I. O. Local 190 feel that unions involvement on this issue is out of order and their stand unfair. (Member, Local No. 190, C. I. O.)

I violently protest Thomas' sanction of Negro occupants at Fenelon and Nevada housing project located in 100 percent white community. (Member, Local No. 51, C. I. O.)

I don't agree with the stand taken by the A. F. L. on the Sojourner Truth housing project. (Member, Local No. 247, A. F. L.)

We protest the action that R. J. Thomas of U. A. W., C. I. O. has taken on the Sojourner Truth housing project against the white people. (Member, Local No. 212, C. I. O.)

I protest stand taken by C. I. O. in regards to Sojourner Truth housing project. (Members of Locals Nos. 306 and 681, C. I. O. (two members).)

Protest against Negroes in Fenelon-Nevada project. (Member of A. F. of L. Municipal Employees Union No. 77.)

Am opposed to stand taken by C. I. O. council showing discrimination against white C. I. O. members in Sojourner Truth housing project. (Member, Local No. 83, C. I. O.)

Protest Negroes at Sojourner housing project. Am member of U. A. W., C. I. O. Local No. 155. (Member, Local No. 155, C. I. O.)

Wish to protest Negro occupancy of Sojourner Truth homes at Nevada and Fenelon and endorsement of Negro project by C. I. O. officials here. (Member, Local No. 297, C. I. O.)

This is a protest to the Negro occupancy of Sojourner Truth project. I advise white people for white neighborhood to protect the children and property. (Member, Local No. 735, C. I. O.)

This is a protest to the Negro occupancy of Sojourner Truth project. I advise white people for white neighborhood to protect the children and property. (Member, Local No. 737, C. I. O.

Sojourner Truth site white. (Member, Local No. 51, C. I. O.)

I wish to protest against intervention of C. I. O. into Sojourner housing controversy. (Member, Local No. 101, United Rubber Workers, C. I. O.)

As due paying members of the C. I. O. we violently protest Thomas' unauthorized sanction of Negro occupancy of the Federal housing project at Fenelon and Nevada housing project which is located in a hundred percent white community. (Member, Local No. 174, C. I. O.; Member, Local No. 184, C. I. O.)

Sojourner Truth site white. (Member, Local No. 51, C. I. O.)

As a member of Local 157, C. I. O., am protesting against colored occupancy in white neighborhood at Fenelon and Nevada. (Member, Local No. 157, C. I. O.)

As a member of Local 250, U. A. W., am protesting Negro occupancy in Nevada-Fenelon project. (Member, Local No. 250, U. A. W., C. I O.)

Want white occupancy at Fenelon and Nevada in Detroit. (Member, Local No. 312, S. C. M. W. A., C. I. O.)

I protest Negro occupancy of Nevada-Fenelon housing project. We want a white project for this 100-percent white neighborhood. (Member, Local No. 368, C. I. O.)

I protest the Negro housing occupancy at Nevada and Fenelon. I belong to the Plymouth Local No. 51, C. I. O. (Member, Local No. 51 C. I. O.)

Strongly oppose Negro occupancy Fenelon-Nevada defense project. Also protest U. A. W.-C. I. O. part in this matter. (Member, Local No. 212, C. I. O.)

We protest the Negro housing occupancy at Nevada and Fenelon. We belong to the Dodge Local No. 3. (Member, Local No. 3, C. I. O.)

I protest the action of C. I. O. against housing project. (Member, Local 174, C. I. O.)

C. I. O. member. I protest actions of Thomas in Nevada housing project. (Member, Lodge Local No. 3, C. I. O.)

Member C. I O., Local 212, protest against the Negro project. (Member, Local 212, C. I. O.)

As member C. I. O., Local 212, protest against Negro project. (Member, Local 212, C. I. O.)

I protest Negro occupancy of Sojourner Truth project. (Member, Local No. 190, C. I. O.)

I don't agree with the stand taken by the C. I. O. on the Sojourner Truth housing project. (Member, Local No. 205, C. I. O.)

I don't agree with the stand taken by the C. I. O. on the Sojourner Truth housing project. (Member, Local No. 205, C. I. O.)

I protest the action of R. J. Thomas in his stand for Negro occupancy of Fenelon-Nevada project. (Member, Local No. 190, C. I. O.)

I protest the action of R. J. Thomas in his stand of Negro occupancy of Fenelon-Nevada project. (Member, Local No. 3, C. I. O.)

We protest against R. J. Thomas of having Negroes moved into Sojourner Truth project. We are members of U. A. W.-C. I. O. Locals 212 and 351. (Member, Local No. 212, C. I. O.; Member, Local No. 351, C. I. O.)

Oppose Negro occupancy in Sojourner Truth housing project. Thomas mistaken on C. I. O. backing Negro occupancy. (Member, Local No. 3, C. I. O.)

I am a citizen and home owner and a member of Local No. 183, C. I. O. Tank Arsenal. I protest against Negro occupancy Sojourner Truth housing project. Give the Negro a break but don't break us. (Member, Local No. 183, C. I. O.)

I violently oppose promises sanction of Negro occupancy of the housing project at Fenelon and Nevada, which is located in a hundred percent white neighborhood. This unauthorized sanction has no backing from the rank and file of the C. I. O. membership. (Member, Local No. 51, C. I. O.)

EXCERPTS FROM LETTERS

We protest the action of the C. I. O. against our housing project at Nevada and Fenelon. I have been a member of Local 174 since 1937, but if that is their attitude, I intend to drop out completely. If they can't say a good word for us, why not keep quiet? (Member, Local No. 174, C. I. O.; Member, Local No. 51, C. I. O.)

Please give Negroes a break but by doing so do not break us. (Member, Local No. 3, C. I. O.)

As a member of the U. A. W. Dodge Local, No. 3, I wish to state that Mr. R. J. Thomas does not represent my views and, to the best of my knowledge, has not the authority of the rank and file to bring the power of our union behind the move to place Negroes in the Fenelon-Nevada defense housing project. (Member, Local, No. 3, C. I. O.)

I being a member of Packard Local No. 190 on defense work combined with members in vast community representing practically every union in the city of Detroit, wish to state there was absolutely no "open hearing" in any local in regards to rank and file concerning this problem or giving Mr. Thomas authority in speaking in our behalf. According to my knowledge the C. I. O. unions were never intended to give a few radical minded leaders the power to say with whom we shall live or how we shall live. In contacting other union members, 8 out of 10 have no knowledge of the problem whatsoever. The other two in any way acquainted with the matter are absolutely not in favor of Mr. Thomas' policy. (Member, Local No. 190, C. I. O.)

I am a property owner and I belong to Dodge Local C. I. O. but I am not interested in the Reds in the C. I. O. like Thomas who haven't got anything to do with the taxpayers of Detroit. We prefer to fight this project ourselves without the Reds of the C. I. O. We didn't ask Mr. Thomas to go to the councilmen of Detroit to fight our battle. (Member, Local No. 3, C. I. O.)

In regards to the Sojourner Truth housing project to be for Negroes, I have lived in this neighborhood for 18 years and I have put all of my life earnings into a home like all of my neighbors. (Member, A. F. L. Gas Co. Union.)

It is not the rank and file of the union that want the Negroes in the Fenelon-Nevada project. It is Mr. Thomas, president of the U. A. W.-C. I. O., who demands it himself. (Member, Local No. 140, C. I. O.)

I am not in support of the stand the C. I. O. and their communistic spokesman has taken in the controversy of the occupancy of the Sojourner Truth housing project. Stop this. (Member, Local No. 212, C. I. O.)

This district has been exclusively occupied and developed by the white race. There also has been a clause in all land contracts that the Negroes at no time would be allowed to move east of Ryan Road. If it will not be possible for you to aid us as you did in the past, and this plea will go unanswered, the residents of this district shall have to take other drastic steps in their protest. (Member, Local No. 409, C. I. O.)

The subdivisions surrounding this project are all restricted against colored occupancy, and we, the owners of most new and recently built homes, are certainly opposed to this project being occupied by the colored race. This, in our opinion, would depreciate the valuation of all properties in that vicinity 50 percent. (Members, Locals Nos. 600, 235, 58, C. I. O.)

In regard to the site selected for the Negro housing project, called the Sojourner housing, we, as the taxpayers and voters of the United States and owners of property in Seven Mile and Fenelon subdivision, are not in favor of Negro occupancy in this project but suggest that another project be built in their own race district to prevent race riots and lots of trouble. (Member, Local No. 203, C. I. O.)

Mr. Speaker, at this point, I ask permission to insert an additional report dated February 24, 1942, received from a responsible source which covers the unscrupulous, biased, subversive actions employed by Negro and radical elements to deliberately incite both Negroes and whites. This report substantiates what I have just said. This false leadership may as well be brought out into the open and exposed for what it really is—rabble-rousing, publicity seeking, ambitious radicals bent on the destruction of human values and property values alike:

Starting in December 1941, and building up to a roaring crescendo by the middle of February 1942, the Communist Party and its hundreds of affiliates and affiliated organizations began passing resolutions issuing their directives to call the necessary mobilization measures in anticipation of the possibility that the Negroes of the city of Detroit will be denied the occupancy of the Sojourner Truth housing project.

Shortly after the decision was made to permit whites to be the sole occupants of the Sojourner Truth housing project, the district committee of the Communist Party immediately issued a call for the organization of mass meetings, mobilized all the Communist units, sections, and factions and simultaneously issued orders to form protest committees to petition the proper authorities in Washington; similar committees were dispatched to call upon the mayor of the city of Detroit, and orders were issued through the factions and trade-union locals to get those locals on record in favor of Negro occupancy. The entire membership of the Communist Party as a matter of fact was ordered to constitute themselves into a committee of one, if necessary, and each member was instructed to take the floor of his respective local union and engineer a protest movement within his respective labor organization.

A closed and diligent investigation revealed that similar tactics and the same machinery was employed by the Communist Party to bombard the members of the United States Congress with petitions to defeat the resolution now pending before that House to extend the activities of the Congressional Committee on un-American Activities, commonly known as the Dies committee. The same tactics and the same machinery were also employed to obtain freedom for a notorious Communist, Earl Browder, now incarcerated in a Federal penitentiary. The entire campaign as promoted by the Communist Party in regard to the Sojourner Truth housing project was with the avowed purpose to create and promote a condition of anarchy and disunity. The same people were involved in each phase of the above enumerated subversive operation. Most of the individuals involved are of the white race and are known to be Communists. Their methods as applied to the Sojourner Truth housing project are not new. This is simply a continuation of the Communist program of using the Negro race as a spearhead of a false conception of race equality. Those Communists who have been stirring up the Negroes with a fabricated claim of a right to move into a neighborhood where they are not wanted and have no geographical legal claim to such rights are not really the friends of the Negro people. Most of the self-styled and self-appointed Communist agitators who have taken a conspicuous part on the side of the Negroes are whites who live many miles from the locality of the housing project and have no intentions or desires to move into the immediate vicinity of that project.

Anticipating a successful termination of the Sojourner Truth fight, it is the intention of the Communist Party to be able to go into the Negro neighborhoods to point out the great victory won by the Communists for the Negroes. They expect that the Negroes will recognize the contribution made in their behalf by the Communist Party, and that the membership of that party will thereby be strengthened by an influx of Negroes. They do not expect to lose membership from among their white following, as the members to the white race are of a fanatical type, believers of a totalitarian-minded political ideology and are trained to obey any orders emanating from the party with a blind devotion. Some of the other people who are involved in this fight demanding the occupancy of the Sojourner Truth project by Negroes are the type of unscrupulous politicians who expect to materially benefit themselves from the mass misery which is bound to be created by this unhealthy and unjust situation. Out of this ensuing political confusion a condition of racial hatred is bound to follow with equal unpleasant moral and physical consequences.

An inquiry conducted by competent investigators uncovered a most astonishing state of affairs. This inquiry disclosed that the district bureau of the Communist Party of the city of Detroit held secret meetings in which a strategic plan was worked out to defeat the rightful claims of white occupants of homes located in the immediate vicinity of this housing project. At those secret meetings the Communist Party resolved to use their front organizations, which have been built up over a period of many years for just such purpose. Those front organizations have been thoroughly exposed as Communist Party organizations directly or indirectly affiliated with it by legitimate and competent Government agencies, and expert testimony was produced by the congressional Committee on un-American Activities to substantiate this allegation. Pat Toohey, the State secretary of the Michigan Communist Party, was the one who issued orders to all those front organizations for immediate mobilization for the purpose of confusing the housing authorities that all Detroit would be up in arms if the Negroes were not given this project. Hundreds of Communist organizations throughout the country were ordered to send resolutions of protest. The overwhelming

majority of those organizations were fictitious paper bodies with big sounding names, and fictitious claims of large memberships.

The organizations who responded to the call of the Communist Party to engineer a flood of protests have fantastic claims of a following reaching into hundreds of thousands, when actually not over 25 people attend their meetings regularly. The organizations who were conspicuously active in behalf of the Communist Party, involving the Sojourner Truth housing project, are as follows:

Communist Party of America (proper).

Detroit Civil Rights Federation (Communist).

National Association for the Advancement of Colored People (strong Communist influence).

National Negro Congress (absolutely Communist controlled).

Detroit Youth Assembly (Communist Party and Youth Communist League controlled).

Young Communist League (the name speaks for itself).

Stanley Nowak New Deal Federation (Communist controlled).

The investigators involved in this inquiry further disclosed that on January 18, 1942, the Communist Party of Michigan held its annual Lenin memorial meeting at the Mirror Ballroom, 2940 Woodward Avenue About 1,000 Communist members attended. Patrick Toohey, their State secretary, was chairman. The meeting was opened with the singing of the Internationale, with words as follows:

"'Tis the final conflict,
Let each stand in his place,
The International Soviet
Shall be the human race."

At this meeting Coleman Young, a Negro Communist, who is the executive secretary of the National Negro Congress, Detroit chapter, was one of the speakers. His talk was devoted to the Sojourner Truth housing project, in which he bitterly attacked Congressman TENEROWICZ, branding him as a fifth columnist, emphasizing that the Sojourner Truth housing project has been stolen from the Negro people. Young further stated that at the same moment a protest meeting was being held at the Calvary Baptist Church, and that letters of protest were being drawn up to be sent to the mayor, Governor, and the common council; that a picket line was being organized to picket the offices of the housing commission, and that this entire program would be in full swing on the following day. At the same meeting Pat Toohey, who was the chairman of this gathering, and who is the State secretary of the Communist Party in Detroit, announced that his organization has taken the initiative in this fight and that they are behind the Negroes 100 percent and will give this matter all the necessary moral and financial assistance.

During January and February 1942 the Detroit Civil Rights Federation held their regular conferences, with some additional meetings of the steering committee. (Dates, minutes of procedure of all those meetings are available.) At all of those meetings the subject under consideration was the Sojourner Truth project. The members were instructed to go back to their respective organizations and to engineer a wide distribution of literature and a general educational campaign in favor of handing this project over to the Negroes. Jack Raskin, executive secretary of the Civil Rights Federation, was dispatched to Washington, where he was to mobilize all the pinks, radicals, and crackpots in favor of the Communist Party's position in this housing-project fight. Mimeographed lists of the names of the Congressmen to be contacted were passed out at all of those meetings. Maps of the immediate neighborhood in the vicinity and around the project were prepared for general distribution. Those maps purporting to show that the territory in which this project is located is a Negro neighborhood and that Negroes moving in would not depress property values. A picket line was organized to picket the city hall to impress the professional politicians, who usually have the tendency in the face of any kind of a demonstration to wilt like the proverbial last rose of summer. Threats of race riots were impressed upon those politicians in the event the project was certified for white occupancy.

Among other literature prepared and circulated out of the offices of the Civil Rights Federation at 630 Insurance Exchange Building and passed out to numerous affiliates of the Communist Party was (1) a leaflet entitled "It Isn't a White Neighborhood"—this was a mimeographed piece of literature—(2) a map purporting to prove that the area is largely Negro.

Active leaders of the Communist Party identified a taking a very active part in this fight are:

Patrick Toohey, State secretary, Michigan Communist Party.

Jack Raskin, executive secretary, Detroit Civil Rights Federation.

George Krisalsky, Communist Party candidate for councilman of Hamtramck.

Jordan Zier, Communist chairman of the steering committee Detroit Civil Rights Federation.

William Allan, section organizer of section 3 of the Communist Party; also Detroit reporter for the Daily Worker.

Eleanor Laffrey, active member of the Detroit Civil Rights Federation; school teacher by profession

At a meeting organized and sponsored by the Communists at the McCollester Hall, held on February 1, 1942, Jordan Zier, of the Detroit Civil Rights Federation, was inside and outside passing out leaflets on the Sojourner Truth housing question.

Communist meeting places in which the question of the Sojourner Truth housing project was discussed and agitated were:

Petofi Hall, 835 West End Avenue.
Schiller Hall, Gratiot and St. Aubin.
Magnolia Hall, 4519 Magnolia.
The Yemans Hall, 3040 Yemans.

In the Hamtramck section the Communist leaders took a large share in the agitation and are linking this up with the candidacy of George Krisalsky for a public office in the forthcoming Hamtramck city election.

Mr. Speaker, this report clearly shows to what lengths certain Negro leaders and the communistic element will go in their attempts to achieve local and national disunity. They have seized upon a Federal project, and through their deliberate misrepresentations and subversive activities have succeeded in creating a dangerous racial issue.

The city hall and the defense project have been picketed for days and weeks. These pickets are home owners, citizens, and taxpayers residing in this neighborhood alone.

Anticipating colored occupancy, the Federal Housing Administration has discontinued commitments and real-estate agents have been seeking to obtain property far below cost—property purchased with the life savings of these home owners—those who have been picketing.

Following Federal action resulting from the mayor's letter, I again made my persistent rounds of the Federal agencies in a final attempt to untangle a situation which had by this time developed into an issue, not a project. It is a dangerous question which will inevitably react adversely to the welfare of the Negroes as well as the white people. Following the mayor's letter, I even made a trip to Detroit and appeared before the mayor and the common council.

I contacted the heads of all agencies handling housing, but none were willing to assume any responsibility when the mayor had so kindly relieved them. These officials admitted that a colossal blunder had been made, but aside from hasty assurances that mistakes of this kind would not be repeated elsewhere, no satisfaction was to be derived from them. They voiced a sympathetic understanding of the matter, but stated emphatically that the mistake was now in the mayor's lap, and there it would remain insofar as the Federal agencies were concerned. When I again brought up the question of violence and race riots they reiterated that the responsibility was Mr. Jeffries'. I have attempted here to set forth the actual history of the defense housing project on Nevada and Fenelon Avenues in the city of Detroit, citing each development as it occurred, step by step. I have confined myself exclusively to fact.

When a false and subversive leadership can become such a disintegrating factor it is time that it be exposed, and I have asked the Dies committee to investigate this affair in its entirety. Mr. DIES has assured me that this will be done.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Washington Daily News.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter from General Flemming, Federal Works Administrator.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. VAN ZANDT (at the request of Mr. WOLFENDEN of Pennsylvania for 1 day on account of official business.

WITHDRAWAL OF PAPERS FROM THE FILES

Mr. D'ALESANDRO asked leave to withdraw from the files of the House, without leaving copies, the papers in the case of Christopher C. Cole, H. R. 4268, Seventy-seventh Congress, no adverse report having been made thereon.

There was no objection.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1766. An act for the relief of John Snure, Jr.; to the Committee on Claims.

S. 1776. An act for the relief of Mrs. Agnes S. Hathaway; to the Committee on Claims.

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.; to the Committee on Interstate and Foreign Commerce.

S. 2122. An act to amend the District of Columbia Traffic Act of 1925; to the Committee on the District of Columbia.

S. 2133. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or a series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940; to the Committee on Interstate and Foreign Commerce.

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Sainte Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; to the Committee on Interstate and Foreign Commerce.

S. 2154. An act to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929; to the Committee on the District of Columbia

S. 2175. An act for the relief of Bibiano L. Meer; to the Committee on Claims.

S. 2187. An act for the relief of Tom G. Irving, Thomas G. Irving, Sr., J. E. Irving, Mata D. Irving, L. T. Dale, and Amelia Dale; to the Committee on Claims.

S. 2229. An act to provide for the retirement, rank, and pay of heads of staff departments of the Marine Corps; to the Committee on Naval Affairs.

S. 2268. An act to further amend section 128 of the act of June 3, 1916, as amended, to authorize travel pay for certain military and naval personnel on discharge or release or relief from active duty; to the Committee on Military Affairs.

S. J. Res. 130. Joint resolution to extend and amend certain emergency laws relating to the merchant marine, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House, under the order heretofore adopted, adjourned until tomorrow, Saturday, February 28, 1942, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1444. A letter from the Archivist of the United States, transmitting a report on lists of papers recommended to him for disposal by certain agencies of the Federal Government; to the Committee on the Disposition of Executive Papers.

1445. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 5, 1941, submitting a report, together with accompanying papers, on a review of the reports on flood-control works in the alluvial valley of the Mississippi River, with a view to levee protection in the vicinity of Greenville, Miss., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on February 10, 1938; to the Committee on Flood Control.

1446. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated September 30, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Cadron Creek, Ark., authorized by the Flood Control Act approved on June 28, 1938; to the Committee on Flood Control.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 448. Resolution authorizing the printing of the proceedings in the House of Representatives on December 19, 1941, commemorating the service of William Tyler Page; without amendment (Rept. No. 1833). Referred to the House Calendar.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 6682. A bill to suspend in part the processing tax on coconut oil; without amendment (Rept. No. 1834). Referred to the Committee of the Whole House on the state of the Union.

Mr. FOGARTY: Committee on the Territories. H. R. 6166. A bill to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board; without amendment (Rept. No. 1835). Referred to the Committee of the Whole House on the state of the Union.

Mr. PLOESER: Committee on the Territories. H. R. 5962. A bill to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935; without amendment (Rept. No. 1836). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.; without amendment (Rept. No. 1837). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy; without amendment (Rept. No. 1838). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses; without amendment (Rept. No. 1839). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. H R. 6360. A bill to amend the act known as the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), approved June 10, 1930, as amended; without amendment (Rept. No. 1840). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. S. 1161. An act for the relief of Cecelia Pitt; without amendment (Rept. No. 1841). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHAPMAN:

H. R. 6687. A bill to authorize the coinage of 50-cent pieces in commemoration of the Sesquicentennial of Kentucky Statehood; to the Committee on Coinage, Weights, and Measures.

By Mr. ANDERSON of California:

H. R. 6688. A bill to establish as a part of the Reserve component of the Regular Army a Home Defense Organized Reserve for local home defense; to the Committee on Military Affairs.

By Mr. LAMBERTSON:

H. R. 6689. A bill to provide that the workweek established by the Fair Labor Standards Act of 1938 shall temporarily be extended from 40 hours to 48 hours; to the Committee on Labor.

By Mr. SMITH of Ohio:

H. R. 6690. A bill relating to eligibility for the benefits of the Civil Service Retirement Act; to the Committee on the Civil Service.

By Mr. DOUGHTON:

H. R. 6691. A bill to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLMES:

H. R. 6692. A bill to provide assistance to certain industrial and business enterprises which, due to priority orders or other action by the Government in connection with the prosecution of the war effort, are insolvent or threatened with insolvency; to the Committee on Banking and Currency.

By Mr. McKEOUGH:

H. R. 6693. A bill making it unlawful for any person engaged in the performance of a defense contract to discriminate against or in favor of any employee because of his race, color, or creed; to the Committee on the Judiciary.

By Mr. O'BRIEN of Michigan:

H. R. 6694. A bill to amend the National Housing Act; to the Committee on Banking and Currency.

By Mrs. NORTON:

H. R. 6698. A bill providing for the option to repurchase by the seller of any lands or buildings, or both, or any right or interest therein sold to the United States of America, together with any improvements made thereon, when not needed for public use; to the Committee on Public Buildings and Grounds.

By Mr. COFFEE of Washington:

H. Res. 450. Resolution to create a special committee to investigate the extent, character, and object of organized propaganda, foreign or domestic, which attacks constitutional government or serves the interests of any country with which the United States is at war, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States to consider their resolution relative to the proposed St. Lawrence seaway; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HOLMES:

H. R. 6695. A bill for the relief of Mrs. Esther Mann; to the Committee on Claims.

By Mr. KILBURN:

H. R. 6696. A bill for the relief of the estate of Mary Fortune, deceased; to the Committee on Claims.

By Mr. WENE:

H. R. 6697. A bill for the relief of Jean Boehm; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2496. By Mr. ANGELL: Petition of certain citizens of Multnomah County, Oreg., asking the enactment of House bill 1410; to the Committee on Ways and Means.

2497. By Mr. CULLEN: Petition of Local No. 10, New York Federation of Post Office Clerks, urging that before the 40-hour week is extended for regular employees of the Post Office Department, all existing substitutes be made regulars; to the Committee on the Post Office and Post Roads.

2498. By Mr. GRAHAM: Resolution passed unanimously by the Pennsylvania State Senate on Wednesday, February 25, 1942, memorializing the Congress of the United States not to approve or authorize the construction of the proposed St. Lawrence seaway; to the Committee on Rivers and Harbors.

2499. Also, petition of 77 citizens of Lawrence County, in the State of Pennsylvania, urging that immediate action be taken to prohibit the sale of alcoholic liquors in or near any military or naval station, and to suppress vice in the vicinity of such stations; to the Committee on Military Affairs.

2500. By Mr. CARTER: Petition of the Contra Costa County Central Labor Council, opposing any legislation to set up additional organizations for the construction and management of defense-housing projects, and recommending that all such projects be placed in the hands of local housing authorities wherever such authorities are established and operating; to the Committee on Public Buildings and Grounds.

2501. By Mr. HAINES: Resolution passed unanimously by the Senate of Pennsylvania on February 25, 1942, opposing the St. Lawrence seaway; to the Committee on Rivers and Harbors.

2502. By Mr. MOTT: Petition signed by Howard Gault and 70 other officials and employees of Jackson County, Oreg., urging early enactment of the Vinson bill (H. R. 6444); to the Committee on the Judiciary.

2503. Also, petition signed by James B. Hannah, president, Local No. 128, N. F. O. P. O. C., and 48 other citizens of Oregon, urging enactment of House bill 6486, to reclassify the salaries of postmasters and employees of the Postal Service; to the Committee on the Post Office and Post Roads.

2504. By Mr. ROLPH: Resolution of the Retail Furniture Association of California, Inc., in unalterable opposition to the plan advanced by the Social Security Board for the taking over of the California unemployment insurance program; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

SATURDAY, FEBRUARY 28, 1942

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Love divine that stoops to human need and stays the bitterest tear, on Thee we call. To Thee we come with our cares, our problems, and our limitations. We ask for wisdom and we pray for grace that this day may be fruitful with good works and a great inspiration to our country. In the enrichment and enlargement of our deepest life may we be sincere, true, and our best hopes realized. Deliver us, blessed Lord, from all narrowness, all bias, and under all circumstances may our Republic be first in thought, word, and deed. Grant that the divine Teacher may be our model, His love our impulse, and His favor our aspiration. Give us to understand that the measure of our diligence is the measure of our success, every step being sown with the memories of service well done for God and our native land. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from Mr. W. H. Callan, industrialist of my community.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I further ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Times-Herald of today on the subject of national prohibition.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Vermont [Mr. PLUMLEY] may extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very short letter and a short appeal for the purchase of Defense bonds.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent that at the conclusion of the regular legislative calendar and following any previous special orders on next Monday, March 2, 1942, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent that I may be allowed to proceed now for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I have asked for a special order for next Monday for the purpose of trying to clear up some of the amazing misconceptions that have gotten abroad in the land and throughout the Congress with regard to the remarks I made on Thursday of this week concerning Lt. Franklin D. Roosevelt, Jr. This will require 5 minutes, or at the most 10 minutes. I have asked for 30 minutes because I note from the press this morning that some of the leaders on the Democratic side may want to raise some points or ask me some questions. I here and now cordially invite any Member of the House and the public to submit me a bill of particulars in any case wherein the son or a relative of any prominent Republican whatever, either in or out of the Congress, has received a commission without working for it and thereafter has received favored treatment from either the Army or the Navy. Sauce for the goose is sauce for the gander.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. Gladly.

Mr. MAY. Does the gentleman think it is a crime to send a man to a hospital for 30 days' leave after he has had an operation for appendicitis?

Mr. WILLIAM T. PHEIFFER. I will say to the gentleman from Kentucky that I will take that question up fully in my remarks Monday afternoon.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks and to include a joint letter I have written to the chairman of the Naval Affairs Committee and the chairman of the Military Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks will appear in the Appendix.]

SAM HARDY

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, on February 11, several of my colleagues from the Committee on Ways and Means paid tribute to Sam Hardy, our extremely efficient, capable, and courteous messenger. The occasion of this particular tribute and recognition was the completion, on February 9, of Sam's 34 years of service to our committee. I regret very much that I was not present on the

floor at the time this matter came up. I now wish to add to the well-justified and deserved praise and commendation of my colleagues my own tribute to Sam's many excellent qualities.

During the 34 years of his service, our committee has had eight chairmen and has reported to the Congress tax measures for the financing of two great wars and the recovery from a great depression. During all of this period, Sam Hardy has faithfully, reliably, and ably served the exacting and multitudinous demands of our committee. His intelligence, his courtesy, and his never-flagging zeal in our behalf is tremendously appreciated. May he continue in health and happiness and useful service for many years to come.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article on the highway to Alaska by Mr. Richard Neuberger.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, a few days ago I inserted in the RECORD a letter written by Secretary Ickes. That letter contained some very, very bad language. Without in any way condoning the language that he used, I want to say that since that letter was printed I have seen the article that drew it, and I can understand the Secretary's state of mind when he answered it. The Secretary of the Interior wants to get out of the notion that he holds the championship for the use of a certain class of language. The man who wrote him used some of the dirtiest, nastiest language, and made some of the vilest insinuations I have ever read. If the Secretary, instead of writing a letter, had accepted advice from a humble citizen, he would have used the law of criminal libel against the fellow who wrote it.

Proficient as he is in getting under the skin of his adversaries, the Secretary has no business, he will gain no credit, in tangling with the fellow whose newspaper article caused him distress.

UTILIZATION OF VITAL WAR INFORMATION

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, before we complete the reading of the second war-powers bill I trust there will be greater clarification than there has been of title XV of S. 2208.

The powers granted under this title are exceedingly broad and comprehensive, and unless used most judicially and held to the single purpose of expediting the prosecution of the war, can become a great danger to the economy.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAY. Mr. Speaker, I ask unanimous consent that on Monday next, immediately following the address of the gentleman from New York [Mr. WILLIAM T. PHEIFFER], I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a editorial from the newspaper PM in connection with Lawrence Dennis.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a poem written by one of my constituents on the occasion of his registration.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I note this headline in the paper this morning:

House Democrats to hit back at needling by opposition.

Mr. Speaker, let me say this to you, to the majority leader, and to the other leaders on the Democratic side of the aisle: This country is in the most difficult position it has ever been in in all its history. If you men are going to defend everything that is being done in the Government service by this administration at the present time, or that might be suggested by the administration that is not for the welfare of America, you will be aiding and assisting to do those things which will lead to a very disastrous condition in America. You are headed for communism and bankruptcy. Never in the history of this Nation have you been more urgently called upon to use the very best judgment and the very best ingenuity and ability you possess. This is true not only of you but of every other Member of Congress. This is imperative. And unless you, the majority party, change your attitude and stop blindly following the administration's wild, communistic ideas, the country is lost. We need the best Americans with the soundest ideas of constitutional government, of sound business judgment, if this country is to survive. The responsibility is yours. What will you do about it? I say to you, change your course or you will wreck the country. Stop, look, and listen; think.

[Here the gavel fell.]

AIR RAIDS IN CALIFORNIA

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINSHAW. Mr. Speaker, we of southern California are happy to know that the antiaircraft and searchlight batteries stationed there do not sleep in the early morning hours; but we think that, in view of the fact that there is a very decided difference of opinion between the Secretary of the Navy and the Secretary of War as to the actual reasons for the display of fireworks on a recent night, we should have a full and clear explanation of what actually happened then. Four persons died, a number of persons had their homes damaged, shrapnel was found all over the place, and much confusion was caused. We think the Secretary of the Navy and the Secretary of War should get together and issue a joint statement which will tell the whole truth.

[Here the gavel fell.]

STRIKES IN DEFENSE INDUSTRIES

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include excerpts from certain letters I have received.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. LUTHER A. JOHNSON addressed the House. His remarks appear in the Appendix.]

TEACHING OF SPANISH AND PORTUGUESE IN THE PUBLIC SCHOOLS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, among other things the Subcommittee on Appropriations for the Department of State, after its visit to South and Central America last summer, recommended the teaching of a second language, either Spanish or Portuguese, in the elementary schools of this country. On page 29, of our report of December 4, 1941, is the following:

One of the greatest deterrents to world peace has been the inability of peoples throughout the world to exchange ideas through the medium of a common language. Fortunately our citizens are beginning to awaken to this fact with the result that today Spanish and Portuguese courses are being given in ever-increasing numbers throughout the entire country. The committee feels so strongly on this subject that if it had it in its power it would insist that either Spanish or Portuguese be made a compulsory subject in all of our elementary schools throughout the United States.

I am very happy at this time to tell you that I have received the following letter from Charles A. Thomson, Chief of the Division of Cultural Relations of the Department of State:

I know you will be interested to learn that 80,000 boys and girls, representing 275 school districts in Texas, began the study of Spanish in the elementary grades on February 1, 1942. The Department of Education of Texas has added Spanish to the curriculum for all grades from the third to the seventh, and has issued free textbooks for the students.

This is action in the right direction for solidarity of the Western Hemisphere.

[Here the gavel fell.]

GUAYULE RUBBER

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 2282, to provide for the planting of guayule and other rubber-bearing plants so as to make available a source of crude rubber for emergency and defense uses.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object in order to ask the gentleman from Virginia to explain the purposes of the bill.

Mr. FLANNAGAN. Mr. Speaker, as the gentleman knows, this is the Senate bill that came up in the House some days ago. The House made some amendments, among them being an amendment confining the operations under the bill to the United States, and sent it back to the Senate. The Senate accepted all of the House amendments. The President vetoed the bill because of the House amendment limiting the operations under the bill to the United States. The Senate, following the recommendation made by the President in his veto message, eliminated the restrictive House amendment and made the bill applicable to the Western Hemisphere. The bill then came up before the Agricultural Committee and the committee accepted the Senate amendment. The only change made in the bill as heretofore passed by the House is the provision broadening the operations under the bill to the Western Hemisphere.

Mr. MARTIN of Massachusetts. Then, as the bill stands now, it applies to the Western Hemisphere?

Mr. FLANNAGAN. As it stands now it applies to the Western Hemisphere. That is the only change in the House bill. This bill came before the Committee on Agriculture yesterday and was reported out by that committee with that change. There seems to be need for speedy action, as those interested are very anxious for the immediate passage of the bill.

Mr. MARTIN of Massachusetts. What other countries are they contemplating raising guayule in?

Mr. FLANNAGAN. The guayule is a native plant of Mexico. The State Department explains that the sole purpose of putting in the words "Western Hemisphere" was to enable the Government, if it saw fit, to cultivate the guayule shrub in Mexico close to the Texas border.

Mr. MARTIN of Massachusetts. Does the gentleman think that this plant would grow better there than in the United States?

Mr. FLANNAGAN. I do not. I believe it can be cultivated in continental United States better than in Mexico; but the bill gives the Department of Agriculture that right.

Mr. HOPE. Mr. Speaker, I reserve the right to object. I am not going to object, because I don't want to take the responsibility of doing anything to hinder the final enactment of this legislation. However, I feel that the veto of the former bill was not justified, and at this time I am very much in doubt as to whether we should enact legislation which does not limit the production of this plant to the United States. I say that because Mexico, which is the only other country in which I understand we will attempt to produce guayule, has placed an embargo on the export of rubber. This went into effect on the 17th of February, so I am informed by the Department of Commerce. I hope that while this bill does permit the Department of Agriculture to go into Mexico and bring about the cultivation of guayule in that country, that this will not be done as long as we have a situation where it is not possible to bring rubber into this country from Mexico.

Mr. FLANNAGAN. I think the gentleman realizes that the purpose of the State Department and the Department of Agriculture is to devote their efforts to the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, I reserve the right to object to ask the gentleman from Virginia [Mr. FLANNAGAN] if the Senate in accepting the House amendments struck out the word "condemnation" and deprived the Government of the right to condemn, and also if the same provision is in the bill which fails to state any definite amount as to the authorization, but makes the sky the limit, which are two objections I made to the phraseology of the bill when it was considered on the floor of the House.

Mr. FLANNAGAN. The Senate passed the bill which was sent over by the House with a single change of striking out the words "United States" and inserting in lieu thereof the words "Western Hemisphere."

Mr. COCHRAN. I am in the same position as the gentleman from Kansas [Mr. HOPE]. I do not want to stop any legislation that is needed as a war measure, but I repeat what I said several days ago. The language in the bill is highly objectionable and the Senate and the House of Representatives should never have passed it in that form. I am not going to object, but I want the RECORD to show I do object to the language in the bill, as I expressed myself on the floor of the House when the bill was under consideration in the House. I do not feel, even if you deny the Government the right to condemn in this bill, it will amount to anything, because in so doing you are setting aside a constitutional provision, and we cannot amend the Constitution on the floor of the House and Senate.

Mr. RICH. Mr. Speaker, I reserve the right to object to ask this of the gentleman: In speaking, first, of developing lands in Mexico, naturally we would have to have the State Department cooperate with the Mexican Government, to develop those lands, would we not?

Mr. FLANNAGAN. Yes.

Mr. RICH. How much investigation has been made to determine whether we are now able to get lands in this country which, under proper irrigation, could grow that plant?

Mr. FLANNAGAN. May I say to the gentleman from Pennsylvania that Dr. Brandeis, who has charge of the matter for the Department of Agriculture, states that sufficient land can be found in continental United States.

Mr. RICH. That is the point I wanted to make. We are here to develop American soil insofar as we possibly can and help the American farmers.

Mr. FLANNAGAN. I agree thoroughly with the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture (hereinafter called the "Secretary") is authorized—

(1) To acquire by purchase, license, or other agreement, the right to operate under processes or patents relating to the growing and harvesting of guayule or the extraction of rubber therefrom, and such properties, processes, records, and data as are necessary to such operation, including but not limited to any such rights owned or controlled by the Intercontinental Rubber Co., or any of its subsidiaries, and all equipment, materials, structures, factories, real property, seed, seedlings, growing shrub, and other facilities, patents and processes of the Intercontinental Rubber Co., or any of its subsidiaries, located in California, and for such rights, properties, and facilities of the Intercontinental Rubber Co. or any of its subsidiaries, the Secretary is authorized to pay not to exceed $2,000,000;

(2) To plant, or contract for the planting of, not in excess of 75,000 acres of guayule in areas in the Western Hemisphere where the best growth and yields may be expected in order to maintain a nucleus planting of guayule to serve as a domestic source of crude rubber as well as of planting material for use in further expanding guayule planting to meet emergency needs of the United States for crude rubber; to establish and maintain nurseries to provide seedlings for field plants; and to purchase necessary equipment, facilities, and land for nurseries;

(3) To acquire by lease, or other agreement, for not exceeding 10 years, rights to land for the purpose of making plantings of guayule; to make surveys, directly or through appropriate Government agencies, of areas in the Western Hemisphere where guayule might be grown; and to establish and maintain records indicating areas to which gayule cultivation could be extended for emergency production;

(4) To construct or operate, or to contract for the operation of, factories for the extraction of rubber from guayule, and from Chrysothamnus, commonly known as rabbit brush; and to purchase, operate, and maintain equipment for the harvesting, storing, transporting, and complete processing of guayule, and Chrysothamnus, commonly known as rabbit brush, and to purchase land as sites for processing plants;

(5) To conduct studies, in which he may cooperate with any other public or private agency, designed to increase the yield of guayule by breeding or by selection, and to

improve planting methods; to make surveys of areas suitable for cultivating guayule; to make experimental plantings; and to conduct agronomic tests:

(6) To conduct tests, in which he may cooperate with any other public or private agency, to determine the qualities of rubber obtained from guayule and to determine the most favorable methods of compounding and using guayule in rubber manufacturing processes;

(7) To improve methods of processing guayule shrubs and rubber and to obtain and hold patents on such new processes;

(8) To sell guayule or rubber processed from guayule and to use funds so obtained in replanting and maintaining an area of 75,000 acres of guayule inside the Western Hemisphere; and

(9) To exercis with respect to rubber-bearing plants other than guayule the same powers as are granted in the foregoing provisions of this section with respect to guayule.

SEC. 2. (a) The Secretary is authorized to appoint such employees, including citizens of countries in the Western Hemisphere, as may be necessary for carrying out the provisions of this act. Such appointments may be made without regard to the provisions of the civil service laws and the compensation of the persons so appointed may be fixed without regard to the provisions of the Classification Act of 1923, as amended. All appointments so made by the Secretary shall be made only the basis of merit and efficiency.

(b) The Secretary may delegate any of the powers and duties conferred on him by this act to any agency or bureau of the Department of Agriculture.

(c) The Secretary, with the consent of any board, commission, independent establishment, corporation, or executive department of the Government, including any field service thereof, may avail himself of the use of information, services, facilities, officers and employees thereof, in carrying out the provisions of this act.

(d) The Secretary may allot to bureaus and offices of the Department of Agriculture, or may transfer to such other agencies of the State and Federal Governments as may be requested by him to assist in carrying out this act, any funds made available to him under this act.

SEC. 3. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act. Any amounts so appropriated, and any funds received by the Secretary under this act, shall remain permanently available for the purposes of this act without regard to the provisions of any other laws relating to the availability and disposition of appropriated funds and the disposition of funds collected by officers or agencies of the United States

Mr. ANDERSON of California. Mr. Speaker, approval today of the guayule-rubber bill now under consideration marks the completion of a long but successful effort to interest the Federal Government in the production of rubber from the guayule shrub. It has been almost 2 years since I first called the attention of the House of Representatives to the potentialities that exist in this desert plant. Many obstacles have been encountered, but all of these have finally been overcome, including the objections raised by the President in his veto message on the original guayule bill. Now that these latter objections have been met, I anticipate that the President will approve the measure without undue delay.

I am firmly convinced that this legislation will be of material value in developing one of the most important natural resources in the United States. Guayule offers a practical, proven source of rubber which, within a few years' time, should largely offset the loss of our present supply of hevea rubber.

It is extremely unfortunate that misleading articles and statements have appeared from time to time with reference to the guayule development program. Members of the House are to be congratulated for having ignored the misrepresentations and for having voiced approval of the program as outlined in the pending measure. This bill would not have been passed by the Senate nor approved by the House of Representatives if it had not been for the valuable aid which I was given by many interested Members on both sides of the aisle. I wish to take this opportunity to thank all of those whose untiring efforts have resulted in bringing the guayule project to the floor of the House for consideration.

I am not of the opinion that this is simply an emergency program that should be terminated when the war is over. We would be short-sighted, indeed, if we failed to continue to produce a sizable percentage of our annual rubber needs and sufficient guayule nursery stock to insure against another such rubber shortage as we are faced with at the present time. Nine months have elapsed since my original guayule-rubber bill was introduced in the House of Representatives and referred to the Committee on Agriculture Fortunately, there is still sufficient time left to plant all of the available guayule seed this spring, which will make it possible to vastly expand this entire program in 1943.

Once again I wish to congratulate the membership of the House for the favorable action taken on the bill under consideration and to express my gratitude for the splendid support that the entire program has received.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. SWEENEY. Mr. Speaker, because I consider the pending legislation of such importance, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 31]

Anderson, N. Mex.	Buck	Copeland
Arnold	Buckley, N. Y.	Creal
Baldwin	Burdick	Curtis
Barnes	Byrne	Disney
Bender	Byron	Domengeaux
Blackney	Clason	Douglas
	Cole, Md.	Eaton
Fish	Kramer	Schaefer, Ill.
Gavagan	Landis	Scott
Gearhart	Lane	Shannon
Gifford	Lesinski	Sheridan
Gillette	Ludlow	Simpson
Green	Maas	Smith, Pa.
Holmes	Magnuson	Sparkman
Hook	Norton	Stefan
Houston	O'Day	Tenerowicz
Jarrett	O'Hara	Thomas, N. J.
Jensen	Osmers	Tolan
Johnson, Lyndon B.	O'Toole	Traynor
Kennedy, Michael J.	Paddock	Vreeland
Kleberg	Reece, Tenn.	Walter
Kopplemann	Rivers	West
	Rodgers, Pa.	Woodruff, Mich.
	Sacks	Worley

The SPEAKER. On this roll call, 362 Members have answered to their names, a quorum.

Mr. COOPER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

SECOND WAR POWERS BILL, 1942

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2208) to further expedite the prosecution of the war.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208. with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from New York [Mr. HANCOCK], which was pending when the Committee rose yesterday.

There being no objection, the Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 14, after line 25, insert a new paragraph, as follows:

"Whenever any machinery or equipment which is in actual use in connection with any operating factory or business, and which is necessary to the operation of such factory or business, is requisitioned pursuant to the act of October 16, 1941 (55 Stat. 742), the owner thereof shall be paid fair and just compensation, which shall not be less than the difference between the fair market value of such factory or business before and after the taking of such equipment or machinery."

Mr. MAY. Mr. Chairman, I offer an amendment, which is at the desk. I desire to change the form of it to make it a substitute for the amendment offered by the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK. Mr. Chairman, my amendment is merely a perfecting amendment, and I think it should be heard before the amendment offered by the gentleman from Kentucky.

The CHAIRMAN. The amendment sent to the desk by the gentleman from Kentucky could not be offered as a substitute for the pending amendment. The gentleman's amendment could be offered after disposition is made of the amendment offered by the gentleman from New York.

Mr. MAY. Very well.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the amendment?

Mr. HANCOCK. I would like to be heard briefly, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 5 minutes in support of his amendment.

Mr. HANCOCK. Mr. Chairman, when the requisitioning act was passed last October an amendment was offered by the gentleman from New York [Mr. TABER] and adopted by the House, which would make it impossible for an agency of the Government to go into a man's factory and take out a piece of machinery or apparatus which was essential to the operation of that plant. Without that amendment I do not believe the requisitioning act could have been passed.

In order to be accurate about it, let me read the so-called Taber amendment:

Nothing contained in this act—

That is, the requisitioning act—

shall be construed to authorize the requisitioning of any machinery or equipment which is in actual use in connection with any operating factory or business, and which is necessary to the operation of such factory or business.

Title VI proposes to repeal the Taber amendment. That is all title VI does. I understand the gentleman from Kentucky [Mr. MAY] will offer an amendment to strike out the whole title. I have no objection to the proposition of the gentleman from Kentucky. In fact, I will vote for it, but if title VI does not go out of the bill it should provide for a proper measure of damages. That is what I am seeking to accomplish by my amendment. If the Taber amendment is repealed, it will be entirely possible for an agency of the Government to utterly ruin a man's business and destroy his plant by taking out an essential piece of machinery or all the machinery and leave him with a bare, empty building, or a plant he cannot operate. The Government does not need such vast power. Under the Smith amendment to the Selective Service Act, a plant may be seized, and in that event the owner is entitled to fair rental value, and it may be taken under title II of this bill.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. MAY. As I recall the requisitioning act, to which the Taber amendment was attached, it also provides that where they found it necessary to requisition personal property that the President may fix a fair value on it, and upon payment of 50 percent of that value they may immediately take possession of it and adjudicate the remainder.

Mr. HANCOCK. That is right. As to the measure of damages, let me call attention to the language of the bill. In the case of requisitioning a piece of machinery or apparatus out of a going factory, the amount paid shall be computed on the basis of the fair market value of the property at the time it is requisitioned. This means that the owner of the plant can be reimbursed only for the value of a second-hand piece of machinery, for it would be second-hand after it had been removed from the plant.

Mr. MAY. That is right.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. ANDREWS. May I suggest to the gentleman that it might be of value if the chairman of the Committee on Military Affairs would summarize a statement on this very point made by the Under Secretary of War?

Mr. HANCOCK. He can do that later. Let me explain briefly what my proposition is. It is to reimburse the owner from whom property is taken in this manner: You all know that in condemnation proceedings to acquire real estate we have a rule known as severance damages; that is, when a part of a parcel of land is taken the measure of damage is the difference between the value before and after the taking. For example, you might have a building lot and a street opening was ordered through the middle of it, leaving you with two small parcels which would be practically valueless. It would be obviously unfair to pay the owner merely the square foot value of the property taken on the basis of the value before the property was cut up. On the principle of severance damage he is entitled to the difference between the value of the entire piece before and after the taking of a part of it. Now, I have tried to apply that principle here. My amendment provides that the measure of damages shall be the value of the plant before and after the taking of the machinery out of it. If you take all the machinery out of a plant the owner will have left nothing but a storehouse and if you take essential apparatus, he must close down. It is obviously unfair to hold that the owner of a plant has received full compensation when he is paid merely the second-hand value of the machinery taken from it. I want him to be fairly compensated. That is all I am attempting to do here. If somebody has a better formula I shall be glad to accept it. My amendment merely applies to condemnation of personal property the principle of severance damage now recognized in the condemnation of real estate.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. MAY. The point I am trying to emphasize is that with the Taber amendment in it there can be no delay in anybody's possession of the property.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, this is a very important matter. I ask unanimous consent that the gentleman from New York may proceed for 5 additional minutes in order to state his position.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SUMNERS of Texas. Before the gentleman begins, will he be good enough to give us the citation from which he quoted in reference to the measure of damages?

Mr. HANCOCK. It is in the Requisitioning Act, which is found in the report of the committee on page 12. The language reads:

The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this act and the fair value of any property returned under section 2 of this act, but each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be.

In other words, the measure of damages is the value of the property after it is detached from the plant, without regard to its real value to the owner.

Mr. SUMNERS of Texas. I did not want to interrupt the gentleman's statement; I merely wanted the citation.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. THOMASON. There was a long and full discussion of this question on the floor when the property-seizure bill was up, and it seemed to me that the so-called Taber amendment was a sound proposition both in law and in practice. Will not the gentleman therefore point out just what change this makes in that law and why the necessity for it? Because it sounded to me like a very sound provision.

Mr. HANCOCK. I quite agree with the gentleman. The House was overwhelmingly in favor of the Taber amendment, and I doubt if the Requisitioning Act could have been passed without it.

Mr. THOMASON. Then why is it necessary to change it?

Mr. HANCOCK. I am not in favor of changing it at all. This title of the bill repeals the Taber amendment, and for that reason some fair measure of damages must be set up. The Government and all its agencies have been able to point out only two instances where they had any difficulty in acquiring the machinery they wanted. One was the case of a plant in Norfolk, Va., from which they wanted a gear cutter. The other was a boring machine some place else; I do not remember where. Those were the only two items called attention to, neither of which was of any great importance in the national defense program.

Mr. HINSHAW. Will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from California.

Mr. HINSHAW. With the Taber amendment in the present law, it prevents the taking of any piece of machinery where it is necessary to the operation of a plant?

Mr. HANCOCK. That is correct.

Mr. HINSHAW. The gentleman's amendment permits the taking of that machinery, but it provides for just compensation for the whole value to the plant of that particular piece; is that correct?

Mr. HANCOCK. That is correct. If the Taber amendment is repealed by this bill, I am attempting to provide an adequate measure of damages to the owner of the property from whom machinery is taken. That is all I am trying to do. I am not defending title VI at all. I am perfectly willing it shall be repealed; in fact, I will vote for it; but if title VI stays

in the act, I want some provision in there for adequate, fair, just compensation to a man whose property is seized. I have no pride of authorship. If someone else has a better plan to properly and adequately compensate a man whose property is seized, I am perfectly willing to support it. This is the best I can do, and I submit it for your consideration.

Mr. McLAUGHLIN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. HANCOCK].

Mr. Chairman, I respect the zeal of the gentleman from New York, a member of the subcommittee, and I have every respect for the motive which prompts him to propose this amendment.

The gentleman from New York has outlined to you the Taber amendment, which provided that if the Government should seek to take a piece of machinery out of a plant because it is necessary for war purposes, the owner of the plant could successfully resist the effort to take it if he could establish that the piece of machinery was necessary in the operation of his plant. In other words, it forbade the Government from taking a piece of machinery which is necessary in the operation of a private plant.

That provision was enacted before we entered the war. We are now in the war. The amendment which we have proposed would eliminate the Taber amendment and would empower the Government to take a piece of machinery, a tool, or equipment out of a factory if the Government needed it for the prosecution of the war, regardless of whether the owner of that factory needed it or not. We place the needs and the necessities of the United States Government in the prosecution of this war above the rights of the individual, the thing which we are doing all the way down the line.

We propose to allow the measure of damages which the owner of that property will be permitted to recover to remain just as it always has remained under the fifth amendment to the Constitution of the United States. So in that event, if a piece of property, if a machine, if a tool, if a piece of equipment is taken out of a factory, the owner of that equipment is entitled to just compensation under the Constitution of the United States just as any person is entitled to just compensation if his property is taken by the Government.

I cite the case of Campbell against the United States, which quotes *Seaboard Air Line Railroad* v. *The United States* (261 U. S. 299), which I referred to yesterday or the day before in connection with the attempt to amend section 2 having to do with the measure of damages to be allowed for the taking of real and personal property, and the House sustained the Committee on the Judiciary. This is a case in which property was taken. The Supreme Court said:

> Thereupon he became entitled to have the just compensation safeguarded by the fifth amendment to the Constitution—that is, the value of the land taken and the damages inflicted by the taking—such a sum as would put him in as good a position pecuniarily as he would have been if his property had not been taken.

Now, that was with respect to real property.

The case of *DeLaval* v. *United States* (284 U. S. 61) makes it applicable to personal property.

Mr. HANCOCK. Will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from New York.

Mr. HANCOCK. The gentleman will recall that the Assistant Attorney General who appeared before us stated that, in his opinion, the limit of damages for the taking of machinery out of a plant would be the value of the machine itself, and I think that is in the report. It is the opinion of the Attorney General anyway.

Mr. McLAUGHLIN. I am unable to find that in the report. With all due respect to what the gentleman says, the law is the law regardless of who says what it is or what it is not, and I am attempting to expound the law, if the gentleman will permit me to do so.

Mr. HANCOCK. That is in the most general language. I want to get down to specific cases.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska [Mr. McLAUGHLIN]?

There was no objection.

Mr. McLAUGHLIN. Mr. Chairman, the rule at the present time is as I have cited it from a decision of the Supreme Court of the United States with respect to the measure of damages to which a person whose property is taken by the Government is entitled.

The gentleman from New York seeks to amend existing law to provide that—

> Whenever any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business is requisitioned pursuant to the act of Octobe 16, 1941, the owner thereof shall be paid fair and just compensation, which shall not be less than the difference between the fair market value of such factory or business before and after the taking of such equipment or machinery.

The fallacy of the amendment offered by the gentleman from New York [Mr. HANCOCK] is the old fallacy of logic with which we are all familiar, namely, the post hoc ergo procter hoc fallacy—after this, therefore on account of this.

The judge of the Federal court would be compelled, if the amendment offered by the gentleman from New York [Mr. HANCOCK] should become law, to award to an owner whose piece of machinery is taken not less, by way of damages, than the difference between the value of the factory or business before the machinery is taken and after it is taken, regardless of what elements may have caused the difference in value. There is nothing in his amendment that provides that this difference must necessarily result from the taking of this machinery. How would you measure the damage? By comparing the value of the factory or business a month before or a year before the taking with their value, respectively, a month after or a year thereafter? It is so wide open that no judge could possibly construe it.

But it may be contended that it is implied in the Hancock amendment that it means the value immediately before and the value immediately after the taking. If it means immediately before and immediately after the taking, then we may by congressional action be enriching the owner of the plant or business beyond anything he even seeks.

If you apply this rigid rule, the Federal judge will be compelled to determine the value of that plant or business immediately before the taking and immediately after and to award to the owner, in damages, the difference between those two values.

Let us look at the proposition. Perhaps the plant owner might make an adjustment of work after the machinery or equipment is removed, by which he will eventually be better off for having had that property taken out of his plant. Nevertheless, he will receive damages equal to the difference in value of the plant before and after the taking. Under the Hancock amendment the court would be compelled to award him not less than that amount. If, later, he should go across the way and make a subcontract with another plant for the cutting of gears, or for the performance of whatever function the machine in question performed, he might ultimately be benefited financially in the operation of the plant because the piece of machinery was taken out. Yet, despite the fact that he might be better off so far as the plant operation is concerned, he would be entitled to recover these fixed damages which the court under this provision would be compelled to award to him if he could meet the requirements of the Hancock amendment.

Mr. Chairman, the amendment under consideration withdraws from a Federal judge the right to permit the jury to consider all the facts and circumstances and elements which properly enter into the determination of the question of damages. This amendment offered by the distinguished gentleman from New York—and he has offered it with great zeal and earnestness; I am sure we shall all agree to that—seeks to tie th. hands of the Federal judge and prevent him from applying the constitutional rule of just compensation. It would substitute another rule. It would compel the court to give to the property owner, under these circumstances, damages in an amount not less than the difference between the value of the plant or business before and after the taking, although the owner of the property taken might have suffered only temporary damage to his plant or business and in the long run might even have received a benefit rather than a damage.

We should adhere to the long-established rule of damages for the taking of property by the United States Government under which the owner is entitled to just compensation in accordance with the fifth amendment of the Constitution.

Mr. Chairman, certainly this amendment should be defeated.

[Here the gavel fell.]

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Mr. Chairman, the rule that is attempted to be laid down in this amendment offered by the gentleman from New York [Mr. HANCOCK] would cause the adoption of an entirely new standard of damages in the Federal courts.

Mr. HANCOCK. If the gentleman will yield, may I call his attention to the fact that this is the rule of damages in cases involving condemnation of real estate?

Mr. CELLER. But it is here applicable to personal property, and there may be a big difference between personal property and real estate.

Mr. HANCOCK. This is the first time we have ever permitted the condemnation of personal property.

Mr. CELLER. The rule of general damages sought to be laid down by the Judiciary Committee would be just compensation, according to the Constitution. The offered amendment would add to such constitutional standard. The amendment would set up as a scale of damage namely "not less than the difference between the fair market value of such factory or such business before the taking and its value after the taking of such equipment or machinery." The amendment would open the door extremely wide to any and all kinds of damages, direct, proximate, indirect, or what have you.

Suppose a man has a scale, or a pump, or a welding machine which is extremely essential to the operation of his business. If the Government takes that pump, or scale, or welding machine away from him—if the Government condemns it, to use that term—it may be that the props will be taken from under his business. What would happen under this rule of damage? The man could get the value of his good will. What is good will? That is very difficult to fathom. I do not know how to plumb the depths as to damages concerning good will. It might involve the type of his business, the years he was in business, the value of trademarks and trade names, the value of other stock that might become obsolete, the value of the lease, or the payment of bank loans. The man might proclaim, "If you take this away from me, I cannot continue my business, and I will be compelled to pay the bank loans I have made. I therefore ask you to pay my bank loans. My inability to pay is a proximate result of the taking."

It is utterly inconceivable that the Government should be placed under such a tremendous burden at this time. In peacetime I would say, "Yes; give them all those damages, whether it be with reference to personal property or real estate." But you cannot do that in wartime. The sacrifices must be made. Millions of men are making sacrifices all over the country and business must make its sacrifice. The amendment offered by the gentleman from New York would say, "No; the businessman does not have to make that sacrifice. You must pay more than the value of the machinery, you must pay the value of that business hurt by the taking."

It is very unfortunate that the business may be greatly affected and profits and good will diminished, but that is unfortunate, I repeat, and the businessman and the factoryman must be willing to make that sacrifice just as the man in the trenches makes the sacrifice.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. TABER. Does not the gentleman realize that the only reason a man is entitled to any compensation is because it is not considered fair that the man whose property is taken should bear the whole burden? Now, is it any more nearly fair if a man's business is entirely put out as a result of taking something to give him compensation for any one thing?

Mr. CELLER. I respectfully differ with the gentleman. The man drafted may have his business entirely wiped out. He cannot continue in absentia. He gets no compensation for the destruction of his business or factory. Furthermore, we must adopt two different standards, one in peacetime and one in wartime, and that is the very quintescence of this situation. In wartime we cannot adopt the type of damage involved in the amendment of the gentleman from New York.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. LUTHER A. JOHNSON. As I understand the situation from the statement of the gentleman from New York and also the statement of the gentleman from Nebraska, the Supreme Court has defined in principle the measure of damages which one is entitled to under this situation or under this state of facts.

Mr. CELLER. That is correct.

Mr. LUTHER A. JOHNSON. Whereas the gentleman's amendment would put it in a strait jacket and arbitrarily determine what the measure of damages should be, and, as has been pointed out, if the measure of damages is fixed, this might give greater benefits than a man is entitled to under the law.

Mr. CELLER. He would encourage the Government to seize the machinery or the pump or the welding machine, because he would have a greater advantage under that process than if he would continue his business.

[Here the gavel fell.]

Mr. SUMMERS of Texas. Mr. Chairman, I ask for recognition.

Mr. Chairman, this is an important matter. I hope to be of some assistance in getting before the members of the Committee just the situation. With all deference I believe there is some confusion as a result of the statements that have been made.

Now here is the citizen's guaranty of a square deal. It is in the Constitution. This is the language:

> Nor shall private property be taken for public use without just compensation.

Who should want more than that—

> nor shall private property be taken for public use without just compensation.

There is no difference between wartime and peacetime insofar as the duty of the Government and the necessity of the Government to respond in just compensation when private property is taken. Since the begining of the Government, by judicial construction, measures of fair compensation have been established. It is sought to disturb to some degree at least the long line of judicial construction, to disturb it by legislative enactment, presumably, to give to the citizen more than his just compensation, as has been construed by the courts acting under their obligations.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. As soon as I complete this statement.

The gentleman from New York [Mr. HANCOCK] gave an illustration of just what happens in an attempt to apply this constitutional guaranty in a given situation. If the Government, for instance, as he points out, takes an entire tract of land, it would pay for the entire tract of land, assuming there was no other interest involved, but if, as the gentleman from New York illustrated, it took three or four acres out of the middle of a man's place and damaged the rest of it, the Government would pay the value of the land taken and also pay for the damage done to the rest of it.

Now, I make this statement: The courts, in construing this provision of the Constitution, have held that it applies to personal property just the same as it does to real property. If this statement is incorrect, I would like to yield for a correction.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. HANCOCK. I do not recall that up until this act was passed there has ever been any authority for the Government to requisition or condemn personal property, and I do not know that there are such cases.

Mr. SUMNERS of Texas. I cannot discuss what my friend knows or does not know, but the gentleman from Nebraska [Mr. MCLAUGHLIN] just cited a case a moment ago holding as I have indicated, and it is bound to be so. I mean it is perfectly absurd that you can apply an adequate rule of just compensation when you are taking real estate and are excused from applying it when you are taking personal property. I mean it is perfectly ridiculous that that could be done.

Now, let us see where we are getting. Why should anybody want more than that? I make this statement: If a peculiar damage is done to a factory by taking out a particular piece of machinery which cannot be supplied, that matter is submitted to the jury and to the court, evidence is heard, and the court is bound, under the mandate of the Constitution, to give just compensation. Why should anybody want more?

Now I yield to my friend from New York if I have misstated either the law or its application.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield; yes.

Mr. HANCOCK. I simply want to call the gentleman's attention again to the language of the Requisitioning Act which limits the amount of recovery to the actual value of the property taken and——

Mr. SUMNERS of Texas. No act of requisitioning and no act that this Con-

gress can pass can limit the right of recovery guaranteed to the citizen by the Constitution of the United States. Is not that right?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. BUCK. When does personal property become a fixture on the real estate?

Mr. SUMNERS of Texas. Oh, that would take too much of my time.

Mr. BUCK. But is not that the point here?

Mr. SUMNERS of Texas. Oh, I could not take the time to go into that.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. EBERHARTER. Is it the contention of the gentleman from Texas that the bill as reported by the committee, without the amendment of the gentleman from New York [Mr. HANCOCK], provides that if the pecuniary loss suffered by the owner of personal property is greater than the fair market value of the machine that has been taken, the courts will consider the pecuniary loss suffered by the owner?

Mr. SUMNERS of Texas. They have to. I do not care what you write in the statute, what rule of damages you prescribe here you could not make the compensation less than just compensation. You may by legislation prescribe a rule that would make the Government pay more than just compensation, but you cannot make it pay less. I repeat that. You may by legislation provide that the Federal Government must pay more than fair compensation, but you cannot effectively provide that it shall pay less.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. HINSHAW. In view of the gentleman's statement, which I believe may be understood to mean that when a piece of personal property is removed from a factory, the owner thereof is entitled to some measure of severance damages, would not that make that portion of the law now in existence unconstitutional?

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. CRAWFORD. I submit this question. Suppose under the Requisition Act the Government tenders the fair market value of this property, without this other additional damage we are speaking about, then under the constitutional and the Requisition Act, the owner is then forced to go to court to get over and above the value stated in the Requisition Act.

Mr. SUMNERS of Texas. Surely.

Mr. CRAWFORD. Then suppose the owner has no money with which to go to court, he is then deprived of his rights, is he not?

Mr. SUMNERS of Texas. Of course.

Mr. KEFAUVER. Mr. Chairman, the subject that we have now before us goes further and is much more important than the mere problem of taking a machine out of a manufacturer's plant, which is the type of issue we have largely discussed here on the floor. The Taber amendment in my opinion was based on the idea that we could do business as usual. It was based on the idea that we were in a time of peace, and that the continuation of nondefense industry came before the carrying out of our war effort. Since the time of the adoption of the Taber amendment, our country has been thrown into war, and the winning of the war becomes paramount, rather than the operation of some industries that have no connection with the war. The Taber amendment, and the Hancock amendment, are based on the assumption that everybody, so far as possible, is going to come out even in this war. They are based on the assumption that everybody who has something taken away from him is going to be compensated in full. This is very important, because the principle applies not only in these cases but in many others. If you open up this avenue, just visualize the type of legislation that you will have presented to you, and presented to you with a forceful argument. In my district there were several silk mills running and doing a good business and making a good profit. They had considerable silk on hand and could have operated profitably for quite a while when the Government came in and said, "You cannot use it, the Government needs it and will take your silk," and the plants have had to close down. There are many tire and automobile dealers, and hundreds and hundreds of other types of industries and businesses, that have had to be closed in order that the American people and the Government can carry on its war effort. Now, if you come here in one particular type of case and say this man is going to be compensated for profits for speculative investment, for goodwill, and for everything that he may be able to get into a claims bill in court, you are going to have all these other types of cases presented to you, and you know what that would lead to. The Government could not stand the expense, our war effort would be impeded, and so I say that the Taber and the Hancock amendments are pre-war measures based upon the idea of doing business as usual, and we know that that time has long since passed.

If the Government is to take some little machine out of an industry, and if that industry is to be compensated to the full extent of the damage that has been done to it, in case that machine is not replaced, there would be no incentive on the part of the owner to try to find some substitute, or to have this article manufactured in some other industry. He might be able to find a substitute, whereas the War Department might not be able to find one. Certainly the American people should not be penalized in that way.

The point raised by the gentleman from New York [Mr. HANCOCK] is that the requisitioning act says that the President shall fix fair and just compensation for the property that is taken. Of course, fair and just compensation is going to mean taking into consideration all of the elements of damage, including severance damages, just as it does in the case of real estate. I think the record of the War Department and of the Government shows that it has been very liberal and considerate in cases of this kind. If that person is not fully satisfied, he has a right to appeal to the Court of Claims to have his damages fixed, and his damages will be fixed on the remedy based on the fifth amendment to the Constitution of the United States, as the gentleman from Texas has pointed out.

[Here the gavel fell.]

Mr. KEFAUVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KEFAUVER. Regardless of the type of property that may be taken anywhere in the United States, whether by a railroad company, a private utility, or by a State under its right of eminent domain, the only compensation that is paid is just compensation, as defined by the fifth amendment to the Constitution of the United States. The Government in this situation may need personal property. Are we going to place an additional element of damage on our Government in time of war over and above the amount of damage that would be paid by a State or by a private electric or railroad company in the event, in the exercise of the right of eminent domain, they should condemn property? I do not believe the Members of the House would sanction that for a moment. I am sure the American people, who want to do everything possible to win the war, would not stand for it.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. HANCOCK. I wish the gentleman would point out the difference between the principle of severance damages as applied to real estate and as applied to personal property. If it is proper in one case, why is it not proper in the other?

Mr. KEFAUVER. I will say that certainly the owner of any personal property taken will be allowed severance damages, and that will be allowed without adoption of the gentleman's amendment. But the gentleman's amendment would go further than that and allow to be brought in speculative, uncertain, and indefinite types of damage.

Mr. HANCOCK. No. I have no pride of authorship in the amendment. If the gentleman will rephrase it, I will be glad to have him do it.

Mr. KEFAUVER. We do not need to rephrase our Constitution. The courts under the Constitution say you are allowed severance damages. What else does the gentleman want? Just compensation is guaranteed by our Constitution, and the courts have construed that to include severance damages.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I wonder if we cannot agree upon some reasonable limitation of time for debate?

Mr. HOFFMAN. Mr. Chairman, we have just permitted this unanimous-consent request for additional time. You

will remember what happened yesterday. Two Members spoke in opposition to the Smith amendments and received extra time. Then 30 or 40 of us were cut off with 2½ minutes at the end. That is not cricket.

Mr. SUMNERS of Texas. I would just as soon stay here all night, but I thought we might agree on some limitation.

Mr. Chairman, I ask unanimous consent that all debate on this matter under consideration close in 40 minutes.

Mr. MAY. Mr. Chairman, reserving the right to object, I would like to make this statement to the gentleman from Texas. I have an amendment on the Clerk's desk that will follow immediately after this amendment. The pending amendment merely fixes a measure of damages for taking pieces of property out of an operating plant. My amendment, if adopted, would strike out all of title VI, which would restore the Requisitioning Act in its present form as passed by the House last August, with a measure of damages in it. I would like to have it understood that I wish to discuss my amendment, and I would like to have 5 additional minutes in which to discuss it.

Mr. RABAUT. Mr. Chairman, I am going to ask for the regular order.

The CHAIRMAN. The regular order is demanded. Is there objection to the request of the gentleman from Texas?

Mr. HINSHAW. Mr. Chairman, I object.

Mr. SUMNERS of Texas. Mr. Chairman, I move that all debate on the Hancock amendment and all amendments thereto close in 45 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair desires to read the names of the Members who were standing at the time the limitation for debate was fixed. Mr. HOBBS, Mr. KILDAY, Mr. MAY, Mr. HINSHAW, Mr. TABER, Mr. CRAWFORD, Mr. JENNINGS, Mr. GWYNNE, Mr. FITZPATRICK, and Mr. HOFFMAN. Are there any of the gentlemen whose names I have read who do not desire recognition?

Mr. MAY. Mr. Chairman, I wish to withdraw my request.

The CHAIRMAN. Are there any other gentlemen whose names have been called who do not desire recognition on this amendment?

Are there any gentlemen who were standing desiring recognition on this amendment whose names have not been read?

The Chair hears none, and the gentleman from Alabama [Mr. HOBBS] is recognized for 5 minutes.

Mr. HOBBS. Mr. Chairman, I cannot accord to the Hancock amendment that support to which its objective entitles it, because of the fact that I think the standard set by that amendment is too Procrustean. It stipulates only one mode of admeasurement. In many cases other modes would be fairer. But I cannot sit here silently while the chairman of the Committee on the Judiciary, my beloved friend, and other speakers against that amendment impugn the honesty of the people who have felt the sting of the injustice caused by maladministration of the law of eminent domain and therefore seek a remedy, by asking repeatedly, What more do you want than just compensation?

The answer to this question is: Nothing. They want just compensation—nothing more. The point is that they are not getting just compensation. You gentlemen seem to miss that point entirely.

For one thing, the time element works in favor of the Government, but against the property owner. The Government takes possession whenever it is desired, instantly. But is the owner paid the agreed price immediately? Oh, no. Payment is quite another matter. It may be made months or even years later. The Supreme Court says in the Jacobs case that in such cases, in order to make up just compensation, interest should be added. Is this done? No, indeed.

Here is a farmer down in Alabama, here is a manufacturer in Nebraska; somebody from Washington goes there with the great power of the Federal Government behind him and says, "We will pay you so much for your land," or "for this piece of machinery." The owner says: "If my Government needs anything I own to help win this war it may have it. When do you want it?" The answer may come: "Right now." The owner replies: "All right; it will be hard on me to deliver possession immediately, but I'll do it. When am I to be paid?" "Just as soon as possible," he is told. But how soon is possible? Four, six, eight, ten, twelve or more months. Then when payment is requested repeatedly, and finally the suggestion that interest should be paid because of the unreasonable delay, he is shown the pamphlet containing the statute, and is asked if there is anything in that law authorizing the payment of interest. Of course, there is not. So the agent says: "How, then, can I pay you interest? I should like to but I can't." I have known hundreds of cases like that. They insist in the field that there is nothing about interest in the pamphlet law, but the Supreme Court of the United States, speaking through Mr. Justice Hughes in a unanimous decision in the Jacobs case, says that interest is one of the best ways to measure the value of that lag in payment, and should be paid as a part of "just compensation" guaranteed by the Constitution.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be delighted to yield to the gentleman from Nebraska, the distinguished chairman of our subcommittee.

Mr. McLAUGHLIN. If I thought the gentleman suggested that the measure of damages provided under the Constitution and which will obtain if this amendment is not adopted just as it obtains in the second title amendment, the gentleman's own amendment, were not adopted, I should not be taking the position I take; but I call the gentleman's attention to the fact that in the Seaboard Air Line case with which the gentleman, I am sure, is familiar, the Supreme Court has laid down the rule that interest is a just part of compensation; and the Congress has permitted by its own action to the persons when the court has not granted interest to go into the Court of Claims and assert a claim for interest, and recover that claim for interest.

Mr. HOBBS. I will say in answer to that just exactly what I said when I was talking to my beloved friend personally. The gentleman is speaking from theory and not from a knowledge of the facts. I will say to the gentleman that if he will point out to me any case, any case—one case—in which interest has been allowed by the agent administering this act, I will eat my hat, buy the gentleman a new one, and support him in toto on this proposition.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Certainly; I am happy to do so.

Mr. McLAUGHLIN. May I say to the gentleman that the ultimate determination as to damages is not made by the administrators, but in a condemnation case is made by the courts; and the Federal courts are all controlled by the pronouncements of the Supreme Court; and the pronouncement of the Supreme Court in the Seaboard Air Line case is just as I have outlined it to the distinguished gentleman.

Mr. HOBBS. I admit that the distinguished gentleman has correctly stated the law, but I have known cases wherein the courts incorrectly declared the law, however, 9 out of 10 of these eminent-domain cases never get into court—they are settled in the field. I repeat my challenge to the gentleman. Show me one instance where interest was ever paid as a part of "just compensation." There are thousands of cases in which interest was due in accordance with the decisions of the Supreme Court, but never paid. The same thing is true of taxes, rents, moving costs, and so forth.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Iowa [Mr. GWYNNE] is recognized for 5 minutes.

Mr. GWYNNE. Mr. Chairman, I believe this argument illustrates very well the futility of trying to legislate on something that can be and has been settled much better in the courts.

Mr. Chairman, it has been pointed out many times that no artificial rules can be laid down which will determine the damages to be awarded in every individual case. The courts, however, in their experience, have adopted certain rules that are well illustrated in eminent domain cases. For many years governments have been taking real property, and they have adopted rules for the measurement of damages which can be applied to each individual case and will afford as nearly substantial justice as anything that can be suggested here. It should be borne in mind that although there has not been as much experience in the courts in the taking of personal property, nevertheless even that is not new. We did in the last war, I believe, have authority to take personal property, and we have in other wars taken personal property, and the courts have found no difficulty in assessing the damages, being guided by rules heretofore laid down principally in cases involving real estate.

Mr. Chairman, I fear if we adopt the Hancock amendment we are going to adopt restriction wh'ch will in many cases result in an improper measure of damages. If the gentleman's amendment had provided the following it would then state what is now the law, and what in my judgment should be the law, and it would be a very good amendment:

Whenever any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business is requisitioned pursuant to the act of October 16, 1941, the owner thereof shall be paid fair and just compensation.

There the amendment should end. That should be the law, and I think it is the law unless as someone has pointed out some rather unfortunate language in the original act of October 16, 1941, has attempted to overrule prior court decisions.

Mr. HINSHAW. Will the gentleman yield for me to quote that language?

Mr. GWYNNE. No, I am going to quote it.

When we passed the original act we had in it the Taber amendment which prevented the taking of a single piece of property which might result in closing a factory; therefore there would be less occasion under that law to ever consider the question of severance damages, as we call it, in real estate. There was inserted in the law at that time this provision:

But each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned.

The question is whether or not that original language restricts the Court and would prevent it from adopting the rule suggested by the gentleman from New York if that were a proper rule in a particular case. It is my suggestion that the amendment offered by the gentleman from New York [Mr. HANCOCK] be voted down. In my opinion, it will not meet the difficulty that exists here. The conference committee might give some thought perhaps to the language I have quoted from the original act.

Mr. KEFAUVER. Will the gentleman yield?

Mr. GWYNNE. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. Does not the gentleman think the unfortunate language in describing fair and just compensation is in connection with the value the President determines rather than stating a criterion for the Court of Claims to fix fair and just compensation under the fifth amendment to the Constitution after the matter reaches the Court of Claims?

Mr. GWYNNE. That may be true. The point I make is I am afraid the amendment offered by the gentleman from New York will not meet the difficulty and, in fact, may make it worse.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized.

Mr. HOFFMAN. Mr. Chairman, the gentleman from New York [Mr. CELLER] and the gentleman from Tennessee [Mr. KEFAUVER], members of the committee, said there was a different rule of damages to be applied in war than in peacetimes. I understood the gentleman from Texas [Mr. SUMNERS], chairman of the Committee on the Judiciary, to say that the rule is the same and that the Constitution protected us during all times. Am I correct?

Mr. KEFAUVER. Will the gentleman yield?

Mr. HOFFMAN. For a correction.

Mr. KEFAUVER. I desire to correct the gentleman's statement insofar as I am concerned. I said that during wartime we should not try to pile on additional damages to those existing in peacetimes.

Mr. HOFFMAN. I thank the gentleman. May I call the attention of the gentleman from Texas, chairman of the Committee on the Judiciary, to his own argument. He referred to the amount paid in condemnation proceedings for real estate, and correctly stated the rule. He said if the Government took 2 acres out of 10, it must pay fair compensation or the difference between what was left and the fair market value of the property before it was taken. Those are not the gentleman's exact words, but it is the rule, as I understand it, for the assessment of damages in condemnation cases. Is that correct?

Mr. SUMNERS of Texas. Substantially.

Mr. HOFFMAN. If I understand the situation correctly, the difficulty in this case with reference to condemnation of personal property grows wholly out of the fact that under the original act the Government pays the fair value of the property that is taken. There is a difference between that and the rule suggested by the gentleman from Texas, chairman of the Committee on the Judiciary.

In the illustration cited by the gentleman from Texas, if the Government takes 2 acres of a 10-acre tract, under the law as it stands today, it must pay me full compensation, and that compensation the jury is instructed by the judge to fix by determining the difference between the fair market value of what I have left and the market value of the whole tract as it was before the Government took the 2 acres. That has always been the rule of compensation applied by the State and Federal courts in condemnation proceedings.

This act provides for the condemnation of personal property, and in the original act it is provided that the President "determine the amount of the fair and just compensation to be paid" for the property.

If the person whose property is taken is not satisfied with the amount so fixed, then the act provides that he shall receive 50 percent of the amount, and that then he—

shall be entitled to sue the United States in the Court of Claims or in any district court of the United States * * * for an additional amount which, when added to the amount so paid to him, he considers to be just and fair compensation for such property.

Fair and just compensation for what? For what he has lost? Oh, no. Fair and just compensation for the property taken.

It may well be argued that fair and just compensation for the property taken, as, for example, a machine, is the fair market price of such machinery. That is not the same thing as the difference between what the factory from which the machine may be taken is worth after the machine has been taken out and what it was worth with the machine in it.

Everyone must realize that, even if the owner of a tool or a machine in a factory were paid the full original purchase price for a machine which might have been used for some years, if that machine could not be replaced, or if, because of its taking, the business was destroyed, such payment would not give to the citizen the compensation indicated by our Constitution.

The Constitution provides, as the gentleman from Texas said, that the property of the citizen cannot be taken without due compensation. In the condemnation cases concerning real estate heretofore before the courts the rule has been that due compensation should be paid for the taking. That is an entirely different proposition, an entirely different rule for the assessment of damages than the "fair and just compensation for such property," that is, the particular article taken.

Under the rule now applied for the taking of personal property, all the Government would have had to pay would be the value of the acres it took. If a man had 40 acres, half of it upland, worthless sand, as happens sometimes, and 20 acres of good bottom pasture land, and we take the bottom land, we would pay for the bottom land, and we would pay for the consequential damages to the tract as a whole, because he could not sell the rest. He could not sell the worthless land on top and his buildings without loss, because their value had been lessened by the taking of the bottom land—separate, the value of the two tracts would be less than the value of the whole.

Under this provision, you could take one piece of machinery out of a factory. Under the language of the original act, is it not true that all you would pay would be the market value of that piece of machinery? I ask the gentleman from Texas if that is not the conclusion?

Mr. SUMNERS of Texas. I may say to my friend I do not have in mind the language of the original act, but I know you cannot do that under the Constitution.

Mr. HOFFMAN. Under the Constitution? The trouble is that in recent years our Constitution has not meant the same thing as it did in years gone by.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, the language which is causing the confusion in this bill is that standing in the act of October 16, 1941, which authorizes the President to determine the compensation to be paid for personal property

requisitioned, and which is qualified as follows:

But each determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be.

A few moments ago I asked my dearly beloved friend, the eminent jurist from Texas [Mr. SUMNERS], whether or not he believed the Constitution provided that in determining compensation for the taking of this personal property the rule would be the same as in the taking of real property and that severance damages would be paid. He said he thought that the rule as to personal property should be the same as the rule as to real property, but the law already on the statute books states that the determination shall be made on the basis of the fair market value of the article taken at the time it is requisitioned or returned.

I would not want the gentleman to state that he does not know whether or not this present act would be held constitutional in the event his own statement concerning severance damages in connection with real property is true. But I should like to ask the gentleman whether or not he believes this law I have quoted is unconstitutional.

Mr. SUMNERS of Texas. I agree with the gentleman from Iowa [Mr. GWYNNE] in that I believe that in conference something should be done about this language.

Mr. HINSHAW. I thank the gentleman.

Mr. SUMNERS of Texas. That is what I think about it; but, may I say, and this is all I am trying to say, is legislation ought not to put a greater requirement upon our administrative agencies in the payment of damages than is required by constitutional provisions effecting just compensation.

Mr. HINSHAW. What we are considering here is the sorry plight of the small businessman. He is the fellow whose machinery and property will be taken, not that of the big business man who has the defense contracts. The big defense contractor is the one who will get this machinery from the little man. Let all of us here who profess love for the small business man see that he gets a square deal out of this, because he is very slowly but surely being ruined by the process we are going through at the present time, while the defense contractor is being enriched. He is the man whose machinery will be taken. It is his employees who will be thrown out of work and forced to move to wherever the big defense plants are located. I believe this House ought to consider this matter sympathetically and not merely say that a pound of flesh shall be taken, no more and no less.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Kentucky.

Mr. MAY. May I call the attention of the gentleman, in connection with the problems of the little business man, to the fact that the records of the Government now show that 95 percent of all the war contracts have gone to less than 100 corporations?

Mr. HINSHAW. Of course, and this is what will enable all those corporations which have defense contracts absolutely to cut out the balance of the small business men of the United States, to put them completely out of business. All they have to do is to want a piece of machinery the little business man has, which is necessary to his operation, and they can shut down his plant. He should get fair compensation, he should get just compensation, as the gentleman says. Let us not stick to the legal technicalities that can be woven around a proposition of this sort. Let us not requisition and take the pound of flesh and pay for the pound of flesh so taken; let us pay the full amount of that just compensation which the gentleman from Texas admits should be paid.

[Here the gavel fell.]

The CHAIRMAN (Mr. O'NEAL). The Chair recognizes the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, this bill was originally reported by the Committee on Military Affairs. At the time it was before us it received very careful consideration. Of course, that was before the declaration of war.

I call your attention to the fact that in the committee and here on the floor at the time of the adoption of the property requisition bill the argument in favor of it was that it was for the purpose of taking over second-hand machine tools and implements of that kind, the market for which was being cornered by two or three concerns in the United States. It was argued here at great length that such was the primary purpose of this law.

You will recall that under section 9 of the Selective Service Act the Government already had the power to requisition the entire plant of a concern which failed to take an order and go ahead with the manufacture of defense materials, so this was to be a stopgap, to cover those cases in which they did not want the whole plant but only some item of machinery. Upon that representation the House insisted upon placing in the bill the Taber amendment against the requisition of a necessary machine in use in a going plant.

After war was declared we asked the Under Secretary of War to give us his recommendation as to legislation needed to carry on the war. Mr. Amberg came before the committee and asked that the Taber amendment be removed from the property requisition bill. I asked him on that occasion to give us a list of the times they had been impeded in the administration of the requisition law by the Taber amendment. You will find that, although the act had been in effect for 60 days, he could not show us a single instance in which this amendment had caused any concern to the War Department, so it is not of the primary importance that would be indicated by this debate. However, in time of war I am willing to permit the requisition of items of property even though they be part of a going factory. When that is done we should give the owner the protection provided by this amendment.

This is the point I want to make. This bill having come from the Committee on the Judiciary, we have had debate as to what the courts will do in its administration, but the bill on its face indicates that it is administered in the first instance not by the courts but by the administrative agencies.

When it was before our committee we knew that the administrative agencies had been using their power as a club over the people whose property they sought to take. It was reported that they were telling them that they would fix whatever price they pleased and the owner could either take it or go to court to secure the true value and wait for all over 50 percent of the amount offered, until the matter could be adjudicated. Because of this our committee put a provision in the bill that they should never offer less than the fair market value. That went out in conference, and the Taber amendment was kept in the measure. Remember, the administrative agency determines the property that they are going to take, and, in addition, the administrative agency creates the situation which requires the taking of the property. If they would go ahead and spread the business among the small contractors the necessity for protecting a going plant would never arise. They are in a position where they can create the situation by failing to distribute the business to the small plants, and having created that situation they are able to go into those plants and take whatever portions of the machinery they may desire. When we put this measure of damages in the bill, operation on the administrative agency in the first instance, we will create the incentive to spread the work. We will leave the Government free to secure the property needed and still protect the property owner.

It is unfair to put a citizen in the position of dealing with an administrative agency which is not strictly regulated in its procedure to requisition property. He is either going to have to take the price which the agency fixes or he is going to be put in the attitude of suing his Government in wartime for the amount which he claims his property is worth. Still it is insisted here that this measure be left in such condition that the administrative agency can say to the little contractor in your district and in mine, "You will either take what we offer you or we are going to cut the offer down to 50 percent of the true value and let you go into court in wartime and sue your Government for what you contend should be the price of your property." This should never be considered as the proper procedure in such cases.

The Hancock amendment is thoroughly reasonable and fair, and there is no reason why this Congress should not place it in the bill. It is simply a matter of securing absolute basic justice for those against whom these provisions are going to be used.

Mr. SAUTHOFF. Mr. Chairman, will the gentleman from Texas yield?

Mr. KILDAY. I yield to the gentleman.

Mr. SAUTHOFF. The gentleman from Texas has hit the nail squarely on the head. We are told now, "You can go to the district court and through the circuit court of appeals." But the average farmer cannot pay a thousand dollars to go through the circuit court of appeals.

Mr. KILDAY. And in addition to that, as I have said, he is put in the attitude of suing his Government in time of war. His sons are probably fighting in the south Pacific, while he is a plaintiff in a suit against his Government, squabbling about the price he shall get for a piece of his property.

Mr. Chairman, I hope the amendment will be adopted.

The CHAIRMAN (Mr. O'NEAL). The gentleman from New York [Mr. TABER] is recognized for 5 minutes.

Mr. TABER. Mr. Chairman, I do not see why there should be expected to be a different rule adopted in time of war from the rule in peacetime as to compensation for property. If property is to be compensated for at all, it should be compensated upon the basis of the damage that is done to the man who loses it and it should be done on the basis that the Government which is taking the property is in a better position to pay that compensation than the individual who owns the property is to lose it.

If property is taken, under the statute that has been adopted and which went into effect last October, as to individual items of personal property that are a necessary part of a going concern or a going business, those people ought not to be limited and ought not to be expected to be limited to just the bare value of the property, and the language of that statute is such that it might very readily be construed by the court, regardless of previous decisions, to be establishing a new rule of procedure.

Rules of procedure can always be established by the legislative body with reference to things that are provided for in the Constitution, and the small business men are pretty apt to be high and dry.

Now, who are these people who are going to be affected by this provision? They are the little fellows, the small business man who have been having a terrible struggle to keep going. They are not only apt to be thrown out of business but they are apt to be left high and dry as a result of the language that already exists in the act that was passed as the result of a new procedure being established. Are we going to be helpful toward them or are we going to go the other way?

I am sure it was the object of the amendment offered by the gentleman from New York [Mr. HANCOCK] to be helpful, and I hope the amendment will prevail.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. CRAWFORD] is recognized for 5 minutes.

Mr. CRAWFORD. Mr. Chairman, some of the remarks I purposed making have already been made by the gentleman from Texas [Mr. KILDAY]. I am very much in favor of the way he submitted the matter, and I congratulate him on his doing it. In the event the Hancock amendment is defeated, I understand there will be one offered by the gentleman from Kentucky [Mr. MAY] to strike out, and I expect to support that amendment. An observation along this line has been made by a friend of mine to this effect:

I think this matter of requisitioning, as we have proceeded with it, more or less, is a move directly against that fellow who still is able to carry out his God-given ability to create and maintain a little industry in this country, and I believe that the Requisitioning Act, as it stands, and is about to be amended here, throwing out the Taber amendment, provided you also defeat the Hancock amendment, will put the small business man up against a situation which in many cases will absolutely destroy his economic operations. As an illustration of what we do in other cases, I think you will find that under date of December 13 and December 22 last the Reconstruction Finance Corporation, operating under its broad authority, issued certain insurance guaranties which covered those who might suffer war damages 100 percent, thereby taking care of their business in toto, you might say. If they lose, the Government is to hand them a check; but here is the proposition where apparently, unless we adopt the Hancock amendment to preserve the little fellow's business structure under conditions where he cannot operate, we pull a major piece of machinery out of his factory and leave him to do the best he can.

Awhile ago I interrogated the gentleman from Texas [Mr. SUMNERS], chairman of the committee, on a question which has fully been discussed by the gentleman from Texas [Mr. KILDAY] and the gentleman from Wisconsin [Mr. SAUTHOFF]. We put this little fellow in a position where he may resort to the courts, if he has the money—if he has the intestinal fortitude—to go and ask for what is his just compensation under the provisions of the Constitution; but I think, if we want to do the fair and square thing with a victim of this requisitioning procedure, we will adopt the Hancock amendment, and I have taken this opportunity to so express my support of that proposition.

Mr. JENNINGS. Mr. Chairman, I rise in support of the Hancock amendment. I think it is necessary to clarify these vast powers conferred on the President, and in order to protect the rights of the citizen to his property. The power of eminent domain is an attribute of sovereignty. It is a far-reaching power. There is nothing in the Constitution that sets up machinery or rules of procedure to effectuate that purpose. In other words, there is no self-executing constitutional provision providing for the taking of private property for public use. The statutes of every State and the statutes of the Federal Government provide a procedural method for the taking of private property for public use. Under the terms of this act, if the President undertook to take property, say, in my State, the State of Tennessee, I assume that he would not send a company of soldiers to a man's plant and, at the point of a bayonet, wrench such machinery as he may deem to be required for public defense, but he would proceed under the terms of the Federal law, according to the acts of Tennessee, with reference to the condemnation of property for public use. It so happens that in my State there is no statute providing for the condemnation of personal property. Those statutes relate to the condemnation of real estate, and in order that the citizen might not be injured by that drastic power those statutes, as do the statutes of most of the States, provide that when land is taken for public use the condemner, either the State, a county, a municipality, or a quasi-public corporation, shall pay the actual cash value, the fair and reasonable cash value of the land taken in the condition it was when it was taken, considering the uses to which it was put, the improvements upon it, and then, in order to protect the owner, those statutes go further and provide that the owner of the property shall be awarded such incidental damages as the remainder of his property from which this part taken has been carved has suffered by reason of the taking.

Now what does the Hancock amendment do? It provides that if the Government goes into a small manufacturer's plant and takes out a piece of machinery or a number of pieces of machinery, without which he cannot operate his plant, the Government shall pay not only the value of the machinery taken, but such incidental damages as are inflicted upon his plant from which that property has been taken. You cannot put any other construction upon it, because the Hancock amendment provides that the measure of damages for the person from whom the machinery is taken shall be the difference in the value of his plant prior to the taking of the machinery and the value of the plant after the taking of the machinery. It is conceivable that under these broad powers—and I want to support this bill in its entirety—the Government might go into a plant and take 90 percent of the machinery. That man's business would be ruined. He might have on his books contracts that he desired to fulfill. He could not replace the machinery taken. His good will is gone. He is rendered powerless to perform his contracts. He loses the profits that would have accrued to him from the performance of those contracts. And unless this amendment is adopted the entire value of a plant thus dismantled is limited to the value of the part thereof actually taken. A plant of the value of $100,000 may be virtually confiscated for the value of a piece of machinery taken that the Government says is worth only $5,000.

We cannot afford to say that we are at war and, therefore, we can and will ignore the property rights of the citizen. War or no war, the Government must be just, we must by law protect the property rights of the citizen and the time to do it is now by the adoption of this amendment.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from New York [Mr. HANCOCK].

The question was taken; and on a division (demanded by Mr. McLAUGHLIN) there were ayes 49 and noes 34.

Mr. McLAUGHLIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. McLAUGHLIN and Mr. HANCOCK to act as tellers.

The committee again divided; and the tellers reported there were—ayes 91, noes 77.

So the amendment was agreed to.

Mr. MAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAY: On page 14, line 11, strike out all of title VI beginning in line 11, down to and including line 25.

Mr. MAY. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Chairman, I am offering this amendment to strike out title VI in its entirety for a number of reasons, but two principal reasons. First, it is wrong and ought not to be in the bill. Second, there is no necessity for the authority proposed in this title.

I want to speak very briefly about how this matter came up. I was very much for the Hancock amendment, and I think what I am going to say now should be listened to by every committee of this House. This legislation was originally presented by the War Department to the House Military Affairs Committee, as it should have been presented. We conducted long hearings and gave careful consideration to it and reported the bill in its present form, as the law now is. After that was done they seemed to have a new notion downtown somewhere and they got together a select committee of three in the Department of Justice—one named by the Bureau of the Budget, one named by the O. P. M., and one named by the Department of Justice—and they took before that committee—not an arm of the Congress, not speaking by virtue of the authority of the people, not a representative of the people—but they took to that committee this statute, with a dozen others—I think they said yesterday 17—and they said they wanted to set up that committee in order to expedite matters; an indictment of the whole Congress on a charge of incapacity. Then they bring up here a bunch of scrambled eggs and hand that to the great Judiciary Committee of the House, whose ability, patriotism, and common sense is not questioned by anybody. I desire to say in passing that I am glad they did not hand that mess of eggs to me. I would not want to have handled it. If they had brought it in its present form to the Committee on Military Affairs, we would have more than likely sought to separate the subjects and asked reference to the proper committees. But they come in here and undertake to put through the House of Representatives pell-mell, hell-bent, a mass of legislation, without careful consideration by the committees which originally framed the original acts. That is reason No. 1.

No. 2 is that when this statute is enacted, if it is, and if this provision remains in the law, all of these arguments about just and adequate compensation, about the rules of procedure, and those rules of procedure will not go to the courts of this country where a man has his counsel and is represented by his legal representative and has a jury of his peers to pass upon his rights. It will be handled by some little fellow in a yellow uniform with brass buttons, or some bureau employee bearing rigid instructions from Leon Henderson or some other bureaucrat, and he will go down to the cotton mill in the South and he will say, "We are in war." That patriotic southerner, who has spent a lifetime building an industry, will say, "Well, if we are in war I will yield to the uniform, because I know better than not to do it, because I meet immediate condemnation by all of my neighbors unless I do it." Then this brass-buttoned chap will say "I think this machine is worth $20," the junk value, notwithstanding the fact that it may be a very vital part—the heart, the jugular vein—of a plant that is making $100 a day. They take it out. Then the man is ruined. His business is gone, his plant goes down, and hundreds of regularly employed workers lose their jobs.

I want you Members of the House of Representatives, when you come to vote on this motion to strike this out, to remember that we have heard hours and even weeks of debate here with hearts bleeding, with tears almost coming down the cheeks of Members, in their desire to protect the small business man of this country.

Then when we look at the record we find that less than 100 concerns in this country have been given 95 percent of all the war contracts. Some of these days I am going to come on to the floor of this House with a revelation that will show you the vast profits they have made, and some of you will be astonished and astounded at the things that will be in that report. After that all happens, after this Congress acts on this bill, that will not save the man whose property has been taken under coercion. I want to save the little business man, the 165,000 of them who are in this country, and you Republicans and you Democrats who are talking about politics this year with a congressional election want to remember that I am putting you on record today as to whether you are sincere in your lamentations for the small business man. Now let us see if they have to have this act, and I am not going back into a consideration of the original act, because it provides that they can get the machinery by the President's issuing a swift and quick Executive order which beats court procedure in any State or Federal jurisdiction in all the land. He can lay down the value a man is to receive for the property, and when they lay down 50 percent of the value of the property as determined by the President. When they do that the man still has the right to go into the Court of Claims, file his claim, and litigate for the balance of the value of his property. Yet the Government has the property it wants and has had it from the beginning.

This House passed on this question once, on last August 13. I do not know whether it was on that noted 13th, the lucky day of Woodrow Wilson, or not; but I do know that after the House Military Affairs Committee had reported this bill and after the Senate conferees had forced the House conferees to take it out of the bill—I am talking about the Taber amendment—then we came back to the House of Representatives for instructions, and what did this House do? By a vote of 254 to 51 they said they were for the Taber amendment. Judge Patterson, Under Secretary of War, one of the greatest jurists in the country, a man who has been an arbiter of justice for all these years on the United States bench, a man who knows what is right and will do it every time, called me on the telephone after we went to conference and said:

I think you had better agree in the conference report to retain the Taber amendment. We can get along with it.

Then he wrote me a letter under date of August 18 in which he pointed out the number of votes by which the House had expressed its views. Here we are, however, with a bill coming from the committee headed by one of the greatest jurists in the country, one of the finest Members of Congress, which asks us to retract and abandon everything we stood for on August 13 for the protection of the small business men of this country. I want now, if I may, Mr. Chairman, to pay a little attention to one of the arguments made by the distinguished chairman of the Judiciary Committee.

He said, and he stated it correctly, that when you take a strip of land through a man's farm, take out the heart of it, leave two little strips on the sides, the farm is rendered worthless; that your measure of damages ought to be the value of the farm as a whole, because the incidental damage resulting from the taking of the strip sought to be taken actually destroys the value of the farm.

What are you going to do when you take a little engine of a mill that shuts it down and discharges 500 employees down South in a cotton mill or up East in a dairy, or somewhere else? You paralyze that business and take away the jobs of thousands of honest, innocent workers, and put them and their families on charity. That I do not want to do, and I devoutly hope this Congress will not do that.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, it occurs to me that this is a time for clarification rather than emotion. We have listened to the address by the distinguished chairman of the Military Affairs Committee, and we have been interested in his energy and action in presenting it. Let us get down to a discussion of what his amendment would do.

The bill reported by the Judiciary Committee, title VI, provides that the Taber amendment to the requisitioning act shall be struck out. The gentleman from Kentucky has moved that title VI be stricken out, which would reinstate

the Taber amendment. Now, that is the issue before the House. I cannot rise to heights of emotion over that, and I am not going to attempt to. We are all interested in protecting the rights of property, we are all interested in protecting the small business man. I think I have as good a record in that respect as anyone could have.

I have no doubt that the gentleman from Kentucky has a good record also. There is no point in attempting to impugn the motives of anyone in respect to the protection of the small business man in this matter. That is not involved here at all.

What is involved? When we passed the requisitioning act the gentleman from New York proposed an amendment which was adopted providing that no property, no machinery, no equipment could be taken out of a man's plant under the requisitioning power of the United States Government if it were established that that piece of equipment or piece of machinery is necessary or essential to the operation of that man's plant. That was in peacetimes.

It has developed that in a few instances there have been men who have refused to cooperate with the Government where the rights of a government in war are paramount to the rights of the individual. Where the Government has established that it is necessary to the essential conduct of the war that a piece of machinery in a man's plant be taken over by the Government, where the operator of the plant may as instances appear in the record through recalcitrance refuse to cooperate—there have been very few instances of that—the Government under this amendment would be permitted to go in and take that man's property. Compensate him for it? Of course, but take it.

The May amendment would take from the United States Government the power to do that and would place the rights of the individual in this wartime high above the rights of the Government of the United States in the prosecution of this war. I submit that we are all interested in the preservation of property rights and of individual rights, but when the time comes that this war is lost because of insistence upon property rights, individual rights as contrasted with the Government's sovereign right to do what is necessary to prosecute this war, those individuals who complain of their rights will find when the war is lost that they have no rights of which to complain.

Mr. MAY. Will the gentleman yield?

Mr. McLAUGHLIN. I will be glad to yield to the gentleman.

Mr. MAY. Does the gentleman contend that under existing law the President cannot fix a value of this piece of property by Executive order and immediately requisition it subject to payment of the balance?

Mr. McLAUGHLIN. The gentleman is raising another question. This is a question of the operation of constitutional government. The gentleman would probably be one of the first to complain of the exercise of Executive power. We are exercising legislative power, we are proceeding in a normal, constitutional fashion. Does the gentleman complain of that? I do not believe he does.

Mr. HANCOCK. Will the gentleman yield?

Mr. McLAUGHLIN. I yield to the gentleman from New York.

Mr. HANCOCK. May I call the gentleman's attention to the fact that under the Smith amendment to the Selective Service Act whenever the Government needs machinery or a plant it can take that machinery or plant and pay a fair rental for it. It can take the whole plant and pay rental for it.

It is a part of the Selective Service Act, known as the Smith amendment.

Mr. McLAUGHLIN. That would not constitute a valid reason against the enactment of this title and the striking out of the Taber amendment. We are at war, and it is the purpose of this title to meet the war situation. I submit that the May amendment should be defeated.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 67, noes 71.

Mr. MAY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. McLAUGHLIN and Mr. MAY to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 86, noes 91.

So the amendment was rejected.

The Clerk read as follows:

TITLE VII—POLITICAL ACTIVITY

SEC. 701. Subsection (a) of section 9 of the act of August 2, 1939 (53 Stat. 1148), entitled "An act to prevent pernicious political activities," is hereby amended by adding in the second sentence after the word "thereof" the words "except a part-time officer or part-time employee without compensation or with nominal compensation serving in connection with the existing war effort, other than as a member of a Selective Service and Training Board, or other than in any capacity relating to the procurement or manufacture of war material."

With the following committee amendment:

On page 15, line 4, after "activities", insert "as amended."

The committee amendment was agreed to.

Mr. WADSWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WADSWORTH: On page 15, line 8, after "effort", strike out "other" and all of line 9.

Mr. WADSWORTH. Mr. Chairman, title VII of this bill relates, as its title indicates, to the application of the so-called Hatch Act to various and sundry Federal employees. As drawn and as it appears before us, the effect of the title would be to include within the coverage of the Hatch Act all the members of the Selective Service draft boards.

I imposed on the committee, a 5-minute talk during the general debate on this bill expressing my opposition to this particular provision. My amendment would strike out of this title line 9, in which the Selective Service draft boards are mentioned and thus free them from this menace of being included under the provisions of that law.

As I look upon it, and doubtless most of you agree with me, the fundamental purpose of the Hatch Act was to establish, if possible, some curb or restraint upon the political activities of a vastly expanded and ever-expanding bureaucracy, a bureaucracy manned with Federal employees paid out of the Federal Treasury, each one of whom along with his family has a vital interest in the maintenance of his job, and most of whom from time to time, other things being equal, are inclined to interfere in elections in such a way as to assure to themselves the continuity of those jobs.

I believe the Hatch Act was passed because our bureaucracy has grown to giant dimensions in the last 10 years or so, and it was a justifiable attempt on the part of the Congress to see to it that our free elections from this point on are not poisoned, as it were, by the political interference of political jobholders.

So far so good. What I protest against is that the members of the Selective Service draft boards, 22,350 of them, scattered all over this country, shall be included in that category. To my mind, any such thing is unjustifiable. Fundamentally they are not jobholders in the ordinary, accepted sense of the word. Many of them have been drafted figuratively by their neighbors to serve on these boards, serving without compensation of any kind, not even their expenses being paid. They spend hours and hours at this work. They are all residents of the communities in which the respective draft boards are situated. They are close to the people.

One of the virtues of the Selective Service law is that fundamentally it is self-administered. It is self-working, because its operation springs from the communities, not from Washington. The members of these boards are straight, decent citizens who sacrifice much.

I have made inquiry of the Selective Service System to ascertain if there have been any scandals and how many members have been removed for improper behavior. The most I could find is that perhaps 2 out of 22,000 have been removed. Of course, there have been complaints against a judgment rendered by a board here and there upon occasion. The human mind is not infallible, and some mistakes in judgment may have been made. Thus far, however, this system has run free from scandal. We ought to be proud of it.

These men do not belong in the category of political job holders in any sense. For us to pass this legislation is the same as pointing the finger of congressional suspicion against this great number of splendid men, causing them deep in their hearts to resent any such imputation as would be carried against them should this provision remain in the law.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Missouri.

Mr. COCHRAN. They were appointed by the governors of the various States regardless of the politics of the governor; is not that correct?

Mr. WADSWORTH. Yes.

Let me say in closing, if I may, suppose one of them becomes unduly active in politics. How long do you think the community will stand for it? You know perfectly well that the community, which watches every board with lynx-eyed attention, will see to it that there is a complaint lodged against that man, and out he goes. I cannot conceive of one of them attempting to use political interest or favoritism in the selection of soldiers. They have not done it yet and they will not do it.

[Here the gavel fell.]

Mr. HANCOCK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, those who were here when the Hatch Act was passed know very well that we were aiming at a specific evil. We were trying to make it impossible for men occupying positions of authority to use that authority for political purposes. What particularly concerned us at that time was the misbehavior of officials of various relief agencies, particularly the W. P. A., who coerced needy persons to make political contributions and vote in a certain way. It was a very great evil.

There is no group of individuals that now has such vast power over the lives and the livelihoods of the young men of the United States as the members of the draft boards. If the Hatch Act has any merit whatever—and I think it has—it should be made to apply to the members of the draft boards. We want to avoid not only evil but the appearance of evil. I am not attacking the gentlemen who are sitting on the draft boards, neither am I taking it for granted that men in politics are unworthy of sitting on the draft boards, but I believe it will shake the confidence of the people of this country in the integrity and disinterestedness of the draft boards if we permit candidates for office and local political leaders to sit on the draft boards. Their motives and nonpartisanship are sure to be suspected.

It is not necessary to call upon officeholders or men active in politics to fill the ranks of the draft boards. There are plenty of independent, honest citizens able and willing to serve.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from North Carolina.

Mr. BARDEN. How does the gentleman justify putting these men in the category of Government employees?

Mr. HANCOCK. The language of the bill makes them Government employees, so far as the Hatch Act is concerned.

Mr. BARDEN. Was not that the purpose of the Hatch Act?

Mr. HANCOCK. A member of a draft board is a part-time officer or a part-time employee without compensation. That is the way he is designated in the language of title 7.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. MARCANTONIO. Unless this amendment is defeated, what is to prevent a member of a draft board in a city such as New York from acting as a district captain for any political party or participating politically in any district elections?

Mr. HANCOCK. The gentleman is correct, and that is what we wish to avoid. This title is not the result of any sudden impulse. This provision was considered in the Senate; it was considered in the subcommittee and in the full committee. It was regarded as a protection to the people of the United States and to the draft boards themselves, and in order to maintain public confidence in the draft boards we felt that the members should not be candidates for office, should not be officeholders, and should not be active in politics.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from New York.

Mr. WADSWORTH. The gentleman recalls, does he not, that a representative of the Selective Service Committee appeared before his committee and begged the committee not to do this, and that the Attorney General of the United States also stated before your committee that it was not necessary and hoped it would not be done?

Mr. HANCOCK. It so happens that the Judiciary Committee does not permit itself to be dictated to. It has its own responsibilities.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. COOLEY. Was any case called to the attention of the committee that indicated that any member of the Selective Service Board had been actively engaged in politics?

Mr. HANCOCK. Hearings on this title consisted solely of a statement made by a colonel or a major in the War Department.

Mr. COOLEY. What was that statement?

Mr. HANCOCK. The gentleman will find it in the hearings. He asked that it be taken out of the bill.

Mr. COOLEY. Did he charge that members of the Selective Service Board had been engaged in political activity?

Mr. HANCOCK. No; there is no such charge, but we wish to make such a thing impossible. We want to avoid the appearance or the possibility of corruption in the administration of the Selective Service System.

Mr. COOLEY. Does not the gentleman agree with the gentleman from New York [Mr. WADSWORTH] that this provision inserted in this bill casts reflection upon the integrity of these men who are rendering a very great and patriotic service?

Mr. HANCOCK. No; it simply means that if a member of a board wishes to run for office he must resign before he becomes a candidate. We do not want to make it possible for a member of a draft board to use the power he has as a member of such a board for political purposes, and that is all this does.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman.

Mr. SACKS. The gentleman from North Carolina asked if any statement was made as to whether in any case there has been any politics. In my district two boards have already been removed because men on the boards were actively engaged in politics, and they found one board where deferments were made because of political affiliations. Major Hershey had to remove the members of those boards. I found another case in my district where a man ran for office in that locality and he was forced to be removed because he would not resign voluntarily when he ran for office. That is the fact because I had neighbors in that district complain to me saying, "If we do not vote for that man our sons will be sent to the Army."

Mr. HANCOCK. And where such conditions as that prevail people lose confidence in the whole system.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. HINSHAW. I am not quite certain I understand the scope or the effect of the Hatch Act and this amendment in relation to it. Can the Hatch Act itself prevent a man who is a member of a draft board from running for local office within a State?

Mr. HANCOCK. If this title is adopted; yes. At least that is my opinion.

Mr. HINSHAW. In other words, a member of a draft board could not run for a State, city, or county office if he was a member of a draft board?

Mr. HANCOCK. Not unless he resigned, although there is a doubt in my mind whether the Hatch Act extends to officeholders not paid in full or in part with Federal funds.

[Here the gavel fell.]

Mr. BULWINKLE. Mr. Chairman, I rise in favor of the amendment offered by the gentleman from New York [Mr. WADSWORTH].

Mr. Chairman, the purpose of the bill we are now considering is "further to expedite the prosecution of the war." I cannot for the life of me see why it is necessary to include within the provisions of the Hatch Act those men in each and every one of our communities who are serving voluntarily, who are serving faithfully and who are doing their duty for the benefit of the people of the United States, the draft boards. Who asked for this anyway? I looked to see, and I find that the Attorney General when he appeared before the committee said that he thought this provision in the Senate bill should be removed. I also wanted to find out from the Selective Service System what they thought of the provision in the bill. The officer representing the Selective Service System, Major Keesling, said, "I, personally, definitely, am of the opinion that the provision of the Hatch Act which we have been discussing should not be made to apply to members of local selective boards."

Personally, Mr. Chairman, I am not willing to stand here and say to those men in my district, regardless of whether they are Republicans or Democrats, "We cannot trust you," or say to them, "You are going to be so corrupt as to do something in a political way affecting the draft." The application of the Hatch Act to the members of the draft boards is not necessary and is unjust.

I think the amendment of the gentleman from New York should be adopted, regardless of what I may think of the Hatch Act in its other provisions. The members of the draft boards are one class to which, clearly, it should not apply.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that debate upon this amendment close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VORYS of Ohio. Mr. Chairman, I wish to emphasize two points in support of this amendment. The Hatch Act exempted those who have great political and governmental authority, the heads of departments, the President, and others. It exempts them because it is presumed that in some way they are not dependent on their jobs.

Mr. HANCOCK. Will the gentleman yield for a correction?

Mr. VORYS of Ohio. Certainly.

Mr. HANCOCK. They are exempted because they are policy makers for the administration.

Mr. VORYS of Ohio. That may be the primary reason they are exempted, but the fact remains that although they have great authority they are permitted political activity because they are presumed not to be worried about their jobs. It is inherent in the Hatch Act that we permit those who have vast authority to engage in political activities. The same thing should apply to these members of the draft boards. It is true that they have important governmental authority, but they do not rely on that for their jobs, and, therefore, for the same reason that we exempt higher officials we should exempt those whom we are sometimes inclined to think of as lowly officials, although they are not. We should exempt them not because they have no authority but because it is presumed that they will use it wisely and as Americans.

One other point, and that is that the gentleman's amendment leaves in the resolution under the Hatch Act all those who in any capacity have relation to the procurement of war material or the manufacture thereof, even though they are serving without compensation or with nominal compensation. I hope the amendment will be adopted.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, the proposals of the gentleman from New York [Mr. WADSWORTH] usually command a great deal of respect and have a great deal of merit, but in this instance I am forced to disagree with him, because I am apprehensive about situations that exist today. If there is any group of men serving in any Federal agency who should be divorced from politics, it is that group that administers the Selective Service Act. I do not think that any man who has been affiliated with political activity should consent to serve on a selective service board, even though appointed. The possibility for connivance is so great that he should hesitate to lend himself to a situation of that sort, and when my good friend the gentleman from North Carolina [Mr. BULWINKLE] says that he is sure that no one who serves on these boards would lend himself to political activities or connivance I say that he is not acquainted with politics as politics is practiced in certain sections of this country. In my local communities there have been serious charges; indeed, there have been, as my colleague the gentleman from Pennsylvania [Mr. SACKS] stated, removals from selective service boards because of political activity and because of connivance with local political leaders.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. Yes.

Mr. MAY. Does the gentleman understand if this amendment is not adopted the enforcement of violations of the law will be placed in the courts instead of the selective service board, which the House committee intended should administer it?

Mr. BRADLEY of Pennsylvania. No; I do not agree that would be so. The duty of the committee is to make sure that these selective service boards throughout the country will not be tainted with political favoritism, and, whether a man is a Democrat or a Republican, I think he should agree that if there is one thing we must put on a plane above politics, it is the machinery for inducting young men in this Nation into the Army of the United States.

I voted against the Hatch Act, and I am rather proud of the fact that I did, but we have that act on the statute books, and if there is one group that should be under the provisions of the law to prevent participation in politics, it is those who administer the Selective Service Act, inducting men into the military service.

Mr. KEFAUVER. Mr. Chairman, I am very hesitant about rising to speak on this amendment. But to follow my own conscience I must disagree with the position taken by the majority of the committee. I would not do so except for the fact that I made my position plain in the committee at the time the bill was under consideration. I hope the amendment of the gentleman from New York [Mr. WADSWORTH] will be adopted. The reason I feel so strongly about the matter is that our whole selective service set-up is based on the plan of local responsibility. If local responsibility is not going to keep this thing clean and out of politics and above board, then we are in a very bad plight.

In the first place, you cannot with satisfaction legislate about when a man is or is not in politics. If you are going to shift the responsibility from local people, from the citizens who are going to require that these boards be kept clean and that politics and partisan matters be kept out, and send that duty up to Washington for enforcement, then gradually, but surely, you are going to have a lessening of interest insofar as the local people are concerned. I think on the whole the governors of the States, in selecting these men, have done a splendid job on a nonpartisan basis. As the gentleman from New York [Mr. WADSWORTH] said, if there is any politics in the draft boards the local people would rise up in arms and the newspapers would see that they were removed. In those instances that were mentioned they have been removed.

So I think you will weaken the spirit and value of responsibility when you take the responsibility from the local people and try to shift it to a bureau in Washington, especially where that bureau already has too many jobs to do.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. EDMISTON. Do you not think that we will lose the services of many valuable, patriotic citizens if this is not adopted?

Mr. KEFAUVER. We will, indeed. The record shows we have 1,059 members of appeal boards, 32,000 local physicians, 22,350 local board members. Those are all good, patriotic citizens. They are in there to render patriotic service. I certainly would not suggest that we would have to put them under the Hatch Act in order to keep them getting their boards into politics.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Kentucky [Mr. CREAL] is recognized for 2½ minutes.

Mr. CREAL. Mr. Chairman, if you want to put patriotic services of the members of the local boards up to be sniped at by every disappointed registrant who was not deferred—in his imagination, and imagination only, he may even sincerely believe that the cause of his failure to be deferred was political, when at the same time no man on the board either knew or gave a continental what his politics were. You know that when you give this man a gouge at the members of the selective board on other grounds, other than the cold facts of his case, you have subjected the patriotic services of that board to investigation and inquiry, and even though it does not amount to anything, yet there will linger a suspicion, and those members will get off that board, and should do it. I would if I were one of them, the first time any man came down and even hinted that some man was given his status by reason of his politics. Appeals from local draft board decisions should be on the cold facts of the case and not political.

During the World War I never heard of one single man, either Democrat or Republican, ever complain that he was sent away because of his politics. If any man has no more political sense than to think that the place for him to promote himself to get political office is to serve on this board, you need never worry about that man holding office. I have seen a few men who rendered patriotic, loyal service that afterward became candidates, and they beat the fire out of him before he got started. Do not worry about that man's political activities.

Board members have more political sense than to think they can use politics on a draft board. The boards are doing patriotic service without pay and need no legislation pretending to regulate something they are not doing. It is a reflection on them, and the amendment should be adopted that removes that unjust reflection.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. WADSWORTH].

The amendment was agreed to.

The Clerk read as follows:

TITLE VIII—COMPENSATION FOR CERTAIN CIVILIAN DEFENSE WORKERS

SEC. 801. Section 40 of the act of September 7, 1916 (39 Stat. 750), entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended, is hereby amended by adding the following paragraph at the end thereof:

"The term 'employee' also includes any person in the protective services engaged in civilian defense, who has been duly appointed as such by an officer or agent of the United States acting under lawful authority. In the event that any such person renders his services on a voluntary basis or for compensation amounting to less than $100 per month, for the purposes of computing the amount of compensation for death or disability, he shall be regarded as having received compensation for his services at the rate of $100 per month: *Provided*, That no compensation shall be paid in respect to the death or disability of any such person in any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received, or is entitled to receive similar benefits for injury or death: *Provided further*, That the Commission may establish new and utilize its existing regional offices, utilize the personnel and facilities of other governmental agencies, and delegate thereto such authority as may be necessary, for carrying out the provisions of this paragraph."

Mr. SUMNERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas: On pages 15 and 16 strike out all of title VIII of the bill, beginning on line 12, page 15, down through and including line 13 on page 16.

Mr. SUMNERS of Texas. Mr. Chairman, this is an amendment which I am authorized to offer in behalf of the Committee on the Judiciary.

Briefly, this title VIII deals with voluntary organizations, individuals, and so forth, in the various communities of the States engaged in community defense, like fire wardens and people of that sort. This bill provides that in the event of injury, persons not on a salary shall be dealt with from the standpoint of Federal compensation as though they were employed at a salary of $100 a month.

If I may state briefly, the committee gave very serious consideration to this proposed legislation, and reached the conclusion that these activities in the communities are very fine things from every standpoint. These patriotic citizens joining these organizations primarily for protecting the communities in which they live is a very fine thing, a fine example of private citizens willing to do community service without expecting anything thereafter, directly or indirectly, from the Federal Government.

I believe we will all agree that that is the sort of spirit that must grow in America if we have a chance to become fit to win this war. We do not want to quench that spirit, to put out that fire. If there should be great damage in any particular community, we can recognize that later on, and something may have to be done about it. But the time is not now. Everything heading up here in Washington is movement in the wrong direction. Instead we ought to be moving all the governmental responsibility we can back into the States and give their community subdivisions all the responsibility they can discharge, so that the Federal Government can better attend to the Federal business.

I yield back the remainder of my time.

Mr. CELLER. Mr. Chairman, supplementing what our distinguished chairman has just indicated to you, I would like to give you some idea of the results of keeping title VIII in the act. In my city of New York, for example, there are something like 185,000 air wardens and probably another 150,000 assistants to these air wardens, an entourage of fire watchers, bomb squads, rescue squads, decontamination squads, drivers, messengers, sanitation groups, repair squads, road, sewer, and water squads. I have here a chart of a suggested local civilian-defense organization of the O. C. D. It names the various volunteer groups that shall participate in the activities of the O. C. D. and lists labor organizations, trade associations, patriotic societies, fraternal, civic, educational, professional, and youth organizations, church groups, women's and veterans' organizations. There would be literally millions of so-called Federal employees who are affiliated with these various organizations and entities and who would thus come under the compensation system of the Government. They would include boards of trade, chambers of commerce, Y. M. C. A.'s, Y. W. C. A.'s, Knights of Columbus, Jewish welfare boards, the Masons, the Odd Fellows, the Royal Arcanamites, the Boy Scouts, the Girl Scouts, all sorts of charitable groups, all sorts of welfare organizations, the American Legion, the Veterans of Foreign Wars, the Disabled Veterans of America, medical associations, bar associations, provided the individuals of all these organizations will engage in protective service of the O. C. D. They could all very easily get within the terms of title VIII as being employees in the protective civilian defense service. Their appointment in such protective service would be readily approved by officers and agents of the O. C. D. Ofttimes such appointments would come to these organizations en masse through local mayors, town supervisors, or county supervisors, who theretofore have been designated officially as officers or agents of the O. C. D.

I do not know how many new employees would thus come into the compensation system. The figures, upon close scrutiny, would be legion.

The Executive order setting up O. C. D. is very broad. It in part provides that O. C. D. "shall provide opportunities for constructive civilian participation in the defense program." The O. C. D. would thus be empowered to embrace many preferred services of myriads of organizations, the members of which would become Federal employees under title VIII of the pending bill. In the field of women's activities it is reported that 67 national women's organizations with millions of members expressed desire to work for O. C. D.

Under the title of racial relations a section has been organized to assure the integration of Negroes in the program of civilian defense. Practically every organization in the country has offered its cooperation in the undertaking and field representatives have been attached to various regional offices.

I have just been reading from Mayor LaGuardia's report as Director. Such work is most creditable and praiseworthy. However, see how many more employees would thus be placed under the compensation umbrella. Further, for example, the Boy Scouts alone, with 49,000 units and 1,500,000 members, have made special arrangements with O. C. D. to participate in protective activities. Thus an additional million and a half employees might be added. Of course, all might not come exactly within the definition of "employee," but most of those I have mentioned would. I have great faith in Dean Landis, present Director of O. C. D. He would have insurmountable difficulties in carrying out provisions of title VIII as drafted.

The Compensation Act was originally drafted and passed in 1916 to compensate persons in the Government service injured in line of duty, and that compensation was to tide them over the period of their disability. We now propose to take in this vast army of volunteers to be compensated by the Government. By all means aid these citizens volunteering for a noble work, but do it in a genuinely logically, comprehensive manner. If these volunteers are injured in line of duty we would be derelict if we would not provide relief. Do it by a carefully drawn separate bill, after appropriate hearings and after all the ramifications of such relief can be properly canvassed. As our distinguished chairman says, if you want to work out some scheme or program whereby you could reward or compensate this vast army of volunteers, do 't by some separate measure; do not incorporate it in the compensation law and destroy and break down, by weight of numbers of beneficiaries, that act.

Under the Compensation Act provision is made for physical-fitness tests. There are no examinations, so far as these volunteer organizations are concerned, in the O. C. D. There is disciplinary control over those who now come under the compensation system—who happen to be in the employ of the Government. There is no disciplinary control by anybody in the local offices of the O. C. D. over this vast army of volunteers. There is no check on carelessness; there

is no check on ignorance; there is no check on malingering; there would be all manner and kinds of fake claims—fake claims—and I say that advisedly—for illness and accidents. All would be on the bandwagon.

By not striking out title VIII, you weaken, if not destroy, the benevolent provisions of the Compensation Act.

Our Judiciary Committee wishes to provide relief for those injured, hurt, maimed, wounded, and for dependents of those who have rendered the supreme sacrifice. But we desire that it be done in a separate bill.

Those in the O. C. D., aside from volunteers, who are duly employed, who have duly taken oath of office, under salary at $1 or more per year, duly appointed, and under disciplinary power of appropriate officials of the O. C. D.—they are naturally in the compensation system.

Finally, under contemplated acts, the Government would be responsible for the torts and malfeasance of its agents and employees. It would be inconceivable that the Government should be responsible for the negligence, misfeasance, malfeasance—the torts of these millions and millions of volunteer O. C. D. workers—since they might be deemed "employees" of our Government.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. THOM] is recognized for 5 minutes.

Mr. THOM. Mr. Chairman, I have on the desk an amendment to this section, which I would like to have read at this time.

The CHAIRMAN. Without objection, the Clerk will read for information the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. THOM: On page 15, line 21, after the word "defense", insert "during an enemy attack."

Mr. THOM. Mr. Chairman, there is some just criticism of this section on the ground that it opens the door too wide.

In order to delimit the compensable cases, I propose offering my amendment that those only who are injured during an enemy attack shall have the benefit of this provision.

I am a member of the Judiciary Committee and as a member of that committee I opposed the elimination of this section. I did it reluctantly, and I stand here in opposition to the amendment offered by the gentleman from Texas [Mr. SUMNERS] with great reluctance, but as they say in England, the cat can look at a king.

These air wardens are truly engaged in a patriotic service without compensation. What are you going to say to the family of a man who goes into this work with his heart and is injured and sent to the hospital if he has no funds with which to meet these expenses and his family is left without income? Alongside of this volunteer air warden is working a city fireman or a city policeman doing exactly the same work of rescue. Both the policeman and the fireman, in my State at least, are under the provisions of the Workmen's Compensation Act and if injured will immediately receive from the State compensation commission the allotted amount. This is an injustice and unfair discrimination against these patriotic men who are going to offer their services without pay for this very essential work.

I want to raise the question about these air wardens who may have insurance policies. Do you imagine for a moment that the insurance companies, after there are general air bombings, will continue to issue and extend policies to these men who occupy hazardous positions?

What do these air wardens do? When the bombs fall, they rush to the scene and locate them. They immediately contact the central office and ask for the help of firemen and policemen to suppress the fire, assist the sick and the injured, and so forth.

The less courageous citizens, the less patriotic possibly, the less vigilant, those who stay at home, those who seek shelter, those who hide in the bomb shelters and let their neighbors go out to carry the burden will not be hurt; yet when these fully deputized air wardens are injured, this Congress proposes to refuse to give them the benefit of the compensation system of the Federal Government. It is monstrous to me.

Let us see what the alternative is.

Every man who enlists as a warden and is injured will seek his Congressman out and have him introduce a special bill in the House of Representatives. If these air bombings become general you will have hundreds and hundreds of special bills to deal with. These bills will grant lump sums that may be used up quickly, whereas the compensation system would give them a certain amount weekly over many weeks in order to keep their families together until they can again become wage earners.

Mr. VORYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. The amendment offered by the gentleman from Ohio [Mr. THOM] being a perfecting amendment, would be voted on before the amendment offered by the gentleman from Texas which strikes the entire section?

The CHAIRMAN. The gentleman is correct. The Chair wishes to remind the gentleman from Ohio [Mr. THOM] that he has not offered his amendment. The Chair understands the gentleman has in mind offering an amendment to the title as it stands in the bill?

Mr. THOM. The amendment has been offered and read.

The CHAIRMAN. The amendment has been read for information only. The gentleman has not offered it.

Mr. THOM. Mr. Chairman, I wish to offer the amendment which has just been read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. THOM]:

The Clerk read as follows:

Amendment offered by Mr. THOM: On page 15, line 21, after the word "defense" insert "during an enemy attack."

The CHAIRMAN. The gentleman from Kentucky [Mr. ROBSION] is recognized for 5 minutes.

Mr. ROBSION of Kentucky. Mr. Chairman, the Judiciary Committee, after careful consideration of this title by almost unanimous vote, ordered our chairman to offer this amendment to strike title VIII. There is much merit in what my friend the gentleman from Ohio [Mr. THOM] just said, but undoubtedly this bill is too broad. Why, it could take in literally millions of people.

Mr. THOM. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Ohio.

Mr. THOM. The compensation system applies to the more than three or four million of W. P. A. workers of this country.

Mr. ROBSION of Kentucky. Yes; but in the W. P. A. there is some supervision. Persons are examined before they enter upon their service, and there is someone there to supervise their activities and to check when they claim they are injured. Then there is an examination made of the injured persons. There is no control under this bill or careful supervision.

Note what this language says:

The term "employee" also includes any person in the protective service engaged in civilian defense who has been duly appointed by a n officer or an agent of the United States acting under lawful authority.

Almost anyone to make appointments. There should be limitations as to who would appoint.

Why, the sky is the limit. Any air-raid warden, in New York City alone—and they have nearly 200,000 of them—for instance, could appoint hundreds of people, even thousands of people, and they would come under this law. As a member of our committee stated the other day, a gentleman up in New York who had been appointed by one of these air-raid wardens, or deputy wardens, was out on the street; he was run into by an automobile. He claimed he was acting under his employment and duties as one of these civilian defense men and was entitled to damages. He wanted that member to introduce a special bill for him.

With all these millions of people involved in the civilian defense, who is going to find out how, when, and under what circumstances a person was injured under this act? There is merit in the argument that if someone acting as an air-raid warden or a helper receives an injury in an actual air raid in the defense of his city and his country compensation should be paid him. I feel there ought to be compensation paid him, but that sort of a measure should come in here an an independent bill, after proper investigation and consideration by the appropriate committee, and with limitations as to who will make the

appointments and who may be appointed and who may receive the benefits under the law. This bill is as wide open as a bootjack and the sky is the limit.

Mr. HINSHAW. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from California.

Mr. HINSHAW. Is it not true that if we really have an air raid in this country there are going to be a lot of people hurt besides the air-raid wardens, and are they going to seek compensation under this bill?

Mr. ROBSION of Kentucky. There are in the city of New York a million or more people perhaps who are identified with this civil defense program; and if they were hurt, they would come under this bill. And so it is in numerous other cities throughout the country. Cities, towns, and villages have their defense groups. This bill involves millions of people. A bill should be carefully drawn to protect the Government and also protect citizens with legal and bona fide claims, and we should no doubt enact such a measure if the public interest requires it.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. THOM].

Mr. THOM. Mr. Chairman, I ask unanimous consent that my amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk again reported the Thom amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. THOM) there were—ayes 25, noes 78.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SUMNERS].

The amendment was agreed to.

The Clerk read as follows:

TITLE IX—PROTECTION OF WAR INDUSTRIES SUBJECT TO SEASONAL HAZARDS OF FOREST FIRES

SEC. 901. The President is empowered to direct the Administrator of the Federal Security Agency to assign the manpower of the Civilian Conservation Corps to the extent necessary to protect the munitions, aircraft, and other war industries, municipal water supply, power and other utilities, and resources subject to the hazards of forest fires.

With the following committee amendment:

In the title after "industries", in line 14, insert "and protection of resources", and in line 16, after "to", strike out "seasonal."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 16, line 22, at the end of the line, strike out "utilities" and insert "utilities,", and in line 23, after "and", insert "to protect."

The committee amendment was agreed to.

Mr. STARNES of Alabama. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time to call attention to title XI of this bill.

I commend the highly respected and very able Committee on the Judiciary for their handling of this bill as a whole. There has been fair, free, and open debate, as there should be about so wide a variety of subjects.

Apropos of what has been said by others with reference to the rape of legislative procedure by the Senate and the House of Representatives, however, I call your attention to the fact that many measures heretofore enacted with the approval of certain parties have constituted the widest and the most violent rape of legislative procedure. I offer no criticism of the great House Committee on the Judiciary, which we love and respect, with reference to this bill, but I do say that it is not only an outrageous procedure but an indefensible procedure to send to the Congress of the United States under the guise of expediting the war program a bill with 16 different titles, none of which are directly related to each other, and some of which have no more relation to the war effort than I have to a street cleaner on the golden streets in New Jerusalem.

I hope that hereafter when any legislation is proposed by the departments charged with expediting the war program it will come to the House or to the Senate in a bill which can and will be properly referred to the Committee on Naval Affairs or to the Committee on Military Affairs, two great committees of this House, composed of responsible and respectable Members who are thoroughly familiar with the problems of the Navy Department and the War Department, respectively, and who are capable of handling such legislation.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Kentucky, who is the distinguished chairman of the Military Affairs Committee.

Mr. MAY. I believe it was Mr. Biddle who told the Committee on the Judiciary in the hearings here that they had a small committee of three set up down there and that they were going to bring here other legislation; that they probably would have a dozen bills up here, all to go to some one committee in a single bill with a dozen different titles in it.

Mr. STARNES of Alabama. I thank the gentleman for his contribution. I have noted the testimony showing administrative departments approve of this type of legislation. I am also reliably informed that a third war-powers bill is under consideration now in the various departments of the Government and will probably be brought up here and referred to the Committee on the Judiciary. Certain persons who are not Members of Congress seem determined to convert the Judiciary Committee into a war committee. It is evident that the executive departments concerned have no confidence in either the Committee on Naval Affairs or the Committee on Military Affairs of the House, but prefer that the legislation to expedite our war effort be handled by the Committee on the Judiciary.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Indiana.

Mr. SPRINGER. On page 18, in line 3, in the title dealing with naturalization, this provision is contained:

No declaration of intention and no certificate of arrival and no period of residence within the United States or any State shall be required.

What does the gentleman have to say with respect to putting that provision in our naturalization laws?

Mr. STARNES of Alabama. I think it is outrageous.

I wish now to address myself to that portion of the bill referred to by the gentleman, which was my primary purpose in seeking recognition at this time.

[Here the gavel fell.]

Mr. STARNES of Alabama. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STARNES of Alabama. Mr. Chairman, at the proper time I shall offer an amendment to strike out all of title XI in this bill.

Mr. SUMNERS of Texas. If the gentleman will yield, may I suggest for the consideration of the gentleman that he withhold his discussion of that until we reach that particular section?

Mr. STARNES of Alabama. I understand that the committee is not altogether pleased with this title and will offer an amendment which will limit the provisions of the bill to men serving in the Army and Navy who have actually resided in the United States.

I call your attention to the fact that title XI as passed by the other body and as presented to this body in this bill would permit millions of men who have never laid eyes on the United States of America, who have never placed a foot on the soil of the United States, who can neither read nor write nor speak the English language, nor sign their own names, to become citizens of the United States without being charged to any quota. They would become citizens before they ever saw their country.

I was astounded at this provision and I called the Immigration and Naturalization Service and talked to the Deputy Commissioner, who has been in that service for many years. He is a capable and respected public servant. When asked as to the effect of the operation of this title he told me such a condition as I have outlined is correct. The further effect of the bill as presented here would be to break down the safeguards we have enacted and jealously kept against admitting more than 10 persons for citizenship from Japan, China, and India. A Balinese dancer, a Hindu snake charmer, a Japanese, a Chinese, a Russian, a German, or a national of any other nation on the face of the earth, who participated in this war in the Army or the Navy of the United States could become

a citizen of the United States. This without residence or educational requirements of any kind or character. There is no limit as to number. What an opportunity for espionage!

I know the argument that will be made, and a beautiful argument will be made by some, that a man who wears the uniform is good enough to become a citizen.

It is true we had legislation relaxing provisions contained in certain laws and regulations with reference to naturalization for aliens serving in the Army and Navy in World War No. 1, but we required the beneficiaries to have been resident citizens of the United States of America prior to the time they went into the armed forces.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. In a moment. Let me complete my statement.

Section 702 of this act goes much further than anything proposed heretofore. It confers upon representatives of the Bureau of Immigration and Naturalization all the rights and power and duties now conferred upon Federal district judges with reference to naturalizing citizens. This is for the purpose of sending them out of the United States, if necessary, into the outlying regions and into other countries and to naturalize beneficiaries under this act and make them citizens before they ever come to the United States of America.

Mr. Chairman, I have verified everything I have said to you by conference with members of this committee and with the Deputy Commissioner of Immigration and Naturalization. This is an outrageous procedure, and I do hope that even after you have adopted the committee amendment that you will vote for my amendment to strike the title from the bill because, as I understand it, all it does is to limit the benefits of this title to people who have actually resided in the United States prior to entry into the service. However, if the committee amendment is adopted, the act would permit hundreds of thousands who are here on other than immigrant status to become citizens without meeting all the provisions of law that otherwise would have to be met.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I will be delighted to yield to the able majority leader, the distinguished gentleman from Massachusetts.

Mr. McCORMACK. For information only, because I am sure the gentleman is familiar with the legislation on this subject during the World War, would the gentleman, if he feels it is pertinent and timely, give the committee the points of difference between this proposal and the World War procedure?

Mr. STARNES of Alabama. I shall be glad to. We rightly, in my judgment, passed legislation which relaxed the provisions of our regular immigration and naturalization laws with reference to naturalization for the benefit of veterans of World War No. 1, but we did not relax residence requirements, and, as I recall, it required lawful residence in this country. Neither did we confer upon any other agency of the Government the right to take over the duties of the Federal district judges in passing upon questions of law and fact with reference to naturalization of aliens.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I just want to direct the attention of my distinguished friend who has just taken his seat to the fact that the provisions of this bill are almost identical with the provisions of the bill H. R. 6439, which has been reported by the Committee on Immigration, of which, I believe, my friend is a member.

Mr. STARNES of Alabama. No; I happen to be a member of the Appropriations Committee.

Mr. SUMNERS of Texas. Somebody gave me a bum steer—we have to be cautious about that.

Anyway, that bill, without discussing the provisions of it, as introduced and reported favorably by that committee, carries no provision with respect to residence in the United States, whereas this bill does. But I have just spoiled a very nice point I was going to make, and the gentleman ought to have admitted he was on this committee.

Mr. FADDIS. Mr. Chairman, I believe the fact that this Committee has been laboring on this bill for 5 days is proof of the doubtful wisdom of bringing such omnibus bills before the Congress, certainly at a time like this when the Congress will most likely be in session continuously. There should be ample time for the various items in this or any other bill to be placed before the legislative committee which properly has jurisdiction over them.

I am very much afraid that in the days to come we will be confronted with more pieces of legislation of this kind which are designed to prevent proper and judicial consideration of the matters contained in them by the committees best able to consider and report on them. This bill is but a trial balloon. All omnibus bills are for one purpose, and that is to carry with the little good that is in them many matters which lack merit. This is the purpose of omnibus bills.

We will have before us in a short time an omnibus rivers and harbors bill, and for what reason is it an omnibus bill? The reason is that they wish to carry a great many items which lack merit through with some provisions which have merit. If Congress is to retain its proper legislative functions which will enable it to act in a proper manner, we must be vigilant and keep down these omnibus bills. They are the delight of the bureaucrats downtown. That is what they are advanced for. They enhance the power of the bureaucrats and detract from the power of the legislative branch. That has been the dangerous trend of our form of government for many years, and is now indeed very alarming to me.

I have supported all the legislation so far asked for the purpose of carrying on this war. There has not been a single piece of legislation for that purpose that I have not supported, but I find myself unable to support the bill before us at the present time because I am satisfied that it is but the forerunner of other legislation of its kind which will, I have little doubt, result in the practical elimination of the legislative functions of the House of Representatives.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Yes.

Mr. CRAWFORD. To ask the gentleman a question about the language on page 17, line 24. I refer to the language "in the military or naval forces of the United States."

Suppose a United States general, in charge, we will say, of the Asiatic division or the South African division of the United States Government land forces, and then to be subsequently put in charge of all the forces of all nationalities in that particular area. Under the language of this bill, could those forces be held to be in "the military or naval forces of the United States"?

Mr. FADDIS. No; I do not believe they properly could. However, I believe it would be quite possible to take the inhabitants of those countries directly into the military forces of the United States in a manner that would make them eligible for citizenship under the provisions of this act.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word. In order that the RECORD of yesterday may be amplified, I desire to place into the RECORD an answer to a question that was frequently asked on the floor of the House. Attention is called to the fact that in the remarks which I made yesterday consideration was directed to the Walsh-Healey Act. This act covers all contracts for the production of war supplies in excess of $10,000 in value. Because practically our entire production is now being devoted to the war effort, the provisions of the Walsh-Healey Act become very important. I also called attention to the fact that in section 6 of that act the Secretary of Labor is given power and authority in compliance with the conditions of section 6 to suspend the provisions as to the maximum of hours of labor permitted under the provisions of the Walsh-Healey Act. I now direct attention to the fact that this Congress in Public Act No. 671, entitled, "An act to expedite the national defense, and for other purposes," enacted and approved on June 28, 1940, specifically vested in the President of the United States the power to suspend all of the provisions of section 1 of the Walsh-Healey Act. For the purpose of the RECORD, I read section 13 of the public act just referred to:

> Section 6 of the act approved June 30, 1936 (49 Stat., 2036 U. S. C., supp. 5, title 41, sec. 3545), is hereby amended by adding:
>
> *Provided*, That whenever in his judgment such course is in the public interest, the President is authorized to suspend any or all of the representations and stipulations contained in section 1 of this act.

This legislation in plain language gives to the President the power in his discretion to suspend every provision of section 1 of Public, No. 846, Seventy-fourth Congress, known as the Walsh-Healey Act. This section reads as follows:

[PUBLIC, No. 846, 74TH CONG.]

S. 3055

An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes

Be it enacted, etc., That in any contract made and entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all the stock of which is beneficially owned by the United States (all the foregoing being hereinafter designated as agencies of the United States), for the manufacture or furnishing of materials, supplies, articles, and equipment in any amount exceeding $10,000, there shall be included the following representations and stipulations:

(a) That the contractor is the manufacturer of or a regular dealer in the materials, supplies, articles, or equipment to be manufactured or used in the performance of the contract;

(b) That all persons employed by the contractor in the manufacture or furnishing of of the materials, supplies, articles, or equipment used in the performance of the contract will be paid, without subsequent deduction or rebate on any account, not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages for persons employed on similar work or in the particular or similar industries or groups of industries currently operating in the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under said contract;

(c) That no person employed by the contractor in the manufacture or furnishing of the materials, supplies, articles, or equipment used in the performance of the contract shall be permitted to work in excess of 8 hours in any one day or in excess of 40 hours in any one week;

(d) That no male person under 16 years of age and no female person under 18 years of age and no convict labor will be employed by the contractor in the manufacture or production or furnishing of any of the materials, supplies, articles, or equipment included in such contract; and

(e) That no part of such contract will be performed nor will any of the materials, supplies, articles, or equipment to be manufactured or furnished under said contract be manufactured or fabricated in any plants, factories, buildings, or surroundings or under working conditions which are unsanitary or hazardous or dangerous to the health and safety of employees engaged in the performance of said contract. Compliance with the safety, sanitary, and factory inspection laws of the State in which the work or part thereof is to be performed shall be prima facie evidence of compliance with this subsection.

It will be noted that paragraph (b) provides for the payment of "minimum wages as determined by the Secretary of Labor to be the prevailing wage." Paragraph (c) contains the hour provisions. It is clear, therefore, that the President now has the full power to deal with this problem of extending the hours of labor and the compensation to be paid. I think the country should know that the President now has that power. He has had it since 1940. He can at any time, without further action of the Congress, remove these limitations upon maximum hours, in response to the will of the people to accelerate the war effort. It was, therefore, clearly unnecessary for the Congress to legislate again upon that subject. We have heretofore placed that power, first in the hands of the Secretary of Labor and, secondly, by the act referred to have placed it in the hands of the President of the United States. I hope that when the demand becomes strong enough from the people in the country that the President may see fit in the interest of the public necessity in the prosecution of this war effort, to suspend the maximum limitation of 40 hours a week.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. MAY. If the legislation we are discussing now had been submitted to the House Military Affairs Committee, which committee reported the bill to which you refer, we might probably have known that the question had already been settled.

Mr. KEEFE. I call it to the attention of the House at this time because it was not heretofore directed to their attention.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. KEEFE. I yield.

Mr. SMITH of Virginia. The gentleman is aware of the fact that the act to which he refers, passed in 1940, will expire on the 30th day of June this year.

Mr. KEEFE. A reading of the act, Public, No. 671, clearly indicates the contrary.

Mr. SMITH of Virginia. No; because that power to suspend will expire on June 30.

Mr. KEEFE. I direct the gentleman's attention to the fact that section 12 of Public, No. 671, provides—and I quote:

> The provisions of all preceding sections of this act shall terminate June 30, 1942, unless Congress shall otherwise provide.

The section hereinbefore quoted is section 13, and hence is not affected by the termination provision referred to.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, a parliamentary inquiry. I am really confused as to just where we are.

The CHAIRMAN. These are pro forma amendments that have been offered to title IX, now under consideration.

Without objection, the pro forma amendments are withdrawn. The Clerk will read.

The Clerk read as follows:

TITLE X—FREE POSTAGE FOR SOLDIERS, SAILORS, AND MARINES

SEC. 1001. Any first-class letter mail matter admissible to the mails as ordinary mail matter which is sent by a member of the military or naval forces of the United States (including the United States Coast Guard), while on active duty or in the active military or naval service of the United States, to any person in the United States, including the Territories and possessions thereof, shall be transmitted in the mails free of postage, subject to such rules and regulations as the Postmaster General shall prescribe.

Mr. FORAND. Mr. Chairman, I move to strike out the last word.

Mr. SUMNERS of Texas. Mr. Chairman, if the gentleman will yield, I would like to see if we can get an agreement on time. I ask unanimous consent that all debate on this title and amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. SWEENEY. Reserving the right to object, Mr. Chairman, I have an amendment which is at the desk.

Mr. SUMNERS of Texas. Well, you can have 5 minutes on your amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. FORAND. Mr. Chairman, I will not take all the time to which I am entitled but I want to express to the committee that brought in this bill my compliments for and my approval of the fact that title X is included therein, providing free postage for soldiers, sailors, and marines.

I note with a great deal of satisfaction that no discrimination is made as to whether such individuals are serving within the continental United States or in foreign lands. That is as it should be.

In World War No. 1, even though men had little, if any, choice as to where they were serving, the free postage privileges were denied to those who did not leave the country.

Many Members of Congress, like myself, have sought this type of legislation ever since the enactment of the selective service law.

It has apparently taken the Japanese attack on Pearl Harbor to awaken us to the fact that free mailing for our soldiers and sailors was worthy of consideration.

There is nothing that I know of, Mr. Chairman, that will lift the morale of our men in uniform any more than letters from home. They will pass up mess call to answer mail call, and every Member of this House who has been in the service will vouch for the truth of that statement.

To encourage mail from home our fighting men must write home. Very often a service man who does not have the price of a postage stamp in his pockets and will carry around in his pocket for days, while trying to "bum" a stamp from his buddies, a letter that he wishes to send home. Or, even though he may have the price, there is not a stamp to be bought. True, existing law would permit him to send his letter by writing his name and address in the upper right-hand corner of the envelope, and adding to that "soldier's or sailor's mail," and the addressee would then have to pay the postage to receive it. But how many of our service men know that? Now, when this legislation becomes law he can, and I am sure he will, write more often because he will know that his letter can leave promptly. Moreover, the fact that he can send it under the frank, so to speak, will be an incentive to him to write home.

Think what a salutary effect it will have upon the morale of the loved ones back home to receive mail more often from the boys. They in return will write more often because they will want to answer the boy's letter, and thus morale at both ends will be lifted a great deal.

Let me say, Mr. Chairman, that mail call greatly cheers up the boys who get letters. It has a very depressing effect, however, upon those unfortunates who

receive few letters and who may well be termed "the forgotten men." These latter will stand around in the hope that while the first sergeant or the mail clerk is calling out the names of those receiving mail their own names may be called. Then when the last piece of mail is delivered and those who have mail rush to some spot where they can read their cards or letters, the forgotten man will turn around with his head inclined and his heart heavy and usually will go off to be by himself and grieve at the thought that his dear ones have forgotten him. That is one of the most pathetic sights to be seen in the armed service, and if the folks back home could be witness to such a scene, even only once, Mr. Chairman, I am sure that no man in uniform would be neglected.

I should like to take this opportunity to urge everyone who hears me, or who may read these remarks, to seek out a boy from his or her neighborhood who is in the service, who is likely not to receive much mail, and to drop him a card or a letter once in a while. I am sure that he would appreciate it, and you will get a lot of satisfaction out of it yourself because of the good it will do.

While we bend our efforts to furnish our men with all the tools of war so that they can fight our battle, let us not forget to furnish them also with letters and cards to keep up their morale. Theirs is a trying time. They have to endure untold hardships. They are ready and willing to sacrifice their lives for us. They are fighting to preserve democracy so that we may continue to enjoy the privileges that have been ours for years. Is it not our duty to help them also by writing them often to relieve them of their worries about the folks back home and to cheer them on? The answer is yours and mine.

Mr. SWEENEY. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SWEENEY: On page 17, line 11, after the period, insert "Every member of the military or naval forces of the United States, including the United States Coast Guard, shall be furnished 15 penalty-type envelopes each month during the duration of the war. The Postmaster General is authorized to prescribe such regulations with respect to size and form."

Mr. McLAUGHLIN. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane. The gentleman from Ohio is a member of the Committee on the Post Office and Post Roads. I am willing to reserve the point of order to permit the gentleman to make his presentation, but my point is that this matter was not considered by the Judiciary Committee. If it is not germane, we feel we should protect the record on it.

As far as the purposes of the amendment offered by the gentleman are concerned, it is something which is splendid in its objective; but the gentleman from Ohio is a member of the committee which might bring in such a bill. There is a serious question as to whether it can be said to be germane at this time. The gentleman's proposal can be considered in an orderly way by his committee, and I suggest that it should be so considered.

Mr. SWEENEY. I appreciate the gentleman's position.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes in support of his amendment.

Mr. SWEENEY. Mr. Chairman, the reason this subject matter contained in this title was not before the Committee on Post Offices and Post Roads, nor the forty-some-odd bills providing for the franking privileges for our armed forces offered by other Members of the House were not before the committee or reported for consideration, is because the committee has not met for 3 months. I am not blaming anyone. I state a fact. There was no opportunity to discuss this subject before our committee any more than some of the other subject matters contained in this omnibus bill were available for discussion before other committees.

This amendment does not place a limitation on the first-class mail that any soldier, sailor, or marine can send through the mail. It simply gives our armed forces the right to exercise the same franking privilege which we have by furnishing them in addition 15 penalty-type envelopes per month as an accommodation to them.

My original amendment fully written contained the following language:

That the Postmaster General be authorized to cause to be printed on the envelopes a picture of Gen. Douglas MacArthur and the words, "Remember Pearl Harbor."

I have been advised that this later language may be subject to a point of order. Hence, I do not press the issue, because I do not want any false impression to go out to the country that we might have said, even on a sustaining of a point of order, that we did not want a picture of Gen. Douglas MacArthur or the words "Remember Pearl Harbor" on any Government document.

I want to thank the Postmaster General, Frank Walker, and his Department for having placed in this title the franking privileges for our armed forces. Government officials ought not begrudge these men 15 penalty-type envelopes per month. As I understand it, every Member of Congress can order 5,000, 10,000, 100,000, or 500,000 envelopes without charge. I think my amendment, if passed, will stimulate the morale of the men in the Army. It will give them an opportunity, if they have 15 Government penalty-type envelopes in their kit, to write home to the people without cost, and more often. It now costs them 3 cents' postage every time they write a letter to their relatives and friends. This legislation is overdue. It should have been enacted months ago, when the Selective Service Act was passed.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield.

Mr. BULWINKLE. No Member of Congress can order 100,000 envelopes every month.

Mr. SWEENEY. I hope that is true. My information is there is no limit on the number of envelopes a Member can order at any time.

Mr. BULWINKLE. You can order them on your stationery allowance. Of the other envelopes you used to send out various things you can get 100,000 a year.

Mr. SWEENEY. I stand corrected, but 100,000 a year is a lot of envelopes. We ought to share some of those envelopes with the boys in the service.

I do not know whether the point of order will be overruled or not, but in the event this amendment is adopted, later on by special resolution which I shall bring before the Post Office and Post Roads Committee I am going to ask that the Postmaster General be memorialized to have printed on the envelopes a likeness of Gen. Douglas MacArthur and the slogan, "Remember Pearl Harbor."

If I had my way, I would have that slogan and likeness on every Government document right now. It ought to be stamped on every piece of Government mail.

The CHAIRMAN. The gentleman from Nebraska [Mr. McLAUGHLIN] reserved a point of order against the amendment. Does the gentleman desire to make the point of order?

Mr. McLAUGHLIN. Mr. Chairman, I make the point of order.

Mr. Chairman, I believe the amendment is not germane for the reason that it goes beyond the scope of the title it proposes to amend in that the title deals with free postage, whereas the amendment deals with envelopes. It goes beyond free postage. It is true there is impressed on the envelope a stamp which permits the envelope to be carried free, but, in addition to that, the envelope is something separate and apart from the stamp and from the free-postage suggestion. I may say that this has never been called to the attention of the Post Office Department by the Judiciary Committee. The views of the Post Office Department have not been ascertained on this as they have on title X.

The CHAIRMAN. Does the gentleman from Ohio desire to be heard on the point of order?

Mr. SWEENEY. Merely to make the observation that this is an omnibus bill entitled "To further expedite the prosecution of the war." If I understand "germaneness" at all, even in a lay sense, it means something that is appropriate, something that is pertinent to that which is under consideration. Now, if this bill is to stimulate or to further expedite the prosecution of the war, the subject matter we are considering in this title is the franking privileges for the armed forces. I do not see how it could be out of order to propose that, in addition to giving the men in the armed forces the franking privilege, we allocate to each man 15 penalty envelopes per month as part of the franking privilege matter simply as an accommodation. Mr. Chairman, I submit that the amendment is germane.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from Ohio offers an amendment to Title X of the bill. The gentleman from Nebraska makes the point of order against the amendment that it is not germane to the title to which offered. The Chair has examined the amendment. It provides every

member of the military or naval forces of the United States, including the United States Coast Guard; shall be furnished 15 penalty envelopes each month during the war. The title of the bill to which the amendment is offered provides free postage for soldiers, sailors, and marines.

The Chair thinks the question involved is that of free postage for men in the military service. Whether a man is handed a certain number of envelopes that require no postage or is handed a certain number of postage stamps to be placed on some other envelope is a matter of mere detail. The Chair is of the opinion that the amendment is on the same subject as the provision of this title of the bill, and therefore, is of the opinion that it is germane, and overrules the point of order.

Mr. SUMNERS of Texas. Mr. Chairman, before the vote is taken on the amendment I ask unanimous consent that section 1001, a very short section, of which this amendment is amendatory, be read for the information of the committee.

The CHAIRMAN. Without objection, the Clerk will again read the provision, in question, requested by the chairman of the committee.

The Clerk read as follows:

Page 17, line 3:

"SEC. 1001. Any first-class letter mail matter admissible to the mails as ordinary mail matter which is sent by a member of the military or naval forces of the United States (including the United States Coast Guard), while on active duty or in the active military or naval service of the United States, to any person in the United States, including the Territories and possessions thereof, shall be transmitted in the mails free of postage, subject to such rules and regulations as the Postmaster General shall prescribe."

The CHAIRMAN. One minute and a half remain of the time. Does the gentleman from Texas seek recognition?

Mr. SUMNERS of Texas. Yes; if the Chair please.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. SUMNERS of Texas. Mr. Chairman, I direct the attention of the Committee to the fact that the section just read provides free postage to the men engaged in the service, both in America and abroad, whereas the amendment offered by my distinguished friend would entail the burden upon the Government of printing and distributing in advance of any need, and without regard to need, these 15 envelopes to people who already have the right of free postage.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. ROBSION of Kentucky. As a matter of fact, is not the amendment offered by the gentleman from Ohio a limitation on the right of these soldiers?

Mr. SUMNERS of Texas. I think it might be so construed. I am not sure.

Mr. SWEENEY. I do not believe it can be called a limitation in any sense of the word, but is an addition, an accommodation. Under the wording of the title the soldier or sailor could mail any number he wished.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. SWEENEY].

The question was taken; and on a division (demanded by Mr. SWEENEY) there were—ayes 8, noes 68.

So the amendment was rejected.

The Clerk read as follows:

TITLE XI—NATURALIZATION OF PERSONS SERVING IN THE ARMED FORCES OF THE UNITED STATES DURING THE PRESENT WAR

SEC. 1101. The act of October 14, 1940 (54 Stat. 1137), entitled "An act to revise and codify the nationality laws of the United States into a comprehensive nationality code," is hereby amended by adding thereto a new title, as follows:

"TITLE III

"SEC. 701. Notwithstanding the provisions of sections 303 and 326 of this act, any person not a citizen, regardless of age, who has served or hereafter serves honorably in the military or naval forces of the United States during the present war may be naturalized upon compliance with all the requirements of the naturalization laws, except that (1) no declaration of intention and no certificate of arrival and no period of residence within the United States or any State shall be required; (2) the petition for naturalization may be filed in any court having naturalization jurisdiction regardless of the residence of the petitioner; (3) the petitioner shall not be required to speak the English language, sign his petition in his own handwriting, or meet any educational test; and (4) no fee shall be charged or collected for making, filing, or docketing the petition for naturalization, or for the final hearing thereon, or for the certification of naturalization, if issued: *Provided, however*, That (1) there shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each such witness personally knows the petitioner to be a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States; (2) the service of the petitioner in the military or naval forces of the United States shall be proved by affidavits, forming part of the petition, of at least two citizens of the United States, members or former members during the present war of the military or naval forces of the noncommissioned or warrant officer grade or higher (who may be the witness described in clause (1) of this proviso), or by a duly authenticated copy of the record of the executive department having custody of the record of petitioner's service, showing that the petitioner is or was during the present war a member serving honorably in such armed forces; and (3) the petition shall be filed not later than 1 year after the termination of the effective period of this act as provided in title XV. The petitioner may be naturalized immediately if prior to the filing of the petition the petitioner and the witnesses required by the foregoing proviso shall have appeared before and been examined by a representative of the Immigration and Naturalization Service.

"SEC. 702. During the present war, any person entitled to naturalization under section 701 of this act, who while serving honorably in the military or naval forces of the United States is not within the jurisdiction of any court authorized to naturalize aliens, may be naturalized in accordance with all the applicable provisions of section 701 without appearing before a naturalization court. The petition for naturalization of any petitioner under this section shall be made and sworn to before, and filed with, a representative of the Immigration and Naturalization Service designated by the Commissioner or a Deputy Commissioner, which designated representative is hereby authorized to receive such petition in behalf of the Service, to conduct hearings thereon, to take testimony concerning any matter touching or in any way affecting the admissibility of any such petitioner for naturalization, to call witnesses, to administer oaths, including the oath of the petitioner and his witnesses to the petition for naturalization and the oath of renunciation and allegiance prescribed by section 335 of this act, and to grant naturalization, and to issue certificates of citizenship: *Provided*, That the record of any proceedings hereunder, together with a copy of the certificate of citizenship, shall be forwarded to and filed by the clerk of a naturalization court in the district in which the petitioner is a resident and be made a part of the record of the court.

"SEC. 703. The 90 days' notice required by subsection (b) of section 326 of this act to be given by the clerk of the naturalization court to the Commissioner may be waived by the Commissioner in his discretion. In any petition in which such notice is waived the Commissioner shall cause the clerk of court to be notified to that effect.

"SEC. 704. The provisions of this title shall not apply to (1) any person who during the present war is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform: *Provided*, That citizenship granted pursuant to this title may be revoked as to any person subsequently dishonorably discharged from the military or naval forces in accordance with section 338 of this act.

"SEC. 705. The Commissioner, with the approval of the Attorney General, shall prescribe and furnish such forms, and shall make such rules and regulations, as may be necessary to carry into effect the provisions of this act.

"SEC. 706. This title shall take effect from the date of its approval."

With the following committee amendments:

Page 19, line 7, after the word "of", strike out "This act as provided in title XV" and insert "titles I to X, inclusive, and titles XII and XV of the Second War Powers Act, 1942."

Page 21, line 9, strike out all of lines 9 and 10.

The committee amendments were agreed to.

Mr. SUMNERS of Texas. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas: Page 17, line 23, after the word "age", insert the following: "who is a resident of the United States or any of its territories or possessions at the time of his enlistment or induction, and."

Mr. SUMNERS of Texas. Mr. Chairman, I call attention to the fact that unless this amendment is adopted there will be no requirement in this section that the persons who may have admission to citizenship shall be at all residents of the United States. This limits citizenship to those who are residents.

Mr. DONDERO. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Michigan.

Mr. DONDERO. Would the gentleman still leave in the sentence that no resi-

dents shall be required, on page 18, line 4, even after adopting the gentleman's amendment?

Mr. SUMNERS of Texas. That would have to be taken out.

Mr. HINSHAW. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from California.

Mr. HINSHAW. Would there be any force or effect in placing in that language that the gentleman has proposed the word "legal" in front of "resident"?

Mr. SUMNERS of Texas. It would have force.

Mr. HINSHAW. Would the word "resident" be satisfactory without the word "legal" in front of it?

Mr. SUMNERS of Texas. Residence, of course, just means residence. I will be very candid with the gentleman. A person who is in the United States not legally admitted would not be excluded without the use of the word "legal."

Mr. HINSHAW. Would the gentleman be willing to insert the word "legal"?

Mr. SUMNERS of Texas. This is a committee amendment.

Mr. HINSHAW. I have not the time to write it.

Mr. SUMNERS of Texas. Yes, the gentleman will have time.

Mr. REES of Kansas. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Kansas.

Mr. REES of Kansas. Would the gentleman accept this amendment in substitution for the amendment he has offered: After the word "citizen" insert the following: "Persons who have been legally admitted into the United States at the time of entering the military service of the United States"?

Mr. SUMNERS of Texas. As I understand the gentleman's language it is in effect the same language as if the word "legal" were added to the amendment I have offered.

Mr. REES of Kansas. Practically so.

Mr. SUMNERS of Texas. I am not in position to consider the question of agreeing to an amendment to this amendment which I have offered because it is a committee amendment that I am offering on behalf of the Committee on the Judiciary. I am not offering it as an individual Member of the House.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. The gentleman has indicated a disposition to want to correct this thing and make it satisfactory to all those who are finding fault with it. The gentleman admits himself that his language would not cover the situation.

Mr. SUMNERS of Texas. I am not so sure about that.

Mr. JENKINS of Ohio. Would the gentleman feel terribly aggrieved if we would sort of organize and defeat his amendment with the idea we would pass the amendment to be offered by the gentleman from Kansas?

Mr. SUMNERS of Texas. I would be out of the House already if I had been aggrieved by what has been done to me on this bill already.

Mr. JENKINS of Ohio. While the gentleman's amendment does some good, if it were defeated and the Rees amendment substituted and passed, it would answer the purpose much more satisfactorily than the gentleman's amendment.

[Here the gavel fell.]

Mr. HINSHAW. Mr. Chairman, I offer an amendment to the committee amendment offered by the gentleman from Texas [Mr. SUMNERS].

The Clerk read as follows:

Amendment offered by Mr. HINSHAW to the committee amendment: Insert "legal" before "resident" in the amendment of the gentleman from Texas.

The CHAIRMAN. Does the gentleman from California desire recognition on his amendment?

Mr. HINSHAW. No, Mr. Chairman, I do not desire recognition on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The committee amendment was agreed to.

Mr. STARNES of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STARNES of Alabama: On page 17, line 12, strike out all of title XI.

Mr. STARNES of Alabama. Mr. Chairman, unless the committee offers an amendment to strike it out, the language at the top of page 18 reading—

No declaration of intention and no certificate of arrival and no period of residence within the United States or any other State shall be required—

is sufficient basis for striking out the whole title.

I am still opposed to this section as amended. The original proposal was wholly dangerous and inimical to the welfare of this country. This committee and this House have recognized that fact by seeking by amendment to limit the benefits to legal residents of this country. As amended it does not require the beneficiaries to have been legally admitted to the country.

The second proposition I wish to state in support of my amendment is that this section waives the requirement that the petitioner speak or read the English language, sign his own petition in his own handwriting, or meet any educational test.

Third, this section waives the payment of any fees.

Further, there is a very striking and peculiar thing about this proposal in that it would substitute as primary evidence the affidavits of two persons to the effect that they knew this person; that he was of good character; and that he served in the Army or Navy, for a certified copy of his service record obtained from either the War Department or the Navy Department.

My final reason is that section 702 permits the Immigration and Naturalization Service to appoint a representative to go outside the confines of the United States, with no territorial limit whatever except the vast and boundless spaces of the oceans and of the earth, and take the place of a Federal district judge in passing upon all questions of law and fact concerning the naturalization of the petitioner.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Indiana.

Mr. HARNESS. Does the gentleman's amendment strike out the entire title?

Mr. STARNES of Alabama. It strikes out the entire title. It is my thought that the Committee on Immigration and Naturalization can handle this matter, and can bring a bill in here on its merits for debate and due consideration. If we need to extend this benefit to legally admitted residents of the United States who are aliens serving in our Army or Navy, I believe such a bill can be passed by unanimous consent.

Mr. HARNESS. So do I, and I agree with the gentleman's amendment if its effect is to strike out the entire title.

Mr. STARNES of Alabama. It does, every word of it. Then the matter can be brought in here as a clean bill from the Committee on Immigration and Naturalization.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Or the gentleman could do this: He could place a period after the word "laws" in the second line on page 18, and do what the chairman indicated he would like to do, permit the naturalization of anybody who enlists in the armed services of the United States who is a resident of this country, and then strike out all the rest of the title.

Mr. STARNES of Alabama. I still do not think that section 702 ought to tay in this or any other bill under any circumstances.

Mr. JENKINS of Ohio. The gentleman's idea is that if the only purpose of it is to give some consideration to a man who enlists in our armed services we can do that any time?

Mr. STARNES of Alabama. That is right; and have the matter considered by the proper committee.

I hope my amendment will be adopted.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Tennessee.

Mr. JENNINGS. In other words, the gentleman's amendment is to cut the thing out, root and branch, and cast it out?

Mr. STARNES of Alabama. Right.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Michigan.

Mr. CRAWFORD. It seems to me the way the language is here presented that we shall be offering these people a reward to serve in the Army or the Navy. Why not let them serve and then give them the reward, if we want to do that?

Mr. STARNES of Alabama. That is right. No other nation is offering such a reward to the American boys who serve in their armed forces.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman will recall that about 2½ years ago the Committee on Military Affairs brought in a bill that removed the disability of lack of citizenship of about 7,500 men in the Army, and the House considered that bill. I wonder why we do not follow a similar procedure in connection with this matter.

Mr. STARNES of Alabama. I wonder, too.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. Will the gentleman tell me why there is any particular hurry to pass this particular title and how its adoption will help the war effort?

Mr. STARNES of Alabama. I thank the gentleman for his contribution. I should like to know that myself. I will yield to the chairman of the committee to tell us why.

Mr. SUMNERS of Texas. I suggest to the gentleman that the Committee on Immigration and Naturalization reported the bill H. R. 6439, which is identical with this recommendation, except that there is no limitation in reference to residence.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I did not attend many of the sessions of the subcommittee which handled this bill, but there is this information which I owe the duty to give to the House. It was suggested, so I am advised, by those who came before the Committee on the Judiciary that persons who are or were nationals of governments with which we are at war, if found in the American Army and not citizens of this country, would probably be treated as spies or traitors and shot. The other argument is that persons who are good enough to fight under the flag are good enough to be citizens of this country. I would like it to be understood that I am reciting statements that I understand were made before the Committee on the Judiciary in support of this title.

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, at a time when the greatest unity is required on the part of all the people in our Nation it is tragic that the committee sitting here this afternoon should permit itself to fall into the abyss of foreign-born baiting hysteria. The demonstration we have had on this floor, in my opinion, is not conducive to the unity which is of the essence in attaining a victory. To substitute the prejudices of the Klan for the spirit of unity is not only un-American, but serves the purposes of the Axis enemy.

Let us analyze this provision in the bill as it has been amended. What does it provide? It provides that a person who is in the armed forces and who is legally a resident of the United States and who is serving either in the United States or abroad, may, upon application, presenting character affidavits from witnesses, become a citizen of the United States. I would like to know what is wrong with that.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. In just a moment. Here, under the Conscription Act, we provide that a person who is not a citizen, but who has obtained his first papers, cannot claim exemption or deferment, but must be drafted. On the one hand we draft the foreign-born who is not a citizen and on the other hand we now seek to prevent the endowment of citizenship on a foreign-born who wears the uniform of our country and who is ready to fight and lay down his life for our country. And as against that person we indulge in this hysteria of foreign-born baiting this afternoon on the floor of the House of Representatives. What a spectacle for our people and our allies.

During the last war we permitted naturalization of foreign-born noncitizens because of the service they rendered. What greater requisite for citizenship can there be than that of service in the armed forces in time of war? Congress permitted our foreign-born soldiers to become citizens in World War No. 1. Why should we not do it now? Why do you want to discriminate against one who is in the uniform? The bullets that are shot against us do not discriminate. They shoot down the man in the uniform, be he a citizen or a noncitizen. What are we fighting this war for? Are we fighting it for discrimination? Are we fighting it to punish the foreign-born and to continue to discriminate against the foreign-born? Are we fighting to carry on the practice of race hatred, race discrimination, and Klanism in our armed forces in the administration and conduct of the war, or are we fighting to do away with all that? I say if the Starnes amendment is adopted we will be indulging in the vilest form of discrimination and it will lead to that disunity which is sought by the enemy. It will leave us open to the charge of the basest form of discrimination, discriminating against men who have either been drafted or volunteered to meet the bullets and the shrapnel and the dive bombers of the enemy.

I say any man who is legally a resident of the United States and who can comply with the provisions of this bill, namely, submit evidence as to character, should be endowed with American citizenship. He should not be forced to wait until this war is over and then have to go through a lot of red tape.

You say, let us wait for the Immigration Committee. I say we should not wait for any committee. We have this proposal before this House now. Why kick it out? I know what it all amounts to. It is the same old story—kick the foreign-born around. He cannot vote, he cannot hurt you, but I tell you that the American people want to see this war won, and they want to see unity. They want unity to achieve victory and will fight against efforts which will divide our peoples, efforts which array group against group, class against class, race against race, native-born against foreign-born. This amendment does just that. It causes disunity and division, and thereby aids the enemy. This is an anti-Fascist war, and I resent this hysteria of foreign-born baiting which is going on the floor of this House this afternoon. It is rank nazi-ism.

Mr. MASON. Mr. Chairman, I move to strike out the last two words.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for me to submit a unanimous-consent request?

Mr. MASON. I yield.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this title and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MASON. Mr. Chairman, I rise to correct the statement which the gentleman from Texas [Mr. SUMNERS] made to the effect that this title in this bill is the same as a bill that the Immigration and Naturalization Committee has voted out. It is not. There are vital differences. I call the attention of the gentleman to that fact, and say that so far as the Committee on Immigration and Naturalization is concerned, we have no objection to striking this entire title out of the bill, and then bringing up for consideration of the Naturalization and Immigration Committee a bill which should have properly come from that committee in the first place.

Mr. SMITH of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Ohio. Mr. Chairman, I don't think it is clear exactly as to what is contained in the amendment proposed by the committee, submitted by the gentleman from Texas [Mr. SUMNERS]. As I understood the matter some reference was made to page 18. I don't understand how the committee amendment affects the provision beginning in line 3 on page 18 which is, I believe, incompatible with the committee amendment. I would like to have clarification on that point.

The CHAIRMAN. That is not a parliamentary inquiry. Of course, if the gentleman desires to come to the Clerk's desk he can examine the amendment which has already been adopted.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent that the amendment offered by the committee be again read.

The CHAIRMAN. The Chair understands the gentleman desires to have again read the amendment which has been already agreed to?

Mr. SMITH of Ohio. I would like to have it read.

The CHAIRMAN. Without objection, the Clerk will read the amendment al-

ready adopted, offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas as a committee amendment: Page 17, line 23, after the word "age", insert the following: "who is a legal resident of the United States or any of its Territories or possessions at the time of his enlistment or induction and."

Mr. JENKINS of Ohio. Mr. Chairman, if the Chair will permit, we are now considering the Starnes amendment, are we not?

The CHAIRMAN. The gentleman is correct.

Mr. DONDERO. Mr. Chairman, with the world inflamed by war, American citizenship perhaps is one of the most valuable possessions that any of us can have today. Title XI of the pending bill removes nearly all restrictions and safeguards in obtaining it. To cheapen it in this way is a step we should not take. No declaration of intention, no certificate of arrival and no period of residence within the United States is required. Open the door to anyone, to any alien, even though he knows nothing about our country, its laws, or the Government; without ever setting foot on the soil of the United States, and you cheapen American citizenship and destroy respect for it. I recognize the force of the argument that if an alien is willing to die for this country in the uniform of a soldier, he would be a good citizen. Our naturalization laws provide a period of assimilation. The wisdom of that requirement is apparent. To relax the provisions of law reasonably in favor of the alien in uniform would have my approval, but to open wide the door as provided in section 701 of title IX of this bill is a step I am unwilling to take. He may stand in the front row of our Army, or alongside of a foreign-born alien, who has become a citizen, who took the trouble and the time and expense to become a citizen and stand on equal terms with him. Let us be sure that the alien who takes the oath of citizenship understands that with the rights and privileges of citizenship also go duties and responsibilities of citizenship.

Mr. CAPOZZOLI. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I have only 3 minutes. This provision goes too far. In my judgment, we should wait until a proper committee of this House could bring before us a carefully considered bill to relax the restrictions on citizenship in respect to aliens who serve in the armed forces of the United States; but to say to them without any understanding of the fundamental principles of our Government that they may have all of the privileges of a native-born citizen, or a foreign-born person who has gone to all the trouble of becoming a citizen, is going too far and is wide of constructive legislation. I think the Starnes amendment to strike title XI from the bill ought to be adopted, and that we should wait until the Committee on Immigration and Naturalization presents to the House a carefully prepared bill on this subject before we open the door of citizenship too far.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REES of Kansas. Mr. Chairman, it was the view of the Committee on Immigration and Naturalization that the subject matter of this legislation should have been handled by that committee, but I do not think that that committee wants to raise any particular question on that point. It is my notion, now the legislation is before us, we try, if possible, to amend this legislation to the satisfaction of the House.

If the committee desires to send it back to the Committee on Immigration and Naturalization, we will give it careful study and try to bring in a bill that will be satisfactory. However, we are also willing to go along here and offer some amendments.

Let me state the purposes of the bill. It was intended to bring in a measure that would give to the present soldiers and sailors the same right of naturalization given to those during the World War. There have been some additions to it. Attention has been called to that. We propose to amend the bill to provide that only those legally admitted to the United States can become citizens. We also propose to amend it in some other respects. But we must have some legislation on this question in the rather immediate future, because there are at least two situations that should be carefully examined and attended to. One of them is this: We have many former Americans now serving in the allied armies.

Included in this legislation is a provision whereby we can make those soldiers citizens of the United States so that they can become members of our own forces.

There is also another subject that needs attention. There are aliens, legal residents of the United States, who are also in the allied armies who want to join the American military forces. We need legislation to take care of that question. Those are two proposals that should be taken care of soon.

There is another matter that has been mentioned. There is this difference between the World War legislation and the legislation before us. This provides that members of our armed forces may be admitted to citizenship through an official of the Department of Justice rather than through a court, although the certificate and other papers are filed in the jurisdiction where the applicant resides. The reason given is that during the World War a great many petitions were filed through representatives of the Department of Immigration and they were never heard in the courts because the soldier thought that because the petition was filed in the court that was the end of it and he was a citizen. So we have tried to take care of that question.

Of course, the House can do just as it chooses. We will do the best we can to bring in a clean bill, or if you defeat the Starnes amendment we will try to amend the bill now so that it will be satisfactory. A bill was introduced in the House similar to the bill under consideration, but amendments have been agreed to by members of the Committee on Immigration and Naturalization that would, in my opinion, meet most of the objections that have been raised this afternoon. So the bill approved by our committee would be changed considerably if our amendments are accepted.

The CHAIRMAN. The gentleman from Michigan [Mr. RABAUT] is recognized.

Mr. RABAUT. Mr. Chairman, I requested this time in order to ask the chairman of the committee if he would please turn to page 18 of the bill, line 3. In prefacing my remarks I yield to no one in my devotion to favorable legislation for the alien. Many times on this floor have I raised my voice in defense of their rights. But the broadness of the language in line 3, on page 18, causes me some apprehension:

No declaration of intention and no certificate of arrival and no period of residence within the United States or any State shall be required.

Does that mean a person can be brought into this country simply because he has served in the armed forces and become a citizen?

Mr. SUMNERS of Texas. Yes; that is the language.

Mr. RABAUT. A person could become a citizen who has never even seen the shores of this country?

Mr. SUMNERS of Texas. A motion would have to be made to strike out the language the gentleman has just read in order to make the bill conform to an amendment which the House has adopted.

Mr. RABAUT. I have the highest respect for the chairman of the Committee on the Judiciary, Judge SUMNERS, but I think there is so much of this legislation to be perfected that it should be passed over today. This legislation is too important to be written on the floor of the House.

I yield back the balance of my time, Mr. Chairman.

The CHAIRMAN. The gentleman from New York [Mr. CELLER] is recognized.

Mr. CELLER. Mr. Chairman, one of the reasons why this title was added to the bill is very succinctly expressed in a statement made before the Senate Judiciary Committee by Mr. Townsend, a representative of the Department of Justice. He pointed out that we have many aliens in this country who are nationals of Hungary, Sweden, Norway, Denmark, Belgium, and other countries occupied by the Axis. They are aliens. They enlist in our armed forces. If they enlist in our Army as aliens and remain such, but happen to be captured by the Germans or any of the Axis enemies, they would be shot as traitors. On the other hand, if we give them the privilege of becoming citizens and they embrace the privilege they would not be shot as traitors, but they would be accepted as prisoners of war, since they are American citizens. You will find that in the Senate hearings, page 29.

Now, you are going to put a stigma upon these men who are willing to go through the valley of the shadow of death, who are willing to make the supreme sacrifice. You are telling them—"We want your aid, we want you as soldiers. We need you to destroy the Nazis,

the Japs, the Fascists, but we will not waive rigid requirements in order to naturalize you." We reward brave aliens by insulting them. We do all we can to discourage their enlistment. Many of these aliens whom you cannot draft under the Selective Service Act, are willing to enlist and are enlisting daily in great numbers. Yet you put them in that extreme danger of being shot as traitors if they should be captured. I think we should think carefully before we do this.

Pass this so-called Starnes amendment, striking out title XI, and see how enlistments of aliens will decline. If you were an alien would you enlist in the cause of a nation that treats you so shabbily, so shamefully?

Furthermore, we are doing nothing more by this title XI than we did during the last war. It was testified before the committee that title XI of the bill establishes a policy set forth by the Congress during the last World War, with only one exception.

As pointed out by Mr. Townsend, of the Department of Justice, the soldier alien can be naturalized by not having to appear before a court. To make it more convenient for him we set up naturalization tribunals as convenient as possible in the corps areas where the alien soldier may be. These tribunals shall be made up of representatives of the Naturalization Service.

With these admonitions in mind, I ask you to think carefully before you accept the Starnes amendment. The committee amendment, as amended, gives ample protection. We see to it particularly that the alien is a legal resident of the United States or its possessions before he can secure citizenship. Aliens not legal residents are precluded.

Attorney General Biddle, in advocating title XI in his prepared statement, stated:

> Title XI of the bill establishes a policy set forth by Congress during the last World War. It provides that aliens honorably serving in our armed forces during the present war may acquire citizenship, regardless of race, age, length of service, and education. It also provides for speeding up the processes of naturalization, including a provision for naturalization without appearance before a court if the person to be naturalized is not within the jurisdiction of any naturalization court.

Finally, we cannot in good conscience strike out of the bill exactly the relief that we granted during the last World War.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. SUMNERS] is recognized.

Mr. SUMNERS of Texas. Mr. Chairman, I am seeking by an amendment to correct the text. May I submit a unanimous-consent request that in view of the discussion the bill reported by the Committee on Immigration and Naturalization, H. R. 6439, dealing with the same subject matter as the provision of the bill now being considered, the bill H. R. 6439 now being on the calendar of the House, be printed in the RECORD for information following immediately the provision we are now discussing.

Mr. SPRINGER. Mr. Chairman, reserving the right to object, the gentleman has just mentioned the bill H. R. 6439, which is now pending on the Consent Calendar. May I say I have compared that bill with the title now under consideration by the committee. They are identical in all respects except one little thing.

Mr. SUMNERS of Texas. That is what I thought.

Mr. STARNES of Alabama. Reserving the right to object, Mr. Chairman, the gentleman from Texas asks to have it printed merely for information; is that the idea?

Mr. SUMNERS of Texas. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

There was no objection.

The bill H. R. 6439 (Rept. No. 1710) is as follows:

Be it enacted, etc., That the Nationality Act of 1940 (54 Stat. 1137) is hereby amended by adding thereto a new title as follows:

"TITLE III

"SEC. 701. Notwithstanding the provisions of sections 303 and 326 of this act, any person not a citizen, regardless of age, who has served or hereafter serves honorably in the military or naval forces of the United States during the present war may be naturalized upon compliance with all the requirements of the naturalization laws except that (1) no declaration of intention and no certificate of arrival and no period of residence within the United States or any State shall be required; (2) the petition for naturalization may be filed in any court having naturalization jurisdiction regardless of the residence of the petitioner; (3) the petitioner shall not be required to speak the English language, sign his petition in his own handwriting, or meet any educational test; and (4) no fee shall be charged or collected for making, filing, or docketing the petition for naturalization, or for the final hearing thereon, or for the certificate of naturalization, if issued: *Provided, however*, That (1) there shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each such witness personally knows the petitioner to be a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States, and (2) the service of the petitioner in the military or naval forces of the United States shall be proved by affidavits, forming part of the petition, of at least two citizens of the United States, members or former members during the present war of the military or naval forces of the noncommissioned or warrant officer grade or higher (who may be the witnesses described in clause (1) of this proviso), or by a duly authenticated copy of the record of the executive department having custody of the record of petitioner's service, showing that the petitioner is or was during the present war a member serving honorably in such armed forces. The petitioner may be naturalized immediately if prior to the filing of the petition the petitioner and the witnesses required by the foregoing proviso shall have appeared before and been examined by a representative of the Immigration and Naturalization Service.

"SEC. 702. During the present war, any person entitled to naturalization under section 701 of this act, who while serving honorably in the military or naval forces of the United States is not within the jurisdiction of any court authorized to naturalize aliens, may be naturalized in accordance with all the applicable provisions of section 701 without appearing before a naturalization court. The petition for naturalization of any petitioner under this section shall be made and sworn to before, and filed with, a representative of the Immigration and Naturalization Service designated by the Commissioner or a Deputy Commissioner, which designated representative is hereby authorized to receive such petition in behalf of the Service, to conduct hearings thereon, to take testimony concerning any matter touching or in any way affecting the admissibility of any such petitioner for naturalization, to call witnesses, to administer oaths, including the oath of the petitioner and his witnesses to the petition for naturalization and the oath of renunciation and allegiance prescribed by section 335 of this act, and to grant naturalization.

"SEC. 703. The 90 days' notice required by subsection (b) of section 326 of this act to be given by the clerk of the naturalization court to the Commissioner may be waived by the Commissioner in his discretion. In any petition in which such notice is waived, the Commissioner shall cause the clerk of court to be notified to that effect.

"SEC. 704. The provisions of this title shall not apply to (1) any person who during the present war is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform, or (3) any person who is under charges by the military or naval authorities, or who has been convicted by a court martial and is under sentence of such court martial.

"SEC. 705. The Commissioner, with the approval of the Attorney General, shall prescribe and furnish such forms, and shall make such rules and regulations, as may be necessary to carry into effect the provisions of this act.

"SEC. 706. This title shall take effect from the date of its approval."

Mr. SUMNERS of Texas. Mr. Chairman, I offer an amendment, which is at the desk.

Mr. NICHOLS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLS. Mr. Chairman, I make the point of order that there is an amendment pending which has not been disposed of.

The CHAIRMAN. That is true, and there may be other amendments pending.

Mr. NICHOLS. I did not understand that this was an amendment to the amendment.

The CHAIRMAN. The Chair does not know, either. It has not been reported.

Mr. NICHOLS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLS. If the amendment is an amendment to the pending amendment it would, of course, be in order, but if it is a separate and independent amendment, should not the amendment offered by the gentleman from Alabama [Mr. STARNES] be disposed of before this amendment is considered?

The CHAIRMAN. The Chair does not know until the amendment is reported. It might be a substitute for the amendment.

Mr. SUMNERS of Texas. Mr. Chairman, I suggest that the amendment be read for information. I may say to the gentleman from Oklahoma that probably this amendment should have been offered earlier as it is for the correction of the text in order to make the text con-

form to language which has already been incorporated in the bill by amendment.

Mr. STARNES of Alabama. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STARNES of Alabama. Can such a proposed amendment be read for information without unanimous consent of the House?

The CHAIRMAN. It not only can be read, but it can be offered; and, in fact, if it is to be offered, now is the proper time. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas as a committee amendment: On page 18, lines 3 and 4, strike out in lines 3 and 4 the words "no certificate of arrival and no period of residence within" and insert in lieu thereof the words "to become a citizen of."

Mr. NICHOLS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLS. As I understand it, the Chair now rules that the Sumners amendment, an independent amendment is in order to be considered and voted upon before the Starnes amendment is disposed of?

The CHAIRMAN. The gentleman is correct.

If the Chair may be indulged, the Chair will state that any perfecting amendment must be considered and acted upon before a motion to strike out the section or the title is considered, the theory being perfectly reasonable and logical: The text may be amended so there will not be a desire to strike it out. For this reason any perfecting amendments must be considered and acted upon before an amendment to strike out the section or the title is acted upon.

Mr. NICHOLS. Mr. Chairman, a further parliamentary inquiry, and I am not trying to delay the Chair, but simply desire to be informed.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLS. If the perfecting amendment is adopted and the Starnes amendment is then voted down, since the text of the section has been changed after the Starnes amendment was offered, would it then be in order to offer another amendment to strike the new text as perfected?

The CHAIRMAN. No; because the Starnes amendment would strike out the title as amended unless the gentleman from Alabama wanted to make some alterations.

Without objection, the Clerk will again report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas to the committee amendment: Page 18, strike out in lines 3 and 4 the words "and no certificate of arrival and no period of residence within" and insert in lieu thereof the words "to become a citizen of."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SUMNERS].

The amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Alabama [Mr. STARNES] to strike out the title.

The question was taken; and on a division (demanded by Mr. STARNES) there were—ayes 72, noes 69.

Mr. MARCANTONIO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. MCLAUGHLIN and Mr. STARNES to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 137, noes 71.

So the amendment was agreed to.

The Clerk read as follows:

TITLE XII—ACCEPTANCE OF CONDITIONAL GIFTS TO FURTHER THE WAR PROGRAM

SEC. 1201. To further the war program of the United States, the Secretary of the Treasury is authorized to accept or reject on behalf of the United States any gift of money or other property, real or personal, or services, made on condition that it be used for a particular war purpose.

SEC. 1202. The Secretary of the Treasury may convert into money, at the best terms available, any such gift of property other than money.

SEC. 1203. There shall be established on the books of the Treasury a special deposit account to be designated as the "War Contributions Fund," into which shall be deposited all money received as a result of such gifts.

SEC. 1204. The Secretary of the Treasury, in order to effectuate the purposes for which gifts accepted under this act are made, shall from time to time allocate the money in such special deposit account to such of the various appropriations available for the purchase of war material and the furtherance of the war program of the United States as in his judgment will best effectuate the intent of the donors, and such money is hereby appropriated and shall be available for expenditure for the purposes of the appropriations to which allocated.

With the following committee amendment:

Page 22, line 1, strike out the word "act" and insert the word "title."

The committee amendment was agreed to.

Mr. FORAND. Mr. Chairman, I move to strike out the last word.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

There was no objection.

Mr. FORAND. Mr. Chairman, earlier this week I offered to the membership of this House, and through them to the Nation, a suggestion whereby people could purchase 25-cent savings stamps, cancel them, and send them to the President as a contribution to the war effort.

The first response to that came to me a couple of days ago. I hold in my hand 100 stamps of 25-cent denomination that were purchased and canceled, and sent to me to be presented to the President, which I hope to do next week. These were purchased by my own post of the American Legion back home.

That post has exactly 100 members and for each member there is a stamp here. I want to publicly acknowledge this gift of the James Stanton Post, No. 5, of the American Legion, of Central Falls, R. I., and assure my comrades that I appreciate their prompt and generous response.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 1205. The Secretary of the Treasury shall include in his Annual Report to the Congress a summary of the gifts made and accepted under this act.

With the following committee amendment:

Page 22, line 12, strike out the word "act" and insert the word "title."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 1206. Whoever shall solicit any gift of money or other property, and represent that such gift is being solicited for the use of the United States, with the intention of embezzling, stealing, or purloining such gift, or converting the same to any other use or purpose, or whoever, having come into possession of any money or property which has been donated by the owner thereof for the use of the United States, shall embezzle, steal, or purloin such money or property, or convert the same to any other use or purpose, shall be guilty of a felony and upon conviction thereof shall be fined not more than $5,000 or imprisoned for not more than 5 years, or both.

The Clerk read as follows:

TITLE XIII—COINAGE OF 5-CENT PIECES

SEC. 1301. Notwithstanding any other provision of law, the Director of the Mint shall cause the metallic content of all 5-cent pieces coined after the effective date of this act and prior to December 31, 1946, to be one-half silver and one-half copper: *Provided*, That the Director of the Mint, with the approval of the Secretary of the Treasury and the Chairman of the War Production Board, is authorized to vary the proportions of silver and copper and to add other metals to a volume not to exceed 10 percent of the total content thereof, if such action would be in the public interest. Such 5-cent pieces shall be deemed to be minor coins or coinage and not silver coins, subsidiary silver coins, silver coinage, or subsidiary silver coinage within the meaning of the monetary laws of the United States.

With the following committee amendments:

Page 23, line 4, strike out the word "act" and insert the word "title."

Page 23, lines 9 and 10, strike out the words "to a volume not to exceed 10 percent of the total content thereof."

The committee amendments were agreed to.

Mr. RANDOLPH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time during debate on the pending war-powers bill not because what I shall say particularizes on any point which we are now discussing, but because I desire to call attention to what I believe is a very unfortunate and unnecessary situation.

There are far too many announcements being made by our Departments of War and Navy to the American people

and to the world which are contradictory and give rise to uneasiness among our citizens and encourage our enemies. I recognize full well that carping criticism of the war effort is undesirable. I would never add my voice to such procedure. In my opinion, however, when a Member of this Congress has a deep feeling regarding our war effort and believes that out of honest discussion there can come truth and light, that Member must never hesitate to make his views known. Thought-provoking criticism, base on a genuine conviction, must be welcomed in this House, rather than discouraged.

I direct your attention to the fact that 3 days ago the Secretary of the Navy announced that the reported attack on the west coast was false and that there were no enemy aircraft approaching from the ocean over California. Less than 24 hours later the Secretary of War made an announcement that the alarm was real. Within a few hours we have the Secretary of the Navy saying the reported raid was false and the Secretary of War saying the supposed attack was real. What are we to believe? It is inconceivable that we continue to have such stories circulated from official sources.

If we are to have clear thinking on the part of the American people in regard to the prosecution of this war, it must stem from the military authorities themselves. How we can expect other than confusion among the patriotic citizens of the United States when such opposing announcements as this are made is beyond my honest comprehension.

There are those of us who have advocated for many, many years that we should have in this country one supreme command, and under that command separate authorities for the Army, the Navy, and the air force. However, we have been denied even the opportunity to have such legislation heard before the committees of this Congress. I do not wish to discuss that question this afternoon. I have taken time to direct attention of the Congress on previous occasions to failure of our committees to hear discussed in an informative and straightforward manner such proposals which have been made by the Members of this body.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from New York.

Mr. REED of New York. I do not know what the experience of the gentleman or of my colleagues has been, but I am receiving letters wanting to know if this statement or that statement made by different officials is true, and I am not in a position to tell these people what the truth is.

Mr. RANDOLPH. Of course not. Our people want authentic information. They know not what to believe. For the Secretary of the Navy to say one day that the trouble on the west coast was false and for the Secretary of War to say the next day that it was real is absolutely indefensible.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from California.

Mr. VOORHIS of California. What concerns me about this matter is the people of our section.

Mr. RANDOLPH. Certainly, they are in the dark.

Mr. VOORHIS of California. They were pretty fine throughout this whole business. All in the world they want is a simple statement upon which they feel they can absolutely rely. I am confident they are going to get that, and I think it is very important that they do get it.

Mr. RANDOLPH. I thank the gentleman, and I join in the hope that a common ground on which we can stand can be soon found. The American people, if told the actual happenings, will always respond to the truth. They are not children. They are sober and understanding men and women.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from California.

Mr. HINSHAW. In connection with the statement by the Secretary of War, may I say that I was told on the following day by three different sources in the War Department, not by the Secretary, that they did not believe it was necessarily enemy planes that came over the Los Angeles area. Then the Secretary of War came out and refuted the statements made by representatives of his own Department.

Mr. RANDOLPH. I am sorry these divergent and misleading statements have been made. If they were rumors I would not discuss them, but I have checked and have found that they were given to the press by the Secretary of the Navy and the Secretary of War. I call on our Commander in Chief to stop this unwarranted situation.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I hope the members of the committee will aid us in trying to get through with the consideration of this bill. I have no purpose to lecture anybody, but I hope that we can hold the discussion to the provisions of the bill under consideration. I have not objected to any extraneous discussion heretofore, but I shall object hereafter.

The Clerk read as follows:

SEC. 1302. For the coinage of such 5-cent pieces the Secretary of the Treasury is hereby authorized to allocate to the Director of the Mint, at such times and in such amounts as the Secretary deems necessary, any silver bullion in the monetary stocks of the United States not then held for redemption of any outstanding silver certificates. Silver so allocated shall be accounted for by entries in the fund established for the purchase of metal for minor coinage: *Provided*, That the value of any silver bullion accounted for in said fund shall not be considered for the purpose of determining the statutory limit of said fund: *Provided further*, That the gain from the minor coinage provided for by this title shall be accounted for by entries in the minor coinage profit fund.

SEC. 1303. No silver-copper ingots shall be used for the minor coinage provided for by this title which differ from the legal standard by more than ten-thousandths. In adjusting the weight of such minor coins there shall be no greater deviation allowed than four grains for each piece.

SEC. 1304. For the purpose of section 3529 of the Revised Statute (U. S. C., title 31, sec. 341), the 5-cent pieces provided for by this title shall be deemed to be copper.

SEC. 1305. Upon redemption any 5-cent pieces coined in accordance with the provisions of this title shall after December 31, 1946, be allocated to the Director of the Mint for melting and for subsidiary silver coinage. Any 5-cent pieces coined in accordance with the provisions of this title but not issued by the mint may after December 31, 1946, be allocated, in such amounts and at such times as the Secretary of the Treasury in his discretion may determine, to the Director of the Mint for melting and for subsidiary silver coinage. All 5-cent pieces allocated to the Director of the Mint in accordance with this section shall be accounted for by entries in the fund established for the purchase of silver bullion for subsidiary silver coinage. Upon coinage into subsidiary silver coins of the metal contained in the 5-cent pieces so allocated, the gain shall be accounted for by entries in the silver-profit fund.

SEC. 1306. This title shall become effective 60 days after approval.

TITLE XIV—INSPECTION AND AUDIT OF WAR CONTRACTORS

SEC 1401. The provisions of section 10 (1) of an act approved July 2, 1926 (44 Stat. 787; 10 U. S. C. 310 (1)) (giving the Government the right to inspect the plant and audit the books of certain contractors), shall apply to the plant and books of any contractor with whom a defense contract has been placed at any time after the declaration of emergency on September 8, 1939, and before the termination of the present war: *Provided*, That, for the purpose of this title, the term "defense contract" shall mean any contract, subcontract, or order placed in furtherance of the defense or war effort: *And provided further*, That the inspection and audit authorized herein, and the determination whether a given contract is a "defense contract" as defined above, shall be made by the agency placing such contract or order or the contract or order under which such subcontract was placed, or by the Chairman of the War Production Board.

With the following committee amendment.

Page 25, line 12, strike out "and books" and insert "books, and records."

The committee amendment was agreed to.

Mr. McLAUGHLIN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. McLAUGHLIN: On page 25, line 21, after "by", strike out the remainder of the line and all of line 22 and the first two words on line 23 and insert "a governmental agency or officer designated by the President."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 1402. The provisions of sections 9 and 10 of the act of September 26, 1914 (38 Stat. 722), are hereby made applicable to the jurisdiction, powers, and duties of any agency or of the Chairman of the War Production Board acting hereunder. Any person who shall, without just cause, fail or refuse to attend or testify or to comply with any order or subpena issued under this title, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than $1,000 nor more than $5,000, or to imprisonment of not more than 1 year, or both.

With the following committee amendment:

On page 25, beginning in line 25, strike out all of section 1402 and insert the following:

"SEC. 1402. For the purpose of obtaining any information or making any inspection or audit pursuant to section 1401, any agency acting hereunder, or the Chairman of the War Production Board, as the case may be, may administer oaths and affirmations and may require by subpena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be deemed relevant to the inquiry. Such attendance and testimony of witnesses and the production of such books, records, or other documentary or physical evidence may be required at any designated place from any State, Territory, or other place subject to the jurisdiction of the United States: *Provided*, That the production of a person's books, records, or other documentary evidence shall not be required at any place other than the place where such person resides or transacts business, if, prior to the return date specified in the subpena issued with respect thereto, such person furnishes such agency or the Chairman of the War Production Board, as the case may be, with a true copy of such books, records, or other documentary evidence (certified by such person under oath to be a true and correct copy) or enters into a stipulation with such agency or the Chairman of the War Production Board, as the case may be, as to the information contained in such books, records, or other documentary evidence. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. No person shall be excused from attending and testifying or from producing any books, records, or other documentary or physical evidence in obedience to any such subpena, or in any action or proceeding which may be instituted under this section, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be subject to prosecution and punishment or to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that any such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. Such agency or the Chairman of the War Production Board shall not publish or disclose any information obtained under this title which such agency or the Chairman of the War Production Board deems confidential or with reference to which a request for confidential treatment is made by the person furnishing such information, unless such agency or the Chairman of the War Production Board determines that the withholding thereof is contrary to the interest of the national defense and security; and anyone violating this provision shall be guilty of a felony and upon conviction thereof shall be fined not exceeding $1,000, or be imprisoned not exceeding 2 years, or both.

"SEC. 1403. In case of contempt by, or refusal to obey a subpena issued to, any person, any agency acting hereunder, or the Chairman of the War Production Board, as the case may be, may invoke the aid of any court of the United States within the jurisdiction of which any investigation or proceeding under this title is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, records, or other documentary or physical evidence. And such court may issue an order requiring such person to give testimony or produce any books, records, or other documentary or physical evidence touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, records, or other documentary or physical evidence, if in his power to do so, in obedience to the subpena of any agency acting hereunder, or the Chairman of the War Production Board, as the case may be, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than $5,000, or to imprisonment for a term of not more than 1 year, or both.

"SEC. 1404. For purposes of this title, the term 'person' shall include any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: On page 29, beginning in line 16, insert the following:

"TITLE XV—UTILIZATION OF VITAL WAR INFORMATION

"SEC. 1501. The Secretary of Commerce is authorized, subject to any regulation or direction that the President may issue, to make such special investigations and reports of census or statistical matters as may be needed in connection with the conduct of the war. In carrying out the purpose of this section, the Secretary is further authorized to dispense with or curtail any regular census or statistical work of the Department of Commerce, or any bureau or division thereof. Any person, partnership, firm, or corporation who shall refuse or willfully neglect to answer any questions in connection with any special investigations made under this section, or who shall willfully give answers that are false, shall be fined not exceeding $500 or imprisoned for a period of not exceeding 60 days, or both.

"SEC. 1502. That notwithstanding any other provision of law, any record, schedule, report, or return, or any information or data contained therein, now or hereafter in the possession of the Department of Commerce, or any bureau or division thereof, may be made available by the Secretary of Commerce to any branch or agency of government for use in connection with the conduct of the war, subject to any regulations that the President may issue. No person shall disclose or make use of any individual record, schedule, report, or return, or any information or data contained therein contrary to the terms of such regulations; and any one violating this provision shall be guilty of a felony and upon conviction thereof shall be fined not exceeding $1,000, or be imprisoned not exceeding 2 years, or both."

Mr. MOSER. Mr. Chairman, I make a point of order against the committee amendment.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on the point of order.

Mr. MOSER. Mr. Chairman, this legislation had its genesis last spring when the new Director of the Census went to the Administrator of the W. P. A. and sought an additional sum of money, $56,983, to take another population census of Washington only a year after the regular decennial census, and one of housing, and before the result thereof was available. The proposal being rejected by Mr. Hunter, he appeared before the Bureau of the Budget. Thereupon there appeared in the Washington Star an account of its rejection.

The CHAIRMAN. If the gentleman will indulge the Chair, the Chair desires to hear the gentleman on the point of order.

Mr. MOSER. I am anxious to get to that, Mr. Chairman. However, I will point out that the definite point of order is as much what the proposed legislation is about as what the point of order would consist of.

The CHAIRMAN. What is the ground for the gentleman's point of order?

Mr. MOSER. The point of order is very definitely that the Constitution of the United States provides that the first census should be taken within 3 years from the convening of the first Congress and every 10 years thereafter. This Title XV contains this provision:

The Secretary is further authorized to dispense with or curtail any regular census or statistical work of the Department of Commerce, or any bureau or division thereof.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on his point of order.

Mr. MOSER. The objective being to take sample censuses, the Director of the Census appeared at my office, and when I asked him what he meant by sample censuses he very definitely told me that it was comparable to the Gallup poll. Now on last Friday in the Washington Post, on page 11, appeared a Gallup poll account of this proposal which I will ask the Clerk to read.

The CHAIRMAN. Of course, the gentleman may ask unanimous consent to have the article read, but the Chair is not able to understand how that has a bearing on the point of order.

THE GALLUP POLL—FEDERAL PLAN FOR ANNUAL CENSUS INDICATES GROWING RECOGNITION OF SCIENTIFIC SAMPLING

(By Dr. George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., February 19.—A step of far-reaching importance in governmental practice is being proposed by the Bureau of the Census in Washington.

It is a plan for an annual census of population, labor force, and housing based on sampling principles commonly used in polls of public opinion. The plan, if carried through, will enable the Bureau to report total population and other census data every year, instead of every 10 years, with virtually the same degree of accuracy—possibly even with greater accuracy—and at a small part of the cost of the 10-year census.

NOVEMBER 2 ENUMERATION

The plan is being discussed by officials of the Department of Commerce with a view to submitting a request for funds to the Bureau of the Budget. A specific date, November 2 of this year, has already been tentatively proposed as the day on which the enumeration will take place.

Many people recognize that the usefulness of the 1940 census is already impaired in many respects owing to the shifts in population brought about by conversion of industry to a war basis and other economic dislocations. It is also widely recognized that

an annual census conducted by the sampling or cross-section method can actually be just as accurate as the regular 10-year census, and can produce a wide variety of up-to-date information at a fraction of the cost of the regular census which attempts to count everybody in the country.

HIGH ACCURACY POSSIBLE

The census of 1940 was made by approximately 20,000 field enumerators, many of whom had no previous training for the job of counting the population. Under the new sampling-census plan, enumerators will be hand-picked for their skill and intelligence, and can be expected to do a better job than the average enumerator in the regular 10-year census.

No sampling poll or census can, of course, be completely accurate, but, as a matter of fact, no decennial census of the whole population is ever completely accurate, either.

The institute found, for example, in a special survey, that the 1940 census was 99 percent accurate—that approximately 1 percent of the population had been missed by the enumerators.

SAMPLES 5 PERCENT OF TOTAL

The new sampling census plan proposes to estimate the population by enumerating 5 percent of the total, which would mean approximately 1,650,000 families. Expectations of the range of probable error in the results run from as low as four-tenths of 1 percent to 1 or 2 percent.

Dr. Philip M. Hauser, assistant chief statistician for population of the Bureau of the Census, says:

"It can be demonstrated that for a city having 1,000,000 or more inhabitants with a normal amount of migration, the total population, based on a 5 percent sample, can, on the average, be estimated with an error of less than four-tenths of 1 percent, and with an error that will very rarely be as great as 1 or 2 percent. Populations of smaller cities can be estimated with proportionately greater error."

Mr. MOSER. Such is my purpose, Mr. Chairman. It definitely points out, Mr. Chairman, that they propose to supersede the censuses provided for by the Constitution and by law directed and do away with the employment every decade of upward of 20,000 inexperienced, untrained, and unskilled employees to take a decennial census and do it by the sample method through experts technically chosen for it. Mr. Gallup accepts it and lauds it in support of his proposed sampling. This is exactly what the article covers. The proposal definitely is linked, first, with taking sample censuses, as explained by the Director of the Census, which would be equivalent to a Gallup poll. Here we have legislation which is exposed by the Gallup poll in an article last Friday that very definitely says it is a justification of the processes by which the Gallup poll determines a cross section of opinion, and it is to be substituted for the census.

Mr. SUMNERS of Texas. Mr. Chairman, a parliamentary inquiry, if I may submit it. We are not able to hear the statement of the gentleman's point of order and do not know what the point of order is. If his point of order is that this section has no constitutional warrant, I make the objection that that is not a proper point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. MOSER] desire to be heard further on the point of order?

Mr. MOSER. Yes, Mr. Chairman. The Constitution says that—

The actual enumeration shall be made within 3 years after the first meeting of the Congress and then every subsequent term of 10 years in such manner as they shall, by law, direct.

This is a part of the Constitution.

The CHAIRMAN. Will the gentleman kindly invite the Chair's attention to the rule of the House or the precedent of the House which places upon the Chair the responsibility of passing upon the constitutionality of the provision included in the bill under consideration?

Mr. MOSER. If the Chair will bear with me, when I mentioned it to the distinguished gentleman from Tennessee the other day, he said it would depend upon the matter involved and how it would be presented. That was the statement made when I sought the information. It is such ruling that I ask now.

The CHAIRMAN. Is the gentleman prepared to invite attention to the provisions of any rule or precedent on the point of order?

Mr. MOSER. I am not, Mr. Chairman.

Mr. SUMNERS of Texas. Mr. Chairman, I want to make the point of order that, as I understand the point of order of the gentleman, his point of order is not in order.

The CHAIRMAN. The Chair is prepared to rule.

Fortunately for the Chair, the Chair does not have the responsibility of passing upon the question of constitutionality of any provision of a bill that is under consideration. Therefore, the Chair overrules the point of order made by the gentleman from Pennsylvania and sustains the point of order made by the gentleman from Texas.

The question is on the committee amendment. Does the gentleman from Pennsylvania [Mr. MOSER] desire to be heard on that amendment?

Mr. MOSER. I desire to be heard in opposition, and there is an amendment at the desk suggested by the Director of the Budget.

The CHAIRMAN. Does the gentleman desire to offer an amendment to the committee amendment?

Mr. MOSER. I will offer it after I have spoken in opposition to the committee amendment.

The CHAIRMAN. Does the gentleman desire recognition in opposition to the committee amendment?

Mr. MOSER. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MOSER. Mr. Chairman, I would not want to enter into any jurisdictional dispute about the matter which was placed before the Committee on the Census. We had hearings on this proposal and went into it to considerable extent and thereupon the energy of the new Director of the Census was such that he proceeded to the Attorney General who prepared a proposed Executive order for the President to issue to suspend the manufactures census and the Attorney General furnished me that copy. They decided not to use it because they held the President did not have authority to do it. Next, the Director of the Census appeared before the Budget and the Director of the Budget caused this letter to be sent to me, dated January 17 of this year, submitting an appendix A in the form of a draft of a bill that the Director of the Census prepared and proposed to have included in this omnibus bill or the second war powers bill.

This was furnished me by the Director of the Budget and is, word for word, identical with the provision in this bill except for a very few immaterial deletions of a few words. That was furnished me by the Director of the Budget. The Budget Director turned down the Director of the Census on the proposal. I was astonished when Mr. South Trimble, Jr., came to my office recently and told me that he had been before the subcommittee of the Committee on the Judiciary for the purpose of having this proposal included, saying it applied to the Bureau of Domestic and Foreign Commerce of the Commerce Department and sought authority for the Secretary of Commerce. However, when I made a comparison of what he proposed to put through the Budget and what the Attorney General has shunned, I found it was so similar and told him I would not ignore the committee I have the honor to head and make objection to it on the ground of disclosure as a consequence of extensive hearings that we held. The Attorney General has assured me that in due season he will help us draft the type of legislation needed. The Committee on Appropriations, through Mr. Shields, made a suggestion as to what language shall be used in order to impound appropriations already authorized to take the manufactures census, not intended to be used but which was proposed in this bill that was rejected by the Bureau of the Budget, to be turned over to the Census Bureau to be used for some other purpose.

I think that under the circumstances and what I have placed before you in respect to a proposal on the part of the census to obtain by this legislation authority for the Secretary of Commerce to suspend any census, which, of course, includes the decennial census of population, and therefore undertake to take this so-called sampling census throughout the Nation by these so-called experts, and do it on a sampling basis, that involves going back of the Constitution and the manner in which the census is by law taken. The Director of the Census came to my office and called it comparable to the Gallup poll. Now, Dr. Gallup in his write-up of last week points out that it is proposed to start taking the annual census of population and of housing, to start on November 2 of this year. Where Dr. Gallup gets that from I do not know, except that there must be a secret understanding on the part of the bureaucrats, and I would remind the House that for the first time in 150 years of the Government taking of the census, a special act of the Congress authorizing them to take a census of housing was passed, which was for the Sixteenth Decennial Census to be taken in 1940. That was the first time, and that naturally

has expired. I put that to the Director of the Census, and he said, "Oh, that is implied authority, and we can go ahead and do it again." I said not without a special act of Congress, but here we have an approbation upon the part of Dr. Gallup, and that is exactly what is proposed and was contemplated from the genesis of the present bill when it came before the Committee on the Census. I dare say they were working in close collaboration, because the Director of the Census called it comparable to the Gallup poll when he proposed it in the first place.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Chairman, I move to strike out the last word. I doubt that I can say anything that has not already been said about the Smith amendment, which provides that the Federal Reserve bank shall not at any time purchase more than $5,000,000,000 in any Government or other securities; but it is a matter of such great importance that I invite your attention to the fact that if that amendment should become law, it would mean high interest rates, and high interest rates all of the time. That is all it would mean. It would mean that the Government would be compelled to pay brokerage fees on all of the bonds that the Federal Reserve banks purchase. As positive and conclusive evidence that that statement is true, on Saturday, December 6, before Pearl Harbor, a certain amount of bonds had been offered to the bond-purchasing public of the country.

When the news of the Pearl Harbor incident came out on Sunday the Federal Reserve banks were apprehensive and the Treasury was apprehensive that these bonds would not be subscribed for at par. So the Federal Reserve banks immediately got on the wire and let the large banks know that if they bought these bonds, they would actually pay them a premium of $1.30 on every $100 that they bought, in order to make sure that they were bought in the market. Under the present law, since 1935 the Federal Reserve banks can purchase bonds in the open market, but they cannot purchase them from the Treasury. From 1933 to 1935 they could purchase them from the Treasury, and there is only one reason, to my mind, why they can consistently argue that they should be purchased in the open market, and that is to compel the Government to pay a brokerage fee to private banks on every sale of Government bonds, and for the purpose of making interest rates go higher and higher and higher. Five billion dollars is a very small amount compared to the national debt of $150,000,000,000. Remember, the Federal Reserve banks have already purchased approximately two and one-half billion dollars. So that would only leave them a leeway of two and one-half billion dollars to control $150,000,000,000 worth of bonds which would be absolutely impossible.

I hope the Smith amendment is voted out of this bill.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Ohio [Mr. SMITH] is recognized for 3½ minutes.

Mr. SMITH of Ohio. I relinquish my time, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. HINSHAW] is recognized.

Mr. HINSHAW. Mr. Chairman, I asked for this time to ask the chairman of the committee what is the purpose of this section 1501, where special investigations and reports may be made in connection with the national defense, where people can be fined and imprisoned for failure to answer or present matters?

Mr. SUMNERS of Texas. As explained to the committee—and I think the committee was convinced—this is a provision which would enable the Census Bureau to ascertain facts which may be necessary to have by those agents that are referred to in the legislation, and to prevent those agents from having to set up some fact-finding or information-acquiring organization of their own.

Mr. HINSHAW. Was the gentleman assured there would be no snooping expedition into matters that might in some remote way be related to the war, but still be of value to somebody who would like to have it? Has the gentleman been assured of that?

Mr. SUMNERS of Texas. That would be a pretty big commission for me to take on.

Mr. HANCOCK. This information can only be used by Government agents in the Government interests. This is necessary in connection with the allocation, rationing, and hoarding of materials. I might call attention to one feature of the bill which I have never seen before. It authorizes the Secretary of Commerce to dispense with certain activities in which he is now engaged. That is something new.

Mr. HINSHAW. Will the gentleman assure the House, in accordance with his information, that there is no attempt to set up any supersnooping organization in the United States?

Mr. HANCOCK. That is not the intention of our committee, I can assure the gentleman.

The CHAIRMAN. Does the gentleman from Ohio seek recognition?

Mr. SMITH of Ohio. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 3½ minutes.

Mr. SMITH of Ohio. Mr. Chairman, I should like to ask the committee where this provision we are discussing originated. Who wrote title XV of this bill?

Mr. McLAUGHLIN. This suggestion was at the request of the Commerce Department in order that it might be in a position to furnish material to the other departments which material is deemed necessary in connection with the prosecution of the war, and which it is not now in a position to give to the other departments.

Mr. SMITH of Ohio. We know that the National Resources Planning Board has for some time been making an attempt to get control of the census statistics. What I am wondering is whether it is not some organization that is back of this proposal. If the purpose of this title is to investigate aliens or get information relating to them for the purpose of preventing sabotage or espionage, that is one thing. But if the purpose of it is along the lines that the National Resources Planning Board is working, namely a communized state, I think the Congress ought to know about it.

Mr. McLAUGHLIN. Is the gentleman from Ohio directing an inquiry to the gentleman from Nebraska?

Mr. SMITH of Ohio. I am trying to trace the birth of it.

Mr. McLAUGHLIN. I may say to the gentleman that if he will read the title I think he will be satisfied that the situation will be handled properly, because he will note in line 18, page 29, that the authorization is extended to the Secretary of Commerce, Mr. Jesse Jones. I think the gentleman will agree with all of the Members of the House of Representatives, in their high approval of the conduct of Mr. Jesse Jones. His past record is an indication of what we can expect of him in the future.

Mr. SMITH of Ohio. I agree with the gentleman with respect to Mr. Jesse Jones. I have all the faith in the world in him, but I did not know we were legislating for any individual. I thought we were legislating for the United States.

Mr. McLAUGHLIN. I think we are legislating for the United States. You have asked me a question that I have attempted to give you the answer.

Specifically answering the gentleman's question, I believe the matter is in safe hands.

Mr. WHITE. Will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. WHITE. Is not the real purpose of this provision to enable us to get factual information concerning supplies in this country, hoarding, and so forth? Is not that the object of this particular provision, to get factual information concerning the supplies and materials in this country?

Mr. McLAUGHLIN. That is one of the purposes of the provision. Under it any information that is deemed necessary is permitted to be given out by the Bureau of the Census.

Mr. WHITE. It is alleged that the Army is hoarding and acquiring vast supplies that are unnecessary. Is there any way by which the Secretary of Commerce can reach that situation and determine from the Army the huge reserves they have on hand?

Mr. McLAUGHLIN. The gentleman is asking me to attempt to tell him how this is going to be administered. I have tried to explain that it will be administered under the supervision of the Department of Commerce and under the

supervision of the Secretary of Commerce.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Ohio has expired, all time has expired.

Mr. MOSER. Mr. Chairman, I offer an amendment. The amendment that was suggested by the Director of the Budget is at the desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOSER to the committee amendment: On page 29, line 22, after the word "war", change the period to a comma and insert the word "and,"; change the capital to a small "i" in the word "In", and line 23, after the word "section", strike out the words "the Secretary is further authorized."

On page 30, line 1, after the word "thereof", strike out remainder of line 1 and all of lines 2, 3, 4, 5, and 6.

Mr. McLAUGHLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN. May I inquire as to the amendment proposed by the gentleman from Pennsylvania? My attention was distracted in conference with the other Members with respect to the bill. Does the gentleman from Pennsylvania propose to strike out lines 1 to 6 on page 30?

The CHAIRMAN. The gentleman from Pennsylvania has offered an amendment to the committee amendment. Without objection, the Clerk will again report the amendment offered by the gentleman from Pennsylvania.

There was no objection.

The Clerk again reported the Moser amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. McLAUGHLIN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. McLAUGHLIN: On page 29, line 22, strike out the period after the word "war" and strike out the word "In" and insert in lieu thereof the following: ", and, in"; and on page 29, line 23, strike out the words "the Secretary is further authorized."

The CHAIRMAN. Without objection, the committee amendment is agreed to.

There was no objection.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The Clerk read as follows:

TITLE XV—TIME LIMIT AND SHORT TITLE

SEC. 1501. Titles I to X, inclusive, and title XII of this act, shall remain in force only until December 31, 1944, or until such earlier time as the Congress by concurrent resolution, or the President, may designate, but no court proceedings brought under any such title shall abate by reason of the termination hereunder of such title.

The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendments:

Page 30, line 21, strike out "XV" and insert "XVI."

Line 22, strike out "1501" and insert "1601"; and strike out "title XII" and insert "titles XII and XV."

Line 23, after the word "act", insert "and the amendments to existing law made by any such title."

The committee amendments were agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 31, after the word "designate", in line 1, insert the following: "And after such amendments cease to be in force any provision of law amended thereby shall be in full force and effect as though this act had not been enacted."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 1502. This act may be cited as the "Second War Powers Act, 1942."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 31, line 7, strike out "1502" and insert "1602."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill S. 2208, to further expedite the prosecution of the war, pursuant to House Resolution 444, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. CELLER. Mr. Speaker, I ask for a separate vote on the Starnes amendment striking out title XI.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. STARNES of Alabama: Beginning on page 17, line 12, strike out all of title XI.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CELLER and Mr. MARCANTONIO) there were—ayes 138, noes 68.

Mr. CELLER and Mr. MARCANTONIO objected to the vote on the ground a quorum was not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

Mr. MARCANTONIO. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include certain tables with reference to exports.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that certain remarks I made this morning may appear immediately preceding the passage of S. 2282 today.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ANDERSON]?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] may have permission to extend his own remarks in the RECORD and to include a statement concerning the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Al Williams.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BEITER]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter I received from the Rev. R. E. Skelton, of Indianapolis, Ind.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today in Committee and to include section 1 of Public, No. 846, the Walsh-Healey Act.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a memorial to the Congress of the United States by John M. Fouts.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent that in putting in the RECORD some remarks I made a day or two ago, I may include an extract from a Supreme Court decision.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HAINES, for Monday, March 2, on account of personal business of importance.

To Mr. BLAND (at the request of Mr. BURCH) on account of official business.

To Mr. DREWRY, Mr. IZAC, Mr. SASSCER, Mr. HEFFERNAN, Mr. MAAS, Mr. MOTT, and Mr. BATES of Massachusetts (at the request of Mr. DREWRY), for 1 week, on account of official business.

ADJOURNMENT

Mr. HARRIS of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until Monday, March 2, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing on Wednesday, March 4, 1942, on H. R. 6633.

COMMITTEE ON THE JUDICIARY

Beginning at 10 a. m., Wednesday, March 4, 1942, there will be held a hearing before Subcommittee No. 3 of the Committee on the Judiciary on the following bills: H. R. 4579 and H. R. 6582, to amend subsection (c) of section 1 of Public, No 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; and H. R. 6444, to provide for the registration of labor organizations, business and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARINGS ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

1447. Under clause 2 of rule XXIV, a letter from the Secretary of War, transmitting a draft of a proposed bill to amend the act approved March 14, 1936, entitled "An act to provide for vacations of Government employees, and for other purposes," was taken from the Speaker's table and referred to the Committee on the Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 4213. A bill for the relief of persons in connection with the extraction of gold-bearing ore from the Ruck-A-Chucky dam site; with amendment (Rept. No. 1842). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 4676. A bill to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to auth rize the acquisition of additional lands for the park in accordance with the act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes; with amendment (Rept. No. 1843). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 5394. A bill to authorize the lease or sale of public lands for use in connection with the manufacture of arms, ammunition, and implements of war, etc.; with amendment (Rept. No. 1844). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 5861. A bill to authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Va., from the Department of the Interior to the Department of the Navy; without amendment (Rept. No. 1845). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 6657. A bill to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes; without amendment (Rept. No. 1846). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 6671. A bill to authorize the Secretary of the Interior to acquire lands or interest in lands for the Geological Survey; without amendment (Rept. No. 1847). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANKIN of Mississippi:

H. R. 6699. A bill to provide for taking into custody certain persons who are citizens or subjects of, or owe allegiance to, any nation or country with which the United States is at war; to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT:

H. R. 6700 A bill to amend the act entitled "An act to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical minerals which in the opinion of the Corporation would be of value to the United States in time of war, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral developmental purposes," approved September 16, 1940, in order to promote the development and utilization for war purposes of mineralized areas in the national forests; to the Committee on Banking and Currency.

By Mr. FORAND:

H. R. 6701. A bill to amend the Social Security Act so as to provide Federal grants to States for war-displacement assistance, for special wartime assistance, and for other general public assistance; to the Committee on Ways and Means.

By Mr. LEA:

H. R. 6702. A bill to provide for the appointment of a district judge for the northern district of California in order to fill a vacancy in the office of an additional district judge heretofore authorized for such district; to the Committee on the Judiciary.

By Mr. SCRUGHAM:

H. R. 6703. A bill to authorize the Secretary of the Interior to lease for the exploitation of silica sand and other nonmetallic minerals, lands withdrawn by Executive Order No. 5105, dated May 3, 1929; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOMENGEAUX:

H. R. 6704. A bill for the relief of Lilyan Labouve Linney; to the Committee on Claims.

By Mr. LEA:

H. R. 6705. A bill for the relief of David B. Turpel; to the Committee on Military Affairs.

By Mr. ALLEN of Louisiana:

H. R. 6706. A bill to provide free laundry and dry-cleaning service for members of the armed forces of the United States; to the Committee on Military Affairs.

By Mr. JACKSON:

H. R. 6707. A bill to retire Ensign Charles N. Collier, United States Naval Reserve; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2505. By Mr. ALLEN of Louisiana: Resolution of the First Baptist Church of Ashland, La., protesting against the use of sugar in the manufacture of intoxicating liquors and against waste in Army camps; to the Committee on Military Affairs

2506. By Mr. ROLPH: Resolution of County Supervisors Association of California, at Sacramento, Calif., relative to the evacuation of Japanese from the State of California; to the Committee on Foreign Affairs.

SENATE

MONDAY, MARCH 2, 1942

(Legislative day of Friday, February 13, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou, who art the center of life, the heart of existence, and the very innermost sanctuary of perfection: Enable us, we beseech Thee, in these brief moments of meditation and prayer, to catch glimpses of the truth in its absolute fullness, and to find within ourselves the infinite calm that is born of spiritual vision and understanding.

Lift Thou our lives, and the life of every citizen of our beloved country, out of the shadow of misplaced confidence and trust in men, into the sunshine of Thy presence, where Thy majesty and might shall clothe us with power sufficient to carry our great emprise to

heights of glorious achievement, under the banner of righteousness, until all nations shall acknowledge the laws of Thy Kingdom and all men shall receive their divine birthright of beauty and love, of light and life. We ask it for Jesus Christ's sake. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, February 26, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed without amendment the bill (S. 2282) to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses.

The message also announced that the House had passed the bill (S. 2208) to further expedite the prosecution of the war, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1782) to authorize the payment of a donation to and to provide for travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1891) to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments, during the periods of absence from post of duty, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 691. An act for the relief of Richard Bove;

H. R. 794. An act for the relief of Catherine Ward;

H. R. 962. An act for the relief of Multnomah County, Oreg.;

H. R. 1060. An act to vest absolute in the city of Dearborn the title to lot 19 of the Detroit Arsenal grounds subdivision, Wayne County, Mich.;

H. R. 1647. An act for the relief of William H. Dugdale and wife;

H. R. 1755. An act for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 2302. An act to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes;

H. R. 2428. An act for the relief of G. F. Brown;

H. R. 2460. An act for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2908. An act for the relief of William H. Evens;

H. R. 2980. An act for the relief of National Heating Co., Washington, D. C.;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3433. An act for the relief of Bessie Pearlman and George Roth;

H. R. 3610. An act for the relief of Minnie C. Sanders;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4414. An act for the relief of Andrew Wichmann;

H. R. 4626. An act for the relief of the legal guardian of Jane Hawk, a minor, and J. L. Hawk;

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.;

H. R. 5413. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska settlement project in Alaska, and for other purposes;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. R. 5545. An act for the relief of H. Earle Russell;

H. R. 5573. An act for the relief of Mrs. Noel Wright and Bunny Wright;

H. R. 5605. An act for the relief of Lt. Col. J. B. Conmy;

H. R. 5646. An act for the relief of Joseph Simon, lieutenant commander (SC), United States Navy, and R. D. Lewis;

H. R. 5865. An act for the relief of Builders Specialties Co.;

H. R. 6003. An act to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938;

H. R. 6072. An act authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.;

H. R. 6107. An act to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek Parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery;

H. R. 6270. An act to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia;

H. R. 6332. An act to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee;

H. R. 6536. An act to change the name of Conduit Road in the District of Columbia;

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes; and

H. J. Res. 260. Joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Glass	O'Mahoney
Bailey	Green	Overton
Ball	Guffey	Radcliffe
Bankhead	Gurney	Reed
Barbour	Hayden	Reynolds
Barkley	Hill	Rosier
Bilbo	Holman	Russell
Bone	Hughes	Schwartz
Brewster	Johnson, Colo.	Shipstead
Brooks	Kilgore	Smathers
Bulow	Langer	Stewart
Burton	Lee	Taft
Byrd	Lucas	Thomas, Idaho
Capper	McCarran	Thomas, Okla.
Caraway	McFarland	Thomas, Utah
Chavez	McKellar	Truman
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Vandenberg
Connally	Maybank	Van Nuys
Danaher	Mead	Walsh
Davis	Millikin	Wheeler
Doxey	Murdock	White
Ellender	Murray	Wiley
George	Nye	Willis
Gillette	O'Daniel	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], and the Senator from Washington [Mr. WALLGREN] are holding hearings in western States on matters pertaining to national defense, and are therefore unable to be present.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Michigan [Mr. BROWN], the Senator from Nevada [Mr. BUNKER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. HERRING], the Senator from South Carolina [Mr. MAYBANK], the Senator from Arkansas [Mr. SPENCER], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. McNARY. The Senator from California [Mr. JOHNSON] is unavoidably absent.

Mr. AUSTIN. My colleague the Senator from Vermont [Mr. AIKEN] is absent on public business.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of injury and illness.

The Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

WAR PRODUCTION—PRESIDENT'S PRODUCTION ORDER

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at this point, a copy of the production order of the President to Mr. Donald M. Nelson, and Mr. Nelson's reply thereto

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

PRODUCTION ORDER—TEXT OF THE PRESIDENT'S ORDER FOR MORE PRODUCTION AND MR. NELSON'S REPLY

THE PRESIDENT'S LETTER

DEAR MR. NELSON: The months just ahead are the critical months of the war. Victory depends in large measure on the increased war poduction we are able to get from our factories and arsenals in the spring and summer of 1942

What has been done so far must be exceeded. This is total war. We are all under fire—soldiers and civilians alike. No one is a spectator, we are all belligerents. To win we must fight.

The urgency of today must be felt in every shop and factory producing war goods, in every home and on every farm. Then we shall achieve the spirit and cooperative action that carries a team to victory.

I therefore direct you to take every possible step to raise production now, to bring home to labor and management alike the supreme importance of war production this crucial spring.

FRANKLIN D. ROOSEVELT.

MR. NELSON'S REPLY

MY DEAR MR. PRESIDENT: In response to your letter directing me to take every possible step to increase war production in the crucial months ahead, the War Production Board is undertaking the following:

A continuing national drive, designed not merely to increase production at once but to keep stepping it up further as the war continues.

The principal aims of this drive are to increase production immediately in plants which now have war contracts and to convert other plants to war production as speedily and as completely as possible.

This will be made effective in a great variety of ways, including:

1. Greater utilization of plants now producing war goods, aimed at bringing us as close as possible to the theoretical maximum of 168 hours work per week for every machine in those plants.

2. Recognition and awards for outstanding industrial accomplishment both by management and labor.

3. Establishment of a plan for joint labor-management war plant committees which will consider suggestions from all quarters for increasing production and which will help demonstrate the importance of our soldiers of production.

I have discussed this matter with officials of the War and Navy Departments and the Maritime Commission and have been assured of their hearty cooperation.

Monday night I shall start a series of weekly discussions of the part each one of us will play in this drive. I shall announce other details as rapidly as possible.

DONALD M. NELSON.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF COMMERCE (S. DOC. NO. 186)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce, fiscal year 1943, amounting to $461,750, in the form of an amendment to the Budget for that fiscal year (with an accompanying paper); to the Committee on appropriations and ordered to be printed.

REPORT ON OPERATION OF SELECTIVE SERVICE ACT

A letter from the Secretary of War, reporting, pursuant to law, relative to the number of men in the land forces under the provisions of law on the last day of a specified month; to the Committee on Military Affairs.

REPORT OF THE FEDERAL WORKS AGENCY

A letter from the Administrator of the Federal Works Agency, transmitting, pursuant to law, the second annual report of that Agency and its constituent administrations and authority, for the fiscal year ended June 30, 1941 (with an accompanying report); to the Committee on Education and Labor.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of War and the Navy, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

The petition of Sidney J. Kittleson, of Fargo, N. Dak., praying for the enactment of legislation granting pensions to old and crippled persons; to the Committee on Finance.

A telegram in the nature of a petition from Ralph H. West, of Cleveland, Ohio, praying for the prompt enactment of legislation to regulate the manpower of the Nation, to prohibit strikes or walkouts, to abolish the 40-hour week, to provide for Sunday and holiday work, etc., so as to speed the war effort; to the Committee on Military Affairs.

A resolution of the House of Representatives of Puerto Rico; to the Committee on Military Affairs:

HOUSE OF REPRESENTATIVES OF PUERTO RICO

I, Victor Gutierrez Franqui, secretary of the House of Representatives of Puerto Rico, hereby certify that at the meeting of this legislative body held on February 9, 1942, was adopted the following resolution:

"Whereas the totalitarian powers, with a decided purpose to destroy democracy throughout the world in order to establish a regime of violence, insecurity, and oppression, have extended their devastating war to the American Hemisphere;

"Whereas after the brutal and treacherous attacks on the naval base of Pearl Harbor and the Philippine Islands the Congress of the United States declared the existence of a state of war with the totalitarian powers;

"Whereas in the present conflict, which at this time already includes all the nations of the earth, the fate of democracy in the world is involved, the totalitarian powers striving to annihilate it definitely as an ideal of life and of government, and all free nations being bound in a common effort to insure its subsistence in order to save with it the conquests of civilization, the spiritual values of humanity, and the right of man to liberty, security, and peace;

"Whereas the people of Puerto Rico, because of their close relations with the people and the Government of the United States and their devotion to the cause of democracy, are absolutely identified with the great American Nation in this struggle for the subsistence of liberty and right;

"Whereas the people of Puerto Rico are ready to make the utmost contribution of men and effort and to suffer whatever sacrifices may be necessary in order to fight beside the people and the Government of the United States in this transcendental struggle until the totalitarian powers are definitively defeated and the bases of a regime of justice and security for all nations are firmly established;

"Whereas, interpreting the sentiment of loyalty of our people to the American Nation and their solidarity of purpose in the fight begun, the Legislature of Puerto Rico today, the opening of its second regular session of the Fifteenth Legislature of Puerto Rico, considers it its duty to make these feelings public and to fix historical position in this great struggle for the cause of democracy, pledging its best efforts for the triumph thereof: Now, therefore, be it

"*Resolved by the House of Representatives of Puerto Rico:*

"First. To express, as it is hereby expressed, the solidarity of the people of Puerto Rico with the people and the Government of the United States of America in the struggle against the totalitarian powers undertaken to safeguard democracy in the world.

"Second. To pledge, as they are hereby pledged, all the resources and efforts of the people of Puerto Rico to carry forward the war until the total destruction of the military power of the totalitarian forces and the vigorous affirmation of liberty and democracy as standards of life for all peoples.

"Third. To testify, as it is hereby testified, to the administration of the Honorable Franklin Delano Roosevelt, the profound identification of our people with his efforts in favor of these great ideals of humanity.

"Fourth. To send a copy of this resolution to the President of the United States of America, the Honorable Franklin Delano Roosevelt; to the Speaker of the House of Representatives of the United States; to the President of the Senate of the United States;

to the Secretary of the Interior; to the Governor of Puerto Rico, and to the Resident Commissioner of Puerto Rico to the United States."

And for transmittal to the Honorable HENRY A. WALLACE, Vice President of the United States, I issue and sign these presents, stamping thereon the seal of the House of Representatives, in San Juan, Puerto Rico, this 9th day of February 1942.

VICTOR GUTIERREZ FRANQUI,
Secretary.

By Mr. VANDENBERG:

A resolution of the Board of Supervisors of Houghton County, Mich., favoring the enactment of legislation to provide practical agricultural training on the farm for persons displaced from employment by defense projects; to the Committee on Agriculture and Forestry.

A resolution of the Board of Supervisors of Houghton County, Mich., favoring the adoption and establishment of a flood-control plan for the Sturgeon River; to the Committee on Commerce.

A resolution of the City Council of Ecorse, Mich., protesting against the establishment of a proposed housing project for Willow Run, and favoring the establishment of such a project for the city of Ecorse and adjacent communities in the State of Michigan; to the Committee on Education and Labor.

A resolution adopted by the annual meeting of the Michigan Association of Road Commissioners and Engineers at the twenty-eighth annual Michigan Highway conference at Ann Arbor, Mich., favoring changes in existing laws so as to permit the use of Work Projects Administration employees, under direct supervision of county road commissions, on county highway maintenance to supplement the regular work of the county road commissions; to the Committee on Post Offices and Post Roads.

A resolution adopted by the annual meeting of the Michigan Association of Road Commissioners & Engineers at the twenty-eighth annual Michigan highway conference at Ann Arbor, Mich., protesting against the enactment of legislation to empower the Interstate Commerce Commission or any other Federal agency to determine the maximum weights and sizes of commercial vehicles engaged in interstate commerce; to the Committee on Interstate Commerce.

The petition of members of the Christian Workers Guild of the Burton Heights Christian Reformed Church, in the State of Michigan, praying for the enactment of legislation to curtail the manufacture and sale of alcoholic beverages in the interest of national defense; to the Committee on the Judiciary.

A resolution of the Lansing (Mich.) Defense Council, favoring adequate military protection for vital defense areas in the State of Michigan; to the Committee on Military Affairs.

A petition of sundry citizens of Detroit, Mich., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Military Affairs:

"STATE OF MICHIGAN—MICHIGAN LEGISLATURE

"SENATE CONCURRENT RESOLUTION 3

"(By Messrs. Laframboise and McCallum)

"Concurrent resolution memorializing the Congress of the United States to designate as a military road a highway from Detour to Sault Ste. Marie, in the Upper Peninsula of Michigan

"Whereas a military road should be designated and established from Detour to Sault Ste. Marie, in the Upper Peninsula of Michigan, paralleling as near as may be the St. Marys River, building along said road airports and such defense protection as may be advisable, inasmuch as the St. Marys River very largely constitutes the boundary between the United States and Canada in that location; and

"Whereas it is vital in keeping the Michigan arsenal of defense in operation, that the Great Lakes and connections between the Upper and Lower Peninsulas be kept open and protected: Now, therefore, be it

"*Resolved by the senate (the house of representatives concurring)*, That the Michigan Legislature respectfully urges the Congress of the United States to designate as a military road a highway from Detour to Sault Ste. Marie, in the Upper Peninsula of Michigan; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, to the President of the Senate and Speaker of the House of Representatives of Congress, and to the Michigan Members in the Senate and House of Congress.

"Adopted by the senate on February 17, 1942.

"Adopted by the house of representatives on February 18, 1942.

"FRED I. CHASE,
"Secretary of the Senate.
"MYLES F. GRAY,
"Clerk of the House of Representatives."

By Mr. CAPPER:

A petition of sundry citizens of Wilsey, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

INTEREST RATES ON LAND BANK AND COMMISSIONER LOANS

Mr. CAPPER. Mr. President, I present and ask to have printed in the RECORD and appropriately referred a letter and a resolution from the Norton County National Farm Loan Association of Norton, Kans., urging continuation of 3½ percent interest rates on Federal land bank and Land Bank Commissioner loans. These communications clearly present the urgent need for favorable consideration of a financing program which will provide reasonable interest rates for farmers.

There being no objection, the letter and resolution were referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

THE NORTON COUNTY
NATIONAL FARM ASSOCIATION,
Norton, Kans., February 19, 1942.

The Honorable ARTHUR CAPPER,
Senator from Kansas,
Washington, D. C.

DEAR SIR: At the annual meeting of the stockholders of the Norton County National Farm Loan Association held February 11, 1942, at Norton, Kans., with 101 stockholders present, representing approximately 27 percent of the stockholders, a motion was made and unanimously carried instructing the board of directors of the Norton County National Farm Loan Association to prepare a resolution concerning the continuation of 3½-percent interest rates on Federal land bank and Land Bank Commissioner loans for an additional period, with instructions that a copy of this resolution be mailed each Senator from Kansas and the Representatives from the western half of the State.

A great number of the borrowers of this association have never raised a crop since 1933, when their loans were made, until 1941, which was an average season. The grass in this territory, through continued drought and dust, would not pasture a normal amount of livestock, and it was not until the 1941 season that the pastures of this territory became practically normal.

A copy of the resolution adopted by the directors is enclosed for your information. It seems hard to have the interest rates increased after the first crop raised in this territory, and before the farmers of this territory have a chance to get back on their feet. We have made substantial progress this year, and I believe with two more crops the borrowers in this territory would be on a substantial paying basis again. I realize there are territories where this condition did not exist, and where fair crops have been raised continuously over a period of years; and that the farm-credit system covers the entire United States. We understand there is a bill before Congress other than the Fulmer bill, which provides for continuation of the 3½-percent interest rate for an additional period of time. We urge your study and support of this bill continuing the present rate of interest until such time as the farmers of northwest Kansas can liquidate their past-due obligations and get their farms back on a paying basis.

Sincerely yours,

JEAN W. KISSELL,
Secretary-Treasurer.

[Enclosure]

Be it resolved, Due to a series of eight crop failures in a row in this territory, we, the stockholders of the Norton County National Farm Loan Association of Norton, Kans., feel it is highly essential and important that the 3½ percent interest rate be continued on all Federal land bank and Land Bank Commissioner loans at least until the emergency period is over and the farmers of this territory have a chance to get back on their feet, or such time as the Federal land bank can refinance its outstanding high-rate interest bonds; be it further

Resolved, That a copy of this resolution be signed by the board of directors and attested by the secretary-treasurer of said association in attendance at said annual stockholders' meeting and that a copy of said resolution be mailed all Senators from Kansas and all Congressmen from western Kansas.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. TUNNELL presented a petition of sundry citizens of Felton, Del., which was ordered to lie on the table and to be printed in the RECORD, without all the signatures attached, as follows:

PETITION FOR S. 860

To the Members of the Senate and House of Representatives of the Congress of the United States:

Whereas in the War Act of 1917 the Congress of the United States included legislation forbidding the exploitation of the men in the Army and the Navy by liquor and commercialized vice, even though liquor was then forbidden in any military unit; and

Whereas in the Selective Service Act the Congress of 1940 called the young men of the present time to train for defense of our Nation, if need be, and there now exists for these young defenders no defense from the activities of what Gen George C. Marshall, Chief of Staff of the Army of the United States, referred to as "a sordid business for the accumulation of money," namely, the traffic in alcoholic beverages, and since beer is now sold in the camps by Government authority, and since commercialized prostitution in camp areas threatens health, morals, and efficiency of service: Now, therefore,

We, the undersigned citizens of Felton, State of Delaware, do respectfully petition you to vote for S. 860 as a contribution to a

wholesome defense program and a reenactment of legislation similar to that of 1917, and so give to the young men of 1941 the protection their fathers had in 1917.

HATTIE O. EATON.
E. A. BRADLEY.
L. V. HURD.

(And sundry other citizens, all of Felton, Del.)

DEVELOPMENT OF THE ST. LAWRENCE RIVER—RESOLUTION OF PENNSYLVANIA STATE SENATE

Mr. GUFFEY. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the Pennsylvania State Senate relative to construction of the proposed St. Lawrence seaway.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, under the rule, as follows:

The often-reappearing question of the construction of the St. Lawrence seaway is again pending in the Congress of the United States.

Now, when every available dollar and every hour of productive effort is needed in starting the offensive warfare promised by our President, it seems most unwise to expend our money and effort for the accomplishment of any thing that is not urgent at this time.

All available money, material, and manpower should be used now to insure and bring about a speedy conclusion of the war. To do otherwise will prolong the war and result in the needless sacrifice of many American lives.

The construction of the contemplated seaway can add nothing to a successful offensive, and the manpower diverted from the production of weapons of war may contribute to disaster: Therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania is opposed to the construction of the proposed St. Lawrence seaway at this time on account of the necessary and consequent expenditure of funds and the use of manpower, both of which are vitally necessary to carry on the offensive warfare promised by our military and naval leaders and to successfully terminate the war; and be it further

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States not to approve or authorize the construction of the proposed St. Lawrence seaway; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of the United States Senate, the Speaker of the House of Representatives, and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

Mr. DAVIS. Mr. President, I present and ask to have appropriately referred a resolution unanimously adopted by the Senate of the Legislature of the State of Pennsylvania on February 25, 1942, opposing the building of the St. Lawrence waterway.

The VICE PRESIDENT. The resolution presented by the senior Senator from Pennsylvania will be referred to the Committee on Commerce.

(For resolution referred to, see the foregoing identical resolution printed, under the rule, when presented by Mr. GUFFEY).

COMMITTEE REPORT FILED DURING RECESS

Under authority of the order of the 26th ultimo,

Mr. ELLENDER, on February 28, 1942, from the Committee on Education and Labor, to which was referred the bill (H. R. 6483) to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, reported it with amendments and submitted a report (No. 1149) thereon.

REPORT OF COMMITTEE ON THE JUDICIARY

Mr. McCARRAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, reported it with amendments and submitted a report (No. 1151) thereon.

Mr. McCARRAN. Mr. President, I ask unanimous consent that I may file for the Committee on the Judiciary a written report on House bill 6005 during the recess or adjournment of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

WATER SYSTEM AND RATES IN THE DISTRICT OF COLUMBIA

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably with amendments Senate Resolution 169, submitted on September 22, 1941, by the Senator from Kansas [Mr. CAPPER] for the Senator from Nevada [Mr. McCARRAN]. I ask unanimous consent for the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with amendments, on page 2, line 8, after the words "during the", to strike out "sessions, recesses, and adjourned periods", and insert "present session"; and on page 2, line 17, to strike out "$20,000" and insert "$5,000", so as to make the resolution read:

Resolved, That the Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the administration and operation of the water system of the District of Columbia, and a full and complete study and investigation of the proposed increase in water rates in the District of Columbia and the distribution, sale, and resale of such water to the consumers thereof in the District of Columbia and its environs. The committee is authorized to use the records, services, facilities, and personnel of departments and agencies of the Government, both Federal and municipal, in carrying out its powers under this resolution. The committee shall report to the Senate, at the earliest practicable date, the results of its study and investigations, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the present session of the Seventy-seventh Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The amendments were agreed to.

The resolution as amended was agreed to.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR—REPORT OF A COMMITTEE (PT. I OF REPT. NO. 1150)

Mr. THOMAS of Utah. On behalf of the senior Senator from Wisconsin [Mr. LA FOLLETTE], and as coming from the subcommittee of the Committee on Education and Labor, pursuant to Senate Resolution 266, Seventy-fourth Congress, I submit a report on Employers' Associations and Collective Bargaining in California, part I, which is a general introduction to the subject.

The VICE PRESIDENT. Without objection, the report will be received and printed, under the rule.

Mr. THOMAS of Utah. Mr. President, I also ask that a short digest of part I, which will include some of the salient excerpts from the report, be printed in the RECORD so that the Members of the Senate may have a readily available outline of the subject matter to be covered in this report. The volume submitted today is the first part of a 10-part report on the subject Employers' Associations and Collective Bargaining in California. This report is based upon the concluding field investigation of the committee's 4-year inquiry. The subsequent parts will be tendered as they become available from the Printing Office. The first volume, which was submitted today, is in the nature of a general introduction. It contains a preface which relates the California report to the previous reports by the committee. The volume further describes the circumstances which prompted the Senate to authorize this particular inquiry in California. It outlines the scope of the investigation and hearings and the nature of the subject matter of subsequent parts of the report. It provides a background for the later analysis of the part played by organized groups, such as the Associated Farmers of California and its affiliates, in promoting certain types of labor legislation restrictive of labor's civil rights and attempting the direct invasion of the rights of labor by interference with union organization and collective bargaining. Finally, this volume includes a brief recital of the committee's conception of the significance of this California inquiry and its bearing on national issues.

The field investigation in California, the last which will be undertaken, was initiated in 1938, resumed pursuant to express authorization in August 1939, and concluded early in 1940. Notwithstanding the diversion of world-shaking efforts, the committee has endeavored to discharge its obligation to analyze the evidence previously collected. It felt that a

last close-up analysis of the sources of industrial autocracy in the epoch that passed with the last year of peace, 1939, would assist in the preservation and development of industrial democracy in the dangerous years of world and post-war adjustments that are ahead. The committee believes that a wise and dynamic national labor policy can be developed only in the light of full information concerning the continuing violations of the rights of labor to organize and bargain collectively and the rights of free speech and assembly related thereto. It trusts this volume of the report and the parts that follow will be useful in that regard.

The VICE PRESIDENT. Without objection, the digest of the report submitted by the Senator from Utah will be printed in the RECORD.

The matter referred to is as follows:

A subcommittee of the Senate Committee on Education and Labor, Senator ROBERT M. LA FOLLETTE, Wisconsin, chairman, and Senator ELBERT D. THOMAS, Utah, presented to the Senate today the first part of an extensive report on employers' associations and collective bargaining in California. The volume tendered today was in the nature of a general introduction to nine succeeding parts, each of which will deal with a particular phase of the subject. The later parts will be submitted periodically as they become available from the Printing Office.

The entire report is based upon a lengthy inquiry conducted on the west coast by the committee into violations of the rights of free speech and assembly and undue interference with the right of labor to organize and bargain collectively (pursuant to S. Res. 266, 74th Cong., 2d sess.). Hearings were held in San Francisco and Los Angeles in late 1939 and early 1940. This was followed by a careful analysis of the 11,000-page record compiled. The west coast inquiry was the concluding field investigation conducted by the committee in its long 4-year history.

Senator LA FOLLETTE, the chairman, has also announced that the committee would file a series of recommendations for new legislation. These recommendations will suggest methods for alleviation of the conditions disclosed in the committee's final inquiry on the west coast and its previous extensive researches in the industrial and mining areas of the East and Middle West. The committee is engaged in continuing study and drafting of the specific measures which will be introduced in Congress in conjunction with these recommendations.

The committee's field investigation in California was initiated in 1938 and resumed, pursuant to express authorization, in August 1939, 1 month before the outbreak of war in Europe. It was completed in January 1940, and the evidence has been analyzed in painstaking fashion, notwithstanding the diversion of world-shaking events. The committee felt that a last close-up analysis of the sources of industrial autocracy in the epoch that passed with the last year of peace—1939—would assist in the preservation and development of industrial democracy in the dangerous years of war and post-war adjustments that are ahead.

As the last of a long series, stretching over 4 years, the California inquiry was the most comprehensive and complex of any carried on by the committee. Although geographically concentrated, the disclosures are far-reaching in their implications. The scope of the survey is defined in part I of the report, issued today, as follows:

"The committee's investigation in California dealt with organized violations of the rights of labor and organized infringement of the rights of free speech and assembly both in industry and in agriculture. In its industrial aspects this inquiry was an extension of the committee's earlier studies of resistance to the national policy of collective bargaining, and the undue interference with the rights of labor and the violations of constitutional rights which usually arise therefrom. In the industrial phase of the inquiry the committee examined the policies and activities of certain prominent employers' associations, allied detective agencies and espionage systems, and certain important controversies or conflicts in urban industrial relations over the period since the passage of the National Industrial Recovery Act. In the field of agriculture the committee examined a range of employer-employee relationships to which the Congress has not yet extended any guaranties of collective bargaining or any prohibitions of unfair or oppressive labor practices.

"The committee was moved to study this field of employment relations because of certain flagrant violations of the constitutional rights mentioned in its resolution which had occurred therein. In this phase of the inquiry, the committee explored not only these violations of civil liberties but also the fundamental nature and characteristics of employment relations in California agriculture, and the nature of that agriculture itself, and made a careful study of the desirability of extending the guaranty of collective bargaining as well as the protection of other Federal legislation to the workers in this field.

"The two phases of the committee's inquiry in California are closely related through the identity of economic interests and employers' associations active in both fields and through the close interlocking of social and economic trends and events. As this brief recital suggests, the committee's report on this inquiry will constitute a comprehensive summary of efforts in California to resist the practice of collective bargaining, and their background up to 1940" (pt. I, pp. 2–3).

The committee's hearings in California totaled 28 days. Three hundred and ninety-five witnesses were called and testified, and their testimony fills 2,451 pages of the printed record. In addition, many of them submitted written statements or affidavits or other material which was included in the record. A total of 1,747 exhibits was introduced in the record during the hearings; an additional 5,875 exhibits were entered as of July 1, 1940, to supplement numerous important aspects of the record already compiled. The public record is included in parts 46 through 77 of the committee's hearings. Only parts 76 and 77 of the record remain to be printed. The 9 forthcoming parts of the report will cover the committee's investigation in detail with complete documentation.

Part I, introduced today, is only 62 pages long and serves largely to point out the salient aspects of the committee's inquiry and the parts that are to follow. It contains a 9-page preface which relates the California report to previous reports by the committee and restates the committee's conception of the problem. It describes the circumstances that prompted the Senate to authorize this particular California inquiry. It outlines the scope of the investigation and hearings in California and the nature of the subject matter of the subsequent parts of the report. By discussing some recent judicial opinions on the constitutional validity of the particular regulation attempted it provides a background for the later analysis of the part played by organized employer groups, such as the Associated Farmers of California and its affiliates, in promoting certain types of State and local legislation, restrictive of labor's civil rights. Finally, part I includes a 6-page recital of the committee's observations concerning the significance of the California inquiry and its bearing upon current national issues. The titles of the forthcoming part of the California report, listed in part I will serve to indicate the subjects treated. They are as follows:

Part II. Organized Antiunionism in California Industry Prior to the Passage of the National Labor Relations Act.

Part III. The Disadvantaged Status of Unorganized Labor in California's Industrialized Agriculture.

Part IV. Employers' Associations and Their Labor Policies in California's Industrialized Agriculture.

Part V. The Organization of Resistance to Collective Bargaining in California, 1935–39.

Part VI. A Study of Labor Policies of Employers' Associations in the Los Angeles Area, 1935–39.

Part VII. A Study of Labor Policies of Employers' Associations in the San Francisco Bay Area, 1935–39.

Part VIII. The Associated Farmers of California, Inc.—Its Reorganization, Policies, and Significance, 1935–39.

Part IX. The Origin and Promotion of Recent Legislation in California Limiting Labor's Civil Rights.

Part X. Conclusions and Recommendations.

The most novel and provocative feature of the California inquiry, as indicated by part I, was the detailed disclosure of an organized political and economic system of abuse of hundreds of thousands of wage workers in the fields and factories of California's gigantic agricultural industry—the agriculture of modern mass production.

A popular book and a film by the same name, Grapes of Wrath, and numerous press and periodic accounts have revealed to many the specter of this challenging situation. But public action has awaited a firmer factual basis.

California's spectacular record of agricultural strikes was a matter of established statistics. The committee's preliminary investigation of the problem in the fall of 1938, before it achieved any dramatic national attention, "suggested an economic and social problem of great complexity and magnitude as the background for this series of industrial disturbances in agriculture and for a far wider range of violent incidents, arrests, assaults, riots killings, evictions, intimidations, and vigilantism, arising therefrom, than had previously been imagined. It became evident that no investigation which did not probe the underlying causes of this disorder could be called adequate (pt. I, pp. 11–12)."

To this task the committee has devoted a large portion of its efforts, reasoning, in the language of part I, as follows:

"From the first it was apparent that the completely disadvantaged economic, social, and political status of these workers placed serious obstacles in the way of their exercise of the rights of association and collective bargaining. It became incumbent on the committee to study the causes and the nature of disabilities under which these people labored, the underemployment, poverty, migrancy, and lack of security which rendered them unable to achieve even a degree of the economic stability afforded to the average industrial wage earner (pt. I, p. 7)."

The committee, in part I, has emphasized the difficult and almost unprecedented character of this sort of intensive examination, observing:

"After a century of trade-union organization and 50 years of social legislation, the problems of the industrial worker are generally well understood by the public, but no such understanding as yet exists of the problems of the agricultural wage laborer and the question of employment relations in industrialized agriculture. In treating the agricultural phase of the investigation, therefore, it is necessary to begin with fundamentals—to discuss the elements of the new mass-production agriculture, the status of the wage laborer, his past efforts in the direction of self-organization, and the structure and

policies of employers' associations active in the field, before it is possible to proceed intelligently to a consideration of the present conflict in California agriculture and its meaning (pt. I, p. 32)."

Some general indication of the character of the committee's specific findings, to be treated at greater length in succeeding parts, is contained in certain general statements included in part I, in which the committee characterized the situation generally as follows:

"The California study also reveals the existence of a wide and important field of economic activity in which civil liberties today are not freely expressed, and in which public intervention is called for to restore them. Employment relations in California's industrialized agriculture have been left in the unfettered control of employers' groups and associations. The results, to be detailed in this report, are almost beyond belief. Unemployment, underemployment, disorganized and haphazard migrancy, lack of adequate wages or annual income, bad housing, insufficient education, little medical care, the great public burden of relief, the denial of civil liberties, riots, strife, corruption, are all part and parcel of this autocratic system of labor relations that has for decades dominated California's agricultural industry. In this respect California provides a clear demonstration that in an industrial society the stronger side of the employment relation cannot well be permitted to devise policies and conduct its affairs solely in accord with its own wishes. Such so-called laissez-faire constitutes too great a danger to the public welfare, too great a drain on the public purse, and too great an injury to the entire fabric of democratic rights (pt. I, p. 59)."

As part I emphasizes, the committee views the problem as involving a great deal more than the confirmation of the civil rights of an isolated group of agricultural laborers in California. It feels that a national agricultural labor problem is emerging. In the words of part I:

"In California's industrialized agriculture, however, the evil of unbalance has gone so far that public intervention will have to do more than reassert the abstract rights of the oppressed, more than prescribe legal remedies. It will have to advance measures for their economic relief and rehabilitation and for the reorganization of the labor market in which they work. In doing this it will have to proceed with a full understanding of the nature of the whole agricultural problem, and the significance of the sweeping changes which are appearing in our traditional conception of the farmer and the family farm. Today the family-farm system, which has never prevailed in the cotton- and tobacco-producing areas in the South, and long ago lost its dominance in California, seems on the wane throughout the Nation. Large-scale operations, specialization of functions, mechanization, multiple or chain farming are the predominant characteristics of our changing agriculture. Drought, depression, dust storms, and a concentration of ownership and control slowly but inexorably are separating the farmer from the ownership of the land he tills. The course of the industrial revolution is becoming clearly visible on the land. In the wake of expanding cash crop and commercial farming industrialized or semi-industrialized agriculture is translating the lessons of the industrial revolution from the urban shop to the factory farm. Even in the regions where this system has not been established the security and prosperity of the independent farm operator, who, with his family and an occasional hired man, works his own land, is passing. His future is dark, and, except for the few who may become large commercial farm operators depending upon hired wage labor, the path of the farmer is likely to lead to the role of landless farm laborer or share tenant, with a precarious footing on the land. Today any farmer, farmer's son, or unemployed urban citizen may find his future economic welfare dependent upon the wages and working conditions fixed by employers who own or manage the land on which he finds employment. The unchecked force of finance, capitalism, and the efficiency of large-scale and mechanistic operation are rapidly eliminating the prosperous family farm, the institution around which our rural democracy has functioned. (See pt. I, pp. 59–61.)"

The committee was so impressed with the magnitude and importance of this development that on its return to Washington, it conducted a brief set of hearings, confined to the testimony of responsible public officials and experts on the economic and social aspects of the national farm-labor problem, of which it had become strongly conscious during the course of its California hearings. Subsequent to those hearings, additional material of a very valuable character bearing upon the same general subject has become available through the investigation of the Select Committee of the House of Representatives to Investigate Interstate Migration, and various publications of the Department of Agriculture. The committee feels that these reports, coupled with the published volumes of the testimony before it, constitute a mass of information which tenders a grave legislative issue to the Congress which will compel its continued attention. The committee believes that the solution of this issue touches and concerns importantly the rights and liberties of labor. In the concluding portion of part I, great stress is put upon this issue and the importance of the labor problem in California agriculture:

"Soon the pattern that shapes the course of labor relations in California agriculture may be dominant in the Nation's rural society. The alternatives are clear. We must either sacrifice the economies and efficiencies inherent in large-scale, specialized, commercialized agriculture or devise and protect a pattern of economic democracy in which the individual hired wage worker or his equivalent under some form of tenancy may effectively exercise his civil rights to participate fully in our economic democracy and its benefits. It was the purpose of the committee to explore intensively the plight of the California agricultural laborer in order to throw full light and understanding upon the task of making the adjustments that a democracy must make when men who work the land are largely separated from rights of property in it. This democracy must make these adjustments if it is to obtain and preserve its national unity, purpose, and ideals in the ever-growing rural areas that are increasingly being given over to either industrialized or commercialized agriculture (pt. I, p. 61)."

But, notwithstanding the important relationship of this agricultural labor problem to broad questions of labor's civil rights, the committee, in its California inquiry, places its greatest emphasis upon organized antiunionism, characterized by belligerent employers' associations and their tools. As part I points out, the committee's work in California in its broadest sense constitutes an intensive examination of the policies and activities of these associations of employers, similar to those found elsewhere in the Nation and to some extent previously investigated by the committee, which are devoted to attacking or frustrating the right of collective bargaining. The committee's report characterizes the activities of these associations in California as follows:

"In its California inquiry, the committee found belligerent associations of this character more active and of greater importance than elsewhere. With a long history of dominance over employment relations behind them, they played an astonishingly aggressive and open role in the more recent history of California's industrial relations. While the committee also found abundant evidence in California of the use of those oppressive labor practices, such as industrial espionage, which it had explored in its earlier investigations, it gave them less intensive study, feeling that its earlier findings and the recommendations embodied in its bill made such study unnecessary. The committee was therefore able to concentrate its attention on the activities and interaction of the various antiunion associations in California—their history, development, and effect upon the pattern of industrial relations. In this inquiry the committee did not confine its examination to outstanding examples of the different types of antiunion associations, as it had before, but encompassed all the belligerent associations of any importance in the economic region under investigation. Such a wide and comprehensive basis of study gives added significance to the committee's findings and judgment upon the nature of these associations and their effect upon the exercise of the rights of labor (pt. I, p. 7)."

Fundamental to this investigation was a complete examination of the genesis, role, and activities of that much-publicized but nonetheless mysterious organization, the Associated Farmers of California, Inc. No other phase of the committee's preliminary inquiry aroused a greater demand for its completion than its concern with the Associated Farmers. This organization was the link between the agricultural interests and industry generally in California. In part I the full significance of this relationship is indicated in this statement:

"The committee began to discover evidence of the activities of the belligerent antiunion employers' associations in this field of agricultural labor relations. Employers' or trade associations composed of persons or corporations engaged in whole or in part in agricultural production have assumed responsibility for the labor problems of their members. As the evidence was accumulated, it began to appear that many of these agricultural employers' associations had close ties with belligerent associations of employers in the cities and in industrial pursuits, and that many of the agricultural employers' associations were even more vigorous and outspoken in resisting the principles of collective bargaining than their urban allies. The antiunion associations of agricultural employers therefore became one of the chief subjects of the committee's inquiry.

"Distinct from the associations of agricultural employers were certain so-called farmer groups, whose increasingly vocal opposition to the principles of collective bargaining in all fields of endeavor proved to be coupled with secretive and hitherto undisclosed financial assistance and support from urban industrial employers and their antiunion associations. This situation raised serious questions. Was the spirit of resistance to the rights of collective bargaining, checked by national law at least temporarily in industry, to become entrenched in those segments of the economic structure exempted from the application of the National Labor Relations Act and thus defy the orderly advance of economic democracy? Or, perhaps, was it there to gather strength and eventually reestablish some modern variation of the old system of industrial tyranny (pt. I, p. 8)."

Part I of the committee's California report is a clear and positive indication that, at least insofar as the members of the committee are concerned, the issue of labor's civil liberties and the responsibility of our Government to nourish and protect those liberties, particularly the right to organize and bargain collectively, is not one that can be omitted from legislative deliberation. The committee feels that the issue of the protection of labor's rights of association and collective bargaining is as important and

timely today as it ever has been. It is only entering what appears to be a new phase.

Part I of the report serves to give the proper perspective to the significant developments which have occurred in the field of civil liberties and labor legislation since the committee's inception and make the California report particularly timely today. War conditions call for the elimination of those internal conflicts, so disruptive to any sense of unity, which the committee revealed and analyzed in its California investigation. The report points this out as follows:

"Since the completion of the California inquiry early in 1940, the national emergency has increased. Under the effort required by defense production, certain flaws in our pattern of social and economic relationships will become both more apparent and more dangerous. At such a time it becomes more than ever important to know the causes of social and industrial unrest and to deal wisely and effectively with the conflicts of economic interest between groups of citizens. Policies of industrial management, which, in tranquil times, bore the bitter fruit of strikes and violence, may, when the Nation is engaged in a great national-defense effort, prove our undoing. To cloak such policies in the name of national defense, and to seek their attainment through legislation which infringes the constitutional liberties of those of our citizens who work for wages, is to pursue a private vendetta at the cost of national unity.

"The committee trusts that this report will be read in the context of the national emergency and in the light of the current discussion concerning organized labor, national defense, and the permanent outlines of an ideal national labor policy. It believes that the report will identify some of the results which flow from a policy which denies to workingmen a strong voice, through self-organization, in the terms and conditions of their work—whether that policy be expressed in extra legal action through oppressive or unfair labor practices or in repressive legislation violative of constitutional rights, or both, as it was in certain aspects of labor relations in California. The course of labor relations traced by this report demonstrates not only that there are powerful groups in our society who, from fear or greed or, in some cases, simply from bad advice, have fought the creation and maintenance of a well-balanced system of collective bargaining with every resource at their disposal but more significantly, that their efforts have been the source of that which they profess to dread—the growth of class antagonisms and an unsettling and poisoning of industrial relations. The guaranties which the Constitution throws around civil liberties are neither pious declarations nor archaic echoes of the historic past; they are the ground plan for the healthy functioning of an industrial society. Their infraction will shatter our democratic society upon its internal conflicts; their fulfillment will enable it to achieve a strength and unity which no domestic or foreign enemy can challenge (pt. I, pp. 58–59)."

The California report also has a bearing on the current question of labor legislation. In the course of its inquiry in California, the committee had occasion to examine various legislative measures, both State and local, which were intended to curb certain activities of organized labor. The committee examined these measures both in their effects and their inspiration, because they fell squarely within its jurisdiction, invading as they did the constitutional rights of free speech or assembly as interpreted by the courts. The committee found that these measures, for the most part, far from creating industrial peace, only deepened and intensified civic unity and discord. The committee also found that these measures were supported and promoted, sometimes secretly, by the same belligerent employers' associations which were devoted to the destruction of collective bargaining through other measures, stating in this connection:

"In their struggle against unionism and collective bargaining the employers' associations of California had long sought to use the law to deprive unions of their more potent weapons of collective action. Part of their effort was legislative, as we have observed; part was directed to securing restrictive interpretations of case law and the statutory labor code; and part was aimed at cultivating and creating a state of mind among the public which would make such legal restraints possible.

"It should be noted that the enforcement of the National Labor Relations Act spurred the employers' associations of California to press for the enactment of State legislation which would be as injurious to the free exercise of the rights of labor as the Federal law was beneficial. There was less agitation for State legislation of this sort when private interference and repression were allowed to go on unchecked. When private repression of collective bargaining was curbed by Federal law the employers' associations developed a new interest in repressive local ordinances and State statutes. This ominous tendency was manifested in other States as well. Even today it remains a threat to the full realization of collective bargaining and should be constantly guarded against (pt. I, p. 50)."

The committee as a result of its inquiry did not come to the conclusion that the statutory protection of the rights of labor should be eliminated or diminished. Indeed, it concluded that organized antiunionism had continued its drive, despite the passage of the National Labor Relations Act, and that it required drastic treatment by additional legislative action. On this subject the committee stated:

"The significance of this inquiry is that there is a need for adding to and increasing the protection of labor's civil rights through legislative action if we are to achieve that pervasive degree of collective bargaining procedure that is recognized as essential to an equitable division of the fruits of industry in a system of free private enterprise. The committee found that in important sectors of California's industry the national labor policy had not been honored or observed. The results were observable in continued instability, repeated denials of labor's rights, and a constant strain on the maintenance of collective-bargaining procedures elsewhere.

"In part, the causes lay in organized conspiracies of employers' associations to flout the law. From an inspection of the pattern of organized violation and defiance revealed in the California inquiry, the outlines of remedial measures become fairly simple. Such employers' association conspiracies should be flatly outlawed. The California investigation, as analyzed in this report, strongly suggests that the National Labor Relations Act has not yet proved effective in halting undue interferences with the right of labor to organize and bargain collectively, perpetrated by organized employers' associations and their artificially generated citizens' committees and third-party movements. Such organized conspiracies against the national labor law, as those minutely documented in the forthcoming parts of this report, often entangle local officialdom and give it a partisan tinge, creating a confusing and demoralizing conflict between Federal and local law enforcement. The California inquiry shows that the National Labor Relations Act fails to realize its promise most often in an area or trade where antiunion employers' associations are dominant. No proposal for sweeping labor legislation which does not include a determined effort to meet this challenge can be deemed worthy of consideration (pt. I, p. 58)."

The committee's observation in California provides ample basis for a warning regarding much of the hostile propaganda and antilabor legislation which have marked the national scene in recent months. It attributes much of the momentum of this activity to a lack of awareness on the part of the public of the functions of trade unions, and the use of clever devices by the forces of antiunion employers to alienate public opinion from organized labor and thereby provide the basis for restrictive legislation or the affirmative violation of labor's rights. To quote from the report:

"The California inquiry also bears a lesson of particular importance to the current controversy over the role of labor in the national emergency. In an atmosphere of national defense the causes of or responsibility for the strike or demands for readjustments in employment relationships may be submerged or passed over. Only an awareness by the public and the legislature of the worth of trade-unions and collective bargaining in promoting industrial democracy and industrial peace, plus a sophisticated understanding of the ways in which certain antilabor employers and the belligerent employer groups have sought, and continue to seek, to use the forces of public opinion and the law to avoid industrial democracy will protect labor's rights and achieve domestic tranquillity in the national emergency. This analysis of events in California in the last decade should contribute to that awareness and understanding.

"The various parts of this report will reveal, as previous reports of the committee in areas other than California have shown, that it is a habit and function of a particular type of employers' organization to stimulate by propaganda and other devices the public and legislative sentiment that will pave the way for legislation restrictive of labor's rights. Indeed, such activities are financed, organized, and conducted by the very same associations which carry on private conspiratorial assaults on the right of organizations and collective bargaining through labor espionage, company unions, strike-breaking systems, use of industrial munitions, the perversion of local law enforcement, and various other forms of coercion. These organizations, with great financial resources, skilled propagandists, and a ready entree to a large section of the Nation's organs of publicity, are well designed to foster, develop, and divert national hysteria in any period of national emergency against trade-unions and collective bargaining, although they themselves constitute a constant provocation to strikes in defense industries as elsewhere. Any proposals for legislation encumbering the exercise of labor's rights should be viewed and appraised in the light of the known facts, to be analyzed in these reports, concerning those employer groups which often inspire and stand to gain an undue advantage from such legislation (pt. I, pp. 58–59)."

In the concluding paragraph of part I, the keynote of the committee's reports and legislative recommendations which will follow was sounded in these terms:

"The committee believes that this report on its California inquiry reflects basic problems of a Nation-wide incidence, which are now and in the future will be the vital concern both of the Congress and the people. The next decade may determine the whole course of development of democratic institutions for generations to come. The climax of world-wide adjustment to the mass industrial machine age is here. The equitable distribution of the products of collective enterprise that mean life, liberty, and the pursuit of happiness, in the economic sense, must be achieved without a destruction of the liberties and enterprise of private citizens and associations. The alternatives to this course are either internal decay or the tyranny of small groups vested with great power. That

is the vast and fearsome prospect in the light of which all policies of government affirmative and negative, domestic or foreign, must be viewed in the years that are ahead. Our objectives for democratic government must continue to further a balanced system of collective bargaining between employers and employees, between those who own or control productive property and those who work it. Only by a diligent adherence to that public policy will it be possible to achieve an ever-increasing degree of order, efficiency, and economic justice free from the tyranny of the totalitarian state (pt. I, p. 62)."

Mr. THOMAS of Utah (for Mr. LA FOLLETTE) also submitted the following resolution (S. Res. 227), which was referred to the Committee on Printing:

Resolved, That 7,000 additional copies of part 1 and each subsequent part of Senate Report No. 1150, a report of the Committee on Education and Labor submitted pursuant to Senate Resolution 266 (74th Cong.), entitled "Violations of Free Speech and Rights of Labor" be printed for the use of the Senate Committee on Education and Labor.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARBOUR:

S. 2323. A bill granting a pension to Ralph L. Taylor; to the Committee on Pensions.

By Mr. GREEN:

S. 2324. A bill to provide for the free transmission in the mails of official mail matter of State defense councils; to the Committee on Post Offices and Post Roads.

By Mr. MURRAY:

S. 2325. A bill to reduce interest rates on mortgage loans made by Federal land banks and by the Land Bank Commissioner, and on loans made by the Reconstruction Finance Corporation to drainage and similar districts; to the Committee on Banking and Currency.

By Mr. VANDENBERG:

S. 2326 (by request). A bill to revise the military record of Earl Russell Hunter (with an accompanying paper); to the Committee on Military Affairs.

By Mr. WALSH:

S. 2327. A bill to provide for payment and settlement of mileage accounts of officers and travel allowance of enlisted men of the Navy, Marine Corps, and Coast Guard; to the Committee on Naval Affairs.

By Mr. STEWART:

S. 2328. A bill to increase the Federal contribution for old-age assistance; to the Committee on Finance.

By Mr. WALSH (for himself, Mr. LA FOLLETTE, and Mr. THOMAS of Idaho):

S. 2329. A bill to amend the act entitled "An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof; the Coast and Geodetic Survey, and the Public Health Service, and civilian employees of the executive departments, independent establishments, and agencies, during periods of absence from post of duty, and for other purposes," approved March —, 1942, for the purpose of extending its provisions to include employees of contractors engaged on public works outside the continental limits of the United States or in Alaska; to the Committee on Naval Affairs.

By Mr. GLASS:

S. 2330. A bill to enable the United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson to carry out and give effect to certain approved plans; to the Committee on the Library.

By Mr. BILBO:

S. 2331. A bill to provide for the furnishing of instruction in swimming to all members of the land and naval forces of the United States; to the Committee on Military Affairs.

By Mr. McKELLAR:

S. 2332. A bill providing for separation from the classified civil service of persons absent from their official duties for certain periods; to the Committee on Civil Service.

INVESTIGATION OF RUBBER SUPPLIES AND PRODUCTION—CHANGE OF REFERENCE

Mr. REYNOLDS. Mr. President, on January 16 the junior Senator from California [Mr. DOWNEY] submitted Senate Resolution 219, authorizing and directing a special committee of five Senators to make an investigation of the rubber situation.

Because the Special Committee of the Senate to Investigate the National Defense Program, of which the Senator from Missouri [Mr. TRUMAN] is chairman, is actively concerning itself with a study of the rubber problem, the Committee on Military Affairs, to which the resolution was referred, agreed at a recent meeting to recommend to the Senate that the committee be discharged from further consideration of the resolution and that it be referred to the special committee just mentioned.

I therefore ask unanimous consent that the Committee on Military Affairs be discharged from further consideration of Senate Resolution 219 and that it be referred to the Special Committee to Investigate the National Defense Program.

The VICE PRESIDENT. Without objection, it is so ordered.

STRIKES AND LABOR'S ATTITUDE

Mr. HOLMAN. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a letter which is very indicative of the thought and temper of the people at this time.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MASON'S APPLIANCE STORE,
Tigard, Oreg., February 21, 1942.

Senator RUFUS HOLMAN,
Senate Building, Washington, D. C.

DEAR SENATOR HOLMAN: This afternoon's Journal calls attention to the threatened walk-out of workers at the shipyards on Monday, February 23, because of some difficulties over extra pay for that day, a holiday.

Other yards up and down the coast, and elsewhere, are having the same trouble despite Donald Nelson's plea to work that day and settle pay differences later.

General MacArthur will not have a holiday that day. Dutch Admiral Helfrich will not have a holiday. The people of Java will see fireworks, but it won't be a holiday for them. The Australians are not taking a holiday. We who are trying to conduct businesses under trying circumstances are glad of our opportunity to work that day. George Washington, whose birthday it will be, did not take holidays when holed up at Valley Forge, and it's no time for a bunch of labor leaders to cook up a day off when every ship produced this year will be worth three at a later date.

Labor is quite apparently in the saddle at Washington, but—there's a day coming—and you men whom we trust and have faith in had better get yourselves organized to change this dictation. We are beginning to fear the Japs not half so much as we fear what is happening to our Government. We can laugh at a Jap if we have peace, integrity of purpose, security, and confidence in ourselves, but we are not going to laugh if the founoation underneath us is shaky.

If labor cannot abide on checks of $50 and $60 and $75 a week, checks that we cash and know about, then it's time that somebody besides business had a halter. You are there to watch these things. Let's see some action.

Yours sincerely,

ARTHUR L. MASON.

SUSAN B. ANTHONY—MEMORIAL DAY ADDRESS BY SENATOR KILGORE

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Senator KILGORE on the occasion of the celebration of the one hundred and twenty-sixth anniversary of the birth of Susan B. Anthony, which appears in the Appendix.]

SUSAN B. ANTHONY—MEMORIAL DAY ADDRESS BY MRS. EMMA GUFFEY MILLER

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an address on the subject Equal Rights in War; Unequal Rights in Peace, delivered by Mrs. Emma Guffey Miller on February 16, 1942, on Susan B. Anthony Memorial Day, which appears in the Appendix.]

ADDRESS BY SENATOR SMATHERS ON LAUNCHING OF VESSEL AT ATLANTIC CITY

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an address delivered by him at Atlantic City, N. J., on February 28, on the occasion of the launching of one of the Government vessels in Atlantic City waters, which appears in the Appendix.]

PLEA FOR TOLERANCE AND UNITY BY SENATOR WHEELER ON HIS SIXTIETH BIRTHDAY ANNIVERSARY

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an article from the Washington Times-Herald of February 28, 1942, containing a plea by Senator WHEELER for tolerance and unity on the occasion of the sixtieth aniversary of his birth, which appears in the Appendix.]

THE AIR-RAID ALARM AT LOS ANGELES

[Mr. McNARY asked and obtained leave to have printed in the Appendix an editorial published in the New York Times of February 28, 1942, entitled "The Los Angeles Mystery," and an editorial published in the New York Herald Tribune of February 28, 1942, entitled "Why Not Get Together?" which appear in the Appendix.]

CRITICISMS OF CONDUCT OF THE WAR—EDITORIAL BY JOHN S. KNIGHT

[Mr. TAFT asked and obtained leave to have printed in the RECORD an editorial relative to criticisms of the Government in the conduct of the war written by John S. Knight and published in the Miami Herald of February 22, 1942, which appears in the Appendix.]

ONE REASON WE ARE GOOD AT WINNING WARS—ARTICLE FROM WASHINGTON (D. C.) TIMES-HERALD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "One Reason We Are Good at Winning Wars," published in the magazine section of the Washington (D. C.) Times-Herald of

Sunday, March 1, 1942, which appears in the Appendix.]

CRITICISM OF AMERICA'S WAR EFFORT

[Mr. REYNOLDS asked and obtained leave to have printed in the Appendix two letters published in the Charlotte (N. C.) Daily Observer, one entitled "Critical of War Effort," and the other entitled "The Privileged Few," which appear in the Appendix.]

FIFTH SUPPLEMENTAL DEFENSE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

Mr. AUSTIN. Mr. President, we are engaged in an act of political warfare as we agree to this bill appropriating $33,000,000,000 for the production of weapons under the terms of the Lend-Lease Act of March 11, 1941, available to Great Britain, to Russia, to China, to the Netherlands, and even to any of the 22 nations who jointly declared, on January 1, 1942, their adherence to pledges of full resources to be employed against those members of the Axis with which such government is at war, each pledging itself to cooperation, and not to make a separate armistice or peace with the enemy. Eleven other Nations of the Western Hemisphere might also participate in the colossal effort that this appropriation represents.

Of itself, the passage of this bill constitutes a blow for liberty, but the major effect of it cannot be felt unless two further phases of warfare succeed:

First, the turning of its proceeds into planes, tanks, ships, munitions, and goods of all kinds necessary for the conduct of the war;

Second, the putting of this vast war machine into operation at the points of primary danger and strategic advantage.

I consider this an appropriate occasion to call attention to something which I believe to be vitally necessary to implement the proposed act. This is understanding and spiritual unity of people—the people of the United Nations. This is vital because the lack of the spirit to which I refer might so delay production, hinder transportation, and interfere with efficient action in the theater of combat, that we could lose the war.

I am persuaded that governments alone cannot win this war however great appropriations for lend-lease purposes we make. Recognizing that this is not the war of the United States, or of any isolated nation, and that by statutes, by joint declarations, and by executive agreements, the several members of a partnership have unified military supplies and command of troops and fleets in the theaters of war, yet an important development awaits animation—that is the unification of the people upon the sound basis of facts and understanding of the world-wide scope of the moral issue and of the physical conflict.

Individuals, who constitute the masses, and create the cosmos in which the war is fought, should look upon it as a vast interlocked conflict. In free governments public opinion is the power that energizes the administrations which confront the dictators of the world. If the several peoples should envisage this war as only a defensive mission for themselves, isolated from the whole, the consequent strategy of immobilization of troops at home would probably cause defeat and enslavement of each partner separately.

The military policy of our General Staff in this regard is expressed in a letter from General Marshall, the Chief of Staff, which I read:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, February 28, 1942.

That was last Saturday.

Hon. WARREN R. AUSTIN,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: I quote below a paragraph from a letter I have written to a Member of the House of Representatives. I think it is self-explanatory:

"The issue raised by Mr. ———'s letter (urges troops to guard all Mississippi River bridges and Keokuk Dam) is of vital importance to the War Department. As would be anticipated, we are deluged with requests and demands for the employment of Federal combat troops not only to protect our coastal communities, but to guard installations throughout the United States. During the first weeks of the war we followed a policy of meeting practically all such appeals because we did have the troops available and it was thought wise to reassure the public in this manner, though this meant the disruption of divisions and, more or less, the cessation of combat training.

"The time has now come when we must proceed with the business of carrying the war to the enemy and not permitting the greater portion of our armed forces and our valuable matériel to be immobilized within continental United States. The enemy, calculating on public reactions, is undoubtedly employing submarines close inshore for the purpose of restraining our efforts to engage our planes and ground troops so far as practicable, offensively in distant theaters. Further, I feel that we must expect isolated air raids of a few planes directed against us for no other purpose than to create a public reaction which will adversely affect the sound military purpose of defending America by engaging and defeating the enemy in theaters distant from our shores.

"I have gone into this matter in some detail because it is of great importance, and the demands for protection within continental United States are piling up in a forbidding manner. This is a question of public morale, of the courage of our people, and I am hopeful that you gentlemen of the Congress will take the lead in offsetting the present unfortunate reactions. The American people have the courage and resolution to face the harsh necessities of this desperate struggle if they understand the situation."

Faithfully yours,

G. C. MARSHALL,
Chief of Staff

Mr. President, the effect of the publication of this letter will not be limited to the inhabitants of the United States. It will comprehend in its encouraging announcement the interested inhabitants of lands flanking the southwest Pacific, as well as those bounding the Atlantic.

This is the answer to the attempt of our enemies to divide or separate us from each other. This is not propaganda. This is truth that is the sound basis of invincible prosecution of war by democracies. This represents offensive action as effective defense.

Mr. President, a common vision of the new world for which we fight gives understanding of the issue. The most concrete portrayal of this vision splendid is seen in the Atlantic Charter high lighting the "four freedoms."

The Atlantic Charter, whose name is derived from the place of meeting of the high contracting parties and in no way limits the scope of its operation, has now been extended by express international acts to the Pacific, first, by the joint declaration by the United Nations of January 1 declaring:

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

And, second, by an agreement between the Governments of the United States and Great Britain, dated February 23, 1942, expressly granting participation in its benefits, and the attainment of all the economic objectives set forth therein, to "all countries of like mind."

President Roosevelt, last Monday, in an address which was heard around the world, declared this fact:

We of the United Nations are agreed on certain broad principles in the kind of peace we seek. The Atlantic Charter applies not only to the parts of the world that border the Atlantic but to the whole world; disarmament of aggressors, self-determination of nations and peoples, and the "four freedoms"—freedom of speech, freedom of religion, freedom from want, and freedom from fear.

The principles of this charter are the hope of the world.

Oriental peoples are particularly interested in it.

Gen. Douglas MacArthur is leading one of those gallant stands for freedom that have uplifted mankind, and our friends, the Filipinos, inspired by the spirit of liberty, and strengthened by confidence in the avowed purpose, greatly outnumbered though they are in men and arms, have cooperated with American soldiers under General MacArthur in confounding the enemy.

All the people of Asia and of the Pacific Basin may be beneficiaries of the Atlantic Charter.

The Chinese have been resisting Japanese invasion for many years. Since 1937 they have been in a bitter war on their own soil defending their homes and the "four freedoms."

In 1916 and 1917, while in China unofficially, I had an opportunity to observe the efforts of the Chinese Parliament to establish a permanent constitution in which the "four freedoms" would be safeguarded. I know the ambition of the Chinese; I have seen the spirit of nationality develop there. Although the aggression of the Japanese has not been continuous in a military sense, yet there has not been a time since 1915, when Japan made her 21 demands on China, that Japan has not been an aggressor in one form or another.

Mr. President, I should like to have the Senate observe that notwithstanding the confusion created by war on her own soil, China has continued in that effort throughout this war. I have in my hand a publication issued under date of Feb-

ruary 23, 1942, entitled "Contemporary China—A Reference Digest," an excerpt from which I shall quote in order that we may see how persistent the Chinese are in the search for the four freedoms. The quotation is as follows:

In September 1939 the National Government promulgated an outline governing the organization of various local units of the county government. This is the basic law of the new county system, a home-rule system, which constitutes the very foundation of a modern, democratic China.

The county is the administrative unit of the Chinese political system. Sun Yat-sen, father of the Chinese Republic, insists that the county government is the basis and the central government the superstructure of the nation. Not until all counties become self-governing cells will the nation have a sound democratic body politic.

Therefore, pending the inauguration of a constitutional government in the national capital—which, it has been decided, will take place as soon as the war is over—a new home-rule system is being put into operation.

I feel that we ought to learn more about the life and aspirations of the Chinese; there ought to be a better understanding between them and us. Such understanding must be based on truth. Therefore, there must be communication, there must be publicity.

We should not take a course in Congress which will close, or have a tendency to close, the sources of information regarding this war and the interest of the people of the United States unified with that of the people of China. The subcommittee having jurisdiction of the so-called Government-secrets bill is alert to the danger of such a course.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. O'MAHONEY. Inasmuch as the Senator has made reference to the so-called Government-secrets bill, perhaps it might be appropriate for me to suggest that a little more emphasis be placed upon the matter.

The distinguished Senator from Vermont in his service on the Committee on the Judiciary has given eminent testimony of his personal appreciation of the necessity for unity and for the full dissemination of information to all our allied nations, and also for the presentation of information to our own people, and primarily presentation of complete information with respect to what the Government has been doing. I understand the Senator feels that there has been complete cooperation by the members of his subcommittee and by the representatives of the Department to this end.

Mr. AUSTIN. Mr. President, I am very glad to have this matter interpolated, for great public interest has been demonstrated in what the subcommittee is doing about the Government-secrets bill, and what the distinguished Senator from Wyoming has now said is true. I concur in the statement he makes that there is entire agreement, entire harmony in the subcommittee and between it and the Attorney General and the Assistant Solicitor General, who is specifically at work on this matter with the subcommittee as to the desirability of keeping open the sources of information that are necessary to create an enlightened public opinion, a public opinion here in the United States, and a public opinion in the Republic of China, in India, in all other countries which are affected by the war in the southwest Pacific, as well as in the countries of our other partners in the United Nations.

We believe there is unanimity of purpose in the subcommittee and in the Attorney General's service with the subcommittee to preserve the sources of information which are so necessary in equipping the United States to be an effective partner in the effort of the United Nations to win the war. At the same time, Mr. President, the subcommittee is aware of the great dangers that caused the original bill to be introduced, and it has the delicate task of formulating a statute having punitive characteristics which will safeguard information which should be secret, the revealing of which would either injure the United States in its war effort or give aid and comfort to the enemy.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a moment further?

Mr. AUSTIN. Yes; I yield.

Mr. O'MAHONEY. I am very happy that in connection with the subject matter which the Senator is discussing he has mentioned this bill, because it ought to be made clear to all our own people, as well as to our Allies, that in seeking to defend the principles of freedom in this great war the Judiciary Committee and the Department of Justice are in complete harmony. The Attorney General, in presenting this matter to the subcommittee, when he testified several days ago, made it quite clear that he considered it of greatest importance that nothing should be done with respect to the bill which would in any way impair the freedom of the press, a freedom which we all recognize as fundamental in the great objective of the war.

Mr. AUSTIN. Mr. President, I thank the Senator for emphasizing that fact—and it is a fact—which guides us in our work on the subcommittee. The dual purpose is difficult to attain. The difficulty has already been discovered; but, notwithstanding the frailty of human nature, the committee is going forward with the work and trying to accommodate both purposes. I feel sure that we shall be able to keep the well-springs of truth pouring out, so that we may foster a consciousness between Americans and Chinese of the brotherhood that exists in the principles of the Atlantic charter, thus increasing the effort of both Americans and Chinese to coordinate supply and demand of the necessary munitions, and to bring together in the field of battle millions of the best fighters the world has ever seen.

The Dutch, the Malayans, the Australians, the New Zealanders, the inhabitants of India, Singapore, Hong Kong, and all other people in the Pacific Basin who can have access to facts and who can transmit facts should interchange knowledge with one another and with the other partners which will constantly keep in view the joint objective and the united action and tend to create an enlightened public opinion that is harmonious among the United Nations.

This goes for the war, and this goes for the peace. We ought to have learned—and I believe we have learned—that the principles of self-government cannot exist in a world that is constantly menaced by men of diabolical ambitions, whose constant and entire effort is applied to the reduction of free men to slavery and the subjugation of other governments to their own totalitarian rule.

The die is cast. Every man and woman among the United Nations must realize that freedom in the world will be won or lost by the character of our united effort. If this be intelligent, utterly loyal, zealous, and with comprehension of the objective, democracy as a form of government will prevail in the world. If we lack understanding of one another, if we divide our effort, if we criticize and hamper one another and stultify our own several governments, democracy will lose in the world.

I should be glad to promote this unity by having better intercommunication between the various representative bodies of the world, those branches of Government which speak and act for the people in a representative capacity.

Mr. President, I realize that this is not the time for a statement on the precise outline for this effort; but I hope that ere long it will take definite form and be implemented.

The main purpose of my speaking on this bill is to bring to consideration those forces which must animate the tangible thing which we are creating today.

I would convey to our friends in the Orient, the great Christian leaders, Gen. Chiang Kai-shek and Mme. Chiang Kai-shek, and to their people, the happiness I have in the knowledge that their struggles will not have been in vain, and that their opportunity to participate in the glory of victory is boundless.

We vote for this appropriation with full realization of the burden it will lay upon us; but we do it cheerfully, because we believe that it is an essential step to winning the war and consolidating the position of the four freedoms.

The VICE PRESIDENT. The clerk will state the first committee amendment.

The first amendment of the Committee on Appropriations was, under the heading "Title I—War Department—Quartermaster Corps—Quartermaster Service, Army," on page 2, line 20, after the word "equipage", to strike out "$928,928,000" and insert "$1,525,764,000."

The amendment was agreed to.

The next amendment was, on page 3, line 5, after the words "In all", to strike out "$3,391,166,900" and insert "$3,988,002,900."

The amendment was agreed to.

The next amendment was, under the heading "Title III—Defense Aid," on page 8, line 6, after the word "foregoing",

to strike out "$580,000,000" and insert "$675,000,000."

The amendment was agreed to.

The next amendment was, on page 8, line 7, after the words "In all", to strike out "$5,330,000,000" and insert "$5,425,000,000."

The amendment was agreed to.

The next amendment was, on page 9, line 3, after the numerals "17", to strike out "1942" and insert "1941."

The amendment was agreed to.

The VICE PRESIDENT. That completes the committee amendments. The bill is still before the Senate and open to further amendment.

Mr. McKELLAR. Mr. President on behalf of the committee, I offer an amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Tennessee will be stated.

The CHIEF CLERK. On page 10, after line 20, it is proposed to insert a new section, as follows:

SEC. 403. Limitations on appropriations heretofore enacted and available for obligation during the fiscal years 1942 and 1943, which prohibit the use of such appropriations and other funds for the employment in the service of the District of Columbia and the United States (including any agency a majority of the stock of which is owned by the Government of the United States) of persons who are not citizens of the United States or who have not filed declarations of intention to become such, shall not apply hereafter to citizens of the Commonwealth of the Philippines.

Mr. McNARY. Mr. President, is the amendment offered as a committee amendment, with instructions from the committee?

Mr. McKELLAR. Yes; it is.

Mr. McNARY. Why was it not included in the bill?

Mr. McKELLAR. It was subject to a point of order. The amendment goes back to appropriations for 1942 and 1943. That is the only difference between the two sections.

Mr. McNARY. Is the Senator speaking with respect to an amendment which he now offers to the language of the bill as reported by the Senate Committee?

Mr. McKELLAR. Yes.

Mr. McNARY. Or is the Senator referring to the bill as it passed the House and was referred to the Appropriations Committee of the Senate?

Mr. McKELLAR. The amendment refers to the bill now before the Senate. If the Senator will look at section 402, he will find that there is legislation in various acts which prohibits the use of such an appropriation for this purpose. For that reason, and because it was alleged that the amendment was legislation, it was thought best to present the amendment in this way, so as to allow the use of such funds heretofore appropriated for the fiscal years 1942 and 1943.

Mr. McNARY. Wherein does the language of the amendment differ from the language of the bill? That is the point I am trying to make clear.

Mr. McKELLAR. In the language of section 402 there are limitations applying only to this bill. The proposed section 403 makes the limitations apply also to other acts which have already been passed.

Mr. McNARY. Why was not the amendment written into the bill as it was reported to the Senate?

Mr. McKELLAR. As I understand, it would have been subject to a point of order in the House, and it is subject to a point of order in the Senate.

Mr. McNARY. Is it subject to a point of order?

Mr. McKELLAR. It is. Notice was given. For that reason the amendment is presented in this way.

The main purpose of the amendment is to permit the appointment of Filipinos to positions in the United States. I think they ought to have the right to such appointments. They are putting up a wonderful fight in behalf of their country and in behalf of the United States. If the Senator will examine the amendment, he will see that the purpose of it is as I have explained. I hope the Senate will agree to it. I am sure the Senator will be glad to agree to it.

The Resident Commissioner of the Philippines to the United States, in writing about the amendment, says:

It is evident that under these terms no Filipino citizen may be employed in any office of the Federal Government whose appropriations are controlled by a requirement of this nature. The fact of owing allegiance to the United States is only a qualification of the principal requirement of being in the service of the United States on the date of the approval of the pertinent act.

The committee thought that this contention was correct. I ask unanimous consent, Mr. President, to have printed in the RECORD at this point as a part of my remarks a letter from Hon. J. M. ELIZALDE, Resident Commissioner of the Philippines to the United States, addressed to the chairman of the committee, Mr. GLASS.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE RESIDENT COMMISSIONER
OF THE PHILIPPINES TO
THE UNITED STATES,
Washington, D. C., February 5, 1942.

Hon. CARTER GLASS,
Chairman, Committee on Appropriations, United States Senate.

MY DEAR SENATOR: I am addressing you with respect to the citizenship requirements of the various appropriation bills considered by your committee.

In most of the 1942 appropriation acts, including the Treasury and Post Office Departments Appropriation Act of 1943, just passed in the House, the following citizenship requirement is included:

"SEC. 3. No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States, unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States."

It is evident that under these terms no Filipino citizen may be employed in any office of the Federal Government whose appropriations are controlled by a requirement of this nature. The fact of owing allegiance to the United States is only a qualification of the principal requirement of being in the service of the United States on the date of the approval of the pertinent act.

I submit, with all due respect, that as a matter of principle Filipino citizens, who are classified as nationals of the United States in the Nationality Act of 1940, should not be disqualified from Federal service.

Allegiance and protection should be reciprocal obligations—allegiance for protection, and protection for allegiance. Our oath of allegiance obligates Filipinos to the supreme sacrifice of their lives in behalf of the American Union; it seems to me unfair to bar Filipinos from Government employment by reason of legislative enactments.

As a practical result, extremely few Filipinos could avail themselves of the opportunity of Federal employment by reason of a change of the afore-mentioned provision of law. Since May 1, 1934, the quota of Filipino immigrants is 50 annually. Filipinos who are permanent residents of the United States—i. e., those who entered the country prior to the enactment of the Independence Act of 1934—are already definitely established in their chosen fields of endeavor. Those between the ages of 18 and 45 are subject to training in the armed forces of the United States. My interest in this matter is purely to eliminate from the statutes any provision that in any manner may be construed as denying Filipinos the opportunity of employment in the Government service.

If I may be allowed a suggestion, the Legislative Branch Appropriation Act of 1942 includes a citizenship provision which has been interpreted by the Comptroller General of the United States as permitting the employment of Filipinos, to wit:

"SEC. 6. No part of any appropriation contained in this act or authorized hereby to be expended, and no part of any appropriation or fund otherwise available to any Federal agency for which appropriations are contained in this act, shall be used to pay the compensation of any officer or employee of the Government of the United States or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States, unless such person is (1) a citizen of the United States; or (2) a person in the service of the United States on the date of the approval of this act who, being eligible for citizenship, had theretofore filed a declaration of intention to become a citizen; or (3) who owes allegiance to the United States."

I would be very grateful for the favor of the insertion of this letter in the records of your committee proceedings on the matter of the Department appropriations.

With the assurances of my high esteem and consideration, I remain,

Very truly yours,

J M. ELIZALDE.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Tennessee on behalf of the committee.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, when the bill was reported to the Senate on behalf and by authority of the Committee on Appropriations, I gave notice that a motion would be made to suspend paragraph 4 of rule XVI in order to offer a legislative amendment. Since that time the issue raised has been discussed somewhat freely, and I under-

stand that, perhaps, the Senator from Kentucky has a statement to make at this point in connection with the matter. If so, I should be glad to yield for such statement.

Mr. BARKLEY. Mr. President, as the Senator from Oklahoma has stated, notice was filed one day last week by the Senator from Oklahoma that an amendment would be offered which would implement in the pending appropriation bill the legislative action taken by the Senate last week in the passage of a bill designed to prohibit the Commodity Credit Corporation from disposing of, at less than parity prices, any agricultural commodities owned by it. Of course, to make such an amendment to the bill under consideration in order would require a suspension of the rule, and such a motion would require a two-thirds vote. It was my understanding that the Senator from Oklahoma had modified his amendment so as to make it a limitation on the pending appropriation bill, and that he intended to offer it in that form.

In an effort to avoid complicating the pending bill—which is an important and vital appropriation bill—by reiterating statements made or positions taken in the passage by the Senate of the bill referred to, which was an independent and substantive bill, I undertook to ascertain the situation with respect to the effect the amendment would have upon the War Department and the Government in the purchase of supplies provided for in the appropriation bill and in carrying on the war.

I have conferred with the Budget Officer of the Procurement Division of the Navy Department and also with the Under Secretary of War, Judge Patterson. The bill carries mainly appropriations for the War Department, but the whole principle is involved as between the two Departments. From the conversations I had I am able to state that the Navy Department makes no direct purchases of any of the raw materials or agricultural products which would be covered by the amendment which has been suggested by the Senator from Oklahoma and other Senators. I was advised that the Navy Department purchases its supplies in the open market, on bids; and the fact that any commodity which they purchase in the open market or on bids might at one time have been owned and sold by the Commodity Credit Corporation is a matter about which they have no knowledge and could have no knowledge unless they were to set up some sort of an investigatory force to trace the ownership of the commodity which they mignt purchase, if they were engaged in the purchase of raw materials—which they are not. So, it seems to me that the Navy Department really is not involved in the purchase of any of these agricultural commodities as such.

The amendment, as it was intended to be offered by the Senator from Oklahoma, not only would apply to farm products but to anything manufactured or processed out of farm products, although I understand that the Senator decided later not to include the latter category, but to limit the amendment to the agricultural products as such.

Mr. THOMAS of Oklahoma. That is correct.

Mr. BARKLEY. Judge Patterson has informed me, in a conference which I had with him on Saturday, and one again this morning, that, so far as any of these funds are concerned, the situation in the War Department is practically the same as that in the Navy Department. The War Department does not buy from the Commodity Credit Corporation any raw cotton or any corn or wheat or any other agricultural product as such. The Senator from Oklahoma, and, I think, all other Senators, will realize that if the War Department were prohibited from buying any processed or manufactured commodity produced from an agricultural product once owned by the Commodity Credit Corporation, such a prohibition would be almost impossible of enforcement, because the Department would have to set up an inspection service to trace every article they bought—every bale of cotton or every barrel of flour or every tire—in order to determine whether into such article went some raw material which at one time was owned by the Commodity Credit Corporation.

I am informed—and I have not any doubt of the accuracy of the information—that, so far as cotton is concerned, the War Department not only has not purchased any from the Commodity Credit Corporation, but it is not now purchasing any at any price, and does not contemplate the purchase of raw cotton from the Commodity Credit Corporation in anything like what could be called substantial quantities, if at all. I am advised that they do buy cotton cloth—not raw cotton, but products processed from cotton, such as uniforms, underwear, all sorts of garments which are manufactured of cotton; but they buy such things in the open market, on bids, after they are manufactured; and they have no way of knowing where the manufacturer got the cotton out of which the articles are produced. Therefore there is no policy of the War Department that contemplates any large-scale or substantial purchase of raw cotton from the Commodity Credit Corporation. They have practically no direct dealings with the Corporation in the purchase of cotton.

As to wheat, the same situation exists. The War Department does not purchase raw wheat. It purchases flour, of course, and other wheat products; but it purchases them in the open market, through ordinary mercantile channels, and on bids. There would be no way by which the War Department could trace the pedigree of a barrel of flour in order to determine out of what wheat it was manufactured or who owned it at any time. So no situation with respect to wheat arises here.

As to corn, there are only two possible conditions under which the War Department would purchase raw corn. One is that it has, of course, a number of cavalry horses, which, of course, it must feed. It buys in the open market, on bid, the corn to be fed the horses. It has not bought any corn, and does not contemplate buying any, from the Commodity Credit Corporation, out of the stocks which it owns, for the purpose of feeding cavalry horses. The only possibility, which in all likelihood would arise in connection with corn, might be in the purchase of alcohol produced from corn; but in the past, up to now, and so far as is contemplated, the War Department has purchased and does purchase its alcohol in the open market, in the same way—on bids. It does not deal with the Commodity Credit Corporation in the purchase of corn, and does not contemplate doing so.

I can state that Judge Patterson and the Navy Department were perfectly frank and open in making their statements to me, and I think that the Senator from Oklahoma and all other Senators can rely upon their accuracy and their good faith.

Mr. McKELLAR. Mr. President, will the Senator yield to me so that I may ask a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. Did the Senator from Kentucky confer also with the lend-lease authorities to ascertain what they proposed to do about the matter?

Mr. BARKLEY. No; I did not confer with the lend-lease authorities, although probably that was an oversight. In view of the fact, however, that even the provisions of the bill passed the other day and the provisions of the amendment which were in contemplation would not apply to any such commodities used outside the United States, therefore even if the lend-lease authorities should ship outside the United States to our associated nations wheat or corn which they had purchased from the Commodity Credit Corporation, or by any arrangement with it, the amendment and the bill passed would not apply; because their provisions relate only to the use of such commodities within the United States. So, because of that situation, I really did not think it was necessary to take up the matter with the lend-lease authorities.

Mr. McKELLAR. Of course, the Senator knows that quite a large appropriation—approximately $90,000,000—is for lend-lease purchase of cotton goods or cotton. The Senator does not think, does he, that that would be interfered with?

Mr. BARKLEY. No; I do not think so; but I do not believe the bill the Senate passed the other day, if enacted, or the amendment contemplated by the Senator from Oklahoma, if agreed to, would interfere with such purchases; because both measures are limited to the use of such commodities in the United States, and, of course, what we lend or lease to our associated nations goes outside of the United States

So in view of the statements I have mentioned, I think that the Senate can rely upon the observance of the indicated policy by the War and Navy Departments; and, under the circumstances, I sincerely hope that the amendment will not be offered to the pending bill.

Mr. THOMAS of Oklahoma. Mr. President, I thank the Senator from Kentucky for the statement he has made.

It agrees substantially with the information I have. This issue of parity prices arose over a newspaper story to the effect that the War Department was consulting with the Commodity Credit Corporation with respect to the transfer of some 5,000,000 bales of cotton from such Corporation to the War Department, so that the War Department, in turn, might process the cotton into cloth and various other cotton articles needed.

I called the War Department and talked to the official in charge of acquiring cloth, as I understand, both woolen cloth and cotton cloth, and, while it is not his duty to deal with this matter, he said such a proposal was under consideration; that the War Department and the War Production Board were considering the matter. He did not know what proposal had been made, if any, but he did say that it was under consideration.

Then another story was published rather widely that the proposed amendment would cost the consumers at least $1,000,000,000 more for their food supplies. Mr. President, any amendment that has the possible effect of raising the price of food supplies to the extent of $1,000,000,000, of course, is worthy of consideration.

Before I state what I propose to do, I desire to clarify the record. I ask permission to place in the RECORD at this point certain provisions of the so-called price-control law which is Public, 421 of the present session of the Seventy-seventh Congress. I ask specifically that, from section 3 on page 5, paragraph (a) and paragraph (b) be incorporated in the RECORD at this place.

The VICE PRESIDENT. Without objection, it is so ordered.

The paragraphs referred to are as follows:

AGRICULTURAL COMMODITIES

SEC. 3. (a) No maximum price shall be established or maintained for any agricultural commodity below the highest of any of the following prices, as determined and published by the Secretary of Agriculture: (1) 110 percent of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials, or, in case a comparable price has been determined for such commodity under subsection (b), 110 percent of such comparable price, adjusted in the same manner, in lieu of 110 percent of the parity price so adjusted; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 15, 1941; or (4) the average price for such commodity during the period July 1, 1919, to June 30, 1929.

(b) For the purposes of this act, parity prices shall be determined and published by the Secretary of Agriculture as authorized by law. In the case of any agricultural commodity other than the basic crops corn, wheat, cotton, rice, tobacco, and peanuts, the Secretary shall determine and publish a comparable price whenever he finds, after investigation and public hearing, that the production and consumption of such commodity has so changed in extent or character since the base period as to result in a price out of line with parity prices for basic commodities.

Mr. THOMAS of Oklahoma. Then, Mr. President, following the incorporation of those provisions of the law, I ask to have printed in the RECORD a copy of Senate bill 2255, which was passed by this body on February 25, and is now pending in the other House.

The VICE PRESIDENT. Without objection, the bill will be printed in the RECORD.

The bill (S. 2255) is as follows:

Be it enacted, etc.,

SEC. 1. That hereafter until December 31, 1944, or until such earlier time as the Congress by concurrent resolution may designate, no agricultural commodity, title to which is in the Commodity Credit Corporation on the date of enactment of this act, or title to which is acquired, directly or indirectly, by such Corporation after such date, shall be sold or otherwise disposed of by such Corporation for use within the United States at a price below the parity price for such commodity determined and published by the Secretary of Agriculture as authorized by law. In the event that any such agricultural commodity is sold or otherwise disposed of by the Commodity Credit Corporation to any executive department or other governmental agency, the provisions of this act shall likewise apply to any sale or other disposition of such commodity by such department or agency, or by any other executive department or governmental agency which thereafter acquires title to such commodity. The proceeds of any such sale or other disposition of any such agricultural commodity shall be covered into the Treasury as miscellaneous receipts. The provisions of this act shall not apply to the sale or other disposition of any agricultural commodity to or by the Agricultural Marketing Administration for distribution exclusively for relief purposes, nor to grain which has substantially deteriorated in quality and is sold for the purpose of feeding or the manufacture of alcohol or commodities sold to farmers for seed.

SEC. 2. Nothing in this act shall be construed to authorize any sale or other disposition of any agricultural commodity contrary to the provisions of the Agricultural Adjustment Act of 1938, as amended.

Mr. THOMAS of Oklahoma. I also ask to have printed in the RECORD at this point a copy of the notice which was served on behalf of the Appropriations Committee. Let these three documents, being Federal official records, appear in the RECORD.

The notice presented by Mr. THOMAS of Oklahoma on February 23 instant, on behalf of Mr. BANKHEAD, is as follows:

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. THOMAS of Oklahoma. Mr. President, House bill 6611 has been reported to the Senate today. It is the large defense appropriation bill. The committee authorized the senior Senator from Alabama [Mr. BANKHEAD] to offer an amendment on the floor tomorrow. The amendment may be construed to be legislation, in which event a notice in writing of a motion to suspend paragraph 4 of rule XVI will be necessary. I want the RECORD to show that I am now making the request that during the course of today such a notice in writing and the text of the proposed amendment may be filed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. THOMAS of Oklahoma (for Mr. BANKHEAD) subsequently submitted the following notice in writing:

"In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, the following amendment, namely:

"'At the proper place in the bill to insert a new section, as follows:

"' 'SEC. 404. All agricultural commodities and all products processed from such commodities authorized to be purchased and secured with funds appropriated and made available by this act shall be purchased in the open market as now provided by law.' '"

Mr. THOMAS of Oklahoma (for Mr. BANKHEAD) also submitted an amendment intended to be proposed by him to House bill 6611, making additional appropriations for the national defense, fiscal year 1942, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. THOMAS of Oklahoma. I read in the press, Mr. President, that the efforts of some Senators in this matter were described as being "reprehensible." I do not know who made that statement; I do not know that anyone made the statement, except that the press recorded such a statement in its columns. Let me say that the Committee on Agriculture and Forestry reported unanimously the so-called Bankhead-Gillette bill. That bill came before the Senate, and was approved by this body by a vote of 54 to 23. Then, in the Committee on Appropriations, it was unanimously agreed that the Senator from Alabama [Mr. BANKHEAD] should offer an amendment to the pending bill limiting the expenditure of the funds carried in the bill to the payment of at least parity prices for any of the surplus agricultural stocks owned by the Commodity Credit Corporation. So, if there has been any conduct that is "reprehensible" it was directed, first, at the Committee on Agriculture and Forestry; second, at the Senate, and especially at those Senators who voted for the bill; and third, at the Committee on Appropriations, which authorized the Senator from Alabama to offer the amendment.

Then today the House Committee on Appropriations has just reported the regular supply bill for the Department of Agriculture, and such bill carries the following limitation. On page 78, under the title "Commodity Credit Corporation", is language as follows:

Provided further, That none of the fund made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity price as defined by the Agricultural Adjustment Act of 1938.

Mr. President, this proposed amendment does involve a considerable sum of money. The issue is whether the Congress will appropriate a billion dollars or thereabouts out of the Treasury, and use that sum in order to make benefit payments to the farmers, or whether the Congress will permit prices to rise to parity, thus making unnecessary benefit payments, in which event whatever increase there may be in the price of all commodities will be borne by the consumer. This applies to all farm commodities, not alone to cotton, not alone to wheat, not alone to corn, but to tobacco, rice, livestock, and everything the farmers produce.

This bill carries a large sum of money for the purchase of cloth. Under the lend-lease title it carries $90,000,000 for the purchase of cotton. At present prices $90,000,000 will buy about a million bales of cotton. So, under the provisions of this bill relating to the lend-lease program, $90,000,000 are provided for cotton, and, therefore, the amendment would apply directly to that 1,000,000 bales.

The pending bill carries over a billion and a half dollars for the purchase of cloth and equipment. That means, of course, woolen cloth and cotton cloth and equipment generally. Inasmuch as many of our soldiers will be stationed in rather warm climates, winter and summer, it is to be assumed that their clothing will be made very largely out of cotton, and that the demand for cotton under this bill will be heavy. So it is my estimate that this bill carries money to purchase at least 3,000,000 bales of cotton or products fabricated from 3,000,000 bales of cotton. It may be much more, but it certainly will be that much.

Mr. President, those of us who are interested in this problem are not trying to get prices allowed under the highest ceiling provided by the law. There are five ceilings provided by the so-called price-control bill. There is, first, the parity-price ceiling; there is, second, the October 1, 1941, price ceiling; third, the December 15, 1941, price ceiling; fourth, the average price of 1909 to 1929 ceiling; and fifth, the 110 percent of parity ceiling. We are not asking for 110 percent of parity; we are not asking for the average prices the commodities brought from 1919 to 1929; we are simply asking, in many cases, for the lowest ceiling, not the second highest, not the third highest, or the fourth or fifth highest, but the lowest ceiling provided. Some people seem to assume that the Congress was just "kidding" the farmers when it passed the price-control bill.

Mr. BONE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BONE. I understood the Senator to say this bill carries provision for the purchase of cotton. I assume he means raw cotton? I do not see any such provision in the bill.

Mr. THOMAS of Oklahoma. Under the lend-lease provision $90,000,000 are set aside specifically for the purchase of cotton, whether raw cotton or semi-processed cotton or fabricated cotton, or in what form, I do not know; the bill does not state.

Mr. BONE. I presume the Army uses cotton for the purpose of the manufacture of explosives; but the Army does not buy raw cotton; at least, I do not know that the Army does so.

Mr. THOMAS of Oklahoma. It was proposed, according to the public press, that the Commodity Credit Corporation transfer to the Army as much as 5,000,000 bales, so that the Army could send the cotton to the mills and have it processed; in other words, trade it for cloth, just as was done in the earlier days when a farmer would take his wheat to the mill and without waiting for the mill to grind the wheat into flour it would be figured out how much flour the owner of the wheat would be entitled to, and with his flour he shortly would be on his way back home.

Mr. President, this amendment has wide possible ramifications. On December 15 the parity price of cotton was 16.93; on that date the farm price was 16.23; the October 1 price was 17.04; 110 percent of parity price on the 15th of December was 18.62 and the average price of cotton during the 1919–29 period was 21.47. So all we are asking for in this proposal is to secure for the farmer the full parity price—not 110 percent parity price or the 1919–29 level, but the parity price.

Since these figures were made available, Mr. President, the Agricultural Department has announced the latest parity prices for the three major products. According to the figures on the 15th of February, which is the last parity announcement, the parity price for cotton was 18.23; the parity price for wheat was $1.30 a bushel, and the parity price for corn was 94 cents a bushel. So, as the matter appears today, those for whom I speak are demanding that the prices of the commodities be permitted to rise until the producers are assured the full parity price, or a price of 18.23 for their cotton, a price of $1.30 a bushel for their wheat, and a price of 94 cents a bushel for their corn.

I am asked the present market price for cotton——

Mr. BANKHEAD. Mr. President, I can state the present farm price of cotton.

Mr. THOMAS of Oklahoma. I am glad to yield to the Senator for that purpose.

Mr. BANKHEAD. It is 17.8, which is about 40 or 50 points below the parity price; it has not reached parity.

Mr. THOMAS of Oklahoma. Mr. President, this issue will have to be fought out in connection with the passage of the regular agricultural appropriation bill. So, inasmuch as that bill will come on a little later, it is thought best by some of us not to delay the passage of the pending measure at this time; but still I do want to make the record, because later the issue will come up in the Senate whether we will appropriate almost a billion dollars in the form of subsidies or hand-outs or benefit payments and place that money in the hands of the Department of Agriculture to make payments on crops to be grown in 1942.

This is the way the Department's program will work. At the present time, just for illustration, the parity price of cotton is 18 cents. The farm price is 16 cents. There is a difference of 2 cents a pound between what the farmer receives and the parity price. How is the farmer to get the 2 cents? There being 500 pounds to a bale of cotton, of course, 2 cents a pound means $10 on a bale. So, under the program advocated by the Department, the farmer would receive $10 a bale less than the parity price. How is he to get the 2 cents a pound?

The program is to have Congress appropriate some $450,000,000 in the agricultural appropriation bill, and place that money in the hands of the Department with which to make the payment of $10 a bale to the growers of cotton in 1942.

How will it work with regard to wheat? At the present time the parity price of wheat is $1.30. It is proposed that the farmer be loaned 85 percent of parity. Eighty-five percent of $1.30 is $1.10; $1.10 deducted from $1.30 leaves 20 cents as the difference between the farm price for wheat and the parity price. How is the farmer to get the 20 cents a bushel? The Agriculture Department plan is to have Congress appropriate the money, as I have just stated, and out of the $450,000,000, or out of the parity money to be appropriated, allocated, or obligated, they are to make these payments of 20 cents a bushel.

How does it affect the producers of corn? At the present time the parity price of corn is 94 cents a bushel. Eighty-five percent of 94 cents is 80 cents, and 80 cents deducted from 94 leaves 14 cents. So the farmer is presumed to secure 80 cents cash for his corn, and if he then is to receive full parity, he must depend on the Government—and when I say "Government," I mean the Department of Agriculture—to make him a benefit, soil conservation, or parity payment, in the total sum of 14 cents for each bushel.

If the Congress should see fit not to make appropriation for these subsidies or parity payments, the farmer will not receive the difference. Therefore, it is the idea of some of us that, instead of appropriating $450,000,000 in order to make the soil-conservation payments, and instead of enacting a law giving the Secretary of Agriculture the power to obligate the Treasury to cover these parity payments—and if they amount to as much this year as last year, it would mean $212,000,000—we allow the prices to rise, the price of cotton to 18 cents a pound or to full parity, the price of wheat to $1.30 a bushel or to full parity, and the price of corn to 94 cents a bushel or likewise to full parity. If prices do not go that high, the farmer is taking the chance, or the gamble, if we wish to call it a gamble.

By following the suggestion some of us have made, we can get rid of the necessity of appropriating over $700,000,000 in these two items alone, as I shall demonstrate in just a moment. On the other hand, if the amendment I had intended to offer in behalf of the Senator from Alabama [Mr. BANKHEAD] and myself should have prevailed, it is my judgment that prices would have gone to parity, in which event there would have been no occasion for asking for $450,000,000 for soil-conservation payments and $212,000,000 in either cash or authorizations for parity payments.

Mr. President, I desire to give the Senate the break-down of this proposal. In the Budget now pending before the Congress we find a request for $464,440,119 to enable the Government to make these soil conservation or benefit payments. The Budget then states that $30,000,000 will be borrowed from the Commodity Credit Corporation, making a total, if these two appropriations are

granted, of $494,440,119 for the making of soil-conservation payments, which means one form of benefit payments.

The cost of administration of this department is as follows:

To administer the half-billion dollar fund to be used in making these payments it is proposed to employ 1,091 employees in the District of Columbia, at a cost of $2,238,292. It is estimated that it will take 2,863 employees in the field to administer the fund, at a cost of $5,128,863. It is estimated and requested that we appropriate money to pay for temporary employees, to cost $1,699,561.

The total cost to administer this one fund of $450,000,000 would, therefore, be $12,159,211.

The cost of that program, covering the expenditure of $494,000,000 for the appropriation proper, and $12,000,000-plus for the administration, makes a total in the case of that one fund of $506,599,330. That is for the soil-conservation branch of these benefit payments.

For parity payments the authorities are not asking in the bill for a specific sum, they are asking for contract authority to obligate the Treasury so that they can get as much money as they need. If they need for the coming year as much as they needed for the past year, it will take $212,000,000. If they do not need as much, it will cost less, if they need more it will cost more than $212,000,000.

It is proposed to employ 349 persons in the District of Columbia, and 940 in the field. The temporary employees are not cataloged, hence there is no request made for them by number. A request is made as to their expenses. The cost of these employees as estimated will be $2,835,230.

Then there are the miscellaneous expenses, which means printing, travel, and incidentals, or whatever is covered by the term "miscellaneous expenses" generally, which are estimated to cost $3,973,824. Then they are to pay to the committees in the field $6,282,212, so the estimated total cost of administration of the parity payments is $13,091,266.

When we add these sums together, the conservation payments, the soil-conservation payments, and the parity payments, plus the cost of administration, we have a grand total of $731,690,596.

Mr. President, to support the figures I have just given I ask to have printed in the RECORD at this point a statement from the Budget, prepared by the clerk of the Committee on Appropriations of the Senate, under the title "Conservation and Use of Agricultural Land Resources, Department of Agriculture."

I also ask to have printed in the RECORD a statement prepared by the clerk of the Committee on Appropriations in relation to parity payments. These statements sustain the figures I have just given.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES, DEPARTMENT OF AGRICULTURE

The estimate for 1943 is $450,000,000, of which $4,000,000 is earmarked for the four regional laboratories. The Budget shows that the estimated grand total obligations of the Agricultural Adjustment Administration for 1943 in connection with administering conservation and use of agricultural land resources are $464,440,119. The Budget shows further that it is estimated for the year 1943, $30,000,000 will be borrowed from the Commodity Credit Corporation and $11,777,065 will be repaid to the Commodity Credit Corporation, and that $2,909,648 will be received as reimbursements from other appropriations, bureaus, and agencies.

The Budget further shows that in connection with the administration of conservation and use of agricultural land resources by the Agricultural Adjustment Administration it is estimated 1,091 employees will be employed in Washington at a cost of $2,238,292; that the estimated total permanent field personnel will be 2,863 at a cost of $5,128,863, and that temporary employees in the field will cost $1,699,561. The total for personal services, departmental and field, is estimated at $9,107,838. The estimated expenditures for other obligations, such as supplies and materials, communication service, travel expenses, and transportation of things, is $3,051,373. The Budget further shows that of the estimated grand total obligations for 1943 the amount of $452,151,466 will be paid as grants to producers.

PARITY PAYMENTS

The Budget shows that the estimated number of departmental employees for 1943 of the Agricultural Adjustment Administration in connection with administration of parity payments is 349, at a cost of $705,950, and that the cost of temporary employees in Washington will amount to $7,774, or a total for Washington personnel of $713,724. The Budget further shows an estimated permanent field personnel of 940 at a cost of $1,635,063, that temporary personnel in the field will cost $486,443, and that the total estimated field personnel will amount to $2,121,506. The total estimate for personnel, departmental and field, is thus $2,835,230. Other obligations, such as supplies and materials, communication service, and travel expenses, are estimated at $3,973,824. Payments to county committees are estimated to total $6,282,212.

The foregoing administrative expenses estimated for 1943 total $10,256,036. If a cash appropriation is made for parity payments, this amount for administrative expenses would be paid out of that cash appropriation, or out of unexpended balances. The estimate for parity payments for 1943 provides for a reappropriation of unobligated balances and a contract authorization to pay full parity payments. The estimate further provides that of the amounts made available, not to exceed $5,000,000, may be expended for administrative expenses in the District of Columbia (including personal services) and in the several States (exclusive of expenses of county and local committees).

Mr. THOMAS of Oklahoma. Mr. President, I ask to have printed in the RECORD a statement which I gave to the press Saturday in an effort to outline and clarify the issue I have been discussing.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT REGARDING THE PARITY-PRICE ISSUE

The farm parity-price issue involves a fundamental governmental policy and should be clarified.

All agree that farm prices should be on a parity with industrial prices.

The Agriculture Department wants to keep a number of farm prices substantially below parity and then make up the difference by subsidies or so-called benefit payments direct from the Treasury.

To cover such subsidies the Budget recommends—

(1) an appropriation of $450,000,000 to meet the so-called domestic allotment payments; and

(2) contract authority to obligate the Treasury to an indefinite sum for so-called parity payments.

Should the parity payments equal those appropriated for the 1941 crops, then the sum of $212,000,000 will be necessary for the 1942 crops.

In addition to the $662,000,000 necessary to meet subsidy or benefit payments, the Department's policy will require the services of a few thousand employees to administer the program, and such administration will cost some $15,000,000 additional, so that the total so-called benefit program calls for a direct appropriation from the Federal Treasury in a sum of approximately $675,000,000.

The Congress has just passed a law providing for the control of prices generally.

This law provides a number of ceilings on farm products, as follows:

(a) Parity prices.

(b) 110 percent of parity.

(c) The price current on October 1, 1941.

(d) The price quoted on December 15, 1941.

(e) The average of prices during the years 1919 to 1929.

With the price-control law in force it is now proposed to keep certain farm prices below not the highest ceiling but below parity, which in some cases is below the lowest ceiling, and, as stated, to do this it will be necessary to make appropriations in the total sum of approximately $675,000,000 direct from the Treasury.

If farm prices are permitted to rise to parity, then the subsidy or benefit payments will not be necessary.

Farmers are demanding parity prices rather than subsidies from the Federal Treasury.

The second issue is over the policy of dumping of Commodity Credit Corporation's stocks on the market in an effort to depress and cause prices to be below parity.

The Agricultural Department wants to use our surplus stocks for such purpose and the Senate has gone on record, by a vote of 50 to 23, against such policy.

All must agree that we will be called upon to feed and clothe not only our own soldiers and our own people but, in addition, many other peoples who are assisting us in our war efforts.

After the war is over and in the reconstruction period we will be called upon to supply food and clothing not only for our own people and those of our Allies but peoples of other lands.

In fact, we are now furnishing supplies to peoples who are by force required to be neutral.

Many believe that during the war all people should be permitted to not only produce without restrictions but should be urged to produce an abundance of supplies for postwar use and distribution.

Again, it is well to assume that, with a war debt which may reach well over $100,000,000,000 and with an annual budget which may reach well over $15,000,000,000, we may not again see prices of food and clothing as low as they are at present; hence, very soon we may wonder why an issue over the present low prices ever developed.

The Representatives from the farm States are demanding not high prices for farm products, but, instead, are insisting that prices be permitted to rise until they reach full parity before any control measures are involved.

Mr. THOMAS of Oklahoma. Mr. President, I wish to read at this point an editorial from one of the leading newspapers of my State, the Daily Oklahoman, published on Saturday, February 28. The first paragraph reads:

ON TWO FRONTS

Thursday afternoon the Senate debated the demand of agriculture for parity prices for its products and the House debated the proposed suspension of the 40-hour week. In the Senate the administration forces opposed what the farmers were demanding. In the House the administration forces fought for what labor was demanding.

I am merely trying to clarify the issue in reading these comments. I am not complaining about the wages of labor. That issue will come before the Senate, and I will have to act on it at the proper time; but I am demanding that the farmers be accorded a fair deal under the laws we have already passed. It is my judgment that no one can justly criticize us for demanding that farmers be accorded prices to the height of at least the lowest ceiling which the Congress has provided.

The editorial continues:

Whether the demands of agriculture and labor were completely just or entirely selfish is not the point that interests us. Our interest lies in the fact that the administration was fighting the farmers furiously at the very time it was fighting for labor right ardently.

It has been so from the very beginning of this war-preparation program. Everything that labor has asked for has been granted freely. Everything that agriculture has asked for has been opposed right stubbornly. It just happens that Thursday was about the first time that the New Deal was seen punching the heads of the farmers and lending a helping hand to labor simultaneously.

It may be true, as so many are saying, that the demands of agriculture and of labor also are just demands. It may be true, as many assert, that the demands of both are purely selfish. And it well may be that all of these special appeals for special favors ought to be postponed for the duration. But whether these demands be just or selfish or inopportune or even unpatriotic, they have been made by both classes alike. And an administration that has given one class everything it has asked for has fought to a finish nearly everything the other class has asked for. The administration fought on both fronts simultaneously Thursday afternoon.

There is nothing strange in this attitude of the New Deal toward the classes in question. The New Deal is very largely a proletarian party. It is quite largely an urban party. The big cities dominate the New Deal and the New Deal dominates the Government. By and large, the big cities want the highest possible wages for labor and the lowest prices possible on the food products that come from the American farm. Hence the controlling element in the New Deal structure is quick to give labor everything it asks and is extremely reluctant to give agriculture anything that increases the price of agricultural commodities. Naturally enough, the Senate battle against parity was led by Senator BROWN, of the great industrial State of Michigan.

Of course, the mere intimation that the agricultural States are nothing but stepchildren at the New Deal's banquet board will be challenged angrily by New Deal spokesmen. But the record is before us and it does its own talking. From all that vast agricultural region that lies south of the Potomac and the Ohio and west of the Mississippi come only two members of the President's Cabinet, and neither of the two heads a department that has anything to do with agriculture. And of the nine members of the Supreme Court, not one resides in that vast territory which lies west of a line drawn from Detroit through Louisville and Nashville to Mobile. And what urban labor receives for the asking is won by agriculture by the most desperate fighting. The administration showed both its hands at once Thursday afternoon.

I ask permission to incorporate in the RECORD also an editorial from the Enid (Okla.) Morning News, which sustains the viewpoint we are trying to get before the Senate.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Enid (Okla.) Morning News]

THOMAS ON FARM PRICE CONTROL

Slated for Senate action is the Bankhead-Thomas bill to prevent Secretary Wickard and the Department of Agriculture from throwing on the market surplus government-owned stocks of wheat, corn, and cotton in order to keep the prices of these products generally below the 110 percent of parity visioned by the farm price provisions of the price-fixing bill. Senator THOMAS has been the leader in the fight to make effective the 110 parity provision ever since Secretary Wickard announced he would endeavor to keep farm prices down, ome as low as 85 percent of parity. To do this, the Secretary threatened to use the buying and selling powers of the price bill to defeat the intent of the Congress in placing in the measure the 110 percent parity clause.

Secretary Wickard fought bitterly for the power of prior approval by himself on farm price ceilings before they could be imposed by Price Fixer Henderson, and was supported in this contention by the farm representatives who little suspected the treachery with which he would turn on them. But the Wickard purpose, as frequently noted in these columns, now becomes clear, and Senator THOMAS, discussing the Secretary's action, uses almost identically the words of the News when he analyzes the real purpose of Mr. Wickard, saying:

"As long as he can keep prices below parity he can come to Congress regularly for the millions that he must have for benefit payments representing the difference between selling and parity prices. And as long as he can do that he can have an excuse to maintain the enormous field agencies that administer these benefits, agencies to make the payments, agencies to measure the crops, and the like.

"The farmers of this Nation are tired of Government hand-outs. They would much rather sell their products at a decent price and receive no benefit payments."

There, in a few words, you have the real reason for the Wickard determination to possess the price-fixing privilege on farm products and thus keep prices down in order to force farmers to seek bounties in lieu of fair prices. The "enormous field agencies" dealing personally with practically every farmer, constitute a political machine of a power and potency scarcely realized, and which, like other Federal agencies, and regardless of the cost to the farmer and the Nation, are determined to hold onto their power and their jobs.

Mr. THOMAS of Oklahoma. I also ask to have printed in the RECORD copy of a letter just received from an actual dirt farmer who resides in western Oklahoma, expressing the viewpoint of the farmers as to what they wish.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SNYDER, OKLA.,
February 25, 1942.

Hon. Senator ELMER THOMAS,
Washington, D. C.

DEAR SIR: I notice by the papers you have been making a fight in the Senate to better the prices of farm commodities. Owing to the scarcity of farm labor and the high prices of farm labor, a little farmer out here in western Oklahoma will starve to death with the cheap cotton and wheat prices we have had for the last 7 or 8 years.

I realize, to fight this war, the farmers of this country have a big job to feed the world and Army And to do this the farmers must have prices for their stuff they raise.

I appreciate the work you are trying to get through of helping us out with the prices.

Sit steady in the boat and let us try to feed the world.

Yours very truly,

C. M. PORTWOOD.

Mr. THOMAS of Oklahoma. I also ask permission to insert in the RECORD copy of a letter received today from Edward A. O'Neal, president of the American Farm Bureau Federation. The letter is dated Chicago, Febuary 27, 1942, and it places the federation, one of the large farm organizations, back of the provisions of the so-called Bankhead-Gillette bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FARM BUREAU FEDERATION,
Chicago, Ill., February 27, 1942.

Hon. ELMER THOMAS,
Senator from Oklahoma,
Washington, D. C.

MY DEAR SENATOR THOMAS: I want to express my hearty appreciation to you for supporting S 2255, which was approved by the Senate on February 25 by a vote of 50 to 23.

The objective of the entire farm program is to bring agriculture to parity. Why should one agency of government be used to depress farm prices below parity when other agencies are doing everything in their power to raise prices up to parity? Parity prices are no burden on the consumer; in fact, consumers are now better able to pay parity prices for food and fiber than they have ever been. The producer of pork should receive parity prices for it, and the man who grew the corn to be converted into pork should also receive parity.

The overwhelming vote of the Senate for this bill is further evidence of the justice of our cause. You have earned the thanks and gratitude of American agriculture.

Sincerely yours,

EDW. A. O'NEAL, *President.*

Mr. THOMAS of Oklahoma. Mr. President, I wish to call the attention of the Senate to a copy of a newspaper report which has been placed in my hands, dated in Indiana, my native State. The article is under the headline "Allen County farmers lead the Nation in solemn pledge not to accept any hand-outs from A. A. A. for the duration of the war." I read the pledge they have made:

Believing that the taxpayers of the Nation are about to shoulder the greatest tax burdens in our history, and believing also that economy should be practiced in our Government, as well as in our household, we, as patriotic farmers of Allen County, Ind., do hereby pledge ourselves to refrain from the acceptance of any Government Agricultural Adjustment Administration payments for the growing or nongrowing of any crops, livestock, etc., on our respective farms.

The pledge is signed by 50 farmers of that county. I submit the pledge, Mr. President, to sustain the viewpoint, which I believe is quite current throughout the farm population, that they do not want any more hand-outs in the form of

so-called parity payments. They want conditions left so that they can obtain the natural rise in their prices up to parity, and then sell their products on the market at such prices. They think prices will go higher than parity, and they are willing to take that chance; and then, under the price-control law, if the Price Administrator puts on the brakes in order to keep prices down, they will not complain. But they demand now that they have the benefit of the full parity price in the first instance, and not be forced to sell their cotton at several cents a pound below parity, or sell their wheat below parity, or their corn below parity, and then depend upon the Government, through direct appropriations made by the Congress, to make up this difference.

Inasmuch as that issue will come up later on in connection with the regular agricultural appropriation bill—it will come up in the other body first, then in the Senate in the subcommitee of the Appropriations Committee, which is presided over by the distinguished Senator from Georgia [Mr. RUSSELL]—inasmuch as the matter will be handled later in the regular order in the way that no one can criticize or condemn, and, I hope, without anyone being called reprehensible, and relying on the statement of the Senator from Kentucky [Mr. BARKLEY], I shall not offer the amendment about which I gave notice upon a previous date.

Mr. McKELLAR. Mr. President, I believe there is no further amendment to be offered, and I ask for a vote upon the bill.

The PRESIDING OFFICER (Mr. DOXEY in the chair). The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6611) was read the third time, and passed.

Mr. McKELLAR. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. NYE, and Mr. HOLMAN conferees on the part of the Senate.

ENLISTMENT OR COMMISSION OPPORTUNITIES IN THE NAVY, MARINE CORPS, OR COAST GUARD

Mr. WALSH. Mr. President, before I submit the conference report on House bill 6446, I should like to call attention to the fact that I have requested that there be placed on the desks of each Senator a committee print from the Senate Committee on Naval Affairs containing information regarding personnel of the Navy, Marine Corps, and Coast Guard. I have found from inquiries made of me, great difficulty in giving information to persons who want to know how to enlist in the Navy, how to obtain a commission in the Navy, and in what units or departments of the Navy there are opportunities for enlistment. The pamphlet is a compilation of such information as I have been able to obtain on the subject, and I think Senators will find it helpful and very useful in informing themselves, and also in sending information to their constituents who are interested in obtaining a commission in the Navy, or Marine Corps, or the Coast Guard, or who desire merely to enlist.

PAY AND ALLOWANCES OF PERSONNEL OF ARMED FORCES LOST OR ABSENT, AND REPEAL OF PENSION PROVISION FOR ELECTIVE OFFICIALS—CONFERENCE REPORT

Mr. WALSH. I submit the conference report on House bill 6446, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That for the purpose of this Act—

"(a) the term 'person' means (1) commissioned officer, warrant officer, enlisted person (including persons selected under the Selective Training and Service Act, as amended), member of the Army or Navy Nurse Corps (female), wherever serving; (2) commissioned officer of the Coast and Geodetic Survey or the Public Health Service; and (3) civilian officers and employees of departments, during such time as they may be assigned for duty outside the continental limits of the United States or in Alaska;

"(b) the term 'active service' means active service in the Army, Navy, Marine Corps, and Coast Guard of the United States, including active Federal service performed by personnel of the retired and reserve components of these forces, the Coast and Geodetic Survey, the Public Health Service, and active Federal service performed by the civilian officers and employees defined in paragraph (a) (3) above;

"(c) the term 'dependent' shall be as defined in United States Code, title 37, sections 8 and 8 (a) or such dependent as has been designated in official records;

"(d) the term 'department', including such term when used in the amendment made by section 16, means any executive department, independent establishment, or agency (including corporations) in the executive branch of the Federal Government.

"SEC. 2. Any person who is in active service and is officially reported as missing, missing in action, interned in a neutral country, or captured by an enemy shall, while so absent, be entitled to receive or to have credited to his account the same pay and allowances to which such person was entitled at the time of the beginning of the absence or may become entitled to thereafter: *Provided*, That such person shall not have been officially reported as having been absent from his post of duty without authority: *Provided further*, That expiration of the agreed term of service during the period of such absence shall not operate to terminate the right to receive such pay and allowances: *And provided further*, That should proper authority subsequently determine that the person concerned had been absent from his post of duty without authority, such person shall be indebted to the Government in the amount for which payments have been made or pay and allowances credited to his account in accordance with the provisions of this Act during such absence.

"SEC. 3. Any person entitled under section 2 of this Act to receive pay and allowances, and who has made an allotment of pay for the support of dependents or for the payment of insurance premiums, shall be entitled to have such allotments for dependents or insurance premiums as he previously may have executed continued for a period of twelve months from date of commencement of absence, notwithstanding that the period for which the allotments had been executed may have expired during such twelve months' period, and the proper disbursing officer shall so continue the allotments during such absence: *Provided*, That in the absence of a previously executed allotment, or where the allotment made is not sufficient for reasonable support of a dependent and for the payment of insurance premiums, the head of the department concerned may direct that an allotment not to exceed the base pay, plus longevity of the person concerned, shall be paid by the appropriate disbursing officer to the insurer or such dependent as has been designated in official records, or, in the absence of such designation, to such person as may be determined by the head of the department concerned, or by such person as he may designate, to be a bona fide dependent within the meaning of section 1 (c): *Provided further*, That for the initial period of six months, unless prior decision as to status is made, a monthly allotment for support of such dependent shall be paid in an amount not to exceed the monthly base pay, plus longevity, without regard to the fact that the six months' death gratuity may be paid later: *Provided further*, That at the expiration of the initial six months' period, no further decision having been made as to status, the payment as heretofore provided shall continue for an additional period not to exceed six months; any payment paid to a dependent for a period subsequent to date of death, if death occurred subsequent to the expiration of the first six months' period, shall be deducted from the six months' gratuity: *Provided further*, That the premiums on insurance issued on the life of the person paid by the Government subsequent to the declared date of death and unearned shall revert to the appropriations of the department concerned: *And provided further*, That the total of all payments made under this section, including those for insurance premiums, shall not exceed the total pay and longevity pay due.

"SEC. 4. When in the opinion of the head of the department concerned the circumstances surrounding the absence of a missing person of one of the classes mentioned in section 2 of this Act justifies such action, in the interest of the Government, or of the missing person, or of a dependent of the missing person, the head of the department, or such person as he may designate, may direct the continuance, suspension, or resumption of payments of the pay and allowances of such person. Except as provided in section 6 of this Act, in the case of a person in the hands of an enemy or interned in a neutral country, payment of allotments may not continue beyond the twelve months' period following the officially reported date of commencement of absence from his post of duty.

"SEC. 5. Upon the expiration of twelve months from the date the person is reported as missing, or missing in action, in the ab-

sence of an official report of death of the missing person, the head of the department concerned is authorized to make a finding of death of such person. Following a finding of death, the six months' death gratuity provided by law is authorized to be paid. In the event of the later return of such missing person to the controllable jurisdiction of the head of the department concerned, the pay account of such person shall be reopened and charged with the amount of the six months' death gratuity which may have been paid: *Provided*, That the head of the department concerned in his discretion shall determine a monthly basis for liquidation of the amount of the death gratuity so charged in a reopened pay account.

"SEC. 6. When it is officially reported by the head of the department concerned that a person missing under the conditions specified in section 2 of this Act is alive and in the hands of an enemy or is interned in a neutral country, the payments authorized by section 3 of this Act are, subject to the provisions of section 2 of this Act, authorized to be made for a period not to extend beyond the date of the receipt by the head of the department concerned of evidence that the missing person is dead or has returned to the controllable jurisdiction of the department concerned.

"SEC. 7. The head of the department concerned is hereby authorized to direct the payment of new allotments from the pay of persons in active service (other than persons entitled under section 2 or section 14 of this Act to receive pay and allowances) to increase or decrease the amount of any allotment heretofore or hereafter made by such persons and to continue payment of any allotments of such person which may have expired in November 1941 and any month subsequent thereto, with or without the consent of such person, subject in all cases to termination by specific request of such persons, whenever in the judgment of the head of the department such action is considered essential for the well-being and protection of dependents of persons in active service.

"SEC. 8 Whoever shall obtain or receive any money, check, or allotment under this Act, without being entitled thereto, with intent to defraud shall be punished by a fine of not more than $2,000 or by imprisonment for not more than one year, or both.

"SEC. 9. Within the scope of the authority granted by this Act, the determination by the head of the department concerned, or by such person as he may designate, of the status of a person in the military or naval forces, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, or civilian officers or employees as defined in paragraph (a) (3) of section 1 of this Act, or his direction relative to continuance, temporary suspension, or resumption of payment of pay and allowances, or finding of death, shall be conclusive.

"SEC. 10. The determination of the fact of dependency under the provisions of this Act, and the determination of the fact of dependency under the provisions of any and all other laws providing for the payment of pay, allowances, or other emoluments to enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States where such payments are contingent upon dependency, shall be made by the head of the department concerned, or by such subordinate as he may designate, and such determination so made shall be final and conclusive: *Provided*, That the Act of June 4, 1920 (41 Stat. 824), as amended (U. S. C., title 34, sec. 943), is hereby amended by deleting the word 'actually' in the first proviso.

"SEC. 11. The head of the department concerned, or such person as he may designate, is authorized to settle the accounts of persons for whose account payments have been made pursuant to the provisions of sections 2 to 7, both inclusive, of this Act, and the accounts of survivors of casualties to ships, stations and military installations which result in loss or destruction of disbursing records, and such settlements shall be conclusive upon the accounting officers of the Government in effecting settlements of the accounts of disbursing officers.

"SEC. 12. The dependents and household and personal effects of any person on active duty (without regard to pay grade) who is officially reported as injured, dead, missing as the result of military or naval operations, interned in a neutral country, or captured by the enemy, may be moved (including packing and unpacking of household effects) to the official residence of record for any such person, or, upon application by such dependents, to such other locations as may be determined by the head of the department concerned or by such person as he may designate, by the use of either commercial or Government transportation: *Provided*, That the cost of such transportation, including packing and unpacking, shall be charged against appropriations currently available.

"SEC. 13. Notwithstanding any other provision of law, in the case of any taxable year beginning after December 31, 1940, no Federal income-tax return of, or payment of any Federal income tax by—

"(a) any individual in the military or naval forces of the United States, or

"(b) any civilian officer or employee of any department

who, at the time any such return or payment would otherwise become due, is a prisoner of war or is otherwise detained by any foreign government with which the United States is at war, or

"(c) any individual in the military or naval forces of the United States serving on sea duty or outside the continental United States at the time any such return or payment would otherwise become due,

shall become due until one of the following dates, whichever is the earliest:

"(1) the fifteenth day of the third month following the month in which he ceases (except by reason of death or incompetency) to be a prisoner of war, or to be detained by any foreign government with which the United States is at war, or to be a member of the military or naval forces of the United States serving on sea duty or outside the continental United States, as the case may be, unless prior to the expiration of such fifteenth day he again is a prisoner of war, or is detained by any foreign government with which the United States is at war, or is a member of the military or naval forces of the United States serving on sea duty or outside the continental United States;

"(2) the fifteenth day of the third month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President; or

"(3) the fifteenth day of the third month following the month in which an executor, administrator, or conservator of the estate of the taxpayer is appointed.

"Such due date is prescribed subject to the power of the Commissioner of Internal Revenue to extend the time for filing such return or paying such tax, as in other cases, and to assess and collect the tax as provided in sections 146, 273, and 274 of the Internal Revenue Code in cases in which such assessment or collection is jeopardized and in cases of bankruptcy or receivership. For the purpose of this section, the term 'continental United States' means the States and the District of Columbia, and the terms 'individual' or 'member' of the military or naval forces of the United States means any person in the Army of the United States, the United States Navy, the Marine Corps, the Army or Navy Nurse Corps (female), the Coast Guard, the Coast and Geodetic Survey, or the Public Health Service.

"SEC. 14. The provisions of this Act, applicable to persons in the hands of an enemy, shall also apply to any person beleaguered or besieged by enemy forces.

"SEC. 15. This Act, except sections 13, 16, 17, and 18, shall be effective from September 8, 1939, and shall remain in effect until the termination of the present war with Germany, Italy, and Japan, as proclaimed by the President, and for twelve months thereafter.

"SEC. 16. (a) The last sentence of subsection (c) of the first section of the Civil Service Retirement Act, approved May 29, 1930, as amended, is amended by striking out 'any elective officer,'.

"(b) Subsection (a) of section 2 of such Act of May 29, 1930, as amended, is amended by striking out ': *Provided, however*, That no provision of this or any other Act relating to automatic separation from the service shall have any application whatever to any elective officer'

"(c) Subsection (a) of section 3 of such Act of May 29, 1930, as amended, is amended to read as follows:

"'(a) This Act shall apply to all officers and employees in or under the executive, judicial, and legislative branches of the United States Government, and to all officers and employees of the municipal government of the District of Columbia, except elective officers and heads of executive departments: *Provided*, That this Act shall not apply to any such officer or employee of the United States or of the municipal government of the District of Columbia subject to another retirement system for such officers and employees of such governments: *Provided further*, That this Act shall not apply to any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, until he gives notice in writing to the disbursing officer by whom his salary is paid, of his desire to come within the purview of this Act; and any officer or employee within such classes may, within sixty days after January 24, 1942, withdraw from the purview of this Act by giving similar notice of such desire. In the case of any officer or employee in the service of the legislative branch of the Government on January 24, 1942, such notice of desire to come within the purview of this Act must be given within the calendar year 1942. In the case of any officer or employee of the legislative branch of the Government who enters the service after January 24, 1942, such notice of desire to come within the purview of this Act must be given within six months after the date of entrance to the service.'

"(d) The amounts deducted and withheld from the basic salary, pay, or compensation of any officer made ineligible for the benefits of such Act of May 29, 1930, as amended, by the amendments made by this section to such Act of May 29, 1930, and deposited to the credit of the civil-service retirement and disability fund, and any additional amounts paid into such fund by such officer, shall be returned to such officer within thirty days after the date of enactment of this Act.

"SEC. 17. The existing project for the Great Lakes and connecting channels is modified to provide for a new lock about eight hundred feet long, eighty feet wide, and thirty feet deep, at Saint Marys Falls Canal, Michigan, together with suitable approaches thereto, said lock to replace the present Weitzel lock and approaches, all in accordance with the recommendations contained in House Document Numbered 218, Seventy-seventh Congress, first session.

"This improvement is hereby adopted and authorized and shall be prosecuted in the interest of national defense under the direction of the Secretary of War and supervision of the Chief of Engineers, subject to the conditions set forth in said document.

"SEC. 18. Hereafter the base pay of any enlisted man, warrant officer, or nurse (female) in the military or naval forces of the United States shall be increased by 20 per centum

and the base pay of any commissioned officer in such forces shall be increased by 10 per centum for any period of service while on sea duty, or duty in any place beyond the continental limits of the United States or in Alaska, which increases in pay shall be in addition to pay and allowances as now authorized: *Provided*, That the per centum increases herein authorized shall be included in computing increases in pay for aviation and submarine duty: *Provided further*, That this section shall be effective from December 7, 1941, and shall cease to be in effect twelve months after the termination of the present war is proclaimed by the President."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

DAVID I. WALSH,
M. E. TYDINGS,
JAMES J. DAVIS,
Managers on the part of the Senate.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. WALSH. Mr. President, a brief statement perhaps should be made in connection with the conference report. The bill originally came from the House, and sought to provide for continuing pay and allowances of the personnel of the Army and Navy who are missing as the result of the war in the Pacific, or who have been captured and are under the control of the enemy at the present time. The Naval Affairs Committee broadened the scope of the House bill a good deal, which action was later approved by the Senate. In addition to the persons in the Army and naval service who were to benefit from the payments and allowances to be made to the persons or dependents of persons who are lost, or who are held in control by the enemy, it added civilian employees of the Government, such persons as are employed by the Internal Revenue, Department of the Treasury the State Department, and the Geodetic Survey, and also it added the officers and personnel of the Coast Guard, so that the bill when it was passed by the Senate contained pay and allowance provisions for all lost Government employees, whether in the military service or not. It provided for payment to them or to their dependents of what they would have received from the Government had they not been captured or lost as the result of the war in the Pacific. That was among the principal changes made by the Senate Naval Affairs Committee and, as I said a moment ago, it was approved by the Senate.

On the floor of the Senate there were three amendments offered to the Senate committee bill. The first is known as the Byrd amendment, which, briefly stated, sought the repeal of a provision of the law recently enacted providing for pensions to elective officers of the Government.

The second amendment was one offered by the Senator from Missouri [Mr. CLARK], which provided for increased pay, 20 percent in the case of enlisted men and 10 percent in the case of officers, who in the present emergency are serving our country at sea or on foreign soil.

The third amendment was one offered by the Senator from Michigan [Mr. BROWN], which authorized the construction of an additional lock in the Soo Canal in Michigan.

The House conferees accepted the Brown amendment. They also accepted the Clark amendment, with a modification, which is merely administrative, and which makes it easier to administer the law but does not change the principle. I may say, though, that in the committee there was some discussion about whether or not the increase in pay should be based on base pay plus longevity or on base pay alone. The conference committee finally omitted the word "longevity." Therefore, the amounts that would be paid to officers or enlisted personnel under that provision are somewhat restricted.

The Byrd amendment was also accepted by the conferees with a slight change. The amendment to the Byrd amendment offered by the Senator from New York [Mr. MEAD] was eliminated. The Mead amendment prevented anyone from receiving a Federal pension who was receiving a pension from the few States—four in all—that grant pensions to their officials It did not seem to the conference committee that there was any need of that amendment, in view of the fact that the Byrd amendment repealed the law providing pensions for elective officials.

An interesting suggestion or proposition about which the Senate ought to be informed was presented by the House conferees. In view of the fact that they accepted the Byrd amendment, they desired to place retirements and pensions entirely upon the civil-service law that existed at the time of the passage of the Ramspeck law. They intimated that there was a serious demand in the House that that be done in connection with the repeal of the elective officials' pension provision. They found, however, after consulting the Parliamentarian of the House, that it could not be done; that the parliamentary situation prevented it. The only issue before the conferees was the acceptance of the Byrd amendment, and our authority was restricted to approval or modifications of the Byrd amendment.

So that question is removed for the present; but I notice that when the conference report was before the House the question was again raised; and there appears to be some movement in the House leading toward the repeal of the recent Ramspeck law in its entirety. This would make sweeping reductions in the coverage of Government workers by civil-service laws.

The only other question about the conference report with respect to which the Senate perhaps should be informed is the definition of the words "heads of departments." A slight modification was made in the definition which was in the original bill. The modification had the effect of expanding the definition of heads of departments. So, if the conference report is accepted, more heads of departments will be denied the pension rights sought to be granted in the original bill. Perhaps I can best name the departments by reading from what the chairman of the Naval Affairs Committee of the House said when he was asked a question about this subject when the conference report was before the House on Friday:

> The first section of the bill defines the term "department" when used in the bill, including such term when used in the amendment made to the Civil Service Retirement Act, to mean any executive department, independent establishment, or agency—including Government corporations—of the Federal Government. Thus, under the Senate amendment, not only are the President and his Cabinet, the Vice President, and Members of the Senate and House excluded from the coverage of the Retirement Act, but also the heads of agencies like the Federal Security Agency, the Federal Works Agency, the Federal Loan Agency, and like agencies. The same is true of members of commissions and boards, such as the Securities and Exchange Commission, the Employees' Compensation Commission, the Communications Commission, the Board of Tax Appeals, the National Labor Relations Board, the Home Loan Bank Board, the Federal Power Commission, the Interstate Commerce Commission, the Maritime Commission, the Board of Directors of the Tennessee Valley Authority, the Board of Directors of the Reconstruction Finance Corporation, and other Government corporations. The term "heads of departments" also includes heads of the defense agencies like the Office of Civilian Defense, the War Production Board, the Board of Economic Warfare, the Office for Emergency Management, the Office of Price Administration, and the like.
>
> All of that group falls under our classification "heads of departments," and therefore they are excluded from the benefits of the Retirement Act.

I do not think any further comment is necessary from me at this time. I notice in the debate in the House, in reply to further questions about heads of departments, Mr. VINSON of Georgia said:

> It reaches that group of officials whose salaries are over or around $9,000.

I think it is perhaps important to have this statement in the RECORD, both in the House and in the Senate, so that in the future, if efforts are made to interpret the law, it will appear what was the intention of the House and Senate when the conference report was accepted.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. O'MAHONEY. I understood the Senator to say that the bill has been changed in some particulars relating to the pay of persons not in the military forces. Am I correct?

Mr. WALSH. When the original House bill came to the Senate and before it was taken up for consideration by the Naval Affairs Committee of the Senate, it limited the payments and allowances of missing persons in the war zone in the Pacific to Army and Navy officers and enlisted men. The Senate committee broadened the scope of the bill and provided for the same principle and the same allowances with respect to members of the Coast Guard and civilian employees of the Government, such as the few employed in that area by the State Depart-

ment and the Bureau of Internal Revenue, some of whom are missing.

Mr. O'MAHONEY. In order to make my inquiry clear, let me say that there were a large number of persons from Wyoming on Wake Island. Some of them were in the Marine Corps. Some of them were in the labor force which was at work upon the defenses. Some of those marines have been captured. Will the Senator state specifically in what manner their pay will be handled under the conference report and in what manner the compensation of those who were workers will be handled?

Mr. WALSH. I am grateful to the Senator for raising that question, because it is an issue which, up to date, has been only partially settled. Only today I introduced a bill to try to deal with the problem of the employees of private contractors at Wake Island doing Government work, which is the question which is troubling the Senator.

In February we passed a public works bill in which authority was given to the Navy Department to handle the problem of such employees. Section 3 of Public Law 438, Seventy-seventh Congress, approved February 6, 1942, reads as follows:

The Secretary of the Navy is authorized to utilize funds heretofore or hereafter appropriated for the construction of naval public works for the temporary relief of contractors and their employees for losses incurred as a direct result of enemy action.

Thereafter an allowance of $5,000,000 was made in an appropriation bill for this special purpose. So when House bill 6446 came before the Senate it was assumed that the act to which I have referred took care of such employees. Acting under that law, the Navy Department, through the Bureau of Yards and Docks, has paid $100 a month, in the month of January, at least, to the dependents of employees who are missing.

In that connection I ask that there be printed in the RECORD two letters which I have received from Admiral Moreell, one as late as March 2, 1942, and the other of earlier date, pointing out just how the Navy Department has proceeded to handle the situation about which the Senator is inquiring, namely, that of employees of private contractors in the islands of the Pacific who were employed there at the time of the attack upon Wake and Pearl Harbor.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NAVY DEPARTMENT,
BUREAU OF YARDS AND DOCKS,
Washington, D. C., February 27, 1942.

Hon. DAVID I. WALSH,
United States Senate.

MY DEAR SENATOR WALSH: This letter refers to the telephone conversation you had with Capt. L. N. Moeller (Civil Engineers Corps), United States Navy, concerning steps taken by this Bureau to provide relief for dependents of contractors' construction workers formerly employed on Wake, Guam, and the Philippine Islands, and who are now reported to be missing or captured due to enemy action.

With the outbreak of war on December 7, 1941, the Bureau was faced with the task of providing some immediate relief for civilian workers and their dependents who had been employed at the outlying island bases. With the full approval of the Secretary of the Navy, the following procedures were followed:

(a) Contractors were directed to pay for the period ending December 31, 1941, full wages of all employees working on these island bases and who were not killed. This meant that previously agreed upon allotments made by the workers were paid and/or wages accumulated (on the books) to the credit of each worker.

(b) Beginning January 1, 1942, and until the procedures being described in next paragraph could be instituted, the contractors were directed to pay $100 per month temporarily to the next of kin of the immediate family of missing, captured, or interned employee.

(c) The Bureau entered into a contract with the Liberty Mutual Insurance Co., Boston, Mass., to investigate legal dependency of all missing, captured, and interned employees employed at Wake, Guam, and Philippine Islands for the purpose of paying benefits to dependents on the basis of Public Law 208 and the Longshoremen's and Harbor Workers' Act. The benefits to be paid will equal those any dependent would receive had the worker died during normal construction operations.

As you know, section 3 of Public Law 438, Seventy-seventh Congress, has authorized the Secretary of the Navy to utilize public works funds to pay for this relief temporarily.

Executive order dated February 6, addressed to the Administrator, Federal Security Agency, directed him to assume responsibility for providing temporary aid necessitated by enemy action, to civilians who are disabled or who are dependents of civilians who are killed, disabled, interned, or reported as missing, exempting, however, civilian or other personnel of the Federal Government, for whom other provisions are contemplated. I believe that the Executive order had in mind the probable relief contemplated for the last-named persons by H. R. 6446.

We are now pressing the Federal Security Agency to take over the responsibility of making monthly payments for the relief of the dependents of the missing persons. I believe this responsibility will be assumed by that Agency in the course of the next few weeks.

It appears to me to be proper that this Agency administer the benefit payments to dependents of missing contractors' construction employees as the matter is a social problem and not in any way connected with engineering or the duties of my Bureau. From our present experience with this matter we know there will be many legal and administrative questions arise because of the numerous social laws enacted covering unemployment relief, old-age compensation, and kindred matters. While we do have great interest in the welfare of contractors' employees, I feel the energy and abilities of my organization can more properly be devoted to duties in connection with the active prosecution of our war effort.

I trust that this information will be useful to you.

With kindest personal regards.

Sincerely yours,

B. MOREELL, *Chief of Bureau.*

NAVY DEPARTMENT,
BUREAU OF YARDS AND DOCKS,
Washington, D. C. March 2, 1942.

Hon. DAVID I. WALSH,
United States Senate.

MY DEAR SENATOR WALSH: Your letter addressed to Capt. L. N. Moeller (CEC), United States Navy, dated February 27, 1942, and mine of the same date crossed in the mail. I believe the data presented in my letter give you the information you desire.

I was very much interested in your observation that the representatives of the American Federation of Labor from San Francisco are requesting legislation to give captured and missing contractors' employees who have no dependents the same scale of pay as is given to civilians who are employed by the Government direct, and that they have drafted a form of bill which they desire you to introduce.

Our concern has been about the dependents of the captured contractors' employees rather than the employees themselves, because it is only possible to give relief benefits to those dependents. We have felt that the International Red Cross and the State Department were the only ones in position to look after the welfare of the captured employees while in enemy hands, and know that these agencies are actively engaged in that work. We will, of course, be pleased to make a report upon any bill you care to introduce, when it is referred officially to the Navy Department.

The copy of the letter which the contractors sent to dependents of Wake Island employees, under date of February 2, 1942, is misleading and does not clearly indicate continuity in the procedures which they have been directed to follow. I am taking steps to assure continuity of payments to dependents, as outlined in my letter to you dated February 27, 1942.

With kindest personal regards, I am,

Sincerely yours,

B MOREELL, *Chief of Bureau.*

Mr. WALSH. The Navy Department has treated such employees differently from marines, sailors, and Army and Navy officers who are missing. The measure which we are about to enact provides for payment to the dependents of such employees of the amount of money the employees would have received if they had not been captured or were not missing.

When it comes to the employees of private contractors, to date the Navy Department has not been willing to adopt the same principle. It is desirous of paying something, and is willing to take care of the dependents of such employees. It has been paying up to $100 a month; but to date it has been rather reluctant to accept the principle that the dependents should be paid the full amount of money which the employees were receiving from private contractors. It is said that in a few cases the amount would be $600 or $700 a month. I do not think such cases are numerous. Labor representatives of the employees inform me that the average pay was from $150 to $250 a month.

My position is that the various employees were there doing Government work. It was only a coincidence that they were working through a contractor rather than for the Government itself. The dependents of those who were working for the Government itself, and not for a contractor, are receiving the full pay of such employees, and under the pending bill will continue to receive it.

My position is that the employees of private contractors ought to be treated the same as civilians in departments of the Government. The bill which I have introduced is for the purpose of raising that issue squarely so that it may be determined once and for all. The dependents of such employees are not being neglected. The Navy Department has done as much for them as it thought was proper and just from the standpoint of the Department; but I think the Department's construction of its obligation is

restricted, awaiting action by the Congress.

Mr. O'MAHONEY. Mr. President, will the Senator further yield?

Mr. WALSH. I yield.

Mr. O'MAHONEY. What is the standard which guides the Navy Department in making allocations to the dependents of contractors' employees? I understood the Senator to say that they are paying up to $100 a month. How is it determined what shall be paid, and what showing is required of the dependents?

Mr. WALSH. I think it only fair to say to the Senator that the payment was fixed at that amount pending future legislation.

Mr. O'MAHONEY. Do all receive $100?

Mr. WALSH. It was felt that such payments would give some immediate relief, but the door was left open to a determination by future legislation of the principle to be followed and the amount to be paid.

Mr. O'MAHONEY. Do all dependents receive $100 a month?

Mr. WALSH. Let me read a letter which I have received in connection with the matter, and which I think is important to the issue. It reads as follows:

NAVY DEPARTMENT,
BUREAU OF YARDS AND DOCKS,
Washington, D. C., February 27, 1942.

MY DEAR SENATOR WALSH: This letter refers to the telephone conversation you had with Capt. L. N. Moeller (C E C), United States Navy, concerning steps taken by this Bureau to provide relief for dependents of contractors' construction workers formerly employed on Wake, Guam, and the Philippine Islands and who are now reported to be missing or captured due to enemy action.

It is interesting to note that at Guam we had civilian employees doing construction work; we had civilian employees at Cavite, the naval base in the Philippine Islands. Those employees have been captured; and the dependents of the employees are receiving the full amount which the employees would have been receiving if they were not captured or missing. The civilian employees at Wake Island, however, were under a contractor, and thus far a different principle has been applied to them. Personally, I feel that although a large sum of money is involved, in providing for payments to them or their dependents, we should apply the same principle which has been applied in connection with payments made to civilian employees at Wake Island and Cavite.

Mr. O'MAHONEY. Mr. President, I am happy to have the Senator make that statement. I understand that the bill he has introduced today would remove that element of discrimination.

Mr. WALSH. It would raise that question. The Navy Department would have to take a position regarding the matter, and the Committee on Naval Affairs would have to report the bill and decide upon a policy.

Let me read the remainder of the letter, which answers the previous question of the Senator:

With the outbreak of war on December 7, 1941, the Bureau was faced with the task of providing some immediate relief for civilian workers and their dependents who had been employed at the outlying island bases. With the full approval of the Secretary of the Navy, the following procedures were followed:

(a) Contractors were directed to pay for the period ending December 31, 1941, full wages of all employees working on these island bases and who were not killed. This meant that previously agreed upon allotments made by the workers were paid and/or wages accumulated (on the books) to the credit of each worker

(b) Beginning January 1, 1942, and until the procedures being described in next paragraph could be instituted, the contractors were directed to pay $100 per month temporarily to the next of kin of the immediate family of missing, captured, or interned employees.

(c) The Bureau entered into a contract with the Liberty Mutual Insurance Co., Boston, Mass., to investigate legal dependency of all missing, captured, and interned employees employed at Wake, Guam, and Philippine Islands for the purpose of paying benefits to dependents on the basis of Public Law 208 and the Longshoremen's and Harbor Workers' Act. The benefits to be paid will equal those any dependent would receive had the worker died during normal construction operations.

That is the end of the discussion relative to the policy pursued today; then the writer comments on the situation:

As you know, section 3 of Public Law 438, Seventy-seventh Congress, has authorized the Secretary of the Navy to utilize Public Works funds to pay for this relief temporarily.

That is the first act to which I referred. The letter continues:

Executive order dated February 6, addressed to the Administrator, Federal Security Agency, directed him to assume responsibility for providing temporary aid necessitated by enemy action to civilians who are disabled, or who are dependents of civilians who are killed, disabled, interned, or reported as missing; exempting, however, civilian or other personnel of the Federal Government, for whom other provisions are contemplated. I believe that the Executive order had in mind the probable relief contemplated for the last-named persons by H. R. 6446.

We are now pressing the Federal Security Agency to take over the responsibility of making monthly payments for the relief of the dependents of the missing persons. I believe this responsibility will be assumed by that Agency in the course of the next few weeks.

It appears to me to be proper that this Agency administer the benefit payments to dependents of missing contractors' construction employees as the matter is a social problem and not in any way connected with engineering or the duties of my Bureau.

I do not agree with him on that point. It is all a social problem, but I do not think it is a social problem that is any different from the social problem involved in connection with civilians directly employed by the Government.

There is only a little more of the letter, which I read as follows:

From our present experience with this matter we know there will be many legal and administrative questions arise because of the numerous social laws enacted covering unemployment relief, old-age compensation, and kindred matters. While we do have great interest in the welfare of contractors' employees, I feel the energy and abilities of my organization can more properly be devoted to duties in connection with the active prosecution of our war effort.

I trust that this information will be useful to you.

With kindest personal regards.

Sincerely yours,

B. MORELL, *Chief of Bureau.*

Hon. DAVID I. WALSH,
United States Senate.

I gather from the letter that what the Navy is seeking to do is to have such employees come under the provisions of the Longshoremen's and Harbor Workers Act—and frankly I do not know just what that is—and to treat them as those who have come under it have been treated.

Mr. O'MAHONEY. That matter will be covered by the bill which the Senator introduced today, which will be the subject of committee hearings, will it not?

Mr. WALSH. Yes; that issue will be raised.

Mr. O'MAHONEY. I understand.

Mr. WALSH. The Senator understands my position. So far as I am informed—and of course I have been open-minded about the matter—it seems to me that it is only a coincidence and an accident that a man was working for a contractor with the Government. A man who was working for the Government itself is fully and amply taken care of, and will be satisfied, under the provisions of House bill 6446.

Mr. O'MAHONEY. Not only is that true; but in the case of Wake Island we were reliably informed by Major Devereaux, who was of the Marines there, and in charge of the post, that the civilian employees joined in the defense of the islands against the attack; and certainly there should not be any discrimination.

Mr. WALSH. That is an added reason for giving them at least the treatment that is accorded to the members of the military forces who were there.

Mr. O'MAHONEY. Let me return to my first question, if the Senator will yield further, namely, what is the method to be employed under the conference report for paying marines and sailors and their dependents?

Mr. WALSH. They are to be paid exactly the amount of money they would receive if they were living, and were still in the service. That shall continue during the time they are absent from duty.

Mr. O'MAHONEY. Then, I take it that such marines and sailors will continue to receive their full credit, and their dependents will receive whatever the soldier or the marine or the sailor had allotted to his dependents; is that true?

Mr. WALSH. That is true. I also think that the Navy is somewhat embarrassed by the fact that it will be paying to a marine or a marine's dependents only $21 or $30 a month, while it will be paying to the dependents of such civilian employees $150, $200, or $250 a month. I think there is a hesitancy to undertake such payments without Congressional action; but it is a subject to which I have been giving thought. I myself am unable to differentiate between an employee who was working at such a place under a Government contract and an employee who was working directly under the Government. For instance, a Government supervisor—a representative of the Government—will receive the full benefits provided under House bill 6446; but a

man who happened to be a supervisor for a contractor will not receive such benefits, unless the law is changed.

Mr. O'MAHONEY. I thank the Senator for his very complete response to my inquiries.

Mr. WALSH. I am happy to say what I can in an attempt to give the Senator the information he desires.

Mr. ELLENDER. Mr. President, will the Senator yield to me?

Mr. WALSH. I yield.

Mr. ELLENDER. I presume that the payments made to the marines will be in addition to payments made under insurance made available to them by the Government; is that correct?

Mr. WALSH. Yes; that is true.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. WALSH subsequently said: Mr. President, in connection with my statement a few moments ago when the conference report on House bill 6446 was under consideration, I ask that there be printed in the RECORD the exact language of section 18, which is the Clark amendment changed so that the law may be more effectively administered. After that is inserted in the RECORD I should like also to have inserted following it a memorandum regarding the pay of personnel in the armed services. The memorandum sets forth the base pay of commissioned officers of various ranks in the Army and Navy and also the pay of enlisted men of the various grades of service, and it also shows the increase per annum while on sea duty or on duty outside the United States for officers and enlisted men.

There being no objection, section 18 and the memorandum were ordered to be printed in the RECORD, as follows:

SEC. 18. Hereafter the base pay of any enlisted man, warrant officer, or nurse (female) in the military or naval forces of the United States shall be increased by 20 percent and the base pay of any commissioned officer in such forces shall be increased by 10 percent for any period of service while on sea duty, or duty in any place beyond the continental limits of the United States or in Alaska, which increases in pay shall be in addition to pay and allowances as now authorized: *Provided*, That the percent increases herein authorized shall be included in computing increases in pay for aviation and submarine duty: *Provided further*, That this section shall be effective from December 7, 1941, and shall cease to be in effect 12 months after the termination of the present war is proclaimed by the President.

Memorandum regarding pay of personnel in armed services

COMMISSIONED OFFICERS

Pay period	Received by—	Base pay per annum (not including allowances)	Increase per annum while on sea duty or duty outside United States
	Major generals, lieutenant generals, and generals of the Army; rear admirals (upper half), vice admirals, and admirals of the Navy	$8,000	$800
	Brigadier generals of the Army; rear admirals (lower half) of the Navy	6,000	600
Sixth	Colonels of the Army, captains of the Navy, and officers of corresponding grades who have completed 26 years of service: lieutenant colonels of the Army, commanders of the Navy and officers of corresponding grades who have completed 26 years of service	4,000	400
Fifth	Colonels of the Army, captains of the Navy who are not entitled to the pay of the sixth period; lieutenant colonels of the Army, commanders of the Navy, and officers of corresponding rank who have completed 20 years of service; majors of the Army and lieutenant commanders of the Navy who have completed 23 years of service	3,500	350
Fourth	Lieutenant colonels of the Army, commanders of the Navy, and officers of corresponding rank who are not entitled to the pay of the fifth or sixth periods; majors of the Army, lieutenant commanders of the Navy, and officers of corresponding rank who have completed 14 years of service; and captains of the Army, lieutenants of the Navy, and officers of corresponding rank who have completed 17 years of service	3,000	300
Third	Majors of the Army, lieutenant commanders of the Navy, and officers of corresponding rank not entitled to the pay of the fourth, fifth, or sixth pay periods; captains of the Army, lieutenants of the Navy, and officers of corresponding rank who have completed 7 years of service: first lieutenants of the Army and lieutenants (junior grade) of the Navy who have completed 10 years of service	2,400	240
Second	Captains of the Army, lieutenants of the Navy and officers of corresponding rank who are not entitled to the pay of above pay periods: first lieutenants of Army and lieutenants (junior grade) of the Navy and officers of corresponding grade who have completed 3 years of service; second lieutenants of the Army, and ensigns of the Navy who have completed 5 years of service.	2,000	200
First	Second lieutenants of the Army, ensigns of the Navy and officers of corresponding rank who have served less than 5 years Also, all other officers whose pay is not provided for in the above pay periods.	1,500	150

WARRANT OFFICERS

	Warrant officers of the Army, Navy, Marine Corps, and Coast Guard average annual base pay.	$2,000	$400

ENLISTED MEN

Pay grade	Received by	Pay per month	Increase per month
First	Chie. petty officers and master sergeants	$126	$25.20
Second	Petty officers first class and technical or first sergeants	84	16.80
Third	Petty officers second class and platoon or staff sergeants	72	14.40
Fourth	Petty officers third class and sergeants	60	12.00
Fifth	Seamen first class and corporals	54	10.80
Sixth	Seamen second class and privates first class	36	7.20
Seventh	Apprentice seamen and privates	30	6.00

NOTE.—No change in the amount of allowances already authorized.

The percent increases (10 percent for commissioned officers and 20 percent for warrant officers and enlisted men) shall be included in computing the increases in pay for aviation and submarine duty.

Mr. WALSH. I wish to call attention to the fact—and I think the distinguished Senator from Colorado [Mr. JOHNSON], who sits next to me at the moment, will agree with me—that the term "base pay" is exceedingly misleading. The pay which an officer actually receives is sometimes almost double his base pay, for base pay is the pay designated for a given rank. The pay which an officer receives depends upon the number of years he serves in the Army or Navy. Let us say that an officer with the rank of lieutenant, junior grade, has a base pay of $2,000. His base pay, plus his longevity pay, would be $3,000 if he had 30 years of service, and added to that would be his allowance for quarters, as well as his subsistance allowance.

I call attention to this because stating what the base pay of an officer is may far from indicate the actual pay which he receives. One may meet a lieutenant, junior grade, or a lieutenant, senior grade, or a lieutenant commander and find that his pay is $3,000, but another officer with the same rank may receive $4,000 or more. It all depends on the length of service.

In offering the table to which I have referred, I call attention to the fact that in scarcely any instance is the base-pay figure the pay actually received by an officer. It would be the pay an officer would actually receive if he came from civilian life. If a man were appointed from civilian life and made a lieutenant commander, he would first be given the base pay of his rank, because he would have no longevity pay, but if he comes up from the ranks and is made a lieutenant commander, after having been in the service 15 or 20 years, as he would have to be, 5 percent would be added to his base pay every 3 years and the figure might reach 50 percent more than what the base pay is stated to be.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6550) to extend and amend Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

SENATOR FROM NORTH DAKOTA

Mr. GREEN. Mr. President, I ask unanimous consent——

Mr. ELLENDER. Mr. President——

Mr. LUCAS. Mr. President, a parliamentary inquiry. Who has the floor? There is a motion of the highest privilege which I should like to take up, if I may.

Mr. ELLENDER. I withdraw the request I was about to make.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. GREEN. Mr. President, it is desired to bring up a privileged matter. A week ago I gave notice that I proposed, as chairman of the Committee on Privileges and Elections, to take up the matter

of the seating of Senator LANGER, of North Dakota, today. What I meant by saying that I wished to take that matter up was that I wished to proceed with it, either immediately or at some definite date in the future to be fixed. I desire, as chairman of the committee, to make a motion, although I am not in charge of the matter on the floor. Since the subject was originally referred to the committee there have elapsed 14 months, and during that time there have been three chairmen of the committee. The Senator from Illinois [Mr. LUCAS] and the Senator from Vermont [Mr. AUSTIN], prior to my appointment as chairman, were appointed a committee to have charge of the matter on the floor. They were so appointed because throughout the long investigation of this case they have shown a special interest in it, they have devoted a large amount of time and study to it, and are better prepared to explain the facts in the case and the law in the case than are the other members of the committee, including the chairman.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. GREEN. I will yield in a moment.

This matter has been long delayed, but the delay has not been unnecessary. It was caused by the extent of the investigation, the distance to which the investigators had to go, and the number of witnesses they had to see. For that reason a long time has elapsed, although when the committee was appointed, various Senators expressed the hope and expectation that the matter would be taken up promptly. I hope there may be no further unnecessary delay; and, in order to bring the question before the Senate, I move that the Senate proceed to the immediate consideration of Senate Resolution 220.

Before the question is put, I should like to explain that the Senator from Oregon [Mr. MCNARY], the minority leader, has suggested to me that he would prefer to have this matter go over for a week I told him that, so long as some fixed day in the not distant future were named, I would not object. However, it is for the Senator from Illinois [Mr. LUCAS] to give his consent as I do not propose to make any agreement in connection with this matter without his consent.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Illinois.

Mr. LUCAS. It is true, as the able chairman of the Committee on Privileges and Elections has stated, that there has been considerable delay in bringing this very interesting and vital question to the floor of the Senate. I think there are very good reasons why that has not been done. However, the time has come when the Senate of the United States, the people of North Dakota, and Senator LANGER himself, I think, are very anxious to have a speedy determination made of this important subject.

I agree with the Senator from Rhode Island that we ought to fix a definite date when the Senate may hear the legal questions debated and have the factual data presented before them.

I have discussed this matter, I will say to the chairman of the committee, with the distinguished majority and minority leaders of the Senate, as well as with Senator-elect LANGER himself, and I think it can be understood and the RECORD may so show at this time—and I think the Senator from Oregon, the minority leader, will agree—that if the Senator from Rhode Island will withdraw the motion we can have an understanding that on Monday next, 1 week from today, the question of whether Senator LANGER is entitled to his seat in the Senate will be made a special order of business for that particular time, and we can take it up on Monday and stay with it until a vote is finally obtained in the Senate. I inquire of the Senator from Oregon if I am correct in that statement?

Mr. MCNARY. Mr. President, I have two methods open, either of which I could follow. One would be to move to amend the proposal made by the able Senator from Rhode Island and attempt to fix the day for the consideration of the case a week from today, or I could agree with the able Senator from Illinois that we might come to an agreement and have the case made a special order for a week from today. If the Senator from Rhode Island will withdraw his motion, I shall be willing and glad to enter into an agreement that, as a special order, we may proceed with the consideration of the Langer case 1 week from today, which will be March 9, at 12 o'clock.

Mr. LUCAS. Mr. President, I hope the Senator from Rhode Island will not press the motion, but will follow the suggestion made by the distinguished minority leader.

Mr. GREEN. As I stated in my opening remarks, my only purpose was to have some definite date fixed, so that the case would not be indefinitely prolonged, and, since the proposal made is agreeable to the two Senators who have spoken, I am glad to accept the suggestion and withdraw my motion.

Mr. MCNARY. May I suggest to the able Senator from Illinois that he ask unanimous consent that the case may be proceeded with on Monday, March 9?

Mr. LUCAS. Conforming with the suggestion made by the distinguished minority leader, I ask unanimous consent that a special order be entered at this time whereby, on Monday next, there shall be taken up by the Senate the question of whether Senator-elect LANGER is entitled to a seat in the Senate, and that the Senate proceed to debate and discuss the issues until the matter is finally disposed of.

The PRESIDING OFFICER. At what hour?

Mr. LUCAS. At 12 o'clock, or immediately thereafter, as soon as may be possible.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Illinois? The Chair hears none, and it is so ordered.

EXPENSES OF CERTAIN PERSONS DISCHARGED FROM THE ARMY—CONFERENCE REPORT

Mr. THOMAS of Utah. I submit a conference report, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

ELBERT D. THOMAS,
WARREN R. AUSTIN,
Managers on the part of the Senate.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WALSH. Mr. President, may I make an inquiry of the Senator?

Mr. THOMAS of Utah. I am glad to yield.

Mr. WALSH. I understand this bill provides for the payment of travel expenses not exceeding $10 for a person who has enlisted in the Army and who has falsified his age, namely, stating that he was 21 when he was not 21, and who is given his discharge when it is discovered that he has made the false statement. This bill provides that he shall be paid an allowance up to $10 to enable him to return to his home. My inquiry is, Does the bill also apply to the Navy?

Mr. THOMAS of Utah. No; I think it is merely an Army bill.

Mr. WALSH. I think there already exists such a provision of law for the Navy, and I was wondering if this bill would change it in any way. I have no objection if it is purely an Army measure.

Mr. THOMAS of Utah. It is purely an Army measure. I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ALLOWANCES FOR UNIFORMS AND EQUIPMENT IN THE ARMY—CONFERENCE REPORT

Mr. THOMAS of Utah submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1891) to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment and in lieu of the comma following the matter proposed to be

inserted by the House amendment, insert the following: "below the grade of major, on or"; and the House agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "*Provided*, That any officer of the Officers' Reserve Corps commissioned prior to September 26, 1941, who has received any allowance under the provisions of the Act of May 14, 1940 (Public, Numbered 511, Seventy-sixth Congress), as originally approved, or who would have been entitled to receive such allowance if he had completed any duty prescribed in the said Act and, in either case, who has not completed his first three periods of active duty training of three months or less in separate fiscal years following his original appointment, shall be entitled to receive the allowance provided in this section, if he has been or shall be ordered to, found qualified, and accepted for active duty for a period in excess of three months under his commission: *Provided, however*, That any sum which shall have been paid to any officer under the provisions of section 1 of this Act"; and the House agree to the same.

ELBERT D. THOMAS,
ED. C. JOHNSON,
WARREN R. AUSTIN,
CHAN GURNEY,
Managers on the part of the Senate.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
W. G. ANDREWS,
Managers on the part of the House.

The report was agreed to.

DEFENSE HOUSING IN THE DISTRICT OF COLUMBIA

Mr. ELLENDER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1187, House bill 6483, relating to defense housing in the District of Columbia.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Has the committee reported on the bill?

Mr. ELLENDER. Yes, the Committee on Education and Labor acted unanimously on the bill, and the report is now before the Senate.

Mr. McNARY. I have no objection to the present consideration of the bill.

Mr. ELLENDER. Mr. President, it will be recalled that last December, when the Senate considered H. R. 6128, being an amendment to the so-called Lanham Act, a bill to expedite the provision of housing in connection with national defense, an effort was made by the Committee on Education and Labor of the Senate to broaden the scope of the bill so as to permit the use of money authorized under the bill for housing and public works in and near the District of Columbia for employees of the United States whose duties were determined by the then Federal Works Administrator to be essential to national defense. The Senate agreed with the committee and added another class of persons engaged in national defense activities as coming under the purview of the law. It was provided that the term "persons engaged in national defense activities shall consist of employees of the United States whose duties are essential to national defense." It was thought that with that additional language the District of Columbia and its suburbs could obtain funds so as to build housing, hospitals, and schools, and other public works, so as to relieve the congestion in and near the District of Columbia for those employed by the United States Government in the city of Washington. It later developed that the House conferees refused to broaden the definition of persons under the original act and took the position that it was best to enact a separate bill dealing with the District of Columbia and nearby Maryland and Virginia.

Representative LANHAM, chairman of Public Buildings and Grounds Committee of the House of Representatives, assured the conferees of the Senate that he would introduce and foster a bill that would deal exclusively with the District of Columbia and nearby Washington. The bill now under consideration authorizes an appropriation of $70,000,000, $45,000,000 of which will be devoted to provide for housing in and near the District of Columbia for employees of the United States, including their families, if any, whose duties are determined by the National Housing Administrator to be essential to national defense; $5,000,000 is to remain available until expended to provide housing in an area consisting of approximately 9 blocks in the southwest portion of the city of Washington and to provide for temporary housing for the persons required to move from such area as a result of its being used as a location for housing for employees of the United States. Evidence was submitted to the committee to show that by rehabilitating this area 40 percent of the total cost would be saved in the operation. Besides the saving, a good deal of the material now in the buildings that are now located on the property, together with the sewer and water systems, can be saved, thereby facilitating this development. The committee thought it wise to make an attempt to rehabilitate these 9 squares in the hope more of the property could be made useful.

The bill further authorizes an appropriation of $25,000,000 for the expansion of hospitals, schools, and other facilities to take care of present needs and some of the future needs of the District, due to the influx of thousands of Government employees that are anticipated to live in Washington in the near future.

Mr. President, I ask that there may be incorporated following my remarks an excerpt from the report of the Committee on Education and Labor pertaining to the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The excerpt from the report (No. 1149) is as follows:

The need for an adequate defense-housing program for the District of Columbia has been definitely demonstrated, not only at the exhaustive hearings held by the House and Senate committees which have considered this bill, but also by the actual conditions which have no doubt come to the personal attention of each member of this body. The recent enactment of a rent-control law was made necessary, in part at least, by the peculiar housing situation in the District of Columbia. For years the Federal Government has found it necessary to commandeer private apartment buildings to be used for office space. This has resulted in vast overcrowding of private housing facilities which private enterprise has been unable to remedy, for many reasons. The best estimates of Government experts point to an increase of Federal employees of approximately 85,000 during the calendar year 1942, in spite of the decentralization program of Federal agencies now under way. This will necessarily involve many thousands of additional persons, including the families of certain workers and essential service personnel. In addition to the housing to be constructed by private enterprise and being constructed under other appropriations, the Government experts are unanimous in the view that at least 10,000 family dwelling units will have to be sponsored and constructed by the Government. Private enterprise has pledged itself to construct many of the dwellings required, but not in a sufficient number to take care of the demands. There is, therefore, no question in your committee as to the need for a housing program for the District of Columbia, any more than there was for a similar program for the country at large when the bill, H. R. 6128, was recently enacted by the Congress. In fact, your committee recommended during the consideration of H. R. 6128 that the District of Columbia also participate in that program and the Senate accepted that recommendation. However, the House conferees felt that a separate bill would be more effective and developments have borne out that view.

After some effort your committee have succeeded in obtaining from the Federal agencies concerned with the proposed program a somewhat unified plan which it is believed will insure an adequate program for housing and the attendant community facilities and public works. This will be discussed in more detail below.

In connection with the housing situation, a tragic and urgent need has been shown for additional hospital facilities in the District of Columbia. The District has long been unable to meet all the normal requirements for hospitalization. We do not know who is to blame for such a condition, but we do feel that if the matter had been presented to the Congress in its true light, no doubt the condition would have been improved. Under war conditions speculation as to what the future condition will be is useless. Estimates of the Federal Security Agency call for 2,100 additional beds in the metropolitan area which would bring the total number of beds, including those in existing hospitals, up to a standard of 4.5 beds per thousand for an estimated 1,200,000 population. This is expected to be adequate to meet Washington's anticipated needs, including the persons to be accommodated in the proposed new housing. The administrator of the present bill, therefore, should set aside at least $8,400,000 or as much thereof as may be necessary to provide for 2,100 additional beds at an estimated cost of $4,000 per bed, which estimate we are advised covers the cost of buildings and equipment. These funds will include the recommendations for 1,000 additional beds in legislation now pending before the District of Columbia Committee and thus preclude the necessity for duplication of legislation for the same purpose.

Specific locations of the projects are as yet indefinite and thus specific allocations or recommendations for sanitary and sewer facilities can only be estimated. But it is expected that the necessary funds will be available through administrative action under the earmarking of $25,000,000 for necessary public works. The estimates submitted to the committee for sanitary facilities now needed and planned and those required for new housing, exceed $10,000,000.

With respect to recreational facilities, your committee feel that definite and specific consideration must be directed toward this problem. Efficiency is not possible without some recreational outlet for persons under high

pressure during working hours. Unfortunately, however, already the Government has found it necessary, in the interests of expediency, to take over temporarily many recreational areas formerly available to the public. Your committee have no criticism to make in this regard, but do feel that such recreational facilities must be restored in the future and more added. Your committee have been furnished with estimates showing that a total of $1,224,000 should be expended to construct additional recreation centers which are required with the expected increase of population.

The need for schools is directly associated with housing. Already the schools in the District are very much overcrowded, and the need for relief is urgent. While some schools may be able to accommodate the influx in their respective neighborhoods, others will not. The location of the housing developments will determine the school needs and location. Best estimates take into account the 7 white and 4 colored schools for which Congress has already made appropriation. To meet further needs a definite program for 229 additional schoolrooms which the Office of Education of the Federal Security Agency has already approved, at a cost of $1,300,000, in addition to the $1,200,000 already available under previous appropriations, should be sufficient to carry out the total proposed school-building program.

In a letter dated February 26, 1942, addressed to Senator ELLENDER, chairman of the subcommittee that considered the bill, Hon. Charles P. Taft, Assistant Director, Defense Health and Welfare Services, recommended that the following be earmarked by the administrative agencies which will carry out the provisions of this legislation so as to take care of existing needs, irrespective of those that will be made necessary by the addition of 10,000 dwelling units:

Hospitals	$8,400,000
Sanitation	5,800,000
Recreation	1,224,000
Schools	1,300,000
Total	16,724,000

In the same letter he estimates an additional $8,421,268 that will be necessary should 10,000 additional family units be provided for. It is rather difficult for your committee to make an accurate estimate of the needs for public works and since this bill is merely an authorization it was felt that a sufficient sum should be authorized in the hope that the appropriations committees of the Congress would go more into detail as to costs when the actual plans are before them.

Since this bill was referred to the committee the President has, by an Executive order, issued under the provisions of the First War Powers Act, consolidated the housing activities of the Government including those under the Lanham Act, as amended, in a National Housing Agency The function of providing public works under the provisions of the Lanham Act, as amended, remains vested in the Federal Works Administrator. As a result of this division of functions, it has been necessary for the committee to rewrite the title IV which the bill proposes to add to the Lanham Act.

As referred to the committee, the bill authorized the appropriation of $50,000,000 to be used by the Federal Works Administrator in providing housing and public works in and near the District of Columbia. As reported by the committee, section 401 of the new title added to the Lanham Act by the bill authorizes the appropriation of a total of $45,000,000 to provide housing in and near the District of Columbia for employees of the United States whose duties are determined by the new National Housing Administrator to be essential to national defense and to require them to reside in or near the District of Columbia. Five million dollars of this sum of $45,000,000 has been earmarked in the bill for use in carrying out the so-called Goodwillie plan for rehabilitating approximately nine blocks in southwest Washington. Testimony before the committee indicated that many of the buildings in this area could be rehabilitated at a cost of less than 60 percent of the cost of new construction. The $5,000,000 would also be available for the purpose of providing new construction in such area and for the purpose of providing temporary housing for persons who are required to leave such area as a result of the carrying out of the rehabilitation program.

In providing housing in or near the District of Columbia under the new title IV, the National Housing Administrator is authorized to exercise the same powers with respect to acquiring land, making surveys and investigations, constructing and demolishing structures, and similar matters as he is authorized to exercise in providing housing under title I of the Lanham Act, as amended. These powers will be exercised subject to the same limitations as are provided in section 1 of the Lanham Act except that the average cost of family dwelling units constructed under title IV will be limited to $4,000 instead of $3,750 as provided by title I of the Lanham Act, as amended. The committee has included in the new section 401, although not entirely in sympathy with it, a provision, almost identical with the provision which was in the bill as referred to the committee, providing that the housing constructed under title IV may be sold and disposed of as expeditiously as possible and prohibiting the conveyance of such housing to any public or private agency created for slum clearance or to provide subsidized housing for persons of low income.

As reported by the committee, section 402 of the new title added to the Lanham Act by the bill authorizes the appropriation of $25,000,000 to be used by the Federal Works Administrator in providing all types of public works and equipment therefor in and near the District of Columbia. In providing such public works the Federal Works Administrator is authorized to exercise similar powers to those exercised by him in providing public works under title II of the Lanham Act, as amended. Likewise, it is required that such public works be provided subject to the provisions of section 203 of the Lanham Act, as amended, which prohibits the use of cost-plus-a-percentage-of-cost contracts, provides for the utilization of existing public works so far as practicable, requires that public works be constructed upon the basis of need and without discrimination, and retains, so far as practicable, local control over public works.

Section 403 of the new title which authorizes the Federal Works Administrator to advance sums to the Commissioners of the District of Columbia to be used by them in providing public works is identical with the corresponding section of the bill as referred to the committee except for the insertion of language to clearly indicate that the Administrator referred to in the section is the Federal Works Administrator and not the National Housing Administrator.

Section 404 of the new title has been inserted by the committee in order to clarify the application of the general provisions of the Lanham Act, as amended, to the housing constructed under title IV The word "Administrator" as it was used in title III of the Lanham Act, as amended, referred to the Federal Works Administrator. Since the functions of the Federal Works Administrator with respect to providing housing under the Lanham Act, as amended, have been transferred to the National Housing Agency, section 404 of the bill provides that the word "Administrator" wherever it appears in the general provisions of the Lanham Act shall, with respect to housing provided under title IV, be deemed to refer to the National Housing Administrator.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 6483) to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, which had been reported from the Committee on Education and Labor with amendments. The first amendment was, in section 1, page 1, line 7, after "202", to strike out "and 401" and to insert "401, and 402."

The amendment was agreed to.

The next amendment was, on page 2, after line 13, to strike out title IV, as follows:

TITLE IV

SEC. 401. In order to relieve an acute shortage of housing, public works, and equipment therefor presently existing and impending in and near the District of Columbia and impeding war activities, the Federal Works Administrator is authorized to provide, in and near the District of Columbia, such housing public works, and equipment therefor, including, but without limitation, permanent and temporary housing, living quarters for single persons, schools, waterworks, sewers, sewage, garbage- and refuse-disposal facilities, public-sanitation facilities, works for the treatment and purification of water, hospitals, and other places for the care of the sick, recreational facilities, streets, roads, and any other types of necessary public works or equipment therefor; and in providing such housing, public works, and equipment therefor the Administrator is authorized to exercise the same powers with respect to land acquisition, construction, procuring of materials and like matters, the making of loans and grants and contributions as are granted to him under subsections (a) and (b) of section 1 of this act and subsections (a), (b), and (c) of section 202 of this act.

SEC. 402. The housing provided under this title may be sold and disposed of as expeditiously as possible: *Provided*, That in disposing of said housing consideration shall be given to its full market value and said housing or any part thereof shall not, unless specifically authorized by Congress, be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income.

SEC. 403. (a) The Commissioners of the District of Columbia are authorized to accept for the District of Columbia, and the Administrator is authorized to make to the District of Columbia, advancements for the provision of public works and equipment therefor, such advancements to be deposited with the Secretary of the Treasury to the credit of the District of Columbia.

(b) Sums advanced to the Commissioners of the District of Columbia hereunder shall be available for the provision, without reference to section 3709 of the Revised Statutes, of any or all public works and equipment therefor described in section 401 hereof, and for administrative expenses in connection therewith including employment of engineering and other professional services and other technical and administrative personnel without reference to the civil-service requirements or the Classification Act of 1923, as amended. The repayment of any sums so advanced and the payment of interest thereon shall be in the same manner and subject to the same conditions as are set forth in sections 3 and 4 of the act of December 20, 1941 (Public Law No. 362, 77th Cong.).

(c) The Commissioners shall submit with their annual estimates to the Congress a report of their activities and expenditures under this section.

SEC. 404. The sum of $50,000,000, to remain available until expended, is hereby authorized to be appropriated to carry out the purposes of this title and for administrative expenses in connection therewith in accordance with the provisions of this act.

And to insert:

TITLE IV

SEC. 401. (a) The sum of $40,000,000, to remain available until expended, is hereby authorized to be appropriated for the purpose of enabling the National Housing Agency, established by Executive Order No. 9070, to provide housing in or near the District of Columbia for employees of the United States (including their families, if any) whose duties are determined by the National Housing Administrator to be essential to national defense and to require them to reside in or near the District of Columbia.

(b) The sum of $5,000,000, to remain available until expended, is hereby authorized to be appropriated for the purpose of enabling the National Housing Agency (1) to provide housing on an area consisting of approximately nine blocks in the southwest portion of the city of Washington, D. C., for employees of the United States (including their families, if any) whose duties are determined by the National Housing Administrator to be essential to national defense and to require them to reside in or near the District of Columbia, and (2) to provide temporary housing for the persons required to move from such area as a result of its being used as the location for housing for employees of the United States.

(c) In providing the housing for which appropriations are authorized by subsections (a) and (b) of this section, the National Housing Administrator is authorized to exercise all of the powers specified in subsections (a) and (b) of section 1 of this act, subject to the limitations upon exercise of such powers specified in such subsections except that the cost per family dwelling unit of housing constructed under this title shall not exceed an average cost per family dwelling unit of $4,000, exclusive of expenses of administration, land acquisition, public utilities, and community facilities.

(d) The funds authorized to be appropriated by this section shall be available to pay administrative expenses in connection with providing the housing for which such funds are authorized to be appropriated.

(e) The housing provided with funds authorized to be appropriated by this section may be sold and disposed of as expeditiously as possible: *Provided*, That in disposing of said housing consideration shall be given to its full market value and said housing or any part thereof shall not, unless specifically authorized by Congress, be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income.

SEC. 402. (a) The sum of $25,000,000, to remain available until expended, is hereby authorized to be appropriated for the purpose of enabling the Federal Works Administrator to provide public works and equipment therefor in and near the District of Columbia. Such public works may include, but shall not be limited to, schools, waterworks, sewers, public sanitary facilities, works for the treatment and purification of water, hospitals, and other places for the care of the sick, recreational facilities, streets, roads, facilities for the disposal of sewage, garbage, and refuse, and other types of necessary public works.

(b) In providing the public works and equipment therefor for which appropriations are authorized by subsection (a) of this section, the Federal Works Administrator is authorized to exercise all of the powers specified in subsections (a), (b), and (c) of section 202 of this act. Such public works and equipment therefor shall be provided subject to the provisions of section 203 of this act.

(c) The funds authorized to be appropriated by this section shall be available to pay administrative expenses in connection with providing the public works and equipment therefor for which such funds are authorized to be appropriated.

SEC. 403. (a) The Commissioners of the District of Columbia are authorized to accept for the District of Columbia, and the Federal Works Administrator is authorized to make to the District of Columbia, advancements for the provision of public works and equipment therefor, such advancements to be deposited with the Secretary of the Treasury to the credit of the District of Columbia.

(b) Sums advanced to the Commissioners of the District of Columbia hereunder shall be available for the provision, without reference to section 3709 of the Revised Statutes, of any or all public works and equipment therefor described in section 402 hereof, and for administrative expenses in connection therewith, including employment of engineering and other professional services and other technical and administrative personnel, without reference to the civil-service requirements or the Classification Act of 1923, as amended. The repayment of any sums so advanced and the payment of interest thereon shall be in the same manner and subject to the same conditions as are set forth in sections 3 and 4 of the act of December 20, 1941 (Public Law No. 362, 77th Cong.).

(c) The Commissioners shall submit with their annual estimates to the Congress a report of their activities and expenditures under this section.

SEC. 404. The word "Administrator" wherever it appears in title III of this act shall, with respect to housing constructed under this title, be deemed to refer to the National Housing Administrator.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

OLD-AGE PENSIONS

Mr. STEWART. Mr. President, this morning I introduced a bill providing for an amendment of the Social Security Act which would require the Federal Government to pay two-thirds of the cost of old-age pensions. I am preparing another amendment to the law, which I serve notice I shall introduce tomorrow, or at the next session of the Senate, providing for a further amendment of the social-security law which would have for its purpose the payment to people who are permanently or totally disabled benefits equal to old-age benefits.

I mention this matter because recently, when an amendment affecting old-age pensions was considered on the floor of the Senate, there was much uncertainty and much confusion and misunderstanding about what the probable cost of the amendment then pending would be, and no one seemed to have a definite idea about it, which is perhaps one of the reasons why the amendment was defeated. I refer, of course, to the Downey amendment.

I hope that hearings will soon be held on the bill I have introduced and the one I shall introduce, and that definite figures as to the outlay necessary to implement the measures will be submitted to the Congress. I serve notice that I shall press for the early consideration of the measures.

AUTHORIZATION FOR COMMITTEE REPORTS, SIGNING OF BILLS, ETC.

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the recess or adjournment of the Senate following today's session committees may be authorized to submit reports, that the Vice President or the presiding officer of the Senate may be authorized to sign bills and resolutions ready for signature, and that the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ELEVEN SUGGESTIONS FOR IMPROVING DOMESTIC CONDITIONS

Mr. O'DANIEL. Mr. President, this war-shaken world today calls for great courage and self-sacrifice on the part of every American. Regardless of how patriotic we think we are, unless an all-out united effort is put into action immediately, and we set our jaws in determination to give Hitler and the Japs the worst licking any nation ever experienced, and that we will win this war regardless of what it takes to do the job, our freedom and liberty are in grave danger of being lost. That time in the life of America has come when the true test of our loyalty and strength is being made. The time has come when we are called upon to fight for our very existence, and for the preservation of our democracy. We must lay aside everything but our great war program and put every ounce of our strength and ability back of our soldiers, Air Corps, and Navy.

Today, more than ever before in history, we appreciate the many blessings which have been ours by being privileged to live in this grand and glorious America, and today, March 2, marks the one hundred and sixth anniversary of a very important date in Texas history. It is Texas Independence Day. At Washington, Tex., March 2, 1836, the Texas Declaration of Independence was signed. The history of Texas is resplendent in glorious deeds and outstanding victories.

Texas is today a vast empire of over 171,000,000 acres. It has almost unlimited resources, natural and human, which the world so urgently needs. Texas occupies a most strategic position in the world of today, which is rapidly being transformed into the world of tomorrow. A careful review of its position on this memorable Texas Independence Day will, I believe, be helpful and interesting in view of the present condition of the Nation and the world.

The two great Americas are divided, geographically, at the Isthmus of Panama. Politically and racially, the dividing line is at the Rio Grande. Texas lies today on the southern border of Anglo-America. In its beginning, Texas lay on the northern border of Latin America. In the world of tomorrow the Latin-speaking peoples and the English-speaking peoples of the Western Hemisphere will trade and mingle much more. The

State of Texas, with its 106 years of proven neighborly friendship with the adjoining Latin nation, occupies a most important post in the friendly relations that will continue.

Let us delve further back into this background. Looking back over the entire chronicle of Texas we find that Texas has been under six flags—Spain, 1519–1685; France, 1685–90; Spain, again, 1690–1821; Mexico, 1821–36; Republic of Texas, 1836–45; United States, 1845–61; Southern Confederacy, 1861–65; United States, 1865 to the present time.

Probably the primary observation to be made about our State is that it had its beginning within the sphere of Latin influence on the Western Hemisphere, and later swung over to the Anglo-American sphere. At the beginning of the nineteenth century, Texas was at the vortex of Spanish, French, and Anglo American contention in North America. The French effort passed in 1803 with the Louisiana Purchase, which extended the boundary line of the United States to the western watershed of the Mississippi-Missouri Basin. Had not Moses Austin and his son, Stephen, caught the vision of an Anglo-American colony in Texas, and had not Sam Houston overcome the forces of Santa Anna at San Jacinto, Tex., the Rocky Mountain and Pacific Coast States probably would have remained permanently a part of Latin America, while the people of the United States settled down to subsistence on the resources of the Mississippi Valley and the Atlantic seaboard. With the swift charge of the Texans across San Jacinto battlefield on the afternoon of April 21, 1836, the boundary line of Anglo-America was swept westward and southward to the Rio Grande, and by logically following events of the next decade this boundary was moved on across the Rockies to the waters of the Pacific. Insofar as the boundaries of the United States are concerned, San Jacinto was as decisive as was Gettysburg.

No State has a more interesting and colorful history than has Texas, the largest State in the Union. A complete review of the history of Texas would involve entirely too much time to be undertaken here today, but to bring the story closer to all of us, let me again refer to Moses Austin, a native of Connecticut, who migrated to Texas from Missouri. His son, Stephen Austin, was born while the family lived in Virginia. Later, Stephen Austin became so endeared to Texans that he is affectionately remembered as the father of Texas.

Sam Houston, also born in the State of Virginia, was responsible for the acquisition of this vast domain. We are proud that March 2 is also Sam Houston's birthday. Sam Houston occupied a seat in the Senate as one of the first United States Senators from the State of Texas. His son, the late Andrew Jackson Houston, through my appointment while Governor of Texas, occupied a seat in this Chamber only a few short months ago. So it is easy to understand the words of our Texas Poet laureate, Judd Mortimer Lewis, who wrote, in part:

You fathers of the land we love, you are not far away;
You're only back along the road a little piece today.
So on this day of remembrance, let us our full faith renew
From our brave past take courage and strength for the thing to do.

Mr. President, democratic processes, if permitted freely to function, will successfully solve our difficulties and bring to us ultimate victory. I refer to the kind of representative democracy that was bequeathed to us by our forefathers; the kind that springs from the people up, instead of from the public officials down; the kind that recognizes the people as the master, and the public officials as the servants. I am convinced by close observation and from carefully studying results that the purity of our representative democracy has become diluted and that we have swung too far in the opposite direction from our original high standard. This situation, I believe, is well known and recognized by all, except perhaps those who have their faces so close to the tree they cannot see the forest. The forest is on fire. The world is at war—the most devastating war the world has ever known. This is no time for sarcastic criticism—neither is it a time to sit back and say nothing and leave the fate of our Nation in a dangerous toppling position, in the hope that all will be well. It is up to each and every one of us to see that the safety of our Nation is protected. It is time for us to face the cold facts and do something about it.

In this Government of the United States of America who is responsible for the results of its activity?

It seems like most everyone is blaming most everyone else for our troubles. Let us try to find out who is to blame. Many letters coming to me seem to indicate that Congress is largely, if not wholly, to blame. They state that Congress is too complacent, that Congress is too political, that Congress is too hesitant about taking corrective action. In order to try and find who is responsible, I have gone back to our original basic law—the Constitution of the United States—and this is what it says about power.

Article I, section 1, of our Constitution reads as follows:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

That is plain and clear. No one could misunderstand that positive and definite bestowal of legislative power. All Government activity is based on legislation. The Congress possesses all legislative power. The Congress is therefore wholly and entirely responsible for every action of this Government and for the results of every action, with one exception, and that is the powers granted to our President by the Constitution.

So that there will be no misunderstanding of this analysis, let me take time here to quote from the Constitution of the United States all the powers granted to the President by the Constitution. Those powers are, as provided in article II:

> SEC. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.
>
> He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.
>
> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.
>
> SEC. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Mr. President, those few powers are all that are granted to the President of our United States by the Constitution. Surely very few well-enlightened people would try to place much blame for our present great troubles and grave conditions onto the shoulders of our President, acting under his very limited constitutional authority. It looks like most all of our national and international troubles, as well as this muddled and confused condition of our Government, can be laid directly on the doorstep of Congress. Congress cannot escape that responsibility, and it appears to me that the day of reckoning is close at hand. Congress is before the judgment seat, and the judge is 130,000,000 American citizens. The American citizens are exercising their rights and voicing their sentiments and views to their leaders. All unwise governmental authority granted by Congress to any public official in the past which is causing trouble, is the sole responsibility of this Congress because Congress is a continuing body, and the present Congress has the power to repeal any law or to withdraw any power from any individual which has been granted by the Congress in the past. Likewise, anything that is now being done in this Nation to prevent the proper functioning of our governmental activity or civilian activity, can and should be stopped by the enactment of proper legislation by this Congress. Therefore, it is not necessary for the 130,000,000 citizens of the Nation to look further for a place to lay the blame for

the demoralized condition of our Nation or for a place to demand corrective action, because they know Congress alone has that power. The Congress of the United States of America is responsible for the performance of every Federal employee, and every lawful act of every citizen, with the few exceptions of authority granted to the President of the United States by the Constitution of the United States. The principal duty assigned to the President by the Constitution is the duties of Commander in Chief of the Army and Navy.

Mr. President, I do not intend to discuss the conduct of the war in any manner. I will confine my remarks to domestic matters about which Congress has responsibility, because I am a Member of the Congress. It is my honest opinion that if the Congress will do what it can and should do, our Commander in Chief will have more equipment with which to prosecute the war. He has asked for more war equipment, but Congress has permitted strikes and slow-downs in factories, thus depriving him of much needed war equipment.

Inasmuch as it appears that Congress is responsible for our troubles, and has the power to correct our troubles, I am going to offer some suggestions as to what I think the Congress should do. I have at this time 11 suggestions to offer and I will now state them:

Suggestion No. 1. Encourage individual prayer twice daily.

Suggestion No. 2. Stop all nonessential Government spending.

Suggestion No. 3. Provide proper defense protection for civilians promptly.

Suggestion No. 4. Outlaw force and violence in labor disputes.

Suggestion No. 5. Give union and nonunion men equal opportunity to work on all jobs.

Suggestion No. 6. Tax "war profiteers" 100 percent and give one-half of tax to discharged soldiers when war ends.

Suggestion No. 7. Remove all farm planting restrictions.

Suggestion No. 8. Restrict price-fixing to retail sales.

Suggestion No. 9. Open up immediately new reservoirs of essential raw materials.

Suggestion No. 10. Cancel all draft deferments of labor racketeers and other privileged classes.

Suggestion No. 11. Abolish booze in Army and Navy reservations until war is won.

I will now discuss these 11 suggestions.

No. 1. Encourage individual prayer at least twice daily. It has been wisely said that no man should ever enter upon any great and important undertaking without first invoking the blessings of God. Each day 130,000,000 of us enter upon a great and important undertaking—an undertaking to win this war and preserve religion, democracy, freedom, and civilization. On the theory that we should put first things first, I am suggesting that this Congress pass a joint resolution calling upon every citizen of our Nation, regardless of faith or creed, to offer prayer at least twice daily, once on awakening and again on retiring, asking, among other things, for individual strength and individual guidance in performing every task in accordance with God's laws.

No. 2. Stop all nonessential Government spending. At a time like this the big task which lies before us rests in the hands of the War Department, the Navy Department, the Department of Agriculture, and the Interstate Commerce Commission. Each of these departments is now handling major problems, and certainly the departments should be adequately supported. The Federal Social Security Agency is an important division of government. It is already adequately supported by pay-roll taxes, and those should be maintained. The appropriations of every agency of the Federal Government which is not absolutely essential to the war effort should be cut to the utmost. We simply do not have money to spend unless it is spent for the war effort or for care of those of our citizens who may be absolutely helpless and unable to care for themselves.

No. 3. Provide proper civilian defense protection promptly for all our people. Mr. President, I think it is highly important that we immediately give our citizens some means of protection and self-defense here at home. We make appropriations of billions of dollars to conduct the war in far-flung parts of the world and appropriate billions for many other nations to spend for their protection; but when it comes right down to the actual protection of the lives of our 130,000,000 citizens, we have done very little. The risk is too great for action to be further delayed in this defense work; and I urgently ask that some sound and practical arrangements be carried out at the earliest possible moment.

I am not opposed to the appropriations made for carrying on this war and the appropriations to other nations. Anything that is needed for the speedy and effective carrying out of our great war program should be granted as quickly as possible; and I am back of our war program 100 percent. In my opinion, the civilian defense part of the program should be getting into action and actually providing our people with the necessary equipment to help protect them in case of attack. We have appropriated only $100,000,000 for civilian defense, which means less than $1 to protect each one of our citizens. In my opinion, we are not being fair with our people by being so negligent in giving them the best we have to give in civilian defense equipment.

At this point, Mr. President, I wish to state that I am not one who has criticized our past or present civilian defense efforts. This is the first mention I have made of the subject. I feel that recent war developments have convinced almost every citizen in this Nation, regardless of where he may reside, that his life is in imminent danger and that he is totally helpless to defend or protect himself in case of enemy attack. That is a most uncomfortable feeling. That feeling existing among the people of our Nation makes civilian defense one of the most vital problems facing us on the domestic front.

I am convinced that this problem should be dealt with primarily by the people themselves on the basis of actual conditions existing in their particular sections of the Nation. I know that our people in Texas have an altogether different problem from that facing the people living in Maine. I believe that the people in Washington, Oregon, and California have an altogether different problem than have the people living in Kansas and Nebraska. I do not think there is any man living who knows as much about the problems of each and every local district as the people in those respective districts know about the problems of their own districts. Therefore, I think one reason we are hearing so much criticism of our past and present set-up in civilian defense is not so much the fault of the individuals in charge of the system as it is of the system itself. The system is the reverse of what it should be. I suggest that a committee of the Senate be appointed to classify the Nation into separate civilian-defense districts, placing States that have problems in common in individual districts. Then let the Governors of the States comprising each district nominate as district director some person who lives in the district and who has attained the rank of general. I suggest also that the Secretary of War appoint a supreme civilian-defense commander from the ranks of retired Army generals, and give this man complete charge of civilian defense, under orders only from the War Department. The supreme civilian-defense commander would then appoint district directors from those who had been nominated by majority vote of the Governors of the States comprising the districts. This would give the Army responsibility for and control of civilian defense, with local counsel and administration by trained Army generals who live in their respective districts and understand local conditions.

No. 4. Stop the use of force and violence in labor disputes. The darkest pages ever written in the history of this Nation have been written and are still being written by the communistic union labor racketeers, who call strikes and enforce them by the use of force and violence, thus closing down national defense industries and leaving our brave men on the field of battle without adequate fighting equipment to defend our Nation and save their own lives. Congress has the legislative power to stop that sabotage. Congress has failed to stop it. The responsibility is on the Congress. The mothers and fathers, wives and children of those brave men who fell because of lack of adequate weapons will fix the responsibility where it belongs. The Congress cannot escape the responsibility. In the rosy-posy days, turning a deaf ear to this un-American practice may have been called good politics. Since blood has been spilled, it is different. Since I came to the Senate last August I have four times attempted to have enacted a measure which would tend to stop strikes by the process of making it a felony to use force or violence in labor disputes. The RECORD does not show a single Senator voting for the proposal. Two or three Senators—and possibly more—voted for it; but the RECORD does not show it because of the cowardly voice-voting system in vogue, which enables Senators to dodge the issue and cover up their actions.

Mr. President, I shall not take time now to explain my antiviolence bill or enumerate all its merits, because my previous remarks cover the subject, and they are printed in the official RECORD. I will say, however, that the proposed legislation would not outlaw the rights of labor to organize, to bargain collectively, to strike, or to picket. I recognize all those rights of labor. My bill only makes it a felony to use force and violence or the threat of force and violence in labor disputes. Instead of taking away any rights which labor has, it would give to labor an additional great American right—the right to work without fear of being beaten over the head with a club, killed by the "goon" squad, or threatened or injured in any manner by the use of force or violence.

During much of my lifetime I have performed hard manual labor. I know from actual experience the problems and hardships of the laboring man. I have the highest respect and regard for the honest laboring man. The men in overalls today are among the most patriotic men in America, and they are willing and anxious to do their part to win this war. I have nothing but the highest praise for the laboring men of this Nation. It is not the laboring men who cause the deplorable and disgraceful strikes and slowdowns in our factories. All the trouble is caused by the big labor bosses—the labor-leader racketeers who do not have any more consideration for the laboring people than they have for the safety and defense of our country. They issue edicts to the laboring men; and unless the laboring men obey their edicts, they are kicked off the job and out of the union, and eternally marked and continually hunted and watched by the gestapo of the union-leader racketeers to make sure that they never get another job. Thousands of men who belong to unions have written me or talked to me and congratulated me on the fight I have been waging against union labor-leader racketeers. They ask that I withhold their names so that they and their wives and children will not suffer. This damnable and deplorable communistic labor-leader racketeering has aggravated an outraged public to the limit of human tolerance; and I shudder to think of the consequences unless Congress quits pussyfooting and quickly and definitely stamps out this national evil.

No. 5. Give union and nonunion men equal opportunity to work on all jobs. One of the most disgraceful rackets ever conducted in this great and free America is now being conducted by the union labor-leader racketeers. In years to come decent people will classify this racket as one of the most disgraceful rackets ever permitted by a civilized government of free people. It simply means that in this hour of crisis, when every American citizen should be working on some phase of our defense effort, the United States Government itself has entered into contracts which prohibit free patriotic American citizens who are capable, qualified, and experienced, from working on national-defense projects being paid for with tax money, unless those citizens will first bow down before some communistic labor leader czar and pay tribute in the form of from $50 to $100 or more for the God-given and free-American right to work.

The American people know that Congress has refused to take any action to correct this evil practice. They know Congress has the authority and power to change this disgraceful practice, and that the responsibility rests wholly on the Congress. It is widely rumored that much of this racket money has been contributed and is being contributed to Federal elected officials who are not doing one thing to try to stop the racket.

Much has been said and written in condemnation of the exhorbitant union fees collected from the honest workingmen; and some have advocated finding out how much the total sum collected is and trying to recover it for the Government by taxation. I take the position that the unions have a right to collect fees from their members, in any sized amounts, the same as other organizations collect fees from their members. I take the position that union organizations are useful and serve a good purpose to their members. But I also take the position that the dues should be based on the service rendered, as judged by the members who pay the dues, but should not be compulsory, or high enough to provide campaign funds which could be used to elect public officials who would permit the entering into of Government contracts which would bar good, honest, capable, experienced, patriotic American laboring men who do not choose to pay tribute to such a racket.

I hope there are enough Members of Congress who will rally to the defense of their country by helping to enact legislation which will stop this disgraceful and undemocratic racket. I certainly would consider it a waste of time to appeal to the big labor-leader racketeers—those who make the collections—to stop it. There are certain classes of people who must be forced to respect our American way of life. The big union bosses come in that class. The people of this Nation are very curious to know just why Congress continues to sit back and to encourage and tolerate this racket. Nobody but the Congress of the United States can help enact legislation which will make the practice illegal. Because the racket is so deep-seated, I have introduced in the Senate a proposed Constitutional amendment dealing with the matter, and call upon the various State legislatures to petition the Congress to take action to stop it. That is a slow process of correction; and, as the matter is urgent, I hope the Congress will enact immediate legislation to stop this dastardly and un-American practice that is so seriously interfering with the full-time production of our war equipment.

No. 6. Tax war profiteers 100 percent on their excess profits, and give one-half of the amount so obtained to discharged soldiers when the war ends. The theory on which this suggestion is made is that during this war no American citizen should be permitted to make a profit greater than that which his ability and experience permitted him to make during the period immediately prior to the emergency and war. The young men of our Nation have given up their jobs, businesses, and opportunities to establish a business, and are serving in the armed forces at $21 per month and board, or slightly higher wages, and in addition to that are risking their very lives. Certainly this is no time to permit wartime profiteering. Our President has said there will be no profiteering during this war, but Congress evidently did not hear him or disagreed with his desire, because the Congress has not enacted one law which will prevent war profiteering. On the other hand, almost everyone knows that war profiteering is going merrily on at a rapid pace. Even the Truman committee of this Senate has made a report on part of the war profiteering that is going on.

Nothing can be gained, Mr. President, by simply condemning war profiteering and by slapping the war profiteers on the wrist. The fact of the matter is there are so many war profiteers, and they are pursuing so many different methods of profiteering, that it would be an endless and impossible job to police all of them and stop them. Even after stopping them, nothing could be done, because they are making millions of dollars in war profits by perfectly legal methods. Instead of trying to single out each one, or single out each class of war profiteers, and making rules to stop them, why not resort to one of our most democratic and most effective processes—the power of Congress to tax excess profits. We shall need a lot of money to pay for the tremendous cost of this war, and such money must come from taxes. Why work against the grain, and try to stop people from making profits? It seems to me that we should be glad to see our citizens make all the profit they can possibly make, and then we should take away from them 100 percent of any profit over and above whatever profit they were able to make in the period of time immediately preceding the war emergency. The more profit they make, the better our Nation will be able to pay for the cost of the war. Why should the Congress not be realistic? Instead of spending so much time, effort, and money in trying to control war profiteering, why not let excess profits be made, and then tax them 100 percent. I should like to see the color of the hair of any American citizen who will contend that during this great war emergency, while our sons are being killed on the field of battle, he is entitled to retain more profits than he was able to make immediately preceding this grave period. Let people of that kind stand up and be counted by the great rank and file of mothers and fathers who are furnishing the sons who are fighting for us in this war. This issue is now squarely up to Congress. It is time to face the cold facts. To my way of thinking, I cannot imagine a happier and more equitable combination than for our war profiteers who stay at home to give 50 percent of their excess profits to the boys on the battlefields who are fighting to defend and preserve our profit system, and the other 50 percent to Uncle Sam to help pay for the guns, ammunition, and other equipment used by our boys in defending America. This will still

permit the war profiteers to retain as much profit each year as they were able to make during the period immediately preceding the war emergency.

No. 7. Remove all agricultural restrictions. With all the destruction going on in Russia, Australia, and other great food-producing nations, it is a foregone conclusion that greatly reduced production of food and clothing materials will result. The United States must be the food basket of democracy as well as the arsenal of democracy. Let the farmers produce all of everything they can produce in the way of food and clothing. It will all be urgently needed. If all restrictions are removed, the farmers will be able to make a living without draining parity-payment checks out of our overburdened Treasury. Then some relief will be afforded our overburdened taxpayers.

No. 8. Remove all price ceilings and abolish all price fixing, except any necessary fixing of retail prices, for food, clothing, medicines, and other necessities of life. Mr. President, if the excess-profits tax measure which I have suggested is enacted, it will be useless to worry about there being any exorbitant prices. What merchant will want to hold up his customers just in order to be able to give unfair profits to Uncle Sam? The price-fixing fantasy is only another example of the desire of Congress to do the job the hard way. Its operation will, of course, enable another big, powerful political bureau to be built up, extending from coast to coast, and employing thousands of people, for voting purposes. In its establishment there could be no sincere objective of protecting consumers, because the price-fixing law does not attempt to reduce or fix all retail prices paid by consumers; and consumers buy at retail. I believe the 100-percent excess-profits tax would make price fixing unnecessary, or at least all except some retail price ceilings.

No. 9. Open up new supplies of raw products to keep industries going and to supply war and civilian demands. Mr. President, of course, we know that all the raw material we have should first be used for war purposes. There is no disputing that fact. But first we had a fictitious shortage of gasoline. That shortage proved to be utterly false at that time. It was purely a manufactured shortage. Now we have a so-called sugar shortage. We all know that our farmers could raise enough sugar beets and sugarcane this year to produce all of the sugar needed for our civilian and war uses, but from all of my observation more effort is being made to prevent the production of sugar beets and sugarcane than to produce more sugar. I am fully convinced that our Government is determined to prevent production of sugar in order to engage in rationing sugar.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I yield.

Mr. LUCAS. Did I correctly understand the Senator to say that he believes that this Government is now attempting to restrict the sugar production of this country for the sole purpose of rationing it?

Mr. O'DANIEL. Yes.

Mr. LUCAS. Upon what does the Senator base such a conclusion?

Mr. O'DANIEL. That is my opinion.

Mr. LUCAS. But the Senator from Texas is making a very rash statement upon rationing, and I should think he should have some facts, rather than just an opinion or conclusion, upon which to base an assertion of that kind.

Mr. O'DANIEL. I wish to say, Mr. President, that that is my opinion, based upon what facts I have.

Mr. LUCAS. What are the facts? That is what the Senator from Illinois is interested in. One of the greatest troubles that has come from the Congress of the United States at this very moment is that when there should be unity in the country, a number of Members of Congress are drawing conclusions, indicting this Government or this or that agency of the Government, upon innuendo, misinformation, conclusions, and half-backed statistics, or, as the Senator now says, no facts at all—further dividing the country, instead of attempting to unite the country, as the Senator should attempt to do.

Mr. O'DANIEL. I beg the pardon of the Senator from Illinois; I did not say my conclusion was based on no facts at all.

Mr. LUCAS. What are the facts upon which the Senator makes such a rash statement about the Government's deliberately withholding the production of sugar for the sole purpose of compelling it to be rationed? That is a serious indictment of the Government, I say to the Senator.

Mr. O'DANIEL. It is up to the Senator from Illinois to decide just how serious the indictment is. That is the statement I made.

Likewise, I have had actual experience, ever since I served as Governor of Texas, in trying to open up large iron-ore mines in Texas; but the Government has put up tremendous resistance to keep the iron-ore mines from being opened up there. We have recently been getting a little consideration. If such iron-ore mines had been opened up there would be plenty of iron and steel to enable the little factories to stay in business. The whole theory of our Government, as I see it, is to put forth every possible effort to keep new fields of raw material from opening up, in order that little businesses may be put out of operation.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. In view of the statement which the Senator has just made, I think it may be appropriate for me to call his attention to the fact that the Secretary of the Interior, Mr. Harold L. Ickes, just about a week ago, in response to a letter from the chairman of the so-called Western Minerals Subcommittee of the Committee on Public Lands and Surveys, has laid down a very broad program for the full development of our natural resources.

If I may make bold enough to take advantage of the Senator's reference to the matter, let me say that it will be discussed tonight upon the radio in the National Forum, when Secretary Ickes and I will undertake to lay down for those who will do us the honor of listening the possibility of the full mobilization of our raw materials and our manpower. I am hoping that, as a result of the collaboration between the Senate Committee on Public Lands and the Department of the Interior, we shall, before long, be launched upon a full-blown program of full development of our resources.

We are in a total war, and we certainly cannot fight a total war with only a part of our resources. I am very happy to be able to state that the Secretary of the Interior is giving his full cooperation to the efforts of the Committee on Public Lands to bring about, first, a realization that we have vast neglected resources, and, second, that something ought to be done about it now.

Mr. O'DANIEL. Mr. President, I certainly thank the Senator from Wyoming for furnishing further evidence corroborating the statements I am making, that we have great natural resources in the United States, which are well known to some of us. In Texas they are well known to me, in Wyoming they are well known to the Senator from Wyoming, and in other States they are well known to the people of such States. Very little effort has been made to open up our resources of raw materials. The supplies which were known have been rationed, instead of new supplies of raw materials being opened up. I know for more than 2 years it has been like pulling teeth to try to get the Federal Government to open up the iron-ore mines in Texas, which would have provided a large amount of iron and steel needed by the small manufacturers who have closed their doors. I am very glad to note that there is to be a discussion of the question on the radio tonight, and I hope everyone will listen to it, because I think this is one of the most important matters under consideration at the present time.

The Government receives much help along this line of restricting the opening of new fields of raw materials by putting leading officials of big business in charge of these governmental agencies and, of course, the big steel monopoly and the big oil monopoly and the big sugar trust and big liquor monopoly want to keep sources of raw material reduced so they can more easily control their respective fields of endeavor. To me it appears that this is going on with total disregard to the winning of the war. Therefore, I hope this committee will discover facts and report facts to the people, so that the people will know exactly why our new fields of raw products were not opened up before our little businessmen were put out of business. I also hope that the committee which is now in charge of this matter, and which has been mentioned by the Senator from Wyoming, will bring

out the facts and place them forcefully before the Nation, so that something may be done promptly besides merely talking about it.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. O'MAHONEY. In order that we may have specific response to the Senator's expressed hope, I desire to call attention to the fact that there is now available in the Senate Document Room report No. 838 of the subcommittee on mineral resources, and there is also available part II of the same report. The preliminary report was filed on November 17, 1941, and gives a summary of our undeveloped resources. The second part was filed by the chairman of the subcommittee on February 17, 1942, and contains the letter of Secretary Ickes, addressed to me, in which he outlines a definite program which, if adopted, would lead to the immediate development of natural resources in at least 25 separate States of the Union.

I may also take advantage of the kindness of the Senator in permitting me to interrupt him to say that Secretary Jones, who is also the Federal Loan Administrator, has talked with me on several occasions about this matter, and he and the officials of the R. F. C. have indicated deep interest in the suggestion which is set forth in the report of which I have just spoken.

Mr. McCARRAN. Mr. President, will the Senator yield for a suggestion along th's same line?

Mr. O'DANIEL. I yield.

Mr. McCARRAN. I may say, in keeping with the remarks of the able Senator from Wyoming, that the Secretary of the Interior is now arranging for a series of meetings throughout the western section, the first of which will be held in Nevada on the 12th of th's month, to which Assistant Secretary Chapman will invite from all the Basin States mining engineers, mine developers and prospectors, and those who own or claim mining property in the open public domain, to participate in an open discussion of the best methods of discovery, the best methods of development, and the best methods of bringing the product in the way of war essentials to the assistance of the Government in its hour of need.

I may say in that regard, and very much in keeping with the thoughts expressed by the able Senator from Texas, that it is my judgment that throughout the mining region, especially throughout the western section of the country, there is great opportunity for the development of metals essential to the war by the Government bringing the market closer to the small producers. We have in the intermountain section, as Texas has, those who go out on the open public domain and discover deposits of war essentials, deposits which would require vast sums of money for complete development, but which the miner and the prospector could develop and sell if they had an available market. It is my judgment that we can make a market available for the small producer by a series of sampling works throughout the country, where the small producer may bring his product and the Government may take advantage of his labors and his discovery. I thank the Senator.

Mr. O'DANIEL. Mr. President, I thank the Senator from Nevada for contributing to this discussion along the lines I have been suggesting. I feel that the opening up of new fields of raw materials in our own country will help win the war and be of great benefit after the war is ended. I am fully convinced that we have enough raw materials in this Nation, or within easy reach, to keep all our war industries on full-time operation, and enough left over to enable most of our factories to produce large quantities of material and equipment needed by civilians. If we can produce these necessities, it will enable factories to operate and give employment to men and women; it will increase our domestic stock pile of goods, which will tend to ward off inflation, and will enable factories to make profits which can be taxed to help pay the gigantic cost of this war. Of course, I would make civilian manufacturing secondary to our war-manufacturing effort.

No. 10. Cancel all draft deferments of labor-leader racketeers and other privileged classes and let each local draft board decide each individual case, subject to review of appeal boards. Mr. President, I heard little complaint and much praise of our fair and unbiased draft system which permitted each local draft board to decide each individual case, subject to review by the appeal boards. Then, out of a clear sky, the moving-picture actors were deferred as a class, and then, to add insult to injury, the labor-leader racketeers were deferred as a class. I therefore wish to raise my voice against any political string pulling to get men exempted as classes. The original system is as good as can be expected, and I think Congress should enact legislation that will prevent political pies from being handed out by the wholesale. The boys in uniform have enough to swallow without hearing that against their $21-a-month salary, the communistic, rosy-cheeked labor-leader racketeers are permitted to stay at home and continue their plundering, merely because they control a lot of votes in the general election, and because from their loot they can make sizable contributions to campaign expenses of those who give them the protection of political deferment. In my opinion, this class deferment has seriously lowered the morale of our soldiers and that of most of us at home—at least those of us of the common rank and file of the people. The responsibility of this war should be equally borne by each and every one of us, and no one should enjoy the protection of our Government to carry on in the regular way during the time we are fighting the darkest and bitterest battle the world has ever known. These class deferments are a disgrace and should be done away with immediately.

No. 11. Abolish booze in Army and Navy reservations until the war is over. Mr. President, everybody knows that soldiers can handle the powerful and high-speed machines of war better if they are not under the influence of liquor. We do not want to go down in defeat like France did. We do not want another Pearl Harbor, which could easily be brought about by the use of too much liquor.

One cannot find a successful factory or training school or place of legitimate business in the United States where the owners will permit liquor to be sold and drunk. Yet it is sold and drunk in the most important working shops in the world today, our Army camps.

The Congress is responsible for this unbusinesslike condition, and I want to see it eliminated. As far as the sale of liquor to members of the armed services in territory adjoining the Army camps is concerned, somebody should be responsible for such conditions in those places, as far as it affects the men in the service. At the present time Congress is responsible, and I want to see this responsibility turned over to the Secretary of War and the Secretary of the Navy. They are responsible for the conduct and welfare of their men, and they should therefore have the power to regulate conditions around the camps.

The enactment of Senate bill 860, introduced by my predecessor, the late Senator Morris Sheppard, would accomplish these needed changes in our law, and I urge the Senate to give consideration to the enactment of that bill. Mr. President, this concludes my discussion of the 11 points I have suggested.

In closing I wish to mention a condition existing today analogous to one which existed in Texas 106 years ago today.

While the little band of Texas patriots were assembled at Washington, Tex., writing and signing the Texas declaration of independence, another little band of approximately 187 Texas patriots were, in the Alamo, surrounded by an overwhelming army of about 3,000 men. The predicament of Colonel Travis and his brave men, defending Texas freedom and liberty, was similar to that of Gen. Douglas MacArthur at the present time. Just 1 week before the signing of the Texas declaration of independence Colonel Travis sent out this famous and historic letter from his beseiged position in the Alamo:

COMMANDANCY OF THE ALAMO,
Bejar, February 24, 1836

To the People of Texas and All Americans in the World.

Fellow citizens and compatriots, I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise the garrison are to be put to the sword, if the fort is taken I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat. Then, I call on you in the name of liberty, of patriotism, and everything dear to the American character to come to our aid with all despatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in 4 or 5 days. If this call is neglected I am determined to sustain myself as long as pos-

sible and die like a soldier who never forgets what is due to his own honor and that of his country—victory or death.

WILLIAM BARRET TRAVIS,
Lieutenant Colonel, Commandant.

P. S.—The Lord is on our side. When the enemy appeared in sight we had not 3 bushels of corn. We have since found in deserted houses 80 or 90 bushels, and got into the walls 20 or 30 head of beeves.

TRAVIS.

Mr. President, that is without doubt one of the greatest war documents ever written. The parallel between the position of Colonel Travis and his men and that of General MacArthur and his men is astonishing. Let us hope and pray that MacArthur and his men may not suffer the fate met by the Texas heroes. Every Texas patriot in the Alamo gave his life for freedom and democracy. We who live today enjoy the freedom and democracy for which they died—to the very last man. Thermopylae had its messenger of defeat; the Alamo had none. Remember the Alama! Do not forget MacArthur!

Mr. President, it is my belief that the adoption of the 11 suggestions, which I have advocated today, will advance America on the domestic front to where Texas was 106 years ago. No such foolishness existed then as exists now. Texas won that war. Getting back to the sound, religious, and democratic principles of that day, March 2, 1836, will, without doubt, help bring about victory now as victory was won then.

CONSOLIDATION OF POLICE AND MUNICIPAL COURTS OF THE DISTRICT

Mr. McCARRAN. Mr. President, I ask unanimous consent that the Senate resume the consideration of House bill 5784, relating to the consolidation of the police and municipal courts of the District of Columbia, which was under consideration on Thursday last.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, when this bill was brought to the attention of the Senate a few days ago, the able senior Senator from Nebraska [Mr. NORRIS] objected to its consideration at that time. He expressed a desire to present some phase of the matter, with which I am not at all conversant. Today the Senator from Nebraska is detained at home by illness, and I suggested to the Senator from Nevada that he might get in touch with his secretary and determine whether the Senator desires to be present during the consideraton of the bill. Personally, I have no objection to the measure. I do not know of any Senator, unless it be the Senator from Nebraska, who has objection; and if the able Senator from Nevada is satisfied to go ahead, in view of that situation, I am perfectly willing.

Mr. McCARRAN. Pursuant to the suggestion of the able minority leader, I had the secretary to the majority confer with the secretary of the Senator from Nebraska. I quote the report given to me:

That the secretary did not believe that the Senator had any serious objection, that so far as he knew the bill might be given consideration.

Let me say further that, following the session when the Senator from Nebraska raised a question, as we walked over to his office I discussed with him the general principles of the bill, though rather briefly, I found the Senator making no serious objection to the bill at that time. He merely wanted to understand it.

I think the Senate should be advised now, by way of explanation, that the bill passed the House, came to the Senate, and has been the subject of intensive study by the Committee on the District of Columbia. There were called before the committee all the judges of the police and municipal courts of the District of Columbia, prominent members of the bar associations of the District of Columbia, and individual attorneys, as well as officials of the Department of Justice. We called on all who we thought would lend us any assistance in reforming the bill after it came to the Senate. As presented now in the nature of a substitute for the bill as it passed the House, the measure is the result of the diligent study to which I have referred, and for once I may say that we have complete accord among all those interested whom I have mentioned.

Let me say further, by way of explanation, that along about 1909 the present municipal and police court systems were set up in the District of Columbia. The police court now consists of four judges, and the municipal court of five judges. The courts are self-sustaining; indeed, they are more than self-sustaining. They have turned into the Treasury, in round figures, some $800,000 a year. The cost of the new courts, as they will bet set up, will be in the neighborhood of $325,000 a year.

At the present time the two systems, the police court system and the municipal court system, are seriously congested, and nothing we have been able to do has seemed to relieve the congestion. Criminal cases, for instance, which I use by way of illustration, are known to linger in the courts for many months between the time of arrest and the time of trial. The same thing is true with reference to civil cases.

The new system we propose to set up, whereby we establish a municipal court consisting of 10 judges and a court of appeals for the municipality of the District of Columbia consisting of 3 judges, will, in our judgment, go a long way toward relieving the congestion and facilitate celerity of action.

We have added one more judge to the municipal court. There are now nine, four in the criminal division and five in the civil division. We added one more judge, to be called "chief judge," and made his salary $500 more than that of the other judges. Each judge now receives $8,000 a year. The new judges will receive $8,000, and the chief judge $8,500 a year. The chief judge will have supervision over the courts in the way of assigning the work to the respective judges.

At the present time—and I say this without criticism—some of the judges are greatly overworked; others are not carrying their full share. With the new system we hope the work may be so divided that each judge will carry a full share of the work, and thereby eliminate the congestion which now prevails.

At the present time appeals are taken to the United States District Court for the District of Columbia. That court is congested because the appeals which go to it become either trials de novo or reviews of the record, which causes delay and congestion in the court.

Senators must remember that the United States District Court for the District of Columbia not only takes care of the appeal work from the municipal court under the present system, but it also must entertain all suits and actions brought against officials of the United States, the heads of departments, for instance, as well as all the civil suits and criminal actions not tried in the municipal court and the police court. Today the police court, the municipal court of the District of Columbia, and the United States District Court for the District of Columbia are congested.

We believe the new 10-judge municipal court will relieve the United States district court, because the latter will then have only such appellate jurisdiction as it takes unto itself. Under the proposed new system an appeal from the municipal court to the municipal court of appeals is a matter of right, but an appeal from the municipal court of appeals to the United States District Court for the District of Columbia is a matter which addresses itself to the sound discretion of the presiding judge or judges of that court.

The bill enlarges the jurisdiction of the municipal court to matters involving $3,000. Then we have arranged a system of pretrial hearings to determine whether a case merits a judgment of $3,000, and, if not, the case may be assigned from the United States District Court for the District of Columbia to the municipal court. However, if the case, after being assigned to the municipal court, is found on trial to entail a judgment of $3,000 or more, the jurisdiction would be retained in the higher court.

Those are some of the matters we went into at great length, and after great study we are presenting the bill, which we believe to be a worthwhile measure, which provides needed revision of the work of the courts of the District of Columbia, and which, we believe, will bring about very beneficial results.

Mr. President, I say again, so the Senate may understand, that these courts are self-sustaining. They turned into the Treasury last year, in round figures, $800,000. The cost of the courts last year was $225,000. The cost of the new courts will be about $325,000. The new courts will not occasion an additional burden. The additional judges will facilitate trial work and litigants may have their causes tried more promptly.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate resumed the consideration of the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes.

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment, the question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 5784) was read the third time, and passed.

The title was amended so as to read: "A bill to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes."

Mr. McCARRAN. I move that the Senate insist upon its amendment, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McCARRAN, Mr. OVERTON, and Mr. BURTON conferees on the part of the Senate.

EXTENSION OF LIFE OF MARINE WAR RISK INSURANCE ACT

The PRESIDING OFFICER (Mr. DOXEY in the chair) laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 6550) to extend and amend Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes, which was, in line 12 of the House engrossed bill, after the word "repealed," to insert "and such authority is hereby vested in the Administrator of the War Shipping Administration in conformity with the President's Executive order of February 7, 1942 (No. 9054; 7 Federal Register 837).

Mr. RADCLIFFE. I move that the Senate concur in the amendment of the House to the amendment of the Senate.

The motion was agreed to.

EXTENSION OF WAR POWERS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2208) to further expedite the prosecution of the war.

Mr. VAN NUYS. I move that the Senate disagree to the amendments of the House of Representatives, ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. DOXEY, and Mr. AUSTIN conferees on the part of the Senate.

IMPORTATION OF FARM LABOR FROM MEXICO AND SOUTH AMERICA

Mr. REYNOLDS. Mr. President, I have before me a letter which I desire to read into the RECORD. It is from Kannapolis, N. C. Not having requested permission of the writer thereof, I shall not divulge his name, although I am confident he would have no objection to my bringing the letter to the attention of the Members of this body. It is dated Kannapolis, N. C., February 20, 1942, is addressed to me, and reads as follows:

The Honorable ROBERT R. REYNOLDS,
Senate of the United States,
Washington, D. C.

DEAR MR. REYNOLDS: I noticed in the paper of the 14th an item concerning the possibility of importing farm labor from Mexico and South America, and it seems so ridiculous to the writer to consider this when we have more farm labor tied up in the Civilian Conservation Corps. Really, it would seem to me that the time has come when we should eliminate all unnecessary Government expense, and it seems so unfair to be calling on the citizens of our country for an all-out defense program when the tax money is being used for such unnecessary things as this.

It really seems to the writer that the time has come that our Congressmen should wake up, and not only frown upon such things, but do something about them.

The real complaint from our farmers in this section is that they cannot employ labor due to the fact that there are too many on the relief rolls, and should they accept work they will be taken off the relief roll. This is not something that I have heard, but is an experience that I have actually had myself.

I do hope that you will not consider that I am trying to attend to your business, but my sole business is for the interest of our country, which is in a precarious predicament admitted by all. I would certainly be delighted to have your views on the matter.

Yours truly,

Immediately upon receipt of this letter I communicated my views to the writer. The letter was evidently inspired by a newspaper article to the effect that our Government was considering the importation of many thousand laborers from our sister Republic of Mexico to fill in the gaps on our farms left as a result of the Draft Act.

I read from a national periodical an article which is entitled "Thirty Thousand Spaniards Seek Refuge in United States, Mexico." The article which is dated Mexico City, reads as follows:

THIRTY THOUSAND SPANIARDS SEEK REFUGE IN UNITED STATES, MEXICO

MEXICO CITY.—Indalecio Prieto, former Spanish Republican War Minister, has left Mexico for New York by plane to arrange for evacuation of Spanish Loyalists (Communists) from North Africa, usually well-informed sources said recently. It was estimated there are 30,000 civil-war refugees (Communists) now living precariously in French Morocco, many of whom seek passage to Mexico or the United States.

Following that is a letter addressed to me by a woman in the city of Philadelphia, which I should like to read:

PHILADELPHIA, PA.

Hon. ROBERT R. REYNOLDS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR REYNOLDS: Recent reports from reliable authority have stated that Loyalists from Spain, now located in Mexico, are to be brought into the United States to take over the jobs of our men who are called into defense of our country. I feel there is no good reason for such a procedure, since we have enough able-bodied men that are citizens of our country who would be capable of handling this work. In view of the above, would it not be a very appropriate time to again attempt to bring out your bill stopping immigration into this country? In view of the fact that we are now at war * * * immigration should be stopped anyhow, without the threat of radicals coming into the country, to make our burdens worse. At this writing I am also writing to Senator RICHARD B. RUSSELL, chairman of the Immigration Committee; also Senator HIRAM JOHNSON, leader of the minority of this committee. I have also written to my own two Senators and my district Congressman, Mr. MCGRANERY, to ask that they vote to stop immigration; also put a stop to this take-over of our men's jobs by un-Americans. I sincerely hope you will give this matter your cooperation at this time. I am not alone in this present move to have your bill made a law.

I will greatly appreciate hearing your reaction on this matter.

Sincerely,

Mrs. B. E. W.

CRITICISM OF THE CONDUCT OF THE WAR

Mr. TUNNELL. Mr. President, a few days ago I had occasion to deliver a speech in Des Moines, Iowa, in which I took to task those who carelessly, foolishly, and without reason—or if for any reason at all, perhaps for political purposes—criticize the Government of the United States at this time. I said that I believed that those who did so were—perhaps thoughtlessly—doing more damage than many of the open enemies of the country.

I received one letter of commendation which is unique. I wish to read it into the RECORD at this time:

GEORGETOWN, DEL., *February 20, 1942.*

Hon. JAMES M. TUNNELL,
Senate Office building, Washington, D. C.

MY DEAR SENATOR: Your speech at Des Moines was so peculiarly apropos and otherwise fitting to a small segment of the genus Americana that I want you to know that it met with my unqualified approval. It is my sincere hope that you will continue, at every opportunity, to give the malcontents hell; I do not believe it is necessary for me to inform you that I am practicing, vigorously, what I preach.

When I hear men sitting in judgment on the conduct of the British admiralty or our own armed forces—men who couldn't negotiate a passage across Indian River Bay in a yawl boat—there is a strengthening of my conviction that there should be a law prohibiting a man from making a damn fool of himself.

A gracious Providence could have made smaller men than the particular breed to whom you referred, but He never did.

With cordial regards and best wishes, believe me,

Sincerely yours,

WILLIAM W. CONWELL.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. DOXEY in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES FILED DURING RECESS

Under authority of the order of the 26th ultimo,

The following favorable reports of nominations were submitted on February 27, 1942:

By Mr. THOMAS of Utah, from the Committee on Education and Labor:

John B. Blandford, Jr., of the District of Columbia, to be National Housing Administrator.

By Mr. REYNOLDS, from the Committee on Military Affairs:

Sundry officers for appointment, temporary appointment, or promotion in the Army.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Capt. Jesse B. Oldendorf to be a rear admiral in the Navy for temporary service, to rank from the 27th day of November 1941.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads.

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

NATIONAL HOUSING AGENCY

The legislative clerk read the nomination of John B. Blandford, Jr., to be National Housing Administrator, National Housing Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTER

The legislative clerk read the nomination of Pollard Hugh Mercer to be postmaster at Winnfield, La.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 3 o'clock and 43 minutes p. m.) the Senate adjourned until Thursday, March 5, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 2 (legislative day of February 13), 1942:

WORK PROJECTS ADMINISTRATION

Richard Irvin, of Pennsylvania, to be Work Projects administrator for Pennsylvania, effective March 1, 1942.

ASSOCIATE JUSTICE, SUPREME COURT OF TERRITORY OF HAWAII

Hon. Louis LeBaron, of Hawaii, to be associate justice of the Supreme Court, Territory of Hawaii, vice Hon. Samuel B. Kemp, who has been elevated to chief justice.

JUDGE, CIRCUIT COURTS, TERRITORY OF HAWAII

Hon. Carrick H. Buck, of Hawaii, to be judge of the first circuit, circuit courts, Territory of Hawaii, vice Hon. Louis LeBaron, whose term has expired.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 2 (legislative day of February 13), 1942:

NATIONAL HOUSING AGENCY

John B. Blandford, Jr., to be National Housing Administrator, National Housing Agency.

POSTMASTER

Pollard Hugh Mercer, Winnfield, La.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Joseph Warren Stilwell to be lieutenant general.

APPOINTMENT IN THE REGULAR ARMY

James Alexander Ulio to be the Adjutant General, with the rank of major general, for a period of 4 years from date of acceptance.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Follett Bradley
George Churchill Kenney
Oliver Patton Echols
Henry Jervis Friese Miller
Thomas Jay Hayes
Ralph McTyeire Pennell

TO BE BRIGADIER GENERALS

Westside Torkel Larson
John Kenneth Cannon
Samuel Martin Connell
Barney McK. Giles
William E Kepner
Asa North Duncan
Bennett Edward Meyers
Kenneth Bonner Wolfe
Ralph Hudson Wooten
Dwight Frederick Johns
George Clark Dunham
James Clawson Roop

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 2, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, enable us to gratefully rejoice in all Thy mercies which Thou hast vouchsafed unto us through Jesus Christ, our Lord. Morning, noon, and evening Thou art pouring forth those affections which enlarge the sphere of human life. Grant that men may interpret them in terms of working together for the common good—living in a world without abusing it or being destroyed by it. Through us, dear Father, may aspirations and glowing truths, fine nobilities, and sacrificial tasks be like bright shafts of the morning sun.

We pray Thee to lead us to a high plane of Christian life and faith that our influence and example may be for the inspiration of all our fellow citizens. Our land cannot fulfill its great mission without reverence for those institutions which make secure its glory and perpetuity. The bedrock of honor and love must rest upon that basic virtue which is reverence—reverence for authority, for age, for station, and for those who symbolize our democracy. As we walk, talk, and act, we pray that our conduct may be couched in the spirit of homage for all men. Dear Lord God, while the world is reeling, burning with tongues of fire and hate, oh, do Thou be with America, our homeland, as she valiantly climbs the paths where the heat swelters and where the vision of the glorified cross makes men brave. Amen.

The Journal of Saturday, February 28, 1942, was read and approved.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER, from the Committee on Appropriations, reported the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes (Rept. No. 1848), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. DIRKSEN reserved all points of order on the bill.

SELECTIVE SERVICE DRAFT BOARDS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, last evening I heard Mrs. Roosevelt, in her commercial broadcast for South American coffee, criticize local draft boards in the United States for not properly placing selectees in the Army according to experience and qualification of each man.

The first lady, with all her experience in handling governmental matters, should know better. Local draft boards, according to General Hershey, have nothing to do with placing men in the Army upon the basis of qualification. The facts are, that this matter is entirely handled by the Army. Each selectee is sent to a reception center for basic training and cataloging as to experience and qualification. After 3 months' training, Army officials attempt to assign each man to the place for which he is best qualified. Mrs. Roosevelt's criticism should therefore be directed to the President, who is the Commander in Chief of the Army and Navy.

The local draft boards are trying to do a good job for our country. The members of local boards are patriotic Americans who are giving their time and energy without compensation to help win the war. They have plenty of trouble without being unjustly criticized for things they have nothing to do with. Mrs. Roosevelt should see the President with her complaint.

EXTENSION OF REMARKS

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRODUCTION OF ALCOHOL

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman from Tennessee kindly explain the bill?

Mr. COOPER. Mr. Speaker, there was passed and approved on January 24, 1942, a bill introduced by the gentleman from California [Mr. GEARHART], a distinguished member of the Committee on Ways and Means. This law—Public, No. 412, Seventy-seventh Congress—permits the withdrawal from registered distilleries for all tax-free purposes of alcohol which proofs 160° or higher. This alcohol is badly needed for the manufacture of powder and explosives in the war program. It has been found that a further amendment is necessary primarily for the purpose of taking care of the production of alcohol in smaller distilleries or plants throughout the country. It is the purpose of this bill to make it possible for alcohol to be withdrawn from bonded warehouses in the smaller distilleries to be transferred to the larger distilleries to be further processed. This is badly needed in the war-production program.

As further explanation of this bill I may say that well-founded estimates of the Nation's industrial alcohol requirements for 1942 total some 275,000,000 gallons. Until recently the main suppliers of industrial alcohol have relied upon synthetic processes and the distillation of alcohol from molasses. It is estimated that those sources can reasonably be expected to produce no more than 230,000,000 gallons of alcohol in 1942. It is therefore essential that use be made for the production of industrial alcohol of the beverage distillers, who make alcohol from grain. This use has been authorized by the act of January 24, 1942 (Public, No. 412, 77th Cong.) which permits the withdrawal from registered distilleries for all tax-free purposes of alcohol which proofs 160° or higher. Two additional shortages necessitate the further amendment of the Internal Revenue Code provided by this bill.

In the first place, a serious shortage in sugar threatens the Nation and it is therefore essential that the use of molasses in the production of industrial alcohol be reduced. Such a reduction will necessitate even greater production of industrial alcohol from grain and will, in the absence of this legislation, render it impossible to make full use of the distilling capacity of the molasses plants. Further, there is reason to believe that the beverage distillers will be unable to supply the deficiency in industrial alcohol because many of them have not the necessary equipment to distill spirits to a proof greater than 160°.

The bill, as reported, authorizes the removal from beverage distilleries of spirits of any proof and the transfer of those spirits to industrial alcohol plants for redistillation to higher degrees of proof. Thus the bill will serve a threefold purpose: First, making available to the production of alcohol for ultimate industrial uses all the equipment of the beverage distillers, including the small distilleries whose equipment is such as will not permit the distillation of alcohol of 160° of proof or greater; second, enabling the use of molasses for the production of industrial alcohol to be curtailed in order that the sugar shortage may be relieved; and third, retaining in useful production the rectifying columns of the industrial alcohol plants.

The adequate production of industrial alcohol for use in the manufacture of munitions and other essential war materials is a matter of critical necessity.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Kansas, a distinguished member of the Committee on Ways and Means.

Mr. CARLSON. May I say to the gentleman from Tennessee and the House that this bill will provide for the use of millions of bushels of corn, which will take the place of sugar and other commodities that are badly needed at the present time.

Mr. COOPER. The gentleman is correct. The bill is unanimously reported by the Committee on Ways and Means. It is requested by the War Production Board as being necessary to the national defense program. It is approved by the Treasury Department.

If unanimous consent for the consideration of the bill is granted, I expect to offer a committee amendment which is clarifying in its nature. It is requested by the Distilled Spirits Institute and has the approval of the War Production Board and the Treasury Department. As further explanation of this amendment, I invite attention to the following letter from Mr. William L. Batt to the chairman of the Committee on Ways and Means.

WAR PRODUCTION BOARD,
Washington, D. C., February 26, 1942.

The Honorable ROBERT L. DOUGHTON,
Chairman, Ways and Means Committee, House of Representatives, Washington, D. C.

MY DEAR MR. DOUGHTON: At our behest, you were good enough to introduce in the House of Representatives H. R. 6543, relating to the removal of low-proof spirits from registered distilleries for further distillation. The distilled spirits industry, through the Distilled Spirits Institute, has requested us to seek the following amendment to such bill:

"On page 3, in line 6, after the colon, following the word 'chapter,' insert:

"'*Provided*, That when the spirits are so withdrawn, the tax liability of the producing distiller and the internal revenue bonded warehouseman, and the liens on the premises of the producing distiller shall cease, and the tax shall be the liability of, and the liens shall be transferred to the warehouse or plant of, the industrial alcohol bonded warehouseman or proprietor of the industrial alcohol plant to whom the spirits are transferred and further * * *.'"

The purpose of this amendment is to make it abundantly clear that the tax liability of a distiller or an internal revenue bonded warehouseman and the liens on the premises of a distiller shall cease when spirits are transferred from such distiller or internal revenue bonded warehouseman to an industrial-alcohol plant or an industrial-alcohol bonded warehouse. The Treasury Department, with whom we, together with counsel for the Distilled Spirits Institute, conferred on this matter, feels that the bill, as drawn, accomplishes this purpose. The Department is, however, willing that the point be clarified by the amendment.

We very much dislike having to trouble you further about this, but since the working out of our program of making low-proof grain spirits available for redistillation and distribution in industrial channels to supplant molasses alcohol and thus relieve the sugar situation will require the utmost cooperation from the distilled spirits industry, we strongly urge that their request for the clarifying amendment be granted. If there is anything further that we can do in this matter, please do not hesitate to call on us.

Very truly yours,

WILLIAM L. BATT,
Director of the Materials Division, War Production Board.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Pennsylvania.

Mr. RICH. I am interested to know why the distilleries are not permitted now to use corn in the manufacture of alcohol for war purposes. As I understand it, we are using a great quantity of sugar for this purpose. Sugar is a scarce article. By permitting the distilleries to use corn to produce alcohol, we would be serving a twofold purpose. We would save the sugar for domestic consumption and we would be using up our surplus of corn. Why is not that done?

Mr. COOPER. I may say to the gentleman from Pennsylvania that that is one of the main purposes of this bill.

Mr. RICH. Then I hope the bill is passed.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2883 of the Internal Revenue Code (relating to transfer of spirits at registered distilleries) is amended by adding at the end thereof the following:

"(d) Under regulations to be prescribed by the Commissioner and approved by the Secretary, distilled spirits of any proof may be removed in approved containers, including pipe lines, from any registered distillery (including registered fruit distilleries) or internal revenue bonded warehouse to any other registered distillery (including registered fruit distilleries) or internal-revenue bonded warehouse for redistillation and removal as provided in (c): *Provided further*, That any such spirits of 160° of proof or greater may be removed without redistillation from any internal-revenue bonded ware-

house as provided in (c): *Provided further*, That such spirits may be stored in tanks in any internal-revenue bonded warehouse: *And provided further*, That sections 2836 and 2870 shall not apply to the production and removal, or redistillation and removal, of such spirits.

"(e) Transfer of spirits for redistillation: Under regulations to be prescribed by the Commissioner and approved by the Secretary, and subject to the provisions of part II of subchapter C of this chapter, spirits of any proof may, without payment of tax and in bond, be removed in approved containers, including pipe lines, from registered distilleries (including registered fruit distilleries) and internal-revenue bonded warehouses to industrial-alcohol bonded warehouses and industrial-alcohol plants for redistillation and/or removal for any tax-free purpose, or upon payment of tax for any purpose, authorized by said part II of subchapter C of this chapter: *Provided*, That any such spirits of 160° of proof or greater, so removed and stored in any alcohol bonded warehouse, may be removed from such warehouse without redistillation for any tax-free purpose, or upon payment of tax for any purpose, so authorized: *And provided further*, That sections 2836 and 2870 shall not apply to the production or removal of spirits of any proof for such redistillation. This subsection and subsection (d) shall cease to be in effect upon the termination of the unlimited national emergency proclaimed by the President on May 27, 1941."

With the following committee amendments:

Page 2, in line 3, after "(c)", insert the following: "*Provided*, That in case of removals of distilled spirits to any registered distillery (including registered fruit distilleries) for redistillation, the receiving distiller shall undertake to assume liability for the payment of the tax on the spirits from the time they leave the warehouse or distillery, as the case may be: *Provided further*."

Page 2, line 14, strike out the proviso beginning with "That" down through "spirits", in line 16, and insert the following: "That sections 2836 and 2870 shall not apply to the production and removal, and such sections and sections 2800 (a) (5) and 3250 (f) (1) shall not apply to the redistillation and removal, of such spirits."

Page 3, line 4, strike out "and/or" and insert "and."

The committee amendments were agreed to.

Mr. COOPER. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. COOPER: On page 3, in line 6, after the colon following the word "chapter", insert the following: "*Provided*, That when the spirits are so withdrawn, the tax liability of the producing distiller and the internal-revenue bonded warehouseman, and the liens on the premises of the producing distiller shall cease, and the tax shall be the liability of, and the liens shall be transferred to the warehouse or plant of, the industrial alcohol bonded warehouseman or proprietor of the industrial alcohol plant to whom the spirits are transferred; and further."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed and to include a letter from Mr. William L. Batt, Director of the Materials Division, War Production Board, addressed to the chairman of the Ways and Means Committee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

GLENN DALE SANATORIUM

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4401) to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md., with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 12, after "therein.", insert: "The Commissioners of the District of Columbia are authorized to fix the term of such concession and a reasonable rental to be paid therefor: *Provided*, That no charge shall be made for such concession if granted to a nonprofit charitable corporation or association, whose primary object is to assist needy tuberculous patients in rehabilitation work."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, the amendment simply gives the Commissioners the right to award the concession?

Mr. RANDOLPH. That is right, and the Senate amended the House bill to allow a nonprofit charitable group interested in the rehabilitation of tubercular patients to have this concession at no cost if such a person can be found who would carry on the work.

Mr. MARTIN of Massachusetts. Why should the Commissioners of the District of Columbia have such authority in Glenn Dale, Md.?

Mr. RANDOLPH. This is a District of Columbia institution. It is located in Maryland, but it is a tuberculosis sanatorium for the District of Columbia.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF THE CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6375) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 4, strike out "regardless of the value thereof" and insert "of the value of less than $50."

Page 2, line 7, after "years", insert ": *Provided*, That nothing contained in this act shall be construed to affect the offense of grand larceny as defined by existing law."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, just what does this change do?

Mr. RANDOLPH. The change in the Senate amendment from the House measure simply sets the sum of money at less than $50, and this brings it in line and does not contradict the grand larceny law in the District of Columbia.

As the gentleman will recall, this is the so-called theft bill that applies to articles, including tires and other materials that are necessary in business, that are attached to automobiles.

Mr. MARTIN of Massachusetts. And this is done simply so it will not conflict with the felony laws?

Mr. RANDOLPH. That is right.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION OF SUBWAYS IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 248) to direct the Commissioners of the District of Columbia and the Public Utilities Commission to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 3 and 4, strike out "and the Public Utilities Commission."

Page 1, line 4, after "authorized", insert "and directed."

Page 1, line 8, and page 2, line 1, strike out "and the Utilities Commission."

Page 2, lines 4 and 5, strike out "and the Utilities Commission."

Page 2, line 6, strike out "March 15, 1942" and insert "120 days after the enactment of this act."

Amend the title so as to read: "Joint resolution to direct the Commissioners of the District of Columbia to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, how much money will be given for this investigation?

Mr. RANDOLPH. In answer to the inquiry of the gentleman from Massachusetts, I may say that no money will be involved in this investigation. This will be a preliminary study and the staff of the District Commissioners will do the work and then will report as to the feasibility of a more detailed study of the traffic situation as it affects subsurface transportation in the District of Columbia. There will be no cost attached to the administration of this investigation.

Mr. MARTIN of Massachusetts. Then the report comes to Congress, and Congress can make a more exhaustive study, if it wishes to do so?

Mr. RANDOLPH. Yes. One hundred and twenty days after the bill becomes a

law, the report would be made, that is, within that period of time.

Mr. RICH. Mr. Speaker, I reserve the right to object, to say this to the gentleman, that in one of the subcommittees we were told that the District of Columbia is going to construct on K Street an elevated highway. It seems to me, if that is the case, and any appropriation has been made, or any authority given for the construction of this elevated highway on K Street, to go through to Georgetown, they ought not to go ahead with it until after this committee makes its report. For instance, take New York City. It had elevated transportation, and it has eliminated most of it, and it made a wonderful change in the city. It would be a crime, in my judgment, to see elevated highways built in the city of Washington, when they can be put underground. I hope the gentleman, as mayor of the city of Washington, will see to it that there are no elevated highways built until after this committee reports.

Mr. RANDOLPH. Mr. Speaker, as far as I am informed, there is no plan to build an elevated highway on K Street. However, we are unable to keep our fingers on all that transpires in the District government. I shall look into the situation. We have a highway-building program that takes a long view and that, of course, will have in it many features. However, that has not been put into actual practice. Also, the gentleman is correct in saying that in other metropolises—New York and other cities—elevated railroads are being torn down. Certainly subhighways would be highly preferable to any elevated track in Washington, D. C., and I do not even believe that we will have to have a subway system in the District of Columbia to take care of surface tracks, over which trains will operate, but that we will, and we will need it very quickly, have subsurface traffic here which will take care of motor vehicles in transporting workers to and from their government offices.

Mr. RICH. I do not know whether I reveal anything that is of a confidential nature when I speak of things that happened in the Interior Department subcommittee on appropriations, and I do not want to do that but we have been informed by an organization that is looking after the planning in the District that we have already authorized the construction of an elevated K Street highway.

Mr. MAHON. Mr. Speaker, I reserve the right to object. I do not have a copy of the bill before me, and I did not hear the answer of the gentleman from West Virginia to the query of the gentleman from Massachusetts [Mr. MARTIN] as to the authorization features in this bill.

Mr. RANDOLPH. No cost is involved at all. The investigation will be made by the staffs who are acquainted with the problems of transportation within the District of Columbia, and then they will report back to Congress as to whether a detail study of the feasibility of subsurface traffic is desirable in the District of Columbia.

Mr. LEWIS. Mr. Speaker, I reserve the right to object in order to concur in what has been said in opposition to the construction of any elevated structures in Washington now. I call attention to the fact that any of these elevated structures requires an immense amount of steel which is needed urgently now for strictly war purposes. That is another reason why the gentleman from Pennsylvania [Mr. RICH] is correct in that we should not undertake any such program until the war is over.

Mr. RANDOLPH. Mr. Speaker, I am in agreement with the gentleman from Colorado in his observation, and the observation of the gentleman from Pennsylvania, and that is that any elevated structures in the District of Columbia should be investigated thoroughly; also the matter of priorities of steel.

Mr. SABATH. Mr. Speaker, I reserve the right to object. I did not hear the gentleman's explanation as to the elevated structure proposed. Is it the intention of the District Committee to make any such recommendations?

Mr. RANDOLPH. No. I can say, speaking for the chairman of the District of Columbia Committee, and no one else at this moment, that I would not favor an elevated system for the District of Columbia, but I do look with favor upon certain subsurface traffic arrangements in the District of Columbia.

Mr. SABATH. We in the city of Chicago built at very great expense elevated lines in 1893, and for the last 25 years we have been trying to tear them down. We were not quite ready to build and complete a subway, but in view of the fact that most subways have been completed lately, it is to be hoped that all of the elevated structures will come down, because they detract, and they have not proved to be of such service as originally was expected and believed they would be.

Mr. RANDOLPH. I think the experience of Chicago is the experience of certain other cities.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a speech made by the Assistant Secretary of War, Hon. John J. McCoy, last night, a most excellent address, which I hope the Members of the House will examine. It is entitled "The Army Seeks Officers."

The SPEAKER. Is there objection?

There was no objection.

EMPLOYEES FOR TIRE-RATIONING BOARDS

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and include in the Appendix of the RECORD a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I am just in receipt of a letter from the chairman of one of the tire-rationing boards in my State, in a county which I think will probably have 12 or 15 tires each month to ration, in which he calls attention to the fact that his board has been informed that each of the 10,000 local rationing boards is to be provided immediately with one or more full-time Government employees. It is reported that those assistants to the rationing boards are to receive $1,260 to $1,440 per year. According to the calculations he has made, the salary of one assistant for each of these boards would pay the salaries of 685,714 soldiers in the Army for 1 month.

These rationing boards have been functioning for 2 months without any clerks or assistants of any kind or character. They say they do not need them. I can understand that in some places perhaps it would be necessary to have some clerks, but I wanted to call this to the attention of the House.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement made by the Governor of North Dakota before the Committee on Rivers and Harbors.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by our colleague the gentleman from Texas, Hon. WRIGHT PATMAN, at the Washington's Birthday dinner, in Fort Worth, Tex.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by our colleague the gentleman from Texas [Mr. PATMAN] at Perrin Field, near Denison, Tex.

The SPEAKER. Is there objection?

There was no objection.

AMENDING THE MERCHANT MARINE ACT

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the proceedings whereby the House concurred in the Senate amendment to the bill (H. R. 6550) to extend and amend Subtitle—"Insurance of Title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes," be vacated. I ask to make a statement in connection therewith.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman please make a statement about this?

Mr. BLAND. The Senate committee had reported to the Senate another amendment which reads as follows:

And such authority is hereby vested in the Administrator of the War Shipping Administration in conformity with the President's Executive order of February 7, 1942.

The authority that is granted in the bill is to continue the Insurance Act, which expires March 10, 1942. The amendment which came over from the Senate was in these words as to the termination, "as the Congress by concurrent resolution or." If this consent is given it is my purpose immediately to ask unanimous consent to concur in the Senate amendment which I have just read, which vests the authority in the War Shipping Administrator that is vested in the Maritime Commission. The attorney for the War Shipping Administrator thinks that there should be specific authority in this act extending that power to the War Shipping Administrator.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6550) to extend and amend Subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes, with a Senate amendment, and concur in the Senate amendment with the following amendment, which I send to the desk.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendment, as amended.

The Clerk read the title of the bill.

The Clerk read as follows:

Mr. BLAND asks unanimous consent to concur in the Senate amendment to the bill H. R. 6550, with an amendment as follows: After the word "repeal," in line 12, page 1, of the engrossed bill, insert the following before the period: "and such authority is hereby vested in the Administrator of the War Shipping Administration in conformity with the President's Executive order of February 7, 1942, No. 9054–7–FR–873."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment as amended was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in connection with the St. Lawrence seaway project and include therein a letter from the Minnesota Farm Federation Bureau.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include extracts from certain letters.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include brief quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and insert an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial from the Commercial Appeal, Memphis, Tenn., entitled "Let All Keep Faith."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. GATHINGS]?

There was no objection.

(Mr. VAN ZANDT asked and was given permission to extend his own remarks in the Appendix.)

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an extract from an editorial entitled "We'd Like to Know," appearing in the Pataskala Standard, of Pataskala, Ohio.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter from a constituent and a letter from his son, who is now in the marines, written several days after Pearl Harbor.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BENDER] may have permission to extend his own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a column from a Fort Wayne newspaper.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and also to extend them on another topic and include editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LT. FRANKLIN D. ROOSEVELT, JR.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. VINSON of Georgia addressed the House. His remarks appear in the Appendix.]

WALTER WINCHELL

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the distinguished gentleman from Georgia, chairman of the Committee on Naval Affairs, has just rendered us a very noteworthy service in quoting the record with reference to Lieutenant Roosevelt. There is another topic on which he can give us some information. I want to ask him if he will be so kind as to inform us about Lieutenant Commander Winchell, who, it is reported, gets $5,000 a broadcast once a week on a radio program, advertising a hand lotion and peddling dirty gossip, and does it in the uniform of a lieutenant commander in the Navy. Now, I may be wrong about that, and I wish the gentleman would give us information on his record tomorrow.

Mr. VINSON of Georgia. I can tell the gentleman about that now. I have advised the Navy Department either to call him to active duty or disenroll him.

Mr. HOFFMAN. I thank the gentleman.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the reading of the Journal and the disposition of the legislative business of the day and other special orders, that the gentleman from Michigan [Mr. ENGEL] may address the House for 25 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR DAMAGE CORPORATION

Mr. SABATH. Mr. Speaker, I call up House Resolution 449, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the act (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes. That after general debate, which shall be confined to the act and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the act shall be read for amendment under the 5-minute rule. At the conclusion of such consideration the Committee shall rise and report the act to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, I offer an amendment to the resolution.

The Clerk read as follows:

Amendment offered by Mr. SABATH to House Resolution 449: Page 1, line 12, after the period insert:

"It shall be in order to consider without the intervention of any point of order the

substitute amendment recommended by the Committee on Banking and Currency now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill."

And on page 2, line 2, after the word "adopted", insert a comma and the following: "And any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute."

The amendment was agreed to.

Mr. SABATH. Mr. Speaker, this rule makes in order a bill having to do with the War Damage Corporation and provides for 2 hours general debate. The amendment I have offered to the resolution will permit a separate vote on any amendment that may be adopted by the committee.

The bill we are about to consider is an amended bill. The Senate passed a bill, by unanimous vote, as I understand it, but the Committee on Banking and Currency of the House has stricken out all after the enacting clause and substituted its own bill which was introduced a few days prior with some amendments.

The bill provides that $1,000,000,000 shall be forthcoming from the Reconstruction Finance Corporation to the War Damage Corporation and, in addition, it is provided in paragraph 5 that the Reconstruction Finance Corporation shall have certain powers by which it may acquire real estate or interest therein by purchase, lease, condemnation, or otherwise any and all property that might be needed by the Government. Section 5f (a) gives the Reconstruction Finance Corporation the power also to take over any and all leases or properties that are owned by any Government corporation. For the purpose of the record, I insert section 5f, which gives this power that I feel will unify and simplify the whole matter.

SEC. 5f. (a) Any department, agency, or independent establishment of the Government or any corporation all of the capital stock of which is owned or controlled, directly or indirectly, by the Government is hereby authorized, notwithstanding any other provision of law, to sell, transfer, or lease, with or without consideration, to the Corporation or to any corporation created or organized pursuant to section 5d of this act, any real estate and any right or interest therein.

Section 3 of the bill authorizes the increase of the amount of notes, bonds, debentures, and other obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding by an additional $2,500,000,000. This amount, I understand, is actually necessary for the further prosecution of the war.

I have stated before, I hope that in the future the Reconstruction Finance Corporation, which properly safeguards its right to the best of its ability as to any and all loans that it makes, when it comes to smaller loans that the red tape and delay will be eliminated so that the patient will not die before the doctor arrives. In other words, I hope the small firm that might be able to obtain a contract, being the low bidder, but not having sufficient funds, may obtain the aid and assistance which the Congress contemplated should be provided the small manufacturer and the small business man. Unfortunately the Reconstruction Finance Corporation in protecting itself and the Government has been extremely technical and has refused in many instances to make these smaller loans unless the Corporation was absolutely satisfied in every way that the loan would be paid. Of course, that is all well and good, and I agree with it, but if the loan cannot be made, the applicant should be informed in due time so that he may try to obtain financial aid somewhere else, and so that he may be able to say to the Government or to the department that has granted him the contract or the order: "Gentlemen, I cannot proceed because I cannot obtain financial aid." Only in that way will the defense program not be delayed. The small corporation will not be subjected to unnecessary expense if it is informed in due time that the Reconstruction Finance Corporation cannot make such loan.

I know the Members of this House, I know the country and the administration are extremely anxious to aid the small businessman and put him to work. We have thousands of small plants which are capable of taking on a good deal of work which would expedite our defense program and I do not know of any reason why the Reconstruction Finance Corporation should not change its stringent policy or practice and try to be a little more reasonable and liberal with the small businessman so that he in turn may be of aid and help to the Government. I have made this observation many times.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield with pleasure to the gentleman from Georgia.

Mr. COX. I wish the people downtown who are making the war program would sometimes lend a friendly ear to the legislative branc' of the Government. They would be very greatly profited if sometimes they would draw upon the rich experience and the seasoned judgment of my friend now addressing the House. I believe the remarks the gentleman is making are entirely pertinent. It would be well for those who are making the program to take notice of them.

Mr. SABATH. I agree with the gentleman's statement that it would be advantageous to those in charge of the various departments having to do with obtaining the needed supplies for the Government to exhibit a greater degree of coordination with the Congress. I regret, however, that many of them would resen' any recommendations made by a Member of Congress. I believe they should pay some attention to the intent of Congress and, simply because they are temporarily placed in an important position, not ignore the wishes and the intent and action of the Congress.

I have called attention to this matter many times. I have introduced bills and resolutions in the hope of helping the small businessmen. I know the administration has done a great deal already for the small businessmen, but we still have thousands of them who are ready and willing to cooperate with the departments and with the administration. I believe they should be given an opportunity to do so, and I hope that the gentlemen now in charge of the Reconstruction Finance Corporation will give consideration to the appeals, the requests, and the wishes of the Members of Congress, who are familiar with the needs of the country.

Mr. Speaker, I now yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, we on this side have no disposition to oppose this bill. We realize that the Senate has passed it almost unanimously. There have been hearings before the Committee on Banking and Currency. When various members of that committee came before the Committee on Rules, we found that there was no minority report on the bill.

The chairman of the committee has offered two amendments to the rule which we feel will make the rule even more liberal. We believe there is a need for this type of legislation. In view of this, and in order that we may expedite the passage of the bill, which no one seems to oppose, I yield back the balance of my time.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, in many, if not the majority of bills that have recently been considered by the Congress, there is contained a provision that the powers granted under the act may be terminated or that facts may be found by the Congress which would operate as a termination of the powers granted, by concurrent resolution. The purpose of this is to preclude the President from exercising his veto power over legislation. It is contained in the legislation we are considering. The veto power is a constitutional power of high order vested in the President. The Constitution having granted this power, provides:

Every order, resolution, or vote to which the concurrence of the Senate and the House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitation prescribed in the case of a bill.

The power granted under this section, it seems to me, cannot be destroyed or nullified by any legislative makeshift, device, or subterfuge, or attempted legislative reservation. I cannot find a decision of a specific case on this subject. The parliamentary authorities would probably hold that it is a constitutional question beyond their jurisdiction to decide and the courts would probably hold it is one of legislative procedure, involving the authority of a coordinate branch of government and is a political question and would also refuse to assume jurisdiction. However, the Committee on the Judiciary of the Senate considered this question very thoroughly and on January 27, 1897, Mr. David B. Hill, of New York, from that committee, a profound student of the Constitution, submitted a very exhaustive report on that subject.

This report is contained in Hinds' Precedents, volume 4, pages 329–331, section 3483, which is as follows:

Although the requirement of the Constitution seems specific, the practice of Congress has been to present to the President for approval only such concurrent resolutions as are legislative in effect. On January 27, 1897, Mr. David B. Hill, of New York, from the Committee on the Judiciary, submitted to the Senate a report which that committee had been directed to make on the subject of joint and concurrent resolutions and their approval by the President. The subject involved the construction of a portion of section 7 of article I of the Constitution. The committee found that in the first 12 Congresses there were one or two instances of simple resolutions being approved by the President; and that, with one or two exceptions, all joint resolutions were approved. These exceptions were in cases where Congress made requests or recommendations not involving any legislative act. In the first 50 years of the Government the whole number of joint resolutions did not exceed 200, but they gradually increased thereafter, until in the Forty-first Congress alone the number exceeded 500. The joint resolutions have been largely used since, but not to the extent reached in that Congress. Except in the few instances in the early Congresses, all joint resolutions have been presented to the President and have been acted on by him.

The committee found that the passage of concurrent resolutions began immediately upon the organization of the Government, but their use has been, not for the purpose of enacting legislation, but to express the sense of Congress upon a given subject, to adjourn longer than 3 days, to make, amend, or suspend joint rules, and to accomplish similar purposes, in which both Houses have a common interest, but with which the President has no concern.

The report continues:

They are frequently used in ordering the printing of documents, in paying therefor, and in incurring and paying other expenses where the moneys necessary therefor have previously been appropriated and set apart by law for the uses of the two Houses.

Concurrent resolutions from their very nature require the concurrence of both Houses to make them effectual, and if the Constitution in section 7, before quoted, has reference solely to the form, and not to the substance of such resolutions, they must of course be presented to the President for his approval.

For over a hundred years, however, they have never been presented. They have uniformly been regarded by all the departments of the Government as matters peculiarly within the province of Congress alone. They have never embraced legislative provisions proper, and hence have never been deemed to require Executive approval.

This practical construction of the Constitution, thus acquiesced in for a century, must be deemed the true construction, with which no court will interfere (*Stuart* v. *Laird*, 1 Cranch, 299). If it be contended that the exception in section 7 (whereby adjournment resolutions are excluded from those which must be presented to the President, although they require the concurrence of both Houses) somewhat corroborates the theory that all other concurrent resolutions are intended to be included, regardless of their character, it may be answered that such exception was rendered necessary because of that other provision of the Constitution (art. I, sec. 5, subdivision 4) which prevents adjournments for more than 3 days without the consent of each House. Such adjournment resolutions were therefore constitutionally required to be concurrent because the "concurrence" of both Houses was under the Constitution itself necessary thereto to make them valid, and if there had been no exception contained in said section 7 all such resolutions would have been required to be presented to the President, which would be an unprofitable and useless proceeding, as Congress itself should have the sole right to determine the question of its own adjournment, the President being sufficiently protected in such matters by his power to convene Congress whenever he deems it desirable.

In other words, the exception was necessary in order to take certain adjournment resolutions out of the category of those "to which the concurrence of the Senate and House of Representatives may be necessary," under the other provisions of the Constitution, and for that good reason all adjournment resolutions were appropriately excepted.

After referring to Revised Statutes (2d ed., 1878), sections 7, 8, and 205, and the printing law (ch. 23, laws of 1895, sec. 59) for evidences of the views taken by legislators of the subject, the committee came to the following conclusions:

It should also be stated that it has been the uniform practice of Congress, since the organization of the Government, not to present concurrent resolutions to the President for his approval, and to avoid incorporating in such resolutions any matter of strict legislation requiring such presentation. As a matter of propriety and expediency it is believed to be wise to continue that course in the future.

We conclude this branch of the subject by deciding the general question submitted to use, to wit, "whether concurrent resolutions are required to be submitted to the President of the United States," must depend, not upon their mere form, but upon the fact whether they contain matter which is properly to be regarded as legislative in its character and effect. If they do, they must be presented for his approval; otherwise, they need not be. In other words, we hold that the clause in the Constitution which declares that every order, resolution, or vote must be presented to the President, to "which the concurrence of the Senate and House of Representatives may be necessary," refers to the necessity occasioned by the requirement of the other provisions of the Constitution, whereby every exercise of "legislative powers" involves, the concurrence of the two Houses; and every resolution not so requiring such concurrent action, to wit, not involving the exercise of legislative powers, need not be presented to the President. In brief, the nature or substance of the resolution, and not its form, controls the question of its disposition.

The other body has always been jealous of its rights, powers, and prerogatives and this opinion, which in effect holds that the Executive cannot be divested of his constitutional power of veto of legislation by any device or attempted reserved power of the legislative branch contained in the act, should be considered as a declaration against interests and should be given great weight not alone because of its unanswerable arguments but also because of the conceded effect it would have in diminishing the authority of the legislative branch which accepted it.

I make this statement because in my humble judgment which I know is very fallible, the provision that legislation may be terminated by concurrent resolution which would not be presented to the President has no effect whatever and I can very easily see how it might result in embarrassment to the legislative branch, because if the concurrent resolution providing for the termination of the power of the R. F. C. to institute proceedings for condemnation as provided herein is not presented to the President, he would probably direct that their exercise be continued and if the resolution is presented to him he will have the opportunity and authority to veto it.

I know there are able lawyers in the House who differ from me on this subject. I shall not offer an amendment to strike out the provision that the powers granted may be terminated by concurrent resolution, because I think that provision is ineffective, but I do believe it has a tendency to mislead the Congress.

The act provides the powers granted to institute condemnation proceedings shall in any event terminate at the conclusion of the present war and they certainly should not terminate before that time.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an excerpt from Hinds' Precedents.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Ohio [Mr. JENKINS] for a unanimous-consent request.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

WAR DAMAGE CORPORATION

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. STEAGALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 2198) to provide for the financing of the War Damage Corporation to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 2198, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. STEAGALL. Mr. Chairman, this bill would establish a corporation to be called the War Damage Insurance Corporation, under the Reconstruction Finance Corporation.

On December 13, last, the President authorized the Reconstruction Finance Corporation, under a provision of existing law, to organize a corporation called the War Risk Insurance Corporation, and allocated $100,000,000 to establish the capital structure of that Corporation in that amount.

Following that order there was publication of the organization of this Corporation, and a proclamation issued that

the Corporation would insure against damage, caused by enemy attack, to property in the continental United States. On the 22d day of December this proclamation was amended so as to include within the benefits provided not only property in the continental United States, but property in the possessions of the United States, the protection to be afforded being within the limit of the $100,000,000 fund which had been set aside by the President for the capital structure of the Corporation.

The bill before us is in the nature of an amendment to the Senate bill. The name of the Corporation as now provided in the bill is the War Damage Insurance Corporation.

The first provision of the bill would authorize the Reconstruction Finance Corporation to exercise the power of eminent domain for the purpose of securing title to real estate where necessary in connection with activities of the Corporation in promotion of the national defense program. This power would be conferred under the general law and exercised in the same way as is done by the War Department, the Navy Department, and the Federal Works Administration.

The next provision of the bill would authorize insurance damage incurred to property throughout the United States or its possessions, or property in transit between the United States and its possessions.

The fund supplied for the purpose of the service contemplated is the amount of $1,000,000,000, which the Corporation would be authorized to borrow. All real property and tangible personal property would be protected under the provisions of the bill, and the law would be retroactive to cover all such damages as have occurred since the 7th day of December.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I will yield in just a few moments.

The bill provides that insurance back to that time may be afforded without assessment of charges, and the same rule would apply until the end of the present fiscal year at the latest or at an earlier date to be announced by the Corporation, which will be done as soon as the necessary preliminary steps can be perfected to put the corporation into operation. Until that time, whether at the end of the fiscal year or prior to that time, it is expected that within 30 to 60 days, when the Corporation will be organized and ready to begin its activities, under the permanent plan the Corporation would be authorized to render this service without charge. After that date the Corporation would establish reasonable charges for the service.

It is not contemplated that the Corporation will establish personnel to do this service. Preliminary plans are under way and will be consummated as soon as can be done after the legislation is passed and approved, authorizing the Corporation to begin its service. The Corporation will arrange with existing insurance companies to supply sufficient personnel and necessary information, actuarial tables, and all things required for putting the plan into effect.

Another provision in the bill would increase the borrowing and lending power of the Reconstruction Finance Corporation in the sum of $2,500,000,000.

In this connection I may say we were informed that the Corporation now finds its funds exhausted, and this has resulted from various activities in which the Corporation was required by the act of Congress to engage, and it is contemplated that the additional funds to be supplied will be used in furtherance of the national defense program.

The authority is for a general increase in the borrowing and lending powers of the Corporation, but the increase is caused by the necessity for rendering various services that the Congress has required of the Corporation in connection with the defense program. A full statement of the accounts of the Corporation from its beginning down to this time is available in the hearings held by the Banking and Currency Committee. If any Member is desirous of information in that connection I suggest that it is available there.

I now yield to the gentleman from California.

Mr. HINSHAW. Mr. Chairman, I would like to ask the distinguished Chairman of the Committee if the damage sustained in my part of the country recently from falling shells from our own troops, when it is not determined whether or not there was an enemy attack, would be covered by this bill.

Mr. STEAGALL. The Banking and Currency Committee will submit an amendment which is designed to take care of the particular situation to which the gentleman calls attention and to any similar occurrence.

Mr. HINSHAW. I thank the gentleman.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. In lines 20 and 21, on page 8, it seems this would apply to the United States, including the several States and the District of Columbia, the Philippine Islands, the Canal Zone, the Territories and the possessions of the United States, and then it goes on to say, "and in such other places as may be determined by the President to be under the dominion and control of the United States." I am wondering what is contemplated under this additional coverage.

Mr. STEAGALL. Of course, that leads us into the field of conjecture, but we might very well imagine some development that would make necessary that the Government supply this service in terirtory not specifically designated here now, because we cannot anticipate all the developments in this world-wide war.

Mr. COFFEE of Nebraska. It is not contemplated to pay any damages to any territory that might be lost to control of the United States?

Mr. STEAGALL. I do not quite catch the gentleman's question.

Mr. COFFEE of Nebraska. Is it contemplated to have the War Damage Corporation pay out damages to those in territories that might be occupied by the enemy?

Mr. STEAGALL. That would depend, of course, upon circumstances. There would not be blanket authority to take care of all damages, but, insofar as damages might occur to citizens of the United States, of course, the law would apply.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. HINSHAW. On page 8 of the committee bill, in line 11, it is stated, "or prior to a date to be determined by the Federal Loan Administrator and in no event later than July 1, 1942." Would the gentleman answer why that date was not made December 7, 1941, instead of July 1, 1942?

Mr. STEAGALL. The date fixed of July 1, 1942, is the limit of time within which the Corporation will be allowed to establish its permanent plans and discontinue free insurance.

Mr. HINSHAW. The bill reads, page 8, line 8:

> Any such loss or damage sustained prior to the approval of this act, or prior to a date to be determined by the Federal Loan Administrator, and in no event later than July 1, 1942, may be compensated, etc.

I see you have already taken into consideration the loss prior to that time?

Mr. STEAGALL. Yes.

Mr. HINSHAW. You have taken care of this damage in the previous phrase that occurred prior to that time.

Mr. STEAGALL. Yes.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. MICHENER. Am I correct in this assumption: First, that under existing law there does exist a corporation set up by the R. F. C. which insures all of our citizens against all damage by reason of an attack as contemplated by this bill?

Mr. STEAGALL. That is true, within the limits of the funds supplied, which amount to $100 000,000.

Mr. MICHENER. That is what I am getting at. The law provides that everybody in the United States is insured against all property damage by reason of these attacks. Second, this bill is a restriction on that law and not an extension of it. This bill provides that no one shall be insured in the United States under this bill or existing law after July 1, unless between now and July 1 application is made to this new War Damage Corporation, and insurance taken out for which a premium is paid. Is that correct?

Mr. STEAGALL. No. The gentleman, I am sure, has the correct idea of what we are undertaking to do, but I do not think that he has expressed exactly his own idea. It is not intended that nobody can obtain insurance after the 1st of July, or the earlier date upon which a permanent plan may become effective, but free insurance applies up to that time, and after then nobody would be insured except upon application and by contract and the payment of charges.

Mr. MICHENER. Probably I used unfortunate or clumsy language, but I re-

peat, under existing law, every citizen of the United States is insured against this particular kind of damage. After July 1, if this bill becomes law, then only those persons who have taken advantage of the law between now and July 1 will have any protection in the way of damage-by-attack insurance under the law.

Mr. STEAGALL. No; that does not accurately express it. They will not be protected after the 1st of July until they obtain a contract for insurance.

Mr. MICHENER. That is what I was trying to ascertain. All insurance under existing law, so far as injury happening after July 1, is wiped out unless the insured seeks the insurance, makes the application, and pays such premium as the Corporation shall designate as a premium for such insurance.

Mr. STEAGALL. No. Until July 1 the insurance will be free, and any loss occurring up to that time will be taken care of insofar as funds made available are sufficient. After that, everybody will have to come in and pay for the insurance.

Mr. MICHENFR. I think we understand each other. The new capital of the new corporation is to be $1,000,000,000; is it not?

Mr. STEAGALL. That is correct.

Mr. MICHENER. And the capital under the present corporation is $100,000,000?

Mr. STEAGALL. Existing capital is $100,000,000, under the Executive order.

Mr. MICHENER. And this is a restriction on the insurance of citizens, and not additional insurance in favor of citizens?

Mr. STEAGALL. Practically the situation is that this bill will become a law—I had not given thought to whether or not the $100,000,000 goes out of the picture—but anyhow, this law will be the plan under which the insurance will be afforded, and it will be retroactive, within the limits of $1,000,000,000, as provided in the bill. This bill would supplant the present plan. The $100,000,000 is a temporary fund, established under Executive order, in contemplation of legislation to establish a permanent method.

Mr. MICHENER. As I recall, the Congress gave the R. F. C. authority to set up corporations for specific purposes. In addition to the specific purposes enumerated, the law provided in substance, that it could also form corporations to carry out the functions of activities relating to the national defense. Relying upon that authority, the President, by proclamation, set up this $100,000,000 corporation.

Now, the gentleman says that this original corporation was set up with the intention that it would be superseded at a later date by a corporation established and authorized by law Is that correct?

Mr. STEAGALL. Of course in imputing intentions my statement might have been rather broad, but I am assuming that is what was contemplated. It is certainly what we are undertaking to do. The plan established by Executive order and under proclamation of the Reconstruction Finance Corporation was intended, of course, to bridge over that period and to relieve citizens of the country from the fear of damages that might be inflicted and to guard against possible developments that might affect the morale of the public.

Mr. MICHENER. I am not opposed to the bill. I think I understand the bill. This $100,000,000 was sort of an opiate to keep the people from feeling that the war would not be so bad; that if there was damage from enemy attack, the people would be reimbursed. Now we are being attacked and are trying to do something which might be effective. We all realize that the $100,000,000 would be but a drop in the bucket if there is any real damage. The only objection I have heard to this bill is the objection which the distinguished chairman has heard, that only those people will be affected after July 1 who make application to take out insurance before that date. For instance, the Empire State Building in New York City will undoubtedly be fully advised and take out insurance under this law at once. The little home owner, the fellow down along the creek, probably may not know about the change in the law. Probably he will not take out the insurance. If there is damage, only the person will be protected who takes out the insurance?

Mr. STEAGALL. That would be after the plan becomes effective. I think we would be too optimistic to hope that there would be anything like general Nationwide contracts of insurance, because the necessity for it would not be recognized except in certain areas.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. WHITE. Does this War Insurance Corporation apply to cargoes and ships on the high seas?

Mr. STEAGALL. Yes; under certain conditions.

Mr. WHITE. Then the Government is taking a direct loss in all of the torpedoings of cargoes and oil tankers and things like that under the operation of this act?

Mr. STEAGALL. I yield to the gentleman from Virginia [Mr. BLAND], who will make the explanation that I was going to make to the gentleman.

Mr. BLAND. Things like that are being taken care of under the war-insurance bill, which was extended today. I have just put into the basket a report on the amendment to that bill, which covered every phase of the marine liability and risk.

Mr. WHITE. What about loss of life?

Mr. BLAND. That is being carried under the insurance now and is provided for.

Mr. STEAGALL. The gentleman from Virginia has stated the situation correctly, but this bill provides that kind of insurance only where the Maritime Commission is not authorized by law to render that service. There would be no conflict. The Corporation would only come in when the Maritime Commission could not render the service.

Mr. BLAND. In other words, if there should be a case which is not covered by the maritime-insurance legislation, then this bill takes care of that.

Mr. STEAGALL. That is quite correct.

Mr. BLAND. Although we do not conceive just what it will be; but it takes care of it.

Mr. STEAGALL. That is quite correct.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Missouri.

Mr. PLOESER. Up until this time we have had blanket coverage of insurance by Executive order on all property in the United States and our possessions, have we not?

Mr. STEAGALL. That is correct.

Mr. PLOESER. Was it the intention of the committee to go from a blanket form of insurance, in which every citizen owning property was provided in unlimited amount up until now, as I understand it, to an actual contract of normal insurance business for war risk?

Mr. STEAGALL. That is correct. The gentleman will understand that we could not go back and contract when people suffered damages, such as the people of Hawaii on the 7th of December. That is behind us and nothing can be done about it except what we can do retroactively.

Mr. PLOESER. I understand, and I am not criticizing; but in the Senate version of this bill, and apparently in the administration version of this bill as it was sent down, there was still an intention of continuing blanket insurance without premium; is that true?

Mr. STEAGALL. I had not intended to get in a discussion of the Senate bill. The Senate bill would provide free insurance up to the amount of $15,000 for everybody

Mr. SAUTHOFF. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. What I cannot reconcile myself to is this: We give insurance to property up to $15,000 without any compensation. At least, that is in the Senate bill. Then we charge a soldier a few dollars on every pay check in order that he may carry insurance. To me there is no justice in that.

Mr. STEAGALL. Let me say to the gentleman frankly that was one of the questions that arise in connection with this bill upon which there is no general agreement. The Senate bill provides for free insurance up to the amount of $15,000. The House bill provides for the assessment of charges, which, of course, it is contemplated will be enough to cover cost and incidental charges. The details would be a matter of administration. The House bill provides for the assessment of charges when the permanent plan goes into effect. Now, the practical situation is if this bill passes as it is written, the Senate bill will have a provision for $15,000 free insurance. The House provision will have a permanent system that contemplates charges for the services, and the matter will be in conference.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Florida.

Mr. GREEN. One of the provisions of the Senate bill is free insurance for all property owners up to $15,000.

Mr. STEAGALL. Yes.

Mr. GREEN. If the provision becomes operative as a result of the Senate or the House bill what provision would be made for the actual property owner in Florida, for instance, to get under this bill? Does he have to pay for it?

Mr. STEAGALL. Under the permanent plan provided in the House bill he would be required to have a contract and pay charges.

Mr. GREEN. Through what agency of the Government? Is a new agency of the Government set up in the bill or would it be through the Treasury Department?

Mr. STEAGALL. No; this bill establishes an agency under the Reconstruction Finance Corporation to be called the War Damage Insurance Corporation.

Mr. GREEN. Could people get property insured against bombs and other war damage?

Mr. STEAGALL. They get it by contract if this plan goes into effect, we hope not later than the first of July 1942; and we were advised by the Reconstruction Finance Corporation that they hope to be able to put it into effect sooner than that.

Mr. GREEN. That would be protection against bombing and other war damage?

Mr. STEAGALL. Under the language of the bill, it covers all damage caused by enemy attacks. We expect to offer a committee amendment that will broaden this language so that it will cover what I would designate as damage incidental to enemy attack.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. COX. I would like the gentleman to clarify one point, and that is with reference to the free insurance; is this insurance on property or is it insurance on individuals? For instance, to illustrate my point, our colleague, the Resident Commissioner from the Philippine Islands, and his family have suffered a loss of approximately $6,000,000 in physical property. Would he be indemnified on separate pieces of property to the extent of $15,000 each, or would $15,000 be his full recovery for the loss he has sustained on all the pieces of property he owns?

Mr. STEAGALL. Fifteen thousand dollars would be on property. The Senate bill has a provision establishing free insurance both retroactively and in the future up to the amount of $15,000; but under the House bill all insurance would be free up to the 1st of July or an earlier date announced by the Corporation, and after that charges would be assessed by the Corporation.

Mr. COX. Let me illustrate: If an individual owns, say, 20 apartment houses in the city of Washington and in the event of a raid all of them are destroyed, to what extent is he insured? To any point beyond $15,000?

Mr. STEAGALL. To everybody on everything if the plan decided upon goes into effect, up to the time the permanent plan becomes operative.

Mr. COX. In other words, would that be free insurance to the extent of $15,000 on all his property or would it be $15,000 on each individual apartment house or piece of property? I wish the gentleman would clarify that.

Mr. STEAGALL. The $15,000 limitation is in the Senate bill, which is a provision establishing free insurance for everybody up to the amount of $15,000.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes; for a question.

Mr. PLOESER. I wanted to call the gentleman's attention to the language on page 4 of the bill. I believe, according to this language as it came from the Senate, it might be normally considered that the normal practice of fire insurance would be followed, that each individual risk would be insured to the limit of $15,000. For instance, if a man owned five different pieces of property, each would be separate risks unto themselves and be insurable up to $15,000. The language is very ambiguous but I think it would be interpreted in accordance with normal insurance practice.

Mr. STEAGALL. It is the property that is protected.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. BROWN of Georgia. Under the Senate bill, Mr. Jesse Jones supported the theory that there should not be any premium charged. I introduced this amendment. Finally Mr. Jones agreed to my amendment, that liberal premiums should be charged after the effective date of this act. That is the difference between the Senate and the House bills.

Mr. STEAGALL. I have tried to make it clear that the Senate bill provides free insurance up to the amount of $15,000 whereas the House bill provides for free insurance under the temporary plan without limit up until the 1st of July, but after the 1st of July or such earlier date as the corporation may be able to put the permanent plan into effect all persons who benefit by the service will be charged.

Mr. BROWN of Georgia. The point I want to make is that Mr. Jones testified before the Senate Committee taking the position that the insurance should be free, but before the House committee he supported the theory that premiums should be charged.

Mr. STEAGALL. Mr. Jones made the statement that he first entertained the view that the insurance should be free. He did not support the Senate provision of $15,000 but stated that in his opinion insurance should be free up to a certain amount. Then upon reflection he said he had come to feel that under the permanent plan there should be a charge of some kind for all insurance.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. GORE. During the consideration of this matter in the committee it was pointed out very forcibly by the gentleman from Missouri [Mr. WILLIAMS] that it would not be fair to limit the insurance to $15,000 because possibly it might be a stock company, it might be a partnership and several people might be involved; that if you limit it to $15,000 for one specific piece of property there would be disparity between the rights of the individual owners. The committee very wisely struck out that limitation.

Mr. STEAGALL. Mr. Chairman, I am not undertaking now to argue about the merits of the bill. I am only undertaking, if I may, to explain the provisions of the bill. I assume we will have further discussion of the bill. I am only undertaking to say what is in the bill.

Mr. EBERHARTER. Will the gentleman yield?

Mr. STEAGALL. Briefly. I must conclude in order to save time for other Members.

Mr. EBERHARTER. As I understand the bill, as it is recommended by the House committee there is no limitation or restriction or direction to this new agency as to what premiums it will charge?

Mr. STEAGALL. There cannot be. That will have to be worked out in council with officials of the insurance companies and with regard to actuarial tables, all of which will be matters of administration.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Is it contemplated to make this insurance available through all the insurance agencies and existing insurance companies and to have the War Damage Corporation reinsure?

Mr. STEAGALL. No. That plan is authorized by the bill, but in practice it is probable that the Corporation will take the risk and will employ these agencies to supply sufficient information and furnish personnel.

Mr. PATMAN. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Texas.

Mr. PATMAN. It has been stated that Mr. Jones stated his views during the course of the committee hearings. Is it not a fact that one of the things which caused him to change his views was the suggestion, which, of course, is a fact, that real property and the property to be protected under this insurance plan does not pay any tax at all for our national defense and in our war effort? That is, directly. In other words, a person could own a million dollars or a billion dollars worth of property and if he did not make any profit on it, he would not have to pay any tax at all for its defense during the war. Was that not one of the considerations Mr. Jones had in mind?

Mr. STEAGALL. That was all brought out in the discussion.

Mr. Chairman, I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I am going to endeavor to outline this as I understand it, and if anyone on the Committee disagrees with me, I hope he will interrupt. I am quite sure that it is not clear to the Members of the House what the history of this war-risk insurance has been since the Pearl Harbor incident.

First of all, as I understand it, there was an Executive order setting up this War Risk Damage Insurance Corporation, with a capitalization of $100,000,000, and the order gave blanket and automatic insurance in unlimited amount to all property within the United States of America and its possessions. That was done by Executive order, as I stated, and had a great many merits. It provided all home owners with insurance, for example, which many of them could not otherwise buy, and which many of them will never quite understand how to buy in time to be of any benefit to them. Then the Senate bill changed that version of the original plan to the extent that it limited the individual risk to $15,000, as I understand it.

The Senate version of the plan went so far as to cover all properties in transit, which included any marine risk, ocean-going marine risks, as well. That involves another question aside from the first point I want to make in this discussion. I will come back to that later, because the administration by its own act there was defeating some of its worthwhile purposes.

The House version of the thing as it comes to the floor, and as recommended by the committee, wipes out entirely the original move made and described to the public by the Secretary of Commerce or the head of the Reconstruction Finance Corporation in the setting up of this original blanket insurance plan. In other words, according to the House version of the bill as we are asked to pass on it today, we merely put the Government in the war-risk insurance business after July 1, 1942, on a competitive basis with all other independently owned insurance risk companies.

Mr. GORE. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Tennessee.

Mr. GORE. Mr. Jones, in testifying before the committee, said that this should be worked out on an actuarial basis and that it was quite possible that established insurance companies would be allowed to participate and that the Corporation might reinsure. To that extent it would not be competitive; it would be cooperative.

Mr. PLOESER. Every insurance company—and having been in that business for 20 years myself, I am somewhat acquainted with the practice—works on an actuarial basis. The fact your competitor works on the same basis makes him no less a competitor. The point is whether or not we give this insurance to the public with certain limitations or whether we charge them a premium for it. If the Government is to be sound in its operations, it will spread the risk, which is the basic purpose and theory of the operation of insurance in any form, and will thereby undoubtedly buy reinsurance if and when available.

Mr. SPENCE. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Kentucky.

Mr. SPENCE. I think the hearings disclose the fact that the insurance companies were perfectly willing to take these war risks when there is no opportunity for loss at all. After the war came on, you could not get a dollar of that kind of insurance.

Mr. PLOESER. That is not fact.

Mr. SPENCE. Well, that is the statement that appeared in the hearings. It is in the record, and Mr. Jones stated that.

Mr. PLOESER. Well, I am telling the gentleman that there are certain companies advertising today for war-risk insurance, and they have been all during this period.

Let me clarify this point about the Government going into war-risk insurance. There is no established actuarial basis of experience for war-risk property-damage insurance in the United States, so there will not be any great, wise man either in the Government or in any private risk corporation who will be able to give you the ultimate answer without gambling to learn that answer.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Tennessee.

Mr. GORE. The gentleman is making a very learned statement. There is a need for the Government going into this insurance. As for spreading the risk, I thought this insurance should be free of charge, and that war-risk insurance for soldiers should be provided free of charge to the soldier. This is the people's war, it is the war of all of us, it is the whole Nation's war, and we all should share the risk. The people of Tennessee, who likely will need no war-damage insurance, should bear their proportionate part of the loss of the people in New Jersey, for instance. I have yielded, however, to the judgment of my committee and am supporting the committee viewpoint.

The gentleman is right that no actuarial basis has been worked out, but my statement was that Mr. Jones said he would work with the established insurance companies in arriving at an actuarial basis, that he would cooperate with them and that they would be allowed to participate, and to that extent it was cooperative rather than competitive. It is competitive at any time whenever you have a bidding on rates, but when an actuarial basis is reached and agreed upon by the Corporation and by the established insurance companies, and they participate—the Corporation many times serving as a reinsuring agency—then it is not so much competitive as it is cooperative.

Mr. PLOESER. The fact that you spread the risk in the insurance business by means of reinsurance does not in any way eliminate the competitive feature of the insurance business. All insurance companies that write risks of any sizeable amount reinsure; they must to live, and they reinsure with their most earnest competitors. They compete viciously, sometimes, for the same risk, only to reinsure it among themselves after they have it. So you are not eliminating the competitive feature by saying that this War Risk Insurance Corporation is going to operate according to the time-established customs of all insurance corporations, which is just what the gentleman said. I do not mean by that that we should not establish this corporation.

If these questions will ever stop I shall get to the point I am trying to make. In the meantime, if the distinguished gentleman from Michigan will give me enough time, I shall go on and answer the questions.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from New Jersey.

Mr. KEAN. The gentleman's statement that companies will give bomb insurance surprises me because that is contrary to what was testified before the committee. Is the gentleman sure that would be done in areas like New Jersey and Pennsylvania?

Mr. PLOESER. Every insurance carrier is going to pick its risks. It is going to pick that risk according to locality and it is going to pick that risk according to desirability. I grant you that it is quite probable—and therefore, this need exists—that wise underwriters will not run up and down both the eastern and western coasts picking the most vulnerable risks. Therefore, it follows that the interior of the country is not going to concern itself much with the purchase of this insurance from the War Risk Insurance Corporation, with the result that the actuarial basis about which the gentleman speaks will be greatly accentuated on the loss side. Therefore, this will develop into a very high-premium proposition, because the two seaboards will be the only customers that amount to anything.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDRESEN. I was glad to hear the gentleman from Tennessee [Mr. GORE] make the statement that such insurance should be more or less free, up to a certain extent. In view of that statement, does not the gentleman believe we should also give the men in the service free insurance to some extent?

Mr. PLOESER. I am going to vote for this bill; but if I had this bill in the form I should like to see it, I would give possibly $10,000 or $15,000 automatic blanket coverage to all property holders, that is, on the individual risks.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield 1 additional minute to the gentleman from Missouri.

Mr. PLOESER. I would give them that much, and then, under the War Risk Insurance Corporation, I would accept risks in excess of that amount. It would give us a better basis on which to experiment to find out what is the necessary premium required to pay these losses. It will reduce the original acquisition cost of this business, because there

Mr. STEAGALL. I yield to the gentleman from Florida.

Mr. GREEN. One of the provisions of the Senate bill is free insurance for all property owners up to $15,000.

Mr. STEAGALL. Yes.

Mr. GREEN. If the provision becomes operative as a result of the Senate or the House bill what provision would be made for the actual property owner in Florida, for instance, to get under this bill? Does he have to pay for it?

Mr. STEAGALL. Under the permanent plan provided in the House bill he would be required to have a contract and pay charges.

Mr. GREEN. Through what agency of the Government? Is a new agency of the Government set up in the bill or would it be through the Treasury Department?

Mr. STEAGALL. No; this bill establishes an agency under the Reconstruction Finance Corporation to be called the War Damage Insurance Corporation.

Mr. GREEN. Could people get property insured against bombs and other war damage?

Mr. STEAGALL. They get it by contract if this plan goes into effect, we hope not later than the first of July 1942; and we were advised by the Reconstruction Finance Corporation that they hope to be able to put it into effect sooner than that.

Mr. GREEN. That would be protection against bombing and other war damage?

Mr. STEAGALL. Under the language of the bill, it covers all damage caused by enemy attacks. We expect to offer a committee amendment that will broaden this language so that it will cover what I would designate as damage incidental to enemy attack.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. COX. I would like the gentleman to clarify one point, and that is with reference to the free insurance; is this insurance on property or is it insurance on individuals? For instance, to illustrate my point, our colleague, the Resident Commissioner from the Philippine Islands, and his family have suffered a loss of approximately $6,000,000 in physical property. Would he be indemnified on separate pieces of property to the extent of $15,000 each, or would $15,000 be his full recovery for the loss he has sustained on all the pieces of property he owns?

Mr. STEAGALL. Fifteen thousand dollars would be on property. The Senate bill has a provision establishing free insurance both retroactively and in the future up to the amount of $15,000; but under the House bill all insurance would be free up to the 1st of July or an earlier date announced by the Corporation, and after that charges would be assessed by the Corporation.

Mr. COX. Let me illustrate: If an individual owns, say, 20 apartment houses in the city of Washington and in the event of a raid all of them are destroyed, to what extent is he insured? To any point beyond $15,000?

Mr. STEAGALL. To everybody on everything if the plan decided upon goes into effect, up to the time the permanent plan becomes operative.

Mr. COX. In other words, would that be free insurance to the extent of $15,000 on all his property or would it be $15,000 on each individual apartment house or piece of property? I wish the gentleman would clarify that.

Mr. STEAGALL. The $15,000 limitation is in the Senate bill, which is a provision establishing free insurance for everybody up to the amount of $15,000.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes; for a question.

Mr. PLOESER. I wanted to call the gentleman's attention to the language on page 4 of the bill. I believe, according to this language as it came from the Senate, it might be normally considered that the normal practice of fire insurance would be followed, that each individual risk would be insured to the limit of $15,000. For instance, if a man owned five different pieces of property, each would be separate risks unto themselves and be insurable up to $15,000. The language is very ambiguous but I think it would be interpreted in accordance with normal insurance practice.

Mr. STEAGALL. It is the property that is protected.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. BROWN of Georgia. Under the Senate bill, Mr. Jesse Jones supported the theory that there should not be any premium charged. I introduced this amendment. Finally Mr. Jones agreed to my amendment, that liberal premiums should be charged after the effective date of this act. That is the difference between the Senate and the House bills.

Mr. STEAGALL. I have tried to make it clear that the Senate bill provides free insurance up to the amount of $15,000 whereas the House bill provides for free insurance under the temporary plan without limit up until the 1st of July, but after the 1st of July or such earlier date as the corporation may be able to put the permanent plan into effect all persons who benefit by the service will be charged.

Mr. BROWN of Georgia. The point I want to make is that Mr. Jones testified before the Senate Committee taking the position that the insurance should be free, but before the House committee he supported the theory that premiums should be charged.

Mr. STEAGALL. Mr. Jones made the statement that he first entertained the view that the insurance should be free. He did not support the Senate provision of $15,000 but stated that in his opinion insurance should be free up to a certain amount. Then upon reflection he said he had come to feel that under the permanent plan there should be a charge of some kind for all insurance.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. GORE. During the consideration of this matter in the committee it was pointed out very forcibly by the gentleman from Missouri [Mr. WILLIAMS] that it would not be fair to limit the insurance to $15,000 because possibly it might be a stock company, it might be a partnership and several people might be involved; that if you limit it to $15,000 for one specific piece of property there would be disparity between the rights of the individual owners. The committee very wisely struck out that limitation.

Mr. STEAGALL. Mr. Chairman, I am not undertaking now to argue about the merits of the bill. I am only undertaking, if I may, to explain the provisions of the bill. I assume we will have further discussion of the bill. I am only undertaking to say what is in the bill.

Mr. EBERHARTER. Will the gentleman yield?

Mr. STEAGALL. Briefly. I must conclude in order to save time for other Members.

Mr. EBERHARTER. As I understand the bill, as it is recommended by the House committee there is no limitation or restriction or direction to this new agency as to what premiums it will charge?

Mr. STEAGALL. There cannot be. That will have to be worked out in council with officials of the insurance companies and with regard to actuarial tables, all of which will be matters of administration.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Is it contemplated to make this insurance available through all the insurance agencies and existing insurance companies and to have the War Damage Corporation reinsure?

Mr. STEAGALL. No. That plan is authorized by the bill, but in practice it is probable that the Corporation will take the risk and will employ these agencies to supply sufficient information and furnish personnel.

Mr. PATMAN. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Texas.

Mr. PATMAN. It has been stated that Mr. Jones stated his views during the course of the committee hearings. Is it not a fact that one of the things which caused him to change his views was the suggestion, which, of course, is a fact, that real property and the property to be protected under this insurance plan does not pay any tax at all for our national defense and in our war effort? That is, directly. In other words, a person could own a million dollars or a billion dollars worth of property and if he did not make any profit on it, he would not have to pay any tax at all for its defense during the war. Was that not one of the considerations Mr. Jones had in mind?

Mr. STEAGALL. That was all brought out in the discussion.

Mr. Chairman, I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I am going to endeavor to outline this as I understand it, and if anyone on the Committee disagrees with me, I hope he will interrupt. I am quite sure that it is not clear to the Members of the House what the history of this war-risk insurance has been since the Pearl Harbor incident.

First of all, as I understand it, there was an Executive order setting up this War Risk Damage Insurance Corporation, with a capitalization of $100,000,000, and the order gave blanket and automatic insurance in unlimited amount to all property within the United States of America and its possessions. That was done by Executive order, as I stated, and had a great many merits. It provided all home owners with insurance, for example, which many of them could not otherwise buy, and which many of them will never quite understand how to buy in time to be of any benefit to them. Then the Senate bill changed that version of the original plan to the extent that it limited the individual risk to $15,000, as I understand it.

The Senate version of the plan went so far as to cover all properties in transit, which included any marine risk, ocean-going marine risks, as well. That involves another question aside from the first point I want to make in this discussion. I will come back to that later, because the administration by its own act there was defeating some of its worthwhile purposes.

The House version of the thing as it comes to the floor, and as recommended by the committee, wipes out entirely the original move made and described to the public by the Secretary of Commerce or the head of the Reconstruction Finance Corporation in the setting up of this original blanket insurance plan. In other words, according to the House version of the bill as we are asked to pass on it today, we merely put the Government in the war-risk insurance business after July 1, 1942, on a competitive basis with all other independently owned insurance risk companies.

Mr. GORE. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Tennessee.

Mr. GORE. Mr. Jones, in testifying before the committee, said that this should be worked out on an actuarial basis and that it was quite possible that established insurance companies would be allowed to participate and that the Corporation might reinsure. To that extent it would not be competitive; it would be cooperative.

Mr. PLOESER. Every insurance company—and having been in that business for 20 years myself, I am somewhat acquainted with the practice—works on an actuarial basis. The fact your competitor works on the same basis makes him no less a competitor. The point is whether or not we give this insurance to the public with certain limitations or whether we charge them a premium for it. If the Government is to be sound in its operations, it will spread the risk, which is the basic purpose and theory of the operation of insurance in any form, and will thereby undoubtedly buy reinsurance if and when available.

Mr. SPENCE. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Kentucky.

Mr. SPENCE. I think the hearings disclose the fact that the insurance companies were perfectly willing to take these war risks when there is no opportunity for loss at all. After the war came on, you could not get a dollar of that kind of insurance.

Mr. PLOESER. That is not fact.

Mr. SPENCE. Well, that is the statement that appeared in the hearings. It is in the record, and Mr. Jones stated that.

Mr. PLOESER. Well, I am telling the gentleman that there are certain companies advertising today for war-risk insurance, and they have been all during this period.

Let me clarify this point about the Government going into war-risk insurance. There is no established actuarial basis of experience for war-risk property-damage insurance in the United States, so there will not be any great, wise man either in the Government or in any private risk corporation who will be able to give you the ultimate answer without gambling to learn that answer.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Tennessee.

Mr. GORE. The gentleman is making a very learned statement. There is a need for the Government going into this insurance. As for spreading the risk, I thought this insurance should be free of charge, and that war-risk insurance for soldiers should be provided free of charge to the soldier. This is the people's war, it is the war of all of us, it is the whole Nation's war, and we all should share the risk. The people of Tennessee, who likely will need no war-damage insurance, should bear their proportionate part of the loss of the people in New Jersey, for instance. I have yielded, however, to the judgment of my committee and am supporting the committee viewpoint.

The gentleman is right that no actuarial basis has been worked out, but my statement was that Mr. Jones said he would work with the established insurance companies in arriving at an actuarial basis, that he would cooperate with them and that they would be allowed to participate, and to that extent it was cooperative rather than competitive. It is competitive at any time whenever you have a bidding on rates, but when an actuarial basis is reached and agreed upon by the Corporation and by the established insurance companies, and they participate—the Corporation many times serving as a reinsuring agency—then it is not so much competitive as it is cooperative.

Mr. PLOESER. The fact that you spread the risk in the insurance business by means of reinsurance does not in any way eliminate the competitive feature of the insurance business. All insurance companies that write risks of any sizeable amount reinsure; they must to live, and they reinsure with their most earnest competitors. They compete viciously, sometimes, for the same risk, only to reinsure it among themselves after they have it. So you are not eliminating the competitive feature by saying that this War Risk Insurance Corporation is going to operate according to the time-established customs of all insurance corporations, which is just what the gentleman said. I do not mean by that that we should not establish this corporation.

If these questions will ever stop I shall get to the point I am trying to make. In the meantime, if the distinguished gentleman from Michigan will give me enough time, I shall go on and answer the questions.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from New Jersey.

Mr. KEAN. The gentleman's statement that companies will give bomb insurance surprises me because that is contrary to what was testified before the committee. Is the gentleman sure that would be done in areas like New Jersey and Pennsylvania?

Mr. PLOESER. Every insurance carrier is going to pick its risks. It is going to pick that risk according to locality and it is going to pick that risk according to desirability. I grant you that it is quite probable—and therefore, this need exists—that wise underwriters will not run up and down both the eastern and western coasts picking the most vulnerable risks. Therefore, it follows that the interior of the country is not going to concern itself much with the purchase of this insurance from the War Risk Insurance Corporation, with the result that the actuarial basis about which the gentleman speaks will be greatly accentuated on the loss side. Therefore, this will develop into a very high-premium proposition, because the two seaboards will be the only customers that amount to anything.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDRESEN. I was glad to hear the gentleman from Tennessee [Mr. GORE] make the statement that such insurance should be more or less free, up to a certain extent. In view of that statement, does not the gentleman believe we should also give the men in the service free insurance to some extent?

Mr. PLOESER. I am going to vote for this bill; but if I had this bill in the form I should like to see it, I would give possibly $10,000 or $15,000 automatic blanket coverage to all property holders, that is, on the individual risks.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield 1 additional minute to the gentleman from Missouri.

Mr. PLOESER. I would give them that much, and then, under the War Risk Insurance Corporation, I would accept risks in excess of that amount. It would give us a better basis on which to experiment to find out what is the necessary premium required to pay these losses. It will reduce the original acquisition cost of this business, because there

is one thing that obviously has not been considered very extensively by the committee, and that is how much of this premium we are going to collect will go to administrative expense, how much for acquisition costs, how much to adjustment expense, and how much will be pure premium left over for the payment of pure losses.

Second, I do not believe we have any right to go as far as I have already indicated without likewise saying to the individual citizens who are noncombatants, as well as to the soldiers and sailors who are combatants, that we are willing to insure them to a certain limited degree both for life insurance, war risk, and compensation insurance, war risk.

I think the gentleman from Minnesota [Mr. H. CARL ANDERSEN] is to be complimented in his efforts to obtain a limited amount of automatic war-risk insurance for the men in the service.

Mr. CRAWFORD. Mr. Chairman, I yield 10 minutes to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Chairman, there are a few things I should like to point out in connection with this bill. In regard to the first part relative to condemnation, last Friday we passed a bill giving the various agencies of the Government the power to condemn, and this power was given to the War Department, the Navy Department, and other agencies. We used the traditional method of condemning. These agencies can condemn only if it is necessary. You will notice that in this bill the committee amendment on page 5 gives the Corporation the right to condemn if advantageous to the carrying out of any power given to any corporation created pursuant to this act. I shall offer an amendment to strike the words "or advantageous" from the bill, if the chairman does not accept my amendment in the meantime; and I think you will all want to vote for it, because it hardly seems consistent to break the tradition of this country that does not permit the property of a citizen to be taken except for necessary Government uses and let some little Government official say that it is advantageous and then take the property.

You will notice also in the committee report it states that this can only be done for war purposes, but if you will look at the bill, you will see that the word "war" is not in the condemnation provision, and it permits the land to be condemned for any purpose that is consistent with the powers of the R. F. C. or of any of its subsidiary corporation. The final section of the bill appropriates $2,500,000,000. I say "appropriates" because, after all, there is no difference between an appropriation and an authorization to the Reconstruction Finance Corporation except that in the case of the Reconstruction Finance Corporation Mr. Jesse Jones, the head of the R. F. C., instead of Mr. Morgenthau, borrows the money for the bonds. There is also the difference that in an appropriation bill the Congress scrutinizes the appropriations and tries to make sure it knows what the money is going to be spent for. In the case of the R. F. C. you in Congress do not know what Mr. Jones is going to do with the money and he has very broad powers. You will recall, for instance, the half billion dollars which was granted ostensibly for the purpose of helping out South America. Mr. Jones did not tell us in committee what he was going to do with the money, and shortly after the bill was passed, we who thought that the money was going to be used to finance the surplus of commodities in South America were surprise to find an editorial in the Washington Post criticizing Mr. Jones because he had spent millions to build up a steel plant in Brazil and more millions to pay for a road in Argentina, which led from nowhere to nowhere.

The R. F. C. was a wonderful institution when it first started out. It still runs without any criticism that I know of as far as the administration of it is concerned. It was begun at a time when there was scarcely any private credit or any money in the banks to be lent, while the Government, on the other hand, had an untouched reservoir of credit. It was very commendable and admirable that the R. F. C. should step in and lend money and make up for the deficit in private financing. But today the situation is entirely reversed. Today we find the Government having a hard time to sell bonds and, on the other hand, we find a plentitude of private credit. It seems incredible at this time that we do not reverse our policy, in view of the fact that we have had the experience of the F. H. A. and the Commodity Credit Corporation, where instead of lending large amounts of Government billions, they have used private capital with a Government guaranty. One wonders why we do not now refinance R. F. C. loans to private capital with a Government guaranty, because it would thus liberate billions of Government credit to be used for the war effort. The reason is, I suppose, that you cannot expect a Government agency to liquidate itself. I hope the administration, or our committee, will soon come forward with a proposal and refinance R. F. C. loans, using a Government guaranty instead of the old-fashioned method of direct Government lending.

Mr. SPRINGER. Mr. Chairman, will the gentlewoman from Illinois yield?

Miss SUMNER of Illinois. Yes, indeed.

Mr. SPRINGER. Under "(5)", which is the amendment, it provides under condemnation "either because of necessity or because it is advantageous." I will ask the gentlewoman if it is not a fact that "or advantageous" is charting an entirely new course in the law of this country.

Miss SUMNER of Illinois. That is what I attempted to point out, and I hope the members of the Judiciary Committee who sponsored the war-powers bill the other day will support this amendment.

Mr. SPRINGER. Mr. Chairman, will the gentlewoman yield further?

Miss SUMNER of Illinois. Yes.

Mr. SPRINGER. There is another provision in that same connection that the Corporation is authorized to sell, lease, or dispose of any such real estate, and I will ask the gentlewoman if it is not a fact that under that provision authorizing the selling or leasing, it comes under the provision of the law which permits the sale with or without advertising and in such manner as the head of the agency may himself determine.

Miss SUMNER of Illinois. That is right. He could condemn your property tomorrow for use as an office building under this bill without any necessity, simply because he might think it might be an advantage to the Corporation, and use it for lending money to China or Austria or anybody he wanted to and then sell it secretly.

Now, in regard to the insurance provisions, I thought there would be more talk from the minority on this in view of the attitude that was adopted and the protests made before the Rules Committee, because the fact is that we do not know what kind of insurance company is going to be set up under this bill. We do not know whether it is going to be farmed out to insurance companies or what premiums are going to be charged. It could be 1 cent on a million dollars under this bill. The fact is that Mr. Jones has all these things under consideration and for study, and he has not decided what the insurance plan will be. At least, he did not tell the committee and for my part I think it is a very careless way of legislating to say in effect, "Mr. Jones, go and take a billion dollars and set up an insurance company; it is all right with us, provided you charge some kind of premium." It seems to me it is very unfair and undemocratic to have one way of legislating for Mr. Jones and another way of legislating for Mr. Leon Henderson, whose performances we scrutinize very carefully. To vote without any more information than we have today is premature.

Mr. DONDERO. Mr. Chairman, will the gentlewoman from Illinois yield?

Miss SUMNER of Illinois. Yes.

Mr. DONDERO. Does this plan follow the one established during World War No. 1?

Miss SUMNER of Illinois. I am not familiar with that plan, because it was not mentioned in the hearings.

Mr. WILLIAMS. If the gentlewoman from Illinois will permit, there was not any such plan during World War No. 1 because there were no enemy attacks in this country.

Mr. DONDERO. Mr. Chairman, will the gentlewoman from Illinois yield further?

Miss SUMNER of Illinois. Yes.

Mr. DONDERO. Apparently, if this is not done, damage to property will be submitted to the Claims Committee, just as was done after the Civil War.

Miss SUMNER of Illinois. Now, I prefer not to yield further because I should like to make a statement. On page 62 of the hearings you will see an outline and summary of the plan which is used in England. You will notice it is not nearly so broad as the plan to be set up under this bill. They have compulsory fire insurance for a certain amount. In England they do not insure anybody for over £10,000—$50,000. They do not insure people outside the British Isles.

They have two kinds of insurance—land and buildings and other kinds of property. In England, according to this summary, they do not write policies for buildings. They leave that to be done by private companies—Lloyds and others. You will notice that in the press release issued by Mr. Jones on December 13, and also on December 22, he promised to insure crops and all kinds of buildings. This bill permits a very broad plan. You cannot call it insurance as to the $100,000,000 already set up, because there is no element of risk there. It is a relief bill as to damages already done by enemy attack—a gift from the Government.

Mr. HINSHAW. Mr. Chairman, will the gentlewoman yield?

Miss SUMNER of Illinois. Certainly.

Mr. HINSHAW. I see, on page 8 of the bill, where this insurance is intended to protect against losses of tangible real property. I assume there must be an enemy invasion to take the real property.

Miss SUMNER of Illinois. No; just so it is damaged by enemy attack.

Mr. HINSHAW. It says against loss of all damage to tangible real property. That language is quite specific.

Miss SUMNER of Illinois. When you get the fact that there is a billion dollars to be used, and that some kind of a premium may be assessed on that billion dollars, or be charged, you have all that this law provides, and you do not know anything else about what is going to be done with this insurance. Mr. Jones has given us no definite information. Maybe you will not approve of it after the plan is adopted by Mr. Jones.

Mr. HINSHAW. The reason I ask that question, of course, is that there has been considerable loss of real property, due to an invasion of the Philippines and other island possessions. Is the $100,000,000 set up by Executive order intended to repay the United States owners for the actual loss of the property in the Philippines to Japan?

Miss SUMNER of Illinois. That is not stated.

The CHAIRMAN. The time of the gentlewoman from Illinois has expired.

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, some members of the committee, among others my distinguished colleague the gentleman from Tennessee [Mr. GORE] stated that this is an all-out, everybody's war, and that we all ought to stand any loss equally. Of course it is obvious, if there are any losses, that all of us are going to stand it together, because we are going to pay for it out of taxes. So I do not think we have to fear so much about anybody dodging his responsibility in regard to any losses that may occur by bombing by the enemy. There is one item I notice under the British plan which I do feel should be considered either in committee, when the House and Senate bill is discussed in conference, or argued here on the floor. There are very few poor people, actually very poor people, who own property. A person owning property generally has some substance, but there is a large number of poor people who are tenants of property and who have their entire belongings in that property, their personal belongings, their clothing, their chattels. I think there should be some exception made, in a limited amount, of free insurance covering chattels, so that all a person has to do to obtain that insurance is to prove that he or she was a tenant of a certain building that was destroyed, without having to make representation as to how much clothing or whatever it was that was lost. It should be a small enough amount so that no one would be tempted to really cheat on it, but also there should be a sufficient amount so that persons who had everything they had in the line of personal belongings destroyed, would be in a position to recover something with which to start anew.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. Yes.

Mr. SPRINGER. On page 8 of the bill, line 20, there is reference to various places where property is situated, and we find this language—

and such other places as may be determined by the President to be under the dominion and control of the United States.

I ask whether the hearings disclosed where those places might be and to what extent.

Mr. DEWEY. As I recall—and I can be corrected by my colleagues if I do not state it correctly—that referred to Navy bases and Army bases under the control and jurisdiction of the United States, wherein there may be private property connected with them.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield.

Mr. WRIGHT. Does the gentleman intend to offer an amendment extending this coverage to personal property of tenants, to a limited amount? I think the gentleman's suggestion is very good, and I think that the loss will often fall upon those who are least able to bear it.

Mr. DEWEY. I agree with the gentleman, and at the proper time I expect to offer an amendment for limited insurance for personal property.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield to my colleague from Ohio.

Mr. VORYS of Ohio. As I understand, there is no separate upward limitation on the amount of insurance. Is that correct?

Mr. DEWEY. None in the House bill.

Mr. VORYS of Ohio. In our system of paying the soldiers in our war-risk insurance, the soldier's insurance, there is going to be a great deal of personal loss that the Government is not going to take care of. That is the contribution the citizen makes to his country.

Mr. DEWEY. Yes.

Mr. VORYS of Ohio. Now, why do we say that as far as property is concerned, the compensation is to be complete? I cannot see why we treat people and property differently.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman, the subject I desire to mention is perhaps not germane to this particular bill, but there were some remarks made about the cost of insurance of various types that urged me to make this statement.

When we were writing the tax bill of 1940, representatives of the Veterans' Bureau appeared before us with regard to providing war-risk insurance for the new army that was to develop as a result of the so-called Selective Training and Service Act. They informed us that the payments that were made for war-risk insurance that was provided for the soldiers of World War No. 1 were recognized by the Department as being only token payments, as they described it. I think something in the nature of $6.10 or $6.30 per month, which they said were of course insufficient to carry any such amount of insurance. They finally gave us figures indicating that the cost to the Federal Government had been, up to December 1940 over $1,800,000,000, and is closely approaching $2,000,000,000 at this time.

I just bring that to the attention of the committee because we are again issuing war-risk insurance on practically the same basis, and I am just thinking of the tremendous potential liability that this Government is assuming. Without question such protection is justified, and we shall have to assume the extra cost as we did before, but before us in the future is the problem of debt and accumulated interest that is almost incomprehensible to the average citizen.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield.

Mr. PLOESER. In the present day we are even decorating men for examples of extravagance in the War Department in the conduct of building cantonments. If we can do that to the waste of many, many millions of dollars, the least this Government can do, with a program in which it is spending somewhere in the neighborhood of $200,000,000,000 before we are through, is to provide three or four or five billions for automatic insurance, without premium, for the boys in the service. I am willing to go no further for property holders than I am for the boys on their lives, but I am willing to go that far.

Mr. CROWTHER. With the distinguished gentleman's opinion regarding the supremacy of human rights over property rights I fully agree. I say it is a liability that we formerly assumed and that we very properly will have to assume again. I merely desired to convey to the membership of the House what the expense of that item alone was at the time of the World War.

When we entered World War No. 1 we had a national debt of only $1,230,000,000. When we finished with that war we owed $26,000,000,000. During the next 11 years, combined with five tax reduction bills, we managed to pay off a billion dollars a year on the average. We reduced the debt by $11,000,000,000 in that period. Eleven from twenty-six leaves fifteen. That fifteen billion is a part of the national debt today of sixty-two billion

which appears on the Treasury Statement. But in addition to that, up to December 31 last year, we have paid to the bondholders on that debt $15,000,000,000 in interest. So we started with a billion dollars in round figures, which we owed, we finished owing twenty-six billion; we paid eleven billion off in the next 11 years, and we still owe fifteen billion and have paid $15,000,000,000 in interest to the bondholders. Now, if some of you can figure what the interest charges wil be 23 years after we entered this war, when our debt, to begin with, was forty-five or forty-nine billion, and will run up to probably one hundred and fifty billion, I wonder what the sum total will be. You will have to be a close relative of Einstein in order to figure that out to your own and my satisfaction.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. Mr. Chairman, I asked for these few minutes in order to ask the chairman two questions.

I have a long letter from an export house in San Francisco. My constituents are anxious about two problems. One is the case where goods are sold on a 30, 60, or 90 days' draft basis, but the drafts have not been settled. They want to know what will be the position of the seller of the draft? In other words, the draft is assigned with recourse on the seller and they desire to know if they will be protected by this bill. The goods have been delivered and probably used or resold.

Mr. STEAGALL. The bill as it now reads provides insurance for tangible property.

Mr. ROLPH. And an unpaid contract is not considered tangible property.

Mr. STEAGALL. No.

Mr. ROLPH. The San Francisco firm also refers to outstanding accounts. For instance, they have sold goods on open account to certain firms, in the occupied territory. They want to know if they will be protected.

Mr. STEAGALL. That would not be covered.

Mr. ROLPH. They were unable to get insurance through the regular underwriters, and I am wondering if there is any way to secure it under this bill.

Mr. STEAGALL. Not under the provisions of this bill.

Mr. ROLPH. I thank the gentleman, and yield back the balance of my time.

(The letter referred to follows:)

ATKINS, KROLL & CO.,
San Francisco, February 6, 1942.

HON. THOMAS ROLPH,
Representative, Fourth District of California,
House Office Building,
Washington, D. C.

DEAR TOM: Thanks very much for your kind letter of January 27 regarding Senate bill 2198 and House bill No. 6382, respecting which we wired you.

Since then I have received a copy of the Senate bill and have been going over it. The question of territory has been satisfactorily adjusted, as I note on page 7, lines 19, 20, 21, and 22 provide that protection shall be given not only in the previously mentioned territory but also in the Territories and possessions of the United States and such other places as may be determined by the President.

There is another angle to the situation, which concerns us very much and is giving cause for grave anxiety, not only to us, but also to a large number of exporting firms through the United States and particularly on the Pacific coast, where export business to the Far East is so largely concentrated. According to page 6, lines 21, 22, 23, and 24, of Senate bill 2198, it appears to us that the protection is to be given only against loss or damage to real property and personal property, whereas under existing conditions, very heavy losses may be suffered through other channels.

For example, just as severe and real losses can be suffered owing to seizure and confiscation of property by the enemy, but such losses are not provided for in the bill.

In addition to this, many firms had shipped merchandise to the Philippine Islands on definite orders and drew drafts against the buyers at an agreed usance, at 30 or 60 or 90 days. In many of these cases, the cargo had arrived, but the drafts had not been retired; owing to the occupation of Guam and the Philippine Islands by Japanese forces, such cargo undoubtedly will have been lost either owing to bombing, fire, or seizure, and the situation of the buyers will be such that they will be unable to retire their drafts. As such drafts are drawn with recourse against the sellers in this country, eventually the negotiating banks here will call upon the sellers to return the amounts involved, which they will have to do. As it has been impossible to insure through underwriters against such losses, the amounts of money involved will be lost to the shippers unless the War Damage Corporation can be empowered to cover the shippers against same.

In addition to these factors, great losses will also be suffered by American firms who have outstanding accounts in the occupied territory. These accounts are largely with oriental or native peoples and under present conditions it will be impossible for them to make payment either now or later on.

We shall appreciate it very much if you will kindly discuss these additional sources of loss with the chairmen of the committees concerned in both the House and the Senate and endeavor to have the bills amended in such a way as to cover the contingencies which we have outlined.

We assure you that this situation is a very serious one for many of the exporting firms in this country, and if you could do anything to assist us by having the bills amended as we have indicated, we shall be very grateful.

We have also received a copy of Senator MALONEY's report to the Senate accompanying Senate bill 2198. According to this, as per paragraph 1 on page 3, it is the intention to have the War Damage Corporation cover against losses from December 13; however, the invasion took place on December 7 in Guam, and in parts of the Philippines, and we suggest that the period of liability on the part of the corporation be carried back to that time, instead of December 13.

With kind regards and thanking you again for your assistance, I remain,

Yours sincerely,

CLIFTON H. KROLL.

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, I am asking for this 5 minutes to call the attention of the House to a subject that appears to me to be of far more vital importance to millions of people in America than property insurance. I refer to life insurance for the millions of men and women who will shortly be in our armed forces.

Last October I asked General Hines when he appeared before our committee:

General, just how many of the 1,750,000 men in the various branches of the armed services of our Nation have made application under the National Service Life Insurance Act of 1940?

He replied that to the best of his knowledge only 645,000 men had made such application. I thereupon asked him why it should be necessary when a man is taken into the service that he make any application at all. Why should it not be that he is automatically covered to the extent of $5,000 life insurance, the premiums thereon to be paid by the Government of the United States? He did say in reply that the Veterans' Administration had given considerable thought to that.

Now, I want to call your attention to the act amending the National Service Life Insurance Act, adopted just last December 20. This particular amendment, Mr. Chairman, does presume that these boys and women in the service of the United States have made application for $5,000 life insurance and if they have not they are covered and have 120 days in which to put in their claim. It expires on April 20 of this year. I quote that amendment as a precedent for H. R. 6512. Consequently, on February 2 I introduced H. R. 6512, which the Ways and Means Committee has now before it and upon which I have requested of them—weeks ago—a hearing. This bill would continue this assumption of $5,000 insurance from April 20 and on, but it would do this one thing which I think we ought to do for every member of our armed services:

It would give to that man or woman a free $5,000 life-insurance policy; moreover, it would give to that member of our armed services, Mr. Chairman, a little boost in pay up to the extent of from $3.25 to $3.50 per month. We would not have to have 1,000 clerks, or no one can foretell how many, here in some of these numerous buildings writing out seven or ten million life-insurance policies. That money, instead, would go direct to the families of these boys who are injured or killed. We should not add to the tremendous bureaucracy here. The War Department would inform the National Service Life Insurance Company that the insured is dead, or totally disabled, and thereupon it would be up to this insurance company to make the payments. I realize that an amendment to this bill, attempting to place the provisions of H. R. 6512 onto this particular measure, would not be germane, and consequently I will not take up the time of the House to attempt to do so; but the purpose of my addressing the Committee this afternoon, Mr. Chairman, is simply to call to the attention of the Members the fact that the present act expires on April 20, and unless we do something about it there will be a lot of people who have given their sons' lives—more dear than property—to our country, and perhaps these same parents will hereafter be destitute. Surely that would not show proper gratitude to our dead in this war.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I have listened to some very good dissertions on the subject of property insurance this afternoon. It is my humble opinion that there should be no distinction between property and life insurance at the time of a universal crisis. I was particularly impressed by the remarks of the gentleman who just preceded me, the gentleman from Minnesota [Mr. H. CARL ANDERSEN], who has introduced a bill to provide insurance without premium for all of the members of the armed forces of the United States. I am in hearty accord with the motives of such a bill. Now that property insurance is widely discussed and readily considered, it is logical also that we look into the feasibility of insuring the lives of the boys who are putting up such a gallant fight against the enemies of this country.

During the last world conflict war-risk insurance, as has been pointed out, cost the Government something like $2,000,000,000, but it will be remembered also that premiums were carried long after the war. In this bill that has been discussed by the previous speaker, as I understand, it is his desire to eliminate the premium on, say, a $5,000 policy, which costs about $3.50 a month. I heartily concur in an idea of that kind, because not only does it give the soldier and sailor a break so far as his insurance premium goes, but it would also result in giving him a raise in pay for his services in the armed forces.

If it were not for the fact that I am sure such amendment would be ruled out on a point of order, I would gladly offer one at this time. However, before many days go by the subject of life insurance must be met squarely to eliminate premium payments, so that the average soldier and sailor will not have it taken out of his pay every month. It will give him a chance to enjoy the benefits which will be derived from such a policy and his people back home will have less worry from lack of security which his absence and the possible continued absence of the soldier from home will present.

Mr. CULKIN. Will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from New York.

Mr. CULKIN. There seems to be an arbitrary deadline on the time when the men can take out insurance. It is 120 days, I believe. In other words, if a man does not take it out within 120 days after he goes into the service, he is forever barred, apparently. Of course, some of these men are in detached organizations and have not been informed of the rule on that. I have had four or five letters protesting against the procedure.

Mr. EDWIN ARTHUR HALL. The gentleman raises a logical point. Such provision should be extended, and it is my hope that that will be done when we consider the matter of life insurance and war risk. I believe Mr. ANDERSEN's bill takes care of this situation.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, I am glad to note that there are some private insurance companies writing war-risk insurance. When we held our hearings on this bill before the Banking and Currency Committee it was generally understood by the members of the committee, I think, that there were no private insurance companies writing war-risk insurance. I learn, however, that the Rhode Island Insurance Co., the General Insurance Co. of Seattle, and perhaps another company are writing this type of insurance.

Mr. KEAN. Will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from New Jersey.

Mr. KEAN. Will they write it on the coast in the neighborhood of munition factories?

Mr. SMITH of Ohio. I will explain that. They have divided the country into three zones, the east coastal zone, the west coastal zone, and the middle zone. The coastal zones extend inland 100 miles from the coastal line. All of the remainder is included in the middle zone.

Below is a letter from Young & Simon, insurance firm, of Washington, D. C., which shows the rates charged by private insurance companies writing war-risk insurance.

Mr. Chairman, we have had a great deal of encroachment by the Government upon private enterprise in practically every field. The insurance business is one of the most important in the United States. It is one of the foundation stones of our economy. I trust in the operation of this act that everything possible will be done to protect and save these companies.

YOUNG & SIMON,
Washington, D. C., March 2, 1942.

Hon. FREDERICK C. SMITH,
United States House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Replying to your request of this date, I take pleasure in advising the following war and bombardment rates and rules for policies issued by either the Rhode Island Insurance Co., of Providence, R. I., or the General Insurance Co. of America, of Seattle, Wash.:

Zone 1, Pacific Coast States, Washington, Oregon, California, Alaska, British Columbia.

Zone 2, within 100 miles of Atlantic and Gulf coast.

Zone 3, remainder of country.

Basic annual rates with 12 months' cancelation clause

	50 percent coinsurance
Zone 1:	
Fireproof	1.20
Other classes	1.80
Dwellings and apartments	.75
Zone 2:	
Fireproof	.90
Other classes	1.35
Dwellings and partments	.50
Zone 3:	
Fireproof	.30
Other classes	.45
Dwellings and apartments	.25

CHARGES

On all water-front properties, oil-storage farms, oil refineries, airplane factories, munition plants, or other such target risks, or other risks within 100 feet of same, increase above rates, 100 percent.

CREDITS

(1) Any risk located in cities with population of 100,000 or less, credit 25 percent.

(2) If policy is written with 60-day cancelation clause (pro rata to company, short rate to assured), credit 25 percent.

(3) Coinsurance credits: For 80 percent coinsurance clause, reduce rate 30 percent; for 90 percent coinsurance clause, reduce rate 35 percent; for 100 percent coinsurance clause, reduce rate 40 percent.

NOTE.—The above charges and credits, where applicable, must be applied in same sequence as listed.

SPECIAL NOTE.—When values exceed our maximum line and assured therefore cannot comply with the coinsurance requirements, submit to home office for special quotation.

Very truly yours,

YOUNG & SIMON,
By EUGENE YOUNG.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

INSURANCE PREMIUM SHOULD BE CHARGED

Mr. PATMAN. Mr. Chairman, the question has come up about charging a fee for the insurance of real property. I believe the record will disclose that at first Mr. Jesse Jones before the committee insisted that we have a certain amount of free insurance, but when certain questions were brought up and discussed before him he admitted that he believed he was wrong about it and felt that a premium should be charged.

One of the arguments that was made that I believe was convincing to him that a premium should be paid was that we have in this country today about $300,000,000,000 worth of real property, including buildings, of course, and we have $400,000,000,000 in intangible property. This property does not pay any taxes toward national defense as such. Not a penny in the world is collected from the $700,000,000,000 in property to pay any part of the cost of national defense or for the cost of our war effort. The result is that the thing that is receiving the most protection in our country is not paying any part of the cost of that protection.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. GORE. I believe the gentleman should recall, however, that a tax is paid on the income from that property. No tax is paid on the property itself.

Mr. PATMAN. The gentleman is anticipating my remarks. Of course, I have often brought that out. The fact is that the property pays no tax whatever as such, but if a profit is made, a net profit after all expenses are paid, then a part of that net profit is paid into the war fund.

Take, for instance, the Empire State Building in New York. I mention that building because it is a well-known building. The owner can collect $1,000,000 a year in rent, more or less, I am not familiar with the approximate amount, and expend the same amount—$1,000,000—for salaries and for different purposes in connection with the operation of the property, and at the end of the year have no net profit. The result is that this property that is being protected by our soldiers and by the money that is being paid by the people all over the

country has not itself paid 1 penny toward that protection.

For that reason, it occurs to me that it is perfectly sensible that we require property to pay for its protection, not a high rate, no, but a reasonable rate.

I think the necessity for this bill arises out of the fact more that we need this shotgun in the corner, so to speak, something to compel fair rates, than anything else.

I anticipate that very little insurance will be written by the corporation that is set up by the Reconstruction Finance Corporation. Incidentally, for the first time in history a release to the newspapers has represented a $100,000,000 insurance policy. That is what the Jesse Jones' press release was in regard to damage caused by an enemy.

We need this bill to compel the insurance companies to give the people a fair rate, just as the Reconstruction Finance Corporation needs the power to buy bonds not so much that it will buy bonds but to protect the people against a great injustice. For instance, in the case of the Great Northern Railroad, an effort was made by a few bankers to compel the railroad to pay 5 percent interest on the refunding bonds, but the Reconstruction Finance Corporation came in, not for the purpose of buying the bonds but for the purpose of compelling a fair rate, which was much lower, 4 percent, and offered to buy the bonds at 4 percent. They thus forced a 4-percent rate.

I think the same situation will prevail here, that the Reconstruction Finance Corporation will not write the insurance and will not need to write the insurance, but it will be in a position through this corporation set up for that purpose to write it if an attempt is made to charge the people an unreasonable rate for that class of insurance.

I know there is no such thing as exact justice. If you will notice the inscription over the Supreme Court entrance you will not see the phrase "Exact justice under law," because there is no such thing as exact justice, but you will see the phrase "Equal justice under law." If we can just dole out, so to speak, or make it possible for our citizens to have equal justice under the law, we are going just as far as it is possible for us to go.

The question has come up here about giving the soldiers free insurance. Certainly they should be given free insurance before property is given free insurance, there is no question about that, but I doubt the wisdom of soldiers being given free insurance. Why give soldiers insurance who do not need it and do not want it? If you want to raise their pay, I am in favor of that. The $21 man is receiving too little for his services and he should be raised. But you should not compel him to pay that money for insurance if he does not need the insurance and does not want the insurance. To whom would some of our soldiers leave their insurance? Many have no relatives to leave it to. Others are well fixed financially and do not want insurance. I know lots of soldiers in that position.

During the last war I know that many soldiers did not take out insurance because they did not need it, did not want it, and would not pay for it. It is true that the captain or the first sergeant or the lieutenants of the company would line the company up and tell the men their rights and benefits under the insurance act, how it was cheaper than insurance issued by private companies, and how they could protect their loved ones in the event they should lose their lives, by carrying this insurance and paying so much each month on the premium. Pressure was actually used on these men to take the insurance, but only on the men who needed the insurance, not on those who did not need it. Pressure was brought to bear only on those who should have carried it because they had dependents and loved ones back home who would suffer a great loss in the event of their death.

The question of free insurance for soldiers is quite a big one itself. I suggest that instead of considering this question that we should consider increasing the pay of those in the lower pay groups like those receiving $21 a month, and let them use that money for any purpose they see fit to use it for.

INTEREST ON PUBLIC DEBT

The gentleman from New York [Mr. CROWTHER] made a very interesting statement awhile ago that I was especially glad to hear, that we should give consideration to the interest burden on our national debt we are facing. We are paying at the rate of $1,750,000,000 a year interest on our national debt. Of course, if we should pay that, it is all right. It is necessary to pay because our promise is out. If we have contracted to pay it we should pay it. But in the future we should be very careful about contracting for the payment of a bond that provides for interest. I humbly suggest to the Members of this House that they give serious thought and consideration to the question of whether or not it is right for the Federal Government to pay interest on its own obligations.

Is it right for the Federal Reserve banks, 12 of them, privately owned, to have the power to create money on the Government's credit, and then have the right to use that same money that is created on the Government's credit to buy interest-bearing bonds from the Government, with no other security on earth, and then continue to receive interest on those bonds? This does not make sense. No one can make it make sense, because it is not reasonable. Yet it has been built up over a period of 50, 75, or 100 years, when our interest burden was so low it was not even a problem. But now, as Dr. CROWTHER has suggested, it has become a problem and a serious one. He suggested to us awhile ago that $15,000,000,000 of the World War debt has not been paid.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. PATMAN. Fifteen billion dollars has not been paid on World War No. 1, and our debt now looks like it is going to be at least $150,000,000,000 if this war ends within a reasonable time. Then if we have to pay 4-percent interest, as many of the able men in this House and some of our ablest men here are advocating, that means $6,000,000,000 a year. The American people cannot pay $6,000,000,000 a year or even two-thirds of that amount and pay the running expenses of the Government and pay 1 penny upon the principal of that debt. It will not be possible. We will be in perpetual bondage and there will be no escape from it. So I submit to you that we should give serious consideration to the Government stopping the farming out of the use of its own credit and paying tribute to others of $6,000,000,000 for the use of the Government's own credit when it is absolutely unnecessary. It is extravagant, it is wasteful, and there is no reason why it should be done.

The first 100 years of our country's existence we had an interest burden of $2,000,000 or $3,000,000 a year. We did not care anything about that. It did not amount to anything. Then the sensible and unanswerable argument was made that we should pay interest on our obligations because it would have a tendency to retard an extravagant Congress; that if Congress became too extravagant, the people would not buy the Government bonds and they would go down in value, and therefore Congress could not be too extravagant. But that argument is exploded now, because the Federal Reserve Board has already announced that it will buy and pay 100 cents on the dollar, with accrued interest, any bond that is offered by any bank. So that old argument of restraining or retarding an extravagant Congress is gone. It is not there.

It is true that in times gone by, when miners would go out into the great West and with the use of their hands and through the hardest kind of most difficult work mine out gold and silver, then it was used by our Government as needed exchange; it was practically all the money we had; then if the Government wanted the results of that miner's work, it was right that the miner, if he loaned that gold or silver to the Government, should get interest-bearing bonds and receive interest for its use. But in this modern age and modern day, when we have changed that so that banks by mere bookkeeping transactions with a fountain pen can create the money and go to the Government's Bureau of Engraving and Printing and get it free of charge, except for 30 cents per thousand dollars, which is the actual cost of printing it, I think we should seriously consider changing the system and saving the Government interest on money created on its own credit.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, I wish to direct my remarks toward a problem involved in the financing not only of an undertaking of this kind but of other undertakings which we now have upon our shoulders. If I am correctly informed, the Reconstruction Finance Corporation today—and the War Damage Corporation will have to do likewise, I believe—draw their funds from the operations of the Treasury. The Treasury will go to the people individually, to lending institutions, and to the banks,

and sell Defense bonds and other types of securities. It appears to me that the Congress has for several months, and is today, toying with this matter of inflation which is involved in the selling of any and all types of Government securities, whether direct or not, which will be involved in financing this particular program when the damage claims are proven and settlements are made in accordance with the provisions of this act. And as we proceed and continue to toy with inflation, we are, in my opinion, placing the Treasury in what I would term a very dangerous situation. Sales of bonds to individuals are, in my opinion, sounder at the moment and move in the direction of preventing inflation more directly than do sales of bonds to banks. But, sooner or later, as inflation takes hold, it is my opinion that our citizens will more and more resist the purchase of these Government issues, and we may find extreme difficulty in the near months, due to inflationary spirals, to make sales to individuals of the obligations to be issued by the Treasury. In my opinion, we can conscientiously push the sales of the present types of Defense bonds only by preventing inflation. Otherwise I think we get into the realm of chicanery. Let me expand on that for a moment. We can stop inflation, and when I say "We" I mean the Congress of the United States, and we can stop it dead if we want to do so. To do this we must siphon off through taxes and borrowing from savers, not banks, an enormous amount of personal income. Unless inflation is prevented we mislead those who buy bonds. We lead them into believing that they are making an investment, but if inflation is to govern, we could better afford to have ourselves assessed taxes for a similar amount.

Only last week I stood at this point in the well of the House and advocated a $25,000,000,000 tax bill against our people, to be paid next year on this year's income. I made the charge that the people of the United States were lying down on the boys in service, and not buying Defense bonds, as fast as we should, and I am using this opportunity to present the other side of the burden, and that is that the Congress is not doing its share, and I have no additional complaint to make against the public until I see further evidence that Congress is going to stop dead in its tracks this matter of inflation. If we continue to vacillate in our present price stabilization policy as we have up to this time, we do great damage. We may be forced in order to sell these securities to the individual to issue a type of bond payable both as to principal and interest as it pertains to the general cost of living price index and I think the quicker we begin to think along those lines the better it will be for all in financing this whole program to pay for war damage insurance, and these other operations. This would give the purchaser a gilt-edged bond. I think we better begin to talk and to think about it as we move into the zone dealing with this next tax bill. Maybe the people will become more and more concerned. The Government should get on all fours with the people in their concerns, and the Government, operating through their Congress, should proceed to do the necessary in connection with this whole proposition. There is no practical hedge today, with inflation, for our people who have their savings invested in life insurance. There is no way in which you can anticipate your life insurance annuity and hedge against these increases in the cost of living. So, the program we are following today in advocating the purchase of Defense bonds, which I did last week, and in advocating increased taxes and the doubling of the tax burden, you may say, against current income——

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAWFORD. Mr. Chairman, I yield myself 3 additional minutes. In proceeding that way and simultaneously permitting inflation to run riot, we not only absorb the current income of our people through the sale of Defense bonds and the assessment of taxes but we reach into the past and confiscate their accrued savings in the form of these annuity contracts.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. Yes.

Mr. SMITH of Ohio. The gentleman is touching on a very important point. Should fear psychology arise with reference to the value of bonds, which the gentleman has indicated might eventuate, is it not a fact that that could become a very serious factor in hindering our war efforts?

Mr. CRAWFORD. Not only a serious question in hindering war efforts, but in destroying the complete economy of this country, and we have no business further delaying this proposition. As men holding office and running for office, to be elected next November, we will stay around here and hesitate to impose taxes, but, insofar as I am concerned, I am ready to vote more taxes, to sell Defense bonds and handle this problem on a basis which prevents inflation, or proceed on a basis of recommending that the necessary taxes be assessed to completely meet the disbursements of the Treasury. Such an approach would make the selling of bonds unnecessary. The evils you incurred one way would be offset by the benefits the other way. Present concepts call for the sale of about $50,000,000,000 of securities by the Treasury during the next 18 months. I again ask, Who is to buy them? If we place $32,000,000,000 of them in commercial banks and increase demand deposits accordingly, what do you think will be the disastrous results? Here it is March 2. The Treasury has not yet submitted to the people the tax measure for 1942. We talk about bottlenecks! What could be more destructive from a fiscal standpoint, short of a sheer debacle, than this delay which must now lengthen into weeks and perhaps months before the people know what their tax burden is to be? The measure must first be submitted to the Ways and Means Committee. Then the Government is to be heard, and then the public, and then executive sessions of the committee, and then House action, and then to the Senate, and then hearings again, Senate action, reference to the conferees, back to the House and Senate, and finally to the President. Delays, delays, delays! This tax bill should have been before the Congress by January 10 and to the public in legal form by the 1st of March. Such delays will not sell bonds or win wars. I submit the question, Must the people bring about a complete reconstruction of the Congress to get results absolutely necessary? On fiscal matters the people have rights we should respect. They will go along if we make it possible for them to do so.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, in the first place, I am sure that no man in this House is opposed to the authorization of $2,500,000,000, because we all know that is going to be used for the purpose of increasing plants, purchasing property and essential materials necessary to the prosecution of the war effort, and for other purposes that come up from time to time. If there be such a man, while I grant his right to do so, I certainly question, not his motives but his judgment.

As to the war-risk-insurance phase of the bill I believe it is a wise provision and a provision that will bolster the morale of all the people. It assures them that if their property is destroyed by enemy action their Government will step in and, as far as can be determined, reimburse them for their losses. This insurance is in force now. Just as soon as the War Damage Corporation can determine what rates should be charged, those rates will be charged. If, however, private insurance companies are prepared to assume this risk at rates that are determined to be reasonable, that will relieve the War Damage Corporation from that part of the risk. If, on the other hand, the private companies insist on unreasonable rates, the War Damage Insurance Corporation may well issue policies on these properties and thus spread its risk over a wide area, and therefore lessen its potential losses.

What I mean by that is this: For instance, if a private insurance corporation would agree to insure property in the central part of the Nation, say, on this side of the Rocky Mountains, and if they would ask an exorbitant rate for doing it, and if the Corporation went in there and did that themselves, they would lower their potential losses and increase their potential income. In that way it is my firm conviction that with the policy that is being pursued of fighting this war in other lands and away from our home grounds, aside from a few possible serious but not necessarily vital raids—what are called token raids—I believe that this insurance corporation can carry that work on at no great loss to the Treasury in the end. The bill has been carefully drawn in broad language designed to enable the Corporation to work out reasonable rate schedules. I also trust it will not be cluttered up with limiting amendments adopted without due consideration of all factors involved. For that reason

I hope that every man in this House will vote for this bill.

I yield back the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey [Mr. KEAN].

The CHAIRMAN. The gentleman is recognized for 3 minutes.

Mr. KEAN. Mr. Chairman, this is a three and one-half billion dollar bill. The provisions of this legislation, as written, permit the Reconstruction Finance Corporation to sell to the public three and one-half billion dollars of guaranteed bonds, outside the debt limit.

Three years ago I introduced a bill forbidding this practice and providing that the Reconstruction Finance Corporation must get its money direct from the Treasury which, in turn, could sell its own bonds to the public. Several months ago the Treasury announced that they would in future carry out voluntarily the provisions of my bill and would not sell any more guaranteed bonds, but hereafter would only sell Treasury bonds and notes. It is in reliance on this statement that I am not going to muddy the waters of this authorization by offering an amendment prohibiting the bad practices which were carried out in the past, whose only advantage was to fool the people on the size of the national debt. I think the Treasury ruling that they will only sell their own securities in the future is very salutary and greatly to the advantage of the country.

I yield back the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN. The gentleman is recognized for 4 minutes.

Mr. WILLIAMS. Mr. Chairman, I do not know that I will even take the 4 minutes.

There are three things in this bill, as has already been stated by a number of Members. In the first place, it authorizes the Reconstruction Finance Corporation to institute condemnation proceedings to acquire property upon which to build and equip plants for the construction of war material. The Reconstruction Finance Corporation today is perhaps acquiring more land than any other governmental agency, and it is necessary that the power to condemn property be granted it.

This bill extends the borrowing power of that Corporation altogether $3,500,000,000. The evidence before our committee showed that there have already been commitments made by the Reconstruction Finance Corporation up to the full amount of its borrowing capacity, and it is necessary to increase that capacity for it to carry on its war work in the buying of sites and the construction of plants and the purchasing of critical and strategic materials through its subsidiary corporations.

There seems to be no controversy about it continuing that work, and if it does continue it is necessary that it have additional borrowing power.

Then there is the insurance provision, which is something new. Property insurance on account of enemy attack is a new policy of this Government. It is based upon the ancient theory that the king must defend his subjects against the attack of the king's enemies. The theory of this bill is that when the United States Government provides insurance for the property owners of this country it has performed that obligation and it is up to the property owner, after the insurance is made available, to take out that insurance or leave it, as he chooses. If he has a loss resulting from enemy attack, and does not take advantage of the insurance, that is his misfortune, just the same as it is the misfortune of a property owner who has a loss and does not have fire or tornado or earthquake insurance. That would be unfortunate. The Government, by the establishment of this insurance corporation, makes available to the property owners of this country protection against loss from enemy attack.

The Senate bill exempts from the operation of premium insurance property up to $15,000. I for one cannot and will not agree to that provision. From my standpoint, there is no compromise on that question. There is no reason why that exemption should be in the bill.

The Government now offers marine insurance. The Government offers National Service life insurance to all in the military service of the United States. It has been suggested that there be free insurance upon a certain amount of property and the Senate bill provides $15,000. That means all who suffer losses below $15,000 are protected without paying a premium. That means that a person living in a $15,000 home would receive full compensation for damage without contributing a cent, but a business or manufacturing concern or airplane factory would have to pay on all over $15,000 damage. Is there any such provision for marine insurance? Is there a provision for the small shipper that he shall have free insurance for his cargo? No. He has to pay at the same rate whether it is $10,000 or a million dollars. Is there any such exemption for the boys in service? If they want insurance they have to pay for it. Is there any provision that the boy who wants only $5,000 shall have it free, while the boy who wants over that amount will have to pay for it? Is there any provision that the poor boy who has only his $21 or $30 pay with which to pay his insurance shall have it free? There is no distinction there. Under the law he must pay for his insurance the same as the son of the millionaire and take it out of his meager allowance, but it is now proposed to give a man living in a palatial home of $15,000 or even $3,000 free insurance. Everyone in the military service can have insurance if he wants it, but he must pay for it. There are no exemptions. Everyone shipping by water transportation may have maritime insurance. There are no exemptions for the small shipper. Why should there be any exemptions for the small-property owner under this bill? It is true that there are more small-property owners than there are big ones. They have more votes. That may be an appeal. But I cannot reconcile the logic of giving the small-property owner free insurance and not giving it to the soldier boy in the front ranks of battle who has to face the shot and shell of the enemy. He has to pay for his insurance; why should not all property owners? Vote to give property owners exemption from the payment of a premium to protect their property and then require human beings to pay a price to get protection for their lives if you want to. Do you think you could vote for that kind of law and ever look a soldier boy in the face? That is a clear declaration that you are placing the protection of property rights above human life. You may take that course if you choose. As for me, I will have none of it.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting immediately before the fifth paragraph thereof the following new subparagraph:

"(5) To acquire real estate and any right or interest therein by purchase, lease, condemnation, or otherwise, determined by the Corporation to be necessary or advantageous to the carrying out of any authority vested in any corporation created or organized pursuant to this section. The Corporation is also authorized to sell, lease, or otherwise dispose of any such real estate. Proceedings for such condemnation shall be instituted in the name of the United States pursuant to the provisions of the act approved August 1, 1888 (25 Stat. 357), as amended, and any real estate already devoted to public use which would be subject to condemnation in proceedings instituted upon application of any officer of the Government shall likewise be subject to condemnation in proceedings instituted upon application of the Corporation as herein provided. Sections 1, 2, and 4 of the act approved February 26, 1931 (46 Stat. 1421), as amended, shall be applicable in any such proceeding. Any judgment rendered against the United States in any such proceeding shall promptly be paid by the Corporation. Immediately upon the vesting of title in the United States of America in any such proceeding, the Federal Loan Administrator, by deed executed by him in the name of the United States of America, shall transfer the entire title or interest so acquired to the Corporation, and the Corporation shall thereupon have the same rights with respect to any real estate so acquired as it has with respect to real estate acquired by purchase. The power to institute proceedings for condemnation in pursuance of this section shall terminate upon the conclusion of the present war or at such earlier time as the Congress by concurrent resolution, or the President, may designate, but no such proceedings instituted prior to such termination shall abate by reason thereof or by reason of the expiration of the Corporation's period of succession."

Mr. STEAGALL. Mr. Chairman, I ask unanimous consent that wherever in the bill the language "Federal Loan Administrator" appears that it be changed to read "The Secretary of Commerce."

The CHAIRMAN. Is there objection?

There was no objection.

Miss SUMNER of Illinois. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Miss SUMNER of Illinois: On page 5, line 18, strike out "or advantageous."

Miss SUMNER of Illinois. Mr. Chairman, this amendment is intended to

make the provision of condemnation for the Reconstruction Finance Corporation the same as that given last Saturday in the second war-powers bill. There the provision read that there should be condemnation only when it should be deemed necessary for the military, naval, or other war purposes. I felt that the provision in the R. F. C. bill as proposed, giving the R. F. C. power to condemn where it was advantageous, was too broad. I even thought it was unconstitutional, and I asked the chairman of the committee to submit it as a committee amendment. Now he has given me the language of the original act of 1888, which includes that phrase "or advantageous." I still believe, however, that we ought not to and that the House will not want to give the R. F. C. broader powers of condemnation than those we gave last Saturday to the War Department and the Secretary of the Navy, particularly since this bill does not limit the condemnation power to war necessities. Without this amendment there would be the right to the Corporation to condemn for any purpose the R. F. C. might want, whether or not it was useful in wartime, providing that it be advantageous to the carrying out of any authority vested in any corporation created or organized pursuant to this act. I hope the committee will see fit to accept this amendment. It, at least, should be considered in light of the corresponding power granted in the bill we passed last Saturday.

Mr. STEAGALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would not at first thought seem to be of great importance or involve any serious difficulty in connection with this legislation, but I am afraid we shall take some risk if we adopt it. I find in the original act of 1880 that the identical language employed in the bill before us is used in determining the necessity for condemnation. The language in the act of 1880 is:

Where necessary or advantageous.

The use of the words "or advantageous" in this bill would seem to relate to the economies of the situation, to the interests of the Government as involved in the particular transaction from a financial standpoint, and the decision of the Supreme Court since the passage of the act of 1880 has been based upon the identical language carried in the act of 1880. The definitions and decisions have all been rendered upon the basis of that identical language. It seems to me it would be unwise to change that language. I think it will be agreed that we do not need any more restricted authority in the emergency that confronts the country at this time than would be the case under normal conditions. Under the circumstances I should be very glad if the gentlewoman from Illinois would not insist on her amendment.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. KEAN. Mr. Chairman, the gentlewoman from Illinois stated that this power could be used for other than war purposes. I was of the same opinion when the language came before the committee, and I remember referring back to section 5 (d), which stated that the purpose of this language was for the economic stability of the country; and in some way either Mr. Jones or Mr. Hamilton satisfied me on that—that it could only be used for war purposes.

Mr. STEAGALL. Oh, undoubtedly that is true.

Miss SUMNER of Illinois. The bill does not say so.

Mr. STEAGALL. Undoubtedly any action taken under the bill before us would be taken for war purposes, and the provision of the bill is limited to war powers conferred under former legislation. It would undoubtedly be exercised with reference to the war program, and only in that connection.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Certainly.

Mr. WILLIAMS. In answer to the question of the gentleman from New Jersey, if the gentleman has before him the Reconstruction Finance Corporation Act——

Mr. KEAN. I have 5 (d) here.

Mr. WILLIAMS. The gentleman will find—I have it here as page 13—this language heading all these powers: "In order to aid the Government of the United States in its national defense program the Corporation is authorized" to do so and so all the way through it. That is the heading—the introductory paragraph. It could be used for no other purpose than to aid the United States in its national defense program.

Mr. KEAN. That modifies the original 5 (d)?

Mr. WILLIAMS. That is correct. That is ahead of all the powers that are granted under this provision of the law.

Miss SUMNER of Illinois. It does not specifically say that the right to condemn is limited to war purposes.

Mr. STEAGALL. All the powers that would be conferred relate to war purposes.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois [Miss SUMNER].

The question was taken; and on a division (demanded by Miss SUMNER of Illinois) there were—ayes 42, noes 61.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. The Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after section 5e thereof the following new sections:

"SEC. 5f. (a) Any department, agency, or independent establishment of the Government or any corporation all of the capital stock of which is owned or controlled, directly or indirectly, by the Government is hereby authorized, notwithstanding any other provision of law, to sell, transfer, or lease, with or without consideration, to the Corporation or to any corporation created or organized pursuant to section 5d of this act, any real estate and any right or interest therein.

"SEC. 5g. (a) The Reconstruction Finance Corporation is hereby directed to continue to supply funds to the War Damage Corporation, a corporation created pursuant to section 5d of this act; and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this subsection. Such funds shall be supplied only upon the request of the Federal Loan Administrator, with the approval of the President, and the aggregate amount of the funds so supplied shall not exceed $1,000,000,000. The Reconstruction Finance Corporation is authorized to and shall empower the War Damage Corporation to use its funds to provide, through insurance, reinsurance, or otherwise, reasonable protection against loss of or damage to tangible real property and tangible personal property which may result, or may have resulted, from enemy attack. Such protection shall be made available through War Damage Corporation upon the payment of such premium and subject to such terms and conditions as War Damage Corporation, with the approval of the Federal Loan Administrator, may establish. Any such loss or damage sustained prior to the approval of this act or prior to a date to be determined by the Federal Loan Administrator and in no event later than July 1, 1942, may be compensated by War Damage Corporation without requiring a contract of insurance or the payment of premium or other charge, and the loss may be adjusted as if a policy covering such property was in fact in force at the time of such loss. Such protection shall be afforded only (1) to such property situated in the United States (including the several States and the District of Columbia), the Philippine Islands, the Canal Zone, the Territories and possessions of the United States, and in such other places as may be determined by the President to be under the dominion and control of the United States and (2) to such property in transit between any points located in any of the foregoing: *Provided*, That such protection shall not be extended to property in transit upon which the United States Maritime Commission is authorized to provide marine war-risk insurance. War Damage Corporation, with the approval of the Federal Loan Administrator, may suspend, restrict, or otherwise limit the provision of such protection in any area as it may determine necessary or advisable in consideration of the loss of control by the United States or other factors making it impossible or impracticable to provide such protection therein."

Mr. STEAGALL. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. STEAGALL: Insert after the word "attack", line 4, page 8, the following: "or from any action taken by the military, naval, or air forces of the United States in resisting or guarding against enemy action."

Mr. STEAGALL. Mr. Chairman, this is giving full protection against damages incidental to enemy attack, as suggested in my original explanation of the bill.

Mr. KEAN. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from New Jersey.

Mr. KEAN. May I say to the gentleman that I am strongly in favor of this amendment, but it is not a committee amendment because the committee has not considered the amendment.

Mr. STEAGALL. I did consult a number of the committee members on both sides and all I spoke to agreed.

Mr. KEAN. The gentleman did not consult me.

Mr. STEAGALL. I did not have the opportunity to do so.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. STEAGALL].

The committee amendment was agreed to.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I have a substitute amendment to offer for the committee amendment, and I would like to have recognition.

The CHAIRMAN. To the amendment offered by the gentleman from Alabama?

Mr. WILLIAM T. PHEIFFER. That is correct. I have a substitute amendment for the amendment we just voted on.

The CHAIRMAN. The Chair understood the gentleman wished to be recognized to offer an amendment to the section, not to the committee amendment.

Mr. WILLIAM T. PHEIFFER. This is a substitute for the committee amendment.

The CHAIRMAN. The Chair misunderstood the gentleman.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the vote just taken be rescinded and set aside so that the gentleman may offer his substitute amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

The CHAIRMAN. The Clerk will report the substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM T. PHEIFFER to the committee amendment: Page 8, line 4, after the word "attack", change the period to a comma and insert: "and which may result or may have resulted from a premeditated plan of action of our own armed forces designed to prevent such properties from being seized and used by the enemies and/or designed as an aid to resisting or guarding against enemy action."

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, it will be observed that my amendment, which is a substitute for the committee amendment, embraces almost identically the verbiage of the committee amendment, but goes further and takes in what is known under the terminology of modern warfare as the "scorched earth" policy or action which is adopted when it becomes necessary to prevent the enemy from seizing and using valuable property of our country or one of our allies, including privately owned property, which would otherwise fall into their hands if it was not destroyed, dismantled, or incapacitated in such a way as to make it of no practical value or benefit to the enemy.

I have an exact case which has arisen with respect to a corporation in which one of my constituents is a heavy stockholder. That corporation has property in the Philippines. We do not know just what was done by our retreating forces under General MacArthur before the evacuation of Manila in order to make the capture of that city of as little military value as possible to the Japs. If it develops that it was necessary for our forces, in the good judgment of General MacArthur and his staff, to destroy or dismantle privately owned American property before evacuating Manila, or other areas in the Philippines, then it seems to me only fair and right that the American owners of that property should be compensated to the same extent as the owners of private property actually destroyed by enemy action.

Mr. KUNKEL. Will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Does the gentleman's substitute amendment contain the same language as contained in the committee amendment known as the "scorched earth" amendment?

Mr. WILLIAM T. PHEIFFER. Not exactly, but the language that is almost identical is the last sentence, which is as follows:

and/or designed as an aid to resisting or guarding against enemy action.

I believe in the committee amendment the words "resisting or guarding against enemy action" are used, if I am not mistaken.

Mr. KUNKEL. The committee amendment provides for damage done by our own airplanes and our own troops in the course of action.

Mr. WILLIAM T. PHEIFFER. That is right.

Mr. KUNKEL. I do not believe the gentleman's amendment covers what the committee amendment covers, which I believe it is the gentleman's intention to have it do.

Mr. WILLIAM T. PHEIFFER. It is my intention to have the amendment cover all sources of damage to private property, whether it be from enemy action or from our voluntary, premediated action for the purpose of slowing up or in any way retarding the course of the enemy, or preventing the enemy from using our property, which they might otherwise seize.

Mr. KUNKEL. I do not believe the gentleman's amendment, as worded, goes as far as he means it to.

Mr. WILLLIAM T. PHEIFFER. This is a rather common situation. We read about it all the time. It sometimes becomes necessary for the United Nations to destroy their own property as a strategic measure. It may become necessary quite often in the future, although I devoutly hope it will not be. Under the bill as it is now drawn and under the committee amendment, there would be no insurance—no compensation whatever—to the owners of that property in the event the "scorched earth" policy was invoked.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield to the gentleman from Tennessee.

Mr. GORE. I have studied the gentleman's amendment and the amendment offered by the chairman of the committee. May I ask the gentleman what his amendment includes that the committee amendment does not include?

Mr. WILLIAM T. PHEIFFER. I would be very glad to point out to the gentleman that my amendment specifically includes a premeditated plan of action of our own armed forces.

Mr. GORE. May I point out to the gentleman that the amendment offered by the chairman of the committee includes that and more, too. It includes any damage which results from action on our part in resisting an attack of the enemy. I think the gentleman might, by becoming too specific, give direction to exclude certain things which the amendment offered by the chairman of the committee includes.

[Here the gavel fell.]

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I understand, the chairman of the committee offered an amendment which provides, after the word "attack" the word mentioned in the gentleman's amendment, these words: "or from any action taken by the military, naval, or air forces of the United States in resisting or guarding against enemy action."

If you vote down the amendment offered by the gentleman from New York [Mr. PHEIFFER], the question will be on this amendment, and the language in this amendment is much stronger without being to technical. If you try to specify everything, you will be excluding many things. Remember, this is a war-insurance corporation. Mr. Jones, in answering a question similar to the questions that have arisen here, said that all he wanted was general language. Then, after consulting with the insurance experts, they could write into each policy definitions and restrictions and other words and phrases that would make it apply to the particular case. But it would not be the right thing to do to try to specify each and every item to be included and each and every possible loss.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. GORE. Is it not true that an effort to spell out specifically might appear as a limitation?

Mr. PATMAN. Certainly. The gentleman's language is very broad, as well as being specific. It is my belief and it is the belief of the members of the committee with whom I have conferred that the language offered by the chairman of the committee and which, I presume, will be adopted, is better than the language offered by the gentleman from New York. It will certainly include everything the gentleman from New York wants. The language has been carefully prepared by the legislative counsel and there can be no doubt as to what it is intended to do.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. THOMAS F. FORD. Does not the language the gentleman from New York has used constitute a limitation? It was not intended to do that, but it does.

Mr. PATMAN. That is what the members of the committee with whom I have conferred believe and what I personally believe, that it is a limitation. When you go to putting limitations on the corporation that is going to write these insurance policies, you may be doing a very dangerous thing.

Mr. MILLS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. By the use of the word "premeditated" in the amend-

ment offered by the gentleman from New York the burden of proof may be shifted so that it will be more difficult for an individual property owner to recover damages under this language.

Mr. PATMAN. I think the gentleman is exactly right.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Alabama.

Mr. STEAGALL. In addition to the suggestion made by the gentleman from Arkansas, there is this limitation which would require proof that the property being seized was intended to be used by the enemy. They might destroy it through no fault of their own.

Mr. PATMAN. You have a double-barreled proposition.

Mr. STEAGALL. The language of this amendment makes it a substitute for the other amendment. Instead of the broad language employed in the other amendment, which was carefully drawn so as to protect against damage resulting from "any action," this amendment confuses the matter.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. There is a great deal to what has been said on this subject with regard to the sufficiency of the committee amendment. I am certainly not wedded to the language in the substitute amendment. My purpose is to be sure that we insure against damage resulting from the application of the scorched-earth plan, because frequently more damage is done that way than by actual enemy action. In my substitute amendment I included what I understood was going to be the substance of the committee amendment.

Mr. PATMAN. I hope the gentleman will not take all my time. I hope the gentleman, in view of what has been said and in view of the assurance that it includes everything he has in mind, will withdraw the amendment and permit the chairman's amendment, which has been very carefully drawn, to be adopted.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, may the committee amendment be again read?

The CHAIRMAN. Without objection, the clerk will again report the committee amendment.

There was no objection.

The Clerk read the committee amendment.

Mr. WILLIAM T. PHEIFFER. I would like to ask the chairman of the Committee on Banking and Currency if it is the legislative intent this afternoon to include specifically in the committee amendment the so-called scorched-earth proposition?

[Here the gavel fell.]

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STEAGALL. It certainly would be.

Mr. WILLIAM T. PHEIFFER. In view of the statement just made by the chairman of the committee, Mr. Chairman, I accept the committee amendment and ask unanimous consent to withdraw my substitute amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Alabama [Mr. STEAGALL].

The committee amendment was agreed to.

Mr. SPENCE. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SPENCE: On page 8, lines 2 and 3, strike out the words "tangible real property and tangible personal property" and insert "property real and personal."

Mr. SPENCE. Mr. Chairman, the fundamental purpose of this act is to give insurance to people who otherwise would be unable to obtain it. In doing this I think we should grant to the Corporation furnishing this insurance the widest latitude, large powers in its administration. Tangible real property and tangible personal property is a narrow term. It would limit the power of the corporation to issue insurance to protect the people against loss. The pending amendment has been agreed to by the general counsel of the Reconstruction Finance Corporation, and it has been agreed to by Mr. Jones.

What is an insurable interest? An insurable interest is that property or right of the assured in respect to which he is liable to loss. The assured has an insurable interest when he has an interest in the subject insured, and the happening of the event insured against may bring upon him pecuniary loss.

Persons held to have an insurable interest in property include the holder of the legal or equitable title, a trustee, a cestue que trust, a tenant in common, a part owner, a partner, a stockholder, a life tenant, a remainderman, a reversioner, persons holding liens thereon generally, persons possessing a right or equity of redemption generally, a mortgagor, a mortgagee, a lessor, a lessee, a bailee, or other person having the custody of and responsibility for the property such as carriers, warehousemen, and pledgees, an assignor or assignee for the benefit of creditors, a receiver, a vendee or purchaser under contract of purchase, and a person in possession under claim of right.

Now, suppose the legal titleholder did not care to take this character of insurance and his mortgagee wanted to protect himself against loss. Under the terms of this bill the mortgagee could not obtain the insurance, and, while this great Corporation is going into this business, I think it not only ought to be given all the power that is necessary to carry out the purposes of the act and to grant the insurance that is necessary to protect the people against loss—enlargement of its power will also operate as a stimulant to private enterprise and will encourage insurance companies to enter this field. I do not believe the agencies of the National Government should encroach upon the province of private enterprise where private enterprise can do the job as well, or where private enterprise can give adequate protection. I think the fact that you broaden the powers of the War Damage Corporation to furnish this insurance will not only give the people more ample protection but will stimulate private enterprise and the private insurance companies to enter this general field, and if they do so, and their rates are reasonable and their protection ample, there will be no occasion for the War Damage Corporation to enter the field, or, having entered the field, it may withdraw when ample protection may be secured from other sources.

Mr. ROLPH. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. Yes; I yield to the gentleman from California.

Mr. ROLPH. As I understand the gentleman's amendment, it would take care of those risks I interrogated the Chairman about earlier this afternoon.

Mr. SPENCE. All of those risks may be taken care of subject to rules and regulations of the War Damage Corporation.

Mr. ROLPH. Tangible and intangible?

Mr. SPENCE. If they want to include them by rules and regulations they can include the risks the gentleman mentions. It is all up to the Corporation what they desire to do, and in the passage of this amendment you do not tie their hands, but you let them operate as they judge to be the best interests of the American people.

Mr. ROLPH. As I understand it, Mr. Secretary Jones, in the hearings, stated that these risks are included. Did the gentleman understand that to be so?

Mr. SPENCE. No; I do not think he stated in the hearings that the risks such as the gentleman mentions are included, but they can be included under this amendment.

STATEMENT OF HON. CLAUDE HAMILTON, GENERAL COUNSEL, RECONSTRUCTION FINANCE CORPORATION, ON PROPOSED AMENDMENT TO S 2198

Section 2 of the bill, as passed by the Senate on February 3, 1942, and as reported by the Committee on Banking and Currency of the House of Representatives on February 6, 1942, provides for the continuation and modification of the program established by the Reconstruction Finance Corporation to provide protection against losses resulting from property damage caused by enemy attack. Both the Senate enactment and the House bill limit such protection to tangible property, real and personal. It is proposed to delete the provision limiting such protection to only such property as under law may be regarded as tangible. This amendment is effected by striking the words "tangible real property and tangible personal property" appearing in lines 2 and 3 on page 8 of the bill as reported to the House, and substituting the following: "Property, real and personal,". All subsequent references in this section to "such property" would then refer only to real and personal property.

It is proposed that this restriction be removed as unnecessary to the operation of the bill and in order to avoid any unintentional inequities which may result in its application.

It is immediately apparent from a reading of this section, and more particularly from a study of the record, that both the Senate and the House Committee which has consider this proposal are of the unanimous opinion that much of the detail of the program can best and most expeditiously be determined by the administrator charged with its execution. Subject to a maximum limitation he is to determine, under the House form, the amount of the gratuitous benefit to be allowed as respects losses sustained before the full insurance program can be set up. He is authorized to restrict the areas within which such protection may be provided as may be necessary or advisable in view of the loss of control of designated areas by the United States. He is to determine the premiums to be charged for the insurance to be issued or reinsured by the Government, and he is to establish the terms and conditions of such insurance. Incident thereto it will be necessary for the administrator to determine the percentage of loss to be covered, to establish various classifications of property, to define the scope of such terms as "enemy attack," and to designate the legal rights which must be established in order to qualify for the benefits of the program. The bill represents a broad, advisable and necessary delegation of authority. It contemplates an intricate insurance or reinsurance program which must be established hurriedly for emergency purposes.

It seems appropriate, then, to permit the administrator to establish the various classifications of property to be covered as necessity and experience may require or permit. There is little reason for the imposition of this single restriction upon the definition of property If certain properties generally classed as intangibles can effectively be covered by such insurance, the administrator should be free to provide such coverage It is mere chance that results at any one moment—the moment of destruction—in the ownership of tangible property by one man and the ownership of intangible property by another. If protection can be afforded to both, it should be. There is no difference in principle.

It may, admittedly, prove infeasible to provide any protection for some classes of property. That is left to the discretion of the administrator. It is the purpose of this amendment merely to prevent the preclusion of any single class of property from such benefits.

It seems pertinent to observe that any sharp demarcation between the concepts of tangible and intangible property has long since been erased in a maze of case law and a plethora of statutes bearing in one way or another upon property or property rights. Certainly the modification of property by the word "tangible" alone is of little avail in achieving even a workable delimitation. Property is itself but a "bundle of rights," a definition of privileges.

Its classifications as devised by law and lexicology are unending; it is real, personal, movable, immovable, corporeal, incorporeal, public, private tangible, and intangible; it is an estate, an interest, a right, a chose, and a dozen other things.

I am not advised that anyone is insistent upon this restriction. Its removal is not objectionable to the Federal Loan Agency. It will be, apparently, a matter of indifference to the Senate. Some discussion was devoted to the matter by the Senate Committee, but no decisive opinions were evidenced either in favor of, or in opposition to, the deletion of the word tangible

It is not possible to anticipate all of the circumstances with which the administrator of this insurance plan will be faced. It is not possible, then, finely to define directives for the administrator. The one proposed to be deleted by this amendment has no more place in the bill than a hundred others we have not seen fit to impose.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. VORYS of Ohio. Mr. Chairman, I rise in opposition to the amendment. This amendment would have the United States Government, in wartime, go into the business of insuring against intangible damage or damage to intangible property. This is the very purpose of it in striking out the words "tangible real property and tangible personal property." That means that this amendment would authorize insurance against losses of credit, losses in profits, losses in patent rights. It is not needed in order to furnish protection to those who have interests in real estate other than that of fee-simple title, because the resolution without the amendment provides that "reasonable protection" is to be furnished against loss or damage to tangible real or tangible personal property.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I cannot yield at this moment.

Protection against loss or damage to tangible property means that you protect those who lose if the tangible property is lost or damaged. When, however, you broaden that protection to protect those who would lose if intangible property is lost or damaged, you are embarking into a field of credit insurance, and all sorts of insurance, a course which is utterly unjustified at this time. I cannot help but point out once more that whereas this Congress has by its act limited the value of a human life to $10,000, we are going to be so jealous of property rights that we are not only providing unlimited protection but unlimited protection for unlimited kinds of property rights, all sorts of speculative rights that are the subject of insurance. I hope this amendment will be defeated and that this bill will at least be limited to insurance and protection of interests in tangible property—real and personal.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. SPENCE. Under this act as now drawn, only the legal title owner could get insurance. The gentleman agrees with that?

Mr. VORYS of Ohio. I do not agree with that. I have just quoted the act, page 8, line 1:

> Reasonable protection against loss of or damage to tangible real property and tangible personal property.

The persons to be so protected are not named. There is no limit upon the persons who are to be protected. In order to furnish protection you protect the interest that sustains the loss or damage, whether of a tenant or a fee-simple titleholder or a leaseholder. Any division in the title is recognized in the word "protection."

Mr. SPENCE. What protection has a mortgagee or a lien holder? Does he hold intangible property or tangible? Is not his interest intangible?

Mr. VORYS of Ohio. If you are authorized to furnish protection against loss of tangible property, then a lien holder who is injured by loss or damage to tangible property may be protected under the law that authorizes protection. The trouble with your amendment is that, in attempting to amplify what you mean by "protection," you are taking in all kinds of additional property.

Mr. SPENCE. I admit that the legal titleholder could have inserted in his insurance policy a mortgage clause or a lien clause, and that would protect the lien holder or the mortgagee; but suppose they, independent of the holder of the legal title, want to get insurance on their interest, they could not do it under this act.

Mr. VORYS of Ohio. There is nothing in this bill without the gentleman's amendment that specifies or limits who shall be protected, and therefore anyone who loses can be protected under this bill without the amendment.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. PLOESER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, it is normal procedure in the insurance business to attach to standard fire-insurance coverages and standard tornado-insurance coverages profits insurance—insurance against fixed expenses which are other than the tangible value of the real estate involved or the personal property involved. It is also very frequently found, if not always a portion of the risk involved, that the value of the business is not necessarily judged in the value of the real or personal property being used to conduct that business. It has been referred to as use and occupancy insurance, or profits insurance, or fixed-expense insurance, or rents insurance.

I think the amendment offered by the gentleman from Kentucky is a necessary amendment. If you are going into the insurance business, then go into the insurance business right. Do not hamstring your War Risk Insurance Corporation so that it cannot write a logical and reasonable contract of insurance. You are not going to find any other insurance company coming along and taking a portion of this risk while the War Damage Insurance Corporation takes the tangible feature of it. If you are going to say "A" in this regard, you are going to have to speak the entire alphabet. You might as well start in at once. Give this War Damage Insurance Corporation sufficient latitude that it can, with experienced underwriters in its personnel, decide what a logical premium would be for the assumption of that type of risk.

I am in favor of the amendment. I am amazed that the committee did not think of it before they reported the bill. But now that the gentleman from Kentucky has proposed it, I am glad he has proposed it.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. SPENCE].

The question was taken; and on a division (demanded by Mr. SPENCE and Mr. PLOESER) there were ayes 48 and noes 12.

So the amendment was agreed to.

Mr. BEITER. Mr. Chairman, I have an amendment at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BEITER: On page 8, line 20, after "United States", insert "and all bridges extending from the United States to Canada and Mexico."

Mr. BEITER. Mr. Chairman, this suggested amendment was called to my attention——

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. BEITER. I yield.

Mr. WILLIAMS. I am not sure that there is any objection to the gentleman's amendment. I see no objection to it, but I would like to know how these international bridges are constructed and who owns them.

Mr. BEITER. There are several bridges leading from New York State into Canada. One is owned by the International Railway Co., a New York State corporation; another is owned by a railroad company, also a corporation of the State of New York. Two others, the famous Peace Bridge at Buffalo and the Rainbow Bridge at Niagara Falls, are owned by corporations formed in the State of New York under State charter. The State of New York owns about 25 percent of the bonds. The remaining 75 percent are owned by private individuals.

Mr. WILLIAMS. What is the procedure by which they obtain the right to construct a so-called international bridge with one end of it in some other country?

Mr. BEITER. There is a bridge authority created by the Legislature of the State of New York. The authority entered into agreements with Canada for construction of each of the spans.

Mr. WILLIAMS. The bridge is owned entirely by the American corporation?

Mr. BEITER. I cannot state definitely as to the Peace Bridge and the Rainbow Bridge, but in the case of the Lewistown Bridge and the Lower Arch Bridge I am fairly certain that these are owned by corporations wholly within the State of New York.

Mr. WILLIAMS. The north end of the bridge in each case is anchored to the Canadian shore?

Mr. BEITER. That is right.

Mr. WILLIAMS. Perhaps in that respect, that part of it would not be included in this bill. This bill includes all property within the United States.

Mr. BEITER. That is right. Of course, if the bridges were destroyed, even on the Canadian side, they would be of no value to the Americans. If part of a bridge is destroyed it would be of no value to anyone. I think they should be given some protection under this act.

Mr. WILLIAMS. Personally I see no objection to it.

Mr. MILLS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. BEITER. I yield.

Mr. MILLS of Arkansas. In the event it materialized that the State of New York owned a portion of certain of these bridges referred to by the gentleman from New York, would he feel it would be within the proper responsibility and duty of the Federal Government to insure that State holding?

Mr. BEITER. Of course, these bonds are owned by people of the State of New York.

Mr. MILLS of Arkansas. Regardless of who owns the bonds, do you think it is proper for the Federal Government to insure a State government against loss from enemy attack?

Mr. BEITER. I think that all properties should be insured and that this bill should make no distinction.

Mr. MILLS of Arkansas. Does the State have no responsibility in time of distress such as this?

Mr. BEITER. I do not believe there is an insurance company that would take care of any such loss in the matter of war damage, nor would the State have any responsibility.

Mr. MILLS of Arkansas. There may not be any insurance company to protect the State interest.

Mr. BEITER. Or any other interest.

Mr. MILLS of Arkansas. But the point that disturbs me is whether or not it is the responsibility of the Federal Government in any case to protect the interests of the State—property owned by a State government—against enemy attacks.

Mr. BEITER. There should be no distinction between property owned by individuals, corporations, or local or State governments.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. BEITER. I yield.

Mr. WILLIAMS. Further answering the gentleman, I am very sure this bill covers public as well as private property, public property owned by the State within the United States and property owned by counties, school districts, and municipalities. The purpose of the bill is to cover all such property with insurance.

Mr. BEITER. I think the gentleman is correct.

Mr. SMITH of Ohio. I do not quite understand the necessity for this amendment.

Mr. BEITER. As I interpret this bill, as it is written it does not contain any protection for bridges extending from the United States to Canada or to Mexico.

Mr. SMITH of Ohio. As long as it covers property of citizens this bill would cover it. That is why I wondered about it.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. BEITER), there were—ayes 37, noes 7.

So the amendment was agreed to.

Mr. DEWEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEWEY: On page 8, line 8, after the word "establish", strike out the period, add a colon, and insert "*Provided*, A damage payment of $100 shall be made by the War Damage Corporation to each person who, by affidavit of two disinterested citizens, substantiates a claim for loss of personal belongings in any damaged building in which the affiant has resided as a bona fide or actual resident. The payment of such damage payment shall in no way be contingent on nor depend upon the payment of a premium, nor shall it prevent the obtaining of additional protection by the paying of any premium heretofore made."

Mr. DEWEY. Mr. Chairman, the House bill provides for insurance upon the payment of premiums; unlike the Senate bill, which gives some free insurance, the House bill gives no free insurance whatsoever.

It is my belief that there will be a great many people who rent, the owners of no property whatsoever except their clothing and personal belongings, who may be tenants or residents of houses which might be destroyed. It will be these small people who will, through lack of experience in business matters, probably not take out the insurance, and it will be mostly people of that type who will be hurt by bombing or any damage to cities, and I believe a $10[illegible] payment of free insurance upon affidavit of actual loss of personal property should be incorporated in this bill to care for this type of person.

Mr. MONRONEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we have got to use great care in establishing a war-damage insurance policy that may sometime be a most important policy.

Having heard the amendment offered by my dear friend from Illinois read, I do not believe we can afford to legislate in such a hasty manner. In other words, the amendment is so drawn that each person may claim, by mere affidavit support of two friends, the uniform sum of $100.

Obviously, a family of six members would be given an insurance policy, or what amounts to an insurance policy, for $600; a family of two would have an insurance policy of $200. I do not believe this is the proper way to total the insurance amount to be put in a bill by which we seek to establish a sound economic, businesslike type of war insurance. I would like to agree with the gentleman from Illinois because I know he is a great humanitarian and wants to render a great service to our people. However, I know that when the time comes—and God forbid that it does—that we should have a Coventry in America, this Government will stand behind the people in distress and care for them in their suffering.

But let us not complicate this bill, which is designed to give those prudent people who feel they need bomb, air-raid, or enemy insurance, an opportunity to go into the market and buy a sound insurance policy on that basis. I think we are all agreed that this is the sound way to do it. But this amendment would run into something like $20,000,000,000 of insurance that we would be giving here this afternoon absolutely free.

These claims could be made on an affidavit of loss by two disinterested parties. It is going to be very difficult to determine just what a disinterested party is, whether it is one who has managed to sign an affidavit for somebody else in that group that had the loss, or not. I think we have got to be very careful and go into this thing strictly as an insurance proposition. Then, if disaster strikes and relief is necessary, we must take care of this on a strictly relief basis.

In other words, Mr. Chairman, we should handle insurance on an insurance basis, with policies issued and a clear understanding of the property so insured. Free insurance is not real insurance.

Mr. SPENCE. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Kentucky.

Mr. SPENCE. The only issue that would be tried in a case like that is whether the witness was distinterested? It gives the War Damage Corporation no power to controvert it?

Mr. MONRONEY. That is right.

Mr. SPENCE. You would have an affidavit and the Government would have to pay the amount claimed.

Mr. MONRONEY. Yes. You would have no hallmark of value or assessment value of the property or the cost of the property at the time it was purchased.

Mr. DEWEY. You may take as disinterested people those who had some clothes.

[Here the gavel fell.]

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to say a few words in opposition to this amendment. I do not think we should have free insurance in this bill. If we are going to have free insurance, why do we not provide free insurance for the men in the service? Here we are dealing with property rights and proposed free insurance, but for men who are offering to give up their lives for $21 a month, no free insurance is provided. Perhaps, for the reason stated awhile ago, we should not provide free insurance, just raise their pay, because a large number of them do not want the insurance and do not need it. The same objection would apply to this. A large number of people will not need this $100. They would not carry insurance because they do not need it, so why provide it free?

There is another reason, and a subtantial reason as presented by the gentleman from Oklahoma [Mr. MONRONEY]. This bill would be impossible of administration with the gentleman's amendment in it without a great risk of huge loss to the Government. Free insurance here would involve from ten to twenty billion dollars possibly. I do not know how much it would involve.

Let us just consider the loose way in which this amendment is drawn. Two disinterested people make just a simple affidavit. They say that so and so had some property that was destroyed and it was worth $100, that this person actually had the property. By merely filing this affidavit, this simple language, the War Damage Corporation would be obligated to pay the person $100. There could not be any court trial, there could not be any contest. The Government representatives might come in and say, "Why, that is a mistake, that is a fraud." "Oh, no, we have two disinterested persons and this is the affidavit; the money has got to be paid."

Mr. DEWEY. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. DEWEY. That is the reason the sum is left at $100. It is presumed that a person's clothing and belongings, no matter how poor they may be, are valued at $100.

Mr. PATMAN. Maybe they are not all lost. Maybe none were lost.

Mr. DEWEY. Oh, yes. They have an affidavit of two citizens stating that they were bona fide residents and that they sustained the loss of their personal property.

Mr. PATMAN. Mr. Chairman, any time we adopt the theory of appropriating money on affidavit without an opportunity to offset it, we will be setting a bad precedent.

Mr. DEWEY. The only thing is, the gentleman does not know how far we are going with this type of insurance.

Mr. PATMAN. May I say the trouble with the gentleman is he does not know how far he is going with his amendment.

Mr. DEWEY. Neither does the gentleman with the whole bill, nor with any of these war costs.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. PATMAN. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I wonder if this could not happen: If you brought in the two affidavits, and the F. B. I. brought in an affidavit saying that the clothing was not worth that much, the Government could not offer the affidavit?

Mr. PATMAN He might say he lost his clothes and did not lose any clothes at all; but he has an affidavit of two disinterested witnesses. We are providing by law that an affidavit by two disinterested people, covering certain personal effects, is worth $100 if presented to the Treasury of the United States. That would be a very bad. a very poor, precedent, and one that could not be justified, even though the amount is small.

Mr. MONRONEY. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. Is it not a fact that the affidavit might be worth $600 to $1,200, depending on the number of children there were in the family?

Mr. PATMAN. Yes; if there was a family consisting of five children, the man and wife, that would be $700. All they would have to do is to make the affidavit. Next we would have to presume that everyone is honest. We will presume for the sake of argument that they are. Should not the Government have the right to rebut the proof? Should not the Government have the right to say, "We know positively this person did not lose anything. These affidavits are false." Under the gentleman's amendment, the Government could not even offer that proof. The question is, Are these two disinterested witnesses? Yes; they are disinterested.

Mr. DEWEY. Would the gentleman support the amendment if we took out the affidavit part of it?

Mr. PATMAN. No. I am not in favor of free insurance. I am not in favor of free insurance for soldiers, I am not in favor of free insurance for property, so why give property free insurance when property owners do not want it or do not need it, yet deny free insurance to the soldiers? Just pay the soldiers more and let them provide their own insurance and let the people who want this insurance pay for it.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois, [Mr. DEWEY].

The amendment was rejected.

Mr. NICHOLS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NICHOLS: On page 9, line 7, after the period, insert a new section to read as follows:

"Protection in an amount not greater than $3,000 shall be provided to the owner of any property, as defined by regulations prescribed by the War Damage Corporation, with the approval of the Secretary of Commerce, without requiring the payment of a premium by or other charge to such owner."

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. NICHOLS. If it does not come out of my time.

Mr. PATMAN. I am trying to find out where the amendment goes.

Mr. NICHOLS. It is a new section. It does not make much difference where it goes.

Mr. PATMAN. At the end of section 2, I presume?

Mr. NICHOLS. That is right.

Mr. Chairman, I offer this amendment for two reasons.

In the first place, practically everybody in the United States today thinks his property is protected by the Government and that he will be reimbursed for damage sustained if it is caused by enemy invasion, and that he will pay nothing for that protection. He thinks this by reason of the President's Executive order.

The second reason is that when this bill passed the Senate it had in it a $15,000 exemption. The Government would reimburse property owners for damage up to $15,000. The House Committee on Banking and Currency took out that exemption; it struck out all of the Senate bill and wrote a new bill.

My amendment would provide that the Government would reimburse or would make whole a person who suffered damages up to $3,000, without a policy. If you pass this bill as it is, I guarantee you that the rich people of the country who have time and money to employ counsel to look after these things will bring themselves within the purview of the law and buy and pay for and obtain the protection. The little fellow, however, who is busy working 8, 10, or 12 hours a day in the field or in the shop, does not have time nor money to keep counsel employed who will advise him of the new-fangled laws that have been passed. He will go glibly on his way, and when his property is destroyed, when the little home he has perhaps worked a lifetime to get and that is worth $2,000 is wiped out, he will, in the first place, be laboring under the impression that the Government is protecting him, but in the second place, he

will find out that his neighbor in the next block, who has a $12,000 home and who had enough time on his hands so he could find out about the new law, has for a very, very small consideration got insurance on his home from the Great White Father, the Federal Government; that the Federal Government will reimburse that man for the loss of his home, but the little $2,000 man, when his little life savings are wiped out, will not have known about the policy nor have any coverage of insurance, and therefore will get nothing from the Government for his loss. Further, I guarantee you that when you pass this law it will be like most of the other laws on the books, there will not be over 25 percent of the people in the United States who will know there is such a law.

Someone may say, "Don't you know that if we have an invasion here and a lot of the homes are destroyed, we will then come in and make appropriations to reimburse the home owners?" Maybe we will; I am inclined to think we will. But I submit to you that this is the orderly way to do it.

You need not be too concerned about free insurance. This is not free insurance. This is simply a guaranty that a great Government, which has enough money that it is doling it out to practically every nation in the world that will accept it, upon any sort of a pretense, is big enough to protect the big and the little alike. This is a law for the benefit of the privileged few, and the little man will be left out if you do not adopt this amendment.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Oklahoma is in a rather peculiar situation. In his very opening statement he said that everybody in this country now thought that they were all insured, but that if we pass this legislation nobody will know they are insured.

The Government will be furnishing three kinds of insurance if this legislation passes. The Government is now furnishing insurance to the service men and furnishing marine insurance, and this act proposes to furnish property insurance to those who want it.

Let us consider the classes of insurance we have. Do we propose to exempt the small marine shipper and give him marine insurance free of charge? Not at all. He pays his insurance premiums just the same as the millionaire merchant prince who ships millions of dollars worth of merchandise by water. They all pay upon the same basis.

Above all, the young men in the Army, the Navy, the Coast Guard, and the Marine Corps, who are in the front ranks exposed to danger, who are willing to sacrifice their lives, are required, if they want insurance under the war-risk insurance plan, to pay for it. We do not give them $5,000 or $3,000 free insurance.

The gentleman from Oklahoma can do that if he wants to. As far as I am concerned, I am not going to have any part in a plan which will exempt the homeowners, the $3,000 men, from the payment for insurance on their property, and at the same time require the payment of an insurance premium by the man who is risking his life and his health for his country. There can be no justification for anything like that. I venture to say that nine-tenths of the people of this country are living in houses less than $3,000 in value. The gentleman's amendment proposes to free them from the payment of any insurance premiums at all. The Senate amendment went so far as to insure homes up to $15,000 without the payment of any premium at all.

What kind of a situation are we in as Members of this body if we vote to guarantee insurance to these home owners, the small property owners, up to $3,000, and not require them to pay a cent?

I say again to the Members of this House, you can vote for that kind of proposition if you want to, but as for me, I am not going to vote to free the property owners from the payment of a premium for insurance in this country when we require every one of our soldiers and sailors and marines in the armed service of this country to pay for it.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. Yes, I yield.

Mr. NICHOLS. In two particulars the gentleman referred to me and drew an example from the marine shipper who should not be given an exemption. Of course, I would like to point out to the gentleman the difference there. The marine shipper is making a living out of that, while this fellow is simply living in his house, and I would like to make myself clear on the insurance for losses. I am not sure that the Government——

Mr. WILLIAMS. I do not want to yield to the gentleman from Oklahoma for a speech.

Mr. NICHOLS. All right; the gentleman referred to me and wanted to know what my opinion on it was. I think we ought to give insurance free to the soldiers.

Mr. WILLIAMS. But we are not doing that.

Mr. NICHOLS. Two wrongs do not make a right, I may say to the gentleman.

Mr. WILLIAMS. And I say again, if the gentleman wants to take his stand on the side of the property owners in this country as distinguished from the young men in the service, that is his privilege, but as for me I will take my stand in the interest of human rights and place them above property rights.

Mr. PLOESER. Mr. Chairman, I move to strike out the last two words.

It may seem inconsistent to some for me to say that I would be for a certain amount of free insurance, when you know that under normal conditions I would want to see the Government stay out of the insurance business or any other business. I explained earlier in the afternoon that I have been in this business all my life. At the same time, I told you then, and I tell you now, that I think it is a sounder insurance basis to establish a low amount of free insurance. It will eliminate from the plan a tremendous amount of necessary detail. The small risks which will produce little or no pure insurance premiums for the payment of losses, and may pour into the War Risk Insurance Corporation in great volume. Therein you will find a great expense to the Government which will possibly far exceed any losses we will have from the granting of the minimum amount of free insurance.

Now, my colleague from the State of Missouri says it is inconsistent to grant it on property insurance and not on life insurance, both war risks. There is no one in the world who would prevent the gentleman from Missouri voting to give it to the soldiers, the combatants, or to noncombatants. There will be before the House in the near future, and there must be, some sort of a war-risk insurance bill that will deal with war-risk compensation and should, if properly brought in here, again deal with war-risk life insurance.

The only fault I can find with the amendment of the gentleman from Oklahoma is that he is a little too low in his amount.

As to marine insurance, which was referred to by my colleague from Missouri, a shipper today ships only by direction or permission of the Federal Government, and when he ships he pays a rate for the cargo that goes into that shipment which includes cargo insurance. When it is the duty of the shipper or the operator of that vessel, and the operator may be the Government or the individual, to provide the insurance, the rate includes the cost of that marine insurance. It is not a comparable situation; it is not a comparable risk, and it should not be dealt with on the same basis.

I am glad to support the amendment of the gentleman from Oklahoma. My only regret is he did not raise the amount. The only reason I am not offering an amendment to his amendment increasing the amount is that we are all experimenting in this thing and I think probably we might feel our way along slowly to better advantage.

Mr. PATMAN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, my friend from Missouri, Mr. PLOESER, says that the amount involved here is too small for the Government to bother with and that we should go ahead and make free insurance possible up to the amount of $3,000.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. In just a moment.

May I invite his attention and the attention of the other Members of the House to the fact that this amendment carries a potential risk to the Government of $396,000,000,000.

I now yield to the gentleman.

Mr. PLOESER. I do not like to doubt the word of my distinguished colleague and, particularly, my good friend, but neither he nor any other human being in America can tell me what the potential risk is.

Mr. PATMAN. The potential risk is the number of people multiplied by 3,000 and that does not include——

Mr. NICHOLS. Oh, this goes only to property.

Mr. PATMAN. But all people can own property, you know.

Mr. NICHOLS. If it is on that basis——

Mr. PATMAN. Even a family could divide it up, because I am talking about the potential risk and not actual risk. This does not include corporations, and a corporation could be included. A corporation that would lose $3,000 worth of property would collect that amount without paying any premium whatsoever.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield to me just to make a suggestion?

Mr. PATMAN. Not now. In regard to the question of not being informed on the necessity of carrying this insurance, may I suggest that the object of this War Damage Corporation is not to write insurance at all. The object of it is to make it possible for people to obtain insurance for themselves from private companies at reasonable rates. If the private companies do not provide reasonable rates, then this War Damage Corporation can provide insurance. It is not set up for the purpose of writing insurance itself, only in the event that the people cannot get reasonable rates from private companies. It is contemplated that the people who write insurance of all kinds will give the people opportunity to take this special insurance, and it was suggested before the committee that they would have a little sticker, just as in the matter of the automobile-tax sticker, and the gentlemen in the insurance agency would sell the insurance to the customer and then he would tell him about this war-damage insurance. Very well, he would want some, and the sticker would then be given to the man for a reasonable amount, so that the people would be informed about the insurance, and just as in the case of the automobile tax, the Government had no trouble in collecting it, because the people were all informed about it.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Yes.

Mr. PLOESER. The gentleman remembers that by Executive order we told all of the people of this Nation that they were automatically insured.

Mr. PATMAN. They are, until other arrangements are made. The people were told by a press release that it would be permanent until such time as Congress could pass on the subject and pass legislation making it possible for them to apply for insurance, so that the people were fully informed. We would place ourselves in this ridiculous position if this amendment is adopted. We will take a wealthy person, who takes no insurance. He does not need it. He has plenty of property, he has tax-exempt bonds, he does not pay any income tax, he pays no taxes for the support of the war, no taxes for actual defense, and he has a loss of $3,000, and under this he would get $3,000 without any premium payment whatsoever; but, you take the boy who has been drafted from industry or the farm. He serves in the Army at $21 or $30 a month, and he does not take out insurance, and he loses his life. His father and mother actually need the $3,000, but they cannot get it, because no free insurance is provided for them. I do not think the House wants to place itself in the position of granting private free insurance to wealthy people, whether they desire it or not; and at the same time not provide any insurance that is free for the men who are actually doing the fighting to protect this property that the people own.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last two words.

In connection with this amendment it is interesting to note from the rates, referred to by me previously this afternoon, now being charged by private insurance companies for war-risk insurance, that a $3,000 home in zone 1—that is on the west coast—would cost $1.57 a year.

A $3,000 home in zone 2, on the Atlantic coast, would cost $1.05 per year.

A $3,000 home in zone 3—that is in the interior—would cost 52 cents a year.

The rate on homes in cities under 100,000 is subject to a substantial reduction.

All legislation should be based on tried principles. Legislation not so based is always dangerous, and, regardless of whom it may benefit, such benefit is always temporary. Legislation that is in its nature arbitrary inevitably injures every group.

Mr. PLOESER. Will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. PLOESER. I would like to call to your attention the fact that the $1.80 premium that would be obtained from this War Damage Insurance Corporation would not begin to pay for the red tape set up here in Washington to even write that policy, let alone pay the claim.

Mr. SMITH of Ohio. The answer to that is that he can get this insurance from private companies at the present time.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. The last census showed there were 34,000,000 dwelling units in the United States. At $3,000 each this would make $102,000,000,000.

Mr. SMITH of Ohio. I thank the gentleman for his contribution.

Mr. PLOESER. Does the gentleman expect the entire continent to be wiped out, and, if it does happen, there will not be any need for any war-risk insurance corporation?

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: On page 8, line 8, after the word "establish", insert "any insurance in excess of $10,000 for any single insured shall be limited to 50 percent of the loss."

Mr. VORYS of Ohio. Mr. Chairman, this would put a limit on the experimenting that Jesse Jones could carry on. It is apparent from the hearings and from what members of the committee have told us that Jesse Jones has not thought up yet how he is going to do this. When he gets it thought up he could then come to us and we would certainly be willing to enact any good suggestion he makes, but at present while we have temporary war-risk insurance of $100,000,000 in effect, and while Jesse Jones has not thought it out and the committee has not thought it out, we are going to give wide open, unlimited, power to have the Government go into the insurance business—all kinds of insurance—on a purely socialistic basis, without limit of any kind.

Insurance has never been subject to regulation by the Federal Government. It is regulated by the 48 States, because it is not considered interstate commerce. One interesting thing is that insurance went through the depression better than any other business, far better than any other financial institution that was regulated by the Federal Government. In any State, for instance, in my State of Ohio, the regulation of insurance, including workmen's compensation insurance, which the State of Ohio itself writes, covers many, many pages. You have made no provision in this law as to whether the assured can bring a claim or suit. You have made no provision of limitation as to time, amount, or kind of loss or damage. You have made no provision as to what the insurable interest is going to be, whether you are going to require notice by either party, so as to protect either the insured or the Government. You have provided in one case for free insurance, which I submit is not insurance at all. Free insurance is simply a gift. It is simply compensation. You simply authorize Jesse Jones to go out and pay money until he gets this plan set up. My amendment would simply say, as the gentleman from Missouri [Mr. WILLIAMS] just said, "We have regard for property as we have for human life, but no more"; and whereas the Government says no man's life is worth more than $10,000, we will say no man's property which the Government is going to insure is worth more than $10,000, except that if he wants to get insurance for over $10,000, the Government will cover only one-half the risk.

So this amendment limits the insurance to $10,000, and then 50 percent of the loss in excess of $10,000. As has been pointed out, that will cover the overwhelming number of property owners in this country.

As to the rich people, as to the corporations, and even as to municipalities, they would either have 50-percent coverage, which, I submit, is rather generous for the Government, for the Congress to authorize, or else by July, or whenever Mr. Jones gets around to figuring this thing out on a real actuarial basis, he will bring in here not a blank check, but he will bring up an insurance code which we could vote for, which would authorize the Government to go into the type of insurance business that cannot be covered by private enterprise.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MONRONEY. Will the gentleman detail to the Members of the House the

number of insurance companies and, if possible, their names, which are willing to write this bombing insurance today?

Mr. VORYS of Ohio. I say to the gentleman that I am surprised, utterly amazed, to find that he does not know that, because they have not called a single insurance-company witness before their committee. They have not had, as far as I know, a single man who is familiar with insurance practice on their committee, and they are going ahead into this vast, unlimited insurance field without calling in one single insurance man who could tell them about the thing. I cannot tell you. My colleague from Ohio [Mr. SMITH] has told you two or three companies that are in this field. I do not know. What I say is that this House is derelict in its duty in barging into this new brand of socialism without at least inquiring from those who are in the business how they ought to go at it.

[Here the gavel fell.]

Mr. MONRONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there has been much misinformation and confusion about this matter of enacting a businesslike insurance bill. Accusations of flag waving, accusations made by one side or the other have absolutely nothing to do with perfecting a workable and sound war insurance bill.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. Certainly.

Mr. STEAGALL. My good friend the gentleman from Oklahoma declined to yield. I had a question I wanted to propound to him.

Mr. NICHOLS. I will gladly answer it.

Mr. STEAGALL. I was just wondering if we were not on rather dangerous ground in proposing $3,000 free insurance for the reason that possibly some Congressman might get $3,000 if his property might be destroyed.

Mr. NICHOLS. There is just as much analogy in that as there is in these arguments about the soldier boys.

Mr. MONRONEY. The idea of this insurance effort, I may say to my very dear friend the gentleman from Ohio, was not to supplant or socialize the insurance field. I do not believe Jesse Jones is one of the leading socialists in Washington. But I do feel that when we find ourselves in a situation where the Nation's insurance companies, according to Mr. Jones, are unable to give any war insurance or assume the bombing risk, that the people should have some place to turn to buy their insurance to protect their homes.

FEAR CAUSED ACTION

The people on our two coasts in December were becoming hysterical because they had no place to turn for insurance. If I am informed correctly, there was only one company on the Pacific coast which was willing to write this bomb insurance. So the President and Mr. Jones allayed this fear by announcing a temporary coverage of free insurance to all.

I have absolute confidence in the plan Mr. Jones is trying to work out and believe that if Members of the House understood it they would be equally confident. When this bill is passed, people can get insurance from private insurance companies, because the private insurance company can reinsure with the Federal Government through the R. F. C. I believe this will be a money-making proposition for the R. F. C.

Have we become so frightened that we are afraid bombs will wipe out the entire property of the United States?

Do you not believe our Army and our Navy will be able to prevent all but a very few bombs from falling on this country?

The whole theory of insurance is to spread the risk. I believe everyone understands that; and that is the reason we are trying to keep this on a businesslike basis so that $3,000 homes in Oklahoma will stand an equal share of the responsibility with the $3,000 homes in Pennsylvania and New York, Maine, and Florida. Thus we build up an insurance fund to pay for any damage that might occur in isolated instances, each property insured helping to create a fund by the payment of its own very small premium. I do not think we can all expect Uncle Sam to be big enough to pay off on damage unless property owners help by paying their small fees into the fund. Such insurance gives prudent men an opportunity to go in and protect that property with insurance just as he protects it from fire. I may say that there is as much greater chance for anybody's house in the United States being destroyed by fire, hail, tornado, or earthquake as there is that the house will be wiped out by bomb damage. This insurance is a plain, businesslike undertaking. Bomb insurance in America is a good risk. I know Jesse Jones well enough to know that when the annual report of this insurance company comes in he will show a profit on this operation.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman mentions that this is a plain, businesslike proposition to go into effect when other insurance is not available. Can the gentleman point out anywhere where there is a requirement for businesslike provisions in here or any such limitation in this resolution as that it shall not go into effect until other insurance is unavailable?

Mr. MONRONEY. There may be two or three small insurance companies that may make this insurance available now, but it would not be available to all property owners over the country; therefore we have to furnish a reinsurance fund to make it possible for your constituents and mine, if they are prudent, to get a bomb-damage rider on their policies.

Mr. VORYS of Ohio. Why does the gentleman object to the limitation?

Mr. MONRONEY. If you make this limitation, you are not going to be able to carry your insurance for your war plants; you are not going to be able to carry insurance for your necessary utilities, facilities, or anything else. This is a business proposition. The premiums they pay, because of their very size, will furnish more profit to the R. F. C. than will be earned on small policies. If the gentleman's rider should be inserted in this bill, you would cut out the greatest opportunity Jesse Jones has of making a profit on this operation.

Mr. VORYS of Ohio. We have to make money; is that the purpose? Is that the reason why we do not have the limitation? So the Government can make money out of the insurance business?

Mr. MONRONEY. Suppose you have a defense plant in your district making propellers. That man has an investment of $200,000 in his plant. If that is destroyed through bomb damage, where would he collect on the balance of his investment? We have important businesses throughout America in defense that we have to maintain. It is strictly a business proposition, and they should be permitted to buy their insurance. We are not giving anything away.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. VORYS].

The amendment was rejected.

The Clerk read as follows:

SEC. 3. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased, in addition to the increase authorized in section 2 of this act, by $2,500,000,000.

The CHAIRMAN. The question is on the committee substitute amendment as amended.

The committee substitute amendment as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill S. 2198, to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, pursuant to House Resolution 449, he reported the same back to the House with an amendment agreed to in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6611. An act making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

The message also announced that the Senate insists upon its amendments to

the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. NYE, and Mr. HOLMAN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the Senate of the following titles:

S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; and

S. 1891. An act to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6446) entitled "An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes."

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments:

First. Department of the Navy.

Second. Department of War.

FIFTH SUPPLEMENTAL APPROPRIATION BILL FOR NATIONAL DEFENSE, 1942

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6611) making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, with Senate amendments thereto, and consider the same.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 2, line 19, strike out "$928,928,000" and insert "$1,525,764,000."

Page 3, line 3, strike out "$3,391,166,900" and insert "$3,988,002,900."

Page 8, line 7, strike out "$580,000,000" and insert "$675,000,000."

Page 8, line 8, strike out "$5,330,000,000" and insert "$5,425,000,000."

Page 9, line 6, strike out "1942" where it appears the second time, and insert "1941."

Page 10, after line 24, insert:

"SEC. 403. Limitations on appropriations heretofore enacted and available for obligation during the fiscal years 1942 and 1943, which prohibit the use of such appropriations and other funds for the employment in the service of the District of Columbia and the United States (including any agency a majority of the stock of which is owned by the Government of the United States) of persons who are not citizens of the United States or who have not filed declarations of intention to become such, shall not apply hereafter to citizens of the Commonwealth of the Philippines."

Page 11, line 1, strike out "403" and insert "404."

Mr. CANNON of Missouri. Mr. Speaker, there are only three minor amendments. One of them restores $95,000,000 of the cut of $100,000,000 made by the House in the Budget for category 9. That is for services and expenses.

The second adds $596,000,000 for additional clothing for the Army. This is the amount of a supplementary Budget estimate sent to the Senate.

The third makes retroactive the provision exempting Filipinos from the law prohibiting the employment by the Federal Government of noncitizens.

Mr. TABER Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. Does it not also provide that it shall apply to all other bills as well as to this one?

Mr. CANNON of Missouri. Yes; this makes it retroactive and applicable to all previous bills.

Mr. TABER. And to all future ones also?

Mr. CANNON of Missouri. It does not enact the provision as permanent law.

Mr. TABER. The items that were added include an item for clothing that was estimated by the Budget for the Army and $95,000,000 for the lease-lend operations in connection with warehouses, that was cut out by the committee.

Mr. CANNON of Missouri. Warehouses and missions.

Mr. TABER. Yes. As to the clothing, I do not think there should be any question.

As for the other item, I presume before we get through with it it probably would be approved, and I do not see any reason for going to conference on it. I do not see where anything would be gained.

I can see no objection to the item with reference to the Filipinos.

Mr. CANNON of Missouri. I am certain that meets with general approval.

Mr. TABER. Yes.

Mr. CANNON of Missouri. Mr. Speaker, agreement on these three minor items completes legislative action on the largest appropriation ever made for any purpose by any parliamentary body in the history of the world. In view of the general acquiescence on the part of all members of the committee who are available, I move that the House concur in the Senate amendments.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I move to reconsider the vote by which the Senate amendments were concurred in, and lay that motion on the table.

The motion was agreed to.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. NELSON, from the Committee on Rules, submitted the following privileged resolution (H. Res. 453), which was referred to the House Calendar and ordered printed:

Resolved, That during the consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

COORDINATION OF FORWARDING AND SIMILAR SERVICING OF WATER-BORNE FOREIGN COMMERCE OF THE UNITED STATES

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6291) to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 2, strike out "directed." and insert "directed".

Page 3, line 2, after "directed", insert ": *And provided further*, That nothing herein shall be deemed to affect the power or jurisdiction of the Interstate Commerce Commission, nor confer upon the Maritime Commission concurrent power or jurisdiction over any matter within the power or jurisdiction of the Interstate Commerce Commission."

Page 3, after line 2, insert:

"(c) In conformity with the President's Executive order of February 7, 1942 (No. 9054; 7 Federal Register 837), the functions and duties of the Commission under this section, insofar as they pertain to functions and duties of the Commission transferred by such Executive order to the Administrator of the War Shipping Administration, shall be performed by such Administrator."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, as I understand, this bill is just to preserve the rights of the Interstate Commerce Commission?

Mr. BLAND. When the bill was before the House this amendment was sent up. I could see no objection to it, but it had not been considered by the committee and I did not offer it at that time, requesting those suggesting the amendment to take it up with the Senate committee. The Maritime Commission raises no objection to it. The Interstate Commerce Commission feels it is necessary. It is similar to legislation on other matters.

Mr. MARTIN of Massachusetts. What is the effect of the amendment?

Mr. BLAND. It will be understood that the Interstate Commerce Commission has charge of some of the forwarders and those sometimes regarded as forwarders. These amendments make the situation such that the Maritime Commission will not infringe any of the powers of the Interstate Commerce Com-

mission, nor the Interstate Commerce Commission the powers of the Maritime Commission.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a friend and my answer to it.

The SPEAKER. Is there objection to the request of the gentleman from Missouri.

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein nine very good war slogans submitted by Attorney Harold J. Wilson of my district.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article published in News Week relating to our colleague, the gentleman from Washington [Mr. MAGNUSON].

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

HON. CHARLES H. LEAVY

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I share with my colleagues the joy and satisfaction which we all feel as a result of the high honor and distinction which have recently come to our colleague, the Honorable CHARLES H. LEAVY, of the State of Washington. In being appointed as a judge of the United States District Court our colleague has realized his life-long laudable ambition and we rejoice with him in his attaining his goal.

I first became personally acquainted with CHARLES LEAVY when he was a candidate for the United States Senate in our State in 1934. In his campaign that year, when I was a candidate for reelection to Congress, he came to my home community and I joined with my fellow Democrats in extending him a cordial reception. He made a very fine impression and received a splendid vote in my home county and throughout the State, but failed to win the nomination. Two years later, in 1936, he was nominated and elected to the House of Representatives and it was my pleasure to be among the first to welcome him upon his arrival here in Washington. His record and outstanding achievements as a Member of the House and the appropriations committee are well known to all of us and to the citizens of our fair State.

Congressman LEAVY is exceptionally well qualified by training and experience to serve on the Federal bench. Previous to his election to Congress he served for 10 years as a judge of the nisi prius bench in Spokane County and earned a reputation as one of the ablest trial judges in the State of Washington. He is learned in the law and is familiar with the precedents and decisions of the courts, but also possesses a broad and liberal mind. I would say that he will be more concerned with the equities and meting out justice than the cold, narrow letter of the law which is sometimes allowed to defeat the ends of justice. I believe that his service here in Congress has also given him an insight into the intricacies and involved operations of government as well as the social and economic problems of the people, which will enhance his usefulness and stand him in good stead in his career as a Federal judge.

Judge LEAVY will preside in the division of the United States District Court which sits at Tacoma, of whose bar I have had the privilege of being a member for over 20 years. The bar of western Washington includes in its membership many of the most distinguished, honorable, and erudite lawyers in the Pacific Northwest, and they and Judge LEAVY are to be congratulated upon the happy association which will be theirs in the coming years.

To Judge LEAVY, his charming wife, and two promising sons who are following in the footsteps of their brilliant father, we extend our warmest felicitations and good wishes.

EXTENSION OF REMARKS

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed relating to war-damage insurance.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Marine Corps League.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article which appeared in the Washington Daily News, written by Raymond Clapper, under date of February 20. "Harmful Criticism" is the title of the article, which treats of the sniping of the minority and the politically minded expressions of irresponsible individual Members with deserved condemnation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein a splendid factual statement by Lt. Gen. William S. Knudsen on the importance of the Great Lakes-St. Lawrence seaway and power project as a defense measure.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend the remarks I made today and to include therein a statement by the Honorable Claude Hamilton, General Counsel of the Reconstruction Finance Corporation.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier today and to attach thereto a letter I received from a business house in San Francisco.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and to include therewith a letter from Young & Simon, of Washington, D. C.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. ENGEL] is recognized for 25 minutes.

Mr. ENGEL. Mr. Speaker, on February 4, 1942, the vice president of the Manistee Garment Co., of New York, was in my office with regard to a bid he had made on a War Department contract to manufacture 50,000 herringbone twill jackets for the United States Army, Quartermaster Corps. This company has two factories in my district, one located at Cadillac and one at Manistee, Mich. He informed me that his lowest bid had been rejected despite the fact that his factory had been inspected by the Quartermaster Corps and approved. He further stated that he had visited the Philadelphia Quartermaster Depot in an attempt to learn why his bid received no consideration. He was informed by a Colonel Jones at that depot that the War Department had orders from the War Production Board that only the manufacturers of men's clothing were eligible to bid on Army clothing contracts. While the vice president of this company was in my office, I called up Maj. Gen. Edmund Gregory, Quartermaster General of the United States Army, and asked him about the situation. He informed me that the War Production Board had given orders that only manufacturers of men's clothing were eligible to bid on contracts to make Army clothing. I then called up the Honorable Robert P. Patterson, Under Secretary of War, and asked him. He seemed rather surprised, but told me that he would

have someone investigate. A short time afterward a Mr. Browning, of the War Production Board, informed me that Mr. Sidney Hillman and Mr. Donald Nelson, the so-called production czar, had made an agreement whereby the manufacturers of women's clothes would not be permitted to bid on Army clothing contracts. He argued that the 2,000,000 men who came into the Army from civilian life would no longer buy civilian clothes and that therefore the manufacturers of men's garments were entitled to this business to replace the business they had lost. He further argued that the War Production Board did not want to create new competition in the men's wear manufacturing industry.

The vice president of the Manistee Garment Co. informed me they employed about 600 people in their two factories; that it was difficult for them to obtain material; that they were laying off people and would be compelled to continue to lay off people unless they received some Government business to replace the business lost through failure to obtain material.

WHAT IS THIS AGREEMENT BETWEEN MR. HILLMAN AND MR. NELSON?

Under the agreement between Mr. Nelson and Mr. Hillman, we find that—

First. All Army clothing contracts must go to the manufacturers and workers who have heretofore made men's garments.

Second. No factory which has heretofore made ladies' garments exclusively is eligible to bid or receive a contract for the manufacture of Army clothing.

Third. A factory which makes both men's and ladies' garments is eligible to bid and receive contracts. This is apparently true regardless as to what the ratio of men's goods manufactured is to women's goods manufactured.

Thus a factory which makes both men's and women's garments, no matter how small the proportion of men's clothing, can bid, receive a contract for Army clothing, and employ both the men's garment and women's garment section of the factory in making that clothing.

WHO ARE THE GARMENT WORKERS AND FACTORIES AFFECTED BY THIS AGREEMENT?

The workers and groups affected by this agreement are as follows:

First. The Amalgamated Clothing Workers Union headed by Mr. Sidney Hillman, a member of the Office of Production Management and now a member of the War Production Board in charge of labor. This union left the American Federation of Labor when the C. I. O. was organized and has remained with the C. I. O. ever since. Mr. Hillman, I think it will be agreed, has been one of the outstanding figures heading the C. I. O. His group makes both men's and women's garments.

Second. The next group affected is the International Ladies' Garment Workers Union, employing both men and women, with a membership, so I am informed, of somewhere around 285,000. The head of this organization is Mr. David Dubinsky. This organization left the American Federation of Labor at the same time that Mr. Sidney Hillman's organization did and joined the C. I. O. It later left the C. I. O. and went back to the American Federation of Labor. This group makes only ladies' garments.

Third. The United Garment Workers of America which has in the past and is now affiliated with the American Federation of Labor. This organization, I am informed, makes both men's and women's garments.

Fourth. In addition to these three groups there is another group of garment workers which belong neither to the C. I. O. nor the A. F. L. In this group, I am informed, are the 600 garment workers in these 2 factories, one of which is located at Cadillac and the other at Manistee, Mich.

WHO SHOULD RECEIVE THIS WORK?

First. The War Production Board contends that the workers making men's garments are entitled to make this Army clothing because the workers and factories making men's clothing are deprived of business since these 2,000,000 men and others about to join the Army are no longer buying men's clothing in civil life.

Second. On the other hand, the argument is advanced on the part of workers and factories making ladies' garments that the amount of clothing manufactured by the Government for a soldier is much greater than the amount of clothing that that soldier would buy in civil life.

Third. It is further contended that the tremendous amount of goods bought by the Army and Navy for military purposes has priority, and properly so, but that it has made it impossible for the factories producing ladies' garments to obtain material, and for that reason has thrown and will throw out of work a great many of the workers making ladies' garments; that the number thrown out of work in the future will be much greater because of this reason.

Fourth. They argue that it is absolutely impossible for the present men's garment factories to make the clothing for the Army and Navy without expanding and taking on many additional workers; that such expansion will be at the expense of the workers in ladies' garment factories, forcing those workers to go from their employment to the men's garment plants; that it is absolutely unfair to permit this expansion in factory space, machines, and workers so long as there is unused factory space and machines and so long as there are unemployed workers engaged in the ladies' garment industry.

Fifth. It is further contended that the machinery used in the ladies' and men's garment factories is practically the same; that to expand the factories making men's garments would require a great deal of new machinery, while practically the same machinery would be standing idle in unoccupied factory space which had been making ladies' garments.

Sixth. They further contend that it is unfair to permit a factory making both ladies' and men's garments to convert the ladies' garment section to the making of men's garments just because they happen to make both kinds of garments and then deprive the ladies' garment factories and their workers of that part of the business which must be manufactured by expanding factory facilities. These are not all, but many, of the contentions made as I see them.

TO WHAT EXTENT WILL THERE BE UNEMPLOYMENT IN THE LADIES' GARMENT INDUSTRY BECAUSE OF THE INABILITY TO OBTAIN MATERIAL USED FOR WAR ORDERS?

Some time during the month of October 1941 I requested the Quartermaster General of the United States Army to give me a complete report of the number of yards of cloth purchased by that department of each type, together with a statement as to the amount of cloth that had been obligated. By obligated I mean either in the process of manufacture or where contracts were made to manufacture such goods. I also asked him to furnish me a statement showing the number of each item of clothing either manufactured, in the process of manufacture, or under contract from the beginning of the fiscal year 1941 to date.

That statement was furnished me by the Quartermaster General under date of November 21, 1941. It shows that from July 1 to November 21, 1941, the Army had purchased 405,192,536 yards of cloth, of which 223,640,792 yards were obligated or necessary to carry out past and present contracts for clothing for the first 2,000,000 men and 181,551,744 yards were unobligated.

The last bill passed by Congress provided for the purchase of 136,838,855 additional yards of cloth of various types. This, added to the 405,192,536 yards purchased from July 1, 1941, to November 21, 1941, makes an aggregate of over 542,000,000 yards of cloth of various types that the Army has already purchased, all of which it purchased on a priority basis, which deprives the garment workers not only in the men's garment industry, but in the ladies' garment industry, of the material which is essential to keep these factories employed.

If we are to have a six-to-eight-million-man army as planned, it will require from three to four times this amount of cloth to supply this army. Conservatively, it will take out of the nondefense market somewhere around 1,000,000,000 yards of cloth for Army purposes alone, not including the amount required for the Navy and other war purposes

The Government cannot transfer this tremendous amount of cloth from nondefense to defense factories without causing an enormous amount of unemployment in those clothing factories which have been barred from bidding on defense clothing by this ruling.

These figures are based upon the statement given me by the Quartermaster General's office. It seems a foregone conclusion that unless this rule is changed, Mr. Sidney Hillman's Amalgamated Clothing Workers and other similar organizations making men's clothing are going to expand enough to take care of this business, while David Dubinsky's Ladies' Garment Workers and similar workers making women's garments will be idle with only one recourse, and that is to seek work in Mr. Hillman's and other organizations making men's clothing, and, of course, join their unions. When the thing is all over, Mr. Hillman's organ-

ization and similar organizations will be double their present size, while Mr. Dubinsky's organization and other groups making women's garments will shrivel up to a minor organization.

CAN THE MEN'S GARMENT WORKERS MAKE CLOTHING FOR A TWO OR SIX MILLION MAN ARMY?

According to the Quartermaster General's statement to me, it will require the following items of clothing for a two or six million man army for a 2-year period:

(a) It will require 29,931,000 shirts for a 2,000,000-man army, and 89,793,000 shirts for a 6,000,000-man army for a 2-year period. Factories employing Mr. Hillman's group and other similar groups making men's and women's garments will make every one of these 89,793,000 shirts. Factories employing Mr. Dubinsky's garment workers and other workers making ladies' garments, such as those in my district, will not be permitted to bid on 1 shirt.

(b) It will require 16,954,000 field jackets for a 2,000,000-man army, and 50,862,000 field jackets for a 6,000,000-man army for a 2-year period. Factories employing Mr. Hillman's group and other similar groups will make the 50,862,000 jackets, while factories employing Mr. Dubinsky's garment workers and other workers making ladies' garments are not permitted to bid on a contract for 1 jacket.

(c) It will require, according to the Army, 28,075,000 pairs of trousers of various types for a 2,000,000-man army, or 84,225,000 pairs of trousers for a 6,000,000-man army for a 2-year period. Factories employing Sidney Hillman's group and other similar groups are manufacturing and will manufacture, according to this ruling, 84,225,000 pairs of trousers, while factories employing David Dubinsky's garment workers and other workers making ladies' garments will not be permitted to bid on 1 pair of pants.

(d) It will require 3,697,000 overcoats for a 2,000,000-man army, and 11,091,000 overcoats for a 6,000,000-man army for a 2-year period. Factories employing Sidney Hillman's group and similar groups making men's clothing will make the 11,091,000 overcoats, and factories employing Mr. David Dubinsky's workers and other workers making ladies' garments will be left out in the cold without an overcoat to make or the money with which to buy one.

(e) It will require 2,816,000 wool or water-repellant mackinaws for a 2,000,000-man army, or 8,448,000 for a 6,000,000-man army for a 2-year period. Factories employing Sidney Hillman's Amalgamated Clothing Workers and other similar groups making men's garments will make the 8,448,000 mackinaws, while factories employing David Dubinsky's group and other similar groups making ladies' garments cannot get a contract for 1 mackinaw.

(f) It will require 11,553,000 coats of various types for a 2,000,000-man Army, or 34,659,000 coats for a 6,000,000-man army for a 2-year period. Factories employing Sidney Hillman's amalgamated clothing workers and other groups making men's garments will manufacture every last one of the 34,659,000 coats, while factories employing David Dubinsky's group and other groups making ladies' garments are not permitted to bid on one coat.

(g) It will require 32,546,414 pairs of cotton shorts for a 2,000,000-man army, or 97,632,242 pairs of shorts for a 6,000,000-man army for a 2-year period. Factories employing Sidney Hillman's amalgamated clothing workers and similar groups making men's clothes will make every last one of the 97,632,242 pairs of cotton shorts, while factories employing David Dubinsky's group and other similar groups making ladies' garments will not be permitted to even bid on one pair.

(h) It will require 14,435,000 pairs of woolen drawers for a 2,000,000-man army, or 43,305,587 pairs of woolen drawers to supply an army of 6,000,000 men for a 2-year period. Factories employing Sidney Hillman's amalgamated clothing workers and other similar groups making men's clothing are going to make every last one of the 43,305,587 pairs of woolen drawers, while factories employing David Dubinsky's group and other groups making ladies' garments won't be permitted to even bid on one pair.

(i) It will require 33,262,736 cotton undershirts for an army of 2,000,000 men, or 99,788,208 undershirts for an army of 6,000,000 men for a 2-year period. Factories employing Sidney Hillman's amalgamated clothing workers and similar groups making men's clothing will make the 99,788,208 cotton undershirts, while factories employing David Dubinsky's ladies' garment workers and similar groups making ladies' garments will not be permitted to bid on a contract for one cotton undershirt.

(j) It will require 14,438,121 woolen undershirts for an army of 2,000,000 men, or 43,314,363 woolen undershirts for an army of 6,000,000 men for a 2-year period. Factories employing Sidney Hillman's amalgamated clothing workers and similar groups making men's garments are going to make 43,314,363 woolen undershirts, while factories employing David Dubinsky's ladies' garment workers will not be permitted to bid on a contract to manufacture one woolen undershirt.

I am informed that next year, 1943, the United States military requirements of wool will be about 650,000,000 pounds, or about 50 percent more than the combined military and civil requirements for 1941; so wool cloth for the makers of ladies' garments is going to be increasingly scarce as time goes on; and that means more and more unemployment in that field. At the same time, the makers of men's garments will have much more military work than they can handle.

Summarizing, according to the figures of the Quartermaster General of the United States Army, it will require, all told, 187,707,861 shirts, field jackets, trousers, overcoats, mackinaws, coats, cotton and woolen drawers, and cotton and woolen undershirts to supply an Army of 2,000,000 men for 2 years, or 563,123,583 of these items to supply an Army of 6,000,000 men for 2 years.

According to the agreement made between Donald Nelson, production czar, and Sidney Hillman, a member of the War Production Board, who is also head of the Amalgamated Clothing Workers, the Amalgamated Clothing Workers and similar organizations making men's clothing will make every last one of the 563,123,583 items of clothing enumerated, while factories employing David Dubinsky with his 285,000 workers, and other similar organizations making ladies' garments, will not be permitted to bid on one item of Army clothing.

This is enough clothing to supply each enlisted man with 15 shirts for a 2-year period, or 7½ for a 1-year period; with more than 8 field jackets for a 2-year period, or 4 field jackets for a 1-year period. It is sufficient to supply each man with 14 pairs of pants for a 2-year period, or 7 pairs of pants for a 1-year period; with almost 2 overcoats for a 2-year period, or 1 for a 1-year period. On average, it will supply each man, in addition to the overcoats, with 1½ mackinaws for a 2-year period. There are enough coats to supply each man with 6 for a 2-year period, or 3 for a 1-year period. There are enough undershirts, wool or cotton, shorts and drawers, wool or cotton, to furnish each man with 23 pairs of drawers or shorts and 23 undershirts for a 2-year period, or more than 11 undershirts and 11 pairs of shorts or drawers for a 1-year period. The above, of course, includes a 50- to 100-percent distribution item, or a reserve for distribution.

These figures do not include the clothing for the one to two million men we will have in the United States Navy, and I am assuming that the same rule applies to the manufacture of Navy clothing. Under this agreement between Mr. Donald Nelson and Sidney Hillman, Sidney Hillman's Amalgamated Clothing Workers and similar groups making men's clothing, or working in factories where men's clothing is made, are going to make every last item for the Army and Navy, while David Dubinsky's group of workers and other groups making ladies' garments, despite the fact that unemployment is going to be tremendous due to the requirements of millions of yards of cloth for the Army and Navy, will not be able to bid on one item of clothing.

Mr. Speaker, I again call attention to the fact that Mr. Sidney Hillman's Amalgamated Clothing Workers left the American Federation of Labor and went to the C. I. O. and remained there, where Mr. Sidney Hillman has become not only a power in the C. I. O. but apparently a power in our Government. David Dubinsky and his workers, who make ladies' garments, left the American Federation of Labor, went with Sidney Hillman to the C. I. O., left the C. I. O. and came back to the American Federation of Labor again.

Mr. Speaker, I do not know how you or the Members of this House feel about this matter, but I have come to the conclusion that Sidney has David over a barrel and is not only about to use but is actually using the bed slat. I am not going to try to refute the argument that Mr. Sidney Hillman's organization and similar organizations of makers of men's

clothing are entitled to the business they have lost due to these 2,000,000 men going into the Army. On the other hand, it would be ridiculous to argue in the face of these facts that the Amalgamated Clothing Workers and similar workers making men's garments have lost this amount of business. The number of items of clothing manufactured for the Government in wartime per man is many times the number of items which that man would have purchased had he remained in civilian life.

WHEN WAS THIS AGREEMENT MADE?

While there was apparently some sort of an arrangement prior to Mr. Donald Nelson's appointment as production czar, Mr. Browning told me over the telephone that this order was in compliance with an agreement made between Mr. Sidney Hillman and Mr. Donald Nelson. The Honorable Robert P. Patterson, Under Secretary of War, also stated that a similar policy was laid down by the Office of Production Management prior to the creation of the War Production Board. I want to emphasize here and now that, in my opinion, the War Department, from the Secretary and Under Secretary of War on down to the Philadelphia Quartermaster Depot are not responsible for this condition. It is a condition brought about through the Office of Production Management and the War Production Board and its officials. It is a fair question to ask, "Just when was this agreement made?" Was it made before or after Mr. Donald Nelson was made production czar? Was the agreement made between Mr. Nelson and Mr. Hillman as a condition of Mr. Nelson's appointment as production czar? Is Mr. Sidney Hillman interested in production for war purposes, or is he interested in and devoting his energies to production of war materials in his own organization? Is Mr. Nelson the production czar or is Mr. Nelson merely an automaton sitting on the production czar's throne while Sidney Hillman sits behind the throne pulling wires and pressing buttons which manipulate the automaton called Donald Nelson? Have they hamstrung Donald Nelson before he took the job or has Donald Nelson been given a free hand to deal with these problems as they come up. The fact of the matter is, and I am forced to the conclusion, that Sidney Hillman is the man who is telling Donald Nelson, the Secretary of War, the Under Secretary of War, the generals in the Army, from four stars on down, and the admirals in the Navy just who is going to be permitted to make Army and Navy clothing.

Congress recently made William S. Knudsen a three-star general. If this condition is to continue and Sidney Hillman is going to tell the War Production Board and the War Department from the Secretary of War on down what they have to do, Congress should create a new generalship making Sidney Hillman a five-star general so he will actually and legally outrank everybody else.

In conclusion, to avoid any misunderstanding, may I say again that the Amalgamated Clothing Workers or any other group of workers and factories who make men's clothing are entitled to enough business not only to replace the business and work they have lost because of the men leaving civil life and going into the Army, but they are entitled to enough work and enough business to keep every worker busy full time and to occupy every square foot of factory space available for that purpose. On the other hand, they are not entitled to add one worker or to add one foot of factory space or one machine so long as there are workers in other clothing industries who are unemployed and so long as there is 1 square foot of available unused factory space that can be used in a garment factory making ladies' garments.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I will be glad to yield to the gentleman from Michigan.

Mr. HOFFMAN. In view of the fact that the motor industry is being converted into other production in Detroit and in other Michigan cities, does the gentleman know of any reason why these plants in Muskegon and Cadillac could not be converted into making these men's clothing?

Mr. ENGEL. They can be. The Cadillac factory actually bid on 50,000 Irish drill trousers and were low bidders.

Mr. HOFFMAN. The gentleman means they could make them without any conversion of their plant?

Mr. ENGEL. They bid on them and were the low bidder, but were turned down because they were making women's garments and not men's garments.

Mr. HOFFMAN. Are they in the gentleman's district?

Mr. ENGEL. Yes.

Mr. HOFFMAN. Why does not the gentleman suggest that they join the C. I. O. and pay Sidney Hillman's treasury a good round sum? Another thing, has the gentleman any figures on the amount of overtime Sidney Hillman's workers are getting paid for today at time and a half and double time, while Dubinsky's workers are idle?

Mr. ENGEL. I do not know anything about that, but I do know that the men's garment workers cannot make all of these garments and I do know that there are some 600,000,000 yards of wool going out of civilian production into Army production, and there is another billion yards of cloth that you cannot take out of production for civilians and put it into Army production without taking it out of the factories that have been consuming that cloth. They are both men's and women's clothing factories and I think they are entitled to a fair amount of the business, and unless you change this they are either going to have to go on relief or go on the unemployment rolls because the only recourse is to get work in the factories making men's clothing.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. MAY. I am just wondering if all those small factories that the gentleman refers to as being engaged in the manufacture of clothing are not in that group known as the small business group of the country.

Mr. ENGEL. Yes; they certainly are.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. HOFFMAN. These Hillman factories must be employing many men who will be needed in the Army. If you took some of the women out of the Dubinsky outfit, could they not do the same work and take their places?

Mr. ENGEL. You could put these workers to making men's garments instead of making both men's and women's garments. In this case you have a factory making garments for men and women and they are devoting their entire time to making women's garments, but they could make men's garments and I think they should be entitled to do it.

Mr. HOFFMAN. I understand that, but the point I am getting at is this, that by giving part of this business to the gentleman's factories in Cadillac and Muskegon it would release some of Mr. Hillman's men for the Army, and the women in the other factories would be able to take over their jobs and do the same work.

Mr. ENGEL. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore (Mr. PRIEST). Under previous order of the House, the gentleman from Tennessee [Mr. COURTNEY] is recognized for 15 minutes.

LET WASHINGTON AWAKE

Mr. COURTNEY. Mr. Speaker, statements are made here in Washington almost daily to the effect that the people of our country generally are not aroused to the gravity of the war situation; that they do not realize the necessity for all-out effort and sacrifice; that they are indulging in a dangerous spirit of complacency; that they are pursuing the even tenor of their ways, secure in the confidence that easy victory will come to us in this struggle, because we have won in every other war.

By reason of the contacts I have had in a few sections of the country recently, and the volume and contents of mail coming constantly to my desk from my district and my State generally, I do not believe that such a condition exists. On the contrary, the people of the country are aroused. They are paying their share of the staggering tax burden and buying bonds to the limit of their ability, freely and gladly. With no show of concern they are giving up their automobiles and facing dwindling stocks of refrigerators, radios, washing machines, and all those appliances that were one aspect of the American standard of living. Old men, and men long past their prime, but still with the burden and anxiety of maintaining their families, are losing their former businesses or their hard-won positions in commercial establishments, now fast closing everywhere on account of the war efforts. They are too old for a change, they are confused and dazed, but they try hopefully to find a place in some other line, all without murmur or complaint.

Though every day news saddens a community somewhere that some boy known and loved there through the playdays of childhood and studious days of youth, is

dead on some far-flung battle front, mothers and fathers, knowing that before peace comes crepe will shut out the day for many thousands of homes in America, theirs too perhaps, conceal their grief and anxiety, give more and more boys to serve in whatever part of the globe they are needed and in whatever assignment, and the boys themselves await their calls impatiently, with strong hearts and high courage. In fact, the people of this country are "as one man, welded in heart and mind to fight to victory and scorn the cost."

There is one thing lacking, however, to complete the picture and that is a certain lack of that high and inspired leadership here in Washington that these days require and demand. By that statement I do not in anywise indict the President, whose courage, example, and generalship are superb and thrilling, nor his ranking naval and military advisers here whose constant devotion to the tremendous problems involved in this war is heroic. I refer rather to the Congress itself and to some of the rank and file of official Washington. What we need on the part of Congress, as someone has expressed it, is "an example of patriotism and honest economy, undiminished by political consideration or expediency" and what we need from Army, Navy, and departmental officials in this city, to which the eyes of the country are constantly turned, is for them to further inspire our people by showing that they know their jobs, that they have sound and considerate and well-tempered judgment, that they are in close cooperation each with the other, that their energy is untiring, their perseverance unflagging, and their vigilance unceasing.

The people of this country, with all their patriotic willingness and zeal, have a well-founded feeling that official Washington in part, at least, makes too many mistakes, bungles too many assignments, spends too much time trifling with little things, to the neglect of the big ones, and has not itself caught up with the country in going all-out for war.

A few instances will suffice. There was Pearl Harbor. If Army and Navy officials had immediately given all the details of the losses, admitted the lack of cooperation between the branches of service that before that debacle had existed since time out of mind, not only there but everywhere else in our Military Establishment, and pledged the people it would not happen again, the incident might have been a blessing in disguise, though they are hard words to say when we think of the many lives so tragically and needlessly lost. But no. First, the Secretary of the Navy must fly to Hawaii, then come back and tell the people next to nothing; then a commission must be organized to laboriously examine witnesses, take proof, and report. Report what? That there had been a lot of negligence on the part of those charged with the protection of our possessions, our ships, our planes, and our lives. Not until the President spoke a week ago did the people know whether the damage we sustained there was negligible or cataclysmic. A few nights ago there was an air-raid alarm in a California city, with hours of blackout and antiaircraft fire. Four people were killed as a direct result. The Secretary of the Navy announces that there were no enemy planes over the city. The Secretary of War says that there were 15 planes over the city, commercial planes, he says, hired by fifth columnists and operated for effect. These two gentlemen at least should compare their guesses before issuing statements.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. COURTNEY. Certainly.

Mr. GORE. I am stirred by the eloquence of the gentleman's address and want to say that I believe I bespeak the opinion and sentiment of the entire Congress in hailing the gentleman from the Sixth District of Tennessee as one Member of Congress who has been patriotic and unselfish in all his endeavors.

Mr. COURTNEY. I thank the gentleman for his contribution and compliment.

Take the instance of the practical destruction of the *Normandie* through sabotage or, what is as bad, negligence on the part of the Navy of the grossest, most stupid, inexcusable, and criminal character. You Members have been down to the Navy and War Departments here many times. If you, a Member of Congress representing 250,000 people, want to go into one of their buildings here, where even a spy could not find anything but a lot of furniture and worthless old files, you must, under guard, go to a desk, tell your life's history, be fingerprinted almost, and have an identification button the size of a silver dollar pinned on your coat. Then you are permitted to visit some ensign or second lieutenant about some matter of more or less trivial importance. To leave the building, a Member of the House or even a Senator must find another certain desk, surrender his dollar-sized badge, and receive in return a pass to permit him to get out. I suppose if one of us lost our button while inside they would just keep us in the building for the duration.

And yet the Navy had taken over this huge vessel, the *Normandie,* worth $56,000,000, one of the biggest and fastest ships afloat, that we were turning into a troop ship, with enough room to speed a whole division of the Army to any critical spot on our far-flung front. Two thousand five hundred or three thousand people were employed on the job. You did not need any identification or investigation to get on there and go to work. All a workman had to do was to pay a union boss fees and dues amounting to $26 and he could march right on.

And many aliens, many of German and Italian descent, were so employed. I think the fire was caused by sabotage. Germany boasts that it was. It is claimed that the fire broke out in a dozen places at once.

If not, while they will not let you light a cigarette in some of these old temporary Army and Navy buildings here, the destruction of which would be a godsend, on the *Normandie* they allowed stocks of highly inflammable material to be collected in sections where hundreds of men were operating blow torches.

Since December 7 the souls of our people have been deeply stirred, though their eyes were wet with tears the while, at the magnificent fight of MacArthur and his immortals in the Philippines, rivaling the bravery and stoicism of the ancients at Thermopylae.

Of course agitation swept the country to send reinforcements. Until the President spoke to us last week we were not told that it was a military impossibility. The people generally did not realize how many thousands of miles away the Philippines are, how many hundreds of thousands of tons in ships, not possibly available, it would take to transport and supply a force capable of withstanding 250,000 Japanese soldiers with unlimited reinforcements possible from nearby home bases, and how the movement of such an armada, if possible of organization, could not be successfully conducted because Japan has arched a series of iron rings about these islands, the diameter of the smallest of which is a thousand miles, within which arcs the enemy is vastly superior in the air, on the water, and under the seas.

The morale of the country would have been greatly strengthened had the Army and Navy Departments disclosed these facts officially to the country 2 months ago. Our people are not children. If news is bad, they want to hear it, and the fiber of their high resolution will only be toughened and strengthened thereby.

Here in Washington we are urging folks back home to cut out all frivolity, to economize, to work all the time, to cut out holidays, yet if you will pick up any issue of the Army and Navy Journal you will find that some of the officials of these organizations stationed in Washington are carrying right along with their dinners and teas and social functions. And a few days ago, when a battleship was launched in Virginia—just another incident of getting ready to fight—there were present at the elaborate ceremonies a member of the Cabinet, 7 Senators, 20 Members of the House, two or three train carloads of dignitaries from the State whose name the ship bears, to say nothing of the 31,000 workmen who, reluctantly, no doubt, were called upon to lay down their tools for the time and listen to quite a number of speeches of varying lengths by officials of sundry rank and grade.

And on last Monday, the day after Washington's birthday, Congress did nothing whatever on the floor of the House or in committee. Both branches solemnly met at noon, heard a Member read Washington's Farewell Address, which most of us know by heart already, and then as solemnly adjourned. And while perhaps every Member was thankful for a little time to get to his desk and catch up on pressing office matters, to the Nation it appeared that we were urging the workers of the country to omit the holiday while taking advantage of it ourselves.

All these are little matters, certainly; but small as they are, they have their effect.

Then, take the question of the so-called pensions for Congressmen. I voted against this proposal 2 years ago, in time of peace, and, of course, had the less reason to support it recently. Immediately after its passage I signed a petition to

expedite its repeal. But the consideration of this measure at all by Congress at this time is another case in point. It was grossly misrepresented by the press, but the universal condemnation that was voiced was not because all the people misunderstood the law. Many of those who protested knew it was not a steal, a grab, or a raid on the Treasury; perhaps they knew that the cost to Congressmen was $500 a year, that he must have reached the age of 62, and had 5 years' service, and then would draw perhaps $50 a month, and largely from a retirement fund already built up over a period of years; that the cost to the American people would have been less than one-tenth of 1 cent per year for each man, woman, and child in the country. The criticism was directed not so much at the bill as at the fact that we were in this period of emergency trifling with little things. What matters some semblance of security for us in old age when men are fighting on the seven seas with no assurance that they will even live to old age, or for a year, or for a day, or for an hour, or for a moment.

The country knows that a committee from this House has worked for months on, and that we will be called on soon to give consideration to, a rivers and harbors bill of the widest scope and staggering in the amount involved, which includes many projects not necessary to the war effort and which well might await action until peace comes, when measures to help with reconstruction will be in order. While the consideration of this measure will not be trifling with little things from the standpoint of its enormous cost, they are little matters in point of proportion, not now worthy of attention, with the earth on fire, the destinies of the world at stake, and the lives, liberty, and happiness of all our people trembling in the balance.

We nervously listened to labor and declined to write a ceiling for wages in the price-control bill. The Senate still refuses to bring out the Smith bill, passed months ago by the House, that would have outlawed strikes during the emergency. There are not so many strikes now. Newsweek, in its issue of Friday last, listed 24, involving 8,710 employees—11 A. F. of L., 10 C. I. O., and 3 independent-union strikes—not all, of course, involving war industries. But more disputes have been brought to the new War Labor Board in the last 5 weeks than in the first 6 months of the old Defense Mediation Board, involving demands for union shops, closed shops, and compulsory unionism, according to David Lawrence in a recent column—and more and serious labor trouble is coming unless we take steps to prevent it. Here in Washington leaders of the A. F. of L. and the C. I. O. have buried for the time their ancient differences and are jointly planning an offensive—conniving and conspiring and contriving for huge wage increases in the near future—while American boys die all over the world, poorly armed and largely unprotected, because Washington and this Congress for years has feared and cringed before organized labor.

We are dodging our responsibility, and the country knows it. We are not upholding the hands of the Commander in Chief, who said last week that we must not permit special privileges or advantages for any one group or occupation.

Donald Nelson's plea for work as usual on the Monday that came the day after Washington's Birthday fell on deaf ears in the airplane factories on the west coast. The 40-hour-week law still prevails and workmen must be paid extra wages for overtime and double time for Sundays and holidays to make the guns and ships and planes and powder and shells that are to save our country, if it is to be saved at all. We ask our soldiers and sailors to risk their lives 24 hours of the day for a pittance, yet say to them that we cannot get them enough arms for their self-defense because our unions will not permit their members to budge over their 8 hours a day and 5 days a week unless we can raise the money to pay them on the basis of time and a half and double time. How the conscience of Congress can tolerate this is beyond the power of my comprehension, yet you saw, on Friday last, in this House, organized labor in this country contrive to put to rout by an overwhelming majority a measure that would have abolished for the time the 8-hour day.

And now, in this connection, one other observation as to the power of organized labor:

The Selective Service Act is one of the most powerful and comprehensive laws upon our statute books, and one whose administration in letter and spirit should be just, inviolable, and sacred.

Under that law, the Government says to youth and age alike from 18 to 65: You must register and come within the limits of our complete jurisdiction to be assigned to work or to fight or otherwise to serve in that capacity to which you are assigned. And to some within these limits it says: You are to change the whole plan and fabric of your life, and, leaving your present pursuits, your home, your family, and your friends, you are to be subjected to hard, rigorous training for a time and then required to offer your bodies as a living sacrifice for your country, if necessary, upon whatever front, in whatever clime it is commanded.

The law specifically provides in substance that—

no deferment from training and service of any individual shall be made except upon the basis of the status of such individual and no deferment shall be made of individuals by occupational groups.

Notwithstanding that, the Director of the Selective Service System, responding to the pressure from organized labor, saw fit on February 3, 1942, to issue, insofar as he could, a blanket deferment of labor leaders. I quote two sections of the order:

1. It is considered in the national interest and essential to the war-production program that a harmonious relationship be maintained between labor and industry. To accomplish this purpose it is desirable that there continue to be duly authorized and competent representatives of Government, labor, and industry who will, in considering and disposing of questions of mutual interest, expedite the successful prosecution of the war.

2. Registrants who are keymen in the maintenance of such harmonious relations, and who are employed in that activity by the Government, by industrial organizations, or by local, national, or international labor organizations may be given serious consideration for deferment.

Oh, the Director hastened to explain when he learned of thousands upon thousands of telegrams that deluged Congress from an outraged people that he did not mean to say what his language implied. He was just referring to a few key liaison labor men; that deferment of any labor leader was still a question for the local boards. But if that order did not mean anything, it would not have been given. It at least was meant to give color and framework for a pretty general deferment of labor leaders.

In general reply to the hundreds of telegrams and letters that have come to me protesting this order, I think I may say that should there hereafter exist any attitude by local or appeal boards looking to the general deferment by groups of movie people, radio people, or labor leaders Congress will add to the Selective Service Act such further prohibitory restrictions as may be necessary to prevent such action.

Other things might be mentioned if time permitted. The Office of Civilian Defense, for instance, that, set up to protect our lives and property from bombing attacks, proposed to spend on that function just half of the amount it expected to lay out on wholly irrelevant activities ranging from teaching of rhythmic dancing to subsidizing the manufacture of new kinds of toys for children.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. COURTNEY. Certainly.

Mr. HOFFMAN. I have here an Associated Press dispatch from the morning's newspaper which shows that strikes in February increased 77 percent over those in January, and involve 357 percent more workers, and resulted in 206 percent more hours lost than in the preceding month.

Mr. COURTNEY. I thank the gentleman for his contribution.

Or, the action of the dignified and usually sound Secretary of the Treasury, in shelling out $80,000 for a Walt Disney cartoon film to inspire the people to fill out their income-tax returns, when, of course, one must do it anyhow or go to jail, regardless of the humorous intervention of Donald Duck, Dumbo, Mickey Mouse, or Pluto the Pup.

I believe the people back home have made out a case. The Congress and the rank and file of official Washington have left undone many big things that they should have done and have done many foolish, trivial little things that they should not have done.

The people back there have before them constantly a graphic and inspiring symbol of this war, best expressed I think in a cartoon I recently saw in a local newspaper. It pictured the Bataan Peninsula, now our last outpost in the Far Eastern waters, as two huge, hinged gates, beyond which the Japanese hordes strain and push and pound. But the doors still hold barely shut, for through twin handles of the doors MacArthur has inserted his bare arm in place of a bolt or bar. As the doors bulge from the

pressure beyond, and the handles tear into the naked flesh, the pain of his position shows no reflection upon his determined and heroic face. And against the portals, helping to check their outward bulge, wounded and stricken American boys must throw shoulder and hip and body and all because the people in other months, and labor and industry and Washington itself, were asleep to our danger and made no proper plan or preparation against attack.

But the people of this country are awake now and as they strive in every way they can themselves to measure up to the spirit and the heroism of that picture always before them, they rightly expect from official Washington the same full measure of heroic self-sacrifice, devotion to country, and intelligent, constant and devout attention to the tremendous issues confronting us, to the exclusion of little and petty and trivial things.

The SPEAKER. The time of the gentleman from Tennessee has expired.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentlemen from New York [Mr. WILLIAM T. PHEIFFER] is recognized for 30 minutes.

Mr. LEAVY. Mr. Speaker, will the gentleman from New York yield to me for a unanimous-consent request?

Mr. WILLIAM T. PHEIFFER. Certainly.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LT. FRANKLIN D. ROOSEVELT, JR.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I am sorry to keep the House in session at this late hour, when the dinner pots are on and boiling. I assure you I would not do so were it not for the fact that my remarks from the Well of the House last Thursday have been given such wide publicity throughout the country, and have been so misconstrued and distorted in so many quarters that I feel that I owe a duty to the Congress, to the people of the United States, and to myself to amplify my real purpose and give you the crux of what I had meant to convey to the Congress and to the people of the United States when I took the floor last Thursday. Before launching into my prepared speech I digress to say that it was with deep regret that I observed that the distinguished chairman of the Committee on Naval Affairs, the gentleman from Georgia [Mr. VINSON], saw fit this morning to take me to task in advance of hearing my statement of this afternoon, despite the fact that ample notice had been given on the Calendar of the House, and the newspapers, to the effect that I would make these remarks this afternoon. I regret that he was not generous enough or sportsmanlike enough to withhold his remarks until I had made this statement. I feel confident that had he done so his utterances would have been much more temperate.

As the situation stands, what I am going to say now is intended as a reply to the remarks of the distinguished chairman of the Naval Affairs Committee as well as to the remarks of my other critics.

I will deem it a favor, Mr. Speaker, if I am not interrupted until I have finished my prepared statement.

Mr. Speaker, on February 26, 1942, I endeavored to call the attention of the House and the country to the distressing and un-American practice of awarding commissions in the Army and the Navy to men of very little, if any, previous military or naval training and experience, and to favoritism awarded to these men while in the service. My remarks were prompted by my knowledge of numerous specific cases which have, during the past year, been called to my attention, climaxed by an Associated Press dispatch dated February 25 relating that, although the commanding officer of the Brooklyn Naval Hospital is quoted as saying that Lt. Franklin D. Roosevelt, Jr., was in "fine condition" following a simple appendectomy performed on him on February 10, 1942, he is being granted shore leave for an additional month so as to keep in contact with physicians. At this point I deem it well to read the full text of this dispatch, it being as follows:

ROOSEVELT, JR., WON'T JOIN FLEET FOR ANOTHER MONTH

NEW YORK, February 25.—Lt. Franklin D. Roosevelt, Jr., son of the President, has been ordered to remain ashore for a month to keep contact with physicians before rejoining the Atlantic fleet.

Capt. G. E. Robertson, commanding officer of the Brooklyn Naval Hospital where young Roosevelt underwent an appendectomy February 10, said he was in "fine condition" and would be released soon. He issued the shore order to provide for a routine check up of the President's son after a period of recuperation.

It is a matter of common knowledge that the average period for convalescence from an appendicitis operation is 2 weeks, yet I am told by eminent physicians and surgeons, including one distinguished Member of the House, that it is not unusual for the period for complete and absolute convalescence to last as long as 6 weeks in cases wherein complications follow the operation or the existence of related ailments are discovered. Desiring to be eminently fair, I now state that, as a layman, I probably may have misjudged the medical facts in the case of Lieutenant Roosevelt, and in the light of such probability, I here and now sincerely apologize to him for any affront caused by my remarks of last Thursday, and my apology likewise extends to those Members of the House, and the members of the public, who may also have been affronted.

Before proceeding further I desire to clearly and emphatically state that my previous remarks, and my present remarks, were made, and are being made, on my own volition and responsibility without consultation with any of my colleagues on the Republican side of the aisle. The viewpoint and convictions I have expressed, and am expressing this afternoon, are my own, and I do not presume to speak for any of my colleagues.

I had no intention of pursuing this subject further, and I certainly would not be doing so this afternoon were it not for the amazing misconceptions which have gotten abroad in the Congress and throughout the country with regard to the real and exact purpose of my remarks of last Thursday. That purpose was either never clearly understood or else it has been entirely lost sight of in the grand rush to accuse me of seeking to undermine confidence in the President of the United States. The froth has been almost unanimously mistaken for the substance, and the spotlight has been played entirely on the symbol of the practice of which I complained, rather than on the practice itself. The case of Lieutenant Roosevelt, who many of our mutual friends have told me is a splendid young man, was used only for the purpose of illustrating and bringing out into bold relief the practice of favoritism which all of us who have eyes to see with and ears to hear with know to exist. Although I am well aware of the fact that I grabbed a hot potato in using one of the President's sons to illustrate my point, yet my remarks this afternoon are not in the nature of a plea of confession and avoidance. However, I readily confess to two errors in judgment in connection with my remarks of last Thursday. They are as follows:

No. 1. It was unwise to attempt to discuss such an important topic in the 1 minute at my disposal. It was impossible to make my real purpose clear in that narrow limit of time. In other words, my remarks of last Thursday should have covered the field of the statement I am now making.

No. 2. It was an error not to preface my remarks by the following statement which appears in the extension and revision of those remarks at page 1696 of the CONGRESSIONAL RECORD for February 26:

There is no place for the slightest degree of favoritism in our armed services. Justice must be dispensed with an even hand to every man in the Army and the Navy. A soldier or a sailor from the humblest and most obscure family must stand on an equal footing in all respects with those who are members of the most prominent families in the land. That is a fundamental precept of our American form of government.

I confidently assert that there is not a single Member of the Congress who will take issue with me on the statement I have just quoted, and yet that was the meat and the essence of my remarks of last Thursday. I feel sure that the three distinguished gentleman who followed me in taking the floor last Thursday would not have been so intemperate in their statements condemning me had they conceived my real purpose. Likewise, knowing, as I so well do, the fine attributes of character of the majority leader, I have the utmost assurance that that distinguished gentleman would not have given such a fiery statement to the press as is ascribed to him in the early edition of the Washington Post for February 28, 1942. Apparently referring, among other things, to my remarks on the subject under discussion, the gentleman from Massachusetts [Mr. MCCORMACK] bitterly decried:

Attacks by individuals on the President and on the administration's prosecution of the war effort.

I am sure that any man or woman who wants to be fair will agree with me that it is indeed going far afield to characterize the earnest effort I am making to eliminate the scourge of favoritism from our armed forces as an attack on the President or on his prosecution of the war. Such a characterization would be a rank distortion of the facts. Any such unfair connotation would be building an hypothesis on an hypothesis. When you gentlemen on the Democratic side of the aisle come to know me better, you will realize that I always hew very close to the line and let the chips fall where they may. Viewing the matter in retrospect, it is perhaps unfortunate that I chose a son of the President as an illustration of the evil on which my fire is being centered, instead of choosing the case of a relative of a man of lesser prominence.

Be that as it may, I reiterate the statement made by me here last Saturday, namely, that any Member of the House, or the public, is cordially invited to submit to me a bill of particulars with regard to the son or relative of any prominent Republican, either in or out of Congress, who has been the recipient of an unearned commission, or of unwarranted favors, at the hands of the Army or the Navy, and I promise you that I will not pull my punches with respect to any such case. Incidentally, as an example of how the accounts of this entire affair have been garbled by the press, reference is made to the Associated Press dispatch of last Saturday wherein it is erroneously stated that I challenged the democratic majority to submit similar cases dealing with the sons of Republicans to me. If the gentlemen of the press will refer to last Saturday's RECORD, they will readily learn that an invitation, and not a challenge, was extended, and my sole purpose in extending that invitation was to provide for a proper and complete airing of the facts in all such cases. Sauce for the goose is sauce for the gander.

On last Saturday the distinguished chairman of the Committee on Military Affairs asked me, from the floor, the following hypothetical question:

Does the gentleman think it is a crime to send a man to a hospital for 30 days' leave after he has had an operation for appendicitis?

In my discussions of this subject I have dealt with no case which in any way involves a question of that kind. If the gentleman from Kentucky will read the record of my remarks of last Thursday, and the news item therein referred to, he will learn that Lieutenant Roosevelt is being released from the hospital and has been granted shore leave of 1 month outside the hospital.

It is true that it is very difficult for me to view the granting of easy commissions in our armed forces objectively, because I came out of the first World War after a limited term of service as a buck private of cavalry, and climbed the military ladder to my present rank of captain of cavalry in the Officers' Reserve Corps by dint of hard work—correspondence courses on military subjects and active duty training during 8 long years. My case is in common with those of virtually all Reserve officers. Likewise, it is apropos to cite the cases of our midshipmen and cadets in the Naval and Military Academies who graduate therefrom, after 4 years of hard work and sedulous application to their studies, and are awarded the lowest commissioned ranks. It must be very disheartening to those fine lads to observe nontrained men being taken directly from civilian life and given top flight commissions. I anticipate the argument will be made that the Army and Navy are in need of the technical and scientific abilities of some of these commissioned civilians. I readily grant the validity of that argument, but why in the name of common sense, in the name of common justice, is it necessary to invest a technician or a scientist with the rank and title of captain, commander, major, or colonel in order to utilize his expert services? By doing so we are cheapening the issuance of commissions, and detracting from the dignity, the high honor, and the responsibility which has always heretofore been a part and parcel of a commission in the Army and the Navy.

In the beginning I stated that I am speaking on my own responsibility, and for myself alone. That statement still holds good. However, in view of the fact that the Democratic leadership in the House has seen fit to inject the bugaboo of partisanship into this affair, I feel that, without presumption, I can say—and I should say—that every Republican Member of the Congress is backing—and will continue to back—the Roosevelt administration to the limit in all measures for the successful prosecuting of the war. In that respect there cannot be—and there must not be—a center aisle dividing the Republican and the Democratic Parties. Lads of Republican lineage are fighting shoulder to shoulder this afternoon with lads of Democratic lineage on every war front in the Far East, and they are standing on the alert together in the front lines throughout the world. If for no other reason, we owe it to these lads who are facing the bayonet to eschew partisan wrangling and captious debate. Yet it is not paradoxical to say that valid and fair criticism of any aspect of our war effort which is subject to question should certainly not be curbed. Indeed, such criticism is vitally needed to stimulate that degree of vigilance, keenness, alertness, and assurance which we must have in order to prosecute the war to a final and decisive victory. This immutable principle is admirably stated in another way, in a brief filed last Saturday in the Supreme Court of the United States by the Schenectady Union Publishing Co., in these words:

The right to criticize our rulers distinguishes our way of life from that of the dictatorships; it is our major corrective, and without it the democratic mode is impossible.

Mr. Speaker, although I have borne the entire brunt of this controversy, and have been unjustly subjected to bitter criticism, yet I have no misgivings, and I shall feel perfectly content if my efforts result in the rights and privileges of all our soldiers and sailors being more evenly balanced in the scales.

I now yield to the gentleman from Idaho.

Mr. WHITE. I did not know the tenor of your remarks. I did think at the time you made that remark on the floor that you were presumptuous if you are not a medical man to attempt to determine whether a man is fit to go into the service or not, after the debilitating effect of an operation for appendicitis. I thought that was rather presumptuous, and I think so yet.

Mr. WILLIAM T. PHEIFFER. I will say to the gentleman I know nothing about medicine except that gained by cross-examining medical experts as a country lawyer.

Mr. WHITE. I can cite hundreds of cases where men have been incapacitated for over a year. I think it is presumptuous for any man to attempt to pass judgment on a matter of that kind.

Mr. WILLIAM T. PHEIFFER. I have covered that in my statement.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I gladly yield to the gentleman from Tennessee.

Mr. GORE. I want to congratulate the gentleman for his fine spirit in apologizing to Lieutenant Roosevelt and his presentation to the House. It shows that severe and hasty criticism is apt to lead to mistakes, yet today in the gentleman's recantation it seems to me he has leveled a serious charge by his invitation of a bill of particulars as to the Republicans who have been shown favoritism. The gentleman infers that members of the Democratic Party have been shown favoritism. That I deny. To grant a commission to a man to perform a necessary function in the armed forces, and thereby giving him a rank, commensurate with his duties, thereby releasing a man who is trained for the field of battle, is not favoritism. To me it is good sense and it is good military strategy. It is proper use of the manpower of this Nation. I hope while the gentleman is recanting he will also apologize to the House for the inferential charge that favoritism has been displayed toward members of the majority party.

Mr. WILLIAM T. PHEIFFER. I am afraid the gentleman has not carefully read my previous remarks, nor has he listened attentively to my remarks this afternoon, for the reason that I have at no time said that favoritism has been confined to the Democratic ranks.

Mr. GORE. Well, what did the gentleman mean?

Mr. WILLIAM T. PHEIFFER. Just a moment and I will answer your question. That statement was made because of the fact that there was injected into this matter by the Democratic leadership the bugaboo, as I referred to it in my remarks, of partisanship. I am trying to make it clear, I am placing the utmost stress, if you please, on the thesis that it makes no difference to me whether a man is the son or the relative of a Republican, Democrat, Hindu, or Chinaman, he is entitled to be on an even

footing with his fellows. The inference that I gained from this blast that was hurled at me and at other Republicans unnamed was—in fact, the word "sniping" was used, which is a rather indelicate word and certainly not apropos—that we were using this subject as a means of sniping at and undermining the Democratic administration. I wish to make it clear that there is no partisanship concerned here; that I would just as gladly and willingly take up the cudgel in a case involving a partisan of any political party whatsoever. That is the only purpose that I advance in that connection.

Mr. GORE. The gentleman does not mean to 'eave the impression, then, that he thinks favoritism has been played toward members of the majority party?

Mr. WILLIAM T. PHEIFFER. As I clearly said to the gentleman a while ago I have never made that statement either directly or inferentially.

Mr. GORE. And you do not mean to leave that inference?

Mr. WILLIAM T. PHEIFFER. Such an inference cannot be fairly gained from anything I have ever said.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I gladly yield to the gentleman from Michigan.

Mr. HOFFMAN. I am not at all disposed to take any part in this particular question the gentleman was speaking on today, for the reason that I believe we who remain here and who are not doing any fighting—and that applies to fellows who are in uniform, too, and do not intend to do any fighting—do not have any right to find any fault with anyone else who is not fighting, but in making that statement I am not referring to the gentleman from New York, for he saw service in the last war as a private. But when you talk about favoritism, you heard the gentleman from Michigan [Mr. ENGEL], today—just a few moments ago—tell here and cite the record and give the source of his information, how this man Sidney Hillman, who is under pay from a union today, is getting the benefit of contracts for the manufacture of clothing for his union, the union which pays him, while factories in the gentleman's district at Cadillac and Muskegon are denied contracts for doing the same kind of work, although they were the lowest bidders. As a result of that policy Hillman's employers, the union which pays him, get extra work—will have overtime jobs at pay and a half while the men and women at Cadillac and Muskegon are out of work. That is favoritism, and it is rank favoritism. There should not be any of it. It is a thing that I for one have criticized. There is plenty of favoritism by the administration in the awarding of these contracts.

Mr. WILLIAM T. PHEIFFER. I would like to say for the benefit of the gentleman from Tennessee, inasmuch as he used the word "recanting" that I am certainly not recanting my primary stand with regard to the elimination of favoritism in the Army and the Navy. I intend to work unstintingly to root out that pernicious practice.

Mr. GORE. Will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. Certainly.

Mr. GORE. By that bare statement the gentleman alleges that there is favoritism.

Mr. WILLIAM T. PHEIFFER. Right.

Mr. GORE. Will the gentleman, using his own phrase, in a "bill of particulars" show where favoritism has been practiced in the Army or the Navy? To me they are doing the best they can. They are utilizing the manpower of this Nation in trying to prosecute successfully a great war, and I hope the gentleman will either substantiate that charge so it can be corrected or withdraw his charges.

Mr. WILLIAM T. PHEIFFER. As I have tried to make clear, my charge of favoritism is based on cases that have come to my attention, all of which are amply documented, and the general knowledge that has naturally come to a Member of Congress during these past 14 hectic and trying months.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. HOFFMAN. The gentleman wants some illustrations of favoritism. This is what is happening not as between Republicans and Democrats—nothing of that kind—but between the administration and the union politicians. I call to your attention the trouble we had when the Currier Lumber Co. submitted a bid to construct defense housing. The Government was to build 75,000 houses. The Currier Lumber Co. was the lowest bidder, and the cost was approximately $1,400 per unit less than the next bid. Nevertheless this administration—and it is a Democratic administration—Currier, I do not know what his politics is, if he has any—nevertheless this administration refused to give Currier any part of that contract because his men belonged to a C. I. O. union instead of to the A. F. of L. Now, that is favoritism that cost this Government a lot of money. There was no excuse for it.

Mr. GORE. Mr. Speaker, will the gentleman from New York yield that I may reply to the gentleman from Michigan?

Mr. WILLIAM T. PHEIFFER. I will, then I must yield to the gentleman from Idaho.

Mr. GORE. The gentleman's opinion of domestic issues and particularly issues involving labor is well known to the House, and through his diligence it has become well known to the country. The time has not yet come, in my humble opinion, when it is not a healthy sign, a healthy thing to have criticism of domestic policies, but what we have been complaining about and what I am trying to get the gentleman to withdraw is his implication that the Army and the Navy are practicing favoritism.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I shall be very glad to yield to the gentleman from Idaho again.

Mr. WHITE. In view of the familiarity of the gentleman from Michigan with the record of his own party I am wondering if he is seriously contending that the Democrats have a monopoly on favoritism.

Mr. HOFFMAN. Oh, no, no; the C. I. O. and the A. F. of L. are favored by the majority party or, more accurately, by the administration. There is no doubt about that. You, as Democrats, have not been able to get anywhere when it comes to plum picking with all these labor fellows.

Mr. WHITE. The gentleman does not contend that we have a monopoly on favoritism in view of the record of the gentleman's own party, does he?

Mr. HOFFMAN. In return, favoritism has been extended by these organizations to the administration, for instance by the contribution to the campaign fund to the tune of $440,000 by Lewis and the United Mine Workers in 1936. The administration is still—in wartime—paying its political debt to labor politicians.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, it appearing that no other Members of the House desire to interrogate me, I yield back the balance of my time.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, like my distinguished friend the gentleman from Tennessee [Mr. GORE], I want to congratulate the gentleman from New York on his public apology to Lieutenant Roosevelt. It is the act of a big man that he is willing publicly to admi' he has made a mistake and to apologize. I listened with interest and I hoped he would stop there. Had he stopped there he would have been in a position where he would have commanded complete respect of everyone present and all who might read the RECORD. He went further, however, and requested the submission to him of a bill of particulars of a Republican appointed to an unearned commission. I was sorry to hear him make that statement. I assume that men who are applying for commissions are applying as Americans, not as Republicans, Democrats, or as independents. I can assure the gentleman that I do not know of any case where a man has received a commission who was not entitled to one. I have friends who are members of the opposite party who served with honor and distinction in the World War. They feel they can help our country in this crisis, and I think they can.

To the extent that it is proper for anyone to contribute to their ambitions toward again serving our country, I think anyone would be justified in calling their qualifications to the attention of the proper officials. In any event, it is not as Republicans or as Democrats but as Americans that these men are seeking to serve our country.

The gentleman from New York also referred to the granting of "easy commissions" in the Army. I can assure the gentleman I have no knowledge of that.

I know nothing about it. I know many men are anxious to serve their country. I know men who served as officers in the World War are willing to enlist as privates today. To me it is a great inspiration that such men are anxious to serve our country. Young men, middle-aged men, men advanced in years are desirous of serving. I received a letter from a boy 13 years old begging me to get a waiver so he could enlist in the Army and become a trumpeter. That letter was an inspiration to me.

I was also sorry to hear the gentleman refer to the Democratic Party putting partisanship into this affair, and I was also regretful of the statement that "I have borne the brunt of this controversy." The answer to that is very simple. This whole unfortunate thing started as a result of what the gentleman from New York himself said. The gentleman brought it upon himself.

Mr. Speaker, I realize we are all human and we all like to sort of try to throw a cloud over our own main mistakes. May I close by expressing regret, and I do not say this in any controversial sense, that the gentleman injected these additional elements into his discussion today, but may I congratulate him again for making this public apology to Lieutenant Roosevelt.

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

WE ALSO NEED FOOD TO ENABLE US TO WIN THE WAR

Mr. WHITE. Mr. Speaker, our plans for 1942 call for doubling our output of planes, ships, tanks, and implements of war. Our program for 1943 will provide more than twice as much equipment as we will manufacture in 1942.

While making plans for this large volume of war equipment, little is being done to increase our food supply. We realize that we will need huge quantities of gasoline for our planes, fuel for our ships and tanks, and munitions for our guns, but we have not announced plans for increasing our food supply in proportion to our increased requirements for supplying the men in our armed forces and other millions employed in our factories.

Just a few weeks ago we found that we would need to greatly increase our output of smokeless powder, which in turn requires a large increase in supply of alcohol, so we proceeded to allocate to the new objective the molasses that would make 1,200,000 tons of sugar out of an already short supply. I do not object to the emergency allocation, but I do think we should make immediate plans to replace the sugar which involves 18 percent of our consumptive requirements.

It seems to me that when we double the production of ships, or planes, or tanks that we should provide not alone for the additional men to handle this new war equipment but that we should also plan the production of both munitions and food that will be needed to supply this increased force, in place of just supplying the munitions by robbing our food supply. We have the resources to supply both food and munitions.

As chairman of the Irrigation and Reclamation Committee of the House, I have been making an investigation of the possibilities of stepping up our food production in the 17 reclamation States. We have plenty of additional land and lots of sunshine, and we also have the farmers and most of the equipment to add hundreds of thousands of tons of food that we need, such as dairy products, sugar, meats, and so forth. All that is required to increase food production is a little more water for the land.

PROJECTS UNDER CONSTRUCTION SHOULD BE COMPLETED

We have a number of reclamation projects scattered through the 17 reclamation States on which construction has advanced to the point where the lands are now under partial production, or are almost ready for cultivation. Farmers have already moved to the lands on some of these projects. They have built homes, leveled the land, secured their farming equipment, and are now ready to produce crops if they are provided with irrigation water. The projects to which I refer are from 75 to 90 percent complete, and with final completion being postponed because of possible lack of funds.

As an example of the type of projects that I refer to, let me mention the Payette division of the Boise project in Idaho, which is being constructed at a cost of about eight and one-half million dollars, and for which appropriations of six and one-half million dollars have already been made. The dam to divert the water has been built, the main canal and the laterals are ready, and more than 300 families have settled on the land, built their homes, and are now prepared to produce a large new supply of the items of food most needed, such as dairy products, meats, sugar, and so forth.

So you will better understand the possibilities of increasing our food production by supplying water to this new land, let me tell you a little about the volume of food produced on adjoining land. In 1941 the farmers in Ada and Canyon Counties, in Idaho, produced 14,727,820 pounds of butterfat, having a value of $6,440,079, and also 16,166,057 pounds of evaporated milk and 13,030,100 pounds of powdered milk. These same two counties also produced last year 8,000,000 pounds of hybrid sweet corn seed, more than 80 percent of all this valuable seed produced in the United States.

Sugar today is our most needed food item. A new sugar factory is being built within 10 miles of the project on which construction is about to stop. This factory if furnished a full supply of beets for this year's campaign, will make up 65,000,000 pounds of our sugar shortage. Construction of the factory was started in 1941 with a view of securing a material part of beet supply from the new lands of the Payette division of the Boise project.

I also want to tell you that our Idaho farmers are making plans to support our war effort 100 percent. On February 17 representatives of our beet growers met with the Governor of our State for the purpose of making plans to double sugar production in Idaho, and particularly to consider the growers' labor problem. I am going to quote from the Associated Press report of the meeting of Idaho beet growers with Governor Clark:

> Representatives of Idaho sugar-beet growers and processors held a conference Tuesday with Governor Clark on labor supply and came away with his personal guarantee that manpower would be available to work a projected 100,000-acre crop.
>
> "I am willing to guarantee personally that nobody in Idaho is going to lose any crop because of lack of labor," the Governor commented, adding an appeal to the State's press for cooperation in quieting fears among farmers that help would not be forthcoming for the expanded crop sought to relieve the sugar shortage.
>
> "Tell your people to get in and plant every acre that can be used for beets," he counseled the gathering. "We'll save every bit of the crop.
>
> "I believe there are enough patriotic people in Idaho who won't let any crops go to waste," Clark averred. "It would be a pitiful thing if we had to say, our men were on the front lines and didn't have the proper food."

Mr. Speaker, I am not offering criticism about devoting every pound of steel and everything else we have to our war effort. I want to get this war job done just as quickly as possible, but I feel it my duty to call attention to the fact that we will need food to win the war, just as surely as we need guns and powder. We can easily secure many of the needed items to replace imports from the Philippines and other offshore areas now cut off for the duration of the war, at least, by completing a few reclamation projects, and at small cost, with the use of a very limited amount of materials.

Our War Production Board is charged with the responsibility for allocating materials for most essential uses. I am sure that our War Production Board will shortly be calling for a large increase in production of sugar, dairy products, and meats. We should, therefore, include the necessary appropriation items in the pending Interior bill, so that when the time arrives to resume work the projects I mention may be speedily completed.

The SPEAKER. Under a previous special order of the House, the gentleman from Kentucky [Mr. MAY] is recognized for 10 minutes.

Mr. MAY. Mr. Speaker, due to the lateness of the hour, and in view of the remarks just made by our distinguished floor leader, the gentleman from Massachusetts [Mr. MCCORMACK] I desire to waive my 10 minutes' time.

EXTENSION OF REMARKS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter regarding canned filled milk.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions

of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 691. An act for the relief of Richard Bove;

H. R. 794. An act for the relief of Catherine Ward;

H. R. 962. An act for the relief of Multnomah County, Oreg.;

H. R. 1060. An act to vest absolute in the city of Dearborn the title to lot 19 of the Detroit Arsenal grounds subdivision, Wayne County, Mich.;

H. R. 1647. An act for the relief of William H. Dugdale and wife;

H. R. 1755. An act for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 2302. An act to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes;

H. R. 2428. An act for the relief of G. F. Brown;

H. R. 2460. An act for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2908. An act for the relief of William H. Evens;

H. R. 2980. An act for the relief of National Heating Co., Washington, D. C.;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3433. An act for the relief of Bessie Pearlman and George Roth;

H. R. 3610. An act for the relief of Minnie C. Sanders;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4414. An act for the relief of Andrew Wichmann;

H. R. 4626. An act for the relief of the legal guardian of Jane Hawk, a minor, and J. L. Hawk;

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.;

H. R. 5413. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska settlement project in Alaska, and for other purposes;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. R. 5545. An act for the relief of H. Earle Russell;

H. R. 5573. An act for the relief of Mrs. Noel Wright and Bunny Wright;

H. R. 5605. An act for the relief of Lt. Col. J. B. Conmy;

H. R. 5646. An act for the relief of Joseph Simon, lieutenant commander (S. C.), United States Navy, and R. D. Lewis;

H. R. 5865. An act for the relief of Builders Specialties Co.;

H. R. 6003. An act to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938;

H. R. 6072. An act authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.;

H. R. 6107. An act to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek Parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery;

H. R. 6270. An act to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia;

H. R. 6332. An act to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee;

H. R. 6536. An act to change the name of Conduit Road in the District of Columbia;

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes; and

H. J. Res. 260. Joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment;

S. 1891. An act to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States; and

S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 691. An act for the relief of Richard Bove;

H. R. 794. An act for the relief of Catherine Ward;

H. R. 962. An act for the relief of Multnomah County, Oreg.;

H. R. 1060. An act to vest absolute in the city of Dearborn the title to lot 19 of the Detroit Arsenal grounds subdivision, Wayne County, Mich.;

H. R. 1647. An act for the relief of William H. Dugdale and wife;

H. R. 1755. An act for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the Act of February 17, 1931;

H. R. 2302. An act to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes;

H. R. 2428. An act for the relief of G. F. Brown;

H. R. 2460. An act for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2908. An act for the relief of William H. Evens;

H. R. 2980. An act for the relief of National Heating Co., Washington, District of Columbia;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3433. An act for the relief of Bessie Pearlman and George Roth;

H. R. 3610. An act for the relief of Minnie C. Sanders;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4414. An act for the relief of Andrew Wichmann;

H. R. 4626. An act for the relief of the legal guardian of Jane Hawk, a minor, and J. L. Hawk;

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States", as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.;

H. R. 5413. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. R. 5545. An act for the relief of H. Earle Russell;

H. R. 5573. An act for the relief of Mrs. Noel Wright and Bunny Wright;

H. R. 5605. An act for the relief of Lt. Col. J. B. Conmy;

H. R. 5646. An act for the relief of Joseph Simon, lieutenant commander (SC), United States Navy, and R. D. Lewis;

H. R. 5865. An act for the relief of Builders Specialties Co.;

H. R. 6003. An act to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938;

H. R. 6072. An act authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.;

H. R. 6107. An act to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery;

H. R. 6270. An act to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia;

H. R. 6332. An act to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee;

H. R. 6536. An act to change the name of Conduit Road in the District of Columbia;

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes; and

H. J. Res. 260. Joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.

ADJOURNMENT

Mr. GORE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 3, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WAYS AND MEANS

The Committee on Ways and Means will hold a public hearing on revenue legislation on Tuesday, March 3, 1942, at 10 a. m. Further hearings will be held beginning on Monday, March 9, 1942.

The Committee on Ways and Means will hold public hearings on H. R. 6617, a bill to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes, beginning on Wednesday, March 4, 1942, at 10 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing on Wednesday, March 4, 1942, on H. R. 6633.

COMMITTEE ON THE JUDICIARY

Beginning at 10 a. m., Wednesday, March 4, 1942, there will be held a hearing before Subcommittee No. 3 of the Committee on the Judiciary on the following bills: H. R. 4579 and H. R. 6582, to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; and H. R. 6444, to provide for the registration of labor organizations, business and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON IRRIGATION AND RECLAMATION

A meeting of the Committee on Irrigation and Reclamation will be held at 10:30 a. m., Wednesday, March 4, 1942, in room 353, House Office Building, for the purpose of considering H. R. 6522, a bill to amend an act entitled "An act to prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, for other purposes," act of May 27, 1937 (Stat. 208), and for other purposes.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARINGS ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill: H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1448. A letter from the president, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914, to the Committee on the District of Columbia.

1449. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for payment and settlement of mileage accounts of officers and travel allowance of enlisted men of the Navy, Marine Corps, and Coast Guard; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TARVER: Committee on Appropriations. H. R. 6709. A bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes; without amendment (Rept. No. 1848). Referred to the Committee of the Whole House on the state of the Union.

Mr. HART: Committee on the Merchant Marine and Fisheries. H. R. 6554. A bill to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort; with amendment (Rept. No. 1849). Referred to the Committee of the Whole House on the state of the Union.

Mr. NELSON: Committee on Rules. House Resolution 453. Resolution providing for the consideration of H. R. 6709, a bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes; without amendment (Rept. No. 1850). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 6334) for the relief of Ralph Adams, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEAM:

H. R. 6708. A bill to provide for the automatic issuance of national service life insurance to all persons in active service in all military forces of the United States, in such amounts as are necessary to give them $10,000 of free insurance for the period of the war; to the Committee on Ways and Means.

By Mr. MARTIN J. KENNEDY:

H. R. 6710. A bill to amend the Soldiers' and Sailors' Relief Act of 1940; to the Committee on Ways and Means.

By Mr. TARVER:

H. Res. 451. Resolution providing for the consideration of H. R. 6709, a bill making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes; to the Committee on Rules.

By Mr. HARRINGTON:

H. Res. 452. Resolution for an investigation relative to the production of industrial alcohol, synthetic alcohol, and synthetic rubber; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 3, relative to a military road from Detour to Sault St. Marie, in the Upper Peninsula of Michigan; to the Committee on Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of West Virginia:

H. R. 6711. A bill relating to the compensation of Clarence W. Thompson for services as a rural mail carrier; to the Committee on the Post Office and Post Roads.

By Mr. McLAUGHLIN:

H. R. 6712. A bill for the relief of Robert M. Morton; to the Committee on Military Affairs.

H. R. 6713. A bill directing the Court of Claims to reopen a certain case and to correct the errors therein, if any, by an additional judgment against the United States; to the Committee on the Judiciary.

By Mr. MEYER of Maryland:

H. R. 6714. A bill for the relief of Daniel Elliott and Helen Elliott; to the Committee on Claims.

By Mr. SMITH of Washington:

H. R. 6715. A bill for the relief of public-utility district No. 1 of Cowlitz County, Wash., and making an appropriation; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2507. By Mr. BURDICK: Resolution of the Burke County, N. Dak., Nonpartisan League; to the Committee on the Judiciary.

2508. By Mr. KEOGH: Petition of the New York Federation of Post Office Clerks, Local No. 10, National Federation of Post Office Clerks, New York City, concerning the proposed extension of the work-week beyond 40 hours for the regular employees of the Post Office Department; to the Committee on the Post Office and Post Roads.

2509. Also, petition of the Commerce and Industry Association of New York, concerning House bill 6858, to amend the capital gains and losses provisions of the Internal Revenue Act; to the Committee on Labor.

2510. By Mr. ROLPH: Resolution of the California joint immigration committee of San Francisco, Calif., relative to the evacuation of the Japanese from the Pacific coast area; to the Committee on Military Affairs.

2511. By the SPEAKER: Resolution No. 40 of the office of the mayor, Shreveport, La., petitioning consideration of their resolution with reference to the city council of city of Shreveport relative to taxation of municipal bonds; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 3, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, grant that the joy of the Lord may be our strength as we turn from the realities of today to that which is revealed to us by faith. With a defined sense of responsibility may we ever feel the necessity of keeping our finer faculties alive and sensitive to that which is right and wrong.

We pray Thee to dominate our people of all ranks and stations with a most meditative and humble spirit. Let sacrifice, disappointment, and pain be a challenge to all seeking the resources of a wise and gracious God at the altar of prayer. Forbid that we should be satisfied with less than that which means life and destiny which are our birthrights, guaranteed to us by the charter of our creation. We devoutly pray that our fellow countrymen may leave their earthly idols, searching the very floors and skies for the spiritual heights and depths, breasting the currents of toil, labor, and self-denial. O sustain us through and through by Thy strength, inspired by the ageless truth that right makes might and that every chain that fetters and cramps the immortal soul shall be broken. In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6483. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H. R. 6550) entitled "An act to extend and amend Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5784. An act to consolidate the police and municipal courts of the District of Columbia, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. OVERTON, and Mr. BURTON to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2208) entitled "An act to further expedite the prosecution of the war," requests a conference with the House on the disagreein votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. DOXEY, and Mr. AUSTIN to be the conferees on the part of the Senate.

COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on Naval Affairs investigating the disaster to the *Normandie*, or the *Lafayette*, consisting of Messrs. DREWRY, IZAC, SASSCER, HEFFERNAN, MAAS, MOTT, and BATES of Massachusetts, be granted leave of absence for the week.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper item.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech I recently delivered over the radio.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make in the discussion of the appropriation bill today and include therein certain tables.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

PATERNALISM, THE ENEMY OF PATRIOTISM

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and also to insert in the RECORD a statement of my own on Paternalism, the Enemy of Patriotism.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am today inserting in the RECORD a few remarks on Paternalism, the Enemy of Patriotism. I hope the Members will read this, as I particularly refer to small business and what its relationship in the picture is.

About 80 percent of all of our business is small business. If these people can really be organized, small business can save us, and it will not then be a case of "save small business." Small business does not need paternalism. All it needs is a chance to really produce.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day, and following any other special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

EXTENSION OF REMARKS

Mr. SANDERS. Mr. Speaker, I ask unanimous consent that in connection with the remarks I expect to make on the agricultural appropriation bill I may be permitted to insert certain tables dealing with the agricultural problem.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LONGEVITY PAY FOR POST-OFFICE EMPLOYEES

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUNKEL. Mr. Speaker, I take this opportunity to urge that the conferees report the longevity pay bill that has now been in conference for some time. In view of the rising cost of living, it seems to me more important than ever that this small increase be granted as quickly as possible to our civil-service employees in the Post Office Department.

WALTER WINCHELL

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, some of the boys in the Press Gallery suggested that Walter Winchell was coming down here to find out just how he could serve in the Navy. My thought would be that in view of his past experience and operations there might be in the Navy some division corresponding to the scavenger department, in which he has been operating, and he might get in that. He is fully qualified for that from past experience.

QUESTION OF PERSONAL PRIVILEGE

Mr. MANSFIELD. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The gentleman will state the matter of personal privilege.

Mr. MANSFIELD. Mr. Speaker, the Congress a few days ago adopted a conference report on a bill reported by the Committee on Naval Affairs. Embraced in that was a Senate amendment authorizing an additional navigation lock in the channel at Sault Ste. Marie, Mich. My attitude with reference to that matter has been grossly misrepresented by many newspaper items, four of which have been inserted in the CONGRESSIONAL RECORD, three of which were inserted in the House and one in the Senate.

In these newspaper items I have been grossly misrepresented and accused of conduct which is reprehensible to an extreme degree. Conduct, which a distinguished Senator stated upon the floor of the Senate was disgraceful. By reason of these newspaper publications, and more especially by reason of the fact that several of them were inserted in the RECORD, I have been held up in contempt in many sections of the country. They have been the cause of my receiving letters and open postal cards from distant points, accusing me of misconduct, some going to the extent of saying I would destroy our Government for pure graft.

I shall at this time refer only to those items which have been inserted in the RECORD, and read a few brief extracts.

On January 29, the gentleman from Michigan [Mr. BRADLEY] in an extension of remarks inserted an item from a Washington newspaper, reading in part, as follows:

The Senate has passed a bill authorizing the $8,000,000 expenditure. If the bill could become law at once, the new lock could be in use by late summer. The possibility of an interruption of traffic through the Soo would be greatly decreased. As a measure of insurance against a national disaster, prompt enactment of this bill is imperative.

But it is stuck fast in the House Committee on Rivers and Harbors. Representative MANSFIELD, of Texas, chairman of that committee, is for the new Soo lock. But he insists that it must be considered mercly as one of the many projects in the billion-dollar omnibus rivers and harbors measure. And, so far, he has successfully blocked the efforts of other members to submit the lock authorization separately for quick action by the House.

Mr. MANSFIELD's omnibus measure contains many "pork barrel" items which Congress certainly should not approve. Obviously, he believes that the "pork barrel" items will have a better chance of going through if they are tied up with the Soo lock and other sound and necessary projects.

We should not like to carry the responsibility Mr. MANSFIELD is taking upon himself.

On February 6 the gentleman from Michigan [Mr. BRADLEY] inserted another newspaper item from a Cleveland paper, in part, as follows:

WASHINGTON, February 2.—One of the few streaks of "lean" in the $1,000,000,000 "pork barrel" bill reported out of the House Rivers and Harbors Committee is the $8,000,000 project for a new lock in the Sault Ste. Marie Canal.

Congressman JOSEPH MANSFIELD (Democrat, Texas), chairman of the committee, has refused to permit the Soo item to be taken from the omnibus bill and submitted to the House as a separate unit. His reluctance is understandable when some other projects in the bill are examined. The Soo item is one of the projects which will attract votes on the floor, because most Members of the House realize its importance tc the war-production program and would hesitate to vote against it, no matter how much "pork" they would have to swallow along with it.

On February 18 the gentleman from Michigan [Mr. BRADLEY] inserted another item from a Washington newspaper, in part, as follows:

Chairman MANSFIELD, of your Rivers and Harbors Committee, insists that the Soo lock project must be considered as just one item in the $1,000,000,000 rivers-and-harbors bill. You know why. Because that scandalous "pork barrel" is so loaded with bad and unnecessary projects that it can't get by unless it has a few good and necessary projects. You also know that the rivers and harbors bill can't become law for weeks or months. Most of it should never become law

On the following day, February 19, Senator BROWN, of Michigan, succeeded in having his bill for the Soo lock adopted as an amendment in the pending naval bill. In that connection the Senator from Missouri, Mr. CLARK, made comment. I quote from the RECORD, on page 1477, as follows:

Mr. CLARK of Missouri. Mr. President, I am glad the Senator from Michigan has offered this amendment, because it is for a very vitally necessary emergency need, namely, to protect the iron supply—which means the steel supply—of the United States.

In passing, I simply wish to comment on what I regard as a perfectly disgraceful effort to cram down a number of "pork barrel" provisions in the pending river and harbor bill by holding back and including in it such a meritorious proposal as that for the Soo Canal.

In that connection, I ask unanimous consent to insert in the RECORD as part of my remarks an editorial appearing in the St. Louis Post-Dispatch entitled "Time To Ration Pork," having reference to the pending river and harbor bill.

Mr. Speaker, it is true that I am not specifically named in the comment of the Senator from Missouri, but I had just as well have been. It refers to conduct attributed to me by dozens of newspaper clippings, three of which had just previously been inserted in the RECORD, and one of which was inserted on the day previous to the Senator's comment. In fact, I am the only person who had been accused of the conduct which the Senator denounces as "perfectly disgraceful."

No matter what may have been his intention, the statement of the Senator from Missouri is in the RECORD, and speaks for itself, and will be construed as applying to me, and to no other person. In these circumstances, Mr. Speaker, I respectfully submit that I should be heard on my plea of personal privilege in the defense of my honor and integrity. I respectfully submit to the ruling of the Chair.

The SPEAKER. The Chair is convinced that the question is a very close one, but the Chair is going to hear the gentleman from Texas.

Mr. MANSFIELD. Mr. Speaker, at the outset I wish to say for the information of the House that this is the first time, at least since I have been a Member of the Congress, and I think the first time since the present procedure of handling rivers and harbors projects was adopted more than 40 years ago, that a project has been authorized by separate and specific action in the Senate while a rivers and harbors bill with the project in it was pending in the House. As all informed Members of the House know, all rivers and harbors bills are and always have been omnibus bills containing projects, recommended and approved by the engineers in the usual way, which cover the entire country, including our foreign possessions. For more than half a century the Congress has passed no other kind or type of rivers and harbors bills. The authorization of the Soo lock by an amendment to a bill that has nothing to do with rivers and harbors is, of course, entirely contrary to the usual and and regular procedure and is justified only because of the war emergency. It is for that reason that I offered no objection to the amendment to the conference report, but, on the contrary, heartily approved it.

There have been those who, intentionally or otherwise, have sought to create the impression that I have been opposed to the authorization of the Soo lock. This is untrue. As a matter of fact, it was given birth by the committee of which I am chairman. It had its beginning on February 11, 1941, by River and Harbor Committee resolution, at the request of the gentleman from New York, Judge CULKIN, a distinguished member of the committee. I was present, approved it, and as chairman submitted it to the Chief of Engineers for investigation and report.

Before this resolution was reported on by the War Department this same Soo lock was brought before the committee as part of the Great Lakes-St. Lawrence seaway project. After extensive hearings it was approved by the committee in that project on August 8, 1941, and embraced in the general bill.

In the meantime the report of the Chief of Engineers was received on the original committee resolution. The report approved the lock in exactly the same terms as those embraced in the seaway project.

Certain interested persons were fearful that the St. Lawrence seaway might be defeated and that the Soo lock, in such event, would go down with it. To allay their fears and to make assurance doubly sure, I told them I would also bring it before the committee on the separate report and independent of the St.

Lawrence. This was done on September 23, 1941, and again approved by the committee.

This was the first instance in our river and harbor legislation that such favorable consideration was ever given to a project as to having it embraced twice in the same bill. There is no wonder that there was surprise on the part of members of the committee when I presented it for hearing. I quote briefly from page 221 of the hearing:

RIVER AND HARBOR BILL

(Tuesday, September 23, 1941)

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RIVERS AND HARBORS,
Washington, D. C.

The committee met, pursuant to call, Hon. JOSEPH J. MANSFIELD (chairman) presiding.

The CHAIRMAN. You may proceed, Colonel.

GREAT LAKES CONNECTING CHANNELS, ST. MARYS FALLS, MICH. (H. Doc. 218, 77TH CONG.)

STATEMENT OF COL. EARL NORTH, RESIDENT MEMBER, BOARD OF ENGINEERS, RIVERS AND HARBORS

Colonel NORTH. Mr. Chairman——

The CHAIRMAN. Before you proceed I may say that this is in the St. Lawrence bill now.

Mr. ANGELL. Colonel North, then why do you want it as a separate project?

Mr. DONDERO. That is what I was going to ask, if it could be considered as a separate project.

Mr. PITTENGER. What is the necessity for a separate project if they have already got it in the St. Lawrence bill?

The CHAIRMAN. They anticipate they are going to defeat the St. Lawrence bill.

Mr. PITTENGER. I suspect that they are not.

The CHAIRMAN. Colonel North, we will be glad to hear you on the St. Marys River locks.

Colonel North then explained the project. At the close of the hearing the following colloquy took place. I quote from page 223 of the hearing:

Mr. ANGELL. Do any of the defense agencies request the improvement?

Colonel NORTH. Yes, sir. The Department received a letter dated March 1, 1941, from the Honorable William Knudsen's office recommending the construction of the additional lock in the interest of national defense, and the Department also received a letter dated March 8, 1941, from Mr. Ralph Budd, Transportation Commissioner, Advisory Commission, Council of National Defense, in which he stated that he considered this an emergency measure and said that it should be prosecuted as quickly as possible.

Mr. DONDERO. What will be the depth of this over the sills?

Colonel NORTH. Thirty feet, sir; the same as the Welland Canal.

Mr. ANGELL. Thirty feet?

Colonel NORTH. Yes, sir.

Mr. PITTENGER. I think that that is sufficient.

The CHAIRMAN. There ought not to be any objection to this, if it is recommended by Mr. Budd, who is president of a railroad.

The bill with the Soo lock in it twice was favorably reported to Congress on November 21, 1941. The proponents were highly pleased with this action. Mr. Budd, of the Transportation Advisory Commission, president of a great railway system and one of our foremost authorities on transportation, sent me a letter of thanks for helping to secure its adoption.

Up to this time no one had ever thought of an independent bill for the Soo lock or for any other project. They simply wanted the project approved for the general bill, that having always been the customary practice.

Later, a bill was introduced in the Senate for the Soo lock, and passed by unanimous consent. I called it to the attention of the committee on January 26. The gentleman from Ohio [Mr. BENDER], moved that it be favorably reported. I called attention to the fact that it was contrary to precedent and might arise to plague members of the committee and of the Senate. A quorum was not obtained and the matter was postponed for a few days.

On January 29, a letter was received from Mr. Donald Nelson recommending the prompt passage of the Senate bill. I called the committee together the next morning and urged favorable report of the bill, calling attention to the fact that precedent should not stand in the way of a bill requested as urgent for the prosecution of the war. Several members objected to my recommendation, and wanted me to request Mr. Nelson to come before the committee. I parried this, as I thought it improper to take him away from his arduous duties.

The gentleman from Ohio [Mr. BENDER], who had made the motion to report the bill was out of the city and had not received notice of the meeting. Action was therefore postponed till February 3, and all members of the committee notified. On February 2, Mr. Nelson wrote another letter requesting that his former letter be disregarded as he did not at that time know that the project was pending in the regular river-and-harbor bill. The committee then voted not to report the Senate bill, nearly all members being present.

All letters from defense agencies recommending the Soo lock, were in like tenor of those received for approximately 40 other projects, embraced in the general bill. In fact, some of the others for ship building were so urgent that the Navy itself had already advanced the money and done the work. We had no recommendation from any source requesting a separate bill for the Soo lock, or for any other project. All had been recommended for the general bill, and nothing else was asked for, or expected.

In that connection I call attention to the fact that a letter from the Secretary of the Navy to the Secretary of War was referred to our committee for consideration. It stated that they had expended $4,000,000 for the improvement of a project they deemed urgent on the Pacific coast, and they wanted the money returned from the War Department to the Navy Department.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MANSFIELD. For a question.

Mr. BRADLEY of Michigan. Just to make this observation, that the need for the Soo lock is imperative and the need for quick action is due to the fact that we are stepping up our project of shipbuilding at such a rapid rate that the existing locks could not take care of the ships being constructed, and this has been further aggravated by the torpedoing of ships carrying ore from South America for east coast shipyards.

Mr. MANSFIELD. The gentleman is no more impressed with the urgency of this lock than I am. God knows I pushed it long before I ever heard of the gentleman in the picture.

Mr. BRADLEY of Michigan. I wholeheartedly agree with the gentleman. He has been very much in favor of this lock, and I personally resent some of the criticism that has been leveled at him. He has been doing his duty as chairman of the committee trying to hold this matter in the omnibus bill, which has been the practice of the House for 50 years, as he has pointed out; but this is an emergency proposition, occasioned by the present war.

Mr. MANSFIELD. Mr. Speaker, the Senate bill not being approved by the House committee, the Soo lock was again authorized by the Senate, attaching it as a rider to a naval affairs bill. The gentleman from Georgia [Mr. VINSON], chairman of the committee in charge, phoned me for information in regard to it. I requested him to accept it in conference, as it was a meritorious project, and I was glad to have it enacted in that manner and get it out of the way.

The claim made by these newspapers that I want to hold the Soo lock in the omnibus bill in order to gain votes for certain so-called "pork barrel" projects is rather far-fetched. In the first place, the projects that have been designated as "pork" do not concern me personally, nor the people of my district. We can only have a national interest in any of them at most. Anyone familiar with the course of procedure knows that they are not voted upon collectively. They are considered separately and independent of each other in the Committee of the Whole in like manner as items in an appropriation bill.

To show the ridiculousness of some of these contentions, I will call attention to a statement from the St. Louis Post-Dispatch inserted in the RECORD by the Senator from Missouri. The Post-Dispatch, of course, is not of the sensational type of some of the other papers involved. In its "pork barrel" list it places the canalization of the Neches and Angelina Rivers in Texas. No such project was ever in the bill for the canalization of these rivers. There is no question of inland navigation involved. It is all ocean shipping, on channels 30 to 34 feet deep, and no change in those channels was contemplated.

The ports of Port Arthur, Beaumont, and Orange in Texas, and Lake Charles in Louisiana, all have the same outlet to the Gulf through the jetties at Sabine Pass. Collectively, the tonnage there has not in several years been exceeded by any ocean port except the port of New York. It is annually furnishing to the eastern seaboard and to our Army and Navy and allies in the war 50,000,000 tons of oil and gasoline. More than a dozen of their tankers have recently been destroyed by submarines on the Atlantic coast.

Five among the largest oil refineries of the country are located here, including the Gulf and the Texas companies, whose filling stations are to be seen in nearly every city in the United States. These refineries require 48,000,000 gallons of fresh water daily, and their requirements are increasing as the war progresses. In dry seasons the waters of the river become contaminated with salt to points far inland.

The project that was formerly in the bill, and designated as "pork," was the construction of two large storage reservoirs far up the rivers, to guarantee a fresh-water supply, and hold back the floodwaters causing great damage to the naval shipbuilding operations, and causing many groundings and collisions of the great tankers operating there. There are now under construction, principally at Orange, more than 50 ships for the Navy and merchant marine. They consist of 12 destroyers, 24 convoy-type corvettes, 10 mine sweepers, 2 sub chasers, and Livingston-type tugs for the Navy, and other types of ships.

But, to ease the pain of those who now have such an abhorrence of pork, I can advise them that this project is no longer in the bill. The cost was estimated at $23,000,000 and local interests were required to contribute $5,000,000 of it. They have issued their bonds and arranged to obtain the money from the R. F. C. There was a hitch in the procedure from the fact that the portion to be paid by the Government was dependent upon legislation yet undetermined.

The gentleman at the head of the R. F. C., Mr. Secretary Jones, so long noted for his financial ability, and his care and caution to protect the interests of the United States, realized that even if the legislation is determined it would probably be many years before Congress would appropriate such a large sum to complete this project. Local interests therefore requested that the project be dismissed from the bill entirely, and that they be permitted to advance, not the $5,000,000, as the bill provided, but $8,700,000, in order to complete one unit of the project in its entirety and get it to functioning as soon as possible. The committee therefore adopted an amendment to take the project out of the bill.

Mr. Speaker, this is one of the projects that is now denominated as pork. If it is pork, local interests are paying every cent of the cost—even more than the cost—of the Soo lock. Every project in the bill is based upon a favorable report from the engineers of the War Department after the most careful study and investigation. They were adopted by majority vote of the committee, without any action or recommendation from me. Yet I am being personally hounded down from one end of this country to the other by a chain of newspapers whose motive has not been explained to the public.

I have here, photostat copies of editorials from as many as 13 newspapers, published in various sections of the United States all in substance, if not in word, as I am informed, substantially the same as those which were inserted in the RECORD. These publications attribute to me motives and conduct, entirely reprehensible, based upon charges wholly untrue.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. MANSFIELD. Yes.

Mr. CULKIN. Is it not a fact that those editorials are all identical in text?

Mr. MANSFIELD. These were published in various sections of the country, and all are in substance, if not in words, I am informed, substantially the same as those inserted in the RECORD.

Mr. CULKIN. Does not that indicate the presence of some kind of a lobby of the United States?

Mr. MANSFIELD. Every man can form his own opinion. I am not giving conclusions, but simply stating facts.

Mr. Speaker, I have been holding public office continuously for 54 years. This is my twenty-sixth year as a Member of this body and eleventh year as chairman of the Committee on Rivers and Harbors. I have in my possession many letters from persons in various walks of life, from Governors, from engineers, from railway attorneys, labor representatives, and various others, all thanking me for courtesies and consideration extended to them by me as chairman of that committee, even though my decision was in many instances contrary to their contentions.

I cherish these letters, of course, but now I am falsely charged throughout the country by various publications with reprehensible conduct—conduct which has been denounced upon the floor of the United States Senate as "perfectly disgraceful." I welcome an investigation of this charge.

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, while I question if the statement made by the gentleman from Texas [Mr. MANSFIELD] constitutes a matter of personal privilege, still I am very glad that the Speaker concluded to hear it. The association will have a cleansing effect. I am not opposed to criticism, fair, just criticism, because it tends to keep the waters pure, but I personally resent any suggestion, no matter from what source, which questions the motives and purposes of the gentleman who holds in such large measure the confidence of his fellows as does the gentleman from Texas here [Mr. MANSFIELD]. Most of us have had long association with him in this House. We know him to be a gentle, courteous, affectionate friend, and we know him to be a clean, wholesome, highminded, patriotic American. He is my candidate for the class-1 man of the House.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GRAHAM. Mr. Speaker, the so-called Beaver-Mahoning Canal passes through my district 31 of the 35 miles. We are bitterly opposed to the construction of that canal. I appeared before the Committee on Rivers and Harbors, and no greater courtesy or consideration could have been shown me than was shown by the honorable chairman of that committee, Judge MANSFIELD. He accorded to every witness who appeared a full hearing, and while, I repeat, we were opposed to it, and will continue to oppose it, I would feel that I were derelict should I remain silent when charges and accusations are made against a man as honorable, as upright, as just, as fair as Judge MANSFIELD has been in this matter.

[Here the gavel fell.]

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I am one of the younger members of the Committee on Rivers and Harbors. I was not elected to that committee immediately after I came to Congress, but immediately after I was elected to the committee I observed with appreciation and respect the manner in which the chairman of that committee conducted the business of that great committee. Practically all of last year we sat there week after week listening to those who came to testify, Army engineers, other public officials, private individuals, in behalf of the many, many projects which had been recommended by the Army engineers. Then we sat there all those weeks listening to the opposition. Never at any time was the opposition denied a right to come and be heard. Never at any time did we consider or vote out of that committee a single project that did not have the full endorsement of the Army engineers of this Nation.

In my opinion, there is no greater man in Congress or in public life today than the chairman of the Committee on Rivers and Harbors, Judge MANSFIELD.

[Here the gavel fell.]

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, as a member of the Committee on Rivers and Harbors for the last 9 years, I am in a position to affirm everything that has been said here this morning by the able and venerable chairman of that committee. I know personally the attitude of that committee toward the Soo lock. I want to add my word of esteem and approval in behalf of the gentleman from Texas, Chairman MANSFIELD, of that committee. I doubt if there is a man in this Nation who is better qualified to serve this Government in the capacity of chairman of the Rivers and Harbors Committee than the gentleman from Texas, Judge MANSFIELD.

I can testify from personal experience, over the years, to his uniform kindness and courtesy to everyone who comes before that committee, whether they are opposed to or whether they approve of the project under consideration.

To me it is a personal matter of regret that an occasion of this kind should

arise in which his personal integrity and his honor has been attacked. I denounce it as unjust.

[Here the gavel fell.]

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CULKIN. Mr. Speaker, I have served for 14 years on the Rivers and Harbors Committee of the House. A great deal of that time the distinguished gentleman from Texas [Mr. MANSFIELD] was chairman of the committee. Never during that period has the chairman of the committee permitted any project to be approved by the committee except that it had the complete approval, based on elaborate economic findings, of those great masters of transportation, the Army engineers.

Of course, this House should resent this attempt to strike down and destroy this very able man, this great public servant, Judge MANSFIELD.

Today I am putting into the RECORD an estimate of the character, standing, and services of Judge MANSFIELD, with some consideration of what this House should stand for and how it should come to its senses when the newspapers, sometimes against the interest of the people, attempt to take over the honest, decent, and economic administration of the affairs of this Government. I hope you gentlemen will all read it. It attempts to do justice to that splendid American, Judge MANSFIELD.

The SPEAKER. The time of the gentleman has expired.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a brief excerpt.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTER. Mr. Speaker, for 17 years I have served on the Rivers and Harbors Committee with the present chairman, the gentleman from Texas, Judge MANSFIELD. He has been uniformly courteous and kindly toward those who have appeared before the Rivers and Harbors Committee, whether he agreed with them or not. I have not always agreed with him in reference to projects before the committee and I have always been given full and ample opportunity to present my views. I most thoroughly resent any insinuations against him. His devotion to his duty as a member of the committee, his devotion to his country, his patriotism, and his loyalty are above reproach.

I deplore unwarranted attacks against any person and most decidedly resent an indictment against such a lovable, just, and upright character as the gentleman from Texas [Mr. MANSFIELD].

[Here the gavel fell.]

Mr. BELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BELL. Mr. Speaker, I have been a member of the Rivers and Harbors Committee since I came to Congress about 8 years ago. I want to add my voice to that of the others who have spoken here in my steadfast belief in the unquestioned integrity and honor and statesmanship of the great chairman of this committee, the gentleman from Texas, Judge MANSFIELD.

I have seen him day after day when he has presided over the meetings of that committee. I came to Congress after I had served a number of years on the circuit bench. I was accustomed to the atmosphere of the court. I have never been in any court during all the years of my practice of law where I saw affairs conducted on a higher plane of impartiality, justice, and fairness than the distinguished chairman of the committee always conducted the hearings on matters which come before his committee, and I want to say to the membership that I come to the well of this House at this moment not only as a member of the committee but as a member who has signed the minority report to the rivers and harbors bill. I do not always agree with our distinguished chairman on everything, but, believe me, there has never been a moment since I first met him when there has been one iota of hesitation on my part to believe in his unquestioned integrity, fairness, and sturdy honor, and I resent any implication coming from whatsoever source it may, whether from my friends or my enemies, which for one moment questions the high plane of his public service.

[Here the gavel fell.]

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I have been a Member of the House for a little over 3 years. When I first came here I sought membership on the great Committee on Rivers and Harbors. I have the highest personal regard for the estimable chairman of this committee. I have always regarded him as a personal friend. He is a man to whom I have gone frequently for advice. He has always been grand, cordial, and gracious in the cooperation he has given me as an inexperienced Member of this House.

The Soo lock was a natural, just as sure as day follows night, it would sooner or later have to be built in order to provide the capacity required to handle the normal peacetime increase in traffic through the Soo. However, last year, during the months this measure lay in the omnibus bill it was not yet a matter of urgent necessity. However, on December 7, after we went into war the situation with respect to the urgency of the Soo locks changed drastically, and since the first of the year I have been trying diligently to get this item out of the rivers and harbors omnibus bill in order that we might expedite action on it in a separate bill, because we cannot increase our production of war materials until we get that lock. The President has told us our ore production must be stepped up 25 percent this year, and again next year. Without this new lock the probability of attaining this goal is seriously threatened.

I at no time meant to imply any personal attack on the chairman of the committee, but I did attack the precedents of the House by which that item was being kept in the omnibus bill. Precedents in this and in other instances must be subordinated to the exigencies of the war effort if we are to win.

[Here the gavel fell.]

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GREEN. Mr. Speaker, during the 17 years of my service here I have carefully observed the shaping of waterways legislation for our Nation. It has been ably handled by the able, studious, and judicious chairman of this committee. He has been impartial and a statesman most extraordinary. At no time has any project during his administration of the affairs of this committee found a place on the bill that was not justified. If the defense of the country through carrying out recommendations of the Army engineers is "pork barrel," then such charge may lie against the Rivers and Harbors Committee, but never against the impartial chairman, the gentleman from Texas, Judge MANSFIELD.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, we have witnessed one of the finest tributes that has been paid a Member of the House in my time. The gentleman from Texas spoke on a question of personal privilege and has received the spontaneous reaction of his colleagues on both sides of the aisle that we have witnessed. In my 14 years of experience I can recall of no similar tribute to any Member of the House.

It seems to me there is a limit to indecency. In my long service here there is no man who has been more fair than the gentleman from Texas. Many able men have held seats in this honorable body, but, in my opinion, none who have had or in this body now has a sweeter, a finer, a more uplifting and constructive influence upon this House than the gentleman from Texas [Mr. MANSFIELD].

INFORMATION REQUESTED FROM DEPARTMENT OF STATE

Mr. BLOOM. Mr. Speaker, by direction of the Committee on Foreign Affairs, I present a privileged resolution (H. Res. 446), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the House of Representatives all such information as he may possess, or which may be

available to the State Department, answers to the following questions:

(1) Have President Roosevelt and Prime Minister Churchill arrived at an agreement to support the economic life of Spain?

(2) If they made such an agreement, is it broad enough to permit Great Britain to waive the Eden white paper, which stated there would be no shipment or export of British lend-lease materials, or their equivalent, to Spain, without permission from the United States?

Mr. BLOOM. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

THE HONORABLE JOSEPH J. MANSFIELD

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, I was indeed gratified when I observed that every Member, including even those gentlemen who through lack of real information are against the St. Lawrence waterway, resented the criticism which has been heaped upon one of the most lovable and valuable Members of this House, my friend the gentleman from Texas [Mr. MANSFIELD], the chairman of the Committee on Rivers and Harbors.

We Members of the House have an advantage in that we at times have the opportunity to deny any unjustifiable and unwarranted criticism. But that right and privilege, unfortunately, is not afforded to many outstanding citizens, who are frequently willfully and maliciously smeared and assailed not only by the press but even here in the House. Yesterday, and again a few moments ago, the gentleman from Michigan assailed the good name of Walter Winchell, who for 4 years has done everything in his power to warn the Nation of the dangers which now confront us, and who has directed attention to the activities of the Nazi agents and stooges, many of whom have, upon the information he has furnished, been apprehended, indicted, and even convicted. I know hundreds of thousands of American people resent and condemn these smears and jibes against him, and similarly against men like him who have rendered in the past and are giving now such valuable services to our country.

Mr. Speaker, I also recall that a few days ago a Member referred disparagingly to Walter Winchell, insinuating that he, while in active service, is drawing $5,000 for his broadcasts; but he willfully failed to state, however, that Mr. Winchell is turning this money over to naval benefit funds. It is generally known that Mr. Winchell is in the Reserve branch of the service on the inactive list, but it is admitted that he is rendering greater service to the Navy at the present time than he could if his request for more active duty were granted.

However, there are some Members and some people who dislike and resent his broadcasts with respect to the activities of Nazi appeasers and isolationists. Instead of criticizing and finding fault with his broadcasts, they would be rendering some valuable service if they cooperated with the President in his efforts to strengthen our Army, Navy, and air force as Winchell has done; and if they had not opposed the President's recommendations for the fortification of Guam and the Philippine Islands, the country would not be in the position that it is in today. Therefore I hope that in the future, instead of assailing and attacking those who are really urging constructive and protective measures for the defense of our country, they will join in the patriotic efforts of Walter Winchell and others like him.

CONSOLIDATION OF POLICE AND MUNICIPAL COURTS OF THE DISTRICT OF COLUMBIA

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5784, to consolidate the police and municipal courts of the District of Columbia, and for other purposes, with Senate amendment thereto, disagree to the Senate amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. McGEHEE, HARRIS of Arkansas, and DIRKSEN.

HARRY KAHN

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4665) for the relief of Harry Kahn, with Senate amendment thereto, disagree to the Senate amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. McGEHEE, KEOGH, and WINTER.

MRS. EDNA B. CROOK

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4557) for the relief of the estate of Mrs. Edna B. Crook, with Senate amendment thereto, disagree to the Senate amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. McGEHEE, KEOGH, and WINTER.

MRS. EDDIE A. SCHNEIDER

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5290) for the relief of Mrs. Eddie A. Schneider, with Senate amendment thereto, disagree to the Senate amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. McGEHEE, KEOGH, and WINTER.

ALLENE RUHLMAN AND JOHN P. RUHLMAN

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5473) for the relief of Allene Ruhlman and John P. Ruhlman, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. McGEHEE, KEOGH, and WINTER.

MRS WILLIE M. MAYE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3761) for the relief of Mrs. Willie M. Maye, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$5,444" and insert "$544."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ESTELLA KING

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3966) for the relief of Estella King, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "Work Projects" and insert "Works Progress."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my own

remarks in the RECORD and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TAXES

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, today, on March 3, 1942, I had the privilege of sitting before the Committee on Ways and Means and listening to the Secretary of the Treasury present what I think is an outstanding and courageous tax statement, consisting of 17 pages, with 13 additional pages of supporting charts and statistics. I regret that we have to incur obligations, but having incurred them, I am in favor of proceeding with the enactment of a $24,000,000,000 or $25,000,000,000 tax bill just as quickly as possible so we can proceed to adjust our lives to the new order and world we have entered.

EXTENSION OF REMARKS

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address I recently made by transcription over station KELD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes; and, pending that motion, I ask unanimous consent that general debate may proceed throughout the day to be concluded today, and to be controlled by the gentleman from Kansas [Mr. LAMBERTSON] and myself in equal proportions.

Mr. MICHENER. Reserving the right to object, Mr. Speaker, when will the rule be considered?

Mr. TARVER. As I understand, the rule is to be considered at the beginning of the session of the House tomorrow.

Mr. LAMBERTSON. Reserving the right to object, Mr. Speaker, I was under the impression that we were going to get started on this bill a little earlier, but we were delayed by the question of personal privilege. I do not believe we should agree to ending the general debate today. Would the gentleman consider having 2 hours of general debate tomorrow?

Mr. TARVER. I think it may be possible to get through with the general debate very easily today. As far as this side of the House is concerned, except for the members of the subcommittee, not a single request for time has been made of me. I believe the matter can be very adequately taken care of by the agreement suggested. I hope the gentleman will not object.

Mr. LAMBERTSON. Will the gentleman agree to let debate run along and not place a definite limit on it? Since I talked to the gentleman earlier, I have had several further requests.

Mr. TARVER. I do not believe that any extraordinary time for debate should be necessary. The Committee might sit until everybody desiring to speak has an opportunity to do so. It does not seem to me there ought to be objection to closing the debate today.

Mr. LAMBERTSON. The suggestion has been made that a black-out is scheduled for tonight, and we canot run past that time.

Mr. TARVER. The black-out does not start until 8 o'clock, and I doubt that the House will remain in session until that hour.

Mr. LAMBERTSON. I think that in view of the additional circumstances that have arisen over here we ought to have a couple of hours of general debate tomorrow, and I object to the request.

Mr. TARVER. Of course, if the gentleman objects, I shall have to remold my request.

Mr. Speaker, I ask unanimous consent that general debate may proceed throughout the day, to be equally divided and controlled by the gentleman from Kansas [Mr. LAMBERTSON] and myself. I wish to state, however, that if we find that general debate has been concluded and there are no further requests for time, it is my hope that we may be able to read the first paragraph of the bill today.

Mr. LAMBERTSON. I do not object to that.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Georgia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. TARVER. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, your committee brings you for consideration the smallest agricultural appropriation bill that has been proposed during recent years. It brings it to you after the conclusion of approximately 3½ months of work in the matter of hearings and in the matter of the preparation of the bill.

The hearings of the subcommittee began on the 19th day of November 1941, and at the beginning were adjusted to the difficulties which were being encountered in the R. E. A. program because of the inability to secure copper and other strategic materials necessary in carrying on the work of the R. E. A.

I shall not undertake to discuss in detail the evidence which was developed in the course of those hearings, which had, however, a very definite relationship to the amounts which are proposed in this bill for the continuance of the work of the Rural Electrification Administration.

I think I am justified in saying that the work of the subcommittee and its contacts with what was then the Supply Allocations and Priorities Board and with officials of the O. P. M. resulted in action which was taken about the time of the conclusion of our hearings on the copper situation by S. P. A. B., and which provided in substance for three things:

First. The provision of 1,500 tons of copper per month for a period of 7 months in order to provide for the completion of R. E. A. projects having a definite national defense value and which were already under way.

Second. The recommendation on the part of S. P. A. B. to the Bureau of Agricultural Economics that a study might be conducted to determine accurately the relationship between the R. E. A. program and the national defense program.

Third. The direction by S. P. A. B. of an investigation which has been carried on by the Office of Production Management to determine what means might be adopted to bring about an increase in the domestic production and in the domestic supply of copper.

I shall not undertake a further discussion of that particular portion of the problems dealt with in the pending bill at this time.

I invite your attention to the tabular information appearing on pages 8 and 9 of the committee report. You will observe that in direct appropriations this bill carries approximately $676,000,000, which is a reduction below the amount of such appropriations for the present fiscal year of approximately $451,000,000. You will observe further that notwithstanding the very drastic reductions which were made in the Budget estimates, the committee has found it possible, without, in its judgment, undue injury to agriculture as provided for in this bill, to still further decrease the items of direct appropriations by approximately $2,000,000. In other words, insofar as direct appropriations are concerned, the bill is approximately $2,000,000 under the Budget.

When reappropriations are taken into consideration it will appear that the bill is approximately $8,000,000 in that item alone below the amounts made available by reappropriations for the present fiscal year, and when both direct appropriations and reappropriations are considered the amount of the bill is $695,000,000-plus as against $1,153,833,720 for the present fiscal year, or involving an over-all reduction of appropriations and reappropriations of $458,767,861. But in the matter of permanent appropriations, with which this committee has nothing to do since those appropriations are of a permanent character which have been provided by Congress and which could not be varied in any way by action on the pending bill, there is estimated for

the next fiscal year an increase from the amount of $104,813,000-plus available for the present fiscal year to $139,087,795, an increase of slightly over $34,000,000, which increase is brought about by the increase in the 30 percent of tariff receipts known as section 32 money, which, as has been stated, is a matter of permanent appropriation with which our committee does not deal.

This does not tell the whole story of the very drastic reductions which have come about in connection with the preparation of the pending measure. In the bill for the present fiscal year provision was made for loans from the Reconstruction Finance Corporation in addition to the direct appropriations and reappropriations for certain purposes in the amount of $270,000,000. The bill as we present it to you carries authorizations for the same purposes for the next fiscal year in the amount of only $125,000,000, involving a reduction in these items alone of $135,000,000.

It will therefore be apparent that when all the funds which will be available to the Department of Agriculture through the medium of direct appropriations, reappropriations, permanent appropriations, and loan authorizations are taken into consideration, the bill which we present to you, with the permanent appropriations considered in connection therewith, represents a decrease below the funds available for the present fiscal year for comparable purposes of approximately $560,000,000.

No other department of the Government has taken a cut in the preparation of its supply bill for the next fiscal year which is at all comparable to the cut which is here proposed for the Department of Agriculture.

We read a great deal in the public press with reference to the alleged profiteering by what is referred to as the farm bloc. Apparently, according to the opinions of some of these newspapers, if a Representative in the Congress or a Senator in the Congress, coming from an area where he has among his constituents a considerable number of farmers, undertakes to be active in the interest of substantial justice to that portion of his constituency, he immediately becomes a member of a farm bloc. So far as I am concerned, I have never, during my membership in the House, been a member of any bloc, and it is not my purpose to ever have membership in any bloc. I undertake to represent, as best I can, with my limited abilities, the interest of not only my own constituency but of the country as a whole, because I regard myself as a representative in Congress of the people of the United States and not merely of any particular element of the population of my congressional district. But there is no justification for the continued campaign which is being carried on in the public press to create the impression throughout the country that the farmers of the country, through their duly elected Representatives and Senators, are endeavoring to stage a raid on the Treasury. The presentation of the pending bill indicating a reduction in the funds which will be available for looking after, insofar as it is possible in such a bill, the agricultural interests of the country for the next fiscal year—a reduction of $550,000,000 in those funds—is one, but only one, of the many evidences of that fact.

The preparation of this bill has been a partnership proposition. Its presentation to the House will be a partnership proposition. We have on our committee five Democrats and three Republicans. There has been nothing in the actions taken around the committee table to indicate that the slightest feeling or thought of partisanship has entered into the discussions of the bill or into the merits of any action which has been taken by the subcommittee with regard to the bill.

The protection, insofar as it may be done through the enactment of this appropriation bill, of the agricultural interests of the country is distinctly a nonpartisan question. No matter of Democratic or Republican politics ought to be allowed to enter into its consideration or influence action on any item contained in it. I feel that I am stating only the simple truth when I say that I believe every member of our subcommittee, Democrat and Republican, in the actions which they had or voted for in connection with the pending bill were actuated only by their opinions as to what the agricultural interests of the country required, insofar as the requirements could be reasonably and appropriately met by provision in this appropriation bill.

Since the matter of formulating the appropriation bill has been a partnership matter, so it has seemed proper that the matter of presenting it to the House, and discussing its manifold provisions, and the innumerable actions which have been taken by the subcommittee, should also be a partnership proposition. So I am not going to undertake, as chairman of the subcommittee, to cover all of the numerous subject matters with which the bill deals. In the first place, it will be impossible for me to do so, because of the limited time available for that purpose. There has been by agreement in the subcommittee a division of this work. At this time I call the attention of the House to the fact that the following members of the subcommittee will handle in debate and in connection with the reading of the bill for amendment the several items which I shall read in connection with their names. Mr. LEAVY will handle Experiment Stations, Extension Service, and the R. E. A. Mr. TERRY will handle the Forest Service and the Soil Conservation Service; Mr. COLLINS, the Bureau of Plant Industry, Agricultural Chemistry, and Engineering; Mr. LAMBERTSON, Federal Crop Insurance, and Cooperative Farm Forestry; Mr. DIRKSEN, four regional laboratories, Agricultural Economics, Bureau of Animal Industry, and Mr. PLUMLEY, Blister Rust Control, Bureau of Home Economics, and the Bureau of Dairy Industy.

I shall proceed now as directly and concisely as I can to a discussion of certain items of outstanding importance, which I think should be referred to in general debate.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I prefer not to yield until the completion of my statement.

Mr. THOM. Simply to congratulate the chairman of the subcommittee on the division of the presentation of the Budget claims among the various members of the committee. I think that should have been done long ago, and I think it will add to the interest in the debate.

Mr. TARVER. I thank the gentleman. I believe that the presentation of a bill of such tremendous importance as the one we have under consideration by only one member of the subcommittee would necessarily be an inadequate presentation, and, despite the ability of my colleagues, which is outstanding, I doubt if our combined presentation of all of the problems which are dealt with in this bill will be adequate to the needs of the House for information on these subject matters.

In accordance with the statement which I have just made with reference to the division of the work, I shall pass over in the discussion the items of appropriation relating to experiment stations, the Extension Service, the Bureau of Animal Industry, the Bureau of Dairy Industry, the Bureau of Plant Industry, and the Forest Service, except to say with reference to the Forest Service that the gentleman from Arkansas [Mr. TERRY] to whom was assigned the duty of presenting the items of the bill relating to the Forest Service, is unable to attend the session of the House today on account of illness, although he hopes to be present tomorrow. Judge LEAVY, who had other subject matters assigned to him will, in addition, undertake to present the facts with reference to the items of the appropriation bill, in respect to the Forest Service, but I shall discuss those items to this extent. I call attention to the fact that the committee has made available in two very important items in which there is general interest, the full amount of authorizations contained in the statute law; that is, for what is known as the Madison Laboratory, with a total amount of authorization of $1,000,000, the bill makes available that sum, and for the forest fire cooperation; that is, cooperation with the States in the matter of the protection of forests from fire, the total amount of the authorization, $2,500,000, has also been made available by the committee in the pending bill.

Because of its very controversial nature, and the fact that it may be possible, there will be amendments submitted in the House with reference to the item in question, I shall make reference to the appropriation which is proposed for the conservation and use of agricultural land resources. It will be noted that the appropriation which takes care of what are known as soil-conservation benefits is in the amount of the Budget estimate, $450,000,000. Only a short while ago the Congress extended the legislation under

which this appropriation is made, and fixed the amount of the authorization at $500,000,000. I am one of those who do not feel that the amount should have been decreased in the pending bill below the amount available for the present fiscal year—namely, $500,000,000—but in that item I have deferred to the judgment of the majority of my colleagues on this subcommittee. The evidence before our subcommittee indicated that the work which is being carried on through the instrumentality of these funds is doubly important on account of the emergency conditions now affecting the agricultural interests of our country, and it further indicates that these payments will not, if made in the full amounts which have been made available for the present fiscal year, compensate the farmers who earn those payments to the extent that they have been compensated for similar conservation work during the last calendar year.

The expense of earning payments will be very considerably increased. There are those who, when listening to their conversation and arguments, would have you believe that these soil-conservation benefits are donations from the Government to the farmers of the country. Nothing is further from the truth. Every dollar of them is earned, and in the earning of these payments tremendous expenses have to be incurred by the farmers who earn them, not only for labor but for materials, for fertilizers, and for a variety of items of expenses that are necessary in order that the soil-conservation benefits may be earned.

It has therefore seemed to me that this, of all times, is not the proper time to consider the reduction of the amount of funds which are made available for these purposes. However, as I said, I have in that matter, perforce, agreed with the judgment of the members of my subcommittee.

In the item of appropriation for commodity exchanges the committee effected a considerable reduction below Budget estimates, in the amount of $70,000, leaving available, however, for that purpose $569,587. Under conditions such as now exist in this country, it has seemed to the committee that there is very little justification for the maintenance of these commodity exchanges at all. The Office of Price Administration, under legislation recently enacted by the Congress, is in position to control in large part, if they rise above certain minimum ceilings, the prices of agricultural commodities. Certainly there will be restricted, very much restricted, activity of the commodity exchanges during the continuance of this emergency. It has not seemed necessary that the full amount of the funds which might otherwise be needed should be provided for the purpose of administration. Therefore the reduction to which I have called to your attention.

I come now to a discussion of the very controversial matter of parity payments. It is not a subject matter about which there should be controversy, and in my judgment a great deal of the controversy which arises concerning it is the result of lack of complete understanding of the problem which is involved.

The Congress of the United States for a number of years has been ostensibly engaged in an effort to bring about parity for farm products. It is true that the definition of parity, which has been adhered to, based on prices received during the 1909–14 period, is an inadequate standard upon which to determine what parity for farm products should be. For one thing it does not take into consideration the increases which have occurred since that time in the price of farm labor. There is no effort to have the so-called parity standard for farmers commensurate with the increases in the wages which are paid in industry. If industry were to be considered upon the same basis as that which is provided for the farmer, if the 1909–14 period were the parity period for industrial wages, then today industrial wages are 379 percent of parity.

Notwithstanding that there are some people in this country who, as I have indicated, are, in my judgment, not fully informed, who consider the American farmer a profiteer if he wants to proceed toward that goal which has been held out by the Congress for so many years, that of receiving only parity for his products according to the inadequate standard of parity set up by law on the basis obtaining during the period 1909–14.

The bill does not carry any appropriation for parity payments except the reappropriation of an unobligated balance which it was estimated in our hearings would be slightly in excess of $2,000,000. It does carry a proposed authorization to the Secretary of Agriculture and a direction to the Secretary of Agriculture to enter into commitments with farmers to make parity payments on the 1942 crops, should they become entitled to them under the provisions of the law regulating the matter of parity payments.

There was one provision in the Budget language which was submitted with the approval of the President, which the committee thought was fair to eliminate. That was the provision which was inserted in the bill last year by the Senate and to which it was finally necessary to agree, which provided for considering the amounts of soil-conservation benefits paid to farmers, in addition to the market prices of their products, or the loan value of their products, whichever might be higher, in determining whether or not they received parity for their crops. The committee eliminated that. The language of the act under which parity payments were provided did not contemplate that any such matter should be taken into consideration.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. TARVER. Mr. Chairman, I yield myself 15 additional minutes.

I read that language from Public, No. 430, Seventy-fifth Congress:

SEC. 303. If and when appropriations are made therefor, the Secretary is authorized and instructed to make payments to producers of corn, wheat, cotton, rice, or tobacco on their normal production of such commodities, in amounts which, together with the proceeds thereof, will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit. All funds available for such payments with respect to these commodities shall, unless otherwise provided by law, be apportioned to those commodities in proportion to the amount by which each falls to reach parity income. Such payments shall be in addition to and not in substitution for any other payments authorized by law.

Insofar as the Budget proposal provided that the soil-conservation-benefit payments be included in determining whether or not farm products had reached parity, the language is not only not authorized by law, but is in direct contradiction of existing law. For that reason it was eliminated by the committee.

Another action which your committee has recommended in connection with this bill, and which has relation to the subject matter which I have just been discussing, is the limitation which has been suggested in connection with the use of the appropriation for administrative expenses for the Commodity Credit Corporation, and which provides that none of the Government-owned stocks may be sold by the Government at less than parity by the use for administrative purposes of funds carried in this bill; that is, that none of the funds carried in the bill for such purposes shall be used in such an operation. I know, of course, that this is a very controversial matter. I want you to read the evidence of Secretary Wickard as it appears on pages 16 and following of volume 1 of the hearings. You will ascertain from his evidence that he has been using these Government-owned stocks and intends to continue to use them not merely for the purpose of supplying legitimate needs but for the purpose of manipulating markets, and he so confesses. Secretary Wickard has the interest of agriculture at heart and is motivated by the best intentions. I think, however, that sometimes, as the Scripture says, when he would do good, evil comes up before him. The policy which is being pursued in this connection in the Department of Agriculture under his direction is a policy for which he is not responsible, nor upon which he would embark if the matter were left to his free decision.

The question is, When we have for many years been trying to bring the agricultural interests of the country up to parity—that is, to this inferior standard of parity which I have been discussing, and when with regard to some of those products it has almost been attained—shall we countenance the use of the authority of the Government not to enable those farmers who have not so far secured parity prices to obtain them but to so manipulate the markets of the country through the use of Government-owned stocks as to prevent the attainment of that goal?

The committee is not of opinion that this ought to be permitted. It is a matter, of course, for the decision of the House, and it is for that reason that we have inserted this proposed limitation in the language of the pending bill. In the matter of the disposition of surplus commodities, we have available for the next year in the permanent appropriation

$132,000,000, 30 percent of the tariffs received. We had for this year in addition $125,150,000 together with $35,000,000 which were used for purposes of relieving distress in the Territories and possessions of the United States. There is no authority of law for the addition to the section 32 sums of additional amounts in appropriations. There was no estimate from the Budget. The committee has been powerless under these circumstances to give consideration to the matter. The reduction which is proposed will reduce, as I recall, from $115,000,000 to $89,000,000 the amount of funds available for carrying on what is known as the food-stamp plan. It has been indicated in the evidence before our subcommittee that the program which has been carried on through the use of these funds would be very substantially handicapped because of the very drastic reduction contemplated in the bill for the next fiscal year. As I have said, the committee felt powerless to give consideration to the matter insofar as the proposal of an appropriation in addition to the section 32 funds for the pending bill is concerned, but I feel justified in saying that if an addition to the funds available for this purpose should be made in the Senate, the House conferees would give very sympathetic consideration to the matter.

I want to discuss several other separate matters, but I know I am not going to have the time. Skipping some matters which I think should have my attention if it were possible to discuss them but which will undoubtedly be discussed by others, I want to talk to you for a little while about these charges which have been made against the Farm Security Administration in its administration of the Farm Tenant Act and in its administration of the funds which have been made available for loans, grants, and rural rehabilitation. Our committee, as you will note if you will read the hearings, went into these matters at very great length and literally hundreds of pages of the hearings are devoted to the attempt to develop fully all of the facts relating to these charges. I want to say at the very outset that I am one of the subcommittee who is convinced that some of the complaints which have been made were justified, and that appropriate action should be taken by the Congress to correct matters which, in my judgment, amounted to an abuse of the administrative discretion in some cases and in some cases to the carrying on of activities which the Congress never contemplated would be set up. I believe that the limitations upon the use of the loan funds which the committee has proposed for insertion in the bill will to a very considerable extent correct the outstanding abuses which have undoubtedly occurred.

If you will examine the hearings regarding the work of the Farm Administration, however, you must inevitably reach the conclusion, as the majority of the committee have, that its work on the whole has been to the tremendous advantage of the lowest segment of American agriculture. Over 700,000 farm families have benefited under the rural-rehabilitation program alone. Their annual net income has been increased $75,000,000. These are people who in many cases had for the whole family before this program started an annual income of some two or three hundred dollars only. My recollection is that in my State it was $249 for a whole family, perhaps around 70 cents per day. A great many things that the Farm Security Administration has done, as I have said, ought to be corrected, but when you take into consideration the hundreds of thousands of these handicapped families who have been helped to reach a stable position in the field of agriculture and helped to reach a place where they might be able adequately to support themselves, and the uncontroverted and the uncontrovertible facts which appear in the hearings show that this has been accomplished through the administration of these funds, you should not give consideration to those who would, because of errors that have been committed and unquestionably were committed, wipe out the whole thing, destroy the entire effort to be of assistance to this bottom class of American agriculture. What we have done in the bill, and which I hope to be able to discuss briefly before I conclude, has not been destructive. I think it has been constructive.

Mr. KEEFE. Will the gentleman yield?

Mr. TARVER. Briefly for a question.

Mr. KEEFE. Does it appear from the hearings and the statistical information developed that the net expense to the Government of this Farm Security Administration program would be immeasurably less than if those people were helped and aided through the medium of the W. P. A. program in those communities?

Mr. TARVER. Undoubtedly so. There has never been any effort to controvert the truth and logic of the statement which the gentleman has just made.

As I stated, the Farm Security Administration has done some things, and is doing some things, which, in my judgment, ought to be stopped. They inherited—they did not set it up themselves—these Resettlement Administration projects. Those projects were bought by this resettlement agency under the Department of the Interior. They were directed by the Congress to liquidate these projects, but they have not done so. I believe they made a mistake when they did not. They have liquidated only 18, and they have 193 left.

We have made provision in the bill which, in our judgment, will insure the prompt liquidation of the remainder of these projects. Many of them are being used in collective-farm experiments. We think this type of experiment is contrary to the genius of American agriculture and to the thought of the American people in dealing with our farm difficulties. As the situation has been interpreted by the Congress, we should do everything we can to encourage our farmers who do not own their own farms to acquire land and become home owners. We have provided in this bill for the elimination of these collective-farming experiments.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Is it not a fact that Governor Tugwell, down in Puerto Rico, is now inaugurating a collectivist farm experiment, similar to what was conducted previously on the continent here and which proved fallacious?

Mr. TARVER. Not with any funds that have been made available through the agricultural appropriation bill. There has been nothing of that kind done in Puerto Rico with the use of any funds carried in this bill. What he may be doing with funds provided from other sources I do not know.

The Farm Security Administration has been using part of these loan funds to buy large tracts of land for the purpose of subdividing those tracts of land, building improvements upon them and selling them to people who are removed from the so-called defense areas. In the State of Missouri they bought the land of the Lord Scully estate, 42,000 acres, and expended $26 per acre for this land. This cost over a million dollars. They organized a corporation of their own employees and took title to that land for the purpose of holding the land and selling it to people removed from the defense areas. So far only six families have been selected to receive tracts of this land. The amount involved in each particular case is between $7,000 and $7,500. The committee did not believe that the Congress ever intended that loan funds for distressed agriculture should be used for the purpose of buying land at all, and certainly not for the purpose of making loans to individual distressed farmers in amounts of anything like $7,500. So we have provided in this bill limitations which will not permit the use of any of these funds to buy land at all because we do not think the Congress meant to authorize it. These limitations will also prevent the use of any of the funds to carry on any collective farm operations.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield myself 15 additional minutes.

Mr. Chairman, these limitations will prevent, as I have stated, the carrying on of any collective farm operations, except to the extent necessary to liquidate them. We also propose a limitation of $2,500 on the amount of loan to any individual. Personally I think that a lower limitation would be justified, but this represents the action taken by the subcommittee which certainly would provide a very great improvement in the practices now going on.

We are going to bring up tomorrow a rule granted by the Committee on Rules to make in order these items in the bill which otherwise would be subject to points of order. I want you gentlemen to consider what would be the situation of this bill if that rule should not be adopted. You could not consider anything for the Rural Electrification Administration and nothing for the farm-tenant land-purchase program. To my mind that program has more amply justified itself than anything else that has been started during recent years. There have been repayments of 99 percent of the amounts at maturities, and 120 percent when those

who have overpaid are taken into consideration.

Without a rule you could not consider making anything available for loans and grants for rural rehabilitation. You could not consider at all the parity-payment item. There is authority of law for the making of parity payments, but there is not authority for the making of contracts or commitments. Therefore all of the parity language would have to go out unless you adopt the rule. You could not give consideration to other very important subject matters which were considered in the bill last year under a rule.

The committee is not asking you to do anything other than to express your conscientious convictions in whatever vote you may cast in regard to any of these items, to cut them down or cut them out. Do as you please with them. We do ask you, however, after having completed 3½ months of hard work on this bill, to make in order the consideration of these matters which otherwise could not be considered.

Direct appropriations could be made for the farm-tenant program, not subject to a point of order, but we are proposing to follow the practice which has been inaugurated of authorizing loans from the Reconstruction Finance Corporation, loans which are amply secured. The same thing is true with reference to R. E. A.

I wanted to make these remarks in order that you might understand the situation as it exists in reference to this bill in connection with the pending rule, which will be considered on tomorrow. Unless that rule is adopted, the bill, in some of its most important particulars, will be so shot to pieces that you will not be able to do what you might want to do in the way of making appropriations for these several subject matters.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. The gentleman has mentioned the Farm Tenant Act. I notice that on page 81 the subcommittee has incorporated in this bill legislation which would restrict the use of those funds for the purchase of farms of greater value than the average farm unit of 30 acres and more in the county, parish, or locality in which such purchase may be made.

The language in the bill would restrict farm tenant purchases to the South and certain other areas where a small acreage would be a self-sustaining unit. In most of the agricultural sections of the United States a 30-acre farm would not be a self-sustaining unit, and the funds could not be used to advantage in such areas.

Mr. TARVER. The language is "30 acres and more." This language has been carried in the bill for the last 2 years. It was written by myself. The Farm Security Administration objected to it violently to begin with and advanced arguments similar to those to which the gentleman is calling attention now, but they now agree that it has aided them in servicing more tenant farmers and in buying more farms than they otherwise could have bought, and in addition it has aided them in holding down the price of the farms they bought for the tenant farmers, because when the man who had a farm to sell knew that he could not receive for it any more than the average value of the farms in that locality, he knew that he could not sell the farm unless he cut the price down to that average value. Therefore, where with $117,000,000 they made twenty-three-thousand-odd loans without that restriction, they intend to service for the present year over 9,000 loans with only $50,000,000. They have increased from one-third to one-half, according to the area in which they are operating, the number of tenants for whom they have been able to buy farms, and they have decreased the amount which they had to pay for farms for their use.

We have talked about this matter here before every year for the last 2 years when this has come up. I want to help the tenants of the country as much as anybody. Sixty-five percent of the farms in my district are operated by tenants. However, I do not believe we are doing right when we permit the Farm Security Administration to take a tenant off of your farm in your county if you are an average farmer and buy that tenant, at public expense, a farm which is of greater value than your farm. I believe the tenant ought to be satisfied and will be satisfied and has been satisfied during the 2 years this provision has been in operation with the provision of a farm which is of average value.

That is all I care to say on that subject at this time.

There was another gentleman who wanted me to yield. I want to yield to him if he still entertains that desire.

Mr. GORE. I think the gentleman has answered my question.

Mr. MURRAY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Wisconsin.

Mr. MURRAY. In these days, when we are trying to consolidate bureaus of the Government—and this is not any new thought with me—I have been wondering year after year why this part of the farm-loan program is not incorporated under the Farm Credit Administration. We have been taking the farms away faster than we have been providing farms for the people. If we had this Bankhead-Jones money incorporated under the Farm Credit Administration, we could take care of the destitute.

Mr. TARVER. I think the gentleman's suggestion is one which is worthy of very serious consideration, but it is not one that can be effected by action on an appropriation bill. It would require the attention of a legislative committee of the House to bring about the combination of activities as suggested by the gentleman.

Mr. MURRAY. I thank the gentleman.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Utah.

Mr. GRANGER. Did I correctly understand the gentleman to say that the committee had disregarded the formula for parity payments—that is, the 1914 to 1926 base?

Mr. TARVER. No; the gentleman has misunderstood me. The committee has not undertaken to change the law at all with reference to parity payments. It has simply rejected from the bill language which would have changed the law.

Mr. GRANGER. Does not the gentleman think the standard of living of other groups of the people has increased since 1914?

Mr. TARVER. I tried as painstakingly as I could to point out to the House that in my judgment the parity standard provided by law is not adequate and ought to be changed, but our committee has not the authority to change it. We did have the authority, we thought, to reject a proposal which was contrary to the existing law and which would have further diminished the amounts of parity payments and diminished them unjustly in the opinion of the committee.

Mr. GRANGER. If the gentleman should concede that, would not he concede that you would peg the standard of living of the farmers if you accepted that indefinitely?

Mr. TARVER. Oh, I do not think it ought to be accepted. I hope the gentleman understands me. I believe in the provision of another and more liberal standard for determining what is parity for farm products, but we have not the authority in the handling of an appropriation bill to provide for it, and we can only hope that the Committees on Agriculture of the House and the Senate will bring to the floors of those bodies legislation which will adequately deal with the situation.

This bill comes before you at a time when earnest arguments are being advanced in the Congress and in the press of the country for the restriction and reduction of so-called nondefense expenditures. Our committee is in absolute accord with the feeling that all possible economies in the administration of government are at all times desirable, and that this is particularly true in times of national emergency such as exist today. It does not, however, believe that a real program of economy can be effectively carried on if it has relationship only to nondefense expenditures. Such expenditures constitute only a minor part of the huge appropriations being made by Congress at this time, which have aggregated for national defense purposes almost $150,000,000,000 since the beginning of the emergency and more than $80,000,000,000 since the occurrence at Pearl Harbor, whereas the total nondefense budget, as proposed for the next fiscal year, is only slightly in excess of $6,000,000,000. The attention of those who are interested in economy in this trying period would, in our judgment, be much more effective in achieving this result if it were not limited to the subject matter of nondefense expenditures but included the unquestionable instances of extravagance and unnecessary waste which are occurring in our national defense program. Certainly the possibility of economy in nondefense expenditures

should be carefully examined, but those interested in real economy should not be deluded by the idea that satisfactory results can be obtained through the careful scrutiny of nondefense appropriations alone.

The Budget has proposed, however, a more drastic cut in appropriations for the Department of Agriculture than in any other of the supply bills. The cut will in many instances bear heavily upon some of the most worth-while activities of the Department, and some of those which are of most intense interest to the farmers of the United States. It is very difficult even in times of stress to approve such severe curtailment of the benefits which farmers ordinarily receive through the multifold activities of the Department of Agriculture. However, the committee has realized that the American farmer desires to respond to the call in fullest reasonable measure when he is called upon by the Commander in Chief to undergo sacrifice of any type in connection with the defense program.

For that reason the committee has not only approved the Budget cut, after reallocating it in some particulars, but has actually reduced the amount of the pending bill by $1,994,890 below Budget estimates when direct appropriations only are taken into account. If that cut is approved by Congress, there should be no one heard to say that the American farmer is not willing to do his part in accepting economies in our time of national need, and those who have been through the press and otherwise charging the farmer with attempts at profiteering should be ashamed of their words.

The farmer is not a grabber. He is thoroughly patriotic. He is sacrificing in the defense program as is no other element of our people, and will continue to sacrifice. It would be laughable if they were not so distressingly unfeeling to read the comments of some portions of the press regarding alleged profiteering by farmers and by the so-called farm bloc. With wages in industry soaring, with real estate values, merchandise values and everything else of a purchasable character in the Nation going sky high we are charged with profiteering if we desire that the farmer receive merely prices comparable in character with those received in the 1909–14 period. We are not going to win this war if we request sacrifices of nobody else except the farmer and the boys who have gone and are going into our Army and Navy.

No changes from Budget estimates is provided in numerous items of appropriation concerning which there appears to be no substantial conflict of opinion and which, therefore, it would seem unnecessary to discuss unless inquiries from Members are submitted with regard thereto. There are numerous minor items of changes, in some cases Budget estimates being reduced by small amounts and in some cases being increased by small amounts which it would also appear should not be discussed in detail in the absence of some inquiry from the House membership, as to do so would involve a great consumption of time without worth-while benefit.

The report gives complete information with reference to the transfer to the Office of Information of the work of preparation of motion pictures and agricultural exhibits heretofore conducted by the Office of Extension Service, the appropriation therefore also being increased in the amount of $20,000 to restore Budget cuts. The exceedingly valuable work being accomplished in these items of educational activity render unwise, in the opinion of the committee, the proposed Budget cut in funds for these purposes.

The first substantial change made by the subcommittee in Budget estimates is in the appropriation for the Office of Experiment Stations. In addition to the funds available under the Hatch, Adams, and Purnell Acts, which are carried forward in the same amounts for the next fiscal year, the Congress appropriated for the present year, under title 1 of the Bankhead-Jones Act $2,463,780. The Budget proposed a cut of $463,708, which, in the judgment of the committee, is unwarranted. It has therefore restored $263,708 of this cut, still leaving the item, $200,000, below the funds available for the present fiscal year.

The committee views with extreme disfavor any suggestion of decreasing substantially assistance given to our State experiment stations, believing that the work of those stations is vitally necessary if our so-called food-for-victory program is to be successfully consummated. The committee very reluctantly contemplates any reduction at all in this item of appropriation below the comparable item for the present fiscal year.

The Budget decrease of $56,300 in the appropriation for the special research fund, Department of Agriculture, will be absorbed in Washington activities and will not decrease activities in the field.

The committee considered very sympathetically the Budget recommendation for a step-up of $28,000 in the amount to be appropriated to the Extension Service for Puerto Rico. This appropriation has been progressively increased for the last several years. The committee is impressed with the belief that the unquestioned distressful situation of agriculture in Puerto Rico, occasioned in large part by the overpopulation of the island in proportion to the amount of farm lands available, will not be corrected or substantially remedied by the appropriation of additional funds for the Extension Service. It has therefore provided in the pending bill for the same amount for this purpose as for the present fiscal year, that is, $100,000. The total estimates for the Extension Service, with the sole exception of this change, have been approved in the amount of $14,453,408.

A reduction of $50,000 in the amount which the Budget estimates for the Bureau of Agricultural Economics was felt justified under the evidence by the committee. The committee is very favorably impressed with the prospect for beneficial results from the activities of this organization.

The committee has made some changes of a minor character in the appropriation as recommended for the Bureau of Animal Industry. They will undoubtedly be discussed by the gentleman from Illinois [Mr. DIRKSEN], to whom has been allotted the explanation of the bill as it relates to that Bureau.

The most numerous changes in the Budget estimates, each in comparatively small amounts, were made by the committee in appropriations for the Bureau of Plant Industry, Forest Service, and the Bureau of Entomology and Plant Quarantine, although a number of changes were also made in the items of estimates for the Agricultural Marketing Service.

These subdivisions of the bill, as I have already explained, will be discussed in detail by members of the subcommittee to whom those particular matters have been allotted, and the minor reduction of $25,000 below Budget estimates in appropriations for Bureau of Agricultural Chemistry and Engineering will also be explained by the Member having charge of that portion of the bill.

The appropriation for white pine blister rust control is increased in the bill $657,440 above the appropriation for the present fiscal year, showing that the committee fully appreciates the vast importance of the continuance of this program in full and adequate measure.

The Budget estimates for the Bureau of Home Economics have been approved without change. The exceedingly important work which this Bureau is accomplishing in the defense program, as well as in the development of new and expanded uses for cotton, is respectfully called to the attention of the Members, and the suggestion is made that the hearings relating to the work of this Bureau should be of very great interest.

The Soil Conservation Service, in the opinion of the committee, has been performing and will continue to perform, work whose tremendous value in the conservation of our land resources cannot be overestimated. The committee has felt, however, that in the soil and moisture, and land-use investigations, there might be effected some small reduction of expenditures. In view of our present national emergency and requirement for use of huge amounts of our national financial resources in the defense effort, a reduction of $100,000 below the Budget estimate has been made in this item.

The Budget has proposed a decrease of $3,005,963 below the amount appropriated for the present fiscal year for soil and moisture conservation operation, demonstration, and information. Last year the committee, in presenting its bill to the House added $5,000,000 above Budget estimates for this purpose. It is found, however, that through the machinery set up for freezing or placing in reserve portions of appropriations made by Congress the action of the committee and the Congress in making this additional money available for this purpose has been substantially nullified, the Budget evidently adopting the position that since it did not recommend the increase in the first instance, it would adhere to its judgment, overruling the judgment of the Congress and not per-

mitting the additional amounts appropriated to be spent excepting in small part. We resent such attempted supervision by the Budget of congressional discretion as unauthorized by law and abuse of power. The $5,000,000 added by the Congress to this item was intended to be used in furnishing additional technical service to soil-conservation districts. There will be several hundred of these districts set up during the next fiscal year which it will be impossible to serve adequately with the funds recommended by the Budget. However, the committee has not any power to deal adequately with the situation. Under the circumstances, and feeling its action in the premises would probably be ineffective if the procedure invoked during the present fiscal year should be followed, and in view of our extreme national need on account of strictly defense objectives, the committee has approved the Budget estimate, but I feel I am in accord with the views of a majority of the committee when I say I do not think the funds provided will be sufficient for the purposes intended.

The committee considered carefully the estimates for the administration of the Sugar Act of 1937, recently reenacted, and amounting to $47,962,910. There has been such a recent expression of the purpose and intent of Congress in the subject matter that the committee has not felt justified in undertaking to eliminate all, and yet quotas restricting beet- and cane-sugar production have now been set aside, and instead of having a surplus of sugar we have a shortage, and our people are being rationed in the use of sugar. It has always been claimed heretofore that these benefit payments were necessary in order to compensate sugar producers for reducing production. It is now claimed that they are necessary in order to stimulate sugar production. The Office of Price Administration has full authority under recently enacted legislation to fix a ceiling on sugar prices, or even upon the prices of sugar beets, which ceiling under present conditions would also immediately become the minimum price. Thus, by a mere stroke of the pen the Price Administrator can assure fair prices to sugar producers. Under these circumstances it appears unnecessary and somewhat ridiculous that the Government should follow the procedure and undertake the expense necessary in collecting excise taxes and thereafter with additional personnel and additional expense undertake to distribute those taxes among sugar producers. The committee in its report indicates that it would have eliminated this appropriation entirely had it not felt that because of the recent continuance of this legislation by congressional action it might be justly accused of trying to contravene the expressed will of Congress. It has reduced the Budget estimate by $500,000.

The careful attention of the entire membership is directed to that portion of our hearings which deals with the activities of the Federal Crop Insurance Corporation. For 3 years this Corporation has been endeavoring to function. Every year a tremendous loss has been sustained. Seventeen millions of bushels of wheat have been lost by the Government in the wheat program and $18,000,000 have been spent for administrative expenses. There is nothing in the evidence adduced before us which justifies the belief that this program can ever be made to work successfully notwithstanding the administrators of the program are still optimistic with regard thereto. This is the first year when the cotton-insurance feature of the program will be tried out. The officials of the Corporation predict that 400,000 cotton farmers will participate. The committee doubts that this will be true but whether true or not cannot discern any hope that this program either as to wheat or cotton can ever be developed on a sound actuarial basis. However, the Congress and not the committee must determine when and if it should be abandoned. The committee has, therefore, approved an appropriation for administrative expenses for this program of $8,572,954, being the same amount with administrative promotions money added as is available for the present fiscal year, but a reduction below estimates of $690,173. It is felt that the sum recommended for appropriation will be adequate for the purposes intended.

The Budget estimates contemplate a reduction in administrative expenses of the Farm Security Administration, in administering the Farm Tenant Act and the liquidation and management of resettlement projects of $247,453, plus $11,352 for administrative promotions. The Budget estimates have been approved.

In addition the committee has approved the item for loans for this program from R. F. C. in the amount of $45,000,000, instead of $40,000,000 as recommended by the Budget. It has taken the amount of this increase from the amount recommended by the Budget for loans from the R. F. C. for rural rehabilitation purposes. A discussion of the programs administered by F. S. A. in addition to the Farm Tenant Act program is desirable in connection with the changes made, or recommended. The farm tenant land purchase program has thoroughly justified itself and is performing an exceedingly useful and constructive service for American agriculture. The repayment of loans has proceeded at an exceedingly satisfactory rate. In the 4 years, 1938 to 1941, inclusive, 23,722 loans have been made in the amount of $135,908,300, upon which $5,256,299 has become due and $5,205,225 has been paid. In addition, there have been overpayments in total amount of $925,312, so it appears that these loans are only 1 percent delinquent and that the total amount collected has been more than 120 percent of the total amount due.

As against this record, it will appear from page 190, part 2 of the hearings, that the approximate percentage of delinquents on R. F. C. business loans is 7.97 percent.

The American farm-tenant land purchaser has indeed made an enviable record in the repayment of his obligations and since the money for carrying on the program is not appropriated from the Public Treasury, but is borrowed from R. F. C. upon adequate security, the committee could see no reason why the funds to be made available should be so drastically reduced as was proposed by the Budget.

On the other hand, the committee have been impressed as I have said by evidences of abuse of discretion and in some cases maladministration in connection with the program now carried on with funds made available for loans, grants, and rural rehabilitation. Authorization funds made available for loans, grants, this head was carried in the appropriation bill for the present fiscal year. The Budget proposed a $75,000,00 authorization for the next fiscal year. While this reduction was very drastic, the committee, after considering all of the evidence which we had in great volume touching this feature of the F. S. A. program, felt that this $5,000,000 which it recommends may be cut from the loan authorization, would achieve far greater results if used in connection with the tenant-land-purchase program. It, therefore, made the exchange as indicated, but at the same time approved Budget estimates for $50,319,557, together with a reappropriated balance of $6,500,000, for appropriations from the Treasury, a reduction below the appropriation for the current year of $64,000,000, plus an unobligated balance reappropriated for the present year of $5,000,000.

As indicated in the report, the committee feels that the Congress did not intend that these loan funds for distressed agriculture should be used in a land-purchase program entirely aside from the farm-tenant land-purchase program, but operated in part at least with the same objectives. It does not think that the expenditure of these loan funds for the purchase of lands has been authorized by law, but has submitted that question to the Comptroller General. Aside from that, it does not believe that Congress contemplated loans in amounts as great as $7,500 to individual distressed farmers, and it is also felt that the evidence adduced before the committee has shown that in some sections of the country field men of the F. S. A. have used exceedingly poor judgment in the making of loans to irresponsible parties and in some cases actually soliciting business from people who had not applied for loans. It is the belief that these individual cases of maladministration in the field do not represent a policy emanating from the Washington office. It is believed that by exercising more careful supervision of its field work and greater care in the selection and retention of its employees in the field, and by formulating a policy directed more particularly toward the spreading out of these funds so as to reach a greater number of distressed farmers, the F. S. A. can greatly improve this portion of its work and be of at least equal benefit to that which it has recently accomplished under the procedure which has been followed with the reduction in funds below the Budget estimate which the committee has approved.

In the repayment of maturities on the loans made of approximately 80 percent, borrowers under this head from the F. S. A. have made a better record than might have been anticipated when the distress character of the loans is taken into consideration, but not a record which compares with that made under the Farm Tenant Act. It is, in my judgment, exceedingly necessary that this effort to afford relief to the more distressed parts of the farming population of our country, and further aid in their agricultural activities, should be carried on. If there is to be any increase of food production for the national defense program it must surely come from the operations of these underprivileged and distressed farmers who cannot, without aid, produce the full measure of their capacity. The program should not be abandoned but its strongest friends should cooperate in the elimination of those features of administration which are not defensible and ought not to be defended.

In the land utilization and retirement of submarginal lands program under the Soil Conservation Service, the Budget has recommended the entire elimination of funds for additional land purchases and the committee has agreed with the Budget in this particular, as it did also in the case of the proposed elimination of the land-purchase program in the Forest Service. However, the Budget proposed also the elimination of $795,607, which would be necessary in the utilization, management, and operation of lands already acquired, proposing to place those projects on substantially a caretaker basis for the present. One of the purposes of the acquisition of these submarginal land projects has been to make of them demonstration projects to show farmers having lands of similar types in the areas where such projects are located how such lands may best be utilized for forestry, grazing, and other profitable objectives. In the judgment of the committee it would be exceedingly unwise, after having acquired these lands with such objectives in view, to abandon the objectives intended to be obtained, and it has, therefore, restored the Budget cut which would have prevented the orderly development and management, for the purposes for which they were acquired, of the projects which have already been instituted.

The Budget estimate for water facilities in arid and semiarid areas of $202,585, representing a reduction below the amount made available for the present year—$500,000—in the sum of $297,415, has been approved, and, in the judgment of the committee, will, together with other funds available through the loan program being carried on with R. F. C. loans, be sufficient for the orderly progress of the program involved.

The committee has made no change in the cooperative-farm forestry estimate, but an examination of the report will disclose that it has indicated its feeling and purpose, if its action is approved, to provide for a more equitable distribution throughout the Nation of the benefits of the program being carried on with these funds.

I have not at this time undertaken to enter into a discussion of other items of the bill, many of which will be, as I have previously explained, thoroughly discussed by my colleagues on the committee.

We have brought to you a bill which represents the very best judgment we are capable of exercising with regard to the many troublesome matters which are involved. The judgment of the subcommittee on these innumerable items has not always been unanimous, but we have talked over the matters of disagreement in the committee room and have ironed out most of them, so that we bring to you here a bill behind the vast majority of whose provisions we stand united.

Mr. LAMBERTSON. Mr. Chairman, I yield myself 15 minutes.

I am sure that the chairman of the committee has convinced you of his comprehension of this whole subject of agriculture, and I know he has done a lot of hard work on this bill as evidenced in this report. I want to share with him in the statement, most sincerely, that there has been no politics in the consideration of this matter. I have heard that said on this floor a great many times when it was not so, because there had been some politics. It is the customary thing to say, but in this case it is actually so. There was never a time in this subcommittee when we were divided particularly on party lines. On the whole, I want to say it is a pretty good report. It is about the best report, I think, we have had since I have been on the committee, which is now about 8 years.

I am not going to talk very long. This is one of the times when I really do not care to say much. I have said about all I might say over and over at other times, and I hate to say the same thing each year. I have two colleagues over here who are very able and are more anxious to make speeches on this bill than I am, so I am going to give them plenty of time to make them.

Of course, I do not agree with my chairman on all the things he has spoken about or with a majority of the committee on all the things they have decided on. For instance, I might complain, first of all, a little about things that I have objected to in other years. I have objected to some of them this year and helped to hold them down. My colleague referred in the Whole Committee yesterday to my effort to hold down this Federal warehousing. We have a pretty good warehousing system in every State under State grain inspection laws, but there has developed a Federal proposition and they are now a little bit in competition and they are pretty hard to hold down. But we did not give them any increase this year.

I never could quite accept all of this agricultural economics or understand why we had to have so much of it, but I shall not discuss that today.

I never thought much about these four great laboratories that are being built to discover new uses for farm products. My colleague is going to defend them vigorously pretty soon and he will convince you that I am entirely wrong, but to say it all over again, they were not appropriated for out of any long-standing need that was apparent. They were put into the farm bill as section No. 1, just to help to sweeten it up and to help to pass it. That is why they were brought into existence. You know I have always been prejudiced against them ever since. They are going to take a tremendous amount of money. One-half or one-fourth of the money if given in bonuses to private research would do a lot more good, I think.

Now the thing that I never felt we got our money out of was the Packers-Stockyards Act. We have been appropriating a great deal of money, and those fellows are holding those jobs and they do not do much, but there are a lot of them, and they are already there. I never thought they were worth their money.

As to farm security, I do not agree with my distinguished chairman. I think there is objection to it. It ought to be curtailed or eliminated. I do not think it is doing the good to the country that even my chairman thinks it is doing.

Beltsville has always been an eyesore to me. Think of the money we have spent to build that project over there, and now we have added Arlington to it and have a gigantic experiment station and other things right here close to the city of Washington in a very poor location.

Parity payments I never voted for.

The Farm Tenant Act, which my distinguished chairman just got through talking about a few minutes ago, I think is a wicked waste. To repeat what I have said before, picking out a man here and a man there and setting him up in farming does not do the farmers as a class any good and it has not reached any general good.

If you will do something for agriculture generally, that would make almost everybody else satisfied, but here you pick out a man and give him something extra, something that his neighbor does not get, and for morale that is not so good. I do not think it is working out very well, and I am not for it. One of the things we have always had to contend with in this bill and something about which we never knew anything, or how much or how far or how long we ought to keep it, is this proposition for disease control, and it is quite a large item in the Department of Agriculture. I refer to the scientific part of it. How can we tell here that they need a few thousand dollars to carry on this or that experiment? They have had it year after year, and how do we know that it is going to take just exactly $400,000 to continue this disease-control proposition, but they are after it, year after year. The Budget cut them this year more than usual, and we have followed the Budget, and even gone a little bit further along that line.

There are three things coming under my particular jurisdiction in debate; two are not very important. One of them is Federal Crop Insurance. The committee was not satisfied with the hearings, with what this institution has done. They have lost about $17,000,000 in 3 years. It has cost the Government that much in what they do not collect in pre-

miums for loans, and we do not think a thing like that is on a sound business basis, and it was supposed to be on a business basis. The Government is simply backing it up. The second thing I refer to is water facilities. We cut that three-fifths, from $500,000 to $200,000. The great Middle West area has been soaked up in the last year or two, and we do not think that the men from that section of the country will complain so much today about that cut.

Then there is the Cooperative Farm Forestry. We left that at the sum of $700,000. I think that is a laudable proposition, and yet there is no demand for an increase or to curtail it. It is something of a stable proposition. I think I shall yield the floor right here and perhaps participate in the debate a little later on.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. Yes.

Mr. JOHNS. I am satisfied if the gentleman will say to me that these articles here have been cut to as low an amount as he feels it is possible to do this year.

Mr. LAMBERTSON. I think that, as a whole, we have done a pretty good job. It has been my observation in watching the agricultural appropriation bill and its consideration on the floor, as well as the Interior Department appropriation bill, that Agriculture and Interior have had to withstand an unusual amount of effort to cut their appropriations. It seems as if some men think that we should balance the Budget by cutting the Agriculture and the Interior appropriation bills. I am for curtailing, but I would like to see some of this enthusiasm to curtail happen to some of these other bills that come before us. It seems to me that there is much more importance in Agriculture and in the Interior appropriation bills than in the Post Office and some others. Of course, the Army and the Navy are out now on account of the condition, but on some of these other bills—Labor, Justice, State, and all these things—it seems to me that they do not receive the attention and the criticism on the floor that have been devoted to Agriculture and Interior.

Mr JOHNS. Does the gentleman not think that we have reached the point in this country where good farmers feel that if they can get a good price for their products they are perfectly willing to do away with this hand-out that they have been getting for the last few years?

Mr. LAMBERTSON. I agree with the gentleman that that is true right now, and I do not think there would be any great calamity in this land or any great objection from the farmers as a whole if the whole farm program were set aside for the duration of the war. They are going to have good prices as long as the war lasts, and we could just as well set the whole proposition aside but, of course, you could not get the votes to do that. There is not much justification for carrying on the W. P. A., the N. Y. A., the C. C. C. When we had a great surplus of employment that was all right, but what is the use of things like the W. P. A. now? Men on the W. P. A. were supposed to be men who could work. Every man can get a job now if he wants to do it and if he cannot get a job anywhere else, he can get it on the farm. My mail is just full of what is going to happen this year so far as the shortage of labor is concerned on the farm, and I think we could just as well do away with a great deal of this program for the duration of the war, if we had the nerve to do it. I yield back the remainder of my time.

Mr. LAMBERTSON. Mr. Chairman, I yield 45 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, first let me pay testimony to the chairman of the subcommittee. Once upon a time Judge TARVER was a prosecutor, later he served on the bench in Georgia, and served with distinction. He has managed to keep the witnesses constantly testifying to the point. He has been scrupulously fair, he has been just, he has been equitable, and he makes an outstanding chairman of a subcommittee, and I congratulate him. As much can be said for the other members of the subcommittee. A fine fellowship has prevailed at all times.

So it has become an easy labor, notwithstanding the fact that we spent 5 weeks, mornings and afternoons, taking testimony

Then let me pay testimony to the diligent clerk of this committee, Mr. Arthur Orr. If you will take the trouble to examine the report, you will find, first of all, a very fine statement of the whole bill. Secondly you will find a tabulation of all the individual cuts. That represents a tremendous amount of work. The clerks in the Appropriations Committee labor early and late, and their worth is seldom properly appreciated and estimated. I regard it as something of a pleasure and delight to come on the floor and to pay a little tribute to the diligence of the boys who stand in the shadows and who do so much of the work.

Now let me make a general observation that I made in the full committee Monday morning relative to the responsibility of Congress to this and to other appropriation bills that deal with nondefense spending. There is so much clamor for unity today. People tear their hair, get on the radio, or through the instrumentality of the newspapers, hurl great assorted chunks of eloquent rhetoric at the people of the country, saying, "You ought to be united." Well, I am of the opinion that the people of the country are united; and if there is any complacency, you will find it in Washington rather than out among the people of the Nation. Long ago, when the Phoenicians fashioned the alphabet, they put "u" before "v." Unity comes before victory. But it is not one of those things that you can command. Unity is not a thing to be demanded. It is a thing to be invited. Unity will come from cooperation. It is nothing more than an expression of faith on the part of the people in the conduct and in the policies that are pursued by various branches of Government. Give them a chance to express their faith and confidence in what the Executive and the Congress and the administrative agencies are doing, and you will have unity overnight in every section of the land.

So there is a responsibility on us. When they talk about V standing for victory, do not forget that V also stands for vigilance. It becomes the duty of Congress and the lawmakers who provide the funds and the authority, to be vigilant, for in proportion as we are, we are going to invite that kind of spirit on the part of the country that will make them a militant, dynamic unit as we move forward to the successful prosecution of the present conflict.

With that little premise, that bit of philosophy in mind, we can then approach the present appropriation bill. And I believe we ought to have it in mind when we undertake to exercise our responsibilities as courageously as we know how.

Let me touch a few of the high spots in this bill, to provide a broad perspective. It contains $695,000,000 in direct appropriations; $139,000,000 in permanent annual appropriations; and the total is $834,000,000. May I observe at that point you cannot touch the $139,000,000, because the authority and the appropriation itself were contained in the authorizing act. Most of that money is used by the Federal Surplus Commodities Corporation for the operation of the stamp and surplus removal plans. On occasion people have sought to delete it from the bill since it has been in operation, but it cannot be done unless you repeal the entire authority. But it nevertheless is a direct expenditure. So there is $834,000,000 for direct expenditures and $125,000,000 of loan authority.

You may wonder what the Budget did to this bill. When it came to us in the form of an estimate the Budget cut the direct appropriations $449,000,000 under 1942. They cut the reappropriations by $9,000,000. They increased the permanent appropriations by $35,000,000, and they decreased loans available for the three agencies in the Department of Agriculture by $145,000,000.

The salient Budget cuts in the largest amounts were about as follows: They cut the Forest Service two and seven-tenths million; Forest Roads and Trails, three and four-tenths million; Soil Conservation, three million; conservation and use of agricultural land resources, forty-nine million; water facilities, $300,000. Orchard rehabilitation totaling $1,000,000 was deleted entirely. There is authority for parity, but only a few million dollars of unexpended balances of the parity funds will be found in the bill. The Surplus Commodity Corporation was cut $125,000,000. Surplus marketing, $35,000,000. Submarginal land retirement, $2,000,000. Rural Electrification Administration, $250,000. Land acquisition, one and four-tenths million.

In that shape it came to the subcommittee. What were the Budget increases? They made some increases. I will give you two or three.

They increased the Bureau of Agricultural Economics $450,000. Meat inspection, because of the vast amount of meat that is being shipped into and out of the country, was increased $260,000. For

blister rust, which is ravaging the white pine forests of the West, the Budget increased the item over 1942 by $700,000. Then they gave the Crop Insurance Corporation an additional $700,000.

Now, what did the subcommittee do after we took a look at the estimates? First of all, we cut under the Budget $50,000 from the Bureau of Agricultural Economics; $1,013,000 in tuberculosis and Bang's disease, because there were available funds there that they did not need. The Forest Service was cut $225,000.

We cut the Bureau of Plant Entomology $439,000. We cut crop insurance $690,000. We snipped $25,000 off blister rust control, $174,000 off the Agricultural Marketing Service, $70,000 from the Commodity Exchange Administration, and $105,000 from the Soil Conservation Service. When you put it all together we cut the Budget by $1,500,000 in round figures.

The committee increased in largest amounts the Office of Information, $20,000; the Bankhead-Jones Act, $264,000; Plant Industry, $190,000; and Land Utilization, $795,000. So much for figures.

The bill contains substantial sums for administrative promotions under the formula that was established last year. It carries a direct appropriation of $1,657,000, and they will be able to utilize $2,014,000 lapses, so that for the fiscal year 1943 administrative promotions in the Department of Agriculture will total about $3,761,000.

At this point let me call your attention to the legislation in the bill. Some of the items may be objectionable, others are not. There are two, however, that ought to be brought emphatically to your attention. The first is with reference to parity. The committee wrote the provision in the bill that if the loan rate or the farm price, whichever is the lower, plus parity payments, exceed parity, the rate shall be adjusted not to exceed parity, so we shall never get over and above parity.

A lot of things have been said since this matter was under consideration in the Senate. I am not so disturbed about them, and I will tell you why. Notwithstanding the fact that we have got quite a little wheat and corn and cotton on hand, do not forget that one way you can bring down prices if they get out of line is simply to remove some of the acreage restrictions and increase the amount of wheat and corn and cotton that can be planted. I venture to say that if the Department of Agriculture announced this afternoon that they were going to increase corn acreage by 10 percent that the price would ease. In this talk about parity payments and refusal to let the Commodity Credit Corporation sell their commodities below parity there are two escape valves, so to speak, in the hands of the Department of Agriculture, and with that instrumentality in the hands of the President of the United States they can take that thing in hand any moment they desire.

Another matter that ought to be called to your attention is the provision that none of the administrative funds of the Commodity Credit Corporation shall be used in the sale of Government stocks of commodities below parity. That is the one that has been so vigorously wrestled with over in the Senate. You may be interested to know that the people of the United States now own hundreds of millions of dollars worth of commodities.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Certainly.

Mr. TABER. Does the gentleman believe that that particular language would be effective in preventing the Commodity Credit Corporation from selling goods below parity?

Mr. DIRKSEN. If the gentleman will allow me, I was going to comment on that feature because of the way in which it has been set up.

First, let me say that we, the people of the United States, own $827,000,000 worth of commodities. We own 157,000,000 bushels of corn. That is a lot of corn. We the people own 170,000,000 bushels of wheat. You and I and the people of the United States own 90,000 tons of rubber. Maybe you did not know that, but we do. We, the people of the United States, own 298,000,000 pounds of tobacco. We own 1,000,000 bushels of rye. In addition we own a lot of other commodities aggregating $112,000,000. We have a huge quantity of commodities. We the people own $827,000,000 worth of various things that come from the soil.

Commenting now on the point raised by the gentleman from New York, you will notice that the way the language is set up is that none of the administrative funds shall be used in the sale of Government-owned stocks or commodities below parity. That is nothing more now than an interdiction upon the administrative money which is carried in the bill. They could get people from some other source to be paid for out of the lump-sum or blank-check fund, or for moneys available from some other source so that obviously that provision would be ineffective. These, however, are the two legislative provisions of extraordinary import that I wanted to bring to the attention of the House.

Let me tell you about the unusual thing in reference to this report of the committee. It contains some rather potent suggestions. On page 17 you will find, for instance, where the committee suggests that perhaps the Agricultural Marketing Service should charge fees for the administration of the Packers and Stockyards Act. I am not so sure but what we should charge fees for many of the inspection services rendered to business, industry, and the people of the country and make them self-sustaining.

On page 19 you will find that the committee suggests the possibility of discontinuing the Sugar Act of 1937. We are making money out of the Sugar Act. Let me state the whole case. We pay out $47,000,000. We take in $68,000,000. So the Treasury is $21,000,000 to the good. The point that the committee makes is that you have to have the Treasury collect this processing tax, it has to be washed through Government channels, you have to administer the law. We are of the opinion that since there is a Price Control Act on the books at the present time perhaps it could be more expeditiously and more economically administered in that fashion.

The committee rather bluntly stated on page 19 that the Federal Crop Insurance Corporation made such a poor showing that if it did not make a better showing next year it ought to be abolished. Perhaps we ought to abolish that agency now, and at the proper time I propose to offer an amendment to do it, because the showing was exceedingly poor.

On page 20 you will find that the committee has recommended a more expeditious sale of resettlement projects. We, the people of the United States, are wealthy in projects. We own every conceivable kind of real estate that can be described. We own subsistence homesteads, scattered and stranded community homesteads; we own subsistence farms; we own Greenbelt, we own Green Hills, we own Greendale; we own a great variety of real estate. As a matter of fact, those are some of the inheritances of our old friend Rex Tugwell, who is having a difficult time of it down in Puerto Rico. When Rex started out he followed the old philosophy that he set down in a book, which was challenged before a Senate committee, wherein he stated, "I will roll up my sleeves and I will remake America." He made a pretty good start, and as a result of his start we have $136,000,000 invested in homestead projects, subsistence farms, and community projects that are scattered from one end of the country to the other, embracing 954,000 acres. There are 193 of these projects, of which 17 have been sold. There is an interesting thing, however, about Brother Tugwell's great initiatory effort in the field of resettlement projects. The only trouble with Rex was that he never had to meet a pay roll, he did not know anything about the vagaries and the necessities of business, and, of course, the old balance sheet rises up, like Banquo's ghost, today to haunt him and his former endeavors.

You will find in the hearings that the operating cost of these projects runs to $13,442,000, while the income collected amounts to but $8,105,000, a mere trifling $5,000,000 shy in the matter of getting the necessary income from these projects to meet expenses. If you will read the hearings and go through the justifications you will see the whole story.

As a matter of fact, it is stated on page 157 of the justification that they have 100 of these projects from which they do not receive income enough to pay the taxes in addition to operating expenses. There is the lengthened shadow of Brother Tugwell and his fine philosophical dream that is constantly haunting the Treasury and the taxpayers of the country. I suppose it was all well intended, but it has not worked out very well, and the taxpayers must meet the continuing deficits.

Going on to rural rehabilitation loans and grants, on page 20 of the report the committee indicates that it does not favor carrying on these so-called cooperative or communistic projects. They are going in for collective farming, you know. We have 4 projects where all of

the work is done collectively. We have 11 where substantially all is done collectively. It is the communistic philosophy. Everybody throws his labor into the pool, then at the end of the year they figure out how much labor each has contributed to the whole amount of labor, and if there are any returns, he gets a return in proportion. I do not believe this sets well with the American people. I do not believe it is acceptable to the American farmer. Why should there be experiments in collective farming at the expense of the public?

The whole hearing is redolent with testimony of that kind. Take the Lake Dick project down in Arkansas, the Halifax Farms in North Carolina, and a great many others to which I invite your attention.

Mr. DONDERO. Will the gentleman yield?

Mr. DIRKSEN. For a question.

Mr. DONDERO. What does the record show so far as the income or distribution from those communistic farms is concerned?

Mr. DIRKSEN. I think one of them makes a little money, but you will find four or five long pages dealing with resettlement and with the collective farm projects that constitute the most interesting reading in the world.

Mr. Chairman, I want to be fair. Let us take the resettlement projects. My own State is no better than any other. We have the Southern Homesteads down in southern Illinois. The operating expense is $12,000; the operating income is $523. There you have an example of Brother Tugwell's bookkeeping. The committee believes that we ought to get out of this kind of business and has recommended that there be a more expeditious sale of these projects to private enterprise. Let the Government kiss off the loss and forget about this chimerical and fantastic dream that was initiated a few years ago by the man who now administers the business of Puerto Rico.

Permit me to make a few observations generally. The Department has reorganized itself, and it has classified its activities into seven or eight broad categories, setting up administrators over each one. This is somewhat delayed, in view of the fact that the American Farm Bureau Federation last year and perhaps the year before had been vigorously urging that there be a reorganization of the Department of Agriculture and a streamlining thereof in the interest of efficiency and economy. They have done so. But the remarkable thing about streamlining is that it never produced any economy in the form of diminution of jobs.

The day after it was announced, the Washington Post had this to say:

> An agricultural spokesman said that no employee would lose his job by the mergers, but that a good many employees would be reassigned to other duties.

Once more we have taken all the carnations in the vase and have changed them around a little bit and developed a far better administrative picture, but we have not removed any of the carnations from the vase. A spokesman from the Department says that nobody will lose his job.

My idea of a reorganization, in view of the fact that I served on the Special Committee on Reorganization 2 years ago, is an effective kind of shake-up that will shake a few boys off the Federal pay roll in the interest of economy. But notwithstanding all that, it appears that no one will lose his job.

One other general observation I should like to make is about the problems that will confront the farmers by virtue of priorities. Insecticide and fungicide materials, for instance, have been cut off. The things we have used to spray fruit trees and vegetable crops are in many cases lacking. So it constitutes a problem for orchardists and for vegetable farmers. It is difficult to get machinery today, and it is difficult to get repairs, so the farmers are going to be directly affected by war needs. I am persuaded that they will willingly meet these problems. I merely make this observation to call attention to the fact that sacrifices will be found on the farm as they will elsewhere.

Among other things, every Member of the Congress has at some time or other had letters from home stating that a farm boy for one reason or another could not secure draft exemption, notwithstanding the fact that perhaps he was operating a farm for an elderly father or mother, or that for one reason or another he should remain there in the interest of defense and the production of foods for freedom. We had Major Coatsworth, of the Selective Service before the committee. The Secretary of Agriculture also testified on the matter. A system of county war boards has been developed in the hope that all necessary and proper information concerning the status of prospective inductees who are, for instance, managing dairy farms where the products enter into shipment to our allies in the form of dairy products, will be presented to the boards, and the prospective inductees will at least have their whole case presented to the draft boards. The local draft boards have done a magnificent job. Knowing a great many of the draft-board personnel, I am persuaded that they are doing a fair and equitable job, and that it is only where necessary information has not come to their attention that there may be decisions on requests for deferments which could have been differently resolved.

Now, let me continue for a moment on the assignment that was given to me as a member of the subcommittee by the gentleman from Georgia [Mr. TARVER]. He asked me to discuss briefly the Bureau of Agricultural Economics, the regional research laboratories, and the Bureau of Animal Industry.

The Bureau of Agricultural Economics is a planning organization. They have one of the headiest, one of the finest, one of the most able men in the United States in charge of its activities. That is Howard Tolley. He could make far more money in private business than he does working for the Government, but notwithstanding all that, I am inclined to believe that we are almost planning some of our farmers out of existence. This Bureau has available through funds directly appropriated and transfers $3,457,170.

What do they do? The best I can give you is what they gave us in the justifications. There are about seven broad phases of work in this Bureau.

The first is to achieve war production goals. You just let a good, diligent farmer alone for awhile and assure him that he will get a fair price and he will really show you how to get production. You do not need any planning agency in Washington to tell him how to do it.

Second is the task of obtaining the required production. It is rather strange that the Bureau of Agricultural Economics should give a lot of attention to obtaining required production, and in the next breath the committee is advised by other agencies that a referendum is going to be submitted to the wheat growers for the purpose of curtailing the production of wheat. In my judgment, that just does not make sense.

Their third function is distribution. We have the Interstate Commerce Commission and we have an Interterritorial Freight Rate Commission and we have lots of other agencies, including the Tennessee Valley Authority, dealing with this matter of distribution, so that this function looks like a dispensable function at this time.

The fourth plank in their program is price control. Here is Mr. Henderson with a huge staff working away assiduously at the business of putting ceilings on prices. Do we need another agency for that purpose, particularly so when there is a controversy right now between the Executive and the Senate in the matter of parity prices?

Their fifth task is facilitating industrial production. Can you imagine that? The Bureau of Agricultural Economics is going to facilitate industrial production and draw skilled labor from the farms into the industry of the country. That is a most doubtful undertaking, in my judgment.

Sixth, the development of fiscal and credit policies, including an analysis of the effect of taxation and credit proposals on agriculture. What is the Treasury for? What are all these other agencies for, if that is not their job? Yet the B. A. E. is going to analyze from the agricultural standpoint the effects of taxation and credit policies on agriculture.

Finally, they are going in for post-war planning.

They will have $3,457,000 to do all these things I have just enumerated. In fact, they will have 1,141 experts in the Bureau of Agricultural Economics. As I recall, there are 75 in the field who are drawing over $3,800 a year, and there are 141 in Washington who draw over $3,800 a year. Their travel bill to give us this planning will be $425,000. Ask yourself whether this is an essential function at this time.

I suggest to you that if we are going to get unity out of the people, we will have to cut out functions which are only remote to the farmers' interest and which could and should be curtailed. The

average American farmer is willing to dispense with planning for a little while if it will be in the interest of economy and a reduction in taxes.

The other item I am to discuss is animal husbandry. I say here and now that John R. Mohler, the head of the Bureau of Animal Industry, who has been in the Government service for some 42 years, is in my considered opinion one of the greatest administrators and one of the greatest scientists who ever worked for Uncle Sam. He is an outstanding fellow who always tells a very forthright story when he appears before the committee. In his appropriation this year will be $12,671,000. There is a Division of Animal Husbandry to deal with the development of improved breeding and improved strains in livestock. Another division deals with animal diseases of swine and cattle, Bang's disease, tuberculosis, stock poisoning, moon blindness in horses, and other diseases. This is very necessary research work that must go on. This Bureau carries on meat inspection. Last year they inspected 106,000,000 pounds of imported meats, of which amount they rejected 766,000 pounds. They are really the stewards of the livestock population of the United States.

Is there any Member of this House who has any idea what our livestock population is? I thought you would be interested, so let me give you some of the figures. We have 10,000,000-plus horses, 4,000,000-plus mules, 71,000,000-plus cattle, 52,000,000-plus hogs, and 413,000,000-plus chickens. Our livestock, exclusive of chickens, totals 195,000,000 head, and they are the solicitude of John R. Mohler and the Bureau of Animal Industry.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield for a correction?

Mr. DIRKSEN. Yes.

Mr. COFFEE of Nebraska. I think the gentleman will find that on January 1 the number of cattle was 74,600,000.

Mr. DIRKSEN. This figure I recited is as of January 1, 1941, and I should have stated that fact.

In addition to this, they inspect serums. There are 77 biological laboratories in the country that manufacture serums. In 1943 they are expected to produce 1,250,000,000 centimeters of serum. It would be easy to send out a serum which was inefficacious and did not do the job. Therefore, it has to be inspected, and that is a part of this work. Finally, it is a part of his work to maintain the serum market to see that the price of serum does not get out of line. It is an important, well-administered work which directly affects farmers and the whole field of public welfare. It is a real pleasure to pay testimony to a great Federal administrator.

Now, a few words about the four regional research laboratories. My good friend and brother in the faith, the gentleman from Kansas [Mr. LAMBERTSON], does not agree that this has been a good investment. In my considered opinion, that is the best investment that the Congress has ever made. There is a regional research laboratory at Philadelphia, one at New Orleans, one at Peoria, and one in California. I do not know so much about what they are doing in other sections of the country, but I have had occasion to go and look into the biological ice boxes and to talk with the chemists who are assembled at the laboratory at Peoria.

Among other things, they showed me in a large refrigerator hundreds of test tubes filled with mold cultures. I said, "Where did you get them?" and they said that they got them from all over the world. It is the most complete aggregation of mold cultures that can be found anywhere in the world. What are they for? They are for the development of vast quantities of antiseptic in this war period and the development of new products.

We are short on shipping, and every pound of water that one can squeeze out of fruit or vegetables or other farm commodities that must be shipped to Britain and other nations is a saving of that much space in the hold of a vessel. One of the great jobs they have done in recent months is in the field of dehydrating vegetables and fruits.

I saw them derive from corn protein the transparent sheets like cellophane which is already a commercial possibility. They are asking for a Government patent on the process.

They are working in the field of alcohol fuel.

They are working in the field of providing Zein-sizing from corn, which is used in the textile mills for sizing. As you know, the Dutch East Indies have been isolated and as a result we do not get those huge shipments of tapioca, which heretofore have found their way to the textile mills. So there is rich promise now of finding sizing material in the corn fields of the Middle West.

They brought before the committee samples of a rubber that had been derived from corn by a fermentation process and by one other process of breaking down the fatty acids in corn oil or soybean oil, and I venture the prediction that the time may come when the stately cornstalk will displace the rubber tree in Malaya when it comes to providing rubber for the needs of America's transportation industry and for every other purpose, and at a price much cheaper.

They have already derived from corn, by a fermentation process, what is known as butylene glycol. It has about the consistency of that fine sirup which will stick on nonskid pancakes, and is good for antifreeze purposes. It is feasible today and if there is not enough antifreeze butylene glycol will do the business.

China is isolated today and there comes to our country, if at all, only small quantities of China-wood oil, which is known in the trade as tung oil. We are starting the development of tung oil trees on the Southern States, but it will be a long time before we can produce enough of that oil to meet normal needs. The laboratories are experimenting today with the idea of deriving a drying oil from the humble soybean, whose native habitat was the Orient. They are also working in the field of vitamins. A scientist in one of the great technical schools said to me recently that nations could no longer be starved out in the course of war. I said, "Why not?" and he said, "Because vitamins can be derived synthetically, and if you can get just a little roughage for a soldier, you can give him a couple of tablets and keep up his energy quotient." Vitamins constitute a great field for research.

The South is very much interested in the derivation of sugar from sorghum. It is very interesting what one chemical substance will do. For many years the elimination of aconitic acid from sorghum baffled everybody for a very long time. It had to be eliminated from sorghum before sorghum could be converted into sugar. At some time in the not distant future the whole sugar problem may be as nothing when you find that at a cheap price sugar can be derived from sorghum.

Here is another thing that interested me: In every section of the land one finds waste materials, such as almond shells, cornstalks, sugarcane pulp, and other commodities. A process has been developed to treat these wastes right on the farm, put the substance in a mold or compress, and make building material suitable for both inside and outside. They are going to do the same thing with the waste cornstalks in the Middle West before long.

Has anyone ever thought what would happen if we should run out of cork? All of our cork now comes from Spain. The ships do not want to bring it over because it makes a very light cargo and they do not get very much money out of it. Cork is very expensive, and they do bring it over. But there are submarines in the Atlantic and shipments are uncertain. We need cork. Every Coca-Cola bottle, every bottle of Schlitz, of Pabst, or Budweiser needs it, so that the aromatic tang of a cereal beverage is sealed under cork. Ground corncobs may provide a substitute for cork. That is another part of the work that is going on in these research laboratories. Then there is a strange substance known as pectin, which makes jelly jell. For a time it was thought that it had no other function, but it develops today that it makes one of the greatest antiseptics ever discovered and they are in the business of trying to obtain a greater and greater supply of pectin. They get plastics from the casein in milk. They are rubberizing cotton for fire hose. They brought us samples, and it is very ingenious. There is a shortage of rubber today, but they have found that they can rubberize cotton by a synthetic process for making fire hose, and already millions of feet have been purchased for Great Britain. Then there is the conversion of sweetpotato starch into a host of things necessary in industry today. This brief recital is but a meager hint of the new world which the laboratories are preparing for humankind.

So much for the research laboratories, and may I pay tribute to the chemists and the chemical engineers who are doing that work, carrying on with no headlines, no glory, no pomp, no acclaim, but just working along as good servants of a great

democracy not only in the interest of winning the war but in the interest of alleviating human suffering and in making life a little richer and a little sweeter.

They have men in the laboratories today who can command three and four times their salary in outside industry. Those are the kind of people who are carrying on the research, and doing splendid jobs.

I want to come now to the substance of the bill, because, as we read the bill for amendment, I believe some additional cuts can be made without impairing the efficacy of agriculture and without hurting the farmer. Other reductions would subserve a good purpose and eliminate dispensable things. Proper reductions and saving will invite confidence and faith and esteem of people in the vigilance of Congress and in the interest of unity. Let me tell you my theory about cutting an appropriation. It should not be done arbitrarily. It is not always fair to jump up and try to strike out $10,000, $15,000, $30,000 or $100,000 from a bill unless there is some good reason for it. You may have in mind some curtailment or some decrease. My theory about it is this: One should question himself. Can the activity wait until after the war? If it can wait, why should we not dispense with it for a while? Is it essential to defense and to victory? If it is not, why not eliminate it for the time being? Will curtailment destroy a trained scientific organization? If it does not, and it has these other elements in it, perhaps we could get along without it. Is it desirable? Is it imperative?

It occurs to me that by self-questioning and by keeping the amending process on a high level, implemented by good, sound reasoning, we will still support some reductions in this bill.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Briefly, because my time is very limited.

Mr. HOPE. Does this bill contain an appropriation for the Consumers' Counsel office?

Mr. DIRKSEN. No.

Mr. HOPE. There is no appropriation for that?

Mr. DIRKSEN. No.

Mr. HOPE. I was going to suggest that as one thing that might go out.

Mr. DIRKSEN. Now, I want to suggest a number of cuts and decreases that I think could be made. If you will take the trouble to examine the Office of Agricultural Information, you will find that they have 196 people on the pay roll. They have $350,000 for administrative expenses. They have $1,990,000 altogether, of which $1,500,000 is for the purpose of printing and binding.

It is a rather interesting business. I think we could get along without some of the bulletins and publications. For instance, they got out a bulletin in 1941 called Useful and Ornamental Gourds. We should not waste any money on that now. For 35 years they have gotten out bulletin on House Cleaning Made Easier. It is all very interesting and probably instructive; but must it be done now?

Slip Covers for Furniture is another. They have another one called House Centipedes. That is interesting and serves a useful purpose, I suppose; but that and a great many other items, in my judgment, can be cut at the present time. I propose to offer amendments to that effect.

So much for the Office of Information.

In the Bureau of Agricultural Economics I have already delineated to the committee some of the activities that I think are dispensable. They have 1,141 people on the pay roll; 766 in Washington, and 375 in the field. Of that number 216 receive over $3,800 a year.

Let us curtail the planning. As I indicated before, Mr. Tolley, the Administrator, is an extraordinarily able person. My objection is based on the ground that for the time being we can diminish planning activities.

My friend from Kansas remarked about the Warehouse Inspection Service. Since 1932 the Warehousing Act Division in the Agricultural Marketing Service has spent $3,900,000. They inspect in all States. They have 27 people in Washington; 116 in the field. The annual cost is $456,000. Every State has a Warehouse Inspection Service. Must we duplicate that? Can we not save $456,000 by striking it from the bill? The reason advanced on the other side is that since the Government owns 157,000,000 bushels of corn, 170,000,000 bushels of wheat, and 5,600,000 bales of cotton, nobody except a Federal inspector can properly inspect the warehouse where our corn, wheat, and cotton is to be stored. I think the States have a pretty good warehousing system that is functioning, and they can do just as well as the Federal Government.

In the Agricultural Marketing Administration there is $400,000 for farm labor statistics. It is going to take 125 persons. They will find out how many people are employed and how many are unemployed; how many in the different States are required. We have employment offices, we have social security; we have the Bureau of Labor Statistics; yet here they come along with $400,000 to assemble farm labor statistics and break them down in the hope that they can take a segment of labor unemployed here and send it elsewhere I think if a farmer is short of a hired hand and there are some in the market he will know where to look for them without having one of the supervisors of the farm-labor statistics division take him around for a search.

The Commodity Exchange Administration has expended $4,400,000 since 1932. They have 78 persons in Washington; 144 in the field. Why did we put the Office of Price Administration into authority? Must we be inspecting exchanges now? Frankly, they audit brokers' books, commission dealers, and one thing or another in the hope of keeping prices in line and regulating the practice of dealing in commodity futures. It is a dispensable function, and it seems to me that we could dispense with it at least for the time the conflict rages.

Unfortunately, I do not see eye to eye with some of my good friends on the committee with respect to the Soil Conservation Service. Provision is made for $501,000 for administration; $1,314,000 for soil and moisture conservation investigations, and $20,510,000 for operations and demonstrations.

Since 1937 they have had $3,300,000 for administration. In the same time they have had $9,300,000 for investigations of moisture and one thing and another; and since 1936 they have had $145,000,000 for demonstrations and operations on the land. It seems to me you could demonstrate the whole country with that amount of money. Mind you, this has gone on for 6 years, and yet they come back in 1943 and want $1,014,000 for investigation. What are they to investigate? I will tell you in their own language: To investigate the principles involved in soil and moisture conservation. In 6 years they ought to be able to discover a good deal about it. Watershed investigations and the effect on land-use practices; investigations of sedimentary deposits on the economics of the soil; investigations of erosion-resisting plants; farm irrigation; farm drainage investigation. There is a lot of that sort of thing, and it occurs to me that this work will wait a little while, until we see more clearly what the future is like and until the flag of victory has been run up.

Look at the personnel in soil conservation: They have 203 people in Washington in administration; 85 in Washington and 377 in the field for investigations, making 462. They have 197 on demonstrations in Washington and 7,044 in the field, making a total of 7,806. It is the size of a triangular Army division today. If we save this money or even a part of it we could buy hundreds of bombers to send to the Indies or to the beleaguered MacArthur. Yes; it is important that we save money when the challenge is here, and these savings can be made without injury to agriculture. After all, fair prices are the need of farmers.

I am one of those, also, who has struggled through the years against the tenant-purchase program. Since 1938 we have appropriated $75,000,000 directly, and made available $100,000,000 in loans, making the total $175,000,000. The bill this year calls for $45,000,000. They have made 23,722 farm purchases aggregating $135,000,000, but it is significant that while they bought the farms on a long-term basis of 40 years, with all money necessary for livestock and equipment, yet Mr. Baldwin told us that in 1941 10,059 had to come back for rural rehabilitation loans, and 124 of those borrowers had to come back for grants. Can you justify that sort of thing? Would it not be better at this time to stop it?

The Farm Credit Administration tells us that 2,047 farm-loan associations or 57 percent of the total number of farm-loan associations are delinquent today—so delinquent that they cannot make a loan, because their capital structure is impaired. Then Mr. Wickard inserts a table in the hearings to show that land

values since 1939 have gone up from 2 to 6 points in all sections of the country, and have gone up highest in the areas where the largest number of tenant purchases were made. Land values are on a rising curve, yet here we are engaged in the business of putting people back on the land and heading for additional losses. When the war is over and the post-war readjustment comes, who is going to know how that program will develop? Adjustment brings reductions in land values and the loss will be imposed on the taxpayers.

I must say a word about the Farm Security Administration because here again I differ with my brothers in the faith. It is an agency which I judge could be entirely abolished at the present time. The whole agency administers the Farm Tenant Act, rural grants, rural loans, home management, farm management, migrant workers, water facilities, resettlement project liquidations, and land retirement. They have $500,000 with which to carry on the administration of this land-settlement-project program; and they have $2,700,000, roughly, for the tenant-purchase program. They have something like $1,591,000 for submarginal-land retirement and $54,000,000 for the administration of loans and grants.

Look at the tables in the hearings, look at the table in the report, and observe that they are going to have $70,000,000 for rehabilitation loans and grants and about $54,000,000 with which to carry on a host of management and service activities.

Let us look at their personnel. I wager you cannot guess within 5,000 of how many they have. I will tell you. They have a total of 19,448 people on the pay roll. We cut them $45,000,000 on their rehabilitation loans, and the number of people curtailed from last year amounted to only 136. This total of 19,448 employees would make two divisions of the Army.

Five hundred and seven will be in farm tenancy, 13,821 in rural rehabilitation, 2,080 in administration and 781 are stewards of the migratory labor camps out West.

How much are they going to spend for travel? For 1943 they will spend $7,414,000. One would think that the F. S. A. employees were the migrants on the Government pay roll rather than somebody else.

There is $830,000 for supplies and $345,000 for communications. You can send a lot of telegrams and telephone calls for $345,000.

There is $391,000 for printing and $770,000 for rent.

Now, what are the activities they pursue? There is the farm and home management assistance servicing loans and grants, farm-debt readjustment, rural rehabilitation projects, migratory labor camps, and water-utilization projects.

Let us consider for a moment farm-home management. They are now operating 2,252 offices to look after the people. They make 2 visits a month to the farm home, so they say. They have 2,755 very fine ladies working for them as county-home supervisors. They have 4,327 county-farm managers, in addition to the county advisers who are working for other agencies of the Department of Agriculture. Think of that. Can it be justified? They call on the ladies in their homes, and, in their own language in the justification, show these women what they need in the way of fruit jars, pressure cookers, and so forth, in order to "produce food for freedom." A very outstanding Member of the House, who is also a member of the Committee on Agriculture—and I shall not embarrass him by mentioning his name—stated not so long ago that they sent $12.50 pressure cookers down to his country, and did they use them for cooking under pressure? No; they used them for slop jars.

Then there are the migrant camps. There are 781 supervisors in the migrant camps out West. As I said, the travel for the migrant camps alone is $149,300. I could not tell whether the folks out there were migrants or whether they were the farm-security advisers. There are 781 in number who are doing the migrating to expend such a vast sum for travel. For 1943 they ask for a total of $3,500,000 for migrant camp service and construction.

Within reason, I think some of those things are all right; but how are you going to justify them? Would your farmers, if they knew it, give their sanction to an expenditure of this kind? No. It seems to me that today there confronts you and I a real responsibility and a real challenge. They say there must be unity in the country. There will be unity when there is vigilance in the Congress; when we slough off all complacency and give careful attention and scrutiny to every dollar which in this hour of peril and in this hour of anguish cannot be justified.

When we read the bill under the 5-minute rule, be vigilant.

Mr. TARVER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Chairman, the Sugar Act recently passed by this Congress and the item of appropriation in the pending bill to carry it into effect have been mentioned in the report of the committee and by several Members of the House today. It will be discussed at greater length when the item is reached in the consideration of the bill.

There are facts that each Member of the House should know, facts that will result badly to the sugar-consuming public if the item is eliminated.

The Sugar Act of 1937, as amended, was recently extended for a 3-year period, the excise tax of 50 cents per hundredweight of sugar, raw basis, provided for therein being continued up to June 30, 1945, while the quota provisions were extended to December 31, 1944. The payment provisions were extended to cover the 1942, 1943, and 1944 crops and the basic rate was increased from 60 cents per hundredweight of commercially recoverable sugar, raw basis, to 80 cents, the increase being confined in large part to small producers.

The appropriation now being considered will provide funds for conditional payments for the 1942 crop period in the domestic beet area, the mainland cane area, and Hawaii. Due to the lag in crop periods, the funds made available under this appropriation for Puerto Rican producers will be applicable in large part to the 1941 crop.

To meet the requirements of the Emergency Price Control Act, if no appropriation for 1942 crop payments is made, it will be necessary to increase the ceiling price for sugar at least 80 cents per hundredweight after 1942 crop sugar becomes available. This minimum increase would satisfy the requirements only if revisions in the purchase contracts under which sugar beets and sugarcane are marketed could be made in a manner which would give the total amount of the increase in the ceiling price to growers. Should it be impossible to revise these agreements, an increase in the ceiling price of approximately $1.50 per 100 pounds would be necessary.

It will be noted that on the assumption of a 6,000,000-ton consumption, an increase of from 80 cents to $1.50 per hundredweight in the ceiling price would increase the annual consumer cost of sugar by $100,000,000 to $180,000,000 per year. Moreover, the cost of industrial alcohol would increase by approximately $35,000,000 per year if the present relationship between the prices of sugar and alcohol continues.

The Defense Supplies Corporation recently purchased the 1942 Cuban sugar crop at a minimum level of $2.65 per hundredweight of raw sugar, f. o. b. Cuban ports and $2.50 per hundredweight of contained sugar in invert and blackstrap molasses. Provision is made in the purchase agreement for an increase in the above minimum prices in an amount equal to all advances in the United States ceiling price of raw sugar other than those growing out of increased marine shipping costs. Cuban producers, in the event similar purchase arrangements are made in the future and provided the appropriation in question is not made, would receive an increase in income of from $60,000,000 to $110,000,000 per annum.

The increased levy on consumers resulting from the elimination of conditional payments would not only benefit the group referred to above but would also permit certain large firms engaged in the production of domestic sugar to receive very substantial increases in income. For example, a producer making 100,000 tons of raw sugar would receive, if the appropriation were made and the conditions for payment met, payments of $720,000. In lieu of such payments the indicated increase in ceiling price would result in an additional income ranging from $1,600,000 to $3,000,000, or $880,000 to $2,280,000 in excess of that obtained under the payment program. Furthermore, if the Congress fails to make this appropriation and the revisions in the purchase contracts referred to earlier are not made, processors of sugar beets and sugarcane would enjoy exorbitant returns.

The fiscal issue and the desirability of payments were thoroughly debated at the time the sugar legislation was under consideration and growers had guided them-

selves by the action taken by Congress. Failure to appropriate, in view of the uncertainties which would of necessity be created by the widespread need for purchase contract revisions, would unquestionably result in a substantially reduced acreage of sugar beets for 1942. Since there is an apparent shortage of sugar, any reduction in sugar-beet acreage at this time would operate to the further detriment of the consuming public.

There is attached a table setting forth Government revenues and disbursements with respect to sugar for the period during which the Sugar Act has been operative. This table shows a substantial balance available, after sugar payments, for Treasury use.

Statement of income and expenses under Sugar Act of 1937

	Fiscal year—			
	1938 (actual)	1939 (actual)	1940 (actual)	1941 (actual)
A. Revenue: Tax collections [1]	$33,508,820	$69,194,645	$73,601,560	$80,146,351
B. Expenditures:				
Payments to producers:				
Continental sugar-beet area	16,540,213	23,121,703	21,687,898	23,188,119
Continental sugarcane area	5,382,710	6,752,392	5,560,132	4,192,596
Hawaii		12,768,552	8,973,715	8,851,541
Puerto Rico		9,471,022	10,364,274	9,117,437
Subtotal	21,922,923	52,113,669	46,586,019	45,349,693
Administrative expenses	237,350	696,696	800,805	769,293
Total expenditures	22,160,273	52,810,365	47,386,824	46,118,986
C. Excess of revenue over expenditures	11,348,547	16,384,280	26,214,736	34,027,365

[1] Pursuant to sec. 503 of the Sugar Act of 1937 there is authorized to be appropriated to the Commonwealth of Philippine Islands, for the purpose of financing a program of economic adjustment an amount equivalent to the taxes collected on Philippine sugar. This amounts to approximately $10,100,000 annually, or approximately $41,000,000 since approval of the act.

Mr. TARVER. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, the American farmer in recent weeks has been the victim of most brutal and vicious propaganda. "Profiteers," "Treasury raiders," "gougers" are only a few of the milder forms of abuse directed at him.

FIGHT FOR PARITY

The American farmer has not changed his policy. He has made a constant and consistent fight for parity. But parity does not mean less than parity. If the farmer has a price ceiling on agricultural products of parity, and some of his products sell for less than parity—parity will not be achieved. With Government loans pegged on staple commodities like cotton, at say, 85 percent of parity, the ceiling should be 115 percent of parity, if the farmers' average price is to be up to parity. Therefore a price ceiling of 110 percent of parity means that actually our farmers in many instances will not get even as much as parity.

Most of the clamor against farm prices comes from the great industrial centers that, under pressure of war conditions, are rapidly absorbing an alarming proportion of our Nation's purchasing power. The great metropolitan dailies, under the double pressure of industrial advertisers and industrial consumers with fateful lack of vision, lead the onslaught against the helpless farmer. In the same papers will be editorials against the farm bloc and farm inflation right next to eulogistic references to the patriotic American farmers and editorials on food will win the war. Every attempt to get a fair price for the farmer is met by the charge of inflation.

Today there is no relationship whatever between the price that the farmer is receiving and the cost to the consumer of farm products.

COMPARATIVE PRICES

The year 1919 represented the peak of high prices. In January 1919 hogs were 17 cents; today they are 11 cents. Pure pork sausage was 24 cents per pound in chain stores; today it is 25 cents per pound. Hogs went down and sausage went up.

In 1919 beef steers were 16 cents per pound; today they are 14 cents per pound, while steak that sold for 24 cents in 1919 is today 39 cents. Roast that was 23 cents is today 27 cents.

Irish potatoes were 3 cents per pound in 1919; today they are 4 cents per pound. Sweetpotatoes in chain stores in 1919 were 3 cents per pound; today they are 4 cents per pound. On the farm sweetpotatoes in 1919 were 2.4 cents per pound, while today the have gone down to 1.5 cents per pound.

Corn on the farm today is bringing only two-thirds as much as it brought in 1919, but corn meal is just as high as it was in 1919.

Blackeyed peas in stores in 1919 were 6 cents per pound; now they are 8 cents per pound.

These figures should, without further argument, evidence to the public that the price the farmer receives for his product has little bearing on the ultimate price to the consumer.

FARM LABOR

Nowhere does the flame of patriotism burn brighter than in the hearts of the farmers of this country. Their record in this war and in every other war—yes, and between wars, too—is sufficient proof, if proof be needed. But the farmer is sometimes bewildered at this outcry against him when he simply asks for justice. He sees industry demand and get subsidies to pay additional wages for needed war work. He sees his farm labor leaving and going into the cities and taking jobs that pay five to ten dollars a day and more. The farmer cannot compete with these wages and he knows it. There is not a farmer in my section who under present prices can make 25 cents an hour. A wage of a dollar a day for hired help is more than the average farmer can afford, and with all the good will in the world and desire to help in our war effort the farmer wonders how he is going to get the labor he needs in order to raise the food that he is told will win the war.

This question of farm labor is one of the really serious problems confronting the Nation. Many of our young men in the farming centers are going into the armed forces. Many others are going into defense plants attracted by the higher wages and the farmer is left to face this problem without help and when he does ask for a fair price for what he raises under these terrible handicaps, receives only abuse in reply.

FARM INCOME

Our farmers constitute nearly 25 percent of our population, but note these astounding figures. In 1939 our national income was $71,134,000,000. Of this amount the net income from agriculture was only $6,404,000,000. In 1940 our national income was $76,470,000,000, of which amount the net income from agriculture was $6,544,000,000. Of this amount, the net income from agriculture received by persons living on the farm was only $5,500,000,000.

The harsh and bitter invectives hurled at our farmers today sound a lot like the terms applied to the veterans when they made their fight for adjusted compensation. Spokesmen for concentrated wealth cry of "farm inflation" when all of the farmers of this country living on farms received a net income of only $5,500,000,000 in 1940. The fact that the corporate profits of the corporations in this country that same year was $11,500,000,000 is not mentioned by this gentry. This $11,500,000,000 does not include wages, is not gross income, but corporate profits alone.

Let us express this another way. Our total farm population is roughly about 25 percent. Figures vary but this is approximately correct. Our total national income in 1940 was as stated $76,470,000,000. Of this amount farmers who live and work on the farm received only $5,500,000,000 and this was not cash income.

TABLE 1.—*National income, agricultural and nonagricultural, received by persons on farms and not on farms, 1930–40*

UNITED STATES

[In millions of dollars]

Year	Nonagricultural income	Income from agriculture received by persons not on farms	Income of the nonfarm population	Net income from agriculture	Net income from agriculture received by persons on farms	National income
1930	68,796	1,412	70,208	6,589	5,177	75,385
1931	55,223	1,116	56,349	4,634	3,518	59,867
1932	40,388	917	41,305	3,232	2,315	43,620
1933	38,082	914	38,996	3,924	3,010	42,006
1934	44,909	951	45,860	4,507	3,556	49,416
1935	50,249	1,040	51,289	6,117	5,077	56,366
1936	59,200	1,094	60,294	6,534	5,440	65,734
1937	64,314	1,119	65,433	7,341	6,222	71,655
1938	60,302	1,046	61,348	6,144	5,098	66,446
1939	64,730	1,032	65,762	6,404	5,372	71,134
1940	69,926	1,044	70,970	6,544	5,500	76,470

Source: Bureau of Agricultural Economics, U. S. Department of Agriculture.

Figures make interesting reading—sometime—and here is something else

that is worth thinking over. In 1939 the average earnings of each person on farms was $177 for the year, but that same year the average income per person, not on the farm, was $657. In 1940 the income per person not on farms was $700, while the income per person on farms was only $161.

TABLE 4.—*Income per farm, and income per person on farms and not on farms, 1930–40*

UNITED STATES

Year	Net income from agriculture per farm	Net income from agriculture per person on farms	Income per person not on farms	Index of income per capita		Ratio per capita farm to per capita nonfarm (1910–14=100)
				Farm (1910–14=100)	Nonfarm (1910–14=100)	
	(1)	(2)	(3)	(4)	(5)	(6)
	Dollars	*Dollars*	*Dollars*	*Percent*	*Percent*	*Percent*
1930	823	172	760	127.4	156.0	81.7
1931	551	115	605	85.2	124.2	68.6
1932	355	75	442	55.6	90.7	61.3
1933	431	91	417	67.4	85.6	78.7
1934	466	99	487	73.3	100.0	73.3
1935	672	144	540	106.7	110.8	96.3
1936	781	165	628	122.2	128.5	95.1
1937	915	192	670	142.2	137.5	103.4
1938	741	154	625	114.1	128.3	88.9
1939	751	154	657	114.1	134.9	84.6
1940	792	161	700	119.3	143.7	83.0
	Including Government payments					
1933	448	95	417	70.4	85.6	82.2
1934	525	112	487	83.0	100.0	83.0
1935	745	160	540	118.5	110.8	106.9
1936	819	173	626	128.1	128.5	99.7
1937	963	202	670	149.6	137.5	108.8
1938	807	167	625	123.7	128.3	96.4
1939	865	177	657	131.1	134.9	97.2
1940	902	183	700	135.6	143.7	94.4

Source: Bureau of Agricultural Economics, U. S. Department of Agriculture.

PARITY

Parity is a relative term. Its basic idea is comparison with something else, and the farmer has a right to compare his income and his purchasing power with that of other groups and ask himself and ask others if he is getting a square deal. Until the farmers of this country get their fair share of the national income, it is useless to tell them that they are getting parity. Juggling with words is poor comfort to the American farmer, who knows that he works in no shift; no 8-hour day for him, no time and a half for Saturdays, no double time for Sunday and holidays. No; the farmer works from "can to can't," from daylight to dark, and often beyond—no holidays. Cows must be milked, stock fed and cared for every day, Sundays and holidays included. In rain and shine, in sleet and snow, in heat and cold, he works to produce the food and clothing that is paramount for national existence. Without the product of the farmer's skill and toil, not a wheel in a factory could turn, and our people and our armies alike would, helpless, lie a prey to hunger and cold, to starvation, and to death. Yet the facts, fantasti as they are, show that this most vital of our war industries is being blec white under a system designed to protect industries to the neglect of agriculture. Here are the figures—read them; and remember that in figuring farm income in the following table the Government has charged the farmer with every glass of milk drunk at his table, every chicken and egg eaten by him and his family, every head of cabbage and bunch of turnip greens used in his kitchen. Deduct the wood and water and food and items like these, and his income will be nearer 3 percent than 7 percent in 1940. But the Government's own figures from 1930 to 1940 are in this table.

TABLE 5.—*Income to persons on farms as percentage of national income and farm population as percentage of total population, 1930–40*

UNITED STATES

Year	Income to persons on farms as percentage of national income [1]	Farm population as percentage of total population [2]
	Percent	*Percent*
1930	6.9	24.6
1931	5.9	24.7
1932	5.3	24.9
1933	7.2	25.3
1934	7.2	25.2
1935	9.0	25.1
1936	8.3	24.6
1937	8.7	24.0
1938	7.7	23.6
1939	7.6	23.2
1940	7.2	22.9

[1] Government payments and value of changes in inventories. From table 1, column 5+column 6.
[2] Jan. 1. From table 3.

Source: Bureau of Agricultural Economics, U. S. Department of Agriculture.

FARMER'S PURCHASING POWER

But the farmer is interested not only in how much he gets but what can he buy with it. And here is the biggest catch of all. For it must never be forgotten that the American farmer is the victim of an industrial system devised primarily for the protection of the manufacturing plants of our industrial system. What the farmer raises he sells on a free market in open competition with the world. When he buys he buys in the most highly protected market in the world. The whole system of protected and controlled markets is rigged heavily against the farmer. If the farmer's prices advanced with other groups, he would have no complaint, but this is not the case.

Take the case of a 5-foot mower. The base-period average retail price paid by farmers for this mower was $47.76. If the farmer could have bought this at parity on December 15, 1941, he would have paid $68.30. Actually, in June 1941, he was paying $101.20 for the machine, which was not 100 percent of parity but 168 percent of the December 15 parity price. A kitchen chair which should have cost $1.16 at parity price actually cost the farmer $1.75, which was 151 percent of the December 15 parity price. And so it goes. Some items in the following table are under parity, but the greater number of articles that the farmer must buy is way beyond the price he gets for the things he sells.

Parity prices of selected industrial commodities purchased by farmers, Dec. 15, 1941

Item	Base period average retail price paid by farmers	Parity price Dec. 15, 1941 [1]	Latest available actual retail price paid by farmers		Latest retail price as percentage of Dec. 15 parity price
			Date	Price	
	Dols.	*Dols.*		*Dols.*	*Pct.*
Mower, 5-foot	47.76	68.30	June 1941	101.20	168
Binder, 7-foot	138.00	197.00	do	270.00	137
Paint, ready mixed	1.94	2.77	Sept. 1941	2.92	105
Lumber, rough	24.94	35.66	do	49.95	140
Kitchen chairs	.81	1.16	do	1.75	151
Horse blanket	2.47	3.53	Dec. 1940	3.50	99
Men's work shoes	2.20	3.14	Sept. 1941	2.89	92
Barbed wire	2.74	3.91	do	3.81	97

[1] Computed by multiplying base-period average price by the index number of prices received by farmers 143 on Dec. 15, 1941 (August 1909–July 1941=100). The term "parity price" is not officially used in connection with industrial commodities. They are shown here to indicate what prices of industrial commodities would have been on Dec. 15, 1941, if the relationships with prices received by farmers in 1910–14 had been carried through to the present.

Source: Division of Statistical and Historical Research, Bureau of Agricultural Economics. Based on data from Agricultural Marketing Service.

"SANDERS PLAN"

The farmer has derived some benefit from the stimulation that has occurred as the result of the demands of war. Over a year ago in August 1940 I anticipated Secretary Wickard's slogan, "Food will win the war," and I urged the farmers in the district that I have the honor to represent to get acquainted with the type of foodstuffs the Army would require, so they would be able to plant and produce the required foodstuffs and in the proper amounts. At my instigation meetings were held between Army quartermaster officials and groups of farmers and in various other ways interest was directed to the Army concentrations in Louisiana and information of value to the farmers was disseminated. This idea was known in some quarters as the Sanders plan, though I never gave it this title. But it is certain that as the result of the Army concentrations in Louisiana that those farmers who were in a position to do so have found a ready market for foodstuffs. The Army is chary right now on giving figures reflecting troop numbers and movements, but the following figures will give some idea of the quantities and types of food that the Army has bought for the use of the troops in Louisiana. The Army estimates that the following has been bought at various times and consumed by soldiers stationed in Louisiana:

Meats, poultry and fish:	
Beef	$3,360,000
Pork	1,896,000
Poultry	672,000
Fish	211,000
Liver	210,000
Milk products:	
Milk (fresh and canned)	2,160,000
Cheese	192,000
Ice cream	121,000

Other fats:	
Lard	$240,000
Mayonnaise and salad oil	62,400
Leafy, green, and yellow vegetables:	
Carrots	62,400
Cabbage	31,200
Peas	62,400
Sweetpotatoes	58,500
Lettuce	155,500
String beans	70,000
Spinach or other greens	78,250
Other vegetables:	
Onions	114,000
Turnips	34,800
Corn	58,400
Beets	34,800
Tomatoes and citrus fruits:	
Tomatoes	546,000
Oranges	50,400
Grapefruit	63,000

In addition to the regular amount of sugar produced for civilian supply—the Louisiana farmers and refineries produce 4,500,000 pounds of sugar for the Army alone every 2 or 3 months.

Each month our farmers sell to the Army: $100,000 worth of nonperishable foods—and average some $50,000 worth of fruits and vegetables—chiefly for consumption by the soldiers stationed in the Fourth Corps Area. The soldiers in Louisiana alone consume an enormous quantity of farm produce. Based on the Army ration, which is planned by the Quartermaster Corps and is the amount of food for one man for 1 day, it totals a tremendous amount. On one representative day, the men of the United States Army on duty in Louisiana were provided with 25,000 quarts of fresh milk, 55,000 grapefruit, 17,000 dozen eggs. They ate 18,000 pounds of bacon, 90,000 pounds of potatoes, 25,000 pounds of beef, and 60,000 pounds of loin pork, and, of course, hundreds of thousands of pounds of other foodstuffs. Enough, in fact, to provide sufficient food for every man, woman, and child in an entire city about the size of Chattancoga. The figures, incomplete as they are, show that I was justified in advising the farmers to prepare to plant food for the Army, and the results derived by those farmers who were prepared to do this justified the effort.

FARMERS DOING THE JOB

Our farmers are doing the job. Working under handicaps that only the farmers themselves understand, they are producing the clothing to keep our Nation warm, the food to nourish and sustain a people under arms. The farmers given the necessary information know how to meet any emergency just as they produced the food to feed our Army in Louisiana. But the farm income must keep up with the national income. The farmer's purchasing power must keep pace with that of industry and in passing on farm legislation we must not overlook the fact that the net income to persons on farms was $5,500,000,000, but that same year net profits of corporations in this country were $11,500,000,000. This huge sum represents corporation profits alone, not wages, not gross income, but net corporation profits.

Compare this enormous figure to the net cash available to persons on farms after farm expenditures of $3,440,000,000.

The farmer's hours are long, his reward but meager. The farmer has no time and half for overtime. He has no guaranteed income. He has no guaranty against future depression. He does not work on a cost-plus basis.

When the United States farmer prospers, all prosper. When he cannot make enough to be a buyer the wheels of industry cease to turn and the transportation systems of our country are crippled. The chimneys of our factories are smokeless and depression with all of its attendant ills and evils stalks through the land.

When prosperity smiles on our farmer and one-fourth of our people have adequate purchasing power, then the factory whistle blows, the wheels of industry hum with happiness, the railroads carry long trains of produce to the market places, and depression flees from the land.

Transportation, industry, and agriculture—these three constitute the tripod upon which our Nation's prosperity is based. Break down anyone of these three and all will be destroyed.

The farmers of this country want only what is fair and just. Less than this they should not be forced to endure.

Mr. TARVER. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, it is a little difficult for me to come down into the Well of the House and either defend or justify any part of this bill, after the brilliant and eloquent member of my subcommittee who just preceded me. He has that rare faculty of taking almost anything, regardless of how ugly it may be, and making it beautiful or taking that which is beautiful and making it look terrible. I have learned in the time I have worked with the gentleman to respect him, to love and admire him, but unfortunately there are so many instances when on the cold facts I simply cannot agree with him. Just a little later I want to very briefly take up some of his arguments.

It has been my honor, and I consider it an honor and a distinction, to have been able to participate in six of these Agricultural Department supply bills. The Department of Agriculture is a great Department and Secretary Claude Wickard a great Secretary of Agriculture and a real friend of the American farmer.

For 5 years, in the writing of the first five of these appropriation bills the gentleman from Missouri [Mr. CLARENCE CANNON] the eminent and distinguished chairman of the whole Appropriations Committee, was chairman of this subcommittee. It has been a rare pleasure to know and work with him. I am glad to have the opportunity of briefly paying tribute to him as perhaps one of the outstanding men in America. As far as an understanding of the farmers' problems are concerned, he certainly has been their friend.

When he assumed the chairmanship of the whole committee and left the chairmanship of this subcommittee, I could not help but wonder if there would be another who could step into his place and carry on with the same degree of competency and efficiency he possessed. However, after these hearings of almost 10 weeks and this record as made here, I can say to you that Judge TARVER has shown himself a worthy successor of CLARENCE CANNON. He is a man with a mental capacity rarely found in men, a man whose mind gives itself to detail beyond that of almost any individual I have ever met. I have envied him frequently. I have disagreed with him, too, even in the writing of this bill.

I wish I could take the rest of my 15 minutes in paying just tribute to my colleagues on the committee, because they are grand gentlemen. I must say a word concerning the ranking minority member, the gentleman from Kansas [Mr. LAMBERTSON]. For 6 years we have sat at opposite ends of the table and we have gradually come closer together, in thought if not in fact, until I think both of us support the shelterbelt this year and perhaps some other things.

My colleague the gentleman from Vermont [Mr. PLUMLEY], of the minority party, and I discovered last year in making the record on this bill that both of us were deeply interested in the production and the price of navy beans. They are grown commercially in Vermont and likewise are grown commercially in the State of Washington. So this year we have that in common, as well as many other crops, even though we are 3,000 miles apart.

I also wish to pay tribute to the clerk of this committee and another member of the clerk's staff. Arthur Orr has been a member of the Appropriations Committee clerical staff for 25 years. He has helped write this bill for almost a quarter of a century. I doubt if there is a man in the country who is more familiar with the Department of Agriculture and the changes that have come about, in it, through this quarter of a century than he. Much credit is due him for the very splendid record that has been made.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Michigan.

Mr. RABAUT. Does the gentleman feel that the term "clerk" is the proper title for these men?

Mr. LEAVY. I do not hesitate to say that they occupy a position higher than that of clerk. We lean upon them heavily. I think all members of all subcommittees do.

There is another member of the clerical staff of the Appropriations Committee who is frequently overlooked, yet his handiwork appears in every hearing that comes into this House from every subcommittee. He edits, classifies, indexes, and places the material in these hearings. He is a most important individual. I refer to Jim Scanlon, with a distinguished record of 23 years of service. Every one of the Members who make up the Appropriations Committee knows what Jim Scanlon means to the committee and what he means to each of us in giving the proper expression to our questions, which

we sometimes do not do in asking the question.

May I say this, too: I am going to take advantage of the opportunity to mention these matters. The Department of Agriculture is undoubtedly one of the most essential and important, if not the greatest, department of the American Government. We can easily find fault with its activities, of course, because they are so varied and touch the lives of every person in this Nation, but after all, this Department is and must be the policymaker for agriculture and the spokesman for 25,000,000 or 30,000,000 farm people, who in spite of all that we may say in this time of stress and trial, that has come to our Nation, are fundamentally the most important part of the population structure of the Nation. I am not discounting the importance of the fighting forces, the industrialists, the labor groups, or any of the rest of them, but if you weaken or destroy the agricultural group of this Nation what have you left to fight for or fight with. In the end this war will be won by the American farmers.

The committee has reported here a bill making almost a 33⅓-percent reduction in appropriations over what was appropriated for the current year. Surely, no one can deny this is a substantial reduction. Surely an indiscriminate cutting from here on may be a dangerous cutting, unless you know why you want a cut made and can fortify your position by facts from the record. This committee has worked 10 weeks from morning till night in making this record and trying to familiarize itself with the facts. This war program is calling on the Department of Agriculture as it has never been called on before and it is responding as it has never responded before.

I take justifiable pride in this record because in a small way I am one of its authors. If any of you care to read it you will find here 1,800 printed pages. I do not expect anyone to read it through, but you will find in it facts on both sides of any issue involving agriculture that you may consider controversial. Before you offer amendments to strike out or cut down items in this appropriation measure, at least read the record on that subject. Perhaps you will then be in a better position to justify any amendment you may offer to reduce an item. Or better still, when you know the facts, you will justify the committee.

The hearings will disclose this unusual situation—and I do not want to be misunderstood in making this statement—that one of the great farm agencies of America, probably in membership the outstanding agency, occupied the time of the committee not for hours but for days. They gave some very helpful suggestions but gave far more critical and what seemed to me to be arbitrary criticisms of the Department. If they had their way, they would virtually substitute their judgment and their opinions for the opinions of the Congress, who wrote the various acts that have set up the Department of Agriculture and expanded its activities through the years.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is not one of the complaints against the Farm Security Administration that the officials of that agency have substituted their judgment for the judgment of the Congress of the United States, in that they have engaged in activities which were never contemplated by any act passed by this Congress?

Mr. LEAVY. I think that part of the statement of the gentleman is true.

Mr. COOLEY. Is it within the province of the gentleman's committee, or has his committee done anything whatever to expedite the liquidation of these communistic cooperative farming enterprises which have been undertaken by the Farm Security Administration?

Mr. LEAVY. I would not want to answer the gentleman's question "yes" or "no," which would be assuming that I adopted his definition of communism.

Mr. COOLEY. Let me ask the gentleman if his committee did not accept that definition of the activities with regard to these community farm cooperatives.

Mr. LEAVY. No; I did not individually; but I do not want to be distracted now from my general statement.

Mr. COOLEY. Eliminating, if the gentleman will permit me to do it, the word "communistic," and restricting it to the language of the report "community farm cooperatives," has the gentleman's committee done anything whatever to expedite the liquidation of those particular projects?

Mr. LEAVY. If the gentleman will read the record of the hearings of both last year and this year, but particularly this year, when the matter was clearly brought before us, the gentleman will undoubtedly see that we have done a great deal. I personally feel we are trying to do too much in too short a time.

Mr. TARVER. Mr. Chairman, will the gentleman yield to me?

Mr. LEAVY. I yield to my chairman.

Mr. TARVER. The bill carries a limitation upon the funds which are made available to the Farm Security Administration for loans, grants, and rural rehabilitation, providing that these funds shall not be used in the maintenance of any collective farming experimentation except for purposes which may be necessary in the liquidation of such projects as are already established. So the committee not only has taken action, but has taken action of a very effective nature.

Mr. LEAVY. I thank my chairman for his explanation, and I do not care to yield further until I have concluded.

Mr. COOLEY. Did the gentleman answer my question? I did not hear it if he did.

Mr. LEAVY. My chairman has just answered it by reference to the bill itself, and I do not know how I could answer half so effectively and eloquently as that language does.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. HOOK. As I understand, does not the Farm Security Administration tend to help that lower group, or the family-size farm, which must necessarily be the place where we must go to get our increased production for this war and not to the industrial farmer? There is a fight by the industrial farmer to gain control and put the small farmers in serfdom.

Mr. LEAVY. I am not going to say it is a fight between the industrial farmer and the small farmer, but I am in full accord with the gentleman in the statement that if we expect to increase agricultural output, it has to come from the so-called small farmer who is producing beyond his maintenance needs. It is not going to come from either the corporate farmer or the large operator.

Now to get on to the matters that were particularly assigned to me. I was asked to make some statement in connection with the experiment stations. It was the consensus of those upon the committee that this activity could very well have been kept where it was for the past year, but we did raise it even though we have gone above the budget. These experiment stations, you know, are operated in connection with the land-grant colleges throughout the United States.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. LEAVY. My own view is that it is a short-sighted policy to reduce this item.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. May I first finish this statement?

It is a short-sighted policy to cut experimental work when the Nation is in a crisis such as we are now confronting and when there is actually a shortage of every type of farm crop except wheat.

Read these hearings and you will see the revolutionary change that has come into the agricultural picture in a year. A year ago dozens of crops were a drug on the market, and produced in excess of demand. Today, wheat is the only crop that there is any concern about in reference to a surplus, and the condition may be changed in that regard next year. Experimental work ought to move forward without interruption. I think without a doubt we are throwing a new burden on the States, but the States will carry this work along without seeing it injured too greatly.

I now yield to the gentleman from Arizona.

Mr. MURDOCK. Did I understand the gentleman to say that the Budget had recommended a cut of $463,000 in the experimental program?

Mr. LEAVY. Yes; that is my recollection.

Mr. MURDOCK. And is that written into the bill?

Mr. LEAVY. No; we restored $263,000 of it, and the cut is $200,000.

Mr. MURDOCK. I am glad the cut was not greater than that. I think the gentleman is exactly right about the need of the experimental work being carried on.

Mr. LEAVY. Now, in respect of soil conservation, my colleague from Illinois

[Mr. DIRKSEN], criticized that item and suggested it ought to stand further cuts. An examination of the record will show that it is cut almost $3,000,000, and I will tell you why, in my judgment, it would be short-sighted to cut it further.

These soil-conservation districts are now set up in almost every State in the Union. State legislatures passed laws providing that they could set up soil-conservation districts and they become a quasi-municipal corporation. The work they carry on and the success of their undertakings are based upon these appropriations, and unless you want to deny to soil-conservation districts throughout the United States the right to continue the soil-conservation program, that in wartime is even more important than in peacetime, the work, certainly, should be carried on, and I want to tell you why. The record will show that the American farmer who depends upon any type of commercial fertilizer for the crop season of 1942, is going to find that he cannot get it in many instances and when he gets it, he will get it in a greatly diminished amount and a much higher price. Now take away from him the practices that he is just beginning to acquire for soil conservation and you create a bad condition indeed in reference to the future production.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. SANDERS. I thank the gentleman for his very emphatic statement about the soil-conservation program. Can the gentleman think of any time in our history when we have needed soil conservation more than we do at this very threatening crisis in our agricultural existence?

Mr. LEAVY. No; I cannot and I just mentioned the fact that our farmers, and this is particularly true of the East and South, are going to be denied, in many instances, fertilizer to produce a normal crop.

Mr. STARNES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes.

Mr. STARNES of Alabama. I was very much interested in the gentleman's fine statement with reference to the necessity for research and experimentation. Will the gentleman kindly inform us whether or not his committee restored a part of the Budget cut for this item.

Mr. LEAVY. It restored it to $200,000.

Mr. STARNES of Alabama. I commend the gentleman and the committee for that actior and further state as a member of the full committee on which the gentleman serves, that the House never hat a more loyal and devoted and capable public servant serving on the Committee on Appropriations than our good friend, the distinguished gentleman from Washington, Judge LEAVY.

Mr. LEAVY. I thank the gentleman. Another item that I was assigned to defend, and it needs no defense, or hardly an explanation, is forestry. The item of forestry is cut by $5,000,000, which includes forest roads and trails. Do you know that nearly 10 percent of continental United States is in the national forest, and under the jurisdiction of the Forestry Department? Do you know that the appropriations have had practically no increase in 10 years in the matter of the administration of that great estate, where billions of dollars, not hundreds of millions of dollars, but billions of dollars in value are located in this growing timber? This year the receipts from this great estate that we are appropriating but $11,000,000 to protect and care for and operate are over $7,000,000. The Nation knows where to turn when it needs additional timber products, and it knows that it will have its needs supplied. Do you know that white pine, some acres of white pine timber—and the record bears me out for every statement that I now make—white pine at current stumpage prices is worth $900? The Government owns thousands and thousands of acres of white pine. Blister rust is the enemy of white pine. It is almost 75 percent under control. It does not affect merely the Northwest, but it affects New England, the Lakes States of the North, and the pine of the South.

There is another thing in connection with forestry that I should mention and that is the matter of roads and trails. They were cut three and a half million dollars. My own judgment is that that is a serious mistake, because the fire hazards in this enormous estate of great wealth will be greater next year than ever before.

These great forests offer better opportunities for sabotage than anything else. It could be practiced more effectively and with greater assurance of escape than any place I know of. The Army is now calling on the forestry department throughout the entire West to give over to them at least in substance part of every lookout on every high mountain, from the Canadian border to the Mexican border. The closest cooperation exists there, and yet you would cut this activity three and a half million dollars in the matter of roads and trails. It is a cut of 33⅓ percent, and someone has suggested that we might cut it much further.

Mr. Chairman, coming now to R. E. A., the R. E. A. has been a football kicked back and forth, and largely this kicking back and forth has been because of the apparent irreconcilable conflict between public power on the one hand and private power on the other. My own view is that it should not be involved; but unfortunately the private-power people have involved it. They stood by for half a century and saw millions of American farmers live without light. Then this great beneficent agency went into the field and has spread so that now there are practically 800 R. E. A. cooperatives. By reason of war conditions and incident thereto there is a shortage of materials, and a rule has been adopted that no R. E. A. project that is not 40 percent completed will get any copper or any other material to continue work, and no new cooperative can be set up. In the light of that fact, borrowing as heretofore to the amount of $100,000,000 per year from the R. F. C. is now unnecessary. The authorization given them this year will leave them with about $30,000,000 at the end of the fiscal year.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. TARVER. Mr. Chairman, I yield 5 minutes more.

Mr. LEAVY. We have written into this bill an authorization to borrow $10,000,000 instead of one hundred million as for the current fiscal year, or $100,000,000 for the preceding fiscal year. That certainly should not be reduced. It is not a draft on the Treasury. I do not know whether it can even be used and I can see no reason, as good a friend as I am, and as much of a champion of the R. E. A. as I am, why it should be increased. I do think it ought to be maintained where it is.

Now, let me answer my colleague the gentleman from Illinois [Mr. DIRKSEN] just a word on his criticism of the Farm Security Administration. The 192 projects that are under fire so severely are not projects set up by the Farm Security Administration. They are an inheritance. Sometimes we get an inheritance that is not all that we want. We have to take the good with the bad. Several of them have been liquidated. Others will be. But if you will examine the record carefully and approach it with an open mind, free from bias and prejudice, I assert you will find nothing in there that indicates communism as even the most commonly accepted definition of that term is taken. There are 2 of the set-ups where the land was so situated that they could not divide it into individual units and let each individual operate economically and successfully. So they operated it as a whole unit. But every person on it is free to come and go when he chooses. No one is required to stay there. That is certainly a distinction from communism. No person draws any reward beyond his contribution in work. There is no desire to make it permanent, and every desire to conclude it.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield briefly.

Mr. COOLEY. The gentleman says there is no desire to make it permanent, when this record shows that these leases have been issued to these cooperative associations for a lease period of 100 years, terminating in 2042. If that is not permanent I do not know how you can call a thing permanent.

Mr. LEAVY. If you will further read the record you will find Mr. Baldwin's statement here that the plan is to see if the land cannot be divided into economic units and permit the purchase thereof by individuals who are on them.

Mr. COOLEY. The gentleman says further that they are trying to liquidate. This Congress has heretofore passed a bill definitely putting liquidation into operation, but according to this report over the period they were supposed to be liquidating, in response to questions propounded by Judge TARVER as to the number of acres inherited——

Mr. LEAVY. Well, I only have 5 minutes, and I do want to conclude.

Mr. COOLEY. But I think this is very pertinent.

Mr. LEAVY. I know, but you can take your own time for it.

I desire to yield to my distinguished friend from Pennsylvania [Mr. DITTER].

Mr. DITTER. First, I should like to add my very humble commendation to the commendations that have already been expressed with reference to the gentleman's elevation to the bench, which I believe he well deserves. I should like that on the record. However, I was interested in the observation the gentleman made about inheritances that sometimes go sour. I wonder whether he could give us any information about this Arthurdale project in farm security, whether he would list that as one of those that has gone sour. By today's press there is carried a story that that Utopia is to be sold under the hammer of the auctioneer and an investment that cost Uncle Sam $2,646,000 is to be sold for $175,000. Now, if we are experimenting I wonder whether that New Deal Utopian dream can be justified by the gentleman's resourcefulness in debate.

Mr. LEAVY. When it first came to my attention 6 years ago, shortly after the inheritance, it was rather sour. It has sweetened up year after year until its present situation is the best it has been. I think there is something that may be realized out of it.

Mr. DITTER. You mean it is better now than it was ever before at this stage of loss in liquidation?

Mr. LEAVY. Financially it is better than it was 6 years ago; yes.

Mr. DITTER. Now, that is hardly in line with observations of others in important and powerful positions in the Government.

Mr. LEAVY. I refer the gentleman to the record.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield 30 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, profiting by the experience of those who have preceded me as members of the committee, I am not going to undertake to pay just tribute either to the caliber or character of our chairman or of the members of the committee, because I just cannot afford to take all the rest of the afternoon, and it would be necessary to do it in order to do it right.

APPROPRIATIONS FOR AGRICULTURE

I have been an interested listener at practically all the hearings had and held by the Subcommittee of Appropriations for Agriculture, not alone this year and with respect to this bill, but that goes for all the years since I became a member of this subcommittee.

As a member of the minority party, I subscribe to the genuineness of our appreciation of the courtesies shown us by the chairman of the committee. I have no alibi, nor excuse for such position, as in my best judgment I have consideredly taken with respect to the items contained in this bill, we have tried to proceed on a nonpartisan basis in our subcommittee.

As our chairman has told you, we have really tried to cut to the bone those things that to us have appeared to be nonessential to our winning the war, having always in mind that some parts of what some believe to be a most valuable part of the program for agriculture might possibly hang in suspense for the duration. We have undertaken to continued in full force those activities we believe to be essential to defense.

SOCIAL EXPERIMENTATION OUT FOR THE DURATION

It is incontrovertibly true that we cannot go on as usual with a program of social experimentation and expansion. We cannot spend money like a drunken sailor without paying the penalty for our debauch. This we have already learned.

Plenty of the taxpayers' money has already been shoveled into a bottomless hopper by strong hands, to be blown to the winds, so far as benefits accruing to the real farmers are concerned.

NONDEFENSE DEPARTMENTS

On Lincoln's Birthday the Washington Post printed a front-page editorial which was both provocative and informative. The subject matter was so concisely and forcefully presented that in connection with this very bill I am going to insert portions of that editorial right here:

CONVERSION OF GOVERNMENT

Now take a look at Government.

Everyone knows that the Army, Navy, and allied departments must expand to tremendous proportions.

But what are the departments not directly concerned with war doing?

It requires no expert to answer that question.

Department heads are running around town trying to grab this and that war activity to build up their own importance, and to perpetuate their own jobs, regardless of what is already being done.

They know, and everyone in Washington familiar with Government knows, that many of their operations can be merged or greatly curtailed without any great loss and that thousands of valuable employees can be converted into war workers.

There are scores of splendid employees in these departments who know Government procedure, who can, through their knowledge of routine, remove bottlenecks in war departments and save this country millions of dollars, if the Government is interested.

A large cut in these departments tomorrow, with employees thrown into a pool for war departments, would cause no hardship, no permanent loss in efficiency, and would build up essential Government industry tremendously.

The people are going to demand this in months to come. They are going to be paying half their income in taxes, they are going to see their sons marching away in increasing numbers. They will make whatever sacrifice is required gladly. But they are not going to stand for cockeyed social reformers and professional project planners doing their best to use men, material, and money when American soldiers are fighting without airplanes.

* * * * *

There are many different agencies in Washington building homes. It is a public scandal and the duplication and waste is appalling. Merge them into one and save men and money.

The National Youth Administration is absolutely superfluous. Transfer the youth defense training feature to the United States Office of Education, doing the same thing.

The Civilian Conservation Corps today is without function. There is not a boy on its rolls who can't get a job.

The Railroad Retirement Board is moving to Chicago. There is no reason for its existence except in the eyes of the rail-union lobby. Merge it with Social Security.

The Rural Electrification Administration is violating orders from Nelson's office to conduct unessential projects. Confine it to military purposes.

Department of Agriculture can be cut and splendidly trained employes used to greater advantage.

The fight between Office of Civilian Defense and Paul McNutt's office of defense, health, and welfare services on their overlapping activities has been ridiculous. Office of Civilian Defense has been duplicating almost everything McNutt started. Half the departments of Office of Civilian Defense can be eliminated to advantage.

So it goes—right down the line—duplication everywhere.

Half the parasites in Washington are coordinators and fancy-titled people in screwball jobs, doing their best to think of something to start that will outstrip another department doing the same thing.

This does not sound like wartime operations. The people who desperately want to save our country are definitely not complacent about it either.

We have got to be tough and smart to win this war.

Let's start in our own back yard and convert the Government to strictly essential and war industries.

PUT ON THE BRAKES

The time has now come to put on the brakes. In fact to stop the train at the precipice. This I have had in mind, and my votes in the subcommittee will indicate that I have sometimes gone further than some thought reasonable in an endeavor to conserve and to save the taxpayers' dollar for defense, and for that day—after the war—when he will not only need the dollar, but every fraction of a cent, in order to sustain himself and the world, as destitute as it and he are bound to be.

In these three or more months and days of committee hearings I have been constrained to become substantially convinced that the taxpaying farmer of this country fools himself if he really believes for a minute that an agency originally set up to protect and to advance his interests is in fact so much concerned for him, individually, and his welfare, as for that of those who are on that particular department's pay roll. This is sad; but it seems to be true, else I do not know what I read and see and have heard. The real dirt farmer is a forgotten man.

Neither do I think the President of the United States is too good and too genuine a friend of the producing farmer. Of this there need be no proof advanced. It is too obvious to require demonstration. All one has to do is to look at the record.

PLAYED FOR A SUCKER

As I see it, the farmer of the United States must eventually get it into his head that he has been played for a sucker by the New Deal. The farmers should self-respectingly organize to get themselves out of the limbo in which they are shackled. They should be as independent and as dominant as they really are; and can be, if—and only if—they step out of the ruts in which they now are operating. They must stop depending upon some bureau, some department, and an administration, whose principal

interest, intent, and purpose is to use them politically to the point where the farmer today is a subsidized serf, who takes his orders from and bows to a czar-like bureaucratic administrative set-up, bent primarily on serving and saving itself, and on increasing its power therefor.

The foregoing is strong language, but it is time the farmer knew and understood that he is "the goat." It is high time for him to assert himself; to assume and resume the position to which he is entitled as the most important factor in our economic welfare, as the master of the food basket of the world.

FOOD WILL WIN THIS WAR

Food will win this war. It has won all wars. The farmer is the food source and supply of the world. To make him the recipient of a dole; to destroy his self-respect; to give him a hand-out in order to keep him in line to vote right; to pay his poll taxes in order to get him into the polls, and a thousand other things that have been done to him, not for him, but to permit the growth and expansion, gargantuan and octopus-like of a department in which duplication is the rule; jealousies are rife and numerous; waste and extravagance evident; all these things do not make for democracy.

The time is here now; not only to consider what shall be done to correct the existing situation but to determine if we can—as we shall have to do—what we can do to save agriculture after the war.

The picture is not pretty. It will not take a prize. It is, however, true to life. It is a photographic snapshot of only a section of what I have seen and heard and know.

It is also to be said that the work cannot be done by setting up or maintaining a high-pressure group of paid lobbyists in Washington to fight a group who also draw their pay from the taxpayer. It can be done by organization of real farmers back home who make farming their business, are interested in their business aside from the mercenary motive of drawing a salary from somewhere. If the farmers could and would ever get together they could solve their problems. They will not be solved here in Washington until and unless the farmers do get together back home.

FATUOUS BONEHEADEDNESS

It is time the people should understand and know that we have been losing this war because of the fatuous boneheadedness of those in high command, speaking both from a military and a civilian standpoint. This goes for those whomsoever the hat fits. In Army, Navy, and for all the other department heads who consciously or not put their selfish personal political welfare and interest and rank above that of their country. That their number is in the big figures, their testimony before House and Senate committees discloses to their very great disadvantage, if they knew it, or were not so intent upon saving themselves and expanding and extending their bureaus and departments, as to perhaps lose their country by so doing.

That is a gratuitous indictment. I know it. Yet I can furnish necessary evidence taken from their own mouths and from the printed hearings, not to adduce what has been said in so-called executive hearings, to convict them of either incapacity, incompetence, or lack of full appreciation of anything and everything except their jobs.

WON'T GIVE UP A CENT

All they seem to think about is not giving up a cent, a plan, a place, or a program. According to them they are each and all essential to national defense. Now this is not strange in view of the policy of those directing the New Deal program, which program as carried on the last 7 years is responsible for our economic chaos and lack of preparedness today, but that, even, does not justify us, and I mean Congress, in sacrificing our country to save a New Deal program of waste, extravagance, and social experimentation never justified, and that has proved to be as impractical as an opium eater's dream.

These people do not seem to realize that we cannot do what they ask us to do and fight this war to a successful conclusion. If we need any proof there is plenty at hand up to date. The record speaks for itself. Still they protest against any cut in any appropriation for their departments. I say that not to cut appropriations is to cut the country's throat—already bled white.

What I have said is the truth. Every conscientious Congressman knows we can haggle over the continuation of project after project, worth while perhaps, in itself, if we were not spending the taxpayers' money to demonstrate its usefulness or not. But we have come to an hour when we need to save every cent that is not absolutely and indispensably necessary to be spent presently to buy tanks and guns and ammunition for our Army and Navy. We will find it out if we do not already know it.

THE WAR TO LIVE

We cannot carry on at one and the same time the New Deal "more abundant life" program and "the war to live."

You, and that means "we," cannot support at home those who would revolutionize our social and economic structure by their program, and, at the same time, supply the materials necessary to win the war overseas and at home. It just cannot be done. To carry on the war we shall have to rely on such a structure of government as we now have. We cannot continue the experiments of those who think they could make a better government by pouring the taxpayers' money into a bottomless barrel, as has been done by them the last 7 years.

NEW DEAL PROGRAM MUST BE STOPPED

This program of the New Deal must be stopped. We will stop it or lose this war. Wasteful experimentation must be ended.

Those responsible for the program that has been followed should not be allowed to continue it, even if by and in so doing, and losing the war, they see their opportunity to change our form of government to suit themselves and to realize their Fascist ideas and ideologies.

We who are in opposition to the New Deal program have three things to do:

Fight the enemy now by preparedness; prepare to fight the enemy abroad by saving every cent; and to fight the enemy within our gates openly.

We have been blind and deaf and dumb to the perils that confront us here. It is almost too late for us to wake up and to "stop, look, and listen." If we do not do these things, we might as well join the isolationists and appeasers and quit.

WAR OBJECTIVES

We have built up in Washington during the last decade a truly gigantic organization to supply peacetime wants of the people. While we were doing this aggressor countries that are now our enemies were pouring all their energies into the building of war machines. That is why they are so much better prepared at the outset than we are. To match and then exceed their strength it is obviously essential to convert our whole national energy primarily to war objectives. That is elementary. The strange thing is that the Government has not moved more quickly to adjust its own organization and tempo to the requirements of total war.

The reason is found in the fact that the bureaucrats will not let go. All the time they want more dough for their pet projects, all of which, or substantially so, they classify, with themselves, as necessary for national defense. That is hooey and pure buncombe in seven cases out of ten. The only way to cut down expenses of government is to cut down, to reduce nonessential, nondefense appropriations to the bone. Cut below the Budget deeply. Now is the time to clean the bloodsuckers and barnacles off the ship of state before they sink it.

Of course, some people's toes are going to be stepped on. You can't keep your slippers on and win this war.

"Wars cannot be won," as Senator TYDINGS told his colleagues, "by piling bureau upon bureau." Nor by spending more and more for less and less.

Expert advice will be needed, of course, to determine where the knife can be applied with a minimum of personal hardship and of detriment to public service. Still we can think of a good many agencies that could be suspended or shrunk to smaller proportions for the duration.

If the Government is to be put on a war footing comparable to the transformation of industry, some of its peacetime activities must be completely abolished, some must be temporarily suspended, and others curtailed.

The present issue is not whether any agency has rendered useful service in the past, or whether it will be needed in the future, but whether it can be advantageously absorbed into war work. The possibilities of strengthening our system for war by this method are enormous.

SCRAMBLED EGGS

The Senator, as I have said, pointed to some of our failures of government, the overloading of pay rolls, the scramble of almost every agency and department in Washington to acquire a defense status, the tendency in some quarters to believe that we can cling to the "more abundant life" while fighting an all-out war. The fight of the farm bloc for higher agricultural prices, even though it costs the public a billion dollars, is one. The determination of Congress to lump pork-barrel projects with legitimate defense items in a

billion-dollar rivers and harbors bill is another. The *Normandie* burns at her dock and it is accepted as an accident—just another one of those things. Some labor leaders continue to be interested primarily in union promotion and excessive wage demands, while some manufacturers continue to put profits and post-war problems ahead of the urgent military needs of today. Recently there have been three strikes in vital defense plants—small, as such things go, but a distressing symptom of our national state of mind.

Do not let anybody tell you that we are not overconfident. We are so sure we are going to win this war that, except for a minority, there is no appreciation of the real situation in which we stand this hour. Our danger is not understood nor appreciated. The editor of the Star tells the story when he says, "We can lose."

The significance of defeats which place ultimate victory further and further from our grasp is not fully comprehended because we lean too heavily on the dangerous assumption that we cannot lose the last battle.

The blunt truth is that we can lose the last battle of the war as well as the first. And the way to lose it is to continue with government as usual, politics as usual, business as usual, and selfishness as usual until it is too late to retrieve our blunder. It is what we do now—this year—that counts, and while we cannot win the military battles that have already been lost nor prevent the loss of others in the future, there is one fight that we can win now—today. That is the battle with ourselves, the struggle to make ourselves realize how great is our danger and how essential it is that we plunge at once into the winning of the war on the home front to the exclusion of all other things. Not until this fight is won have we any reason to assume that victory in the last military battle of the war is assuredly ours.

A CHANCE TO SAVE MONEY AND OURSELVES

Back in December the Brookings Institution's experts in governmental finance contended that Federal nondefense expenditures could be reduced over $2,000,000,000 without trenching upon essential social services. What a row that raised among the faithful.

Then the Byrd committee came along with its initial report with the specific recommendations shown in a table I will include without comment, if you will bear in mind that the committee had just commenced its work when it made this initial report. Here is the table:

	Savings
Civilian Conservation Corps (abolished)	$246,960,000
National Youth Administration (abolished) (nondefense)	91,767,000
Work Projects Administration (present appropriation $875,000,000 annually). Recommendation for quarterly appropriation, including defense activities for first 3 months of next fiscal year of $50,000,000 monthly and further reduction as employment improves due to defense expenditures should save at least for the year	400,000,000
Agriculture:	
Deferment of land purchases	$3,000,000
Savings in overhead expenses of Department as indicated	50,000,000
Reduction in appropriation for "Exportation and domestic consumption of agricultural commodities"	100,000,000
Farm-tenant program (abolished) (cash)	7,122,000
Farm-tenant program (abolished) (loan authorization cancelation)	50,000,000
Farm Security Administration (abolished) (cash)	70,500,000
Farm Security Administration (abolished) (loan authorization cancelation)	120,000,000
Public works and Federal highway: One-half deferment in public roads	64,000,000
Other public works:	
Deferment of public buildings for nondefense	43,164,000
Deferment of Department of Interior items	26,727,000
Deferment of rivers and harbors and flood-control items	27,835,000
Cash savings	1,131,075,000
Cancelation of loan activities	170,000,000
Total	1,301,075,000

In addition, if funds impounded by the Director of the Budget were covered into the Treasury by legislative action, as this committee recommends, there would be immediate savings of $415,890,061.

These savings specifically recommended are partial in scope and leave a field of economies in which further substantial reductions will be recommended.

FARM SECURITY ADMINISTRATION

I am not so overwhelmed with the forest that I cannot see the trees, nor see "through a hole in a ladder." I see something in the Farm Security Administration payment of poll taxes to allow a person to vote, which might, if carried to its ultimate, wreck the country. I am against it. It is playing politics in a most corruptible manner, to attempt to link voting requirements with agricultural programs sponsored by the Government. It is not funny, smart, nor to be minimized, so far as its possibilities for the corruption of the electorate and the destruction of orderly government are involved.

I agree wholeheartedly with the editorial writer of the Washington Star, who said:

> Like so many other developments in Washington the controversy as to whether the Farm Security Administration should make loans for the payment of poll taxes is significant chiefly as a symptom of a state of mind.

Last Tuesday the President said he disapproved the use of F. S. A. funds to pay poll taxes. I agree. On Friday he changed this statement, declaring the premise on which his original statement was based had been erroneously presented. The F. S. A. plan, he said, consists of a household budget loan which includes funds for paying poll taxes. Thus, the President made a distinction. He would disapprove direct payment of poll taxes with F. S. A. funds; he does not disapprove the lending of these funds for payment of poll taxes along with a variety of household items.

This looks suspiciously like a distinction without a difference, especially in view of the fact that some 20 percent of F. S. A. loans are reported to be in arrears. It is one thing to lend impoverished farmers public funds for seed, stock, equipment, and similar purposes, but it is quite a different matter to use money paid in taxes by one citizen to enable some other citizen to pay his poll tax and vote, even though it be assumed that there is not the slightest intention to influence the political preference of the recipient of the loan.

To the President, who says he has always been opposed to poll taxes anyhow (why?), there may be a pronounced and obvious difference between the direct and indirect use of public funds to pay these levies. But it is a distinction which will not be so readily apparent to the taxpayers, who must foot the bill for the type of governmental activity of which this is a sample.

We can well afford to forget social gains just now. We cannot go on as usual. We will be lucky to limp along until we can walk.

So as Congress realizes, and as the people must now more than ever, it is true that there is not a day, not an hour, to be lost. It is no exaggeration to say that our one real hope of victory lies in convincing the complacent American that he must plunge into the fight on the home front with everything that he has—not tomorrow, or next week, but today.

THREE ITEMS

Now, specifically as to the three items in this bill which I have been asked to discuss briefly, first comes the Bureau of Dairy Industry.

You will find a statement covering the accomplishments of the bureaus on pages 408 and following of the hearings.

It is needless for me to cumber the record with statistics. I refer you to the hearings. We found that this branch of the Department could show what we considered to be a very good use of the moneys heretofore appropriated. Last year the appropriation was $738,477. The Bureau asked the Budget for $811,062. The Budget estimate for 1943 was $764,757, which includes $20,695 net increase in working funds, and $5,585 for administrative promotions.

Your committee recommends an appropriation for 1943 of $764,757.

BUREAU OF DAIRY INDUSTRY

The increase in working funds of $20,695 consists of an increase of $40,320, for the genetic analysis of animals in dairy herd improvement associations, together with a decrease of $20,000 in experiment station work, which involves the closing of the station at Jeanerette, La., and the curtailment of work at other stations.

The committee has restored the cut of $20,000 resulting from this proposed discontinuance of stations in the field and has applied a cut of a similar amount to

the Budget increase of more than $40,000 for the dairy herd improvement work.

The latter work has been carried on for a number of years and has resulted in a very substantial increase in the percentage of butterfat in the milk produced from the dairy herds in the association.

The committee felt that after restoring the field stations that had been cut by the Budget that the remainder of the increase could well be applied to the dairy herd improvement work, in view of the splendid record which has already been made in that field.

One of the other projects of the Bureau's work is that for the investigations of the utilization of milk in the manufacture of milk products. Important advances have been made in this field, particularly in the manufacture of cheese. After about 20 years of research the Bureau has perfected a technique for the production of Swiss cheese and has turned out a product equal in all respects to the imported product.

The work on Swiss cheese is being dropped at the present time in order to concentrate on perfecting the methods of producing Cheddar cheese, which is a variety much in demand in England at the present time, and of importance in the lend-lease program.

BLISTER-RUST CONTROL

Blister-rust control is another item I am to discuss.

Blister rust is a fungus disease attacking white-pine forests and is very destructive.

These forests are owned by the Federal and State Governments, as well as private owners, and are intermingled primarily in the West. They comprise the most valuable component of the mixed-timber stands in the inland empire of eastern Washington, northern Idaho, and eastern Montana.

My colleague the gentleman from Washington [Mr. LEAVY] is a member of the subcommittee, and I am sure he will support me in the advocacy of this item and defend me against any attack from any quarter. But I am informed there are 2,600,000 acres of national-forest land in white pine, subject to the attacks of this disease.

The method of control is the eradication of wild gooseberry plants and wild currants, which are the alternate hosts of the fungus.

The disease is spreading so rapidly that a survey made by the several departments involved indicates the importance of a 6-year program for wiping out the disease. We are satisfied this is vital to the preservation of what pine we have.

The Budget estimate for 1943 is based upon such a 6-year program. However, the committee believe that that part of the project covering the work on State and private forests might well stand a cut of $25,000, and with that reduction the amount estimated by the Budget has been included in the bill. To build boats, pine is needed. To save pines, blister-rust control methods must be employed and continued.

Last year we appropriated $1,291,560. The Bureau requested of the Budget $1,974,000, and the Budget estimated that amount to be necessary. We did not see it that way, so cut the appropriation to $1,949,000—a cut of $25,000, as above indicated.

The justification is to be found on pages 839 to 857 of the hearings.

BUREAU OF HOME ECONOMICS

The third item on my list to cover is the Bureau of Home Economics.

The Budget estimate for 1943 for the Bureau of Home Economics includes an increase of $8,955 in their working funds.

This increase is distributed among three of the projects coming within the jurisdiction of this Bureau, namely:

The foods and nutrition investigations.

The family economics investigations, and home economics information.

The purpose of the increase is to intensify the Bureau's nutrition program to meet defense needs.

It is noteworthy that this Bureau, for which we are appropriating next year an amount of only $368,890 is the only activity in the entire Department which takes care of the interests of the farm wife. This compares with some eighteen or twenty million dollars for the entire research program of the Department, and we think the amount granted is not exorbitant and that this Bureau is doing splendid work with what might be regarded by some as totally inadequate funds.

Last year the appropriation was $356,530. The Bureau requested $455,435 of the Budget, which allowed $368,890, and we recommend and the bill provides for $368,890.

The increase of $12,360 over last year is justified, we feel. The claim of the women of this land to a right to contribute to win this war cannot and should not be disregarded; nor can the important part they play and can play be minimized. You will find the evidence on pages 905 to 927, inclusive, in the hearings.

OTHER ITEMS

While there are a good many items of considerable size of which I do not approve as necessary expenditures essential to winning the war, yet there is one cut to which I think particular attention might well be directed, found in the possible suspension of the tenant-farmer program. All I care to say about it at this time is to insert in the RECORD a colloquy which summarizes my position.

REDUCTION OF ESTIMATE FOR FARM-TENANCY PROGRAM

Mr. PLUMLEY. This morning my attention was called to another thought, and that is that the appropriation for the farm-tenancy program had been reduced from $50,000,000 to $40,000,000 this year. Since then I have been thinking about this farm-tenancy program, and I would like to ask you this question:

About 2 years ago it was stated on the floor of the House—and as I speak from memory only, my figures may not be correct to the last dollar—that we would have to appropriate the full authorized amount of $50,000,000 each year for the next 280 years, I emphasize 280 years, before we would have supplied a farm for every one of the present number of farm tenants.

That would mean that we would have farm tenancy wiped out in the year 2220.

Suppose that we should drop this farm-tenant program for the duration of the war. If the war should last 5 years, that would only prolong it for 5 years, and that would mean that we would complete the program in the year 2225.

What strikes me is that this money is not given to the farmers; it is loaned to them at interest and on good security, so that we expect to get it back. However, before the Government can lend this money to the farmers, it must borrow it. We forget that. Just now, the need for money for the conduct of the war is so great that it is agreed that the capacity of this country to pay taxes and to buy defense bonds will be strained to the limit.

So, ought we to hesitate to discontinue the farm tenancy program temporarily or until after the war, thus easing somewhat the great difficulties confronting us and the burden of the taxpayer, in the financing of our struggle to preserve the freedoms, when the only difference to the program will be the postponement of the completion of it from the year 2220 to 2225?

Do you, as the lawyers say, care to answer that yes or no—or not at all? After all, Mr. Secretary, if Hitler should take over here in America, the first thing that he would do would be to take away from the farmers anything and everything we may give to them.

Secretary WICKARD. I do not want to keep you from knowing what I think.

Mr. PLUMLEY. Do you or do you not think that we should first save the farms from Hitler, and then consider providing farms for the tenant farmers? And if it is only a postponement for 5 years, will it do more harm than good to postpone it?

Secretary WICKARD. Of course, I happen to have this attitude on this matter that you are referring to: That is, that it is desirable from the standpoint of the country, our country, to have as many farmers own and operate, as well as to live on, their own land as possible; and one of the things that has given me real concern is to see the increase in farm tenancy. We have talked a lot about it for a number of years. Recently we think that we have been doing something about it. The tenant purchase program, I think, is one of the best programs that we have in agriculture, because it does give good tenants an opportunity to purchase land on a long-time basis and, I think, on a sound basis. Our payments have been coming in ahead of the time that they are due, and I would hate very much to see that program dropped.

Mr. PLUMLEY. I would not drop it perpetually. I had reference merely to postponing it.

Secretary WICKARD. But in the meantime there may be a grabbing of a lot of this land by large owners, especially if we have what looks like the start of what we call a land boom. I hope that it does not take place, but we may have this grabbing by a lot of people who have the means to acquire land, and, as I said before in answer to your question, I would hate to see the program stopped, because I think that the cost of it to us is insignificant as compared to our total obligation, and it seems to me that we would not be doing anything but transferring ownership or indebtedness from one place to the other.

Mr. PLUMLEY. But what I am looking forward to is some chance to dispense with ordinary, unnecessary expenditures, even at some inconvenience to perhaps many people, but without doing anybody any serious damage. If forty or fifty million dollars here and forty or fifty million dollars there can be saved for national defense merely by the postponement of that expenditure——

Secretary WICKARD. I do not call it an expenditure.

Mr. TERRY. It is a loan.

Mr. PLUMLEY. But where do they get the money? The taxpayer contributes those funds, and we forget him too often; therefore that is a burden on him which he ought not to bear, possibly, in the next 5 years; or should he? I think not. This is a part of the program I think could at least be postponed.

Other matters and things will be covered by my colleagues on the committee, in which I am sure some reductions may wisely be made in the interest of economy in emergency.

PROPAGANDA TO BELITTLE CONGRESS

There is no question but that there has been a deliberate attempt of late to make the people think that Congress has laid down on its job. This is not so.

Every attempt by Congress to undertake to determine whether the functions performed by departments and agencies are essential to national defense, whether duplications and corresponding functions can be consolidated to the extent to which contraction can be substituted for expansion is met immediately by propaganda to the contrary.

Whenever Congress undertakes to examine purchasing classification, salaries, transportation, publicity, and other items of expense and practice, in order to determine whether they are or are not being administered in an economical manner, propaganda is spread in an effort to undertake to belittle and to discredit Congress.

I resent this. I apprehend the consequences. I know the deliberate underlying purpose behind every intent and motive that impels them is to attack the representatives of the people to break down morale.

Congress as a whole, and Members as individuals should not stand for these insidious yet deliberate attempts to undermine and to make this Government of ours into a fascist state without a fight. If our democratic form of government is to be preserved we will have to conserve it.

The people should know and understand that Congress proposes to continue its examination of all Federal expenditures to determine whether further curtailment or elimination of expense can be made in the light of defense needs; that despite opposition it will review defense expenditures, and proposes to make recommendations for the elimination of waste and inefficiency in the New Deal Administration whether anybody likes it or not, from the top to the bottom. All this in order to win the war, to save the country, and to preserve our form of government.

Your Subcommittee on Appropriations for Agriculture, while it has not gone as far as I think it wisely could with respect to retrenchment in the administrative costs in the Department of Agriculture, and with regard to the elimination of all unnecessary overhead; while it has not abolished the farm-tenant program with its annual administrative cost of $7,122,572, and an authorization to borrow $50,000,000; while it has not abolished the Farm Security Administration, with its direct appropriation of $70,500,000 and its authority to borrow $120,000,000.

While your committee has not gone so far as some would wish with respect to the deferment of rural electrification expansion, wherein and to the extent that such expansion conflicts with national defense priorities on materials, nevertheless your committee has made some positive, definite dollar-saving progress along the line of retrenchment, and elimination of nonessential defense expenditures.

The result of our deliberations is a matter of evidence and is respectfully submitted.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I yield.

Mr. DITTER. Would the gentleman care to say whether the practices as they have been revealed to him as a result of these hearings, whether those practices are in line with the Yankee thrift and industry that the gentleman's State, Vermont, is known for?

Mr. PLUMLEY. My private opinion, of course, is that they are very much out of line with the ideas I have with respect to how other people's money ought to be handled.

Mr. DITTER. It seems to me that the gentleman certainly has brought to us something that is really worth while as he stresses this matter of economy. Have we been economical in this administration?

Mr. PLUMLEY. Certainly not.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Vermont yields back 11 minutes.

Mr. LAMBERTSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I ask unanimous consent to extend my remarks at the close of today's debate on the pending bill.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TARVER. Mr. Chairman, I yield 10 minutes to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, I think anyone could appreciate the fine work that has been done by the subcommittee having this legislation in charge. The vast volumes of testimony indicate a great deal of effort on the part of the committee in arriving at the things they consider essential in this legislation.

It has been my experience that whenever you take up the farm problem in the Congress of the United States or in the various States of the Union there is always eloquent opposition to the farmer and his problems. It is an unfortunate thing at this moment through what I think is misunderstanding that the farm population of our country have been accused of attempting to raid the Treasury. I believe this is not true at all. I believe that the farmers at the moment are in only a healthy situation, and nothing in the immediate future that would indicate that farm prices are going to be excessively high. In all my experience, which has been rather limited in years, I have never known the time when the farmers of our country as a whole were in a prosperous condition unless some unusual calamity came to their neighbor farmers or we were engaged in a war. It seems to me the farmers of America have been placed in an unfortunate position from the fact that many people have concluded that they should be willing to accept a lower standard of living than other segments of our population.

I am sorry to hear the criticism of an agency of our Government—namely, the Farm Security Administration—that has been eloquently assailed here this afternoon, because I believe it is one of the real accomplishments of this Administration, from the fact that it endeavors to aid and assist those whose voice is not very loud and cannot be heard extensively over the country, and who can get assistance, especially credit, from no other source. In my district and in my State there is nothing but praise and commendation of this Administration, and I think it would be unfortunate indeed if this House should eliminate this worthy agency of our Government.

We are just beginning to learn that we have got to put something back into the soil, the farms, and the forests. It cannot all be taken out without putting something back, and it seems to me the whole program of soil conservation and reforestation is a step in the right direction. Our soils and our forests are depleted as a result of the last war; this is not the time to again repeat the serious errors we made twenty-odd years ago.

The Forest Service, one of the most important agencies in our Government, has had its appropriation decreased in this bill, in spite of the fact there was nothing shown as to why the appropriation should have been cut. It has been taking on additional services that have been demanded by the public from time to time; it has never had any spurt appropriations; it has gone along in a conservative way, furnishing a service demanded by the people; but, for no particular reason, so far as I know, the services of this great agency are going to be greatly curtailed. It will be finally shown that this will be detrimental to the country, as has been pointed out by the distinguished chairman of the subcommittee and the gentleman from Washington [Mr. LEAVY].

Our forests are great natural resources that are subject to all kinds of hazards, particularly insects and pests and fire. I am sorry that this subcommittee has seen fit to reduce the appropriation for this agency of the Government.

Mr. ANGELL. Will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Oregon.

Mr. ANGELL. It is true, is it not, that practically 60 percent of the forest products which come from our great forest areas are going directly into our national effort?

Mr. GRANGER. I thank the gentleman for that contribution. It is a true statement.

Mr. ANGELL. Is it not also true, particularly on the west coast, where there are a large number of Japanese, particularly those of American birth, that this problem is going to be a very serious one and that there ought to be increased

appropriations to see that there are no conflagrations take place in these great forest areas which are so necessary in our war effort?

Mr. GRANGER. The gentleman is correct.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Perhaps I do not understand the matter, but a few days ago we considered a bill in which there was provision that the Department of the Interior would use the Civilian Conservation Corps for the prevention of fires in forests; is that correct?

Mr. GRANGER. I think there was such a provision in that bill. The gentleman is right, I believe.

Mr. SMITH of Ohio. My inference is that the funds would be supplied for the Civilian Conservation Corps in a regular manner and that the Conservation Corps would be used for that purpose; therefore I am wondering whether this Forest Service would require as much money in this appropriation bill for that purpose as it would require if that were not the case.

Mr. GRANGER. As I understood that legislation, it was entirely permissive. The President had the authority to divert the personnel of the Conservation Corps to these activities.

Mr. ANGELL. The C. C. C. camps, as those of us who come from the West know, are being rapidly taken away. There are very few of them left. The appropriations for this effort have now been cut to the bone so that there are very few of them available for the purposes they were used in the past; that is, fire fighting, building of trails, and that sort of thing.

Mr. GRANGER. The gentleman is correct.

Mr. Chairman, the proposal to strike out of the agricultural appropriation bill the appropriation for the administration of the Sugar Act is based upon a complete and dangerous misunderstanding of the realities of the situation. It is in direct conflict with the policies of the Department of Agriculture, the Office of Price Administration, and the War Production Board. It would require an increase in the ceiling price of sugar that would cost American consumers about $120,000,000 a year.

The argument for eliminating the appropriation, apparently, is based on the fallacious assumption that conditional payments are made by the Federal Government to sugar-beet and sugarcane growers only as a reward for limiting production, or, as it is often expressed, for not growing sugar. Since no acreage limitations are to be imposed in 1942, the argument runs, the payments are no longer needed.

The fact of the matter is that conditional payments are not a reward for not growing sugar. They are paid to growers of sugar crops in consideration of their compliance with certain standards established by the Secretary of Agriculture. These standards require that no person under 14 years of age shall be employed in the production of the crop, and that all farm labor shall be paid fair and reasonable wages, as determined by the Secretary of Agriculture. The grower must also comply with certain farming practices tending to improve the fertility of the soil and prevent erosion. The requirement that the grower shall not exceed his proportionate share of the total quota established for his area is only one of the conditions for payment.

The elimination of the appropriation would not benefit consumers. On the contrary, it would require an increase in the present ceiling price of sugar perhaps by as much as 1 cent a pound, which would mean a total annual burden on consumers—assuming a consumption of 6,000,000 tons—of $120,000,000.

The necessity for increasing the ceiling price of sugar if the appropriation is eliminated arises from the following situation: The grower of sugarcane or sugar beets is paid for his crop by two sources: (1) He receives a payment from the processor to whom he sells his cane or beets, and (2) he receives a supplementary conditional payment from the Federal Government, which is somewhat in excess of the tax on sugar.

The Emergency Price Control Act provides that no ceiling shall be established for a farm commodity less than that sufficient to return 110 percent of parity to the farmer. The present ceiling price on sugar—$3.74 a hundred pounds for raw cane sugar—is not sufficient, in the absence of the conditional payment made by the Federal Government, to get 110 percent of parity to the producer of sugar beets. The ceiling price, therefore, would have to be increased to make up the difference. The amount of the increase, as has been pointed out, would necessarily be almost 1 cent a pound.

Sugar is the first food to be rationed. As a matter of national policy every effort should be made to increase the production of sugar at home, where it is free of the wartime hazards of ocean shipping—at least during the emergency. If the sugar appropriation is lost in the House, it means that an interval of time will elapse before the legislation can be considered in the Senate. In that interval farmers will be making plans for planting, if they are not actually at work planting. Certainly it cannot be expected that a maximum planting will occur if they do not know whether the appropriation is to be restored in the Senate.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, at an earlier hour in the debate today I attempted to direct the attention of the Committee to this matter of Arthurdale. Unfortunately, time did not permit my distinguished friend from Washington to attempt to justify, as I said, by his resourcefulness, the conditions that the record discloses with reference to this project. It seems to me that we might well read the record, pages 224 and 225 of the hearings, with reference to the Arthurdale project.

I hope I will not be charged with being critical as I direct the attention of the Committee to this project. There has been some question as to whether or not the right of criticism still prevails, so I approach this with some misgiving lest I be charged with being critical at this time, thereby bringing upon my own shoulders an avalanche of abuse. I hope I will not have to defend myself.

Those of us who have served in the House during the last 8 years will recall the days of the Tugwellian philosophy. The gentleman from Washington tried to assure the House there was nothing communistic in some of these projects. He excused the joint effort by saying it was not practical to divide one project, and it had to be held in a community of interest. Well, I do not know whether Arthurdale had to be held in a community of interest or not.

Mr. COOLEY. Will the gentleman yield?

Mr. DITTER. When I finish, I will yield. I do find there was a community of interest in one thing. Apparently 158 families that went on this Arthurdale venture never saved a penny, for I find the record shows that we are going to sell the project. Judge TARVER, with a very fine sense of inquisitiveness, wanted to know whether there were any down payments to be made on the sale. I suppose he blushed. I know he was shocked, as he heard Mr. Baldwin admit that the sales were to be made on credit with no down payment, not a penny; in other words, ready to pay for the homestead. That is a community of interest.

I now yield to the gentleman from North Carolina [Mr. COOLEY] for an inquiry.

Mr. COOLEY. May I ask the gentleman if he does not think the Farm Security Administration should have determined upon the question of the feasibility of subdividing these properties before first acquiring them?

Mr. DITTER. Of course, I would rather have that come out of the mouth of the gentleman than make the charge myself, because if I were to make the charge it might be attributed that narrow partisanship prompted the matter; but since it comes from my distinguished friend, and since it is entirely in line with my own opinion, I concur wholeheartedly in the view he expresses.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield to the gentleman from Georgia.

Mr. TARVER. I think it is necessary to keep the record straight. In my judgment, the Congress is not responsible for the institution of the Arthurdale project. Whether or not that be true, certainly the Farm Security Administration cannot be charged with it. It had nothing whatever to do with it. The Arthurdale project was instituted under the old Resettlement Administration. The project was simply turned over to the Farm Security Administration, which inherited it from the Resettlement Administration. No stretch of the imagination could subject the Farm Security Administration to criticism because of the failure to realize from the project the amount of money that was put into it.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield myself 5 additional minutes.

I am agreeable to the observation of the gentleman from Georgia up to this point. I have nothing against the Farm Security group per se, but I am opposed to the philosophy which brought the Resettlement Administration or any other bureaucratic agency into existence, and that permitted an experiment of this kind to get under way.

The gentleman says the Farm Security Administration was not responsible for the initiation of the project. My question is, Who was responsible? Well, I will say a few folks. I will say, first, that that was the day when Rexford Tugwell held the reins; that was the day when we were off on a wild Utopian scheme of remaking everything in America; that was the day when every pet project that a "brain truster" could conceive of, from soup to nuts, was included in the program of remaking America. We had managed money and a planned economy, and we were to have a Utopia.

I do not care whether the Farm Security Administration is the one against whom the indictment should be laid, but I do say—and no one on the other side can take issue with this assertion—that the New Deal brought into existence this Arthurdale project that has gone sour, and I quote the words of my distinguished friend from Washington, "An inheritance gone sour." The New Deal was responsible for that sour investment, which has now become a very sour inheritance. The warning that should be sounded is that in this day in which more serious things should be done we must guard against investments that also may become very sour inheritances in the matter of our preparedness program.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield to the gentleman from New York.

Mr. TABER. When we are speaking of the Resettlement Administration or the Farm Security Administration, we really ought to speak more of nuts than of soup.

Mr. DITTER. That is a timely observation. After all, that is a contribution that I do appreciate.

The warning that I sound is that we are not ridding ourselves of that philosophy, and that is the tragedy. We talk about complacency on the part of our people but we are not ridding ourselves of a lot of these parasites that are hanging on with these foolish nostrums and fancy ideas. We are trying to make out of them a preparedness program to carry on the job that is ours in this hour of national peril. That, to me, is a great tragedy. I do hope that my friends on the other side of the aisle will set the house in order, instead of giving this property to 158 folks without a dollar to pay down.

When the time comes to put this under the hammer, if we are going to sell it on all credit, we are going to give it away. I believe that is what the gentleman from Georgia [Mr. TARVER] said. Then you are giving it away—and I quote Judge TARVER—let us not go to the point of getting into some other experimental program by which we will be giving something away more precious and more costly than this Arthurdale project in this hour of national peril.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I call the gentleman's attention to the matter I sought to call to the attention of the gentleman from Washington [Mr. LEAVY] a moment ago? When the gentleman from Georgia was questioning Mr. Baldwin about the liquidation of these particular projects and asked about the progress that had been made in the process of liquidation, it developed, according to this record, that the Farm Security Administration inherited 753,408 acres of land. At this time, during the process of liquidation, instead of having that number of acres, according to the record, they have 954,670 acres. During the time they are supposed to be liquidating they have sold only 29,226 acres, whereas they have acquired 201,162 acres. So it is clear on the record that the Farm Security Administration has not been liquidating these projects according to the true intent and spirit and letter of the law.

Mr. DITTER. It looks as though they are in the real-estate business, does it not?

Mr. COOLEY. Exactly.

Mr. DITTER. I think we ought to liquidate the whole shebang. Let us liquidate from Baldwin on down, and then we will do a real job.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield such time as he may desire to use to the gentleman from North Dakota [Mr. ROBERTSON].

Mr. ROBERTSON of North Dakota. Mr. Chairman, I should like to bring to your attention the desirability of encouraging the maintenance of the Farm Security Administration during this wartime period. In its history it has accounted for numerous benefits to the small farmer, especially: the preservation of the family type farm, the assistance to tenant farmers who have under F. S. A. become farm owners, the increase of net income to the farmer, the augmentation of farm production, the improvement in farm health by means of medical service organized under F. S. A., and the addition of farm machinery to small farms. All these benefits have bettered the facilities of the farmer and, therefore, have furnished this country of ours with a specific means for combatting the problem of the drain of labor from the farms into the services and defense industries.

Under F. S. A. a plan might be developed whereby large farm units—instead of slaughtering their stock and curtailing their production of grains and other foodstuffs—might take the small farmer into partnership for the duration of the war in order that war on the food front may be carried on successfully. There are 3,000,000 farm families whose greatest asset is what we need most on the farms today—labor—and by judicious planning under the F. S. A. this labor could be utilized. This need not be a costly procedure, either; the F. S. A. has put out in loans, you understand, about $574,000,000 to families which could not get credit anywhere else; close to $200,000,000 of that amount, including principal and interest, have already been paid back.

In the last week it has been reported that some large farmers are beginning to sell off their cattle and dairy herds because of a labor shortage. If these cows are being marketed for slaughter, it is a major tragedy, when the Secretary of Agriculture is calling for an 8 percent increase in milk production over last year. It is not the fault of the small farmer if he cannot scrape up $75 to $100 to buy a cow or two; and it is not the fault of the large dairy operator if he cannot find labor to take care of his herds. But under a system of farming out large stocks among smaller farmers, this difficulty might be overcome. It is the same thing that is occurring in industry—the enlistment of the aid of the small manufacturer by the large manufacturer so that all production machinery possible may be put to use. In the farming sections, this would mean a return to the "good-neighbor" policy which our fathers and forefathers practiced: when a man needed help, his neighbors got together and helped him. It was as simple as that. Under F. S. A. the same principle exists in a larger sense.

The Farm Security Administration already has in operation the framework that is needed to direct the capabilities and capacities of the small farm family into increased food production channels. These families make up two-fifths of potential food for freedom producers. And it seems to me that the vast food production goals we have set out to meet can be achieved only if we give these families—the Nation's low-income farmers—a chance to make their contribution.

Mr. LAMBERTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, before proceeding with my formal remarks, I wish to ask the chairman of the committee a question pertaining to the language on page 78, lines 20 to 24, which reads:

Provided further, That none of the fund made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity price as defined by the Agricultural Adjustment Act of 1938.

The question I wish to ask the chairman is this: In your opinion, Mr. Chairman, do you feel that this language is sufficiently strong and broad to prevent the Commodity Credit Corporation from disposing of these commodities which it holds at prices less than parity to any Government agency, or otherwise?

Mr. TARVER. I understand there is a difference of opinion with regard to the proper construction of existing law which places some limitations upon the rights of the Commodity Credit Corporation in the distribution of agricultural commodities, particularly cotton, and that in some quarters the opinion is held that the transfer of such commodities to another agency of the Government does not con-

stitute a sale within the meaning of the law. I entertain the contrary opinion. I think that the effect of this language, if properly construed—and certainly it was the purpose of the committee in placing it in the bill—would be to prevent transfer of any portion of the Government-owned stocks either by sale in the open market or by disposition to some other agency of the Government where that agency paid therefor less than parity prices as fixed by the legislation on that subject. Does that answer the gentleman's question?

Mr. CRAWFORD. I think that is as good an answer as the chairman could give under the circumstances, and I very much appreciate that contribution.

Mr. Chairman, while on this point I simply want to say that insofar as I am personally concerned, I certainly feel that it has not been the intent of Congress for the Commodity Credit Corporation to dispose of those commodities in a manner which operates competitively against the products being grown and marketed by the farmers of this country and at prices below parity. I do not believe that the Government should, by means directly or indirectly, proceed to distribute those commodities in a manner which in any way results in netting less than parity to the farmers of this country.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I have information from people who deal in commodities on the exchanges that the expected shortage in corn and other products out of which ethyl gasoline can be made, is such that dumping at this time means that the Government will have to pay a great deal more in the future and that the dumping is not so much for the benefit of the Government as it is for the benefit of certain manufacturers of ethyl alcohol and profiteers.

Mr. CRAWFORD. That may turn out to be the true situation, but in that connection there is a tax bill that has been recommended to the country by the Secretary of the Treasury today which, if put into law, will take care of a lot of these so-called excess profits which are now being made by some industries.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SMITH of Ohio. I would like to know what my taxes on my salary under this newly proposed law will be. Would the gentleman care to tell me that?

Mr. CRAWFORD. I do not have the schedules in hand just at the moment, but the gentlewoman from Illinois [Miss SUMNER] has the schedule and I suggest she hand that schedule to the gentleman from Ohio and let him make his own calculation and then use some of the medicinal stimulants he may have in his own pocket to stimulate him, he being a physician.

Before going ahead I wish to precede my remarks, with the consent of the Members here, by reading a telegram which I today received from Edward A. O'Neal, president of the American Farm Bureau Federation. It touches upon a department of Government to which I wish to address my remarks:

We invite your attention to our recommendations, printed in hearings of agricultural appropriations subcommittee, proposing substantial savings in administering number of agricultural agencies without curtailing needed services to farmers. Because of waste, extravagance, and indefensible practices of Farm Security Administration, evidence about which we submitted to Congress, and the necessity for fewer loans, we consider it especially important that drastic cuts below amount proposed be made in administrative expenses of this agency. In view of great reduction of needy farmers, we also recommend that amount for rehabilitation loans be reduced. We commend action of committee in restraining Commodity Credit Corporation from selling agricultural commodities at less than parity prices and urge your support of this action. Farmers merely ask for parity with industry and labor.

With that telegram before me, together with what the gentleman from Illinois [Mr. DIRKSEN] had to say, I think we had better be on the floor tomorrow when we start the reading of this bill, to see if we cannot help the committee in doing whatever is necessary. But I wish now to further comment on the Farm Security Administration?

Down in Puerto Rico we have a most unusual situation, in the program in operation being carried on, I think, rather aggressively, by Gov. R. G. Tugwell, of Puerto Rico. I suggest that those who are interested in further studying the Farm Security Administration, and some of its activities, obtain a copy of a message of R. G. Tugwell, Governor of Puerto Rico, to the 15th Legislature at its second regular session, February 10, 1942, and read his comment in that report to the Puerto Rico Legislature, and, in addition to that, if it is possible, obtain a copy of R. G. Tugwell's report to the Secretary of the Interior dated December 1941—and there will probably be trouble in obtaining copies of that, as I understand that not more than a dozen copies are in the United States, it being printed in Puerto Rico—covering an investigation into administration and responsibilities under the 500-acre limitation land-holding proposition, and because there you will find some additional information on the operation of the Farm Security Administration. Last week I took time to draw the attention of the House to some of these matters, and since then there has been sent to me by Mr. C. B. Baldwin, from the Office of the Administrator of the Farm Security Administration, a letter dated March 2, 1942, written in response to the remarks I made the other day. I think it is only fair, and I am delighted to place this entire letter of Mr. Baldwin's in the RECORD for whatever information it may contain. Later, at the proper time, I shall ask permission to extend the whole letter as a part of my remarks.

The letter is as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FARM SECURITY ADMINISTRATION,
Washington, March 2, 1942.

HON. FRED L. CRAWFORD,
House of Representatives.

DEAR MR. CRAWFORD: My attention has been called to your speech appearing in the Appendix to the CONGRESSIONAL RECORD for February 25, 1942 Since some of your comments about the program of the Farm Security Administration in Puerto Rico are susceptible of unfortunate interpretation, it seems desirable that I advise you at this time of the history of our work in Puerto Rico.

The Puerto Rico Reconstruction Administration was established by Executive Order 7057, dated May 28, 1935, shortly after the creation of the Resettlement Administration, which commenced the work now being carried on by the Farm Security Administration. That Executive order and Executive Order 7180, dated September 6, 1935, gave the Puerto Rico Reconstruction Administration substantially the same powers as the President had already given the Resettlement Administration. Both agencies were established under the Emergency Relief Appropriation Act of 1935 and were initially financed with funds appropriated to the President by that act.

From time to time the Resettlement Administration was asked to institute a program in Puerto Rico. The Resettlement Administration, however, could not assume that either the President or the Congress intended duplication of effort as between programs designed to assist needy farmers, with the attendant increased administrative expense to the Government. Both the Resettlement Administration and this Department, accordingly, rejected all requests to conduct a general rehabilitation program in Puerto Rico so long as the Puerto Rico Reconstruction Administration was authorized to conduct that type of program.

Beginning with the Emergency Relief Appropriation Act of 1935 and until the passage of the Emergency Relief Appropriation Act of 1938 all relief funds were appropriated directly to the President. During the period covered by those acts neither the Resettlement Administration nor this Department had any fiscal relations with the Puerto Rico Reconstruction Administration. Any relief funds which they obtained for rehabilitation purposes were allocated to them by the President.

The Emergency Relief Appropriation Act of 1938, while appropriating a small amount directly to the Puerto Rico Reconstruction Administration, appropriated the major part of the funds available for rehabilitation work to this Department. Since we were then authorized to allocate funds to other agencies and since we did not think it proper for us to duplicate the activities of the Puerto Rico Reconstruction Administration by conducting a direct program on the island, we allocated a small amount of our appropriation to that administration for rehabilitation work in Puerto Rico. The Emergency Relief Appropriation Act of 1939 abolished the system of allocations then in effect. Accordingly, fiscal relations with the Puerto Rico Reconstruction Administration were terminated.

In the meantime, the Bankhead-Jones Farm Tenant Act, authorizing our tenant-purchase program, was passed in a form which made it mandatory for us to conduct a tenant-purchase program in the island. It, therefore, became essential for us to establish an office in Puerto Rico and to make tenant-purchase loans there. From the passage of the Bankhead-Jones Farm Tenant Act to the present time we have made 231 tenant-purchase loans involving $1,191,139. Since our tenant-purchase borrowers also required rehabilitation loans and since we did not believe it desirable for them to be subject to the agricultural guidance of two agencies, we advanced a small amount of money for Puerto Rican rehabilitation loans which were only made to our tenant-purchase borrowers.

Early last year it became apparent that the rehabilitation activities of the Puerto Rico Reconstruction Administration would cease at the end of the 1941 fiscal year. Since our rehabilitation funds are appropriated to us in such form as to give us responsibility for

carrying out a rehabilitation program in the Territories and insular possessions, as well as in the continental United States and since our only reason for not conducting a program in Puerto Rico previously was our desire not to duplicate the work of other agencies, it became incumbent upon us to institute a Puerto Rican rehabilitation program at the beginning of this fiscal year. We are now, accordingly, conducting the same type of program in Puerto Rico as we conduct on the mainland and, for that matter, in Hawaii.

The program being carried on in Puerto Rico is the program authorized by Congress. As I have indicated above, we are also conducting a tenant-purchase program there. Both programs are not different in essential outlines from the similar programs we are conducting on the mainland.

While we are, of course, interested in the land tenure problem in Puerto Rico, we are not, as an agency, participating in any plans that the territorial government has for the enforcement of the 500-acre law. We have not made any commitments to finance the activities of the territorial government in this respect.

From this statement of the history of the problem, I hope you will agree that the conduct of our program in Puerto Rico is independent of the activities of the territorial government in the enforcement of the 500-acre law We are operating a rehabilitation program in Puerto Rico because there is definite need and because no agency is conducting a similar program. Our program is conducted in accordance with the Congressional mandates and will continue so to be conducted.

I trust that you will afford us the courtesy of having this statement published in the CONGRESSIONAL RECORD. A copy is being sent to Congressman TARVER, chairman of the subcommittee which considers the Department of Agriculture appropriation bill.

Sincerely yours,

C. B. BALDWIN,
Administrator.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LAMBERTSON. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. CRAWFORD. Mr. Baldwin states that the Farm Security Administration, as an agency, is not participating in any plans for enforcing the 500-acre law in Puerto Rico, under which Governor Rexford Guy Tugwell proposes a gigantic program of Government ownership of land under a plan that adheres closely to communistic principles. Mr. Baldwin states further that the F. S. A. has not made any commitments to finance the Government of Puerto Rico in this respect.

However, Governor Tugwell apparently got an entirely different opinion of the intentions of Mr. Baldwin and the F. S. A., judging by the Governor's report to Secretary Ickes and his message to the Puerto Rican Legislature. On pages 27 and 28 of the Tugwell report, there appears the following:

It would be necessary not only to gain the willingness of the Farm Security Administration but, if necessary, to supplement its regular funds for that purpose. I could see how, with regular work going on, that agency would be unwilling to undertake new tasks unless it had additional funds with which to work. * * *

I began, in spite of difficulties I could see ahead, to have conferences with Mr. C. B. Baldwin, the Administrator, and some of his assistants. They were interested and sympathetic; moreover, they suggested that a possible source of funds might be found in enlargement of the appropriation for their agency as it passed through the Senate. Their hearings had already been held in the House of Representatives and no extra funds had been allowed. There was a prospect, however, Mr. Baldwin informed me, of an addition not only to funds available for loan purposes but also for administrative purposes. It began to seem with all this good will and cooperation that something beneficial might result.

At another point, Governor Tugwell's report says:

After the close of the hearings * * *, I negotiated further arrangements between representatives of the Farm Security Administration and of the Attorney General's Office, looking toward a coordinated program for the furnishing of funds and of bringing corporate holdings into receiverships ready to be taken over. These have progressed to the point of informal agreements. * * * I have every confidence that * * * these coordinated arrangements will work out satisfactorily.

Then, in his final recommendations for setting up this Government-ownership scheme, Governor Tugwell states:

Rehabilitation loans by the Farm Security Administration should be made available on the basis of supervised farm- and home-management plans as available funds and supervisory personnel may permit, and full use should be made of the credit and supervisory facilities of the Farm Credit Administration.

In his message to the Legislature, Governor Tugwell says:

To put it bluntly, we are going to push on as rapidly as possible—with the social changes which for a generation have been overdue in Puerto Rico.

He is referring to this Government-ownership scheme. Later in the message, referring directly to this communistic plan and the need for revising insular legislation to make it more feasible, he says:

One of the important ones (amendments) has to do with changes necessary to secure the advantage of funds possessed by the Farm Security Administration and available for use in our program.

While it may be true that F. S. A. has made no plans for aiding this 500-acre program in Puerto Rico, I know it to be a fact that they have completed all plans for making the first move in this program. By means of loans to individuals, they are financing the purchase of about 4,500 acres of sugar land, formerly owned by one of the sugar mills. This is called resettlement work. Actually, it is nothing more than buying up sugar lands and giving the lands to new owners. This program is exactly what the 500-acre law is intended to accomplish.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. Yes.

Mr. TABER. Does the gentleman mean that down in Puerto Rico this Resettlement Administration of the Farm Security has been buying a lot of land with this money that we have appropriated here?

Mr. CRAWFORD. Taking the statement of Governor Tugwell and the transactions which have actually been put through, I do not see how you can come to any conclusion other than to the effect that is the intent.

Mr. TABER. How much acreage does that cover?

Mr. CRAWFORD. This particular transaction covers 4,500 acres of the rich sugar land in Puerto Rico.

Mr. TABER. Does it mean $500 an acre?

Mr. CRAWFORD. I should think that the current income flowing from that land would 'ustify a price of at least $1,000 an acre today.

Mr. TABER. I know that sugar land is held at a very high price.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. Yes.

Mr. TARVER. The gentleman does not mean that any of the money carried in the appropriation bill is used for such a purpose?

Mr. CRAWFORD. Do you mean in this particular bill?

Mr. TARVER. That is right.

Mr. CRAWFORD. No; I would not want to say that at all, because the general approach of the Governor——

Mr. TABER. I wonder if we could find out where it does come from.

Mr. CRAWFORD. Just a minute, please. The general approach of the Governor, as I understand his reports, is to bring this whole transaction around to where it will be paid for 100 percent out of funds appropriated to the Farm Security Administration. As I have just read some of his remarks in his two reports, it shows clearly his intent.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CRAWFORD. What I am driving at is to develop in advance what the plans are down there, because if you will take the certified balance sheets and operating statements of these operations which have been carried on under P. R. R. A., and which has been made available to the members of the Appropriations Committee, and study this whole procedure all the way through since 1937 you will find what the clear intent of Mr. Tugwell and his associates is.

From the foregoing quotations it certainly appears that the gentleman from New York [Mr. BALDWIN] must have given Governor Tugwell a great deal of encouragement in this plan and must have given him reason to believe that F. S. A. would extend generous financial assistance. The gentleman from New York [Mr. BALDWIN] does not deny that F. S. A. is considering such assistance. He merely says they are not now participating and that they have not yet made any commitments. It is obvious that F. S. A. financial assistance is essential to the Tugwell plan. He shows clearly that he has reason to count on this assistance from F. S. A and that his program will be in a bad way if the assistance is not forthcoming. Someone must have given him that assurance, unless he went off on another of his, shall I say, wild dreams of remaking his part of the world.

It is up to Congress to see to it that the gentleman from New York [Mr. BALD-

WIN] and the F. S. A. do not go further with this plan. On the other hand, if Governor Tugwell misrepresented the attitude of F. S. A., the gentleman from New York [Mr. BALDWIN] should say so, and herewith he is invited to do so.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. AUGUST H. ANDRESEN. I noticed an account in the papers a day or so ago that Dr. Tugwell is proposing a farm security set-up for South America, to be largely financed in this country. I assume that it is along the line of his ideas for Puerto Rico?

Mr. CRAWFORD. I think this concept travels through the whole of the South American country.

In this connection I want to call attention to the July 1941 Land Policy Review, National land tenure objectives, on pages 34 and 35. There is set forth a catalog of objectives. There are quite a number of them. I do not have time to read them. If you will read these objectives and try to square them with the procedure of private ownership and fee title to lands in this country by farmers, I think you will become very much enlightened.

Mr. CLEVENGER. Will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. CLEVENGER. Is this the same Dr. Tugwell that created Tugwelltown, Heightstown up here in New Jersey, and Arthurdale that the gentleman from Pennsylvania [Mr. DITTER] so eloquently described a while ago as being liquidated at about 6 percent?

Mr. CRAWFORD. I think most of them.

Mr. CLEVENGER. In the light of those I would say "God save Puerto Rico."

Mr. CRAWFORD. If you will study these financial statements to which I referred a moment ago you will see what has taken place in Puerto Rico in the last 4 or 5 years.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield further?

Mr. CRAWFORD. I yield.

Mr. AUGUST H. ANDRESEN. I have a case out in Minnesota where the Farm Security Administration sold a home to a family. They had a 40-year contract to buy it in. Those people wanted to pay up their indebtedness now, after 5 years. They had the money and they wanted their home paid for, but the Farm Security Administration refused to accept the money and to give them title to the property. They said, "You will have to run along for all these years."

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CRAWFORD. I will answer that in this way: The philosophy of the Farm Security Administration, Farm Tenure Division, is to the effect that these people should not own this land. So I can understand why they do not want a man to pay up his obligation and take fee title to the land.

Mr. AUGUST H. ANDRESEN. They are afraid they will lose control over him?

Mr. CRAWFORD. Of course, they will lose control.

Mr. DIRKSEN. Will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. DIRKSEN. I think in all fairness it ought to be said that the Farm Security Administration has inherited the 193 projects that are lumped together and carried as "resettlement" under this bill. But the fact remains that the basic idea was wrong.

Mr. CRAWFORD. I think so.

Mr. DIRKSEN. I finally got Mr. Alexander to admit some years ago in the independent offices appropriation bill that the units at Greenbelt cost $14,500 each. When Mr. Baldwin came before the committee we went over the thing again. A summary of his testimony was about like this: We have about $13,000,000 invested in Greenbelt. The profit—meaning of course income over operation last year—was $32,000. They did not enter any depreciation in their bookkeeping, and Mr. Baldwin admitted as much. So that if anybody wants to strike a balance sheet to see how much we are losing on exhibit No. 1, which is Greenbelt, he can find it in the record. Of course, you will find a complete list of the 193 projects, showing what the operating income is and what the operating expense is, and then you can find out also how many we are losing money on.

Mr. CRAWFORD. Projects of that kind must necessarily be kept dressed up ready to go to Sunday school, with their faces clean and their dresses starched. When they get into the real task of figuring the depreciation and properly maintaining the properties through redecoration, painting, and things like that, these costs will be enormous.

Mr. DIRKSEN. The gentleman is correct.

Mr. TABER. Will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. TABER. The gentleman has made a considerable study of this Puerto Rican situation. Is the gentleman prepared to say where the money did come from to pay the $4,000,000, approximately, for the 4,000 acres of sugar land?

Altogether, since 1934, we have sent in excess of $72,000,000, perhaps as much as $76,000,000, to Puerto Rico with which to carry on these various rehabilitation and farming and public works experiments; and those remittances to Puerto Rico came from the Treasury of the United States. Since 1928 we have sent them upward of one quarter of a billion dollars for all operations.

I wonder if any of them come out of the agricultural appropriations for the Farm Security Administration?

Mr. CRAWFORD. I do not think there is any question about that. We will let the record stand for what it is worth.

Mr. TABER. I have been getting newspapers right along indicating stories of farmers having meetings all through the Northwest protesting against schemes to set up communistic farm projects. What does the gentleman know, if anything, about that? Such things being set up by Farm Security representatives?

Mr. CRAWFORD. I think this telegram from the Farm Bureau Federation justifies that observation and I can say that, insofar as my own district is concerned, the Eighth District of Michigan, we have a lot of farmers up there who are protesting against it, and just within the very short time past I spent the day with 700 of them, at which time we discussed some of these matters.

Mr. TABER. If the gentleman will yield further, the Farm Security Administration has been a great asset to me in my campaign. They bought a farm of about 300 acres for $13,000 that was worth about $3,000 or $4,000, maybe, on the main highway where everybody who goes by can see it. I keep asking them if they want to vote for that kind of set-up. The farm has been there for 8 or 10 years and has just been allowed to stand idle.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. McCORMACK. In other words, our distinguished friend from New York admits he plays a little politics.

Mr. CRAWFORD. No doubt; and I think if all of us want to be honest we will all admit that we play a little politics now and then.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. TARVER. May I ask the gentleman from New York if he refers to what are known as the Monroe County homesteads in Monroe County, N. Y.?

Mr. TABER. No; I do not believe I know about that particular project.

Mr. TARVER. In what county is the project located to which the gentleman referred?

Mr. TABER. Cayuga County.

Mr. TARVER. I am advised, and I think it is fair that this fact should appear in the RECORD in connection with the gentleman's remarks, that the project to which the gentleman has made reference heretofore and to which he again refers today is not a project where the land was purchased by the Farm Security Administration. It is a project where the tracts of land, now combined in one, were purchased by the Resettlement Administration and have been found by the Farm Security Administration which inherited it from the Resettlement Administration to be not of a type suitable to the uses intended, and for this reason the Farm Security Administration has made no effort to utilize the tracts but has been endeavoring to dispose of them.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield 1 additional minute to the gentleman from Michigan.

Mr. TABER. The Farm Security Administration, of course, is merely the successor of the old Resettlement Administration. This is the same type of foolish operation, and the same procedure. The same identical personnel has been handling those projects in the various States and localities right straight through.

Mr. TARVER. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman is fair ordinarily when his judgment is not blended by some consideration other than arguments that ought to be advanced concerning pending bills. In fairness, the gentleman does not believe that the Farm Security Administration, an organization of the Department of Agriculture, should be charged with the responsibility and condemned because of occurrences which took place several years ago in the Resettlement Administration under the jurisdiction of the Department of the Interior?

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. TABER. The situation is just this: It is the same gang and the same operation that they are now proposing to put through and that they would like to put through with some of the money now carried in this bill.

Mr. CRAWFORD. May I ask the chairman of the subcommittee if he has any record there of the so-called Sunrise colony in Saginaw County, Mich.?

Mr. TARVER. We have in the hearings information in regard to all of these collective farm projects. As I sought to make clear to the House and as has been made clear in the report of the committee, our committee disapproves of those projects and has put language in the bill which is intended to bring about abandonment and liquidation of those projects. I am not stating anything here in defense of them. I am simply saying that the Farm Security Administration should not be charged with the responsibility of some other organization and what that organization did in another department several years ago.

Mr. CRAWFORD. I understand that. In my home county there is what is known as the so-called Pitcairn Farms, consisting of about 10,000 acres of muck land, which the Pitcairns sold outright to a 100-percent communistic group that set it up on a communistic basis and operated it for years. Then the Government came along in this resettlement project and purchased the entire farm. It is a very interesting case, and if the members of the committee want some real information on a specific project, I suggest that they look at the history of the so-called Sunrise Colony Farm, of Saginaw County, Mich., in my district.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, 17 years ago there entered the service and the employ of the House of Representatives a young man 20 years of age, who today occupies one of the most important positions in the organization of the House. He has endeared himself to every Member of the House who has served in this body during his 17 years of meritorious and constructive service. I know that my colleagues would want to pause today to pay honor to one whose service to the House during the past 17 years is an outstanding part of the history of the National House of Representatives during that period, and whose service to each Member, without regard to party, has been and is of such a nature as to endear him to all of us.

Today, Mr. Chairman, is the thirty-seventh birthday of our distinguished and outstanding Parliamentarian, Lewis Deschler. I congratulate him and extend to him my sincere best wishes for his future success, and to him and Mrs. Deschler our kindest regards and our best wishes for their future success and happiness.

Mr. LAMBERTSON. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I am happy to join with my good friend from Massachusetts, the majority leader, in felicitating our expert, able Parliamentarian. I remember very well when he entered the service of the House of Representatives as timekeeper under Speaker Longworth. Throughout the years he has absorbed parliamentary knowledge to such an extent that today we classify him as an expert.

I am not one of those who believes that there are indispensable men; but if there were indispensable men, I believe Lewis Deschler would almost approach that category. I am happy to extend birthday greetings to our distinguished Parliamentarian.

Mr. TARVER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, I want to refer to two provisions in the pending appropriation bill, very largely for the purpose of extending my thanks to the committee which prepared and reported the bill and to express the hope that the House will see fit to retain both provisions in the bill.

I refer first, Mr. Chairman, to the parity provision, which first appropriates any unexpended balances carried in the 1941 and 1942 appropriation bills, which I understand amount to just the nominal sum of $2,000,000 or $3,000,000. This bill then contains the following language:

> The Secretary is authorized and directed to make such additional commitments or incur such additional obligations as may be necessary in order to provide for full parity payments.

Mr. Chairman, I have the hope and somewhat the expectation that not one dollar of money will be needed on the crop this year for parity payments as far as cotton is concerned. We are now receiving almost the parity price for cotton. I have received what might be called a left-handed assurance, not a positive assurance, that none of the cotton now held by the Commodity Credit Corporation will be sold at less than parity. That is not a positive assurance, because the statement was simply that it is not being done and no such action is now contemplated.

I particularly commend the committee for the language used with respect to parity payments. You will observe that it does not contain a reference that the parity payments should be made after deducting the market price and the soil-conservation payments. In the first place, there is no justification in the law for such a provision as was carried in the 1942 appropriation bill.

The chairman of the subcommittee referred to it this morning, but I want to read in its entirety the section of the Triple A Act referring to parity payments, so the House may have it clearly before it.

> The Secretary is authorized and directed to make payments to producers of corn, wheat, cotton, rice, or tobacco, on their normal production of such commodities in amounts which, together with the proceeds thereof—
>
> That is, the market price—
>
> will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit.

Then there is this significant provision:

> Such payments shall be in addition to and not in substitution for any other payments authorized by law.

Mr. Chairman, if we ever come to the time when we can give the farmers some hope of guaranteeing them a parity income, then I readily agree that it would be proper to consider soil-conservation payments in the picture as an item of income, but we do not nearly approach that period today. The soil-conservation payments for the most part are paid to a farmer for not producing, for taking a percentage of his soil out of production of a soil-depleting crop, and permitting him, if he so desires, to plant some other cover crop there. Certainly, if a man has been accustomed to growing 50 acres of wheat and you come along and say, "Now, if you will plant only 25 acres of wheat we will give you a few dollars," then the parity price on the 25 acres of wheat is not comparable with the parity income on 50 acres of wheat. Consequently, the soil-conservation payments, referred to as the benefit payments, have no part and should have no part in the calculation of a parity price.

I am delighted beyond measure that the committee has reported this language, and I sincerely hope that those who have an understanding and appreciation of the problem of the farmer will not seek to disturb that language.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. With reference to the soil-conservation payments, what is the gentleman's opinion about this being the proper time to place a limitation on the size of the payments, so that, we will say, no one could receive over $500?

Mr. PACE. If the gentleman will permit me to answer in this way, I am willing to go along with the gentleman with a reasonable limitation, but we have a situation in my State that may be peculiar. A man will operate say 25 plows, as we call them. A plow is a unit of 20 or 25 acres of cultivatable land, or enough to support a family, and that is the unit. Twenty-five plows represent 25 families. If the gentleman is going to have his limitation so each one of those families, whether they are sharecroppers, tenants, or whatever they are, can be considered as a unit, I am perfectly agreeable, but

if the gentleman wants to insist that the operator of that farm, as we shall call him, can receive but $500, and then must take that $500 and distribute it among those 25 families, regardless of the sacrifices and the acreage reductions they have undergone, then I do not think it would be proper under any circumstances. It would not be fair to them.

If the gentleman wishes, I am willing to limit the operator himself, what goes into his pocket, and put a reasonable limitation on it, but I am not agreeable if that includes the individual sharecropper and must be divided up between the operator and all croppers. All must be taken care of.

Mr. AUGUST H. ANDRESEN. The gentleman knows there are about 2,500,000 farmers who receive less than $50.

Mr. PACE. I am familiar with those figures; yes.

Mr. AUGUST H. ANDRESEN. Certainly those poor farmers are the ones who are entitled to the payments rather than the large landowner.

Mr. PACE. I agree with the gentleman that a reasonable limitation is proper.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The gentleman is, I think, so absolutely correct in his statement that the soil-conservation benefit payment should not be taken into the parity formula that I want to ask him this question: Is there a general feeling among the Members of the House who pay attention to agriculture that that is an incorrect approach?

Mr. PACE. Yes; there is no question about it. I think I can say it is the unanimous opinion of our committee and the unanimous opinion of everyone who has studied it. There is no doubt about it.

Mr. CRAWFORD. The gentleman misunderstands me. I say, Is there a general feeling that that is an incorrect approach?

Mr. PACE. No; it is the correct approach. I thought that was what the gentleman said.

Mr. CRAWFORD. The gentleman's statement disturbed me a little bit because I was afraid someone was objecting to that general formula.

Mr. PACE. The gentleman understands that it was written into the bill last year as a compromise after a series of conferences.

The other section to which I want to refer and to express the hope that it will be retained in the bill is the last lines on page 78:

> That none of the funds made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity price as defined by the Agricultural Adjustment Act of 1938.

I am willing to accept that language as far as it goes, but, frankly, after the vote of the House on the price-fixing bill I do not see why the language should not be "at less than the maximum prices fixed in subsection (a) of section 3 of the price-control law." That, I think, is the proper language. That is certainly the declared purpose of the House through the Price Administration bill. But, as the farmer has had to do so many times, we accept a half loaf when we cannot get the whole.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. COOLEY. What is the provision the gentleman refers to in the price-control bill, the 110 percent of parity section?

Mr. PACE. Yes; the 110-percent section and the October 1 and December 15 prices, and the other provisions of subsection (a) of section 3.

You will recall that in the price-fixing bill, to show the intention of the Congress, there is a provision that the Price Administrator shall not fix the price of any processed commodity made out of farm commodities that will not reflect to the producer the maximum price fixed in subsection (a) of section 3. This means to say that Mr. Henderson does not have the right and the Secretary cannot approve the price of any processed commodity that will bring to the producer of the raw goods less than 110 percent of parity or the price on October 1, and so forth. Of course, he is acting in utter disregard of that language and complete and utter disregard of the law. Mr. Henderson is doing things. He is fixing prices on processed goods that do not bring to the producer the maximum prices fixed in subsection (a), and, unhappily, he is fixing prices without any regard for the requirement as to approval of the Secretary af Agriculture.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. PACE. Yes; briefly.

Mr. AUGUST H. ANDRESEN. If this proviso in the bill is adopted, it would sort of go contrary to the present policy of the Commodity Credit Corporation. As the gentleman knows, they are now selling wheat below parity in order to force feed prices down, and if this provision is adopted, they will no longer be able to do that. Is that correct?

Mr. PACE. That would be my interpretation; yes.

Mr. AUGUST H. ANDRESEN. In view of that fact, does the gentleman feel that this bill may be vetoed by the President?

Mr. PACE. The Chief Executive always has that privilege.

Mr. AUGUST H. ANDRESEN. I recognize that.

Mr. PACE. And the Congress has the privilege of reconsideration.

Mr. AUGUST H. ANDRESEN. Congress, after all, is the legislative body to fix policies of government.

Mr. PACE. I believe on this question the Congress reflects the attitude of the producers of the Nation.

Mr. AUGUST H. ANDRESEN. In the price-control bill we thought we had written something very definite by way of a yardstick and a formula as to the policy and intent of Congress, but we find that the administration goes quite contrary to that policy.

Mr. PACE. I find that Mr. Henderson does.

Mr. AUGUST H. ANDRESEN. He is a part of the administration.

Mr. PACE. I am not going to associate him that closely.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. COOLEY. I would just like to say to the gentleman that I have been very much inclined to support this provision in the law which will have the same effect as the Bankhead bill, placing restrictions upon the activities of the Commodity Credit Corporation, but I am somewhat disturbed by some observations made this morning by the Secretary of Agriculture and the President of the Commodity Credit Corporation to the effect that this amendment would be for the one main purpose of protecting the person who is speculating in farm commodities rather than the farmer.

Mr. PACE. If the gentleman will pardon me, I do not give that interpretation or analysis to the situation. Let me point to the gentleman two things that happened yesterday It is a strange thing that when the farmer asks for no more than the parity price, and that, as you know, is an equality price that puts his wheat, corn, and cotton back on the same purchasing power it was during the period of 1909 to 1914——

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. PACE. He is charged with having a selfish interest and with trying to grab something unfairly. Did you notice what happened yesterday? The Supreme Court of the United States said as to some organized truckers' union in the city of New York, that when a farmer drives his truck to the city limits of New York this union can make that farmer give them $9.42, I believe, which is the wage for a truck driver in New York for 1 day. Before this farmer can drive into the city he must give that organization $9.42 for the privilege of driving his truck of farm produce into the city of New York. Although he drives it himself he has got to hand them $9.42 which, of course, must be added to the price of the commodities on that truck when the farmer gets to the produce house, which, of course, is passed along to the consumer. Have you heard anybody today branding that as a grab? Yet the Supreme Court of the United States says, of all the laws that the Congress has on the books to handle racketeers and rackets, they are helpless and that these men can continue to hold up the producers of the State of New York who try to sell their produce in that city.

And did you notice also what happened yesterday? The Interstate Commerce Commission granted the railroads of this country an increase in freight rates which I understand will be about $200,000,000, most of which is going to be put on the back of the farmer when he sends his produce to the markets, and he either gets less for his produce or the consumer must pay more.

It does not seem fair that everybody else gets theirs, and more, 2 or 3 or 5 or 700 percent, and yet when the men who provide the food and fiber to sustain this Nation and feed its population and feed its armed forces and feed millions and millions in other countries, ask for simple justice, we are branded as a selfish group and with trying to grab something to which we are not entitled. The farmers of my State are willing to take 10 percent of parity, if you will just put everybody

else down to the same level. It is wrong to brand a man as selfish, as grabbing dollars with a selfish interest, when he still stands below the level of the purchasing power of 1909 to 1914, when every other person in the Nation is away far beyond him in the economic set-up.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. PACE. Yes.

Mr. AUGUST H. ANDRESEN. I agree with the gentleman, and I would like to have the gentleman consider for a moment this last section that he read providing that the Commodity Credit Corporation could not sell the commodities they own at less than parity. There is a joker in that proviso, and if the gentleman will recall the conversation that we had in our committee not so many hours ago, he will remember that I asked the question, whether the Government owned the 100,000,000 bushels of wheat being sold. The gentleman in charge said "No," the Government did not own that, that that belongs to the farmers' pool, and the Commodity Credit Corporation of the Government does not have any ownership in it.

Mr. PACE. I recall the conversation.

Mr. AUGUST H. ANDRESEN. This is a reference to Government-owned stock.

Mr. PACE. That is right.

Mr. AUGUST H. ANDRESEN. It may be that it will take care of cotton, but it will not take care of any other basic commodity, and they can still continue to sell those commodities under the parity prices.

Mr. PACE. I must assume in connection with the pool that it was voluntarily formed by the farmers, that they have consented to the sale, otherwise the Government could not sell it.

Mr. AUGUST H. ANDRESEN. But they did not have anything to say about what the administration does with that.

Mr. PACE. Mr. Chairman, in conclusion I want to invite your attention to two editorials in the Washington News of today, as follows:

AS A FARMER SEES IT

A farmer friend writes:

"Your paper is supporting President Roosevelt in his effort to hold farm prices down by marketing Government-held surpluses. You and the President ought to understand why so many farmers feel they are being treated unjustly.

"It is largely because Mr. Roosevelt continues to pamper organized labor as if it were a spoiled child.

"Higher farm prices would mean higher cost of food. That's true. But higher wages add to the cost of everything, including machinery and fertilizer, that farmers must buy. Yet the Government's policy seems to be that unions must get wage increases whenever they make demands, as the price of not striking against national safety. Mr. Roosevelt does not fight for stabilization of wages, even for highly paid workers in war industries who already have far more 'parity' than the farmers ever hope to get.

"The farmer has no 40-hour-week law. He must put in longer, harder hours than ever, because his sons are being drafted and his hired men are being lured away to easier, better-paid jobs in war plants. He'll do the best he can to produce food and fiber to win the war, and he won't ask premium pay for overtime.

"You say, and it's true, that the Government acquired the surpluses to help agriculture out of depression. But isn't the same thing true of labor's 40-hour-week laws? They were a depression measure, too, designed to make jobs for surplus workers. If agriculture must give up a prop for its prices, now that times have changed, why should labor keep a similar prop?

"But Mr. Roosevelt seems to think that labor must have the 40-hour week right through the war, even though workers instead of jobs are getting scarce now, and even though time-and-a-half pay for work beyond 40 hours a week speeds up the growth of the war bill which all of us, farmers included, will have to pay. Automobile-plant labor is even demanding time-and-a-half wages for Saturdays and double time for Sundays, when work on those days is part of a 40-hour week. And Mr. Roosevelt's War Labor Board apparently is afraid to rule that such a demand is just plain damn nonsense, which is how it looks to farmers.

"This is a time, the President says, when everybody must stop demanding special advantages. Hurrah for that! But we farmers don't like the idea that his words apply only to us, and not to labor. Mr. Roosevelt's troubles with the so-called farm bloc would end in a hurry if he would be equally firm with the labor bloc, and if he would make it plain that he expects union members to do their fair share of the sacrificing."

Our farmer friend, it seems to us, has said a mouth full.

"COMMON LAW ROBBERY"

The cost of living in New York City (and in many other cities) is unjustly increased by a labor-union racket which the United States Supreme Court has just held to be beyond the reach of Federal law.

Suppose you own a truck an want to deliver a load of food into New York. You can't do it until you pay $9.42 to Local 807 of the American Federation of Labor Teamsters Union, this representing a day's wages for a union driver. You don't want or need to hire a union driver, but you have to pay for him anyway.

This is just what Chief Justice Stone called it in a dissenting opinion—"common-law robbery." And, of course, the tribute thus extorted by the union is added to the cost of food and other commodities trucked into the city, and so finally is paid by the people of New York.

Thurman Arnold, the trust-busting Assistant Attorney General, undertook to prosecute Local 807 and 26 of its members under the Federal antiracketeering law. He convicted them, but the convictions were set aside by a circuit court, and the Supreme Court has now agreed with the circuit court.

But, as Justice Byrnes points out, Congress could change the law. And it should.

President Roosevelt is making a good fight to save consumers a billion dollars a year by preventing unjustified increases in farm prices. This same amount—a billion a year—is what the protected union rackets, such as this one in New York, cost American consumers, according to the Justice Department's Antitrust Division. That billion, also, should be saved. And the President, by ending administration opposition to bills which have been held up in Congress for many months, could insure that it will be saved.

Mr. LAMBERTSON. Mr. Chairman, I yield now to the gentleman from Oregon [Mr. ANGELL].

IMMEDIATE ACTION NECESSARY IN COPING WITH JAPANESE MENACE ON PACIFIC COAST

Mr. ANGELL. Mr. Chairman, I urge the appropriation in this bill for forest protection be substantially increased in order to provide protection to our extensive forest areas against the hazard of fire and particularly fire from sabotage. The need for this protection is greater at this moment than at any other time. I want to call attention again to the serious menace confronting the Pacific coast areas by reason of the large number of Japanese located there. These people of Japanese extraction, many of them born in the United States and by reason thereof being citizens, are located in densely populated areas in strategic locations up and down the coast in the States of California, Oregon, and Washington. The problem exists in a lesser degree in a few of the other States in the western area. There are well over a hundred thousand of these Japanese, most of whom maintain dual citizenship and by reason thereof owe their first allegiance to the land of their extraction, Japan and its Emperor. The report of the Dies committee shows exclusively that this problem is not a theoretical one, but unless action is taken immediately there may be reenacted on the Pacific coast another Pearl Harbor catastrophe.

The Members of Congress coming from the Pacific coast area from the outset have not underestimated the gravity of this situation. We have held numerous meetings and conferences with the Attorney General and the directing heads of our War and Navy Departments, as well as other governmental agencies directly concerned with this problem. We have endeavored to impress upon these leaders directing our war efforts of the grave situation that exists by reason of the presence of these large numbers of Japanese immediately surrounding industries and other activities having to do with our war production on the west coast. The immense oil fields, oil-reduction plants, and storage depots which are responsible for supplying our fleet in the Pacific with oil and gasoline are directly contiguous to these Japanese areas. In fact in many instances Japanese holdings are located directly over pipe lines or adjacent to these strategic undertakings. The same is true with aircraft production, air bases, shipyards, water supply, hydroelectric power production plants, transmission lines, and other essential war activities.

Our huge forests located in California, Oregon, and Washington, as the summer season approaches, are threatened by the Japanese menace. A single match applied during the dry summer season at a vulnerable point might well start a conflagration that will put out of productivity immense logging and milling operations which supply much of the timber products essential to our war program. Sixty percent of the production of lumber products from these forests goes into war activities. It will be necessary to secure a very substantial increase in appropriations for forest-fire prevention and control for the coming season. I urge that those of us who have the responsibility of passing upon appropriations for this purpose will appreciate the great importance of this problem and the menace that confronts us should forest fires be allowed to take place in any of these timbered areas supplying the lumber products in this emergency.

Mr. Chairman, Federal Post, No. 97, of the American Legion in my home city, Portland, Oreg., has from the outset fully

appreciated the seriousness of the Japanese problem on the Pacific coast, and has urged that immediate action be taken to evacuate all Japanese, citizens and aliens alike, from the entire Pacific coast area, and place them in protective custody in a location completely removed from these necessary war activities carried on on the Pacific coast.

As a part of my remarks, I include a letter under date of February 28, 1942, addressed to me by Federal Post, No. 97, American Legion, and a resolution adopted by this post bearing upon this problem:

FEDERAL POST, No. 97, AMERICAN LEGION,
Portland, Oreg., February 28, 1942.

Hon. HOMER D. ANGELL,
Congressman from Oregon,
Pacific Coast Committee on Alien Enemies and Sabotage,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN: Enclosed is a copy of a resolution passed by Federal Post, No. 97, the American Legion, of Portland, Oreg., on February 17, 1942. This resolution advocates the removal of enemy aliens and all people of enemy-alien extraction to points at least 300 miles inland, and is particularly aimed at people, aliens and citizens alike, who are of Japanese extraction.

Federal Post does not believe that our critical situation has been relieved by the recent developments which put the power of removal in the hands of the War Department. We would like to point out that the authorization has been in the hands of the War Department for 8 days now, and our resident enemies are still with us.

Congressman TOLAN, of California, in a press statement here yesterday said, "Washington doesn't get the picture," and we are certain that the Congressman is right, and here is part of the picture that we think you should get: Under the restrictions and regulations laid down by the Attorney General and the Department of Justice, enemy aliens may now legally be within 1,000 yards of the Portland air base, and within 2 miles of Bonneville Dam.

The problem of what effect their removal will have on our food and vegetable supply seems insignificant to us in view of the damage their presence may cause. With our enormous supply of labor we will overcome any difficulty encountered along these lines.

Sincerely yours,

LEE C. SWAFFORD,
Chairman, Americanism Committee.
C. T. BLAKESLEE,
Commander, Federal Post, No. 97.

Whereas Federal Post, No. 97, department of Oregon, American Legion, did on January 20, 1942, pass a resolution urging removal of all enemy aliens, especially Japanese, from the critical coast areas; and

Whereas daily discoveries disclosed after sporadic raids (in California, U. S. Army uniforms and much contraband, and in Oregon caches of arms, ammunition, and explosives) indicate probability of widespread sabotage held in leash until a critical moment for most telling effect; and

Whereas, notwithstanding this certainty that the situation is becoming more serious each day, enemy aliens, especially Japanese, are still roaming around apparently at will, and their business establishments are in some cases being permitted to reopen; and

Whereas this is in most striking contrast to the treatment being accorded our nationals in enemy countries; and

Whereas it is the unanimous opinion of Federal Post of the American Legion, in keeping with the established policy of the national body since its founding of safeguarding our national integrity, that such treatment of our enemy aliens is a sore trial to the patience of the vast majority of our loyal citizens; and

Whereas the situation is so acute that drastic and severe action is justified to prevent widespread sabotage and the arising of a serious fifth-column element: Now, therefore, be it

Resolved, That this is no time for namby-pamby pussyfooting, fear of hurting the feelings of our enemies; that it is not the time for consideration of minute constitutional rights of those enemies; but that it is time for vigorous, whole-hearted, and concerted action in support of the Pacific Coast Committee on Alien Enemies and Sabotage toward the removal of all enemy aliens and citizens of enemy alien extraction from all areas along the coast, and that only those be permitted to return that are able to secure special permit for that purpose; and be it further

Resolved, That copies of this resolution be sent to newspapers and all members of that committee.

Passed by unanimous vote at the regular meeting of Federal Post, No. 97, American Legion, held February 17, 1942.

NOEL A. FROST, *Adjutant.*
C. T. BLAKESLEE, *Commander.*

Mr. Chairman, I cannot overstate the gravity of the Japanese problem on the Pacific coast. I urge you, my colleagues, to join with us on the Pacific coast in securing immediate action in evacuating these Japanese aliens and citizens of Japanese extraction from these Pacific coast areas and placing them in protective custody. The time has passed for debate, quibbling, or giving ear to the technical considerations—we are at war; the very life of our Nation is at stake. From what has taken place at Pearl Harbor and elsewhere, we know now what to expect from these cunning, ruthless enemies. A delay now may result in the serious crippling of our war efforts and the sabotage and destruction of many essential war productive activities on the Pacific coast and the loss of many lives on the west coast. Let us act now. Tomorrow may be too late.

Mr. LAMBERTSON. Mr. Chairman, I yield now to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, this afternoon I was very much interested in the remarks of the gentleman from Illinois [Mr. DIRKSEN] in that remarkable speech. I was particularly interested in his remarks about the four research laboratories in the United States, including the one at Peoria, Ill., and the wonderful things he told us that could be accomplished by the chemists in those laboratories. I want to tell about some other laboratories in the United States that are contained in the agricultural experiment stations of our colleges, and which, as I understand it, are the pioneers in this kind of work. They are the ones who started out many years ago to find additional commercial uses for the products of agriculture, and we would not have the research laboratories today had it not been for the work of the agricultural experiment stations. Yet in an examination of this bill I find that the appropriation for the agricultural experiment stations in our colleges throughout the land has been reduced much below the appropriations for the same colleges for the year 1942. I cannot understand it. If it is well to appropriate money for the research laboratories, as explained by the gentleman from Illinois [Mr. DIRKSEN] it is equally well to appropriate as much money as they had last year for the agricultural experiment stations. The farmer wants and is entitled to parity, I want parity, the agriculture committee wants parity for the farmers, and this House wants parity, but the farmer does not prefer to have parity as a result of benefits from the Government, or the Federal Treasury. He prefers to have parity as a result of fair and adequate prices or rather parity prices for his products. We know that these prices have not been available to the farmer, because of the surplus farm commodities in the past. Here we have these agricultural experiment stations going out of their way and doing remarkable work to find new outlets for farm products, to the end that as commercial outlets are developed, the farmer can get parity for his products in the open market, instead of from the Federal Treasury. It is poor economy to cut down the appropriation for these agricultural experiment stations, when a little money spent here would save millions in benefits to be paid out to the farmer in the future. In conclusion I quote a paragraph from a letter received from Prof. Buchanan, in charge of the agricultural experiment station at the Iowa State College at Ames, Iowa:

There never was a time in history when there was such an excellent opportunity for the establishment of industries based upon the industrial utilization of agricultural products as at the present time. Not only must agriculture produce the alcohols and solvents needed by the hundreds of millions of gallons, but it is one of the most important of the sources of materials for the manufacture of rubber and many other essentials. The agricultural experiment stations through their work in the past have developed the methods which must be used in the immediate future if agriculture is to benefit in the long run from the present need for industrial utilization of her products.

I plead with the committee to offer an amendment tomorrow to put back in the bill the $200,000 item that has been deleted from the appropriation and thus keep our agricultural experiment stations open.

Mr. LAMBERTSON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, before the Subcommittee on Appropriations, according to the hearings, the Secretary of Agriculture said:

Today when I am asked what the future may bring for us or what the situation may be a year from now I am going to say that I do not know. And, I am very much worried about it. I am alarmed, and I suspect one of the reasons I am alarmed is because there do not seem to be many others who are alarmed about it. I say worried from the standpoint of what the size of the potential demands may be for agricultural products and, also from the standpoint of the difficulties that may be ahead of us for agricultural production.

* * * * *

We have not had a scarcity type of program in agriculture although some have seemed to think so. We have not had that type of program and we are happy that we

have not had that type of program. And with our plans, with our * * *.

Now we are coming to the point where we are concerned about the total supply of labor, unskilled as well as skilled, and I am afraid that the farm labor problem is going to grow worse and worse. I do not think we can look to machinery to replace farm labor to a great extent, because we do not have the metals and other materials for the machinery. And there are all kinds of evidences that we will not be able to get enough fertilizer. For nitrates farmers are in competition with munitions makers as they try to get the nitrates needed for agriculture.

Also, we are worried today about how we are going to transport things that are produced on the farm. I think we all know that we have been transporting things, to and from farms, largely on rubber tires. It is going to be difficult to go back and find enough horses and wagons in this way and time to carry on our normal agricultural transportation.

Mr. Wickard implies he is not worried because of anything the A. A. A. has done for he says the A. A. A. program has not been a scarcity program.

Well, I, too, am worried about the food situation in the United States and so are a great many other people. Anyone who will give it consideration will worry about it. I am making a study of the present food situation and comparing it with that of 1917, when we entered the other war, and expect to have it completed sometime soon. From what I have already seen of the problem I am convinced that the United States may be facing a grave food shortage.

Mr. Wickard mentions the farm-labor shortage. That is already serious and will become worse as time goes on.

He mentions the likely difficulty farmers will have in obtaining fertilizer because of the nitrates contained therein. This may and likely will become a very serious handicap to production.

Then he also mentions the difficult problem farmers are facing because of the transportation situation resulting from rubber shortage.

The population of the United States has increased roundly 30 percent since 1918. Yet there are fewer hogs in the country today than there were in 1918. There are about the same number of cattle now as there were in 1918.

There are other serious shortages.

Suppose we should experience within the next few years one or two serious crop failures such as we experienced a few years ago. Certainly this war is going to last several years. What will be the food situation then?

And what of the demands for food that are being made by our Allies? Russia has lost the Ukraine from which she derived the main source of her wheat. I understand she is about as much in need of wheat now as she is of guns, tanks, and other war supplies. Certainly her imports of wheat must come mainly from the United States.

There is already a heavy demand from England for food supplies. No doubt this will continue to increase in the future.

This raises a serious question. Mr. Wickard says the A. A. A. program has not been one of scarcity. How possibly can he say this? Was not the destruction of hogs and other livestock a few years ago a scarcity program?

Is the levying of a penalty of 49 cents per bushel on wheat farmers not a program designed specifically to produce less wheat?

Now we are to have another so-called wheat-quota referendum in May to vote even a greater penalty on wheat farmers who have raised more wheat than the A. A. A. bureaucrats say they should raise.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. CRAWFORD. As the gentleman makes those figures I hope he will have in mind in arriving at this normal figure this, which is to me a very deep and sincere obligation: I think we are obligated, under our present program, to send whatever food tonnage to England, to Russia, to China, those countries requisition us for. I feel that so keenly that I am writing the people in my district every day that we face anywhere from 25 to 50 percent shortage of food supplies and that they should prepare themselves to meet consumers' cards or consumption cards to be put into operation in the coming months, and be mentally and physically prepared to reduce their consumption of food very materially under what they are now using.

Mr. SMITH of Ohio. I thank the gentleman.

In the hearings on this bill Mr. Wickard also tells of the efforts now being made to increase the food production. How contradictory and ironical is the present program. Wheat contains proteins, carbohydrates, and fats. Corn, rye, barley, and other products which the farmers raise contain practically the same chemical ingredients though in different and varying proportions. Proteins, carbohydrates, and fats are the three main food ingredients which sustain life.

On the one hand the farmer is being urged, even encouraged, through arbitrary price increases by the Government, to raise more proteins, carbohydrates, and fats in one class of farm products, and penalized for raising proteins, carbohydrates, and fats contained in other farm produce.

It is my studied conviction that the serious food shortage which threatens us is due in a substantial measure to the scarcity program of the A. A. A. I do not see how it is possible to escape this conclusion.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman I yield the gentleman 5 additional minutes.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. Certainly.

Mr. GRANGER. The gentleman does not blame the Department of Agriculture for not foreseeing that we were going to get into the war, does he?

Mr. SMITH of Ohio. Yes; I cannot help but blame the Department of Agriculture for at least a part of the threatened food shortage. War is always a possibility. Food production is basic and certainly one of the prime functions of statesmanship in peacetime is to maintain it in a sound and healthy condition. The highest capacity for the production of food should always be maintained. The problem here is in many respects similar to that of maintaining the national credit in peacetime in preparation of the eventuality of war.

Mr. GRANGER. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Ohio. Certainly.

Mr. GRANGER. Is it not a fact that the only commodities in this country of which we have a surplus have been those that have been curtailed by the A. A. A.—cotton, wheat, and corn?

Mr. SMITH of Ohio. The gentleman means that the A. A. A. has failed in its purpose?

Mr. GRANGER. No; not at all.

Mr. SMITH of Ohio. I do not quite understand the gentleman's question. If the program reduced the crop acreage but still produced a surplus, just how did it succeed?

Mr. GRANGER. The gentleman complains because we have a lack of food, but we have a lack of food in those things that there has been no curtailment of. There has not been any curtailment of production in hogs, cattle, or things of that kind; yet those are the things of which we are short.

Mr. SMITH of Ohio. The gentleman says there has been no curtailment of those?

Mr. GRANGER. No; not that I know of.

Mr. SMITH of Ohio. What about this whole farm program? Has it not curtailed anything?

Mr. GRANGER. No; I do not think it has.

Mr. SMITH of Ohio. The gentleman does not think it has. The gentleman admits, then, that it has failed. The gentleman can take that position if he wants to.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Ohio.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 additional minutes.

Mr. SMITH of Ohio. Certainly the policy now should be to relieve the farmer of restrictions. Instead I fear the tendency will be to place more and more restrictions upon him. I think the farmer will have the struggle of his life now to keep from becoming completely regimented.

I think this is all a very serious matter.

There is great need for sound and careful thinking. The situation demands that the Nation produce all the food it possibly can for there is no question but that we will need it. In doing this let us be careful to preserve the freedom and liberty of the farmer.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 6709, making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, had come to no resolution thereon.

GENERAL DEBATE ON AGRICULTURAL APPROPRIATION BILL

Mr. TARVER. Mr. Speaker, I ask unanimous consent that general debate on the bill H. R. 6709, the Department of Agriculture appropriation bill, be limited tomorrow to 1 hour and 30 minutes, to be equally divided and controlled by the gentleman from Kansas [Mr. LAMBERTSON] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

JOHN T. WOODRUFF

Mr. BENNETT. Mr. Chairman, on a certain occasion Jesus of Nazareth said:

Let him that would be greatest among you be the servant of all.

Measured by that divine rule a gentleman residing in my home city of Springfield, Mo., Queen City of the Ozarks, "land of a million smiles," is among the greatest of the many noble characters living there. For more than a third of a century the man to whom I refer has devoted at least 50 percent of his time in the interest of the general welfare of his home city and its trade territory. His accomplishments in behalf of his fellow citizens are too many to enumerate here. A modest Christian gentleman, he works quietly but effectively and without thought of personal gain or fame. His faith in ultimate development of the Ozark Empire, which will result from harnessing the swift crystal waters of its streams by construction of great dams for electric power, is about to be realized.

Mr. Chairman, the man to whom I refer proves an exception to the Biblical statement:

A prophet is not without honor save in his own country.

A suggestion originally made by my colleague, Hon. CLYDE T. ELLIS, of Arkansas, that the name of Table Rock Dam on the White River be changed to the John T. Woodruff Dam has met with universal approval and many chambers of commerce and kindred groups have passed resolutions requesting that the dam be so named. Therefore, Mr. Chairman, I have this day introduced a bill, H. R. 6717, to change the name of Table Rock Dam to the John T. Woodruff Dam in honor of the prophet, dreamer, doer of good deeds, and genuine American about whom I have spoken briefly and with sincere respect.

I trust that this bill will receive favorable consideration by the Congress of the United States.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD by printing a short editorial appearing in today's issue of the Washington News.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. PACE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and to include two editorials from the News of this city.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. PACE]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. PATRICK] may have 15 minutes to address the House on Thursday, March 5, after the disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

EXTENSION OF REMARKS

(Mr. WICKERSHAM asked and was given permission to extend his own remarks in the RECORD.)

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the bill this afternoon and to include a letter from Mr. Baldwin, of the Farm Security Administration, and certain excerpts from Dr. Tugwell's reports.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief statement by the secretary of the Idaho State Reclamation Association.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein a letter and a resolution received from a veterans' post in Portland.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, earlier today I was granted unanimous consent to address the House for 15 minutes at the conclusion of the legislative program of the day. Owing to the lateness of the hour, I do not desire to use this time.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.;

H. R. 6291. An act to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States;

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6446. An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof; the Coast and Geodetic Survey and the Public Health Service, and civilian employees of the executive departments, independent establishments, and agencies during periods of absence from post of duty; and for other purpcses;

H. R. 6550. An act to extend and amend subtitle "Insurance of Title II of the Merchant Marine Act, 1936, as amended" (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes;

H. R. 6611. An act making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

ADJOURNMENT

Mr. TARVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 4, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WAYS AND MEANS

The Committee on Ways and Means will hold public hearings on H. R. 6617, a bill to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes, beginning on Wednesday, March 4, 1942, at 10 a. m.

COMMITTEE ON THE JUDICIARY

Beginning at 10 a. m., Wednesday, March 4, 1942, there will be held a hearing before Subcommittee No. 3 of the Committee on the Judiciary on the following bills: H. R. 4579 and H. R. 6582, to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; and H. R. 6444, to provide for the registration of labor organizations, business and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON IRRIGATION AND RECLAMATION

A meeting of the Committee on Irrigation and Reclamation will be held at 10:30 a. m., Wednesday, March 4, 1942, in room 353, House Office Building, for the purpose of considering H. R. 6522, a bill to amend an act entitled "An act to prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, for other purposes," act of May 27, 1937 (Stat. 208), and for other purposes.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARINGS ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill: H. R. 6503, to extend and amend certain emergency

laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

1450. Under clause 2 of rule XXIV, a letter from the Archivist of the United States, transmitting a report on a list of papers, No. D42–257, recommended to him for disposition by the Department of War, was taken from the Speaker's table and referred to the Committee on the Disposition of Executive Papers.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. BLOOM: Committee on Foreign Affairs. House Resolution 446. Resolution requesting certain information from the Secretary of State (Rept. No. 1851). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr BENNETT:

H. R. 6716. A bill to change the name of the Table Rock Dam to the John T. Woodruff Dam; to the Committee on Flood Control.

By Mr. REES of Kansas:

H. R. 6717. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War; to the Committee on Immigration and Naturalization.

H. R. 6718. A bill to expedite the naturalization of persons who are not citizens, who have served or who hereafter serve honorably in the military or naval forces of the United States during the present war; to the Committee on Immigration and Naturalization.

By Mr WICKERSHAM:

H. R. 6719. A bill to provide that during the existing emergency deductions shall not be made from insurance benefits payable to any person under title 11 of the Social Security Act by reason of such person rendering service for wages; to the Committee on Ways and Means.

By Mr. VINSON of Georgia:

H. R. 6720. A bill to provide for payment and settlement of mileage accounts of officers and travel allowance of enlisted men of the Navy, Marine Corps, and Coast Guard; to the Committee on Naval Affairs.

By Mr. COLLINS:

H. J. Res. 286. Joint resolution to create a commission to be known as the Alaska Road Commission; to the Committee on Roads.

H. J. Res. 287. Joint resolution to create a commission to be known as the Panama Road Commission; to the Committee on Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARTER:

H. R. 6721. A bill for the relief of Mildred G. Gordon; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 6722. A bill for the relief of the First National Bank of Huntsville, Tex.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2512. By Mr. LANE: Petition of the City Council of Revere, Mass., opposing proposed tax on State and municipal bond issues; to the Committee on Ways and Means.

2513. By Mr. LUDLOW: Petition of Dr. Stephen Pencheff, of Indianapolis, Ind., in behalf of drugless physicians; to the Committee on Interstate and Foreign Commerce.

2514. By Mr. ROLPH: Resolution of the Fresno County Chamber of Commerce, in relation to the Japanese and alien enemy situation on the Pacific coast; to the Committee on Military Affairs.

2515. By Mr. TENEROWICZ: Resolution of representatives of 31 of the 43 Michigan colleges and universities in which National Youth Administration college work programs are sponsored, urging that the National Youth Administration student work program be continued, etc.; to the committee on Ways and Means.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 4, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dost satisfy our understanding, our conscience, and our hearts, in Thy holy name we pray. Thy canon of life, of idealism, and of hope is inspired from the very center of the highest realm. Dear Lord God, while the world gives its peace to reward toil and to exhausted energy, Thou givest peace to prepare and to arouse us from repose, to make the yoke easy and the burden light. Oh, let Thy spirit move on the face of the waters for when fast falls the evening tide, when the darkness deepens, then will the gods of war flee away.

Almighty God, these are the days of high tides; the surf is heavy, the toll is great, the storm is wild and fierce, and at times we are mocked by the vanishing vision of the rainbow. O Lord, let us feel the pressure of Thy hand as we hail Thy voice as the breath of the Almighty, calling for judgment and dominion over the destitution of earth, and prevailing over the wretchedness of man. Heavenly Father, when fears are all torn away and our souls beat a path through the tides, we shall stand gazing and rejoicing in speechless wonder before Him who adds forgiveness amid the desolate wastes of human life. In His holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

HON. JOSEPH J. MANSFIELD

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, yesterday noon when the House convened I was having lunch in the House restaurant with Dr. Paul J. Raver, Administrator of the Bonneville project, and discussing with him pending legislation relating thereto. If I had been present on the floor of the House, I would certainly have also expressed my tribute to our distinguished colleague from Texas, Judge MANSFIELD.

I have served as a member of the Committee on Rivers and Harbors during the past 9 years, while Judge MANSFIELD has been committee chairman. He is one of the most kindly, courteous, considerate, patient, and fair-minded men I have ever met. Judge MANSFIELD possesses a knowledge of our waterways and rivers and harbors, which is probably not equaled by any other person in the Nation. Furthermore, as I have pointed out on previous occasions in past years, there is no class or type of Federal projects which are subjected to such thorough and far-reaching scrutiny, study, and investigation as river and harbor projects. Of all Government projects, they should be the last and deserve the least to be stigmatized as "pork." The personal attack on Judge MANSFIELD is simply another demonstration of the ignorance and viciousness of a venal press. Judge MANSFIELD is a great and good American, loved and revered by all who have the privilege of knowing him, and I am proud to count him as my friend.

[Here the gavel fell.]

QUESTION OF PERSONAL PRIVILEGE

Mr. DIES. Mr. Speaker, I rise to a question of personal privilege.

There appeared in the Washington Star and other newspapers of the country a statement by the gentleman from Massachusetts, Representative THOMAS H. ELIOT, and I will read the statement:

Representative THOMAS H. ELIOT, of Massachusetts, hurled a direct lie charge at Congressman MARTIN DIES, Democrat, of Texas, today, asserting that the Texan had not been asked by the administration to withhold his report on Japanese fifth-column activities, but had, on the contrary, twice been asked to give information and had twice refused. "When Mr. DIES says in his report issued yesterday that he wanted to make it public last September and that the administration prevented him, I issue the direct lie charge," ELIOT declared in a bristling speech to the Massachusetts State Congress of Industrial Organizations convention. "I have received a letter from Attorney General Biddle saying there was never any attempt or suggestion that the Dies committee was not permitted to report the facts last September."

Mr. Speaker, the definition of "lie" is the uttering of a falsehood, knowing it to be a falsehood, for the intention of deceiving. I submit that is ground for personal privilege, and I ask recognition to answer it.

The SPEAKER. The gentleman from Texas is recognized.

Mr. BRADLEY of Michigan and Mr. STARNES of Alabama rose.

Mr. BRADLEY of Michigan. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. GORE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 32]

Arnold	Baumhart	Blackney
Barnes	Beam	Bolton
Bates, Mass.	Bender	Buckley, N. Y.

Byron	Jarrett	Rivers
Cartwright	Jensen	Robinson, Utah
Celler	Johnson,	Sacks
Cole, Md.	Lyndon B.	Sasscer
Copeland	Kleberg	Scanlon
Creal	Kramer	Schaefer, Ill.
Curtis	Lesinski	Shannon
Ditter	McKeough	Sheridan
Englebright	McLaughlin	Smith, Pa.
Fish	McMillan	Sweeney
Fitzpatrick	Maas	Tolan
Flaherty	Magnuson	Voorhis, Calif.
Gearhart	Mansfield	Vreeland
Gifford	Mott	Walter
Halleck	Mundt	West
Hancock	Nichols	White
Heffernan	O'Day	Worley
Houston	Osmers	Wright
Izac	Ploeser	

The SPEAKER. On this roll call 367 Members have answered to their names, a quorum.

Further proceedings, under the call, were dispensed with.

The SPEAKER. The gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, for the benefit of the Members who were not here when I rose to a question of personal privilege, I wish to again read a newspaper article which appeared in the Washington Star and in the press of the country dated February 28:

Representative THOMAS H. ELIOT, of Massachusetts, hurled a direct lie charge at Congressman MARTIN DIES, Democrat, of Texas, today, asserting that the Texan had not been asked by the administration to withhold his report on Japanese fifth-column activities, but had, on the contrary, twice been asked to give information and had twice refused.

"When Mr. DIES says in his report issued yesterday that he wanted to make it public last September and that the administration prevented him, I issue a direct lie charge," ELIOT declared in bristling speech to the Massachusetts State Congress of Industrial Organizations convention. "I have received a letter from Attorney General Biddle saying there was never any attempt or suggestion that the Dies committee was not permitted to reveal the facts last September."

The gentleman from Massachusetts came to me a few moments ago and denies he used the word "lie." Does the gentleman want to make a statement as to that for the benefit of the House?

Mr. ELIOT of Massachusetts. Yes; I thank the gentleman from Texas. I read a short statement, because I did not want to be misquoted. I did certainly say that the Attorney General had written to me saying there was never any attempt or suggestion that the Dies committee be not permitted to reveal the facts last September. I did not use the word "lie."

Mr. DIES. Now, Mr. Speaker, I propose to give the House of Representatives all the facts in connection with this matter, not because of the attack that has been made upon me, and the repeated attacks, because every year for 4 years we have had the same character of opposition from the same source. Most of the arguments that are advanced this year against the continuation of the Special Committee on Un-American Activities have been advanced every year when the question came before the House.

Mr. STARNES of Alabama. Mr. Speaker, will the gentleman yield at that point?

Mr. DIES. I yield.

Mr. STARNES of Alabama. What was the group or the meeting that the Representative from Massachusetts addressed?

Mr. DIES. Massachusetts State C. I. O. convention.

Mr. STARNES of Alabama. Is that the same convention that during the past week or this week, by unanimous vote, adopted a resolution calling upon the President of the United States to free the draft dodger, Earle Browder, who served a sentence in jail in the last World War for refusing to serve in the Army or for impeding the draft?

Mr. DIES. Yes; I have been so advised by the press, that is true.

Mr. ELIOT of Massachusetts. Was that the same convention at which the speaker preceding me was the Republican Governor of Massachusetts, Leverett Saltonstall, and where one of the other scheduled speakers was a member of the Dies committee, the gentleman from Massachusetts [Mr. CASEY]?

Mr. DIES. I am not familiar with those facts, but if the gentleman says they are correct, they are.

Mr. Speaker, my purpose in raising the point of personal privilege is more in defense of the dignity of the House of Representatives than in my own personal defense, because I have an abiding faith that if the confidence of the American people in the legislative body is undermined by slander and misrepresentation, by untruthful statements that appear in the press from time to time, it will be a great blow to the cause of democracy, and the preservation of our form of government. To say the least, it is unfortunate when any Member of the House sees fit to resort to language of this character in attacking another Member of the House. I have served in this body for 11 years. During that time I have come in contact intimately with most of the Members of this body. I have learned that there are no more patriotic men in America than the Representatives in the Congress, from the Speaker, the floor leader, to all of the Members on both sides of the aisle. I think I can say, after a service of 11 years, that there is no body in America composed of more patriotic men and women than this body. I have had occasion to differ with gentlemen in this House on political matters, but because I differed with them, and because they differed with me, would not justify me in impugning their motives, or warrant me to give expression to thoughts or views that would bring in question their honesty and their patriotism.

On August 18, 1941, I received a letter from the Attorney General of the United States. It will be recalled that in July, beginning the 5th of July, I issued a number of press releases warning the people about the Japanese situation. You will find some of these press releases in a report which was unanimously adopted by the Committee on Un-American Activities, dealing with Japanese espionage activities in this country, and in these press releases I told the American people that there was a Japanese fifth column in this country, that it constituted a serious menace to our Nation, and that every effort should be made to expose that fifth column.

I received this letter from the Attorney General. It is dated August 13, 1941:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., August 13, 1941.

Hon. MARTIN DIES,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN: I want to call your attention to certain statements which have appeared in the press to the effect that an elaborate sabotage plot was uncovered by agents of your Special Committee on Un-American Activities on the west coast. According to press statements, evidence of an elaborate sabotage plot, under the direction of Japanese agents and naval officers, was uncovered by investigators of your committee.

According to the press reports, your committee agents, over the last 3 months, had conducted an "on the scene investigation" and the evidence which they had developed has been turned over to the Department of Justice. The press report further relates, "The Texas Representative said much of the evidence on which his charges were based had come from a former attaché of the Japanese consulate in Hawaii who attended secret meetings of the sabotage ring at Terminal Island, off Los Angeles, home of some 5,000 Japanese and site of a vast United States gasoline depot. The evidence has been turned over to the Justice Department for prosecution of the ring's members; but, unless the Department acts promptly, I will order public hearings so the American people can get the facts."

The records of this Department fail to disclose the receipt of any such evidence as described by you. The only information which has been received by this Department or any bureau thereof was a letter from Robert E. Stripling, chief investigator for your committee, under date of July 29, 1941, transmitting a telegram which had been received from Messrs. Dunstan and Steedman, of your Los Angeles office. The telegram stated, in substance, that Japanese ships off the California coast were to be the object of sabotage carried out by Italian agents, the purpose being to precipitate hostilities between the United States and Japan. This apparently is not the matter referred to in the press releases, since it alleged that the investigators of the plot were Italians and the press statement indicates "evidence of an elaborate sabotage plot on the west coast developed under the direction of Japanese agents and naval officers."

I, of course, do not know if you have been correctly quoted in the press; however, I would like to ask that you immediately make available to this Department any and all information and evidence in your possession concerning the allegations, so that I may initiate appropriate action.

I shall greatly appreciate hearing from you at your earliest convenience.

That letter was received at my Washington office while I was in Texas, where it was forwarded to me. I answered it, and I read the exact language of the letter I sent to Attorney General Biddle.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DIES. Yes.

Mr. ELIOT of Massachusetts. I wonder what is the date of the gentleman's reply to the letter of the Attorney General which is dated August 13.

Mr. DIES. That is what I am getting at. It is dated August 27, 1941. The letter is addressed to Hon. Francis Biddle, Attorney General of the United States, Washington, D. C.:

DEAR MR. BIDDLE: Your letter of August 13 addressed to me in Washington has been forwarded to me for attention. I did not say that I had turned the information over to your Department, or that I intended to do so.

What I said was that I wanted to give your Department full opportunity to proceed, without being embarrassed by any premature disclosure.

I assume that with the hundreds of agents which you have you would have no difficulties in getting the facts. I am sure that you will find our investigators on the west coast cooperative in every respect in supplying you with leads and with facts in our possession. I note that Mr Hoover recently stated that through publicity his department had thwarted a Nation-wide plot to sabotage the defense industries of America. Since he was able to do this through this method of publicity, it would appear to me there would be no possible objection to a similar procedure by our committee in the Japanese matter. If therefore you have no objection I shall suggest to our committee the advisability of conducting public hearings to receive evidence regarding Japanese activities in the United States. If your department has no objection to this procedure please advise me.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. ELIOT of Massachusetts. I would like to ask the gentleman why, in view of his denial in the letter that he has just read, he would turn over information to the F. B. I., why on page 1731 of his recently published report he includes a news story from the Los Angeles Times saying, "All evidence has been turned over to the Justice Department for the purpose of prosecuting"?

Mr. DIES. The gentleman is quoting from a newspaper report that appeared in the Los Angeles Times. Is that right?

Mr. ELIOT of Massachusetts. I was wondering why the gentleman included that in his report.

Mr. DIES. What date?

Mr. ELIOT of Massachusetts. August 1, 1941.

Mr. RANKIN of Mississippi. Mr. Speaker, the gentleman from Massachusetts has just denied a statement that appeared in a newspaper several days ago, although he did not refute it until the gentleman from Texas [Mr. DIES] called it to the attention of the House today.

Mr. ELIOT of Massachusetts. I am not saying that the gentleman from Texas was not perfectly accurate in claiming that he had been misquoted. I am asking him why, in view of the fact that he was misquoted, he included that letter in this report?

Mr. DIES. I am going to answer the gentleman.

Mr. RANKIN of Mississippi. The gentleman from Massachusetts started this fight by going out and attacking the Dies committee. Now he should take his medicine.

Mr. DIES. Mr. Speaker, on September 8, 1941, I received this letter from the Acting Attorney General, Mr. McGuire:

SEPTEMBER 8, 1941.

Hon. MARTIN DIES,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN: In your letter of August 27, 1941, addressed to the Attorney General, you stated that if the Attorney General had no objection you would suggest to your committee the advisability of conducting public hearirgs to receive evidence regarding Japanese activities in the United States.

The Attorney General has discussed this situation with the President and the Secretary of State, both of whom feel quite strongly that hearings such as you contemplate would be inadvisable. The Attorney General is of the same opinion, and accordingly is unable to approve the course which you have in mind.

Sincerely yours,
MATTHEW F. MCGUIRE,
Acting Attorney General
of the United States.

Immediately after I had written to Mr. Biddle assuring him that our investigators on the west coast would be glad to cooperate in every possible way and furnish his investigators or representatives with all of the leads and facts in our possession, I instructed our investigators to cooperate in every possible way with the F. B. I., the Military Intelligence, and the Naval Intelligence. As a matter of fact, our investigators have informed me, and they are now sending a telegram setting forth the facts, that they did cooperate with the Military and Naval Intelligence; that, as a matter of fact, they had several conferences about this matter with the man in charge of the Naval Intelligence on the west coast and with the Military Intelligence. Also, they came in contact with the F. B. I. in connection with this matter and telephoned to the west coast chief in charge of the F. B. I.

After the Attorney General of the United States had represented to me that the President and the Secretary of State and the Attorney General were strongly opposed to the hearings, our committee felt that it was inadvisable for us to proceed. In deference to their wishes we canceled the proposed hearings.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. RANKIN of Mississippi. Will the gentleman give us the date of that letter?

Mr. DIES. The date of the last letter from the Attorney General is September 8, 1941.

We had arranged to subpena and bring to Washington approximately 52 witnesses. Among those witnesses was a former attaché of the Japanese consulate in Honolulu. Their testimony would comprise the major part of the evidence which our committee had assembled. Those witnesses, of course, were on the west coast. Much of our evidence was on the west coast. Our investigators on the west coast were familiar with all of the facts, more than we were, of course, in Washington. Therefore, in saying to the Attorney General that our investigators would be glad to cooperate with him in every possible way and supply them with all leads and facts, the committee could do no more. Our investigators had offices in the Federal building in the city of Los Angeles. All that was necessary was for agents of any department to avail themselves of the information which we had assembled.

May I say in this connection, Mr. Speaker, that we have 1,140 letters, or approximately that, from heads of various agencies and departments of government requesting information which our committee has furnished in every instance. Many agencies of the Government have assigned agents to work in our offices. They have access to our files, to all of the information and records which we have. Attorney General Biddle, in a statement before one of the committees of this House recently, stated—and I read the language of his statement:

I would like to add, Mr. Congressman, that the Dies committee has been most cooperative. That they gave us everything that they had. Their position has been most cooperative.

Now, this was the statement of the Attorney General only a week or so ago, and he is speaking about the Dies committee.

They gave us everything that they had. Their position has been most cooperative. As far as I am concerned, I will say that they do cooperate and give us every possible piece of information that we desire.

Mr. ELIOT of Massachusetts. Will the gentleman yield?

Mr. DIES. Let me proceed.

I have also a letter from Secretary Knox, who acted very promptly on the suggestion of our committee and I shall read that for the sake of the record. It is dated February 21, 1942, and is addressed to the Honorable Frank Knox, Secretary of the Navy, Navy Department, Washington, D. C.

MY DEAR MR. SECRETARY: It has come to my attention that an individual by the name of George Deatherage is now employed on a construction project at the Norfolk, Va., naval base.

This is to advise you that this man was thoroughly investigated by this committee in 1938 and 1939 and that he was called before our committee and questioned concerning his Nazi and Fascist activities.

The committee has in its possession a large file on Deatherage and his activities which we will be glad to make available to your Department should you desire it.

I received this letter from Secretary Knox:

MY DEAR MR. DIES: This will acknowledge your letter of February 21, 1942, relative to the employment of George E. Deatherage by Doyle and Russell, contractors working on the naval operating base in Norfolk, Va.

Immediately upon receiving the information that Deatherage was employed by the firm on the naval operating base project I caused a thorough investigation to be made and on February 23 invoked provisions of the contract which requires that the contractor shall discharge from the employment and exclude from the site of the work any person designated by the Secretary of the Navy as undesirable to have access to the work and/or materials of the Navy Department.

Thank you for your cooperative offer to make available the files of the Special Committee on Un-American Activities.

The committee has cooperated with the Department in this and many other similar matters.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield?

Mr. DIES. In just a few minutes, if the gentleman will let me proceed.

I may say that from the beginning, Mr. Speaker, we have received the fullest cooperation from the State Department. One of the very valuable agents from the State Department has been most helpful to our committee in supplying us with important information, and after I had received from the Acting Attorney General the letter in which he stated that the administration was opposed to these hearings, then I had a personal conversation with the Secretary of State, Mr.

Cordell Hull, one of the greatest men, in my opinion, that this country has ever produced. I shall not say what was in that conversation, for I am not at liberty to make public the facts, but I will say this, and I believe that Mr. Hull will bear me out, that I said to him after we had decided to call off the hearings, that we wanted to cooperate with the State Department because we realized that they were charged with the conduct of international affairs. I told him that the situation was indeed grave, that we had evidence in our possession that indicated very strongly to me that the Japanese were engaged in fifth-column activities, and that they were doing things that our Government should take cognizance of and take steps to prevent.

Mr. Hull then said to me, "I am interested in the matter." And I said to him: "All of the files of our office are available to you and to any department of this Government."

We are cooperating day in and day out with the departments, and a major part of our work today is in supplying Government agencies with the information which they do not have and which they could not have and cannot obtain from any other source. It would seem to me, therefore, Mr. Speaker, that the evidence is very clear that what I said on the floor of this House is borne out by the facts and that the committee has cooperated in every respect with all of the agencies of the Government. We are striving to maintain harmony with these agencies because as I wired the President in 1940, it is absolutely essential that the various agencies of the Government engaged in ferreting out fifth-column activities must cooperate and that there is no place for rivalry, for jealousy, or for a lack of coordination in the conduct of this work. I am not here to criticize the Department of Justice or the Secretary of State. The purpose of including this letter in our report was not to cast reflection upon those agencies.

Those agencies are now fully cooperating with our committee. I have just read a statement issued or purporting to have been issued by the Attorney General with reference to investigation of people on the Government pay roll who are undesirable. I do not want to misquote the Attorney General and I rely entirely on press reports, but, according to that statement, the Attorney General admits that previous efforts to investigate these people have been insufficient and that an entirely new investigation has been ordered, and this time they are going to get the facts.

Mr. ELIOT of Massachusetts. Will the gentleman yield?

Mr. DIES. I yield to the gentleman.

Mr. ELIOT of Massachusetts. If the gentleman is so cooperative with the Department of Justice and the State Department, why has he on at least two occasions on the floor of this House given us and the American people to understand that but for the interference of those Departments with his committee, Pearl Harbor might not have happened?

Mr. DIES. Let me answer that directly. Here is the exact language I used, and I quote from my speech made on the floor of this House. I tell the story of how we intended to hold the hearings and that we received a letter from the Attorney General advising us not to do it, or, rather, saying that they were strongly opposed to it, and I state further:

I now regret that I called off the hearings.

I do regret that, because I remember when we made public the so-called white paper—a document of some 500 pages of a most complete exposé of Nazi activities that this or any other country has ever made public—so thorough was the job that, upon the basis of the evidence which we had assembled and made public, the Department of Justice prosecuted all of the malefactors and put them in the penitentiary or deported them. Their agents who had worked in contact with the committee staff stated to us that it was upon the basis of this evidence that convictions were secured against these people. Having made public this information, which was widely published in all the democracies, we had requests from the British Government, from the agencies of other democracies—Canada and others—for that committee report. It was carried in all the press of every democratic country. It has been used for propaganda or information purposes over the radio and in all the countries in opposition to the Axis Powers. As a matter of fact, only a week or so ago Colonel Donovan requested several hundred documents from our committee—documents I presume he could not procure from any other source. We immediately responded to his request and furnished him with this information, which, of course, he proposes to use against the Axis Powers throughout the world.

May I mention, too, that the gentleman from Massachusetts and certain other gentlemen have been critical of this committee, and I concede the right of the gentleman to do that. I have never contended we were perfect. We have only had $385,000 in a period of 4 years, and I am not complaining about that because I think this House deserves a great deal of credit for its loyal support of this committee. It is evidence of the fact that long before fifth-columnist activities became serious the House of Representatives with foresight and wisdom foresaw and made provision. This committee is merely the agent of the House. The gentleman is perfectly within his rights to point out errors and mistakes, because we have made them. My objection to the gentleman and his attitude is that it is not constructive criticism. If the gentleman would come to me and say, "Now, Mr. DIES, I think you made a mistake; what are the facts?" and we sit down across the table as colleagues in the same body, as men equally patriotic, as men who are trying to serve a great country at a moment of great crisis, if the gentleman is correct, I will gladly admit that fact, for I do not occupy the position that has been taken by some of these bureaus. I am not personally offeneded when mistakes are pointed out. I think it is a good thing for this committee, and it would be a good thing for every agency of government if they were compelled to appear before this House and defend their conduct in every particular. We would have less evidence of arrogance and of red tape than we do in respect to certain departments.

Mr. McGRANERY. Will the gentleman yield?

Mr. DIES. I yield to the gentleman from Pennsylvania.

Mr. McGRANERY. I have listened with a great deal of interest to the gentleman's statement. As I understand him and his correspondence with the Attorney General, he has informed the Attorney General that he had certain evidence, that if the Attorney General would communicate with his agent or agents or the committee on the west coast, they could give him, the Attorney General, leads?

Mr. DIES. And facts; all the facts in our possession.

Mr. McGRANERY. The basis for this entire contention here this morning is that the gentleman went a little bit beyond that. In his report he states firmly and clearly that the evidence has been turned over to the Justice Department for prosecution of the ring members. That statement is in error, is it not?

Mr. DIES. I immediately denied that statement to the Attorney General.

Mr. McGRANERY. Then the whole contention is out. There is no argument on that this morning?

Mr. DIES. I immediately wrote him back and said that I had not made that statement. How could we transport 52 witnesses from the west coast and deliver them in the offices of the Attorney General? We had our investigators on the west coast. The Department of Justice had their agents out there, hundreds of them.

Mr. McGRANERY. Why did the gentleman put that in his report in February?

Mr. DIES. Because of the other matter in the report, because of the press clippings, to show one thing and one thing only. We were warning the country in July, August, and September that the Japanese had a fifth column and that the situation was very serious.

Mr. McGRANERY. The gentleman withdraws that statement from the Attorney General. Then it is a case of shadow boxing this morning.

Mr. RANKIN of Mississippi. I do not think it is the gentleman from Texas who is doing the shadow boxing.

May I ask the gentleman from Texas this question: In the report just issued by the Dies committee there is a plan published or outlined years ago by the Japanese Empire for invading the west coast of the United States, is there not?

Mr. DIES. That is right.

Mr. RANKIN of Mississippi. And it maps out the very program that Japan has followed up to date. Is that correct?

Mr. DIES. That is correct.

Mr. RANKIN of Mississippi. Then if the Dies committee had been permitted to go ahead and make this investigation

prior to the attack on Pearl Harbor, is it not entirely probable that it would have uncovered these facts and prevented the Pearl Harbor disaster?

Mr. DIES. May I answer that by quoting from the speech I made to the House:

I now regret that I called off the hearings.

As I said, the reason I regretted that was that when we had obtained all the evidence of the German Library of Information and the German Railway Information Office, all the evidence of Manfred Zapp, of the Transocean News Service—and it was a smokescreen for Nazi espionage and propaganda not only in the United States but throughout South America—when we obtained the evidence about the German chemical corporations in this country that led to the freezing of funds and to the suspension of certain heads of those organizations, then the President of the United States in a telegram to me indicated the fear of premature disclosure; so that while we did make public that information, it subsequently developed that it was wise for the country that we did, because it was upon the basis of that information that the Italian and German consuls were expelled from the United States.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr DIES. Let me finish.

Mr. ELIOT of Massachusetts. The gentleman has been very kind in yielding.

Mr. DIES. Let me finish my thought.

Mr. Speaker, again on this question that has been raised about whether the special Committee on Un-American Activities——

Mr. LELAND M. FORD. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from California.

Mr. LELAND M. FORD. Has it been developed that the gentleman from Massachusetts denied to the newspapers that he made that statement? On as important a statement as that you would think that he would have made a statement to the newspapers denying it and asking them to retract. Will the gentleman ask the gentleman from Massachusetts if he did that?

Mr. DIES. I may say that this statement was made last Saturday, was it not?

Mr. ELIOT of Massachusetts. Last Saturday.

Mr. DIES. It appeared in the press, so it speaks for itself.

Mr. LELAND M. FORD. But it never has been denied.

Mr. DIES. I am not going to impugn the motives of the gentleman and I am not going to try to interpret his motives. I am willing to treat the gentleman as I have always tried to treat every gentleman of this House. There are on our committee gentlemen who have not agreed with me on economic questions, men like the gentleman from California [Mr. VOORHIS], one of the most sincere Members of this House. We have differed with respect to matters, but we have signed every report unanimously. The reports were signed by every member of the committee. They were signed by the gentleman from Massachusetts [Mr. CASEY], the gentleman from California [Mr. VOORHIS], and the gentleman from Massachusetts [Mr. HEALEY].

When you say that we have sought to smear the C. I. O., that the committee has been the instrumentality of labor-baiting elements for the purpose of smearing the C. I. O., why not let us give the House the true facts?

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DIES. Let me finish my thoughts, or they will fly away from me.

Mr. ELIOT of Massachusetts. I did not say that.

Mr. DIES. The true facts with reference to that are that before there ever was an investigation of the C. I. O. I went to the offices of the officials of the C. I. O. in Washington and sat across the table from them and said to them, "Our committee has come into possession of evidence showing that Communists have entrenched themselves in certain labor unions affiliated with the C. I. O." After I had conferred with them, or, rather, during the conference, I asked for their cooperation. I said to them that the committee was not disposed to have public hearings for the purpose of undermining the C. I. O., that all we wanted to do was to expel the Communist leaders from the C. I. O. The officials did not cooperate with our committee. When I got back to my office, I think the files will reveal that in order to make a record of that conference I immediately wrote a letter to Mr. John L. Lewis, who was then the head of the C. I. O., asking for his cooperation in the conduct of our investigation.

Instead of cooperating with us, they began to assail us in the press throughout the country. They issued pamphlets and circulars making the broad, general attack that the committee was inspired by ulterior motives; that we were not primarily concerned with the exposure of Communists in the C. I. O., but that we were seeking to smear labor. All over the country they attacked me as being anti-labor, even though, Mr. ELIOT, the C. I. O. had previously endorsed me until this committee began its work.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield? He has addressed me.

Mr. DIES. When we were unable to obtain that cooperation, then it became a matter of duty to this House. I have always construed a House agency or any officer of the House as the agent of the House and not the agent of any other branch of this Government.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DIES. I think it is the duty of every agency of this House, including our own, to represent the majority of this House. Here was a nonpartisan question. It had nothing to do with Democrats or Republicans. It dealt solely and exclusively with those fundamental principles upon which all men, of every political affiliation, can agree. Therefore, I believed, as the committee has believed—and may I take this opportunity to express my own and I believe the gratitude of every American who has supported this committee to the other members of this committee for their loyalty and for their support, for I know it has not been easy for these gentlemen.

I know that these pressure groups have constantly sought in every possible way to attack the committee and to injure, politically, every member of the committee. I think that those gentlemen, all of them, deserve a great deal of credit because they all had the courage and the patriotism to perform their duty to this Congress.

I now yield to the gentleman from Massachusetts.

Mr. ELIOT of Massachusetts. The gentleman has been very kind about yielding and I appreciate it.

Coming back to what the gentleman was saying a few moments ago about his speech of January 28, I wonder, in view of this language, how he can answer the question I am about to put. I quote:

A fear of displeasing foreign powers and a maudlin attitude toward fifth columnists was largely responsible for the unparalleled tragedy at Pearl Harbor.

The gentleman says he is cooperating with the Government departments, and yet he accuses them of a maudlin attitude and so on, and I want to know why and how his committee was prevented from making the facts public last September. He has told us he was urged not to hold a public hearing.

Mr. DIES. I think the answer is very obvious. So far as my statement in that speech is concerned, may I say to the gentleman that those statements did, and do, express my own opinion. However, under all the circumstances, the House of Representatives saw otherwise, and they refused to adopt my amendments. I now believe that the House and Mr. HATTON W. SUMNERS were wiser than I was to this extent: That I believe that while it is absolutely essential for this committee to investigate and expose communism, I agree with the great majority of this House that there is no occasion, regardless of the facts, to risk antagonizing any other foreign country that happens to be allied with us at the present time.

But may I now go back so that, having been refused the cooperation of the leaders of the C. I. O. we attempted with our limited staff and with the small amount of money at our disposal, $25,000 the first year, to expose the Communist leaders in the C. I. O. If you will read the committee's report you will find today that it was signed by every member of this committee, and that in that report we unanimously found that 10 of the unions affiliated with the C. I. O. had Communists entrenched in positions of leadership.

Now, that was not my own judgment. Personally, I felt that the facts would have justified us in going further. I believed there was sufficient evidence to authorize us to find that a majority of the directors of the C. I. O. were either members of the Communist Party or had been members of the Communist Party or had followed the Communist Party line. But because of the greater wisdom of my colleagues on that committee I have gone along with them. We have

compromised on essential questions, but we did come out with a report that was unanimous, and if my memory serves me right it was signed by the gentleman from Massachusetts [Mr. HEALEY]. No one will accuse the gentleman from Massachusetts [Mr. HEALEY] of being a labor baiter. No one would even suggest that the gentleman from Massachusetts [Mr HEALEY] is not an ardent and sincere friend of labor, but on the basis of facts, incontrovertible facts, the gentleman from Massachusetts [Mr. HEALEY], a patriotic Member of this House, did his duty, although it might have occasioned him political disaster by doing so.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman.

Mr. COLMER. I have been impressed, too, that the gentleman has been very fair in yielding to the gentleman from Massachusetts [Mr. ELIOT], and I hope if the gentleman rises again, the gentleman from Texas will yield to him so that he may explain why a week has elapsed since all the publicity was given to the alleged facts that he had branded the gentleman from Texas as a liar, and has not explained that or retracted it or apologized for it.

Mr. DIES. I yield to the gentleman for that purpose.

Mr. ELIOT of Massachusetts. I think I should say to the gentleman first that no week has elapsed, and in the second place I did not know such thin skins were possessed, and I would like to read——

Mr. DIES. I yield no further than that. When you say "thin skins," let me say to you that statements such as you made, if you made them, calling a Member of this House a liar, is no small matter. If the gentleman serves in this body long enough—I have known the Members of this House many years. My father had his office in that corner over there for a decade during one of the most difficult periods in the history of this Republic, and I have seen press reporters, not a majority, but some of them, deliberately distort the facts and do all in their power to undermine the confidence of the American people in this body. Let me say to the gentleman that whether he serves here a long time or a short time, the first thing is to learn to love and respect the Members of this House.

The statement has been made by our critics—and may I say that all those who appeared in opposition to the committee were for the most part representatives of organizations that we had exposed—and in those statements they have sought to create the impression that the committee has devoted its primary effort to an exposure of communism, and has not exposed nazi-ism and fascism. Let me give you a few facts in connection with that so that I may here and now, and for all time, answer that propaganda that is being very cleverly disseminated against our committee. The facts are that we issued a report called the Red Paper, giving the Communist affiliation of a number of front organizations. What do I mean by "front organizations"? I mean an organization that was dominated or is dominated and controlled by a clique of Communists who belong to it, who attend all of the meetings, and who take advantage of the fact that people join it who never attend, and who run the thing not for the bona fide purpose for which the organization was formed but in order to spread communism. When we began the exposure of Communist front organizations, many people assailed us for it. I remember that we were criticized quite severely for exposing the American League Against War and Fascism, the International Labor Defense, of which the gentleman from New York [Mr. MARCANTONIO] is or was chairman, or occupied some position in it. We were severely criticized for that. I recall, Mr. Speaker, that the witnesses in the American Youth Congress appeared before our committee, and that we were bitterly assailed. The gentleman from Illinois [Mr. MASON] remembers who was there. I was not there at the time. If I recall, I was ill. The gentleman remembers that the wife of the Chief Executive appeared with the witnesses, sincerely and honestly believing in her idealism that this organization was a bona fide organization, and she believed that the Dies committee was the instrumentality of the reactionary forces of this country; and she permitted those witnesses to be her guests at the White House during the time the investigation took place. In justice to Mrs. Roosevelt, she finally discovered the truth, and she publicly admitted that she had been deceived by them. And when Mr. Joseph Lash appeared before our committee in executive session a few weeks ago, what did he say?

This was the same Joseph Lash who with arrogance walked into the committee room with Mrs. Roosevelt during our previous hearing and attempted to ridicule the committee, and read a poem attempting to cast ridicule upon its chairman. What did he admit in executive session—and I think I am privileged to tell this? He admitted that we were right all the time. He admitted that he had sought, he and the others, to ridicule the committee and to prevent us from obtaining the truth. Yet he was the man at that time who was leading some of the so-called liberal forces of this country, and the same group were picketing the White House, denouncing President Roosevelt as a warmonger, and demanding that we not aid England. Mr. Joseph Cadden—we have his picture when he was leading one of the picketing parades in front of the White House, and when the President addressed the American Youth Congress they applauded his speech until he said something about communism, and then they jeered and hissed him, and the same men who were opposing our aid to England, who were opposing the lend-lease—and I voted for that, under which Russia has already received millions of dollars from the United States—the same men who took the Well of this floor and who were speaking on the soap boxes of this country, some of them labor leaders, and I am now compiling the record of some of them, who were so vociferous at that time in denouncing our aid to England as intervention of the United States and provocation to war—those same men, when I was voting to repeal the neutrality law, when I was voting for the foreign policy of this administration, were opposing that policy, and now they have the audacity to stand before the American people and say that MARTIN DIES is a Fascist sympathizer. What are the facts? The facts are that this committee has heard 129 witnesses on the subject of fascism and nazi-ism, that we have approximately 3,000 printed pages of testimony on fascism and nazi-ism. The facts are that we have issued reports on Nazi activities as large as our reports on Communist activities.

The facts are that our committee has assembled over many months documents and evidence with reference to Fascist activities. We have sent those documents to the Printing Office. They are now being printed and in a few days this committee will give to the American people the result of our investigation over a period of years with reference to Fascist activities.

I do not mean to imply that previously we have not given those facts. In justice to this committee I must say that if it had not been for our investigation, Mr. William Dudley Pelley would not now be in the penitentiary. If the gentleman has any doubt about that, call the prosecuting attorney Mr. Williamson, who prosecuted William Dudley Pelley in the North Carolina courts recently and he will tell the gentleman that he telephoned me two times and said:

> Where is your investigator, Mr. Barker? It is absolutely essential that he be here. We cannot obtain a conviction without his testimony.

Mr. Barker had spent many months making an audit of all of the financial affairs of William Dudley Pelley. Our committee exposed him. As a result of that exposure Mr. Pelley was put out of business and is now in the penitentiary, or is preparing to go to the penitentiary.

What are the facts about George Deatherage? He and his Knights of the White Camellia organization were exposed by our committee. We did such a thorough job in that exposé that his organization was compelled to go out of existence. If the gentlemen who are constantly reiterating that propaganda will take occasion to study our hearings and study our reports and acquaint themselves with the facts, I am sure that no honest Member of this House will undertake to tell the House that we have been derelict in our duty in investigating nazi-ism and fascism. We have investigated dozens of Fascist and Nazi organizations in this country. If the gentleman has in mind any organization that he thinks we should have investigated that we did not, I would be glad for him now to tell this House. I pause for him to tell the House.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Washington, an honest critic, but a gentleman with it all.

Mr. COFFEE of Washington. The gentleman takes all the steam out of a man.

Mr. DIES. Oh, I do not mean to do that. Go right ahead.

Mr. COFFEE of Washington. I am so fond of the gentleman from Texas that I even hesitate to ask this simple question, but I know the gentleman has a very logical answer to this and I am sure all of us will be enlightened by his reply, because I have had many people inquiring of me, asking why it was that Father Coughlin's organization had not been investigated.

Mr. DIES. The answer to that is that Father Coughlin's organization has been investigated. We have in our files evidence with reference to him and with reference to other characters. Now, do you know what they are complaining about? Let me give you the facts.

The SPEAKER. The gentleman has consumed 53 minutes.

Mr. DIES. I want to give the House the facts. I am ready to answer any questions at any time.

We had a number of letters urging us to bring Father Coughlin to Washington and subject him to questioning. I always suspected that those who were urging that were those who wanted to advertise Father Coughlin. We also had letters demanding that Gerald Winrod, a preacher, should be brought before the committee and be investigated, and other preachers. I took the position, and this committee supported that position—and I think that is evidence that it is a wise position—that whenever this committee brought to Washington any preachers or priests and undertook to examine them publicly and permit them to be held in contempt, which would have been the inevitable result, for if Father Coughlin had appeared before our committee, as shrewd a publicist as he is, and had done what others did, and had said, "I refuse to answer any questions," or demanded to make a speech and we had held him in order, then we would have been compelled to appear before this House and ask you to cite in contempt certain priests and preachers. If we had done that, from all over the country there would have arisen an outcry denouncing us as being against certain religions. What we did do, however, was to obtain all of the evidence that we could possibly secure, and we have that evidence and we are now making preparations to give the American people the evidence; both the evidence we have obtained in the past and evidence which we secured this year..

Let me say to the gentleman that we seek to be fair about this matter. As you will observe in our report, a great deal of this evidence is an attempt to smear personally the President of the United States. I think when you read this report you will find that there has been a well-concerted plan, not to attack the President's policies, for that is the right of every citizen. In fact, I am one of those who believes that the greatest service that can be rendered to the President is to give him the benefit of honest, constructive criticism. If the House is not to do that, then why not just all quit and go home? I mean if we are not permitted, in a spirit of honesty and fair dealing and common love of our country, to stand on the floor and, with respect and dignity, urge that certain things are wrong in the executive department, then the House of Representatives has lost its dignity and its great independence. But this is a type of evidence, consisting of Axis propaganda, directed at the person of the President, propaganda that has been distributed, millions of pieces all over the country, designed to undermine the confidence of the people in the personal integrity of the Chief Executive, knowing that if that is accomplished, the Axis Powers will then be in a position to divide us from within. I say that because I want the gentleman to know, and I believe the gentleman is fair—I believe every Member of this House is fair. I believe if you will go over our records in our office, you will come to the same conclusion that many agencies of this Government have come to.

That is that this committee has performed a wonderful service, because we have been able to seize records and to compel people to testify, while other agencies of the Government have been unable to do that.

I cannot reveal the name of the man or the men, or exactly what they said, but I am sure they would not object. I spoke to some men very high in this Government on the question of the continuation of the Committee on un-American Activities, and I said to them frankly, as I said to the Rules Committee, that it is no personal favor to any member of this committee to continue it. There is no more difficult task assigned to any Member of Congress than to deal with this explosive subject. No committee—and the gentleman from Massachusetts [Mr. McCORMACK] can bear me out, for he was chairman of the committee which preceded our committee—he will tell this House that it is one thing to get up and criticize a committee or to say it ought to do this or it ought to do that, but when you are charged with responsibility at a time of great crisis in a Nation's history, then you find it not always easy to do these things that your critics tell you to do.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman referred to the gentleman from Massachusetts. I may say that I subscribe to that statement completely. It is a most difficult task to be the chairman of an investigating committee, such as the committee presided over by the gentleman from Texas. Having had experience along that line, I say that we have got to be very tolerant in our criticism.

Mr. DIES. Mr. Speaker, may I conclude by saying that I hope we will permit this to be an example on the floor of this House. All of us are facing a very difficult period, Republicans and Democrats alike. Never before in the history of America was there more need for sincerity, honesty, and zeal in the discharge of public duty than today. America is face to face with a mechanized barbarism that threatens our security and our very existence. If ever there was a time when representatives of the people should demonstrate an attitude of patriotism, of fairness, of courtesy, it is today. Whatever may come, whatever the provocation may be, let each of us have a spirit of tolerance and good will toward all the rest of us.

And to the press of the country, may I say to you—and I have dealt with the press rather extensively in the past 4 years—many of you have been very fair to our committee, some of you have been unfair to our committee. You have carried statements that were utterly false. Let me say to you gentlemen that serving in Congress is not as easy as you think it is. Service in Congress during this difficult period when you are besieged by all kinds of problems, when there are those calling upon you daily and hourly for this and for that service, requires all of the patience and all of the courage and all of the patriotism that any of us have; and as we approach that difficult time let it be as friends. Even though—even though—we disagree one with another let us be patient and tolerant and let us continue to be friends fighting in a common cause for the greatest Republic that ever existed in all the annals of history.

[Here the gavel fell.]

LT EDWARD H. O'HARE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I read from this morning's Washington Post and quote Mrs. Selma O'Hare, the mother of Lt. Edward H. O'Hare, a Navy pilot.

The account says this boy shot down six Japanese planes in an air battle over the Pacific Ocean. Mrs. O'Hare said:

> I'm all elated.
>
> I understand that two of them got away. He should have got those, too.
>
> How glad I am to hear this. I wrote him last week to "Keep 'em flying," and said we were all behind him. We've got to win this war.

Mrs. O'Hare classed the young man as an average boy. She said he always liked planes and that he told her several times he liked to fly a fighter plane, but that he was never much interested in shooting. She concluded her statement by saying, "But he seems to shoot well enough now."

Mr. Speaker, I know the people of St. Louis are mighty proud of Lieutenant O'Hare. The people of my district are likewise mighty proud of him, and I am doubly proud of him because I had the honor in 1933 to appoint him to the Naval Academy.

[Here the gavel fell.]

JOHN O. SNYDER

Mr. BEITER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, John O. Snyder today completes 41 years of service in the House of Representatives. This is a record of which we are all proud. He has rendered faithful service to the House and to his country. I know that

the Members on both sides of the aisle join with me in a sincere tribute to him. It is our wish that Johnnie Snyder may continue to serve in the House as long as he so desires and that the coming years hold only the best in store for him.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

A DAILY PRAYER AT NOON IN THE CAPITOL

Mr. MARTIN J. KENNEDY. Mr. Speaker, the daily news and radio announcements concerning the war must of necessity contain an account of the damage suffered by our ships, a list of our wounded, and the roll of honor of our heroic dead. These reports cause great unhappiness and leave our people in need of spiritual encouragement and moral support.

I suggest that we here in Congress supply this encouragement by holding a joint, informal, 5-minute session each day at noon in the rotunda of the Capitol where prayers will be said by our chaplains and guest chaplains. These prayers should be broadcast Nationwide and made a part of our national life. Our prayer and the prayer of every American should be for the success of our cause and the welfare of our men in the armed forces. This service will afford us here in Washington and the people of the Nation a much-sought opportunity to join in daily prayer and tribute for our fellow Americans who have made the supreme sacrifice for our beloved country.

It will be a great step toward our much desired and needed national unity and an acknowledgment of our dependence upon the almighty God.

SECOND WAR POWERS BILL, 1942

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2203) to further expedite the prosecution of the war, with House amendments thereto, insist on the House amendments and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. SUMNERS of Texas, MCLAUGHLIN, and HANCOCK.

AMENDMENT TO INTERNAL REVENUE CODE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I am today introducing a bill entitled "A bill to extend to April 15 the time for filing certain income-tax returns."

Be it enacted, etc., That (a) the first sentence of section 53 (a) (1) of the Internal Revenue Code (relating to the time for filing returns) is amended to read as follows: "Returns made on the basis of the calendar year shall be made on or before the 15th day of March in the case of a corporation, and on or before the 15th day of April in the case of an individual, following the close of the calendar year."

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1940.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my own remarks in the RECORD by including part of an article by Drew Pearson and Robert S. Allen in today's Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a telegram and a short editorial from my home paper.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. GILLIE]?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in two instances in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement on the importance of the Great Lakes shipbuilding facilities.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Walter Lippmann.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Portland Oregonian.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a telegram from the gentleman from California [Mr. TOLAN], chairman of the Select Committee Investigating National Defense Migration.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with the accident of the steamship *Struma*, the refugee ship.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on next Tuesday, March 10, at the conclusion of the legislative program of the day and following any other special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE LATE JOHN M. MORIN

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, it is with sorrow that I announce the death on yesterday of a former Member of this House, a man who represented the district I now represent, the Honorable John M. Morin, of Pennsylvania. Mr. Morin lived more than man's allotted threescore years and ten.

After several years in business, Mr. Morin went into politics, and was honored by being elected first as a member of the Common Council of the city of Pittsburgh. He was then for several years director of the department of public safety of that city. Following that, in the year 1913, he was elected a Member of the Congress and served continuously for 16 years, in 8 Congresses, from the Sixty-third to the Seventieth, inclusive. He was a member of the Committee on Military Affairs during the World War, and for a time in his later years of service in the House was chairman of that great committee. At the time of his retirement from the House, in 1929, the President, recognizing his great ability, appointed him a member of the United States Employees' Compensation Commission, on which body he served honorably and well until his death yesterday.

Mr. Morin was a personal friend of mine. He was a very kindly, affable gentleman. During all his years of public life he rendered conscientious, faithful, and dutiful service, not only to his constituents but to his country as well. I know that many of the Members now here knew him personally and all will join in expressing sorrow and regret at his passing. In him was exemplified the type of character and the virtues which go to make a great public servant and a lovable personality. His departure from our midst will be mourned by countless thousands.

Mr. MCGRANERY. Mr. Speaker, I, too, arise to pay tribute to the memory of the late John M. Morin, who represented a district in the city of Pittsburgh, Pa., and represented it well. For a num-

ber of years Mr. Morin was chairman of the House Military Affairs Committee, and as such inaugurated a program for the expansion and further development of the great institution of West Point. This institution was very close to the heart of Mr. Morin and he gave much of his time and even spent considerable of his personal funds in developing the Military Academy, which stands today as a living monument to his beloved memory.

Many of the older Members of this House remember most favorably this kindly man; and we who knew him well remember him best as a loving father to the 10 children whom he raised in a true American way of life.

Personally I remember him for his kindness to me and for his sound judgment, and it was my good fortune to have drawn upon his great reservoir of understanding on many occasions.

For the last several years he had been serving in the capacity of Commissioner on the United States Employees' Compensation Commission, where again his kindly and sympathetic understanding of human nature permitted him to serve the Commission with honor and distinguished performance.

The country has lost the services of a great man at a time when his practical clear understand of its problems is most needed.

His family has lost a loving father and I have lost a good friend, John M. Morin, a Christian gentleman.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I join with my colleagues who have just preceded me in expressing my sincere sorrow at the death of John Morin, an outstanding citizen of Pennsylvania, who has given years of service to our Government in this body and in other capacities. Long before I came to Washington I knew of Mr. Morin as a distinguished Member of Congress from the great State of Pennsylvania. Since coming to Washington 5 years ago I learned to love him and developed an intimate friendship with him. I am sure the entire citizenship of Pennsylvania is cognizant of the great loss our State has suffered in the death of this outstanding Pennsylvanian.

EXTENSION OF REMARKS

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief article.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

(Mr. VAN ZANDT asked and was given permission to extend his own remarks in the RECORD.)

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein remarks made by Dorothy Thompson.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech by Mr. Carleton B. Tibbetts, president of the Los Angeles Chamber of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I have received permission to insert in the RECORD a copy of the speech by Mr. Carleton B. Tibbetts, president of the Los Angeles Chamber of Commerce. I hope every Member will read this, because here is some plain talk about at least 5,900 small industries in Los Angeles County—A Strange Tale of Aluminum, Making Planes the Hard Way, Lost—8,000 Bombers, Jitters, Jealousy, and Social Planning, and Some Other Flies in the War Ointment, together with a few plain statements on unity and really fighting hard to win this war.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. NELSON. Mr. Speaker, I call up House Resolution 453, and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 453), as follows:

Resolved, That during the consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

Mr. NELSON. Mr. Speaker, as I have in mind some general agricultural matters, it is not my thought to devote much time to a discussion of the rule which I now present.

The rule is an open one. It is as wide as the entrance to a hay barn. It fits farming. Full freedom of action is provided. We can go "gee" or "haw." Speaking in terms of harness for the farm team, there are no blind bridles, no stiff bits with cruel curbs. The harness having both collars and breechbands we can pull or hold back, as we please. In plowing up or plowing under we can backfurrow or split the centers, whether using a many-bottom plow drawn by tractor or only a single 14-inch horse-drawn walking plow. We can follow the straight furrows in which our parents took pride or adopt the modern method of contour cultivation.

There is equally wide choice of farm implements. In conditioning the ground there are no restrictions as to types of harrows, rollers, or pulverizers. Seed may be broadcast or sown by drill; planting, as preferred in corn, a single-row planter for stump ground, a wider and speedier planter for most fields. Harvesting of wheat may be with binder, header, or combine. Yes, if the season is wet and the grain field but a few acres, resort may be had to the cradle of our forefathers.

In short, Mr. Speaker, this rule gives the House absolute freedom of action, the freedom of the farm. It is the opposite of a so-called gag rule. We can vote up or vote down, divide or multiply, every item.

Reversing the usual order, the committee has had rather full debate before presentation of the rule. In the course of this debate some may have become convinced that consideration of certain activities should be curtailed or entirely excluded. With this view I may not in all cases take issue, but if there is to be any clearing out of dead timber and burning of brush, let us do it right here in this House. Hatchets, axes, and ladders are provided. Were we, for want of a rule, denied opportunity to pass upon the controversial items, it is safe to predict what would happen. That which was held to be out of order here would not be out of order over there. The empty grain sacks that we sent north might not, it is true, come back in the amended bill. With the advance of the season, though, they would be sent south. Judging from the past, we would receive, in some form, what we had rejected, receive it carefully wrapped in cellophane. On the outside of each package would be written "No alterations necessary. Take it or leave it." Then our only recourse would be through conferees. These farmer-minded men, hedged about by rigid rules, while doing their best to arrive at conclusions satisfactory to all the rest of us, would have a harder job than saving hay on a rainy day.

Let us then make hay here, make it while the sun shines, by adopting this rule and doing the work ourselves—doing it the way we want it done.

Mr. Speaker, as suggested in my opening statement, I wish briefly now to discuss two or three matters of general interest to agriculture. However, before doing so, I mention another thought. It was brought to my mind this morning when I opened a Missouri farm paper. "Let's Be Neighbors" is the caption above a paragraph under a picture showing a snow-covered rural mailbox.

In my years in this House I have come to think of my colleagues as neighbors. In saying this I refer to those on my left as well as those on my right. This center aisle is no "devil's lane," such as in rare cases have marked the boundary line between fussing farmers.

All of us want to be good friends and good neighbors, but when worn out and worried, we may occasionally forget. You and I, and especially if close contact has caused us to love the land, have like longings. With the coming of spring we grow restless, and sometimes as snappish as wild animals in a cage. This feeling, which God made a part of every normal human being, accounts, I believe,

for a considerable part of the complaint heard not only against Congress but against so many others in places of responsibility. This is a peevish period.

At such times even a Missourian may feel like kicking his "houn' dog aroun'," may actually be unkind to man's most faithful and forgiving friend. Today is such a time. For weeks news from the far-flung battlefront has not been the best. There is disappointment. The other fellow, regardless of who he is, is blamed.

I imagine, Mr. Speaker, that with the approach of spring you would enjoy getting back to a Texas barnyard and getting on your boots a substance which makes crops grow like magic. Springtime on the farm, with colts and calves, pigs and lambs, has its lure.

I dare say that in our love of Nature all of us are much alike. Few are entirely happy here. As an understanding constituent, a leading farmer, wrote, "You Members of Congress have your headaches and your heartaches just as we at home have."

Because of conditions over which we have no control, many of us, I believe, would prefer not again to be candidates except for what may seem the call of duty. For all in this War Congress, these are trying days. But I must discontinue such observations.

I speak now directly of farming. The rule which I have reported, as instructed by the Rules Committee, seeks to make in order further consideration of H. R. 6709, a bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The bill itself is a big one, but small as compared with the almost 2,000 pages making up the hearings. Very properly, the first witness called by the committee was Secretary of Agriculture Claude R. Wickard. Now, as a Missourian, I am naturally interested in this Cabinet position, Hon. Norman J. Colman, of St. Louis, having been the first to fill this place. Governor Colman, so-called because he had served as Lieutenant Governor of Missouri, was editor of Colman's Rural World, farm gospel for many folk half a century ago. He was also a practical farmer and a breeder and lover of good horses. Older residents of the Missouri metropolis may still recall seeing the Governor mounted on a high-wheel sulkey, driving his entry on the old St. Louis fair grounds. David M. Houston and Arthur M. Hyde, both from Missouri, also served as Secretary of Agriculture.

For the first time in the history of the United States, we now have as Secretary of Agriculture one born and reared on a farm, trained especially for farming, to which he has devoted his life. Claude R. Wickard, of Camden, Ind., was born on a farm that had been in his family since 1840. He has a background of a quarter century of active farming, having farmed with his father while in school. He was graduated from Purdue University, after which he took over complete management of the home farm and was active in farm organization work. He was named as a master farmer and his work in soil building and approved farm practices was recognized by outstanding awards. He was active in the A. A. A., being made chief of the corn-hog section in 1936. He was named Under Secretary of Agriculture in February 1940 and Secretary in September 1940. He continues to operate his 380-acre grain and livestock farm.

So much for some of the men who have filled the position, but let us now turn to the consideration of the office itself. We read:

> The Department of Agriculture is charged by law with acquiring and diffusing among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of the term.

Further on we read:

> The Secretary of Agriculture exercises general supervision and control over the affairs of the Department and formulates and establishes general policies to be pursued by its various branches.

In the Congressional Directory I turn next to the Department of Labor, duties of the Secretary, and read:

> The Secretary of Labor is charged with the duty of fostering, promoting, and developing the welfare of the wage earners of the United States, in improving their working conditions, and advancing their opportunities for profitable employment.

The definitions quoted are in striking contrast. It must be that the lines dealing with labor were written by an understanding friend of those who work with their hands, who earn their living by the sweat of their brows. It is militant; it has meaning. It is no "pussyfoot" pronouncement. I do not know who wrote concerning the duties of the Secretary of Agriculture. Surely it was no real farmer. So far as suggesting equality for agriculture, the words are weak and wobbly. Despite this, as we read that the "Secretary has control over the affairs of the Department," we realize that he is not without power.

It is time for agriculture to write a new charter for itself. Right now give to our Secretary of Agriculture, a real farmer, to understand that as he exercises all the authority given him—general supervision and control—as he battles as strongly and as sensibly for agriculture as in the past Secretaries of Labor, able and understanding men, have battled for labor, as the word is commonly used, 10,000,000 farmers and their families will be back of him. With such support he need have no fear of being fired.

From what I have said let it not be understood that I am endorsing the present Secretary of Labor. To fill that position there is needed now, as never before, a real he-man, one who has toiled in shop, factory, or mine, as the case may be; one who symbolizes somewhat the village blacksmith, with mighty muscles and sinews of steel. I do, though, note with approval the Department's desire to serve those in whose interest it was established—to serve these, but never to be unmindful of our Nation's needs.

I like Secretary Wickard. If he is given assurance of strong farmer support, which, if he is to succeed, he must have, I believe he will fight. But no general can successfully lead a divided army against a united foe. His duty, whether or not it is so defined matters little, is to foster, promote, and develop the welfare of the farmers of the United States—the producers, rather than the consumers. Administrator Henderson is showing plenty of interest in the latter, in those who want low-priced food, and who, if they fail to get it, will blame the farmer, not the middleman. I want Mr. Wickard to exercise full power delegated to him under the Price Control Act. If this means locking horns, let him lock them. If he must, let him fight Mr. Henderson, fight, fight hard, fight like—well, like MacArthur, fight for the farmer.

Do I want to see the farmer profiteer? I do not. All the farmer asks is to be placed in a position—and this means decent prices and sufficient help, real help, not farmerettes—so that he may be able to produce the meat, grain, and milk—food without which the war cannot be won.

Let farm prices advance just a little and there goes up from the financial centers cries of fear of inflation. Or there are those oversolicitous but ever-selfish pseudo friends of the farmer who warn against $23.40 peak hog price or $400- and $500-acre farm land as a result of World War No. 1. Farmers have not forgotten. They want no repetition of those terrible times. There is no danger here. The burnt child fears the fire.

Mr. Speaker, I come now to mention farm help. On January 9, at hearings referred to, Secretary Wickard, in discussing farm-production problems, said:

> For a while we said that we were concerned about the shortage of skilled labor. Last fall I made some statements which I thought were apropos in the situation, then pointing out that we should not take boys away from the farms who had been trained, who had a lifetime of experience in taking care of dairy herds, livestock herds, poultry farms, fruit farms, and other things; those activities must go on, I said, and production should not be jeopardized. Now we are coming to the point where we are concerned about the total supply of labor, unskilled as well as skilled, and I am afraid that the farm-labor problem is going to grow worse and worse. I do not think we can look to machinery to replace farm labor to a great extent, because we do not have the metals and other materials for the machinery.

Since that time, if I may judge from letters from farmers, the farm-help shortage is constantly becoming more serious. Discussing this subject, I wish to make it very clear that farmers as a class expect no deferment, and ask none. Individually, these men, who during most of their lives work to keep out of the hole, ask no more favored treatment, except for the public good, than that given the golf player who works to get in the hole. There are, though, many instances in which the farmers, as individuals, in order that the food necessary in the winning of the war may be provided, should be given full consideration by the local draft board. Only this morning I had a letter from a farmer who told of the situation in which he finds himself, with 460 acres of land, a large lot of livestock on hand, and the local draft board had called his boy. He said:

I would like to have my boy released from service until we can produce this year's crop. He will gladly return to service after this crop is produced. We want to do our full part in the war, and I truly believe he can do five times more good on the farm for a few months.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. NELSON. I yield with pleasure to my able colleague.

Mr. EBERHARTER. Did not the local board defer that young man?

Mr. NELSON. I understand not. I believe in the utmost patriotism, sincerity, and honesty of the local draft boards, but until they get more definite directions from General Hershey, they hesitate as to what they should do. The average farm boy is the last boy in the world to ask deferment for military service.

If the food-for-victory campaign fails, it will not be the farmer's fault. His 8-hour day—8 hours before dinner and 8 hours after dinner—stands for full production.

Food comes only from our farms. It is not produced on the sidewalks of New York. We look with confidence to the wheat fields, the soybean acres, the corn fields, the dairy barns, and feed lots, for what we must have, not only for ourselves, but later for many of our Allies, for those who fight with us on the side of civilization.

Finally, then, Mr. Speaker, I urge adoption of the rule and passage of the agricultural appropriation bill, which it makes in order.

Mr. MICHENER. Mr. Speaker, I am not as enthusiastic about this rule as is my colleague the gentleman from Missouri [Mr. NELSON]. The rule is all he says it is. I compliment him upon the unique manner in which he described the rule. I voted to lay the application for the rule on the table in the Rules Committee, along with some other members of the committee, because I believe in the general rules of the House. I am tired of having the Appropriations Committee place legislation in appropriation bills contrary to the rules of the House, thereby depriving the legislative committees from having an opportunity to consider and discuss the legislation, for which purpose they are specifically set up, created, and qualified. This is a wide-open rule. This rule says to the Committee on Appropriations: "All rules of the House to the contrary notwithstanding, any legislation you have seen fit to put in this bill shall be in order." That is what the rule says.

Mr. EBERHARTER. In other words, legislation covering any subject whatsoever could be offered as an amendment to this bill?

Mr. MICHENER. No; the able gentleman is wrong. This rule makes in order anything that is now in the bill, even though it is there in violation of the rules of the House. However, the rule of germaneness still obtains—that is, any amendment offered must be germane to some part of the bill. I am not going to take any more time, but I do want to say that if this House retains the power and the dignity and the usefulness of its legislative committees, it must never grant an open rule like this except in matters of extreme necessity. Such occasions do arise. The House should embrace such occasions. In my judgment, such an occasion does not arise in reference to this bill. No question of national interest is involved. Therefore, I shall not vote for the rule, although I appreciate the logic of what the gentleman from Missouri has said—to wit, that this bill, if it passes the House, according to the rules of the House, will go to the Senate, and then the Senate will put some riders on it giving some particular benefits to some particular farmers, and then the Senate will claim the credit to the farmer and the Members of the House will not get the credit. To me that logic has no appeal. I think we ought to stand on our own feet. I do not think we ought to pass legislation here that should not be passed under the rules of the House, simply because some Senator may get the credit for putting it into the bill in the Senate, even though he does it in violation of the rules of the House.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. For a short question.

Mr. VORYS of Ohio. The gentleman has said that this is against the dignity of the House. As I understand it, the rule exists for the convenience of the House and not the House for the convenience of the rules. Would the gentleman explain to some of us younger men why it is that the appropriation and legislative functions are divided in the House mechanism and organization?

Mr. MICHENER. That is a long story. I have but 5 minutes. The distinguished gentleman from Ohio is a diligent student and likes to dig into things. I suggest to him that he study the debate in the House in 1921 at the time the Budget System and this Appropriations Committee of 35 members were established. Before that time much appropriating jurisdiction was in the various legislative committees. It is a long story. There is a reason for it. If you want to make this a supercommittee, then pass rules just like this, and every time you pass a rule it makes it easier to pass another similar rule. In fact, the Committee on Rules determined earlier in the session that it would not pass any more rules like this rule for the Appropriations Committee. However, here we are again.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Yes.

Mr. HANCOCK. I think the obvious answer to the inquiry of the gentleman from Ohio is that the legislation of the House covers too wide a scope for any one committee to handle it.

Mr. MICHENER. I think that is one good reason.

The hearings before the Appropriations Committee are executive. They are not public, as they are before other committees. The hearings are not released for the public and the Members of the House until the bill is brought before the House for consideration. The function of the Appropriations Committee is to report appropriations to implement laws previously passed by Congress.

Mr. Speaker, this same type of rule has been sought and secured by this same subcommittee for the last 3 years. Certainly, this rule does not make in order emergency legislation. I realize this rule will be adopted. Maybe, however, this matter will be considered by the House and appropriate action taken when the next similar application comes up.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am a member of the Committee on Appropriations and have been for many years, during all of my service here in the House. I do not like the idea of the Committee on Appropriations bringing in legislation, especially legislation of a highly controversial character, and legislation which is bound to get us into trouble. I am going through this bill as quickly as I can and without attempting to discuss the merits of a single item involved. I am going to point out the high spots of legislation in this bill that are made in order by the rule which is under consideration. For over 100 years the rule in this House has been that appropriation bills should not carry legislation. That rule has been violated sometimes by unanimous consent. Sometimes with reference to some war item it must be violated to a certain extent to give us the speed that we need, but most generally it is a rule that deserves honest observation.

Now the major items in this bill that are brought in as a result are these: On the bottom of page 75 there is a contract authorization to the Secretary of Agriculture for the payment of parity payments, instead of a direct appropriation. This clearly is not in order without a rule. I have taken the trouble to figure up what the payments would be based on present prices, and those payments would run, instead of $212,000,000 as last year, somewhere around $350,000,000 or $400,000,000.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield for a question?

Mr. TABER. I would rather not until I have finished my statement with reference to this situation.

Now, that contract authorization does not tell the House what it is up against. If we are going to have parity payments we ought to say how much we are going to spend for it, just as we have in the past, instead of a blanket contract authorization in the hands of the Secretary.

There is another provision in the proviso beginning on line 13, page 16. There is another provision with reference to parity payments on the bottom of page 78. I am not so sure that that particular item would be subject to a point of order, but I do think that the attention of the House should be called to the item at this time. It appears to be, and I have understood the majority members of the committee to contend that that provides a prohibition against the sale of Government-owned stocks of farm commodities

at less than parity prices. Let me say to you that it is not a prohibition.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. TABER. It is not a prohibition. It is simply a prohibition against the use of administrative funds appropriated in that particular paragraph. Funds could be transferred into the Commodity Credit Corporation under the transferability clause and a new unit set up in the Commodity Credit for the sale of these commodities, and right within the scope of this bill it could be done.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I hardly have time. There are two other items that I wish to cover.

Mr. TARVER. Just for a few questions.

Mr. TABER. Very well; I yield.

Mr. TARVER. The provision to which the gentleman refers is not affected by this rule at all?

Mr. TABER. I appreciate that. That is not legislation. It is a limitation.

Then on page 84 there is an item authorizing the Reconstruction Finance Corporation to give to the Secretary of Agriculture $70,000,000 for rehabilitation loans. That is clearly not in order without a rule. To my mind, that is bad.

Then on page 88 there is an item for the Reconstruction Finance Corporation to advance to the Rural Electrification Administration $10,000,000. I would not object particularly to that one, although I think it ought to come out of the Treasury if it is to come.

Then there is a provision for farm tenancy, for which funds are supposed to be provided, on page 80, at the bottom of the page, $45,000,000 out of the Reconstruction Finance Corporation.

Now, those are the main items. There are some others, for which I am sure no rule would be asked, but those are the main ones. Frankly, they are very involved propositions and should not be brought up here under a rule, in my opinion, and carried in an appropriation bill.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. TABER. I now yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The first item the gentleman mentioned, the one with respect to parity payments under the soil-conservation program—would that not be in order without a rule, if it were in a direct appropriation?

Mr. TABER. It would; but it is a contract authorization, and it is not in order, and it ought not to be a contract authorization.

[Here the gavel fell.]

Mr. NELSON. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, for many years the Rules Committee has been criticized for bringing in gag rules and closed rules. A great deal of that criticism came from my colleague and friend the gentleman from Michigan [Mr. MICHENER]. Today he objects to an open rule, and I am pleased to say that I more or less agree with everything he has stated. I think a broad rule that makes in order legislation injected by the Appropriations Committee, though there may be some justification for this appropriation, is manifestly unfair to the legislative committee. The Appropriations Committee is assuming jurisdiction that is not theirs. I hope this is the last time that the Appropriations Committee will come in with a bill legislating for the Committee on Agriculture.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I only have 5 minutes.

Now, personally I shall vote for the rule, because I always believe in giving the Members of the House ample opportunity and privilege to vote on any important proposition.

My colleague, a member of the Rules Committee, the gentleman from Missouri [Mr. NELSON], has made an extraordinary effort to obtain the special rule to eliminate any points of order against many of the provisions in the bill. I fully appreciate the great interest he is taking in agriculture, meaning, of course, the farmers, not only of his district but of the United States. However, I fear, in his desire and efforts, he is urging and fighting for more than the farmers are entitled to or even asked for.

He is carrying out the wishes of leaders of the various agricultural organizations and the farm bloc in the House.

In view that I made it possible that this rule is before us, making many of the appropriations in order, I take the privilege of stating that I feel that the farm bloc and agriculture in general should realize and appreciate all that has been done for them in the last 10 years under the present administration.

Every report and all statistics indicate the farmers of our country are in better position today than ever before in the history of our country, and I feel that they should desist at this time from urging and demanding and forcing through additional unneeded appropriations when the country is confronted, as it is, with such a serious situation.

I feel that the farmers are just as patriotic as any other class of our people, but they do not seem, as yet, to realize that our security and liberties and freedom are being threatened.

Therefore, I hope that the farm agricultural leaders and the farm bloc, who should know and do know, will bring home to the American farmers the need of real cooperation, and eliminate personal selfish interests, so that we can utilize the funds available for the prosecution of the war. And what applies to the farmers should apply to all Americans alike at this critical time.

Mr. MICHENER. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. LEWIS].

Mr. LEWIS. Mr. Speaker, today I find myself in the unpleasant situation of opposing, for the second time within a couple of weeks, a special rule brought in by the Committee on Rules, of which I have been a member for several years, and for every member of which I have the highest respect and warmest affection.

I am against this special rule because it would waive points of order against the pending Agricultural Department appropriation bill. The necessity for this rule is that the pending Agricultural Department bill includes legislative provisions, which is in violation of clause 2 of rule XXI of the Standing Rules of the House of Representatives.

The standing rule prohibiting the inclusion of legislation in appropriation bills was first adopted by the House in 1837—105 years ago. The standing rules of the House are based on sound legislative experience; they are founded on sound principles. When we depart from these general standing rules or seek to evade them we are inviting trouble. If we adopt this special rule we would be condoning an action by the Committee on Appropriations which would usurp the powers and authority of the Committee on Agriculture. It is wrong in principle. Much as I regret to be obliged to say so, I think this special rule ought to be defeated.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan that he be permitted to speak out of order for 5 minutes?

There was no objection.

Mr. DONDERO. Mr. Speaker, on the 10th day of last November the Rivers and Harbors Committee of this House reported a bill to the House containing some 231 projects and amounting to nearly $1,000,000,000. It undoubtedly is the largest rivers and harbors bill ever presented to the House of Representatives in the history of this Republic. In that bill are some 38 projects approved by agencies of this Government charged with the responsibility of the defense of this Nation as being of necessary defense value. In the committee rivers and harbors omnibus bill are many projects of a controversial nature. Several of these projects have heretofore been rejected by Congress.

I have today introduced a bill limited to those projects which have been considered of national defense value.

It reduces the committee bill by some $600,000,000. The amount of my bill, containing these urgently needed defense projects, approximates $400,000,000.

On May 21, 1940, the last rivers and harbors bill of this Congress was vetoed by the President. In the President's veto message he made a suggestion which has challenged my attention. I quote the President:

> With respect to the few items in the bill that are of national defense value, I would be glad to approve separate legislation covering these projects.

He said he would consider a rivers and harbors bill limited to projects of a national defense value. The Nation was not at war on May 21, 1940, but the

Nation is at war now. It must be conceded by everyone that the President's suggestion of limiting river and harbor work to projects essential to national defense is of greater force now than 't was when he made it in 1940. The bill which I have introduced today carries out the suggestion made by the President. And my purpose of introducing the bill is to eliminate many highly controversial projects, reduce the amount of the authorization and limit our action to those projects which will aid the Nation in winning this war.

Let me remind the House that the previous rivers and harbors bill, which was vetoed, totaled only $110,000,000, while the pending rivers and harbors bill reported by the Rivers and Harbors Committee, of which I have the honor to be a member, totals nearly $1,000,000,000, or nearly 10 times as much. If the President would veto a bill of $110,000,000, certainly we have no right to expect that he is going to look with favor upon a bill of $1,000,000,000.

I repeat, the purposes of introducing my bill in the House today covering the 38 projects deemed essential to national defense is to meet the requirements of the President's veto message and eliminating many controversial projects, reduce substantially the huge total of the omnibus bill, strengthen the effort of the Nation in our defense program, and thereby serve the Nation best. Let us recognize that the economic structure of our country is being taxed to the utmost. We must attune the legislative program of this Nation to that concept.

In this hour of the Nation's peril, when the American people are being asked to practice strict economy, practice self-denial, purchase Defense bonds, and contribute from the national income vast sums of money to carry on the Nation's war effort, we can encourage them and merit their confidence by our effort in the legislative branch of their Government to restrict our expenditures to those essentials for the preservation of our present form of government and the American way of life.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. NELSON. Mr. Speaker, I also yield the gentleman 3 additional minutes.

Mr. DIRKSEN. Mr. Speaker, as a member of the Appropriations Committee and as a member of the subcommittee who helped in the preparation of this bill, I trust the rule will be adopted. There are 14 or 15 legislative and limitation provisions in the bill. They are clearly out of order, and the committee has no authority to report them. It therefore becomes necessary to get a rule to retain them in the bill. I recognize all the arguments that have been made against the adoption of a rule of this kind. First, that the committee exceeded its authority, which is correct; secondly, that it is an invasion of the legislative prerogatives of legislative committees, which is also correct; that it lends itself to abuses, and I admit that freely. But when all is said and done, there has got to be some latitude. You cannot generalize too freely on provisions of this kind. Perhaps the best answer to the whole matter will lie in an analysis of the provisions in the bill to which objection has been made.

First, let me say that there is no committee that gets the perspective of a Government agency or a governmental department like the Committee on Appropriations. We have been in the committee for 5 weeks, early and late, mornings and afternoons, on this bill. There has been a constant parade of chiefs and bureau heads before us, so that we get a clear perspective of policy, administrative procedure, difficulties, abuses, and everything else that goes to make up departmental practice. In view of that fact, the committee can often recommend things that are in the public interest which would take interminable time if we had to resort to legislation.

For instance, there is a provision here to provide for cooperation with the State of Florida in connection with the Seminole Indian Reservation. The reason that is included is because the deer in Florida are the host to the cattle tick. When they escape to the Seminole Indian Reservation you cannot get them. The Bureau of Animal Industry cannot eliminate cattle ticks unless it has authority to cooperate with the State. So we ask that it be waived, and it would be waived if the rule is adopted.

There is a provision here for taking fees from the timber service and turning them back so that they inure to the benefit of private industry. It would take a long time to provide legislation on that subject. A bill would have to be introduced and there would have to be hearings. Why not waive it now in the interest of the public service?

There is a provision here for consolidating some laboratories. This would save money, it will put research under one roof, and it is very definitely in the interest of the public good.

That is one reason why the rule ought to be adopted. The second is that there are administrative difficulties in every department with which you have to deal, and the only way you can deal with them efficaciously is by putting in some limitation in an appropriation bill or perhaps by including a waiver.

For instance, there is an item with respect to travel fees for those who are in the farm-inspection service, where they travel within the confines of a certain city. Should we go to the trouble of bringing in a separate bill to cover a little item like that? Yet we cannot include it unless the rule is adopted.

The Agricultural Adjustment Administration, for example, does $6,000,000 worth of work for the Crop Insurance Corporation. This represents a sizable sum. You have to make a provision for transfer of that money to the Agricultural Adjustment Administration. Therefore, it constitutes a legislative provision in the bill. Should it not be waived in the public interest and in the interest of good administration? My own answer is that it should be.

There is a provision for making it possible for the Farm Credit Administration to exact in advance fees for examinations from the Federal land banks and other credit agencies. If you do not do this, they will have to come back after a while and ask for a separate appropriation. Why go through all of this legislative procedure when that can be done here expeditiously and in the interest of good administrative procedure?

There is a sliding scale provided for cutting down the money made available to the Secretary of Agriculture. The reason for that provision in the bill is that after we had instituted a number of curtailments in the appropriations we could not tell definitely how much the Secretary's office ought to be diminished.

[Here the gavel fell.]

Mr. NELSON. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. DIRKSEN. Mr. Speaker, there are some items in controversy like the parity item. May I say that the House is not foreclosed in its right to deal with the matter. It can delete it. An amendment can be offered on the floor to delete it if the Committee of the Whole so desires. So that the House, after all, is serving a useful purpose in adopting the rule, retaining good legislative provisions here that are necessary, and not call for the interminable procedure of going through legislative committees, yet retaining its right to knock out any provision if it so desires. The House loses no rights or privileges. The rule, therefore, should be adopted.

[Here the gavel fell.]

Mr. NELSON. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Speaker, this is the usual rule. It is a routine rule. It is the same rule we had last year on this bill and the same rule we had the year before.

Furthermore, it is a necessary rule. It is a rule without which we cannot have adequate consideration of this bill. It is a rule without which the House of Representatives cannot adequately and efficiently discharge its duties in the enactment of this legislation.

It has been said here by a distinguished gentleman from Illinois that he opposes this rule because he wants to save money. That is exactly what this rule does. It saves money. For example, instead of making an appropriation for parity payments, the item to which my friend from New York referred just now, under this rule we merely authorize commitments. We save $212,000,000 on that item alone.

Mr. Speaker a special rule is like a surgeon's knife. It is a sharp instrument. It is capable of doing either much good or much evil. We have had rules in days gone by which were in effect gags under which you could neither amend nor debate. But here you have a rule which extends and enlarges the privileges both of debate and amendment. A gag rule limits and contracts the rights of the Member. This rule broadens and extends the privileges of the Member. It provides a broader field and a wider latitude in the consideration of the bill—one of the most important of all the supply bills of the session.

But they say it authorizes the consideration of items and provisions which would otherwise be subject to a point of order. That is true. That is true of every regular supply bill reported to the

House. All of them, and this bill in particular, carry and have always carried items that are subject to points of order. Such items have been carried year after year and will continue to be carried in this bill and, more or less, in all supply bills.

I recal. that in the Sixty-fifth Congress, Thomas L. Blanton, of Texas, was elected to the House—one of the most useful and most remarkable men who ever sat as a Member of this body, and one of the most indefatigable. Shortly after he came to the House he spent an entire summer vacation studying rules and procedure and the following session, when the first supply bill came in, he secured a chair and took his seat here in the Well of the House. That was before the day of the microphone and it was sometimes difficult to hear either the Clerk at the desk or the Members on the floor. So he took his seat down here in front of the desk and as the bill was read lodged a point of order against every provision on which there was any question of authorization or legislation. And when the Clerk finished reading the bill it had been stripped clean. Little was left but the skeleton when it went to the Senate.

But note the aftermath. When the bill came back from the Senate every item that had gone out on a point of order had been restored. Mr. Blanton was quick to see the futility of the proceedings. He had not only failed to accomplish anything by his parliamentary crusade against the bill but in the process he had brought about two untoward results. In the first place, he had deprived the House of its constitutional right to initiate legislation and, in the second place, he had prevented the consideration of some of the most important features of the bill on their merits.

And that is what failure to adopt this rule will do. It will arbitrarily and summarily eliminate many items in the bill without giving the House the opportunity to either debate or vote on them. Would it not be better to take up these items and debate them and then either vote them down or vote them up as the House prefers? Is not it better to let all Members of the House pass on them than to let one Member of the House throw them out on a point of order? The fact that we have this rule will not prevent the House from voting to strike them out if it wants to strike them out. The rule merely gives the House the opportunity to pass on them. That is what we are here for.

Mr. NELSON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Missouri, a member of the Committee on Rules and the proponent of the pending resolution.

Mr. NELSON. In other words, the only question is whether the House shall write this legislation or whether it shall be written in part by another body.

Mr. CANNON of Missouri. That is precisely the question involved in the adoption or rejection of this resolution—whether we shall be permitted to debate these items on their merits and then vote them up or down, as the House after deliberation determines, or whether the House shall have no voice in their adoption or rejection And not least, whether the House shall have an opportunity to exercise its constitutional prerogative to initiate legislation.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my colleague the gentleman from Missouri.

Mr. WILLIAMS. Can the gentleman tell us what are the main items in this bill which this rule is designed to protect?

Mr. CANNON of Missouri. There are 40 or 50 such items in the bill. I would not have time to cite them in the minute I have remaining; but the gentleman from New York enumerated the major items and emphasized 2 of them in particular. One was the provision on parity payments, under which, as I have said, we propose, instead of appropriating $212,000,000, to authorize the Secretary of Agriculture to make commitments.

The purpose of that amendment is to save money, to reduce appropriations because if it goes out on a point of order it will be either reinserted in the Senate or be superseded by an appropriation of $212,000,000 as in the current law.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Wisconsin.

Mr. MURRAY. The gentleman would not like to leave the impression with his colleagues or with the people of this country that the Committee on Agriculture is not perfectly capable of handling agricultural legislation?

Mr. CANNON of Missouri. The larger number of items in the bill to which this rule refers are not questions of legislation, but questions of authorization, so small and in such detail that it would be impracticable for any committee of the House to initiate legislation merely to make them in order. Some of them have been carried in this bill for 35 years.

Mr. MURRAY. This is the fourth year I have been in the Congress. I should like to state that I believe one member of the Committee on Agriculture, the gentleman from Georgia [Mr. PACE], knows more about agricultural legislation than any group of people on the floor of the House.

Mr. CANNON of Missouri. I heartily join the gentleman in the fine tribute he pays to the gentleman from Georgia. It will be observed that the gentleman from Georgia favors giving the House an opportunity to debate these questions and then vote on them, instead of knocking them out on technical points of order, to be returned by another body.

Mr. Speaker, I trust the House will follow the usual routine and agree to the resolution in order to have the advantage of the combined knowledge and wisdom of the House in the consideration of this important legislation.

[Here the gavel fell.]

Mr. NELSON. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 93, noes 30.

So the resolution was agreed to.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the Honorable Eugene Casey at the Washington day dinner at Fort Worth, Tex., on February 23, 1942.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

Mr. RANKIN of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN of Mississippi. How much time in general debate remains?

The CHAIRMAN. Pursuant to the order of the House on yesterday there are 1½ hours of general debate today.

Mr. TARVER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I feel that possibly we should give some serious consideration to the whole purpose of the agricultural program as we approach a vote on this bill. I think there is a great deal of misunderstanding on the part of many of our people about the purpose of any agricultural appropriation bill. I think it is unfortunate that we have Members who, in all good faith, stand here in this Well and make the charges that have been made quite recently to the effect that the farmers are already getting more than they ought to get and that there is not any reason for passing a bill simply to give the farmers some more gravy out of the Public Treasury.

I do not know whether all of you received the pamphlet I received this morning from the Agricultural Adjustment Administration or not. I am sure if you did that many of you have not read it, because we all receive a great many things we do not have time to read. But I hope you will take time to read and study this pamphlet. It is short. It is clear. It gives up-to-the-minute figures which I think are exceedingly interesting. It shows graphically the comparison between the income of the farmers today

and in 1929, and the income in nonfarm groups of our cities and the income in 1929.

We all look back upon 1929 as that great year in which everybody was making so much money. We talk about the great income of our industries and the high wages and the universal employment at that time. In 1929 farm prices were 20 percent higher than they are today, yet industrial wages are today higher than they have ever been in the history of the Nation. The nonfarm income today is greater than it was in 1929, but the farmers' income is only 80 percent of what it was in 1929. I am quoting from figures released just this morning by the Department of Agriculture.

Those figures, in another way, show that the income of the average citizen today will buy one-fourth more food than it would buy in 1929, and yet when we dare to suggest that the farmer is justly entitled to get parity for his products we are told, "Oh, it will set off an unhappy inflationary spiral that will wreck us all." Possibly those who present that line of argument do so believing they are correct, but I cannot feel that they have though this thing through. How is it possible to set off that dangerous, inflationary spiral simply by bringing the farmers' income up to something like what it was back in the days when everybody was employed and prosperous. Even in 1929 the farmer was the least prosperous element in our population.

Today the farmer is making less than he was; today the average city man is making more than he was; and yet I do not think anyone who can think back 12 or 13 years will deny the fact that even in those days the farmer got a relatively small percentage of the national income. I simply think that those of us who criticize the efforts that are being made to improve agriculture, who criticize every appropriation that is made to enable agriculture to improve its own situation, should give some thought to the disparity that exists between agricultural and nonagricultural groups. I want to call your attention, too, to a very unfair statement that is made so often when the appropriation bill comes up for agriculture. Statements are made, or the statement was made last year, because, of course, this bill has $400,000,000 or more than that; nearly one-half billion cut out from what it was last year. Yet we were told that Congress had appropriated a billion dollars to give to the farmers. And some of you do not realize or do not seem to realize that there was but $212,000,000 of that that went out in the way of the parity payments about which they are talking. Less than one-fifth of the sum total of the agricultural appropriation bill was distributed in the form of those payments that it is so often said were made to the farmer.

Most of that billion dollars was used to operate the various agencies of the Department of Agriculture. I am talking now about those bills that have been criticized so severely in the past, when the agricultural appropriation included, for instance, the Bureau of Public Roads. I do not know why the farmer should be blamed for all the cost of transporting all the products from New York City to Atlanta by truck, yet that is being done and it is all charged to agriculture, as are all of the activities of the Department of Agriculture, including such agencies as the food stamps and the Farm Security which are in large part direct relief agencies giving even larger benefits to cities than to rural areas. Every one of the activities of one of the most far-reaching departments of the Nation has been charged up to the farmer. We have been told on this floor by Members who, apparently, did not know any better, that all of that billion dollars per year was being given to the farmer as parity payments. About 20 cents out of the dollar of your last agricultural appropriation bill was used to make these adjustment payments to your farmer.

So I beseech those of you who are so ready to stand here and speak of payments you are going to make to the farmer, and who charge that they are causing the prices in this country to go into an inflationary spiral, to think of the facts for a moment before being so free with criticism. This bill specifically provides that no parity payments shall be made except where payments are required to bring the farmer's price up to parity. Let us enact legislation like this bill, and bring the price of farm products up to a parity. I am not asking that you give the farmer more than his share, I am not asking that you pay him overtime or double time for the times he works on Sundays, or for the long afternoons he works long after every shop is closed in the surrounding towns, nor for the hours he puts in before daylight. I am not asking you to pay anything to him except a mere parity, which would assure him, if he should be raising cotton, about 18 cents an hour for his work. I do ask you that you at least leave the present level, which will permit him to make about 18 cents an hour for his work. I don't ask you to give him double time or time and a half, but just enough for his crop so that he will make 18 cents an hour. Let us pass a bill here that will enable the farmer to know that he will receive parity for what he grows, let us have a bill that will enable him by the sale of his own products to get a reasonable price, and if you do, you will not have to pay out any subsidies to the farmer.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Yes.

Mr. KERR. As I understand it the farmers of this country constitute about one-third of our population. Will the gentleman tell us what percentage of the national income the farmer receives for his products?

Mr. POAGE. About 9 percent.

Mr. KERR. My recollection is that it is just a little more than that.

Mr. POAGE. It may run as high as 11 percent, if you include the payments that the Government has made.

Mr. KERR. And one-third of the people of the Nation, who do a business quite as important as any other business, receive less than 11 percent of the national income.

Mr. POAGE. That is right, and I do not think anybody can contend that the farmers are robbing the public when that is all they get.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Yes.

Mr. FLANNAGAN. A statement was inserted in the RECORD yesterday, giving the percentages from 1930 to 1940, and in 1940 the farm income was 7.2 percent of the national income.

Mr. POAGE. Yes. For a long time it was 7 percent, and even now, with Government aid, it is less than 11 percent. In any event, the farmer is not getting his fair share of the national income, and unless the farmer's income is increased, he simply will not be able to increase food production as is needed to win the war. The farmer is not going to strike, but farm labor is scarce and high, farm machinery is scarce and costs lots of money. The cost of farming has been going up rapidly. No matter how willing the farmer is to work long hours and 7 days per week, he simply cannot produce the needed crops unless we see to it that he has enough income to pay his running cost.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LAMBERTSON. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

CIVILIAN DEFENSE BUNGLING

Mr. TREADWAY. Mr. Chairman, with our very existence as a Nation at stake; with every effort being made to build up our military and naval strength so that we may crush the forces of aggression who would enslave us, it is imperative that we have national unity, and above all, confidence in our Government.

We must have that unity and confidence if we are going to win this war.

Therefore, it behooves us, as Members of the legislative branch of our Government, to do all we can to promote unity and confidence, and to put down and do away with those things which tend to undermine them.

To my mind, nothing is doing more to undermine public confidence than the bungling and frivolous manner in which a vital and important branch of our defense program—the matter of civilian defense—has been and is being carried on.

Of course, the Office of Civilian Defense is a relatively new agency, organized to deal with a matter about which we, in this country, have had no previous experience. Some mistakes might therefore be anticipated and condoned, but we have the right to expect that the responsible officials of that agency would at least have some slight conception of the object and purpose for which it was primarily created, or ought to have been created, namely, the protection of civilian life and property. The sad fact is, however, that they have not demonstrated any such understanding. Instead of concentrating their activities on air-raid precautions, they have used a large part of their funds to carry on various sociological and entertainment pro-

grams more related to Sunday-school picnics than to the fierce realities of war.

While our people throughout the country have been crying out for instructions as to what to do in case of an air raid, and how to take measures for their protection; while they vainly seek instruction in the use of gas masks, in the handling of incendiary bombs, and in first-aid work; while they await the production and distribution of gas masks, steel helmets, auxiliary fire-fighting apparatus, and other necessary equipment, what do we find the vital and important Office of Civilian Defense to be doing?

Up until the time Dean Landis recently took charge of that agency, it was devoting its energies and funds in a large measure to such frivolous activities as these:

Hiring a professional dancer, at $4,600 per year, to "develop dancers, rhythmic exercises, and the like, particularly for children who might be congregated together in times of disaster, such as air raids and the like."

Hiring a Hollywood movie star to arrange for public entertainments.

Hiring a colored track star, at $3,200 per year, to serve as a "roving staff assistant" on racial relations.

Hiring a number of racial relations advisers at $4,600 per year.

Hiring a newspaperman, at $12.77 per day and expenses, to go around the country writing "human-interest stories" relating to civilian defense.

Hiring a football coach, at $4,600 per year, to promote sporting exhibitions of all kinds and encourage physical recreation programs.

Hiring a consultant on labor problems at $22.22 per day.

Setting up a Know Your Government Division, with a chief receiving $8,000 per year, consultants receiving up to $22.22 per day and expenses, and a number of other highly paid executives.

Setting up a Physical Fitness Division, with a large number of high-salaried employees receiving up to $5,600 annually.

Setting up a Youth Activities Division to carry on various activities among the younger people.

None of these activities and others I could mention have the slightest relationship to the ostensible purpose of the Office of Civilian Defense, which ought to be to provide for the protection of life and property in case of air raids. Just why they should have been allowed to have been carried on in the first place is difficult to understand, but what is most deplorable is that many of these activities are still to be continued under the new head of the agency, Dean Landis, of the Harvard Law School.

It is true that Mr. Landis has made some changes in the organization which he inherited from his predecessor, which do away with some of the criticisms which have been leveled against it.

However, in the case of the Physical Fitness Division, its activities and personnel are simply being transferred to another Government agency, under Mr. McNutt. The public money will thus continue to be spent for the physical-fitness programs.

Mr. Landis has definitely stated that the activities being carried on by Mr. Melvyn Douglas, the movie star, will be continued despite the recent action by Congress in prohibiting the use of any of the $100,000,000 civilian-defense fund for public entertainments, dancing, and so forth.

Testifying last week before the Joint Committee on Nonessential Federal Expenditures, of which I have the honor to be a member, Mr. Landis pointed out that the administrative funds for his agency come not from a direct appropriation by Congress but from emergency funds allocated to it by the President, which are not subject to the limitation which Congress recently imposed. This is just another example of how the will of Congress can be thwarted by Government agencies through the use of lump-sum appropriations.

It will be recalled that the Office of Civilian Defense was created by Executive order of the President on May 20, 1941. It is an agency or division of the Office for Emergency Management, for the support of which Congress has appropriated lump-sum amounts to the President. The first allotment made to the agency by the President was in the amount of $931,000, of which there had been spent, up to January 31, 1942, some $365,000, of which $126,000 went for travel allowances. The agency has a total personnel of over 800, of whom 117 serve without compensation. The present pay roll, on an annual basis, is approximately $1,500,000, not counting the salaries of 99 employees who are on loan from other agencies.

The President's Executive order setting up the Office of Civilian Defense provides that the Director shall coordinate Federal and State activities, assist State and local governments in establishing defense councils and other agencies for civilian defense, plan measures designed to afford adequate protection of life and property in the event of emergency, sponsor the training of civilians in different civilian defense programs, and so on. Section 5 provides for the establishment of a voluntary participation committee to serve as an advisory and planning body "in considering proposals and developing programs designed to sustain national morale and to provide opportunities for constructive civilian participation in the defense effort." Section 6 empowers the Director to "appoint such additional advisory committees with respect to State and local cooperation, national morale, civil defense planning, civilian participation, and related defense activities, as he may find necessary or desirable."

It was under sections 5 and 6 of the Executive order that the so-called "frills and furbelows" of the Office of Civilian Defense were set up. It is now apparent that some of these activities, instead of building up national morale, have tended to undermine the faith of the people in their Government, which we must all admit is a serious thing, especially in time of war. Legislative action by the Congress restricting the Office of Civilian Defense to activities directly connected with the protection of civilian life and property is clearly called for under the circumstances.

Recently Congress passed an act authorizing an appropriation of $100,000,000 to provide protection of persons and property from bombing attacks. When this legislation was before the House, a provision was originally written into the bill transferring the Office of Civilian Defense to the War Department. This action was taken largely as a result of the dissatisfaction with, and criticism of, the administration of the agency under its civilian head, and because of the feeling that the military authorities were better qualified to carry on the work. This provision was subsequently eliminated in the Senate, and was not a part of the act as finally passed. I am of the opinion that the House acted wisely at the time, and I hope the transfer of the agency to the War Department will again be given consideration.

When the appropriation bill providing the $100,000,000 of civilian defense funds was subsequently before the House, a limitation was written into the measure prohibiting the use of any of the money "to promote, produce, or carry on instructions or to direct instructions in physical fitness by dancers, fan dancing, street shows, theatrical performances, or other public entertainments." The Senate retained the provision and it became law. Unfortunately, however, it has not been effective in stopping the activities which it clearly prohibited, the reason being that the limitation applied only to the $100,000,000 appropriated by the bill, and not to the emergency funds previously allocated to the Office of Civilian Defense by the President. The gentleman from New York [Mr. TABER] made an effort to amend the bill so that the limitation would have applied to all funds used for civilian defense, from whatever source obtained, but his amendment was ruled out of order as constituting legislation on an appropriation bill. Hence further action by the Congress is necessary in order that its effort to restrict the use of civilian defense funds to the protection of civilian life and property may be made effective.

At the hearing last week before the Joint Committee on Nonessential Federal Expenditures the following colloquy with reference to this matter occurred between Director Landis and the senior Senator from Tennessee [Mr. MCKELLAR]:

Senator MCKELLAR. Then, as I understand it, notwithstanding the limitation that the law put on it, you are using other moneys that come into your hands for carrying on these things that you are prohibited by law from using this appropriation for, is that right?

Mr. LANDIS. Well, in a sense, that is right.

Senator MCKELLAR. In a sense. I think it is absolutely right in all senses. I think what you are doing is just using the funds that come into your hands in another way for the very purpose that you are prohibited from using them by this law.

When Mr. Landis said he would follow the limitation set up in the $100,000,000 civilian defense fund, Senator MCKELLAR added:

Senator MCKELLAR. But you use the money that comes into your hands from other sources in direct violation of that law. In other words, what happens is this: You have got a fund coming from two sources. The larger part of that fund of $100,000,000 comes from Congress under a law that prohibits you from using it for certain purposes, and yet you indirectly evade that law by spending for these prohibited activities, by using the other fund on the ground that that it is not hedged about with that prohibition.

Senator MCKELLAR thus makes clear that until Congress regains control of all the funds going to the Office of Civilian Defense many of the activities which have been subject to criticism because they have no direct relation to civilian defense will be continued. Congress has already definitely stated its intent in the matter, and while the Office of Civilian Defense may be within the letter of the law in continuing to carry on certain prohibited programs with Presidential funds not within the reach of the congressional prohibition, it certainly is not within the spirit or purpose of the law in so doing.

Not only has the Office of Civilian Defense wasted public money sorely needed for civilian defense by engaging in nonessential and frivolous activities, but it is filled with incompetents and misfits who are not capable of carrying on its primary functions. A large part of the personnel were recruited from other Government agencies, including the W. P. A., and few have the slightest qualifications for the work in which they are engaged. Should any section of our country be subjected to an air raid, this incompetence may result in a tragic and unnecessary loss of life and property. A thorough housecleaning is in order, and it cannot come too soon. No effort should be spared to secure the most qualified and experienced persons to carry out this important program.

While I realize it may be difficult to secure the services of persons experienced in actual air raids, at least it should be possible to place at the head of the agency, and in key posts, men who have at least made a thorough study of the subject.

There must be some people in this country who have witnessed at first hand the air-raid measures taken in England and who are acquainted with their workings. Certainly our military authorities have some knowledge of the matter.

Measures have been introduced in the other branch looking to the transfer of the Office of Civilian Defense to the War Department, and I am in hopes that they will be favorably considered so that the House, which has previously voted for the transfer, may again have the opportunity to act on the matter.

In the meantime the least the officials of the agency can do is confine their activities to matters strictly related to the protection of life and property. Our people are not interested in rhythmic dancing, physical-fitness programs, or public entertainments. These will not save them from bomb splinters or protect their homes from fires caused by incendiary bombs. They are simply a waste of public funds, which results only in undermining morale and shaking public confidence.

I agree 100 percent with Senator BYRD, of Virginia, chairman of the Joint Committee on Nonessential Federal Expenditures, in saying to Dean Landis:

I want to make the suggestion that the best way to restore the confidence of the people of the country in the Government, in my judgment, is to strip the organization of these useless frills, stop talking about the physical-fitness part of it. I do not think they have any place whatever in the organization. The activities of the organization should be devoted to what may be regarded as actual protective defense.

Likewise I agree with the gentleman from North Carolina [Mr. DOUGHTON], also a member of the joint committee, who said:

The morale of the people seems to be greatly disturbed, the unity of the people seems to be seriously affected by the publicity that has been given to what has taken place in your agency, and it is going to make, in my opinion, the financing of our war program much more difficult. The taxpayers are complaining. They are complaining in the most critical way, the most critical language. They are willing to support the war program, they are anxious to do it, they are anxious to cooperate in every way, but they are criticizing certain things that the agencies themselves are doing. They are using that as an excuse, in my judgment, as a reason for failing to wholeheartedly cooperate in this war effort, paying the taxes, giving up their boys, their husbands to go into the Army. * * * I think it is more serious than a lot of people realize.

Not only is this true of the general public, but the voluntary civil-defense workers in the local communities are themselves losing heart in their work, many of them, because of their inability to secure equipment, instruction, and cooperation from Washington. Virtually the whole burden of civilian defense has fallen on the State and local governments, and on the individual voluntary workers, who in many instances have had to go to great personal expense in securing what little equipment they have. My own State of Massachusetts recently appropriated $2,500,000 for civilian defense, and I assume other States have taken similar action.

Of course, the State and local governments have some responsibility in the matter, and it is proper that they should share the expense of protecting their people, which I know they will do. But they expect, and should receive, full cooperation from Washington.

The $100,000,000 fund which Congress has provided contemplates the spending of $57,200,000 for emergency fire-fighting equipment, $29,900,000 for gas masks, $8,000,000 for steel helmets, protective clothing, and insignia, and $4,900,000 for emergency medical supplies and equipment. These are all to be supplied to the local communities on the basis of need, indicating that those communities which can are supposed to take care of their own requirements to the extent of their ability to do so.

Let me say in conclusion that I do not wish to seem too critical of Mr. Landis, who only recently took over the responsibilities as head of the Office of Civilian Defense. Most of the activity about which such severe complaints have been made occurred before he assumed office. He has already made certain improvements in the agency and doubtless will make more. In 30 days he is to report back to the Joint Committee on Nonessential Expenditures regarding the reforms he is now undertaking. However, he must carry out his orders, and he construes those orders as requiring the continuation of certain functions which I believe a majority of the Congress and certainly the majority of our citizens feel ought to be discontinued.

Hence, it is desirable that the Congress legislate on the matter, transferring the office to the War Department, where it belongs, and prescribing definite limitations under which the agency shall function, so as to confine its activities to strictly protective measures.

We learned our lesson at Pearl Harbor by not being prepared. Let us not repeat it in the matter of civilian defense. It is nothing short of a crime the way this important program has been bungled thus far.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. CRAWFORD. Does the gentleman believe that it is entirely possible for the people of this country to be united upon the matter of prosecuting this war, and at the same time also impossible for us to bring about unity on a lot of questions which are not incidental to the war, but which can be deferred until the war proposition is settled?

Mr. TREADWAY. I think the great trouble with the whole situation is that the executive department takes on to itself rights and privileges not granted by the Congress. We are here either to aid in the prosecution of the war with a unity of purpose to accomplish the defeat of our opponents, or we better not try to legislate at all, if we cannot have the harmony that must occur in legislation to prosecute the war. The gentleman understands that matters that I have referred to in my remarks are from hearings held last week by the committee on nondefense items, and that Senator BYRD, Senator MCKELLAR, and the distinguished gentleman from North Carolina [Mr. DOUGHTON] all very seriously criticized this method of carrying on the procedure to which I have referred, under so-called civic defense, which has nothing whatever to do with the Executive protecting our people back home and supplying them with gas masks and all of the equipment necessary to defense in time of war.

Mr. CRAWFORD. That is the matter which I had in mind.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TARVER. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, today the future of Farm Security Administration must be decided. But let us not decide it in terms of dollars and cents. Let us talk about something more important than dollars and cents. Let us talk about human values, about freedom from want, about rehabilitation in citizenship. Those are the things I have seen come from the work of the Farm Security Administra-

tion, and to me they transcend dollars and cents.

Surely every man here knows of the tragic circumstances to which the small farmers were reduced during the past 15 years. Time after time we have seen sharecroppers, tenants, even landowners who were destitute. Many of them were broken in health and broken in spirit. Year after year they were beaten down into the soil they tilled. Yet I have seen those people brought back, seen them made useful, seen them taught to be of self-sustaining, seen them achieve a degree of independence. I have seen those things happen in the lean years, to people who could be reached only through one agency, the rural rehabilitation program of farm security. Some folks say it cost a lot of money. Actually it costs very little to help one of these families, but whatever the cost, we have got something to show for it.

Why were those people destitute? Were they willing to work? If they got hungry, if their children died because there was no money to buy medicine, if they learned to steal, whose fault was it? A benevolent society often found it easy to say they were too sorry to work, that they got what they deserved.

As a matter of fact, to work was all that most little farmers knew. They were born to toil, year in and year out. In the cold and wet of winter or the heat and drought of summer it was always the same. Sick or well, the crops had to be tended. Ragged clothes, broken-down furniture, the picture seldom changed. And always in the fall the same pitiful little pile of produce, going to pay debts and interest. Sometimes they were stripped of their meager resources by crop failure or bad prices; sometimes by grasping landlords or supply agents. Many were untrained even in simple business calculations, untaught in modern agriculture. They were easy victims.

They are the people who have been reached by rehabilitation. God only knows how they managed to keep going, to keep trying. But keep trying they did, and now rehabilitation has proved that a helping hand and wise counsel is what they needed to be able to stand on their own feet.

Rehabilitation has taught them something about the business of farming, about balanced expenditures, about diversification, about the importance of livestock. It has taught them to grow gardens and to produce a year-round food supply. It has taught them how to plan their work—and their future. These are simple, rudimentary things—but terribly important to people who have been denied this training. Rehabilitation has helped the little farmer to brighten his home, to have new pieces of furniture occasionally, to have flowers in the yard, and farm machinery in the barn. But more than all these it has brought security, confidence, citizenship, the right to hold up his head. I know these things are true, because I have seen them. I have seen derelicts made into independent, useful citizens. I have seen those men learn to take a part in community organization and advancement. They were worth the investment.

No; I am not talking about dollars and cents. I am not even discussing the absolute necessity for all-out food production which in itself is justification enough for the continuation of this program. I am talking about human values. I am talking about freedom from want. Those are the real objectives we achieve through farm security.

Mr. LAMBERTSON. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. ENGEL.]

Mr. ENGEL. Mr. Chairman, on Monday, March 2, 1942, I spoke to this House at length regarding an agreement between Sidney Hillman, of the War Production Board, and Donald Nelson, head of that Board, whereby manufacturers of women's clothing were not permitted to bid on Army clothing contracts. The argument was advanced that, in view of the fact that the two million or more men who are in the Army and more to go into the Army are no longer purchasing clothes in civilian life, therefore the manufacturers and workers making men's garments were entitled to this business. I pointed out the fact that private industry was deprived of some 600,000,000 pounds of wool and nearly a billion yards of various types of cloth, and properly so, under priority rulings to supply the defense needs; that it will require 563,123,000 shirts, field jackets, trousers, overcoats, mackinaws, coats, cotton and woolen drawers, and cotton and woolen undershirts to supply an Army of 6,000,000 men for 2 years; that it was absolutely impossible for the present men's garment industry to supply that demand without expanding tremendously both in floor space, workers, and machines and that the Government could not take this tremendous amount of material out of the market and then deny contracts to garment workers making ladies' garments without throwing thousands of these workers out of work.

I now wish to call the attention of the House to a situation existing in Toledo, Ohio. I am informed that there are 17,000 Negroes in that city and that it has been extremely difficult for these Negroes to obtain employment outside of W. P. A. or N. Y. A. There are approximately 9,000 white women employed in the factories of that city, according to the information I have. I am informed that there are no colored women employed in a Toledo factory, even as charwomen or scrubwomen. I am informed that colored men and women who are heads of families are unable to find employment in these factories, even though a great many of these plants are working on Government orders making defense material paid for by the taxpayers of the Nation. Some of these 17,000 Negroes are property owners; they all pay indirect taxes and, I believe, are entitled as American citizens, to have the same rights to work as other citizens, white or colored, have.

In August 1940, a group of these Negroes, trying to relieve the situation, got together and contacted Government officials with the idea in mind of trying to find some kind of defense employment for these unemployed Negroes. I have before me a number of letters from officials of the Defense Contract Service of both the Cleveland and Washington offices.

I have also before me a copy of a letter written by the Secretary of War, the Honorable Henry L. Stimson, pertaining to this matter. There is no doubt in my mind from the facts as presented to me that this group of Negroes were encouraged by these Government officials to set up a cooperative association with a promise of obtaining defense business. They were encouraged to organize and did organize the American Enterprise Associates, Inc., a cooperative association, the purpose of which was to acquire in some way factory space and machinery to take Government contracts for Army clothing. They were told by the Government officials that this was the only way that they could participate in defense contracts for the manufacture of Government material.

They were further told that they had to have an organization with which the Government could deal, that if they could perfect an organization, acquire factory space and machinery, that the Government would give them contracts. Following the instructions of the Government they perfected this organization on October 5, 1940, after making frequent trips to Washington. On November 5, 1940, this group were low bidders on 5,500 Army overcoats. They were informed that the bid could not be accepted, because the factory was not yet ready. On August 13, 1941, Paul A. Gerhart, Jr., of the Defense Contract Service notified this group, nearly 1 year after they were incorporated, that they could not bid on any Army clothing contracts, because:

> The sewing, stitching, and garment industry is one in which even with present defense orders there is considerable unemployment and many idle factories. It is the opinion of the office concerned that to make an exception to their practice of discouraging the organization of new companies in this field would only aggravate an already serious situation within the industry. I am advised further that it would, therefore, not be a sound economic policy, even though the cause is a worthy one, to further expand this industry.

Is it not strange that it took these officials almost a year to discover that there was unemployment in this industry? Is it not strange that this group was permitted to spend money, mortgage their homes, and were encouraged by these very Government officials to organize a company, only to be informed that because of these reasons they would not even be permitted to bid on an Army clothing contract?

On August 25, 1941, the American Enterprise Associates, Inc., under Mr. Olander J. Smith, president, accepted an invitation on the part of Army officials to bid, and did bid, on 35,000 wool overcoats. They were low bidder, being 68 cents per coat below the next lowest bidder. Despite the fact that the bid of the American Enterprise group was 68 cents lower, they were not given the contract.

Mr. Chairman, there are 17,000 Negro people in the city of Toledo, Ohio, including 5,000 Negro children enrolled in school. Many of these people are graduates of the University of Michigan, Ohio

State, Oberlin College, University of Illinois, Howard University, Northwestern, and many other institutions.

Mr. Olander J. Smith, president of this cooperative company, is a graduate of Northwestern University law school, attended the University of Minnesota, Howard University, and Columbia University. He has had 9 years' practice at the bar and 20 years' experience in business. I have examined the statement of the Ohio Employment Service personally and find there many colored people listed as having had anywhere from 5 months to 34 years' experience in the various branches of the garment industry.

Mr. CLEVENGER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. CLEVENGER. Does the gentleman mean to tell me that these worthy colored people of my State can only furnish soldiers and taxpayers and cannot find work outside of Government institutions, like W. P. A. and N. Y. A.? Does that condition exist in my State of Ohio? That they can have no part in necessary, emergent war work?

Mr. ENGEL. That is the situation in the city of Toledo, according to information given me.

Sewers, cutters, markers, and every type of labor necessary in that industry are found there, and yet this group can find no employment outside of N. Y. A. and W. P. A. A white supervisory staff, I am informed, is ready to assist them. Single persons cannot get on relief or W. P. A., but are forced to beg or forced to crime. Here we have a situation where the Government is letting, or will let, contracts for over 563,000,000 items of clothing which cannot possibly be made by the groups within the industry itself, and yet this group who have been encouraged by the Government for over a year, followed instructions, mortgaged their homes, spent money, took up collections in churches—nickels, dimes, and quarters—to pay the expenses of representatives here, are unable to obtain a contract for one overcoat or able to earn $1 in defense industry. If these 2 contracts upon which it was low bidder had been given to this company it would have commenced production within 30 days and employed up to 500 of these unemployed Negroes, thereby saving the taxpayers thousands of dollars which necessarily will be expended to feed and care for those who qualify for N. Y. A., and W. P. A., and relief.

Mr. Chairman, on February 21, 1942, the Cleveland Call Post had the following editorial which I want to read:

THE PRESIDENT SPEAKS

No nation combatting the increasing threat of totalitarianism can afford arbitrarily to exclude large segments of its population from its defense industries. Even more important is it for us to strengthen our unity and morale by refuting at home the very theories which we are fighting abroad.

Our Government cannot countenance continued discrimination against American citizens in defense production. Industry must take the initiative in opening the doors of employment to all loyal and qualified workers, regardless of race, national origin, religion, or color. American workers, both organized and unorganized, must be prepared to welcome the general and much-needed employment of fellow workers of all racial and nationality origins in defense industries.

In the present emergency it is imperative that we deal effectively and speedily with this problem. I shall expect the Office of Production Management to take immediate steps to facilitate the full utilization of our productive manpower.

FRANKLIN D. ROOSEVELT.

I conclude by saying, "Mr. President, both the Office of Production Management and the War Production Board have refused to act in the Toledo situation. It is up to you."

I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 5 minutes.

Mr. TARVER. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, first I want to briefly speak of the Soil Conservation Service. In the Soil Conservation Service program they make a soil-conservation survey, and in this connection they determine the kind of soil, the percent of the slope, the amount of erosion already taken place, the present use of the land. That is necessary in order to know what plan or procedure to follow to prevent further erosion.

Second, the soil-conservation plan is the control of erosion and increased production. I want you gentlemen to bear in mind that the Soil Conservation Service is one of the most important items in our program, because of the increased production resulting from the program.

Third, the establishment of the soil-conservation practice, which includes running terraces, contour of the soil, and the strip planning.

Fourth, advising with the farmers relative to maintenance.

Mr. MURDOCK. I agree with the gentleman in regard to this vital program. We must not in this war, through neglect, repeat the awful mistake of the other war with reference to our soil resources.

Mr. WICKERSHAM. Mr. MURDOCK, you are absolutely correct in your conclusions. Coming from Oklahoma—a Plains State, like yours—I can readily understand your problems since they are similar to mine. Now, another item under consideration is the Farm Security Administration.

I will not dwell on these other agricultural agencies. It seems the appropriations will go through without too much trouble, but the Farm Security Administration is receiving considerable criticism. It is like a man who has 10 children. Because of the fact that one of the children becomes slightly wayward is no excuse or reason to condemn the other nine. By reason of the fact that this one child does only one bad thing is no reason to condemn the child. I say to you that the Farm Security Administration has done a splendid job in the majority of the fields. I personally know what the Farm Security Administration is doing in Oklahoma and Texas. I personally made a trip to Dallas and Fort Worth to see what the Farm Security Administration and the Soil Conservation Service were doing. I did the same in Oklahoma. I have examined their records. I am a pretty good auditor, myself, as well as having spent 18 years on a farm. I tell you that the Farm Security Administration is taking care of the little farmer. I ran for Congress three times before I was elected. I talked to these poor people. I ate with them. I paid my 3 cents and my nickel for the school lunches, cooked from products furnished in connection with the food-stamp plan. I know what the small farmers are doing, and I tell you that today, of all times, we need to take care of the Farm Security Administration and the Soil Conservation Service.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. WICKERSHAM. I yield to the gentlemen from Arizona.

Mr. MURDOCK. I have heard the same criticism made against the experimental work done by the Farm Security Administration, in the field as well as on the floor of this House. I want to say to the gentleman from Oklahoma that I have recently received letters from some of the ablest men of my State, men of affairs, presidents of colleges and universities, and businessmen, sanctioning the work that has been done by the Farm Security Administration in Arizona.

Mr. WICKERSHAM. I want to thank the gentleman from Arizona for his valuable contribution. May I state to you Congressmen that through my association with the gentleman from Arizona not only on the floor of the House but in our committee work on the Committee on Irrigation and Reclamation I have learned to highly respect his decisions and efforts in behalf of the tillers of the soil. The gentleman from Arizona has proven himself to be one of the farmers' best friends in Congress.

I wish to call your attention to page 13 of the newspaper PM of Monday, March 2, 1942. Not only do the farmers and businessmen endorse the Farm Security Administration, but I call to the attention of you Congressmen, who represent the labor leaders, to notice this headline which reads as follows:

MURRAY URGES SUPPORT OF THE FARM SECURITY ADMINISTRATION

Philip Murray, president of the Congress of Industrial Organizations, rallied to the support of the Farm Security Administration.

Mr. Chairman, during the past year farm security has been preparing for an all-out mobilization of the efforts of low-income farm families to contribute fully to the national defense, and more recently to the national war effort. The campaign has had a twofold objective: to enable small, low-income farmers without other sources of credit to produce vital war foods for lend-lease and domestic purposes, and to help them produce plenty of good food for their own use and hence reduce their consumption of war foods on the Nation's markets. During the months since Pearl Harbor the food-for-victory production drive has been intensified, but that earlier efforts along these lines have already borne fruit is demonstrated by a recently completed survey.

This survey shows that the 3,556 families in the Seventh Oklahoma Congres-

sional District who held active standard rural rehabilitation loans last year increased the average value of food and other goods produced for home use by 122 percent, or from $190 worth before acceptance on the F. S. A. program to $231 in 1941. Much of the increase in food production was in foods vitally needed in the war program. For example, the average family in the district produced 200 more gallons of milk for home use in 1941 than they did before coming into the F. S. A. program. Their total milk-production increase, including that sold was, of course, considerably higher. Likewise, these families raised and consumed at home 90 percent more poultry, game, meat, and fish. Other produce for home use included 9 gallons of lard per family, 166 dozens of eggs, and 351 cans of fruits and vegetables put up for the winter. By thus raising for home consumption these nutritious foods these farm people were not only putting themselves in shape to meet the strain of war but were also relieving the Nation's wartime food markets of a substantial part of their demands for food.

In the Seventh District of Oklahoma 3,553 families were actively receiving F. S. A. rehabilitation aid last year. Before they received their loans these families, whose incomes at the time averaged only $577, had been on or near the relief level. In 1941 the survey showed that they earned a net income of $1,321, an increase by 129 percent. At the same time, these families were enabled to raise their net worth—over and above all debts, including their obligations to the Government—from $1,029 before receiving F. S. A. assistance, to $2,030 at the close of the 1941 crop year. This represents a gain of 97 percent.

Farm Security rehabilitation aid, as in times past, consisted mainly of small loans for seed, feed, fertilizer, and other necessary farm supplies, together with advice and assistance to help borrowers operate their farms more efficiently. The rehabilitation program continued to be practically self-liquidating. At the end of 1941 funds amounting to $5,628,026 had been advanced to farmers in the Seventh District for rehabilitation loans. Although much of this money does not fall due for 4 or 5 years, $2,452,573 in principal and $259,395 in interest has already been paid back into the Federal Treasury.

To all debt-burdened farmers, whether or not they are rehabilitation borrowers, Farm Security has offered another service. Local farm debt adjustment committees help farmers and their creditors arrange a friendly adjustment of debts. This service is mutually beneficial because not only does it often save the farmer from foreclosure, but, at the same time, it helps creditors get substantial payments on what might otherwise have been bad debts. Last year debt reductions amounting to $844,009 were made in the Seventh Congressional District. This represents a scale-down of 17.9 from a total prior indebtedness of $4,708,314. As a direct result of these adjustments, $61,346 in back taxes has been paid to local governmental agencies.

In addition to the rural rehabilitation program, Farm Security has been making a limited number of loans to families to enable them to buy farms of their own. A total of 175 Bankhead-Jones farm-tenant loans have been made in the seventh district. These loans have averaged $7,751. These 175 families, secure on their own farms for the first time, now have the incentive to work at top speed for the food-for-victory program.

The rural rehabilitation program in Oklahoma has reached a total in excess of 86,000 low-income farm families since its inception, through standard rehabilitation loans and grants. Currently, over 22,000 families have active rehabilitation loans outstanding and loans have been processed to the limit of funds available at this time. The figures above, of course, do not include the hundreds of loans made to aid in establishing small cooperative enterprises for the benefit of all families in certain communities—for items such as purebred sires, peanut threshers, and the like.

The repayment record of these families is impressive. For example, rehabilitation loan borrowers repaid above 90 percent of their maturing installments during the fiscal year 1940–41, and current review of records gives definite assurance that a still higher percentage of maturities will be repaid within the present fiscal year—this in spite of the seasonal handicaps with which you are familiar.

Cumulatively, approximately 55 percent of all such funds advanced have been repaid, although the repayment period of the loans ranges up to 10 years.

Tenant purchase loans have been extended to over 900 families under authorization of title I of the Bankhead-Jones Farm Tenant Act. Of the families receiving tenant purchase loans, 99½ percent have met every matured installment.

As of February 9, 1942, there has been launched a program of special loans under the title of "Food-for-Freedom" loans, designed to make a very substantial contribution to the Nation's war effort through an intensified drive to get the maximum increase in production of all vital food commodities. Principal among these items are: Pork, beef—increased slaughter—poultry and poultry products, dairy products—surplus for condensery use and for cheese—oil-producing crops, and all types of vegetables for home use and for commercial use in certain areas.

In such loans F. S. A. employees will operate in the closest cooperation with local and State war boards, on all of which we have present active membership. It will be our purpose under this program, working through the war boards and in cooperation with all other existing agricultural agencies, to assist any family having suitable land resources under its control to obtain the maximum production of food essentials from such land and the producing livestock it will support; to aid these families in placing surplus production on the market most advantageous to the Nation in war; and to conserve all the production needed for the absolute well-being of each family; provided, of course, that the required financial assistance cannot be made available through any other agency or establishment and the integrity of the individual applicant is favorably reported by established committees.

On the basis of current survey, it is evident that a minimum of 10,000 of these loans—all less than $500—will be required in order to reach the production goals established by War Board recommendation. Our entire organization is geared now to do this job efficiently and conservatively, and no effort is to be spared throughout the year in work to guarantee the production and proper use of the production of these families.

Under the "food for freedom" program loans will also be made to organized youth clubs such as F. F. A., 4–H, and others for the same type of production purposes.

I take considerable pride in the fact that the 409 F. S. A. employees in Oklahoma are 100 percent in their purchases of Defense bonds and stamps and Red Cross pledges. We feel that this spirit reflects the thoroughly wholesome attitude which must accompany their work in building up and supporting the morale of a group of farm families, which, without doubt, will be among the first to feel the effects of the more serious war sacrifices we have cause to expect.

Mr. LAMBERTSON. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. HOFFMAN].

PRODUCTION LEGISLATION—EVENTUALLY, WHY NOT NOW?

Mr. HOFFMAN. Mr. Chairman, we are all familiar with the advertisement carried by a national flour-milling company some years ago: "Eventually, why not now?" Remember that one?

Listen to these words:

> If a just and durable peace is to be attained or even if all of us are merely to save our own skins, there is one thought for us here at home to keep uppermost, the fulfillment of our special task of production—uninterrupted production.

I stress that word "uninterrupted."

Those are the words of President Roosevelt on February 23, 1942.

Then on the 27th, 4 days later, when the gentleman from Virginia [Mr. SMITH] proposed amendments to the then pending bill which some of us thought might tend to give us uninterrupted production, the House by a vote of 226 to 62 turned down those amendments.

I remember the arguments. One ran something like this: If you repeal the provisions of the wage-hour law, which puts a floor under wages and a ceiling over hours, you will increase union membership. What of it? Had not the administration been driving all the time to force men into the union? If that would have been the effect of the legislation, why did the administration oppose it? Strange to me it seemed when that argument was made by the gentlemen from Massachusetts [Mr. HEALEY and Mr. CASEY] and other spokesmen for the labor unions. According to their arguments, those amendments were going to benefit the unions and increase their membership, yet they spoke and voted against

them. I could not understand that. Nor if, as argued by several on the floor, the amendments would increase the power of the unions, drive unorganized workers into their ranks, why was it that both Mr. Green, president of the A. F. of L., and Mr. Murray, head of the C. I. O., opposed the adoption of those amendments? Amendments which so-called labor spokesmen on the floor said would benefit and increase the power of the unions?

Then another gentleman made the argument, and I will quote so I be not mistaken about it, he said:

Until this Congress shall by legislation recapture from those corporations which by their own financial statements and admissions before congressional committees, are making huge and tremendous profits out of this war effort I am not going to begin to economize by taking time and a half away from their employees.

That is an odd argument to me. Just because I steal a chicken you are going to take a turkey does not make sense now, does it? What we should, of course, do if the corporations are making these exorbitant profits—and one of them, I understand, the Todd Shipbuilding Co., offered to refund them—is to take those profits away from them; and since I have had a slant in the papers at this proposed new tax bill, I am not worrying very much about anyone's excess profits.

Here is the thought: Ultimately we are going to get around where this House will adopt some legislation which will give us production, we are going to get to the point where we shall be forced because of public sentiment to adopt such proposals as the Smith amendments would have written into law the other day, where a man who wants to work 48, 50 hours, or 55 I think is the maximum of efficiency work, on a national defense program—where that man will be permitted to do it without being required to demand and receive from his employer pay and a half for overtime or double pay for holidays.

As the law stands today, and we have refused to change it—as the law stands today, every employer in these industries who permits the father or the brother of a man serving at the front to work more than a certain number of hours without paying him pay and a half is liable to criminal prosecution. Is not that an absurdity?

I think it was day before yesterday that the local papers carried the statement by Donald Nelson, in charge of production, that we were now 25 percent below our capacity for production. Mr. Nelson did not say that the managers of these plants were inefficient. He made no such charge, and he cannot truthfully make such a charge. He said that we were 25 percent below the capacity of the plants, and we are losing that 25 percent because of these interruptions in our factories, and these interruptions come from all kinds of causes, none of which justifies either a strike or a slow-down.

I will insert in my remarks, when I get permission of the House, some editorials which show the trend of sentiment.

Here is one from the New York edition of the Daily News of February 26. It first quotes the words of President Roosevelt which were given you at the beginning of this talk and then proceeds:

STRIKES AS USUAL

Right after Pearl Harbor, representatives of organized labor conferred with the President at the White House and promised an irreducible minimum of strikes and other labor troubles, so far as labor should be concerned, for the duration of the war.

Now, 11½ weeks after Pearl Harbor, we seem to be getting back to strikes as usual, meaning strikes as in the good old days before Pearl Harbor.

Enemy submarines are sinking tanker after tanker off our Atlantic coast. One enemy submarine Monday evening peppered a Pacific coast oil plant with shells. We need all the destroyers we can round up to fight these menaces to Allied oil lines, supply lines, troop transports.

Out on the Pacific coast, at the Bethlehem Steel Co.'s San Pedro, Calif., shipyards, a peculiar kind of strike is going on. The yards are building $81,000,000 worth of destroyers. The Government has asked the company to operate 24 hours a day 7 days a week. The company has put on two 10-hour shifts a day, pending, as we understand it, the finding of enough labor to run three 8-hour shifts.

But the Congress of Industrial Organizations union leaders in charge of the 5,000 workers at the yards will have none of that. The workers are putting in 8 hours per shift, then walking off the job for the remaining two. Loss: 20,000 man-hours per day of work on these destroyers.

At Cleveland, the Congress of Industrial Organizations Mine, Mill, and Smelters Union called a 1-day strike against a labor board order, in the plants of the Monarch Aluminum Manufacturing Co., now working on aluminum bomb and aircraft parts. Aircraft companies making bomber and fighter planes are pleading for faster delivery of these and related parts. But the Congress of Industrial Organizations union struck because the labor board last September ordered the Monarch Co. to deal with another union.

These are only two samples of what is going on in some of the war industries. The situation promises to get worse if something isn't done to stop it.

PATIENCE IS WEARING THIN

Naturally, all sorts of excited proposals are being advanced in Congress.

There are suggestions that workers be declared into some sort of industrial branch of the Army; that strikes and lock-outs be forbidden on pain of fines and jail terms; that jurisdictional strikes be made crimes; and so on and so forth.

Though it is pretty late in the day, it looks as if it is still too early to go to extremes. The bulk of war-industry workers are still on the job, exerting their full efforts to outproduce the Axis, and anxious to keep answering the President's call for "production, uninterrupted production."

But to a few obtusely ambitious labor leaders and their more gullible followers this tip would seem to be in order:

The American people don't have to tolerate these production stoppages forever. From what we can observe of the way most Americans feel about them, they are just about fed up.

That may be unkind, unjust, and inconsiderate. But it is the way more and more people are feeling every day.

It may be false logic, too, for a lot of Americans to reflect that their boys have been drafted into the Army at $21 a month base pay, with no right to strike, while labor retains the right to strike even in plants supplying weapons to enable those boys to defend their country and their own lives. But more and more Americans are thinking that way, as more and more of their boys are jerked into the Army.

The present President has been the best friend labor ever had in the White House. In view of his political debts to labor, it is a safe bet that he is not going to do anything to injure labor, unless forced to it by the necessities of the war.

Labor, then, would seem to be well advised to go along with the President and rebuff any of its leaders who may try to persuade workers to jim the war effort somehow by pulling a strike somewhere. Disputes had better be referred to arbitration or mediation, and production kept up, no matter how long the decisions may be delayed.

Americans by and large can be awfully mean hombres when their patience wears out.

From an editorial of the News-Palladium, published at Benton Harbor, Mich., I quote the following paragraph:

Speaking of traitors, saboteurs, and fifth columnists, those strikers who are causing industrial stoppages while our boys are dying on the front lines, had better resist forthwith from their selfishness and unpatriotic greed if they are to escape branding as enemies of the country. These obstructionists are a minority and not representative of the vast majority of loyal American workers, but they are a dangerous minority inviting the wrath of a people whose patience with their racketeering is at an end.

Reaching now down into the South, take this one from the Vernon Daily Record, published at Vernon, Tex.:

WHO NEEDS TO BECOME AROUSED?

Congressman HATTON W. SUMNERS, of Dallas, the other day took the floor of the House and made a speech urging the people of the country to become aroused at the seriousness of the war situation. Other speeches, similar in content and purpose, are being made by Congressmen, Senators, and officials in the executive department.

But one cannot avoid wondering what has created the impression in Washington that the people of the country are not aroused. In view of what has been happening there is reason to suspect that those who complain about low civilian morale are using this procedure to cover up their own failures. It is a common human weakness to charge others with responsibility for one's own negligence.

A few citations might be in order.

The people back home were not responsible for failure to fortify Guam, Wake Island, and the Philippines.

The people back home were not to blame for strikes tying up vital airplane production which might have saved Manila and Singapore.

The people back home are not to blame for the failure to accept Henry Ford's offer of more than 18 months ago to be building 1,000 fighter planes per day within 6 months from the time he was given the order to go ahead. That much production for the past year would have saved all of the Far Eastern battle area for the Allies.

The people back home are not responsible for the bull-headed indifference of Army and Navy officers which contributed to the disaster of Pearl Harbor.

The people back home are not responsible for the failure to write an antistrike law which would put an end to strikes in war industries.

The people back home are not responsible for making a plaything of civilian defense, nor are they responsible for the petty squabbles in Washington as to which department or bureau will have charge of a particular job.

As a matter of fact, the people have responded to every call while Congress twiddled its collective thumbs and did nothing to correct the conditions cited in the preceding paragraphs. The great white fathers in Washington will have nothing to complain

about so far as civilian morale is concerned if they will devote their energies to meeting their own responsibility instead of lecturing the people back home. Action and results, rather than speeches from self-appointed pep leaders, are all that civilian morale needs.

Then here is another one from the News right here in Washington, expressing the farmer's idea of the situation:

AS A FARMER SEES IT

A farmer friend writes:

"Your paper is supporting President Roosevelt in his effort to hold farm prices down by marketing Government-held surpluses. You and the President ought to understand why so many farmers feel they are being treated unjustly.

"It is largely because Mr. Roosevelt continues to pamper organized labor as if it were a spoiled child.

"Higher farm prices would mean higher cost of food. That's true. But higher wages add to the cost of everything, including machinery and fertilizer, that farmers must buy. Yet the Government's policy seems to be that unions must get wage increases whenever they make demands, as the price of not striking against national safety. Mr. Roosevelt does not fight for stabilization of wages, even for highly paid workers in war industries, who already have far more 'parity' than the farmers ever hope to get.

"The farmer has no 40-hour-week law. He must put in longer, harder hours than ever, because his sons are being drafted and his hired men are being lured away to easier, better-paid jobs in war plants. He'll do the best he can to produce food and fiber to win the war, and he won't ask premium pay for overtime.

"You say, and it's true, that the Government acquired the surpluses to help agriculture out of depression. But isn't the same thing true of labor's 40-hour-week laws? They were a depression measure, too, designed to make jobs for surplus workers. If agriculture must give up a prop for its prices, now that times have changed, why should labor keep a similar prop?

"But Mr. Roosevelt seems to think that labor must have the 40-hour week right through the war, even though workers instead of jobs are getting scarce now and even though time-and-a-half pay for work beyond 40 hours a week speeds up the growth of the war bill which all of us, farmers included, will have to pay. Automobile-plant labor is even demanding time-and-a-half wages for Saturdays and double time for Sundays when work on those days is part of a 40-hour week. And Mr. Roosevelt's War Labor Board apparently is afraid to rule that such a demand is just plain damn nonsense, which is how it looks to farmers.

"This is a time, the President says, when everybody must stop demanding special advantages. Hurrah for that! But we farmers don't like the idea that his words apply only to us and not to labor. Mr. Roosevelt's troubles with the so-called farm bloc would end in a hurry if he would be equally firm with the labor bloc and if he would make it plain that he expects union members to do their fair share of the sacrificing."

Our farmer friend, it seems to us, has said a mouthful.

Then from another Washington paper get this one:

LABOR HOLDS BACK

In his address to the Nation President Roosevelt said that "we can lose this war only if we slow up our effort or if we waste our ammunition sniping at each other." The force of that warning has evidently been lost on some union leaders. For strikes and labor disturbances that are retarding production on war contracts continue to occur in all parts of the country. At the yards of the Bethlehem Steel Co., in San Pedro, Calif., for example, Congress of Industrial Organizations workers refused to stay on the job over 8 hours, even at higher rates of pay for overtime, with bonuses attached.

The reprimand administered by the American Federation of Labor Musicians' Union to a band leader for giving free concerts at an Army post provides another striking instance of labor's noncooperative attitude. The incident itself seems petty, but its implications are very serious. For it reveals a rather typical determination on the part of the union's leaders to cling to protective rules that may be justified in times of peace but are utterly unsuited to the conditions of war.

With evidence accumulating to show that organized labor will not of its own initiative make the sacrifices required if the war is to be won on the production front, it is up to Congress to act without further delay. One of the most formidable barriers to an all-out production effort is the Federal wage-hour law establishing a 40-hour standard working week. So long as that legislation remains on the statute books Congress of Industrial Organizations leaders who insist upon retention of the 8-hour day and 40-hour week will be well armored against hostile criticism. Yet, under present conditions, it is dangerous folly to retain a law that was originally designed to spread employment by compelling employers to pay greatly increased rates for overtime. Today we are faced by labor shortages which make it essential to lengthen the working day as a means of relieving the drain upon our inadequate labor reserves.

The fact is, as Representative A. WILLIS ROBERTSON points out, that "we cannot outproduce the Axis Powers on a 40-hour week, and it is absurd to penalize an employer willing to step up production by means of a longer workweek." Moreover, even if the employer is ready to pay the penalty rates and the employee is willing to work overtime, the effect of the higher rates of overtime pay is inflationary—adding unnecessarily to the cost of the war program and tending to raise living costs.

So the movement in the House to force suspension of the 40-hour week for the duration of the war should be encouraged. The continuance of labor disturbances and strikes has emphasized the need for such action and increased the chances for success of the suspension proposal. Thereafter, if interruptions of work continue, drastic measures designed to prevent strikes in war industries will assuredly follow. Labor has been given ample warning.

The point I am trying to make here today is that the people are demanding, and some day their demand is going to be answered, that we do away during this period of the war with this restriction on the right of patriotic men to work as many hours as they wish for any price they are willing to accept for the defense of their country. There is many and many a man and woman who has a relative in the armed service who would be glad, who is willing, to work on a Sunday and do it without extra compensation or compensation of any kind, in order to help that other member of the family who is on the fighting front.

These strikes occur for all sorts of reasons, or for no reason at all. Let me just read you this editorial from the St. Louis Post-Dispatch of February 24:

A SENSELESS WAR-WORK STOPPAGE

Has there been a more unjustified stoppage of work anywhere in the country since the beginning of the war emergency than that which cost a precious day at the Granite City plant of the American Steel Foundries?

It seems scarcely possible, so utterly without basis was the suspension yesterday of work on cast armor for Army tanks and gun mounts for the Navy.

What was the difference between the workers and their employer? There was none.

Was it, then, a jurisdictional dispute between rival unions for the right to represent the workers? No; not even that thoroughly discredited issue was involved.

That picket line of 100 men at the plant meant merely that the Congress of Industrial Organizations Steel Workers' Organizing Committee was collecting union dues. Some 75 workers refused to pay up or were unable to pay, and so the union did the brave, strong thing of picketing the plant.

The executive in charge of the foundry said that the pickets, in barring the door to employees scattered through the plant, not only caused a shutdown but also violated the union contract which provides that there shall be no intimidation or coercion of employees into union membership. The union's subdistrict director shifts the blame to the company; he says it locked out its employees in an effort to take advantage of its defense work as a protest against the union's method of collecting dues.

What counts is that a mass picket line was set up at a war-production foundry to collect dues from some union members who didn't want to pay any, and a shutdown followed.

On the Bataan Peninsula brave soldiers of Douglas MacArthur are giving their lives for liberty and the right to work as freemen, not slaves. And at Granite City the Congress of Industrial Organizations collects delinquent dues with mass picketing, and production for vital war equipment comes to a dead stop for a day.

It would be incredible if it hadn't happened.

Here is what that strike was about. A picket line was set up at a war production foundry to collect dues from some union members who did not want to pay or who could not pay their union dues. What do you think about that? Here is a case of shutting down a defense plant and using the stoppage of work so that a collection agency might operate.

I notice the gentleman from northern Michigan [Mr. HOOK] is on the floor. He made a statement on the 17th of February 1942—RECORD, page 1376—that there have been no strikes; that there were no strikes. Now, just listen to this. Here is the A. P. dispatch under date of March 1 from the New York Times. Quoting:

MANUFACTURERS REPORT RISE IN STRIKES

NEW YORK, March 1.—The National Association of Manufacturers said tonight that the number of strikes in war-production plants during February increased 77 percent over January, involved 357 percent more workers, and resulted in 206 percent more man-hours lost than in the preceding month.

The association said its statement was based on compilations of strikes reported in metropolitan newspapers and papers in principal industrial centers, and did not attempt to cover every strike action.

In February, the association asserted, men involved in war industry strikes totaled 70,905, compared to 15,512 in January, and the number of strikes rose from 43 to 76, with man-hours lost increasing from 66,976 in January to 2,028,824.

The majority of the defense plant strikes, the association declared, had involved Congress of Industrial Organizations local

unions, and six were said to be jurisdictional disputes between the Congress of Industrial Organizations and the American Federation of Labor, with the remainder involving independent unions.

Many of the strikes, the association said, could be described as "critical" and had delayed production of such basic war products as bomber parts, antiaircraft guns, ships and ship parts, armor plate, machine tools, and dies.

Mr. HOOK. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. HOOK. I do not know how authentic the figures are, but we do know that there are those who are not connected with unions bringing about some of these strikes and trying to blame them on to the unions. There are activities going around the country that have developed into strikes, un-American, subversive activities, caused by foreign agents, and the blame is attempted to be laid on union organizations.

Mr. HOFFMAN. I have no information substantiating the gentleman's statement. If accurate the answer is contained in the statement of the gentleman from Texas [Mr. DIES] today when he said that when his committee attempted to get at those Communists in the ranks of the C. I. O. the C. I. O. refused to help or permit it. Will the gentleman cite me one instance where there has been a strike or a stoppage of work in any factory that was caused by someone not connected with the union?

Mr. HOOK. I would like to have the gentleman name some of them where union officials have condoned strikes since Pearl Harbor. In fact, they have come out and announced they were not authorized strikes.

Mr. HOFFMAN. The gentleman made an assertion that strikes were caused by those not connected with unions, who tried to blame those strikes on the unions. He further said that there were activities going around the country that have developed into strikes—un-American, subversive activities—caused by foreign agents, and the blame is attempted to be laid on union organizations.

I asked him to name a strike so caused. The gentleman now replies by asking me another question. He has failed to answer my question, so I assume that he cannot name such a strike as he described. Does the gentleman mean that all the strikes which have occurred since Pearl Harbor were wildcat strikes?

Mr. HOOK. No authorized strikes.

Mr. HOFFMAN. Unauthorized strikes?

Mr. HOOK. Absolutely.

Mr. HOFFMAN. What about this strike that the Post-Dispatch referred to called for the purpose of collecting dues? That was a union strike by the C. I. O. Steel Workers Organizing Committee to collect union dues.

Mr. HOOK. What union?

Mr. HOFFMAN. I have not the name of the union.

Mr. HOOK. Was it the Nazi Bund?

Mr. HOFFMAN. No. I do not understand they have a union. Does the gentleman claim the Nazi Bund belongs to the C. I. O.?

Mr. HOOK. I certainly do not. You ought to know who the Nazi Bund belongs to.

Mr. HOFFMAN. Well, my name happens to be HOFFMAN, and I have never changed my name. That is the name I was born with.

Mr. HOOK. Any Member of Congress ought to know what the Nazi Bund is.

Mr. HOFFMAN. And I may say, too, I am a Pennsylvania Dutchman, not a German.

One other thing. You are all familiar with this decision that was handed down by the Supreme Court a couple of days ago. This decision holds that, insofar as Federal legislation goes, a union man can climb on a truck and by force at the point of a gun compel the truck driver or the owner or employee to pay $8 in one case and $9 in another for driving through a certain district in New York City.

Here is what an editorial in the Washington Daily News had to say on that subject:

"COMMON LAW ROBBERY"

The cost of living in New York City (and in many other cities) is unjustly increased by a labor-union racket which the United States Supreme Court has just held to be beyond the reach of Federal law.

Suppose you own a truck and want to deliver a load of food into New York. You can't do it until you pay $9.42 to Local 807 of the American Federation of Labor Teamsters Union, this representing a day's wages for a union driver. You don't want or need to hire a union driver, but you have to pay for him anyway.

This is just what Chief Justice Stone called it in a dissenting opinion—"common-law robbery." And, of course, the tribute thus extorted by the union is added to the cost of food and other commodities trucked into the city, and so finally is paid by the people of New York.

Thurman Arnold, the trust-busting Assistant Attorney General, undertook to prosecute Local 807 and 26 of its members under the Federal antiracketeering law. He convicted them, but the convictions were set aside by a circuit court, and the Supreme Court has now agreed with the circuit court.

But, as Justice Byrnes points out, Congress could change the law. And it should.

President Roosevelt is making a good fight to save consumers a billion dollars a year by preventing unjustified increases in farm prices. This same amount—a billion a year—is what the protected union rackets, such as this one in New York, cost American consumers, according to the Justice Department's Antitrust Division. That billion, also, should be saved. And the President, by ending administration opposition to bills which have been held up in Congress for many months, could insure that it will be saved.

Today's Washington Star, speaking editorially, had this to say about the same subject. I quote but part of the editorial:

RACKETEERING DECISION

The recent decision by the Supreme Court in a New York racketeering case should come as a distinct and decidedly unpleasant shock to a good many Americans.

The case involved some of the activities of the New York local of the American Federation of Labor Teamsters' Union. Certain members of the union were convicted of violating the so-called anti-racketeering act, the evidence showing that they lay in wait for trucks coming into New York from New Jersey, forced their way onto the trucks, and by beating or threatening to beat the drivers procured payments to themselves from the drivers or the employers of the drivers of sums of money equivalent to the union scale for a day's work. In some instances the union members assisted or offered to assist in unloading the trucks; in others they simply disappeared as soon as the money was paid without rendering or offering to render any service.

* * * * *

In holding that these defendants were improperly convicted under the law, the majority opinion covers a great deal of ground and its reasoning is often difficult to follow.

* * * * *

The reasoning of the majority brought from Chief Justice Stone a sharply worded dissent. But, under these circumstances, there is small comfort to be derived from a dissenting opinion, however pointed. The blunt fact is that the majority of the Court, through an interpretation of the intent of Congress, has made it extremely difficult for the Department of Justice to use this law to reach any of the labor racketeers whose reprehensible activities add millions of dollars yearly to a bill which ultimately must be paid by the public. The one hope of relief lies in an aroused public opinion which will bring the enactment of legislation aimed expressly at these labor activities, and which will be so explicitly worded that it cannot be subject to any other interpretation.

The necessity for legislation by this Congress is clearly indicated by this decision and by the failure of local authorities to give protection to our citizens.

The same brand of robbery prevails in the city of Detroit. When I want to take a truckload of apples over to Detroit and unload it at the warehouse, I have to pay $25 unless I drive the truck myself. My boy cannot drive it, the man on the farm cannot drive it, even my wife could not drive that truck through there unless she came across with $25. That is in violation of the State law, and it is in violation of our rights, but the unions have gained so much power that they are able to force this highway robbery on the people and get away with it. Now comes the Supreme Court and it tells us that under this act which we passed here to stop racketeering, that sort of a hold-up, if carried out by members of a union, is perfectly legal insofar as that Federal law is involved.

Mr. Chairman, it is up to Congress to amend that law. The lack of adequate legislation is our responsibility. So, too, is the failure of the executive department when that failure becomes chronic. Time and again whenever there is some little thing that is not right somewhere in the States, people come to the Congress and say, "We must have a Federal law. You must take the power away from the States." But every time folks come to the Congress to be protected against violence and against robbery, by members of these unions, we are told that this is not the time, this is not the place, the method sought to be used is not the proper one.

How many times has the gentleman from Virginia [Mr. SMITH] proposed amendments that would assist the farmers and the honest people in the Nation to market their products? How many times have I offered such legislation?

How many times have the spokesmen for the unions told us, "Well, now, wait; today is not the day and this is not the proper bill to tack it on." I notice those who oppose our efforts never bring out a bill which would end this practice.

I am not advocating violence; I abhor violence in any form; but I say to you that if this thing keeps on, if you continue to refuse protection to peaceable citizens going about their lawful business, some day you are going to find the farmers putting the old shotgun or the pitchfork on to their trucks, driving through the city streets, then what have you? You have civil strife right there. And right there it becomes the duty of the Federal Government to protect the citizen.

Mr. RAPAUT. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman.

Mr. RABAUT. I do not think that is the right thing to say.

Mr. HOFFMAN. The gentleman is not making the speech; that is the only difficulty.

Mr. RABAUT. I do not mean to criticize.

Mr. HOFFMAN. Let me have the question.

Mr. RABAUT. Does the gentleman think that bringing up this subject continually, as he has been doing, in view of the fact the House voted the way it did the other day when the Smith amendment was up for consideration, will tend at all toward national unity in this country?

Mr. HOFFMAN. Now, I refuse to yield further. The gentleman has asked his question. If the gentleman thinks that those fellows in Detroit can continue as they have, by the use of firearms, by the use of blackjacks and clubs, and by the use of goon squads, with their beating, their maiming of inoffensive farmers driving their own trucks into Detroit, he is mistaken, or Detroit has ceased to be a city of law and order. If the gentleman will come over to my office, I will show him the picture of five of these Detroit fellows, cowards all, beating up one helpless man, and I will also produce the membership cards in the Communist Party of at least two of them. If the gentleman thinks that they are going to indefinitely keep the farmers out of Detroit with their food products, then he is mistaken.

Mr. RABAUT. The gentleman has not answered my question at all. He is talking all around the ring.

Mr. HOFFMAN. I will answer the gentleman's question. I say, you are never going to get unity as long as you advocate that one group, the Communists, the C. I. O., the A. F. of L. Teamsters, can prevent the people's use of the streets or of the highways of my State.

Mr. RABAUT. The gentleman cannot put those words in my mouth, either.

Mr. HOFFMAN. The gentleman wanted to know if I was advocating unity. I tell you we are not always going to submit to the blackjacking, the bludgeoning of our people by the gangsters of Detroit; that is what we are not going to do.

Now that a sheriff of your county, a prosecutor of your county, a mayor and several of your city officials, have been convicted and sentenced to prison, it may be that the people of Detroit will awaken and that the citizens of the State, the farmers of the State, will be given protection in their efforts to feed the people of Detroit.

It may be that some day Michigan will elect a governor who will have courage enough to curb the gangsters of Detroit, restore law and order and common decency to that city.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield the gentleman from Michigan the remaining time on this side.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Did I correctly understand the gentleman to say that labor unions in the city of Detroit exact the sum of $25 from farmers seeking to sell their produce in the city?

Mr. HOFFMAN. That is right; that is the teamsters' union, A. F. of L.

Mr. COOLEY. What is the State of Michigan or the city of Detroit doing to break up that practice?

Mr. HOFFMAN. Not one thing.

Mr. COOLEY. What is the matter with the local authorities?

Mr. HOFFMAN. They are under the control of the C. I. O. and the A. F. of L. politicians. Let me tell you, when the State police in Detroit—and I saw those picket lines myself on the 2nd and 3rd day of April 1941——

Mr. RABAUT. I have never heard it before in my whole life.

Mr. HOFFMAN. There are a lot of things, then, that the gentleman has not heard, and I have due respect for the gentleman, too, and I admire him; but it is strange to me that he does not know things that are a matter of common report, of common knowledge, in the city of Detroit. I think on reflection he will find that he knows much about violence in Detroit.

Mr. RABAUT. No; I do not.

Mr. HOFFMAN. All right. When the State police went down on the picket line they had to lay aside their weapons before they went out there on that particular occasion.

Mr. COOLEY. Why was that?

Mr. HOFFMAN. Because there was to be no violence; because the pickets were to have a monopoly of head-cracking. Are you not familiar with the 1937 strikes in Flint, where the Governor himself called out the State troops to protect the C. I. O. from the populace, from the people, when it had possession of the plants, when it had driven men and women from their jobs?

Oh, I say to the gentleman who just asked me a question a while ago, that strike was ended on the 9th day of June 1937, and it was ended because Governor Murphy was told by the citizens of Flint that the citizens of Flint were preparing to arm themselves to retake possession of those factories.

I do not advocate violence, but I do say this, that you cannot have a monopoly of these beatings and these killings. You just cannot have it. If you think the farmers and the people outside the cities are going to submit to this gangster rule, then you have another guess coming. You are just mistaken about it, Louie. You cannot drive me out of the city of Detroit any more than I can drive you off the highway that runs through my home town.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. RABAUT. I know the gentleman does not want to tie to me the fact that there are gangster killings and things of that kind.

Mr. HOFFMAN. Certainly, I do not.

Mr. RABAUT. Because I am not that type of man and would never condone it.

Mr. HOFFMAN. And everybody knows that. I am not criticizing you in any way. I want this House to pass needed legislation.

Mr. RABAUT. But I want to say this to the gentleman. The gentleman is talking about the Flint strike. He has brought it up here before. The gentleman cannot name one great industrialist in the whole of Michigan that took it out on Murphy for his policies during those strikes.

Mr. HOFFMAN. That is right, and the reason they did not applies right here. When these fellows come down here for orders, they are so intimidated, they are so fearful that they might lose a business contract or a dollar, that they do not stand up for their rights. And what good would it do for them to criticize Murphy? The strike was over—they had felt the power of the Governor and the C. I. O.

Mr. RABAUT. No; they have praised him rather than criticized him, and the gentleman knows it.

Mr. HOFFMAN. There are some who lick the boots of those who kick them. Did the gentleman approve of the sit-down strikes?

Mr. RABAUT. We are not talking about the sit-down strikes.

Mr. HOFFMAN. No; of course, the gentleman does not want to talk about them.

Mr. RABAUT. I am talking about the gentleman's attack on Murphy. The gentleman just attacked Murphy again.

Mr. HOFFMAN. Sure, I attacked Murphy. What did he do? He threw the weight of the State police back of the strikers, did he not, men who had driven honest American citizens from their jobs? Of course he did. Anybody who tries to justify that may do so.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. I think you can forget those former troubles; you have a much more serious proposition in Detroit now. You have a race riot over there. They are trying to put a lot of Negroes out in the white section of the town. I wonder if the gentleman is familiar with the disturbance that is really wrecking the State of Michigan today?

Mr. HOFFMAN. No; I know it only through the newspapers. The gentleman is right that we might forget those strikes if the officers would enforce the law but until we are given some semblance of justice, some protection, I will never quit. I am willing to forget the violence except as it is continued.

In further answer to the gentleman from Mississippi [Mr. RANKIN] I quote here an editorial from the Chicago Tribune of yesterday which bears on this whole situation. It is as follows:

RIOTING IN DETROIT

Fourteen persons were injured, including 5 policemen, in a riot in Detroit on Saturday. At a cost of a million dollars the Government had built some 200 dwellings for defense workers. The project had been intended originally for Negroes, but protests from white residents of the neighborhood resulted some time ago in the announcement that the houses would be occupied by whites. The Negroes then protested and the Government again changed its mind. When several Negro families sought to move into the new quarters on Saturday entrance to the project was barred by a picket line and the fighting and furniture smashing began.

The incident is an ugly one, discreditable to the Federal housing officials and more especially to the Government and people of Detroit. They were all in the wrong and in varying degrees they all bear a share of responsibility for the outrage.

The Detroit Free Press says "City officials generally view the racial controversy as the most serious threat to the peace of Detroit in many years, and that includes all the strikes of the last 10 years." Several weeks ago Mayor Jeffries used much the same language in saying, "It is by far the most serious thing in my administration."

What the officials apparently do not see is that the housing riot is itself the outgrowth of the labor disorders which were so generally tolerated in Michigan a few years ago. At that time public officials, taking their lead from President Roosevelt and Governor Murphy, refused to resist acts of mob violence. Factories were occupied and no serious effort was made to enforce orders of the Michigan courts to return the properties to their owners At one moment the strikers in Lansing seized control of the statehouse itself, and were not opposed. Highways were blocked, interstate commerce on the railroads was interrupted, and nothing was done about it.

That was Michigan's education in mob violence and the lesson has apparently been well learned. Many people in Detroit seem to have reached the conclusion that the larger the mob the more praiseworthy its activities.

Self-anointed humanitarians throughout the country sympathized with the sit-down strikers and found excuses for their lawlessness. The rioters were said to be underprivileged and therefore entitled to adjust the balance in any way they could find. Cowardly public officials were praised for their calm acceptance of the disorders, as if the safeguarding of life and property were not the primary concern of all government and of State and local government in particular. Mr. Murphy was rewarded with an appointment to the Supreme Court.

Now the mob had turned against the least privileged group in America. That should have been expected. When the notion becomes current that the constituted authorities will not keep the peace, the victims of racial or religious prejudice, being in a minority, must expect the worst, particularly at such moments as this in Detroit when there is much unemployment resulting from the shut-down of the automobile factories.

That is the principal lesson to be derived from the disgraceful incident. A secondary lesson is that if communities invite the Federal Government to build houses for the citizens, the wishes of the Federal bureaucracy and not of the communities will be followed.

But when the gentleman from Detroit, and I am not linking him up——

Mr. RABAUT. Grosse Point.

Mr. HOFFMAN. Grosse Point; excuse me. I am not linking him up with these gangsters at all. We all know he is not that kind of a man. But what I cannot understand is why you Members of the majority who believe in religion, and in law and in enforcement of law, and in peace, and the rights of the American citizens do not vote that way when these questions come up in the House.

Mr. RABAUT. And add to those phrases one more, national unity.

Mr. HOFFMAN. Yes; and add unity. What kind of unity do you want? Do you want the kind that Murphy wanted?

Mr. RABAUT. I want any kind we can get. We need it now. The call for it is echoing in the valley for it comes from the mountaintops.

Mr. HOFFMAN. Then you will join with me to give to every American citizen the right to work in a defense industry without being compelled to join a union. You will join with me in giving them the right to work 48 or 50 hours a week.

Mr. RABAUT. The House expressed itself on that this week. Why keep bringing it up?

Mr. HOFFMAN. Because when you have a truth like that and a principle at stake, you never want to quit until you have won. Do you want us to submit to gangster rule? Murphy asked us to submit to the goon squads. He asked us to give up our property, our personal liberty, our right to work, in order to avoid violence. Those are the very things we are now arming a million men to protect. I for one will never submit to gangsters, whether they be foreign or domestic, whether they be Hitler and his armed forces or Murray or Green and their goon squads.

Unity is all right, and we all want it, provided it does not require the surrender of our liberty to the lawless.

Mr. RABAUT. We have a leader in the White House—our President—with wartime powers.

Mr. HOFFMAN. Well, lay it on his doorstep; I am not at this moment accusing him.

Mr. RABAUT. It is within his powers.

Mr. HOFFMAN. Why does he not do it? He has authority, and it is his duty to protect our workers, our farmers. Read section 5299 of the Revised Statutes.

Mr. RABAUT. You will have to ask him.

Mr. HOFFMAN. We are trying to lay it all on the President, but the President signed that pension bill, and you did not hear much criticism of him, though he would have benefited more than anyone else; but we caught Billy-be-damned for it, and we ran for cover, let me tell you, brother.

Mr. RABAUT. I did not file a bill to repeal it.

Mr. HOFFMAN. I did.

Mr. RABAUT. Do not say "we" ran for cover.

Mr. HOFFMAN. Well, bless your dear heart, when you fellows make a mistake I do my best to get you out of the hole every time. What I am trying to do now is to get you to repent and follow the sawdust trail and adopt some decent, respectable legislation that will restore to the American citizen a portion of his right to take part in the service of his country.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I cannot resist.

Mr. HOOK. The gentleman will admit that the great automotive industry in the United States has had the greatest productive ability of any industry in the world, and when they really want production, when they really want to turn out tanks and war munitions, they turn to that great industry, and they have rallied to their support and they are going ahead and they are going to give their limit. Now how do you suppose those tanks are rolling off the lines and how do you suppose they are tooling for the war effort, if the men in the plants are not doing it?

Mr. HOFFMAN. Of course, they are turning out a prodigious amount of material and if the union officers would forget business as usual we would get more. But then Nelson comes along and says they are 25 percent below production capacity. He ought to know.

Mr. HOOK. The reason for that is we need time for tools. You have got to have tools.

Mr. PATRICK. Mr. Chairman, will the gentleman yield there?

Mr. HOFFMAN. No; I cannot yield now.

I will say to the gentleman from Michigan [Mr. HOOK] that it is not lack of tools to which Mr. Nelson referred. His statement was that our production was 25 percent less than the capacity of our plants, and tools are included in the term "plants."

Refer back to the increase in slowdowns, stoppages, and strikes in the month of February over those in the month of January and you will find the true reason for the lack of production.

Not long ago this House gave the C. I. O. and the A. F. of L. all that they asked by way of defeating amendments which would have curbed jurisdictional strikes, sympathetic strikes, strikes in defense plants. Since that time, we have had many stoppages of work; we have had many strikes, some of them wildcat strikes, some of them union strikes.

We have had the unions insistent that on this national defense work, if they work more than 40 hours per week, they be paid pay and a half or half as much again for every hour of overtime. They insist that, if they work on Sundays or holidays, they receive double pay—this when they know that our soldiers are on duty 24 hours a day for less per month than some union men receive for 1 day's service.

Yes; and added to all these demands, they insist that the American citizen, loyal and patriotic, eager to serve, shall not be permitted to work in defense of his country unless he first pays the union.

How a demand of that kind, how a policy of that kind, must delight the heart of Hitler, Mussolini, and Hirohito.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Chairman, I want to discuss during the few minutes I have this afternoon the question of parity. I am not only disturbed, I am alarmed, over the false and misleading propaganda that has been spread over this country from one end to the other, indicating that the farmers, in asking for parity, are not patriotic in that they are trying to hog something during this emergency. I resent this propaganda. There is no class in America more patriotic than the farming class.

For 10 long years Democrats and Republicans alike have been preaching parity. The Republican platform and the Democratic platform alike contain declarations in favor of parity, and now, lo and behold, when the farmers are about to reach the goal at which we have been aiming for 10 long years, the propaganda goes out that if we reach that goal we are going to boost farm prices to such an extent we will bring about inflation. A greater piece of falsehood—and I make the statement advisedly—was never circulated. If you raise every farm product to parity, you will only increase the farm income some $250,000,000. Will that bring about inflation? The idea is ridiculous. What I cannot understand is this: You can raise the wage scale and put millions of dollars of new money in the pockets of the laboring people, and no one hollers inflation. You permit the industrialists to make 200, 300, 500, yes, 1,500 percent and add millions to their coffers, and no one hollers inflation. But if you permit the farmer to receive what you have been telling him for the past 10 years is a fair price, out goes the hue and cry that he is hoggish. Listen; the farmers are paying 146 percent more for what they buy than they did during the base period from 1909 to 1914. No one seems to be complaining because the things the farmers buy have gone up 146 percent. Well, parity, in simple words, only guarantees to the farmer that when the things he buys go up there shall be a corresponding increase in the price of the things he sells. Now, if Mr. Henderson wants to be fair, why does he not crack down on the fellows who are charging the farmers 146 percent over the base-period prices? Why crack down on the farmers and let the 146 percenters play the sky for the limit?

Let me also call your attention to the fact that the farming population, while comprising one-third of our population, only receives one-tenth of our national income. As long as this remains true, there is no earthly way the farming class can bring about inflation.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. Yes.

Mr. GILCHRIST. What does the gentleman say about the statement that parity for the farmers will increase the cost of living about a billion dollars?

Mr. FLANNAGAN. It is false. To bring farm prices up to parity should cause but very little, if any, advance in food prices. I want to further say that the rise in farm prices during the recent past does not justify the price the consumer is paying for food today. What happens? Down in my district, I think, we raise the best beef cattle in the world. We got about a cent less per pound for our heavy cattle in 1941 than we got in 1940, yet in spite of the fact that beef cattle were bringing 1 cent per pound more in 1940 than they brought in 1941, beef selling in the meat markets averaged around 10 cents per pound higher in 1941 than it did in 1940. Take wheat: When wheat went up around 20 cents per bushel, a loaf of bread went up 2 and 3 cents. There are 60 loaves to the bushel, so when the farmer got an advance of 20 cents per bushel the cost to the consumers, after the millers, processors, and retail merchants finished doctoring it up, was from $1.50 to $1.80 per bushel. The same is true all the way down the line. Yet someone is trying to create the impression that the farmers are responsible for the advance in the cost of living.

Now, I make this broad challenge: There is no justification for the great advance in the cost of food to the consumers. Farm prices have not caused the great advance, and farm prices, even if permitted to go to 110 percent of parity, would not be justification for such an advance. Mr Henderson and the Secretary are working on the wrong folks. If they would pay a little more attention to the millers, canners, processors, brokers, and retail men and let the farmers rest for a spell they would render the consumers of this country a great service.

The farmers are not trying to dodge their responsibility in this war. They are willing to make sacrifices, any sacrifices necessary to win, but they rightly believe that the sacrifices necessary to win should be, as far as possible, equally distributed, and they resent, and rightfully resent, being charged up with the sins of others.

The argument was advanced the other day, and by those in authority, that we should permit some of the wheat and corn to be sold for stock and poultry feed and for the distillation of alcohol. Why? To keep the prices of poultry and stock feed and alcohol down. As to stock and poultry feed, let me give but one example. I wish I had time to really go into the matter. Take poultry feed: The cheapest of wheat would be put into poultry feed known as scratch. Well, I am advised the farmers would get a little over $22 for the wheat going into a ton of scratch. Now, this feed is quoted in the Chicago market for from $36.50 to $38.50 and I understand is being sold by the retailers for around $45 per ton. Now if wheat goes up to the parity price per bushel, is there any justification to increase the price of scratch to the consumer? A farmer from South Carolina told me today eggs were selling in his home town for 15 to 20 cents per dozen. I phoned to one of the Washington grocery stores and was advised eggs were selling for 46 cents per dozen.

Oh, yes; the farmer gets charged up with $45 feed for which he received $22 and 46-cent eggs for which he received 20 cents, and seemingly those in authority are going a long way to make the charges stick. All I want is for the public to know the truth. And I am determined to give them the truth.

Now, as to corn for alcohol. Corn is bringing 76.6 cents per bushel. Parity price of corn is 93.7 cents per bushel. Now, what is the proposition with reference to corn? Why let the distillers have it for less than parity, so alcohol can be produced at the same price it can be produced from sugar? Why? Well, this is what they tell you. If the distillers have to pay parity, they will raise the price of sugar alcohol to the price of corn alcohol, and if we do not therefore lower the price of corn we will permit the distillers to reap an unjust profit. My answer: If Mr. Henderson can crack down on the farmers, why cannot he crack down on the distillers? Let these would-be farm experts answer that question to the satisfaction of the farmers and the public. Again I ask, Why take it out of the farmer? Why hold the farmer down and not hold down the distiller of corn alcohol?

Mr. PLUMLEY. I can answer that if the gentleman will permit. It is because for years they have played the farmer for a sucker. The football of political manipulators; the source of fortunes for middlemen and wholesalers and of salaries for department and bureau heads and jobs for lobbyists, the farmer—the honest-to-God man who earns his few dollars by sweat and blood and tears has been made the goat by this administration. It is not funny now that it is no joke. The bread basket producer of the world has no business to be pressed into poverty by a program such as the New Deal has followed. Why the farmers could have consented to its continuance and do not realize what is being done to them, why they tolerate it, is beyond me. They have the solution in their hands if they would wake up to realize that fact, and the remedy, like charity, begins at home.

Mr. FLANNAGAN. Well, they are not going to play him for a sucker if I can prevent it. If the membership of this House, Democrats and Republicans alike, had time to look into this parity question, I am thoroughly convinced that there would not be a baker's dozen vote against the provisions written into the bill, and justly written into it, by Mr. TARVER'S committee. I just want the farmer to get a fair deal. I am not willing to have the sword of Damocles placed in the hands of Mr. Henderson, when it comes to the farmer. Place that power in his hands, and let him be the sole arbiter, as he seems to be, and it would take an act of Divine Providence to save the farmers of America.

I know the membership of this House wants to give the American farmers a square deal. That is all we are asking.

We are not asking for any favors. We are only asking that this House redeem the pledge made the American farmers for the past 10 years and give them a parity price.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. RICH. Who gave Mr. Henderson all this power?

Mr. FLANNAGAN. I do not know who gave him the power, but here is one Representative who is willing to take it away from him if he ever attempts to use it to the detriment of the American farmer.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. TARVER. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, I want to take just a few minutes to clarify what appears to be a misunderstanding with reference to soil-conservation payments, or if I am wrong in my conception, I would like to be corrected and put right.

Some people have the idea that soil-conservation payments are gratuities to farmers. I think it will be conceded by practically everybody in this country that agriculture is the basis of our national wealth. I think it will be conceded, further, that soil fertility is the basis of a successful agriculture. Now, if you agree with me in these two premises, let us take the testimony of our soil experts. They tell us that 300 years ago, or even 200 years ago, in this country we had approximately 9 inches of soil throughout the length and breadth of the United States. That was the average depth of the soil—soil in which you could plant seed and expect returns. That soil is national wealth. Since the establishment of our experiment stations and other research agencies in the Department of Agriculture those in charge have found and said to us that on account of erosion there has been depletion of this soil to the extent of 4 inches. Therefore we have lost nearly one-half of our national wealth from the standpoint of soil, and it is estimated that in another 200 years, at the same rate of soil depletion, with a normal increase in population, the soil of this country would not have a sufficient amount of plant food to feed our people. We insist, therefore, it is a problem for the Nation, a problem for the Government to conserve the soil, conserve the plant food, conserve this element of national wealth, and the plan adopted a few years ago following the farm-production program was that if a farmer would adjust his farming operations to the program outlined by our Department of Agriculture the Government of the United States would pay him for his labor and efforts. This program, of course, contemplated restoration of the soil or a further prevention of erosion, further loss of the national wealth. The plan was adopted to insure the future security of our people.

You say, "Well, the farmer gets the benefit of it." Possibly he does, to a limited extent, but the farmer himself is not charged with the responsibility of effecting ways and means and plans for taking care of the population 200 years from now. The people in industry, the people in workshops, people in the various professions 200 years from now, under the policy that we have followed for the last two centuries, would be unable to find a supply of foodstuffs without having to import them, and no one knows where they would get them from. Therefore, the Government, feeling its responsibility, has said to the farmers of the country, "If you will cooperate by adjusting your farm operation in such a way as to retain the soil, prevent further depletion, and increase soil fertility, we will pay you a certain amount for your effort." That is what I understand as soil-conservation benefits.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. MURDOCK. I would like to ask the gentleman two or three questions. Is it not sometimes claimed by the opposition that the farmer is paid for not producing crops, thereby giving the wrong impression?

Mr. HARE. That is correct. That is the reason I stated at the outset that I wanted to clarify some misunderstandings on the part of some people, if I could, and if I were wrong I wanted to have my impressions clarified.

Mr. MURDOCK. Is it not true that this country could be turned into a Sahara Desert, not only through defeat by such powers as the Axis, but also by a continuation of the very process that has been going on here for 200 years?

Mr. HARE. If I am to believe the integrity and ability of soil experts, of those familiar with these subjects, that within two centuries—and that is only a span in the life of a nation—within two centuries the productivity of the soil of this country, if depletion should continue at the rate it has for the last 200 years, then we may have almost a desert—that is, you would have land that would be nonproductive. You would have land from which the people could expect little or nothing. It would not even support the man who tilled it, much less get a surplus with which to support the people in industry, in workshops, and in various types of occupation throughout the country.

Therefore, at the expense of repetition, let me say that the soil-conservation program is to pay the farmer for the contribution he is making at the expense of sweat and elbow grease to preserve the national wealth of our country in order that it may be available in the centuries to come.

Mr. MURDOCK. In other words, we should establish a soil, as well as a Constitution, "for ourselves and our posterity."

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. GRANGER. The gentleman said that hundreds of years ago land was considered the basis of wealth. Is it not true today also?

Mr. HARE. I make that my basic premise, that agriculture is the basis of our national wealth and that soil fertility is the basis of successful agriculture. If I am correct in this, then it is a national problem to see that the fertility of the soil throughout the Nation is preserved; and if the problem is to be solved it has been decided by those assigned to its solution that it can best be done by paying the farmer for cooperating with his government in its soil-conservation program. The farmer who preserves his soil not only discharges a patriotic duty to his government but contributes to the future wealth of his nation and the support and happiness of unborn generations; and the small payment he gets now is not a gratuity, it is a payment for services.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL of Colorado. Mr. Chairman, I asked for this time for the express purpose of calling to the attention of the House a telegram I received this morning from the secretary of the Colorado Mining Association which just bears out the statement made on the floor a while ago that when we turn all this power over to bureaus, boards, and commissions, we have no way of keeping track of what they are doing, this is the situation that develops:

DENVER, COLO., *March 3, 1942.*

Hon. WILLIAM S. HILL,
House Office Building:

Amendment to priority orders P-56 and P-56-A issued today by Metals Division, War Production Board, excluding all metal mines producing more than 30 percent in dollar value of gold and/or silver will close down virtually all mines in Colorado. Entire districts whose economy is based on mining, including the general economy of the State of Colorado, will be vitally affected. The seriousness of this order cannot be overemphasized, and we appeal to you to use every effort to have the order rescinded. By reason of the gold and silver values in our ores we have been able to produce approximately 22,000,000 pounds of copper, lead, and zinc annually. The production of these vital war metals will be cut off if this order stands, as all of Colorado mines, with few exceptions, rely on their gold and silver values to keep in operation. The order affects Colorado more drastically than any other State and is a State-wide tragedy. A delegation will come to Washington next week to help you in your efforts.

ROBERT S. PALMER,
Secretary, Colorado Mining Association.

I just mention this because these boys are going to be compelled to shut down every mine in Colorado.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

For stationery, supplies, materials, and equipment, freight, express, and drayage charges, advertising, communication service, postage, washing towels, repairs, and alterations; for the maintenance, repair, and operation of one motorcycle and not to exceed three motor-propelled passenger-carrying vehicles (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase of one motor-propelled passenger-carrying vehicle at not to exceed $1,500, including the exchange value of one such vehicle, for official purposes only; for

official travel expenses, including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, $98,341, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the fiscal year 1943 for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $131,605, shall be transferred to and made a part of this appropriation: *Provided, however*, That if the total amounts of such appropriations or authorizations for the fiscal year 1943 shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for 1943, the amounts transferred or to be transferred therefrom to this appropriation shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That this appropriation shall be available for the payment of salaries of employees engaged in the maintenance, repair, and operation of motor-transport vehicles, and that this appropriation shall be reimbursed from the appropriation made for any bureau or office for which such service is performed, in accordance with the provisions of the act of May 11, 1922 (5 U. S. C. 543): *Provided further*, That the Secretary of Agriculture, during the fiscal year for which this appropriation is made, may maintain stocks of stationery, supplies, equipment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate $200,000 in value at the close of the fiscal year, and the appropriations of such bureaus, offices, and agencies available for the purchase of stationery, supplies, equipment, and miscellaneous materials shall be available to reimburse the appropriation for miscellaneous expenses current at the time supplies are allotted, assigned, or issued, or when payment is received; for transfer for the purchase of inventory; and for transfer pursuant to the provisions of section 601 of the act approved June 30, 1932 (31 U. S. C. 686): *Provided further*, That the appropriations made hereunder shall be available for the payment of salaries and expenses for purchasing, storing, handling, packing, or shipping supplies and blank forms, and there shall be charged proportionately as a part of the cost of supplies issued an amount to cover such salaries and expenses, and in the case of blank forms and supplies not purchased from this appropriation an amount to cover such salaries and expenses shall be charged proportionately to the proper appropriation: *Provided further*, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: *Provided further*, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget: *Provided further*, That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 5, line 11, strike out "$98,341" and insert "$33,841."

Mr. MONRONEY. Mr. Chairman, I want to take the time of the House to explain what I am going to attempt to do in regard to this agricultural bill. I, like many hundreds of Members of the House, have felt rather a sense of futility in remaining in the House and passing without reduction appropriation bills as they come before us. We know that these bills are carefully weighed by efficient committees of the House, that they go into these matters at great length, they hear the testimony from the departments, they have the evidence that has been gathered by the Budget Bureau, but these bills deal in millions and oftentimes billions.

We watch them go through and we sometimes wish we could do something about the waste that each and every one of us realizes is going on.

During the black-out last night I took the opportunity to go through this generous-sized book issued by the Bureau of the Budget and came to a startling realization by following out a little hobby I have of analyzing one particular element of an expense bill.

From that analysis I found that the Department of Agriculture bill as reported today and as reported by the Budget contains practically $16,000,000 for travel expenses. Sixteen million dollars for travel expenses. I analyzed it carefully last night and today checked with the Budget Bureau to be certain that I was not duplicating any items from transferred funds. I found, for instance, such items as Soil Conservation Service spending $1,003,000 for travel. It seems like our topsoil is not the only thing that is moving.

Further, I find that the A. A. A., under the Soil and Domestic Allotment Act, is going to spend $1,491,000 for travel expense for the coming year.

Now, I could go on at length with these items. I have about 30 amendments to offer. I hate to take the time of the committee with these amendments but to reduce as much of the $16,000,000 as possible requires it. This present one you are invited to vote on now provides for a reduction of $65,500 from the amount recommended by the committee of $98,341 provided for miscellaneous expenditures in the office of the Secretary. The office of the Secretary miscellaneous expenditures is budgeted for travel expenses for $131,000 for the coming year. We divide the $131,000 for travel expense in half and arrive at the figure $65,550 that I am seeking to reduce this particular item of the appropriation bill.

We all know that the charge of picayunish may be hurled at such an effort to strike from this gigantic appropriation bill only such small sums as twenty or thirty thousand dollars, but I call your attention to the fact that throughout this great, broad land of ours today, the money that is going to see Uncle Sam through this most dangerous time in the history of our Union is coming in in driblets of 10 and 25 cents from the children, workers, and farmers.

This reduction and others that I seek will not hurt the agricultural appropriation bill one iota. It merely expects Government employees and bureau officeholders to come down to a realization of the fight and danger we are in. We cannot tolerate waste and go to our people with the tax bill that we must go to them with on March 15 of this year, and then double that figure next year without making every possible effort to cut nondefense items all along the line.

It may be contended that these amounts are vital for travel, but I propose to allow one-half of the amount that is budgeted for travel. They can travel half as much, they may go half as far, send one-half as many workers on trips or if they have to do it they might even ride the day coaches to Washington for some of these conferences. I ask for the adoption of the amendment.

Mr. CRAWFORD. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. We should also bear in mind that train rates and passenger rates have been increased very materially just recently and that the new tax bill carries a 15-percent increase in straight passenger fares and a 20-percent increase in Pullman and chair-car rates.

Mr. MONRONEY. The gentleman knows that Government employees on official duty do not pay that tax.

Mr. CRAWFORD. They may not pay the tax, but they ride the airplanes and push up the rate considerably.

Mr. MONRONEY. They get a 15-percent reduction on the airplanes. I think this is a good amendment.

Mr. CRAWFORD. I will support the amendment.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

Mr. Chairman, I do not think it should be necessary for the committee to take time in opposition to all these thirty-odd amendments that the gentleman from Oklahoma says it is his purpose to offer in the course of the consideration of this bill if in every instance, as in this instance, he has no reason whatever based upon facts which ought to have consideration for the reduction which he proposes. Economy is a very desirable thing. Our subcommittee thought so, too, and for this reason it has recommended cuts in the amounts in this bill, including direct appropriations, reappropriations, and loans aggregating $560,000,000, below the current year.

No one can charge that the subcommittee in the preparation of this bill has been inclined toward extravagance. The gentleman by this amendment proposes, if I understood it correctly, a reduction of about $65,000 in the $98,000 item, without reason, except the gentleman's desire for economy and his fear that the school children of America in 10- and 15-cent contributions are going to make up the amount of these expenditures.

Mr. MONRONEY. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. The appropriation which the gentleman has mentioned as being listed in the Budget on page 303 of grand-total obligations includes transfers under the bookkeeping system of the Department of Agriculture totaling $1,029,946.

Mr. TARVER. I hope the gentleman is not laboring under the impression that when he desires to decrease some other item in the appropriation bill he may do it by cutting off an amount of one particular item which has no relationship to the other items which he thinks ought to be decreased. The gentleman is proposing to decrease the $98,000 item here to $33,000. Does the gentleman know of any reason other than his very earnest desire for economy why the amount of $98,341 should be decreased? If so, I yield to him for an explanation.

Mr. MONRONEY. Because you have in the fund against which this Department charges the sum total of $1,029,000. I seek to decrease it by only a small amount, only one-half of the money that our public officials are planning to spend on travel for the coming year.

Mr. TARVER. I presume the gentleman's other 30 amendments propose to decrease by half the money that is proposed for expenditure, which, of course, is a very wise method of writing an appropriation bill. The thing to do, according to the gentleman's idea, is to have the Budget submit estimates, have the committee reduce the estimates, as in this bill, $2,000,000 below what the Budget has recommended, and then cut what is left in half. The gentleman has the idea that the result will be a proper provision for the Department of Agriculture. I think that idea is so unsound as not to require further discussion. I hope the amendment and all the other amendments of the gentleman, unless they have a sounder foundation, may be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. MONRONEY) there were—ayes 22, noes 28.

So the amendment was rejected.

The Clerk read as follows:

OFFICE OF THE SOLICITOR

For necessary expenses for the Office of Solicitor, including personal services in the District of Columbia and elsewhere, purchase of lawbooks, books of reference, and periodicals, and payment of fees or dues for the use of law libraries by attorneys in the field service, $210,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the fiscal year 1943 for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $1,937,749, shall be transferred to and made a part of this appropriation; and there may be expended for personal services in the District of Columbia not to exceed the total amount set up in the Budget schedules for such purpose under this appropriation: *Provided, however,* That if the total amounts of such appropriations or authorizations for the fiscal year 1943 shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for 1943, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 7, line 25, after "service", strike out "$210,000" and insert "$184,275."

Mr. MONRONEY. Mr. Chairman, I am sorry the distinguished chairman of the committee does not see fit to think that in this time it is important that we pick out every possible item that can be saved to gird America for the tremendous battle we are in.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from New York.

Mr. TABER. Can the gentleman give us any reason why the chairman of the subcommittee should ask him to give detailed reasons why his amendment should be adopted, and then not give any detailed reasons why it should be rejected?

Mr. MONRONEY. I thank the gentleman very much. I do think it is a little bit unusual that a Member questioning an appropriation should be made to give the reasons for doing so. In my experience in legislation, it has always seemed that the man who was trying to get the money out of the taxpayers' hide was the man who had to furnish the preponderance of the proof that the expenditure was justified.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Tennessee.

Mr. GORE. I have the utmost respect for the gentleman from Oklahoma. I have not studied the bill as diligently as he has studied it, nor the Budget estimates, but I would be surprised if the gentleman from Oklahoma took as unsound a position as the gentleman from Georgia, for whom I also have a high regard, has indicated. I have observed that the gentleman from Oklahoma exercises care in taking a position and that he has a remarkable record of sound positions. I understood him to say there was $16,000,000 for travel expenses in the bill.

Mr. MONRONEY. That is correct.

Mr. GORE. Is it the gentleman's purpose to try to reduce that appropriation?

Mr. MONRONEY. My purpose is to try to reduce that by about one-half and save the taxpayers of this country approximately $8,000,000, that will never be missed by the farmers of this country one bit. It will only inconvenience and disturb some bureaucrat downtown and perhaps force him to ride in an upper berth or in a chair car or come to these Washington or district conferences just half as often. I cannot see how any man can defend paying out money for such a purpose in an hour like this.

Mr. GORE. I think we ought to cut out a lot of travel expense.

Mr. MONRONEY. I thank the gentleman from Tennessee for his contribution.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman believe the farmers of the United States would miss anything if you cut out all those travel expenses?

Mr. MONRONEY. I cannot see how they could.

Mr. SMITH of Ohio. Of course not.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. If the amendment to cut out the Farm Security Administration appropriation should be adopted, has the gentleman any idea how much smaller an appropriation would be required for legal fees under this provision?

Mr. MONRONEY. I am working now merely on the travel accounts. This paragraph of the lawyers totals in the Budget for travel for the coming year $51,450. There must be some reason why the Budget itemizes this account. Perhaps I do not understand the gentleman from Georgia. Perhaps that is all superfluous language in the Budget. However, they have carefully under the 0–6 account in connection with every one of these departments listed the total amount they are setting up for expenditure for travel.

Mr. TARVER. Of course, if the gentleman is seriously insisting on his amendment, and it appears that several of our colleagues think it ought to be seriously considered, I believe he ought to be in a position to tell us why he has adopted the particular figure he has suggested in his amendment.

Mr. MONRONEY. I would be happy to tell the gentleman, but I would first like to call his attention to the fact that I can find no evidence that his great committee inquired into the cost or the total or the amount to justify the travel account or why it was fixed at these figures in reaching these travel appropriations.

Mr. TARVER. I am not sure that I understand the gentleman. Does he mean that he has read the hearings before the subcommittee and has been unable to get information on that subject?

Mr. MONRONEY. The gentleman knows it is impossible to read completely through the hearings in one evening, but I have been unable to find in my reading of the hearings any extended or important testimony taken by the members of the committee to determine how many dollars were required by what officers for travel to carry on the work of the Department of Agriculture.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

There is included in this item which the gentleman from Oklahoma [Mr. MONRONEY] seeks so drastically to reduce $51,450 for travel, which is a reduction by the Budget, whose recommendation in

the matter was approved by the subcommittee, in the amount of $20,000, approximately, a very considerable reduction.

The gentleman, in offering his first amendment awhile ago, undertook to say, and, of course, his statement is appreciated——

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. No; I will not yield to the gentleman at this time.

That the subcommittee had entered into a consideration of all these items in great detail, which it has. The subcommittee has been engaged in its work since the 19th of November 1941. It has taken, including the copper hearings, over 2,000 pages of evidence. I do not say that I remember now every item of testimony regarding every one of these subdivisions of expense in the various bureaus and divisions of the Department. I do not. Perhaps there are some men on the subcommittee who might be capable of doing it. But I do know that we have given careful consideration to every item, adduced evidence with reference to them, and have effected reductions, where we could without, in our opinion, injuring the work of the Department. Those reductions have, as I have already indicated in the matter of direct appropriations, run approximately $2,000,000 below the Budget figures which have very drastically reduced the amount of the appropriation for the Department for the next year. I do not think there is any basis upon which, under these circumstances, the committee could arbitrarily say that you ought to cut in half the amount which had been allowed in the subcommittee's bill for the Solicitor's Office for travel expense after the amount had already been reduced by the Budget by $20,000.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman.

Mr. MONRONEY. May I ask the distinguished chairman if this amount of some fifty thousand dollars was put into the Budget prior to Pearl Harbor or after Pearl Harbor, and does the gentleman think that has any importance in the consideration of this appropriation?

Mr. TARVER. I think the gentleman is not any more interested than I or more interested than any member of our committee in the matter of effecting every possible economy. We knew of our national danger before Pearl Harbor. There were some of us who were trying to effect such economies as were possible before Pearl Harbor. May I say to the gentleman that, perhaps, I have voted against more appropriations in recent years than any Member of the House with one or two possible exceptions. I have voted against over $14,000,000,000 of appropriations that have been made during this administration. I do not yield to him or anyone else in the matter of bringing about reasonable economy, but I do not think it is fair even to consider taking a broadax and whacking off half of an appropriation which is recommended by a subcommittee which has given careful consideration to all of the facts in relation to that and other appropriations in the bill. If you think so, all right. I think you are going to injure seriously the Department of Agriculture if you do it.

I think the gentleman is a very able man, but I would think he certainly should not be insisting on making this drastic reduction of one-half of an item without advancing any reason upon which to base that action and expect that the House will do it. I certainly hope that it may not be seriously considered.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, while this amount is spoken of as being a great sum, yet the sum total is $210,000, and my mission in taking the floor is to speak about an item that I believe probably most of the Members of the House may have some idea about and will realize what the appropriation of such an amount will mean. When we get down to talking about $100,000 or $50,000 or $25,000, I can understand that, and I believe that a majority of the Members can understand it, but when the chairman of the committee, the genial gentleman from Georgia, and one of the fine men here, states that he voted against $14,000,000,000 of appropriations, why, gracious goodness, that is not very much.

He voted against $14,000,000,000. Mr. Chairman, we have appropriated over $116,000,000,000 since the 22d of January, and that does not take into consideration the enormous appropriations made last year, the most extravagant appropriations ever made up until January of this year. When the gentleman submitted this amendment cutting down the item of salaries, certainly one can realize that we have had too much running around in government. There is too much in this bill that never should have been legislated—too much money here that should never be appropriated. A number of items in this bill will have amendments offered to cut them down. The people of the country have the idea that we are cutting down the regular appropriations of government. Last year you told them that, and you told it to them the year before, and they think we are going to do it. I do not think we are going to cut them down because too many different branches of the Government want to be perpetuated, and there is no better evidence of that than in this sugar quota we have in this bill, $48,000,000. Last year we paid the sugar growers of this country millions and millions of dollars not to raise sugar. We have in this bill $48,000,000 for the sugar raisers, to raise sugar. The subcommittee says it should not be appropriated, and yet we put it in the bill. There is somebody in high authority in this Government that says that we ought to do it, to maintain this force of Government workers on the pay roll. They have to pay the farmer now for raising sugar, when a year ago we paid them for not raising sugar. What is the matter with this Congress?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. MAHON. The gentleman says that somebody in high authority brought it about. Is it not true that last December both Democrats and Republicans of the House passed the authorization bill which is the basis for this appropriation?

Mr. RICH. The fact of the matter is that last year you had 250 tons of sugar over here in Puerto Rico that the Agricultural Department refused to let the farmers touch. They refused to let them harvest that sugar, and you bring in a bill now that tries to raise more sugar, and you are going to pay the farmers what you did last year. If the farmers want such a bill, you ought to stop it, and the best way to do it is to stop appropriations. I am not opposed to Congress doing things like that, I say to my friend from Texas, and I hope the gentleman will join me.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. COLLINS. Mr. Chairman, I move to strike out the last 2 words. The item under discussion involves a small one for travel. There are 202 lawyers in the Solicitor's office and all of them I dare say do a certain amount of traveling. The amount is meager for each lawyer and remember it includes subsistence and other expenses in addition to the actual railroad fare, automobile, and other means of transportation.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Not now. I do not think the amount is unusual for a lawyer to spend in the transaction of business. Every lawyer in the United States spends more than that amount sought every year for travel expenses. To show you the good faith of the department and the committee in cutting this appropriation bill, the item of travel expense has been reduced by $20,000. In other words, we realized the necessity for economy. For these reasons I hope the House will ratify the action of the subcommittee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and the Chair, being in doubt the Committee divided, and there were—ayes 48, noes 37.

Mr. TARVER. Mr. Chairman, I object to the vote upon the ground that it discloses the absence of a quorum.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and six Members present, a quorum.

Mr. TARVER. Mr. Chairman, I demand tellers.

The CHAIRMAN. As many as are in favor ordering tellers will rise and stand until counted. [After counting.] Evidently a sufficient number.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. MONRONEY) there were—ayes 72, noes 37.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill

H. R. 6709, the Department of Agriculture appropriation bill, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] may include in the remarks he made today some newspaper articles and one editorial.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. ENGEL] may be permitted to address the House for 20 minutes on Monday next, following any other special orders which may have been heretofore entered.

The SPEAKER. Is there objection?

There was no objection.

ACQUISITION OF FRENCH POSSESSIONS IN THE WESTERN HEMISPHERE

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, during World War No. 1 we acquired the Virgin Islands and paid $25,000,000 for them. They have given us a few headaches but at least they are bases for us today and not potential bases for an enemy unless he captures them.

Today there is widespread uneasiness over what Vichy France may do with her fleet. If it goes into operation on the side of the Axis Powers, every island owned by France in this hemisphere becomes a potential base for enemy operations, a certain base for enemy activity, I should say. Newspaper editorials and special articles over the week end were prolific on this subject.

France is hungry. France needs food and gold. Whether it is more dangerous for her to have food and gold than possession of bases on both sides of the Panama Canal I do not know. I feel it not inappropriate, however, again to call attention of the Foreign Affairs Committee to a bill, H. R. 4781, which I introduced last May which would direct the Secretary of State to institute negotiations with the Government of France looking toward the acquisition by the United States of the French possessions in the Western Hemisphere, particularly the Islands of Martinique, Guadaloupe, St. Pierre, and Miquelon in the Atlantic Ocean; Clipperton and the islands of French Oceania in the Pacific Ocean; and the Province of French Guiana in South America, together with such ships, airplanes, and cargoes as the French Government may care to sell, and to pay therefor with gold, food, commodities, and credits as herein provided.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article written by one of the classmates of Ensign Craig Spowers, my candidate to Annapolis in 1937, who graduated with the class of 1941 with distinction, and who died in the defense of his country on the *Reuben James* when she was torpedoed on the night of October 30–31, 1941. Craig Spowers was the first casualty of the class of 1941. He was an outstanding example of American manhood and typifies all that is best in courage and patriotism. My heartfelt sympathy has been and is again expressed to his family in their great sorrow.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

(By unonimous consent, Mr. SANDERS was granted permission to revise and extend his remarks.)

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3761. An act for the relief of Mrs. Willie M. Maye; and

H. R. 3966. An act for the relief of Estella King.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3966. An act for the relief of Estella King;

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.;

H. R. 6291. An act to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States;

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6446. An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof; the Coast and Geodetic Survey and the Public Health Service; and civilian employees of the executive departments, independent establishments, and agencies during periods of absence from post of duty, and for other purposes;

H. R. 6550. An act to extend and amend subtitle "Insurance" of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes;

H. R. 6611. An act making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcar and vehicular traffic.

ADJOURNMENT

Mr. TARVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned until tomorrow, Thursday, March 5, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

POSTPONEMENT OF HEARINGS ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill: H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will continue its hearings on H. R. 6522 on Thursday, March 5, 1942, at 10:30 a. m., in room 353, House Office Building.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 11, 1942, at 10 a. m. subcommittee No. 3, of the Committee on the Judiciary will continue hearings on H. R. 6444, to provide for the registration of labor organizations, business, and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building, Washington, D. C.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1451. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved June 24, 1926, entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," so as to provide for the establishment of the designation of naval aviation pilot (airship), and for other purposes; to the Committee on Naval Affairs.

1452. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the fiscal year 1942, for the Office of Education, Federal Security Agency, and a proposed provision pertaining to the estimate of appropriation for the same office for 1943, submitted in the form of an amendment to the 1943 Budget (H. Doc. No. 642); to the Committee on Appropriations and ordered to be printed.

1453. A communication from the President of the United States, transmitting, in the form of an amendment to the Budget for the fiscal year ending June 30, 1943, a supplemental estimate of appropriation for the War Department for flood control, in the amount of $2,210,000, to remain available until expended (H. Doc. No. 643); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1853. Report on the disposition of records by sundry departments of the United States Government. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive

Papers. House Report No. 1854. Report on the disposition of records by sundry departments of the United States Government. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MASON: Committee on Immigration and Naturalization. H. R. 5059. A bill to grant the status of quota immigrants to Mr. William B. Fawkner and his wife Mrs. Ida Fawkner; with amendment (Rept. No. 1852). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. THOMAS F. FORD:

H. R. 6723. A bill for the relief of the State compensation insurance fund, State of California; to the Committee on the Judiciary.

By Mr. DONDERO:

H. R. 6724. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. EDWIN ARTHUR HALL:

H. R. 6725. A bill to extend to April 15 the time for filing certain income-tax returns; to the Committee on Ways and Means.

By Mr. HOLMES:

H. R. 6727. A bill to lower the rate of tax imposed with respect to the transfer of certain small guns; and to lower the rate of tax imposed upon manufacturers and dealers in such guns; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr MACIORA introduced a bill (H. R. 6726) to provide for the establishment of a commissary or vending stand in the Washington asylum and jail, which was referred to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2516. By Mr. GRAHAM: Petition of the executive council of the Beaver County (Pa.) Sabbath School Association, an accredited auxiliary of the Pennsylvania State Sabbath School Association, urging the prohibition of the manufacture, transportation, and sale of distilled malt and vinous liquors for beverage purposes until victory is achieved and the armed forces of the Nation demobilized, the date of such demobilization to be fixed by Presidential proclamation; to the Committee on Ways and Means.

2517. Also, petition of 80 citizens of Lawrence County, Pa., favoring the passage of the Senate bill 860, which is designed to keep liquor from the military camps; to the Committee on Military Affairs.

2518 By the SPEAKER: Petition of the Los Angeles Smelter and Brass Workers Union, Local 468, Congress of Industrial Organizations, Los Angeles, Calif., petitioning consideration of their resolution with reference to marketing quota of burley and dark-fired tobacco; to the Committee on Agriculture.

SENATE

THURSDAY, MARCH 5, 1942

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who hast made all things for Thy glory and hast created man in Thine own image: Help us to discern with ever-increasing gratitude the wondrous gifts Thou dost impart through speech and thought, which, swift as wind with tempered mood for higher life, prepares us for whatever chance the coming days may bring.

Do Thou bless and prosper every sacrifice we make in the service of our country, and crown it with the type of spiritual joy that shall countervail all sorrow and separation and become our permanent possession.

Remove from our midst the shallow spirit of cynicism which thinks it more clever to criticize than to cooperate; and do Thou increase in us day by day the spirit of loyalty and devotion to our national ideals, to our President, and all who share his burden of responsibility and leadership. And as we dedicate our all to Thee, in selfless, loving service, may every man of us respond unto this challenging appeal:

"Thou hast thy way to go, thou hast thy day
To live: Thou hast thy need of thee to make
In the hearts of others: Do thy thing: Yes, slake
The world's great thirst for yet another Man!
And be thou sure of this: No other can
Do for thee that appointed thee of God."

In our Saviour's Name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 2, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

Under authority of the order of the 2d instant,

The following message from the House of Representatives was received during adjournment of the Senate:

That the House had passed the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

That the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3966. An act for the relief of Estella King; and

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.

That the House had severally agreed to the amendments of the Senate to the following bills and joint resolution of the House:

H. R. 6291. An act to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States;

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6611. An act making appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia and the Public Utilities Commission to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

That the House had disagreed to the amendments of the Senate to the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. HARRIS of Arkansas, and Mr. DIRKSEN were appointed managers on the part of the House at the conference.

That the House had severally disagreed to the amendment of the Senate to each of the following bills of the House, asked conferences with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. KEOGH, and Mr. WINTER were appointed managers on the part of the House at the conferences:

H. R. 4557. An act for the relief of the estate of Mrs. Edna B. Crook;

H. R. 4665. An act for the relief of Harry Kahn; and

H. R. 5290. An act for the relief of Mrs. Eddie A. Schneider.

That the House had disagreed to the amendments of the Senate to the bill (H. R. 5473) for the relief of Allene Ruhlman and John P. Ruhlman; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. KEOGH, and Mr. WINTER were appointed managers on the part of the House at the conference.

That the House had passed a bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

That the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1782. An act to authorize the payment of a donation to and to provide for the

travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment;

S. 1891. An act to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States;

S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses;

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3966. An act for the relief of Estella King;

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.;

H. R. 6291. An act to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States;

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6446. An act to provide for continuing paymen of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof; the Coast and Geodetic Survey and the Public Health Service, and civilian employees of the executive departments, independent establishments, and agencies during periods of absence from post of duty; and for other purposes;

H. R. 6550. An act to extend and amend subtitle "Insurance" of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes;

H. R. 6611. An act making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had insisted upon its amendments to the bill (S. 2208) to further expedite the prosecution of the war, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. MCLAUGHLIN, and Mr. HANCOCK were appointed managers on the part of the House at the conference.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Capper	Green
Bailey	Caraway	Guffey
Ball	Chavez	Gurney
Bankhead	Clark, Idaho	Hayden
Barbour	Clark, Mo.	Hill
Barkley	Connally	Holman
Bilbo	Danaher	Hughes
Bone	Doxey	Johnson, Calif.
Brewster	Ellender	Johnson, Colo.
Brown	George	La Follette
Bulow	Gerry	Langer
Burton	Gillette	Lee
Byrd	Glass	Lucas
McCarran	Overton	Thomas, Okla.
McFarland	Pepper	Thomas, Utah
McKellar	Radcliffe	Truman
McNary	Reed	Tunnell
Maloney	Reynolds	Vandenberg
Maybank	Rosier	Van Nuys
Mead	Russell	Walsh
Millikin	Schwartz	Wheeler
Murdock	Shipstead	White
Murray	Smathers	Wiley
Nye	Stewart	Willis
O'Daniel	Taft	
O'Mahoney	Thomas, Idaho	

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. My colleague the Senator from Vermont [Mr. AIKEN] is absent on public business.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Nebraska [Mr. BUTLER], the Senator from Pennsylvania [Mr. DAVIS], the Senator from Massachusetts [Mr. LODGE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Illinois [Mr. BROOKS] are necessarily absent.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH], and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense, and are, therefore, unable to be present.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Iowa [Mr. HERRING], the Senator from Arkansas [Mr. SPENCER], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

EASEMENTS IN LANDS OF VETERANS' ADMINISTRATION FACILITY, MURFREESBORO, TENN.

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation authorizing the Administrator of Veterans' Affairs to grant easements in certain lands of the Veterans' Administration facility, Murfreesboro, Tenn., to the city of Murfreesboro, State of Tennessee, to enable the city to construct and maintain a water pumping station and pipe line (with accompanying papers); to the Committee on Finance.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the War Department, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the VICE PRESIDENT:

A paper in the nature of a memorial from D. W. Shesgreen, of Hollywood, Calif., remonstrating against the enactment of legislation to repeal the 40-hour workweek law; to the Committee on Education and Labor.

A letter in the nature of a memorial from Mrs. Lula Moodie, of Northridge, Calif., remonstrating against the placing of General Short and Admiral Kimmel on the retired list of the Army and Navy, respectively; to the Committee on Military Affairs.

A letter in the nature of a petition from Gilman A. Gist, of San Diego, Calif., praying for the enactment of legislation to cancel the proposed deferment under the selective-service law of certain labor leaders and employees of the press, radio, and motion-picture industries; to the Committee on Military Affairs.

A concurrent resolution of the Legislature of Kentucky; to the Committee on Agriculture and Forestry:

"Senate Resolution 56

"Concurrent resolution urging the Agricultural Adjustment Administration of the United States, under the Secretary of Agriculture of the United States, to increase by not less than 10 percent the national marketing quota of burley and dark-fired tobacco, under authority of the Chapman bill recently enacted by the Congress of the United States

"Whereas the bill introduced by Congressman VIRGIL M. CHAPMAN in the United States Congress to change the closing date for and which the Secretary of Agriculture may increase the national marketing quota of burley and dark-fired tobacco has passed both Houses of Congress and is now in the hands of the President of the United States for approval; and

"Whereas the Secretary of Agriculture recently increased by 10 percent the allotment of flue-cured tobacco to be grown in 1942, and under the Chapman bill the Secretary of Agriculture may increase the quota on burley and dark-fired tobacco up until March 31; and

"Whereas, unless the marketing quota of burley and dark-fired tobacco is immediately increased, there will be a real danger to growers of burley and dark-fired tobacco through discrimination, because increase in quotas have been permitted to other types of tobacco, with the result that production for other types will be extended with a serious impairment of the market for burley and dark-fired tobacco: Now, therefore, be it

"Resolved by the Senate of the Commonwealth of Kentucky (the House of Representatives concurring therein):

"That it is the sense of the General Assembly of the Commonwealth of Kentucky that the Agricultural Adjustment Administration, under the Secretary of Agriculture of the United States, should increase the national marketing quota of burley and dark-fired tobacco by not less than 10 percent, before March 31 of the present year, and that failure so to do would seriously impair the market for Kentucky burley and dark-fired tobacco.

"That each United States Senator and Representative in the Kentucky delegation is urged to use his personal efforts to secure the action therein contemplated.

"That the clerk of the Senate is directed to send a certified copy of this resolution forthwith to the Secretary of Agriculture of the United States and to each Member of Congress from Kentucky."

By Mr. CAPPER:

A resolution adopted by Topeka Lodge No. 38, Knights of Pythias, of Topeka, Kans.,

favoring the prompt enactment of legislation to provide a pension of $30 per month to persons 60 years of age or over and also to provide for the funeral expenses of such persons in an amount equal to 4 months' annuities; to the Committee on Finance.

By Mr. GREEN:

A resolution unanimously adopted by a meeting of residents and citizens of Portuguese descent in the city of Providence, R. I., endorsing all war measures of the Government and pledging allegiance to the United States; to the Committee on Military Affairs.

A joint resolution of the General Assembly of the State of Rhode Island; to the Committee on Commerce:

"H-744

"Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to take all necessary steps to obtain for the State of Rhode Island all riparian rights to the outlet from Stafford Pond in the town of Tiverton, county of Newport

"Whereas the water supply from Stafford Pond in the town of Tiverton is useful for domestic purposes; and

"Whereas the city of Fall River now owns all the riparian rights to the outlet from said pond; and

"Whereas the Federal Government has now agreed to pay 60 percent of the costs of pumping water from distant ponds into Fall River Reservoir and the amount of water so delivered would be greatly in excess of the amount now received by said city from said Stafford Pond; and

"Whereas the residents of Rhode Island are required to pay into the Federal Treasury their proportionate share of $246,000 for the domestic use of Stafford Pond water supply: Now, therefore, be it

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States be, and they are hereby, respectfully requested to make every effort and to take all necessary steps to obtain all riparian rights to the outlet from said Stafford Pond, declaring said pond to be entirely available as a source of domestic water supply for the county of Newport, and obtaining from the city of Fall River an abrogation of all riparian rights to the outlet from said pond; and be it further

"*Resolved*, That copies of this resolution be forwarded by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

CONDUCT OF GOVERNMENT AFFAIRS—VIEWS OF NEW JERSEY TAXPAYERS' ASSOCIATION

Mr. BARBOUR. Mr. President, I present and ask to have appropriately referred and inserted in the CONGRESSIONAL RECORD at this point a short but compelling patriotic message to the Members of Congress from the New Jersey Taxpayers' Association, dated yesterday, March 4. The New Jersey Taxpayers' Association is made up of patriotic and representative citizens of my State who have made a very favorable and strong impression on New Jersey, and whose influence has always been nonpartisan and constructive.

I hold this association in very high regard myself, and I am sure that their patriotic message will be of interest to all Senators.

There being no objection, the communication was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

MARCH 4, 1942.

To the Members of Congress:

In the newspapers of the land, in the thousands of telegrams, letters, and postcards that daily fill congressional mail bags, you see the convening of citizens in the court of public opinion in every American city, town, and village.

As friend of this huge and vocal court of public opinion, the New Jersey Taxpayers' Association addresses this patriotic message to you—the Members of Congress. This message is not intended as a personal criticism. Its purpose is to direct your attention to the disturbing evidences before the court of public opinion of spendthrift, careless, inefficient, and bureaucratic government at this most crucial period of our country's history. We urge that you act promptly to remove these causes of dissatisfaction and suspicion.

The folks back home want to know what every Member of Congress—and through him each administrator of the Federal Government—has sighted the objective of ultimate victory and is steering a strait and true course toward that objective. This course must avoid the shoals of waste and extravagance in governmental operation which bar the way toward victory. Every Member of Congress, every governmental official has a clearly defined job—the job of guarding every dollar in taxes, bonds, and other contributions of citizens, so that not a single penny is lost from the single-purposed, all-important objective—winning the war.

The American people are not only willing, they are anxious and insistent that they be permitted to make extreme personal sacrifice to protect their Nation. They ask only that these sacrifices be utilized in full measure by their Government.

American citizens are out to win this war by throwing into it everything they have. America's leadership—the membership of Congress—can lose the war by failing to grasp the whole of these resources and turn them against our common enemies.

Our national leadership was on the right track when—

(1) the court of public opinion ruled against one example of extravagance in public spending and Congress repealed the law giving pensions to elected Federal officials;

(2) the court of public opinion handed down a verdict against the lagging war production, and an all-powerful chief of war production was named to revamp and speed production of vitally needed equipment;

(3) the court of public opinion disfavored inclusion of "frills" in the program of civilian defense and a shake-up of the civilian defense administration followed, with more to come.

Now the court of public opinion calls for completion of the job of eliminating all useless nondefense expenditures in government and strictly conserving the Nation's taxpaying resources so that every dollar in government will be applied to the task of helping America lash back at the Axis with more and more planes, tanks, guns, and manpower.

A primary and all-important step in the direction of eliminating waste in government would be establishment of a supreme authority—a director of priorities—over governmental spending which will search out and abolish spending of every kind that has no place in this time of emergency. Such a public spending priorities program could be accomplished through a congressional committee or through appointment of an individual of outstanding ability in the public-economy field. The Nation must have this watchdog over public expenditures so that waste and extravagance for nonessentials will not sabotage the war program.

Failure to meet the people's demand for such conservation would amplify the present rumblings of discontent into a thunderous roar of demand. It would bring an adverse decision from the court of public opinion which would hurt, and could be expected to hit Congress with impelling force.

In this time of bloodshed, suffering, and sacrifice Members of Congress must act quickly to lead and conduct the affairs of government so capably that the court of public opinion will hand down a verdict—not of criticism and suspicion, but of "well done."

Respectfully,

WALTER T. MARGETTS, Jr.,
President, New Jersey Taxpayers' Association.

REPORT OF THE COMMITTEE ON APPROPRIATIONS DURING ADJOURNMENT

Under authority of the order of the 2d instant,

Mr. GLASS, on March 4, 1942, from the Committee on Appropriations, to which was referred the bill (H. R. 6511) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes, reported it with amendments and submitted a report (No. 1152) thereon.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BULOW, from the Committee on Civil Service:

H. R. 6023. A bill to provide for the payment for accumulative or accrued annual leave to certain employees of the United States, its Territories or possessions, or the District of Columbia who voluntarily enlist or otherwise enter the military or naval forces of the United States; without amendment (Rept. No. 1153).

By Mr. GEORGE, from the Committee on Finance:

H. R. 6273. A bill to amend the provisions of the Internal Revenue Code by setting new maximum limits on allowances for losses of distilled spirits by leakage or evaporation while in internal-revenue bonded warehouses, and for other purposes; without amendment (Rept. No. 1154); and

H. R. 6543. A bill to amend certain provisions of the Internal Revenue Code relating to the production of alcohol; without amendment (Rept. No. 1155).

SENATOR FROM NORTH DAKOTA—MINORITY VIEWS (PT. 2 OF REPT. NO. 1010)

Mr. MURDOCK. Mr. President, in behalf of the Senator from Texas [Mr. CONNALLY], the Senator from South Carolina [Mr. SMITH] and myself, I submit to the Senate the minority views of the three Senators mentioned, members of the Committee on Privileges and Elections, in the matter of the proceeding involving certain charges relative to the qualification and fitness of the Senator from North Dakota [Mr. LANGER] for a seat in the Senate. I ask that the minority views be printed.

The VICE PRESIDENT. Without objection, the minority views will be printed.

REPORTS OF DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred, for examination and recommendation, four lists of records transmitted to the Senate

by the Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

SUSPENSION OF TARIFF DUTIES ON SCRAP

Mr. GEORGE. From the Committee on Finance I report back favorably without amendment the bill (H. R. 6531) to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous-metal scrap, and I submit a report (No. 1154) thereon. I ask unanimous consent for the immediate consideration of the bill. As its title indicates, the bill would suspend during the emergency the existing tariff duties on scrap iron, scrap steel, and certain nonferrous-metal scrap. It is urgently recommended by the Army, by the Navy, and, in fact, by all the agencies of Government having to do with the war effort. It is stated that we have a shortage in this country this year of 6,000,000 tons of scrap. Steel cannot, of course, be made without scrap. There is at certain western ports now considerable tonnage of scrap which cannot be brought in unless the duties are lifted. The duty on certain nonferrous scrap is sufficiently high to be prohibitive. This bill merely suspends the duties during the continuance of war. I ask unanimous consent for the immediate consideration of the bill.

Mr. McNARY. Mr. President, withholding any objection at the present time, let me say that the consideration of the bill now would be a departure from the usual procedure of not considering bills which are not on the calendar unless there is almost a compelling emergency requiring consideration. It is well known to the able Senator from Georgia that, under ordinary circumstances, we do not depart from that rule.

Mr. GEORGE. I agree with the Senator, and it is a very sound rule.

Mr. McNARY. I understood the Senator to say that the bill has the recommendation of the War and Navy Departments?

Mr. GEORGE. It has.

Mr. McNARY. Has it been referred to the Treasury Department or the Tariff Commission?

Mr. GEORGE. I am advised that it is not opposed by any branch or department of the Government. It has passed the House already.

Mr. McNARY. It lifts the duties now existing?

Mr. GEORGE. It lifts the duty on scrap during the war.

Mr. McNARY. It is merely for the duration of the war?

Mr. GEORGE. Yes; merely for the duration of the war.

Mr. McNARY. And is not permanent legislation?

Mr. GEORGE. It is not permanent legislation.

Mr. McNARY. From what places is the scrap being imported?

Mr. GEORGE. Mainly from South American countries that do not have a steel industry, and, therefore, there is an accumulation of scrap there that can be made available in this country.

The immediate urgency presented this morning by gentlemen representing the War Production Board, as I recall, was the presence in harbors on the west coast of a considerable tonnage of scrap, which cannot come in until this proposed legislation shall be enacted.

Mr. McNARY. That explanation is very satisfying, Mr. President, and I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 6531) to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap was considered, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 2333. A bill to regulate private employment agencies engaged in interstate commerce; to the Committee on Education and Labor

By Mr. McNARY:

S. 2334. A bill for the relief of Marguerite Polanski; to the Committee on Claims.

By Mr. STEWART:

S. 2335. A bill to amend the Social Security Act, as amended, to provide for aid to permanently and totally disabled individuals; to the Committee on Finance.

By Mr. SHIPSTEAD:

S. 2336. A bill to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; to the Committee on Education and Labor.

By Mr McCARRAN:

S. 2337. A bill to amend an act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

S. 2338. A bill to provide for the establishment and operation of sampling plants, and custom mills, as an aid in the development and acquisition of strategic and critical materials which are essential to the national defense; to the Committee on Public Lands and Surveys.

By Mr. RUSSELL:

S. 2339. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War; and

S. 2340 (by request). A bill to expedite the naturalization of persons who are not citizens, who have served or who hereafter serve honorably in the military or naval forces of the United States during the present war; to the Committee on Immigration.

By Mr. BULOW:

S. 2341 (by request). A bill to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes"; and

S. 2342 (by request). A bill to provide for lump-sum payments for annual leave due to Government employees in certain cases, and for other purposes; to the Committee on Civil Service.

(Mr. TAFT introduced Senate bill 2343, which was referred to the Committee on Military Affairs and appears under a separate heading.)

By Mr. REYNOLDS:

S. 2344. A bill to limit the initial base pay of $21 a month for enlisted men in the Army and Marine Corps to those of the seventh grade; to the Committee on Military Affairs.

By Mr. WILEY:

S. 2345. A bill granting a pension to Emma Burgess Wing; to the Committee on Pensions.

By Mr. McNARY:

S. J. Res. 137. Joint resolution authorizing the erection of a gate and monument to commemorate the winning of the Oregon country for the United States; to the Committee on the Library.

COMPULSORY ALLOTMENTS AND ALLOWANCES FOR ENLISTED MEN

Mr. TAFT. Mr. President, an increasing number of men who are now being conscripted have dependents. In some sections of the country practically every man being selected by certain draft boards has dependents. I now introduce a bill providing for compulsory allotments and allowances for enlisted men in the active military and naval forces of the United States, and for other purposes. The bill provides for compulsory allocation of pay and for an additional allowance by the Government for dependents.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2343) to provide compulsory allotments and allowances for enlisted men in the active military and naval forces of the United States, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

HOUSE BILL REFERRED

The bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol was read twice by its title and referred to the Committee on Finance.

FINANCING OF THE WAR DAMAGE CORPORATION

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

Mr. MALONEY. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MALONEY, Mr. BANKHEAD, Mr. RADCLIFFE, Mr. DANAHER, and Mr. TAFT conferees on the part of the Senate.

ESTATE OF MRS. EDNA B. CROOK

The VICE PRESIDENT laid before the Senate a message of the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4557) for the relief of the estate of Mrs. Edna B. Crook, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TUNNELL. I move that the Senate insist upon its amendment, agree to

the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. SPENCER, and Mr. CAPPER conferees on the part of the Senate.

HARRY KAHN

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4665) for the relief of Harry Kahn, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TUNNELL. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER conferees on the part of the Senate.

MRS. EDDIE A. SCHNEIDER

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 5290) for the relief of Mrs. Eddie A. Schneider, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TUNNELL. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER conferees on the part of the Senate.

ALLENE RUHLMAN AND JOHN RUHLMAN

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 5473) for the relief of Allene Ruhlman and John P. Ruhlman, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TUNNELL. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. TUNNELL, and Mr. CAPPER conferees on the part of the Senate.

A LITTLE PEOPLE'S WAR AND A LITTLE PEOPLE'S PEACE—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a radio address delivered by him on March 3, 1942, entitled "A Little People's War and a Little People's Peace," which appears in the Appendix.]

ADDRESS BY SENATOR WILEY BEFORE ST. DAVID SOCIETY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him before the St. David Society in Washington, D. C., on March 4, 1942, which appears in the Appendix.]

ADDRESS BY SENATOR ROSIER ON PUBLIC SERVICES OF GEORGE WASHINGTON

[Mr. ROSIER asked and obtained leave to have printed in the RECORD an address on the public services of George Washington delivered by him on the occasion of the banquet of the Sons of the Revolution at Fairmont, W. Va., on February 23, 1942, which appears in the Appendix.]

PRODUCTION FOR WAR—ADDRESS BY DONALD M. NELSON

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a radio address by Donald M. Nelson, Chairman of the War Production Board, on March 2, 1942, which appears in the Appendix.]

RACE RELATIONS—ADDRESS BY REV. DEWITT TALMADGE ALCORN

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on race relations by Rev. DeWitt Talmadge Alcorn, of Coffeyville, Kans., which appears in the Appendix.]

EDITORIAL FROM THE POCAHONTAS TIMES OF MARLINTON, W. VA.

[Mr. ROSIER asked and obtained leave to have printed in the RECORD an editorial from the Pocahontas Times, published at Marlinton, W. Va., in the issue of February 26, 1942, which appears in the Appendix.]

COAST MAN FOR WAR COUNCIL—EDITORIAL FROM PORTLAND OREGONIAN

[Mr. MCNARY asked and obtained leave to have printed in the RECORD an editorial from the Oregonian, of Portland, Oreg., of February 24, 1942, entitled "Coast Man for War Council," which appears in the Appendix.]

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS

Mr. GLASS. Mr. President, I move that the Senate proceed to the consideration of House bill 6511, the Treasury and Post Office appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6511) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. GLASS. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that committee amendments be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. MCNARY. Mr. President, I make the usual and simple request, that the able Senator from Virginia explain the bill briefly, particularly with reference to the amount recommended for appropriation in excess of that appropriated last year, and the amount added by the Senate Committee on Appropriations.

Mr. GLASS. Mr. President, the report of the committee is on the desk of each Senator, and it will be observed that the Senate committee increased the appropriation as it came from the House by only $394,540. Of that amount, $150,000 relates to the Accounting Office. The Treasury proposed an appropriation of $250,000 for the Accounting Office, which was cut to $150,000.

At first it was supposed that the bill as considered by the Senate Committee on Appropriations would interfere with the activities of the Comptroller General, but the President subsequently issued an Executive order which covered that matter completely, and the Comptroller General appeared before the committee and stated that, with the new Executive order in force, the Comptroller General's office was entirely satisfied with the bill.

As I have stated, it will be noted that the Senate committee increased the total appropriation by only $394,540, so that the amount of the bill as reported to the Senate is $1,113,321,439. This amount exceeds the appropriation for 1942 by $25,999,173, but is under the estimates for 1943 by $6,218,536.

The VICE PRESIDENT. The clerk will state the first amendment of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Treasury Department—Custody of Treasury Building", on page 6, line 9, after the word "equipment", to strike out "$402,860" and insert "$489,640."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Accounts", on page 7, line 2, after the word "Accounts", to strike out "$479,603" and insert "$629,603."

The amendment was agreed to.

The next amendment was, under the subheading "Secret Service Division", on page 25, after line 2, to strike out:

White House Police: For 1 captain, 2 lieutenants, 4 sergeants, and 73 privates, at rates of pay provided by law; in all, $195,900.

And in lieu thereof to insert the following:

White House Police: For 1 captain, 1 inspector, 4 lieutenants, 6 sergeants, and 128 privates, at rates of pay provided by law; in all, $344,000.

Mr. GLASS. Mr. President, on behalf of the Committee on Appropriations, I submit an amendment to this amendment, on page 25, in line 9, before the period, to insert "notwithstanding the provisions of the act of April 22, 1940 (3 U. S. C. 62.)"

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 25, line 9, before the period, it is proposed to insert "notwithstanding the provisions of the act of April 22, 1940 (3 U. S. C. 62)."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 25, line 14, after the word "determine", to strike out "$6,500" and insert "$10,400."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of the Mint", on page 25, line 24, after the name "United States", to strike out "$137,710" and insert "$143,470."

The amendment was agreed to.

The next amendment was, under the heading "Title III—General Provisions", on page 53, line 9, after the name "United States", to insert "This section shall not

apply to citizens of the Commonwealth of the Philippines."

The amendment was agreed to.

The VICE PRESIDENT. That concludes the committee amendments. The bill is open to further amendment.

Mr. VANDENBERG. Mr. President, I wish to ask one general question about the bill. This is the first of the regular supply bills, and if there are any members of the so-called Byrd committee on the floor who could answer the question, I should like to inquire whether there are any items in the bill to which the Byrd committee is giving its attention by way of reductions.

Mr. McKELLAR. Mr. President, I happen to be on the Byrd committee as well as on the Appropriations Committee, and I will say that no items which have been referred to the Byrd committee, and concerning which a report has been made, are included in the pending bill covering the Treasury and Post Office Departments. As the Senator knows, the portion of the bill dealing with the Post Office Department carries a slight increase every year, but that is paid for out of income of the Post Office Department. So far as the portion of the bill covering the Treasury Department is concerned, it contains no such items as the Senator has in mind. The Secretary of the Treasury, as the Senator knows, is a member of the Byrd committee, and the portion of the bill covering the Treasury Department contains none of the items which we intend to make a very genuine effort to reduce.

Mr. VANDENBERG. And the final genuine effort is going to amount to about how much?

Mr. McKELLAR. There are different estimates about it. The Senator from Virginia [Mr. BYRD] thinks expenditures can be reduced by $2,000,000,000. Frankly I do not think we can reduce them by that much, but we hope to reduce them somewhere between one billion and one billion and a half dollars, and I know we will have the cordial support of the Senator from Michigan.

Mr. VANDENBERG. The Senator from Tennessee is entirely correct. I should rather like to start today. That is what I had in mind.

Mr. McKELLAR. I also should like to do that, but the pending bill does not contain such items.

The VICE PRESIDENT. If there be no further amendment proposed, the question is on the engrossment of the amendments, and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 6511) was read the third time, and passed.

Mr. GLASS. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GLASS, Mr. McKELLAR, Mr. TYDINGS, Mr. McCARRAN, Mr. BAILEY, Mr. LODGE, and Mr. WHITE conferees on the part of the Senate.

BEGINNING OF THE TENTH YEAR OF THE PRESIDENT'S SERVICE

Mr. BARKLEY. Mr. President, yesterday the President of the United States entered upon the tenth year of service in that great office. It was the ninth anniversary of his inauguration, on the 4th of March 1933, as President of the United States. During the whole of these 9 years since that date the President has been engaging in warfare of one sort or another. He came into office in the midst of a severe depression, of widespread unemployment, and of great chaos in our economic, financial, agricultural, and industrial situation. The first task which he undertook was to make war against that situation, and, insofar as it might be possible through the agencies of government, to defeat the defeatist idea which at that time took possession of millions of our people.

We have had our differences in Congress and there have been differences between Congress and the President, but I think it can be stated conservatively, and without serious contradiction, that, on the whole, the warfare against depression, and want, and unemployment, and chaos, economic, social, and industrial, has made great progress, and had made great progress even prior to the approach of a different form of warfare in which the President and the Congress and the whole people were compelled and are now compelled to engage.

So while the President came into office in the midst of one form of warfare and while during 8 years or 9 years he certainly gained ground in his fight against the defeatist, depressed, chaotic situation which prevailed, he finds himself and we find ourselves on this ninth anniversary of his first inauguration in the midst of the world's greatest war, a war not only to preserve the gains we have made in 9 years, indeed, in 150 years, in the enjoyment of political, economic, and religious liberty and freedom, the right of individual men and women to work out their own destiny and their own salvation under a government of laws, and of justice, and of equity, but a war to preserve our very national integrity, our national existence, and to expand the liberties which we have enjoyed to other portions of the world, under such conditions as will make it utterly impossible ever again for diabolical influences to seek to override, overrun, and destroy the kind of government and the kind of civilization in which we believe.

In the midst of this new form of warfare we find ourselves as a nation in association with all the free nations, and all the nations that desire to be free, compelled to exert our total energies, physical, intellectual, moral, financial, industrial, agricultural, the energies of all the people in combination, in order that we may sustain and preserve the things for which our Nation has stood for 150 years.

We have not found it easy to transform our country from a peace-loving, constructive, civilized, and Christian nation, in which our energies have been combined to develop a form of economic and political civilization, under a great constitution, into a war-making nation. It has not been easy, and it has not been possible for our people overnight to make this transformation so that we might at the moment bring to bear all our industrial, financial, and physical power, to say nothing of our moral power, in defeating aggression and restoring the world to some form of order and civilization.

In the process of making the transformation, in the inevitable slowness required for a giant to change his character for the time being, there have been mistakes, there have been inefficiencies, there have been heartaches, there have been defeats, and there will be more before our full power is brought to bear in this great enterprise. In the very nature of things we are prone to become impatient because we cannot mobilize our complete force as soon as we would like to mobilize it, for we were not ready to strike a single blow at the very moment when war was thrust upon us, in order that we might drive back the enemy. As a result of that difficulty we have been compelled to witness reverses, defeats, and some humiliations on the part of our people.

These things have, of course, in the very nature of things, produced impatience here and there. We all feel it in a sense, and yet in considering our present situation I often think of the position in which Abraham Lincoln was placed as President of the United States beginning with April 1861. From April 1861 to April 1863, a period of 2 years, the Union Army in the War between the States was compelled to experience defeat after defeat. It became a matter of trial and error. During that 2-year period very infrequent were the successes of the armies that fought under Lincoln compared to the defeats of those armies. Lincoln first tried out McClellan, then he tried out McDowell, then he tried out Burnside, then he tried out Hooker, and one after another he tried out men who probably had had more experience in warfare than that of our generals at the beginning of this war. Finally he located Ulysses S. Grant, placed him in charge of the armies of the United States, and victories began to perch upon the banners of the Union Army. Previous to the time Grant was made commander in chief he had compelled the surrender of Vicksburg, and on the day preceding the surrender of Vicksburg the Battle of Gettysburg ended, which turned the tide. It required 2 years of hard and bitter fighting. It required 2 years of trial and error, of experimentation, trying men out as leaders in the crucible of warfare.

Even in the spring of 1863, at the second battle of Bull Run, the Union forces were defeated; and Lincoln could look out the south window of the White House and see the smoke of Confederate batteries on the other side of the Potomac. History tells us that Lincoln walked the floor all night wringing his hands over defeat; and in his loneliness and agony he cried out, "My God! My God! What will the country think?"

Bitter speeches were made in Congress and throughout the country. In the

House of Representatives men entertaining views similar to those of Clement L. Vallandingham bitterly attacked Lincoln. Vallandingham went out to his State of Ohio and attacked him so bitterly, and his attack was so personal, that General Burnside had him arrested for treason. He escaped to Canada, and while a fugitive in Canada ran for Governor of Ohio and was overwhelmingly defeated.

I mention these circumstances, Mr. President, only to emphasize the fact that a peace-loving nation, not devoted to the arts of war and which cannot at any time in its history be said to have been an arsenal for warfare, must find its stride sooner or later out of experience. It took Lincoln and Grant and the army of the Union 2 years to find their stride and get into it. We have been at war now for not quite 3 months, as compared with the 2 years of the Civil War to which I have just referred.

So, I caution myself; I caution all of us; and, if I had the voice to reach all the people of the Nation, I would caution them that, while denouncing incompetence, condemning inefficiency, and having no patience with any course which may be pursued by our Government which would keep incompetence and inefficiency in power, or in office, or in command of our Army or Navy, we at least ought to have in mind the past history of our country and remember that we cannot in a week, or a month, or perhaps in a year, bring to bear all the forces of our country in order that we may accomplish the purpose of our present effort and our great sacrifices, which must become greater and greater as this war drags out over the world.

Mr. President, I felt that on this anniversary of the inauguration of the President of the United States, and at the beginning of his tenth year in office, it was not inappropriate to call attention, by comparison, not only to the kind of warfare upon which he entered when he came into office but the kind of warfare he is now waging—the kind of warfare which has been waged from time immemorial. Since the beginning of our history as a nation, victory has always crowned our arms and our efforts with success. For 8 years we have seen Hitler and nazi-ism marching over the world behind an overwhelming superiority of men and materials. We shall soon compel him and his associates in war, brutality, and paganism to watch us march back, but with this difference, Mr. President: By the side of our armies and those of our associates shall march also the spirit of liberty and human freedom. Frequently in the history of mankind that spirit has marched on after armies have been killed. It has lived after men who fought for it have died. That is the spirit of America today. That will be the spirit of America until this great Armageddon has been won in behalf of liberty, decency, and freedom; in behalf of the higher development, higher emotions, and higher aspirations of men everywhere—and they are overwhelmingly in the majority—who believe in such things and who are willing to fight that they may be preserved for themselves and handed down to their children and their children's children.

CHRISTIAN CITIZENSHIP

Mr. LEE. Mr. President, yesterday the Honorable Franklin D. Roosevelt entered the tenth year as President of the United States. As has been his custom, with his friends and leaders gathered around him, he went to the house of God and there asked Divine guidance for the great tasks in front of him. This, indeed, is fitting and proper for the President of a Christian nation such as ours. Not only is it commendable that the President of a Christian nation set the example of allegiance to God, but it is also fitting and proper that the citizens of this great Nation shall realize that there are obligations as well as privileges which go with Christian citizenship.

I conscientiously object to anyone taking advantage of our freedom of speech to teach that it is un-Christian to defend that freedom.

I conscientiously object to anyone taking advantage of our freedom of worship to preach that it is unscriptural to fight if necessary to preserve the Constitution which guarantees that freedom.

I conscientiously object to anyone who enjoys the liberty which was bought by the blood of our fathers advocating that it is contrary to God's will for Christians to bear arms in defense of that liberty.

Liberty never exists except where men are willing to defend it with their lives. It is said that this is "the land of the free and the home of the brave." But I say that it is the land of the free because it is the home of the brave, and when it ceases to be the home of the brave it will no longer be the land of the free.

The men who fought at Concord, Lexington, Valley Forge, and Yorktown bought and paid for this liberty with their blood. Was their deed un-Christian?

Let Thomas Buchanan Read tell us in his story of Peter Muhlenberg, the Virginia minister known as the Fighting Parson:

The pastor rose; the prayer was strong;
The psalm was Warrior David's song;
The text, a few short words of might—
"The Lord of hosts shall arm the right!"
He spoke of wrongs too long endured,
Of sacred rights to be secured,
Then from the patriot tongue of flame
The startling words for freedom came.
The stirring sentences he spake
Compelled the heart to glow or quake,
And, rising on his theme's broad wing,
And grasping in his nervous hand
The imaginary battle brand,
In face of death he dared to fling
Defiance to a tyrant king.

Even as he spoke, his frame, renewed,
In eloquence of attitude,
Rose, as it seemed a shoulder higher;
Then swept his kindling glance of fire
From startled pew to breathless choir;
When suddenly his mantle wide
His hands impatient flung aside,
And, lo! he met their wondering eyes
Complete in all a warrior's guise.
"Who dares"—this was the patriot's cry,
As striding from the desk he came—
"Come out with me in freedom's name,
For her to live, for her to die?"
A hundred voices answered, "I!"

Mr. President, there are obligations as well as privileges which go with citizenship. I do not believe that God intends that his people should enjoy the privileges of this great Government without sharing in full measure its responsibilities. Certainly when our national existence is threatened there is an obligation for military service which must be borne by our citizens.

While most of the Scripture deals with the spiritual kingdom, I believe it is made amply clear that we are to carry out our duty to the civil government, even to the point of military service.

There was a commotion in the Garden of Gethsemane. One lone man with his hand on the hilt of his sword faced a mob. The motley rabble was led by Judas. They sought to lay hands upon Jesus.

It was the Apostle Peter who blocked their path. Alone and single-handed he challenged them. But they pressed on. Without even counting the odds, his sword flashed in the light of the torches and he smote off the ear of one of the men.

His valiant sword gleamed aloft again. He would defend his Lord with his own life. If the rabble laid their vile hands upon Jesus, it would be over his dead body.

Is there a more thrilling incident in all history than this story of the heroic defense of Jesus by this one disciple?

It is true that His defense was not necessary, but surely no one can doubt that the courage and loyalty of Peter warmed his Master's heart.

For Jesus merely said to him:

Peter, put up again thy sword to its place.

It is significant that Jesus neither disarmed Peter nor rebuked him for the use of force in defense of a righteous cause.

It is even more significant that Jesus Christ, the Son of God, with his own hands used force to drive the money changers from the temple (John 2:13).

And Jesus went up to Jerusalem,
And found in the temple those that sold oxen and sheep and doves, and the changers of money sitting:
And when he had made a scourge of small cords, he drove them all out of the temple, and the sheep, and the oxen; and poured out the changers' money, and overthrew the tables.

Here we see Jesus with His own divine hands exercising physical force against wrong and evil.

The church and the civil government are two separate and distinct institutions. Both are necessary, but in order to understand the Scripture it is essential to keep in mind the fact that Jesus came to establish a spiritual institution.

When asked the question before Pilate, Jesus said:

My kingdom is not of this world.

The church and state occupy separate and distinct fields. The church deals with the spiritual life of the individual.

Many of the scriptural injunctions which are often quoted as proof that a Christian should not fight for his country apply as between one Christian and his brother but not between the individual and his government.

The Scripture recognizes the existence of and necessity for civil government. In fact, Christians are admonished to submit to the authority of public officials; in I Peter 2: 13, Peter says:

> Submit yourselves to every ordinance of man for the Lord's sake.

Then again, Paul, in Romans 13: 4, speaking of the officer who executes the law of the land, said:

> For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil.

This is strong language, but it should convince anyone that the execution of the civil law by temporal leaders is scriptural.

Jesus went even further than that and advocated that people support the civil government by paying tribute to the state.

The Pharisees asked Jesus the following question (Matthew 22: 17):

> Tell us therefore, What thinkest thou? Is it lawful to give tribute unto Caesar, or not?

Jesus replied:

> Shew me the tribute money. And they brought unto him a penny.
>
> And he saith unto them, Whose is this image and superscription?
>
> They say unto him, Caesar's. Then saith he unto them, Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's.

This makes it clear that a Christian is expected to pay his taxes and support his civil government.

Not only is it scriptural for a Christian to support his government and pay taxes but it must have been contemplated that the Christian shall himself take part in the civil government by holding public office; for in Proverbs 29: 2, it is said:

> When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn.

Now, therefore, let us suppose that a Christian is elected to the office of sheriff or holds the position of police officer or United States marshal. Is it not his duty to protect the people from violence and injury, even if he must use force to do so?

What difference is there, then, in the principle involved, if, instead of being a policeman, he is a soldier and finds it necessary to use force to protect the lives of the citizens of his country?

While the church as an institution is forbidden to use force, the use of force by the civil government is authorized and sanctioned.

No one can read the Scriptures without realizing that man is a free moral agent in the sight of God. Therefore, in order to be a free moral agent, he must have liberty. Not license, but liberty—freedom to speak and worship as his conscience dictates.

The paganistic outrages of the Nazi regime are a challenge to every drop of red Christian blood in the world.

Christian people everywhere should be rallying their forces to oppose the anti-Christian paganism of the Axis.

Christian men and women of America, if Hitler is able to spread the Nazi curse over the world there will be no room for Christianity—no room for the worship of any God but Hitler—no room for any religion but the state.

Hitler has boasted that he would replace the Christian cross with the Nazi swastika and that people will turn from the worship of the blood of Jesus to the worship of the blood of the German race.

This challenge to everything we hold dear should kindle a fire in the heart of every Christian and put Christianity on the march against the pagan forces of the Axis.

There are many things that are worth fighting for, even dying for.

Christians have always loved peace, but they have never purchased it at the price of slavery and dishonor.

The victory of the boys of 1918 was a great victory and a great success. The failure came afterward when we threw away that victory by abandoning the ideals for which we fought. For after the armistice of 1918, a great wave of cynicism swept over the world, eating out the faith of men in their ideals. Sarcastic writers and cynical teachers set about "debunking," as they said, our ideals and pulling our heroes down to the level of the commonplace. These intellectual sophisticates sneered at religion, ridiculed democracy, and scoffed at things we considered sacred.

Thus, we were led to believe that all men's motives were selfish and that no man achieved greatness because of a high and noble purpose. The result of this world-wide wave of cynicism was to cut the ground from under our faith and leave us reaching up for something to hold onto. The cynics had robbed us, as Shakespeare would say, of "that which in nowise enriched them, but left us poor, indeed."

Then came the economic break-down, with its millions of hungry people, to make a mockery of our words "freedom, liberty, and democracy."

Thus millions of people had their faith in humanity shaken. They ceased to believe in the ideals of democracy, and some even surrendered their faith in a just God. They were drowning in a sea of lost hope. This was an ideal condition for the establishment of dictatorships.

When people no longer believe in anything or anybody they are already defeated, because they have nothing to fight for.

This is exactly the condition which Hitler has undertaken to create in every country before he has invaded it with his military blitzkrieg.

Vacillating people who have no faith in anything are the easiest to conquer, but those people who are united by their faith in God are the toughest to vanquish. That is why religious wars are usually the bloodiest wars, for the more firmly men believe in their cause the more invincible they are.

No matter if we build the most powerful tanks, planes, and guns in the world, they will not defend us unless we have a firm belief in the justice of our cause.

France spent billions of francs on her military defense. She had numerically the largest army in the world. The Maginot line was conceded to be the most impregnable fortress ever constructed. But all of that military fortification did not defend France, because the people of France no longer believed in the existence of a just God. The body of defense was there, but the spirit was dead.

Self-styled liberals had wormed their way into the schools and colleges of France as teachers and professors. They had shot the poison of cynicism and atheism into the young brains of the French children, and one after another the temples of French faith were undermined.

The idealistic story of Joan of Arc, which had inspired French patriotism for years, was "debunked."

The beautiful Biblical story of the creation of man was replaced by the materialistic theory of evolution. The ideal of "liberty" itself was explained away by economic arguments. The thrilling ideal of "equality" was ridiculed by pointing out obvious inequalities. The magic word "fraternity," around which armies had rallied, was mocked by citing racial prejudices.

Thus, France was a nation with an army but without a soul. France was therefore demoralized and defenseless, for there is no fall so dangerous as the fall of those invisible towers of faith.

The people of France no longer believed in anything or anybody. They were, as Hitler has said, "Demoralized and ready to capitulate."

The story is told of the eagle which lay dying on a rock. And as his life-blood ebbed away he was saddened even more when he noticed that the feather which guided the arrow to his heart had come from his own wing.

Surely, today, as the last pulsing hope of freedom has been crushed out of poor France by the ruthless heel of the dictator, she must be saddened even more to know that she contributed to her own downfall by surrendering those spiritual fortresses of faith.

When people have unshakable faith in their God, it gives them strength. They are not easily demoralized by propaganda. Therefore, today, Christian people should come together under the banner of the Cross and unite around their faith in God.

Here I wish to quote a part of a letter written by a commander in the British Navy to a kinsman in America. The author of this letter is Commander Ronald Kinnear. Please bear in mind as I read this letter that it was written by a commander of the British Navy, one of the toughest fighting units in the world:

> MY DEAR KINSMAN: Thursday, February 6, 4:25 a. m., and a beastly cold morning—snowing and blowing hard. The carrion night birds are in their foul nests across the channel. * * *
>
> Well, the gong will soon go now for the next round, which we expect to be a grueling one.
>
> Hard blows will be exchanged. If we go down for a count, do not lose heart. We shall get on our feet again and fight back harder than ever. It is then that we are always at our best; then that we are the most dangerous opponents. So never lose heart about us. We shall be O. K. Our real strength lies in the fact that we never forget the good God.

The Germans discarded Him. The French forgot Him. The British remember Him.

In my time He has performed at least four miracles for us. The first was in November 1914. The 70,000 remnants of 7 British divisions were making a desperate stand against 200,000 of imperial Germany's best, fresh and superbly armed, before Ypres. The tide of battle turned heavily against us. All seemed lost. Our people, led by King George V, fell upon their knees. And lo, the 70,000 held and fought to a standstill the 200,000. Do not ask me how; but they did.

The second was in April 1918. British Armies were being driven back to the Sucre—even, it looked, to the sea. Again all seemed lost. Once more our people, led by the King, fell upon their knees as Haig gave his famous order, "Backs to the wall." A desperate struggle then ensued; and lo, again our Armies held and fought to a standstill the imperial German hordes. Nor can I tell you how it was done; but it was.

* * * * *

The fourth was in June, last year, when our Army seemed to face certain destruction on the beaches of Dunkirk. Mr. Churchill warned the Commons that he might have "very grave news" for them in a week's time. Again our people, led by King George VI—who is indeed his father's son—fell upon their knees that our 350,000 might be saved. And saved they were. * * *

Do not ask me how it was done.

One of my colleagues here was through it all. I have asked him, but he cannot tell me. But done it was.

Foreigners sneer at you Americans and us British because we both believe in days of intercession and of thanksgiving. But we are right, my dear kinsman. Therein lies our great and invincible strength.

That concludes the part which I wished to quote from this remarkable letter. Remember that these sentiments came from the iron heart of a fighting man, Commander Ronald Kinnear, of the British Navy.

Yesterday President Roosevelt started his tenth year by going to his church and bowing himself before the King of Kings in humility and supplication.

It is a fine thing when our President leads the way to the altar of God. I believe that if our people would follow this good example and return to an uncompromising faith in God the result would be a great strengthening of America's spiritual fortification, for as Commander Kinnear has said, "therein lies our great and invincible strength."

THE OPEN PUBLIC DOMAIN; KEEP IT OPEN—ADDRESS BY SENATOR McCARRAN

Mr. McCARRAN. Mr. President, on January 8 of this year, as chairman of a subcommittee of the Committee on Public Lands and Surveys, acting under Senate Resolution 221, I addressed the American National Livestock Association in its annual convention at Salt Lake City on the subject The Open Public Domain—Keep It Open. On that occasion I went at length into matters pertaining to the administration of the open public domain and the necessity for legislation on that subject which we propose to offer in the not far distant future. I ask unanimous consent that my speech on that occasion be printed in the RECORD.

The PRESIDING OFFICER. (Mr. SMATHERS in the chair). Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Senator McCARRAN. Mr. President and members of the American National Livestock Association, the open public domain of the United States has played a vital part in the welfare of our Nation and in the welfare of its people. Other countries have from time immemorial had public lands, and have used those lands in various ways. The open public domain or open public common lands, if we choose so to term them, have been by historians noted as existing in all countries, even prior to the birth of the Saviour.

The origin of human rights on the open public domain of the older countries of the world seemed to spring from different sources and theories and authorities. Concerning ourselves with what might be termed more recent history, I deem it not out of place to say that the right to use the open public domain as an appurtenant sprang from customs, practices, rules, and mandates applying to or emanating from the Germanic tribes that came from the north of Europe and planted their customs as far into European territory as their invasions of early history extend.

Prior to the Norman conquest of Great Britain, we find that the Picts and the Scots, and perhaps other early visitors to what we now call the British Isles, introduced certain indelible customs among the peoples of that territory with reference to the use, usability, and appurtenance of the use of the waste or unoccupied lands. The followers of William the Conqueror found the people of Britain already applying customs and practices which pertained in Normandy and in France as to the use of the lands untilled and unoccupied. Blackstone, in his commentaries, and other historians of the law of early England, dwell at length upon the incorporeal hereditament known as the right of common pasture; that is, the right of the individual to pasture his commonable animals on the wastes of the manor.

Without dwelling at too great length on this item of history applicable to open public domain, it may be said that the right of the individual to use the open lands of the king or feudal lord was in early English times an appurtenant which the individual held sacred and that could not be divested from him save by his own act. Apropos to the theme of my discussion today, it may be noted that the individual might be divested of the right of commons or the right of common pasturage by failure of use or by failure of a tenant to comply with the prescription of the feudal lord. I make mention of these incidental items because of some things that have arisen in our own country in recent times.

I deem it not out of place to say that no country in the world, save perhaps some sections of South America, has afforded more opportunity to the individual for the utilization of waste or unoccupied lands than has the country in which we live. Many States of the Union have been deprived of the privileges of open public domain so far as the control of such domain belonged to the Federal Government. Our greatest tracts of open public domain, so-called, came largely from the purchase of the Louisiana Territory, the treaty of Guadalupe-Hidalgo closing the Mexican War, and discovery by the Lewis and Clark expedition. The public lands acquired by the purchase of the Louisiana Territory were, by reason of the period of our history in which that purchase was effected, and by reason of the climatic conditions existing over the territory, quickly absorbed and taken up by crop-producing agriculture. It has remained for 11 or more of the Western States to enjoy and regulate the use of the open public domain until the present time.

The use of the open public domain has been the vehicle affecting the exploration and settlement of the arid and semiarid and intermountain West. The Federal Government has, for more than 100 years, used the open public domain and the right of commons thereon as an inducement by which it encouraged the hardy and the venturesome of its people to take up abode, to establish homes, and rear families in surroundings and under conditions requiring courage and vision. Mining laws initiated by the pioneers of the West, liberal and democratic in their nature, growing out of customs established by the westerners, have caused to be brought forth from the bowels of the earth untold and inestimable wealth not only in precious metals but in strategic metals now found indispensable to our national defense. Volumes could be written on this subject, but inasmuch as I am today addressing those who primarily interested in the stock-raising branch of agriculture, I prefer to confine my remarks to matters pertaining to the open public domain of the United States and its use by those who are giving their life and courage and their fortunes to causing that open public domain to produce for the sustenance of humanity.

I say, without fear of contradiction, that the great intermountain arid and semiarid West has depended for settlement and development upon those who, coming into this section, regarded the use of the open public domain surrounding their homestead or settlement, as an inalienable right, an appurtenant hereditament in the nature of property which, dealt with as an economic unit, could be enjoyed, defended, given as pledge of security, and disposed of. These elements, regarded as sacred by those pioneers and descendants of pioneers who brought the stock-raising industry into the western country, were acquiesced in not only by the several States but by the Federal Government as well. And so, without direct lineage in law, we find the right of commons, as ancient history records that right, carried into the human activities, customs, and affairs of our own country and our own section.

As the several States were carved out of public territory, attempts were made by legislative bodies to crystalize rights on the open public domain into various forms of statutory enactments. Nearly every State of the West made some legislative effort to give expression to the views of the people as to the rights pertaining to those who graze the open public domain.

These legislative acts of the respective States had primarily two things in view: First, to define the right of the individual in his use of unoccupied open land, recognizing at all times that the land itself belonged to the Federal Government, and that such statutes had no greater effect than the recognition that might be given to such statute by the Federal Government. Then, again, these statutes were enacted with a view to protecting the vegetation on the open public domain from destruction by ruthless and unreasonable overgrazing.

Nomadic herds, owned or controlled by individuals who had no base property whatever and who contributed nothing to the common weal, did more to destroy America's great asset, the vegetation of the open public domain, than any one agency. It was a rare thing when the legitimate homesteader, the permanent settler, the visionary farmer who looked forward to making his life and raising his family on a permanent home in the west would cause his surrounding territory to be overgrazed. Indeed, he would fight to keep it otherwise, because he knew that his greatest asset for the success of his endeavor was the right which he enjoyed to graze his livestock on the open country. He regarded that right as sacred. He regarded it as something that would sustain him and his dependents and that he, in turn, would hand down to his

descendants to carry on. And so it was with a zealous care that he looked upon the open public domain utilized by him in an agricultural pursuit.

Much has been said by well-meaning people on the subject of overgrazing. Some of what has been said is well founded. Much of what has been said has a foundation in theory which nature itself seems to smile upon, rather in derision. An area that bears all the appearance of being ruthlessly overgrazed, an area that has been made the subject of scientific papers on overgrazing and its effect may, when the heavens open and let down their moisture in abundance, bloom forth from a seedless ground, as it were, thus to make light of all the fine theories and doctrines in which scientists indulge. I would be the last one in the world to speak disparagingly of scientific endeavor to build up the open public domain, but, like all activities of its kind, nature has its own way of doing the same thing better.

The efforts of the respective States to deal with the problem of rights and appurtenances on the public domain extended in many ways. I recall an experience in my first political venture when the people of my county chose me to be a member of the legislature of my State. I had been brought up in a stock-growing community, and I had learned from my very infancy what I believed to be sacred rights of the use of the open public domain for grazing purposes. The first bill that was introduced in the legislature was one that caused a storm of opposition. It provided, among other things, that sheep would not be permitted to graze within 3 miles of any homestead or possessory claim. In the course of legislative turmoil some wag on the floor moved to amend the bill by striking the letter "r" from the word "graze", thus to make the bill provide that sheep should not "gaze" within 3 miles of any possessory homestead.

And so the quirks of legislation, as I choose to term them, found their way into various statutes. To dwell upon these statutes at length would be to burden my audience, and, indeed, to depart from the real theme of my discussion.

The first attempt on the part of the Federal Government to curtail, limit, or regulate the use of open public domain was the setting up of national forests and the National Forest Service in the Department of Agriculture. That Service, having control of the national forests and the regulations promulgated thereunder, has been in existence now for more than 36 years, specifically since 1905. It might well be said that the Forest Service under the Federal Government has been, to a large extent, the laboratory in which the right of the individual to use the open public domain for the grazing of livestock has run the gamut of tests and experiments.

Those of us who, being interested in the stock-raising business in the West, saw the advent of the Forest Service, recall the storm of protest that went up against this method of curtailing individual rights, against this abrogation of individual privileges. It was the first time that the Federal Government had departed from the principles of the old common law which, as I have said, recognized the incorporeal hereditament known as the right of commons, the right of the most lowly to use the king's domain. As might have been expected, the administration of Federal laws and regulations, in many instances, fell into the hands of untrained individuals unmindful of the new regime which they were about to impose upon a free people, who had for generations enjoyed the freedom of the field and the forest.

In the early periods of the administration of the Forest Service, the term "overgrazing" was in reality overworked. Nevertheless, there were flagrant abuses of the use of the open public domain which the Forest Service set about to and did remedy or eliminate. It was necessary for that service to pass through two decades and more before it gained the acquiescence of the people affected by the service. Until this day, it is not free from what we believe to be justifiable complaint.

From the very inception of the Forest Service until this hour, there has been a continued and continuing tendency, indeed a practice, to reduce animal units grazing on the forests. Much of this reduction is justified by the old hackneyed expression, "overgrazing." Some of this practice has resulted in far-reaching criticism, because, as appears in many instances, the reduction of the animal units is affected by transfer of property to the injury of the vendor of the property and the impairment of the rights of the vendee; and in some instances, we have found that, notwithstanding the reduction by reason of transfer of property or transfer of permits, the number of animal units on the given forests continues to be about the same.

I cannot too pronouncedly express my opposition to the prevailing practice and custom in the administration of forest grazing in this country by which reduction in allotments is put into effect on the occasion of transfer of property. If it was set up for the purpose of eliminating overgrazing, it has failed in its purpose; if it was set up as an instrumentality of regulation, it has only resulted in eliminating domestic livestock while in many instances increasing big game which in turn have contributed to overgrazing.

It was not until 1934 that a comprehensive, all-inclusive Federal statute was passed by the Congress, setting up control and regulation of the open public domain outside of the forests already established. This law was, and is, known as the Taylor Grazing Act, bearing the name of its author, the revered and beloved late Congressman from the State of Colorado.

The Taylor Grazing Act had from its very inception an outstanding precedent in administration and regulation, emanating from the history and experience of the Forest Service. Many of the trials and much of the criticism that fell upon the shoulders of the Forest Service were avoided by the Taylor Grazing Service; first, because those in the industry affected by the regulation and supervision had learned either to tolerate or accept the same under the Forest Service; and then again, the experiences and mistakes of the Forest Service were taken advantage of by the Taylor Grazing Service. It does not go without saying, however, that the latter has not come in for its full share of condemnation and criticism. It isn't out of the woods yet, and, in my judgment, it will not be freed from public criticism until it has, by cooperation and democratic activity, set up comprehensive economic units established with the assurance that such units will not be torn down or impaired, so long as the user of the public domain joins in the spirit of reasonable regulation.

Early in the history of the administration of the forests, the advisability of making the administration more democratic became apparent; and, by custom and regulation, the users of the forests were called in by representation to advise with the administrators representing the Federal Government. To this day, this system of setting up advisory boards, as it were, in the administration of the Forest Service, is entirely permissive rather than mandatory or having a place in the body of the law itself.

Seeing this situation as it existed in the forest set-up, we introduced in 1939 an amendment to the Taylor Grazing Act which, if it had passed as introduced, would have given absolute right of representation to the users of the Taylor grazing lands and would have, with greater emphasis, assured the holder of rights on the domain administered by the Taylor grazing service perpetuity of his property and representation by his choice in a body selected from the several sections of the district, with powers to make their views emphatic. As the amendment passed and is now a part of the law, while it is a step in the right direction, it still fails to give to the members of the advisory board the measure of authority which, in my judgment, they should have.

There is today pending before the Congress of the United States what is known as the Johnson bill, drafted to set up by law advisory boards to minister in the Forest Service. The Johnson bill, so-called, authored by the able senior Senator from Colorado, would establish advisory boards in the Forest Service by law rather than by custom or regulation. This bill has been and is being opposed by the Department of Agriculture. The Johnson bill is fostered and supported by the legislative committee of this honorable body. What is more, my investigation leads me to say that the Johnson bill has the widespread support of those who use the forests in the various sections of the West.

In 1940, due to widespread unrest and criticism of the Taylor Grazing Act, it was my privilege to introduce Senate Resolution 241, calling for an investigation by the Senate of the administration, acquisition, and control by the Federal Government of public lands. Pursuant to this resolution, it has been my privilege, in company with my colleagues of the Senate, to hold hearings at several points in the public-land States. Those of you who have attended those hearings have, I believe, found that they are developing much looking to the aid and assistance of those who administer the laws governing the open public domain and looking to the relief and assistance of those who, under the administration, put to beneficial use the open public domain in its various forms.

We have attempted at our hearings to bring the Government of the United States, so far as Government existed in administrative bodies, out into the country to the people. We have attempted to encourage the people to speak to those who are administering the law affecting the open public domain and to tell those administrators why and wherein injustices have been brought about, inequality has grown up, and how greater good could come to a greater number by a different mode or method of administration. The committee of the Senate has endeavored to popularize the laws, rules, and regulations affecting the use of the open public domain, to bring out into the light legitimate complaints evincing an erroneous policy or plan, and to aid both the administrators of the law and the users of the domain that the best might come out of the whole.

Our committee has uncovered, as it were, some conditions which should be eliminated by the heads of departments themselves under the authority with which they are now and presently vested, and others which should be eliminated or remedied by legislative enactment. The Senate committee found a condition in the State of Wyoming connected with what is known as the Padlock ranch, which evinced a practice and procedure by the Bureau of Indian Affairs unworthy, undemocratic, unmoral. A vast acreage of open public domain formerly connected with an Indian reservation was laid open to white settlers. By proclamation, publication, and invitation white settlers were invited and encouraged to come in and take up tracts of these lands. They were promised by word and act that, in connection with the homes which they would establish, they would have commensurate rights on the surrounding open lands for the grazing of livestock. The section in question is best suited for the raising of livestock. In fact, the livestock business is about the only business that can be successfully carried on in this section. Many of these settlers gave their all in money and time and diligence to the improving of their homesteads and the breeding of their cattle. They came by the invitation of a governmental agency, made their homes, married,

reared their families, gave in marriage, and buried their dead in surroundings where they believed they were protected by the word of a governmental department.

Following the acquisition by the Indian Bureau of the Padlock Ranch, notices were sent out to the white settlers, terminating their rights to graze on the open country after a given date. By reason of these notices and the effect given them, the white settlers were compelled in many instances to throw their livestock on the market and take what they could get for them.

Following the order canceling their rights on the open domain, appraisers and optioners visited the homes of these industrious country people, told them what the Indian Bureau would pay for the land, in some instances gave them but a few days in which to execute the option, in some instances told them they could take the amount offered or else. An example is that of Mr. and Mrs. M. W. Countryman, and the following is taken from Mrs. Countryman's statement before the Senate committee:

"We were never told the appraisement until April 19, which was on Saturday, late in the afternoon, when Mr. Flinn and Mr. Pearson came to our place; and they wanted us to come to the office Monday and tell them our decision, whether we would accept this offer or not * * * And so Monday, when we went down, we decided we'd let the upper place go and keep our lower place.

"They said they'd been mistaken; that we'd have to sell all or none."

Our conception of democracy, our ideas of the American way of living, our idea of common decency and honesty cause us to denounce this method of dealing with citizens.

The public domain of the United States, which is now largely within 11 western States, is being rapidly reduced so far as its potentiality for stock production is concerned, by a far-flung program entailing Federal acts setting up parks, and Executive orders withdrawing lands and establishing monuments and recreational areas. If the 11 western States are to remain sovereign States, if they are to maintain independent sovereign governments, and an economy whereby taxable property or lands from which taxable property and wealth can be produced, then the taking of these properties from the tax rolls of the State without commensurate return to the State in lieu of taxes lost should not be countenanced except by and with the consent of the State actually affected.

Those who have been interested in the history of the open public domain of the United States and the important part that it has played in the past life of the Nation, may well be apprehensive by reason of what appears to be a present tendency toward the curtailment of the beneficial use of that vast domain. I view with alarm the promulgation of a policy which appears prevalent at the moment toward the drastic curtailment of grazing on the vast areas of the West. I would arouse my audience and the American public to this policy that would withdraw these areas from beneficial use and set them up where their greatest value will be entirely lost.

Much of this activity of elimination has grown out of a misapprehension or misunderstanding. Some of it has grown out of propaganda, unworthy, and in my judgmeat, not conducive to American welfare. We have the prevailing expression that the American stock raiser has in the past made himself fat and wealthy at the Government expense by the use of the open public domain.

Mr. President, the Federal Government has lost nothing but gained much by its acquiescence in the use of its open lands. It gained taxable property, made out of a raw West. It gained in the production and output of a livestock crop, increasing as the years rolled until, in 1940, it had attained a value of nearly half a billion dollars. Nothing less than the application of a liberal democratic policy rewarding the courageous and the industrious produced this result.

The livestock culturist of the West has jealously guarded the open public domain against infestation of destructive diseases. States and communities have joined the livestock culturist in the setting up of sanitary regulations and quarantine laws, because it was only some 20 years ago that the introduction of hoof and mouth disease into the United States brought terrific loss, and required a long period of zeal and diligence for its eradication. We of the West stand ever as guardsmen against the repetition of such a condition.

I would, however, sound a word of warning that infested countries are ever diligent in their effort to tear down our sanitary barriers. It would require only the reading of the report made by the president of this association and his confreres, following their visit to South America, to convince us, if we have the least doubt, that certain countries where hoof and mouth disease now prevails and is rampant, are seeking by every strategical means to open the doorway so that when this emergency is over, the United States may be a market for livestock and livestock products coming from infested areas. Mr President, in this as in other things, eternal vigilance is the price that we must pay for the protection of a great national industry.

I have dwelt in a limited way upon the two great Federal services that control and regulate, by law and rule, vast areas of open public domain. I would enlist the attention of my audience to what appears to me, as chairman of the Special Committee of the Senate Investigating the Administration of Open Public Domain, as a definite plan or policy now existent, in one or both of these administrations, to utilize the open public domain of the United States as a means of revenue for the Government, to impose a new burden on those who produce wealth by their personal application and energy from the use of the open lands of the country.

Mr. President, neither the Forest Service nor the Taylor Grazing Act was ever intended by the Congress of the United States to yield revenue to the Federal Government. I dwell upon the language appearing as the sole and exclusive reason for the enactment of the Taylor Grazing Act: "To stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes."

The investigation of the special committee of the Senate discloses that a study is being made looking to an increase or enlargement of fees charged for the use of Taylor grazing lands. I am advised from a source that I deem reliable that this study made by the Taylor grazing administration has been submitted to the Interior Department for future action.

There are many who point to the prices now being received for livestock coming off of the ranges of the country; but I hear no voice that makes mention of the broken hearts and shattered homes that came about as a result of foreclosed mortgages. I hear no mention made of the period from 1930 until 1939 when the Federal Government was compelled to take over livestock loans and advance money to sustain the grazing industry. I hear no mention made of legislation enacted to save the agriculturist during those dark and eventful years when it was necessary to set up the Frazier-Lemke Act, that the ranchman might have a breathing spell while he and his dependents worked out their problems to carry on the only industry that they knew and understood.

Mr. President, an increase of charges to be made for animal units on the open public domain at this time, or at any time now visionable, would only add another tax, another burden, to be borne on the shoulders of those who, while they toil, also dream, and whose dreams envision and allure to a golden future that but seldom comes.

Apropos to the thought that in my humble way I am trying to express, my attention is often arrested by the prevalent expression that we find among us: "The little fellow," "the big outfit." Mr President, the big outfit of today in the stock-grazing business, utilizing the open public domain, is the outfit that can borrow and borrow to carry on. The "big outfit," as that term has been used in the past, has either disappeared or is rapidly disappearing. The "little fellow," in the parlance of the range, must be protected because the big outfits are rapidly becoming little fellows.

To increase the charges for the use of the open public domain for grazing purposes will be a blow at an American industry that is a component and indispensable element in the lifeblood of the Nation, and will tend to close the open public domain to economic use. Mr. President, the open public domain of America is a part of the heritage that belongs to courageous America. Hence the theme of my discussion today—the open public domain of the United States; keep it open!

The administration of the Forest Service and of the Taylor Grazing Act has grown in scope and personnel so that today the charges made by the Federal Government for the use of the open public domain and the expenditure by the respective services are about equal.

As chairman of the Special Committee of the Senate Investigating the Administration of the Open Public Domain, I have viewed with gratification the attitude of the Forest Service and the Taylor Grazing Service to listen with open mind to the problems, conditions, complaints, and suggestions that have been made to our committee in the various sections where the committee has held hearings. I commend that attitude on the part of those who administer the laws pertaining to the great subject of the economic use of the open public domain. I think that attitude on the part of our public officials, as I have observed it, reflects the spirit of the kind of democracy that belongs to America, the kind of democracy that understands the language of the round-up or the branding corral, the kind of democracy that emanates from the campfire and the mess wagon.

If we can carry on with this brand of democratic dealing and understanding, if we can cause those in charge of administrative law to lend a sympathetic ear to the problems of the herdsman and the realization that the effort of even the most lowly is a part of the national life, then, Mr. President, I shall console myself with the thought that the special committee of the Senate, of which I have the privilege to be chairman, has, by its efforts in emphasizing the necessity for this policy, accomplished something that will endure and yield benefits to those who, far remote from the Capitol dome, are unable to be heard or understood.

In conclusion, Mr. President, let me say that I deem it an honor to be invited to address your great organization in its national conclave. My humble expression made here today must of necessity be far short of what should be the detailed discussion of the subject. If, however, by some expression of mine, I can bring to the realization of those who listen to me that this organization and affiliated or kindred organizations, having as its object the stabilization and development of the livestock industry on the open public domains of the United States, is rendering an invaluable service in both war and peace times to the greatest Nation on earth, and likewise an invaluable service to him who invests his life and his savings in

a hazardous industry. If I can, by any word of mine, impress upon you the importance of your organization for the protection of one of your country's great industries, then the privilege that you have afforded me of speaking to you today will have brought its reward to me and to the special committee of the United States Senate, of which I am privileged to be a member.

At the advent of a new year foreshadowed by scenes of death and destruction, I bring to you and to those who give their lives to the great industry that you represent the word of faith, the word of courage, the word of confidence that must eternally pulsate from the American breast, thus assuring that when the leaden clouds have rolled away, when the sea has quieted, and the land is disturbed only by the plowshare, the flag of our Republic will float triumphantly, holding the admiration and gratitude of the civilized world.

SENATOR JOHN H. BANKHEAD

Mr. HILL. Mr. President, I am sure the entire membership of the Senate will share with me my gratification that our distinguished colleague, Senator JOHN H. BANKHEAD, will be nominated this spring by the Democrats of Alabama without opposition. In Alabama this insures Senator BANKHEAD'S election to this body for another 6 years.

Senator BANKHEAD'S nomination without opposition attests the esteem and appreciation in which he is held by the people of our State. They know that he has labored diligently and devotedly, with marked success, for them and for the Nation. They are proud that he stands recognized throughout the country as a great national leader in the cause of agriculture. The many laws placed upon the statute books which bear Senator BANKHEAD'S name, and which are there in such large measure because of his influence and his leadership, constitute one of the most outstanding and brilliant records of public service in the history of our country. In Senator BANKHEAD'S renomination we see just reward and signal honor accorded a notable public servant.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of editorials from leading Alabama newspapers paying tribute to Senator BANKHEAD and expressing their opinion that Senator BANKHEAD should be renominated without opposition.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Birmingham (Ala.) Age-Herald and other southern newspapers of February 11, 1942]

THIS MORNING

(By John Temple Graves 2d)

"And statesmen at her councils met
Who knew the seasons, when to take
Occasion by the hand and make
The bounds of freedom wider yet."

As Senator BANKHEAD approaches election time with no prospect of successful opposition and little of any at all he deserves the satisfaction of knowing that he belongs to that special class of Senators whose position at home is so secure and whose name in the Nation is so great that they are cherished and permanent institutions in the office they hold. Such men as Borah, of Idaho, was. Such men as CARTER GLASS, of Virginia, and GEORGE NORRIS, of Nebraska, are.

Differing in nature, politics and careers, these men who have become permanent institutions in our national life have become so for differing reasons. In Senator BANKHEAD'S case, it seems to us, the reasons are two. One is that he is identified with the history-making rehabilitation of the American farmer as closely as his distinguished father was with the Federal road-building program which enlarged American life so immeasurably. Numerically the largest and economically the neediest group in the country the farmer has had established for him in recent years processes of aid, science, education, and organization which need only to be maintained to give him the better place in our national economy which he must have if that economy is to succeed. And JOHN BANKHEAD has done more than any other American legislator to put those processes into operation.

His service to the Nation in this great respect has been especially a service to our people of Alabama who are his constituents, since ours is still essentially an agricultural State and the greatest good to our greatest number is agricultural good. In other words, Senator BANKHEAD has come to stand nationally for something that means more than anything else could to his constituents in Alabama—and the combination of national prestige and home benefit is enough to assure him the political loyalty of Alabamians all the rest of his life.

The second reason for the permanence of JOHN BANKHEAD, it seems to us, is that his moderation and independence in public life have made his tenure of office something wholly free of the fate of any group or school or combination or party. Come radicals or reactionaries, he goes this moderate and independent way of his, always a progressive, always a friend of his fellow man collectively and individually, always just enough ahead of the crowd to lead it and not too far ahead to lose its support. He has political opponents but no real political enemies. He has people who think him wrong but none who think him dangerously wrong, either in a leftward direction or a right.

In his championing of the farmer he has carried the concept of Federal aid a long way forward, but he has restrained and opposed those who would have carried it a dubiously longer way forward.

He stands for a practical, open-eyed, moderate progress which keeps him always in step with and always stepping for the American people.

These are the things, it seems to us, which not only make Senator BANKHEAD politically permanent but which promise this State and Nation so much in his permanency. They are things which make him a man for our future as well as for our past and present. In the history-making years to come the opinion and power of the farmer will have much to do with the maintenance of our American system against the left and right extremes to which labor and management are exposed by their quarrels with each other—and Senator BANKHEAD will have much to do with making that opinion and directing that power. In the confusions that are sure to follow war's end, the need will be for men who know not only how to institute great reforms but also when to stop reforming and go to work on reforms that have been made—and Senator BANKHEAD'S moderation and his independence of the professional and constitutional reformers who get caught that way will keep him worth his weight in votes as those confusions arise.

He knows the seasons. He knows the time for planting; the time for tilling, the time for reaping, and the time for putting away. He knows whose work to do and whose not to do. He is a planter for his people, the people of his country, the people of Alabama, and they trust him because they have seen that he never betrays either their ambitions or their almanac.

[From the Birmingham News of January 14, 1942]

JOHN BANKHEAD'S REELECTION

Seldom has a political result in this State been more of a foregone conclusion than the reelection of Senator JOHN H. BANKHEAD this year. In fact, no one has even come forward to oppose him as a candidate so far, and the likelihood is that he will have no opposition. Reelection without opposition would be a fine tribute to Senator BANKHEAD, and a deserved one.

In any case, it is a virtual certainty that the Senator will be reelected, whether opposed or not, for no man has a stronger hold of the affections and the confidence of the people of Alabama than JOHN BANKHEAD.

Senator BANKHEAD is coming up for his third term, having first been elected in 1930 to the office which his distinguished father, Senator John Hollis Bankhead, Sr., held until his death in 1920. In his two terms he has added luster to the great tradition of the Bankhead family of Alabama for statecraft and public service—a tradition extending over a period of more than half a century, during which there has not been a single year in which Alabama was not represented in one branch of Congress or the other by a Bankhead.

In their long service to the Nation the Bankheads have attained to positions of leadership in both the House and the Senate and have been identified with some of the most important and far-reaching acts of statecraft in their time.

It was the elder Senator John Hollis Bankhead who was the father of the United States good roads movement by virtue of his leadership in behalf of Federal aid to highways. This was the most notable of his many services for improvement of highways and of rivers and harbors. He was a constructive statesman. His two sons who followed him to Congress inherited his gift for statesmanship of a constructive nature.

One of them, William Brockman Bankhead, served so long and with such distinction as a Member of Congress that he rounded out his career as Speaker of the House. Will Bankhead served as Speaker during 4 of the most trying years in all our history, and he served ably and well. It was not alone for his ability that he was distinguished, however, for it is generally thought that among the Members of the House, regardless of party, he was the most popular and the most beloved man ever to hold the speakership. Speaker Bankhead's death is so recent that Alabamians have not ceased sorrowing for him; and never will they forget him.

The younger Senator BANKHEAD—now no longer young in years, but still young in spirit and vigorous in both mind and body—has made his own place in the history of American statesmanship to match the places filled by his distinguished father and brother. He has served well in many things, but the welfare of agriculture he has made a special interest. Year in and year out he has labored and fought to improve the lot of the farmers of Alabama, of the South, and of the Nation. He is the recognized leader of the agricultural forces in Congress. He has long since become known the country over as America's foremost agricultural statesman. There has hardly been a piece of agricultural legislation of any consequence in the last 10 years of which he was not either the author, the coauthor, or a leading proponent on the floor of the Senate.

It was Senator BANKHEAD, together with his brother, Will, who gave the country the formula for crop control, which more than anything else has prevented disaster to American agriculture.

It was Senator BANKHEAD who was the father of the Tenant Purchase Act, to help tenant farmers become owners of farms.

Senator BANKHEAD was also the moving spirit behind most of the farm security pro-

gram, the improvements in the farm credit system, soil conservation, and other major aspects of our agricultural program.

Finally, he was the author of the Parity Price Act, under which farmers for the first time in years have received fair prices, and which gives them assurance that they will continue to receive fair prices.

Senator BANKHEAD'S great victory on parity payments, in which he, almost single-handedly, won over the vast majority of the Members of both Houses, was one of the most extraordinary legislative achievements in American history.

In strengthening American agriculture Senator BANKHEAD has strengthened America.

There is no need to review all of Senator BANKHEAD'S great record. His achievements are well known to the people of Alabama, and to the Nation. They entitle him to the esteem which he enjoys throughout the land as well as at home.

The Birmingham News wishes formally to take its stand, together with the great majority of Alabamians, in favor of the reelection of Senator JOHN H. BANKHEAD, and in doing so, it wishes to remind the voters of this State that the people of the rest of the country, especially the farm States, expect Alabama to return JOHN BANKHEAD to the Senate.

[From the Montgomery Advertiser of January 20, 1942]

SENATOR JOHN BANKHEAD

Senator JOHN H. BANKHEAD'S formal announcement that he will seek reelection is a reminder that, technically at least, he must run for office.

Usually when an elective official's term is about to expire there is a discussion of possible opponents. The Advertiser has heard no talk of any ambitious candidate with enough time to waste in seeking the senior Senatorship from Alabama.

Usually, too, the end of an incumbent's term is the signal for those who have grievances to trot them out. The Advertiser has not been informed of any dissatisfaction with the service of Senator BANKHEAD.

Thus the hearty approval of Alabama's BANKHEAD has been demonstrated, an approval of such proportions that the public has not been conscious that he is up for reelection.

The record of Senator BANKHEAD'S service to the State and Nation is well known. His name has come to symbolize the change which has taken place in agriculture. Nine years ago this month farming in America was bankrupt, and despair was on every hand.

Today American agriculture is better prepared than ever before for an emergency. It is prepared to produce the food and fiber necessary to win the war. More important than its ability to produce is the improvement in the welfare of the men, women, and children on our farms.

The name of BANKHEAD is a part of this record of achievement. His service on this front alone would justify the faith Alabama has in him.

The importance of Senator BANKHEAD'S service is such that it should not be interrupted by a contest for his post. The widespread recognition of his service is such that all indications are that it will not be.

The only purpose which a contest for his place could serve would be in providing an opportunity for the public to demonstrate overwhelmingly its thanks for his service. But for the time being the assurance that he will have no opposition will have to serve the purpose.

Alabama looks forward to 6 more years during which Senator BANKHEAD will serve his State and Nation.

[From the Birmingham Age-Herald of January 14, 1942]

FOR SENATOR BANKHEAD

Indications are that Senator JOHN H. BANKHEAD will be unopposed for renomination in the May primary. The closing date for the filing of candidacies—March 2—is still some 6 weeks off, but if there were to be opposition to the Senator it seems likely that there would have been definite sign of it by this time. Frankly, the Age-Herald hopes there is no such opposition. It believes that Senator BANKHEAD is eminently entitled to renomination and reelection on his distinguished and highly useful record. It does not believe that any opponent would have a chance of making even a good race against him, much less of defeating him. And it believes, in view of the extraordinarily high order and effectiveness of the Senator's service and of his assurance of renomination, that it would be an appropriate tribute to him if he faced no opposition in the primary.

JOHN BANKHEAD is, as his second term in the Senate nears its close, recognized throughout the country as outstanding among the Nation's truly constructive agricultural statesmen.

His service in this field, of course, is far more than a service to agriculture alone. For the agricultural problem, while it most immediately concerns farmers, nevertheless basically concerns everybody else. It is a fundamental problem for the entire Nation and all its citizens. He who serves in struggling with this problem notably serves all the rest of the people, as well as the farmers.

Senator BANKHEAD'S service in dealing with the extremely difficult cotton phase of the general agricultural problem has been of special and invaluable service to the people of this State and of all the cotton regions. Here again it should be emphasized that where a specific service—as to cotton, in this case—has been performed, all the regions and their people, particularly affected by cotton, have been served. Indeed, cotton is a national problem of the first order, and usefulness in dealing with it is usefulness to the entire country, on a very broad scope.

This newspaper has not invariably agreed with Senator BANKHEAD. But we long have been convinced that his general approach to the farm problem is sound and constructive. His philosophy of democratic crop limitation, where surpluses have made the need so obvious as a preventive of disaster, is now so well established as to be overwhelmingly accepted both by farmers and the citizens of the country generally.

His contribution to conservation of our precious soil and other natural resources is of great value in a program of acute and inestimable importance.

It is natural that Senator BANKHEAD'S great service to agriculture should stand out in his record. Much of his time and thought have been given to this work. His name is dominantly associated with high achievements in this field. But his record in general has, we think, been useful and impressive.

He has kept abreast of the needs of these times; he has been a strong supporter of the Roosevelt administration as it wrestled with the tremendous difficulties of recent years; but he has consistently sought the sound and realistic approach to our modern problems; he has maintained his independence of thought and action. Senator BANKHEAD is a representative of the people who believes that he best serves them and most effectively discharges his responsibilities by thinking out and then standing by his own convictions.

And what a devoted and unremitting worker JOHN BANKHEAD has been. It is only necessary to have a casual knowledge of what is going on in Washington to realize how steady and extensive have been his activities.

It would be, we think, a tremendous loss for the country, for the South, and for Alabama if the service of JOHN BANKHEAD in the United States Senate were to be interrupted in any way.

New problems are facing the Nation under the terrible urgencies of war. His ability, his experience, and his influence are now needed more than ever.

His finely balanced conception as to a Senator's responsibilities to his Nation, to his State, and to his region measures up to the great need of these days.

We are deeply pleased and grateful that continuation of this high service now seems certainly assured.

[From the Huntsville Times of January 18, 1942]

SENATOR BANKHEAD

Senator JOHN BANKHEAD filed yesterday at Montgomery for renomination to a third term in the Senate.

It is quite likely he will have no opposition. No candidate has manifested a desire to make a contest of it with him. And none probably will, for it would be useless. Senator BANKHEAD is too strong.

Aside from that, however, Senator BANKHEAD is entitled to another term on the strength of the highly useful record he has made in the upper House.

While his services for both the State and Nation have been of a high order in many phases of congressional work, they have been preeminent in the field of agricultural legislation.

In the past 10 years there has scarcely been a piece of farm legislation that either has not borne his name, or to which he has not contributed much in time, labor, and constructive thought.

Primarily, his hobby and interest have been cotton. With it he is most familiar. Of it he has made a lifelong study.

But his study and thought have covered the whole range of the farm program, and he has fought for and helped to put on the statute books a far-reaching series of bills to rehabilitate and strengthen the whole of American agriculture.

He helped to write the crop-control bill; he was the daddy of the Tenant Purchase Act, to put sharecroppers and tenant farmers on their feet and make them self-sustaining; he fathered the parity bill that has raised the price of cotton above 18 cents; he has been instrumental in most of the farm-credit legislation that has been enacted.

In Congress, he has come to be recognized as the outstanding authority on farm economics and farm prices. His broad knowledge of the history and development of the farm problem have made him the outstanding spokesman on this vast and highly important subject.

The problem, it might be added, is far from solution yet. Changing world conditions call for different solutions to meet different aspects of the problem.

It is well, therefore, to keep on guard one with such wide experience and study, and with such exhaustive comprehension, of this subject.

The farmer—and especially the Alabama farmer—is not out of the woods yet.

When Alabama can command the services of such a man, don't let him out of public life.

[From the Decatur Daily of January 27, 1942]

BANKHEAD'S TASK

Several months ago in these editorial columns the opinion was voiced that there was no man in the State of Alabama who could

defeat Senator JOHN H. BANKHEAD in 1942. We did not at that time know Senator BANKHEAD would be unopposed for reelection, but it now becomes apparent that, although personal ambitions are strong and the high honor of United States Senator is coveted, Senator BANKHEAD will not be opposed for reelection.

It is good that Senator BANKHEAD is not called upon to come home and run a political race when it is so much more important that he work in Washington studying and acting upon the momentous matters that are now engaging the time and the thought of the Congress.

BANKHEAD is a powerful figure in the United States Senate, one of the most powerful in the Nation, a great credit to his State and to his Nation.

Anyone who might oppose him at this time will be spending money that might well be saved for BANKHEAD is not in any danger of suffering a defeat either at home or in the Senate.

Months ago we took occasion to sound out the Tennessee Valley to determine the general attitude toward Senator BANKHEAD, and we found an almost unanimous support for his leadership and his policies. Since that time his position has been strengthened with particular reference to his continuous efforts in behalf of the farm people of the South and of the Nation. Seventy percent of our people in Alabama derive livelihood from farm lands they want BANKHEAD to remain in the United States Senate. But his strength is not by any means confined to the farm vote. Business respects his representation.

It is said further of Senator BANKHEAD that he firmly and fairly states his position on matters of controversial nature. He doesn't walk political fences. He is not afraid to make his position known. He does not fail to give an outright "yes" or "no" answer on public questions of importance. The public appreciates such a man far more than the fence-straddling type that runs for the woods every time there is an important question up for decision.

In recent weeks several Alabama newspapers have taken the definite position that JOHN BANKHEAD should not be opposed in 1942. Their positions were taken on the basis of Senator BANKHEAD's public service. The daily went deeper into the subject months ago in editorial expression of his worth to Alabama and to the United States and at the same time warning any would-be candidate that such cause would be hopeless in the Tennessee Valley.

Senator BANKHEAD's task is to continue his public service in Washington. Such a task will require every minute of his thought and his physical strength. He hasn't the time to come home and make a political campaign, although we frankly believe that it would not be necessary for him to come home. The people of Alabama will look after his interests, just as he is looking after their interests in Washington.

[From the Troy Messenger of February 10, 1942]

SPLENDID SERVICE OF SENATOR BANKHEAD WILL BE REWARDED

The distinguished service of Senator JOHN H. BANKHEAD should, and doubtless will, be rewarded by the voters of Alabama by returning him to his post in the United States Senate without opposition. The Senator will be up for renomination in the spring primaries.

The worth of Senator BANKHEAD to the farming interests of the South has been acclaimed in many high quarters in the recent past, but we believe that a unanimous endorsement of his efforts by a clear field in the forthcoming primaries would warm his heart as much or more than any of the high words of praise he has had from many other quarters.

Certainly there is no man in these parts who would dare to enter the lists against this great agricultural statesman and those in other sections who have a hankering to run will probably remember the 137,000 majority which Senator BANKHEAD piled up in his second bid for the Senatorship.

On last October 7 several hundred leading Alabama farmers and leaders feted Senator BANKHEAD at a testimonial dinner at a hotel in Birmingham and at that dinner the distinguished Alabamian was presented with a scroll designating him as "America's greatest agricultural statesman," and at the twenty-third annual meeting of the American Farm Bureau Federation, held in Chicago, he was awarded the bureau's medal for distinguished service to American agriculture.

No doubt the greatest achievement of Senator BANKHEAD for the farmers of America was when, with other farm leaders, the Emergency Price Control Act of 1942 was passed. Farm prices, by this law, will be put on an equitable parity with other living costs and assures our farmers and all farming communities of a living economy. Briefly, the provisions of the bill, which has already been signed by President Roosevelt, include the following:

1. That a maximum price or price ceiling on any agricultural commodity shall not be fixed at less than whichever is higher—110 percent of the parity price, the market price on December 15, 1941, the market price on October 1, 1941 or the average price during the 10-year period July 1, 1919, to June 30, 1929.

2. That no action shall be taken under the bill with respect to agricultural commodities by the Price Administrator or any other person without the prior approval of the Secretary of Agriculture. This is the Bankhead amendment.

3. That a maximum price shall not be fixed on any commodity manufactured or processed in whole or substantial part from any agricultural commodity that would cause farmers to get a price below the minimum ceiling that could be fixed under the bill for raw farm commodities.

4. That the Price Administrator or the Reconstruction Finance Corporation shall not buy or sell agricultural commodities at a price below the minimum price ceiling that could be fixed under the bill for agricultural commodities. The bill also prohibits the sale or disposition of any agricultural commodity contrary to the provisions of the Agricultural Adjustment Act of 1938, provides that the Price Administrator cannot prohibit trading in any agricultural commodity for future delivery if such trading is subject to the provisions of the Commodity Exchange Act.

5 That in the case of farm commodities other than the so-called basic commodities—cotton, corn, wheat, rice, tobacco, and peanuts—the Secretary may, under certain conditions, determine and publish a comparable price to be used in lieu of the parity price if he finds that the parity price for such commodity is not a fair price as compared with the parity prices for basic commodities.

Agriculture is in better position right now than it has been in a decade, and those who know give Senator JOHN H. BANKHEAD credit for a long and successful battle to improve this position.

This newspaper hopes the distinguished Senator from Alabama will be spared the trouble and expense of opposition.

[From the Tuscaloosa (Ala.) News of February 20, 1942]

UNANIMOUS FOR JOHN BANKHEAD

Any possible prospective Alabama candidate for the United States Senate who may have been sounding out chances for the May primary within recent weeks has certainly gotten a "zero" reading.

The explanation is simple indeed. Senator JOHN H. BANKHEAD is apparently the unanimous choice of Alabama for reelection. He has every right to be the unanimous selection from this State in an office which he has filled so adequately for the past 11 years

JOHN BANKHEAD has maintained a great family tradition in the United States Congress, and he has added lustre to the name. It was not an easy task for this son of a Senator and brother of a Representative who became Speaker, to win recognition on his own in such a group as the Congress of this country.

But win it he did, and with a tremendous force that has made him a power throughout the land. Few other men in all American history have earned the true title of "The Farmer's Friend," which he now bears.

This man is the type of public servant who merits reelection without opposition, and there is every evidence that he will get it from Alabama citizens this year.

[From the Anniston Star of January 18, 1942]

BANKHEAD FOR SENATOR

The Birmingham News and the Birmingham Age-Herald have come out in well-considered editorials in an appeal for the reelection of Senator JOHN H. BANKHEAD without opposition. This is considered to indicate that State Senator James A. Simpson, who has been prominently mentioned as a likely opponent of BANKHEAD will not enter the race at this time, as Senator Simpson also happens to be the attorney for the Hanson papers.

The Anniston Star is pleased to second this nomination. We must admit that we were greatly disappointed in the stand taken by Senator BANKHEAD with respect to the price-control bill, as his amendment conferring a veto power on Secretary Wickard would have led to a spiral of inflation that would have imposed hardships on the farmer along with all other consumers. Yet, Senator BANKHEAD'S work for the farmers has been commendable and far-sighted on the whole, and we do not know of another man in the State who could step into his shoes and equal his service to the country at this time.

Of course, any Alabamian has an acknowledged right to offer for this high office. But the Anniston Star believes that the less we have of partisan politics at this time the better it will be for us all. We need experienced men on the job at Washington now more than ever before in history, and wherever any man has made a good record and who is genuinely representative of his constituency we believe he should be returned to office.

[From the Dothan (Ala.) Eagle of January 22, 1942]

BANKHEAD HOME FREE

A strange quiet surrounds those whose names have been mentioned as possible opponents of Senator JOHN H. BANKHEAD in the coming primary. And it is a silence which is indeed wise.

There is not a man in the entire State of Alabama who has, under present conditions, a ghost of a chance of defeating Senator BANKHEAD for reelection. While his views on labor legislation and his all-out fight for fair treatment of farm prices in the budding price-control bill may be displeasing to some, his long-time views on all agricultural matters are such as to make him the logical choice of a predominantly agricultural State.

Never before has Alabama been represented in the United States Senate by one who had a better grasp of the farmer's problems nor one who possessed so great a capacity for persuading his senatorial colleagues that his views are correct and just. He has stood by the American farmer as has no one else and

has made his voice heard on every occasion where their welfare was at stake.

This newspaper has not always seen eye to eye with Senator BANKHEAD and there is little likelihood that the future will bring a complete reconciliation of views. But at the same time it does recognize that he is a man of great ability, that he is doing magnificent work for the American farmer and that he should be returned to the United States Senate.

As to returning him to the Senate without opposition, that is a matter of little consequence. Without engaging in a strenuous campaign which might require prolonged absences from the Washington scene, Senator BANKHEAD can and will be reelected regardless of who might be so foolish as to oppose him.

[From the Eufaula Tribune of January 26, 1942]

SENATOR BANKHEAD

About the easiest thing the Tribune can think of is endorsing Senator JOHN BANKHEAD for reelection. His record is commendation enough to send him back for 6 more years.

Upon entering the Senate Mr. BANKHEAD immediately sought work where he could do the most good. Having been born and reared close to the soil, he found his place on committees concerned with the farmer and farm problems. Since that time he has been the devoted champion of the agricultural districts not only in the South but in all parts of the Nation.

Mr. BANKHEAD goes about his task—pleasures to him—in a dignified, businesslike manner that gets results. His office is open to those seeking his services and he never passed up an opportunity to help.

Of course, his reelection is assured, but this paper wants to see him unopposed so that he can devote his entire time to the pressing duties of his office. Let's give him the biggest vote of his political career.

[From the Alabama Journal of February 7, 1942]

THE SENATOR FROM ALABAMA

Since 1819, when Alabama was admitted to Statehood and selected John Williams Walker, of Huntsville, and William Rufus King, of Selma, as Senators, the State has consistently pursued the policy of keeping its worthy men in that office. When a United States Senator is once chosen, Alabama believes that he will render more capable service through long experience than could be secured through frequent change in representation. It has proved a wise policy for a list of the United States Senators from Alabama during the past 120 years is almost like calling a roll of the Nation's great statesmen.

There are two distinct lines of Senators from Alabama, one line embracing the successors of Senator Walker, and the other being successors of Senator King. Senator LISTER HILL is the present successor of the Walker line and Senator JOHN H. BANKHEAD, Jr., is the successor of the King line. Here are the names and dates showing how rigidly Alabama clings to the rule of keeping able men in office over long periods except where removed by death, in order to gain the benefit of the experience that comes from years of service.

Senator Walker and successors

John Williams Walker	1819–1822
William Kelly	1822–1825
Dr. Henry Chambers	1825–1826
Israel Pickens	1826
John McKinley	1826–1831
Gabriel Moore	1831–1837
Clemont Comer Clay	1837–1841
Arthur P Bagley	1841–1848
William Rufus King	1848–1853
Benjamin Fitzpatrick	1853–1861

Confederate States senators

Clement Claiborne Clay	1862–1864
Richard W. Walker	1864–1865

Post-war Senators

George S. Houston (not seated)	1865
John A. Winston (not seated)	1867
George E. Spencer (Republican)	1868–1879
George Houston	1879
James L. Pugh	1880–1897
Edmund W. Pettus	1897–1907
Joseph F Johnston	1907–1913
Frank S. White	1914–1915
Oscar W. Underwood	1915–1927
Hugo L. Black	1927–1937
Dixie Bibb Graves	1937–1938
Lister Hill	1938–

Senator King and successors

William Rufus King	1819–1844
Dixon H. Lewis	1844–1848
Benjamin Fitzpatrick	1848–1849
Jeremiah Clemens	1848–1853
Clement Claiborne Clay	1853–1861

Confederate States senators

William L. Yancey	1861–1863
Robert Jemison	1863–1865

Post-war Senators

Lewis E. Parsons (not seated)	1865
Willard Warner (Republican)	1868–1871
George Goldthwaite	1871–1877
John T. Morgan	1877–1907
John H. Bankhead	1907–1920
Braxton Bragg Comer	1920
J. Thomas Heflin	1920–1931
John H. Bankhead, Jr	1931–

JOHN H. BANKHEAD, Jr., has served for nearly 12 years in the United States Senate and is a candidate for reelection in the 1942 primaries. So universal is the satisfaction with his record of service that it is quite likely that he will not even have opposition. This does not mean, of course, that all of Alabama's voters approve everything the Senator has done during his terms of office, but it does mean that his record has been one of such faithfulness, integrity, and skill that his retention in office will follow as a matter of course, in keeping with the State's long practice of profiting by the experience of its trained public servants.

Rarely has a man had such training in public life as has been enjoyed by Senator BANKHEAD. From early manhood he was the close and intimate companion of his father, whose name he bears. The elder Bankhead served Alabama in the House of Representatives from 1887 to 1907, a period of 20 years, and then was sent to the Senate and remained there until his death in 1920, making a total of 33 years as Alabama's official Representative in Washington. During all that time JOHN H. BANKHEAD, Jr., was his father's close associate, his secretary, his adviser, his political manager, and helpful coworker.

Alabama is fully appreciative of the public service of this father and son, and will see to it that the son is retained to serve the State and Nation.

[From the Florence Herald of January 30, 1942]

SENATOR BANKHEAD

So far as we are informed, there is no likelihood of any opposition to Senator JOHN H. BANKHEAD in the forthcoming Democratic primary, and it is quite certain that such opposition, should it develop, would be entirely futile.

Since he entered the Senate in 1931, Senator BANKHEAD has labored untiringly in the interest of the farmers of the Nation, and he is the author of much of the legislation of benefit to agriculture which has been enacted during his service in Washington.

He is recognized as the ablest champion of the farmer in either branch of Congress, and his entire legislative record is one of which Alabama may well be proud.

That Senator BANKHEAD will retain his place in Washington as long as he is able and willing to serve his State and Nation is a foregone conclusion.

[From the Coosa River News, Centre, Ala., of January 23, 1942]

We note that Hon Senator JOHN H. BANKHEAD has announced for reelection. This means that Alabama can look forward to 6 more years of progress and achievement. Farmers, rise up and salute your champion.

[From the Winfield Journal of February 5, 1942]

SENATOR BANKHEAD FOR REELECTION

This newspaper wishes to add its endorsement to the reelection of Senator JOHN H. BANKHEAD. Senator BANKHEAD deserves—and probably will receive—another term without opposition.

Senator BANKHEAD's contribution to the welfare of the farmer has already reaped and will continue to reap untold benefits for the entire country. For when the farmer prospers, almost everybody prospers.

Senator BANKHEAD's contribution to the welfare of the farmers is too well known to necessitate enumeration here.

Alabama should show appreciation to a highly efficient and capable public servant by reelecting Senator BANKHEAD by an overwhelming vote—with or without opposition.

[From the Muscle Shoals Advertiser, Tuscumbia, Ala., of February 6, 1942]

THE EDITOR'S TREND

JOHN H BANKHEAD—The farmer's friend.

Somewhere during the past year or two, when we saw Alabama in the grasp of a huge industrial expansion; and in the hectic rush for an almighty dollar which we thought we might capture, many of us have overlooked certain basic facts—facts that should be considered in the light of present-day developments.

We must remember that notwithstanding the presence in our midst of vast wartime industries and fabulous weekly pay rolls, that we of Alabama are fundamentally of the soil; that even now from 65 to 70 percent of the people of our State, and particularly Colbert County are agriculturally minded. They are still men and women of the farm—depending upon the good earth and the produce and proceeds therefrom for the sustenance of themselves and their families. To them, the making of a living, the education of a child, or the winning of a war, comes not from belching smokestacks nor the mouths of cannon, but from a carefully cultivated bit of land.

Among these basic facts must be remembered that not but a few years ago the lot of the average Colbert County farmer was hardly as good as it is today. Hard work and ambition alone could not make an unyielding soil produce without the aid of good seed, fertilizer, and proper tools. And only some man with tact, and a knowledge of the real condition and needs of our people could obtain these things from a willing-to-help Federal Government when the true facts were properly presented.

Under those conditions, but with that tact and knowledge, JOHN BANKHEAD went to Washington in the interest of the State of Alabama. The results of his stay there are apparent on every hand. For years he has been the medium of supplication, not only for our own Colbert County and Alabama farmers alone, but for those of every other agricultural State in the Union. He has done

his work well. He will continue to do so, if permitted.

Therefore it is to the interest of every friend of the Alabama farmer to protect our Senator's position here at home while he is busy at our Nation's Capital protecting our interests. Especially right now, with a Nation-wide controversy raging regarding the fixing of price ceilings, his presence is required in Washington to see that no prices will be fixed that will affect the farmer as a consumer which will overcome a fair margin of profit due the farmer as a producer.

Now is not the time to permit possible selfish politicians to attempt to undermine our Senator's position here at home. In the coming primary, there should be no thought of placing an opponent in the field against him. His time is too valuable to compel him to leave the Capital and come back home to wage a political campaign. Leave him where he is. Let his nomination and election for another term go through without contest. For years past, and we hope for years to come, let it continue to be said:

"JOHN H. BANKHEAD is the farmer's friend."

[From the Alabama Farm Bureau News of February 1942]

BANKHEAD WILL AGAIN CAMPAIGN FOR THE SENATE—OBSERVERS DO NOT ANTICIPATE ANY OPPOSITION

Senator JOHN H. BANKHEAD announced on January 17 that he will seek a third term in the United States Senate in the May primary.

Veteran observers are united in the opinion that Senator BANKHEAD will not have opposition in his race. They recall that he won handily in his last campaign with a 137,000-vote majority.

Recognized as the outstanding authority on farm legislation in the Congress, Senator BANKHEAD has recently been honored by the organized farmers of Alabama and of the Nation. On October 7, 1941, several hundred leading Alabama farmers feted the Senator with a testimonial banquet in Birmingham, at which time he was presented with a scroll designating him as America's greatest agricultural statesman.

Again, at the twenty-third annual meeting of the American Farm Bureau Federation held in Chicago, December 1941, Senator BANKHEAD was awarded the American Farm Bureau Federation medal for distinguished service to American agriculture.

[From the Jasper (Ala.) Advertiser of February 25, 1942]

UNANIMOUS FOR JOHN BANKHEAD

Any possible prospective Alabama candidate for the United States Senate who may have been sounding out chances for the May primary within recent weeks has certainly gotten a zero reading.

The explanation is simple, indeed. Senator JOHN H. BANKHEAD is the apparently unanimous choice of Alabama for reelection. He has every right to be the unanimous selection from this State in an office which he has filled so adequately for the past 11 years.

JOHN BANKHEAD has maintained a great family tradition in the United States Congress, and he has added luster to the name. It was not an easy task for this son of a Senator and brother of a Representative who became Speaker to win recognition on his own in such a group as the Congress of this country.

But win it he did, and with a tremendous force that has made him a power throughout the land. Few other men in all American history have earned the true title of "The Farmer's Friend" which he now bears.

This man is the type of public servant who merits reelection without opposition, and there is every evidence that he will get it from Alabama citizens this year.—Tuscaloosa News.

[From the Franklin County Times of February 4, 1942]

LET'S KEEP BANKHEAD THERE

Senator JOHN H. BANKHEAD, Alabama's beloved senior Senator, surely will have no opposition in the forthcoming primaries and the general election in November.

America is at war. Every ounce of experience is needed in Congress now. That Senator BANKHEAD has given a good account of his stewardship there goes without saying.

No man has ever been a better friend of the farmers of this Nation than has Senator BANKHEAD. Only recently he stood toe to toe with administration leaders in Washington and won a hectic battle for the farmers.

JOHN BANKHEAD has been doing that sort of thing for the farmer since the day he succeeded Tom Heflin. Most of the legislation enacted in the Roosevelt administration was both introduced and sponsored by him.

There should be no opposition to JOHN BANKHEAD this time. He deserves to be kept in the Senate because he has done and is still doing a good job.

Anyone who might oppose him could only hope to get before the public. This is no time for such political activity. We need the best, most experienced, and capable men possible to get to serve in Congress now. BANKHEAD meets all requirements. Let the voters recognize this by keeping him there without opposition.

A SEPARATE AIR FORCE

Mr. McCARRAN. Mr. President, some time ago a statement was made to the press by Viscount Trenchard, Marshal of the Royal Air Force, in which he warned the United States to ignore Army and Navy opponents to a united air force. The statement supports a bill which I introduced many months ago, which is now before the Committee on Military Affairs, and on which hearings should be held by that committee. I believe the statement of Viscount Trenchard is such an excellent one, so emphatic in the declarations for a united air force, that the entire statement as published in the New York Times on Wednesday, January 28 of this year, should be printed in the RECORD.

In regard to this request, and pertaining to the subject covered by the statement, let me say briefly that I believe a step in the right direction has been taken recently in the President's reorganization of our military forces. I believe we are drifting rapidly to what we should have accomplished a long time ago, namely, the setting up of a united air force in the United States. There should at this time be a trinity of defense and a trinity of aggression in the prosecution of the war. That trinity should be ample air forces, ample sea forces, and ample land forces, efficiently equipped to carry on an aggressive war, rather than that we should sit back and wait for bad news to come to us from day to day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the New York Times of January 28, 1942]

TRENCHARD, CHIEF OF ROYAL AIR FORCE, WARNS UNITED STATES TO IGNORE ARMY AND NAVY OPPONENTS OF A UNIFIED AIR FORCE—MARSHAL URGES UNITED STATES NOT TO BE DELUDED BY INEXPERT CRITICS WHOSE OBJECTIONS ALSO ARE RESULT OF BIAS AGAINST FLIERS—DENIES YARNELL'S CHARGES THAT HIS MEN FAILED OFF NORWAY, THAT ONE TORPEDOED BRITISH CRUISER IN "BISMARCK" BATTLE

(By Viscount Trenchard, Marshal of the Royal Air Force)

LONDON, January 27.—Far be it from me to add to the controversy that seems always to rage when any matters of how to use air power are debated. I cannot help remembering what a great general remarked to me in the last war about these controversies:

"Why do you deplore the fight over air between the services? As long as there is air there will always be an air crisis due to the extraordinary speed and range of aircraft."

In recent months a great deal has been written in the American press and elsewhere to prove that the British system of an autonomous air force is a disastrous failure, that each and every reverse that has befallen British arms from Norway to Crete has been due to the existence of the third service and that even our successes such as the sinking of the *Bismarck* and the improvement in the battle of the Atlantic and in the battle of Britain were for some mystical reason in spite of and not due to our organization.

The moral is drawn that the present system in the United States, where there are three or four separate air forces, should be perpetuated in the United States and extended to the British Empire.

I do not presume to suggest to the United States how their forces should be organized. I do not profess to be an expert on Western Hemisphere defense and would not presume to offer advice on that subject to those whose business it is further, perhaps, than to express the hope that they will not permit themselves to be deluded by inexpert and biased criticism into making wrong judgments on premises fantastically incorrect.

The first point to remember as a background to all consideration of the lessons of this war up to date is that we started the war in a shocking condition of weakness. For years we had been spending annually about eight times as much on the older services as we spent on the air force.

AIR FORCE DEEDS MINIMIZED

The lessons and portents of the last war were not generally understood and after that war most responsible officers in the navy and army minimized the accomplishments of the air forces in the war and failed to foresee what should have been plain for all to see, the potentialities of air power 20 years ahead.

Fifteen years later we failed to profit by the unmistakable warnings we received in 1934 or even in 1938 to take our aircraft production seriously in hand, and no one can look back today on the air situation in September 1939 without a shudder at our sheer audacity in going to war at all with the air force and the aircraft industry in the state they were in at that time.

Even 20 months later, at the time of Crete, we still had to concentrate our resources on providing for the vital needs of defense at home and in the Atlantic to an extent that may be measured by the fact that at the time of Crete we had barely 50 serviceable fighters in the Middle East command and a few obsolescent American fighters at Singapore.

Fifteen years ago I, as chief of the air staff, was advocating that Malaya should

be made a great air base and that our limited allotment of money should be spent on bombers and torpedo aircraft instead of on the huge guns that are there now.

The situation is very different today. But the significant fact is that in only two major operations have we had anything approaching the necessary air strength, namely, the Battle of Britain and the recent operations in Libya. And we were only able to secure that strength by a ruthless adherence to the one great principle of air warfare, the principle that in itself not only justifies but imperatively demands a single autonomous air force, the principle of concentration of the greatest available force on the task that is decisive at the time.

The second point to remember, arising directly out of the first, is that the democracies cannot do in peace or even always in war all the things that are strategically desirable, a condition which, while it will be a strength in the long run, is often temporarily a terrible strategic handicap.

STATESMAN IS RESPONSIBLE

In a democracy, because it is a democracy, the fighting man is the servant of the statesman; and strategy is profoundly affected by internal and international politics. The military chiefs are the advisers on military policy and the executives through which that policy, once decided, is put into effect. The responsibility is with the statesman who has to justify his actions and maintain his position in a legally constituted representative assembly, representative of the people, whose knowledge of military matters is nonexistent and whose judgment is frequently wrong, based as it must be in war on a necessarily incomplete possession of the facts.

It is therefore all the more important that advice on the application of air power should be the responsibility of a single head of a centralized service, working as the chief of an expert staff who have made a life study of air power and its problems and that the decisions of the political authority, the Prime Minister and the War Cabinet, should be capable of being translated into action with that promptitude and administrative efficiency which would be impossible under divided control.

The principle of concentration on the decisive point is indeed the essence of air power. No serious exponent of air power or of the system of a third service claims that war can be won solely by air forces. No one weapon, no single service, no specialized military method, can win any war. But the misuse or failure to take advantage of any one military method may well lose a war and can very easily prolong it disastrously.

The art of war is to know how to weld all tactics into one whole, when to put the emphasis on one or another, how much of the Nation's resources to allot to each and, as far as air power is concerned, to take full advantage of its flexibility to concentrate it in adequate strength at the place and on the task which is of decisive importance at the time.

We cannot be stronger than the enemy everywhere all the time. If we could be, it would cease to be relevant because the war would be won. So we must use our air resources flexibly as our major national strategy demands at the time, as the Germans do. We can only do that if we have a single autonomous air service as the Germans have, based by Goering's own admission on our model.

SUPERIOR GERMAN CONTROL

Where their organization is superior to ours is, first, in their centralized high direction, which controls and coordinates the effort of all three services and, secondly, in the fact that they have ruthlessly discarded outworn naval and military traditions, have allotted to air power its proper share in their plans, and have remolded their naval and military technique to suit the conditions of the air age.

In this latter respect we have much to learn from them. Armies and fleets are still expected, or have until very recently been expected, to do things they are quite unable to do, such as fight a land war without air superiority or control narrow waters which are dominated by hostile air power.

Conversely, it is not unknown for air forces to be expected to perform tasks for which they are quite unfitted, or at least can only perform by a quite disproportionate expenditure of effort, manpower, and material, and then not so effectively as the land or sea forces whose proper tasks they are.

If for major strategic reasons we cannot concentrate adequate air power in any place or on any task, then the operations of our naval and land forces must be adjusted accordingly. It may, for political reasons, be considered necessary to fight on land or at sea without adequate air support. We had to in Norway, and we had to in Greece and Crete, because there were not the air forces available, nor were there adequate airdromes if they had been.

Admiral Yarnell, who in a recent article in Collier's Magazine makes the extraordinary assumption that the loss of Crete was due to some arbitrary and one-sided decision on the part of the Royal Air Force to withdraw air support, is not alone in his failure to understand the profound influence of geographic conditions on the exercise of air power.

He would not suggest, for instance, that the United States Fleet should be told to operate in Japanese waters without a base in the Far East or a reasonably secure line of supply for its tankers and ammunition ships. Yet an air force without bases and without a secure system of supply for fuel, bombs, and spare parts is just as helpless as that fleet would be. And that handicap cannot be offset by the use of long-range aircraft, because the short-range fighter will always outfight the long-range aircraft of any class.

WEAKNESS SEEN IN DIVISION

But if we have to fight without adequate air support, we must do so with our eyes open, and we must not hope to be able to alleviate the results of a military set-back in Greece or a naval disaster in the Gulf of Siam by breaking up the air force and putting bits of it under the Army and Navy and thus making sure that we shall have neither adequate air strength anywhere nor the expert single advice as to how to use what we have.

Our basic strategic policy cannot fluctuate with every wind that blows, because on our strategic policy depends our production policy and on our production policy depends our capacity to have aircraft of the right types in the right numbers and in the right place when we want them. Thus we must concentrate on the vital things first and shape accordingly our international policy and that part of our military policy that is within our control. And this involves taking chances somewhere. We have built up our fighter strength in the United Kingdom and home waters to an adequate level. We have at last had something like adequate air strength in the present operations in the Middle East, where we had to take dangerous chances until and after Italy came into the war, just as we had to take chances in the Far East before Japan came into the war, in order to build up adequate Allied air strength in what were then and still are in large measure the decisive theaters, the Mediterranean and Russia. We concentrated resources in personnel and bomber-type aircraft on building up the coastal command to a point at which it was somewhere near adequate at the end of 1941 for its tasks in conjunction with the Navy in keeping the menace in the Atlantic and in home waters within measurable limits.

We did this at the expense of the bomber command. Yet air power cannot play its part in helping us win the war unless we maintain unswervingly the policy of the offensive and concentrate steadily and consistently on building up a bomber force which, while always available if required for defensive operations in support of the other services, has suitable aircraft and suitably trained crews in adequate numbers to sustain the offensive against our primary enemy to wear down German resistance from within and play a major part in creating that situation without which no allied army can ever hope to force its way into Germany.

Such a bomber force can never be built up or effectively employed except on a basis of centralized control, administration, and training.

ADEQUATE AIR COVER VITAL

No major military or naval operation can hope to succeed in these days without adequate cover against enemy air action and effective support by our own air striking force. That surely is a lesson of this war which requires no eloquence to emphasize.

A fleet at sea, operating beyond the range of shore-based air support, must take its own air support with it in the form of ship-borne aircraft, and these may be and in the British system are part of the fleet. Ship-borne fighters, however, are not always available, and the loss of the *Prince of Wales* and the *Repulse* has proved what the air staff have constantly urged in the past, that when neither ship-borne nor shore-based fighter cover can be afforded heavy ships cannot venture safely within the effective range of shore-based air-striking forces.

But it hardly needed Pearl Harbor to prove that the air defense of a fleet base or of an area of land operations is not a naval or an Army function

There is a natural tendency for every subordinate military or naval commander to clamor for close air protection by squadrons under his own command. That tendency, unless rigidly resisted, can only end in disaster.

Their speed in miles per minute and their range in terms of hundreds, nay, even thousands, of miles cannot possibly be effectively exercised by men whose vision is limited to the horizon as seen from the seat of a motor-car and whose whole training and instinct is to regard a hundred miles as a day's journey.

There are no frontiers, no high-water marks in the air. And the first essential qualification of the airman is to be an airman, to be able to operate his aircraft or command his squadron or wing or group efficiently, whatever the objectives he may be required to attack or whatever the areas he may be called upon to defend.

SPECIALIZATION IS "NONSENSE"

There is a great deal of egregious nonsense talked about the need for specialized training for air operations in support of armies and navies. The uninitiated would almost be led to believe that it is necessary to breed a special type of man to recognize a ship at sea or an enemy tank in the desert.

Some special training is obviously necessary, but it is surely equally obvious that after the first few months of a war the long and intimate experience and highly specialized training that is so often claimed as essential for effective air support of land or sea forces simply is not available. Replacements would have to come, as they do now, from keen young volunteers from civil life with no specialized naval or military knowledge.

The Royal Air Force crews of the coastal command, though they persistently decline to call their bedroom a cabin or a service motor-car a liberty boat, have given and are giving service that could not be excelled by the smartest sublieutenant who ever passed top out of Dartmouth.

General Auchinleck's frequently reiterated praise of the air support and cooperation in this Libyan campaign means only that at last we have been able to undertake a land campaign possessed of sufficient air forces to insure that air supremacy without which no land campaign can succeed.

ORDER FOR CONSIDERATION OF MEASURES ON THE CALENDAR

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection, beginning with Calendar No. 1178.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the first bill in order under the unanimous-consent agreement.

BILL PASSED OVER

The bill (H. R. 6328) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department was announced as first in order.

Mr. McNARY. Mr. President, I am not clear about the objectives of the bill from reading the title, and I should like to have it explained. I probably will not oppose the bill, but I should like to have an explanation, and in the absence of an explanation, I think it should go over.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. ELLENDER], who reported the bill, is not on the floor at the present time.

Mr. McNARY. Perhaps some other member of the Committee on Claims can explain it. If there is not an explanation, let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BEACON OYSTER CO.

The Senate proceeded to consider the bill (S. 221) for the relief of the Beacon Oyster Co., which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause, and to insert the following:

That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, as to liability of the United States, and render judgment upon the claims of the Beacon Oyster Co. and the Point Wharf Oyster Co., both of Wickford, R. I., for compensation for damages sustained by said claimants by reason of the injury to their oyster beds at Quonset Point, R. I., as a result of dredging operations carried out in behalf of the United States in connection with the establishment of the naval air station at Quonset Point in the year 1940, and upon the claim of B. J Rooks & Son, of Warren, R. I., for compensation for damages done their oyster beds at Sabins Point, R. I., as a result of dredging operations carried on by the United States Army engineers in the year 1939: *Provided*, That suit hereunder shall be instituted within 6 months from the date of the approval of this act, and proceedings therein shall be had in the same manner as in the case of claims over which the Court of Claims has jurisdiction, by virtue of section 145 of the Judicial Code, as amended.

Mr. DANAHER. May we have an explanation of the bill?

Mr. TUNNELL. Mr. President, the bill was introduced by the Senator from Rhode Island [Mr. GREEN]. It provided for the payment to three oyster companies of a large amount of money, aggregating, as I recall, around $400,000. The claim grew out of the dredging of a portion of Narragansett Bay which had been used for oyster beds. The Government dredged the bay for the purpose of making a fortification or airport at Quonset Point. The amount of the claim was so large that a subcommittee was appointed, a hearing was held, testimony was taken, and we felt that a judgment should not be given in the case without the Government being heard.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. DANAHER. Will the Senator state whether the waters in which the dredging occurred were navigable waters?

Mr. TUNNELL. They were navigable waters, I understand.

Mr. DANAHER. Were they public waters also?

Mr. TUNNELL. Yes; they were public waters, as we understand, but the ground had been leased by the State of Rhode Island for many years.

Mr. DANAHER. Has the State of Rhode Island any right to lease navigable waters?

Mr. TUNNELL. They asserted that right for many years, and I think they had the right; at least it was recognized.

Mr. DANAHER. Will the Senator advise me if the committee went into the question of whether the sovereign may not take all steps necessary for the improvement of navigation, without liability?

Mr. TUNNELL. There is a decision to that effect, and therefore, when we felt that some damage had been done, we preferred that the case be heard in a court where similar cases have been heard.

Mr. DANAHER. Is it the Senator's understanding that by our consenting to the claimant's having the right of suit, or giving the Court of Claims jurisdiction to hear the claim, we are conceding liability on the part of the Government?

Mr. TUNNELL. No. The bill contains a provision that the court is to determine whether there is or is not liability.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of the Beacon Oyster Co., the Point Wharf Oyster Co., and B. J. Rooks & Son."

ESTATE OF JOHN J. MURRAY

The bill (H. R. 1535) for the relief of the estate of John J. Murray was considered, ordered to a third reading, read the third time, and passed.

JOHN H. DURNIL

The bill (H. R. 2120) for the relief of John H. Durnil was considered, ordered to a third reading, read the third time, and passed.

JOHN HUFF

The bill (H. R. 2430) for the relief of John Huff was considered, ordered to a third reading, read the third time, and passed.

DAVID B. BYRNE

The bill (H. R. 4896) for the relief of David B. Byrne was considered, ordered to a third reading, read the third time, and passed.

NELL MAHONEY

The bill (H. R. 5478) for the relief of Nell Mahoney was considered, ordered to a third reading, read the third time, and passed.

PRODUCTION OF ALCOHOL AND RUBBER

The Senate proceeded to consider the resolution (S. Res. 224) submitted by Mr. GILLETTE on February 17, 1942, providing for an investigation relative to the production of industrial alcohol, synthetic alcohol, and synthetic rubber, which had been reported from the Committee on Agriculture and Forestry with an amendment and subsequently from the Committee to Audit and Control the Contingent Expenses of the Senate with an additional amendment. The amendments were, on page 1, line 1, after the word "That", to strike out "a special committee of five Senators, to be appointed by the President of the Senate", and to insert "the Senate Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof"; and on page 2, line 24, after "Seventy-seventh", to strike out "and succeeding Congresses" and to insert "Congress", so as to make the resolution read:

Resolved, That the Senate Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the production and means of production and plans for production of industrial alcohol, synthetic alcohol, and synthetic rubber, including the utilization of our natural materials for such purposes, the construction and location of production plants for the necessary processing of materials and resources in the manufacturing of these commodities; also including the organization or organizations now controlling or seeking to control for the future such alcohol and rubber production, together with the use of patents and processes used in such manufacture, and developed or owned in whole or in part by foreign companies, corporations, individuals, or agents, and particularly to inquire into the plans and purposes and policies of our governmental agencies, relative to the full and most economical utilization of grains, canes, fruits, vineyards, and other agricultural materials, in the processing and production of industrial alcohol, synthetic alcohol, and synthetic rubber and further to make inquiry as to contemplated action for settlement or adjudication of pending judicial action, by consent decree or settlement process, involving patent processes or control of such processing and manufacture of synthetic alcohols and rubber.

The committee shall report to the Senate, as soon as practicable, the results of its study and investigation, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and

places during the sessions, recesses, and adjourned periods of the Seventy-seventh Congress, to employ such clerical and other assistance, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. BARKLEY. Mr. President, I do not rise to object to the adoption of the resolution. I have conferred with the Senator from Iowa [Mr. GILLETTE] about it. A few days ago, when the matter was presented by the Senator from Maryland, it was my impression that the resolution dealt with the same subject being investigated by a committee of which the Senator from Missouri [Mr. TRUMAN] is chairman, namely, the production of rubber. I did not then see and I do not now see why there should be more than one committee investigating that subject. I think we are likely to fall into the habit of adopting every resolution presented, with the notion that something should be investigated, and we are likely to have duplication and have various committees covering the same ground, expending money unnecessarily, and taking unnecessary time, probably bringing about a confused situation in the final conclusions reached.

I have considered the resolution a little more carefully, and I find it does not limit itself to rubber, although rubber is mentioned, but it pertains to the use that is being made or may be made of surplus agricultural products in the production of various commodities desirable in the prosecution of the war. It does not provide for a special committee, but merely authorizes the standing Committee on Agriculture and Forestry to conduct the investigation. They could do so anyway, without special authority, but they could not expend the fund authorized to be spent, which I think is $5,000, and which is modest enough, as such matters go. So I shall not object to the resolution, under the circumstances.

The PRESIDING OFFICER. The question is on agreeing to amendments.

The amendments were agreed to.

The resolution as amended was agreed to.

CESSION OF LAND IN THE GREAT SMOKY MOUNTAINS NATIONAL PARK

The Senate proceeded to consider the bill (H. R. 2320) to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with an amendment in section 4, page 5, line 16, after the word "Interior", to insert "and the proceeds paid into the Treasury of the United States:".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

COURT JURISDICTION AND PROCEDURE IN CERTAIN CASES

The Senate proceeded to consider the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, which had been reported from the Committee on the Judiciary with an amendment at the end of the bill to add a new section, as follows:

SEC. 3. In any action in a district court wherein the action of three judges is required for the hearing and determination of an application for interlocutory injunction and for the final hearing by reason of the provisions of section 266 of the Judicial Code, the act of October 22, 1913, chapter 32, or the act of August 24, 1937, chapter 754, section 3 (being, respectively, sec. 380, 47, and 380a of title 28, U. S. C.), any one of such three judges who have been designated thereto pursuant to the provisions of section 1 may perform all functions, conduct all proceedings, except the trial of such action, and enter all orders required or permitted by the Rules of Civil Procedure for the District Courts of the United States in effect at the time, provided such single judge shall not appoint, or order a reference to a master, or hear and determine any application for, or vacation of, an interlocutory injunction, or dismiss the action, or enter a summary or final judgment on all or any part of the action: *Provided, however,* That any action of a single judge hereby permitted shall be subject to review at any time prior to final hearing by the court as constituted for final hearing on application of any party or by order of such court on its own motion.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, and further to define the powers of a district judge in certain suits."

Mr. DANAHER. I ask unanimous consent that the committee report on House bill 6005, which was just passed, be printed in full in the RECORD for the information of the Senate.

There being no objection, the report (No. 1151) was ordered to be printed, as follows:

The Committee on the Judiciary, to whom was referred the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, after consideration thereof, report the same favorably to the Senate with amendments and recommend that the bill do pass.

The committee amendments are, on page 3, after line 5, add a new section, as follows:

"SEC. 3. In any action in a district court wherein the action of three judges is required for the hearing and determination of an application for interlocutory injunction and for the final hearing by reason of the provisions of section 266 of the Judicial Code, the act of October 22, 1913, chapter 32, or the act of August 24, 1937, chapter 754, section 3 (being, respectively, sections 380, 47, and 380a of title 28 United States Code), any one of such three judges who have been designated thereto pursuant to the provisions of section 1 may perform all functions, conduct all proceedings, except the trial of such action, and enter all orders required or permitted by the Rules of Civil Procedure for the District Courts of the United States in effect at the time, provided such single judge shall not appoint, or order a reference to a master, or hear and determine any application for, or vacation of, an interlocutory injunction, or dismiss the action, or enter a summary or final judgment on all or any part of the action: *Provided, however,* That any action of a single judge hereby permitted shall be subject to review at any time prior to final hearing by the court as constituted for final hearing on application of any party or by order of such court on its own motion."

And amend the title so as to read:

"An act to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, and further to define the powers of a district judge in certain suits."

SECTIONS 1 AND 2

Sections 1 and 2 of the bill are explained in the following letters from the Director of the Administrative Office of the United States Courts and Chief Justice D. Lawrence Groner, of the United States Court of Appeals for the District of Columbia.

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, D. C., February 11, 1942.

Hon. FREDERICK VAN NUYS,
Chairman of the Committee on the Judiciary, United States Senate, Washington, D. C.

"DEAR SENATOR VAN NUYS: Chief Justice Groner informs me that he has written you urging prompt passage of a bill passed by the House of Representatives and now pending before your committee (H. R. 6005). This bill amends section 1 of the so-called Expediting Act (title 49, U. S. C., sec. 44), so as to provide that the court in a case brought in any district court of the United States under chapter 1 of the Interstate Commerce Act, in which the United States is plaintiff and the Attorney General certifies that the case is of general public importance, may be composed of three judges of whom one at least shall be a circuit judge and the other two may be district judges instead of three circuit judges as at present. I am glad to add my recommendation in behalf of the Judicial Conference of Senior Circuit Judges to that of Chief Justice Groner.

The measure has been considered by the members of the Judicial Conference and has their unanimous approval. The change is designed to prevent interference with the normal work of the circuit courts of appeals resulting from the present provision. The effect of taking three judges of such a court to sit for a long period of time in a case brought under the Expediting Act can readily be imagined. Speaking of such a case now pending before a special court of three circuit judges drawn from the Circuit Court of Appeals for the Third Circuit in Philadelphia, Senior Circuit Judge John Biggs, Jr., of that court, recently wrote me as follows:

"Three of the judges of the Circuit Court of Appeals for the Third Circuit are now engaged in trying the Pullman Co. case, which may continue for a very long time, and there are now pending in the district of Delaware two additional cases in which expediting certificates have been filed, which, if they have to be tried, will render our situation very difficult.

"This bill or some bill substantially like it must pass in the very near future."

Chief Justice Groner of the United States court of appeals for this district says that there is an imminent prospect that, unless the present law is changed as provided by the House bill, a special court of three circuit judges may have to be formed from the judges of the court of appeals for this district to the very grea detriment of its regular work.

As far as I have been informed, no objection has been raised to the pending bill. It is requisite in order to avoid disruption from time to time of the regular business of the circuit courts of appeals and its enactment as soon as possible is much to be desired in order to conserve the energies of the judges of the court of appeals for this district for their primary duties. I earnestly hope, therefore, that prompt and favorable action on the bill may be taken.

With kind regards, I am,

Sincerely yours,

HENRY P. CHANDLER.

UNITED STATES COURT OF APPEALS,
Washington, D. C., February 6, 1942.

Hon. FREDERICK VAN NUYS,
Chairman, Judiciary Committee,
United States Senate,
Washington, D. C.

"DEAR CHAIRMAN: The House passed, on February 3, H. R. 6005, which is an act the effect of which will substitute for three circuit judges at least one circuit judge and two district judges in a case involving restraint of commerce in which the Attorney General has filed with the court what is generally called an expediting certificate. The present law requires three circuit judges, and there have been constituted recently several courts of three circuit judges who, under the law, sit as a district court would take the evidence and then decide the case. In some cases it has taken from a month to 2 months alone to hear the evidence, and this has largely broken up and very seriously delayed the regular docket of the circuit court of appeals from which the judges were drawn. My particular interest in this act grows out of the fact that a case of this nature is now pending here and, if I constitute the court of three judges of this court and the taking of the evidence lasts as long as counsel on both sides tell me it will, it will be practically impossible for this court to function for a period of 2 months and, it will seriously retard our docket.

It is quite bad enough to take two district judges and one circuit judge and require the three of them to take the evidence which one district judge would ordinarily take, but the alternative presented in the act is better than the present law The question has been discussed in the Judicial Conference, and what I have said above is the consensus of opinion of the senior circuit judges. Judge Biggs, senior judge in the third circuit, is very much interested in the matter, and so am I, and I will be greatly obliged to you if you will take up the bill as it comes from the House and if, after study, you approve it, you will do whatever may be necessary to get it through the Senate as quickly as possible. I am holding up the order in the pending case here, hoping for the passage of this bill.

With kind regards,

Yours faithfully,

D. LAWRENCE GRONER.

SECTION 3

While H. R. 6005 was under consideration, it seemed to your committee that it might properly be amended by adding a new section, to be known as section 3, to incorporate H. R. 4812 in the same bill.

H. R. 6005 provided for a broader method of selecting the three-judge court authorized in the acts referred to in H. R. 6005 but required that the three judges when designated should "hear and determine such case" and "to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited."

H. R. 4812 likewise dealt with a three-judge court constituted (*a*) under section 266 of the Judicial Code (title 28, U. S. C., sec. 380) when the constitutionality of a State statute or the conduct of a State officer acting under such State statute is in question; or (*b*) under the act of October 22, 1913 (title 28, U. S. C., sec. 47), when an injunction is sought against an order of the Interstate Commerce Commission; or, (*c*) under the act of August 24, 1937 (title 28, U. S. C., sec. 380a) when the constitutionality of an act of Congress is in question

As it came from the House, H. R. 4812 would have authorized any one of the three judges on the three-judge court to attend to procedural preliminaries not necessarily requiring the action of the whole court but preserving a review by the whole court of the action taken by any such single judge in a preliminary matter. Your committee felt that we should broaden the powers of any one of the three judges designated to the three-judge court under the provisions of section 1 (that is, H. R. 6005) to permit him to perform all preliminary functions and enter all orders permitted by the Rules of Civil Procedure, but should make certain that either in actions brought under section 1, or under the statutes cited above in section 3, the actual trial of the final issues must be by the full three-judge court. While this matter of a trial by the full court was clearly stated in H. R. 6005, and would seem to be equally clear with reference to actions under the other statutes above referred to, unless H. R. 4812 was amended specifically in this particular there might have been doubt on the point. Your committee feel as a matter of policy that actions so important as to justify the three-judge court should be heard and determined by the full three-judge court. After the House language which would have authorized one judge to "conduct all proceedings," we have inserted "except the trial of such action" to remove any possible question on this score. Such other amendments as were made in the House bill are minor and are recommended simply in the interest of clarity of expression.

Accordingly the title is amended so that H. R. 6005, as amended, will be correctly entitled to state all of the purposes originally contemplated by both measures before their consolidation.

The PRESIDING OFFICER. The consideration of bills on the calendar under the unanimous-consent agreement is completed.

AUTHORIZATION FOR COMMITTEE REPORTS, SIGNING OF BILLS, ETC.

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the recess of the Senate following today's session all committees may be authorized to report bills, resolutions, or nominations to the Senate; that the Presiding Officer of the Senate be authorized to sign bills and resolutions ready for his signature; and that the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SMATHERS in the chair) laid before the Senate messages from the President of the United States submitting several nominations and a protocol (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES DURING ADJOURNMENT

Under authority of the order of the 2d instant,

Mr. CONNALLY, from the Committee on Foreign Relations, submitted the following favorable reports of nominations during adjournment of the Senate:

Pierre de L. Boal, of Pennsylvania, now Envoy Extraordinary and Minister Plenipotentiary to Nicaragua, to be Ambassador Extraordinary and Plenipotentiary to Bolivia;

Arthur Bliss Lane, of New York, now Envoy Extraordinary and Minister Plenipotentiary to Costa Rica, to be Ambassador Extraordinary and Plenipotentiary to Colombia;

Boaz Long, of New Mexico, now Envoy Extraordinary and Minister Plenipotentiary to Ecuador, to be Ambassador Extraordinary and Plenipotentiary to Ecuador;

Wesley Frost, of Kentucky, now Envoy Extraordinary and Minister Plenipotentiary to Paraguay, to be Ambassador Extraordinary and Plenipotentiary to Paraguay;

Robert M. Scotten, of Michigan, now Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic, to be Envoy Extraordinary and Minister Plenipotentiary to Costa Rica;

Avra M. Warren, of Maryland, now a Foreign Service officer of class 1, assigned as Chief of the Visa Division in the Department of State, to be Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic; and

James B. Stewart, of New Mexico, now a Foreign Service officer of class 1 and consul general at Zurich, to be Envoy Extraordinary and Minister Plenipotentiary to Nicaragua.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BARKLEY, from the Committee on Banking and Currency:

R. M. Evans, of Virginia, to be a member of the Board of Governors of the Federal Reserve System for the unexpired portion of the term of 14 years from February 1, 1940, vice Chester C. Davis.

By Mr. GEORGE, from the Committee on Finance:

Callis H. Atkins, to be an assistant sanitary engineer in the United States Public Health Service, to take effect fr date of oath; and

William Jennings Bryan, Jr., to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif. (reappointment).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

L. METCALFE WALLING

Mr. CHAVEZ. Mr. President, from the Committee on Education and Labor I report the nomination of L. Metcalfe Walling, of Rhode Island, to be Administrator of the Wage and Hour Division in the Department of Labor, and I ask unanimous consent that the nomination be considered and confirmed at this time. The reason for making the request is that the nomination has been before the

Senate for several days, and it appears to be necessary that action be taken on the nomination as soon as possible in order that the Wage and Hour Division of the Department may properly function.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of L. Metcalfe Walling, of Rhode Island, to be Administrator of the Wage and Hour Division in the Department of Labor.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and without objection, the nomination is confirmed.

Mr. CHAVEZ. I ask unanimous consent that the President be immediately notified.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

DIPLOMATIC SERVICE

The legislative clerk read the nomination of Pierre de L. Boal, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Arthur Bliss Lane, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Colombia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Boaz Long, of New Mexico, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Wesley Frost, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert M. Scotten, of Michigan, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Costa Rica.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Avra M. Warren, of Maryland, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Dominican Republic.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James B. Stewart, of New Mexico, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nicaragua.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters on the calendar.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

THE NAVY

The legislative clerk read the nomination of Capt. Jesse B Oldendorf, to be rear admiral, for temporary service, to rank from November 27, 1941.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be so notified.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 28 minutes p. m.) the Senate took a recess until Monday, March 9, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 5, 1942:

REGISTER OF THE LAND OFFICE

Ellis Purlee, of California, to be register of the land office at Sacramento, Calif. Reappointment.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named passed assistant surgeon to be surgeon in the United States Public Health Service, to rank as such from the date set opposite his name:

Donald J. Hunt, March 1, 1942.

COAST GUARD OF THE UNITED STATES

Lt. (Jr. Gr.) Randolph Ridgely 3d to be a lieutenant in the Coast Guard, to rank from the 1st day of January 1942.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Leon Calhoun Boineau, Infantry (temporary lieutenant colonel, Army of the United States), with rank from April 30, 1940.

TO QUARTERMASTER CORPS

Lt. Col. Maurice Vernon Patton, Field Artillery, with rank from August 18, 1940.

Maj. Daniel Francis Healy, Jr., Field Artillery, with rank from June 12, 1941.

TO FINANCE DEPARTMENT

Maj. Ernest Orrin Lee, Field Artillery, with rank from June 12, 1941.

TO CORPS OF ENGINEERS

Lt. Col. Elmer Gwyn Thomas, Quartermaster Corps (temporary colonel, Army of the United States), with rank from July 13, 1940.

Capt. Carleton Merritt Clifford, Quartermaster Corps, with rank from June 12, 1940.

Capt. Jesse Huckett Veal, Quartermaster Corps, with rank from June 11, 1941.

First Lt. Gordon Pendleton Larson, Infantry (temporary captain, Army of the United States), with rank from June 13, 1936.

TO ORDNANCE DEPARTMENT

First Lt. Henry Jacob Katz, Coast Artillery Corps (temporary major, Army of the United States), with rank from June 12, 1939.

TO COAST ARTILLERY CORPS

First Lt. Kenneth Edward Tiffany, Infantry (temporary captain, Army of the United States), with rank from August 1, 1935.

TO AIR CORPS

Second Lt. Everett Houston Ware, Coast Artillery Corps (temporary first lieutenant, Army of the United States), with rank from June 11, 1940.

Second Lt. Joseph Lee McCroskey, Cavalry (temporary first lieutenant, Army of the United States), with rank from June 11, 1940.

Second Lt. Charles Leonard Peirce, Corps of Engineers, with rank from June 11, 1941, effective March 7, 1942.

Second Lt. Fred John Ascani, Corps of Engineers, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Richard Bradford Polk, Coast Artillery Corps, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Clarence John Lokker, Field Artillery, with rank from June 11, 1941, effective March 7, 1942.

Second Lt. Joseph Meryl Silk, Signal Corps, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. George Winfield Stalnaker, Infantry, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Frank Ely Locke, Coast Artillery Corps, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Alpheus Wray White, Jr., Quartermaster Corps, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Lanham Carmel Connally, Field Artillery, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Richard Van Pelt Travis, Infantry, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Charles Gleeson Willes, Coast Artillery Corps, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Donald Vincent Thompson, Cavalry, with rank from June 11, 1941, effective March 7, 1942.

Second Lt. James Philip Walker, Cavalry, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Howard Frank Adams, Coast Artillery Corps, with rank from June 11, 1941, effective March 6, 1942.

Second Lt. Joseph Scott Peddle, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. David Burch Taggart, Infantry, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Justus MacMullen Home, Infantry, with rank from June 11, 1941, effective March 28, 1942.

Second Lt. Hamilton King Avery, Jr., Infantry, with rank from June 11, 1941, effective March 6, 1942.

Second Lt. Joseph Scranton Tate, Jr., Infantry, with rank from June 11, 1941, effective March 6, 1942.

Second Lt. Harry Lee Jarvis, Jr., Infantry, with rank from June 11, 1941, effective March 6, 1942.

Second Lt. Bert Stanford Rosenbaum, Infantry, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. William John Hershenow, Jr., Infantry, with rank from June 11, 1941, effective March 28, 1942.

Second Lt. Alden George Thompson, Infantry, with rank from June 11, 1941, effective March 16, 1942.

Second Lt. Bruce Campbell Cator, Quartermaster Corps, with rank from June 11, 1941, effective March 28, 1942.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be lieutenant colonel with rank from March 2, 1942

Maj. William Warren Welsh, Air Corps (temporary colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

To be lieutenant colonels with rank from March 4, 1942

Maj. Arthur Ignatius Ennis, Air Corps (temporary colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

Maj. Caleb Vance Haynes, Air Corps (temporary colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

Maj. Jean Edens, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Emil Frederick Kollmer, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. LeRoy William Yarborough, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Edward Bernard Schlant, Judge Advocate General's Department (temporary lieutenant colonel, Army of the United States).

Maj. Richard Francis Stone, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. James Norwood Ancrum, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. William Wallace Brier, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. John Brandon Franks, Quartermaster Corps (temporary colonel, Army of the United States).

Maj. John Joseph Turner, Field Artillery (temporary lieutenant colonel, Army of the United States).

Maj. Richard James Sothern, Field Artillery (temporary lieutenant colonel, Army of the United States).

Maj. Orville Ervin Davis, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. John Thomas McKay, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. Percival Adams Wakeman, Signal Corps (temporary lieutenant colonel, Army of the United States).

Maj. Herman Jackson Crigger, Field Artillery (temporary lieutenant colonel, Army of the United States).

Maj. Floyd Thomas Gillespie, Signal Corps (temporary colonel, Army of the United States).

Maj. Charles Homer Martin, Cavalry (temporary lieutenant colonel, Army of the United States).

Maj. William Henry Speidel, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Robert Owen Montgomery, Field Artillery (temporary lieutenant colonel, Army of the United States).

Maj. Sidney Frank Wharton, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Stephen Eugene Bullock, Field Artillery (temporary lieutenant colonel, Army of the United States).

Maj. Dayton Locke Robinson, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Homer Banister Pettit, Corps of Engineers (temporary lieutenant colonel, Army of the United States).

Maj. James Yancey Le Gette, Field Artillery (temporary lieutenant colonel, Army of the United States).

To be lieutenant colonel with rank from March 8, 1942

Maj. Sherman Edgar Willard, Coast Artillery Corps (temporary lieutenant colonel, Army of the United States).

To be lieutenant colonels with rank from March 21, 1942

Maj. Howard Samuel Paddock, Signal Corps (temporary lieutenant colonel, Army of the United States).

Maj. Harold Arthur Bartron, Air Corps (temporary colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

Maj. Joseph Albert Sullivan, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. James Bryan McDavid, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. Lloyd Henry Gibbons, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Henry Elmer Sowell, Field Artillery (temporary lieutenant colonel, Army of the United States), subject to examination required by law.

Maj. William Stilwell Conrow, Cavalry (temporary lieutenant colonel, Army of the United States).

Maj. James Webb Newberry, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. John Frederick Whiteley, Air Corps (temporary colonel, Air Corps; temporary lieutenant colonel, Army of the United States.)

To be lieutenant colonel with rank from March 31, 1942

Maj. John Carson Grable, Signal Corps (temporary lieutenant colonel, Army of the United States).

MEDICAL CORPS

To be majors

Capt. Cleveland Rex Steward, Medical Corps (temporary major, Army of the United States), with rank from March 5, 1942.

Capt. William A. Dains Woolgar, Medical Corps (temporary major, Army of the United States), with rank from March 19, 1942.

Capt. Karl Rosenius Lundeberg, Medical Corps (temporary major, Army of the United States), with rank from March 19, 1942.

Capt. Arthur Herman Corliss, Medical Corps (temporary major, Army of the United States), with rank from March 19, 1942.

Capt. Jonathan Milton Rigdon, Medical Corps (temporary major, Army of the United States), with rank from March 19, 1942.

To be captains

First Lt. Raymond Taylor Jenkins, Medical Corps (temporary captain, Army of the United States) with rank from March 10, 1942.

First Lt. Carl Bennett Stilson, Medical Corps (temporary captain, Army of the United States), with rank from March 10, 1942.

First Lt. Harold Thomas Little, Medical Corps (temporary captain, Army of the United States), with rank from March 10, 1942.

First Lt. Robert Nathan Lehman, Medical Corps (temporary captain, Army of the United States), with rank from March 10, 1942.

First Lt. Louis Franklin Saylor, Medical Corps (temporary captain, Army of the United States), with rank from March 10, 1942.

First Lt. Raymond Bender Croissant, Medical Corps (temporary captain, Army of the United States), with rank from March 10, 1942.

First Lt. Richard Stirling Bolten, Medical Corps (temporary captain, Army of the United States), with rank from March 18, 1942, subject to examination required by law.

VETERINARY CORPS

To be colonel

Lt. Col. George William Brower, Veterinary Corps, with rank from March 8, 1942.

MEDICAL ADMINISTRATIVE CORPS

To be first lieutenant

Second Lt. Howard Brim Nelson, Medical Administrative Corps (temporary captain, Army of the United States), with rank from March 5, 1942.

CHAPLAINS

To be colonel

Chaplain (Lt. Col.) Milton Omar Beebe, United States Army (temporary colonel, Army of the United States), with rank from March 24, 1942.

To be captain

Chaplain (First Lt.) Ralph Mark Reed, United States Army (temporary captain, Army of the United States), with rank from March 10, 1942.

PROMOTION IN THE NAVY

Capt. Jesse B. Oldendorf to be rear admiral, for temporary service.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 5, 1942:

POSTMASTER

Jess H. Miller to be postmaster at Natoma, in the State of Kansas.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 5, 1942:

DIPLOMATIC SERVICE

Pierre de L. Boal to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Arthur Bliss Lane to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Colombia.

Boaz Long to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

Wesley Frost to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

Robert M. Scotten to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Costa Rica.

Avra M. Warren to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Dominican Republic.

James B. Stewart to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nicaragua.

DEPARTMENT OF LABOR

L. Metcalfe Walling to be Administrator of the Wage and Hour Division, Department of Labor.

POSTMASTERS

LOUISIANA

Thomas L. Bernard, Atchafalaya.
Marcie M. Rogers, Baldwin.
Amos V. McLanahan, Florien.
Clifton T. Bigner, Pollock.
August L. Chappuis, Rayne.
James L. Derouen, Welsh.

MISSOURI

Loiel Earl Barnett, Lancaster.

OKLAHOMA

Ruth I. Corbin, Delaware.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 5, 1942

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our Heavenly Father, we pray Thee to quiet our hearts and strengthen us with calm and collected minds. In difficult hours while the ancient fires of the prophets burn clean and deep in our breasts, give us uninterrupted fellowship with Thee. No fever of heat can burn the soul that breathes the air or learns the ways of the Christ. Knighted in the midst of sin and woe as He went about doing good, He was inspired by the final truth and the final reality.

Confronted as we are by staggering realities, praying that humankind may be saved from the deadly fascinations of war, oh, do Thou reproach all shameful indifference and the superficial attitudes which are ever new and ever old. May we be aroused to the realization that although the world is one vast Calvary of human suffering, over against the down-

pull of the world tragedy there stands the tremendous upward urge of compelling principles which will live until justice and freedom are redeemed. Dear Lord, we would in breathless silence pray for our President, his Cabinet, and his immediate counselors; be pleased to give them health, wisdom, and vision in the solution of all problems; may they feel the inspiration of a united country. In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On February 27, 1942:

H. R. 4179. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States.

On February 28, 1942:

H. R. 6470. An act to extend the time within which the amount of any national marketing quota for tobacco, proclaimed under section 312 (a) of the Agricultural Adjustment Act of 1938, may be increased.

On March 3, 1942:

H. R. 793. An act for the relief of the estate of Charles D. Talbert, deceased; and

H. R. 5880. An act to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances.

EXTENSION OF REMARKS

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article from the Commercial Appeal of Memphis, Tenn., entitled "Strikes in a Crucial Spring."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include a newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by Dr. Nicholas Murray Butler, president of Columbia University, entitled "There Can Be No Isolation."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative business of the day and other special orders, I may be permitted to address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. SATTERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by me over the radio.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution of the Senate of Pennsylvania protesting the construction of a dam on Clarion River which would destroy Cook Forest, one of the priceless possessions of our Commonwealth.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a few excerpts from letters from farmers on the farm-security situation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a part of a newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by Mr. Eugene Casey at the Washington Day dinner at Fort Worth, notwithstanding the fact that it is estimated that it will be three pages and will cost the sum of $135. I also wish to include a statement made by Mr. Gene A. Howe, of the Amarillo Globe.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SECRETARY OF WAR

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, I notice that the morning press reports there is a likelihood that the Secretary of War may resign on account of his health. Our friend and fellow colleague the gentleman from New York [Mr. WADSWORTH] is mentioned as his likely successor. I can think of nothing that would better please this House, and I believe the country, than for this honor to be bestowed upon this distinguished American. In character, experience, knowledge, and patriotism no better man could be found in the country to grace this position than our friend, JIM WADSWORTH.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an editorial which was published in the Seattle Post-Intelligencer relating to our colleague the gentleman from Washington [Mr. MAGNUSON].

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

SECRETARY OF WAR STIMSON

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. MAY. Mr. Speaker, I join wholeheartedly with my colleague the gentleman from Georgia [Mr. COX] in his reference to our distinguished colleague the Honorable JAMES W. WADSWORTH, of New York; but may I state further in connection with the press report that the Secretary of War, the Honorable Henry L. Stimson, may resign that I express my appreciation for the distinguished services that have been rendered by the present Secretary of War to this country. He is a great American and a distinguished statesman with an illustrious record of great public service in many important positions. I am sure if he resigns it will be strictly on account of ill health, and I trust that the House of Representatives will understand that if his advices had been followed in 1931 when Japan first ruthlessly and wantonly started her regime of world conquest and entered Manchuria in violation of numerous treaty obligations and set out to conquer the world, we would probably have been relieved of the present war situation, and peaceful China would not have bled so severely during the past several tragic years, nor would we be now engaged in war on distant fronts in many parts of the world. If Secretary Stimson should resign I desire him to know that so far as I am concerned he will return to the shades of private life with my warmest esteem and gratitude to a great public servant, and I am sure he has the confidence of all our people.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an address I made to the people of the State of Vermont 24 years ago today, and also to include an address which I made on the 3d day of March this year. May I say in reference to the matter just referred to on the floor that while I doubt that the gentleman most interested, perhaps, has

been advised with respect to the possibilities to which the press refers, and I am not undertaking nor assuming, as a Republican, to dictate to a Democratic President his choice as to a member of his Cabinet, however, and if the very distinguished gentleman who now holds the office is constrained to resign, no more able, nor better qualified individual can be found in the United States of America to succeed him than the gentleman who was mentioned in the press dispatches, our colleague and friend, Mr. WADSWORTH, of New York, as a possible successor to that distinguished Secretary of War, Henry Lewis Stimson.

I do not need to refer to the long legislative experience of our colleague, Mr. WADSWORTH, in the United States Senate, nor to his chairmanship of the Military Affairs Committee of that body, nor to the preeminence of the position he occupied there as a leader in the Senate. We in the House have seen him in action. That is the complete answer.

I speak impromptu and extemporaneously, yet I assert that his interest in all things and his information pertaining to national defense and the War Department is such that his statements reach the people as authoritative, backed by judgment, experience, and knowledge.

The people rely on him because of his demonstrated capacity, his wealth of experience, and it is true that what the gentleman from New York, JIM WADSWORTH, says the people believe, and rightly so.

That may sound like a tribute, yet it is true.

He compels confidence, and because—though he would be the last to admit it—he does not talk for effect—nor unless he knows what he is talking about from "a" to zero. The people know it. That is the answer these days.

If there is to be a change, he is the man—if the people are to be served.

The SPEAKER. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WINTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. WINTER]?

There was no objection.

[Mr. WINTER addressed the House. His remarks appear in the Appendix.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my own remarks in the RECORD and to answer that kiss of death the gentleman from Kansas has just administered to the Faddis committee.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HULL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein copies of certain letters.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. HULL]?

There was no objection.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the chairman of the committee on agriculture of the House of Representatives of the State of Missouri.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. DUNCAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, to show that the Navy may have followed a wise course in extending the period of rest of Lieutenant Roosevelt 30 days, that immediate return to service may be dangerous let me read from a letter written prior to the time that the Roosevelt incident was called to the attention of the House. This man, an old friend, Fred Hildebrand, writes:

DEAR CLARE: I am writing you this letter in regard to my son-in-law who was drafted into the Army November 24, 1941. The first day he went to Camp Custer he had an attack of appendicitis and they operated on him the first night. He was in the hospital for 17 days and was out of the hospital only a few days until they made him march to Battle Creek. We thought they would send him home for a while to rest up after the operation, but instead they sent him to California on December 20, 1941. This trip and the marching he had to do so soon after the operation was too much for him, and when he got to California he had to go to the hospital. * * * He is in a rundown condition now and has lost 15 to 20 pounds in weight.

So sometimes it is a good thing to grant a few days further to men who have been operated on. This boy was not granted any time to recover. He did not have an extension of time and you are advised of the result.

[Here the gavel fell.]

PUERTO RICO

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, in connection with what the gentleman from Pennsylvania [Mr. RICH] had to say a few moments ago, I wish to submit these figures. The Department of the Interior Division of Territories and Island Possessions has informed me that since 1928, down to and including 1940, we have sent $192,500,000 down to Puerto Rico; up to and including 1933 about $14,000,000 of it and since 1933 about $178,000,000. Over $75,000,000 of these funds have been used in connection with W. P. A., so-called Puerto Rican Reconstruction, social and agricultural experiments. At the present time that island is under the administration of Governor Rex Tugwell, who, I believe, was originally administrator of the movement to which the gentleman from Pennsylvania referred, embracing the Arthurdale project.

[Here the gavel fell.]

CALL OF THE HOUSE

Mr. LUTHER A. JOHNSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 33]

Arnold	Gillette	Osmers
Baldwin	Heffernan	Randolph
Barnes	Hope	Rivers
Baumhart	Houston	Robinson, Utah
Beam	Howell	Sanders
Bender	Jenson	Schaefer, Ill.
Blackney	Johnson,	Shannon
Bolton	Lyndon B.	Simpson
Burdick	Kelly, Ill.	Smith, Pa.
Byron	K'eberg	Stratton
Cluett	Kramer	Sweeney
Cole, Md.	Lesinski	Tolan
Copeland	Magnuson	Vreeland
Culkin	Marcantonio	Walter
Curtis	Mason	Weiss
Englebright	Mundt	Whitten
Faddis	Myers, Pa.	Wolcott
Fish	Nichols	Worley
Fitzpatrick	O'Connor	Wright
Gifford	O'Day	

The SPEAKER. Three hundred and seventy-three Members have answered to their names, a quorum.

By unanimous consent, further proceedings, under the call, were dispensed with.

FRED FARNER AND DORIS M. SCHROEDER—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 644)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 3141, a bill "for the relief of Fred Farner and Doris M. Schroeder."

The bill proposes to provide for the payment of the sum of $3,000 to Fred Farner, of Prairie View, Ill., as compensation for the death of his daughter, Barbara Farner; and the sum of $5,000 to the guardian of Doris M. Schroeder, of Prairie View, Ill., as compensation for personal injuries caused by a Government ambulance driven by an enrollee of the Civilian Conservation Corps.

The two girls, age 11 and 10, respectively, while standing on or near a sidewalk, were struck by an ambulance of the Civilian Conservation Corps when its driver swerved the vehicle in their direction to avoid a collision with two boys on a bicycle. It appears proper to ascribe responsibility for the lamentable accident to his failure to maintain proper control of the vehicle and to reduce its speed immediately upon seeing the children.

The proposed award of $3,000 as compensation for the death of Barbara Farner appears reasonable.

On the other hand, the proposed payment of the sum of $5,000 as compensation for personal injuries sustained by Doris Schroeder seems excessive. While the little girl suffered severe injuries and was in a hosptial for a number of weeks, and lost a year in school, nevertheless, an investigation recently made by representatives of the Government indicates that she returned to school last September and is pursuing the usual childhood activities. The report indicates that she is making a complete recovery and has not sustained any permanent injuries.

Out of the proposed payment of $5,000 the sum of $1,500 may be allocated to medical and hospital expenses, leaving a balance of $3,500 for pain and suffering. While, as I have heretofore indicated in connection with other private bills, it is appropriate to make suitable compensation for pain and suffering, in this case an award of $3,500 for this purpose would appear excessive. If the bill would have provided for a total payment of an amount not exceeding $3,000, instead of $5,000, to the guardian of Doris Schroeder, and thereby in effect awarding not more than the sum of $1,500 for pain and suffering, it would have appeared unobjectionable.

I regret that under the circumstances, I feel constrained to withhold my approval from the present bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 5, 1942.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and the accompanying bill will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. On yesterday when the Committee rose tellers had been ordered on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY]. The Chair now appoints as tellers the gentleman from Georgia [Mr. TARVER] and the gentleman from Oklahoma [Mr. MONRONEY].

The Committee divided; and the tellers reported that there were—ayes 97, noes 112.

So the amendment was rejected.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am sure it is no reflection on the distinguished gentleman from Georgia, in view of the splendid work his committee has done on this bill, if some of us feel that there are places in the bill where substantial and appropriate savings can be made without in any wise hurting the real help to the farmer. I have studied the bill and I have read the hearings and the report. I know the committee had long hearings, patient hearings, and they have made some very splendid suggestions and some very appropriate cuts, but there are other places in which savings can be made. I hope the House of Representatives, wherever it can cut down on nonessential spending without hurting the farmer, will not hesitate to do so.

There are any number of places in this bill—you cannot go over them in 5 minutes, but they have been pointed out in the debate—where staggering sums are provided for transportation, for communication, and for personnel that are just stumbling over each other in the way of the farmer, impeding his progress instead of helping him, hundreds and thousands of them that could be cut out if we would have the courage to do it in this bill, and the farmers would applaud it.

The people of this country are becoming very conscious of what government is costing them. If you have any doubt about that, just go back home and find out.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I have only 5 minutes.

Mr. TARVER. I will try to get the gentleman additional time.

Mr. WOODRUM of Virginia. I do not care for any additional time.

Mr. TARVER. I should like to ask the gentleman a question which I think is very pertinent.

Mr. WOODRUM of Virginia. I do not care for any additional time. I thank the gentleman very much.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I have just refused to yield to the gentleman from Georgia.

The situation is this. Time and time again in this bill there are appropriations that can be cut without hurting the farmer or what he really gets. I do not have time to mention all of them, but I have here a letter, the full text of which I shall insert in the RECORD if I can get permission to do so, in relation to the loans made in connection with the farm-rehabilitation program.

This letter is from J. C. Lewis, district supervisor of district four, Alabama, written just a year ago, March 4, 1941, in which he takes to task his field representatives because they are not producing the business. He says:

> We have the money and we have the personnel and you must get out and get loans for the farmers and place those loans, because we have the money and it is a reflection upon our organization.

He further says:

> We have ample personnel in this district to do the job that we originally set out to do, that is aid about 4,000 needy families in this district. From the study of these figures I am enclosing, we are not planning on aiding more than 3,410 applicants in all. This is not enough for the personnel we have in this district. With the farm supervisors we have, counting two colored who will probably have a maximum load of 100 to 125, we should aid about 3,800 clients in this district.

Now, Mr. Chairman, when you have got to go out and reprimand your field agents because they are not lending the money to the farmers, when the farmers are not asking for such help. I am not a farmer, although I have many farmers in my district, but I believe I have a little intelligence about it. The farmer needs today two things. One is to give him a market and a price for his commodity. He has that because the world is his market. The fact is we should let him alone and let nature take its course. The best thing you can do for the farmer today is to remove handicaps and take away this management and this supervision and this Government patronage we are throwing around him day after day. I hope, as we go through this bill, we will curtail it wherever we can curtail these administrative expenditures and these nonessentials and bring the bill down. I believe the real farmers in this country will applaud our efforts.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, we all recognize the ability of the gentleman from Virginia and the fact that when he sets his shoulder to the wheel in the interest of any cause he will certainly be a force to be reckoned with. The gentleman from Virginia, however, has never been friendly to what is ordinarily referred to as the farm program.

The gentleman's efforts in behalf of economy are ordinarily efforts which should receive the commendation of the membership of the House and of the country. The gentleman handles, as chairman, the independent offices appropriation bill. It carried an appropriation of $2,096,138,875. It was less than Budget estimates by approximately $5,000,000. This reduction below Budget estimates is a thing which I think justifies much commendation of his subcommittee, but his bill carried three times in direct appropriations the amount of the appropriations that are carried in this bill, and the amount of reductions made by this subcommittee below Budget estimates is approximately $2,000,000. So we should not yield to the gentleman from Virginia to explain to us the meaning of economy, since we have recommended economies in the farmers' bill that are out of proportion to those which he was able to effect in the independent offices appropriation bill. Besides that, our bill as a whole is approximately $560,000,000 below the bill for the current year.

Economy? Yes; but I wonder if the membership of the House realizes—that is, if all of them realize—what would have been the effect of the amendment upon which we just voted a few moments ago with regard, let us say, to the agricultural marketing agreements. As it is

now, whenever the farmers of your community or mine or of your section desire to enter into an agricultural marketing agreement, and a great many thousands of them in the country today are interested in the negotiation of these agreements, the Department, from its staff here in Washington, sends an attorney to the field to contact them and confer with them regarding their problem and to assist them in the working out of their agreement. If you had adopted this amendment, which was proposed without rhyme or reason, as I see it, and I do not speak unkindly of those who thought it was justified, to reduce by one-half the travel allowance for the Solicitor's Office in the Department of Agriculture, then when your farmers in the next year might have desired assistance from the Solicitor's Office in the Department of Agriculture in connection with the working out of a marketing agreement, they would have been advised that the Solicitor's Office did not have sufficient travel funds with which to send men to the field and that therefore it would be necessary for the farmers themselves or their repreesntatives to come to Washington in order to get the information and the assistance that they need.

Now, we are economizing here on the farmers. In the independent offices appropriation bill to which I referred awhile ago, and which was written by the subcommittee of our distinguished friend from Virginia, $14,000,000 was carried for travel expenses and nobody rose on this floor to say that he thought they ought to be able to get along on half of the amount of travel expenses which had been estimated. Nobody rose to say that because this is a time of great national emergency and because the school children of the country are contributing to the defense program we ought to consider cutting out half of the travel expense carried in that bill.

We passed the State, Justice, and Commerce bill a few days ago. It carried considerable sums for travel expense, and insofar as I know——

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Nobody rose on the floor to seek to cut out the amounts of any of those travel items on the basis of economy.

In a few days we are going to be ready to take up writing the Labor-Federal Security Administration bill. I am a member of the subcommittee having that duty.

We would like to know if it is the sentiment of this House that all travel expenses should be cut at least 50 percent? Is that what you want us to do? Do you want us to restrict the Wage and Hour Administration and the other organizations of the Department of Labor to 50 percent in the travel allowance, of what has been recommended by the Budget? What is sauce for the goose ought to be sauce for the gander. I am willing to go along with you and economize in every reasonable way, but so far as I am concerned, I would like to know the basis for the economy, and the evidence which justifies it before we undertake to make drastic cuts in these amounts that have been fixed in the bill by the subcommittee, even below the estimates of the Budget.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. HARE. If the chairman of the subcommittee having in charge the independent offices appropriation bill, which was the first appropriation bill brought to the House, had established a precedent, reducing travel expenses in that bill by one-half, does not the gentleman think that with such an example, other subcommittees might have followed in his footsteps?

Mr. TARVER. I think, without meaning to be critical of the gentleman from Virginia [Mr. WOODRUM], his position would have been much stronger if the independent offices appropriation bill had cut travel expenses by 50 percent, as he voted to do this morning in connection with the item which was voted upon a few moments ago.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. MAY. I have about 12,000 farmers in my district. I grew up on the farm, and I know the hardships of the farmer, from the boy up. Is it not true that the reason why the gentleman from Virginia brought in such a large bill is because of the establishment of the bureaucracy we have in the United States Government today, and that the same thing applies to the Department of Agriculture in a magnified way?

Mr. TARVER. Without criticizing the gentleman from Virginia, I might say that there is much more chance for bureaucracy evils in a $2,000,000,000 bill than there is in a bill such as this, which carries only $700,000,000 in direct appropriations.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last two words. It should be said in justice to the gentleman from Virginia [Mr. WOODRUM] that the nature of the bill that he brought in here as the first appropriation bill in this session, was one that did not offer itself so readily to curtailment as some other bills. May I remind the House that three-fourths of all of the money contained in the independent offices appropriation bill was in the Maritime Commission shipbuilding program and for the Veterans' Administration. That bill carried $980,000,000 for the building of ships for the purpose of transporting lend-lease commodities across the seas. It contained over $600,000,000, as I remember, for the Veterans' Administration. It contained $33,000,000 for the selective service; but when you examine those agencies that perform no defense work of any kind, it occurs to me that the independent offices appropriation bill committee did a pretty fair job, and it ought to be said in all justice to the gentleman from Virginia that he did a good job on those agencies where the element of defense was not involved. Obviously, defense items could not be cut when the Nation was clamoring for an all-out effort.

Mr. LAMBERTSON. Mr. Chairman, I rise to strike out the last three words. While the independent offices appropriation bill did provide those regular appropriations that are more or less set, yet it did have expenditures for travel, and if he had singled out that item alone he might have made a comparison with the item in this bill. I said in my speech the other day that there are Members here who are so strong for economy at times that it seemed to me that they were trying to balance the Budget just on the agricultural appropriation bill, and that is just what is self-evident today. I have a better record for economy than has the gentleman from Virginia [Mr. WOODRUM], and I would like to say this: Cut out the farm security if you want to, cut out the farm tenancy, and I dare the gentleman to get on the floor and vote to cut out either of them. You might cut out some of these things that are put in the Department of Agriculture for the last few years, but I venture when the Interior appropriation bill comes in here providing millions for the Skyline Drive, down in the gentleman's district, he will be here to defend; but that could easily be done away with in a time like this.

Mr. TABER. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, there are some things that should be called to the attention of the membership in connection with this bill so that you may know just about how it stands at the present time.

There were direct cuts below the Budget of $1,994,000 and increases in reappropriations of $1,013,000, leaving a net of a little less than $1,000,000 cut below the Budget. But how does it stand as compared with last year? The items of soil conservation is reduced $49,000,000. The parity payments item is increased, according to the way I figure it, with the contract authorization and full parity payments, $140,000,000. The disposal of surplus commodities item is reduced a net of $91,000,000, when you take into consideration the increased funds that are available under the Tariff Act.

The Surplus Marketing Administration is reduced $35,000,000, and the item for loans in the Farm Tenant Act is reduced $5,000,000. That leaves a net reduction of about $40,000,000. I might have left out something, but not much.

There is a reduction of $90,000,000 in the Rural Electrification Administration loans, but that is not because of any disposition to curtail that item, but because the Priorities Board has made such rulings that it makes it impossible to spend more money than that.

All of these Farm Security Administration items are not to aid the farmer. Neither are the farm tenant items. When we come to those there should be very careful and deliberate consideration of the items and they should be thoroughly discussed, because it is about time we got through fooling the farmers with

measures of that kind that do not help them.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MAY. There is one thing that occurred that I think should be made clear. That is the difference in the amount of the appropriation as compared with the independent offices appropriation bill, when we take into consideration the fact that there is more than $900,000,000 for shipping and more than $600,000,000 for the Veterans' Administration in the independent offices bill. Now, what would be the difference in the balance between that bill and this one?

Mr. TABER. The trouble with this bill from the standpoint of what is the increase over last year is the fact that there is that contract authorization for parity payments, which will run from $350,000,000 to $400,000,000, and it does not show at all in the bill.

[Here the gavel fell.]

Mr. MAHON. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, the subcommittee on agriculture has worked for months and has done a good job in writing this bill. Someone, referring to the chairman of the subcommittee, stated yesterday that the gentleman from Georgia [Mr. TARVER] was the JOHN TABER of the Democratic side, intimating that he was given to conservatism and economy, given to saving every dollar that he could properly save of the taxpayer's money. The gentleman from Georgia has done a good job and he deserves our support. I do not believe the House of Representatives is in such an ugly mood that it will thoughtlessly and without rhyme or reason seek to balance the budget by oppressing and destroying the man with the hoe. I do not believe you are going to do it. Of course, there are many things going wrong in the country. There are many things that disturb and distress us, but that is no reason why we should endeavor to sabotage the program of the farmer. He is in the lowest income bracket but his work is of the highest importance to the life of the world.

I would call to the attention of the distinguished chairman of the Military Affairs Committee, the gentleman from Kentucky [Mr. MAY], the fact that while the independent offices bill did contain money for needed ships, it must be admitted that food and fiber produced by the farmer is equally essential to the winning of the war. I do hope and believe that the House of Representatives will stand by this committee as a whole and will enable us to write a bill that will carry on this program.

The gentleman from Virginia [Mr. WOODRUM] says that what the farmer wants is to be let alone. Certainly the farmer does not want the program for which he has worked all these years destroyed by this House in amendments to this bill. He does want what he has built up to be let alone and not torn down by one fell stroke by those who are not thinking straight and true in regard to this vital program of providing the machinery for assisting the program for producing the food and fiber of the Nation.

So I appeal to you, my colleagues, to go along with a program that is of the greatest importance to the national defense and to the security of our Nation, and to stand by this good and loyal committee which brought in a bill $500,000,000 less than the bill last year, and made numerous cuts, some of which, perhaps, should not have been made.

I am for economy. My voice has been raised against waste and extravagance. I well know that all we have as a nation is at stake. I want to see further reductions made in this bill if they can be logically made. But I protest the efforts being made to destroy the program of the farmer.

The farmer's income is small, but his contribution to the public welfare is tremendous. He has never gone on strike or demanded a short workweek. His sons are on the battle fronts of the world. The farmer must clothe and feed them if we are to win.

Mr. KERR. Mr. Chairman, will the gentleman yield.

Mr. MAHON. I yield.

Mr. KERR. Suppose we had let the farmer alone in 1933, what would have become of him?

Mr. MAHON. He would not be in the position he is in today to do the job of producing the food to win this war.

Mr. MAY. Will the gentleman yield?

Mr. MAHON. I yield.

Mr. MAY. In 1933 the farmer had no prices for his products. The gentleman does not mean to argue that if he is given adequate prices for his product he is not able to take care of himself?

Mr. MAHON. He is able to take care of himself, but there is an effort abroad to interfere and to beat down the price of agricultural commodities which we have been seeking all these years to build up. We have been working for parity prices. We have been trying to raise the price of the commodities on the farm, and now there are those who are so shortsighted that they are trying to destroy that which we have given years and billions of dollars to accomplish in this country.

[Here the gavel fell.]

Mr. COOLEY. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COOLEY. Mr. Chairman, I believe that vegetables are vital to victory, and I believe that if we will give the farmer of America a square deal he will give the people of the world a square meal. I know that no Member of this House will question my friendship for the farmer. My record speaks for itself. I have voted for every bill which has been brought before this Congress in the interest of American agriculture.

I want to commend and congratulate the distinguished and able gentleman from Georgia [Mr. TARVER] for his splendid efforts in trying to obtain and present to the House as much information as possible regarding one agency of the Government, the Farm Security Administration. As a member of the House Committee on Agriculture I regret very much that we have not been permitted to legislate or to consider legislation regarding the activities of that agency. Following the enactment of the relief bill in 1935, the $4,880,000,000 bill, the President issued an Executive order, pursuant to the authority given to him in that act, creating the Resettlement Administration and appointed Rexford G. Tugwell as Administrator, conferring upon the Administrator very broad and comprehensive powers. Later the President issued another Executive order which had the effect of further broadening those great powers which he had theretofore invested in the Administrator. As a result of that second Executive order the words "rural habilitation and relief in stricken agricultural areas" were inserted in the language conferring authority upon the Administrator.

The first time that the House Committee on Agriculture or the House itself considered any legislation with reference to farm tenancy was a bill which was enacted on July 27, 1937, which is known as the Bankhead-Jones Farm Tenant Act. At the time the committee was considering that bill it was brought to our attention that Mr. Tugwell had embarked upon a very ambitious program in the field of rural rehabilitation and in an effort to curb the activities and to liquidate some of the projects, the House committee reported this bill which was finally enacted into law in which it sought to bring about a liquidation of some of the projects which had been started by Mr. Tugwell, and provided in section 43 with regard to resettlement projects that the Secretary was authorized to continue to perform such of the functions vested in him pursuant to Executive Order No. 7530 of December 31, 1936, as amended, and so forth, "as shall be necessary only for the completion and administration of those resettlement projects," rural rehabilitation projects for rural resettlement purposes and land development and land-utilization projects.

We believed at that time that an honest effort would be made to liquidate those projects and that nobody would be audacious enough thereafter to embark upon similar projects.

It was one of the purposes of the House in passing that bill to prevent the Farm Security Administration from going into the real-estate business, from buying and subdividing and reselling farm property; but it was not long before we discovered that no real effort was being made to liquidate the projects, but that devices and schemes were being arranged which enabled the Administration to defeat the declared purpose and intention of the Congress and to continue its activities in buying large tracts of land and subdividing them among tenants.

We also provided in the bill I just referred to that the Administration could not deal with private corporations. That was done in section 46, which reads as follows:

> Nothing in this act shall be construed to authorize the making of any loan or the sale or other disposition of real property or other interest therein to any private corporation for farming purposes.

Now, the Administration knew that it had no right in law to acquire large tracts of land or even to acquire title to one single acre of land, yet out in Bates County, Mo., they purchased from Lord Scully of England 45,000 acres of land.

When I called the Administrator and made inquiry regarding this transaction I was advised that the land had been acquired or that they were in the process of acquiring it, and I called attention to the fact he had no right to acquire title to real property. He then advised me he was not acquiring title but it was a loan arrangement; that he was making a loan to an association composed of farmers. That association, of course, was created by the Farm Security Administration just to act as a "man of the straw" to take title pending the execution of the plan to subdivide it. I think the transaction involved a million dollars and the title to the property was vested in this fake organization or association. I understand that even after they have acquired the property and the transaction has been consummated for this huge tract of land consisting of 45,000 acres, with more than 100 families now living upon it and subsisting upon it, they have only had six applications for homesteads.

Mr. MAY. Will the gentleman yield?

Mr. COOLEY. Briefly.

Mr. MAY. I get from the gentleman's remarks that they not only ignored the will of the Congress but actually violated the law?

Mr. COOLEY. I am definitely of the opinion that they have no authority in law to do the things which they have done Not only that, but they have actually acquired sugar plantations in Puerto Rico for the purpose of subdividing. The explanation given in the record is that the owner of a large sugar plantation wanted to subdivide it, and the indication is he did subdivide it into small tracts; but the fact is, I was told by Dr. George Mitchell, of the Farm Security Administration, that that matter was being handled by an interim option. I asked what that was and who the person taking the option was. I was advised it was one of the officers of the Farm Security Administration who had taken the option on this big sugar plantation and the Farm Security Administration was financing the deal.

Mr. Chairman, I charge the Farm Security Administration with having deliberately endeavored in almost every conceivable way to defeat the intentions of the Congress as expressed in legislation which has been enacted. They say they have been advised by the Solicitor's office. Mr. Chairman, may I again say that it is unfortunate that the legislative committee has not been permitted to legislate regarding this agency? The fact is, I think the distinguished chairman of the subcommittee was rather surprised when he asked Mr. Baldwin, the Administrator, "Where is the basic law which enables you to do these things?" to discover that it was in appropriation bills which had been reported by the gentleman's own committee.

[Here the gavel fell.]

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

There was no objection.

Mr. COOLEY. Mr. Chairman, he was told by the Administrator that the authority was found in appropriation bills which had been passed by the gentleman's committee. That is the fact.

Here is another thing I want to call your attention to. The laws of this Republic favor freehold estates and fee-simple titles, but, unfortunately, the officials of the Farm Security Administration do not favor fee-simple titles but rather leasehold titles. Down in North Carolina, according to the record, they have a communistic or cooperative farming community and they have issued a lease for 100 years, a lease to expire in 2042. Did you approve that? Did I approve that? Did anybody in the Congress know that they were purchasing property with taxpayers' money and leasing it until 2042?

Mr. PATMAN. Will the gentleman yield?

Mr. COOLEY. Briefly.

Mr. PATMAN. The gentleman realizes the fact that in the tenant-purchasing provisions they encourage fee-simple titles?

Mr. COOLEY. That is the creature of Congress, that is the thing the Congress did, and it is a thing I am proud of having participated in. I believe it has been free of criticism except perhaps the criticism that the administrative expense has been too great. The tenants will become home owners and they are being assisted under that provision.

Mr. COX. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Georgia.

Mr. COX. I think it pretty certain that the committee is going to perform an operation upon this agency; therefore, the membership very greatly appreciates the light the gentleman is turning on in order that we may do a good job.

Mr. COOLEY. I thank the gentleman. I want to call attention to one other thing.

They have 12 families on a 1,557-acre farm in North Carolina in which the Government has an investment of $288,862.04, or an investment in excess of $24,000 per man. We cannot rehabilitate American agriculture if it requires an investment of $24,000 in each person that we undertake to rehabilitate. There are 12 families operating this project. Each family has a community of interest in the 100-year lease, in all the work stock, livestock, and farm equipment and crops grown upon the farm.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman will also recall that in our committee the other day a gentleman from the Department said it cost over $30,000,000 to administer $125,000,000 worth of land.

Mr. COOLEY. Yes. Perhaps I am wrong, but if I understand the record, $55,000,000 has been appropriated.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. COOLEY. Mr. Chairman, out of that $55,000,000 apparently only $10,000,000 is available for grants, and, according to my interpretation of the record, this leaves $45,000,000 of the $55,000,000 that will go for supervision, or wet-nursing, or whatever you might wish to call it.

Mr. TARVER. The gentleman has misstated the figures. The amount estimated for administration for the next fiscal year is $7,150,000. If the gentleman will examine volume 6 of the justifications, on page 2 he will find in much greater detail than I can give it now complete information.

Mr. COOLEY. But you have an item listed of farm and home management assistance of $18,705,000

Mr. TARVER. There is also listed rural rehabilitation loans for 1943, $73,508,000, and rural rehabilitation grants, as the gentleman has stated, only approximately $10,000,000, or $9,850,000.

Mr. COOLEY. But investigation of applicants is listed at $12,533,204, and other items exclusive of loans and grants make up an excess of $44,000,000, which means that this huge sum is being paid to white-collar workers, experts, or what have you.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I wonder if it may be possible in the interest of expediting debate to get some agreement as to further time to be consumed before we read the next section. If gentlemen would be willing to defer their remarks until a later stage in the bill, I would appreciate it.

Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes.

Mr. MONRONEY. Reserving the right to object, Mr. Chairman, to which paragraph is the gentleman referring?

Mr. TARVER. The one that has just been read.

Mr. MONRONEY. Not the next one?

Mr. TARVER. No. It has not been read yet. I can appreciate the fact that gentlemen want to discuss certain features of the bill, but it does not seem that they should all want to talk at this particular time. They might defer their remarks in some cases until we reach the subject matter in which they are interested. It seems to me that would be proper. However, I do not want to impose my wishes upon the Committee. Unless we can limit debate to 20 minutes, I think we may just as well not limit it at all.

Mr SMITH of Ohio. Reserving the right to object, will the gentleman state specifically the paragraph to which he refers?

Mr. TARVER. The one which has just been completed.

The CHAIRMAN. The paragraph at the bottom of page 8. It ends in line 21 on page 8.

The gentleman from Georgia asks unanimous consent that all debate on

this paragraph and all amendments thereto close in 20 minutes. Is there objection?

Mr. HOOK. Reserving the right to object, Mr. Chairman, I want to know whether I am going to get 5 minutes in this time.

Mr. TARVER. That is in the discretion of the Chairman.

Mr. HOOK. Under the circumstances, then, I shall have to object.

Mr. TARVER. Mr. Chairman, in view of the evident willingness of the Committee to fix some limitation, I move that all debate on this paragraph and all amendments thereto close in 20 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Chairman, in peacetime a battleship may carry a number of comforts and fancy trimmings, but in wartime it must be stripped of all except the machinery vital to warfare. A ship of state in peacetime, for the comfort of its citizens, may carry a number of worthy objects, but when in war it, too, should strip itself to the bare necessities required to gain victory.

About a year ago the Secretary of the Treasury called upon us to cut nondefense expenditures by at least $2,000,000,000 in order that our war effort may be financed on a pay-as-you-go basis, as far as possible. To date we have not accomplished anything materially in that direction, and it is high time we started. According to the President, it is up to Congress, and the people look to us for leadership to that end.

I appreciate that practically every agency in the Government considers itself a part of the defense set-up. Maybe it is related to the defense program in some distant manner, but we should give attention now only to those directly connected with our war effort.

The people of the country are calling upon us to streamline for the war effort by cutting nondefense spending, by suspending nondefense activities. We have been insisting that industry forsake its business-as-usual attitude. We have called upon the people to make sacrifices, to give their sons, and purchase Defense bonds. But, have we, so far, made any appreciable effort to curtail the Government's spending-as-usual program? Unless we do something definitely and materially in that direction, we will find the morale of our people adversely affected. If the Government does not set a good example, we cannot expect an all-out effort from the people. Some substantial reductions have been made in the agricultural bill under consideration. Have we cut it down to the bone so that some of its employees may be used directly in defense?

The bill before us provides for a number of very worthy activities, activities which in peacetime might be in order, but now we are at war, and it is our duty to suspend for the duration those activities that are not vitally necessary for our realization of victory.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, I should like to take this time to see if I cannot bring a little order out of chaos. First, we have two schools of thought: One, as represented by the Bankhead bill, says that if agricultural products bring a parity price there is no reason to dip into the United States Treasury for a subsidy. The second school of thought says that we will keep agricultural prices down and then take the extra money out of the United States Treasury, and we will be able to have the farmers under our thumbs and do as we want to with them.

We also have two schools of thought, insofar as food to win the war is concerned: We have one school, as represented by Mr. Henderson, that says that the way to protect the consumer is by putting a ceiling on food products. This is probably true, but with this program goes no assurance that we are going to have a continual supply of food for the people of this country. The other school of thought—with which I think most thinking people will agree—is that the best protection to the consumers of this country is to have an abundance of production. It is the safest course to follow for the welfare of our country.

We are not going to get anywhere in this food-for-war program until the time comes that our farm organizations, our Department of Agriculture, the Agricultural Committees of the House and of the Senate, and the other agricultural people in this country, once and for all, decide on what our war agricultural program should be. Our agricultural organizations are very well agreed among themselves.

Our committee has had several conferences with General Hershey lately asking his opinion in connection with labor on the farms during the war. I say right here and now that neither General Hershey, nor any local draft board, can be rightly subjected to any criticism until the agricultural people themselves—yes; until we as a Congress ourselves—have a definite food program so that General Hershey and the draft board can carry it out; otherwise we are going to end up in chaos. Our surpluses are being depleted. We will face starvation in this country if we follow false leadership in this food program. We will have all food rationed. The time has come when I think we should take a little time, as in the consideration of this bill today, to try to analyze what effect these provisions will have on the future of this country.

For example, I think I am as familiar as the average Member with the Farm Security Administration. I have followed their operations ever since they started. But if you stand here today and vote to abolish the Farm Security Administration, you must realize that you will be leaving stranded two or three hundred million dollars' worth of loans scattered all over the United States. We must proceed with care, caution, and common sense. We will be legislating against the best interests of our rural people. Can anyone deny that rural relief is not as deserving of consideration as urban relief?

We must approach these problems in a common-sense way or otherwise we are going to end up by doing much more harm than good.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, doubtless many mistakes were made in 1933, 1934, and 1935, but at least something was attempted, something was done and, generally, I think the country, and especially the farmers, profited by it. Mistakes were made in this whole rehabilitation program. I know that we must concede it. Many of those mistakes have been carried over from year to year, but let us not condemn the whole administration because certain mistakes were made. In other words, do not take up the exceptions and say that they represent the general rule, because they do not.

I am in accord with the views expressed by the gentleman from North Carolina [Mr. COOLEY] that is insofar as he says he favors fee simple titles rather than leasehold estates. I agree with him, and if the Farm Security Administration is abusing the laws of Congress by going outside of the law and causing leasehold estates to be established instead of fee simple titles, we can, by a very simple amendment, prevent that. So let us stop the things that are bad rather than try to condemn the whole thing which will include many things which are good.

I know that the Tenant Purchase Act is being administered in a splendid way in my section of the country. I know that there are many farmers who are enabled to buy homes who would not be privileged to buy them were it not for that very constructive act of Congress. Did you know that payments on tenant-purchase loans are about the best that this Government has today? I doubt that payments on R. F. C. loans are as good or payments from any class or group as the payments are on the tenant-purchase loans.

The Farm Security Administration was criticized the other day because they advanced money to pay poll taxes. When the farm is in Texas—I do not know whether it is that way in other poll-tax States or not—you can pay your poll tax without paying your property tax, but it is a violation of law to pay your property tax without paying your poll tax. So this agency we set up to help the farmers pay their taxes where their security was considered ample were in the position of not being able to pay their property taxes unless they did pay their poll taxes. They were forced to pay their poll taxes in many cases in order to pay the property tax.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, the Secretary of Agriculture has recently announced that farmers who have volunteer wheat must plow it up or be penalized in accordance with the farm quota law. We have, in the Middle West, thousands of acres of what is known as

volunteer wheat. It appears now that if permitted to ripen, it will be almost as good as the planted crop. I am informed it is estimated that this volunteer wheat crop may amount to as much as six or eight million bushels of wheat.

It just seems to me that a plan should be worked out so that farmers will not be required to plow under a prospective crop of wheat or be penalized to the extent of 50 or 60 cents per bushel.

Such a policy does not, in my judgment, fit into our present-day program. It does not belong in a peacetime program and it certainly does not belong in a wartime program. In fact, it does not make common sense.

At this very hour farmers are being asked to produce more food and to conserve more of it and yet, in the same breath, in order to comply with Government rules and regulations, farmers are ordered to plow up thousands of acres of wheat or pay the penalties prescribed by law. We are deeply concerned right now because it is likely there will be a shortage of farm help.

Mr. Chairman, there ought to be some way by which this surplus wheat crop may be saved. If it appears that it may depress the wheat market a little, then put it in storage until it is needed, because a time will come when we are going to need it and we will need it badly. Let the farmer, if he wants to do so, credit it against his next year's crop, that he may not plant or that, if planted, might be a failure.

Let him credit it against his soil-conservation payments and parity payments to which he may be entitled, and furthermore, we should in any event let him feed it to his livestock and poultry without penalty payments.

Mr. Chairman, I do not see any excuse, especially in view of the present situation, for penalizing a farmer who feeds his excess wheat to his livestock. The Government right now is emphasizing the great need for beef, pork, poultry, and dairy products. Farmers are being asked to increase these commodities in large amounts. That being the case, one of the least things that could be done is to permit the use of this surplus grain for livestock and poultry feed. All of the Allied Nations of the world are looking to us right now to furnish materials to win the war. One of the most important of these materials is food. Wheat either directly or indirectly comprises a great part of that food. You talk about stock piles of war materials, a little stock pile of grain is likely to be pretty important in the months to come.

Mr. Chairman, it just cannot be right when people in this country and throughout the countries of the world are in dire need of food when we, by rule or regulation, destroy a little surplus that we temporarily have on hand. Mr. Chairman, it is not less food we want, it is more food.

Mr. Chairman, there was a time when we gave credit to a farmer who grew two blades of grass where one grew before. It cannot be right that in view of the world situation we should penalize the farmer for doing that very thing.

Mr. Chairman, the farmers of this country are among the most loyal of the American citizens. You can depend upon them to do their part in the prosecution of this war.

Our farmers are willing and glad to comply with the request that they increase their efforts in the production of food. All they ask is for a fair and decent price for their products on the basis of what they are required to pay for the things they buy. They will do it under the handicap of shortage of labor they will work harder and they will work longer hours in order to get the job done. Mr. Chairman, it is my opinion that people in all lines of work, everywhere, including Government workers, industry, and labor, are going to find it necessary in this very crucial period ahead of us to make more effort, to work longer hours, and to make more sacrifice in the prosecution of the terrible war in which we are engulfed. We are going to find it necessary to temporarily give up a good many of our peacetime events in order to see to it that our production is big enough and great enough to provide the materials and equipment that are going to be required in the carrying out of the gigantic program that is immediately ahead of us.

Mr. Chairman, along with this we are going to need a better understanding as well as a greater cooperation of effort in order to reach the goal of efficiency that is necessary at the present hour.

I plead for an understanding among all groups of all kinds of every walk of life in America for a combined effort in meeting the greatest challenge that our country has ever experienced.

The Clerk read as follows:

OFFICE OF INFORMATION

SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, the preparation, distribution, and display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department, $490,144, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the fiscal year 1943 for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $189,691, shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For personal services in the District of Columbia, $555,891; for preparation and display of exhibits, including cooperation with other bureaus and offices of the Department, and with Federal, State, county, municipal, and other agencies, and State, interstate, international, and other fairs or events held within the United States, $70,832; for the preparation, distribution, and display of motion and sound pictures, including cooperation with Federal, State, county, municipal, and other agencies, $68,905: *Provided, however,* That if the total amounts of the appropriations or authorizations for the fiscal year 1943 from which transfers to this appropriation are herein authorized shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for 1943, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further,* That when and to the extent that in the judgment of the Secretary of Agriculture agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding $300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein, including personal services in the District of Columbia: *Provided further,* That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of $10,000 may be used for the temporary employment, by contract or otherwise, of specialists, technicians, and experts, without regard to the Classification Act of 1923, as amended.

Mr. DIRKSEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 9, line 12, strike out "$555,891" and insert "$455,891."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the second amendment, which I have sent to the desk, dealing with the Office of Information, be read at this time, and I shall ask also unanimous consent that I may proceed for 10 minutes on both amendments.

The CHAIRMAN. Without objection, the Clerk will report the other amendment.

There was no objection, and the Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 11, line 3, strike out "$1,500,000" and insert "$1,000,000."

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. HOOK. Mr. Chairman, I reserve the right to object, although I do not expect to; but am I to understand that certain Members are to be given as high as 10 minutes and 15 minutes each to explain their proposed amendments, when other Members will get cut down to 2½ minutes?

Mr. TARVER. Mr. Chairman, certainly the subcommittee has not objected to the gentleman speaking, and I am sure that he will be able to get such time as he requires. I am sure the House and the gentleman will have an opportunity, and I hope my colleague's suggestion will be agreed to.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, let me say at the outset that the gentleman from Georgia [Mr. TARVER] has done a splendid job as chairman of the subcommittee, dealing with agricultural appropriations.

He has worked hard and assidiously, early and late, for 5 solid weeks, mornings and afternoons. As I have said on a previous occasion, I take off my hat to him for his diligence. I think he is one of the outstanding chairmen of the subcommittees on the over-all Committee on Appropriations. We differ and have differed in committee at times. We have differed on some of the items, but I propose in the main to support the decisions taken by the chairman, except that I think there are some matters of policy on which there is a cleavage of opinion and there are some items that I honestly believe can be cut at the present time as not directly conducive to the welfare of the farmer. They do have some relationship to the farmer, but it is rather remote, and probably at this particular time we can dispense with these items. That is particularly true of the two amendments on the desk. The first one is to strike out $100,000 of the salaries and expenses in the Office of Information, and the second is to cut the item for printing and binding $500,000. They have 196 people working in the Office of Information at the present time. Some of them are high salaried. It occurs to me that we are not going to win the war with literature, and if these can be dispensed with or curtailed at the present time to the point where it will not seriously affect this activity, then the Congress in all conscience ought to adopt the amendments.

The item of $550,000 for the Office of Information is expended for general informational work, for publication control for the distribution of agricultural information to the public. It includes an item of $55,000 for the preparation and distribution of agricultural information to the press, and it occurs to me that here is an item on which we can all agree to some extent to some kind of a cut, because it is only on these dispensable things in which we can make a cut. We can safely take $100,000 out of this item, and very safely take $500,000 out of the item for printing and binding. If gentlemen care to examine the project statement which is included in the hearings, you will find that $1,500,000-plus transferred from other agencies includes $1,056,000 for job work. It includes a host of publications, such as Agriculture in the Americas; that little blue folder called The Agricultural Situation; Annual Reports; the little dodger called Briefly Speaking; Congressional Documents; Consumers' Guide; Crops and Markets Bulletin; Experiment Station Record; Extension Service Review; Fire Contro. Notes; Farmers' Bulletin Lists; Foreign Agriculture; Forest Folders; Inventories of Seeds and Plants Imported; Instructions and Procedures for Agricultural Adjustment; Administration Journal; Agricultural Research; Monthly Lists of Publications; R. E. A. Notes; R. E. A. Instructions, Information, Service, and Regulatory Announcements; Soil Conservation Magazine; unnumbered publications; the Yearbook; Statistical Yearbook. It also includes $170,000 for research technical bulletins and $395,000 for farmers' bulletins and leaflets. Surely, out of nearly $1,990,000 for publications, we can squeeze out $500,000, and we can squeeze out $100,000 from the salary and expenses account, and diminish safely the 196 people who are now working in that activity.

If this money is saved, you can buy two bombers and send them over to the Philippines. The boys in the fox holes of the Bataan Peninsula, according to press reports, have been taking up a collection of their own for the purpose of buying a bomber. Well, let us help them. Let us cut some of the money out of the Office of Information. Let us dispose of some of the printing and binding in this rather perilous hour and save enough money to send two bombers to the boys in the Philippines.

I ask that you support both amendments.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendments, and I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Chairman, I appreciate very deeply the kindly remarks which the gentleman from Illinois [Mr. DIRKSEN] has made on more than one occasion concerning myself and the type of service I have been able to render, although I am unable to feel that his commendation is justified. I have simply done as have all members of our subcommittee, the best I could do within my limited ability in dealing with some very troublesome subject matters.

I have the highest degree of admiration for the gentleman from Illinois. In my judgment, he is one of the ablest Members of the House. He is sincere. He is conscientious. In endeavoring to bring about the adoption of this amendment making a very substantial reduction in the funds for the Office of Information, which the amendment contemplates, he is undoubtedly acting in good faith. Yet I feel the adoption of this amendment would be a very grave mistake—a mistake which would possibly be more injurious to agriculture than the taking of a similar amount of money from almost any other place in the bill where it might be done. This is the educational service for agriculture. This is the place where the farmers' bulletins are provided, the yearbooks are provided; where exhibits are prepared for State and county fairs. There are a multitude of educational activities which are carried on with the funds which are provided for this informational work.

There has been a great deal of ridicule in recent years of farmers' bulletins. Reference was made yesterday, possibly simply as a matter of good humor and not for the purpose of ridiculing the Office of Information, to an alleged publication some years ago of a bulletin called The Love Life of the Bull Frog. Now, as a matter of fact, that canard was exploded years ago by Chairman Buchanan of the full Committee on Appropriations, who placed in the House RECORD material showing that the publication in question was not gotten out by the Department of Agriculture at all, and was not circulated as a farmers' bulletin. A great deal of this ridicule which is heaped upon the Department is similarly unjustified.

Some reference was made on yesterday to the Department getting out bulletins on the subject of Housekeeping Made Easier, and some other subject matters which would be of interest only to the housewives of the country. While we are endeavoring to help the farmers by furnishing them with educational materials I would see no objection to furnishing information, where we can do so, to make a little easier the burden which is being borne by the farmers' wives. I send out these bulletins all the time in my district, upon request. I have a district which is largely agricultural. I want to tell you another thing I do: I have a mailing list of about 3,000 boys and girls in my district between the ages of 16 and 21. I write at least 1 letter to each of those boys and girls every year. I invite them to communicate with me about publications of the Government which they may want. I send out to them thousands of those publications, including publications of the Department of Agriculture. Do not those boys and girls have the right, if they want to, to study the problems which are related to the farms on which they are living and where, in most instances, they will continue to live? Is that something that we ought to just undertake to cut out arbitrarily?

There are places in this bill where you can make cuts. Our committee has pointed out some places where, in our judgment, cuts could be made that we did not feel justified in making because the Congress had only recently, by legislative action, expressed what appeared to be its will as to a continuance of certain types of appropriations. Those economies run into the scores of millions of dollars—not just a comparatively small amount. If what you want to do is save money, may I not ask that you examine carefully portions of the report which deal with these subject matters in which the subcommittee feels that economies running into considerable sums might well be effected? But please do not destroy, hamper, or curtail the educational service of the Department of Agriculture.

It may be true, and I feel that it is true, that if we had facilities for careful examination, finding out just where economies might be effected, if we had say 10 men representing the House of Representatives who could at all times be in touch with the operations of the Department in Washington and in the field, and find out what is being carried on, we could effect economies and do it upon a proper basis. I feel sure, as a great many other Members do, that a great deal of money is being wasted. But when we come to economize I hope that we will insist upon having the proper evidence upon which to base economy, to determine just what money is being spent which ought not to be spent, and why, and not make a general cut, based upon nothing except our desire to economize.

Now, if you can secure a copy of the volume of justifications relating to the Office of Information I hope you will examine the numerous projects which are

listed and to which a portion of the funds available to this office are allotted. For example, $100,000 is allotted to the Field Information Service. Does the gentleman propose that any of his proposed reduction shall be taken from that item? He does not say.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes; I will yield.

Mr. RICH. Does not the gentleman believe that when we make a reduction on one of these appropriation bills that the Department will use the reduced amount for the best interest of the department? Would the Department necessarily apply the entire reduction to one item the gentleman might mention?

Mr. TARVER. I do not agree with the gentleman and I will state why, and in saying this I am not any more critical of the Department of Agriculture than I would be of any other department of the Government: Whenever you undertake to make a general cut and let them apportion it, they are not going to apportion it to the reduction of personnel. They may apportion it to the reduction of farmers' bulletins or yearbooks, or something else, but they are not going to drop anybody from the rolls.

Mr. RICH. If the gentleman will yield——

Mr. TARVER. No; I do not yield further at this time.

That is not said in a critical spirit, but it is something we all know is true of every department of the Government, not merely the Department of Agriculture. If therefore you are going to effect a saving, I think you ought to point out what you expect them to discontinue, what you expect them to curtail. Take, for example, the list of projects under printing and binding. There are 27 or 28 of them. They cover everything from the Consumers' Guide, to which the gentleman has made reference, to the production and printing of the yearbooks, insofar as that work is done in the Department, and various items of statistical information. They also cover the farmers' bulletins, and the production and printing of farmers' bulletins. The various amounts are stated in connection with each project. Now, just what does the gentleman want them to abandon?

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman gladly.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute in order to answer the gentleman's question.

Mr. MONRONEY. Since the gentleman is on that page in the estimates, matters that we do not have access to, could the gentleman advise the House as to the total cost of the preparation, publication, and printing of the Agricultural Yearbook? I have been unable to find it in the hearings.

Mr. TARVER. The estimate for 1943 for the Agricultural Yearbook in this statement is $25,000. That is the expense item for this purpose, carried in this bill.

I may say to the gentleman, inasmuch as he says this information is not accessible to him, that it is accessible to him or to any other Member of the House. Any Member may have access to these volumes, six in number, I believe, containing justifications considered by the committee in connection with this bill, if they so desire. They are lying here on our desk. They have been in the committee room, and anybody who wants to examine them is at perfect liberty to do so.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania, a member of the committee, rise?

Mr. RICH. In support of the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, this country is at war. It is going to be necessary for every Member of Congress to do everything he can to economize in the regular appropriations. If I understood the gentleman from Georgia correctly, he said it would cost $25,000 to publish the Yearbook.

Mr. TARVER. The gentleman is correct.

Mr. RICH. As I understand it, each Member of Congress gets 400 Yearbooks. That means that more than 160,000 copies of the Yearbook are published. Does the gentleman mean to tell me they are published for $25,000?

Mr. TARVER. Yes; I do. I wish the gentleman would examine the justification.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. MONRONEY. According to the hearings the total number of Agricultural Yearbooks printed is 247,000. I just cannot conceive that this gigantic production costs no more than $25,000. I am sure there must be some mistake or misunderstanding.

Mr. RICH. The gentleman from Georgia must be wrong.

Mr. TARVER. I am glad the gentleman finds the Department of Agriculture is so much more economical than he thought it was.

Mr. RICH. The gentleman has referred to certain statistics, but I venture the assertion that when the item comes to the Printing Committee we shall find that the gentleman from Georgia is wrong in that statement.

Mr. TARVER. I want to give the gentleman the opportunity to examine this.

Mr. RICH. The gentleman has a justification here that states it will cost $25,000. Later we will find out from the Public Printer whether these figures are wrong. They must have misinformed the gentleman from Georgia.

Mr. MONRONEY. Is that not the figure for the Office of Information and not the figure for the printing and binding?

Mr. RICH. I do not know what they mean here, but I do know that you cannot publish that many books with the number of pages that these books have in them for $25,000. I am not gullible enough to think that that can be done.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr RICH. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. May I ask the gentleman why they charge the farmer a dollar a book if the Department can print them for that amount?

Mr. RICH. Well, there are a lot of things this Congress does and no one seems to understand. Here is the point we have to get to right now. The gentleman from Illinois has offered an amendment here to cut down this printing bill. Certainly we can cut the printing bill of all these Government departments in half and it will not interfere with the farmers of this country at the present time. The farmers will be glad to cooperate in cutting down the expense of the regular appropriations of Government because the farmers are patriotic people, they are good citizens and they want to see this country win the war. We cannot win it if we are going to go ahead and by these regular appropriations for Government departments spend the money that we are spending. It just cannot be done. And where are you going to get the money? It is up to us to economize.

Mr. MICHENER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. MICHENER. Am I correct when I say that the Agricultural Yearbooks for this year were not printed in the Government Printing Office at all, but are printed under contract—a bid contract—in Tennessee? If that is correct we should not have all this dispute about what the books cost. The figures should be immediately available.

Mr. RICH. We will get this information for you before the day is over, or we will see if we cannot get the information and tell you where the books are printed, how many are being printed, and what it is going to cost.

Mr. TABER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. TABER. My understanding is that the getting up of the books cost $25,000, but that the printing cost is nearer $250,000. That is what the hearings show, as I understand.

Mr. RICH. I just learned that 45,000 volumes of this Yearbook were published outside the Government Printing Office and that the cost of 246,000 volumes using over 1,000,000 pounds of paper was about $150,000.

[Here the gavel fell.]

Mr. MONRONEY. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I am sure the distinguished chairman of the Appropriations Committee will try to get us the absolute, definite information on the total cost of the preparation of the Yearbook, which was my question to him. It is my understanding that it exceeds even the $200,000 and more nearly approaches $600,000, but

I have not a definite figure to give the House.

I want to support the amendment offered by the gentleman from Illinois [Mr. DIRKSEN]. I believe he is proceeding in absolutely the right direction. The gentleman has offered an amendment which would cut this item $10,000 more than I had anticipated reducing the item for the Office of Information by an amendment I had planned to offer. If you will add up the sums made available to the Office of Information without the reduction proposed by the gentleman from Illinois [Mr. DIRKSEN], you will find that the paragraph carries authority to spend $979,731. Now, that is pretty big money for a press agency. They will employ 170 for the coming year and employed last year 210.

The distinguished chairman of the Appropriations Committee told us how hard they worked in preparation of these farm bulletins, yet the pages of his own committee hearings show rather plainly that the total number of bulletins prepared last year by this Department were only 41 new bulletins. The rest of the bulletin business is mailed out. Those bulletins, according to testimony before the committee headed by the gentleman from Georgia [Mr. TARVER], continue largely without change from year to year. This famous housekeeping bulletin that was mentioned here as being of such great value, according to a page in the committee hearings, was revised in the twenties and has not been revised since.

Mr. Chairman, we are going to have to dig into appropriations, look into every one of them, and try to find where we can secure reductions. Any newspaperman will tell you that the newspaper publicity from the Department of Agriculture is not worth the paper it is written on. We can reduce this $100,000, and the farmers of America will not suffer one single bit.

May I call your attention to the fact that in this information section there is a travel-expense item of $29,200. To illustrate how these items have a habit of increasing, may I mention that this same Department spent in 1941 a total of only $4,091 for travel. There is an increase of seven times in 2 years so far as the travel fund is concerned. A hundred thousand reduction as proposed so far as the Office of Information is concerned will help eliminate some of this travel fund that has been going into this bill. I hope the committee sees fit to support the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

[Here the gavel fell.]

Mr. WHITTEN. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, as one of the newer Members here I have tried to be seen and not heard frequently since becoming a Member of this House. My attention has been called in this bill and others to the fact that on each occasion when amendment is offered to reduce any appropriation the distinguished chairman of the committee immediately will say, "Well, reduce somewhere else, but not here and now."

It so happens in this particular matter that it has been called to our attention that we should not cut down the educational program of the Department of Agriculture, that these items for which the gentleman from Illinois has offered his amendment have to do with the printing and publication of pamphlets, yearbooks, and things of that sort which go to the farmers of our country.

I may say to the distinguished subcommittee here that certainly we can cut out some of those pamphlets and some of those yearbooks, for this reason. My information is that we intend to have an army of about 7,000,000 men, who are going out of this country as far as participating in farming is concerned. Certainly one of the boys with General MacArthur in the Philippines does not need the distinguished gentleman from Georgia to send him a pamphlet on agriculture at this time.

I have been sending out these pamphlets and these yearbooks to the folks in my section, and I dare say that there is not a man who has received one of those pamphlets or yearbooks who would not be glad to use the same old book again next year and do without a new one if he could see this Congress bear down and reduce some of the items as we go along the trail. He is going to use last year's automobile and last year's tires; he is going to farm with last year's old tractor and last year's mules. I say to you that now is a mighty sorry time for this Congress to spend the money of these people trying to educate them how to farm, when we are taking out of farming operations so many people who will not have time to use educational facilities. They are not going to have time to try out a new type tractor because that new invention is going into the armed service.

In the consideration of this bill, let us consider a reduction of each item as we come to it, because if we do not do that we will be through with the bill and there will be no chance to reduce.

It was said here awhile ago by the distinguished chairman of this subcommittee that what is sauce for the goose is sauce for the gander, or the other way around, I believe it is. It is high time that we show the people of our Nation that we are going to cut out some of this sauce for any gander.

Something I have found—I think I have found—in the short time I have been in this Congress is that the gentleman's statement that no department of this Government is going to cut down personnel is accurate. It appears to be true. I say that any department in this Nation, unless it is the War Department, the Navy Department, or an agency closely connected with national defense, that is not willing to cut down the personnel in that department certainly is not patriotic, and this Congress needs to do something about it. Each two men in my section are doing the work that three men did last year, and I dare say that each Member of this Congress is doing the work that two Congressmen did 2 years ago or 3 years ago. It is high time for this Congress to determine who is running the country, whether it is these departments that refuse to cut their personnel during this time of emergency when men are needed in other fields, or whether it is the Congress. I am inclined to the belief you will find that the departments are running this Government.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Wisconsin.

Mr. JOHNS. I was very glad to hear the gentleman make this splendid talk with reference to the farmer. I think we can cut some of these departments about 75 percent. If these experts want jobs, we can find jobs for them on the farms of this country, and they do not need to work for the Government at $3,800 a year.

Mr. WHITTEN. The same thing is true in my section, I may add.

May I say further that as far as I know, despite the great hardships that are being placed on the farmers in my section and the small business men, there is not one who is not glad to face the situation and accept what this Government is giving him, provided this Congress will demonstrate that it, too, is ready to cut down nonessential spending. Despite the restrictions on getting machinery parts and machinery, the restrictions on labor and the other restrictions we are placing on these men, and the automobiles and tires that are taken away from them, I have not yet had a complaint. They are glad to contribute their part. Let us contribute ours.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it has been well said that a well-informed people is the best security for America. It is also true that a well-informed farmer is the best security for America.

I have sat for 7 years on the Committee on Agriculture. Yes, I have some agriculture in my district. The great iron-ore mines and the great copper mines are there. Was it the copper miner who came here and asked to take agriculture out of the dumps, that asked for parity payments, that asked for subsidies? Was it the iron-ore miner? Was it the great industrial area of Detroit? No, it was the farmer of Michigan and the farmer of every State in the Union that came here when the country was running riot and wild and asked us to help him. We as a Congress did help him. I can safely say that in the 7 years I have been on the Committee on Agriculture I know that the farmer has been helped. The income of the farmer has been increased.

There is one thing you must remember. It might be good politics not to oppose but to go 100 percent down the line for every direct War or Navy appropriation and fight to the limit any other appropriation, but it is wrong economy. It is not the kind of economy that will win this war. If you are going to win this war, you will have to place in the bellies of the soldiers and the people of this Nation the food necessary to keep them going. You must do this as well as produce bombers.

It was said on the floor of the House that the boys in MacArthur's outfit were

collecting money to buy a bomber. I understand that General MacArthur says that is not true. It is propaganda, propaganda that is being spread throughout this Nation, to the effect that the farmer and those who are trying to help the farmer are not participating directly in the war program.

During the 7 years I have served on the Committee on Agriculture I have heard from the mouths of every one of them, and they are sincere, that our program should have as its ultimate goal a family-sized farm for more individuals, to bring to the individual farmer a family-sized farm that he can operate. This will be the basis of a really democratic Nation, a basis upon which to build actual democracy, instead of going toward the end of building up the commercial or the industrial farmer.

I assure you that the members of the Committee on Agriculture are studying that and trying to do everything they can along that line, each and every one of them.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN (Mr. NICHOLS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. I can assure you that each and every one of them is endeavoring to help the family-sized farm operator and to make landowners out of tenants, but there seems to be the thought that if you strike from this bill the provisions for the Farm Security Administration you will help the small farmer of this Nation. The Farm Security Administration has helped the small farmer of this Nation.

It was set up for and is providing help to the low-income farmer, and if you are going to have an increase in production in this Nation, you are not going to get it from the commercial or the large industrial farmer. You are going to get it by helping the small farmer, and if the small farmer had been given the proper help last year, here are some of the estimates of the Bureau of Economics on the proportion of increase in war production of food. The low-income farmers could have produced, if they had been reached by the special credit program earlier in the year, 16 percent of the increase in milk, 35 percent of the increase in pork and lard, 40 percent of the increase in eggs, 12 percent of the increase in peanuts, 6 percent in the increase of sugar beets, 17 percent of the increase in soya beans, 46 percent of the increase in tomatoes for canning, and 97 percent of the increase in gardens. Remember that this huge production of vital war foods should have come from the low-income farmers who today are standing idly by without resources, without credit, without guidance, and unable to participate in the defense of democracy if you strike out the Farm Security Administration program.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield to the gentleman.

Mr. KEEFE. The gentleman has indicated, and I agree, that the farmer is in a better economic condition today than he has been for some considerable period of time.

Mr. HOOK. That is right.

Mr. KEEFE. And the gentleman infers that some portion, perhaps, of that economic security has been provided as a result of legislative enactment of certain laws by this Congress.

Mr. HOOK. That is right.

Mr. KEEFE. Will the gentleman indicate to what he ascribes the increase in the price of farm commodities that the farmer is enjoying at the present time?

Mr. HOOK. To our Triple A program and the ever-normal granary.

Mr. KEEFE. Does the gentleman concede that the demand of the foreign countries arising out of the war effort has played a large part in the rise in the price of farm commodities?

Mr. HOOK. That has played its proportionate part; but if it were not for the program set forth we would not have had the fine, healthy condition of agriculture in this country today.

Mr. KEEFE. Will the gentleman answer another question?

Mr. HOOK. Yes.

Mr. KEEFE. The gentleman concedes, I assume, as one who has served upon the Committee on Agriculture, that today we are faced with a situation where we must have increased production of food?

Mr. HOOK. That is right.

Mr. KEEFE. Or we will be faced with the shortages that are prevalent throughout the world?

Mr. HOOK. That is right.

Mr. KEEFE. Does the gentleman agree with me that as a part of the program to achieve that production we must assure to the farmers of this country a fair price, first, for their products?

Mr. HOOK. Correct; a fair price.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KEEFE. If the gentleman will permit, I would like to ask this question: Do I understand that the gentleman still is partial to the program of economic scarcity by which we sought to raise prices?

Mr. HOOK. Let me answer the gentleman there. If it were not for the program of Triple A, today you would not have had your soil conservation and you would not be in position to grow two blades of grass where one grew before. Those acres that were taken out of production, those acres that were conserved, those acres that were built up, now stand as a great reservoir to meet the increase in production that is called for by the Government and which the farmer should make in order to produce for the world.

Mr. KEEFE. Does the gentleman believe that those acres that have heretofore been taken out of production and the fertility of which have been restored under the soil-conservation program, today, in the face of the demand for increased production, should be put back into production?

Mr. HOOK. Oh, if they are needed for the salvation of this Nation, yes; put them back.

Mr. KEEFE. Does the gentleman's information indicate, as a member of the Committee on Agriculture, the necessity for employing in this country every productive acre of land in order to provide food surpluses to guard against the possibility of the inflationary tendency that the President and everyone else has pointed out as being imminent?

Mr. HOOK. It is my understanding that that problem is going to be reached, and it is my understanding that we are now in position, today, to se those facilities when they are needed.

Mr. KEEFE. The gentleman agrees, does he not, that, as a matter of plain economics, you never can have dangerous inflation in the prices of farm commodities so long as you have a real surplus?

Mr. HOOK. Right; and I believe an economy of abundance is the greatest economy for democracy.

Mr. KEEFE. I am glad to hear the gentleman say that.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. TARVER. Mr. Chairman, will the gentleman yield to me to submit a unanimous-consent request?

Mr. WOODRUM of Virginia. I yield.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, before the gentleman begins, will he yield to me for a moment?

Mr. WOODRUM of Virginia. Yes.

Mr. DIRKSEN. I think, in view of all the colloquy that we have had, we ought to call attention to the fact that there are two amendments pending, one to strike out $100,000 from salaries in the Office of Information, and the other to reduce the printing and binding item by $500,000.

Mr. WOODRUM of Virginia. Mr. Chairman, let us get back to the proposal that is immediately before the Committee. There was a time in the early days of my service in this body—and, by the way, I am beginning today on my twentieth year—back in the days of prohibition, when any man who dared to get up on the floor of this House and raise his voice or hand in any way touching prohibition appropriations, or anything related to that same subject, was immediately labeled in league with the brewers and the bootleggers and the people who wanted to tear down the act. So it is today. Anyone who suggests that in this emergency—and I do not believe we really realize yet that we are in an

awful fix in this country—anyone now who suggests that we might cut off a few things here and there with which we might well do in normal times, he is labeled as being against the farmer. Gentlemen say that agriculture is important. Of course it is. It is just as important to feed a man as it is to put a gun in his hands, but you cannot feed him on farm bulletins, or on these experts down here getting up information in Information Service.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I have not the time. We are right at this time in the midst of combing the Government departments to see where we can get personnel out of these various departments not engaged in war effort, and put them in the war game. Here is where you can get them. You can get them out of these departments, and you can take literally thousands of these supervisory-management-nuisance agents off the road that are traveling all the time, around the country, telling the farmer what to do. There were times when agriculture was depressed, and when it was necessary to send people out to help the farmer. He could not walk, he could not stand up; but today, all the farmer needs is to have some ground, and to put some seeds in the ground, and then that nobody should get in his way. That is all you need to have. Take the obstacles and the obstructions out of the road and let him work, and you need not worry about American agriculture or the farmers, they will take care of themselves and they will feed the world, as they will have to feed the world. There is no reason why in these bureaus in the Agricultural Department, and in every other department in this terrible emergency we cannot spare and pinch and economize a little. In every bill that has come before this committee, the independent offices appropriation bill, the deficiency appropriation bill, we have cut personnel and we have cut travel, and we have cut communications, and have even suggested working longer hours to do everything we could to cut nonessential expenditures in order to divert every penny we have and every ounce of manpower into war work. And there is no reason why we cannot now today, as I hope we will, cut out some of these things without any loss to the farmer or any loss to his importance in this emergency.

Mr. LEAVY. Mr. Chairman, as a member of the subcommittee that has participated in the writing of this bill and spent long hours in hearings, it is not only right and proper, but I feel it my duty to defend the bill as written. The committee has no feeling at all against any Member who wants to attack the bill or reduce it in any particular. That is both the privilege and the duty of every Member, if he believes that he can by such an attack better the bill; but every Member of this House must recognize this fact: Even though he has served here only a few months; that is, when a complex piece of legislation—and this is a complex piece of legislation—is written, it must be written in the first instance by a committee, and if the committee has conscientiously spent days and weeks and months in writing a bill, and then he must confess that he cannot say that they know they are right in detail on every item, surely no Member unless he sees fit to make a study of a particular item, should ask an increase or reduction to it and be given serious consideration.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. No; I have not the time. As to these cuts proposed by a member of the subcommittee who participated faithfully in the writing of this bill, perhaps he is right. I do not think he is. He presented his arguments to the committee, and we voted them down, and while the matter was not presented in detail to the full committee of nearly 40 members, still the full committee O. K.'d the bill as a whole.

Let me show you what this would mean. First, remember this: This bill for the American farmer is cut 33⅓ percent—one-half billion below what it was last year. When we take the transfers, this item is cut perhaps $150,000. Now it is proposed to make a 20-percent further cut in the Office of Information, and a 33⅓ percent cut in the matter of printing and binding. The break-down indicates that the printing and binding in the Department of Agriculture here in Washington, in order to meet the needs of this great agency and twenty-five or thirty million people engaged in agriculture, runs over a million dollars itself. If you cut half a million off of it, you would have nothing left for bulletins, for information, and about 6,000 extension agents throughout the United States, to get information to them; for yearbooks, and all of these other items. Now, do you want to do that?

I make these statements to point out to you how extremely difficult it is to arrive at a conclusion that you are doing the right thing, by either increasing or decreasing appropriations, unless you have made a full understanding of the subject matter.

I do not care how congested the city population which you may represent, I do not care what the background of your constituency may be, I assert that no man or woman in this House but must concede, that in our social order in these United States of America, agriculture is the most fundamental of all the callings we have. We could not equip or prepare an army, we could not maintain it in the field without agriculture. Agriculture is making its contribution beyond that of all those of my profession or any other group in America. This is a service to the farmers, that you are diminishing, in a critical time, when you make these unwise reductions.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I have gathered from the committee's table the record of the names and addresses of those farmers who have received $1,000 or more in connection with the agricultural program. My attention was called to this by the remarks of the gentleman from Michigan [Mr. HOOK].

In looking over this schedule I find that in the State of Michigan there are listed nine farm operators who received as much as $1,000, and one of those, the American Life Insurance Co., drew about 40 percent of the total amount listed, probably received on their collective farms.

Michigan stands right at the bottom on this proposition, while some States have as high as five hundred to a thousand farmers listed here who drew those large checks.

One other point: The Department of Agriculture has just informed me that for the House they are having printed 177,200 copies of the Yearbook, for the Senate 54,450, for the Department of Agriculture 15,000, or a total of 246,650, and that the costs are now being compiled.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I decline to yield. I have a letter from an important newspaper publisher, who makes this interesting comment:

> In any controversy involving organized labor I am sorry to say that I believe there are very few dailies willing to express their honest views because of the possible unfavorable reaction among labor groups in their own field. In fact, a daily publisher told me this last Friday. It is, of course, easy for them to continue to ride the farmer for attempting to protect himself in the matter of increasing living costs but I have yet to see in a metropolitan newspaper a frank and fair discussion of the wartime labor practices and their relation to agricultural demands.

Incidentally, I think the farmers of this country have fed us, the parasites, for the last 15 or 20 years, at about a billion dollars loss per annum. For 4 or 5 months they have had, approximately, parity. When the housewife goes to the market today and finds one item on which she has to pay 145 percent of parity, she condemns agriculture generally and forgets that she is buying a great many items today considerably below parity.

So I am not too excited about how much the farmer is getting for his labor or how much he is digging the pocketbooks of the American people today, for the farmer is certainly entitled to full parity of price.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I decline to yield.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I do not feel like making a real speech today, but I do want to call the attention of the membership to the very careful and well-informed remarks of the gentleman from Washington, Judge LEAVY, a member of the committee which handled this bill. It is one of the last speeches he will make in this House, because he is going to the Federal bench.

He certainly told us some real facts. He is one of the Members who has given most careful consideration and investigation to this bill. He called attention to the fact of the large decrease already

made in this bill as presented by the gentleman from Georgia, Judge TARVER, and his committee.

I think it is very ill-advised for those Members who have come recently to propose amendments to acts with which they are practically unfamiliar, and the effect of which they are not in a position to determine. They are not informed on the legislative history of the fight that we have made during the last 9 years to bring the farmer up halfway to a bright day. We remember, some of us, the conditions back in 1933 and 1934. It is the legislation that has been put through this House that has brought the moderate degree of prosperity that the farmer now has. The industrial East shares this farm prosperity.

I am going to vote with the Appropriations Committee. I sincerely hope that this Committee of the Whole will vote the bill as presented for I think it is the result of honest, hard intelligent study, after complete hearings.

I am sure that to cut out the Farm Security Administration or seriously to cripple it will do great harm. I cannot understand how we of Oregon could have taken care of the thousands who came out of the Dust Bowl, given them a start in life as we have, if we had not had the Farm Security Administration. Out of their broken lives the F. S. A. has made ambitious and hopeful small farmers. They lent them a few dollars; they got them a little land, and they helped them commence gardening and raising sugar beets and other irrigation crops. They successfully rehabilitated thousands. The F. S. A. has done great and constructive work in the Pacific Northwest. Any denial of financial resources to this helpful organization will be a blow to the underprivileged. The type of credit offered by F. S. A. is an essential part of our national system of farm finance and it does not duplicate the work of any other agency. I have received quantities of letters from farmers I have long known in Oregon, not just migrants, telling of definite benefits derived from the activities of the F. S. A.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, what the gentleman from Virginia [Mr. WOODRUM] said about economy is only too true. We should have started our economy program 5 years ago. Some of us tried to do it but were not successful. While I have many farmers in my district, I could also claim it is an industrial district. It is about equally divided between agriculture and industry. I can go along and vote for this cut.

The gentleman from Michigan [Mr. CRAWFORD] said that when the housewife goes to market and finds that the price has been advanced on some one food product she lays all advances in food to the farmer. When the farmers in my district send their eggs into the city of Chicago the teamsters over there just make them pay $50 for every truck that goes in and $5 a month dues. For every case of eggs we send, eggs which have been inspected by the State and Federal inspectors and sealed in the case within 12 hours before, we have been asked to pay $1.10 to the union even though it does not inspect an egg. Why not place the responsibility for the increased cost of food where it belongs? We do not like to pay that tribute, that extra cost that the union fellows are adding to all food taken into the city for the privilege of getting our foodstuffs onto the breakfast tables of the city folks, but you fellows will not support any amendment that would relieve us from paying that tribute to the unions. I wish the farmers would organize and use some of the machinery and procedure that is used by these teamsters' unions and let the folks in the city go without their milk, their eggs, their butter, and fresh vegetables until they got rid of the racketeers.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. CRAWFORD. Is the gentleman going to overlook the move in Detroit now against their sending their livestock into the city?

Mr. HOFFMAN. Sure. The teamsters' union has been pulling that racket for some time. The only way farmers can get livestock to the market in the city of Detroit is to pay tribute to the teamsters' union. If the farmer has a truckload of cattle he cannot go there to the stockyard and deliver them himself to the jobber or retailer without being held up. The people of Detroit who depend on the farmers for their living will not even see to it that he has the right to use the streets of the city until he has obtained a license from the union, paid the union for the exercise of his right to pass over the streets of Detroit.

The unlawful action to which the gentleman from Michigan [Mr. CRAWFORD] just referred was brought to our attention the last of January and again early in February by two telegrams—the trouble has been of long standing and the pressure is increasing. The situation calls for action on the part of Congress. The action of these teamsters is raising the cost of the living of the defense workers by adding to the cost of food and it is denying a market to the farmers. The wires to which I refer are as follows:

JANUARY 31, 1942.

Representative CLARE E. HOFFMAN,
Washington, D. C.:

We have been requested to negotiate with the Teamsters' Union, No. 337, at Detroit, Mich. We have 71 employees eligible for membership. These companies requested an election, which was flatly refused by the union and a strike threatened for Sunday night. In order to determine for ourselves, a fair, impartial election was held Saturday morning with 59 against the union, 3 for, and 9 absent. A strike and violence is still threatened for Sunday night, February 1. Approximately 80 percent of the livestock for the city of Detroit passes through these yards. We supply packing houses who deliver to Army camps and stations. Around 1,500 individual trucks deliver livestock to this stockyard weekly. Stopping these trucks will deprive 70,000 farmers of an outlet for their livestock. We have no objection to dealing with a union that represents our employees. We should, however, not be coerced into forcing them into a union they do not want.

A strike would tie up the meat supply of the city of Detroit. Your efforts on our behalf to prevent this catastrophe are urgently solicited.

DETROIT LIVESTOCK ASSOCIATION,
J. J. KIDDON, *President.*
W. J. CHAMBERS, *Secretary.*
BISHOP HAMMOND & CO.,
RIDLEY & MARSHALL.
MICHIGAN LIVESTOCK EXCHANGE.

FEBRUARY 2, 1942.

Representative CLARE E. HOFFMAN,
Member of Congress:

Striking Michigan Livestock Exchange expect complete tie-up soon.

DETROIT LIVESTOCK ASSOCIATION,
J. J. KIDDON, *President.*
W. J. CHAMBERS, *Secretary.*

Mr. RICH. Does the gentleman know that a truck driver who does not belong to the C. I. O. in New York cannot get into the city?

Mr. HOFFMAN. Without paying $8.41 if a small truck and $9.42 if a large one. And the United States Supreme Court said Monday the law Congress passed did not prevent that practice. Time we acted. Oh yes; and I saw in the paper, that even the Army cannot drive its own trucks through certain districts in the city of New York until it pays tribute to the union. Talk about licking the Japs and the Germans. Apparently this administration cannot or will not lick union racketeers in the city of New York who are levying tribute on our citizens.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. LAMBERTSON. Did the gentleman say that a farmer could not drive his truck into Detroit?

Mr. HOFFMAN. That is right, if he seeks to deliver produce, until he pays tribute to the union.

Mr. LAMBERTSON. Then you better move out to Kansas City. They cannot stop them out there. We live in a different land.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired.

The question is on the amendment offered by the gentleman from Illinois.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the amendment may again be reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk again read the Dirksen amendment.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the two amendments be voted on together.

Mr. H. CARL ANDERSEN. Mr. Chairman, I shall have to object to that.

Mr. DIRKSEN. I have no objection, because they relate to the same thing.

Mr. MAY. Mr. Chairman, if they are to be voted on jointly, I ask unanimous consent that the other amendment be again reported.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the other amendment be again reported. Is there objection?

There was no objection.

The Clerk again reported the second amendment offered by Mr. DIRKSEN.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia that the two amendments be considered together?

Mr. MONRONEY. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois on page 9, line 12.

The question was taken; and on a division (demanded by Mr. TARVER and Mr. WHITE) there were—ayes 93, noes 56.

So the amendment was agreed to.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: Page 1, line 16, after "$70,832", strike out all down to the colon following "$68,905."

Mr. SMITH of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Ohio. Mr. Chairman, I understand there is another amendment pending. I do not want to interfere with the action on that amendment, but I do desire my amendment to be submitted for vote after this other amendment has been disposed of.

The CHAIRMAN. There is no other amendment pending.

Mr. TARVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TARVER. The second Dirksen amendment is still pending. There was objection to voting on the two amendments together.

The CHAIRMAN. The second amendment, offered by the gentleman from Illinois [Mr. DIRKSEN], is to another paragraph of the bill, namely, page 11. The gentleman from Ohio [Mr. SMITH] is recognized for 5 minutes.

Mr. TARVER. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TARVER. The amendment offered by the gentleman from Ohio [Mr. SMITH], as I understand it, is to the paragraph upon which debate has been closed by unanimous consent.

The CHAIRMAN. The gentleman from Georgia [Mr. TARVER] is correct. The Chair cannot recognize the gentleman from Ohio [Mr. SMITH] because the committee has closed debate on this paragraph.

The question is on the amendment offered by the gentleman from Ohio [Mr. SMITH].

The amendment was rejected.

The Clerk read as follows:

PRINTING AND BINDING

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, except as otherwise in this act provided, $1,500,000, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary of Agriculture, as required by the acts of January 12, 1895 (44 U. S. C. 111, 212–220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the act approved March 30, 1906 (44 U. S. C. 214, 224), also including not to exceed $250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Forest Service authorized by the Joint Committee on Printing, in accordance with the act approved March 1, 1919 (44 U. S. C. 111, 220): *Provided*, That the Secretary of Agriculture may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938, and from funds appropriated to carry into effect the terms of section 32 of the act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under said section 32, and from funds appropriated for parity payments under section 303 of the Agricultural Adjustment Act of 1938, such sums as may be necessary for printing and binding in connection with such payments: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed $550,000.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 11, line 3, strike out "$1,500,000" and insert in lieu thereof "$1,000,000."

Mr. DIRKSEN. Mr. Chairman, I shall not take the whole time except to say that this matter has been thoroughly discussed. This is a companion amendment to the one just adopted by the committee and strikes out an additional $500,000 from the printing and binding item, reducing this item from $1,900,000 to $1,400,000 in round figures. This should be ample for all purposes. I respectfully suggest that the amendment ought to be adopted.

Mr. MONRONEY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. Does not the gentleman believe that if there is in the bill $1,493,109 for multigraphing and duplicating work, that that goes under the realm of printing and binding?

Mr. DIRKSEN. That is all included in this item, in addition to transfers to other departments, and I believe they can stand this cut at a time of emergency.

Mr. LAMBERTSON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, I am not feeling badly about anything and I have a pretty good record as far as economy is concerned. I note that my good friend from Illinois did not vote against parity, while I did vote against parity the last time it was an issue. Throughout the years my stand on economy in agriculture has been known to all. There is no bad feeling at all.

May I propose to the chairman of the subcommittee, the gentleman from Georgia [Mr. TARVER], that we enter into an agreement to accept a universal cut of 25 to 50 percent on every item in the bill, with the understanding that we will have a resolution introduced to go back and take the other three supply bills, except the Navy bill, and reduce them equally; then we will have an honest-to-God reduction and not the House writing a supply bill on the floor. We have not yet reached the controversial sections and are virtually rewriting this bill on the floor of the House on every page.

I plead with the chairman of the subcommittee to enter into an agreement to have a 30-percent cut on every item in this bill, send it to the Senate, and offer a resolution to go back and take the other three supply bills, excluding the Navy bill, and do the same thing. The gentleman from Virginia has turned on a lot of steam here. He wants us to start economy with agriculture and he comes to the floor with this proposition aided by other assistants today. We might as well accept it and send it to the Senate.

Mr. TARVER. Does the gentleman ask me a question?

Mr. LAMBERTSON. Yes; I ask the gentleman to enter into such an agreement.

Mr. TARVER. The gentleman's suggestion is very interesting but of course it would be impossible to secure economies in any of the bills which have been passed or in probably any other bill which does not deal with agriculture. The gentleman realizes, of course, that the farmer is being made the object of experimentations in economy in this bill. Although the gentleman and I are in agreement, and although the committee is in substantial agreement on both sides of the aisle, I do not feel that anything that the gentleman and I could do would prevent these other gentlemen from indulging in this experiment.

Mr. LAMBERTSON. Why would not the House be willing to cut this bill 30 percent and not the others? How could the Members oppose a resolution to go back and cut the other three bills?

Mr. TARVER. The gentleman does not realize just how shrewd these people are.

Mr. LAMBERTSON. I would like to challenge the House and the ranking majority member of this subcommittee to do that very thing.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman.

Mr. MARTIN of Massachusetts. Put the matter to a vote and we will accept it.

Mr. DIRKSEN. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I am sure that the chairman of this subcommittee will tell the House that I as a member of the subcommittee have been reasonably diligent in the study of the measure now pending on the floor.

Mr. TARVER. The gentleman has indeed been very diligent and very useful. I am sure he is absolutely conscientious in his opposition. However, not intending to reflect on the motives of any other Member of the House, there are certainly associated with him gentlemen who are for the first time in the legislative history of this Congress trying to make some record in the interest of economy. I am not saying that the gentleman is in that class, but certainly there are some Members of the House who should be so classified.

Mr. DIRKSEN. The thing I want to emphasize to the Committee of the Whole is that there is nothing capricious about these. I discussed them all in the hour-long speech I made the other day. They represent my best judgment, after 5 weeks of intensive study of this bill.

Mr. TARVER. I think the gentleman is absolutely conscientious and doing what he thinks is right, although I do not agree with him.

Mr. LAMBERTSON. I am not being facetious. I think it would be in the interest of good government to have a uniform cut on a bill that we have recommended after study rather than to have haphazard cuts on the floor of the House. I appeal to you that it is reasonable to take a flat 30-percent cut on every item in this bill if the membership is bound to make severe cuts all along. I am embarrassed by defending our committee bill, holding a record for economy, by the minority side.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not pretend to be an expert on the subject of agriculture, although a large portion of my district is devoted to that pursuit. My work in the Congress has necessarily been along other lines. However, I have tried to acquaint myself with the work and the problems of the Department of Agriculture.

I say to the members of this committee, and to the people of the United States, that we can, during this war, suspend the publication of this Yearbook and of all these farm bulletins and pamphlets that are cluttering up every mail that goes out of Washington and every general store and every farmer's kitchen throughout the United States. These publications are not indispensable to the farmers. If I thought they were I would not support this amendment. If in the face of the desperate situation that confronts this country we cannot afford to cut some of these things out, then it is high time that we stop prattling about cutting out nondefense expenditures.

Just think of it. Every Member of this Congress has delivered to his office 400 of these Yearbooks, weighing 5 pounds apiece, and made up of the best paper that can be found. One ton for each Member of Congress to send out to the people of this country. Many people love to receive it, for it is a beautiful book. I dare say, however, that there is not a single man on the floor of this House who has been able to read that book or any substantial portion of it. I seriously doubt that the farmers of America will ever find time to read it at this time.

When I was out in the State of Idaho a couple of weeks ago I asked a large audience, "How many of you have received this new Agricultural Yearbook?" Sixty-nine persons in the audience raised their hands. This shows the diligence of the Members from Idaho in sending them out. I said:

> Will you honestly tell me how many of you people have read that book up to date, or any part of it?

Not one person raised his hand. Fine and informative as this volume is, the point is that we can do without it during this war.

I do not get one request a month from the farmers of my district for any of these farm bulletins. I have thousands of them lying to my credit over there in the Department of Agriculture, and the printing presses are still going.

In every newspaper there appears the demand that we save paper, save paper, save paper. Every time you pick up the Evening Star you will find scattered all through it the announcement, "Save paper, save paper." Yet the printing presses of the Department of Agriculture must be running 24 hours a day to print, print, print bulletins, propaganda, books, and more and more material of that kind. That must be stopped now, in order that we can spend that money to buy guns and the things that are necessary to carry on this war.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. We not only would save the money but we need the printing facilities and the men who work on them to bring about an honest-to-God effort in this war.

Mr. KEEFE. Yes. If they mean what they say, we need that paper for the war effort. Let us stop it. I do not understand that there is anything in the gentleman's amendment except the proposal to reduce the amount that is available for that particular purpose, and that is all there is to it.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Illinois.

Mr. DIRKSEN. If this amendment is adopted to reduce this item by $500,000, which is about 25 percent, it will have the same effect on the Treasury as if 10,000 farmers went into a bank and each bought a $50 Defense bond.

Mr. KEEFE. I think that is a very fine contribution.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Georgia.

Mr. TARVER. Of course, I get the import of the gentleman's argument with reference to the Yearbooks and the bulletins.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that I be permitted to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. But does the gentleman think we should adopt an amendment cutting down this appropriation $500,000 because it includes $25,000 for the yearbook? That is all of the departmental appropriation for printing in connection with the Yearbook. Does the gentleman justify cutting out $500,000 without designating the items to be taken out simply because he thinks the Yearbook ought to be cut out?

Mr. KEEFE. Let me say to the distinguished chairman what he knows I have stated to the subcommittee, of which I am a member, time and again. The amounts involved are so huge and the ramifications are so extensive that I deny that there is a member of this committee or any other committee that can scientifically make a cut; yet the cuts must be made in the face of this situation. That is all there is to it.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I want to submit a unanimous-consent request. We had some debate on this matter in connection with another paragraph and I wonder if we can agree on 15 minutes additional time.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to make this statement in connection with the remarks made by the gentleman from Wisconsin [Mr. KEEFE]. The Printing Office is running full time, 24 hours a day, and last year it was unable to print the Yearbook and they had to have them printed outside. Forty-five thousand copies of them were printed on the outside. Now you certainly can save work in the Government Printing Office and can save expenses by adopting this amendment. You can save over 1,000,000 pounds of paper.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, we have just been told as an argument against sending out this vast amount of printed matter to the farmers and the people of the country generally that this matter is not read. Of course, I think we should bear in mind that in this day of great shortage of paper there are many other uses for this vast amount of printed matter, including the CONGRESSIONAL RECORD, when it reaches the farm and the home, even though it is not read at all.

However, this is not a sound argument for us to continue to spend these vast amounts on unread printed matter. Sending out this stuff is a very expensive way of relieving the waste paper shortage for favored constituents. We should

pass this amendment which will trim down this vast expenditure for printing.

It has been suggested, possibly facetiously, that we must go back and cut other supply bills that have already passed before we make cuts in this bill. In answer to that suggestion we have been told that since we have already passed those bills it is impossible for us to do anything about them. Those of us who are not great students of agriculture and who are not on the Appropriations Committee, must follow the members of those committees and listen to their guidance very largely, but I want to make this suggestion to those who think we ought to make a cut, both in this supply bill and in those which have already been passed. In the past few weeks we have found that Congress can change its collective mind very quickly and effectively when it wants to, and secure reverse action on a bill that it has recently passed. I merely have to mention the Congressional Pension Act and its repealer.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, the General Accounting Office gives me these figures. The total cost of the 1941 Agricultural Yearbook was $134,990, and there were 249,000 books put out.

Mr. TARVER. Mr. Chairman, will the gentleman yield at that point?

Mr. SMITH of Ohio. I yield to the gentleman.

Mr. TARVER. The gentleman realizes, of course, that only $25,000 is included in the item we are discussing now in the agricultural appropriation bill. The gentleman is talking about all expense incurred, including that outside the provisions of this bill.

Mr. SMITH of Ohio. I am merely mentioning a particular fact.

Mr. TARVER. Yes; and I wanted to make that clear.

Mr. SMITH of Ohio. This means about 54 cents apiece for the Agricultural Yearbook. It is not a high price for the sort of binding and printing and paper used in making it up.

Everyone knows that very few people read more than a small part of this book. I dare say that some person who understands the matter could condense all in it that is worthwhile, certainly all that concerns the farmer, in not to exceed 150 to 200 pages. I feel certain the farmers would not object to this being done. It would give us a great saving in cost.

I am not saying not to print the book at all, but I am saying that it might be condensed in such a way as to reduce the cost considerably and not lose anything to the farmer.

The question is constantly being asked what is the justification for the reduction of expenditures. The real justification for economy is that we do not have the money. The statement has been made here on the floor that a saving of $500,000 is equal to 500 people buying each a thousand-dollar bond. There is more to it than that. It is really equal to a thousand people each buying a $1,000 bond, for the simple reason that we are borrowing a great portion of the money we are now appropriating. Let us not forget that. Here truly is a place where a dollar saved is a dollar earned.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I was very glad to be enlightened by the gentleman from Kansas when he proposed that we make an agreement here to reduce all previous expenditures or appropriations, and including this appropriation, by 33 percent. It is rather surprising, when we look behind the scenes, to find out what this is all about. The remarks of the gentleman are to the effect that the Republicans are rewriting this bill by cutting all appropriations. I am going to chastise my Democratic friends and praise my Republican friends, which is rather unusual. I praise them for their diligence in being present on the floor of the House, but not for their diligence in wanting to cut down those things that are necessary to an agricultural program. They seem to be very digilent in cutting down the appropriations necessary to help the farmer. They are very diligent in being present to sabotage the farm program, because they seem to think the farmer will forget by the next election. Let them tell their farmer friends about it, let them tell the farm population of America that if this program is sabotaged the crime lies at their feet. It is you gentlemen who have sabotaged that program that is so necessary in the interest of a great Nation at war to save not only the farmer but every man, woman, and child from the onrush of paganism. It may be good politics for you gentlemen to vote 100 percent for every war appropriation since Pearl Harbor and against every farm appropriation after Pearl Harbor, but remember, if the farmers of this Nation are not taken care of, are not being given the opportunity to participate properly in this program, with the help of this great Government, then again you may have a Pearl Harbor in the agricultural program of this Nation. You will probably change your votes on appropriations again, as it was changed after Pearl Harbor. God forbid that we should ever have another Pearl Harbor; but if it comes because of a reduction in this appropriation bill, you can lay it to the Republicans on this floor.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PLUMLEY. Mr. Chairman, I rise to say, in answer to the distinguished gentleman from Michigan [Mr. HOOK], to whose remarks I have just listened, that this subcommittee commenced its sitting on the 19th day of November, which was before Pearl Harbor, and the cuts which we undertook to make in the appropriations, which the gentleman has seen fit to criticize, were made before Pearl Harbor.

Mr. PIERCE. Mr. Chairman, if in the interest of a great cause it is necessary to give up the Agricultural Yearbook, I say all right, but certainly we should first eliminate the thousands of useless, foolish, and self-laudatory publications put out by officials of this Government. Our brilliant, distinguished friend from Wisconsin [Mr. KEEFE], who recently spoke, would have a different story to tell if he had gone just west of the State of Idaho into my district, for there he could not have found an audience that would have reported as did that one in Idaho. My constituency is intelligent; it prizes the Yearbook, which is in great demand. Possibly if he had been speaking to an audience of my political party, he would have told a different story. I must endeavor to get the surplus stock allotted to Idaho and Wisconsin.

Mr. WICKERSHAM. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. WICKERSHAM. There has been very little said about the 16,000 farm bulletins. Everyone knows that they are read. It teaches those on the farm how to raise things, and the only reason they have not read this book is because they have been reading these other bulletins, and they will get at this book after they have got through with the pension question.

Mr. LAMBERTSON. Mr. Chairman, if the gentleman will permit, I have sent out more bulletins this year than any other year, because the boys are being taken from the farms, and the old folks remain. There have been more requests for bulletins this year in my office than any other year.

Mr. HARE. And I would like to say that I have had more requests from my district for farm publications than ever before. I have more requests than I have publications to my credit.

Mr. PIERCE. I could not get enough of them through my quota and I have had to ask my friends from the cities to loan them to me. This is a much-read book. I cannot understand why there are so many people who have not seen it. It must be the fault of their Congressmen.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. DIRKSEN. Just to say that there is nothing here that will cut out the Yearbook at all.

The CHAIRMAN. The time of the gentleman from Oregon has expired. The question is on the amendment offered by the gentleman from Illinois.

Mr. TARVER. Mr. Chairman, may I have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the Dirksen amendment.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 92, noes 63.

So the amendment was agreed to.

The Clerk read as follows:

Total, Office of Information, $1,990,144.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am a little bit afraid of the temper of this House, when the Members get into a mood such as they are in this afternoon. I am not at all concerned with cutting items in this bill which provide for luxurious travel for the privileged gentlemen who work in the bureaus of the Government. I personally would be very happy to see some of them riding in upper berths rather than in staterooms and bedrooms on these

trains. If it is possible to use good, sound judgment in reducing items in this bill for that and like purposes, I am happy to go along with the committee. But I want to warn you against getting yourselves into the frame of mind where you will support any amendment that is offered to this bill calling for a reduction. You know the farmers of this country have had more lip service, not only from the Congress and politicians, but from the press, than any other class of people in the country.

I have heard it said on this floor this afternoon that the farmers now are making so much money that you do not need to worry about them. They can take care of themselves. I do not know in what sections of the country those conditions prevail. They do not prevail in mine. Yes; this year the cotton farmers down in my section of the country got a fair price for their crop, but it is the first time they have got anything like cost of production for 5 or 6 or 7 years. I call to your minds five straight droughts that struck the Southwest, when they did not get anything. Yes, we passed some drought relief for them. God knows they needed it. I have stood on this floor in this session of Congress and voted for legislation to protect the wage of laborers. I have heard the wail of the press and the wail of good men on this floor who are afraid we will take something away from labor which will reduce their standard of living. All right. I do not want to do that, but I only ask that you men do as much for the boy who raises the stuff that is going to keep the soldiers at the front as you ask for the men that produce in the factories. So do not, in your temper this afternoon, let yourselves be carried away that you will ultimately punish the people who supply the food that keeps us all going.

Mr. COLMER. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Mississippi.

Mr. COLMER. I just wanted to tell the gentleman from Oklahoma what section of the country it was where the farmers were so prosperous. It is the window-box farmers in the city of New York and other metropolitan centers.

Mr. NICHOLS. Well, maybe the window-box farmers are making money, but do not worry about the farmers of this country making too much money. Out through the Middle West figures recently published show that the gross income of the average farmer is $900 a year. Is that too much?

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. CASEY of Massachusetts. I just wanted to tell the gentleman from Mississippi, to whom the gentleman just yielded, these so-called window-box farmers from the cities have been, all through this bill, supporting the agricultural appropriations as reported out by Judge TARVER.

Mr. NICHOLS. And I hope that condition will continue.

[Here the gavel fell.]

The Clerk read as follows:

Hawaii: To carry into effect the provisions of an act entitled "An act to extend the benefits of certain acts of Congress to the Territory of Hawaii," approved May 16, 1928 (7 U. S. C. 386–386b), $67,500.

Mr. KING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, many years ago this Congress passed legislation to extend Federal grants to the several States for the operation of agricultural experiment stations in conjunction with land-grant colleges. In a series of measures—the Hatch, Adams, and Purnell Acts—and over a period of years these grants provided a total of $90,000 for each State, regardless of size, population, or the degree of importance of agriculture in such State's economy.

In 1928, nearly 30 years after Hawaii had become a part of the United States, the provisions of these acts were extended to the Territory of Hawaii by special legislation. The act of May 16, 1928, prescribed that the Territory should eventually obtain an amount equal to that allotted to the several States, commencing, however, with a smaller sum, to be increased by an annual increment until the full amount had been achieved. The authorization thus provided was carried out in succeeding appropriation bills until that for the fiscal year 1938. The necessity for economizing wherever possible, when we were spending tremendous sums for other purposes, led Congress to continue the amount for the preceding year without augmenting it by the authorized increment. However, the amounts distributed among the several States were not reduced, and each State received the full $90,000. In the appropriation for the next fiscal year the principle of gradually increasing the item for the Hawaii Experiment Station was adhered to, but the amount of the increment was cut in half. Again no reduction was made in the sums allotted to the 48 States. In the fiscal years 1940 and 1941 the precedent established in the preceding year was carried out—in other words, small increments less than the amounts authorized by law were approved. In the fiscal year 1942 no increment was allowed, but again no reductions were made in the appropriations for this purpose for the several States.

The appropriation bill now before us carries the same amount as last year and does not provide even a small increment in the amount appropriated for the Hawaii Agricultural Experiment Station. In tabulated form the record is as follows:

Fiscal year	Total amount authorized by law	Total amount appropriated	Difference
1937	$50,000	$50,000	
1938	60,000	50,000	$10,000
1939	70,000	55,000	15,000
1940	80,000	60,000	20,000
1941	90,000	67,500	22,500
1942	90,000	67,500	22,500
Total difference to date			90,000
1943	90,000	67,500	22,500

At this rate the purpose of the act of May 16, 1928, is nullified, and Hawaii will never achieve parity with the several States, as was intended when the benefits of the Hatch, Adams, and Purnell Acts were extended to the Territory.

The sums involved are small, and it is difficult to understand why such insignificant savings should be made at the expense of the Territory of Hawaii when no similar reductions are applied to any one of the 48 States. If there is a necessity for economy it would appear reasonable to expect that it would apply with equal force to all parts of the country and that the appropriations for experiment stations would be reduced throughout. The experiment station in Hawaii has been carrying on a very important function in the encouragement of diversified agriculture. It concentrates on food crops grown for consumption within Hawaii, to make the Territory more self-supporting in food. It does not engage in work pertaining to the major agricultural commodities raised in the islands—that is, sugarcane and pineapples—as these two industries maintain their own experiment stations. The small amount deducted from the sum authorized to be appropriated for the Hawaii Agricultural Experiment Station hampers the work it is undertaking and postpones the day when we will be self-sufficient in food. Letters and wires from those charged with the responsibility of carrying out this program urge me to make every effort to persuade Congress to grant the amount authorized.

The program of the experiment station in Hawaii is especially important at this time, almost of vital importance. It is a pity the committee, earnestly attempting to economize where possible, has found it necessary to disregard the authorized appropriation and felt it necessary to save a few thousand dollars at the expense of the agricultural program of the Territory of Hawaii.

The Clerk read as follows:

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary of Agriculture to carry into effect the provisions of an act entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said act, and for special research work, including the planning, programming, coordination, and printing the results of such research, to be conducted by such agencies of the Department of Agriculture as the Secretary of Agriculture may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere, and the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, $1,150,000, of which amount $700,000 shall be available for the maintenance and operation of research laboratories and facilities in the major agricultural regions provided for by section 4 of said act: *Provided*, That not more than $5,000 of this appropriation shall be used to further the chemical phases of the soybean investigations, except the routine analytical work for plant production, now being conducted at Urbana, Ill., and such $5,000 shall be avail-

able only for the expenses incident to the transfer of such investigations to Peoria, Ill., for absorption by the Northern Regional Research Laboratory.

Mr. MONRONEY. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 18, line 3, after "Columbia", strike out "$1,150,000" and insert "$1,131,788."

Mr. MONRONEY. Mr. Chairman, I dislike to take the time of the committee on what appears to be a small item, but this is a part of the travel expense that I pointed out on the floor yesterday totals in this bill in the amount of almost $16,000,000.

It is a shame that our appropriation system is such that in order to reach the item of travel, or to find what the item of travel provided in the bill is, you must spend hours searching carefully through the Budget book. It is a big task to find out how much of these appropriations are being spent for Pullman rides, for junkets, for business trips, for conventions, for hotels, and food while on these trips. I think that eventually we should adopt a rule that would provide that the amount of travel should be carried in specific appropriations, because I know the men who have spoken in favor of the farmers on the floor today do not mean to indicate that they do not believe we can squeeze some of the water out of the bureaus downtown; that we cannot trim off a little of this big roll of fat that has accumulated in the bureaucracies down there.

I know I am violating one of the fundamental rules by opposing a committee and that in doing so I establish myself as being either ignorant or not having any right to question any appropriations the committee sees fit to report, but I do not think that should be the case in this emergency. I have yielded on many, many things to the wisdom of the committee because they have been searching for millions. In my spare time I have made a small search for thousands. My cuts would amount to about $8,000,000 in the travel expense items of the Department of Agriculture which now total $16,000,000.

The item now under consideration, this special research fund, carries a travel item of only $36,425. My amendment reduces it by $18,212.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. May I ask the gentleman how he arrives at the proportion of reduction he makes in these travel items?

Mr. MONRONEY. I just divide them by two.

Mr. CASE of South Dakota. The gentleman, then, has taken the travel items in the Department of Agriculture bill and arbitrarily cut every one of them 50 percent without regard to the character of the service that is involved.

Mr. MONRONEY. No; I have not done that. If I had it would have meant the offering of a hundred or a hundred and fifty amendments. There are certain things such as essential services to farmers where the travel portion seems to be only $100 or $200 that I have not touched.

This amendment cuts this item $18,000 whereas the total travel expense of the Department runs into many millions. I do not believe any prudent man would say this group of men either downtown or in the field should not make some sacrifices. Perhaps right now the Department should only undertake half as much or maybe let their representatives travel only half as much.

Mr. CASE of South Dakota. It occurs to me that if the gentleman has found a sound basis for making a straight 50-percent cut in the travel items that he should follow this further and make corresponding cuts in the functions to which the travel is related, because obviously some of these services will have to be cut where travel is inherently a part of the service rendered.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. PLUMLEY. The thought I had in mind is almost too mean to suggest, but if the gentleman's logic is good, then because of the fact that your Dust Bowl has been saturated with water your research station in Oklahoma does not need over 50 percent of its funds this year.

Mr. MONRONEY. I do not believe they use any money for travel in connection with that project.

Mr. PLUMLEY. I do not mean travel; but I am applying the same logic that the gentleman has applied, that there is not now any necessity for an appropriation because of what God has done to relieve the situation in the gentleman's country.

Mr. MONRONEY. I am sorry, but I do not follow the gentleman. It is just a question of whether we want to support this extravagant expense for travel or to cut it. It can and should be cut.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe the gentleman from Oklahoma is conscientious and I think he has got something. I do not accept his logic on these propositions, but would suggest to him something like this, and I am sincere in what I am proposing: That the gentleman offer a proviso to the effect that these Government people who travel do not travel by Pullman at all, but go by day coach. Many of them would not be so anxious to travel if they could not go in Pullmans. Why does not the gentleman suggest a proviso that they absolutely not ride in Pullmans at all? That would be showing a proper war spirit of sacrifice.

That would be a real war spirit.

Mr. COFFEE of Washington. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. Does not the gentleman think we should set the example and make it a crime for us to sleep in a berth on a train, in order to encourage these people in the departments?

Mr. LAMBERTSON. For myself, I do not use them often. I hate to pay the Pullman $14 or $15 a night. Let us have these fellows in the departments sit up at night. I think that would be a real and effective provision.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Will not the gentleman agree that certainly there is going to be a cut in nondefense travel due to limitation of tires, cars, the rationing of airplanes and railroad travel of at least 50 percent during the ensuing year; that is, for nondefense travel outside the Government? If that be true, why is it not a fair proposition to make a similar cut in Government travel?

Mr. LAMBERTSON. I think that is all right. This should prohibit travel in Pullmans and in the air and not more than 75 cents per meal any place. Such a rule would reduce travel automatically.

[Here the gavel fell.]

Mr. COLLINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, Federal agencies generally are limited to the purchase of automobiles in the lower-price range, such as Fords, Chevrolets, and Plymouths. I am advised that production of Fords and Chevrolets has ceased. That may be true of Plymouths, too, and it may be true of cars of larger dimensions.

It is needless to say that the demands of the military for automobiles of all types will sooner or later tax the supply to the utmost. It seems foolish, therefore, for us to permit automobiles to be procured, either as additions or replacements, by agencies not directly engaged in military operations; in other words, by agencies other than the Army and Navy, unless the Army and Navy shall approve of such course.

There is no good reason that I know of why nondefense agencies should not be required to get along with the equipment already on hand. If it cannot be conditioned, then let them be laid aside. Perhaps a lot of them should be laid aside. Perhaps it would be a good plan for the Budget Bureau to ascertain where there is a surplus of vehicles owing to curtailment of activities as a result of the defense program and either bar their use or require their assignment to meet demands where their use may be thoroughly justified.

I listened to some testimony the other day where one Federal agency was using 306 cars and had a force of 491 people to use them. That is the kind of thing that is going on, and it ought to be stopped.

Mr. Chairman, may I say to the membership of the House that if they will just leave the entire matter of travel to the Appropriations Committee, in short time and in an orderly way we will handle travel items in the interest of economy and good government and not by slipshod methods such as have been proposed on the floor of the House yesterday and today. I do not believe that I am violating a confidence by advising the membership of the House that an appropriation bill will be on the floor

within the next few days that will prevent any agency of the Government, except the office of the President, from buying or exchanging automobiles except with the approval of the Secretary of War or the Secretary of the Navy.

In the instant case, if the amendment offered by the gentleman from Oklahoma is adopted, persons connected with research laboratories in this country and men doing highly important work for agriculture, men who are trying their level best to discover a method of bringing into existence a usable synthetic rubber and many other articles that are necessary for our well-being and the military protection of the country will be instantly stopped. There are only $36,000 involved in this item and that is for the travel expense of about 500 men, more men than the entire membership of the House of Representatives. It seems to me a cut of this nature can be characterized as exceedingly shortsighted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The question was taken; and on a division (demanded by Mr. MONRONEY) there were—ayes 40, noes 46.

Mr. MONRONEY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. TARVER. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. COOLEY. I yield to the gentleman from Georgia.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. COOLEY. Mr. Chairman, earlier in the afternoon I called attention to the fact that from figures in my possession it appeared that out of approximately $55,000,000, $45,000,000 was being made available for personal services and for other items which did not go directly to the farmers whom we are trying to help under the Farm Security program.

I now have before me the Budget of the United States for the fiscal year ending June 30, 1943, and I would like to call attention to some of the items in it.

The first one is personal services in the Department, $1,975,649; personal services in the field, $30,989,405. Total for personal services, including the committees, $32,965,054. Of the total of $129,406,282, $75,000,000 is for loans and $10,000,000 for grants. If my calculation is correct, eliminating loans and grants, approximately $45,000,000 is made available for personal services.

It seems to me that that is an outrageous situation. This is money we intended to go to the underprivileged in the rural areas of America, yet $45,000,000 of the $129,000,000 is going to white-collar workers and supervisors. I wonder if in some way this item may be reduced without impairing the real worth of this program.

I am talking now about the Farm Security Administration. I may say that I have been a friend of that Administration. I have defended it on many occasions when other persons have attacked it. It does seem to me, however, that this committee should have found some way to find a better use for this $45,000,000. That is a tremendous sum of money. If these figures I have read from the Budget are not correct or if my interpretation of them is incorrect, then I hope the committee will give the House the benefit of correct information regarding these items.

It seems to me that the farmers themselves would appreciate the efforts of this Congress if we should try to do something to see that the needy in our agricultural areas secure the relief we intend them to have.

[Here the gavel fell.]

The Clerk read as follows:

Salaries and expenses: For acquiring and diffusing useful information among the people of the United States, for conducting investigations, experiments, and demonstrations, and for aiding in formulating programs for authorized activities of the Department of Agriculture, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; landownership and values, costs, prices, and income in their relation to agriculture, including causes for their variations and trends, including the employment of persons and means in the District of Columbia and elsewhere, either independently or in cooperation with public agencies or organizations, $1,278,798, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the fiscal year 1943 for such salaries and expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of $2,178,372, shall be transferred to and made a part of this appropriation, of which total appropriation not to exceed $1,893,928 may be used for personal services in the District of Columbia, including the salary of the chief of bureau at $10,000 per annum: *Provided, however,* That if the total amounts of such appropriations or authorizations for the fiscal year 1943 shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for 1943, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further,* That, in addition, the Secretary may, subject to the approval of the Director of the Bureau of the Budget, transfer to this appropriation for the purpose of administering and performing the functions of the Division of Agricultural Statistics of the Agricultural Marketing Service such sums as he may determine necessary from other appropriations available to the Department.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 21, line 21, strike out "$1,278,798" and insert "$278,798."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, you will observe that the Clerk has just read that portion of the bill which relates to the Bureau of Agricultural Economics. Its functions can be no better described than as they are carried in the language of the bill. Bear with me for just a moment as I read to you the purposes of the B. A. E.:

For acquiring and diffusing useful information among the people of the United States, for conducting investigations, experiments, and demonstrations, and for aiding in formulating programs for authorized activities of the Department of Agriculture relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production—

And so forth.

In 1939 this Bureau had $802,000. In 1943, by the terms of this bill, it will have nearly $3,500,000, or more than four times the earlier amount. It has on its pay roll today 1,141 persons, 766 in the District of Columbia and 375 in the field. There are over 216 persons in this Bureau today who receive $3,800 or more. Here are some of the classes they carry: Economist, head social scientist, principal social scientist, social psychologist, program analyst, program relations officer, sociologist, and rural sociologist.

What are they doing in this planning agency drawing substantial salaries out of a total of $3,500,000 for the purpose of carrying on advance planning in the field of agriculture? How is this money to be expended? Let me read you the language of the Budget:

For the economic research program, over $2,000,000.

For regional and national development programs, $854,000.

For cooperative agricultural program formulation, $584,000.

They have set up area offices in the country, they have set up regional offices, and they made an attempt to set up county offices. If the thing continues, you will have a complete duplication of two or three different set-ups that now prevail in the Department.

Under this broad program, what do they propose to do?

To achieve production goals. As the gentleman from Virginia so well said, give a farmer a decent price for his product and let him alone and he will not need a lot of planning by scientists in the Nation's Capital.

Second, part of their program relates to obtaining required production. What

a paradoxical thing it is that they are getting ready to impose a wheat referendum on the farmers of the country, yet here is a planning agency proposing to spend $3,500,000, among other things to procure and obtain the required production goals.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Is this the same group of economic scientists who figured out that there would be no sugar shortage and, therefore, the production of sugar in the continental United States should be reduced by 17 percent last year?

Mr. DIRKSEN. A portion of that probably went across the table of this particular agency.

Mr. CASE of South Dakota and Mr. COLLINS rose.

Mr. DIRKSEN. Mr. Chairman, I do not yield. I must finish this statement.

They propose to go into the field of distribution. We have an Interstate Commerce Commission. They have already had some meetings in St. Louis on this question of interterritorial freight rates. We appropriated some money recently for that same purpose. There is an interterritorial freight rate study now being conducted by the Tennessee Valley Authority. Must that work be duplicated by a planning agency?

No. 4 in their program relates to price control. Millions of dollars have been appropriated for Mr. Henderson and his agency. Must we duplicate that work?

They propose, among other things, to engage in the facilitation of industrial production, to evaluate the skilled help on the farm and to siphon them into the industry of the country, when the Secretary himself has indicated to the committee that there is an incipient labor shortage on the farm.

No. 6 in their program is the development of fiscal and credit policies.

What is the Treasury for and what are these other agencies of government for, if not for that purpose?

And, finally, they are going in for a broad program of post-war planning.

Now, how does this agency rate insofar as national defense is concerned? Here is a release from the Budget Bureau dated February 27, 1942. Do you know where they have located the Bureau of Agricultural Economics from the standpoint of defense priority? They have listed all the agencies of the Government in five classes and the Bureau of Agricultural Economics is in class 4. That is the Budget Bureau classification. So let no one tell you that they are so important in the scheme of things and bask so high in the estimation of the Budget Bureau that they are an outstanding agency in the realm of national defense, because they rate class 4.

Finally, the American Farm Bureau Federation, representing 550,000 paid family memberships, which includes over 2,000,000 of the farm population of the country, believes that this agency has gone so far that it is beginning to plan the farmer out of existence, and they have suggested and they have endorsed a proposal to cut this item by $1,000,000 or more. They would like to see the regional offices eliminated, they would like to see the area offices eliminated. They follow the philosophy that if you give the farmer the right price for his products and let him alone he will take care of production.

So I suggest to the Committee of the Whole that here you can support an amendment which has the approval and the endorsement of one of the largest, oldest, and most stable farm organizations in the United States, with an active family membership of more than 500,000, and so I earnestly suggest the saving of $1,000,000 in the planning agency known as the Bureau of Agricultural Economics.

I now yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I was wondering if the gentleman thought the statisticians in the Bureau of Agricultural Economics had anything to do with determining the sugar policy of the Department of Agriculture or if he did not rather think that that policy came from the top down?

Mr. DIRKSEN. It may have, but what I want to point out here is that you will find $1,278,000 in direct appropriations in this paragraph, and at the bottom of the page and the top of the next one, you will find, "together with such transfers as are made by the Secretary," and there are at least 25 transfers from the subordinate agencies in agriculture, aggregating $2,400,000, which will be transferred to this account. So the Bureau of Agricultural Economics, which will plan for the American farmer, will expend $3,500,000. Adopt this amendment, curtail it by $1,000,000, and they still have $2,500,000, and that is enough money for any agency of the Government in the field of planning at a time like this. This Bureau was originally established as a fact-finding agency and it should return to those functions.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment and ask unanimous consent to proceed for 5 minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Chairman, if the work of the Bureau of Agricultural Economics is not useful, if the farmers of the country would be better off by the abolition of the bureau, if it is to be condemned because some scientists are employed in the bureau, then you ought to adopt the amendment offered by the gentleman from Illinois. It will, in my judgment, if adopted, substantially destroy the Bureau of Agricultural Economics and will make it impossible for that Bureau to function with any considerable degree of efficiency.

In expressing this opinion I am in accord with the views of a majority of the subcommittee which took evidence for a long time with regard to the work of this organization, evidence which is set out on page 310 and the following pages of part 1 of our hearings and which is too voluminous in detail for me or anyone else to undertake to discuss under the 5-minute rule.

The gentleman from Illinois [Mr. DIRKSEN] in his discussion of the provisions of this bill on Tuesday, indicated his very high opinion of Dr. Tolley. In the course of his remarks he said, as I recall, that Dr. Tolley was giving his services to the Government at very much less compensation than he could procure from private industry. In fact, if I am not mistaken, and if I am the gentleman, who is present, will correct me, I believe he said that Dr. Tolley could earn several times as much in private industry as he is earning as the head of this Bureau of Agricultural Economics, and that private employers had sought to have him leave the Government service and engage in their employment at very much increased compensation. He then is a faithful public servant. He is a man who is so deeply interested in the subject matters concerning which he is in control that he is willing to sacrifice, not just a small amount, but tens of thousands of dollars annually that he could have for his private purse if he so desired, in order that he may be able to carry on this very important work for the agricultural interests of the country, and we have his advices, the advices of such a man in the hearings here concerning the needs of this bureau. I think we ought not to assume that a man of the public spirit manifested by Dr. Tolley, who is not gouging the Government himself, but who is sacrificing for the work he is carrying on, would undertake to deceive the Congress as to the necessities for the making available of moneys for the efficient carrying on of the work under his jurisdiction.

Surely we can rely upon such a man. If we cannot, then I do not know upon whom we may rely. The Bureau of Agricultural Economics last year had $650,000 more than is carried in the bill for the present year. The Budget estimate made a very substantial cut of $365,000 below the present year's bill, and our subcommittee cut the Budget estimate $50,000, so that, if you approve the sum it has placed in the bill, you will be approving a sum which is $1,065,000 below what the Bureau had for the last fiscal year, 1941.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. DIRKSEN. Mr. Chairman, I reaffirm what I said, that Dr. Tolley is an able man, but by the same token I thought Dr. Tugwell was an able man, but I did not agree with the direction his policy took. This is a matter of policy. This is not aimed at any individual.

Mr. TARVER. Speaking for myself alone, I would not want to mention Dr. Tolley in the same breath with Dr. Tugwell. I consider Dr. Tolley an outstanding and public-spirited man, who has been performing and will continue to perform, if given an opportunity, an appreciable and valuable service for the agricultural industry of this country. The gentleman from Illinois [Mr. DIRKSEN], in addition to the very substantial

cut to which I have called your attention, proposes a further cut of $1,000,000—$1,000,000 in the amount of funds which shall be made available to the Bureau of Agricultural Economics. What does the Bureau do? Why is it necessary that its work should be carried on? If you have time to read—and I do not think you ought to vote against the estimates for this appropriation unless you do have time and opportunity to read—the statements appearing on pages 312, 313, 314, 315, and 316, outlining the multiple projects which are being carried on under the jurisdiction of this Bureau, you will get some faint idea of a great deal of the amount of the useful work now being accomplished under its jurisdiction, and I hope you will take time to do so. I do not believe you ought to reject the judgment of the committee who considered this large volume of evidence as to the necessity for this appropriation unless you do have time to acquaint yourselves with the evidence as to just what the Bureau is doing, and how necessary and vital the work is at this time.

I take time to read just the first part of their definition of this program as it relates to its wartime work and wartime program in the Bureau of Agricultural Economics:

WARTIME WORK PROGRAM OF THE BUREAU OF AGRICULTURAL ECONOMICS

In outlining the program of the Bureau of Agricultural Economics for the coming months, first priority has been given all lines of work that make significant contribution to winning the war. Second priority has been given those lines of work that will make a practical contribution to the solution of major problems of the immediate post-war period. Certain research maintenance activities also must be continued to enable the Bureau to meet future responsibilities, which we cannot now foresee.

The Bureau of Agricultural Economics can make many significant direct contributions to the war effort: American agriculture must produce and aid in properly distributing food and fiber needed by our Nation and by our Allies, and must provide raw materials essential to our industrial production program. The Bureau's first task, therefore, is to help agencies within or without the Department to plan the production and distribution of these strategic agricultural commodities. Closely associated with production and distribution of agricultural commodities is the task of aiding in developing a sound program of price control.

On the other hand, the Bureau can make many contributions to other phases of war effort over which the Department of Agriculture does not have immediate administrative responsibility: Farm people are serving in increasing numbers in our military forces and in industrial plants, and farm people are bearing their share of the war's costs. To speed up this participation of farm people in our war effort, officials of many agencies that direct national programs already are calling on the Bureau for information and advice.

I cannot proceed with a detailed statement of the facts as they appear in the RECORD and that are related to this activity, but I beg of the House that you do not undertake to supersede, by cutting a million dollars out of this appropriation, the conscientious judgment of the committee. If you want to do it, that is your responsibility, but I am very strongly of the opinion that it ought not to be done.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MAY. Mr. Chairman, I rise in support of the amendment, not so much for the purpose of discussing the matter and trying to make a speech, but to ask for information from the chairman of the subcommittee, and also the distinguished gentleman from Illinois [Mr. DIRKSEN]. If I am not mistaken in what I understood the gentleman from Illinois to say, he said that there were some eleven hundred-odd employees in this particular Bureau and that of that number some three hundred-odd are in the District of Columbia. Am I correct in that statement?

Mr. DIRKSEN. There is a total of 1,141 persons in the Bureau. Seven hundred and sixty-six are in the District of Columbia, and 375 are in the field. Two hundred and sixteen of this number receive salaries in excess of $3,800 a year.

Mr. MAY. The other question I want answered is this. On page 22 of the bill, after providing for the recoupment of certain sums as set out in the Budget, back into the fund, you provide that all of that fund of the total appropriation, not to exceed $1,893,928, may be used for personal services in the District of Columbia, including the salary of the Chief of the Bureau at $10,000 per annum.

Now, it occurs to me that is a rather large proportion of the total sum for salaries to those who are employed in the District of Columbia. Will the gentleman make some explanation as to why that is so large? Is it due to the fact that the salaries are, many of them, in the upper brackets, or is it on account of the number employed?

Mr. DIRKSEN. First, the gentleman should keep in mind that that is for salaries and expenses, so the larger part will be charged to the District of Columbia. Secondly, there are twice as many of their personnel in the District of Columbia as there are elsewhere. My whole idea is this, I do not want to see this agency, with all of its planning activities ramified everywhere in the country, for in a little while this appropriation will go from $3,500,000 up to five, six, or seven million dollars, and it will never cease when all the area officers, district officers, regional officers, and even county officers in the interest of planning may be set up throughout the country.

Mr. MAY. It has been my experience that when you start expanding, the expansion is very easy to accomplish, especially when you continue to increase appropriations to pay for the expansion, so I agree with the gentleman from Illinois.

Mr. HARE. Mr. Chairman, I move to strike out the last five words and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HARE. Mr. Chairman, I do not happen to be a member of the subcommittee that considered the justifications for these appropriations. Therefore I would make no claim to being familiar with details of any item and would have no superior knowledge of the facts upon which the committee based its conclusions. But I would like to call attention to this one point: If there is any division, any agency, any bureau in the Department of Agriculture that is contributing or will contribute toward the progress or prosecution of the war, it will be the Bureau of Economics.

Now, the gentleman who preceded me [Mr. MAY] Chairman of the Military Affairs Committee, has made provision for hundreds of thousands and even millions of men to be assembled from every nook and corner of this country into military service. It is highly important to the enlisted men, and those in charge to know some time in advance where their food is coming from, and to know that they are to be supplied with an adequate supply.

The chairman of the committee has read a statement from the hearings. I am going to ask the indulgence of the House for a few minutes to read part of this testimony, which to me is very significant, particularly in this emergency.

The Chief of the Bureau says:

The Bureau has been requested by Secretary Claude R. Wickard to take the leadership in formulating national wartime goals for the production of needed agricultural commodities. Formulation of these goals is a Department-wide effort in which Bureau representatives will work with commodity, marketing, and credit experts of other agencies.

National wartime production goals must be established on the basis of estimates of domestic and foreign requirements, and in the light of existing supplies of these agricultural commodities and the country's capacity to produce additional supplies.

4. Obtaining the participation of the farmer: If the Nation is to insure increased production of required agricultural commodities and support for other phases of the war program, it is essential that farmers understand and subscribe to the objectives of the Nation's program. In order that the Department of Agriculture may be able to take effective steps in presenting its program to local groups and in adapting it to local situations, it will be necessary, first of all, to determine for specific areas the character of any barriers to full participation. This information will be obtained through: (a) Surveys of farmer reaction to the production program and other phases of the war effort, and (b) analysis of conditions determining farmer participation in the war program. On the basis of information derived from these two sources, recommendations can be made regarding the procedure to be followed in setting up the Nation's war program in various problem areas.

I have an idea that in 6 months, or 12 months from now, our armed forces, or those in charge, would like to know the surplus amount of wheat in this country, the amount of corn, the quantity of beans, fruits, vegetables, meats, and other foodstuffs available for domestic requirements, foreign requirements, and for the armed forces. Suppose there would be nobody prepared to furnish that information, what would be the situation? It appears to me that if I were planning the fighting program for two or three million men, I would want to know 6 months or a year in advance

whether these supplies were going to be available and where. This war may continue for 3 years; it may continue for 5 years; or it may continue for 10 years; but, however long it may continue, we are going to need information in advance as to food supplies and food requirements for our men in the Army, Navy, and Air Corps.

I read a little further from the hearings:

To avoid dangerous shortages it will be necessary to anticipate as far as possible shifts in the requirements of our Nation or our Allies. Accordingly, estimates must be prepared continually of the food and fiber and other agricultural commodities needed for domestic consumption.

These estimates of requirements must be carefully reviewed in terms of the Nation's capacity to produce under conditions of likely returns to producers; shortages of farm labor, machinery, and fertilizer; present and possible credit arrangements; and processing, marketing, and transportation facilities. In formulating national goals, the ability of each region and local area to increase production must be considered.

The Bureau's work in this field does not end when the goals for 1 year have been established. Throughout the year it will be necessary to reexamine these goals in the light of changing conditions.

The people in our cities, the people employed in industry, the people employed in our workshops, the people employed in our mercantile establishments are going to want to know whether or not food will be available the next 6 months or the next year or the next 60 days. If not, then it will be possible for the different agencies to encourage farm production of particular crops so essentially needed. Of course, we know that farmers are going to continue somewhat their usual program, but there must be some planning to what supplies are available and where. We should have some idea about increase, if any, of eggs, poultry, hogs, beef, butter, cheese, fruits, vegetables, and so forth, and someone should know where they are. If this Bureau cannot get this information, I do not know of any agency in the Government that can.

I read further from the printed testimony before the subcommittee:

The Bureau's task is to give special attention to the production of essential commodities formerly imported from foreign countries.

Suppose we did not have anyone to collect this information—and if this amendment is carried, we will not have anyone. Suppose we did not know today how much wheat is available in this country and how much is available in Canada and how much is available in other countries, we would be planning this war with our eyes closed. We would be progressing in the dark, and our own men in the armed forces would not know 30 days ahead whether they would have sufficient food to sustain life, even, or whether they would be able to go upon a battlefield.

To me this is one of the most significant items in this bill, because, as I have said, it contributes directly toward the prosecution of this war; and if we do not have the information from this Bureau, as I have said, I do not know whom we are to get it from, and it seems to me to be absolutely essential. Food is just as essential as bombs, tanks, rifles, machine guns, shells, or airplanes. To know where you are going to get food is just as essential as to know where you are going to get these weapons of war. Suppose our leaders or military experts today did not know where to ask for bombs, did not know how many to ask for, did not know how many they could call for, did not know how many they could get, what a predicament we would be in. Suppose, also, they did not know how much bread they were going to get, how much meat they were going to get, where it is to be found, who to get it from, and where it is to be assembled, what would be the situation? It would be tragic. I am greatly surprised that the author of this amendment, astute and able as he is, did not see far enough ahead to anticipate that if this country were deprived of information as to food crops, foodstuffs, meats, and so forth, for our armed forces, we would be in a tragic situation. Suppose we did not know where we were going to get planes next year, suppose we did not know how many we were going to get; suppose we did not know where we were going to get any tanks, or how many we were going to get, or how many guns we were going to get, how would we be able to plan and formulate the prosecution of this war?

How would we be able to formulate plans for feeding the soldiers or civilians if we did not know what it was necessary to grow, where it would be grown, where it could be produced in the shortest amount of time, and so forth?

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. DIRKSEN. The very leaders of the American Farm Bureau Federation and those who were called to Hyde Park in 1937 to help operate the administration's farm program are endorsing the amendments that are on the desk. They are speaking for the dirt farmers of America.

Mr. HARE. I appreciate that. I have great confidence in the integrity and the ability of those farm leaders, but I do not yield to them the responsibility of making provision for the men whom we have thus far said should be drafted and sent to the front in the armed forces without first knowing that they are going to be fed, and where we can get the food. We may be able to get the information I have referred to without this appropriation, but no one has dared to say so. We may be able to get the information through some other bureau or agency, but no one has dared to say so. My feeling is that this information is indispensable in planning a successful fighting program in time of war, and not to provide for it from some source would result in sabotaging one of the most essential factors in the prosecution of a war, that is, a supply, an available supply and a knowledge of its availability.

Something has been said about the Bureau having State or regional offices, certainly. It has had for years in peacetime, and as soon as we need them in a war emergency someone wants to abolish them. They are in a position to furnish the information that is not only necessary, but to my way of thinking is indispensable at this time.

[Here the gavel fell.]

Mr. JENNINGS. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. TARVER. Mr. Chairman, will the gentleman yield to permit me to submit a unanimous-consent request?

Mr. JENNINGS. I yield.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes.

Mr. MONRONEY. Mr. Chairman, reserving the right to object, will not the gentleman limit his request to the pending amendment? I have an amendment I wish to offer to the paragraph and I would like to be heard on it.

Mr. TARVER. Mr. Chairman, I modify my request and ask unanimous consent that all debate on this amendment be limited to 15 minutes.

Mr. BARDEN. Mr. Chairman, reserving the right to object, how many are to be taken care of during these 15 minutes?

The CHAIRMAN. Three Members have indicated a desire to be heard.

Is there objection to the request of the gentleman from Georgia that all debate on this amendment be limited to 15 minutes?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. JENNINGS. Mr. Chairman, somebody once said that the way to resume is to resume. Paraphrasing this saying, "The way to cut is to cut." I have never seen yet any bureau or any department of the Government that was absorbing, spending, and squandering millions of the people's substance which wanted to be cut one penny.

We have just read that the jaws of the Japanese pincers have been put around those of our armed forces fighting in the Dutch East Indies. I say that the jaws of a pincers have been put around the American taxpayers here in this country, and if we do not stop the onslaught that is being made the American taxpayer is going to become as extinct as the dodo and the passenger pigeon. We have sheared him to the skin and now we propose to skin him. When it is proposed to save a million dollars, gentlemen for whom I have genuine affection rise in their place in this Chamber, hold up their hands in holy horror and tell us that if we dispense with the services of 700 bureaucrats in Washington our armed forces will go without bread and meat. That just does not go over with me.

Mr. DIRKSEN. Will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Last year this very committee told the agency to return to its original purpose as a fact-finding agency, yet they have $1,400,000 to scatter out in the field.

Mr. JENNINGS. Yes. The farmer who has not got sense enough at this late date to put in a corn crop, plant it, keep the weeds out of it, then take care of it will not be helped by any bureaucrat on earth. People who do not know how to produce milk, butter, or any one of the staple crops upon which we are dependent for food and clothing are just not farmers.

They talk about the indispensibility of having a horde of employees at $3,800 per year here in Washington, 700 of them, evolving from their inner consciousness a lot of theories, like a spider spins its web. To say that we have to spend this extra million in this hour when everything we have has been put on the altar and has been brought to the verge of sacrifice just does not make sense. It does not add up. I am from a farming region and I operate a farm. I have sent out these bulletins and I have sent out these works on agriculture, but I know that there is not going to be a bushel of corn raised on the surface of one of these agricultural pamphlets or on the leaves of any one of these yearbooks. I got this last yearbook and opened it up to see what was in it, prior to sending it out to my home folks. I wanted to see if I was really sending my people anything that was worth-while. Now, I believe I have ordinary intelligence. I grew up on a farm; I know what it is to pull the bell cord over a mule and do farm work, but for the life of me, I could not see any information in that book anywhere that would help anybody on any farm in this country to produce an extra egg, an extra pound of butter, an extra hog, steer, or other staple farm commodity.

Let us stop and think what this million dollars that we propose to save means when translated into farm products. It means two million dozen fresh eggs at 50 cents a dozen. It means 10,000 steers weighing 1,000 pounds apiece at 10 cents a pound. And let us not forget that the farmer is going to have to pay his share of the taxes that are being laid on our people. Yet we halt and we stammer, we get all worked up, we get excited and make the statement that if we do this we are absolutely going to flabbergast and destroy the farmer, that if he has not an agricultural expert to come around and tell him what to do he cannot succeed. God deliver us from a governmental expert when he goes experting around.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I believe I can be classed along with the economy-minded group of the House, and find myself trying to locate places where we can save money, but we have hit a spot here where it is extremely unwise at this time to cut. I wish this Department had more money, more authority, and more responsibility at this time. Why do I say that? It is because daily we are being confronted with this talk of sugar shortage, wool shortage, and food shortage. Mr. Leon Henderson is issuing probably 100,000,000 books to be distributed around with tickets for sugar. This House has not yet stopped to place the responsibility on any man to determine whether or not Mr. Leon Henderson's findings are correct or to provide a remedy or to begin the preparation of a remedy for that situation.

We are going along slaughtering thousands and thousands of lambs every week and crying "wool shortage." They say they are going to cut the pockets off your clothes; they are going to cut an inch off your pants. Mr. Chairman, we will hardly need our pockets after March 15. But I can get along better without my lamb chops than I can without my pants. Somebody should be responsible for looking for some method of remedying this situation. There is hardly a State in the Union that is not capable of producing sugar, and there are very few States that are unable to produce wool. Food is abundant throughout this Nation. Yet we take it lying down when Mr. Henderson says, "We are short of food; we are short of sugar; we are short of wool." And no one seems to be doing anything about it. Let us start relieving some of these emergencies.

In my opinion, the American people can take whatever is necessary for them to take to win this war. If need be, they can do without sugar and all these other things that I mentioned. But let us not monkey with them, let us be genuine about this thing, and let us place in the hands of somebody not only the responsibility for finding this out but the responsibility of offering a solution to it. I think that is good cornfield sense. If we are facing a shortage and if we know it is going to bring about a bad situation, why should we not begin not next year but now? Spring is coming on. Our crops are being planted. Our sugar crop has to be planted; the wool has to be grown. Yet here we are talking about cutting out a part of the appropriation that is set up for the only agricultural fact-finding agency which we have in this Nation that you can absolutely rely on. I think this is the wrong place to begin to clip.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, it almost seems a useless procedure to come down into the Well of this House to defend anything in connection with this agricultural appropriation bill. Six years I have been here. Six years I have helped write this bill. For 5 years I have found the Congress on both sides of the aisle quite sympathetic to the problems of the American farmer. However, since we commenced the reading of this bill yesterday, on both sides of the aisle, probably with more of a charge to my good Republican friends and my Democratic friends, the bill has been sniped at and shot at and torn to pieces already, without substantial reason.

Here is a cut suggested by one of the members of the subcommittee who helped write the bill. He presents his reasons. Summed up briefly, they are that in his judgment the services provided for can be dispensed with.

This is not partisan in the slightest. We are in a war now, and we have changed our economy entirely in the last 6 months, or are in the process of going into a war economy. The change will be terrific, and if not wisely carried on we face the danger of losing all we hold dear in government.

We have proceeded since the last war period, when agriculture learned the bitter lesson of not giving consideration to changing from a peacetime to a wartime economy and found itself bankrupt, with trying to do something for agriculture. Both parties have endeavored to cure post-wartime errors — the Republican Party in its various programs up to 1932, but with no success whatever and agriculture was finally prostrated. Since 1933 the Democratic Party has been instituting its program, and no one can deny but that great good has come from it. We have made mistakes since then, a lot of them. Every piece of legislation that has been passed in reference to the farmer, from the farm-loan-bank legislation back in 1917 on to this time, has required study and facts and knowledge. This is the agency from which we get those facts.

The East Indies are lost to us, largely. Now there is a new problem presenting itself with regard to South American agriculture. I could go on indefinitely on this question, but let me read just one sentence on the situation before this cut that is now produced is voted upon. We cut this item, in committee, some $50,000. I read here from the hearings:

Mr. TARVER. It is noticed that a substantial reduction in the number of your employees will become effective if the Budget Bureau's estimates are approved as contemplated for the next fiscal year. In the fiscal year, for example, it seems that a reduction from 491.6 to 375.6 in the number of permanent field employees contemplated, and in the departmental service there is a reduction of 816.9 to 766.9 contemplated. If these employees are not retained in your department, will they be kept in the Department of Agriculture or will they be dropped from the service?

Dr. TOLLEY. Presumably, they will be dropped from the service

We made a $50,000 cut in spite of that fact, and now it is proposed to cut from an item of $1,278,000 a million dollars.

Mr. DIRKSEN. Oh, Mr. Chairman, the gentleman must be fair. There is $3,500,000 here including transfers, leaving them $2,500,000.

Mr. LEAVY. I grant you that, but this particular service the gentleman is proposing to cut from $1,278,000-plus to $278,000. This service does what? It is stated in the bill as follows:

For acquiring and diffusing useful information among the people of the United States, for conducting investigations, experiments, and demonstration, and for aiding in formulating programs for authorized activities of the Department of Agriculture,

And so forth. This is what the gentleman proposes to reduce.

Mr. DIRKSEN. And the whole amount is for that purpose.

Mr. LEAVY. I think it would be a grievous mistake to make that reduction.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Chairman, I am in a hard place. I do not know what to do. I am not willing to come into this House and guess how to vote upon an important measure, certainly one of the most important measures I can think of. In the first place, we are in war, and in the next place we are now dealing with the next most important, if not the most important, question connected with the prosecution of the war.

May I address myself to my good friend the chairman of the subcommittee, recalling, if I am correct, and if not, I should like to be corrected, that it was suggested by the chairman that there are probably places in this bill where it would be proper to make certain reductions and effect certain economies. Am I to be left in the position of guessing at that, or what shall I do about it?

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Just let me emphasize that the American Farm Bureau Federation, consisting of farmers that plow the soil and not the paved streets in Washington, favors this amendment.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from Georgia.

Mr. TARVER. The committee heard the Farm Bureau Federation representatives for 2 days. They gave us some valuable suggestions, which we adopted. We did not adopt everything that they suggested. I do not believe the Congress would be justified in writing an appropriation bill based solely on the opinions of representatives of the Farm Bureau Federation.

With regard to the gentleman's statement about my statement as to the fact that economies could be effected in this bill if the viewpoint of the committee should be sustained, all that the gentleman has to do is to read the subcommittee's report in which we point out where, if in our judgment we were justified in doing it, some scores of millions of dollars could be cut out of the bill, and ought to be; but in view of the recent action of the Congress in expressly authorizing the appropriations which we thought ought to be cut out, we felt we would be justly charged with disregarding the viewpoint of the Congress if we undertook to do that. If the House wants to cut it out, as far as I am concerned I am in agreement with whatever the House wishes to do on those items. If the gentleman will read the report he will find what the items are.

Mr. FOLGER. I must have misinterpreted what the chairman of the committee said, because I had looked for him to point out to me a Member who has not read the hearings of the committee and who depends largely and with full confidence on the committee, any places where economies could be effected without injury to the program which is so necessary to the prosecution of the war.

So I am left a little bit at sea as what I ought to do. I want to do the right thing, but I do not want to guess at it. I do not want to put myself in that situation by my vote, and I would like to know if there are any amendments to be offered or suggestions to be made where recognized economies can be made without injuring the farm program.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield.

Mr. LAMBERTSON. The gentleman seems to be making an actual inquiry, and I may say to the gentleman that the most controversial sections are those dealing with land tenantry and farm security. We found there the greatest opposition, and they involve millions of dollars. They are the things we naturally thought would be subject to the greatest opposition and were sought to be cut down, I may say in answer to the gentleman's question.

Mr. FOLGER. Is there yet something to be done about that?

Mr. LAMBERTSON. Yes; that is ahead of us.

Mr. DIRKSEN. And such amendments will be submitted.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 55, noes 52.

Mr. TARVER. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 65, noes 54.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. TARVER and Mr. DIRKSEN.

The Committee again divided; and the tellers reported that there were—ayes 76, noes 55.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H. R. 6709) the agricultural appropriation bill, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I have in my hand a decision which was requested by the subcommittee and which goes to the pending bill, relating to certain activities of the Farm Security Administration. I think the membership of the committee should have the benefit of the information contained in this decision, and I ask unanimous consent that I may extend my remarks in the Appendix of the RECORD by publishing this decision.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein excerpts from a recent report of the National Resources Planning Board.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Inez Robb entitled "What British Women Are Doing To Help Win the War." Mr. Speaker, the article may run a trifle over the amount allowed, although I think not, and I ask permission to include the article notwithstanding that fact.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. RIZLEY. Mr. Speaker, on last Friday I obtained unanimous consent to extend my remarks in the RECORD by including therein an address delivered in Oklahoma by the Honorable Ralph Carr, Governor of California. I find, after consulting the Public Printer, that it runs slightly over 2 pages, and the amount is $112.75. I now renew my request.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an excerpt from a broadcast by Mr. Fulton Lewis, Jr., on clothing-contract policies.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

The SPEAKER. Under previous order, the gentleman from Alabama [Mr. PATRICK] is recognized for 15 minutes.

Mr. PATRICK. Mr. Speaker, we have had a very heavy day today in the House, and the lawmakers are tired. The message that I have to address to the House will keep until next Tuesday, and I shall defer that until that time if I can get unanimous consent to address the House on Tuesday next. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of other matters on the Speaker's table, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

PROSECUTION OF THE WAR

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. GREEN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by printing a letter from the executive secretary of the Railway Labor Executive Association in regard to the pending appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BISHOP, for an indefinite period because of serious illness in his family.

To Mr. DAVIS of Ohio, for 3 days, on account of official business.

To Mr. DOUGLAS (at the request of Mr. HANCOCK), for an indefinite period on account of illness.

ADJOURNMENT

Mr. TARVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until tomorrow, Friday, March 6, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet Friday, March 6, at 10:30 a. m., in room 353, House Office Building, to continue hearings on the bill H. R. 6522.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 11, 1942, at 10 a. m. subcommittee No. 3 of the Committee on the Judiciary will continue hearings on H. R. 6444, to provide for the registration of labor organizations, business, and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building, Washington, D. C.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1454. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes; to the Committee on the District of Columbia.

1455. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands of the Veterans' Administration Facility, Murfreesboro, Tenn., to the city of Murfreesboro, State of Tennessee, to enable the city to construct and maintain a water pumping station and pipe line; to the Committee on World War Veterans' Legislation.

1456. A letter from the Secretary of War transmitting a draft of a proposed bill to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; to the Committee on Military Affairs.

1457. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the fiscal year 1942, amounting to $300,000, for the Lands Division of the Department of Justice (H. Doc. No. 645); to the Committee on Appropriations and ordered to be printed.

1458. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1942 in the aggregate amount of $3,280,000, together with a provision for a contract authorization in addition thereto in the amount of $25,400,000 for the Federal Works Agency (H. Doc. No. 646); to the Committee on Appropriations and ordered to be printed.

1459. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942 in the amount of $100,000,000 for the Federal Works Agency (H. Doc. No. 647); to the Committee on Appropriations and ordered to be printed.

1460. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce for the fiscal year 1942 amounting to $530,000 (H. Doc. No. 648); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. Interim report, Special Committee No. 3 on Matériel, Procurement, and Personnel, pursuant to House Resolution 162, Seventy-seventh Congress, first session; without amendment (Rept. No. 1873). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COFFEE of Washington: Committee on Claims. S. 1696. An act for the relief of Bessie Walden; with amendment (Rept. No. 1855). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. S. 1898. An act for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.; without amendment (Rept. No. 1856). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 1154. A bill for the relief of George C. Dewey; with amendment (Rept. No. 1857). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2014. A bill for the relief of Carl L. Jones; without amendment (Rept. No. 1858). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 2730. A bill for the relief of Dorothy Silva; with amendment (Rept. No. 1859). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 4153. A bill for the relief of Cleaver Kelley; with amendment (Rept. No. 1860). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 4180. A bill for the relief of Edward Keating; with amendment (Rept. No. 1861). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 4331. A bill for the relief of Alice R. Swett; with amendment (Rept. No. 1862). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 4408. A bill for the relief of the estate of Robert S. Swett; with amendment (Rept. No. 1863). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 4464. A bill for the relief of Henry J. McCloskey; with amendment (Rept. No. 1864). Referred to the Committee of the Whole House

Mr. KEOGH: Committee on Claims. H R. 4796. A bill for the relief of G. C. Barco; with amendment (Rept. No. 1865). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 4981. A bill conferring jurisdiction upon the District Court of the United States for the Eastern District of New York to hear, determine, and render judgment upon certain claims against the United States of the Phoenix Construction Associates; with amendment (Rept. No. 1866). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 5438. A bill for the relief of the San Diego Gas & Electric Co.; with amendment (Rept. No. 1867). Referred to the Committee of the Whole House.

Mr. KLEIN: Committee on Claims. H. R. 5439. A bill for the relief of Joseph Soulek; with amendment (Rept. No. 1868). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 5452. A bill for the relief of Emmett Armstrong; with amendment (Rept. No. 1869). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 5559. A bill for the relief of William Horsman; without amendment (Rept. No. 1870). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 5596. A bill for the relief of Tommy Huddleston; with amendment (Rept. No. 1871). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 6714. A bill for the relief of Daniel Elliott and Helen Elliott; without amendment (Rept. No. 1872). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 6728. A bill granting pensions and increases of pensions to certain dependents of veterans of the Civil War; without amendment (Rept. No. 1874). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LESINSKI:

H. R. 6728. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. BOREN:

H. R. 6729. A bill to authorize the Secretary of Commerce to establish fees or charges for services performed or publications or forms furnished by the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. TRAYNOR:

H. R. 6730. A bill to protect the public health by the prevention of certain practices leading to dental disorders; and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; to the Committee on Interstate and Foreign Commerce.

By Mr. HOBBS:

H. J. Res. 288. Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MARTIN of Iowa:

H. R. 6731. A bill to reinstate John B. Day, a captain, United States Army, retired, to the active list of Regular Army; to the Committee on Military Affairs.

By Mr MICHENER:

H. R. 6732. A bill granting an increase in pension to Nora T. Gorton; to the Committee on Invalid Pensions.

By Mr. MARTIN of Massachusetts:

H. R. 6733. A bill for the relief of Leslie P. Horton; to the Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 6734. A bill for the relief of Victor Bonnici; to the Committee on Immigration and Naturalization.

By Mr. SAUTHOFF:

H. R. 6735. A bill for the relief of William Muetz; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2519. By Mr. FORAND: Resolution of residents of Portuguese descent in the city of Providence, R. I., adopted at a mass meeting on March 1, 1942, earnestly endorsing all measures taken by the United States Government to bring to a final success and victory this war for the preservation of democracy and the peace of the world, and pledging absolute loyalty to the United States; to the Committee on Foreign Affairs

2520. By Mr. GRAHAM: Petition of the Prohibition Party of Lawrence County, Pa., urging the passage of Senate bill 860 in order to preserve law and order amongst the armed services at all times and to enable them to perform their important duties; to the Committee on Military Affairs.

2521. By Mr. HAINES: Resolution passed by the Pennsylvania State Senate on March 3, 1942, opposing the proposed erection of the dam on the Clarion River in Pennsylvania; to the Committee on Flood Control.

2522. By Mr. RICH: Petition of the First Baptist Church of Bradford, Pa., proposing to prohibit the manufacture and sale of all alcoholic beverages for the duration of the war; to the Committee on Military Affairs.

2523. By Mr. THOMAS of New Jersey: Resolution adopted by the Board of Chosen Freeholders, Bergen County, N. J., opposing the passage of Senate bill 2015 and House bill 5949, the said bills being against the best interests of the county of Bergen; to the Committee on Interstate and Foreign Commerce.

2524. Also, resolution adopted by Hunterdon County Board of Agriculture, Flemington, N. J., petitioning those responsible for assigning quotas for selective service boards to so set quotas that selective service will not absorb a large percentage of available farm labor and thus add to the present farm-labor shortage; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 6, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, grant us wisdom adequate to know our duty, and, as we hear Thy call, give us will to answer. We praise Thee with grateful hearts that Thy infinite holy nature holds a wide, deep pity which atones, forgives, and saves. Its power and consolation reach around the earth, to those in tears, in sorrow, and even in death.

Thou who are the living bread upon which we must feed, the vine on which there are unwithering branches, and the Good Shepherd who leads the way into green pastures, we pray Thee to be graciously near the mothers and daughters of our country's defenders; they are sacrificial workers in freedom's necessities; their toil is transfigured from labor into a mission both human and divine. We rejoice that men are called not only to be apostles and prophets, but to work for Thee and humanity, glorified by a high and holy purpose, whose sacrifice and hardness do not escape the approving eyes of a good God. We most humbly beseech Thee that calm behaviour may possess our citizens, and do Thou give deliverance from irresponsibility and from all voices full of greedy conflict. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 1535. An act for the relief of the estate of John J. Murray;

H. R. 2120. An act for the relief of John H. Durnil;

H. R. 2430. An act for the relief of John Huff;

H. R. 4896. An act for the relief of David B. Byrne;

H. R. 5478. An act for the relief of Nell Mahoney; and

H. R. 6531. An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous-metal scrap.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 221. An act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of the Beacon Oyster Co., the Point Wharf Oyster Co., and B. J. Rooks & Sons.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6511. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLASS, Mr. MCKELLAR, Mr. TYDINGS, Mr. MCCARRAN, Mr. BAILEY, Mr. LODGE, and Mr. WHITE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 2320. An act to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes; and

H. R. 6005. An act to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 4557) entitled "An act for the relief of the estate of Mrs. Edna B. Crook," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. SPENCER, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 4665) entitled "An act for the relief of Harry Kahn," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 5290) entitled "An act for the relief of Mrs. Eddie A. Schneider," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 5473) entitled "An act for the relief of Allene Ruhlman and John P. Ruhlman," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. TUNNELL, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2198) entitled "An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MALONEY, Mr. BANKHEAD, Mr. RADCLIFFE, Mr. DANAHER, and Mr. TAFT to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. BARK-

LEY and Mr. BREWSTER members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following department:

Department of War.

OUR AMERICAN GOVERNMENT—WHAT IS IT AND HOW DOES IT FUNCTION?

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, about 30 days ago the House of Representatives very graciously passed a resolution asking for the reprinting of what is known as a document. "Our American Government: What Is It? How Does It Function?" The copy for this reprint has been prepared and will consist of 64 pages and will contain 283 questions and answers on our American Government. Mr. Ansel Wold, clerk to the Joint Committee on Printing, requests that I advise Members that this document may be purchased now at $12.50 per 1,000 if orders are placed before the supply required for the Congress is printed but after that will be sold at 10 cents each by the Superintendent of Documents. I suggest to Members who desire to purchase them at this reduced price that they do so at this time. More than 100,000 copies have already been ordered by Members of the House and Senate. The order should be placed with the CONGRESSIONAL RECORD clerk, Mr. R. L. Harris, whose office is here in the Capitol.

[Here the gavel fell.]

CIVIL FUNCTIONS, WAR DEPARTMENT APPROPRIATION BILL, 1943

Mr. SNYDER, from the Committee on Appropriations, reported the bill (H. R. 6736, Rept. No. 1875) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, which was read a first and second time, and with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered printed.

Mr. POWERS reserved all points of order.

EXTENSION OF REMARKS

Mr. ELLIOTT of California. Mr. Speaker, I ask unanimous consent to extend my remarks on the Central Valleys reclamation project and also a short article that appeared in the Los Angeles Times as of February 8, 1942, dealing with the Japanese problem.

The SPEAKER. Without objection, it is so ordered.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a tribute paid by my colleague the gentleman from Illinois [Mr. DIRKSEN] to the junior Senator from Illinois, C. WAYLAND BROOKS.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, it is against the rules of the House to mention a Senator here. I hope the gentleman from Illinois is not attacking the Senator from that great State. If he is, of course, I reserve all points of order.

Mr. MASON. Mr. Speaker, when the word "tribute" is used there certainly could not be any attack.

Mr. RANKIN of Mississippi. It is against the rules of the House to even pay tribute to a Senator. You can put a speech in the RECORD, but, under the rules of the House, you cannot pay a tribute to a Senator. So you are sailing between Scylla and Charybdis. I reserve all points of order.

Mr. MASON. Mr. Speaker, then I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement of my colleague the gentleman from Illinois [Mr. DIRKSEN] concerning the junior Senator from Illinois [Mr. BROOKS].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONTRACTS FOR ARMY UNIFORMS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, in the Appendix of the RECORD, at page A839, there is an excerpt from a radio broadcast by Fulton Lewis, Jr., that I hope every Member in this House will read. It has to do with the letting of contracts on millions of dollars for the Army uniforms. It shows what Sidney Hillman and others who have the inside track are doing to kill all competition and grab all business for their own respective lines.

This may be wartime, but, nevertheless, factories that make women's clothing, that are qualified to make men's uniforms, cannot have any business if they don't belong to Mr. Sidney Hillman's union.

This is the great patriot who sold this country out last year, who thought his position in Government was to get everything in the world for the C. I. O. regardless of whether this country loses the war or not. One of the reasons that this country is losing the war to date is the selfish leadership of Hillman and others, who struck against their country in its hour of need and refused to work.

How long are these traitors going to be continued in the heart of government?

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1943

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6511) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 6, line 4, strike out "$9,875" and insert "$12,235."

Page 6, line 9, strike out "$402,860" and insert "$489,640."

Page 7, line 2, strike out "$479,603" and insert "$629,603."

Page 25, strike out lines 3 to 5, inclusive, and insert:

"White House Police: For 1 captain, 1 inspector, 4 lieutenants, 6 sergeants, and 128 privates, at rates of pay provided by law; in all, $344,000, notwithstanding the provisions of the act of April 22, 1940 (3 U. S. C. 62)."

Page 25, line 10, strike out "$6,500" and insert "$10,400."

Page 25, line 20, strike out "$137,710" and insert "$143,470."

Page 53, line 9, after "States", insert "This section shall not apply to citizens of the Commonwealth of the Philippines."

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. TABER. Mr. Speaker, reserving the right to object, I yield to the gentleman from Indiana to explain the situation.

Mr. LUDLOW. Mr. Speaker, this request for concurrence in the Senate amendments reflects the unanimous wish of all members of our subcommittee. The Senate made only a few changes in the bill as a whole. It did not change anything respecting that portion of the bill relating to the Postal Service.

The most important change it made in the portion of the bill relating to the Treasury Department was to put its approval on a proposal very much desired by the Executive and by the Treasury Department, to initiate a system of integrated accounting of all of the Government establishments. When this was before our subcommittee originally there was objection to it on the part of those who felt that it would possibly impinge upon the independence and authority of the General Accounting Office. It was omitted from our bill in the House and was not in the bill when it reached the Senate, but subsequent to its arrival at the other end of the Capitol, an amendment was drafted under Executive Order No. 8512 in the terms of which the interests of the General Accounting Office are specifically and adequately protected. The text of this amendment is found on page 31 of the hearings on the bill. The amendment reads as follows:

Provided, That prior to establishing such uniform terminology, classifications, principles, and standards, they shall be referred to the Comptroller General of the United States for consideration and determination as to whether they are in conflict with the forms, systems, and procedures prescribed by the Comptroller General as required by section 309 of the Budget and Accounting Act. If the Comptroller General determines that such conflict exists, then they shall not be established except by him as provided in section 309 of the said act.

I may state that in the form in which it now comes back to us it has the entire sanction and approval of Mr. Warren, the Comptroller General, who states that it does adequately insure the integrity and independence of the General Accounting Office. On page 30 of the hearings before the Senate subcommittee you will find this statement by Comptroller General Warren:

I can only say that should this amendment to 8512 be signed, it should remove any question whatever as to infringement on the General Accounting Office.

Subsequent to the time when Mr. Warren made that statement the amendment was signed by the President and duly incorporated as a part of the Executive order.

All the persons concerned, not only in the executive departments but in the General Accounting Office, are agreed that this is a very essential undertaking. The appropriations by the Government for the national defense exceed all previous boundaries, of course; and this is intended to give the President of the United States adequate and accurate reports of Government expenditures. He is entitled to and should have these reports to enable him to perform his executive duties. The plan has the sanction of all experts on accounting and, we believe, is sound and highly important.

The Senate reduced the proposed appropriation for this purpose from $250,000, the Budget estimate, to $150,000, which we think is adequate to start it off and to get this activity going. In this form it has the complete approval of our subcommittee, I believe; and this is the only item of any consequence inserted by the Senate. There was a Senate amendment of lesser importance, to provide 67 additional guards for the Government buildings in Washington, which we accepted. These guards, I may state, under previous authorizations, are already on the rolls and being paid for by deficiency appropriations. This just continues them under sanction of regular appropriations.

The other item is to enlarge the police protection at the White House, which under existing conditions in wartime was considered to be very important; and we have no objection to any of these other Senate items. I ask the House to approve the unanimous judgment of our subcommittee and concur in the Senate amendments.

Mr. TABER. Mr. Speaker, the Senate, if I may be so bold as to say so, has raised this bill less than any other bill that I have ever had any experience with in a long time. The regular departmental bills have generally been raised a very considerable amount. In this instance the Senate has added only a few items, like the White House Police, where we had previously put them on with a deficiency appropriation, and some guards in the Treasury and this particular item with reference to accounting, where, I believe, the rights of the Comptroller General are thoroughly protected as a result of the amendment to the Executive order under which these are set up. For this reason I am of the opinion that it would be desirable to clean the thing up and encourage the Senate not to raise bills by large amounts after they have passed the House.

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, I have no objection whatsoever to any item of the bill, but I desire to make a point of order against the procedure. The proper procedure is to call the measure up by unanimous consent and then move to concur in the Senate amendments.

The other day they had a measure up here with reference to the retirement of Congressmen. A couple of us protested on the floor at the time, but the RECORD shows it was adopted by unanimous consent, when the proper procedure was a motion and a vote.

I have no objection to any item in this bill, but I do suggest that we should follow the proper procedure—call it up by unanimous consent and then let the gentleman from Indiana move to concur in the Senate amendment.

The SPEAKER. The Chair will state that either procedure is proper under the rules of the House. The gentleman from Indiana may either ask unanimous consent to take up the bill and concur in the Senate amendments or he may ask unanimous consent to take up the bill and then move to concur in the Senate amendments.

Mr. KEEFE. Mr. Speaker, reserving the right to object—and I do so only to make an observation—when this bill was considered in the committee I took a very definite position in opposition to the requested appropriation of $250,000 to implement Executive Order No. 8512, which proposed to set up this new Bureau of Accounts in the Treasury Department. The subcommittee voted to eliminate that item from the bill. When this bill came up on the floor of the House I spoke at some length in opposition to this particular item which we had deleted from the bill in committee, in order to give notice to the other body of the action of this body in relation thereto. I feel that in view of the opposition which I expressed at that time that I should make this statement, so that the House will understand that as a result of the opposition of this House and action of the committee in striking out this item, the Executive order has been amended by the President. The amended order gives to the Comptroller General and the General Accounting Office the authority which we contended would protect the complete independence of the General Accounting Office and the Comptroller General's independence in the performance of his duties. In view of the fact that the Executive order has thus been amended so as to remove the objection which was raised to those items in the bill when it was considered in the House, and in view of the reduction in the amount by $100,000, I, as one who formerly objected to it, wish now to advise the House that the objections have been removed by the amendment to the Executive order, and that I feel that the action taken in the Senate is proper and that we should concur with the Senate amendment.

Mr. POWERS. Mr. Speaker, reserving the right to object, I do so to ask the chairman of the subcommittee a question. How much money is contained in this bill for the supervision of the sale of Defense bonds?

Mr. LUDLOW. I may say to the gentleman that nothing is contained in this bill for that purpose for the reason that the estimate which they submitted to us for the fiscal year 1943 seemed to be wholly inadequate and insufficient. It was nothing more than a token estimate. They had no way in God's Heaven of estimating what would be required for the next fiscal year and we thought it a part of prudence to omit the item entirely from the bill until they had a better understanding of their requirements.

Mr. POWERS. There is no money in this bill for the supervision of the sale of Defense bonds? We are not putting State supervisors on or we are not employing anybody?

Mr. LUDLOW. There is not a dollar for that purpose in this bill.

Mr. POWERS. I just wanted to know, because I think there are enough patriotic citizens throughout the United States who would volunteer for that service.

Mr. ENGEL. Mr. Speaker, reserving the right to object, do they have any funds outside of this bill which they can use for the purpose of paying people in the handling of Defense bonds?

Mr. LUDLOW. May I say to the gentleman that this bill makes appropriations for the next fiscal year, beginning on July 1. They have money to go ahead now. They are not out of money.

Mr. ENGEL. I was told, and I do not know whether it is accurate or not, that they are now employing a supervisor to handle Defense bonds at $6,500 a year. If that is true, and they are doing it in every State, that is going to run into money. Has the gentleman any information regarding that matter?

Mr. LUDLOW. I may say to the gentleman when they come up with the estimate for the next fiscal year, all those matters will be gone into with the utmost exhaustiveness and we will get at the bottom of the whole thing.

Mr. ENGEL. There is nothing in this record or any testimony pertaining to that matter?

Mr. LUDLOW. No. It is not covered.

Mr. TABER. Mr. Speaker, reserving the right to object, I think I can clear that up. There are approximately $27,000,000 available to the bond unit of the Treasury Department to carry through this current fiscal year, which ends on June 30. That came as a result of a deficiency bill enlarging that limit which was considered about 3 weeks ago. What the requirements will be or what should be appropriated for next year will not come up until probably after the first of May in a deficiency bill. The question as to these State officers was all discussed on the floor at the time the $27,000,000 was up for consideration 3 weeks ago. It was all brought out. They have those setups in the different States and they are under salary, and it was a matter with reference to which the gentleman from Pennsylvania offered an amendment and discussed here fully.

Mr. DITTER. The probabilities are that the gentlemen who have been inquiring about this lose sight of it because, may I ask, was that not submerged in the now famous Donald Duck controversy?

Mr. TABER. It was.

Mr. POWERS. The chairman of the subcommittee is a member of the deficiency committee. Does not the chairman as a member of the Appropriations

Committee and as a member of the deficiency committee believe there are enough patriotic citizens in the United States to handle the sale of Defense bonds without creating some patronage jobs throughout the various States?

Mr. LUDLOW. May I say to the gentleman that it is my understanding at the present time there are 100,000 people throughout the United States who are giving their services free in this activity. I certainly do think there are enough patriotic people to do the bulk of the work, but there necessarily must be a small paid administrative personnel to plan and direct the promotion campaign.

Mr. POWERS. I think it would be well for the deficiency committee to look into that matter.

Mr. LUDLOW. There are some 340 paid employees, I think, and 100,000 who are not paid.

Mr. POWERS. Three hundred and how many?

Mr. LUDLOW. I do not remember the exact number. I think it is about 340. Certainly not as many as 400.

Mr. POWERS. What are their salaries?

Mr. LUDLOW. I have not them at hand.

Mr. POWERS. Does the gentleman recall that during the last war there were no paid employees to sell or to supervise the sale of Liberty bonds?

Mr. LUDLOW. I do not recall.

Mr. POWERS. If my recollection serves me correctly, there were none.

Mr. PATMAN. Mr. Speaker, reserving the right to object, I would like to know why the Treasury Department does not encourage investment in Postal Savings, the same as the purchase of Defense bonds and stamps? It has exactly the same effect on the country and it is just as helpful to the Government to have one invest his money in Postal Savings as it is to purchase Defense bonds and stamps as the money invested in Postal Savings is in turn invested in Government bonds. It occurs to me that the Treasury Department could well afford to use the services of the thousands of postmasters in this country to encourage investments in Postal Savings.

Mr. LUDLOW. These Defense bonds, I may remind the gentlemen, are sold in the post offices: The Postal Savings activity is a regular establishment. It is not advertised, of course, like the other activity, but it is going along very well.

Mr. PATMAN. That is true, but I noticed a statement just now for the different towns and cities indicating the amount of bonds sold and the amount of help given to the Government, and no mention is made of postal-savings investments when they are exactly the same, so far as helping the Government is concerned.

Mr. LUDLOW. I may say to the gentleman I think that is a very constructive thought, and suggest that he take it up with Secretary Morgenthau.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

INCREASING THE DEBT LIMIT OF THE UNITED STATES AND FURTHER AMENDING THE SECOND LIBERTY BOND ACT

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that it may be in order at any time to consider the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; that all points of order against said bill shall be considered as waived; and that general debate shall continue not to exceed 1 hour, to be equally divided and controlled by myself and the gentleman from Massachusetts [Mr. TREADWAY].

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr TREADWAY. Reserving the right to object, Mr. Speaker, I understood from the Speaker that the bill is not privileged and, therefore, we are conceding the necessity for doing away with asking for a rule in order to expedite the adoption of this bill. We had a very complete hearing this morning, and I think it will be agreeable to this side of the House not to ask for a rule and to proceed with expedition to carry out the purposes of the act. I should simply like to ask the gentleman from North Carolina when he expects to call up the bill.

Mr. DOUGHTON. I hope to bring it up tomorrow, if that is agreeable with the leadership of the House. That is under contemplation, as I understand.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, the appropriation bill now pending will be finished before this other bill is called up?

Mr. DOUGHTON. That is up to the Speaker; I understand that is contemplated.

The SPEAKER. That is correct.

Mr. DOUGHTON. This request just provides that the bill may be called up at any time.

Mr. PATMAN. Reserving the right to object, Mr. Speaker, will the bill be read under the 5-minute rule and will there be the privilege to debate the bill as any other bill?

Mr. DOUGHTON. Yes.

Mr. PATMAN. A number of Members of the House have certain views about how the national debt should be paid. I presume consideration will be given to them when the tax bill is being considered?

Mr. DOUGHTON. Undoubtedly, I may say to my friend.

Mr. CANNON of Missouri. Reserving the right to object, Mr. Speaker, as the gentleman from North Carolina doubtless knows, the Committee on Appropriations in compliance with the announcement of the leadership, expected to bring up the civil-functions bill today. Acting on that understanding, the committee this morning authorized the report on the bill and directed that it be submitted to the House immediately on the completion of the pending bill. As the House is aware, the civil-functions bill carries a number of urgent items, including certain appropriations which are to be made immediately available, and there is pressing need for its passage at the earliest possible minute.

If the pending bill is not disposed of this afternoon, and there is no opportunity to bring up the civil-functions bill today, I take for granted there will be time for its consideration tomorrow afternoon following the disposition of the bill to be brought up by the gentleman from North Carolina, and that in any event nothing will be allowed to displace the agricultural appropriation bill now pending in the Committee of the Whole until it is finally disposed of.

The SPEAKER. It is hoped that both bills may be passed tomorrow, but that depends on whether or not we pass the pending bill today.

Is there objection to the request of the gentleman from North Carolina?

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman from North Carolina what limit is now sought to be placed on the debt?

Mr. DOUGHTON. It is now $65,000,000,000. It is proposed to increase it to $125,000,000,000. I may say to my good friend that Congress has already authorized appropriations for national defense of about $140,000,000,000. In order to protect the Secretary of the Treasury, so that he may successfully finance the national defense program, it is necessary to give him this authority. Further, I may say that I am informed by the Secretary of the Treasury that he will need this authority not later than April 1.

Mr. RICH. We are just about up to the $65,000,000,000 limit now?

Mr. DOUGHTON. We are very near it.

Mr. RICH. Does not the gentleman think that because we have had to increase the debt limit four times in the last 4 or 5 years the Members of Congress should realize what we are doing and should cut the regular appropriations to the core, in order that the gentleman will not have to come in here and be embarrassed within another year by asking us to raise the debt limit again?

Mr. DOUGHTON. I may say to my distinguished friend that I do not think Congress should realize it; I know it should.

Mr. RICH. Every Member of the House should be here right along to cut down these appropriations.

Mr. DOUGHTON. Every dollar should be cut out that is not absolutely necessary to take care of the normal expenses of the Government.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

WAR DAMAGE CORPORATION

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, with a House amendment thereto, insist on

the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. STEAGALL, WILLIAMS, SPENCE, WOLCOTT, and GIFFORD.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, when our subcommittee on agricultural appropriations was conducting its hearings it made some investigation with reference to the operation of the Selective Training and Service Act in the matter of farm labor. At that time we were unable to get a release which has subsequently been issued by the Director of the Selective Service System on this subject matter. I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein this release.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. POAGE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and include therein a quotation from a newspaper and a letter from a Texas farmer.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANTIRACKETEERING ACT

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, on June 18, 1934, Congress passed an Antiracketeering Act, and last Monday the Supreme Court decided that racketeering, if practiced by a labor union, did not fall within the terms of that act As Chief Justice Stone said, the decision, if the reasoning of the majority were adopted, made highway robbery a pleasant pastime.

I have offered today a bill to amend that act so it will apply to racketeering which burdens interstate commerce, no matter by whom it is practiced.

EXTENSION OF REMARKS

Mr. KERR. Mr. Speaker, I ask unanimous consent to extend my remarks and to print in the appendix of the RECORD a letter which I received from a very important educator in my State, Junius H. Rose, concerning the National Youth Administration.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

BUREAU OF AGRICULTURAL ECONOMICS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, at the conclusion of the deliberations of the Committee of the Whole House on the agricultural appropriation bill yesterday they adopted, on a division vote, an amendment by 55 to 52 to strike $1,000,000 from the appropriation for the Bureau of Agricultural Economics. This still leaves $2,500,000 for this planning activity.

This amendment has the endorsement of the dirt farmers. It has the support of the American Farm Bureau Federation. Other action may be contemplated on this amendment and it may come on for a teller vote in committee.

I am distressed to think that the Administrator of the Bureau of Agricultural Economics or someone in his office or in the Department should utilize the telephone this morning and telephone to the Members to resist this amendment. It is the best evidence I know of the bureaucratic technique and the House ought to rise against that kind of activity and prevail upon that amendment by an overwhelming majority when the time comes.

Mr. WOODRUM of Virginia. Is it not true if this cut of $1,000,000 is made it still leaves $2,500,000 for this planning and research that the Bureau of Agricultural Economics is doing?

Mr. DIRKSEN. That is exactly right.

EXTENSION OF REMARKS

(Mr. PADDOCK asked and was given permission to revise and extend his own remarks in the RECORD.)

BUREAU OF AGRICULTURAL ECONOMICS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Speaker, in my judgment it was not exactly according to Hoyle for the gentleman from Illinois [Mr. DIRKSEN] to undertake under the 1-minute-speech rule to make the concluding argument on an amendment the consideration of which in Committee has been concluded.

The Bureau of Agricultural Economics, if the estimates contained in this bill, which have been severely cut by the committee, are approved, will have in the next fiscal year $1,000,000 less than it had in the fiscal year of 1941. Its activities have not only not been expanding but they have been largely curtailed, and the effect of the adoption of the gentleman's amendment would, as I stated on yesterday, be in my judgment, and I think in the judgment of the committee, with the exception of the gentleman from Illinois, to destroy substantially the effectiveness of the work of this Bureau. For that reason I hope that on a teller vote the amendment will be rejected.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I move that the debate do now close at the end of 1 minute.

Mr. WOODRUM of Virginia. Mr. Speaker, I am just compelled to express my amusement at the good humor of my friend from Georgia in talking about what is according to Hoyle. He objects to somebody having a minute to say something about this amendment when yesterday, when we had defeated him on his amendment, he tucked tail and ran, and had the Committee rise in order to keep the Committee from then adopting the amendment.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. TARVER. I not only did not object to the gentleman saying something when I could have objected and prevented the gentleman from speaking, although I think his statement is of some advantage to those opposed to the amendment.

Mr. WOODRUM of Virginia. But the gentleman talked about "being according to Hoyle," when the gentleman had the Committee rise, although the Committee had concluded the debate and was ready then, by a teller vote, to do what the Committee by a standing vote had already done and thereby save $1,000,000 and help the farmer and still leave $2,500,000 for this experimental work which the Department is doing.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a resolution adopted by the general assembly of my State.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THE DIRT FARMER

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOOK. Mr. Speaker, I was very much surprised at the frankness of the gentleman from Illinois [Mr. DIRKSEN] when he said that the American Farm Bureau Federation and the dirt farmers are in accord with his ideas. I am glad that he has recognized that the American Farm Bureau and the dirt farmer are not one and the same thing. The American Farm Bureau Federation does not represent the dirt farmer of America. The American Farm Bureau Federation represents the corporate and the industrial farmers of America. Those large farmers who receive the large and extremely unconscionable amounts in benefit payments. The dirt farmers of America are the small farmers, who want a home-sized farm. The American Farm Bureau Federation does not represent those who toil on the soil and we of the House want those farmers who live on family-sized farms represented. The American Farm Bureau Federation, I understand, has been using the A. A. A. as a collection agency for American Farm

Bureau Federation dues. I further understand that these dues are collected from the farmers benefit payments, in order to boost their membership. I urge you to read the letter I intend to put in my extension of remarks.

PRIVILEGE OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I rise to a question of the privilege of the House and send the following to the desk.

The SPEAKER. The Chair wishes that the gentlemen who wish to rise to a question of personal privilege would first inform the Chair before appearing on the floor. Twice this week gentlemen have risen to questions of personal privilege.

Mr. MARCANTONIO. This is not a matter of personal privilege but is a privilege of the House.

The SPEAKER. Whether it is or not, the Chair would appreciate very much if, in the future, Members who are going to rise to a question of privilege of the House or of personal privilege would inform the Chair what their purpose is before rising.

RURAL ELECTRIFICATION

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, one of the reasons why I want this correction made and the letter taken out of my remarks is that in that letter I am informing some of my constituents that I am sending them an autographed picture of myself. My constituents are interested in rural electrification, and I fear that getting this letter into the RECORD might bring a barrage of letters from the district, say, of the gentleman from Illinois [Mr. DIRKSEN], whose farmers are begging for rural electrification, and of the gentleman from Kansas [Mr. WINTER], because those farmers down in Kansas are also begging for rural electrification. I fear that they may flood me with applications for this likeness of myself. I also fear a flood of requests from the district of the gentleman from Kentucky [Mr. MAY]. I look for a regular barrage of letters from his district, especially in light of the revival of righteousness manifested by the Legislature of Kentucky the other day on the proposition of T V. A. power for the people of that State.

Mr. RICH rose.

Mr. RANKIN of Mississippi. And if the gentleman from Pennsylvania [Mr. RICH] represents a rural district, I am likely to get a great flood of letters from farmers of Williamsport, Pa., and also of Woolrich, asking for these pictures. In fact, I might get more than I can handle.

The SPEAKER. The time of the gentleman from Mississippi has expired.

EXTENSION OF REMARKS

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a telegram that I have just received.

The SPEAKER. Is there objection?

There was no objection.

RURAL ELECTRIFICATION

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAY. Mr. Speaker, yesterday a special committee of the House Military Affairs Committee filed a report on the matter of the use of copper by the R. E. A. and the gentleman from Mississippi [Mr. RANKIN] immediately assailed that committee, calling it all kinds of names, notwithstanding the fact that only one member of that committee had dissented, so far as the special committee is concerned, and notwithstanding the fact that the House Committee on Military Affairs, as a whole, voted the report out with only three dissenting votes. The only thing that that report did was to make a fair and impartial finding on statements of fact which showed that the private power companies in collaboration with the O. P. M., and in coordination with the war program, had been able to hook up a grid system that would furnish enough electricity to operate the great aluminum plant being constructed in Arkansas, with a material surplus of power, and the O. P. M. wants the copper that would otherwise be used by the R. E. A., for the use of the Army and the Navy, and if the gentleman from Mississippi wants to take a contrary action, let him do it, and he can answer to the country and his constituents for his persistent efforts to sabotage and thwart the war efforts of the War and Navy Departments to get copper for our tragic war necessities. His only purpose is to socialize private industry. That is exactly what Germany, Italy, and Japan have done.

DUNHAM WRIGHT

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, on the 13th of this month one of the most outstanding men of Oregon celebrates his one-hundredth birthday. On his mother's side, he comes from the Hanks family, from which came Nancy Hanks, the mother of Abraham Lincoln. He knew Abraham Lincoln personally and well. He voted for him.

On the 13th of this month, Mr. Speaker, after the disposition of business on the Speaker's desk and the legislative program, I ask unanimous consent to be allowed 30 minutes to speak on the life and character of Dunham Wright, of Medical Springs, Oreg., and the eventful century which his life has spanned.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a brief history of the Lord Scully estate land purchases as made in Missouri, Illinois, and other States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. THOMAS F. FORD was granted permission to revise and extend his own remarks.)

Mr. WHITE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter on the St. Lawrence seaway.

The SPEAKER. Is there objection?

There was no objection.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I would not ask this time if I did not feel it only fair to do so on this Rural Electrification Administration matter. A factor that needs consideration is that the Rural Electrification line in Arkansas will furnish about 45 percent more power than the other hook-up would have done. I think it is also only fair to put into the RECORD at this point that the War Production Board approved it; the Reconstruction Finance Corporation approved it, and the Federal Power Commission approved it.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. RANKIN of Mississippi. And also let me call attention to the fact in reply to the gentleman from Kentucky [Mr. MAY] that that was really a fishing investigation, in that it went far astray from its real purpose. It was not ordered by the House of Representatives to go out and attack the R. E. A. or Donald Nelson's War Production Board.

[Here the gavel fell.]

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, since this controversy about the Rural Electrification Administration has entered the Chamber, I would suggest to all Members of the House that they read both the majority and the two minority reports. I attended all the hearings on this investigation. While the purposes and instructions of the committee were to investigate the shortage of copper, I want to assure the Members of this House that the members of the special committee had the switch thrown on them and they went into a power-fight investigation. That is the whole sum and substance of it. If the evidence could be presented to the membership and you could see the reasons why copper is not available in this country you will find that agreements between the big copper-mine owners and labor were made for a 5-day week; that hundreds of marginal mines in this

country have been closed in Montana, Nevada, Idaho, Arizona, and in other parts of this country, and are still closed, and no effort was being made to open them until a short time ago. Not one member of the Rural Electrification Administration or the Federal Power Commission or even Mr. Nelson himself were called to testify before this committee. It is my opinion that this committee hearing was one-sided.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I did not want to enter into this controversy, but as one of those who in the full committee voted against this majority report, I simply want to make this statement: The gentleman from Connecticut [Mr. FITZGERALD] was a member of the special committee and filed a minority report. Seven other members of the committee, consisting of the gentleman from Texas [Mr. THOMASON], the gentleman from Ohio [Mr. HARTER], the gentleman from New York [Mr. MERRITT], the gentleman from California [Mr. COSTELLO], the gentleman from Louisiana [Mr. BROOKS], the gentleman from Tennessee [Mr. DAVIS], and I filed a separate minority report.

These projects which are criticized in the majority report were authorized by Mr. Donald M. Nelson, head of the War Production Board, in whom the American people have great confidence. If you will read those reports—both majority and minority—I think you will get a sufficient amount of information from them to see that this was not a full and complete and fair investigation, in that the Rural Electrification and Mr. Nelson were both criticized and severely castigated, yet neither one of them nor any member of their organizations was given the privilege of appearing before that committee to explain the action that had caused this work to be done.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include two letters on industrial conversion.

The SPEAKER. Is there objection?

There was no objection.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, if the dignity and respect of the Congress of the United States is to be retained by the American people the kind of star-chamber investigation, inquisition, that was pulled off by the Faddis committee cannot be tolerated in this Congress.

I was one of those who appeared there to testify. I was of those who was familiar with the subject of the investigation——

Mr. MAY. Mr. Speaker, I rise to a point of order.

[Here the gavel fell.]

The SPEAKER. What is the point of order?

Mr. MAY. I ask that the words of the gentleman from Arkansas, in which he called that committee a star-chamber proceeding and an inquisition, be taken down.

The SPEAKER. The Clerk will report the words to be taken down.

Mr. ELLIS. Mr. Speaker, may I make a further statement?

The SPEAKER. The gentleman may submit a unanimous-consent request if he desires, but he may not make a statement.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to withdraw the words "inquisition" and "star chamber" and proceed for 1 minute.

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, I will say to the gentleman from Arkansas that that is perfectly all right, because those statements are already in the RECORD.

Mr. THOMAS of New Jersey. Mr. Speaker, reserving the right to object, and I shall not, I do not see any Members on the majority side of the Faddis committee on the floor, but I want to say for both the majority and minority of the Faddis committee that we assure the gentleman there has been no star-chamber procedure. Furthermore, the gentleman himself when he came before our committee got the greatest consideration from every member of the committee.

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, let me say to the gentleman from Arkansas and the gentleman from New Jersey that all they have to do is to read the reports, and especially the one filed by the gentleman from Connecticut [Mr. FITZGERALD]

The regular order was demanded.

The SPEAKER. The regular order has been demanded. The regular order is: Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The gentleman from Arkansas is recognized for 1 minute.

Mr. ELLIS. Mr. Speaker, the Faddis subcommittee was investigating a war contract recommended by Donald Nelson and signed by Jesse Jones for the prosecution of a war project in Arkansas. What the committee actually investigated was who should furnish the power even after the lines to furnish the power were started to that project. What they actually did was to hear the power-company executives. What they listened to and believed was the testimony of the power-company executives. They never once called Donald Nelson, of W. P. B.; they never once called Jesse Jones, of R. F. C.; they never once called the R. E. A. officials or cooperative that did the work, in the one instance, and the Texas cooperatives, in the other. They were listening to the power companies and wanted to believe them. The report justifies my statements.

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a newspaper clipping.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

QUESTION OF PRIVILEGE OF THE HOUSE

The SPEAKER. The gentleman from New York [Mr. MARCANTONIO] raises a question of the privilege of the House, which the Clerk will report.

The Clerk read House Resolution 454, as follows:

A resolution raising the question of the privilege of the House offered by Mr. MARCANTONIO, of New York

Whereas the committee of the House on un-American activities has published a report entitled "Report on Japanese Activities"; and

Whereas said report is presented by said committee as its report of its investigation and work; and

Whereas in fact many pages of the report contain substance, words, and even the punctuation of information published in other publications; and

Whereas the report does not give credit to these other sources but usurps the substance and words and punctuation of said other sources and thereby informs Congress that said substance and words of other sources are those of the committee; and

Whereas page after page of this report has been plagiarized, word for word, comma for comma, from sources having no connection with the Congress, without credit or reference thus reporting to the House that this work, language, and conclusions are of the committee when in fact they are not; and

Whereas the report sets forth the work, investigation, and conclusion of other sources as its own work and conclusions without giving credit to other said sources; and

Whereas this plagiarism reflects on the integrity of the House: Therefore be it

Resolved, That the Speaker of the House appoint a committee to investigate this matter and report back to the House its findings and recommendations.

The SPEAKER. The Chair has examined the motion of the gentleman from New York and will read rule IX of the House:

Questions of privilege shall be: First, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members, individually, in their representative capacity only.

The Chair is not able to pass on whether or not this is plagiarism. Two men writing on the same question might use the same words without either knowing what the other had done. The Chair must therefore hold that the gentleman does not raise a question of the privilege of the House.

Mr. MARCANTONIO. May I be heard on the ruling?

The SPEAKER. The Chair has already ruled.

Mr. MARCANTONIO. May I present the material that supports my charges?

The SPEAKER. The gentleman may extend his remarks in the RECORD. The Chair has already ruled.

Mr. MARCANTONIO. I was not given an opportunity to be heard. I can support the charges, paragraph by paragraph.

The SPEAKER. The Chair has already ruled.

CALL OF THE HOUSE

Mr. MAHON. Mr. Speaker, I make the point of order, a quorum is not present.

The SPEAKER. Obviously, a quorum is not present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 34]

Andersen, H. Carl	Gillette	Pfeifer, Joseph L.
Arnold	Heffernan	Randolph
Baumhart	Holbrook	Rivers
Beam	Howell	Robinson, Utah
Bender	Jarrett	Sacks
Bishop	Jenkins, Ohio	Sanders
Blackney	Jensen	Scanlon
Bolton	Johnson, Ill.	Schaefer, Ill.
Buck	Johnson, Lyndon B.	Scott
Byron	Kelley, Pa.	Shannon
Cartwright	Kelly, Ill.	Sheridan
Celler	Kinzer	Smith, Pa.
Cole, Md.	Kleberg	Stratton
Copeland	Knutson	Sweeney
Curtis	Kramer	Tolan
Davis, Ohio	Lambertson	Vreeland
Delaney	McKeough	Wadsworth
Dies	Maas	Walter
Douglas	Magnuson	Weiss
Drewry	Mitchell	West
Eberharter	Mundt	Wilson
Faddis	Myers, Pa.	Wolcott
Fish	O'Day	Worley
Fitzpatrick	O'Hara	Wright
Gearhart	Osmers	Youngdahl
Gifford		

The SPEAKER pro tempore (Mr. COOPER). Three hundred and fifty-seven Members have answered to their names. A quorum is present.

Further proceedings, under the call, were dispensed with.

EXTENSION OF REMARKS

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a radio speech I delivered recently.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. JACKSON]?

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, the business in order is a motion to resolve into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, the agricultural appropriation bill. And the question pending before the Committee of the Whole is an amendment by the gentleman from Illinois [Mr. DIRKSEN], to strike a million dollars from the annual appropriation for the Bureau of Agricultural Economics. Last night just before the Committee rose I voted against the amendment, but after studying it more carefully, I believe we can cut this million dollars out of the bill, and retrench to that extent the draft upon the Treasury, without injury to the bill or to the farmer.

Expenditure for this purpose is at best a nondefense expenditure and a nonessential expenditure. In view of the fact that it is an innovation and provides for the exercise of new functions, and that in times like these all nondefense expenditures should be cut rather than enlarged, I am convinced we can dispense with the comparatively new activities to be undertaken on the strength of this appropriation. Under the circumstances friends of the farmer will wisely forego nonessentials in order to thereby the more consistently insist upon the essential items in the bill.

This will be the first question taken up in the committee this morning and opportunity will be afforded to save a million dollars in nondefense expenditures without appreciable disadvantage to the bill by voting for the amendment.

[Here the gavel fell.]

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday there was pending a vote by tellers offered by the gentleman from Illinois [Mr. DIRKSEN]. The Chair appoints as tellers the gentleman from Illinois [Mr. DIRKSEN] and the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 21, line 21, after "organizations", strike out "$1,278,798" and insert "$278,798."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The Committee divided; and the tellers reported that there were—ayes 128, noes 65.

So the amendment was agreed to.

The Clerk read as follows:

Eradicating tuberculosis and Bang's disease: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, $3,575,669, together with $1,450,000 of the unobligated balance of the appropriation made under this head for the fiscal year 1940, and $1,013,331 of the unexpended balances of appropriations heretofore made for eradication of foot-and-mouth and other contagious diseases of animals, in all, including reappropriations, $6,039,000: *Provided*, That in carrying out the purpose of this appropriation, if, in the opinion of the Secretary of Agriculture, it shall be necessary to condemn and destroy tuberculous or paratuberculous cattle, or cattle reacting to the test for Bang's disease, and if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary for the payment of indemnities to owners of such animals but, except as hereinafter provided, no part of the money hereby appropriated shall be used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any purebred animal.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 26, line 11, after "cattle", strike out "$3,575,669" and insert "$3,308,669."

Mr. MONRONEY. Mr. Chairman, this is another one of these travel amendments in which I am seeking to reduce the total amount spent for travel by the Department of Agriculture from $16,000,000 to $8,000,000.

No one can question the worthy functions for which this $3,575,669 appropriation is intended to be used, that is, to eradicate tuberculosis and Bang's disease, but I do not believe that even the fondest friend of the farmer would want $534,000 spent for travel in this department. This amendment simply attempts to reduce this travel account by one-half, and still leaves the Bureau concerned with the eradication of tuberculosis and Bang's disease with $267,000 for travel. Further, it leaves untouched and unmolested the total of $3,308,669 for the job they are supposed to do for the dairy herds. I think the travel sum left in the bill, a quarter of a million dollars, would be adequate. It does not touch the travel by Government autos in the necessary functions of their work.

There seems to be some confusion on the part of Members as to whether or not this would interfere with the use of Government cars or take away from the appropriation the money needed to buy service or maintain the Government cars used in the field. I may advise the committee that this is not the case.

I have the word of the man who handles the Department of Agriculture ap-

propriation in the Budget Bureau for the fact that these travel expenses, which total $16,000,000, are actually traveling expenses, hotel expenses, and cafe expenses. Surely, with us about to lose everything we have in the far Pacific and with the sinking of ships in the Atlantic, we can expect some of the members of our bureaucracy downtown to effect some cuts.

SHOULD JUSTIFY APPROPRIATION ITEMS

I have listened attentively to the Members of this committee fighting for these travel appropriations. It seems to me they put the shoe on the wrong foot, because when they come to this House and ask for $3,575,000 I believe they should justify the expense that is in there. Further, when they fight this amendment today, which I am sure they will do, I want them to justify the necessary trips to Washington, the trips around the country in Pullman cars, and similar trips, and give the justification for the hotel and other expenses. I believe this is a fair amendment.

NO FUNCTIONS CURTAILED

I am not making any effort to eliminate any of the necessary functions of this Bureau; I merely seek to reduce what I think is an unnecessary function of this Department; that is, to travel around at the expense of the Government. I think we can surely reduce this travel item without the farmer's feeling any effect from it except one of pride and joy that Congress has at last cut the travel expense.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. How does the gentleman break down the item so that he can tell that this certain sum is being used for travel expenses?

Mr. MONRONEY. I am glad the gentleman asked that question, because in every Budget figure you get, only by looking into and studying the hundreds of accounts in the Budget book, you can find a break-down as to these expenditures showing to what they are allocated.

To get at these travel expenditures you will have to cut the individual items. I think, frankly speaking, that the committee, in looking for the big cut, has overlooked a few thousands of dollars that we Members of the House can save. I think we can surely squeeze some of the water out and cut down some of the rolls of fat. In other words, let those people downtown either travel half as much or half as far, or perhaps ride in an upper berth instead of a lower.

Mr. CLEVENGER. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Ohio.

Mr. CLEVENGER. The gentleman has made a valiant fight for the cutting of travel expenses. I think it could be arranged simply if you would separate a lot of the travelers and fellow travelers from the pay roll.

Mr. MONRONEY. I thank the gentleman for his contribution.

I have listened attentively to the committee, which says that these are necessary functions. I realize the members of the committee have spent long hours in studying the necessary functions that are performed by the men in the bureaus downtown, but I do say that any intelligent man, knowing the situation that faces this country, and realizing what these funds are appropriated to do—and they are appropriated to help the farmer—cannot help but admit that we can squeeze some of the water out of these overstuffed travel-expense accounts.

Mr. Chairman, I hope the Committee will adopt this amendment.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, nobody will charge me with being a shrinking violet when it comes to suggesting amendments which I think are in order and are warranted, but I cannot think of a more inappropriate place to make a cut than the one suggested by my good friend the gentleman from Oklahoma [Mr. MONRONEY] to eliminate sundry thousands from the travel item for the elimination of Bang's disease and tuberculosis.

The reason is that there are 1,042 people employed in this work. Their job is to go into virtually every county in the United States, to test herds, to eradicate tuberculosis, to eradicate Bang's disease, and to make the necessary compensation to the farmers wherever cattle are slaughtered, whether they are grade or purebred cattle.

These men have to travel everywhere. Most of their business consists of going from one farmstead to another farmstead. Five hundred and thirty-four thousand dollars for travel for the fiscal year 1943 for 1,042 people, who are expected to go into every dairy section of the country every day, is, in the judgment of the subcommittee, not an exorbitant amount, and I think it is entirely in order.

Added to this is the fact that John R. Mohler, the Administrator of the Bureau of Animal Industry, is, in my judgment, one of the most capable and one of the most forthright, diligent, earnest, able, and economical Government servants who has ever worked for Uncle Sam. We have never found, insofar as my memory extends, any particular abuses with respect to expenditures for supplies, travel, and so forth, in the Bureau of Animal Industry, and hence it occurs to me this is a sound item, and the amendment of my friend from Oklahoma should be rejected.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to my colleague from South Dakota.

Mr. CASE of South Dakota. I think this illustrates perfectly the danger of making an arbitrary 50-percent slash on travel items and applying them indiscriminately to a service. Here the problem might be solved by driving these cattle in to the inspector; but, obviously, if this work is to be accomplished, the inspector has got to go to the herds. The man who owns the cattle is not going to drive them in and say to the inspector, "Go ahead and condemn some of my herd."

Mr. DIRKSEN. And I may observe further that I doubt whether the amount will be enough. For instance, the Department of Agriculture owns and operates something like 20,000 automobiles. There are priorities on rubber, and Mr. Henderson indicates there will be no tires for travel by automobile. In that event they have got to hire private conveyances or do more travel on the trains, and that may be more expensive. It is my best judgment this amount is not exorbitant.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Mississippi.

Mr. COLLINS. The statement made by the gentleman applies to all items of travel. With the elimination of automobiles, which will gradually disappear because they will not be available for purchase and because the Appropriations Committee in the War Department civil functions bill prohibits the purchase or exchange of automobiles.

Mr. DIRKSEN. I can agree with that with possibly two or three exceptions.

Mr. COLLINS. And rail travel will increase because automobiles will not be available.

Mr. DIRKSEN. Yes.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman.

Mr. MONRONEY. The gentleman knows how many cars the Bureau operates that are Government cars. Eight hundred, I believe, is the correct figure.

Mr. DIRKSEN. Yes.

Mr. MONRONEY. That does not come under this item for travel expense.

Mr. DIRKSEN. Yes; but the point is that they will not be able to get around if they have no tires or if they do not have the required fleet of automobiles. The net result is we are going to have to make some provision to take care of getting these people around by some other instrumentality of transportation.

I sincerely propose that the amendment should not be adopted.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

Mr. O'CONNOR. Mr. Chairman, I object. I want 3 minutes.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, this amendment strikes at one of the most essential activities of the Department of Agriculture. There is no item in the bill more important to the livestock industry and to the production of food than the provision for the control of tuberculosis and Bang's disease and the appropriation to support it.

When we began this campaign against these two sinister maladies a few years ago, bovine tuberculosis was rife in every county in the United States and Bang's

disease was even a more destructive malady. Within the last few years, with the activity supported by this appropriation, we have completely eradicated tuberculosis in every county and are rapidly closing in on Bang's disease. A majority of the more than 3,000 counties are now certified as free of both deadly diseases.

This activity is of exceptional importance since it affects not only the development and maintenance of one of the great industries of the country and the food supply of the Nation, but because it is in position to affect directly the health of every individual in the United States.

Tuberculosis, the great white plague, is particularly susceptible to communication through meat and dairy products. And Bang's disease is the source of undulant fever, one of the most malignant maladies with which physicians have to cope, and one of the most difficult to control. It is, therefore, especially gratifying that through the work to which this appropriation is to be applied we have, in the last few years, completely eliminated active tuberculosis in every county; have controlled Bang's disease in many counties and are making steady progress toward universal elimination. If provisions made in this bill are continued, it is a matter of only a short time before we will be able to completely wipe these two destroyers of man and beast from the entire map.

But what is especially in point, since this is a proposal to cut administrative expense, the record of expenditure of funds by this activity has been from the first without blot or blemish. We have gone into that phase of the matter in great detail and there have been able to find no suggestion of maladministration or extravagance or misapplication or misuse of funds in any particular.

The administration of this fund has been one of the cleanest and most commendable in the entire agricultural setup.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my distinguished friend from Texas.

Mr. MANSFIELD. Is it not a fact that the elimination of tuberculosis is of as much interest to the city dweller as it is to the country dweller?

Mr. CANNON of Missouri. Even more so, because tuberculosis is much more prevalent in the city than in the country, and this activity is doing more than any other one thing to control human tuberculosis, especially among children.

Mr. WASIELEWSKI. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Wisconsin.

Mr. WASIELEWSKI. Could the gentleman inform me whether or not most of the States have similar inspection service for cattle in the States?

Mr. CANNON of Missouri. I do not have with me the statistics on the exact ratio, but most of the States are cooperating actively both in appropriations and the invaluable services of their own departments of agriculture with the Federal Government in the eradication of the two diseases.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. And is it not just as important to eliminate Bang's disease, and is it not just as destructive of the cattle industry as is tuberculosis?

Mr. CANNON of Missouri. Yes; much more so, because it strikes directly at the basis of production, and also, because in the health aspect, as difficult as it is to cure tuberculosis, it is still more difficult to control undulant fever, of which Bang's disease is the only source.

Mr. ANDERSON of New Mexico. And does not the gentleman realize that many of the States' activities in this respect have been built up on the anticipation that the Federal Government would continue its work in cooperation with the State in this respect?

Mr. CANNON of Missouri. I am glad the gentleman calls attention to that angle of the question raised by this amendment. The Federal Government has encouraged the States to build up cooperative agencies of both personnel and material by holding out the prospect of continuing appropriations for this purpose. To deny these funds at this time would amount to little short of a breach of faith and would, by disorganization of the work within the States, indefinitely delay the successful culmination of the State and Federal campaign of eradication.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield to me for a brief observation?

Mr. CANNON of Missouri. I am glad to yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I desire to commend the distinguished gentleman from Missouri, the able chairman of the Committee on Appropriations, in his opposition to the pending amendment. He is making an able and convincing argument. May I add in this connection that the cattle industry is an important one to the State of Oklahoma and that the stock growers of our State, large and small, are tremendously interested in maintaining the appropriation to the Department of Agriculture for the purpose of eradicating the dreaded and spreading Bang's disease in every section of our State. It would not be in the interest of economy or good business and would be a blow to the cattle industry of Oklahoma as well as the rest of the country where this disease is prevalent to seriously curtail and hamstring officials of the Department who are battling this dreaded disease that has made serious inroads on many herds of cattle in Oklahoma. May I add that although I have a profound respect for my distinguished colleague from Oklahoma and his desire to economize and am usually in accord with his views, I regret that I am unable to share his views on this particular item, and I trust that the House will not support the pending amendment.

Mr. CANNON of Missouri. No one is in position to speak with a more intimate knowledge of the subject than the gentleman from Oklahoma. He is not only thoroughly conversant, through long experience, with all agricultural items in the bill but has made a particular study of the livestock industry, and is an acknowledged authority on both.

Mr. MONRONEY. But the gentleman must realize that this also leaves three-million-eight-hundred-thousand-and-odd dollars still for the eradication of Bang's disease.

Mr. CANNON of Missouri. That is true, but the entire amount is essential to the successful prosecution of the work, and the reduction of the amount proposed by the amendment would seriously cripple the administration of the funds provided by the bill and would to that extent delay the complete control of these two pestilential scourges.

I trust the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. O'CONNOR. Mr. Chairman, I am opposed to this amendment and want to elaborate somewhat upon the statement of the gentleman from Missouri [Mr. CANNON]. We lose thousands and thousands of cattle by Bang's disease on our ranges alone, and if this appropriation is to be eliminated, it would be one of the most disastrous things that could happen to the cattle industry in my State. That, however, is not the sole purpose of my rising at this time.

Mr. AUGUST H. ANDRESEN. It would not only be a serious thing to eliminate this item to the gentleman's State but to the whole country, because the Government and the States have been cooperating in the effort to eliminate tuberculosis and Bang's disease. It is necessary to do so for the purpose of public health.

Mr. O'CONNOR. Here is something to which I wish to direct the attention of the House. This is taken from the testimony of Dr. Bernhardt, testifying before the committee that has this in charge:

> On January 1, 1942, approximately 1,400,000 tons of beet sugar were on hand. Approximately 860,000 tons of raw and refined cane were on hand—about 2,200,000 of carryover stocks, altogether.

I want to call attention of the House to the fact that we are making industrial alcohol out of sugar, a product which we are importing. We raise only about 30 percent of our consumption. The Government is only making from 10 to 11 percent of industrial alcohol out of grain, whereas we should be making it almost entirely out of grain.

Mr. TARVER. Mr. Chairman, I am sorry to have to interrupt the gentleman, but a great deal of time has been taken up already in the consideration of this bill. The gentleman's remarks are not pertinent to the amendment, and I regret to have to make the point of order. I think, probably, he is making a good case, but, in the interest of the expedition of this bill, I must object to the gentleman proceeding further.

Mr. O'CONNOR. This relates to the stocks that we have on hand, not only stocks of sugar but stocks of grain.

The CHAIRMAN. The gentleman from Montana will proceed in order.

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point and to include therein certain matter in the RECORD. I want to place in the RECORD in 1942 the stock of wheat that we have in this country aggregates 987,607,000 bushels, and of corn 2,178,084,000 bush-

els, out of which this industrial alcohol should be made and our supply of sugar saved.

The CHAIRMAN. The gentleman would have to obtain consent to place extraneous matter in the RECORD from the House.

Mr. O'CONNOR. I refer only to my own statement.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, I have asked the gentleman from Illinois [Mr. SABATH] and his House Rules Committee for immediate action on my resolution (H. Res. 436) so that this so-called sugar shortage and the apparent failure of some Government agencies and large distilleries to use surplus grains in the manufacture of industrial alcohol may be cleared up once and for all.

The January 1, 1942, stocks of wheat in this country totaled 987,607,000 bushels. Corn stocks on the same date were estimated at 2,178,084,000 bushels. There were 758,890,000 bushels of oats on January 1, 1942, and on last January 1. 70,431,000 bushels of barley in this country.

A normal yield this year will give us another 800,000,000 bushels of wheat, an estimated 2,600,000,000 bushels of corn, 1,200,000,000 bushels of oats, and 333,000,000 bushels of barley.

Why are not these huge stocks of grains being used in making 190-proof ethyl alcohol for industrial purposes?

Why have 1,000,000 tons of sugar—sugar which our people are to use on a rationed basis—been set aside for conversion into molasses for industrial alcohol this year when we have these gigantic stocks of other grains, which, everyone admits, can almost all be converted into vital alcohol nearly as easily as sugar?

Why were domestic sugar-beet producers last year forced to reduce their acreage from 17 to 20 percent?

Why was the processing of cane, which would have yielded 300,000 tons of sugar, prohibited and the cane left to rot in Puerto Rican fields?

Sugar producers and many Members of Congress, including myself, vigorously urged, on the other hand, that these domestic quotas be lifted, but our pleas fell on deaf ears.

I am not aiming to "get anybody" in this inquiry, but I believe that the people of this country—and Congress itself—are entitled to know the whole truth behind the unpleasant situation.

It can be said that we are now making industrial alcohol from corn and wheat and other grains, but the percentage is so small of what we could use if certain powerful interests in and out of our Government were in favor of doing just that thing.

Such an investigation, gentlemen, should prove very interesting, and I am asking the Rules Committee to give my resolution every consideration so that it may be brought to the floor of the House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The amendment was rejected.

The Clerk read as follows:

Eradicating cattle ticks: For the eradication of southern cattle ticks, $270,000: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry: *Provided further*, That not to exceed $5,000 of the amount herein made available may be used to purchase and supply beef to the Seminole Indians of the Big Cypress Swamp area, Hendry County, Fla., during the time that deer infested with cattle ticks are being removed from said area and until such area is restocked with deer: *Provided further*, That the Secretary of Agriculture, his agent or agents, in cooperation with the duly constituted authorities of the State of Florida, is authorized to conduct tick eradication on the Seminole Indian Reservation in the State of Florida under the provisions of the laws of that State.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 27, in line 24, after the words "cattle ticks", strike out "$270,000" and insert "$254,250."

Mr. MONRONEY. Mr. Chairman, in order to assure the members of the committee that I am not trying to cut their appropriations and not touch those appropriations which are vital to my people—and I come from a farming district—I am attempting to cut these appropriations one by one by the extent of the travel, largely railroad travel expense and hotel and cafe subsistence.

LEAVES ADEQUATE AMOUNT

I still leave $254,250 of this fund out of a total of $270,000. In other words, I am trying to reduce the amount of travel which was budgeted at $30,500, to $15,250. I think it is a logical, easy, and sensible place to reduce. If an emergency comes, the members of the Appropriations Committee know that these funds can be transferred to this Department to help eradication. The more money spent for travel, the less goes to the farmer and the essential functions designed to assist him.

I simply think if we are in earnest when we say that we want to cut down on nondefense and nonessential expenditures, we can trim easily from this amount a travel expense of $15,250.

I am not going to take any more time with this matter. I think you understand it. I think I will be voted down, but I do think that sometime, out in the farming districts of this country, the people will rise to tell this Congress and these appropriations committees that they are tired of wasting Government money, and want it cut down.

I have yet to hear any argument except that of my friend on the other side of the aisle, pointing out where the travel was absolutely necessary, and there is no justification as to conventions, of places of meeting where this travel is necessary.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. PATMAN. If this amount remains in the bill the gentleman does not insist that any of it will be wasted? He knows it will be used for a good purpose?

Mr. MONRONEY. I am a little skeptical about the total of $30,500. I believe that is a little heavy on the travel expense account and I believe it should and could be cut down now that reductions are absolutely necessary. We must realize the condition of gravest national peril that this country faces in our international affairs.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the distinguished gentleman from Washington.

Mr. LEAVY. If the gentleman's amendment were to prevail and $15,200 were eliminated from the travel on this item without any regard whatever being given to the personnel whose responsibility it is to go to these places, whether you assume they should or should not go, would you not have idle personnel in an amount that would eat up much more than the $15,000; and you have not taken that into account at all, have you?

Mr. MONRONEY. I heartily disagree with the gentleman that it is necessary for us to buy Pullman rides and trips to conventions to perform the functions of farm aid and if there is too much personnel I believe the gentleman has read the President's statement that he is going to ask to transfer it from many of these nondefense departments to war effort. I applaud the President for his decision on conversion of nonessential workers into the war effort. I believe the country is asking for this elimination of extra help. If we cannot have business as usual, I do not think we should have government as usual. The gentleman is more familiar than I am of the places where personnel can be spared. I am sure it can and should be tremendously reduced. This is especially true in order to give to the war effort the experienced clerical and stenographic help that now is not overworked in the regular departments. But I am only now attempting to work on that part of the bill, the travel expense of $16,000,000, that seems to me to be obvious to any prudent man possible of a reduction.

Mr. LEAVY. In the first place, the gentleman does not have any evidence whatever to base his assumption that this travel is Pullman-car travel. It might be any other travel.

Mr. MONRONEY. Have you ever caught one of them in a chair car?

Mr. LEAVY. They go out to the farms. Surely they do not ride out to the farms in a Pullman car.

Mr. MONRONEY. No; but the Bureau of Animal Industry alone has 800 Government-owned automobiles in which to go to the farms. That is not included in this account. I am striking at the travel account, which is for railroad travel and subsistence allowance. The Government-owned automobile expense is entirely another item that is untouched by any of my amendments.

Mr. LEAVY. I do not have any objection to the gentleman striking at the

program, but if he is going to be consistent he ought to study the item sufficiently to ascertain if a great deal larger saving cannot be made by cutting down the personnel.

Mr. MONRONEY. I only wish I had the genius of my good friend, the new judge for the State of Washington, to realize what part of the personnel was not essential.

I must yield to the distinguished Appropriations Committee, that knows, and apparently by their own modest admission has put in so much time in study of all the items in this bill, where the nonessential personnel can be reduced. But I do insist that travel by train to conventions, to meetings, and to conferences is not absolutely an indispensable function in the bureaus downtown.

Mr. LEAVY. But the gentleman cannot offer any proof that any of this travel is to conventions or places of that sort.

Mr. MONRONEY. Has the committee offered any explanation of where this travel is to or any justification in their hearings as to why this total of about $16,000,000 occurs? After all, that is a lot of money to take out of the taxpayers' hide for travel.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, I would like 3 or 4 minutes.

Mr. TARVER. I modify the request, Mr. Chairman, to make it 7 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word, and I ask permission to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Chairman, no one questions either the ability or the faithfulness with which members of the subcommittee have carried on their investigations or reached their decisions, but what some of us believe is that after all this "business as usual" should not be carried on by Government officials or by departments or agencies of the Government. The people are asking for economy. We realize the need of it. Why not make a beginning?

The President the other day said it was up to Congress to make the cuts. Today is none too early to begin. So, in his innocence and unawareness of the power of bureaucracy, the gentleman from Oklahoma [Mr. MONRONEY], a fine young man, who is innocent of some things politically, just had an idea that he could really accomplish something by offering amendments to cut out unnecessary items of expense and save the taxpayers some money. I hope the young man will take the spanking which has been administered to him today by the members of his own party, and which will be continued to be administered as long as he offers any of these amendments to bring about economy, in the right spirit, with a high degree of equanimity, without losing faith in either his colleagues or the purpose of the administration. Having served but a short time, he does not yet understand that a certain amount of political grease in the way of appropriations and jobs for the faithful are necessary to keep the party wheels turning smoothly. After a time he will realize that the bureaucrats must have their money; that the Federal officials must travel by airplane and parlor car.

It is outrageous to suggest that they should ride in a coach or stop at any other than the best hotels. You should remember now, one gentleman said that they did not want to travel, that they would rather stay at home than travel. The swindle sheets do not so indicate. Some of these officials get so tired doing nothing and of the sameness of the scenery that they do want to see new hotels and fine new places where they can carry on some of their activities, real or simulated.

Now, some one accused the gentleman from Oklahoma [Mr. MONRONEY] of trying to make a record for himself. That is a most unjust charge. I do not think there is a Member in the House who does not believe the gentleman is acting in good faith, but he just does not know politics. The majority leaders have not given him a proper horse-shedding, they have not taken him out in the woodshed and told him how to be good. Or if they did it did not take. He is too new here, too fresh from the people. He just thinks that if he has something that is right, something that is fair and just and reasonable, something that is for the benefit of the people, that he can get up on the floor of this House and, by making a motion to cut this appropriation and that appropriation, it will be done. That is not the way it is done. You never get these cuts that would bring a little saving without injuring necessary service through them. I have had those delusions, but they never got me anywhere.

Now, the gentleman from Oklahoma [Mr. MONRONEY] will find after awhile, and I am offering this young man advice because I am almost old enough to be his grandfather, that he cannot get economy out of a rubber-stamp, New Deal spending Congress. There is no such thing, they do not realize what they are doing. They have not yet heard the voice from back home. They will after the new tax bill comes out. Those who charge that we who are opposed to these appropriations come from the cities are most unjust. On this bill I noticed that many times when a move was made to cut an appropriation the bill was defended by the distinguished gentleman from Illinois who comes from a farming district, a great corn-growing district. Am I not right, I ask the gentleman from Illinois [Mr. DIRKSEN]? Yes; and so when this hybrid corn proposition came along naturally he wants the South to have the same benefits that his own farmers up there have because his distillers need that corn, do you not see? And surely no one would accuse him of trying to make a record. His record, as made, is all right.

It all gets back, Mr. Chairman, to the proposition that even if you have something good, even if you have something that the people want, something that is right and fair and square and just and reasonable you are not going to get it through Congress if the tax eaters—the Federal political appointees—do not want it, and I hope the young man will remember that while at the same time retaining his faith that the honest, earnest legislator trying to serve his constituents is doing the right thing. Long live the young gentleman from Oklahoma [Mr. MONRONEY] and may his kind and numbers increase.

What the House would do well to remember at this time is that, even if we admit that every single dollar appropriated by this bill will accomplish some good, today our Nation needs every penny which it can get to sustain the fighting forces. We should remember that, while soil erosion is a good thing and, in ordinary times, the Government should aid in that program, today, because of the demand for fighting men, because of the demand for industrial workers, the farms of our country have been stripped of the men who heretofore have cultivated the land.

We should remember—we should not forget—that, as things stand today, it is inevitable that many an acre of good, fertile, tillable soil will not be cultivated during the coming year because of the lack of manpower and that, therefore, while these appropriations might, as a general proposition, aid the farmers, the appropriations are not essential and that soil erosion and the other activities covered by this bill are secondary to our military needs.

While I have the floor, let me call the attention of the House to a bill which I have introduced to close the door which, the fore part of this week, was opened to violence and extortion by the United States Supreme Court.

AN ACT TO CLOSE THE GAP OPENED BY THE SUPREME COURT

On Monday last the Supreme Court of the United States—Justice Byrnes writing the decision, Chief Justice Stone dissenting, Justices Roberts and Jackson taking no part—held that when Congress, on June 18, 1934, passed an anti-racketeering act it was attempting—

To close gaps in existing Federal laws and to render more difficult the activities of predatory criminal gangs of the Kelly and Dillinger types.

And that it did not intend to punish racketeering by labor unions or subject to prosecution under a Federal statute robbery by members of labor unions.

The facts upon which this opinion is based are few and not complicated. They are as follows:

Labor unions in the city of New York followed the practice of demanding that every truck driver entering the territory over which they claimed control should either employ a member of their union to drive the truck from a point designated by them to its destination and pay for that service—if the truck was a small one, $8.41; if a large one, $9.42—or that the driver of the truck or his employer, if the services of the union man were not

wanted, should pay those sums for the privilege of driving through the district controlled by the union.

The union enforced its demands by threats and by the use of violence. The result was that all of those trucks entering the city from neighboring States and carrying large quantities of merchandise into the city were designated as "over-the-road trucks" and the drivers or owners were compelled by the union, through the use of force, to pay, in addition to all State and city taxes and fees, an additional fee to the union for the privilege of using the streets of the city of New York.

Referring to the use of violence, coercion, and intimidation, as practiced by labor unions, the Court said:

Certainly Congress intended that these activities should be excepted from the prohibitions of this particular act, even though the agreement may have contemplated the use of violence.

Justice Byrnes further said:

We have expressed our belief that Congress intended to leave unaffected the ordinary activities of labor unions. * * * The test must therefore be whether the particular activity was among or is akin to labor-union activities with which Congress must be taken to have been familiar when this measure was enacted.

A reading of this opinion shows that the Court assumed that Congress knew, as it must have known, that labor unions used coercion, intimidation, and violence to compel men to join unions, to compel employers to give jobs only to union men.

The opinion also assumes that Congress intended only, by the passage of the act, to reach the activity of predatory criminal gangs of the Kelly and Dillinger types.

The opinion ignores, without comment, the further purpose of Congress, which the Court itself states was "to close gaps in existing Federal laws."

The Court assumes unjustifiably that Congress intended to exempt from the provisions of the law activities which, if practiced by others, would be highway robbery—provided those practices were indulged in by members of a union.

As was said by Chief Justice Stone in his dissenting opinion:

When the Antiracketeering Act was under consideration by Congress, no Member of Congress and no labor leader had the temerity to suggest that such payments, made only to secure immunity from violence and intentionally compelled by assault and battery, could be regarded as the payment of wages by a bona fide employer, or that the compulsion of such payments is a legitimate object of a labor union, or was ever made so by any statute of the United States.

Commenting on the reasoning of the majority opinion, Justice Stone further said:

Such an answer, if valid, would render common-law robbery an innocent pastime.

The majority opinion, although the question was not before the Court, further apparently justifies the practice of some unions of, by force, compelling employers to pay for protection from violence by the stand-by device, even though no service is rendered by the union. Said the Supreme Court:

The circuit court has referred to the stand-by orchestra device, by which a union local requires that its members be substituted for visiting musicians, or, if the producer or conductor insists upon using his own musicians, that the members of the local be paid the sums which they would have earned had they performed. That similar devices are employed in other trades is well known. It is admitted here that the stand-by musician has a job even though he renders no actual service. There can be no question that he demands the payment of money regardless of the management's willingness to accept his labor. If, as it is agreed, the musician would escape punishment under this act, even though he obtained his stand-by job by force or threats, it is certainly difficult to see how a teamster could be punished for engaging in the same practice.

Mr. Chairman, in view of this decision, if we do not want the people of this country to charge us with sanctioning the practice of the use of coercion, intimidation, and violence by union men and by unions to extort money from employers and others, then this act should be amended without delay.

To that end I have today introduced a bill, striking the exceptions used by the Supreme Court to excuse what would otherwise be highway robbery from the bill.

The CHAIRMAN. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 4 minutes.

Mr. DIRKSEN. Just so that the House is advised: The cattle tick carries what is known as splenetic or tick fever. There are 29 people engaged in this program and only $30,000 is allowed for travel. My friend from Oklahoma, I am sure, does not realize that we are also controlling and quarantining the Virgin Islands, Puerto Rico, and the infested area in the United States, including Texas and Florida. It requires dipping of the cattle in an arsenical solution. It requires constant control to see that there is no reinfestation of the area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

The Clerk read as follows:

Inspection and quarantine: For inspection and quarantine work, including the eradication of scabies in sheep and cattle and dourine in horses, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $666,000.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: Page 29, line 14, strike out "$666,000" and insert "$643,325."

Mr. MONRONEY. Mr. Chairman, the Committee has just defeated the amendment on cattle ticks. This next amendment attempts to strike from the quarantine provisions the sum of only $22,675 and is to be taken from their travel expense of $45,250. It still leaves them a total of $643,325. The only reason I am taking up the time of the House is to find out if the Members are really serious in announcing that they are trying to curtail expenditures.

STRIKES AT EXTRAVAGANCE

I do not want to eliminate any of the essential farm functions. I think most of these functions are absolutely essential; but I have never yet seen any private business, I have never yet seen any governmental business, that in time of emergency could not stand a squeeze and restriction of some of their expenditures, especially in overstuffed travel accounts.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. FULMER. I would like to ask the gentleman, knowing he is so interested, whether or not he has appeared before the Committee on Agriculture to acquaint them with the facts he is bringing to the attention of the House today?

Mr. MONRONEY. I am glad the distinguished gentleman from South Carolina asked that question. I am glad because for a long time I have felt that the Subcommittee on Agriculture of the Appropriations Committee and the legislative Committee on Agriculture were overburdened with their work under a system that grew up when the Government was small and when bills easily could be considered carte blanche. As it has developed, today we are given from 1 to not more than 3 days in which to digest voluminous hearings that the committee holds, in which are not set out any segregation of expenses for travel, telephone, communication, supplies, or any other particular expenses. You have got now to laboriously search and try to get that from the Budget. This Congress certainly needs a new type of Budget accounting, such as any sound business would use to allocate its expense items by their purpose. Each bill brought in should, in fact, have totals presented showing the exact totals that the bill carries for travel, communication, publicity, printing and binding, total number of employees, and other very important data that good management requires. We could do away with half of the useless and obsolete verbiage in these bills in exchange for cold, hard facts. Then Congress could intelligently act upon these gargantuan appropriation bills.

LANHAM BILL NEEDED

I would like to say in this connection that the gentleman from Texas [Mr. LANHAM] has introduced a bill that should have the serious attention of every Member of this House, for it would give to the overworked members of the Appropriations Committee a corps of specialists who could spend full time to search these departments and their requests for funds for items that are unnecessary. They could also seek to find places to reduce and eliminate extravagant and wasteful expenditures as well as duplications of effort that cost the Nation such tremendous sums each year.

They could check and examine every appropriation and actually see what is done with the vast sums of money we give these departments, which we all know they use sometimes to build up and justify demands for more appropriations.

The Appropriations Committee needs this assistance to help them find out the facts. Given all the facts, I know the members of the Appropriations Committee will be glad and able to effect tremendous reductions. Now they struggle futilely on the Appropriations Committee to find all of the myriad facts connected with these millions of figures.

They are busy Members of the House, their time is limited, and they cannot go search out and behind the statement of the members of the bureaucracy downtown to endeavor to find out how essential these expenditures are, especially these items that individually seem small but which total in aggregate millions.

Mr. PATMAN. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman states that the committee has not made any reductions. Does not the gentleman agree that $500,000,000 is quite a reduction?

Mr. MONRONEY. I did not charge the committee with not having made any reductions at all. I said they had not made any reductions in these travel amounts.

Mr. PATMAN. Does not the gentleman think the committee is in a better position to know where the reductions can be made than we are and that since they have made a $500,000,000 reduction that is enough?

Mr. MONRONEY. I explained yesterday I thought they had done a grand job on the millions, but I am trying to make a small contribution so far as the thousands of dollars are concerned because that is the way the taxes come in, that is the way the defense bonds are sold which will pay for some of these millions of dollars that are being spent in the name of the American farmer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The amendment was rejected.

The Clerk read as follows:

Cereal crops and diseases: For the investigation and improvement of cereals, including corn, and methods of cereal production, and for the study and control of cereal diseases, for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, for the investigation and improvement of broomcorn and methods of broomcorn production, and for determining the distribution of weeds and means for their control, $575,475, of which $25,000 shall be available for investigations concerning the control and eradication of whitetop, bindweed, and other noxious weeds.

Mr. MONRONEY. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: Page 34, line 2, after the word "control", strike out "$575,475" and insert "$566,975."

Mr. MONRONEY. Mr. Chairman, this is another simple amendment aimed at trying to trim down the travel expenses of the bureaucracy downtown. They have budgeted for travel for this year $19,000, and I seek to reduce the amount by $9,500, leaving them still the sum of $566,975.

We heard the cry from the Department downtown, which, incidentally, has been all morning contacting Members of Congress, pointing out the lack of wisdom in reducing anything so far as their travel expenses are concerned.

One reason we could not cut the Bureau of Animal Industry is because, as explained by the committee, of the suffering cattle that we have throughout the country. These amendments strike at travel, largely train travel, and hotel expenses, and I am sure the cattle would not be injured by the reduction.

This amendment simply tries to make a slight reduction of $9,500 in the appropriation covering cereal crops and diseases. I believe it is a fair amendment, I believe it is one that should carry, and I ask the support of the committee for the amendment.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. All the gentleman is asking of this House is that the persons involved in the functions we are considering be made to practice at least a part of the economy that each and every person in civilian life will be forced under the dire circumstances to practice.

Mr. MONRONEY. I thank the gentleman.

Mr. REED of New York. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

Mr. RICH. Mr. Chairman, reserving the right to object, I would like to have 5 minutes.

Mr. TARVER. We are making very slow progress in the consideration of this bill. Does the gentleman desire time on this amendment?

Mr. RICH. We may be making slow progress on this bill, but if we can keep cutting it down we are going to make fine progress so far as the Treasury of the United States is concerned, and that is the progress we are here to make. We are here to cut down on these nonessentials, and this is one of them.

Mr. TARVER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto be limited to 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia [Mr. TARVER].

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 63, noes 47.

Mr. MARTIN of Massachusetts. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. TARVER and Mr. MARTIN of Massachusetts to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 90, noes 72.

So the motion was agreed to.

Mr. REED of New York. Mr. Chairman, I do not believe the farmers whom I have the honor to represent would approve many of the items of this bill. At this particular time when we are in the throes of an all-out war it is going to be necessary for all classes in all walks of life to economize as they never did before. I call attention to the fact that the appropriation for 1942 requested by the Bureau of the Budget was $1,235,735,000.

The Agricultural Adjustment Administration's program for 1941 cost $754,339,976.

This sum was expended as follows:

Agricultural-conservation program	$482,927,404
Parity-payments program	215,633,568
Sugar-program benefits	47,980,759
Crop-insurance program	2,892,640
Surplus removal and diversion program	3,000,000
Commodity-loan program	1,756,365
Miscellaneous administrative expenses	149,240
Total	754,339,976

Of this total sum $42,271,926 was diverted to pay the salaries and expenses of county committees of farmers.

Employment in the Department averaged between 85,000 and 90,000 persons during the last year.

Travel expenses for 1941 totaled $18,294,000.

Besides the travel expense, the Department of Agriculture owns outright 4,684 automobiles and 16,340 trucks, making a total of 21,024 motor vehicles.

Estimated cost of new passenger cars this year is $578,045. Maintenance costs are estimated at $1,346,000.

COOPERATING AND COLLABORATING HELP

In addition to the regular staff employees, the Department is aided by 280,916 cooperators and collaborators not paid with Department funds, but paid with funds of other agencies, the States, or from funds deducted from A. A. A. payments.

FARM SECURITY ADMINISTRATION

This is the successor to the Resettlement Administration ordered liquidated by Congress in 1936.

The projects transferred to Farm Security Administration consisted of 753,408 acres. Today, after 4½ years of liquidating, the acreage has grown to 954,670.

GREENBELT, MD., PROJECT

This project in nearby Maryland cost $13,722,000, not including administrative expenses in the building process.

In 1941 the income from the project was $422,000.

Maintenance and taxes consumed $391,000, leaving a balance for return to the Government of $32,000.

This is a return on the capital investment of twenty-three ten-thousandths of 1 percent.

ARTHURDALE, W. VA., PROJECT

Project cost $2,646,000 and is now being sold for $175,000, with no cash down payment.

LAKE DICK PROJECT, ARK.

This is a cooperative enterprise. Here 80 fine homes, with electric lights, re-

frigerators, baths, and running water were erected. Of the 80 original families moved onto the project only 12 now remain. Thirty-three of the 80 houses are boarded up and Negroes had to be imported to carry on the farming operations. Loans have been made by Farm Security Administration on notes signed by the cooperative corporation heads which mature as late as July 15, 1947, yet the lease for the land to the corporation expires on June 30, 1943.

The travel expense of the Farm Security Administration for 1941 was $6,647,906. This year they are asking for $7,376,795.

The travel expense of the 2,768 employees of Farm Credit Administration for 1941 was $1,183,773, an average of $427.70 for every employee listed on the pay rolls.

PRINTING, BINDING, AND BLANK BOOKS

The Department spends in excess of $3,000,000 per year with the Government Printing Office. Besides this amount the multilithographing and duplicating done in their own plants cost $1,384,000 in 1941—see page 310, 1943 Budget.

The Department is conducting countless experiments that should be discontinued. One case in point is the investigation of swamp fever in mules and horses. Although a large sum has been spent on this investigation, Dr. Mohler testified—page 379, part 1:

There have been no results in finding a cure.

And Mr. TARVER said:

The money has been substantially wasted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The amendment was rejected.

The Clerk read as follows:

Forest pathology: For the investigation of diseases of forest and shade trees and forest products, including a study of the nature and habits of the parasitic fungi, bacteria, viruses, and other causes of such diseases, for the purpose of developing methods of control and eradication and determining their application, $258,460.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 35, line 9, after "application", strike out "$258,460" and insert "$248,285."

Mr. MONRONEY. Mr. Chairman, this is another simple amendment designed to reduce the $16,000,000 that is spent by the Department of Agriculture for travel, having in mind a goal of about $8,000,000 in reductions. This amendment cuts only $9,175 off this appropriation dealing with forest pathology. The total in the Budget for travel was $18,350.

May I point out to the committee that this activity does not come under the Forest Service but is under the plant section. I believe we might strain ourselves a little bit to make one of these cuts.

CAN TRANSFER FUNDS IN EMERGENCY

The reason I say that is that every Member of the House knows that these appropriations are interchangeable within the Department to an extent of 5 percent, or, in case of an even greater emergency, a larger amount of funds can be transferred.

I believe it to be absolutely obvious that a travel account set up before Pearl Harbor—and it was mentioned yesterday by one of the distinguished members of the committee that most of these appropriations were written up before Pearl Harbor—can be reduced, in the light of the happenings today, the grave situation we face, and the difficulties we are going to have in raising enough taxes and selling enough defense bonds to carry on the war.

So I believe a reduction of only $9,000 in a total appropriation of more than $500,000 will not cripple the activities of this Bureau.

Mr. Chairman, I hope the amendment will be adopted.

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I quite agree with my colleague who just preceded me that it is the small items in an appropriation bill of this magnitude that eventually make up the larger amount we hope will ultimately be cut from this appropriation bill. It was only an hour or so ago that the chairman of the Committee on Ways and Means, the gentleman from North Carolina [Mr. DOUGHTON] came here and said that tomorrow we shall consider a bill increasing the national debt limit from $65,000,000,000 to $125,000,000,000.

Do you know that you have appropriated over $77,000,000,000 since the 22d of January? Every Member of this Congress has been asked by his constituents not personally but, rather, by the sentiment that is going over the country, to cut down on nonessentials in government. Certainly the traveling that is going on in the Department of Agriculture and the number of people employed there will not assist the farmers. If we should take off the political leeches and jobholders that are hanging on the Department of Agriculture and give that money to the farmers of this country, they would have more money than they have ever had in all the history of America.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Wisconsin.

Mr. JOHNS. I wonder if the gentleman realizes that for this fiscal year up to March 4 we have been spending an average of $69,234,963 every day, and of that amount we have been running in the red $46,454,685?

Mr. RICH. I believe those figures are about correct. I realize that we are going in the red so fast that the Congress cannot keep up with it and the Treasury Department cannot keep up with it, nor do they know where they will get the money. The people of the country demand that you cut these expenses down. You are now asking your people to pay for the prosecution of this war in ever-increasing taxes, which is most vital to the welfare of America, of American industry, of American agriculture, and of the American people. If you permit these expenses to go on, you will only carry this Nation into bankruptcy and will not be able to support the Army, the Navy, or the Air Corps we are so fast building up so we can pin those yellow-bellied Japs to the mat.

We must economize now. It is up to you, and it is up to me. The gentleman's amendment calls for a reduction of only $9,000, but every time you cut off $9,000 you cut off an amount about equal to the appropriation for the salary of a Member of Congress, and I tell you that is something to cut off too.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Today we learn that Mr. Henderson says that civilian nondefense travel is to be cut about five-sixths. If the nondefense travel of everybody else is to be cut five-sixths, does the gentleman believe it is a terrible thing to suggest that nondefense travel of Government help be cut not five-sixths, but one-half, or one-tenth, as this amendment proposes?

Mr. RICH. I think the gentleman is absolutely right that we ought to cut them down. I think Mr. Henderson and all those who are interested in keeping the prices down are going to be able to do so only if we keep the cost down. That is our duty. It is your duty, and it is my duty. The people of this country are looking to you to do your duty here today. It is one thing to talk economy, but it is another thing to vote it, and that is what you have the opportunity to do right now.

Mr. HOOK. Would the gentleman tell this House what good a rifle is in the hands of a starving man?

Mr. RICH. He could shoot himself before he starved to death. But I hope we could get food to him.

[Here the gavel fell.]

Mr. CREAL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, although a bit irregular I believe the House would extend the extraordinary privilege to the gentleman from Oklahoma if he wanted to submit all of his amendments to be voted on at once, waiving all questions of regularity. The argument is exactly the same on each one, and there is no other motive or reason given except to reduce, and the gentleman does not claim to have made any particular investigation on the various amendments he offers, but offers proportionately the same amount of reductions in each one. On some of his amendments it might be that all of it ought to be refused and on others it might be they actually have not enough. But to ask this House, blindly, just to cut each and every one of these various pieces of work a certain percentage, just does not seem sound.

This is a kind of work that men drawing a salary do not relish because it is a call for field duty. Ten times out of eleven they would prefer to stay in the office and pretend to find something there to do. They do not want to go out over the fields and into the woods and hunt up the farmers and look for tubercular cows. They would rather stay around the office or a hotel, but under his proposal they are going to be given a salary and you are offering no motion to cut the personnel,

but you are depriving them of having anything to do and giving them an alibi for doing no work. You have only made the matter much worse. I would much prefer to cut the personnel or to cut personnel and travel in proportion, one with the other.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CREAL. No; I have not the time.

To say to a man, "I am going to let you keep your job here at $3,000, but I am not going to let you go out and work when your work under the Department is practically all in the field," I say that does not even make good nonsense. Either take his job away from him and abolish his job, if you are not going to let him go out to do the job. Do not let him have an alibi for not working.

I will agree that I think they are top-heavy on personnel in some departments, and I will go down the line and help cut some personnel, but you are going at this thing absolutely backwards.

When a man comes here and says that he comes from a rural section and that he can bring in a bill to cut down on preventing tuberculosis without anyone suffering, why I say one small dairy herd can give tuberculosis to all the children in a community. One cow can do more damage than all the appropriations he proposes to cut. All the tubercular cows ought to be found and slaughtered. Yet he says he is a friend of the town man and the farmer. If I were a farmer I would not think much of such gestures of friendship. It is a most deadly thing to human life and its eradication is the most beneficial thing to the farmer and the milk consumer in this agricultural bill from cover to cover. Yet in his zeal, coming from a farm district, he would curtail this work. What for? Just to say, "I reduced some sort of an appropriation by some amount." Well, instead of bothering about it with respect to so many different portions of the bill, whatever amount you hope to reduce the bill, just put it all in one and I would rather vote for you to paralyze some one department instead of helping to paralyze all of them to some extent. Let us make this a 50–50 proposition, reducing the personnel and the traveling expense where necessary, but do not leave a man in a job whose work calls for travel and then prevent his travel in order to render his work useless.

Mr. PATMAN. Mr. Chairman, I move to strike out the last word. The gentleman from Oklahoma [Mr. MONRONEY] is trying to render what he considers to be good service. I am not in accord with his views, especially with reference to the arbitrary cutting down of a bill that has been considered by a committee for months, item by item. In other words, although I have a high regard and a great respect for the gentleman from Oklahoma, I am not willing to take his advice on matters of this kind in preference to the committee that has spent so much time on the bill and heard testimony from the witnesses who know about it. I invite the gentleman's attention to this one point, and this applies to all of his amendments. Since this bill was prepared the rubber shortage has become more acute, and we now know that in a few months' time automobiles will not be generally used. These agents will not be privileged to use automobiles. There are only 68 employees involved in these items, and instead of the amount being reduced, it should actually be increased so as to take care of more train travel because less automobile travel will be available.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I am sorry, but I have not the time. The question of arbitrarily reducing travel amounts is a serious one, as has been brought out by the gentleman from Kentucky [Mr. CREAL]. Members of this committee have reduced this bill more than $500,000,000. That is about one-third. I think they have done an excellent job, and I am willing to take their judgment. I think any one who is in favor of economy can safely follow the gentleman from Georgia [Mr. TARVER] and the members of his subcommittee, because they are always so very conservative, they are never extravagant, and I feel perfectly safe in following them in this bill. I invite the attention of the gentleman from Oklahoma and would like him to remember this about his particular amendment. It is very serious for national defense. Do not forget that in Germany they cultivate their trees just as we cultivate cotton and corn over here and because of their cultivation of trees, they have wonderful forests. They have a scientific cutting of trees, and they get all of their gunpowder out of wood pulp. Without trees in Germany, they would not have any gun powder. They do not have cotton linters with which to make smokeless powder, so they must use wood pulp to do it. And do you know that in this country we have today a shortage of cotton linters, that are used to make the very best smokeless gun powder? There is actually a shortage of cotton linters. All cotton cannot be used to make gunpowder. Many people think that you can use any kind of cotton and make smokeless powder, but that is not true. You can use only cotton linters for that purpose, and there is a shortage of linters now, and instead of not having any trees, we should encourage the growth of more trees, for two purposes, for the making of gunpowder, because we will need them if we properly support our war effort, and, further, for the purpose of making paper. There is today a shortage of paper. Would the gentleman cut down an appropriation that has for its purpose encouraging the growth of trees that are used for two vital purposes in our war effort? Of all the appropriations that should not be cut down, this is one certainly that should not be reduced.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last two words.

Mr. TARVER. Mr. Chairman, will the gentleman permit me to make a request for unanimous consent?

Mr. VOORHIS of California. Certainly.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto be limited to 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Chairman this particular amendment offers an opportunity for me to say some things that have been rising in my mind ever since debate on this bill got well under way. It so happens that I come from a Pacific Coast State. All three of the Pacific Coast States are subject to forest-fire dangers to a very high degree. Lumber is required today to an extent to which it was never required before. And this is due directly to the fact it is needed for war purposes in 1,000 different ways. To say that we are going to cut down on the work of protecting our forests under these circumstances seems to me to be the most shortsighted policy anybody could conceive. It is only typical of some of the thinking that we had better analyze pretty carefully before we go on with this bill.

In the first World War there was very little attention given to what happened to the soils of America. Those people in the west-coast States who have been worrying in recent years because so many impoverished folk were coming there from other parts of the country ought to have sense enough to trace back that very situation to the time when there was hit-or-miss expansion of acreage and the planting of crops on lands which never could produce economically and lands which never should have been planted to broken-ground crops at all.

I give this only as an example of the sort of thing that must be avoided. We must protect and conserve our soils, not destroy them. They are our basic wealth. Without those topsoils our Nation itself could not continue. Yet in this bill we have cut the item for the Bureau of Agricultural Economics which, in my judgment, was a great mistake, because, after all, the Department of Agriculture is charged with a program which is as important as the production of aircraft. You cannot win this war without food. You cannot win it without a greater production of food than American farmers have ever produced before. Every farmer in America is being asked today to increase his production just as much as he can. It is important that that production be increased in the most scientific manner, in a way in which it can yield the best returns for this Nation in its war effort.

Obviously this bill can hardly be considered from any other standpoint except the same standpoint as you consider any other piece of legislation that comes upon the floor of this House at this time. It is as much a matter of winning the war for us to do as good, sensible, and reasonable a job on this bill as on any other bill. I can see some reason for cutting down on printing and binding, and I did not oppose that amendment. But there are other matters in connection with this bill which intimately affect the amount of food production we will get in this country, and bear directly upon the ability of many farmers to participate effectively in the food-for-victory program.

You are talking about our being at war; and about the men in the Army and Navy. They do not get paid very much—not as much, in my opinion, as they should be paid. It seems to be the opinion of some that if you can reduce the standards of other poor people in this country, somehow men in the armed forces will feel better. That is not true. If you make a mistake and do things which are going to depress the standards of the parents of the families that these boys come from you will not help anything—least of all the spirit of the soldier.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. MONRONEY. I have the highest regard for the distinguished gentleman from California. He is a great liberal and a true humanitarian, but in coming to this particular amendment I would like to point out that it does not touch the Forest Service, because their travel expense totals $731,220. This item is included—why, I do not know—in the Plant Industry Section. So it does not touch the forestry items out in the gentleman's territory at all.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. PATMAN. This is intended to stop diseases in trees. It is the most important thing in the bill as far as forestry is concerned. The gentleman does not want to encourage diseases in trees that destroy war efforts?

Mr. MONRONEY. But if the gentleman will read the forestry section he will find there is a great amount of money appropriated for white-pine blister, for eradication of the Dutch elm disease, and all sorts of things.

Mr. VOORHIS of California. But in every one of those cases it seems to me that if cuts are to be made they have to be made under circumstances only after due consideration has been given to them. I assume the committee has done that.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. [EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, in spite of his opposition to the elimination of the cattle tick, I think the gentleman from Oklahoma is worthy of a great deal of congratulation and commendation at this time. It is very easy at a time when we are asking to increase the Budget by almost a billion dollars a week, and are being called upon to make appropriation after appropriation, to advocate an increase of the Budget and of amount after amount; but it takes a great deal of courage for anyone to deliberately cut out here and there in the Budget so that a decrease in expenditures will be brought about, even though toes are being stepped on when he does this.

If it were not for a few noble voices here and there which are occasionally raised in defense of Budget reductions, I very much fear that the tendency would be to run away with a lot more expenditures than have already been made this session.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I am sorry. I only have 5 minutes and I know the gentleman will bear with me.

I had a letter the other day from a very close friend of mine, who said to me:

I admonish you, Congressman HALL, to start in proposing legislation to eliminate all lobbies and pressure groups in the Capitol.

I read the letter a couple of times. Thereupon I made answer and stated:

I cannot help but agree with you, but the minute I start in advocating legislation of that type, to cut out lobbies and to eliminate pressure groups, just at that moment I deny even you the privilege of writing to me and expressing your wishes and desires as to the position that I or any other Member of Congress may take.

I think that is particularly true at this time.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I failed to yield to the gentleman from Michigan, so I am afraid I cannot yield at this time. I am sorry.

I want to add a word for the American farmer. During the consideration of this appropriation bill for agriculture I desire to appear before the committee in defense of the farm population of my district, which makes up probably 50 percent of the four counties which I represent.

I resent any implication or inference that these exceedingly patriotic people within our population, namely, the American farmers, are unpatriotic when they come in here through their representatives to ask for consideration in an appropriation bill or any legislation at this time. In my district no segment of the population is more anxious to respond and contribute to the success of this great war effort than are the farmers. If it is possible for any pressure group to come to the Congress and lay their issues before this body, then certainly it is in order for the farmers, through their legitimate representatives, to place their case before the American Congress and the American people. I repeat that the farm population in my district certainly has not been overly considered. But few things have been given to them. I say that they should have every consideration.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, once in a rare while there is a flash of real humor in the otherwise drab proceedings here on the floor. We experienced such a moment just now when a Member rose with the edifying statement that the Farm Bureau and its president, Ed O'Neal, speaks only for the large landowner and corporate farming and does not represent the small farmer.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I will yield presently.

The statement that the Farm Bureau does not represent the small farmer is reminiscent of a similar statement made about Thomas Jefferson on one occasion. Jefferson, then a young man in his early twenties, was a candidate for election to the Virginia House of Burgesses. He was making headway in his campaign, and it became necessary for his opponents to devise some argument that would discredit him with the electorate. So they solemnly announced that they opposed the future author of the Declaration of Independence, because, as they said, he "had Tory leanings" and did not represent the common people.

The statement that Jefferson did not represent the common people is no more amusing than the statement that the Farm Bureau does not represent the small farmer.

I was one of the charter members of the Farm Bureau in my county. I have cooperated actively in its growth and development from that day to this. I know intimately the membership of the Farm Bureau throughout my district and have been in attendance at local, State, and national meetings of the Farm Bureau for the last 25 years, and I speak from a first-hand knowledge of the Bureau and its members. It is made up exclusively of average farmers. I do not know of a single corporate farm concern holding membership in my entire Congressional District. It could never have reached its present position of helpful cooperation and influence if it had represented anyone but the average farmers and their wives.

Mr. TARVER. Mr. Chairman, I regret to interrupt the chairman of the Committee on Appropriations, but I insisted that another Member this morning not proceed out of order. I must be consistent and make the point of order that the gentleman from Missouri is not addressing himself to the pending amendment.

Mr. CANNON of Missouri. Mr. Chairman, I am proceeding in order. I am discussing a question directly presented by the debate on this bill. I know it seems absurd to charge that the Farm Bureau is not a representative farm organization. It is just as absurd as the charge that Jefferson did not represent the people.

Mr. TARVER. Mr. Chairman, I insist on the point of order. The gentleman is not addressing himself to the amendment which is under consideration.

Mr. CANNON of Missouri. Mr. Chairman, I can tell you who the Farm Bureau represents. And I do not speak from hearsay. It represents the tenant farmer. The tenant farmers make up a large part of the membership of any Farm Bureau you can name anywhere in the Nation. It represents the farmer with a mortgage on his farm. There is not a Farm Bureau in any county or in any State that does not have a large membership of farmers struggling to free their little farms from debt. The Farm Bureau represents the farmer whose wife works at farm tasks from dawn till dusk and whose children must do a large part of the work for which the farmer is unable to provide hired labor. Mr. Chairman, there are no more enthusiastic

members of the Farm Bureau than the farmers' wives, because they realize more vividly than anyone else what the Farm Bureau has done to alleviate the lot of the women and children on the American farm.

Mr. TARVER. So far the gentleman has been out of order.

The CHAIRMAN. The gentleman from Missouri will proceed in order.

Mr. CANNON of Missouri. I am proceeding in order, Mr. Chairman.

Mr. Chairman, what does the gentleman who makes this assertion know about the Farm Bureau? He has never lived on a farm since he was born. He has never attended a meeting of the farm bureau in his life.

Mr. Chairman, why this sudden, sporadic criticism of the Farm Bureau this morning? The answer is simple. The Farm Bureau is getting results. It is not only representing the small farmer, but it is representing him effectively. It is securing a decent price for his products. It is securing a living wage for his labor. It is at last giving him parity with those who for years have been living at his expense.

Who secured the enactment of parity payments and appropriations to make them effective? The Farm Bureau. Ed O'Neal personally solicited and secured the last 12 votes needed after those in charge of the bill had given up hope. I know, because I was in charge of the bill at the time. Not another farm leader—not another farm organization lifted a finger to put over that legislation.

Who appeared before the committee in the committee hearings when the issue wavered in the balance? Ed O'Neal and the Farm Bureau. Not another farm leader—not another farm organization even sent a representative. I speak from personal knowledge, because I was in charge of the hearings.

Who secured the legislation guaranteeing the farmer 85 percent of parity? Ask Senator BANKHEAD, of Alabama, who led the remarkable battle for that legislation, and he will tell you that without Ed O'Neal and the Farm Bureau it could not have been passed.

Every farmer in the United States who received a parity check is under obligation to the Farm Bureau for that check. Ed O'Neal and the Farm Bureau handed it to him—only a small part of what he had actually earned, but that much on account. Who was the Farm Bureau representing when it secured the enactment of that legislation? It was representing every farmer who got a check—every farmer who got a decent price for his products and a decent wage for his labor.

Ed O'Neal has rendered a greater service to agriculture and to the country as a whole than many Senators, Governors, Cabinet officers, and Congressmen by the score who object to the Farm Bureau because it has secured legislation under which the farmer cannot be exploited by those who want to take his products away from him at less than the cost of production. God bless him. He will be remembered with gratitude when the vast majority of those in the legislative limelight today are as completely forgotten as the men who lived before the flood.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

The Clerk read as follows:

Fruit and vegetable crops and diseases: For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing, and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, $1,444,439.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 35, line 18, after the word "storage", strike out "$1,444,439" and insert "$1,430,402."

Mr. MONRONEY. Mr. Chairman, I hate to take the time of this Committee. I know how very unpopular I will be for delaying this bill, but I want to answer some remarks that were made in recent debate, and, instead of striking out the last word, which is the customary motion, I want to strike out $11,000 from an appropriation of $1,444,000 in the item of fruit and vegetable crops and diseases.

Again we will hear the familiar cry that I am trying to riddle the functions of this fruit, vegetable, and crop disease bureau. I believe the inspection service can be reduced to a certain degree, perhaps by $11,000 in travel expense, without crippling our vital food program.

STORY ALWAYS THE SAME

One of the Members who spoke previously invited me to group my amendments. I would like to group them, but it is obvious to the membership of the House at this time that the argument against these amendments will be uniform. If I group them, it will be argued that every one of these things mentioned in the bill are so absolutely essential that the heavens will fall and America will go hungry if we cut 15 cents out of a $16,000 travel account of the Department of Agriculture.

For this reason it is impossible to offer these amendments en bloc. I think we ought to listen to the same story, so often told as to the indispensability of each travel account, and perhaps we may save a little money as we go along.

The committee has given us about the same old reason on each why these travel expense accounts should not be cut, but I do not think that is the proper approach to make to the appropriations.

YOUR DUTY TO EXAMINE

Each one of you Members is sent here to perform a duty. You are supposed to study these appropriation bills, and if you agree or disagree with the functions and all expense items proposed you are supposed to vote your own conscience in reference to these matters.

Perhaps I am making a fool of myself, maybe I am ridiculous, maybe I will be as popular as a skunk in a church, but I am going to stand on this floor for a while longer and endeavor to point out to the membership, and if not to the membership, I hope to somebody in the country, perhaps the farmers, and tell them that we have got to cut these nonessential appropriation items.

The best place I know of to start is on the expense accounts of these travel bureaucrats.

Mr. LEAVY. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Washington.

Mr. LEAVY. What was the total for this item as it appeared in the Budget?

Mr. MONRONEY. I am sorry; I cannot give the gentleman that. I am sure he has it.

Mr. LEAVY. I refer to the travel item.

Mr. MONRONEY. Twenty-eight thousand and seventy-four dollars.

Mr. LEAVY. The gentleman is following the same rule on this one?

Mr. MONRONEY. The 50-percent reduction rule.

Mr. LEAVY. Does the gentleman know whether the committee made any change whatever in this item?

Mr. MONRONEY. Will the gentleman advise me if the committee has reduced the amount that the Budget recommended for this item?

Mr. LEAVY. The committee did not.

Mr. MONRONEY. The travel item would be identical then?

Mr. LEAVY. Has the gentleman any rule other than the rule of an arbitrary 50-percent reduction for all these amendments?

Mr. MONRONEY. The distinguished gentleman, my very dear friend, is attempting to show the House why it should not be cut. If we are appropriating $1,400,000, I think he should come here and give us some reason why we should appropriate public money for these large traveling expenses for the bureaus.

Mr. LEAVY. The gentleman has not answered my question. I am wondering if he applies the same rule here and to all the amendments he proposes to offer and those he has offered making a 50-percent cut in the items?

Mr. MONRONEY. I appreciate the gentleman's mention of that. I started out to try and trim from the travel expense items of more than $16,000,000 the sum of $8,000,000. The action of the membership of the committee has reduced this total a great deal and even though we would now reduce every other item in the bill by 50 percent from here on, I am sure we would probably effect less than a 25-percent net saving in the travel account. This is because the committee has consistently refused to make cuts, no matter how insignificant, in these nondefense and nonessential expenditures.

Mr. TABER. Will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from New York.

Mr. TABER. I wonder if the gentlemen of the committee realize that the committee has raised the Budget estimate on this particular item from $1,368,410 to $1,444 439 and that the gentle-

man's cut of $14,000 does not anywhere near bring the item down to the Budget's recommendation? We have jumped the Budget clear out of sight.

Mr. MONRONEY. I thank the gentleman for that contribution. We will hear the cry or slogan about vegetables for victory. Let us junk the junkets and jam the Japs.

[Here the gavel fell.]

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

Mr. Chairman, the gentleman brought out that this estimate had been raised. The raise was perfectly justified due to the fact that we must encourage the growing of more vegetables and the production of more fats and oils. There is only one way to do it and that is to protect the vegetables from different diseases. Take for instance, the potato investigation that is involved here. This proposal permits a study to control a recent new disease known as bacterial rot. This disease is exacting a heavy toll on potato yields. It is new and, therefore, it is necessary to have additional money to take care of it. We need potatoes. It is a scientific fact well known to the general public that sugar and fats produce increased energy in human beings. With a shortage in sight of both, increased yields of potatoes because of their starch content will be an excellent supplement to the amount available of sugar and fats. Therefore, the increase was perfectly justified.

Let me tell you of another item in this paragraph and I wish the gentleman from Oklahoma would listen because I think he would quit introducing some of these amendments if he would inform himself as to the objects and purposes of the different appropriations.

Nothing is more important than the handling, transportation, storage and marketing of fruits and vegetables, and that item is involved in this appropriation. That is what the gentleman is attempting to cut out, money that is intended to stop diseases. It is especially important at this time to prevent waste and loss through shipment and storage.

We need every square foot of available transportation space. We should not have to waste our efforts by shipping diseased fruits and vegetables. This item is intended to reduce to a minimum the diseases of fruits and vegetables.

It is also important to determine how to load cars heavier without increased loss from diseases, so that more cars will be released for transporting more goods. You know there is a shortage of transportation facilities. This shortage is going to be increased day by day. Do you agree with the gentleman that we should permit all kinds of diseases in these fruits and vegetables and take up all this unnecessary space, or should we use this small amount of money and receive dividends many hundreds of times over that amount?

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. The gentleman has very rightly said, and I should like to emphasize it if I can emphasize anything the gentleman says, that we are short of transportation facilities. We could do nothing more to help the war effort than to take off some of these roving inspectors and interferers and thus provide additional transportation facilities and save some money for the Government at the same time.

Mr. PATMAN. I agree with the gentleman that it is justified where you do not do it blindly, but simply to adopt a rule of thumb and say, "Cut out half," does not mean anything. You are not proceeding intelligently—armed with all the facts—by doing that.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Mississippi.

Mr. COLLINS. The gentleman from Virginia pursues a policy of economy on the agricultural appropriation bill and upon the farmers of the country.

Mr. WOODRUM of Virginia. We had better do it on one than on none.

Mr. COLLINS. I notice that the gentleman from Virginia and his committee raised the appropriation for National Archives from $1,078,222 to $1,146,725. I suggest that if he wants economy and is serious about bringing it about, he could very readily have found at least one place in his own bill where economies could have been made.

Mr. PATMAN. No one wants anyone to engage in unnecessary travel at the expense of the Government. We are all agreed with the views expressed on that. The committee has eliminated all unnecessary travel and has cut the amount of this bill by more than $500,000,000.

Mr. Chairman, I hope the amendment is defeated.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER as a substitute for the amendment offered by Mr. MONRONEY: On page 35, line 18, strike out "$1,444,439" and insert "$1,368,410."

Mr. TABER. Mr. Chairman, I have offered this amendment to put this amount back to the Budget estimate. Do you suppose the bureaucrats who appeared before the Budget did not get every dollar out of the Budget they were entitled to? I never knew a time when, on an item of salaries and expenses and traveling expense, the bureaucrats did not put the pressure on for keeps and get away with every dollar they were entitled to, and then generally a lot more.

Here the committee has raised the Budget estimate by over $75,000. There is no explanation in the report as to why the raise was made. It shows in the table, but that is all. There is nothing in the hearings to justify more money. That is the kind of a case that I cannot go along with and that I cannot let go without calling to the attention of the House.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. MICHENER. Does the gentleman mean to tell the House and the country that the President of the United States, through his Budget, asks for a given amount as necessary to carry on the functions of the Department of Agriculture and that a few members of a subcommittee of the Congress increase the amount, and ask the Congress to appropriate money which is not essential, even though it may be desirable, and do this with the knowledge that every single dollar appropriated must be borrowed?

If this increase is made above the Budget, it means that we must sell bonds to pay additional traveling expenses of bureaucrats who go about the country, and this in opposition to the request of the Commander in Chief of the Army and the Navy. It is astounding. The taxpayers have just cause for protest. They should appreciate the efforts of the gentleman from New York. I hope the chairman of the committee will rise here and correct this thing and apologize to the country for bringing before a Congress a recommendation that the Budget estimate be exceeded, and for things not essential.

Mr. TARVER. I would be very glad if I had an opportunity to answer the unreasonable statements of the gentleman, but, of course, I cannot during the time of the gentleman from New York.

Mr. TABER. The gentleman will have plenty of time a little later. I have only a couple of minutes now.

I call to the attention of the Committee that here we are in the most serious situation that has ever confronted this country, and we are playing around. Let us quit it. Certainly let us not raise these items above the Budget anywhere unless an absolute necessity is demonstrated in a very clear way.

The gentleman from Oklahoma has done a great service here in calling attention to the enormous sums that are expended for traveling around. Most of the appropriations he has asked be cut out could be cut out, and I do not believe the Department would be hurt. The people on the farms know how to raise vegetables; they know how to raise fruits; and they do not need snoopers coming around to interfere with their operations in raising fruits and vegetables. What the people back home want is to get rid of this monkeying and to see us get down to business and cut out some of the unnecessary expenses. This is clearly an unnecessary expense.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. As I understand the gentleman's amendment, it goes further than the amendment offered by the gentleman from Oklahoma. It is not limited merely to traveling expenses but goes to eliminating some of the positions as well.

Mr. TABER. It puts the amount back to what the Budget estimate was.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. REED of New York. I really think the House should keep in mind that already the Secretary of the Treasury has recommended a revenue bill to raise an additional $9,000,000,000, and he says in his report to us that they will have to borrow next year $39,000,000,000.

Mr. TABER. To pay the expenses of traveling bureaucrats.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the substitute.

Mr. Chairman, perhaps the procedure which is followed in the Subcommittee on Agricultural Appropriations might be interesting for the purpose of dispelling some of the confusion and befuddlement that rises in cases of this kind. Let us therefore look at it reasonably, prudently, and objectively for just a moment. Here is the Bureau of Plant Industry calling for about $5,000,000 as the total. It performs 18 or 20 classifications of functions of all kinds, dealing with fruit and vegetable crops and their diseases, with Arlington Farm, and a host of other things. It includes, of course, vegetable crops and diseases for which there was a Budget estimate of $1,368,000. Now, you will observe that the whole item for the Bureau of Plant Industry, embracing about $5,000,000, was finally increased $190,000 over the Budget estimate, and $76,000 of that increase is in the particular item with which we deal at the present time. Now let it be said that the subcommittee approved about 16 or 18 of the Budget cuts. It raised about 16 or 18 of the Budget cuts. In two or three cases it went below the Budget cut and made an even greater diminution in the appropriation. In one or two or three cases it added some money over and above a restoration of the Budget cuts. How do we arrive at this? Well, we sit around the table, we take the hearings, we have the benefit of 5 or 6 weeks of testimony, and so we examine every item as an individual item. Take, for instance, the matter of hybrid-corn development in the South. In my country we carried hybrid-corn development to the point where probably 80 or 90 percent of the acreage out in the Midwest today is devoted to hybrid corn, yielding in some cases well over 100 bushels per acre. That hybrid strain was originally developed, as I recall, in the Department of Agriculture. They have, however, not found a strain of corn of the hybrid variety that will do well on some of the sterile soils in the South. We felt there was an item that ought to be increased a little bit, so that more work could be done in the public good.

This is an illustration of how you arrive at these totals. Some go up and some go down, but every individual item was considered on its merits. You will not find any testimony in the hearings, because when the subcommittee sits around the table for 3 or 4 days in closed session marking up the bill it does not have the benefit of a reporter. We just take our coats off, so to speak, and wrestle with these figures. You will not find that discussion in the hearings, and yet there is a clash of opinion between the eight or nine members of the subcommittee sitting around the table seeking, as best they can, to acquire the truth and to go along on the thrift idea wherever possible and still do a good job in the field of agriculture. There is no mystery as to how these totals are arrived at.

So when you see an increase of $190,000 on a $5,000,000 item it is not a very large amount, and yet it represents the best judgment and the best approach of the subcommittee in arriving at a total. We scale the Budget up and we scale the Budget down, and, after all, the Budget Bureau of the United States is not an infallible agency. A year ago I told the Director of the Budget Bureau, in respect of the independent offices appropriation bill, that in my judgment the members of the subcommittee knew as much about an appropriation bill as the experts who were assigned to it in the Budget Bureau. I am still of that opinion.

So here you have Members who have been dealing with this bill for years and there is an accumulation of experience that enters into the final shaping and development of these items. In my judgment, this has been a sound procedure and is in the public good. I say this notwithstanding the fact that in my file at the present time are amendments that I propose to offer as we go along which, in my judgment, should be adopted, because they eliminate duplication or dispensable functions, or for some other sound reason. But in this case I think both the substitute and the amendment ought to be defeated.

[Here the gavel fell.]

Mr. DONDERO. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

Mr. Chairman, the effort of the gentleman from Oklahoma strikes a sympathetic note in my thinking. I am satisfied that his effort here on the floor to reduce the expenditures and the expense of government will also find a responsive chord among the great masses of the American people. I recognize, as he must recognize, that his is a voice crying in the wilderness. Let no one for a moment think that he is going to stop the trend of public spending. We have gotten into the habit over the years of spending and wasting public money so that there is no stopping now; but the thought has occurred to me that it might be refreshing and encouraging to the men who are trying to uphold the sovereignty of the United States if they could learn that here in Congress an effort was made toward a little sacrificing on our part.

It would be encouraging to the men who are upholding our flag on land and sea and in the air. Some years ago a very distinguished gentleman from the State of Pennsylvania, who served with great ability in this body, wrote a book entitled "Our Wonderland of Bureaucracy." I refer to the late lamented James M. Beck. It would do us a great deal of good if we all read that book today and then remembered that within the last 9 years we have added 49 new boards, bureaus, and commissions to the structure of government; and that we now have a civil pay roll exceeding $2,000,000,000 annually. When boards, bureaus, and commissions are once established they fasten themselves to the body politic like barnacles to a ship, always presenting evidence to justify their continued existence. The gentleman from Oklahoma [Mr. MONRONEY] must be an optimist, indeed, if he even dreams that he is going to stop any expenditure or bring about any economies in government, but some day the people of this country will tell their Congress that the resources of this Nation are not unlimited. It may be that the trend now in vogue will never stop until complete economic collapse becomes the unhappy lot of the American people.

If we should show to the people of this Nation that there was an honest effort made to economize and reduce the cost of government, it would be as refreshing to the people of this land as a cool breeze on a sultry day

This week a committee of supervisors from some of the rural townships of Oakland County, Mich., being a portion of my congressional district, were here in Washington. I inquired what the farmers of that county thought about the present agricultural program, and one answered, "They want to be let alone," and yet we are considering a bill carrying with it many millions of dollars to carry on the ever-expanding Agricultural Department.

I hope that an economic gesture may be made here soon, whether on this or any other bill, to stop the ever-mounting expense of government. The great Committee on Ways and Means of this House today has reported a new bill to increase the limit of the debt of the United States to $125,000,000,000. That is nearly double the present amount.

Mr. TARVER. Mr. Chairman, I rise in opposition to the pro forma amendment. Perhaps I have misunderstood the reason why we have subcommittees to hear testimony and to draft appropriation bills. Perhaps I have been laboring under a mistaken idea as I have sat mornings and afternoons since November 19, except for occasional periods, listening to hundreds of witnesses testify to the needs of agriculture, dealt with in the numerous items of the pending bill. Under the conception of our duties which seems to be entertained by the gentleman from New York [Mr. TABER] and by the gentleman from Michigan [Mr. MICHENER], we should simply have approved the Budget estimates. Why, said the gentleman from Michigan [Mr. MICHENER], do you mean to say that a subcommittee of the Committee on Appropriations of this House refused to accept the estimates submitted by the President in the Budget as to the needs of a division of the Department of Agriculture and actually dared to raise by a few thousand dollars the amount which was estimated for that division or that bureau? Yes; we did in some cases. We reduced it in other cases. The net result in our bill as presented is a decrease below the Budget of $2,000,000. Just a few days ago there passed the House the State, Justice, and Commerce appropriation bill, carrying in excess above the Budget an amount aggregating about $15,000,000.

Did the gentleman from Virginia [Mr. WOODRUM] or the gentleman from New York [Mr. TABER] or the gentleman from Michigan [Mr. MICHENER] rise on the floor to protest that the subcommittee having the State, Justice, and Commerce appropriation bill had actually dared to bring in a bill which was above the amount of the Budget estimates and move to strike out from that bill the $15,000,000 that had been added to the Budget estimates? The record speaks for itself. It is only when the farmer's bill, already cut by $560,000,000, comes before the House that these advocates of economy, who in the main come from cities, not from agricultural sections, undertake to make a record for themselves in favor of economy. And yet, I must say for fear I may be misunderstood, that some of those who have been standing squarely behind the committee bill are men who come from the cities of this country and have no interest whatever in agriculture, except as every American citizen is interested in it. Some of them I say are.

We examined these items for the particular Bureau just now under consideration, and took a great many pages of testimony as to the needs of this particular Division. It appears that the Budget estimates were considered last fall, in October. After that time came Pearl Harbor. After that time the Department of Agriculture has engaged in an intensive food-for-victory program. It appears that some of these items were absolutely essentia' in the proper development of that program, and the department authorities so testified. The President of the United States, of course, never considered the individual items of this bill, but I believe if he had had opportunity to do so, at the time, and under the advice that we had, he would not have disagreed with the conclusions reached by the committee. We were not undertaking to act in defiance of any budgetary authority in making the provisions that we have, but to act in your service in an effort to ascertain what agriculture in the country needed, which might be reasonably provided in this bill.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. CASE of South Dakota. Mr. Chairman, I was in hopes that the chairman of the committee, or some one of those defending the increase in the Budget, would state what this particular increase over the Budget is for. I failed to hear anything, and wonder if I may be enlightened on that point.

Mr. COLLINS. Mr. Chairman, I expect to cover each individual item in a moment.

Mr. CASE of South Dakota. I shall be glad to waive the balance of my time in favor of the gentleman from Mississippi because I think that where an increase above the Budget is made, there should be a specific justification for it, certainly under present conditions.

Reference was made to the Department of Commerce bill which was passed recently. As I recall the specific reason for that increase was to provide for the civilian pilot-training program. That was presented on its merits, and the Members approved whatever the amount may have been. But on this particular item, as yet we have not had any direct evidence as to why the increase was made.

I yield back the balance of my time.

Mr. COLLINS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, so that the House may understand the purpose of some of these increases, let me call attention to a few facts.

In the first place, the Budget made up its estimates before Pearl Harbor, and a number of decreases were made by the Budget in items that have grown very important since that date.

Let me call your attention first to an item that was increased when we considered forest pathology, sap-stain studies in lumber. It has heretofore been removed through dipping in certain chemicals which are not now available. An exhaustive effort is being made to find a way to eliminate sap stain even though the chemicals are not available to the lumber industry. Unless they do find some method of doing it, the lumber industry of the country will suffer to the extent of $10,000,000 per year.

Now, with reference to fruit and vegetable crops and diseases, in the northwestern section of the country peaches, cherries, plums, and various types of fruits are raised in abundance. There has developed a new virus disease that is attacking these crops. The spray that has been heretofore used to get rid of that virus is not available, and unless the small appropriation is restored it will be impossible to find a substitute for those sprays.

Here the Budget cut has been restored.

Take another item: Tung-oil nuts. We have been getting tung oil from China and other Asiatic countries. It has been impossible lately for us to secure that oil. Tung-oil groves are being planted and cultivated in some of the southern sections of the country. Unless tung oil is available in this country, the paint industry will be seriously affected and military defense retarded.

The Budget decrease was restored.

Take potatoes. There is a disease in potatoes known as bacterial rot which is attacking the potato in all sections of the country, particularly in the northern section.

[Here the gavel fell.]

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COLLINS. With sugar and fats available in decreasing amounts, unless the people have potatoes in sufficient quantity for food as a substitute for fats and oils, and potatoes are high in starch content, it is believed by many people in the medical profession that the general health of the people may be impaired.

The Budget decrease was restored there.

In the transportation of food it is necessary to load boxcars just as full as is possible, saving to the people cars for various shipments of war products and supplies. We restored the Budget cut so that information can be given to the farmers of the country in order to conserve the car supply and to lessen their freight charges.

Mr. TARVER. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. TARVER. When the gentleman says we restored the Budget estimate, I think he means we restored the amount carried in the bill for the present year.

Mr. COLLINS. The gentleman is correct.

Take one other item, and then I will conclude. The Department of Agriculture has found that by dehydrating food, unless it is scientifically done, the vitamin content is almost lost in many of them. By dehydrating food we can ship three times as much foodstuffs in the same cargo space. We have restored the appropriation to the same level that was carried in the 1942 bill, so that the Department of Agriculture can continue its scientific research in the dehydration of foods not only for the conservation of shipping space but likewise so that the health-giving properties of these foods will not be lost. The general good health of our sons in the military service is important. They must be fed, and with good food and perhaps on foreign shores.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The question is on the substitute offered by the gentleman from New York to the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 54, noes 56.

Mr. TABER. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. TABER and Mr. TARVER.

The Committee again divided; and the tellers reported that there were—ayes 67, noes 72.

So the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

The Clerk read as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester, for the necessary expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), and for other personal services in the District of Columbia, $573,000.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: Page 41, line 11, strike out after the word "Columbia" "$573,000" and insert "$563,100."

Mr. MONRONEY. Mr. Chairman——

Mr. TARVER. Mr. Chairman, will the gentleman from Oklahoma yield that I

may submit a unanimous-consent request?

Mr. MONRONEY. I yield.

Mr. TARVER. Mr. Chairman, I ask that all debate on this amendment close in 5 minutes.

Mr. HOOK. Mr. Chairman, reserving the right to object, I would like to be heard for 5 minutes.

Mr. TARVER. Mr. Chairman, I have submitted the request. If there is objection, I cannot help it.

Mr. HOOK. I shall have to object.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that all debate on this amendment close in 5 minutes. Is there objection?

Mr. HOOK. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MONRONEY] is recognized for 5 minutes in support of his amendment.

Mr. MONRONEY. Mr. Chairman, I hate to take the time of the House on these small amendments, but I know of no other way that these excessive travel items can be considered.

I would like to ask the distinguished chairman of the committee if it would be agreeable to him to consider en bloc several amendments I have to the forestry section of the bill?

Mr. TARVER. I could not undertake to say what the House might be willing to do concerning considering the gentleman's amendments unless the committee knew what the amendments were and what sections they propose to affect and in what amounts. I think that if the gentleman feels justified in offering his amendments it would be better to take them up one at a time, as we have been doing, and let the gentleman discuss them here if he thinks he ought to do so.

Mr. MONRONEY. I thank the gentleman. I was merely trying to expedite the consideration of these amendments because they are virtually all on the same subject and all seek to reduce the tremendous travel account of these agricultural agencies.

Mr. Chairman, the amendment now pending before the committee seeks to reduce the fund for administrative travel of the Washington, D. C., office, Forestry Department, in an amount of $9,900. They are budgeted for the coming year in the sum of $19,800 for travel expense, and they will still have in their fund for whatever purpose they see fit more than one-half million dollars for the administration of its work. I cannot for the life of me see why it is necessary for members of the Washington office to spend this large amount of travel money going to and fro across the country.

As has been pointed out heretofore, the committee has decided and rejected these travel reductions by a very close vote. Many of us Members would like to save money, but the House has a strict committee system. In most cases, perhaps, that is very wise, particularly on increases sought to appropriation bills. But I believe every Member realizes that this $16,000,000 that the Department of Agriculture requests for travel expense can be reduced and should be reduced at this time if we are to keep the confidence of the people who will pay the taxes in little and not so little driblets and buy their small amounts of Defense bonds to make possible our war effort.

Mr. Chairman, in my opinion, the Congress should come into its own. Every Member who sits before me today knows that much of our legislation is written downtown. It is handed to the committee chairmen, and our legislative committees then start to work on the legislation.

If a Member introduces a bill, I am telling you, and everyone of you know it—if an adverse report is made from the departments downtown, that bill is almost impossible of passage. Now we come to appropriations.

Have we fallen so low in our self-esteem that we cannot even question the matter of a departmental request for travel allowance?

If the Congress is going to furnish the leadership that the country expects of it in this dark hour, the Congress itself must start legislating.

We are going to have to start examining these requests minutely and then appropriating on our own instead of taking carte blanche everything that the bureaus downtown or the Budget Bureau sends us. Congress must hold fast to the power of the purse.

It is time to make these cuts. Every Member knows that these travel expenses can be reduced, and I say it is high time, with us losing vast ground in both ocean areas, to effect some economy before the people lose confidence in their Congress, because the people are looking to Congress for leadership.

Mr. Chairman, I ask that the amendment be agreed to.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

Mr. Chairman, I wish there had been more Members on the floor of the House today when the distinguished gentleman from Texas made his brilliant and educational speech with regard to the forests of this Nation. No more important subject could be discussed than that. I have seen forest areas year after year become denuded areas of waste.

We appropriate millions of dollars to reforest those devastated areas. The Forest Service is trying to set up a program in order that we might conserve, in order that we may keep at least the remaining forests intact. They also reforest these devastated areas. Every dollar spent by the Forest Service is a dollar well spent and in the interest of economy.

The gentleman from Texas very well described the plan and the method that has been used in Europe for years, the plan of selective logging, the plan of conserving the forests and the wooded areas of those countries. He explained how Germany is using wood to make wood pulp for gunpowder. We are experiencing a shortage of the type of cotton necessary for the manufacture of gunpowder. It is up to us as Members of the House of Representatives to help conserve the wooded areas of this Nation.

May I say, Mr. Chairman, coming from an area that was once the greatest timber area in the United States, that I have seen a beautiful country denuded to the point that many large areas have become barren waste, where there are thousands upon thousands of families without employment now because of the fact that the large timber interests slashed and denuded the area without any thought of the future. We must save what we have left and reforest as fast as possible. I have a bill which will do just that and hope the Bureau of the Budget recognizes just that.

I plead with you not to cut this item for the Forest Service a single, solitary penny, because cutting down the appropriation for the Forest Service will not be in the interest of economy but will be in the interest of encouraging the destruction of one of the finest industries that we have today.

Mr. FULMER. Will the gentleman yield?

Mr. HOOK. I yield to the gentleman from South Carolina.

Mr. FULMER. As the gentleman understands, because of the serious situation in connection with our forests prior to the war and at this time we are importing millions of tons of pulp from Canada at the present time, and unless we utilize this money in building up and properly preserving our forests, the time will come when we will be in the same position as many sections of the country and other countries where the timber has been destroyed.

Mr. HOOK. I thank the gentleman for his contribution. He is one of the ablest Members of this House and, as chairman of our committee, is an expert on the subject. As I stated previously, I come from a country that was at one time one of the finest timbered areas in the United States. If the unrestricted slashing of timber goes on as it is at present, that great area will be denuded of every single, solitary piece of its timber within the next 6 or 8 years, which is a serious thing in the economy of this Nation, and especially to the Upper Peninsula of Michigan.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The question was taken; and on a division (demanded by Mr. POWERS) there were—ayes 50, noes 60.

So the amendment was rejected.

The Clerk read as follows:

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the maintenance and operation of aerial fire control by contract or otherwise; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental areas under Forest Service administration: *Provided*, That where, in the opinion of the Secretary of Agriculture, direct purchases will be more economical than construction, improvements may be purchased; the construction, equipment, and maintenance of sanitary, fire preventive, and rec-

reational facilities; control of destructive forest-tree diseases and insects; timber-cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; acceptance of moneys from timber purchasers for deposit into the Treasury in the trust account, Forest Service Cooperative Fund, which moneys are hereby appropriated and made available until expended for scaling services requested by purchasers in addition to those required by the Forest Service, and for refunds of amounts deposited in excess of the cost of such work; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the act of June 11, 1906, and the act of August 10, 1912 (16 U. S. C. 506–509), as provided by the act of March 4, 1913 (16 U. S. C. 512); and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the act of March 1, 1911 (16 U. S. C. 521), and the act of June 7, 1924 (16 U. S. C. 471, 499, 505, 564–570), lands transferred by authority of the Secretary of Agriculture from the Resettlement Administration to the Forest Service, and lands transferred to the Forest Service under authority of the Bankhead-Jones Farm Tenant Act, $11,266,446: *Provided*, That this appropriation shall be available for the expenses of properly caring for the graves of persons who have lost their lives as a result of fighting fires while employed by the Forest Service: *Provided further*, That in sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by the act of May 23, 1908 (16 U. S. C. 500), and the act of March 4, 1913 (16 U. S. C. 501), shall be based upon the stumpage value of the timber.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 43, line 11, strike out "$11,266,446" and insert "$11,014,276."

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MONRONEY. Mr. Chairman, this is another one of these travel amendments that I presume will be voted down by an economy-minded House.

The travel expense account for the Forest Service field work runs in the Budget $464,560. This amendment seeks to trim what I believe to be an overstuffed travel expense account to $232,280. May I point out to the Members who will follow me in debate and argue that I am trying to destroy the great forests of this land, that the amendment merely reduces this appropriation to $11,014,276. If that is not enough to administer the field work of the Forest Service, I do not know what is. I do not think that we have any extra money to allow the administrators to ride through the forests on Pullman cars, to go to conventions, and to go to meetings and conferences.

This is the same old story. This is a part of the $16,000,000 worth of travel that the taxpayers are going to pay for.

WHY THIS SIXTEEN-MILLION EXPENSE

I have yet to hear on this floor this afternoon one single bit of evidence as to why the appropriation should come to $16,000,000 for travel. I have heard a lot of Members say we should not cut these appropriations and I have heard a lot of argument over why they cannot be cut, and how the farmer would suffer.

It seems to me, if I know my farmers correctly, that they are a pretty smart bunch of men, and they realize that every dollar that goes to the Bureau travel account is one less dollar to reach the farmer. My experience has been that the farmers are not keen about too many trips that the bureaucrats make back and forth. Do not think they do not know who is making these trips and where they are going, because the farmers of this Nation are plenty smart.

Men have taken this floor to insist that this, that, or the other cut would destroy the program and would interfere with the activities of this very vital service in all respects, but I have tried not to cut this appropriation with a meat ax, I have tried to go about it with a surgeon's scapel. I have tried to trim the obvious bit of fat off the bureaus without touching the farmer himself.

TOTAL TRAVEL HERE $464,000

I do not want to take too much of the time of the House on these amendments. I am going to propose this amendment which, bear in mind, saves $232,000, half of their $464,000 travel budget.

Let us break down that travel account and see how much $464,000 amounts to. Each Member of the House will pay his income tax on March 15. I have an idea that every Member will write a check for $1,000 or better to pay his income tax, so when you write your checks you can say, "I am doing my duty to the Forest Service, I am buying them their trips." Probably every dime of the income taxes that are paid by all the Members of the House of Representatives will just about pay for the traveling expenses of the Forest Service.

In conclusion, may I say that I am trying not to be obstinate and not to take the time of the House unduly. If this amendment is voted up, I intend to offer about seven more amendments to the forestry section. If it is voted down, I shall yield to the will of the House on this amendment dealing with the Forest Service and put the rest of my amendments away. This will be a test vote. I may say that one of them deals with forest management, travel expense $15,500; another is for expense of range investigation, travel expense $7,000. They go on that way. So this will really be a test vote. If you want to economize, if you want to save just half of the money this whole House is going to pay in income taxes on March 15, then vote for this amendment; otherwise, just remember that your whole income tax will help out the employees of the Forest Service on their trips through our great and growing forests.

[Here the gavel fell.]

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee has already reduced the Forest Service $2,850,000 under this fiscal year. It occurs to me that that is a rather large sum. This bill carries $124,000 less than the Budget estimate for this year.

The gentleman states that this is to eliminate unnecessary travel, but he has no proof to offer that there is unnecessary travel; in other words, it is just a strike in the dark without any intelligent basis whatever to go by.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield? He has mentioned me.

Mr. PATMAN. I have only 2 minutes and the gentleman had 5 minutes.

This committee worked for months sitting around the table hearing witnesses. They know what they are doing. That is the reason they reduced this bill nearly $3,000,000 insofar as the Forest Service is concerned. However, the gentleman does not know what he is doing. With all due respect to the gentleman from Oklahoma, he does not know, he has nothing to back up what he says. He makes these statements but he has no proof to support them.

Regarding wood pulp, you make what is known as wood linters from wood pulp, and you can feed these wood linters into a machine that uses cotton linters and the one operating the machine cannot tell the difference. You can use wood linters to make just as good gunpowder as the regular cotton linters will make. We are going to need wood linters to make gunpowder. We are going to need wood linters to make paper. We are going to need wood linters for many things, so at this time we should encourage the growth of trees, we should protect our forests. Certainly, an approximately $3,000,000 reduction is enough for the Forest Service to take in 1 year.

Mr. Chairman, I hope this amendment is voted down by an overwhelming vote.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The question was taken; and on a division (demanded by Mr. MONRONEY) there were—ayes 53, noes 68.

Mr. SMITH of Ohio. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. TARVER and Mr. SMITH of Ohio.

The Committee again divided; and there were—ayes 66, noes 72.

So the amendment was rejected.

The Clerk read as follows:

FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the act entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of

timber on lands chiefly valuable therefor," approved June 7, 1924, as amended (16 U. S. C. 564–570), including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3 of said act, $2,500,000, of which not to exceed $68,800 and $2,500 shall be available for personal services and for the purchase of supplies and equipment, respectively, in the District of Columbia.

Mr. THOM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the responsible officials of the Forest Service view with great apprehension the possible losses from fire during the coming year. In some years as much as 200,000 or 300,000 acres of valuable timberland have been burned over. There have been occasions when there have been as many as 1,000 lightning fires in 10 days.

I have had the opportunity personally to watch the efforts of the Forest Service in suppressing fires and achieving great savings in the natural resources of the United States.

This year there are several circumstances which will interfere with successful fire fighting. Those men who in past years have served as guards and as fire fighters have largely been drawn into the war industries. The younger men, of course, have been drafted into the Army. So there is a great shortage of labor in the vicinity of the more than 150 national forests in this country. There are left just about 130 or 140 C. C. C. camps close to these forest reserves. These C. C. C. boys have been effective and very useful in the past in helping to control these fires, and I am speaking at this moment to call the attention of the House to the fact that unless the C. C. C. camps in the vicinity of national forests are maintained, we may expect a tremendous loss in the forests through fire. When we reach that question I hope the House will give sympathetic consideration to the maintenance of these labor forces that are so very, very necessary.

We have to consider also the fact that there is apt to be sabotage in the forests. Furthermore the forests are supplying millions and millions of feet of timber for useful war purposes. All of these facts make it necessary that we see to it that through our legislation in this House some available fire-fighting force is left in these communities close to the national forests that are so numerous in the Western States.

I want, in conclusion, to pay a tribute to the great National Forest Service, whose members are so conscientious and so attentive to the business of this great department of the Government.

The pro forma amendment was withdrawn.

The Clerk read as follows:

FOREST ROADS AND TRAILS

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (23 U. S. C. 23), and for the construction, reconstruction, and maintenance of roads and trails on experimental areas under Forest Service administration, including not to exceed $59,500 for personal services in the District of Columbia, $6,500,000, which sum consists of the balance of the amount authorized to be appropriated for the fiscal year 1941 by the act approved June 8, 1938 (52 Stat. 635), and a part of the amount authorized to be appropriated for the fiscal year 1942 by the act approved September 5, 1940 (54 Stat. 867), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage and repair of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed $7,500: *Provided further*, That there shall be available from this appropriation not to exceed $38,000 for the purchase of land and buildings at Portland, Oreg., for the storage and repair of Government equipment for use in the construction and maintenance of roads.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 47, line 24, strike out "$6,500,000" and insert "$3,200,000."

Mr. RICH. Mr. Chairman, during the past several years we have spent a great many millions of dollars on roads and trails in the national forests, and we may say that the money was well spent. We are coming to a time now when this Nation is at war, and we do not have the men or the money to go out and build additional roads and trails. We are going to leave in this bill $3,200,000 for forest highways.

Let me show you from the report of Mr. Granger what they contemplate in the line of development of forest roads and trails:

Present plans indicate planning work is well advanced but is not yet completed. Present plans indicate a need for a further expenditure of $627,701,700 in construction or betterment work. This is divided as follows: Forest highways, $482,156,300, and forest development truck trails and horse trails, $145,545,400.

This is a great proposal planned for the Forest Service. I would like to ask the question: Where are you going to get the money, and where are you going to get the men? How are you going to do all this?

The way to do some of it right now is to let the States aid in these forest highways with the $3,200,000 we are going to have in the bill and cut out the $3,300,000 for forest development roads.

We will be able to keep the fires down as well this year as we did in other years, and we will be able to use those men for the purpose of the prosecution of this war. After this war is over and we have won it, then we will have all of these development programs and plans and something for the men of this country to do when we have nothing else for them to do. Then we can find means, if at all possible, to go ahead and prosecute the work of development of these roads and trails.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. RICH. I have only 5 minutes, but I will yield just for a question.

Mr. O'CONNOR. I agree with the gentleman that we should cut down wherever we can.

Mr. RICH. But the trouble is that every time we suggest cutting down, somebody on the other side gets up and opposes it. We have not suggested one item today but somebody on the Democratic side gets up and tries to give a reason why we should not cut it down.

Mr. O'CONNOR. However, let me make this observation.

Mr. RICH. Is the gentleman going to vote to cut it down?

Mr. O'CONNOR. I said that I agreed with the gentleman; reductions should be made where they can.

Mr. RICH. Very well.

Mr. O'CONNOR. But I know that the gentleman will agree with me that during the hot, dry months of July, August, and September in those great forests in the Northwest they may be destroyed by a few simple little matches strategically placed and destroy the entire Northwest timber supply and thousands of acres of grain fields, the matches being placed there by Japs, and do not think that they will not do it. They are the trickiest and most treacherous enemies that we have. I know the gentleman does not want to see that done.

Mr. RICH. Oh, no; but I want to take care of the match before it happens. If we had been able to stop the match out there in Iowa where 14 people were killed we would have stopped that, and if we could get a submarine before he discharges a torpedo we would save a ship. We want to do all of that, and the most important thing we can do is to spend the dollars where we will save the most.

Mr. O'CONNOR. But you have to have dollars to spend before you can spend them. Appropriations have to be made.

Mr. RICH. Yes; and I want to know where you are going to get them.

Mr. O'CONNOR. Oh, all of the American people will pay and the gentleman and I and the like of us are going to pay for it.

Mr. RICH. Yes; but I am broke now, and I know how long it will be before the gentleman will be broke. What we have to do is to spend the dollars where you can get the most benefits for the American people during wartime, and the most that we can do to win this war will be to spend these dollars and get submarines and guns and ammunition.

Mr. TERRY. Mr. Chairman, the Forest Service, as has been told to you before, has been very heavily cut. They have reduced it by $2,850,195. The Budget has cut out this year $1,443,138 for land acquisition for national forests, for acquisition from national forests, $316,000, and $1,100,000 from forest-fire control, a total of $2,850,195. You know under the rules and regulations of the Forest Service, counties in which the lands lie receive 25 percent of the receipts of the sales of the timber in the forest, 10 percent goes to trails and roads, and the remaining 65 percent goes to the Treasury. We have cut out every dime of money for new acquisitions of lands from forest receipts. The land-acquisition program was started several years ago, and we put up $3,000,000 a year for that purpose. That has been thrown out of the window. I do not think it is a good

idea. I think we should go ahead with a reasonable program of acquisition, but we have not done it.

In this matter of forest roads and trails, last year the appropriation was $9,990,165, while this year it is but $6,500,000, a reduction of $3,490,165. That is a reduction of about one-third in this important part of the forest work. We have hundreds of miles of highways and roads and trails through the forests. They must be extended, repaired, and maintained. If gentlemen will read the hearings, they will see that through this national forest go some of the great transcontinental highways. The troops of the United States that go from coast to coast, largely travel the highways through the national forests.

The forest fires that the people are so apprehensive about on the west coast could not be reached in time to do any good if we did not have trails and roads to get to them. So when we reduce this item more than one-third, which the Budget and the committee have done, reducing it from $9,990,000 to $6,500,000 we feel that the committee, which studied the matter thoroughly and went into all phases of it, has gone as far as the House should go.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. TERRY. Yes.

Mr. NORRELL. The question has been asked here where we are going to get money for this appropriation. I suggest that the income of the Forest Service last year amounted to exactly $7,000,000, according to the hearings on this bill. So really this money is being appropriated back for their use.

Mr. TERRY. We have cut more timber in the national forests this year than ever before. Over 2,400,000,000 feet of lumber was cut in the national forests this year. The Forest Service is one of the best organized services in the Agriculture Department, and to a considerable extent pays its own way; and I ask you gentlemen to stand by the committee and turn down the amendment.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. TERRY. Yes.

Mr. KERR. I do not think the House understands that this appropriation, most of it, will go to keep clean the trails and the roadways through the forests. Most of it will go for that purpose, and it is absolutely necessary to do that in order to prevent fires.

Mr. MOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have pending at the Clerk's desk an amendment to restore this appropriation to the amount carried in last year's appropriation bill. However, at the present moment I want to address myself to the amendment offered by the gentleman from Pennsylvania [Mr. RICH] to reduce the appropriation as it appears in this bill.

For several years the Appropriations Committee has not appropriated for forest roads and trails the amounts authorized in the biennial road bills. We are not appropriating anything in this bill, for example, any of the money which has been authorized to be appropriated for the fiscal year 1943. This very small appropriation for forest roads and trails, only two-thirds of what it was last year, is made up entirely of the unused balances of the authorizations for the fiscal years 1941 and 1942.

If there ever was reason to protect the forests of this country, that reason has doubled and trebled since the war broke out. There are valuable forests of great necessity to the war effort all over the United States, but I want to speak particularly here of the great forests of the Pacific coast, and particularly those forests on the Cascade Range in Oregon and Washington, and in the Sierra Nevada Range in California. Our chief supply of soft woods, such as fir, spruce, and hemlock, come from that area. All of the first class fir plywood used at the present time not only by the United States but by all the Allied Nations comes from that area. Ninety percent of all the spruce going into trainer airplanes for the British and the United States air forces comes from that area. Fifty percent of that supply comes out of one or two harbors in the Pacific Northwest, and the major portion of our wood pulp and pulp paper likewise comes from that area. The destruction of those forests may well be disastrous to the entire war effort.

Every year on the Pacific coast we have forest fires which destroy hundreds and thousands of acres of the most valuable timber in the world. I have flown over western Oregon from California to Washington many times during the forest-fire season, when the smoke was so dense I was not able to see the ground for an hour at a time. One of the means, one of the indispensable means employed in preventing forest fires, and also in putting out forest fires when they occur, is to have and maintain access to every part of the forest region by an adequate system of forest trails and roads. Without such an adequate system, kept up to date and improved from year to year, those forest fires cannot be prevented or controlled.

I said a moment ago there was much more reason now than there was at the time of the last appropriation bill to appropriate the full amount authorized by the legislative committee. One of those reasons is well known to all of you. That is the fact that on the Pacific coast we have 250,000 Japs. All of them, whether American-born or alien, are potential enemies and potential saboteurs. A forest fire is the easiest kind of fire to start, the most difficult to detect at the start, and the most difficult to stop after it gets started. Many people are rather complacent about the idea of Japanese invasion of the Pacific coast by carrier-borne planes. I have lived on that coast all of my life. I know the Japs and I know their technique, and I know what they consider the military objectives of that region. One of those objectives is the timber supply of the United States. The Japs, by risking three or four carriers, as they did at Pearl Harbor, could at this moment make an air invasion of the Pacific coast, and a few incendiary bombs dropped from place to place along the Cascade and Sierra Nevada ranges of mountains would be all that would be necessary to destroy most of the available wood supply of the United States which now goes into the war effort.

I sincerely trust the Committee will vote down this amendment to reduce the appropriation, and that it will support at the proper time the amendment that I will offer to increase it.

[Here the gavel fell.]

Mr. WHITE. Mr. Chairman, I move to strike out the last word.

Mr. TABER. Mr. Chairman, I wonder if the chairman of the committee is going to move to close debate soon? I would suggest about 10 minutes.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

Mr. MOTT. Does that include my own amendment?

Mr. LEAVY. All amendments.

Mr. MOTT. I would like to have 5 minutes on my amendment when it is reached.

Mr. LEAVY. I ask unanimous consent that the debate close in 15 minutes, allowing 2 minutes to the committee to answer the gentleman.

Mr. MOTT. My amendment is to restore the appropriation to the amount carried in last year's appropriation bill, with which the committee is very familiar, because I appeared before the committee. I had almost hoped the committee would accept the amendment.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes.

Mr. DIRKSEN. Mr. Chairman, reserving the right to object, I would like 3 or 4 minutes.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments close in 22 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Idaho [Mr. WHITE] is recognized.

Mr. WHITE. Mr. Chairman, there is not an item in this bill more vital to the welfare of the United States and the defense of the United States than this particular appropriation item to construct forest roads and trails we are dealing with here. If we win this war we are going to do it with arms, with guns, and with defense weapons.

I wonder if the author of this bill knows just what is in the national forests of the United States in the way of minerals? I would like to tell him what has been developed in the district I have the honor to represent. I do not think the gentleman who introduced this bill has any conception of the vast undeveloped area that is under the administration of the Forest Service. I have a district in my State alone which is 300 miles long and 150 miles wide of solid national forest, rugged and highly mineralized. It is a storehouse, if you please, of minerals of the United States. Just now the Bureau of Mines have gone back 82 miles in this area and, by diamond drilling, have uncovered a vast deposit of quicksilver needed for fulminate caps, of tungsten

needed to harden steel for tanks and guns and rifles; but we have got to get it out from inside that national forest. It was found over a year ago. Appreciating the urgency of the situation, a group of Members of Congress went all the way to the capital of the State of Idaho. The Forest Service funds were exhausted. We induced the Governor of the State of Idaho to break its State precedents and allocate $15,000 to finance the Forest Service and start work upon the roads to reach this one deposit.

I can put in the RECORD at this point a letter from Administrator Knudsen asking for three strategic roads to enter the boundaries of the Forest Service to get out the strategic metals. We have been depending upon China for our tungsten, worth $2 a pound.

We have, out in the forests of Idaho, vast deposits of this metal to which we must have access. This item now under consideration goes to that production. It should be raised instead of being cut; it should be raised to the $10,000,000 item the bill usually carries. This bill applies to Alaska as well as to every Western State and the vast stretches of Montana, Arizona, Nevada, Idaho, Oregon, and Washington.

We are dealing here with a great undeveloped section of the United States dependent entirely upon the action of this Congress in appropriating money for the use of the Federal Government to build the necessary roads in this area. I sincerely hope, if you have the welfare of your country at heart, that you will go along with the gentleman from Oregon [Mr. MOTT] and not cut this item but raise it to $10,000,000. The Government needs and must have access to these deposits to supply our defense industries. We need this money to be able to get into this country and to bring out the strategic metal, the tungsten, quicksilver, vanadium, and cobalt needed in our defense program. Everybody in the Government knows that, the Forest Service and all the departments dealing with defense supplies. I hope that instead of cutting this bill in this urgent hour of need it will be restored to $10,000,000 because now we are cut off from our foreign sources of supply, from China, Turkey, and those places we had been drawing on for these metals. It is time we opened our own storehouse of minerals and utilized them and not have to go to South America. We are sending our college men, our technical experts, into these far off places to hunt for the very thing that is right here in our own rich mountains of the West.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield.

Mr. O'CONNOR. The gentleman also wants to conserve all the fine timber in the great State of Idaho and western and eastern Montana.

Mr. WHITE. This bill goes way beyond that. I am sure if the Members who have never traveled through the West were once to go through that vast stretch of our domain they would change their minds and want to do something about it. A Member from a little district in Pennsylvania, for instance, who never made a trip west and does not know anything about what we have in the West and what the development of that area means to the prosperity of the country but of his own section, would change his mind if he had first-hand information about it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I dislike very much to appear on the floor in opposition to an amendment which is designed to reduce some of the expenditures of our Government. I am thoroughly in sympathy with the underlying principle that in every instance where possible in all nondefense items we should cut to the bone every single item.

Coming from the West, as I do, however, and knowing these great forest areas situated along the Pacific coast, and knowing the vital part they play in the entire war program, I know, of my own knowledge, that it would be the height of folly at this time to cut down those appropriations which have for their purpose the protection and utilization of these great forest areas.

Over 50 percent of the total area of land in my State belongs to the Federal Government. These forests in the main belong to the Federal Government. The money that we are here appropriating for forests does not come out of the General Treasury because, as was pointed out by the gentleman from Arkansas a moment ago, over $6,000,000 last year came from receipts received by the sale of products from these forests. We are merely putting back for the protection of the forests and for the utilization of these forest products the money that came out of them. This year, by the increased utilization of timber in our war effort, we will realize much more from this timber than ever before, consequently the receipts will be greatly increased.

Do you know that these great forests along the Pacific coast are the greatest undertaking in the way of agriculture that this Government is engaged in? Your own Government owns them. They are not owned privately in the main, they are owned by the Government, and the timber crop is the greatest agricultural crop in one ownership in the Nation. Over 60 percent of the timber products, perhaps 80 percent, which come from these forests goes directly into our war effort.

In addition we have the great menace that faces us, called to your attention also a moment ago, on account of the Japanese situation on the West coast. There are hundreds of thousands of Japanese aliens and nationals located out there. Many of them are interpersed here and there in these great areas. A single Jap might cause a conflagration that would involve the expenditure of many millions of dollars, as well as the crippling of the great timber-industry operations which are supplying the timber products going into our war effort. I understand a scheme has been developed whereby these men of whom I have spoken, these enemy aliens, have an invention known as phosphorous paper. They take large quantities of that in a plane and they spread this stuff with the plane all over the area. Spontaneous combustion takes place and it starts great conflagrations throughout the entire area. The funds which we are here asking are to provide the roads and trails and the access or means of getting into these great forest areas which are owned by the Federal Government.

Many of these great trees, particularly in the southern part of Oregon and in northern California—the redwoods—are 5,000 years old. They were growing thousands of years before Christ was born. Those trees are still growing out there and such giants of the forests are not to be found in any other place on earth. They are very valuable and are being used not only in the war effort but in many other undertakings throughout the United States.

Mr. Chairman, instead of reducing this appropriation I hope the Committee will support the amendment which will be offered by the gentleman from Oregon, [Mr. MOTT] to put the appropriation back where it was before the committee made the cut, because it will not reduce our total financial ability to meet the cost of the war. We are only taking out of the fund which we get in from this asset itself a portion of the receipts in order to preserve this great asset so that we may have these forest products to carry on the war effort. I urge the Committee to vote against the amendment proposed by the gentleman from Pennsylvania [Mr. RICH].

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, I ask unanimous consent that the amendment, which I shall offer, may be read for information.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon [Mr. MOTT]?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MOTT: Page 47, line 24, strike out "$6,500,000" and insert "$9,990,165."

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. Mr. Chairman, there is an amendment pending before the House now.

The CHAIRMAN. The amendment just read by the Clerk was read for information only. It cannot be offered until the amendment offered by the gentleman from Pennsylvania is disposed of.

Mr. MOTT. Mr. Chairman, I now address myself to an amendment which I shall offer to restore this appropriation from the figure of $6,500,000 to the amount carried in the appropriation for the fiscal year 1942, namely, $9,990,165. I trust I may have the attention of the Committee, and particularly the Subcommittee on Appropriations, while I explain the reason why in my opinion this amendment should be adopted.

The sum of $9,990,000 has been for years the regular authorization for this purpose, although the full amount of the authorization has not always been appropriated. For the last 3 or 4 years this phase of the protection to our forests, the building of forest roads and trails, has been particularly neglected by the Appropriations Committee. There never was any real excuse for cutting this appropriation, but there was at least more excuse for cutting the appropriation a year ago or two or three years ago than there is now. All we are seeking here is to restore what we have been usually getting for this program in normal times. We ask this year only for the amount which was appropriated last year for this purpose.

I explained a few minutes ago that the reason why we need for this year at least as much as we had last year is because the risk and the danger of forest fire is perhaps a hundred times greater than it was a year ago, due to causes with which I know you have all become familiar since the outbreak of the war. If those forests should be destroyed, it would be entirely possible to lose the war because from those forests we obtain a great many necessary war products which we can get from no other place, either in the United States or in any other country in the world to which we presently have access.

Mr. MURDOCK. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Arizona.

Mr. MURDOCK. The gentleman comes from the west coast. Does not the gentleman think that the general hazard throughout the country is not only greater this year than it was last year, but far greater on the west coast? In those States which border on the Pacific Ocean there is probably three or four times the hazard of last year.

Mr. MOTT. I should say a hundred times the hazard of last year, because a half a dozen saboteurs, if they made up their minds to do it, could absolutely destroy the entire spruce and fir timber resources of the Pacific coast. Last year the Japs on the Pacific coast had no reason to sabotage our forests. This year they have, because their country is at war with ours, and sabotage is one of their chief weapons of warfare.

These Japanese are not in concentration camps. They have not even been evacuated. One of the first results of a carrier-borne air invasion would be sabotage on the part of the Japanese now living there, to say nothing of the damage to these forests that the carrier-borne planes would be able to do with incendiary bombs if they succeeded in getting inland only a few miles.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. The gentleman, of course, knows that these funds are not for the purpose of fighting forest fires.

Mr. MOTT. They are for the purpose of building forest roads and trails so that forest fires may be reached by the forest rangers and so that a proper watch and guard can be kept and supplied in the forests by means of these roads and trails.

Mr. WOODRUM of Virginia. We have customarily given the Department of Agriculture every cent they needed for the purpose of fighting forest fires, and that appropriation has never been cut.

Mr. MOTT. This is not for forest-fire fighting as such, but without these roads and trails no forest fire could be either prevented or controlled after it started. The building of forest roads and trails is a part of the regular forest fire protection program which has been in existence for 25 years. This appropriation has now been cut at the very time when it should be increased. I am not asking for an increase over the usual annual amount. I am simply asking for the regular authorized annual amount, which, in my opinion, is absolutely necessary.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Montana.

Mr. O'CONNOR. There must be roads in there in order to get people in there to fight these fires.

Mr. MOTT. If we do not have the forest roads and trails, we cannot reach the fires nor can we station or supply the fire guards and fire watchers where they must be if they are to be of any value at all.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, at the very outset may I say that in my humble opinion it would be little short of a national calamity if the amendment offered by the gentleman from Pennsylvania were to prevail.

Those of us who live in the forest regions perhaps have a better appreciation of them. Do you know that 10 percent of the area of the United States is in national forests? Do you know that 33⅓ percent of the area of the United States is capable of producing trees, but the dependence now above all other things must be on national forests?

Let me show you what has happened in the last year, most of it since Pearl Harbor. In 1939 timber sales on national forests were 1,290,000,000 board feet. In this last year they have increased to 2,400,000,000 board feet, or a 100-percent increase, and an increase of another 100 percent is expected this year. Five hundred thousand acres of forest have been turned over to the Army for cantonments and other purposes in connection with national defense.

Every lookout in the national forests on the entire Pacific slope is now in the closest cooperation with the United States Army, and close contact is kept. Those of us who live in the West distinctly recall that in the last World War the acts of sabotage practiced in the national forests were far greater than in any other place in the country, because the forests lend themselves to such acts.

Cut out or reduce the roads and trails expenditure, and you produce a very dangerous situation. Mark you, this six million-odd dollars is not for new construction at all but only to maintain and keep in repair these thousands and thousands of miles of road and trail. The roads and trails in our national forests now exceed 311,574 miles. Thirty-five percent of them are scarcely passable.

There are eight transcontinental highways that cross from east to west in this Nation, all of them probably to be military necessities, and they go through the national forests. The responsibility of caring for these highways in the forests in large part falls on the Forest Service.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Oregon.

Mr. MOTT. May I observe that at the present time there are said to be 600,000 troops using these roads over the mountains.

Mr. LEAVY. I thank the gentleman.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. The gentleman so far has addressed his remarks to opposing the amendment offered by the gentleman from Pennsylvania reducing the item. I hope the gentleman will also say something opposing the amendment offered by the gentleman from Oregon, which seeks to increase the item by $3,000,000.

Mr. LEAVY. Personally, I should like to see the item increased, but I am going to be loyal to my committee. I was voted down in the committee on it, but I am going to vote with the committee in that regard. However, I certainly would be glad to see the amendment offered by the gentleman from Oregon prevail.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Idaho.

Mr. WHITE. This item is more of a defense appropriation than a good many items that are going through for defense. It is vital to national defense.

Mr. LEAVY. The gentleman is correct.

Mr. RICH. Is it not a fact that you have spent more money building roads and trails in the last 5 years than in any 20 years in the history of the Nation?

Mr. LEAVY. Not in the forests.

Mr. RICH. Oh, yes.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, so that the parliamentary situation will be clear, the gentleman from Pennsylvania [Mr. RICH] has offered an amendment to cut the proposed appropriation of $6,500,000 by $3,300,000.

It should be observed that the $6,500,000 in this bill embraces two items—namely, $3,200,000 for forest highways and $3,300,000 for trails and truck

trails. What the gentleman from Pennsylvania proposes to do is to strike out the last item.

The gentleman from Oregon offers a substitute to increase the amount to where it was in 1942. I want to be sure this is made clear.

I am not particularly impressed with all the talk about sabotage and forest fires and that sort of thing or how the Japs can get into millions of acres of timber and destroy it, and I shall tell you why. The Forest Service itself advises the subcommittee, and I read from their own language, that there are 29,511 miles of truck trails and 17,900 miles of trails that they cannot complete. They have not laid them out. There are 46,000 miles that they say are necessary to forest administration and not constructed. Well, if an enemy were going to commit sabotage, that is the place he would go, because there is no money for that development and will not be for a long time. The long-range program calls for an expenditure of over $600,000,000 for highways and trails, which include $482,000,000 for highways and $145,000,000 for trails.

This amount in the amendment of the gentleman from Pennsylvania [Mr. RICH] is only 2 percent of the whole amount involved in the program they have laid out. As a matter of fact, there is not very much substance to the discussion about sabotage, if this appropriation does not prevail. I hope the amendment of the gentleman from Oregon will be defeated, and my heart at least is in the amendment of the gentleman from Pennsylvania [Mr. RICH]. I do not believe its adoption would be calamitous, as has been so eloquently indicated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 38, noes 66.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOTT: On page 47, line 24, strike out "$6,500,000" and insert "$9,990,165."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon.

The amendment was rejected.

The Clerk read as follows:

Fruit insects: For insects affecting fruits, grapes, and nuts, $390,285.

Mr. MONRONEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: Page 52, line 18, after "nuts", strike out "$390,285" and insert the sum of "$384,785."

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONRONEY. Mr. Chairman, I want only 2 minutes of time to point out that this will reduce the expense account for traveling by $5,500, being a part of the $16,000,000 travel account for the Department of Agriculture. In substance, the $16,000,000 represents the annual farm income of 16,000 farmers. Let me read the amendment again:

On page 52, line 18, after "nuts", strike out "$390,285" and insert "$384,785."

Mr. TARVER. Mr. Chairman, I call the attention of the gentleman from Michigan [Mr. MICHENER] to the fact that the committee has reduced the Budget estimate for this Bureau of Entomology and Plant Quarantine by $439,280. In view of the opinion that the gentleman from Michigan expressed a short time ago to the effect that it would be a species of lèsé majeste to disregard Budget estimates, I wonder if he wants to offer an amendment to restore the amount of the Budget estimate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (at the suggestion of the Chair) there were—ayes 56, noes 60.

So the amendment was rejected.

The Clerk read as follows:

Japanese beetle control: For the control and prevention of spread of the Japanese beetle, $382,275.

Mr. CASE of South Dakota. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 52, line 20, after the words "Japanese beetle", strike out "$382,275" and insert "$82,275."

Mr. CASE of South Dakota. Mr. Chairman, this item is for the control and prevention of spread of the Japanese beetle and appropriates $382,275. My amendment would cut off the $300,000 and leave the item at $82,275. I have looked up the hearings on this item before the committee. I find that since 1932, we have spent $4,000,000 on the control of Japanese beetles. The learned gentleman from the Department of Agriculture who testified in behalf of this item stated that they were getting the Japanese beetle pretty well under control, that they had discovered a milky disease that was getting the best of it.

So, Mr. Chairman, my suggestion is that we take this $300,000 and turn away from the beetle, which is coming under control, and apply the $300,000 to getting control of the Japanese. That amount will buy a bomber for the boys in Bataan. Let these fine men in the Bureau of Entomology tell their grandchildren that in fiscal 1942 they fought the Japanese beetle, but in fiscal '43 they went after the Japanese. We have gotten the beetles pretty well corralled; let us save this $300,000 and send it out after Japs.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 63, noes 53.

Mr. TARVER. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. TARVER and Mr. CASE of South Dakota to act as tellers.

The Committee again divided; and the tellers reported—ayes 64, noes 58.

So the amendment was agreed to.

The Clerk read as follows:

Truck crop and garden insects: For insects affecting truck crops, ornamental and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, $324,020.

Mr. SATTERFIELD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SATTERFIELD: Page 55, line 15, after the word "crops", strike out "$324,020" and insert "$354,723."

Mr. SATTERFIELD. Mr. Chairman, tobacco produced in excise taxes in 1941, $740,000,000, approximately 13 percent of all of the revenue collected by the Treasury. In warehouses in North Carolina and in Virginia there are stored today millions of pounds of tobacco. This tobacco is aging in these warehouses, and these stocks are worth $750,000,000.

Not all of this tobacco belongs to the manufacturer. The Government has about $90,000,000 worth of lease-lend tobacco stored in these warehouses. That tobacco is in jeopardy. It always is, in a warehouse. There is a never-ending war always going on with stored tobacco. Parasites of all sorts are constantly on the attack. Once they get a foothold in a warehouse, many thousands of hogsheads of tobacco can be destroyed in an incredibly short time. Let me call attention again to the fact that the Government is interested in these stocks as well as the manufacturers. Five tobacco laboratories shared only $73,150 between them last year in the important work of keeping a constant vigil over these stocks, a little over $14,000 apiece, to carry on this important task. This year there is a cut in the appropriation for these laboratories of $32,605. That is the cut for truck crop and garden insects, and tobacco is included therein. Thirty-two thousand dollars of that falls on the laboratory work designed to protect that tobacco in which the Government has a $90,000,000 stake. The $32,000 cut in tobacco takes all of it except some one-thousand-nine-hundred-and-odd dollars.

I should say that the Congress has been more remiss in matters of research than in any of its responsibilities and undertakings. I believe that the committee will agree with me. I say that advisedly and without fear of contradiction. I need only to call to your attention our lack of laboratories and lack of experimentation in aviation and in other fields. It is so with insect infestations of tobacco. My amendment simply puts back $30,703 for this purpose, which is only a little over an additional $5,000 apiece for the five laboratories working in North Carolina and Virginia, protecting $90,000,000 worth of tobacco which the Government has a stake in, not to speak of tobacco valued at $750,000,000 all told.

If insects and parasites get into that tobacco and the lease-lend tobacco, it seems to me that the sum of $73,000 is

a small amount of money to properly protect this commodity.

In seeking the adoption of this amendment I wish to ask this Committee this question: Is it good economy to protect a crop which not only is the major source of income for 400,000 families but a crop that will produce for the Government better than a billion dollars next year? If it is harmed while in storage—and it can be easily damaged, and damaged to a great extent if the proper inspection and treatments are not followed by these laboratories—the Government will be a heavy loser. I ask the adoption of this amendment. It does seem to me that $32,000 is a small amount of money and could well be diverted from such items as yearbooks, bulletins, and traveling expenses. To protect the stake that the Government has in the amount of $90,000,000 in these stored tobaccos is imperative. Tobacco will produce for the Government more than a billion dollars next year. If it is damaged we shall lose the base to much-needed revenue.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment. I think all of us realize the very great value of our tobacco industry. We also realize, if we read the evidence which has been adduced from year to year in our hearings, the tremendous amount of damage which is being done by these tobacco-warehouse insects which the gentleman from Virginia [Mr. SATTERFIELD] desires to control or eliminate. But the question to be determined here is whether or not, by making an additional $32,000 available, you are going to do anything to remedy this situation.

These investigations of various insects and various diseases of plants are started by the Department of Agriculture and oftentimes carried on for years and years without anything at all being accomplished with the money which is made available. A great many of the investigations are fruitful. A great many of them result in the accomplishment of a great deal of good, but some of them never seem to accomplish anything at all. There is a recognized evil. There is a desire to find a remedy for that evil and a way to eradicate it. But the Department is unable to make progress in accomplishing the desired objective. This is one of those cases. We have been carrying money for years for this tobacco-insect investigation.

We have been unable to determine that the Department has been in a position to accomplish anything, or at least anything that amounts to a great deal, in trying to get this insect under control. We have provided in the bill the amount which was estimated for this purpose by the Budget. The reduction we made below the Budget of $13,000 was a reduction in the amount which had been recommended for the investigation of insects affecting greenhouse and ornamental plants. We thought that that was an item of investigation that might be postponed until after the conclusion of the present emergency. Therefore we reduced the Budget estimate in that particular. But we accepted the Budget estimate for this tobacco-insect investigation.

Mr. SATTERFIELD. Will the gentleman yield?

Mr. TARVER. I yield.

Mr. SATTERFIELD. Does not the chairman of the committee feel that where the money appropriated last year was $73,000 and the Government now has $90,000,000 in lease-lend tobacco, which if destroyed, the collateral is gone for the loan, that they might spend $32,000 to make sure that that inspection will more nearly guarantee the safekeeping of that commodity?

Mr. TARVER. If I thought that the provision of $32,000 additional money would result in the protection of the Government's lease-lend tobacco or any benefit to the tobacco industry of this country, I certainly would not oppose the gentleman's amendment.

I want to conclude what I started to say. The evidence adduced before the committee did not disclose that there is any hope of the accomplishment of anything through the provision of these funds. We start these investigations year after year and we just let them run on. They come in and say, "We just want the same money we had last year," and ordinarily there is no investigation to determine whether they accomplished anything with what they had last year; but this year our committee for the first time said:

> It does not made any difference if you do ask for only what you had last year, we want to know what you accomplished with what you had last year. If you did not do any good with it, we want to consider abolishing this investigation.

Here is one that we did not abolish. We provided $42,000, or some approximate amount, for continuing these investigations. There certainly was not anything before the committee which would justify exceeding the Budget, and I do not recall that the gentleman from Virginia or anybody else came before the committee and asked that that be done. So I hope the amendment will be rejected.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was rejected.

The Clerk read as follows:

> Foreign parasites: For administrative expenses in connection with the introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods, $20,775.

Mr. HOOK. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

> Amendment offered by Mr. HOOK: On page 57, strike out all of lines 4 to 8 inclusive.

Mr. HOOK. Mr. Chairman, this paragraph refers to foreign parasites. I think we should in some way try to eliminate the parasites that are foreign to the farmer. Let me give you an illustration of what parasites, in my opinion, are preying upon the farmers down in the great State of Mississippi and in every State in the Union. I understand that in 1940 and in 1941 a large sign hung in public view at the A. A. A. office at Clarksdale, Coahoma County, Miss., reading: "Pay your Farm Bureau dues——

Mr. TARVER. Mr. Chairman, the item of the appropriation the gentleman is seeking to strike out is one having to do with the introduction of foreign parasites that prey on insect pests in this country. The remarks of the gentleman as to what somebody observed in Mississippi have no application to that subject matter. I regret to have to object and raise a point of order against the gentleman's argument, but having done it in other cases I am obliged to do it in this case and must insist that the gentleman from Michigan address his remarks to the subject matter of his amendment or not proceed.

The CHAIRMAN. The gentleman from Michigan will proceed in order.

Mr. HOOK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. In this case the sign hangs there reading:

> Pay your Farm Bureau dues. The Farm Bureau is responsible for getting your A. A. A. payments.

Mr. Chairman, are they not parasites on the farmer?

The CHAIRMAN. The Chair hardly thinks that is a parliamentary inquiry.

The gentleman from Michigan will proceed in order.

Mr. HOOK. It all depends, of course, on what we mean by parasites. I do know that there are parasites foreign to the farmer that we should exchange with foreign countries. In my opinion the Farm Bureau Federation is one of them.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

> Insecticide and fungicide investigations: For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, $122,915.

Mr. ROLPH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this to read a letter which I have received since the committee held its hearings. This letter is from the Department of Agriculture of the State of California; it is addressed to me and reads as follows:

> DEAR CONGRESSMAN ROLPH: I am taking the liberty of writing you in regard to the Budget of the United States Bureau of Entomology and Plant Quarantine.
>
> The Entomologists of the country face a rather acute problem by reason of the defense emergency. Practically every letter that comes out of Washington carries a flier which states "Food Will Win the War." As a result, there is no doubt that there will be a much-increased acreage planted to various food crops.
>
> It is also true that the control of insect pests affecting these crops is going to be greatly complicated by reason of the fact

that a number of the metal-base insecticides, such as those containing lead, copper, manganese, and antimony, which are commonly used, may not be on the market or may be difficult to secure by reason of priorities.

Despite this vast new problem which faces the entomologists there has been an almost uniform cut of 10 percent right straight through the Budget of the Bureau of Entomology and Plant Quarantine which cannot but hamper the application of the remedy. Particularly heavy cuts occurred in the Division of Cereal and Forage Insects, Division of Fruit Insects, Division of Forest Insects, and the Division of Control Investigations.

All of the 11 Western States are taking this matter up with their Congressmen and it is hoped that each Representative of California in Congress will give close consideration to the question of the Budget and make every effort to see that the major cuts at least are restored.

Very respectfully,

D. B. MACKIE,
Secretary, Western Plant Board.

Mr. Chairman, I am going to ask the chairman and the members of the subcommittee, when the matter is taken up in conference with the Senate later on, to bear this in mind.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Farm labor statistics: To enable the Secretary of Agriculture, independently or in cooperation with other branches of the Federal Government, or with State, municipal, or other appropriate agencies, to collect, compile, analyze, summarize, interpret, and publish farm labor statistics, $400,000.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 61, line 12, strike out "$400,000" and insert "$25,000."

Mr. DIRKSEN. Mr. Chairman, the item under discussion calls for $400,000 for the assembling and gathering of labor statistics on farm labor by the Agricultural Marketing Administration. They propose to add 125 additional people to the pay roll. These statistics will be gathered up just as they are now as a byproduct of the Crop Reporting Service. However, they will go further. We already gather agricultural labor statistics, and have since 1924. They are gathered by the 41 crop-reporting offices, and they are broken down according to States and geographic subdivisions.

What is proposed here is to go infinitely further and, if necessary, engage enumerators, send them into the various areas, get all these meticulous figures, reduce them to report form, then scatter them around the Government to the Farm Security Administration and to every other agency. It seems to me rather singular that for an activity of this kind we should have to put out $400,000, notwithstanding the fact they had some money in a deficiency bill this year.

We have 7,000 extension agents in all the counties of the United States now working, and they, along with a great many of these other agencies, can secure all the farm-labor statistics that may be necessary.

In addition to that, the war powers bill went across this floor last week, and the very last title dealt with the matter of census enumerations and gathering up a lot of statistics, and one thing and another that somebody thought might subserve the interests of victory.

I would not kick about it if it were not an unnecessary duplication, but I find that the unemployment offices under the Social Security Board's jurisdiction are already doing work of that kind. Only the other day their 1941 report came to my desk. I read you from page 90 of the 1941 Social Security Board report. The title is "Farm Placement Service."

During the past fiscal year placements of farm workers made by public employment offices reached a new high point in the history of the unemployment service. The 1.6 million such jobs filled represents about 27 percent of all placements made by the affiliated State employment services.

That type of work and statistical work is now being done by Social Security and it is being done by the Bureau of Labor Statistics. Is there any reason under the sun why another 125 people should be added to the pay roll for a duplicating service, when you consider along with everything else that there are thousands of county committeemen in the Extension Service and the Experiment Station Service and under the Agricultural Adjustment Administration and in other agencies in this very Department that can do that kind of work?

I respectfully suggest that here is one item that is wholly dispensable and it should be stricken from the bill. I am leaving $25,000 in the bill so that in the departmental office they can coordinate the work of their crop-reporting services, 41 in number.

Mr JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Tennessee.

Mr. JENNINGS. If this amendment is adopted, it will save the price of a bomber. MacArthur's boys, who are passing the hat and giving a month's salary over there to try to buy one bomber, can get one with the money saved.

Mr. DIRKSEN. You can buy perhaps two twin-motored medium-sized bombers for the amount we are saving here in a dispensable ability. Moreover, this activity means nothing to the farmers.

The Agricultural Marketing Service was classified by the Budget Bureau on the 27th of February from the standpoint of its defense priority, and it was put in the lowest class along with the Bureau of the Mint and a great many other nondefense agencies, namely, in class 5. The Budget Bureau, therefore, did not think that this was one of those indispensable defense items, so we can very readily support this amendment and save $375,000.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, of course, when the gentleman from Illinois talks about cutting $250,000 or any other sum out of an appropriation bill, and thereby adding to the number of bombers that we will have in our national defense, he realizes that no Member of this House is going to accept that statement seriously. All the bombers this country can produce are being provided for national defense and for the aid of our Allies. Not by raising $1,000,000 or $50,000,000 or any other sum through a saving in the appropriation for any department of the Government or by private contributions or otherwise could you add one single propeller to the number of airplanes and the amount of airplane attachments and equipment that is being produced in this country today. Our defense industry is going full time to produce everything possible, and everything possible is being made available to the Government and its Allies.

Let us examine the amendment offered by the gentleman from Illinois.

Mr. VORYS of Ohio. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. The gentleman's remarks introduce a foreign parasite into this discussion, and they are not germane.

Mr. TARVER. I hope that will not be taken out of my time, Mr. Chairman, because I conceive of my remarks as being addressed to the amendment which is pending.

The pending appropriation was not begun by the Committee on Agricultural Appropriations; it was started by the deficiency committee, headed by Chairman CANNON, who was assisted by the gentleman from Virginia [Mr. WOODRUM], with whose economical inclinations we are all familiar.

The Second Supplemental National Defense Appropriation Act of 1942 provided $250,000 to start this work and to be used in the last half of the present fiscal year. The work has just begun. Perhaps it ought not to have been started; I do not know. The gentleman from Virginia ought to be here to defend the work of his subcommittee in beginning this appropriation.

All that is proposed here by the Budget is to continue the item for the next fiscal year, and our subcommittee did not agree with the Budget but cut $100,000 from the amount which the Budget had proposed.

This is what they propose to do. If you will examine page 863 and the following pages of the hearings, you will find this by Mr. Kitchen, the head of the Bureau:

The deficiency item was approved in October, providing $250,000 for the last half of the present fiscal year, and that estimate was based on a total of $500,000 for the next fiscal year, so that we are now just getting under way with the use of the $250,000 carried in that bill.

The purpose of that appropriation, Mr. Chairman, is to provide more adequate information than is now available as to the farm-labor situation in the United States. Of course, that situation is closely associated with the increased food-production program, and everyone is concerned as to whether or not there will be adequate farm labor available to meet the goals that have been recommended.

We propose to use the organization that I have just explained under the preceding appropriation, namely, the crop-estimating organization, to gather this labor information.

And so forth. The point I am trying to make is that this activity was not authorized under any bill written by our subcommittee. It was authorized under a national defense bill. It was just started in the beginning of the last half of the present fiscal year, and the money put into it already, $250,000, is wasted unless you want to continue it. If you do not want to continue it, then you ought not to have started it; and the economy effected by our subcommittee beneath the Budget figures of $100,000 is the only economy that can be effected, in our judgment, which is consistent with the original institution of the activity. As I again say, our subcommittee was not responsible for its institution.

[Here the gavel fell.]

Mr. JOHNS. Mr. Chairman, I offer an amendment which is at the desk as a substitute for the amendment of the gentleman from Illinois [Mr. DIRKSEN].

The Clerk read as follows:

Amendment offered by Mr. JOHNS as a substitute for the amendment offered by the gentleman from Illinois: On page 61, beginning in line 8, strike out all of lines 8 to 12, inclusive.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H. R. 6709), the agricultural appropriation bill, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter to the Honorable ROBERT F. LA FOLLETTE by John A. Boutwell.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE FARM SECURITY ADMINISTRATION

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, because of the fact that I have been conducting daily hearings on the annual Interior Department appropriation bill for the past couple of weeks, and therefore have not had the opportunity of hearing but a small portion of the discussion on the pending agricultural appropriations bill, I have asked for this brief time for the purpose of calling attention of Members to the fact that there appears to be an unusual and concerted action from certain quarters against the Department of Agriculture in general, and especially against the activities of the Farm Security Administration. I shall have more to say tomorrow when we reach that particular part of the pending bill making appropriation for the Farm Security Administration.

Members of Congress have received a telegram from one of the three or four larger farm organizations, the Farm Bureau, bitterly attacking the Farm Security Administration. This telegram calls our special attention to the fact that its president recently attacked the Farm Security Administration before the House Subcommittee on Appropriations for the Department of Agriculture, which, of course, he had a perfect right to do. Maybe some of his criticisms were justified. If so, let us correct the mistakes. Frankly, however, I do not believe that this particular organization speaks for any appreciable number of real farmers of my section of the country. Certainly it does not speak for the small-family type farmer, millions of whom, because of high taxes and low prices of farm commodities, are still in dire distress throughout the country.

It may be that this organization, whose members, I am told, are made up to a large extent of big landowners, actually speaks for a goodly portion of that group of large landlords. I do not know, nor do I care. The Farm Security Administration apparently is in bad with that group. If it has made mistakes—and no doubt it has—I would be the last to condone any wrongdoing or extravagance. But despite their mistakes, one thing is certain—the F. S. A. has been a real godsend to multiplied thousands of poor, landless farmers who had no funds or credit, and except for the Farm Security Administration their families would have gone hungry and, of course, been forced to leave the farm.

I hold in my hand another telegram signed by James G. Patton, president of the National Farmers Union, and also by M. W. Thatcher, president of the National Federation of Grain Cooperatives, that has also been sent, as I understand, to each Member of Congress. These two organizations, so I am advised, have a combined membership of over 500,000 bona fide dirt farmers—not the big shots who farm the farmers. This, mind you, comes from gentlemen representing more farmers than any other group in America. When you go back to your offices I hope you will read this telegram carefully and give it your serious and unbiased consideration. I also have here a telegram from Hon. Tom Cheek, president of the Oklahoma State Farmers Union. These telegrams speak for themselves in no uncertain terms. I am pleased to make them a part of the RECORD at this point. They read as follows:

WASHINGTON, D. C., *March 5, 1942.*

Hon. JED JOHNSON,
House Office Building,
Washington, D. C.:

Within the last 3 weeks the President's attention at a White House press conference was called to charges made by one of the national farm organizations against the work of the Farm Security Administration. These spurious charges aroused the President. May we remind you that he then unequivocally recommended a continuance and strengthening of the work of the Farm Security Administration as an absolute necessity to securing increased food production for war in 1943 and that the Bureau of Agricultural Economics, in charge of officially estimating agriculture's war effort, presented to the House Appropriations Committee indisputable evidence on the great need for all of the projected Farm Security Administration program. America's family-type farmers may not all vote but their increased production must be won if there is to be sufficient food. Any attempt to eliminate aid most essential to them through the Farm Security Administration will help the land hogs and prosperous absentee farmers but will also help Hitler and bring ill will upon all agriculture when supplies run short. We urge especially that you vote for no underhanded cuts, under whatever guise they are put forward, in the administrative budget of Farm Security Administration endorsed by the Budget Bureau.

In preparation for the 1943 crop season Farm Security Administration loans ought to be increased to much higher figures if we wish to avoid ration cards in 1943 on many important foods. Our dirt farmers know that this opposition to the meager aid now given family-type farmers comes from those who are opposed to family-type farming and who have been silent about achieving economies in their own Federal subsidies many times greater and wholly unneeded by many of them who receive up to $10,000 in individual payments. They desire to control agriculture's war policies in their own selfish interest, just as some elements of big business have placed self-interest ahead of victory and public need. We refuse to use the kind of tactics to influence your vote which we know have been used by these interests upon many Congressmen, because we know you will not fall prey to privileged pressures in our Nation's time of need. Your vote for the Appropriation Committee's recommendations will help the working farmers to pull their full load and thus prevent a Pearl Harbor in food production. We are counting on it.

JAMES G. PATTON,
President, National Farmers Union.
M. W. THATCHER,
President, National Federation of Grain Cooperatives.

OKLAHOMA CITY, OKLA., *March 2, 1942.*

Hon. JED JOHNSON,
House Office Building,
Washington, D. C.:

We are asking that the Farm Security appropriation be not less than last year's. President recommended small reduction before Pearl Harbor. Picture has changed. We all recognize the need of keeping every family-type farm at full production if we are to win the war. Asking that Oklahoma congressional delegation actively support this agricultural appropriation. We are unalterably opposed to chiseling on family-type farm under the guise of economy. The family-type farm home is the cradle of democracy. If you can't see your way clear to support this appropriation, wire me reason by Western Union collect.

TOM W. CHEEK,
President, Oklahoma State Farmers' Union.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include a letter and a telegram.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my remarks made today and insert certain papers.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that I be permitted to address the House for 30 minutes at the conclusion of the special order of the gentleman from Massachusetts [Mr. ELIOT].

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. WHEAT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOMENGEAUX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CLAYPOOL for 2 days on account of important business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 221. An act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of the Beacon Oyster Co., the Point Wharf Oyster Co., and B. J. Rooks & Sons, to the Committee on Claims.

The SPEAKER. Under previous order of the House the gentleman from Massachusetts [Mr. ELIOT] is recognized for 20 minutes.

THE DIES COMMITTEE

Mr. ELIOT of Massachusetts. Mr. Speaker, it is my intention this afternoon or perhaps I should say this evening, to give three reasons why the special House Committee on un-American Activites should be discontinued.

First. I am going to analyze the committee's much heralded report on Japanese fifth-column activities, published last Saturday by that committee.

Second. I shall take up the matter which the gentleman from Texas dealt with so very eloquently on Wednesday. That is the question raised by the gentleman himself, when in earlier speeches here he claimed that the administration prevented him from making public information which might have prevented Pearl Harbor.

Third. I shall deal with the plans of the gentleman from Texas [Mr. DIES] to publicize the alleged Nazi "smear" campaign against President Roosevelt, and will show the extreme danger of such a course.

First, the report on Japanese activities. Much of it is frankly and honestly background material. Part of it I am not going to touch on. The gentleman from New York [Mr. MARCANTONIO] can prove, and I think will prove to this House that paragraphs and perhaps full pages of this Dies committee report were simply taken in toto from publications, leaflets, newspapers, news letters, months or years old. They have been lifted without benefit of quotation marks, but that is not my subject today, because I want to deal with two other matters in the report, in which the committee apparently takes special pride. The first is a map of the Pacific. It is referred to in the beginning of the report as showing "our battle stations around Pearl Harbor" and as being significant in that it shows their plans for the near future. It shows a Japanese naval map of the Pacific area and says:

One highly significant compilation of such information was prepared in the form of a map of the entire Pacific area. This map in turn was placed in the hands of all those who were to play a part in the coming war. Agents of the committee obtained a copy of this map under extraordinarily difficult circumstances.

The impression certainly is that this is a secret Japanese naval map. I was surprised, therefore, to find that this map was published on January 1, 1935, by the Japanese magazine King. The magazine has a large circulation in Japan, and a considerable circulation among Japanese people outside of Japan. It is something of a Saturday Evening Post. It is registered as second-class mail matter, or was, at the post office in Los Angeles. It has all kinds of things in it. There is a picture of the late Lou Gehrig, and an illustration of a love story, and so on. It was a popular magazine. This is the magazine that published this so-called sinister map as a supplement to the January issue in 1935.

Mr. WHITE. Will the gentleman yield?

Mr. ELIOT of Massachusetts. Yes; I yield.

Mr. WHITE. Is there not a bare possibility that anybody with subversive intentions could get a map somewhere and change it and indicate on it a plan? Could it not be used in that manner?

Mr. ELIOT of Massachusetts. You could think of all kinds of things that could be used. But the point I am making is that the committee has claimed this as a secret Japanese naval map; that it shows battle stations around Hawaii. That is simply not so.

Mr. WHITE. Will the gentleman yield further?

Mr. ELIOT of Massachusetts. I do not yield further. I suggest that the gentleman look at the map and see if the battle stations of the fleet are included even in the map printed by the committee. He will find that that is simply not so.

Mr. KEEFE. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. KEEFE. I make the point of order that a quorum is not present.

Mr. RUSSELL. Will the gentleman withhold that?

Mr. KEEFE. No; I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that a quorum is not present. Evidently a quorum is not present.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

Mr. MARCANTONIO. We have not had a chance to talk on this. I think the gentleman should withdraw the point of order.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts [Mr. McCORMACK].

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 27 and noes 9.

So the motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until tomorrow, Saturday, March 7, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Wednesday, March 11, 1942, at 10 a. m., subcommittee No. 3 of the Committee on the Judiciary will continue hearings on H. R. 6444, to provide for the registration of labor organizations, business, and trade associations, etc. The hearing will be held in the Judiciary Committee room, 346 House Office Building, Washington, D. C.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SNYDER: Committee on Appropriations. H. R. 6736. A bill making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes; without amendment (Rept. No. 1875). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 6691. A bill to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; without amendment (Rept. No. 1876). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 6020. A bill granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Atlantic seaboard and creating the Atlantic States Marine Fisheries Commission; with amendment (Rept. No. 1877). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANE:

H. R. 6737. A bill to provide that mothers, wives, unmarried widows, and dependents of persons who are serving during the present

war as members of the armed forces of the United States shall receive the same preference as veterans receive with respect to continued employment on Work Projects Administration projects; to the Committee on Appropriations.

By Mr. MAY:

H. R. 6738. A bill to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; to the Committee on Military Affairs.

By Mr. RANKIN of Mississippi:

H. R. 6739. A bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands of the Veterans' Administration Facility, Murfreesboro, Tenn., to the city of Murfreesboro, State of Tennessee, to enable the city to construct and maintain a water-pumping station and pipe line; to the Committee on World War Veterans' Legislation.

By Mr. SCANLON:

H. R. 6740. A bill to provide for a 15-percent increase in the compensation of postmasters and other employees of the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. TERRY:

H. R. 6741. A bill to increase the amount authorized to be appropriated for the prosecution of flood-control projects in the White River Basin; to the Committee on Flood Control.

By Mr. VINSON of Georgia:

H. R. 6742. A bill to amend the act approved June 24, 1926, entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," so as to provide for the establishment of the designation of naval aviation pilot (airship), and for other purposes; to the Committee on Naval Affairs.

By Mr. HOFFMAN:

H. R. 6743. A bill to amend section 420 (a) of title 18, United States Code (48 Stat. 479) and section 420 (d) of title 18, United States Code (48 Stat. 980); to the Committee on the Judiciary.

By Mr. COLLINS:

H. R. 6744. A bill to amend section 1001, title X, of the Social Security Act to include needy individuals who are permanently cripples; to the Committee on Ways and Means.

By Mr. SCANLON:

H. R. 6745. A bill relating to the classification of substitute post-office clerks and substitute city letter carriers in the first- and second-class post offices and substitute laborers in the Postal Service and Railway Mail Service, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. KEOGH:

H. J. Res. 269. Joint resolution to provide for the proper observance of the birthday of Madame Sklodowska Curie by proclaiming a national war on cancer week; to the Committee on the Judiciary.

By Mr. MARCANTONIO:

H. Res. 454. Resolution for the investigation of the Dies committee report; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEITER:

H. R. 6746. A bill for the relief of Carmela Maureillo; to the Committee on Claims.

By Mr. DISNEY:

H. R. 6747. A bill for the relief of M. C. Roberts and Robert Roberts (collectively); to the Committee on Claims.

By Mr. PADDOCK:

H. R. 6748. A bill for the relief of Fred Farner and Doris M. Schroeder; to the Committee on Claims.

By Mr. VORYS of Ohio:

H. R. 6749. A bill for the relief of Mrs. Bessie Schakett; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2525. By Mr. HANCOCK: Resolution of the Board of Supervisors of Onondaga County, N. Y., favoring the enactment of House bill 6316; to the Committee on the Judiciary.

2526. By Mr. ROMJUE: Petition of the Highway Engineers Association of Missouri at its thirty-fifth annual convention, recently held at Kansas City, pledging to our President the loyal and faithful services of the association and its individual members in any manner or capacity in the present national emergency; to the Committee on Military Affairs.

2527. By Mr. SHAFER of Michigan: Resolution of the Michigan Association of Road Commissioners, opposing legislation empowering Interstate Commerce Commission to determine maximum weights and sizes of commercial vehicles; to the Committee on Interstate and Foreign Commerce.

2528. Also, resolution of the Michigan Association of Road Commissioners, favoring use of Work Projects Administration employees on county highway maintenance under supervision of county road commissions; to the Committee on Roads.

2529. Also, concurrent resolution adopted by the Legislature of the State of Michigan, memorializing the Congress of the United States to designate as a military road a highway from Detour to Sault Ste. Marie in the Upper Peninsula of Michigan; to the Committee on Roads.

HOUSE OF REPRESENTATIVES

SATURDAY, MARCH 7, 1942

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord God, send out Thy light for every day of labor, trial, and temptation. Oh, breath of God, illuminate our minds that we may see Thy will clearly with the spirit to accept it. Beset by difficulties and confronted with questions of momentous importance, do Thou gird the Congress with wisdom and strength other than its own. As all the good of this marvelous world gathers about Thee, grant that all that is noble and inspiring in our human lives may have their inspiration in our Heavenly Father upon earth.

Do Thou bless all our homes; we pray that about every hearthstone there may be the radiance of peace, happiness, and the bonds of pure love. Living in the enjoyment of Christian faith, may it be verified in those noble graces of serenity and forbearance as they stoop for love's sweet sake. As human interest is supreme in these hours, grant that they be citadels of comfort and not of worry; be Thou beside them, dear Lord of grace, and keep them ever so. In the name of Saint Mary's holy Child. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On March 4, 1942:

H. R. 691. An act for the relief of Richard Bove;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 4414. An act for the relief of Andrew Wichmann;

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.;

H. R. 5573. An act for the relief of Mrs. Noel Wright and Bunny Wright;

H. R. 5605. An act for the relief of Lt. Col. J. B. Conm;

H. R 6003. An act to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938;

H. R. 6072. An act authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.;

H. R 6107. An act to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek Parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery;

H. R. 6536. An act to change the name of Conduit Road in the District of Columbia; and

H. J. Res. 260. Joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.

On March 5, 1942:

H. R. 1060. An act to vest absolute in the city of Dearborn the title to lot 19 of the Detroit arsenal grounds subdivision, Wayne County, Mich.;

H. R. 1755. An act for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms;

H. R. 2428. An act for the relief of G. F. Brown;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. R. 5545. An act for the relief of H. Earl Russell;

H. R. 5865. An act for the relief of Builders Specialties Co.;

H. R. 6332. An act to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee;

H. R. 6611. An act making additional appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes.

On March 6, 1942:

H. R. 2460. An act for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3433. An act for the relief of Bessie Pearlman and George Roth;

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 5646. An act for the relief of Joseph Simon, lieutenant commander (SC), United States Navy, and R. D. Lewis;

H. R. 6270. An act to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the County of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia; and

H. R. 6550. An act to extend and amend Subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech, Highway Construction During and After the War.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a brief editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. ELIOT of Massachusetts asked and was given permission to extend his own remarks in the RECORD.)

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a newspaper clipping from the Knox County Citizen, of Frederickton, Ohio.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a short résumé of the record of the R. E. A. in Wisconsin.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include a resolution of the Midwest Shippers' Advisory Board pertaining to the St. Lawrence seaway and power project.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include certain tables to which I may refer in connection with the discussion of the bill today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter from Roland G. Swaffield, chief air-raid warden, city of Long Beach, Calif., on the question of direction and control of civilian defense.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter I shall refer to in the Committee of the Whole today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, according to this morning's Post, United States bombers withdrew from Java because of a lack of airplane-fighter support. This same thing was true in many other instances. Where our losses occur it is mainly for lack of air power.

After all words are said, this is a result of the strikes carried on in this country by such traitors as Harry Bridges, the Lewises, and the Murrays outside of Government, with the cooperation of the Hillmans and Perkinses on the inside.

Is this group named above proud of its sabotage carried on against the United States now? Many of us said at that time that it was sabotage and clearly saw through their program, and stated they would rue the day that they did it. The record now speaks for itself. This is a sad record.

The traitor Harry Bridges is still at large. Hillman, a dollar-a-year man for Government, drawing $14,000 per year from the C. I. O., still carrying the destructive C. I. O. ball in Government, still putting us in the hole. The incompetent Perkins still hanging on. The Lewises and the Murrays still whipping the administration into the Socialist column. The Attorney General splitting hairs while the country is being destroyed, advising us to stick to social gains, which are now destroying us, and afraid to handle Bridges.

What this country needs today is some real, honest-to-God impeachment trials to take out of Government those who are afraid or incompetent.

In addition to this, many of the traitors running at large should be taken into custody and their too efficient sabotage stopped.

EXTENSION OF REMARKS

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include therein a short editorial from the Glennville Sentinel, a country weekly newspaper, edited by my very able friend, W. C. Curry, of Glennville, Ga.; and I call this editorial to the particular attention of the daily newspaper columnists to whom Mr. Curry in this editorial refers as the "bellyache squad." This may give them an idea as to what at least some of the country weekly editors think of their efforts as columnists.

The SPEAKER. The gentleman may extend his remarks in the Appendix, but not at this point.

Mr. PETERSON of Georgia. I make that request, Mr. Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOLAND. Mr. Speaker, I have been listening for many, many days here to attacks similar to the one just made by the gentleman from California, linking the name of Phil Murray with unpatriotic activities. It is just a little bit more than I can stand.

I have known Phil Murray for many years. I know that he has done and is doing everything possible within his power cooperating with the President in getting out war production, and I do not believe it is fair for any man to stand on this floor and place the name of Phil Murray in the same category with a certain name that it has been placed in. Philip Murray is a gentleman in every respect, and I am privileged to have him as a friend; and I do not think it fair to cast an unpatriotic reflection upon his motives.

[Here the gavel fell.]

THE JAPANESE SITUATION ON THE WEST COAST

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

Mr. HINSHAW. Mr. Speaker, the success of the Axis, and particularly the Japanese, is based on detailed preparation and a high-speed timetable. If the United Nations do not increase their speed of decision and action tenfold, and that immediately, the future is in serious doubt. Word has come to us from a source which has been heretofore reliable, though unheeded by our Government, that the Japanese timetable will bring the second phase of their plans into action about April 15. This includes a major attack on Hawaii, and the commencement of sabotage action on the west coast, in preparation for events to follow.

If our administrative officials do not stop diddling around with this Japanese problem on the west coast and get down to quick action to evacuate all Japanese and all other enemy aliens immediately—and that means now and not day after tomorrow—they may, by inaction, have committed so great a sin that even history may never forgive them. "Time and tide waiteth for no man," and the Axis is riding the tide on time.

EXTENSION OF REMARKS

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by the Better Government Association.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. PADDOCK]?

There was no objection.

Mr. CAMP. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a poem by Mrs. V. P. Chambless, of Luthersville, Ga., entitled "Bound for Freedom," and an article appearing in the Bibb Recorder of February 20, 1942, by Walter Reynolds, entitled "Don't Waste Anything."

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. CAMP]?

There was no objection.

HEROES IN PARAGUAY—WASHINGTON, HUEY LONG

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. MILLS]?

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I think it proper to call to the attention of the House what has been done in Asuncion, Paraguay. The municipal council last week honored George Washington and the late Senator Huey P. Long, of Louisiana, by naming streets for them. After President Roosevelt, Long was perhaps the best known and most popular North American in Paraguay. He championed the cause of Paraguay in the Chaco war. A fort in the northern Chaco already had been named in his honor.

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a clipping dealing with Brigadier General Chennault, leading the American volunteer flyers in China against Japan.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. MILLS]?

There was no objection.

AMERICAN FARM BUREAU FEDERATION

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, yesterday the gentleman from Michigan [Mr. HOOK] termed the American Farm Bureau a parasite. I want to invite the gentleman from Michigan to some day take the time and come to my district in Minnesota and I believe I can change his mind so far as his viewpoint in reference to the American Farm Bureau Federation is concerned, showing him how intensely interested in its work are thousands of the actual dirt farmers of Minnesota and America.

EXTENSION OF REMARKS

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short resolution.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. ALLEN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

RURAL ELECTRIFICATION ADMINISTRATION

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. MAY. Mr. Speaker, I want to make it very clear that I have never yet voted against any proposal to forward the activities of the Rural Electrification Administration. I have voted for everything it wanted. I am still for that agency, but I am opposed to the Rural Electrification Administration or any other organization of this Government, whatever its name or whatever its activities, interfering with the proper prosecution of the war program in which we are now engaged.

May I say further, Mr. Speaker, that at the proper time and under proper circumstances, when I may have adequate time to do it, I shall discuss the Faddis report on the floor of the House and I invite the attention of every Member to this discussion when and if I am privileged to speak upon it.

Mr. RANKIN of Mississippi. If the gentleman mentions my name, please make his statements on the floor.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent radio address delivered over the Columbia Broadcasting System by Elmer Davis.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ELLIS. Mr. Speaker, I am getting tired and I know the House is getting tired of this R. E. A. squabble, but I say to you that the R. E. A. is not to blame, neither are they who are supporting the R. E. A. The power companies are still fighting this contract of the R. E. A. to furnish power to a war-production plant in Arkansas. Neither is the R. E. A. in anywise interfering with the war program. The interference is coming from the Power Trust. On the contrary, R. E. A. is helping the war program and is doing more than the Faddis committee to support the war program right now.

As Donald Nelson pointed out yesterday, this R. E. A. line in Oklahoma and Arkansas is under construction to deliver 20,000 kilowatts of power, over and above what power companies could have delivered, to an aluminum plant in Arkansas. Thus R. E. A. is making a great contribution to the war effort and there is no waste of copper.

AMERICAN FARM BUREAU FEDERATION

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Speaker, I join with the gentleman from Minnesota in challenging the charge made on the floor yesterday with regard to the American Farm Bureau Federation. Of course, I can speak only for Georgia and Alabama, but I know that in those two States the leadership of the American Farm Bureau Federation is composed of men of ability and of the very highest integrity. The members of the American Farm Bureau Federation are practical farmers who till the soil. They are rendering the Nation a great service. I hope the activities of the American Farm Bureau Federation will continue until every farmer in this Nation is organized and will be in a position to sit across the table and demand equality for American agriculture.

In my own State there is a rapid increase in the membership of the American Farm Bureau Federation. Thousands of farmers in my own section have become members and through their counsel and advice they are proving very helpful to me in my work here and in my efforts to secure a fair share of the national income and a higher economic standard for those who till the soil and produce the food and fiber to feed and clothe the people of this Nation, our armed forces, and millions in other lands.

WOULD CALL 5-CENT COIN A "PADDY"

Mr. NELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSON. Mr. Speaker, when Donald M. Nelson, head of the War Production Board, was a student in the University of Missouri, from which he was graduated in 1911, his nickname was "Paddy," so R. L., "Bob," Hill, active in the Missouri Alumni Association and past president of Rotary International, has suggested that the new nickelless nickel be

called a Paddy. Referring to this, the Columbia (Mo.) Tribune says:

The new nickelless nickel, which will replace the old 5-cent piece under the war program will be called a Paddy if R. L. Hill, director of alumni activities at the university, has his way.

Nickel will be removed from the coin for use in necessary war tools and is to be replaced with a coin of mixed copper, silver, and any other alloy the Director of the Mint decides upon.

Naturally a new name is sought for the coin, and "sisco," "cosi," and "jit" have been suggested.

But Hill recalls that Donald Nelson, War Production Director, who could be blamed for taking the nickel out of a nickel, was nicknamed Paddy when a student at the university here. And since Nelson is "padding out" the nickel with other metals, Hill believes that Paddy would be a good name for the new 5-cent piece.

Mr. Speaker, I like the "Paddy" suggestion, now that we can no longer appropriately refer to the 5-cent coin as a nickel. Yes; and Missouri likes Donald Nelson.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a clipping from the Columbia (Mo.) Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program of today I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, in connection with the recent discussion in the Committee of the Whole on Agriculture Yearbooks, let me read a pastoral gem from the 1940 Yearbook which appears in the chapter entitled "Cultural Setting of Agricultural Problems," by Ralph Turner, economic historian of the Social Security Board. The excerpt will be found on page 1030. This ought to be edifying to the farmers:

However, once a subjective tradition breaks up, the new material operations may move quickly into the new integration, and subjective elements correlative with modes of living supported by the new material operations will coalesce into a new tradition. In this process, it should be emphasized, both old material and old subjective elements will survive, but they will be adapted to the new elements, not contrariwise.

To this process as a whole may be given the designation "cultural reorientation."

The culminating phase of cultural change then becomes the disorganization of the subjective values of an old culture and their reorganization, sometimes along with new subjective values, in a new cultural integration. In this form cultural development can be seen as consisting, in the main, of psychological movements; that is, thinking, feeling, and acting, which move from synthesis to synthesis, each synthesis possessing coherence in some form.

EXTENSION OF REMARKS

Mr. McINTYRE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Milwaukee Journal.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MINNIE C. SANDERS—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 649)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 3610, a bill for the relief of Minnie C. Sanders.

The bill proposes to provide for the payment of the sum of $3,000 to Minnie C. Sanders, of Union, N. J., as compensation for personal injuries sustained by her when she was struck by an Army motorcycle near West Point, N. Y.

The fact that the accident was due to the negligence of the driver of the Army motorcycle is not disputed by the Army authorities.

The actual physical injuries sustained by the claimant at the time of the accident appear to have been of a minor character. It is asserted, however, that a month later she developed certain nervous and physical symptoms which may or may not be ascribed to the accident. Medical testimony on this question appears to be uncertain. Even if, however, this doubt were to be resolved in her favor, it appears that her list of expenditures with which she seeks to charge the Government includes such items as $425 for a trip to Florida; the sum of $141.60 as the cost of five trips to Boston, for the purpose of receiving medical treatment in that city, although undoubtedly she could have received suitable medical treatment either in her home town or in New York City, which is nearby; and about $1,100 for the wages and board bills of two household maids hired by her for a period of about 9 months.

The fact that Mrs. Sanders actually expended this money is not in dispute. These expenditures are, however, items of a type for which the Government should not properly reimburse her under the circumstances of this claim.

In view of the fact that the proposed payment of $3,000 appears to be excessive, I am constrained to withhold my approval from the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 7, 1942.*

The SPEAKER. The objection of the President will be spread at large upon the Journal.

Without objection, the bill, and accompanying document, will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from Wisconsin [Mr. JOHNS] had offered a substitute for the pending amendment offered by the gentleman from Illinois [Mr. DIRKSEN]. The gentleman from Wisconsin [Mr. JOHNS] is entitled to recognition for 5 minutes on the substitute amendment.

Mr. TARVER. Mr. Chairman, will the gentleman from Wisconsin permit me to propound a unanimous-consent request?

Mr. JOHNS. Yes, Mr. Chairman.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. COOLEY. Mr. Chairman, I reserve the right to object.

Mr. TABER. Mr. Chairman, I would like to have 3 minutes.

Mr. COOLEY. I would like to ask what paragraph the gentleman has reference to.

Mr. TARVER. The paragraph dealing with the labor activities of the Department of Agriculture.

Mr. COOLEY. I have an amendment to offer on page 64, and that would not be affected by this request.

Mr. TARVER. Mr. Chairman, I modify my request and ask unanimous consent that all debate on this paragraph and all amendments thereto close in 13 minutes, including the time of the gentleman from Wisconsin.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the substitute

amendment of the gentleman from Wisconsin.

There being no objection, the Clerk read as follows:

Amendment offered by Mr. JOHNS as a substitute for the Dirksen amendment: On page 61, line 8, strike out all of line 8 down to line 13.

Mr. TABER. Mr. Chairman, may the original amendment be again reported also?

The CHAIRMAN. Without objection, the Clerk will report the amendment of the gentleman from Illinois [Mr. DIRKSON].

There being no objection, the Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 61, line 12, after the word "statistics", strike out "$400,000" and insert "$25,000."

Mr. JOHNS. Mr. Chairman, I am asking to strike out all of this $400,000 because I have discovered since I have been in Congress that when you start anything of this kind you never get through with it and that is the reason I have asked to strike out the $25,000, so you will not start anybody on a job of this kind and add to the list of people who are already working.

As I understand from the gentleman from Illinois [Mr. DIRKSEN] there are to be 125 people employed here to do work that I call your particular attention to can be done by the people who are going to do this running around and getting the crop and livestock estimates. There is not any reason in the world why these men cannot ask one more question, and that is if they know of any neighborhood where there are any unemployed. I may say to you that from my experience the farmer knows where the unemployed are at the present time. They are either on relief or W. P. A., and none of them will leave their jobs on W. P. A. to work on a farm because they get more on W. P. A. That is the situation, and I do not believe we need this for the reason stated here yesterday by the gentleman from Illinois. They have the Labor Department that is gathering these statistics and there is no use of adding to this. We might just as well cut out this $400,000 and let the Labor Department and the people who are mentioned here in the previous section, which has already been passed, do this work and save this $400,000 to the country. Another thing, if the Government agencies would leave the farmers alone for a while and not ask them to make out so many reports or answer so many questions, they would have more time to produce something for the war and for the country. This is true not only of farmers, but it is true of the businessman. The businessman today is spending a large percentage of his time or that of his employees in making reports for the Federal Government for some kind of work that he is writing me and telling me he does not get or want.

So I hope this substitute for the amendment of the gentleman from Illinois will be adopted by the House so that we may save $400,000 on work which can be done by others just as well.

I want to call the attention of the committee to another thing, and that is that a great many men are going to be called into service, and are being called into the service, and I do not know where you are going to get the men to do this work if you do pass the resolution. This is not only true of labor, but true of materials. We passed here yesterday a three and a half million dollar appropriation to build roads, and I know out in Brown County, or in my home county of Outagamie County, they cannot even get a road machine to repair the roads they already have on account of the priorities. That is true of other material we are voting here to supply when we know under the rules of the Government and on account of priorities you cannot get the material to do the work with, let alone get the labor.

So I hope this substitute amendment will be adopted and that we may save the Government and the taxpayers of this country at least $400,000.

Mr. TABER. Mr. Chairman, the adoption of this substitute will save $400,000, and stop another activity designed to interfere with the proper administration of the farm situation in this country. No people coming out from Washington, 125 of them, can do anything constructive toward supplying farm labor. If we keep the Federal Government from hiring too many boys away from the farm through the Agricultural Department and its committee and agencies, through the W. P. A. and the C. C. C. and the N. Y. A., we will be contributing a very large amount toward helping the farm-employment situation. When this item was started before the deficiency committee, I was opposed to it. I could see no good purpose to be served by it, and I can see no good purpose now. The chairman of the committee put the burden of defending it upon the deficiency committee. I do not have to defend it, because I never have been for it. I hope that the House will see fit to adopt this amendment and wipe out the whole activity.

Mr. HARE. Mr. Chairman, as stated yesterday, I am not a member of this subcommittee and, therefore, am not familiar with the facts that justify this appropriation, but I gather from statements made by members of the subcommittee they were advised that this is an agency needed in the war program in order that we may be able to carry on a farm program that will aid the defense program. The gentleman from New York [Mr. TABER] suggests that if we will not take away too many people from the farms and put them in industry, there will not be any trouble. I agree with him; but how are we going to know how many are taken from the farms and put into industry, and other occupations, unless somebody is in a position to tell us. I know there is not a mail that comes to my office but has complaints on the part of farmers because of the lack of farm labor. Men have been leaving for months to go somewhere. I do not know where. I do not know whether the industry into which they are being taken is essential to the war program or not, and I do not know whether they are going into occupations that would be more essential than the farm in this war program. Therefore in the absence of any information to the contrary, I am willing to rely upon the interpretation of the evidence by the Committee as to whether or not this is necessary, whether it is vital, whether it is important, whether it is essential to the agricultural defense program. I do not know, and no one has suggested that he does, except to say he believes that possibly it should not be allowed.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. HARE. Yes.

Mr. KEEFE. The gentleman is a member of the Labor and Social Security Subcommittee, and is familiar with the work of the Bureau of Labor Statistics and the broad field in the gathering of statistics that that organization covers. I am sure the gentleman is also familiar with the fact that the Congress appropriates an exceedingly large sum of money to enable that agency under the direction of Dr. Lubin to function. The question I ask is whether or not this proposal, which proposes, in the appropriation of $400,000 "to collect, compile, analyze, summarize, interpret, and publish farm-labor statistics" is not fundamentally the work of the Bureau of Labor Statistics of the Department of Labor, and cannot that organization effectively do this work without setting up a new organization in the Department of Agriculture to do the same thing?

Mr. HARE. And will the gentleman please allow me to give an answer to that? Evidently he does not know, or he would not be making the inquiry. He is also a member of the committee and is in possession of as many facts as I am, and if he does not know whether or not it would be able to do it, how would he expect me to know? I do know this, the Labor Department never seems to take much interest in the welfare of farm labor.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. TARVER. Mr. Chairman, I tried to state yesterday that this provision was not initiated by the subcommittee which is presenting this bill to the House. It is the baby of the Deficiency Subcommittee. It may be an illegitimate child. I tried as best I could to put the child on their doorstep, and asked them to take care of it. That committee is headed by the gentleman from Missouri [Mr. CANNON], who yesterday administered the coup de grâce to the Bureau of Agricultural Economics with the assistance of the economy twins, the gentleman from Virginia [Mr. WOODRUM] and the gentleman from New York [Mr. TABER].

Mr. WOODRUM of Virginia. If the gentleman will permit, I should be glad to explain the genesis of the baby.

Mr. TARVER. Oh, I ask the gentleman to wait a moment. I talked with the gentleman from Virginia this morning and asked him to give me his opinion, if he thought proper to do so, and he has not seen fit to do so.

The activity was instituted by Congress on the recommendation of the deficiency subcommittee in the fall of last year. Just what case they had for it they

have not told us. We are undertaking to attempt to justify it in the same volume as it was instituted by them, with a cut of $100,000. If you want to cut it out, if you feel the Deficiency Subcommittee has not justified this alleged extravagance which they began, then all I can say, "Help yourself to the mustard."

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. TARVER. I yield.

Mr. WOODRUM of Virginia. The gentleman lays the baby on my doorstep. All I can say is "It is a child of indiscretion and I am ashamed of it."

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The question is on the substitute offered by the gentleman from Wisconsin [Mr. JOHNS].

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment as amended by the substitute.

The amendment as amended by the substitute was agreed to.

The Clerk read as follows:

Tobacco Inspection and Tobacco Stocks and Standards Acts: To enable the Secretary of Agriculture to carry into effect the provisions of an act entitled "An act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, and for other purposes," approved August 23, 1935 (7 U. S. C. 511-511q), and an act entitled "An act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture," approved January 14, 1929 (7 U. S. C. 501-508), as amended, $646,660.

Mr. COOLEY. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: On page 64, line 4, after the word "amended", strike out "$646,660" and insert "$850,000."

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Chairman, in the interest of time, I would like to ask the chairman of the subcommittee if he will not accept this amendment. The purpose of my amendment is to increase the amount provided for the Tobacco Inspection Act so as to conform with the figure set forth in the record by Mr. Kitchen, of the Department.

Mr. TARVER. Mr. Chairman, I have no authority from the subcommittee to accept the gentleman's amendment. I hope to have an opportunity to explain my own individual position with regard to it after the gentleman has concluded.

Mr. COOLEY. Mr. Chairman, in Mr. Kitchen's testimony before the committee in response to a question asked by Mr. TARVER, whose question was as follows:

How much money would be necessary in order for you to provide this service for all of the tobacco markets?

Mr. Kitchen replied:

We have only made rather general estimates, but if this appropriation were increased to around $850,000 or $900,000, with present operating costs, I think we can take care of the whole situation.

The 1942 Budget carried a figure of $665,575. The Bureau of the Budget recommended $671,660. Mr. Kitchen suggests that we need at least $850,000.

So that you may understand just how important this amendment is I would like to call attention to the fact that in the burley section there are 43 burley markets. All 43 of those markets have the benefit of this very valuable service to the tobacco farmers. In the fire-cured area there are 12 markets. All 12 of those have this service available. In the flue-cured area there are 75 markets and only 26 markets are able, under the present appropriation, to receive this service.

The committee has written into this law a provision which requires the Administration to distribute the money throughout the entire tobacco-growing area, which means just this, that in Kentucky and in the fire-cured area they may lose the service on one market or two markets, or more. If the service is extended to the flue-cured area, which will be most likely since the money has to be prorated throughout the entire area, you will have a bad situation in the burley area and the fire-cured area, because the service will have to be withdrawn from some of those markets which, according to Mr. Kitchen, will in all probability result in the market being closed.

I do not think it is necessary for me to undertake to sell this program to this House all over again. The matter was thoroughly discussed when the bill was passed. It is an invaluable service that is being rendered to the tobacco farmers. If you have read the record you can appreciate just how important this grading information is to the farmers of the country.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman means of course that unless the amendment is adopted this service to the different markets will be curtailed?

Mr. COOLEY. That is right.

Mr. MAY. And if the gentleman's amendment is adopted, then it will be uniform for all?

Mr. COOLEY. If my amendment is adopted the money will be sufficient to make the service available on all markets, but it does not necessarily mean that the service will be acceptable on all markets, because before it can be placed on the market, two-thirds of the farmers of that particular marketing area have to vote in a referendum in favor of the service.

If I may be permitted to read just one excerpt from Mr. Kitchen's testimony you will better understand what I mean.

Mr. Kitchen's statement is as follows:

I might state here just as a matter of information, that we, of course, do not check all resales, but we did compile records of 719 resales last year, and out of those 719 resales where the original bids had been rejected, 592 of them netted an increase of $3.94 per hundred pounds, or 27.2 percent more than the original bid. In 64 cases there was practically no betterment in the return, and in 63 resales, the resale price averaged $3.24 per hundredweight less than the original sale. But for the 719 resales, there was a net return upon resale of approximately 23 percent over the price originally offered.

For the 719 resales, there was a net return on resale of approximately 23 percent over the original price offered. You can see from this what it means to the farmer who puts his tobacco on the floor. He has no idea on earth about the grade, because the companies keep their grades and those grades are not made available to the farmer. A farmer brings his tobacco to the warehouse floor and unless he has this inspection service he is absolutely and completely at the mercy of the buyers. The buyer comes along and he grades it and places a bid on it and the poor farmer stands there in amazement and wonder and does not know what to do. But here on these markets where they have inspections the Government man comes along and grades his tobacco for him and tells him what it is worth. He can turn the tag on it, see what it is worth, and sell it on the same warehouse floor on the same day; and, as pointed out by Mr. Kitchen, get what his tobacco is worth. I think the service is valuable in all tobacco-growing areas and that the amount of money involved here should not be denied to the tobacco farmers, because it provides only the same opportunity on all of the markets of the country.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. EDMISTON. If the gentleman's amendment prevails this same service will be extended to all tobacco areas?

Mr. COOLEY. To all tobacco areas, and it will not result in crippling or curtailing the number of markets having the service in some sections of Virginia, Tennessee, and Kentucky and other places where they now have the service.

Mr. FLANNAGAN. As I understand the situation, unless this amendment is adopted the burley markets will be cut about three-eighths.

Mr. COOLEY. I do not know exactly what the results will be.

Mr. FLANNAGAN. In other words, the burley market would be without inspection service and would be closed; and when you come to the Dark tobacco about three-quarters of the markets would lose inspection service.

Mr. COOLEY. I assume the gentleman's figures are correct. I would like to refer to just one other statement from Mr. Kitchen, in which he said:

For a time I think they actually had to close the markets for a few days, because there was such a severe protest from the producers because of the lack of inspection facilities.

I hope this amendment will be adopted.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I am not speaking particularly in opposition to the amendment or in favor of it. I simply want to give you the facts in regard to this subject matter as I understand them to be.

This is another child of the indiscretion of the deficiency subcommittee. The

subcommittee on agricultural appropriations last year provided an amount for this tobacco-inspection service which was increased in the Senate by $211,000.

We went to conference on the matter and finally agreed on an increase of $94,000, and the conference report was adopted. We provided in our bill as has been done theretofore that these inspection services should be prorated to markets for the several types of tobacco in proportion to the total number of existing markets for each type in the several areas. After our bill had been passed, gentlemen from the burley and fire-cured tobacco areas went before the deficiency committee, first I believe in the Senate, although I may be mistaken as to that, and secured an additional appropriation of $131,000 for this inspection service. The members of the subcommittee on agricultural appropriations, as far as I know, with the possible exception of the then chairman, the gentleman from Missouri [Mr. CANNON], knew nothing about the procedure before the deficiency committee.

It was provided in connection with the report of the Senate committee, that that $131,000 should be used altogether for the burley and fire-cured tobacco markets. The result has been that an appropriation in excess of that recommended by this subcommittee was procured through the deficiency committee; and, in addition, full inspection was provided for all of the fire-cured and burley markets. Twelve fire-cured markets and 43 burley markets have been serviced in full, 100 percent. The flue-cured markets and the dark air-cured markets, and the Maryland markets have not been serviced in full.

The flue-cured markets number 75, and constitute more than 50 percent of the total number of markets. Because of this provision made through the instrumentality of the deficiency bill, the flue-cured markets are having only a 35-percent service; that is, 35 percent of their markets are served, whereas the fire-cured and burley markets are served 100 percent.

When our committee came to view the subject matter again in connection with the pending bill, we thought we ought to restore the basis for the distribution of these funds which had existed before the deficiency committee took action; so we provide in our report that the amount of this appropriation shall be prorated to the several markets in proportion to the total number of existing markets of each type in the several areas. The representatives of burley markets recognize the fairness of that proposal, but they feel that all the markets should be served. So do I. I feel it is unfair to the tobacco growers of one area in the United States to say to them that you can only have 35 percent of your markets served with this inspection, yet in other areas of the United States 100 percent of the markets may be served. I think this is a very beneficial service. I think it is of very great value to the tobacco producers and, being of such great value, there is no reason why any markets should be accorded any different treatment from that accorded others.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. TARVER. Mr. Chairman, I do not see any reason why one area should be accorded ful' measure of inspection and other areas only substantially one-third of their requirements. So far as I am concerned, and I am speaking only as an individual member of the subcommittee, not being authorized to speak for my colleagues, in fairness this service should be provided in equa measure for all of the tobacco markets of the United States. In my opinion, it is discriminatory to provide it for some and not provide it for all. In view of the very great reductions which have already been accomplished in this bill in connection with other matters, it seems to me that fairness to these people would justify the adoption of the gentleman's amendment.

Mr. O'NEAL. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kentucky.

Mr. O'NEAL. The effect of the amendment is to carry out just what the gentleman has said; that is, give inspection to all of them?

Mr. TARVER. That is right. Certainly if inspection is not given to all of them, then the funds ought to be prorated among the different types of tobacco on the different markets equitably.

Mr. COOLEY. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is it not a fact that under this provision calling for the funds to be prorated unless my amendment is adopted it will probably result in irreparable injury to some of the markets that now have the service?

Mr. TARVER. It will result in the taking away of the inspection from some of the markets and giving it to markets of other types of tobacco. We can prorate the service equitably, as had always been done before the deficiency committee acted in this matter.

Mr. LEAVY. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Washington.

Mr. LEAVY. May I say as a member of the subcommittee that I am in accord with the position the gentleman has taken. I would not feel justified in opposing the pending amendment.

[Here the gavel fell.]

Mr. FLANNAGAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I know that the membership of the House wants to treat the tobacco growers fairly. Since the inspection service has been inaugurated on the tobacco floors, there has been a marked improvement in the price the tobacco grower gets for his tobacco. This service has furnished the tobacco grower, the dirt farmer, with expert knowledge as to just what grade his tobacco should be put in, and when the buyer offers him a price not in keeping with what that particular grade should bring he has a right to turn his tag and have a resale. Heretofore the tobacco grower was absolutely at the mercy of the purchaser, because, for instance, taking burley tobacco, there are sixty-some grades. The tobacco growers did not know those grades. They had no way of obtaining the knowledge and they did not know whether they were receiving a fair price or a price that was not fair; consequently, before we had the grading service, two farmers on adjoining farms, raising the same grade of tobacco, one would get 15 cents for his tobacco and his neighbor would get 25 or 30 cents for tobacco of the same grade.

Mr. KEEFE. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I am not certain I heard the amendment read so far as the amount that it is proposed to increase this item is concerned.

Mr. FLANNAGAN. It is about $200,000.

Mr. KEEFE. Will the gentleman address himself to the amount of the increase in this appropriation?

Mr. FLANNAGAN. I will do that now. It is about $200,000, and if we succeed in securing the adoption of this amendment we will be able to put the inspection service on all of the floors for which graders can be obtained. Of course, it takes time to train graders, and even if we had sufficient money to put graders on all floors, we could not find the graders.

Mr. COOLEY. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is it not a fact that although we are increasing the amount by $200,000 there is not any likelihood that the entire amount will be actually used because the amount used will depend upon the availability of qualified inspectors?

Mr. FLANNAGAN. You can only put inspectors on these floors as they are trained. Here is where we will suffer irreparable injury: Let us take the burley growers who have been interested in this service over the years.

We have 100-percent inspection service on the burley floors. If the amendment is defeated and the money appropriated prorated, you will curtail the burley inspection service three-eighths; in other words, three-eighths of the burley markets will be without inspection service. Three-fourths of the dark tobacco inspection service will be eliminated. When you eliminate this service from a market you absolutely destroy that market, because the farmers will take their tobacco hundreds of miles to get to a market that has the service.

Mr. CHAPMAN. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Kentucky.

Mr. CHAPMAN. I suggest to the gentleman that he might also remind the House that this product has paid annually and will pay this year approximately $700,000,000 into the Federal Treasury.

Mr. FLANNAGAN. I think the House is familiar with the fact that the tobacco tax has been putting into the Federal

Treasury year in and year out from $650,000,000 to $700,000,000, and this year, I understand, the tax will bring in about $800,000,000.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I wish to commend the gentleman's statement. I wonder if the gentleman would develop the fact that the buyers of this tobacco are limited to some four or five great concerns in this country, and without the grading the tobacco grower will be at the mercy of the large tobacco buyers.

Mr. FLANNAGAN. The gentleman from Kentucky is exactly right. Most of the tobacco is bought by three or four large companies. They have expert buyers on every floor that know tobacco from A to Z and can tell the grade as soon as they cast their eyes on a basket. They are on one side of the tobacco row when the sale takes place, and the poor old dirt farmer on the other side, who, without this service, does not know what grade of tobacco he has.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLANNAGAN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Tennessee.

Mr. GORE. If the service is cut to the point that the grading service cannot be extended to all the markets, how will the Department of Agriculture decide just which markets it will hold and which will be crushed; and will not that be the result?

Mr. FLANNAGAN. I do not know how the Department would make that determination. At best it would be an unfair determination, and it would practically destroy the markets off which the inspectors were taken.

Let me impress upon you that the tobacco grower has to work about 13 months a year to produce a crop of tobacco. The Government never did a better thing for the farmer, especially the tobacco farmer, than to pass the Inspection Act, which put the tobacco grower in possession of knowledge as to the grade and the type of his tobacco when he offered it for sale.

If you have ever been on a tobacco market, I have to tell you that tobacco is sold at a rapid rate by an auctioneer who speaks in an unknown tongue. Here is an expert on one side representing the great tobacco companies, and on the other side are the poor old tobacco growers, who, unless given inspection, are not in possession of knowledge as to the grades of their tobacco. If any class in America needs protection a little more than another class, it is the tobacco growers when their tobacco is being sold on the warehouse floors. All we ask is that they be protected.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I sincerely hope that this amendment is adopted. In my deliberate judgment, in the light of my knowledge of the conditions existing in the sections of the country where tobacco is grown, this amendment will mean additional millions of dollars to the growers.

As has just been stated, unless you have ever attended a tobacco auction you do not know what it means. There are long rows of the tobacco in the baskets. The farmers who produce the tobacco troop along behind the auctioneer, and he speaks in an unknown tongue. The grower is absolutely at the mercy of the auctioneer and the four or five buyers.

The inspections that have been afforded under appropriations similar to this one furnished the grading of tobacco so that the farmer has known what his tobacco was worth. Under this system of inspection imposition cannot be practiced upon the farmer. By this increased appropriation an inspector will be afforded for every market, and thereby the little fellows will have protection. Most of the men who grow tobacco in my country grow from two-fifths of an acre to an acre of tobacco, and it is the principal source of cash income to them. For that reason, I hope this amendment is adopted.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Tennessee, with whose valuable help it has been my privilege to wage a fight for the past several months in behalf of the tobacco growers of Tennessee.

Mr. GORE. May I compliment the gentleman on being a valiant and never-failing soldier when it comes to fighting for the welfare of the little tobacco farmers whom he represents. Will the gentleman not point out that all the burley tobacco markets already have this grading, and if this is taken away it will crush the markets which do not have it? Unless the farmers have their tobacco graded it is not possible for them to obtain a loan through the Commodity Credit Corporation.

Mr. JENNINGS. That is absolutely true. The graders will be withdrawn from these markets, and the loan privilege withdrawn.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Kentucky?

Mr. ROBSION of Kentucky. How much is the appropriation being cut under what we had last year?

Mr. JENNINGS. It is cut $25,000. However, the markets have increased, and the inspections have been extended now under the act to markets that heretofore have not had them, and they are taking away the inspections from the burley tobacco. In other words, unless this amendment is adopted, many of the burley tobacco markets that have heretofore had Government inspection will, during the coming selling season, have no inspection. The growers in Tennessee, Virginia, and Kentucky, and perhaps other States, will be deprived of this help.

Mr. ROBSION of Kentucky. All of this tobacco must be sold at one of these markets where the auctioneer uses an unknown tongue.

Mr. JENNINGS. Absolutely. You have to get into the various markets to sell your tobacco. And if inspection is withdrawn from some of them the farmers will have to haul their tobacco many miles farther to reach a market where inspection can be had.

Here is another fact. These markets are, as a rule, owned by the farmers themselves. Then there is this additional reason for the adoption of this amendment. Farm labor is being siphoned off the farms by the increased wages paid in industrial enterprises, and the cash that this tobacco crop brings the small farmer and the tenant farmer helps to induce labor to remain on the farm. The income from the sale of tobacco comes in during December and January and, as I have stated, is the small farmer's chief cash crop. The protection afforded the tobacco farmers by this amendment and by the Government inspection made possible by it is necessary; it is necessary in helping the farmer to make his contribution to the increased production of food. Our people are having trouble to keep their farms going because they cannot compete with five- and eight- and ten-dollar-a-day labor.

Mr. ROBSION of Kentucky. Without proper inspection, the tobacco farmer is entirely in the hands of these four or five great tobacco concerns that control the markets, and unless his tobacco is inspected he does not know its grade.

Mr. JENNINGS. Yes; that is true. And that is one of the reasons why this amendment should be adopted.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. CHAPMAN.]

Mr. CHAPMAN. Mr. Chairman, I do not expect even to attempt to add anything to what has already been said by these gentlemen who are so thoroughly conversant with this problem.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. CHAPMAN. I yield to the gentleman from Pennsylvania.

Mr. HAINES. I was interested in the statement by my friend from Tennessee and I was wondering whether or not this call that is put on over the radio is an exaggeration of what actually takes place in these warehouses.

Mr. JENNINGS. It is an exact duplication except that it is not as bad over the radio.

Mr. CHAPMAN. I may answer the gentleman by saying that that act is put on by auctioneers who actually sell tobacco on the tobacco markets that are being discussed here today.

Mr. HAINES. I do not see how the tobacco farmer can understand what they say.

Mr. CHAPMAN. They cannot.

Mr. HAINES. Has there been a change in the method of selling tobacco since this inspection service has been established?

Mr. CHAPMAN. There has been no change since the inspection service was established.

Mr. WASIELEWSKI. Mr. Chairman, will the gentleman yield?

Mr. CHAPMAN. Yes.

Mr. WASIELEWSKI. Will the distinguished gentleman from Kentucky inform us in what manner this will help our defense efforts?

Mr. CHAPMAN. Yes. There is no group of people in America that contributes more to the defense effort than does the agricultural population. We have been talking in terms of millions and billions. This product alone pays this year approximately $700,000,000 in taxes to the Government of the United States.

Mr. Chairman, in conclusion let me say that during my 17 years of service on this floor I have advocated many measures which I believed were of great importance to the welfare of the tobacco growers of this country, but never have I spoken on one which I believe was more important than is the adoption of this amendment here today.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF HOME ECONOMICS

Salaries and expenses: For necessary expenses, including not to exceed $163,481 for personal services in the District of Columbia, c. the Bureau of Home Economics for conducting either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and such economic investigations, including housing and household buying, as have for their purpose the improvement of the rural home, and for disseminating useful information on this subject, $368,890.

THE BUREAU OF HOME ECONOMICS

Mr. PLUMLEY. Mr. Chairman, the Bureau of Home Economics of the Department of Agriculture is the agency chiefly responsible for taking care of the interests not only of the farm wife but of the homes of America. The studies which are being made are required for an all-out war effort.

Listed below are some of the high lights of the work as it relates specifically to defense activities. The Bureau of Home Economics is the only Federal research agency that can answer questions from the home front such as those listed below. It has the research staff to furnish the basic data for replies to homemakers' questions.

How can families conserve food—how can and dry foods take the pressure off factories and freight?

How can homemakers stretch the family supply of woolen garments?

How can they conserve equipment?

How adjust family budgets to meet higher cost of living, pay higher taxes, and buy Defense bonds?

How plan family living in wartime so that essentials for health are provided but nonessentials are given up to help win the war?

How can the homemaker feed her family adequately in wartime when there are some food shortages?

What sort of food should the defense worker have?

The Bureau also helps war agencies—War Production Board and others—by providing fundamental facts based upon its accumulated research. Examples are given below:

Facts about food are provided the Lend-Lease Administrator in order that he may know about the nutritive value of what is being shipped as compared to alternative foods, the value of concentrates, dehydrated products, and the like.

Information as to wearing qualities of wool mixed with rayon and cotton, in order to help manufacturers use the limited supplies of wool for civilians most effectively.

Use of cotton for hose and other garments, replacing silk, nylon, and possibly rayon.

How to prevent mildew—facts as applicable to soldiers' tents as to household goods.

Information for O. P. A. as to what farm families need, so that scarce materials can be allocated where necessary, such as how many families have sewing machines—facts needed for providing materials so that repairs can be made.

How many farm families must have rubber boots and the like.

Following is a more detailed statement of the types of information which have been supplied by the Bureau to defense agencies on their requests. Some of these data can be compiled from past studies. In many cases this requires additional laboratory studies. The research program of the Bureau of Home Economics has been completely redirected to meet these and other problems which have arisen in connection with consumers' part in the war effort.

BUREAU OF HOME ECONOMICS SERVICES TO OTHER AGENCIES

WAR DEPARTMENT AND OFFICE FOR EMERGENCY MANAGEMENT

1. Cost-of-living data for village families, including formulation of maintenance budgets and determination of present costs.

2. Data on family expenditures for shoes, on rents, on standards for consumers' goods, etc.

3. Data on use of aluminum in household equipment, and recommendations for substitutes.

4. Treating and testing samples of fabrics for mildew-proofing properties.

5. Consumption data that applies to defense problems.

6. Data on refrigerator ownership.

7. Nutritive value of commercial and home-baked breads, cost of home-baked bread, commercial-bread substitutes.

8. Figures on family food consumption.

9. Statement on zinc needs for home canning.

10. Estimate of consumption of furnishings and equipment.

11. Value and consumption of bananas.

12. Estimates of sugar consumption.

13. Lists of household equipment compiled showing materials and features of construction to assist them in regulating design during the emergency.

14. Prepared statistical information on the saturation of washing machines, the number manufactured in 1940, and anticipated number of homes to be wired for electric service in 1941.

15. Tabulation of results of survey made to determine the essential characteristics to be retained in household equipment.

16. Cost of maintenance budget.

17. Information on mildew research.

18. Preparation of an article for consumer prices.

19. Preparation of information about buying school clothes.

20. Conference on floor coverings.

21. Discussions on colorfastness.

22. Discussions on the problem of cooperative work on textile standards.

23. Classifications and definitions for upholstery fabrics.

24. Table showing median income for cities in money-disbursement study.

NAVY DEPARTMENT

1. Furnishing plans on kitchen units for Navy housing.

2. Ran tests for mildew resistance and for bacteriostatic and bactericidal properties of chemically treated fabric and of rubber under washed, unwashed, and sterilized conditions.

3. Computation of nutritive value of rations.

4. Information on fabrics given on antibacterial treatment.

AMERICAN RED CROSS

1. Aid in selecting cooking equipment to be sent to Britain.

2. Requests for knitting instructions.

3. Collecting and assembling material on bedding.

4. Vitamin analyses and tests of quality for special foods to be shipped abroad to refugees or prisoners of war.

5. Information on nutritive value of special foods to be shipped abroad to war zones and assistance on manuscript for teaching Red Cross nutrition workers.

6. Information on clothing.

NATIONAL RESEARCH COUNCIL

1. Summarizing the vitamin content of foods for use of committee studying food needs of Nation in relation to national defense This entails a review of world's literature in this field.

2. Investigation of the vitamin values of processed, dehydrated, and concentrated foods in preparation for national emergencies.

3. Nutritive value of Army Ration C.

4. Preparation of food budgets for diets meeting the new standards issued by the foods and nutrition committee. (Also requested by the Vice President.)

ADVISORY COMMITTEE ON NUTRITION IN DEFENSE

1. Assistance in formulating national program and preparing for national nutrition conference, including radio talks, preparation of technical material for committees, assembling bibliographies and data from various research studies.

RURAL ELECTRIFICATION ADMINISTRATION

1. Statement on saving of nutritive value in whole wheat.

2. Revision of minimum standards for storage space and equipment with plans to

illustrate different types of kitchen arrangement.
3. Prepared specifications for electric washing machine.
4. Tested the home mill for grinding wheat in the farm home.
5. Tested the electric drier for the drying of fruit and vegetables in the farm home.
6. Prepared recipes from wheat flour ground in electric farm mills.

UNITED STATES HOUSING AUTHORITY

1. Methods of evaluating home-produced food.

HOUSEHOLD FINANCE CORPORATION

1. Check material for utensil publication.

BRITISH FOOD MISSION

1. Estimate of animal protein needs.

NATIONAL CHILD RESEARCH CENTER

1. Assisted by supervising installation of new kitchen and pantry equipment and lighting.

SELF-HELP EXCHANGE

1. Instructing and supervising the community canning.

CENTRAL HOUSING COMMITTEE

1. Minimum standards for storage space and equipment with plans to illustrate different types of kitchen arrangement.

INTERIOR DEPARTMENT

1. Tested samples of felt.

SOCIAL SECURITY BOARD

1. Data on standards of living.
2. Cooperation in work on budgets for aged.

DEPARTMENT OF LABOR

1. Checked statement on German diets in 1937 versus 1927.

TREASURY DEPARTMENT

1. Farm material for version of farm wife buying.

FEDERAL TRADE COMMISSION

1. Information on clothing consumption.
2. "Oxol" tested for its stain-removing property.
3. Information on testimony regarding Oxol.
4. Data on calories.
5. Furnishing information regarding certain consumer goods.

FEDERAL COMMUNICATIONS COMMISSION

1. Data on radio ownership.

FEDERAL POWER COMMISSION

1. Data on standard budgets.

FEDERAL SECURITY AGENCY

1. Facts for formulating policies for State grants for food and clothing for old-age assistance.
2. Furnishing data on ratio of net to gross farm income.
3. Revision of cleaning manual to meet home economics education needs.

National Youth Administration

1. Planning kitchen for National Youth Administration centers, and preparing lists of equipment.
2. Plans for lodges, houses, etc.
3. Information on clothing; selecting and making up illustrative material on clothing; and selection and preparation of patterns.
4. Plans for resident kitchens and lists of equipment needed.

FEDERAL WORKS AGENCY

1. Data on family expenditure in villages weighted for North and West.
2. Tested samples of overcoating.

DEPARTMENT OF COMMERCE

1. Information on statistical data available concerning family expenditures for Commerce regional staff offices.
2. Furnished information on weights and yarn numbers of cotton hosiery; on the quantity of cotton required for yarns, weights of completed hose, yarn numbers, and machine gages.

National Bureau of Standards

1. Helped with a study of fabrics in relation to their weave and weight.
2. Data on test for mildew resistance.
3. Data on fluidity test.
4. Data on classification of upholstery fabrics.

POST DEFENSE PLANNING COMMITTEE

1. Work on nutrition program.

NATIONAL CONSUMER RETAIL COUNCIL COMMITTEE

1. Preparing informative label for household refrigerators.

BRITISH SUPPLY COUNCIL IN NORTH AMERICA

1. Worked out formula for an ice cream that does not use cream or milk.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

1. Data on pressure cookers.
2. Estimated income distribution of farm families in 1940.
3. Assembling and discussing food estimates.
4. Food distribution report.
5. Table on nutritive values of vegetables.
6. Estimate of metal need for home canning.
7. Participation in goals for agriculture work.
8. Computing increases necessary to meet 1942 goals for agriculture.
9. Contributions to recipients' diets made by surplus foods.
10. Nutritive value of German and American dietaries in Monthly Labor Review article.
11. Plans for county agriculture building.

Farm Security Administration

1. Garments bought and prices paid by low-income farm families.
2. Data on nutritive value per pound of selected food materials and revision of food standards for farm family living.
3. Food budgets and diet plans for Puerto Rico.
4. Information on farm-family expenditures.
5. Information on family living and food budgets.
6. Food budget advice.
7. Standard budgets.
8. Preparation of hand-iron specifications.
9. Identification of fibers in two fabrics.
10. Planning and making low-cost coat for child.

Extension Service

1. Computing total annual food requirements for farm family living.
2. Table showing relative value of different kinds of vegetables as sources of minerals and vitamins.
3. Income data for Southeast.
4. Assistance in formulating plans for studies of extension methods in home management.
5. Preparation of report on vegetables for garden conference.
6. Furnishing comparative lists of kitchen utensils suggested by different authorities.
7. Preparation of bibliography on home improvement.
8. Equipment films.
9. Exhibit for the national 4-H Club camp.

Surplus Marketing Administration

1. Expenditures for food of various-sized families and recommendations for orange stamp purchases by families with $100 or more per month income.
2. Determination of money value of home or community center canned surplus fruits and vegetables produced and canned by Farm Security women for school lunches.
3. Metal needs for home canning.
4. Family food record for S. M. A. dietary study.
5. Nutritive value list for 18 fruit products.
6. Furnished material for film strips and accompanying lectures.
7. Supplied information on waterproofing farm fabrics.
8. Furnished specifications for corduroy.
9. Tested breaking strength of duck.
10. Tested food products for shipment abroad and domestic consumption.
11. Series of consumer publications on foods distributed through blue stamp plan; for example, eggs in low-cost meals, dried fruits in low-cost meals, green vegetables in low-cost meals, and dried beans and peas in low-cost meals.

Agricultural Adjustment Administration

1. Statement on egg consumption.
2. Material for Consumer Guide on clothing, equipment, and food
3. Income data for Southeast.
4. True-false questions for Guide.
4. Material on family-food consumption to be used as a basis for food-production goals.
6. Information on mildew-proofing cotton linters.

Forest Service

1. Information on mildew resistance.
2. Consultation on mildew-preventing treatments that could be used for seed bed covering fabrics.

Bureau of Animal Industry

1. Furnished information on textiles.
2. Supplied information on patents and on suiting samples.
3. Supplied information on cotton hosiery.

Bureau of Agricultural Economics

1. Price data on furnishings and equipment.
2. Table showing census data for consumer purchases study farm sections.
3. Table showing sources of Southeast farm income.
4. Data on money income of farm families.
5. Estimates for medical care for farm families.
6. Food budgets.
7. Standard budgets.
8. Surplus and deficit consumption for different units.
9. Material from consumer purchases study files.
10. Reviewing manuscript.
11. Data from furnishings and equipment tabulations to be used in constructing weights for index of electrical equipment purchases by farm families.
12. Information on retabulation of farm income data and use of punch cards.
13. Consumer purchases study data on home-produced food.
14. Estimate of rubber rings required for home canning.

Bureau of Agricultural Chemistry and Engineering

1. Data on heating facilities.
2. Approximating the anticipated amount of different materials to be used for household equipment in the coming year.
3. House plans.
4. Information supplied on mildew research.
5. Furnished information on starch and cellulose.
6. Treated and tested cotton bagging, jute, and osnaburg for resistance to rotting.
7. Furnished tables on vitamin values.

Agricultural Marketing Service

1. Furnished information on stripping wool.

The Clerk read as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of the Soil Conservation Service and other personal services in the District of Columbia, $501,315: *Provided*, That no part of the money appropriated in this paragraph shall be available for expenditure if any emergency appropriations are made available for administrative expenses in administering the funds pro-

vided in regular appropriations to the Soil Conservation Service.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 71, line 6, strike out "$501,315" and insert "$250,000."

Mr. DIRKSEN. Mr. Chairman, I ask that my two other amendments be reported to the Committee at this time for information.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. DIRKSEN:

On page 71, line 19, strike out "$1,314,429" and insert "$700,000."

On page 72, line 3, strike out "$20,510,812" and insert "$10,510,812."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, the three amendments that were just reported all relate to the curtailment of the activities of the Soil Conservation Service, which was created by Congress in 1935. If these amendments are adopted, they will decrease the amount for salaries and expenses by $250,000 and will decrease the amount for soil-moisture investigations by $700,000, and decrease the amount for project operations in the field by approximately $10,000,000, making a total saving of approximately eleven and one-half million dollars. Let me advance 10 reasons why I believe all of these amendments ought to be adopted. The first reason is that the dirt farmers are for these amendments and the American Farm Bureau Federation and organized agriculture so stated to the committee that this activity can be curtailed to the amount suggested in the amendments, so that the saving of $11,000,000 can be made.

The second reason is that here you have an ideal example of an expanding bureaucracy in the Government service. They have had 905 people working in Washington; they have 1,583 people in the regional offices; 838 persons in the area offices; and they have 11,216 on the projects, making for 1942 a total of 14,544 persons. That is the size of 2 small Army divisions, working on the subject of soil conservation. In their over-all pay roll they have expended for personal service last year $35,449,000, and the amazing thing about that figure is that it is far in excess of the amount carried in this bill. I will tell you where they got the rest of their money. They got $2,000,000 out of land utilization; they got $11,000,000 from the Civilian Conservation Corps; they got $227,000 out of the water-facilities fund; $350,000 out of the emergency water facilities; and $128,000 from farm forestry; flood relief, $1,028,000; emergency relief, $1,600,000. Here is a grand army of 14,544 persons who in 1942 have been engaged in the business of soil conservation and related activities. Let me make it clear that this does not deal with soil-conservation payments. This money is for personnel, and for soil moisture demonstrations, and for projects operations on the land.

Mr. WOODRUM of Virginia. Mr. Chairman, I wish the gentleman would emphasize that these are not soil-conservation payments.

Mr. DIRKSEN. These are not soil-conservation payments. This is wholly for soil projects on the land and work on soil erosion. The fourth reason is that since 1937 we have expended over $3,000,000 in the administration of this agency, over $9,000,000 for soil-moisture investigations, and over $145,000,000 on project operations. The fifth reason is that it is a duplication. It is a duplication of the extension stations we have everywhere in the country, and page 299 of the hearings reveals a break-down of the number of county agents in the country under the Extension Service. We have 9,277 people in the Extension Service, and here is a duplicate army of over 14,400 people.

The sixth reason is that, if we save this money, we can buy 130 bombers or 150 medium-sized tanks. The seventh reason is that the permanent personnel of the Soil Service for 1943 will be 7,438 persons. That represents an increase of 16 percent in the amount of the personnel over 1940. The eighth reason is that the Budget Bureau has classified Soil Conservation Service in the lowest class from the standpoint of defense priority, namely, classification 5. The ninth reason is that they are doing the same identical work that they were doing when they first came for an appropriation several years ago, namely, investigations on moisture service, watersheds, irrigation, economics of conservation, the theory of sedimentation, the development of soil-erosion plants, and the operation of nurseries, all of which is duplicated in the Government today.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Briefly.

Mr. TABER. How many professors and authors have they got to write all these fancy articles?

Mr. DIRKSEN. All you have to do is to look in the justification sheets and see. It is a long list of technical, informational, and sociological personnel.

I want to emphasize that the Farm Bureau Federation, and that means organized agriculture, one of the most stable organizations in the field, has stated to the committee, as you will find on page 616, that this duplication can be eliminated and that these amendments ought to be adopted.

On their project operations, for which they are asking $20,000,000, which I propose to cut by $10,000,000, they have an item of $1,315,000 for mapping, for cardographic work, multilithing, and multigraphing; $956,000 for administration. They have $16,000,000 for cooperative operations; $1,000,000 for cooperation with the Civilian Conservation Corps; $1,125,000 for operation of nurseries.

To show you that this is duplicating work I read Mr. Myer's own testimony, who came and testified in behalf of this soil-conservation agency. It is found at page 938 of the hearings. He is one of the administrative chiefs who gave us this testimony:

This program will be carried on in cooperation with 43 State experimental stations at 128 locations throughout the country and rendering service to operations programs.

Extension Service and experimental stations already have been doing this work. They did it before the Soil Conservation was born. They have thousands in the field to do it now. They are tooled up to do it. They have the skill to do it. Are we going to leave another 14,000 people, the size of two army divisions, operate in the field of conserving the soil when the first job before the country for the farmers is to conserve the Nation in the hour of crisis? That is our problem.

You can join with me today in voting up all three of these amendments and save $11,500,000 for a dispensable service which the Budget Bureau gave the lowest classification as a defense operation, and curtail an activity that is being duplicated by other agencies of the Department of Agriculture today.

I bespeak of you the support of these amendments because they have the support of the American Farm Bureau Federation. They have the support of the men who till the soil.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TARVER. Mr. Chairman, I am astounded by the proposal which is advanced by the gentleman from Illinois [Mr. DIRKSEN]. If in his judgment it would be wise to destroy the Soil Conservation Service I think you would agree with me that as a member of the subcommittee which heard the evidence relating to that subject, which prepared this bill, it would have been proper that his viewpoint with regard to these tremendous reductions should have been presented to and considered by the subcommittee prior to its being presented and considered by the House.

There is not anything that can possibly justify the adoption of the gentleman's amendments unless you want to justify it by the bomber argument which has been advanced so frequently during the course of the debate on this bill and which, as I pointed out yesterday, means nothing. All of us know that it means nothing. We know that the full production of the defense industry in the United States is going to be made available to the Government no matter what we do with the Department of Agriculture appropriation bill.

Now, I want us to look into this matter very carefully. Evidence discloses, as most of you know, that if the erosion of our soils, if the destruction of our natural resources through erosion, continues for the next 200 years at the rate at which it has progressed during the last 200 years, at the expiration of that time the United States will be as barren as

the desert of Sahara. Protection of our soils from this erosion danger was deemed by Congress to be a matter of such vital importance that it enacted legislation which undertook to set up a comprehensive plan of dealing with it, and it invited in that legislation the cooperation of the States and made a promise to the States of certain assistance in the event they should, by State legislation, provide for the necessary measure of State cooperation.

I wish you to look at page 941 of volume 1 of the hearings, as to the number of these soil-conservation districts which have been set up under State law. They are servicing this year, with technical assistance, 600 soil-conservation districts. The farmers of the country are organizing new districts so rapidly that they will have for the next fiscal year 910 districts to be serviced, an increase of 50 percent, with no addition provided in the amount of funds available for that purpose in the Budget estimate. So that if we are going to carry out this plan of soil conservation upon which we embarked several years ago, if we are going to make good on our expressed promise to the farmers of the country with regard to Federal cooperation in the work of conservation, then as a matter of fact we ought to not only make available the sums which have here been provided but additional sums also in considerable amount will be necessary

But your committee has not sought to raise the Budget estimates. On the contrary, it has reduced the Budget estimate for soil and moisture conservation and land-use investigations by $100,000. The bill in that item is $100,000 below the Budget. We felt that this investigatory work might be curtailed for the time, in view of the conditions which exist in this country today. But as far as the cooperating work is concerned, the furnishing of technical assistance to these soil-conservation districts which has been promised expressly and impliedly, the committee did not feel that we ought to reduce the amount recommended by the Budget.

Now, there is not anything in the hearings to justify the assertion that this agency is duplicating in any way the work of any other agency of the Government. Until I heard the remarks of my friend upon the floor today I was under the impression that it was generally recognized as one of the greatest organizations of the Department of Agriculture.

I am not familiar with the advancement of any criticism of the execution of this program from any responsible quarters and had not heard any until I heard the speech of the gentleman from Illinois. I believe the people of the United States are pleased with this program. I believe that nobody, whether he is a resident of the farming sections of our country or a resident of the cities would approve the substantial destruction of this very valuable agency headed by Dr. H. H. Bennett, one of the most outstanding men in Government today, a conscientious man, a capable man, a man whose ability to deal with this problem in a practical way is transcendent and is generally recognized.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. HOUSTON. The people of my State from whom I have heard are enormously pleased with the soil-conservation program. How does the committee's recommendation compare with the treatment this item received a year ago?

Mr. TARVER. The committee's recommendation approves the Budget recommendation which proposes to make available $3,005,963 less for the soil and moisture conservation operations, demonstration, and information than was carried in the bill for the present fiscal year. The committee's recommendation as to the first item, soil and moisture conservation and land use investigations, is, as I have said, $100,000 under the Budget, and the Budget is some $86,000 under the amount which was available for the present fiscal year.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. BROWN of Georgia. I agree with the gentleman that this service rendered gives the farmers of this country more benefits from the money spent than any other service we have. Several of these districts are in my State and in my district. We have only one technician in a district and he shows the farmers how to diversify, how to plant. One particular aid in my district is in the propagation of Japanese kudzu. We cannot get any more Japanese kudzu, and we need to conserve and increase propagation as to what we have, and we greatly need all of the services rendered by this agency. I think we get more service for less money than in anything else done by the Government for the farmers. I do not believe we should cripple it in any way.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. SMITH of Ohio. Does this agency use the services of the county and township committeemen; and if so to what extent?

Mr. TARVER. I believe the gentleman is confusing this Soil Conservation Service with the payment of soil-conservation benefits, is he not? This item has nothing to do with the $450,000,000 for payment of soil-conservation benefits.

Mr. SMITH of Ohio. But does it not for the costs of operating the Soil Conservation Service?

Mr. TARVER. Not that part of it, but the cost of operating this portion of the work of the Soil Conservation Service is, of course, included in these estimates.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. CASE of South Dakota. The gentleman has indicated that the subcommittee reduced the amount of this item by $100,000.

Mr. TARVER. The first item, the item "Soil and moisture conservation and land-use investigation."

Mr. KEEFE. Will the gentleman indicate what prompted the committee to reduce that item $100,000, and will he state also how it is to be allocated?

Mr. TARVER. This is the item which provides for investigation to determine proper methods of dealing with these soil-erosion problems. The committee felt that the work done in undertaking to investigate this problem ought to be reduced even under present emergency conditions. We did think that this study of these problems for the purpose of devising methods by which they may be properly handled might be, in view of the very extraordinary national emergency, reduced as recommended by the committee, and therefore provided for the reduction.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TARVER. It may be that the gentlemen coming from sections of the United States where the soil is still fertile, where damage caused by erosion is not apparent, and who have not had an opportunity to investigate conditions in the major portion of the country where such damage is very severe are not impressed with the value of this soil-conservation work; but I have not the slightest doubt that there is not a Representative on the floor of the House who comes from a district wherein there is any considerable amount of soil erosion who does not recognize the very great value of the work which is being accomplished under the jurisdiction of Dr. Bennett.

In my own district, which is, unfortunately, in one of the sections of the United States where considerable erosion damage has occurred, it is possible simply by traveling over the district without leaving the highways to look at the farms on the hillsides and in the valleys and determine that untold and inestimable advantage has accrued to those farmers by reason of the operation of this program.

Mr. COCHRAN. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Missouri.

Mr. COCHRAN. I recall that during the hearings before the Select Committee on Wildlife Conservation an official of this organization admitted that if a farmer had the wire and the posts they would put up his fence for him. I said, "Is it not your main duty to show them how to stop soil erosion?" He said, "Yes." I said, "Why do you not show them that instead of putting up fences around their farm?"

Mr. TARVER. I may say to the gentleman that I have been serving on this committee for several years and I never heard a charge of that nature made against the officials of this Service before. I would not be surprised if the gentleman were confusing this matter with the so-called shelterbelt in the West.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman.

Mr. HOFFMAN. Admitting all the gentleman said about the value of this Service to be true, is it not a fact that today, because of the scarcity of farm labor, the good land, the fertile land still in this country, is not being cultivated? In other words, we are not using the fertile acres we have?

Mr. TARVER. I do not think the gentleman is correct about that. I have not time to enter into a discussion of that with the gentleman. I know there is a farm-labor shortage and that it is very severe. At the same time I do not know of any fertile acreage in my country that is not being used.

Mr. HOFFMAN. There are 210 acres right in my own little township.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is one of the items that would clearly come within the category mentioned by the gentleman from Missouri [Mr. CANNON], yesterday when he said that there were certain places in the bill that substantial reductions and postponements could be made without in anywise hurting the program or hurting the farmer. It is not proposed here to destroy the Soil Conservation Service. It is proposed to leave them, after these amendments are adopted, $10,000,000 to carry on this service wherever it can be justified. However, it is suggested that in view of the emergency, in view of the dire straits financially to which our country is pressed, this agency as well as others should be curtailed, not only to save money but to turn loose the personnel engaged in it in order that they may engage in the war effort.

Mr. Chairman, we talk about erosion of the soil, but I want to tell you today that the thing which threatens this country more than erosion of the soil is erosion of our fiscal situation.

I am not saying a word against the good features of the Soil Conservation Service. Certainly it has performed a good function, and I would not vote to destroy it. They have 14,000 agents in the field. We can take half of that number and not hurt it. We can release half of them and put them to useful work in the war program. The American Farm Bureau Federation favors this kind of an amendment. It is for the farmers. I have voted for every farm bill ever passed by this House. You cannot name one I have not voted for. I voted for expenditures for them, but I say to you that I am not afraid to ask the farmers of my district to make a sacrifice along with the other people of the country who have to sacrifice in this tragic hour.

Mr. TARVER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman voted for the Agricultural Adjustment Act in 1938 carrying provision for parity payments?

Mr. WOODRUM of Virginia. I voted for the act, but I voted against parity payments.

Mr. TARVER. The gentleman did vote against parity payments?

Mr. WOODRUM of Virginia. I did. I do not believe in the principle of parity payments, and if it was ever needed, it is not needed now.

Mr. TERRY. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Arkansas.

Mr. TERRY. The gentleman states he is following the Farm Bureau in this matter. Does not the gentleman know that one of the cardinal principles of the Farm Bureau was advocacy of the parity payments? Why does not the gentleman follow the Farm Bureau on that?

Mr. WOODRUM of Virginia. Mr. Chairman, I am following my own judgment and my own intelligence, but I cited the Farm Bureau as saying that they would not advocate a reduction in the agricultural bill if it was against the interest of the farmer.

Mr. Chairman, in the language of Holy Writ, we have been sowing to the wind, and shortly, I very much fear, we will be reaping the whirlwind.

In a few hours, the Ways and Means Committee will report to the House, and we will pass legislation raising the national debt limit from $65,000,000,000 to $125,000,000,000, and all of us know that before the war is over there will still be a further increase in the national debt. In addition to that, very soon the same committee will present, and we will pass, a tax bill which will dig deep in the pockets of every American citizen. Not only the corporations and the income-tax payers, but the man in the street, the farmer, and the worker, and the housewife will help pay this bill. Americans know that to win this war we are going to have to spend huge sums of money, and for the purpose of winning the war I believe they are quite willing to make that sacrifice, but they have the right, and in my judgment they will demand, that we as legislators curtail and postpone nonessential expenditures and that we discontinue costly social experiments.

Pay day is going to come for the national debt, and we have one or two alternatives. We can wipe it off the books by the shameful procedure of repudiation or printing-press money, or we can do what you and I know we will do—we will pay the bill and it will come out of the hides of the American people. It will take toll of the sweat of the laboring man and the farmer just the same as it will draw upon the dividends of the businessmen. It is just as necessary today that we preserve our fiscal integrity as it is that we prepare to take the fight to our enemies on the battlefield. Unless we preserve our economic stability, our victory will be empty indeed.

The ringing challenge in this House today is that we go "all out" to win the war and stop legislating for groups and factions. We should lay aside, at least for the time being, our efforts to favor the farmer and the laboring man or the industrialist or businessman. We should declare a truce on our effort to perpetuate the New Deal or to reinstate the old deal. We should have one objective and one purpose and that is to win the war and we must win it quickly. By doing so we not only save dollars but we save American lives.

Mr. Chairman, for years, as one crying in a wilderness, I have stood in the Well of this House and urged that we set our fiscal house in order; that we try to bring our income and expenditures more nearly in balance. The records of this body will show many such appeals.

On May 22, 1939, over a Nation-wide radio hook-up, I made such an appeal in discussing our economic ills, which are accentuated today. I said in part:

I do not know what the answer may be to these economic problems. I am very definitely of the opinion that they cannot be permanently solved by legislative action alone. I am very emphatically of the opinion that the problem will not be solved by putting all of the workers on the Federal pay roll and by subsidizing all of the farmers of America. I feel very positive that we cannot continue to borrow and spend, and spend and borrow, unless we are reconciled to meet head-on some day the "fiddler" when he comes to collect his pay, and come he surely will.

There is one thought I would like to get over right here. There seems to be an impression in certain quarters that it's all right to plunge right along to pile up a terrific public debt—that the worker and the farmer will get the assistance and "somebody" will pay taxes enough "sometime" to pay the bill. Who is going to pay it, and when? Taxes can only come from national wealth. National wealth can only come from labor and production. The worker and the farmer have been the producers in this land of ours, and you can be very sure, my fellow countrymen, that when pay day comes, a large part of this bill will come out of your hides. Don't ever think for a split second that the tax gatherer will pass you up. You may not recognize the gentleman. He may slip in the back door; he will probably disguise his voice; but, nonetheless, he will take from you his toll.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I want to see if there may be an agreement as to a limitation of debate. Will the Chair ask the gentlemen who wish to speak on this amendment to stand, and ask the Clerk to count them?

Will the Chair, instead of asking those who wish to speak, ask those who do not wish to speak to stand, so we can get a better idea? I believe I shall withdraw the request for the present and see if we can get an agreement later on.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. Is there any way under the rules of getting Members over here?

The CHAIRMAN. The Chair does not consider that a parliamentary inquiry.

Mr. TERRY. Mr. Chairman, I rise in opposition to the amendments en bloc.

Mr. Chairman, the amendments offered by the gentleman from Illinois propose to cut about 50 percent off the appropriation for the Soil Conservation Service. In my opinion, the Soil Conservation Service is one of the best programs that

has ever been developed, not only for the agriculture of this country but for the whole American people as a nation. Unless we can preserve our soil our country will go the way of China and all the other countries whose topsoil has washed down the rivers into the sea.

Dr. Bennett, the head of the Soil Conservation Service, has made the American people soil conscious. Mr. Claude Wickard, the Secretary of Agriculture, has told us that we must produce a greatly increased amount of food to win this war. The Soil Conservation Service is one of the prime movers in the movement to increase the production of food. Without soil conservation and the practices it inculcates we cannot increase our production.

I call your attention to the fact that we shall not have a great many of the fertilizers we have heretofore had, but shall have to depend more and more upon contours and other soil-conservation practices to take the place of the fertilizers and those things which make the land more productive.

If you fly over parts of this country and look down on the broad landscape you will be able to distinguish between the regions where we have had soil conservation and those where we have not.

The American Farm Bureau Federation, for which organization I have the greatest respect, has advocated that the administrative and field service of this program be reduced and that it be turned over to and be administered and carried on under the control of the extension service of the various States.

Last year when President O'Neal came before the committee and advocated that the Soil Conservation Service be turned over to the Extension Service as an economy measure, I said, "Mr. O'Neal, you know, of course, that the work that is done by these men is technical in its nature. You know that they have to have a large personnel technically trained. Do you think the Extension Service can do the work that all these men in the Soil Conservation Service are doing?" He said, in substance, "No. I realize that, but we should put in the Extension Service such additional technically trained men as are necessary to carry on the Soil Conservation Service." We all know how much work the Extension agents are now doing and how difficult it would be to add additional work to this already overburdened service.

I say to you that if you have to increase the Extension Service to do the work that is now done by the Soil Conservation Service, what is the need of taking the work out of that agency and putting it under another agency?

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield to the gentleman from California.

Mr. VOORHIS of California. Does the gentleman think that conservation of the soil is properly to be designated as a social reform, or does he think it is for the protection of an indispensable and irreplaceable resource?

Mr. TERRY. I answer the gentleman from California by saying that I was rather astounded when, a few minutes ago, I heard soil conservation designated as a social service, when soil conservation is a basic program with which is bound up the future prosperity of this country.

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN (Mr. WOODRUM of Virginia). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TERRY. Mr. Chairman, as compared with the 1942 appropriations of $25,527,109, we have reduced this appropriation by $3,005,963 for soil- and moisture-conservation operations, demonstrations, and information; $9,019 for administration and $185,571 for soil and moisture conservation and land-use investigations, or a total of $3,200,553.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. TERRY. No; if the gentleman will excuse me; I will not have time.

I call to your attention the fact that in 1940 we had 237 soil-conservation districts. These districts are created by State statute. There are in more than 44 States in the Union laws under which farmers have taken advantage of the soil-conservation program, and under which soil-improvement districts have been created after a vote of the farmers in the areas. In 1940 we had 237 districts, and in 1943 we shall have 956 districts. We have in 1942 only a 16-percent increase in personnel over 1940 and a 24-percent increase in funds; but we have over a 300-percent increase in the work this Service must do.

Talk about social service and Washington bureaus. When you consider that these improvement districts are organized by the votes of the farmers back in the districts, I tell you this is one of the most democratic programs that we have with us today.

[Here the gavel fell.]

Mr. MICHENER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the case for this amendment has been clearly made by two members of the Committee on Appropriations who have studied the details of this matter and both of whom are apparently in sympathy with the general principles of soil conservation. This amendment spells limitation and does not contemplate extermination. I make reference to the gentleman from Illinois [Mr. DIRKSEN], a Republican, and the gentleman from Virginia [Mr. WOODRUM], a Democrat. There is no politics involved. We all want to do the right and the best thing for our country in this its greatest hour of peril. We realize that the national debt is now more than $65,000,000,000 and that next week the legal amount is to be raised to $125,000,000,000. In these circumstances only essential appropriations are warranted. It is not a question of desirable expenditures. It is a question of necessary expenditures. The emphasis should be placed on the word "necessary."

This amendment is not a proposal to destroy the soil-conservation program. The purpose is to assist in conserving the Nation, to avoid national bankruptcy, which surely awaits us unless this profligate spending is stopped. This is no time to expatiate about the farmer. There are too many farmers' friends just before election. My district is one of the best farming districts in the country, and I am sure that I am the friend of the farmer in voting to limit spending at this time for essentials only.

I have a letter from a constituent, a school teacher, who has just made his first income-tax return. He has just paid his first income tax. The amount was $87. This means much to him and his wife. He says he is glad to pay it, but he does inquire about his neighbor who, he says, received a check the other day for $89—$2 more than the income tax paid by my constituent. That check came as an unexpected windfall to his neighbor because his neighbor had complied with the A. A. A. program. This was a bonus to the neighbor for doing the things which he has always done on his farm, which he was doing, which he intends to do, but which the Federal Government was paying him a subsidy or a premium for doing.

The letter which I received from my constituent, and to which I have referred, is as follows:

Today I had the opportunity to help our country in its hour of need by paying my income tax, the first that my wife and I have ever had to pay. It was with a great deal of pride that we made this payment, which, though small perhaps, represents a certain amount of sacrifice, which we are willing and ready to make. Further than that, we stand willing to make any contribution that will help to defeat our common enemies and assure the safety of all that means America. We feel that our bit is, indeed, a small enough contribution to make in payment of the blessings which our country has given us.

At the same time, I am much discouraged and not a little disgusted upon a certain bit of news which was given to me this same day. Briefly it is this: A certain farmer friend of mine received through the mail recently a check from the United States Government in payment of, apparently, his cooperation with the soil-conservation program of the Agricultural Adjustment Administration. This man did not know that he was to receive this check, and had not been expecting any such windfall. The check was for the amount of $89, which was about $2 more than I paid today in income tax for the calendar year of 1941. To make matters worse, as far as my opinion is concerned, this man is in a much better financial condition than we are or ever hope to be. It is, therefore, extremely galling to me to know that the money which I am willingly paying to the United States should be used in this manner, especially when this Nation needs to use every resource at its command to defeat the Axis Nations arrayed against us.

I cannot help but wonder whether certain bureaus of our Government in Washington realize that we are now engaged in this terrible war, and especially those which continue to waste the Government income in this manner. Isn't it about time that some of those who feed from our National Treasury become aware of this fact and try to do their part toward the winning of the war?

I realize that you yourself do not condone such actions and have steadily fought against such. I am writing to you, though, in the hope that you, through your position, may be able to let the Agricultural Adjustment Administration and kindred bureaus know how this one taxpayer feels about their actions.

My word to them is this: Read the newspapers and learn what peril we are in, and then see if they themselves can't find ways to help pay for this war.

Sincerely yours,

WALTER E. DAY.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have had for consideration a number of amendments to this bill. Many of them have been relatively unimportant. It is necessary for us to distinguish between important amendments and those that are not so important. The amendments offered by the gentleman from Illinois go to the very vitals of the most important program of the farmer in America today, the problem of soil conservation. I make the prediction that many of those who have voted for other amendments which have been offered will not vote for these amendments. I make the prediction that the man who has most frequently offered amendments, the gentleman from Oklahoma [Mr. MONRONEY], will not vote to sacrifice our soil-conservation program. He has a sincere interest in the cause of agriculture.

I do not believe anyone will vote for these amendments who knows how the farmer lives on the farm and who has thought deeply and truly on this vitally important subject. The gentleman from Michigan has pointed out that the case has been made and that there is nothing more to do but to vote, because, he says, members of the Appropriations Committee have spoken. Well, let us follow that thought a little. They have spoken. They began their hearings in November and they concluded them a short time ago. There was no politics in that committee, says the gentleman, and say the gentlemen on both sides—no politics—and what did that committee do after giving days and days to the study of this bill? They came in here and recommended a reduction all right, but they recommended the figures in this bill. That is what they thought then, and that was the nonpartisan viewpoint of those who know the most about it, and there is no questioning of that statement. So let us then give heed and concern to that determination which was made, that the farmers of the Nation would suffer and suffer badly if a further cut were made in these items for soil conservation.

I think when the history of this era is written and when the reforms of this period have been discussed, some of them good and some of them bad, the historian will say that one of the greatest movements in the 1930's and 1940's in this country in its effect upon the future was the increased emphasis toward preserving the soil of the Nation, upon which our civilization rests.

I am not a world traveler, but I have seen where the Yellow River throws its fertility into the China Sea, and I think I know something about the destruction of the soil throughout this broad country of ours, even within shouting distance of this Capitol, and I am not willing to add my voice or my vote to anything that would tend to promote and encourage a further destruction of the most precious thing we have in this country except our manpower. So I hope on these vitally important amendments the true friend not only of the farmer, but the man who is thinking deeply about the security of our own people, will forget politics and walk down the line and give a vote to the country and to the generations yet unborn.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I think one of the most important things they are doing in these soil-conservation districts is the growing of Japanese kudzu. We cannot get any more of that grass from Japan. That might be regarded as a part of national defense, and the skill of these technicians is required to show us how to plant it because the average farmer cannot do it. This service alone is enough to justify the entire appropriation for the soil-conservation districts.

Mr. MAHON. I thank the gentleman.

This is no subsidy handed out to the farmers. The farmer gets no payment out of this program, but the farmers of the Nation spend millions of dollars as a whole, while the Government is spending thousands of dollars on the soil-conservation program.

Mr. O'CONNOR. Mr. Chairman, I am opposed to this amendment. I call attention for a few moments to the position of the farmer, as compared with the position of other people engaged in our economic structure.

The farmer takes the chance. He plows his land in the fall of the year or in the spring, prepares his seedbeds and plants his crops. He does not know when he does this whether his grain will sprout and grow. He does not know, if it does grow, whether the winds, the storms, or the hail will destroy it. He does not know what kind of a season he will have, whether it will rain or not. He does not know what he will receive for his crop if he raises one. He goes on year after year working, raising, producing, and filling the bread basket of the world. The only source that he can trust entirely is his God. My colleagues, he is the one who is taking the chances. He is the one this afternoon who is made a political football—being kicked around all over the lot for political purposes. Oh, yes; let a bill come in here for the farmer and hear these great clarion voices raised for economy, and in the other side of their mouths they appear to be friends of the farmer. Such rot.

A year or so ago you heard debated here the question of lifting the profits from those engaged in war industries. They were not going to take any chances; they wanted their profits fixed in advance. The Government of the United States does not have to ask the farmer to go out and take a chance. He takes it. He is the only one who does.

I call attention to another thing. Your mines and minerals may become exhausted and leave only gaping wounds in the earth, your oil wells become dry, and the future generations, unborn in this country, will have to depend upon the soil for their livelihood, and we cannot, we dare not, at the expense of generations yet to come, permit the depletion of our soil simply for the mere fact that some of us here this afternoon are trying to drive a wedge into this administration and say that we are not doing the right thing by the American people. For the time being we are their trustees. We must not say that money means more than humanity and more than our country. That is what it comes down to. You men ought to be ashamed of yourselves who make such talks as you are making today against the improvement, against the building up of our soil. I have never heard anybody, Republican or Democrat, who wanted to be honest with our country, who would say we should abolish this program. Of course, there are holes in it that ought to be chinked up and will be in time.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. ZIMMERMAN. It is not only the matter of restoring the soil of this country, but of saving the soil. In the Mississippi Valley millions of acres of soil, topsoil, have gone into the Gulf of Mexico, that are gone forever, because we did not have a program like this to save the soil for future generations.

Mr. O'CONNOR. The gentleman is right.

Mr. MURRAY. Since the gentleman stated they had $300 a year for farms in his State and in many States less than $19, I am wondering how many farms in the gentleman's State have had fertility maintained on them in the last 5 years?

Mr. O'CONNOR. First, I did not say anything about $300 or any other sum. Of course, you can find holes in this. We have promised the American farmer parity payment, and equal protection of the law for 150 years, and this administration is the first one that has ever even attempted to keep its promises to him.

Mr. MURRAY. I would say that that is reflected in the fact that butter has been at 25½ cents the first 10 years this House has been dominated by the present administration, and John Lewis is now out trying to organize the butter farmers.

Mr. O'CONNOR. When this administration came in, wheat was selling at 23 cents a bushel and hogs for 2 or 3 cents a pound, and beef was practically given away.

Mr. BURDICK. And has not the soil-conservation program in the gentleman's State and my adjoining State, which constitute a part of the "dust-bowl" area, contributed largely to forestalling devastation?

Mr. O'CONNOR. Of course, it has; it has done so immeasurably. The topsoils are no longer lifted into the heavens to be found as far east as New York. There is no doubt about that. There is nobody out here who does not want to make a record for himself politically, who wants this program repealed.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. LEAVY. Mr. Chairman, as a member of the subcommittee that participated in the writing of this bill, if we are

going to decide this bill on how sides were taken, I think you will find that three-fourths of us who wrote the bill at least were for the figure in the bill itself. On page 933 of the hearings, and the following 20 pages, you will find the entire history of this appropriation, and my good friend the distinguished gentleman from Illinois [Mr. DIRKSEN], who now offers the amendment that would virtually destroy this Service, never asked a single question of the man, Dillon Myer, who is in charge of it, when he appeared before the committee.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes; I must, since I have mentioned the gentleman's name.

Mr. DIRKSEN. It was so much more important for me to listen to their testimony. They condemned themselves.

Mr. LEAVY. If the gentleman had some fault to find with the Service at that time, there was an opportunity to make a record that would stand forever and be of value to those who think as he does.

Now, there is great confusion concerning this item. I am not criticizing any Member for being confused. There is, however, a vast difference between the Soil Conservation Service and the A. A. A. benefits. The gentleman from Michigan [Mr. MICHENER] made reference to someone receiving a check. That was not a Soil Conservation Service check. That was A. A. A. benefits. The A. A. A. benefits in this bill amount to nearly 55 percent of the bill, $450,000,000. If you want to make a saving there—and I am not for it because I think it serves a purpose—but there you could offer amendments that might cut millions That is a different situation. But here we are considering a Service that saves America. It conserves the soil upon which the Nation depends.

I am not going to attempt to wax eloquent about it, since it too eloquently speaks for itself. Five years ago when we inaugurated it as a policy and it came into being as a law, we said to the various States of this Union, "Enact legislation and you can get the benefits of this act." Forty-five States have passed laws and corporations have been set up within those States. Those soil-conservation districts are just as much a municipal corporation as an irrigation district, a drainage district, a dike district, or any similar corporation. The service rendered to those 45 States, wherein there are 900 districts, is an advisory and directory service. Much work has been done by the Civilian Conservation Corps camps in this service. Nearly 400 camps a year ago were in this service. There is a prospect now that in another year they will have none. All of this work is under way. Twenty-seven million dollars was allotted to it 2 years ago; $23,000,000 for the current year; $20,000,000 here. Are you going to say now that you are now not only going to cripple it but destroy it?

Soil Conservation Service is a service that reaches into the homes of practically every American farmer that lives anywhere on a piece of land that has a slope to it.

We gave as grants—and I am glad that I had an opportunity to vote for them—$23,000,000 to one State in the last 5 years to take care of destitute farmers driven out by windstorms in this so-called "dust bowl." That was only one State. The Soil Conservation Service would have taught the lesson, and is teaching a lesson, how to conserve America and its soil and save us from just such disasters as I have mentioned in some of the Western States.

Personally, I think it is a grievous error and a falacious argument to say you are going to take from an appropriation as important to America as is this Department of Agriculture bill, which the committee itself has cut 33⅓ percent, or a half a billion dollars, that you are going to take from it little bits here, bigger bits there, and completely cripple the Service. That is what this would do. That is what a number of these amendments will do. This great Service must be operated by the Department of Agriculture, which is the agency provided by law to fix policy and operate the Service, and it must not be directed by any private farm organization, whether that be the Farm Bureau, the Grange, the Farmers Union, or any other private organization.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment which proposes to strike from the appropriation for the Soil Conservation Service, indirectly if not directly, affects every man, woman, and child in the United States. I make that statement with studied judgment.

Do you know what the Soil Conservation Service does? I wonder if the opponents of the Soil Conservation Service and the proponents of this amendment know what it does? It is so unfair to intimate that its function is to give away money to the farmers. Five years ago when this Service was set up, when Dr. Bennett talked about what could be done to conserve the soil of this country, it sounded almost fantastic, because he painted a picture of broad acres over the United States, millions and millions and millions of acres, the productive topsoil of which was being destroyed by rain and wind erosion.

He said:

> From the scientific study I have made, if the people of the United States will follow a well-laid-out system and plan, we can stop all the erosion.

So the Service was set up, and they started. Here is what they do under the Soil Conservation Service. They go out to a farm, and they find that by poor crop practice the fertility of the soil has been destroyed. Then they let a piece of land lay out. Then the ravages of washes start through it; little trickling gullies are started. Year after year the water rushing down these little rivulets that start as a stream no larger than your finger, finally they have washed out great gorges and ditches in the land to the point where that land had to be taken out of production. It would produce nothing. They found varied degrees of that. It was under this Service the farmers were taught to farm on the contour, to plow around a mountain instead of up and down it; taught how to plant grasses and leguminous crops that would give back life to the soil and productivity to the soil. Five years ago, if you had flown over this country you would have seen millions of acres of the United States washed to the bone. Now, if you will fly over it, there is not a large section of the United States where you will not find direct benefit of the soil-conservation activities where contours and well-laid-out farms stand as everlasting evidence to the wonderful work done under the direction of this Department. On every farm where soil-conservation practices have been followed under the direction of this Department, the productivity of the soil has been increased from a very small percentage to a thousand percent.

You talk about cutting this out as a nonessential item. One distinguished member of this committee said a moment ago that we had to cut this sort of items in order to spend money for the national defense. In the name of common sense, this is the very basis not only of national defense, but of national livelihood. To stop a thing which is causing more foodstuff and more grain to be produced in this country to feed the armies and the navies and the populace, than any other single thing is to be ridiculous, if you strike at that you strike at the very basic fundamental thing, which goes away beyond national defense and means literally the lifeblood of this Nation.

I am sure that you thinking men will not support this amendment.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I would like to make another effort to see if we can limit time for debate on this paragraph and all amendments thereto.

Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close at 3 o'clock.

The CHAIRMAN. The gentleman from Georgia moves that all debate on this paragraph and all amendments thereto close at 3 o'clock.

The question is on the motion.

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 83, noes 4.

So the motion was agreed to.

Mr. HOOK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one Members are present—a quorum.

The gentleman from Texas [Mr. PATMAN] is recognized for 5 minutes.

Mr. PATMAN. Mr. Chairman, it is my belief that we shall be breaking faith with the States, the farmers, and other people who are interested in soil conservation if we pass this amendment. Congress, by legislative act, encouraged the States to pass laws that would permit the creation of soil-conservation districts, and in pursuance of those laws, which we encouraged, 45 States have passed laws permitting the creation of soil-conservation districts, and 910 districts have been created. Service is being rendered to 200,000 farm families. So, after en-

couraging them to pass these laws and create these districts, if we then seriously reduce the appropriation we are breaking faith with them.

You have often heard it said that a stitch in time saves nine. I believe that the money spent for soil conservation goes much further than that. You have heard that an ounce of prevention is worth a pound of cure. I say to you that it is better to spend a few pennies per acre in the effort to conserve the soil of this country than it is to be required to spend dollars and hundreds of dollars in the future for the purpose of trying to rebuild that soil. This is a very important part of this bill. This goes to the question of waste. It is always justified to appropriate money for the prevention of waste. It is just as necessary to prevent the waste of our land as it is to prevent disease and pests and insects destroying our plant life, our trees, our cattle, and our human beings. It is just as necessary to protect and preserve this country in the interior as it is from without, in that if we permit our land to be eroded to where it is worthless, our country will be worthless.

I have heard Dr. Bennett, who is the chief of this great bureau—and he made it great—say many times that poor land makes poor people; and poor people, of course, will necessarily have poor land, because they are not able to rebuild that land. Since this is an effort to prevent waste and to work in cooperation with the States that have induced these agencies to join up with the Federal Government, and since this is an effort to cooperate with the 200,000 farm families that have been induced by legislative acts passed by this Congress to grant aid with their cooperation, I not only believe it would be breaking faith, but I believe in the interests of future generations it is our duty to spend these few pennies, so to speak—pennies in comparison to the great good—to prevent the enormous waste that will be caused if this money is not spent.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. HOOK] is recognized.

Mr. HOOK. Mr. Chairman, a little history with regard to how the Department of Soil Conservation received its name might be enlightening at this time. You all remember when the A. A. A. was declared unconstitutional. The heads in the Agricultural Department gathered together to rearrange the program. It just so happens that there were and still are a goodly number of the old reactionaries in the Department of Agriculture who, back in the old days, never did anything for the farmers. When this program was discussed those reactionaries from former days had the nerve and, might I say, political foresight enough, to suggest this as an idle land program. Right in the beginning they knew if they could dub this as an idle land program they could scuttle it very easily and then consign it to a political graveyard. So this keeps on; it is going on today; but there is a different method pursued now. The pressure and backstage activity is still being felt here this afternoon. They want to sabotage by the back door by trying to cripple this program through cutting down on its appropriations. I just heard the gentleman from Michigan mention the fact that they spent $4,000 in two counties.

Mr. HOFFMAN. Oh, no; in one county.

Mr. HOOK. In one county.

Mr. HOFFMAN. In 2 months.

Mr. HOOK. I have been over there in the sand dunes of the area referred to. I have seen the sand dunes and the wind that blows that dust of yours around on your farms. If they can straighten that out for $4,000, then they certainly are magicians.

Mr. HOFFMAN. Will the gentleman yield?

Mr. HOOK. No.

Mr. HOFFMAN. The gentleman made a misstatement.

Mr. HOOK. They would have to be magicians to do that. The farmers of that area should thank God that the United States Government and the Democratic Party has had foresight enough to come in there and help your people to conserve their farms and keep the soil from blowing away.

They talk about John L. Lewis and the C. I. O. I will tell you why John L. Lewis is organizing the farmers in the C. I. O. John L. Lewis does not like either Philip Murray or President Roosevelt. John L. Lewis is the biggest detriment to labor and the American people that ever existed in this country, and I say that he is trying to organize the farmers for nothing else than to be able to embarrass, smear, and revenge himself on President Roosevelt. Farmers should be careful what union they join, and be sure John L. Lewis is no part of it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, may I say, first, that if the Members who the other day arose in their seats and voted for the principle of no work without extra pay per hour above 40 hours per week and said it was all right for labor unions, organized labor, to receive time and a half for overtime will get up now and vote for the appropriations given in this bill for soil conservation and parity payments, it will carry by a huge margin. Just examine your own conscience. Is the farmer entitled to parity with industry and labor, or must he rest content with 85 percent of what he is entitled to?

Back on our farm this spring we have corn which today is worth 64 cents. I am told by Secretary Wickard, who, in turn, was told by the President, "You cannot get more than 85 percent parity for your corn because it is necessary that the feeder and dairyman have cheap feed so that they can make a profit on producing beef, pork, and butterfat." Parity is 82 cents. Mr. Wickard claims that we are receiving parity because of benefits through the soil-conservation program and the A. A. A. in making up the difference. If that is true, is it fair to knock down these payments, which supposedly, but never will, give me 82 cents for my 64-cent corn?

Are you Members going to be willing this afternoon to tell me, a corn farmer, or my neighbor, a wheat farmer, that we must be satisfied with 85 percent of parity when, on the other hand, you arose majestically here the other day and proclaimed that you are willing, if necessary to secure vitally needed defense production, to give organized labor 150 percent? I ask you that question. Just yesterday on a trip to Camp Dix soldiers asked me what is being done here to assure them the supplies. Only by fair treatment of all of our industrial groups, farmers and labor, will we obtain the necessary production. The farmer will produce at a loss if necessary, but not while labor gets time and a half or double time.

Mr. Chairman, just remember that this appropriation bill has been cut by the committee, prior to coming before the House, tens of millions of dollars beneath last year's appropriation. The farmer has already taken his cut but nevertheless I have gone along in reference to shaving off minor administrative items not absolutely essential. I have voted for many of the economy amendments proposed, but you are coming now to the heart of the bill This part of the bill means a little money in the pockets of the farmers throughout the Nation, a little money to help make up in part that 15 percent deficiency. I cannot agree with the President when in his comment upon this matter the other day he termed the farmers of our country grasping just because they ask for parity on the two great crops, wheat and corn. Nor can I agree with the feeders and dairymen who want to buy corn and wheat under parity for feeding purposes. I cannot accept the theory that one group of farmers should produce feed at a loss for the gain of other farmers.

In conclusion, I want simply to ask this question of the President, Secretary Wickard, and you Members of this House. Does parity mean parity? Shall we say to the wheat and corn farmers, who produce two of the greatest food crops in America, that they must always be satisfied with 85 percent of parity, while other agricultural groups are in position to profit from their labor?

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I come from the Pacific Northwest. I have been in that territory 59 years. We grow about one-sixth of all the wheat grown in the United States, a little more than 100,000,000 bushels, usually, and three-fourths of that is grown on land more or less rolling.

My attention was called 40 years ago to the fact that the tops of the hills were washing away. Years ago I concluded that that erosion was a serious menace. We could not see any help for it. It was discussed at various Grange meetings among the farmers. We tried to find land that was level. I did find it. Most of my wheat was grown on land practically as level as that described by the gentleman from Peoria, Ill., who offers these amendments. However, the bulk of it is grown on rolling land.

The storms commenced to wash that soil away, until the hills were denuded on the top. Little rivulets became gullies. We could not cross them with our headers or our harvesting machines, so there was tremendous loss in that country. It became alarming. As the humus had left the soil, since there was a constant cropping of wheat, the condition grew worse.

When the soil-conservation program arrived 5 years ago my country was very doubtful about what could be done. Men trained in doing things to save the soil came into the country. The C. C. C. camps came in. They commenced to put little dams into those gullies to stop the water, and our farmers commenced to farm around the hills, to sow grass on the tops of the hills, to plant legumes, and to increase the cattle in the country. The sheep came and the milk cows came, the things that we had needed. There is nothing that has so transformed the hills of the Pacific Northwest as the soil-conservation program.

I deeply regret that there is any attempt to cut this appropriation beneath the figures given in the bill. The men who sat for weeks on the Committee on Appropriations listening to this program are, it seems to me, the men we should follow on this question. The committee has already cut one-half billion from the Budget estimate. I am extremely anxious that these attempts to cut down these appropriations be beaten on this floor.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, I should like to vote for some reduction in this bill for the Soil Conservation Service, but I am fearful that the gentleman from Illinois has gone too far. It seems to me the committee that has studied this question and given every thought to it should be followed in this instance rather than reduce it by one-half.

The Soil Conservation Service is making an effort to reduce some of its expenditures, and it should be commended for so doing. In fact, we insist that they make every reduction possible.

I recall full well that only a few years ago I stood in the Well of this House along with other Members from the Central West and pleaded for aid for the great "dust bowl," which, I thank God, has disappeared since that time. In fact, that section is all green and now covered with grass and vegetation. The Soil Conservation Service rendered real aid in this area. I would be neglectful of my duty if I did not this afternoon appeal to this House to protect this item from too great a reduction.

The soil-conservation item we are considering reducing today does not go strictly to agriculture. If I am not misinformed, this agency supervises the purchase of land for Army camps. It has bought over 7,000 tracts of land, valued at over $21,000,000. It has made investigations of thousands of acres of other tracts. It is now conducting a topographic service for the Army covering 5,000 square miles. Therefore this is not strictly an agricultural item, and I trust you will give consideration to that phase of it.

As I have watched this bill proceed through the House the last 4 or 5 days I have begun to wonder if the cuts in nondefense activities are not going to be made wholly at the expense of agriculture. I have been voting for these cuts every time I thought cuts should be made, but in this instance I cannot go along, and sincerely hope the House considers this matter seriously before we vote this reduction.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, if our farmers could but listen to the debate that has taken place here this afternoon, they would be able to more readily understand why it is so difficult to get sound farm legislation through this House, and they might begin to understand why every year the economy effort of this House begins and ends with the agricultural appropriation bill. Some of the Members who have spoken seem to have no conception of the difference between the Soil Conservation Service and the soil-conservation checks that are handled by an entirely different bureau. They are not included in this appropriation for the Soil Conservation Service. I was surprised and shocked a few minutes ago when the gentleman from Michigan, who generally shows such a wide knowledge of affairs stood on this floor and exhibited a soil-conservation payment check and tried to get this House to believe that this appropriation for the Soil Conservation Service included the funds for the payment of that check. The appropriation we have before us now is merely to continue the work of the great Service that has been conserving our soil, the only Service that has done this work on a national scale. It does not involve in any way the direct payments that are made to cooperating farmers in connection with the farm program. This is the work agency, and if Members of Congress have not familiarized themselves with the different functions of different agencies any better than some of the previous speakers have, there is little hope for a fair bill.

There has been some suggestion that there are other agencies that could do this work. Possibly you could set up another agency to take the place of this one, which in time would do the work that this one is now doing, but the fact is that this is the only agency now in existence that is ready, able, and capable of doing the job. It is doing the job, doing a job that is necessary in peace and more necessary in war; doing the job of protecting the fertility of our soils; doing the job of making our soils capable of producing the quantities of foodstuffs that are so absolutely essential to the successful war effort of this Nation.

If you want to drag agriculture down to a position where it will be impossible for it to cooperate in the war effort, as it must if we are to win this war, then cut out the work of the Soil Conservation Service and destroy the fertility of half the soil of this Nation; and by doing so you will have done more to help the enemies of this Nation than you could do in any other way by an appropriation bill. The statistics all show that soil-conserving practices increase the productivity of farm land, and that in most cases it is possible by proper conservation practices as taught and carried out by the Soil Conservation Service to substantially increase the productivity of land even the first year. I realize that in the eastern parts of this country fertilization of the land is necessary to the increase of yields. I realize that in connection with many crops insect control is absolutely vital to quick and substantial yield increases. But, in every section it is essential that the soil be held in place, and that in areas of too much moisture that the land be properly drained. In the great central and western food-producing areas of the Nation it is of vital importance that the moisture that falls be saved. The Soil Conservation Service is showing us how to do this. With its able assistance the yield of many farms has been materially increased the first year. We cannot dare destroy this agency at a time when our Nation needs this added productivity so desperately.

I want also to call attention to the fact that there have been those who have suggested here in this discussion that we can just cut this appropriation half in two. When we seek to cut an appropriation half in two without any consideration, we are doing a very dangerous thing. This committee has given serious study to this matter. I think the committee has done a good job. It has cut half a billion dollars off of this agricultural appropriation bill, far more than we have cut off of any other appropriation bill or from all of the appropriation bills this year. All the cuts are coming off of agriculture, as is so often the case. The committee has made some intelligent cuts, and some large ones. I have not protested against such cuts. We must save every cent we can. There have been some cuts made on the floor. I did not hesitate to vote to cut down some of the travel expenses I thought were exorbitant, but when I see a proposal made simply to cut, without rhyme or reason, one of the most essential agencies of productivity in this Nation, then I feel I would be negligent in my duty if I did not rise here to protest against it.

I know that the Soil Conservation Service has not in the past been able to do nearly all the work that our farmers have wanted it to do—and certainly it has never had enough money to do nearly all the work of this type that was needed. Next year, without this amendment much less money will be available than was available last year. The gentleman from Illinois who offered the amendment has himself explained how substantial sums, probably equal to 50 percent of the total pending appropriation for this service, were available last year from the C. C. C., and so forth. These funds will not be available next year, and the great reservoir of needed labor in the C. C. C. will not be available either. The bill as written will materially reduce the work of the Soil Conservation Service. I do not believe that it would be good for the

country to further curtail the work of this Service. Just a few years ago we asked the States to create soil-conservation districts. Forty-five of the 48 States have done so. Every acre that I represent is in one of these districts. We have led the farmers to believe that we would furnish them with trained leadership through the Soil Conservation Service if they would organize these districts. Even now it is impossible to assign a trained man to each local district. Should this amendment pass practically every soil district in the United States would cease to function, and it would take many long and weary years to rebuild what we now have in farmer interest and cooperation. I hope these three amendments offered by the gentleman from Illinois will be defeated.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I do not want to take up very much of your time, but I would like to call your attention to what it has cost in the past to operate the Department of Agriculture. It started back in 1848 when we appropriated $3,000 for this purpose. This was gradually increased until 1860, when we had $60,000. In 1881, it totaled $353,000. In 1888 it had reached $1,028,000. By 1901 it had reached $4,023,000. Seven years later the amount reached $9,437,000. During the next 9 years, or up until 1917, when we entered the World War, we had only increased this amount slightly, but on account of the demand for food stimulation, the amount appropriated that year reached $40,000,000, and dropped to $38,000,000 in 1918.

Now we have that sort of situation facing us here today. If the farmer has not learned how to conserve soil in the last 9 years I do not think he will ever learn how.

This money has been spent for soil conservation, and this is a time when I think the farmers of this country are perfectly willing to say they have learned enough in the last few years about the conservation of soil so that they can get along without it for a few years, and from now on I am going to try to cut down every appropriation bill that comes in here, along with the farm bills. It is just too bad we did not start with the bills that have been passed here by cutting them down, because they have been increased and added to in their appropriations for the last 8 or 9 years. If we do not start cutting them down now, we will never get them back to a place where the taxpayers of this country will be able to appropriate enough money to meet these obligations. You have got to take some of these men out of the service that are working in the Department of Agriculture and other departments down here in Washington and let them get into this war and help win it. They can do better winning it there than they can sitting down here in swivel chairs in these departments trying to tell the farmers how to run his farm at the present time. All he wants is an opportunity to do so, and give him good prices so that he can operate his farm on a basis with the businessman and he will be satisfied. All he wants is just that consideration and that he is entitled to.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, in connection with the agricultural appropriation bill, would it not be wise for this body to listen to and consider the recommendations of the farmers themselves—the Farmers Union—and the true representatives of the farmers—the Congressmen—who are familiar with the farm problems? The citizens live for two things: First, the spiritual; and, second, the physical or worldly enjoyment. The farmers raise the products which make the worldly part of our lives worth while during our brief stay on earth. The farmers furnish the laborers, soldiers, businessmen, the defense workers, the women and children with clothes with which to keep their bodies warm, shoes to protect their feet, and the food to give them life and strength.

The farmers are now and will be confronted with a severe shortage of farm labor, increased wage rates, higher freight rates, and transportation costs; also a serious shortage of farm implements. They will have priorities for only 80 percent of the 1940 needs when, as a matter of fact, 120 percent of the 1940 requirements is needed to produce the amount required in connection with the vital food for defense program. The farmer is faced with price control and problems caused by the dumping of Commodity Credit Corporation stocks held by said Corporation under loan. The dumping of these products on the market has caused a decrease in the prices which a farmer might receive for the products of the soil.

The farmer is faced with increased costs of the goods he buys as well as increased taxes.

The farmer is faced with the problem of conserving the soil, and we must support the Soil Conservation Service program in order that we may preserve the soil for future generations.

With reference to this bill, may I state that the committee having well considered this matter for 3 months has heretofore cut millions of dollars from the 1943 Budget and by further reducing it drastically below the 1942 appropriations about $2,000,000 below the Budget estimate.

Therefore I think it unwise to consider further arbitrary reductions from items essential to agriculture, beneficial to the farmer, and vital to defense. You will appreciate the full value of the Soil Conservation Service if you will take a few flights over the country in an airplane. We must cut from other appropriation measures such items as are not essential to our program of winning the war.

I voted against a $34,000,000 appropriation for a building just across the river here, which is almost twice as much as all the appropriations for the soil-conservation program in the entire United States.

Mr. CASE of South Dakota. Mr. Chairman, if this were a simple question of getting rid of "swivel-chair holders," and "cushion riders," it would be a lot simpler than the matter that confronts us on this amendment. As I have observed the Soil Conservation Service, I think that it is less open to the charge of being a swivel-chair proposition than almost any other bureau of the Department of Agriculture. It is as near to being a "grass roots" proposition as there is in the Department. I do not know what the proper cut should be in this item. I do not believe that the average Member can sit here and listen to 3-minute speeches, made mostly from a point of view, with little specific detail, and determine what a proper cut would be.

The committee has recommended a cut of something over $3,000,000 from the bill last year, which is less than the amount of their funds that were impounded this year, I understand. On the other hand we know that the soil-conservation districts in the country are increasing. Nothing of the kind has grown as rapidly in our section of the country as the voluntary organization of soil-conservation districts under State law. And it is the operation of the Soil Conservation Service which enables these local districts to function. In them, a group of farmers in a given area, get together and work out a common program to use a watershed or a drainage area economically. They have increased production. They have helped to save the soil. The farmers use them but the farmers want to save money, too.

Personally I am inclined to think some additional cuts could be made. I do not know where they should be made, from the limited information before us. I think it is unfortunate just to say that we are going to cut these appropriations in half without giving the chapter and verse as to where and why the cuts should be made. The Soil Conservation Service has appraised something over 10,000 tracts for acquisition by the War Department, and how much of this should be charged to the Department of Agriculture, I do not know. No one has offered any information what should be charged to acquisition for the War Department.

Mr. NELSON. While my colleague is in doubt as to the amount of cut that should be made, he has no doubt as to the value of soil saving, has he?

Mr. CASE of South Dakota. No; I have not. Here is an organization in which I think an arbitrary cut would be unfortunate, and this is nearer grass roots than almost any other branch of the Department of Agriculture. It seems that the best the most of us could do would be to rely on the studies of the committee in charge; I hope the Committee will suggest a practical cut, one that will save money yet not destroy or lose the valuable work in food and livestock production that is accomplished by this Service.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. BONNER. Mr. Chairman, I believe in conservation, but I do not believe in foolish conservation. It has been demonstrated by this agency of the Government that it has done a good job for many years. I have traveled over many

areas in which they have produced results. I have seen with my own eyes the results of their efforts. It has been successful, and, as time goes on, it will be a monument to good administration. As an example of foolish conservation, I call to the attention of the House a remarkable fact which has come to my attention today. A month or so ago I went to the O. P. M. to secure priority ratings on sheet metal for the production of tobacco flues, to save the tobacco in a particular area that brings in some $700,000,000 every year to the Treasury. We fought around and shadow boxed, and I finally got the O. P. M.—or now the War Production Board—to give us a rating of A-1. The War Department immediately stepped in and said, "Oh, no; you cannot do that; that is steel or iron metal." The whole truth is it was cold sheet metal for making flues, very similar to ordinary stovepipe. They objected and cut us down to A-5. We, by another appeal, secured a rating of A-3, and we are about now to get some materials. Here is the foolish part of conservation. The War Department is building on the Atlantic coast a great air base. This field is a salty, sandy area on the Atlantic coast, in a salty atmosphere. They have specified steel drain pipes, iron pipes, which will rust out within a year, where they could use wood-box pipes, terra cotta, or concrete pipes. If that is the way the conservation of our raw materials is going on, then the War Department should wake up and take notice. All of us are ready to give way to sound judgment. But this is unsound and should not be permitted by the W. P. B.

If this effort today is an effort for conservation, then the farmer and those who are interested in farming, interested in the preservation of natural resources of our country, should wake up and find out that to approve this amendment would be foolish economy.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Chairman, I am glad to discuss the subject of cutting appropriations just on the eve of our national holiday, "taxpayers' day," March 15, and just before we are going to present to you, from the Ways and Means Committee, a bill to raise the debt limit to $125,000,000,000.

I am for soil conservation, but for cutting out all this "window dressing."

Two or three minutes is a short time in which to discuss the trimming of $11,000,000 from any bill, so we have to do the best we can under the circumstances. The Farm Bureau, that great farm organization, is for these amendments. So am I. I would rather trust the judgment of a dozen good farmers than even a dozen good Congressmen. I think they are the most level-headed type of men we can go to for good, sound advice on nearly any subject. I do not have any doubt, when I go back to my district and talk with any average 12 good farmers, especially land-owning farmers, about what they would say about cutting out $11,000,000 even from this Soil Conservation Service, and especially when we start cutting it from "soil conversation," which is what we have chiefly had in debate this afternoon. They would rise up and cheer any tax saving, any appropriation cutting we do here.

This is a time to be sensible. We are in a war, not in a big picnic. It is serious. It seems to me men ought to stand up and be counted for economy. Fourteen thousand employees scattered all over this land under Soil Conservation, one small division of only one department of Government. Here is a chance for a play on words—"soil conversation." Down in my district we have as many or more Federal employees in the county courthouses than we have county officers. They are crowding the county officers out. Mr. Myer, of the Soil Conservation Service itself, testified that they were cooperating with the experiment stations to work out this whole problem. We can easily cut out this money and not destroy our farms or hurt our farmers. It will help cut their taxes. If we cut it all out for the period of the war, this soil is still going to be here. That land will still be here 4 or 5 years from now. I think we ought to be saving money in the face of our enormous debt, in the face of what we have confronting us, and spend only for the actual, bare necessities of Government.

In 1910 we had 90,000,000 people; in 1940, about 130,000,000; but our expenses of Federal Government rose from seven hundred million in 1913 to nine billions—exclusive of the emergency defense—in 1940. From thirty-eight million for the Department of Agriculture in 1918 to one and one-half billions in 1938. Just when and where are we going to stop. Here is one place to start.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, you are here voting upon an amendment offered by the gentleman from Illinois [Mr. DIRKSEN] to reduce from $501,000 to $250,000 an appropriation for the bureaucrats in Washington who have charge of this program.

Now, what is the situation in this country today? We are at war. We need every bit of money strength that we can get to take care of the situation. Just to give you a picture of a major item in here which will follow, the second amendment after this, the Budget estimate and this estimate call for $20,000,000, and the amount the Budget let them have to spend this current fiscal year, according to page 941 of the hearings, was $15,798,000. In other words, with the War Department taking a considerable part of their personnel to perform its buying operations and paying them out of the War Department appropriation and not out of this appropriation, we are providing for an increase, the way the committee reported the bill, of $5,000,000 over this year, in this major item.

Is there any intelligence in our building up this outfit at a time when we ought to cut it down and save whatever dollars there are which could be put into the Treasury and used for defense work?

Now, there is not anyone who can tell us that they need $500,000 to operate this situation. On page 616 of the hearings, part 2, among other items, the Farm Bureau organization recommended that the regional offices of the Soil Conservation Service be eliminated and that the research and experimental work be transferred to the State agricultural experimental outfits; that the educational and demonstration work also go to the State extension services.

The farmers are not in any such position as they were 8 or 9 years ago. They did not have any income then. Today we are spending probably $3,000,000,000 for farm products to send out of the country, with Government money. That is help for agriculture.

In addition to that, you have another situation. They are getting much better prices than they were getting before, and they are in a position where they can finance improvements to their own properties much better than they could 7 or 8 years ago. Therefore we do not need to spend so everlasting much money.

Now, let us think for a moment. Let us think where we are getting off, when we figure to vote for an item that will result in giving them more money by almost $5,000,000 than they had this current year, after the Budget had impounded their funds. The item that they had available after the Budget had impounded their funds was reduced to that amount. Because of all the items in the agricultural budget they believed this could be most easily impounded.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all three of the Dirksen amendments be voted on at one time.

Mr. DIRKSEN. I shall have to object, Mr. Chairman, because I think it will be necessary to have some clarification as we go along.

Mr. TARVER. There can be no further debate.

Mr. DIRKSEN. But the other two amendments are not pending before the committee as I understand.

Mr. TARVER. Debate has been concluded on the paragraph and all amendments thereto.

Mr. DIRKSEN. But these other amendments are to another paragraph of the bill.

The CHAIRMAN. The other two amendments, the Chair will state to the gentleman from Georgia, were read for information only

The question is on the amendment offered by the gentleman from Illinois.

Mr. CASE of South Dakota. Mr. Chairman, I ask that this amendment be read so we may know what we are voting on.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 71, line 6, strike out "$501,315" and insert "$250,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 74, noes 99.

So the amendment was rejected.

The Clerk read as follows:

Soil and moisture conservation and land-use investigations: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and moisture conservation (including the construction and hydrologic phases of farm irrigation and land drainage); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, $1,314,429.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 71, line 19, strike out "$1,314,429" and insert "$700,000."

Mr. DIRKSEN. Mr. Chairman, the pending amendment proposes to reduce the amount for soil and moisture investigations from $1,314,429 to $700,000. For 6 years they have asked for this identic money for the identic purpose which was submitted to the committee. They are going to use this money for eight different purposes: To investigate the principles involved in soil and moisture conservation—they have done that for 6 years. For watershed investigation—they have done it for 6 years. For investigation of sedimentation resulting from erosion—they have done that since the beginning of this program. For investigations of geographic and climatic factors—they have done that since 1937. For investigations of the economics of the soil, investigations of erosion-resisting plants, for farm-irrigation investigation, and for farm drainages—they have spent $9,300,000 for those studies since 1937. I am rather amazed that the committee does not go along with these amendments, particularly so when organized agriculture is for them. You received telegrams from some farm organizations that are opposed to some of these proposals. Those two organizations have never bothered to come before the subcommittee. The only large organization that has ever troubled and does trouble itself year after year to come not only with an argument but with a constructive program is the American Farm Bureau Federation with over 550,000 family memberships, involving more than 2,000,000 people identified with the soil. You will find what Mr. O'Neal, the head of that organization, said on page 615 of the hearings.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. WOODRUM of Virginia. I might point out that this $1,314,000 which the gentleman seeks to curtail is not for soil-conservation projects but merely for investigation and experimental work.

Mr. DIRKSEN. That is right. Investigation of soil moisture and land use, $1,314 000. This will take out a slice and it will not hurt the farmers, and the farm organization is for it.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, in view of the debate that has already been had on these amendments, I wonder if we cannot agree to close debate at this time?

Mr. MONRONEY. Mr. Chairman, it is not the desire to forestall the offering of another amendment to the paragraph?

Mr. TARVER. I am not trying to forestall anything. After having debated the matter for an hour and a half, it is my opinion it may be well to vote.

Mr. RICH. Is there going to be any disposition whatever on the part of the majority party to economize in the bill? If you are not and if you have the votes, and you have corraled the votes, we might as well pass the bill and go home.

Mr. TARVER. The gentleman is a member of the Appropriations Committee, as I am. May I say that this bill has been cut more severely in its appropriations for the next fiscal year than any bill reported by the gentleman's subcommittees.

Mr. NICHOLS. Mr. Chairman, I would like to have some time.

Mr. TARVER. Mr. Chairman, let us make it 10 minutes, reserving 2 minutes to the committee.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. NICHOLS. Mr. Chairman, reserving the right to object, there are only three or four of us. Why does not the gentleman make it 20 minutes?

Mr. TARVER. The gentleman made a speech a while ago, so did I, and so did other Members. Why speak on the same subject again?

Mr. TABER. Why not make it 12 minutes?

Mr. TARVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto be limited to 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

Mr. JOHNS. Mr. Chairman, I object.

Mr. TARVER. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto be limited to 12 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, there have been quite a few statements made to the effect that there are no politics in the vote on this proposition. My distinguished colleague from Michigan [Mr. MICHENER] pointed out in very forceful language that there were no politics in it. In light of that statement I think it might be interesting to look at the vote just taken by division. You can depend on it because I counted these small figures and they are correct.

The yeas were 74 for the amendment; 11 Democrats joined in that vote. The nays were 99. Five Republicans joined in that vote.

This item is for experimentation and research. All right. Do you remember the "dust bowl?" Do you remember when dust was flying so thick all over the United States that it even got into the operating rooms of hospitals in the East just a few years ago? Well, it was under this Department that the experiments were conducted which stopped the dust, and it stopped your eating sand in your cream of wheat in New York because of the dust that blew in from Kansas, Colorado, and Oklahoma. It was this Department, through this experimental service, that found ways and means to plant sorghums and other grains in the "dust bowl," let it fall down, and discovered that native grass would grow under the protecting cover of the sorghums, thereby stopping the erosion of ground in the "dust-bowl" area. Was that a good job? Was it worth the money expended? They will do just as important work in the future.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, there are quite a number of Members who think this amount should be reduced, and there is no question but what it should be reduced some. I shall offer a substitute amendment for the Dirksen amendment in which I will ask to cut down the amount only $5,000,000. If we cannot do that in times like this, then there is something wrong with the Congress, and I hope there is not anything wrong with it.

Mr. DIRKSEN. The gentleman is talking about the other amendment, not the one pending before the Committee now. This is the item of $1,304,000.

Mr. JOHNS. I am talking about the gentleman's second amendment, the $20,000,000 amendment. That is the one I am talking about reducing $5,000,000.

I think the people of this country feel that the Congress should do something here. At least, the people in my district feel that way. These items ought to be cut down where there will be no more harm done than here. I appreciate what has been done along experimental lines and what has been done for the farmers in the conservation of his soil, which is worth a great deal, but this is a time when the farmer will have to go along for a few years with the rest of us in cutting down expenditures.

I hope you will cut this amount down, and also the amount that is to be used here in Washington. I have asked that it be cut down $5,000,000 and the other down to $15,000,000, and I hope the Committee will go along on that basis.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I think there are two or three things that ought to be said.

The gentleman from Illinois [Mr. DIRKSEN] who offers these very drastic amendments, was unable, as I recall, to attend the hearings of the subcommittee when the representatives of the Soil Conservation Service were before us and, therefore, did not hear the evidence which was adduced concerning this particular subject matter. I am not saying this in criticism of the gentleman. There is undoubtedly some good reason for his not being in attendance because he is ordinarily faithful in that particular. However, I am calling attention to the

fact that, according to my recollection, he did not participate in those hearings nor hear the evidence with regard to these items.

The second thing I want to say is with regard to the Farm Bureau Federation. It has an organization in every county in my congressional district composed of men of the highest type, farmers who are among the leading farmers of my State. I have the utmost respect for them and the utmost respect for Mr. O'Neal and his associates. However, if you will recall, last year Mr. O'Neal and his associates appealed to this subcommittee, headed then by the gentleman from Missouri [Mr. CANNON], to bring about certain consolidations in the field work of the Department of Agriculture, including the placing of the Soil Conservation Service under the Extension Service and the county agents. The committee, because it felt that in some particulars those recommendations were not sound, and because it also felt that in such particulars as they were justified they ought to be covered by legislation reported from an appropriate committee and not undertaken by the Committee on Appropriations, did not provide for that consolidation.

The Farm Bureau Federation, as you all know, has a great deal to do with the selection of the county agents in a great many States of the Union, so that the suggestion that the Soil Conservation Service be put under the jurisdiction of the county agents in the field was a suggestion that the Farm Bureau Federation have more to do with the administration of the Soil Conservation Service. The committee, as I have said, did not accord with that suggestion. If it is the will of Congress that that should be done, it ought to be done by the reporting of proper legislation from the Committee on Agriculture and not through the direction of the Committee on Agricultural Appropriations. So the American Farm Bureau Federation, particularly the higher officials, not necessarily the members of the federation in the field, have some feeling that if this soil-conservation appropriation can be brought down it may eventually result in the transfer of this activity to the Extension Service, where their influence would be more effective.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 70, noes 80.

So the amendment was rejected.

The Clerk read as follows:

Soil and moisture conservation and land-use operations, demonstrations, and information: For carrying out preventive measures to conserve soil and moisture, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of erosion nurseries, the making of conservation plans and surveys, and the dissemination of information, $20,510,812: *Provided*, That any part of this appropriation allocated for the production or procurement of nursery stock by any Federal agency, or funds appropriated to any Federal agency for allocation to cooperating States for the production or procurement of nursery stock shall remain available for expenditure for not more than 3 fiscal years.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 72, line 3, strike out "$20,510,812" and insert "$10,510,812."

Mr. DIRKSEN. Mr. Chairman, I ask recognition only long enough to reaffirm what I have heretofore said, that this would save $10,000,000, enough to buy 100 bombers or 110 medium tanks.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 77, noes 91.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DIRKSEN and Mr. TARVER.

The Committee again divided; and the tellers reported that there were—ayes 88, noes 108.

So the amendment was rejected.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 72, line 3, strike out "$20,510,812" and insert "$20,040,485."

Mr. TARVER. Mr. Chairman, will the gentleman yield to me that I may make an effort to get a unanimous-consent agreement?

Mr. MONRONEY. I yield to the gentleman from Georgia.

Mr. TARVER. This is the gentleman's usual travel amendment?

Mr. MONRONEY. This is the traveling-man amendment, I may say to the gentleman.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 7 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MONRONEY. Mr. Chairman, this amendment simply seeks to save almost half a million dollars of Government money that is being spent by the Soil Conservation Service for travel expense. If you make this cut of $500,000, I do not believe the purposes or the usefulness of the Soil Conservation Service to the farmer or to the land will be interfered with one iota. It will still leave them $500,000 to travel around on to get the job done as they see fit.

In regard to saving our precious crops on the farm lands of America, I have been pleased to support the committee on the soil-conservation amendments, because I know personally from field experience the vital, useful effect the expenditure of money will have, providing it is wisely and prudently spent.

However, I do believe this agency or any other agency downtown can effect a saving of at least 50 percent in its $1,000,000 travel expenses during this time of great emergency.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. I did not hear the gentleman's amendment read. Does this amendment go only to funds for travel, and nothing else?

Mr. MONRONEY. The amendment seeks to cut half of the funds for travel instead of half of the entire appropriation for the Service.

It may be urged that it is necessary for the Soil Conservation Service to hire private cars or to take extra train service to get around to see these terraces and the other work they are doing, but may I point out that the Soil Conservation Service has 1,814 cars listed under its agency, the largest number that is maintained by any service in the Department of Agriculture. This travel expense is separate and apart from these cars, hence this reduction would not curtail the effectiveness of their farm work a bit. On top of these 1,814 Government cars, I would like to point out that they have access to all of the C. C. C. cars that go with the C. C. C. soil-conservation camps. Now, surely with the great reduction of soil-conservation camps, of which during last year there were 1,500, reduced now to 600, we can economize just one little bit in this bill and say to the country that we will reduce by one-half million dollars the excessive travel expense.

Here is one sure place that we can save almost a half million dollars and still not curtail the functions of the agency.

I hope the amendment will be adopted.

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it is evident that the item for travel in this matter looks large—nearly $1,000,000. Remember this is all a service. The entire personnel is given to service. It would be highly inconsistent to vote $20,000,000 for a service to 900 municipal corporations scattered in 45 States and then deny the opportunity for those who must render the service to move from place to place where the service must be rendered.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I have only 2 minutes, and I cannot yield.

For this reason, it would seem to me, inasmuch as my friend from Oklahoma voted for the $20,000,000, he could not be consistent and refuse to vote the money so that these people who must render the service may be given the opportunity to go from place to place to render such service. A lot of this service is naturally expert service.

I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The question was taken; and on a division (demanded by Mr. MONRONEY) there were—ayes 61, noes 69.

So the amendment was rejected.

Mr. JOHNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNS: Page 72, line 3, strike out "$20,510,812" and insert "$15,000,000."

Mr. TARVER. Mr. Chairman, I wonder if the gentleman will yield to me to propound a unanimous-consent request?

Mr. JOHNS. Yes.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JOHNS. Mr. Chairman, I understand this committee only had $15,500,000 for use this last year. This is a compromise here, and it only reduces the amount $5,000,000. I do not know whether the Members of this House realize this, but I gave you the figures a moment ago. We appropriated for the Department of Agriculture $38,000,000 for the year 1918. This item is over one-half of what we appropriated for the Department in 1938. Now, getting down to 1931, we increased the appropriation to $200,000,000 and also $89,000,000 for roads, or $289,000,000. In addition to this, $150,000,000 more was appropriated for marketing funds and another $45,000,000 for relief of farmers, or a grand total of $484,000,000. In 1932 we appropriated $269,000,000, and in 1933 we appropriated $176,500,000 for the Department. In 1935 there was appropriated $6,000,000 to the Department and $15,000,000 for Agricultural Adjustment and $2,389,000 for Farm Credit Administration, or another grand total of $83,389,000 in a period of 7 years. This year we have increased that so that on July last they had over $1,300,000, and this year the bill calls for $834,000,000.

Now, you can realize the grand total of these figures during the last few years. If anybody thinks that agriculture has been benefited to that extent, all he has got to do is go back and look at the records of 1938. We would not have the prices we are getting for agriculture today, with all this experimentation, with all this suggestion, and all this help that has been handed out from the millions of dollars if we were not in a war. With the law of supply and demand governing the prices of what we have to sell, together with the negotiations of the Department of Agriculture, I think we ought to be able to reduce this amount $5,000,000. With the tremendous amount that the farmer has received during this year, together with the prices he is going to receive for his products next year, he is not going to miss this $5,000,000, and we really need it.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. I yield.

Mr. REED of New York. And is it not true that the Budget Bureau impounded about $8,000,000, so they are going to have just as much money this year as last year?

Mr. JOHNS. I am not positive about that, but perhaps the gentleman from New York is familiar with it, and if he says so, of course, that is true.

Mr. REED of New York. Fifteen million dollars is all they get this year, so they would not be losing anything.

Mr. JOHNS. The gentleman from New York says they are not losing anything, so I think altogether we can reduce this $5,000,000. It is a compromise between what the gentleman from Illinois has asked for and the amount in this amendment; there are some Members who think that that is a large reduction, so let us cut it down $5,000,000 and quit there.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. JOHNS) there were—ayes 65, noes 74.

Mr. JOHNS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNS and Mr. TARVER to act as tellers.

The Committee again divided; and the tellers reported—ayes 81, noes 88.

So the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1407) (except the making of payments pursuant to sections 303 and 381 and the provisions of titles IV and V), including the employment of persons and means in the District of Columbia and elsewhere; not to exceed $50,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; purchase of lawbooks, books of reference, periodicals, newspapers, $450,000,000, to remain available until June 30, 1944, for compliances under said act of February 29, 1936, as amended, pursuant to the provisions of the 1942 programs carried out during the period July 1, 1941, to December 31, 1942, inclusive: *Provided*, That no part of such amount shall be available for carrying out the provisions of section 202 (f) of the Agricultural Adjustment Act of 1938, and not to exceed $4,000,000 shall be available under the provisions of section 202 (a) to 202 (e), inclusive, of said act, including research on food products of farm commodities: *Provided further*, That no part of such amount shall be available after June 30, 1943, for salaries and other administrative expenses except for payment of obligations therefor incurred prior to July 1, 1943: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1943 programs or plans now or hereafter authorized under section 7 or 8, or both, of said act of February 29, 1936, or under said provisions of the Agricultural Adjustment Act of 1938: *Provided further*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary of Agriculture in the 1942, 1943, and 1944 programs under said act of February 29, 1936, as amended, and likewise the amount appropriated under this head for the fiscal year 1942 shall be available for such purchases for such grants in the 1941, 1942, and 1943 programs under such act; for the reimbursement of any Federal, State, or local government agency for fertilizers, seeds, lime, trees, or other farming materials, or any soil-terracing services, furnished by such agency; and for the payment of all expenses necessary in making such grants including all or part of the costs incident to the delivery thereof: *Provided further*, That beginning with the fiscal year 1942 each appropriation to enable the Secretary of Agriculture to carry into effect any program administered through the Agricultural Adjustment Administration may, in the discretion of the Secretary, be reimbursed out of the then current appropriation for the agency affected, for a fair share of the administrative expense, as estimated periodically or in advance by the Agricultural Adjustment Administration of maintaining registers of indebtedness and making, out of such Agricultural Adjustment Administration appropriation, set-offs under the order entered by the Secretary on May 8, 1937, as heretofore or hereafter amended, in favor of any other agency of the Government.

Mr. TARVER. Mr. Chairman, I think we have done enough work on this for today and it is my purpose to move that the Committee rise. First, I ask unanimous consent that all amendments which Members propose to offer to this paragraph may be sent to the desk and printed in the RECORD for the information of the House. That, of course, does not mean that points of order are waived, but simply that the House membership would have the benefit of reading those amendments between now and our next meeting.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that all amendments to the section just read may be printed in the RECORD. Is there objection?

Mr. REED of New York. Mr. Chairman, I reserve the right to object. Do I understand that all of us who have sent amendments to the desk already, without saying anything on the floor of the House, will also have their amendments printed in the RECORD?

Mr. TARVER. My request is that these amendments shall be printed in the RECORD for the information of the House.

Mr. REED of New York. Will not the gentleman have to make that request in the House?

Mr. TARVER. I do not think so.

Mr. WHITTINGTON. Mr. Chairman, I reserve the right to object. Is it to be understood that only those amendments proposed by Members will be sent to the desk for the information of the Committee as requested by the gentleman from Georgia and that all points of order to those amendments may be made when offered?

The CHAIRMAN. The understanding of the Chair is that this does not exclude anyone's right. It is a matter of information only. Is there objection?

There was no objection.

Mr. REED of New York. Does that refer to amendments only to this paragraph, or the next paragraph?

Mr. TARVER. The request did not cover amendments to the following paragraph, but I think the gentleman's suggestion is wise. I now request, Mr.

Chairman, that all amendments to the following paragraphs in the bill that have not yet been considered may be sent to the Clerk's desk and may be printed in the RECORD for the information of the House.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that any amendment to be proposed to the remaining sections of the bill may be printed in the RECORD, for information. Is there objection?

Mr. TABER. Mr. Chairman, I reserve the right to object. The fact that someone's amendments are published, and those of someone else not, will have no effect upon the right of anyone to offer the amendments when a particular paragraph is read, will it?

Mr. TARVER. Certainly not. This is just an opportunity to have the membership acquainted as far as possible with the amendments that are to be offered, but it does not preclude anyone from offering any amendment that is not sent to the desk.

Mr. HOOK. That still allows points of order to be made to amendments when offered?

Mr. TARVER. Certainly. They are printed simply for the information of the House, and points of order may be made to them when offered.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The amendments referred to are as follows:

Amendment offered by Mr. REES of Kansas: Page 73, line 16, after the colon following the word "inclusive", insert *"Provided*, That no total payments for any year to any person, firm, or corporation under this section shall exceed $500. *And provided*, That this limitation shall not be construed to deprive any share-renter of payments not exceeding $500 to which he would otherwise be entitled In the case of payments made to any individual, firm, or corporation, or estate on account of performance on farms in different States, Territories, and possessions, the $500 limitation shall apply to the total of the payments for each State, Territory, or possessions for the year and not to the total of all such payments."

Amendment offered by Mr. MURRAY: Page 73, line 16, after "inclusive", strike out period and insert a colon and the following: *"Provided further*, That not more than $500 of the sum appropriated in this paragraph shall be paid to any one individual, partnership, or corporation."

Amendment offered by Mr. JOHNSON of Oklahoma: Page 75, line 13, after the word "Government", and before the period, insert *"Provided further*, That no payment or payments hereunder, to any one person or corporation, shall be in excess of the total sum of $1,000."

Amendment offered by Mr. GOSSETT: Page 75, line 13, after the period insert the following:

"That the last paragraph of section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended, is amended to read as follows:

" 'The total payment that would otherwise be made to any person for any year pursuant to this section shall be reduced by 25 percent of the amount thereof in excess of $1,000. No total payment to any person for any year shall exceed $5,000, but in applying these limitations there shall be excluded amounts representing a landlord's share of a payment made with respect to land operated under a tenancy or sharecropper relationship if the division of the payment between the landlord and the tenant or sharecropper is determined by the local committee to be in accordance with fair and customary standards of renting or sharecropping prevailing in the locality. In the case of payments to any person on account of performance on farms in different States, Territories, or possessions, the 25-percent reduction and the $5,000 limitation shall be applied to the total of the payments for each State, Territory, or possession for a year, and not to the total of all payments.' "

Amendment offered by Mr. REED of New York: On page 78, line 24, insert the following:

"Provided further, The provisions of this act shall not apply to the sale or other disposition of any agricultural commodity to or by the Agricultural Marketing Administration for distribution exclusively for relief purposes, nor to grain which has substantially deteriorated in quality and is sold for the purpose of feeding or the manufacture of alcohol, or commodities sold to farmers for seed."

Amendment offered by Mr. CASEY of Massachusetts: On page 78, line 20, after the words "as amended", strike out all further words on page 78.

Amendment offered by Mr. GILCHRIST: Amend page 78 of the bill by striking from lines 22 and 23 thereof the following words, to wit: "Government-owned stocks of farm commodities," and by inserting in lieu thereof the following words, to wit: "Farm commodities, except such as are distributed for relief purposes, and grain which has substantially deteriorated in quality, and grain which is sold for the manufacture of alcohol."

Amendment offered by Mr. HENDRICKS: Page 79, beginning with line 12, strike out everything in the paragraph running through line 19.

Amendment offered by Mr. RICH: Page 79, line 12, strike out "Sugar Act of 1937", and lines 13 to 19, inclusive.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union reported that that Committee had had under consideration the bill (H. R. 6709), the agricultural appropriation bill, fiscal year 1943, and had come to no resolution thereon.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I asked for this minute in order that we may know from the majority leader the program for next week.

Mr. McCORMACK. Next week, of course, will be a very busy week. I do not expect that all I announce will be accomplished, although it is important, in view of certain hopes and expectations of the leadership the latter part of the month, with which the gentleman from Massachusetts is acquainted, that the Department of Agriculture appropriation bill be finished on Monday. It is very important in connection with what we have in mind at the end of the month.

We have every hope and expectation, and the expectation in part will be carried out, but if the legislation is prolonged—and that is not said in any criticism—it means that the period we have in mind will be thereby reduced.

Mr. MARTIN of Massachusetts. The gentleman means, in other words, that we have a certain number of bills to pass, and when that is done it is possible there will be a short breathing spell.

Mr. McCORMACK. Well, I hope at least for a breathing spell of 2 weeks. I am hopeful of that.

Mr. MARTIN of Massachusetts. It depends on how the work is?

Mr. McCORMACK. Exactly. Now, we will continue with this bill on Monday. After the termination of this bill there is the civil-functions appropriation bill, which carries an important item, with which the House is acquainted, and it is very important that that be taken up.

Mr. MARTIN of Massachusetts. That is immediately after this bill?

Mr. McCORMACK. That comes up after this bill. Then the bill providing for an increase in the debt limit, which will not take long.

Then the bill introduced by the gentlewoman from Massachusetts [Mrs. ROGERS].

Then the bill extending the Dies committee.

The Appropriations Committee will hold important hearings on Monday in connection with a recommendation for an appropriation of $100,000,000 to meet the situation arising as a result of workers displaced through changing over from peacetime to wartime activities.

Mr. MARTIN of Massachusetts. Does that take the place of the so-called $300,000,000?

Mr. McCORMACK. Exactly.

Mr. MARTIN of Massachusetts. Will there be any District of Columbia legislation on Monday?

Mr. McCORMACK. Unless it can be passed by unanimous consent; no.

Then there is the legislative appropriation bill.

There is another bill from the Ways and Means Committee. I do not know its status just now, but it will be reported in connection with the problem of State sales taxes with reference to Federal purchases during the war.

Mr. MARTIN of Massachusetts. According to the program, that will never be reached next week?

Mr. McCORMACK. No; I am afraid not. Perhaps some of the others will not be reached. But it is very important in connection with what we have in mind the latter part of the month that the present bill be disposed of on Monday if possible.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein figures on cot-

ton-crop-insurance participation in Louisiana for this year.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I have an article which appeared in Look magazine on February 24 entitled "Hitler's New Scapegoat, the Catholics," which I would like unanimous consent to insert in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend the remarks I made today and include therein the minority report filed by the gentleman from Connecticut [Mr. FITZGERALD].

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a Government table showing the average retail price by manufacturers of sugar from the period 1913 to 1941, inclusive.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD by printing an editorial appearing in today's Washington Times-Herald.

The SPEAKER. Is there objection?

There was no objection.

WARTIME CENSORSHIP

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered, but there is one special order pending.

Mr. VOORHIS of California. Mr. Speaker, if there is one type of news that would actually be of aid and comfort to our enemies it is news about American convoys proceeding on the high seas. For what it may be worth I want to protest the items appearing in the press today under a London date line about American convoys in the Pacific. It seems to me that if censorship is worth anything at all it should apply in a case of this kind. Just why the lives of our men, safety of our ships, and success of our naval campaign should be endangered for the sake of a news story of this kind I am utterly unable to see. I earnestly hope steps can be taken to prevent such a thing happening again.

LIMITATION ON SOIL CONSERVATION PAYMENTS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

A PRACTICAL AND FAIR WAY TO EFFECT A HUGE SAVINGS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I desire to advise Members with reference to one of the several amendments that will be considered to the pending bill to make the appropriations for the Department of Agriculture, when we resume consideration of this measure next Monday. Yesterday, I sent to the Clerk's desk an amendment to limit the amount of soil-conservation payments to any one individual or corporation to $1,000.

If you will recall, the House, by an overwhelming majority, passed a measure sponsored by the former chairman of the House Committee on Agriculture, Hon. Marvin Jones, placing the limit at $5,000. Because, however, of pressure of some of the so-called big shots who farm the farmers, it failed of passage at the other end of the Capitol.

I am assured by those in a position to know, that my amendment, if adopted, would enable Congress to reduce this appropriation approximately $50,000,000.

Last year the appropriation for these payments alone amounted to $499,000,000. The committee has cut these payments $50,000,000 for the ensuing year, which means that unless a reasonable limit is placed in the bill that the small-family-type farmer will bear the brunt of the cut.

I am asking the Department of Agriculture to furnish me with the latest list of all farmers and others in the various States who now receive payments in excess of $1,000. I now have a partial list that I propose to present when consideration is resumed Monday. It is a long, bunglesome list, although not complete to date. I am confident, however, that Members will be astonished and amazed to see the huge list of people, a majority of whom do not actually farm, who are now receiving over $1,000. Let those who cry economy vote against this amendment if they wish.

It will be recalled that a few years ago Congress and the country were astonished to find that one corporation received over $1,000,000 in Government payments. Yet, Members of Congress had letters from officials of that same outfit criticizing what they called wasteful extravagance and urging a policy of "cruel economy," and now an examination of a long list of those who are pulling down Government checks in excess of $1,000 in my State reveals that some of them are complaining because Congress does not economize. I submit that this is a most excellent opportunity.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a copy of an address made by Colonel Styer to the West Coast Lumbermen's Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include several letters received from farmer constituents on the subject of the Farm Security Administration.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks on three subjects and to include in one an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include a newspaper column written by my predecessor, Hon. Samuel B. Pettengill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND ON THE AGRICULTURAL APPROPRIATION BILL

Mr. LEAVY. Mr. Speaker, I ask unanimous consent that all Members who spoke in the Committee of the Whole today on the agricultural appropriation bill may be granted permission to revise and extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. MARCANTONIO] is recognized for 30 minutes.

THE DIES COMMITTEE

Mr. MARCANTONIO. Mr. Speaker, I welcome this long-sought opportunity to address the membership of the House on the activities of the Dies committee. I could spend hours here discussing many things of the past, but that would not be practicable. However, I do want to devote the time that has been allotted me to a discussion of two most important phases which raise very serious questions. The answer to these questions and the decision on the issues raised, in my opinion, should determine whether or not this committee should be continued.

If we recall, during the debate on the so-called amendment offered to the Foreign Agents Act which the Committee on the Judiciary had before this House, the gentleman from Texas [Mr. DIES] stated that he had information which, had he been permitted to reveal it, would have prevented the tragedy at Pearl Harbor. I remember that statement very well, and when I appeared in opposition to the resolution continuing the life of the Dies committee then pending before the Rules Committee, I pointed out if that statement were true, since it came from the gentleman in his capacity as chairman of one of the most publicized committees of the House, then a charge of dereliction had to be placed at the doorstep of the administration. If, on the other hand, that statement was not true, then certainly this committee stood guilty before the country of the grossest dereliction in the history of this Nation.

I immediately made my own inquiry. I recalled that during his speech the gentleman from Texas, in referring to the departments that had prevented him

from revealing this information, specifically referred to the Department of Justice and to the Department of State. He, of course, generally referred to the administration. I communicated with Mr. Sumner Welles. I pointed out to him that statement of the gentleman from Texas [Mr. DIES] which appears in the CONGRESSIONAL RECORD of January 28, 1942, page 800. Mr. Welles informed me that he would let me know. This took place on February 10, 1942, the day prior to the hearing before the Rules Committee. The following morning, February 11, Mr. Sumner Welles phoned my office. I was not available, as I was testifying before the Rules Committee. However, I called him back. He stated that he had read the statement of the gentleman from Texas in the CONGRESSIONAL RECORD, that he had conferred with the President, that he had conferred with the Secretary of State, and that I was authorized to state for the White House, for the Secretary of State, and for the State Department, that the statement made by the gentleman from Texas was not true.

Then I made inquiry at the Department of Justice, and I was informed that a letter had been written to the gentleman from Texas on August 13. The letter recited that the then Acting Attorey General, Mr. Biddle, had learned from the press that the gentleman from Texas was reported to have stated that he had information with regard to Japanese espionage and sabotage activities. The gentleman from Texas was also reported to have said that he had turned over this evidence to the Department of Justice. The Attorney General wrote that he had not received this evidence and called upon the gentleman from Texas to turn over that evidence.

Mr. Biddle received an answer on August 27 from the gentleman from Texas [Mr. DIES], and in that letter the gentleman from Texas advised the Attorney General:

> I assume that with the hundreds of agents which you have you would have no difficulties in getting the facts.

That is the record. It is in black and white. It is in the form of correspondence, and I believe the distinguished gentleman from Massachusetts [Mr. ELIOT] has today placed that correspondence in the RECORD. The gentleman from Texas also placed it in the RECORD of March 4, page 1921.

Mr. ELIOT of Massachusetts. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Massachusetts.

Mr. ELIOT of Massachusetts. I have not yet placed it in the RECORD, but I ask unanimous consent, if the gentleman will yield, to place it in the RECORD, together with a copy of similar correspondence dated February 7 from the Attorney General asking for information, and the reply, dated February 16, from the gentleman from Texas, saying that he would send a copy of his report to the Attorney General when printed.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. ELIOT]?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, when you read that correspondence there is one thing that stands out; you cannot get away from it no matter what anybody says and no matter what anybody tries to do. There are two outstanding facts—one, as far back as August 13 the Attorney General asked for the evidence; and two, up to this date that evidence has never been turned over to the Attorney General.

I therefore submit to the House that, on the basis of the statement of Mr. Sumner Welles, on the basis of the statement from the White House and from the State Department through Mr. Sumner Welles, on the basis of the only law-enforcing agency of the Government, the Department of Justice, a department which is entrusted with the enforcement of our laws against spies and saboteurs, and on the basis of the fact that this evidence was never turned over to the Department of Justice, despite the fact it was specifically requested; that the statement made by the gentleman from Texas [Mr. DIES], that if he had been permitted to reveal the evidence, facts, and information he said he had the tragedy at Pearl Harbor would have been averted, is not true.

Mr. HOFFMAN. Mr. Speaker, I demand that those words be taken down. It refers to statements made by a Member on the floor.

Mr. MARCANTONIO. What is the use of wasting time? Let me withdraw the words "Is not true" and let me say that Mr. DIES' statement is inconsistent with the facts, with the record, and with the correspondence. Does that satisfy the gentleman?

The SPEAKER. The gentleman withdraws the words.

Mr. ELIOT of Massachusetts. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Massachusetts.

Mr. ELIOT of Massachusetts. In a letter placed in the RECORD, written to me on February 20 by the Attorney General, it is stated, and I believe I can quote it from memory, that there was never any suggestion that the facts in the possession of the comittee be not revealed.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. No; I prefer to continue. I will yield to the gentleman later.

That meets the first issue. I repeat: on the basis of this record, since the gentleman from Texas raised the question here of dereliction of duty, I say that dereliction in this matter rests at the doorstep of his committee.

Mr. HOFFMAN. Mr. Speaker, I demand that those words be taken down. He is charging a committee of the House with not having performed its duty. I think that is a violation of the rule.

Mr. MARCANTONIO. Mr. Speaker, I can take so much and no more. I am discussing dereliction. The gentleman from Texas raised the issue of dereliction. I say that in view of the record and the correspondence, the responsibility for dereliction rests at the doorstep of the committee.

The SPEAKER. The gentleman from New York used these words:

> I say that on the basis of this record, since the gentleman from Texas raised the question here of dereliction of duty, I say that dereliction in this matter rests at the doorstep of the committee.

The Chair thinks that if he were to hold upon as fine a point as that, at some time free debate in the House of Representatives might cease. The Chair holds that the language does not violate the rules of the House.

The gentleman from New York.

Mr. MARCANTONIO. In all fairness to the gentleman from Texas, I want to state that the gentleman from Texas bases his statement that he was not permitted to reveal the information on a letter from the Office of the Attorney General dated September 8, 1941, exhibit No. 1 of the recent report of the committee, the report on Japanese activities. This letter is from the acting Attorney General, Matthew McGuire. In this letter it is stated that—

> The Attorney General has discussed the situation with the President and the Secretary of State, both of whom feel quite strongly that hearings such as you contemplate would be inadvisable.

The word "hearings" is described in a previous paragraph, which states to Mr. DIES,

> In your letter of August 27, 1941, addressed to the Attorney General you stated that if the Attorney General had no objection you would suggest to your committee the advisability of conducting public hearings.

I submit that there is a great distinction between conducting public hearings that might impair an international relationship and using information in such a manner that it would have prevented the tragedy of Pearl Harbor.

Certainly, inasmuch as the gentleman from Texas [Mr. DIES] was advised not to hold public hearings, what was there to have prevented the gentleman from Texas from whispering his information in the ears of the law enforcement department, in the ears of Mr. J. Edgar Hoover, and in the ears of the Attorney General, and giving to them this information which he stated would have prevented the tragedy of Pearl Harbor if he had been permitted to reveal it?

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield for a unanimous-consent request, so I shall not interrupt the gentleman?

Mr. MARCANTONIO. All right.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that at the conclusion of the gentleman's remarks I may address the House for 10 minutes.

Mr. MARCANTONIO. May I say to the gentleman that I may need a few more minutes, possibly, to conclude my remarks.

Mr. VOORHIS of California. I did not ask for it now, I asked for it at the conclusion of the gentleman's remarks.

Mr. MARCANTONIO. I mean after I have concluded my 30 minutes.

The SPEAKER. Without objection, the gentleman from California may proceed for 10 minutes at the conclusion of

the remarks of the gentleman from New York.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. MARCANTONIO. I yield.

Mr. HOFFMAN. Did not the gentleman from Texas [Mr. DIES] or the committee inform the Attorney General that the agents of the Dies committee would furnish that information and cooperate with them?

Mr. MARCANTONIO. I say that the gentleman said that the committee had this evidence. Certainly the committee must have the evidence that its agents possess. Having that evidence, and since that evidence has been described to be of such a nature that if revealed it would have prevented the tragedy of Pearl Harbor, since it was so important, I say that it was the duty of the chairman of the committee to have transmitted that evidence, even in a confidential manner, without benefit of the press, to the law-enforcement agency of the Government of the United States. I submit you cannot get away from that.

Mr. HOFFMAN. Did not the gentleman from Texas [Mr. DIES] say the other day that that information was with the agents on the west coast, that he had advised the Government agencies that they could get it there, and that his agents, the agents of the Dies committee, would cooperate with the departments of the Government?

Mr. MARCANTONIO. I think the gentleman is a very experienced legislator and an able attorney.

Mr. HOFFMAN. Why does not the gentleman answer my question?

Mr. MARCANTONIO. I am answering the gentleman's question. The gentleman should know and does know that when the Attorney General of the United States asks the chairman of a committee to turn over information which it possesses, he is not referred to committee employees. You turn over that information immediately to the Attorney General, particularly if it is of a serious nature and of a serious character, and if devastating consequences would result from not placing that information with the Attorney General.

Mr. HOFFMAN. But right there let me ask you this question.

Mr. MARCANTONIO. I would like to proceed, if I may be allowed to do so, as I have completely answered the gentleman.

Mr. HOFFMAN. But you mistake the situation, which was that Mr. DIES did not have the information. The information was in the hands of these agents and he told the Government Departments to get it there.

Mr. MARCANTONIO. Mr. DIES stated repeatedly that he had the information, and now let us look at this picture you now paint and see how amazing it is. You are chairman of a Committee and your agents have this information——

Mr. HOFFMAN. And I do not have it.

Mr. MARCANTONIO. And you do not have it. What do you do? You send for your agent, you get that information and you give it to the Attorney General. Is that not the reasonable procedure. Does not patriotic duty compel you to follow it?

Mr. HOFFMAN. No; I tell the Attorney General to talk to the agents.

Mr. MARCANTONIO. No; you do not. You get the information from your agent and turn it over to the Attorney General. You cannot get away from that.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman.

Mr. McGRANERY. Mr. DIES admitted the other day that his agents on the west coast could merely furnish the agents of the F. B. I. or the Department of Justice, with certain leads and no direct information, and absolutely no evidence.

Mr. MARCANTONIO. And is that not the evidence which he stated he had and which, if he had been permitted to reveal, would have averted the tragedy of Pearl Harbor?

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman, a member of the Dies committee.

Mr. MASON. Yes; and I am proud of that fact.

Mr. MARCANTONIO. And my reference to the gentleman was simply to describe his position; that is all.

Mr. MASON. I want to say this: The information was made available to the Justice Department. That is the first point I want to make, and I want to make a second point, which is this: It was not only leads, but it was the facts that were made available.

Mr. MARCANTONIO. Then does the gentleman contend that the Attorney General is not telling the truth?

Mr. MASON. I contend that the Attorney General said——

Mr. MARCANTONIO. The Attorney General asked for this evidence in a letter dated August 13; and the question is, Was this evidence ever turned over to the Attorney General? The facts speak for themselves. The facts reveal that the answer is, No; it was never turned over.

Mr. MASON. The facts are that the information, which consisted of leads and facts, were made available to the Justice Department through their agents on the west coast who were in contact with ours.

Mr. MARCANTONIO. And again I say that as chairman of a committee whose agents, assuming it was the agents that had the evidence which had not as yet been submitted to Washington, it was the chairman's duty when the Attorney General specifically asked him for this information to have obtained that evidence from his employees and to have turned it over to the Department of Justice.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. Yes; and this is the last time I am going to yield for a while, because I want to go on to other matters.

Mr. ELIOT of Massachusetts. Bearing on more less what the gentleman from Illinois [Mr. MASON] just said, the gentleman from Texas stated on the floor of this House about 6 weeks ago that "We had all the facts."

Mr. HOFFMAN. Mr. Speaker, I make the point of order it is not proper to refer to remarks of a Member of the House previously made.

The SPEAKER. The Chair could not sustain that point of order.

Mr. ELIOT of Massachusetts. He said he had all the facts in the possession of the committee last summer, and that is what the gentleman from Illinois has brought out.

Mr. MARCANTONIO. That is also in Mr. DIES' speech of January 28.

Mr. ELIOT of Massachusetts. But the gentleman at the same time indicated at several different places in his speech that he had not been permitted to reveal those facts. It is the tenor of that statement that is included in the Attorney General's letter to me.

Mr. MARCANTONIO. And, again, I say, and then I am going to leave this point, because I think it is adequately covered, the Attorney General asked for the information in a letter dated August 13, and that information was never turned over and that evidence was never turned over. That is the record, those are the facts, and let the House draw its own conclusion, and let the people of the country draw their own conclusion.

Mr. McGRANERY. Mr. Speaker, if the gentleman will yield for an observation, I want to refer the gentleman from Illinois [Mr. MASON] to the RECORD of Wednesday, page 1923, in which I said:

> In his report he [DIES] states firmly and clearly that the evidence has been turned over to the Justice Department for prosecution of the ring members. That statement is in error; is it not?
>
> Mr. DIES. I immediately denied that statement to the Attorney General.

Mr. MARCANTONIO. I think that covers it. So much for not permitting the gentleman from Texas [Mr. DIES] to reveal information, the revealing of which would have prevented the tragedy at Pearl Harbor. I contend that the dereliction rests now on the doorstep of the Dies committee.

Let us now deal with the information. That information is contained in the Dies committee report issued a week ago today entitled "Appendix 6, Report on Japanese Activities." The most important information, the result of investigation by the committee, this report says, the most spectacular, the most interesting, are charges with regard to the plans of Japan against the United States.

I do not want to be misunderstood. I want to say that what is contained here against the Japanese, and what has been said against the Japanese is absolutely true. It is my conviction, however, that several portions or many pages of this report would indicate that the information revealed, that the words used, that the punctuation used, that the work for which the committee seeks credit, that the translation for which this committee seeks credit, are not the work, investigation, translation, words, or punctuation of the committee but the work, investigation, translation, words, and punctuation

of somebody else. I shall now prove that to my colleagues of the House. If gentlemen have a copy of the report before them, I now present the conclusive proof of my charge.

Take page 1737. I now read from the report:

Once hostilities begin our first move will be to attack the Panama Canal. * * *

I now read to you from a publication called News Letter, published by the News Research Service, Inc., 727 West Seventh Street, Los Angeles, Calif., dated July 16, 1941. I have read you the first sentence of the report. Please follow me closely. I now read from the News Letter published on July 16, 1941:

Once hostilities begin, our first move will be to attack the Panama Canal. * * *

I now read you the next sentence from the report:

We have submarines capable of traveling 10,000 miles without refueling. * * *

I now read you from the News Letter:

We have submarines capable of traveling 10,000 miles without refueling. * * *

I now read from the report:

The Midway Islands can be taken within one day. Then we must attack Hawaii. * * *

I now read from the News Letter:

The Midway Islands can be taken within one day. Then we must attack Hawaii. * * *

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I will not yield until I get this proof in the RECORD.

Mr. HOFFMAN. The gentleman is not going to yield at all?

Mr. MARCANTONIO. Let me complete my statement.

Mr. HOFFMAN. When the gentleman is making a statement of that kind——

Mr. MARCANTONIO. Does the gentleman want to stand back of me and check whether I am reading correctly?

Mr. HOFFMAN. What I want to say is, admitting all that——

Mr. MARCANTONIO. Mr. Speaker, I decline to yield at this time.

To continue, I read from the report. This is without any quotes. The committee is now speaking:

These statements and many others of the same tenor appear in a book published in Tokyo in October, 1940, entitled "The Triple Alliance and the Japanese-American War".

I read now from the News Letter:

These statements and many others of the same tenor appear in a book published in Tokyo last October entitled "The Triple Alliance and the Japanese-American War."

Mr. MASON rose.

Mr. MARCANTONIO. I am sorry, Mr. MASON, but I cannot yield at this time. I hate to do that to the gentleman; he is such a fine person.

There is here one difference between the news letter and the report. After the words "Japanese-American War" in the news letter we find the words "illustration on this page," in parentheses. We have the illustration in the news letter. The words "illustration on this page" are left out in the report, evidently to conceal the identity of the source. Now, I continue:

In December 1940—

Says the report—the News Letter says last December—the News Letter is dated July 16, 1941.

Now, I go back to the report:

In December 1940 a retired Japanese naval captain Otojiro Endo, and a retired Japanese Army major, Masichi Sugihara, visited the Pacific Coast States in America and held secret meetings with leaders of Japanese-American citizens.

Now I go back to the News Letter:

Last December a retired Japanese naval captain, Otojiro Endo and a retired Japanese Army major, Masichi Sugihara, visited Pacific Coast States in America and held secret meetings with leaders of Japanese-American citizens.

The same punctuation, the same comma, the same letters, the same words.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. Not at this time.

Now I continue from the report. Remember this is the committee that is revealing all this to you. This is the committee that is giving this astounding information as to Japanese activities:

Purpose of the tour was to inspire courage among sabotage and espionage agents, and to recruit new men for the Japanese-American Trojan horse brigade.

I continue from the News Letter:

Purpose of the tour was to inspire courage among sabotage and espionage agents, and to recruit new men for the Japanese-American Trojan horse brigade.

The same comma and the same period in the report.

I continue from the report. The committee is again giving you Members of the House and the country the amazing and astounding report of its investigation of Japanese activities:

In their discussions, frequent use was made of the book, The Triple Alliance and the Japanese-American War.

Back to the News Letter:

In their discussions, frequent use was made of the book, "The Triple Alliance and the Japanese-American War."

I ask you to follow this, and follow closely. We go back to the report. I think this is very, very revealing:

A few copies of this volume were given out, only to the most trusted leaders.

We go back here to the News Letter:

A few copies of this volume were given out, only to the most trusted leaders.

Now, there is a difference, and I want to give credit to the committee for this difference. I want to be honest about it. Here is the difference. In this next sentence, now reading from the News Letter, it says:

NRS.—

Meaning News Research Service, Inc.—

succeeded in obtaining one of these.

The difference between the report and the News Letter is that the report says:

The committee succeeded in obtaining one of these.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I decline to yield.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I decline to yield. I must complete this evidence.

Now, I continue. As far as obtaining one of these books, there is a difference. The News Letter says:

NRS succeeded in obtaining one of these;

The committee says:

The committee succeeded in obtaining one of these.

Now the News Letter says:

A translation was made.

The committee translated it too. The committee says:

A translation was made,

The committee continues:

And even the most casual perusal suggests immediately.

This means the committee perused this book. "And even the most casual perusal suggests immediately that this is a textbook for Japanese espionage." This is the opinion of the committee.

Let us see what the News Letter says:

A translation was made, and even the most casual perusal suggests immediately that this is a well-camouflaged textbook for Japanese espionage.

The committee report does not contain the words "well camouflaged." With that difference, both are identical.

Now what does this mean? There is not a question of infringement of copyright. Some gentleman on the committee may say they were authorized by the author of this News Letter to use the material contained therein. I repeat, this is not a question of copyright violation. The point is that anybody could have used this. The News Letter is not copyrighted.

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 10 additional minutes.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from New York?

Mr. MASON. Mr. Speaker, reserving the right to object, to make this statement: All of this farce is unnecessary, because——

Mr. HOOK. Mr. Speaker, just a minute. I ask that those words be taken down.

Mr. MASON. Does the gentleman insist on his point of order?

Mr. HOOK. I certainly do since this point of order was made against me once and insisted upon.

Mr. H. CARL ANDERSEN. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. MARCANTONIO. May I have permission to revise and extend my remarks before they take me off the floor, Mr. Speaker.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MCCORMACK. Mr. Speaker, does the gentleman insist on his point of order?

Mr. MARCANTONIO. The country is going to be more interested in obtaining the truth because of all these efforts to suppress it.

Mr. H. CARL ANDERSEN. Mr. Speaker, in view of the fact that certain members of the Dies committee want the gentleman from New York to proceed, I withdraw my point of order.

Mr. O'CONNOR. Reserving the right to object, Mr. Speaker——

Mr. MARCANTONIO. Mr. Speaker, I want to state to the gentleman that it is a sad reflection on this House that a Member of this House can speak only if it is done with permission of members of the Dies committee. I say it is a reflection on the liberties, privileges, and rights of the membership of this House.

The SPEAKER pro tempore. The gentleman will kindly suspend. He has not been granted any additional time yet.

Mr. MASON. Mr. Speaker, I gladly withdraw the word "farce" and substitute the word "spectacle" or "facetious," whichever the gentleman would prefer.

The SPEAKER pro tempore. Without objection, the request of the gentleman to withdraw the word "farce" is granted.

There was no objection.

Mr. MASON. Mr. Speaker, I would like to complete my statement before I am taken off my feet; that is, that the material that has been quoted from the report and from the News Letter is material that was obtained from the same source and authorized by the same person who gathered it but did not want to be quoted. The source for the News Letter was the same as the source for the reports; they are the same.

Mr. O'CONNOR. Reserving the right to object, Mr. Speaker——

Mr. McCORMACK. Mr. Speaker, let us get this unanimous consent request acted upon; then the gentleman may yield if he wants to. I insist on the regular order.

The SPEAKER pro tempore. The gentleman from Massachusetts demands the regular order. The regular order is: Is there objection to the request of the gentleman from New York that he may continue for 10 additional minutes?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. Just for a moment; yes.

Mr. O'CONNOR. Is any credit given in the report for copying from the News Letter?

Mr. MARCANTONIO. None whatsoever; none whatsoever.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield at that point?

Mr. MARCANTONIO. I yield.

Mr. ELIOT of Massachusetts. Will the gentleman tell the House how much a copy of that News Letter costs?

Mr. MARCANTONIO. You can get it for $5 a year; 10 cents a copy. The committee report is the report of a committee which has cost $385,000 to date, and now seeks some more.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. No; I want to answer the gentleman from Illinois [Mr. MASON]. He says this was from the same source; that they came from the same source. Even assuming that to be true—and we do not know it—is there any doubt in the mind of the gentleman from Illinois that the report used word for word, and copied—copied, I say—copied from the News Letter which could be obtained for 10 cents?

What is this report? What is this report supposed to be? What do you gentlemen of the committee hold out this report to Congress and to the country to be? You hold it out to be a report of the activities, a report of the investigation, a report of your activities, your investigation, Mr. Committee, your translations, Mr. Committee, your work, and we find that is what? Not your work, Mr. Committee, not your translations, not your investigations, Mr. Committee, not your words, but the words, the translation, and the work which was published in the News Letter of July 16, which could be purchased for 10 cents. As far as the author wanting to conceal his identity is concerned, the fact is that he did not conceal his identity, but, on the contrary, published the News Letter, offered to the public for sale for $5 a year or 10 cents a copy.

Furthermore, the question is one of lifting the words and substance from the News Letter and placing it into the report, thus reporting to the Congress and the country that the words, work, investigation, and translations of the News Letter are the words, work, investigation, and translations of the committee. Is there any doubt in anyone's mind that this was done?

Mr. HOFFMAN. Will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman recall when three members of the administration in one week made the same speech word for word?

Mr. MARCANTONIO. Now, does the gentleman want me to believe, and does he want the Members to believe——

Mr. HOFFMAN. I am asking the gentleman a question.

Mr. MARCANTONIO. I am answering the question. I do not know anything about that. Does the gentleman with all of his shrewdness, his intelligence, and uncanny ability to dot an "i" and cross a "t" want us to believe that somebody else besides the person who wrote this News Letter sat down at a typewriter, looked in a crystal ball, and happened somehow or other or by some manner or method of mesmerism to type the same identical words and punctuation in the committee report?

Mr. HOFFMAN. No. The gentleman knows more about the crystal ball and mesmerism than I do.

Mr. MARCANTONIO. The gentleman reminds me of an old steamboat up in the East River that had a 2-inch boiler and a 6-inch whistle. Every time the whistle blew the boat stopped. Every time we mention the Dies committee the gentleman just stops.

I now give you more conclusive proof of lifting. I could go on and read, but I am going to extend my remarks, so I will include more samples of this lifting. I ask you to make your own comparisons. I think you all have a good idea already. I have pages and pages of this copying, the lifting of words, punctuation, and everything else, with the exception that in one instance the report takes one section of the News Letter, a matter with regard to a certain newspaper Rafu Shrinpo and instead of putting it in the order it appears in the News Letter, we find it in as a separate section of the report. In this attempt to conceal the identity of the source, the committee report contains a very significant error which establishes the copying and the lifting beyond any doubt. In the News Letter there is a statement "Illustration on this page" in parentheses. There is an illustration. In the report they copied the words "illustration on this page," but there is no illustration. They left out the illustration. What was omitted? What really was omitted, was not only the illustration. What the gentlemen who did the copying forgot to omit were the words "illustration on this page" in parentheses.

Here is another proof of lifting and copying. "See editor's note," appears in a section of the News Letter. In the report there is "See editor's note," but there is a difference. I want to give credit to the report for that. In the News Letter the word "editor" is abbreviated, "Ed." In the report it is spelled, "Editor."

Now, there is a serious phase to this you will see. I want to give the committee the benefit of all doubt on this question. As a Member of this House I do not seek to cast any aspersion or raise any issue as to the integrity of any Member or any committee of this House. I am the last one who is in position to do that. I am a minority, all by myself down here. But I say there is a very serious phase to this matter.

Assuming that the author of this News Letter went to the committee and said, "Here, use this stuff," all that this would absolve the committee from is violation of the copyright. However, this report purports to be a report of the work, the activities of this committee and of its investigation, since a perusal and comparison of both the News Letter and the report, demonstrates beyond any reasonable doubt that sections of the report are copied word for word from the News Letter. I say there has been an imposition on the country and on the Members of this House when the committee reports the words in the News Letter, the work contained in the News Letter, the investigation and the translation contained in the News Letter, as though it were the work, the translation, and the investigation of the committee itself.

Mr. Speaker, this report was printed on the front pages of the leading newspapers of the country. These are not the only examples of lifting. There are others and I am going to reveal them in due time before a vote is taken on this committee. I submit that what I have revealed today is more than enough to warrant an investigation of this report.

If this report is not what it purports to be, if this report is not a report of the work, investigation, and translations of this committee, if time and time again

the words and the punctuations of this report are not the words and the punctuations of this committee, then I say the integrity of the House is involved. It is a question involving the integrity of the House of Representatives. We are all on charge before the people of this country. It is a question involving the confidence of the people of America in their House of Representatives and the committees of the House of Representatives and the Senate.

Let us get down to the facts. I say it is the duty of the Rules Committee, to which my resolution, introduced yesterday, calling for an investigation of this report, was sent, to give me a hearing.

Let us have an investigation. From what other source was the information lifted for this report, words lifted, report of activities and investigations lifted? Where else? Let us have the truth. Let us have it before the Congress before we vote on this committee.

With these charges I have made, which I have proven, with the doubts that I have raised as to the other material contained in this report, this House cannot in all propriety, in all fairness, pass on the question of whether or not the Dies committee shall be continued until we first investigate and inquire into the entire report. My charges are true, and I say that the very privileges of the House are involved, the integrity of the House is placed in issue, and the integrity of the committee is placed in issue. Let us investigate and let us have the whole truth before we vote on this committee.

Mr. PATRICK. Does the gentleman specify a committee to investigate the Dies committee?

Mr. MARCANTONIO. The Rules Committee may do it. My resolution provides for an investigation of this report, a committee to be appointed by the Speaker. It was referred to the Rules Committee.

The American people expect an investigation of this report before we decide to continue this committee.

I submit the following samples of lifting and copying.

NEWS LETTER

(Published by News Research Service, Inc., 727 W. Seventh Street, Los Angeles, California, Vol. 6, No. 154, July 9, 1941)

AMERICANISM—AS TAUGHT IN JAPANESE-AMERICAN SCHOOLS

Teachings, perpetrated in the name of "Americanism", are various and sundry—but too many of them are of malicious nature, designed deliberately to undermine American unity. "Japanese Schools in West to Stress Americanism"—thus read the caption of a story, dispatched from Los Angeles, printed in a recent issue of "The Japanese American Review" (illustration on this page). Other articles in the paper were laudatory of all efforts of the totalitarian powers and of men like Ralph E. Townsend, exposed in News Letter #109, author of many pro-Axis books. Investigation by NRS of the "Americanism", allegedly "stressed in Japanese schools in the West", revealed the exact opposite to be the case.

Painstaking examination of the facts revealed that there are 248 Japanese language schools in California, with 454 teachers and 19,310 pupils. It is estimated that there are approximately 90,000 Nisei—American citizens of Japanese ancestry—on the west coast, two-thirds of whom possess dual citizenship, according to qualified observers.

"TO THE LEFT WE HAVE * * *"

Investigation disclosed the amazing fact that two sets of textbooks exist for the schools. One set, usually shown to curious Occidentals, contains no objectionable text whatsoever. It was approved several years ago by the Department for Public Instruction. However, practically every page of the other set preaches loyalty to Japan and treason against the American government. NRS tried for a long time to obtain both sets (illustration on page 2), and finally succeeded. Reproduced on page 3 is a facsimile of receipt issued by the Gosha-Do Company, 1698 Post Street, San Francisco, Calif., for a complete set of those textbooks which are available only to "trusted" Japanese.

Random excerpts from textbooks which are for the exclusive use of Japanese, are unmistakable in purpose as they are flowery in wordage. National language and patriotism are stressed almost to the point of exaggeration:

Reader IV, Junior High School, Lesson #30

"In the unification of the Japanese people who possess the proud and noble Yamato spirit, the genuine Japanese language has always been the most important instrument. The Japanese language is the spiritual blood that circulates in all Japanese. Through it, they are unified.

"This bond is so strong that it perpetuates an unbreakable chain. If a great crisis should arise in the nation, the people would gladly combine their energy for the country's best, despite hardship and even death. And, if there is good news for us, the Japanese people from the south and the north will sing the national anthem, 'Kimigayowa,' and bless the nation for its fortune.

"The Japanese language is like a lovely mother to all our people. From our birth, this mother has held us on her lap and taught us nationalism and appreciation of country. Passionate love of this mother is like the sun in the sky. As citizens of this country (Japan) and offsprings of this (Japanese) nation, we admire its brilliance.

"Our national language cannot be forgotten in our hearts, not even for a single day, especially if we remember that we are children of gods.

"The objective of Japanese education; no matter in what country it may be, is to teach the people never to be ashamed of their Japanese citizenship. First comes language, and then history. We must never forget—not even for a moment—that we are Japanese citizens."

Loyalty to the Emperor is, indeed, next to Godliness, if not Godliness itself, according to the teachings of the textbooks:

Reader V, 5 Grade, Lesson # 1

"Our heavenly ruler has governed our empire for ages past and we are his subjects. The Emperor's great predecessor, the Sun Goddess, in ancient times went to her descendant Ninigi No Mikoto and issued a divine command, telling him to go forth and found an empire upon the islands of Japan. * * * The Imperial House is the center of our country and our nation. * * * With unified hearts let us pursue the path of loyalty and patriotism. There is no other country with such a royal lineage. Be thankful you are a Japanese, and worship the Imperial family."

To become a good Japanese, it seems, one must set Japan and its rulers above all else in the world.

Reader V, 5th grade, lesson # 27

"Our great Japanese Empire has been ruled for thousands of years by our Heavenly Prince. Being his subjects, we all most continue steadfastly on the road of our predecessors. No other country in the world can compare with ours. It is our duty to carry on the great spirit of loyalty to the Emperor and the Empress, and to achieve their aims. We must also try to understand the government of our nation and the problems confronting it. We must really try our utmost in this, at all times, for it is our duty and our job. We must do it with a big heart. We must love our country and our Emperor. We must strengthen our body. We must study everything and be diligent. We must never forget what we learn. If we do all this, we will become good Japanese."

The eighth-grade pupils are given to understand that although Hawaii belongs to the United States in body, the spirit and living habits are Japanese:

Reader VIII, 8th grade, lesson # 21

"Hawaii is known as a possession of the United States of America, but here the Japanese language is spoken just as you hear it in Yokohama. Besides this, you see that about half of the entire crowd, welcoming you, are Japanese. Also, you see among them many women in the Japanese kimono and with the obi tied around their waists.

"In the hotel, after you take a Japanese bath and get dressed, you can hardly believe you are in a foreign country. Of Hawaii's 380,000 population, 150,000 are Japanese. They are engaged in farming, fishing, commerce, and all sorts of business ventures. Hawaii's development to its present stage is due to the Japanese. The fish this hotel serves is caught by Japanese fishermen. . . . Coffee, sugar, pineapple and all other fruits are produced by the hands of the Japanese."

The power of the Japanese language is stressed as extending in its far-reaching importance even to North and South America:

Reader IX, 9th Grade, Lesson # 28

"The Japanese residing in the United States of America and Brazil have established Japanese-language schools to teach their children the Japanese language.

"Under a God-Emperor of unbroken lineage, our nation became matchless in the world, and it continues to move forward. * * * The Japanese language is a ring of wedlock between the feelings and spirits of our forefathers and ourselves, thus tying us together, today, as one community of citizens. Had it not been for our Japanese language, our ideals would by now have been scattered from place to place. Thus, as we march forward in the time of national difficulty, we shout "banzai" to cheer our emperor, proud of our Japanese language and heritage. * * * And so the Japanese language holds together all its citizens, no matter where they may reside.

"Those who forget the Japanese language are no longer Japanese. Respect the Japanese language. Love the Japanese language. The national language is the place where the spirits of citizens reside."

Post-graduate course

Once the Japanese-American leaves the Japanese language school, contact with him is maintained through an unending flow of pro-Japanese and anti-American literature, and through lectures from Nipponese government officials who travel in this country as private citizens. Typical of the many books placed at the disposal of Japanese-Americans is "The Future Road of the Nisei" (illustration on this page); edited by Tsunegoro Horota, endorsed by General Sugiyama, Chief of Staff, Japanese Army; and by Takashi Zuzuki, Director of Kimon Gakuin, leading Japanese language school of San Francisco. On pages 155 to 157, under the caption "Activities of Nisei for Japan," appears:

"According to recent reports, several hundred lectures have been delivered on the China incident by Nisei in America. Many

Nisei also returned to Japan with a mass of material, collected in California.

"Things of this sort are typical of the work performed in the past by the Nisei for Japan. What they gain and what they do is by no means unimportant. The Nisei have made significant contributions to Japan, but in many cases these facts must remain hidden. For example, when the Seventh International Education Conference was held in Tokyo, the Nisei proved themselves most valuable in many respects.

"When the China incident occurred, it became necessary to broadcast to the world the true news in the English language. At this most crucial moment, the Nisei did the work by assuming responsibility as is befitting great patriots.

"In connection with the rapid growth of cultural societies in recent years, the Nisei have played an important part through their work as translators, lecturers, travelers, etc. The role of the Nisei, at the present moment, is of utmost importance, for it is up to him to introduce Japanese culture and Japanese propaganda abroad. Nisei always take the leadership. In the world where English language newspapers and magazines are most influential, the Nisei are in an excellent position to do their share. We have seen to it that they shall be well prepared for their task.

The Nisei spirit is fostered in Los Angeles by the Rafu Shimpo, a weekly newspaper also known as the "Los Angeles Japanese Daily News". This paper, printed in English and in Japanese, has a dual policy, similar in nature to that of the two different sets of textbooks. The English section reeks of patriotic sweetness, while the Japanese section shows the true spirit of the paper. Typical is the following article, printed in Japanese, captioned "Nisei Oversea Division":

"We must help our oversea brethren to accomplish the aim of the Fatherland, the establishment of a Greater Asia. In the creation of an enlightened Asia, every Japanese, all over the world, must become a unit of one in the march forward.

"Education of the Nisei, obviously enough, cannot be neglected. Therefore, the Imperial Education Association has appropriated 100,000 Yen for the purpose of positive Nisei education all over the world, beginning this year.

"In cooperation with the Ministry of Education, the Ministry for Foreign Affairs, and the Greater Asia Assisting Office, a committee has been formed whose program will be (1) to make a careful study of the present status of Nisei education and of the teaching staff abroad; (2) to build a firmer foundation for Nisei education; and (3) to send the most competent teaching staffs to all parts of the world.

"Many presently engaged in Nisei education abroad, desire to return home. At the same time, a large number of teachers at home are anxious to go abroad. Well planned handling of this situation will be most advantageous. Everyone is anxiously awaiting the changes which have been announced."

NEWS LETTER

(Published by News Research Service, Inc., 727 W. Seventh Street, Los Angeles, California, Vol. 6, No. 155, July 16, 1941)

SPY MANUAL FOR JAPANESE-AMERICAN QUISLINGS

"Once hostilities begin, our first move will be an attack upon the Panama Canal. * * * We have submarines capable of traveling 10,000 miles without refueling. * * * The Midway Islands can be taken within 1 day; then we must attack Hawaii. * * *" These statements and many others of the same tenor appear in a book published in Tokyo last October entitled "The Triple Alliance and the Japanese-American War" (illustration on this page), by Kinoaki Matsuo.

Last December, a retired Japanese naval captain, Otojiro Endo, and a retired Japanese Army major, Masichi Sugihara, visited Pacific Coast States in America and held secret meetings with leaders of Japanese-American citizens. Purpose of the tour was to inspire courage among sabotage and espionage agents, and to recruit new men for the Japanese-American Trojan-horse brigade. In their discussions frequent use was made of the book, "The Triple Alliance and the Japanese-American War." A few copies of this volume were given out, only to the most trusted leaders. News Research Service succeeded in obtaining one of these; a translation was made, and even the most casual perusal suggests immediately that this is a well-camouflaged textbook for Japanese espionage.

The table of contents in itself is most revealing. Following are the translated chapter headings and sub-titles, as they appear in the table of contents:

I. Crucial Moment for Japan and America.
  (1) The China Incident and the United States.
  (2) Pacific War—A Hard Struggle.
  (3) The Second World War and the United States.
  (4) The United States and Canada.
II. Expansion of the American Fleet.
  (1) Illusioned America.
  (2) Battleships in Construction.
III. History of the Japanese-American Struggle.
  (1) The First Anti-Japanese Question.
  (2) U. S., Japanese and Manchurian Conflict.
  (3) Imperialistic Foreign Diplomacy of U. S.
  (4) Long-delayed Destruction of London Conference.
IV. United States-Japan War Inevitable.
  (1) United States-Japan Friendship a Delusion.
  (2) Pacifists and the Fear of the American Question.
  (3) United States-Japan War Costs.
V United States Naval Strength.
  (1) U. S. Capital Ships.
  (2) U. S. Cruisers.
  (3) U. S. Destroyers.
  (4) U. S. Aircraft Carriers.
  (5) U. S. Submarines.
  (6) U. S. Naval Bases.
  (7) U. S. Present Military Strength.
  (8) U. S. Naval Developments.
VI. New U. S. Weapons and Mechanized Units.
  (1) New U. S. Weapons.
  (2) Fear of Chemical Warfare.
VII The Great Air Force of the United States.
  (1) Brief Sketch of U. S. Air Force.
  (2) Present U. S. Air Force.
VIII. War Plans of the United States.
  (1) U. S. Plans for Attack.
  (2) U. S. Plans Attack on Western Pacific.
IX. Immediate War vs. Prolonged War.
  (1) Immediate American War Decision.
  (2) Immediate Japanese War Decision.
X. Time of Conflict.
  (1) Lightning Military Movements.
XI. Japan's Attack on the Philippine Islands.
  (1) The Philippine and Asiatic Fleet.
  (2) Occupation of Guam by the Japanese Fleet.
XII. The Fall of Manila.
  (1) Japan's Flag Hoisted in the Philippine Islands.
XIII. Fear of Destruction of Foreign Trade.
  (1) Japan Plans Foreign Trade Destruction.
XIV. Singapore and Hong Kong.
  (1) Problem of Singapore Army Base.
  (2) What Becomes of Hong Kong?
XV. The United States Fleet in Hawaii.
  (1) Pacific Battle Force and Military Strength.
  (2) Entire Fleet Concentrates at Pearl Harbor.
XVI. Japan's Surprise Fleet.
  (1) United States Plans for Crossing the Ocean.
  (2) Activities of the Surprise Fleet.
XVII. American Naval Expedition to Japan.
  (1) Japanese Expedition.
  (2) Destruction of U. S. Fleet.
  (3) Movement of Japan's Fleet.
XVIII. United States Air Force Attacks Japan.
  (1) U. S. Bombing of Japanese Cities.
  (2) Defense Against Air Attack.
XIX. U. S.-Japanese Great Battle in the Pacific.
  (1) Attacks of U. S. Capital Ships.
  (2) Withdrawal of U. S. Fleet.
XX. Occupation of Hawaii and Closing of Panama Canal.
  (1) Japanese Occupation of Hawaii.
  (2) Japanese Closing of Panama Canal.
XXI. Japan-Germany-Italy Alliance and the United States.
  (1) Establishment of the Triple Alliance.
  (2) The Meaning of the Alliance.

"THE JAPANESE SURPRISE FLEET"

Under that subtitle, the author of the book reveals Japan's plans to employ long-range submarines on the American side of the Pacific, and to take and use the Midway Islands as a submarine base:

Chapter 17, Page 279

"In the future, our submarines must be able to operate alone in the West Pacific; their ability to attack and to make long journeys is vitally important. Submarines which can travel 10,000 miles could easily cross the Pacific. There are very small type subs which could accomplish a lot on the American side of the Pacific.

"Our navy will quickly occupy the Midway Islands, and a submarine base will be established at once. It is only 1,160 miles to Hawaii, a very convenient distance for our surprise fleet. To this surprise fleet belong * * * mine layers of type * * * model 21. This type is capable of carrying a heavy load of mines for distribution in American sea routes of merchantmen and battleships. We can then strike the enemy fleet at a most opportune time and cut off communication lines as well as merchantmen. (Editor's Note: The number and type of mine layers are not given in the original text.)"

In discussing "Japanese Occupation of Hawaii," the book optimistically foresees that a Japanese naval victory would be sufficient incentive for the Japanese in Hawaii to immediately organize a volunteer army:

Chapter 21, Pages 322–324

"In the Japanese occupation of Hawaii, cooperation between army and navy is most important. The Midway Islands must be taken before we attack Hawaii, for they would give us a good foothold. It will be very easy to take Midway Islands, which are practically defenseless; in fact, it would require only about one day's bombardment to take them.

"In Hawaii, there are about 150,000 Japanese one-half of whom are 'Nisei' (Japanese descendants of foreign citizenship). Once the news of Japanese naval victories reaches Hawaii, the Japanese there will quickly organize a volunteer army. There is no doubt but that Hawaii will come into our hands."

Of course, the Japanese strategists have devoted much thought to the Panama Canal. Under the sub-title "Closing the Panama Canal," one reads:

Chapter 21, Pages 330–332

"The remaining question is: What will become of the Panama Canal? Panama is a little over 4,600 knots from Hawaii and about 8,000 knots from Japan, so an attack is not an easy matter and will require a considerable navy force. If, at the outbreak of war, we proceed immediately to attack and close the Canal, we could cut off the Atlantic

from the Pacific. It would prove an invaluable asset to our war strategy."

"If the Panama Canal falls into Japanese possession and there is another Japan-America war, the United States will certainly strike at Panama; however, while Japan controls this area, the American Fleet will be divided—one part in the Pacific, the other in the Atlantic—and the two fleets cannot combine. American imperialism depends upon the strength of her Navy, for without it her imperialistic ambitions cannot be realized. Once we control the Canal, we can enforce peace. Besides this, it will bring to an end American threats against Mexico and all other small nations in Central and South America.

"Japanese possession of the Panama Canal has a direct bearing upon future peace; therefore, by all means, Japan must take the Canal and keep it even after the war. However, inasmuch as Panama is fortified, it will not be easy to take."

The "Meaning of Triple Alliance" carried a subtle threat as to what America may expect as the result of a united attack from Japan, Germany, and Italy:

Chapter 22, Pages 350–351

"The purpose of the Berlin-Rome-Tokyo alliance is to secure the best possible cooperation in dealing with all kinds of military, political, and economic problems, and to assist one another in the strongest sense of the word. Should America become involved in the war, she would be subjected to a gigantic united attack by Japan, Germany, and Italy.

"Only the flag of the sun, which symbolizes our nation, would fly over the Pacific. On the Atlantic, the swastika, which also symbolizes the sun and life, will be active with might. In addition, the meaningful flag of Italy would flash. In the face of all this, if America comes against Japan and tries to block her, it would be no more than a pin prick."

THE VOICE OF RAFU SHIMPO

Rafu Shimpo, the bi-lingual "Los Angeles Japanese Daily News", carries many articles in the Japanese language, designed specifically to encourage Nipponese faith in the might of the Mikado's Empire. Said Rafu Shimpo recently, under the caption: "Two-Ocean Navy and Pacific":

"Battleships of more than 35,000 tons cannot pass through the Panama Canal. Only ships whose width is 106 feet or less can pass through it. Four ships of *Iowa* class, built in 1940, were of 45,000 tons each. Ten battleships now under construction are too large. * * * Therefore, the two-ocean navy really is a one-ocean navy.

"President Roosevelt is very much concerned as to how America can match German armaments which have been prepared for seven years. America might launch a battle against us, with 15 capital ships, 6 aircraft carriers, 18 heavy cruisers, 17 light cruisers, 80 destroyers, 45 submarines, comprising a first line navy. But it would be very dangerous to attack Japan several thousand miles away * * * for it would be fatal for the American navy to fight so far from its base.

"If capital ships constitute power, look at what Germany does before our very eyes! It is so clear that there is no need for further explanation. Japan will not sit idle while America prepares."

While the Japanese government exploits the racial ties to foster loyalty to the home-country among Japanese-Americans, gullibles in the United States are worked upon with propaganda brochures prepared in scholarly style. The latest such literature, received gratis from Tokyo, is a volume entitled "Introductory Studies on the Sino-Japanese Conflict" (illustration on this page), by Kiyoshi Miki and Karoku Hosokawa, published by the Japanese Council of the Institute of Pacific Relations. This Institute has achieved a position of great prestige in American and British diplomatic, academic and industrial circles.

The well-indexed book, over 100 pages long, presents the Japanese version of imperialist expansion in China on the part of the European powers and the United Stats. Throughout the book, the reader is led to believe that the authors were prompted only by a feeling of compassion for "poor, abused China." In the first pages, the authors tread lightly, but in conclusion, they assert, under the subtitle "The 'Open Door' vs. Japan's Continental Policy":

"The clash between the ambitions of Western powers and Japanese continental policy, both of which are seeking to advance in China, would seem to be inevitable unless one is forced to submit to the superior power of the other, as long as the semi-colonial China continues to exist as in the past, or as long as the present world order prevails."

Note the clever strategy of the authors in placing alleged "ambitions of Western powers" in juxtaposition with the "Japanese continental policy," as if it were the Western powers and not Japan whose ambition is responsible for the Chinese-Japanese war. The authors continue:

"The present Sino-Japanese incident, with utmost insistence, demands a solution to the question of creating a new and true world order, and of making a clean sweep of the semi-colonial condition of China."

To reach her goal, as detailed in last week's NRS release, Japan relies not only on her military arms and her Axis allies, but also upon Japanese-American Quislings who will gladly volunteer.

Thus, Japan falls into line with the Axis cry for a new order; thus, Japan prepares for the day when—so bluntly stated in "The Triple Alliance and the Japanese-American War"—only the flag of the Rising Sun will wave over the Pacific, and the swastika, which also symbolizes the sun, will rule the Atlantic.

[From the Report of the Dies Committee on Japanese Activities, page 1737 ff]

"Once hostilities begin, our first move will be an attack upon the Panama Canal. * * * We have submarines capable of traveling 10,000 miles without refueling. * * * The Midway Islands can be taken within 1 day; then we must attack Hawaii. * * *" These statements and many others of the same tenor appear in a book published in Tokyo in October 1940 entitled "The Triple Alliance and the Japanese-American War," by Kinoaki Matsuo.

In December 1940, a retired Japanese naval captain, Otojiro Endo, and a retired Japanese Army major, Masichi Sugihara, visited Pacific Coast States in America and held secret meetings with leaders of Japanese-American citizens. Purpose of the tour was to inspire courage among sabotage and espionage agents, and to recruit new men for the Japanese-American Trojan horse brigade. In their discussions, frequent use was made of the book, The Triple Alliance and the Japanese-American War. A few copies of this volume were given out, only to the most trusted leaders. The committee succeeded in obtaining one of these; a translation was made, and even the most casual perusal suggests immediately that this is a textbook for Japanese espionage.

The table of contents in itself is most revealing. Following are the translated chapter headings and subtitles, as they appear in the table of contents:

I. Crucial moment for Japan and America:
  (1) The China incident and the United States.
  (2) Pacific War—A hard struggle.
  (3) The Second World War and the United States.
  (4) The United States and Canada.

II. Expansion of the American Fleet:
  (1) Illusioned America.
  (2) Battleships in construction.

III. History of the Japanese-American struggle.
  (1) The first anti-Japanese question.
  (2) United States, Japanese, and Manchurian conflict.
  (3) Imperialistic foreign diplomacy of United States.
  (4) Long-delayed destruction of London Conference.

IV. United States-Japan War inevitable:
  (1) United States-Japan friendship a delusion.
  (2) Pacifists and the fear of the American question.
  (3) United States-Japan War costs.

V. United States naval strength:
  (1) United States capital ships.
  (2) United States cruisers.
  (3) United States destroyers.
  (4) United States aircraft carriers.
  (5) United States submarines.
  (6) United States naval bases.
  (7) United States present military strength.
  (8) United States naval developments.

VI. New United States weapons and mechanized units:
  (1) New United States weapons.
  (2) Fear of chemical warfare.

VII. The great air force of the United States:
  (1) Brief sketch of United States Air Force.
  (2) Present United States Air Force.

VIII. War plans of the United States:
  (1) United States plans for attack.
  (2) United States plans attack on western Pacific.

IX. Immediate war versus prolonged war:
  (1) Immediate American war decision.
  (2) Immediate Japanese war decision.

X. Time of conflict:
  (1) Lightning military movements.

XI Japan's attack on the Philippine Islands:
  (1) The Philippine and Asiatic Fleet.
  (2) Occupation of Guam by the Japanese Fleet.

XII. The fall of Manila:
  (1) Japan's flag hoisted in the Philippine Islands.

XIII. Fear of destruction of foreign trade:
  (1) Japan plans foreign trade destruction.

XIV. Singapore and Hong Kong:
  (1) Problem of Singapore Army base.
  (2) What becomes of Hong Kong?

XV. The United States Fleet in Hawaii:
  (1) Pacific battle force and military strength.
  (2) Entire fleet concentrates at Pearl Harbor.

XVI. Japan's surprise fleet:
  (1) United States plans for crossing the ocean.
  (2) Activities of the surprise fleet.

XVII. American naval expedition to Japan.
  (1) Japanese expedition.
  (2) Destruction of United States Fleet.
  (3) Movement of Japan's fleet.

XVIII. United States Air Force attacks Japan:
  (1) United States bombing of Japanese cities.
  (2) Defense against air attack.

XIX. United States-Japanese great battle in the Pacific:
  (1) Attacks of United States capital ships.
  (2) Withdrawal of United States Fleet.

XX. Occupation of Hawaii and closing of Panama Canal:
  (1) Japanese occupation of Hawaii.
  (2) Japanese closing of Panama Canal.

XXI. Japan-Germany-Italy alliance and the United States:
  (1) Establishment of the triple alliance.
  (2) The meaning of the alliance.

THE JAPANESE SURPRISE FLEET

Under that subtitle the author of the book revealed Japan's plans to employ long-range submarines on the American side of the Pacific and to take and use the Midway Islands as a submarine base:

"Chapter 17, page 279: In the future our submarines must be able to operate alone in the west Pacific; their ability to attack and to make long journeys is vitally important. Submarines which can travel 10,000 miles could easily cross the Pacific. There are very small-type subs which could accomplish a lot on the American side of the Pacific.

"Our navy will quickly occupy the Midway Islands, and a submarine base will be established at once. It is only 1160 miles to Hawaii, a very convenient distance for our surprise fleet. To this surprise fleet belong * * * mine layers of type * * * model 21. This type is capable of carrying a heavy load of mines for distribution in American sea routes of merchantmen and battleships. We can then strike the enemy fleet at a most opportune time and cut off communication lines as well as merchantmen. [Editor's note: The number and type of mine layers are not given in the original text.]

In discussing "Japanese Occupation of Hawaii," the book predicted that a Japanese naval victory would be sufficient incentive for the Japanese in Hawaii to immediately organize a volunteer army:

"Chapter 21, pages 322–324: In the Japanese occupation of Hawaii, cooperation between army and navy is most important. The Midway Islands must be taken before we attack Hawaii, for they would give us a good foothold. It will be very easy to take Midway Islands, which are practically defenseless; in fact, it would require only about 1 day's bombardment to take them"

"In Hawaii there are about 150,000 Japanese, one-half of whom are Nisei (Japanese descendants of foreign citizenship). Once the news of Japanese naval victories reaches Hawaii the Japanese there will quickly organize a volunteer army. There is no doubt but that Hawaii will come into our hands."

Of course, the Japanese strategists devoted much thought to the Panama Canal. Under the subtitle, "Closing the Panama Canal," they said:

"Chapter 21, pages 330–332: The remaining question is, What will become of the Panama Canal? Panama is a little over 4,600 knots from Hawaii and about 8,000 knots from Japan, so an attack is not an easy matter, and will require a considerable navy force. If, at the outbreak of war, we proceed immediately to attack and close the Canal, we could cut off the Atlantic from the Pacific. It would prove an invaluable asset to our war strategy.

"If the Panama Canal falls into Japanese possession and there is another Japan-America war, the United States will certainly strike at Panama. However, while Japan controls this area, the American Fleet will be divided—one part in the Pacific, the other in the Atlantic—and the two fleets cannot combine. American imperialism depends upon the strength of her Navy, for without it her imperialistic ambitions cannot be realized. Once we control the Canal we can enforce peace. Besides this, it will bring to an end American threats against Mexico and all other small nations in Central and South America.

"Japanese possession of the Panama Canal has a direct bearing upon future peace; therefore, by all means, Japan must take the Canal and keep it even after the war. However, inasmuch as Panama is fortified, it will not be easy to take."

The "Meaning of Triple Alliance" carried a threat as to what America might expect as the result of a united attack from Japan, Germany, and Italy:

"Chapter 22, pages 350–351: The purpose of the Berlin-Rome-Tokyo alliance is to secure the best possible cooperation in dealing with all kinds of military, political, and economic problems, and to assist one another in the strongest sense of the word. Should America become involved in the war, she would be subjected to a gigantic united attack by Japan, Germany, and Italy.

"Only the flag of the sun, which symbolizes our nation, would fly over the Pacific. On the Atlantic, the swastika, which also symbolizes the sun and life, will be active with might. In addition, the meaningful flag of Italy would flash. In the face of all this, if America comes against Japan and tries to block her, it would be no more than a pin prick."

[From the Report of the Dies Committee on Japanese Activities, page 1886 ff]

* * * Investigation has revealed that in December 1941 there were 248 Japanese language schools, with 454 teachers and 19,310 pupils. * * *

Investigation disclosed the amazing fact that two sets of textbooks exist for the Japanese language schools. One set, usually shown to curious occidentals, contains no objectionable text whatsoever. It was approved several years ago by the Department for Public Instruction. However, practically every page of the other set preaches loyalty to Japan and treason against the American Government.

Excerpts from textbooks which are for the exclusive use of Japanese are unmistakable in purpose. National language and patriotism are stressed to the point of exaggeration.

Concerning the Japanese language, one of these textbooks says:

"In the unification of the Japanese people who possess the proud and noble Yamato spirit, the genuine Japanese language has always been the most important instrument. The Japanese language is the spiritual blood that circulates in all Japanese. Through it, they are unified.

"This bond is so strong that it perpetuates an unbreakable chain. If a great crisis should arise in the nation, the people would gladly combine their energy for the country's best, despite hardship and even death. And, if there is good news for us, the Japanese people from the south and the north will sing the national anthem, 'Kimigayowa,' and bless the nation for its fortune.

"The Japanese language is like a lovely mother to all our people. From our birth, this mother has held us on her lap and taught us nationalism and appreciation of country. Passionate love of this mother is like the sun in the sky."

"As citizens of this country (Japan) and offsprings of this (Japanese) nation, we admire its brilliance.

"Our national language cannot be forgotten in our hearts, not even for a single day, especially if we remember that we are children of gods.

"The objective of Japanese education, no matter in what country it may be, is to teach the people never to be ashamed of their Japanese citizenship. First comes language, and then history. We must never forget—not even for a moment—that we are Japanese citizens."

Loyalty to the Emperor is absolutely paramount according to the teachings of the textbooks:

"Our heavenly ruler has governed our Empire for ages past and we are his subjects. The Emperor's great predecessor, the Sun Goddess, in ancient times went to her descendant Ninigi No Mikoto and issued a divine command, telling him to go forth and found an empire upon the islands of Japan. * * * The Imperial House is the center of our country and our nation * * * With unified hearts let us pursue the path of loyalty and patriotism. There is no other country with such a royal lineage. Be thankful you are a Japanese, and worship the Imperial family.

"Our great Japanese Empire has been ruled for thousands of years by our Heavenly Prince. Being his subjects, we all must continue steadfastly on the road of our predecessors.

"No other country in the world can compare with ours. It is our duty to carry on the great spirit of loyalty to the Emperor and the Empress, and to achieve their aims. We must also try to understand the government of our nation and the problems confronting it. We must really try our utmost in this, at all times, for it is our duty and our job. We must do it with a big heart. We must love our country and our Emperor. We must strengthen our body. We must study everything and be diligent. We must never forget what we learn. If we do all this, we will become good Japanese."

The eighth-grade pupils are given to understand that although Hawaii belongs to the United States in body, the spirit and living habits are Japanese:

Hawaii is known as a possession of the United States of America, but here the Japanese language is spoken just as you hear it in Yokohama. Besides this, you see that about half of the entire crowd, welcoming you, are Japanese. Also, you see among them many women in the Japanese kimono and with the obi tied around their waists.

In the hotel, after you take a Japanese bath and get dressed, you can hardly believe you are in a foreign country. Of Hawaii's 380,000 population, 150,000 are Japanese. They are engaged in farming, fishing, commerce, and all sorts of business ventures. Hawaii's development to its present stage is due to the Japanese. The fish this hotel serves is caught by Japanese fishermen. * * * Coffee, sugar, pineapple, and all other fruits are produced by the hands of Japanese."

The power of the Japanese language is stressed as extending in its far-reaching importance even to North and South America:

"The Japanese residing in the United States of America and Brazil have established Japanese language schools to teach their children the Japanese language.

"Under a God-Emperor of unbroken lineage, our nation became matchless in the world, and it continues to move forward. * * * The Japanese language is a ring of wedlock between the feelings and spirits of our forefathers and ourselves, thus tying us together, today, as one community of citizens. Had it not been for our Japanese language, our ideals would by now have been scattered from place to place. Thus, as we march forward in the time of national difficulty, we shout 'banzai' to cheer our Emperor, proud of our Japanese language and heritage. * * * And so the Japanese language holds together all its citizens, no matter where they may reside.

"Those who forget the Japanese language are no longer Japanese. Respect the Japanese language. Love the Japanese language. The national language is the place where the spirits of citizens reside."

POSTGRADUATE COURSE

Once the Japanese-American leaves the Japanese-language school, contact with him is maintained through an unending flow of pro-Japanese and anti-American literature, and through lectures from Nipponese government officials who travel in this country as private citizens. Typical of the many books placed at the disposal of Japanese-Americans is The Future Road of the Nisei, edited by Tsunegoro Horota, endorsed by General Sugiyama, Chief of Staff, Japanese Army; and by Takashi Zuzuki, director of Kinmon Gakuin, leading Japanese-language school of San Francisco. On pages 155 to 157, under the caption "Activities of Nisei for Japan," appears:

"According to recent reports, several hundred lectures have been delivered on the China incident by Nisei in America. Many

Nisei also returned to Japan with a mass of material, collected in California.

"Things of this sort are typical of the work performed in the past by the Nisei for Japan. What they gain and what they do is by no means unimportant. The Nisei have made significant contributions to Japan, but in many cases these facts must remain hidden. For example, when the Seventh International Education Conference was held in Tokyo, the Nisei proved themselves most valuable in many respects.

"When the China incident occurred, it became necessary to broadcast to the world the true news in the English language. At this most crucial moment, the Nisei did the work by assuming responsibility as is befitting great patriots.

"In connection with the rapid growth of cultural societies in recent years, the Nisei have played an important part through their work as translators, lecturers, travelers, etc. The role of the Nisei, at the present moment, is of utmost importance, for it is up to him to introduce Japanese culture and Japanese propaganda abroad. Nisei always take the leadership. In the world where English-language newspapers and magazines are most influential, the Nisei are in an excellent position to do their share. We have seen to it that they shall be well prepared for their task."

The Nisei spirit is fostered in Los Angeles by the Rafu Shimpo, a weekly newspaper also known as the Los Angeles Japanese Daily News. This paper, printed in English and in Japanese, has a dual policy, similar in nature to that of the two different sets of textbooks. The English section reeks of patriotic sweetness, while the Japanese section shows the true spirit of the paper. Typical is the following article, printed in Japanese, captioned "Nisei Oversea Division":

"We must help our oversea brethren to accomplish the aim of the Fatherland, the establishment of a Greater Asia. In the creation of an enlightened Asia, every Japanese, all over the world, must become a unit of one in the march forward.

"Education of the Nisei, obviously enough, cannot be neglected. Therefore, the Imperial Education Association has appropriated 100,000 yen for the purpose of positive Nisei education all over the world, beginning this year.

"In cooperation with the Ministry of Education, the Ministry for Foreign Affairs, and the Greater Asia Assisting Office, a committee has been formed whose program will be (1) to make a careful study of the present status of Nisei education and of the teaching staff abroad; (2) to build a firmer foundation for Nisei education; and (3) to send the most competent teaching staffs to all parts of the world.

"Many presently engaged in Nisei education abroad, desire to return home. At the same time, a large number of teachers at home are anxious to go abroad. Well planned handling of this situation will be most advantageous. Everyone is anxiously awaiting the changes which have been announced."

[From the Report of the Dies Committee on Japanese Activities page 1938 ff]

THE VOICE OF RAFU SHIMPO

Rafu Shimpo, the bi-lingual Los Angeles Japanese Daily News, carries many articles in the Japanese language, designed specifically to encourage Nipponese faith in the might of the Mikado's Empire. Said Rafu Shimpo recently, under the caption: "Two-Ocean Navy and Pacific":

"Battleships of more than 35,000 tons cannot pass through the Panama Canal. Only ships whose width is 106 or less can pass through it. Four ships of *Iowa* class, built in 1940, were of 45,000 tons each. Ten battleships now under construction are too large * * *. Therefore, the two-ocean Navy really is a one-ocean Navy.

"President Roosevelt is very much concerned as to how America can match German armaments which have been prepared for 7 years. America might launch a battle against us, with 15 capital ships, 6 aircraft carriers, 18 heavy cruisers, 17 light cruisers, 80 destroyers, 45 submarines, comprising a first-line navy. But it would be very dangerous to attack Japan several thousand miles away. * * * for it would be fatal for the American Navy to fight so far from its base.

"If capital ships constitute power, look at what Germany does before our very eyes. It is so clear that there is no need for further explanation. Japan will not sit idle while America prepares."

While the Japanese Government exploits the racial ties to foster loyalty to the home country among Japanese-Americans, gullibles in the United States are worked upon with propaganda brochures prepared in scholarly style. The latest such literature, received gratis from Tokyo, is a volume entitled "Introductory Studies on the Sino-Japanese Conflict" (illustration on this page), by Kiyoshi Miki and Karoku Hosokawa, published by the Japanese Council of the Institute of Pacific Relations. This institute has achieved a position of great prestige in American and British diplomatic, academic, and industrial circles.

The well-indexed book, over 100 pages long, presents the Japanese version of imperialist expansion in China on the part of the European powers and the United States. Throughout the book, the reader is led to believe that the authors were prompted only by a feeling of compassion for "poor, abused China." In the first pages, the authors tread lightly, but in conclusion, they assert, under the subtitle "The 'Open Door' versus Japan's Continental Policy":

"The clash between the ambitions of western powers and Japanese continental policy, both of which are seeking to advance in China, would seem to be inevitable unless one is forced to submit to the superior power of the other, as long as the semicolonial China continues to exist as in the past, or as long as the present world order prevails."

Note the clever strategy of the authors in placing alleged "ambitions of Western powers" in juxtaposition with the "Japanese continental policy", as if it were the western powers and not Japan whose ambition is responsible for the Chinese-Japanese war. The authors continue:

"The present Sino-Japanese incident, with utmost insistence, demands a solution to the question of creating a new and true world order, and of making a clean sweep of the semicolonial condition of China."

To reach her goal Japan relies not only on her military arms and her Axis allies, but also upon Japanese-American "Quislings" who will gladly volunteer.

Thus, Japan falls into line with the Axis cry for a new order; thus, Japan prepares for the day when—so bluntly stated in The Triple Alliance and the Japanese-American War—only the flag of the rising sun will wave over the Pacific; and the swastika, which also symbolizes the sun, will rule the Atlantic.

REPUBLICAN RIVER COMPACT

Mr. WHITE submitted a conference report and statement on the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin.

The SPEAKER. Under a previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

THE DIES COMMITTEE

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield for a question?

Mr. VOORHIS of California. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. My purpose is to ask the gentlemen from New York, who just preceded the gentleman, just why in all these preceding years he has always opposed the Dies committee?

Mr. MARCANTONIO. I have opposed the Dies committee, because I have felt it to be my American and patriotic duty to oppose a committee which has been subversive of the constitutional liberties of the American people.

Mr. VOORHIS of California. Mr. Speaker, I am a member of this committee. My shoulders have grown broader with the months.

May I say with regard to a question being asked of a Member of the House as to why he opposes the committee, I do not feel that any Member of the House is required to answer that question. I think any Member of the House has a perfect right to oppose the committee if he sees fit to do so.

I hope that in this 10 minutes I can say a few things that will clarify some of the matters. The facts of the matter are, as usual, between the two extremes. I put in the RECORD on February 25 my own statement about the work of this committee, in which I went rather fully into what my own views about the matter are.

In the course of that discussion I said, among other things with regard to the Pearl Harbor matter, that it was not my opinion, and never had been my opinion, that the committee had information which could have prevented the Pearl Harbor disaster. Certain it is I never saw any information of that character. I think it was unfortunate for any such impression to have gone out.

I also said in my remarks of February 25—and this I also believe; I have been assured of it over and over again—that the files of the committee, and the information which the committee has at its disposal, are at all times open to any representative of the Department of Justice, the Army Intelligence, the Navy Intelligence, or any other properly qualified representative of a Government agency.

Mr. HOOK. Mr. Speaker, will the gentleman yield for a question?

Mr. VOORHIS of California. I yield to the gentleman from Michigan.

Mr. HOOK. Is the information open to any Member of the House of Representatives?

Mr. VOORHIS of California. I am glad the gentleman asked me that. First of all, I want to be sure my first point is clear. If anybody can show me that any information in the possession of this committee was not available at any time that a representative of the Department of Justice or the Army or Navy Intelligence came after it, I should be both surprised and inclined to resign my position on the committee; but my understanding is that that information is always so available.

In answer to the gentleman's question, and referring also to my remarks of February 25, I will say this: On certain occasions it would appear that information that the committee might have has been available to any Member of Congress. I am frank to say that I do not believe that that should be the case unless the committee as a whole approves, and unless that information is given to such Member with a complete explanation on the part of the committee itself as to what it signifies.

It is my further opinion that there has been great injustice done because of the fact that Members have on certain occasions called the committee and asked for a list of things about so-and-so, Tom, Dick, or Harry, gotten such a list, and then used it in the CONGRESSIONAL RECORD without explanation or analysis on the part of anybody who understood what those things meant. I think that inevitably creates an injustice, and I do not think that should be done.

There will be Members who would object to my saying that, I have no doubt, but I feel that by the very fact that there is so much in the committee's files it is obviously impossible for it to be fairly used except under the most careful circumstances.

Mr. HOOK. I just wanted to be sure on that point.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Can the gentleman explain to the House who was responsible for the drafting of this report, which I understand was subscribed to by the full membership of the committee?

Mr. VOORHIS of California. I wish the gentleman had not asked me that question, because it is my intention, in fact, one of the main purposes for asking this time, I should say, to make the statement, because it is true, that, so far as this report is concerned, it was approved by the membership of the committee, and I take my responsibility for it to the extent that that goes. I have not come to this report yet, I may say.

Mr. KEEFE. My reason for asking it should be perfectly obvious to the gentleman. The report is very voluminous and I take it no individual Member in his capacity as a member of this committee could very well have prepared that report, and I assume it must have been prepared by the secretarial service, or the drafting service, or somebody in the employ of the committee.

Mr. VOORHIS of California. That is right.

Mr. KEEFE. And I think the Congress is entitled to know the facts in reference to it.

Mr. VOORHIS of California. That is true, but the report was submitted to the members of the committee before it was released.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield on the point he was just speaking about a moment ago?

Mr. VOORHIS of California. Yes; and then I would appreciate it if the Members would let me speak for a minute or 2.

Mr. HOFFMAN. The question I want to ask the gentleman is this. Does not at least a part of the difference of opinion grow out of the fact as to whose duty it was to get this information into the hands of the Department of Justice; that is, as I understood the gentleman who just preceded you, he thought the Dies committee should take it down there, while some others think if the Department of Justice wanted it they could have called for it.

Mr. VOORHIS of California. I am coming to that, if I may have the opportunity.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield for a question?

Mr. VOORHIS of California. I have already one question before me, I will say to the gentleman, and I would rather answer that one first.

I can refer to some of my own efforts in the past, in answer to the gentleman from Michigan, which have been to this effect. The job was given to me of attempting to work out the relationships between this committee and the Department of Justice. My own belief about the matter is very simple. The Committee on Un-American Activities can do certain things which the Department of Justice cannot do. The Committee on Un-American Activities can subpena witnesses and take testimony and hold hearings and issue reports regardless of whether there has been any violation of law or not. The purpose of the committee is to draw to the attention of the Nation such facts as relate to activities of people who are enemies of the Nation and of its basic institutions—not people who want to solve the unemployment problem or assure us against depression, I would like to say with emphasis. The job of the Department of Justice, on the other hand, is to apprehend people who violate the law and see to it that they are tried and, if guilty, convicted. Now, my whole position on this matter is that, in my judgment, the Committee on Un-American Activities, if it comes upon any information which would be of such a nature as to make possible the prosecution of offenders against the law, should bring it to the attention of the Department of Justice and that the Department of Justice, on its part, if it has information which cannot be used for prosecution purposes, might well bring it to the attention of the committee in order that it might go into the matter in the manner available to it, but not, in the nature of the case, to the Department. As a practical matter, the most practical way to handle the whole proposition is for the Department to have people constantly perusing the files of the committee and securing any information which may be there which they may desire.

Now I am not in position to state, I wish I were—I think as a member of the committee, perhaps, I should be able to, but it would take 29 hours a day if I were in a position to say whether there has never been anything or any time when the committee did not immediately go to the Department with something that might have been of significance. I can say that I do not know of any case where the committee has had any inclination to withhold information from the Department.

[Here the gavel fell.]

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McGRANERY. Now, could the gentleman tell the House who dictated or who wrote the report?

Mr. VOORHIS of California. I will do that right now if the gentleman will permit me. This report is obviously a book which is supposed to contain major matters about the activities of certain Japanese who, working under the direction of the Japanese Government, in one way or another, have for a period of time been attempting to serve the interests of that Government and, perhaps, to prepare for that Government's attempt to attack the United States. I may add that I personally do not believe that material in this report applies to by any means all of our citizens of Japanese descent. I believe there are a very large number of them who are sincerely loyal to the United States. But with our country at war with Japan it seems to me a proper thing to bring to light all matters relating to the manner in which the Japanese Government has attempted to use people of Japanese descent or Japanese aliens or others in this country in order to harm and if possible to defeat us. That is the reason I approved the report. I think it is a good reason.

That is what the booklet is supposed to be. To say that the booklet is written by all members of the committee is obviously not true. Of course it was not written by the committee. The booklet is a compilation of a lot of material from a lot of different sources, and, as far as I am concerned, I felt sure that that was frankly understood.

Mr. McGRANERY. Can the gentleman tell the House who dictated this report?

Mr. VOORHIS of California. What does the gentleman mean by "who dictated the report"?

Mr. McGRANERY. Who was it that sat down and dictated this report? I do not suppose that every member of the committee submitted a portion of that report?

Mr. VOORHIS of California. That is correct.

Mr. McGRANERY. Who dictated the report?

Mr. VOORHIS of California. I can tell the gentleman with perfect honesty that I do not know who did. It was written in the committee offices by somebody. I do not know exactly by whom, but my responsibility was to take the report and go through it and see as near as I could if there was material in it which I felt should not be there and then to approve or disapprove its release.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. ELIOT of Massachusetts. Will the gentleman, for whom I have great

affection, explain why he approves section 2 of the report, which implies very clearly that it is a secret and important Japanese naval map, showing our American battle stations around Hawaii, when in fact the map was published in 1935 by a popular magazine which is or was filed as second-class mail matter in the Los Angeles post office?

Mr. VOORHIS of California. I will say that I had never seen that map until it was brought to my attention in connection with this committee report, and, furthermore, it is my understanding there are a great many people in the United States, some of whom might have needed to know about that map, who also did not know about the map. In any case I cannot see that even had I known it was published in a Japanese magazine in 1935 there would have been any reason at all for my objecting to its inclusion in the booklet.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. MARCANTONIO. I simply want to get the gentleman's position clear. Is it the gentleman's contention that the language contained in this report is not advanced to the country as the language of the committee, as the report of the committee as to its activities, as to its work, as to its investigation, and that the translations are not the translations of the committee and its employees?

Mr. VOORHIS of California. The book is what it obviously appears to be.

Mr. MARCANTONIO. It appears to be a report of the committee and the words of the committee.

Mr. VOORHIS of California. It is a collection of material upon Japanese activities. That is what it is.

Mr. MARCANTONIO. Then the language is not the language of the committee?

Mr. VOORHIS of California. The gentleman has had 30 minutes in which to make that point, and it is apparently true, which I did not know when the report came out, that that material which the gentleman refers to was material which came from the News Letter the gentleman refers to. I happen to know something about that News Letter and about the work that goes into its publication. I happen also to know that the gentleman who put it out did say what the gentleman from Illinois [Mr. MASON] said, namely, that he wanted the committee to make free use of that material, and I am informed that he preferred not to have it quoted. I would say this much further, that, in my judgment, it would have been better had the committee made positive effort to get this man's permission to give his News Letter credit for that part of the report. That is my personal opinion, and I want to say this in that connection. It seems to me that there are bigger and more important matters to be considered in this whole business. The main one is that we are at war and must do all we can to win it. I feel exposé of activities of enemy nations in this country helps to accomplish that. I think it is undeniably true that it is unfortunate and a mistake whenever a committee of this kind makes any statement which is too broad or which in any way tends to go beyond the most conservative conclusion which the facts justify. I believe that applies to members of the committee too, for it is dealing with what may be termed very inflammable material.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Not now.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VOORHIS of California. It is also true that in attempts to oppose the committee there have been quite extravagant statements made, and I honestly feel in many cases that there have been exaggerations and distortions of what were the real facts regarding the committee's work.

I would like to speak a little further about what my views are about this Pearl Harbor matter. Obviously if this committee had evidence which could have prevented Pearl Harbor the committee should have gone to any possible lengths with regard to it. The fact of the matter is that the committee's material is in this book. Anyone can see for himself that it is not of a character to enable anyone to predict military movements or attacks or anything of that sort except in the most general way. On the other hand, I do believe it possible that had open hearings been held and all this material laid before the country—because some of it I think you will admit is pretty impressive—it might have created a greater degree of awareness on the part of a lot of people in the Nation. That awareness might have made a difference. No one knows for sure. However, I do not for one moment personally criticize the State Department for requesting that open hearings be not held and for this reason. The State Department, for good reason, was attempting to postpone a clash with the Japanese. I do not blame them at all. Indeed, I am of the opinion that I probably would have used the same judgment that they did under the circumstances had I been in their position.

After what happened on December 7, after we saw what the fact was—I think as a matter of passing judgment after the fact, it might have happened that had greater publicity been given to some of these things——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VOORHIS of California. After Pearl Harbor it might be easy to say that had the hearings been held it might have increased the awareness of the country and helped out. I do not know about that. I do not think anybody can judge. I think that some of the material that the committee had was important. Some of it I believe extremely revealing indeed, and I understand very considerable use of it has been made by other departments of Government. I do not think any of it was of such a nature as to determine definitely what the Japanese were going to do and when they were going to do it, or anything of that sort.

Mr. ELIOT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. ELIOT of Massachusetts. We all agree that the Acting Attorney General urged the committee not to hold public hearings in September. However, the chairman of the committee has said that all the facts were in possession of the committee in September and he was not permitted to reveal them. Why were public hearings the only way in which they could have been revealed?

Mr. VOORHIS of California. Now, that is a play on words. It is a question of what the word "revealed" means. To my mind, if it could be shown that the committee withheld any information from the Department of Justice, that would be one thing. But for it to be said that it was not to be revealed through public hearings is a different matter. I have already stated it as my personal opinion that I do not criticize at all the fact that the committee was advised not to hold these hearings. I do not.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. McGRANERY. There is one thing I feel the gentleman would agree with me about. I do not suppose the gentleman agrees that it was the proper thing for whoever wrote this report to say that they had submitted certain evidence to the Attorney General and that he failed to prosecute. The reading of those words would indicate that the Attorney General deliberately suppressed evidence. Then the chairman of the Dies committee on the floor of this House said that he had, in effect, told the Attorney General that that was not so. But that was in the latter week in August, and his report was only printed the other day. Why did he include that in his report, do you know?

Mr. VOORHIS of California. No; I am sorry. I do not recall any such thing in the report.

Mr. McGRANERY. Would the gentleman have signed the report had he read that in the report?

Mr. VOORHIS of California. I do not know what the gentleman is referring to.

Mr. McGRANERY. I think those are the exact words, that certain evidence was submitted to the Attorney General.

Mr. VOORHIS of California. I do not know where that is in the report.

Mr. McGRANERY. Would the gentleman have signed the report if he knew that to be in there?

Mr. VOORHIS of California. I would like to see the reference in the report. I certainly do not recall any statement like that on the part of the committee.

The SPEAKER pro tempore. The time of the gentleman from California has again expired.

Mr. VOORHIS of California. I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ENGLEBRIGHT, indefinitely, on account of illness.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until Monday, March 9, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Wednesday, March 11, 1942, at 10 a. m., subcommittee No. 3 of the Committee on the Judiciary will continue hearings on H. R. 6444, to provide for the registration of labor organizations, business, and trade associations, etc. The hearing will be held in the Judiciary Committee room, 346 House Office Building, Washington, D. C.

EXECUTIVE COMMUNICATIONS, ETC.

Unde. clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1461. A letter from the acting executive officer, National Park and Planning Commission, transmitting a list of land acquisitions for parks, parkways, and playgrounds for the fiscal year ending June 30, 1941; to the Committee on Public Buildings and Grounds.

1462. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Labor for the fiscal year 1942 amounting to $316,500, together with an amendment to the Budget for that Department for the fiscal year 1943, involving an increase of $718,000 (H. Doc. No. 650); to the Committee on Appropriations and ordered to be printed.

1463. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1943, amounting to $2,035,000, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 651); to the Committee on Appropriations and ordered to be printed.

1464. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Social Security Board, Federal Security Agency, for the fiscal year 1942, amounting to $30,000,000 (H. Doc. No. 652); to the Committee on Appropriations and ordered to be printed.

1465. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia for the fiscal year 1942, in the amount of $5,800 (H. Doc. No. 653); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITE: Committee of conference on the disagreeing votes of the two Houses. H. R. 5945. A bill granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska, and for other purposes (Rept. No. 1878). And ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. DOUGHTON introduced a bill (H. R. 6750) to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MILLS of Arkansas introduced a bill (H. R. 6751) for the relief of J. C. Baker, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2530. By Mr. FORAND: Resolution of the National Maritime Union of America, Providence Local, Congress of Industrial Organizations, approving the work of the Farm Security Administration and urging its continuance; to the Committee on Agriculture.

2531. Also, resolution of Local No. 28, Journeymen Tailors Union, Congress of Industrial Organizations, Providence, approving the work of the Farm Security Administration and urging its continuance; to the Committee on Agriculture.

2532. Also, resolution of Local No. 92, Providence Fur Workers Union, Congress of Industrial Organizations, approving the work of the Farm Security Administration and urging its continuance; to the Committee on Agriculture.

2533. Also, resolution of Local No. 288, Peacedale T. W. U. A., Congress of Industrial Organizations, approving the work of the Farm Security Administration and urging its continuance; to the Committee on Agriculture.

2534. By Mr. KRAMER: Petition of the Angeles Forest Protective Association, appraising the Secretary of Agriculture and the congressional delegation from California of the flood danger in the area of San Diego, and urge that an immediate and detailed flood-control survey of the watersheds in the vicinity be made; to the Committee on Flood Control.

2535. By Mr. ROLPH: Resolution of the Los Angeles County Defense Council, through action by special committee, relative to the Japanese and alien enemy situation; to the Committee on Military Affairs.

2536. Also, resolution No. 2456 of the Board of Supervisors of the City and County of San Francisco, Calif., memorializing Congress to fix premium rates of war-risk insurance so that insured persons in all parts of the United States shall share equally the burden of such insurance; to the Committee on Banking and Currency.

2537. By the SPEAKER: Petition of the Potash Workers Union, Carlsbad, N. Mex., petitioning consideration of their resolution with reference to passing of legislation relative to excess profit tax; to the Committee on Ways and Means.

SENATE

MONDAY, MARCH 9, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Our Father, who art in Heaven, whose voice in the heart of man bids him to prayer, urging him to make known his every request: Remind us, we beseech Thee, of the dignity of prayer, since Thou dost therein bring us, who are but dust and ashes, into Thy very audience-chamber; reveal to our complacency the necessity of prayer, since without it all religious life will fade, even as the flowers upon which the dew has ceased to fall; and, at this sacred moment, grant to us the consolation of our prayer, by which we may cast the heavy burdens of the day and hour upon Thy loving heart, where we may find refuge from the world's oppression and bathe the ruffled plumage of the soul in the ethereal and divine forgiveness of the Christ.

Our sins and shames, remember them no more; help us to merge our separate desires in adoration, that we may lose them all in the ocean of God's love. Teach us that there can be no devotion to country apart from a devotion to supreme goodness, and that patriotism becomes increasingly noble as it rises above the narrow pettiness of the individual. And now, with hearts aflame and purposes subdued unto Thy will, we pray with fervent minds:

O God, stretch forth Thy mighty hand and guard and bless our Fatherland.

In our Saviour's Name, we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 5, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on March 5, 1942, the President had approved and signed the act (S. 2282) to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STEAGALL, Mr. WILLIAMS, Mr. SPENCE, Mr. WOLCOTT, and Mr. GIFFORD were appointed managers on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6511) making appropriations for the Treasury and Post Office Departments for the fiscal

year ending June 30, 1943, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 1535. An act for the relief of the estate of John J. Murray;

H. R. 2120. An act for the relief of John H. Durnil;

H. R. 2430. An act for the relief of John Huff;

H. R. 4896. An act for the relief of David B. Byrne;

H. R. 5478. An act for the relief of Nell Mahoney;

H. R. 6511. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes; and

H. R. 6531. An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous-metal scrap.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Nye
Austin	Gillette	O'Daniel
Bailey	Glass	Overton
Bankhead	Green	Pepper
Barbour	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Hill	Russell
Bulow	Holman	Schwartz
Bunker	Hughes	Shipstead
Burton	Johnson, Calif.	Smathers
Butler	Johnson, Colo.	Smith
Byrd	La Follette	Stewart
Capper	Langer	Taft
Caraway	Lee	Thomas, Idaho
Chandler	Lucas	Thomas, Okla.
Chavez	McFarland	Thomas, Utah
Clark, Idaho	McKellar	Tunnell
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Danaher	Maybank	Van Nuys
Davis	Mead	Wheeler
Doxey	Millikin	White
Ellender	Murdock	Wiley
George	Murray	Willis

Mr. McNARY. The senior Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Michigan [Mr. BROWN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Arkansas [Mr. SPENCER], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from Nevada [Mr. MCCARRAN] is holding hearings in the West on silver, and therefore unable to be present.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Massachusetts [Mr. LODGE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE COMPTROLLER OF THE CURRENCY

A letter from the Comptroller of the Currency, transmitting, pursuant to law, the seventy-ninth annual report of that Comptroller covering the year ended October 31, 1941 (with accompanying report); to the Committee on Banking and Currency.

LAND ACQUISITION, NATIONAL CAPITAL PARK AND PLANNING COMMISSION

A letter from the acting executive officer of the National Capital Park and Planning Commission, transmitting, pursuant to law, a list of land acquisitions for parks, parkways, and playgrounds, cost of each tract and method of acquisition, for the fiscal year ended June 30, 1941 (with an accompanying statement); to the Committee on Public Buildings and Grounds.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A telegram in the nature of a petition from C. I. Whitlock, of St. Paul, Minn., praying that the United States adopt a more stringent policy toward labor and capital in defense production so that no more work stoppages may occur for any reason in the prosecution of the war effort; to the Committee on Education and Labor.

A resolution adopted by the mayor and board of aldermen of the city of Gretna, La., protesting against the imposition of Federal taxes upon State and municipal bonds; to the Committee on Finance.

A paper in the nature of a memorial from Mrs. M. Dabney, of Mount Angel, Oreg., remonstrating against the enactment of the so-called press censorship bill; to the Committee on the Judiciary.

A letter in the nature of a petition from Willard H. Maxwell, of Chicago, Ill., praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors; to the Committee on the Judiciary.

By Mr. HUGHES:

A petition of sundry citizens of the State of Delaware, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. TYDINGS:

A petition of sundry citizens of the State of Maryland and members of the Kiwanis Club of Baltimore, Md., praying for economy in Government expenditures; to the Committee on Appropriations.

A resolution adopted by the board of directors of the Maryland State Junior Chamber of Commerce, assembled at Hagerstown, Md., favoring the reduction of nonessential governmental expenditures; to the Committee on Appropriations.

A memorial of sundry citizens of Baltimore, Md., remonstrating against continuance of the existing paid Office of Civilian Defense set-up in the State of Maryland; to the Committee on Military Affairs.

A memorial of sundry citizens of the State of Maryland, remonstrating against the use of civilian defense funds for purposes other than the protection of the civilian population; to the Committee on Military Affairs.

RESOLUTIONS OF CAVENDISH, VT., TOWN MEETING

Mr. AUSTIN. Mr. President, at a town meeting of the town of Cavendish, Vt., the town hall was dedicated and a resolution was adopted, from which I now read:

Resolved, That we, the citizens of the town of Cavendish, Vt., in town meeting assembled, March 3, 1942, do hereby dedicate our town hall and ourselves to the cause of liberty, freedom, and unity; that we pledge our uttermost cooperation, our lives, and our substance toward the winning of this war, to the end that the fundamentals for which our forefathers fought, bled, and died may now and forever be enshrined in our hearts; that we will never submit to the rule and whims of a totalitarian dictator.

I ask unanimous consent that the entire resolution be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the town of Cavendish, Vt., has during the past year repaired and redecorated our town hall as a Vermont sesquicentennial project; and

Whereas our country is at war with ruthless foes who are determined to rule the world by force; and

Whereas our country can only win this fight for freedom through 100-percent cooperation of our people: Therefore be it

Resolved, That we the citizens of the town of Cavendish, Vt., in town meeting assembled March 3, 1942, do hereby dedicate our town hall and ourselves to the cause of liberty, freedom, and unity; that we pledge our uttermost cooperation, our lives, and our substance toward the winning of this war, to the end that the fundamentals for which our forefathers fought, bled, and died may now and forever be enshrined in our hearts; that we will never submit to the rule and whims of a totalitarian dictator; and be it further

Resolved, That no matter what reverses may come to our armed forces during the next few months, we pledge to the Governor of Vermont and to the President of the United States our all to the end that freedom and justice shall ultimately prevail; and be it further

Resolved, That a copy of this resolution be forwarded to the Governor of Vermont, the President of the United States, and to our Senators and Congressman.

RESOLUTION OF THE GENERAL ASSEMBLY OF VIRGINIA URGING EFFICIENT ACTION FOR NATIONAL DEFENSE

Mr. BYRD. Mr. President, I present and ask to have printed in the body of the RECORD a joint resolution adopted by the General Assembly of the State of Virginia in respect to the conduct of the war.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, under the rule, as follows:

Whereas the first representative legislative assembly in America was held on Virginia soil, and the General Assembly of Virginia is the successor of that body; and

Whereas the existing emergency will determine whether a country enjoying a representative form of government can defend itself successfully against the attacks of nations ruled by dictators; and

Whereas the present conflict has demonstrated that the individual members of our armed forces have acquitted themselves with personal bravery; and

Whereas the defense of the Philippines has proven the ability of a competent commanding officer to resist to the utmost; and

Whereas we believe that the lives of American troops and the freedom of American citizens are of such paramount importance as to justify the expenditure of every possible effort in their preservation: Now, therefore, be it

Resolved by the house of delegates (the senate concurring), That the General Assembly of Virginia—

(1) condemn waste and extravagance in nondefense undertakings, and urge the elimination of all nonessential governmental activities;

(2) call upon our Senators and Representatives in the Congress of the United States to take immediate and vigorous action to eliminate inefficiency, carelessness, and incompetency, thereby preventing such regrettable disasters as the burning of the *Normandie*;

(3) insist upon the swift and adequate punishment of those responsible for the disasters already suffered;

(4) pride ourselves upon the stand taken and the results accomplished by members of the Virginia delegation in the Congress, and are not unmindful of the value of their services; neither are we doubtful of the patriotism and loyalty of every member of our delegation; our appeal to them now is for urgent action, and the means to be employed we leave to them, assuring them of our confidence in them, and our readiness to support them in every possible way, to the end that this war may be won, American lives saved, and American liberty and representative government maintained; and

(5) direct the clerk of the house of delegates, and as such keeper of the rolls of the State, forthwith to transmit a copy hereof to each Senator and Representative from Virginia in the Congress of the United States.

OPPORTUNITY FOR EMPLOYMENT OF W. P. A. WORKERS IN DEFENSE INDUSTRIES—PETITION

Mr. CLARK of Missouri presented a paper in the nature of a petition of sundry citizens of the State of Missouri, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD without all the signatures attached thereto, as follows:

Hon. HARRY S. TRUMAN,
Hon. BENNETT C. CLARK,
Senate Office Building.
Hon. JOHN J. COCHRAN,
Hon. JOHN B. SULLIVAN,
Hon. WALTER PLOESER,
House Office Building,
Washington, D. C.

HONORABLE GENTLEMEN: The undersigned are all constituents of yours, and through no fault of ours have been forced to accept employment on W. P. A. Our ages range from 45 to 60, but regardless are in first-class physical condition and active. Furthermore, we are all American citizens, and in other emergencies, in our lives, as well as this one, we have always contributed to the defense of good old U. S. A.

When we say we are employed on W. P. A. that does not mean we are leaning on a shovel nor accepting pay (small as it is) without giving value received, and when we accepted the assignment we did not then nor do we now expect to make a career of it. The time is at hand now when we believe that we can be of aid to our country, in a more productive phase, than working on W. P. A. if given an opportunity.

At every opportunity we have tramped the streets offering our services in either private industry or defense work, with always the same come-back, "You are too old." Just who is the one to say we are too old without giving us a chance to prove we can do the work we apply for? It is true most of us have never had to work in a ditch, nor have we done factory work, because we figured that we had the ability to be in front offices. Of course, that does not mean we could not do other things if given the chance.

What I am getting to is this: There are many defense plants being built at this time in which a multitude of jobs are available for men of our age and experience. Yet, we have been turned down repeatedly and the jobs given to inexperienced boys, who should be in the armed forces, or to others whom we might call floaters, or others who have just recently been naturalized.

As representative from this district, I ask that you advise me what if anything can be done; if so, what will be done in giving men of our age and qualifications an opportunity to serve our country and at the same time earn a living, and not have to depend on city, State, or Government help.

RESOLUTIONS OF MANHATTAN (KANS.) GRANGE, NO. 745—PROHIBITION OF LIQUOR SALES IN AND AROUND MILITARY CAMPS

Mr. CAPPER. Mr. President, I present and ask unanimous consent to have printed in the RECORD and appropriately referred resolutions adopted by the Manhattan (Kans.) Grange favoring the enactment of legislation to outlaw the sale of intoxicating liquors in and around all military camps.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Inasmuch as members of this Grange are neighbors of the thousands of trainees at Fort Riley Cavalry center and Camp Funston, and with other citizens are active in assisting Government agencies to provide wholesome recreation to the men in uniform who visit our town in large numbers, we have first-hand knowledge of the effect of alcohol on some of our soldiers: Therefore be it

Resolved, That this Grange, numbering 86 members, petition our lawmakers to outlaw the sale of intoxicants in forts and camps and in the nearby towns where the men visit when off duty

Such regulations, we believe, would go far in ridding military camps of customary evils, thus protecting the manhood of those who are offering all to our country.

Resolved further, That a copy of these resolutions be sent to our Senators and Representatives and a copy kept on our files.

RESOLUTION OF NATIONAL FARM LOAN ASSOCIATIONS IN KANSAS—CONTINUANCE OF EXISTING INTEREST RATE ON FEDERAL LAND BANK LOANS

Mr. CAPPER. Mr. President, I also present for printing in the RECORD and appropriate reference a resolution adopted by members of the Greensburg, Mullinville, and Haviland National Farm Loan Associations, in the State of Kansas, favoring continuance of the 3½-percent interest rate on farm loans to 1946.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

GREENSBURG NATIONAL
FARM LOAN ASSOCIATION,
Greensburg, Kans., February 2, 1942.

Be it resolved,

First. We, the members of the Greensburg, Mullinville, and Haviland National Farm Loan Associations, heartily endorse the letter sent out by Mr. Schull and read by Mr. Otto C. Beuke.

Second. We recommend a continuance of 3½-percent interest rate to 1946.

Third. We recommend that the secretary-treasurer have his reports prepared so that he can compare current business with past year.

Fourth. We resolve to endorse and assist in all constructive measures of national defense.

Fifth. We recommend that a copy of these resolutions be placed on the minutes and also sent to the Federal land bank, our Representative, Senators, and Secretary of Agriculture.

Sixth. We extend a vote of thanks to the Federal land bank for the presence of Mr. Otto C. Beuke at this meeting.

ART MCANARNEY,
W. A. MORRIS,
BERT J. MCFADDEN,
Resolution Committee.

RESOLUTION OF WOOD COUNTY (WIS.) FARM BUREAU—RELEASE OF WHEAT AND CORN BY COMMODITY CREDIT CORPORATION FOR FEED PURPOSES

Mr. WILEY. Mr. President, I present for printing in the RECORD and appropriate reference a letter embodying a resolution adopted by a regular annual meeting of the Wood County Farm Bureau held at Vesper, Wis., on February 28, 1942.

There being no objection, the letter embodying a resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

WOOD COUNTY FARM BUREAU,
Vesper, Wis., March 2, 1942.

Hon. ALEXANDER WILEY,
United States Senate Building,
Washington, D. C.:

The following resolution was adopted at the regular annual meeting of the Wood County Farm Bureau held at Vesper, Wis., on February 28, 1942:

"Whereas the Commodity Credit Corporation has at present wheat and corn for which the farmers have received a parity price when bought by the Government from those who have cooperated in the agricultural program; and

"Whereas at the annual meeting of the Wisconsin Council of Agriculture, an organization of 38 major farm organizations, held in La Crosse, Wis., last fall, of which we are a member, resolutions were adopted asking the Commodity Credit Corporation to release such wheat and corn so as to make it possible for the farmers of Wisconsin to cooperate to its full capacity in the production of dairy products; and

"Whereas the farmers of Wood County are cooperating in this program of production of dairy products to its full extent: Therefore be it

"*Resolved*, That we petition our United States Senators and our Congressmen from our district that they work with the Commodity Credit Corporation so that the Commodity Credit Corporation releases a steady flow and at a reasonable price for feed purposes corn and wheat held at present by the Commodity Credit Corporation; be it further

"*Resolved*, That copies of this resolution be sent to the United States Senators, Congressmen, and the Secretary of Agriculture."

A. V. BEAN,
President.
MAX LEOPOLD,
Secretary.

RESOLUTION OF WISCONSIN AUTOMOTIVE TRADES ASSOCIATION—DIVISION OF TAXABLE INCOME FOR 1941 OVER 2 YEARS

Mr. WILEY. Mr. President, I also present for printing in the RECORD and appropriate reference a resolution adopted by the board of directors of the Wisconsin Automotive Trades Association addressed to Members of the Wisconsin congressional delegation.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

WISCONSIN AUTOMOTIVE
TRADES ASSOCIATION,
Madison, Wis., March 3, 1942.

To Members of Wisconsin Congressional Delegation:

The following resolution was adopted by the board of directors of this association yesterday:

"Whereas the automobile dealers of the United States are facing bankruptcy on account of various necessary defense activities of the Federal Government; and

"Whereas the dealers enjoyed an unusually good year in 1941 on account of the manufacturers' desire to produce as many automobiles as possible before they were forced to cease production and the desire of the public to equip themselves with new model cars; and

"Whereas the sale of new cars has been stopped; and

"Whereas there will probably be further curtailment of the dealers' business activities; and

"Whereas the dealers have endorsed notes on cars handled by the finance companies and have in stock automobiles they are unable to sell and therefore cannot at this time liquidate their businesses; and

"Whereas it appears certain that the dealers will suffer great losses in the year 1942 on account of repossessions, with no prospect of any income against which these losses may be offset; and

"Whereas the automobile dealers, because of the destruction of their businesses and the freezing of their assets, find themselves unable to pay their 1941 income taxes:

"Now, therefore, the Wisconsin Automotive Trades Association, through its board of directors, does hereby memorialize the Congress of the United States to adopt appropriate legislation that will allow the Nation's automobile dealers to divide the income taxable for 1941 over the years 1941 and 1942."

* * * * *

I believe the North Carolina Automobile Dealers Association fostered this particular resolution and it has been adopted in quite a few States. I am giving this information so that you may check on the progress of this particular subject from representatives of that State and eliminate duplication of effort.

I know you have been receiving quite a few communications from us lately, but things in our industry are indeed in a critical stage and therefore the need of congressional support.

Cordially yours,

LOUIS MILAN,
Executive Vice President.

DISPOSITION OF GOVERNMENT RECORDS

Mr. BARKLEY. Mr. President, from the Committee on the Library I report back favorably without amendment House bill 3798 to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government." This bill proposes an amendment to the present law regarding the disposition of Government papers in connection with The Archives, which requires the agency making such disposition to make report to the Archivist of the United States. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

TWO-HUNDREDTH ANNIVERSARY OF THE BIRTH OF THOMAS JEFFERSON

Mr. BARKLEY. Mr. President, also from the Committee on the Library I report back favorably, without amendment, Senate bill 1773, which is intended to enable the United States Commission heretofore appointed for the celebration of the two-hundredth anniversary of the birth of Thomas Jefferson to carry out and give effect to certain approved plans. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1773) to enable the United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson to carry out and give effect to certain approved plans.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson, established by the joint resolution entitled "Joint resolution to establish a commission for the celebration of the two-hundredth anniversary of the birth of Thomas Jefferson", approved September 24, 1940 (hereinafter referred to as "the Commission"), is authorized and directed to prepare as a congressional memorial to Thomas Jefferson a new edition of the writings of Thomas Jefferson, including additional material and unpublished manuscripts preserved in the Library of Congress and elsewhere, at a cost not to exceed $50,000 for the preparation of the manuscript. Such new edition shall be printed and bound at the Government Printing Office and shall be in suitable form. There shall be 3,000 sets of such edition, 2,000 of which shall be sold by the Superintendent of Documents at a cost equal to the total cost under this section of preparing the manuscript and printing and binding the entire edition. The Commission shall, upon issue of the final volume, distribute the remaining 1,000 sets as follows: Two each to the President, the library of the Senate, and the library of the House of Representatives; 25 to the Library of Congress, 1 to each member of the Cabinet, 1 each to the Vice President and the Speaker of the House of Representatives; 1 to each Senator, Representative in Congress, Delegate, and Resident Commissioner; 1 each to the Secretary of the Senate and the Clerk of the House of Representatives; and 1 to each member and officer of the Commission. The remaining sets shall be distributed as the Commission directs, including such number of sets as may be necessary for foreign exchange. The usual number for congressional distribution and for depository libraries shall not be printed. To carry out the purpose of this paragraph there is authorized to be appropriated the sum of $150,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated.

SEC. 2. (a) The Commission is authorized and directed to—

(1) arrange for memorial meetings and exercises in the year 1943 in the city of Washington and other cities and places in the United States particularly associated with the memory of Thomas Jefferson, and in universities, schools, and colleges throughout the United States; to carry out and give effect to the approved plan and program heretofore submitted to the Congress, at a cost not to exceed $15,000;

(2) to prepare and produce for use at such memorial meetings and exercises a motion picture of the main events in the life of Thomas Jefferson at a cost not to exceed $10,000;

(3) to prepare 100,000 photolithographic copies of the best approved original portrait painting of Thomas Jefferson and deliver in tubes ready for mailing 100 copies to each Senator, Representative in Congress, Delegate, and Resident Commissioner, at cost not to exceed $5,000.

(b) To carry out the provisions of this section only the Commission is authorized to have printing, binding, lithographing, and other work done at establishments other than the Government Printing Office.

SEC. 3. The Commission is authorized to employ, without regard to the civil-service laws, and without regard to the Classification Act of 1923, as amended, to fix the compensation of an historian, an executive secretary, and such assistants as may be needed for stenographic, clerical, and expert service within the appropriations made by Congress from time to time for such purposes, which appropriations are hereby authorized.

SEC. 4. In carrying out the provisions of this or any other act relating to the celebration of the two-hundredth anniversary of the birth of Thomas Jefferson, the Commission is authorized to procure advice and assistance from any governmental agency, including the services of technical and other personnel in the executive departments and independent establishments, and to procure advice and assistance from and to cooperate with individuals and agencies, public or private. The Superintendent of Documents shall make available to the Commission the facilities of his office for the distribution of the portraits herein authorized.

SEC. 5. The members and employees of the Commission shall be allowed actual traveling, subsistence, and other expenses incurred in the discharge of their duties. All expenses of the Commission shall be paid by the disbursing officer of the Commission upon vouchers approved by the chairman of the executive committee of the Commission.

SEC. 6. Unexpended balances of appropriations authorized under the provisions of this act shall remain available until expended.

SEC. 7. The United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson may hereafter be referred to as the "Thomas Jefferson Bicentennial Commission."

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on March 3, 1942, that committee presented to the President of the United States the following enrolled bills:

S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment;

S. 1891. An act to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States; and

S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARBOUR:

S. 2346. A bill for the relief of Christopher D. Eger; to the Committee on Military Affairs.

(Mr. HOLMAN introduced Senate bill 2347, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. MEAD:

S. 2348. A bill to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; to the Committee on Post Offices and Post Roads.

By Mr. WHEELER:

S. 2349. A bill for the relief of Charles Perkins MacKenzie; to the Committee on Finance.

(Mr. MALONEY introduced Senate bill 2350, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. REYNOLDS:

S. 2351. A bill to exempt from duty personal and household effects brought into the United States under Government orders; to the Committee on Finance.

S. 2352. A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones; and

S. 2353. A bill to amend sections 1305 and 1306 of the Revised Statutes, as amended, to eliminate the prohibition against payment of deposits, and interest thereon, of enlisted men until final discharge; to the Committee on Military Affairs.

By Mr CAPPER:

S. 2354. A bill for the relief of Mr. and Mrs. George M. Legg and Loetta Trainer; to the Committee on Claims.

By Mr McNARY:

S. 2355. A bill to amend section 75 (s) (2) of the Bankruptcy Act, as amended, to provide a further stay of judicial proceedings in the case of certain farm debtors; to the Committee on the Judiciary.

By Mr. GEORGE:

S. 2356. A bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands of the Veterans' Administration Facility, Murfreesboro, Tenn., to the city of Murfreesboro, State of Tennessee, to enable the city to construct and maintain a water-pumping station and pipe line; to the Committee on Finance.

By Mr. BARKLEY:

S. J. Res. 138. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

By Mr. McNARY:

S. J. Res. 139. Joint resolution providing for an investigation and survey of certain crustacean food resources of the United States, and for other purposes; to the Special Committee on Conservation of Wildlife Resources.

AMENDMENT OF SO-CALLED ANTI-RACKETEERING ACT

Mr. HOLMAN. Mr. President, I ask consent to introduce a bill proposing to amend the Antiracketeering Act of June 18, 1934. The bill is introduced because of a decision handed down by the Supreme Court on March 2 which, in effect, placed the Congress in the position of condoning and authorizing the use of force and violence in enforcing demands so long as such force and violence are practiced by members of labor organizations and unions.

In the dissenting opinion by the Chief Justice it was stated:

When the Antiracketeering Act was under consideration by Congress, no Member of Congress and no labor leader had the temerity to suggest that such payments, made only to secure immunity from violence and intentionally compelled by assault and battery, could be regarded as the payment of "wages by a bona fide employer" or that the compulsion of such payments is a legitimate object of a labor union, or was ever made so by any statute of the United States. I am unable to concur in that suggestion now. It follows that all the defendants who conspired to compel such payments by force and violence, regardless of the willingness of the victims to accept them as employees, were rightly convicted.

The majority opinion points out that the Congress may correct this situation and the bill I now introduce is designed to accomplish that result.

There being no objection, the bill (S. 2347) to amend the act entitled "An act to protect trade and commerce against interference by violence, threats, coercion, or intimidation," approved June 18, 1934, was read twice by its title and referred to the Committee on the Judiciary.

AMENDMENT OF UNITED STATES ARBITRATION ACT

Mr. MALONEY. I ask unanimous consent to introduce a bill for appropriate reference. The bill which I introduce, at the request of those who have made a special study of the subject, makes various amendments to the United States Arbitration Act, which was approved February 12, 1925. These amendments are incorporated in a revision of that act, which constitutes my bill. I should like to have printed in the RECORD the memorandum which I now send to the desk and which contains an explanation of the general purposes of the act and the proposed amendments thereto.

The VICE PRESIDENT. Without objection, it is so ordered. The bill of the Senator from Connecticut will be received and appropriately referred and the statement or memorandum will be printed in the RECORD.

The bill (S. 2350) to amend the United States Arbitration Act was read twice by its title and referred to the Committee on Commerce.

The statement or memorandum presented by Mr. MALONEY is as follows:

I

GENERAL PURPOSES OF THE UNITED STATES ARBITRATION ACT

The United States Arbitration Act as originally enacted on February 12, 1925, was designed to facilitate the use of arbitration in settling commercial disputes.

It was made to apply to written agreements to arbitrate disputes arising out of maritime transactions and disputes arising out of interstate or foreign commerce.

At about the same time arbitration statutes of like pattern were being sponsored, or had been enacted, in the more important commercial States. They related to agreements to arbitrate controversies arising out of commercial transactions which were consummated within their respective jurisdictions. Such statutes are now in effect in the following States and Territory: Arizona, California, Connecticut, Hawaii, Louisiana, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, and Wisconsin.

Three major purposes are accomplished by this legislation, including the United States Arbitration Act, as follows:

1. These statutes overcome the prevailing common law rules whereby a party to an arbitration agreement can revoke his agreement to arbitrate, provided he does so before an arbitration is completed and award rendered. This common law rule is known as the "rule of revocability" of arbitration agreements. This common law rule of revocability of arbitration agreements spoke itself in two general classes of cases, as follows: (1) A and B might agree at common law to arbitrate a dispute arising between them. C might be appointed arbitrator. Under this common law rule, A could revoke the authority of C at any time before C had made his award. In such case all of the proceedings up to the moment of revocation by A are nullified. (2) A might, notwithstanding his agreement to arbitrate a given dispute, initiate a suit in court and refuse entirely to participate in an arbitration. B could do nothing at common law about A's revocation or repudiation of the arbitration contract by A.

The foregoing arbitration statutes, including the United States Arbitration Act, expressly overcome this common law rule of revocability with respect to arbitration agreements which are in writing.

By section 2 of the United States Arbitration Act written agreements for arbitration which come under that statute are declared to be "irrevocable." Under section 3, a party to such agreement cannot revoke the arbitration agreement and sue in court because the aggrieved party may cause the court to stay any action so attempted. And by section 5 the aggrieved party may appeal to the court to appoint an arbitrator if the adverse party refuses to participate in the appointment of an arbitrator pursuant to his agreement. Under these sections, moreover, the recalcitrant party cannot effectively revoke the authority of an arbitrator who has been duly appointed pursuant to the agreement or by the court.

None of the proposed amendments will affect these provisions of the present act.

2. These arbitration statutes also overcome another common law rule which is a corollary of the foregoing rule of revocability, namely,

the common law rule that arbitration agreements cannot be specifically enforced. By this rule there could be no positive enforcement of an arbitration agreement.

These statutes, including the United States act, overcome this common-law rule by expressly providing that agreements to arbitrate, if they are in writing and otherwise within the act, shall be specifically enforceable. This is provided for in general terms in section 4 of the act. The right of specific performance under these statutes is particularly important because it enables an aggrieved party to an arbitration agreement to make application to the court designated in the act to appoint an arbitrator when the other party refuses to go forward with his arbitration agreement. This also has been noted above as an aspect of the act which is designed to overcome the common-law rule of revocability.

None of the proposed amendments would change these provisions of the present act.

3. The third general purpose of these statutes may be cited as follows: To simplify the common-law procedure for enforcing and for vacating or modifying awards. By the prevailing common-law rules, if B were successful in an arbitration with A, but A refused to perform the award, B would find it necessary to initiate a civil litigation to enforce the award much the same as if he were to sue originally upon the cause submitted to the arbitrator. Similarly, if A felt aggrieved by an award rendered against him, it would be necessary for him to initiate court litigation if he wished to test its legality and have it vacated if invalid.

Under these arbitration statutes, this common-law procedure is simplified. Indeed, a more expeditious and summary remedy is provided for each situation. There is substituted a "motion practice" whereby A or B, as the case may be, may, by motion or petition, expeditiously invoke the court designated in the statute for the relief which he otherwise would sue for in a civil action (secs. 9, 10, 11, and 12).

None of the proposed amendments will affect these provisions of the present act.

II

ARBITRATION STATUTES, INCLUDING THE UNITED STATES ARBITRATION ACT, ARE DEPENDENT UPON A WRITTEN ARBITRATION AGREEMENT

It may be emphasized that the United States Arbitration Act, as well as the corresponding State statutes cited above, do not apply to an arbitration agreement unless it is in writing.

None of the proposed amendments of the present act will change this requirement.

There is, of course, no legal requirement in these statutes, or otherwise, that any party shall enter into an arbitration agreement. And in order to bring an arbitration agreement under the provisions of these statutes the parties must voluntarily agree in writing to submit their dispute or disputes to arbitration.

It also may be noted that these statutes, including the present United States Arbitration Act, embrace two general classes of written arbitration agreements: (1) Written agreements to arbitrate disputes which may arise between the parties in the future; (2) written agreements to arbitrate only a dispute or disputes which already have arisen between the parties. The first class of agreements are commonly referred to as "future disputes clauses"; and they are commonly inserted in commercial transactions (e. g., a sales contract, warehouse contract, lease, etc.) at the time the principal contract is closed. The second type of arbitration agreement is frequently called a "submission agreement." It is entered into by the parties only after they have become involved in a dispute.

Under the foregoing arbitration statutes generally a "submission agreement" is not necessary if a dispute arises under a "future disputes clause."

None of the proposed amendments will change the general application of the United States act to these two general classes of written arbitration agreements.

III

SCOPE AND PURPOSES OF THE PROPOSED AMENDMENTS

Aside from proposed amendments designed merely to clarify the provisions of the act or to remove legal technicalities that have developed in litigation under the act since 1925, there are the following substantial proposed amendments:

1. Extension of the act to embrace written agreements to arbitrate labor controversies.

Just as the present act was designed to overcome the common-law rules of "revocability" and "nonenforceability" of written agreements to arbitrate commercial controversies arising between the parties, so by section 2A, as proposed, would the act be extended to written agreements to arbitrate labor controversies.

The amendment would be merely enabling; it would not compel parties to agree to arbitrate such disputes; the act would apply only if they so agreed in writing; and section 2A would not apply to any such written agreements made prior to the effective date of new section 2A.

By section 2A, written future-disputes clauses or written submission agreements entered into by a labor organization with an employer or group of employers engaged in commerce or by one labor union with another labor union would be irrevocable and enforceable contrary to the common-law rules of revocability and nonenforceability. The award would be enforceable by expeditious motion practice as now provided in the act, or it could likewise be vacated if there were sufficient cause as provided in the act (secs. 9 and 10).

As in the case of written agreements to arbitrate commercial disputes, so in the case of a written agreement to arbitrate a labor controversy under proposed section 2A the parties would determine in their agreement what disputes they would arbitrate and their agreement would be effective accordingly under the act. They may by their agreement embrace all disputes arising between them, or only some, as they shall designate in their agreement. This is a matter of agreement of the parties and the drafting of their arbitration agreement.

Proposed section 2A is substantially a copy of a corresponding amendment of the New York arbitration law, which became effective in 1940. (See Report of the New York Joint Legislative Committee on Industrial and Labor Relations of 1940.) Section 2A includes written arbitration agreements entered into between two or more labor organizations, as stated above. This provision does not appear to have been considered in connection with the New York amendment, nor was it included in the New York amendment.

2. Extension of the act to written arbitration agreements entered into by officers and agencies of United States.

Proposed section 2B is designed to enable officers and agencies of the United States having authority to enter into contract or behalf of the United States or such agency to enter into a written future-disputes clause covering disputes which may arise out of the main contract, and to enter into a written submission agreement to settle by arbitration a dispute which already may have arisen out of such contract.

There appears to be widespread doubt—and there is a little judicial authority—that such officers and agencies do not now have the legal power to enter into such arbitration agreements. This amendment would give them the power, to be exercised in their discretion.

Since the Congress seems to have found that the United States Arbitration Act is a worthy piece of legislation in behalf of private contractors, it is not clear why officers and agencies of the United States should be disabled from using arbitration agreements which will qualify under the act, if it is deemed desirable to do so. To remove this disability would not, of course, make mandatory the use of such agreements.

As in other cases, also, the scope of the arbitration agreement would be determined in each case by the agreement as written by the parties.

Section 2B, like proposed section 2A, would be effective only as to written arbitration agreements entered into after the section became effective.

3. Extension of the act to agreements to arbitrate causes which may be justiciable in courts of the United States.

At present only written agreements to arbitrate controversies arising out of maritime transactions or commerce, as defined in the act, are subject to the United States Arbitration Act.

By the proposed amendment of section 2 the act is sought to be extended to written agreements to arbitrate any other and different controversy which might be the subject of a civil action or proceeding between the parties in a court of the United States. Under this amendment, parties might agree in writing to submit a tort claim as well as contract claim to arbitration and make such agreement subject to the act. They would be allowed to enforce such agreement under the act if they could satisfy the existing requirement of diversity of citizenship which presently conditions the jurisdiction of district courts of the United States.

4. Removal of the jurisdictional requirement of $3,000.

By the proposed amendments of sections 4, 5, 7A, 8, 9, 10, and 11 of the present act, the parties to a written arbitration agreement qualifying under the act would be enabled to invoke the remedies of the act as therein provided regardless of the amount of the matter in controversy.

Apparently, under the present act, the remedies therein provided to enforce an arbitration agreement, or to have an arbitrator appointed by a court, or to have an award confirmed and enforced, or to have an award vacated or modified or corrected as provided in the act, are not available unless the amount of the matter in controversy exceeds $3,000 in accord with the requirement for civil actions generally which are sought to be brought in the district courts of the United States on the basis of diversity of citizenship of the parties.

It is not contemplated that this elimination of the $3,000 requirement will overload the district courts of the United States with cases under the act. This is not expected because experience makes clear that once the legal remedies under an arbitration statute are made clear and expeditious for overcoming the common-law rules of revocability and nonenforceability of arbitration agreements, most parties faithfully perform their arbitration agreement and any award rendered under it. Comparatively speaking, only very infrequently need the statutory remedy actually be invoked. And only rarely is there occasion to invoke the statute to vacate an award. The courts of the United States would not, therefore, be burdened with many applications or petitions under this act.

Furthermore, if an arbitration agreement is otherwise subject to the United States Arbitration Act, it seems that the remedies of the act should be made available with respect to it, and to any award rendered thereunder, whether they involve more or less than $3,000.

5. Clarification of the act with respect to ex parte arbitrations.

There seems to be substantial doubt concerning the effect of ex parte arbitrations under the present act. It is sought to clarify and validate such arbitrations and the awards rendered therein by proposed section 7A.

This proposed section 7A is a substantial copy of a corresponding provision of the New York arbitration law, which has been reviewed and sustained by the New York Court of Appeals.

The general problem considered here may be posed with reference to our previous parties, A and B, as follows:

A may refuse to participate in an arbitration proceeding. He may rely upon a contention to the effect that for some good reason, in fact or in law, he did not enter into a valid arbitration agreement. Of course, if he has not entered into such an agreement he is not bound to arbitrate. But the preliminary question may ever be put in issue, whether or not he has entered into such agreement. Perhaps, for example, an agent closed the agreement without the principal's (A's) authority; or perhaps A's name was forged, or for other legal reason A is not bound.

May A appear before the arbitrator and put in issue before him "the making" of the arbitration agreement? May he appear and go through with the hearing, and then, for the first time, go to court and challenge the award—for example, when the award has gone against him—on the ground that the arbitration agreement was invalid—on the ground that he made no valid arbitration agreement? Shall he be allowed so to speculate upon the outcome of an award in his favor, but challenge the whole proceeding in court on the ground that he did not enter into a valid arbitration agreement when the award has gone against him?

Proposed section 7A, following a like provision in the New York arbitration law (which, as stated before, has been sustained by the New York Court of Appeals), undertakes to clarify the rights of the parties on these questions including assurance to A of full opportunity to put in issue "the making" of the arbitration agreement. Under the proposed amendment he must exercise reasonable diligence and promptness in doing so. By the same token, will A be denied the opportunity to speculate upon an award in his favor, and then seek to invalidate the proceedings if the award is adverse on the grounds that there was no valid arbitration agreement to start with?

6. Clarification of the act with respect to the use of provisional remedies.

The proposed amendment of section 8 of the act relates to the use of provisional remedies—like attachment, for example—in connection with arbitrations. There have been doubts whether or not provisional remedies, such as attachment, may be used pending an arbitration under an agreement coming under the United States Arbitration Act. And if such process could be used, and were used, would the party invoking such process be held to have waived his rights under the arbitration agreement?

The proposed amendments would resolve these doubts and provide for the use of such process in the discretion of the court.

The proposed amendment is a substantial copy of a corresponding provision of the Connecticut arbitration act.

7. Remainder of proposed amendments.

The remainder of the proposed amendments are designed to clarify the meaning of the present act and to reconcile existing provisions, so far as necessary, with the foregoing proposed amendments which have just been mentioned for their major importance.

IV.

CHANGES IN EXISTING LAW

The changes which are proposed to be made by the bill (S. 2350) to the text of the United States Arbitration Act, approved February 12, 1925, are set out below. Existing law in which no change is proposed is shown in roman type, matter proposed to be deleted from existing law is shown in black brackets, and new matter is shown in italic.

Definitions; relation to State laws

[That] *Section 1. The term* "maritime transactions," as herein defined, means charter parties, bills of lading of water carriers, agreements relating to wharfage, supplies furnished vessels or repairs to vessels, collisions, or any other matters in foreign commerce which, if the subject of controversy, would be embraced within admiralty jurisdiction; "commerce," as herein defined, means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation *and any business directly and substantially affecting commerce* [but nothing herein contained shall apply to contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce.] *"Court of the United States" shall mean District Court of the United States. Except with respect to agreements for arbitration qualifying, under sections 2A and 2B hereof and the arbitration proceedings and awards thereunder, this act shall apply concurrently with the arbitration statute of any state, territory, or the District of Columbia, provided that if the rights and remedies shall be invoked under this act, either by agreement of the parties or otherwise, this act shall thereafter apply to the arbitration agreement of the parties and any arbitration proceedings and award thereunder, and if the rights and remedies of any statute of any State, Territory, or the District of Columbia shall be invoked either by agreement of the parties or otherwise, then the provisions of such statute shall thereafter apply to the arbitration agreement of the parties and any arbitration proceedings and award thereunder. If the parties shall provide in their arbitration agreement that this act shall apply, they also may designate what court of the United States shall have jurisdiction of any and all proceedings under this act with respect to such agreement and any arbitration proceedings and award thereunder. Except as herein otherwise expressly provided, the court so designated by the parties shall have exclusive jurisdiction of all such proceedings.*

Validity, irrevocability, and enforcement of agreements to arbitrate

SEC. 2. [That a written provision in any maritime transaction or a contract evidencing a transaction involving commerce to settle by arbitration a controversy thereafter arising out of such contract or transaction, or the refusal to perform the whole or any part thereof] *An agreement in writing to settle by arbitration a controversy thereafter arising out of or with respect to a maritime transaction or a transaction involving commerce, or to settle any other and different controversy thereafter arising between the parties which might be the subject of a civil action or proceeding between the parties, or any of them, in a court of the United States,* or an agreement in writing to submit to arbitration on *any such* existing controversy [arising out of such a contract, transaction, or refusal], shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the [revocation of any contract] *avoidance of contracts generally.*

Agreements to arbitrate labor controversies

SEC. 2A. An agreement in writing between a labor organization, committee, or other representative acting in behalf of two or more employees and any employer, employers, or association or group of employers engaged in a maritime transaction or in commerce to settle by arbitration any controversy or controversies thereafter arising between them, including any controversies concerning, past, present, or future rates of pay, wages, hours of employment, and any other and different past, present, or future terms or conditions of employment of any employee or employees of such employer or employers, or an agreement in writing between two or more labor organizations to settle by arbitration any controversy or controversies thereafter arising between them which shall affect any employer engaged in any maritime transaction or in commerce, or an agreement in writing by such parties to submit to arbitration any such existing controversy, shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the avoidance of contracts generally. No agreement for arbitration shall qualify under this section unless the parties shall provide therein what district court of the United States shall have jurisdiction of any and all proceedings under this act with respect to such agreement and any arbitration proceedings and award thereunder. Except as herein otherwise expressly provided, the District court of the United States so designated by the parties shall have exclusive jurisdiction of all such proceedings.

Officers of the United States authorized to enter into arbitration agreements

SEC. 2B. Any officer or officers of the United States, or of a department or agency thereof, authorized to enter into a contract on behalf of the United States or such department or agency may agree in writing to settle by arbitration any claim or controversy thereafter arising out of or with respect to such contract or to submit to arbitration any existing claim or controversy arising out of or with respect to such contract. In the absence of any such agreement for arbitration the Attorney General or Solicitor General otherwise having authority in the premises may authorize or enter into an agreement in writing for the submission to arbitration of any existing claim or controversy arising out of or with respect to a contract lawfully entered into on behalf of the United States or any department or agency thereof. Every such written agreement for arbitration shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the avoidance of contracts generally. No agreement for arbitration shall qualify under this section unless the parties shall provide therein what district court of the United States shall have jurisdiction, or that the Court of Claims shall have jurisdiction of any and all proceedings under this act with respect to such agreement and any arbitration proceedings and award thereunder. Except as herein otherwise expressly provided, the district court of the United States, or the Court of Claims, as so designated by the parties, shall have exclusive jurisdiction of all such proceedings.

Stay of proceedings where issue therein referable to arbitration

SEC. 3. [That if] *If* any [suit] *civil action* or proceeding be brought in any [of the courts] *court* of the United States *or in the Court of Claims* upon any issue referable to arbitration [under an agreement in writing for such arbitration,] *under any agreement in writing for arbitration, whether or not otherwise subject to this act,* the court in which such [suit] *action or proceeding* is pending, upon being satisfied that the issue involved in such [suit] *action* or proceeding is referable to arbitration under such [an] agreement, shall on application of one of the parties stay the trial [of the action] until such arbitration has been had in accordance with [the terms of] the agreement, providing the applicant for the stay [is not in default in proceeding] *is ready* and willing to proceed with such arbitration.

Failure to arbitrate under agreement; petition to United States court having jurisdiction for order to compel arbitration; notice and service thereof; hearing and determination

SEC. 4. [That a] *A* party aggrieved by the alleged failure, neglect, or refusal of another to arbitrate under [a written] *an agreement for arbitration subject to this act* may, *regardless of the amount of the matter in controversy,* petition *the court designated by the parties in their agreement for arbitration or, if no court is required to be so designated and none is designated,* any court of the United States [which, save for such agreement, would have jurisdiction under the judicial code at law, in equity, or in admiralty of the subject matter of a suit arising out of the controversy between the parties,] *otherwise having jurisdiction under the laws of the United States of a civil action or proceeding arising out of the matter in controversy* for an order directing that such arbitration proceed [in the manner provided for in such agreement] *in accordance with such agreement.* Five days' notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for the service of summons in the jurisdiction in which the proceeding is brought. The court shall hear the parties, and upon being satisfied that the making of the agreement for arbitration or the failure, *neglect, or refusal* to comply therewith is not in issue, the court shall make an order directing the parties to proceed to arbitration in accordance with the [terms of the] agreement [: *Provided,* That the hearing and proceedings under such agreement shall be within the district in which the petition for an order directing such arbitration is filed]. If the making of the arbitration agreement or the failure, neglect, or refusal to perform the same be in issue, the court shall proceed summarily to the trial thereof. If no jury trial be demanded by the party alleged to be in default, or if the matter in dispute is within admiralty jurisdiction, the court shall hear and determine such issue. Where such an issue is raised the party alleged to be in default may, except in cases of admiralty, on or before the return day of the notice of application, demand a jury trial of such issue, and upon such demand the court shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action, or may specially call a jury for that purpose. If the jury *shall* find that no agreement in writing for arbitration was made or that there is no default in proceeding thereunder, the proceeding shall be dismissed. If the jury *shall* find that an agreement *in writing* for arbitration was made [in writing] and that there is a default in proceeding thereunder, the court shall make an order summarily directing the parties to proceed with the arbitration in accordance [with the terms thereof] *therewith. Any order under this section directing the parties to proceed with an arbitration also shall, upon petition of the aggrieved party, require the stay of any civil action or proceeding which shall have been brought or which may be brought in any court of any State, Territory, or the District of Columbia upon any issue referable to arbitration under the arbitration agreement of the parties.*

Appointment of arbitrators or umpire

SEC. 5. [That if] *If* in the agreement *for arbitration* provision be made for a method of naming or appointing an arbitrator or arbitrators or an umpire, such method shall be followed; but if no method be provided therein, or if a method be provided and any party thereto shall fail to avail himself of such method, or if for any other reason there shall be a lapse in the naming of an arbitrator or arbitrators or umpire, or in filling a vacancy, then upon the application of [either] *a* party to the controversy, the court *designated by the parties in their agreement for arbitration, or if no court is required to be so designated and none is designated, any court of the United States otherwise having jurisdiction under the laws of the United States of a civil action or proceeding arising out of the matter in controversy,* shall, *regardless of the amount of the matter in controversy,* designate and appoint an arbitrator or arbitrators or umpire, as the case may require, who shall act under the said agreement with the same force and effect as if he or they had been specifically named therein; and unless otherwise provided in the agreement the arbitration shall be by a single arbitrator.

Application heard as motion

SEC. 6. [That any] *Any* application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided.

Witnesses before arbitrators; fees; compelling attendance

SEC. 7. [That the arbitrators selected either as prescribed in this act or otherwise, or a majority of them, may summon in writing any person to attend before them or any of them] *Any arbitrator or umpire duly selected or appointed under this act may summon in writing any person to attend the arbitration hearing and testify* as a witness and in a proper case to bring with him [or them] any book, record, document, or paper which [may be deemed] *he may deem* material as evidence in the case. The fees for such attendance shall be the same as the fees of witnesses before masters of the United States courts. Said summons shall issue in the name of the arbitrator [or arbitrators, or a majority of them, and shall be signed by the arbitrators, or a majority of them], *arbitrators, or umpire appointed to hear the case; and shall be signed by the one issuing the summons,* and shall be directed to the said person and shall be served in the same manner as subpenas to appear and testify before [the court] *a court of the United States.* If any person [or persons] so summoned to testify shall refuse or neglect to obey said summons, upon petition [the United States court] *a court of the United States* in and for the district [in which such arbitrators, or a majority of them, are sitting] *wherein the arbitration hearing has been duly called* [may], *and regardless of whether or not the parties have designated any other court in their agreement for arbitration, may compel the attendance of such person* [or persons before said arbitrator, or arbitrators] *at such hearing,* or punish said person [or persons] for contempt in the same manner [now provided] *as is provided by law* for securing the attendance of witnesses [or] *and* their punishment for neglect or refusal to attend in the courts of the United States.

Ex parte arbitrations and awards; when the making of the arbitration agreement may be put in issue

SEC. 7A. *If a party shall participate in the selection of the arbitrators or in any of the proceedings before them, he may not thereafter deny or put in issue the making of the agreement for arbitration regardless of whether or not he shall have reserved such objection before the arbitrators or otherwise. If a party shall not participate in the selection of the arbitrators or in any proceedings before them and no order shall have been entered against him in a proceeding under section 4 of this Act, he may put in issue the making of the agreement for arbitration by an application for a stay of the arbitration or in opposition to the confirmation of the award: Provided, however, That if a notice shall have been personally served upon such party of an intention to conduct the arbitration at the time and place fixed for the arbitration, then the making of the agreement for arbitration may be put in issue only by an application for a stay of the arbitration. A notice of intention to arbitrate shall set forth in substance that unless within ten days after its service, the party served therewith shall serve a notice of application to stay the arbitration, he shall thereafter be barred from putting in issue the making of the agreement for arbitration. Notice of the party's application for stay of the arbitration may not be served after ten days following the service of the notice of intention to arbitrate. Upon such application to stay the arbitration the arbitration hearing shall thereupon be adjourned pending the final determination of the application. If the opposing party, either on an application for stay of the arbitration or in opposition to the confirmation of an award, shall set forth evidentiary facts raising a substantial issue as to the making of the agreement for arbitration, an immediate trial of the issue shall be had, and such party may demand a jury trial as in a proceeding under Section 4 of this act. If such opposing party shall be successful in his application for the stay the arbitration shall abate; otherwise it shall proceed at such time and place as shall be duly fixed under the agreement for arbitration. An application under this section may be made to any court of the United States having jurisdiction over the place fixed for the arbitration hearing regardless of the amount of the matter in controversy and regardless of whether or not the parties have designated any other court in their agreement for arbitration.*

Proceedings begun by libel in admiralty and seizure of vessel or property; provisional remedies

SEC. 8. [That if] *If* the basis of jurisdiction be a cause of action otherwise justiciable in admiralty, then, notwithstanding anything herein to the contrary, the party claiming to be aggrieved may begin his proceeding hereunder by libel and seizure of the vessel or other property of the other party according to the usual course of admiralty proceedings, and the court shall [then have jurisdiction to] direct the parties to proceed with the arbitration and shall, *regardless of whether or not the parties have designated any other court in their agreement for arbitration,* retain jurisdiction to enter its decree upon the award.

At any time before an award shall be rendered pursuant to an agreement for arbitration subject to this act, the court designated by the parties in their agreement for arbitration, or if no court is required to be so designated and none is designated, any court of the United States otherwise having jurisdiction under the laws of the United States of a civil action or proceeding arising out of the matter in controversy, or a judge thereof, may, upon application of any party to the arbitration agreement, and regardless of the amount of the matter in controversy, make forthwith such order or decree, issue such process, and direct such proceedings as may be necessary to protect the rights of the parties pending the rendering of the award and to secure the satisfaction thereof when rendered and finally confirmed under this act. Every such application shall be without prejudice to the applicant's rights and further remedies under this act, and no such application shall authorize the court to direct or restrain the arbitration proceedings or the course of conduct of the arbitration with respect to them.

Awards of arbitrators; confirmation; jurisdiction; procedure

SEC. 9. [If the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration and shall specify the court] *Whether or not the parties shall agree that a judgment of any court shall be entered upon an award rendered under an agreement for arbitration, which is subject to this act, every such award shall be enforceable and judgment entered thereon as herein provided.*

If the parties shall have designated a court in their agreement for arbitration, then at any time within 1 year after the award is made any party to the arbitration may apply to the court so specified, *regardless of the amount of the matter in controversy,* for an order confirming the award *and entry of judgment thereon,* and thereupon the court [must] *shall* grant such an order unles the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this act. If no court is [specified in the agreement of the parties,] *required to be designated in the agreement under this act and none is designated,* then such application may be made to [the United States court in and for the district within which such award was made] *a court of the United States within the territorial jurisdiction of which the award was made and regardless of the amount of the matter in controversy.* Notice of the application shall be served upon the adverse party, and thereupon the court shall have jurisdiction of such party as though he had appeared generally in the proceeding. If the adverse party is a resident of the district *over which the court has jurisdiction* [within which the award was made] such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident *of such district,* then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court.

Same; vacation; grounds; rehearing

SEC. 10. [That in either of the following cases the United States court in and for the district wherein the award was made may make an order vacating the award upon the application of any party to the arbitration.] *In any of the following cases the court designated by the parties in their agreement for arbitration, or if no court is required to be so designated and none is designated, a court of the United States within the territorial jurisdiction of which the award was made shall, regardless of the amount of the matter in controversy, make an order vacating the award upon application of any party to the arbitration:*

(a) Where the award was procured by corruption, fraud, or undue means.

(b) Where there was evident partiality or corruption in the arbitrators, or either of them.

(c) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced.

(d) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final, and definite award upon the subject matter submitted was not made.

(e) Where an award is vacated and the time within which the agreement required the award to be made has not expired, the court may, in its discretion, direct a rehearing by the arbitrators.

Same; modification or correction; grounds; order

SEC. 11. [That in either of the following cases the United States court in and for the district wherein the award was made may make an order modifying or correcting the award upon the application of any party to the arbitration] *In any of the following cases the court designated by the parties in their agreement for arbitration, or if no court is required to be so designated and none is designated, a court of the United States within the territorial jurisdiction of which the award was made shall, regardless of the amount of the matter in controversy, make an order modifying or correcting the award upon application of any party to the arbitration:*

(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person, thing, or property referred to in the award.

(b) Where the arbitrators have awarded upon a matter not submitted to them, unless it is a matter not affecting the merits of the decision upon the matter submitted.

(c) Where the award is imperfect in matter of form not affecting the merits of the controversy.

The order may modify and correct the award so as to effect the intent thereof and promote justice between the parties.

Notice of motions to vacate or modify; service; stay of proceeding

SEC. 12. [That notice] *Notice* of motion to vacate, modify, or correct an award must be served upon the adverse party or his attorney within 3 months after the award is [filed or] delivered *to the parties.* If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident *of such district* then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court. For the purposes of the motion any judge who might make an order to stay the proceedings in an action brought in the same court may make an order, to be served with the notice of motion, staying the proceedings of the adverse party to enforce the award.

Papers filed with order on motions; judgment; docketing; force and effect; enforcement

SEC. 13. [That the] *The* party moving for an order confirming, modifying, or correcting an award shall, at the time such order is filed with the clerk for the entry of judgment thereon, also file the following papers with the clerk:

(a) The agreement; the selection or appointment, if any, of an additional arbitrator or umpire; and each written extension of the time, if any, within which to make the award.

(b) The award.

(c) Each notice, affidavit, or other paper used upon an application to confirm, modify, or correct the award, and a copy of each order of the court upon such an application.

The judgment shall be docketed as if it was rendered in [an action] *a civil action or proceeding.*

The judgment so entered shall have the same force and effect, in all respects as, and be subject to all provisions of law relating to a judgment in *a civil action* [an action]; and it may be enforced as if it had been rendered in an action in the court in which it is entered: *Provided, That if the award, or some part thereof, is in the nature of a declaration of the rights or obligations of the parties, the judgment shall be effective accordingly as if it were a declaratory judgment entered in a proceeding under section 274d of the Judicial Code.*

[SEC. 14. That this act may be referred to as "The United States Arbitration Act."]

[SEC. 15. That all acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on and after the 1st day of January next after its enactment, but shall not apply to contracts made prior to the taking effect of this act.]

Separability clause

Sec. 14. If any provision of this act or the application of such provision to any persons or circumstances shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Repeals

Sec. 15. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Short title

Sec. 16. This act may be cited as the "United States Arbitration Act."

Effective date of amendments

The following provision of S. 2350 indicates the time and extent of the application of the amendments which it makes to the existing United States Arbitration Act:

SEC. 2. The amendments made by this act shall take effect on the 1st day of January after the date of enactment of this act, but such amendments shall not apply to any contract or agreement made prior to the effective date of such amendments.

AMENDMENT TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

Under the heading "Forest roads and trails," strike out "$6,500,000" and in lieu thereof to insert "$9,990,165."

EXPANSION OF THE AIR TRANSPORT INDUSTRY

Mr. GEORGE. Mr. President, I ask consent to submit a resolution for reference to the Committee on Interstate Commerce. It covers a matter of some importance. It is not based upon the reported effort today on the part of this Government to acquire transport planes or ships from South American countries confiscated from German or other Axis powers, but that circumstance is relevant, I think, in connection with the resolution which I am offering. The resolution calls for information from the Civil Aeronautics Board and is based primarily upon information which comes to me to the effect that we have now in the United States not more than 350 aircraft in service on the domestic air lines, a number which is manifestly totally inadequate, in light of the demands for air transportation and for transport aircraft. I ask that the resolution be referred to the Committee on Interstate Commerce.

There being no objection, the resolution (S. Res. 228) was received and referred to the Committee on Interstate Commerce, as follows:

Whereas the Congress adopted the Civil Aeronautics Act of 1938 with the firm intention that the air-transport industry of the United States be developed far beyond its present extent; and

Whereas it was recognized in section 2 and in other provisions of said act that such development of United States air-transport facilities nationally and internationally is vital to the national defense as well as to the commerce and postal service of the United States; and

Whereas the events of the last 4 years have fully confirmed the wisdom of Congress in seeking such development of this essential industry; and

Whereas in order to further the fullest development of such essential industry, the Congress completely eliminated air transportation from the scope of the several regulatory and investigative titles of the Transportation Act of 1940; and

Whereas there are now only some 350 aircraft in service on the domestic air lines, a number which appears totally inadequate in the light of the demands for air transportation and for transport aircraft: Therefore be it

Resolved, That the Civil Aeronautics Board be requested, if not inconsistent with the public interest, to report to the Senate of the United States at the earliest possible date what, if any, steps it has taken since 1938 to see that a great many more transport aircraft were built and in service, whether the air-transport industry has been, since that date, and is financially able to undertake expansion far beyond its present extent, and what steps the Board contemplates taking to see to it that the air-transport industry is able to and will develop in the future at the maximum possible rate.

SYSTEM OF LONGEVITY PAY FOR POSTAL EMPLOYEES—CONFERENCE REPORT

Mr. McKELLAR submitted the following conference report, which was ordered to lie on the table:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) to establish a system of longevity pay for postal employees having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendment insert the following: "as a reward for continuous service heretofore rendered or to be rendered hereafter, shall be granted $84 per annum in addition to their base pay as now or hereafter fixed by law upon completion of 10 years' service; and an additional $60 per annum upon the completion of an additional 5-year period of service thereafter: *Provided*, That no credit shall be given for service after the fifteenth year of employment: *Provided further*, That in computing an employee's length of service, credit shall be given for substitute service"; and the Senate agree to the same.

KENNETH McKELLAR,
JAS. M. MEAD,
PAT McCARRAN,
JAMES J. DAVIS,
Managers on the part of the Senate.

M. A. ROMJUE,
T. G. BURCH,
FRED A. HARTLEY, Jr.,
N. M. MASON,
Managers on the part of the House.

COMPLIANCE WITH THE SUGAR QUOTA LAW BY EXECUTIVE DEPARTMENTS

Mr. MURDOCK. Mr. President, I wish to refer very briefly to a letter written by the junior Senator from Virginia [Mr. BYRD] to the Secretary of Agriculture, which, if I remember aright, appeared in the Saturday newspapers in Washington. If I read the letter correctly, it requested the Secretary of Agriculture not to do anything in conformity with the sugar-quota law which is now on the statute books—so far, particularly, as entering into contracts under that law was concerned—until the Senator from Virginia and his committee had an opportunity to investigate certain phases of the situation.

I do not know of any contracts which are contemplated under the sugar law referred to by the Senator from Virginia, but I do know that in California today the season for planting sugar beets has about arrived. I know that in the very near future the producers will be planting sugar beets throughout most of the intermountain region. I am not familiar with the situation in Louisiana and Florida with reference to the planting of sugarcane, but I assume that if the producers there are not already engaged in planting, they will be in the very near future.

As late as December last the Congress of the United States reaffirmed its policy regarding sugar legislation. The sugar-beet producers of the West and the cane producers of Florida and Louisiana have a right to assume, and they do assume, that what the law says is what they can depend on in the planting of the present crop. We know that there is a sugar shortage in the United States; we know that if there is an industry in the United States which should be stabilized, and on which the farmers of the United States should be able to depend so far as existing law is concerned, it is the sugar industry.

Without saying anything disrespectful whatever of the junior Senator from Virginia, it is my opinion that when we have a law on the statute books, and a policy which was reaffirmed as late as December 1941, it is not proper, it is not, in my opinion, correct procedure, for any Senator or Representative to say to any executive department, "You should not go ahead under existing law until I or until my committee have an opportunity to investigate."

When we write the laws of the land, when we put them on the statute books, in my opinion, until we change them, either by repeal or modification in Congress, they should remain the law, and no one here has a right, on his own authority or that of some committee, to tell an executive department to desist or to refrain from enforcing and carrying the law into effect as it was intended by the Congress.

Mr. BYRD subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks a letter which I have written to Secretary of Agriculture, Mr. Wickard, with respect to certain sugar benefits which are now being paid. The letter was written by me as a member of the Senate Committee on Finance because of the fact that the question of sugar legislation will shortly come before the committee for review. The letter was not written as chairman of the Joint Committee on the Reduction of Nonessential Federal Expenditures.

The Senator from Utah [Mr. MURDOCK] made some comment, I am told, in the temporary absence of the Senator from Virginia, in criticism of the letter. I am glad to have it printed in the RECORD. The Senator from Virginia has no apologies to make for writing it. The letter will stand and explain itself.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 6, 1942.

The Honorable CLAUDE R. WICKARD,
Secretary of Agriculture.

MY DEAR MR. SECRETARY: Under the Sugar Control Act, an appropriation in the amount of $47,962,910, for sugar benefit payments, has been requested by you as Secretary of Agriculture, has been recommended by the President, and is now before Congress for consideration. I realize that this appropriation is requested in accordance with sugar legislation recently adopted by the Congress.

The chief justification for such an appropriation heretofore has been that sugar producers should be compensated for a reduction in the acreage devoted to the production of both cane and beet sugar within the United States and its continental possessions. Now the situation has changed completely. We are facing a sugar shortage, and even now sugar is being rationed, with more drastic action to come.

Your Department, for the year 1942, has removed the limitation on sugar production. If this had been done last year, at least a part of the present sugar shortage would have been avoided.

I am informed now by a representative of your Department that notwithstanding the removal of the limitation on sugar production, your Department is preparing to pay sugar producers benefits, the main justification for which originally was a reduction in the acreage devoted to sugar production. In fact, these benefit payments, under an act passed by Congress, will be increased for 1942 to the extent of 30 percent over 1941.

Let me call your attention to the fact that the United States Sugar Corporation in Florida will receive a benefit payment of $474,807. It is true, of course, that this company will make greatly increased profits because of the fact that the price of sugar has increased and, likewise, because the limitation on production has been removed. Why, then, should this wealthy corporation receive nearly a half million dollars out of the Federal Treasury?

I list below other large payments to sugar companies:

Realty Operators, Inc., New Orleans, $126,035.

South Coast Corporation, New Orleans, $186,020.

Hawaiian Commercial & Sugar Co., Puuene, Maui, $572,540.

Lihue Plantation Co., Ltd., Lihue, Kaual, $514,884.

Oahu Sugar Co., Ltd., Waipahu, Oahu, $514,862.

The largest subsidy payment being made is to Luce & Co., S. en C., Aguirre, in the amount of $619,443.

I will not take the time to give all of the other large benefit payments that will be made out of the Treasury to those who have heretofore had to reduce their sugar acreage, but who now will benefit by the removal of all restrictions. Forty-six corporations in all receive payments ranging from $106,000 to $619,000. Hundreds of individuals and corporations likewise receive payments ranging from $10,000 to $100,000.

As you know, I have consistently opposed these huge subsidies out of the Federal Treasury I can see no reason why the sugar operators should be placed in a preferred class. Likewise, I have come in contact with one of the most powerful lobbies that exists in Washington, and that is the sugar lobby.

It should be remembered that all of these sugar producers receive, in addition to these benefit payments, the soil-conservation payments, and the other benefit payments generally made to farmers.

Here is a chance to save nearly $50,000,000. Every dollar saved means a dollar less in new taxes, or a dollar more to finance our war preparations.

My main purpose in writing you is to request that you make no contracts for these benefit payments until Congress has an opportunity to review the sugar-control legislation in the light of the present situation, so that the repeal of these subsidies can be effected.

I ask you, as Secretary of Agriculture, to assist those in both branches of Congress who will make a determined effort to eliminate this nonessential spending.

With best wishes, I am,

Faithfully yours,

HARRY F. BYRD.

ADDRESS BY SENATOR LEE AT GEORGE WASHINGTON BIRTHDAY DINNER, OKLAHOMA CITY

[Mr. LEE asked and obtained leave to have printed in the RECORD an address entitled "Our National Welfare Requires Unity," delivered by him on the occasion of the George Washington birthday dinner at Oklahoma City, Okla., on February 23, 1942, which appears in the Appendix.]

ADDRESS BY SENATOR CHAVEZ TO THE PEOPLE OF CENTRAL AND SOUTH AMERICA

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address delivered by Senator CHAVEZ to the people of Central and South America, which appears in the Appendix.]

LETTER FROM A SOLDIER'S FATHER

[Mrs. CARAWAY asked and obtained leave to have printed in the RECORD a letter from the father of an ex-service man, published in the Arkansas Gazette, which appears in the Appendix.]

SUGAR-BEET PRODUCTION

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a message to the President of the United States from the Tongue and Yellowstone Beet Growers' Association, which appears in the Appendix.]

THE 40-HOUR WEEK—EDITORIAL FROM HUTCHINSON (KANS.) NEWS

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial from the Hutchinson (Kans.) News of February 27, 1942, entitled "Still Dreaming—Ungentlemanly Act—Military Touch," which appears in the Appendix.]

WHERE TO BUY A NEW CAR—EDITORIAL FROM KANSAS CITY DROVERS TELEGRAM

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial from the Kansas City Daily Drovers Telegram entitled "Where To Buy a New Car," which appears in the Appendix.]

PRICES OF FARM COMMODITIES—EDITORIAL FROM TOPEKA JOURNAL

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial from the Topeka (Kans.) Journal of March 2, 1942, entitled "On Two Fronts," which appears in the Appendix.]

COOPERATION IN WINNING THE WAR

[Mr. WILEY asked and obtained leave to have printed in the RECORD a letter from Van B. Hooper, of Milwaukee, Wis., relating to the cooperation necessary to winning the war, which appears in the Appendix.]

COMPLACENCY OF THE MIDDLE WEST—EDITORIAL FROM THE COURIER-WEDGE

[Mr. WILEY asked and obtained leave to have printed in the RECORD an editorial from the Courier-Wedge, of Durand, Wis., entitled "No Horrible Complacency," which appears in the Appendix.]

BRAZIL: KEY TO THE FUTURE—ARTICLE FROM THE SIGN

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article from the magazine the Sign entitled "Brazil: Key to the Future," which appears in the Appendix.]

ALL WE CAN GIVE—ARTICLE BY ROBERT K. LEAVITT

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article from the magazine This Week entitled "All We Can Give," which appears in the Appendix.]

SENATOR FROM NORTH DAKOTA

The VICE PRESIDENT. The Chair lays before the Senate the special order previously adopted for this hour, namely, Senate resolution 220, which the clerk will read.

The legislative clerk read as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. LUCAS obtained the floor.

Mr. LA FOLLETTE. Mr. President, the Senator from Illinois has been ready to proceed for some time, but has permitted various Senators to interrupt for various purposes, and I should like to ask him whether his patience is exhausted, because I should like to take 2 or 3 minutes. If he does not care to yield I shall wait until he has proceeded with his argument. He has been very generous.

Mr. LUCAS. I should like to proceed with my argument, Mr. President, but I yield to the Senator.

Mr. LA FOLLETTE. I shall not ask the Senator to yield, because I should like to take 4 or 5 minutes. I thank him, however.

Mr. LUCAS. Mr. President, the highly privileged resolution now before the Senate of the United States is based upon charges of acts involving moral turpitude committed by Senator WILLIAM LANGER, of North Dakota, prior to January 3, 1941, the day upon which the constitutional oath was administered to the Senator-elect by the President of the Senate. Preliminary to the argument of the legal questions presented and a statement of the facts upon which the committee is content to rest its decision, I deem it advisable to make a few general observations and a few general remarks.

In the first place, it may occur to some to ask why the Senator from Illinois happens to be in this position, in view of the fact that the junior Senator from Rhode Island [Mr. GREEN] is the chairman of the Committee on Privileges and Elections. Senators will remember that this case came to the Committee on Privileges and Elections in January 1941. At that time the senior Senator from Texas [Mr. CONNALLY] was the chairman of that committee. Later on the Senator from New Mexico [Mr. HATCH] became chairman of that committee, and was chairman during most of the time the evidence was taken, and after that the Senator from Rhode Island [Mr. GREEN] became chairman, and he is now chairman of that committee.

In the very beginning of this case the senior Senator from Texas appointed the Senator from Illinois as chairman of a subcommittee to employ investigators, and after the investigators were employed and made their report, the Senator from Illinois was again appointed as chairman of the subcommittee to go over the report which had been submitted by the investigators, so the Senator from Illinois happens to be in this role today because of his appointment as chairman of these subcommittees.

Mr. President, at this point I think it the better part of wisdom to introduce into the RECORD the original petition which was filed by counsel for petitioners, and which asks in the prayer of the petition, among other things, that the respondent, WILLIAM LANGER, be denied the right to fill and occupy the position and office of United States Senator from the State of North Dakota. I ask unanimous consent to have that petition introduced in the RECORD at this point, without reading it.

The VICE PRESIDENT. Without objection, it is so ordered.

The petition is as follows:

To the Senate of the United States, Committee on Privileges and Elections:

C. R. VERRY, JOHN L. MIKELTHUN, ASWALD BRAATEN, J. H. MCCOY, I N. AMICK, ALLAN MCMANUS, KRISTIAN HALL, T. A. CRAWFORD, AND D. D. RILEY ET AL WHO MAY CARE TO APPEAR HEREIN AND BECOME PARTIES HERETO, PETITIONERS, *v.* WILLIAM LANGER, RESPONDENT, CLAIMING THE RIGHT TO A SEAT IN THE UNITED STATES SENATE FROM THE STATE OF NORTH DAKOTA

AMENDED PETITION

Leave of the Senate Committee on Privileges and Elections having been first had and obtained, the undersigned counsel for the original petitioners herein, as named in the caption hereof, file this, their amended petition, as follows:

I. Election frauds

Petitioners allege that Respondent WILLIAM LANGER is, and long has been, openly, notoriously, and admittedly corrupt in his official and public life in the State of North Dakota, including his campaign for election to public office, specifically and most recently in connection with his candidacy for nomination and election to the office of United States Senator, to wit, that as the head of the Republican Party in and for said State, and of the Farmers' Union and Non-Partisan League, and while running for the nomination and later for election to the office of United States Senator he, the said respondent, controlled the election machinery of said State, and by and through said control procured and caused the casting and counting in his favor of, to wit, many thousands of illegal absentee ballots; that during the primary and the general election of 1940, when he was a candidate for nomination and election to the United States Senate, he procured the destruction of many thousands of ballots validly and regularly cast against him, and procured many other thousands of ballots

cast against him to be changed to show that they had been cast in his favor, and the same were not counted against him; that there has been no general official contest or recount of the votes cast for and against respondent in the election in which he sought a seat as United States Senator, and your petitioners are, therefore, unable to allege the total number of ballots destroyed, changed, and altered, as aforesaid; that in the course of a contest and recount involving two State officials, however, for whom votes were cast on the same ticket on which respondent was running for United States Senate, it was found that many irregular absentee and other ballots had been cast and were thrown out; that said contest and recount disclosed that an average of, to wit, from 8 to 10 votes in the voting precincts of one of the contested counties alone were irregular and voided for the reasons hereinbefore stated; that respondent, on the votes counted and returned, had but slightly more than 8,000 majority for the United States Senatorship; and that, on the ratio of illegal ballots thrown out and voided as aforesaid, there were, it is believed and alleged, enough such void ballots in the entire State (including more than 2,000 precincts) to change the announced results of his election to the United States Senate.

That during the 1940 election campaign, respondent inserted and paid for an advertisement in a newspaper known as the North Dakota Union Farmer, which advertisement read as follows:

"Congressman USHER L. BURDICK, the best friend of the Farmers' Union says:

"'I am for LANGER for United States Senator, and ask all my Farmers' Union friends to vote for him.'

"U. L. BURDICK *Congressman.*

"P. S.—Please vote for me too."

Although respondent then and there well knew, when he inserted said advertisement 4 days prior to said election that he had not been authorized by Congressman U. L. BURDICK to insert such advertisement, or to make such representations in any way, manner, or form; and that said false and misleading advertisement operated to, and did, perpetrate a fraud upon and against other candidates for the United States Senate in said election.

That in past elections in North Dakota, official returns have demonstrated that the total votes cast for senatorial candidates have exceeded the total vote cast for the Presidential candidates; but in the November 1940, election, the returns show that 16,674 more ballots were cast for the Presidential candidates than for the senatorial candidates, and the total of 286,000 votes counted for all candidates were 6,000 more than the total vote counted for President, and more than 22,000 in excess of the total votes counted for senatorial candidates, indicating that many thousand ballots were voided by those in charge of the election machinery.

That in previous elections involving respondent's candidacies for public offices, including the office of Governor and United States Senator (in 1938), respondent publicly and privately admitted and boasted that between 31,000 and 38,000 illegal absentee ballots were cast and counted for him, and in public speeches advised and counseled audiences and persons that anyone could vote in North Dakota, by saying: "Anyone who wishes can vote in North Dakota; all you have to do is come over to our State, register at a hotel, drop our office a line, and that makes you a resident whether you are going to live in our State or not, then, when the next election comes around, we'll send you an absentee ballot, and you can cast your vote as a North Dakota citizen."

II. Conduct involving moral turpitude

Petitions further allege that for, to wit, the past 20 years, respondent's public and private life has been of such character that he has been repeatedly suspected and accused of conduct involving moral turpitude, and, pursuant to such conduct, he was indicted, tried, and convicted in the United States District Court for North Dakota of the offense of conspiracy, with other persons, to bring about a corrupt and fraudulent enforcement, and to prevent the proper enforcement, of certain Federal statutes; that said conviction was reversed on appeal, however, on the grounds (1) that error was committed at the trial, and (2) that the sentence of the court had not been imposed in due time; that said case was reversed, as stated, and remanded, and was thereafter twice tried, with the jury standing 10 to 2 for conviction on the second trial, and on the third trial, a directed verdict of "not guilty" was returned; that between the said first and second trials, respondent filed an affidavit of prejudice against the presiding judge, resulting in said judge recusing himself and the assignment of another judge; that out of said affidavit of prejudice, an indictment for perjury was returned against respondent, which, on trial, resulted in a directed verdict by the new presiding judge, which, it is alleged, led to the acquittal of respondent in the third trial of said conspiracy charge.

That during the pendency of the Federal criminal charges aforesaid, the Supreme Court of the State of North Dakota, basing its decision on the record of conviction aforesaid in the Federal court, sustained a proceeding ousting respondent from the office of Governor for the State of North Dakota, and, pursuant thereto, respondent was actually ousted from said office of Governor.

Petitioners further allege that, while testifying as a witness in his own behalf in the Federal court trial of the charge of conspiracy aforesaid, respondent admitted that he received and accepted, to wit, $19,000 which had been exacted and collected from State and Federal employees, and State contractors, for his own political uses and purposes, and that, to wit, $300 or more of which, as respondent further admitted, was exacted, collected, and received from Federal relief clients, in violation of Federal statutes.

That during the second trial of the Federal conspiracy charge, as aforesaid, respondent personally and through other persons, bribed the two jurors who stood out for acquittal in said second Federal conspiracy trial, and likewise personally and through other persons influenced and procured the designated judge of the Federal court to, and he did, so instruct the jury in the third conspiracy trial that it was persuaded to, and did, return a verdict of acquittal of the respondent as aforesaid; and that respondent on divers occasions paid personally to the son of said designated trial judge, and to the United States Marshal in the United States District Court of South Dakota, the home district of said designated judge, certain moneys and funds, both in cash and by check, for the purpose of influencing said designated trial judge.

That during the time respondent served as Governor of the State of North Dakota, he accepted the sum of, to wit, $4,000 for a pardon, which is of record in the State court of North Dakota, in a suit brought by the convict's mother to recover the sum so paid, which suit was settled and dismissed when the convict was forced, by threats of bodily harm, to persuade his mother to withdraw said suit.

That during the time respondent was Governor of the State of North Dakota, he was, as Governor, ex officio a member of the board of directors of the North Dakota State Bank, an institution owned and operated by said State; that as such director he voted to, and the bank did, contrary to its usual custom, refuse to purchase the bonds of numerous counties of the State, and saw to it that said counties disposed of their bonds at a discount through a brokerage house owned and operated by respondent's friends and associates; that respondent then and there procured said North Dakota State Bank to, and it did, then purchase said bonds from said brokerage house at par or above par; that said conduct of respondent constituted a fraud upon said counties, and operated to respondent's own financial benefit in the sum of, to wit, $75,000.00.

That in the year 1938, while Governor of North Dakota, respondent conspired with one Gregory Brunk and V. W. Brewer, the owners of a brokerage concern known as V. W. Brewer & Co., to cover up and conceal part of the profits to himself on said bond sales as mentioned and set forth in the next preceding paragraph hereof, and in furtherance of said conspiracy respondent consummated a fictitious sale to said Gregory Brunk, operating under the name of The Realty Holding Company, for $20,000.00, 2,000 acres of land in Kidder County, N. Dak., which respondent had previously bought for $7,000.00; and that when said fictitious sale was consummated, said land was subject to three years' arrears in taxes, which taxes said Gregory Brunk assumed.

That during the time respondent served as Governor of North Dakota, he did numerous other and further acts evincing moral turpitude and a disregard for law, among them being the giving of a radio address in which he said among other things, "If the Federal seed and loan collectors come on your place, treat them as you would treat a chicken thief."

Petitioners further allege that if the committee or a subcommittee thereof will sit in North Dakota and afford petitioners opportunity to present witnesses and proof, they will prove that respondent has been guilty in recent years of accepting, through coconspirators, many other sums of money from the State treasury and individuals for fictitious legal services and political favors, to wit, among other things, the collection of a fee of $500 and interest for alleged legal services, and $976 kick-back commission from a representative of the Heil Manufacturing Co., of Milwaukee, Wis., for road machinery purchased by the State of North Dakota, all the while respondent was Governor of the State of North Dakota.

Petitioners further allege that, between the primary and the general election of 1940, respondent, at the State Republican convention, promised one Thomas Whelan, a candidate he had defeated in the said primary, that he, respondent, would make said Whelan State chairman of the State Republican committee, and give him one-half of all Federal patronage if he, Whelan, would support respondent in the November 1940 election; and that respondent made other and further promises of political favors and patronage to divers other persons, contingent upon his election as United States Senator, and for the purpose of bringing about his election.

Wherefore, the premises considered, petitioners pray:

1. That this committee or a subcommittee thereof sit and hold hearing in the State of North Dakota for the purpose of hearing and taking of testimony and proof in support of the facts hereinbefore alleged; and

2. That respondent, WILLIAM LANGER, be denied the right to fill and occupy the position and office of United States Senator from the State of North Dakota.

EDWARD R. BURKE,
H. C. LOWRY,
A. R. MCGUIRE,
Counsel for Petitioners.

I, H. C. Lowry, of counsel for petitioners, being first duly sworn, on oath say that I have read the foregoing petition by me subscribed as of counsel for the petitioners

named therein, say that the facts therein set forth and contained are true to the best of my knowledge, information, and belief.

H. C. LOWRY.

Subscribed and sworn to before me this 3d day of February, 1941.

[SEAL] MINERVA G. CULTON,
Notary Public, District of Columbia.

Mr. LUCAS. Mr. President, I also request unanimous consent of the Senate following the introduction of the petition to file the answer by Francis Murray and others, who were attorneys for WILLIAM LANGER in this case.

The VICE PRESIDENT. Without objection, it is so ordered.

The answer is as follows:

To the Senate of the United States, Committee on Privileges and Elections:

C. R. VERRY; JOHN L. MIKELTHUN; ASWARLD BRAATEN; J. H. MCCAY; I. N. AMICK; ALLAN MCMANUS; KRISTIAN HALL; T. A. CRAWFORD; AND D. D. RILEY ET AL., WHO MAY CARE TO APPEAR HEREIN AND BECOME PARTIES HERETO, PETITIONERS, *v.* WILLIAM LANGER, RESPONDENT, CLAIMING THE RIGHT TO A SEAT IN THE UNITED STATES SENATE FROM THE STATE OF NORTH DAKOTA

ANSWER TO AMENDED PETITION

Now comes the respondent, WILLIAM LANGER, and denies each and every material matter, fact, and thing in said amended petition contained and the whole thereof.

Further answering said amended petition, this respondent specifically denies paragraphs 1 and 2 thereof.

Wherefore this respondent asks that the amended petition herein be dismissed and that the respondent, WILLIAM LANGER, be permanently seated as United States Senator from the State of North Dakota.

FRANCIS MURPHY,
MORGAN FORD,
J. K. MURRAY,
DENNIS A. LYONS,
Attorneys for William Langer, United States Senator From North Dakota.
THOMAS W. HARDWICK,
Of counsel.

DISTRICT OF COLUMBIA, *ss:*

I, WILLIAM LANGER, being first duly sworn, says that he has read the within foregoing answer to amended petition and knows the contents thereof and that the same is true.

_____.
Notary Public, District of Columbia.

Whereas WILLIAM LANGER was, on the 5th day of November 1940, by the qualified electors of the State of North Dakota, at a legal election held on said day, duly and legally elected a Member of the United States Senate from the State of North Dakota; and

Whereas the said WILLIAM LANGER did at the time of his election, to wit on the 5th day of November 1940, possess all of the qualifications required by the Constitution of the United States to qualify him to be a Senator from the State of North Dakota; and

Whereas upon the presentation of proper credentials by the said WILLIAM LANGER to the Vice President of the United States in the United States Senate on the 3d day of January 1941 the oath prescribed by law was administered to the said WILLIAM LANGER by the Vice President of the United States, and the said WILLIAM LANGER became a Member of the United States Senate from the State of North Dakota; and

Whereas at the time the oath was administered to the said WILLIAM LANGER, the majority leader, Senator ALBEN BARKLEY, notified the Senate of the United States that the Vice President of the United States had received protests in the form of a petition embodying certain charges against the said WILLIAM LANGER; and

Whereas under a unanimous-consent agreement these protests were referred to the Committee on Privileges and Elections; and

Whereas the Committee on Privileges and Elections, acting through a duly appointed subcommittee, moved that the protestants be given until February 5, 1941, to make more specific the charges contained in the petition and related papers filed with the Senate on or before, to wit, the 3d day of January 1941; and

Whereas there was, on the 3d day of February 1941, filed with the Senate a paper writing signed by Edward R. Burke, H. C. Lowry, and O. R. McGuire, counsel for petitioners, entitled "Amended Petition," which paper writing purports to be verified by one of said counsel, H. C. Lowry, reciting that "the facts herein set forth and contained are true to the best of my knowledge, information, and belief":

Now comes the said WILLIAM LANGER, United States Senator from North Dakota, and moves to dismiss the so-called amended petition, filed on the date and at the place aforesaid, for the following reasons:

1. The protestants or petitioners, as the case may be, have failed to fulfill the requirements embodied in the motion adopted by your honorable committee by virtue of having failed to furnish specific charges as will put the said WILLIAM LANGER upon a proper defense and prevent surprise being practiced upon said WILLIAM LANGER.

2. The paper writing, designated as the amended petition, is so uncertain, vague, and wholly insufficient that the sitting Member, WILLIAM LANGER, is unable, without making some orderly division of the matter alluded to in said paper writing, to offer specific objections.

3. For the purpose, however, of offering general objections to matter contained in said paper writing, WILLIAM LANGER has divided the text of the material therein contained into 14 charges, which will be referred to according to the page number of the paper writing known as the amended petition.

4. Commencing with page 1, under the caption "Election frauds," said WILLIAM LANGER is charged with having been "openly, notoriously, and admittedly corrupt in his official and public life in the State of North Dakota."

This allegation is clearly insufficient as being too vague and general and states mere conclusions.

5. On page 1 of the amended petition it is charged that said WILLIAM LANGER, "as the head of the Republican Party," etc., "controlled the election machinery of said State."

This allegation is too general. The particular places and acts complained of should have been specifically set out.

6. At the bottom of page 1 and at the beginning of page 2, the charge is made that the said WILLIAM LANGER "caused the casting and counting in his favor of many thousands of illegal absentee ballots."

The allegation is too general. The particular places and acts complained of should have been specifically set out. It is not pointed specifically in what the illegality consisted.

7. Commencing near the bottom of page 2 and continuing on page 3, the charge is made that the said WILLIAM LANGER advertised that he had the support of Hon. U. L. BURDICK, Member of Congress from the State of North Dakota, and such representation was unauthorized "in any way, manner, or form."

The said WILLIAM LANGER admits that an advertisement was made of Mr. BURDICK's support; that Mr. BURDICK, prior to the advertisement in question and on occasions subsequent thereto, too numerous to mention, has expressed his full confidence in and support of the said WILLIAM LANGER.

8. The charge in the second paragraph on page 3 that the said WILLIAM LANGER "publicly and privately admitted and boasted that between 31,000 and 38,000 illegal absentee ballots were cast and counted for him," is denied.

The alleged quotation from the alleged remarks of said WILLIAM LANGER is purely hearsay.

9. Commencing at the bottom of page 3 under the caption, "II. Conduct involving moral turpitude," the charge is made for "the past 20 years, respondent's (WILLIAM LANGER) public and private life has been of such character that he has been repeatedly suspected and accused of conduct involving moral turpitude."

It is impossible to conceive of a specification broader or more general in its terms, and if contained in the pleadings in any court would be suppressed as scandalous and impertinent.

10. The charges relating to the criminal cases in which said WILLIAM LANGER was a defendant and in which the United States was plaintiff, are statements of opinion and conclusion in which the decision of the Circuit Court of Appeals for the Eighth Circuit is impugned, the manner of conducting the trials in the United States Federal Court for the District of North Dakota is criticized, the integrity of the presiding Federal judge is impugned, and the integrity of certain members of one of the juries in one of said criminal trials is assailed.

The said WILLIAM LANGER represents to this honorable committee that all these charges and each and every one of them are objectionable and wholly unjustifiable, and are intended simply for the purpose of placing upon the record slurs and insinuations still more scurrilous and abusive than that which is previously recited in the paragraphs of the paper writing designated as the "amended petition."

The said WILLIAM LANGER is informed, and acting upon that information represents to this honorable committee, that the Attorney General of the United States, acting through the Federal Bureau of Investigation, has made an independent and exhaustive investigation of all of the circumstances attending the trials in the United States District Court for the District of North Dakota, in which the United States was plaintiff and the said WILLIAM LANGER was defendant.

It is respectfully urged that this honorable committee call upon the Attorney General of the United States for all reports, papers, files, and related documents which may be on file in the office of the Attorney General of the United States or in the offices of any of his assistants, and that such reports, papers, files, and related documents be made available to this committee and to the said WILLIAM LANGER.

The charge on page 5, second paragraph, is unsupported by affidavits other than by those professing to have derived their information by hearsay.

As to the remaining charges, the said WILLIAM LANGER represents to this committee that said charges are too vague, uncertain, general, and wholly insufficient.

Now, therefore, for the several reasons hereinbefore set forth, the said WILLIAM LANGER respectfully requests that this committee deny the prayer of counsel for certain petitioners, and that said paper writing designated as "amended petition" be held insufficient.

DENNIS A. LYONS,
MORGAN FORD,
J. K. MURRAY,
FRANCIS MURPHY,
Attorneys for Senator William Langer.
THOMAS W. HARDWICK,
Of Counsel.

C. R. VERRY; JOHN L. MIKELTHUN; ASWARLD BRAATEN; J. H. MCCOY; I. N. AMICK; ALLAN MCMANUS; KRISTIAN HALL; T. A. CRAWFORD; AND D. D. RILEY ET AL WHO MAY CARE TO APPEAR HEREIN AND BECOME PARTIES HERETO, PETITIONERS *v.* WILLIAM LANGER, RESPONDENT, CLAIMING THE RIGHT TO A SEAT IN THE UNITED STATES SENATE FROM THE STATE OF NORTH DAKOTA

AMENDED PETITION

Leave of the Senate Committee on Privileges and Elections having been first had and

obtained, the undersigned counsel for the original petitioners herein, as named in the caption hereof, file this their amended petition, as follows:

1. Election frauds

Petitioners allege that respondent WILLIAM LANGER is, and long has been, openly, notoriously, and admittedly corrupt in his official and public life in the State of North Dakota, including his campaigns for election to public office, specifically and most recently in connection with his candidacy for nomination and election to the office of United States Senator, to wit, that as the head of the Republican Party in and for said State, and of the Farmers' Union and Non-Partisan League, and while running for the nomination and later for election to the office of United States Senator, he the said respondent controlled the election machinery of the said State, and by and through said control procured and caused the casting and counting in his favor of, to wit, many thousands of illegal absentee ballots; that during the primary and the general election of 1940, when he was a candidate for nomination and election to the United States Senate, he procured the destruction of many thousands of ballots validly and regularly cast against him, and procured many other thousands of ballots cast against him to be changed to show that they had been cast in his favor, and the same were not counted against him; that there has been no general official contest or recount of the votes cast for and against respondent in the election in which he sought a seat as United States Senator, and your petitioners are, therefore, unable to allege the total number of ballots destroyed, changed, and altered as aforesaid; that in the course of a contest and recount involving two State officials, however, for whom votes were cast on the same ticket on which respondent was running for United States Senate, it was found that many irregular absentee and other ballots had been cast and were thrown out; that said contest and recount disclosed that an average of, to wit, from 8 to 10 votes in the voting precincts of one of the contested counties alone were irregular and voided for the reasons hereinbefore stated; that respondent on the votes counted and returned had but slightly more than 8,000 majority for the United States senatorship; and that, on the ratio of illegal ballots thrown out and voided as aforesaid, there were, it is believed and alleged, enough such void ballots in the entire State (including more than 2,000 precincts) to change the announced result of his election to the United States Senate.

That during the 1940 election campaign respondent inserted and paid for an advertisement in a newspaper known as the North Dakota Union Farmer, which advertisement read as follows:

"Congressman USHER L. BURDICK, the best friend of the Farmers' Union, says: 'I am for LANGER for United States Senator, and ask all my Farmers' Union friends to vote for him.' U. L. BURDICK, Congressman. P. S.: Please vote for me, too."

Although respondent then and there well knew when he inserted said advertisement 4 days prior to said election that he had not been authorized by Congressman U. L. BURDICK to insert such advertisement or to make such representations in any way, manner, or form; and that said false and misleading advertisement operated to, and did, perpetrate a fraud upon and against other candiates for the United States Senate in said election.

That in past elections in North Dakota official returns have demonstrated that the total votes cast for senatorial candidates have exceeded the total vote cast for the Presidential candidates, but in the November 1940 election the returns show that 16,674 more ballots were cast for the Presidential candidates than for the senatorial candidates, and the total of 286,000 votes counted for all candidates were 6,000 more than the total vote counted for President and more than 22,000 in excess of the total votes counted for senatorial candidates, indicating that many thousand ballots were voided by those in charge of the election machinery.

That in previous elections involving respondent's candidacies for public offices, including the office of Governor and United States Senator (in 1938), respondent publicly and privately admitted and boasted that between 31,000 and 38,000 illegal absentee ballots were cast and counted for him, and in public speeches advised and counseled audiences and persons that anyone could vote in North Dakota by saying: "Anyone who wishes can vote in North Dakota; all you have to do is come over to our State, register at a hotel, drop our office a line, and that makes you a resident, whether you are going to live in our State or not; then when the next election comes around we'll send you an absentee ballot and you can cast your vote as a North Dakota citizen."

II. Conduct involving moral turpitude

Petitioners further allege that for, to wit, the past 20 years respondent's public and private life has been of such character that he has been repeatedly suspected and accused of conduct involving moral turpitude and, pursuant to such conduct, he was indicted, tried, and convicted in the United States District Court for North Dakota of the offense of conspiracy, with other persons, to bring about a corrupt and fraudulent enforcement, and to prevent the proper enforcement, of certain Federal statutes; that said conviction was reversed on appeal, however, on the grounds (1) that error was committed at the trial, and (2) that the sentence of the court had not been imposed in due time; that said case was reversed, as stated, and remanded, and was thereafter twice tried, with the jury standing 10 to 2 for conviction on the second trial, and on the third trial a directed verdict of "not guilty" was returned; that between the said first and second trials respondent filed an affidavit of prejudice against the presiding judge, resulting in said judge recusing himself and the assignment of another judge; that out of said affidavit of prejudice an indictment for perjury was returned against respondent, which, on trial, resulted in a directed verdict by the new presiding judge, which, it is alleged, led to the acquittal of respondent in the third trial of said conspiracy charge.

That during the pendency of the Federal criminal charges aforesaid the Supreme Court of the State of North Dakota, basing its decision on the record of conviction aforesaid in the Federal court, sustained a proceeding ousting respondent from the office of Governor for the State of North Dakota, and, pursuant thereto, respondent was actually ousted from said office of Governor.

Petitioners further alleged that while testifying as a witness in his own behalf in the Federal court trial of the charge of conspiracy aforesaid respondent admitted that he received and accepted, to wit, $19,000 which had been exacted and collected from State and Federal employees and State contractors for his own political uses and purposes, and that, to wit, $300 or more of which, as respondent further admitted, was exacted, collected, and received from Federal relief clients, in violation of Federal statutes.

That during the second trial of the Federal conspiracy charge, as aforesaid, respondent personally and through other persons bribed the two jurors who stood out for acquittal in said second Federal conspiracy trial, and likewise personally and through other persons influenced and procured the designated judge of the Federal court to, and he did, so instruct the jury in the third conspiracy trial that it was persuaded to, and did, return a verdict of acquittal of the respondent, as aforesaid; and that respondent on divers occasions paid personally to the son of said designated trial judge, and to the United States marshal in the United States District Court of South Dakota, the home district of said designated judge, certain moneys and funds, both in cash and by check, for the purpose of influencing said designated trial judge.

That during the time respondent served as Governor of the State of North Dakota, he accepted the sum of, to wit, $4,000 for a pardon, which is of record in the State court of North Dakota, in a suit brought by the convict's mother to recover the sum so paid, which suit was settled and dismissed when the convict was forced, by threats of bodily harm, to persuade his mother to withdraw said suit.

That during the time respondent was Governor of the State of North Dakota, he was, as Governor, ex officio, a member of the board of directors of the North Dakota State Bank, an institution owned and operated by said State; that as such director he voted to, and the bank did, contrary to its usual custom, refuse to purchase the bonds of numerous counties of the State, and saw to it that said counties disposed of their bonds at a discount through a brokerage house owned and operated by respondent's friends and associates; that respondent then and there procured said North Dakota State Bank to, and it did, then purchase said bonds from said brokerage house at par or above par; that said conduct of respondent constituted a fraud upon said counties, and operated to respondent's own financial benefit in the sum of, to wit, $75,000.

That in the year 1938, while Governor of North Dakota, respondent conspired with one Gregory Brunk and V. W. Brewer, the owners of a brokerage concern known as V. W. Brewer & Co., to cover up and conceal part of the profits to himself on said bond sales as mentioned and set forth in the next preceding paragraph hereof, and in furtherance of said conspiracy respondent consummated a fictitious sale to said Gregory Brunk, operating under the name of the Realty Holding Co., for $20,000, 2,000 acres of land in Kidder County, N. Dak., which respondent had previously bought for $7,000; and that when said fictitious sale was consummated, said land was subject to 3 years' arrears in taxes, which taxes said Gregory Brunk assumed.

That during the time respondent served as Governor of North Dakota, he did numerous other and further acts evincing moral turpitude and a disregard for law, among them being the giving of a radio address in which he said, among other things, "If the Federal seed and loan collectors come on your place, treat them as you would treat a chicken thief."

Petitioners further allege that if the committee, or a subcommittee thereof, will sit in North Dakota and afford petitioners opportunity to present witnesses and proof, they will prove that respondent has been guilty in recent years of accepting, through coconspirators, many other sums of money from the State treasury and individuals for fictitious legal services and political favors, to wit, among other things, the collection of a fee of $500 and interest for alleged legal services and $976 kick-back commission from a representative of the Heil Manufacturing Co., of Milwaukee, Wis., for road machinery purchased by the State of North Dakota, all while respondent was Governor of the State of North Dakota.

Petitioners further allege that, between the primary and the general election of 1940, respondent, at the State Republican convention, promised one Thomas Whelan, a candidate he had defeated in the said primary, that he, respondent, would make said Whelan State chairman of the State Republican committee, and give him one-half of all Federal patronage, if he, Whelan, would support respondent in the November 1940 election,

and that respondent made other and further promises of political favors and patronage to divers other persons contingent upon his election as United States Senator, and for the purpose of bringing about his election.

Wherefore, the premises considered, petitioners pray:

1. That this committee or a subcommittee thereof sit and hold hearings in the State of North Dakota for the purpose of hearing and taking of testimony and proof in support of the facts hereinbefore alleged; and

2. That Respondent WILLIAM LANGER be denied the right to fill and occupy the position and office of United States Senator from the State of North Dakota

(Signed) EDWARD R. BURKE,
H. C. LOWRY,
O. R. MCGUIRE,
Counsel for Petitioners.

I, H. C. Lowry, of counsel for petitioners, being first duly sworn, on oath say that I have read the foregoing petition by me subscribed as of counsel for the Petitioners named therein, say that the facts herein set forth and contained are true to the best of my knowledge, information, and belief.

H. C. LOWRY.

Subscribed and sworn to before me this 3d day of February 1941.

MINERVA G. CULTON,
Notary Public, District of Columbia.

Mr. LUCAS. Mr. President, it should be remembered by the Senate that in the beginning no specific resolution was agreed to by the Senate of the United States directing and authorizing the committee to do anything. In other words, in my examination of the precedents of the past I found in nearly all the cases of great importance, such as the one which is now before us, that the Senate had prepared a resolution in advance, which was agreed to by the Senate, and referred to the Committee on Privileges and Elections, authorizing and directing the committee to do certain things. It will be remembered that in this case on January 3, 1941, when Senator-elect LANGER was ready to take the oath, he was not requested to stand aside, but the majority leader of the Senate, the Senator from Kentucky [Mr. BARKLEY], at that time rose and said that the Secretary of the Senate had received a number of protests from various citizens of North Dakota, along with evidence and letters, and that he had made an examination, that the charges were serious, and, while he would not request the Senator-elect to stand aside, he would permit him to take the oath without prejudice to the Senator and without prejudice to the United States Senate. Following that, the letters, protests, and affidavits were referred to the Committee on Privileges and Elections, and it was on the basis of those petitions filed by various citizens of North Dakota that the Committee on Privileges and Elections had to act. It took us some time in the committee to organize, so to speak, in order to determine the proper type of procedure under the petitions we had before us.

There is another general observation which I desire to make at this time in connection with this very interesting case, and that involves some statements which have been made in the minority report filed by the senior Senator from South Carolina [Mr. SMITH] and the junior Senator from Utah [Mr. MURDOCK].

In that report these two distinguished Senators make some complaint, in fact it is rather bitter at times, about the manner in which the investigators proceeded in North Dakota, as well as about the manner in which the subcommittee proceeded in the hearing of this case. I turn to page 5 of the minority report where I find they say that some of the testimony which was submitted to the investigators "is in narrative form, some of it by way of questions and answers, some consisted of affidavits, and a considerable part of newspaper articles."

They further state:

In the gathering of this evidence and the taking of these statements no pretense was made of conforming to any rules of evidence.

Mr. President, that is a complaint which is made by these two Senators in the minority report. I do not care to take a great length of time in discussing this question. I merely bring it to the attention of the Senate, and state that it goes without saying that in all these matters in connection with which testimony is taken before any committee, a great deal of latitude and liberality exists. We know there is no rule of germaneness in the United States Senate insofar as evidence is concerned, and what is true in the Senate is true with respect to every Senate committee. Frankly, when I became a Member of Congress 7 years ago I was shocked to find that the rules of evidence to which I was accustomed in the courts in my section of the land had no application whatever to committees investigating matters in the House or in the Senate.

I wish to read Senate Resolution 118 under which the subcommittee and the committee investigated this matter. The committee came to the Senate when the senior Senator from Texas was chairman, and obtained by unanimous consent the type of resolution which made it possible for us to make the investigation which we did make, and the very Senators who complain so bitterly about the way in which this matter was handled in North Dakota by the investigators, are parties to this resolution, because it was agreed to unanimously. I read Senate Resolution 118, agreed to May 23, 1941:

Resolved, That the Committee on Privileges and Elections, or any duly authorized subcommittee thereof, for the purposes of the proceeding now pending before said committee to determine whether WILLIAM LANGER is entitled to retain his seat in the Senate as a Senator from North Dakota, may authorize any one or more persons to conduct any part of such proceeding on behalf of the committee, and any person so authorized may hold such hearings, issue such subpenas and provide for the service thereof, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the committee, or any such duly authorized subcommittee, may from time to time authorize in connection with such proceeding

Mr. President, the reason for presenting the resolution was simply this: North Dakota is a long way from Washington. Members of the Committee on Privileges and Elections, as Senators all know, in these trying times have been very busy with the innumerable duties which they have as United States Senators in connection with the various committees upon which they serve. The members of the committee conceived the idea, and it was agreed to by every member of the subcommittee, that investigators invested with the power contained in this resolution, should go to North Dakota to ascertain the truth or the falsity of the charges contained in the petition. They did go there; they worked there for 3 months; and they did a marvelous job of investigating, in my opinion. Nevertheless, in the minority report I find that the investigators are condemned and their integrity is challenged because they rigidly followed the resolution which was adopted by the Senate.

I wish to call attention to a letter written by the senior Senator from Texas, who was then chairman of the committee, on May 30, 1941. The letter reads as follows:

To Whom It May Concern:

This will introduce Mr. Elbert L. Smith who has been duly appointed by the Committee on Privileges and Elections of the United States Senate to investigate the protest against the seating of WILLIAM LANGER of North Dakota, as a Senator from the State of North Dakota, pursuant to resolution No. 118 passed by the United States Senate May 23, 1941, a copy of which resolution is hereto attached.

Mr. Smith has been granted the powers expressed in the resolution by this committee. Your cooperation with Mr. Smith will be appreciated by the committee.

COMMITTEE OF PRIVILEGES AND ELECTIONS,
TOM CONNALLY, *Chairman.*

Mr. President, I should not have taken the time of the Senate to introduce these preliminary matters had not the minority report condemned and criticized the investigators for doing their duty.

Notwithstanding the wide latitude of discretion granted to the investigators, the minority report further states on page 4:

They proceeded to examine witnesses in North Dakota and elsewhere as though they were conducting the hearing, all in the absence of Mr. LANGER and any member of this committee without any presiding officer to pass upon the proceedings or to determine the relevancy or pertinency.

Under the circumstances it is difficult for me to understand how two members of the committee who sat throughout the hearings and especially the junior Senator from Utah, who did as much as any other member of the committee in cross-examination to bring out matters detrimental to the Senator-elect from North Dakota—could make a statement of that kind in the minority report.

While these allegations, under the time-honored rules of the Senate, are perhaps relatively unimportant, yet for the benefit of Members of the Senate who perhaps have had no opportunity thoroughly to digest the minority report, I thought it best to call attention to these points. Candidly speaking, it is rather difficult for me to understand how those two Senators, who are familiar with the

rules of the Senate, and who were thoroughly familiar with the proceeding from beginning to end, can at this late hour challenge the procedure in this manner.

I am reminded of the old days when I was trying lawsuits. I found that when a lawyer had a bad case he usually either tried the lawyer on the opposite side or tried some witness. That is, in effect, the situation here, so far as the minority report is concerned.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. Not at this moment.

It seems to me that an attempt is made in the minority report to try the investigators in this case, or some members of the committee or of the subcommittee.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I think the statement just made by the Senator, that when lawyers have a poor case they try to digress from the facts and discuss something else, is very pertinent. The Senator is now resorting to that type of procedure.

Mr. LUCAS. Mr. President, I will yield for a question, but I will not yield for speeches at this time. The Senator can speak in his own time. If he has some question, I shall be glad to yield.

Mr. MURDOCK. The Senator has challenged the position which I take.

Mr. LUCAS I will yield for a question.

Mr. MURDOCK. I feel that I am entitled at least to the courtesy of an opportunity to make a brief explanation.

The VICE PRESIDENT. Does the Senator from Illinois yield for that purpose?

Mr. LUCAS. I decline to yield to any Senator to make a speech on my time. I shall require considerable time to make this presentation. If the Senator from Utah wishes to ask me any questions relevant to this point or any other point, I shall yield; but I decline to yield for speeches in my time.

Mr. MURDOCK. If the Senator will be courteous enough to yield, all I desire to do is to make a brief explanation in reply to the challenge which the Senator from Illinois has directed against me. If he does not wish to yield for that purpose, then, of course, I shall desist at this time.

Mr. LUCAS. The Senator will have plenty of time to explain all these things.

Mr. MURDOCK. I withdraw my request.

Mr. LUCAS. The Senator from Utah will have plenty of time to explain; and I think he will have a difficult time explaining some of the things in the minority report. I do not propose now to be deterred from properly presenting the facts and the law, which I am just about to reach, by a side issue of this kind; but I promise the Senator from Utah and the senior Senator from South Carolina that before I finish this argument I shall return to the minority report, which was written by a lawyer in North Dakota and signed by two Senators. I shall penetrate that smoke screen with facts that I am confident will be convincing to the Senate.

Mr. President, at this time I wish to make one further observation. Throughout the hearings there has been intermittently injected the defense of political persecution upon the part of the so-called political enemies of Mr. LANGER. No doubt many Senators, as individuals, are more or less interested in the political turmoils and squabbles which have been running rife in the sovereign State of North Dakota for the past decade; but I do not believe it is a violent presumption to say that Members of the Senate, collectively, sitting here today in a more or less judicial capacity, are in no way interested in the political fortunes or misfortunes of any individual who may be a candidate for the office of United States Senator, Governor, or any other office in that great State.

We are confronted with an issue joined upon the petition and the answer filed by counsel for the respective parties, and with the evidence which has been taken thereunder. It seems to me that our duty is unmistakably clear.

Mr. President, I have received some letters from the State of North Dakota in which it is charged that the committee was motivated by some prejudice against Senator-elect LANGER. I have received other letters, in which the committee was congratulated for the part it played. We are in no way influenced by either class of letters. As I have said, it seems to me that our duty under the law is plain and unmistakable.

Let me say to the Senate, with all the sincerity I possess, that there is no personal malice or personal interest against this unfortunate man. What possible interest could I have? What possible interest could any member of the committee, who voted to exclude, have in the exclusion of this man? I never knew Senator-elect LANGER until he came to the Senate in 1941. I had never seen him before. I have no personal interest or personal malice in this matter. I have a duty to perform under my oath, taken here on January 3, 1939; and that duty is to protect the integrity of the United States Senate.

Mr. President, the members of the committee are animated by only one motive, and that is to apply to Senator-elect LANGER'S case a simple and unmixed spirit of justice. Likewise, we desire that a simple and unmixed spirit of justice be applied to the integrity of the United States Senate. Let it be indelibly written in the beginning of this argument that the Senator from Illinois does not stand here in the role of a prosecutor. The Senator from Illinois stands here in the role of a defender of the integrity, dignity, and honor of the Senate, considered throughout the world to be the greatest legislative body on the face of the globe.

During the course of this argument I court interruptions. I shall be glad to yield to any Senator for pertinent and material questions. As I have previously stated, I hope that no Senator will make a lengthy speech in my time, because I expect to be on my feet for some time, but I do want to get to the bottom of this case. I want to be fair with Senator LANGER and fair with the Senate, and if any Senator has any question which he desires to ask me as I present the facts and attempt to apply to them the law as I see it, I shall be more than anxious to yield and courteously to attempt in my limited way to answer. If I cannot do so I am sure that some other member of the committee who is familiar with these questions will be able to help me. I make this statement because I desire to throw a little light, perhaps, upon some facts or some points of law with which Senators who are members of various other committees have not had time, because of their innumerable duties and the burdens, completely to familiarize themselves.

For over a year this case has been before us. It originally came to the Senate through the protests of various citizens of North Dakota. Testimony amounting to many pages was taken by investigators sent into the State by your committee. Testimony amounting to many pages was taken in public hearings. On January 29, last, there was submitted to the Senate a report in which your committee recommended that Senator WILLIAM LANGER be denied a seat in the United States Senate. Since that time a minority report has been filed. The vote in the committee was 13 to 3 to deny Senator LANGER a seat in this legislative hall.

At this point I shall place in the RECORD the names of the members of the committee and their votes upon this important question. Those who voted for the resolution that WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota are as follows: Senators THEODORE FRANCIS GREEN (chairman of the committee), WALTER F. GEORGE, CARL A. HATCH, JAMES M. MEAD, SCOTT W. LUCAS, TOM STEWART, ALBERT B. CHANDLER, JAMES M. TUNNELL, HARLEY M. KILGORE, WARREN R. AUSTIN, STYLES BRIDGES, ALEXANDER WILEY, and HUGH A. BUTLER.

Senators ELLISON D. SMITH and ABE MURDOCK signed a minority report.

Senator TOM CONNALLY, of Texas, signed a separate minority report.

It is fair at this point of the argument to say that the senior Senator from California [Mr. JOHNSON] was excused from participation in the hearings upon his own request. It is also fair to say that the senior Senator from North Dakota [Mr. NYE], the colleague of Senator LANGER, did not participate in any of the proceedings.

Mr. President, I have served during the last 7 years in Congress upon a number of committees. Important questions came before those committees, questions affecting the state of the Union. I desire to report that, speaking from my experience in committee work, I have never seen men more devoted to the public service, in attempting to do what they believed was honorable and fair, sincere and conscientious, than the members of this Committee on Privileges and Elections; and it was because of the human element involved. I do not believe that anyone wanted to do Senator LANGER a wrong.

Mr. President, I can say to you that I went into the hearings sympathetic toward Mr. LANGER, because all of my life I have been for the underdog. I came up the hard way. But, when I began to turn over the leaves of evidence, when I began to read one page after another, and

to see what had occurred, I ultimately changed my mind.

Your committee asks the Senate of the United States to exclude Senator LANGER with a full realization of the great responsibility involved. We do so with a full understanding that the Constitution of the United States makes the Senate the judge of its own membership. As we follow the arguments and the evidence involving moral turpitude, I believe it is understood by all that in this matter we are not acting as representatives of any political party. We do not sit here today as legislators in the true sense of the word. The best evidence that the members of the committee have been honest and sincere in their convictions can be found in the vote in the committee. The Republican members of the committee who participated voted unanimously to exclude Senator LANGER; yet Senator LANGER came here as a Republican; and the three votes that he obtained in the committee came from the Democratic side of the aisle—all of which is proof beyond the shadow of a doubt that we did not sit in the committee as representatives of any political party. In undertaking the momentous task before us today we sit here as judges, not in the strict sense of a court in which we rule on evidence, but in a judicial capacity with the Constitution of the United States and the precedents thereunder as well as the rules of the United States Senate as our only guides.

Mr. President, I speak with reverence when I mention the Constitution of the United States. I know there are many Members of this body who feel that in this emergency the legislative branch of government has delegated practically all of its powers to the executive branch; and upon that point there can be but little debate. It was ever thus in war; it was so done in every great emergency. But after the emergency passed, the powers granted reverted almost unanimously to the legislative branch; and history will again repeat itself when we have overthrown the totalitarian powers of the earth.

It is liberty under the Constitution for which men today are dying in the Pacific. It is to sustain the Constitution that the taxpayers of America will pay until it hurts in the crisis which confronts us. It was Gladstone, the great Englishman, who said that the Constitution of the United States "is the most wonderful work ever struck off at a given time by the brain and purpose of man"; and Macaulay, another Englishman of note, said that the Constitution would live and be the marvel of the ages.

Mr. President, the United States Senate is a product of the Constitution; and that is why I talk about it and lay the preliminary foundation that I do. The Senate has been recognized for over a century and a half as the greatest deliberative body on the face of the globe. The integrity of the United States Senate is a precious attribute to American humanity. The integrity of the Senate is a cornerstone of the Constitution; and when the Senate's integrity falls, if ever it shall fall, the Constitution will go along with it. This integrity belongs to the people of the United States. It belongs to all the people of all the States, and not to the people of any single State, as will, perhaps, be argued in this case. Every Senator who comes here takes the constitutional oath; when he becomes a bona fide Member he is charged with the serious responsibility of protecting the integrity of the United States Senate.

Your committee stated in its report that the charge of moral turpitude against the respondent had been proved beyond all reasonable doubt. I am convinced, too, that after these pages of testimony are in—testimony which was taken and will be undenied and uncontradicted—any responsible and prudent man will say, in order to protect the integrity of the United States Senate, that the charge of moral turpitude against Senator LANGER has been proved beyond all reasonable doubt.

The decision of the committee was based upon the continuous questionable conduct of the respondent over a long period of years while he was an officer of the court, while he was attorney general of North Dakota, while he was Governor of that great State. Before citing to the Senate the various charges upon which the decision of your committee is based, I shall refer briefly to what the lexicographers of courts have said with reference to the definition of moral turpitude. I do so with the hope of clarifying the question before us:

"Turpitude," in its ordinary sense, involves the idea of inherent baseness or vileness, shameful wickedness; depravity. In its legal sense, it includes everything done contrary to justice, honesty, modesty, or good morals. The word "moral," which so often precedes the word "turpitude," does not seem to add anything to the meaning of the term, other than that emphasis which often results from tautological expression.

The foregoing definition is contained in the decision of the court in the case of *Holloway* v. *Holloway*, in 126 Georgia, at page 459.

"Moral turpitude" is an act of baseness, vileness, or depravity in the private or social duties which a man owes to his fellow men or to society in general, contrary to the accepted and customary rule of right and duty between man and man.

That definition is contained in the decision in the case of *In re Henry*, 15 Idaho, page 755.

Again, in the case of *In re Williams*, 64 Oklahoma, at page 316, the court defines moral turpitude as follows:

Moral turpitude implies something done contrary to justice, honesty, modesty, or good morals.

It is important, Mr. President, to advise my distinguished colleagues that every act of moral turpitude upon which we base the recommendation of action to exclude Senator-elect LANGER involves the conduct of WILLIAM LANGER as a public official of North Dakota, and nothing else. It is a most important point to remember, because in every case the orderly functioning of good, clean, sound government is challenged as a result of his action.

I now invite Senators to turn to page 49 of the majority report, which has been placed on the desks of Members of the Senate. I turn to that page to discuss what seems to your committee to be the most important case involving moral turpitude on the part of Senator LANGER and to refer to the evidence to support the charge.

One of the many cases that your committee investigated, through investigators, as well as at public hearings wherein Senator LANGER testified, was known as the Emma Oster Slovark case. I think that I can do, perhaps, as well by reading from the report of the committee, and discussing the case as I go along, and, if there is any question involving it, I shall be glad to answer.

Jacob Oster, of Hazelton, N. Dak., was charged with the murder of one John Peterson in the spring of 1930. Emma Oster, his wife, was the only eyewitness to the murder. Jacob Oster was being held in the county jail without bond waiting for trail.

I might say that this was, from what I could learn of the evidence, a cold-blooded murder. Oster was held in jail without bond for murder.

While languishing there his wife, Emma Oster, through the State's attorney of said county, obtained a decree for divorce, which, under the laws of North Dakota, so your committee is informed, would permit Mrs. Oster to testify as a witness in the murder case

In the minority report some things are said about the right of a State's attorney of the county in question to obtain the divorce in order to make the sole eyewitness to the murder a competent witness in the trial of the case. Whether it was right or wrong, I do not undertake to say, and I care less, for it is immaterial, so far as this case is concerned.

If anyone desires to plead the fact that it was wrong and that Senator LANGER had a right to commit another wrong in order to right the first one, I cannot go along with that theory of government.

Jacob Oster was represented by Senator LANGER, who was then a practicing attorney at Bismarck, N Dak. Upon learning that Mrs. Oster had divorced Jacob Oster, the respondent, as attorney for Jacob, conceived the plan of having Mr. Oster remarry Mrs. Oster in a most unusual, unethical, if not an illegal, manner.

My colleagues, from the standpoint of unethical professional conduct upon the part of a lawyer, this is to me one of the strangest proceedings I have ever known of during my experience as a practicing lawyer for a period of over 25 years.

The sheriff of the county in charge of the prisoner, Jacob Oster, was an intimate friend of LANGER, and the latter had no difficulty in being sworn in as a deputy sheriff of that county—

For what purpose?—

for the sole purpose of removing Jacob Oster from the jail in order that Oster might remarry Mrs. Oster and thereby seal her lips as a witness in the murder when Oster would be tried upon the murder charge.

Think of it. Here is a lawyer defending a man who is charged with first-degree murder and who is in jail without bond. The lawyer conspires with the sheriff of the county to remove the man from jail in order to take him across the line to South Dakota so that he may there remarry the only eyewitness to the murder and thus seal her lips in the trial of Jacob Oster.

When the prisoner was released and taken into custody by LANGER the latter induced

Emma Oster to enter an automobile with him along with Jacob Oster and two other witness, whereupon they all proceeded to the State of South Dakota. The evidence shows that while on this trip to South Dakota Senator LANGER obtained the consent of Mrs. Oster, through intimidation, persuasion, and promises, to remarry Jacob Oster.

The evidence further shows that upon arrival in McIntosh, S. Dak., the license had been obtained and all arrangements made for the remarriage of Emma and Jacob Oster with a justice of the peace of that city.

Who made the arrangements? They were made by Senator LANGER. The counsel for the murderer made arrangements to take him and his former wife across the State line in order that they might remarry, so as to seal her lips in the trial.

Mrs. Oster remarried Jacob with the expressed understanding with Senator LANGER that the latter would procure for her a second divorce from Oster immediately after the trial and without any cost to her.

I care not whether a divorce was obtained or whether it was not obtained; I am not talking about the principle involved in a transaction of that kind by an officer of the court back in 1930.

The marriage license was procured in the State of South Dakota where they were compelled to go for the reason the laws of North Dakota prohibited a remarriage within 1 year after the date of a divorce decree.

The marriage certificate was produced by Senator LANGER at the trial, and thereby Mrs. Oster was prevented from testifying as the sole and only eyewitness to the murder.

Mr. President, I ask the Senate of the United States, assuming that the Senator from Illinois should go back to Havana, Ill., and undertake the defense of a man who was charged with first-degree murder and should follow the same procedure, conspiring with the sheriff of Mason County to remove from jail the man charged with the crime in order to take him across the line into Missouri for the purpose of having him remarry his divorced wife so that her lips might be sealed as a witness in the case, what do you suppose the Senate of the United States would do to the Senator from Illinois? How long do you suppose, Mr. President, the Senator from Illinois would be here before there would be an investigation started as to the right of a United States Senator to continue as a United States Senator?

Mr. ELLENDER. Mr. President——

Mr. LUCAS. I yield to the Senator from Louisiana.

Mr. ELLENDER. Was the so-called Slovark case included in the original charges preferred against the Senator from North Dakota [Mr. LANGER]?

Mr. LUCAS. It was.

Mr. ELLENDER. Has the committee any evidence to show the circumstances under which the first divorce was obtained by Mrs. Emma Oster against her husband? As I understand, when Jacob Oster committed the murder he was then married to Mrs. Slovark, and while he was in jail the divorce was obtained?

Mr. LUCAS. That is correct.

Mr. ELLENDER. Has the Senator any facts which will show the circumstances under which the divorce was obtained?

Mr. LUCAS. The State's attorney of the county involved who was prosecuting Oster for murder was the individual who obtained the divorce. As I stated before, whether it was right or wrong I do not know.

Mr. ELLENDER. What was his object? Was it not so that the wife of Oster could testify against her husband?

Mr. LUCAS. Assuming that to be true, the point I am making is that two wrongs do not make a right.

Mr. ELLENDER. Sometimes one is forced to fight fire with fire.

Mr. LUCAS. If the Senator wishes to take that position, he is perfectly welcome to do so, of course.

Mr. ELLENDER. I am not assuming that position; I am simply suggesting that if it was right for the county attorney to use illegal means to obtain the divorce so as to convict this man, I think the Senate should have more facts on that phase of the matter.

Mr. ROSIER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ROSIER. I should like to know whether the committee agreed that Mr. LANGER was legally elected by a majority of the voters of North Dakota.

Mr. LUCAS. No; he was not elected by a majority of the voters. It was a three-cornered fight.

Mr. ROSIER. There is no question about the legality of the election?

Mr. LUCAS. No; there is no question about the election. I am not arguing anything about the election at all. All the charges with respect to fraud in the election were thrown out by the subcommittee. There is no question about that at all. His credentials are in good order, they are bona fide, and we are not discussing that question in this case.

Mr. ELLENDER. Will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. Is there any evidence at all to show whether or not Emma Oster consented to the first divorce, which was obtained I understand, by the attorney who was prosecuting her husband?

Mr. LUCAS. I am not sure about that.

Mr. ELLENDER. Does not the Senator think that is important?

Mr. LUCAS. From my viewpoint, it is not important at all.

Mr. ELLENDER. I mean important for the Senate. The Senator is presenting the case to the Senate. Senator LUCAS is now acting, as I understand, in the capacity of one presenting facts to the Senate, which is to pass on whether or not Senator LANGER should be ousted.

Mr. LUCAS. That is correct.

Mr. ELLENDER. And not to convince Senator LUCAS of Illinois.

Mr. LUCAS. Of course, I would not be talking if I were seeking to convince Mr. LUCAS of Illinois, because I am already convinced. I am merely attempting to pass on these facts as I understand them. Of course, the Senator must remember that there were some 4,600 pages of testimony involved in the hearings of the investigation, and some 800 pages in the published hearings, and I do not have all the details in mind, but I will say to the Senator that I will get to that point, if he is interested in it, a little later, and I will discuss it tomorrow. I know that the State's attorney of this county procured the divorce for Mrs. Oster from Jacob Oster while the latter was languishing in jail for the murder of this man.

Mr. ELLENDER. Does the record show who suggested the divorce?

Mr. LUCAS. I do not know whether it shows that or not. I cannot tell the Senator. I do not know that detail; but I shall be glad to get the information if I can find it.

Mr. AUSTIN. Mr. President, will the Senator yield? I think I can help him out a little.

Mr. LUCAS. I am glad to yield.

Mr. AUSTIN. I think what appears on page 415 of the record answers the question of the distinguished Senator from Louisiana. This is the testimony of Senator LANGER himself, and if the Senator from Illinois will refer to that page, I think he will find in the first two paragraphs Senator LANGER's own version.

Mr. LUCAS. Does that satisfy the Senator from Louisiana?

Mr. ELLENDER. I have not yet read it. I have not had an opportunity to read the reference suggested by the Senator from Vermont. Did the committee think it of sufficient importance to find out about the facts and circumstances of the first divorce?

Mr. LUCAS. I cannot tell the Senator what the committee thought as a whole. The testimony speaks for itself in connection with this matter. The Senator from Vermont has now referred the Senator from Louisiana to the testimony of the respondent himself and I suggest that he read it, and perhaps that will clear up the point for him. Senator LANGER was given every bit of latitude possible for the explanation of all these charges, and perhaps this reference will explain the matter. If it does not, I shall be glad to return to the subject a little later, after the Senator reads from page 415 of the record.

Mr. AIKEN. Mr. President, I should like to ask the Senator from Illinois what action was taken by the State Bar Association of North Dakota in regard to this alleged unethical act on the part of Senator LANGER.

Mr. LUCAS. I cannot tell the Senator about that.

Mr. AIKEN. The committee does not know?

Mr. LUCAS. Whether action was taken on that point, I do not know. Some action was taken on this or some other matter by the State bar association, but they did not disbar the Senator. He was never disbarred, although, as I recall, at one time the question of his disbarment was under consideration.

Mr. AIKEN. The Senator says "on this or some other matter." My question pertained to this particular matter, and I wondered, if this act were so unethical, and one which probably came before the State bar association, what action the association took, if any, and if they did not consider it worthy of taking action. I think the Senate should know that fact.

Mr. LUCAS. I do not know whether the State bar association knew anything

about this particular case or not. This was done in rather a peculiar, clandestine sort of way, and, frankly speaking, the committee themselves did not get all the story until Senator LANGER went on the witness stand and told us some things about this case which investigators had not previously been able to ascertain.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BAILEY. The Senator was arguing how long the Senator from Illinois would be allowed to sit here as a Senator if the Senator from Illinois, being a Senator, should do or should have done what the Senator from North Dakota is alleged to have done. Let us assume that under those circumstances the Senator from Illinois would be expelled. He would be expelled by a two-thirds vote. The proposition here, however, is to disbar a Senator by a majority vote, and for that reason I do not wish to make it too strong that I think the Senator's argument is wanting in force. He is not asking us to expel a Senator, he is bringing forward these facts, or these allegations, with a view to disbarment, and he is arguing as if it were for the purpose of expelling a Senator. I think there should be some reconciliation.

Mr. LUCAS. I am very sorry the Senator from North Carolina misunderstood what I was attempting to do. I was merely attempting to make a comparison; I was not making an argument as to exclusion or expulsion. I shall get to that later. I am making no legal argument at all.

Mr. BAILEY. The Senator was making a comparison, and for a comparison there must be an analogy, and I am pointing out that there is no analogy.

Mr. LUCAS. I am talking about the facts, and not the legal question. I am merely saying that we would have to confine the discussion to the point of my being a United States Senator.

Mr. BAILEY. Let me interrupt the Senator long enough to say that he cannot possible argue that because the Senate by two-thirds vote might expel a Senator for acts done while he was a Senator, that because we have the power to do that, we should disbar a Senator by a majority vote for the same act. Expulsion is one thing: disbarment is another. Disbarment is for past acts; it is bound to be, because the Senator is not a Senator. But expulsion is for acts committed by a Senator.

Mr. LUCAS. That is correct.

Mr BAILEY. The Senate is limited to expulsion by a two-thirds vote.

Mr. LUCAS. I have no disagreement with my friend from North Carolina.

Mr. BAILEY. My point is that the argument, lacking the element of analogy, must fall to the ground.

Mr. LUCAS. Of course I cannot agree with my distinguished friend in that, because we are talking about two different things. As I follow him, he is discussing the legal question of expulsion or exclusion. I am merely laying a comparison between acts involving moral turpitude. In other words, if I did the same thing today, or if I did it a month before I came to the Senate, it would still involve moral turpitude. That is the only point I am attempting to make.

Mr BAILEY. But the Senator cannot possibly make an argument outside of the legal implications, so I insist that the argument, relating to the law, as it does, and lacking the analogy, cannot be effective. We can expel a Senator for certain acts involving moral turpitude, but that is by a two-thirds vote.

Mr. LUCAS. That is correct.

Mr. BAILEY. If the Senator were taking that position now, if he were asking a two-thirds vote for expulsion, the position would be very good; but taking the view that we are to disbar by a majority vote, I think he himself is bound to realize that the argument is ineffectual.

Mr. LUCAS. I cannot agree with the Senator at all in that statement. I take this one position, and then I shall proceed with the statement of the facts, because I am coming back to the constitutional questions later—if the Senator from Illinois commits an act involving moral turpitude 6 months before he takes the oath as a United States Senator, under my theory he would go out by exclusion. If the same act of moral turpitude is committed while he is a Member of the United States Senate, under the constitutional provision he would go out by expulsion.

The only thing I was attempting to do was to say to the Senate that if I did the same thing that this record points out was done, I would certainly be charged with moral turpitude, and if I did it while I was United States Senator a vote of two-thirds would be required to oust me; while if it were done before I came to the United States Senate, it would be a matter of exclusion, and only a majority vote would be required.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. DOXEY in the chair). Does the Senator from Illinois yield further to the Senator from Louisiana?

Mr. LUCAS. I yield.

Mr. ELLENDER. I have read the reference given to me by the distinguished Senator from Vermont [Mr. AUSTIN], and it does not answer the question I propounded. As I understand, it is admitted that while Mr. Oster was in jail waiting to be tried for murder, the official who was to prosecute him obtained a divorce for his wife, that is, he acted as attorney for her and obtained a divorce for her from her jailed husband. I do not think there is any doubt, judging superficially, that the purpose of the prosecuting county attorney, in obtaining the divorce, was to free the wife of Oster so that she could testify against her husband. I am wondering if the committee thought well enough of this unique procedure on the part of the prosecuting attorney to look into it and find out the facts and circumstances surrounding the affair.

Mr. LUCAS. The Senator from Louisiana, by referring to the testimony of Senator LANGER at page 415, will find a statement respecting the situation.

Mr. ELLENDER. I understand that Senator LANGER admitted having tried to obtain a remarriage of his client and his former wife, and I suppose his purpose was to restore the marital status between his client and his wife so that she would be precluded from testifying against his client. I should like to have a full discussion of that matter by the distinguished Senator so the Senate may have the benefit of his statement.

Mr. LUCAS. Mr. President, as I have said before in answer to my distinguished friend, the Senator from Louisiana, I do not know what the State's attorney's motive was in obtaining this divorce. It may have been good or it may have been bad. I do not know about it. But looking at the matter from the worst angle, I maintain that because the State's attorney of that county saw fit to do something that was wrong in convincing Mrs. Oster——

Mr. ELLENDER. To circumvent the law; to do an unconscionable act.

Mr. LUCAS. Simply because someone else did something to circumvent the law does not give me the right to circumvent the law. I mean I cannot follow that line of reasoning. The Senator may think that that is the way it should have been done. I have a different idea about the practice of law. I am willing to meet the opposition in accordance with the rules of the profession. Sometimes, as the Senator said awhile ago, one may have to meet fire with fire, but I have never gone so far as to conspire with the sheriff of a county to take a murderer, who was being held without bond, out of jail, and take him across the line into another State for the purpose of getting that man remarried, in order to meet fire with fire. In other words, I simply cannot follow that line of reasoning. I do not care what prompted the action in the beginning; as a lawyer I cannot follow that type of ethics. Perhaps the Senator from Louisiana can condone it. I cannot.

Mr. ELLENDER. Does the record show how long Oster was in jail?

Mr. LUCAS. All I know is that he was in jail without bond. He was charged with first-degree murder and held in jail without bond. That is a pretty serious situation.

Mr. ELLENDER. I understand. Was the accused afterward tried?

Mr. LUCAS. He was tried.

Mr. ELLENDER. Was he convicted?

Mr. LUCAS. He was convicted.

Mr. ELLENDER. Through the testimony of his wife?

Mr. LUCAS. No; she could not testify. She had remarried, through Mr. LANGER's efforts. She should not testify. But the man was convicted just the same.

Mr. ELLENDER. The county attorney then evidently had other evidence than the evidence which the wife could furnish?

Mr. LUCAS. The county attorney, I presume, had plenty of evidence. Notwithstanding the fact that Senator LANGER obtained the remarriage of this lady to the murderer, the authorities proceeded and convicted him. Of course, there might have been a matter of degree involved; the man may have received a lighter sentence in view of Senator LANGER's actions than he otherwise would have.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I assume that lawyers are motivated in the handling of cases, to some extent at least, by the circumstances surrounding the cases. I am wondering if the Senator from Illinois ever defended a man accused of first degree murder.

Mr. LUCAS. I do not know what that has to do with this case, but I will say to the Senator from Utah that I have.

Mr. MURDOCK. The Senator has. Having been in that position, probably the Senator understands the frame of mind of a lawyer defending a man whose life is at stake. I thank the Senator from Illinois.

Mr. LUCAS. I have defended a few persons charged with crime in my time, but I again wish to say that I have tried to stay within the ethical limits, as I always have understood lawyers should, in the defense of one charged with a crime.

Mr. MURDOCK. I am sure the Senator would.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. As I understand, the evidence shows that Mr. LANGER was not holding any public office at the time he was representing Mrs. Oster. He was simply a practicing attorney at the time?

Mr. LUCAS. Yes; and under the law he is an officer of the court.

Mr. ELLENDER. I understand that; but he was not a public official?

Mr. LUCAS. No; but he was an officer of the court. As a lawyer he was an officer of the court.

Mr. ELLENDER. The Senator awhile ago said that all of these acts were done by Mr. LANGER when he was a public official.

Mr. LUCAS. That is correct; yes.

Mr. ELLENDER. The Senator stated that one who is a practicing attorney is an officer of the court. That does not place an attorney in the category of a public official.

Mr. LUCAS. Yes. Every lawyer, under the rules laid down by the supreme court of each State, is an officer of the court.

Mr. ELLENDER. As I understand this case shows that the murder occurred in 1930.

Mr. LUCAS. The Senator is correct.

Mr. President, I now want to turn to 47 South Dakota Supreme Court Reports, and read from the case entitled "In re Application for Disbarment of L. E. Waggoner, Attorney at Law." I read just a little from page 402. Judge Polley delivered the opinion of the court.

On the 8th day of January 1924, certain charges were filed in this court accusing L. E. Waggoner, a duly licensed and practicing attorney of this State, of improper and unprofessional conduct as an attorney at law. Thereupon an order was made and entered, referring the charges to the attorney general, and directing him to investigate the same and report thereon to the court. Such investigation was made and report thereof filed. In such report the attorney general finds that the facts disclosed by such investigation are sufficient to warrant disbarment proceedings against the accused, and recommends that a formal complaint in disbarment proceedings be filed against said accused. An order to that effect was made, and complaint was filed on the 14th day of April 1924.

These are the facts:

The Schmall charge grows out of the following facts: In December 1923, one Carl Schmall was arrested in Minnehaha County, charged with a violation of the prohibition law. His bail was fixed at $2,500, in default of which he was remanded to the sheriff and confined in the county jail. His home was at Lake Benton, Minn., and he wished to go to said place to try to secure bail. He employed the accused to represent him as counsel. Accused went to Vincent Knewel, the sheriff of Minnehaha County, and requested and urged the said sheriff to take, or to permit to be taken, the said Schmall to Lake Benton to secure a bail bond.

Mr. HUGHES. Mr. President, I did not hear the first part of what the Senator is reading. Who was the accused?

Mr. LUCAS. The accused was a man named Waggoner, a lawyer of South Dakota. I continue to read:

The sheriff was reluctant to permit Schmall to be taken out of the jurisdiction of the State, but the accused insisted; said he would pay the sheriff $25, drive his own car, and guarantee the return of the prisoner. Upon these promises, the sheriff permitted said Schmall to go, in charge of a deputy sheriff, with the accused to Lake Benton.

They went to the prisoner's home, and while there, the prisoner, on the pretext of changing his clothes, was permitted to go into another room. From this room he made his escape through an outer door, and has not since been heard from. The accused paid the sheriff the sum of $25 as promised.

This is what the court held in that case:

We have no hesitancy in holding that accused's part—

Meaning Waggoner's part—

in this action constitutes improper and unprofessional conduct. He, as a lawyer, knew that the sheriff had no right to permit Schmall to leave the State, or to leave the jail, except as directed by the court that issued the commitment, until such bail was furnished. He also knew that the sheriff would have no right of control by virtue of said commitment, over the said Schmall, after they entered the State of Minnesota, and that he could not return Schmall to this State unless he came willingly.

Mr. President, that is the point about this case which makes it so serious. Here is a man charged with first-degree murder taken across the line into South Dakota, and once he got across the line into South Dakota, out of the jurisdiction of North Dakota, Senator LANGER had no power over that man under the decision of this case.

He had no legal custody over him, had Jacob Oster wanted to make his escape at that time.

Continuing to read from the South Dakota case:

In persuading the sheriff to permit Schmall to be taken out of the jurisdiction of this State, he induced him to neglect his duty as sheriff, to violate the laws of this State and to violate his oath of office. A more glaring case of debauchery of a public officer could hardly be imagined, and the sheriff, in permitting himself to be thus used, was guilty of a misdemeanor under the provisions of sections 3767, 3806, 3815, Revised Code 1919, and guilty of a misdemeanor under the provisions of section 7011.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. Did the case to which the Senator refers involve a charge preferred against the sheriff?

Mr. LUCAS. No. It was a case involving disbarment proceedings against a lawyer by the name of Waggoner. The case is found in 47 South Dakota Reports, and I was reading from page 404.

Mr. ELLENDER. I thought the case involved the sheriff.

Mr. LUCAS. The opinion also condemned the sheriff. For the benefit of the Senator, let me read it again.

Mr. ELLENDER. I heard the Senator read that part and not that against anyone else involved. That is why I thought it affected only the sheriff.

Mr. LUCAS. Let me read it again:

In persuading the sheriff to permit Schmall to be taken out of the jurisdiction of this State, he—

Meaning Waggoner—

induced him to neglect his duty as sheriff, to violate the laws of this State and to violate his oath of office. A more glaring case of debauchery of a public officer——

Still talking about Waggoner—

could hard be imagined—

Mr. ELLENDER. That is, the sheriff?

Mr. LUCAS. No.

and the sheriff, in permitting himself to be thus used, was guilty of a misdemeanor.

In other words, the opinion is discussing both of them. The sheriff was guilty of a misdemeanor, and Waggoner was up for disbarment.

Mr. ELLENDER. Does the evidence show whether any attempt was made by the bar association of the State to disbar Senator LANGER?

Mr. LUCAS. I do not think so; and I do not care anything about that. I do not care whether he was disbarred or not, or whether any disbarment proceedings were brought. The facts speak for themselves. Whether or not any attempt was made to disbar him in North Dakota is no concern of mine as a Member of the United States Senate attempting to protect the integrity thereof. So far as the Senator from Illinois is concerned, facts in North Dakota are the same as facts in South Dakota, Louisiana, or Illinois. I could, perhaps, say some things which might show what I think as to the reason no disbarment proceedings were brought. Such statements by me would not be evidence. However, I do know that there was one case in which disbarment proceedings were attempted against Senator LANGER, but the action was not upheld by the supreme court. He was pretty successful in all his cases in North Dakota.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. AIKEN. Were the facts in the case to which the Senator refers known to the people of North Dakota when they voted on Mr. LANGER as a candidate for Governor, and later as a candidate for the office of United States Senator?

Mr. LUCAS. Whether or not the facts were known, I do not know. I shall argue

that question when the time comes. So far as I am concerned, it does not make any difference whether the people of North Dakota knew the facts or whether they did not know the facts. I shall argue that question a little later. Suffice it to say, in further answer to the inquiry of the Senator, that when Senator LANGER himself was on the witness stand he brought out some facts in connection with this case which the investigators failed to find when they were in North Dakota. So, whether the people of North Dakota knew what the investigators did not find is something that I cannot answer.

Mr. President, under the facts set forth in the Oster case I respectfully submit that the actions of Senator-elect LANGER were contrary to justice, honesty, modesty, and good morals, according to the definition laid down by the courts as to what constitutes moral turpitude.

I now proceed to the next case, which is set forth on page 51 of the report.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BAILEY. Before the Senator proceeds with the next case I should like to ask him a question. Is the Senator calling upon the Senate for an adverse vote in the case of the Senator whose seat is questioned upon the basis of the Oster case alone? Would the Senator ask us to unseat the Senator from North Dakota on the gravamen of the Oster case alone, if there were nothing else?

Mr. LUCAS. No; I will say frankly to the Senator that this case happened in 1930. If this were the only case against Senator LANGER, and if the record showed that from that time until now he had been a man of exemplary character, and that no other charges of moral turpitude had been brought against him from 1930 until now, the Senator from Illinois would not hesitate one moment to vote to seat him. I will say frankly to the Senator that in my judgment this question would not be before us on the basis of the one case to which I have referred; but beginning with that one case, and following through over a period of years, as we shall show the Senate, there was one case after another involving moral turpitude. On the basis of such a record I could reach no other conclusion.

Mr. BAILEY. The Senator will agree, then, that on the basis of this one case there would be no contest here?

Mr. LUCAS. With the qualifications I have stated, if this one case stood alone I should not hesitate to forgive a man for one dereliction.

Mr. BAILEY. So the case referred to is offered mainly by way of general corroboration?

Mr. LUCAS. That is correct.

Mr. BAILEY. It is not offered on the merits of the case itself?

Mr. LUCAS. I should not say that that is wholly true. I should not say that the case is not offered on the merits of the case itself. I think the merits of the case are very important in connection with the showing of moral turpitude. The only point I am making is that if that case stood alone, if it were the only one before the Committee on Privileges and Elections, and if the Senator had shown an exemplary character from that time until now and had not been in further difficulties, the Senator from Illinois, even though he knew all the charges to be true, would not vote to exclude him.

Mr. BAILEY. Let me suggest to the Senator that he define the term "moral turpitude."

Mr. LUCAS. I have already read the definition into the RECORD.

Mr. BAILEY. I was not present when the Senator did so.

I could interpret the Oster case without imputing moral turpitude. I could interpret it as an act of overzealousness. I could interpret it as an act of retaliation. I could interpret it as an act undertaking to restore to the defendant who had employed him to defend his life the status which existed at the time of the crime; and while I should say that it was bad practice, bad ethics, and that I should not like to have anyone think I would do it, in any one of those three interpretations, I could avoid the conclusion of moral turpitude.

If I am to vote to exclude a Senator, I must be convinced beyond every possibility of doubt that the Senator's acts were such as to make it necessary for the Senate to override the power and the right of a sovereign State in order that the Senate may preserve its standing in the minds of the American people. I think the burden is upon those who undertake to persuade us to do so. If I should become convinced that the dignity and character of this body are at stake in the admission to the Senate of any man who comes here with his credentials, and that the admission of such a man would actually put the Senate itself in jeopardy and be a menace to the standing of this body, I should very seriously consider taking the position which has been taken by two Senators whom we all honor—Senator WALSH and Senator Borah—that the Senate has the right and the duty of self-protection.

However, in taking that view, I should certainly take the chance of leaning too far the other way and demanding that my mind be utterly satisfied that the conduct of the Senator in question had been such as unquestionably to tend to destroy the Senate itself if he should be admitted to it. I think the Senator has practically agreed that no such impression is made by this one little case. At the outset of this discussion I am saying where I think the burden rests. I do not intend to make my distinguished friend's argument for him. He can make a much better argument than I can. Why not let us get down to those matters which constitute moral turpitude so clear and glaring that Senators who hesitate will be convinced of their duty to vote to sustain the committee report?

Mr. LUCAS. I am very thankful to the Senator from North Carolina for his contribution to the argument, and I will say to him very candidly and frankly that I have no quarrel with him in the position he takes. When I started out in the hearings I took the same position as that which the Senator from North Carolina is now taking; but after hearing one case after another, the evidence was piled so high on the question of moral turpitude involving the Senator from North Dakota I had no other choice. The evidence continued even up to as late a date as 1940, in the so-called Kolstadt case, involving subornation of perjury. All these charges convinced me that the dignity and integrity of the United States Senate would be jeopardized and impaired if the Senator were allowed to retain his seat. I say that with all due deference to everyone, having nothing in mind save defending the integrity of this great legislative body. The Oster case would not be here if there were not other cases following on its heels, cases which are more serious. My only thought was not to take one or two cases; but I have felt that the Senate is entitled to know all the charges upon which the committee based its conclusions. That is the reason why I start with the Oster case.

Mr. BAILEY. I will say to the Senator that in the prosecution of crime it is customary to take up a great many little matters. A jury of 12 men has to decide the case, and one little thing here may impress one member of the jury, and another thing there. But we are not jurors, we are judges. I am not impressed by the allegation made here that the respondent stole a drug store. I do not think it was worthy of the committee to make such a remark. He did not steal the drug store.

Mr. LUCAS. If the Senator will pardon me, we are merely quoting what the Senator himself said.

Mr. BAILEY. Yes; but even if he said it, he did not mean he committed larceny.

Mr. LUCAS. That is what he was charged with.

Mr. BAILEY. It would be very difficult for a man to steal a drug store. [Laughter.] It might be said that some Senator stole the Senate because he occupied the floor all day, or for several days.

I should like to have this matter cleared up in my own mind. I have not read the record. However, these small things tend to dissipate the matter. If a charge is to be made, I should like to see the charge made that the man's deeds are such that they square with the statement of the Senator from Illinois that they are so damning that his admission to the Senate, notwithstanding the fact that he was elected by the people of his State, not only would bring the Senate into disrepute, but would tend to put it in jeopardy as a legislative body. We cannot for light reasons override the rights of the States. I am looking at a Senator who would not do so under any circumstances. I understand his point of view. We cannot indulge in the business of trying our fellow Senators when we come here. Any Senator could have been confronted with a thousand accusations when he first came here. Every Senator who runs for reelection is exposed to all manner of lies. We have a free country, a free press, and free politics. I know of a case in North Carolina in which it was held that when a

man is running for office he can be accused of murder, and it will not be libel, it will not be slander. Usually we are accused; but we come through the fire.

But I do not want to have us set an example now which will mean that when the next group of Senators comes next January to take their oaths—and I will be one of them, I hope—those who do not like my election can fill the record with statements of suspicious circumstances, and even charge me with stealing a drug store. I have no use for one; but I could be accused of stealing one. I have not practiced law for a long time; but I might find myself in such a situation as that—I might be called upon to defend a man for his life; and if any Member of the Senate ever has had that job on his hands, he realizes that in such a case he is not allowed to exercise a very quick conscience.

I believe I will tell the story of Lord Erskine, if the Senator from Illinois will permit me to do so, and then I will take my seat. The story is in the Sharswood Ethics. Lord Erskine was defending Clitheroe. Clitheroe was a valet who was accused of the murder of his master. Clitheroe had told Lord Erskine that he was innocent; but in the course of the trial the evidence got very hot, and when the lunch hour came, Clitheroe admitted to Lord Erskine that he was guilty. The question then arose as to Lord Erskine's duty—whether he should walk into the court and hand over his client to the hangman, or whether he should abandon him, or whether he should defend him. Lord Erskine defended him, and successfully; he was acquitted.

Thereafter Lord Erskine was attacked, because Clitheroe was a thorough-going rascal and bragged about his escape. Lord Erskine never opened his mouth. He lost a good deal of standing in England because of what Clitheroe was telling; but he made no apology and no explanation. When he died, however, he left a memorandum stating that, having taken Clitheroe's fee and having engaged in defending the man for his life, he considered it his duty to maintain the plea of innocence, notwithstanding the confession to himself of the defendant. That was moral turpitude, perhaps; but I do not believe that people in this country accused of murder would employ for their lawyers men who would do less.

Mr. LUCAS. Mr. President, of course, I have cited only one charge of moral turpitude. The Senator from North Carolina wants me to get to the meat of the situation. I think that if we had 10 charges of acts involving moral turpitude similar to the one I have just explained to the Senate, and they happened over a period of 10 years, 1 year after the other, perhaps the Senator from North Carolina would want me to explain all of them.

Now I shall proceed with the argument as the committee submitted it in its report with respect to the various charges of acts involving moral turpitude. I cannot do less. I cannot go to the bond deal and the Mexican land transactions, which probably are the two heaviest charges of moral turpitude, without bringing the Senate up to date with respect to the minor charges of moral turpitude. Probably any one of them standing alone would not be sufficient for the Senate even to take notice of; but as a group of charges of moral turpitude, one after another over a decade or more, it seems to me that they should be mentioned so as properly to present the matter in an orderly way, regardless of the fact that we are not jurors. No; we are not jurors in the true sense of the word, perhaps; and I know that most Senators think they are better qualified to pass upon questions than is a juror in a court; but in the past I have seen some questions decided in this great deliberative body that I would have just as soon have tried before a farmers' jury at home; because I saw personalities enter into the decision; I saw the law and the evidence disregarded; I saw Senators cast votes on the basis of prejudice or personal feelings, although the real issue of the case had absolutely nothing to do with such matters. When Senators say to me that we are not jurors and that we are a little better qualified and better fitted to pass upon questions than is an ordinary jury, I sometimes wonder whether we are or not.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Washington.

Mr. BONE. Perhaps the Senator has discussed this particular aspect of fact in the Oster case; but if so, I was not here at the time, and I should like to inquire about it so as to get the matter clear in my mind. Is it true that Mrs. Oster was charged with, and had actually committed, adultery or relations with the man Peterson?

Mr. LUCAS. I do not think there is any doubt about that; I think that is the evidence.

Mr. BONE. Then, so that I may get the picture clear in my own mind—and I know that other Senators are interested in the matter—I understand that Senator LANGER was defending Oster on a charge of first-degree murder, and the woman was the one eyewitness, as I gather from hurriedly reading the text, so that Senator LANGER's client stood in the position of possibly being hanged on the testimony of his wife, who had committed adultery; is that correct?

Mr. LUCAS. I think that is practically true. I am not exactly sure.

Mr. BONE. I am trying to understand the state of mind of a lawyer who is defending a client who is likely to be hanged on the testimony of a person who has grievously wronged him, if that was the case. In other words, a woman was living in open and notorious adultery with a man violating her vows of chastity and violating and outraging her family life, and her testimony would result in the conviction of the man. I do not know whether that is in the picture or not. Those who heard the testimony—I did not hear it—can verify or repel that inference; but, as I read the testimony, it would seem that Senator LANGER's client was about to be hanged on the testimony of a woman who had committed adultery and violated her marriage vows.

Mr. HUGHES. Mr. President, will the Senator from Illinois yield to me to answer the Senator?

Mr. LUCAS. I yield.

Mr. BONE. I am merely seeking information.

Mr. HUGHES. Oster was charged with murder and was in jail. His wife, who was the only eyewitness, could not testify against him, because she was his wife. The State's attorney, in order to avoid that circumstance, secured a divorce for Mrs. Oster from her husband so that she would not be his wife and she could be used as a witness to testify against the husband. Following that it is claimed that Senator LANGER, representing the husband, secured the remarriage of Mrs. Oster to her husband, so that she would be placed back in the same position she occupied at first when she could not testify.

Mr. BONE. Are we to assume that these lawyers, one defending the man and the other prosecuting him, were jockeying back and forth in order to validate the testimony of a witness? Is that the situation? Was that merely a manipulation of the functions of the court in order to qualify the witness or disqualify her? Is that the situation? I am trying to make up my mind. I have got to make a decision in my own mind, and I want to know what the facts are. I want to know if the prosecuting attorney got a divorce for this woman in order to qualify her as a witness, and then Senator LANGER, seeing how he was being jockeyed into such a position that the man he was defending might have his neck stretched, said, "I will not stand for this kind of hokum; I am going to have that woman remarried to this man, so that she cannot testify." Is that the situation?

Mr. LUCAS. Yes; that is correct. Does the Senator know how it was done?

Mr. BONE. I am going to enlighten myself by reading the testimony; I merely heard a portion of this discussion.

Mr. LUCAS. I am asking the Senator, assuming that what he says is true, whether he knows how Senator LANGER got this woman remarried?

Mr. BONE. I was not here when the Senator was discussing that aspect of the case. I expect to remain here and get as much information as I can.

Mr. ELLENDER. Mr. President——

Mr. LUCAS. I yield.

Mr. ELLENDER. Mr. President, I think the evidence will show that Senator LANGER was simply trying to put the case in the same situation it had previously been. That is, he desired to restore the marital status so that the wife could not testify against the husband.

The Senator from Illinois said awhile ago that the prisoner was taken to another State. It strikes me that if Senator LANGER desired to do wrong, really defeat the law, he could have let his client go and he might have never been tried. His sole purpose, apparently, was to undo what the prosecuting attorney had illegally done.

Mr. LUCAS. Does the Senator from Louisiana take the position that anything that Senator LANGER had done, even in a case where murder had been

committed, would have been right on the ground of retaliation for what someone else had done?

Mr. ELLENDER. I think, under the circumstances, a lawyer might be justified in doing what was done. No ill effects followed. The life of his client was at stake, and no one apparently suffered, except the prosecuting attorney, who no doubt used unthinkable means to obtain evidence to prosecute.

Mr. LUCAS. The Senator from Louisiana can take that position if he wants to do so, and I can understand it, but the Senator from Illinois cannot condone any lawyer conspiring with the sheriff of a county to take a prisoner charged with murder, and being held without bond, out of the custody of the sheriff, and removing the prisoner across a State line into the State of South Dakota for the purpose of having him remarried. I do not care what the circumstances were leading up to that act, I simply cannot condone it. The Senator from Louisiana can condone it if he wants to, but the Senator from Illinois cannot. That is my position.

I do not care anything about what the State's attorney did; I do not care anything about what the circumstances were up to that point. I contend that what was done in connection with this important matter was a gross violation of ethics. Under the decision I have read, had the murderer said to Senator LANGER when he got into South Dakota, "You have no jurisdiction over me, Mr. LANGER; I can now go scot free," Mr. LANGER would have been absolutely powerless, even under the authority he had as deputy sheriff—having had himself sworn in through his friend, the sheriff—to have prevented that man from absconding. I do not know anything about the circumstances leading up to this incident, but I do know that the man was charged with murder and was being held in jail without bond; so the offense must have been fairly serious. Whether adultery was involved or whether something else was involved, I do not know; I do not care anything about the facts leading up to it. I am talking about that one serious point involving moral turpitude.

Mr. ELLENDER. The fact remains that everything that was accomplished by Senator LANGER was done simply to restore the marital status. In other words, place his client in status quo.

Mr. LUCAS. What was done was done illegally.

Mr. ELLENDER. It may have been illegally done, but that was his purpose; that is all it was done for.

Mr. LUCAS. Of course, that is all that it was done for, but how can the Senator from Louisiana stand on the floor of the Senate and condone illegality when he admits the fact? That is what I cannot understand.

Mr. ELLENDER. It seems to resolve itself to a question of who commits the illegality and the circumstances that surround it. If the divorce had been legitimately obtained the probability is that Senator LANGER would not have resorted to the tactics employed by him.

Mr. BAILEY. Mr. President——

Mr. LUCAS. I yield to the Senator from North Carolina.

Mr. BAILEY. Mr. President, illegality is not moral turpitude.

Mr. LUCAS. I will discuss that with the Senator before we get through.

Mr. BAILEY. I did not rise for that purpose. The Senator has raised a question as to the evidence. I quote from the testimony of the respondent, Senator LANGER, as to the case of Oster who was in jail under an indictment for murder in the first degree:

> Well, after they had Oster in jail, the State's attorney took Mrs. Oster and, she being the only eyewitness—

That is to the murder—

> held her what is called incommunicado. I could not get to see her. I went to the State's attorney, and I said "Now, I certainly have a right to talk to Mrs. Oster. She is a friend of mine. She hasn't got a divorce from her husband. She can't be a witness, anyway. I would like to see her. "Well," he said—

That is, the State's attorney said—

> "we are going to have her as a witness in the case since she is going to get a divorce."

That is the way this incident started. The State's attorney is undertaking to procure by act of law a witness against Senator LANGER's client, who was on trial for his life, and actually had her incommunicado and he notified Senator LANGER of what was to take place.

I am not saying that Senator LANGER did right; I am not saying that any other lawyer in this body would have done what he did; but I am saying that he had the man's life in his hands, and when he saw the State's attorney getting the eyewitness where he would have her, in his control, and change the circumstances which were obtaining at the time of the commission of the crime, he went very far and brought about a remarriage; but all he did was to restore the status which existed at the time when he had taken the retainer to defend the man for his life.

That may be all unethical; we may say it is illegal; but I will say that if I am asked to vote to expel a Senator on that ground I would not vote to expel him; I would not vote to disbar him. One act of that sort cannot be of significance except in connection with some outstanding act of fraud or rascality which can be brought forward by way of corroboration, by way of aiding the argument. My mind is not moved by that single, sole incident. What I want to hear is something, as I said just now, that will convince me that it is my duty, as a Senator, to reverse the action of the State of North Dakota, not on my own account, at all, but on account of the fact that, being a Senator, I have a duty to see to it that this body is protected against disintegration or disgrace or the menace of the presence of a man whose reputation is so bad that his admission to the Senate would tend to destroy the Senate itself. I do not think we can get away from that position.

Mr. McKELLAR. Mr. President, may I ask the Senator from Illinois how long ago the incident occurred?

Mr. LUCAS. It occurred in 1930.

Mr. McKELLAR. That was 12 years ago.

Mr. LUCAS. Let me say to Senators who are here listening to the argument made by the Senator from North Carolina that, of course, the Senator from North Carolina always makes an excellent argument, he is very convincing and very persuasive, but we have just now started on the question of moral turpitude. I have merely discussed one of a number of cases that are in the record. I would not disagree with the Senator from North Carolina if this one case were standing alone; but, as I said a moment ago, one case follows another in connection with the charges of moral turpitude, and our committee believed they were sufficient to prove the case.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr LUCAS. I yield.

Mr. WHEELER. The Senator does not contend, does he, that there was any moral turpitude in this particular incident?

Mr. LUCAS. Certainly, I so contend.

Mr. WHEELER. The Senator contends that there was?

Mr. LUCAS. Certainly, I do.

Mr. WHEELER. I would not agree with the Senator that there was moral turpitude involved, but the acts both of the district attorney and Senator LANGER were unethical. As a matter of fact, it was reprehensible on the part of the district attorney to take a witness, keep her incommunicado, and proceed to try to get a divorce for her; and the action of Mr. LANGER was also reprehensible; but when you try to say to me that moral turpitude is involved——

Mr. LUCAS. What does the Senator think it is?

Mr. WHEELER. I do not think it is moral turpitude; I think the action was unethical.

Mr. LUCAS. Let me read the definition of "moral turpitude," if I may.

Mr. WHEELER. Very well; let the Senator read it.

Mr. LUCAS. The definition is:

> Turpitude, in its ordinary sense, involves the idea of inherent baseness or vileness, shameful wickedness; depravity. In its legal sense it includes everything done contrary to justice, honesty, modesty, or good morals.

Mr. BAILEY. But the Senator is not going to argue that everything done contrary to honesty and modesty and good morals would disqualify a Senator?

Mr. LUCAS. Of course not.

Mr. BAILEY. Then let us get to a definition of moral turpitude. The moral turpitude must be in such degree as to menace or threaten the status of the Senate in the minds of the people of the United States. The Senator will agree with me about that?

Mr. LUCAS. Of course, I agree with the Senator; and if the Senate will give me the opportunity for the next 2 or 3 hours, and the next 2 or 3 days, I think I shall be able to convince some individuals along that line. The trouble now is that we are trying the case before we hear the facts.

Mr. BAILEY. No; I beg the Senator's pardon. The Senator is trying the case on the Oster evidence, and we have a right to test the Oster evidence as it is presented.

Mr. LUCAS. Of course, the Senator is correct in that statement, but I am not standing upon the Oster case alone, as the Senator knows, but I am standing upon a series, and the committee stood upon a series, of charges of acts involving moral turpitude, culminating in the bond deal, which I shall explain a little later, and culminating in the Mexican land-stock transaction, in which 25,000 cold dollars changed hands.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. JOHNSON of Colorado. What does the evidence show the court did about this matter? Of course, the court was advised what Senator LANGER had brought about.

Mr. LUCAS. I do not know. As I have said, we learned some things about the case from Senator LANGER himself, which the investigators did not find out. Whether the court knew he had taken Oster out of jail, I do not know.

Mr. JOHNSON of Colorado. The Senator stated a moment ago that Oster was in charge of the court.

Mr. LUCAS. Oster was in jail in charge of the sheriff.

Mr. JOHNSON of Colorado. The Senator said he was responsible to the court, and the sheriff did not have any charge of him. If he was in charge of the sheriff, the sheriff had a right to take him out, did he not?

Mr. LUCAS. The Senator is a little confused about the fact in the Oster case. Jacob Oster was in jail.

Mr. JOHNSON of Colorado. Yes.

Mr. LUCAS. Charged with murder.

Mr. JOHNSON of Colorado. Yes.

Mr. LUCAS. Senator LANGER was attorney for Oster, who was in jail, and he had himself sworn in as a deputy sheriff, through conspiracy with the sheriff, and then proceeded to take Oster out of jail without a court order, crossed the State line into South Dakota, and had him remarried to Emma Oster.

Mr. JOHNSON of Colorado. What did the court do about it? That is what I want to know.

Mr. LUCAS. The court had nothing to do about it at all.

Mr. JOHNSON of Colorado. The court was certainly trying him, and if the court was convinced that an irregularity had taken place, it could have disbarred Senator LANGER.

Mr. LUCAS. I do not know whether there is any evidence to show that the court knew anything about the situation.

Mr. JOHNSON of Colorado. The court certainly had to know about it.

Mr. LUCAS. I cannot answer that question.

Mr. JOHNSON of Colorado. The court would have to know about it. What did the prosecuting attorney do about it?

Mr. LUCAS. Regardless of whether the court did anything, I am asking the Senator what he thinks about the act, assuming the facts to be true. We are not depending on what the court in North Dakota did. Here is a fact, laid bare before the Senate of the United States, and it is a question of whether or not the Senator thinks the element of moral turpitude is involved.

Mr. BONE. Mr. President, I should like to know whether the prosecuting attorney, who was actively interested in this matter, laid a charge against Senator LANGER.

Mr. LUCAS. I do not know.

Mr. BONE. He was the one whose feelings should have been outraged. Was a charge laid against the Senator later by the proper prosecuting official of the county, or did he just ignore the occurrence completely? I do not like to sit in judgment on a man and charge him with something in my own mind when there was a man elected by the people to prosecute offenses, if there was an offense committed, and this man, with full knowledge of the facts, did not prosecute or attempt to prosecute. I know that if I were prosecutor and an attorney on the other side committed some irregularity and violated the law, I would lay the long hand of the law on him right away.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Idaho. I merely wish to ask the Senator from Illinois whether Mr. LANGER did anything in that transaction which constituted a violation of North Dakota law.

Mr. LUCAS. I do not know what all the laws of North Dakota provide, and I do not know what the courts of North Dakota did in respect to this case. I am merely reiterating what I stated before; I lay the cold facts before the Senate.

In 1926 Frank Smith, having been elected as a Senator from Illinois, was unseated by the Senate. The courts did not have anything to do about the matter. No one prosecuted Frank Smith in my State, no one had him arrested; he was not charged with a crime; but the Senate of the United States ousted him, acting on the facts they had before them. I am now laying facts before the Senate.

Mr. CLARK of Idaho. Perhaps I did not make myself clear. I merely wondered, and asked the question in good faith, if the Senator's committee ascertained whether Mr. LANGER violated the law of North Dakota in connection with the transaction he has been discussing. I do not intend to argue with the Senator about that, or to follow it up; I merely want to know for my own information.

Mr. LUCAS. I am merely giving the Senator the facts as I know them. Whether he violated the laws of North Dakota I do not know.

Mr. BONE. May I inquire of Senator LANGER, if it is proper, whether the prosecuting attorney of the county did anything about this matter. Will the RECORD show what the prosecuting attorney did?

Mr. LANGER. He did nothing at all, Senator.

Mr. LUCAS. That is an answer.

Now, Mr. President, following the Oster case, the committee brings to the attention of the Senate a charge appearing on page 51 of the report, a charge of moral turpitude against Senator LANGER, involving a brawl which occurred at Fort Yates, N. Dak.

Mr. VANDENBERG. Will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. VANDENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Nye
Austin	Gillette	O'Daniel
Bailey	Glass	Overton
Bankhead	Green	Pepper
Barbour	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Hill	Russell
Bulow	Holman	Schwartz
Bunker	Hughes	Shipstead
Burton	Johnson, Calif.	Smathers
Butler	Johnson, Colo.	Smith
Byrd	La Follette	Stewart
Capper	Langer	Taft
Caraway	Lee	Thomas, Idaho
Chandler	Lucas	Thomas, Okla.
Chavez	McFarland	Thomas, Utah
Clark, Idaho	McKellar	Tunnell
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Danaher	Maybank	Van Nuys
Davis	Mead	Wheeler
Doxey	Millikin	White
Ellender	Murdock	Wiley
George	Murray	Willis

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. LUCAS. Mr. President, I now desire to invite the attention of the Senate to what is known in the committee's report as moral turpitude charge No. 2, found on page 51 of the committee's report:

> Some time in the early part of Senator LANGER's career as an attorney, he was employed to defend four Indians at Fort Yates, N. Dak., who were charged with murder in the first degree of another Indian by the name of Yellow Lodge. Senator LANGER was employed over the telephone to represent the defendants at the preliminary hearing. He had made arrangements over the telephone with the deputy sheriff to talk to his clients when he arrived at Fort Yates. LANGER did not reach Fort Yates until 2 or 3 o'clock in the morning due to bad roads and inclement weather.
>
> No one was at the jail except the janitor who was a big stalwart, half Indian and half Negro. After some conversation he advised Senator LANGER that he would not let him in, that he knew nothing about the instructions of the deputy sheriff. After some further conversation, Senator LANGER asked the custodian where the keys were to the jail, and the latter replied that they were in the sheriff's desk, but that he would not let Senator LANGER see them.
>
> Senator LANGER said in his testimony on page 503 of the hearing that:
>
> "After some more discussion I got through, and it was a question of whether he could whip me or I could whip him, but anyhow I got in, got my hands on the keys, after breaking down the sheriff's door and breaking into his desk, and took the keys and went to see my clients."
>
> A question was asked as follows:

This occurred before the committee. Senator LANGER was testifying. I asked him this question:

> Senator LUCAS. Did the county bring any action against you for trying to take the jail?
>
> Senator LANGER. No; the complaint was made by the judge.

Senator WILEY. Just a moment. Let me ask this question. Did I understand there was some proceeding started against you for disbarment for that?

Senator LANGER. Not quite. It went to the supreme court. The judge over in that district took very violent offense in the matter and the sheriff complained very bitterly. The sheriff complained that I had broken down his door and had been destructive of public property.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I will yield in a moment. Mr. President, this testimony came voluntarily from Senator LANGER when he was testifying before our committee. The investigators did not discover that testimony. There was an officer of the court, fighting with the custodian of the jail.

It was a question of whether he could whip me or I could whip him.

Senator LANGER went past the custodian of the jail, broke into the sheriff's desk and obtained the keys, and proceeded to go in and talk to his clients who were in the jail charged with murder. I do not know whether that is an act of moral turpitude. I do not know whether or not the Senator from Louisiana can condone such an act. Perhaps some Members of the Senate will say that under the law that is not an act of moral turpitude. However, Mr. President, to me it presents a serious situation. If the Senator from Louisiana were to go down into Louisiana and break into a jail——

Mr. ELLENDER. I am wondering why the Senator continuously refers to the Senator from Louisiana.

Mr. LUCAS. The Senator was on his feet. I shall refer to myself. I make the same argument which I made in connection with the Oster case. If the Senator from Illinois, as a lawyer, were to go back to his home county and follow the same tactics which were used by Senator LANGER in this particular case, I undertake to say that the Senate would be charging the Senator from Illinois with moral turpitude—and rightly so, in my humble opinion. I can appreciate the fact that Senator LANGER got there in the early part of the morning; but regardless of the agreement he had with the sheriff—and that is what the Senator wants to talk about——

Mr. ELLENDER. That is what I had in mind. Another thing I had in mind——

Mr. LUCAS. Just a moment. I did not yield to the Senator. I am simply talking to him.

Regardless of the agreement he had with the sheriff, and the facts that he got there at 2:30 or 3 o'clock in the morning, and that the custodian of the jail did not know anything about the situation, does any kind of an agreement justify a lawyer in whipping the custodian, breaking into the jail, and getting the keys?

Mr. ELLENDER. The facts do not show that he whipped him, do they?

Mr. LUCAS. I did not yield to the Senator from Louisiana.

Mr. ELLENDER. Why does not the Senator state the facts?

Mr. LUCAS. I merely read from what Senator LANGER said. I am not yielding to the Senator from Louisiana. I have the floor, and I intend to keep it until I am ready to yield to the Senator from Louisiana.

Mr. ELLENDER. Very well.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The Senator declines to yield.

Mr. LUCAS. Let me read what Senator LANGER himself said. I read from page 51 of the committee report:

Senator LANGER said in his testimony on page 503 of the hearings that:

"After some more discussion I got through, and it was a question of whether he could whip me or I could whip him"—

I do not know whether the Senator draws any inference from that or not, but I do—

it was a question of whether he could whip me or I could whip him.

He got through and got the keys. So apparently he must have either whipped him or caused him to stand aside at least long enough to break into the desk of the sheriff. Those are his exact words. He got the keys and opened the jail, wherein there were men charged with murder. That is another act of moral turpitude which we present. It is for the Senate to determine whether this act, together with the others which we shall present, are sufficient basis on which to exclude him.

Mr. BONE. Mr. President, may I inquire what year that was?

Mr. LUCAS. I do not know that I recall the year, but it was in the early part of the Senator's career as a lawyer.

Mr. BONE. On the preceding page there is a reference to 1922. Was it about that time?

Mr. LUCAS. To what page does the Senator refer?

Mr. BONE. On page 503 he said:

About this time, I had been hired by some Indians.

And so forth. So I presume it must refer back to 1922.

Mr. LANGER. It was about 20 years ago.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. LUCAS. I yield.

Mr. ELLENDER. Mr. President, I should like to call the attention of the Senator to the heading of the charge on page 51. It reads:

Respondent breaks down the doors of the county jail.

That is not true, is it?

Mr. LUCAS. Let me read the testimony again——

Mr. ELLENDER. I am talking about the heading.

Mr. LUCAS. Let me read it again to the Senator. I hope I can make him understand this time.

After some more discussion I got through, and it was a question of whether he could whip me or I could whip him, but anyhow, I got in, got my hands on the keys, after breaking down the sheriff's door and breaking into his desk, and took the keys and went to see my clients.

I think the sheriff lives in the county jail.

Mr. ELLENDER. That is a question which I wanted to ask the Senator.

Mr. LUCAS. In my county the sheriff lives in the county jail. Senator LANGER himself says he broke down the door of the sheriff, so I take it the heading is not out of place when we say in the report:

Respondent breaks down the doors of the county jail.

Mr. ELLENDER. If the sheriff lived inside the jail, of course, that heading would be in accord with the facts, but the point is this——

Mr. LUCAS. I do not care whether he lived outside or inside the jail.

Mr. ELLENDER. I understand; but a good many Senators who may not have time to read this entire record are confronted with this charge:

Respondent breaks down the doors of the county jail.

As a matter of fact, the evidence shows that that did not occur. What he did was to obtain the keys from the sheriff's office, and thereafter, I presume, he used the keys and opened the door.

Mr. LUCAS. Let me read the testimony of Senator LANGER once more for the benefit of the Senator from Louisiana. This is the third reading. I want to be sure the Senator understands it this time.

Mr. ELLENDER. I understand; but the evidence of Senator LANGER is not that he whipped the deputy, as the conclusion drawn by the Senator would indicate, or that there was a fight. I am wondering whether such a thing happened—not that it makes much difference, but let us stick to the facts as they are and not depend upon the Senator's conclusion or those of the committee.

Mr. LUCAS. That is what I am doing; but unfortunately the Senator is not. I am sticking to the facts. Let me read once more. The facts come from the lips of Senator LANGER himself, and not from anyone else. These are not facts developed by the investigation of the investigators; this does not come from the subcommittee or the full committee; this statement comes voluntarily from the lips of Senator LANGER; and we quote word for word what was said by Senator LANGER before the committee. If the Senator from Louisiana can draw any conclusion other than what the facts state, it is perfectly all right with me.

Mr. ELLENDER. The Senator does not argue to this body that the answer of Senator LANGER which he read indicates that Senator LANGER broke down the jail doors, does he?

Mr. LUCAS. Let me read it again.

Senator LANGER said in his testimony on page 503 of the hearings, that:

"After some more discussion I got through"—

I think I shall go back a little further and read for the benefit of the Senator——

Mr. ELLENDER. I think the Senator ought to read it for his own benefit, and not for the benefit of the Senator from Louisiana.

Mr. LUCAS. That is all right. The Senator will take care of himself. I did not yield to the Senator.

Let me read:

After some conversation he advised Senator LANGER that he would not let him in, that he knew nothing about the instructions of the deputy sheriff. After some further conversation, Senator LANGER asked the custodian where the keys were to the jail, and the latter replied that they were in the sheriff's desk, but that he would not let Senator LANGER see them.

Senator LANGER said in his testimony on page 503 of the hearings, that:

"After some more discussion I got through, and it was a question of whether he could whip me or I could whip him, but anyhow I got in——

I do not know what that means; but, if I say I am going to go through, and is a question whether you whip me or I whip you, and I get through, there is every reason to believe that there is a battle, or that at least, if there is no battle, the other fellow stands aside and lets me go through because of the intimidation and threat.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. No; I refuse to yield.

Mr. ELLENDER. Will the Senator yield at that point?

Mr. LUCAS. No; I do not yield.

I continue to read from Senator LANGER's testimony on page 503 of the hearings:

But anyhow I got in, got my hands on the keys, after breaking down the sheriff's door and breaking into his desk.

He broke down the sheriff's door, and he broke into the sheriff's desk. I do not care whether the sheriff happened to live in the jail. He does live in the county jail in my section of the country; but I do not care whether he lived in the county jail or lived outside the county jail; regardless of that, Senator LANGER broke down the door of the sheriff's office and broke into a desk in the sheriff's office. That is the gravamen of the offense; and whether the sheriff lived in the jail or whether he lived on the outside is immaterial. The point the Senator from Louisiana makes is highly immaterial.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHEELER. I have not read the record and I do not know about the point the Senator makes; but there is some reference to whether Senator LANGER had an agreement with the sheriff, is there not?

Mr. LUCAS. Yes.

Mr. WHEELER. What is that part of the report?

Mr. LUCAS. I will read it:

Senator LANGER was employed over the telephone to represent the defendants at the preliminary hearing. He had made arrangements over the telephone with the deputy sheriff to talk to his clients when he arrived at Fort Yates. LANGER did not reach Fort Yates until 2 or 3 o'clock in the morning due to bad roads and inclement weather.

Mr. President, the testimony in the record shows that the Senator started for Fort Yates, got to the end of the railroad line, and found that the roads were bad; he had to go some 15 or 20 miles either by automobile or by some other means of transportation, and when he arrived at Fort Yates it was half past 2 or 3 o'clock in the morning.

No one was at the jail except the janitor, who was a big stalwart half Indian and half Negro. After some conversation he advised Senator LANGER that he would not let him in, that he knew nothing about the instructions of the deputy sheriff. After some further conversation, Senator LANGER asked the custodian where the keys were to the jail, and the latter replied that they were in the sheriff's desk, but that he would not let Senator LANGER see them.

Senator LANGER said in his testimony on page 503 of the hearings that:

"After some more discussion I got through, and it was a question of whether he could whip me or I could whip him, but anyhow I got in, got my hands on the keys, after breaking down the sheriff's door and breaking into his desk, and took the keys and went to see my clients."

Mr. WHEELER. Let me say that I can readily understand how the Senator from Illinois would not have done that or I would not have done that very thing, but I do think there are some extenuating circumstances; that is, if he had had an agreement that he could see his clients, and when he got there this big fellow, half Indian, and apparently an ignorant fellow, would not let him see them, he thereupon got into an argument with him, and did break into the sheriff's desk. That happened away back in 1922, according to the record.

Mr. LUCAS. Yes.

Mr. WHEELER. Since that time the matter was made an issue in the election, I understand.

Mr. LUCAS. I do not understand that; I do not know anything about that.

Mr. WHEELER. I understand it was made an issue in that election.

Mr. LUCAS. The Senator may know that; I do not know it.

Mr. WHEELER. I thought the record said something about that. I glanced at it rather hurriedly, and I give simply my recollection.

Mr. LUCAS. I do not know that.

Mr. WHEELER. I think the record said the story of the incident was circulated around. Senator LANGER testified, page 504 of the hearing:

Well, there was a lot of trouble about that. They went to the supreme court, and the supreme court refused to take cognizance and did not even let them file their charges.

Well, that went all over the State, and a lot of folks think, or thought of course, that a lawyer should not break into jail and that sort of thing, and it was spread, as I said, all over the State.

Mr. LUCAS. That is correct.

Mr. WHEELER. It went to the supreme court, and that was the proper place for it to go.

Mr. LUCAS. That is correct.

Mr. WHEELER. It went there; and the supreme court should have disbarred him if it felt that moral turpitude was involved. The supreme court did not act. Why should the Senate of the United States refuse to allow him to take his seat as a Senator, when the matter was presented to the supreme court 20 years ago and the supreme court refused to take action?

Mr. LUCAS. I will not yield for long argument.

Mr. WHEELER. No; of course not.

Mr. LUCAS. I shall present this case in the manner I deem proper.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUCAS. I will yield in a moment. The Senator from Montana asks "Why throw this man out because of one case?" Of course if this case were standing alone, or if the previous case, the Oster case, were standing alone, I could not conscientiously vote to exclude this man from a seat in the Senate; but I have been trying to say that this is the beginning of this case. I cannot follow the Senator from North Carolina [Mr. BAILEY] when he says that we should hasten to take up the main charges. I know that he has tried a great number of lawsuits in his life; he is one of the most able lawyers in the Senate. I am sure that when he tried a lawsuit he went into some detail before he reached the real issue which was presented before the court or the jury, and it did not make any difference whether it was a court or whether it was a jury; he went into some detail in developing his case.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. LUCAS. We have here charges of moral turpitude. I have presented the Oster case. Now I am presenting this case involving Senator LANGER's actions when he went to Fort Yates to defend Indians charged with murder. He himself brought out the facts. The committee had nothing to do with that. The investigators, who are scored by the junior Senator from Utah [Mr. MURDOCK] and by my good friend, the distinguished Senator from North Carolina [Mr. BAILEY], had nothing to do with it. Senator LANGER volunteered the information; and it seemed to the committee that when he volunteered the story, as he did, and told it with the gusto of one of the great Northwest boys, it was worth while at least to bring it to the attention of the Senate. A man who now seeks a seat here told the story of how he broke into a jail, broke down the sheriff's door, broke into his desk, and burglarized it, if you please. That is really what it was. If you go to my office because you have an appointment with me, but I am not there, and you say, "Well, I have an appointment with the Senator; and it is on an important matter and I am going in, regardless," and you break down the door, go into my private files, into my desk which is locked, but you break it open, you burglarize my desk. If following this line of procedure, you take out of a desk keys to a county jail, and then go into the jail where there are three Indians charged with murder, you in effect becomes the sheriff, just as Senator LANGER became the sheriff in the Oster case, and as he became the sheriff in this case. He does as he pleases in North Dakota, which will be demonstrated by the evidence all the way through, from this case until the very last one, which we shall present to the Senate. He can do no wrong in the State of North Dakota; he is a law unto himself; and these two cases prove it beyond any reasonable doubt. We will continue to show it from the time of the earliest case on which the investi-

gation produced evidence until 1940, when in the Kolstadt case he was guilty, in my humble opinion, of subornation of perjury. Yet some Senators say that now is the time to get to the meat of the thing.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER (Mr. DOXEY in the chair). Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. BAILEY. I do not care to trouble the Senator, but I am a little disposed to raise questions——

Mr. LUCAS. I should like to yield, I will say to the Senator, for a question.

Mr. BAILEY. I should like to ask one question about the use of words. The Senator from Illinois says the acts referred to were burglary—going into the sheriff's office, in the presence of the deputy sheriff, and forcibly taking the keys, with a view to seeing his clients. As an officer of the court he had a right to see his clients, but things did not fall out so that he could see them in the regular way. They were to be tried the next morning, as I understand; he had to see them quickly. He was very ardent; he overreached. But what is burglary? If it was not burglary, I think it is due the respondent, who sits here at any rate as a Senator, not to be charged with burglary unless there is more evidence than this. I should say the accusation of burglary would not stand up in any court on earth.

Mr. LUCAS. Now, Mr. President——

Mr. BAILEY. At the worst—and I should like to ask the Senator this question—could Senator LANGER have been guilty, under those circumstances, of more than forcible trespass?

Mr. LUCAS. The Senator from North Carolina can talk about forcible trespass in North Carolina; but what is forcible trespass down there might be something else in North Dakota or in Illinois.

Mr. BAILEY. Oh, Mr. President, let me say to the Senator from Illinois——

Mr. LUCAS. Just a moment please——

Mr. BAILEY. Let me say to the Senator from Illinois that the offense of forcible trespass is a common-law offense, and obtains wherever the common law obtains.

Mr. LUCAS. Mr. President, I dislike to insist on my rights as a Senator, and I have a great deal of respect for the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from Illinois declines to yield.

Mr. LUCAS. I have the floor. I ask that the rules be observed by the Senator from North Carolina as well as by other Senators. I shall yield only for questions.

The PRESIDING OFFICER. The Senator from Illinois controls his own time; but he yielded to the Senator from North Carolina.

Mr. LUCAS. I will yield every time for questions, but not for speeches.

The PRESIDING OFFICER. The Chair cannot tell for what purpose a Senator may ask the Senator from Illinois to yield. Does the Senator yield or not?

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. LUCAS. I yield.

Mr. ELLENDER. I am wondering whether we are to take the distinguished Senator from Illinois at his word, when he told us at the beginning of his argument that he would yield at any time so as to permit us to ask questions so as to ventilate all facts in the case as he goes along. Of course, if the Senator does not want to do that, it is all right with me. I have tried to get his attention on two or three occasions, merely to try to bring out some angles of the case which I deem important, although probably simple and insignificant.

Mr. LUCAS. I told the Senator in the beginning that I should like to present the matter in an orderly way, and that I would yield for questions, but that I should not like to yield for speeches. That is what I said, and that is all I said. Senators can make legal arguments in my time and can make speeches in my time, but I should like to have my rights respected along that line.

Mr. ELLENDER. I do not suppose we can get much out of the Senator simply by asking him a few questions. I am wondering if the Senator does not want to be fair and square about it all and to discuss the case as we go along. What is the use of him making his speech now, if we shall have to go all over it again? Why not have a thorough understanding of the facts as we go along and not simply draw conclusions?

Mr. LUCAS. I am very happy to yield to my friend, the Senator from Louisiana, at any time for pertinent and material questions; but it seems to me that the Senator would do much better by making his speeches in his own time, and he will have the floor in time to do that. However, I think that I yielded to the Senator from Louisiana on all questions and all points.

Mr. ELLENDER. The question that I had asked the Senator was with particular reference to charge No. II, on page 51. It is true that my question may not have been pertinent, but I simply desire to point out that, by drawing a wrong conclusion in the title of charge II, as I claim you have done, might I not assume that you have drawn other erroneous conclusions? In other words, with a title headed "The respondent breaks down the doors of the county jail," it would seem that such a title would be so worded because of certain facts in the record; but the facts do not justify that conclusion, in my opinion; and, if they do not justify it in that case, how are we, in the future, to judge other conclusions made?

Mr. LUCAS. Is the Senator now attempting to contest the good faith of the Senator from Illinois?

Mr. ELLENDER. Absolutely not. It is my contention, although it may be unimportant, as the Senator has indicated, in regard to the question that has been raised concerning the title "The Respondent Breaks Down the Doors of the County Jail"——

Mr. LUCAS. What difference does it make whether it was the sheriff's office or the county jail?

Mr. ELLENDER. Let us have the facts as they are, and let us draw our own conclusions. That is all I am suggesting.

Mr. BONE. Mr. President——

Mr. LUCAS. I now yield to my good friend from Washington.

Mr. BONE. I should like to ask the Senator from North Dakota if North Dakota is a code State?

Mr. LANGER. Yes, it is.

Mr. BONE. Are grand jury indictments the rule there, or does the prosecutor inform against a defendant in a murder case?

Mr. LANGER. It may be done both ways.

Mr. BONE. I note in the testimony there is reference to a preliminary hearing at 9 o'clock the next morning.

Mr. LANGER. That is correct.

Mr. BONE. Is that a matter of right, or can it be given and relief afforded to the defendant if he wants to have a preliminary hearing?

Mr. LANGER. It is set by the justice of the peace.

Mr. BONE. Does that follow in all cases?

Mr. LANGER. It follows in all cases.

Mr. BONE. So that, when you got there at 2 or 3 o'clock in the morning, you were endeavoring to prepare yourself for the preliminary hearing at 9 o'clock the next morning?

Mr. LANGER. That is exactly right.

Mr. SCHWARTZ. Mr. President, will the Senator permit a question?

Mr. LUCAS. Certainly.

Mr. SCHWARTZ. What was the agreement between Mr. LANGER and the deputy sheriff as to whether or not he would be permitted to see the prisoner?

Mr. LUCAS. I am not sure that the evidence is clear, but, as I recall the testimony—and I will say to the Senator that there are between four and six hundred pages of testimony in the investigator's record and some 700 pages in the volume the Senator now holds in his hand—Senator LANGER had made arrangements with the deputy sheriff to meet him to discuss this matter with his client, who was charged with murder, but, because of bad roads and inclement weather, he did not get there until between 2 and 3 o'clock in the morning. So we have a right to assume that the deputy sheriff thought, perhaps, because of the lateness of the hour, Mr. LANGER was not coming. The Senator, himself, testified that it was the bad condition of the roads that caused him to be late. There was no one present except the custodian of the jail when he reached there about 2:30 or 3 o'clock in the morning.

Mr. SCHWARTZ. Is there any further testimony except Senator LANGER's testimony?

Mr. LUCAS. That is all.

Mr. SCHWARTZ. I read from the testimony and I should like to know if this is the extent of it. Mr. LANGER says:

> Now, that was during the winter and there was snow on the ground. It happened that I was hired over the telephone and the preliminary examination was going to be the next day.

As I understand, it was to be the next day at 9 o'clock——

Mr. HUGHES. From what page is the Senator reading?

Mr. SCHWARTZ. From page 503. Mr. LANGER continues:

> And so I said, "Well, I will come up tonight." I was talking to the deputy sheriff at the time, and I wanted to be sure that I could see these four men in the jail, and he agreed and it was all specifically agreed that I could do that.

He gets there at 3 or 4 o'clock in the morning; the deputy sheriff is not there; he has an agreement with the deputy sheriff that he may get in, but the janitor or someone else says he does not understand about that. The fact is, however, that he had a specific agreement.

Mr. LUCAS. I have no doubt he had an agreement, and I presume the agreement should have been carried out by the deputy sheriff, but probably the janitor knew nothing about the agreement, and the janitor was doing his duty in keeping anybody from entering. The point I am making concerns the question of propriety and ethics and legality, regardless of that fact. I do not think the Senator from Wyoming would do anything of that kind; he would wait until the next morning at least, without breaking into the jail, or without breaking the sheriff's door down, or without breaking the desk and taking the keys out.

Mr. SCHWARTZ. What the Senator says is true, but let me say that if Mr. LANGER had a specific agreement with the deputy sheriff that would permit him to see the men I do not think it would be a matter of burglary, although it might be a matter of a little extra enthusiasm in the cause of his client. Nevertheless, he was going to the jail in accordance with a specific agreement with the deputy sheriff. The janitor said, however, he did not know anything about it, and he was not going to let anyone enter.

Mr. LUCAS. The Senator has the facts and he can draw his own conclusions from them. Personally, I could not have done such a thing, regardless of whether or not there was an agreement with the deputy sheriff. I would have waited until the next morning to see the deputy sheriff.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. I understand this case found its way to the Supreme Court. Is the Senator aware of the action taken by the Supreme Court in the case?

Mr. LUCAS. No.

Mr. ELLENDER. The Supreme Court had all the facts, but dismissed the charges and refused to hear them, I am informed.

Mr. LUCAS. I have no doubt about the correctness of the Senator's statement.

Mr. ELLENDER. I thought the Senator knew about that——

Mr. LUCAS. As chairman of the subcommittee, I am laying the facts before the Senate. As I said awhile ago, Frank Smith was unseated by the Senate in 1926, and there was never any court proceedings in Illinois. He was appointed by the Governor of the State and came here with bona fide credentials as having been appointed by the Governor, but the Senate unseated him, although he was not charged with any crime.

Mr. WHEELER. He never was seated.

Mr. LUCAS. No; he never was seated; the Senate did not even let him take his seat. However, I am mentioning that case to the Senator from Louisiana to show that there was no crime committed in Illinois, and yet the Senate held that he took $125,000 from Tom Insull, a public-utility magnate. That is what he was charged with—and I have the record here—he was denounced in the Senate, and the Senate refused to let him take his seat. But, in Illinois, there was never a warrant sworn out for him, charging him with a single crime, and the case never got into any court.

Mr. ELLENDER. Would the Senator make any distinction between that case and this one, which went to the Supreme Court and the Supreme Court dismissed it?

Mr. LUCAS. At least, in this instance, the case was taken to the Supreme Court; that is more than what happened in the case of Frank Smith, of Illinois; that case never reached the Supreme Court. Someone thought there was sufficient ground to bring the case of Mr. LANGER before the court, and, at least, it did get into the courts. Senators can take either horn of the dilemma. I am merely laying the facts before the Senate, presenting them in the words of Senator LANGER himself. The Members of the Senate may draw their own deductions and conclusions, and I care not what they may be. I have no personal interest in this matter. I wish the Senator from Louisiana were in my position and I where he is. This is one of the most difficult problems with which the Senator from Illinois has had to contend since he has been a Member of the Senate. I am attempting to do my duty under my oath, and that is all. I have not lobbied here, attempting to influence any Member of the Senate. I would not lobby against BILL LANGER or any man standing in his position before the United States Senate. I want every Senator to do what he thinks is right after he hears all the evidence. I am conscientiously and sincerely and honestly attempting to present this matter before the Senate of the United States in behalf of the members of the Committee on Privileges and Elections, who voted 13 to 3 for exclusion after they had sat for weeks and months listening to all the testimony.

Mr. ELLENDER. I do not suppose anybody is trying to blame the Senator. I know he is doing the job as best he can.

Mr. LUCAS. I thank the Senator for the compliment; I am glad to have it from him; I need it.

Mr. ELLENDER. Let me ask the Senator would he be willing to throw a Senator out of this Chamber when on the same facts a court of justice dismissed the same charges against such a Senator?

Mr. LUCAS. I will have plenty to say upon that point before I get through, if the Senator will wait for the legal argument to come upon that question. I am not going into that now and I can not be drawn, from my regular presentation of this matter, into legal questions, but I will discuss that probably some time next week, as I think the case will take about that much time. However, I will go into that question, and, I think, if the Senator wants to be reasonable and fair about it, I will convince him.

Mr. ELLENDER. But the charges involved in No. 2 were passed upon by the supreme court and were dismissed, and I presume for good reasons. The Senator is now, as I understand it, bringing the same matter before the Senate for adjudication.

Mr. LUCAS. I did not bring it here; Senator LANGER himself brought it here.

Mr. SCHWARTZ. Mr. President, I did not complete reading from the testimony; and, if the Senator will be kind enough to yield further, I will finish.

Mr. LUCAS. I yield.

Mr. SCHWARTZ. I continue reading from page 503:

> The examination was at 9 o'clock in the morning and I had made arrangements with the deputy sheriff. I asked where the sheriff was and he said he was out in the country at his home, 3 or 4 miles out.

Possibly that was the only way to get to see this man—to go there before 9 o'clock in the morning. However, Senator LANGER was perfectly willing to go and see the sheriff if he could find him.

Mr. LUCAS. The Senator and I agree that we would not do what he did.

Mr. SCHWARTZ. I was never in that situation. I do not know what I would do if I had a client charged with murder in a situation like this.

Mr. LUCAS. I would not like to think of what would happen to me in my section of the country if I did the same thing. I do not know what would happen in North Dakota, but I would not like to think about what would happen to me in my little circuit down in the country where I practice, where we believe in law and order, if I went in and broke down the sheriff's door and took the keys under these circumstances. The Senator from Illinois would have been in jail the next day.

Mr. SCHWARTZ. The Senator would not expect to be penalized and thrown out of the Senate for it 22 years afterward.

Mr. LUCAS. Oh, if this were the only charge, its importance would be different. We did not bring this in. Perhaps we should not have brought it in at all, but the Senator himself stood before the committee and elaborated upon it, and took much delight in doing so. Every member of the committee will confirm this statement. I felt that, in view of the glee exhibited by Senator LANGER over the fact that he had broken into the sheriff's office and got the keys, and so forth, we should lay it before the Senate, regardless of the time when it happened. I would not exclude the Senator upon one charge. It is only the beginning of the evidence. There is much more to be presented.

Mr. SCHWARTZ. I have read a good deal of the record.

Mr. LUCAS. I am glad the Senator has.

Mr. SCHWARTZ. That is probably more than some of the members of the

committee did, because they have been necessarily busy.

Mr. LUCAS. I do not like that statement that he has read more of the record than the committee has, if the Senator is directing it at me.

Mr. SCHWARTZ. No; I said probably more than some of the members of the committee had.

Mr. LUCAS. I do not know about that, but 13 of the committee members agreed to this report, and I wish to say to the Senate that during my 7 years in the Congress I have never known of a more sincere and conscientious committee than the one which studied these cases. That committee found 13 to 3 in favor of the resolution, as the Senator knows.

Mr. SCHWARTZ. I thought that possibly some of the members of the committee were following the Senator from Illinois because they all realize that ordinarily he is a good man to follow.

Mr. LUCAS. The Senator is very charitable at times, and, of course, I appreciate what he has said. I am not asking anyone to follow me in this case. I have no personal interest whatever in this affair.

Mr. President, I shall now proceed to the next case. We may have the title wrong—"Respondent charged with stealing a drug store." If that is an incorrect title, I wish to yield to the Senator from Louisiana now, before I get into the case. It is of great importance, I know.

Mr. ELLENDER. Does the Senator still admit that title 2 is right?

Mr. LUCAS. Certainly I do. In my section of the country it is right. It may not be in Louisiana.

Mr. ELLENDER. I do not think it is right in the Senator's section of the country, or in mine.

Mr. LUCAS. Yes; it is right in my section of the country, because the sheriff lives in the jail in my section.

Mr. WHEELER. It is not right in anybody's section of the country, as I read it, because, even though he lives in the jail, when the Senator is speaking of the jail, he does not mean that he lives inside the jail. He does not live inside the jail, in the Senator's State or in my State.

Mr. LUCAS. Yes.

Mr. WHEELER. He is in the jail building, but he is not in the jail, because the house where he lives is separate from the jail. There is no question about that, and the Senator knows it.

Mr. LUCAS. The Senator from Montana is getting technical, too, and whenever he becomes technical, we must beware, because he usually speaks on facts and not on such technicalities. At any rate, Senator LANGER broke into the sheriff's office.

Mr. WHEELER. Yes.

Mr. LUCAS. We agree on that. In my section of the country the sheriff's office is in the jail.

Mr. WHEELER. No, it is not in the jail.

Mr. LUCAS. In the jail.

Mr. WHEELER. In the jail building.

Mr. LUCAS. I accept the amendment. When Senator LANGER was State's attorney of Morton County, in 1914, he was engaged in the enforcement of State prohibition, and caused the arrest of Mr. and Mrs. John Hamere, of Shields, N. Dak., for violation of the liquor code. The place where the liquor was sold was the rear part of a drug store operated by the Hamere people. In arresting Mr. and Mrs. Hamere, Attorney LANGER, without any legal papers from the court, closed the drug store and locked it up. Attorney LANGER was thereafter sued for $20,000, as LANGER said in his testimony, "for stealing the drug store by locking the place up." Those are words of Senator LANGER himself.

Mr. TUNNELL. Can the Senator tell me the page where that testimony appears?

Mr. LUCAS. In the report the reference to the page is blank.

Mr. WHEELER. Let me see if I understand this. The charge of stealing a drug store was of locking up the place, as charged in the complaint by the parties against Senator LANGER.

Mr. LUCAS. That is what the Senator himself said.

Mr. WHEELER. What he said was that he was charged in this complaint by these people whose store he had locked up?

Mr. LUCAS. Yes.

Mr. WHEELER. The Senator does not think, does he, that there was any moral turpitude involved in the idea that some prohibition agent, or some attorney, went in and locked up a place? Is it not a fact that in the prohibition days prohibition agents locked up places without any warrant, that they would go into houses, that sheriffs would go into gambling houses and break up gambling joints without any papers? I agree that it was wrong, but I was United States District Attorney, and I know that Federal agents did it repeatedly. They went in and searched places without search warrants.

Mr. LUCAS. The Senator does not condone it.

Mr. WHEELER. I do not condone it.

Mr. LUCAS. That is the reason I now call attention to it.

Mr. WHEELER. I do not condone it; I fought against it, and I say it is wrong.

Mr. LUCAS. I did, too.

Mr. WHEELER. But lawyers all over the country, prosecuting attorneys, do it. They go in and tap wires. Right here in the city of Washington, during the term of Daugherty and Burns, they tapped Senatorial wires; they broke into Senatorial offices.

Mr. LUCAS. What happened to Daugherty?

Mr. WHEELER. What happened to him?

Mr. LUCAS. Yes.

Mr. WHEELER. We finally drove him out of the Cabinet.

Mr. LUCAS. And the Senator is the one who did it, for the very thing that is charged right here.

Mr. WHEELER. No.

Mr. LUCAS. It is the same principle.

Mr. WHEELER. They were breaking into Senators' offices, not once, but repeatedly, and they were tapping wires into homes. Not only that, but the Senator is asking, and the administration has asked, through Mr. Hoover, that they be granted the privilege of going in and tapping wires without getting search warrants from anyone. That very thing, their request for the privilege of tapping wires of people without getting search warrants, has been before the Congress.

Mr. LUCAS. The Senator has helped make my argument, and he did a great service for the country—and I say this in all seriousness—in what he did back in the Daugherty days. This case is similar to what the Senator has been discussing, because there is one charge of moral turpitude after another laid down in the hearings, just as the Senator said; wires were tapped and offices broken into, time after time.

I was a prosecuting attorney in my county from 1920 to 1924, in the days when the Ku Klux Klan was rampant in my county, but its members never accomplished anything like this. In other words, before anyone ever searched a drug store, or searched a place where liquor was being sold, he got a search warrant, which was prepared legally and properly, as everyone who knows anything about search and seizure under the Constitution of the United States knows that a search warrant is one of the most technical legal instruments, one of the most important, that can be drawn.

You went into the home of the Hameres, in this drug store where they had their place of business, and you went in there, and because they were selling liquor in the back part of that drug store, you proceeded, Mr. LANGER, to close it up with force, without any warrant. You took over.

Those were the tactics of Senator LANGER throughout his career, as every one of these cases shows. The courts meant nothing; the law meant nothing. He decided to close the drug store himself as the attorney for the county, and he proceeded to close it up, lock it up. The people who owned that drug store brought suit against him for $20,000.

Mr. WHEELER. What happened to it?

Mr. LUCAS. He won the case, of course. [Laughter.] He wins them all. It is not possible to beat him in North Dakota; and there is a reason for that. Nevertheless, he was sued again. The Senator from Montana does not condone what he did, and if he had been in the position of Mr. LANGER, as a prosecuting attorney, he would never have done it. I did not bring the case here. The investigators did not bring it here. Senator LANGER himself brought it here. Makes no difference to me whether it is 30 years old, as the Senator from Montana [Mr. WHEELER] has suggested.

Mr. BONE. It is 30 years old.

Mr. LUCAS. I know it is. I do not care anything about that. We did not ask the Senator for it. He brought it out himself.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUCAS. I am delighted to yield.

Mr. BONE. The incident is being suggested here as a basis for action. That is why I mention it. I wonder why we should go back 30 years, even though the testimony was voluntarily given. We have to sit on the case and judge it. This incident has all the subtle aroma of an ancient document presented in court. I wonder why we do not go back to Senator

LANGER's childhood. I should like to see something that has connection with recent matters.

Mr. HUGHES. Mr. President, will the Senator yield for one question?

Mr. LUCAS. Yes.

Mr. HUGHES. Since the Senator referred to that incident, I have run through the testimony hastily, and I will say that I have read it previously. The Senator said he would refer to page blank, but I do not find where Senator LANGER testified on that matter. I should like to be helped out in that connection.

Mr. LUCAS. Can one of the members of the committee refer to the page?

Mr. LANGER. Page 485.

Mr. LUCAS. The Senator remembers it very well.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. The Senator has just made a significant statement with respect to the courts of North Dakota. I wonder if there is any evidence to bear out the Senator's charge? Is there any evidence to show that Senator LANGER had control of the courts of North Dakota?

Mr. LUCAS. We shall probably bring in some facts under the Senator's own statement before we get through with this case. The Senator from Louisiana wants me to try all these matters here in the short space of about 30 minutes. I told the Senator it would take about a week to bring all the facts in.

Mr. ELLENDER. The Senator from Louisiana does not desire that the Senator from Illinois try this case or anything like that, but I think we are entitled to a proper presentation of the facts, and let us draw our own conclusions. That is all I ask.

Mr. LUCAS. I shall be glad to do the best I can. Since the Senator has assumed the role of defender of Senator LANGER, I shall be glad to do the best I can to make the presentation of the facts.

Mr. ELLENDER. No; the Senator is not assuming the role of defender at all. But as I have just stated, we are entitled to the facts, and not to conclusions of the prosecutor.

Mr. LUCAS. Of course, I will deny again that I am a prosecutor. I want it distinctly understood that I am not. Of course the Senator can make any suggestion along that line he wants to. Once again I will say I am defending the integrity of the United States Senate in this case. That is all the interest I have in this matter. The Senator from Louisiana and other Senators can do whatever they desire. Whatever their final decision is will certainly be satisfactory to me, and I will still get along with everyone in the Senate.

The only thing I regret is that the Senator from Louisiana is not a member of the committee, and did not share in the work we have had to do. Especially do I wish he had been on the subcommittee which had to study some 4,600 pages of testimony.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MILLIKIN. Will it develop sometime during the Senator's presentation whether the particular courts which passed on these two matters were corrupt or were under the control of Senator LANGER?

Mr. LUCAS. No.

Mr. MILLIKIN. It will not so develop?

Mr. LUCAS. No.

Charge No. 4 in the committee report——

Mr. WHEELER. Before the Senator gets to that, will he yield again?

Mr. LUCAS. Yes; I yield.

Mr. WHEELER. It seems to me that, in fairness and for the purpose of the RECORD, certain statements made by Senator LANGER should be placed in the RECORD at this point. Coming from the State of Montana, which is next to the State of North Dakota, I know something about the conditions that existed in some of these little towns out there. It seems to me the mere statements and conclusions made by the Senator do not give the whole picture, and I am sure the Senator from Illinois wants to give the whole picture.

Mr. LUCAS. Yes; I want to give the whole picture, and I hope the minority members of the committee or any other Senators will supply any facts they consider pertinent. It is obvious that we cannot discuss fully everything contained in these hearings, because they are so long.

Mr. WHEELER. Senator LANGER testified about his whole past as attorney general. After testifying about something else, Senator LANGER said:

> Then I went down to Shields, N. Dak A man and woman, Mr. and Mrs. John Hamere, had a store, in the front part of which they had a drug store, they had a soda fountain there, and one or two other things They kept the liquor in the back of the store.
>
> This town of Shields at that time was about the toughest town in North Dakota. The sheriff did not dare go there at night It is right on the Indian reservation, right on the edge of it. Folks had been murdered there different times. The sheriff had to go in there in the daytime and clean the place up in the daytime, and the result was by going in the daytime, we would not have had as many witnesses as we would have had going in there in the nighttime.
>
> From a lawyer's standpoint the case was a little bit weak. We arrested them. They pled guilty, or we convicted them, one or the other, but anyhow, in closing the place up, I closed it all. That included, of course, the front part, including the soda fountain and a small supply of drinks that they had
>
> The town was only a town of from 150 to 200 people. So out of a clear sky they sued me for $20,000, claiming I had stolen the drug store by locking the place up.

If one had been a prosecuting attorney out there in one of those districts near an Indian reservation some 20 or more years ago, he would know he had to deal with some pretty tough customers. Such a prosecutor would have to deal with bootleggers, rum-runners, and many other tough customers.

Mr. LUCAS. I understand that.

Mr. WHEELER. I will say candidly that if I had been a district attorney out there at that time and went into one of those places where murders had been committed I should not have waited to have obtained a search warrant; I might have gone in and closed up the place under those circumstances notwithstanding the fact that technically I should have had a search warrant before closing it up. But coming from that section of the country, and knowing something about the difficulties and troubles in getting after these bootlegging joints out at the edge of an Indian reservation, I will say that anyone who has gone through such an experience and knows something about the matter will condone many things that a sheriff or a district attorney has to do under those conditions in order to catch criminals out there.

Mr. LUCAS. Charge No. 4, in the report of the majority members of the committee, is as follows:

> WHILE ATTORNEY GENERAL, RESPONDENT ARRESTED FOR INCITING A RIOT
>
> While the respondent was attorney general of North Dakota, he employed some 50 detectives to make prohibition raids in the city of Minot, N. Dak. The respondent, along with all the detectives, were disguised as labor men. No one knew who Senator LANGER was. They remained in Minot, N. Dak., without being identified or known for a period of 3 weeks
>
> During that time, the respondent rented three different houses. He put a colored detective in one, who was a piano player. The respondent caused a detective by the name of Moore to look at all the houses of prostitution in town on the theory that Moore was in the market to purchase one. "This is the way we gathered the evidence," said the respondent.
>
> After dividing into squads and pulling off a couple of fake raids, finally the real raid took place, and 156 were arrested and 153 convicted (See testimony, p. 486). As a result of this raid, respondent was arrested for inciting a riot.
>
> The time was on a Saturday night. The plan, according to respondent, was to keep him in jail so that he could not give bail on Sunday. Respondent further testified that Senator FRAZIER, who at that time was Governor of North Dakota, called out part of the National Guard and issued instructions to them if they came closer than 20 feet to respondent, either day or night, to shoot to kill. "For about a month more than that, day and night, I was surrounded by three men of the National Guard who were armed Finally I got bail fixed at $2,000 and was tried and acquitted."

We state here:

> The testimony disclosed in this chapter was volunteered by Senator LANGER when testifying before your committee.

Mr. BONE. Mr. President, when was this?

Mr. LUCAS. What year was that, I will ask the Senator from North Dakota?

Mr. LANGER. Nineteen hundred and seventeen. Page 486.

Mr. LUCAS. Page 486. The record speaks for itself.

Mr. HUGHES. Mr. President, will the Senator yield for a further question?

Mr. LUCAS. I yield.

Mr. HUGHES. Did not the Senator overlook the fact that the evidence shows that Senator LANGER was elected a life member of the W. C. T. U.?

Mr. LUCAS. Yes; that is in the evidence.

Mr. HUGHES. I suppose he is the only such member of that organization in the United States Senate.

Mr. LUCAS. That may be true.

Mr. President, this is testimony which was volunteered to us by the Senator from North Dakota himself. The committee's investigation did not go back to 1917, but this testimony is in the record, and it parallels other matters involved here. Therefore, the committee deemed it advisable to lay it before the Senate for whatever it was worth.

Mr. WHEELER. With respect to the matter previously referred to, is it not true that out of 153 persons arrested, 152 were convicted?

Mr. LUCAS. Yes.

Mr. WHEELER. Again, let me say to the Senator, who comes from the effete East——

Mr. LUCAS. What is that?

Mr. WHEELER. The Senator comes from the effete East—from Illinois.

Mr. LUCAS. I should like to have a construction of that statement.

Mr. WHEELER. Let me say this to the Senator. Back there in those days the town of Minot and some of those towns were pretty tough towns, notoriously so. They have greatly improved in recent years all through that section of the country.

Mr. LUCAS. The improvement even extends into Montana.

Mr. WHEELER. Yes; it even goes into Montana. I could tell the Senator some stories about that section of the country. When I was prosecuting attorney myself out there I prosecuted some of these cases.

Mr. LUCAS. The Senator is not going to take too much time?

Mr. WHEELER. No. But I wish to say this: If a prosecuting attorney went into one of those towns to arrest bootleggers and gamblers and prostitutes and "honky-tonks," he would have to take a guard with him to protect him in those days. He simply had to take a guard with him to protect his own life. The decent people of those communities were all for cleaning them up. The church people and the best people in those communities were for cleaning them up; but in many instances they were run by a tough crowd. Tough measures had to be taken to clean them up. In the early days in Montana, in order to apprehend horse thieves, we had vigilantes. They did not operate strictly according to the constitution of the State of Montana or of the United States; but for many years they were looked upon as among our leading citizens, and many of them were elected to high offices.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CHANDLER. I wish to take issue with the statement of the Senator from Montana. I have no doubt that he knows a great deal about Montana, but I do not believe he knows any more about North Dakota than I do. The towns in North Dakota to which reference has been made were not tough 20 or 25 years ago. They were very good towns; and 25 years ago there was no more excuse in North Dakota for a prosecuting attorney breaking the law than there is for prosecuting attorneys breaking the law today. There are legitimate and legal ways to conduct raids, and there are illegal ways to do it. There is no excuse for a Commonwealth attorney, sworn to enforce the law, to override the citizens because he has the authority to do so. There is no excuse for it today and there was no excuse for it in North Dakota then.

Mr. WHEELER. Mr. President, of course the junior Senator from Kentucky knows much more about Minot, N. Dak., than I do. I have tried law suits and prosecuted cases all over that section of the country. I think I know something about Minot, N. Dak., 25 years ago. Perhaps I do not, but I think I do. Twenty-five or thirty years ago Minot, N. Dak., was one of the toughest towns of the Northwest. Some of the toughest characters in the world were congregated in towns in the Northwest. Those towns were being settled by people from Kentucky and Illinois. Many of the worst crooks in the country gathered there for the purpose of picking off the innocent farmers who came out there from Kentucky and Illinois to settle. They did pick them off. They robbed them and stole from them. They established bootlegging joints, "honky-tonks," and other such places. It required a great deal of courage to go in there and stop horse thieves, pickpockets, and other disreputable characters who congregated in those towns to rob the people who came out from the Middle West.

Mr. CHANDLER. Of course, if the Senator goes back 30 years or more he goes back before my time. I do not profess to know anything about the conditions then. A man practicing law in Montana and occasionally visiting North Dakota would not have much opportunity to know the conditions in North Dakota. I played baseball in that section of the country in the summer time, and visited all those towns. They were very good towns. Down in my part of the country if law officers should break into people's houses, close up their stores, and lock them up without warrants, many otherwise good people would become bad.

Mr. LUCAS. Mr. President, I am a little surprised at the Senator from Montana taking the position he has taken, in view of the fine work he did in breaking up the Daugherty gang some few years ago. The two positions simply are not consistent. He now says that it was all right for law officers to do what has been described, because it was done in the "wild west" country. The case of Daugherty and others was a little different. The Senator felt differently then; but he rendered magnificent service, and I am very proud of him for it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. I have heard a great deal about "honky-tonks." What is a "honky-tonk"?

Mr. WHEELER. It resembles some of the places down in the coal fields of Harlan County, Ky.

Mr. BARKLEY. The Senator from Montana is not testifying about Harlan County from ever having been there himself, is he?

Mr. WHEELER. I have only read about them.

Mr. CHANDLER. Mr. President, the Senator appears to know what a honky tonk is, so he must be from either Massachusetts or Montana. I do not know what it is. [Laughter.]

Mr. LUCAS. Mr. President, notwithstanding the defense by the Senator from Montana of lawless practices in the Northwest, I wish to read what happened in the raid to which reference has been made:

> In connection with the raid and following the arrest of the respondent for inciting a riot, he was also arrested for seizing the telephone lines
>
> Respondent claimed that the violators of law would telephone all over town the moment one raid was started and tip off all the other places. He testified on page 487 of the hearings as follows:
>
> "Well, of course, I was in that raid, and in that raid it was necessary to stop that telephone. I myself went up with three men with guns and took possession of the local telephone booth, and while we were in there the lawyer for the telephone company, Mr. L. J. Palda, got a bunch of fellows with guns to come up there and throw us out. Well, it was 54 minutes from the time we took the telephone before they got in, and by that time the raid was pretty well over and we surrendered it to them."

That was another voluntary statement on the part of the respondent.

I do not know a great deal about the Northwest. It may be necessary out there to use strong-arm methods. It may have been necessary to seize that telephone line. It may have been necessary for four men to go in there with guns and prevent the local telephone office from giving service. That may be law and order. That may be the way law is enforced in the Northwest. It is not the way we enforce it in Illinois.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHEELER. Is the Senator talking about Chicago, or Illinois. [Laughter.]

Mr. LUCAS. Of course, the Senator has been in Chicago a great many times.

Mr. WHEELER. That is correct.

Mr. LUCAS. He was there in 1940; and he was very much interested in Chicago at that time.

If he has much more to say about my State, I may have to join with him in the discussion of it in which we have been engaged two or three times on the floor of the Senate. I have learned some facts since the last time I discussed it. I should like to discuss the matter with him again some day.

Mr. WHEELER. If the Senator has any facts which he wishes to discuss on the floor of the Senate with reference to Chicago or with reference to me, I shall be glad to take up that discussion with him at any time and place he wishes.

I admit that in the early days, 25 years ago, we had some pretty tough characters in Montana; but they were never any tougher than those who have been present in Chicago for a long time. We

have never had any tougher people anywhere, even in the toughest parts of the State.

Mr. LUCAS. Mr. President, I am proud of Chicago; although I live downstate. I am proud of the State of Illinois.

Mr. WHEELER. The Senator has a reason to be. My wife comes from there, and I am proud of Illinois. It is a good State.

Mr. LUCAS. It is fortunate for the Senator that she does.

Mr. WHEELER. Undoubtedly so.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. SCHWARTZ. At the time referred to Attorney General LANGER and a large number of detectives went up to Minot to clean up the place. Incidentally, I notice that one of his men was killed before they got away. However, that is not what I wish to discuss.

Senator LANGER says, on page 486:

> Well, we drew the papers; while we were up there, during those 3 weeks, I rented at that time three different houses.

I was wondering what was meant by the statement, "We drew the papers." What kind of papers are referred to? Were they search warrants?

Mr. LUCAS. I cannot tell. I presume so. The only thing I am discussing is this testimony of Senator LANGER himself, which is characteristic of his testimony and actions throughout. I am discussing the fact that he seized the telephone lines without any legal authority. I am discussing the Senator's own statement that he went up to the telephone station with three other men, with guns, and took over the telephone station while his detectives were making the raid. He was complaining about others violating the law. He was seeking to apprehend certain persons for violating the liquor laws, and he, himself, with three other men, all with guns in their hands, went into the telephone station and took it over. He was elected for the purpose of enforcing the prohibition laws, among others. In order to enforce the prohibition laws he, with three other armed men, took over the telephone station and would not permit a single telephone message to go through those lines while the raid was being made.

I present this case merely because Senator LANGER presented it, and because it is characteristic of his tactics in all these matters. From the time he started practicing law until 1940 he was a law unto himself. The laws of North Dakota did not mean anything to him. The evidence is full of such examples.

The Senator from Wyoming is an able man. He is a reasonable man. If he condones a thing of that kind, then I cannot agree with him.

Mr. SCHWARTZ. The examples cited are used as a basis for putting a man out of the Senate. The incident referred to happened in 1915, under a condition of armed lawlessness which existed at that time. In many other places in the West—perhaps not quite so recently—we never did have law and order until we organized vigilantes and got rid of crooks, gamblers, horse thieves, and cattle thieves.

Mr. LUCAS. I presume that those people who owned the telephone line were fairly reputable individuals.

Mr. SCHWARTZ. I agree with that; but probably the armed gang which came in a few hours later and put out Senator LANGER and the detectives were not very reputable citizens.

Mr. LUCAS. No; but they were taking back what they were entitled to in the first instance.

Mr. SCHWARTZ. I can appreciate the fact that in some communities law officers would have gone in with happy smiles and with no guns or ammunition on them. They did not go in there with the idea of shooting up the telephone facilities. They had their guns on them because they knew what kind of a gang they were up against.

Mr. LUCAS. The Senator can condone such action if he so desires. It is perfectly all right with me.

Mr. SCHWARTZ. Let me assure the Senator that I fully realize that the Senator is merely trying to develop the facts.

Mr. LUCAS. That is all.

Mr. BONE. Mr. President, may I ask for the date of this occurrence?

Mr. LUCAS. It grows out of the same incident to which reference has been made.

Mr. BONE. I should like to ask the Senator from North Dakota what year it was.

Mr. LANGER. 1917.

Mr. SCHWARTZ. The raid took place in 1915.

Mr. BONE. Were there any subsequent legal steps? Was action of any kind taken afterward?

Mr. LANGER. Yes.

Mr. WHITE. Were any legal proceedings instituted against Senator LANGER because of this incident?

Mr. LUCAS. Yes. Let me read:

> Respondent was again prosecuted, according to his testimony, by five lawyers who were hired by the telephone company. He was still the attorney general. It took some time to try the case, but once again the respondent was acquitted. But as the respondent said, "It didn't help my reputation any," and with these undisputed facts volunteered by the respondent, the committee can readily understand why it affected the respondent's reputation.

The telephone company prosecuted Senator LANGER. He was again acquitted. This is another chain in the link of circumstances to support the charge of moral turpitude over a considerable period of time until 1940. I can agree that these incidents standing alone may mean nothing; but, considered collectively, I think we shall be able to show that the chain of events is of a sufficiently substantial nature to exclude Senator LANGER.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BONE. I think that one of the difficulties—it is certainly one of the emotional difficulties—in this problem arises from the fact that a charge has been submitted to a court and a jury, and the court has decided that there is no basis to the charge, and that no crime has been committed. The difficulty which I know some Senators confront arises from the question whether or not, a court having passed on the matter and having found no offense committed against the law, the Senate should now deem the charge sufficiently grave to warrant thrusting a Senator from this body. The court has already passed on the matter and has said that no offense was committed against the Commonwealth in which he lived. Such a situation presents something of a problem for me or for anyone else. We attempt to take this case and the other cases and sit in judgment on them, knowing that a court, and perhaps a jury, or even the supreme court of Senator LANGER's State, have passed judgment on them, and have said that no offense was committed against the laws of that Commonwealth.

Is it a part of our duty now to pass judgment on such matters? They are all res adjudicata by every standard that we lawyers understand. They no longer exist in contemplation of law; and yet suddenly we have these matters presented to us, although they have previously been presented to courts and juries, which have declared that there was no basis for the charges.

What is the point? Is it felt that we should undertake to try the charges again?

Mr. LUCAS. I have attempted in my limited way to tell the Senate why the charges are presented here. One after another we brought in the particular charges which we are now discussing, because they were volunteered by Senator LANGER himself in the testimony; and the majority of the members of the committee thought it advisable to lay them before the Senate and let the Senate draw its own conclusions.

So far as the argument made by the Senator from Washington with respect to res adjudicata is concerned we shall submit a brief upon that question when we reach the law of the matter. The difficulty is that many Senators are anxious to get far ahead of me in the discussion of these points. That is perfectly all right; I can understand it; but several days will be required to discuss the legal questions alone involved in this very, very important case.

I thought it was our duty to lay the questions of fact before the Senate. If they do not mean anything, all right. I did not want to take any more time than necessary. I should like to finish with the matter as soon as I can. I have a duty to perform. Whether or not one particular case may mean anything to any Senator is a question. It may not. It may mean something to another Senator.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Delaware.

Mr. HUGHES. I certainly have no intention of criticizing the Senator. I think he is attempting to do his duty, and is able to do it. His motives are always unquestioned However, it seems to me that as he presents his case and

refers to Senator LANGER and others, unless we take it up and follow the evidence we shall more or less lose track of it. As I understand, with respect to the charge now under discussion there is no evidence except Senator LANGER's own testimony.

Mr. LUCAS. That is correct.

Mr. HUGHES. I do not know what the junior Senator from Kentucky [Mr. CHANDLER] knows about North Dakota; but he gave it a pretty clean bill of health by saying that the statements which had been made about North Dakota were unfounded, and that it was a splendid, peaceable State. He did not use those terms, but that is the conclusion to which he would lead us. He said that the Senator from Montana [Mr. WHEELER] had made unjust criticisms about the State. The only evidence we have to depend on is the evidence of Senator LANGER. As I recollect, he spoke of having been arrested, and so forth, fixing the bail, and so forth. He said:

> Then I was arrested for seizing the telephone lines. In the meantime, why, my chief man up there, Kerze Gowan, who had charge, was my right-hand man, they caught him and killed him. He never had a chance for his life at all. He was just out a little ways north of town checking up on some automobile tires. He was killed, and at the same time they killed a policeman in town who was a friend of mine, by the name of Rutherford. He helped us.

I refer to that incident as indicating to my mind that it was not a very peace-loving town and that the suggestion was made by an attorney general that it was rough and was hard to deal with.

I noticed, also, somewhere in the report of the evidence, the statement that when Senator LANGER ran for Senator the people of the State did not know of all these things, but that they have been brought out since. Yet, taking his own evidence—and we must depend on that—he says:

> The trial woke up the whole neighborhood.

I suppose I should be justified in drawing the conclusion that the people of North Dakota knew all about the things which took place there and had them in mind when they voted for him as Senator.

Mr. LUCAS. Following the case of arrest for seizing the telephone lines, your committee directs the attention of the Senate to chapter 6, entitled "Respondent Calls Out National Guard and Declares Martial Law in Open Defiance of Federal and State Courts." The report states:

> In 1934 respondent, along with a number of codefendants, was convicted in the Federal court of North Dakota for corruptly administering and procuring the administration of certain acts of Congress. Respondent was convicted and sentenced on June 29, 1934, to serve 18 months in the United States penitentiary and fined $10,000 as a result of the trial in question. The Circuit Court of Appeals for the Eighth Circuit, on May 7, 1935, reversed and remanded the cause for a new trial on the grounds that the evidence was insufficient to sustain the conviction.
>
> At the time of the conviction, Ole Olson was the duly chosen Lieutenant Governor of the State. He, as Lieutenant Governor of the State, caused to be filed a proceeding for ouster with the Supreme Court of North Dakota. The court reached its decision on July 17, 1934, but did not file its ouster order until the following day. Prior to that time, on July 12, 1934, the respondent had called a special session of the legislature to meet on July 19, 1934, requesting in said call, among other things, that the legislature investigate the trial and conviction of the respondent.
>
> Respondent also on the night of July 17, 1934, at 10:30 p. m., called a group of his friends and supporters to the Governor's office in Bismarck, N. Dak., and signed a self-styled declaration of independence for North Dakota. On page 629 of the hearings, the following colloquy took place:
>
> "Mr. MCGUIRE. What did you mean by this declaration of independence?"

Before I read the answer I should like to have the Senate understand that the declaration of independence, signed by Senator LANGER and 8 or 10 other individuals in North Dakota who were his friends, was signed at 10:30 o'clock on the night of July 17. That was the day when the supreme court of the State was in session, and had made a decision that he should be ousted as Governor as a result of his conviction for violation of the Federal acts. The order of ouster was not entered until the following day, but the declaration of independence and the declaration of martial law for the State of North Dakota were signed practically simultaneously by the then Governor LANGER, at 10:30 on the night of July 17, the day before he was to be ousted as Governor of the State.

LANGER, in response to a question, said:

> It meant when I was ousted as Governor and when the conviction was reversed there was a nucleus for going out and putting up one great, big fight to be reelected to the office of Governor of North Dakota.

He knew he was going to be ousted; but, nevertheless, he called for the declaration of independence, which I cannot construe to mean anything other than virtual secession. At any rate, he called for it after he knew he was to be ousted. He then declared martial law, after he knew he was to be ousted by the supreme court—

> Senator LANGER. It meant when I was ousted as Governor and when the conviction was reversed there was a nucleus for going out and putting up one great, big fight to be reelected to the office of Governor of North Dakota. I might say that was the nucleus right there. What we started out, right after the ouster, seeing to it that I got back into the Governor's chair. I got there 2½ years after that.

That was his answer. That was the reason why he issued a declaration of martial law; that was the reason he signed the declaration of independence—to get back into the Governor's chair 2½ years later. He got there.

That is what he gave as his reason for it. Think of it!—calling for a declaration of independence, issuing a proclamation of martial law, and suspending the service of civil process, which is one of the foundation stones of all liberty. He did that for the purpose of laying the foundation to get back into the Governor's chair.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I will yield in a moment.

> At the same time the so-called declaration of independence was issued, respondent had the audacity to declare martial law, suspending and preventing civil process, a copy of said declaration being as follows—

I want the Senate to listen to the declaration of martial law which was issued at that time. It is one of the most important documents in this case from the standpoint of what the majority of the committee is attempting to do by way of giving the Senate a full explanation of what moral turpitude really is. It is another case where the law was disregarded; the question of law and order in this particular instance, the question of attempting to follow what should have been done under the law, meant absolutely nothing to this respondent; he was going to win, regardless of how he did it. Here is the declaration:

> Whereas an emergency has arisen throughout the State of North Dakota and there is imminent danger of tumult, riot, and breaches of peace throughout the State; and
>
> Whereas there has already been called to my attention by the civil authorities that mobs are beginning to assemble, and that a mob is at present assembled at the capitol building, and peace and order is being threatened, and the situation is becoming more serious hourly; and
>
> Whereas I believe that it is necessary to declare martial law and call out the military forces of the State in order to execute the law, suppress insurrection, and prevent rioting, and have reason to believe that unless martial law is declared there will be rioting, bloodshed, and possible loss of life:
>
> Now, therefore, I, WILLIAM LANGER, as Governor of the State of North Dakota, by virtue of the power invested in me by the constitution of the State of North Dakota and the statutes thereof, do hereby declare martial law within the State of North Dakota, and do hereby order out the active militia, known as the National Guard, the military forces of the State of North Dakota, to suspend and prevent the service of civil process and unlawful assemblies, and prevent disorders, and carry out the purpose and intent of the proclamation and order, according to the customs and law applicable in martial law, and to carry out such further orders as may be by me issued as commander in chief of the military forces of this State.

Here is a man who with only a few hours to serve as Governor of his State, the great State of North Dakota, notwithstanding the opinion of the Senator from Montana to the contrary—not a lawless State but a State made up of good people—issues a declaration of martial law suspending civil process.

Mr. President, it is difficult for me to understand such an act. If I were Governor of a State, under those circumstances, I could not do such a thing. I would not have the audacity and temerity and the nerve, in order to prevent an ouster proceeding against me, to suspend civil process by declaration of martial law.

There cannot be found many declarations of martial law which entirely suspend civil process. Whenever civil process is suspended the foundation stones of government are undermined. When an order of that kind is issued by a Governor to prevent the serving of process upon himself in an ouster proceeding, Mr. President, a sad picture is presented to the people of this country.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. I am a little confused about the statement made on page 53. Am I to understand that what caused the Supreme Court of the State of North Dakota to act was the fact that Mr. LANGER had been charged and tried and convicted before the United States Federal court?

Mr. LUCAS. That is correct.

Mr. ELLENDER. As I understand, that conviction was afterward set aside by the circuit court of appeals?

Mr. LUCAS. That is right; on May 7, 1935, it was reversed.

Mr. ELLENDER. At the time Governor LANGER had signed this order for martial law had the circuit court already acted?

Mr. LUCAS. No; it had not. This was in July 1934; the circuit court of appeals did not reverse the case until May 1935, and it was reversed at that time on the ground that the evidence was insufficient to sustain the conviction.

Mr. ELLENDER. When Governor LANGER signed this order for martial law he was, of course, still Governor?

Mr. LUCAS. Oh, yes.

Mr. ELLENDER. And the office was taken over by the Lieutenant Governor at a later date?

Mr. LUCAS. Mr. LANGER had about 30 minutes left to serve.

Mr. ELLENDER. The ouster proceedings were initiated by the Lieutenant Governor who would succeed the Governor the next day?

Mr. LUCAS. The Lieutenant Governor caused the ouster proceedings to be filed in the supreme court. The court was meeting on July 16 and 17, and the decision was handed down late that afternoon. The ouster order was not really entered until the following day, but, between the time of the filing of the decision and the actual serving of the ouster order upon the Governor, the declaration of martial law was made, as well as the declaration of independence.

Mr. ELLENDER. How was the ouster proceeding begun? Was the proceeding initiated against the Governor?

Mr. LUCAS. A proceeding was filed with the supreme court by the Lieutenant Governor, Mr. Olsen, as I understand, asking that the Governor be ousted.

Mr. ELLENDER. It appears that the judges of the supreme court at this time were against Senator LANGER? As I understood a whole ago the Senator charge that Senator LANGER had control of the courts, but evidently he did not have.

Mr. LUCAS. The Senator can bring that in, if he wants to.

Mr. ELLENDER. The Senator made the charge a while ago, and I just wanted to bring out one instance to the attention of the Senate when Mr. LANGER did not have control of the courts.

Mr. LUCAS. I thank the Senator. I know he wants to be helpful to me in this case.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BANKHEAD. I understood the Senator to say that the declaration of martial law and the suspension of civil process was issued about 30 minutes before Mr. LANGER left the Governor's chair?

Mr. LUCAS. That was wrong; I will not say 30 minutes; I said that rather in a facetious way. The order was issued about 10:30, but the exact hour when the supreme court handed down its decision the next morning, when the ouster order was made, I am unable to state.

Mr. BANKHEAD. I have not read the record as to the reason for suspending the process such a short time before his term expired.

Mr. LUCAS. I will read it. It is in the report, and I thank the Senator for the suggestion. It is very interesting. On page 629 of the hearings the following colloquy took place in regard to mob action and the declaration of martial law. Mr. McGuire was interrogating Senator LANGER:

Mr. MCGUIRE. There was mob action in the city of Bismarck, was there not?

This was after the declaration of martial law, which specifically stated that there were mob gatherings in various parts of the State.

Senator LANGER. There was what?

Mr. MCGUIRE. There was mob action; at least, there were disorders.

Senator LANGER. There was not. There was no mob action in Bismarck.

Mr. MCGUIRE. No disorders?

Senator LANGER. No, sir.

On page 630 of the hearing Mr. LANGER testified:

I might add just as soon as that was issued—

Meaning the declaration of martial law—

I went down there and I was in the balcony. There wasn't any mob there.

Mr. President, it is rather difficult for me to understand how the Governor of the sovereign State of North Dakota could make a statement of that kind, in view of the fact that the declaration of martial law which had been issued said that mobs were forming rapidly in all parts of the State.

Mr. AIKEN. Mr. President, may I ask the Senator from Illinois a question?

Mr. LUCAS. I yield.

Mr. AIKEN. The Senator read where the Governor said there were not any mobs there. But he then goes on to say there were two or three thousand people gathered there. Was there not a possibility that they would become a mob?

Mr. LUCAS. The Senator can read that into the record, if he so desires. I am not drawing any inference as to whether there were any mobs there.

Mr. AIKEN. At the same time and Senator LANGER said two or three thousand people were gathered there.

Mr. LUCAS. The Senator is privileged to read that; I will give him the opportunity to read it into the record, if he so desires. I am taking only what the Senator said, that there was no mob there, that he went to the balcony and looked over. I do not know whether they had a meeting there of some kind, or who was responsible for it.

Mr. AIKEN. The testimony was to the following effect:

There were perhaps 2,000 or 3,000 citizens there, who had come in from different parts of the State. I gave them a speech, and I told them that we did not want any rioting, we did not want any mob action in North Dakota. The fellows from the county came up with a band of farmers down there, what they called the Swede Township Band, and they played some music, and they also had what they called a little Dutch band that some other folks had brought in, and they played inside of the Patterson Hotel. Mr. J. K. Murray gave a speech. That crowd wanted to see Mrs. Langer. Before we got through we really had a very, very great, big political meeting.

It looks to me as if possibly Governor LANGER averted mob action by making the speech he delivered to the two or three thousand people there.

Mr. LUCAS. The Senator can place any interpretation he desires upon the statement, but the mobs about which I have read never gathered with bands; they usually gathered with knives and guns and pitchforks and other weapons. They generally did not provide entertainment by bringing in all the bands they could find in the section. This was a political meeting, just as the Senator has stated, and everyone went home happy. He said there was no mob.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BANKHEAD. I must confess that my mind is not very clear on the subject about which I inquired. It is my understanding from what has been stated that the supreme court was considering proceedings for the ejection of Governor LANGER as Governor, and that he had only a very short time to serve. Is it the Senator's theory that martial law was declared and the right of civil process was suspended by Governor LANGER in the expectation that within a few hours the supreme court would evict him?

Mr. LUCAS. That is correct.

Mr. BANKHEAD. It was a rush, was it, between the supreme court and the expiration of the Governor's term?

Mr. LUCAS. That is correct.

Mr. BANKHEAD. It is the theory that although he knew he was going out, he was trying to avoid the service of judgment by the supreme court?

Mr. LUCAS. That is correct.

Mr. BANKHEAD. Which had not been rendered, but which he anticipated?

Mr. LUCAS. That is correct.

Mr. LA FOLLETTE. Mr. President, will the Senator clear up one point for me?

Mr. LUCAS. I shall be glad to, if I can.

Mr. LA FOLLETTE. I understood the Senator to say, in response to a question propounded by the Senator from Alabama, that it was the Senator's contention that Governor LANGER issued this order creating martial law for the purpose of preventing the service of the supreme court ouster order upon himself.

Mr. LUCAS. That is my contention.

Mr. LA FOLLETTE. Then what happened? Was civil process suspended, or did the National Guard interfere, or was the Governor ousted?

Mr. LUCAS. I will come to that.

Mr. LA FOLLETTE. Pardon me; I thought the Senator had concluded upon that point.

Mr. LUCAS. I shall reach that in a moment. I read from the report:

Your committee directs the attention of the Senate to the important fact that the self-styled declaration of independence, the declaration of martial law, and the ordering out of the active militia, known as the National Guard, by the respondent, was around the hour of 10:30 p. m., on the day of July 17, 1934. This was after the Supreme Court of North Dakota had finished the 2-day session in connection with the ouster order against Senator LANGER. It was finally understood that evening that the supreme court had reached a decision that Governor LANGER should be ousted, and the next day an order of ouster was so signed.

Your committee holds that the basis for these various declarations—

Speaking of the declaration of martial law and the declaration of independence—

is not justified by any proof. The fact of the matter is that the proof, according to the respondent's own statement, as submitted above, is to the contrary.

Your committee is also tremendously concerned with that part of the declaration of martial law suspending and preventing the service of civil process. Respondent contemplated the use of military force to make effective this most extraordinary remedy. Respondent's irrational actions in his last moments as the highest public official of a sovereign State was a serious challenge to the fundamentals which nurture and protect this Republic.

Your committee considering all facts, is justified in reaching this conclusion, that the declaration of suspension and prevention of civil process was declared by the respondent for his own immediate protection. The question was squarely presented to the respondent upon cross-examination:

"Mr. MCGUIRE. And you, in this calling of martial law, had suspended the civil process, had you not?

"Senator LANGER. Yes, sir.

"Mr. MCGUIRE. Was it your intention to prevent the service of the ouster order upon you?

"Senator LANGER. Well, I do not know that I gave that any particular thought at that time."

With an opportunity for an unequivocal denial upon this crucial matter, respondent evaded the question.

Your committee, after a careful examination of this disgraceful episode, finds desperation in every link of this evidentiary chain. LANGER was Governor. He was a king who could do no wrong. He would defy the highest court of his State with force. Respondent throughout his career had little use for law and order, but in attempting to prevent and suspend civil process upon himself he reached the high point in his continuous belief that might is superior to right.

This strange course of conduct is justified by the respondent upon the ground that he was continuously being persecuted by his political enemies, and especially does he believe he was framed when he was convicted for conspiracy in the Federal court.

Your committee does not agree with the respondent's contention upon that question, and the upper court in remanding said cause for a new trial said nothing about this point; but if your committee did agree with that premise, it does not justify tyranny and despotism on respondent's part in recrimination. Decent and law-abiding citizens of a free nation cannot agree with such a premise and still maintain the free way of life.

Let me say to the Senator from Wisconsin that what happened in this connection was, as the evidence shows, that the following day the Senator left Bismarck, N. Dak., and went to a cabin in the woods a mile or so away. He had called out the National Guard to suspend civil process and carry out the other provisions in the declaration of martial law. However, the individual at the head of the guard, the adjutant general, whose name I have forgotten for the moment, instead of following the advice of the respondent in this case, went to a lawyer friend and laid the facts before him, and the lawyer friend told the head of the guard not to comply with the order. That is what the evidence shows. The attorney general was not consulted in the case. The attorney general was a man by the name of Strutz, as I remember, and was a friend of the respondent.

Mr. AIKEN. In reference to the statement that that is what the evidence shows, will the Senator from Illinois tell us where we will find that evidence in the hearing?

Mr. LUCAS. That is my recollection of the evidence. I cannot find the exact place, but if I am incorrect in my statement I certainly desire to be corrected. I stated it as I remember it. I might yield to the Senator from Vermont [Mr. AUSTIN] and ask if he recalls it as I have stated it?

Mr. AUSTIN. Mr. President, my recollection is the same as that of the Senator from Illinois, but I cannot at the moment give the page. I will find it, however, if the junior Senator from Vermont desires to have it.

Mr. LANGER. It is page 632.

Mr. LA FOLLETTE. If the Senator will permit me, I do not know what other testimony there may be on the point, but, insofar as Governor LANGER's testimony is concerned, I read from page 632, where he seems to have been under cross-examination or direct examination, I do not know which, by Mr. McGuire. If the Senator will permit me, this is what appears in this connection:

Mr. MCGUIRE. But the order—

Referring, I assume, to the order for the creation of martial law.

But the order had not been served on you in the meantime, had it?

Senator LANGER. No; it was served the next day.

Mr. MCGUIRE. The adjutant general of the State of North Dakota refused to obey this call, did he not?

Senator LANGER. No, no. The adjutant general certainly obeyed me as long as I was Governor, as long as I was acting as Governor. He telephoned, as I remember it, to Attorney Ed Conway, a fraternity brother of his, and he was advised to follow whoever the supreme court said was Governor of North Dakota, and that is what he did. He obeyed me until the supreme court said Mr. Olson was Governor, and then he obeyed Mr. Olson.

Mr. MCGUIRE. So civil process was not suspended, the National Guard did not come out, and there was not civil insurrection in North Dakota?

Senator LANGER. That is right.

Mr. LUCAS. That is substantially correct. In other words, the declaration of martial law was issued and the Guard was called out upon the theory that there were mobs, that there were riots, that there were people inciting to riot, and that there was trouble throughout the State. That is what the declaration said. Who could be affected in the last few moments of the Governor's term by the suspension of civil process other than the Governor himself?

Mr. CLARK of Missouri. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. As I understand, these matters all took place at the conclusion of Mr. LANGER's first term as Governor, at the time he was removed. Is that correct?

Mr. LUCAS. Not at the conclusion.

Mr. CLARK of Missouri. I mean, just before he was removed?

Mr. LUCAS. He was Governor of the State in 1934 when this happened.

Mr. CLARK of Missouri. It was his first term of service as Governor?

Mr. LUCAS. Yes.

Mr. CLARK of Missouri. These matters must all necessarily have been matters of common notoriety throughout the State, must they not?

Mr. LUCAS. There is no doubt about that.

Mr. CLARK of Missouri. Then it is a fact that Mr. LANGER was elected both Governor and Senator, in separate elections, after these matters had all occurred?

Mr. LUCAS. That is correct.

Mr. CLARK of Missouri. And they were made an issue in both campaigns, were they not?

Mr. LUCAS. I presume they were. There is not much doubt about this kind of thing being made an issue in the campaign, because it was public knowledge. There is no doubt about that at all. It is another matter which the investigators in this case did not bring forth, and the subcommittee did not bring it forth. But it was a matter brought out upon cross-examination, because the latitude was wide upon both sides, and the matter seemed to the committee to be very important.

Mr. CLARK of Missouri. Does not the Senator believe that when the people of a sovereign State of this Union have twice had the opportunity of passing on such matters as that, the statute of limitations runs?

Mr. LUCAS. I thought that in 1926 when the Senate ousted Frank Smith. The people of Illinois passed upon that issue. The Senator will recall that the Reed Committee sat here for some time, and brought in an indictment against Frank Smith, which went back to the people of Illinois in the fall, and was publicized all over the State. There was an independent candidate who ran upon that issue. Notwithstanding the fact that the people of Illinois knew all about it, they gave Frank Smith a majority of some 80,000 votes, and yet the Senate ousted Mr. Smith.

Mr. CLARK of Missouri. Mr. President, I do not wish to take up the Senator's time in argument, but it does not seem to me there is any similarity between this case and the Smith case. Frank Smith, as I had always understood, was refused the right to take the oath of office in the United States Senate on the ground that his whole election was so completely shrouded with fraud as to vitiate it, and the Senate held he had no

right to sit, because his election was founded in fraud. Then when he resigned and was appointed by the Governor and came back here, the Senate held that since he had no right to his seat in the first place, a vacancy could not be created for which the Governor could appoint him to the Senate.

Mr. LUCAS. Mr. President, the Senator's statement of facts in regard to the Smith case is incorrect. The fact is that Smith won in the primary over Senator McKinley, who was then the sitting Senator. McKinley died about a month after the primary, and Frank Smith, having defeated McKinley, was appointed by Governor Small, and came here with his credentials bona fide, but the Senate would not permit him to take the oath as a Senator because of what happened in the primary. There was no election involved in that case at all. There was only the question of moral turpitude involved. That is all one could call it. There were no election frauds of any kind or character connected with his appointment. That particular case had nothing to do with the election in the fall.

Mr. CLARK of Missouri. Mr. President——

Mr. LUCAS. The Senator is talking about the people having passed upon this issue. That is correct. The people have done so. They knew about this issue in North Dakota, the case I am discussing here. The only point of similarity I am making with the Smith case is that the people knew about the Smith case in Illinois when the people passed on it in the fall. Therefore I say, so far as the people passing on such a question is concerned, the Senate both in the Vare and the Smith cases, said, "That makes no difference. If there is corruption, if there is moral turpitude, regardless of what the people said, the integrity of the United States Senate is still involved."

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for one word more?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. The very essence of both the Smith case and the Vare case was the fact that there had been fraud, and that the whole election was surrounded by fraud; that the people had not had a fair chance to act, and that the whole business was vitiated by the general atmosphere of fraud.

Mr. LUCAS. The Senator is completely wrong about that, and I am going to discuss it later in the legal argument, because those, I repeat, are not the facts. I will discuss the Smith case at some length later.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. AIKEN. Had the people an opportunity or did they pass upon the Frank Smith case after the matter of fraud was laid before them; and, if so, in what way? Did Smith run for election again after it was brought out that he was guilty of fraud?

Mr. LUCAS. What happened in the Frank Smith case was simply this: He was chairman of the Illinois Commerce Commission in the spring of 1925 or 1926, and Samuel Insull, then the utility magnate and baron of that industry in the country, donated to the campaign manager of Frank Smith $125,000 for use in the campaign, and the manager spent it in Illinois. That was the basis for the ousting of Frank Smith, finally.

Immediately after the primary, Senator Reed was appointed as chairman of a committee to investigate elections throughout the country. He discovered what had happened in Illinois, and when that situation was discovered it was laid before the Senate. It was laid before the Senate when Frank Smith came here on the Governor's appointment within 90 days after the primary. There was no election involved at that time. It was merely an appointment, and the Senate took the position that because of the donation of $125,000, under the certain peculiar circumstances involved, the Senate would deny Smith the right to sit in the Senate, and would not permit him to take the oath. The Senate took similar action in the fall, after Frank Smith was elected by 80,000 votes in my State. The Reed report was published in the newspapers of every State in the country; everybody knew the situation; McGill ran on an independent ticket, and made it the issue, citing the Reed report day in and day out. Notwithstanding the fact that the people of my State elected Frank Smith by some 80,000 majority, and he came here with proper credentials the second time, again the Senate, after a lengthy discussion, voted to oust him.

The case of Frank Smith is probably in the annals of Senate history the most prominent one in which the people knew the facts and passed upon the case. They knew that Frank Smith had taken $125,000 from this utility magnate. Notwithstanding that, they said, "We want him to represent us"; but the Senate said, "You cannot have him here. He is tainted with corruption, with moral turpitude," and the Senate ousted him.

Mr. AIKEN. One more question. Was Smith ousted because he accepted contributions of public-utility funds for his political campaign, or was he ousted because the amount of $125,000 was considered excessive?

Mr. LUCAS. No; I do not think the question of excessiveness entered into the question at that time.

Mr. WHEELER. Oh, yes; Mr. President. The $125,000 given by the utility people was not the only question involved. I happened to be in the Senate at that time.

Mr. LUCAS. The Senator from Montana voted to oust Smith.

Mr. WHEELER. That was one of the elements that entered into the question, but it was not the only element that entered into his rejection.

Mr. LUCAS. No; I understand that. The Senate had just before that discussed the Newberry case, and had adopted a resolution.

Mr. WHEELER. The crux of the matter in the Vare case and in the other cases was the excessive use of money. They were ousted because of the excessive use of money.

Mr. LUCAS. I do not agree with the Senator on that phase of the matter. Excessive use of money was one phase of the case; but, if I have read the record correctly, the primary reason for not permitting Smith to take the oath was that at the time Frank Smith was running for the United States Senate he was chairman of the Illinois Commerce Commission, the commission which fixed the rates of all public utilities in that State; that Insull owned millions of dollars worth of public utilities, and had given $125,000 toward Smith's campaign.

Mr. WHEELER. That was one of the prime reasons, there is no question about it, but it was not the only reason.

Mr. LUCAS. No; it was not the only reason. There was involved in the case much other money which came from outside the State. Another utility man from Indiana made a contribution to him, and the Chicago and the Cook County organizations, made large contributions. Some three or four hundred thousand dollars were spent in the campaign.

Mr. WHEELER. What was involved after all was the corruption of the voters of Illinois. That was the real basis for the action.

Mr. LUCAS. Oh, no.

Mr. WHEELER. Oh, yes. When the Senator says it was not, I wish to say that I happen to know it was the reason, and Members of the Senate who were then in the Senate know that the matter involved was the corruption of the voters of Illinois generally, and the other matter was an incident.

Mr. LUCAS. If one can say that excessive use of money corrupts the elections, yes.

Mr. WHEELER. Yes.

Mr. LUCAS. But there was no particular charge of that kind in the campaign, and, whatever the charges in the campaign, the point I am making is that the people passed on the question in the fall, and said, "Regardless of that, we are going to send Smith back to the Senate," and when he came here the Senator from Montana [Mr. WHEELER] and many other Senators said, "You cannot stay."

Mr. WHEELER. That is correct.

Mr. LUCAS. And they voted to oust Smith.

Mr. AIKEN. Then, may I ask, if the Senator from North Dakota, for instance, had accepted contributions of $10,000 or $50,000 or $100,000 of public-utility funds, would that have contributed to his moral turpitude?

Mr. LUCAS. Oh, that is so far away from the question I am discussing that I do not even care to answer it at all. That is not the point at all.

Mr. BONE. May I inquire of the Senator from North Dakota if the private power companies have been active in politics in that State?

Mr. LANGER. What is the question?

Mr. BONE. Have the private power companies been active in North Dakota in State politics?

Mr. LANGER. Yes; they have.

Mr. BONE. It would be a most astounding thing if they have not, but I should like to have that made clear.

Mr. LUCAS. I now invite attention to chapter VII of the committee's report, as follows:

VII

RESPONDENT'S SECOND CONSPIRACY TRIAL PAYMENT OF MONEY TO CHET LEEDOM, JAMES MULLOY, AND GALE B. WYMAN IN CONNECTION WITH THE TRIAL OF CASE

Following the reversal of the conspiracy case against the respondent by the circuit court of appeals, an affidavit of prejudice was sworn to by WILLIAM LANGER and others against Judge Andrew Miller, who was the presiding judge in the original conspiracy case wherein the respondent was convicted.

The affidavit of prejudice so signed by the respondent was made the basis for an indictment of perjury against respondent and three other defendants, all of whom had signed said affidavit

The evidence further shows that Judge A. K. Gardner on October 2, 1935, who was at that time acting senior judge of the circuit court, assigned Federal Judge A. Lee Wyman, of South Dakota, to retry the charges against the respondent and other defendants.

Upon the announcement that Judge A. Lee Wyman had been assigned to try the second conspiracy case, the evidence shows that respondent and one James Mulloy, secretary of the Industrial Commission of North Dakota, and the respondent's close and intimate friend, had a conference in the capitol for the purpose of discussing the strategy to be used in the respondent's defense.

The respondent testified before the committee that James Mulloy had told him he knew a man down in South Dakota by the name of Chet Leedom, in whom Judge Wyman had confidence. After some discussion between the two, it was agreed that Leedom should be contacted for the purpose of employing him in the case. There is a discrepancy in the testimony between the respondent and Mulloy as to just what Chet Leedom was hired to do but, irrespective of who is correct, respondent's action was reprehensible Respondent says in his testimony on page 543 of the hearings that—

"He wanted someone who would be watching the marshal's office and the clerk's office and that if he saw someone tampering with the jury or going in with the jury, it would have to be somebody that the judge had confidence in in case we made a complaint Not just any Tom, Dick, or Harry, or any detective, but it had to be someLody the judge knew. Mr. Mulloy told me Leedom had Judge Wyman's confidence and if he said there was something wrong, some tampering, the judge would believe him.

Upon that basis the respondent says he told Mulloy to go down to South Dakota and see if he could employ Chet Leedom. The testimony of Mulloy before the investigators and the committee is at a variance with the statement made by the respondent. Mulloy testified that he discussed with the respondent the appointment of Lee Wyman as the Federal judge to try the case against respondent, and Chet Leedom's close connection with Judge Wyman. Mulloy testified that there were several meetings and talks with Governor LANGER about this matter. Mulloy advised respondent that Leedom was responsible for the making of Lee Wyman a Federal judge and there is corroborating evidence to support that contention. At least, Leedom was one of the main cogs in the South Dakota political machine at that time, as well as being a close friend and neighbor of Judge Wyman.

It was agreed, so Mulloy testified, that he would attempt to locate Leedom, with the view of meeting him thereafter for an interview in order that this entire matter might be laid before him. Following that, Governor LANGER and Mulloy drove to Mandan, N. Dak., where a long-distance telephone call was made to Leedom. They located him in Deadwood, S. Dak., and after that conversation and a few preliminary arrangements between Frank A. Vogel, the respondent, and Mulloy, the latter left that night in a car belonging to Frank A. Vogel, one of the codefendants in said conspiracy case, and arrived the following day at Deadwood, S. Dak.

The evidence further discloses that Mulloy met Leedom at the Franklin Hotel in Deadwood, and that they both agreed in that conversation that "LANGER had to be saved." Mulloy requested Chet Leedom to return with him to Bismarck, N. Dak., the next day for the purpose of working out some financial arrangements for his services with the respondent. After Mulloy and Leedom returned to Bismarck, they met the respondent at an eating place known as the Sweet Shoppe. At that meeting, no specific amount, according to Mulloy was to be paid Leedom, but the understanding was that Leedom was to be paid well for his services.

The evidence further shows that Leedom came to North Dakota 1 week before the second conspiracy trial began and remained there approximately 3 weeks until the trial was over; that during that time Leedom represented himself to be a newspaper reporter, and, according to Judge A. Lee Wyman's testimony before the investigators, Leedom was brought to the judge's room by Bert Calkin, the judge's secretary, the second day after the judge arrived, and at that time Leedom told Judge Wyman he was there to cover the trial for the farm holiday paper, and presented a credential card purported to be signed by Milo Reno, who at that time was the leading spirit in the farm holiday movement and Farmers' Union.

The judge further testified that Leedom was in his room at the hotel with his secretary upon one other occasion, and that he saw him at various times in the lobby of the hotel. The judge further testified before the investigators as follows:

"At no time did Chet Leedom or any other person seek to influence me in my conduct at either of the trials which I presided over in North Dakota."

There is a further discrepancy in the testimony between respondent and Mulloy as to the total amount paid Leedom as well as the manner in which it was paid. Mulloy testified positively that most of the money Leedom received for his services, whatever they might have been, was paid by respondent through Mulloy, and that the total amount was, to wit, $1,700 or $1,800 Mulloy also testified that much of this money was paid in $100 bills. With respect to this important phase of the moral-turpitude charge, we find the respondent disagreeing with Mulloy.

Respondent states, on page 545 of the hearing, that he paid Chet Leedom for his services in connection with the second conspiracy trial somewhere between $700 and $800, and no part of this amount was paid with bills of $100 denomination, and that some of it was paid direct to Leedom and some of it was paid through the intermediary Mulloy.

Your committee reaches a very definite conclusion in connection with this testimony, which is most unfavorable to the respondent. There is no question about the employment of Chet Leedom. There is no question about his being in Bismarck before and during the trial for a period of 3 weeks. There is no question about his constant association with the respondent and Mulloy during this time. There is no question but what Leedom was paid at least $700 or $800 by the respondent for doing some kind of service for the respondent in the conspiracy trial. If the testimony of Mulloy is true, Chet Leedom received between $1,700 and $1,800, including the $500 for Wyman, for the peculiar and special service rendered to respondent in said cause.

Regardless of whether it was $1,700 or $1,800; regardless of whether it was $700 or $800, in the first place it is difficult for me to understand why anyone should have to hire detectives to watch the court and jurors. Such a thing is not done in my section of the country. It may be that I am so unfamiliar with the Northwest that I cannot appreciate what they do out there; but, even if it were true, Mr. President, that it was necessary to hire a detective, or two detectives, to watch the court, and to have someone whom the court knew report to the court so that the court would believe what he said and the defendant would obtain a fair trial—even if it were necessary to obtain a man of that type to do that kind of work, for the length of time Mr. Mulloy was working on that case, for some 3 weeks of detective services of that kind, $1,700 or $1,800 is a great deal of money in Illinois, to say nothing of what it might be in North Dakota; $1,700 or $1,800, as testified by Mr. Mulloy, is a great deal of money to be paid for that kind of service. I was a prosecuting attorney for some 4 years, and I could hire the best detectives in Chicago, Springfield, or St. Louis, Mo., for $25 a day and expenses.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Montana.

Mr. WHEELER. I have not read the record, and I am not familiar with it. What was this man supposed to do? Was he supposed to watch the jury to see that nobody tampered with the jury?

Mr. LUCAS. That is correct. To save the Senator's time, let me read what Senator LANGER said as to why he hired this man. Senator LANGER testified that—

He wanted someone who would be watching the marshal's office and the clerk's office, and that if he saw someone tampering with the jury or going in with the jury, it would have to be somebody that the judge had confidence in in case we made a complaint. Not just any Tom, Dick, or Harry, or any detective, but it had to be somebody the judge knew.

Mr. Mulloy told me Leedom had Judge Wyman's confidence, and if he said there was something wrong, some tampering, the judge would believe him.

Mr. WHEELER. I understood the Senator to say a moment ago that he did not know of any place where it was necessary to hire detectives to watch the court or to watch the jurors. He certainly is mistaken about that. I prosecuted cases in Montana in which we not only had one detective but several Government detectives watching to see that nobody got to the jurors to "fix" them. I venture the assertion that the Government of the United States, in every important case it tries, not only has detectives, but first checks up on the jurors to find out something about them, and then checks up very carefully during the trial, if the jury is at large, to see that nothing is done to tamper with the jury. Such is the practice not only in North Dakota, but in Chicago. It is the practice in Boston, New York, and every other large city in the United States. If the Government of the United States did not follow that practice, it would be completely derelict in its duty in the prosecution of cases.

Mr. LUCAS. Let me ask the Senator what such detectives do. What did the

detectives do in the cases to which the Senator has referred, when he hired them?

Mr. WHEELER. They watched the jurors.

Mr. LUCAS. Did not the Senator have confidence in the jurors who were selected?

Mr. WHEELER. I can cite many instances in which jurors have been "fixed."

Mr. LUCAS. I should like to know of a case of that kind. There has been none in my experience.

Mr. WHEELER. The Senator is not so innocent——

Mr. LUCAS. Neither am I so bold as to admit that I know instances in which juries have been fixed.

Mr. WHEELER. I prosecuted two prominent lawyers in my State for tampering with juries. They were convicted, and the case went to the Supreme Court of the United States, where the conviction was upheld. They were fined $500 each. The Senator has lived in and near Chicago long enough so that he is not merely a babe in arms.

Mr. LUCAS. I have not been a babe in arms since I have been associated with the Senator. I have learned much since I have been here.

Mr. WHEELER. The Government of the United States would be derelict in its duty in any important case it tried if it did not watch the jury when the jury is at large. Why do courts lock up juries? When I was prosecuting cases I frequently asked the court to lock up a jury so that during the trial no influence could be brought to bear. Courts lock up juries in Chicago. If there is one place in the world where that should be done it is in Chicago. [Laughter.]

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LUCAS. In just a moment.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield, and, if so, to whom?

Mr. LUCAS. No; I do not yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. LUCAS. The Senator from Montana [Mr. WHEELER] can smear Chicago all he pleases——

Mr. WHEELER. I am not smearing Chicago; I am just stating the facts.

Mr. LUCAS. Yes; the Senator has smeared Chicago. He has the right to do so if he chooses; he can do all the smearing he wants to do, and the Senator can tell us of his wide experience out in the Northwest in employing detectives to help watch juries in which he did not have any confidence, after he had helped select them. He can call me a "babe in the woods"; and perhaps I was such until I came here and met the Senator. In the 3 years I have been here I have learned many things from the Senator.

Mr. WHEELER. I can say that I have learned a great deal from the Senator from Illinois.

Mr. LUCAS. Not very much. I have learned a great deal since I have been here, but before coming here I learned from my experience in handling prosecutions in courts of law. However, I have not yet known of any case—and I have tried many of them—in which a lawyer employed detectives to watch a jury and to report to the court on what the jury did.

I yield to the Senator from Vermont.

Mr. AUSTIN. I desire to say only that I never was a witness to any such thing as has just been described, and I never saw any such thing in my life. But I am a student of jurisprudence, and I have great respect for the highest court in the land. I know that the highest court in the land which I respect as the highest court in all the world, holds definitely that such espionage upon officers of the court constitutes an obstruction to the due administration of justice. The Supreme Court of the United States so held in the case of *Sinclair* v. *United States* (279 U. S. 765).

Mr. LUCAS. I thank the Senator for his contribution; that has been my understanding of the law, as the Senator explained it. The Senator from Montana, coming from the wild section of the Northwest from which he hails, and giving the northwestern country of the early days, and even of later times, the type of reputation he has given it here this afternoon, tries to compare Chicago with his section, after indicting his own section from every angle, and after saying "Yes; this is what they have to do in those Indian countries; they have to break into drug stores." He practically says that the country there is so rough and tough that before the officers of the law would have time to get a warrant and legally raid a drug store, in accordance with the provisions of the constitution, someone might shoot them while they were attempting to have the warrant issued.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. CHANDLER. The Senator from Montana has indicted the people of his own section of the country and the people of my section and the people of the Senator's section. I have no great reputation as a barrister, although I have a license to practice law and have practiced law, and have practiced in the criminal courts. We do not watch the juries in my section of the country. We do not employ anyone to watch them. In all the years that I practiced law there—and that is now 20 years, with the exception of the time I have been in public office—I do not recall that anyone has ever been charged with tampering with a jury or with seeking to corrupt a jury. If that is done out in Montana because it is rough and wild and wooly, let the Senator say it. But let him not attack the rest of us; because such things are not done in our States.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHEELER. Let me say that I am not smearing the city of Chicago by what I have said about the people of Montana or North Dakota or any other State. I am willing to stand on what I have said. I say to the Senate that the good people of Montana and the good people of North Dakota and of some of the other States out there could not have law and order because of certain types of citizens who came there in the early days. That section of the country was wild and woolly, and every decent man and woman in those States knows it; and if they were here they would verify what I am saying.

What I have said is that the Government of the United States checks up on practically every important case it tries. It has its men check up on the venire when a case is called, and they get a list of the businesses of those persons, what they stand for, what their connections are, and everything else. Then the Government has its men present to check up on the jury during the trial of the case. That has been repeatedly done; I venture the assertion that it is being done today, and I say that the Government of the United States would not be doing its full duty, and the prosecutors would not be doing their full duty if they did not have someone watching to see that there was no tampering with juries.

Mr. LUCAS. Well, I prefer to rely upon the Supreme Court.

Mr. WHEELER. The Senator can rely upon the Supreme Court if he chooses to do so. I am saying what is done as a practical matter. Senators who have been lawyers have tried cases against big corporations, and I have tried many such cases. Is there any Senator here who does not know that the great corporations and the railroads of the country check up on jurors and bring pressure to bear when it is possible to do so? I have tried enough cases to know that they do that. It is all right to stand on the floor of the Senate and say what the Supreme Court has done and what it has not done, but everyone who has tried personal injury cases or other cases against great corporations knows that they do have detectives checking up on jurors, and knows that in the past they have been convicted of tampering with juries.

Here was a political fight, and one of the bitterest political fights that ever has taken place in the history of any State of the Union; a man was being tried, and Government money had been freely spent out there to "get something on him"; thousands and thousands of dollars had been spent.

Mr. LUCAS. I will not yield further for a discussion of subject matter that is not in the record.

Mr. WHEELER. So far as I am concerned I should say that he had a perfectly legitimate right to see that someone was not tampering with a jury by which he would be tried.

Mr. LUCAS. Mr. President, I can understand how the Senator feels the way he does about the matter. That is the type of argument he has made all afternoon. But it is not the type of argument that he made a few years ago on this same Senate floor when some individuals were doing something to the Government that they should not have been doing. He bases his argument and his conclusions upon the fact that in North Dakota there were certain political turmoils and squabbles. I contend that the Senate of the United States should not base its decision upon such matters. In other

words, my position from the beginning has been that the facts should speak for themselves. An argument that political enemies were spending thousands of dollars and the Federal Government was spending thousands of dollars in order to get Senator LANGER is without any foundation so far as this record is concerned.

That is the very thing the Senator from Montana is inclined to do; when he makes an argument he is liable to stray away from the facts, and to become involved in the indictment of individuals upon facts which are not based upon the record. There is not one scintilla of evidence in this record to show that the Federal Government ever spent $10,000 or any other sum of money in attempting to prosecute the individual whose case is now before the Senate.

Mr. President, it is nearly 5 o'clock, and I should like to suspend the presentation soon.

Mr. BARKLEY. I shall be glad to have the Senator suspend at this time.

UNIFICATION OF ARMED FORCES

Mr. LA FOLLETTE. Mr. President, ever since the disaster at Pearl Harbor and the report of the Roberts committee, it has been my firm conviction that the Senate of the United States should not permit the matter to rest, but that the appropriate committees of this body should make a full investigation in order to ascertain whether there is any necessity for action by Congress, which is charged under the Constitution with the sole duty and responsibility of providing the rules for the government of the armed forces of the United States. It has always seemed to me, Mr. President, that we cannot escape responsibilities if in the future any further disasters occur which may be occasioned because the rules, or the laws in other words, which we have laid down for the government of the armed forces of the United States are obsolete.

In the March 14, 1942, issue of Collier's magazine there appears an article by Gen. Johnson Hagood, United States Army, retired, entitled "Unify Our Fighting Forces." I do not know, concerning General Hagood's standing, other than that, so far as I am informed, he is a respected retired officer and had a brilliant record while in the service. I should like to read a paragraph or two from the article, in the hope that it may attract the attention of the appropriate committees of the Senate and of Members of the Senate.

The opening paragraph begins with the following words:

Whatever may have been the shortcomings of the admiral and the general at Pearl Harbor, whatever may have been the treachery of the Japanese, we must not overlook the fact that we invited it all by our total lack of a definite line of authority and responsibility in our system of defense, beginning in Washington and extending down to every naval base and fortified harbor, at home and abroad.

If the naval bases at New York, Norfolk, San Francisco, or Bremerton were attacked today, as at Pearl Harbor, there would be no one man in charge of the combined land, naval, and air forces to whom an order could be issued to resist this attack, and there would be no one man in the United States short of the President who could issue such an order.

And even if some one man were assigned to that duty, as at Hawaii since Pearl Harbor, he would have supreme control only in actual battle; plans and preparations for defense would be made by a complicated organization in Washington, over which he or the Navy would have no control whatever.

Listen to this:

Military secrets are mainly secrets from the American people. We fool one another but we do not fool the enemy. The Japanese knew that we had no inner patrol at Pearl Harbor, but Admiral Kimmel did not know it. The Japanese knew that we had no outer patrol, but General Short did not know it. The Japanese high command knew that the army watch was to be relieved at 7 o'clock on the fatal morning of December 7 but the American high command in Washington did not know it.

Now mark this:

There were six different agencies in charge of one phase or another of the Pearl Harbor defenses, and each of these agencies received its order from a different source. The Army alone received orders from several different sources.

Mr. President, insofar as the law governing the armed forces and their organization in the United States is concerned, Congress is responsible, under the Constitution, and I say that, in the face of this article by an officer who, as I understand, served with distinction in the Army, although he is now retired, it seems to me it would be a fatal mistake for Congress to rest upon the feeling that the report of the Roberts Commission, and the court martial of General Short and Admiral Kimmel at some time in the distant future, will absolve it of responsibility.

I hope that the appropriate committees of this body will inquire into this matter, and will ascertain whether the statements and charges by General Hagood as to the complicated overlapping and obsolete character of the laws governing the organization of our armed forces are correct. He says further:

The Army alone received orders from several different sources:

First. Under the law—act of April 30, 1900—the Governor of the Territory is charged with the defense of the Hawaiian Islands It is provided by law that in case of invasion, or a threat of invasion, the Governor is empowered to declare martial law, to turn out the militia, and to call upon the commanders of the Army and Navy, in the Hawaiian Islands, to assist him in defeating the enemy.

You might say that this law was obsolete and that no one pays any attention to laws these days anyway. But still, in the identical orders sent to the admiral and to the general, they were directed to do nothing contrary to law, and this presupposes upon their part a knowledge of the statutes of the United States and of the laws of the Territory of Hawaii It places upon them the responsibility for arriving independently at decisions as to which laws to obey and which laws to disregard.

Second. The commanding general of the Hawaiian Department was charged by the War Department with certain responsibilities in the matter of defense. This responsibility did not cover the whole field. There were overlappings and gaps.

Third. The local commander of the Army air forces had certain authority and responsibility for defense which came to him directly from Washington and not through the department commander.

Fourth. The admiral at Pearl Harbor had certain authority and responsibility which he got from the Navy Department, which overlapped some of that given to the commanding general of the Hawaiian Department by the War Department.

Fifth. There were certain authorities in the matter of counterespionage and sabotage placed by the Federal Bureau of Investigation in its local representative in Honolulu

Sixth. There was an organization for civilian defense presumably getting instructions from the mayor of New York and the wife of the President of the United States.

All of these agencies were in the main cooperative, but were in fact competing, one with the other, each trying to magnify and expand the field of its own operations at the expense of the others. The subsequent assignment of Admiral Nimitz to command both Army and Navy in Hawaii is only a step in the right direction.

EVERY MAN FOR HIMSELF

In the War Department there are the chiefs of branches—Cavalry, Field Artillery, Coast Artillery, and Infantry—who, besides the Air Corps and the Chemical Warfare Service, were strongly competing as to their relative importance in the national defense. The officers of these several arms serving in the Hawaiian Department have looked beyond their immediate commanders and have striven for the favor of their respective chiefs of branches in Washington, well knowing that it is they, and not their transient military commanders in the field, who hold the fate of their future.

There can be no doubt that during the past 20 years infantry officers in the Hawaiian Department have been much more interested in developing a good infantry division than they have been in the defense of Pearl Harbor.

Mr. President, I am a layman, I have never served upon either the Committee on Military Affairs or the Committee on Naval Affairs of this body, but I nevertheless feel a share of responsibility for the statutes which we have enacted, or the changes which we may have failed to make. I do not know whether the statements made by General Hagood are supported by the facts, but I assume that a man with his past experience would not in a publication make these statements unless he believed them to be true.

I certainly think they put every Member of this body, and in particular I think they put the Committee on Military Affairs and the Committee on Naval Affairs of this body, on notice that they should, either jointly or severally, conduct a thorough inquiry into the "rules for the government and regulation of the land and naval forces" of the United States, to employ the term in the Constitution, to ascertain whether or not there is any necessity for action on our part to modernize and to streamline our organization in the critical situation which confronts this country.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HILL. I have not had the pleasure of reading the article to which the Senator refers. Necessarily, I suppose, the article was written perhaps a month ago; and that is no criticism of General Hagood. I imagine any article which was to appear in a magazine of this character would have to be written sometime

in advance of its publication. Let me say to the Senator that last Friday the Senate Committee on Military Affairs held a hearing.

We had some half a dozen officers from the War Department before us on this very matter of reorganization, this very matter, as the Senator so well uses the term, of streamlining the War Department. I think I can say to the Senator—and I believe the distinguished senior Senator from Vermont [Mr. AUSTIN] will confirm the statement—that much has been done in the reorganization of the Army to streamline and to modernize it.

General Hagood refers to the fact that some officers in Hawaii perhaps had more loyalty to the chiefs of their particular branches, whether it happened to be the chief of infantry, or the chief of artillery, than to the defense of Hawaii itself. I might say that in that particular, by Executive order of the President, acting under the War Powers Act passed by the Congress, there are no longer any chiefs of the different branches. There is no longer a chief of infantry, a chief of artillery, or chief of any other branch. We now have the Army of the United States, with the General Staff, that General Staff being composed almost equally of men from the ground forces and men from the air forces, the air forces being given practically equal representation with the ground forces in this general or over-all staff.

Under that General Staff we have the three divisions of the Army, the ground forces under one commander, the air forces under another commander, and the service of supply under another commander, and of course, from the very name "Service of Supply," it can be readily understood that its business is to supply both the ground forces and the air forces. There has been a very decided, a very marked step taken in the reorganization of the Army toward its modernization and streamlining.

I will say to the Senator that I imagine it would have been impossible for General Hagood to have known of that reorganization at the time the article was written, because I am sure the article had to be written at least a little while in advance of its publication.

Let me say another thing, if the Senator will yield further.

Mr. LA FOLLETTE. I yield.

Mr. HILL. It is my understanding that it is the intention of the chairman of the Senate Committee on Military Affairs, and of the members of the committee, to have meetings frequently, to inquire into these very questions. I think the distinguished Senator from Texas [Mr. CONNALLY], the chairman of the Committee on Foreign Affairs, has set a very fine example in that respect. I think that committee meets at least once a week to go into questions of foreign affairs, questions affecting the State Department, which might call for legislation to be initiated by the Foreign Affairs Committee. It is my understanding that the chairman of the Military Affairs Committee intends to follow that example, and at frequent intervals call witnesses from the War Department to see what is being done.

This is the first great step, and I think everyone who sat in the Committee on Military Affairs last Friday morning was deeply impressed with the thought that it was an important forward movement looking toward the modernization and streamlining of our Army.

I will go further and say that I think we have taken a very fine step, so far as the Army is concerned, in having this over-all staff composed equally of air and ground men. What was done when that staff was created was to recognize that air power constitutes what has been called, and aptly called, a third dimension. We have three dimensions—the ground, the air, and the sea. Under the War Department, under the reorganization, the air dimension is given equal representation and an equal place with the ground and sea dimensions.

I think we ought to go one step further, I will say to the Senator from Wisconsin. We ought to have an over-all staff to determine the grand strategy and grand policy for all three of these dimensions, taking the Navy along with the air and the ground forces.

Mr. LA FOLLETTE. Mr. President, I commend the Senator from Alabama, and I think he is correct in his statement that in all probability the article was written before the Executive order, to which the Senator refers, was issued, and of course I know it was written before the Senate Committee on Military Affairs met last Friday. Let me say, however, that I hope the Senate Military Affairs Committee will not rest upon the order which has been issued, because, as the Senator well knows, under pressure certain changes can be ordered without actually effecting them. There must be a change in mental attitude as well as a change in paper organization.

In the second place, I hope there can be some meeting between the Military Affairs Committee, or a subcommittee thereof, and the Naval Affairs Committee, or a subcommittee thereof, for, as the Senator from Alabama well knows, in the kind of war in which we are now engaged there is a question not only of reorganization of the two main branches of our armed forces, namely, the Army and the Navy, but the necessity of bringing about some sort of actual and effective cooperation and coordination of action and command.

Mr. HILL. Mr. President, will the Senator again yield?

Mr. LA FOLLETTE. I yield.

Mr. HILL. That was the very reason I said I favor an over-all staff of all three of these dimensions. I think we ought to have an over-all staff, with an officer as chief of that staff—I care not whether he happens to be an air man, or a ground man, or a water man—who will require and enforce proper coordination, and who will even go further and see that in certain places there shall be proper integration.

We have to fight the war with all our armed forces as one great machine, a machine composed of air power, land power, and sea power. In my opinion the only way to concentrate all that power in the best possible way is with an over-all staff to plan the grand strategy and the grand policy for all three arms. In each and every theater of operations there should be a supreme commander, whether he be an air man, a land man, or a sea man. There should be one supreme commander to make the decisions, and to issue orders for all the troops, ground, air, and sea, within a particular theater of operations.

Mr. LA FOLLETTE. Mr. President, I know the Senator has given great study to the subject, because he has served with distinction on the Military Affairs Committee of the House and, of course, on the Military Affairs Committee of the Senate; but, making all due allowances for the fact that General Hagood's article was written before some of the more recent developments, I still contend that it is worthy of careful scrutiny and attention by every Senator. I do not know enough about it to pass judgment upon it; but I shall ask that the draft of the bill which he suggests to carry out his ideas be incorporated in the RECORD in connection with my remarks. I am not endorsing it, but I say, as one Member of this body, that I feel we have some responsibility. We cannot pass all these matters over to the executive arm of the Government, because under the Constitution we are charged with responsibility for the rules governing the armed forces of the United States.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. AUSTIN. I think the remarks made by the Senator from Wisconsin are timely, and no matter whether the article may have been written 20 days or more ago, it, too, is timely. It comes after the Executive has reorganized the land forces. That was a necessary step leading up to the unified command spoken of by General Hagood, of land and water. There are some things that must be clarified, such as that mine laying, which one would naturally think belongs to the Navy, really does not. It is under the command of the land forces. One can imagine the conflict which that naturally creates. Then there is what the Senator from Wisconsin has observed, something which is intangible and cannot be written into law, but which, it seems to me, should be recognized, namely, that the staff, that the head having authority, could cultivate that which we may call morale for the lack of a better word. At the present time we sense a feeling of at least competition between the commands, and between the enlisted men and the sailors, and it ought not to exist, except in a sportsmanlike manner. It ought not to exist in a serious way. How to overcome that condition is a problem, indeed; but I think the people of the country are thinking along the line—and it is a pretty well informed opinion, too— that we should unify all these commands permanently, and that we should not find ourselves obliged to make rules of the game on the field of battle alone.

Mr. LA FOLLETTE. Mr. President, I thank the Senator for his observations. Among other reasons I have for feeling this matter is of such great urgency is that, in my opinion, every possible step

should be taken in advance of unnecessary sacrifice of the lives of American boys. While Congress, of course, in these matters must take expert advice, I think there has existed a situation in the Army and in the Navy, and there exists a situation by reason of their being now separate entities, which requires, if anything effective is to be done, the injection of a third party, so to speak, who is sympathetic, who desires to bring about only constructive results. As I view the matter, the Congress can certainly play that role and, I think, play it in sympathy with the Army and the Navy, and achieve something constructive for the people of the country and for the armed services themselves.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to my colleague.

Mr. WILEY. I thank my colleague for giving me an opportunity to enter this very illuminating debate.

I have only one suggestion to make. Contrary to what would ordinarily be good policy, I take a page out of Hitler's book. What did Hitler do? When he came into power he saw the very situation which has been so dramatically brought to our attention at Pearl Harbor. There was a lack of cohesion, a lack of cooperation. He sensed it. I will say to my colleague that he found out the imperative need of having men who are not merely navy-minded, army-minded, or air-minded. What did he do? He took 200 of the finest young men he could find, who he thought were going to be the generals in this war, and, contrary to the military machine of his day, he put them into the Navy for a year. He took Army men and put them into the Navy to make them navy-conscious. After they had completed their course in the Navy he took them out of the Navy and put them into the Air Corps. It was not orthodox, but he sensed what we now feel, that men who have training along certain lines, such as the Army, the Navy, or the Air Corps, become exponents of a segment of the whole, whereas we need men in positions of command who do not lean toward one angle or the other but who see the whole problem from the perspective of the Army, the Navy, and the Air Corps.

I do not know whether such a plan would work now; but if we could take 200 young commanders out of the Navy and put them into the Army, and 200 young majors or colonels out of the Army and put them into the Navy, and work them through so that they would have an overall picture of what is needed in this country, it seems to me that such a plan would help considerably.

I thank my colleague for this opportunity.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Rhode Island.

Mr. GERRY. The Senator has made a very good point, which is fundamentally sound. There ought to be better cooperation between the Army and Navy in working out a defense program. Sometime ago I introduced a bill, which was referred to the Naval Affairs Committee, in regard to laying mines. An investigation of the coast defense of my State showed that the Navy Department and the War Department both had authority to lay mines. It seemed to me that that was not a very sound procedure. I understand that the Army and the Navy are trying to work out the problem. Mine laying in the Army relates practically only to mines which are laid immediately offshore. Probably when mine laying was begun back in the time of the Civil War it did not extend for any great distance at sea, but when we consider the mine-laying activities which the Navy conducts today, and the great mine-laying work which the Navy did in the last war, when it mined the North Sea, closing the submarine campaign and bringing about the mutiny of Wilhelmshaven, we obtain a picture of how vast the program may be.

There is no question that fundamentally mine-laying activities belong to the Navy. The Coast Guard might lay mines along the coast. However, in time of war the Coast Guard goes into the Navy. If there is any question about the Army laying mines—and I understand it lays very few—there is no question that there should be close cooperation between the Army and the Navy. Eventually we must come to a very close organization.

The point which I raise is not very large. I bring it out in line with the necessity for cooperation, which I am sure can be worked out in many fields.

Mr. LA FOLLETTE. I thank the Senator. I wish to hasten on, because I do not wish to delay the Senate much longer. I shall try to conclude in a very few moments. I continue reading from the article by General Hagood:

The first plan of defense for the Hawaiian Islands, other than the seacoast defense, was drawn by the Morrison Board. Many years later I asked General Morrison if he was satisfied with the plans of his board. His answer was, "It was the best we could do under the restrictions placed upon us by the War Department." I was present when these restrictions were made and I, therefore, understood.

I asked the department commander in Honolulu, Gen. W. H. Carter, what he thought of the Morrison plan. His reply was that it was not a plan to defend Pearl Harbor, it was a plan to keep the city of Honolulu and the Army from being captured. "A better plan," said he, "would be to take the Army back to the United States."

I went over the lines with the engineer officer, Colonel Bromwell, who did the work. He pointed out to me that the plan did not include the naval fuel supply but that he had moved things over a little so as to bring the naval installations 15 yards inside the lines.

That was the beginning. It has been that way more or less ever since.

Generals and admirals in Hawaii before Short or Kimmel have quarreled over the instructions received from their different bosses in Washington, and have found that the easiest way was to keep to themselves.

It was the same in the Philippine Islands. The Navy established a base and put a drydock at the Olongapo although the Army said it could not be defended. The Army planned to put a coal pile for the Navy on the tail of Corregidor but the Navy said they would not use it. The Army planned to seize all the shipping in Manila Bay at the outbreak of war in order to send its supplies to Corregidor. The Navy planned to destroy all this shipping to keep it from falling into the hands of the enemy. As far back as 1914, under the orders of the department commander, I was trying to organize joint Army and Navy exercises to test the strength of Corregidor and Bataan. The admiral of the fleet told me that the Navy Department would not allow him to participate in these exercises because it might be offensive to Japan.

One of the most distinguished generals ever in the Philippines was on very bad terms with one of the most distinguished admirals. They refused to accept each other's dinner invitations. And the general refused point-blank to do something that he was asked to do by the Governor General.

During the past few months I asked an officer connected with antiaircraft training if he got any cooperation from the Air Corps and he replied in the negative. I asked who towed the target for antiaircraft practice and he replied that no one did; that they had authority to hire a civilian plane to fly so many hours a week.

It has been that way, more or less, for the past 20 years, and the answer has always been that the Air Corps did not have enough planes for its own purpose and had none to spare for the coast artillery.

Adherents of the Air Corps have spread the news that the Air Corps alone could prevent an invasion of the United States without any assistance from the Navy or from the rest of the Army. Navy boosters have said that they could do the job alone. And the friends of the doughboys have said that, after all, it is the bayonet.

This war has shown the Air Corps to be the supreme arm in modern operations, but it could never prevail without the support of the other branches. There must be complete and selfless coordination of the land, sea, and air by a common superior.

I have had cooperative conferences with naval coastal commanders; but I have never seen or heard of a maneuver or of an exercise in the United States in which the forces of the land, the sea, and the air were combined to resist invasion. Some such exercises were conducted in the Hawaiian Islands, and I am told by Army and Navy officers on the spot that they developed the same weakness that led to the Hawaiian disaster, but nothing was ever done about it. The recent grand maneuvers in the Carolinas were organized on the basis that the Navy, the coast defenses, and the offshore air patrol had been destroyed or eluded and that the enemy was strongly entrenched in this country as in the Revolution and in the War of 1812.

REGULATIONS THAT NOBODY KNOWS

The Roberts report makes public a number of orders and instructions issued by the War and Navy Departments to the general and the admiral in Hawaii, which if read in the glare of hindsight make it appear that these two officials were delinquent.

The layman does not know that the War Department issues tons of orders and instructions in the name of the Secretary of War or the Chief of Staff, which neither of these two gentlemen has ever seen. Nor does the layman know that generals away from Washington receive thousands of orders and instructions that they never read. The standing orders and regulations for the training, administration, and supply of the Army contain more words, and are scattered over more space, than the revised statutes of the United States. No one has ever read them all.

Within the past 10 months I have asked a high-ranking general in the War Department how he could get by the President's Army regulations in doing certain things connected with the emergency that preceded the war. His reply was that he paid no attention to regulations.

The chief of staff of the corps area pointed to a file of papers on his desk, and he said to

me, "I read the telegrams, but I do not read the letters."

The Adjutant General of the Army said to me a few years ago: "If you should send me a telegram requesting immediate action upon any important matter I could not get the answer back to you within 48 hours, perhaps a week, because there would be too many people to be consulted."

The Roberts report says, in effect, that the orders received by the military authorities in Hawaii were not interpreted to mean that war was imminent.

Why should orders have to be interpreted?

Why can't they be written in plain language that an ordinary man of average intelligence can understand?

It is an old joke in the Army that the General Staff issues orders and then sends them down to the Judge Advocate to find out what they mean. Almost every important order issued by the War Department is subsequently followed by an interpretation. In one case within the last 2 years, a War Department order contained its own interpretation, one paragraph stating that the preceding paragraph was interpreted to mean so and so.

The Army has adopted a stilted form of expression that no ordinary civilian stenographer could take down in shorthand, or could transcribe into an acceptable order or letter.

A stop watch is known as a time-interval recorder. A gray woolen undershirt is called a shirt under wool gray or some such combination as that, and if you ask for it by the wrong name you won't get it. If a young and inexperienced medical officer, at an isolated camp, puts in a sick and wounded report indicating that Bill Jones was born in Philadelphia, Pa., it will go back to him inviting his attention to a regulation that says it must be Penn., or vice versa.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BONE. Does General Hagood suggest any sort of formula that Congress could write that would not be longer than corpus juris that would really lay out an understandable program for a group that does those things?

Mr. LA FOLLETTE. I am merely citing this statement in the hope that it will provoke some discussion and some inquiry predicated entirely upon constructive grounds and designed to bring about constructive results.

The article continues:

When I was a general at Camp Eustis, Va., I asked one of the Assistant Chiefs of Staff in Washington to tell me what was meant by a certain order that I knew he had written. His answer was that it was his job to write orders and my job to interpret them. I was perfectly certain then, as I am now, that he had not visualized the situation out in the field and could not have executed his own order in my place.

The War Department is filled to overflowing with good men—as good as any that could be found in the world, but these men are shoved into jobs they know nothing about—civilians with civilian assistants commanding the Army, line men doing staff work, and staff men doing line work. General Harbord, second to Pershing in France, said in his book that during the World War there was a certain general staff officer running the transportation business who did not know any more about transportation than the casual passenger on a Pullman car. No Secretary of War has ever served long enough to understand the War Department, or to say yes or no to any question without advice.

Mr. President, I ask that the article, as well as the draft of the bill which appears on page 19 of this issue of the magazine, be printed in full at the conclusion of my remarks.

There being no objection, the article and proposed bill were ordered to be printed in the RECORD, as follows:

[From Collier's for March 14, 1942]

Whatever may have been the shortcomings of the admiral and the general at Pearl Harbor, whatever may have been the treachery of the Japanese, we must not overlook the fact that we invited it all by our total lack of a definite line of authority and responsibility in our system of defense, beginning in Washington and extending down to every naval base and fortified harbor, at home and abroad.

If the naval bases at New York, Norfolk, San Francisco, or Bremerton were attacked today, as at Pearl Harbor, there would be no one man in charge of the combined land, naval and air forces to whom an order could be issued to resist this attack, and there would be no one man in the United States short of the President who could issue such an order. And even if some one man were assigned to that duty, as at Hawaii since Pearl Harbor, he would have supreme control only in actual battle; plans and preparations for defense would be made by a complicated organization in Washington, over which he or the Navy would have no control whatever.

Military secrets are mainly secrets from the American people. We fool one another but we do not fool the enemy. The Japanese knew that we had no inner patrol at Pearl Harbor, but Admiral Kimmel did not know it. The Japanese knew that we had no outer patrol, but General Short did not know it. The Japanese high command knew that the Army watch was to be relieved at 7 o'clock on the fatal morning of December 7, but the American high command in Washington did not know it.

There were six different agencies in charge of one phase or another of the Pearl Harbor defenses, and each of these agencies received its orders from a different source. The Army alone received orders from several different sources:

First. Under the law—act of April 30, 1900—the Governor of the Territory is charged with the defense of the Hawaiian Islands. It is provided by law that in case of invasion, or a threat of invasion, the Governor is empowered to declare martial law, to turn out the militia, and to call upon the commanders of the Army and Navy in the Hawaiian Islands to assist him in defeating the enemy.

You might say that this law was obsolete and that no one pays any attention to laws these days anyway. But still, in the identical orders sent to the admiral and to the general, they were directed to do nothing contrary to law, and this presupposes upon their part a knowledge of the statutes of the United States and of the laws of the Territory of Hawaii. It places upon them the responsibility for arriving independently at decisions as to which laws to obey and which laws to disregard.

Second. The commanding general of the Hawaiian Department was charged by the War Department with certain responsibilities in the matter of defense. This responsibility did not cover the whole field. There were overlappings and gaps.

Third. The local commander of the Army air forces had certain authority and responsibility for defense which came to him directly from Washington and not through the department commander.

Fourth. The admiral at Pearl Harbor had certain authority and responsibility, which he got from the Navy Department, which overlapped some of that given to the commanding general of the Hawaiian Department by the War Department.

Fifth. There were certain authorities in the matter of counterespionage and sabotage placed by the Federal Bureau of Investigation in its local representative in Honolulu.

Sixth. There was an organization for civilian defense presumably getting instructions from the mayor of New York and the wife of the President of the United States.

All of these agencies were in the main cooperative, but were in fact competing, one with the other, each trying to magnify and expand the field of its own operations at the expense of the others. The subsequent assignment of Admiral Nimitz to command both Army and Navy in Hawaii is only a step in the right direction.

EVERY MAN FOR HIMSELF

In the War Department there are the chiefs of branches—Cavalry, Field Artillery, Coast Artillery and Infantry—who, besides the Air Corps and the Chemical Warfare Service, were strongly competing as to their relative importance in the National Defense. The officers of these several arms, serving in the Hawaiian Department have looked beyond their immediate commanders and have striven for the favor of their respective chiefs of branches in Washington, well knowing that it is they and not their transient military commanders in the field who hold the fate of their future.

There can be no doubt that during the past 20 years infantry officers in the Hawaiian Department have been much more interested in developing a good infantry division than they have been in the defense of Pearl Harbor.

The first plan of defense for the Hawaiian Islands, other than the seacoast defense, was drawn by the Morrison Board. Many years later I asked General Morrison if he was satisfied with the plans of his board. His answer was, "It was the best we could do under the restrictions placed upon us by the War Department." I was present when these restrictions were made and I therefore understood.

I asked the department commander in Honolulu, General W. H. Carter, what he thought of the Morrison plan. His reply was that it was not a plan to defend Pearl Harbor, it was a plan to keep the city of Honolulu and the Army from being captured. "A better plan," said he, "would be to take the Army back to the United States."

I went over the lines with the Engineer officer, Colonel Bromwell, who did the work. He pointed out to me that the plan did not include the naval fuel supply but that he had moved things over a little so as to bring the naval installations 15 yards inside the lines.

That was the beginning. It has been that way more or less ever since.

Generals and admirals in Hawaii before Short or Kimmel have quarreled over the instructions received from their different bosses in Washington, and have found that the easiest way was to keep to themselves.

It was the same in the Philippine Islands. The Navy established a base and put a drydock at the Olongapo although the Army said it could not be defended. The Army planned to put a coal pile for the Navy on the tail of Corregidor but the Navy said they would not use it. The Army planned to seize all the shipping in Manilla Bay at the outbreak of war in order to send its supplies to Corregidor. The Navy planned to destroy all this shipping to keep it from falling into the hands of the enemy. As far back as 1914, under the orders of the department commander, I was trying to organize joint Army and Navy exercises to test the strength of Corregidor and Bataan. The admiral of the fleet told me that the Navy Department would not allow him to participate in these exercises because it might be offensive to Japan.

One of the most distinguished generals ever in the Philippines was on very bad terms with one of the most distinguished admirals. They refused to accept each other's dinner invitations. And the general refused point-

blank to do something that he was asked to do by the Governor General.

During the past few months I asked an officer connected with antiaircraft training if he got any cooperation from the Air Corps and he replied in the negative. I asked who towed the target for antiaircraft practice and he replied that no one did; that they had authority to hire a civilian plane to fly so many hours a week.

It has been that way, more or less, for the past 20 years, and the answer has always been that the Air Corps did not have enough planes for its own purpose and had none to spare for the Coast Artillery.

Adherents of the Air Corps have spread the news that the Air Corps alone could prevent an invasion of the United States without any assistance from the Navy or from the rest of the Army. The Navy boosters have said that they could do the job alone. And the friends of the doughboys have said that, after all, it is the bayonet.

This war has shown the Air Corps to be the supreme arm in modern operations, but it could never prevail without the support of the other branches. There must be complete and selfless coordination of the land, sea, and air by a common superior.

I have had cooperative conferences with naval coastal commanders; but I have never seen or heard of a maneuver or of an exercise in the United States in which the forces of the land, the sea, and the air were combined to resist invasion. Some such exercises were conducted in the Hawaiian Islands, and I am told by Army and Navy officers on the spot that they developed the same weaknesses that led to the Hawaiian disaster, but nothing was ever done about it. The recent grand maneuvers in the Carolinas were organized on the basis that the Navy, the coast defenses, and the offshore air patrol had been destroyed or eluded and that the enemy was strongly entrenched in this country as in the Revolution and in the War of 1812.

REGULATIONS THAT NOBODY KNOWS

The Roberts report makes public a number of orders and instructions issued by the War and Navy Departments to the general and the admiral in Hawaii, which if read in the glare of hindsight make it appear that these two officials were delinquent.

The layman does not know that the War Department issues tons of orders and instructions, in the name of the Secretary of War or the Chief of Staff, which neither of these two gentlemen has ever seen. Nor does the layman know that generals away from Washington receive thousands of orders and instructions that they never read. The standing orders and regulations for the training, administration, and supply of the Army contain more words and are scattered over more space than the Revised Statutes of the United States. No one has ever read them all.

Within the past 10 months I have asked a high-ranking general in the War Department how he could get by the President's Army Regulations in doing certain things connected with the emergency that preceded the war. His reply was that he paid no attention to regulations.

The Chief of Staff of the Corps Area pointed to a file of papers on his desk and he said to me, "I read the telegrams but I do not read the letters."

The Adjutant General of the Army said to me a few years ago: "If you should send me a telegram requesting immediate action upon any important matter I could not get the answer back to you within 48 hours, perhaps a week, because there would be too many people to be consulted."

The Roberts report says, in effect, that the orders received by the military authorities in Hawaii were not interpreted to mean that war was imminent.

Why should orders have to be interpreted? Why can't they be written in plain language that an ordinary man of average intelligence can understand?

It is an old joke 'n the Army that the General Staff issues orders and then sends them down to the Judge Advocate to find out what they mean. Almost every important order issued by the War Department is subsequently followed by an interpretation. In one case within the last 2 years, a War Department order contained its own interpretation, one paragraph stating that the preceding paragraph was interpreted to mean so and so.

The Army has adopted a stilted form of expression that no ordinary civilian stenographer could take down in shorthand, or could transcribe into an acceptable order or letter. A stop watch is known as a time-interval recorder. A gray woolen undershirt is called a shirt under wool gray or some such combination as that, and if you ask for it by the wrong name you won't get it. If a young and inexperienced medical officer, at an isolated camp, puts in a sick and wounded report indicating that Bill Jones was born in Philadelphia, Pa., it will go back to him inviting his attention to a regulation that says it must be Penn., or vice versa.

When I was a general at Camp Eustis, Va., I asked one of the Assistant Chiefs of Staff in Washington to tell me what was meant by a certain order that I knew he had written. His answer was that it was his job to write orders and my job to interpret them. I was perfectly certain then, as I am now, that he had not visualized the situation out in the field and could not have executed his own order in my place.

The War Department is filled to overflowing with good men—as good as any that could be found in the world, but these men are shoved into jobs they know nothing about—civilians with civilian assistants commanding the Army, line men doing staff work, and staff men doing line work. General Harbord, second to Pershing in France, said in his book that during the World War there was a certain General Staff officer running the transportation business who did not know any more about transportation than the casual passenger on a Pullman car. No Secretary of War has ever served long enough to understand the War Department, or to say yes or no to any question without advice.

In the case of the seacoast defenses, or what is known now under the resounding title of the coastal frontier, a president of the Army War College (an infantry officer) said to me, "The permanent fortifications are finished—you must depend upon the mobile artillery." Another infantry officer, president of the Army War College, and afterward Chief of Staff, said that the coast artillery got too much of the Army's money, got all the best stations in time of peace, and too many of the best commissions in time of war. He prepared a bill to make it unlawful for a coast artillery officer or soldier to serve with mobile troops in time of war, but it did not prevent mobile Army generals from commanding great coastal frontiers.

Our present system of seacoast defense was laid out by the Endicott Board in 1886. Great progress was made for 25 years but after that the whole schedule was stalled, largely because of the jealousies of the mobile arms—the infantry, the cavalry, and the field artillery, all of which I have commanded for years, and which I love.

Men, women, and children of the Coast Artillery for years have been chided with not belonging to the Army. The plan I advocate here will be to turn the Coast Artillery over to the Navy. A hundred thousand men, or two hundred thousand, at most, could do the job. The marines know the taste and feel of salt water. They are self-contained and can provide themselves with food, shelter, or clothing. The Navy cannot defend itself in port any more than a horse could run a race in a stable. But the Navy can control the marines, and the marines can defend the Navy.

The Army, relieved of all responsibility for the static defense of the ports, as Pershing's army was in France, could then be organized into proper, tactical units, and the War Department, now a fifty-year patchwork of error, mutual mistrust and jealousy, could be reorganized along functional lines, with competent men in every branch, to wit: Tactics, Supply, and Administration, with the Air Corps and the National Guard standing by as special services, each requiring special organization.

This was the plan that met the unanimous approval of Pershing's "War Department in France," organized at Tours with General J. G. Harbord (afterward president, Radio Corporation of America) in command, and with this writer as his Chief of Staff. That is the way it was visualized and urged for adoption in October of 1918, by the men then bearing upon their shoulders the heavy responsibility for victory or defeat. It was a plan equally acceptable to Harbord's General Staff, to big businessmen like Atterbury, of the Pennsylvania Railroad; Dawes, our General Purchasing Agent (afterward Vice President); Lord, afterward Director of the Budget; Wood, afterward president of Sears, Roebuck; and to the best that the Army could provide as the Chiefs of Services in Washington after the war—Rogers, the Quartermaster General; Williams, the Chief of Ordnance; Jadwin, the Chief of Engineers; Ireland, the Surgeon General; Hull, the Judge Advocate; and Bash, our Adjutant General who was afterward the Quartermaster General.

On page 19 of this issue of Collier's is a prescription for the cure of this dreadful confusion.

Be it enacted, etc.—

SECTION 1. That the War and Navy Departments are hereby combined into a single department to be known as the Department of National Defense; and hereafter there shall be a Minister of Defense, who under the direction of the President shall have supervision and control of the land, the naval, and the air forces of the United States.

SEC. 2. Command of the Navy: The Navy shall be commanded by a naval officer who shall have the rank and title of the Admiral of the Navy. The offices of Secretary of the Navy, Under Secretary of the Navy, and all Assistant Secretaries of the Navy are hereby abolished and the duties thereof transferred to the Admiral of the Navy, with the exception of such duties of a civil or of a political nature as may, in the discretion of the President, be transferred to the Minister of Defense.

SEC. 3. The seacoast fortifications: The seacoast fortifications are hereby transferred to the Navy. The President is directed to establish fortified areas, which shall include the Hawaiian Islands, the Canal Zone, all fortified harbors and naval bases in the United States and the waters adjacent thereto, and all fortified harbors and naval bases beyond the seas owned or leased by the United States. All such fortified areas shall be under the command of the Admiral of the Navy, and the troops for the defense thereof shall be provided by the Marine Corps. And if at any time the troops of the Marine Corps are not sufficient for that purpose, the President shall detach from the Army, and attach to the Marine Corps, such number of troops as may be necessary: *Provided*, That the command, administration, and supply of the troops of the fortified areas shall remain with the Marine Corps under the direction of the Admiral of the Navy: *And provided*, That the President may, in his discretion, transfer qualified officers, warrant officers, and enlisted men of the Army to the Navy and to the Marine Corps, without loss of rank.

SEC. 4. The Commandant of the Marine Corps shall have the rank of general, and there shall be added to the Marine Corps such

number of generals, lieutenant generals, and other officers, warrant officers, and enlisted men, as may, in the discretion of the Admiral of the Navy, be necessary to meet the present emergency.

SEC. 5. Command of the Army: The Army shall be commanded by an Army officer who shall have the rank and title of the General of the Army The offices of Secretary of War, Under Secretary of War, and of all Assistant Secretaries of War are hereby abolished and the duties thereof transferred to the General of the Army, with the exception of such duties of a civil or a political nature as may, in the discretion of the President, be transferred to the Minister of Defense.

SEC. 6. Consolidation of the Army: The Army shall hereafter consist of the General of the Army, the General Staff, the line, the Air Corps, and the Staff.

SEC. 7. The General Staff: The General Staff shall consist of the Director General of Tactics, the Commissary General of Supply, The Adjutant General, the Chief of the Air Corps, and the Chief of the National Guard Bureau, together with such number of directors of tactics, supply officers, and adjutants as the General of the Army may deem necessary for service at corps area or department headquarters, or in the field. The Director General of Tactics, the Commissary General of Supply, and The Adjutant General shall have the rank of lieutenant general. The Chief of the Air Corps shall have the rank of general. The Chief of the National Guard Bureau and all other officers of the General Staff shall have the rank of their grades as now provided by law.

SEC. 8. The director general of tactics, under the direction of the general of the Army, shall have charge of military intelligence and war plans, and supervision over the training and combat of all troops except those of the Air Corps, and he may have as his assistants such inspectors of Cavalry, Artillery, Infantry, and other arms, as the general of the Army may direct; provided that nothing in this act nor any other act shall relieve the commanders in the field of their responsibility for the training and combat of the troops under their command.

SEC. 9. The commissary general of supply, under the direction of the general of the Army, shall have supervision and control of the supply of the Army, and over all supply departments and agencies thereof, except as otherwise provided for the Air Corps. He shall have as his principal assistants and advisers the chiefs of all supply departments and agencies of the Army, to wit: the General Purchasing Agent, the Quartermaster General, the Chief of Ordnance, the Chief of Engineers, the Director of Transportation, the Surgeon General, and the Chief of Finance, whose duties shall be redistributed and assigned as the general of the Army may direct.

SEC. 10. The Adjutant General, under the direction of the general of the Army, shall have charge of the correspondence, orders, and records of the Army, the procurement of men, including promotion, transfer, and assignment, military discipline, and police. He shall have as his principal assistants and advisers, The Assistant Adjutant General, the Judge Advocate General, the Inspector General, the Provost Marshal, and the Chief Chaplain, whose duties shall be redistributed and assigned as the general of the Army may direct.

SEC. 11. The Chief of the Air Corps, under the direction of the general of the Army, shall have command of the air forces of the Army, and shall have charge of their training, administration, and supply, and their combat except as may be otherwise assigned by the general of the Army to commanders in the field.

SEC. 12. The Chief of the National Guard Bureau, under the direction of the General of the Army, shall have such duties as are now prescribed by law.

SEC. 13 Reduction of the War Department: The following officers are abolished, and their present duties and incumbents shall be distributed among the other arms and services, without loss of rank or pay, as the General of the Army may direct, to wit: The Chief of Staff together with his deputies and assistants, the Chief of Cavalry, the Chief of Field Artillery, the Chief of Coast Artillery, the Chief of Infantry, the Chief Signal Officer, and the Chief of the Chemical Warfare Service.

SEC. 14. The line of the Army: The Cavalry, the Field Artillery, the Coast Artillery, and the Infantry are hereby abolished as separate arms, and shall hereafter constitute a single force, which together with such other troops as may be temporarily attached thereto, shall be known as the line of the Army, and shall be assigned to duty as the General of the Army may direct. During the present emergency, it shall include such generals, lieutenant generals, and other officers as may be nominated by the President and confirmed by the Senate.

SEC. 15. The staff: The staff of the Army shall consist of all officers, warrant officers, and enlisted men, and of all departments and agencies of the Army, now or hereafter authorized by law, other than the General of the Army, the General Staff, and the line as provided by sections 5, 7, and 14 of this act, except those of the Air Corps.

SEC. 16. All acts contrary to the provisions of this act are hereby repealed: *Provided*, That during the period of transition, the President, in his discretion, may temporarily continue such offices, departments, and agencies, and may establish such rules for the government and regulation of the land, the naval, and the air forces as he may deem expedient in the execution of this act.

Mr. LA FOLLETTE. Mr. President, I apologize to the Senate for having detained it so late in the day.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. DOXEY in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations and a convention, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

FEDERAL RESERVE SYSTEM

The legislative clerk read the nomination of R. M. Evans to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of William Jennings Bryan, Jr., to be collector of customs for customs collection district No. 27.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of Callis H. Atkins, to be assistant sanitary engineer in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the Executive Calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 10, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 9 (legislative day of March 5), 1942:

UNITED STATES ATTORNEYS

Daniel B. Shields, of Utah, to be United States attorney for the district of Utah. Mr. Shields is now serving in this office under an appointment which expired February 1, 1942.

James O. Carr, of North Carolina, to be United States attorney for the eastern district of North Carolina. Mr. Carr is now serving in this office under an appointment which expired March 4, 1942.

Philip F. Herrick, of Puerto Rico, to be United States attorney for Puerto Rico, vice Hon. A. Cecil Snyder, resigned.

UNITED STATES MARSHAL

Gilbert Mecham, of Utah, to be United States marshal for the district of Utah. Mr. Mecham is now serving in this office under an appointment which expired February 1, 1942.

COAST AND GEODETIC SURVEY

The following-named employees of the Coast and Geodetic Survey to be aide, with rank of ensign, in the Coast and Geodetic Survey:

Edward G. Cunney — V. Ralph Sobieralski
Robert M. Randall, Jr. — Raymond M. Stone
G. Albion Smith — Lorin F. Woodcock

CONFIRMATIONS

Executive nominations confirmed by the Senate March 9 (legislative day of March 5), 1942:

FEDERAL RESERVE SYSTEM

R. M. Evans to be a member of the Board of Governors of the Federal Reserve System.

COLLECTOR OF CUSTOMS

William Jennings Bryan, Jr., to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif.

UNITED STATES PUBLIC HEALTH SERVICE

Callis H. Atkins to be an assistant sanitary engineer in the United States Public Health Service.

POSTMASTERS

TEXAS

Merle L. Alexander, Allred.
Sallie C. Milburn, Bryson.
Jesse C. Estlack, Clarendon.
John S. Cochran, Coahoma.
Aubrey I. Chapman, Columbus.
Virgil E. Wootton, Hunt.
Harley Arnold, Maud.
William G Abernathy, Palo Pinto.
Cora Anderson, South Houston.
Simon D. Hay, Sudan.
James R. Oliver, Wells.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 9, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art perfect in love, purity, and power, we thank Thee that Thy providence abides through every change. Pity us if from our hearts no prayers arise and no thanks are returned for the bounties which Thou dost bestow upon us. Have mercy upon us if we fail to give out charity and sympathy and are unmindful that religion and morality are the dominant supports of our country Blessed Lord, we would know that the fadeless virtues are those we contribute in self-forgetting service for God and native land.

Heavenly Father, we earnestly pray for our own America that in this hour she may break every chain of earthly indulgence, of vain ambition, and of callous indifference as becomes a free Christian people. Forgive us our pride, our vaunted boasting, and bring all men to their intelligence, to their self-control, that the spirit of unity and the desire to serve shall become imperative and the doorway of hope shall be thrown wider and wider to all men. Oh let us lay aside every weight and the sin that doth so easily beset us and let us run with patience the race that is set before us.

"Lord God of hosts, be with us yet,
Lest we forget, lest we forget."

Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Saturday, March 7, 1942, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therewith an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE HOLDING COMPANY ACT

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks.

The SPEAKER. Without objection, it is so ordered.

Mr. PADDOCK. Mr. Speaker, I am today introducing a bill authorizing the Securities and Exchange Commission to suspend during the existing emergency the so-called death-sentence provisions of the Public Utilities Holding Company Act.

This is desirable legislation for several important reasons, and since it authorizes without compelling the suspension of the death-sentence provisions, there is no possibility of harmful results.

These provisions, if rigidly enforced, would force the public sale, under present adverse conditions, of numerous utility operating companies. Such sales would necessarily be at distress prices, resulting in excessive and unjust losses to the many thousands of investors, including large numbers of persons of small means who own stock in the holding companies now owning these properties. There is no good reason for Congress to create such losses.

Another strong argument against compelling these sales of operating-company stocks at bargain-counter prices is the resultant damage to market values of other operating-company stocks. Whenever a stock of a well-known company is marked down excessively the stocks of similar companies inevitably suffer.

A third and equally forcible argument against forcing the immediate sale of these operating-company stocks under the death-sentence requirements is that public funds would be absorbed which could find much better employment in Government bonds or other investments really needed in our war activities.

I believe that this authorization to the Securities and Exchange Commission will enable that body to act wisely and helpfully in the existing emergency.

[Text of bill as introduced on March 9, 1942. Referred to Committee on Interstate and Foreign Commerce. By Mr. PADDOCK]

Be it enacted, etc., That, notwithstanding the provisions of section 11 of the Public Utility Holding Company Act of 1935 (which requires the taking of action to bring about the simplification of public-utility holding-company systems), the Securities and Exchange Commission is hereby authorized to suspend the exercise of its functions and duties under such section to such extent as, in its judgment, will be not inconsistent with the public interest.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include excerpts from two newspapers.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. SMITH of Washington addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from Judge R. V. Fletcher, vice president and general counsel of the Association of American Railroads.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE DIES COMMITTEE

Mr. ELIOT of Massachusetts. I have two requests to submit: First, to extend my remarks in the Appendix of the RECORD and include certain editorials; and, second, to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I read from the printed copy of the hearings before the Rules Committee, February 11, 1942, at page 47:

Mr. DIES. * * *. Do you know that Hitler and the Nazi government filed a protest with the Department of State against the Dies committee, asking for its discontinuance? That was comparatively recent.

And on page 48:

Mr. DIES. The Government of Germany protested against the work of the Dies committee, asking for its discontinuance before we became involved in war.

I now read from a letter sent to me by Sumner Welles, Acting Secretary of State, on February 24, 1942:

With reference to the question contained in the postscript of your letter, whether the German Government protested to our Government against the activities of the Dies committee and requested its discontinuance, the Department has been unable to find any record of such a protest.

Let us never forget that the chairman of the Dies committee is the man who is so frequently and so favorably quoted on the propaganda broadcasts of our deadly enemies.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield.

Mr. RANKIN of Mississippi. Does not the gentleman believe that Hitler would like to have the Dies committee abolished?

Mr. ELIOT of Massachusetts. Replying to the gentleman, I may say that the Nazi propaganda broadcasts quote the gentleman from Texas favorably and frequently.

Mr. Speaker, I yield back the balance of my time.

EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include an editorial on Government press agents.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. CLEVENGER asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial; and also I ask unanimous consent to delete a part or all of the remarks I made on March 2.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. McGEHEE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include excerpts from editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and include excerpts from a broadcast by H. V. Kaltenborn on March 1, 1942.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WISCONSIN FARMERS SPEAK

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. STEVENSON]?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I receive many letters from my farmer constituents giving vent to their feelings in reference to what is going on in the Nation. I want to read one of these letters:

HOLLANDALE, WIS.

Hon. WILLIAM H. STEVENSON,
Congressman, Third Wisconsin District, Washington, D. C.

DEAR SIR: I should like to know why—with the so-called shortage of milk, and other dairy products—why should milk take a 15-cent drop per hundredweight just as soon as the farmers get a few pounds to sell. I have not noticed any drop in prices on anything we have to buy with the proceeds from the milk And also eggs are going down, with a supposed shortage of eggs, and the hatcheries starting to use millions of eggs for hatching of baby chicks.

I think it would be all right to look into these matters. It don't seem right that farmers should be asked to produce more, with less help to do it with, and have to take less and less for products especially asked to step up production on, while the Congressmen vote themselves a pension. Why not the farmers a pension also, who have always footed the bills can go hang.

You don't dare to read this on the floor of Congress.

Yours truly,

OSCAR C. STINER.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short article on How Oregon Women Mobolize, by Mrs. Saidie Orr Dunbar, appearing in the Oregon Journal on February 26, this year.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

ATTEMPT TO BRING HARRY BRIDGES TO JUSTICE THWARTED

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, for the past 2½ or 3 years there have been many attempts to bring Harry Bridges to justice. There seems to be some mysterious hold that he has on influential sources that protects him, regardless of what he may do.

All Members of this House certainly are familiar with this case and they showed what they thought of it by their overwhelming vote. In a finding of facts, the only man ever qualified to hear such facts found Bridges guilty. He was again whitewashed by subordinate employees, who might have been subject to pressure. To the defenders of Bridges, whoever they may be, I am saying this, that Bridges is more dangerous today, during war period, than he was in peace.

I have been endeavoring since January 16 to get a hearing on my Resolution No. 401, pertaining to Bridges, from the Rules Committee. Despite the fact that some 10 members of this committee have indicated to me they would be glad to give me a hearing, on account of the personal opinion of the chairman this hearing has not been called.

The chairman assumes a great deal when he undertakes, if he does, to act for the other members on that committee. The chairman is either right or wrong in denying me this hearing. If he is right in his all-out knowledge that he should personally decide all these things, then this country can save a great deal of money by sending the other 434 Congressmen home.

If he is wrong, this hearing should be granted.

THE RULES COMMITTEE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, answering the gentleman from California, may I say that I do not set myself above the House or the membership thereof. Every Member outside of the gentleman from California knows that I have complied with all requests for hearings which are possible. Unfortunately he wants a committee appointed to investigate conditions which have had the attention of our courts and departments for the last 2 years. I would be only too pleased to give him a hearing, but the committee has over 40 different resolutions pending now that were introduced before his.

The gentleman is not satisfied with making the attacks on me here in the House. On February 11 he addressed a letter to me complaining that, although some members of the Rules Committee agreed that he be given a hearing, I refused to do so, and quoted my letter of January 17 stating "that he would be heard as soon as hearings on other resolutions were concluded." But even before I had a chance to read his letter I read the same in the Chicago Tribune, which is always pleased to criticize.

A few days ago he again called and threatened to take the matter up on the floor of the House, to which I answered that it was satisfactory to me, that all I desired was to be notified when he does. I leave it to the House whether there is any justification for his complaint as to my refusal to grant a hearing for creating another committee to investigate the proceedings and activities regarding the deportation of Harry Bridges.

I wish to add that this is the second time during my chairmanship where a complaint has been lodged against my refusal to grant hearings. Personally I feel that if I should act and report all resolutions for creating committees, the House could be kept busy. But as I recognize many of these resolutions are introduced only for effect, I am obliged to use my judgment in saving the time of the House and also of the Members from a multiplicity of such resolutions.

I am confident that no Member will arise and justly charge that he has not been afforded an opportunity to be heard by the Rules Committee on any application whenever conditions and time permitted. As it is, I repeat, there are before the Rules Committee about 40 resolutions and applications for rules, and it is impossible to act upon all of them. Therefore only those of real importance are taken up and hearings granted.

However, the House knows this is not the first time that the gentleman from California has called attention to Bridges' status. I venture to say that at least 20 times before he has talked about the very same matter.

At this time I think matters of greater importance deserve consideration, especially in view of the fact that the Appeal Board has acted adversely to the gentleman's viewpoint and the matter is now receiving consideration by the Attorney General. Furthermore I feel that the passing of any such measure by Congress

would be held to be a bill of attainder, prohibited by the Constitution of the United States, and on that point in the near future I shall submit a brief that will bear out not only my contention but that of real constitutional lawyers on the subject.

[Here the gavel fell.]

PVT. ARCHIE R. GURKIN, OF PINETOWN, N. C.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

There was no objection.

Mr. BONNER. Mr. Speaker, yesterday there appeared in the Star and other morning papers a picture of a splendid North Carolinian typifying the young manhood of today who are now defending our Nation. The picture is of Pvt. Archie R. Gurkin, of Pinetown, N. C., son of one of North Carolina's outstanding families. He was the first casualty at Pearl Harbor. Though shot through the chest and back, thanks to our good Medical Corps, Gurkin has recovered and returned to duty. The spirit demonstrated by this North Carolinian, who was born and reared near my home town of Washington, N. C., is the same spirit that will win this war, and I say Godspeed to him and others engaged in this mission.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Owen L. Scott which appeared in the Washington Star of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

THELMA CARRINGER AND OTHERS—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 655)

The SPEAKER. The Chair lays before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 4010, a bill for the relief of Thelma Carringer and others.

It is the purpose of the bill to pay the sum of $1,500 to Thelma Carringer, widow of A. M. Carringer; the sum of $500 to Burt Savage; the sum of $550 to J. A. Cearly; and the sum of $1,700 to Frank A. Fain, by reason of the death of Carringer, personal injuries to Savage, and payments in the nature of awards to Cearly and Fain, all in connection with the apprehension of three bandits who robbed the post office at Coker Creek, Tenn., of $11.64 on October 7, 1930.

At the request of the postmaster at Coker Creek, Carringer, the chief of police of the nearby town of Murphy, N. C., with the assistance of Fain, night watchman at Murphy, and two citizens, Savage and G. J. Leatherwood, sought to apprehend the mail robbers. When they overtook the automobile in which the bandits were making their escape, a gun battle ensued, resulting in the death of Carringer and personal injury of Savage, together with the capture and subsequent death of one of the bandits, Jess McPherson, and the capture of another bandit, Walter Bryson.

The third bandit, Casey Bryson, escaped but was subsequently apprehended in the nearby town of Andrews, N. C., by Cearly, a former police officer.

The Post Office Department has already paid, on account of the capture of McPherson, the maximum awards permissible under the existing law, as follows: $750 to the widow of Carringer, $750 to Fain, $250 to Savage, and $250 to Leatherwood, or a total of $2,000.

The two Brysons were tried and convicted of the murder of Carringer in a State court. Since they were not convicted of a postal-law violation, the Post Office Department could not pay any reward on their account. However, the State of North Carolina, the county of Cherokee, and the town of Murphy did pay, on account of their capture, the following amounts: $3,800 to the widow of Carringer, $82 to Savage, and $550 to Cearly, or a total of $4,432.

It would appear to me, therefore, that the payments that have been made to the claimants in this case represent, both as to their total amount and as to the division of that amount between the Federal Government and the local governments, an appropriate and sufficient recognition of services performed and the injuries sustained by these claimants.

I do not think, moreover, that it would be appropriate to provide by special act for Federal rewards to individuals in excess of the amounts that have been provided by the general statute establishing the policy to be followed in such cases.

I regret, therefore, that I do not feel justified in giving the bill my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 9, 1942.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and accompanying document will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

REGULATION OF BARBERS IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5444) to amend the act to regulate barbers in the District of Columbia, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain what this bill does?

Mr. SCHULTE. This bill seeks to regulate the hours the barbers in the District of Columbia may work. The conditions as to working hours under which barbers work here in the District of Columbia are more deplorable than in any other place in the United States. This bill has been reported unanimously by the committee.

Mr. MARTIN of Massachusetts. What are the conditions at the present time? The House would like to know what the conditions are at the present time and what this bill seeks to do.

Mr. SCHULTE. The conditions now are that barbers can be forced to work and they do work 17 to 18 hours a day.

Mr. MARTIN of Massachusetts. Does the gentleman mean an individual barber is required to work that long?

Mr. SCHULTE. Yes.

Mr. MARTIN of Massachusetts. What does this bill seek to do?

Mr. SCHULTE. This bill seeks to let the barbers work a 54-hour week, so they cannot be forced to work 7 days a week, as they are doing today.

Mr. MARTIN of Massachusetts. How about the days of the week upon which a barber shop can be kept open?

Mr. SCHULTE. That will be left to the barbers themselves. They will work out that program. In this bill they are given authority to work out that program.

Mr. MARTIN of Massachusetts. Have regular hearings been held on this bill, and has the committee reported it unanimously?

Mr. SCHULTE. The committee has reported the bill unanimously.

Mr. COX. Mr. Speaker, I object.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

CALL OF THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Without objection, a call of the House will be ordered.

There was no objection.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 35]

Arnold	Englebright	Kramer
Baldwin	Ford, Thomas F.	Lambertson
Baumhart	Gavagan	McKeough
Beam	Gerlach	Magnuson
Bender	Gifford	Mitchell
Bishop	Harris, Va.	Myers, Pa.
Bolton	Hébert	O'Day
Buck	Howell	Oliver
Buckley, N. Y.	Jarman	Osmers
Burgin	Jarrett	O'Toole
Byron	Jenks, N. H.	Patrick
Camp	Jensen	Plauché
Celler	Johnson, Ill.	Randolph
Cole, Md.	Johnson,	Sacks
Copeland	Lyndon B.	Scanlon
Courtney	Kelly, Ill.	Schaefer, Ill.
Curtis	Kennedy,	Scott
Davis, Ohio	Michael J.	Scrugham
Douglas	Kilburn	Shannon
Downs	Kleberg	Sheridan
Drewry	Kopplemann	Smith, Pa.

Stearns, N. H.	Voorhis, Calif.	West
Stefan	Vreeland	Whitten
Stratton	Walter	Worley
Tolan	Wene	Wright

The SPEAKER. Three hundred and fifty-eight Members have answered to their names, a quorum.

By unanimous consent, further proceedings, under the call, were dispensed with.

WAR PRODUCTION BOARD

The SPEAKER. The Chair desires to make a short statement and have a letter read.

A few of us 2 or 3 weeks ago had a talk with the Honorable Donald Nelson about Members of Congress having great difficulty in finding the proper person to talk to in the War Production Board in getting information. There was conversation about having someone designated by Mr. Nelson from whom Members of Congress could get information. This morning I received a letter from Mr. Nelson which, without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

MARCH 6, 1942.

MY DEAR MR. RAYBURN: In view of the intense interest of Members of the Congress in the various aspects of the operation of the War Production Board I have reached the conclusion that it would be mutually beneficial to the Congress and the War Production Board if a channel were provided through which congressional requests for information might be handled.

Because of the many varied activities of the War Production Board, Members of the Congress have great difficulty in locating the official who can give them a specific answer to their inquiries. As a result, they are confused about the whole organization and much of their time and that of officials of the War Production Board is consumed through unnecessary telephone calls and correspondence.

In view of the importance of a mutual understanding and a close working relationship between the Congress and the War Production Board, I have taken definite steps to establish a working liaison in both Houses of Congress. Mr. William J. Hays has been selected as a liaison officer of the War Production Board to the House of Representatives. I have instructed my assistants to work out with you provision for an office at the Capitol for Mr. Hays in order that he and whatever staff he needs may be available at all times to answer inquiries from individual Members of the House, to provide information about operations of the War Production Board, and to advise Members concerning action taken on matters with which they may be concerned.

I would appreciate your advising Members of the House of Representatives that effective liaison is being established immediately.

Sincerely yours,

DONALD M. NELSON.

The Honorable SAM RAYBURN,
House of Representatives.

The SPEAKER. The Chair will state that Mr. Hays has been installed this morning in the committee room of the Committee on Expenditures in the Government Departments, 304 House Office Building.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

The SPEAKER. The question is on the motion offered by the gentleman from Georgia that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 75, line 13, after "Government" and before the period, insert the following: ": *Provided further*, That no payment or payments hereunder to any one person or corporation shall be in excess of the total sum of $1,000."

Mr. WHITTINGTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. Mr. Chairman, it will be conceded that the rule which has been adopted in connection with the consideration of this bill waives points of order against items in the bill, but the rule would not make in order amendments that would otherwise be in violation of the rules of the House. I believe it will also be conceded that the proposed amendment is not within the so-called Holman rule, as it does not appear on its face it will effect a reduction or a retrenchment in this appropriation. It may be contended that the proposed amendment is a limitation. I assert and make the point of order that it is not a limitation but is legislation in an appropriation bill, which is not admissible.

May I remind the Chair in that connection that this amendment comes at the conclusion of the paragraph under consideration on page 75, following line 13. This is the paragraph that deals with the total amount appropriated to carry into effect the provisions of the Soil Conservation Act for the year mentioned. I should like the Chair to keep in mind that under the Agricultural Adjustment and Soil Conservation Act not more than $10,000 may be paid to any one person or corporation. The act contains this language:

Beginning with the calendar year 1939, no total payment for any year to any person under such subsection (b) shall exceed $10,000

Now the paragraph under consideration provides for an appropriation of $450,000,000 for soil conservation and there are several provisos. The first proviso is that not more than $4,000,000 shall be made available under section 202 (a) to 202 (e). The second proviso is that no part of the amount shall be available for salaries and other administrative expenses except for the payment of obligations incurred prior to July 1, 1943, and I emphasize that proviso because it covers not only the payments but salaries. The third proviso is that such amount shall be available for salaries and other administrative expenses in connection with the formulation of the administrative program of 1943. The fourth proviso has reference to the transfer of funds. The fifth proviso has reference to the payment of amounts that may accrue as a result of the use of seeds and fertilizer. The paragraph therefore includes salaries as well as the amounts that may be paid for complying with the soil conservation act.

The gentleman's amendment stipulates, and I read his amendment:

No payment or payments hereunder to any one person or corporation shall be in excess of the total sum of $1,000.

Now, I assert that would be applicable not only to the soil conservation payments, but to the salaries and to the other payments, but, particularly, to the salaries embraced in this paragraph. I invite the Chair's attention to Cannon's Procedure, page 67, in support of the contention that the proposed amendment is really legislation and cannot therefore be admitted as a limitation. I call attention to the fact that it has been held under annotations on page 67 of Cannon's Procedure, that a limitation giving new construction of law is not admitted.

The salaries and the payments and the other items mentioned here are all fixed by law. This would make unlawful that which is lawful, and this is not admissible. I read from volume 7 of Cannon's Precedents, section 1606:

Whenever a purported limitation makes unlawful that which was before lawful or makes lawful that which was before unlawful, it changes existing law and is not in order on an appropriation bill.

Now, the payments are made in order by virtue of existing law and this would undertake to change the payments. The proposed amendment, therefore, would undertake to change payments that can only be changed by amending existing law.

If there were any citation of authority necessary to support this contention or if there were any facts that would be of benefit to support this contention, such fact is shown by the proposed amendment offered by the gentleman from Texas [Mr. GOSSETT] which does undertake to change existing law, and I submit that is the only way changes can be made. The only way to change the salaries recommended in this paragraph would be to change existing law with respect to salaries.

Under Cannon's Precedents, I repeat and quote:

Whenever a purported limitation makes unlawful that which was before lawful or makes lawful that which was before unlawful, it changes existing law and is not in order on an appropriation bill.

If an employee of the Government is receiving $2,500 and you provide that that employee may receive under this limitation $1,000, you change existing law. If you limit a $10,000 payment, you change existing law.

Further, under Cannon's Procedure and Cannon's Precedents with respect to limitations, and not with respect to the Holman rule, I read section 1642 of the Precedents—

a provision repealing an existing limit on salary was held to be legislation and not a limitation. In support of that contention I cite volume 7, section 1642, of Cannon's Precedents.

This ruling was made in 1924 when the gentleman from Indiana, Mr. Everett Sanders, afterward Secretary to the President of the United States, was presiding in the Committee of the Whole. At that time the Treasury and Post Office appropriation bill was under consideration and the following amendment was offered:

Provided, That no person shall be employed hereunder at a compensation greater than that allowed except not exceeding three persons who may be paid not exceeding $12 a day.

A point of order was made, and the Chair stated it, and I read:

A point of order is made against the amendment. The limitation upon the payment of salaries by law is legislation. Any appropriation which purports to do away with such limitation is legislation, and the point of order is sustained.

I respectfully submit that the proposed limitation is applicable to the salaries that may be paid and to the benefit payments that are fixed by existing law, not applicable to the benefit payments, whatever may be the intention of the author, but to all of the payments of every kind, whether salary, benefit payments or soil-conservation payments mentioned in this entire paragraph. I believe that the amendment is legislation and therefore not within the exception as to limitations, and should be sustained.

Mr. WOODRUM of Virginia. Mr. Chairman, I would like to be heard briefly on the point of order.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Virginia.

Mr. WOODRUM of Virginia. Mr. Chairman, I think the amendment offered by the gentleman from Oklahoma is clearly in order and not subject to the objections indicated by the gentleman from Mississippi [Mr. WHITTINGTON].

In the first place, I think it is a very strained construction and not justified by the language to say that the amendment would apply to salaries. If it did apply to salaries it would still be in order. It is in order on an appropriation bill to say that none of the funds therein appropriated shall be used to pay any salary in excess of any amount you desire to name, notwithstanding the fact that the organic law may fix the particular salary at a higher rate. We are doing it in every appropriation bill. There are some of the agencies where the salaries of the chiefs are fixed at $12,000 and $12,500, and for years we have carried a provision that none of the funds shall be used to pay any salary in excess of a certain amount. Further, I think it is a strange construction that would apply that amendment to the salaries; but aside from that, the gentleman's objection is that it changes the method of making payments. It does not do it. The same rules provide that soil-conservation payments will continue, notwithstanding this amendment. It does not interfere with that or change the organic law at all. It simply puts a ceiling on the payment and says that you cannot pay any amount above that. It would be impossible to draw an amendment more clearly within the rule permitting limitations on an appropriation bill.

Mr. WHITTINGTON. Mr. Chairman, I submit that if it be a limitation upon the payment of soil-conservation payments, the amendment should be to that part of the bill, and if it be a limitation on the salaries, the amendment should be offered to that part of the paragraph, and that a general limitation to the entire paragraph, which covers four or five different provisions, including payments and salaries, is not in order. To include salaries and other benefits is violative of the general rule that you cannot cover more than one limitation in an amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I do not purpose at this time to discuss at length the point of order raised by the distinguished gentleman from Mississippi [Mr. WHITTINGTON]. I must confess that I am somewhat surprised and really amazed that the gentleman should seriously raise the point of order to the pending amendment. I, of course, agree thoroughly with the gentleman from Virginia [Mr. WOODRUM], who is one of the best lawyers and one of the outstanding parliamentarians in the House, that my amendment is clearly within the rule, and is merely a limitation. I desire to make it clear also that I have profound respect for the gentleman from Mississippi. He is without doubt one of the best lawyers in the House, as well as one of the ablest legislators, and, I might add, incidentally, that the gentleman for whom I have a very high regard is certainly one of the largest and most successful farmers in the South.

Members will recall, as I pointed out in my brief remarks last week, that only 2 or 3 years ago the former distinguished chairman of the Committee on Agriculture, Hon. Marvin Jones, sponsored legislation and finally was able to get a bill through his committee limiting these payments to $5,000. Judge Jones is not only a great lawyer, as is evidenced by the fact that he is now a Federal judge on the Court of Claims, but he was familiar with the original Agricultural Act. He understood also the need for placing a limitation on these payments. Of course, the opposition raised the same objection then. But, frankly, no one took those objections seriously. I feel sure, Mr. Chairman, that the amendment is clearly within the rule, and without further discussion I now ask for the decision of the Chair.

Mr. WHITTINGTON. Mr. Chairman, if the Chair will permit, in response to that part of the statement of the gentleman from Oklahoma [Mr. JOHNSON] which applied to the proposition pending before the Committee, that this point was not either raised or decided 2 years ago when a similar appropriation bill was before the House, the language of the amendment to that bill, with which I am thoroughly familiar, was restricted to soil conservation and parity payments, and did not cover the general payments embraced in the entire paragraph now under consideration.

The CHAIRMAN. The Chair is ready to rule. The present occupant of the chair is informed just now that the point of order referred to by the gentleman from Mississippi was reserved and later withdrawn. The gentleman from Oklahoma [Mr. JOHNSON] offers an amendment, on page 75, line 13, after the word "Government" and before the word "parity", to insert the following language: "*Provided further*, That no payment or payments herein to any one person or corporation shall be in excess of the total sum of $1,000."

From Cannon's Procedure, on page 61, the Chair reads the following:

The House in Committee of the Whole has the right to refuse to appropriate for any object either in whole or in part, even though that object may be authorized by law. That principle of limitation has been sustained so repeatedly that it may be regarded as part of the parliamentary law of the Committee of the Whole.

That was a ruling made by Mr. Chairman Nelson Dingley, of Maine, January 17, 1896. The present amendment against which the point of order has been made undertakes to limit payments which have heretofore been provided for by law. In the opinion of the Chair, the amendment is a limitation; and, therefore, the Chair overrules the point of order.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am sure that every member of the Committee knows the purpose of the pending amendment. It is for the purpose of limiting these soil-conservation payments to $1,000. A goodly number of Members feel that my figure is too high and will offer amendments to further reduce the limit. Others perhaps think that $1,000 is too low. But certainly the present limitation of $10,000 should be materially reduced.

As I am sure Members will recall, when the original law was enacted there was no limitation whatever on the amount that any one person or corporation might receive. Members will further remember that after the law had been in operation a year we saw the sorry spectacle of a few individuals and several corporations pulling down Government checks of $25,000, $50,000, and $100,000 in these so-called soil-conservation payments. Congress and the country were horrified to learn that one corporation received in excess of $1,000,000 in these payments. Of course, that was not the intent of the law. But when it was suggested that Congress act to correct such a weakness in the law there were those here who threw up their hands in holy horror and said those of us who were endeavoring to amend the bill were trying to wreck it. "You must treat all alike," they shouted. Congress, however, finally decided it must do something about it and a $10,000 limitation was placed in the law. A moment ago I mentioned that the former chairman of the Committee on Agriculture favored making a drastic limitation. He finally introduced a bill, with the unanimous approval of his committee, making the limit $5,000. That bill was brought to the floor of this House and fully discussed, and by an overwhelming vote

this House went on record placing a limit on these payments. So this House has heretofore spoken in no uncertain terms on the principle involved in this amendment.

On last Saturday, shortly after I made some brief remarks here, at which time I gave notice that I would offer the pending amendment, wo or three gentlemen who heard my statement, and whom I respect as splendid, sincere gentlemen, came rushing down to me and said:

What are you trying to do? Sabotage the whole agricultural program?

We hear that word "sabotage" a great deal. That appears to be an overworked word these days. Another Member for whom I have much respect said:

What are you trying to do, Jed, wreck the entire program?

If Members will take the time to turn back the pages of history a couple of years and read the record you will find the same argument was used when Marvin Jones was fighting to make a limitation on these payments. Oh, no; I am not trying to sabotage the program. I am not endeavoring to wreck or hinder the program. I have supported the agricultural program despite its defects. I am here proposing to assist the chairman and his committee. I think he and his committee have done excellent work. His committee has already reduced this bill more than any other annual appropriation bill has been cut as yet, and I am sincere in complimenting these gentlemen on that record. But, here is a chance to save not a few thousand or a few hundred thousand, but to save millions and millions of dollars.

Now in support of my amendment let me say that I hold in my hand a partial list of those farmers—drug-store farmers—who are farming the farmers, who are getting in excess of $1,000. You will be interested to look at this list. It is not the latest list, as I explained Saturday, but it is the latest I have been able to secure. I have tried to get an up-to-date list. This, I repeat, is not up-to-date, nor is it complete. Some States, including the State of Mississippi, are not in this list at all. Members will see it is a long, heavy, cumbersome list. I invite any to come and look at the list who may desire. There are more of these names on the list from my district than any other district in the State of Oklahoma—138 of them. I have looked over this list carefully. Some are very outstanding and influential citizens. Some are close friends of mine. The truth is, however, that a surprisingly small percent of these gentlemen are bona fide farmers. They do not reside on the farm and many never did. In many cases they are either insurance companies, mortgage companies, bankers, or in a few cases retired farmers. Few are actual bona fide farmers.

At this time, which is the darkest hour in the Nation's history, when we are called upon to cut to the bone all nondefense activities, the opportunity of saving the enormous sum of $50,000,000 or over is no laughing matter. That is what is proposed here and that is what I am advised can be done by adopting my amendment. It is one thing to talk loud and long about economy. Here is a golden opportunity to practice economy by your votes.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WOODRUM of Virginia It is unfortunate that we cannot have a photograph of that large volume which the gentleman holds in his hand, but I observe it is probably a couple of hundred pages.

Mr. JOHNSON of Oklahoma. Yes; considerably more that that.

Mr. WOODRUM of Virginia. And so heavy that even a strong man like the gentleman from Oklahoma rather bows under its weight. I applaud the gentleman in his effort to put some sense into this payment program.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

Mr. TARVER. Mr. Chairman, reserving the right to object, and I shall not I hope the gentleman will be able to conclude within that time, since it is the purpose to have the consideration of the bill completed today, even though we may have to sit rather late. I trust that all gentlemen who desire to address the House will limit their remarks as much as possible.

Mr. JOHNSON of Oklahoma. I thank the gentleman.

The CHAIRMAN. How much additional time is the gentleman asking for?

Mr. O'CONNOR. The gentleman is making a convincing statement. I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Montana.

Mr. O'CONNOR. I wish to call attention to the fact that the book which the gentleman has in his possession discloses that in my own State of Montana a gentleman who, I believe, does not spend 1 month of the entire year in the State of Montana draws down, according to that book, the modest sum of in excess of $17,000. In addition to that, there are three others who draw in excess of $10,000, $8,000, and $11,000. I do not believe that this law was ever intended to enrich people who do not even farm, but as the gentleman has well said, "who farm the farmers."

Mr. JOHNSON of Oklahoma. I appreciate the gentleman's splendid statement.

Mr. TARVER. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. If the gentleman desires to ask a question.

Mr. TARVER. I do. The law now limits such payments to $10,000, so it is impossible that anybody could have received more than $10,000 in the State of Montana.

Mr. O'CONNOR. Mr. Chairman, I demand that the book be shown there. It shows that there is an item of $17,000 paid to a Montana man.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I made the statement very plain that this was not the latest list.

Mr. O'CONNOR. I want it understood that the book discloses $17,000.

Mr. JOHNSON of Oklahoma. That is correct, and there are several others. Since this book containing the list was printed Congress has placed a limitation of $10,000 on the payments. So both gentlemen are correct.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOUSTON. I want to commend the gentleman from Oklahoma for having the judgment and courage to offer this amendment. I am very strong for it. Did I understand the gentleman correctly to say that his amendment would save about $50,000,000 a year?

Mr. JOHNSON of Oklahoma. I am advised it will save at least $50,000,000 a year, in its present form.

Mr. HOUSTON. Then I hope the amendment carries.

Mr. SOUTH. Mr. Chairman will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. SOUTH. How will the gentleman's amendment apply to a landowner who has, we will say, 15 or 20 separate tenant farmers?

Mr. JOHNSON of Oklahoma. It will limit to $1,000 what any individual may get. Under the present law the limit is $10,000. Yet I am advised that in some cases families have divided up their estates and four or five different members of the family or near relatives have been able to pull down these checks and thereby evade the law. That cannot be done under this amendment.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. STEFAN. I would like to ask the gentleman this question: Suppose a tenant farmer rents from an insurance company which has to have 50 or 60 farms; how will that affect the tenant?

Mr. JOHNSON of Oklahoma. I am of the opinion that my amendment, modified by the Case amendment or something similar, will take care of the tenants or sharecroppers.

Mr. AUGUST H. ANDRESEN. An insurance company that owns a large number of farms can rent them on a cash-rent basis and the tenant gets his money.

Mr. JOHNSON of Oklahoma. That is correct; and I might add that is what they are doing in many instances.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. RICH. No real dirt farmer could farm enough land to deserve a payment of $10,000 a year. Is not this true?

Mr. JOHNSON of Oklahoma. That is how I feel about it. I believe the farmers are just as patriotic as any other class of citizens, whether they be big or little; and with General MacArthur and his brave men pleading for bombers $50,000,000 would pay for a lot of them.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. BECKWORTH. I commend the gentleman for offering this amendment. I believe it is a step in the right direction. The figures available after 1934 showed that one-half of 1 percent of the producers of cotton were producing about 16 percent of the cotton, which means they were getting about 16 percent of the income from cotton. This is an amendment which has for its purpose the cutting down of the big payments which a few farmers would receive.

Mr. JOHNSON of Oklahoma. I thank my distinguished and able young colleague from Texas for his statement. In that connection, I may say that I happen to know of a man who 2 or 3 years ago had 19 different farms, every one of them occupied by a renter. Within the past 2 years, I am reliably informed, he has torn down every one of those rent houses and every one of his renters has gone to town in a vain effort to get on relief; and the owner is pulling down the cold cash in the form of fat conservation payments. That practice is entirely too prevalent in Oklahoma, as well as other agricultural States. I want to protect the sharecropper and the small family-size farmer. I want to encourage the small farmer to remain on the farm, or return there to help in the gigantic task just ahead to feed the world.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Substitute amendment offered by Mr. CASE of South Dakota for the amendment offered by Mr. JOHNSON of Oklahoma: Page 73, line 16, after the word "inclusive", insert: "*Provided further*, That no payment or payments hereunder to any person or corporation shall be in excess of the total sum of $1,000; *and provided further*, That this limitation shall not be construed to deprive any share renter of payments not exceeding that amount to which he would otherwise be entitled.

Mr. CASE of South Dakota. Mr. Chairman, I have no desire to take any credit from the gentleman from Oklahoma in offering the amendment; in fact, I would rather the few additional words I have added to his amendment in the form of this substitute might be added by him, and if there is no objection it would be satisfactory to me. My suggested amendment is exactly the Johnson amendment with these words added:

And provided, That this limitation shall not be construed to deprive any share renter of payments not exceeding that amount to which he would otherwise be entitled.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I may say that the gentleman from South Dakota submitted to me his amendment, not before I offered mine but before I took the floor, and I said at that time that I saw no objection to it. So far as I am concerned, I have no objection to adding those words to my amendment.

Mr. CASE of South Dakota. Mr. Chairman, would it be in order for me to ask unanimous consent that the wording which I have offered plus the Johnson amendment be added to the Johnson amendment and to withdraw my substitute?

The CHAIRMAN. The gentleman from South Dakota [Mr. CASE] asks unanimous consent that the language of the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON] be changed to coincide with the language of the substitute which he offered, and that his substitute be withdrawn. Is there objection?

Mr. H. CARL ANDERSEN. Mr. Chairman, reserving the right to object, I want to call the attention of the gentleman from South Dakota [Mr. CASE] to the fact that he forgets one very important thing. In the case of an insurance company having 120 farms, for instance, in my district, maybe a thousand in the State of Minnesota, that insurance company is not going to go in on the program unless it gets its pro rata share of the soil-conservation program.

Mr. CASE of South Dakota. My addition is to protect the man who rents from the insurance company.

Mr. H. CARL ANDERSEN. Just a minute. Consequently, that insurance company is going to say to the renter, "You cannot lease this farm from us unless you agree to stay out of the soil conservation."

Mr. CASE of South Dakota. That would be equally true under the original Johnson amendment. It does not help the insurance company.

Mr. H. CARL ANDERSEN. In other words, the gentleman from South Dakota admits that both the amendment offered by the gentleman from Oklahoma and his amendment are not worth the paper they are written on as far as the protection of the tenant is concerned.

Mr. CASE of South Dakota. That is the gentleman's opinion, but he overlooks the fact that, under current rulings, a share renter is automatically out of compliance if his landlord is out of compliance on any of the farms he operates. The addition I suggest will protect the renter who is in compliance regardless of what his landlord does on his other farms.

Mr. HOPE. Mr. Chairman, reserving the right to object, is it not true that no tenant can get any benefits under the program unless he complies with certain requirements? If he is operating under a landlord who says, "No, this farm will not go in the program because I cannot get any benefit from it," how is his amendment going to help the tenant under those circumstances?

Mr. CASE of South Dakota. He could not come in anyway if the landlord would not rent the farm to him if he intended to comply. My suggestion will help the tenant who does rent on shares by protecting him against being ruled out of compliance on the ground that he is a joint operator with a landlord who is out of compliance on some other farm.

Mr. HOPE. Mr. Chairman, further reserving the right to object, may I suggest to the gentleman that I have an amendment at the Clerk's desk which I think will take care of that situation inasmuch as it provides that the limitation shall not apply to a landlord but shall apply to an independent operator or a tenant?

Mr. CASE of South Dakota. Does the gentleman's amendment also carry the thousand-dollar limitation?

Mr. HOPE. Yes; it is an amendment to the Johnson amendment, and simply provides that the thousand-dollar limitation shall not apply to a landlord where the relationship of landlord and tenant exists under the usual and customary standard of such relationship.

Mr. CASE of South Dakota. That is somewhat similar to the bill the House passed last year in which I was very much interested and to which I have no objection.

Mr. HOPE. It is the identical language.

Mr. WHITTINGTON. Mr. Chairman, reserving the right to object, may I ask that the amendment as perfected be read for the information of the house?

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

There was no objection.

The Clerk read as follows:

Provided, further, That no payment or payments hereunder to any one person or corporation shall be in excess of the total sum of $1,000, and provided further, that this limitation shall not be construed to deprive any share renter of payments not exceeding that amount to which he would otherwise be entitled.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

Mr. GILCHRIST. Mr. Chairman, reserving the right to object, may I inquire of the gentleman what is meant by "share renter"? There are a great many places in the country where there is a combination of rents. For example, the landlord will charge something for pasture land or lots in money, but the rest of it he charges by way of share rental. Now, in that case would that farm come under the provisions of your limitation or not where he charges money for the lot and pasture and otherwise a share rental?

Mr. CASE of South Dakota. I think the basic farm act of 1938 used the word "sharecropper" rather than share renter. Whatever is the interpretation there I would understand that the same interpretation should apply here. The reason for the additional language I have suggested grows out of the fact that it has been held that wherever the payments to the landlord come out of the A. A. A. payments, that he is a part or joint operator of the farm, and if he is out of compliance on one of his farms that lack of compliance follows through the landlord to every one of his share renters.

Mr. GILCHRIST. That is certainly true.

Mr. CASE of South Dakota. It does not follow to his cash renters. If a renter can pay cash for his rent, he can rent a farm from a landowner who has several farms and can qualify on his own conduct and not be affected by whether the landlord is out of compliance on other farms. The language I have suggested gives the share renter equal rights with the cash renter in this regard.

Mr. GILCHRIST. But here is a case where they are both share and cash.

Mr. MAY. Mr. Chairman, I demand the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota to modify the Johnson amendment by adding the second provision of his amendment?

There was no objection.

Mr. TARVER. Mr. Chairman, may we see if it is possible to arrive at some limitation of debate on the amendments to this paragraph?

Mr. TABER. Will not the gentleman try to limit debate on this amendment and all amendments thereto, rather than on the paragraph itself?

Mr. TARVER. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto or substitutes therefor close at 2 o'clock.

Mr. H. CARL ANDERSEN. I object, Mr. Chairman.

Mr. TARVER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto or substitutes therefor close at 2 o'clock.

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia.

The question was taken; and the Chair being in doubt the Committee divided and there were—ayes 54, noes 53.

Mr. HOOK and Mr. GILCHRIST demanded tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TARVER and Mr. HOOK.

The Committee again divided; and the tellers reported that there were—ayes 82, noes 75.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed out of order for 2 minutes, not to be charged to the time allotted to the pending paragraph.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, may I suggest to the Committee the importance of curbing unnecessary debate this afternoon. Unless we finish the bill tonight it must be laid over until later in the week or next week to make way for the consideration of pressing matters relating immediately and urgently to the defense of the country. The civil functions bill must be brought up tomorrow regardless of whether we are able to complete this bill today.

This bill has already occupied an unprecedented amount of time. Never before, so far as I know, have we spent so much time on this bill. This is not due to the nature of the bill, because it is the most conservative bill presented for several years.

We do not want to curb necessary debate. Every item in the bill should be thoroughly considered. But may I express the hope that those who merely wish to emphasize what has already been said by speakers ahead of them content themselves with extending their remarks in the RECORD. We shall appreciate the cooperation of Members in expediting the consideration of the bill, in order to take up at the earliest possible moment matters of direct and immediate importance to the defense of the Nation.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON]: Page 73, line 16, after the colon following the word "inclusive", insert the following: "*Provided*, That no total payments for any year to any person, firm, or corporation under this section shall exceed $500: *And provided*, That this limitation shall not be construed to deprive any share renter of payments not exceeding $500 to which he would otherwise be entitled. In the case of payments made to any individual, firm, or corporation, or estate on account of performance on farms in different States, Territories, or possessions, the $500 limitation shall apply to the total of the payments for each State, Territory, or possession, for the year and not to the total of all such payments."

Mr. REES of Kansas. Mr. Chairman, I offer an amendment to limit the payment of soil-conservation funds to any one person, firm, or corporation in the maximum amount of $500. This amendment does not affect parity payments.

Mr. Chairman, I believe that soil-conservation money is intended to serve at least two purposes. One is to assist the farmer to some extent in the carrying on of his farm operation expenses and the other is to help in the building of a soil-conservation program. Compliance with the program was also intended to help in the reduction of surplus crops by taking a considerable amount of acreage out of production.

I do not criticize the soil-conservation program, but I do feel that a considerable amount of money has been spent on this program that could have been saved. Too much of it, I think, goes to the big operator who, after all, is the one who creates the surpluses, if there are any, and too small a share goes to the ordinary, average farmer. We ought to give a little more consideration to the farmer who operates the family-size farm and give less help, I think, to the big operators. They are in a pretty good position to take care of themselves.

Some time ago I introduced a bill that would give the small operator a little larger and fairer share of soil-conservation funds. I did not have much success with that proposed legislation.

In support of my amendment I direct attention to the manner in which the soil-conservation funds are distributed.

This Congress appropriated, for soil-conservation funds for the year 1940, a total sum of approximately one-half billion dollars. The gross payments amounted to $442,711,000, and 6,009,496 farmers participated.

Now here is the way the program worked out. One million six hundred fifty-one thousand and seventy-five, or 27 percent of those farmers got payments of $20 or less. Three million one hundred thirty-two thousand five hundred and twenty, or 52 percent of them, got $40 or less. Putting it another way, we settled with 52 percent of our farmers by paying them $58,013,000 out of the $442,711,000. It took just a little less than that much money to administer the act. Four million eight hundred ninety-one thousand and fifty-nine, or more than 81 percent of our farmers, got all the way from $1 to $100. They got $168,288,000 which is approximately one-third of the amount appropriated. The average payments for the 81 percent were $35 each.

Mr. Chairman, 99.66 percent of all of those who participated in the soil-conservation program of 1940 got less than $500 each. They got a total of $361,301,000. It just seems to me that we have a chance here to save in the neighborhood of $50,000,000 without injury to anyone. We would still have $25,000,000 that could be paid to those who are now receiving extremely small payments. The adoption of this amendment will reduce the payments of less than four-tenths of 1 percent of our farm operators who really do not need these funds and should not, in view of present conditions, expect from the Federal Government for soil conservation more than $500.

Mr. Chairman, in view of the great demand on the part of our Government for increased production on all fronts, and since we are to have an expansion in the planting of crops rather than to limit them, except only in a few cases, it seems to me that we could do well to take off a lot of requirements that are now in effect and give the farmer a chance to go ahead and raise his crops without being hampered. I do not want to destroy the soil-conservation program. This amendment will not destroy it in any respect.

You will not injure the farmer at all. As a matter of fact, you would still have about $20,000,000 for those who receive scarcely anything under this program. We can save fifty or sixty million dollars that would, otherwise, go to the big operators who do not need it and should not ask for it.

Mr. Chairman, I should call your attention to the fact that my amendment has nothing to do with parity payments.

Mr. Chairman, the soil-conservation program came into being when conditions, as regards the farmers as well as the country, were far different from what they are today. The farm program should be revised to meet the demands of today and not of a few years ago.

Mr. Chairman, the demand of the hour is to produce more and more food, and for less restriction and less hampering of any kind. "Food for freedom" is the slogan now.

Mr. Chairman, all the farmer asks is that he be paid a decent price for his products compared with what he is required to pay for the things he needs to buy. Do you realize that even during the last 2 years the average annual farm income, after allowance for rents and for food produced on the farm, was only a little over $900?

Mr. Chairman, I believe most important right now is to reduce restrictions and then see the farmer is paid a fair

price for his products on the basis of what he is required to pay for the things he needs.

Mr. Chairman, the farmers of this country will work still harder and for longer hours to meet the demand for more food in this country, as well as for the Allies across the seas.

Mr. Chairman, the American farmer can be depended upon in this hour of our Nation's peril. He will accept the challenge of "food for freedom," and he will not be found wanting in any other demand that may be required for his country's welfare.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK] for 1 minute.

Mr. HOOK. Mr. Chairman, I think this is a very commendable amendment. We have heard much about economy here and we have seen going down through the lines those who have opposed appropriations for the family size farm. Now we have a chance to save $50,000,000 here and the only ones who will be affected are men like—well, you boys from the South know Oscar Johnson, with his $1,300,000, and those who are getting payments far beyond what they deserve. I mention Oscar Johnson because of the large Government check he received before we limited the payments to $10,000. He is the Farm Bureau Federation lord and czar who, I am informed, pays the Farm Bureau dues for all his tenants, en bloc, and then charges it back to them when he settles with them after the season's crops are sold. You southern boys should vote for this amendment and relieve yourselves of the enormous pressure from this source. Ed O'Neal, Oscar Johnson, Earl Smith are the Farm Bureau representatives who are pressing for the destruction of the Farm Security Administration, which helps the family-size farm, but they are in favor of these large payments. When the Farm Security Administration appropriation section of this bill is being considered, remember that it is those who have received these large checks in soil-conservation payments who are opposing the Farm Security Administration. They attempt to lead you to believe it is communistic in its activities. It is not. It is doing a real American job. I know that the Catholic Church cannot be accused of supporting anything that is communistic. Well, Monsignor O'Grady, head of the National Catholic Charities, and Father Ligutti, Catholic Rural Life Association, and his colleagues, are in favor of the Farm Security Administration. I know that they would not so favor this program if they could detect any communistic techniques or intentions in its activities.

I want to include here the following telegrams. The first one by Ed O'Neal, of the Farm Bureau Federation, to all farm bureaus, and copy of telegram in answer thereto by Philip Murray to the gentleman from Massachusetts, the Honorable JOHN MCCORMACK:

[Telegram from Ed. O'Neal to all Farm Bureaus]

MARCH 5, 1942.

The Agricultural Appropriations Committee did not carry out our recommendations for economy in the enormous cost of administration of Farm Security Administration and other agricultural agencies The press reports Congress of Industrial Organizations President Murray vigorously attacking our present farming system, including use of modern labor-saving machinery, and requesting all his local units wire all Congressmen in behalf of appropriations. It is vital to our organization and that of agriculture that we win this battle and reduce this intensive bureaucracy. I appeal to you to give us your aggressive support in this crucial struggle by contacting all your Congressmen immediately in every way possible, including a heavy barrage from your counties and from those interested in any phases of agriculture.

MARCH 7, 1942.

Hon. JOHN W. MCCORMACK,
Majority Leader, House of Representatives, Washington, D. C.:

My attention has just been called to a telegram sent by President Edward A. O'Neal, of the American Farm Bureau Federation, to branches of that organization calling for the slashing of the program of the Farm Security Administration and other farm agencies, and accusing me of attacking our present farming system in my recent message to Congress of Industrial Organizations unions. I consider the bond of friendship between organized labor and organized farmers to be so important to the country as a whole as to forbid all heated controversy between spokesmen for the two groups. I am obliged, however, to point out that I made no attack whatsoever upon our farming system, but urged instead that the program of the Farm Security Administration means the preservation of that system in its most human and typically American form—the family farm I did not suggest for one moment that the use of labor-saving machinery should be restricted, believing, on the contrary, that the use of modern methods by independent farmers individually or in cooperation is desirable and important. What I did say, however, was that the country could not rely in this emergency for the production of needed foodstuffs upon corporation farms operated by absentee owners through hired managers, who had no personal stake in their work. I said, and I repeat, that if agricultural production is to be expanded sufficiently for purpose of our victory, the expansion must come from the independent farmer who operates the family sized farm, and that such farmers receive their principal assistance from the Farm Security Administration. I said that labor was going to stand shoulder to shoulder with these farmers throughout the emergency, and that the Congress of Industrial Organizations favored the expansion of the Farm Security program. Organized labor purposes to lend whatever help it can to the working farmers of this country and to the Government agencies which aid those farmers. It is a source of keen regret to me that President O'Neill has misconstrued my comments, and I trust that you and the Members of Congress will understand the real issues.

PHILIP MURRAY,
President,
Congress of Industrial Organizations.

This amendment should be adopted in the interest of good government and in the interest of the real farmer of America.

I ask each and every one of you to spread democracy in America by supporting the appropriations for F. S. A., so that those brave boys on the battlefield, who are offering their lives for democracy, may return to a Nation which has preserved its democratic way of life. They are fighting to defend it. Let us fight here to preserve the gains we have made for it.

Vote for this amendment and oppose any cuts in the appropriations for the Farm Security Administration, the Farm Bureau Federation notwithstanding.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON].

The Clerk read as follows:

Amendment offered by Mr. HOPE to the amendment of Mr. JOHNSON of Oklahoma: After the figures "$1,000", strike out the remainder of the amendment and add: "But in applying this limitation there shall be excluded amounts representing a landlord's share of a payment made with respect to land operated under a tenancy or sharecropper relationship if the division of the payment between the landlord and tenant or sharecropper is determined by the local committee to be in accordance with fair and customary standards of renting and sharecropping prevailing in the locality In the case of payments to any person on account of performance on farms in different States, Territories, or possessions, the limitation shall be applied to the total of the payments for each State, Territory, or possession for a year, and not to the total of all payments."

Mr. WHITTINGTON. Mr. Chairman, will the gentleman from Kansas yield?

Mr. HOPE. I have just a moment.

Mr. WHITTINGTON. Is that the same limitation as the one reported by the gentleman's committee and passed by the House last year?

Mr. HOPE. That is true.

Mr. Chairman, I am trying to do in this amendment what the gentleman from South Dakota and the gentleman from Kansas are trying to do; that is, to permit tenants to stay in the program under this limitation. Now, unless you permit landlords who may operate multiple farms to come into the program and stay in the program, you are going to have thousands and thousands of tenants who cannot come in. The gentleman from Minnesota stated awhile ago that they could pay cash rent and come in. This is true, but most tenants are not in position to pay cash rent.

Now, while the gentleman from Kansas [Mr. REES] and the gentleman from South Dakota want to protect the tenant in his payments the amendments which they have offered will not do so. Both the Johnson amendment and the Rees amendment put a straight limitation of $1,000 on payments. Almost half of the farmers in this country are tenants. In many cases they rent farms from landlords who own a great deal of land. Some of these landlords are individuals, some are corporations. If a landlord is limited to total payments of $500 or $1,000 when he owns many farms, he will not come into the program. He cannot afford to let his tenants come in The result will be that many thousands of tenants will be forced out of the program. The further result may be that many large landowners will decide to operate their farms with hired labor, thus dispossessing existing tenants. This will occur because they will figure that they can operate more cheaply and efficiently that way. On the other hand, if my amendment to the Johnson amendment is adopted, and the Johnson amendment

is adopted, it will be distinctly to the advantage of any large landowner to operate through tenants. This should result in more farmers and farm families and fewer hired laborers on our farms. In other words, it will mean many more farm homes, an entirely desirable situation.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I rise in support of the Hope amendment.

No man in this House has given more thought and attention for several years to this matter than the gentleman from Kansas, Representative HOPE, who has been on the conferences when we have been trying to reduce this amount all the way from $10,000 down, and I am very much in favor of his amendment to the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON]. It will save the tenants, and that is what we want to do in this matter. It is not the landlord, but it is the tenant that we should help at this time.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, the distribution of $10,000 checks to individuals or big corporations from this fund was surely questionable during peacetime, and it is indefensible during wartime. This is one of the bad parts of the agricultural program. There is not any sense in "rolling out the barrel" and turning out millions of dollars to the landed aristocracy of this country at this time. Five hundred dollars will pay all taxes and insurance on any family-size farm in America.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, I really regret that we do not have enough time to adequately discuss this important amendment. We have worked for a solid week on this bill. Now when we come to one of the most important amendments the time is limited to about 26 minutes. I wish I had an opportunity to go into this matter in full and in detail. If we are going to have a soil-conservation program we want a program that will conserve the soil. This was the intent of the program when instituted originally. The title to the original act on soil conservation, passed in the Seventy-fifth Congress, says this in part, "to provide for the conservation of national soil resources * * *." Now, if the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON] is approved by this body we might just as well write it off, and there will be no more soil conservation. There are 2,800,000 tenants right now in America, and just as sure as the gentleman's amendment is adopted, a good part of the 2,800,000 tenants will go on the relief rolls. I hope the amendment of the gentleman will be defeated.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kansas [Mr. REES], which places a limitation on the payment to any individual of $500 for any one year. This amendment is the same amendment that was printed in the RECORD, and fully protects all tenants and sharecroppers who rent their land from multiple land owners. The amendment is necessary at this time. It distributes the money to family-sized owned and operated farms. If you favor giving aid to the small farmer, here is an opportunity for you to vote for an amendment that will give him a just and equitable share of the soil conservation payments.

Mr. SOUTH. Mr. Chairman, I rise in support of the Hope amendment. I do not think it is just what we need but it is better than anything else that has been offered. There is a great deal of shadow boxing going on about this farm program, or else there is a good deal of misunderstanding about it. In the first place if the average landowner is not permitted to share in the benefits through the operation of tenants, he will do away with his tenants, and that is what is hurting the farm program today. I have often undertaken to defend the farm program by saying that it is not responsible for the removal of tenants from the farm but, Mr. Chairman, we have to admit that it has done very little toward stopping that trend.

Certainly this is not the time or place to limit the amount of land a single individual or corporation should be permitted to own, if such a plan were desirable or necessary. We are dealing here with the amount of soil conservation benefits which a single person should be permitted to receive. If the farm program is seeking to keep as many tenants as possible on the farms until they can acquire their own homes, then we had better not take any action which would induce the landlord to get rid of his tenants. This has already been done to a great extent. I do not care how low you fix the amount of the landlord's share, so long as you deal with each tenant-occupied farm as a single unit, but you will defeat the purpose which real friends of the tenant farmer seek to accomplish if you lose sight of the individual tenant farmer. Until some way has been found for keeping tenant farmers on the farms and out of the cities and towns, and finally on relief, we cannot say that we have done much of lasting benefit for the lower-income group on the farm. We must not deal with this question lightly or hastily. It deals with one of America's greatest economic problems.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Chairman, I have consistently, over the years, supported the conservation program of protecting our farms, forests, and other natural resources, and I have likewise supported the principle of parity prices for the farmers of the Nation. Believing that the amendment of our colleague the gentleman from Oklahoma [Mr. JOHNSON] is in the interest of conservation and will promote the best interest of the average farmer of our country I am supporting it. While the conservation of the soil of the Nation should receive the approval of the Congress and the people of the country, yet I am not unmindful of some abuses that have been practiced. The real purpose of the Congress was to conserve and build up our soil. Literally billions of dollars have been spent by the Government in carrying out this program. Congress also had it in mind to help the medium-sized farms, the small farms, and the sharecropper and the tenant farmer. I think this most laudable program has been abused and brought into disrepute. We were amazed some 4 or 5 years ago to learn that more than one big corporation owning thousands of acres of land received approximately a million dollars in benefit payments in one instance not to produce cotton and a million dollars in another case not to produce sugar, and one particular concern received $245,000 in benefits not to raise hogs. Hundreds of insurance companies, trust companies, and other corporations holding large tracts of land received $10,000 to $50,000 and many of them $100,000 not to produce rice, sugar, cotton, or other products.

It took a 2-year fight to require the Secretary of Agriculture to make public the names of individuals and concerns that received $10,000 or more in these benefits. The country was amazed and shocked. We were unable to fix a limit at that time on the amount that an individual or corporation could receive in benefits in a single year. Finally a limit of $10,000 was fixed. This was too high. This limitation was reduced to $5,000. The amendment of our colleague, Mr. JOHNSON, limits to $1,000 the amount that any individual or corporation can receive in a single year of these farm benefits under the conservation program. The number of individuals and corporations holding large tracts of land who have been receiving in the last year or two in excess of $1,000 in benefits makes a large book several inches thick. The last report I saw showed that the average farmer in the Nation received less than $75 per year of these benefits. The large sums were paid out to the big insurance companies, big banks, and trust companies on large boundaries of lands held by them. If anyone needs this help and benefit, it is the medium-sized and small farmer, the sharecropper, and tenant farmer.

Some few years ago the Commissioner of Agriculture appointed a commission to look into the conservation program and the cut-outs as carried on by the Department of Agriculture. It was found that the policy being pursued in the South alone forced a million farm tenants and sharecroppers from the lands of these large holdings into the cities on relief. Many of these big landowners were making more money not to cultivate their lands than to cultivate them under the benefit payment and conservation program.

Mr. JOHNSON and others informed us that if his amendment is adopted, it will save $50,000,000 of the taxpayers' money, and will not injure the conservation pro-

gram. I cannot understand why any individual or corporation should claim more than $1,000 of benefits in a single year out of the pockets of the taxpayers of the Nation. The great insurance companies, trust companies and great corporate interests do not need these farm benefits in order to carry on their farms.

We are in a great war. It will strain to the utmost the financial resources of this country. We should save every dollar that can be saved for our national defense program, and instead of these great tracts of land remaining vacant, farm tenants and sharecroppers should be encouraged to go back on the farms and help produce food necessary for our armed forces and to feed this Nation, as well as to help our Allies in this great war effort.

Much has been said in debate for and against the proposal of parity prices to the farmers of the Nation. I favor parity prices. Webster defines the word parity as equality—equivalent to position. The farmers of the country are placed at a disadvantage. As a rule, the prices for their farm commodities are fixed by those who buy them. On the other hand, the things that they must buy for their farms and their families are fixed by those from whom they must buy. That places the farmer more or less at the mercy of the other groups. In view of the profits being made in industry and the good salaries and wages made by those who are engaged in industry, the farmers should have sufficient prices for their products as will enable them to receive fair compensation for the services rendered by them and their families and receive a fair return on their invested capital and, therefore, it seems to me only a matter of justice to place them as far as reasonably can be done on an equality with industry, labor, and commerce. In view of the fact that millions of able-bodied young men will be taken from the farms for service in our armed forces and the further fact of the higher wages paid in industry and the scarcity of labor, the farmers of the Nation will carry a heavy load during the period of this great war.

No one must underestimate the great contribution the farmers of our Nation must make to the winning of the war. We should, therefore, encourage and aid the farmers of our country to produce to the fullest capacity of their farms. We could do no less than see to it that they are given justice and equality. Excepting those who go forth to battle on land, sea, and in the air, there is no group in the land that will carry a heavier burden than the American farmer.

The administration insists that the prices of farm commodities be held at approximately 85 percent of parity and in order to beat down the market and hold farm commodity prices at about 85 percent of parity, the administration urges that it have the right to dispose of the hundreds of millions of bushels of wheat and corn and the millions of bales of cotton and some other commodities owned or controlled by the Government through loans at less than parity. This indeed is a strange policy. In the first place, it is unfair to the farmers and, in the second place, the administration proposes to make up the difference to the farmers in parity payments out of the pockets of the taxpayers of this Nation. In other words, they say to the farmers we are going to hold your prices down to 85 percent of parity and then we are going to take money out of the Treasury to make up the difference to 100 percent of parity. Why not permit the farmers to receive parity prices in the open market and let those who consume these products pay the farmers parity prices?

The administration program contemplates that these parity-payment checks will be sent out to the farmers along in October each election year. This policy is unsound. Its purpose undoubtedly is to keep the farmers of the country under the control of the New Deal by parity payments out of the pockets of the people.

Mr. PACE. Mr. Chairman, of course there are millions of farmers who are putting their seed into the ground now, with the understanding that present limitations will continue in force. I don't know what your wishes are about legislating at this time, when a man has already made his contract and planted his crop. As I understand, the amendment offered by the gentleman from Kansas [Mr. HOPE] takes this situation into consideration. The other amendments do not, and I hope they will be defeated.

Mr. KEEFE. Mr. Chairman, I call attention to this fact. It seems to me that we are getting far away from the program on which we are seeking to legislate. The question is whether or not we are going to legislate to conserve the soil, or are we going to legislate to provide for pure farm relief. We should remember that this entire program is one designed to provide for the conservation of soil resources of this country. We should be exceedingly careful that we do not adopt an amendment in the name of farm relief which will destroy the entire soil-conservation program of the United States.

Mr. RUSSELL. Mr. Chairman, I rise in support of the amendments, preferably the Hope amendment. I believe such an amendment, if it passes, will send back to the farm a number of farmer tenants who were excellent tenants, who have been forced off the farm by the farm program, first into the W. P. A., and then next onto direct relief. I think it is high time Congress takes some steps to give that class of citizens an opportunity to go back where they want to go.

Mr. GILCHRIST. Mr. Chairman, when I left home the time next preceding this December, one of the best tenants in our country came to me and said, "Fred, please arrange it so that I can take part in this farm program. I live on a multiple farm, and I cannot get into it, because the landlord says to me, 'You cannot go into it because I am not able to proceed within it myself.'" Now, this tenant is one of the best farmers in our country. Multiple owners of land cannot and would not rent their land if a reasonable amount were not to be allowed to them under the farm-conservation program. The amendment is opposed to the interest of the tenants and poorer classes of farmers. Another thing is that producers may be held down to a limitation of the 85 percent on their products. The landlord will not be able to get more than 85 percent, and where will he get the other 15 percent if this amendment carries? We should defeat the proposal in the interest of economy and fair dealing.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, we can conserve soil by having more people on the farms, who will personally look after the soil, than by having some gentleman draw $17,000 a year and never live in the State.

I am for the Johnson amendment to the bill, as amended by the amendment offered by the gentleman from Kansas [Mr. HOPE], which I think will take care of the situation.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. JOHNSON of Oklahoma. May I say to the gentleman that I was called from the House floor a few moments ago and I did not hear the amendment offered by the gentleman from Kansas, which, I understand, would modify the amendment offered by me. I have been advised, however, that the amendment offered by the gentleman from Kansas is exactly the same bill that was passed by the House some 2 years ago. If that is correct, the House having heretofore accepted it, I would, of course, be reluctant to oppose it, although I must confess that I am not quite clear as to what the effect of the modification proposed would be.

Mr. O'CONNOR. Then the gentleman is for his amendment as amended by the gentleman from Kansas [Mr. HOPE]?

Mr. JOHNSON of Oklahoma. Possibly so. I would want to at least read the amendment before being certain. I have a very high regard for the ability and sincerity of the gentleman from Kansas who offered the amendment.

Mr. O'CONNOR. I ask all Members to vote for the amendment as amended.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri, [Mr. ZIMMERMAN].

Mr. ZIMMERMAN. Mr. Chairman, I agree with the gentleman from Wisconsin [Mr. KEEFE] when he said that the purpose and end of this amendment will be the destruction of our soil-conservation program. It is the entering wedge. I think we ought to be frank about the matter, just like the gentleman from Wisconsin [Mr. MURRAY], who admits that he is against certain features of the soil-conservation program, and let the farmers of our country know that we are supporting amendments here today that mark the beginning of an effort to destroy and wreck a program that has brought a degree of prosperity and stability to the American farmer.

The amendments of the gentleman from Oklahoma [Mr. JOHNSON] and the gentleman from South Dakota [Mr. CASE] grossly discriminate against the large farmers of our country who are cooperating wholeheartedly with our soil-conservation program. The program was

made for all cooperators and there is no reason on earth why the man who farms 500 or 5,000 acres should each receive the same proportionate payment as the man who farms 50 acres. I warn that if these amendments are adopted and our large landowners are discriminated against, that they will be forced out of the program, huge surpluses will pile up, and the whole program will come to naught. It may be popular in some quarters to legislate against the large farmer but it is unjust and contrary to the spirit of the legislation that gave us this splendid program. I sincerely hope these amendments will be voted down. This is, indeed, legislation upon an appropriation bill and the subject matter of these amendments should be referred to the Agricultural Committee for study and action.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, the pending amendments will really defeat their purpose. They are amendments that have been offered and defeated from time to time during the past 4 years. A large farm is nothing more nor less than an aggregation of small farms. No large landowner is going into the program and his tenants are not going in unless the landlord is permitted to share in the benefits of the program. Parity and soil-conservation payments are nothing more nor less than the tariff in reverse. You might as well say that no manufacturer will be permitted to benefit by the protective tariff if the tariff duties amount to more than $1,000 as to say that no landowner, no matter how large his holdings may be, is going to be permitted to profit by this program. Let us stand by the program. Let us be fair to all farmers, large and small. If we want to wreck the program, just arrange it so that a majority of the acres of land will not go into the program, and then no landlord and no tenant and no sharecropper will get the benefit of it. Unless landowners generally cooperate, the program will fail. In cotton, landowners can usually cultivate from 25 to 45 percent of their cleared acreage. Large landowners will not cooperate if they do not receive any payments for the land that they do not cultivate to cotton. The owners sign for the tenants. If the landowners do not cooperate the tenants and the sharecroppers will receive no benefits.

The gentleman from Wisconsin [Mr. KEEFE] is in error when he states the appropriation is not applicable for the year 1942. The bill provides, and I quote:

> During the period January 1, 1941, to December 31, 1942, inclusive.

It applies to the year 1942.

I extend to say that I have consistently opposed the limitation of payments in the soil-conservation program and in parity payments. Under the Soil Conservation and Domestic Allotment Act there is a limitation of $10,000 on soil conservation payments. That limitation is in the following language:

> Beginning with the calendar year 1939, no total payment for any year to any person under such subsection (b) shall exceed $10,000.

The net result of this limitation of $10,000 was the shifting of total payments in States like Minnesota, Iowa, and generally the North Central States—from the North Central States to other States. The large payments did not go in great numbers to the South or the Cotton Belt; they went to the insurance companies who held the title to lands in many of the North Central States. Some of them went to the South, but my understanding is that a vast majority of them went to other parts of the country.

The $10,000 limitation was effective for the first time in 1939. There was a shifting of around $4,000,000 from the North Central States from the appropriation of $445,000,000 for soil conservation in 1938. If the limitation had applied to parities as well as to soil conservation the program would have been practically destroyed because the large holders of land would not have gone into the program if they could not have cultivated their land. If they stay out of the program, the program will be destroyed.

The limitation amendments are not new; they have been offered to practically every appropriation for soil conservation or for parity in recent years. As often as they have been proposed they have been defeated. Congress wants to be fair with all land owners, large and small. The formula for parities and soil conservation was worked out in the Soil Conservation and Domestic Allotment Act. The original limitation of $10,000 for soil conservation occurs in that act as amended. Any change in the limitation should be carefully considered by the Committee on Agriculture and by the House. A limitation on the appropriation bill after the program is under way and after the cotton growers voted for it in December 1941 would not only be unfair but it would disrupt the program for the current year.

Much has been said about the large farms and the small farms. Much has been said about the tractor farmer. With the shortage of farm labor in the harvesting of crops I believe the tractor farm situation will solve itself. The laborers will get most of the proceeds of the crops for harvesting. Tractor farming will become less and less profitable.

After all, large farms are nothing more nor less than an aggregation of small farms. If the large landowners are not permitted to participate in the soil-conservation payments, they will not join the program. This means that the great body of tenants and sharecroppers, especially in the Cotton Belt, will be deprived of the benefits of the program.

There are many reasons why the limitation should be defeated. Any limitation that is adopted should certainly not apply where there are tenants and sharecroppers. The vast majority of the small farmers are tenants and sharecroppers. Their interest and the interest of their landlords are tied together. Both the landlord and tenant are entitled to fair treatment. If the landlord prospers the tenant prospers; if the tenant fails, the landlord fails.

Again, many of the sponsors of the limitations are really opponents of the Soil Conservation and Domestic Allotment Act. The gentleman from Minnesota [Mr. ANDRESEN], in opposing parities, with all deference, manifests a selfish attitude. He is interested in the protection of the dairy farmers; he is opposed to protecting the cotton farmers and the corn growers. Conditions in those belts are different; he is inconsistent. Advocating benefits for his constituents he opposes benefits for others. How can he as the representative of the dairying interests ask for protection for the dairying interests without according protection to the cotton and corn interests?

No State in the Union has been benefited more generally by the soil-conservation program than Minnesota. Let the record speak. In 1940 the estimated gross soil-conservation payments in Mississippi were $16,928,338. The payments in Minnesota for the same year were $20,063,356; in Kansas for the same year the payments were $19,313,856.

I submit that the gentlemen from Minnesota and Kansas are selfish. Their States have benefited more from the Soil Conservation and Domestic Allotment Act than a great majority of the other States of the Union.

Again, the soil conservation and parity payments constitute the reverse of the tariff. The dairy farmers of Minnesota enjoy a tariff of 14 cents a pound on their butter. The gentleman from Kansas [Mr. REES] and the gentleman from Minnesota [Mr. ANDRESEN] advocate a protective tariff. It would be just as sound to stipulate that not more than $500 in tariff benefits would accrue to any manufacturer as it is to say that not more than the amount of the limitation should be paid to any landowner.

The dairy farmers of Minnesota not only get soil-conservation benefits, but they get the benefit of the tariff. Loans are made on their butter; they are the beneficiaries of the Surplus Commodities appropriations.

Again, the aggregate of the individuals receiving payments in excess of $10,000 is very small. There were none under the conservation program in 1940. There were only 12 under the parity program in 1940. There were in 1940 only 448 individuals receiving in excess of $5,000 under the soil-conservation program in the entire United States.

If the soil-conservation program is fair and just for the small owner, it is fair and just for the large owner. Less than seven one-thousandths of all of the growers in the United States received in excess of $5,000 in 1940.

As I have stated, if the large plantation is denied the benefits, the plantation will not join the program. The owner signs up for the plantation.

Again, under existing law all payments under $200 must be increased according to the formula in the existing law. If Congress appropriates $450,000,000 for soil-conservation payments, approximately $50,000,000 in the first instance, increases the half of the payment that would otherwise go to sharecroppers, tenants, and owners under $200.

Under the existing program, which the gentleman from Minnesota opposes, 5 acres is allotted to every sharecropper. The sharecropper is protected. Under

existing law if the landlord changes from tenants to wages he is denied any benefits.

More than 50 percent of all payments go to tenants and sharecroppers. We are encouraging them to become landowners under existing law.

There are many misconceptions with respect to the amounts of the payments. I am familiar with cotton. The aggregate of the payments to the tenants and sharecroppers exceeds the aggregate of the payments to the landlords. The landlords must furnish the lands; they pay taxes on them; they are permitted to cultivate but a small part of their lands to cotton. Their tenants get more benefits because of the reduced cultivation than the landlords. The Agricultural Adjustment and Soil Conservation Act is fair to the tenants. Before there is any division among the large landowners there is a distribution for all small landowners, tenants, and sharecroppers where their payments are under $200. The only way for a tenant or a sharecropper to get the benefits of the program is for the landowner to join the program. If the landowner refuses to join, the tenant will receive no benefits.

The amendment of the gentleman from Oklahoma [Mr. JOHNSON] would limit the soil-conservation payments to $1,000. He has stated it will save $50,000,000. With deference, he is in error. There will be no amount saved to the Government. The total appropriation will be divided among all farmers. As I have stated, under the formula that obtains, from $30,000,000 to $50,000,000 is divided among those who receive small payments in the first instance to increase their payments.

Again, the gentleman from Oklahoma is in error when he states that the amendment which he proposes is the amendment advocated by the former chairman of the Committee on Agriculture, Mr. JONES. Mr. JONES did advocate a limitation of payments; he insisted, however, that the limitation should be reasonable, and in H. R. 3800, introduced by him and passed by the House, there was a limitation of $5,000. This limitation did not apply where there were tenants and sharecroppers. The difference between the amendment proposed by the gentleman from Oklahoma and the limitation advocated by Chairman MARVIN JONES is that there is no limitation in the amendment of the gentleman from Oklahoma. Mr. JONES insisted that sharecroppers and renters could only participate in the program if their landlords cooperated. By reference to the said bill, H. R. 3800, Seventy-sixth Congress, third session, it will be seen that Mr. JONES advocated a limitation, and I may say that the limitation is the identical language proposed in the amendment of the gentleman from Kansas [Mr. HOPE].

While I oppose the limitation, I favor the Hope amendment. It improves the Johnson bill; it does not perfect it. The Hope amendment will do two things: It will eliminate the total payment of $1,000 proposed by the gentleman from Oklahoma; at the same time, where there are tenants and sharecroppers, it will eliminate the present limit of $10,000 in the Soil Conservation and Adjustment Act.

The gentleman's amendment is aimed at those who operate tractor farms and those who use day labor. I think his limitation is too small. The amount should be raised; the limitation should be increased. I repeat that it is essential that all growers join in the program if there is to be a reduction. Large owners as well as small owners must cooperate; the large owners will not cooperate unless they receive fair treatment.

The large owners have accepted the limitation of $10,000 because there was no limitation on the parity payments. It is unfair to reduce further the limitation of soil conservation; there should be no discrimination. The rich and the poor should be treated alike. The benefits are paid for cooperation. They are paid by the acre; the more acres the greater the cooperation.

The cooperation of all growers is essential to the success of the program. This cooperation can only be obtained by all receiving fair and equal treatment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Chairman, most of the pleas that are noticeable here have been made on behalf of the tenants. I just want to ask the question, How many people who are tenant farmers receive more than $1,000? I think in answering that question you will find which position to take with reference to this.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, without regard to the merits or demerits of the Johnson amendment, it seems to me it would be very unwise to undertake to change the rules in the middle of the game.

I hold in my hand a copy of the 1942 A. A. A. Handbook for the State of Georgia, published in October 1941, effective December 1, 1941. This handbook outlines the practices for which compensation will be made in the way of soil-conservation benefits. For 3½ months, at least, the farmers of my State have been engaged in preparing for practices of this sort for the purpose of earning these benefits that are to be paid by the money in this bill. This bill is not, as the gentleman from Wisconsin [Mr. KEEFE] said, applicable only to next year. It provides benefits for payments on the 1942 crops.

The farmers voted on the question of quotas on cotton in December. They voted on that question in the light of the provisions of the law with reference to soil-conservation benefits. I say that perhaps it may be true the law ought to be changed, but we ought not to change it in the middle of this year's program. We ought to await action by the Committee on Agriculture, by their submitting to the House proper legislation for that purpose. If the Johnson amendment should be adopted there certainly should be attached to it the amendment offered by the gentleman from Kansas [Mr. HOPE]. If you do not adopt the amendment offered by the gentleman from Kansas, you will work irreparable injury and damage to many thousands of farm tenants in this country who cannot receive any benefits under the operation of this program, because if their landlords refuse to comply, because they have been eliminated from the benefits of the program, the tenants also will not receive any benefits. If you adopt the amendment offered by the gentleman from Kansas [Mr. HOPE], it will be to the interest of the large landlords to deal fairly with their tenants and not to supplant them with hired labor.

So I urge you that if you have a purpose to change the provisions of existing law which already fix a limitation on maximum payments which may be had, by the adoption of the Johnson amendment, you also vote to adopt the Hope amendment which would certainly be for the protection of the interests of the most needy and deserving class of farmers in the United States, the tenant farmers. Sixty-five percent of the farmers of my district are tenant farmers, and I am speaking for them more than I am speaking for the farmer who is able to earn benefits of more than $1,000.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. For the purpose of clarifying the parliamentary situation, now that the date has expired, it is my understanding that the first vote will come on the Hope amendment to the Johnson amendment containing the $1,000 limitation.

The CHAIRMAN. The gentleman is correct.

Mr. DIRKSEN. Thereafter the vote recurs upon the Rees amendment with the $500 limitation.

The CHAIRMAN. The Rees amendment is a substitute for the Johnson amendment.

Mr. DIRKSEN. Thereafter the vote recurs upon the Johnson amendment as, if, and when perfected.

The CHAIRMAN. The gentleman is correct.

Mr. WHITTINGTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. As I understand it, if the Chair please, the gentleman from Oklahoma stated that he was willing to accept the amendment offered by the gentleman from Kansas; and I am wondering if that acceptance has been made a part of the record.

The CHAIRMAN. The committee has to pass upon it.

Mr. JOHNSON of Oklahoma. That is correct, Mr. Chairman.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the Hope amendment be again reported for information.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the Johnson amendment as modified by the Hope amendment be reported.

The CHAIRMAN. Without objection, the Clerk will again read the Johnson

amendment and the Hope amendment to the Johnson amendment.

There was no objection.

The Clerk again read the Johnson amendment and the Hope amendment.

The CHAIRMAN. The question is on the Hope amendment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. AUGUST H. ANDRESEN. The Rees amendment has not been reported as yet.

The CHAIRMAN. The Rees amendment is a substitute amendment.

The question is on the Hope amendment.

The question was taken; and on a decision (demanded by Mr. HOOK) there were—ayes 147, noes 17.

So the amendment was agreed to.

The CHAIRMAN. The question recurs on the substitute offered by the gentleman from Kansas [Mr. REES].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I ask unanimous consent that the Rees amendment be reported.

The CHAIRMAN. Without objection, the Clerk will again report the Rees amendment.

There was no objection.

Mr. O'CONNOR. Mr. Chairman, a parliamentary nquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'CONNOR. Would it not follow logically, inasmuch as the Hope amendment amended the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON], that the Johnson amendment should now be submitted to the committee before the Rees amendment is voted upon?

The CHAIRMAN. The substitute has not been disposed of yet. Under parliamentary procedure it must be acted on first.

Mr. O'CONNOR. But the substitute is only as to the Johnson amendment. The Johnson amendment has already been amended by the Hope amendment.

The CHAIRMAN. It is a substitute for the Johnson amendment, as amended.

The question is on the substitute offered by the gentleman from Kansas for the Johnson amendment, as amended.

The question was taken and on a division (demanded by Mr. AUGUST H. ANDRESEN) there were—ayes 54, noes 128.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Oklahoma, as amended.

The amendment, as amended, was agreed to.

The CHAIRMAN. Are there any further amendments to the paragraph? Does the gentleman from Texas [Mr. GOSSETT] want to offer an amendment to this paragraph? Does the gentleman from Wisconsin [Mr. MURRAY] want to offer an amendment to this paragraph? If not, the Clerk will read.

The Clerk read as follows:

PARITY PAYMENTS

To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938, there are hereby reappropriated the unobligated balances of the appropriations made under this head by the Department of Agriculture Appropriation Acts for the fiscal years 1941 and 1942, to remain available until June 30, 1945, and the Secretary is authorized and directed to make such additional commitments or incur such additional obligations as may be necessary in order to provide for full parity payments: *Provided*, That of the amounts hereby made available, not to exceed $5,000,000 may be expended for administrative expenses in the District of Columbia (including personal services) and in the several States (exclusive of expenses of county and local committees), including such part of the total expenses of making acreage allotments, establishing normal yields, checking performance, and related activities in connection with wheat, cotton, corn, rice, and tobacco under the authorized farm program as the Secretary finds necessary to supplement the amount provided for in section 392 of the Agricultural Adjustment Act of 1938, as amended: *Provided further*, That such payments with respect to any such commodity shall be made with respect to a farm in full amount only in the event that the acreage planted to the commodity for harvest on the farm in 1943 is not in excess of the farm acreage allotment established for the commodity under the agricultural conservation program, and, if such allotment has been exceeded, the parity payment with respect to the commodity shall be reduced by not more than 10 percent for each 1 percent, or fraction thereof, by which the acreage planted to the commodity is in excess of such allotment. The Secretary may also provide by regulations for similar deductions for planting in excess of the acreage allotment for the commodity on other farms or for planting in excess of the acreage allotment or limit for any other commodity for which allotments or limits are established under the agricultural conservation program on the same or any other farm.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 77, line 5, after the word "farm", strike out the period, insert a colon and a proviso as follows: "*Provided further*, That parity payments, under the authority of this paragraph, shall not exceed such amount as is necessary to equal parity when added to the market price and the payment made or to be made for conservation and use of agricultural land resources under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended; and the provisions of the Agricultural Adjustment Act of 1938 as amended; *Provided further*, That the total expenditures made and the contracts entered into in pursuance of this paragraph shall not exceed in all $212,000,000.

Mr. TARVER. Mr. Chairman, I submit a point of order against the amendment proposed by the gentleman from New York [Mr. TABER].

The CHAIRMAN. The gentleman will state his point of order.

Mr. TARVER. Mr. Chairman, the substantive law authorizing the making of parity payments is set out in section 303 of the Agricultural Adjustment Act of 1938. That section provides:

If and when appropriations are made therefor, the Secretary is authorized and directed to make payments to producers of corn, wheat, cotton, rice, or tobacco on their normal production of such commodities in amounts which, together with the proceeds thereof, will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit. All funds available for such payments with respect to these commodities shall, unless otherwise provided by law, be apportioned to these commodities in proportion to the amount by which each fails to reach the parity income. Such payments shall be in addition to and not in substitution for any other payments authorized by law.

The amendment of the gentleman from New York [Mr. TABER] proposes to make a limitation in this appropriation bill which, if adopted, would be in direct variance with the provision of the section of the basic law which I have read. He proposes instead of not counting other payments as part of the market price as is provided in the basic law, to provide that the soil-conservation benefit payments shall be included in determining whether or not a farmer is receiving parity for his products.

It may very well be insisted, and probably will be insisted, by the gentleman from New York, that the language which he proposes to strike from the bill and for which he proposes to substitute the provision sponsored by him is also legislative in character. I admit that is true. There has been adopted by the House a rule which has waived points of order against the legislative provisions contained in the bill. I also admit that any amendment to this language which might be relevant thereto would be in order notwithstanding it might constitute legislation and notwithstanding it is not, of course, included in the bill; but a provision such as contained in the gentleman's amendment which proposes to add soil-conservation payments to the amount of the market price received by a farmer in determining whether or not that farmer has received parity for his product is not germane to the proposal contained in the bill as to which points of order have been waived by the adoption of the rule in question.

Since this proposal in the bill deals only with the matter of the basic loan rate as a matter aside from market price which shall be considered in determining whether or not parity has been received by a farmer for his product or by what percentage the price of the farmer's products have not reached parity, the provision offered by the gentleman from New York has no relationship whatever, as I see it, to the provision which is contained in the bill, and since it is clearly legislative in character it seems to me that the point of order which I have submitted against it should be sustained.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. TABER. Briefly, Mr. Chairman.

The bill, on page 75, provides that the Secretary is authorized and directed to make such additional commitments or incur such additional obligations as may be necessary in order to provide for full parity payments.

That is legislation. It is brought in order under the rule. The language that I have submitted is clearly germane to that provision because it provides a method. It is purely a limitation to the payments that shall be made for parity

under the authority of this paragraph. For this reason it is clearly germane and it is clearly in order.

It would be in order if there was no legislation in the paragraph because it is a pure limitation.

Mr. CASE of South Dakota. Mr. Chairman, may I be heard?

The CHAIRMAN. The Chair will hear the gentleman from South Dakota.

Mr. CASE of South Datoka. Mr. Chairman, may I make the observation that if the proposal is clearly a limitation, even though it embraces some legislation, it is in order under the Holman rule.

The CHAIRMAN. The Chair would like to ask the gentleman from New York [Mr. TABER] if there are any funds other than those appropriated in this bill to be used for parity payments?

Mr. TABER. None.

The CHAIRMAN. Just the funds in this bill?

Mr. TABER. That is correct.

The CHAIRMAN. The amendment the gentleman is offering is to limit the funds offered in this bill?

Mr. TABER. That is my intention. I think perhaps I ought to insert after the word "payments" in the third line the words "under the authority of this paragraph." With that in, it would clearly be in order.

The CHAIRMAN. Does the gentleman from New York [Mr. TABER] ask to modify his amendment?

Mr. TABER. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from New York asks unanimous consent to modify his amendment by inserting after the word "payments" "under the authority of this paragraph." Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. TABER] has offered an amendment, on page 77, line 5, undertaking to provide further limitations on th payment and the administration of parity payments, to which the gentleman from Georgia has made a point of order.

It seems to the Chair that the language of the amendment offered by the gentleman from New York constitutes a limitation upon the funds appropriated by this paragraph or proposed to be appropriated by this paragraph and does not constitute legislation.

The Chair therefore overrules the point of order.

Mr. GILCHRIST. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment as modified will be reported.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. TABER, as modified: On page 77, line 5, after "farm", strike out the period and insert a colon and a proviso, as follows: "*Provided further*, That parity payments under the authority of this paragraph shall not exceed such amount as is necessary to equal parity when added to the market price, and the payment made or to be made for conservation and use of agricultural land resources under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended, and the provisions of the Agricultural Adjustment Act of 1938, as amended: *Provided further*, That the total expenditures made and the contracts entered into in pursuance of this paragraph shall not exceed in all $212,000,000."

Mr. TABER. Mr. Chairman, in the first place, I limit the total amount of parity payments to $212,000,000, which is the amount carried in the bill which was passed last year. Under the authority of this bill the Secretary of Agriculture would be entitled to enter into contracts without limit as to the amount of expenditures. These expenditures might very readily run to between $350,000,000 and $450,000,000 when you come to consider the parity price fixed as it is today and the market price as it stands today.

I do not feel that in times like these, when it is so necessary that we make some effort to conserve dollars for our national defense effort, we should be passing a bill which would increase the amount of money that might be disbursed as parity payments.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Montana.

Mr. O'CONNOR. I may be dumb about this—and I suppose I am—but under the provisions of the bill would not the Secretary of Agriculture be restricted to what would be parity under the then conditions?

Mr. TABER. He would be; and he will be under what I propose, but under the present conditions the amount might very readily run to from $350,000,000 to $450,000,000. I do not believe it is fair, in view of the present prices of farm commodities, for the farmers to come here and ask to have the amount of money that is made available increased above what it is in the current act.

Mr. O'CONNOR. My point is that if in excess of $250,000,000 is required to make up parity, should they not have the right to use that amount, if the farmer is to get parity?

Mr. TABER. If you feel that we should take out every dollar there is in the Treasury and use it to hand out payments and benefits to the farmers regardless of the financial structure of America, if you want to commit financial suicide, that would be the way to proceed.

Mr. O'CONNOR. That is not the point. My point is that if we promise the farmer parity, let us give him parity.

Mr. TABER. I have never promised the farmer parity.

Mr. O'CONNOR. I say if we do, let us keep our promise.

Mr. TABER. If you are going to go away out of sight and hand out everything in sight without having any consideration for the financial condition of the country, if you are going to commit financial suicide and destroy the farmer's structure entirely, if you are that much of an enemy of the farmer you want to do just that.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish the gentleman from New York [Mr. TABER] would ask the gentleman from Montana [Mr. O'CONNOR] if he feels that it is a constructive policy to have the price-administration agency of the Government set a ceiling beyond which the price cannot go, and then come in here and ask for a removal or limitation of the parity restrictions so that you have to pay out three or four or five hundred million dollars in order to reach parity.

Mr. O'CONNOR. I will answer the gentleman. The great difficulty about the Price Administrator is that he can fix and he will fix the prices of only a few commodities, and that does not touch all the commodities the farmers are required to buy, and hence parity must be determined as we go along.

Mr. TABER. I cannot yield any further. The gentleman has answered. I must have a minute or two to discuss this amendment.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. TABER. If I yield, I shall have to have more time.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. I yield to the gentleman from Georgia.

Mr. PACE. How does the gentleman justify his statement that on the basis of the present prices the payments could possibly go to $400,000,000 or $500,000,000?

Mr. TABER. What is the present market price for cotton?

Mr. PACE. Cotton, very happily, is selling at parity, and I hope it will not need one penny of this fund.

Mr. TABER. Grand. Wheat is 23 or 24 cents below parity, with a crop of 700,000,000 bushels in view. The total for wheat would run approximately $190,000,000.

Mr. PACE. Not that much.

Mr. TABER. Yes. Corn is about 17 cents below parity, with a crop in sight, in view of what they will probably plant, of approximately 750,000,000 bushels.

Mr. PACE. The gentleman understands that parity on corn is confined to the commercial corn area?

Mr. TABER. I understand so.

I understood that cotton is now 2 cents below parity, but I may be wrong. According to a circular I received from Georgia the other day, cotton is 2 cents below what they call parity. I cannot tell the gentleman exactly, but I figured on that circular. That would make about $120,000,000 for cotton, about $100,000,000 for corn, and $190,000,000 for wheat, or a total of over $400,000,000.

Mr. PACE. If the gentleman will permit one further question. If the gentleman will help us to prevent the possibility of cotton being dumped on the market, I do not think the gentleman need have any apprehension about cotton not going to parity.

Mr. TABER. You already have the authority to prevent cotton being dumped on the market, as I am told.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman for one question.

Mr. O'CONNOR. Is it not a fact under the provisions of this bill that when corn and wheat and the other commodities covered in the law reach parity nothing is paid under the operations of this bill?

Mr. TABER. Absolutely.

I do not yield any further; I have your question. It is perfectly apparent that this amount can go way out of sight, and all I am asking is that you limit it to what has been appropriated before.

Now, on the other question, I call as a witness Mr. Evans, the head of the A. A. A. institution that has charge of these parity payments. I read:

Mr. TARVER. In other words, according to this language, you want to charge the farmer, in deciding whether he is getting parity or not, with the amount of his soil-conservation payment.

Mr. EVANS. Yes, sir.

Now, it is perfectly evident that the Department of Agriculture itself believes that payments should be made to the farmer only when you come to consider the soil-conservation payments. These soil-conservation payments at the present time or from last accounts called for 10½ cents for wheat, 8 cents for corn, and 1¼ cents per pound on cotton.

Now, why should we make these payments to the farmer at a time when he is more prosperous than he has been in 20 years and add the conservation payments before we figure the parity proposition? Why should we give them the conservation payments on top of parity? It means from 10 to 12 percent above parity if you do that. You gave him soil-conservation payments when agriculture was way down. We ought not to add the conservation payments on top of the parity.

I did not move to reduce the $450,000,000. I am not asking the farmers to take less for parity payments than was provided this year.

Mr. Chairman, unless those who are representing the farmer are prepared to do something fair and to be fair with the country and with the Treasury of the United States, you are going to wreck the farmers' structure entirely. You are not in favor of the farmer unless you put reasonable restrictions on this operation. I hope this amendment will be adopted.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment and, Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Chairman, I voted against the Agricultural Adjustment Act in 1938, upon its passage through this House. I thought another and an entirely different method of financing the farm program should have been adopted. However, a majority of the membership of the House and of the Congress enacted this law and they provided, in section 303, for the making of parity payments. They not only did not provide for the calculation of soil-conservation benefits in connection with the making of those payments in determining what should be regarded as the reception of parity for the farmers' product, but they expressly provided that such payments—having reference to parity payments—shall be in addition to and not in substitution for any other payments authorized by law. I think it is the duty of the Congress, so long as it permits this legislation to remain on the statute books, and so long as it holds out to the farmers of the country through the medium of this legislation the hope of attaining parity through this and other means, to observe the provisions of the law which they themselves formulated, and not at a time when some crops are to parity and others are approaching parity undertake to take away from the farmer benefits that he would otherwise have secured under the provisions of this act by providing that something else which it was especially provided in the law should not be counted shall be counted to determine whether or not he is receiving parity for his products.

The farmer, if he is receiving a bounty—and I do not think that under the facts he is—is not receiving today the bounty which is being accorded to industry through the medium of the tariff.

Reference is made in this committee's report, although it is not carried in the pending bill, to the section 32 money, the 30 percent of tariff receipts which are made available by permanent appropriation for the disposal of surplus agricultural commodities. It amounts upon the basis of last year's tariff receipts to $132,000,000. This means that during the last year $440,000,000 was collected as tariff. A bounty to whom? Not a bounty to agriculture, but a bounty to the industrial interests of this country. If you enact the language of this appropriation as it has been written by the subcommittee and call this a subsidy to agriculture, which I deny it is, the amount of agricultural subsidy will still be far less than the amount of subsidy which during the last year you provided through the medium of the tariff for American industry, and which the farmers of our country helped to pay.

The gentleman from New York says that if we adopt this provision without any limitation as to the amount which may be made available, it may be possible that there will have to be expended $450,000,000. The evidence before our subcommittee did not disclose any such figure. On the contrary, witnesses from the Department who appeared before our subcommittee evidenced the opinion it might be possible that notwithstanding the insertion of this provision in the bill, no parity payments whatever for any product might have to be made. Certainly it is reasonable to assume, if any payments do have to be made to any agricultural product—or to the producers of that product—under the provisions of this bill, if you adhere to the form in which the subcommittee has written these provisions, the amount of the payments will be far less, not only than $450,000,000, but less than $212,000,000, the limitation which the gentleman from New York desires to write into the bill.

May I say to the gentleman that so far as I am concerned, if he had offered a separate amendment to limit the amount of parity payments under this provision to $212,000,000, and to do no more than that, I might have been willing to agree to his amendment to avoid controversy, although I think that the total that he suggests, $212,000,000, is far more than could possibly be needed for this purpose.

Mr. Chairman, I come from a cotton country. Cotton is already selling above parity. There is not in my judgment a single dollar in this provision for any constituent that I have. This provision is of interest to you gentlemen who represent wheat- and corn-growing sections of the country, and to nobody else. Tobacco is above parity. Other major agricultural products, except corn and wheat, are either at parity or above parity, and speaking in the interest of the producers of products in the corn- and wheat-growing sections of the country, from which I am far removed, I think the time has come when during the period of this emergency those people should have the benefits that Congress promised them in the Agricultural Adjustment Act of 1938, but if you gentlemen who represent wheat and corn districts do not desire to vote in favor of these benefits, that of course is your responsibility, and whatever action you take on this amendment will not affect a constituent of mine in my judgment to the extent of a single penny.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. O'CONNOR. I represent a wheat-growing territory. What I am trying to get at is this. Under the operations of this bill, if wheat or corn shall reach parity, then nothing is paid under the operation of the bill.

Mr. TARVER. Absolutely not.

Mr. O'CONNOR. But if the commodities go below parity and then the $212,000,000 is not sufficient, are we not deceiving the farmer when we promise him parity and then write a limitation in this bill where we do not give parity?

Mr. TARVER. I think the gentleman under present conditions need not be apprehensive; but if a limitation of $212,000,000 is placed in the bill, it will provide money which will be amply sufficient to take care of the requirements of corn and wheat as to parity. Our subcommittee did not write such a limitation in the bill because it would create an impression that we were making available $212,000,000 for this item, when we did not think that much is needed, and I do not believe any member of the committee would object to placing a limitation in the bill, if the gentleman from New York [Mr. TABER] and a majority of the committee desire to do so, except upon the ground that it is unnecessary.

Mr. SMITH of Ohio. What was the amount of those parity payments made last year?

Mr. TARVER. There is a statement that appears in the hearings, and I am sorry that I cannot quote from recollection. It is slightly less than $212,000,000. Every one else in this country is

above parity, except the farmer. You have even written parity for the employees of the Department of Agriculture into this bill. You make payments of $3,600,000 for salary promotions in this bill, under the provisions of legislation which you enacted last year. All of these supply bills taken together will provide $75,000,000 for no other purpose than raising the salaries of Federal employees, and you are doing that as a matter of bringing them up to where they can live decently under the conditions now brought about by the emergency. I am not undertaking to say that you ought not to do that, but I do say that with industry, with Federal employees, with workers in every conceivable field except that of agriculture enjoying far more than parity conditions compared with the years 1909 to 1914, it would be exceedingly unfair at this time to deny parity to the farmer.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Certainly.

Mr. McCORMACK. I want to get clear in my mind whether or not the provision under consideration excludes the conservation payments of about 9 percent in determining what parity is.

Mr. DIRKSEN. I am going to discuss that very thing.

Mr. McCORMACK. I am anxious to find out whether or not that is so. Parity now is 85 percent of the loan and about 9 percent payments under the conservation provision.

Mr. DIRKSEN. I have not worked it out in that way, but let me cite a few figures and I think it will be clear. I have no other purpose than to make entirely clear exactly what the bill does and what the Taber amendment would do. From a money standpoint the bill appropriates the unexpended balances amounting to a couple of million dollars. Then it says:

> The Secretary is authorized and directed to make such additional commitments or incur such additional obligations as may be necessary in order to provide for full parity payments—

Whatever that might be. That is the language of the bill. In that language we commit Congress, commit the Government, to the payment of full parity. If it is carried out within the provisions of the bill we can see it at a glance by this assumption: Let us assume that the market price of corn is 74 cents; that the parity price is 85 cents. The difference is 11 cents. To go to full parity, therefore, it would mean that a differential of 11 cents per bushel would have to be paid under the commitment of the bill.

Now, the Taber amendment provides that first you would take the market price and to it you add the soil-conservation payments and then you determine the difference between parity, and then of course you add whatever amount is necessary to bring it to full parity. So it would work out in this way: Assuming the price of corn was 74 cents a bushel and the soil-conservation payment was 9 cents, that would be 83 cents. It would require only 2 cents a bushel payment of parity money to bring it up to full parity, as against 11 cents, as provided in the bill.

Mr. McCORMACK. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. McCORMACK. Is my understanding correct that that is the law now, or the procedure at the present time?

Mr. DIRKSEN. I am not so sure that is the law. But there is precedent for it. In fact this provision is now in effect. Let me explain. There is precedent for this reason: Last year we got into the same difficulty. We had the same controversy. When the bill left the House and went to the Senate and then to conference, the President had a meeting with some of the congressional leaders, including members of the committee, and the President was insistent at the time, if I remember correctly—and if I do not remember I hope somebody will correct me—that the soil-conservation payments should be included before you determine how much should be taken out of the parity fund. So what you have here today is a bill providing for the loan price or market price, whichever is higher, plus enough money to bring it up to full parity. The Taber amendment provides the market price, plus the soil-conservation payment, and then whatever is necessary to bring it up to parity.

I wanted the House to be sure of what the bill does and what the Taber amendment does.

Mr. O'CONNOR. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. O'CONNOR. I just want to remind the gentleman of this fact: that the conservation payment has nothing to do at all in figuring what amounts to parity.

Mr. DIRKSEN. I have not gone into that discussion.

Mr. O'CONNOR. Soil-conservation payment is one thing and parity is another thing.

Mr. DIRKSEN. I did not want the House to be confused as to what the bill does and what the Taber amendment does. I think on the assumption of the price, I have determined pretty well, and I believe everybody ought to understand. The Taber amendment takes the market price plus the soil-conservation payment, which in the case of corn would be 9 cents a bushel, plus whatever else is necessary to bring it up to full parity. The bill directs the Secretary of Agriculture to take the loan price or the market price, whichever is higher, and then add to it as much parity money as is necessary to bring it to the parity level.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MAY. Under the language of the bill, the Secretary of Agriculture would be the sole judge of when you reach parity, as far as money is concerned.

Mr. DIRKSEN. His department does tne mechanical work of ascertaining the parity level in the case of any basic commodity.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. DIRKSEN. But the Secretary of Agriculture has no discretion to determine parity. Parity is an index which is determined on the basis of many indices. They take them all together to determine what the purchasing power of the farmer, measured in terms of his commodities, will be so as to approximate that level of 1909–14. So he does the mechanical work, but he does not determine parity. Parity is determined by economic conditions.

Mr. O'CONNOR. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. O'CONNOR. In other words, the mechanics are set up for the Secretary to go by. He has no discretion at all in fixing what is parity, but he has to follow the mechanics already set up.

Mr. DIRKSEN. That is true. Do not forget that the basic act provides that we shall pay parity within the limitation of funds provided by Congress. That was the language of the act of 1938.

My whole purpose was to see that there was no confusion as to what the bill does and what the Taber amendment does.

[Here the gavel fell.]

Mr. HARE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am just afraid that the gentleman who preceded me [Mr. DIRKSEN] may have disturbed my mental equilibrium a little, because my understanding of the matter was quite clear up to hearing his analysis of the issue but now, like the old darky in court, "I am sorter 'fused and 'fuddled." My idea is there has always been a definite distinction between soil-conservation benefits and parity payments. I pointed out a few days ago that soil-conservation payments or benefits are the result of a program inaugurated by the Congress a few years ago designed to assist our country in conserving and taking care of its soil and thereby maintaining its national wealth to that extent, and that the farmers were going to be paid for their labor, for their services, and for their cooperation in the program.

We stated then that agriculture is the basis of our national wealth and that soil fertility is the basis of a successful agriculture. We pointed out further that within the past three centuries we have lost 40 percent of our soil fertility as a result of erosion and that at the same rate for the next two centuries we would be unable to support our own increasing population. Our Government realizing this felt a few years ago that it was a governmental obligation to inaugurate a program to conserve and restore soil fertility for future generations, and without going into detail the farmer was requested to cooperate in the program and the Government would pay him for his efforts and expenses in the matter.

There was no gratuity to be given a farmer for cooperating in the soil-conservation program, he was not going to be paid a bounty, he was not to be paid any particular consideration except to

the extent he cooperated and to the extent to which he assisted in maintaining soil wealth. Just a little later on, the parity payment program was inaugurated on an entirely different basis and upon an entirely different theory. The program was based on the theory that the farmer should receive part of the tariff benefits alleged to be coming to other people of the country—industry and labor—and in order that he might get his pro rata share, it was calculated he should have what was called a parity payment, that is, a payment which would place his purchasing power on a basis with that of those engaged in industry; and for that reason parity was entirely different from soil conservation.

It is elementary to say if you increase the tariff rate on a product, like a pair of shoes or a hat, the result will be an increased price which means increased costs to the farmer, and if you put such a tariff rate on all of the things he has to buy without increasing his purchasing power in any way, he will soon reach the point where he will have to reduce the number of purchases and lower his standard of living. Evidently, those who passed the Parity Payment Act felt that the farmer was being penalized as a result of the tariff and undertook to take part of the revenues collected from the operation of the tariff law and distribute this part among the farmers in such a way as to place his income or purchasing power on the basis or on a parity with the purchasing power of those in industry. That is, he would be able to take the product of his labor at the end of a year and purchase about the same amount of goods in value from industry or those employed in industry would be able to pay him for his products. That is the theory upon which parity payments are made.

As I understand the amendment now offered, it is this: The money, the benefits, or the payments a farmer is to receive for cooperating in the soil-conservation work must first be charged to his parity-payment account before he can participate in the parity-payment program and then if the soil-conservation payment is as much as the difference between the market price and parity price of his crop—cotton, corn, wheat, and so forth—he will then receive no parity and consequently not participate in but will be penalized by our tariff system. You might just as well go ahead and say that you cannot participate in the rise of prices by the raising of the ceiling fixed by the Administrator unless you first deduct from that price the benefits you get from your tariff. You might just as well say to these farmers here who have a tariff on wheat, or a tariff on corn, "Why not deduct the amount of the tariff on your wheat, why not deduct the amount of the tariff on your corn before you can participate in the parity payment?"

The principle is the same and the principle of the tariff is just as foreign to this as the soil-conservation principle is. I believe you could with equal force include in here a proviso that the amount of the tariff on a bushel of wheat, the amount of the tariff on a bushel of corn, should first be deducted from the parity price before the farmer would be able to participate in the parity payment, whether the tariff on your wheat or corn is effective or not.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. FULMER. As stated by the gentleman a moment ago, soil-conservation payments are made to the farmer because of certain labor, buying cover-crop seed and certain crops being planted, soil-building crops, and denying him the privilege of planting other crops. In other words, the farmer absolutely earns every dollar that is paid to him under this and it never was intended to go as a part of the parity payment.

Mr. HARE. I appreciate the statement of my colleague, who is thoroughly familiar with the law. I tried to make that clear in the beginning, that the farmer is receiving from soil-conservation benefits something for what he does, for what he pays out. As the chairman of the Committee on Agriculture just said, he buys his seed, he buys his extra seed. He cannot produce all of the seed used in his conservation program, he has to purchase some, and the soil-conservation benefit is to reimburse him to that extent and pay him for his labors.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I would like, if possible, to come to an agreement as to time of debate on this paragraph.

I ask unanimous consent that all debate on this paragraph and all amendments thereto close at 4 o'clock. That will give us 65 minutes.

Mr. O'CONNOR. Mr. Chairman, reserving the right to object, how many Members are to be heard in this time and how much time would it give them?

The CHAIRMAN. Thirteen Members have risen. It would give them 5 minutes apiece.

Is there objection to the request of the gentleman from Georgia that all debate on this paragraph and all amendments thereto close at 4 o'clock?

There was no objection.

The CHAIRMAN. The gentleman from North Dakota [Mr. BURDICK] is recognized for 5 minutes.

Mr. BURDICK. Mr. Chairman, the gentleman from Illinois says we should defeat this bill by crippling amendments because Mr. O'Neal and his Farm Bureau Federation demand it. Do not get excited about the Farm Bureau Federation. That organization is much like a bumble bee—it is biggest when first born. In 1922 the Farm Bureau Federation had a membership running into the millions; now the gentleman from Illinois [Mr. DIRKSEN] informs us that there are some 500,000 family memberships. It is a losing organization and it has more members now than it will have when the people find out what kind of an organization it is.

It was originally launched by the sponsors of large interests—the railroads, banks, and insurance companies. It was organized to keep the farmers in line. That is exactly how it worked in North Dakota. It was ushered in with trumpets; in the first year, 1921, it had a membership of 40,000 farmers. Today it has not a membership to my knowledge. The big booster outside of the large interests was the county extension system. When farmers in North Dakota joined the organization and attempted to run it, they adopted an outstanding set of principles denouncing the grain gamblers, excessive freight rates, and excessive interest.

I am not speaking from hearsay but from actual knowledge. I was instrumental in writing that program; I was unanimously elected the first president of the North Dakota Farm Bureau Federation, but as soon as any attempt was made to bring the organization down to the grass roots as an actual farmers' organization, we were fought by the very people who instituted it.

We have in North Dakota been friendly to all farm organizations from the days of Kelley's Grange to the present moment. But we think we know an organization when we see one. The Farm Bureau Federation was organized from the top down instead of from the grass roots up building an organization to protect the farmer. An organization built to keep the farmers quiet and make them submit to the unconscionable practices of railroads, insurance companies, and banks is not an organization that can live in North Dakota.

The Farmers Union is a grass-root organization and it has no opposition in North Dakota or in Montana, and in many States from the Canadian border to the Gulf of Mexico it is a strong grass-root organization. This Farmers Union is handled by the farmers themselves and it is not a one-man concern headed by a perpetual O'Neal. The Farmers Union, through its officers and directors, supported by the members, is backing up this present bill.

Every time a farm bill is before this Congress the conservatives rise up on all sides to trim down our enormous and unheard-of expenditures by taking it out on the farmer. I would like nothing better than to be a judge having jurisdiction over the acts of the opponents of this bill. Upon competent proof, such as we have had from the gentleman from Illinois [Mr. DIRKSEN], the gentleman from New York [Mr. TABER], and the gentleman from Virginia [Mr. WOODRUM], I would sentence every last one of them to serve the balance of his life on a farm to dig out an existence there without any outside aid. At the end of that existence, or probably during it, they would come to understand what the average farmer is up against. I am satisfied that nothing else will budge them.

What we mean by parity is that the products of the farmer shall bring a price commensurate with the prices the farmer is required to pay for what he needs and what he must buy.

In the fiscal years 1917–20, when the prices the farmers received for their products were on a basis of comparative parity with prices paid for production and family maintenance, the gross farm income of the United States averaged around $20,000,000,000 a year and the

cash farm income from crops and livestock and products approximated $12,500,000,000 annually.

In 1940, when prices received by farmers averaged around 85 percent of prices paid, gross farm income dropped below $11,000,000,000 and cash farm income from crops and livestock products was $8,350,000,000, or a shrinkage of nearly 50 percent in gross farm income, and a drop of over $4,000,000,000 in cash farm income from marketing.

Price parity for the farm—simply a square deal for the farmer on the basis of 1910–14, or on the basis of the last World War—would have made the American farmer an independent and self-supporting American citizen. It would have taken him out of the Federal poorhouse and made him an income-tax payer for support of the Government.

The farmers of the United States are told, "The good will of the consuming public should not be shattered by grasping for a few extra dollars in the name of farmers."

Though the cash farm income has been reduced by $4,000,000,000 since the last World War, and the gross farm income by nearly one-half, and though acts of Congress signed within the last 90 days guarantee Government support of farm prices and name a price ceiling of 110 percent of parity, a pending bill to stop violation of these acts of Congress is attacked on the grounds of being promoted by selfish interests who shatter the good will of the consuming public by grasping for a few extra dollars in the name of farmers.

In the midst of a war crisis, when the Government demands a new war appropriation of $32,000,000,000 and is now asking Congress for a third huge tax bill, is it statesmanship in the interest of Government finance to destroy the farm-price parity that would enable 6,000,000 American farmers to become income-tax payers for the support of Government instead of Government wards upon the United States Treasury?

In the past 9 years of below parity prices for farm products, the agricultural program has taken $6,000,000,000 from the United States Treasury. Had the farmers of the United States received simple parity treatment during this period, 1933–42, and become income-tax payers instead of being kept, this last or present tax bill may not have been needed. A self-supporting American agriculture—such as that which averaged $12,500,000,000 of cash farm income during the last World War—would give the Nation an income foundation for national defense and for expansion of all income-producing industries.

The total grain production of the United States in 1941—including wheat, corn, oats, barley, rye, flaxseed, soybeans, and grain sorghums—approximates 5,500,000,000 bushels, the record production of a decade. At parity prices, as determined and published by the Secretary of Agriculture, this production may well have added near a billion to farm income and added several millions to the number of income-tax payers for the support of Government.

Let us now take a look at those few extra dollars in the name of the farmers, and, for that purpose compare the income of the farmers in World War No. 1 with their present income in World War No. 2.

An unweighted average for the 5 fiscal years ending June 30, 1916–20, during and ending the last World War, shows that the American farmer, during that period taken as a whole, received, largely due to the heavy export demand for breadstuffs, about 8 percent above parity prices for what he paid for commodities consumed on the farm for production and family maintenance.

This 108 percent of parity prices for farm products, as compared with the 1910–14 index, was plainly due to the following record volume of farm exports which were a prime factor in winning the World War:

United States agricultural exports by fiscal years

1916	$1,518,071,450
1917	1,968,253,288
1918	2,280,465,770
1919	4,107,158,753
1920	3,466,619,819
Total	13,340,569,080
5-year average	2,668,117,816

This export volume of American products, averaging $2,668,117,816 in the 5-year period 1916–20, approximated eight times our farm exports of this second World War to date and were the dominant price factor in the last World War.

Effect of the 1916–20 farm exports in giving agriculture a parity price of 108 percent above the base index was phenomenal in building up the farm wealth and income.

Total value of farm lands and buildings, farm machinery and livestock—see United States Statistical Abstract for 1921—rose from $40,991,000,000 in 1910—slightly above the 1940 figure—to $77,921,000,000 in 1920.

Farm land and buildings alone are statistically estimated by the 1941 report of the Department of Agriculture:

Value of farm lands and buildings:

1920	$66,316,000,000
1940	33,642,000,000

The shrinkage in farm wealth since the 108 percent of parity period approximates 50 percent. British orders giving the American farmer a virtual black-out for exports to Europe—except such recent shipments under the lend-lease program—combined with the present plan of the Commodity Credit Corporation, give the farmers of the United States scant hope to escape the Federal poorhouse—unless Congress unbars the door.

The shrinkage of cash farm income from farm marketing, as reported in the last Yearbook of Agriculture, comparing 1917–20 with 1937–40, is here shown by crop years:

1917	$10,648,000,000
1918	13,464,000,000
1919	14,436,000,000
1920	12,553,000,000
1937	8,788,000,000
1938	7,652,000,000
1939	7,858,000,000
1940	8,357,000,000

Total cash farm income of the United States for the 4-year period, 1917–20, was $51,101,000,000. The shrinkage from the closing years of the last World War to the opening years of the present World War is $18,446,000,000.

Question. At a time when we are trying to raise $7,000,000,000 additional by income taxation—is not a parity price for the farmer, a long-promised goal for agricultural recovery, the most promising method in sight for getting the United States Treasury relief from its hole in the red?

The President, in his recent Budget message, estimates the 1942 deficit at $18,632,000,000, and the 1943 deficit at $42,441,000,000. Why not permit 6,200,000 farmers to step out of the Federal poorhouse, quit being wards on Federal charity, and become income-earning taxpayers as they wish to be? Note: This is still a democracy—not a totalitarian bureaucracy—or is it?

If this great herd of money savers wants to save the people of the United States some money, why sit here idle in this Congress sniping at a bunch of farmers when the records show they are going out of business at an alarming rate? The gentleman from Michigan [Mr. ENGEL] has repeatedly brought evidence before this House that in the war program there is a waste of money that instead of running into millions of dollars runs into billions. He has proved that in the camp construction activities there has been an average waste of 40 percent. Here we are dealing with billions—not millions. Nothing seems to have been done about this matter. All kinds of unconscionable contracts have been made whereby men without a dime to invest have placed contracts that have netted them millions. When we get an economy streak and start out to save, when we see an election coming and want to exhibit the trophies we have won in this House, we let the swindler in war contracts go and proudly exhibit to the audience that we cut $7.99 off some appropriation that would have assisted the farmer. When asked why this was done. I presume the answer will be that O'Neal of the Farm Bureau Federation demanded it.

The chairman of the subcommittee, who has reported this bill, is one of the very careful and conservative men in this House, but in being conservative it has not so unbalanced him that he is ready and willing to destroy the backbone of this Republic—the farmers. He has handled this bill not only ably but in a spirit of fairness seldom equalled in this body. I am prepared to sustain him in this bill. He has what little influence I have in this House and my vote.

Mr. GILCHRIST. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Iowa.

Mr. GILCHRIST. Did the gentleman notice the other day that the figures released by the Commerce Department showed that the farmers were only getting about $8,000,000,000?

Mr. BURDICK. That is right.

Mr. Chairman, I ask unanimous consent to insert in my remarks the tables showing the situation of the farmers 20 years ago and today.

The CHAIRMAN. The gentleman will have to secure that permission in the House.

Mr. BURDICK. Mr. Chairman, these are my own tables.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Chairman, I am afraid there are a great many Members who are not familiar with the Soil Conservation Act. If they will look into it I believe they will find that it is probably the greatest act ever passed in favor of the farmers of America. A nation's strength is measured by the strength of its soil. Millions of acres of land in the United States had been going to waste yearly; this situation has existed for years; and the Congress at last woke up to the seriousness of the situation and wrote into the law what is known as the Soil Conservation Act. The purpose of this act is to protect and to conserve the soil of America. The payment made to the farmer has never been considered a part of the price for his farm products. The payments have no connection with parity. It is a separate set-up, its object being to conserve and rebuild the soil, and these payments are made to the farmer to take care of the extra costs in connection with drainage, terracing the land to prevent washing, and to take out of production soil-depleting crops and plant in their place soil-rebuilding crops.

Now, lo and behold, and for the first time since the statute was passed, we are requiring the farmers, if this amendment is passed, to consider his soil-conservation payments in connection with the price he receives for his farm products. The committee that worked out this piece of legislation never contemplated that these payments would be considered in arriving at parity. It was not contemplated by the House. Yet some of these economy-minded Members, who I am afraid do not know anything at all about the soil-conservation program, are here clamoring that these payments be taken out of the prices of farm products. It is not fair, it is not right, and if you do this you will destroy the greatest single program ever enacted on behalf of the farmers of America. When you do that, you destroy the program, and when you destroy the program you destroy the soil of America, and when you destroy the soil of America you destroy America.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, it has been said here that the farmers are demanding this parity money. I have received no communication from any farmer in Minnesota or elsewhere demanding it. All that the farmers are asking is for parity prices in the market place. They would rather get parity prices when they haul their commodities to market than to receive a subsidy from the Government. Those who feel that there will not be any parity funds provided in this bill are badly mistaken. The Secretary of Agriculture and the administration will see to it that farm prices stay below parity so that money can be sent out in the form of parity payments.

The Secretary of Agriculture stated the other day before our committee that if farm prices went to parity in the market the farm program would break down. That is correct. If the farmer gets parity prices in the market, there will be no need for the present farm program; there will be no need for parity payments to be made to the farmers; but the administration will never let farm prices go to parity, because they want to retain regimented control over the farmers of America, and they will retain this control through the sending out of benefit payments. So you may expect that there will be a substantial amount provided as parity payments under the authority given to the Secretary of Agriculture in this legislation.

There are some peculiar and inconsistent things that are taking place. For instance, the administration is selling good milling wheat at a loss of from 15 to 30 cents a bushel. This is Government-owned wheat that it is selling as feed wheat. That may be all right for those who want to buy cheap feed, but while they are selling this Government-owned wheat at a loss they are also collecting a penalty of 49 cents a bushel off the farmer who has excess wheat if he has fed that to the livestock on his own farm. You do not see the administration coming here today asking for the repeal of that 49-cent penalty on excess wheat. No; they still want to have that penalty control over the farmer who may produce a little more wheat so that he can feed the livestock on his own farm. It appears to me that if they are to be consistent they should be here today asking Congress to remove that penalty, which would permit the farmer to feed the wheat that he raises on his farm to his livestock.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does the gentleman understand the Taber amendment to provide that after adding the market price to the soil-conservation payments they use that as the base and then let the $212,000,000 be used to fill the gap between the sum of those two and parity?

Mr. AUGUST H. ANDRESEN. That is right.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I do not know much about the farm problem. But I was raised on a farm in Iowa, the youngest of 10 children. It took the efforts of my father and mother and all of us from daylight to dark to keep mortgages off that farm. We did it. We were required to take whatever the other fellow had to offer for what we raised and to pay the other fellow's price for everything we bought. That was the plight of the farmer many years ago and that is his condition today.

I have owned land and farmed it ever since manhood.

When these gentlemen talk about economy, well, we are all for economy. None of us want to go into the Treasury unless it is necessary. But do not take it out of the hide of the one person who stands in the economic structure of this country unprotected and practically alone as far as being able to control the price he gets is concerned.

This bill provides for parity for farm prices. If these prices reach parity, not one dime is paid under the operations of this bill. If we do not see that he gets parity, then we are lying to and deceiving the American people. The Congress of the United States cannot afford to be a party to such a transaction. If these commodities reach parity, not one dime is paid out under the operation of this bill so where can the harm be to leave the bill as is?

I am reminded of a little history that I recall very distinctly. A few years ago when I first became a Member of the House the former chairman of the House Committee on Agriculture, the Honorable Marvin Jones, was discussing the question of parity. Some men on either side of the House had raised the point that it was a bonus, that it was something they were not entitled to get such as a gift. Mr. Jones gave them a little history, and this is it. It came from the lips of Alexander Hamilton, the first Secretary of the Treasury of the United States, and a Republican. He said:

> If we pass a tariff law, in order to offset that tariff law we must give compensation to the farmers. We must give them something out of the Treasury.

What else did he say?

> Not by way of a bonus, not by way of a subsidy, not by way of a gift, but by way of restitution.

The lawyers in this House know the meaning of the word "restitution"? If I take something out of your pocket, if I take something out of your home, or if I take something away from you that belongs to you, and then give it back to you or give something of equal value back to you in lieu of it, what am I doing? I am making restitution. That is what Alexander Hamilton said we should do.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. SOUTH].

Mr. SOUTH. Mr. Chairman, I am of the opinion that the author of this amendment is neither for parity nor for soil conservation. If that is not a correct statement, I would be glad to have him say so.

This is the beginning of a fight on parity. Mr. Webster says:

> Parity is the quality or condition of being equal or equivalent.

I think that is a pretty fair definition as it relates to the question of parity prices for farmers.

I should like to call the attention of the gentleman from New York to this kind of situation. Soil-conservation payments are often made for terracing or contouring. A farmer may have a thousand acres

of land which he would terrace at a cost of $350, let us say, yet he might not plant enough of a particular crop upon which he could apply for parity to entitle him to more than $100. May I ask the gentleman if he would be in favor of having the farmer pay the Government the difference? And how his amendment would apply to such a case?

Mr. TABER. No; but every move the farmer makes to build up his farm improves the ability of the farm to stand up; it puts the farm in shape so that it produces more and is worth more.

Mr. SOUTH. I cannot yield further to the gentleman, since my time is so limited.

Mr. TABER. That is enough.

Mr. SOUTH. Paying a fair price to the farmer for what he produces and sells is not going to bankrupt the Government, and it is not going to increase the cost of this great defense program in proportion to what some of the administration leaders are now claiming. I suggest to these leaders that if they would agree to "parity" wages for the men who are working in the factories, and parity prices for our farm products, we would be making some progress toward equality. They are striving to keep wages above parity and are fighting to keep agricultural prices below it. This is neither logical, just, nor economically sound.

It is not the aggregate income of the country that counts so much; what hurts our economy is the lack of parity or equality of income as it is distributed over the different sections of the country and among the different vocations, trades, and so forth.

It has taken many years of honest and painstaking toil and effort to work out this farm program. It is far from perfect now. We have had to fight selfish uninformed and misinformed groups and factions with each advance that has been made.

A fair and equitable price for the farmer's products is just as essential during wartimes as it is when we are at peace. That is all we are asking for here, and all we have ever asked for. How can it be justly said that the farmer is demanding exorbitant prices when 24,000,000 farm people, more than one-sixth of our population, had an earned income last year of 8 percent, or less than one-twelfth of our total earned income? Such talk is nonsense, and no one is going to be fooled by it.

There will be very little paid out in parity this year. I am glad such is the case. But let us not destroy the law under which such payments can be made if and when needed.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. ROBSION] to submit a unanimous consent request.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made today on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, it seems to me there are at least three elements involved in this proposition. One is the price which the farmer receives as a result of direct action taken by the Price Administrator, Mr. Henderson. Another is the amount paid to the farmer under the name of soil conservation. Another is the amount that is necessary to give the farmer parity of price by taking the difference between the sum of the market price received and the soil conservation payment and deducting that from what constitutes parity and making up that difference by whatever is involved in this bill.

It seems some of the experts here construe the Taber amendment as taking out of the farmer's pocket, we might say, the soil benefit payments and using them as part of the funds with which to make up the parity of price. I do not know how anyone can logically or equitably object to a farmer receiving parity of price for his labor in the form of goods which he takes to the market. I have never objected to that, but the thing I do object to is the operation of a price administration in such a manner as to hold down prices in the market so that the farmer cannot get a fair return for his efforts. I think that is now being done. I think it has been done more or less for some years past. A fourth element which I think enters into this proposition is the question of tariff which was mentioned by the gentleman only a moment ago. I believe that those who are watching this program unfold will readily admit that we are moving toward a day when all duties on agricultural commodities coming into this country will be very materially reduced below today's level. If this is to be the program, it seems to me that this parity of price issue is to be constantly before us for some time to come, and if the parity of price appropriation is to be the slide rule or the shuttlecock to accommodate this thing, I guess we will have parity of price appropriations down through the years, war or no war, economic movements or noneconomic movements. This is about the way it appears to me, and I do not know any power that this Congress can exercise and at the same time leave a price administrator free, with the power he has at the present time, to get these prices higher than they are at the present time. I think the Price Administrator is going to do this job just about the way he wants to do it, paying not too much attention to the wishes of Congress or to the legislative intent. This may sound like a harsh charge, but I believe the program is unfolding about that way, and perhaps the farmers will have to take that punishment in whatever form it may come.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, in the base period, 1909 to 1914, inclusive, I was quite a farmer, hitching up something like 100 head of harness animals in the morning. I know what we had in mind at that time. We were selling our wheat at from 90 cents to $1 in our country. We were paying for a seeder or drill about $90 and for a mower $45 or $50. These were the prices of the eastern manufacturers, for such implements. The things we had to buy as farmers increased by reason of the prices fixed by the industries. Then commenced an agitation in our country as to why we could not do something to meet that situation of fixed farm products. I spent much time and some money trying to organize the farmers in the Northwest so we might have something to say about prices. We went on farming in my country and going broke, gradually, until 1929–30 came, with the crash which carried down farmers, banks, and business.

I came to the Congress 9 years ago this spring. At that time I became a member of the Committee on Agriculture, where I found under consideration a farm bill containing what we knew at that time as the processing tax. We levied a certain amount of money to be paid by the processor, the man milling wheat or the man handling the tobacco or the man preparing it for market, and this was to be distributed to the growers. It was the first approach to parity that the farmer had. Under it, our wheat farmers in my country got about 27 cents a bushel in addition to the market.

When the Supreme Court saw fit to say that the processing tax was unconstitutional, there was born the Conservation Act and parity payments came later. I agree with those who say that we ought not to take the money from the National Treasury for parity payments. I am among the group that believes that the prices paid for the commodities should be the cost of production with a reasonable profit added thereto, and that these costs should be paid by the consumer. Under that idea I have had pending, for a number of years in the Agricultural Committee of the House, a bill known as the certificate bill, which provides a method by which there shall be collected a certain amount of money from the processor, or the miller, the man who handles wheat, tobacco, and rice and other commodities which must be prepared for markets. The amounts which shall be paid for the certificates shall be distributed to the producers who grow the commodities. The idea is to find a legal substitution for the processing tax. It can be done for wheat and cotton, peanuts, and tobacco. It will not work any better for corn than the old corn-hog program which was right in theory, but when we came to put it in practice we found much difficulty in getting paid as the processor of the corn—namely, the hogs and the cattle—were not good paymasters. Therefore, as far as the program on corn was concerned, it was not successful, although it would be so on wheat and cotton.

I am going to vote against this amendment. I feel that the idea is right, but not as we are now operating. I hope the day is not far distant when we will put

on a real program, which means that the men who consume the tobacco and the wheat and other articles will pay the money that should go to the producer.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. GILCHRIST. Mr. Chairman, the gentleman from New York [Mr. TABER] stated a few moments ago that if those of us who are interested in farmers wanted to be fair, then we would go along with him. Last week the Commerce Department released its findings in respect to income in 1942, which amounts to something between $94,000,000,000 and $95,000,000,000. Of that the farmer gets less than 8 percent, although he represents 24 percent of the population.

Mr. CANNON of Missouri. And that in view of the fact that in 1920 the farmer got 19 percent in comparison with the 8 percent he receives today.

Mr. GILCHRIST. Yes; so that when the gentleman from New York wants to subtract the conservation payments from what the farmer ought by right to get, he wants farmers to pay twice for their conservation efforts just as was pointed out by the gentleman from North Dakota. The farmer already pays a full consideration for his conservation payments, and he ought not to be charged for it the second time when we come to computing what he ought to get by way of parity. If you don't believe in parity for the farmer, that is one thing, but if you do, you will vote against this amendment. The farmer does not want to be compelled to become a beggar and go about with a monkey and a hurdy-gurdy, and a tin cup, and come around to our people and say, "Won't you please put a dime in here?" He wants to stand on his rights and sell his product in the open market at a price that conforms to what he ought to get. He wants to get parity for his product and not charity from Congress. It has been said here on the floor and in the press that parity will cause an inflation by $1,000,000,000. Nothing could be further from the truth.

I have here statements about bread. The farmer from a loaf of bread now gets about 1-7/100s of a cent per loaf. Take this package of Pep which I show you.

If you paid the farmer for his share in that at the same price that you pay for the Pep, he would be getting $48 a bushel for his wheat instead of $1.10. If you were to give him his share on the same proportion that you pay for this package of Wheaties, you would be paying him $15.60 per bushel instead of $1.10. Here is a package of corn flakes; by the same token you would be paying him $11.95 per bushel for his corn instead of the 68 cents per bushel which he is getting for it now.

When the old rooster crows, then everybody knows that there will be eggs for our breakfast in the morning. You know what the rooster does? He brings on the dawn. If it were not for the rooster crowing in the morning there would be no dawn, according to the philosophy of some folks, some of whom I think are on this floor. Here is an egg which has not yet been boiled. Last Friday I paid 53 cents a dozen for that egg. The gentleman from Georgia [Mr. COX] told me today that he recently paid 59 cents per dozen for eggs, while at the same time they were selling down in his district for 15 cents a dozen.

These eggs cost me 53 cents a dozen. Out in my country they are getting only 23 cents a dozen for eggs.

I wanted to tell you more about why the roosters crow in the morning, but I see they will not give me any more time. A few cents to farmers will not bring on inflation except under the philosophy of those who think the crowing of the old red rooster out in the barnyard causes the dawn to come up over the eastern horizon every morning. Fiddlesticks!

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS Mr. Chairman, I have been on the floor this afternoon, and I have talked to several men who, beyond question, have always fought the battles of the farmer on this floor. Those men have said to me:

This Taber amendment seems like a pretty good amendment to me. It seems to me like perhaps it is all right.

Let me say to any of you men who have in mind that kind of an idea, I take my hat off to the gentleman from New York [Mr. TABER]. He has been here a long time. He is an astute gentleman, clever, smart, skilled in the artifices of legislation. I know that the gentleman from New York is neither a friend of parity nor a friend of soil conservation; I doubt if a friend of the farmer. I just want to lay down this warning to you: If this amendment had been offered by a friend of agriculture, I would not have been a bit suspicious of it. Then I would have wanted to dissect it and take it apart and see if it was all right; but, since it does not come from a friend of agriculture, but comes from my friend from New York, I am a bit suspicious of it to start with, because I am positive that the gentleman from New York [Mr. TABER] is making no serious effort to do anything that would be of benefit to the agriculturalists of this country.

Let me tell you what the purpose of this thing is, in my judgment. As has been said heretofore this afternoon, cotton will bring parity. It is now and, no doubt will continue to do so, during this emergency. I am inclined to think that corn and wheat will go up to where there will be no parity payments made on them; where the money provided in this bill will not be needed. But the purpose of this is to get the first foot in the door against parity after the emergency is over. Then you will have this wedge to start on and they will drive it in and broaden the gap until you have broken the Government away from parity.

What is the matter with parity, anyway? Why should not these men who form 24 percent of the population of this country, since the Federal Government has taken unto itself the job of protecting everything and everybody—why should he not have a guaranty of parity? Parity with what? Equality with other classes of people, labor, business, and so on. Surely, it is no more than he is entitled to if the Federal Government is seriously going to continue to protect the wages paid labor, privileges for labor. This farmer is not organized. He is just the man that stays out at the forks of the creek, goes to work at daylight, and works until dark. To do what? To feed the Nation. To feed the Army and the Navy now. You stop him, and this war will be over quick. You need not worry about the farmers making too much money. They are not making much now. They will not make much with parity, and whatever they do make they work hard for, and they are not ever going to get more than they are entitled to.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Chairman, I have heard it said that parity means equality, but my observation on this floor is that parity means to many here something you can pare down from a bill if you do not come from sections where there is agriculture.

Mr. TABER. Oh, now, will the lady yield?

Miss SUMNER of Illinois. I refuse to yield. For a long time our farmers had stable markets for their grain. We had tariff protection until the World War came. Then we had to extend acreage and began to produce more than we had markets for. Our farmers during the 1920 period had a hard time, chiefly, I think, due to the philosophy which grew up in the East, and which dominated Government, that this country ought to be like England, industrialized; everybody working in industry and manufacturing so that we would get all of our grain and all of our food and cotton from foreign countries. I think that dangerous philosophy inspires the arguments made by Members on this floor to which I have alluded. After the depression there came the farm program, which most of our farmers considered a boon to them and to the Nation, since their welfare is reflected in the welfare of little towns and also of the cities.

According to that farm plan, all of us who farm got together, controlled by the Government in much the same way that the railroad industry was controlled, an industry which was equally competitive. Most of us were glad to join that program. We were glad to do whatever was necessary to conform to that program so as to control production and secure fair prices. It seems to me that that was a good program and it will be a good program for the future when the next depressions come.

Today, however, farmers are in a pincers movement. The farmers have on one side the Price Administration experts who are trying to hold down our farm prices below cost of production. On the other side, we have Members in Congress who call themselves the economy bloc, who, however, were silent the day last week when we appropriated three and one-half billion for the Reconstruction Finance Corporation without anything said as to what was to be done with the money, and who are not here many of

the times when some of us walk down the aisle voting to save the Government money, voting to cut down extravagance amounting to millions and even billions.

What does this amendment do? In my opinion, it is as unjust and unfair and impracticable as some of the other amendments that have been offered today, which pretend to favor the poor at the expense of the rich, but which will undermine the interests of the farming business and which are particularly against the interest of the many, many thousands of farm hands and their families whose only jobs are on the big farms, who are neither farm owners nor farm tenants.

What does this amendment do? It states, in effect, that if you are raising a crop—let us say cotton or tobacco, which has already reached parity—you can get your conservation check; but if, on the other hand, you are raising corn or oats or some crop which has not yet reached parity, then you give up most of your conservation checks. What kind of justice is that, I ask you? Was it not Socrates who said:

> The only excuse for representative government is that it offers a better opportunity to give justice to every person and every class of persons, rich or poor, weak or strong.

And remember also that English statesman of long ago who said:

> Tyranny is just as possible in a democracy as it is in a dictatorship unless representatives who hold the power are very careful to deal out equal justice.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Chairman——

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield for just a second?

Mr. DISNEY. I yield.

Mr. DIRKSEN. I want the RECORD to be kept clear as showing that the language of the Taber amendment was submitted to the subcommittee by the Department of Agriculture. You will find it on page 48 of the hearings, where the following colloquy occurred:

> Mr. TARVER. In other words, according to this language, you want to charge the farmer in deciding whether he is to get parity or not, for all of his soil-conservation benefits?
>
> Mr. EVANS. Yes, sir.

Mr. DISNEY. That, I presume, Mr. Chairman, is not taken out of my time, because I am not going to discuss parity.

In 1910, Mr. Chairman, our population was 90,000,000; in 1940, it rose to 130,000,000. In 1913, our total Federal appropriations were $700,000,000 per year. Our total Federal expenses in 1940 were $9,000,000,000, exclusive of the emergency defense fund. Servicing of the public debt is going to run to tremendous proportions in a very few years. In a few days we are to extend the public-debt limit to $125,000,000,000; the Secretary of the Treasury has advised us he would be back in about a year, in the fiscal year 1943 or fiscal year 1944, to ask for more. The servicing on the public debt then will run not less than $2,500,000,000 and, possibly, $4,000,000,000 annually.

Contemplate the enlarged Navy and Army we shall have to maintain not very far in the future, running into billions of dollars annually. Then contemplate the possibility of receipts after the war running into some more billions. Then contemplate the size of the average current Budget as such nowadays having advanced from $2,500,000,000 per year in Coolidge's term to, as I said, $9,000,000,000 in 1940, exclusive of the emergency defense fund. So, if you can analyze the situation and come to any conclusion that our annual Budget will not approach more nearly $20,000,000,000 than $15,000,000,000, it will amaze me. We cannot think of it in terms of much less than $15,000,000,000. Fortuitous circumstances might allow us to keep it at that figure, but I cannot visualize it in any other terms unless we learn to run our Government less expensively.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. STARNES].

Mr. STARNES of Alabama. Mr. Chairman, I am opposed to the amendment offered by the gentleman from New York [Mr. TABER]. Soil-conservation payments are made to the farmers of America for the purpose of recompensing them for taking lands out of cultivation on which they grow marketable crops from which they receive income. Whether or not you are seeking to achieve parity, and whether or not the American farmer receives absolute parity of income, under the philosophy of the Soil Conservation Act he would still be entitled to remuneration for the land which he takes out of cultivation in order to recompense him for the seed, the labor, and the other expense incident to using those acres for a purpose other than an income. He is not able to sell what he takes off of his land and use it as his income, and for this reason, if for no other, we should not adopt this amendment.

With reference to parity, parity payments are made for the purpose of achieving parity for the American farmer in the economic life of the Nation.

I must confess that I am puzzled at a farm philosophy, if it can be called a farm philosophy, which on the one hand will permit a Federal price administrator to use his powers and the powers of the Federal Government to beat down farm income to a level below that of parity and on the other hand dip into the Federal Treasury and take the taxpayers' money to build that income back up to parity. It just does not make good sense. I am one of those who believe that if you will remove from the American farmer and from American economic life the threat which the Price Administrator holds over the American farmer, it would not be necessary for the Secretary of Agriculture to make one single payment to any American farmer in order for him to achieve parity of income.

As I said in the beginning, regardless of whether the farmer has parity or does not have it, certainly he is entitled to soil-conservation payments. It is purely and simply a case of just restitution to the American farmer for the income that you have taken from him when he goes along with the soil-conservation program.

Mr. PIERCE. Will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Oregon.

Mr. PIERCE. Would it not be a far better program if we could so arrange the law that the user of the commodity would pay rather than drawing it from the National Treasury?

Mr. STARNES of Alabama. Why certainly.

Mr. PIERCE. I believe in the law, but we should collect from the man who uses the article.

Mr. STARNES of Alabama. I agree with the gentleman.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, as I understand, there is only one amendment pending, the amendment offered by the gentleman from New York [Mr. TABER]. Unless there are some other amendments pending, I do not care to use any further time now, but would like to reserve the time allotted to me, if any other amendments are offered to the pending paragraph.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. H. CARL ANDERSEN.]

Mr. H. CARL ANDERSEN. Mr. Chairman, I want to take issue in a nice friendly way with the gentleman from Oklahoma [Mr. NICHOLS]. in his criticism of the gentleman from New York [Mr. TABER]. Mr. TABER's amendment is offered in a sincere effort on his part to promote the best interests of the people of the United States. We cannot all see alike upon various issues and I respect the right of either the gentleman from Oklahoma [Mr. NICHOLS] or the gentleman from New York [Mr. TABER] to express himself as he sees fit upon these questions. We are fortunate to have that privilege in America. May we always retain it. When I first heard the amendment offered by the gentleman from New York [Mr. TABER], I thought perhaps it was all right, but the more that I have been thinking about it the more I have come to the conclusion that it is not. Parity for corn and wheat is not assured under his proposal, and therefore I cannot support it. But may I say for that gentleman that he is doing a splendid job of watching out for any possible wastage of money. Had there been more like him in Congress during the last 10 years, much of the W. P. A. appropriations would have gone into national defense works. There is in this parity question no wastage, but simply justice.

Mr. Chairman, I am wondering, and this comes from one who has supported parity ever since he has been a Member of Congress, and speaking as a friend of the soil-conservation program, whether or not we should seriously consider temporarily shelving our Triple A program, until the time comes again when prices fall below parity It has accomplished its purpose as far as parity prices are concerned and agriculture in America owes to that program a great deal of gratitude. I speak as one who has joined

it since its inception. We now are at war and personally I think it would be well to do this, provided we could be assured of parity price for the duration. I would like to see the President promise the farmers and say to us, "We will see to it that commodities will not sell under parity at Chicago." If he would say that to us, and agree to hold corn and wheat up to 100 percent of parity, and agree that Mr. Wickard would refrain from any action toward pushing it down to 85 percent of parity, I would be willing, speaking as an actual farmer, to do away with any possible benefits I might receive out of this bill, and I believe 100 percent of my farmers would agree with me. All they want is parity. We are not grasping. We want enough to pay our bills, educate our children, and stand on the same platform as industrial America and labor.

May I also state that I am opposing this amendment because I do not think, from personal experience, that it will give us the parity on wheat and corn that we are entitled to. As I said before, perhaps it is time now for you and me and all friends of the farmer, and all of us indirectly are the friends of the farmer, to decide whether or not we should temporarily put the Triple A program on the shelf and depend upon honest parity prices received on the market for justice to the farmer. No farmer wants a dole.

I have been turning over this problem in my mind, of farm labor In an address to this House recently I suggested using the C. C. C. boys on the farm, because the farm-labor situation is becoming serious.

No one can foretell how long this awful war will last. We cannot foresee the production possible on our farms in a few years, or the labor available for such production.

I cannot help but think that we should produce now and during the war all that our good lands can produce. The ever-normal granary is a blessing, and why worry about disposing of the wheat, corn, and cotton surplus. We should be thankful instead that we have them. There will be hungry nations to feed.

I think it would be insurance against a scarcity of food if, while we still have farm labor available, we throw down all bars as to production and produce all we can. There is no telling what kind of crops we are going to have, and corn and wheat in the granary might look just awfully good to us 5 years from now—yes, it may mean the difference between victory and defeat in a long drawn out war. Give the farmer parity and he will produce an abundance of food for all.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I think there has been enough debate on this matter, and I suggest that we vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER), there were—ayes 37, noes 74.

Mr. TABER. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer another amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 77, line 5, after the word "farm" insert "*Provided further*, That the total expenditures made and the contracts entered into in pursuance of this paragraph shall not exceed in all $212,000,000."

Mr. TABER. Mr. Chairman, this amendment would limit the amount that might be spent under this paragraph to the same figure that has been carried in these appropriation bills for the last 2 years. I hope the House will agree to it and will place a limitation upon what may be done. If prices stay as they are, a total in excess of this sum may be reached. I hope the House will place some limitation on this and not let it go completely out of control.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I see only one objection to this proposal; that is, the farmers of the country will be charged by the newspapers with receiving $212,000,000 in this bill for parity, when as a matter of fact there is no reason to believe that the parity payments under present conditions will anything like approximate that amount. I do not think the farmers will be hurt if you adopt it. If you want to put a provision of this type in the bill, I have no particular objection to it except the one I have mentioned. I feel that if the farmers get only $50,000,000 in parity benefits it will not be particularly helpful to them to have the maximum amount stated in the bill as $212,000,000 so that the press throughout the country can spread the news that the farmers have had $212,000,000 added in this bill. That is what they will say about it, but the farmers will not get the $212,000,000. That is the whole gist of the matter. It is just a question of policy, and it will not save a dollar to the Government to put this amendment in here; and it will not take a dollar from the farmer, in my judgment. It is simply a question of policy as to whether or not you want to do it.

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not believe this would be a matter of economy at all. You know and I know that when you start putting figures before some of these bureaucrats down here they think about spending those figures, and they will figure out some ways and means and devise some way to try to use as much of the $212,000,000 as they can, whether or not they use it all. I think as the gentleman from Georgia [Mr. TARVER] does—that we should not have this provision in the bill, because I do not believe it will be in the best interest of economy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 54, noes 73.

Mr. TABER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TABER and Mr. TARVER.

The Committee again divided; and the tellers reported that there were—ayes 64, noes 83.

So the amendment was rejected.

The Clerk read as follows:

Salaries and administrative expenses: Not to exceed $3,513,498, of the funds of the Commodity Credit Corporation shall be available for administrative expenses of the Corporation in carrying out its activities as authorized by law, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821–833); printing and binding; lawbooks and books of reference; not to exceed $400 for periodicals, maps, and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That none of the fund made available by this paragraph shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act of 1921, as amended: *Provided further*, That none of the fund made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity price as defined by the Agricultural Adjustment Act of 1938.

Mr. REED of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REED of New York: On page 78, after line 24, insert the following:

"*Provided further*, That the provisions of this act shall not apply to the sale or other disposition of any agricultural commodity to or by the Agricultural Marketing Administration for distribution exclusively for relief purposes, nor to grain which has substantially deteriorated in quality and is sold for the purpose of feeding or the manufacture of alcohol, or commodities sold to farmers for seed."

Mr. TARVER. Mr. Chairman, I wonder if it may be possible for us to agree on some limitation of debate. This subject matter involves the same thing we have been talking about for the last hour and a half—parity—and it would seem that we might be able to get along with very little time.

Mr. PIERCE. I have an amendment asking for the striking out of this section.

Mr. TABER. May I suggest that we might close debate on this amendment rather quickly, and then take care of the other amendments as they are reached.

Mr. REED of New York. I feel very deeply about this amendment and I think it really deserves some discussion on my part. I ask that I be permitted to proceed for 5 additional minutes.

Mr. TARVER. As far as I am concerned, I can see no objection to the gentleman's amendment. That is a matter for the determination of Representatives from the wheat and corn areas. If they object to it, they should present their objections. As far as I am concerned, I shall make none. I do not know why the gentleman should desire extra time on the amendment unless there is some disposition on the part of some to oppose his amendment.

Mr. REED of New York. I do not want to talk if we can carry this amendment.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that debate on the pending amendment and all amendments thereto close in 10 minutes.

Mr. HOOK. Reserving the right to object, Mr. Chairman, just what does the gentleman's amendment provide?

Mr. REED of New York. It provides that the Commodity Credit Corporation can sell its grain that has deteriorated to the farmers for feed below the parity price.

Mr. HOOK. Just the grain that has deteriorated, or all grain?

Mr. REED of New York. No; deteriorated grain; and it can sell it to be made into alcohol, and for other war purposes.

Mr. DIRKSEN. Reserving the right to object, Mr. Chairman, the request of the gentleman from Georgia in the form stated would probably preclude the offering of a substitute amendment by the gentleman from Kansas [Mr. HOPE] and might preclude the gentleman from Minnesota [Mr. ANDRESEN] and some others from offering amendments. I suggest that the time be extended.

Mr. TARVER. Mr. Chairman, I withdraw the request for the present.

Mr. REED of New York. Mr. Chairman, the bloody drama which is now taking place in Asia and Russia ought to give us pause for thought. As I have stated many times on this floor recently, we are in war and we are in it clear to the hilt, and our soldiers are bleeding and dying in various parts of the world today.

Now, there is one industry in this country that is vital to the war. Let us make no mistake about it. I refer to the dairy industry—the largest farm industry we have. A great many people think when you mention dairying that your are mentioning something that is not of very great importance. But when you consider that the products sold by the dairy industry exceed the products sold by the motor companies of this country and by the steel companies and many other outstanding concerns, you realize it is a large industry. The Department of Agriculture, in order to feed our Army and the civilians abroad, are asking the dairy farmers of this country to increase their yield of milk from 117,000,000,000 pounds to 125,000,000,000 pounds. I say to you that the dairy farmers, in order to do that, must have feed for their stock. Unless the farmers can get reasonably cheap feed for their stock they never can produce the 125,000,000,000 pounds of milk that is required, neither can they carry out the lend-lease program for Europe. We must have the cheese that is required under the lend-lease program. We must have the evaporated and dried milk and the fresh milk.

I hope you will realize that the feeding of the Army and the civilian population of this country and of the foreign countries is vital to the winning of this war. Right now Java is supposed to have fallen. Australia will be next, make no mistake about that. The next blow will be made at New Zealand, upon which Europe has depended for similar products for many years. In times past it has been one of our competitors. The milk products now will have to come from the United States of America, and they are important. It is food in concentrated form.

So I urge you, rather than let this grain, now owned by the Government, deteriorate and rot and spoil, let the dairy farmers of this country who are called upon to make this extraordinary effort have the benefit of this cheap food for their stock in order to meet the war requirements. I hope the amendment will pass.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman.

Mr. AUGUST H. ANDRESEN. I do not know whether I understood the gentleman's amendment correctly, but it seemed to me it dealt with wheat that has already spoiled.

Mr. REED of New York. Here is the amendment.

Mr. HARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. HARRINGTON. Could not the gentleman arrive at his objective by putting a general parity-price level on all things produced on the farm, dairy products included?

Mr. REED of New York. This is about the only way I could see to work it out at this time in this bill. I do not think it is going to hurt anybody, and I think it is going to benefit the country remarkably well under the circumstances. There is one thing certain: We must change our thinking a little bit in this country. Unless we do change our thinking, unless each group ceases to be selfish, there is a possibility that with all our resources we can lose this war. Here is something that is almost as vital as the manufacture of arms and munitions.

If this amendment will not cure the situation or if it will not do the work in the opinion of the Committee, I have no objection to any substitute amendment that may be offered to it, but the amendment offered was lifted from the Bankhead bill over in the Senate. It seems to me it would do the job and do it well; I hope the Committee will adopt the amendment.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from California.

Mr. VOORHIS of California. Am I correct or not correct in stating that the gentleman's amendment would apply only to grain which had deteriorated in the case of grain sold for feed?

Mr. REED of New York. Yes; that is the way I understand it. It will also go into the making of industrial alcohol, which is another important factor in the winning of any war.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. HOOK. Does the gentleman think his amendment goes quite far enough? Does he not think we ought to use all of these surplus commodities and put them on sale?

Mr. REED of New York. I do not want to go any further than I think the House will go on this proposition.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. VOORHIS of California. As I understood, the gentleman said his amendment applied to commodities sold to farmers for feed, but, as I understand it, the amendment at the desk reads, "commodities sold to farmers for seed." The difference between "seed" and "feed" is very substantial.

Mr. REED of New York. The gentleman is mistaken. My amendment reads in its concluding words:

> Is sold for the purpose of feeding or for the manufacture of alcohol or commodities sold to farmers for seed.

That is taken out of the Bankhead bill.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. O'CONNOR. Is there any assurance that this grain will be used for the purpose of manufacturing industrial alcohol, when now, when we have to import sugar, we are making it out of sugar, instead of out of grain, of which we have 1,800,000,000 bushels?

Mr. REED of New York. The War Department officials have been before the Ways and Means Committee urging means to obtain the necessary industrial alcohol for the Army.

Mr. O'CONNOR. Is it not a fact that not 10 percent or 11 percent of industrial alcohol produced today is produced from grain and the balance is from sugar?

Mr. REED of New York. I do not dispute that at all.

Mr. COFFEE of Nebraska. Would the gentleman's amendment make it possible for the United States millers to use domestic grain for making flour for export in competition with the Canadian grain they could buy and mill in bond and export?

Mr. REED of New York. I had thought, in view of the gentleman's statement, of writing in something about exports, but I did not care to muddy the waters. I do not think it will interfere with that.

Mr. HOOK. Mr. Chairman, I move to strike out the last word. I think that the gentleman's motive is worthy, in the idea that he is trying to bring out, but I do not believe that he is going far enough. The enactment of this section will break faith with other groups, because for a long period we have sought to establish the parity principle for agriculture. Farm prices are now averaging near parity. For beef cattle, hogs, and tobacco, prices are above parity.

We have authorized the fixing of a ceiling at not less than 110 percent of parity for any farm commodity. For some important agricultural commodities, including lint cotton, cottonseed, lambs, and wool, price ceilings could not be less than 120 percent of present parity. It is contemplated that these ceilings would apply to scarce commodities and that the price of surplus commodities would be protected at 85 percent of parity so that the average would be approximately parity. If the prices of surplus commodities are pushed above parity, obviously farm prices would average above parity.

The A. A. A. Act contemplates that reserves would be built up in the case of our major commodities to be used in times of emergency. We now have an emergency and these reserve supplies should be moved into the market when the prices at the market place and the payments equal parity. Payments for corn, wheat, and cotton represent about 15 percent of parity and growers of these crops will get parity when farm prices average approximately 85 percent of parity.

The enactment of the provision in this bill will check expansion of livestock products.

Livestock producers expand production when the prices of livestock products are favorable as compared with the prices of feed. The price of feed is now between 85 and 90 percent of parity. If this price is advanced to 100 percent of parity the increase in production would be checked and we would have smaller quantities of livestock products available. Any action that checks the expansion in livestock production will bring price ceilings and rationing of livestock products on us earlier.

If the price levels of corn and wheat were permitted to increase 10 or 15 percent, as will be the effect if this provision is retained, and the prices of meats are held stationary by the imposition of ceilings, then, obviously, feeding would be discouraged since the feeding ratio would be correspondingly less favorable.

As badly as we need meat products for our own fighting forces and for our Allies, we cannot afford to jeopardize the production program.

The enactment of this provision will reduce market outlets for corn and wheat, tighten the storage situation, and increase transportation difficulties.

Sizable quantities of corn and wheat are being sold for the making of industrial alcohol at prices below the market prices.

Wheat — approximately 100,000,000 bushels—is being sold for feed at the market price for corn, which is less than the market price for wheat.

These sales would be discontinued and the elevators now holding this wheat would not be available for handling the new crop. Consequently, the price of the 1942 crop would be depressed because of less available storage.

Also, wheat on the Facific coast is being used for feed, and if this were discontinued, it would be necessary to haul corn to that area. This would increase the transportation problem.

It will also reduce the consumption of cotton and tobacco.

Some cotton is being sold for use in making cotton-bale covers and for insulating material at less than market prices. These sales would be discontinued and difficulties would be experienced in getting bale covers except at prices almost twice as high as present prices.

Some tobacco is being used in making nicotine for spray materials. This market will not take tobacco at parity prices. Consequently, these sales would be discontinued with resulting loss to tobacco growers as well as to the users of the spray material.

There is no doubt in the minds of thinking people that off-grade and damaged products would be wasted if this provision remains.

Often some products become damaged or go off-grade in the marketing process. These products must be sold at the market for the particular class of product. Such sales can seldom be made at parity prices. Consequently, the products would rot or would have to be destroyed. We had enough of this burning of corn and wheat under the old Farm Board idea. Let us have none of that in this emergency.

There is no doubt that a restriction against the sale of these commodities will contribute to inflation.

The freezing of supplies would obviously help speculators and contribute to the spiraling of prices. In the end farmers will lose as much or more from the spiraling of prices as any other group. In the long run this action would work to the disadvantage and not to the advantage of farmers.

Mr. TARVER. Mr. Chairman, I wonder if we can arrive at some basis for limiting debate? I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

Mr. WADSWORTH. That is just on the amendment offered by the gentleman from New York [Mr. REED]?

Mr. TARVER. That is just on the Reed amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. CULKIN. Mr. Chairman, reserving the right to object, how is that time to be divided?

Mr. TARVER. That would be in the discretion of the Chair.

Mr. CULKIN. There seem to be six or eight who want to speak. I would like to have 5 minutes.

Mr. TARVER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The motion was agreed to.

Mr. HOPE. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from New York [Mr. REED].

The Clerk read as follows:

Amendment offered by Mr. HOPE as a substitute for the Reed amendment: On page 78, line 20, after the word "that" insert "beginning with the next marketing year for each commodity"; and on line 24, strike out the period, insert a comma, and add "except sales for export and sales of wheat for feed and alcohol."

Mr. HOPE. Mr. Chairman, this amendment, if adopted, would make the proviso read as follows:

That beginning with the next marketing year for each commodity none of the funds made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity prices as defined by the Agricultural Adjustment Act of 1938, except sales for export and sales of wheat for feed and alcohol.

The effect of this would be that this prohibition would not go into effect with respect to any commodity until the beginning of the next marketing year. In the case of cotton that would be August 1. In the case of wheat it would be July 1, the same date as in the bill, and in the case of corn it would be October 1.

Mr. WADSWORTH. Does the gentleman include corn?

Mr. HOPE. No; I do not include corn as one of the exceptions, but there would be no prohibition of the sale of corn at less than parity prices until October 1, under my amendment. That would give time for livestock producers to adjust themselves to possibly higher prices of corn, and would do away with what I am afraid will happen if we leave the language as it is in the bill, namely a killing by the speculators. There are not very many farmers who will have any corn to sell in the next months or until the new crop comes in. There is no reason why we should pass legislation to make it possible for speculators to reap a rich harvest by reason of any price advance that might occur between now and that time. So, as far as corn is concerned, there would be a period in which the adjustment could be made.

Now, as to wheat this amendment would permit sales for livestock feeding or alcohol. Our supply of wheat in this country is constantly increasing. It was 269,000,000 bushels more on January 1, 1942, than it was on January 1, 1941, and 381,000,000 bushels more than it was 2 years previously. There is no outlet for this excess wheat at present, except by its use for feed or alcohol.

Farmers for many years have talked about a two-price system for wheat, whereby part of it would be sold abroad at less than domestic prices. This, in effect, is applying the two-price system to wheat, with the proviso that the low-price wheat shall be sold for livestock consumption and for alcohol.

Mr. HOOK. Will the gentleman yield?

Mr. HOPE. I yield.

Mr. HOOK. I think the gentleman has a very worthy amendment. I think it takes care of the same idea I had when I was speaking, but what I would like to ask the gentleman is this: In his opinion, does he think that corn can be sold for the production of alcohol at parity at the present time?

Mr. HOPE. Well, I do not know. I have no opinion on that, but it would not be affected for the next 6 months, in any event.

Mr. O'CONNOR. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Montana.

Mr. O'CONNOR. The gentleman, of course, knows that we are importers of sugar. We only raise about one-third of the sugar that we consume.

Mr. HOPE. Yes.

Mr. O'CONNOR. We have a surplus of grain which the gentleman has so well told us about. Now, does not the gentleman feel that the Government of the United States should make our industrial alcohol out of that commodity of which we have a tremendous surplus, instead of making it out of a commodity that we may have a scarcity of?

Mr. HOPE. Yes. I am very much in accord with the gentleman's views on that matter. I know he has presented them very forcibly and ably upon the floor many times. But I understand that at this time there is some question as to whether we can procure the material to erect the distilleries that will be necessary. That is a problem that will have to be solved.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. WHITTINGTON. I am generally in sympathy with the gentleman's amendment, but does not the gentleman want to change the crop year for cotton?

Mr. HOPE. This does not change the crop year. This simply provides that beginning with the next marketing year which is August 1 for cotton.

Mr. WHITTINGTON. Well, it is July 1 as far as cotton is concerned.

Mr. HOPE. In the bill it is July 1, but the marketing year is August 1. I have no objection.

[Here the gavel fell.]

Mr. PACE. Mr. Chairman, I offer an amendment to the substitute.

The Clerk read as follows:

Amendment offered by Mr. PACE to the substitute amendment offered by Mr. HOPE: At the end of the amendment offered by Mr. HOPE add "On sales of cotton required in connection with the present new uses program being carried out by the Department of Agriculture."

The CHAIRMAN. The gentleman from Georgia is recognized for 2 minutes.

Mr. PACE. Mr. Chairman, this amendment simply exempts from the prohibition the programs that we are all very much interested in, the new-uses program for cotton. We are trying to extend the uses of cotton. This would permit the sale of cotton for use for the program we now have on cotton bagging and insulation for houses and other new uses that we are trying to make which necessarily have to be subsidized during the experimental period. This amendment simply permits that to be taken out from under the prohibition.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. AUGUST H. ANDRESEN. In reading the proviso, the limitation is placed on using any of the funds for administrative expense.

Mr. PACE. Yes.

Mr. AUGUST H. ANDRESEN. Does the gentleman believe that such a limitation will stop the policy of the Department in that respect?

Mr. PACE. I at least hope it will be most persuasive.

Mr. AUGUST H. ANDRESEN. The gentleman recognizes, however, that they could use funds from some other agency, and could do just as they saw fit.

Mr. PACE. Not to avoid specific instructions by Congress.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. COOLEY. Does not the gentleman believe that the Hope amendment and his amendment would meet most of the objections which have been raised by the Department of Agriculture?

Mr. PACE. I understand that it will meet practically all objections.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. COFFEE of Nebraska. It would not meet the objections of the Department of Agriculture as far as corn is concerned. At the present time approximately 40,000,000 bushels of corn are being diverted into industrial alcohol.

Mr. PACE. I would not attempt to speak for the corn producers.

Mr. COFFEE of Nebraska. One more question: Does not the gentleman believe that this proviso should be eliminated entirely in view of the fact that the Committee on Agriculture is now considering this very matter?

Mr. PACE. Not under the legislative situation. I do not agree with the gentleman.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CULKIN] for 2 minutes.

Mr. CULKIN. Mr. Chairman, I would like to ask a few questions of the gentleman from Kansas in regard to his amendment.

Does the gentleman freeze the existing deteriorated wheat until the close of the present marketing season?

Mr. HOPE. No; it does not affect wheat of any kind or character in any way except sales for milling purposes.

Mr. CULKIN. Only for milling purposes.

Mr. HOPE. That is all.

Mr. CULKIN. Is that the full effect of the gentleman's amendment?

Mr. HOPE. Yes. It excepts from the provisions all the sales for export and sales of wheat for feed and alcohol. As far as wheat is concerned, everything is exempted except sales for milling purposes.

Mr. CULKIN. I thank the gentleman. The gentleman's reply, of course, is most encouraging and really carries out the scope of the Reed amendment. There is, of course, a great quantity of deteriorated wheat in the country. I understand there is sufficient deteriorated wheat to take care of feeding cattle and dairy uses.

Mr. HOPE. If the gentleman will yield, I do want to confine the sales to deteriorated wheat, the gentleman understands.

Mr. CULKIN. I do not intend to bind the gentleman that way, but it does make this deteriorated wheat available, as it normally would be at all times. Is that right?

Mr. HOPE. Yes; and it makes some new wheat available if it is sold for feed.

Mr. CULKIN. I thank the gentleman. However, the amendment offered by the gentleman from New York [Mr. REED] has the same effect. It carries the exact text of the Aiken amendment in the Senate which was accepted by both sides in the debate on S. 2255. That language has already passed the Senate by an overwhelming vote. I urge that the Reed amendment be adopted by this body.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GILCHRIST] for 2 minutes.

Mr. GILCHRIST. Mr. Chairman, I favor the use of corn and wheat for alcohol distillation, and deteriorated corn and wheat for feed, but I do not think it is fair by means of congressional legislation to substitute wheat for feed for livestock as against corn. It just creates another rival to corn. This is not fair to the corn farmers of the country. Let them meet each other in the open market without congressional favor to either. Alcohol distillation is needed in the war effort—vast quantities of it—and there is the big outlet that we are going to have for both wheat and corn. Every time you explode a shell you use a barrel of alcohol. We must have great quantities of alcohol in our war effort. We do not have enough now.

Mr. JENSEN. Will the gentleman yield?

Mr. GILCHRIST. I yield to the gentleman from Iowa.

Mr. JENSEN. Is it not a fact that alcohol can be processed for less money out of corn than any other grain?

Mr. GILCHRIST. It can be made cheaper from corn than from any other grain. The distillers prefer it above wheat, and I have been advised by experts that they can make it out of corn so as to compete with some of the other things they are now using for making alcohol, such as blackstrap.

A specialist who knows what he is talking about tells me that 2½ gallons of alcohol can be produced from a bushel of corn. At the current price of 50 cents per gallon, this would amount to $1.25 for the corn. Then there is a byproduct about 15 to 17 pounds of high-grade protein feed per bushel of corn. This is salable at the going price of $30 to $40 per ton—say 1½ cents per pound—and this would amount to 24 cents. In addition, about 1½ pounds of high-quality corn oil can be produced from a bushel of corn, and this would sell at about 12 cents per pound and fetching per bushel 18 cents. Add these figures together and you will get $1.67 per bushel for corn when distilled into alcohol. At present levels the manufacturing of alcohol would be a reasonably profitable business, and estimates made when corn was at 60 cents indicates a probable net cost of alcohol running between 25 cents to 30 cents per gallon.

Mr. JENSEN. And the Hope amendmend would eliminate corn, even spoiled corn, from being used?

Mr. GILCHRIST. Under the Hope amendment, you could not use corn for alcohol advantageously.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I do not represent a wheat-producing area, that is, a commercial wheat-producing area, but it seems to me, as I said awhile ago, the language of the Reed amendment is not objectionable, whereas I can conceive of many reasons why the Representatives of the wheat-producing areas would object to the Hope amendment.

As a Representative of a cotton-producing area I also object to the language of the Hope amendment which would defer the operation of this limitation until the beginning of the next crop year. It is true most of the cotton and wheat is out of the hands of the farmer now, but if you permit depression of the market by the sale of these huge surpluses between now and August 1 in the case of cotton and October 1 in the case of wheat, you are certainly going to vitally affect the cotton and wheat prices for the next year.

The Reed amendment is limited to the sale of deteriorated wheat. Under the Hope amendment you could sell any quantity of wheat that you might desire of a marketable character where it is intended to be used for feed purposes. You should not destroy this limitation as to wheat by adoption of the Hope amendment. Of course, the question of whether or not the limitation ought to be had at all will rise upon the consideration of further amendments which will be offered to strike it out, and I do not have time to discuss that now. If you are going to do anything at all with a view to perfecting this limitation, certainly you should not adopt the language of the Hope amendment which would virtually, in my judgment, make the limitation ineffective.

Mr. COOLEY. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from North Carolina.

Mr. COOLEY. I call the gentleman's attention to the fact—my recollection is that there is a limitation on the sale of cotton, limiting it to only 300,000 bales per month, so I doubt very much if you would run into a bad situation.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, the Hope amendment undoubtedly is a very desirable proposal provided you have the Gilchrist substitute adding corn. I would be willing to go along and add cotton for the purposes that the gentleman from Georgia [Mr. PACE] suggests. If we do those things we will help the situation very much, and it would permit the Government to perhaps get rid of some of the stocks of wheat and corn that are piling up and that may prove a menace to the farmer's market.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. These are Government-owned stocks?

Mr. TABER. Yes.

Mr. AUGUST H. ANDRESEN. Does the gentleman believe they should be sold below the regular market price?

Mr. TABER. Those parts that are deteriorated certainly should, and if we are going to sell them for export we might better sell those Government-owned stocks for export than to sell the Canadian reserves. It would be better for our wheat farmers if that is done than to have the Canadian reserves sold for export.

Mr. REES of Kansas. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I would like to observe that we will get rid of this wheat surplus if we will let the farmers who are paying this 49-cent penalty feed it to their own livestock.

Mr. TABER. That would be a great improvement.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia to the substitute for the amendment offered by the gentleman from Kansas [Mr. HOPE].

The amendment to the substitute was agreed to.

The CHAIRMAN. The question now recurs on the substitute offered by the gentleman from Kansas [Mr. HOPE], as amended.

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 60, noes 76.

So the substitute was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. REED].

Mr. JENSEN. Mr. Chairman, may we have the amendment read again?

The CHAIRMAN. Without objection, the Reed amendment will be read.

There was no objection.

The Clerk again read the Reed amendment.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the language of the Pace amendment which has already been approved by the committee relating to cotton only be added to the Reed amendment. It was agreed to as an addition to the Hope amendment.

The CHAIRMAN. The Chair may remind the gentleman from Georgia that the Pace amendment was an amendment to the substitute which was voted down.

Mr. TARVER. I know that the Pace amendment was added to the substitute which has been voted down, but the Pace amendment was approved by the committee. Therefore, I am asking unanimous consent that it may now be added to the Reed amendment, which has not yet been voted on.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the language of the Pace amendment, as offered to the substitute, be added to the language of the Reed amendment which is now pending.

Mr. H. CARL ANDERSEN. Mr. Chairman, I ask unanimous consent that the Pace amendment be again read.

The CHAIRMAN. Without objection, the Clerk will report the language of the Pace amendment.

The Clerk read as follows:

Amendment offered by Mr. PACE: At the end of the amendment insert "and sales of cotton required in connection with the present new uses program being carried on by the Department of Agriculture."

Mr. REED of New York. I have no objection to that.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York [Mr. REED] as amended by the language of the Pace amendment.

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 120, noes 12.

So the amendment was agreed to.

Mr. TARVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TARVER: On page 78, line 23, after "Government-owned", insert "or Government-controlled."

Mr. TARVER. Mr. Chairman, I think this amendment, which is perfecting in nature, should be adopted whether you intend to strike out the entire provision or not, because this provision is necessary in order to present clearly the issue which is here involved.

In the course of our hearings, as you will observe by referring to page 67 of part 1 of the hearings, we were advised by officials of the Commodity Credit Corporation that that Corporation was the owner of 157,680,263 bushels of corn, and of 298,321,209 bushels of wheat. We are now advised that, according to the construction which is being placed on this limitation by officials of the Commodity Credit Corporation, the effect of the limitation would be not to interfere in any way with the sale of Government-controlled wheat, since the Corporation denies ownership of any wheat but states that the wheat in question is in producers' pools which the Corporation is authorized to sell, with the duty of accounting to the owners of the wheat in the pools for the difference between their obligations to the Commodity Credit Corporation and the selling price, if any. Therefore, the language of this limitation will not apply to wheat at all if their construction of their relationship to this wheat is correct, unless you insert after "Government-owned" the words "or Government-controlled."

I am simply interested in having the matter presented squarely by the limitation for an expression of the views of the House, and that would not be possible unless the perfecting amendment which I have offered is adopted.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I favor the gentleman's amendment. I think it should be adopted on account

of the construction they have placed on the ownership of their commodities. For instance, on wheat and other commodities, excepting cotton, if it is sold at a loss, then it belongs to the Government, but if it is sold at a profit, then it belongs to the pool. This will eliminate that discrepancy.

Mr. TARVER. I think that is correct. Furthermore, if these officials had testified before us that they did not own any wheat when they came before our committee, the limitation would have been so drawn as to affect the wheat of which they are in control, without regard to the question of ownership; but as you will observe from the page of the hearings cited, they testified they owned this wheat when they came before us, so we merely desire to write this limitation now to make it applicable to the wheat they control, whether they own it or not.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from New York.

Mr. TABER. Does the gentleman mean that the Government does not own any of this wheat or cotton?

Mr. TARVER. That is what they claim now as to wheat.

They claim they own the cotton and the corn, but they claim this wheat is in a purchasers' pool and they really do not have ownership. They have control, but they have the duty of accounting to those who placed the wheat in their charge for the difference between the amount of their obligations and the selling price, if they get an amount more than the amount of their obligation.

Mr. TABER. Is the statute different with reference to wheat from what it is with respect to corn and cotton?

Mr. TARVER. No; I do not think so. I think this is a mix-up which is brought about, probably, by a misconception of the Commodity Credit Corporation's interest in this wheat. I think it is something we ought to clarify before we vote on this limitation.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. HOPE. It is my understanding that the reason wheat is in a different category than other commodities is by virtue of the provisions of the loan agreement. When the farmer takes a loan on wheat there is a provision by which that wheat goes into a pool.

[Here the gavel fell.]

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I move to strike out the last word.

I would like to call the attention of the Committee to the construction that the Commodity Credit group has placed on the commodities under Government ownership and control. In a letter to me, dated March 3, the President of the Commodity Credit Corporation, Mr. Hutson, writes as follows:

> The only existing statutory limitation upon the sale of commodities by Commodity Credit Corporation is that found in section 381 (c) of the Agricultural Adjustment Act of 1938 (7 U. S. C., 1940 ed., 1381 (c)). This section relates solely to the quantities of cotton which the Corporation is authorized to sell and the prices at which such sales may be made. The matter of authority to carry out this sales program is thus reduced to a question of whether it represents an exercise of sound judgment in liquidating the Corporation's holdings of surplus commodities.

In other words, they hold that the only limitation upon the manner in which they may dispose of Government-owned stocks is in the case of cotton; otherwise they may sell corn, rice, tobacco, or any other commodity covered by the activities of the Commodity Credit Corporation at any price or in any manner in which they decide such commodity shall be disposed of.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. I talked to the President of the Commodity Credit Corporation this morning and he states they are making no sales of wheat below $1.32 in Chicago. It seems to me this whole situation is getting into such a snarl it would be much better to eliminate this provision entirely and let the matter go to the Committee on Agriculture where we can give it the time and the attention that it deserves. I understand the gentleman from Oregon [Mr. PIERCE] is going to offer such an amendment shortly.

Mr. AUGUST H. ANDRESEN. It might be advisable to send it to the committee for study, but we should at least know what we are doing here today. As a matter of fact, it is the policy of the Department of Agriculture to depress the market price on farm products so that the price will stay below parity. Such action will maintain operation of the Agricultural Adjustment Act. If the price of farm products goes to parity, then the administration loses its control over the farmers and there will be no checks sent out as benefit payments under the parity program.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. TABER. What does the gentleman think about the proposition that all of that language beginning on page 78, at line 20, with the words "provided further" will have absolutely no effect whatever?

Mr. AUGUST H. ANDRESEN. I thoroughly agree with that. I do not think it will mean anything at all except to place this limitation on the administrative expense.

Mr. TABER. Then it is nothing more or less than deceiving the farmer.

Mr. AUGUST H. ANDRESEN. Not only deceiving the farmer, but Members of Congress who think they are trying to place some control over the commodities of the Commodity Credit Corporation and their policy.

Mr. TABER. And it will not result in any control whatever.

Mr. AUGUST H. ANDRESEN. None at all, because the President or the Secretary of Agriculture can take funds from some other source and can do just exactly what they have been doing right along, and that is disregarding the intent of Congress in the administration of the law.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. COFFEE of Nebraska. In view of what the gentleman from New York has said, and I agree with him, does not the gentleman think the wise thing to do is to strike this provision out entirely?

Mr. AUGUST H. ANDRESEN. So far as I am concerned I feel that we should write definite language in the bill so that there can be no misunderstanding as to the intent of Congress.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman.

Mr. PIERCE. I have an amendment pending at the desk now to strike out the whole thing, beginning with the words "Provided further," and including the rest of that page.

Mr. ARENDS. If the gentleman will yield, have we any assurance that the Committee on Agriculture will do anything about it?

Mr. AUGUST H. ANDRESEN. I might answer that in this way. We pass a law and the Congress has a certain intent with respect to how the law should be administered, and we find these various departments or bureaus interpret the law the way they see fit. Then we have to pass another law here to show how we intended it to be interpreted.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

Mr. PIERCE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. PIERCE: Page 78, line 20, after the word "amended" strike out the colon, add a period, and strike out the remainder of the paragraph as amended.

Mr. TARVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TARVER. The Reed amendment was in the form of an additional proviso. The gentleman moves to strike out the first proviso, the one already in the bill, but I take the position that he cannot now move to strike out the additional proviso added by the Reed amendment.

The CHAIRMAN. In answer to the parliamentary inquiry the Chair holds that it is in order to strike out the language of the Reed amendment together with the other language already in the bill, because it is simply an amendment to the language of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman from Oregon yield for a question?

Mr. PIERCE. Yes.

Mr. WOODRUM of Virginia. It seems to me that the matter is left a little confusing. The Reed amendment sought to amend the language which the gentleman is now moving to strike out?

Mr. PIERCE. Yes.

Mr. WOODRUM of Virginia. If the gentleman's motion prevails, it strikes out language which carries the Reed amendment with it.

Mr. PIERCE. Yes.

Mr. WOODRUM of Virginia. And if this language is stricken out of the bill, then there would be no necessity for the Reed amendment.

The CHAIRMAN. That is a correct statement of the situation.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. TABER. It seems to me, Mr. Chairman, that we cannot very well reach and dispose of this amendment now, and that it would be much better than when the House convenes next to consider this bill we started in with debate upon this amendment so it could all be considered together, than to have it taken up now.

Mr. TARVER. Mr. Chairman, it seems to me that there is no reason why the House should not dispose of the amendment offered by the gentleman from Oregon. We have already had 2 hours of debate upon the subject of parity. Why any considerable number of gentlemen would want to speak on substantially the same question raised by this amendment is more than I can understand. Certainly we ought to finish at least this part of the bill now, and I hope the membership will remain until we do so.

The CHAIRMAN. The gentleman from Oregon is recognized for 5 minutes.

Mr. PIERCE. Mr. Chairman, the words I seek to strike from the pending bill by my amendment are, in effect, carried in the Senate bill which passed that body some time ago and is now pending in the Agricultural Committee of this House. We have held partial hearings on that bill. The Secretary of Agriculture was before us one day, at which time he explained the effect of the Senate bill, practically the same as this section which I seek to have removed. It should not appear in this appropriation bill at all, for it is solely legislative. It is a matter of great importance. I wonder why it is being pushed out just this way and why there is so much publicity given to it, and that there is such a campaign in the press from ocean to ocean. I cannot imagine what can be behind it, unless it is a group of speculators who hope to freeze this amount of cotton, wheat, and corn in the hands of the Commodity Credit Corporation so that the speculation may take the place of orderly and safe procedure. It looks wrong to me. I am suspicious of the motives behind it, not of my colleagues, of the promoters. It affects about 120,000,000 bushels of wheat, but that is enough to accomplish their purpose. That statement of amount involved was verified by the Agriculture Department. There is today on hand in the United States 875,000,000 bushels of wheat. Even if this amendment is agreed to there will be 755,000,000 bushels of free wheat, not owned by the Government, that may be sold at any price.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. PACE. The gentleman speaks of speculators. That would not be possible under this language as the prohibition is not effective until the beginning of the next marketing year, which eliminates the speculators.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. HOPE. The gentleman says that this affects only 150,000,000 bushels of wheat. It is a fact that a considerable amount of wheat will be taken over before the 1st of July, when this amendment becomes effective.

Mr. PIERCE. Yes; but this will affect at the present time only 120,000,000 bushels of wheat.

Mr. HOPE. But by the time it went into effect they would have taken over 300,000 bushels more.

Mr. PIERCE. It seems to me this is a matter of such vital importance that it should be thoroughly debated in the Committee on Agriculture and be brought to the floor under a rule, so that we will know what we are doing.

The Senate passed a separate bill with hardly any discussion or attention, evidently without full understanding of its significance. It seems to me it is of real importance. I am afraid the whole program that we have built up for these artificial farm prices is going to break down. I appreciate what has been done for the farmer and I want to hold the gains. It seems to me, when the Government guarantees us a price on wheat and cotton, as it does through its loan value, then we ought to help the Government when it seeks to dispose of this surplus.

The surplus wheat and corn ought to go into feed and into alcohol and into channels where it can be advantageously used for the war program. There are very few places where wheat can be used as a substitute, but it can be used, and if the Government has to take a slight loss on it, it is better than to carry it as a surplus or to freeze it in Government hands. Important factors which must be considered are storage capacity and deterioration.

Mr. PACE. Will the gentleman yield?

Mr. PIERCE. I yield.

Mr. PACE. The gentleman understands an amendment has been adopted permitting its use for manufacturing alcohol.

Mr. PIERCE. Yes; I understand, but I think we ought to strike out the whole thing and bring it to this floor under a rule and discuss it.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. PIERCE. I yield.

Mr. WOODRUM of Virginia. This provision which is under consideration in the Senate is a provision to which the President and the Secretary of Agriculture have expressed very emphatic opposition?

Mr. PIERCE. Absolutely so; and for good reasons.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. I yield.

Mr. HARE. Suppose the House, with the information it now has, should express itself one way or the other, does not the gentleman believe that would have some influence on the Committee on Agriculture?

Mr. PIERCE. It might. I think it is a matter that ought not be considered at this time. I think it has no business in this appropriation bill. The subject is pending in the Committee on Agriculture in this House right now.

Mr. HARE. Does not the gentleman think that the action of the House now would have some influence on members of the Committee on Agriculture as to how they should act?

Mr. PIERCE. The Members on this floor do not have as much information as the Committee on Agriculture has already before it. I do not believe the committee would be influenced by a vote without proper consideration.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. I yield.

Mr. ARENDS. Do you think we will have an opportunity to consider this legislation through action of your committee?

Mr. PIERCE. We have had but 1 day's hearings. It has not come up since that hearing when we had the Secretary before us.

For years we have been attempting to build a sound program of justifiable and basic security for the American farmer. We have made real progress during the past 9 years. We now have the most fair and workable farm program that has yet been devised in any country. We are engaged in a war for survival as a Nation. The outcome of the war will determine the kind of lives we and our children will live. Success will depend on ample supplies of munitions and of food. We must maintain our farm program intact, as we are dependent on it for the all-out "Food for Freedom" campaign. We need it as a means of preventing the damnable spirals of inflation and the disastrous results of deflation. Without the farm program even today we would have agriculture, our greatest basic industry, relegated to a peasantry, facing the future without opportunity and without hope.

There are those among us apparently ready and willing to sabotage and destroy our farm program. There are those among us who are so greedy that, for an additional immediate income, they would, by forced legislation if necessary, start an inflationary movement on agricultural prices which would immediately spiral on to labor and goods, with results almost beyond comprehension. This Nation can never weather another depression such as we have recently been through, and retain its present form of Government. There are those among us who would, through ignorance or greed, discard our program of conserving the soil. Our soils are susceptible to exploitation unless carefully watched. What will it profit if we win the war but at its end find ourselves with agricultural lands depleted beyond recovery through a scorched-earth policy which some of our colleagues evidently fail to comprehend and envision as the inevitable result of their shortsighted proposals. I refer to those who are daily attacking the Secretary of Agriculture and his policies through the press and in the Halls of Congress. Secretary Wickard is charged with the tremendous task of maintaining food supplies, not only for our United States but for Britain

and our other allies as well. He is sincerely and honestly seeking a solution to grave farm problems. He is working for and believes in parity for agriculture. The planning is for production and stock piles to meet any emergency. Supplies of nearly every domestically produced product have been ample. Nearly 7,000,000 cooperating farmers producing to maintain adequate stock piles of all kinds of food are committed to this program.

The Department has been attacked by unthinking people for using surplus stocks of grains, accumulated in the ever-normal granary, for feed to assure additional meat, dairy, and poultry production. These stocks were removed from market channels when not needed, and stored for just such an emergency. To refuse to release these supplies now at reasonable prices is to break faith with the public and the program which made the ever-normal granary possible.

Farmers are supporting this farm program and accepting restraints and sacrifice in order to give their utmost to our Nation's effort. For many years they have actually subsidized consumers by producing food which has brought prices less than parity, actually at a loss. They are receiving parity today, and by a significant majority they are satisfied with parity. Farmers are as patriotic as any group. They have given of their sons who are desperately needed on the farms, and farmer boys are excellent soldiers. They are buying Defense bonds to the limit. They are working longer hours producing additional food so that consumers here and abroad may be assured adequate food at reasonable prices.

Last May, a favorable vote of over 81 percent was cast in the wheat-marketing quota referendum, and last December cotton producers voted favorably by nearly 94 percent in their referendum. These tremendous majorities were voted to sustain marketing quotas, placing the responsibility of caring for any surplus production squarely upon the persons who attempt to take more than their share of the market.

Farmers want the protection of commodity loan programs which remove the necessity of selling a year's production on glutted harvesttime markets. Such marketing practices and controls have for years left farmers at the mercy of speculators. Commodity-loan protection is prized highly by farmers, and they want the program retained and kept sound. They want the pledged products to be used in the best interests of the public. Should these stocks be used for political juggling, as some are now proposing to do, our farmers will protest vigorously and rightfully. Hundreds of farmers in the Pacific Northwest have voluntarily released their loan wheat to the Commodity Credit Corporation, in their desire to move the wheat into consumption before the new harvest comes. Recent estimates indicate a carry-over for July 1, 1942, of 630,000,000 bushels and a new crop is growing that will produce 100,000,000 bushels more than our requirements. These farmers know that United States prices now are twice those of any other country, and they know enough to be satisfied with parity for wheat.

The farmers I know are alarmed at the prospect of inflation. They well remember the high prices of the last war. They remember them because of the deflation afterward that left them with high-priced land and with unbearable mortgages, with rents and costs inflated. They realized too late that inflation spelled their ruin. That is why my farmer friends and I now support the Secretary's plan to maintain fair prices for farm products. We support his plans to secure increased production of meat, dairy, and poultry products, and his plans to retain the services of the grain and milling industry by making Government grain stocks available. We are happy to have kept faith with consumers by producing adequate supplies at fair prices.

I am alarmed and disgusted by the furor which can be created in Washington by the very small minority of real farmers who, by their very greed and noisiness, make it appear they represent the majority and thereby influencing some Members of the Congress. I am alarmed lest we become influenced by this minority and, against our better judgment, allow an irreparable injustice to come upon that larger group of farmers who are so nobly producing food to win this war. Let us come to our senses before we drag into ruin and destroy a farm program that has been years in the building and has received the careful and studied thought of so many able people. In these times of stress and excitement some other plan or scheme may sound more attractive, but let us consider carefully these new schemes and their proponents. Our farm legislation has put agriculture on a sound basis and has assured parity. Let us not destroy it with hasty action dictated by enemies of the program. Let us give our support to those men and to the program that has been proven advantageous and is acceptable to agricultural producers. Let us not entrust agriculture to speculators.

Facts on the wheat supply

	Bushels
Carry-over, July 1, 1941	385,000,000
Production, 1941	946,000,000
Total supply, 1941–42	1,331,000,000
ESTIMATED OWNED BY COMMODITY CREDIT CORPORATION OR UNDER LOAN MAR. 1	
Owned	120,000,000
Under loans maturing Apr. 30	340,000,000
ESTIMATED DOMESTIC DISAPPEARANCE, 1941–42	
Food and commercial feeds	505,000,000
Feed	110,000,000
Seed	65,000,000
Total	680,000,000
Estimated carry-over, July 1, 1942	630,000,000
Estimated production, 1942	793,000,000
Estimated total supply, 1942–43	1,423,000,000
Estimated owned	350,000,000
Estimated new loan	350,000,000

At this time freezing or limiting the sale of C. C. C. stocks would affect but 120,000,000 out of a present supply estimated to be as much as 875,000,000 bushels. That leaves 755,000,000 bushels of free wheat which would be offered freely at 10 to 20 cents under parity.

I desire to put in the RECORD a letter from an intelligent and active wheat farmer in Oregon. This clearly sets forth the point of view of a thinking man in our section, which is financially dependent on the price of wheat:

I am writing you as a wheat farmer and make these statements for your information. I am quite concerned about the legislation that has passed the Senate prohibiting the Department of Agriculture from selling surplus commodities below parity price. Since one or two wheat farmers of eastern Oregon have voiced their protests to their legislators at Washington regarding the "feed wheat" program, I want you to know what many wheat farmers think of it. I am told that this matter has been brought before many of the eastern Oregon farmers in a series of meetings on the "feed wheat program," and that, with the exception of two men who voiced their disapproval, the farmers favored the program and did not object to the wheat being sold for feed at a price 4 cents below the loan value. Hundreds of farmers at the Wheat League meeting at Heppner in December stated in public meeting that they would be glad to let their wheat go for what they had received through the wheat loan in order to have the storage space available for 1942 wheat. Over 3,000,000 bushels of wheat has been raised in Oregon in order that Commodity Credit might have wheat and fill orders from poultry and livestock feeders.

If that bill passes and is signed by the President, this wheat will not be moved out. At the best the storage situation is going to be serious, due to heavy yields in 1941, few exports, and prospects of another good crop.

The Northwest has always had to depend on a program that would sell surplus wheat at a loss, through subsidy, in order to move surpluses. Much wheat will be needed in Russia, but would they pay parity price for wheat? Probably not, and if it is the law that none could be sold below parity, the situation would be serious. This "feed wheat" program gives the small grower who has to buy some feed, some consideration.

Some opposition to marketing quotas has been voiced on the grounds that it made wheat too high priced. The "feed wheat" program lessens that opposition. I seriously doubt if the loan program could continue for long if there can be no plan used that would dispose of wheat at less than parity. With the loan rate of 1941 and A. A. A. payments, the wheat farmer is doing fairly well. As long as the national wheat allotment is not reduced below 55,000,000 acres, and we have quotas and a loan program, coupled with whatever payments may be needed to bring parity to the farmer, the wheat farmer should have no kick. It will be hard to maintain our national wheat allotment unless we are permitted to sell surpluses below parity when such a plan is needed.

Mr. Chairman, the sentiment of Oregon wheat men is clearly expressed in two newspaper editorials, the first from the heart of our wheat section in

Pendleton, the second from our wheat marketing center in Portland.

[From the East Oregonian, Pendleton, Oreg., of February 26, 1942]

AS WE SEE IT

We note that the Senate voted against the President's request to be allowed to sell Government-owned surplus farm products below the parity level, but we are inclined to think the President's attitude was correct and the Senate wrong.

The sale of Government grain below the parity level will not necessarily hurt the growers, because their main reliance is upon the loan program and compliance payments rather than on the market. As long as present loans are made the farmers will be assured of favorable prices.

The President's request was based upon the view that livestock production can be increased by selling wheat and corn at lower than parity figures. That seems logical and there is some justification for seeking to keep meat prices within a proper range. In January the price of meat animals, taken as a whole, were 51 percent above the 1909–14 average whereas grain prices were but 3 percent above pre-World War figures.

In effect, the Senate has acted to assure farmers of something they were already assured. It seems that way at least because it will be difficult to keep a farmer from getting parity when he has loan privileges up to 85 percent of parity and can secure benefit payments that will put him over the top.

But food prices have been rising and, according to the February 27 issue of the United States News, are now 19 percent higher than a year ago. If prices continue to advance there will be a tendency to blame farmers and Congress, though the growers may not actually be getting any more than they would if the Senate had complied with the President's request.

This is a good time for people to exercise moderation, and this applies to agriculture as well as to labor.

When prices advance and wages advance there is a tendency toward inflation, and the supposed beneficiaries do not benefit as much as appears on the surface. Real prices and real wages are determined by buying power.

In Germany during the period of inflation wages and farm prices soared to tremendous heights, but that did not mean a thing to the workers or to the German farmers. Inflation did Germany more harm than did defeat in the first World War.

[From the Oregonian (Portland, Oreg.) of February 27, 1942]

UPSETTING A NATIONAL POLICY

The bill, passed by the Senate over opposition of the President, which prohibits sales at less than parity price of Government stock of farm commodities applies directly to 300,000,000 bushels of wheat, 250,000,000 bushels of corn, and 4,500,000 bales of cotton.

These stocks, held by the Commodity Credit Corporation, are commodities on which Government loans were made and not redeemed by the borrower. Which means that the Government made loans in excess of what the producer could obtain by selling the commodities in the open market.

The reported purpose of the Commodity Credit Corporation is to release the stocks of wheat for the manufacture of industrial alcohol, needed in war industries; release the cotton for manufacture of Army clothing, and release the corn for the feeding of livestock, dairy herds, and poultry.

Presumably the Government would sell at prices that would only repay the loans and carrying charges. Eighty-five percent of parity is the rate at which farm commodity loans were made in 1941, but 1938–39 corn acquired when loans were on a lower scale is now offered for feeding at less than 85 percent of present parity prices. Roughly calculated, the difference between 85 percent of parity and 100 percent of parity (parity as of January 15) is about $125,000,000.

If the bill should be finally adopted, the Government would obtain more money for the farm commodities to which it has acquired title, but would pay correspondingly more for its alcohol and Army clothing. It may also be reasoned regarding corn that whatever profits the Government made on the sales would be used for war purposes, and though the consumer of livestock, dairy, and poultry products might have to pay more he should pay correspondingly less in war taxes.

The objection, however, rests in the presumptive effect on general market prices of wheat, corn, and cotton. Though conservation and parity payments made out of the Federal Treasury insure parity prices for the farmer, the price-control bill permits farm products to go to more than parity before a ceiling can be imposed. If Government stocks be sold at parity, the anticipated effect is the forcing of general prices above parity.

Parity price is the price that insures the farmer a purchasing power equivalent to that which he had in 1909–14. It has hitherto been accepted as fair and reasonable. During a period that would have been otherwise much harder for the farmer, a loan system was created to guarantee that farm commodity prices did not fall far below parity. Now some farm leaders in Congress refuse to accept the complementary principle that the Government shall prevent prices from rising far above parity.

Included in farm legislation is a congressional declaration of national policy. It is dual in character. It not only recognizes the right of the farmer to parity prices and parity income, but the right of the consumer to obtain an adequate and steady supply of farm products at fair prices.

The Price Control Act, and now the measure passed by the Senate, in effect strive to upset a balanced policy and give the producer undue advantage over the consumer.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is an economy limitation. The gentleman from Virginia [Mr. WOODRUM], of course, would not agree with that, nor would the gentleman from New York [Mr. TABER], but I think I can demonstrate clearly that it is.

We have already passed a provision in this bill which insures to the producers of these five major commodities full parity. You voted for that. It is to be paid out of the Public Treasury if in the market price they do not receive full parity. If the Government uses its Government-owned or Government-controlled stocks so as to depress the prices of corn and wheat below parity prices, then the Government must pay for the personnel expense, to go through the form of paying out these parity payments to the corn and wheat producers, and must, of course, in addition, pay the amount of the parity payments out of the Public Treasury. But if you stop this practice on the part of the administration authorities of playing both ends against the middle by doing like the tumblebug, looking for parity in one direction and then pushing against it in the other, the producers of these commodities will receive parity in the open market, which they are entitled to have. They will not have to go through the procedure of becoming applicants for parity payments from the Government, and the Government will not have to pay out any money from the Public Treasury in making up to them the difference between their marketing prices and the parity prices.

A great deal of talk has been had in certain quarters with regard to what this provision is going to cost the American consumer if it remains in the bill. Some people have mentioned a billion dollars, yet nobody has undertaken to point out wherein the bringing about of parity for corn and wheat will cost the American consumer a billion dollars. Of course, the others of the five major agricultural commodities are either above or substantially at parity now.

I do not represent an area that would be affected one way or the other by this provision, in all probability.

Mr. PIERCE. Will the gentleman yield?

Mr. TARVER. Not at this time. A little later I hope to. This is a provision which ought to be of particular interest to the Representatives from the corn and wheat areas of the country.

Now, here is what we tried to stop. It is set out on page 16 and the following pages of the hearings in the testimony of Secretary Wickard. He tells us what he is doing and what he expects to continue to do. I quote briefly:

> Since we did have a great supply of corn on hand it seemed to me the thing to do at that time was not quickly to raise up to 100 percent of parity the price of corn and all of the animal products which are related to corn, so far as feed is concerned. I had a talk with the President about this and I also talked to Members of Congress. So today we are offering to sell corn at 85 percent of parity. In other words, frankly, we are now able to control the price by offering to sell our Commodity Credit-owned stocks.

So what the Secretary of Agriculture is proposing to do is to manipulate the corn and wheat markets. He frankly admits it.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TARVER. It is not a question of supplying legitimate needs of the consuming interests of this country for corn and wheat and for corn and wheat products. It is a question of dumping several hundred thousand bushels of corn on the market if the Secretary feels that the price of corn is going too high; and he says that if it goes over 85 percent of parity he does think it is going too high. He intends to "bear" the market before these commodities reach parity, thereby going against the very program which has been insisted upon in this country by the Congress for so many years of trying to bring about parity conditions in the market for at least these major agricultural products.

There were several gentlemen who interrupted, Mr. Chairman, and I would like to yield to them. I yield first to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. The effect of the Secretary's procedure in dumping this corn on the market below parity, at 85 percent

of parity, will be to compel larger payments out of the Treasury.

Mr. TARVER. Absolutely so. If we want to save money for the Treasury we ought to vote for this limitation.

Mr. CULKIN. And to continue the present bureaucracy in office and to keep a string on the farmers.

Mr. TARVER. I am not prepared to go to the full extent of the gentleman's implications, but I do say that to vote for this limitation is to vote for economy, because if the consuming public does not pay the farmer parity for his products under the provisions of the bill the Federal Government will, out of the Federal Treasury.

I want to say this further, if you will pardon me just a moment: We just passed a price-fixing bill. It could not have been passed except for the inclusion in that bill of what is known as the Brown amendment, providing limitations above parity for farm commodities. I say it does not make any difference who is responsible for it, it is bad faith toward the farmers of this country to secure the votes of their representatives for a bill upon the assumption that no minimum ceilings for farm commodities below the levels fixed in that bill are to be fixed by any authority, and then having not the Office of Price Administration but the Commodity Credit Corporation undertake to evade the law by the use of these Government-owned and Government-controlled farm products to keep the prices down, not only below the levels fixed in the price-fixing bill, but below parity itself.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. COFFEE of Nebraska. Will the gentleman tell us, please, what force and what influence is maintaining the present price of corn and wheat? Is it not due to the Government loan program that is being followed today?

Mr. TARVER. I venture to say that the Government loan program is having a tremendous effect in that direction; but the fact that the Government through the instrumentality of one program has enabled corn and wheat to go closer to parity than they otherwise would have does not, in my judgment, justify the Government which has tried for years to do everything it could to get parity for the farmer to stop 15 percent short of parity or any other degree short of parity. I think it is your duty and mine, and the duty of this administration, to do everything in our power to give the farmers what we promised them.

As far as I am concerned I am not going to vote against any proposition which might have a tendency in that direction.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. O'CONNOR. I want to get this clear; supposing the Government sells the surplus corn and wheat it has control of or owns for less than parity, does that relieve them in any way from making that sum up in paying parity for the price for the crops owned by the farmers?

Mr. TARVER. I have explained that if the parity price is not obtained by the farmer in the open market the Government is going to have to pay it. It is just a question of whether the consumers of corn and wheat shall pay a fair price for it or whether they shall have a part of that price paid for them by the Government.

Mr. O'CONNOR. Then there is no point in the Government selling that stuff below parity.

Mr. TARVER. I agree with the gentleman.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. H. CARL ANDERSEN. I compliment the gentleman from Georgia upon knowing what are the facts in this case and that if we vote to strike out this particular section we are voting to keep corn and wheat at 85 percent of parity.

Mr. TARVER. I thank the gentleman for his contribution.

Mr. CANNON of Missouri. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, this is the most destructive amendment that could be offered. The adoption of such an amendment would bring more disastrous consequences to agriculture than any action that could possibly be taken by the predatory interests which are planning to use price control to confiscate the farmer's products at less than the cost of production.

For 2 long years we have been struggling slowly, painfully, laboriously to establish the principle of parity. And what is parity? Parity is lowest price that will keep the farmer's head above the rapidly rising cost of everything he must buy. It is the minimum price the farmer must get to barely break even with the rest of the world.

Just an even break is all he is asking. And now this amendment proposes at one fell blow to wreck the work of years and leave the farmers—the most deserving, the most faithful, and the poorest-paid group in America—without any assurance of even a decent wage for their labor or a decent standard of living for their families.

This amendment proposes to give the Secretary of Agriculture the power to sell Government stocks of farm products taken over by the Government when farmers have been unable to repay loans for which these products were security. It proposes to eliminate the provision under which these products shall not be sold at less than parity. It does not prevent the sale of these stocks, as many newspaper accounts would lead you to believe. Under this bill they can be sold freely as long as they are not sold at less than parity. As a matter of fact, there will be no trouble at all in disposing of all such stocks in record time at parity prices.

But the Secretary of Agriculture is not so much interested in selling them as he is in selling them at less than parity. Because the price at which he sells any of them fixes the price of that particular commodity throughout the United States. Cotton is selling in the open market at 19 cents, but if the Secretary announces he is selling Government cotton at 16 cents the price everywhere drops to 16 cents, because no one will pay private owners more than the Government will take. If the price of wheat is $1.04 in the open market and the Secretary begins to sell Government wheat at 95 cents, immediately the price of wheat is 95 cents, and nobody will pay a penny more.

It is not merely a question of the Secretary of Agriculture having this power. It is not a mere potential proposition. It is a practical matter of forcing down the price of farm products whenever the Secretary chooses to force them down, and that is what he is doing every day. He has been holding down prices below parity for months.

The Secretary of Agriculture testified both before the subcommittee on agriculture and the subcommittee on deficiencies that he had been making it a practice to sell these Government-owned stocks—not for the purpose of decreasing Government holdings but to keep down prices. The Government does not want to sell these stocks. It wants to keep them to control farm prices. All stocks could have been sold long ago at more than they cost the Government. For it must be remembered that the Government bought these stocks at 56 percent of parity and can now sell them at full parity at a clear profit. But the Secretary does not want to sell them. He is not going to sell them. He is keeping them to control farm prices and selling only in small lots just large enough to establish subparity prices. Not only has the Secretary testified he is using them for that purpose but it has been repeatedly reported in the press. For example, the United States News, one of the most reliable and most valuable publications that comes to your desk, says in its issue of February 6, 1942:

Effect of the new price-control law should not be discounted.

Tendency has been to argue that this law will prove ineffective; that its failure to permit rigid ceilings on farm prices and wages would upset it.

However, * * * Farm Secretary Wickard expects to hold corn, cotton, and wheat prices in line by sale of Government-owned stocks at or below parity.

The effect is shown in the following release from the Associated Press:

FARM PRICE INDEX DECLINES TO 1 PERCENT BELOW PARITY LEVEL

The general level of local market prices of farm products declined four points during the month ended February 15, the Agriculture Department reported yesterday.

This downturn dropped the farm price index 1 percent under parity with prices of nonfarm products.

Poultry products led the decline with a loss of 12 points. Substantial reductions also were reported in prices of truck crops and tobacco. The fruit price index was 4 points lower, and dairy product prices were down 1 point.

The Department said the general level of prices paid by farmers for commodities continued to rise during the month, with greatest advances reported in prices for food, clothing, and feed.

Let me appeal to the House's love of fair play—to its traditional sympathy for the under dog. More is being asked of the farmer than of any other group and less is being paid him. They are asking him to produce huge supplies of food and at the same time taking from him both labor and machinery. The draft and the exorbitant wages paid by war plants have stripped the farm of all except the children and the aged. Machinery to take the place of labor cannot be secured or is available only at prohibitive prices. They are demanding that the farmer make bricks without straw.

Notwithstanding these almost insurmountable handicaps he is delivering the goods. He is contributing more than his share toward the winning of the war. There are tragic bottlenecks in the production of planes, guns, and tanks. There are costly bottlenecks in their transportation to the front. But there are no bottlenecks on the farm. The farmers are delivering every ton of food required of them and delivering it on time. Be it said to their everlasting glory, the farm group is the only group in America today that is functioning 100 percent in the program laid down for winning the war.

And yet, the farm group is the poorest paid group in the Nation today. While industry is charging the highest prices ever paid for production facilities—while labor is receiving the highest wage scale in the history of the world, while transportation is levying the highest tariffs ever exacted—the heavy hand of the price-fixer and the market-rigger is laid on the farmer and he is denied even the parity guaranteed him under the law.

Most significant of all, the farmer is the only group to voluntarily accept a reduction of income. The sky is the limit in wage scales but the farmer, speaking through his farm organizations, has agreed to accept bare parity both of wages and income. Whereas he received 35 cents for cotton, $24 for hogs, $2.40 for wheat and similar prices during the last war, he is agreeing to accept less than half those prices now although every other group in the Nation is getting twice what they got in the last war, and he is doing the finest job of all.

If there is a word of commendation to be said for anybody, who is better entitled to it than the farmer? And yet—as incredible as it may seem—he is being maligned and abused and misrepresented and kicked about without mercy. Every metropolitan newspaper is filled with vituperation and abuse of the farmer. He is branded as selfish, greedy, and grasping. The price of every industrial product in the United States has advanced in the last year but nothing is said about selfish, grasping, or greedy manufacturers. The wage scale of every labor group has doubled, but no newspaper applies such opprobrious epithets as are daily applied to the farmers. The railroads recently received a rate increase of 10 percent and not a paper abused them. But the farmers—doing more and getting less than any of them—are pilloried as racketeers and profiteers by the patrioteers who want to live at their expense.

Now I want to be charitable. I believe it is the result of misinformation. In some notable instances I am certain that is the case. For example, the President of the United States a day or two ago is said to have expressed the opinion in a press conference that to give the farmer parity would increase the cost of food to consumers a billion dollars. It has been my privilege to cooperate with the President in his farm program ever since the crucial days of 1933 and I have on more than one occasion inserted in the RECORD personal letters from the President declaring his approval of progressive agricultural programs. It is evident he has been misinformed. Farm parity will not cost consumers either a billion dollars or any comparable part of a billion dollars. Such statements are fantastic in the extreme, as indicated by the accompanying correspondence between Senator BANKHEAD, of Alabama; President O'Neal of the American Farm Bureau Federation, and the Department of Agriculture:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
March 4, 1942.

Mr. EDWARD A. O'NEAL,
American Farm Bureau Federation,
Washington, D. C.

DEAR ED: I requested the Department of Agriculture to send me the statement prepared by them upon which Secretary Wickard and the President stated that the increased cost to consumers on food would be a billion dollars if S. 2255 became a law. I have received the statement and am enclosing you copy of it. Have you got anybody who can analyze this statement and demonstrate its unsoundness? It seems to me absurd that the difference between 85 percent of parity and the parity price in corn and wheat would bring about a difference of 5 percent annually in the total cost of the food bill.

If you develop any helpful information please let me have it.

Sincerely yours,

J. H. BANKHEAD.

[Enclosure.]

ESTIMATES OF EFFECTS UPON FOOD COSTS TO CONSUMERS WHICH WOULD RESULT FROM PROHIBITION OF COMMODITY CREDIT CORPORATION RELEASE OF WHEAT AND CORN STOCKS AT PRICES BELOW FULL PARITY EQUIVALENT

(S. 2255, Mr. BANKHEAD; H. R. 6564, Mr. HARRINGTON; February 9, 1942)

The provisions of S. 2255 and H. R. 6564, prohibiting the sale of any agricultural commodity held by the Commodity Credit Corporation below full parity price, would be held principally in wheat and corn. Wheat prices could rise about 11 percent above present levels before Commodity Credit Corporation release sales would be permitted. Corn prices could rise 17 percent with effective prohibition on sales by the Corporation.

The rise in corn prices would be felt strongly in costs of feed for livestock and dairy production. These increased feed costs would severely retard our progress toward production goals in certain farm products unless offsetting rises in prices of meat, dairy, and poultry products should occur. Assuming corn prices rise by 17 percent and wheat prices by 11 percent, these offsetting price rises may be estimated as of January 15, 1942.

The price of hogs would have to rise by 17 percent—from $10.55 to $12.35—in order to maintain the present corn-hog feed ratio and maintain present progress toward production goals.

To maintain present rates of corn feeding of beef cattle, prices of finished classes would have to rise substantially, with a probable increase of 5 percent in the farm price of all beef cattle—from $9.77 to $10.25.

To maintain progress toward the production goals the farm price of dairy products would have to advance about 10 percent, and farm prices of poultry and eggs should rise by 13 percent.

In the cost of raw-food materials these price increases would amount to 3.4 cents per pound for retail pork products, 1 cent per pound for beef cuts, 20 cents per hundredweight for milk used in dairy products, 2.2 cents per pound for dressed chickens, 4 cents per dozen for eggs, 0.3 cent for the wheat used in a pound of flour, and 0.2 cent for the wheat in a pound of bread.

The price increases which would be needed to keep our production goals program in balance under the terms of the proposed bill would result in higher food costs to consumers. We estimate the resulting rise in national annual food costs to consumers would exceed $1,000,000,000, or an increase of nearly 5 percent in the total annual food bill.

MARCH 6, 1942.

Hon. JOHN H. BANKHEAD,
United States Senate, Washington, D. C.

DEAR SENATOR BANKHEAD: In response to your request for my comments on the Department of Agriculture's statement that enactment of S. 2255 would increase food costs by one billion dollars, I submit the following:

The Department estimates that S. 2255 would permit prices of wheat and corn to rise by 11 and 17 percent, respectively. Unless these increases were pyramided outrageously in the channels of distribution into excessive retail prices, there is no reason whatever to assume that the resulting increase in the Nation's food bill would amount to more than a small part of a billion.

The Department has stated that hog prices would have to increase by 17 percent in order to recompense hog feeders for the increased corn price. I challenge this assumption. On February 15 the average farm price of hogs was $11.64 per hundredweight and the parity price of corn was 94.4 cents per bushel. In other words, 100 pounds of live pork would pay for 12.3 bushels of corn at the parity price. The historic corn-hog feeding ratio is only 11.5 bushels of corn to 100 pounds of pork. In other words, hog feeders are satisfied when 100 pounds of live pork pay for 11.5 bushels of corn. Therefore, it is apparent that no increase in hog prices whatever would be needed to maintain a satisfactory feeding ratio. It should be noted furthermore, that hog prices have increased materially since February 15.

It should be remembered that 75 to 80 percent of the corn grown is fed on the same farm that produces it. A change of a few cents a bushel in the corn price would, in itself, have only slight effect on the volume of meat, dairy, and poultry products produced on these farms. Anybody who has grown up on the farm knows that any statement to the contrary is ridiculous.

As far as wheat is concerned, let us remember that a bushel of wheat produces at least sixty-two 1-pound loaves of bread. Everybody knows that the price of the wheat is only a minor factor in determining the cost of a loaf of bread.

However, the important question at issue is not the amount of the increase in food prices that might result from enactment of

this bill. The real question is whether or not the farmers are entitled to the increased prices (parity prices) for wheat and corn that would result. On that point, may I call your attention to the fact that for nearly 10 years the present administration has pursued a national farm policy designed to restore farm prices to parity in order to assure for farmers a fair share of the national income. The parity concept is written into the law of the land in several pieces of legislation. In the face of this fact, it is difficult to understand why the administration should now deliberately plan to dump surpluses on the market at less than parity prices in order to prevent wheat and corn prices from rising to parity.

To argue that S. 2255 should not be enacted because it would lift food prices is simply another way of saying that farmers are not entitled to parity prices. If that is the official attitude of the administration, farmers would like to know it.

In the past, when less-than-parity prices for farm commodities have prevailed, farmers have asked for and have received Government payments to partially bridge the gap between market prices and parity. The result was near parity for the farmer and low-priced food for the consumer. That arrangement was the best that could be devised at the time; but now, when consumers have higher incomes than ever before in history, there is no valid reason for the Government to pay part of the consumer's food bill in this way. The Federal Government today needs every tax dollar it can raise to fight the war; therefore it is imperatively necessary to eliminate the need for farm parity payments by giving the farmer full parity in the price he receives for his commodities.

If the provisions of the price-control law are made effective, it will be impossible for the farmer to get excessive prices. If retail food prices are permitted to rise unduly, it will be because of excessive distribution costs. Certainly such a development cannot be blamed on the farmer. If the most optimistic forecasts are realized for this year, the 25 percent of the population which is engaged in agriculture will receive only about 12 percent of the national income. Can any reasonable man say that this share is too great?

In summary, I will say: First, that, in my opinion, the enactment of S. 2255 would not result in an increase of a billion dollars in retail food prices unless the resulting increases in the price received by the farmers are grossly and unfairly pyramided in the channels of distribution; second, that farmers are rightfully entitled to the parity prices that would result; and third, that consumers are abundantly able to pay the small increase in food prices that would be justified by a few cents' increase in wheat and corn prices.

Sincerely yours,

EDW. A. O'NEAL,
President, American Farm Bureau Federation.

But why this sudden interest in the consumer. The consumer has been much harder hit many a time before and no public notice taken of it.

When railroad rates were increased 10 percent a few days ago—although for the month of January the net income of class I railroads was 30 percent more than the same month last year, not a word was said about what the cost would be to the consumer, although it was heavy.

When the wage-and-hour bill and the labor relations bill were passed—and I voted for both of them, and will continue to vote for them—no interest was taken in their effect on the consumer and no public statements relative to the consumer were forthcoming.

Last week the price of soda crackers at the local groceries was raised from 10 cents a box to 12 cents a box—an increase of 20 percent. There is nothing in a cracker but flour and water with a little salt and soda. The only appreciable constituent is wheat. But the farmer receives less than 2 cents for the wheat in a box of crackers. The farmer got nothing out of that extra 2 cents charged the consumer. The entire 20 percent increase went to industry. And yet nothing appeared in the press about the cost to the consumer.

Will somebody explain why it is that nothing is said when industry, labor, and transportation increase the consumer's costs 200 percent of parity but the welkin rings when the farmer, carrying his heavy load faithfully, dependably, and patriotically, asks for bare parity.

And now, after we have legislated for every other group, after the Congress has provided legislative floors for wages and has, by law, guaranteed returns on capital investments, this amendment seeks to take from the farmer his one wee lamb—legislative recognition of parity. That recognition must be preserved at all cost. Agriculture must cling to parity as a woman clings to her virtue. If the principle of parity is lost all is lost, and after the war will come the deluge. We appeal to the House to render one pitiful service to the underdog and help us defeat this amendment.

[Here the gavel fell.]

Mr. COFFEE of Nebraska. Mr. Chairman, I am taking the floor to support the amendment offered by the gentleman from Oregon [Mr. PIERCE]. His amendment would strike from the bill the following language:

> That none of the funds made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity price as defined by the Agricultural Adjustment Act of 1938.

This prohibition will not accomplish the results the sponsors hope to obtain because this is a restriction on administrative expenses only. We all know that the Department of Agriculture may transfer funds for this purpose from one bureau to another. I am just as anxious as the gentleman from Missouri is to have the farmers receive parity prices for their products. We differ as to the means of obtaining that objective.

We have a very large surplus of wheat, corn, and cotton in this country. The present price levels have been maintained only because of the Government price-supporting loan program. I sponsored in the Committee on Agriculture last year the amendment to the marketing quota bill which resulted in mandatory loans by the Commodity Credit Corporation of 85 percent of parity on corn and wheat and the other basic agricultural commodities. This loan program has raised the price level on wheat from 56 percent to more than 90 percent of parity. This loan program has increased the farm income in my State by many millions of dollars. I want this loan program to continue, but how can we ask the Commodity Credit Corporation to support the prices on these surplus commodities without giving them some latitude in disposing of stocks that they acquire?

If the sale of Government-owned stocks of farm commodities is prohibited at less than parity price, all exports of wheat and flour from this country will stop. Domestic millers can purchase Canadian wheat for less than 60 cents a bushel. This wheat can be ground into flour under bond and exported without paying any import duty. Since there is a large surplus of wheat in Canada and Argentina as well as in the United States, and since the price of wheat in Argentina and Canada is much less than the Government-supported price in the United States, it stands to reason that wheat and flour to be exported must be subsidized. The chief problem confronting the corn and wheat grower is to facilitate the orderly liquidation of the surplus that has accumulated in the hands of the Commodity Credit Corporation and to prevent a reenactment of the Farm Board fiasco.

Unless we can move an increased quantity of wheat and corn into export, livestock, and poultry feed channels, or into industrial alcohol or some other industrial use, we will not have storage facilities to take care of this year's crop that will soon be coming into the market. With all of this surplus on hand, we are in no position to force artificially higher prices.

It should be understood that 90 percent of the corn is marketed through livestock. Most farmers are more interested in the price of hogs, lambs, and cattle than they are in the price of corn itself. Corn is purchased from one farmer and sold to another. Since Congress has authorized Mr. Henderson, under the price-control law, to place a price ceiling on livestock and livestock products at approximately prevailing prices, I am very fearful that any artificial price boost that is given to corn at this time would invite Mr. Henderson to "crack down" on livestock prices. The lamb feeders are making no money and the cattle feeders are making a little money with the present price differential between corn and fat cattle. Should a price ceiling be placed on cattle, hogs, and lambs, the result would be very harmful to the livestock industry and, in my opinion, would curtail the production of meat. If rationing cards followed the establishment of price ceilings, it would reduce the consumption of meat. All of this would be very disastrous, not only to the livestock feeder but to the corn producer and the consuming public as well.

If the present loan base can be maintained, and if we will allow the economic laws of supply and demand to eliminate this surplus wheat and corn, I am convinced it will be to the best interests of the farmers in the long run.

[Here the gavel fell.]

Mr. COFFEE of Nebraska. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. POAGE. Reserving the right to object, Mr. Chairman, I have no objection to the gentleman's proceeding for 3 additional minutes, but I should like to know if some of the rest of us will get a chance to proceed for at least 3 minutes.

Mr. MARTIN of Massachusetts. Mr. Chairman, reserving the right to object, may I ask the gentleman when we may expect the Committee to rise. There are about 50 Members here who want to discuss this matter, and obviously we cannot finish the consideration of the bill tonight.

Mr. TARVER. I may say to the gentleman that while quite a number of gentlemen apparently want to talk, we had about three and a half hours of debate on substantially this same question, and I was hopeful that the Committee might be willing to vote to close debate on this amendment at 6 o'clock. I do not know whether they will or not, but after the gentleman has concluded his speech I intend to move that debate on this amendment close at 6 o'clock, and we will see then whether or not the House wants to stay here until late in the evening.

Mr. MARTIN of Massachusetts. Will the gentleman accept an amendment when he offers his motion that the Committee rise immediately?

Mr. TARVER. I do not think that would be in order, but I am sure the gentleman is willing to do whatever the Committee wants. I expect to offer the motion and let the House express its wishes in the matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Chairman, if the Pierce amendment is agreed to, it will eliminate the Reed amendment. Also, if the Pierce amendment is adopted, there will be no restrictions that would prevent the Commodity Credit Corporation and the Agricultural Marketing Administration from doing everything that is permitted under the Reed amendment.

To freeze these Government stocks of grain involves a great many economic problems and such legislation should not be attached to an appropriation bill. This legislation is a matter for the Committee on Agriculture to consider, not the Appropriations Committee. The Committee on Agriculture has already held 1 day's hearing on this so-called Bankhead bill and has jurisdiction over legislation of this nature. It is in a position where it can consider and perfect legislation whereas the Appropriations Committee has tried to handle this entire question in five lines, all predicated on the theory that no funds would be made available for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity price.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. COFFEE of Nebraska. Yes.

Mr. O'CONNOR. Is it the gentleman's construction of this provision sought to be stricken out that funds may be transferred from some other source and this grain disposed of at less than parity?

Mr. COFFEE of Nebraska. Yes. If the administration wants to carry out the present program they can do it in spite of this prohibition. This is only a limitation on the funds available under this paragraph for administrative expenses. Funds may be transferred from one bureau to another—administration expenses could be paid out of the President's emergency funds.

Mr. O'CONNOR. In other words, they could take the funds from some other source.

Mr. COFFEE of Nebraska. That is correct. If there were no price-control law and Mr. Henderson had not been given authority to crack down on livestock prices as of December 15, we might find some justification for freezing Government stocks of grain at parity. However, I know that the O. P. A. has been giving serious consideration lately to placing a price ceiling on livestock and livestock products. I want to avoid such a blow if possible. I am very fearful that any attempt to freeze corn prices at parity would be a stimulus for a sudden increase in the price of hogs particularly. If this should occur that would encourage the establishment of price ceilings on all livestock and livestock products. This in all probability would be followed by rationing of meat. Neither rationing nor price ceilings on livestock will be necessary in my opinion, if economic laws are allowed to function.

We now have more cattle in the United States than we have ever had in history. Before the year is out we will have an all-time record number of hogs. If the law of supply and demand is given a little time there will be no need for a price ceiling on meat, and most of this surplus grain will find an outlet through livestock feed channels.

The Secretary of Agriculture has encouraged the production of meat, dairy, and poultry products to meet the demands of the war. He is a practical farmer and is opposed to freezing these Government stocks of grain at parity. I am convinced that the Secretary has taken a position that will be of greatest benefit ultimately to the farmer.

I hope in our zeal to aid the farmer that we will not do anything that will place him in the light of asking for or expecting something that is not fair and reasonable. I hope the Pierce amendment will be agreed to.

Mr. TARVER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 6 o'clock.

The question was taken, and on a division, demanded by Mr. TARVER, there were—ayes 56, noes 86.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose and the Speaker having resumed the chair, Mr RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H. R. 6709) the agricultural appropriation bill, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my remarks and insert in the RECORD a letter from the Secretary of Agriculture to Senator HARRY F. BYRD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WENE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include three telegrams.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that in revising my remarks made this afternoon, I may include a letter from a prominent man in Oregon, and two editorials.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HENRY CROSBY ALLEN

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and extend my remarks.

The SPEAKER. There is a special order for today if the gentleman from Michigan has no objection.

Mr. ENGEL. Mr. Speaker, I have no objection to the gentleman from New Jersey proceeding.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANFIELD. Mr. Speaker, burial services were held this afternoon in Paterson, N. J., for the late Henry Crosby Allen, who was a Representative in the Fifty-ninth Congress, 1905–7. He was called away last Saturday at the age of 69.

Mr. Allen served one term in the Congress, leaving on the day the Fifth Illinois District sent to Washington as its Representative ADOLPH J. SABATH, present dean of the House. The New Jerseyman's district, known as the old Sixth, embraced all of the Eighth which I now represent, and a large part of the Seventh, now represented by our distinguished colleague, J. PARNELL THOMAS. One of Representative Allen's colleagues was Clarence Van Duzer, of Nevada, who also left the House in 1907, and is now one of my best friends and constituents.

Representative Allen was here in what he chose to call the horse-and-buggy days. There were no House Office Buildings and the Members performed their office work in their respective hotels or houses. Chairman of committees alone had room space on the Hill. By sufference a few colleagues wrote letters in these rooms. Increasing mail and demands of constituents resulted in the erection of the old House Office Building first to be used by the incoming Members of the Sixtieth Congress.

Mr. Allen attended Paterson's public schools. He was graduated from Yale in 1893 and from the New York Law School in 1895.

Short and rotund, jovial in nature, always ready with a story in point, he was ever popular with his fellowmen. Although he had not been in the best of health, he returned to the political wars in 1922 when he espoused the cause of the late Representative George N. Seger, whom it was my privilege and pleasure to serve as secretary for 18 years. Representative Seger recommended Mr. Allen for the Paterson postmastership in 1926 and he served under Presidents Coolidge

and Hoover, the new Paterson Federal Building being erected during his term of office.

Mr. Allen liked people and those he served as an attorney, Congressman, and postmaster, remember him for his smiling attitude, his friendly and reassuring way. He sought to do something every day to add to the sum of human happiness, subtract from the sum of human misery.

"I'll miss Henry," is a much repeated expression from folks in all walks of life on the streets of Paterson today.

I join the legion of mourners in the loss of this lovable American gentleman.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. For the purpose of conferring about the program tomorrow, as I understand there has been some change.

Mr. McCORMACK. Mr. Speaker, yes. Tomorrow the bill increasing the debt limit will be brought up first. After that the military civil functions bill will be considered, and if the Rules Committee should reduce the period of debate on the Dies resolution from 3 hours to 1 hour, that will follow tomorrow. I doubt, however, that that will be reached tomorrow. It will then be taken up on Wednesday. This bill will come after that, and after the agricultural bill we will take up the Rogers bill.

Mr. MARTIN of Massachusetts. And that will probably be taken up on Thursday?

Mr. McCORMACK. It will be taken up after the agricultural bill is disposed of.

Mrs. ROGERS of Massachusetts. Will it surely be brought up this week?

Mr. McCORMACK. Yes.

Mrs. ROGERS of Massachusetts. The War Department is very anxious to have these women get into training.

Mr. McCORMACK. I am aware of that. I talked with General Marshall myself and put a letter from him into the RECORD. I think the gentlewoman from Massachusetts will concede that I have been cooperating with her in every way possible. I regret that the bill has not been brought up for consideration before.

Mrs. ROGERS of Massachusetts. They are very anxious to train these women.

Mr. McCORMACK. I understand that.

EXTENSION OF REMARKS

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. BRYSON. Mr. Speaker, on Friday next, after the disposition of all legislative matters and any special orders heretofore granted, I ask unanimous consent to speak for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a newspaper clipping from the New York Daily Mirror of March 7, 1942.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to insert in the Appendix a letter and resolution adopted by the Forty and Eight Club of Iowa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent Mr. BATES of Kentucky was granted permission to revise and extend his own remarks.)

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, in one to include a radio address entitled, "We will work to win," delivered over the National Broadcasting Co.; and the second to include a copy of a pledge sent to the President of the United States by 500,000 men signed yesterday.

The SPEAKER. Without objection, the request of the gentleman is granted.

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and to include two telegrams.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution recently adopted by the mayor and the board of aldermen of the city of Gretna, La.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks made in Committee of the Whole and to include certain correspondence by Senator BANKHEAD of Alabama.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHAPMAN. Mr. Speaker, during the discussion of the Department of Agriculture appropriation bill on Saturday, pertaining to the item providing expenditures of funds for the Tobacco Inspection and Tobacco Stocks and Standards Acts, several references were made by some of the other members to a letter which was written to me on March 4 by Mr. C. W. Kitchen, Associate Administrator of the Agricultural Marketing Administration. This letter throws a great deal of light on the subject that was under discussion, and until I saw the RECORD today I was under the impression it had been included in the remarks of one of the other gentlemen who discussed the amendment.

I ask unanimous consent to extend my remarks by including the letter in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TRANSPORTATION FOR DEFENSE EMPLOYEES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, a very real problem has arisen already in certain parts of the country, particularly the section I come from, due to the automobile and tire shortage, and the effect of these on the transportation of workers to defense factories such as the aircraft factories in southern California. I would like to suggest to those who have such problems in control the possibility of the use of some of the hundreds of busses now used on routes that simply parallel transcontinental railroad lines, which could be diverted for what this more necessary function, of transporting war industry workers who have no longer any adequate means of transportation, or shortly will not have such means, to their work.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances and include in each a newspaper editorial.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. ENGEL] is recognized for 20 minutes.

BROKERS' FEES ON SUBCONTRACTS

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a part of a proxy statement by the Hayes Aircraft Corporation, and a newspaper clipping.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ENGEL. Mr. Speaker, I desire to call the attention of the House to another instance of brokerage or payment of a commission for the obtaining of a defense contract. We have heretofore discussed and investigated mainly the contracts between the Government and the prime contractor. We have not heretofore investigated nor gone into, I believe, the thousands of subcontracts for defense materials existing between subcontractors and prime contractors. Any commission paid in obtaining these subcontracts must of necessity be added to the cost of the prime contractor who contracts with the Government. In figuring the percentage of profit the prime contractor figures his percentage of profit on the total cost of his subcontracts. These costs to him include commissions paid by the subcontractor in obtaining business. In other words, the taxpayer is paying not only a commission on the subcontract, but a profit on commissions.

Mr. Speaker, I have before me a case of brokerage or payment of a commission for the obtaining of this type of a defense contract. A part of the facts is stated in a proxy statement of the Hayes Manufacturing Corporation, Grand Rapids, Mich., signed "By order of the

board of directors, Theodore E. Dean, secretary, dated Grand Rapids, Mich., December 17, 1941." Paragraph 4 of this proxy statement explains an agreement between the Brewster Aeronautical Corporation of Long Island City, N. Y., which is engaged in the manufacture of bombers for the United States Navy as prime contractor with the Hayes Manufacturing Corporation of Grand Rapids, Mich., as subcontractor. There is mentioned in this paragraph a Hayes Aircraft Accessories Corporation, which, according to the Standard Corporation Record, is the exclusive sales agent for the Hayes Manufacturing Corporation. Paragraph 4 is an explanation to the stockholders as to just what the deal was between these three corporations and reads as follows:

Hayes Aircraft Accessories Corporation has no connection whatever with Hayes Manufacturing Corporation except in its status as sales agent for the latter In this capacity it obtained for the corporation a contract with Brewster Aeronautical Corporation for the manufacture of outer wing panels for the Brewster model 340 bomber. For obtaining this contract it has received a commission of 5 percent. Compliance with certain conditions precedent was required by Brewster Aeronautical Corporation of Hayes Manufacturing Corporation to render effective this contract, among which were (a) that the corporation make such changes in and additions to the directorate and executive personnel of the corporation as in the judgment of Brewster would reasonably assure satisfactory performance of the contract by the corporation and (b) that F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda acquire for retention for a reasonable period of time a stockholding interest in the corporation of not less than 100,000 shares in the aggregate to insure performance of the contract by the corporation.

The election of John Nickerson and Sylvan Oestreicher to the board of directors was accepted by Brewster as satisfactory compliance with 4 (a) above.

F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda purchased from the corporation 100,000 shares of its common stock (one-third each) in compliance with 4 (b) above. By this purchase F. William Zelcer, Alfred J Miranda, Jr., and I. J. Miranda, considered as a group, are the owners of 11.4 percent of the issued and outstanding common stock of the corporation. F William Zelcer. Alfred J. Miranda, Jr., and I. J. Miranda are the sole stockholders of Hayes Aircraft Accessories Corporation, which corporation does not own either of record or beneficially any securities of the corporation. The corporation is advised that Brewster Aeronautical Corporation does not own either of record or beneficially any securities of the corporation.

The facts disclose the following:

First. The Brewster Aeronautical Corporation is a New York corporation manufacturing airplanes and particularly bombers. According to the Bureau of Supplies and Accounts of the Navy Department this corporation was awarded up to February 13, 1942, 13 contracts by the Navy aggregating $20,643,167.02.

Second. The Hayes Manufacturing Corporation, of Grand Rapids, Mich., is a Michigan corporation reorganized several times, but had outstanding according to the Standard Corporation Record, on March 31, 1941, 774.664 shares of common stock of the par value of $2 with an authorized capital stock of 2,000,000 shares. The capital stock was increased on December 15, 1939, from 500,000 to 1,000,000 shares. It was further increased on March 10, 1941, to 2,000,000 shares of stock.

Third. The Hayes Aircraft Accessories Corporation was organized under the laws of the State of New York on April 12, 1940, with address at 6 East Forty-fifth Street, New York City, and according to a letter from the Secretary of State dated February 25, 1942, the amount of capital stock was 200 shares of no par value. The statement contained in the proxy statement of the Hayes Manufacturing Co. is that F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda are the sole owners of the Hayes Aircraft Accessories.

Mr. Speaker, in tracing this matter down I find that the Hayes Aircraft Accessories Corporation is in fact not an accessories corporation, but a sales corporation. I find that F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda are the principal officers, directors, and sole stockholders. This corporation holds an exclusive sales contract with the Hayes Manufacturing Corporation of Grand Rapids, Mich. Under this contract, dated June 28, 1940, the Hayes Aircraft Accessories Corporation agrees to bear the sales expenses necessary in the procurement of acceptable orders covering aircraft parts for the Hayes Manufacturing Corporation. In return for this the Hayes Aircraft Accessories Corporation is entitled to add to all quotations a sales commission not exceeding 10 percent with the condition that in order that the gross price quoted shall be competitive the Hayes Aircraft Accessories Corporation shall reduce its sales commission from 10 percent to a figure not below 5 percent. As stated before on December 30, 1940, the Brewster Aeronautical Corporation gave a subcontract for outer wing panels for the Brewster Model 340 bomber to the Hayes Manufacturing Corporation in the sum of $5,000,000. A statement filed with the Securities Exchange Commission by the Hayes Manufacturing Corporation indicates that through September 30, 1941, this concern, that is, the Hayes Manufacturing Corporation, paid commissions on contracts in the sum of $223,080 for the sale of aircraft parts. These commissions were undoubtedly paid to the Hayes Aircraft Accessories Corporation.

I have information that as of January 22, 1942, the Hayes Manufacturing Corporation had unfilled and pending orders for aircraft subassemblies amounting to approximately $12,200,000 more. Under this contract with the Hayes Aircraft Accessories Corporation, that corporation will receive a minimum of 5 percent or an additional $610,000 commission. In other words, here we have three individuals, F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda, sole owners, officers, and directors of a corporation organized on April 12, 1940, with 200 shares of no-par-value stock who will receive a total of at least $860,000 commission on defense subcontracts from one subcontractors, plus 11.4 percent of the profits of the subcontracting corporation.

Paragraph 6 of the proxy statement sent out to the stockholders by the Hayes Manufacturing Corporation reads in part as follows:

Mr. R. W. Clark became president and director of the corporation on February 3, 1941, and on March 10, 1941, was relected to both offices. Mr. Clark is entitled to receive, for services as president of the corporation from January 1, 1941, through September 30, 1941, the sum of $13,500, plus an amount to be determined as set forth in the next succeeding paragraph. Said aggregate sum constitutes one of the three highest amounts paid by the corporation to its officers, directors, and employees during said fiscal year.

Under a contract between the corporation and R. W. Clark, dated December 16, 1940, providing for the terms and conditions upon which R. W. Clark is to render services to the corporation as its chief executive officer, he is entitled to receive, in respect of the corporation's fiscal year ending September 30, 1941, a stated salary of $13,500. Under said contract he is also entitled to receive nine-twelfths of the aggregate of 2 percent of the net profits up to $500,000 arising from the operations of the corporation for the calendar year ending December 31, 1941, plus 2½ percent of the amount by which said net profits exceed $500,000, but do not exceed $750,000, plus 3 percent of all net profits in excess of $750,000. Net profits are to be determined in accordance with settled and applied accounting practices before deduction of any and all Federal and State taxes except local, real and personal property taxes, but after deduction of charges for depreciation. Mr. Clark is also granted an option in this contract to purchase (a) all or any part of 9,000 shares of the corporation's common stock at $4 per share, exercisable 90 day after December 31, 1941, if in the corporation's employ on that date, (b) all or any part of 8,000 shares of the corporation's common stock at $5 per share, exercisable 90 days after December 31, 1942, if in the corporation's employ on that date and (c) all or any part of 8,000 shares of the corporation's common stock at $6 per share, exercisable 90 days after December 31, 1943, if in the employ of the corporation on that date. The market value of the corporation's common stock on December 16, 1940, was $3.375 per share. None of said options has been exercised.

As of the present date the corporation has 875,000 shares of $2 par value common stock issued and outstanding.

I call attention to the fact that under the contract between the Hayes Manufacturing Corporation and R. W. Clark, as president, Mr. Clark is to receive in addition to his salary of $13,500, nine-twelfths of the aggregate of 2 percent of the net profit up to $500,000, 2½ percent of the net profit over $500,000 to $750,000, plus 3 percent of all net profit in excess of $750,000, net profits to be determined before the deduction of any and all Federal and State taxes, except real and personal property taxes.

Under this provision, the commission paid Mr Clark in addition to his salary, being deducted before the figuring of Federal income taxes, exempts that commission from the highest bracket corporation surtax and places it into the lower bracket individual surtax. Let us assume that the net profit of the corporation before payment of Federal taxes was $1,050,000, the corporation would have to pay the Federal Government 75 percent of the excess over $1,000,000 or 75 percent of the $50,000 If that $50,000 were paid as commission to Mr. Clark or

other officers of the corporation, that $50,000 being deducted before the corporation pays its taxes would not be subject to that 75 percent tax, but would go into the individual income tax of Mr. Clark or other officers drawing that commission and being subject to a much lower surtax. Undoubtedly the purpose of the provision is to get around the large corporation surtax levy.

I call attention to an article from the New York Times, dated Friday, February 27, 1942, which reads as follows:

BREWSTER DEFENDANT IN $10,000,000 SUIT—AERONAUTICAL CORPORATION STOCKHOLDER SEEKS TO RECOVER LOSS

A stockholders' accounting suit against officers and directors of the Brewster Aeronautical Corporation and other defendants, for recovery of losses alleged to exceed $10,000,000, was disclosed yesterday in Supreme Court when Justice Carroll G. Walter signed an order for examination of certain defendants before trial. The plaintiff, Magda Bysheim, was listed in the papers as owner of twenty-five shares.

The suit named as defendants nineteen individuals, the Brewster Export Corporation, Miranda Bros., Inc., and Hayes Aircraft Accessories Corporation. The individuals included James Work, head of Brewster Aeronautical, and Alfred J. Miranda, Jr., head of Miranda Bros., aircraft exporters. The complaint declared that the Miranda interests owned stock in Brewster Export and dominated officers and directors of Brewster Aeronautical through substantial stock ownership in that corporation.

The complaint charged that the Mirandas influenced Brewster Aeronautical to make Brewster export its sole sales agency and to give it "excessive commissions," even on sales not negotiated or consummated by Brewster Export. The complaint charged further that Brewster Aeronautical refused to purchase from concerns not represented by Brewster Export or the Mirandas as sales agents, and that through the Mirandas, Brewster Aeronautical gave orders for airplane parts to the Hayes firm on a noncompetitive basis.

The defendants entered a general denial and specifically denied any wrongdoing.

I have not had an opportunity to check on this phase of the question. All I know is what is contained in this article. Apparently, the same type of commission that is being paid to the Hayes Aircraft Accessories Corporation is being paid to the Brewster Export Corporation and Miranda Bros., Inc., on all production for export of the Brewster Aeronautical Corporation.

I am wondering to what extent the United States Government is being affected through its lend-lease operations with our Allies in this war by the commission agreements above referred to.

This whole matter ought to be thoroughly investigated and exposed.

CONCLUSION

I wish to state that I have discussed this matter with Under Secretary of War, Robert P. Patterson While very little war-contract fees are involved, I know Mr. Patterson will see that the illegitimate practices will be eliminated. I have also taken up the matter with Secretary of the Navy, Frank Knox, who has assured me that he too will go into this matter thoroughly. He informed me personally that they were now investigating the Brewster Aeronautical Corporation and the Brewster Export Corporation with a few of correcting irregularities and at the same time retaining the manufacturing facilities of the manufacturing corporation.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. HOFFMAN. What is the relationship, if any, between the firm, or corporation, the three stockholders, the prime contractor and the subcontractors?

Mr. ENGEL. On the face of it there is apparently no relationship.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. MARTIN J. KENNEDY. These charges are very startling. What authority does the gentleman have to support them, if any?

Mr. ENGEL. I have here before me the proxy statement of the Hayes Manufacturing Corporation, of Grand Rapids, Mich., dated December 17, 1941, sent out to its stockholders; the matter that appeared in the New York Times, and a letter from the Secretary of State of New York. I also took some information from the files of the Securities Exchange Commission.

Mr. MARTIN J. KENNEDY. But the matter the gentleman is referring to is all a matter of public record, is it not?

Mr. ENGEL. The records of the Securities and Exchange Commission show that the Hayes Manufacturing Corporation paid $223,000 commission. In addition to that it shows they have $12,000,000 in subcontracts still unfilled.

Mr. MARTIN J. KENNEDY. Is the gentleman suggesting that the Army or the War Department is in collusion with this company?

Mr. ENGEL. No; not at all. Judge Patterson, Under Secretary of War, assured me he would do what he could to eliminate this practice so far as the Army is concerned. Col. Frank Knox, Secretary of the Navy, gave me the same assurance. The Navy Department already had information regarding the Brewster Export Corporation and Miranda Brothers but knew nothing about the Hayes Aircraft Accessories Corporation.

Mr. MARTIN J. KENNEDY. Does not the Securities and Exchange Commission pass upon these proxy statements?

Mr. ENGEL. They pass upon the form which comes up but this is a report of the corporation to its own stockholders.

Mr. MARTIN J. KENNEDY. It is a public record.

Mr. ENGEL. I presume it is; yes.

Mr. MARTIN J. KENNEDY. What was this about, a stockholders' action or something?

Mr. ENGEL. No; I am just discussing this in connection with showing up waste of taxpayers' money. This $850,000 commission paid on this Navy subcontract becomes a part of the cost of the subcontract and is ultimately paid by the taxpayer. The three men who received it did absolutely nothing to earn it. The Navy gave this Brewster company 13 contracts aggregating more than $20,000,000. The $5,000,000 subcontract let to the Hayes Manufacturing Corporation, including the 5-percent commission, becomes a part of the total cost of the prime contract. The Navy does not go back and audit the subcontract, it merely audits the prime contract.

Mr. MARTIN J. KENNEDY. But the Navy has knowledge of these associations and relationships.

Mr. ENGEL. Apparently they did not have such knowledge in this case.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. DITTER. While there may be no evidence of collusion such as the gentleman refers to, does the gentleman from Michigan feel that the conditions he has laid before the House indicate and designate a competency in administration and a care with reference to the expenditure of public funds that would bring the utmost in the way of preparedness and defense for the taxpayers' money expended?

Mr. ENGEL. What I am pointing out, I may say to my colleague from Pennsylvania, is that somebody in the Government has paid out $850,000 in commission to a corporation organized in April of 1940 with 200 shares of non-par-value stock. This corporation is owned by three men who have done nothing to earn this vast sum and have given no value in return. Here is $850,000 of the taxpayers' money wasted, the price of 3 bombers gone down a rat hole.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. BURDICK. I have been very interested in following every speech the gentleman has made upon this subject. Has the gentleman come to any conclusion of his own from his investigation, of waste in building army camps and such matters that he can now bring to our attention, any conclusion as to the percentage of waste and loss on those contracts?

Mr. ENGEL. I may say to the gentleman that according to the Graham Committee which investigated the waste in the building of cantonments in World War No. 1, it cost $206,000,000 to build the cantonments where 4,000,000 were housed and trained in that war.

It cost us in this emergency $800,000,000 to build the cantonments where the first 1,400,000 men were housed and trained. Pearson and Allen stated in the Merry-Go-Round that I charged the Army with wasting $250,000,000, and went on and proved it. The Washington Merry-Go-Round can scarcely be said to be unfriendly to the New Deal. The Army wasted at least $250,000,000 on the first Army cantonment program of this emergency. This is $44,000,000 more than it cost us to build all the cantonments where 4,000,000 men were housed and trained in World War No. 1.

Mr. DITTER. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I feel that this is certainly the occasion when some one should commend the gentleman from Michigan

for the work he has been doing in showing the waste and the extravagance, and I feel confident that while some may not appreciate it, the taxpayers of the country are grateful for the energy with which the gentleman has approached the matter and the job he has done in uncovering the conditions that are present.

Mr. ENGEL. I thank the gentleman.

Mr. HOFFMAN. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Michigan.

Mr. HOFFMAN. It having been established that this waste has existed and is continuing, what can the gentleman say that we do about it? The taxpayers are getting sore. What can we do to stop it?

Mr. ENGEL. I do not know. I have done everything I could.

Mr. MARTIN J. KENNEDY. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New York.

Mr. MARTIN J. KENNEDY. Did any of the company men have an opportunity to reply to the statement of yours? Did the gentleman invite them to answer his question?

Mr. ENGEL. I do not know what answer there can be to men taking a 5-percent commission on a Government defense contract. What answer can there be? Can you tell me what these three men did to earn the $860,000 that they received in commissions on these subcontracts between the Brewster Aeronautical Corporation and other corporations as prime contractors, and the Hays Manufacturing Corporation, as subcontractor? What did they do for the money? What did the taxpayers receive in value for this $850,000 paid these men in commissions?

Mr. EDMISTON. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from West Virginia.

Mr. EDMISTON. I was called to the telephone and did not hear the conclusion of the gentleman's statement. As I understand, this was a Navy contractor who sublet to the incorporators of this intermediate corporation?

Mr ENGEL. No; that is wrong. These three men incorporated a corporation under the laws of the State of New York, with 200 shares of no-par-value stock. They were the sales agent in between the prime contractor and the subcontractor. They rendered no service. They were doing exactly what a lobbyist does down here when he gets a commission from the prime contractor for getting a Government defense contract.

Mr. EDMISTON. The prime contractor, under existing law, must go to the Navy Department when they let him a contract. Why is he dealing through this other corporation? He must show some reason for that.

Mr. ENGEL. I do not know about that. Mr. Knox told me that they were investigating the other two corporations, the Brewster Export Corporation and Mirandas Bros., Inc. There are billions of dollars spent in defense subcontracts. This is the first one I have come up against where they had a subcontract commission.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CAMP (at the request of Mr. BROWN of Georgia), for 4 days, on account of official business.

To Mr. COURTNEY (at the request of Mr. DAVIS of Tennessee), for 3 days, on account of illness.

To Mr. DREWRY, Mr. IZAC, Mr. SASSCER, Mr. HEFFERNAN, Mr. MAAS, Mr. MOTT, and Mr. BATES of Massachusetts (at the request of Mr. DREWRY), for 1 week, on account of official business.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1535. An act for the relief of the estate of John J. Murray;

H. R. 2120. An act for the relief of John H. Durnil;

H. R. 2430. An act for the relief of John Huff;

H. R. 4896. An act for the relief of David B. Byrne;

H. R. 5478. An act for the relief of Nell Mahoney;

H. R. 6511. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes; and

H. R. 6531. An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and non-ferrous-metal scrap.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1535. An act for the relief of the estate of John J. Murray;

H. R. 2120. An act for the relief of John H. Durnil;

H. R. 2430. An act for the relief of John Huff;

H. R. 4896. An act for the relief of David B. Byrne;

H. R. 5478. An act for the relief of Nell Mahoney;

H. R. 6511. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes; and

H. R. 6531. An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and non-ferrous-metal scrap.

ADJOURNMENT

Mr. STARNES of Alabama. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 10, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Wednesday, March 11, 1942, at 10 a. m., subcommittee No. 3 of the Committee on the Judiciary will continue hearings on H. R. 6444, to provide for the registration of labor organizations, business, and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building, Washington, D. C.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing at 10 a. m. on Wednesday, March 11, 1942, on H. R. 6633, H. R. 6717, H. R. 6718.

COMMITTEE ON BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Buildings and Grounds on Wednesday, March 11, 1942, at 10 a. m. for consideration of H. R. 6483. The hearing will be held in the caucus room, Old House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1466. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 24, 1941, submitting a report, together with accompanying papers and an illustration, on a review of the reports on the Ohio River, with a view to providing protective works at Reevesville, Ill., and for protection of interstate highways and railroads from floods, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on June 16, 1938; to the Committee on Flood Control.

1467. A letter from the Secretary of War, transmitting a draft of a proposed bill to exempt from duty personal and household effects brought into the United States under Government orders; to the Committee on Ways and Means.

1468. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942, amounting to $7,000, and a draft of a proposed provision pertaining to an existing appropriation, for the Department of State (H. Doc. No. 656); to the Committee on Appropriations and ordered to be printed.

1469. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend sections 1305 and 1306 of the Revised Statutes, as amended; to eliminate the prohibition against payment of deposits, and interest thereon, of enlisted men until final discharge; to the Committee on Military Affairs.

1470. A letter from the Secretary of War, transmitting a draft of a proposed bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones; to the Committee on Military Affairs.

1471. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942, amounting to $4,750,000, for the Immigration and Naturalization Service of the Department of Justice (H. Doc. No. 657); to the Committee on Appropriations and ordered to be printed.

1472. A letter from the Postmaster General, transmitting a draft of a proposed bill to amend an act to fix the hours of duty of postal employees, and for other purposes, approved August 14, 1935, as amended, as to permit payment for overtime for Saturday service in lieu of compensatory time; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TOLAN: Select Committee Investigating National Defense Migration submits

a third interim report pursuant to House Resolution 113, Seventy-seventh Congress, first session; without amendment (Rept. No. 1879). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 6641. A bill to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937; with amendment (Rept. No. 1880). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr MONRONEY:

H. R. 6752. A bill to confer jurisdiction in the United States courts in cases involving work stoppage for illegitimate and nonlabor purposes; to the Committee on the Judiciary.

By Mr PADDOCK:

H. R. 6753. A bill to authorize the Securities and Exchange Commission to suspend, so far as is consistent with the public interest, the exercise of its duties and functions under section 11 of the Public Utility Holding Company Act of 1935; to the Committee on Interstate and Foreign Commerce.

By Mr. WICKERSHAM:

H. R. 6756. A bill to increase the number of midshipmen at the United States Naval Academy; to the Committee on Naval Affairs.

H. R. 6757. A bill to increase the number of cadets at the United States Military Academy; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr LELAND M. FORD:

H. R. 6754. A bill for the relief of Alva Burton Rickey; to the Committee on Claims.

By Mr ROBINSON of Utah:

H. R. 6755. A bill for the relief of certain Basque aliens; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2538. By Mr. CRAWFORD: Petition of Mrs. Vera Jacobs and 80 other residents of Shiawassee County, Mich., asking for the enactment of Senate bill 860; to the Committee on Military Affairs.

2539. By Mr. LUTHER A. JOHNSON: Memorial of Hon. Coke Stevenson, Governor of Texas; Gerald C. Mann, attorney general; George H. Sheppard, State comptroller; Jesse James, State treasurer; William J Lawson, secretary of state; L. A. Woods, superintendent of public instruction, and Brady Gentry, chairman, State highway department, opposing House bills 6617 and 6750; to the Committee on Ways and Means.

2540. By Mrs. NORTON: Resolution adopted by the board of commissioners of the city of Bayonne, N. J., protesting against the passage of any law which has for its purpose the taxing of municipal bonds; to the Committee on Appropriations.

2541. By Mr. ROLPH: Resolution of the board of supervisors of San Benito County, Calif., adopted March 2, 1942, relative to the matter of evacuation and concentration of all Japanese and their descendants to a concentration camp under supervision of the Federal Government; to the Committee on Military Affairs.

2542. By the SPEAKER: Petition of the municipal council of St. Thomas, V. I., petitioning consideration of their resolution with reference to method used by the Governor of the Virgin Islands to get amendments passed by the Congress of the United States of America to the Organic Act of the Virgin Islands, United States of America; to the Committee on Insular Affairs.

SENATE

TUESDAY, MARCH 10, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou Christ of God, who didst come not to be ministered unto but to minister, and to seek and to save that which was lost in our humanity: Help us each day to realize that only the eternal is important and that faith in Thee survives all change, satisfies the cravings of the soul, enables us to see the things that unite us in the Kingdom of God, and to overlook the things that separate us each from the other.

Grant to us all the strength and determination to purge from our lives, in these days of fiery trial, all that is unlovely and whatsoever is of ill report. And, as we strive to rise and to acquit ourselves like men, do Thou reveal to us again the wondrous fact that the dynamic of the Cross hath continuing power to heal, soothe, and cleanse the broken lives of all who are oppressed, and that the truest, holiest manhood trusts in the Fatherhood of God, clings to the ideals of brotherhood, and prays continually that Eternal Love shall reign in the hearts of men. In Thy Name and for Thy sake alone we dare to pray. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Monday, March 9, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 3798) to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF SECRETARY OF THE SENATE (S. Doc. No. 176)

A letter from the Secretary of the Senate, submitting, pursuant to law, his annual report for the period from July 1, 1940, to June 30, 1941, inclusive (with an accompanying report); ordered to lie on the table and to be printed.

HOURS AND DUTY OF POSTAL EMPLOYEES

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time (with an accompanying paper); to the Committee on Post Offices and Post Roads.

PETITIONS

Mr. TYDINGS presented the following petitions, which were referred as indicated:

A petition of sundry citizens of the State of Maryland, praying for the enactment of legislation to outlaw strikes; to the Committee on Education and Labor.

A petition of sundry citizens of Prince Georges County, Md., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

OPERATIONS OF THE OFFICE OF CIVILIAN DEFENSE—PETITION

Mr. TYDINGS also presented a paper in the nature of a petition from sundry citizens of the State of Maryland, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, without the signatures attached thereto, as follows:

To the Senators and Congressmen of the People of the United States:

We, the undersigned, do absolutely and unrestrictedly hereby object to the conduct of the National Office of Civilian Defense. The words "Office of Civilian Defense" were believed by us to mean defense of civilians' lives and property in case of air-raid attacks. In order for that defense to be built up we believed that one office would be set up in each city or area. That out of that office would be sent people to teach civilian volunteers their duties in the various branches of needed civilian defense.

We did not know, when we volunteered our time and our services, that one office, very capably handled, by a man in charge volunteering his services in civilian defense free, would do all the work, while another office, tenanted by people drawing big salaries, would carry on absolutely unnecessary foolish tasks. We refer to hale America. We are not yet the dumb, strong Americans that Mr. Kelly would have us.

We are intelligent Americans, and we are insisting that the Office of Civilian Defense be changed to mean what the name implies.

We are demanding that the money, which is being spent on salaries in these unnecessary offices be taken away immediately and be spent on gas masks for the civilian population. In the case of Baltimore alone, $28,000 would buy a few gas masks.

We have volunteered for the defense of the civilians, and we are not going to stand for gymnastics, racial advisers at $4,600 per year, or the other frills, while articles necessary cannot be obtained.

On February 17, 1942, Secretary of War Stimson stated that our coasts are very vulnerable to attack.

On February 18 the Baltimore Evening Sun published a list of articles the air-raid warden will have to have, but they will have to buy all except their insignia, arm bands, and gas masks (if and when they can get them), because the money is not available.

On February 19 the morning Sun published facts about a separate office set up in Baltimore with salaries amounting to $28,000, and eight other offices of the same type over the United States at a total cost of $356,000.

We, the undersigned, not being dumb, strong Americans, have no intention of letting this matter slide. We want action now, not next month, or not after an enemy attack, but now.

If these parasites cannot volunteer their services, we want those offices abolished immediately, and we want proof that this has been done.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. CAPPER. Mr. President, I present an impressive petition signed by 523 citizens of Newton, Kans., appealing to the Congress for early and favorable action on Senate bill 860, which would prohibit the sale of intoxicating liquor near Army camps or Navy stations. I think we should supply all the protection possible to the fine young men who are training to take their part in our war emergency and I hope the Senate will take prompt action. The enactment of Senate bill No. 860 seems to me to be a step in the right direction. I ask that the petition be appropriately disposed of.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Kansas will be received and lie on the table.

RESOLUTION OF KANSAS OIL MEN'S ASSOCIATION—PROTEST AGAINST INCREASE IN FEDERAL GASOLINE TAX

Mr. CAPPER. Mr. President, I also present and ask unanimous consent to have printed in the RECORD and appropriately referred a letter with an accompanying resolution adopted by the Kansas Oil Men's Association at their annual meeting in Wichita on February 23, 1942, protesting against any increase in the Federal gasoline tax. I am in full sympathy with the stand taken by this organization and hope that their appeal will be heeded by the Federal Government.

There being no objection, the letter, with an accompanying resolution, was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

KANSAS OIL MEN'S ASSOCIATION,
Wichita, Kans., March 2, 1942.

Hon. ARTHUR CAPPER,
United States Senator,
House Office Building,
Washington, D. C.

DEAR SENATOR CAPPER: I am attaching a communication, which has been sent to each Congressman and to Senator CLYDE M. REED, from the Kansas Oil Men's Association.

This resolution was drawn up and adopted during their annual convention held on February 23 and 24 in Wichita, Kans., at which around 400 oil men from over the State were in attendance.

I am calling your attention to this resolution and know that you will continue as you have in the past to oppose any increase in the Federal gasoline tax.

With kindest personal regards, I am,

Very truly yours,
C. E. HOLMES, *Secretary.*

[Enclosure.]

Be it

Resolved at the yearly meeting of the Kansas Oil Men's Association held in Wichita, Kans., on February 23, 1942, That the officers, directors, and members of the association go on record as opposing any increase in the Federal gasoline tax and urge that you, as United States Senator from Kansas, continue to oppose any further increase in the Federal gasoline tax until taxes on other commodities and necessities are raised in proportion to the present rate on gasoline.

We also want you to know that we do appreciate your efforts in the past and hope that you will continue opposing this increase in the future, because of the additional hardship an increase in Federal gasoline tax will work on the farmers and wage earner.

STRIKES IN DEFENSE INDUSTRIES

Mr. MAYBANK. I should like to take just 1 minute in order to read a copy of an Associated Press dispatch, which has been somewhat circulated in South Carolina, and to ask that the Truman investigating committee be instructed to investigate the facts so that the people may be more enlightened, and so that I, myself, may know the facts.

The dispatch is as follows:

[From the South Carolina State]

NEW YORK, March 1.—The National Association of Manufacturers said tonight that the number of strikes in war-production plants during February increased 77 percent over January, involved 357 percent more workers, and resulted in 206 percent more man-hours lost than in the preceding month.

The association said its statement was based on compilations of strikes reported in metropolitan newspapers and papers in principal industrial centers and did not attempt to cover every strike action.

In February, the association asserted, men involved in war-industry strikes totaled 70,905 compared to 15,512 in January, and the number of strikes rose from 43 to 76, with man-hours lost increasing from 66,976 in January to 2,028,824.

The majority of the defense-plant strikes, the association declared, had involved Congress of Industrial Organizations local unions, and six were said to be jurisdictional disputes between the Congress of Industrial Organizations and the American Federation of Labor, with the remainder involving independent unions.

Many of the strikes, the association said, could be described as critical and had delayed production of such basic war products as bomber parts, antiaircraft guns, ships and ship parts, armor plate, machine tools, and dies.

This is the statement which I should like to have fully investigated for the good of our people by the Special Committee to Investigate the National Defense Program.

The VICE PRESIDENT. The statement will be referred to that special committee.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

Mr. ELLENDER, from the Committee on Post Offices and Post Roads, reported favorably the nomination of Caliste Alexis Duplantis, to be postmaster at Houma, La., in place of C. A. Duplantis, whose commission expired July 27, 1941.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. CLARK of Missouri (by request) introduced Senate bill 2357, which was referred to the Committee on Naval Affairs, and appears under a separate heading.)

By Mr. NYE:

S. 2358. A bill to amend the act of April 27, 1916, establishing the Army and Navy medal of honor roll; and

S. 2359. A bill to provide for pensions for the widows of certain troops who served in action involving Indian uprisings; to the Committee on Pensions.

By Mr. McKELLAR:

S. 2360. A bill to amend "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time; to the Committee on Post Offices and Post Roads.

S. 2361. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, with respect to the manner of the exercise of the power of condemnation by the Tennessee Valley Authority and to require the receipts of the Authority to be covered into the Treasury; to the Committee on Agriculture and Forestry.

By Mr. O'MAHONEY:

S. 2362. A bill relating to the jurisdiction over certain lands in the Isle Royale National Park; to the Committee on Public Lands and Surveys.

UNIFICATION OF ARMED FORCES OF THE UNITED STATES

Mr. CLARK of Missouri. Mr. President, in the two preceding Congresses and in the present Congress I have introduced measures for the unification of the land, air, and naval forces of the United States by the merger of the War Department and the Navy Department into a single department of national defense, the idea being a unified command of all our sources of national defense or offense.

It seems to me that the lessons of Pearl Harbor have very much emphasized the necessity and the desirability of such legislation. In the current issue of Collier's magazine, for March 14, 1942, there appears a most enlightening and penetrating article by Gen. Johnson Hagood, of the United States Army, retired. I do not think I need to take the time of the Senate to recite the qualifications and abilities of General Hagood, because they have been recognized all over the country by reason of his long service and distinguished career.

I wish to take the time of the Senate merely to read one or two paragraphs from General Hagood's article. Says General Hagood:

Whatever may have been the shortcomings of the admiral and the general at Pearl Harbor, whatever may have been the treachery of the Japanese, we must not overlook the fact that we invited it all by our total lack of a definite line of authority and responsibility in our system of defense, beginning in Washington and extending down to every naval base and fortified harbor at home and abroad.

If the naval bases at New York, Norfolk, San Francisco, or Bremerton were attacked today, as at Pearl Harbor, there would be no

one man in charge of the combined land, naval, and air forces to whom an order could be issued to resist this attack, and there would be no one man in the United States short of the President who could issue such an order. And even if some one man were assigned to that duty, as at Hawaii since Pearl Harbor, he would have supreme control only in actual battle; plans and preparations for defense would be made by a complicated organization in Washington, over which he or the Navy would have no control whatever.

Military secrets are mainly secrets from the American people. We fool one another but we do not fool the enemy. The Japanese knew that we had no inner patrol at Pearl Harbor, but Admiral Kimmel did not know it. The Japanese knew that we had no outer patrol, but General Short did not know it. The Japanese high command knew that the Army watch was to be relieved at 7 o'clock on the fatal morning of December 7, but the American high command in Washington did not know it.

There were six different agencies in charge of one phase or another of the Pearl Harbor defenses, and each of these agencies received its orders from a different source. The Army alone received orders from several different sources:

A little later General Hagood says:

In the War Department there are the chiefs of branches—Cavalry, Field Artillery, Coast Artillery, and Infantry—

I am very happy to say, Mr. President, that undoubtedly since General Hagood wrote the article that situation has been obviated by the general order of the President—

who, besides the Air Corps and the Chemical Warfare Service, were strongly competing as to their relative importance in the national defense. The officers of these several arms, serving in the Hawaiian Department have looked beyond their immediate commanders and have striven for the favor of their respective chiefs of branches in Washington, well knowing that it is they and not their transient military commanders in the field who hold the fate of their future.

There can be no doubt that during the past 20 years infantry officers in the Hawaiian Department have been much more interested in developing a good infantry division than they have been in the defense of Pearl Harbor.

He says a little later:

One of the most distinguished generals ever in the Philippines was on very bad terms with one of the most distinguished admirals. They refused to accept each other's dinner invitations. And the general refused point-blank to do something that he was asked to do by the Governor General.

At this point I ask unanimous consent to have General Hagood's article printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. The Chair is informed that the article was inscrted in the RECORD yesterday at the request of the senior Senator from Wisconsin [Mr. LA FOLLETTE]

Mr. CLARK of Missouri. I was not aware of that; therefore I withdraw the request.

Accompanying the article is a draft of a bill prepared under General Hagood's direction for the creation of a department of national defense. I introduce the bill, if I may have unanimous consent, out of order, for that purpose, and ask that it be referred to the Committee on Naval Affairs. I introduce the bill by request not because I agree with everything in General Hagood's bill, for I conceive that the detail and particularization provided in General Hagood's bill for the streamlining of the Army and Navy are matters within the purview of the authority of the Executive, to be performed by Executive order rather than by congressional action. But in order that the whole subject may be before the Committee on Naval Affairs, I ask that the bill be referred to the Committee on Naval Affairs so that it may be considered in connection with a bill I have heretofore introduced.

The VICE PRESIDENT. Without objection, the bill will be received and referred to the Committee on Naval Affairs.

The bill (S. 2357) to unify the land, the naval, and the air forces of the United States, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

NATIONAL FARM PROGRAM—ADDRESSES BY THE PRESIDENT, VICE PRESIDENT, AND SECRETARY OF AGRICULTURE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD radio addresses delivered on March 9, instant, by the President, the Vice President, and the Secretary of Agriculture, respectively, in connection with the ninth anniversary of the national farm program, which appear in the Appendix.]

SOME TRAGIC MISJUDGMENTS OF HISTORY—ARTICLE BY CHAPLAIN G. C. SCHWARTZ

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article from the Mississippi Veteran of February 1942 by Chaplain G. C. Schwartz, entitled "Some Tragic Misjudgments of History," which appears in the Appendix.]

CONSCRIPTION IN CANADA FOR FOREIGN SERVICE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an article from the Washington Star of February 27, 1942, relating to the debates in the Canadian Parliament on the question of conscription for foreign service, which appears in the Appendix.]

THE ITEM VETO—AMENDMENT

Mr. VANDENBERG. Mr. President, 2 years ago I introduced a proposed constitutional amendment to provide for the so-called item veto which would permit the President to discriminate between the countless different parts of an appropriation bill in passing upon it for his signature. The proposal still lingers in the Senate Judiciary Committee where the present distinguished chairman, the Senator from Indiana [Mr. VAN NUYS], has promised early consideration. He heartily favors the basic idea. I think, however, that it is his view that the item veto can be created by direct legislation. I have always leaned to that view myself, although I initiated the matter in more fundamental form in the first instance.

Now that we suddenly confront fabulous appropriation totals and many interrelated problems of vital war concern to the country, it seems more than ever necessary that the Presidential veto should be afforded some degree of that same discretion and selectivity in respect to the component parts of an appropriation bill which the Congress itself enjoys when it formulates and passes these bills. Therefore, without intending to impinge in any way upon the jurisdiction of the Senate Judiciary Committee in respect to general law upon the subject, I want, at the first opportunity, to raise the direct issue in the Senate for a test of Senate sentiment.

The governors of at least 40 out of 48 States have the privilege of the item veto, and I have yet to hear of a single instance in which its use has been contrary to the public interest. I doubt if any of these States would think for an instant of crippling the Executive discretion by withdrawing the power of the item veto. I know of no reason why the President of the United States should not have similar opportunity to deal effectively with Federal appropriation bills. It is not the creation of new Executive authority. Congress still has the last word. It is merely the interposition of a new device to make existing Executive authority more discriminating and more effective. Such a device could easily become desperately important in war times.

Furthermore, an economy-minded President may easily be quite helpless in dealing with appropriations if he is confined to a blanket "yes" or "no" to the lump-sum appropriation totals in the gigantic annual supply bills which now confront the country, and if he is forbidden to send back specific items for congressional review.

The President has commented to me upon this subject in a recent letter. He speaks of the item veto as "very much needed." Then he says:

As you know, many of the States have it.

Referring to the item veto.

I had it when I was Governor of New York, and although the legislature in both branches was Republican and I, as Governor, was a Democrat, the power was carried out in good faith on both sides. My recollection is that as Governor I only vetoed three or four items in the whole 4 years I was in Albany, and no effort was made to pass the vetoed items over my disapproval.

In regard to the present situation in Washington, there are, of course, two schools of thought—the first is that a constitutional amendment would be necessary. I do not hold with this school.

I think the other method is constitutional whereby the legislative branch of the Government can pass legislation with the item veto power in it. The whole process could, it seems to me, be tested out by inserting a simple clause in the appropriation bill and applying only to that bill. This, at least, would get the matter before the Senate, and I think I am right in saying that an amendment of this kind to an appropriation bill could be brought up on the floor at the time the bill was pending.

M.. President, without intending to invade the Judiciary Committee's consideration of the general law on this subject, I want to give notice that I shall raise direct issue in connection with the next appropriation bill coming to the Senate, and, inasmuch as this will probably be the independent offices appropriation bill, I am now, out of order, asking unanimous consent to present an amendment intended to be offered to House bill 6430 when the time comes. I ask that

the amendment be referred to the Appropriations Committee for its consideration, and that it be printed in the RECORD.

There being no objection, the amendment intended to be proposed by Mr. VANDENBERG to the bill (H. R. 6430) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1943, and for other purposes, was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

At the proper place in the bill, add the following new section:

"SEC. —. When this bill shall have passed the House of Representatives and the Senate and shall have been presented to the President for his approval, the President shall have power to disapprove any item or items contained in this bill, in the same manner and subject to the same limitations as he may, under article I of section 7 of the Constitution of the United States, disapprove as a whole any bill which shall have been presented to him for his approval. The provisions of such section 7 which relate to reconsideration shall also apply to any item or items so disapproved to the same extent as they apply to a bill that has been disapproved by the President."

Mr. BARKLEY. Mr. President, if the Senator from Michigan will yield, I think it is important that the Congress at an early date, be given an opportunity to express its judgment about this matter, which has been discussed for many years. There has been quite an honest difference of opinion as to whether it may be done by legislation or whether it will require a constitutional amendment. If it can be done by legislation, of course, it is infinitely quicker and better to do it in that way than to go through the delay of a constitutional amendment and ratification by the various States.

I was familiar with the correspondence between him and the President to which the Senator has just referred; in fact, we had discussed it in the light of the situation which had been brought to the President's attention a few days ago by the Senator's letter.

I am in full sympathy with the desire to bring this change about as early as possible, and, as the President at one time said about another matter, it may be worth while taking a chance, even though there is in the mind of some an honest doubt as to whether it will be sustained as constitutional. We pass many laws the result of which we cannot foresee if they get into the courts. The worst the Supreme Court could do would be to nullify the act of Congress, and then we would know whether it would have to go through the ordinary process of constitutional amendment.

Mr. VANDENBERG. I thank the Senator from Kentucky for his observations. I wish to add, as bearing upon the point which he submitted, that when I first raised the question 2 or 3 years ago the best advice I could secure at that time indicated the need for a constitutional amendment to sustain the fundamental question of law on the subject. As the Senator from Kentucky says, there is still a difference of opinion, although I think the weight of opinion is now with the sponsors of legislative action. There is a difference of opinion regarding the constitutionality of a fundamental law, but the same authorities I have consulted agree that there is a rather different situation presented when we are merely writing a limitation into an appropriation bill applying to the bill. In other words, the same sort of provision would be put in every appropriation bill and would probably entirely avoid the constitutional question to which the able Senator from Kentucky refers.

Mr. BARKLEY. That theory falls into the category somewhat of that upon which we have in recent years put into laws provisions which are in the nature of conditions subsequent, that upon the happening of a future event, to wit, the adoption of a concurrent resolution by the Congress, the law shall cease to exist. That practice has been attacked by many constitutional lawyers as an effort to avoid the responsibility of the President in vetoing legislation, but it has been adopted on the theory that Congress could fix a condition that is to happen in the future, not only regarding concurrent resolutions but it might fix any other contingency that might happen in the future, upon the happening of which the act itself would thereby be terminated and ended. It would be in the nature of a limitation on a specific appropriation, and would be somewhat after the fashion of a condition subsequent, the condition subsequent being that the President disagreed to any particular item in the bill.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. LA FOLLETTE. I do not wish to have the statement of the Senator from Kentucky pass unchallenged. In my opinion, this proposed amendment—and I am not speaking now in regard to its merits—is in no wise in the category of a limitation on an appropriation or upon an appropriation bill. I think it is clear that it would be general legislation, and that, under the rules of the Senate, the Senator would have to offer the amendment to an appropriation bill, if he desired to do so, after he had given notice in writing of a motion to suspend the rule.

I did not want the colloquy to close without making this statement.

Mr. BARKLEY. The question raised by the Senator from Wisconsin is a parliamentary one, which pertains to the rules of the Senate. It does not go to the fundamental proposition as to the ability of the Congress to insert in an appropriation bill, or even to confer in general legislation, authority under which the President can veto items in an appropriation bill, or even in other bills.

Mr. LA FOLLETTE. That is true. I may say to the able Senator from Kentucky that my only reason for making the statement was that he employed the phrase that "it would be in the nature of a limitation upon an appropriation bill."

Mr. BARKLEY. I still think it is of that nature. It is not the sort of limitation we have been in the habit of placing on such bills, but it certainly limits the particular item to which it relates.

Mr. VANDENBERG. I thank the Senator from Wisconsin for his suggestion. All I want is to have this matter cleared up. It was canvassed with the Legislative Counsel this morning. I am well aware of the parliamentary situation which may become involved.

It is probably true that if the Committee on Appropriations should report the amendment as a part of the next appropriation bill, it would not require a notice to suspend the rule; but if it develops that notice is necessary, the notice has been prepared and will be filed in due time. So that, willy-nilly, and regardless of parliamentary devices, I am hopeful the Senate may have opportunity in the near future to determine whether the President of the United States shall have as much effective discretion in respect to such items in appropriation bills as 40 States out of 48 have found it necessary and advisable to give their chief executives.

Mr. McKELLAR. Mr. President, it is true that a great many States have such a practice, but they provided for it in their constitutions.

Mr. VANDENBERG. That is correct.

Mr. McKELLAR. The trouble, so far as the Federal Government is concerned, is that the American Constitution does not provide for veto of separate items.

Mr. VANDENBERG. It does not prohibit it, either.

Mr. McKELLAR. I think it would be better if the Senator, in addition to giving notice of a motion to suspend the rule, would introduce a joint resolution providing for an amendment to the Constitution along the line of his suggestion, for, in my judgment, notwithstanding what the legislative counsel may have said to the Senator, the only way ever to accomplish anything along this line will be by a constitutional amendment.

Mr. VANDENBERG. I have anticipated the able Senator from Tennessee by 3 years. Three years ago I presented a constitutional amendment to this effect; it is now pending before the Senate Committee on the Judiciary, and the able chairman of the committee has promised, with his full sympathy and support, to arrange for hearings within 2 or 3 weeks. I am merely proceeding down every possible avenue to reach what I believe to be a desirable net result.

Mr. McKELLAR. I think the only avenue is that adopted by the Senator in the first instance.

Mr. LA FOLLETTE. I ask unanimous consent to insert in the RECORD at this point the pertinent paragraph of rule 16.

The VICE PRESIDENT. Is there objection?

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

4. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate

thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

Mr. McKELLAR. I ask unanimous consent, in connection with the rule which the Senator from Wisconsin has asked to have printed in the RECORD, to insert the constitutional provision concerning the veto of bills, so that the Senate may have the whole picture before it.

Mr. VANDENBERG. I have no objection; but I hope we will not bog down the whole subject matter of the merit and validity of the item-veto policy by a discussion of collateral matters.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee?

There being no objection, the constitutional provision was ordered to be printed in the RECORD, as follows:

UNITED STATES CONSTITUTION, ARTICLE I, SECTION 7, PAGE 2

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House, respectively. If any bill shall not be returned by the President within 10 days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Mr. CONNALLY. Mr. President, along the line of the suggestion of the Senator from Tennessee, that the Constitution authorizes the President to veto a bill, I call attention to the fact that it does not authorize him to veto a part of a bill.

Mr. VANDENBERG. I thank the Senator for his observation. He probably did not hear the letter in which the President of the United States disagrees with the construction placed upon this particular section of the Constitution.

Mr. CONNALLY. Who disagrees?

Mr. VANDENBERG. The President of the United States.

Mr. CONNALLY. The Senate is the body which has to act on this question, as the Senator knows.

Mr. VANDENBERG. I understand that, but I am merely indicating to the able Senator from Texas that I find myself in unusually respectable company, for me, at the moment. [Laughter.]

Mr. CONNALLY. I suggest to the Senator that if it is so agreeable, he should do more of it.

Mr. VANDENBERG. I would be happy to do so if it were justified oftener.

REMOVAL OF THE INJUNCTION OF SECRECY FROM A PROTOCOL AND CONVENTION

Mr. CONNALLY. Mr. President, under the rules of the Senate, in order to give publicity to treaties, protocols, and so forth, referred to and filed with the Committee on Foreign Relations prior to their report by that committee to the Senate, it is necessary that the consent of the Senate be obtained.

I hold in my hand a protocol and a convention, transmitted by the President, which have been referred to the Committee on Foreign Relations. One is Executive A, Seventy-seventh Congress, second session, a protocol providing for uniformity of powers of attorney which are to be utilized abroad, and another is a convention with Canada, Executive B, Seventy-seventh Congress, Second session, relating to taxation.

I ask the consent of the Senate that the protocol and convention referred to may be given publicity.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? The Chairs hears none, and it is so ordered; and the protocol and convention referred to will be published in the RECORD.

The protocol and convention are as follows:

THE ENGLISH TEXT OF PROTOCOL ON UNIFORMITY OF POWERS OF ATTORNEY WHICH ARE TO BE UTILIZED ABROAD

The Seventh International Conference of American States approved the following resolution (No. XLVIII):

"The Seventh International Conference of American States resolves:

"1. That the Governing Board of the Pan American Union shall appoint a Commission of five experts, to draft a project for simplification and uniformity of powers of attorney, and the juridical personality of foreign companies, if such uniformity is possible. If such uniformity is not possible, the Commission shall suggest the most adequate procedure for reducing to a minimum both the number of different systems of legislation on these subjects and the reservations made to the several conventions.

"2. The report should be issued in 1934, and be given to the Governing Board of the Pan American Union in order that it may submit it to the consideration of all the Governments, members of the Pan American Union, for the purposes indicated."

The committee of experts appointed by the Governing Board of the Pan American Union pursuant to the above resolution prepared a draft of uniform legislation governing powers of attorney to be utilized abroad, which was submitted by the Governing Board to the governments, members of the Pan American Union, and revised in accordance with the observations of the said governments.

A number of the governments of the American Republics have indicated that they are prepared to subscribe to the principles of the said draft, and to give them conventional expression, in the following terms:

ARTICLE I

Powers of attorney granted in the countries, comprising the Pan American Union, for utilization abroad, shall conform to the following rules:

1. If the power of attorney is executed by or on behalf of a natural person, the attesting official (notary, registrar, clerk of court, judge or any other official upon whom the law of the respective country confers such functions) shall certify from his own knowledge to the identity of the appearing party and to his legal capacity to execute the instrument.

2. If the power of attorney is executed in the name of a third person, or if it is delegated, or if there is a substitution by the agent, the attesting official, in addition to certifying, in regard to the representative who executes the power of attorney, or delegates or makes a substitution, to the requirements mentioned in the foregoing paragraph, shall also certify that such representative has in fact the authority to represent the person in whose name he appears, and that this representation is legal according to such authentic documents as for this purpose are exhibited to said attesting official and which the latter shall mention specifically, giving their dates and their origin or source.

3. If the power of attorney is executed in the name of a juridical person, in addition to the certification referred to in the foregoing paragraphs, the attesting official shall certify, with respect to the juridical person in whose name the power is executed, to its due organization, its home office, its present legal existence, and that the purposes for which the instrument is granted are within the scope of the objects or activities of the juridical person, which declarations shall be based on the documents which for that purpose are presented to the official, such as the instrument of organization, bylaws, resolutions of the board of directors or other governing body, and such other legal documents as shall substantiate the authority conferred. The attesting official shall specifically mention these documents, giving their dates and their origin.

ARTICLE II

The certification made by the attesting official pursuant to the provisions of the foregoing article shall not be impugned except by proof to the contrary produced by the person challenging its accuracy.

For this purpose it shall not be necessary to allege falsity of the document if the objection is founded only on an erroneous legal construction or interpretation made by the official in his certification.

ARTICLE III

It shall be unnecessary for the grantee of a power of attorney to signify therein his acceptance of the mandate, such acceptance being conclusively presumed by the grantee's acting under the power.

ARTICLE IV

Special powers of attorney to authorize acts of ownership granted in any of the countries of the Pan American Union, for use in another member country, must specify in concrete terms the nature of the powers conferred, to enable the grantee to exercise all the rights necessary for the proper execution of the power with respect to property as well as to the taking of all necessary steps before the tribunals or administrative authorities in defense thereof.

General powers of attorney for the administration of property shall be sufficient, if expressly granted with that general character, to empower the grantee to consummate all manner of administrative acts, including the prosecution and defense of lawsuits and administrative and judicial proceedings, in connection with the administration of the property.

General powers of attorney for lawsuits, collections or administrative or judicial proceedings, when so worded as to indicate that they confer all general powers and all such special powers as, according to the law, ordinarily require a special clause, shall be deemed to be granted without any limitation or restriction whatever.

The provisions of this article shall have the character of a special rule which shall prevail over such general rules to the contrary as the legislation of the respective country may establish.

ARTICLE V

Powers of attorney granted in any of the member countries of the Pan American Union, which are executed in conformity with the rules of this Protocol, shall be given full faith and credit, provided, however, that they are legalized in accordance with the special rules governing legalization.

ARTICLE VI

Powers of attorney granted abroad and in a foreign language may be translated into the language of the country of their destination and the translation incorporated as part of the text of the instrument thereof. In such case, the translation, so authorized by the grantor, shall be deemed accurate in every particular. The translation of the power of attorney may also be made in the country where the power is to be utilized, in accordance with the local usage or pertinent laws of such a country.

ARTICLE VII

Powers granted in a foreign country do not require as a prerequisite their registration or protocolization thereof in designated offices. However, this rule will not prevail when the registration or protocolization of such instruments is required by the law as a special formality in specific cases.

ARTICLE VIII

Any person who may, pursuant to the pertinent legislation, intervene or become a party in a judicial or administrative proceeding for the defense of his interests, may be represented by a volunteer, on condition, however, that such representative shall furnish the necessary legal authority in writing, or that, pending the due substantiation of his authority, such representative shall furnish bond, at the discretion of the competent tribunal or administrative authority, to respond for the costs or damages which his action may occasion.

ARTICLE IX

In the case of powers of attorney, executed in any of the countries of the Pan American Union in accordance with the foregoing provisions, to be utilized in any other member country of the Union, notaries duly commissioned as such under the laws of their respective countries shall be deemed to have authority to exercise functions and powers equivalent to those accorded to native notaries by the laws and regulations of (name of country), without prejudice, however, to the necessity of protocolization of the instrument in the cases referred to in article VII.

ARTICLE X

What has been said in the foregoing articles with respect to notaries, shall apply with equal force to the authorities or officials that exercise notarial functions under the laws of their respective countries.

ARTICLE XI

The original of the present Protocol in Spanish, Portuguese, English and French, under the present date shall be deposited in the Pan American Union and opened for signature by the States, members of the Pan American Union.

ARTICLE XII

The present Protocol is operative as respects each High Contracting Party on the date of signature by such Party. It shall be open for signature on behalf of any of the States, members of the Pan American Union, and shall remain operative indefinitely, but any Party may terminate its own obligations hereunder three months after it has given to the Pan American Union notice of such intention.

Notwithstanding the stipulations of the foregoing paragraph any State desiring to do so may sign the present Protocol AD REFERENDUM, which Protocol in this case, shall not take effect, with respect to such State, until after the deposit of the instrument of ratification, in conformity with its constitutional procedure.

ARTICLE XIII

Any State desiring to approve the present Protocol with modifications may indicate, when signing the Protocol, the form in which the instrument will be given effect within its territory.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Protocol on behalf of their respective governments, and affix thereto their seals on the dates appearing opposite their signatures.

The foregoing document has been deposited on this date with the Pan American Union and opened to the signature of the States, members of the Pan American Union, in accordance with the resolution of January 3, 1940, of the Governing Board of the Pan American Union.

WASHINGTON, D. C., *February 17, 1940.*

(S) L. S. ROWE,
Director General of the Pan American Union.

[Translation]

For Venezuela:

The Representative of Venezuela signs the present Protocol with the following modification of section 1 of the first article:

"1—If the power of attorney is executed by or on behalf of a natural person, the attesting official (notary, registrar, clerk of court, judge or any other official upon whom the law of the respective country confers such function) shall certify that he knows the person executing the instrument and that he has the legal capacity to execute it, according to the documents he has produced."

(S) DIÓGENES ESCALANTE
February 20, 1940 [SEAL]

For Panama:

(S) JORGE E. BOYD ad referendum
April 10, 1940 [SEAL]

For El Salvador:

(S) HÉCTOR DAVID CASTRO ad referendum May 21, 1940 [SEAL]

(The Salvadoran instrument of artification was deposited with the Pan American Union on February 6, 1941. Contains the following "modifying reservations":

"(a) Article IX, as respects its application in El Salvador, shall be considered as reading as follows:

" 'Article IX.—Powers of attorney executed in any of the countries of the Pan American Union in accordance with the foregoing provisions and in conformity with the laws of the country of origin to be utilized in any other country of the Union, shall be considered as having been executed before a competent notary of the country in which they may be utilized, without prejudice, however, to the necessity of protocolization of the instrument in the cases referred to in Article VII.'

"(b) The reservation is made to Article VIII that unauthorized action by the attorney, as plaintiff or defendant, cannot be admitted in judicial or administrative matters for which Salvadoran laws require that representation be accredited by a special power of attorney.")

For Colombia:

"The Plenipotentiary of Colombia signs the Protocol on the Legal Régime of Powers of Attorney ad referendum to approval by the National Congress, making the reservation that Colombian legislation set forth in Article 2590 of the Civil Code, provides that notaries are responsible only for the form and not for the substance of the acts and contracts which they authenticate."

(S) GABRIEL TURBAY
May 25, 1940 [SEAL]

For Nicaragua:

(S) LÉON DE BAYLE ad referendum
May 27, 1940 [SEAL]

For Brazil:

(S) Carlos Martins Pereira e Sousa
September 6, 1940 [SEAL]

For Bolivia:

"The Plenipotentiary of Bolivia signs the present Protocol with the following clarification of Article I, Section 2:

"For the correct application of Article I, Section 2, of the Protocol on Uniformity of the Legal Régime of Powers of Attorney in the territory of the Republic of Bolivia it is necessary that the notary or official charged with the authentication of documents insert in the Powers of Attorney which are executed by delegation or by substitution the integral text of the original Powers of Attorney and of all those documents which prove the legal capacity of the person conferring the Power of Attorney."

(S) LUIS GUACHALLA ad referendum
September 26, 1940 [SEAL]

For the United States of America:

(S) CORDELL HULL ad referendum
October 3, 1941. [SEAL]

I hereby certify that the foregoing document is a true and faithful copy of the original, with the signatures affixed thereto up to the present date, of the Protocol on Uniformity of Powers of Attorney which are to be Utilized Abroad, deposited in the Pan American Union and opened for signature by the States, members of the Pan American Union, on February 17, 1940.

WASHINGTON, D. C., *October 7, 1941.*

[SEAL] PEDRO DE ALBA,
Secretary of the Governing Board of the Pan American Union.

The Government of the United States of America and the Government of Canada, being desirous of further promoting the flow of commerce between the two countries, of avoiding double taxation and of preventing fiscal evasion in the case of income taxes, have decided to conclude a Convention and for that purpose have appointed as their Plenipotentiaries:

Mr. Sumner Welles, Acting Secretary of State of the United States of America; and

Mr. Leighton McCarthy, K. C., Envoy Extraordinary and Minister Plenipotentiary of Canada at Washington;

who, having communicated to one another their full powers found in good and due form, have agreed upon the following Articles:

ARTICLE I

An enterprise of one of the contracting States is not subject to taxation by the other contracting State in respect of its industrial and commercial profits except in respect of such profits allocable in accordance with the Articles of this Convention to its permanent establishment in the latter State.

No account shall be taken in determining the tax in one of the contracting States, of the mere purchase of merchandise effected therein by an enterprise of the other State.

ARTICLE II

For the purposes of this Convention, the term "industrial and commercial profits" shall not include income in the form of rentals and royalties, interest, dividends, management charges, or gains derived from the sale or exchange of capital assets.

Subject to the provisions of this Convention such items of income shall be taxed separately or together with industrial and com-

mercial profits in accordance with the laws of the contracting States.

ARTICLE III

1. If an enterprise of one of the contracting States has a permanent establishment in the other State, there shall be attributed to such permanent establishment the net industrial and commercial profit which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions. Such net profit will, in principle, be determined on the basis of the separate accounts pertaining to such establishment.

2. The competent authority of the taxing State may, when necessary, in execution of paragraph 1 of this Article, rectify the accounts produced, notably to correct errors and omissions or to reestablish the prices or remunerations entered in the books at the value which would prevail between independent persons dealing at arm's length.

3. If (a) an establishment does not produce an accounting showing its own operations, or (b) the accounting produced does not correspond to the normal usages of the trade in the country where the establishment is situated, or (c) the rectifications provided for in paragraph 2 of this Article cannot be effected the competent authority of the taxing State may determine the net industrial and commercial profit by applying such methods or formulae to the operations of the establishment as may be fair and reasonable.

4. To facilitate the determination of industrial and commercial profits allocable to the permanent establishment, the competent authorities of the contracting States may consult together with a view to the adoption of uniform rules of allocation of such profits.

ARTICLE IV

1. (a) When a United States enterprise, by reason of its participation in the management or capital of a Canadian enterprise, makes or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with an independent enterprise, any profits which should normally have appeared in the balance sheet of the Canadian enterprise but which have been, in this manner, diverted to the United States enterprise, may be incorporated in the taxable profits of the Canadian enterprise, subject to applicable measures of appeal.

(b) In order to effect the inclusion of such profits in the taxable profits of the Canadian enterprise, the competent authority of Canada may, when necessary, rectify the accounts of the Canadian enterprise, notably to correct errors and omissions or to reestablish the prices or remuneration entered in the books at the values which would prevail between independent persons dealing at arm's length. To facilitate such rectification the competent authorities of the contracting States may consult together with a view to such determination of profits of the Canadian enterprise as may appear fair and reasonable.

2. The same principle applies, mutatis mutandis, in the event that profits are diverted from a United States enterprise to a Canadian enterprise.

ARTICLE V

Income which an enterprise of one of the contracting States derives from the operation of ships or aircraft registered in that State shall be exempt from taxation in the other contracting State.

The present Convention will not be deemed to affect the exchange of notes between the United States of America and Canada, dated August 2 and September 17, 1928, providing for relief from double income taxation on shipping profits.

ARTICLE VI

Wages, salaries and similar compensation paid by the Government, or any agency or instrumentality thereof, of one of the contracting States or by the political subdivisions or territories or possessions thereof to citizens of such State residing in the other State shall be exempt from taxation in the latter State.

Pensions and life annuities derived from within one of the contracting States and paid to individuals residing in the other contracting State shall be exempt from taxation in the former State.

ARTICLE VII

1. A resident of Canada shall be exempt from United States income tax upon compensation for labor or personal services performed within the United States of America if he conforms to either of the following conditions:

(a) He is temporarily present within the United States of America for a period or periods not exceeding a total of one hundred and eighty-three days during the taxable year and such compensation (A) is received for labor or personal services performed as an employee of, or under contract with, a resident or corporation or other entity of Canada and (B) does not exceed $5,000 in the aggregate during such taxable year; or

(b) he is temporarily present in the United States of America for a period or periods not exceeding a total of ninety days during the taxable year and the compensation received for such services does not exceed $1,500 in the aggregate during such taxable year.

2. The provisions of paragraph 1 (a) of this Article shall have no application to the professional earnings of such individuals as actors, artists, musicians, and professional athletes.

3. The provisions of paragraphs 1 and 2 of this Article shall apply, mutatis mutandis, to a resident of the United States of America deriving compensation for personal services performed within Canada.

ARTICLE VIII

Gains derived in one of the contracting States from the sale or exchange of capital assets by a resident or a corporation or other entity of the other contracting State shall be exempt from taxation in the former State, provided such resident or corporation or other entity has no permanent establishment in the former State.

ARTICLE IX

Students or business apprentices from one of the contracting States residing in the other contracting State for purposes of study or for acquiring business experience shall not be taxable by the latter State in respect of remittances received by them from within the former State for the purposes of their maintenance or studies.

ARTICLE X

Income derived from sources within one of the contracting States by a religious, scientific, literary, educational, or charitable organization of the other contracting State shall be exempt from taxation in the State from which the income is derived if, within the meaning of the laws of both contracting States, such organization would have been exempt from income tax.

ARTICLE XI

1. The rate of income tax imposed by one of the contracting States, in respect of income derived from sources therein, upon individuals residing in, or corporations organized under the laws of, the other contracting State, and not engaged in trade or business in the former State and having no office or place of business therein, shall not exceed fifteen per cent for each taxable year.

2. Notwithstanding the provisions of paragraph 1 of this Article, income tax in excess of 5 percent shall not be imposed by one of the contracting States in respect of dividends paid by a subsidiary corporation organized under the laws of such State, or of a political subdivision thereof, to a parent corporation organized under the laws of the other contracting State, or of a political subdivision thereof: *Provided, however*, That this paragraph shall not apply if the competent authority in the former State is satisfied that the corporate relationship between the two corporations has been arranged or is maintained primarily with the intention of taking advantage of this paragraph.

3. Notwithstanding the provisions of Article XXII of this Convention, paragraph 1 or paragraph 2, or both, of this Article may be terminated without notice on or after the termination of the 3-year period beginning with the effective date of this Convention by either of the contracting States imposing a rate of income tax in excess of the rate of 15 percent prescribed in paragraph 1 or in excess of the rate of 5 percent prescribed in paragraph 2.

4. The provisions of this Article shall not be construed so as to contravene the Tax Convention between the United States of America and Canada, effective January 1, 1936, to April 29, 1941.

ARTICLE XII

Dividends and interest paid on or after the effective date of this Convention by a corporation organized under the laws of Canada to individual residents of Canada, other than citizens of the United States of America, or to corporations organized under the laws of Canada shall be exempt from all income taxes imposed by the United States of America.

ARTICLE XIII

Corporations organized under the laws of Canada, more than 50 percent of the outstanding voting stock of which is owned directly or indirectly throughout the last half of the taxable year by individual residents of Canada, other than citizens of the United States of America, shall be exempt from any taxes imposed by the United States of America with respect to accumulated or undistributed earnings, profits, income or surplus of such corporations. With respect to corporations organized under the laws of Canada not exempt from such taxes under the provisions of this Article the competent authorities of the two contracting States will consult together.

ARTICLE XIV

1. (a) The United States income tax liability for any taxable year beginning prior to January 1, 1936, of any individual resident of Canada, other than a citizen of the United States of America, or of any corporation organized under the laws of Canada, remaining unpaid as of the date of signature of this Convention may be adjusted on a basis satisfactory to the Commissioner: Provided, That the amount to be paid in settlement of such liability shall not exceed the amount of the liability which would have been determined if—

(A) the Revenue Act of 1936 as modified by the Tax Convention between the United States of America and Canada, effective January 1, 1936, to April 29, 1941 (except in the case of a corporation organized under the laws of Canada more than 50 percent of the outstanding voting stock of which was owned directly or indirectly throughout the last half of the taxable year by citizens or residents of the United States of America) and

(B) Articles XII and XIII of this Convention had been in effect for such year.

If the taxpayer was not, within the meaning of the Revenue Act of 1936 engaged in trade or business within the United States of America and had no office or place of business therein during the taxable year, the amount of interest and penalties shall not exceed 50 percent of the amount of the tax with respect to which such interest and penalties have been computed.

(b) The United States income tax liability remaining unpaid as of the date of signature of this Convention for any taxable year beginning after December 31, 1935 and prior to

January 1, 1941, in the case of any individual resident of Canada, other than a citizen of the United States of America, or in the case of any corporation organized under the laws of Canada shall be determined as if the provisions of Articles XII and XIII of this Convention had been in effect for such year.

2. The provisions of paragraph 1 of this Article shall not apply—

(a) Unless the taxpayer files with the Commissioner within two years from the date of signature of this Convention a request that such tax liability be so adjusted together with such information as the Commissioner may require;

(b) In any case in which the Commissioner is satisfied that any deficiency in tax is due to fraud with intent to evade the tax.

ARTICLE XV

In accordance with the provisions of Section 8 of the Income War Tax Act as in effect on the day of the entry into force of this Convention, Canada agrees to allow as a deduction from the Dominion income and excess profits taxes on any income which was derived from sources within the United States of America and was there taxed, the appropriate amount of such taxes paid to the United States of America.

In accordance with the provisions of Section 131 of the United States Internal Revenue Code as in effect on the day of the entry into force of this Convention, the United States of America agrees to allow as a deduction from the income and excess profits taxes imposed by the United States of America the appropriate amount of such taxes paid to Canada.

ARTICLE XVI

Where a taxpayer shows proof that the action of the revenue authorities of the contracting States has resulted in double taxation in his case in respect of any of the taxes to which the present Convention relates, he shall be entitled to lodge a claim with the State of which he is a citizen or resident or, if the taxpayer is a corporation or other entity, with the State in which it was created or organized. If the claim should be deemed worthy of consideration, the competent authority of such State may consult with the competent authority of the other State to determine whether the double taxation in question may be avoided in accordance with the terms of this Convention.

ARTICLE XVII

Notwithstanding any other provision of this Convention, the United States of America in determining the income and excess profits taxes, including all surtaxes, of its citizens or residents or corporations, may include in the basis upon which such taxes are imposed all items of income taxable under the revenue laws of the United States of America as though this Convention had not come into effect.

ARTICLE XVIII

The competent authorities of the two contracting States may prescribe regulations to carry into effect the present Convention within the respective States and rules with respect to the exchange of information.

The competent authorities of the two contracting States may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention.

ARTICLE XIX

With a view to the prevention of fiscal evasion, each of the contracting States undertakes to furnish to the other contracting State, as provided in the succeeding Articles of this Convention, the information which its competent authorities have at their disposal or are in a position to obtain under its revenue laws in so far as such informaton may be of use to the authorities of the other contracting State in the assessment of the taxes to which this Convention relates.

The information to be furnished under the first paragraph of this Article, whether in the ordinary course or on request, may be exchanged directly between the competent authorities of the two contracting States.

ARTICLE XX

1. The competent authorities of the United States of America shall forward to the competent authorities of Canada as soon as practicable after the close of each calendar year the following information relating to such calendar year:

The names and addresses of all persons whose addresses are within Canada and who derive from sources within the United States of America dividends, interest, rents, royalties, salaries, wages, pensions, annuities, or other fixed or determinable annual or periodical profits and income, showing the amount of such profits and income in the case of each addressee.

2. The competent authorities of Canada shall forward to the competent authorities of the United States of America as soon as practicable after the close of each calendar year the following information relating to such calendar year:

(a) The names and addresses of all persons whose addresses are within the United States of America and who derive from sources within Canada dividends, interest, rents, royalties, salaries, wages, pensions, or other fixed or determinable annual or periodical profits and income, showing the amount of such profits and income in the case of each addressee.

(b) The names and addresses of all persons whose addresses are outside of Canada and who derive through a nominee, or agent, or custodian in Canada income from sources within the United States of America, and who are not entitled to the reduced rate at 15 percent with respect to such income provided in Article XI of this Convention, showing the amount of such income in the case of each addressee.

(c) The names and addresses, where available, of persons whose addresses are outside of Canada and who derive dividends during the calendar year from corporations organized under the laws of Canada, more than 50 percent of the gross income of which is derived from sources within the United States of America, showing the amount of such dividends in each case.

(d) The names and addresses of all persons whose addresses are within the United States of America and who beneficially or of record own stocks or bonds, debentures or other securities, or evidences of funded indebtedness, of any company taxed in Canada as a Non-Resident-Owned Investment Corporation. The term "Non-Resident-Owned Investment Corporation" shall have the same meaning as when used in the Income War Tax Act of Canada.

ARTICLE XXI

1. If the Minister in the determination of the income tax liability of any person under any of the revenue laws of Canada deems it necessary to secure the cooperation of the Commissioner, the Commissioner may, upon request, furnish the Minister such information bearing upon the matter as the Commissioner is entitled to obtain under the revenue laws of the United States of America.

2. If the Commissioner in the determination of the income tax liability of any person under any of the revenue laws of the United States of America deems it necessary to secure the cooperation of the Minister, the Minister may, upon request, furnish the Commissioner such information bearing upon the matter as the Minister is entitled to obtain under the revenue laws of Canada.

ARTICLE XXII

This Convention and the accompanying Protocol which shall be considered to be an integral part of the Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

This Convention and Protocol shall become effective on the first day of January 1941. They shall continue effective for a period of three years from that date and indefinitely after that period, but may be terminated by either of the contracting States at the end of the three-year period or at any time thereafter provided that, except as otherwise specified in the case of Article XI, at least six months prior notice of termination has been given, the termination to become effective on the first day of January following the expiration of the six-month period.

Done in duplicate, at Washington, this fourth day of March, 1942.

SUMNER WELLES [SEAL]
LEIGHTON MCCARTHY [SEAL]

Protocol

At the moment of signing the Convention for the avoidance of double taxation, and the establishment of rules of reciprocal administrative assistance in the case of income taxes, this day concluded between the United States of America and Canada, the undersigned plenipotentiaries have agreed upon the following provisions and definitions:

1. The taxes referred to in this Convention are:

(a) for the United States of America:
the Federal income taxes, including surtaxes, and excess-profits taxes.

(b) for Canada:
the Dominion income taxes, including surtaxes, and excess-profits taxes.

2. In the event of appreciable changes in the fiscal laws of either of the contracting States, the Governments of the two contracting States will consult together.

3. As used in this Convention:

(a) the terms "person", "individual" and "corporation", shall have the same meanings, respectively, as they have under the revenue laws of the taxing State or the State furnishing the information, as the case may be;

(b) the term "enterprise" includes every form of undertaking, whether carried on by an individual, partnership, corporation or any other entity;

(c) the term "enterprise of one of the contracting States" means, as the case may be, "United States enterprise" or "Canadian enterprise";

(d) the term "United States enterprise" means an enterprise carried on in the United States of America by an individual resident in the United States of America, or by a corporation, partnership or other entity created or organized in or under the laws of the United States of America, or of any of the States or Territories of the United States of America;

(e) the term "Canadian enterprise" is defined in the same manner mutatis mutandis as the term "United States enterprise";

(f) the term "permanent establishment" includes branches, mines and oil wells, farms, timber lands, plantations, factories, workshops, warehouses, offices, agencies and other fixed places of business of an enterprise, but does not include a subsidiary corporation.

When an enterprise of one of the contracting States carries on business in the other contracting State through an employee or agent established there, who has general authority to contract for his employer or principal or has a stock of merchandise from which he regularly fills orders which he receives, such enterprise shall be deemed to have a permanent establishment in the latter State.

The fact that an enterprise of one of the contracting States has business dealings in the other contracting State through a commission agent, broker or other independent agent or maintains therein an office used solely for the purchase of merchandise shall

not be held to mean that such enterprise has a permanent establishment in the latter State.

4. The term "Minister", as used in this Convention, means the Minister of National Revenue of Canada or his duly authorized representative. The term "Commissioner", as used in this Convention, means the Commissioner of Internal Revenue of the United States of America, or his duly authorized representative. The term "competent authority", as used in this Convention, means the Commissioner and the Minister and their duly authorized representatives.

5. The term "United States of America", when used in a geographical sense, includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia. The term "Canada" when used in a geographical sense means the Provinces, the Territories and Sable Island.

6. The term "subsidiary corporation" referred to in Article XI of this Convention means a corporation all of whose shares (less directors' qualifying shares) having full voting rights are beneficially owned by another corporation, provided that ordinarily not more than one-quarter of the gross income of such subsidiary corporation is derived from interest and dividends other than interest and dividends received from its subsidiary corporations.

7. (a) The term "rentals and royalties" referred to in Article II of this Convention shall include rentals or royalties arising from leasing real or immoveable, or personal or moveable property or from any interest in such property, including rentals or royalties for the use of, or for the privilege of using, patents, copyrights, secret processes and formulae, goodwill, trade marks, trade brands, franchises and other like property;

(b) The term "interest", as used in this Convention, shall include income arising from interest-bearing securities, public obligations, mortgages, hypothecs, corporate bonds, loans, deposits and current accounts;

(c) the term "dividends", as used in this Convention, shall include all distributions of the earnings or profits of corporations.

8. The term "pensions" referred to in Article VI of this Convention means periodic payments made in consideration for services rendered or by way of compensation for injuries received.

9. The term "life annuities" referred to in Article VI of this Convention means a stated sum payable periodically at stated times, during life, or during a specified number of years, under an obligation to make the payments in consideration of a gross sum or sums paid by the recipient or under a contributory retirement plan.

10. The terms "engaged in trade or business" and "office or place of business" as used in Article XI of this Convention shall not be deemed to include an office used solely for the purchase of merchandise.

11. The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

12. The citizens of one of the contracting States residing within the other contracting State shall not be subjected to the payment of more burdensome taxes than the citizens of such other State.

Done in duplicate, at Washington, this fourth day of March, 1942.

(SEAL) SUMNER WELLES
(SEAL) LEIGHTON MCCARTHY

PRICES OF FARM COMMODITIES

Mr. MURDOCK. Mr. President, yesterday I commenced on the letter written to the Secretary of Agriculture by the distinguished junior Senator from Virginia [Mr. BYRD]. Following my remarks the Senator from Virginia inserted in the RECORD his letter to the Secretary of Agriculture. I have in my hand this morning a letter written by the Secretary of Agriculture in reply to the letter from the Senator from Virginia, and I ask that it be inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., March 9, 1942.

Hon. HARRY F. BYRD,
United States Senate.

DEAR SENATOR BYRD: Acknowledgment is made of your letter of March 6, 1942, with respect to the pending appropriation of $47,962,910 for payments to sugar-beet and sugarcane producers under the Sugar Act of 1937, as amended. You are of the opinion that the proposed expenditures represent in their entirety a drain on the Treasury, constitute "nonessential spending," are made primarily for reducing production, and provide for unjustified payments to large producers. You therefore ask that this Department "make no contracts for these benefit payments until Congress has had an opportunity to review the sugar-control legislation."

We are in full accord with your objective to eliminate non-essential Federal expenditures. But in this instance, the facts are, as I shall explain in some detail, that the elimination of the 1942 crop payments may actually result in a greater net outlay of Treasury funds; would preclude continuation of important social measures; would unquestionably reduce 1942 plantings in the beet area; and would necessitate a tremendous toll from consumers, a large portion of which would provide a huge and inflationary "windfall" for foreign producers and much of which would accrue to large domestic producers. Moreover, any commitment made to producers with respect to 1942 payments arises out of congressional action of late December 1941 and not from any contracts entered into by this Department.

If the conditional payments authorized by the Sugar Act are not made, it would be necessary, under the Emergency Price Control Act, to increase the ceiling price for sugar at least 80 cents per hundredweight after 1942 crop sugar becomes available. This minimum increase would meet the requirements of that act only in the event that revisions in the purchase contracts, under which growers market their sugar beets and sugarcane, could be made in a manner so as to give growers the total amount of the ceiling price increase. Should no revision in contracts be made, an increase in the ceiling price of as much as $1.50 per 100 pounds would be necessary. Consequently, there would be a direct increase in cost to the Treasury on purchases of sugar and of the many food products containing sugar for the armed forces, as well as on purchases for our Allies under the lend-lease program. Moreover, the price of industrial alcohol, under wartime conditions, is determined by the price of sugar, since so large a portion of our requirements is made from the sugar contained in molasses. Therefore they would also have to pay increased prices for vast quantities of essential war materials requiring the use of industrial alcohol (explosives, antifreeze, plastics, lacquers, solvents, etc.).

Furthermore, the excise tax on sugar provided for in the sugar legislation is part of a comprehensive program for dealing with the problems of the sugar industry which was recommended by the President in 1934, and again in 1937. In the absence of conditional payments to producers, it is doubtful whether the continuation of the tax on this one food commodity could be justified. In fact, the continuance of the tax under such conditions would be deemed by many an act of bad faith. Repeal of the tax would result in a loss to the Treasury of collections which have averaged $74,000,000 in the last 3 fiscal years. In appraising the sugar program, one cannot lose sight of the fact that its expenditures are covered by a special one-half-cent-a-pound excise tax on sugar, which not only pays all the costs of the program but has, during the past 3 years, shown a substantial net return to the Treasury. In other words, this program not only pays its own way but puts money into the Treasury besides.

The objectives of the legislation of effecting a relatively just distribution of the income of industry as between grower, processor, and laborer, of preventing child labor, and of conserving the soil—all of which objectives are attained through the tax and conditional-payment provisions—may not appear to some as a valid basis for continuing this appropriation. However, there are many large groups of citizens who are vitally interested in these objectives. Various public agencies who have investigated these matters have commended the results of the program, the most recent instance in point being the report of the Select Committee to Investigate the Interstate Migration of Destitute Citizens (77th Cong., 1st sess., H. Rept No 369), which refers with approval to the safeguarding of higher labor standards in the sugar program. It should also be pointed out that the Congress, on three occasions within the past 8 years, after thorough investigation by appropriate congressional committees of the contentious issues involved in sugar legislation, has endorsed these objectives by reenactment of the legislation.

It cannot be stated too emphatically that failure to make this appropriation would have a serious effect on beet-sugar production in this country this year. Although it may eventually be explained to the great majority of beet growers that the loss in Government payments would be made up by increased sugar prices to consumers, the immediate effect of the failure to appropriate would be to cause considerable confusion and uncertainty among beet growers today when planting is just getting under way, and would unquestionably lead many growers to curtail, if not cease, planting beets.

It is true that it was found necessary under the provisions of the act to curtail somewhat 1941 beet acreage with respect to which payments were to be made, because of the pressure of record carry-over stocks in that area, as well as of large stocks in other areas supplying the United States market. Since most of the sugar-beet acreage is planted in the spring months and a decision had to be made before planting, 7 months prior to "Pearl Harbor," anticipatory judgments of possible developments in the far-eastern situation could not have been taken into consideration. However, it is usually overlooked that domestic sugar production, particularly in the continental beet and cane areas, has increased very greatly under the sugar programs. For example, the crops of 1938 to 1941, inclusive, produced in the continental beet and cane areas averaged 22 and 103 percent, respectively, above the last four crops grown in these areas immediately prior to the sugar programs.

On the assumption of a 6,000,000-ton consumption, an increase of from 80 cents to $1.50 per hundredweight in the ceiling price would increase the annual consumer cost of sugar by $100,000,000 to $180,000,000 per year. In addition, the cost of industrial alcohol would increase by $35,000,000 to $65,000,000 per year if the present relationship between the price of sugar and alcohol continues. The increased levy on consumers would create an inflationary windfall of from $60,000,000 to $110,000,000 per annum for foreign

producers. It would also permit certain large firms engaged in the production of domestic sugar to receive very substantial increases in income. For example, a producer making 100,000 tons of raw sugar would receive, if the appropriation were made and the condition for payment met, payments of $720,000. In lieu of such payments the indicated increase in ceiling price would result in an additional income ranging from $1,600,000 to $3,000,000, or $880,000 to $2,280,000 in excess of that obtained under the payment program. Furthermore, if the Congress fails to make this appropriation and the revisions in the purchase contracts referred to earlier are not made, processors of sugar beets and sugarcane would enjoy exorbitant returns.

With respect to your request that we make no contracts for these conditional payments, we wish to inform you that no contracts are provided for under the Sugar Act of 1937. The act merely authorizes the Secretary to make payments to producers upon fulfillment of the conditions specified in the act itself. You will recall that there was extended debate in the Senate in December of 1941 when extension of the act was under consideration. This debate covered in part the same issues to which you now refer and the amendments you then proposed were rejected by the Senate. Many farmers in the sugar-beet producing area, relying upon this action taken by Congress, have made arrangements for planting and in some instances have completed planting the 1942 crop.

In pointing out that the failure to make this appropriation will create several serious public problems and will not alleviate the Treasury position, this Department does not disregard the large returns for a number of individuals or corporations which may result from this or any other agricultural program. The Department has advised the Congress heretofore that under any method of protection to producers, whether such protection takes the visible form of direct payments with Federal conditions attached or the invisible form without Federal conditions, some producers, whether they be small or large, whether they be individuals, partnerships, or corporation, will make large returns. This problem is primarily part of the general national problem of working out equitable tax legislation with respect to excess earnings.

Sincerely yours,

CLAUDE R. WICKARD,
Secretary of Agriculture.

LAG IN WAR PRODUCTION

Mr. O'DANIEL. Mr. President, I wish to read a few telegrams expressing the opinions of some folks in Texas with reference to the lagging production of war machines and materials in our Nation.

The first telegram comes from Dallas, Tex., is signed by Mrs. Kirk Hall, chairman of Civilian Defense, Dallas Council P. T. A., and the Housewives Chamber of Commerce. It is as follows:

DALLAS, TEX., *March 9, 1942.*

Hon. LEE O'DANIEL,
Washington, D. C.:

Note Gallop Poll. Public not asleep. Shocked by Kaltenborn's report on idleness in production plants. Why allow labor to ignore President's orders quoted in February speech? Public begging for action. Why delay? Give us truths that we may better serve.

Mrs. KIRK HALL,
Chairman, Civilian Defense,
Dallas Council P. T. A., and
Housewives Chamber of Commerce.

I next read a telegram from T. E. Tilley, of Fort Worth:

FORT WORTH, TEX., *March 8, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

Put war production on 24-hour basis. Get action.

T. E. TILLEY.

George D. Moran, of San Angelo, Tex., wires as follows:

SAN ANGELO, TEX., *March 8, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

If you did not hear Kaltenborn's speech today, please read a copy and advise what can be done about the condition which he describes.

GEO. D. MORAN.

From Dallas, Tex., comes a telegram reading as follows:

DALLAS TEX., *March 8, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

A crime which should be stopped by our Congress immediately is being enacted under our very eyes. Our defense plants should be in operation night and day. Instead of this their employees are quibbling about long hours. In the meantime our soldiers are losing their lives in 24-hour service because planes and munitions cannot be supplied them.

JAS. K. WILSON.

From Corpus Christi, Tex., this telegram comes to me, signed by the Corpus Christi Junior Chamber of Commerce:

CORPUS CHRISTI, TEX., *March 10, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

It is our belief complacency is not confined to public but permeates Congress. Suggest not wait for public build-up for action. There is nothing equitable in 168-hour soldier week and 40-hour labor week. We are willing to make now all needed sacrifices on condition that Government settle labor-management production problem immediately without waiting for amicable settlement outside of Government action.

CORPUS CHRISTI JUNIOR
CHAMBER OF COMMERCE.

From W. C. Gilbert, of Houston, Tex., I received this telegram:

HOUSTON, TEX., *March 9, 1942.*

Senator LEE O'DANIEL,
Senate Office Building:

Refer to Kaltenborn's radio talk Sunday afternoon. You should endorse this 100 percent. Why do you not demand action? Forget your social gains for duration. This is war.

W. C. GILBERT.

From E. H. Sieberg, of Dallas, this telegram comes:

DALLAS, TEX., *March 9, 1942.*

Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

When are our lawmakers going to endeavor to win the war instead of win votes?

E. H. SIEBERG.

Dr. Q. Bermj, of Houston, Tex., wires as follows:

HOUSTON, TEX., *March 10, 1942.*

Senator LEE O'DANIEL,
Washington, D. C.:

Your many friends in the medical profession urge that immediate action be taken favoring the Smith bill outlawing strikes, etc., during the present emergency.

Q. BERMJ., M. D.

I have also received the following message:

HOUSTON, TEX., *March 10, 1942.*

Senator W. LEE O'DANIEL,
Senate Building, Washington, D. C.:

We, the undersigned, feel strongly that the Congress should at once revise any contract now existing or take any other necessary measures to settle the differences between management and labor and to keep the defense factories and shipyards going full strength 24 hour a day. Our sons of military age have no desire or opportunity to strike or command overtime. Won't you give us the comfort of knowing that they will have the weapons with which to fight or must it continue to be too little too late?

Mrs. STEVE PINCKNEY.
Mrs. CLIFTON WILSON.
Mrs. ROY R. MORSE.
Mrs. WARREN J. DALE.

I have also received this telegram:

DALLAS, TEX., *March 9, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

Follow through on Mr. Kaltenborn's radio address of Sunday. We want action and 100-percent production. This is the desire of all Texans.

F. J. Stanton, Charles Fenwick, Jean McGalliard, Swain Tidwell, J. Grimm, A. Dean, Don Henderson, W. H. Remele, M. Bushman, H. E. Fletcher, R. A. Smith, Lloyd Schultz, R. R. Lewis, M. Aftergut, B. P. Dunham, T. M. Heraty, Carl Newell.

Mr. President, I wish to say that the telegrams and letters which I have received convince me that the public has almost reached the limit of its patience, that the limit of human tolerance has nearly been reached because of the delay by Congress in enacting some legislation that will stop strikes and slow-downs in industry so that our armed forces may be supplied with the necessary arms and implements of war. I fear the people may believe that some of the things which are being discussed in Congress at the present time are of less importance than this matter, and I believe that our discussion of relatively unimportant matters is untimely now.

I fear that Congress, by reason of discussion of relatively unimportant matters at such times as these, may be holding itself up to greater ridicule than it did when it passed the so-called Congressmen's pension legislation. It may be that the matter which was under discussion all day yesterday, and which we are told will continue to be discussed for several days to come, is important, that it must have the attention of the Senate, but I do not admit that it is more important than providing implements of war, air bombers, and munitions and guns for our boys who are on the battle front. I think Congress should devote its attention more to help win the war, instead of discussing at this time things that happened 25 or 30 years ago in one of our States.

Mr. President, as I said, I have no desire even to suggest that Congress not consider the matter which is now being

debated. I am simply trying to say that so far as I am concerned I consider it of less importance at this particular time than the things which might be done by Congress to help win the war.

WAR PRODUCTION—ADDRESS BY PHILIP MURRAY

Mr. GUFFEY. Mr. President, I ask unanimous consent to have published in the RECORD immediately following the telegrams just read by our distinguished colleague, the Senator from Texas [Mr. O'DANIEL], a very able and patriotic radio address delivered on Friday, March 6, by Philip Murray, president of the Congress of Industrial Organizations. If the Senator from Texas will send copies of this address to his constituents, it will furnish an answer to a great many of their questions.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The President of the United States and Donald Nelson, Chairman of the War Production Board, have challenged labor and industry to speed up war production immediately, on a greater scale than has ever been attempted in any country in the history of mankind. I am going to accept this challenge tonight on behalf of the 5,000,000 working men and women who make up the Congress of Industrial Organizations.

Our President is now our Commander in Chief in a world war which threatens not only our Nation's security and our very lives but all our freedoms, our way of life, and our living standards, as no previous war has ever done. There can be no question of the response of true American working men and women to the demands of our Commander in Chief in such a war. It is the wholehearted and enthusiastic response of good soldiers of democracy who know that everything depends upon united and disciplined support of our great leader.

But I can go much further than this. For I speak for the working people, who have more at stake in this war than perhaps any other section of our population. We are fighting nations whose economy is based on slave labor. In Germany, Italy, and Japan there are no labor unions, as we know them. On the contrary, the first aim of any Nazi or Fascist movement is to destroy the labor unions. Labor leaders are stood up against the wall and shot. Workers who seek better conditions in the shop are hounded, beaten, placed in concentration camps, or murdered.

Without union protection and without democracy the workers are ground down to coolie wage levels and intolerable working conditions. They are treated as voiceless instruments of their dictators, their war lords, and their industrialists. In every country conquered by Hitler and his gang, like conditions, or even worse, have been imposed on the working population. A similar fate will certainly be in store for the working people of America, if our fighting strength is not sufficient to crush the military might of the Axis.

We know that this is labor's war. We of labor must be more than loyal followers and patriotic citizens. We are and must continue to be leaders in the demand for more production and for every step that is necessary to win the war.

Certainly the history of the war to date leaves no room for complacency. Hitler has counted on the softness and the complacency of every country he has conquered. The Japanese have taken full advantage of our unpreparedness. Furthermore, the months which lie immediately ahead will be of crucial importance, particularly in the field of industrial production. Our whole country, and every man and woman in it, must be aroused and mobilized for total war, for a tremendous transformation from a peaceful people to a nation of warriors, if we are to turn the tide of battle from defense and retreat to offense and victory.

When I speak of a nation of warriors, I am thinking, too, of our industrial workers. Modern mechanized warfare calls for some 18 workers in industry for every man at the front. Each fighting man depends for his very life on the workers who produce his munitions, his arms, and his supplies. They, too, must think as soldiers, bending their every effort for more and more production, for one purpose above all others—victory for our armed forces.

We pledge our complete and wholehearted support to our Commander in Chief, President Roosevelt, for the achievement of the production goals which he has set. In doing so we are mindful that upon the shoulders of labor rests the primary responsibility for achieving these goals. We are also mindful that the experience of other countries has taught us other lessons besides the fate which lies in store for labor if Hitler wins. It has taught us that national unity can be undermined by appeasers and Quislings, whose subtle propaganda can be as dangerous as actual plant sabotage. We are determined that our country shall not suffer the fate of France or Norway through the disruptive efforts of fifth columnists or self-proclaimed patriots who preach disunity.

At the present time in particular we must guard against carping critics of our President and of the program which he has initiated for winning the war. Constructive criticism we must have to mobilize our full democratic effort. But let the appeasers and the men of faint heart beware of the wrath of America's workers if their constant carping cloaks a purpose to disunite, to confuse, and to sabotage our war effort.

Mr. Donald Nelson, our production chief, has just announced a concrete program for increasing and speeding up war production. We welcome this program most heartily and pledge our enthusiastic cooperation for placing it into execution. In fact, we of the Congress of Industrial Organizations take pride in the knowledge that we have been pioneers and leaders in the demand for just such a program for mobilizing American industry for all-out war production.

The industry council plan which the Congress of Industrial Organizations advanced more than a year ago was designed for just this purpose. So, too, were the proposals advanced by our unions in all the major industries for early conversion to war production and industry-wide planning. We were the first to put forward concrete proposals for producing more steel, more aluminum, more copper, more airplanes, and more of all the other goods and services that are needed for victory.

We take courage and renewed inspiration from the fact that our production chief is now urging steps which we have long advocated. The joint labor-management plant committees which he proposes are directly in line with our industry council proposals, as is the whole spirit of the program which he advances.

Speaking now to the officers and members of our affiliated unions and councils, I call upon you to act without delay in the spirit of the call issued by our President and our war-production chief. Many of you, I know, have already approached the managements in your respective plants with concrete proposals for joint effort to increase production. In many cases where such committees have been set up, production has increased from 10 to 50 percent.

In some cases, it is true, we have encountered reluctance on the part of management. But now that such committee planning for increased production has become the national policy of our Government, I am sure that we can count on patriotic employers to join with labor in setting up functioning committees for the promotion of every constructive step to produce more and more. The goals cannot be set too high.

Production Chief Nelson has also advanced proposals for appropriate awards for the soldiers of industry as well as for our soldiers in uniform. This is a splendid idea. So, too, is his proposal for enlisting the spirit of American competition in achieving ever higher production quotas. I know that our Congress of Industrial Organizations members will enter wholeheartedly into this spirit of patriotic competition.

Perhaps some of my nonlabor listeners may be saying to themselves at this point: "All you have said is fine and dandy, but what is all this we read about strikes and about labor trying to take a selfish advantage?"

Let us meet this question squarely and frankly. Let us clear from our minds the fog of propaganda deliberately spread by profiteers, reactionaries, and appeasers who are trying to take a selfish advantage over labor in this emergency. If we so examine the facts, we will find labor's position is firm and consistent; that winning the war must be our first consideration; and that nothing must be allowed to interrupt war production.

Labor itself was the first, of its own free will, to advance an effective program for the ending of strikes. No sooner was war declared than both the Congress of Industrial Organizations and the American Federation of Labor, assembled in conference with representatives of industry and government, solemnly pledged themselves to set aside the strike weapon for the duration of the war. We also advanced proposals, accepted by the President, for the peaceful solution of all labor disputes, through mediation, conciliation, and arbitration.

There has not been a single authorized strike in a war industry since that time, and all the efforts of the Congress of Industrial Organizations and its unions have been directed to ending at once such minor incidents as have occurred. These incidents have been few and of the briefest duration, but they have been grossly inflated and misrepresented by selfish propagandists for the purpose of promoting antilabor legislation. There is no force, not even that of a complete dictator, which can furnish any absolute guaranty that a man will not cease working under conditions which he finds intolerable. The best guaranty that can be given under a free system is the pledge of the workers' own democratically elected representatives and the assurance that collective bargaining will remedy grievances without the need to strike.

The Congress of Industrial Organizations can point to a record of uninterrupted production by millions upon millions of industrial workers, and to the peaceful solution of thousands of grievances and disputes which might otherwise have led to stoppages had there been no union on the job to prevent them. We are determined to maintain this record.

I am again calling the attention of our unions and our membership to the solemn agreement to which we have voluntarily subscribed, that there shall be no strikes or lock-outs, and all disputes shall be settled by peaceful means. This is our commitment to our President and to our country. I call upon all our unions, their officers and their members, to exercise the utmost patience and tolerance in adjusting all disputes. Proper channels are now provided for their peaceful adjustment. Support your country and your unions by seeing that not an hour of production time is lost from any cause until we win the war.

Production Chief Nelson has called for a 168-hour working week for the machinery of industry. We are wholeheartedly in favor of working our plant and equipment every hour of the week that it can be utilized. Our unions in many cases have been the first to call for 24-hour and 7-day-week production.

But human beings are not machines. Their efficiency depends upon reasonable working hours and adequate rest periods. Practical experience in Great Britain and other countries under war conditions has shown a sharp decrease in actual production when excessive hours were worked, and working hours have had to be reduced for the very purpose of increasing production.

In conclusion, I want to stress again and again to labor and to the public that America is today at the parting of the ways. If we lie down on the job, if we shirk, if we listen to the sly preachers of disunity and complacency, if we fail to back up our armed forces with all that is in us, we can go down to defeat, dishonor, and the loss of all our liberties—to the complete black-out of civilization which Hitler and the Axis are fighting to bring about.

But if, on the other hand, the American people, and the working people in particular are true to ourselves and to our country, if we stand loyally behind our President, if we devote our every thought and effort to more and more production, more effective civilian defense, and more and more support to our armed forces, we shall turn the tide of battle in these very days and weeks that lie ahead of us, to final and complete victory. Our destiny is in our hands—the hands of every one of us.

To labor, and particularly to the members of the Congress of Industrial Organizations, whom I have the honor to represent, I say: Get on the job at once. Heed the call of our Commander in Chief and our country. Let our slogan be: Work, work, work. Produce, produce, produce.

LEAGUE OF NATIONS—LETTER FROM W. R. SIMPSON

Mr. GUFFEY. Mr. President, I ask to have inserted in the RECORD at this point a letter which I recently received from W. R. Simpson, of Atlanta, Ga., in respect to an address I recently made on the floor of the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LOEB-APTE CO.,
Atlanta, Ga., February 27, 1942.

Hon. JOSEPH F. GUFFEY,
Washington, D. C.

DEAR SENATOR: I have just read your address with a great deal of interest, delivered a few days ago in the Senate, in which you incorporated a letter written by Chief Justice Taft concerning a group of men who were responsible for destroying the League of Nations, which, in the writer's opinion, is the best document that has ever been produced since the Declaration of Independence.

In my opinion, the leaders in the Republican Party, having failed to ratify the League of Nations, are directly responsible for the great war in which the world is now engaged, and at the proper time I sincerely hope that you and other outstanding statesmen in our country can fix this responsibility where it belongs. The country is entitled to know the facts.

No doubt you recall that the first important speech made for a league of nations was delivered by one Henry Cabot Lodge on the floor of the United States Senate in 1916. I think you will find this particular speech, or at least a portion of it, incorporated in the national Democratic platform of 1920, on which Mr Cox ran for President.

In conclusion, Senator GUFFEY, I beg you to keep the heat on the isolationists, both in the Republican and Democratic Parties. It is the only hope for future generations that when this war is finished, we will have some sort of association of nations, in which we will assume our responsibility by becoming a member, which will prevent our future wars.

More power to you.

Cordially yours,

W. R. SIMPSON.

THE AMERICAN WAR EFFORT

Mr. DOXEY. Mr. President, I have just come upon the floor of the Senate from a conference which was held by the Senate and House conferees on the second war-powers measure, 1942. I am one of the three conferees on the part of the Senate. The Senate conference committee is composed of Senators O'MAHONEY, AUSTIN, and DOXEY. There are more than 50 amendments in disagreement. The conference committee has not agreed upon a complete conference report. We have been working on this important act for several weeks and have yet much work to do. I will not discuss any of the provisions contained in the second war-powers measure at this time, but, in view of the fact that some discussion has just been brought about on the Senate floor by reason of the reading of certain telegrams by the distinguished Senator from Texas [Mr O'DANIEL], and that the distinguished Senator from Pennsylvania [Mr. GUFFEY] has placed in the RECORD, by way of reply, a speech which I have not had the privilege of reading, I wish to ask the indulgence of the Senate for a few moments to make a few brief observations concerning our war efforts and some of the grave problems with which we are faced.

Mr. President, this hour demands the utmost in our sound, serious, and careful thinking. I lift my voice in praise of our American way of life, and of our indomitable will to fight for the right and uphold our precious heritage of liberty and freedom. I am not one who would needlessly undertake to stir up strife and disunity in this great hour of national emergency. I have consistently worked and voted for an all-out national defense policy, and supported the Roosevelt administration in its efforts to prepare this great Republic to defend its honor and the firesides of the greatest people in all the world.

Yes, I voted to fortify Guam and Alaska, and voted for all other administration measures advocated by our Commander in Chief, which even remotely tended to strengthen the defense of our blessed land. As a Member of the Senate Appropriations Committee, I have labored and voted for all defense and war appropriations. I have lived to see the wisdom in casting such votes, and I am truly glad that in always so voting I have in some small measure contributed to the greater defense of our beloved country, on land, on sea, and in the air.

I admire with profound and grateful feeling the tremendous efforts being put forth by all our people, both labor and capital, in this country, especially since December 7, 1941, to produce the necessary implements of war, so that our fighting forces may defend our cause with effective results.

The steel industry is outproducing itself; with one furnace alone producing a world's record lately of 3,205,916 tons of pig iron on one lining. The tanks are pouring off the line in a manner almost similar to the mass production of automobiles. Fighting planes and powerful bombers are being completed to such great extent that we are filling the sky with that arm of battle which will, more than likely, be the deciding factor which shall bring us victory and the preservation of our liberties. The ordnance plants, all over this great country, with many other such plants nearing completion, are delivering vital and essential war equipment in larger, and ever growing larger, quantities.

We realize that peacetime factories cannot be converted nto wartime factories overnight, and that the machinery used to manufacture automobiles cannot be used to manufacture airplanes; but when our factories become geared to wartime production, they will be turning out A-No. 1 airplanes in the same ratio that automobiles have been turned out. We have had a late start, but we are making rapid progress.

The farmers, God bless them, will do their part and will raise the food in this great land sufficient to feed the people of all the Nations who so valiantly are lifting their hands in defense of freedom. Our ships are being launched daily to the tune of 8,000,000 tons of merchant shipping this year, with 10,000,000 tons of merchant shipping next year, besides all the warships, and other fighting ships which are constantly leaving the ways and flying the Stars and Stripes. All this is stupendous and marvelous; but, Mr. President, in my humble judgment, the soldier, sailor and marine, officers and men, are the true glory of our great country's matchless effort; in them we proudly place our trust, our love, and our hope for victory.

While I know that patriotism cannot be bought and that our country can never repay our brave soldiers, sailors, and marines for their heroic services, yet, right here, I wish to announce that I shall support wholeheartedly the proposed legislation to raise the pay of the service men of our land, sea and air forces, in order that they may contribute to the support of their loved ones back home. I shall vote also for a law requiring the Government to match a voluntary contribution on the part of the soldier so as to provide additional funds for the maintenance and support of his dependents. We could not do less for our soldiers and sailors and their loved ones while they are taking all the risks.

They have stepped forward when called, willing to bare their breasts to shot and shell, in the defense of their flag—Old Glory—which, all in all, means their firesides, mothers, sisters, wives, sweethearts, sons, and daughters. They are ready and willing to defend our country, so foully stabbed in the back on that fateful Sabbath morning; to defend their loved ones and protect our national honor these brave men will fight to their death, if need be.

This being so, I am compelled to observe that I do not have any patience with that small minority of workers who are causing strikes to occur in some of our national defense industries. These

strikes, tying up and retarding our national defense efforts, must stop. I mean just that, and I believe that the American people mean it, too. This country, as was done in France, will never have its tanks and machine guns guarding and protecting war factories when they should be at the front fighting the enemy. This country will never succumb to so-called popular-front theories, such as prevailed in France only long enough for the country to fall a victim of cunning and brutish force, with the women and children killed and the young manhood shot dead, picked at random, at the appalling ratio of 100 to 1. We are in an all-out fight, and this country demands the all-out cooperation of all of us.

Let us "cross the Rubicon" and take our stand beside the boys in the trenches, on the high seas, and in the air, and say to those who would stop or retard our all-out defense efforts:

This glorious Republic is not poor and beaten France. We must all work or fight. We cannot do more; we dare not do less.

Before war was declared on December 8, 1941, before Pearl Harbor on December 7, 1941, I was appointed by the chairman of the Senate Judiciary Committee on the 17th day of November 1941 as one of the members of a subcommittee of the Senate to consider the Connally bill. The distinguished senior Senator from Texas [Mr. CONNALLY] was chairman of the subcommittee. The committee, composed of Senator CONNALLY, chairman; Senators HATCH, of New Mexico; DOXEY, of Mississippi; AUSTIN, of Vermont; and BURTON, of Ohio, held extensive hearings on this bill. Representatives of the Government departments, labor and capital, and various other groups, and representatives of unions appeared before us and testified; and, after revising the original bill, we reported it favorably to the Senate Judiciary Committee, of which I am a member. The full Judiciary Committee reported it favorably to the Senate on December 1, 1941, and it is still on the Senate Calendar. Another labor bill was reported to the Senate by the Committee on Education and Labor, a committee of which I am also a member, and was placed on the calendar. This bill is known as the Ball bill, Senate bill 683. It was reported on December 3, 1941. The Ball bill also seeks to remedy the labor troubles which have been besetting our country, and to insure all-out production in our defense plants.

Shortly thereafter, on the 7th day of December 1941, the tragedy of Pearl Harbor occurred. There is no need for me to set forth in detail this foul stab in the back. We all know it to be the most dastardly and cowardly attack ever perpetrated upon a liberty-loving and God-fearing Nation. After this treacherous act we, of course, declared war. Then various heads of the governmental departments, leaders of capital and labor, and the unions, and other interested groups, appeared before the Education and Labor Committee of the Senate and appealed for unity. The various labor groups and union representatives assured us that we all had one supreme purpose and that was to win this war. Nothing should be done to cause disunity. Everyone felt the great need of unity and loyalty to our country and our cause; that now as never before there was a cohesion of thought, purpose, and action among the people of this Nation, and that we would now concentrate upon one main and vital objective—that of putting this country on an all-out war-production basis, thereby truly making America the arsenal of democracy.

The President had various conferences and appointed various boards and commissions, composed of leaders of all groups, to further this important end. Everyone hoped that the all-important labor problem would at last be finally solved; and we all bent our efforts accordingly. It was shouted, "We are at war; we are united; we are all working together and cooperating to put this country on a war-production footing." We were told that we must not do anything to cause disunity; that there was no need of any drastic antistrike legislation; that we should all spend our time working and cooperating to win this war; and that there certainly would be no more strikes.

So our committee did not push, and has not pushed, antistrike legislation; for we were promised by the representatives of both capital and labor that all would unite and that war production would not be interrupted for at least the duration of the war. Because of these many assurances, the course suggested appeared to be the wise, patriotic, and proper plan to pursue.

Let it be remembered that great strides in war production have been made. The vast majority of labor and capital have united and worked to carry out their promises and high resolve. But it must also be noted that a small percentage of those employed have not put forth their every effort to bring about all out production in our defense plants and have continued to strike, and in this critical hour have retarded and hampered our war program.

Mr. President, I want it distinctly understood that I am not now and never have been opposed to organized labor. My record in Congress proves that. I am against racketeering in labor. I came up from the ranks; and I know what it is to earn one's living by the sweat of his brow.

More than 99 percent of the ten or twelve million American laboring men and women in our war-production plants today have backed their words with deeds, by taking an active part in civilian defense, by demanding that industry go on full wartime production, and by raising money with which to purchase necessary armaments. They are giving of their sweat and toil unhesitatingly and patriotically in making the implements to prosecute this war; and all the majority of labor asks is that their democratic laws be secured to them.

Industry, like labor, except in rare cases, has been just as patriotic in backing the war aims of the Government; but stoppages, walk-outs, lay-offs, strikes, and interferences in our defense plants must stop.

Huge war profits must cease, red tape must be dispensed with, and everyone, from the highest to the lowest, must realize that we are now fighting for our very existence, and act accordingly. Congress must act. Legislation should be immediately enacted to remedy this regrettable and serious situation. I am ready to vote and do all I can to achieve this result now. No time should be lost; nothing should deter us. First things must come first. We must win this war and preserve our democratic way of life. We should do it as soon as possible. Dark shadows hover all about us. So far as we are able we must dispel the clouds of disunity, disloyalty, and selfishness.

To win this war is our first duty, and it demands our very best; yea, our very all. We cannot all do the same things, but we must all do our part for victory. We must all work or fight to win this war.

We must cease our quarreling, bickering, and striking. Anyone who is not doing all he can to win this war is helping to lose it.

Again I say, we must all work or fight.

I thank the Senate.

DISPOSITION OF CERTAIN SURPLUSES BY COMMODITY CREDIT CORPORATION

Mr. GILLETTE. Mr. President, in connection with the current discussion relative to the disposition of certain surpluses by the Commodity Credit Corporation, I ask unanimous consent to have printed in the RECORD at this point a very brief but illuminating letter from a farm-wife constituent of mine.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ROCKFORD IOWA, *March 5, 1942.*

Senator GILLETTE,
United States Senate,
Washington, D. C.

DEAR SENATOR GILLETTE: There was something happened yesterday that I feel you should know about.

One of the members of the Triple A committee in our township (Scott Township, Floyd County, Iowa) paid us a visit. He was selling sealed wheat from the Commodity Credit. He was getting the orders for it. They were shipping it in at Marble Rock and the price was 88 cents a bushel with 5 cents handling charge which goes to the elevator. This was hard wheat (winter wheat).

We realize what this will do to the wheat price. We do not raise wheat but we do raise a lot of corn and we have always been in the Agricultural Adjustment Administration program and sealed our corn. We are paying for a farm and need every cent we can get. We wonder what they are doing to the corn price. Are they selling corn in the wheat country to hold our price down? We now have a little over 5,000 bushels of sealed corn on the place (3 years corn). We cut down on our acreage a great deal from the normal acreage when we went into the Agricultural Adjustment Administration. If one figures the income on the corn that would have been raised on the normal acreage and the price received plus the parity Agricultural Adjustment Administration payment would certainly be low.

Eggs have been as low as 23 cents the last few days. Today we received 24 cents. Cream is 39 cents for sweet cream. Hired men are receiving from $60 to $75 with much furnished.

We are considering staying out of the program the next year. They seem to be working against the real farmer.

We are not grain farmers alone; we raise hogs and cattle. We usually have from 10

to 15 brood sows and milk from 8 to 12 cows, raising their offspring

Do what you can for the real Iowa farmer. I know you are and here is thanks to you for remembering the folks back home.

Sincerely yours,

Mrs. REES LOCKWOOD.

LABOR DIFFICULTIES ON TOLEDO, PEORIA & WESTERN RAILROAD

Mr. MEAD. Mr. President, there has been considerable discussion today about the attitude of labor. I shall ask unanimous consent to have printed in the RECORD as a part of my remarks a memorandum with relation to the labor difficulties on the Toledo, Peoria & Western Railroad. If my colleagues—especially those who are attacking labor as the offender—will take the time to read this story they will find that a great many of the attacks are unwarranted.

From 1929 until yesterday the president of the railroad, George P. McNear, has attempted to force substandard conditions of labor upon his employees. With the defiant attitude of a dictator, he has refused to listen to the Department of Labor, the United States Railway Labor Board, the conciliators of the Labor Department, and the mediators appointed by the President of the United States.

This labor baiter has been indicted as the result of legislation enacted by Congress; and yet until yesterday—and perhaps today—he has continued to defy the Government of the United States and every agency created by the Government of the United States to deal with such matters. In each instance the employees have unhesitatingly agreed to accept every suggestion advanced to them by every agency of the Government concerned with the problem. They are willing to mediate; they are anxious to arbitrate; they are eager to conciliate; but this defiant president walks out on his Government; he walks out on his employees; he walks out on our defense effort.

Mr. President, I believe that we ought to level our criticism when criticism is due; but I believe that, in justice to the workers, and particularly those on the railroads, the history of this obstinacy ought to be read and considered by every Member of the Congress. I ask unanimous consent to have the memorandum printed in the RECORD at this point as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

In 1929 the employees in engine, train, and yard service of the Toledo, Peoria & Western Railroad went on strike in protest against unsatisfactory working conditions imposed by President George P. McNear, Jr. After a long period of time the management finally succeeded in employing a sufficient number of strikebreakers to resume operation, but the employees were required to work under substandard and most unsatisfactory conditions, compared with conditions in effect on other railroads in the same territory. This situation continued until 1940, when the employees were reorganized and undertook to assert the rights guaranteed them by the Railway Labor Act to join the organization of their choice and to select their own representatives, without interference, intimidation, or coercion. Mr. McNear so flagrantly interfered with the efforts of the employees to organize and select their own representatives that he was finally indicted for violation of the Railway Labor Act, which indictment is now pending against him.

In the reorganization of the employees and their attempt to assert their right to organize, select their own representatives, and to bargain collectively, the services of the National Mediation Board were invoked by the organizations representing the employees. An election was held under the auspices of the National Mediation Board to determine the representation question, but before the Board had completed the vote and issued certification in connection with the representation question, President McNear served notice on the organizations, abrogating all existing agreements covering wages and working conditions, and proposing a new set of conditions that were far below standard. In fact, some of the rules proposed by President McNear have been outmoded and displaced from labor contracts by mutual agreement between the carriers and the employee representatives for more than a quarter of a century.

Notwithstanding the action taken by President McNear in abrogating the labor contracts while the question of representation was being handled by the National Mediation Board, representatives of the employees entered into negotiations with Mr. McNear immediately following the certification by the National Mediation Board of the organizations authorized to represent such employees. Conferences extending over a considerable period of time were held, pursuant to the provisions of the Railway Labor Act. When conferences failed, the good offices of the National Mediation Board were invoked. While the conferences were in progress the representatives of the employees submitted counter-proposals to the management in which certain concessions were made but which, in the main, contemplated application of working rules on the Toledo, Peoria & Western Railway Co. similar to those in effect on neighboring railroads and, in fact, on practically all railroads throughout the United States.

Early in the year 1941 the railroads generally served notice on their employees in all classes of service of their desire to effect certain changes in the working rules. These proposed changes became a subject of discussion on the individual properties and were later handled in national conference as a part of the general wage case. In connection with the settlement of the wage case the carriers withdrew the proposed changes in rules and agreed to withhold any further action for a period of at least 18 months. President McNear, however, persisted in his efforts to have the employees on his property accept the substandard conditions he had been attempting for about a year to enforce upon them but which the employees had been able to forestall through the orderly processes of the Railway Labor Act.

The efforts of the National Mediation Board to bring the parties into agreement failed, and since it is necessary under the act to create an emergency condition before the emergency provisions of the act become operative, the entire matter was submitted to the employees, who voted overwhelmingly to authorize the calling of a strike of all employees in engine, train, and yard service. Strike was set for 11 a. m. Tuesday, December 9.

This information was conveyed to the National Mediation Board, whereupon the Board asked that the effective date of the strike be postponed and that the parties meet jointly in the office of the Board at Washington on December 10. The request of the Board of Mediation was complied with and conference was held in the office of the Board at Washington as requested, President McNear with counsel, and the representatives of the employees being present.

In the meantime, and prior to the fixing of the date for the strike to take effect on December 9, President McNear placed an embargo on freight shipments, effective December 7, which had the practical effect of locking out the employees, since most of the freight handled over this line is received from and delivered to other railroads.

The Washington conference lasted but 1 day. At the conclusion of the first day's conference Mr. McNear returned to Peoria and was followed by the representatives of the employees. The National Mediation Board wired the parties to resume conferences at Peoria in a further effort to reach an agreement, but President McNear delayed resumption of conferences for 2 or 3 days. The conferences were finally resumed, but again failed, whereupon the National Mediation Board proposed arbitration.

By this time we had experienced the unfortunate incident at Pearl Harbor, which materially changed conditions in this country. Recognizing the situation and their patriotic duty to their country, the employee representatives accepted arbitration, but the management declined.

Following his refusal to arbitrate the issues, President McNear issued formal notice of his intention to arbitrarily put into effect for all employees in engine, train, and yard service, on December 29, 1941, working conditions against which the employees had formerly voted to strike. Although most of the employees had been without employment for 3 weeks on account of the lockout, they were notified to report for duty on December 29 or be considered as having resigned from service.

To meet this situation the employees made the strike effective at 6 p. m. on December 28, 1941.

On December 30, 1941, the National Mediation Board notified the parties that it had closed its file in the Toledo, Peoria & Western case.

On January 2, 1942, the chief executives of the two organizations representing the employees involved sent a telegram to the President of the United States, reciting the facts in the case and urging him to take possession of and assume full control and management of the Toledo, Peoria & Western Railroad, thus restoring full transportation service and opening a way for return to service of the employees and the settlement of the controversy by the peaceful means of arbitration.

On January 5 the Director of the Office of Defense Transportation wired the parties urging that in time of war, interference with and stoppage of transportation is indefensible, and called upon the parties to agree that the employees should return to work under the conditions existing prior to the date of the strike, that the embargo be lifted, and that all disputes be submitted to arbitration.

The employee representatives accepted, but President McNear refused, and a second appeal made to Mr. McNear by the Director, Office of Defense Transportation, was ignored. Representatives of the employees then invoked the good offices of the Department of Labor, and a special panel of three conciliators was assigned to the case. Hearings were undertaken at Peoria on January 23 and 24, but due to the attitude of President McNear, conciliation failed.

The case was finally certified to the National War Labor Board by the Department of Labor. The chief executives of the two labor organizations representing the employees involved wired the Chairman of the National War Labor Board on February 11, giving a history of the case and urging consideration of certain factors which to them seemed very important and worthy of serious consideration by the Board.

To these and other factors we now respectfully call the attention of the Board.

It is essential to the full and complete operation of our national transportation system and the prompt, efficient, and safe handling of troops, war materials, and supplies, that the Toledo, Peoria & Western Railroad be operated at full capacity.

President McNear has undertaken to restore operation of the railroad by employing strikebreakers, thugs, and armed guards. His efforts have not only failed but have resulted in considerable violence and danger to the striking employees and to the residents of the communities through which the road operates. On January 2 an armed guard on a train moving over a public highway crossing, shot and seriously wounded one of the strikers who was standing on the highway. The management has adopted the dangerous practice of preceding its scab-manned trains by a patrol of section men riding on electric motors. Several of these motors have been run down by trains, and in one instance one of the section men was killed.

According to an exhibit introduced in the Federal court at Peoria, Ill., in connection with a suit to have a temporary injunction substituted for a restraining order, the management stated that for the year 1941 carload shipments of war materials and supplies (including shipments of foodstuffs for national relief) shipped by or consigned to the United States Government and associate nations, were as follows: January 187, February 184, March 178, April 242, May 302, June 292, July 423, August 415, September 462, October 547, November 468, December 232; total, 3,932. Of the 232 cars handled in December as against 468 in November, 190 were handled between the first and seventh days inclusive. It was on the 7th day of December that the embargo was placed in effect, and from December 8, through to December 31, inclusive, only 42 cars of war materials and supplies were moved by the Toledo, Peoria & Western. Other shipments are being diverted over other railroads, with a consequent delay of as much as 24 hours in delivery

Although the above figures taken from the railroad's exhibit cover only the shipments of war materials and supplies for the year 1941, the latest figures available, namely, for the week ending Saturday, February 21, 1942, covering revenue freight loaded and received from connections, show the Toledo, Peoria & Western Railroad to be far below normal.

Throughout the entire history of railway labor disputes handled under the Erdman Act of 1898, the Newlands Act of 1913, and the Railway Labor Act of 1926, only one case can be found that approximates in parallel the present dispute on the Toledo, Peoria & Western Railroad. Before the United States entered the World War in 1917, negotiations had been started on the Georgia, Florida & Alabama Railway, involving changes in wage rates and working rules of engineers, firemen, conductors, and trainmen. The management exhibited an attitude similar to that which has been exhibited by Mr. McNear in the Toledo, Peoria & Western case and finally refused to arbitrate the issues. War had been declared in the meantime and every possible effort was being made by the railway labor organizations to avoid any interruption to interstate commerce. The employees agreed to arbitrate the issues but the management steadfastly refused, and succeeded in obtaining a temporary injunction restraining the men from striking and advised the United States Commissioner of Mediation and Conciliation that there was no question to be mediated for the reason that there was no threatened trouble between the company and its employees and no strike in effect. However, the employees, individually, tendered their resignations, and the management undertook to operate the railroad with strikebreakers. The situation gradually grew worse although the Commissioner of Mediation and Conciliation together with the representatives of the railway labor organizations continued in their efforts to find a solution.

When such efforts ultimately failed, the matter was brought to the attention of President Wilson through the Secretary of War and the Commissioner of Mediation and Conciliation. On October 1, 1917, the President sent a telegram to the general manager and general counsel of the railroad, urging that the questions in dispute be submitted to arbitration. Although the management had been advised that the Government might find it necessary to seize the property under a then recent act of Congress, the President's urgent requests that the issues be arbitrated were evaded for several days, and arbitration was not accepted by the management until October 6.

This case, like the Toledo, Peoria & Western case, was one of continued defiance of governmental authority by management, and not until the President of the United States threatened to seize the railroad and operate it in the interest of the national defense, were the employees returned to service, normal operations restored, and a satisfactory settlement of the issues reached.

The employees involved in the Toledo, Peoria & Western situation are skilled in the art of transportation as to the various classes of service in which they have been engaged. They have no desire or intention to do anything that will conflict with the orderly and successful prosecution of the war program. They have asked for nothing except the same treatment as is accorded employees engaged in similar service on other railroads in the same territory. Although the Toledo, Peoria & Western Railroad shares equally with its competitors in the collection of revenues for service rendered to the public, President McNear seems determined to break up and force down the standards of wages and working conditions established by agreement for engine, train, and yard men throughout the United States.

The attitude of the Toledo, Peoria & Western management in the present situation is having a far-reaching effect upon the morale not only among the striking employees and the strikebreakers themselves but spreading to the employees in transportation service on all lines connecting with the Toledo, Peoria & Western Railroad. In receiving and delivering cars from and to the Toledo, Peoria & Western Railroad at Peoria, engine and train-service employees of the Peoria & Pekin Union, the Chicago, Burlington & Quincy, and the Chicago, Rock Island & Pacific Railroads are required to work under the protection of armed guards, and notwithstanding vigorous protest against such conditions have been filed with the managements of these respective properties, the employees are under edict from management to continue to handle interchange work with the Toledo, Peoria & Western Railroad under existing conditions or be subjected to discipline for refusal to do so. Railway employees on adjoining railroads who are interested directly or indirectly in the Toledo, Peoria & Western case, smarting bitterly under the conditions surrounding the handling of all interchange business with the Toledo, Peoria & Western Railroad, are seriously asking themselves the question, Is there no responsibility attached to management to keep our trains rolling at full speed and with the highest degree of efficiency and safety in the interest of full and successful prosecution of the war program?

Latest information since yesterday is that McNear refused to meet with the United States mediator Saturday morning at 10 o'clock, and after the mediator called him on the telephone he still declined to attend the meeting for the purpose of agreeing on articles of arbitration.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. LUCAS obtained the floor.

Mr HILL. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brown	Hughes	Shipstead
Bulow	Johnson, Calif	Smathers
Burton	Johnson, Colo.	Smith
Butler	La Follette	Spencer
Byrd	Langer	Stewart
Capper	Lee	Taft
Caraway	Lucas	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Maybank	Vandenberg
Danaher	Mead	Van Nuys
Davis	Millikin	Wheeler
Doxey	Murdock	White
Ellender	Murray	Wiley
George	Nye	Willis
Gerry	O'Daniel	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from Nevada [Mr. McCARRAN] is holding hearings in the West on silver, and therefore is unable to be present.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Massachusetts [Mr. LODGE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. JOHNSON of California. I rise merely for the purpose of suggesting an amendment of certain statements that appear in the RECORD of yesterday. At the close of the day's session, after I had departed, the able Senator from Illinois stated:

> There is not one scintilla of evidence in this record to show that the Federal Government ever spent $10,000, or any other sum of money, in attempting to prosecute the individual whose case is now before the Senate.

The statement, I take it, was purely inadvertent. In the records of this case, at page 535, appears a letter from the Secretary of the Interior to Mr. BURDICK, of the House of Representatives, in which he sets forth in detail the expenses which had been incurred in the prosecution of WILLIAM LANGER. I note that on that day the Senator from Illinois was not present, and very likely that is the reason it escaped his memory, but I wish to read the letter to Mr. BURDICK, in order that it may be perfectly plain just what the situation is. The letter is as follows:

(Langer Exhibit 103)

FEDERAL EMERGENCY ADMINISTRATOR OF PUBLIC WORKS,
Washington, February 20, 1936.

Hon. USHER L. BURDICK,
House of Representatives.

MY DEAR MR. BURDICK: With reference to your letter of January 28, 1936, the following is a recapitulation of the expense incurred by the Division of Investigation in connection with the prosecution of former Governor LANGER:

Salaries	$6,233.94
Per diem	3,462.50
Miscellaneous expense	821.84
Mileage, personally owned automobile	545.45
Government transportation requests	213.19
Mileage, Government-owned automobiles	332.92
Total	11,609.84

Sincerely,

HAROLD L. ICKES,
Administrator.

I read this letter and I cite the record of the proceedings concerning this case in justice to the Senator from Montana [Mr. WHEELER], who is not now present and who last night made the statement, and also in justice to the Senator from Illinois, who, undoubtedly through inadvertence or lack of knowledge of the subject, misstated the fact.

Mr. LUCAS. Mr. President, yesterday, when the Senate adjourned, we were discussing charge No. 7, dealing with moral turpitude in connection with the payment of money to Chet Leedom, James Mulloy, and Gale B. Wyman.

I did make the statement just referred to by the very able Senator from California, and I am sure that what he says is correct. I have turned to that page and made an examination of the exhibit which was offered. I have no doubt that the statement I made yesterday was in error, and I am glad to confess the error. However, I should like at some time to examine further the exhibit, because it is merely an exhibit without any explanation whatever other than what the letter itself says, and I take it that the fees and expenses referred to were for Government attorneys who are sent throughout the country to aid in the prosecution of cases of tremendous importance such as this conspiracy case. I know every time an important case is being tried in the Federal court in Springfield, Ill., there are always one or two Federal attorneys there to aid the district attorney. I presume the expenses incurred as set forth in the exhibit are of that character.

Mr. President, we were, on yesterday, as I said a moment ago, discussing the payment of money by Senator LANGER to a gentleman by the name of Chet Leedom, whose home was in Deadwood, S. Dak. There is no question in this record that at least seven or eight hundred dollars were paid to Leedom for work which was done as a detective to spy upon the jury, the clerk of the court, and other individuals connected with the conspiracy trial. Mulloy testified that he was paid between seventeen hundred and eighteen hundred dollars.

There is another transaction, growing out of that case, which is far more important from the standpoint of moral turpitude than the question last discussed yesterday. I invite the close attention of Members of the Senate to the next question of moral turpitude, involving Gale Wyman, son of Judge A. Lee Wyman. I invite the attention of the Senate to page 59 of the report, and I shall read the statement approved by the Committee on Privileges and Elections and submitted to the Senate on January 29 last:

> When Mulloy paid his first visit to Chet Leedom in Deadwood, S. Dak., in conformity with his agreement with Governor LANGER, Leedom suggested to Mulloy that Governor LANGER employ Attorney Gale B. Wyman, son of Judge Wyman to assist LANGER in his trouble. Wyman was thereafter called into the conference and agreed that he would accept employment in the case, but not of record, and he would have to be paid $500 in cash, whereupon Mulloy advised Leedom and Wyman, that while he thought it was all right, it would necessarily have to have the approval of Governor LANGER.

Mr. President, this was at the time when Mulloy had his first meeting with Chet Leedom in Deadwood, S. Dak., sent there by the respondent in this case to confer with Leedom about the conspiracy trial. It was then that Leedom suggested to Mulloy that they call in Gale Wyman, an attorney at law in Deadwood, S. Dak., and son of Federal Judge A. Lee Wyman. When Gale Wyman was called, he told these two men that he was interested in their proposition, and that, for $500, they could employ him, but not as an attorney of record.

The evidence further shows that Mulloy, who was the right-hand man of Senator LANGER at that time, who was secretary of the industrial commission, who handled Senator LANGER's campaigns, who was very active for him in connection with these trials, said this to Wyman—and I quote from Wyman's own testimony:

> I was willing to accept Chet's word for it, because he never double-crossed me in his life; that any time he could throw me any business, anything, he would also give me a break if there was a chance to get one (transcript 22).

Those are the words of Wyman, Wyman went to work in this case on the assurance of Leedom that he would be taken care of, and upon the further assurance of Mulloy that he would discuss the matter at the earliest opportunity with Governor LANGER. Of course, this was on the condition that Governor LANGER approve, which the evidence shows later was done.

> The evidence further discloses that Gale Wyman later returned to his home in Deadwood, S. Dak., and was not contacted again by Mulloy until the case of perjury against the respondent was being tried, but, in the meantime, Mulloy testified on page 19 of the hearing, that Governor LANGER on his return with Leedom gave Mulloy five $100 bills, and he delivered them over to Chet Leedom in the Grand Pacific Hotel with the understanding that that money was to be sent to Gale Wyman. This is the first evidence in the record which indicates that Governor LANGER had in any way approved the original agreement made with Wyman through Mulloy and Leedom.

Mr. ELLENDER rose.

Mr. LUCAS. I do not care to yield just now.

> After the conspiracy trial was over and the jury disagreed, the respondent was next tried under the perjury indictment, and it was during the trial of this case—

The case being tried, the perjury case, was the third case. After the two conspiracy cases had been tried, the perjury trial followed. This is the case wherein the son of Judge Wyman appeared—

> and it was during the trial of this case that Attorney Gale B. Wyman came to Bismarck, N. Dak., and had his first conversation with Governor LANGER. His appearance in Bismarck is accounted for in the following manner: James Mulloy was delegated to go to Deadwood, S. Dak., for the purpose of bringing Chet Leedom back for said perjury trial. When he arrived he learned that Leedom was under the influence of intoxicating liquors and was in no shape to travel. It was then that Mulloy suggested that Gale B. Wyman go to Bismarck in Leedom's place, and thereupon Mulloy testified he called Governor LANGER and cautiously advised him of Leedom's inebriated condition, but suggested that he could bring "the other or another fellow."

There is a discrepancy in the testimony as to whether Leedom said "the other fellow" or "another fellow." As I recall the testimony, Mulloy said, "I can bring the other fellow." Governor LANGER said that Mulloy said, "I can bring another fellow." If it is "another" and not "the other," there is some distinction to be made.

He suggested that he could bring "the other" or "another fellow" who was the right-hand man of Chet Leedom, and LANGER told Mulloy to bring him.

In other words, in this telephone conversation, whether it was "the other fellow" or "another fellow," Mulloy was advised by Governor LANGER over the telephone to bring him along. This is the respondent's own testimony, as it appears on page 675 of the hearings. I read further from the report:

> Immediately thereafter Mulloy and Wyman came to Bismarck, N. Dak., by airplane, and

it is significant to note that Gale Wyman notified his father, Judge Wyman, that he was on his way to Bismarck to attend the trial.

When Wyman and Mulloy arrived Wyman, on the following day, registered in the Patterson Hotel under an assumed name. Upon this point your committee submits the following testimony, found on page 119 of the hearing:

"Mr. BURKE. Would you want to give the committee any reason why, upon going to the hotel in North Dakota, after having visited with your father, you registered under an assumed name, knowing, as I assume you did, as a lawyer, that it is a misdemeanor, I believe, under the laws of the State of North Dakota, as well as generally? Why did you follow that course?

"Mr. WYMAN Because I felt like I should not have been there in the first place.

"Mr. BURKE. Ah! You knew all the time you should not be in the matter at all, did you not?

"Mr. WYMAN. Yes, sir.

"Mr. BURKE. And you have regretted it many times that you took the $500 or had anything to do with it?

"Mr. WYMAN. That is true."

Your committee respectfully calls to the attention of the Senate further testimony of Gale B. Wyman, found on page 117 of the hearing, wherein he said that when he arrived in Bismarck, N Dak., that he first saw his father at the Patterson Hotel and told him just what was happening.

I told him—

Meaning his father—

that Chet—

Meaning Chet Leedom—

was getting everybody in bad, and that he was running off at the mouth about tricks in the court, and he was drunk and had considerable money.

That is what Wyman himself said he told his father when he came there, after being employed by Mulloy in this conspiracy case. He told his father what Leedom had been saying in his drunken moments about this particular case, and advised his father that it was getting him in bad, while at the same time Wyman himself, the son, was there in the Patterson Hotel, interested in this case, to the extent of being paid $500, but not as an attorney of record. There, in the Patterson Hotel, he rested and labored with the respondent and Mulloy in this case, under an assumed name. That is the record.

I read further from the report:

The evidence further discloses that on the day following the conference with the father and the registration of Wyman at the hotel under an assumed name that the jury in the perjury case was dismissed through an instructed verdict by Judge Wyman

Upon the following day Gale Wyman and Mulloy, according to Mulloy's testimony, met in Governor LANGER's law office, and there it was explained to Governor LANGER that only $250 of the $500 which had been paid to Leedom was transmitted to Wyman by Leedom Whereupon Governor LANGER sat down and wrote a check to James Mulloy for $275, the same being a settlement in full with Wyman.

The extra $25 was for expenses, as I recall the testimony. I continue reading:

The First National Bank, the institution upon whom said check was drawn, was closed, it being late Saturday afternoon. Thereupon Mulloy endorsed the check over to Wyman, and Wyman took the check back to Deadwood with him, where he deposited it in his own account.

The question of payment is undisputed, and, regardless of the hereinafter explanation by respondent, the payment of the balance due and owing to Wyman by Langer approved and ratified the original agreement made by Mulloy and Leedom with Wyman some 3 weeks previous thereto.

In other words, in the beginning it was understood that Mulloy said to Leedom, "I shall have to get the approval of the Governor before I can employ you," and when the Governor gave the check for $275, that ratified any original agreement made between Leedom and Mulloy.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. LUCAS. I wish to finish this part of the record; then I shall be glad to yield. I now read further from the report:

The respondent's explanation of the payment of this check is as follows (p. 550 of the hearing):

"Senator STEWART. Why did you pay the $275 to Judge Wyman's son? I heard what you said about that. You said you paid it because he had done some work. Now what work had he done?

"Senator LANGER. I paid it because here was Gale Wyman's father as judge. I could not afford to antagonize his son. If Gale Wyman had asked for $1,000 of me, I would have paid it. I was there on trial, and Gale Wyman demanding $500, $525, and his father is going to try me. What else could I do but pay him?

"Senator STEWART. Did Mr. Mulloy tell you what work he had done?

"Senator LANGER. Mr. Mulloy said he had taken a trip to Sioux Falls or something. He said he was over there to see if we could not get a chance to see that jury list."

Again on cross-examination in connection with this same payment, the following colloquy occurred (p. 680, hearing):

"Senator WILEY. Your position, as I get it, is that when you became cognizant of the fact that the judge's son was brought into this case you wanted to get him out of it. Is that it?

"Senator LANGER. That is right; yes, sir.

"Senator WILEY. And what did you understand you were paying this money for?

"Senator LANGER. I owed it to him for what Mr. Mulloy had made him a promise in South Dakota. As I said yesterday, I couldn't antagonize the judge's son. He was trying me in court at that time. If he had asked me for $1,000, I would have paid it."

I should like to have Senators remember that statement, "He was trying me in court at that time"; and upon that theory Senator LANGER said that he would have paid a thousand dollars, if necessary, in order to get the judge's son out of town. I read further:

Your committtee specifically points out that this check of $275, balance due and owing upon the original contract, was made payable to Mulloy by the respondent and endorsed by Mulloy over to Gale Wyman on a late Saturday afternoon after the perjury trial had been concluded on the previous day.

That is the evidence—it was not paid while respondent was on trial; it was not a payment of $500 or $1,000 to get the judge's son out of town because respondent was then being tried for perjury; no, Mr. President, it was paid after the trial was over; it was paid in Senator LANGER's office, and the records prove that beyond any question of doubt. I continue the reading:

The best evidence to support that fact is the date of the check signed by the respondent, which occurred upon the following day after the directed verdict by Judge Wyman. Your committee condemns the devious, circuitous, and illegal methods employed by Gale Wyman, Leedom, Mulloy, and Langer in connection with the respondent's trial in the conspiracy and perjury cases. Their actions in challenging established rules of law are most reprehensible. Yet the respondent tosses this matter out into thin air with a zest of boastfulness and defiance the like of which we think can be found in the life of few public officials.

To sustain this last statement we quote from page 668 of the hearings, as follows:

"Mr. BURKE. Did it occur to you at the time that there might be any impropriety or anything worse in making this kind of arrangement with a close political and other kind of friend with a new judge who was coming up?

"Senator LANGER. No; I don't think there was any impropriety in it, and I would do it again tomorrow. It is something any defendant has a right to do—is to protect himself. The first jury [meaning the one that convicted him] was tampered with. I had a right to protect myself the same as the Government had a right."

Mr. President, that is the story of the employment of Gale Wyman, the son of Judge A Lee Wyman, in this case.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. LUCAS I yield.

Mr. ELLENDER. When was it that Governor LANGER first became acquainted with the fact that Gale Wyman was employed by Mulloy?

Mr. LUCAS. There is a discrepancy in the testimony, as I told the Senate a moment ago. When Mulloy called Governor LANGER from Deadwood, S. Dak., advising him that Chet Leedom was in an inebriated condition and could not come, he said, "I will bring the other fellow." Mulloy testified that Governor LANGER knew who "the other fellow" was, and that LANGER told him to bring the other fellow.

Mr. ELLENDER. How long a period transpired from the time that Mulloy spoke to Wyman in Deadwood and the payment of this $275 check?

Mr. LUCAS. Wyman was employed by Leedom and Mulloy in the beginning of the first conspiracy case. That was the first time that he went down to see his father, after he had been employed with the understanding that Governor LANGER would approve it.

Mr. ELLENDER. Did Governor LANGER know that Wyman had been employed prior to the time that Mulloy took him to the Governor's office?

Mr. LUCAS. I just gave the Senator the testimony as I understand it.

Mr. ELLENDER. That testimony, of course, does not show that——

Mr. LUCAS. There is no question as to what Mulloy says about the matter. His testimony is cold.

Mr. ELLENDER. I understand; but Governor LANGER took the position that since Gale Wyman was the son of the judge, he did not think he should be in the case. However, he thought that since Mulloy had made a contract with

him, he ought to carry it out. Am I correct in that assumption?

Mr. LUCAS. I gave the story to the Senate, and the Senator may reach his own conclusion about it. I related that Wyman came there and registered under an assumed name. I told the story of how he and Senator LANGER and Mulloy met after the perjury trial, and after that the payment was made. I related Senator LANGER's testimony to the effect that he would have given a thousand dollars to get him out of town, but the perjury trial was over. The Senator may draw any conclusion he wants to from that.

Mr. ELLENDER. But the fact remains, though, as I understand from the testimony of Senator LANGER, that LANGER did not actually know that Wyman was employed until Mulloy took him that day to Governor LANGER's office. Governor LANGER gave Wyman this $275 check, because Mulloy had previously employed him. Governor LANGER further suggested that Wyman immediately leave town.

Mr. LUCAS. The Senator can place any interpretation upon it he desires.

Mr. ELLENDER. It is not a question of interpretation; it is a fact as evidenced by the record.

Mr. LUCAS. It is a question of interpretation, I will say to the Senator. The Senator may have his own viewpoint. I have my own idea about what occurred there. The Senator can have his own idea. I am merely quoting the evidence. That is all I can do. I know that the money was paid after the perjury trial, and I know that Senator LANGER did not pay $275 to get Wyman out of town, or he would not have said that he would pay him a thousand dollars if he had asked for it.

Mr. ELLENDER. Did the committee give any weight to the fact that Wyman was paid by check?

Mr. LUCAS. The check went to Mulloy with the understanding that Mulloy would go to the bank, get it cashed, and turn it over, but when he arrived at the bank it was closed.

Mr. ELLENDER. I understand, and the check was finally endorsed and cashed by Wyman.

Mr. LUCAS. Certainly. Mulloy turned it over to Wyman, but it was the understanding when the check was given that Mulloy would go immediately to the bank and get that money in cash and turn it over to Wyman. The bank was closed, so Mulloy endorsed the check, and Wyman took the check back with him to Deadwood.

Mr. ELLENDER. What weight did the committee give to the statement of Judge Wyman, who was before the committee?

Mr. LUCAS. When?

Mr. ELLENDER. The judge was before the committee's investigators, rather. The Senator paid a high tribute to the committee's investigators yesterday, and I presume they did a good job. I am not trying to question that.

Mr. LUCAS. Oh, I am not so sure about that.

Mr. ELLENDER. Not so sure about what?

Mr. LUCAS. About the Senator from Louisiana not trying to question what the investigators did. I think they did a good job, but some persons think they did not.

Mr. ELLENDER. What weight did the committee give to this statement by Judge Wyman?

> At no time did Chet Leedom or any other person seek to influence me in my conduct at either of the trials which I presided over in North Dakota.
>
> Especially in view of the fact, so far as I can see, that there is absolutely no evidence to show that either Mulloy or Chet Leedom or the son of the judge were seen with the judge.

Mr. LUCAS. Why does the Senator suppose Gale Wyman was employed in that case? What is the Senator's theory about it?

Mr. ELLENDER. I will say that I have been practicing law about 25 years, although I never practiced it in that way, I have seen lawyers associated in a case with the son of a presiding judge.

Mr. LUCAS. That would have been all right, had this man come in there as an attorney of record, and had he not come to the Patterson Hotel and registered under an assumed name.

Mr. ELLENDER. I am sure all that was done, as the Senator indicates, but without the knowledge of Senator LANGER, because Senator LANGER, as he stated, did not know a thing about it until the day the boy was taken to his office and given a check for $275. That is in the record.

Mr. LUCAS. Very well. The Senator may argue any way he desires and place any interpretation upon it he desires, and reach any conclusion he wishes to reach. That is his right. I will draw my own conclusions.

Mr. ELLENDER. I understand, but I should like, and I am sure our colleagues would like to find out, whether there is any direct evidence——

Mr. LUCAS. What more does the Senator want than the check for $275 paid in full upon this contract to a man——

Mr. ELLENDER. To a man who did nothing to influence his father.

Mr. LUCAS. To a man who came there under an assumed name, who would not appear as an attorney of record. What conclusion does the Senator draw from that? If the Senator can take any comfort from that kind of a transaction, then he will have to do so. The Senator may be able to do that in Louisiana, but I cannot approve the transaction.

Mr. ELLENDER. No; I would not do that in Louisiana.

Mr. LUCAS. No; I do not think the Senator would do it there. I certainly do not believe he would.

Mr. ELLENDER. But as I have just stated to the Senator the evidence in the record shows that Governor LANGER did not know of this employment, in fact, of anything connected with it. The Senator will admit that, will he not?

Mr. LUCAS. What line of reasoning does the Senator follow? If Senator LANGER did not know this man was employed, and the case was over, why would he pay him good, cold, hard money, when the evidence shows that Senator LANGER was in financial straits?

Mr. ELLENDER. I think Senator LANGER gave a very plausible excuse. I was wondering, and I simply asked the question in view of the fact that I have not been able to find any evidence——

Mr. LUCAS. No; and the Senator never will.

Mr. ELLENDER. Just a moment. I have not been able to find any evidence to show that Chet Leedom or the son of the judge did anything wrong, and then——

Mr. LUCAS. The Senator is a lawyer. He says he has not been able to find any evidence indicating that the son of the judge did anything wrong. If the Senator had gone to the city in which a case was being tried, registered under an assumed name, did not appear as an attorney of record, but clandestinely and stealthfully engaged in various activities in connection with the lawsuit, and later what the Senator did was found out, does the Senator think it would help him in his own community when the people of that community learned the facts?

Mr. ELLENDER. Probably not, but——

Mr. LUCAS. No. Now, Mr. President, I shall not yield further because I do not think I could convince the Senator from Louisiana by any further argument.

Mr. ELLENDER. But I may not suffer if I could show that all of the things charged and done were without my consent.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. The Senator from Illinois read from the report of the committee on page 60, as follows:

> The evidence further discloses that on the day following the conference with the father and the registration of Wyman at the hotel under an assumed name that the jury in the perjury case was dismissed through an instructed verdict by Judge Wyman.

The question I have in mind is whether the Senator or the committee wishes to imply that the employment of Gale Wyman and his activities during the course of the perjury trial, whatever they were, had anything whatsoever to do with the instructed verdict of Judge Wyman of acquittal.

Mr. LUCAS. Of course, I am not going to cast any reflection upon Judge Wyman, and I say to the Senator from Utah that whether or not the judge was influenced is not the vital point. In my opinion Judge A. Lee Wyman is an honorable and reputable citizen, and a good judge. There is no doubt about that.

The important point is the intent and purpose of the employment. The contract was made and entered into on the theory that perhaps something could be done as a result of bringing this young man into the case. From my observation of Gale Wyman before the committee, I do not think he would ever have been employed to assist in defending the case. If there were ever an individual whom I would not want to defend me on a charge of conspiracy in a lawsuit, it would be Gale Wyman. He was not employed in that case and paid $500 to help with the defense. It was thought that

somehow, somewhere along the line, the son of Judge Wyman would be able to say something worth while to the father. There is no question about that. The son did visit the judge.

Mr. MURDOCK. That is the point I want to get at.

Mr. LUCAS. I do not say that he influenced him at all.

Mr. MURDOCK. I am asking the Senator a question. I think it is a fair question. If it is not, I will withdraw it. From the position of the statement in the report and the very text of the statement it seems to me that it would be reasonable for a Senator not fully apprised of the facts to infer that the judge was influenced by something which his son did. I wonder if the committee wants the Senate to draw such an inference?

Mr. LUCAS. The Senator is a member of the committee. As I recall, he was as active in the cross-examination of witnesses, to the detriment of Senator LANGER, as was any other member of the committee.

Mr. MURDOCK. Has that anything to do with the question I am now asking the Senator? I will admit that I was zealous in my cross-examination. I will admit that I attended the hearings religiously. However, I think I have asked a fair question. If it is not fair I will withdraw it.

Mr. LUCAS. It is a fair question.

Mr. MURDOCK. I think the Senate has a right to know if the committee in this case wants to imply that there was something wrong between Gale Wyman and Judge Wyman. If so, the committee ought to be willing to criticize the judge as readily as it criticizes anyone else.

Mr. LUCAS. That is entirely beside the point.

Mr. MURDOCK. I do not think it is. I think it is one of the most important points in connection with this case.

Mr. LUCAS. It is entirely beside the point, because, as I said a moment ago—and I shall repeat it for the benefit of the Senator from Utah—the important point is not what happened. The point to be considered is the purpose and intent of those individuals, who thought that Wyman, the son, would have the opportunity to do something. Again I say I do not think Judge Wyman was influenced, but why does the Senator suppose young Wyman was employed?

Mr. MURDOCK. Very well. The Senator has asked me a question——

Mr. LUCAS. Why was young Wyman employed?

Mr. MURDOCK. Let me say that as a member of the committee, zealous as I was in my cross-examination of witnesses, I was placed in the position in which the Senate is placed today. Are we to believe Mulloy against a man who has been twice elected attorney general of the State of North Dakota, twice elected Governor of the State of North Dakota, and elected a United States Senator? Are we to believe Mulloy, a disappointed politician, or are we to believe a Member of the Senate of the United States? I elect to believe Senator LANGER.

Mr. LUCAS. Mr. President, this is a new turn of events, developed since the hearings were held before the subcommittee. The Senator did not make any such speech as that before the subcommittee. I think my statement can be substantiated by every member of the subcommittee. The Senator constantly said that he was with the majority of the committee on the facts, but that he was standing on high constitutional grounds.

Mr. MURDOCK. I never made the statement that I was with the committee on the facts. I did take the position—and I take it now—that I am not so much concerned about the facts in this case as I am about the Constitution and the law.

Mr. LUCAS. I am glad to hear the Senator make that statement, in view of the minority report which he signed.

Mr. MURDOCK. I will admit that there is much in the evidence which I cannot condone. There are some things which I cannot square with my own conscience. But when I must make a choice between believing the Senator from North Dakota [Mr. LANGER] or Mr. Mulloy, conscientiously I can do nothing but believe the Senator from North Dakota.

Mr. LUCAS. Of course, the veracity of Mulloy and LANGER is not involved in the case which we have been debating.

Mr. MURDOCK. Certainly. That is the question before us.

Mr. LUCAS. Not in this case at all.

Mr. MURDOCK. Whom will the Senate believe?

Mr. LUCAS. Mulloy did not testify that the judge had anything to do with the scheme. The only point the Senator has raised in this case is whether or not the judge was influenced.

Mr. MURDOCK. All the way through the Senator's discussion of this particular item the Senator has said that Mulloy told the truth.

Mr. LUCAS. Oh, no.

Mr. MURDOCK. I take the position that he did not tell the truth, and that Senator LANGER did.

Mr. LUCAS. I take the position that the check for $275, signed by Senator LANGER following the day of the perjury trial, tells the truth.

Mr. MURDOCK. There is no question about the check; but, in my opinion, the explanation of it given by the Senator from North Dakota is more reasonable than the one given by Mulloy.

Mr. LUCAS. On that point, I will say to the Senator that Mulloy was the bosom friend of Senator LANGER until they fell out politically. I asked Mulloy on cross examination if he did not stand before the committee as a confessed criminal as a result of his testimony, and he admitted that he stood before the committee as a confessed criminal. He was the individual who was with Senator LANGER as secretary to the industrial commission for years. He handled Senator LANGER'S campaign. The self-confessed perjurer and criminal was with Senator LANGER during the trial of all his cases. He was with Senator LANGER constantly during the time he was Governor in 1937 and 1938.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Vermont.

Mr. AUSTIN. I merely wish to call attention to the fact that we seem to be prone to worry about contrasting testimony. All we have to do is to take the testimony of Mr. LANGER on this point. There can be no controversy, because on page 680, against his own interest, he told the committee that he paid this money to the son of the judge because he owed it to him. In other words, a contract was made by his agent. To quote him exactly, he was asked the following question by the Senator from Wisconsin [Mr. WILEY]:

> Senator WILEY. And what did you understand you were paying this money for?

Senator LANGER replied:

> Senator LANGER. I owed it to him for what Mr. Mulloy had made him a promise in South Dakota.

There is more to the answer. There are many pages on this subject.

Let me say as one member of the committee that I would leave no reflection upon Judge Wyman, either in the language or the form or substance of our report as a committee. In such part as I took in the drafting of the report I had no idea of casting reflections upon Judge Wyman.

Mr. LUCAS. As the Senator knows, there is nothing in the report which does so.

Mr. AUSTIN. I do not know whether there is or not; but if there is, it was inadvertent and not intended. My own view is that when a son steps into such a situation as that he embarrasses his father, and the father leans over backward rather than help the son. The father resists the son's influence upon him and tries to do justice. Throughout this case I have never had any doubt that Judge Wyman was free from blame in that regard.

However, that is not the situation with respect to Senator LANGER. The whole episode has certain implications, certain definite inferences; and they all rest in the tendency of the act of Senator LANGER. What was the tendency of the contract? He made a contract through his agent. He owed the money, and he paid it in satisfaction of the contract. The point is not what Judge Wyman did. It is what Senator LANGER did, and the tendency of his act. There is no question in the conscience of any living man that the tendency of an act of that kind is to interfere with the administration of justice and to hinder, obstruct, and impede the due process of law. That is in conscience; but beyond that it was a punishable offense under the law, for which men have been tried and punished, notably in 1929 in the Sinclair cases, to which I referred yesterday.

Mr. LUCAS. Mr. President, let me add this comment to the statement the Senator from Vermont has just made: There was much discussion yesterday with respect to the action of the people of North Dakota in passing upon the various charges of moral turpitude which have been considered. It was said that the people knew about them. I submit, in fairness to everyone, that this is one case about which the people of North Dakota knew nothing until the investigators made their investigation. There is not

one line of evidence in the record to show that anyone knew anything about this particular charge until the investigators went into North Dakota and found out about it.

Mr. VAN NUYS. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. VAN NUYS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brown	Hughes	Shipstead
Bulow	Johnson, Calif.	Smathers
Burton	Johnson, Colo.	Smith
Butler	La Follette	Spencer
Byrd	Langer	Stewart
Capper	Lee	Taft
Caraway	Lucas	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Maybank	Vandenberg
Danaher	Mead	Van Nuys
Davis	Millikin	Wheeler
Doxey	Murdock	White
Ellender	Murray	Wiley
George	Nye	Willis
Gerry	O'Daniel	

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

Mr. ELLENDER. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. LUCAS. I yield for a question.

Mr. ELLENDER. A moment ago the distinguished Senator laid a good deal of stress on the fact that Senator LANGER gave $275 to Wyman after he had been vindicated of a charge that had recently been tried by Judge Wyman. Does the Senator know whether or not Senator LANGER was to be tried on another charge immediately following the one in which he was vindicated?

Mr. LUCAS. No one can tell that. I suppose the Senator refers to the third conspiracy trial?

Mr. ELLENDER. Yes.

Mr. LUCAS. I do not know how soon afterward that case was tried.

Mr. ELLENDER. I understand that the third conspiracy trial followed 2 or 3 days after the vindication of Senator LANGER of the perjury charge. Am I correct in that statement, I will ask the Senator from North Dakota?

Mr. LANGER. The Senator is correct.

Mr. ELLENDER. So that when the $275 check was paid by Senator LANGER to the son of Judge Wyman, Judge Wyman was to sit a few days thereafter as judge in a case in which the Senator was to be tried?

Mr. LUCAS. The Senator can read the record.

Mr. ELLENDER. I am asking the Senator. We do not have time to read all the record.

Mr. LUCAS. I think the Senator has read a good deal of the record. He seems to know a good deal about this case. The Senator can read the record and draw any interpretation or any conclusion he wants to draw. I am drawing my conclusions. I cannot read that testimony, and I do not think anyone else can read it and associate that testimony with the trial that was to come, which was the third conspiracy trial. He talked about the trial then proceeding, which was the perjury trial, and not the conspiracy trial.

Mr. ELLENDER. Did the committee give any weight to this statement I note on page 679 of the hearings, where Senator LANGER said:

He—

Meaning Wyman, the son of the judge?

He also testified that he wanted to be a lawyer in the case. I told him we had enough lawyers, that we didn't need any lawyers and I said I would go to the office and give Mr. Mulloy a check and that Mr. Mulloy would give it to him, and I told him to get out of Bismarck, that I didn't want him around there at all.

What would prompt Senator LANGER to make such a statement if he expected to make any use out of the employment of the son of the judge?

Mr. LUCAS. I have gone all through that, I made a statement as to that a moment ago, and I do not propose to repeat and reiterate it. My argument has been made, and I do not care to discuss that question again. The Senator can take any position he wants to along that line, I still stand on my original position.

Mr. ELLENDER. It is not a question of argument or of remarks of any kind. I think the Senate ought to be presented with the facts, as I said yesterday, and let us draw our own conclusions.

Mr. LUCAS. The Senator has already drawn his conclusions, a long time ago. The Senator would not need any facts to draw his conclusions, his mind is made up. That is a fact, is it not?

Mr. ELLENDER. No; it is not. I am still waiting to hear the discussion on two charges, but I may say that if those two charges are predicated on the same kind of evidence and conclusions as all charges discussed by the distinguished Senator to this moment, of course, there will be nothing for me to do but vote to permit Mr. LANGER to retain his seat as a Senator of the United States.

Mr. LUCAS. I respectfully urge the momentary breeze from the canebrakes of Louisiana to restrain himself for a while, and let me present this case in an orderly manner.

Mr. MILLIKIN. Mr. President——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from Illinois yield to the Senator from Colorado?

Mr. LUCAS. I yield.

Mr. MILLIKIN. Aside from the question as to whether Mr. LANGER understood the words to be "the other fellow" or "another fellow," is there any connection between Senator LANGER and the presence in the case of a son of the judge, except as is retroactively implied from the payment of the check?

Mr. LUCAS. And his statement just read into the record.

Mr. MILLIKIN. I should like to ask another question, which possibly has been answered. Is there anything in the record which shows any communication between the son and the father over the case?

Mr. LUCAS. I do not believe there is any direct reference to a communication between the son and the father in connection with the perjury case. I read into the RECORD a moment ago the statement appearing in our report which Gale Wyman made to his father when he arrived in Bismarck during the trial of the perjury case, when he said:

I told him that Chet—

Meaning Chet Leedom—

was getting everybody in bad, and that he was running off at the mouth about tricks in the courts, and was drunk, and had considerable money.

The Senator will recall that Leedom went to see Judge Wyman, that Leedom was employed because he was a friend of Judge Wyman in the first instance. He represented himself to Judge Wyman as one who was there representing a farm paper of some kind, of which I think Milo Reno was head. The judge did not have any knowledge to the contrary, in my opinion, because Leedom had in the early days been associated with the newspaper fraternity.

Mr. MILLIKIN. Was I correct in understanding from a point which I believe the Senator stressed, that the payment of this check was after the conclusion of the case?

Mr. LUCAS. Yes.

Mr. MILLIKIN. Would the Senator have drawn more drastic conclusions against Senator LANGER had this check been paid during the course of the trial?

Mr. LUCAS. No; I would draw a more drastic conclusion from its being paid after the trial, because the Senator himself, in the statement he made, which I read, and which is undenied, said that he paid the money for the reason that he was on trial, and that, if necessary, he would have given a thousand dollars to have got the judge's son out of town. That is the statement in the record.

The point made is, and the real significance of the thing seems to me to be, the payment of the money after the trial was over, because there was nothing then for him to fear. Instead of going to the judge and advising the judge what Leedom and Mulloy and Wyman were trying to do to him, he said, "I paid him this money because I was on trial, and I would have paid him a thousand dollars to have gotten him out of town, because I did not want the judge to know."

Mr. MILLIKIN. Unless we may draw a fair retroactive implication, we must find that Senator LANGER knew who was meant by the use of the word "another" or "the other," if he is to be charged with a current knowledge of what was going on. Is that a correct analysis?

Mr. LUCAS. The Senator may take that position, and it may be an important position from the Senator's viewpoint. I might say that the testimony given by Mulloy shows definitely that Senator LANGER did know exactly whom he was talking about when he was discussing "the other fellow." That is in the record.

I point out again the fact that he paid this money under the circumstances, and admitted, according to his own testimony, that he was paying for a contract that was made by Mulloy at Deadwood in the beginning. In making the contract Mulloy said to Wyman:

Before I can employ you I must have the approval of the Governor.

And Leedom said to Wyman:

You can take my word for it, it will be all right, and I guarantee you will be paid.

It was after that statement was made that Wyman went from his home in Deadwood, S. Dak., to his father's home to discuss with him at that time something about the bringing out of a jury list in the second conspiracy case. It seems as though in the beginning, in the first conspiracy trial, Judge Miller had ruled they did not have a right to have the jury list, and in the second trial Gale Wyman was supposed to have gone down there to discuss with his father whether or not respondent was going to be able to obtain the jury list in the second conspiracy trial. That was one of the reasons he went there. I think the evidence shows that when they met to try this case, Judge Wyman did adjourn court for 1 or 2 days in order that they might have an opportunity to enlighten themselves as to who the prospective jurors were whose names had been drawn from the box.

It was following that service in the second conspiracy trial that Senator LANGER was tried for perjury. Mulloy went back to Deadwood to bring Leedom down to the perjury trial, and found him drunk. Then he called Senator LANGER and said, "I can bring the other fellow." "The other fellow" had already performed some services, as the testimony shows, in connection with the conspiracy trial, so far as that jury list was concerned. The Senator says it was "another fellow," and Mulloy says it was "the other fellow." "Another fellow" or "the other fellow" was the same fellow, and he was finally paid for the service.

Mr. MILLIKIN. I was trying to fasten in my mind whether there is any current connection between Senator LANGER and the doings of the judge's son and the presence of the judge's son, other than we can retroactively imply, if we should retroactively imply it, from the payment of the check.

Mr. LUCAS. I have read the statement, and the committee have gone over it pretty carefully; this is all we have in the way of evidence upon that point.

Mr. President, I now direct the attention of the Senate to page 62 of the report of the committee, chapter IX, involving the second conspiracy case. In the second conspiracy case there was evidence, as I think will be shown by this record, that one juror by the name of Ernie Reich was tampered with by someone in connection with this case.

It will be recalled that in the second conspiracy case the Senator was convicted by a jury, citizens of North Dakota, and the conviction was reversed by the circuit court of appeals on the ground that the evidence was insufficient. They tried the case the second time, and in that trial the jury stood 10 to 2 for conviction. Later Judge A. Lee Wyman dismissed the jurors because they could not agree. It is one of the jurors in the second conspiracy case I am about to discuss before the Senate.

I read from the report, at page 62:

When the jury in the second conspiracy case against Mr. LANGER, Vogel, and others disagreed and were dismissed by the court, the evidence shows that Ernie Reich was one of the two jurors who held out for a verdict of not guilty. The home of Ernie Reich was at that time in Casselton, N. Dak., which is the birthplace of Governor LANGER. It is admitted by Reich in his testimony before the investigators that a number of people talked to him about the conspiracy case before the trial began and after he had been summoned as a prospective juror. There is no evidence, however, which indicates that any direct attempt was made to bribe him before he was accepted. There is evidence upon the part of James Mulloy that one George Schoenberger, who also lived in Casselton, N. Dak., and an employee of the respondent, told Mulloy that he had discussed the conspiracy trial with Ernie Reich, and that Mulloy was to tell BILL (meaning Governor LANGER) that he, meaning Ernie Reich, is O. K. This statement was denied by Schoenberger and Reich

However, your committee is struck with the loans and the lavish gifts made to Mr. Reich, principally by Mr. Vogel, one of the codefendants, after the trial was over. We believe that the following undisputed facts may arouse some suspicion of wrongdoing to an ordinary, reasonable, and prudent mind. After the trial, Reich borrowed $150 from Vogel and $10 from LANGER, and there was no evidence that it was ever repaid.

During Governor LANGER's administration in 1937, Reich was given a contract to furnish oil and grease to the State, amounting to $1,036.28 (H 313). Following this we find a financial transaction stranger than fiction. Reich testified that in August 1937 he was called to the Bank of North Dakota by Frank Vogel, codefendant in the conspiracy case.

Frank Vogel was at the head of the State bank in North Dakota. It may be well to say to the Senate that the Bank of North Dakota is controlled by the government of that State. It is a State-owned institution. Vogel has been, and is now, a close and intimate social and political friend of Senator LANGER. He was indicted and was one of the codefendants in this conspiracy case.

He [Reich] was asked to bring with him one Fred Ingstad, of Fargo, N. Dak. Mr. Ingstad testified that he was a representative of the Huber Manufacturing Co. and the Rosholt Manufacturing Co., and as such had made various sales of machinery to the State of North Dakota. When these two men arrived at the Bank of North Dakota, where Frank A. Vogel was manager, they found that Vogel had a check for $950 payable to Mr. Ingstad and drawn on the Rosholt Manufacturing Co., of Minneapolis. This check represented commissions on sales which Ingstad had made to the State highway department.

Ingstad testifies on page 213 of the hearing that when he and Reich reached the bank that Vogel reached into a basket and pulled out the check described above and asked him to endorse it.

"After I endorsed it, Vogel picked it up and handed it to Reich, and yet when I endorsed it I thought Vogel was going to take it back in the bank and give me the money, but instead of that he handed the endorsed check over to Mr. Reich. Vogel merely said, 'Here, Ernie, is a check. I am glad to give it to you.' And when I said to Vogel, 'How come?' he said, 'Oh, you will be taken care of.'"

Ingstad further testified that Vogel had reference to $16,000 worth of Huber equipment which was sold, and which he would get something out of in the way of commissions. When asked whether he was still out the $950 he said that he was. There is further testimony in the case that Reich told Ingstad that he understood from Vogel that it was "a good will offering" in appreciation of what Reich had done for him. The testimony further shows that Reich cashed the check, or deposited it in the State Bank at Casselton to his own account.

Mr. President, to some people that may seem to be a very immaterial matter. I presume we might discuss the question here for the rest of the afternoon. But I undertake to say that the only reason for presenting this case is to place another piece in the pattern which is being laid down here by the presentation of all of these cases, and which will finally be completed by the addition of the cases which are to follow, the bond cases, and the Mexican land transaction. If any one of these cases, which, up to this time have been presented, stood alone, no one would oust or exclude the Senator from North Dakota. We would not go back 15, 20, 25, or 30 years, to investigate and present a case, as some have complained the committee has done, and for which some criticism has been made. But all these matters, in connection with which we have gone back to 1917 and 1920, were brought out voluntarily by Senator LANGER himself when he testified before the committee.

Mr. ELLENDER. Mr. President, will the Senator yield to me for a question?

Mr. LUCAS. I yield for a question.

Mr. ELLENDER. Is there anything in the evidence to connect Senator LANGER with charge IX except that the juror was born and lived in the town where Senator LANGER was born, and that after the trial Senator LANGER loaned $10 to the juror?

Mr. LUCAS. Senator LANGER and Vogel were political allies. I have read all this testimony about Senator LANGER'S connection with the matter. The only direct connection of Senator LANGER with it is the $10 referred to by the Senator. But I repeat——

Mr. ELLENDER. As the Senator has just stated, however, Vogel, who apparently did all this talking to and paying to Mr. Reich, was also tried in connection with Senator LANGER. Is that not true?

Mr. LUCAS. Vogel was one of the codefendants in the conspiracy case, but I call the attention of the Senator to the fact that in addition to the $10 borrowed by Reich from Senator LANGER, the following appears on page 62 of the report:

During Governor LANGER's administration in 1937 Reich was given a contract to furnish oil and grease to the State amounting to $1,036.28.

Mr. ELLENDER. Was there anything wrong about that?

Mr. LUCAS. There was not anything wrong with that. It is a circumstance we present. Probably if the Senator had been up there he would have obtained the contract.

Mr. ELLENDER. Probably so, especially if it were legitimate.

Mr. LUCAS. I merely point out what happened to this juror who held out. He was certainly pretty well taken care of.

Mr. ELLENDER. Especially by Senator LANGER with a $10 loan, and that after the trial.

Mr. LUCAS. Senator LANGER is a very close political associate of Mr. Vogel.

Mr. ELLENDER. Who was on trial also.

Mr. LUCAS. Yes; the Senator is correct.

Mr. HUGHES. Mr. President, will the Senator yield to me for one question?

Mr. LUCAS. Yes; I yield.

Mr. HUGHES. I am curious to know whether Mr. Ernie Reich's evidence is in the hearings?

Mr. LUCAS. Yes; it is in the hearings. Will some member of the committee tell me what page the Reich testimony is on?

Mr. WHITE. Reich's name does not appear in the index of the witnesses, and I was curious to know whether he appeared as a witness before the committee or not.

Mr. LUCAS. I do not think he appeared before the committee, but I think he appeared before the investigators.

Mr. HUGHES. Does the Senator know whether he appeared before the committee or whether he appeared before the investigators?

Mr. LUCAS. I think he appeared before the investigators. I do not see Mr. Smith here.

Mr. HUGHES. The testimony is not available to us.

Mr. LUCAS. The testimony is available. All the testimony taken by the investigators is in the room outside the Senate Chamber, and any Member of the Senate is at liberty to examine it at any time.

I now respectfully direct the attention of the Senate to page 63 of this report, which deals with the sale of Mexican land stock to Thomas Sullivan, a special attorney for the Great Northern Railway Co. I can do no better than to read from the report filed by the committee. This is an extremely important matter. In the opinion of the committee this particular transaction, along with the bond deals and the sale of real estate by Senator LANGER to a man by the name of Brunk in Des Moines, Iowa, constitute the real charges of moral turpitude.

RESPONDENT'S SALE OF MEXICAN LAND STOCK TO THOMAS SULLIVAN, SPECIAL ATTORNEY FOR THE GREAT NORTHERN RAILWAY CO.

Thomas Sullivan, attorney at law, of the city of Chicago, was employed by the Great Northern Railway Co. as its special attorney for the years 1937 and 1938 on a retainer basis of $20,000 per year. Sullivan was a close and intimate friend of respondent, who was then Governor of North Dakota, at the time this employment was arranged for the railroad company. Sullivan and respondent were organizers and exponents of the political philosophy of the Nonpartisan League of North Dakota. Sullivan was closely allied with all of the Nonpartisan leaders for many years during the early part of its history. It is significant to note, however, that Sullivan, in testifying before the investigators, said that during the years 1937 and 1938 he was representing North Dakota, the other side from the public side, the utility side. (See transcript, p. 3969.)

Mr. President, here is an individual by the name of Thomas Sullivan, who is a lawyer from Chicago, Ill., my own home State. In his early years he was one of the individuals who campaigned throughout Minnesota, North Dakota, South Dakota, and the Northwest generally, for those who represented the Non-Partisan League philosophy. In fact, he was at one time candidate upon that ticket for Attorney General, as I recall, in the State of Minnesota. But in 1937 and in 1938, when Governor LANGER was Governor of North Dakota, Thomas Sullivan seemed to have forgotten all about the political philosophy of the Non-Partisan League, and was employed by the Great Northern Railroad Co. at a salary of $20,000 a year, and he also represented several public utility companies in that State.

Remember, he represented the Great Northern on this high retainer basis only during the years 1937 and 1938.

The evidence shows, from the testimony of Sullivan, that he was employed to represent the Standard Gas and Electric Co., the Northern States Power Co., and the Great Northern Railway Co., all of which were heavy taxpayers in the State of North Dakota. His political philosophy changed overnight from the standpoint of representing the liberal tendencies and philosophies of the Non-Partisan League. Sullivan accepted employment by the railroad companies and the public utilities because large amounts of money were involved in fees.

I continue reading from the report:

The evidence further shows that the Great Northern Railway Co. was strenuously objecting in the Federal courts to the taxes levied by the State of North Dakota for the years 1935 and 1936. A settlement was in the making in 1937 when Thomas Sullivan was employed as special attorney for this railroad company. A part of the testimony of Sullivan, taken by the investigators, can be found on pages 3970–3971, which is as follows: "I talked to Governor LANGER about this Great Northern affair."

He then recalls a discussion with Governor LANGER about going through with a compromise, tentatively agreed to during the previous State administration and relates that they finally did settle for $63,500,000 valuation, but adds "I wasn't in on it. My discussion had been prior to this. I wasn't present." To the question by Investigator Hood as to any conversation with any other members of the commission, Sullivan replied:

"No; I did not talk to them. After talking to him (meaning LANGER) I was satisfied I would get nowhere with them. I talked to nobody else, and I believe it was settled in 1937, might be early in 1938, but I was not in on negotiations after that."

Sullivan was not the attorney of record in the North Dakota cases at all. He was not employed by the Great Northern until 1937; but he talked to Governor LANGER about the tax settlement in that State. There is no denying it. It might be well to add at this time that Senator LANGER'S own testimony shows that he and Sullivan were close friends, and that Sullivan had visited his home, or had visited a cabin somewhere in the north woods where he was socially entertained.

Continuing with the report:

After Mr. Murphy, attorney for the respondent, laid a rather lengthy foundation with respect to the taxes and litigation of the Great Northern Railway Co. in the State of North Dakota, the following transpired:

"Mr. MURPHY. Now, did Mr. Sullivan have anything whatever to do with the matters you have just dealt with in respect to the railroad company?

"Senator LANGER. Mr. Sullivan spoke to me about it just once.

"Mr. MURPHY. When was that?

"Senator LANGER. That was when he wanted us to keep the promises made by my predecessor to keep the taxes the same for 1937 as for 1936 and 1935.

"Mr. MURPHY. Was he at that time representing the Great Northern Railway Co.?

"Senator LANGER. I do not know.

"Mr. MURPHY. Did he say whether he was or not?

"Senator LANGER. He did not" (p. 602 of hearings).

Why does the Senate think he was asking Governor LANGER a question of that kind? Why was there any such discussion between Thomas Sullivan and the Governor if the Governor did not know anything about Thomas Sullivan's interest in the railroad company? Had I been in his position, it would have occurred to me to ask Mr. Sullivan then what his interest was in the tax situation in the State of North Dakota.

Again reading from the report:

As stated above, this testimony of Mr. Sullivan and respondent refers to the litigation of the Great Northern Railway Co. pending against it in the Federal courts for taxes levied by the State Equalization Board of North Dakota, of which the Governor was ex-officio chairman. This deals with the 1935 and 1936 tax assessments However, they were dealing at a time when the respondent was Governor. In 1935 and 1936 the State of North Dakota had no law which would give the taxpayer an adequate remedy in the State courts, but in 1937 a State law was passed correcting this situation. From the records your committee obtains the information that the tax matters for the 2 years stated above were settled to the satisfaction of all parties to the litigation.

The records of the North Dakota State Board of Equalization (pp. 44–46) disclose that on September 8, 1937, the assessment of the Great Northern Railway Co. was fixed at $64,500,317. This was an increase over the previous year of some $700,000, the assessed valuation for 1936, the latter having been fixed by the Federal court.

The evidence shows that Mr. Doherty, general counsel for the Great Northern Railway Co., appeared before the board of equalization before the 1937 assessment was levied, and made an argument, but apparently was satisfied with the increase over the previous year, as the record is silent as to any further objection or litigation growing out of said assessment. It seems that the annual railroad tax litigation between the Great Northern Railway Co. and the State of North Dakota had at last reached the stage of an armistice.

In 1938 Mr. Doherty, general counsel for the railroad, again appeared before the board of equalization and offered, as the respondent says, a depression argument (see p. 596, hearing) and the board reduced the assessed valuation compared with 1937 a little over $3,000,000, and for the second time in as many years the Great Northern Railway Co. failed to make any objections to this assessment

Your committee directs the attention of the Senate, however, to the fact that two members of the board of five, including Tax Commissioner Gray, voted to increase the assessed valuation for 1937 some $4,000,000. (See transcript 3717.) It was the respondent and his two close political friends on the board who voted for the $3,000,000 reduction, notwithstanding respondent said on page 640 of the hearing, as follows: "John Gray is a

man perhaps who knows more about taxes in North Dakota than the average man does." The respondent, in testifying upon this point challenged the accuracy of the statement made by Gray and contends that the $4,000,000 which Gray believed the assessment should be raised, applied to all railroads in North Dakota. (See respondent's testimony, p. 711 of hearing.)

Before I finish this argument I propose to put into the RECORD the minutes of that meeting of the Tax Commission of North Dakota so that Senators may see for themselves exactly what happened and place their own interpretation upon it.

Continuing with the committee report:

With this preliminary explanation of the relationship of respondent and Thomas Sullivan, special attorney for the Great Northern Railway Co., who was not the attorney of record at any time in North Dakota in behalf of the Great Northern Railway Co., the scene shifts to May 27, 1937. The place is the law office of Thomas Sullivan in the city of Chicago. Those present were respondent and Thomas Sullivan. The subject matter is the purchase by Thomas Sullivan from respondent of stock in a finance company involving lands in Mexico. The company was organized some 35 years ago, Senator Langer, former Senator Frazier, Congressman Lemke, and others being the promoters and principal owners of said stock. It involved several thousands of acres of land in Mexico. Respondent acquired $55,000 worth of stock, paying part in cash and the rest representing commissions, as he testified. The testimony of former Senator Frazier, a heavy stockholder, and by others is, that the stock is practically worthless.

A conversation took place in Sullivan's law office on May 27, 1937. That was the day on which the Senator and Thomas Sullivan discussed the tax situation in the State of North Dakota. That was the day on which they discussed and finally entered into a contract whereby Sullivan bought $25,000 worth of Mexican land stock from Senator LANGER.

Again reading from the committee report:

In the course of the conversation in Sullivan's law office on May 27, 1937, there arose, according to the testimony of the respondent, to be found on page 605, a discussion as to the honesty and fairness of one William Lemke, and the respondent said:

"Finally, I spoke up and said he was so confident in Mr. Lemke's business ability and all that sort of thing. I had had some stock a long time that I was perfectly willing to sell at $25,000, and the upshot of it was that after some talk we drew up a contract on the 27th of May 1937, by which Mr. Sullivan bought $25,000 worth of that land. I might add that Mr. Sullivan is well fixed. He had donated money to the campaign funds in North Dakota and later had donated $4,000 in cash to Senator Nye's campaign, and he was in that shape financially."

William Lemke was formerly a Representative from the State of North Dakota. He ran against Senator LANGER at the last election in North Dakota. They had been friends at one time, and presumably, still are. Perhaps they are not as close politically, as a result of the last election; but at any rate they were together in the early time of the formation of the company which purchased the land referred to and issued the stock.

Digressing for a moment from the committee report, it may be well at this time to say that Thomas Sullivan married the stenographer of William Lemke. As I understand, she was a very fine businesswoman.

Sullivan contended that he was relying upon her judgment a great deal in connection with the purchase of the stock because she had been familiar with it in the early days when Senator Langer and Lemke and Frazier and the others were interested in it.

Referring again to the committee report—

On page 608, hearing, the following colloquy occurred:

"Mr. MURPHY. I just want to ask you this question: Did the transaction with Mr. Sullivan, or your sale to him of the stock in the Land Finance Co., have any relation whatever, or have anything to do with the Great Northern Railway tax action?

"Senator LANGER. No; he bought that stock in May 1937, and the board of equalization in 1937 met in the month of August—I do not have the exact day, but it was in August, anyhow—and you will notice that when we met we raised that assessment of the Great Northern Railway Co.

"Mr. MURPHY. Raised it?

"Senator LANGER. A little over $87,000."

The committee notes that—

It is fair to say here that the Senator was talking about the increase in actual taxes and not in the assessment.

The committee directs the attention of the Senate to the hearings on page 703, when respondent was being cross-examined by Attorney Burke.

With reference to the answer made to the inquiry by Mr. Murphy, it is well to point out at this time to the Senate that the statement is true. As I said awhile ago, in 1937 the assessed valuation of the railroad stock of the Great Northern in North Dakota was increased $700,000, and that increase was made after the contract was entered into in Tommy Sullivan's office in May 1937.

But it is significant to note, as I shall point out later, that the payment of the $25,000, or the greater portion of it, did not take place until the following year, when the assessed valuation was reduced.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHITE. Did the contract contain any express provision with reference to the time when the payments for the stock should be made?

Mr. LUCAS. I shall get to that point in just a moment.

Mr. WHITE. In other words, what I am asking is whether the payment to which the Senator now refers was made in accordance with the terms of the contract.

Mr. LUCAS. As I recall, the provision of the contract was as follows:

Payment of $5,000 on said stock is hereby acknowledged, and the balance is to be paid at periods not to exceed 6 months each, in equal installments of $5,000.

I shall follow up that matter, I say to the Senator, and, I think, shall develop it in a logical manner. If I may be permitted to go on, I am sure I can do that; and if I do not do so I shall be glad to return to it.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Montana.

Mr. WHEELER. What was the value of the stock? Does anyone know?

Mr. LUCAS. Most of the testimony before the committee was that it had no value whatever.

Mr. WHEELER. I am merely asking for information. I understood that they have a claim with the Mexican Government.

Mr. LUCAS. That is correct.

Mr. WHEELER. A claim for $1,000,000.

Mr. LUCAS. More than that, I think.

Mr. WHEELER. More than that?

Mr. LUCAS. Yes.

Mr. WHEELER. But they do have a claim?

Mr. LUCAS. They do have a claim; and, as I recall, Lemke himself swore that the land was worth so much; and I have forgotten how much that is.

Mr. WHEELER. In other words, he swore that the land was worth over a million dollars.

Mr. LUCAS. I have forgotten what it is. Let me ask the Senator from Utah if he recalls the amount.

Mr. MURDOCK. My impression is that it was claimed to be worth over a million dollars.

Mr. WHEELER. Without regard to that, let us suppose that the stock was worth a million dollars. Would the $25,000 that Sullivan paid be an exorbitant payment for the stock?

Mr. LUCAS. No; but most of the information is—Senator LANGER testified on that point, and we have the sworn statement of Mr. Lemke—that it was worth a million dollars. But, in my opinion, no one will testify, and I do not think even the Senator will say, that the land is worth what they are attempting to get for it.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. LANGER. I will say now it is worth a lot more than a million dollars, and I will prove it as we go along.

Mr. LUCAS. I will accept the amendment; and if the Senator can prove it, it will be at a variance with what is in the record.

Former Senator Frazier testified that the stock was practically worthless; and other individuals so testified. Perhaps that point is not as important as other things that later followed in connection with the transaction. I shall show to the Senate how important it was when we get to the question of the transfer of the stock.

The committee report continues as follows:

The committee directs the attention of the Senate to the hearings on page 703, when respondent was being cross-examined by Attorney Burke:

"Mr. BURKE. Well, Mr. Sullivan was to do the paying, and did it, in accordance with the terms of the agreement. Did you deliver the 500 shares of stock to him at that time?

"Senator LANGER. No, sir; I still have all that stock; we simply have it on a 50–50 basis. * * *

"Mr. BURKE. You never actually delivered any stock to Mr. Sullivan?

"Senator LANGER. No, sir. * * *

"Senator WILEY. There is nothing written showing that he has a half interest in the stock?

"Senator LANGER. Absolutely nothing.

"Senator WILEY. Was any receipt given?

"Senator LANGER. For what?

"Senator WILEY. For the payment.

"Senator LANGER. They were all by check.

"Senator WILEY. I mean, after the final payment was made, was there any receipt?

"Senator LANGER. No, sir; he just paid the money."

On page 705 of the hearings:

"Mr. BURKE. Did you consider the certificates of stock of sufficient value to place them in a safety-deposit vault or other place of safekeeping?

"Senator LANGER. I had them in my desk for a long, long time.

"Mr. BURKE. Where are they now?

"Senator LANGER. I wish I knew; I do not know where they are now."

On page 706 of the hearings the following occurred:

"Mr. BURKE. So, then, Mr. Sullivan, for his $25,000 in cash, acquired a half interest in approximately, or in $55,000 par value of the stock of that Land Finance Co., the stock not being presently available and nothing appearing on the records of the company to show that Mr. Sullivan has any interest whatever?

"Senator LANGER. That is exactly right.

"Senator WILEY. Has he ever demanded the transfer of his interest?

"Senator LANGER. No * * *."

Mr. Sullivan testified that he bought $25,000 worth of stock and he did not know what it was. He did not know what he was getting. He never received any receipt of any kind or character for the payment of the $25,000.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. AIKEN. I wish to ask about the contract.

Mr. LUCAS. I am glad to have the Senator ask about it.

Mr. AIKEN. Did the contract cover the situation, or did it not?

Mr. LUCAS. I will get to that point now:

Your committee directs the attention of the Senate to the contract that was drawn and signed by Attorney Thomas Sullivan and respondent in the former's Chicago law office on May 27, 1937, part of same being as follows: "payment of $5,000 on said stock is hereby acknowledged and the balance is to be paid at periods not to exceed 6 months each, in equal installments of $5,000."

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Louisiana.

Mr. ELLENDER. That was the matter about which I desired to question the Senator. Where is the contract now? Was it kept by Sullivan or by Senator LANGER, or what does the evidence show about that?

Mr. LUCAS. As I recall, a copy of the contract was introduced in the record.

Mr. ELLENDER. How did the committee obtain a copy of the contract?

Mr. LUCAS. The investigators, as I recall, procured a copy of the contract from Sullivan when they interrogated him in his office in the city of Chicago. I think that is correct. At any rate, it is a matter of record. It does not make any difference whether it came from the Senator or whether it came from Sullivan.

Mr. ELLENDER. Is there anything in the record to indicate that the transaction was not consummated in a regular manner?

Mr. LUCAS. I have just finished relating what happened to the stock.

Mr. ELLENDER. I understand what happened to the stock, but I am talking about the original contract. Is there any evidence to cast suspicion that a fake agreement was about to be entered into between Mr. LANGER and Mr. Sullivan?

Mr. LUCAS. I imagine that if the Senator bought $25,000 worth of stock he would want it delivered to him.

Mr. ELLENDER. I am not so sure about that, if I could protect myself through an agreement. It would depend upon the contract. Let us take the view the Senator is taking: If I desired to steal $25,000, I certainly would not sign any contracts and I certainly would not accept a check payable to me in payment for the stock. It would be natural for one to try and cover his tracks.

I am just wondering if the committee gave weight to the manner in which the contract was entered into and the method in which payments were made. As I recall from a reading of the statement contained in the report, the last check paid to Senator LANGER was sent by him to some insurance company in payment of a debt he owed to it.

Mr. LUCAS. I wish the Senator would not make my argument for me. I am trying to get through.

Mr. ELLENDER. No; but, as I have indicated, on several occasions, it all goes back to the proposition that the committee has throughout its report, presented conclusions rather than facts.

Mr. LUCAS. What did the Senator want the committee to do? Did he want the committee merely to present the facts and to draw no conclusions or make no recommendations at all as to what should be done? Is that the way committees act?

Mr. ELLENDER. No; the committee in its report should have given the facts, and upon such facts give its conclusions.

Mr. LUCAS. It was not my understanding, and it is not my understanding now, that when a committee goes into a case of this kind it is supposed to present merely facts. I shall not argue with the Senator from Louisiana about that matter, because we cannot agree, and never shall agree, on that point.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Vermont.

Mr. AIKEN. Let me ask the Senator if the matter of the sale of the stock entered into the campaign in North Dakota or was known by the people of North Dakota before it became known as a result of the committee's investigations.

Mr. LUCAS. There is no evidence that the people of North Dakota knew anything about the transaction.

Mr. AIKEN. Is the Senator satisfied that the people of North Dakota did not know anything about the sale of the stock?

Mr. LUCAS. I am satisfied that the people of North Dakota did not know anything about the details. They may have had some knowledge about some check or something issued by some insurance company; but, so far as the details of the matter are concerned, I do not think anyone in North Dakota knew anything about the details until the investigators themselves found out about the transaction.

Mr. AIKEN. Then, does the Senator think the matter did not enter into the political campaign in any way?

Mr. LUCAS. If my conclusions are correct, it could not have entered into it. Something may have been said, and, as I recall, the Senator from North Dakota himself said something about the check he gave to the insurance company—and I shall reach that point in a moment—having been sent to the insurance company in Milwaukee, and that finally the insurance company sent this check to Fargo, N. Dak. The persons in Fargo, as I recall, gave out some information throughout the State in connection with that one check, which was the last one.

So far as the first check was concerned, so far as the contract was concerned, so far as the delivery of the stock was concerned, so far as the $25,000 was concerned, and what it was for, I am positive that those questions were not discussed throughout the State of North Dakota during the campaign.

I do not believe they were, and I do not think there is any evidence that shows they were.

Mr. WHEELER. Mr. President——

Mr. LUCAS. I yield to the Senator from Montana.

Mr. WHEELER. Let me ask a question. Sullivan is an attorney in the city of Chicago, is he not, connected with some commission there or holding some office there?

Mr. LUCAS. I do not know; he has been around a good deal. I think the Senator from Montana knows him.

Mr. WHEELER. Yes; I know him. He appeared before one of the subcommittees of the Interstate Commerce Committee.

Mr. LUCAS. He is a good lawyer.

Mr. WHEELER. I have forgotten what the case was, but he came before the committee and testified for the railroads with reference to some piece of legislation that was then pending.

Let me say to the Senator, because of the fact that I happen to be one who has never supported Mr. LANGER in his races in North Dakota, but, on the contrary, I gave out a statement for Mr. NYE, and I gave out a statement for Senator Frazier——

Mr. LUCAS. I wish the Senator would not take my time for a speech along that line. I desire to proceed.

Mr. WHEELER. I shall let the Senator proceed.

Mr. LUCAS. The Senator from Montana will have ample time, and I wish he would not talk about the campaigns in North Dakota, and how much he did for Senator NYE, and how much he did for others.

Mr. WHEELER. If the Senator is touchy about it, I will not refer to it.

Mr. LUCAS. I am not touchy; I am tired, and I want to get along.

Mr. WHEELER. Very well; but the trouble is the Senator gets very touchy when anybody asks any questions.

Mr. LUCAS. I am not so touchy as is the Senator from Montana when he has an important matter before the Senate.

Mr. WHEELER. All I want to do is to ask the Senator for some facts. If he does not want to answer as to them, it is all right with me.

Mr. LUCAS. I will be glad to yield, but the Senator started off on a tirade.

Mr. WHEELER. I did not start off on a tirade.

Mr. LUCAS. I beg the Senator's pardon.

Mr. WHEELER. I simply was making the statement that I was not one of those who had ever supported Mr. LANGER. There is, however, a question in my mind, and I wanted to know the facts. I have said repeatedly that, so far as I am concerned, if there is proper evidence indicating wrong in this case, then, I would not vote for Mr. LANGER, but, on the other hand, I feel that we ought to see that he gets a fair hearing, and I think it would be a dangerous precedent to throw a Senator out of the Senate on something that took place 20 years ago.

Mr. LUCAS. Of course, we are discussing now a transaction which occurred in 1937. Let me say to the Senator, with respect to his reference to happenings of 20 years ago, that I agree with him on that question. I have stated repeatedly that if we go back 20 years, and take any isolated case, I would certainly agree with the Senator that not a single one of them would be sufficient to exclude Senator LANGER from the Senate. The only thing the committee has attempted to do is to lay down a pattern made up of one case after another over a long period of time, culminating in the case we are now discussing. We find that these moral turpitude charges, even those of long ago, have woven themselves into a pattern of moral turpitude up to 1940.

Mr. WHEELER. Now, let me ask the Senator another question. I am not familiar with this. What was the date when the taxes were reduced on the Great Northern Railroad?

Mr. LUCAS. The date the taxes were reduced on the Great Northern Railroad was 1938. They were raised $700,000 in 1937 and reduced in 1938 over $3,000,000.

Mr. WHEELER. Now let me ask if that was not during the years of the depression when the Great Northern Railroad was taking a terrific loss, along with the other railroads throughout the country?

Mr. LUCAS. The only thing I can say about that is——

Mr. WHEELER. Is not what I have said true?

Mr. LUCAS. I do not know that there was a greater depression in 1937 than in 1936. I do not know about the exact extent of depression in those States; I am not sure about it.

Mr. WHEELER. Let me ask another question.

Mr. ELLENDER. Mr. President, will the Senator yield to me for a moment?

Mr. LUCAS. I have yielded to the Senator from Montana.

Mr. WHEELER. Every member of the Interstate Commerce Committee knows that the railroads were complaining bitterly because their taxes were too high?

Mr. LUCAS. They have always done that.

Mr. WHEELER. I know; but particularly has that been true during the last few years; and the Government of the United States, by direction of the President, appointed committee after committee for the purpose of investigating the railroad situation in order to try to help the railroads. What I am trying to get at is that the taxes of the Great Northern Railroad were increased in 1936 and 1937.

Mr. LUCAS. They were increased in 1937.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. LUCAS. I yield.

Mr. MURDOCK. In August 1937, after the contract was entered into with Sullivan in May, and under the administration of Senator LANGER, the railroad valuation of the Great Northern Railroad was increased over the 1936 valuation by $700,000.

Mr. WHEELER. Was that after the contract was entered into?

Mr. MURDOCK. That was after the contract with Mr. Sullivan was entered into.

Mr. LUCAS. That is correct.

Mr. MURDOCK. In 1938 the valuation of the Great Northern Railroad was decreased, but I think the Senator will agree with me that in the biennium 1937–38 of Senator LANGER's administration the Great Northern Railroad, according to the records submitted by the Industrial Commission of North Dakota, paid $136,000 more in taxes than it paid in the biennium preceding his administration?

Mr. WHEELER. Were the taxes subsequently reduced, or did they remain the same after Mr. LANGER went out of office?

Mr. LUCAS. I do not know what happened in 1939, but the record will probably show.

Mr. WHEELER. It seems to me that is very important.

Mr. MURDOCK. If the Senator will permit me, let me say they were increased in 1939, but not very much.

Mr. WHEELER. Then, it appears that the taxes paid by the Great Northern Railroad during Governor LANGER's administration were increased $136,000.

Mr. LUCAS. Does not the Senator mean in 1937?

Mr. WHEELER. According to the statement of the Senator from Utah in the 2 years 1937–38 the taxes of the Great Northern Railroad were increased by $136,000.

Mr. MURDOCK. Over the taxes paid in the biennium immediately preceding.

Mr. WHEELER. Let me ask a further question. Mr. LANGER went out of office in what year?

Mr. LUCAS. In 1938.

Mr. WHEELER. Were the taxes on the Great Northern Railroad increased after he went out of office or were they decreased?

Mr. LUCAS. I cannot tell the Senator.

Mr. WHEELER. It seems to me that is extremely important.

Mr. LUCAS. It may be from the Senator's angle.

Mr. WHEELER. Not from my angle, for I have no angle.

Mr. MURDOCK. If the Senator will yield to me, I believe I can give the information.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield to the Senator from Utah to answer the question.

Mr. MURDOCK. I think the record shows that in 1939, after Senator LANGER went out of office as Governor, and Mr. Gray, who was supposed to have wanted an increase to $4,000,000 during the Langer administration, became the tax commissioner of North Dakota, there was an increase of about $900,000 in the valuation of the Great Northern Railroad.

Mr. LUCAS. That was in 1939.

Mr. MURDOCK. Yes.

Mr. LUCAS. I thank the Senator.

Mr. WHEELER. So, there was an increase of about $900,000?

Mr. MURDOCK. Yes; there was an increase of $900,000.

Mr. WHEELER. I happen to know that in many of the States, including, I think, my own State, the taxes on the railroads were decreased during that period because of the general complaint throughout the country of the low earnings of the railroads.

Mr. LUCAS. Mr. President, I shall proceed with reading from the report.

> Your committee directs the attention of the Senate to the contract that was drawn—

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Vermont.

Mr. AUSTIN. I could not hear all the Senator said on this point, but on page 39 of the committee report there will be found the following statement:

> Final reduction in the appraised value for taxation of the railroad company's property was not made until August 26, 1938. It would not have been made but for the votes of Governor LANGER and his appointee, Owen T. Owen (hearings, pp. 597 599; LANGER's exhibit 115, pp. 82–83).

Mr. LUCAS. I thank the Senator from Vermont for that contribution.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHEELER. I should like to ask the Senator whether the committee took any evidence on the point. My recollection is that in all the Northwestern States, and a great many other States throughout the Union, in 1938, because of the low income of the railroads, taxes were reduced by the State boards of equalization. The railroads, particularly the Northern Pacific and the Milwaukee, depended on shipments of wheat, and there was a drought in the western section of the country, and a very serious depression, which affected the railroads materially. Has the Senator any testimony with reference to other States reducing taxes on the railroads, or the valuation of the railroads during that period of time?

Mr. LUCAS. The Senator is speaking of the entire Northwest, and he talks about what other States did. Obviously what one State might do in regard to reduction of taxes might not be what another State would do. As I understand, the railroads were assessed as a system, and then the assessment was apportioned among the various States. What the rate of taxation may be in North Dakota, and what the railroads would have to pay in taxes in the municipalities, counties, cities, and so forth,

may be altogether different from what they might have to pay in Montana. I am making the point as to the total amount of taxes saved in 1938 by the Great Northern Railroad Company, in line with the argument I have made. The testimony is that it was around $150,000; and there is a discrepancy upon that point. On the basis of the $150,000 they saved in North Dakota, in Montana they might have saved more, or they might have saved less, even though the rate of equalization was the same. I was chairman of the tax commission in my State for 2 years, and as I understand it, the total amount of taxes paid all depends—at least it does in my State—upon the rates fixed in the various municipalities.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Idaho. For what it is worth, I might state to the Senator from Illinois that in 1937 and half of 1938 I was assistant attorney general of the State of Idaho, and as such was attorney for the State board of equalization. As I recall, in that year we reduced the valuation of the Union Pacific Railroad for taxation purposes approximately 11 percent, and of the Great Northern and the Northern Pacific as high as 20 percent, if I am not mistaken.

Mr. LUCAS. What year was that?

Mr. CLARK of Idaho. 1937 and half of 1938.

Mr. LUCAS. That proves my point. In other words, in North Dakota in 1937 the taxes were raised, while in 1937 in the Senator's State they were reduced.

Mr. CLARK of Idaho. In 1937 we reduced the valuation of the Great Northern and Northern Pacific by 20 percent.

Mr. LUCAS. In 1937?

Mr. CLARK of Idaho. Yes; that was reduction in valuation. I recall that very distinctly.

Mr. LUCAS. It proves the argument I am making—that what happens in one State is not applicable to what may happen in another State. In other words, in the Senator's State, in 1937, taxes were reduced 11 percent, or whatever the figure was, while in the State of North Dakota, under Governor LANGER, they were increased.

Mr. WHEELER and Mr. ELLENDER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield to the Senator from Montana.

Mr. WHEELER. Does not the Senator think it is significant, however, that they were reduced because of the low incomes? If I am wrong, I want the Senator to correct me. After this contract with Thomas Sullivan for the $25,000 was signed, as a matter of fact, the taxes of the Great Northern during that period of time were raised by $36,000?

Mr. LUCAS. It is very significant.

Mr. WHEELER. My recollection is that in all the other States the valuations of the railroads were reduced during that period—in 1938. Is not that correct?

Mr. LUCAS. I do not know. I think the Senator is going to become slightly mixed when he gets to the facts as to what happened in 1937 and 1938, so far as other States are concerned. I will put the figures in the RECORD.

Mr. WHEELER. I think it is important to ascertain what took place in other States, because it does have a bearing upon the question as to whether or not the taxes should have been reduced. I do know that there was some talk in the newspapers to the effect that North Dakota was raising the taxes of the railroads unduly high during that period of time as compared with what was happening in other States.

Mr. LUCAS. The Senator is more familiar with that section of the country than am I. I do not recall any statement of that kind, and naturally I would not know.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. Does the Senator challenge the statement in the minority report, on page 31, where it is stated that the entire amount of taxes paid by the Great Northern Railroad in 1935 and 1936 was $2,378,485, and in 1937 and 1938 $2,515,209 was paid by the same company, or a difference of $136,724?

Mr. LUCAS. I will not challenge it, and I will not accept it. I just do not know. I will say to the Senator that I will look at the evidence.

Mr. ELLENDER. Does the record show to what extent the Great Northern Railroad benefited by any reductions which may have been made as alleged in these charges preferred against Senator LANGER?

Mr. LUCAS. I think the evidence shows, insofar as the committee is concerned, that the Great Northern benefited to the extent of $150,000 in 1938.

Mr. ELLENDER. If your statement is correct, then the minority report figures are wrong, are they not?

Mr. LUCAS. You can get many statements up in North Dakota on tax matters as you can on every other question.

Mr. ELLENDER. I am wondering what effort, if any, did the committee make in ascertaining whether or not the Great Northern benefited.

Mr. LUCAS. I have told the Senator what I understood the facts to be, and that is all I can say. If I am wrong about this, I want to be corrected; but if I am not mistaken Mr. Gray, of the commission, testified before the investigators that when the State of North Dakota reduced the assessed valuation of the properties of the Great Northern in North Dakota in 1938, the Great Northern saved $150,000 in taxes.

Mr. ELLENDER. For what year?

Mr. LUCAS. 1938.

Mr. ELLENDER. Senator LANGER was not Governor, was he?

Mr. LUCAS. I think he was Governor.

Mr. ELLENDER. He was Governor then?

Mr. LUCAS. I think so. The Senator——

Mr. ELLENDER. I am just seeking information, that is all. The Senator seems to become angry every time I ask a question. If he does not want me to ask any questions, all he has to do is to say so, and I will not interrupt him.

Mr. LUCAS. I think that is uncalled for from the Senator from Louisiana. If there is anyone who has been fair and tolerant with other Senators in connection with this important question it has been the Senator from Illinois. I doubt that any Senator could have been more patient than I have been, especially with the Senator from Louisiana, considering the many immaterial and small questions which he has attempted to inject into this debate from time to time, none of them having any particular bearing on the question at issue. No real question has the Senator ever raised in connection with the whole debate. Now I shall not yield to him any further.

Mr. AUSTIN. Mr. President, if the Senator will permit me to pin down a date——

Mr. LUCAS. I yield.

Mr. AUSTIN. The record shows that Senator LANGER's term as Governor ran from January 1937 to January 1939.

Mr. LUCAS. I thank the Senator.

Mr. AIKEN. Mr. President——

Mr. LUCAS. I should like to get on with my argument for just a moment.

Mr. AIKEN. I was just going to ask one question to get the dates clear, before the Senator proceeds. As I understand, the contract for sale of this stock was made in 1937?

Mr. LUCAS. May 27, 1937.

Mr. AIKEN. And the increased appraisal of the Great Northern Railroad took place in August of the same year?

Mr. LUCAS. That is correct.

Mr. AIKEN. The big depression of the railroads struck in October 1937?

Mr. LUCAS. I do not know when the big depression struck.

Mr. AIKEN. I think that is common knowledge, is it not?

Mr. LUCAS. It may be. The Senator lives up in Vermont, and he may know what the condition was out in the West; I do not know.

Mr. AIKEN. I think it is common knowledge that the depression struck in October 1937, and in the following year there was a reduction in the railroad appraisals. I wish to say that I know that in some States where there was no reduction in the appraisal—and this may apply to Illinois, and it may not—there was a reduction in the rate, such as there was in my own State of Vermont, where the rate was reduced as soon as the legislature had an opportunity.

Mr. LUCAS. I doubt that we can compare New England with States like North and South Dakota and the other Western States. I do not think Senators would want to do that. There could be a long argument, if we should get into a comparison between New England and the Northwest, and I do not want to get into that question.

Mr. AIKEN. We all realize that the great railroad depression started in 1937, and some States gave relief by reducing the appraisals, and others by reducing the rates.

Mr. LUCAS. I thank the Senator. He is very helpful.

I now read from the report:

Your committee directs the attention of the Senate to the contract that was drawn and signed by Attorney Thomas Sullivan and respondent in the former's Chicago law of-

fice on May 27, 1937, part of same being as follows.

A great many questions have been asked of the Senator from Illinois about this contract and about the increase in the valuation of the railroad stock after the contract was made, and I am glad the questions were asked. Senators seem to think it was very significant. I want the Members of the Senate to listen to this part of the contract:

payment of $5,000 on said stock is hereby acknowledged and the balance is to be paid at periods not to exceed 6 months each, in equal installments of $5,000.

The committee further points out that the respondent lays particular emphasis upon the fact that this contract was made before the State board of equalization raised the tax assessment in 1937 of the Great Northern Railway Co. some $700,000 over what it was the previous year. But it is more than significant that if Mr. Thomas Sullivan was the man of unlimited means as was testified to by respondent, that only $5,000 was paid on the date the contract was made.

It is a sad commentary upon the business acumen of a lawyer with the ability of Thomas Sullivan to take such a gamble in what seems to your committee to be worthless stock. It seems more than strange that Sullivan never demanded the stock, never asked for its transfer, apparently was disinterested in seeing that his valuable property came into his own possession. But the most significant thing of all, in the opinion of your committee, lies in the fact that in 1938 there was a reduction in the assessed valuation of the railroad property belonging to the Great Northern Railway Co. in the State of North Dakota in the sum of $3,000,000, and 15 days before that reduction was made by the board of equalization the final check for this worthless stock was paid by Sullivan to the respondent. It is no small amount. It is in the sum of $12,475.

Now follows another strange and rather unusual situation involving the cashing of this check. Respondent had borrowed on his life-insurance policies various sums of money. On August 13, 1938, there was due $8,046.13. When he received this check from Thomas Sullivan on that date, he immediately sent the same to the insurance company at Milwaukee, Wis., asking that his loans be paid in full and the check drawn in his behalf for the balance. This request was complied with by the insurance company. They enclosed the receipt for the total amount due on the loans and the policies themselves, enclosed the loan agreements, which had been canceled, and also their check payable to the order of respondent in the sum of $4,428.87, which was due and owing him because of this. Copy of the insurance letter and receipts are records in this matter.

Your committee further calls attention to the evidence on page 704 of the hearing:

"Senator WILEY. I mean, after the final payment was made, was there any receipt?

"Senator LANGER. No, sir; he just paid the money.

"Senator WILEY. Where was the final payment made; in St. Paul?

"Senator LANGER. It was made in St. Paul."

Mr. President, here is the completion of this very unusual transaction between Thomas Sullivan and the respondent. A few days before the $3,000,000 was lumped off of the Great Northern Railroad's tax valuation, we find that this final check for more than $12,000 was paid to Senator LANGER in St. Paul, Minn., for this worthless stock, stock upon which no certificates had ever been delivered. As Thomas Sullivan himself testified, he never even asked for this stock. He apparently cared nothing about these "valuable" possessions. Even when he paid the last check of $12,000 there was no demand made by Thomas Sullivan that the certificates for this Mexican land stock be turned over to him. And why was it this check was sent to Milwaukee, Wis., in that form? What would be the usual and customary business procedure when a check of that kind was received? A businessman would have deposited it to his own account at the bank, and then would have drawn a check for the amount due and owing the insurance company on the loans he had made from it. In other words, the whole transaction in connection with the $25,000 purchase from the beginning to the end is marked by a round-about course of action.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. LUCAS. Not at present. I refuse to yield for a moment.

The record in this case is a complete blank as to what value Thomas Sullivan received in exchange for the $25,000 he paid to the respondent, then Governor of North Dakota. The actions of respondent and Thomas Sullivan, as disclosed by their own testimony, are vague and uncertain as to the real motives prompting the philanthropic and charitable attitude of Mr. Sullivan.

Mr. President, even if the stock had been delivered, even if this transaction had been open and above board, I say it is a questionable course of conduct for the Governor of a State to enter into a contract with an old friend who he knows is the special attorney for a great railroad company and for other public utility companies operating in that particular State. Especially is it significant that "Tommy" Sullivan was the attorney for these utility companies and the railroad company only during the years 1937 and 1938. No Senators, no lawyer of the reputation and the financial ability of "Tommy" Sullivan would pay out 25,000 cold dollars without getting evidence of some return therefor.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHITE. Did the committee make any effort to ascertain whether this $25,000 paid by Mr. Sullivan was charged back to the railroad, and whether the railroad in any respect reimbursed Sullivan for the expenditure?

Mr. LUCAS. I do not believe the evidence shows that.

Mr. WHITE. Then on the record, Sullivan, out of $40,000 he was to receive from the railroad in 2 years of time, paid out $25,000 on his own responsibility, so that he had a net salary for those 2 years of $15,000?

Mr. LUCAS. Yes; that is correct. He never appeared as a record attorney for the railroad company in North Dakota at any time during the years 1937 and 1938.

Mr. WHITE. What is in my mind is that if Sullivan was acting for the railroad in this transaction, there must be somewhere in the records of the Great Northern Railroad Co. evidence of the repayment to Sullivan of the amount, and if there is no such record, it almost leaves a presumption that Sullivan was acting in his own behalf, and was speculating, possibly, in this Mexican land. I do not know whether that is true or not.

Mr. BROWN. Mr. President——

Mr. LUCAS. I yield.

Mr. BROWN. I wish to say to the Senator from Illinois that I go into this question with an open mind. I read the testimony yesterday very carefully. I was not here yesterday I was in Detroit. I fear my good friend, the Senator from Illinois, has adopted too much of a prosecution complex. I think he might well adopt a more judicial attitude in the presentation of this most important case. I appeal to him, as the servant of the Senate. to endeavor to get out of the prosecutor frame of mind. He is presenting a matter which is going to be very difficult for me to determine, and I am obliged to rely on him to a great extent.

Now laying that aside——

Mr. LUCAS. Will the Senator let me answer that?

Mr. BROWN. Certainly.

Mr. LUCAS. The Senator is the first one who has complained very much about my presentation of the case. In fact several Senators have come to me and said, "Senator LUCAS, how can you be so patient, as you were yesterday, in connection with the questions and answers that came to you?" I certainly have tried to be fair. I think occasionally in the heat of the debate we may say something we should not say. I said something a moment ago to the Senator from Louisiana [Mr. ELLENDER] which probably I should not have said. I have stood here for a couple of days and taken punishment from the brilliant men who are around me. I am simply a humble boy from the farm, and it is a little difficult for me to stand here and take it without occasionally rising up in my wrath.

Mr. BROWN. I appreciate that.

Mr. LUCAS. I certainly want to apologize to the Senator from Michigan, because he is the last man in the Senate—and I say this with all sincerity—whom I would want to offend. Let me say to the Senator that if, in his estimation, I have adopted the role of a prosecutor, I can sincerely regret it, because in the beginning I told the Senate clearly that I was not here on the floor in the role of a prosecutor, but I stood here as a defender of the integrity of the United States Senate. In order to do that I am compelled to take a position and make argument upon the points presented. I am here attempting to defend the integrity of the United States Senate. That is the way in which I want to appear. I have thought all along that I have been fairly charitable in attempting to answer questions. Perhaps I have not been. Perhaps I should have yielded to a greater extent. With the full realization that the case is a lengthy one, I was hoping to get along with it. Yet, at the same time I do not underestimate the very serious responsibility of each and every Senator, which I mentioned at the beginning of my argument.

Mr. BROWN. I thank the Senator for that statement. As he knows he is one of my favorite Senators. I am rising for information. I think the transactions which have just been discussed under

subdivision X, the railroad-tax reduction charge, certainly throw a great deal of suspicion upon the actions of the Senator from North Dakota. Let me say that the suspicions are strong; yet I doubt in my own mind that there is very much proof of the allegations.

I rose for the purpose of asking substantially the same question the Senator from Maine [Mr. WHITE] asked. Funds were available for the committee. The investigators were evidently very able men. Was any attempt made to find from the books or records of the railroads—which I understand are open and public—any trace of the $25,000, or any sum whatsoever, which Mr. Sullivan might have used in connection with the alleged attempt to bribe the Governor of North Dakota?

Mr. LUCAS. Candidly speaking, let me say to the Senator that I doubt that there is any record which shows any participation on the part of the railroad company in connection with this $25,000 transaction. A moment ago I started to discuss it with the investigator, when the Senator called my attention to the fact that I was paying no attention to him. I should like to have an opportunity to read Doherty's statement in the record. It is brief. If I may read it overnight, I can give the Senator a little better answer.

There are something like 4,600 pages of testimony taken by the investigators, plus about 700 pages of public hearings. Of course, it is impossible for me to remember everything.

Mr. BROWN. I appreciate that. I thank the Senator.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHEELER. Does the evidence show what Senator LANGER paid for the stock when he bought it?

Mr. LUCAS. Par value, which I think was $25 a share.

Mr. WHEELER. So he originally paid approximately $25,000 for the stock; is that correct?

Mr. LUCAS. He paid par value.

Mr. TUNNELL. Mr. President——

Mr. LUCAS. I yield to the Senator from Delaware.

Mr. TUNNELL. My recollection is that the record shows that Senator LANGER paid part in cash and part in commissions. I think that is the language.

Mr. LUCAS. I think that is correct.

Mr. WHEELER. The Senator from Utah [Mr. MURDOCK] tells me that he paid $55,000 for it.

Mr. LUCAS. That is, in commissions and cash.

Mr. WHEELER. What is meant by commissions?

Mr. LUCAS. As I remember, Senator LANGER was one of the organizers of the company, and he helped to sell the stock to various individuals.

Mr. WHEELER. If he paid $50,000 or $55,000 for it, he sold half of it to Sullivan for $25,000; is that correct?

Mr. LUCAS. That is correct.

Mr. TUNNELL. As I remember, the corporation was organized about 1908, and had never paid a dividend. The stock had been cast around, and Senator LANGER said that he did not know where it was at the time of the hearing. No attention was paid to the stock certificates. It was just an old, worthless corporation.

Mr. WHEELER. It owned considerable land in Mexico.

Mr. TUNNELL. The stock had never shown any value, and Senator LANGER had never paid any attention to the certificates, and did not know where they were when the hearing was held.

Mr. WHEELER. Many persons have bought land in Mexico with the idea of making money. Some of them are still holding it.

Mr. TUNNELL. And many of them did not make money, as was the case in this instance.

Mr. WHEELER. Some of them have filed claims, and expect to make money out of the land. I do not think they will, but some of them think they will.

Mr. TUNNELL. We had something of that sort before the Foreign Relations Committee a few days ago; but only a small fraction of the claims was recognized by the Government.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Louisiana.

Mr. ELLENDER. A few moments ago the Senator was discussing the last check which was sent to Senator LANGER. Did the committee check up to find out whether or not that check was for the amount then due?

Mr. LUCAS. It is my understanding that it was the final payment, being in the amount of twelve-thousand-odd dollars.

Mr. ELLENDER. Did the contract say anything about interest?

Mr. LUCAS. I do not believe it did.

Mr. ELLENDER. Was the final check made to the order of Senator LANGER?

Mr. LUCAS. I do not know whether or not it was made directly to Senator LANGER. I think it was.

Mr. ELLENDER. Does the record show how it came about that the check was sent to the insurance company? Did Senator LANGER authorize that?

Mr. LUCAS. As I understand the evidence, Senator LANGER owed some $8,000 on an insurance policy, and he sent the check for $12,000 directly to Milwaukee, Wis., and asked the insurance company to return the balance to him.

Mr. ELLENDER. Then the check came from Sullivan to Senator LANGER, and went from Senator LANGER to the insurance company?

Mr. LUCAS. That is correct.

Mr. ELLENDER. And the check was payable to Senator LANGER?

Mr. LUCAS. That is correct.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. With reference to what the distinguished Senator from Delaware said, I believe the record discloses that Senator LANGER testified that his desk had been broken into and that the stock certificates, together with some other papers, were missing when he next saw the desk. As I recall, in answer to a question as to where the stock was, he said, "I wish I knew." My purpose in asking the Senator from Illinois that question is so as not to leave in the record the impression that the stock certificates were thrown around and carelessly lost. If I am in error about the record on that point, I hope the Senator will correct me.

Mr. LUCAS. The Senator is nearly correct. I have already read the testimony into the record. Let me read it again. This is the testimony of Senator LANGER, found on page 705 of the hearings:

> Mr. BURKE. Did you consider the certificates of stock of sufficient value to place them in a safety deposit vault or other place of safekeeping?
>
> Senator LANGER. I had them in my desk for a long, long time.
>
> Mr. BURKE. Where are they now?
>
> Senator LANGER. I wish I knew; I do not know where they are now.

There was never any effort on the part of Senator LANGER to obtain duplicate certificates for the lost stock. Sullivan never made any demand in connection with the transfer of either the originals or any duplicate certificates which might have been issued at a regular meeting of the corporation wherein a matter of that kind could be discussed and settled.

Mr. President, I now turn to page 68 of the committee report, to discuss the last charge of moral turpitude. I invite the attention of the Senate to the middle of page 68, whereat reference is made to the sale of North Dakota municipal, county, and State bonds by one V. W. Brewer and one named Gregory Brunk, operating under the name of V. W. Brewer Co. I think I can best inform the Senate by again reading from the report, which sets out the facts as the committee understands them:

> As heretofore shown, the respondent was Governor of North Dakota during the years 1937 and 1938. Respondent was a close friend of one V. W. Brewer, a bond broker of Minneapolis, Minn., who had been engaged in the bond business in the Dakotas for more than 20 years, first as a local representative and later free lancing for himself. Respondent was also a close and intimate friend of one Gregory Brunk of Des Moines, Iowa, who was a partner of V. W. Brewer, operating under the firm name and style of V. W. Brewer Co. Brunk was also the sole owner of the Realty Holding Co., a corporation of Des Moines, Iowa, which had a capital stock of $100.
>
> The evidence shows that Brunk had been a friend of Senator LANGER over a long period of years, first meeting him at a farmers' convention at Des Moines, back in 1930. Thereafter Senator LANGER employed Brunk in a legal way for the first time. The nature of the employment had to do with a claim of attorney's fees from an Indian. Brunk was an intimate friend and attorney of one Milo Reno, who was the spearhead in the Farm Holiday Association, in which respondent played an important role, and the evidence shows that the three of them were together upon many occasions.
>
> During the trial of respondent on the first conspiracy charge, Brunk solicited funds through the Republican National Committee for his defense and according to Brunk's testimony, he raised $5,000, and that he also gave his own check to the respondent for $1,000 for his defense. When asked why he gave his check for $1,000 he stated, "Well, I did not have unmixed motives in that. I was dealing at that time with Milo Reno, who, I believe, was on the right side of an economic

problem, and I was dealing for myself with my hope of future relations in life." It was not a simple answer.

Brunk further testified that he spent 3 or 4 days in the public library during the trial of LANGER, conferring with him frequently but at no time did he see the attorneys of record for LANGER, and apparently the attorneys of record did not know of Brunk's presence in Bismarck, N. Dak.

During the aforesaid intimate relationship between Gregory Brunk and Governor LANGER the evidence shows that Brewer, his bond partner, was doing a land office bond business in the State of North Dakota. It is well to say at this point that Brunk found Brewer back in 1934 at a time when Brewer had failed to sell to the Twin City banking fraternity of Minneapolis, Minn., rural credit bonds. Brunk testified that the disappointment of Brewer in failing to make the disposition of these bonds so affected Brunk that he invited Brewer to his home in Des Moines for a conference and kept him there for about 3 weeks. They sat down in Brunk's office canvassing what Brewer had done and where there was an opportunity for a service to be rendered, and how to go about doing it. Following this strange and unusual meeting of these two bond salesmen, they later entered into a partnership known as the V. W. Brewer Co. hereinabove mentioned.

As was stated above, Brewer was thoroughly acquainted with the bond situation in North Dakota. It was not, however, until 1937 and 1938 that he and his partner, Brunk, started to reap enormous profits. Prior to that time we found Brewer occasionally financially destitute. There seems to be a cogent reason for this lucrative business in the years 1937 and 1938. First, Brewer was instrumental in contacting the county commissioners in various counties in North Dakota, whose obligations in the nature of anticipation warrants, certificates of indebtedness, bonds, and other obligations were a serious financial problem. There can be no dispute about Brewer doing yeoman service in connection with the reorganization of the fiscal structure of the various counties that were in financial distress. His refunding operations consisted in the collection and payment of all the outstanding indebtedness through refunding bonds. After this important preliminary work was accomplished, it became necessary for Brewer to find a market for these bonds. The easy manner in which Brewer was able to dispose of all these bonds at a tremendous profit through the Bank of North Dakota, then managed by Frank A. Vogel, LANGER'S long-time political and intimate friend, is, in the opinion of your committee, the beginning of a transaction involving moral turpitude of the respondent, which was consummated in the sale of his land to Brunk, which will hereinafter be discussed in detail.

Evidence further shows that when the respondent became Governor of the State of North Dakota he demoted a man by the name of Stangler, who had been with the bank as manager thereof for a great number of years. He appeared before the committee. His demeanor, his testimony, and his background indicated he was a man fully qualified to carry on the business and all the problems of a large financial institution such as the State Bank of North Dakota.

After Stangler was demoted, one Frank A. Vogel was placed at the head of this tremendous financial institution. The evidence shows that Vogel had been an unsuccessful banker of a small bank at Cold Harbor, N. Dak., same having been liquidated during the crash.

It is well to point out that under the laws of North Dakota the State Bank of North Dakota, as well as other State institutions, had the power to negotiate and purchase direct bonds issued by the various counties of that State, and that upon at least three occasions where the county commissioners attempted to sell the bonds direct to the bank or to the State institutions, over which the respondent had veto power, there was a refusal upon the part of the State bank or State institutions to buy said bonds. But in those cases the evidence shows that later on, after Brewer had purchased these bonds from the counties at a discount, he was able to sell to the bank, or some of the other State institutions, these very same bonds for par value.

Mr. President, that is an important piece of evidence in connection with this very important transaction.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions. In other words, Brewer would arrange with the bank for the disposition of the county bonds between the date that the bonds were authorized and the fiscal delivery of the bonds to the bank. Thereupon the bank, upon delivery, would credit the county with the price Brewer had paid for them and deliver to Brewer the difference between that and the par value or better, which was the profit made by Brewer. In other words, Brewer was able to make these profits without any outlay of his own finances or without making any other financial arrangement. It should be noted that the State Bank of North Dakota is the fiscal agent of all State institutions and counties. It is mandatory upon the counties and the State institutions that they deposit their funds in this State bank.

It is fair to state that the first bond issue purchased by Brunk and Brewer was from the commissioners of the county of Morton in the sum of $300,000. In this case Brunk and Brewer bought from the counties the floating debt at par. They arranged with the Central National Bank & Trust Co., of Des Moines, Iowa, this being 7-percent paper, to buy that paper at par and accrued interest in bundles as the county auditor would ship it down.

The bank credited the checking account for the amount of principal that the county was paying, and gave Brewer and Brunk for their commission the amount of accrued interest. That was the way Brewer and Brunk financed the first transaction in North Dakota. This transaction took place before Governor LANGER was sworn in as Governor, and it was in connection with this bond issue that Brewer and Brunk paid WILLIAM LANGER, as attorney, a fee of $610 for legal services rendered in said case.

Upon that question the following colloquy took place:

"Mr. LUCAS. You think the fee that was paid to the Senator at that time was fair and reasonable, and that he earned the money?

"Mr. BRUNK. Yes; I think it is the cheapest service Mr. Brewer has paid for up there.

"Mr. LUCAS. That is especially true in view of the profits made later on?

"Mr. BRUNK. Yes, sir. I think it is the cheapest fee paid."

Upon the hearing the committee caused to be produced the ledger sheets kept by Gregory Brunk in his Des Moines office.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HUGHES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Barkley	Bulow
Austin	Bilbo	Burton
Bailey	Bone	Butler
Bankhead	Brewster	Byrd
Barbour	Brown	Capper
Caraway	Johnson, Calif.	Reynolds
Chandler	Johnson, Colo.	Rosier
Chavez	La Follette	Russell
Clark, Idaho	Langer	Schwartz
Clark, Mo.	Lee	Shipstead
Connally	Lucas	Smathers
Danaher	McFarland	Smith
Davis	McKellar	Spencer
Doxey	McNary	Stewart
Ellender	Maloney	Taft
George	Maybank	Thomas, Idaho
Gerry	Mead	Thomas, Okla.
Gillette	Millikin	Thomas, Utah
Glass	Murdock	Tunnell
Green	Murray	Tydings
Guffey	Nye	Vandenberg
Gurney	O'Daniel	Van Nuys
Hayden	O'Mahoney	Wheeler
Herring	Overton	White
Hill	Pepper	Wiley
Holman	Radcliffe	Willis
Hughes	Reed	

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I merely wish to ask a question while it is on my mind. I find on page 3 of the Report and Memorandum of Information submitted to the Committee on Privileges and Elections, the following:

Petitioners allege that the respondent WILLIAM LANGER is, and long has been, openly, notoriously, and admittedly corrupt in his official and public life in the State of North Dakota, including his campaigns for election to public office, specifically and most recently in connection with his candidacy for nomination and election to the office of United States Senator, to wit, that as the head of the Republican Party in and for said State, and of the Farmers' Union and Nonpartisan League, and while running for the nomination and later for election to the office of United States Senator he, the said respondent, controlled the election machinery of the said State, and by and through said control procured and caused the casting and counting in his favor of, to wit, many thousands of illegal absentee ballots; that during the primary and the general election of 1940, when he was a candidate for nomination and election to the United States Senate, he procured the destruction of many thousands of ballots validly and regularly cast against him, and procured many other thousands of ballots cast against him to be changed to show that they had been cast in his favor, and the same were not counted against him; that there has been no general official contest or recount of the votes cast for and against respondent in the election in which he sought a seat as United States Senator, and your petitioners are, therefore, unable to allege the total number of ballots destroyed, changed, and altered as aforesaid; that in the course of a contest and recount involving two State officials, however, for whom votes were cast on the same ticket on which respondent was running for United States Senator, it was found that many irregular absentee and other ballots had been cast and were thrown out; that said contest and recount disclosed that an average of, to wit, from 8 to 10 votes in the voting precincts of one of the contested counties alone were irregular and voided for the reason hereinbefore stated; that respondent on the votes counted and returned had but slightly more than 8,000 majority for the United States senatorship; and that, on the ratio of illegal ballots thrown out and voided as aforesaid, there were, it is believed and alleged, enough such void ballots in the entire State—including more than 2,000 precincts—to change the announced result of his election to the United States Senate.

The question I desire to ask the Senator is, Was there any proof sustaining those charges, and is it now claimed that Senator LANGER was guilty of the matters and things set out in count 1, election frauds, A, or what are the facts concerning that, if the Senator can give them to me in a word?

Mr. LUCAS. I shall be glad to give the Senator my version of that matter, which I think can be substantiated by any other member of the committee, because we are all in agreement upon it. The Senator is now reading from the petition filed by the attorneys for the petitioners in this cause?

Mr. McKELLAR. That is correct.

Mr. LUCAS. An answer was filed joining issue, denying all those allegations, and it was upon the issue raised in the petition, and the answer, that the subcommittee started to work. After the subcommittee sent investigators into North Dakota on the petition and the answer, and the investigators reported back the evidence, it was found unanimously by the subcommittee that the charges the Senator is now discussing were untrue. This is the statement we made:

> That count I of said amended petition deals with election frauds; that your subcommittee has carefully examined the testimony purporting to sustain the allegation in subhead A of count I and have agreed that said evidence is insufficient, and that the charges therein made should be dismissed and not considered by this committee.

Mr. McKELLAR. As I understand, that charge is not included in the case now being brought by the committee?

Mr. LUCAS. It is not.

Mr. McKELLAR. In other words, the committee concedes that so far as the charges in regard to the primary and the general election are concerned there is no cause of complaint against the respondent?

Mr. LUCAS. That is correct. In other words, certain charges were made, as we understood, by Mr. Lemke, who was the opponent of Senator LANGER, as the Senator has read. We took the position that we could not delve into many charges which were alleged in the petition because of the tremendous expense involved and, furthermore, because there was really no contest of the election before the Committee on Privileges and Elections. We were of the opinion that Lemke had his remedy in a contest, if he desired to take that step, and it was not our purpose to direct the committee's investigators to serve him in this connection.

Mr. McKELLAR. Then, as I understand the Senator, so far as the question of the legality and correctness of both the primary in which LANGER was nominated, and of the subsequent election in which he was elected to the Senate, are concerned there is no question of fact to be considered. Is that correct?

Mr. LUCAS. That is correct. There is absolutely nothing before us involving the question of the election. This whole case revolves around charges of acts involving moral turpitude, and nothing more.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

FOUNTAIN ROTHWELL

Mr. CLARK of Missouri. Mr. President, as in executive session, I report favorably from the Committee on Finance the nomination of Fountain Rothwell to be collector of customs for customs collection district No. 45, and I ask unanimous consent that it be considered and confirmed.

Mr. McNARY. Mr. President, the request is an unusual one, and I generally object to requests of this kind unless there is some very good reason for them. I should like to have the Senator from Missouri make a statement about the nomination.

Mr. CLARK of Missouri. I appreciate that this is an unusual request. I make it simply because this is a reappointment of a man who has been collector for 8 years, and the Department is anxious to have the confirmation expedited in order that the formalities of filing a bond can be concluded at the earliest possible date, without any break in the continuity of the office.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of Fountain Rothwell to be collector of customs for customs collection district No. 45.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. CLARK of Missouri. I ask that the President be immediately notified of the confirmation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be notified forthwith.

CALISTE ALEXIS DUPLANTIS

Mr. ELLENDER. Mr. President, as in executive session I ask that the nomination of Caliste Alexis Duplantis to be postmaster at Houma, my home town in Louisiana, be considered and confirmed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of Caliste Alexis Duplantis to be postmaster at Houma, La.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. ELLENDER. I ask that the President be immediately notified of the confirmation.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. LUCAS. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 11, 1942, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, March 10 (legislative day of March 5), 1942:

COLLECTOR OF CUSTOMS

Fountain Rothwell of University City, Mo., to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo. (Reappointment.)

TEMPORARY SERVICE, UNITED STATES COAST GUARD

To be vice admiral

Rear Admiral Russell R. Waesche, United States Coast Guard, to be a vice admiral in the United States Coast Guard for temporary service, to rank from the 10th day of March 1942.

To be rear admirals

The following-named captains to be rear admirals in the United States Coast Guard for temporary service, to rank from the 10th day of March 1942:

Stanley V. Parker
Edward D. Jones

TEMPORARY SERVICE, NAVY OF THE UNITED STATES

To be rear admirals

Capt. Freeland A. Daubin to be a rear admiral in the Navy for temporary service, to rank from the 26th day of November 1941.

Capt. Robert M Griffin to be a rear admiral in the Navy for temporary service, to rank from the 5th day of December 1941.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Mary R. Cunningham, Evergreen, Ala., in place of R. G. Bozeman, resigned.

Eugene Edward Haynes, Headland, Ala., in place of D. W. Hollis, transferred.

ALASKA

Marshall V. Rafferty, Skagway, Alaska, in place of W. H. Murray, resigned.

ARKANSAS

Floy A. Hill, Mountain Pine, Ark. Office became Presidential July 1, 1941.

James G. Mosley, Rison, Ark., in place of R. C. Carmical. Incumbent's commission expired August 23, 1941.

CALIFORNIA

Lisle F. Barksdale, McClellan Field, Calif. Office became Presidential April 1, 1941.

Mayme Lea Jory, Manor, Calif. Office became Presidential July 1, 1941.

Frederick S Harrison, Patterson, Calif., in place of A. P. Ralston, deceased.

Gertrude Mooney, San Lorenzo, Calif. Office became Presidential July 1, 1941.

CONNECTICUT

Willis M. Nettleton, Guilford, Conn., in place of R. W. Bohonnon, resigned.

FLORIDA

Burea H. Hughes, Baldwin, Fla. Office became Presidential July 1, 1941.

Leon K. Stewart, Citra, Fla., in place of T. M. Shortridge, transferred.

James Fred Linder, Ruskin, Fla. Office became Presidential July 1, 1941.

GEORGIA

Ruby Anderson, Preston, Ga. Office became Presidential July 1, 1941.

ILLINOIS

Albert W. Butler, Sublette, Ill. Office became Presidential July 1, 1941.

INDIANA

Virgil L. Stepler, Amboy, Ind., in place of M. A. Draper, transferred.

John C. Cottrell, Shirley, Ind., in place of A. J Anderson, resigned.

Ruth N. Hearn, Whiteland, Ind., in place of E. E. Speas, resigned.

IOWA

R. Franklin Bogenrief, Hinton, Iowa, in place of B. R. Bogenrief, removed.

Anastatia E. Walsh, Larchwood, Iowa, in place of J. A. Phelan, transferred.

KANSAS

E. Leon Morain, Minneola, Kans., in place of H. A. Morain, deceased.

Ruth A. Coleman, Sharon, Kans., in place of F. A. Leith. Incumbent's commission expired July 30, 1941.

KENTUCKY

Mollie H. Greene, Sandy Hook, Ky. Office became Presidential July 1, 1941.

LOUISIANA

Elinor McK. Barbier, Greensburg, La., in place of L. D. Schilling. Incumbent's commission expired February 18, 1941.

Caliste Alexis Duplantis, Houma, La., in place of C. A. Duplantis. Incumbent's commission expired July 27, 1941.

James Bland Fain, Jonesboro, La., in place of F E. Callaway. Incumbent's commission expired May 28, 1941.

Dennis Gomez, Jr., Norco, La., in place of Dennis Gomez, Jr. Incumbent's commission expired March 16, 1941.

MAINE

Joseph H. Vachon, Saco, Maine, in place of A R. King, removed.

MARYLAND

Lester C. Thompson, Stemmers Run, Md. Office became Presidential July 1, 1941.

MASSACHUSETTS

W. Dana Holmes, Barnstable, Mass., in place of S. W. Bartlett, removed.

MICHIGAN

Robert B. Fair, Beulah, Mich., in place of C. F. Eastman, transferred.

Alden E Derrie, Champion, Mich., in place of A. E. Derrie. Incumbent's commission expired August 23, 1941

Telia C. Hunter, Gagetown, Mich., in place of T. C. Hunter. Incumbent's commission expired June 18, 1941

MINNESOTA

Walter M. Brucher, Faribault, Minn., in place of John Kasper, deceased.

MISSISSIPPI

Howard C. Overstreet, Brooklyn, Miss. Office became Presidential July 1, 1941.

Mrs. Floyd J. Robinson, Raleigh, Miss. Office became Presidential July 1, 1941.

Mary S. Farish, Whitfield, Miss., in place of M. S. Farish. Incumbent's commission expired August 21, 1941.

MISSOURI

Edgar R. Schott, Benton, Mo., in place of R. G. Allen, deceased

Walter E. Pace, La Monte, Mo., in place of H. M. Price, deceased.

MONTANA

David H. Andrew, Three Forks, Mont., in place of J. J. Price, removed.

NEVADA

William Marl McGhie, Caliente, Nev., in place of J. L. Denton, retired.

Edith Stone, McGill, Nev., in place of I. L. Stone, deceased.

NEW HAMPSHIRE

Daniel H. Goodwin, Hollis, N. H. Office became Presidential July 1, 1941.

NEW JERSEY

William H. Wichmann, Little Silver, N. J., in place of A. F. Schweers, removed.

Stanley L. Murberg, Norwood, N. J., Office became Presidential July 1, 1940.

NEW YORK

Clayton F. Smith, Blue Mountain Lake, N. Y., in place of C. F. Smith. Incumbent's commission expired November 30, 1941.

Oakley D. Robinson, Clinton Corners, N. Y., in place of Frank Brancato, resigned.

Maude E. Rogers, Harpursville, N. Y., in place of C. W Sampson, removed.

Edna Agnes Connolly, Montrose, N. Y., in place of J. C. McManus, resigned.

Theodore M. Stenner, Penfield, N. Y. Office became Presidential July 1, 1941.

Thomas H O'Hehir, Stat School, N. Y. Office became Presidential July 1, 1939.

Charles J. Ryemiller, West Sand Lake, N. Y. Office became Presidential July 1, 1941.

NORTH CAROLINA

Wilbur C. Ormond, Ayden, N. C., in place of R. L. Davis, transferred.

Silas R. Nichols, Sparta, N. C., in place of G. G. Nichols, removed.

NORTH DAKOTA

Ernest A. Lewis, Dawson, N. Dak., in place of Genevieve Gregor, deceased.

Anders G. Hagburg, Gladstone, N. Dak., in place of A. G. Hagburg. Incumbent's commission expired July 28, 1941.

Edward J. Donovan, Langdon, N. Dak., in place of R. T. Burke, deceased.

Edith G. Tangen, Pekin, N. Dak., in place of B. M. Burreson, resigned.

OHIO

Bernice E. Hannahs, Alexandria, Ohio, in place of H M. Whitehead, retired.

Robert J. Goggin, Ashtabula, Ohio, in place of J M McClure, deceased

Walter E. Waller Cumberland, Ohio, in place of H. O. Ward, deceased.

Eldon R. Martin, Cygnet, Ohio, in place of M. E Dunn Incumbent's commission expired April 25, 1940

Howard C. Huhn, Hamden, Ohio, in place of H C. Huhn. Incumbent's commission expired November 27, 1941.

Kathryn M. Diederich, North Ridgeville, Ohio, in place of R M. Leary. Incumbent's commission expired August 23, 1941.

Grace L. Skidmore, West Mansfield, Ohio, in place of H. D. Hufford, resigned.

OKLAHOMA

Albert A. Stebbins, Garber, Okla., in place of F. N. Jones, removed.

Bessie F. Pryor, Olustee, Okla., in place of J. L. Pryor, deceased.

OREGON

George A. Hart, Vale, Oreg., in place of C. W. Fegtly, removed.

Henry W. Goff, Waldport, Oreg., in place of W. A. Parsons, resigned.

PENNSYLVANIA

Mary E. Honsberger, Eagleville, Pa. Office became Presidential July 1, 1941.

Norman B. Gregory, East Stroudsburg, Pa., in place of N. B Gregory. Incumbent's commission expired May 27, 1940.

Fred H. Filbert, Holmes, Pa. Office became Presidential July 1, 1941.

Anna C. DeHart, Ivyland, Pa. Office became Presidential July 1, 1941.

Lenus I. Wertz, Landisburg, Pa. Office became Presidential July 1, 1941.

Joseph A. Zalot, Langhorne, Pa., in place of J. B. Candy, retired.

Frank H. Zinke, Jr., Monaca, Pa., in place of G. E. Lay, deceased.

Mabelle G. Creen, Mountainhome, Pa., in place of M. G. Creen. Incumbent's commission expired May 7, 1941.

Harper Triplett, Schellsburg, Pa., in place of Harper Triplett. Incumbent's commission expired July 29 1941.

Homer F Eshelman, Summerville, Pa., in place of H. F. Eshelman. Incumbent's commission expired March 13, 1941.

Bertha E. Weaver, Terre Hill, Pa. Office became Presidential July 1, 1941.

Cora H. Stephens, White Mills, Pa. Office became Presidential April 1, 1941.

PUERTO RICO

Concepcion Torrens de Arrillaga, Anasco, P. R. Office became Presidential July 1, 1941.

RHODE ISLAND

Isabel T. Schofield, Fiskeville, R. I. Office became Presidential July 1, 1939.

SOUTH CAROLINA

Wade Waddill, Holly Hill, S. C., in place of Rufus Ford, Jr., removed.

TENNESSEE

Anna Schild Ellis, Watts Bar Dam, Tenn. Office became Presidential April 1, 1941.

TEXAS

Geraldine Palmer, Groves, Tex., in place of Mabel Cheek, deceased.

Harry E. Filleman, Hondo, Tex., in place of R. L. Brucks, resigned.

VERMONT

Mildred A. Dailey, Hartford, Vt. Office became Presidential July 1, 1941.

Catherine E. Sheehan, Richmond, Vt., in place of H. J. Sheehan, deceased.

VIRGINIA

Martha P. Walker, Denbigh, Va. Office became Presidential July 1, 1941.

WASHINGTON

Wilbur W. Washburn 3d, Neah Bay, Wash. Office became Presidential July 1, 1941.

Jane W. Cody, Republic, Wash., in place of J. C. Cody, deceased.

WISCONSIN

Clovis J. McGeehan, Ashland, Wis., in place of F. S. Dhooge, deceased.

Gerald Scanlan, Fennimore, Wis., in place of L. J. Mulrooney, resigned.

Fred J. Blumer, Monroe, Wis., in place of J. J. Burkhard. Incumbent's commission expired May 28, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10 (legislative day of March 5), 1942:

COLLECTOR OF CUSTOMS

Fountain Rothwell to be collector of customs for customs collection district No. 45, with headquarters at St Louis, Mo.

POSTMASTER

Caliste Alexis Duplantis, Houma, La.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 10, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. ames Shera Montgomery D. D., offered the following prayer:

O Thou eternal God, who dost gather our fleeting moments into permanence with a sense that all is good, give us peace, we pray Thee. Through all of life's stern duties and perplexities, may we know that strength is born of struggle and courage is wrested from trial. Oh, teach us our Saviour's meaning when He said "I am among you as he that serveth." Plant deep within us the passion for a life of service; the art of living is to know how to give one's self.

Open the eyes of our citizens that they may understand that which hinders our further achievements; God grant that they may burst through every barrier.

We pray that every restless voice and every selfish will may be quieted and, whatever the work may be, let all be laid at the altar of our country as a tribute of our love and sacrifice that we may enjoy it without harm and hold it without wrong. Heavenly Father, we thank Thee that our past is both sacred and great; we humbly beseech Thee that our future, by the union of all sections and groups of our citizens, may leap forward so strong that we shall rise to those hills of national life where men live and work and not grow weary, wondering at freedom's inexhaustible fountain. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, without amendment a bill of the House of the following title:

H. R. 3798. An act to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1773. An act to enable the United States Commission for the Celebration of the Two-Hundredth Anniversary of the Birth of Thomas Jefferson to carry out and give effect to certain approved plans.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, on yesterday I secured unanimous consent to insert in the RECORD a letter from Mr. Ransom Aldrich, of the Farm Bureau Federation of Mississippi, answering certain charges that had been made against his organization, and I find now it covers more than two pages of the RECORD. I have secured an estimate from the Public Printer of the cost, and including labor and everything, he estimates it will cost $171, but, of course, that would include the labor and there will be no extra labor employed. As a matter of fact, it will cost only the value of the paper and ink used. So I ask unanimous consent to insert it in the RECORD.

Mr. RICH. Mr. Speaker, reserving the right to object, and I am not going to object, I will say to my friend from Mississippi, because I am only interested in trying to save just a few pennies——

Mr. RANKIN of Mississippi. I understand.

Mr. RICH. But I have come to the conclusion that when you save the pennies, eventually, they make a dollar. Then if you get up to the dollars, after a while you get a hundred.

Mr. RANKIN of Mississippi. That used to be the case.

Mr. RICH. We are going to have up this morning a bill to increase the debt limit by $60,000,000,000 over what it is now. The fact is we have just been adding on a little bit here and there and if we do not change we are just going to put this country into bankruptcy. We ought to be careful about all these expenditures.

Mr. RANKIN of Mississippi. I am careful.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

COMMITTEE ON SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. PATMAN addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to extend my remarks in the Appendix of the RECORD and to include therein an article appearing on the front page of the Evening Star and also of the Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. WILSON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address delivered by the Honorable W. Arthur Simpson to the International Chamber of Commerce at Rock Island, Quebec, yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. VAN ZANDT addressed the House. His remarks appear in the Appendix.]

ECONOMY-MINDED STATESMEN

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Speaker, during her last weekly broadcast, Mrs. Roosevelt charged that the economy-minded Congressmen who now advocate reduction of the farm security appropriation "were economy minded in days gone by on preparation for our defense and have only become aware of the fact that we need war material in the last 3 months."

This is not the first time such a statement has come from that quarter. Just to keep the record straight, I arise to remark that this group of economy-minded statesmen are the very ones who "in the days gone by" led the fight for an adequate national defense. We plead for airplanes when others were calling for Arthurdales. We called for stock piles of strategic materials necessary to our defense when others shouted for leaf piles necessary for boondoggling. We shouted for rearmament when others were shrieking for relief. We were balked when working for national security by a preferential program for social security.

Let it also be stated here for the purpose of the record that what little preparation we do have for the present emergency we do not owe to the National Youth Congress, Joseph Lash, David Lasser, or Aubrey Williams.

There seems to be an effort to drag a red herring across the trail of this matter of preparedness. Let those who are to do without tires, however, remember that legislation was passed authorizing a stock pile of rubber, but that the advice of the armchair strategist Harry Hopkins outweighed that of those in the Army and Navy entrusted with such matters and the money went for leaf-raking and boondoggling.

OFFICE OF GOVERNMENT REPORTS

Mr. SATTERFIELD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SATTERFIELD. Mr. Speaker, I have introduced this morning the following joint resolution, which I believe merits the early consideration of this House:

Resolved, That no money heretofore appropriated by the Congress shall be used for the acquisition, construction, and equipment of any building for the Office of Government Reports, unless the Congress specifically authorizes the use of such money for such purposes.

The plan of the Office of Government Reports to erect down on Pennsylvania Avenue a building—and a temporary building at that—to cost between a quarter and a half million dollars to house a new Bureau of Information is in my judgment in no way related to the war effort. We are stewards of the taxpayers' money. We administer a sacred trust for the armed forces of the country. I do not believe that such a bureau will make any contribution to the useful dissemination of information and besides there is a definite choice here as between information for visitors who come to Washington and the procurement of instruments of war. I choose tanks, planes, and ships and not information.

EXTENSION OF REMARKS

Mr. FORAND. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a short article by Raymond Clapper on a post-war plan.

The SPEAKER. Is there objection?

There was no objection.

HARRY BRIDGES

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I wish again to discuss the matter of a hearing on my Bridges resolution before the Rules Committee.

I always thought that the chairman of the committee was to preside over the committee, keep order, and let matters coming before the committee be decided by the committee. In this case, however, the only answer the chairman of the Rules Committee gives for not giving me a hearing is that I attacked him. Is asking for a hearing an attack?

Secondly, he says:

Unfortunately, he wants a committee appointed.

Again, this chairman says:

I feel that the passing of such measure would be held a bill of attainder.

Right here the chairman shows that he is judging for the committee in withholding this hearing on account of his own personal opinion.

I never asked for a hearing before the chairman only. I asked for a hearing before the full committee. In answer to the chairman, I will say that this is one of the most important things in this country today, and 98 percent of the people from my State are not going to be denied recognition in this Congress on account of any one man's opinion, nor should they.

THE PRICE OF SUGAR

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the problem of price control, as might have been expected, is turning out to have more to it than it appeared on the surface. The price of sugar is fixed by the Price Control Administration at wholesale at $3.70 per 100 pounds. This, of course, holds down the price that the farmers receive and that the wholesalers receive, but if the consumers are charged 10 or 12 cents a pound, as in many cases they are, they are certainly not benefited. Indeed, it appears to me there is an actual encouragement to speculation and hoarding, unless something be done to prevent that situation. I protest the charge of such prices for retail sugar, and point out that something needs to be done on behalf of the consumers in connection with this matter, who, after all, are the main people sought to be protected by this legislation.

LEAVE TO ADDRESS THE HOUSE

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business today, and other special orders, I be permitted to address the House for 10 minutes

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix in two places, and include some editorials in one place.

The SPEAKER. Is there objection?

There was no objection.

THE DIES COMMITTEE

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I have taken this time merely to say that yesterday I put into the RECORD four editorials from papers in widely varied sections of the country against the Dies committee. Today, under unanimous consent, I inserted in the RECORD editorials from the News and Observer, of Raleigh, N. C., the Journal, of Winston-Salem, N. C., the Register, of Des Moines, Iowa, the Journal of Atlanta, Ga., the Bulletin, of Philadelphia, and the Times, of Madison, Wis., all asking for a discontinuance of the Dies committee.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPOINTMENT OF CONFEREE

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CRAWFORD] be appointed as a member of the conference committee on the bill S. 2198, in place of the gentleman from Massachusetts [Mr. GIFFORD], who is unavoidably absent.

The SPEAKER. Without objection, it is so ordered, and the Clerk will notify the Senate of the action of the House.

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

PRODUCTION IN DEFENSE INDUSTRY

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, let me read from a letter received this morning from a woman in Detroit dated March 6, in which she says:

Some of the grinders of airplane parts at the Ford plant here turn out five or six parts an hour when worked by the men who install them. The Congress of Industrial Organizations forbid the turning out of more than three an hour on those machines.

This can be checked on easily. I heard some Ford men talking; one of them was pretty hot about it; as he had a son in the service, it looked like double-crossing his own boy. When I convinced them that I could pass on the information in a way that would not allow them being identified as the ones who told, they talked freely.

I do not know the names of other machines or what their output could be, but that could be found out. But the Bryant Chucking Grinder Co., with offices at 2842 West Grand Boulevard, whose sales engineer is L. C. Gilchrist, set up machines and their men run them a while and service them. Those service men can tell you what the machines can do. And the shop records will show what those same machines are doing, and it will be very easy to find out why the production is cut nearly in half.

This is a matter for investigation by the House Military or Naval Affairs Committee.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and include a speech delivered by the Resident Commissioner from the Philippines, Hon. J. M. ELIZALDE.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SHANLEY addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and include a very fine and concise article regarding the Women's Army Auxiliary, by Mr. Gould Lincoln.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by a former Member of the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article from the Monroe County Democrat, Sparta, Wis., on the subject Truthful James and the Farmer.

The SPEAKER. Is there objection?

There was no objection?

APPOINTMENT OF CONFEREE

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to vacate the order just made in which the gentleman from Michigan [Mr. CRAWFORD] was substituted as a conferee for the gentleman from Massachusetts [Mr. GIFFORD] on the bill S. 2198.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and to include therein a statement by a lady with reference to the Japanese situation on the Pacific Coast.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

THE PUBLIC DEBT ACT OF 1942

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into

the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6691, the Public Debt Act of 1942, with Mr. COCHRAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DOUGHTON. Mr. Chairman, I yield myself such time as I may use, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. DOUGHTON. Mr. Chairman, the bill H. R. 6691, known as the Public Debt Act of 1942, is unanimously reported by the Committee on Ways and Means and has for its primary purpose the increasing of the public-debt limit from the present limit of $65,000,000,000 to $125,000,000,000. At the close of February it was estimated that the Secretary of the Treasury then had authority to issue Government securities to the extent of $1,400,000,000. It is anticipated that by the last of March this borrowing power will be so reduced that the Secretary of the Treasury will not have sufficient authority to finance the obligations to be imposed upon him for operations during the month of April.

The public debt of the United States when we increased the authority of the Secretary of the Treasury in January 1941, I believe it was to $65,000,000,000, had just about approached the then limit of $49,000,000,000. We had not then entered upon the war, and authorizations for national defense purposes up to that time were only about $28,000,000,000, whereas they are now about $140,000,000,000. So it is very easy to understand why it is necessary for the Congress to give to the Secretary sufficient authority to finance the obligations of the Government that are made incumbent upon him by the Congress of the United States.

It is estimated that the deficit for the fiscal year 1942 will be about $18,600,000,000. For the fiscal year 1943 the estimated deficit will be about $35,400,000,000. The public debt, on June 30, 1942—that is, the close of the present fiscal year—is estimated will be about $70,600,000,000. It is now slightly less than $65,000,000,000. The public debt at the end of the fiscal year 1943, or June 30, 1943, is estimated will be $110,400,000,000.

The nondefense expenditures for the fiscal year 1942 are estimated at $6,479,300,000, with war expenditures for the fiscal year estimated to be $23,996,500,000. The estimated nondefense expenditures for the fiscal year 1943 are $6,141,000,000.

War expenditures for the fiscal year 1943 are estimated to be $52,786,200,000.

It is evident, Mr. Chairman, that if the credit of the Government is to be maintained, it is not only important but absolutely necessary that the borrowing power of the Secretary of the Treasury be increased at this time. When it was increased last year we had not entered upon the war, nor did we have the problem of financing the expenditures made necessary and authorized by the Congress since war has been declared. It is, of course, impossible to anticipate the necessary expenditures or the necessary increase of the debt limit, but it is felt that this increase from $65,000,000,000, the present limit, to $125,000,000,000 will take care of the obligations of the Government during the fiscal year 1943 and for a portion of the fiscal year 1944. This bill also gives to the Secretary of the Treasury greater authority or greater flexibility in the issuance of Government securities. As the situation exists at the present time, the issue of Government securities may be either on an interest-bearing basis or a discount basis. This bill gives him flexibility so that he may issue securities either on an interest-bearing basis or on a discount basis or both, as he finds it to the advantage of the Treasury.

Mr. PATMAN. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Texas.

Mr. PATMAN. Will this permit the issuance of securities to the Federal Reserve banks without interest?

Mr. DOUGHTON. No, sir; I do not think there is any such provision as that in the bill.

Mr. PATMAN. Would the gentleman answer another question? About how much money will have to be obtained through the sale of bonds this year?

Mr. DOUGHTON. It is estimated that the defense expenses of the Federal Government for this year will be about $23,000,000,000. Does the gentleman mean 1942?

Mr. PATMAN. Yes.

Mr. DOUGHTON. About $23,000,000,000. The expenditures will be $23,996,000,000, and we will receive about $11,000,000,000.

Mr. PATMAN. That will be a difference of about $12,000,000,000. How much of that will be raised from the public through the sale of defense bonds, stamps, and other investments, such as postal savings?

Mr. DOUGHTON. How much of what?

Mr. PATMAN. Of the $12,000,000,000, the deficit?

Mr. DOUGHTON. I do not think I quite get the gentleman's question.

Mr. PATMAN. As I understand it, $23,000,000,000 will be spent.

Mr. DOUGHTON. Yes.

Mr. PATMAN. And $11,000,000,000 will be raised by taxes?

Mr. DOUGHTON. Yes.

Mr. PATMAN. This means about $12,000,000,000 will have to be obtained through the sale of securities, I presume?

Mr. DOUGHTON. Yes.

Mr. PATMAN. There are only two sources for that money. One source is from the public, which, of course, is a fine thing. It will retard inflation. The other source is the commercial banks. Could the gentleman give us an estimate as to how much of that money the Treasury expects to obtain from the public and how much it will have to obtain from the commercial banks?

Mr. DOUGHTON. I do not think I can give the gentleman that information. The Secretary of the Treasury, who appeared before our committee recently, stated that it is the policy of the Treasury Department to raise just as much as possible from the general public. He thought it was best for the public to buy as many of these bonds for national defense as possible, to show their patriotism, and at the same time he thought it would have a tendency to curb inflation. He stated it would be his policy to market as many of these securities as possible with the general public.

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. I think I may be a little helpful on the point the gentleman raised a moment ago. I invite attention to the statement appearing at the top of page 2 of the report on the pending bill. The 1943 Budget, submitted to Congress in January, indicates that the deficit for the current fiscal year will amount to $18,600,000,000, and, in addition, the Treasury will be required to advance to Government corporations approximately $3,000,000,000 to finance their activities.

Mr. PATMAN. May I ask the gentleman one further question? After World War I the prices of these bonds were lowered considerably, and the people who paid 100 cents on the dollar for them were compelled to take 85 cents, 80 cents, and in some cases as low as 75 cents on the dollar. Is it not a fact that the Treasury has given the people to understand that in the financing of this war no individual will lose anything, that the bonds that are being sold will not be negotiable, but they may upon proper notice of 30 or 60 days, or whatever is required, obtain their money back, and after a certain length of time will also receive interest? The people who buy these bonds will have the assurance they will not be compelled to take one penny's discount; is that right?

Mr. DOUGHTON. I believe the gentleman is correct.

Mr. ROBERTSON of Virginia. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Virginia.

Mr. ROBERTSON of Virginia. The gentleman from Texas has referred to what we call the Defense bonds that individuals are urged to buy. They are redeemable by the Treasury on 60 days' notice at full face value. That does not apply to the bonds that are sold to the Federal Reserve Board or to the commercial banks.

Mr. PATMAN. Is it not a fact that Mr. Eccles, Chairman of the Federal Reserve Board, has given notice to all the banks, whether they belong to the Federal Reserve System or not, that the open-market committee stands ready to take all bonds at 100 cents on the dollar and

no less, therefore there cannot be any reduction?

Mr. DOUGHTON. I assume that is correct, or the gentleman from Texas, who is always well informed on financial and fiscal matters, would not make the statement.

Mr. RICH. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Pennsylvania.

Mr. RICH. We have a bill pending here to increase the national debt to $125,000,000,000. That is the limit. That means an increase of $60,000,000,000 from what the debt limit is at the present time.

Mr. DOUGHTON. That is correct.

Mr. RICH. The gentleman says we are going into the red this year $18,600,000,000 and that in 1943 we shall go into the red $35,400,000,000. That will be terrible. We are going into the red this year $18,600,000,000. We are spending $23,000,000,000 and we are going to take in only $11,000,000,000. I have been under the impression all the time that the Committee on Ways and Means was going to bring in a tax bill at the beginning of this year that would increase our revenue $9,000,000,000. What is the status of that bill, and how soon can we expect it? Does not the gentleman believe we ought to have it immediately?

Mr. DOUGHTON. Not immediately. I do not believe the Committee on Ways and Means could intelligently prepare and bring out a tax bill increasing present taxes by $7,000,000,000 or $9,000,000,000 immediately. I think it would at best take considerable time, because that is a very delicate operation to perform. You cannot do it blindly, in the dark, or with crude instruments. You have to do it after very careful study.

Mr. RICH. Two months of this year have gone by already. In January we were told we were going to have a tax bill of $9,000,000,000. Now the gentleman says it will be $7,000,000,000. We certainly need it, why the delay?

Mr. DOUGHTON. The $9,000,000,000 included $2,000,000,000 estimated for increased social-security taxes, which the Secretary of the Treasury does not recommend be considered at this time. It is $7,000,000,000 aside from that.

I may say to my distinguished friend it is estimated that for a full year's operation, for the fiscal year 1943, the present laws would yield between $16,000,000,000 and $17,000,000,000, and increasing that by $7,000,000,000 in anticipated taxes would make for the next year about $24,000,000,000 that would be received under the tax laws.

Mr. RICH. With that increase in taxation, the gentleman figures that we shall still be $35,400,000,000 in the red?

Mr. DOUGHTON. That is according to the estimate.

Mr. RICH. We are in pretty bad shape. We are in terrible financial circumstances.

Mr. DOUGHTON. I have felt that a long time. I was very much interested in the gentleman's statement this morning that we could save pennies. I agree with him on that. I go further and say we should not only save pennies, but if possible on nondefense expenditures—and I believe it is possible—we should save billions.

Mr. RICH. That is correct. We have a lot of bills before us right now where savings could be made. If the Congress would realize the seriousness of the financial situation in which we are now the Congress would save those billions.

Mr. DOUGHTON. If the increased taxes that will be imposed upon the American taxpayers and the increased borrowings that will be necessary to finance the obligations of the Government do not emphasize and accentuate to the American Congress that it is not only important but necessary that there be greater economy in nondefense expenditures, I do not think it could be done if one were even to rise from the dead and declare it.

Mr. RICH. If we do not make these savings now we are liable to wreck this Nation financially.

Mr. DOUGHTON. I agree with the gentleman that this country is confronted at present with a perilous condition, the equal of which we have never experienced before.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished gentleman from Tennessee.

Mr. COOPER. As a further observation on the point raised by the gentleman from Pennsylvania, which, of course, is interesting, may I say that if the Congress follows the recommendations of the President in his Budget submitted to the Congress in January of this year there will be a saving of substantially $1,000,000,000. It is up to the Congress to follow these recommendations and effect this saving.

Mr. RICH. Why can you not get action by the Congress to follow out these recommendations?

Mr. COOPER. The gentleman is a Member with equal standing with anybody in this House, and always makes his full contribution in that direction.

Mr. RICH. But I do not get any place and do not get any assistance. I have been asking for years, Where are you going to get the money? Others think that way today.

Mr. DOUGHTON. I may say to the distinguished gentleman from Pennsylvania on that point that from what has already taken place and what I have observed, I do not believe the Congress is going to follow out in detail the recommendations of the President of the United States. In my judgment, however, there are many ways in which this Congress can economize to the interest of the country, ways not even recommended by the President. If we fail in some respects we can make good in others, but we ought to save more than $1,000,000,000, in my opinion. I think that is the very least amount we should even consider economizing.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I call attention to the fact that in this bill you would grant authority for the exchange of direct obligations of the Government for indirect obligations, such as guaranteed bonds issued by Government agencies.

Mr. DOUGHTON. Bonds guaranteed both as to principal and interest.

Mr. GIFFORD. Then they can have a direct exchange?

Mr. DOUGHTON. Yes.

Mr. GIFFORD. Will not that tend to lessen the amount outstanding, and would it not be a way by which, under the authority already granted, they might continue to operate without coming to us for additional authority? Is not that a rather dangerous provision the gentleman's committee has put in this bill?

Mr. DOUGHTON. I do not say that that would increase the borrowing power of the Secretary of the Treasury.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. I think it is fair to point out, in reply to the question asked by the distinguished gentleman from Massachusetts, that it is the understanding of the committee that the real purpose to be accomplished along the line suggested by his question is to try to bring these outstanding obligations into the Treasury Department or, rather, to assemble outstanding Government obligations so that they may be handled in a more effective and satisfactory manner. This bill not only provides for the type of securities the gentleman has mentioned, but also deals with outstanding postal savings and matters of that kind.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield again?

Mr. DOUGHTON. I yield further to the gentleman from Massachusetts.

Mr. GIFFORD. I want to say it is rather pleasing to me to have this discussion so we may know what the public debt is. My point, for instance, is that if the R. F. C. is authorized to issue billions of dollars and if they are taken in by the Treasury and directly exchanged, they still have the authority to keep on going and do not have to come back to us for extra authority. My question is whether this indirect way of securing money is going to give them extra authority to keep on going without having to come to us.

Mr. COOPER. I do not think there is anything of that kind contemplated here.

Mr. GIFFORD. No; it is not contemplated but is it not possible?

Mr. DOUGHTON. Of course, these indirect obligations are only guaranteed as to principal and interest and are not direct obligations of the Government.

Mr. GIFFORD. Can we not put in a limitation saying that so much of those securities taken in exchange may be substituted for the present authority, so they may not be allowed to go on in the future without coming to the Congress?

Mr. DOUGHTON. If the Treasury takes them over, then they would have the obligations and the Treasury would have to offset them out of the loan.

Mr. GIFFORD. But still the authority remains with these instrumentalities of the Government up to the maximum

amount that they may issue, and as we quietly exchange them, they still have that same authority.

Mr. DOUGHTON. What is the difference if they do not take them and the Government has to take care of them?

Mr GIFFORD. I notice last week you granted another billion and a half or two billion dollars to the R. F. C. They would have to come here if they had been traded in for direct obligations?

Mr. DOUGHTON. I do not know that our committee granted that much to the R. F. C.

Mr. GIFFORD. I hope I have put my question so it is understandable.

Mr. DOUGHTON. This bill also authorizes the Secretary to receive in payment of Federal taxes any Federal obligations that are redeemable on demand of the holder. In other words, if you owe the Government taxes and you have an obligation that is payable on demand, then that obligation can be used as payment for the taxes.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished gentleman from Michigan.

Mr. CRAWFORD. In the second War Powers Act where we authorized the Federal Reserve banks to purchase issues directly from the Treasury, I want to ask the chairman a question related to that. It seems with that authority going through, plus the authority here for the Treasury to call in advance of the due date of any security refunding the called securities with new issues, that we give the Treasury the power, we might say, of calling in all outstanding obligations and throwing the entire procedure through the 12 Federal Reserve banks.

Mr. DOUGHTON. We give the Secretary of the Treasury authority to use any of the money that is in the Treasury. He has the power to secure by purchase any outstanding Government obligations if he deems it to the advantage of the Government to do so. The law gives him that discretion.

Mr. CRAWFORD. That is the way I understand it.

Mr. DOUGHTON. That is what is proposed in this bill.

Mr. CRAWFORD. Yes; and if that be true, it seems to me that as we enact this into law we do give the Treasury the power to channel all presently outstanding direct obligations of the Government, as well as future ones, through the 12 Federal Reserve banks.

Mr. DOUGHTON. It may be that it contains that power.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Mississippi.

Mr. COLMER. Knowing the gentleman from North Carolina as I do, I just want to inject this statement here. I am sure the gentleman feels, as most of us do, that we have got to change something in this country besides the debt limit if we are going to change the trend of this war. I just wonder if the gentleman does not agree with that. As necessary as it is to increase the debt limit, I am sure the gentleman agrees that we are going to have to change something else.

Mr. DOUGHTON. Yes; but it would take more time than I have to go into detail about my opinion as to that, and then the House might not value my opinion very highly. I do not believe the gentleman's views and mine on that subject are very far apart.

Mr. KNUTSON. I think what the gentleman from Mississippi means is that we need a new board of strategy composed of some who have been trained in warfare.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. RICH. Has the gentleman made any estimate of how far this Nation can raise the debt limit and keep from going into bankruptcy?

Mr. DOUGHTON. No; I would not attempt to do that. I am sure that we can and will increase the debt limit just as far as necessary, to fight and win this war, but in connection with that I emphasize, and repeat again and again, that while we are doing that, while we are increasing the tax burden of the present generation by borrowing and issuing Government securities, piling up mountain-high obligations that future generations must meet, there is a solemn obligation resting on representatives of the Government, and the Congress of the United States, to make a determined effort to cut down all nonessential Government activities, not connected with the national defense and the conduct of the war. Is that plain?

Mr. RICH. I agree with the gentleman 100 percent, but why do we not get some recommendations now from the administration for the elimination of a great many of these new set-ups, New Deal agencies that can be dispensed with, which have been set up in the last 10 years, and then we could chop them off. Cut them out entirely. The country would be better off it we eliminated them.

Mr. DOUGHTON. The gentleman from North Carolina does not have the responsibility of being an intermediary between the Congress and the administration and consequently he cannot give that information.

Mr. RICH. The only reason I say that is because of my very high regard for the distinguished gentleman from North Carolina, and I think he would have 100 times more influence with the administration than I would, and I am hoping that he would go there and demand that the administration cut them out.

Mr. DOUGHTON. The gentleman from North Carolina has never considered that he is capable of even advising, much less demanding things of the administration, but he does sometimes make suggestions, and this is a moderate, mild suggestion. I would not egotistically consider that I am capable of recommending, but I do make mild suggestions.

Mr. RICH. If we had more men like the gentleman from North Carolina, I am sure that we would be in a much better position today.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. COX. Unfortunatcly I am sure the gentleman finds little comfort in the reported meeting of a group of new orderites here in the city or around here somewhere a few evenings ago, in which the Attorney General stressed the importance of carrying on the program of the New Deal, and another of the group said proudly and boastfully, that the New Deal was far more dynamic than nazism, and more revolutionary than communism.

Mr. DOUGHTON. Of course, that is too general for the gentleman from North Carolina to express an opinion upon.

Mr. COX. In other words, what we need, and need badly, is a stoppage of the new orderites before they completely reform us out of our Americanism.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. MICHENER. In the final analysis, does not the amount of indebtedness that this country can stand without going bankrupt depend primarily upon two factors? First, the willingness and the ability of the American people to pay taxes; and second, the willingness of the American people and the courage of the Congress to dispense with everything but the necessities, and the essentials in living, and in the administration of Government? There is bound to be some inflation, but ruinous inflation can only be avoided by sacrifice and a willingness to economize. Repudiation is no more reprehensible than deliberate destructive inflation.

Mr. DOUGHTON. Of course, and the willingness of the people to do that would depend very largely, in my opinion, on the interpretation by the public of the wisdom of the action of Congress in authorizing and making appropriations and spending the taxpayers' money. If the Congress is circumspect and careful, meticulously careful, in authorizing the expenditure of money and in making appropriations that are justified and approved by the taxpayers of the country, then I think the taxpayers will support our action.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. VOORHIS of California. Would not the gentleman be willing to add one other factor that determines whether we can carry a large debt or not, which would be our ability to maintain a full, unstinted production of wealth, as much as we can possibly produce, both now and after the war is over?

Mr. DOUGHTON. That is true, but just how to do that is a matter you could argue until the judgment day.

Section 5 of the bill would take away the authority of the Postmaster General to issue postal-savings stamps and substitute for the postal-savings stamps now used Treasury savings stamps which will be issued by the Secretary of the Treasury under the Second Liberty Bond Act, as amended. As soon as the section becomes effective, the board of trustees of the Postal Savings System will transfer to the Treasury a sum of money equal to the redemption value of all postal-

savings stamps outstanding, and the obligation to redeem the outstanding stamps would become public-debt obligations of the United States rather than a liability of the board of trustees of the Postal Savings System. Prior to the inauguration of the Treasury's Defense Savings program, the average amount of postal-savings stamps outstanding was only about $60,000. These stamps, which were in denominations of less than a dollar, were purchased by people of very limited means who wanted to deposit money in the Postal Savings System. They provided a method for these people to accumulate $1, the minimum deposit which could be accepted under the postal-savings law. When the Treasury started its program, it was deemed desirable to issue stamps to help people who wanted to buy savings bonds accumulate the required $18.75. Rather than have two kinds of stamps on sale in the post offices at one time, it was decided by the Treasury and the Post Office Department that postal-savings stamps would be used for both purposes.

At the end of February 1942 there were $85,000,000 worth of postal-savings stamps outstanding. Practically all of these stamps were purchased by people who wanted to buy savings bonds, rather than by depositors in the Postal Savings System. Under these circumstances there can be no question but what the Treasury, rather than the Postal Savings System, should assume the obligation to redeem the stamps outstanding and issue the stamps in the future as direct obligations of the United States. As the law now stands, it is a case of the tail wagging the dog.

Section 5 of this bill would not in any way affect the rights of the owners of outstanding stamps. Neither will it make it impossible for people of very limited means to accumulate money for deposit in the Postal Savings System. The new stamp which the Treasury will issue will be redeemable on demand at the post offices which formerly sold postal-savings stamps, and any such person who has accumulated a dollar's worth of stamps can turn them in for a dollar and deposit a dollar in the Postal Savings System.

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, when the Secretary of the Treasury was before our committee he seemed to be deeply concerned about the question of inflation; and well he might be. For at least 9 years we have been traveling down that dangerous road which has brought ruin and dictators to other countries, and developed armies. Now we have been obliged to enter a war with a staggering debt facing us. Our chief opponent in this war, and I refer to Germany, had wiped out their internal debt. They started with no internal debt at all and practically no external debt. But here we are now raising the debt limit to $125,000,000,000. The time has come when this Congress must, if it would save this country and win this war, cut out every nonessential expenditure. We cannot delay that action. It is not fair to go to the country to sell bonds knowing that we are going to continue a program that will cause repudiation of the obligations so issued. I hope that coming in here as we do frequently, and we will soon be here again to increase this debt limit, will so arouse public opinion that this Congress will not dare to refuse to cut out all nonessential expenditures. You have one example which is only one of thousands, down here in the square opposite the Occidental Hotel, a project known as the great boondoggle. We cannot continue to throw away money in this way. We should be concerning ourselves with saving the solvency of this country, and devoting the money saved to the equipment of our Army so that armed relief may be sent to the one man who stands out among all other generals in the world today as an efficient, courageous fighter, General MacArthur. But we cannot go on frittering away money as we are doing, taking this whole thing as a huge joke, and ever expect to win this war.

These facts may be interesting to those who have not followed closely the rapidly increasing debt during the last 9 years and the ever-increasing tax bills, enacted in an effort to overtake the ever-increasing spending:

Forty-five billion dollars debt limit established in 1935. The debt was then about $28,000,000,000.

Forty-five billion dollars limit was exhausted in 1940, before the emergency defense program was instituted.

Limit increased to $49,000,000,000 to take care of initial emergency defense appropriations.

Last year—1941—the limit was increased to $65,000,000,000 to provide for augmented defense program. This authority will be exhausted by the end of March 1942.

A third increase is now asked—to $125,000,000,000. This extension may last until about July 1, 1943.

These repeated extensions of the debt limit have been made with painful regularity, notwithstanding the fact that the Ways and Means Committee is now considering the fifteenth New Deal tax bill. This fifteenth tax bill, if it reaches the goal set by Secretary Morgenthau, will raise $7,000,000,000 in new revenue from taxes, together with an additional $2,000,000,000 to be obtained from the social security program.

Even if the $7,000,000,000 of new revenue envisioned by Secretary Morgenthau is collected and the sum of $16,500,000,000, exclusive of social-security taxes, is collected under existing laws, including the 14 tax bills heretofore enacted under the New Deal administration, the Government will, nevertheless, have to borrow $39,800,000,000 for the next fiscal year.

I remind you, my colleagues, that history records that inflation is a road that leads to a life of darkness, poverty, and humiliation. Excessive debt is the parent of inflation.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, we are being asked to do something today that we have never done in the entire history of this country. In other words, we are about to create a debt limit beyond anything anybody ever expected. If this request to fix the debt limit at the stupendous sum of $125,000,000,000 had been made of us 3 years ago, it would have been rejected unanimously.

I want to recount just for a minute the steps we have taken in this connection in the last few years. Some of you can remember the first debt-limit bill fixed the amount at $45,000,000,000. At that time many of us were passively opposed to this procedure. We thought that it portended national disaster. In a short time thereafter we increased the debt limit to $49,000,000,000. That was not such a strain. Then, without much of a struggle, we increased it to $65,000,000,000. Now we are increasing it to $125,000,000,000, and we are doing it easier today than we did when we increased it to $45,000,000,000. Increasing the debt limit is much as the poet said about vice—first we pity it, then we endure it, and then we embrace it.

This is a very strange and dangerous situation. As Mr. Roosevelt said when he was a candidate, "Governments are wrecked on the rocks of loose financial policy." Under our theory of government we—the House of Representatives—are charged with the responsibility of guarding the financial resources of the Nation. We are the keepers of the purse strings of the Nation. One of the best attributes of democracy—the safest attribute of a democracy—is the fact that the people have control of the purse strings. When the people lose their control of the purse strings, our democracy is gone and we shall not long endure as a nation. We still have the purse strings, but those purse strings are lengthening out—they are too elastic. We are coming to the place where they are liable to break. If they do, we will be held accountable by the impractical historian.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the distinguished gentleman from Michigan.

Mr. WOLCOTT. I would like to have somebody on the committee explain to the House the purpose of a debt limit. I cannot find any provision in the Constitution for the establishment of a debt limit.

Mr. JENKINS of Ohio. There is no constitutional provision dealing with the subject. But there is no provision preventing Congress from putting a legislative brake on itself by passing a resolution indicating its determination that the national debt shall not exceed a definite figure, and there is nothing to prevent Congress from extending that fixed amount, if it desires to do so. The purpose of a debt-limitation law is to show to the tax-spending agencies of the Government that Congress does not look with favor on expenditures beyond that amount.

Mr. WOLCOTT. If we did not extend the debt limit but appropriated in addition to the debt limit, we would by inference and indirection, increase the debt limit by that amount, would we not?

Mr. JENKINS of Ohio. Yes. I do not know of any reason, after we reach this debt limit, why Congress could not vote

additional appropriations. Congress has the purse strings in its hands yet. I hope it shall ever be thus.

The serious situation which now confronts us because of our colossal debt is largely due to the fact the administration has during the past 9 years utterly failed to adopt any definite program of economy. Mr. COOPER, the gentleman from Tennessee, in his statements made a few minutes ago would give you the impression that the President, because of a recommendation in the report of the Bureau of the Budget, has started a program of economy. While the recommendation of the Bureau of the Budget in this respect is a commendable one, still there is no definite policy shown in that action. The departments in which this curtailment of expenses have been suggested will all still continue to function. The saving effected there has simply been transferred to some other department.

Never since the present administration has come into power has there been manifested any noticeable plan of economy. On the contrary every plan called for the additional expenditure of money. Every year since the administration came into power the deficit has increased. The national debt at the time the present administration came into power was approximately $17,000,000,000. Gradually this debt has increased until today it is nearly $65,000,000,000 of actual indebtedness, with enough other commitments, direct or indirect, to run the real actual debt of the Nation up to possibly $80,000,000,000.

In 1941 when the Ways and Means Committee was considering the 1941 tax bill Mr. Morgenthau suggested that a savings of one billion a year could be made in nondefense activities. At that time I sought to have him indicate where and how that saving could be made. He did indicate in general terms. He was criticized by the President the next day for having made that suggestion. When I asked Mr. Morgenthau to indicate specifically just how the saving could be effected he declined to do so, largely, I think, because of the fact that the President had indicated his disfavor with the statement of the Secretary. At that time I took the position that we could easily effect a saving of a billion dollars in nondefense activities. I have no doubt that we could have effected a saving of $2,000,000,000 without impairing the efficiency of any department. At that time I also took the position that we could easily have effected a saving of $2,000,000,000 or more in defense activities. There is no question but that there is a tremendous waste of money in defense activities. The temper of the times is such that it is not altogether wise for one to press his viewpoint in this connection because of the claim that one might be hampering national defense. Personally I have voted for every appropriation for national defense, and, like every other American, I am in favor of adequate defense. I still maintain, however, that billions of dollars are wasted every year because of careless administrative methods.

The House will no doubt pass this resolution calling for the extension of the debt limit, and, while I may hope that this will be the last time that the passage of a bill of this kind will be needed, still I am confident that at the rate that we are spending money now it will not be long until the Secretary of the Treasury will be coming back and asking the debt limit be increased again.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, I just thought it would be interesting to call the attention of the House to how far and how fast we have traveled in 22 or 23 years. This $125,000,000,000 is beyond me. We talk about billions as though they were everyday figures. The only way I can arrive at some sense of semblance as to what these figures are, is to go back to the World War. I want you to get these figures. They were amazing to me.

During the past 18 months we have voted over $100,000,000,000. Our record expenditure for any one year during the World War was $18,500,000,000. That was in 1919. That year we collected in taxes $5,152,000,000. The record tax collection following the World War was in 1920 when we collected $6,695,000,000.

This year we are going to collect $15,819,000,000 in Federal taxes, excluding social-security taxes. We are collecting from our citizens in Federal, State, and local taxes the enormous sum of $27,077,000,000, or 23½ percent of our national income. On Tuesday, March 3, Secretary Morgenthau appeared before our committee and proposed that we raise $9,000,000,000 additional tax money. If we do this, we will place a tax burden of $34,677,000,000 on our citizens for Federal, State, and local taxes. This will be 30.2 percent of the estimated national income.

Prior to our entry into World War No. 1, and 2 years after the war began in Europe, our national debt was $1,225,000,000. The extreme high of our national debt following the World War was $26,000,000,000, which was reduced to approximately $16,000,000,000 in 1926. On March 4, 1933, our national debt stood at $21,000,000,000. Just to show how rapidly our national debt has increased during the past 3 years, I want to call attention to the fact that our national debt stood at $43,000,000,000 at the end of the 1940 fiscal year. It is now approximately $63,000,000,000, and Secretary Morgenthau estimated it would reach $71,000,000,000 by June 30, 1942. If we continue the present rate of expenditure, the indebtedness will reach $110,000,000,000 by June 30, 1943.

The suggestion has been made that we remove the debt limit entirely. When Secretary Morgenthau was before our committee he said:

> Yes; we could do that, but I think it is a good thing to come back to Congress every few months and review the situation.

He said:

> I shall be back in from 12 to 18 months and ask you to increase this debt limit again.

I think the Secretary is right when he says that the Congress and the country ought to stop and, so to speak, take account of where we are going.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. I yield.

Mr. FISH. Does the gentleman know the total amount of money we appropriated for the first World War?

Mr. CARLSON. I do not have those figures with me.

Mr. VOORHIS of California. If the gentleman will permit, I believe the $26,000,000,000 represented the net increase in the public debt.

Mr. CARLSON. The gentleman from California is right. The increase in the public debt due to the first World War was $26,000,000,000, and we started that war only a little over $1,000,000,000 in debt. By 1925 we had reduced the indebtedness to $16,000,000,000.

Mr. Chairman, we have no alternative this afternoon but to vote an increased debt limit. Our country is at war, and the war must be won. However, we should remember that we are spending the people's money, and they have a right to demand a strict accounting of every dollar spent. This is no time to waste money for boondoggling, social experiments, and other unnecessary items.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, I had not intended to say anything on this bill, but I do want to comment on letters I am daily receiving from home. The folks back home are not very optimistic.

Folks living in the agricultural areas of America cannot understand why the Administration has given movie actors, baseball players and labor leaders a deferred status in the draft while thousands and thousands of farm boys, who are needed to produce food, have been placed in uniforms and sent to foreign lands. They write me that it does not make sense but at that it is just as sensible as a lot of other things that have been done in America the past 9 years.

The people back home object to all the money that is being spent in boondoggling. They object to the Government paying time and a half for overtime on defense work. They object to a man who wants to work in the defense activities being compelled to join a union and pay anywhere from $25 to $150 before he can work for his Government. They just can not understand how such things can be possible in a democracy where all should be treated alike by their government.

Mr. Speaker, the American people are bewildered. They know not which way to turn nor to whom to look to put a stop to this bungling and mismanagement.

The people do not object to paying high taxes if they know the money is being wisely spent, but they do not want to see any part of it poured into rat holes or used for social experimentation.

The folks back home feel that this is no time for social legislation. They realize that France went on the rocks largely because of sit-down strikes and limiting production for war to 40 hours

a week. The people out in my country think we ought to be on a 48-hour week with straight time pay.

The gentleman from Tennessee mentioned economies the Administration has effected. I cannot recall any economies that have been effected by the Administration. We still have W. P. A. and N. Y. A. and C. C. C., and all those other activities that were put into effect when the country was in the depths of the depression. Any effort of the Congress to cut out these extra and unusual activities meets with strongest opposition down at the White House. I remind the gentleman from Tennessee of the reception given the Morgenthau proposal to cut the nondefense expenditures of this Administration by $1,000,000,000. Let him think of the reception the suggestion received at the White House about a year ago. We have not had any cooperation from the executive branch of the Government in effecting any economy. I do not say this in a partisan spirit but because we are in a tough spot, Mr. Chairman. We are all in the same boat and unless we forget politics and get down to brass tacks we stand to lose this war. These are times when all must make sacrifices. It is not fair to ask only the soldier and farmer to make them. Sacrifices must also be made by labor and industry.

Finally, my friends, we need a new board of strategy. Roosevelt and Churchill should and will have to leave that particular work to trained military and naval experts. It is going to take something stronger than oratory and crystal gazing to win this war. Since July 1, 1940, appropriations, contract authorizations, and requests now pending before the House Committee on Appropriations amount to over $142,000,000,000 for war purposes only and yet when we visit training camps we learn that boys who have been in the service nearly a year have not fired as much as one round of ammunition. Military men tell us that 500 bombing and fighting planes would have turned the Japs back from the Philippines. Where is all the material that we have been producing? Members of the House, there is but one solution—speed up production to utmost capacity and induct all slackers into the Army. This is war and everything not essential to winning that war must wait.

FOREIGN AND CIVIL WAR? WHY FIGHT AMONG OURSELVES?

Mr. HOFFMAN. Mr. Chairman, who got us into this war, why we got into it, and whether we were prepared for war—the answer to each of these questions is now of no moment. The question which now we must answer is whether we can and will win this war.

None doubts but that we can win. Some have grave doubts as to whether we will win. They doubt because they have been compelled to believe that this administration will not willingly forsake all other objectives and devote itself wholeheartedly to the winning of the war.

If that statement be sniping, then let those majority-party leaders who through the press announced on February 27 last that they would hit back at snipers, go into action.

If, on the other hand, it be constructive criticism, which I consider it, again they are challenged to go into action and to stay in action until they have met and overcome those things which are hindering our efforts to meet the danger which now confronts us.

We have been asked to lay aside partisanship; to forget politics; and, since Pearl Harbor, Republicans of this House have consistently and without reservation supported the administration in its every effort to prepare for and to carry on this war.

Unfortunately, beginning with the statement of National Democratic Chairman Flynn, the Democratic Party, or, more accurately speaking, the New Deal branch of it, has refused to follow the President's advice, and the President himself has intimated that he wants in Congress only those who see eye to eye with his views.

The position of the new dealers was clearly and unequivocally stated, when here in Washington, Attorney General Biddle, speaking before a typical New Deal group, according to the Washington Post, made the statement:

Hold the political trench because the opposition is going to fight, whether you do or not.

It is reported that others made what are commonly known as New Deal "pep" speeches. Perhaps the climax of that meeting came when Michael Straight, Washington correspondent for the New Republic, who was toastmaster, in his speech closing the meeting said:

The New Deal is more dynamic than fascism and more revolutionary than communism.

One gentleman, who has persistently, during the last few days, advocated the abolition of the Dies committee, was present at that dinner. Some of us, viewing his attacks upon that committee, are wondering whether he was aware of the statement published as a matter of news in the New Republic in its issue of December 29 last, and of which Michael Straight, the toastmaster of the evening, is a Washington representative, which read:

Known Communist sympathizers are again finding it relatively easy to get Government jobs.

Can it be that this gentleman who so vigorously and so persistently attacks the Dies committee, which has exposed and called for the ousting of Federal employees who are Communists, is either ignorant of the work which has been done by the Dies committee or wishes to make it still easier for the Communists to get on the Federal pay roll?

Turning now to the question of whether this administration has in mind the single purpose of winning this war; of whether it is willing to lay aside its partisanship; whether it is willing to wage this foreign war without at the same time carrying on a civil political war against those who oppose its domestic policies, consider these statements in the press of last night, made by that well-known writer, David Lawrence. Let me quote:

American boys may be dying in the Far East and Southwest Pacific because of lack of protection—but the New Deal must go on.

American aviators, flying heavy bombers, have been forced to quit Java for lack of fighter planes—but the New Deal must go on.

Shortage of ships is responsible for the lack of transportation facilities to carry fighter planes to the front—but the New Deal must go on.

Millions of persons are having their incomes reduced by heavy taxes, their businesses broken up, their jobs confiscated overnight—but the New Deal must go on.

It is matter of common knowledge that this administration is coddling labor. Certainly the President is familiar with the passage of the scriptures which reads:

No man can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon.

Having that passage in mind; knowing the truthfulness of it, how can the President justify the appointment and the retention in office of Sidney Hillman, who is paid by his union organization; who is under obligation to serve it because of the compensation he receives from it and, at the same time, is called, by his appointment and his acceptance of office under the Federal Government, to serve that Government and to hold balanced between his union, which pays him, and his Government, to which he owes loyalty, the scales on which he weighs the controversies which arise between the two?

Hillman's position is such that he cannot serve the union which pays him, which renders service to the Government, and, at the same time, serve, unbiased and without favor, the Government he is charged with representing and serving in this its time of need.

Again, when will the President cease to coddle, to extend special favors to the so-called labor group? The men and the women who work in this, our time of need, are not asking for special favors. It is their political bosses who are using the opportunity to entrench themselves in power, to collect vast sums for their war chests, which they can use in their organizing and political campaigns.

It is matter of common knowledge that some of these union organizers are slowing down production in opposition to the will of the workers who have sons and relatives in the fighting forces, in factories which must operate continuously and at full speed if our armed forces are to be properly supported; given full opportunity to fight.

To show what is meant by a reduction of production, let me read these excerpts from a letter dated March 6, from a woman at Detroit:

Some of the grinders of airplane parts at the Ford plant here turn out five or six parts an hour when worked by the men who install them. The Congress of Industrial Organizations forbid the turning out of more than three an hour on those machines.

This can be checked on easily. I heard some Ford men talking. One of them was pretty "hot" about it as he had a son in the service; it looked like double-crossing his own boy.

Yes, the American people are growing weary of the administration's failure to

treat all groups alike. They are growing weary of having their sons and their husbands serve in foreign lands while here at home the efforts of those who fight are hindered or rendered of no avail by those who slow down production.

The responsibility for ending this situation rests first upon the President of the United States, who has power to remedy the evil. If he continues to shirk it, as he has for, lo, these many months, then it becomes, and it is now, the duty of Congress to accept the responsibility and enact new legislation which would compel the Executive to act.

Why fight among ourselves when our enemies are so powerful. Let the President insist upon an end to slow-downs and strikes.

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, the present administration has us in a terrible fix. May I quote from a speech made by the President of the United States on October 19, 1932, at Pittsburgh, Pa.:

> The credit of the family depends chiefly upon whether that family is living within its income. And that is equally true of the Nation. If the Nation is living within its income, its credit is good.
>
> If government lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates. But if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifice at all in spending; if it extends its taxing to the limit of the people's power to pay and continues to pile up deficits, then it is on the road to bankruptcy.

Now, Mr. Chairman, I want to present a little idea of what the administration has done since the President made that speech, which was one of the soundest statements made by any man.

I will prove to you he has not carried out that statement so far as the United States Government is concerned, but he has repudiated it. He believed one thing, then did another. Let me give you the Roosevelt record of Government deficits. Not once have they come near a balance.

From March 4 to June 30, 1933, the deficit was $892,600,000, and for the following years:

1934	$3,965,991,685
1935	3,575,357,963
1936	4,763,841,642
1937	2,707,347,110
1938	1,384,160,931
1939	3,542,267,954
1940	3,611,056,036
1941 to Mar. 4	5,500,000,000

The estimated deficit for this year, 1942, is $18,600,000,000 and the estimated deficit for 1943 is $35,400,000,000. Terrible, terrible. Horrible, horrible.

What is the administration doing but taking the road to bankruptcy? There is only one thing, and one thing only, we can do to save this Nation of ours, and that is to cut down on nondefense expenditures to the very limit. The Members will have that opportunity today, and they will have that very opportunity tomorrow when we take up the consideration of the Department of Agriculture appropriation bill. Will you do it, or are you going to continue to send this Nation down the road to ruin? We will never win this war, we will not be able to do anything to help MacArthur, we will not be able to do what we ought to do in connection with raising an increased Army and equipping it, and the same applies to the Navy, unless we begin to economize. A bankrupt nation cannot finance a war. You are driving toward bankruptcy as fast as you can go. We cannot pursue the method we are following and have a sound financial stability, which is just as essential as it is to have manpower, guns, planes, and ships, and those are the things we have to furnish General MacArthur if we want to win the war. To increase this debt from sixty-five billion to one hundred and twenty-five billion is a terrible jump. This administration raised the debt limit from forty billion, then to forty-five billion, then to forty-nine billion, then to sixty-five billion, now to one hundred and twenty-five billion. Where are you headed for but bankruptcy? Every man here knows we will wreck the people, bankrupt the Nation, lose our form of government if you do not make every dollar count. Stop the extravagances and get some real common sense. Get rid of the New Deal. Put all Communists and Japs in concentration camps. Get some real common sense and put some real hard work in before we come to want and lose the war.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, I cannot get very much "het" up over a statutory debt limit. It is a rather innocuous thing, and I sometimes wish that we had never instituted the practice of setting debt limits. That is only true where there is a limit on total obligations of the Government, bonds, notes, certificates of indebtedness, and so forth. As I understand it, the reason why a debt limit was put on in the first place was to regulate and control the amount of bonded indebtedness of the United States. I recall very distinctly when the debt limit was first increased it was increased by taking the ceiling off the bonded debt limit, which was somewhat below the total debt limit. So when in the years gone by there was a differentiation between the total debt limit and the bonded debt limit there was some reason for a limitation, but there really is not any purpose behind this section of the bill. I hope that none of our citizens will be fooled by the action which we are going to take today because they should realize that there is no constitutional provision in respect to the establishment of a statutory debt limit by the Congress or anyone else for that matter.

The Congress must appropriate the money, and if the Congress appropriates money above the debt limit, then, of course, it inferentially and by indirection increases the debt limit a proportionate amount.

The thing I am concerned about in this bill is the provision which allows the Treasury to issue bonds in exchange for fully guaranteed bonds of the agencies of Government and the corporations which have been set up under authority of the Congress. These run into the billions of dollars. They are contingent liabilities, and I do not quite understand why the Treasury wants authority to exchange those bonds for the issuance of Treasury bonds. I just cannot understand that, and I wonder if any of the Members have a clear understanding of what is behind this proposal? It is brand new; it has never been done before. The Treasury under certain circumstances can invest in the capital of these corporations but they never have been authorized to issue bonds specifically for the purpose of liquidating the indebtedness of these corporations. To me it is a very dangerous practice.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, I cannot help but look upon this great increase of our national debt limit to $125,000,000,000 with great concern. Some years ago we increased the national debt limit from forty-five to forty-nine billion, and later on the administration insisted that the debt limit be increased to sixty-five billion, and now we have a request from the administration that the debt limit be increased to one hundred and twenty-five billion. This is enough to cause deep concern in the minds of every thoughtful and loyal American citizen. How soon will the administration be back and insist upon another huge increase or to remove the debt limit entirely?

The Secretary of the Treasury stated to the Committee on Ways and Means that he believed that this increase in the debt limit from sixty-five billion to one hundred and twenty-five billion will amply cover the Treasury's anticipated financing requirement through the fiscal year of 1943 and perhaps part of the fiscal year of 1944. We know the fiscal year of 1943 will end on June 30, 1943, and there is every reason to believe that the national debt will reach the astronomical sum of one hundred and twenty-five billion by June 30, 1943. That is only about 15 months off. The Secretary of the Treasury stated that he may be back in about 12 months and ask for an additional increase in the debt limit. One hundred and twenty-five billion is more than $900 for each man, woman, and child of the 132,000,000 people of the United States and about $4,500 for the average family, and the end is not yet in sight.

We are just entering upon what appears to be a very long, costly, and bloody war, with American soldiers and sailors on every continent and every sea. The direct cost of the first World War from April 6, 1917, until July 2, 1921, when it officially closed was twenty-five billion seven hundred and twenty-nine million. This, of course, does not include about ten billion or more that we loaned to our Allies—Great Britain, France, Italy, and others. Up to this date Congress has voted for war purposes alone since July 1,

1940, the astronomical sum of one hundred and forty-two billion. This is more than five and one-half times the direct cost of the first World War.

According to the Budget submitted to Congress by the President in January, the deficit for the present fiscal year ending June 30, 1942, will be nearly nineteen billion, and in addition to that the Treasury will be required to advance to governmental corporations approximately three billion more to finance their activities. This will create a deficit for the present fiscal year ending June 30, 1942, of approximately twenty-two billion. Under our present tax laws the Government will collect approximately twenty-three billion for this year. A bill is now under consideration to add an additional seven billion in taxes, so that the American people will be called upon to pay approximately thirty billion in Federal revenue and taxes, annually, and, according to the Budget the President submitted to Congress, there will still be a deficit of approximately thirty-six billion, and the Treasury will also be required to provide over four billion for the activities of governmental corporations, making a total deficit of forty billion for fiscal year ending June 30, 1943. While the administration has not yet admitted it, I believe that the national debt by June 30, 1943, will be one hundred and twenty-five billion, and sometime in 1942 the Congress will be called upon to further increase the debt limit.

I visited in my district during the holidays last December and in the month of February this year. The people there are patriotic. They are in favor of paying every dollar in taxes and the creation of every dollar of debt necessary to defend our country and to win the war. Many, however, complain bitterly on account of the large sums of money being spent for unnecessary and nonessential activities. They condemn all boondoggling projects. They denounce their money being used to teach either gliding or fan dancing, or collecting the taxes through Donald Duck pictures. They also condemn huge profits being paid by the Government to many of those having defense contracts. They insist that we cut out rackets, racketeers, grafters, and profiteers, and streamline Government expenses to the necessities required in winning the war. They insist that the strictest economy in the spending of the tax money be observed. I wonder if those in control of the administration are not undermining the confidence of the people. We must not threaten the credit of the Nation. The American people are intelligent. Many of them have observed that the assessed value of all the farms, livestock, and all the poultry on the farms of the United States according to the Federal census of 1940 is less than forty billion. The debt limit we are fixing today is more than three times the value of all the farms, all the livestock, and all the poultry on all the farms of this country. Our total national wealth is now estimated at three hundred and ten billion.

We are urging the American people to buy bonds and stamps to win the war. Many of my constituents, both Republicans and Democrats, inquired of me if these bonds and stamps would be redeemed and paid for by the Government. I have many letters from my district insisting that the spending of the bond and stamp money and the tax money for boondoggling projects, for nonessentials, and to permit racketeering and profiteering was discouraging the sale of bonds and stamps. It is up to the administration and the Congress to convince the American people that their money is being used in honest efforts to win the war and not to perpetuate the New Deal, or be wasted or squandered on nonessential projects or activities.

The administration has been for some time trying to force through Congress its "pork barrel" omnibus rivers and harbors bill, including the St. Lawrence seaway, the Florida ship canal, and many other nonessential "pork barrel" projects that will likely cost the taxpayers more than a billion dollars. There are hundreds of thousands of unnecessary New Deal officeholders forming a part of a huge bureaucracy of more than a million and five hundred thousand built up and maintained by the administration, and now engaged in no useful war activity, but are engaged largely in promoting some of the New Deal nonessential activities. These unnecessary officeholders should be separated from the Government and placed in some necessary or useful national defense activities. The administration cannot continue this increase of the national debt and increase taxes without getting results on land, sea, and in the air in the defense of our country. Let us not forget that the American people are submitting to these enormous taxes, this enormous increase in the national debt, and the upset of their economic life to accomplish one great purpose only and that is to defend our country and to win this great war at the earliest moment possible. Let us cut out these nonessentials. Let us save the people's money. Let us translate these billions into ships, planes, guns, tanks, and other defense equipment, so that our gallant soldiers, sailors, and airmen may go forth the best armed and the best equipped of any fighters on the earth and win victories for our country.

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I have in my pocket a sheaf of letters and telegrams from men and women in all walks of life in Tennessee. They are tremendously and vitally concerned at the situation that now confronts this country with respect to the present conduct of the war and with respect to the debt of this Nation.

The gentleman from Michigan [Mr. WOLCOTT] just stated that he could not understand why from time to time the administration came to the Congress and asked that the debt limit be raised. I take it that these successive actions are milestones on the downward road we are traveling toward national bankruptcy. This debt of ours is an accumulation of expenditures. It would seem that at a time like this, when the Government is borrowing the money it is spending, we should not spend money we do not have for things we do not need.

A few days ago the employment of a fan dancer at a little more than $5,000 a year had such dynamic repercussions that it blew the first lady of the land out of her position in the Office of Civilian Defense. But we read upon the front page of the Washington Post on Sunday that without any legislative authorization whatever the President had authorized the construction of a boondoggling project on Pennsylvania Avenue facing the Willard Hotel at a cost of a quarter of a million dollars.

In order to add to the gayety of nations, that sum would have employed a whole chorus of fan dancers, 125 in number, and we could have a Roman holiday here, to the disgust of the whole country. Mr. Mellett is shortly to go down there in that building which costs that much money and have a corps of boys and girls from the rural precincts throughout the country, from the various towns and cities throughout the country, who certainly do not know anything about the governmental set-up here, but whose function it will be to advise businessmen when they come to Washington seeking Government business where to find the people with whom they want to do business.

There are 435 Representatives in this House and 96 Members of the Senate, all of whom are qualified to tell their constituents where to go to get in touch with the various governmental agencies.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, the Federal Treasury is once more in the position of being unable to meet the tremendous financial obligations which have been imposed upon it.

It is the privilege and duty of Congress to vote the necessary appropriations to provide for the common defense and the general welfare, but it is likewise its responsibility to furnish the Secretary of the Treasury with the means of meeting the obligations thus created.

The Ways and Means Committee has been advised that, due to the present $65,000,000,000 limit on the authorized national debt, the Treasury Department will be unable to finance the operations of government much beyond the end of the current month. As of February 28, the outstanding public debt aggregated $62,380,000,000. The Budget Bureau estimates that by the end of the current fiscal year, June 30, it will be necessary to increase the public debt to $70,600,000,000, and by the end of the fiscal year 1943 to $110,400,000,000.

For 12 consecutive years, since 1931, the Federal Government has been operating in the red despite constantly increased taxation upon the people. During the first 10 of those years the resulting deficits were attributable to extravagant expenditures for domestic purposes. Beginning with the fiscal year 1941, however, our Government instituted a program of national defense which, as a result of subsequent developments, has now grown to the staggering total of $142,000,000,000. Current and future deficits

will be attributable to our national war effort, and there is no telling how long these deficits will continue nor what their aggregate amount will be. While deficit financing might have been avoided prior to the inauguration of our defense program, it is inevitable now, because our annual expenditures for war purposes have risen to such magnitude that they cannot possibly be met by taxation alone.

To help finance the defense program which began to get under way in the summer of 1940, the Congress has enacted three major revenue measures, which have resulted in increasing Government receipts from a level of $5,000,000,000 in the fiscal year 1940 to an estimated $16,487,000,000 in the fiscal year 1943, based on existing rates. It is now proposed by the President to increase taxes by an additional $7,000,000,000, or to a total of more than $23,000,000,000.

If we include present social-security taxes, plus the $2,000 000,000 additional requested by the President, the total will be $27,000,000,000.

Even this unprecedented $23,000,000,000 level of Federal taxation, which is four times the highest amount collected during the World War, will be inadequate to meet Federal outlays in the next fiscal year.

The net deficit for the current year, ending June 30, in which we will spend thirty and one-half billion and take in twelve billion, will be in excess of eighteen and one-half billion.

In the fiscal year 1943, it is estimated that total expenditures will aggregate $59,000,000,000, of which nearly $53,000,000,000 will go for war purposes. Anticipated revenues are placed at sixteen and one-half billions. Thus, without any additional tax legislation, we face a deficit of forty-two and one-half billion in the next fiscal year. This deficit will be reduced to the extent new taxes are voted at the present session, and to the extent that economies may be effected in nonmilitary expenditures.

Let me say parenthetically that I do not agree with the statement of the gentleman from Tennessee [Mr. COOPER] that on account of the change in the estimate in the Budget we are saving $900,000,000. That is only a paper saving which is not yet a reality.

To continue: Under all the circumstances, the Congress has no alternative but to increase the debt limit at this time. By raising the limit from $65,000,000,000 to $125,000,000,000, the Secretary of the Treasury feels that he will be able to finance the operations of Government through the fiscal year ending June 30, next year, or for a period of approximately 15 months.

He cautioned us when he made that statement that he would be back to see us next year and ask for a further increase in the debt limit.

In this connection, I wish to commend the Secretary for not asking that the debt limit be entirely removed, as has been advocated in some quarters. As the Secretary pointed out in his statement to the committee, the placing of a fixed limit gives Congress the opportunity for a periodic review of the Government's financing operations. To have no limit at all might encourage extravagance and give rise to an unfortunate inflationary psychology. Last year the President, in his Budget message, conceded that a definite debt limit had some value as a "fiscal monitor."

The proposed limit of $125,000,000,000 virtually doubles the Treasury's borrowing power. This is the third increase since the original $45,000,000,000 limit was established in 1935. When the emergency defense program was first instituted in 1940, it became necessary to increase the limit to forty-nine billions in order to help finance the initial defense appropriations. At that time the $45,000,000,000 limit had been exhausted in financing previous deficits incurred in connection with the so-called recovery and relief program. As the defense program was expanded, it became apparent that a further increase in the debt limit would be necessary, and last year it was raised from forty-nine billions to sixty-five billions.

As I have previously stated, the increase to one hundred and twenty-five billions will only carry us through the next 15 months, with a small margin of safety to take care of contingencies. The Secretary of the Treasury has indicated that it will be necessary next year to ask for a further increase to new heights which as yet are unpredictable. In other words, there is no telling how much the national debt will have to be increased before victory has been won and post-war rehabilitation has been achieved.

In view of this outlook, it is clear that we must expect to pay higher and higher taxes so as to minimize the necessity for borrowing as much as possible, and we may expect to bear this still higher level of taxes for years and years to come.

Even when we have eventually succeeded in balancing revenues and expenditures, we and those who come after us will still have to assume the tax burden necessary to retire the staggering national debt which will have been piled up.

When the national debt shall have reached the $125,000,000,000 limit now proposed to be authorized, it will virtually equal the assessed valuation of all real estate in the United States. Yet we have no alternative but to grant the Treasury such authority.

This war must be won, whatever the cost, and the Treasury must be given the necessary funds with which to finance it. Insofar as we are not able to raise the money by current taxes upon the people, it must of necessity be raised by borrowing.

That leads to the very interesting question as to when we are likely to reach the limit of the ability of the people to bear increased taxation without actual confiscation.

While our expenditures for civil purposes are but a small part of the total wartime Budget, they still are high compared with former years. At a time when all our efforts are being concentrated on winning the war, when our boys in the service are offering their lives in defense of our country, when our citizens are being called upon to make sacrifices at home, it is not too much to ask that the nonmilitary services of the Government make some sacrifice in their spending.

We should establish priorities on the taxpayers' dollars as well as on critical materials. Every dollar saved on civil expenditures is one dollar more for war purposes, and one less dollar that has to be raised by taxes upon the people or added to the national debt to be paid out of future taxes.

The Joint Committee on Nonessential Federal Expenditures has shown how savings aggregating one and one-half billions can be made, and is now making investigations to determine how further reductions can be effected without impairing essential functions of government. The Congress owes it to the people of the United States to bring about these economies. As the minority members of the Ways and Means Committee said in their concurring report on last year's tax bill:

> The same critical state of affairs which calls for an increase in taxes also requires that nondefense spending be drastically reduced, and all unnecessary and wasteful expenditures completely eliminated.
>
> If the Government is going all out for national defense, and all out for taxes upon the people, it is compelled both by necessity and by a regard for its obligations to the taxpayers of the country to also go all out for economy.

The gentleman from New York [Mr. REED] touched very effectively on the subject of economy. The people are demanding that we reduce nonmilitary expenditures, and their demands will increase as they begin to feel the impact of the higher taxes we imposed in the last revenue act and contemplate in the new bill now under consideration in the Ways and Means Committee.

Mr. Chairman, I shall not go into the collateral provisions of the pending bill, as they have been clearly explained by the gentleman from North Carolina, the chairman of the Ways and Means Committee. The bill has the unanimous support of the minority members of the committee and should likewise be unanimously supported by the House.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the Public Debt Act of 1942.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I hope we, as legislators, and the people of the country realize what is happening today. Our distinguished President said last night that he did not think the American people were complacent. Maybe that is not the right word, but today we are placing a mortgage on the homes, the farms, the business, the productive capacity, the inventive genius, and the future earnings of the American people. We are raising that theoretical and potential mortgage from $65,000,000,000 to $125,000,000,000. There are

not very many Members on the floor, and none of us is very much excited about it. Maybe we are not complacent. Maybe we are like a fellow down in my district, a colored boy, who had a mule he was very anxious to sell to one of his neighbors. He invited this neighbor to come over to the barn lot and take a look at the mule. Of course, he was very anxious that the mule should make the very best showing. He and the other colored boy hung on the fence and looked at the old mule and while they were standing there the mule kicked his heels up in the air and without rhyme or reason went down the road head on into a brick wall at the other end of the lot, fell down, and finally scrambled to his feet. The prospective purchaser said, "My goodness, he is blind." Sam said, "No; he ain't blind—that mule ain't blind." The other man said, "He is obliged to be blind—look what he did." He said, "Oh, you just don't know that mule—that mule just don't give a damn."

Now, maybe we do not, but $125,000,000,000 is a good many dollars. There are but two ways that it can ever be written off the books. One is the shameless way of repudiating or having printing-press money, and the other is the American way, which is the one we will adopt, and that is to take it out of the hides of the American people in the way of taxes. Taxes not alone against the big corporation, not just out of the mahogany desks and the gilded vaults, but out of the toil, the work, the grime, and the sweat and the blood, and the sacrifice of the people of America. That is where we will get it. It will be more than $125,000,000,000 before we are through because we have got to win this war. It is going to take money to win it, and we are going to have to pay for it. We can shorten the war if we wish or we can prolong it. It will be prolonged if we continue our complacency and continue to think and to legislate for groups and particular individuals and sections.

My plea today to the Congress on this great event is that whatever we may have done in the past, certainly from now on let us have one objective in our expenditures. Let us try to manufacture and build and send instruments into the battle line that will shorten the struggle.

I have no sympathy with the man who says we might lose. We are not going to lose. We cannot lose. It has never been in the cards that we would lose. We have got to win, but let us win quickly, because not only will we save money, not only will we save public debt, but we will save American lives.

It is now just as important to protect the economic front as it is to win on the battle front, and when this war is over, as it will be over, there will come a day when the battle flags are down and when men, weary of fighting and killing and destroying and devastating, will turn again to peaceful ways, and then we will start upon the long and tortuous and tedious process of trying to liquidate these billions of debts that today we so complacently think about and act upon.

The call today is for us to lay aside special considerations and special groups. Let us quit thinking about the farmer, let us quit favoring the laboring man, let us quit thinking about political fortunes, and turn every ounce of our attention and energy to winning this war and to shortening it. Then, like the Greeks of old, who used always to fight among themselves, but when the battle cry would come from the frontier, they would go out and lick the enemy and then come back and start their local quarrels all over again with renewed vigor. This is what we must do. Let us try to cut nonessential expenditures. We can do this every day in this House. Oh, it may be only a few million dollars, and that does not sound very big in the language of billions, but I say to you that if the message could go out to the hard-pressed, discouraged, and questioning people of America today that the Congress is on the job and was going to lay aside personal considerations and partisan advantage and think only of our total effort to win the war, there would then be a different feeling in this country.

Of course, we are going to adopt this resolution. We must adopt it because we have got to finance this great struggle.

[Here the gavel fell.]

Mr. DISNEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, somewhat in repetition of some things I said yesterday on this floor, pay day is here. We have had a splendid time in America, but pay day is here. In 1910 our population was 90,000,000, and in 1940 it was 130,000,000. In 1913 our total Federal appropriations amounted to $700,000,000; in 1940, to $9,000,000,000, exclusive of the emergency defense. In 1918 the total appropriations for the Agriculture Department were $38,000,000, as was said on the floor yesterday. In 1937 those appropriations went up to one and one-half billions. In 1916 the appropriations grew from those in 1913, of $700,000,000, to $1,030,000,000; and, regardless of administration, regardless of partisanship, grew to $9,000,000,000 in 1940.

What is the debt service now on the present debt? Something like one and three-quarter billion dollars a year. What would the debt service be on $125,000,000,000? It cannot possibly run less than $3,000,000,000 a year, and probably more nearly to $4,000,000,000 a year. If we are going to continue our current Budget, and let those expenses mount in the next 25 years as they have mounted in the last 25 years, one can visualize what the annual Budget may be. It has increased practically tenfold since 1916, from $1,000,000,000 to $9,000,000,000. After this war the debt service will be between two and four billion dollars a year. If the current Budget hangs around $9,000,000,000, as in 1940, and you add that to the debt service of three to four billions annually, and then, after the war, possibly billions of dollars for relief. We are not going to be satisfied with a small Army and Navy after this war, at least for many years, so we can visualize the billions of dollars for the Army and Navy. Consequently, how can we contemplate anything less than an annual Budget of about fifteen to twenty billion a year under those circumstances? If we do have a budget of that size, how are we going to pay it?

We took the leap in 1913 with the sixteenth amendment. Governor Hughes, of New York, vetoed the resolution for the ratification of the sixteenth amendment, saying that rates might get up to 10 percent. Those rates were 1 percent then for individuals and 1 percent for corporations. Then the orgy of spending began. Cities and municipalities followed suit with the Federal Government, and in 1938, while our national income was down to $64,000,000,000—up from a few years before, but low to what it is now—$64,000,000,000, and the total in national income of all of the people, of all of the money earned, was $64,000,000,000 plus. How much money did we spend that year for government, so-called? Eighteen billion five hundred million dollars. In other words, nearly 30 percent of the people's money went for government. For government? Maybe you would call it that, but less than 25 percent of the money we appropriate goes for government per se—the protection of life and property. The rest of it is something else—a movement, if you might call it. Congress has wasted money, as you all know. It can talk splendidly, when discussing taxes, about the reduction of expenses, but when it comes to appropriation bills, Congress stupidly goes down the line, at the behest of the Departments, and votes the money.

Under permission granted me by the House, I place in the RECORD at this point the following speech:

SPEECH BY HON. WESLEY E. DISNEY, OF OKLAHOMA, BEFORE THE TAX FOUNDATION, WALDORF-ASTORIA HOTEL, JUNE 3, 1941

Many of you have read the story told by Kipling in his Jungle Book about the little boy Mowgli who was raised in the wolf family. When all the members of the jungle decided to leave upon the invasion of the wild dogs, whose prowess was due to their traveling in packs of from 200 to 500 per pack, Mowgli decided to stay and defeat them. Those of you who have read the story know that he did not use an elephant, a lion, or a tiger for this purpose; they had already fled. He used the little stinging people—bees, wasps, and hornets—no one of which could have had any effect whatsoever alone, but through the cooperation of several million of these tiny creatures the great scourge of the jungle was put to flight.

Our Nation has brought to the average man the greatest luxuries and comforts known in the history of the world. If you wish to save this established form of government from the destruction of unlimited inflation, socialism, or dictatorship, it cannot be done by calling upon the elephant, lion, or tiger, such as our industrial giants, financial leaders, or great statesmen. No one of these great powers alone can save our system of commerce, industry, and living. Like Mowgli, we must call upon the millions of little people, each one of whom will be powerless alone, and must get them behind the great needs of today. I know of no organization better equipped to educate, influence, and arouse the millions of little people to the necessity of their taking part in these great problems, not the least of which is eliminating $2,000,000,000 of unnecessary governmental expense—than the organization which I have had the honor of addressing tonight.

When Secretary of the Treasury Morgenthau appeared before the Ways and Means Committee to open the hearings on this

year's tax bill, he recommended to the committee that the Congress raise an additional $3,500,000,000 in taxes. The enormous size of this tax bill so impressed the Secretary that he recommended very definite savings in nondefense expenditures to the extent of a billion dollars. His language was that of genuine statesmanship. He said:

"We are now awake to the need * * * to make this country safe and strong. We have not, however, kept pace with events in our thinking about defense and nonrelief spending. We have remained curiously static in our conceptions of what to spend on those things not directly connected with defense. Ordinary traffic must now get to one side to let planes and tanks and guns have the right-of-way. Other traffic can be permitted only if it does not obstruct the national purpose."

* * * * *

"We have not reexamined all of these expenditures that have been sort of grafted onto the Government during the last 10 years. We go on just the same."

Obviously, the Secretary of the Treasury was alarmed, because we had before us the 1942 Budget, amounting to $19,000,000,000. He hoped that by current taxes—an additional tax bill—we could raise two-thirds of this amount and borrow the other third. Since that date the President has recommended to the Congress, Budget estimates which will run the 1942 Budget figure up to $22,169,000,000—nearly $5,000,000,000 more than the estimate in his January 3 message to Congress. Now, Mr. Morgenthau wonders if we don't need a still bigger tax bill.

Secretary of Commerce, Jesse Jones, has stated that our national debt, as a result of the war, will climb to $90,000,000,000. Some think that it will be more, even exceeding $100,000,000,000. Our national debt is at present $47,600,000,000, with additional deficit debits of $12,800,000,000; and the State and municipal debt is approximately $20,000,000,000.

It has been stated on good authority that our 1942 fiscal deficit will exceed $10,000,000,000.

In the face of these enormous figures, the Treasury Secretary suggested saving a billion dollars. I later suggested means of cutting nearly 2 billions from the current Budget. Both seemed a mere bagatelle when compared with a year's expense of 22 billions.

Defense is mandatory. Its expense must be met. Many nondefense items can wait, if they are ordinarily necessary.

It will be well to take a view of our fiscal history in order to correctly approach the subject. In the last 40 years extravagance in Government has been tolerated by the people. It has constantly grown in volume. The responsibility for such expenditures, great or small, rests primarily on the administrators of Government, but ultimately on the whole people of the Nation.

Governmental expenditures fall, roughly, into two groups. The first includes payments for Government per se; that is, the protection of life and property. This represents the cost of primary or fundamental functions of Government. The second group is mainly for the support of social welfare activities of Government. Roughly we might state that the first group of expenditures represents 25 percent and the second group 75 percent of what we spend on Government.

Unusual expenditures in Government have grown steadily in the past two or three generations. For instance, expenditures of State government increased 437 percent from 1903 to 1922. The passage of the sixteenth amendment to the Constitution of the United States, the income-tax amendment, marks the beginning of the epoch of increased expenditures for government of all types and kinds, and of easy acquisition of money by the Government from the taxpayer. Its enactment really marks the date of the great spending era in America. You will remember that Governor, now retiring Chief Justice, Hughes vetoed the resolution in the New York Legislature ratifying the sixteenth amendment because he was afraid the rates might reach as high as 10 percent.

The sixteenth amendment took the lid off spending, so far as the Congress is concerned, and the Federal Government began to spend heavily. The State and local governments followed suit, so that we find that while in 1916 total Federal expenditures were $1,034,000,000, at least one department spent more than that much money annually in the Budgets of recent years.

Within 10 years after that, during the era from 1923 to 1932, the annual Federal Budgets ran between three and four billion dollars.

A Federal Budget of $1,034,000,000 in 1916. In 1940 it reached almost $9,000,000,000, exclusive of the emergency-defense Budget. If the last quarter of a century has produced such results, what may we expect in the next 25 years? That is, if we expect to continue to think of money with relation to our fiscal policies?

The exact figures are available for the year 1938 for Federal, State, and local expenditures. The run like this: The grand total was $18,300,000,000, divided as follows: Federal, $7,691,000,000; State, $4,358,000,000; and municipal, $6,150,000,000. In that year our total national income was $64,000,000,000. A quick calculation based upon these figures shows that almost a third of the people's money went to government and that in times of peace

Remember that three-fourths of this money spent, went not for the primary purposes of government, for the protection of life and property, but for social welfare. This vast fiscal growth of the Federal system is largely accountable to the growth of administrative or bureaucratic public administration The growth of boards, bureaus, commissions, and departments has necessarily been attended by the vast expenditure of tax money

For illustration, in 1916, as I have said, the total Federal Budget was $1,034,000,000, yet since 1937 the budget of the Department of Agriculture has vastly exceeded the whole Federal Budget for 1916

In 1928, the Congress spent $845,000 for the franking privilege at Government expense. The executive departments spent six millions. Ten years later the Congress spent $737,000, but the taxpayer paid for the franking of free mail by the executive department the staggering sum of $39,000,000. The publicity departments, and each division has one, must have spent much money in preparing the material to frank out.

These are but illustrative of the general trend. It might interest you to know that the fiscal year 1940 saw the traveling expenses of the Government reach $99,000,000 plus. Our national symbol, Uncle Sam, rode high, wide, and handsome that year, but the fiscal year 1941 will see him spending $150,000,000 for traveling expenses. The first 4 months of this fiscal year showed a Federal travel bill of $47,000,000.

We, in the Federal system, cannot retrench as against the defense program. Even the waste and extravagance necessarily attendant on a large and speedy program such as we are embarking on will be tolerated by the people So our only recourse is to attack those expenditures which are not related to or attendant on defense.

There are no signs that the States and municipalities intend to cut their budgets in behalf of the taxpayers who are to be burdened with this fearful national defense program.

The old slogan "Soak the rich," is ceasing to be realistic even for the purpose of demagoguery. If the Government took every dime of all individual net incomes in the United States over $50,000 in 1938 it would have collected only $1,056,222,000. If the Government had taken all the net incomes above $5,000 in 1938, the yield would have been $6,702,582,000—less than that year's annual current Budget. If we soaked both the rich and the middle-class taxpayers and took all their net income, the Government would raise just about enough money to pay the current annual expenses.

Remember, again, that only one-fourth of this money spent goes for the primary objectives of Government—the protection of life and property. A colloquy at the hearing before my committee between a member of the committee and the college president I have referred to, brought the suggestion from the member that the economies the college man was calling for could not be accomplished unless the local interests should cease putting pressure upon the Congressman. The college president, very properly replied in substance, "During the spending psychology of the recent years, each community assumed that the Government has already planned to spend several billions each year for the purpose of creating prosperity, and therefore reasoned that it was up to them to get as much as they could of the Federal largess for themselves. Now that we are in a different era, where economy and saving is paramount, I believe that if Congress will take the initiative, not only state that the reduction of unnecessary nondefense expenditures is imperative, but actually use the knife and pare these expenses to the bone, the communities will probably say 'Congress is right in taking this step during the emergency, and we must do all that we can to assist in this economy wave and must refrain from embarrassing our Congressman by requests for expenditures.'"

Returning now to the prime object of this address—the curtailing of nondefense appropriations. A curious phenomenon is arising: Every bureau and department of the Government whose existence or whose appropriations are threatened by the demand to go "all out" for defense, and to trim nondefense items, has evolved some type of scheme or system to prove their necessity or worthiness as defense projects. The National Youth Administration, due for a cut of about ninety-two millions if Secretary Morgenthau's advice were followed, secured a "defense budget" of about $157,000,000.

It will not do to say that these nondefense agencies can be transformed into defense agencies. They cannot by a wave of the hand be given attributes and functions they like. They are subject to all manner of local, State, and Federal political influences. Their administrators cannot say "No"—as a practical matter. The Army can, and by the very compulsion that is involved in the Army organization prevent any type of logrolling that is necessarily involved in the relief agencies. The Army can and does enforce the $21 a month wage upon the draftees. Actual defense projects necessarily imply Army organization and compulsion. It would be playing with defense to permit these relief agencies to pretend to be defense agencies.

There is hardly a single function of Government at present that cannot be colored with some defense characteristics. But real money needs to be spent on real defense, unless this whole thing is simply a great, good-natured drama, with an overwening desire to please the audience.

The Secretary of the Treasury was specific in his suggestions. He did not mince words nor dodge the issue. He suggested that National Youth Administration, Civilian Conservation Corps, and Work Projects Administration appropriations could probably be trimmed or disposed of and that for agriculture could be drastically reduced, and he recommended a careful study of other functions of Government with a view to saving the money spent on them, and the use of it for defense. Immediately all the forces of

departmental propaganda went into action. Defeatism and futility were the chief weapons. "It just can't be done," was the principal argument. The Secretary's suggestions were made to the Ways and Means Committee, which under the rules of the House of Representatives has no jurisdiction over appropriations. Immediately it was said that the Ways and Means Committee was helpless, although it claims to be the most powerful policy committee in the House. That atmosphere has pretty well settled down over Congress that nothing can be done about it. But every individual Member admits that something ought to be done.

Work Projects Administration, Civilian Conservation Corps, National Youth Administration were all organized for relief. Yet now they are claiming to be defense projects. They are creatures with overlapping functions and conflicting jurisdictions. Three great overheads are maintained for these institutions; all relief departments. But, for illustration, the President of a little college in Arkansas solemnly told the Ways and Means Committee that the average income of the individual in Arkansas was $255 and of an average family in Arkansas $969. He emphatically stated and proved to the committee that for the cost of one boy in a Civilian Conservation Corps camp he could give four boys in his college a year's education. How failure to economize can be justified cannot be explained to an American taxpayer. It is insolence to attempt it.

These bureaus, boards, commissions, departments, and divisions grow and grow like the Rose of Sharon. Each head of a subdivision is working industriously to justify his division's existence, to be promoted in salary, and to enlarge the jurisdiction, scope, and appropriation of his division, be it big or little. It is easy to say that Congress "Just ought to cut them out." I wouldn't be personal for the world, but you businessmen know the difficulty involved in disposing of a department in your corporation, or even of firing a deserving stenographer, or maybe one not so deserving. During the depression an oil company's board of directors decided to retrench. The board concluded that the retrenchment was mandatory and that a certain department must go. A resolution was passed dispensing with the geological department, disposing of the employees, and eliminating their salaries. One hard-headed director said this didn't do the job. The other members inquired why. He replied, "We've got to sell all the desks, typewriters, rugs, lamps, cuspidors, and get them clear out of the building. If we don't, in 3 months some of us will see those offices filled up again with employees."

If it is this difficult in a private business, do you not realize how much more difficult it is in government, under political pressure, with Uncle Sam a sort of magic Santa Claus paying the bill?

To pass a $3,500,000,000 tax bill and cut no expenditures will come home squarely to the taxpayer with the $2,500 salary, who has been paying $11 taxes, if and when this amount jumps to $72; to the $5,000 taxpayer, now paying $110, if when his taxes jump to $506; to the $10,000 taxpayer (as for instance a Congressman), if when his annual Federal tax jumps from $528 to $1,628.

Especially will this come home since these taxes are retroactive to January 1, 1941, and most especially when excise taxes to the amount of nearly $1,000,000,000 are being raised on many of the necessities of life these taxpayers buy. These are the Treasury's proposals in the present tax bill. We may have to adopt these proposals. Then there are the so-called hidden taxes which the Twentieth Century Fund says run to large amounts annually for the individual.

The 1942 fiscal year Budget totals $6,675,000,000 of nondefense items. Of that sum, fixed charges, like interest on the public debt, pensions, etc., amount to $2,716,000,000. The balance of $3,959,000,000 could be reduced in part and eliminated in part. For instance, various aids to agriculture are budgeted for $1,061,600,000. I would cut that to $500,000,000, especially since agriculture should do well under the defense spending program, and agriculture will get much indirectly from the lend-lease appropriation.

Work Projects Administration is budgeted for $1,034,000,000 The President has recommended a cut of $109,000,000. I would reduce it to $500,000,000.

General public works should be reduced to $25,000,000 from the $502,900,000 budgeted.

Aids to youth, represented by Civilian Conservation Corps and National Youth Administration, should be eliminated, saving $362,600,000. These two relief agencies, even though we retain the Work Projects Administration, should be eliminated, because they do not represent defense and do not represent any type of relief that could not be taken care of by the $500,000,000 for Work Projects Administration which I have suggested.

The magnitude of the defense program in its general aspects staggers the imagination. As I have stated, our national annual income in 1938 was $64,000,000,000. If, in the near future, as Secretary Jesse Jones says, we are to have a national debt of ninety, and maybe one hundred, billion, and a State and local existing debt of $20,000,000,000, the disbalance baffles any fiscal student, even any prophet. We might ask "Whither are we going?"

Remember that the Congressman nowadays is the errand boy of the Frankenstein called the executive department. His ability as statesman is gaged by his prowess in procuring Federal largess—Federal projects.

One of the most vocal advocates of economy of government has been the United States Chamber of Commerce. It has been heretofore militant on all occasions on this subject and has drawn the fire of the spenders. However, you members of that great organization or of local chambers of commerce know that it is composed of chambers of commerce all over the Nation. We have heard much about minority groups—I think pressure groups, if you please. It can hardly be contradicted that during the era of spending that has gone on in the last few years local chambers of commerce have been among the heaviest contributors to pressure upon their Congressmen. Pressure to get things from the Government for the locality, and pressure to keep them after they are gotten. Yesterday the President suggested $125,000,000 for defense roads. Probably tens of thousands of letters will flow to the Congress from local chambers of commerce showing definitely that these roads ought to be located in their vicinities, and the feeder roads headed in the direction of the local chamber of commerce should be added. Nobody ought to fool himself about this pressure weighing heavily with the Congressmen.

This is not intended to be mere ranting about the cost of government, nor the learned display of taxpayers' figures. It is rather intended as an approach to the consequences of the outline detailed. Several observations may be made about these fiscal circumstances.

First, the thoughtful student of government should be impressed with the tremendous growth of power in the executive department in recent generations, as evidenced by the figures adduced. It amounts to turning over the purse to the executive branch of government, and the necessarily attendant obsolescence of the legislative department. Then, too, the immense influence of a highly financed executive department gives it all power over every activity of the citizen, as well as decisive control over the judicial system and the final direction of the legislative department. It will not do to say that America is going the way of all the republics, and to let it go at that. America has the brains and should have the will to reevaluate its three branches of government. Modern history clinches the argument for this necessary step.

Another important consideration is the welfare of the Nation after this emergency is over. It is not unreasonable to suppose that a cessation of defense activities after the emergency will slump our national income as much as ten to twenty-five billions of dollars. With the return of soldiers to civilian pursuits, and the loss of defense employment to others, we can visualize vast unemployment. Then, for the first time in the history of our country, we will come into a depression with a monumental public debt staring us in the face. I may emphasize its possibility when I tell you that Leon Henderson said before the Ways and Means Committee the other day that by May 1942 we would be spending $2,000,000,000 per month for defense.

If we do have a debt of $90,000,000,000, as Secretary Jones has said, the interest on that debt would range around $3,000,000,000 a year. From 1923 to 1932, our total national expenses had a range of about that same figure. In those equally serious days to come, where will we turn for financial relief, if we are not wise enough to economize now to the extent of one or two billion dollars per year on altogether nondefense items? Do we not have the wisdom to look that far ahead? Will not the thinking people of America awaken?

With the necessity of vast sums then for relief, where will the money come from? In what shape will the Government's credit be? Will not some string-band statesman suggest the devaluation of the gold content of the dollar, holding out to the people as a prize the twenty-two billions of gold we have stored, and convince them that by proper manipulation it could be made to represent eighty or one hundred billion dollars in Government credit and spending power? When he has succeeded in those blandishments, what will be the value of the savings of the people, their investments in things of value, their years of thrift in accumulating life insurance?

The press says that England looks forward to a social readjustment after the war. We have seen all values wiped out in Germany, France, Italy, and Russia—or at least reduced to a fraction of their original value. France devaluated the franc and Germany the mark. They all moved into some form of socialism, where individual initiative, private ownership, the stirring of ambition through financial incentive went down the road of modern barbarism in those countries. Those inflationary movements in our sister nations were preceded by, or accompanied with, various forms of socialism.

I hope and trust that through Government control we will be able to prevent a destructive inflation, but is the hope realistic when we see a system of priorities that will so "scarcen" the peoples' goods that consumer demand will outrun production; when we observe that every strike is settled on the basis of increased wages, with no apparent thought of its ultimate effect; when we see scarcity and increased prices in all manner of manufactured and raw materials arising on every hand; when we see production held down by penalty under a wage-hour system; and when we see the possibility that individuals and corporations may follow the "business as usual" attitude of the Government instead of thrift, economy, and the paring to the bone of nonessentials. If we do have such inflation, the inevitable drift is toward the socialism England so complacently contemplates, the socialism that made the people, in their sweat of agony in France, in Germany, in Russia, and in Italy, turn away from their legally constituted authorities, yearn for and finally demand a dictatorship which ultimately took charge of

them, their families, their religion, their private fortunes, and their very future hopes and aspirations. Are not the seeds we are sowing those of home-grown fascism and nazi-ism, which we so much fear and despise?

The ancient civilizations of the world in turn flourished, gradually declined, and disintegrated. If there is one thing that history teaches in unmistakable terms, it is that nations, like individuals, prosper according to their right thinking, and that the idolatrous exaltation of a material sense of power and intelligence inevitably leads to decay and downfall. Dictatorship is that idolatrous exaltation of the material sense of power.

This day will pass. Moral might is stronger than all the guns and ships fashioned by the hand of man.

Disappointed with all his worldly achievements, Napoleon in his solitude, in deep contemplation, said, "Alexander, Caesar, Charlemagne, and myself have founded empires. But upon what did we rest the creation of our genius? Upon force! Jesus Christ alone founded His empire upon love; and at this moment millions of men would die for Him." Pitted against an alert, free, active world public opinion, the rampage of the present-day forces of evil cannot endure. Their predecessors failed upon the rock of the unseen spiritual forces asserted by mankind.

Democracy is the highest spiritual idea of mankind as related to government. True democracy is alert, active, and awake. True democracy rests in the bosom of the individual citizen. He is king in his own right if he but assert it. From his activity comes the strength of his Government, the symbol of his concept of democracy.

In the insane asylums, it is an accepted scientific fact that one of the first signs of returning sanity on the part of an inmate is his expressed ability to cooperate with other inmates and attendants. Those that are completely insane think only of their personal welfare and do not cooperate. In our own country there has been too much of each community looking out for its own interest, in making its demands upon the Federal Government. This is because the individuals who compose the communities have each thought only of their own interest. The individuals and the communities seemed to have had a slogan, "Every other community is getting what it can, so let's make certain we get ours." This is exactly the attitude of the inmates of the asylum who are completely insane, having no thought for anything but themselves. If the various individuals and communities that comprise this great Nation can be educated and influenced to cooperate for the common good, which would, of course, include economy in government, would it not be a welcome sign of returning sanity? Marshal Petain, after the French debacle, said, "After our victory in 1918 we became a comfortable, pleasure-seeking nation. We asked for more than we were willing to give. We refused to accept responsibility. Now we are in distress."

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CROWTHER. Mr. Chairman, I rise in opposition to the pro forma amendment. I do not think I shall use the 5 minutes allotted me, but in line with the information just given by the distinguished gentleman from Oklahoma [Mr. DISNEY] as to what the carrying charge will be for the debt that is now facing us, I again call attention, and refresh your memory as to the fact that we still owe $15,000,000,000 of the last war debt. That is the portion of the present national debt that is attributable to World War No. 1. It is a part of the $65,000,000,000 that we owe now, and up to December 1941, we have paid nearly $15,000,000,000 in interest on that debt. So the interest charge equals the balance we still owe. That will give gentlemen some idea of what the interest charge, the carrying charge, will be on a debt that may reach from $125,000,000,000 to $165,000,000,000 within 2 years. I think I realize the seriousness of it all and I have as much apprehension in regard to its economic importance as has the gentleman from Oklahoma [Mr. DISNEY] who has from time to time warned us against extravagant expenditures.

It was significant that at the hearing on this bill before the committee when the Secretary of the Treasury appeared with his experts, aside from a few newspapermen at the press table, there were just 17 interested spectators to hear the evidence and hear the Secretary's statement on this $125,000,000,000 debt limit bill. But only 3 or 4 days before, when the Secretary appeared on the tax bill, on the question of how, when, and where to raise $9,000,000,000, the room was filled to capacity and people were leaning against the walls all around the room. Overcome by the magnitude of the proposal no doubt many of the audience found it necessary to lean against the walls. We shall all be leaner in flesh and pocket before this war is over. I am glad that the gentleman from Oklahoma [Mr. DISNEY] realizes the seriousness of the situation. I do not know what the answer is. I have sometimes been heralded by the press of my State as an ultra-conservative. I think sometimes I am more liberal than some of those who classify themselves as liberals, but when I think of that interest charge I begin to wonder if my distinguished colleague from Texas [Mr. PATMAN], the gentleman from Mississippi [Mr. RANKIN], and some of the others, have not manifested a degree of accuracy in the statements they make and the policy they advocate of relieving the Federal Government of the necessity of paying this interest charge on its own obligations.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield.

Mr. RANKIN of Mississippi. I will say one thing in our favor, they have tried the very opposite and it has failed, as we all admit here today.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. CROWTHER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish to ask the gentleman a question about the language on page 3, lines 3 to 11, of the bill, which in my opinion positively ties in to the recent authority granted by this House to the 12 Federal Reserve banks to buy issues directly from the Treasury. Would the gentleman care to comment on this particular language?

Mr. CROWTHER. I thought we had disposed of that question in the other bill. There was never any suggestion in the hearings that this was a resumption of that policy or that it was intended to supplant it. I am certain there was no such suggestion made to the committee. If anybody else on the committee thinks there was, I would be glad to yield for the purpose of correction.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield.

Mr. COOPER. The gentleman from Michigan asks a question with respect to section 4 of the pending bill?

Mr. CROWTHER. Yes; section 19.

Mr. COOPER. I think the gentleman will find a complete statement explaining that on page 3 of the hearings, paragraph 3.

Mr. CRAWFORD. Will the gentleman yield further?

Mr. CROWTHER. Certainly.

Mr. CRAWFORD. What I was seeking was a discussion of this language as related to the language in the bill which the House approved the other day authorizing the 12 Federal Reserve banks to buy issues direct from the Treasury.

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield.

Mr. JONKMAN. This bill will directly place a mortgage of $1,000 on the back of every man, woman, and child in the United States, will it not?

Mr. CROWTHER. Yes; and the Secretary of the Treasury said it was worth it. He said it would cost us a great deal more to lose it than to win it.

Mr. JONKMAN. Provided we get value received.

Mr. CROWTHER. On that I will not venture a prophecy.

[Here the gavel fell.]

Mr. PATMAN. Mr. Chairman, I move to strike out the last two words, and I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE UNBORN WILL PAY FOR OUR FOLLY

Mr. PATMAN. Mr. Chairman, I say in all seriousness that the unborn will pay the price of our folly if we permit the Government to pay interest on this huge war debt. I agree we should sell the bonds to the public, not because we are compelled to do it, but because it will have a tendency to retard inflation if it is done. But not one dollar's worth of bonds should be sold to private commercial banking corporations that create money out of thin air by simply a bookkeeping transaction, and then sell the use of that fictitious money that is created upon the Government's own credit, to the Government itself to pay the cost of this war.

WILL PAY $2 AND MORE FOR EVERY DOLLAR BORROWED

This $125,000,000,000 means $250,000,000,000 and more by the time this debt is paid. As the distinguished gentleman from New York, Dr. CROWTHER, said a while ago, on $15,000,000,000 of Government bonds that were sold during World War No. 1 to finance that war, we have already paid $15,000,000,000 in interest, and we still owe the bonds. We will pay two or three dollars for every dollar that we borrowed of that $15,000,000,000.

No one can possibly say it is right that for every dollar we pay to a soldier we should pay to the people who create that dollar another dollar for the use of the created dollar. No one present can say that for every dollar of the cost of this war we shall unnecessarily and wastefully and extravagantly pay another dollar or more to people who create that money upon the Government's own credit.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not just now.

The other day I was discussing this matter with a well-informed Member of this House, one of the oldest Members of this body. He has studied it for months and years. He told me that the plan that had been advanced by me was absolutely right and sound. He said the reason it is not accepted is because it is too simple. It seems absolutely absurd. It is simple, my friends, just this simple, that Congress, this Congress, has delegated to corporations that are owned by private banking corporations the power to issue money upon the Government's credit. Those corporations take that money that they create upon the Government's credit, and nothing else in the world, and buy bonds with it, take those bonds and put them in their lockboxes and collect interest on them every year.

I pause for any person in this House to stand and say that that makes sense. I do not believe they will. It does not make sense.

Mr. GIFFORD rose.

Mr. PATMAN. Does the gentleman say it makes sense?

Mr. GIFFORD. Yes.

Mr. DEWEY. Will the gentleman yield?

Mr. PATMAN. Does the gentleman from Illinois say that makes sense?

Mr. DEWEY. Will the gentleman yield?

Mr. RANKIN of Mississippi. It just makes sense with a few on the other side of the aisle. I would like to ask the gentleman a question.

Mr. PATMAN. I yield for a brief question. I only have a short time.

Mr. RANKIN of Mississippi. The gentleman from Texas points out the great burden this is going to place on future generations. Is there not also a grave danger that those generations may repudiate what we do and refuse to pay these bonds?

Mr. PATMAN. I agree. If the debt limit reaches the point that many people believe, and if we continue to pay interest on it as we are doing unnecessarily now, the time will arrive when the American people will not be able to pay a sufficient amount in taxes to pay the running expenses of the Government and the enormous interest burden.

As disclosed by the gentleman from Oklahoma, the amount of interest we shall pay this year is double the entire Federal Budget of 1914, at the beginning of the first World War. Imagine that! And now there is a good reason why we find ourselves in this situation. In other words, we just slowly crept into paying interest, paying no attention to it. For the first 125 years the interest burden did not amount to anything—$2,000,000 or $3,000,000 a year—nothing; absolutely nothing; comparatively nothing. The World War came on, and then the interest burden commenced to increase. Our debt increased. It went up, and then an effort was made—a successful effort—in 1921 to convince the American people that a huge national debt was in the interest of the people because it enabled banks, insurance companies, trust estates, and different institutions to invest their funds in a backlog of security that was liquid, and actually sold the American people on the theory that we should continue to pay $1,000,000,000 a year in interest, although it was unnecessary interest.

FEDERAL GOVERNMENT SOVEREIGN

The Federal Government is sovereign. It creates the money, it creates the credit. If we want to farm it out, that is possible, we can do it; but it is unnecessary to do it, it is not required. Many people would say that that was just printing the money; but that is not true in this case, absolutely not true. It is a case of adopting the same system we have today. You would have not one additional dollar in circulation of actual physical money, not one. The only difference would be that you would save the Government from $1,000,000,000 to $4,000,000,000 a year in interest that it should not pay. I agree with the gentleman from Virginia that a debt contracted should be paid; although it requires suffering, and blood, sweat, tears, sacrifices, and everything else to pay it, it should be paid, every debt that is contracted; but we should not be required to pay unnecessarily $2 and $3 in interest to private corporations to create that money upon the United States Government-owned credit for every one dollar borrowed. That simply does not make sense to me.

We are told this obligation we are creating, $125,000,000,000 will be a mortgage—not upon the homes and farms, as the gentleman from Virginia said, but it will be a mortgage upon the productive capacity and the earnings of the American people until it is paid unless you change the system you are now engaged in. The reason it is not a mortgage upon the homes and farms is this: We have $300,000,000,000 of tangible properties in this country, homes, farms, and real estate that pay no taxes whatsoever toward the Federal Government, not one penny is paid for the cost of this war by that property, but if the property makes a profit after all the deductions that are allowed, then upon that profit only a small amount will be assessed to pay off the bonds that are created under this bill. The same is true as to intangible properties. There are $400,000,000,000 of intangible properties in this country, some bonds that are absolutely untaxed and not a penny of tax assessed even upon their income—$400,000,000,000. This makes $700,000,000,000 in all that pays no tax whatsoever toward the support of our war effort, not one penny. The men who are in and will go to service, 5,000,000 or 6,000,000 of them, possibly more, many of them will receive $21 a month, and very few of them will receive any more than necessary for their keep. When they go home, however, they will assume the burdens of this Government. Upon their shoulders will rest these enormous responsibilities we are now placing upon the American people. They will be required to pay. We should not make them pay unnecessary interest.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I wish to make a few remarks directed to the bill. Referring to page 2, it seems to me that the language in lines 2 to 11 is entirely in order and that under our new financing program the Treasury will be in great need of the right to proceed in this manner.

Subsection (b) is a very fine change in the law, as well as subsection (c). But going to page 3, section 19, lines 3 to 11 of the bill, that language gives me great concern. It is of as much importance to me as to who holds and owns these obligations when issued, as is the total amount of the obligations to be issued. It seems to me that the only chance on earth we have of avoiding repudiation of the public debt in subsequent years is to have the ownership of that public debt greatly diffused among the people of this country. I mean by that that tens of millions of our citizens should own these issues of the Treasury, whether in short term, long term, in the form of savings certificates or what not.

The other day the House passed a bill after the bill had first passed the Senate. The bill went through the House in dissimilar form. It is pending in conference now. That bill provided that the twelve Federal Reserve banks may purchase issues of the Treasury directly without going through the open-market mechanism. This language on page 2, lines 3 to 11, of the bill now being considered, in my opinion, has a very distinct and highly important and direct relationship to this previous act I have mentioned. It seems to me that the language as set forth here, and that of the bill which went through the House the other day, has a relation which enables the Secretary of the Treasury to call in from present owners, should he for any reason deem is advisable to do so, any and all of the obligations now outstanding and any and all future obligations which may be outstanding in the hands of others, let us say, than the 12 Federal Reserve banks. In other words, it appears to me this language we are now about to approve, and I think it is absolutely futile to talk against it, will empower the Treasury to siphon out of the ownership of all of our individual citizens, lending institutions, and so forth, the issues which they now hold and proceed to saddle the total ownership in the hands of the 12 Federal Reserve banks.

I do not know what would cause that to happen. And I am not charging that the Treasury has in mind having it happen. But the possibility is there, unless I misread the language. Should that happen, we prepare a way for a political pressure group, operating through the machinery of politics, and the Congress,

to repudiate the debt on the ground that the ownership is highly concentrated, and therefore the public has no particular interest in it.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman from Michigan suggested a while ago that the way to prevent that was to diffuse these bonds into the hands of millions of our people.

Mr. CRAWFORD. Yes.

Mr. RANKIN of Mississippi. As a matter of fact, that was tried in the last war, but those small individuals had to sell those bonds, and they gravitated into the hands of the wealthy class. Will that not happen again?

Mr. CRAWFORD. That was because of the type of issue at that time. This language provides that the Treasury may put out a dissimilar type of issue, therefore that liability will not exist in the minds or the portfolios of the individuals; but in the absence of wide diffusion of ownership you have prepared the way for a future repudiation so as to scuttle the equities of those few people who do hold Government issues at the time.

Mr. RANKIN of Mississippi. Is there anything in this bill that would enable the Government to force a continuation of that diffusion and to keep these bonds from gravitating into the hands of a few wealthy individuals?

Mr. CRAWFORD. No. I would say that this language here accelerates the gravitation and the concentration.

Mr. RANKIN of Mississippi. Is there any way to prevent that?

Mr. CRAWFORD. Under the language here in the bill, I am sure the Treasury could—and I mean any Treasurer—so manage the public debt that the general public would have little knowledge of what was actually going on. Of course, the monetary and fiscal experts could keep abreast of developments and policies and practices, but there would not be anything like the public information that is necessary to be divulged under the policies as followed at present.

It is my frank opinion that we have taken two steps which, when added together, are dangerous and I may say quite unnecessary. I cannot believe that we have yet reached the hour in our national existence, and I now speak from a fiscal-policy standpoint, where it is necessary for us to extend such vast powers to the Treasury. There is no reason for us to assume that Mr. Morgenthau would use these powers to hide the credit status of the Government. If Congress will go so nearly all the way toward having our people, both large and small, acquire an investment interest in the issues of the Treasury as we have gone in extending powers to the Treasury, I think that would be safer and more constructive from every standpoint. The real question is: What will best improve the investment status of the issues of the Treasury? Unless the Treasury exercises restraint in the use of these powers, they can easily prove disastrous. If the powers are used only in cases of emergency, all may be well. If not so used, Congress may yet be forced to take back some of these powers now being granted. If future requests are made for an extension of these powers, Congress should force a showing of the exact use to which the powers have been put; otherwise those in charge of Treasury operations can go far afield of the legislative intent and the justifications for the powers granted.

The gentleman from Texas [Mr. PATMAN] amazes me by suggesting that postal-savings deposits carry the same weight as actual investments in direct Treasury issues Of course, they do not. Furthermore, the undistributed earnings of the Federal Reserve banks are assets and as such can be used to support the market on Government bonds.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, it is true that this bill presents the problem that America faces. In my judgment, it does no good to talk about national bankruptcy. Our Nation is not going to go bankrupt, not as long as our people are able to work and our industries continue to function and our farms to produce. We shall not go bankrupt—not if we have any sense at all. We have got to finance this war and we will.

Already several Members have spoken of the things I have most in my mind to say. In the Philippine Islands there is a little army under General MacArthur that is putting up the most splendid fight that is being put up anywhere in the world today, and this army is partly composed of Filipino soldiers. On the other hand, I notice a headline in the paper that one of the gentlemen had in his hand to the effect that some of the natives of Burma are actually attacking the British.

What is the difference? The difference is hope. The difference is the fact that the Filipino people have a hope of freedom; of a better life in the future because of the policies this country has pursued. The people of Burma do not feel such a hope. May I point out to you that there are two impulses that drive people to heroic action. One of the impulses is the courage of desperation and the will to survive. The other one is the courage of hope and idealism. When you get into a war you have got to have one or the other of those two kinds of courage. The first kind cannot come to America until it is too late. What I mean is, when we get to the place where we are fighting for survival, where our own country is threatened with invasion, where all the rest of the world has fallen, then the war will have gone so terribly against us that only a miracle can save us. We have to inspire in the people of America the courage of hope in the future and the courage of a great American ideal. That is part of winning the war.

Gentlemen have already pointed out the extent of the interest burden that will be involved in this debt. Nor will the debt stop at $125,000,000,000. When it does go beyond that I hope we will not hang a lot of crepe over the matter, but will face the thing as men. It is not necessary to pay interest on our Nation's own credit. To the extent that some one gives up his money to buy Government obligations, of course interest should be paid to him; but to the extent that a bank creates demand deposits to pay for Government obligations, whether it be a Federal Reserve bank or any other kind of a bank, the thing that backs those deposits and the credit of that bank is the credit of the United States itself, its taxing power and the power of the people to produce wealth. The bonds themselves can be used as collateral for the issuance of Federal Reserve notes.

The simple fact is therefore that when bonds are sold to banks for book credits, the Government receives from the bank nothing in the world except a portion of the public credit that belonged to the Government and the people in the first place.

My plea is only this—that where new credit or new money is created—it should always be the Nation as a whole that derives the benefit from that act.

We have given to the Federal Reserve banks the privilege of being banks of issue. Some day the House is going to have to face the simple fact that a debt that is a non-interest-bearing debt can be paid off when, as, and if it is good policy to pay it off, but a debt that is an interest-bearing debt hangs a burden on the people that increases as time goes on. And yet the same production of wealth by the people and the same power of the Government to tax that makes good the interest-bearing debt can the more easily secure the value of and back the non-interest-bearing debt. Part of the hope of our people may be involved in our understanding these things as time goes on.

For my part, I do not think we can consider anything that comes before us now from the standpoint of a battle between economy on the one hand and expenditures on the other. Certainly there is no point today in spending any money we do not have to spend. Certainly also we must do all those things that are necessary to be done to build the strength of our country and provide not only the matériel of war but all the other things necessary for victory. Neither do I think we can consider these questions from the standpoint of the advocates of the New Deal or of those who would like to destroy the New Deal and establish an old deal. I think those things must be secondary in times like these. I believe that very sincerely, indeed.

There are certain gentlemen in the House who will disagree with me in some of the things I may feel are very important to the winning of this war. That is their privilege. But I say that, for my part, I shall not vote for anything unless I believe it is going to help our people to carry through and win this war. There is no virtue in preserving an agency for its own sake. But neither is there any virtue in destroying an agency just for the sake of destroying it. That is not the point. The point is, Does this thing help to win the war? I agree perfectly with the gentleman from Virginia about that. But I do not think it necessarily follows

that we should pursue an extreme conservative course when we say that. Indeed, I submit that it is to the common people of this whole world—yes; and some of them are not of the white race; the Chinese have stood against this thing longer than anybody else—that we have to look for ultimate success. Most of all, it is to the common people of our country that we must look. And, after all, this war must be their war, fought for their benefit and for a brighter future for their children. That must be so because it is the people who fight the war, the people who suffer because of it.

Yes; the people want us to see the things that are wrong, they want us to criticize them and they want us to correct them. That is one thing they seek.

But I am sure they would agree that we should do justice by the farmers as a group. I am sure they would want us to protect as best we can the family sized independent farm unit. I am sure that when we attack the industrial problem the American people want us to be just as angry about excessive profits as about any unreasonable demands on the part of labor. And I think, too, they would like to see from time to time that we are laying down just principles upon which the future of America and the world can be built—that those principles of equality of sacrifice, full production and employment and protection of health which will help to win the war we will establish now and that other principles which are just and truly American we may hope to achieve when the war is over. The people of any nation are willing to bear burdens for the success and protection of their country and do it willingly just so long as they feel that all other people are bearing their fair share and just so long as they feel that it is necessary to build the future for their children. Those are principles that we may well follow as we consider these things.

But always there must be hope—hope of a brighter tomorrow. And I believe that even now there is necessity that the House understand that there are two things, not one, that make for victory. The first is the military power of the Nation, and the second is the courage and spirit of the people. To neglect the second of these is to render the first of too little avail.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I often have to arise following the gentleman from Texas. He says this problem is so simple and it is so absurd. It is. It is indeed simple. Every other nation that has tried it has found it very simple. They have printed money and every informed person knows the result. No economist is yet with him, but he seems to think there are many here agreeing with him. I rose at his challenge, and I think almost everybody else would rise if they were forced to do so on a vote. Yes, it is very simple. Simply print the money.

He recognizes two classes, however. He believes, as the last speaker said, that if you take money from the people the Government should pay them interest, but if you take the money from a bank of issue like the Federal Reserve, no interest should be paid.

The Federal Reserve holds my people's money. My people deposit their money in the member banks and thence to the Federal Reserve. When they use all money on hand paying the bills of the Government, then, of course, they can use the bonds to get more money. All this is so simple. It is absurd, is it not, that the Government should get money for nothing? Simply print it. How much? Why not pay all its bills and recall all outstanding debt by this process?

In one breath they say this Nation will never welch on its debt, but in another breath they begin printing money the way other nations have done. That is the way they repudiated their national debt; Germany entirely; France three-quarters of it, deliberately, by this method of printing money. Yes; it is indeed simple and absurd. It is so absurd that my command of language is insufficient to properly condemn it.

Some 2 weeks ago I anticipated this. I wrote several persons, one of them a very important economist, on this matter. He simply wrote me a letter saying, "It is too absurd to argue about. There are other nations enough who have tried it, other nations just as smart as we, and the result is for anybody to read." It was entirely disastrous. Yes; it is all so simple. Probably we all fully understand it. How many here dare to try it out?

I wanted to say a few words about cutting expenses. I have been away a few days, but I have had the pleasure of reading the RECORD each day from beginning to end. I had the time on the trains to do so. I perhaps followed more closely the doings of the last week than if I had been here, because I would have gotten tired of hearing you talk, but I could read it all easily and in comfort.

Today, I hear voices raised pleading that we cut expenditures. I thought of 1934, 1935, and 1936, when those same voices were asking us to spend money by the billions, by blank checks, fighting as they claimed only another kind of a war. I was found opposing and trying to get them to cut down those huge amounts. I am not new at this cutting business. I received condemnation and sarcasm aplenty from those who are now willing to cut down. However, it is nothing new with me to wish to cut largesses.

I want to share with you a secret, if it is such. Last week, I met a lot of people. I had not been away from here for months, and I thought it was time I looked around a bit. I say to you that the public at large is pretty sore at this Congress of ours.

The soldiers' folks back home are saying we are still granting subsidies to all sorts of people while their boys are fighting and receiving but little. The taxpayers are really aroused, and yet we are granting subsidies to farmers who already have parity, and a week ago we cowardly refused to do away with the 40-hour law. I voted as 1 of 11 over here, and yet I am indicted with all of the rest of you as being cowardly. I rather think such criticism is deserved. I can talk plainly today. I have heard from the voters, and they are talking plainly, too. If we do not soon exhibit real courage and vote against these subsidies, there will be many new faces here.

I plead with you to show such courage. Do not say we should not pass a bill because the President might not like it or because the other body would not cooperate. When labor refused to work on February 22, how do you suppose the people in the country felt? How the boys in the Army felt? This is not the result of a few letters or interviews. It is in the hearts and minds of the people that Congress has been cowardly in its actions here.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GIFFORD. I am very anxious to give you this message. I am not indicting anybody. I have pleaded for the Congress during the last week and tried to explain why certain things have or have not been done. It has been difficult. I have tried to show that we are not promoting unity by constantly criticizing Congress and the administration. However, I think I should talk plainly about the condition of mind of the people in general. I do not enjoy criticizing these conscientious Members, like my friend from California, who would endorse this "printing of money fallacy." I noticed what the gentleman from New York [Mr. CROWTHER] said, but he did not quite endorse it. He said that he sometimes wondered if those advocates might not be right in their contentions. When I give my note a credit is set up at the bank, and then I spend the money. They have a deposit there no longer. I want to say emphatically that when the Government can print money without interest, citizens should have the same privilege. The Government must not go into such competition against its own citizens. The Congress has the power to coin or print money and fix the value thereof for the use and benefit of its people, not for itself. I hope you get that.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. RANKIN of Mississippi. Let me call the attention of the gentleman from Massachusetts to the fact that during the Civil War——

Mr. GIFFORD. Oh, I know all about that.

Mr. RANKIN of Mississippi. Abraham Lincoln issued $346,000,000 and it is still out and we have saved $11,000,000,000 of interest on it.

Mr. GIFFORD. Perhaps so, but I can say to you that you can print a little money and you can print it in proportion to the valuation of the Nation and you

will get safely away with it. You can take a little arsenic and the doctor will recommend it, but if you take very much of it, what happens?

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. VOORHIS of California. May I ask the gentleman if he does not believe, as between the interest-bearing debt and the non-interest-bearing debt, that the same question in both cases will have to be answered ultimately, namely, how much of it there is, and although the gentleman insists on identifying the contraction of the non-interest-bearing debt with the issuance of money, does he not agree that the only difference in either case is the danger that more money or more credit will be put into circulation——

Mr. GIFFORD. I absolutely agree.

Mr. VOORHIS of California. Than the business situation and the production of the country will justify?

Mr. GIFFORD. Yes.

Mr. VOORHIS of California. And does not the gentleman believe it is quite as possible we could actually control inflation and deflation whether the monetary situation was controlled by the Congress as with the system which up to date, so far as I know, has never succeeded in doing that?

Mr. GIFFORD. No; it never would be controlled. It has never been controlled by governments that have tried it. It has always proved a method of repudiation and you personally abhor the thought of that.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, the Committe is willing to be exceedingly liberal in affording debate under the 5-minute rule——

Mr. RANKIN of Mississippi. I think the gentleman ought to be liberal with the time. We are rather liberal with the debt limit.

Mr. COOPER. Mr. Chairman, it is understood that another extremely important bill, vitally necessary for the prosecution of the war, is to be considered today, and I hope we may reach some understanding as to what further debate there may be on the first section, which simply gives the title of the bill. In order to get some understanding—I see five gentlemen now standing—I ask unanimous consent that all debate upon this section and all amendments thereto close in 25 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Chairman, it is necessary that we extend the debt limit in order to provide funds to finance this war; but I call attention to the fact that our financial policy which has been followed for the last 25 years, has utterly failed.

I was one of the men in 1933, who, over the opposition of the gentleman from Massachusetts [Mr. GIFFORD] secured the passage of the bill giving the President the right to expand the currency, to issue $3,000,000,000 against the gold that we had at that time.

If that policy had been followed, instead of the policy that was pursued, we could have raised prices to their normal levels, restored prosperity to the American farmers, started business on its way to recovery, and saved the American people a great deal of the agony through which they have passed for the last 8 years.

The gentleman from Massachusetts sweeps aside with a wave of his hand the fact that Abraham Lincoln used the credit of the Government to issue currency with which to fight the Civil War, and I understand there is about $346,000,000 of that currency outstanding. We have saved $11,000,000,000 in interest on it since that currency was issued during the War between the States.

I know it is being said, that the New Deal is more dynamic than fascism and more revolutionary than communism—more dynamic than fascism, which means has more power of destruction, but I repudiate the statement that the New Deal that we started is more revolutionary than communism. The New Deal, as I understood it, was written in the Democratic platform, which was preached to the American people. It meant restoring prosperity and maintaining our institutions, our system of government, our economic system and way of life. It did not mean sweeping aside all religious institutions, it did not mean taking a man's home away from him, or taking his grain away from him and starving his wife and children to death, as has been done in other countries. It did not mean stirring up race trouble for the people of the South and now for the Nation as a whole, but it meant the restoration of normal prosperity in a normal way. That is what would have taken place if we had followed the policy advocated by the gentleman from Texas [Mr. PATMAN], myself, and Senator THOMAS of Oklahoma in 1933.

Gentlemen talk about what is going to happen to this debt. Our first duty is to win the war; it does not matter what it takes; but when the war is over there will have to be a readjustment of our entire fiscal system in order to prevent a collapse. You will have to expand the currency. You may call it inflation. That is what you called it when we wanted a reasonable control of expansion in 1933. They held up the German example, where they had purposely put on an uncontrolled inflation in order to wipe out all internal debts. We are leaving a burden for the people of future generations with enough gold buried in the ground in Kentucky, if reasonably used, to have financed this war, and I have been in favor of doing it, and I am in favor of doing it now. I am in favor of breaking up the labor racketeering and putting a stop to certain selfish individuals and some men whose patriotism is questionable, slowing down our defense program. I am in favor of letting the farmer's prices rise to normal levels, which would be practically twice what they are today. We can take the gold now buried in Kentucky, and take our own government machinery, and take back into the hands of Congress the power to coin money and regulate the value thereof, restore prosperity, raise the funds to fight this war, and not leave the American people with a burden of debt they will never be able to pay.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The Chair recognizes the gentleman from New Jersey [Mr. MCLEAN].

Mr. MCLEAN. Mr. Chairman, the discussion this afternoon emphasizes the need of reducing nonessential expenditures. We talk a lot about it, but progress is slow. The national debt still pyramids. What we call nonessential expenditures continue, and the present exigencies are the excuse for creating new ones.

It is erroneous to say that this bill increases the debt limit. It leaves the inference that the amount stated is the total amount of the indebtedness of the Government and the limit beyond which Government expenditures cannot go. Such is not the fact. The law which this act would amend is the Second Liberty Loan Act. It does not fix a debt limit. It only limits the amount of Government obligations which the Secretary of the Treasury may issue. The law when amended will read as follows:

> The face amount of obligations issued under the authority of this act shall not exceed in the aggregate $125,000,000,000 outstanding at any one time.

The national debt can and does exceed that amount, because the limit so fixed does not take into consideration expenditures authorized by appropriations made, projects for which appropriations are anticipated, nor accounts payable, disbursements in anticipation of the collection of taxes, constantly accruing debt charges, and obligations of agencies guaranteed by the Government. It is, however, the only method by which we can readily visualize the Government's financial situation. Judged by that yardstick, I venture to direct your attention to our increasing national debt.

When we entered World War No. 1 the national debt amounted to slightly over a billion dollars. There was added to that twenty-six billions of the cost of the war. Of the total amount of these items $11,000,000,000 had been paid by 1933, and there remained a national debt of fifteen billions when the present administration took command. This amount is still owed, plus whatever has been added since Inauguration Day, 1933.

Our present debt, which we are about to authorize the Secretary of the Treasury to fund, is estimated at $125,000,000,000. That is to say, that $125,000,000,000 is the amount for which the Secretary of the Treasury must be authorized to issue bonds to meet maturing obligations and provide for new obligations of the Government.

The impression is abroad that this entire indebtedness is due solely to expenditures occasioned by the national-defense program and wartime necessities. The fact is that when the war came upon us Government obligations amounted to fifty-six billions and the difference between that amount and the fifteen bil-

lions still owed on the war debt of World War No. 1 (approximately $40,000,000,000) is the unpaid cost of the experiment of spending our way back to prosperity by wasteful spending and boondoggling during the 9 years of the present administration. It is toward the elimination of what remains of the activities which caused this deficit and to prevent the creation of others to replace them that attention must be directed.

It is fair to say that some progress has been made, and that in the consideration of appropriation bills there has been some evidence of a purpose toward retrenchment, but we cannot too often review our present situation in the light of activities of the recent past, and in anticipation of the greater demands that must be met in the immediate future. A reduction of nonessential expenditures and the elimination of what remains of those activities which were based on the principle that we could spend our way back to prosperity should and must have our immediate and thoughtful consideration.

Mr. CELLER. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, concerning the expansion of the public debt I want to call the attention of the Members to certain practices obtaining in the Treasury Department with reference to the increase of that public debt.

The practice of the Treasury Department at the present time with reference to social-security taxes is as follows: The social-security taxes as they are gathered are placed, in common parlance, into a common pot like all moneys that come into the Treasury. When the Secretary of the Treasury needs money he puts his dipper into the well as it were and draws out funds and puts back an I O U. In other words, those who are subject to social security taxes are bearing an unjust burden. In a way they pay for a part of governmental expenditures, whereas those not subject to the tax do not bear the burden of defraying the cost of such expenditures. This was not intended by the original act or its amendments.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. In just a moment. Let me finish my statement.

When the act was before the Ways and Means Committee, the Secretary of the Treasury appeared before the committee on February 5, 1935, and had this to say:

> Under our proposal the Federal Government would guarantee an investment return of 3 percent on all receipts from the pay-roll and earnings taxes that were not currently disbursed in benefit payments. Such sums would be used progressively to replace the outstanding debt with the new liability incurred by the Federal Government for old-age annuities. To the extent that the receipts from old-age annuity taxes are used to buy out present and future holders of Government obligations, that part of the tax revenue that is now paid out to private bondholders will be available for old-age annuity benefits, thereby minimizing the net additional burdens upon the future.

The purpose, as announced by the Secretary of the Treasury, was to replace old obligations—that is, existing obligations—with the funds that would be received from the social-security taxes. That is not being done now. New obligations are being issued by the issuance of these I O U's as the moneys come into and are used by the Treasury. That means that one segment of the population, which is subject to social-security taxes, is paying an undue proportion of the general expenses of Government and for the war effort. That means that domestics, lawyers, doctors, farmers, farm hands, all Government and State employees, self-employees, welfare and charitable workers, and so forth, who are not subject to social-security taxes, do not bear the burdens that employers and employees generally bear when they pay and are subject to the social-security tax.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I now yield to the gentleman from Tennessee.

Mr. COOPER. The gentleman is just as far wrong as he possibly could be, I regret to say.

Mr. CELLER. If the gentleman will read the social-security reports which I have on my desk and which I have read, and the statements that come from the Treasury Department, I do not think I will be found to be wrong at all.

Mr. COOPER. Certainly the Social Security Act requires the payment of interest on the so-called trust fund. Does the gentleman think the United States ought to pay interest on those funds and not use the money?

Mr. CELLER. Not at all.

Mr. COOPER. All right.

Mr. CELLER. The interest is paid into the social-security fund. I agree to that. But instead of taking the funds to discharge theretofore issued obligations of the Government, new obligations are issued, and the debt is increased. That is what I am quarreling about. Certainly, the Secretary of the Treasury, I believe, is not justified in his practice. I have confidence in him. He may be improperly advised in this regard, but he is increasing the debt where he should be in the position of discharging the obligations of the Government with these social-security taxes.

These taxes should be deemed a sacred insurance trust fund. These taxes are not treated as a sacred insurance trust fund.

By making this statement, I do not intend to disparage the Secretary of the Treasury nor the Treasury. They are doing a good job. I do not always agree with their views; nevertheless, they have a difficult task to finance this war effort and are doing a good job. That does not preclude my criticizing, nonetheless.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. MAY. Does not the gentleman believe that those people who are making deductions out of their earnings now ought to have that fund kept sacred so that they will be protected in their old age?

Mr. CELLER. That is what I am driving at, but that at present is not the case. Instead of what the gentleman from Kentucky implies, the debt is increasing.

The Treasury Department issued a statement November 18, 1937. Among other things, it said as follows:

> Section 201 (b) of the act places a duty upon the Secretary of the Treasury to invest such portion of the amounts credited to the old-age reserve account as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at par, or (2) by purchase of outstanding obligations at the market price.

It had made a similar statement at the same time concerning the unemployment trust fund.

When the Secretary of the Treasury made the statement before the Ways and Means Committee, which I mentioned before, and when the Treasury Department made the aforesaid statement, and when the Social Security Act was passed, there was no thought that the taxes collected under the Social Security Act would be used to increase the national debt, but the thought was, rather, that the act would be administered for the purpose of purchasing and retiring existing obligations.

I am simply rising today to call attention to these facts. The practice indicated should be corrected.

[Here the gavel fell.]

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that the gentleman have 2 additional minutes.

Mr. COOPER. Mr. Chairman, I make the point of order that that is not in order. The time has been fixed.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, I do not see the chairman of the Ways and Means Committee on the floor at the present time, but I rise to ask of someone a question or two. Perhaps the gentleman from Tennessee [Mr. COOPER] can answer me. I am not clear as to what limitation is placed in this bill, H. R. 6691. You have here a figure "not to exceed an aggregate $125,000,000,000." That does not cover guaranteed obligations, does it?

Mr. COOPER. The $125,000,000,000 figure, of course, covers bonds, securities, and public-debt obligations of the Government.

Mr. SMITH of Ohio. But does it cover what we call guaranteed obligations?

Mr. COOPER. There is a provision in the bill with respect to obligations issued by agencies of the Government, where the principal and interest are secured by the Government.

Mr. SMITH of Ohio. That is true; but the gentleman still has not answered my question whether this $125,000,000,000 covers outstanding guaranteed Government obligations.

Mr. COOPER. And the purpose of that provision is to assemble all Government obligations under the Treasury Department.

Mr. SMITH of Ohio. But the provision in this act does not require that that be done.

It is not mandatory, as I understand it. Am I correct?

Mr. COOPER. That is correct.

Mr. SMITH of Ohio. Then it does not necessarily cover guaranteed obligations. Does this $125,000,000,000 cover R. F. C. commitments? Certainly not; because if it does not cover the one it does not cover the other. What about Treasury notes and bills now outstanding or to be issued in future? Does this $125,000,000,000 cover Treasury notes and bills, those short-term obligations?

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. REED of New York. It covers the short-term obligations.

Mr. SMITH of Ohio. Does it cover all short-term obligations?

Mr. REED of New York. Yes.

Mr. SMITH of Ohio. Does the gentleman from Tennessee [Mr. COOPER] state that this is a fact, that it covers all short-term obligations?

Mr. COOPER. Certainly; there is no doubt it covers the obligations of the Federal Government of all types issued by the Treasury Department.

Mr. SMITH of Ohio. Regardless of the length of the maturities?

Mr. COOPER. Long term, short term; all of them are contemplated under this coverage.

Mr. SMITH of Ohio. Now we come to this question: A few days ago we passed the second war-powers bill. Under that act the Federal Reserve banks were given authority to purchase directly obligations from the Treasury. An amendment was added which was supposed to limit the amount to $5,000,000,000, but there is question as to whether it will do this. As a matter of record, I wish to know whether, in the judgment of the gentleman from Tennessee, this bill places a limitation on the amount of such obligations which the Federal Reserve banks may purchase? I am speaking now of the Federal Reserve banks purchasing directly from the Treasury. Does this act limit that amount?

Mr. COOPER. The Federal Reserve bank, of course, cannot buy these bonds unless the Treasury Department issues them; and all the bonds the Treasury Department issues are covered by this limitation of $125,000,000,000.

Mr. SMITH of Ohio. Inasmuch as this bill does not cover indirect obligations, or what are known as guaranteed obligations, it appears that there is no debt limitation whatsoever in this act. I am not arguing against the proposed limitation, but I would like to have the public and Congress know the facts about the matter. There is nothing in this act to limit the amount of guaranteed obligations that may be issued.

Mr. COOPER. Certainly. Section 2 of the pending bill reads as follows:

The face amount of obligations issued under the authority of this act shall not exceed in the aggregate $125,000,000,000 outstanding at any one time.

Mr. SMITH of Ohio. Certainly, but the words "this act" refer back to the Second Liberty Bond Act. Does the Second Liberty Bond Act cover guaranteed obligations?

Mr. COOPER. The various acts of Congress relating to the R. F. C. and all of those agencies fix the question of how much they can issue, and so forth.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. LAMBERTSON] for 5 minutes.

Mr. LAMBERTSON. Mr. Chairman, you may think I am speaking out of order, but if you will have patience you will find I am not. We had a program on the air last night, the ninth anniversary of the birth of the farm program. I was there with the start. I went to the White House with the committee in the beginning and asked for it. We went there with a group of farm leaders. They and some young brain trusters were present, men who helped to give us a spending administration. I remember very vividly at a preliminary meeting in December down at the Harrington Hotel four men sitting together with their arms around each other: Ezekiel, Morgenthau, Myers, and Tugwell. I went to the White House 9 years ago with others to ask for this farm program for the emergency. I voted against the A. A. A. when they made it a permanent farm policy.

In the deficiency subcommittee this morning we had an item for $100,000,000, a Budget estimate for something brand new, something in line with these four young men who were going to roll up their shirtsleeves and make the world over—and they have been making it over ever since. This $100,000,000 was to take the place of the $300,000,000 the Ways and Means Committee turned down to tide over in Detroit particularly the sit-down strikers, while their jobs were being converted from peacetime production to wartime production. This is the first time that aid was ever asked to be given with no reference to need. How strange it came to the House the day we were asked to raise the debt limit to one hundred and twenty-five billion.

Mr. Chairman, I will come right to my main point, and read a paragraph I found in a New York paper yesterday. We have something besides debt ahead of us. We have the debt all right, but we have something else besides that which the changes have helped to bring us. Now, there are no headlines to this, and it has reference to what appears to be an ordinary labor-union election in New York. This reads as follows:

Although the old administration running with left-wing support retained 6 of the 10 business agents and lost the key post of business manager by a margin of only 44 votes out of 2,872 cast, Mr. Dubinsky said he regarded the outcome as particularly significant because it had been feared that Communists in this country would capitalize on wartime sympathy for Soviet Russia to strengthen their position in the American labor movement.

He said the victorious candidate for business manager, Louis Hyman, who defeated the incumbent, Isidore Sorkin, by 1,458 to 1,414, had campaigned on a program of all-out aid for Russia but no Communist domination of America.

Now, as I stated, there is no headline to that. This man campaigned in a labor-union election on an American program and against communism, and he wins by only 44 votes out of nearly 2,900. We have said a lot about labor leaders, and we have condemned them, but here is the rank and file that voted and a man who was avowedly against communism won a victory by only 44 votes in 2,900, and this was in a New York labor election during the last week.

That is what we are getting out of this war and out of this regime, besides debt. We have had wages and hours, prevailing wages, and so forth, that have piled up the billions to make up the $125,000,000,000 debt. No other influence has done it like these two labor acts and other things we have created that were done for the unfortunate and the subnormal purportedly, but used by those who get the highest wages in the world. We have a disadvantage not only of 10,000 miles in the Pacific, we have a disadvantage in this country on the cost of labor. We have an abnormal distortion over here. You talk about parity, and the Chief talks about it, and we are going to talk about it again tomorrow. We have not finished it yet. Labor is running wild in defense on wages and policies while getting 300 percent more than it got in the old World War. The farmer is appealed to to hold down inflation while this thing is allowed to go on unhaltered.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The Clerk read as follows:

SEC. 2. Section 21 of the Second Liberty Bond Act, as amended, is further amended to read as follows:

"SEC. 21 The face amount of obligations issued under the authority of this act shall not exceed in the aggregate $125,000,000,000 outstanding at any one time."

SEC. 3. Section 20 of the Second Liberty Bond Act, as amended, is further amended to read as follows:

"SEC. 20. (a) Any obligations authorized by sections 1, 5, and 18 of this act, may be issued on an interest-bearing basis, on a discount basis, or on a combination interest-bearing and discount basis, at such price or prices and with interest computed in such manner and payable at such time or times as the Secretary of the Treasury may prescribe; and any such obligations may be offered for sale on a competitive or other basis under such regulations and upon such terms and conditions as the Secretary of the Treasury may prescribe; and his decision with respect to any such issue shall be final

"(b) Any obligations authorized by this act and redeemable upon demand of the owner or holder may, under such regulations and upon such terms and conditions as the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury may prescribe, be receivable by the United States in payment of any taxes imposed by the United States.

"(c) Any obligations authorized by this act may, under such regulations and upon such terms as the Secretary of the Treasury may prescribe, be issued in exchange for any obligations of any agency or instrumentality of

the United States which are unconditionally guaranteed both as to principal and interest by the United States at or before their maturity."

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

CHARGE OF PRINTING-PRESS MONEY FLIMSY EXCUSE

Mr. Chairman, I ask for this time to answer the gentleman from Massachusetts [Mr. GIFFORD]. I know that a phrase oftentimes is more effective than an hour of logic and reason. The only thing that one can say to justify the unnecessary burden of interest is to give an excuse, not a reason, by saying it means printing-press money. You know, people are afraid of printing-press money and by using that phrase it will cause a lot of people to think that there must be something to it, that we must not adopt this plan because it is printing-press money, when in truth and in fact it is not true that the plan I propose would give us one extra dollar of money to be put into circulation.

I call as my witness the Secretary of the Treasury of the United States, Mr. Henry Morgenthau. When he was on the witness stand before the Committee on Banking and Currency I asked him if, instead of selling interest-bearing bonds to the 12 Federal Reserve banks and receiving credit upon their books for the amount of the bonds, that non-interest-bearing bonds be delivered to these 12 banks and they were compelled to take them—and we have the right by law to do that—and provide for no interest, if that would give us any extra money to be put into circulation. He answered through Mr. Bell, his assistant, who said it would not. Any person who has studied it will agree that is true.

Why in the world one should say if you do not pay interest it is printing-press money I cannot possibly understand, if he has given the subject adequate consideration. The gentleman from Massachusetts [Mr. GIFFORD] is honest in his views. He is just as sincere as he can be. I do not question that in the slightest or impugn his motives, but I do not agree with him that the Government should pay 4-percent interest, or any other amount, on its obligations that are sold to the banks. Understand, I am perfectly in accord with the program of selling Defense bonds and savings stamps to the public generally, not because we have to but because it has the tendency to retard or impede inflation. That is the only reason in the world I am in favor of that. But remember this, that one of these days the people are going to turn those bonds loose. They are going to want their money. When they do, the Government will go to the commercial banks and let them create the money on the Government's credit and pay the commercial banks for that privilege. That seems absolutely idiotic. It does seem idiotic to any person who has studied it that we would let a private bank create the money, just as Mr. Eccles said.

I said:

Mr. Eccles, you have $2,000,000,000 in Government bonds in the 12 Federal Reserve banks. Where did you get the money to buy those bonds?

He said:

We created it under our right to create money for the Government.

He is exactly right, and the gentleman from Massachusetts [Mr. GIFFORD] is wrong. The gentleman from Massachusetts said that the bonds were purchased by using the reserves of the banks. You cannot do that. That would be making the reserves of the banks serve double duty. You cannot do that. Mr. Eccles is right, and the gentleman from Massachusetts is wrong. They created the money out of the power that is given them by Congress to create it.

Imagine them calling up the Bureau of Engraving and Printing and having $1,000,000,000 worth of money created. Then, after they get this money, they deliver it to Mr. Morgenthau and get $1,000,000,000 in Government bonds providing for, say 3-percent interest. They have traded one Government obligation for another. The Government has guaranteed each one of them. Imagine Congress permitting them to do that. We have. Then after they get this $1,000,000,000 of Government bonds they require us to pay $30,000,000 a year interest on those bonds. For what? For the money they sold us. Where did they get the money? They created it on the Government's credit. This Congress authorized them to do it. We have pledged the taxing power of the people to do it.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman for a brief question.

Mr. DEWEY. The gentleman stated that the Federal Reserve System created money. What is securing that money?

Mr. PATMAN. The credit of the Nation.

Mr. DEWEY. Does the gentleman know there is gold behind every dollar?

Mr. PATMAN. That is owned by the Government.

Mr. GIFFORD. Oh, no.

Mr. PATMAN. Yes; read the law. The gold law states that all the rights, title, and interest in and to this gold is in law United States of America. Read the law. Go get it and read it now.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 4. Section 19 of the Second Liberty Bond Act, as amended, is further amended to read as follows:

"SEC. 19. Any obligations authorized by this act may be issued for the purchase, redemption, or refunding, at or before maturity, of any outstanding bonds, notes, certificates of indebtedness, Treasury bills, or savings certificates of the United States, and any money received from the sale of such obligations or any other money in the general fund of the Treasury may, under such rules, regulations, terms, and conditions as the Secretary of the Treasury may prescribe, be used for such purchase, redemption, or refunding."

Miss SUMNER of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to ask the gentleman in charge of the bill about the meaning of these words on page 9, "terms, and conditions as the Secretary of the Treasury may prescribe * * * for refunding."

It seems to me that, unless I am terribly mistaken, that authorizes repudiation of Government bonds if the Treasury chooses to repudiate. Under this section, as I read it, the Treasurer could go into a bank or insurance company that had bonds they had a right to cash in at any time they wanted to and that bore interest, and he could say, "In exchange we will give you bonds that do not bear interest and that will remain frozen in your bank until such-and-such a date, and you cannot cash them in." Am I right in that? If so, it seems very alarming.

Mr. COOPER. I do not believe the gentlewoman is correct in that interpretation. I invite attention to the fact that the Secretary of the Treasury covered this provision of the bill rather fully in his statement, which will be found on page 3 of the hearings which are here available.

I do not understand there is any change contemplated in the manner of refunding that has been followed in the past, but it is thought this clarifying provision should be included to assist them in carrying out this work.

Miss SUMNER of Illinois. Well, I suppose if it is necessary, there is nothing we can do about it.

Mr. COOPER. Then, further, on page 3 of the hearings, explanation is made that a provision is included to clarify the authority existing in section 19 of the Second Liberty Bond Act.

Miss SUMNER of Illinois. But if the gentleman will look at the report he will see that the way it is printed you cannot tell from a reading of page 5 just what is the situation. In their effort to comply with rule 13 of the House they have made a misprint, and you will see you cannot tell really what the original law was from the way it is written there.

Mr. COPPER. I regret the misprint to which attention is invited, but if the gentlewoman will take a copy of the hearings and analyze the statement made by the Secretary of the Treasury, which is comparatively brief, I think full information will be secured on that point.

Miss SUMNER of Illinois. I shall not delay the House further, except that while I am on the floor I would like to say this to the people who complain that this one or that one in our country is complacent. I think that is adding insult to injury. I do not know anybody around here who is complacent. It reminds me of a time when a man was put in jail for embezzlement. I might say he was a client of mine. It was said of him:

He is very nonchalant; he is complacent; he smokes cigarettes in a long holder and entertains all of his friends, and plays bridge with the other prisoners.

At the end of a week he got out, and his hair had turned from brown to white. I think the trouble with us is that we are numb with shock.

The Clerk read as follows:

SEC. 5. The authority of the Postmaster General contained in section 6 of the act of June 25, 1910, as amended (U. S. C., 1940 ed., title 39, sec. 756), and section 22 (c) of the Second Liberty Bond Act, as amended,

to prepare and issue postal-savings cards and postal-savings stamps shall terminate on such date as stamps issued by the Secretary of the Treasury pursuant to the authority contained in section 22 (c) of the Second Liberty Bond Act, as amended, are made available for sale to the public; and, as soon as practicable thereafter, the Board of Trustees of the Postal Savings System shall pay to the Secretary of the Treasury a sum equal to the redemption value of all postal-savings stamps outstanding, and after such payment has been made the obligation to redeem such stamps shall cease to be a liability of the Board of Trustees of the Postal Savings System but shall constitute a public debt obligation of the United States.

JUST AS PATRIOTIC TO INVEST IN POSTAL SAVINGS AS BUYING DEFENSE BONDS

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this section 5 would indicate from a casual reading that it is intended to abolish postal savings, but I would like for the gentleman in charge of the bill to verify what I have to say, if he will, that an investigation has disclosed that it will only prevent the postal-savings departments in the post offices from selling stamps and that after this law is passed one will still be privileged to invest in postal savings and certificates of deposit as heretofore.

The point I want especially to invite your attention to is that in all these statements you find over the country about investments in Defense bonds and how the people are helping the country by letting the Government have their money, you never see an item relating to postal savings. It is just as important to put your money in postal savings as it is in Defense bonds, because the money you put in postal savings is invested in Defense bonds and has exactly the same effect.

May I take this time to answer the gentleman from Illinois [Mr. DEWEY] about the gold in the Federal Reserve banks. The gentleman insists that the $21,000,000,000 or $22,000,000,000 in gold belongs to the Federal Reserve banks. Well, let us say for the sake of the argument that his statement is true—I will say it is not true because the law places the title in the Government. But let us for the sake of the argument say it is true. He says they can take that $20,000,000,000 and have issued an unlimited amount of money, I presume, or that is up to about $240,000,000,000, I believe Mr. Eccles said, can be issued on that gold, and I believe that was verified by Mr. Morgenthau. How could we get the unquestioned title to that gold? At least there is a cloud on it from what he says. This is one way to do it—to reimburse the private banks for the $140,000,000, an insignificant sum compared with the war debt, and then the Federal Government would own the 12 banks and that should be as much a part of this Government as the Treasury and also the gold. It is just as important that those banks belong to the Government as the Treasury of the United States, and it is just as wrong for us to permit private corporations to own the right to create money as it would be to delegate the functions of the Treasury to the private banks of this country.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. DEWEY. I just want to draw the distinction that I was speaking about gold and not the ownership of the Federal Reserve Banking System.

Mr. PATMAN. I know, but you say that the Federal Reserve banks own the gold and therefore we cannot use it as I propose. I am showing you that if there is an obstacle in the $140,000,000 stock ownership which is about one-seventh of a billion dollars, you can remove entirely that obstacle and have the Federal Government own the 12 Federal Reserve banks and use that gold as the Federal Government wants to.

Mr. DEWEY. I would like to say to the gentleman that that is another question that I was not arguing. At the present moment the Federal Reserve notes are secured, 100 percent, by gold.

Mr. PATMAN. The money that is used to buy Government bonds is created. Mr. Eccles said so and he ought to know more about it than any other person I know of, and there should not be any doubt about it. I will say to you, and then I am through, one of these days this Congress is going to realize that the further farming out of this Government's credit should absolutely be stopped and bonds should not be sold to corporations that create the money out of thin air in order to buy them.

WAR DEBT CAN BE PAID IN 40 YEARS WITHOUT UNBEARABLE BURDEN ON TAXPAYERS BY CONGRESS USING THE GOVERNMENT'S CREDIT AND IDLE GOLD INSTEAD OF CONTINUING TO FARM IT OUT TO SPECIAL PRIVATE CORPORATE INTERESTS

Mr. Chairman, on January 19, 1942, I introduced a bill, H. R. 6391, providing for the issuance of nonnegotiable United States bonds to Federal Reserve banks, which if enacted into law, will permit the financing of our war debt without the payment of interest.

TAXPAYERS CAN BE SAVED 50 PERCENT ON WAR DEBT

It is referred to the Committee on Ways and Means of the House since it involves the issuance of Government securities, a subject over which this committee has exclusive jurisdiction. It is particularly appropriate that the same committee that is considering the new tax bill which is to raise billions of dollars annually should also consider a proposal that is intended to, and can, reduce our war expenditures by 50 percent at least.

A bill providing for the issuance of nonnegotiable United States bonds to Federal Reserve banks and terminating the authority of the Treasury to issue other interest-bearing obligations of the United States to commercial banks, and for other purposes

Be it enacted, etc., That the Secretary of the Treasury, with the approval of the President, is authorized to issue from time to time United States bonds, the proceeds of which shall be available to meet any public expenditures authorized by law and to retire any outstanding obligations of the United States bearing interest or issued on a discount or on a combination interest-bearing and discount basis. Such bonds shall be issued in such form or forms and in such denominations, and mature at such times (not in excess of 40 years from the date of issue) as the Secretary of the Treasury may prescribe. Such bonds shall not bear interest or be issued on a discount basis and shall not be negotiable or transferable.

SEC. 2. Bonds issued under the provisions of this act shall be issued solely to Federal Reserve banks and shall be subscribed for by the various Federal Reserve banks in such proportions of the entire issue as may be agreed upon by the Secretary of the Treasury and the Board of Governors of the Federal Reserve System. The Secretary of the Treasury shall pay, out of any funds hereafter appropriated for such purpose, to each Federal Reserve bank subscribing to bonds issued under this act, such amounts as he deems necessary to reimburse such bank for any expenses incurred by it in connection with such bonds.

SEC. 3. The authority of the Secretary of the Treasury to issue any interest-bearing obligations of the United States (including obligations issued on a discount basis or on a combination discount and interest-bearing basis) under any other provisions of law is hereby terminated insofar as the issuance of United States bonds to any bank receiving demand deposits is authorized thereby. Except in accordance with such regulations as the Secretary of the Treasury may prescribe in order to provide for the orderly disposition of United States bonds held by any bank receiving demand deposits on the date of the enactment of this act, no such bank shall at any time hold any amount of United States bonds in excess of the amount held by it on December 31, 1941.

SEC. 4. The first two paragraphs of section 7 of the Federal Reserve Act, as amended, are amended to read as follows:

"SEC. 7. After all necessary expenses of a Federal Reserve bank have been paid or provided for and a surplus equal to the paid-in capital stock of such bank accumulated, the annual net earnings of such bank shall be paid into the general fund of the Treasury.

"Should a Federal Reserve bank be dissolved or go into liquidation, any surplus remaining, after the payment of all debts and the par value of all stock, shall be paid to and become the property of the United States."

WILL STOP FARMING OUT GOVERNMENT CREDIT AND USE OF IDLE GOLD FREE TO BOND BUYERS

Section 1 of the bill will permit the Secretary of the Treasury, instead of selling Government interest-bearing bonds, to receive the money necessary to meet any public expenditure by issuing and depositing with the 12 Federal Reserve banks bonds that provide for no interest. These bonds will not be sold to the public, as the public generally would probably not be interested in buying them, since they will not draw interest, but the Federal Reserve banks can keep them, and each year the Government can make a payment on the bonds to the Federal Reserve banks.

Under our present system the Treasury, when it needs money, sells bonds that provide for interest through the Federal Reserve banks, and in that way the Treasury receives credit at the Federal Reserve banks, which is checked upon in order to pay the debts of the Government. This proposal will permit the Treasury to receive the same amount of credit as on interest-bearing bonds and the Treasury may check upon this credit in the same manner that it is checked upon today when interest-bearing bonds are sold. In other words, when this proposal is enacted, the Treasury will give the same kind of checks to the same people for the

same service or in payment of the same debts. The people receiving these checks under the new proposal will deposit them or receive the money on them in the same way and manner that they now receive credit at the local banks, or receive the money in return for their checks.

This will not cause the distribution or circulation of one extra dollar of actual currency. Therefore, it cannot be considered a greenback or printing-press proposal. It is strictly an orthodox banking method, which will permit the Government to finance the war debt without paying tribute to a few people who are using the Government's credit and idle gold absolutely free.

HOW NON-INTEREST-BEARING BONDS DISTRIBUTED

Section 2 of the bill provides the method by which the bonds, which will be noninterest bearing, will be distributed among the 12 Federal Reserve banks. The method that will be agreed upon will doubtless be according to the capital stock or resources of the particular bank. If the Treasury needs a million dollars, it will distribute the bonds among the 12 Federal Reserve banks, which will aggregate a million dollars. The largest Federal Reserve bank, of course, will take much more of the bonds than the smallest Federal Reserve bank.

The distribution will be made by the Treasury and the Board of Governors of the Federal Reserve System.

BANKS WILL BE PAID FOR SERVICE

This section also provides that the Federal Reserve banks will not lose any money by reason of servicing these loans to the Government without interest since the bill provides that each bank shall be reimbursed for any expenses incurred in connection with the bonds. The expenses, of course, will be practically nothing (not as much as one-twentieth of 1 percent interest) compared with the huge amounts of bonds that will necessarily be issued to finance the war debt.

IF MONEY IS TO BE CREATED IT SHOULD BE CREATED BY THE GOVERNMENT AND NO INTEREST PAID ON IT

Section 3, the first sentence, provides that no more interest-bearing obligations of the United States shall be issued and sold to commercial banks or banks receiving demand deposits. The reason for that is that such a bank does not have anything to give the Government in return for its bonds. It merely receives the bonds and gives the Government credit in bookkeeping transactions, or pencil-mark or fountain-pen money. Every informed person admits that under such circumstances the commercial banks create the money outright. If money is to be created outright it should be created by the Government and no interest paid on it.

BANKS GET MONEY FOR 1 PERCENT ON BONDS DRAWING MUCH MORE

If a bank purchases bonds under existing rules, laws, and regulations that provide for 3-percent interest, and the banks should need money to pay its depositors or for any other purpose, it can deposit the same bonds with the Federal Reserve banks as collateral security and receive funds for 1-percent interest on the bonds. In other words, the bank will continue to receive 3-percent interest on the bonds, but will only be required to pay 1 percent from the local Federal Reserve banks on loans using the bonds as collateral.

During the first week in December, Gov. Marriner S. Eccles, Chairman of the Federal Reserve Board, stated in a letter to all banks:

> Continuing the policy which was announced following the outbreak of war in Europe, Federal Reserve banks stand ready to advance funds on United States Government securities at par to all banks.

All banks in the country are notified that they can buy all the Government bonds that they desire to buy, although they do not have the money to purchase them, and if they should need the money the Federal Reserve banks will furnish it and, of course, the discount rate is 1 percent.

BANKS CANNOT FURTHER INCREASE HOLDINGS OF GOVERNMENT BONDS

Section 3, in the second and last sentence, provides that no bank which receives deposits, in other words a bank that must create the money in order to buy bonds, shall at any time hold any amount of United States bonds in excess of the amount held by it on December 31, 1941. In other words, if a bank held $2,000,000 in Government securities on the date mentioned, it can sell any amount of those bonds that it desires to sell, and may in turn purchase other United States Government securities up to but not in excess of the $2,000,000, which was the amount held December 31, 1941.

BANKS NOW LEND $10 TO EVERY $1 OWNED

The stockholders in all the banks in the United States have invested and would lose if the banks should be forced into bankruptcy or liquidation and there should be no recoveries, the total sum of $3,000,000,000. About three and one-half billion dollars of this is capital; about three and one-half billion dollars is surplus, and about $1,000,000,000 in undivided profits, making about $8,000,000,000. That is all the stockholders in banks in America have invested in these banks. Notwithstanding, only $8,000,000,000 is invested in all these institutions, they have purchased more than $21,000,000,000 in United States Government securities, and now hold these securities and receive interest on them annually. The total loans and investments of these banks aggregate, or may aggregate, about $80,000,000,000, or $10 for every $1 that they own. Without stating or discussing how much the banks should be allowed to expand, it is evident that orthodox banking methods, safe banking methods, and logical banking methods should prohibit any bank from expanding more than $10 for every one that it owns. Let us presume, for the sake of discussion, that it is right for a bank to be allowed to lend $10 for every one it has, and thereby receive interest on $10 for every $1 invested by the stockholders, and still we cannot escape the conclusion that no bank should be allowed to expand more than $10 for every one.

CONGRESS SHOULD NOT SIT IDLY BY

This being true, why should Congress sit idly by and allow the banks to expand $20 to every one, or $50 to every one, in order to finance the war and the other expenditures of our Government, when it is nothing more nor less than Congress permitting the credit of this Nation to be farmed out for the selfish benefit of private banking corporations.

GOVERNMENT CREDIT FARMED OUT

The Government of the United States, under the Constitution, has the power, and it is the duty of the Government, to create all money. The Treasury Department issues both money and bonds. Under the present system it sells the bonds to a bank that creates the money, and then if the bank needs the actual money, the actual printed greenbacks to pay the depositors, the Treasury will furnish that money to the banks to pay the depositors. In that way the Government farms out the use of its own credit absolutely free.

BACKING FOR NON-INTEREST-BEARING BONDS

If the Federal Reserve banks provide the credit to finance the war, as proposed in the bill, inserted herewith, these bonds will be backed by the credit of the Nation, which includes the taxing power of the Nation, and also the $23,000,000,000 in gold that is now idle and unused, except that portion that is used free by the private banking system of this country.

BONDS BACKED BY TAXING POWER, TOO

A bond issued by the Government carries with it an obligation that Congress will pass laws levying taxes which will be sufficient to cause the taxpayers to pay money in taxes to pay the interest on the bonds, and to eventually retire them when due. The history of the issuance of long-term bonds by our Government is conclusive that the Government invariably pays $2 to every $1 that it borrows. In other words, it pays $1 in interest and $1 in principal.

GOVERNMENT TO PAY DOUBLE

A $100,000,000,000 debt means, under the present system, that the taxpayers will eventually have to pay $200,000,000,000. With a huge debt of $150,000,000,000, which is estimated by many Government authorities as being the amount that the public debt will reach before the war is over, it will probably be impossible for the taxpayers to pay enough money each year to liquidate any part of the principal of the bonds. Therefore they will remain in bondage for centuries because they will be unable to pay any more each year than is sufficient to provide for the interest on the bonds.

ONE DOLLAR PAID MONEY CHANGERS FOR EVERY $1 PAID A SOLDIER

Viewing the situation from the most optimistic viewpoint, the taxpayers will be compelled to pay at least $2 for every $1 borrowed. For every $1 that is paid to a soldier, the money changers have nothing to offer except the Government's credit, which has been given to them free, will also receive $1. For every $1 that is paid to every person for materials furnished, the money changers will receive

$1 in interest for no service whatsoever in the form of interest for furnishing the Government's credit, which has been furnished to the money lender free. For every $1 that is paid out for any purpose, in this war or for peacetime pursuit, the interest will amount to at least $1, and the result will be that the taxpayer must pay $2 in order to liquidate every $1 debt.

I cannot understand why anyone should insist that the credit of this Nation and the use of the Government's gold should be farmed out absolutely free to the private banking corporations of this country, and require the taxpayers to pay $2 in order to obtain $1 in our war preparation.

REPAIR HOPELESSNESS OF PEOPLE

Let us repair the hopelessness that is now being felt by the people on account of what they think will probably happen after the war with a $150,000,000,000 publice debt by changing the system so that the Government can use its own credit and its own gold and not pay $2 for every $1 that is borrowed.

WAR DEBT CAN BE PAID IN 40 YEARS

If our national debt for the war alone is $100,000,000,000, it can be paid over a period of 40 years without an unbearable burden on the taxpayers by the Government borrowing money from the Federal Reserve banks and paying it back 2½ percent each year. This 2½ percent will be no more than interest that is being charged today, and the amount will be sufficient to entirely pay off the bonds in 40 years. Whereas if we continue the present system of paying interest on these bonds, at the end of 40 years, after paying 2½ percent each year, we will still owe the principal amount of the bonds, and the debt will be just as large at the end of 40 years as it is today or when the debt is the largest.

WILL REDUCE CHANCES OF INFLATION

If we borrow $100,000,000,000 to finance the war from the Federal Reserve banks and it is paid 2½ percent each year and entirely paid off and liquidated in 40 years, there will be no likelihood of inflation during that time. Whereas, if we continue paying tribute to a few for the use of Government's own credit, we will in all probability have inflation unless it is possible to prevent it by price control and other methods.

DUTY OF CONGRESS TO MAKE CHANGE

It occurs to me that the duty of making this change is on Congress. It is not on the executive, the judiciary, or any department of our Government. It rests solely and alone upon the Congress of the United States to change the system that causes our credit to be farmed out and enormous interest burden paid unnecessarily and uselessly on its credit.

ABUSE OF POWER TO TAX

If Congress continues to require the people to pay billions of dollars a year unnecessarily as interest on Government bonds it occurs to me that it is an abuse on the part of Congress of the power to tax. Congress has the power to tax and is exercising that power to the limit, but certainly Congress should not abuse the power by levying taxes to pay a debt that is extravagant, wasteful, and unnecessary in every way.

NOW TIME TO MAKE THE CHANGE

One of these days the American people are going to wake up and realize the situation, and they will blame this very Congress for not making the change at this time, when we are entering upon a $100,000,000,000 war program. Now is the time to make the change. It is not a change that will involve unorthodox banking methods. It is a change that will save the Government interest on the public debt hereafter contracted, but will not be in any way dangerous to the general welfare of the country. On the other hand, it will be greatly in the interest of the general welfare of the country because the war debt will cost the taxpayers only 50 percent, at least, of what it will cost under the present system.

BOND SALES TO PUBLIC SHOULD CONTINUE

I am not proposing that bond sales to the public be stopped or impeded in any way. It is my belief that bond sales to the public should be encouraged because they are calculated to prevent or stop inflation to a certain extent. At the same time we know that the bonds that the public are buying at this time will, when this emergency is over, be in the market one way or another, and, that being true, the money changers will be in a position to purchase them by using the Government's credit free and the idle gold free, and receive interest from the Government for no service whatsoever.

$447 INTEREST PER CAPITA TO BE PAID ON THIS YEAR'S BUDGET

The Budget for the next year is $59,000,000,000. This means that it will cost the American taxpayers by the time the $59,000,000,000 debt is paid, under our present system of farming out our credit free, twice that amount, or $118,000,000,000. This means that every man, woman, and child in America, on this $59,000,000,000 debt, will have to pay at least $447 in interest and $447 on the principal, presuming that the debt can be paid in 40 or 50 years. It is not right for Congress to make the people pay that $447 for every man, woman, and child in America as interest for the use of the Government's own credit and for the use of the Government's own idle gold by farming out the Government's great privilege and right to create money to private banking interests of the Nation.

PERPETUAL DEBT

The current estimate of what the war, whole war, is going to cost us is $150,000,000,000. If we spend $150,000,000,000 on this war, it will cost about four or five billion dollars a year to pay the interest on the $150,000,000,000. In all probability, that is all the taxpayers of this country will be able to pay, and will, therefore, be unable to make any payment on the principal of the debt each year. That being true, all the money that will be raised in taxes to pay on the national debt will go to the people who are using the credit of the Nation absolutely free, and who have had farmed out to them the use of the idle gold free, and the people will thereby be caused to pay a debt that is useless, wasteful, extravagant, and unnecessary.

IT IS WRONG FOR THE GOVERNMENT OF THE UNITED STATES THAT IS SOVEREIGN TO PAY PRIVATE CORPORATIONS TO CREATE MONEY ON THE GOVERNMENT'S CREDIT

Mr. Chairman, to sell bonds to individuals and to corporations that do not create the money by a bookkeeping transaction to buy them is perfectly justified for the purpose of preventing or retarding inflation. But if more bonds will have to be sold than such individuals and corporations will or can buy, then the Government of the United States, which is sovereign, should create the credit to pay its bills without obligating the people to pay interest on it.

All informed persons on the subject will agree upon certain fundamental truths. They are:

First. It is the duty of Congress to issue—create—money and regulate its value under the Constitution.

Second. This great privilege has been farmed out free to the privately owned banks by Congress.

Third. This great privilege is worth billions of dollars a year to those exercising it under laws passed by Congress.

Fourth. The same United States Treasury that prints and issues the interest-bearing bonds also issues and prints the money, which is another form of Government obligation, not interest bearing.

Fifth. Under our present system that Congress has allowed to be built up gradually over a century of getting a little change in law here and a little change there which appeared harmless at the time, the Treasury, when it wants money, sells United States Government bonds which obligates the Government to pay a stipulated rate of interest—around 3 percent per annum.

Sixth. A commercial bank in Dallas, Tex., buys a United States Government bond—we will say a million dollars' worth—and gives the United States Treasury credit for $1,000,000 on its books. The bank does not have the money to pay on demand and does not need it for that purpose, as it is so seldom that people who receive Government checks or any other kind of checks want the actual money.

Seventh. The United States Treasury gives checks to the Government employees residing in Dallas and to persons and corporations in payment of any debt owed by the Government in that area to the amount of $1,000,000.

MONEY CREATED WITH A FOUNTAIN PEN

Eighth. It is almost inconceivable that the people receiving these checks will want the money as they will only want credit at the bank or in the banking system upon which they can draw checks, and in that event the Dallas Bank will continue to receive annually $30,000 interest on the million dollars in bonds which was bought by creating the money with a fountain pen. In other words, the bank has bought the bond on a promise to pay money if called upon but it is not called upon to pay the actual money.

Ninth. If the people receiving these checks drawn on the Dallas Bank aggregating a million dollars should do the

unusual and demand the actual spot cash from the Dallas Bank, actual coin and currency, the Dallas Bank will take its million dollars' worth of United States Government bonds upon which it is promised 3 percent interest annually across the street to one of the 12 Federal Reserve banks that is located in Dallas and get a million dollars in actual printed money. In order to get the money the commercial bank will deposit with the Federal Reserve bank at Dallas the $1,000,000 in bonds as collateral security and promises to pay 1 percent interest annually so long as the money is needed.

BANK MAKES $20,000 A YEAR PROFIT ON TRANSACTION

Tenth. The net result is that the Dallas Commercial Bank has bought a Government obligation upon which it will receive $30,000 per annum and has used that same Government bond or obligation as collateral security to obtain a million dollars in money, issued by our same Government and our own United States Treasury and carrying the same mortgage upon all the property and profits of the people until paid. For this money the bank will pay at the most $10,000 per annum thereby netting a profit of $20,000 per annum on this million-dollar transaction.

Eleventh. The Government will not get the $10,000 that the Dallas bank pays to the Dallas Federal Reserve Bank for the use of a million dollars in money as the Dallas Federal Reserve Bank will get it. The Dallas Federal Reserve Bank is owned by the private banks in that area, including the bank that bought the million dollars in bonds. The Federal Reserve banks are Federal in name only; they are owned lock, stock, and barrel by the private banks, which have invested, incidentally, a very small sum of money upon which they receive 6 percent per annum, but sufficient to enable them to be the sole owners of that Federal Reserve bank.

Twelfth. Remember in this case, which is typical, the United States Treasury has caused the Bureau of Engraving and Printing here in Washington, which is under the jurisdiction of the Treasury, to print and deliver to the Federal Reserve bank at Dallas a million dollars in United States Government bonds, interest bearing, and a million dollars in United States currency. Each is a Government obligation. The Federal Reserve bank at Dallas delivers the million dollars in bonds to the local commercial bank and obtains for the Government the million dollars in credit which the Government checked on to pay its debts. Then the Federal Reserve bank at Dallas delivers to the local commercial bank the million dollars in actual paper money—currency, greenbacks, or whatever one prefers to call them.

GOVERNMENT COLLECTS 30 CENTS FOR EVERY $1,000 PRINTED FOR BONDS

Thirteenth. On the transaction the taxpayers will pay the cost of printing the bonds. The taxpayers will pay the $30,000 a year interest to the Dallas commercial bank. The Dallas Federal Reserve Bank will get $10,000 per annum and the Government will get $300, or 30 cents per $1,000, which was the actual cost of printing the money.

THE GREATEST BACKING BEHIND OUR MONEY AND BONDS IS THE TAXING POWER OF CONGRESS; THE DUTY OF CONGRESS TO TAX THE PEOPLE TO PAY ALL THE OBLIGATIONS OF OUR GOVERNMENT—HOW SUCH A SYSTEM BUILT UP

Who created such a system that is costing the taxpayers $1,750,000,000 this year and will cost the taxpayers $4,500,000,000 a year when our anticipated expenditures for war purposes are made?

The answer is that such a system was built up over a long period of time. Congress passed monetary laws without giving a great deal of attention to them, being told that money was a mystery and very few people understood it and those understanding it were the ones wanting the monetary laws. It was smart for a Member of Congress to say, "All I know about money is that I do not have enough of it," or some similar crack that invariably drew laughter and applause and the bill was passed. If some person who had given the subject thought and consideration attempted to show how the credit of the Nation was being farmed out free to privately owned commercial banks he could very quickly be silenced by a whispering campaign that he was a monetary nut, a crackpot, or a greenbacker, who wanted to flood the country with worthless printing-press money. Then with a few references to continental currency, fiat money, and German inflation the bill was sent on its way. All such bills were referred to as a bill to further strengthen our sound monetary system.

LOGICAL REASONS WERE PRESENTED

In the beginning of our country there were logical reasons why the Government should issue interest-bearing bonds to pay its expenditures instead of obtaining the use of its own credit without interest.

At that time gold and silver represented practically all of our medium of exchange. When a miner went out into the mountains and by laboring with his hands through the hardest kind of manual labor produced some gold or silver it was right that the Government pay him interest for its use if the Government desired to borrow it.

Further, if money were borrowed from a foreign country it was right that our Government pay interest for its use.

EXTRAVAGANT CONGRESS RETARDED

In addition, if the Government paid interest for the money or credit it used it would have a retarding effect on an extravagant Congress. For the reason that if Congress appropriated too much money no one would buy the bonds. In other words, as more bonds were sold they would be worth less and less, and Congress would either have to cause bonds to be sold at a great discount or not be able to sell them at all, or quit appropriating so much money. This had a retarding influence on Congress.

NEITHER REASON GOOD NOW

None of these three reasons justify the Government in paying interest on its own credit now. Silver in our exchange represents an infinitesimal part of our money. Gold is not used as money. Our Government does not borrow from a foreign country. United States Government bonds are no longer permitted to be sold for less than par since the banks can always put up their Government bonds as collateral and obtain money for them dollar for dollar—no discount.

The interest paid by our Government amounted to such a small sum each year for the first 125 years of our country's existence it presented no problem. Now it presents one of our most serious problems.

MONEY NOW CREATED ON GOVERNMENT CREDIT

Our money now is created upon the Government's credit as all money is guaranteed by the United States Government. Although Federal Reserve banks have had the great privilege of issuing and paying out money it is the Government's money that is paid out. Every bill, note, or piece of currency bears the obligating clause of our Government in the language "The United States Government promises to pay on demand — dollars." This is printed on every piece of paper currency.

POWER OF CONGRESS TO TAX BACKING BEHIND BONDS AND MONEY; ALSO GOLD BACKING

We have an additional backing which is not absolutely needed and a commodity that is used by other countries only to a very limited extent, and that is $23,000,000,000 in gold that is idle and unused. Every dollar of it belongs to the United States Government. There are those who contend that this gold is mortgaged to the 12 Federal Reserve banks or that these banks have some kind of claim against it notwithstanding the law that places all right, title, and interest in and to the gold in the United States. This contention can be eliminated by the Government reimbursing the private banks for the $140,000,000 they have invested in stock in these 12 Federal Reserve banks. It is this comparatively small investment that permits the owners of the stock of the Federal Reserve banks to place a cloud on the title to this gold.

If something is not done to prevent it the money changers will make as much out of this war, and more, as the entire cost of the war. By money changers I mean those who use our Government credit free and not the patriotic citizen who buys bonds with money he has worked for to prevent inflation.

GOVERNMENT PAYS $2 TO EVERY $1 BORROWED

Experience proves that the taxpayers are forced to pay at least $2 for every one the Government borrows on long-term bonds. The war is costing so much that the people will never be able to pay more than the interest on the public debt and the necessary running expenses of the Government if our present policies are pursued of paying private banking corporations for the privilege of using our own Government's credit.

MONEY BASED ON DEBT—NO DEBT, NO MONEY

Our present policies have forced our people into the position of going into debt and paying interest or not have enough money to do business on. In other words, if all debts were paid, our money would be extinguished. So our money is based

on debt. When Leon Henderson was testifying before our Committee on Banking and Currency in favor of the price-control bill I reminded him of his statement that the people could retard inflation by paying their debts, and asked him what the people would do for money if all debts were paid. He admitted—so did Marriner S. Eccles, Governor of the Federal Reserve Board—that our monetary system is based on debt, and said the people should pay their debts and then go into debt again, so as to have enough money to do business.

GOVERNMENT CAN SAVE INTEREST

Instead of the Government issuing and delivering to the Federal Reserve banks Government interest-bearing bonds for sale to the private banks in order to get the money or credit to pay the cost of the war, the Government should issue and deliver to the Federal Reserve banks non-interest-bearing bonds to be held by the Federal Reserve banks to obtain the money or credit to pay the cost of the war.

In that way we would not pay tribute to a few people to use the Government's own credit; the bonds would have the same backing and security behind them; the bonds would be easier paid, since a 3-percent payment each year on the principal of the bonds, instead of as interest, would entirely pay them off in 33⅓ years; bonds would not be sold to the public, except a sufficient amount to retard inflation, and they, of course, would be interest bearing; money would then be paid into circulation and not necessarily borrowed into circulation; inflation would be hindered because a part of the bonds would be paid each year instead of freezing, an inflationary condition caused by the issuance of so many bonds and no part of the principal being retired each year; the people receiving checks from the Treasury in payment of salaries or debts of any kind would continue to receive the same kinds of checks, issued and delivered by the same people, and upon these checks they would receive the same kind of money or credit as they now receive, and there will not be any more actual printed money in circulation than at present.

The big difference will be that the Government will not pay interest for the use of its own credit.

EVERLASTING BONDAGE OR DEBT REPUDIATION IF GOVERNMENT BOND RACKET NOT ENDED

Mr. Chairman, the information contained in my remarks concerning the Government obtaining money without interest is based upon a quarter of a century of study and investigation. Now the time has arrived when its use can prevent our people from being sentenced to everlasting bondage or suffer the humiliation of national debt repudiation, which can be caused by a Government bond racket that is about to engulf us.

MEMBERS APPREHENSIVE PEOPLE WILL NOT SUPPORT

Members of Congress are afraid to embrace a sound and economically desirable plan that will prevent the people from being required to pay double, treble, and many times more for every dollar that is borrowed to prosecute the war for fear they will be doing something the people will not understand and will not approve.

PUBLIC PRESS CARRIES LITTLE OF THIS IMPORTANT SUBJECT

At my own personal expense this information is being printed and distributed over the 48 States. Obviously, a limited number of copies will be sent out. The newspapers and magazines have been unable to allot very much space for the dissemination of information on this highly important subject.

GIVE MEMBERS COURAGE TO SPEAK OUT

I beg you who are not in Congress, in the interest of our children and our children's children, who are being asked to assume an unbearable interest burden that can now be prevented, to let your lawmakers in Washington know—Representatives and Senators—that their approval of this method will meet with your approbation. Give them courage to speak out. Many of them have not had the time to give consideration to it.

BENEFICIARIES OF RACKET OPPOSED TO DISCUSSION

Those who will benefit from this racket are opposed to any discussion of the subject in the public press or over the radio. They refrain from any controversy, knowing their position is untenable and realizing that public knowledge of the subject will certainly harm them.

PASS IT ON

If you will reward my efforts by causing this information to be published and distributed, I shall never cease to be grateful. Pass it on to another.

REAL AND INTANGIBLE PROPERTY PAY NO DEFENSE TAX

The cost of the war will necessarily be borne by the people, a majority of whom will be the least able to pay it. Our Federal Government, including war costs, is supported by taxes on incomes, sales, and other specific forms of taxation. The $300,000,000,000 worth of tangible real property in this country pays no tax whatsoever into any fund that is used specifically to defend our country, neither does the $400,000,000,000 worth of intangible property. It is true that if the owner of tangible or intangible property makes a net profit on it sufficient to be required to pay an income tax, he will be required to pay it, but no tax specifically upon the property itself for the defense of the country is now required by law.

Let us not require our taxpayers to pay as much in unnecessary interest as the cost of the war.

BANKS THAT CREATE MONEY WILL EVENTUALLY BE CALLED UPON TO BUY THE BONDS THAT ARE NOW BEING SOLD TO THE PUBLIC

During our war effort the people will generously buy bonds to enable the Government to properly prosecute the war. They are to be commended for their patriotism. When the war is over they will want their money for the many different purposes that they could not use it for during the war.

NO MORE GOVERNMENT BOND SALES AT 75 AND 80 CENTS ON THE DOLLAR

Our Government cannot afford to permit the bonds to be sold for 75 cents and 80 cents on the dollar. This was done after the other war, which permitted a few people who used the Government's credit free to buy them and make millions in profits. The Government, through the Secretary of the Treasury, Mr. Morgenthau, has promised that it will not happen again.

BANKS WILL EVENTUALLY OWN NATIONAL DEBT

Therefore, when the people want their money after the war it will be necessary for more Government bonds to be sold to redeem them. The banks that create the money will be the only purchasers. The result will be that practically all the bonds that are now being sold to the people will find their way after the war into the portfolios of the commercial banks. The banks now hold $21,000,000,000 of these bonds. They will then hold most of the national debt. This will enable these banks to collect billions of dollars a year in interest on their comparatively small investment. Congress will be called upon to levy and cause to be collected the taxes to pay this interest. The people who will have made every sacrifice to win the war will pay the taxes into the United States Treasury. The United States Treasury will pay it to the banks that created the money to buy the bonds upon the Government's own credit.

HOW MONEY IS CREATED BY PRIVATELY OWNED BANKING SYSTEM ON GOVERNMENT'S CREDIT AND THE GOVERNMENT CHARGED INTEREST THEREON

The Federal Reserve Banking System is privately owned. Not $1 of the stock is owned by the Government or by the people; it is owned by private banking corporations. It is a corporation owned by corporations. Many people believe that the Federal Reserve Banking System is owned by the Government because it is named Federal, but of course this is not true.

CREATE MONEY, BUY BONDS, AND COLLECT INTEREST

When the Honorable Marriner S. Eccles, Chairman of the Federal Reserve Board, was before the Banking and Currency Committee of the House, of which I am a member, on Tuesday, September 30, 1941, I interrogated him about how he obtained for the 12 Federal Reserve banks the $2,000,000,000 in Government bonds, which the system is now holding and charging the Government interest thereon. The questions and answers appear in the printed testimony, volume 2, page 1342, and is as follows:

Mr. PATMAN. * * * How did you get the money to buy those $2,000,000,000 of Government securities?

Mr. ECCLES. We created it.

Mr. PATMAN. Out of what?

Mr. ECCLES. Out of the right to issue credit, money.

Mr. PATMAN. And there is nothing behind it, is there, except the Government's credit?

Mr. ECCLES. We have the Government bonds.

Mr. PATMAN. That's right; the Government's credit.

Mr. Chairman, the Government is now paying between forty and fifty million dollars a year to the Federal Reserve Banking System as interest on these bonds. The expenses, dividends, and

profits of the System are paid in that way. It would be just as reasonable for each department of our Government to be allowed to purchase enough Government bonds to pay their expenses the same way. It would be just as reasonable for the Government to set aside enough interest-bearing bonds to each Federal employee to pay the Federal employee interest sufficient to pay his salary as it is for the Federal Reserve Banking System to get their expenses paid in that way.

Under our present system the Federal Reserve banks can purchase twenty-five or fifty billion, a hundred billion, or an unlimited amount of Government bonds the same way they purchased and now hold the $2,000,000,000.

IDLE GOLD IN HILLS OF KENTUCKY SHOULD BE USED TO FINANCE WAR DEBT

Why should the people be forced to pay $2 for every $1 the Government uses, when it has approximately $23,000,000,000 in idle gold that can be used to finance a debt in the orthodox way that would be equal to more than $240,000,000,000?

$125,000,000,000 DEBT MEANS A DEBT TWICE THAT LARGE

When the Government issues interest-bearing bonds, it finally pays as much in interest as it pays on the principal by the time the bonds are paid in full. Therefore, a $125,000,000,000 debt means a debt of $250,000,000,000 by the time it is paid, or even more.

Congress can and should require the Secretary of the Treasury to deliver non-interest-bearing bonds to the Federal Reserve banks and require the Federal Reserve banks to give the Government credit therefor instead of paying $25,000,000 a year interest on every $1,000,000,000 borrowed. The $25,000,000 will be paid each year on the principal of the $1,000,000,000 in bonds. In that way the entire amount of the bonds can be paid over a period of years at a cost to the taxpayers of less than 50 percent of what they would have to pay under the present system, which would be less inflationary than interest-bearing bonds because they would be retired earlier.

This proposal is sound. It was thoroughly discussed in the testimony before the Banking and Currency Committee when the price-control bill was under consideration.

It is a simple question of the Government using its own gold to save interest, or permitting the banks to use it free of charge, along with the Government's credit free, and collect interest from the Government.

The Members of Congress will do the people a great disservice for the next 100 years unless this Government bond racket is stopped.

BANKS CREATE MONEY

No informed person can dispute the fact that commercial banks that accept deposits, when they buy Government bonds, create out of thin air the money with which to buy those bonds. No informed person will dispute that fact. Everyone who has ever studied the question admits it and acknowledges it.

IF MONEY TO BE CREATED, GOVERNMENT SHOULD CREATE IT WITHOUT INTEREST

So the point is, if money is to be created for the purpose of paying the cost of this war, should the people and the taxpayers and the Government pay private commercial banks to create the Government's own money, when that privilege is exclusively the Government's under the Constitution of the United States, and the duty rests upon the Congress to see that it is complied with?

BILL PROPOSED TO STOP SOME INTEREST PAYMENTS

May I humbly invite your attention to a discussion of that subject which is in the RECORD of February 2, 1942? It contains a discussion of a bill which I introduced some time ago providing for the Federal Reserve banks to advance the money on Government non-interest-bearing bonds for the purpose of paying the cost of this war. Every person who has given this question thought, I believe, will say that this national debt, at the end of the emergency, if it continues as long as we expect it to continue, will certainly be around $150,000,000,000, including our present debt, if not more than that. If we pay 4 percent interest on that enormous debt, as many prominent people in official positions are advocating today, that means $6,000,000,000 a year interest, and it will be impossible for the people to pay that much interest and the running expenses of this Government; which will mean that the people of this Nation will be in perpetual bondage or there will be repudiation of the national debt.

MAKE PAYMENTS ON PRINCIPAL OF BONDS INSTEAD OF ON THE INTEREST

Now, there is a way to escape that situation, and an orthodox way to escape it, by paying a certain amount each year on the principal of the bonds, instead of paying it as interest. The proposal that has been brought forward is that if the Government needs a billion dollars in money, the Government, through the Secretary of the Treasury, issues a billion dollars of non-interest-bearing notes, and distributes those notes among the 12 Federal Reserve banks in proportion of their resources, of course, and receives credit for the United States Treasury to the amount of $1,000,000,000. Then every year instead of paying 4-percent or 3-percent interest, as we are doing today, pay 3 percent on the face of the bonds, on the principal. In that way you will reduce the bonds every year, and the inflation becomes less severe, every year less inflationary, and in 33⅓ years the entire public debt will be liquidated. If you do not do that and pay 3-percent interest—and we will never be able to pay more than just the interest—at the end of 33⅓ years we will still owe the billion dollars, just like at the end of 33⅓ years we will still owe the $150,000,000,000—perpetual bondage for the people.

USE GOVERNMENT CREDIT INSTEAD OF FARMING IT OUT TO BANKS FREE

In order to do what I suggest you will use the credit of the Nation instead of farming it out absolutely free to the private commercial banks of this country. If you desire to use the $23,000,000,000 in gold that we have that is now idle and unused as backing for those bonds, you can do that.

May I suggest to you that if the Government issues non-interest-bearing bonds and places them with the Federal Reserve banks, as has been suggested, the backing behind those bonds will be exactly the same as if the Government had issued a billion dollars of 3-percent bonds and placed them with the 12 Federal Reserve banks.

If there is any person within the sound of my voice who can say that the security will be less, I will yield to him now for that purpose. But no one can say it. There is exactly the same security behind each.

So why should this Congress sit idly by and place our people in perpetual bondage just because some person might say that the best way to get money is to have it created by the commercial banks and pay them an interest rate for its creation?

PEOPLE WILL EVENTUALLY BLAME US

May I suggest to you that the people of this country one of these days will blame you. They will blame me. They will blame the entire Congress and the administration for sitting idly by and letting these 50-year bonds, providing for 2 and 3 percent interest and more, be issued and sold to the American people.

I am in favor of selling Defense bonds to individuals and corporations that do not create the money with which to buy them. I favor that very much, because it has a tendency to retard or cut down or stop inflation. But I am very much opposed to the sale of interest-bearing bonds to money-creating corporations. To date the commercial banks have done an excellent job. I am not trying to destroy commercial banks. They are very necessary and highly desirable institutions. The stockholders of all the banks in the Nation have invested $8,000,000,000 only. That is all they would lose if every bank were to close its doors. Upon that investment they have already loaned the Government $21,000,000,000, upon which they are receiving interest annually. In addition to that, they have made loans and investments aggregating about $10 to every $1 that they have.

I am not objecting to that, let them do it, it is in the interest of the country, especially certain sections of the country, at times to have a bank expansion; but why permit them to lend 20-to-1, or 30-to-1, or 40-to-1, or 50-to-1 when the loan is made upon the credit of this Nation? I express the hope that this Congress will stop the use of our Government's credit free and the forcing of this Government to pay an annual tribute of billions of dollars upon this war debt and place our people in perpetual bondage.

WILL COST GOVERNMENT $100,000,000,000 TO PAY DEBT OF $50,000,000,000

Mr. Chairman, our Government debt at this time is approximately $50,000,000,000. By the time that is paid it will aggregate $100,000,000,000. When we talk about a debt of a certain size we should double the amount if we want to keep in mind what will actually have to be paid before the debt is liquidated.

This amount of 100 percent is due to the interest charges. I am not opposed to individuals and corporations paying interest. They should pay interest for the use of money that they hire from other people, but when our Federal Government, that has the exclusive power to create money, creates that money and then goes into the open market and borrows it and pays interest for the use of its own money, it occurs to me that that is going too far. I have never yet had anyone who could, through the use of logic and reason, justify the Federal Government borrowing the use of its own money.

For the first 125 years of our country's existence the national debt was small. It was only about $3,000,000 a year—very small. The interest charges amounted to a very insignificant sum, excepting during the War between the States, when the national debt ran up to twenty-five or thirty million dollars. But that was only for 2 or 3 years, and it was small in comparison. However, since the World War in 1917-18, our national debt has been large, and today we are paying at the rate of over $1,500,000,000 a year interest on our Government obligations.

GOVERNMENT SHOULD NOT ISSUE INTEREST-BEARING BONDS

It is true that if we contract a debt we should pay it. If the Government sells bonds, the Government should pay those bonds. If the Government promises to pay interest at a certain rate on those bonds, the Government should carry out its obligation. But I am saying to you in all sincerity and with all the earnestness that I possess, it is absolutely wrong for the Government to issue interest-bearing obligations. It is not only wrong, it is extravagant. It is not only extravagant, it is wasteful. It is absolutely unnecessary.

A short time ago Mr. Henry Morgenthau, Secretary of the Treasury, was on the witness stand before the Committee on Banking and Currency on the price-control bill. I asked him questions about this. It is in the hearings, commencing at page 1005. Mr. Morgenthau admitted in this testimony that if the Government were to issue $1,000,000 in bonds and sell those bonds which are non-interest-bearing and delivered those bonds to the 12 Federal Reserve banks and received credit for them, that he, as Secretary of the Treasury, could then issue the same kind of checks against that money, and the people receiving the checks would receive the same kind of money as if he had issued a million dollars in bonds and sold them to the commercial banks of the country and agreed to pay the commercial banks a certain rate of interest. It would not increase the money supply one penny. Anyone who argues that it is inflationary does not know what he is talking about. It is not inflationary. It is not nearly as inflationary as our present system of selling bonds and paying interest as much as you pay principal.

I have in my possession a letter from the Secretary of the Treasury, Mr. Morgenthau, in reply to a letter I had written to him. I asked him how much the Government would pay in interest charges on the $758,900,000 4¼-percent Treasury bonds that are payable in 1947 to 1952. His reply was that the amount would be about $967,700,000. Now, mind you, that is where we issued those bonds during the World War, amounting to $758,000,000, and we are paying in interest on those bonds, in addition to the principal, $967,700,000.

Now, take the Panama Canal bonds. They amounted to a little less than $50,000,000—$49,800,000. By the time they are paid the Government will have paid $75,000,000 in interest on bonds of less than $50,000,000. So the Government is paying out $125,000,000 to obtain the use of $49,800,000. That is the way it has worked all along. That is our policy. That is our system. The question is, should that policy be continued? Is it sane, is it reasonable, is it right, or is it wrong? If it is wrong, it should be changed.

FEDERAL RESERVE PRIVATELY OWNED

We have today about $23,000,000,000 in gold. This gold is, of course, owned by the Government—title to it is in the Government. Many people say the Federal Reserve banks own it, but they do not own it. Congress passed a law saying that the right, title, and interest in and to that gold is in the Government, but for convenience and in order to carry out this present monetary policy, the Treasury has issued what is known as gold certificates and has turned over to the Federal Reserve banks these gold certificates. So today we hold about $23,000,000,000 in gold. Under the old system of issuing $2.50 in currency to every $1 of gold on the theory that a 40-percent gold base would always be safe, you could take that $23,000,000,000 of gold and issue two and one-half times that much money under our present system. This would amount to fifty-seven or fifty-eight billions of dollars that could be issued on that gold; and then the banks receiving the money could issue all the way from 7 to 10 to 1. You can thus see what a great potential threat of inflation is there if it were exercised, but it will not be exercised, because the people who have charge of the monetary system will not permit it to be exercised.

The point I want to try to make is that the 12 Federal Reserve banks have in their custody these gold certificates which are used the same as gold, which are sufficient to more than pay off the entire national debt. I am not advocating that this be done quickly or suddenly. I am not advocating that any change like this be made quickly, for it would probably be disturbing to the country; but if the Government owned these 12 Federal Reserve banks, as it should—they should be just as much a part of this Government as the Treasury itself—then eventually the national debt could be absorbed by them and this interest burden could be taken off our shoulders.

UNITED STATES SOVEREIGN

No city is sovereign because it has superiors, the State and the National Government. A State is not sovereign because it has a superior in the National Government. The National Government is sovereign because it has no superior in the form of a government, and the National Government has the power to create its own credit upon which no interest should be paid instead of farming out that great privilege to the private banks of the country.

The Clerk read as follows:

SEC. 6. Section 4 of the Public Debt Act of 1941 (Public, No. 7, 77th Cong., 1st sess.), is hereby amended to read as follows:

"SEC. 4. (a) Interest upon obligations, and dividends, earnings, or other income from shares, certificates, stock, or other evidences of ownership, and gain from the sale or other disposition of such obligations and evidences of ownership issued on or after the effective date of the Public Debt Act of 1942 by the United States or any agency or instrumentality thereof shall not have any exemption, as as such, and loss from the sale or other disposition of such obligations or evidences of ownership shall not have any special treatment, as such, under Federal tax acts now or hereafter enacted; except that any such obligations which the United States Maritime Commission or the Federal Housing Administration had, prior to March 1, 1941, contracted to issue at a future date, shall when issued bear such tax-exemption privileges as were, at the time of such contract, provided in the law authorizing their issuance. For the purposes of this subsection a Territory, a possession of the United States, and the District of Columbia, and any political subdivision thereof, and any agency or instrumentality of any one or more of the foregoing, shall not be considered as an agency or instrumentality of the United States.

"(b) The provisions of this section shall, with respect to such obligations and evidences of ownership, be considered as amendatory of and supplementary to the respective acts or parts of acts authorizing the issuance of such obligations and evidences of ownership, as amended and supplemented.

"(c) Nothing contained herein shall be construed to amend or repeal sections 114 and 115 of the Revenue Act of 1941."

Mr. KEEFE. Mr. Chairman, I move to strike out the last word. I take this time because I endeavored to obtain time prior to the reading of this last section, in order that I might ask the gentleman from Texas [Mr. PATMAN] a question or two with respect to his proposal. As I understand the law, the Congress created the Federal Reserve banking system, and contained in that law is a provision that requires each member bank to subscribe for stock in the Federal Reserve System in proportion to the amount of its deposit liability or its capital structure, it may be one or the other. The Federal Reserve Act provides that out of the profits of its operation there shall be paid a maximum of 6 percent per year upon the stock of the member banks, which dividend shall be cumulative, and up to the present time has been paid. There are no back dividends accumulated. The law formerly provided that profits above that amount realized by the Federal Reserve Banking System should be paid into the Treasury of the United States, and at the present time, through amendment of that provision of the law, it provides that the profits above those which are allocated to pay the expenses of the operation, plus the 6 percent maximum dividend upon the stock of member banks, shall be paid into the surplus and be retained in the surplus of the Federal Reserve Bank System. In the event of the dissolution of the Federal Reserve

Bank System, all assets of the System, after payment of its obligations, become the property of the United States Government, and shall be paid into the Treasury of the United States Government. The question I ask is whether or not it is not academic, therefore, to discuss the question as to the huge profits that are being made by the Federal Reserve banks through the use of the credit of the United States in issuing and printing currency, when, as a matter of fact, any profit beyond those necessary to pay 6 percent interest to the member banks upon their investment in the Federal Reserve bank, plus the actual operating expenses of the bank itself, belong to the United States Government. It is clear that, however huge the profits made by the Federal Reserve Bank System may be, whether the gentleman's proposal is right, proper, or wrong, whatever profits are made above those profits and the allocation of them, as I have indicated, belong to the United States Government, under existing law.

Mr. PATMAN. The gentleman is wrong in saying they belong to the United States Government under existing law for just the reverse is true. Originally the profits would flow into the Treasury for the use of its credit.

Mr. KEEFE. Well, Mr. Chairman, if the gentleman says I am wrong, then he is not familiar with the law, because only yesterday I received a specific memorandum from the Treasury Department on this specific question, and I have the law incorporated in that memorandum and shall be glad to place it in the RECORD. I say that I am absolutely right, and the law so provides.

Mr. PATMAN. The answer to the first question is no. If on dissolution, if you say they will ever be dissolved, the profits do not belong to the Government, the answer is yes, but no one thinks they will be dissolved.

Mr. KEEFE. Then, may I ask this question: Is it not perfectly academic and simple to argue about the profits of the Federal Reserve System when the fact is that under existing law all realized profits become part of the surplus of the Corporation and cannot be used for the payment of dividends above the maximum 6-percent rate? Congress has the plain, simple power——

Mr. PATMAN. Oh, yes; the power.

Mr. KEEFE. To again provide that profits of the Federal Reserve System shall be turned directly into the Treasury. So, to me, it is what the President once described as "tweedledum" and "tweedledee." If the Federal Reserve System makes a lot of money, it still belongs to the United States Treasury.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with recommendation that the bill be passed.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COCHRAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 6691, and had directed him to report the same back to the House with the recommendation that it do pass.

Mr. COOPER. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DOUGHTON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 367, nays 0, not voting 64, as follows:

[Roll No. 36]

YEAS—367

Allen, Ill.	Crowther	Harris, Va.
Allen, La.	Culkin	Hart
Andersen, H. Carl	Cunningham	Harter
Anderson, Calif.	D'Alesandro	Hartley
Anderson, N. Mex.	Davis, Ohio	Healey
Andresen, August H.	Davis, Tenn.	Hébert
Andrews	Day	Heidinger
Angell	Delaney	Hendricks
Arends	Dewey	Hess
Baldwin	Dickstein	Hill, Colo.
Barden	Dingell	Hill, Wash.
Barnes	Dirksen	Hinshaw
Bates, Ky.	Disney	Hobbs
Baumhart	Ditter	Hoffman
Beckworth	Domengeaux	Holbrock
Beiter	Dondero	Holmes
Bell	Doughton	Hook
Bennett	Downs	Hope
Blackney	Duncan	Houston
Bland	Durham	Hull
Bloom	Dworshak	Hunter
Boehne	Eaton	Imhoff
Boggs	Eberharter	Jackson
Boland	Edmiston	Jacobsen
Bonner	Elliot, Mass.	Jenkins, Ohio
Boren	Elliott, Calif.	Jennings
Boykin	Ellis	Jensen
Bradley, Mich.	Elston	Johns
Bradley, Pa.	Engel	Johnson, Calif.
Brooks	Faddis	Johnson, Ind.
Brown, Ga.	Fellows	Johnson, Luther A.
Brown, Ohio	Fenton	Johnson, Okla.
Bryson	Fish	Johnson, W. Va.
Buck	Fitzgerald	Jones
Buckley, N. Y.	Fitzpatrick	Jonkman
Bulwinkle	Flaherty	Kean
Burch	Flannagan	Kee
Burdick	Fogarty	Keefe
Burgin	Folger	Kelley, Pa.
Butler	Forand	Kelley, Pa.
Byrne	Ford, Leland M.	Kennedy, Martin J.
Canfield	Ford, Miss.	Kennedy, Michael J.
Cannon, Mo.	Ford, Thomas F.	Keogh
Capozzoli	Gale	Kerr
Carlson	Gamble	Kilday
Carter	Gathings	Kinzer
Cartwright	Gearhart	Kirwan
Case, S. Dak.	Gehrmann	Klein
Casey, Mass.	Gerlach	Knutson
Celler	Gibson	Kocialkowski
Chapman	Gifford	Koppleman
Chenoweth	Gilchrist	Kunkel
Chiperfield	Gillette	Lambertson
Clark	Gillie	Landis
Clason	Gore	Lane
Claypool	Gossett	Lanham
Clevenger	Graham	Larrabee
Cluett	Granger	Lea
Cochran	Grant, Ala.	Leavy
Coffee, Nebr.	Grant, Ind.	LeCompte
Coffee, Wash.	Green	Lesinski
Cole, N. Y.	Gregory	Lewis
Collins	Guyer	Ludlow
Colmer	Gwynne	Lynch
Cooley	Haines	McCormack
Cooper	Hall, Edwin Arthur	McGehee
Costello	Hall, Leonard W.	McGregor
Cox	Halleck	McIntyre
Cravens	Hancock	McLaughlin
Crawford	Hare	McLean
Creal	Harness	McMillan
Crosser	Harrington	Maciejewski
	Harris, Ark.	Maciora
Mahon	Randolph	Starnes, Ala.
Manasco	Rankin, Miss.	Steagall
Mansfield	Rankin, Mont.	Stearns, N. H.
Martin, Iowa	Reece, Tenn.	Stefan
Martin, Mass.	Reed, Ill.	Stevenson
Mason	Reed, N. Y.	Sullivan
May	Rees, Kans.	Sumner, Ill.
Meyer, Md.	Rich	Sutphin
Michener	Richards	Sweeney
Mills, Ark.	Rivers	Taber
Mills, La.	Rizley	Talbot
Monroney	Robertson, N. Dak.	Talle
Moser	Robertson, Va.	Tarver
Mott	Robinson, Utah	Tenerowicz
Mundt	Robsion, Ky.	Terry
Murdock	Rockefeller	Thill
Murray	Rockwell	Thom
Nelson	Rodgers, Pa.	Thomas, N. J.
Nichols	Rogers, Mass.	Thomas, Tex.
Norrell	Rogers, Okla.	Thomason
Norton	Rolph	Tibbott
O'Brien, Mich.	Romjue	Tinkham
O'Brien, N. Y.	Russell	Traynor
O'Connor	Sabath	Treadway
O'Hara	Sacks	Van Zandt
O'Leary	Sanders	Vinson, Ga.
Oliver	Satterfield	Vorys, Ohio
O'Neal	Sauthoff	Wadsworth
O'Toole	Schuetz	Ward
Pace	Schulte	Wasielewski
Paddock	Scott	Weaver
Patman	Secrest	Weiss
Patrick	Shafer, Mich.	Welch
Patton	Shanley	Wene
Pearson	Sheridan	Wheat
Peterson, Fla.	Short	White
Peterson, Ga.	Sikes	Whittington
Pfeifer, Joseph L.	Simpson	Wickersham
Pheiffer, William T.	Smith, Maine	Wigglesworth
Pierce	Smith, Ohio	Williams
Pittenger	Smith, Pa.	Wilson
Plauché	Smith, Va.	Winter
Ploeser	Smith, Wash.	Wolcott
Plumley	Smith, W. Va.	Wolfenden, Pa.
Poage	Smith, Wis.	Wolverton, N. J.
Powers	Snyder	Woodruff, Mich.
Priest	Somers, N. Y.	Woodrum, Va.
Rabaut	Sparkman	Wright
Ramspeck	Spence	Young
	Springer	Youngdahl
		Zimmerman

NAYS—0

NOT VOTING—64

Arnold	Heffernan	O'Day
Barry	Howell	Osmers
Bates, Mass.	Izac	Ramsay
Beam	Jarman	Sasscer
Bender	Jarrett	Scanlon
Bishop	Jenks, N. H.	Schaefer, Ill.
Bolton	Johnson, Ill.	Scrugham
Buckler, Minn	Johnson, Lyndon B.	Shannon
Byron	Kefauver	Sheppard
Camp	Kelly, Ill.	South
Cannon, Fla.	Kilburn	Stratton
Cole, Md.	Kleberg	Sumners, Tex.
Copeland	Kramer	Tolan
Courtney	McGranery	Vincent, Ky.
Cullen	McKeough	Voorhis, Calif.
Curtis	Maas	Vreeland
Dies	Magnuson	Walter
Douglas	Marcantonio	West
Drewry	Merritt	Whelchel
Englebright	Mitchell	Whitten
Fulmer	Myers, Pa.	Worley
Gavagan		

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Camp with Mr. Bolton.

Mr. Jarman with Mr. Stratton.

Mr. Kelly of Illinois with Mr. Vreeland.

Mr. Drewry with Mr. Maas.

Mr. South with Mr. Howell.

Mr. Vincent of Kentucky with Mr. Englebright.

Mr. West with Mr. Bishop.

Mr. Kleberg with Mr. Kilburn.

Mr. Cannon of Florida with Mr. Osmers.

Mr. Sumners of Texas with Mr. Douglas.

Mr. Kefauver with Mr. Johnson of Illinois.

Mr. Merritt with Mr. Curtis.

Mr. Cole of Maryland with Mr. Jenks of New Hampshire.

Mr. Dies with Mr. Bates of Massachusetts.

Mr. Cullen with Mr. Jarrett.

Mr. Beam with Mr. Copeland.

Mr. Fulmer with Mr. Bender.

Mr. Courtney with Mr. Buckler of Minnesota.
Mr. Whelchel with Mr. Marcantonio.
Mr. Gavagan with Mr. Mitchell.
Mr. Arnold with Mr. Izac.
Mr. Barry with Mr. Tolan.
Mr. Kramer with Mr. Walter.
Mr. Whitten with Mrs. Byron
Mr. McGranery with Mr. Myers of Pennsylvania.
Mr. McKeough with Mr. Shannon.
Mr. Ramsay with Mr. Sasscer.
Mr. Lyndon B. Johnson with Mr. Magnuson.
Mrs. O'Day with Mr. Voorhis of California.
Mr. Scrugham with Mr. Sheppard.
Mr. Scanlon with Mr. Schaefer of Illinois.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to insert in the RECORD my own remarks and to include therein a letter from a boy who is entering the armed service of this country.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. tomorrow. I may say the first order of business will be consideration of the resolution extending the Dies committee, if the Rules Committee reports that out, which I understand it has. Then the Department of Agriculture appropriation bill will continue.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MAY. Mr. Speaker, reserving the right to object, I would like to ask the majority leader when we may hope to get to the Women's Auxiliary Corps bill?

Mr. McCORMACK. The Rogers bill will follow the conclusion of the Department of Agriculture appropriation bill.

Mr. MAY. That is the one we have been on so long. Can the gentleman tell me when we will finish that?

Mr. McCORMACK. I cannot say. The Rogers bill will be taken up as soon as the appropriation bill is concluded. I hope it will be the day after tomorrow.

Mr. MAY. Well, I would like to get something definite.

The SPEAKER. The Chair understood the gentleman from Massachusetts to state it would be taken up immediately following the Department of Agriculture appropriation bill.

Mr. McCORMACK. That is correct. When the Department of Agriculture appropriation bill will be finished, I do not know. The Rogers bill will follow that appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday may be dispensed with this week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SPECIAL COMMITTEE TO INVESTIGATE UN-AMERICAN ACTIVITIES

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 420, Rept. No. 1884) to continue the investigation by the Special Committee to Investigate Un-American Activities, which was referred to the House Calendar and ordered printed:

Resolved, That the Special Committee to Investigate Un-American Activities is authorized to continue the investigation begun under authority of House Resolution 282 of the Seventy-fifth Congress, and continued under House Resolution 26 of the Seventy-sixth Congress, and continued under House Resolution 321 of the Seventy-sixth Congress, and continued under House Resolution 90 of the Seventy-seventh Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 282 of the Seventy-fifth Congress and shall report to the House as soon as practicable, but not later than January 3, 1943, the results of its investigations, together with its recommendations for necessary legislation.

ADDITIONAL ORDNANCE FOR THE UNITED STATES NAVY

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 447, Rept. No. 1885), providing for the consideration of the bill (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes, which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of S. 2249, a bill authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE LATE HONORABLE JOSEPH T. DEAL

Mr. HARRIS of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRIS of Virginia. Mr. Speaker, it is with sincere regret that I announce the death of a former distinguished Member of this House from the Second District of Virginia, Hon. Joseph T. Deal.

Mr. Deal passed away at his home at Norfolk on last Saturday morning, 4 hours after suffering a stroke of paralysis. He had been ill only a short time previously, despite his advanced age. He was 81 years old.

Mr. Deal served four terms in this House, from 1921 to 1929. Previously he had served in both branches of the General Assembly of the State of Virginia. He always took an active and leading part in political and governmental affairs in Virginia, and he was a successful businessman. Throughout his long career he enjoyed an established reputation for courageous and independent thinking, and for sound, conservative judgment and action, which won for him a place in the history of our Commonwealth and the Second District of Virginia that time will not dim.

His sudden passing was a distinct shock to his many friends among whom I proudly numbered myself. He will be sorely missed. His memory ever will remain fresh in the minds and hearts of his people.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks on the bill just passed and include short excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, in one to include an article by Dr. Hopson Owen Murfee, and in the other a speech by the Honorable Hugh Grant.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent that on Monday next I may be permitted to address the House for 15 minutes after the disposition of the legislative business for the day and other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LONGEVITY PAY FOR POSTAL EMPLOYEES

Mr. ROMJUE. Mr. Speaker, I submit a conference report and statement on the bill H. R. 1057, "An act to establish a system of longevity pay for postal employees," for printing, under the rule.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend the remarks I made today and to include therein certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York World-Telegram of March 5.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, FISCAL YEAR 1943

Mr. SNYDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes (Rept. No. 1875), and pending that I would like to see if we could arrive at a limitation of debate.

Mr. POWERS. Mr. Speaker, I might suggest to the gentleman from Pennsylvania that general debate be limited to 1 hour, to be equally divided, and to be controlled by the gentleman from Pennsylvania and myself.

Mr. SNYDER. That is satisfactory to me.

Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 1 hour, to be equally divided and controlled by the gentleman from New Jersey and myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 6736, the War Department civil functions appropriation bill, fiscal year 1943, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SNYDER. Mr. Chairman, as a courtesy to the minority, I will let the gentleman from New Jersey use the first 5 minutes.

Mr. POWERS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, we have just voted a limit of $125,000,000,000 on the public debt. The country is engaged in the most desperate kind of struggle for its very existence and for the preservation of our liberties. It is a time when we should go all out for defense and should cut out all this boondoggling and fiddling around. I have in my hand a notice of project approval by W. P. A. for $940,106 for a project up in New York City. Let me read what the work consists of:

Promote, initiate, coordinate, supervise, and conduct music activities. Work consists of conducting performances by vocal and instrumental units and soloists; class teaching to underprivileged groups; piano tuning; maintaining library; copying, arranging, and binding music scores and folios for the use of the project; assisting in experiments in music therapy and conducting music therapy in State, county, and city hospitals, designated for military purposes; assembling and compiling data for an index of American composers; collecting, annotating and recording primitive, vernacular and indigenous music; conducting research work in the fields of music education, in the preservation of rare music, and the preparation of texts and syllabi for use in groups and community music instruction; providing leadership for choruses, bands, and other community music, for Navy and Army groups, and to assist military and civic groups in festival and other community activities; giving professional and technical advice to cooperating agencies, to other Work Projects Administration projects, and to public institutions; providing professional leadership in music in regions lacking adequate musical opportunities, initiating and conducting music appreciation and demonstration programs; conducting lectures and panel and forum discussions on music as an art and as a social agency; and supervising the work of composers in the preparation of texts and compositions.

Mr. Chairman, is it not about time that those in charge of our Government come to realize that we are at war? Is it not about time that we quit this fiddling around and get down to business and appreciation of our responsibilities? I am sick of having governmental organizations engage in this kind of effort. I think the House has gone on record as opposing that kind of fiddling around when we ought to be buying bombers to take care of our boys who are going out to fight.

Mr. BARDEN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from North Carolina.

Mr. BARDEN. May I ask the gentleman if the sponsor's name of that project is known?

Mr. TABER. The mayor of the city of New York.

Mr. BRADLEY of Michigan. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. How much money is involved in that?

Mr. TABER. Nine hundred and forty thousand dollars of Government funds; enough to buy three first-class bombers to protect our boys at the front.

Mr. EDMISTON. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from West Virginia.

Mr. EDMISTON. I want to add my protest along with the gentleman's. The W. P. A. just authorized a project in my State of West Virginia for $407,000 for the same kind of foolishness.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is this the same mayor of New York who recently resigned as head of the O. C. D.?

Mr. TABER. Yes; and the same one who told us that he would not appoint some of these boondogglers when he appeared before our committee.

Mr. CASE of South Dakota. Apparently he has transferred the activities of the O. C. D. to New York City.

Mr. TABER. I do not know. It is bad anyway, and we ought to stop it.

Mr. BARDEN. Does the gentleman mean that project has actually been approved and signed by the President?

Mr. TABER. I think that the project has been approved. This is a notification of project approval.

Mr. BARDEN. The reason I am so insistent is because it is difficult for me to believe that any such thing could happen in times like these.

Mr. TABER. It is hard for me to understand, too. I just cannot. I hope we will get to the point where we will go all out for defense and cut all this out.

Mr. CASE of South Dakota. What is the date of the approval?

Mr. TABER. March 5, 1942.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I yield myself 17 minutes.

Mr. Chairman, this is labeled a civil-functions bill, but you will find that such a title lightly applies, now that we are at war.

The nondefense phases are limited to cemeterial expenses, the Alaska Communication Commission, and the local Soldiers' Home. These call for a total, as we have approved them, of $2,027,716, out of a total of more than $350,000,000.

Cemeterial expenses are limited to normal outlays. The war load will be financed out of military funds. The same may be said of the Alaska communication system. This bill merely provides for nondefense traffic.

Navigation, flood control, power, and the Panama Canal, either wholly or partly, fall into the defense category.

True, we have projects under way, both rivers and harbors and flood control, initiated prior to the emergency that we very probably would not initiate today, but to the extent that they can be proceeded with without drawing upon needed defense materials, economical procedure would seem to justify such a course. As a matter of fact, we know that impingement will not be permitted because the matter will be controlled by priorities.

Of course, we all know that flood control, whether multiple purpose or for protection alone, has defense value in any area where floods might tie up production facilities, transportation of raw materials and of troops and munitions, or seriously interfere with agriculture. It is to be regretted, in my judgment, that we have not accomplished more protection against that unpredictable source of trouble. There have been authorized thus far 485 flood-control projects, at a total cost of $930,400,000. Eighty-seven have been completed at a total Federal cost of $35,416,000. Construction is now in process on about 120.

This bill carries $350,650,826. It is approximately $86,000,000 more than we have provided thus far for the current fiscal year. I get the $92,000,000 by omitting, for comparative purposes, the $35,000,000 appropriated for the current fiscal year for the new War Department Building. The Budget has charged that amount up as a civil-functions expense.

That increase—$86,000,000—which is a net amount, is responsive mainly to three factors:

First. We started 7 multiple-purpose flood-control projects in the third supplemental national defense appropriation bill, 1942, which were stamped as of national defense importance. To go forward with those projects requires $51,960,000.

Second. This bill provides for the initiation of 3 more flood-control projects—1 proposed in the Budget, calling for $16,700,000, and 2 proposed by the committee, calling for $1,500,000.

Third. An increase of $35,000,000, roundly, for protective works and the new locks in Panama.

The improvement projects for rivers and harbors are listed commencing at the bottom of page 4 of the report. We have added the last item, for Oswego Harbor, to close a gap in the breakwater forming the harbor. Current action in this gap or by reason of this gap creates difficult navigation conditions, delaying ship movements and sometimes causing vessels to go aground.

This gap repair item is one feature of an authorized project, which was authorized in the act approved October 17, 1940, and all of the projects in that act were expressly stated therein to be in the interest of national defense. All of them—some 17 or 18—have been provided for but this one and a project in the Boston area.

The flood-control projects are set out in the hearings, commencing on page 50 They are all going projects except this so-called Bull Shoals Reservoir in Arkansas, estimated to cost $50,500,000, for which the bill carries $16,700,000, and the Table Rock Reservoir in Missouri, estimated to cost $37,000,000, and for which the Budget proposed an appropriation of $6,500,000.

These two projects were advanced as having defense value for purposes.

The Bull Shoals project contemplates 126,000 kilowatts, yielding first power by December 31, 1944, and the amount I stated by April 30, 1945.

The Table Rock project contemplates 60,000 kilowatts, yielding first power May 31, 1945, and the amount I stated by June 30, 1946.

Of course, those dates are contingent upon the availability of material as and when needed and the rainfall in the drainage area above the reservoirs after the dams are closed.

The committee has felt constrained to eliminate the Table Rock project, and for this reason: Bull Shoals and Table Rock are but two projects in the authorized comprehensive plan for the White River Basin. Two other projects are in course of construction in such basin, namely, the Clearwater Reservoir project in Missouri, and the Norfolk Reservoir project in Arkansas, and, I might say, the comprehensive plan contemplates still other work. There has been authorized to be appropriated for the whole basin $49,000,000. Including funds already allocated and the amounts in the Budget for the four projects I have named, we arrive at a total that would run appropriations beyond such authorized amount to the extent of $2,105,000. Something, therefore, had to give way, and the committee decided to eliminate the $6,500,000 for initiating the Table Rock project. Unquestionably, as between Bull Shoals and Table Rock, the former is the more meritorious.

The committee has added two flood-control projects to the bill, and I am sure all will agree that they are of prime importance to national defense. Let me read to you what we say in our report about them:

> The committee is proposing an appropriation of $1,200,000 for commencing the Louisville, Ky., flood-control project, and $300,000 for commencing the New Albany, Ind., flood-control project, both authorized in the Flood Control Act approved June 28, 1938. The former is estimated to cost, to complete, around $7,000,000, and the latter $3,370,000.
>
> The Congress provided $800,000 in the current War Department Civil Functions Appropriation Act for commencing the Louisville project. That appropriation has been administratively impounded. It is the considered judgment of the committee that these two projects should have been commenced when this area was first turned to as a part of the arsenal of democracy. Louisville, Jeffersonville, and New Albany are right together in an area that was inundated for days during the 1937 flood. Highways, bridges, railroads, river transportation, all were out of use. National defense preparation has meant turning to these localities for a very considerable production of defense articles for both the Army and the Navy. Many plants have been built and others are in course of establishment. Protection is under way for the Jeffersonville area, but Louisville and New Albany continue to remain exposed. The committee is advised that in the city of Louisville there are 163 manufacturing and supply plants engaged upon national defense work and that 75 percent of them would be flooded out by a large flood and the other 25 percent practically forced to abandon operations. All, however, may be compelled virtually to shut down because of flooded avenues of approach. That applies with equal force to the Jeffersonville and New Albany sections. The projects would seem to be perfectly adapted to the President's criteria that no public works projects, including those for the improvement of rivers and harbors and flood control, should be initiated unless they are definitely important to the national-defense program.

Another addition we have made under the flood-control head is $1,000,000 for completing advance planning on authorized flood-control projects to be initiated at some future time. In other words, to get projects in readiness to start immediately as and when funds are made available. The Budget Bureau did not allow the Chief of Engineers any funds for this purpose. He told us he could make good use of $5,000,000. We are providing one-fifth of that amount, and I think for a purpose as important as any for which the bill provides. Outside of contributing in every way at our command to winning the war, I submit our next responsibility is to be ready when that job is done with jobs—jobs on useful work for men moving out of the defense industries, and for the demobilized soldiers and sailors. There should be no delay then in looking for ways and means to effect the enormous readjustment that must occur. It is imperative, in my judgment, that we build up a backlog of worth-while projects to cushion the readjustment from war to peace.

Getting away from additions, we have taken out $500,000 included in the Budget under flood control for expenditure under the direction of the Department of Agriculture. The Department of Agriculture is tied in by law with the flood-control program in the way of making surveys in drainage areas looking to water-flow retardation and soil-erosion prevention with view to later undertaking protective or corrective measures. The Department has a force of nearly 600 people engaged in such work. There are about 578 projects and my recollection is that after more than 5 years, work upon but four watersheds has been completed to the point where improvement work actually may be undertaken.

This is an activity, it would seem, that could be very well curtailed in these times. That is admitted by the very splendid official in direct charge—a Mr. Utz.

As I said, the Budget includes $500,000 for this activity, but the Budget was made up when we were at peace.

By eliminating that amount we do not render them penniless. They will have a substantial unobligated balance continuing over into 1943, but we provide that from this date onward they may not initiate any projects, and that such work as they may do shall be directed toward completing such of the projects under way as conform with priorities specifically established by the Secretary of War and the Secretary of Agriculture.

In other words, our thought is that such work as may be done will be confined to projects where the work is in the most advanced stage. In that way, we may add, in a measure, to the backlog of projects for the post-war readjustment.

There is one other matter I wish to speak about before concluding.

We have cut out of the estimates all amounts for the purchase or exchange of passenger-carrying automobiles. That means 509 automobiles and a saving of $295,815.

We found that in the Department of Agriculture flood-control set-up they were using 306 passenger cars in the field with a force of 491 possible users. We just do not know how much of that sort of thing is going on, using tires, using gasoline, and oil, and spark plugs, and batteries, and what not, and every one a critical item. Last Thursday's papers carried the story that they may have to come to commandeering tires on privately owned automobiles.

I think we have a responsibility here to see that a proper regard is had by nondefense agencies of the automobile situation that confronts us, including accessory equipment. These nondefense agencies, even though they may be doing essential defense jobs, should be made to get along with their old cars; and cars not essential because of curtailed activities should be laid up and held in reserve for reissue wherever a real need arises.

Our information is that Ford and Chevrolet have stopped production. That may

be true as to Plymouth and other makes in the low-cost range, and, possibly, as to cars in the higher-cost brackets. What the military demand will be for cars of all types and kinds is anybody's guess. If we are going to have a 7,000,000-men Army, it is certain that the number will be prodigious.

We have written into this bill a provision barring the procurement of any passenger cars by any Federal agency except the White House proper, without the specific approval of the Secretary of War and the Secretary of the Navy. We look to those Departments to provide themselves with adequate quantities of defense articles. That is their responsibility. They, and they alone, should have the determination of whether or not their needs or the needs of some other agency are paramount. The automobile is a vital defense article in modern warfare.

Mr. Chairman, I should like to say this in conclusion: It was with much regret that we found ourselves unable to accede to the recommendations of a number of our colleagues who appeared before us in advocacy of some very worthy projects. To those who were particularly interested in flood-control projects, I want to say that the Congress has delegated to the President the determination of project priorities. We made an exception, it is true, in the Louisville and New Albany cases, which are related projects. Congress last year provided for the initiation of the Louisville project. True, the money has been administratively impounded, and that may occur again, but the committee is so convinced of the defense value of these projects that it is willing, in the language of the street, to stick its neck out again. Certainly, the responsibility will not be ours if a devastating flood should occur.

I may say that it was indicated to us by Department officials that some of the flood-control moneys may be freed owing to inability to secure necessary construction materials. If that should occur, we are advised, larger outlays than contemplated by the Budget submissions could be and probably would be made upon other projects in such submissions for work of a character not involving the use of critical materials. Some projects, in that way, may be advanced in greater measure than now appears likely.

Mr. Chairman, I feel that we have presented a sound, well-considered measure, all things considered, and I trust it may have favorable support.

Mr. POWERS. Mr. Chairman, I shall not take the time of the Committee by going into any long explanation or discourse on this bill. I think the statement the gentleman from Pennsylvania has just read fully covers it.

I am heartily in favor of the items in the bill with probably one exception. I imagine an amendment will be offered sometime during the afternoon to strike a certain project from the bill. If and when such an amendment is offered, I shall support it.

We have heard a lot this afternoon about cutting down on nondefense expenditures. Everyone seems to agree that that should be done. We shall have the opportunity before the House adjourns this afternoon to see just how serious the Members are about cutting nondefense expenditures. That opportunity will come, and I am hopeful the House will vote as they applauded and as they felt probably an hour ago.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Can the gentleman tell us on which sections those opportunities will come?

Mr. POWERS. I can; under flood control. But I do not know who will offer the amendment. If that amendment is not offered, I shall probably offer it myself.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I ask a question about the fee that is fixed on page 13, line 3, as to blood donors? It provides for payment of not to exceed $50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal hospitals.

I realize that this is the smallest item in the bill, and I hesitate to question it, but it appears to me that a fee of $50 to a blood donor is rather excessive. I am wondering what justification was offered or if there is any particular reason we should pay $50 for a blood transfusion in Panama.

Mr. POWERS. I was about to answer the gentleman from North Carolina, but I see that the chairman of the committee would like to answer it. Does the chairman wish me to answer the question?

Mr. SNYDER. Yes; you go ahead.

Mr. POWERS. Let me say to the gentleman that this amount was justified by the Governor of the Canal Zone. It probably looks excessive, and, although I am not a doctor, I will say it probably would be excessive in various parts of the United States. However, the Governor does not feel that it is excessive in the Canal Zone this money will never be few times have they paid $50. The bill reads, "not to exceed $50." Of course, there is a different situation prevailing with regard to getting transfusions in that tropical country than here in Washington or in other metropolitan centers of the mainland. I think the gentleman from North Carolina may feel assured that under Governor Edgerton of the Canal Zone this money will never be used unless it is absolutely essential.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. May I say that the white population down there upon whom they can draw for these donations of blood are very few in number.

Mr. COOLEY. Does the gentleman mean they have to fix the fee high in order to induce the donors to give the blood?

Mr. POWERS. In some cases.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not also true that the blood becomes thinner in the Tropics?

Mr. POWERS. Exactly.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentleman from Texas.

Mr. MANSFIELD. I think I am about as near an expert on matters of that kind as any person who is not a physician. I have paid for seven transfusions in the last 6 or 7 years, and I never paid more than $25.

Mr. POWERS. That is in Washington, or on the mainland. I can well understand that.

Mr. COOLEY. That was the reason I raised the question, because I know the fee here and elsewhere in the country is nothing like $50. I believe $25 is the usual fee for blood donors.

Mr. POWERS. I realize that.

Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I trust the members of the Committee will take occasion to read the portion of the hearings that deals with the justification for the various rivers and harbors and flood-control projects which are carried in this bill in the name of national defense. Some members of the committee were disturbed by the fact that the amount actually to be made available for flood control in the fiscal year 1943 is $148,485,000, which compares with $83,000,000 in 1942. The 83 figure represents a reduction of about $7,000,000 from the ninety-million appropriation made for flood control last year, because that amount was impounded. The impounded money again made available, plus the new appropriation, makes a total of $148,000,000 for flood control in the fiscal year 1943, which is $64,000,000 more than in the current fiscal year.

In order to justify reporting the bill on that basis, the members of the committee made it a particular point to ask the representatives of the Corps of Engineers for a justification. At one point I asked:

Has any recanvass been made of the projects individually?

That was with reference to whether or not the projects had been recanvassed since December 7. The estimates had gone to the Bureau of the Budget before Pearl Harbor.

General Robins replied:

We are continually going over all of our authorized projects. Whenever any defense agency has any needs that can be met under our authorized projects we have been meeting them.

Then I said further to General Robins:

It seems to me that the committee should have assurance from the Corps of Engineers that a critical study will be continued with respect to these projects, so that if the shifting of events reduces the priorities or changes

the priorities of funds, then labor and materials will be saved or applied accordingly.

General Robins replied:

You can have that assurance because we have to fight for every pound of material we get. No projects will go ahead and use materials that should go somewhere else.

Then later in testifying with respect to flood-control projects, Colonel Reber was asked whether or not he could give a specific national defense justification for every project that it was proposed to undertake. Colonel Reber said, "Yes, sir," and then listed the projects individually. On page 80 you will find his individual justification, giving the particular character of a project which brought it under the national defense rule. Members who are interested will find further testimony on this subject on pages 44 and 45.

The bill as it comes to you does represent some reduction from the Budget estimates as has been pointed out by the chairman of the subcommittee. This bill is one of the smaller bills that comes from the Appropriations Committee, but it is a very interesting bill, primarily, I think, because of the appropriations it carries for the Panama Canal. I wish Members of Congress generally could have heard the testimony given by Governor Edgerton with respect to what is going on in the Canal Zone today. A great deal of the testimony was off the record, but I recall that Governor Edgerton assured us that definite steps had been taken by the military authorities there in command to prevent anything happening in the Canal Zone similar to what happened at Pearl Harbor.

Among the smaller items in the bill is the annual appropriation for the Soldiers' Home here in Washington. It will surprise a great many Members of Congress to realize that 500 acres are devoted to operating the Soldiers' Home within the city of Washington, with 176 acres under cultivation. I do not know how many acres are devoted to the golf course.

So, at the Soldiers' Home, within the boundaries of overcrowded Washington today, we are maintaining a herd of cattle in which there are 72 milk cows. We also have 6,000 chickens out there at the Soldiers' Home within overcrowded Washington. The estimate for the operations of the dairy farm and the poultry farm for this coming year amount to $74,542. The total value of sales to the mess is estimated at $66,000. In other words, on the face of it we are operating this chicken and dairy farm out there at a loss of about $9,000. When this was called to the attention of the representatives from the Soldiers' Home they said this was because they did not charge themselves as much for eggs and milk as they ought to do. That may be, but it is a subject that ought to have careful consideration by the Congress.

Some time ago I introduced a bill which has been referred to the Public Buildings and Grounds Committee, which would create a committee on Capital clearance with specific direction that they should investigate these large acreages in the city of Washington and determine whether or not they are being put to the best use.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. HOFFMAN. Can the gentleman tell us how many soldiers are out there and how many employees and officials supervising their care?

Mr. CASE of South Dakota. The membership averages around 1,280, I understand.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. CARLSON. Several Representatives from the States of Nebraska and Kansas appeared before the committee and discussed the Harlan County Reservoir, which is located on the Republican River in Nebraska. I notice the committee did not recommend any funds for that purpose and I am wondering if the gentleman has anything to say about that.

Mr. CASE of South Dakota. The committee did give consideration to all of those projects on which Members of the House appeared. There were one or two items added where there was a critical national-defense situation and the gentleman will find some testimony on that. The project that the gentleman from Kansas mentions was not found to have sufficient critical national-defense importance.

Mr. MANSFIELD. It was not cut out on account of its name?

Mr. CASE of South Dakota. Of course, the gentleman from Texas understands I would have no prejudice against it because of its name. But we were unable to get sufficient justification from the Corps of Engineers to justify that particular project.

Mr. Chairman, a question arose during the discussion with General Reybold with regard to the contracts for construction carried on by the Corps of Engineers to which I want to call attention. I had in mind offering an amendment to the bill designed to do something about curbing war profits and war profiteers in contracts made by the War Department. I recognize that this bill deals with the civil functions of the War Department, and yet the Corps of Engineers now handles, not simply the rivers and harbors and flood-control work, but also the general construction for the War Department. Some of you are familiar with a recent decision of the United States Supreme Court in the October term in the case of the Bethlehem Steel Corporation, where the Court held, in effect, that the Government could not go back after a period of years and recapture exorbitant prices. In the concluding statement of the Court it was said:

The problem of war profits is not new. In this country every war we have engaged in has provided opportunities for profiteering, and they have been too often scandalously seized.

Then it goes on at some length and states:

But if the Executive is in need of additional laws——

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, I yield the gentleman from South Dakota 3 additional minutes.

Mr. CASE of South Dakota.

But if the Executive is in need of additional laws by which to protect the Nation against war profiteering, the Constitution has given to Congress, not to this Court, the power to make them.

There, it seems to me, is a direct challenge to Congress to meet the problem of excessive war profits, and the suggestion was made to General Reybold that we might consider placing a limitation in an appropriation bill, as follows:

That that portion of payments on contracts designated as final payments shall not be paid from funds appropriated in this act to any contractor who fails to supply a cost analysis and certificate for reimbursement satisfactory to the Secretary of War and the chief of the section of the Procurement Agency by whom the contract was negotiated and signed.

General Reybold asked for some time to consider the matter and later submitted a statement upon that in which he said that it was believed that the provision would not apply particularly well to funds in the civil-functions bill on which they advertise for bids. This, he believed, offered an adequate safeguard, but left the question open.

The Bethlehem case indicates that the responsibility belongs to Congress and the President. Any Member of Congress who is familiar with current testimony on the huge profits that are being piled up on some Army and Navy contracts must realize that Congress should do something about it.

Now, then, I hope that the Congress will not only take cognizance of that situation, but also with another situation closely related. It is the problem of wasted hours in important factories. It is well described in a letter that I received from a young man from South Dakota who is working in an aircraft factory in California, which employs some 40,000 men. He went to California for reasons of health, but under the emergency has gone to work out there. He writes me that he has no labor grievance but that—

What I as well as all my acquaintances in the plant want to know is why so much of this huge plant is allowed to lie idle in times like these as much as 72 hours a week.

He says further:

We have no wage complaint with 50 hours work per week. We get enough to live well and have a portion taken out for the purpose of buying Government bonds.

The men, if asked, he says, would gladly waive all double-time clauses, but he thinks that is used as an excuse to avoid Sunday work. He concludes:

We don't care what the hours are, we want to see the vital machinery working 24 hours a day, and if not, we want to know the reason why. We feel that someone in Congress should bring this to the attention of the country. They should know that the morale of the men toward their country is good, and toward the prosecution of the war, but in short we want to know why somewhere between 2,000,000 and 3,000,000 man-hours a week are not being used against our enemies, while our soldiers and our Allies' soldiers are losing battles because they haven't adequate air support. Surely someone somewhere is bungling and are guilty of a worse crime than either Kimmel or Short. Please give the Nation some action on this problem.

I sincerely hope that this young man's cry will stir the President and Congress to action on the great problem of getting maximum production from every essential industry.

Mr. SNYDER. Mr. Chairman, I yield 8 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. POWERS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. LANHAM. Mr. Chairman, in the few minutes at my disposal I wish to speak from the heart about a matter close to my heart, which, in my judgment, is very close also to the hearts of the American people. I refer to the delays in and the interferences with our production for national defense. We shall be grossly in error if we suppose that the people of this country are complacent about this serious situation. On the contrary, they are very deeply aroused, and it is to their credit that they are so vitally concerned. The letters coming to our desks are indicative of that intense interest.

In the district which I have the honor to represent there are numerous organizations of labor, but they are American workmen who are willing to devote themselves to the arduous task which confronts us. It is a mistaken idea to suppose that real American workers are not patriotic. They are as anxious for victory as we who sit here to legislate, but, unfortunately, in many instances, they have been subjected to the domination of subversive agents who are not sympathetic with our American form of government. In some sections these hostile agents have been able to accomplish their nefarious purpose to interrupt and thwart the production of equipment and munitions of which our brave boys at the front stand so greatly in need.

As early as the 10th of last June I made a speech in this Chamber in that regard. The situation became increasingly worse, and on the 3d day of December 1941, 4 days before the attack on Pearl Harbor, the House of Representatives passed by an overwhelming vote of almost 2 to 1 an effective measure to stop the strikes hampering our progress. That measure has reposed in another body for more than 3 months without action upon it.

We must not go the way of France. If we do, the American people and the American workmen will lose all the blessings that our Nation has gained through the years of its history. This is no time for those who serve in legislative halls to be deeply concerned with the question of whether they themselves will continue in their representative capacities or whether they will be defeated. The important thing is to be sure to see to it that America is not defeated. No man can be defeated until he sacrifices his conscientious convictions, and when he sacrifices them he is defeated even though he spends in high office the remainder of his days. This is a time when the Congress and the people and the administration and the workmen must all be loyal and typical Americans if we are to preserve for ourselves and for posterity the liberties that have come to us as a priceless heritage from the fathers.

There has been considerable discussion lately with reference to the 40-hour-week provision. I realize that most of the workmen in this country are operating under contracts and are laboring more than 40 hours a week, but there are places in this country where, if we can rely upon information we have no cause to question, there are factories idle half the time. An eminent radio commentator on yesterday called attention to such a state of affairs in the State of New Jersey. If a man's house were on fire he would not stop to look at his watch to see how long he had been working. He would proceed diligently to put out the fire and keep up his efforts until the fire was extinguished. In a very real sense, from the standpoint of our safety and security and the preservation of all we hold dear, our national house is on fire. It behooves every patriotic American to work with all his strength and vigor until that fire is extinguished.

Suppose General MacArthur should call about him that gallant, valiant band of soldiers who follow him and say to them, "Boys, we have been resisting the Japs for 40 hours this week; suppose we desist now and not take any further steps for the remainder of the week." What would be the consequence? That strategic peninsula would not now be held and that incomparable leader would not be heralded as a great American. In his own heart he would feel that such action, of which he is incapable, would be a species of treachery. Is it not a species of treachery for anyone today claiming to be a real American to fail to do whatever work he can in his field of endeavor to help our beloved country on to victory? We are facing no bullets, enduring no serious sacrifice. But we can render the important service of aiding those who are confronted daily with such hardships and hazards by sticking everlastingly to our respective tasks.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield to my friend from Tennessee.

Mr. PRIEST. I appreciate very much what the gentleman is saying. I just want to ask the gentleman if in his opinion the Nation generally has not misinterpreted the action of this House on the Smith amendment that was proposed to the war-powers bill? In other words, I believe, as reflected by my mail, that most of the people think the House is unwilling to do anything at all about the 40-hour week. I do not believe that to be the will of the House.

Mr. LANHAM. I think the House of Representatives has been receiving a great deal of criticism that it does not deserve, because more than 3 months ago it passed a very comprehensive bill dealing with various features of this situation, and no action as yet has been taken in another body on that bill.

May I call attention to the fact that they who are bearing the brunt of the conflict, the Army and the Navy, the men who are serving at the front, on the land, on the sea, and in the air, have no regard for hours and may be called upon at any time to fight the foe both day and night. We shall be recreant to our trust if we do not do all within our power to keep them equipped and fed and spurred to victory by the zeal of our own industrious and patriotic labors. Of course, the American people are not complacent. What true American could be complacent if we leave anything undone to support and succor the brave boys at the front?

America is not accustomed to defeat, and America will not be defeated unless it defeats itself. This is a time when each and every American should manifest his patriotic spirit to its deepest depths by deeds that betoken his unfaltering contribution to our righteous cause.

In God's name, my friends—and I mean in God's name, the God in whom we put our trust—let us be busy about His work to preserve the blessings of liberty, of religion, of truth, of brotherhood, the precious gifts the Almighty has vouchsafed unto us. We must not be mere passive admirers of the pioneers and patriots who gave us our wonderful history and who fought and bled and suffered hardships untold that we might have the glorious heritage of a free land. It is time for us to be their active followers, their worthy successors, to carry on in the same dauntless spirit that they exemplified. Let us try to remember Valley Forge and the suffering soldiers of the great Father of our Country who left their blood stains on the snow as with little food to nourish them and scant clothing to keep them warm they battled on for the triumph of the right. If we pause for a moment to contemplate their lot and their persevering courage, surely we shall not have any idle forges today in valleys or on hilltops in our unceasing struggle to keep for the ages the blessings of liberty their unflagging labors have won for the children of men.

Mr. SNYDER. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, it is vital to the war effort not only that we retain in this bill the Bull Shoals Dam but also that we place back in it the Table Rock Dam. Both of these projects are on the White River, Bull Shoals in Arkansas and Table Rock in Missouri. They are designed to be operated in conjunction with each other.

Both projects are contained in the program presented to President Roosevelt in July 1941 calling for an adequate power supply for the defense program. President Roosevelt, in his letter to the Speaker a few days ago, requested appropriations for both dams.

The Appropriations Committee approved and there is contained in this bill an item of $16,700,000 to carry on the Bull Shoals project during the next fiscal year. The committee, however, did not approve the Budget request for $6,500,000 to carry on the Table Rock Dam for the reason that its inclusion, in conjunction with other projects in the White River Basin, would occasion going beyond the appropriation authorization for works in such basin by $3,370,000. An understanding has been arrived at, however, whereby this amendment should be presented by a member of the Appropriations Committee appropriating $2,105,000 instead of $6,500,000 to begin Table Rock. This comes within the authorization.

Bull Shoals will cost approximately $50,000,000; Table Rock, $37,000,000. Bull Shoals will have a power capacity of 336,000 kilowatts, 126,000 of which will be firm. It will produce, if the Table Rock is built, 600,000,000 kilowatt-hours per year, 480,000,000 of which is firm—with an installation of 126,000 kilowatts.

Table Rock will have a power capacity of 120,000 kilowatts, 60,000 of which will be firm. It will produce an average of 350,000,000 kilowatt-hours per year with the 60,000-kilowatt capacity, of which 260,000,000 will be firm and it will firm up 140,000,000 kilowatt-hours additional in a private power dam known as Ozark Beach and Bull Shoals. Thus these two dams would give us an increased capacity of 880,000,000 kilowatt-hours of firm power per year.

There is a desperate power shortage in all of this area. Last year, for instance, Arkansas had to import 66 percent of all the power it consumed.

Chairman Leland Olds, of the Federal Power Commission on March 9 wrote Hon. CLARENCE CANNON, chairman of the Committee on Appropriations, a letter in which he stated:

A summation of the existing assured capacity, after allowance for minimum reserves, in this region, including new steam-electric units on order by utilities for installation this year and the new industrial generating capacity on order for installation in 1942 and future years, is 269,000 kilowatts less than the estimated power requirements in 1943, 322,000 kilowatts less in 1944, 419,000 kilowatts less in 1945, and 483,000 kilowatts less than estimated requirements in 1946. These deficiencies must be made up by a combination of additional steam-electric and hydroelectric generating capacity.

Chairman Olds went on to say:

The need for power in this southwestern area is not imaginary, but very real. Increasing difficulty is being experienced in providing power to serve loads which have already been placed. Furthermore, this region is considered particularly well adapted to the location of additional defense industry—but such expansion will be limited if adequate supply is not provided.

The Army engineers tell me that the first units in Bull Shoals can be brought into production December 31, 1944, and that the last of the initial units can be brought in by April 30, 1945.

The first of the Table Rock units can be brought in by May 31, 1945, and the last of the initial of firm power units can be brought in by June 30, 1945. These two projects together will provide a total of 2,640,000 acre-feet of flood control, nearly half enough to completely control the floods on the White River, and the average annual direct flood loss on the White is $2,180,000 a year.

With the building of these projects and the completion of Norfork for which there is an item of $11,000,000 in this bill, this Arkansas, Missouri, Louisiana, Texas, Oklahoma, Kansas area can and will make an ever increasing contribution to the war effort by supplying these tremendous quantities of new power to new war industries.

One other thing is important. Chairman Olds, in his letter to Chairman CANNON, also states:

As you know, the limitations on the manufacturers to produce land turbines have become increasingly serious on account of the necessity of pushing, to the fullest extent, the naval and maritime ship program. The same manufacturing capacity is utilized for the production of land and marine turbine equipment. For this reason it is especially desirable to install, in areas where the possibilities for the development of hydroelectric power exist, all of the hydro equipment that can be obtained, subject to the limitations of manufacture. By following this procedure, manufacturing capacity for the production of land turbine equipment can be utilized for areas where the possibilities for the production of hydro power do not exist.

I think, gentlemen, it is very important that you adopt the amendment to restore the Table Rock project.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. POWERS. When will these two dams be completed if they are left in this bill?

Mr. ELLIS. The Bull Shoals Dam will be completed, will start producing power, on December 31, 1944.

Mr. POWERS. That is 2½ years from now.

Mr. ELLIS. According to the Army engineers.

Mr. POWERS. When will it be completed?

Mr. ELLIS. The last of the initial units, that is the prime power, in Bull Shoals, will be ready on April 30, 1945.

Mr. POWERS. And the gentleman says that is a national-defense project, to be ready in 1945?

Mr. ELLIS. Oh, yes; so are these battleships that we are starting and which will not be completed until after that.

Mr. POWERS. Well, how about the other project? When will that be completed?

Mr. ELLIS. Table Rock; the initial units will be ready on June 31, 1945.

Mr. POWERS. And completion will be when?

Mr. ELLIS. The ultimate units for the peak power will be installed in 1946.

Mr. POWERS. I was inquiring because I did not know whether it was a national-defense project for this war or the next.

Mr. ELLIS. Maybe we had better complete them before the other war for this one.

Mr. Chairman, these projects will produce tremendous power; as a matter of fact, they can be ready to produce power about as quickly as some of the defense projects we are building. They will be ready to produce power about as quickly as some of the steam plants. We are building 120,000 kilowatts of steam capacity in my State now The Federal Government is building it to be fueled by the sour gas. This project will not be ready until 1944. We have a great power shortage in my area. Last year, 1940, 66 percent of all the power used in my State had to be imported, some of it from very long distances. The longer the distance, the higher the price, and that is why you might think some of it must have come from China.

This Bull Shoals, Mr. Chairman, and I am speaking of this because I assume it is the project to which the gentleman from New Jersey referred a while ago.

Mr. POWERS. That is right.

Mr. ELLIS. Intimating that probably an amendment would be offered to strike out the Bull Shoals project. This project will have a power capacity of 336,000 kilowatts. It will have an initial capacity of 126,000 kilowatts of firm power. That is equal to the present power capacity of my State today.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. HOFFMAN. Can the gentleman tell us how the two dams compare with the St. Lawrence seaway for defense purposes?

Mr. ELLIS. I think there is no comparison. I do not think you could compare them. I am on the committee that studied the St. Lawrence seaway.

Mr. HOFFMAN. The gentleman means that the St. Lawrence seaway would not be a defense project? Or would it? That is what I am getting at.

Mr. ELLIS. That would depend upon the opinion of the individual Members. I think there is no comparison between the two.

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, repeated pleas have been made here in the Chamber for the maintenance of morale. I subscribe wholeheartedly to those pleas. Were it not for the protests that have piled on my desk in the last 2 days I would not venture at this time to call the attention of the committee to a condition that has shocked not only the people of Pennsylvania but I believe the people of the country as a whole. I refer to the news that came to us on Sunday morning with reference to the destruction and abandonment of C. C. C. equipment. I hold before you the Sunday edition of the Philadelphia Inquirer. There on the front page is a picture showing truck after truck standing out in the open, allowed to rust and rot. On another page pictures disclosed other vehicles with the same lack of care.

As shocking as that in itself might be, Mr. Chairman, immediately below I find a picture of unused clothing, the like of which the article says has been burned. According to the news article, and there appears to be no denial, overcoats, shoes, blankets, and other equipment have been burned by the C. C. C. According to the press of Monday when the attention of the C. C. C. was called to the practice I understand the excuse was offered that this practice was pursued because of the vermin-infested condition of the clothing and bedding. Whether it was wantonly destroyed or whether this lame excuse vermin-infested condition caused the destruction, it seems to me that we have come to a time when negligence and poor housekeeping should receive the attention of the executive branch of the Government. If on the smaller scale of the C. C. C. camps we could not inaugurate a better housekeeping program than to make it necessary to destroy clothing and bedding because of the vermin that infested it, then what will happen if a like lack of care prevails for the boys of the Army in their camps?

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. DITTER. I yield to the gentleman.

Mr. WOODRUM of Virginia. I am wondering what the gentleman would suggest ought to be done with bedding and clothing of a C. C. C. camp that has been vermin infested?

Mr. DITTER. First of all, I think there should originally be enough housekeeping that the vermin would not be there. My impression is, the gentleman would not countenance in his own home or in his own camp conditions like this to develop. The gentleman from Virginia impresses me as a good householder. And good housekeeping, such as the thrifty, industrious householder and housekeeper in Pennsylvania practices, has no place for vermin-infested clothing and bedding.

There is no justification for the wanton destruction of clothing at any time, much less at a time such as this. No matter what its condition may be, reclamations could be made. Even though the poor housekeeping practices which prevailed in these camps permitted the vermin infestation, science certainly could afford relief without resorting to the burning of the clothing and the bedding. To attempt to excuse willful waste of this kind by either the plea that vermin were present or that no means were at hand for their extermination lends little in the way of encouragement to those who are willing to make all-out war sacrifices. Were we to do nothing else, the clothing and bedding could be reprocessed. Wool for civilian use has come under the ban of restrictions, and yet the Government itself evidences no regard whatever for its value, as woolen clothing and woolen blankets are tossed into a fire to be burned.

One restriction after another has been issued out of Washington—all predicated on the shortages of materials of one kind or another. One by one items for civilian use have been restricted. A few days ago Mr. Henderson was quoted as saying that the seizure of tires on private cars might be necessary. And yet both tires and cars in C. C. C. camps have been allowed to deteriorate. Vehicles of all kinds; trucks, tractors, and implements of other types have been allowed to weather the storms, rusting and rotting because of a wanton disregard of their worth or their possible adaptation to other needs.

I submit, Mr. Chairman, there is no excuse for practices of this kind. They cannot be excused or explained. They characterize the disregard of money which I fear has become a deep-seated philosophy in the administration of government. Spending money, not saving money, has been the dominant philosophy of the administration. Loose fiscal policies have brought us to the place where one increase after another of the public debt is contemplated. Today we reached an all-time high when an authorization of one hundred and twenty-five billions in debt was approved.

The morale of our people will not be sustained by profligacy and waste. Burning clothing, allowing trucks and tractors to rust and rot will contribute nothing to the maintenance of morale. The best stimulant that could come would be the evidence that a frugal, careful, and painstaking effort was being made by the Government to save for security. We will never waste our way to the winning of the war, and make no mistake about it, the people are getting to know that more and more every day. If our people are to stint and save, why, in heaven's name, should the Government go in the opposite direction—wasting and destroying?

Mr. Chairman, all of us are determined to do our utmost to win the war. Is it too much to ask those who administer our Government to set themselves to the same task and to use the same standards? A stubborn refusal to listen to reason and to conform to common-sense methods should not be countenanced in peacetime. It cannot be condoned in time of war.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; purchase of tools and materials; repair, maintenance, and operation of passenger-carrying motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (24 U. S. C. 279), February 3, 1879 (24 U. S. C. 280), March 9, 1906 (34 Stat. 56), March 14, 1914 (38 Stat. 768), February 26, 1929 (24 U. S. C. 280a), and April 18, 1940 (54 Stat. 142), and civilians interred in post cemeteries; for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for care and maintenance of graves used by the Army for burials in commercial cemeteries, $832,345: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed hereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, the gentleman from Virginia asked the gentleman from Pennsylvania what he would do with that clothing, intimating that nothing other than burning could be done with it, that it was of no value. Well, in our country it would have been sent to the paper mills that use old rags and make the finest of paper out of stock of that kind.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman.

Mr. WOODRUM of Virginia. The gentleman thinks that vermin-infested clothing and bedding should be sent to the paper mill?

Mr. HOFFMAN. Why, bless your heart, it does not make any difference how much vermin there is in it or how much dirt there may be in it. They might make a deduction in the weight because of the dirt. Did not the gentleman ever see them run a paper mill?

Mr. WOODRUM of Virginia. I would not want to be the workers in a paper mill that handled that kind of stuff.

Mr. HOFFMAN. Well, perhaps a good many Congressmen would not want to work in a paper mill or any other place, but those paper mills buy up these old rags. Mills in the fourth district have used tons of material like that.

Mr. ENGEL. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. ENGEL. When a regiment of infantry of the Army or of the troops uses a blanket and it is through with it they do not throw the blankets away. They sterilize them and use them again. These blankets could have been used.

Mr. RICH. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Pennsylvania.

Mr. RICH. The poor people in that locality begged the officers for those blankets, and said they would sterilize them. The officers refused to give them up.

Mr. WOODRUM of Virginia. Most of the States—I am not sure that this is true of all of the States, but it is of a great many of them—make it a specific violation of the law to sell used mattresses.

Mr. HOFFMAN. What is that?

Mr. WOODRUM of Virginia. Used mattresses for any purpose.

Mr. HOFFMAN. I was not talking about mattresses. How about blankets?

Mr. WOODRUM of Virginia. Blankets should not be destroyed.

Mr. HOFFMAN. And clothing?

Mr. WOODRUM of Virginia. Unless they are so badly infected that they should be destroyed. I know of some cases where there was nothing to do but to destroy them.

Mr. HOFFMAN. It is common practice for our paper mills to buy old rags, old clothing, and similar material. It is a common practice.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Certainly there are States that prohibit the sale or use of second-hand mattresses but there is nothing that I know of in any State law that prohibits the renovation and sterilization of other bedding material and its use second-hand.

Mr. HOFFMAN. Mr. Chairman, I yield back the balance of my time.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I do not want to take the entire 5 minutes, but I do think that as a matter of record, this responsibility should be put at the door where it belongs. Until lately the property of the Civilian Conservation Corps has been handled by the War Department and not by the C. C. C.; recently the Congress passed a law which put the surplus property of the Civilian Conservation Corps in the hands of the Bureau of the Budget. This is about as senseless a law as we have passed in some time, not barring some others of unsavory memory.

I have gone into this matter of the disposition of the C. C. C. surplus property at different times. I had this question of appalling waste come up in connection with the burning of hundreds of pounds of overshoes. I tried to run it down. I did not find the C. C. C. to blame for it because the property had been turned over to the War Department where it was burned under some old regulations. Trousers that could be worn were sterilized and then ripped up the pant leg and then sold to the Salvation Army to sew up again. This waste should be rooted out, but the responsibility should be put where it belongs.

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rather hesitate to detain the Committee, and I would not this time but for the suggestion made that the House of Representatives by having passed the so-called Smith bill in December is not at all responsible now for the strikes that obtain and for the lagging in defense production. There were almost twice as many strikes in defense industries in February 1942, the shortest month in the year, as there were in January 1942.

Mr. Chairman, the Smith amendment recently voted on provided for the suspension of the 40-hour week and for the elimination of time and a half and double time. I think we certainly made a mistake in not passing the provision of that bill, which provided for the suspension of the 40-hour week. We made a mistake because we thought that organized labor was protected and that organized labor was operating under contracts already made. We were erroneously led to believe unorganized labor would not be protected. On that very day the Congress of the United States approved a $32,000,000,000 appropriation for which no contracts had been made.

In my judgment, the profits would not inure to the general contractor, in many cases, because their contracts are negotiated and on a commission basis. The trouble is that the additional costs above 40 hours have to be paid by the taxpayers of the Nation.

I can understand the attitude of those who opposed the elimination of overtime pay and double-time pay on Sunday, but that does not justify the refusal to suspend the 40-hour week. The trouble is that by statute now, which did not obtain in the first World War, there cannot be any payment except for overtime above 40 hours, and the taxpayers of the Nation are footing the bill, for time and one-half for all work over 40 hours.

In my judgment, the House will not be without blame until we provide for the suspension of the 40-hour week to enable contracts in the future to be made for payment of overtime and to enable contracts to be made on the basis of 50-, 40,- or 44-hour weeks, as the case may be, by agreement between the employer and employees.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from New Jersey.

Mr. POWERS. Does not the gentleman admit that the President now has that power under the Walsh-Healey Act and the first Lend-Lease Act?

Mr. WHITTINGTON. I do not. The provisions of the acts expire on the first day of July 1942, applicable to the lend-lease.

Mr. POWERS. I am not thinking of the expiration date.

Mr. WHITTINGTON. I beg the gentleman's pardon. I have not replied as to the Walsh-Healey Act. Under that act there must be a determination of the Secretary of Labor, not by the President, and the Secretary of Labor has not made many determinations as to excess hours, but under the Walsh-Healey Act all hours fixed above 40 must be paid for at at least time-and-one-half-time pay.

I am saying that there will never be that production that Coordinator Nelson is calling upon the country to make until all of us, whether we speak for labor, for agriculture, or for industry, have reached the point where this Congress and this country cannot continue to make appropriations as usual and cannot continue to do business as usual, and until all of us are willing to make the sacrifices that I believe labor wants to make if they are given an opportunity, to wit, that we ourselves take away that statutory provision that now requires us to pay those who are working over 40 hours time and a half for every hour that is worked above 40 hours.

The gentleman from Texas [Mr. LANHAM] is right and the gentleman from South Dakota [Mr. CASE] is right. They have spoken about the most important question that confronts the American people today.

It is the question of production. It is the question of the cost of that production. It is the question of the taxes that must be raised and paid. It is being brought home to the American people today as we approach March 15, when income taxes must be paid. Until all of us are willing to do our duty that question will not be solved.

I extend by saying that the House of Representatives cannot salve their consciences by saying that the House passed the Smith bill in December 1941 and that it is still pending in the Senate. Until the House passes legislation to suspend for the duration of the war the 40-hour statute the House will not have done its duty. As long as that statute remains, all work above 40 hours must be paid for at time and a half overtime. That means that the costs of the war will be increased by at least 20 percent. The country is aroused. The people will not be satisfied by merely increasing the pay of the soldier. They are demanding that labor be given an opportunity to work, for the people know that we must work as well as fight to win the war.

FORTY-HOUR LIMITATION MUST BE REPEALED

The administration and the Congress have been telling the country what they were going to do about defense production since the fall of France in 1940. The country now demands evidence of actual production. Donald Nelson pleads for maximum production.

While personally I opposed the 40-hour limitation at the time it was adopted in the Fair Labor Standards Act, I recall that it was enacted so that during the depression, when there was widespread unemployment, there would be jobs for all. The reason for the statute no longer obtains. The statute itself should be suspended.

The gentleman from New Jersey [Mr. THOMAS] insists that under the Walsh-Healey Act, approved on June 30, 1936, the Secretary of Labor may make rules and regulations respecting minimum rates and maximum hours, but under the Walsh-Healey Act, which provides for 8 hours in 1 day and not in excess of 40 hours in 1 week, it is distinctly stated that if the Secretary of Labor permits an increase in maximum hours the Secretary shall set a rate of pay for any overtime, and I quote from the act:

> Which rate shall not be less than one and one-half times the basic hourly rate received by any employee affected.

Members of Congress cannot sit by in complacency, admit that there is a peril in the labor situation, and insist that the Secretary of Labor and the President of the United States can suspend wages and hours in defense industries.

When the Smith amendment was under consideration some 2 weeks ago to suspend the 40-hour week it was asserted that organized labor was protected by existing contracts and that the amendments would discriminate against unorganized labor. Organized labor was urging the defeat of the Smith amendments. There was no protest from unorganized labor. Unorganized labor pleads for a chance to work in defense plants; they are begging that they be freed from the labor racketeer; they are insisting that it is un-Americanism when any labor union can require any citizen to pay $25, $50, or any other amount to work for the defense of his country. I always beware of the Greeks bearing gifts. When the spokesmen of organized labor urged the defeat of the Smith amendment because it would discriminate against unorganized labor, to me the contention fell to the ground because the opposition to the

Smith amendment was from organized labor alone and not from unorganized labor. Unorganized labor pleads that Congress will save it from those who have obtained control of many of the labor unions. The great body of both organized and unorganized labor is patriotic. They expect Congress to free them from the domination of selfish labor leaders and labor racketeers.

As was pointed out when the Smith amendment was under consideration the first war-power bill, approved June 28, 1940, uthorizes the President to suspend the 8-hour provision and the 40-hour week, but under the Fair Labor Standards Act, which fixes the official week at 40 hours, when he does suspend there must be payment of time and a half for overtime and double pay for holidays.

The same is true with respect to the Maritime Commission. The suspension in these two acts, and they are the only acts except the Walsh-Healey Act that provide for changing the hours, expire on June 30, 1942.

It is not a question of working longer than 40 hours, but as long as the statute obtains and is not suspended labor insists that all time over 40 hours be paid for at time and a half for overtime above 40 hours.

The 40-hour week was suspended in the first World War. Frankly, the time-and-a-half provision was not suspended, but if the statutory 40-hour week is suspended then the week can be fixed as it was fixed in the first World War at 44 hours, and as I recall in many cases 48 and longer hours.

The argument against the suspension of the 40 hours that the profits would accrue to the contractor is unsound. At the most it could apply only to the comparatively few contracts that now exist. It is a matter of common knowledge that practically all war contracts were either negotiated or on a fee basis. The contractor gets his commissions or fees no matter what the cost. If the 40-hour week is suspended, therefore, whatever benefits accrue accrue to the Government and this means that they accrue to the taxpayers of the Nation.

I repeat to emphasize that on February 27, the very day the so-called Smith amendment was defeated, Congress was approving the $32,000,000,000 appropriation for the prosecution of the war. The contracts for the expenditure of this stupendous sum have not been made. Donald Nelson insists upon contracts that can be executed speedily. Competitive bidding has been eliminated. Negotiated contracts will obtain.

If laborers work longer than 40 hours under the law, as well as under the contracts of the unions with the employers, they will be paid time and a half for all work in excess of 40 hours. Income taxes are being returned. March 15 is approaching. The taxpayers know that the costs of prosecuting the war are already burdensome. They are being taxed until it hurts now The prospective taxes will be more burdensome. They are willing to be taxed, but they are unwilling for munitions and plants to cost from 20 to 100 percent more than they should cost but for a statutory provision regulating hours that was applicable to a period of widespread unemployment.

The costs are figured for straight time. The straight time is 40 hours; it should be suspended. It is said that electricians on Navy contracts get as high as $50 a day because of double-time Sunday work. I am told good shipyard foremen in Los Angeles are getting as much as $190 per week by working 70 hours.

I know that many workers in defense plants are now working longer than 40 hours, but they are being paid time and a half for time over 40 hours. The soldier in the camp is paid $21 a month and the carpenter on the job is often paid $21 a day.

I pointed out when the Smith amendment was under consideration that the amendment was carefully considered. It was asserted that it had not been considered by the Judiciary Committee. I now call upon the Judiciary Committee to consider the Smith amendment, and to report a bill that will give the House an opportunity to provide for the suspension of the 40-hour week. I now call upon the House of Representatives to do its duty and to respond to the demand of the country. Increased production will result. Workers are willing to work longer hours; they are satisfied with their pay.

The House has not done its duty, because it passed the Smith bill in December. That bill reposes in the other body; it does not provide for the suspension of the 40-hour week. It is all right as far as it goes, but the number of strikes in February 1942 was 76 percent greater than the number reported in January 1942. We had nearly twice as many strikes in February as we had in January. While the President of the United States was asking for uninterrupted production on Washington's Birthday, workers in San Francisco were on strike. While drafted farmers and laborers were serving the flag and country for $21 a month, and while they were guarding the grounds where there were workers who received $21 a day, there was a strike in California as the Japanese were shelling Pasadena.

We might as well be frank. Labor racketeers are destroying national defense. The butchery at Pearl Harbor has not stopped the epidemic of strikes. The President should speak out. The Senate should act on the Smith bill. The House should pass a bill suspending the 40-hour week.

While farmers, laborers, clerks, and students, the very flower of the young manhood of the Nation, are being drafted, they are not being sufficiently armed to protect their own lives, much less to save their country.

The supreme question confronting the American people is the increase of production for which the taxpayers are willing to pay reasonable wages, and the elimination of strikes to provide for the all-out prosecution of the war.

We recall the tragic fate of France. The United States must wake up before it is too late.

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, many of the things the gentleman from Mississippi has said are perfectly true. Certainly we all want production and want the fullest production in these serious times. But I am getting tired of sitting here day after day and having some Members get up and blame our lack of production on Congress.

As I interrogated the gentleman, all of you got the general idea of what I was driving at. The President now has the power to do anything he cares to do with the 40-hour week or anything else under the Walsh-Healey Act and under the first Lease-Lend Act. If the gentleman wants the 40-hour week suspended, why does he not get in contact with the President and say, "Mr. President, you have this power; why not do it?" Why constantly blame Congress if Congress is not to blame?

Mr. WHITTINGTON. The answer to that is that if you suspend the operations of that law you pay them overtime for every hour over the 40 hours, and until Congress repeals that law we will not have any change in the situation.

Mr. POWERS. Let me ask the gentleman, What has the Secretary of Labor done about that?

Mr. WHITTINGTON. No matter what the Secretary of Labor has done or not done, that does not keep Congress from acting.

Mr. POWERS. I ask the gentleman "What has the Secretary of Labor done?" and the answer is "Nothing." Then I ask the gentleman again "What has the President done about it?" and the answer is "Nothing." I am sick and tired of having Congress blamed for it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield.

Mr. RICH. What has the Committee on Labor of the House of Representatives done about it? Nothing.

Mr. POWERS. The gentlewoman from New Jersey is here and is capable of answering any question that the gentleman might propound.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield.

Mr. HOFFMAN. In answer to the gentleman from Pennsylvania, I cannot speak for the Committee on Labor, but as a member of that committee I put in a bill to stop that from every possible angle I could think of, and it is not my fault if bills are not reported out from that committee. One more question. I agree with what the gentleman said about the President having authority, but what does the gentleman think of the proposition when he will not act? Do you not think it then becomes our responsibility to do something if we can?

Mr. POWERS. The President has never taken me into his confidence, and I cannot control his confidence.

Mr. HOFFMAN. But the people are going to take us into their confidence come November.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentleman.

Mr. RICH. I would like to know from the gentleman, inasmuch as he is on the Labor Committee, if he cannot get them to do something? They sit there like bumps on a log and do not do anything.

Mr. POWERS. I yield to the gentleman from New Jersey [Mr. EATON].

Mr. EATON. I would like to call the gentleman's attention to a complete answer to this question. The Attorney General, Mr. Biddle, the other evening at a select party at the Cosmos Club, made the statement that the New Deal is a political party tied up with the labor movement. Does not that answer your question as to why nothing is done?

Mr. POWERS. I think that answers the question pretty fully.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for 6 days the House has labored with the earnest hope of achieving a few meager economies in the appropriations for the Department of Agriculture. I sincerely hope that that same temper will prevail when this bill is finally concluded and that additional economies may be accomplished; but as one labors at the job of saving a little money for the taxpayers of the country, he can scarcely help being distressed when he observes what I have observed the last few mornings at the corner of Pennsylvania Avenue and Fourteenth Street. I see there a resplendent stockade building of new lumber, and for a moment I thought they had moved the Yankee ball park to Washington. It represents the preliminary construction effort for a new building to be constructed for the Office of Government Reports. It is estimated to cost $600,000 and to furnish an additional 70,000 square feet of space.

For several years I knocked the O. G. R. out on points of order when it appeared in the appropriation bills, until June of 1941, when it was clothed with statutory authority. Now it is proposed to ensconce this agency of information in a new temple of wisdom in the middle of Washington, D. C. It is to be temporary. It is to cost $600,000. It will cost more when all the supplies are included. It is an agency that has 532 people on the pay roll presently dispensing wisdom and information and serving as a clearing house to keep the country acquainted with what Government is doing and to acquaint the Government with what the country is doing and thinking. Their annual rental bill is only $23,000. This building will be temporary, and when the war is at an end it will be torn down. On the basis of their present rental estimates, they could pay rent for 28 years for the amount of money that will be included in this new building.

I think it is a shame and an outrage that this sort of thing should happen. We could buy four good bombers or we could buy four first-class interceptors with the amount of money that will be spent upon this temple of information. I assume it will not be so elaborate as the Jefferson Memorial, and probably not so humble as the log cabin in which Abraham Lincoln was born. But it is going to take $600,000 of the taxpayers' money and it is going to be destroyed after the conflict is over. Perhaps by that time they will be so permanent in fact that they will want a permanent home of their own.

When we talk about victory and vigilance, this is a fine example for the people of the country as we shout at them that there ought to be unity in the war effort in the hope of an early triumph of the arms of this country. I suppose O. G. R. thinks that a ukase or a press release issued from down there will be more effective than a thousand-pound bomb. We set up a censorship office under Byron Price, formerly with the Associated Press, to see that information does not get to the people and then we set up this temple of information under Lowell Mellett, formerly of United Press, for the purpose of getting it out to them, and it does not make sense. One agency to reveal and one to conceal. Well, they are building it close enough to the Treasury, and one will be able to reach out of the upstairs window to that fount from which flow all of the blessings, and into which flow all the blessings squeezed from the taxpayers; and I suppose it is no accident that it was built so close to the Treasury.

I am not seeking to be funny or facetious. My heart is distressed. I fought for 6 days on this floor to save $500,000 in the Office of Information, to get a few dollars saved here and there, and then in the resplendent sunshine of early morning, as you walk up to the Capitol you see a stockade which looks like a ball park, which is just another evidence of $600,000 of money squandered. Is it any wonder the people get sick at heart? When the O. G. R. administrative appropriation was before the House in January, ther was no hint or suggestion that there was to be a new building that should house them. Here is the evidence that we have created a bureau that will go on for all time to come. Neither the Office of Government Reports nor the new building are essential to victory and both could be dispensed with for the duration.

Mr. CREAL. Mr. Chairman, I move to strike out the last word.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. CREAL. Yes.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry. Would it be in order for the Chairman or for me to move that during the reading of this bill from this point on no amendments must be offered or speeches made unless they refer to the bill?

The CHAIRMAN. It could be done by unanimous consent.

Mr. POWERS. Then, Mr. Chairman, I ask unanimous consent that that be done.

The CHAIRMAN. Is there objection?

Mr. CASE of South Dakota. Mr. Chairman, I reserve the right to object.

Mr. O'CONNOR. Mr. Chairman, I reserve the right to object.

Mr. HOFFMAN. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Kentucky [Mr. CREAL] is recognized.

Mr. CREAL. Mr. Chairman and members of the committee, having always posed as the champion of the under dog, I listened with some interest to the report of the burning of vermin-infested clothes of the three C's camps, and I fully agree with the gentleman from Pennsylvania [Mr. DITTER] who raises that question, that it ought not to have been done. But vermin are not so bad. There is a lot of people who were raised with them, who inherited them and have had them all of their lives, and if you give them a new suit of clothes on Sunday, you will find that they are infested before Saturday night, and they wear the clothes out without ever being bothered about it. I think they should have advertised the clothes, and said to people who came to get them, that they are vermin-infested, and that part of our population that does not like anything of that kind need not come, but those who do not mind the vermin could have gone and gotten those clothes, and used them, just like the ones they had on. So I join in condemnation of that.

Now, Mr. Chairman, there is a lot of vermin in a lot of places that ought to be remedied. There is a lot of vermin in this war program, and in a lot of the departments, and there is a lot of vermin in the arguments on this floor, and if you would strike out all of the vermin that is in the "CONGRESSIONAL" here, then, instead of looking like a Sears, Roebuck catalog, the CONGRESSIONAL RECORD would look like a post card, and we would be able to effect a good deal of economy in the CONGRESSIONAL RECORD. It is the same with some of the subjects that are discussed here, including the one that I am discussing now—there is a lot of vermin in it; but I call attention to the fact that there are people who might have used this clothing, because some bedbugs have a special allergy toward some people and will not bite them at all. You hear people say that the bedbugs bothered them last night, and then another will say that they never bothered me at all, and so on, and those people where the bedbugs have a special allergy toward them could take those clothes and wear them, because the vermin would go away the very first night they had to stay with the fellow. If you get rid of all the vermin, what will happen to all the factories that make insecticides? You would be putting a lot of people out of employment and you would rob the newspapers of a lot of advertisement and maybe compel these people who act as door-to-door salesmen who have blue chalk water guaranteed to kill all vermin by putting a few drops on the bedpost.

Now, that is something I am concerned about—vermin and the people who make a living dealing with them. So for that reason I am in full accord that this stuff ought not to have been destroyed, and I hope they will not do it any more, if there is nothing more wrong with it than that

it is vermin-infested, because there is a lot of good wear in it yet, whether those who take it have it disinfected or not. But while we are looking for the Jap vermin in the Pacific, let us not get too far out of line and allow this thing to happen any more—destroy a lot of good shoes and pants and coats on the mere pretext that they are vermin-infested. It is not the Government's place to take care of these vermin, but indirectly they are doing it. But I suppose the Lord created them for some sort of purpose, and we should not be so sacrilegious as to say that they have no right to exist at all. Suppose you left it up to the vermin to say whether or not you would exist, you might have to sign off. What would be their vote if passing on some of us? Who are we that should pass judgment on them?

A lot of people who have nothing else to do get much satisfaction by scratching, and why should we want to rob them of that pleasure? There is such a thing of getting too high-hatted and super-particular. The gentleman from Pennsylvania is right, the vermin-infested clothes should not have been burned: give the vermin a chance.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. GORE]

Mr. GORE. Mr. Chairman, I rise to read three sentences from the column My Day, written by that charming and distinguished First Lady of the Land, Mrs. Franklin D. Roosevelt:

> We had some very interesting discussions yesterday afternoon at the White House on the subject of what the general attitude of the people should be during this war period. * * * It seems to me there should be immediately a freezing of prices, of profits, and of wages. No one can be frozen without freezing all.

[Here the gavel fell.]

The Clerk read as follows:

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

For operation, maintenance, and improvement of the Alaska Communications System, including travel allowances and travel in kind as authorized by law, and operation and maintenance of passenger-carrying vehicles, $227,840, to be derived from the receipts of the Alaska Communication System which have been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1944: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last word.

Mr. SNYDER. Will the gentleman yield?

Mr. O'CONNOR. Yes; I yield.

Mr. SNYDER. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, the Fort Peck power plant is being completed at a total cost of $5,845,000. This bill carries $1,300,000 for the construction of the power house, surge tanks, and penstocks, which sums are required to meet payments under the final contract. It is to be hoped that this work will be completed by July 1, 1943, so that power will be ready for delivery and the entire plant running to its fullest capacity will be completed between 6 and 9 months later. The War Department has been requested to expedite the job to produce the power. When the ultimate installation is completed there will be produced 105,000 kilowatts. This would be sufficient to accommodate for domestic, commercial, and all other purposes a city of 250,000 people.

There is a dirth of power in the country. If there is one thing that is necessary to be developed and increased in our defense program it is electric power. Particularly is this so in this section of the Northwest. It is now thought that there are vast deposits of chrome and other strategic minerals located within reach of this new source of power. This is one of the most needed developments of the Northwest not only from the standpoint of development of power for commercial and mining purposes but also for transmission to regions of the Great Plains areas of eastern Montana and western North Dakota for reclamation purposes. One of these regions is included in the territory along the Yellowstone in Montana from Glendive to Miles City. Another includes the territory north of the Missouri River in Montana and North Dakota from Fort Peck to and approximately 40 miles east of Williston, N. Dak., and the other territory along the Milk River in Montana from Fort Peck to Saco.

Irrigation projects are nearing completion along the Yellowstone River above Glendive, Mont., and on the Missouri near Williston, N. Dak. It is desired that the contracts for material be let at once as the costs of same are rapidly advancing and it is economy as well as meeting a necessity to bring about the completion of this plant at as early a date as possible.

RIVERS AND HARBORS AND FLOOD CONTROL

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 4, after line 10, insert "Alaskan Highway: For prosecuting the construction of a connecting highway from the States to and into Alaska, $5,000,000."

Mr. TABER. Mr. Chairman, I reserve a point of order against the amendment.

Mr. CASE of South Dakota. Mr. Chairman, the bill as reported to the Committee is something over $5,000,000 below the total Budget recommendations. My amendment will leave the total within the Budget.

This Alaskan highway is something that no one should delay, and I sincerely trust that no one will take the responsibility of seeking to delay it at this time.

In May 1941 the Secretary of War was not convinced that an Alaskan highway was needed. In December 1941 he said that it was needed. Within the week he has announced that work has begun.

Alaska offers the nearest land base that we have for sending planes to attack or bomb Japan. A highway is needed to send supplies and construction materials to bases there. The completion of the highway at the earliest possible date, with the approval of Congress, is important. It is a cheap way to save shipping. Using ships to send supplies to Alaska at the present time means taking ships that are needed elsewhere to carry goods beyond the reach of any land route. And no one can tell how long we can continue to ship. It is a risky, dangerous route, open to submarine attack under present conditions.

The argument for the Alaskan highway has been made so much by the press and has been made by people generally so much that it seems to me it should not be necessary to argue the point and I waive the balance of my time.

I submit to you that the Congress should immediately make appropriation for completing the construction that is now begun.

Mr. TABER. Mr. Chairman, I make the point of order against the amendment that it is not authorized by law.

Mr. CASE of South Dakota. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. CASE of South Dakota. In the first place, I doubt that it requires an authorization for the Corps of Engineers to carry on this work. The paragraph immediately preceding this was a paragraph dealing with the Signal Corps, for which we made an appropriation to carry on the Alaska Communications System.

Even if this project were one which required authorization by law the rules of the House provide that where a project is under construction and an appropriation is made for continuing construction, the appropriation is in order and is not subject to a point of order.

I call the Chair's attention to an Associated Press dispatch that appeared throughout the country in the papers of March 7, in which this statement was made:

> An advance crew of American engineers is at Dawson Creek, and dozens of freight cars carrying construction equipment are expected to pass through Alberta in the next few weeks.

I also call attention to a statement on page 4 of the Official Information Digest issued by the Office of Government Reports on March 5, in which it is stated that War Secretary Stimson announced that Engineer Corps troops were already on their way to work on roads for this Alaskan highway. In other words, construction has already begun.

The United Press this morning reported that 93 soldiers and engineers had arrived from a fort at Cheyenne, Wyo., and were already in Canada working on this highway. The highway is under construction, and on this basis an amendment providing continuation funds should be in order in this bill. This work could not have been begun, engineers and troops could not have been sent there without an allocation of money from some emergency fund. The precedents are well established, that

when construction has been begun by an allotment of public funds, it is in order to appropriate funds to continue construction.

Mr. STARNES of Alabama. Mr. Chairman, I make the further point of order against the gentleman's amendment that it is not germane to this paragraph or any portion of the bill.

Mr. CASE of South Dakota. In that connection, Mr. Chairman, I have read a statement issued by the Office of Government Reports which states that it is the Engineer Corps that is engaged in this road-building work. The paragraph to which I offered the amendment deals with civil construction by the Corps of Engineers. I feel that the amendment is germane. Where else would you carry such a paragraph? Certainly not in the regular bill for the Military Establishment. Highway building is a civil function, and this is the civil-functions bill.

The CHAIRMAN (Mr. BULWINKLE). The Chair is ready to rule.

The mere fact that press reports show that certain groups are in Alaska does not constitute in the mind of the Chair that there is really a working performance going on in th is project at all.

The Chair, therefore, sustains the point of order.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Did the Chair understand that I quoted also from the Information Digest issued by the Office of Government Reports?

The CHAIRMAN. The mere information does not constitute an authorization, or does not show the work has actually begun, and is in course of construction.

The Clerk will read.

The Clerk read as follows:

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for preliminary examinations and surveys of and contingencies in connection with flood-control projects authorized by law, $144,973,700: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, prepare plans and specifications, and to procure options on land and property necessary for the construction of authorized flood-control projects or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938: *Provided further*, That the expenditure of funds for completing the necessary surveys and securing options shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of appropriations made available to the Secretary of Agriculture for preliminary examinations and surveys, as authorized by law, for run-off and water-flow retardation and soil-erosion prevention on the watersheds of flood-control projects, shall be obligated from March 6, 1942, to June 30, 1943, for initiating work upon new projects or for prosecuting work upon projects heretofore commenced, unless, as to the latter, they accord with priorities specifically approved by the Secretary of War and the Secretary of Agriculture.

Mr. RICH and Mr. TERRY rose.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas, a member of the subcommittee.

Mr. TERRY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TERRY: "On page 7, line 5, strike out $144,973,700 and insert $147,078,700."

Mr. RICH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order against the amendment.

The gentleman from Arkansas is recognized for 5 minutes in support of his amendment.

Mr. TERRY. Mr. Chairman, the purpose of this amendment is to raise the amount carried in the bill, $144,973,000 for flood control to an amount that will be sufficient to include the beginning of the work on the Table Rock Reservoir.

Congress has authorized for the White River Basin $49,000,000 to be appropriated for the prosecution of a comprehensive dual purpose flood control and power program in the White River Basin. According to the testimony in the hearings, $15,870,000 was allocated from funds previously appropriated against this authorization. The Budget has presented four projects in the White River Basin which total $37,525,000.

The appropriation of this amount, in conjunction with the $15,870,000, would result in a total of $53,395,000, or $4,395,000 in excess of the $49,000,000 that has been authorized to be appropriated.

The Committee of the Whole eliminated the $6,500,000 which was included in the Budget sent down on February 20 for the construction of Table Rock Reservoir. When this matter was up in the subcommittee at the time of the marking up of the bill, a motion was made by a committee member to eliminate Table Rock, but the subcommittee voted against cutting out the Table Rock item. When the bill came up in the full committee on appropriations, on a very close vote, the committee eliminated Table Rock on the theory that—and it was a fact—the appropriation was over the authorization. So the Table Rock item was eliminated, as I say, by a very close vote.

My amendment merely seeks to raise the amount to the limit of the congressional authorization. If we adopt my amendment we add $2,105,000 to the amount in the bill for flood control, but it will permit considerable work to be done on the Table Rock project this year and the coming fiscal year, and we shall still be within the authorized appropriation limit carried in the Budget estimate for the whole bill, and we shall not be above the $49,000,000 which has been authorized by the Congress for the White River Basin.

Table Rock Dam is one of the outstanding dual-purpose dams in the country. The United States Army Engineers, you will note from the hearings, enthusiastically endorse the Table Rock Dam and the Bull Shoals Dam. In my amendment, only the Table Rock Dam is involved; but the engineers have enthusiastically endorsed both dams as being among the best hydroelectric dams in the country. The Federal Power Commission, through Mr. Leland Olds, the Commissioner, has recommended these dams, including Table Rock, for the production of power for this vast area.

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas [Mr. TERRY]?

There was no objection.

Mr. TERRY. Mr. Chairman, this dam will be completed in 1946 and energy produced in 1945. It has the recommendation of the President of the United States as one of the hydroelectric projects desperately needed.

This is not merely a flood-control project. Nearly all of the money for this reservoir is for power development, $2,400,000 being for flood control, and $34,600,000 being the estimated cost for power. If these dams are built they will produce a great pool of power for that section of the Middle West, including Arkansas, Louisiana, most of Oklahoma and Texas, part of Missouri, and the western part of Mississippi. If there is any one thing that is needed at this time, Mr. Chairman, it is the production of power.

We talk about obstructing the national war program. We could not obstruct it in a more serious way than to cut out these hydroelectric dams that the Army engineers, the Budget, the Federal Power Commission, and the President of the United States have advised and recommended and the construction of which we are urged to begin at this time. So I say to you if you will vote for my amendment you will not be going above the Budget and you will not be going above the authorization.

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. RICH] insist on his point of order?

Mr. RICH. Mr. Chairman, I insist on my point of order.

The authorization for these two projects was only $49,000,000. According to the estimate by the War Department, and reading from the hearings, Colonel Reber said that:

Table Rock will be completed on June 30, 1946, at a total estimated cost of $37,000,000, and Wolf Creek will be completed September 30, 1945, at a total estimated cost of $50,400,000.

Mr. Chairman, this exceeds the total amount authorized.

The CHAIRMAN. Does the gentleman from Arkansas [Mr. TERRY] desire to be heard on the point of order?

Mr. TERRY. Mr. Chairman, the committee in charge of the bill has checked those figures with the Army engineers in charge of flood control, and the figure that I have included in the amendment is the figure given by the engineers. It

shows a total of $53,395,000 will be appropriated, including $15,870,000 past amounts, and those in the Budget estimates for 1943, in the sum of $37,525,000, with a $49,000,000 authorization. That would exceed the authorization $4,395,000. If $6,500,000 for Table Rock is stricken out, the authorizations will exceed the appropriations in an amount of $2,105,000, which is the amount of my amendment, and is an amount that will not exceed the Budget estimate and will not exceed the $49,000,000 authorized by the Legislative Committee of this House for the comprehensive plan for the White River Basin.

Mr. RICH. Mr. Chairman, I may say the gentleman's own figures show that these are the items to begin the project and they will exceed the amount of the Budget estimate.

The CHAIRMAN. The Chair is ready to rule.

This section of the bill, lines 4 and 5, is for preliminary examination, surveys, or for contingencies in connection with flood-control projects authorized by law.

The gentleman from Arkansas in his amendment raises the appropriation, but in that raise it only applies to those projects which are authorized by law; therefore, the point of order is overruled.

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arkansas [Mr. TERRY].

Mr. SNYDER. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 50 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

Mr. TABER. Mr. Chairman, reserving the right to object, is it the intention of the chairman of the subcommittee to go on through with this tonight?

Mr. SNYDER. Yes.

Mr. TABER. That means 7 o'clock or later.

Mr. SNYDER. We will try to finish. There is only one more amendment to be offered, so far as I know, and that will be a short one.

Mr. TABER. Well, there will be quite a lot of amendments offered after this one.

Mr. RANKIN of Mississippi. Why not adjourn to meet tomorrow at 11 o'clock?

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. COCHRAN. Mr. Chairman, I am consistent in opposing this amendment. I think I was the only Member of the House who appeared before the Flood Control Committee in opposition to this project when they increased the authorization to $49,000,000.

Let us get the picture. The White River Basin contains besides Bull Shoals and Table Rock two other projects, Clearwater, Mo., and Norfork, Ark., projects. Clearwater was, I think, started first merely as a flood-control project. It still is. Then Norfork as a flood-control project. Last year before the Flood Control Committee it was argued Norfork should be a power project and it was then Bull Shoals and Table Rock were added. The committee placed in the bill language that permitted penstocks to be placed in the flood-control dam so if feasible it could be turned into a power project, but not until it had been approved by Army engineers, Water Power Commission, and others. A tremendous amount of pressure has been used and the recommendation now comes for the power project. All right go ahead with Norfork as a power project, but why start Bull Shoals and Table Rock until it is determined Norfork will not supply sufficient power. I want everybody to have cheap electricity but that country will certainly have to develop before the power to be generated at Norfork is all used.

Now, go into this with your eyes wide open. All you have to do is to start a project, and then you can exceed your authorization. Start these two projects today by your vote, Bull Shoals and Table Rock, and you are increasing the authorization by $87,500,000. No one can deny that. The decisions of the Chair time and again have held that where a project is in progress, an amendment on the floor of the House above the authorization is in order. So if you spend $2,000,000 on this project now, you are gone; you are making a new authorization of $87,500,000 additional because they will start work before next year.

The total amount at Bull Shoals for completion will be $50,500,000. The total amount at Table Rock will be $37,000,000. That is what the Army engineers say. Read it in the hearings.

Norfork, as I said, was originally advocated as a flood-control project. I never objected to that. Later they turned it into a power project. No one is opposing that. But now they want to take these two projects—Bull Shoals and Table Rock—and make them power projects. This second authorization made last year, at which time I spoke against it on the floor of the House. It carried in the flood-control bill of 1941.

You have one big industry down there, a national-defense industry, an aluminum plant. It will need power, but it is already settled that it will have its own power plant. Remember that is settled. No argument about that. Nobody can deny that. It will have its own power plant. See the hearings. Now the issue up to this House is whether you are going to commit this Congress to an expenditure of $87,500,000 over and above the present authorization. Vote this today and you will have to vote it in the future, because it you start it you are going to have to finish it. So I appeal to you to go along with Norfolk, complete the dam, get what power you can out of the Norfolk dam, and see if that will be sufficient for the area before you commit yourself to spending $87,500,000 over and above the $49,000,000 authorization. That is the situation that confronts you today.

In the hearings there is a statement by Colonel Reber on page 79 in which he tells you that $87,500,000 will be required to complete this project.

We are not opposing a national-defense project if we go along and rush Norfolk to completion and get the power at Norfolk before 1945 if we can, but let the other two wait until we see if we are actually going to need them or not. That is the point I make. I hope the amendment is defeated.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Missouri.

Mr. PLOESER. Does the gentleman believe that Table Rock and Bull Shoals in themselves are a necessary defense project at this moment?

Mr. COCHRAN. I do not. If I thought so, much as I have been opposed to them I would be voting for them and supporting them; but I am not so convinced. I am for every national-defense project that is needed to win this war.

Mr. PLOESER. I am glad to support the gentleman's argument.

Mr. VINCENT of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. How long will it take to complete the Table Rock project?

Mr. COCHRAN. 1945 for power, provided priority is granted. They must have priority for the engines, and so forth.

Mr. VINCENT of Kentucky. And flood control?

Mr. COCHRAN. I cannot answer that question.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at the point at which I concluded a speech on the debt retirement bill this afternoon and to add thereto a speech formerly made by me.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House the gentleman from New York [Mr. DICKSTEIN] is recognized for 20 minutes.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article in PM of March 3, 1942, and another in the New York Mirror of March 6, 1942, in connection with my remarks made on the floor today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I take this time now, and I think I should have done so before, in behalf of an outstanding American who has been attacked unjustly on this floor

In these days when fifth columnists and other traitors to this country are parading as true Americans, it is particularly obnoxious to hear attacks on a patriotic citizen made on the floor of this House.

Walter Winchell is a lieutenant commander in the Naval Reserve. Right after Pearl Harbor he communicated with the Navy Department and asked to be assigned to active naval work. Winchell welcomed a chance to be of service to his country and was very determined to do all he could to carry out his duties as a naval officer of the United States.

Winchell was not obliged to do so. Still, in this spirit of true patriotism, he wanted to work for his country where he knew he could be of service.

At a time when Lindbergh and others of his ilk were pursuing their isolationist tactics and doing all in their power to discredit the administration, Winchell spoke on the radio night after night denouncing these un-Americans who were seeking to make us fair prey for Hitler, Mussolini, and Hirohito. To be sure, the isolationists did not like it a bit when Winchell told the American people plainly what they have since learned to their sorrow, that you cannot live in a world of rapacious countries without fighting back. It was Winchell who made us aware of our peril, and who did not hesitate to call things by their proper names. Now even Winchell's patriotism is being impugned by people who should know better.

The Navy Department told Winchell to stay on the job until called, and to keep broadcasting his message of Americanism, which did so much good for the country in the years of our confusion. But it seems that these same elements which objected to Winchell's broadcasting against the evils of isolationists are now seeking to destroy Winchell by charging him with not doing enough for his country. Winchell, who gets no pay from the Navy; Winchell, who has been in the forefront of every patriotic movement in this country, is criticized for continuing his broadcasts, while awaiting call for active naval service. I suppose these people would be happy if Winchell were ousted forever, and permanently off the air. Such will not be allowed. I believe that Winchell's broadcasts and his message to the American people are a strong tonic to the Nation's morale and that his continuance on the air till other duties make it impossible is in the best interests of the American people.

When in 1933 the Hitler menace began to show its head, and most Americans were living in a dream world of their own, not realizing that Hitler was endangering the safety of the United States by trying to involve us in a war, Winchell saw what was coming and told the American people about it. In 1934, when I succeeded in organizing a congressional committee to investigate un-American activities, brought about by Hitler propaganda, Winchell supported the work of the McCormack committee with all means at his disposal. When the voice of America was to be heard in defense of our privileges and liberties, Winchell was on the spot and his message was heard by millions of our people.

I can tell you of an instance where Winchell's life was threatened by the very Fritz Kuhn who is now serving in a State penitentiary, and by some of his heinies who tried to do away with Winchell and other Americans who were opposing them. While some isolationists were walking around the country making speeches and helping the Axis countries in their own way, Winchell was battling every day against the subversive movements in this country. By publicizing certain facts, Winchell was responsible for many of the exposures that were made. I therefore say it is mighty unfair for anyone, whether a Member of Congress or any other person, to accuse Winchell of shirking his duty. I think—and apparently the Navy Department agrees with me—that Winchell can do more by staying on the air presently and getting his message to the American people, as he has in the past.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. PATRICK. I have heard men on the floor here criticize the swivel chair admiral and in the light, Mr. Speaker, of the attacks made on Winchell from this floor, I say that that is nothing in the world except another demonstration of the swivel-chair admiral business. I doubt, with the possible exception of the Chief Executive himself, there is an avenue in the United States that will disseminate more proper and necessary information for Uncle Sam to his folks over the country than Walter Winchell. He is listened to and he is listened to effectively all over the Nation, and the results of his broadcasts and the results of what he has done for the Navy boys is enough to make it as helpful as, perhaps, any agency in the country. I doubt if there is an agency that delivers a message from Uncle Sam to the boys and the people of this Nation greater than Walter Winchell, say what they please about him.

Mr. DICKSTEIN. Mr. Speaker, I just thought I would convey this message to the American people, showing what Winchell has actually been encountering in the last 4 or 5 years he has cooperated with various American groups in exposing un-American activities. He has tried to find out who was behind the un-American groups, and he was not afraid to name the people once he found out. Of course he made enemies. They hated him and they threatened to kill him because he was exposing the Fritz Kuhns and the Gissibles every single day in the week. He knew that in exposing certain influential people he was making powerful enemies and in many cases h knew it was dangerous, but he considered it his patriotic duty and so he carried on with his work.

Mr PATRICK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. PATRICK. I hope what I say will not be considered as a plug for any commodity when I say that I think we ought to acknowledge the patriotism of Winchell's sponsor in standing by him through the efforts that have been made to take him off the air.

Mr. DICKSTEIN. I am standing by him, as an American. I am standing by him because Winchell has stood by Uncle Sam and all the American people in all these years in seeking to expose un-American activities in this country. He has carried on his work even though it at times endangered his life. If any of you Members are interested, I can give you a record containing a statement by Fritz Kuhn and his emissaries in his own quarters stating openly that it was about time that Winchell was wiped out or taken off the air. Let me at this point insert an editorial which appeared in PM of March 3, 1942, entitled "On Gagging Winchell":

[From PM of March 3, 1942]

ON GAGGING WINCHELL

The attempt in Congress to silence Walter Winchell follows the Fascist line—gag, muzzle, destroy all opposition.

In Italy, Mussolini did it with castor oil. In Germany, Hitler did it with the headsman, the concentration camp, and worse. The assault on Winchell is simply a refinement, since it occurs in a nation where free speech still is part of our national right.

It is no strain on credulity to believe that many of the obstructionists and appeasers in Congress really echo the nightly prayer attributed to Cissie Patterson, quoted in an adjoining column. It is no strain on credulity to believe that these same obstructionists and appeasers will go to any length to silence a man who has been fearless in exposing them.

There still is time to prove that we don't have to take this dose of congressional castor oil. The Commander in Chief of the Navy can give Walter Winchell the assignment that Walter Winchell can do best—raising his voice against fascism and against the men in Congress who are helping the United States of America to lose the war.

DON HOLLENBECK.

The reaction of the public to the accusations hurled at Winchell clearly show that they consider them to be unjust, unfair, and biased. The public knows, and I have every reason to believe, that if Winchell were assigned to duty tomorrow he would account for it properly, and he would fight and would be happy to fight for his beloved country Winchell was fighting the Fascists long before the people who criticize him now realized the danger that was threatening our country. He has done everything that any American could have done to get rid of this menace that sought to undermine our country. Yes; I have the proof of it, and I say to you that I am sorry that I was not here when certain remarks

were made about him, because I believe, and you would believe it, too, if I presented to you the recorded records, that the Nazis and the Fascists hate his "guts." He has done a great job. He has given information, and valuable information, not only to me but also to the Department of Justice. He has rendered more services as an individual than many other people in public life, and I hope to point out to you in the brief time I have taken that Winchell is to be commended for his stand. In my opinion, he has done a good job for his country, and he will do a good job wherever he is. Do not let us try to stifle him or take him off the air, and do not let us try to interfere with the freedom of speech that he or any other person has a right to exercise. And do not forget that Winchell is a true-hearted and a true-blooded American. To show what other well-known columnists think of the Winchell controversy, I am inserting Damon Runyon's column from the New York Daily Mirror, March 6, 1942.

[From the New York Daily Mirror of March 6, 1942]

DAMON RUNYON'S THE BRIGHTER SIDE

We see where our volatile pal, Walter Winchell, has gone bustling off to Washington to request assignment to active duty in the Navy just because some Congressmen let out a squawk that he either be so assigned or disenrolled.

As this is a little matter with which some of our readers may not be familiar, we will explain that the celebrated columnist, a Navy veteran of the last World War and a member of the Naval Reserve since 1934, requested and was granted what they call volunteer active duty without pay last December and was given the rank of lieutenant commander.

He has devoted himself heart and soul to raising money for the Navy relief fund, which is accounted by the Navy itself an extremely important movement. He was directly responsible for raising a large sum through a prize fight and has been laboring stoutly in the interests of a huge show that will be put on at Madison Square Garden on March 10 for the Navy relief.

He has continued his famous column right along and also his weekly broadcasts, the former work being quite within Navy regulations and the latter deemed of tremendous value by the Navy because Winchell generally manages to work in a little propaganda for the anchors-aweigh lads and is credited with greatly stimulating enlistments. Incidentally, he has donated part of his radio stipend to the relief cause.

Now then, as you perhaps well know, Winchell has always spoken his mind about all public figures, including Congressmen, with special reference to the latter, and some of his comments must have worked in under the hides of our statesmen already tenderized by the barbs of public opinion on the pensions and recently some of them began taking picks on him about his Navy status, culminating in the demand mentioned.

In view of the obvious animus behind the demand, most persons in Winchell's position would have paid no attention to it and gone on about the work that is so generally applauded by the public and the beneficiaries, but Walter is an impassioned fellow about all things and he felt that his patriotism and bravery had been impugned, which, of course, is arrant nonsense in view of his record. So off he goes buckitty-buckitty to Washington to bare his bosom, so to speak, for his country.

Well, we do not know just exactly what Walter considers active duty, but if he is thinking in terms of service aboard a ship of the line in the battle area, we fear that at his age and with his lack of practical schooling in that department, he would only be in the way. The Navy would not gain in fighting strength, and, in the meantime, the Navy relief fund would be suffering from the loss of one of its greatest assets.

The sacrifice of Winchell's life might satisfy his pride and gratify some of his enemies, but it would scarcely make up for the gap it would leave in his present field of patriotic endeavor. The Navy does not want influential middle-aged gentlemen at its battle stations, but it does want them behind the lines, especially those who, like Winchell, are willing to work night and day in practical effort for the Navy.

And if it sees fit to reward these persons with uniforms and titles, we think it is small enough compensation for their labors. And if they take conspicuous pride in their reward, they are entitled to it. This is just another of those instances of straining at trifles that have won for some Congressmen the ridicule of their fellow citizens.

If Winchell could be of real service on a war vessel, that is where he should be, and that is where the critical Congressmen should be, too, under similar conditions. But since his service is more valuable in the field in which he is now engaged, that is where Winchell should remain and the Navy should request the Congressmen who have been asking for his assignment or disenrollment to go out and see if they can render similar value to the sailors.

Walter is all right. Only he should learn not to take Congressmen too seriously.

Mr. PATRICK. Can the gentleman state how much his effort yielded in aid to the Navy?

Mr. DICKSTEIN. Oh, many thousands of dollars in benefits, for which he received no compensation.

Mr. PATRICK. And he would not even take his expenses.

Mr. DICKSTEIN. Not even his expenses. For years he has done everything in his power for his country—helping his fellow citizens and exposing the rats we have had in this country who were seeking to destroy it. I want to take this opportunity to congratulate Mr. Winchell on his fine work and to express the hope that he will continue in the spirit of sturdy Americanism and stanch patriotism as long as his health and strength will allow it.

I yield back the remainder of my time.

The SPEAKER. Under previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 15 minutes.

FREE SPEECH

Mr. PATRICK. Mr. Speaker, I have had this time several times for the last 2 or 3 weeks. It has always been so late that I would take it over to another day. I appreciate the courtesy of those who are staying here for a little while and I shall try to close in less than 15 minutes. The thing I wish to discuss this afternoon is a subject that is a little bit touchy, too, because one of the things we take pride in in this country is the fact that we are always a people of free speech; assuring ourselves that our lawmaking bodies shall always be bodies open to honest debate and sincere discussion of what the Nation has before it.

However, there creeps in, perhaps unconsciously in many instances, perhaps through the habit of years of following precedent naturally pursued in a democratic nation such as ours, and that is to rise on the floor and say things, sometimes so apparently unpremeditated in war times, that it reflects over the Nation and rebounds in a way that is not entirely wholesome.

I am sure you get letters from your district, as we all do, asking about certain things that have been said on the floor. Often those things are asked as a Congressman asked the other day on this floor, a Member whose name I shall not mention, because I have no intention to do anybody any harm, but he asked why Congress did not do something to get immediate relief to MacArthur. Well, of course, the Nation is interested in its cause and in its battles and in its generals, and certainly in General MacArthur. That was such an unfortunate remark to be made on the floor. Anybody who studies, anybody who has enough knowledge of national affairs to be in the Congress of the United States, knows what confronts this Nation and in some measure the difficulties and obstacles of our far-flung eastern battlefront. So to hear Members get up on the floor and inexcusably cultivate doubt in the hearts of those in this Nation on whom we are calling for unity is tragically dangerous—we are calling upon the people of this Nation to contribute every dime they can for bonds, to sacrifice all they can in sugar and rubber and many other things and we have not yet well begun—and when statements like that are made on the floor of the Congress it creates mistrust in the minds of people back over the country. When that doubt is in the minds of the people, are they going to buy bonds? Are they going to begin to do the things that we need done at the present time when they are called upon to contribute everything?

There are other statements that have been made. That was one in passing. When a man is in doubt about what to do, he does nothing. While he hesitates, he is not buying a bond. He is not contributing the best that is in him to get ready, to gird up, to go into the battle that is before us, the war that is in front of us.

We are arrayed today against three major nations, against three nations that have alined themselves together to seize the good things of this earth from those who have them, and who aline themselves together to create a new world order by which they hope to prey on democratic properties in the future. When there is hesitation here, that means a longer day of battle. That means more boys killed. That day of doubt is a day of delay—delay, delay, delay, and dangerous delay. One misguided statement of that kind made by those here at the head of this Government, in the chief lawmaking body of this Nation, causes people to wonder. Such statement ought not to be allowed to go out and do the harm that is bound to follow in its wake. Such statements are made by whom? I have checked up.

I certainly want to do no one any harm. We all want to have unity. All are in the same boat. We all want to go down

the road together now. We are to go down the road together to success or whatever comes.

I hope nobody will misunderstand the motive as to what I am saying now, but I remember in 1938 when a little group of us on the floor asked for 30,000 airplanes, advocated it, and were delighted when we got 15,000. I remember when the attempt was made to increase the fleet, and even after we got it going, even after it looked as though we were going to get a little more to fight with, if and when war came, an amendment was brought on the floor by some of these very gentlemen, to knock out a battleship, even after it had gone part of the way through.

Then you remember the battle we had to repeal the embargo part of the neutrality law, and how we had to struggle to arm the merchant vessels. I have been voting ever since I came to Washington to fortify Guam and our outposts. You remember when our industries were not even allowed to take orders from nations that were fighting to save democracy and to keep the battlefront as far from us as possible. We were in effect then German and Italian allies, yet whenever we tried to pass through that door to do our duty as a nation, these gentlemen were fighting us and holding back. The lease-lend laws were fought as bitterly as anything has been fought since I have been here.

Then, when it came to drafting more soldiers—we had not only sunk our Navy in this country, we had practically sunk our Army—and when the draft bill came out it was fought as bitterly as anything else had been. And then the extension of the draft, if I remember correctly, passed the House by only one vote. It is not correct to say that all those gentlemen who were referred to this morning as fighting for an economy program were against preparedness. The gentleman from Pennsylvania [Mr. FADDIS] has been talking for preparedness all the time, and there are others in his category. I certainly want to be careful not to include that group of lawmakers in this list. We are indebted to them, as a matter of fact, but we all share this responsibility. It was our duty then to convince our brethern, those of us who were trying to wage this battle alone, to our way of thinking. We were called warmongers, but we ought to have been more fearless, more industrious, and more outspoken, because we could see the tragic shadows that did lie ahead of us, we could see the war clouds gathering. Somehow they could not. We did read the signs across the sky and study the approach that the have-not nations were making to get a throat hold on the have nations and take away from them the things that Mother Nature and Divine Providence decreed should be under their feet and in their hands; and it was our duty to perform a greater service of education right here on the floor.

Mr. KEEFE. Mr. Speaker, will the gentleman yield at that point?

Mr. PATRICK. I gladly yield.

Mr. KEEFE. Did the gentleman have in mind during this period of time the possibility that we would inevitably go to war with Japan?

Mr. PATRICK. No; I did not, as it came about. It came in hind part foremost. I expected it to come from Germany and Italy first, and then Japan, but it came in the other way.

Mr. KEEFE. The gentleman did anticipate as a result of his study, as I interpret his remarks, that this Nation might go to war with Japan.

Mr. PATRICK. That is right.

Mr. KEEFE. Because the gentleman said he was arguing constantly for the fortification of the island of Guam. That is right, is it not?

Mr. PATRICK. Certainly, that is right.

Mr. KEEFE. May I ask the gentleman whether or not he did anything during that period of time to attempt to stop the shipment of high-octane aviation gasoline and scrap iron to Japan during all of this period?

Mr. PATRICK. Fortunately, I am one of those who did and who got on the floor and stated that we were sowing the wind—I remember the little figure I used. I cited Aesop's fable of the eagle that saw its own feathers on the shaft that contributed to its wounds. That was the metaphor I used right here in the Well a few years ago.

Mr. KEEFE. But as a matter of fact we continued to ship scrap iron and gasoline right up until almost the very last, did we not?

Mr. PATRICK. I do not know when the shipments stopped, but I know it was at least 5 years too late.

Mr. KEEFE. I agree with the gentleman.

Mr. PATRICK. But I did not vote against the draft, I did not vote against the lease-lend bill, and I did not vote against fortifying Guam.

Mr. KEEFE. May I ask the gentleman if there ever was a bill before this Congress to fortify the island of Guam? Does the gentleman recall any such proposal ever being before this Congress?

Mr. PATRICK. It was always part of another bill.

Mr. KEEFE. Does the gentleman recall that the only proposal that was before Congress was an item of $5,000,000 to dredge the harbor of Guam; and when the specific question was asked of the chairman of the House Naval Affairs Committee, the gentleman from Georgia [Mr. VINSON], by the distinguished gentleman from Florida [Mr. HENDRICKS]——

Mr. PATRICK. I will give the gentleman some time if he wants to make a speech.

Mr. KEEFE. I want to correct the gentleman.

Mr. PATRICK. That is true.

Mr. KEEFE. There was never any proposal before this House to fortify the island of Guam. So the gentleman in his statement I think in all fairness——

Mr. PATRICK. What is the gentleman arguing about? Did the gentleman vote against that, too? How did the gentleman vote on that?

Mr. KEEFE. In all fairness——

Mr. PATRICK. I want to ask the gentleman a question. He has asked me several questions. How did the gentleman vote on lease-lend?

Mr. KEEFE. Just answer my question.

Mr. PATRICK. I have answered the gentleman's question; but the statement the gentleman makes is, to the best of my recollection, true.

Mr. KEEFE. That is true, is it not?

Mr. PATRICK. Yes.

Mr. KEEFE. Then when the gentleman states that there was a proposal before the Congress to fortify the island of Guam the gentleman is not stating the facts, is he?

Mr. PATRICK. It is the best that could be done about the fortification of Guam. I voted for the best we had to fortify Guam, to dredge the harbor in preparation for its fortification, and the gentleman voted against that. I believe if the gentleman would be quiet he would be doing himself a better service.

Mr. KEEFE. As far as the gentleman is concerned, he has no apology to make. His votes on these various questions are well known to the people who the gentleman has the honor to represent, and I am not apologizing for my vote on any single bill. I want the gentleman to understand that.

Mr. PATRICK. I thank the gentleman, but there is somebody in the Congress except the gentleman and myself. The gentleman has been a very active, forceful Member of this Congress, but I sometimes think he is a little bit timid about recognizing our country's preparedness needs, and that one man is only one man, even him.

Mr. KEEFE. Will the gentleman yield further?

Mr. PATRICK. I do not yield any further because the gentleman has taken up and wasted 5 minutes of my time on the Guam matter, which he considered so lightly he did not support it when he had an opportunity to vote for it, so I do not yield further.

Of course, I realize this is a sore spot with these gentlemen. They fought all preparation, and now they do not apologize. We do not want them to apologize. But we do want them to recognize our needs now and go along with us to unite, invite confidence, avoid foolish remarks, and help us win this war as quickly and as thoroughly as it can be won, and must be won.

[Here the gavel fell.]

SPECIAL ORDER

The SPEAKER. Under a previous special order of the House, the gentleman from Massachusetts [Mr. ELIOT] is recognized for 10 minutes.

Mr. ELIOT of Massachusetts. Mr. Speaker, I suppose we will all agree that among the worst forms of un-Americanism is the attack on religion, and the stirring up of hatred and prejudice against religious groups. It is un-American and it is dangerous—dangerous now because the anti-Catholic organization, or the anti-Semitic organization, is very, very likely to be playing Hitler's game.

I have been reading the record of the Dies committee. I have read it not in a spirit of suspicion but of curiosity. I want to be fair. I want to see what this committee has really accomplished.

In the course of this study, I came upon the case of a man who interested me because he certainly sounded un-American. It was in August 1939 that the Dies com-

mittee subpenaed correspondence of one Edward James Smythe—and also subpenaed Mr. Smythe, who did not respond.

Mr. Smythe was, according to the gentleman from Texas [Mr. DIES], "just a racketeer, operating an anti-Catholic organization, in close contact with other people who specialize in anti-Jewish organizations."

Smythe's correspondence was largely with known or suspected Fascists—the Silver Shirts, the German Legion, Inc., George Deatherage, and the like. The gentleman from California [Mr. VOORHIS], brought out in the committee hearings that the correspondence in the hands of the Dies committee was correspondence between Smythe and people "interested in what he was doing." The Dies committee's counsel, Mr. Whitley, described these people and organizations as "actively participating. I did not include many individuals or groups," he said, "whose actions or motives were not obvious from the correspondence."

So here we have a known anti-Catholic agitator subpenaed, and disregarding the subpena. Here was his correspondence with subversive pro-Nazi groups and individuals. And what did the Dies committee do about it?

The chairman of the committee said that perhaps the correspondence should not be published immediately, as it might implicate innocent people who had been duped. Then he said:

Anyway, it is a question, I think, that the committee had better determine in executive session. We can make this correspondence public at a later date.

Mr. Speaker, 2 years and 6 months have passed. That file of correspondence has never been made public. Here and there, I understand, in the published documents of the committee Smythe is mentioned, but his own activities were never exposed and denounced by the committee.

And during those two and a half years this man Smythe continued his vicious work. Only a month after he disregarded the Dies committee subpena he was writing a letter attacking the Roman Catholic Church. That letter, a photostatic copy of which I hold in my hand, is dated September 22, 1939, and is written on the stationery of the Protestant War Veterans of the United States, of which Smythe called himself national commander.

And 2 years after the Smythe correspondence had disappeared in the Dies committee files, to await publication at a later date we find Smythe writing that "this Nation belongs to the Protestants," and that "Romanism" must be destroyed. It is an utterly foul, bigoted paper and I hate even to touch it. It is dated—Heaven help us—the Fourth of July, 1941. This unregenerate bigot, whose papers were seized by the Dies committee in 1939—Why did the committee never take further action?

This man Smythe has run true to form. I hold here, and show the House, a handbill announcing Smythe as the speaker at a mass meeting here in Washington, under the auspices of the Women of the Ku Klux Klan. That was June 3, 1939. Why, in August 1939, did the Dies committee bury the story of this klansman and keep it buried for the last two and a half years?

I hold here now a photograph of a letter from Smythe, dated August 24, 1938. It is also written on that Protestant War Veterans' stationery. In it Smythe demands Government supervision over the affairs of the Catholic Church.

I am not going to insert these letters into the CONGRESSIONAL RECORD because I do not want to sully the RECORD. What I have read aloud is bad enough; what I have left unmentioned is simply nauseous. You might think this man was mad. Perhaps so. But it is a dangerous madness, for he was speaking and writing voluminously, spreading his unholy doctrine, while the Dies committee knew about it and nevertheless did nothing to stop him.

So as I continue my study of the record of the Dies committee I find myself wondering why the committee decided to publish "at a later date" the file of correspondence which would have fully exposed this un-American, subversive, religious bigot. I am wondering why that later date never arrived.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from New York.

Mr. MARCANTONIO. In connection with the Fascists who have been left uninvestigated and unmentioned, may I state that on August 4, 1938, the Dies committee subpenaed George Sylvester Viereck, who was planning to sail for Germany that night on the Hamburg-American Line steamer *Hansa*. The Hamburg-American Line was known to be one of the chief links between Nazi Germany propaganda and the United States. Viereck stated that he was going to Germany to visit the ex-Kaiser.

Accordingly, Viereck told the press that he was leaving for Europe that night but would gladly appear before the Dies committee immediately following his return.

On the same day, according to the New York Times, Congressman DIES issued a statement saying that he had been reliably informed that Viereck was not in fact going to visit the ex-Kaiser, but was going to visit Hitler at Berchtesgaden. Viereck replied to this by saying that he wished he were so fortunate as to be going to visit Hitler, but that it was not the case.

The records of the committee show no sign that Viereck was ever called back or that the subpena was ever enforced, and to this day Viereck has not been examined.

Mr. ELIOT of Massachusetts. I am wondering, too, why Smythe's disobedience to the subpena was not followed by any further action by the committee. In the same way, George Sylvester Viereck was subpenaed in August 1939 and disregarded the order.

Mention of Viereck, in connection with Smythe, leads me to mention Smythe's pro-Nazi activities. He is not only trying to destroy the Catholic Church. He is trying to destroy the American form of Government. In this July 4th article he wrote in 1941, he said:

Will we ask support of Hitler? Yes!

And I hold here a photograph of a letter this man wrote to Berlin on July 28, 1939, beginning:

Many thanks for the books on Hitler and the New Germany; they are already out in circulation. I gave them away at meetings I was addressing.

It saddens me to think that the Special Committee to Investigate Un-American Activities never saw fit to expose this active religious bigot, this anti-Catholic, this pro-Nazi! I am the son of a Protestant minister. I am one of a large family; my eldest brother is married to a Catholic and their daughter attends parochial school. I believe that one prime reason why our country has grown great is because the people have been taught to worship God. I remember that the Pilgrims came to the New World seeking "freedom to worship God." I am thankful that a Catholic Church and a Protestant Church and a Jewish Synagogue can exist all in the same town. I do not want to see any of them ever closed.

Mr. Speaker, the foe of religious freedom in America is virulently un-American. The Dies committee had the goods on this anti-Catholic, pro-Nazi agitator 2½ years ago—and never exposed him. He kept right on with his foul work. I am not today charging the Dies committee with aiding and abetting him—but I do think the House has a right to ask why they never exposed him.

ANNOUNCEMENT

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I was unavoidably detained when the vote was taken on the authorization to increase the debt limit. If I had been present, I would have voted in the affirmative.

EXTENSION OF REMARKS

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein several letters.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CANNON of Florida, indefinitely, on account of illness.

To Mr. BENDER (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of official business.

To Mrs. BOLTON (at the request of Mr. MCGREGOR), indefinitely, on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1773. An act to enable the United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson to carry out and give effect to certain approved plans; to the Committee on the Library.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 3798. An act to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government."

ADJOURNMENT

Mr. SNYDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 11, 1942, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet Wednesday, March 11, at 10:30 a. m., in room 353, House Office Building, to resume hearings on the bill H. R. 6522.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing at 10 a. m. on Wednesday, March 11, 1942, on H. R. 6633, H. R. 6717, H. R. 6718.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 11, 1942, at 10 a. m., subcommittee No. 3 of the Committee on the Judiciary will continue hearings on H. R. 6444, to provide for the registration of labor organizations, business, and trade associations, and so forth. The hearing will be held in the Judiciary Committee room, 346 House Office Building, Washington, D. C.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on Wednesday, March 11, 1942, at 10 a. m. for consideration of H. R. 6483. The hearing will be held in the caucus room, Old House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1473. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1942, for the War Department for the improvement of existing river and harbor works, to remain available until expended, amounting to $9,300,000 (H. Doc. No. 658); to the Committee on Appropriations and ordered to be printed.

1474. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide that certain provisions of law relating to the Navy shall be held applicable to the personnel of the Coast Guard when that service is operating as a part of the Navy; to the Committee on Naval Affairs.

1475. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 15, 1941, submitting a report, together with accompanying papers and an illustration, on review of reports on, and a preliminary examination and survey of, Lavaca and Navidad Rivers, Tex., in the interest of navigation and flood control, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on August 1, 1940, and also authorized by the River and Harbor Act approved on August 26, 1937, and the Flood Control Act approved on June 28, 1938; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1881. Report on the disposition of records by the Navy Department and the Government Printing Office. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1882. Report on the disposition of records by the War Department and the Navy Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1883. Report on the disposition of records by the War Department. Ordered to be printed.

Mr. SABATH: Committee on Rules. House Resolution 420. Resolution for the continuation of the Special Committee to Investigate Un-American Activities; without amendment (Rept. No. 1884). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 447. Resolution for consideration of S. 2249, a bill authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes; without amendment (Rept. No. 1885). Referred to the House Calendar.

Mr. ROMJUE: Committee of conference on the disagreeing votes of the two Houses. H. R. 1057. A bill to establish a system of longevity for postal employees (Rept. No. 1886). Ordered to be printed.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 6750. A bill to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes; without amendment (Rept. No. 1887). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COSTELLO:

H. R. 6758. A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones; to the Committee on Military Affairs.

By Mr. ROMJUE:

H. R. 6759. A bill to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time; to the Committee on the Post Office and Post Roads.

By Mr. PATMAN:

H. R. 6760. A bill for the relief of dealers in certain articles or commodities rationed under authority of the United States; to the Committee on the Judiciary.

H. R. 6761. A bill for the relief of dealers in certain articles or commodities rationed under authority of the United States; to the Committee on Banking and Currency.

By Mr. RANDOLPH:

H. R. 6762. A bill to amend an act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

By Mr. ELIOT of Massachusetts:

H. R. 6763. A bill permitting the naturalization of certain persons not citizens whose sons or daughters have served with the land or naval forces of the United States; to the Committee on Immigration and Naturalization.

By Mr. SATTERFIELD:

H. J. Res. 290. Joint resolution to prohibit the use of money for the acquisition, construction, and equipment of any building for the Office of Government Reports without congressional authorization; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. PETERSON of Florida introduced a bill (H. R. 6764) for the relief of Fred A. Flanders, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2543. By Mr. KRAMER: Petition of the Los Angeles County Board of Supervisors, Los Angeles, Calif., expressing their opposition to the proposed legislation (H. R. 6617) by Mr. COCHRAN, of Missouri, as it would upset the whole tax structure of local governments throughout the United States and would be especially detrimental to the tax structure in the county of Los Angeles where there is a great backlog of defense contracts; to the Committee on Ways and Means.

2544. Also, petition of the Journeymen Barbers Union, Local 295, Los Angeles, Calif., expressing their opposition to the reported move to wipe out the Farm Security Administration, believing it would be fatal to the low-income families; to the Committee on Agriculture.

2545. Also, petition of the Women's International League for Peace and Freedom, Los Angeles, Calif., expressing their earnest hope that the appropriations for the Farm Security Administration will be retained in the present appropriation bill; to the Committee on Agriculture.

2546. Also, petition of the Los Angeles Newsboys, Local Industrial Union, No. 75, Los Angeles, Calif., expressing their disapproval of the proposed move to eliminate the Farm Security Administration, feeling that it is necessary to the health and welfare of rural district children; to the Committee on Agriculture.

2547. By Mr. LYNCH: Resolution of the New York Federation of Post Office Clerks, opposing the extension of the 40-hour workweek; to the Committee on Labor.

2548. By Mr. MARTIN of Iowa: Petition of the Voiture Locale, No. 77, La Société des 40 Hommes et 8 Chevaux, of Davenport, Iowa, and sponsored by Legionnaires, representing every section of Iowa, urging that all aliens resident within the Territorial and continental areas of the United States be segregated and removed from such populace industrial and strategic and military areas within the United States, and that they then be detained in sparsely populated and nonindustrial areas within the interior section of the continental United States, and that such detention be in adequate and properly guarded work camps of confinement; to the Committee on Immigration and Naturalization.

2549. By Mr. WELCH: Petition of the Board of Supervisors of the City and County of San Francisco, memorializing Congress to fix premium rates of war-risk insurance so that insured persons in all parts of the United States shall share equally the burden of such insurance; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, MARCH 11, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Rev. Clarence W. Cranford, pastor, Calvary Baptist Church, Washington, D. C., offered the following prayer:

Thou great God of the universe, whose laws are eternal and may not be broken with impunity, hear our prayer this day. Our Father, we pray that we may understand what Thou dost have in mind for us to do in the world and that Thou wilt help us to translate Thy will into action. For Jesus sake. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, March 10, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that the President had approved and signed the following acts:

On March 7, 1942:

S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment.

On March 9, 1942:

S. 1891. An act to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Barbour	Brewster
Austin	Barkley	Brown
Bailey	Bilbo	Bulow
Bankhead	Bone	Burton
Butler	Holman	Reed
Byrd	Hughes	Reynolds
Capper	Johnson, Calif.	Rosier
Caraway	Johnson, Colo.	Russell
Chandler	La Follette	Schwartz
Chavez	Langer	Shipstead
Clark, Idaho	Lee	Smathers
Clark, Mo.	Lucas	Smith
Connally	McFarland	Spencer
Danaher	McKellar	Stewart
Davis	McNary	Taft
Doxey	Maloney	Thomas, Idaho
Ellender	Maybank	Thomas, Okla.
George	Mead	Thomas, Utah
Gerry	Millikin	Tobey
Gillette	Murdock	Tunnell
Glass	Murray	Tydings
Green	Nye	Vandenberg
Guffey	O'Daniel	Van Nuys
Gurney	O'Mahoney	Wheeler
Hayden	Overton	White
Herring	Pepper	Wiley
Hill	Radcliffe	Willis

Mr. MCNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from Nevada [Mr. MCCARRAN] is holding hearings in the West on silver, and therefore is unable to be present.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

REPORT ON FIRST YEAR OF OPERATIONS UNDER THE LEND-LEASE ACT (H. DOC. NO. 661)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith to the Congress a report on the first year of lend-lease operations.

One year ago, in passing the Lend-Lease Act, the American people dedicated their material resources to the defeat of the Axis. We knew then that to strengthen those who were fighting the Axis was to strengthen the United States. We recognized then the lesson that has since been hammered home to us by Axis treachery and Axis arms—that the rulers of Germany and Japan would never stop until they were thrown from power or America was forced to her knees.

Now that we have had to dedicate our manpower as well as our material resources to the defeat of the Axis, the American people know the wisdom of the step they took 1 year ago today. Had not the nations fighting aggression been strengthened and sustained—their armed forces with weapons, their factories with materials, their people with food—our presently grave position might, indeed, be desperate. But for the continued resistance of these steadfast peoples, the full force of the enemy might now be battering at our own ports and gateways.

Lend-lease has given us experience with which to fight the aggressor. Lend-lease has expanded our productive capacity for the building of guns and tanks and planes and ships. The weapons we made and shipped have been tested in actual combat on a dozen battlefields, teaching lessons of untold value.

Lend-lease is now a prime mechanism through which the United Nations are pooling their entire resources. Under the Lend-Lease Act we send our arms and materials to the places where they can best be used in the battle against the Axis. Through reciprocal lend-lease provisions we receive arms and materials from the other United Nations when they can best be used by us.

The war can only be won by contact with the enemies and by attack upon them. That takes time, for the United Nations need more and still more equipment and transportation. Success will come dearly at the price of defeats and losses. The offensive that the United Nations must and will drive into the heart of the Axis will take the entire strength that we possess.

For that combined strength we can thank the decision we took a year ago today. With that combined strength, we go forward along the steep road to victory.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 11, 1942.*

ACQUISITION OF INDIAN LANDS—PARKER DAM PROJECT, ARIZONA-CALIFORNIA

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Board of Supervisors of Los Angeles County, Calif., favoring the enactment of legislation to provide compensation for injury to or the death of volunteer civilian defense workers occurring in the line of duty; to the Committee on the Judiciary.

A resolution adopted by a joint convention held by the Union Republican and Socialist Parties at Santurce, P. R., protesting against the administration of Hon. Rexford Guy Tugwell as Governor of Puerto Rico; to the Committee on Territories and Insular Affairs.

Resolutions adopted by the Common Council of the City of Watertown, Wis., in relation to certain votes of the two Senators from Wisconsin; ordered to lie on the table.

A petition of sundry citizens of Sanders County, Mont., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr VANDENBERG:

A resolution of the Women Lawyers' Association of Michigan, protesting against the enactment of legislation providing for mandatory joint income-tax returns by husband and wife; to the Committee on Finance.

A resolution of the Detroit and Wayne County (Mich.) Federation of Labor, favoring the taking of prompt steps by the United States to place beyond the reach of Hitler and the Government of Germany such resources of the French Nation as might be used for war purposes by the Axis Powers, and also favoring taking over and administering the French colonial possessions within the Western Hemisphere until such time as France may be restored to the status of a free nation; to the Committee on Foreign Relations.

A petition of sundry citizens of the State of Michigan, praying for the enactment of Senate bill 2025, to readjust the pay and allowances of persons in the armed forces of the United States; to the Committee on Military Affairs.

A resolution of the Detroit and Wayne County (Mich.) Federation of Labor, favoring adequate defense facilities and military protection for the civilian population and industrial establishments in the defense-production area of Michigan; to the Committee on Military Affairs.

A resolution adopted by Karl Ross Post, No. 16, American Legion, department of California, of Stockton, Calif., favoring the enactment of legislation to prevent any willful action which slows down war production and to make such action treasonable; to the Committee on Military Affairs.

Petitions of sundry citizens of the State of Michigan, praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Finance:

"STATE OF MICHIGAN,
"MICHIGAN LEGISLATURE.

"House Concurrent Resolution 10

"Concurrent resolution memorializing the Congress of the United States to enact legislation inserting total and permanent disability benefits in war-risk insurance

"Whereas war-risk insurance provided by the Federal Government under jurisdiction of the Veterans' Administration for the men in service during World War No. 1 had a provision for total and permanent disability for the same amount of premium that is being paid by those serving their country in this present World War No. 2; and

"Whereas men and women serving and fighting in this fight for the protection of our liberty will undoubtedly face far greater possibilities of returning to their homes and loved ones disabled to the extent that they will never be able to earn a livelihood: Now, therefore, be it

"*Resolved by the house of representatives (the senate concurring)*, That the Michigan Legislature respectfully urges the Congress of the United States to enact legislation granting total and permanent disability benefits in their insurance policies to those serving in the armed forces of our country, making such legislation retroactive to provide the benefits to those totally disabled since the attack on Pearl Harbor by the Japs; and be it further

"*Resolved*, That a copy of this resolution be sent to the President of the United States, to the President of the Senate, the Speaker of the House of Representatives, and to the Michigan Members in the Senate and House of Representatives of Congress.

"Adopted by the house of representatives February 16, 1942.

"Adopted by the senate February 19, 1942.

"HUGHES F. GRAY,
"Clerk, House of Representatives.
"FRED I. CHASE,
"Secretary of the Senate."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs:

S. 1542. A bill to authorize the leasing of the undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma; with amendments (Rept. No. 1157).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

S. 2360. A bill to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time; without amendment.

EXECUTIVE REPORT OF A COMMITTEE

Mr. McKELLAR, as in executive session, from the Committee on Post Offices and Post Roads, reported favorably the nomination of Anna Schild Ellis to be postmaster at Watts Bar Dam, Tenn.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OVERTON:

S. 2363. A bill for the relief of Percy Ray Greer, a minor; to the Committee on Claims.

By Mr. GLASS:

S. 2364. A bill for the relief of former First Lt. William J. Tepsic, One Hundred and Seventy-sixth Field Artillery; to the Committee on Military Affairs.

S. J. Res. 140. Joint resolution granting permission to Hugh S. Cumming, Surgeon General (retired) of the United States Public Health Service, to accept certain decorations bestowed upon him by the Republics of Colombia, Haiti, and Chile; to the Committee on Foreign Relations.

HOUSE BILL REFERRED

The bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, was read twice by its title and referred to the Committee on Finance.

NOTICE OF MOTION TO SUSPEND THE RULE—ITEM VETO AMENDMENT

Mr. VANDENBERG. Mr. President, in connection with the amendment which I submitted yesterday, with the intention of offering it subsequently to the independent offices appropriation bill, I file the usual notice in writing of a motion to suspend the rule, if necessary.

The VICE PRESIDENT. The notice will be received and printed in the RECORD.

The notice is as follows:

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing of my intention hereafter to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 6430) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1943, and for other purposes, the following amendment, viz: at the proper place in the bill, add the following new section:

"SEC. —. When this act shall have passed the House of Representatives and the Senate and shall have been presented to the President for his approval, the President shall have power to disapprove any item or items contained in this act, in the same manner and subject to the same limitations as he may, under section 7 of article I of the Constitution of the United States, disapprove as a whole any act which shall have been presented to him for his approval. The provisions of such section 7 which relate to reconsideration shall also apply to any item or items so disapproved to the same extent as they apply to an act that has been disapproved by the President."

STRIKES AND LAG IN WAR PRODUCTION INDUSTRIES

Mr. GUFFEY. Mr. President, yesterday the junior Senator from Texas [Mr. O'DANIEL] read into the RECORD a number of telegrams concerning strikes and unemployment in certain industrial plants, without naming them. Later in the afternoon, I took the matter up with the War Production Board and the National War Labor Board, and I received the following information from the War Production Board, furnished to me at 5 p. m. yesterday:

That as of today—

That is, yesterday—

there is not a single man on strike in any plant in the country whose production is important or essential to war production.

The National War Labor Board advises that as of today they have 68 cases under consideration involving a total of 573,439 workers. Not one of these is on strike.

There may be here or there throughout the country a few scattered, isolated strikes, involving a mere handful of man, but they are not in any industry essential to war production.

Mr. VANDENBERG. Mr. President, supplementing the observations of the able Senator from Pennsylvania, let me say that whatever the facts may be, of course, they will speak for themselves; but I wish to read into the RECORD one sentence, speaking generally upon the subject of Mr. Nelson's address of last evening. I read from the New York Times:

Public wrath will destroy any agency of labor, management, or of the Government itself which interferes with the all-out production demanded for an offensive war.

I heartily concur in that statement.

Mr. O'DANIEL subsequently said: Mr. President, yesterday I read into the REC-

ORD several telegrams from good citizens of Texas, in which they expressed their indignation at the apparent complacency on the part of Congress and its failure to do something to speed up the production of war equipment. Those who sent the telegrams are under the impression that there is a lull in the production of the necessary war equipment. My worthy colleague from Pennsylvania [Mr. GUFFEY] previously today referred to the telegrams which I placed in the RECORD yesterday. The Senator from Pennsylvania quoted some figures and statements from the War Production Board.

I now desire to corroborate the testimony from the citizens of Texas, which was placed in the RECORD yesterday, by quoting from a newspaper account of the speech made last night by Donald Nelson, who is Chairman of the War Production Board. I quote from the newspaper report of Mr. Nelson's speech, in part, as follows:

The public, Nelson said, is far from complacent and wants production with such intensity of feeling that it will make sure it gets it one way or another.

Indicating the possibilities of the drive he announced last week to raise existing production rates by 25 percent, Nelson said that if all equipment now involved in war production were used 24 hours a day, 7 days a week, we would practically double the man-hours now going into military production.

Nelson noted that 20 percent of American war plants now operate only 5 or 5½ days a week. Many plants, he added, close on Sundays. In many others the second shift uses only 40 percent of the plant facilities, and the third shifts use only 20 percent.

This, he concluded, means that thousands of machines needed for munitions work now stand idle part or all of every week end and from 8 to 16 hours every weekday.

In another illustration, the production boss said that if the facilities of all the Nation's 31 aircraft engine and propeller plants were used to the same extent as those of the 3 with the best records, production could be increased immediately by 25 percent.

Similarly, if all of America's 153 machine-tool factories operated at the same level of utilization as the top 3, machine-tool output would be stepped up by 45 percent, he said.

Mr. President, I think that statement, coming from Mr. Donald Nelson, proves conclusively, or should prove conclusively, as it does to me, that there is cause for alarm about the lag in our production of war materials. I simply wish to place that evidence in the RECORD to justify the alarm and corroborate the statements from citizens of Texas placed in the RECORD yesterday, and urge that the Congress, if it is possible, do something immediately to speed up the production of war materials.

SUN YAT-SEN DAY

Mr. THOMAS of Utah. Mr. President, tomorrow, according to our calendar, will be Sun Yat-sen Day in China. It will be the anniversary of the death of Sun Yat-sen, founder of the present Government in China.

I shall detain the Senate for just a moment or two with a message which I trust the people of America will understand and which I hope the people of China will receive some way or another, because I have in this message of mine a personal message which has already been sent today by Gen. George C. Marshall, the Chief of Staff of the United States Army, to Generalissimo Chiang Kai-shek. I have been requested to make public this message, and I am very happy to do so, both because of its own importance and because of the importance of the subject with which it deals.

General Marshall's message is as follows:

On the seventeenth anniversary of the death of China's first President, I wish to congratulate you on your many years of success in promoting the democracy and defense of China and in advancing the teachings of modern China's founder. Our two peoples have long been politically sympathetic. Today military collaboration is bringing us even closer together. Americans are proud to recall the refuge, support, and encouragement which their country gave your leader in his long but tireless struggle for his people.

The message of General Marshall goes to the great Chinese leader, Chiang Kai-shek.

Mr. President, it was my privilege to see and shake hands with Chiang Kai-shek when he was a very young artillery student in Tokyo. From that day to the present I, of course, have watched his career and noted what he has been doing.

If Chiang Kai-shek is successful in uniting the Chinese people, and creating, in accordance with the great scheme of Sun Yat-sen and his "three people's principles," unity among the Chinese, he will stand out as one of the great men of all times.

It is interesting to note that this great general, while he is an officer of a political party and a member of a revolutionary party which is responsible for the present government of China, is recognized today by all the citizens of China as the universal commander in chief of all the Chinese The factions have melted into a unity which expresses the one desire which the Chinese have, of repelling the enemy, and developing their land in accordance with old and well-thought-out principles.

Chiang Kai-shek has, for example, united the great ecclesiastical princes of Tibet with the leftist workers in China. He has brought the Mongolians into harmony with his endeavor, and I might state that probably never in all history has there appeared a man who has been able to attain universal support from what were opposition groups in the beginning quite as successfully as has Chiang Kai-shek. In fact, the unity attempted under Sun Yat-sen when the Chinese revolutionary party selected a flag of five colors to represent the elements of China has been accomplished a generation later by Chiang Kai-shek. In the selection of his subordinates, in the selection of those who are fighting with him the enemy from without, Chiang Kai-shek is careful to recognize all factions. Partisanship seems to have left him.

Modern China has the political and military task of assuming the practical initiative against Japan on the land side of operations. But, no less importantly, modern China has a moral leadership in the principles of humane political civilization; this moral leadership will be of great benefit to the whole world, and is evidenced at this moment by the amazing unity, nonpartisanship, and courage of all China under the generalissimo's leadership.

There has likewise been with him at all times a realization that the significant thing about the Chinese revolution and the growth of the Chinese Government under his leadership must be the spiritual aspirations of the people and the realization of those spiritual aspirations. It is because he sees that it is only in a culmination of spiritual China that material objectives can be gained that Chiang Kai-shek has been able to bring about the unity he has accomplished among his people and is attaining success in the great revolution and the great war he is carrying on.

Mr. President, that Chiang Kai-shek is fighting for the benefit of the world is understood by all people who see eye to eye with the American people at the present time. That he is fighting for the ultimate benefit of the common man is understood by all. That he is with us a natural ally in this great struggle can be accepted without doubt if we will but study the aims he has and our aims in comparison with his.

Mr. President, one of the pleasant customs among friendly nations has been for many years the carrying on of a diplomatic interchange of greetings, salutations, and congratulations on various anniversaries, birthdays, and other commemorative periods. It is my belief that both the spoken and the unspoken words which have flowed between China and the United States in the last 3 months have meant a great deal more than polite recognition of the existence of celebrations in the two countries. I think that, particularly in the United States, there has been a new recognition of the brotherhood that exists between the two peoples. And it is my belief that the words of General Marshall are part of this new understanding.

I am not alone in believing in this time of war crisis that our country would have been better off during the last generation if our schools had taught our growing citizens a great deal more than they did about the Eastern Hemisphere. Had our people, for example, been more familiar with the designs of the war lords of Japan, with the pattern of militarism and unswerving loyalty to the ideals of conquest, subjugation, and ruthless despotism, our Nation would undoubtedly have followed our leaders more wholeheartedly in steps to prevent what is now happening in the Pacific.

Moreover, had our people become more familiar with the magnificent rebirth of China, with its epoch-making turn to political democracy under the leadership of Sun Yat-sen, our national realization of the bonds linking us to China would have led us into far greater support and encouragement than we gave, and into far more active collaboration in helping that great new republic to repel the barbarous invaders from Tokyo.

It is not my purpose here to lament the past, but instead on this anniversary to add to the words of General Marshall and those many others, who today are

speaking to China, my own feeling of happiness that in spite of the tragic events in the Pacific today, Americans now appreciate that our sister republic in the Pacific has been steadfastly holding the torch of the democratic way of life which our own Nation, also alone and unaided at first, helped to light more than a century and a half ago.

Sun Yat-sen is bound to remain in history as one of the great who has contributed to the advancement of the welfare of mankind. Sun Yat-sen's formula, the "Three people's principles," constitutes a program to bring forth a united China, a democratic China, and a Chinese Government established to promote the welfare of the people of China.

Persons wonder why it is that China and the United States are such natural allies. Have we not in the "Three people's principles" a restatement of the objectives of our founding fathers when they established our union? The Thirteen Colonies were brought together to make a strong government. This marked the birth of the American Nation. The Republican form of government was guaranteed to all the States in the Union. That constituted America's guaranty of a democracy. And the Constitution provides for the general welfare of the people.

Thus, China and America are natural allies in the attainment of liberty for persons and a government of the people which will act as the people's agent. The importance of China's position in the present war to save democracy cannot be overemphasized. Her fight and ours are indeed identical.

I am deeply impressed with the words of a statement issued today by Pearl Buck, the great novelist who has made China come to life for millions of Americans. She says:

> It is well for us to remember in these days that great Chinese leader, Sun Yat-sen, for to him is due the beginning of the new China which has so heroically taken its place in the modern world of war and statesmanship. Sun Yat-sen saw the need for national unity and was himself a focus for that unity. If Sun Yat-sen could see China now, how proud he would be. All the grains of sand, as he once called the individual Chinese, have become a mountain of rock.

I believe, Mr. President, that besides the pride of which Miss Buck speaks, Sun Yat-sen would have felt tremendous happiness also had he lived to see the present association between China and the United States. He died in 1925, long before the latest series of attacks by Japan on China, but his basic belief in democracy envisioned a world in which Americans and Chinese would stand shoulder to shoulder for justice. His joy would be immeasurable to learn that this unity has now been achieved.

It is my belief that Sun Yat-sen is indeed alive today, in the one sense in which a man can live beyond his physical stay on earth.

We stand in a world of screaming shells, of horrifying torture, of terrifying military engagements. Nearly every quarter of the earth is wet with the blood of dying men. The bottoms of all the oceans are scattered with ships and bodies which have been destroyed. Battles are being lost and won by both sides.

We know that the United Nations will win this war, whatever immediate difficulties appear to be in the way. We know that the United States will help to win the war. We know that China will help to win the war. We know that our other allies will help to win the war. And when the war is won, we will know that Sun Yat-sen, long departed from this earth, will have been one of the principal participants, whose principles and whose influence built the new China and inspired the partners of China to go forth steadfastly until militarism will have been crushed from the world.

SPIES AND SABOTAGE IN THE UNITED STATES

Mr. LEE. Mr. President, almost every day the newspapers carry stories of sabotage in this country—train wrecks, plane crashes, explosions, fires, and so forth. Furthermore, the constant torpedoing of our ships off the Atlantic coast would indicate that Axis spies are active in this country, giving information on the departure of those ships.

It will be recalled that I have lifted my voice on the floor of the Senate for the past 3 years, calling attention to sabotage and espionage in this country and urging that we do something about it.

Almost 2 years ago—June 4, 1940—I said in the Senate:

> We should increase the personnel of the Federal Bureau of Investigation and require the Army and Navy Intelligence immediately to increase their personnel in order to combat fifth column activities within the United States.

Again, about a year ago—May 15, 1941—I said in a speech in this Chamber:

> The Government should set up at once a giant, correlated organization for combating foreign agents in this and other countries and for countering and offsetting propaganda at home and abroad.
>
> Congress should appropriate $500,000,000 for this organization.

Today the F. B. I. is doing fine work, but it is limited for the want of personnel. The same is true of the Army and Navy Intelligence services.

It is even more important now than ever before that the acitivities of foreign agents in this country be eliminated. Therefore, we should immediately make provision for the increase of trained personnel in our intelligence services, in order that our industries may be protected from sabotage and our war effort not slowed down by spies and propaganda from the Axis agents.

Mr. President, it is time for Uncle Sam to get tough with the enemies who are in the United States.

ADDRESS BY WHEELER McMILLEN AT FOUNDERS' DAY BANQUET, LINCOLN, NEBR.

Mr. BUTLER. Mr. President, Nebraska became a State on March 1, 1867. Each year on or near this date we in Nebraska celebrate this birthday anniversary in a State-wide meeting held at Lincoln, Nebr., the seat of our capitol. On February 28 last such a meeting was held. The speaker was Wheeler McMillen, prominent editor of Farm Journal and Farmers Wife, of Philadelphia, Pa. His address was inspiring and instructive, and, I am sure, will be of interest not only to Members of this body but to others who receive and maintain files of the CONGRESSIONAL RECORD. I ask unanimous consent that his address may be printed in full and made a part of my remarks in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CHALLENGE OF HOPE

(By Wheeler McMillen)

A new and bright star was added to the blue field of the American flag 75 years ago. The rising star of Nebraska was the thirty-seventh to be added to the blue field that symbolizes hope in the flag that stands for freedom.

The land of Nebraska was made into a State by men who lived in freedom. Most of them were men who had lately fought for the principles of union and freedom.

The founders of Nebraska, whom we honor by assembling here today, were men with hope. How many of them were great men—great in the sense of being above their fellows in ability and strength—I do not know. Doubtless great men were among them. I prefer to speak tonight of the others, of the plain and independent men who came to Nebraska with their families and simple possessions, with their teams and wagons and plows. Unless I have misread history, it was these plain men, the men with hope in their hearts and ambition in their hands, who turned the prairie wilderness into the great State of which you are rightly proud today.

The hope in the hearts of these pioneers, these true founders of Nebraska, was a tremendously important fact. Men and women, they knew, they could come to a new State and by their independent efforts make themselves homes and farms.

One can look back across the years and see them begin the building of Nebraska. A man set his plow into the rich, new soil and turned it over with hopeful visions of the crops to come. He strung his first fences with a picture in his mind of profitable herds soon to be grazing. A woman set things to rights in the temporary new shack, singing out her hope that before too long she would be mistress of a fine new house. Children grew up with the knowledge that with education, ability, and industry they might achieve more than was permitted to their parents. In the villages men started small businesses with the rightful hope that they would be increased into larger businesses.

Despite the set-backs and disappointments from time to time, the crops did grow, the herds fattened and went to market, the better houses were built, and the volume of business expanded. Men worked hard and worked joyfully, because work brought satisfactions and rewards.

Thus, because there was hope and incentive, Nebraska was built and grew rich and strong. Thus the West was built. Thus, indeed, America was built. Nebraska took part in the process that began more than a century and a half ago when freedom was established for men here in the western world.

Hope is one of the great forces that carries men forward. There is tragedy always when hope disappears.

Deep down among the causes for the sad condition of the world is the fact that whole nations of men began to find their hopes diminished or wholly lost. The situation, abroad as in the United States, was aggravated by the spread of an ignorant doctrine of poisonous falsity. Men were told that there were no more new frontiers to conquer. They heard there were no new lands to plow. They came to believe the tragic lie that no longer was there pioneering to undertake, be-

cause the world was built and its great works all finished, and the wealth all created and that someone, not themselves, had possession of it all.

The dictators and demagogues were quick to find their opportunities. In some parts of the world, whole nations set out to snatch by armed brutality what other nations had. In other instances the groups that had not were persuaded that they could improve their lots by wresting something from those who had.

We are in the midst of the consequences. And the end is not yet in sight.

The Republican Party has as one of its major obligations the great task of repairing the injured hopes of large numbers of Americans. I believe the party can be equal to that task, because Republicans have always been the kind of people who understood the forces that made America the land of opportunity. Republicans have known how to work with those forces for the greatest good to the greatest number. I expect that we shall meet the challenge of that need.

One of the great sources of our war power today is the presence of confident hope that we can win this far-flung conflict. Let me for a moment turn to this topic, which is the foremost preoccupation now of all of us.

Every American today finds that his one concern above all others is to do his part in winning the war.

In war or peace, loyalty to the Nation precedes loyalty to party. The course of the Republican partisan in these times is perfectly clear. His decisions will invariably be made with the national interest as his first consideration. Victory is the preeminent and paramount first.

To that end the Republican Party will certainly display the courage required to support the leadership now temporarily in power when that leadership is right. There must also be the higher courage to ignore the sniping of opposing partisanship whenever it becomes necessary to expose the mistakes of leadership. It would be a poor kind of nonpartisanship and a poor patriotism to support blunders. Upon Republicans is the clear and patriotic obligation to oppose misconduct of the war wherever it appears.

Certainly the people of the United States do not expect that Republicans will support defeat, nor any measures or lack of measures that promise to contribute to defeat.

In this desperate and total war every asset of the Nation must be brought forward ready for use. The military strength of the people is unprecedentedly dependent upon the economic strength of the people. Economic strength is measured by how much the people can produce; in other words, by the materials there are to work with and by how much work the people can do.

The degree of economic preparation is vital alongside the degree of military preparation. There has been a certain amount of futile and inappropriate recrimination over who has favored this or that item of military preparation. There may be considerably more justification in asking a few questions about the measures that have made for economic strength.

No one can deny that the primary requirements for victory are manpower, machine power, and producing power. In the light of this inescapable reality, may it not be proper now to ask what the New Deal has been doing through its 9 years of administration to increase the productive strength of the United States.

Has a needlessly huge debt—the product of years of reckless spending—increased our strength? Will social security win the war? Are we more powerful today because incentives for savings and for investment have been destroyed? Is our striking power greater because disunity and discontent have been encouraged? Can we fight harder because dissensions have been multiplied among workers and employers? Are we stronger for having hoarded here the world's gold and silver? Are our men better equipped to fight because of reciprocal trade treaties? Can the people sustain the conflict better because, partly in consequence of those treaties, we have shortages now of vegetable oils and starches, of fibers and sugar?

To raise these questions now is only profitable as a preliminary to exploring the problem of what can now be done to assure a national productive economy of invincible strength?

Obviously, the Nation needs anything else but shortages in time of war. We have no alternative except to undertake to create or obtain, from some available source, the materials that are essential.

It may well be that while we are building up abundance for war we can at the same time open the way for abundance in time of peace. I suspect that we may discover here one of the processes by which hope for the long future can be rebuilt in the hearts of Americans.

The United States is now compelled to look for new sources of rubber. The expansion of synthetic rubber is now urged with scrambling haste. Efforts are being expended in the American tropics. All this is to the good. I cannot help but wonder, however, if simultaneously every rubber-bearing plant—and there are many besides the hevea tree—ought not immediately and thoroughly to be explored. We do not know that all the rubber needed cannot be grown on American farms—we do not know because we have never made any thorough search of what might be done.

Certainly it is no secret in Nebraska that all the sugar the country requires could, if necessary, be grown in the Nation's cane and beet fields. If still more were needed, there is sugar to be made from corn.

Thanks to a little research already done, no serious consequences will follow the severance of our accustomed imports of starches from the Dutch East Indies. The starches can be obtained from the sweet potatoes of the South or from the waxy soybeans of Nebraska.

Had as much research been done in another field, I am confident that we would need to experience no shortages of burlap. I don't know why it has seemed necessary to send halfway around the world to India for jute to make a fabric for wrapping Nebraska grain or southern cotton. Perhaps now we shall look closer at our own hemp and okra, milkweed and butterprint weed, and possibly find even better fibers.

Just now there are supply officers worrying about kapok, no longer likely to come from the East Indies, to fill life preservers and life rafts and to meet a score of accustomed needs. That worry will soon be over, no doubt, because the private research of one man has shown that the floss of common milkweed is a far better product than kapok. Each fiber of the floss is an air-filled tube, and therefore one of the finest of insulating materials. Then, each fiber is covered with a coating of wax which makes it almost impervious to water. With a coverall suit containing three or four pounds of milkweed floss, an aviator can work comfortably in the frigid temperatures of the stratosphere. Then, should he be shot down into the sea, the same suit will sustain him in water, I am told, for more than 100 hours.

These are but a few suggestions to point toward some of the possibilities of tomorrow.

Even here in the United States we have only begun to scratch the surface of our agricultural resources.

More than 300,000 species of plants are known to grow on the face of the earth. More than 15,000 grow right here in North America. Only a few hundred have ever been cultivated as crops.

This is the era of the organic chemist and plant breeder. Every plant that grows ought to be examined in the light of the new knowledge, knowledge constantly being expanded, possessed by the chemist and geneticist. One plant alone—the soybean—has grown in production volume from 2,000 bushels in 1914 to 106,000,000 bushels in 1941 because the organic chemist has constantly discovered new uses for it and the plant breeders have constantly adapted it the better to suit the new uses. No one can know, until we have looked, how many more such opportunities await us in agriculture.

After the war that ended in 1918 a period of great prosperity was built around the rise and expansion of new industries. The automobile made employment for men and women in every corner of the Nation. The radio made jobs. Aviation began its rise. A vast chemical industry got under way, resulting not only in thousands of jobs but in tremendous new strength to the war effort of today.

I wonder if it could not be possible for agriculture to become the Nation's next big new industry. With the broad base of knowledge that has accumulated in the agricultural sciences, with the agricultural urgencies that confront us now in war, and with the broad realm of almost wholly unexplored possibilities for new agricultural products, I see no reason why this might not be.

Here in America we are blessed with almost every productive combination of soil, temperature, altitude, humidity, and kind of fertility that makes for plant growth. We have a great heritage of mechanical power. If we were once to decide to proceed with aggressive and comprehensive determination to make agriculture the true base of the national economy, there is no telling what blessings might be achieved.

For such an accomplishment, however, it will be necessary to face forward instead of backward. It will be essential, for one thing, to make sure that the farmers of the United States shall have, without question, the first preference in the markets of the United States. You can't import farm prosperity.

It will be necessary, too, that we be positive rather than negative. A strange idea has been attempted in recent years—the idea of paying farmers not to produce the things that are not needed in the United States.

I would propose that we do the exact opposite of that. I would propose that we pay farmers for producing the things we do need in the United States.

Had that kind of common-sense policy been in force these recent years, the Nation would not now be desperately short of vegetable oils, of certain fibers, and maybe not even of rubber.

Those who have favored the importation of competing farm products, on the ground that we must import if we are going to export, have been just about 100 percent wrong. They have overlooked the vitally important fact that production has more than one function. Production is a way of procuring goods. It is also a way of creating the earning power with which to buy goods. The Republican idea of creating earning power by providing Americans the fullest opportunity to produce is as sound today as ever, and by that I mean entirely sound.

We shall hear more in the years ahead about buying the products of other nations. I would point out that by increasing our productive power at home we shall be able to buy more from other nations than if we injure our domestic productive power. A high degree of self-containment and a flourishing international trade are not contradictory. Indeed, they go hand in hand,

because it is when domestic prosperity, created by domestic productivity, is at its highest that Americans are able to buy the greatest quantities of the foreign goods which are not supplied from our own resources.

Farmers constitute one-fourth of the Nation's population. Another one-fourth is made up of people in the small towns and cities whose entire income awaits the new product or the new dollar brought to town by a farmer. The two groups together make up half of the Nation. When that half is prosperous the other half also prospers.

The air is full these days of stupid predictions that there need be no depression after the war, because in some mysterious way the huge new wartime productive equipment will be kept going. The only way that it can be kept going will be to have a market for the peacetime products this equipment will manufacture. The most practicable method for creating such a market will be to build up, higher and more comprehensively than ever before, the earning power of the agricultural areas of the Nation.

I firmly believe that the great hope of America's future lies in the agricultural people and agricultural industries. The great challenge to the Republican Party, the challenge of recreating hope for the masses of people, may best be met by a sound and far-seeing agricultural program.

The Republican Party will not deserve to prevail unless it finds the way to put opportunity once again before the door of the little man in America. The plain, independent citizen is the fellow we need to be working for. There are millions of him in agriculture and in the activities that depend on agriculture.

For these millions our task is to recreate the atmosphere of hope. Mere security is the resort of despair. Security by itself is not enough for Americans. The plain pioneers did not come to Nebraska for security. They came for opportunity. They came with the understanding that opportunity meant opportunity to work. They knew that work meant producing. They knew that if they and the world were to have things the only way was to produce things. When we open the gate of production then we shall open the gates of hope.

Just now we've got a war to win. But we have a magnificent country to keep and build on through the years when the wars will be over. May it be our program then, as it was the program of the founders of Nebraska, to make this a country where each boy and girl may confidently hope to have the chance to earn themselves a home, and in that home to rear a family, and to expect the opportunity to work and live their years as free, independent Americans. May we, as Republicans, declare it our purpose under the flag of freedom to continue the United States as a land where more people are able and willing to support the Government than will ever be looking to the Government for support.

MORE SPEED, MORE WEAPONS—EXCERPTS FROM REMARKS OF SENATOR LEE

[Mr. LEE asked and obtained leave to have printed in the RECORD excerpts from speeches delivered by him in the United States Senate, which appear in the Appendix.]

WAR PRODUCTION—ADDRESS BY DONALD M. NELSON

[Mr. LEE asked and obtained leave to have printed in the RECORD a radio address delivered by Donald M. Nelson, Chairman, War Production Board, on Tuesday, March 10, 1942, which appears in the Appendix.]

ADDRESS BY HON. ALF LANDON ON, WHAT ARE THE AMERICAN PEOPLE AIMING AT?

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the subject What Are the American People Aiming At? delivered by Hon. Alf Landon, at Kansas City, Mo., on March 8, 1942, which appears in the Appendix.]

THE SPIRIT OF NORWAY TODAY—ADDRESS BY CROWN PRINCE OLAV OF NORWAY

[Mr. BONE asked and obtained leave to have printed in the RECORD an address by Crown Prince Olav, of Norway, broadcast from Radio Station WNYC, New York, February 10, 1942, on the subject The Spirit of Norway Today, which appears in the Appendix.]

ADDRESS BY DR. MARC WILKINSON ON MUSSOLINI

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a radio address on the subject Mussolini: A Paradox, delivered by Dr. Marc Wilkinson from Los Angeles, Calif., and published in The Union, of Pueblo, Colo., February 27, 1942, which appears in the Appendix.]

DOUBLE STANDARD—EDITORIAL FROM THE PROGRESSIVE

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the The Progressive, of February 28, 1942, entitled "Double Standard," which appears in the Appendix.]

UNITY IN THE WAR EFFORT

Mr. WILEY. Mr. President, I wish to occupy the time of the Senate for only a few moments. I desire to comment on two letters which I received today, because I think they are worthy of the attention not only of this body, but also of those in the Government who spend the money which we appropriate.

Some of us have heard about the value of the widow's mite. We remember that incident in the Book of Books. The Master, commenting on it, said that the widow had given her all.

Today I received a letter from a little town back home. I read a part of it:

Yesterday morning our teacher rode to Janesville with me and she tells me that her pupils, approximately 35 of them, in a very short time, have gone out and worked and deprived themselves of candy and movies and are now the proud owners of about $80 worth of defense stamps. They went out and shoveled snow and did any other odd jobs for neighbors.

Some of these children do not even own overshoes Some of their parents are receiving relief. It is a real sacrifice for them when they buy a stamp.

If you can find time, I would appreciate it very much, and I am sure they would feel honored if they had a letter from you complimenting them on their work.

There is a postscript reading as follows:

Would appreciate it very much if you would show this letter to some of your colleagues, and maybe they will think twice before they will dip into funds that are built through such methods as this.

I ask that the letter which I wrote in reply be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
March 11, 1942.

MY DEAR YOUNG FRIENDS OF THE LIMA CENTER SCHOOL: A letter from one of your proud citizens tell me how you loyal youngsters were sacrificing in order that you might buy defense stamps and aid your country in this present war effort. I was informed that you have worked and deprived yourselves of candy, movies, and other things, and are now the proud owners of about $80 worth of defense stamps—that you earned the money to buy the stamps by doing odd jobs, aiding your neighbors, shoveling snow, etc.

I realize that this means a personal sacrifice for many of you, but I know that you also are getting compensation a thousandfold. The "good feeling within" that comes from doing a fine deed makes for better health and better character.

I feel proud of you young folks. We are engaged in a great battle for freedom. Other countries that were free as we are have gone down before the conqueror and are now enslaved. We must see to it that this does not happen here. It will not happen here if all the people forget their differences, join in a great effort and get production of planes, ships, tanks, and munitions.

I know that in the troublesome days up ahead you will continue to manifest the same unselfish devotion to your country.

Sincerely yours,

ALEXANDER WILEY.

Speaking in the Senate about 6 weeks ago I stated that I thought it was the function of Congress, when it appropriated money and when it raised money by taxation, to see that the money was well spent. I think that is more important now than ever before. We have just heard the distinguished Senator from Texas [Mr. O'DANIEL] comment on the very forceful and dynamic speech of Donald Nelson last night, in which he said, mincing no words, that if we do not get down to the job we shall be in slavery. Of course, he had in mind what happened to great peoples in Europe who did not get down to the job—peoples from whom many of us stem.

I shall not indulge in what Donald Nelson calls pencil pointing; but during the past few days there have been called to my attention a number of instances indicating in my humble judgment, that many of those who spend the money have not been sensible of their duty as trustees. I have in mind one instance, in connection with the building of small boats. Instead of the contracts being awarded to the lowest bidders, they were awarded to those who were asking two or three times the amount of the lowest bids. There may be justification for such a procedure. I am not arguing that point. I am simply saying that I think that in this period we should all be cognizant of our job as trustees. It is the people's money we are handling; and when an agent of the Government buys war material for the Government or builds cantonments, and dissipates much of the money, he is certainly recreant to his obligations.

In the same mail there came another letter, which I think is also very wholesome. The gist of the letter is that in Kenosha, Wis., labor, management, and all other groups of the citizens have got together. I read a paragraph from that letter:

You will note by the letterhead that this committee is composed of Government, labor, industry, and the general public, which is a true cross-section of a group of citizens vitally interested in the welfare of their community.

This committee has been very successful in aiding in the settlement of many con-

troversial subjects and conditions which would have been a detriment to our community, and we can truthfully say that the cooperation between Government, labor, industry, and the general public has been very gratifying and the results have been for the best interests of the community as a whole.

The first intent and purpose of this committee is an all-out effort for defense; secondly, community cooperation and understanding; thirdly, alleviation of distress.

The reason this letter was written is embodied in the following language:

We feel that the purpose and intent of this organization should be passed on to our neighbors, government officials, periodicals, and other worthy organizations who might profit from the experience enjoyed by the Kenosha Community Committee. We stand ready at all times to lend a willing hand and give what help we can to further the intent and purpose of this organization.

I ask unanimous consent that the letter which I wrote in reply be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
March 11, 1942.

Mr. GEORGE J. FRIEDL,
Secretary, Kenosha Community Committee, Kenosha, Wis.

DEAR FRIEND: I want to thank you very much for your letter of March 4, 1942, in which you tell of an organization composed of a group of civic-minded citizens, which group has for its sole purpose that of creating harmony between labor, industry, and the public.

I think that you "have something here" in this set-up. In a post-war period understanding and reason and common sense will be needed more than anything else in America. When a man possesses these three qualities he is indeed a leader, and America needs now and will need even more in the future leaders of this type. There are those among us who find it to their advantage to create class hatred and division. We must beware of such folks. We have much of real value here in this land of ours. We want to perpetuate these great human values for ourselves and for future generations. And in my humble opinion the only way these values will be maintained is through the Christian understanding of our citizens. "Without vision the people perish."

May your organization continue to grow and benefit your own community and influence through its objectives and its beneficial work the Nation at large.

Sincerely yours,

ALEXANDER WILEY.

Mr. WILEY. Mr. President, I am very much impressed by the contribution of children going through a Wisconsin winter without overshoes. I am also impressed by the common sense and the sense of balance which have come to the other community, in which government, management, labor, and all other elements recognize that they are in the same boat. They are willing to forego some of their little privileges in order that the boat may sail safely through the rapids. I trust that this attitude is symptomatic of that which will be general throughout the Nation. There should be no partisanship. Labor should sense its opportunity to demonstrate to the Nation that much of a derogatory nature which has been said about it is not true. Management should likewise step into the breach. If each element of society does its part, the result will be what Donald Nelson has said is so imperatively necessary.

LABOR DIFFICULTIES IN THE WAR EFFORT

Mr. MEAD. Mr. President, yesterday I called the attention of the Senate to the defiant attitude of the president of the Toledo, Peoria & Western Railroad. This defiance has persisted, and he has refused to consider the agencies of Government, including the Conciliation Service of the Labor Department and the National War Labor Board. Last Saturday a representative of the Government was sent out to confer with him and with the railroad brotherhoods. He refused to see the representative.

A telephone call this morning indicates that he still maintains his defiant attitude. The railroad brotherhoods have agreed to arbitrate every question. They have said that there are things to arbitrate in the agreement which they would not ordinarily arbitrate, but that since Pearl Harbor they have been willing to arbitrate anything and everything.

The Government is closing in on this defiant dictator. I want the country and the Senate to know that in this case labor has agreed to arbitrate and that the employer is defiant.

While I am on that subject, Mr. President, let me say that there have been three cases of defiance which received the consideration of the National War Labor Board since a national agreement was reached between industry and the workers to arbitrate their difficulties. One of the three cases involved a union at Detroit, but within 3 hours, under the influence of their leader, the union members went back to work.

The second case of defiance was that of the Federated Fishing Boats of New England and New York, Inc. That defiance began prior to February 11. On February 11 the National War Labor Board issued a public statement, which, in part, contains this language:

The National War Labor Board unanimously decided that the "defiance of the Board" by the Federated Fishing Boats of New England and New York, Inc., and their "obvious lack of appreciation and understanding of the patriotic obligation which they owe America today in keeping war production going" has made it impossible for the Board to hold hearings on the merits of their dispute with the Atlantic Fishermen's Union, American Federation of Labor.

The attitude of the union is expressed in the following language:

The union will abide for the duration of the war by the national understanding that all employers and labor organizations shall not resort to strikes or lockouts in industries essential to the prosecution of the war.

In this case the employer has yielded, and a hearing will be held on this dispute tomorrow.

The third case of defiance, Mr. President, is the case of George P. McNear, hard-boiled president of the strike-bound Toledo, Peoria & Western Railroad, who continues to refuse even to see representatives of the Government, although the National War Labor Board, unanimously, the employees, the public, and the labor representatives have appealed to him to do so. I ask to have printed in the RECORD at this point a release by the National War Labor Board dated February 24, 1942, and a second release dated March 5, 1942.

There being no objection, the releases were ordered to be printed in the RECORD, as follows:

The National War Labor Board today set a hearing for Friday, February 27, on the dispute between the Toledo, Peoria & Western Railway, Peoria, Ill., and the Brotherhood of Railroad Trainmen and the Brotherhood of Locomotive Firemen and Enginemen.

The hearing, which will be before the full board, will be devoted to a discussion of the procedure which should be adopted in a final disposition of the case on the merits.

This dispute over wages, hours, and working conditions has resulted in a strike since December 28, affecting 104 employees of this railroad, which is the freight belt line bypassing Chicago.

The National War Labor Board today announced that, pursuant to the Board's request, the National Mediation Board had directed its mediator, John F. Murray, to proceed to Peoria, Ill., to draw up the arbitration agreement ordered by the War Labor Board in the dispute between the Toledo, Peoria & Western Railroad and the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Railroad Trainmen.

Robert F. Cole, secretary of the National Mediation Board, sent the following telegram to George P. McNear, Jr., president of the railroad; D. B. Robertson, president, Brotherhood of Locomotive Firemen and Enginemen; and A. F. Whitney, president, Brotherhood of Railroad Trainmen:

"Pursuant to order issued by the National War Labor Board under date of February 27, 1942, in dispute between Toledo, Peoria & Western Railroad and its train, engine, and yard service employees, represented by the Brotherhood of Locomotive Firemen and Enginemen and Brotherhood of Railroad Trainmen, directing that the parties proceed to submit their controversy to arbitration under an arbitration agreement as provided in section 8 of the Railway Labor Act, and the subsequent request of that Board that the Mediation Board effectuate the above-mentioned order, the National Mediation Board, under authority vested in it by section 4 of the Railway Labor Act, has directed Mediator Murray to proceed to Peoria, Ill., for the purpose of drawing up the arbitration agreement ordered by the National War Labor Board. Mr. Murray will be at the Jefferson Hotel, Peoria, Ill., at 10 a. m. Saturday, March 7, 1942, and you are requested to have your representative meet with him at the time and place herein designated. Please advise who will represent you."

UNINTERRUPTED WAR PRODUCTION

Mr. LEE. Mr. President, we must redouble our efforts in production. I believe this can be helped by preventing any stoppages in production. This can be done by passage of legislation to prevent lock-outs and strikes.

It is my belief that what America does in the coming months will determine our future for centuries. Of course, it is true that we are trying to do in a few months what the Axis has taken 7 years to do. Nevertheless, it must be done.

Mr. President, I was opposed to strikes and lock-outs in defense industries long before the United States was in this war. Certainly, if I was opposed to them before Pearl Harbor, I am even more opposed now.

For more than 2 years I have urged with all my might that production be uninterrupted and that we redouble all efforts to increase production.

On June 4, 1940, I said:

In the interest of our own security the United States should redouble its efforts toward national defense. * * *

If we should suddenly be catapulted into war we would double our present efforts. Therefore we must double our present efforts now. * * *

All factories manufacturing planes, tanks, and guns should be placed on a 24-hour schedule. * * *

We should divert as much of the Work Projects Administration funds as possible * * * to the construction of national defense projects, such as military highways, air bases, underground depots, permanent military barracks, etc.

Again, Mr. President, on May 15, 1941, in a speech on the floor of the Senate, I recommended that the 40-hour week be suspended.

I am happy to state that one of the large newspapers in Oklahoma has finally caught up with my own idea and is now putting on a campaign to help sell it to me. It has flooded my office with telegrams urging that Congress carry out the same recommendation which I made a year ago. I am glad to have its support.

I quote from my remarks as they appeared in the CONGRESSIONAL RECORD of May 15, 1941:

* * * The President should immediately declare a war emergency and urge that all industry be placed on a wartime basis. The 40-hour week should be relaxed in its application to technical workers of whom there is a shortage. All industries should be placed on a 24-hour basis and 7-day week as rapidly as possible. The production of peacetime luxuries should be reduced to the minimum. All industries now manufacturing automobiles and similar peacetime supplies should be turned immediately to the manufacture of planes, tanks, and guns.

Such a move on the part of the President is necessary in order to bring our production to its peak. It is now obvious that we cannot continue under a business-as-usual psychology and overtake the production of a country like Germany, which for 7 years has devoted its entire energies to war production.

Again, Mr. President, in April of 1941, I warned labor against strikes, and urged labor to eliminate the labor-leader racketeers from its ranks. I quote from the remarks I made in the Senate at that time:

Mr. President, I say to the laboring man: "Clear your own ranks of unpatriotic members. Set your house in order. * * *

"When you walk out on a strike at this critical hour you disarm us. * * *

"No man in the history of the world has ever done more in the same period for the laboring man than has Franklin D. Roosevelt. Surely, laboring man, you must see that industrial strife at this time is embarrassing this great champion of your own cause. * * *

"I ask you to submit your cause to the proper authorities, but to keep the wheels turning. It is for your own cause, your own children, and your future."

Furthermore, Mr. President, last year, in order that my own people in Oklahoma might know that I was opposed to strikes in defense industries, I made a public address in Oklahoma City before the junior chamber of commerce over a State-wide radio hook-up. Later that same day I addressed a joint session of the State legislature at the capitol. Both speeches were made without manuscript, but on both occasions I made it plain that I was opposed to strikes in our defense program. Mark you, that was before we were in war.

Furthermore, last fall I addressed the chamber of commerce at Pryor, Okla., at a luncheon which was attended by several hundred people. Again I spoke without manuscript. At that time strikes were actually holding up production. In that address I made it plain that I was opposed to the policy of appeasement toward Japan, Vichy France, and the strike situation.

Mr. President, I have recounted these public commitments on this question in order to refresh the minds of those who may have forgotten that I was advocating suspending the 40-hour week and was advocating uninterrupted production long before some of my critics had awakened to the fact that this country was in danger.

Mr. President, several antistrike bills are pending before the Senate. I have been ready to act on this question ever since the House passed one such bill and sent it to the Senate. I thought we would act on it immediately. I was ready then to vote for legislation to prevent any stoppage in defense production. That was before war was declared; and I am even more eager now.

I am not a member of the committee which has charge of the antistrike bill, but I wish to quote from the Senator from Mississippi [Mr. DOXEY], who is a member:

Shortly thereafter, on the 7th day of December, the tragedy of Pearl Harbor occurred.

After this treacherous act, we, of course, declared war. Then various heads of the governmental departments, leaders of capital and labor, and the unions, and other interested groups, appeared before the Education and Labor Committee of the Senate and appealed for unity. The various labor groups and union representatives assured us that we all had one supreme purpose and that as to win this war. Nothing should be done to cause disunity.

Everyone hoped that the all-important labor problem would at last be finally solved; and we all bent our efforts accordingly. We were told that we must not do anything to cause disunity; that there was no need of any drastic antistrike legislation; that we should all spend our time working and cooperating to win this war; and that there certainly would be no more strikes.

So that our committee did not push, and has not pushed antistrike legislation; for we were promised by the representatives of both capital and labor that all would unite and that war production would not be interrupted for at least the duration of the war. Because of these many assurances, the course suggested appeared to be the wise, patriotic, and proper plan to pursue.

Let it be remembered that great strides in war production have been made. The vast majority of labor and capital have united and worked to carry out their promises and high resolve. But it must also be noted that a small percentage of those employed have not put forth their every effort to bring about all-out production in our defense plants and have continued to strike, and in this critical hour have retarded and hampered our war program. * * *

Industry, like labor, except in rare cases, has been just as patriotic in backing the war aims of the Government; but stoppages, walk-outs, lay offs, strikes, and interferences in our defense plants must stop.

Mr. President, I wish to state that organized labor has kept its pledge of uninterrupted work. There has not been a single authorized strike in a war industry since that pledge was made.

The strikes and interferences referred to by the Senator from Mississippi [Mr. DOXEY] have been the result of a small percentage of labor and management groups. The big labor organizations have not authorized a single strike or walk-out since their pledge was given. On the other hand, they have increased production tremendously and are at this hour patriotically doing everything possible to speed up production.

The bona fide labor organizations have themselves helped to put an end to the small amount of strife which has occurred since they gave their pledge.

Mr. President, the thing we are all interested in is the maximum amount of production. We believe that we can get that in America by the voluntary work of free Americans.

Yesterday I called Mr. Donald Nelson on the telephone and asked him if it were not true that much of our production is now ahead of schedule. He said that it is. He further said that the big leaders in labor and management are not only not giving any trouble but are cooperating 100 percent in production. He did suggest that there are some small interferences down the line.

Then, again, Mr. Nelson in his splendid radio speech last night pointed out to the Nation that we can further increase production by placing all shops and industries on a 24-hour basis. Mr. Nelson made no recommendation for legislation to help carry out that purpose; but I am here and now asking Mr. Donald Nelson to make a recommendation to Congress for any law or regulation that will in any way help speed up production, and I pledge myself to actively support such a recommendation.

Mr. President, I go further than that and make the statement that, although the different labor bills were temporarily laid aside under the belief that they were not needed, since the big labor organizations had voluntarily agreed that there shall be no strikes or lock-outs during the war, nevertheless, now that there have been some exceptions to this fine pledge of loyalty, I believe we should enact such legislation at once.

Furthermore, I believe that racketeering should be prevented. It is not right for Americans to have to pay for the privilege of working. I have heard that exorbitant fees have been charged before workers could get employment. If this is true, it should be stopped at once. The industrial profiteer and the labor racketeer must both be eliminated.

This is an industrial war, and we cannot tolerate any disloyalty in production any more than we can on the battlefield. There is no time for lock-outs and strikes. They must stop. The wheels of industry must be kept turning; production must be uninterrupted, as

our President has said. To that end, I pledge my active support.

Mr. President, for us to do less than our utmost to guarantee uninterrupted production of weapons is to fail the soldiers who are now fighting so gallantly for our liberty in the foxholes of Bataan.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. LUCAS. Mr. President, yesterday when the Senate took a recess until today the Senator from Illinois was discussing the last charge in the report submitted by the majority of the committee, which charge involves the bond and real-estate transaction between Senator Langer and Mr. Brewer and Mr. Brunk. However, before going further into the details of that charge of moral turpitude, I desire to refer back to some questions which were asked yesterday by certain Members of the Senate as to matters with which the Senator from Illinois was not completely familiar at that time. One of the questions discussed throughout yesterday's debate was the contract made and entered into on the 27th day of May 1937, between Thomas V. Sullivan, of Chicago, and WILLIAM LANGER, of Bismarck, N. Dak. The majority report contained only a portion of that contract. It is not the intention of the committee to keep any of the evidence from Members of the Senate. However, there are some 4,600 pages of evidence in the transcript taken by the investigators, and some seven or eight hundred pages taken in the public hearings before the committee as a whole. In view of the fact that the contract seems to be of some importance, and is not long, I ask unanimous consent that the clerk read the contract to the Senate.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

[Langer Exhibit 118]

AGREEMENT

This agreement made and entered into this 27th day of May, 1937, by and between Thomas V. Sullivan, of Chicago, Ill., party of the first part, and WILLIAM LANGER, of Bismarck, N. Dak., party of the second part.

Whereas the party of the second part is the owner and in possession of 500 shares of stock of the Land Finance Co., a North Dakota corporation, and is desirous of selling the same and the party of the first part is desirous of purchasing the same.

Now therefore, in consideration of the sum of $25,000 the party of the second part agrees to transfer and deliver to the party of the first part 500 shares of said stock and the party of the first part agrees to pay the sum of $25,000 for said stock, being par, plus accrued interest. The payment of $5,000 on said stock is hereby acknowledged and the balance is to be paid at periods not to exceed 6 months each, in equal installments of $5,000.

In testimony whereof both parties have set their hands and seals this 27th day of May, 1937.

THOMAS V. SULLIVAN.
WILLIAM LANGER.

Mr. LUCAS. I should like to have it noted that the agreement, which has just been read, is an exhibit of Senator LANGER in the committee's record.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Illinois yield to the Senator from Michigan?

Mr. LUCAS. I yield.

Mr. VANDENBERG. There is one phase of this particular transaction which I should like to straighten out in my mind, if I can. What is the date of this contract?

Mr. LUCAS. May 27, 1937.

Mr. VANDENBERG. What is the date when the claim was filed against the Mexican Government?

Mr. LUCAS. I am not sure about that, but I believe it was sometime after the date of the contract. Is not that correct, I will ask Senator LANGER?

Mr. VANDENBERG. I think it is rather important.

Mr. LUCAS. I thought the Senator from North Dakota knew about it, but it appears he does not care to answer. I shall obtain the information and discuss it later. I will say it is an important matter, because it is very apparent, if the claim was filed after the contract, that they must have thought that there was very little value in the Mexican land stock in Mexico.

Mr. VANDENBERG. I desire to be quite frank about my point of view in connection with it. My recollection was that the date of filing the Mexican claim was approximately in this same calendar area, which would indicate, if I am correct, that the only value to the stock at the time it was sold was not the value of the property but the value of the claim against the Mexican Government.

Mr. LUCAS. I think Sullivan's testimony offers some information on that point, and I shall go into that a little later.

Mr. VANDENBERG. Very well. Then I should like to have the Senator in connection with it when he gets around to it advise me whether the Mexican claims filed in respect to this property is a part of the Mexican claims which were recently settled on the basis of $15,000,000 total for $375,000,000 worth of claims. I want to know was this a part of that settlement.

Mr. LUCAS. I shall ascertain that. On what percentage, may I ask the Senator, was the settlement made on the basis of a dollar?

Mr. VANDENBERG. It is a lump-sum settlement, and it still remains to be determined who will get any part of the $15,000,000; but there are only $15,000,000 available of $375,000,000 claimed.

Mr. LUCAS. It would be about 4 percent, would it not?

Mr. VANDENBERG. Yes.

Mr. LUCAS. I am glad the Senator brought out that point, because it is important, in view of the fact that the Senator from North Dakota indicated yesterday that he would, when the time comes, show that this land was worth all that was paid, and more than the claim which was put in for it.

Mr. VANDENBERG. The answers to questions I submitted to the Senator would finally settle for me the question of whether or not this was a valid transaction for value received.

Mr. LUCAS. I think it is a very important question, and I shall go into it before I finish my argument.

Mr. President, I go back to yesterday's discussion in the Senate with respect to the question the senior Senator from Montana [Mr. WHEELER] asked in regard to the assessed valuation placed upon railroad property in North Dakota for the years previous and subsequent to 1937 and 1938, when Senator LANGER was Governor of the State.

I think the majority report dealt only with 1937 and 1938. The Senator from Montana thought it important, and so, for his benefit, I shall read into the RECORD the figures showing the yearly assessed valuation of the Great Northern Railway Co., beginning with the year 1930.

The assessed valuation in 1930 was $83,294,688; in 1931 it was $82,999,997; in 1932 it was $78,850,024; in 1933 it was $78,832,888; in 1934 it was $70,859,259; in 1935 it was $71,581,360; in 1936 it was $70,760,060; in 1937 it was $63,779,715; in 1938 it was $60,480,648; and in 1939 it was $61,052,793.

In 1940 there was a further increase over the $61,052,793 assessed in 1939. Mr. Smith, the investigator, is out for the moment, and I cannot give the exact figures, but I have stated the total assessed valuation laid down both by the courts in the earlier days of North Dakota, when they had the responsibility for making the assessment, and later on by the board of equalization which took over that work in 1937 under the laws passed by the Legislature of North Dakota.

If there are any questions on this point I should be glad to answer them at this time.

I have been reading from LANGER's exhibit 114.

Mr. President, some question has been raised as to the testimony given by Senator LANGER and Mr. Gray, the commissioner of North Dakota at that time, with respect to the total amount of reduction in taxes in 1938 as a result of the reduction in the total assessed valuation of some $3,000,000. I should like to read from LANGER exhibit 115, which is the proceedings of the State Board of Equalization of North Dakota for 1938. I read from page 82. There is set forth a long whereas, which I shall not read, and getting down to the resolving part, it reads:

Therefore be it

Resolved, That, according to its best judgment, this board does hereby ascertain and fix the actual value, for assessment purposes, of the franchise and operating property, consisting of roadway, roadbed, rails, and rolling stock of each of the several railroad companies within the State of North Dakota at the aggregate amount shown in the following schedule, and each of said railroad companies be, and is hereby, assessed

for the year 1938 at the amount appearing opposite its name.

Great Northern Railway Co., $60,480,648.51.

Northern Pacific Railway Co., $40,179,234.33.

Minneapolis, St. Paul & Sault Ste. Marie Railway Co., $8,179,650.81.

This resolution was offered by Mr. Hagan, who moved its adoption, which motion was seconded by Mr. Owen.

After that was disposed of—

It was then moved by Mr Gray, seconded by Mrs. Baker, to amend Mr Hagan's motion to accept the computed figures in the case of the Great Northern Railway Co. and raise the computed figures in the case of the Northern Pacific $4,000,000; lower the Minneapolis, St. Paul & Sault Ste. Marie Railway Co. from $8,179,650.81 to $7,179,650.81; lower the Chicago, Milwaukee, St. Paul & Pacific Railway Co. from $4,469,308.44 to $4,269,308.48—

And so forth. In other words, the motion was made by Mr. Gray that the tax assessment on the Great Northern, in the sum of $60,000,000, and the tax assessment on the Northern Pacific, in the sum of $40,000,000, be increased $4,000,000 each.

Upon roll call on the amendment Governor Langer voted "no"; Berta E. Baker voted "aye"; John Gray voted "aye"; John Hagan voted "no"; Owen T. Owen voted "no." Amendment declared lost.

The testimony of John Gray was taken by investigators on behalf of the Committee on Privileges and Elections, and this is what he said:

Mr. SMITH. Give your name and address for the record.

Mr. GRAY. My name is John Gray. Address, Bismarck.

Mr. SMITH. And you are at present tax commissioner?

Mr. GRAY. I am tax commissioner at the present time.

Mr. SMITH. Were you tax commissioner in 1937 and 1938?

Mr. GRAY. I was State treasurer.

Mr. SMITH. State treasurer?

Mr. GRAY. I was a member of the board of equalization.

Mr. SMITH (to the reporter). Will you mark this document "Exhibit 1-B" as of this date?

Whereupon the document was marked.

Mr. SMITH. Mr. Gray, I show you a document consisting of three pages, a document entitled "Railway Taxes" taken from an official report made by Attorney Clyde Duffy and ask you to state whether or not that is a brief statement of the facts with which you are familiar.

Mr. GRAY. Yes. At least that first page is all right. I see nothing wrong with that.

The second page, I didn't know that T. V. Sullivan was employed in 1937. First time I ever heard of it.

Mr. SMITH. You didn't know that at the time?

Mr. GRAY. No, I didn't.

Mr. SMITH. And when was it first brought to your attention that Mr. Sullivan had any connection with the matter?

Mr. GRAY. That would be some time in the fall of 1938 when we were fighting about the '38 assessments.

Mr. SMITH. What information reached you later that indicated that Mr. Sullivan had been engaged for the railroad?

Mr. GRAY. Well, in the railroad report to the Railroad Commission showing the amount paid him as special counsel which is indicated in this statement I have here before me.

Mr. SMITH. Mr. Thomas V. Sullivan not having appeared before your equalization board and not having called on you personally as one of the members of the equalization board, you were not aware that he was in the case and had no notice in the record in the proceedings before your body that he was of counsel; is that true?

Mr. GRAY. There is no record of his appearing in that connection at all in the report of the State board of equalization. No record.

Mr. SMITH. In the statement contained in the last half, the last part of the second paragraph, to wit: "On August 26, 1938, the board, then consisting of Langer, Baker, Hagan, Gray, and Owen, reduced the valuation to $60,480,648.51."

And the next sentence, "Gray and Baker voted to increase the valuation by $4,000,000, but such motion was rejected by Langer, Hagan, and Owen."

Do you recall that that is a correct statement or not?

Mr. GRAY. That is substantially correct.

Mr. SMITH. Then, on page 83 of the report of the Board of Equalization of the State of North Dakota for the year 1938, where you are quoted as saying, "I would like to explain my vote on this amendment because the valuations according to my idea have not been established on a scientific basis nor have the computations of the tax department been followed"; is a correct statement of the position that you took on that occasion?

Mr. GRAY. That is a correct statement.

Mr SMITH. Now, could you state whether this action taken in August of 1938 resulted in a substantial reduction or increase of railway taxes in North Dakota?

Mr. GRAY. Approximately $150,000 reduction in the taxes.

Mr. SMITH. Now, since that, 1938, what has it been in even millions, the assessment for the Great Northern for 1939 and '40?

Mr. GRAY In '38 it was $60,480,648.51.

Mr. SMITH. This action you took in 1938 was on 1937 valuation?

Mr. GRAY. No; we fixed each year for the current year.

Mr. SMITH. For the current year, not for the past year?

Mr. GRAY. No; we set it for the current tax year.

In 1938 we set it for the 1938 tax set-up payable in the next year.

Mr. SMITH. In 1939 you fixed the valuation at what figure?

Mr. GRAY. $61,052,793.

Mr. SMITH. In 1940?

Mr. GRAY. In 1940 we increased it to $62,652,912.

Mr. SMITH. Is that approximately what the court had fixed in the last Federal suit that had been maintained?

Mr. GRAY. It is a little below that.

Mr. SMITH. Very little below it. And the current year?

Mr. GRAY. For this year, $63,278,204.

Mr. SMITH. Was Tom V. Sullivan, of Chicago, known to your equalization board as an authority in railway tax matters?

Mr. GRAY. I have served on the board and attended practically every meeting beginning with 1933 and have never seen or heard of T. V Sullivan in any action before the board at any time.

Mr. SMITH. Are you more or less acquainted with the attorneys who specialized in public-utility tax matters in this area?

Mr. GRAY. Only as they appear before the board with briefs, arguments.

Mr. SMITH. You have defended and been a witness and one of the respondents in suits in the United States court and in the circuit court of appeals of this circuit from time to time, have you, Mr. Gray?

Mr. GRAY. I have not.

I have attended several sessions, and I have never seen Tom Sullivan in court.

Mr. SMITH. And you, then, you don't, of your own knowledge, know of Mr. Sullivan in connection with tax litigation by public-service railway companies?

Mr. GRAY. I do not.

Mr. SMITH. I think that is all, unless you think of something that would serve to enlighten the committee about this.

Mr President, the testimony of Gray with respect to the $150,000 is in dispute here, and undoubtedly the dispute arises out of the fact that the $150,000, as computed by Mr. Gray upon this important matter, was computed upon the basis of what the situation would have been had his motion prevailed, and the $4,000,000 increase attached to the assessment made the board of equalization—that the total amount would have been in the neighborhood of $150,000.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. The Senator referred to some of these assessments having been ventilated before the courts. Does the Senator know whether or not this additional assessment, which was made over the protest, as I understand, of Senator LANGER, was affirmed by the court?

Mr. LUCAS. No; it is my understanding that the Legislature of North Dakota in 1937 passed a law whereby the matter was taken completely out of the hands of the Federal court, and the assessment made by the board of equalization was final. But up to that time it had been a matter for determination by the Federal courts. They had had a tremendous amount of trouble with it in the past, so the legislature took it over.

Mr. ELLENDER. How many members were there voting?

Mr. LUCAS. Five members.

Mr. ELLENDER. Three against and——

Mr. LUCAS. Three against the amendment offered by Mr. Gray and two supporting his amendment. There were only five members of the board of equalization.

Mr. ELLENDER. The Gray motion lost out?

Mr. LUCAS. That is correct; the Gray motion lost. In view of the fact that Gray made an explanation of his vote, which I have read into the RECORD, I shall return to that matter later.

Mr. ELLENDER. Will the Senator answer one more question?

Mr. LUCAS. I yield.

Mr. ELLENDER. As I have understood, Gray was then treasurer.

Mr. LUCAS. Yes; John Gray was State treasurer.

Mr. ELLENDER. Was that an elective office?

Mr. LUCAS. I rather think it was. I am not positive. William Langer was Governor, Birdie E. Baker was State auditor, John Gray was State treasurer, John Hagan was commissioner, and John Owen was secretary of the State board of equalization.

Mr. ELLENDER. I have been reading somewhere, whether in the report of the committee or in the printed evidence, something which led me to believe that Gray was elected as tax assessor, or commissioner. Was that during the term of Mr. LANGER, or afterward?

Mr. LUCAS. In 1938?

Mr. ELLENDER. In 1938.

Mr. LUCAS. That is possibly true.

Mr. ELLENDER. Does the record show what Mr. Gray did in order to increase these assessments to what he thought they should have been? The Senator pointed out that Mr. Gray attempted to raise the assessment of the taxpayer in question $4,000,000. Mr. Gray lost out in that attempt. Was there any other effort made by him after he became tax commissioner to increase that assessment in accord with his previous views.

Mr. LUCAS. He could not do that. I do not believe he had the power to do so after the board of equalization passed upon the matter.

Mr. ELLENDER. No; I mean the next year after he was elected commissioner.

Mr. LUCAS. Yes; it was increased each year after that, and even increased this year.

Mr. ELLENDER. To what extent?

Mr. LUCAS. I read that a moment ago. I think the Senator has it.

Mr. ELLENDER. I wonder if the amount of increase was in accord with Mr. Gray's proposal for increase? Here is the tax commissioner's report. Will the Senator indicate from that report the extent to which the assessment was actually raised from 1937 to 1938, and how that compared with the amount of increase which Mr. Gray attempted to make?

Mr. LUCAS. I can only read from exhibit 114, which shows that the assessment was raised from $60,480,000 in 1938, to $61,052,793 in 1939. I do not have the proceedings before me. Under the law Gray, of course, was still simply a member of that commission. I do not think the record shows what he tried to do. It may show, but I do not know.

Mr. ELLENDER. But the record shows that the assessment was not increased to the extent that Mr. Gray advocated?

Mr. LUCAS. No; the assessment was not increased in 1938 to the extent he advocated, because he was outvoted in the commission. Whether he was outvoted in the following year I do not know. I do not think the record shows in this case.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I think the Senator read that in 1939, after Gray had become tax commissioner, the commission increased the valuation for tax purposes of the Great Northern Railroad less than $1,000,000—that is, I refer to the 1939 valuation over the 1938 valuation.

Mr. LUCAS. That is correct.

Mr. MURDOCK. Then in 1940 it was increased again, as the Senator read the figures?

Mr. LUCAS. It was increased about $1,600,000 the next year.

Mr. MURDOCK. Yes. And then in 1941 it was again increased?

Mr. LUCAS. Yes. It went from $62,600,000 in 1940 to $63,300,000 in 1941, about $700,000.

Mr. MURDOCK. About $700,000. So under the supervision of the State tax commissioner, Mr. Gray, who wanted to raise the valuation $4,000,000 in 1938, it has not been raised that high in the year 1941? Is that correct?

Mr. LUCAS. Of course, we cannot say "under the supervision of Mr. Gray," because he is still simply one member of the board of five.

Mr. MURDOCK. But he is the State tax commissioner.

Mr. LUCAS. Yes; but as I read a moment ago, he is a member of a board of five which fixes the valuation, and he has only one vote. Whether he was outvoted each year, or what his position was, I do not think the record shows.

Mr. MURDOCK. Unless I am mistaken, as State tax commissioner he really should have, and I believe under the statute he has a little more prestige than simply an ordinary member of the commission?

Mr. LUCAS. Well, I was chairman of my State tax commission for several years, and I was outvoted occasionally.

Mr. MURDOCK. That is hard for me to believe.

Mr. LUCAS. I was.

Mr. MURDOCK. During those years, of course, 1939, 1940, and 1941, Governor LANGER was not on the commission.

Mr. LUCAS. No; he was not officially connected with it at all. So far as Governor LANGER was concerned, he had close friends on the commission, but he had no official connection with it.

Mr. ELLENDER. Can the Senator tell us whether any of these commissioners, that is, the five men who voted on these tax questions, were appointed by Governor LANGER, or were they all elected officials?

Mr. LUCAS. Of that I am not sure. I think perhaps one was appointed by Governor LANGER. That was the tax commissioner and secretary to the board of equalization, who was Owen T. Owen. I think that is true. If it is not true, Senator LANGER can, from his knowledge, correct it. I think that is what the records show.

Mr. President, statements were made here yesterday that the Senator from Illinois was not producing enough evidence for the benefit of the Senate. It was the hope of the committee which drew the majority report, that we might be able to annotate and abstract the evidence in such a way that we would not need 2 weeks or more of the Senate's time by introduction of evidence. Far be it from the Senator from Illinois—I do not see my friend the Senator from Michigan [Mr. BROWN] here—far be it from the Senator from Illinois to withhold anything from the record that ought to go in, and if the Senate desires a great deal more evidence, of course, I shall ask for unanimous consent to have the clerk read a large amount of this testimony into the RECORD.

However, I do not want to do that, and I do not think it is fair to the Senate to do so. I do not want to encumber the RECORD with a great deal of this testimony. I will say now, however, for the benefit of the Senate, that anyone who wants to read all the testimony of Thomas Sullivan in connection with the entire transaction, part of which is given in the majority report, can find it in Book VIII. Testimony taken in re: Protest to the seating of WILLIAM LANGER, Senator from North Dakota. From August 19, 1941, to August 22, 1941.

If any Senator wants to take the time to peruse these lengthy exhibits, the investigator, Mr. Smith, will be glad to meet with him at any time and make available any exhibit or any document we have in our possession. It certainly is not the intention of the committee to withhold anything from the Senate with respect to this matter.

Unless there is a question that some Senator desires to ask about the testimony of Thomas Sullivan——

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. Would the Senator be able to point out any evidence in the Sullivan testimony that would indicate that this contract was entered into under suspicious circumstances, or that it was not done in the ordinary course of business, or that there was something mysterious connected with it.

Mr. LUCAS. Since the Senator asked for this testimony I shall read a part of it. On page 3964 of this testimony Mr. Sullivan was discussing his race for attorney general in 1920 on the Nonpartisan League ticket in the State of Minnesota. He said:

> I ran for attorney general. I came within 537 votes of being elected. He was defeated in 1924. I again ran for attorney general with Olson, Floyd, but Olson was then running as a—the Farm Labor Party had been organized in the meantime. It was no longer the Nonpartisan League. It was the Farm Labor Party. I ran with Olson on the Farm Labor ticket as a candidate for attorney general.
>
> In the meantime I had handled this railroad strike. I knew every official of the Great Northern personally, and they had—they knew of my political background. I knew that, to tell you frankly, I knew why I was being retained, if at all, because of all those political connections that I had.

That is what Sullivan told the investigators, and his statements may be found on pages 3964 and 3965 of the testimony.

Mr. ELLENDER. That was back in 1920?

Mr. LUCAS. No. I will say to the Senator from Louisiana that Sullivan was testifying here as to why he was retained by the Great Northern Railroad. He was giving his complete background, as one who had represented farm organizations and labor unions up through that section of the country.

Mr. ELLENDER. I understand now.

Mr. LUCAS. He said that as the result of his relationship with the farm organizations and labor unions all the railroad heads knew who he was, and he frankly said that the only reason he was retained was the political connections he had.

Referring to the question the Senator asked a moment ago, I will read what Mr. Sullivan said about that.

On page 3984 of the testimony in volume 8 the following colloquy took place between the investigator and Mr. Sullivan:

Question. Are you at present the owner of any Mexican land stock?

Answer. Well, as far as Mexican land. It is the Land Finance Co., it is a North Dakota company but they own Mexican lands.

Question. How many shares of stock do you own?

Answer. $25,000 worth.

Question. When did you acquire that stock?

Answer. Oh, well, it may be either the latter part of 1937 or the early part of 1938. I think it was the latter part of 1937. Maybe somewhere after the middle of the year 1937.

Question. From whom did you purchase your stock?

Answer. From Senator LANGER.

Question. And how much did you pay for it?

Answer. $25,000. May I interpose?

Question. Surely.

Answer. That company was organized many years ago, long before I knew them, but Congressman Lemke and Senator LANGER and a number of North Dakota men put in quite a lot of money into it.

My wife was secretary to Congressman Lemke, that is where I met her. She was secretary to Congressman Lemke when I was with the Nonpartisan League, when there was a board of three directors who ran the Nonpartisan League.

Congressman Lemke was one of them and she handled all the correspondence. I think she knew more about the Mexican land deal than any of them in the group aside from Lemke because during all those years she handled them.

I know all about them and Congressman Lemke had several times suggested to me making investments in that company and I never wanted to because of the uncertainty of it, but after the Mexican Government took over 80,000 acres of that land, what they call expropriation, and being somewhat familiar with the Roosevelt administration's attitude toward South American countries and to Mexico, I was completely sold on the idea that there would be an adjustment of this expropriated land, especially if you lined up with the oil companies on that side of the road.

This relates to what the Senator from Michigan [Mr. VANDENBERG] was inquiring about a while ago.

When Lemke was, or when Senator LANGER was in the office, not in this office but in our office upstairs, one time, why, he was talking to me, and he and Lemke had broken. They were very bitter opponents. I told Mr. Smith before you came in that that is one State where you can find out all the bad things about your opponents on either side.

When the Loan Act was over there, Lemke borrowed money from the State to build a house, just like the Federal Housing Administration is at the present time. It wasn't an elaborate home—I think $9,500, as I recall it—just a modest middle-class home.

During the State fair at Grand Forks they had a big bus traveling from the fair with a great big sign on it, "Free ride to Fargo to see the mansion that Bill Lemke had built with the taxpayers' money." And so you see, you get the idea. Some of the fellows got together and raised the money to pay this off to take it out of the campaign but very few ever made the trip. It is a long ways from Fargo to Grand Forks. Very few ever made the trip, but the idea was to get it into the campaign.

It is a typical campaign up there.

Well, anyway, my wife knew all about this company, and he was busily berating Lemke. I am very friendly to Lemke. That is one of the reasons that LANGER got no help from me in 1940. He ran against Frazier in the primary, and I certainly wouldn't do anything to injure Frazier, and I told him so. I was helping Frazier, and I am glad to have this opportunity under oath to say I didn't give one penny or make one speech in that campaign, though I didn't do anything to injure Frazier, who has been my friend for 25 years and always did anything he could do to support me when I would run; issued statements for me, allowed his picture to be used in the farm districts because he was one of the authors of the Frazier-Lemke bill. Lemke did the same thing when I ran here—allowed his picture to be used in the leading farm paper here and agreed to campaign for me. And so I wouldn't, nobody could have induced me to, do anything against Frazier and Lemke.

Then LANGER and I were in a good-natured dispute, and I told him that they ought to get together, they belonged on the same side, and when Lemke, when he was attorney general and Frazier was Governor—Lemke was attorney general and John Hagen was commissioner of agriculture and labor and that constituted the industrial commission in North Dakota, who have control of the State mill and elevator, the State bank, and all of the institutions, and the opponent in those days was the I. V. A., the Independent Voters Alliance, and they were the fellows that were instigating the feud between them; they were fellows who were always natural opponents.

But anyway I started dickering with him and I said I will buy some of that stock. I will buy it. I made a deal with him and afterward I was going to pay him over a period of 4 or 5 years and I thought the thing would be adjusted before that, and afterward he gave me a reduction and I think it was $1,000, or maybe $750, to pay him because he had some mortgages or something due that he wanted to pay and I paid him. I still think it is a good deal, a dandy deal.

By Mr. HOOD:

Question. Have you ever had a chance to buy——

Answer. No; nobody ever offered me any. I think I would buy some if I got a chance. But now with these claims, all the negotiations have been with the Mexican Government; you know the claims are all on file; all the claims are on file and there are people who wouldn't sell them unless they were pushed for money, needed money. I even let go of some American Telephone & Telegraph stock when I needed money.

Question. How long ago was it that this land was expropriated?

Answer. Well, it has been—was before that oil expropriation. It was before that. This is agricultural land. I have got the abstract and maps and leases—all that kind of stuff. It was before that.

Question. About 1919?

Answer. Oh, it was later than that. It is later than that. I may be wrong. All the negotiations with the South American countries and because of the salability and because of the better relationship between the governments that these things are going to be filed. I was gambling on it, but if it does I will get many times what I invested because I got one-twelfth of that stock.

Question. Did you buy all Mr. LANGER had?

Answer. I didn't. I only bought half.

Question. Did you ever contact Mr. Lemke, the president of this company?

Answer. Oh, yes. He is president of the company and he is trustee of the land, and as trustee he is the one that has to file—file the land all in his name as trustee.

Question. Did you ever talk to him about the value of this stock?

Answer. Many times. He always told me it is very valuable, and my wife thinks the same thing, so it is one investment I made with her approval.

Question. Has the claim ever been acted upon?

Answer. So far as I know, it is all in negotiation between the State Department and the Mexican Government.

That provides the information asked for by the Senator from Michigan [Mr. VANDENBERG], with the exception of his question as to whether or not this land is actually included within the lands upon which the Claims Committee passed. I presume it must be.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. VANDENBERG. I am not quite clear with respect to the inference in Sullivan's statement as to the implication he drew from the Roosevelt policies toward Mexico. Did he say that because of the Roosevelt policies toward Mexico he thought this claim was worth more, or thought it was worth less?

Mr. LUCAS. He did not say how much he thought he would be paid for it, but that he did think it was a good investment because of the good-neighbor policy toward the southern countries.

Mr. VANDENBERG. So all he bought was an interest in a claim against the Mexican Government for expropriated land.

Mr. LUCAS. That is exactly correct, according to his own statement. I cannot draw any other conclusion.

Mr. VANDENBERG. Is it possible to determine whether or not this claim is part of the total of $350,000,000 worth of claims which we have settled for $15,000,000?

Mr. LUCAS. I will have that question investigated, and later call it to the attention of the Senator. In view of Sullivan's statement, I am of the opinion that it must be.

Mr. ELLENDER. Mr. President, I wish to thank the Senator for referring to that part of the testimony.

Mr. MURDOCK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. LUCAS. I yield.

Mr. MURDOCK. After the Mexican Government took the land which it took out of the tract which this stock represented, there were still about half a million acres of land left, were there not?

Mr. LUCAS. I cannot answer that question. I do not know. Does the Senator mean that there are half a million acres left which have not been expropriated by the Mexican Government?

Mr. MURDOCK. That is my understanding.

Mr. LUCAS. I could not tell the Senator. Apparently Sullivan did not buy the stock on that theory. From his testimony I judge that he bought it on the theory that all the land would be expropriated. He had $25,000 involved in it; and from his testimony he expected that all the land would be expropriated.

Mr. VANDENBERG. I think it is important also to know definitely whether or not there is anything behind this stock besides expropriated land.

Mr. LUCAS. There was some testimony that on the several thousand acres of land which were involved there were cattle and various other types of personal property. I take it it was all expropriated at the same time the land was. I may be mistaken about that.

Mr. MURDOCK. If the Senator will yield, I think the record will disclose without question that the company still maintains on the land the same caretaker whom it has maintained ever since the venture began.

Mr. LUCAS. That may be.

Mr. MURDOCK. My recollection of the record is that there is a very considerable acreage left. I think the fact that the company still maintains and pays a caretaker would indicate that it has some land left.

Mr. LUCAS. I do not think there is any record to show that the company itself is paying the caretaker.

Mr. MURDOCK. I do not know about that.

Mr. LUCAS. The caretaker is down there "on his own."

Mr. MURDOCK. Perhaps he is taking a chance on getting his compensation out of the land which is left.

Mr. LUCAS. No dividends have been paid. As I understand, there have not been very many recent meetings of the organization.

Mr. MURDOCK. I do not think there is a record of any dividends.

Mr. LUCAS. The concern is practically defunct.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. In connection with the value of the stock, Mr. Sullivan often mentioned his wife, as well as a Mr. Lemke. I am wondering if the committee or the investigators interrogated Mr. Lemke, Mrs. Sullivan, or anyone else with respect to the value of the stock?

Mr. LUCAS. We have Lemke's testimony. Lemke testified that the stock had no value at all, although, so far as the Mexican claim was concerned, he signed his name to an affidavit to the effect that it was worth some $900,000.

Mr. ELLENDER. What was the date of that affidavit?

Mr. LUCAS. I do not know. Former Senator Frazier also testified, and, as I recall, a man by the name of Vine also testified.

Mr. ELLENDER. Was the affidavit made after Lemke and LANGER were in disagreement?

Mr. LUCAS. It was made while the investigators were in North Dakota last year.

Mr. President, any Senator who desires to read Senator LANGER's testimony on this very question can find it at pages 549 to 602 of the hearings; I think those page numbers are approximately correct.

Insofar as the evidence is concerned, insofar as the facts are concerned, we now have the Sullivan facts and we have the Gray facts in reference to the facts given by Senator LANGER himself in connection with the matter; and, with respect to what Lemke said regarding the matter, if it is desired that I read his remarks into the RECORD, I shall do so.

I do know in a general way that Lemke said the stock was worthless, that former Senator Frazier said it was worthless, and that another gentleman, a man by the name of Vine, I think, who was a stockholder, said that the stock was worthless; he said that in his testimony.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McFARLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brown	Hughes	Shipstead
Bulow	Johnson, Calif.	Smathers
Burton	Johnson, Colo.	Smith
Butler	La Follette	Spencer
Byrd	Langer	Stewart
Capper	Lee	Taft
Caraway	Lucas	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Tobey
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Wheeler
Ellender	Murray	White
George	Nye	Wiley
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

Mr. OVERTON. Mr. President——

Mr. LUCAS. I yield to the Senator from Louisiana.

Mr. OVERTON. Mr. President, I rise to ask for some information of the Senator in charge of the report. I infer from what has transpired this morning that a good deal of the evidence in connection with this case has not been printed?

Mr. LUCAS. That is true, other than in the original documents which were obtained by the investigators in the beginning. Those documents were deposited in the hands of the clerk of the Committee on Privileges and Elections; the investigators were in the committee room, and it was the privilege of anyone who desired to do so to examine them at any time. Insofar as the public hearings are concerned, they have been printed.

Mr. OVERTON. Those were the hearings conducted here at the Capitol by the subcommittee?

Mr. LUCAS. That is correct. There were about 4,600 pages of the testimony taken by the investigators in North Dakota.

Mr. OVERTON. I should like to ask a further question. Is the report of the committee based on any facts that were brought out by the investigators in the 4,600 pages of unprinted testimony?

Mr. LUCAS. I read a moment ago, for instance, the testimony of Thomas Sullivan. That testimony was taken by the investigators in Chicago. Thomas Sullivan did not appear before the committee. There was no particular reason why he should not appear. Possibly it would have been better had he appeared before the committee at the public hearings.

Mr. OVERTON. Is the committee's report based both on the public hearings and the testimony taken by the investigators?

Mr. LUCAS. It is based on both; but, primarily, upon what the Senator finds in the hearings before him. In other words, the committee's report is based, in the main, upon what was brought out in the public hearings, and a large amount of it is based upon Senator LANGER's own testimony.

Mr. OVERTON. It seems to me, Mr. President, if the Senator will pardon me——

Mr. LUCAS. I am glad to yield.

Mr. OVERTON. That when we are called upon to sit here as judges in a case so important as this, involving the question of whether a Senator who has been elected by the voters of his State is to retain his seat or is to be ousted from his seat—and, of course, if he is ousted the stigma will rest upon him and his family forever and a day—it seems to me that, in a case so important as this, we, as a court sitting here as judges, ought to have reasonable access to all the evidence taken in the case on which the committee has acted.

If I may go further, I may say that, so far as I am concerned, I have no desire to read any of the testimony, because I understand that, indisputably, the Senator from North Dakota was elected; there is no question about his election; no question about the validity of the returns of his election; and there is no question as to his qualifications as prescribed by the Constitution as to age, citizenship, and residence; and, therefore, under my interpretation of the Constitution, it is not necessary for us to proceed any further. There are, however, many Senators who seem to be very deeply interested in what are the real facts in this case. Are the Senators who sit here as judges and want to determine whether Senator LANGER is to be ousted or is to retain his seat, to be deprived of reasonable access to some 4,600 pages of testimony?

Mr. President, I do not say this in criticism of the committee, but it seems to me that provision should be made so the Senators would have an opportunity to read the evidence in the case. If there is only 1 copy of it, there being 96 Senators, certainly 96 Senators could not have reasonable access to 1 copy of the testimony that was taken outside the Senate hearings.

Mr. LUCAS. Let me say to the Senator from Louisiana that there may be some merit in the objection he makes. However, this is the first time the question has ever been raised, and we have been considering the case for over a year. These exhibits have come in from time to time and have been in the office of the clerk of the Committee on Privileges and Elections. With all due deference to everyone, I do not think there is a Senator here who has even read every word that is in the printed hearings which we have on our desks. I say frankly that when

we start to study all of the testimony in this case and attempt to sift the chaff from the wheat, so to speak, we find it is very, very difficult, because of the latitude the investigators and the committee were given under the original resolution, Senate Resolution 118, which was passed unanimously by the Senate, giving the investigators the power and authority to do the very thing they did.

I need not tell the Senator from Louisiana, who is a very fine lawyer, that we have few, if any, rules here with respect to taking evidence. Investigators take virtually everything they deem it best to take. And I may say that this practice is not confined to the investigators, but Senators themselves follow it. Senators serving on committees frequently disregard the rule of germaneness, depart from the subject matter before them, and ask a great many irrelevant questions.

I recall one occasion during the early days of my service in the House of Representatives, when I was a member of the Committee on Patents, and we had before us a bill dealing with the pooling of patents. Billy Mitchell appeared before the committee and testified for 2 days. I was just a new member of the committee, and as I sat there I was somewhat shocked to note that this man said nothing at all about the legislation under consideration by the committee, but he told us all his war experiences—and it was a fascinating story. The senior Senator from Louisiana was at that time a Member of Congress. I was very much interested in what General Mitchell said, but after a day and a half I finally summoned sufficient courage to ask him one question, though I was a new member of the committee. I said, "General, you have testified for a day and a half. Has what you have said before this committee any reference to the pooling of patents, which is the subject of the bill in which we are interested?" He answered by stating that it had absolutely nothing to do with the bill. Yet the committee sat there for a day and a half and listened to testimony of that kind. That has been the common practice here, from my observation throughout my service in the Congress.

As I have said, I realize there may be some merit in what the Senator has said and in the objection he has made, but considering the number of lawyers who have been engaged in this case on both sides, I seriously doubt that anything pertinent to the case has been omitted. A number of lawyers have been engaged in the case on both sides. The petitioners had three or four lawyers, and Senator LANGER had three or four lawyers whose bills the Senate will have to pay sooner or later. I think those lawyers rendered good service in bringing out the facts in behalf of the petitioners and of Senator LANGER, indicating just what the crucial points are. I think they have probably set forth in their briefs and arguments, and there are set forth in the majority and minority reports the vital factors having a bearing on this case.

My only reason, a while ago, in going back and reading the Sullivan record and other records was the charge made yesterday that I was not giving facts to the Senate. I was also charged with acting in the role of a prosecutor rather than that of a defender of the integrity of the Senate. I certainly do not want anyone in this Senate to think for one moment that I stand here as a prosecutor. However, I have to take a position in a matter of this kind, and as a member of the majority of the committee, I have taken a position—I do not conceive it to be the duty of men who have taken such a position, 13 of us on this committee—merely to come in and read what the committee found and say, "Gentlemen, there it is. Take it or leave it." If we have taken a position and have said that in our opinion, based on the evidence, the charge of the commission of acts involving moral turpitude has been proven beyond all reasonable doubt, as 13 members of the committee do say in the majority report, it seems to me that I have a right to express myself—though perhaps not quite so forcibly as I did yesterday—without being charged with acting as a prosecutor in the case.

Mr. OVERTON. Mr. President, I was not trying to criticize the Senator or his presentation of the case.

Mr. LUCAS. I understand that, and I digressed from the subject.

Mr. OVERTON. I was rather forcibly impressed by the Senator's statement that the probability is that a very few Senators have read the record. We are sitting here as jurors, we are sitting here as judges in the case, and we are judges not only of the Constitution and the law, but we are judges of the facts. We should have proof of the facts. There is no other tribunal in the United States of America that I know of, where a judge or jury passes upon the question of guilt or innocence, that is not possessed of the facts in the case. The able Senator says, and probably with a great deal of force, that 13 members of the Committee on Privileges and Elections have gone into this case very thoroughly. They have presented the case, and they say that unquestionably it is a case involving moral turpitude, and that therefore the Senator from North Dakota should be excluded from the Senate. But while the debate has been proceeding there have been serious controversies as to the real facts in connection with the case.

How are we to determine those facts? Are we to take the ipse dixit of a majority of the Committee on Privileges and Elections, as esteemed as those gentlemen are, as much revered as they are by Members of the Senate, whose honesty and integrity are not questioned at all, but whose correctness of judgment may well be questioned, as it already has been on the floor of the Senate? Are we not to have access to the record in order to determine what the facts of the case are?

Possibly I am raising an issue here which I should not raise. I am not a member of the Committee on Privileges and Elections, and I do not know what has been done as to the facts. I talked to one of the members of the committee just before I spoke to the Senator from Illinois, and this member of the committee said:

I am quite sure that all the testimony has been published.

I now understand that it has not been.

Mr. LUCAS. It has been published.

Mr. OVERTON. He indicated he considered it a duty to have it published.

Mr. LUCAS. It has been published, but it has not been printed and distributed to every Senator. It has been published and has become a part of the records of the Committee on Privileges and Elections. If the Senator wants all these exhibits printed and published so that each Senator may have a copy, that work would probably require about 2 months. If the Senator wants that done, and will make a motion that it shall be done, I will vote for the motion; and we will postpone the hearing until every Senator gets a copy.

Mr. OVERTON. The point I am making is that I think it was the duty of the Committee on Privileges and Elections to publish the evidence upon which they relied to bring in the report against the Senator from North Dakota. If there is much extraneous evidence which has no bearing on the case, they can, in their judgment, omit that, but we should have an opportunity to read the testimony upon which the report of the committee is predicated in order that we may exercise our own judgment.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Illinois yield to the Senator from Kentucky?

Mr. LUCAS. I yield.

Mr. CHANDLER. I think the criticism by those Senators who are not members of the committee directed toward the Senator from Illinois has been harsher than he deserves to have under the circumstances. I have the fortune to be a member of the Committee on Privileges and Elections—I would not call it good fortune—I am unfortunate enough to be a member of the committee, and if any of my colleagues want to take my place, I shall be pleased to get off the committee and see them replace me. During the last 2½ years we have had many cases before the committee, none of which we wanted to consider. No member of the Committee on Privileges and Elections brought any charges against Senator LANGER, none of us have any wishes about Senator LANGER either being in the Senate or out of the Senate, so far as we are concerned. None of us, so far as I have been able to ascertain, has any feeling against the Senator from North Dakota.

But charges were brought, and the senior Senator from Texas [Mr. CONNALLY], who was the chairman of the Committee on Privileges and Elections at the time, named the Senator from Illinois and others on a subcommittee to consider the charges. I know that if any of our colleagues want to take the place of the Senator from Illinois he would be very glad to give up his position on the subcommittee.

Mr. OVERTON. The Senator looks at me. There is nothing I have said which

for a moment intimates that I want to be a member of the Committee on Privileges and Elections, and I have said nothing whatsoever in criticism of any Member of the Senate. I merely stated that I thought Senators should have reasonable access to all the testimony upon which the committee bases its report. If that be a criticism, if it be an unjust criticism, answer it; but I am certainly not actuated by any spirit of animosity toward the Senator from Kentucky or toward the Senator from Illinois. This is the first time I have intervened in this case, but I have noted that whenever anyone on the side of Senator LANGER—if we have sides in this controversy, before the case has been made up and fully presented—whenever there is an interruption by a Senator who seeks information, there is sometimes an exhibition of lack of patience on the part of those who are on the committee with those who are interrogating.

Mr. CHANDLER. Nothing I have said is in any way intended to reflect on the feelings of the Senator from Louisiana. If he has no such feeling as has been referred to, then nothing I have said is directed toward him in any way. The impression I have gotten is that every time the Senator from Illinois has undertaken to do the duty that was imposed upon him by the committee—which is a thankless job at best—he has been accused of attempting to prosecute Senator LANGER, and I happen to know he has not been doing any such thing.

The Senator from Illinois was designated by the committee to present the evidence as it was given to the committee. He may not be doing it to suit all Senators, but he is doing it the best he can. I venture the assertion that the Senator from Illinois does not care how Senators vote on the question. Senators can make up their own minds after they read what is available. I certainly have no objection to Senators reading everything that is available, and ordering to be made available other things that have not heretofore been made available.

Charges were made by persons in North Dakota, and the committee has been engaged in investigating the matters for, I believe, over a year. The proposition is not a new one. I would not turn my hand over to get any Senator to vote for or against the Senator from North Dakota. No member of the committee which made the investigation relished casting the vote he did, but when a Senator is on a committee he must vote either for or against, after hearing the evidence, and our committee has heard plenty of evidence.

The Senator from Texas [Mr. CONNALLY] was responsible for widening the scope of the investigation. I believe that is a fair statement. Some of us asked for a bill of particulars originally, and we wanted to hold the matter down to specific charges which we thought were serious enough to warrant an investigation, but others wanted to throw the whole matter wide open and go back 25 or 30 years and investigate the conduct of the Senator from North Dakota. There was no desire on my part to do so. There was no desire on the part of the Senator from Illinois to do so. But under the instructions of the committee, investigators went back and investigated these little old charges that look like—I have a name for them, but I will not use it. I would say trash and chicken feed and stuff that you ought to roll your hands on and not consider.

My friend the Senator from Michigan [Mr. BROWN] yesterday said he thought the Senator from Illinois was trying to prosecute the Senator from North Dakota. I say he is not. He is doing what the committee directed him to do. In casting our vote we could not vote other than we did, under the circumstances, based on the testimony covering the charges, and based on the failure of the Senator from North Dakota to make a satisfactory answer. Under the circumstances we had no choice but vote as we did. Previously, there is not one of us who would not just as soon have voted to keep the Senator here because none of us either wanted him out or wanted him in. The people of North Dakota, regardless of all these things have elected him Senator. If Senators want to join with them in that respect I have no objection. But I ask all Senators to remember that the Senator from Illinois is doing what the committee asked him to do. They placed the job on him. I am glad they did not give it to me because I did not want it.

Mr. LUCAS. I thank the Senator from Kentucky.

Mr. CHANDLER. I think the Senator from Illinois is doing the best he can. I think I know he does not want the vote to be one way or the other. Senators may not like what he says about the matter, but I know what he says is his deliberate conviction and conclusion based on a great deal of hard work. If Senators do not want to follow his presentation, but find some evidence to support their position, let them vote some other way.

Mr. LUCAS. Mr. President, I thank the Senator from Kentucky, and what he says is basically true about the whole case. I do not want to go back into the whole history of the matter, but the records will show, so far as the Senator from Illinois is concerned, that he was arguing for more specific charges in a bill of particulars, and not a fishing expedition. The evidence will show that. Notwithstanding the fact that I took that position in the early part of the proceedings, the Senate agreed to a resolution and investigators were ordered to go out in North Dakota and investigate these matters.

Mr. President, as I see it, I simply have a duty under my oath as a Senator here, and what anyone may think of my position is immaterial. I simply have to do my duty. I have no personal interest or personal malice against Senator LANGER or anyone else in connection with this case. I am going to do my duty as I see it. I have studied this evidence from beginning to end. I have lived with it for over a year. I have turned it over in my mind as I have seen these charges of moral turpitude, one after another, being piled here in front of us. With reference to bringing in those early charges which were placed in the majority report and concerning which there has been so much talk here in the Senate, as I previously stated, each and every one of them, with the exception of the Oster case, was brought in for the first time by Senator LANGER himself when he testified before the committee. The investigators did not find the early cases other than the Oster case. With respect to the drug-store case and the case of the breaking into the jail, and one or two more cases, the Senate will find a footnote after each showing that Senator LANGER himself voluntarily brought those cases into the testimony. The committee did not go back to them.

One of the things about the minority report in this case which I resent is the fact that in that report the charge is made directly that the subcommittee, of which the Senator from Illinois is chairman, ordered the investigators to go out into the State of North Dakota and investigate the public and the private life of Senator LANGER for the last 20 years. I had nothing to do with it at all. I had nothing to do with the drafting of the original resolution which gave the investigators power to go into North Dakota. The Senate of the United States passed upon that resolution, and agreed to it unanimously. If anyone is responsible for sending investigators into North Dakota to make this kind of an investigation, Senators must accept the responsibility themselves. As an individual Senator who stood here and voted on Senate Resolution 118, I am willing to accept my share. I intend to continue this presentation on behalf of the majority of the committee and to do it in the best way I can.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. STEWART. I happen to be one of the unfortunates who is a member of the Privileges and Elections Committee. When I say "unfortunate," I say it advisedly, because in the very nature of the thing it is a duty which is distasteful and even very disagreeable. I do not like it. I do not think anyone else in this body, so far as that is concerned, would choose to be a member of that particular committee, simply for the purpose of taking part in hearings of this kind or character. They are as distasteful as they can be.

After the subcommittee had made its report, hearings were held before the committee as a whole, which are published in the little green volume which appears on the desk of every Senator. I do not remember how many days or how many weeks these hearings continued, but it seemed to me we would never conclude them.

I sat in the hearings day after day and listened to the testimony We also had the report of the investigators who, as has already been explained, were sent out to the State of North Dakota for the purpose of making a complete and full investigation, as I understood. The report of the hearings by the investigators was available to the committee, as it has been available, we might say, to every Member of the Senate.

I have read several portions of the typed hearings, as well as the printed hearings. I heard a good portion of the testimony, and have heard a portion of the hearings read on the floor. In a general way I am fairly familiar with what was included in the reports and in the testimony taken by the investigators who went to North Dakota.

The hearings held in North Dakota were not published, as the Senator from Illinois has pointed out. They are not contained in the little green-backed volume which has been laid on each Senator's desk, to which I referred previously. The hearings held by the investigators were not published in this volume. I think they ought to have been published. I have thought about that two or three times since these proceedings started in the Senate. It had not previously occurred to me that they should have been published. I do not believe I even thought of the matter prior to the time the matter was brought before the Senate this week. However, I have become more impressed since I have undertaken a time or two to find the testimony of Mr. Sullivan, the attorney in Chicago who gave $25,000 to Mr. LANGER for some land stock in Mexico, or for a claim against the Mexican Government, whatever that might be.

That testimony of Mr. Sullivan is not in these hearings, for the reason that we did not bring him here and have his testimony taken before the committee and taken down by a reporter and transcribed. But his statement was taken by the investigators who went out to the city of Chicago and interrogated him about the transaction. It is important to read that testimony in connection with the other evidence in this record.

There is a great deal that I might say while I am on my feet. Many things are running through my mind. I think, of course, a great deal that is in this record, which perhaps, taken in each case individually, is more or less unimportant, except perhaps as it might shed light on the entire subject matter and show the conduct of the man and his nature and disposition over a period of 20 or 25 years, as some Senators have argued that it does.

I see only three really important things in these hearings, three important transactions of comparatively recent vintage, so to speak. One is the transaction involving the sale of the Mexican land stock, which is claimed by some was money paid for lowering the values of a railroad represented by Mr. Sullivan, who paid the money at the time Senator LANGER was Governor of North Dakota. The other is a series of transactions which took place with a man by the name of Brunk, of Des Moines, Iowa, who, it is claimed, was employed by Governor LANGER to sell securities of the various counties of the State of North Dakota, and who, near the end of this group or series of transactions, after he had made about a quarter of a million dollars, purchased, sight unseen, for $56,000, all the farm land or the major portion of the farm land which Senator LANGER owned in North Dakota, while Senator LANGER was Governor.

Those two transactions and the occasions upon which Mr. LANGER was tried by a Federal court after a substitute judge had been sent to North Dakota from South Dakota are the three important things to consider. The other instances may shed light in a general way upon those transactions.

Mr. President, I think that every Member of the Senate, who has the individual responsibility of voting in this case, ought to be conversant with all the facts. We ought to know everything which has transpired. We ought to know every word of testimony which was submitted to the Committee on Privileges and Elections. I think that the statement to that effect made by the Senator from Louisiana is quite proper; and I shall take it upon myself to move that the report of the investigators who went to North Dakota be printed, as were the hearings before the committee. They are in the little green book to which I have referred, which lies on each Senator's desk. All exhibits should likewise be printed. That material should be bound in whatever number of volumes are necessary; and a sufficient number of them should be printed to place in the hands of every Member of the United States Senate a copy showing all the evidence. I think that suggestion is proper. Every Member of this body wants to see the evidence on which members of the Committee on Privileges and Elections made up their minds. I do not care whether a month, 2 months, or 6 months would be required to print it. This is an important matter, involving the rights of a man from a sovereign State of the Union.

I have already cast my vote in the committee; and Senators know how I voted. I would rather have done a great many other things I can think of. I did not want to do it. I want every Member of the Senate to have the same information which the committee had. I do not know of any other way in which the question can be properly placed before the Senate. It does not make any difference to me how long a time would be required. I make my request in the form of a motion, and ask that it be acted upon at this time.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Illinois yield for the purpose of allowing the Senato. from Tennessee to make a motion?

Mr. LUCAS. I yielded to the Senator.

Mr. McNARY. Mr. President, I have just entered the Chamber. I do not know what the nature of the motion is.

The PRESIDING OFFICER. As the Chair understands, the motion of the Senator from Tennessee is that all the records in this case, including the exhibits, be printed and made available to the Senate.

Mr. STEWART. The Senator was not in the Chamber when this question first arose. The point was made that Members of the Senate had not had placed on their desks printed copies of all the evidence which was before the Privileges and Elections Committee. In addition to the hearings before the committee—the little green book of which I speak—there was some other evidence, which has been available to every Member of the Senate, and which has been seen by members of the Committee on Privileges and Elections. It has been referred to in the hearings and in newspaper reports following the hearings. Many statements were taken by the investigators, and many exhibits have been filed. I made the motion that all that material be printed and that a copy of the entire record be placed on the desk of each Senator.

Mr. LUCAS. Mr. President, I did not yield for the purpose of making a motion. I reserve the right to object. I shall yield to the Senator from Oregon if he wishes to discuss the question.

Mr. STEWART. Mr. President, in view of the fact that the Privileges and Elections Committee passed upon evidence which has not been placed before the Members of this body, and in view of the fact that the question has been raised, I wish every Senator to see what we saw.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. VANDENBERG. Does the Senator from Tennessee wish to couple with his motion the provision that the consideration of the pending resolution be suspended pending the arrival of the printed matter?

Mr. STEWART. As I stated, I do not think it makes any difference whether it takes 2 months or 6 months to publish it. It seems to me it would naturally follow that consideration of the resolution would have to be suspended. I will include that in my motion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. If this motion, or any motion of like tenor, is adopted, which would involve suspension of the consideration of the resolution before the Senate until the matter referred to has been printed, it seems to me that either the Committee on Privileges and Elections, or a subcommittee thereof, or the attorneys on both sides, ought to go through the record, which it is said would comprise 4,000 or 5,000 pages of printed matter, and decide what ought to be printed, rather than to print the whole thing.

Mr. STEWART. No.

Mr. BARKLEY. There may be many immaterial statements in the record of the investigation which would be of no value to the Senate.

Mr. STEWART. I think the question of what should be deleted ought to be left entirely to the discretion of the Senate. That can be done after the material has been printed. I should like to see every word printed.

Mr. BARKLEY. There is no way in which the Senate can exercise jurisdiction over what shall be deleted without seeing all of it. The Senate cannot even see it until it is printed.

Mr. STEWART. That question can be decided after the material has been printed and placed before each Senator. I think it all ought to be published. Some controversy might arise as to the exercise of discretion with respect to what should be printed and what should not be

printed. That question might be a matter of continuous argument. I want the Senate to see what we saw. I am impressed by the statement of the Senator from Louisiana, who says that he has not seen all the evidence.

Mr. BARKLEY. Without any prejudice one way or the other, I think it is unfortunate that those who did not agree with the majority report did not think of this before the matter was brought before the Senate. It is now proposed to suspend consideration of the resolution in order that something may be printed. That is a matter which the committee could have controlled. I presume the matter referred to would have been printed at the request of the minority members of the committee.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator from Kentucky why the minority of the committee is any more chargeable with blame in the matter, if there is blame, than the majority. The majority made up the record. Why does the Senator single out the minority members of the committee to blame them for not making up the record?

Mr. BARKLEY. For the reason that in a matter of this sort the minority members are supposed to be looking after the rights of the member involved as much as are the majority members. The minority members took it upon themselves—and properly so—to file a minority report; but so far as I know no request was ever made to have printed the hearings conducted by the investigators who were sent to North Dakota.

Mr. CLARK of Missouri. The request now comes from a member of the majority of the committee. Why blame the minority? I am not a member of either the majority or minority of the committee, so I feel free to discuss the question.

Mr. BARKLEY. I am not a member of the majority of the committee or of the minority; but it is unfortunate, after the time we have spent on this matter, that no member of the committee—I will include the author of the motion—thought about having printed and made available to the Senate the record of the hearings conducted by the investigators before we took this question up.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McNARY. I do not desire to discuss the matter at this time, although I have some very affirmative views on the subject. I merely ask for the regular order.

The PRESIDING OFFICER. The regular order is called for. The Chair recognizes the Senator from Illinois.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Tennessee.

Mr. STEWART. I insist on my motion.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Tennessee for the purpose of making a motion?

Mr. STEWART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STEWART. After the Senator has yielded, does it make any difference for what purpose he yields? Do I not have a right to insist on my motion, anyway?

The PRESIDING OFFICER. The Chair understood the Senator from Illinois to yield to the Senator from Tennessee for a question or statement, but that he declined to yield to the Senator from Tennessee for the purpose of making a motion.

Mr. LUCAS. Mr. President, I will yield to the Senator from Tennessee for the purpose of making that type of motion. However, before doing so, I wish to say that the Committee on Privileges and Elections finds itself in a peculiar position. After months of labor in connection with a very important matter we find ourselves confronted with a proposal to suspend consideration of the pending resolution for the purpose of having all the exhibits copied. Eventually I shall vote for such a motion if it is put to a vote.

However, I had hoped that there was sufficient evidence in the public hearings as well as in the hearings conducted by the investigators, the record of which has been available to every Member of the Senate. I myself have consulted the record time after time, and have always been able to find what I wanted. I had hoped that would be sufficient, without delaying this matter for months in order that all the exhibits, records, and so forth, might be printed and bound and, possibly, laid aside without being examined by the Senators. I dare say that not a single Senator on the committee—and I invite any Senator to challenge this statement—has sat down and read, page by page, the 4,600 pages contained in the various volumes.

We have had the investigators with us, annotating and digesting the testimony and bringing the facts to the committee in the form in which the committee needed them, and the subcommittee studied this testimony for days But there simply is not sufficient time for a Senator to sit down and read page after page and page after page of testimony. Unless Senators depend upon someone to bring forth the salient features of the testimony bearing on the charge, obviously the lengthy record which has been made in this case would make their task endless. I hope we can work out such a policy, and can agree on it, so that we can proceed with the matter. However, if the proposed motion is made I, as a member of the committee, will support it; because I have already been subjected to criticism in this case, and I will not place myself in a position to receive more criticism.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. BARKLEY. I merely desire to ask the Senator a question. He said that not even the members of the committee had read all the exhibits; and a while ago it was stated that if they were printed, they would amount to four or five thousand pages, and that the cost would be $5 a page, so that the cost of printing all the exhibits would be $25,000. That is immaterial, I grant, as compared to the right of a Senator to his seat in the Senate. But if there were any way to take a census of the membership of the Senate regarding the matter, I wonder how many Senators would be found to have read every page, page after page, of the 855 pages of the little green book which contains the proceedings of the hearings held before the committee.

Mr. LUCAS. I wonder about that, too. I raised that question a while ago.

Mr. BARKLEY. If any Senator has read the 855 pages, together with the 76 pages of the majority report in this case, together with the minority report made up of 60 pages, and has not been able to make up his mind as to the merits of the case after a careful, page-by-page reading of all the documents, he would not be any more able to make up his mind by reading 5,000 additional pages of technical exhibits and commentaries and probably more or less material or immaterial statements made in regard to the matter.

In every case—whether it be a bill or a resolution or some other sort of proceeding—we always have to depend upon the hearings had before the committee, the minority and majority reports, and the arguments made thereby. I myself seriously doubt whether any additional information of value to the Senate would be adduced by now suspending in the middle of the consideration of this case, in order to have printed four or five thousand pages of other matters. Such matters will not be read in full by any Senator; we know that. We do not have the time to read them. It is impossible to do so unless we devote weeks and months to nothing else; and if we should read all of them, I doubt whether we should have a statement of the facts that would be any clearer than that which is contained in the record made by the committee and in the two reports.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McNARY. I find myself quite in harmony with the observations made by the very distinguished Senator from Kentucky. The testimony which is printed, as I understand, is that which was taken before the committee, consisting of 855 pages.

Mr. LUCAS. Public hearings; that is correct.

Mr. McNARY. The testimony unprinted, as I understand, is the testimony taken by the investigators in the State of North Dakota, and that is what the motion contemplates having printed.

Mr. LUCAS. That is correct.

Mr. McNARY. As one Senator interested in a fair and just outcome of the case, I can see no possible benefit to be obtained by adjourning the case and postponing its further consideration until the testimony referred to is printed. I think the virile testimony may be found

in the document lying on our desks, consisting of 855 pages. The report of the committee is certainly a fair representation of the testimony taken by the committee and by the investigators.

I say, Mr. President, in justice to the majority of the committee, that their report evidently and very plainly, in my opinion, is found responsive to the testimony taken before the committee, and with due consideration of the testimony taken by the investigators in North Dakota. I find nothing to criticize in the attitude of the committee.

Mr. LUCAS. I am very grateful to the Senator for his statement.

Mr. McNARY. I can see no purpose to be served by having the testimony printed. No one would read the testimony. It is all before us. There is a brief submitted by the able Senator from Illinois and others to the full committee. There is a brief, as I recall, in response to that, submitted by the attorneys for Mr. LANGER. Then there was a brief filed with the committee on behalf of the petitioners, and one on behalf of the Senator from North Dakota, both of which have been printed in the RECORD. Certainly that is sufficient of a record for anvone to read, if he will pursue it, in order to obtain a fair and full knowledge of the case.

I think it would be unfair to the Senate and its dignity and unjust to the Senator from North Dakota, if we should now adjourn the case for perhaps weeks and months—in order to provide opportunity for the printing—at great expense to the Government—of testimony which is already reflected in the record.

Therefore, Mr. President, I do hope that the able Senator from Tennessee [Mr. STEWART] who always acts with wisdom, frankness, and courage, may withhold or withdraw his motion.

Mr. AIKEN. Mr President, will the Senator yield for a question?

Mr. LUCAS. I desire to say a word first.

Mr. AIKEN. Very well.

Mr. LUCAS. First I am extremely grateful to the minority leader, the able Senator from Oregon, for what he has said about the majority report. I am all the more grateful in view of the fact that the remarks come from such a distinguished leader as he, who has served here over a long period of years, and who himself has had experience with matters of this kind. I know from the records and from personal conversation with him that he sat through the hearings of the famous Vare and Smith cases. I think that he, as one who has been through two such contests, can fully appreciate and understand the great responsibility resting upon a committee which is attempting to do what we are doing here, which is our plain duty, unmistakably under the Constitution, the precedents, and the law.

In the beginning we thought it would be best not to have all the documents printed, thereby burdening each Senator with volumes and volumes to read. If all the exhibits and all the testimony were printed, each Senator would have to have an additional file case in his office in order to handle all the material that he would receive, if he were to acquire the complete records in the case.

So, realizing the tremendous amount of testimony that was taken, the subcommittee, composed of the senior Senator from Vermont [Mr. AUSTIN], the senior Senator from New Hampshire [Mr. BRIDGES], the junior Senator from Tennessee [Mr. STEWART], the senior Senator from West Virginia [Mr. KILGORE], and myself, sat for days with the investigators, going over the testimony. The result was the committee print which every Member of the Senate has had. The committee print contains 103 pages, and in it we do not—as the minority report holds—make any recommendations or draw any conclusions. All we do in it is make observations and suggestions, which the subcommittee reported to the full committee. The committee in its meeting, after a lengthy discussion by all members of the committee, adopted the recommendations made in the way of observations and suggestions and, following that, in the way of appointing investigators and appraisers, calling witnesses, and so forth.

It does seem to me that the chances of Senator LANGER are in no way impaired by the decision of the committee not to have all the documents printed, from beginning to end, at tremendous expense. I hazard a guess that if all the documents had been printed very few would have been read. I doubt that the committee print now before us, which contains all the factual data, has been read in full by all the Senators.

As I said a moment ago, I shall vote for the motion if the Senator from Tennessee wants to put it, but I hope he does not do so.

Mr. BARKLEY. Mr. President, the Senator speaks of a committee print. He means the committee report, does he not?

Mr. LUCAS. No. There was a committee print, I will say to the majority leader, which the subcommittee had printed and gave to every Senator.

Mr. BARKLEY. That is in addition to the report?

Mr. LUCAS. That is in addition to the report.

Mr. BARKLEY. It is not a copy of the report?

Mr. LUCAS. No; it is not a copy of the report. It is a confidential report and memorandum of information on all of the pages of testimony which was taken by the investigators in North Dakota. We thought the Senate was entitled to have access to it. The subcommittee made up the report and submitted it to the full committee, and at the same time submitted it to every Member of the Senate. The confidential committee print contains a digest of all the evidence taken by the investigators.

Mr. AIKEN. Mr. President——

Mr. LUCAS. I yield to the Senator from Vermont.

Mr. AIKEN. May I ask the Senator from Illinois to what extent the testimony taken by the committee has been distributed to others than Members of this body?

Mr. LUCAS. I do not understand the Senator's meaning.

Mr. AIKEN. I simply asked to what extent has this testimony been distributed to others than Members of the Senate? Has the testimony, or that part of it that is before the Senate today, been generally distributed over the United States?

Mr. LUCAS. I cannot tell the Senator anything about that. The subcommittee has no information to the effect that anybody distributed copies of the testimony all over the United States.

Mr. AIKEN. The motion of the Senator from Tennessee called to mind today the statement in a Vermont newspaper some days ago that it had received 2,200 pages of testimony concerning the case of WILLIAM LANGER.

Mr. LUCAS. Who sent it there?

Mr. AIKEN. They said it had been sent by a member of the committee.

Mr. LUCAS. I do not know what the Senator means. He is far away from the issue; I wish he would confine his remarks to it. If he is trying to make a personal reference to any Senator, I do not care to be a party to it.

Mr. AIKEN. Does the chairman of the committee or any member of the committee know whether this testimony has been distributed to newspapers throughout the country?

Mr. LUCAS. Insofar as the Senator from Illinois is concerned, I will say "no," if that is an answer.

Mr. AIKEN. I will state to the Senator from Illinois that the statement was in a Vermont newspaper, and I can furnish him a copy of it today if he would like to have it.

Mr. LUCAS. How many copies went to the Senator's State is no concern of mine. The Senator has been very much interested in this matter for some reason or other. He is referring to something that happened in his own State. I do not know what that has to do with the question before the Senate.

Mr. AIKEN. I want to know for what purpose this testimony was sent to newspapers some time ago?

Mr. McNARY. Mr. President——

Mr. LUCAS. I yield to the Senator from Oregon.

Mr. McNARY. I am not a member of the committee, but, of course, the practice indulged by committees in charge of a bill is to send out copies when inquiries or requests are received, but the committees have no bureau for distribution of documents.

Mr. LUCAS. Of course not.

Mr. McNARY. No committee sends out reports unless they are requested. Of course, an occasional Member may do so, but I venture, with the greatest confidence, to say that none of these printed records—I have reference now particularly to the 855-page document—has been sent out by the committee acting on their own initiative, unless it was at the request of some member. That has been the unbroken practice of committees of the Senate. I do not know about the incident the Senator from Vermont has cited, but I am speaking of the general practice.

Mr. LUCAS. The Senator from Oregon is absolutely correct. Personally, I do not like the inference upon the part of the Senator from Vermont that any member of the committee would do a thing of that kind. If the Senator from Vermont has any direct information regarding it, if he wants to name a member of the committee, and if he wants to go into a thing of that kind for the purpose of indulging in some personality or to point out how it has jeopardized the interests of this man, let him do that in an argument, let him give the facts, but not ask me about anything of that kind. Insofar as the Senator from Illinois is concerned, I stand upon the original argument I made, insofar as attempting in this case to defend the integrity of the Senate is concerned. I am not in the habit of sending out reports to newspapers in Illinois about this case or any other. Of course, if some lawyer in Illinois or some newspaper should write me and ask for a report or a document in this case, I would furnish it, but I would have to call on the clerk of the Committee on Privileges and Elections and ask him to send it out. I would not do it except on request.

Mr. AUSTIN. Mr. President——

Mr. LUCAS. I yield to the senior Senator from Vermont.

Mr. AUSTIN. Mr. President, I think it is time that the Senate understood that there is something extraneous to the issue here, and that the interrogatories by my colleague, Mr. AIKEN, refer to that matter.

The husband of the secretary of the junior Senator from Vermont obtained permission from a newspaper in the State of Vermont to publish a column in which he made an insidious attack upon me, challenging my good faith as a member of this committee in serving in the Langer case. For the purpose of giving my fellow citizens of Vermont access to the truth, as soon as it was possible, I put in the hands of the newspapers the evidence upon which my conduct was challenged.

I do not care to debate this subject nor to divert the Senate of the United States to give any attention to my personal affairs, and I do not think that it would contribute to the honor of the Senate to have this matter investigated. So far as this case is concerned, I think we will do well if we consider the facts of the case calmly and judicially, and not go into such a matter as is suggested by the junior Senator from Vermont.

I have been here 10 years; I, myself, never have encountered any such experience, and I do not know of any other similar case having arisen during the time I have been a Member of this body.

Mr. AIKEN. Mr. President——

Mr. LUCAS. I now yield to the junior Senator from Vermont.

Mr. AIKEN. I have no knowledge of the matter concerning the other newspaper of which my colleague speaks; I do not know a thing about it. I simply asked the Senator from Illinois to what extent the hearings, as I understand, 2,200 pages, have been distributed to others than Members of this body. That is all I wanted to go into, and that is all I asked the Senator. He said he did not know.

Mr. LUCAS. Where did the Senator get the information?

Mr. AIKEN. I have no desire at all to go into any personalities. The information can be obtained from the Library of Congress. It is published in a Vermont newspaper.

Mr. LUCAS. Can the Senator tell me how he obtained the information; perhaps the committee would like to know? I would not want the Senator to cast any reflection upon my position here.

Mr. AIKEN. I read it in a newspaper that received one copy of the testimony.

Mr. LUCAS. The Senator is relying upon a newspaper, is he?

Mr. AIKEN. The newspaper statement was to the effect that it had received 2,200 pages of the testimony.

Mr. LUCAS. The Senator himself has made no personal investigation of the matter at all, as I understand.

Mr. AIKEN. The Senator from Vermont was asking the Senator from Illinois if the testimony had been generally distributed to others than Members of the Senate. That is all the Senator from Vermont wants to know.

Mr. LUCAS. The Senator proceeded to tell me that some 2,200 pages had gone to his State. I should like to know where the Senator gets that information. Does he get it from the newspaper or from an authoritative source?

Mr. AIKEN. From the newspaper itself.

Mr. LUCAS. Then what the Senator is saying now is based upon a newspaper story. I do not know anything about that, but I suggest that the Senator take it up with the chairman of the committee. I am merely an humble member of the subcommittee trying to do the best I can.

Mr. BARKLEY. Mr. President——

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. BARKLEY. Has any document containing 2,200 pages of testimony ever been printed by the committee under its authority? As I understand, all that has been printed has been this green volume with 855 pages of testimony, the majority and minority reports, and the memorandum of information containing 103 pages, and that the other matter referred to by the Senator from Louisiana was in the nature of a single copy of a report made by the investigators and in possession of the committee but which has not been printed in any pamphlet form. Am I correct?

Mr. LUCAS. The Senator's statement is correct. There are not 2,200 pages in any document the Committee on Privileges and Elections has approved and distributed among Members of the Senate. The public hearings of the committee comprise 855 pages, and the other documents referred to by the Senator from Kentucky are of course much less lengthy.

Mr. BARKLEY. So that there is no official document of 2,200 pages that has ever been printed by the committee?

Mr. LUCAS. That is correct.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. LUCAS. I yield.

Mr. ELLENDER. Reverting to the issue before the Senate, the pending motion of the Senator from Tennessee [Mr. STEWART], I should like to know from the Senator if it is not a fact that many of the charges which were made against Senator LANGER and upon which much testimony has been taken by the committee were actually thrown out by the committee and found to be unwarranted or not to afford sufficient evidence to justify action against the Senator?

Mr. LUCAS. Yes; I will say to the Senator that is what we did in the committee print.

Mr. ELLENDER. If all the testimony and exhibits should be printed as proposed, would it not necessarily involve the printing of much evidence which would not be at all pertinent to the charges now before the Senate?

Mr. LUCAS. That is correct. In other words, the subcommittee took under consideration all the charges which were filed in the original petition sworn to by the petitioners, and we eliminated a number of those charges, as set forth in the confidential committee print; in fact, all the charges concerning the election were eliminated, and nothing was left with the exception of the charges of moral turpitude.

Mr. BARKLEY. Mr. President, will the Senator yield to me to make a parliamentary inquiry?

The PRESIDING OFFICER. Does the Senator from Illinois yield for that purpose?

Mr. LUCAS. I yield.

Mr. BARKLEY. Is the motion of the Senator from Tennessee now before the Senate or not? Is there any motion now pending before the Senate?

The PRESIDING OFFICER. There is no motion now pending. The Senator from Illinois did not yield for that purpose.

Mr. STEWART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Tennessee?

Mr. LUCAS. I yield.

Mr. STEWART. The Senator specifically stated that he did yield for the purpose of allowing me to make a motion, and not only that, but stated that he would vote for it.

Mr. CLARK of Missouri. Mr. President, will the Senator from Illinois yield to me to make a parliamentary inquiry?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. Is it in order at this time, even if the Senator from Illinois yields, to make a motion to print this testimony or anything else without referring it to the Committee on Printing?

The PRESIDING OFFICER. The Chair understands that such a motion would not be in order, it not being one provided under Rule XXII, and he is further inclined to believe that under the

rules of the Senate such a motion when made at an appropriate time should be referred to the Committee on Printing before being acted upon by the Senate.

Mr. STEWART. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STEWART. What would be the purpose of referring it to the Committee on Printing.

Mr. HAYDEN. As chairman of the committee, I can tell the Senator, if the Senator from Illinois will yield.

Mr. LUCAS. I yield for that purpose.

Mr. HAYDEN. It would be in order to ascertain what it would cost. The best estimate I can get is that it would cost about $10,000 to print the testimony; that printing it would take a good deal of time, and divert the employees at the Government Printing Office, who are very much occupied. The estimate I have stated may be low.

The PRESIDING OFFICER. For the information of the Senate, the Chair will read the law applicable to the case:

> Either House may order the printing of a document not already provided for by existing law, but only when the same shall be accompanied by an estimate from the Public Printer as to the probable cost thereof.

The Senator from Illinois is recognized.

Mr. LUCAS. Mr. President, I shall proceed with the argument. If the Senator from Tennessee desires to make his motion a little later, I shall yield to him for that purpose; and I repeat I shall vote for the motion if he makes it.

Mr. STEWART. Did the Chair rule on the parliamentary situation?

Mr. LUCAS. Yes; the Chair recognized the Senator from Illinois as having the floor.

The PRESIDING OFFICER. The Chair has made no ruling. The Chair has indicated what the Chair understands the law and the rule to be. It is the Chair's understanding that the Senator from Illinois did not yield for the purpose of permitting the Senator from Tennessee to make a motion.

Mr. STEWART. Will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. STEWART. I again ask the Senator from Illinois whether he will yield and whether or not he so stated a few moments ago, for the purpose of allowing me to make the motion?

Mr. LUCAS. I stated I would ultimately yield, and that when I did and the motion is made I would vote for the Senator's motion.

Mr. STEWART. I do not know; there may be a definition of the word "ultimately" involved. [Laughter.]

Mr. LUCAS. Mr. President, I shall proceed with the argument, but before doing so I wish to make one statement suggested to me a few moments ago by another Senator who could make the statement better than I, and he raised a very pertinent point. When we are seeking to get a quorum here it often requires two roll calls before one can be developed, even at a time when we have under consideration a question which is as important as that now before us. If it takes two roll calls to get a quorum of the membership in the United States Senate when a man's public life is at stake, I doubt very much that it would be possible to get the Members of the Senate to read forty-six or forty-seven hundred pages of testimony.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. STEWART. The Senator should not take advantage of their absence from the Chamber to read the testimony.

Mr. LUCAS. That is probably true, but this is the place where the evidence should be debated. I am not complaining. I merely make this suggestion now because of the situation in which the motion which the Senator from Tennessee may ultimately make places us.

Mr. President, about an hour ago I was discussing a question involving the sale of the Mexican land stock. There has been some testimony in the record, and some statements have been made, about what Representative Lemke did in that connection. I think at one time he was president of the Land Finance Co., of which we have heard a good deal in this case.

On the 15th day of June 1939, Lemke as president of the Land Finance Co. caused to be filed with the Agrarian Claims Commission of the United States of Mexico, under the agreement of November 9 and 12, 1938, a claim for $932,787.81. After an explanation and description of various tracts of land and personal property, and a statement in relation to the expenses which had been paid, including attorneys' fees and other expenses, all of which covered several pages, Lemke said:

> Wherefore the claimant asks that the Mexican Government compensate the claimant in the sum of $932,787.81 United States currency, being the total value of the land expropriated, together with improvements, taxes, and necessary expenditures.
>
> Dated June 15, 1939.

The affidavit is as follows:

> William Lemke being first duly sworn, says that he is the duly elected and acting president of the Land Finance Co., and that he has read the foregoing claim, knows the contents thereof, and that he has been authorized to prepare the same by the Land Finance Co. and that the same is true and correct to the best of his knowledge, information, and belief.

I call attention to the type of affidavit—on "information and belief."

In looking through this claim, and particularly at the part where he gives the value of all the land, it will be noted at the conclusion of each statement he says something to this effect, "reasonable average value was $40 per acre," not at the time the claim was filed, "reasonable average price per acre was $5," and so forth.

I ask unanimous consent of the Senate to insert this claim in the RECORD, to be printed in full at this point in my remarks.

The PRESIDING OFFICER (Mr. CLARK of Idaho in the chair). Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Langer Exhibit 120]

BEFORE THE AGRARIAN CLAIMS COMMISSION, THE UNITED STATES OF AMERICA AND THE UNITED STATES OF MEXICO (UNDER THE AGREEMENT OF NOVEMBER 9 AND 12, 1938), THE LAND FINANCE CO., A CORPORATION OF SOUTH DAKOTA, UNITED STATES OF AMERICA, AGAINST UNITED MEXICAN STATES

DOCKET NO. 175. CLAIM NO. 231

Claim

Comes now the Land Finance Co., a corporation of South Dakota, United States of America, and for its claim against the Mexican Government alleges:

1. That it is a domestic corporation of the State of South Dakota, United States of America, with its principal business office at Fargo, N. Dak., and that it is a citizen of the United States of America.

2. That all of its stockholders are citizens of the United States of America and consist of 187 in number.

3. That during the years 1907 to and including 1911, by invitation and encouragement of officers of the Federal Government of the Repuolic of Mexico, and relying upon the good faith of such invitations and encouragement, invested large sums of money in Mexican lands located on the west coast, to wit, in the sum of $400,000 in United States currency, which sum was invested in Mexican lands, and in necessary expenditures in acquiring same, and improvements, and in the payment of taxes to the Mexican Government.

4. That during the years of 1912 to and including 1938 the Land Finance Co. expended additional sums of money in the payment of taxes and other necessary expenses in maintaining the property, to wit, the sum of $25,000, making a total investment in lands, taxes, and improvements of $425,000 in United States currency.

5. That the title to all of said lands stands in the name of William Lemke, sometimes written William F. Lemke, president of the said Land Finance Co., and that said title is held in trust for the Land Finance Co. That the record title was thus taken in the name of William F. Lemke, president of the Land Finance Co., for convenience, and that in fact the claimant, the Land Finance Co., furnished all of the funds in the purchase of said lands and in the payment of improvements, taxes, and expenses as aforesaid.

6. That between the years 1908 and 1911 the claimant, the Land Finance Co., purchased from various individuals, who had an undivided interest, and that the claimant is the owner of forty-eight fifty-sixths of the property known as Bayona Y. Nieblas, located partly in the State of Nayarit and partly in the State of Sinaloa, Mexico, and being on both banks of the Las Canas River, and which property consists of 70,570 hectaries, or approximately 174,307 acres. And that the claimant is the owner of said property as alleged herein, blueprint of location of said property hereto attached. That is that prior to 1927 the Land Finance Co., by purchase, became the actual owner of 60,488.60 hectares, or 149,406 acres, of the original tract of 70,570 hectares, or 174,307 acres, of the Bayona Y. Nieblas ranch. (See contract of purchase and title deeds, Exhibits A A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, and A-10, herewith submitted and made part hereof.)

7. That on July 4, 1925, upon petition by some of the inhabitants of the village of Bayona, municipality of Acaponeta, Nayarit, the Mexican Government, through its agrarian commission, dispossessed the claimant of

1,284 hectares of said land, or approximately 3,171.48 acres, and granted the same to said village of Bayona. That thereupon by Presidential decree on March 1, 1928, the said grant to the village of Bayona was made permanent as to 493 hectares and 80 acres. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 493 hectares and 80 acres, or approximately 1,219.69 acres At the same time the Government dispossessed for 2½ years the claimant of 791 hectares, or approximately 1,952 acres. (See pp. 3, 4, 5, 6, and 7, Diario Oficial of April 6, 1929, marked "Exhibit B," and submitted herewith and made part hereof.)

That said 493 hectares and 80 acres was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488 60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre, United States currency to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 1,219.69 acres or 493 hectares and 80 acres Therefore, because of said confiscation and expropriation, the claimant was damaged $48,787.60 in United States currency as of the date of March 1, 1928, the date of permanent expropriation by Presidential decree.

That the reasonable rental value for the 2½ years that the claimant was dispossessed of the 791 hectares, or 1,952 acres, was at least $3.50 per acre, or total damage sustained because of said dispossession of said 791 hectares from July 4, 1925, to March 1, 1928, was $7,320.

8 That prior to January 1, 1928, upon petition by some of the inhabitants of the village of El Tigre, Nayarit, the Mexican Government through its Agrarian Commission dispossessed the claimant of 540 hectares of said land, or approximately 1,333.80 acres, and granted the same to the village of El Tigre. That thereupon by Presidential decree on March 1, 1928, the said grant of 540 hectares to the village of El Tigre was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 540 hectares of said land, or approximately 1,333.80 acres. (See pp. 3, 4, 5, and 6, Diario Oficial of January 30, 1929, marked "Exhibit C" and submitted herewith and made part hereof.)

That said 540 hectares was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre, United States currency, to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 1,333 80 acres, or 540 hectares. Therefore, because of said confiscation and expropriation, the claimant was damaged $53,352 in United States currency as of the date of March 1, 1928, the date of permanent expropriation by Presidential decree.

9. That on or about January 6, 1936, upon petition by some of the inhabitants of the village of Pajarito, Nayarit, the Mexican Government through its Agrarian Commission dispossessed the claimant of 247 hectares of said land, or approximately 610.09 acres, and granted the same to the village of Pajarito. That, thereupon, by Presidential decree issued on or about February 10, 1937, the said grant of 247 hectares to the village of Pajarito was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 247 hectares of said land, or approximately 610.09 acres. (See pp. 15 and 16, Diario Oficial of April 2, 1937, marked "Exhibit D" and submitted herewith and made part hereof.)

That said 247 hectares was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United $20 per acre, United States currency, to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 610.09 acres or 247 hectares. Therefore, because of said confiscation and expropriation, the claimant was damaged $24,403.60 in United States currency as of the date of February 10, 1937, the date of permanent expropriation by Presidential decree.

10. That on or about April 30, 1935, upon petition by some of the inhabitants of the village of Bayona, municipality of Acaponeta, Nayarit, the Mexican Government, through its Agrarian Commission, dispossessed the claimant of an additional 472 hectares, or 1,165.84 acres, and granted the same to the village of Bayona. That, thereupon, by Presidential decree issued on or about May 3, 1937, the said additional grant of 472 hectares to the village of Bayona was made permanent. (See pp. 4 and 5, Diario Oficial of April 2, 1937, marked "Exhibit E" and submitted herewith and made part hereof.)

That said 472 hectares was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre United States currency to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 1,165.84 acres, or 472 hectares. Therefore, because of said confiscation an expropriation claimant was damaged $46,633.60 in United States currency as of the date of May 3, 1937, the date of permanent expropriation by Presidential decree.

11. That on or about May 23, 1935, upon petition by some of the inhabitants of the village of El Tigre, Nayarit, the Mexican Government through its Agrarian Commission dispossessed the claimant of an additional 424 hectares, or 1,047.28 acres, and granted the same to the village of El Tigre. That thereupon by Presidential decree issued on February 10, 1937, the said additional grant of 424 hectares to the village of El Tigre was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 424 hectares of said land, or approximately 1,047.28 acres. (See pp. 5 and 6, Diario Oficial of April 10, 1937, marked "Exhibit F" and submitted herewith and made part hereof.)

That said 424 hectares was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre, United States currency, to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 1,047.28 acres, or 424 hectares. Therefore, because of said confiscation and expropriation claimant was damaged $41,891.20 in United States currency as of the date of February 10, 1937, the date of permanent expropriation by Presidential decree.

12. That on or about January 8, 1936, upon petition by some of the inhabitants of the village of Tecualilla, Sinaloa, the Mexican Government through its Agrarian Commission dispossessed the claimant of 648 hectares, or 1,600.56 acres, and granted the same to the village of Tecualilla. That, thereupon, by Presidential decree issued April 20, 1938, the said grant of 648 hectares to the village of Tecualilla was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 648 hectares of said land, or approximately 1,600.56 acres. (See pp. 23, 24, and 25, Diario Oficial of June 7, 1938, marked "Exhibit G" and submitted herewith and made part hereof.)

That said 648 hectares was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre, United States currency, to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 1,600.56 acres, or 648 hectares. Therefore, because of said confiscation and expropriation claimant was damaged $60,022.40 in United States currency as of the date of April 20, 1938, the date of permanent expropriation by Presidential decree.

13. That on or about December 31, 1936, upon petition by some of the inhabitants of the village of El Aguaje, Nayarit, the Mexican Government through its Agrarian Commission dispossessed the claimant of 1,723 hectares, or approximately 4,255.81 acres, and granted the same to the village of El Aguaje. That, thereupon, by Presidential decree issued on September 28, 1938, the said grant of 1,723 hectares to the village of El Aguaje was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 1,723 hectares of said lands, or approximately 4,255.81 acres. (See pp. 3, 4, and 5, Diario Oficial of October 25, 1938, marked "Exhibit H" and submitted herewith and made part hereof.)

That 600 hectares, or 1,482 acres, of said 1,723 hectares was cleared and cultivated and is close to a railroad station and among the most valuable lands in said tract of 60,488 60 hectares; that a reasonable price for said 600 hectares, or 1,482 acres, is $40 per acre, United States currency; that it would cost over $20 per acre, United States currency, to clear similar lands in that vicinity; that $40 per acre is the fair and reasonable value for said 600 hectares, or 1,482 acres. That 820 hectares, or 2,025.40 acres, out of said 1,723 hectares was wooded land but suitable for cultivation when cleared and is among the best and most valuable lands in said tract of 60,488.60 hectares; that the reasonable value of said 820 hectares, or 2,025.40 acres, is $20 per acre, United States currency. That 100 hectares, or 247 acres, of said 1,723 hectares was palm land valuable for the palms and also valuable for cultivation when palms have been cut; that the reasonable value of the 100 hectares, or 247 acres, of palm lands is $30 per acre, United States currency. That the balance of 203 hectares, or 501.41 acres, of the 1,723 hectares is pasture and rough lands; that the reasonable value of said 203 hectares, or 501.41 acres, is $5 per acre, United States currency; making a total value of $109,705.05, United States currency, for the 1,723 hectares, or 4,255.81 acres, expropriated as of date of September 28, 1938, the date of permanent expropriation by Presidential decree.

14. That on October 3, 1925, upon petition by some of the inhabitants of the village of La Loma, Sinaloa, the Mexican Government through its Agrarian Commission dispossessed the claimant of 790 hectares of said land, or approximately 1,951.30 acres, and granted the same to the village of La Loma. That thereupon by Presidential decree issued on or about February 17, 1927, the said grant of 790 hectares to the village of La Loma was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 790 hectares of said land, or approximately 1,951.30 acres. (See pp. 11, 12, and 13, Diario Oficial of June 28, 1927, marked Exhibit I and submitted herewith and made part hereof.)

That said 790 hectares was most cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre,

United States currency, to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 1,951.30 acres, or 790 hectares. That no settlement has ever been made of any part of this expropriation by the Mexican Government, nor has the claimant ever received one dollar because of said confiscation. Therefore, because of said confiscation and expropriation claimant was damaged $78,052 in United States currency as of the date of February 17, 1927, the date of permanent expropriation by Presidential decree.

15. That on May 17, 1918, upon petition by some of the inhabitants of the village of La Concepcion, Sinaloa, the Mexican Government through its Agrarian Commission dispossessed the claimant of 1,755 hectares of said land, or approximately, 4,334.85 acres, and granted the same to the village of La Concepcion. That thereupon by Presidential decree on November 3, 1920, the said grant of 1,755 hectares to the village of La Concepcion was made permanent. The Mexican Government thereby confiscating and expropriating and permanently dispossessing the claimant of said 1,755 hectares of said land, or approximately 4,334.85 acres. (See pp. 1679 and 1680, Diario Oficial of December 11, 1920. Exhibit J.)

That said 1,755 hectares was mostly cleared and cultivated and close to a railroad station and among the most valuable lands in said tract of 60,488.60 hectares; that a reasonable price for same is $40 per acre, United States currency; that it would cost over $20 per acre, United States currency, to clear similar lands in that vicinity; that $40 per acre is a fair and reasonable value for said 4,334.85 acres or 1,755 hectares. That no settlement has ever been made of any part of this expropriation by the Mexican Government, nor has the claimant ever received $1 because of said confiscation. Therefore, because of said confiscation and expropriation claimant was damaged $173,394 in United States currency as of the date of November 3, 1920, the date of permanent expropriation by Presidential decree.

16. That prior and subsequent to August 30, 1927, the Mexican Government through its surveyors and other governmental officials dispossessed the claimant of 18,732 hectares of said land in the State of Sinaloa, or approximately 46,267 acres, which lands were mostly unimproved and uncultivated. Part of these lands consist of grazing and mountainous lands.

The Mexican Government claims that these are excess lands and that claimant did not have title But the fact remains that these lands have been and were in possession of the former owners and their ancestors from whom claimant bought them for over a hundred years and that these former owners did have title and that said title was confirmed by judicial decree. Therefore claimant had title. That a reasonable value of said land as a whole is $5 per acre, United States currency. That as far as claimant knows this confiscation and expropriation is still incomplete and has not yet been made permanent by Presidential decree. That because of said expropriation the claimant has been damaged in the sum of $231,335, United States currency. Claimant will endeavor to get and present further evidence on this expropriation.

17 That during the years of 1936 and 1937, upon petition by some of the inhabitants of the village of Copales, Sinaloa, the Mexican Government through its Agrarian Commission and surveyors dispossessed the claimant of a number of hectares of said land. The number of hectares being unknown because the claimant has been unable to get the information from the officials of the Mexican State or Federal Governments. This expropriation has not as yet been made permanent by state or Presidential decree.

Some of said lands were cleared and cultivated and close to a railroad station and among some of the most valuable lands in said tract of 60,488.60 hectares; while some of the balance of said lands was not so valuable because it was rough, uncleared, and uncultivated. That a reasonable price for the cleared land is $40 per acre, United States currency; that it would cost on an average over $20 per acre, United States currency, to clear similar lands in that vicinity. That a reasonable price for the uncleared lands is from $5 to $20 per acre, United States currency, depending upon the character of the land, location, and fertility. That claimant will furnish evidence of the value of said lands and the amount of damages sustained because of said expropriation as soon as claimant is able to ascertain the location and the number of hectares expropriated.

18. That during the years of 1936 and 1937, upon petition by some of the inhabitants of the village of Las Pilas, Sinaloa, the Mexican Government through its Agrarian Commission and surveyors dispossessed the claimant of a number of hectares of said land The number of hectares being unknown because the claimant has been unable to get the information from the officials of the Mexican State or Federal Governments. This expropriation has not as yet been made permanent by State or Presidential decree.

Some of said lands were cleared and cultivated and close to a railroad station and among some of the most valuable lands in said tract of 60,488.60 hectares; while some of the balance of said lands was not so valuable because it was rough, uncleared, and uncultivated. That a reasonable price for the cleared land is $40 per acre, United States currency; that it would cost on an average over $20 per acre, United States currency, to clear similar lands in that vicinity. That a reasonable price for the uncleared lands is $20 per acre, United States currency. That claimant will furnish evidence of the value of said lands and the amount of damages sustained because of said expropriation as soon as claimant is able to ascertain the location and the number of hectares expropriated.

19. That during the years of 1936 and 1937, upon petition by some of the inhabitants of the village of Acaponeta, Nayarit, the Mexican Government, through its Agrarian Commission and surveyors, dispossessed the claimant of a number of hectares of said land. The number of hectares being unknown because the claimant has been unable to get the information from the officials of the Mexican State or Federal Governments. This expropriation has not as yet been made permanent by State or Presidential decree.

Some of the said lands were cleared and cultivated and close to a railroad station, and among some of the most valuable lands in said tract of 60,488.60 hectares; while some of the balance of said lands was not so valuable because it was rough, uncleared, and uncultivated. That a reasonable price for the cleared land is $40 per acre, United States currency; that it would cost on an average over $20 per acre, United States currency, to clear similar lands in that vicinity. That a reasonable price for the uncleared lands is from $5 to $20 per acre, United States currency, depending upon the character of the land, location, and fertility. That claimant will furnish evidence of the value of said lands and the amount of damages sustained because of said expropriation as soon as claimant is able to ascertain the location and the number of hectares expropriated.

20. That the expropriation and taking by the Mexican Government of the 26,004 hectares and 80 acres, or approximately 64,230.82 acres, of said lands, together with the incompleted expropriations and the taking of the lands for the inhabitants of Acaponeta, Copaliffies, and Las Pilas, from the claimant takes virtually all of the lands under cultivation and cleared out of the 60,488.60 hectares owned by claimant. The remaining lands are of little value, not even good grazing lands, because they are mountainous and contain little grass or water during the dry season.

21. That at the time that claimant bought the 60,488.60 hectares of the Bayona Y Nieblas ranch, which ranch consisted of 70.570 hectares, it was self-sustaining, but because of the revolutions and because of these confiscations and expropriations and dispossessions the ranch became unprofitable and has been a financial loss to claimant ever since 1911. That in addition claimant paid $55,782.72 pesos, Mexican currency, in taxes on said lands without any returns or profits.

22. That because of the permanent confiscations and expropriations, together with the incompleted expropriations and dispossession of the claimant of the cultivated and cleared lands, the claimant has been deprived of its rents and profits which it had derived prior to 1911 from said cultivated lands, and has been financially ruined, and has been deprived of the means with which to keep up the payment of taxes.

23. That the claimant before said confiscation, expropriation, and dispossession received from said cultivated lands an average rental of $1 50, United States currency, per acre per annum, and that the reasonable rental value of said cultivated lands is $1 50, United States currency, per acre per annum.

24. That the claimant had built three modern brick homes on said lands together with brick buildings used for office and headquarters; that the lands upon which these buildings were erected have been expropriated and confiscated by the Mexican Government. That these buildings were of the reasonable value of $6,000, United States currency.

25. That the village of Concha, also known as Concepsion, located in the State of Sinaloa, is located on part of the land that the Mexican Government expropriated and took from the claimant. This village has about 500 or 600 inhabitants and in territorial extension covers about 1 square mile. It is a railway station for the Southern Pacific Railroad of Mexico. Passenger and freight trains stop there to receive passengers and freight for transportation. Railroad boxcars are frequently sidetracked for loading and unloading on the sidetracks at this station. It is a thriving and growing village, consisting of a number of stores, meat markets, small shops, and industries. It is a market where corn, beans, and other grains as well as fruits and vegetables are daily bought and sold.

That the lands in said village at the time of the expropriation had a value in addition to the value for agricultural purposes; that is, it had a value for townsite purposes and professional and business occupations, in addition to the agricultural value, of $20,000, United States currency. Therefore, because of the expropriation of said village of Concha, claimant was damaged $20,000, United States currency, as of the date of November 3, 1920, the date of permanent expropriation by Presidential decree.

26. That when claimant first negotiated for and bought these lands and obtained possession of them they were some 300 miles from railway transportation. That thereafter Southern Pacific Railroad of Mexico extended its line so that it now crosses said lands for a distance of about 27 miles and thereby greatly enhanced the value of the lands because it created new markets and increased market facilities.

27. That claimant paid out in attorney fees and other necessary expenses in attempting to protect its rights in connection with these expropriations the sum of over $4,000, United States currency. That claimant made protest because of the confiscation and expropriation of these lands by the Mexican Government to the State and Federal Governments of the Republic of Mexico. These

protests were also made through the American Government through its consulate at Mazatlan, Mexico, and through its Embassy at Mexico City, as well as through the United States Department of State. That the Mexican Government never offered or paid one penny to claimant because of these confiscations and expropriations.

28. In summary, claim totals $932,787.81, which amount is made up as follows:

Bayona, Nayarit: Grant—Two separate expropriations. Total, 965 hectares. (See paragraphs Nos. 7 and 10 above.) One hundred and eighty hectares were palm lands, 250 hectares were cleared and cultivated and suitable for two or more crops each year without irrigation and 535 hectares were mostly cleared and cultivated and suitable for one crop each year during the rainy season. Reasonable average value was $40 per acre, or $95,421.20.

Claimant was also dispossessed for 2½ years of an additional 791 hectares or 1,952 acres which were subsequently returned. Reasonable rental for period of dispossession for 2½ years: $3.50 per acre or total damage, $7,320.

El Tigre, Nayarit: Grant—Two separate expropriations. Total, 964 hectares. (See pars. Nos. 8 and 11 above.) Three hundred and fifty hectares were cleared and cultivated and suitable for two or more crops each year without irrigation and 614 hectares were mostly cleared and cultivated and suitable for one crop each year during the rainy season. Reasonable average value was $40 per acre or $95,243.20.

Pajarito, Nayarit; Grant—One expropriation, 247 hectares (See par No. 9 above.) Ninety-seven hectares were cleared and cultivated and suitable for two or more crops each year without irrigation and 150 hectares were mostly cleared and cultivated and suitable for one crop each year during the rainy season. Reasonable average value was $40 per acre, or $24,403.60.

Tecualilla, Sinaloa: grant—One expropriation 648 hectares. See paragraph No. 12 above. Two hundred hectares were cleared and cultivated and suitable for 2 or more crops each year without irrigation, and 448 hectares were mostly cleared and cultivated and suitable for 1 crop each year during the rainy season Reasonable average value was $40 per acre, or $60,022.40.

El Aguaje, Nyarit: grant—one expropriation 1,723 hectares. See paragraph No. 13 above. Six hundred hectares were cleared and cultivated and suitable for two or more crops each year without irrigation. Reasonable average value for same was $40 per acre, or $59 280.

Eight hundred and twenty hectares were partly cultivated and wooded lands but all suitable for cultivation Reasonable average value for same was $20 per acre, or $40,508.

One hundred hectares were palm lands also suitable for cultivation Reasonable average value for same was $30 per acre, or $7,410

Two hundred and three hectares, the balance, were rough and pasture lands. Reasonable average value for same was $5 per acre, or $2,507.05.

La Loma, Sinaloa: grant—One expropriation of 790 hectares. See paragraph 14 above. Two hundred hectares were cleared and cultivated and suitable for two or more crops each year without irrigation and 590 hectares were mostly cleared and cultivated and suitable for one crop each year during the rainy season. Reasonable average value was $40 per acre or $78,052.

La Concepcion, Sinaloa: grant—One expropriation of 1,755 hectares. See paragraph No. 15 above. Six hundred and forty-five hectares were cultivated and suitable for two or more crops each year without irrigation, 700 hectares were mostly cleared and cultivated and suitable for one crop each year during the rainy season and 410 hectares are brush, grazing, and meadow lands. Reasonable average value was $40 per acre or $175,394.

Sinaloa expropriation: This expropriation made by the surveyors and other governmental officials consists of 18,723 hectares mostly unimproved and uncultivated, consisting of agricultural, grazing, and mountainous lands. Reasonable average price per acre $5, or $231,335.

Townsite, Village of Concha: Reasonable value for townsite purpose in addition to value of agricultural lands, $20,000.

Taxes paid: ₱55,782.72, or figuring exchange at 2 pesos for $1, $27,891.36.

Attorneys' fees: Paid Mexican attorneys and other expenses in defending our rights in connection with expropriation, over $4,000.

Copales, Sinaloa: This expropriation is as yet incomplete. No Presidential decree. Boundaries not yet established.

Las Pilas, Sinaloa: This expropriation is as yet incomplete. No Presidential decree. Boundaries not yet established.

Acaponeta, Nayarit: This expropriation is as yet incomplete. No Presidential decree. Boundaries not yet established.

Improvements: Three brick homes and office buildings, $6,000.

Wherefore the claimant asks that the Mexican Government compensate the claimant in the sum of $932,787.81, United States currency, being the total value of the land expropriated, together with improvements, taxes, and necessary expenditures.

Respectfully submitted.

LAND FINANCE CO.,
By WM. LEMKE, *President*.

Dated June 15, 1939.

Mr. LUCAS. Mr. President, I now turn to book 2, page 854, and read from the testimony of William Lemke, as taken by the investigators. This was taken under oath. I start reading at the last paragraph on the page:

The Government of Mexico began to expropriate—a better word would be "confiscate" it—and continued to do so until all the improved or best part of the agricultural lands, in fact, nearly all the good lands, with the exception of a few, had been expropriated, and the Mexican Government has never paid or offered to pay anything for it except that they once offered to pay us for the improved lands, all to be paid for, the entire tract, and then offered to give us bonds that were absolutely worthless, and still are worthless, so far as I know, which offer was turned down.

Question. How long ago was that?

Answer. That was in 1922, I think.

Question. Have you had any subsequent negotiations with them?

Answer. They refused to negotiate.

That is to say, from 1922 to this year they refused to negotiate, according to Lemke's own testimony under oath.

There has been a commission appointed under the act of Congress to adjust it, and so far, as far as the land goes, no adjustment has been made. One commission has expired and another has been appointed, but I know of no one who has any confidence in recovering anything from the commission at present.

Question. Then what is your opinion, as president of this land finance company, as to the value of the stock of the company?

Answer. I would say as a commercial proposition it is now worthless.

Question. How long has it been worthless?

Answer. It is hard to fix a definite date because we who are connected with enterprises of that kind always hope that something may turn up to make it valuable, not so much for ourselves, but for those who are in with us. I would say for at least several years, the last 6 or 7 years, it was worthless, and you could not have obtained 1 cent on a dollar by offering it at public sale.

Question. How much of the stock of this corporation did Mr. LANGER own?

Answer. I have handed you a list which shows some $38,000 worth that is in his name personally. Besides that, he controls that of his father and sister and brothers, brothers-in-law, which would amount to about, roughly, $15,000 or $20,000 more.

Question. And as the president of the company, do you keep books of the company?

Answer. I do.

Question. Have you within the last 5 years had any notice of change of ownership of any of the stock owned by Mr. LANGER?

Answer. I have not.

I might state for the reason he must not consider it of any value, is when this new commission was appointed, the limitation of the charter had run, and there were some back taxes, and so forth, and while many of the stockholders were able to contribute to meet the expenses, Mr. LANGER did not contribute but promised to contribute $300 one time. But each time I would see him he would have another excuse.

And in view of the amount of stock he held, I felt that if he really felt it had any value, he would have assisted.

Question. Do your records show any ownership of stock in Thomas Sullivan of Chicago, an attorney?

Answer. They do not.

Mr. SMATHERS. Mr. President, will the Senator yield so I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from Illinois yield for that purpose?

Mr. LUCAS. I yield for that purpose.

Mr. SMATHERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brown	Hughes	Shipstead
Bulow	Johnson, Calif.	Smathers
Burton	Johnson, Colo.	Smith
Butler	La Follette	Spencer
Byrd	Langer	Stewart
Capper	Lee	Taft
Caraway	Lucas	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Tobey
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Wheeler
Ellender	Murray	White
George	Nye	Wiley
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

Mr. CHANDLER obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. VANDENBERG. Earlier in the afternoon I submitted an inquiry to the able Senator from Illinois which it seemed to me bore very pertinently on the bona fides of the transaction between Sullivan and Senator LANGER at the time of the contract for the purchase of stock in the company owning Mexican lands.

The contract was made on May 27, 1937. The able Senator from Illinois was able to give me a part of the information which I sought. I now have obtained the rest from the Senate records, and I think the record should be completed for what it is worth.

At the time the contract for the purchase of the stock was made the stock very clearly represented nothing particularly tangible beyond a right of claim against the Mexican Government for expropriated lands. According to the Lemke petition, expropriation started as early as 1918. In other words, the whole property was virtually in a progressive process of expropriation, and had been for at least 10 years at the time the contract for the purchase of the stock was made. Therefore obviously the purchase was nothing more than the purchase of an interest in a claim against the Mexican Government.

I also asked how much the claim against the Mexican Government might reasonably be conceived to be worth. Mr. Lemke's petition to the United States Agrarian Claims Commission was filed on July 14, 1939. The Senate ratified the treaty on January 29, 1942, covering the complete adjustment of all agrarian claims filed with the Agrarian Claims Commission between August 30, 1927, and July 31, 1939. Therefore this claim is included among those which have been adjudicated.

The adjudication provided a total of $40,000,000 for several series of claims. According to the estimate of the able Senator from Utah [Mr. THOMAS], who was presenting the treaty, the amount available for distribution in connection with the agrarian claims is about $10,000,000. As nearly as I can recall the evidence before the Foreign Relations Committee, the total claims amounted to more than $300,000,000. Therefore, in the final analysis the ultimate value contained in this right of action against the Mexican Government is the share which the petitioners have in $10,000,000, divided on the basis of about $300,000,000 worth of claims.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. ELLENDER. What was the amount asked for in the petition filed by the claimants?

Mr. VANDENBERG. Nine hundred and thirty-two thousand seven hundred and eighty-seven dollars and eighty-one cents.

Mr. ELLENDER. I understand the Senator to say that the treaty was signed in 1942.

Mr. VANDENBERG. The treaty was signed just 8 weeks ago.

Let me say for the information of the Senator from Louisiana that the claims are based upon expropriations starting as early as May 17, 1918. The petition is really a scenario in Mexican turmoil and confiscation, because apparently the company in which Mr. Sullivan was happy to invest $25,000 in 1937 had suffered nothing but expropriations, serially, year by year, ever since 1918.

Mr. ELLENDER. As I recall the testimony of Mr. Sullivan, he indicated that what induced him to invest was the fact that the claim was pending, and that he expected much from it.

Mr. VANDENBERG. I have just indicated what he may receive from it.

Mr. ELLENDER. I understand what he will probably receive from it; but still the matter was pending. The claim was filed, and the Senate had not acted upon it.

Mr. VANDENBERG. That is true.

Mr. ELLENDER. The testimony which Mr. Sullivan gave shows that he intended to obtain value received out of the stock, because of the pending claim.

Mr. VANDENBERG. Oh, yes; he relied upon the claim; he said so.

Mr. ELLENDER. Yes; he said so.

Mr. VANDENBERG. Anyone can draw any conclusion he wishes from the state of mind of a man who relies on a claim against the Mexican Government.

Mr. ELLENDER. I am not so much interested in the conclusion to be drawn at the present as I am in the facts as they appear from the record. Mr. Sullivan, as the evidence shows, married the private secretary of Mr. Lemke, one of the founders of the Mexican-deal corporation. She was acquainted with the value of the stock when her husband purchased it and, as a matter of fact, induced him to purchase it, according to the testimony of Mr. Sullivan.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TAFT. I merely wish to suggest that the percentage suggested affords no reasonable basis for a conclusion. Some claims may have been filed on an utterly fictitious basis. This claim may have been filed on a sound basis. Others may have been filed on a basis of 10 times as much as the land was really worth. I do not see that we have any evidence of any kind in the record on the basis of which we can determine what this particular land may have been worth, or what might have been recovered on the claim. I do not think we can compare $300,000,000 with $10,000,000, and say that every one will receive 3 percent. The $300,000,000 worth of claims do not in any sense represent adjudicated claims. They are merely paper claims. So I do not see that there is any evidence one way or the other as to what the land may have been worth.

Mr. VANDENBERG. The Senator is entirely correct in his statement that this piece of evidence is not conclusive. It simply indicates the over-all value of the claims and gives some indication of how much value there is in an investment in a claim against the Mexican Government. The $10,000,000 or $15,000,000, or whatever sum may be available, will, of course, be distributed among the various domestic claimants in the United States. As the Senator from Ohio says, some of the claims may be worthless. I understand that already a thousand of them have been entirely dismissed. This claim may be one of those. I have asked for the information, but no one has given it to me. I am providing the best information I can under the circumstances; and I think it is highly significant.

Mr. STEWART. Mr. President, will the Senator yield so that I may interrogate the Senator from Michigan?

Mr. CHANDLER. I yield.

Mr. STEWART. The information furnished to the Senate by the Senator from Michigan was to the effect that the Mexican land was expropriated in 1917 or 1918.

Mr. VANDENBERG. Starting in 1917 or 1918, and continuing serially down through the years.

Mr. STEWART. It began, then, about 20 years prior to the sale of the stock to Mr. Sullivan, the attorney in Chicago?

Mr. VANDENBERG. That is correct.

Mr. STEWART. That information was not printed in the little green book which lies on the desk of every Senator.

Mr. VANDENBERG. I do not know any more about the little green book than I ever knew about the "Little Green House" about which we used to hear. [Laughter.]

Mr. STEWART. That is a part of the testimony which I was anxious to have printed and furnished to Members of the Senate.

Mr. CHANDLER. Mr. President, there is one additional charge which the Senator from Illinois [Mr. LUCAS] had intended to present to the Senate. As all of us know, he has been on his feet nearly 3 days.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. WILLIS. Has it ever been shown that Mr. Sullivan was reimbursed by the Great Northern Railway for the money he paid for the stock? Does such testimony appear anywhere in the testimony?

Mr. CHANDLER. I do not have any recollection of it. I should like to read that part of it which appears in the record of this transaction. Senator LANGER said:

> Finally I spoke up and said if he was so confident in Mr. Lemke's business ability and all that sort of thing, I had had some stock a long time that I was perfectly willing to sell at $25,000, and the upshot of it was that after some talk we drew up a contract—

As the Senator from Michigan [Mr. VANDENBERG] says—

> on the 27th of May 1937, by which Mr. Sullivan bought $25,000 worth of that land. I might add that Mr. Sullivan is well fixed. He had donated money to the campaign funds in North Dakota and later had donated $4,000 in cash to Senator NYE's campaign, and he was in that shape financially.

On page 608 of the committee hearings the following colloquy occurred:

> Mr. MURPHY. I just want to ask you this question: Did the transaction with Mr. Sullivan, or your sale to him of the stock in the Land Finance Co., have any relation whatever, or have anything to do with the Great Northern Railway tax action?
>
> Senator LANGER. No; he bought that stock in May 1937, and the board of equalization in 1937 met in the month of August—I do not have the exact day, but it was in August, anyhow—and you will notice that when we met we raised that assessment of the Great Northern Railway Co.
>
> Mr. MURPHY. Raised it?
>
> Senator LANGER. A little over $87,000.

I think it is fair to say that the Senator was then speaking about the increase in actual taxes, and not in the assessment.

On page 703, when the Senator was being cross-examined by former Senator Burke, the following occurred:

Mr. BURKE. Well, Mr. Sullivan was to do the paying, and did it, in accordance with the terms of the agreement. Did you deliver the 500 shares of stock to him at that time?

Senator LANGER. No, sir; I still have all that stock; we simply have it on a 50–50 basis * * *.

Mr. BURKE. You never actually delivered any stock to Mr. Sullivan?

Senator LANGER. No, sir * * *.

Senator WILEY. There is nothing written showing that he has a half interest in the stock?

Senator LANGER. Absolutely nothing.

Senator WILEY. Was any receipt given?

Senator LANGER. For what?

Senator WILEY. For the payment.

Senator LANGER. They were all by check.

Senator WILEY. I mean, after the final payment was made, was there any receipt?

Senator LANGER. No, sir; he just paid the money.

On page 705 the following occurred:

Mr. BURKE. Did you consider the certificates of stock of sufficient value to place them in a safety deposit vault or other place of safekeeping?

Senator LANGER. I had them in my desk for a long, long time.

Mr BURKE Where are they now?

Senator LANGER. I wish I knew; I do not know where they are now.

Sullivan has a $25,000 interest in some stock. He does not have the certificates. Senator LANGER does not have them and does not know where they are. I do not know where they are. I doubt if any member of the committee knows where the stock is, or whether the certificates are now in existence.

Again reading from the committee report:

On page 706 of the hearings, the following transpired:

"Mr BURKE. So then, Mr. Sullivan, for his $25,000 in cash, acquired a half interest in approximately, or in $55,000 par value of the stock of that Land Finance Co., the stock not being presently available and nothing appearing on the records of the company to show that Mr. Sullivan has any interest whatever?

"Senator LANGER. That is exactly right.

"Senator WILEY. Has he ever demanded the transfer of his interest?

"Senator LANGER. No * * *."

Your committee directs the attention of the Senate to the contract that was drawn and signed by Attorney Thomas Sullivan and respondent in the former's Chicago law office on May 27, 1937, part of same being as follows: "payment of $5,000 on said stock is hereby acknowledged and the balance is to be paid at periods not to exceed 6 months each, in equal installments of $5,000."

Mr. WILLIS. I should like to ask one further question: Is any relationship shown between Mr. Sullivan's purchase of the stock and the reduction of taxes of the Great Northern Railway, except by presumption or inference?

Mr. CHANDLER. Unless it be presumed that Mr. Sullivan is a nitwit—and he may be—he would be silly to take a gamble on some sort of stock without getting the stock or without getting a receipt for it. I have no idea why he paid for it. I do not know whether or not the Senator has.

Mr. WILLIS. I know that in the past I have bought some oil stocks.

Mr. CHANDLER. But the Senator got the stock; did he not?

Mr. WILLIS. Yes; but I do not know where it is now.

Mr. CHANDLER. Nevertheless, the Senator got it. In the case referred to Mr. Sullivan never did get it.

Mr. STEWART. Mr. President, I think the record shows that Mr. Sullivan's employment by the Great Northern Railway Co., about which the Senator from Indiana inquired, was for the 2 years 1937 and 1938, and that he was paid $20,000 a year.

Mr. CHANDLER. Yes.

Mr. STEWART. Of course, there is nothing in the record, so far as I know, that shows that Mr. Sullivan was reimbursed by the Great Northern Railway Co. for the $25,000 he paid Mr. LANGER. If such had been shown, it would be quite conclusive.

Let me read an excerpt, which I believe has not been read, from Mr. LANGER'S testimony with respect to the sale of the stock to Mr. Sullivan. From page 605 of the printed hearings contained in the little green book which lies on the desk of every Senator I read the third paragraph. Mr. LANGER said:

Anyhow, that land was bought by Mr. Lemke before the railroad was completed, and what we had together—he bought, later on, in the latter part of 1907 or 1908.

Lemke seems to have organized the Mexican Land Co., or to have been one of the principal movers in the organization of the concern.

That land exceeded 544,000 acres in one tract.

In Mexico the larger the tract, the more likely its expropriation seems to be.

And we had three good-sized towns down there, and one town that is not so good, a little bit of a place, a very rough place, and the little town we lived in was called Concha. They had buried four mayors there in about 6 months; they were having trouble down there all the time.

They were nothing like the towns in North Dakota which the Senator from Kentucky was discussing yesterday.

But we attended to our business and left the Mexicans to take care of their own business; and I lived for a while with Mr. and Mrs. Lemke, and some other folks lived there together So I had this property in 1937 and that is about the time that I described to you that I was talking to Mr. Brunk about getting money to keep financing the Nonpartisan League. So, when I was talking to Mr. Sullivan down there in Chicago one day, in his office, we got into an argument about Mr. Lemke.

I understand that in the meantime Lemke had become a political enemy of Mr. LANGER. Sullivan and Mr. LANGER were in Sullivan's office, and there was a discussion about Mr. Lemke. This is Mr. LANGER talking:

And he was telling me about his honesty and fairness, and so forth.

I presume Mr. Lemke's honesty and fairness were under discussion.

And finally I spoke up and said if he was so confident in Mr. Lemke's business ability and all that sort of thing, I had had some stock a long time that I was perfectly willing to sell at $25,000, and the upshot of it was that, after some talk, we drew up a contract on the 27th of May 1937, by which Mr. Sullivan bought $25,000 worth of land—that land.

In other words, the $25,000 business deal.

Mr. WILLIS and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield and, if so, to whom?

Mr. CHANDLER. I yield first to the Senator from Indiana and then to the Senator from Connecticut.

Mr. WILLIS. It is still not shown whether the transaction had any connection with changing the valuation of the Great Northern Railroad.

Mr. CHANDLER. The contract was entered into on the 27th day of May 1937. In August of 1937 the taxes of the railroad were less by approximately $87,000. It should be remembered that the next year—1938—they were increased.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CHANDLER. No; not now. I shall yield in a moment. I want to finish my comment on this matter.

It was testified that Mr. Sullivan was a very smart man and had unlimited means. He did not acquire unlimited means by business dealings of this sort; and it is not a compliment to Mr. Sullivan, if he is a good businessman and has the acumen which I imagine would have to be possessed by a lawyer who would be hired by a railroad company, to say that he took a gamble on this sort of stock—worthless, as it must be, because it has never paid anything—and did not even get the stock, and does not have it today. He did not acquire his unlimited financial means by deals of that sort.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. McKELLAR. The Senator says that the assessment of the railroad company was reduced in 1937. Was that while Mr. Langer was Governor?

Mr. CHANDLER. Yes.

Mr. McKELLAR. The Senator says that it was increased in 1938?

Mr. STEWART. I do not think that is correct.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. CHANDLER. Not at the moment.

Mr. MURDOCK. I think the record should be kept straight on the matter. Yesterday we made one record on this point, a record which is contrary to what we are doing today.

Mr. CHANDLER. I ask the Senator to wait a minute, and I will correct the record. I am attempting to proceed in as orderly a fashion as possible, but I cannot talk about three or four things at one time. First I will answer the Senator from Tennessee.

In 1937 the valuation set by the State board and the Governor and other appointees of his was amended. It was $63,779,715. My previous statement to the effect that the valuation was increased the next year was not correct. The valuation the next year was $60,480,000—a difference of approximately $3,000,000.

Mr. McKELLAR. In 1938?

Mr. CHANDLER. Yes; in 1938. That is what I intended to say; and I am glad

the Senator had me correct my previous statement. The valuation was reduced the next year.

Mr. McKELLAR. The valuation was reduced in 1938?

Mr. CHANDLER. Yes; it was reduced by approximately $3,000,000.

Mr. McKELLAR. What taxes did the railroad pay in 1937 and 1938?

Mr. CHANDLER. I shall give those figures to the Senator. In 1937 the taxes levied were $1,286,578, and that amount was paid. In 1938 the taxes paid were $1,228,631—a difference of about $58,000 in favor of the railroad company, as between those 2 years.

Mr. McKELLAR. What were they in 1939?

Mr. CHANDLER. In 1939 they were $1,295,000; in 1937 they were $1,286,000; in 1938, $1,228,000; and in 1939, $1,295,000.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CHANDLER. I promised to yield to the Senator from Connecticut, and I yield first to him, since he was on his feet. Then I will yield to the Senator from Utah.

Mr. DANAHER. Mr. President, I thank the Senator from Kentucky. There is a particular which, it seems to me, the RECORD should be caused to reflect. When the Senator from Kentucky read from the colloquy which appears on page 66 of the committee report he omitted—unintentionally, of course—to reflect the fact that there are asterisks appearing in the record as printed, denoting omissions from the testimony as recorded. Those omissions, Mr. President, are significant, it seems to me, at the very least. The record upon which we are here acting and which we are here making should be caused to show what those omissions actually are.

Mr. CHANDLER. I should like the Senator to put those in in his own time. I did not note the asterisks; neither did I note the commas, the semicolons, the periods, or the dashes—and I have not time to do it now; but if there is other testimony which Members of the Senate want to put in the RECORD which is not printed in the hearings, I have no objection to having it put in the RECORD in their own time. In my reading it was omitted for the reason that it is not in the copy of the testimony from which I am reading, but I did read all that was there. The Senator will understand that I am substituting for the Senator from Illinois. I did not intend to do so, and did not know I was going to be called upon to do so. I do not want now to take the time to do what the Senator suggests, and if the Senator will do it at some other time I will be grateful.

Mr. DANAHER. Mr. President, will the Senator yield for a question?

Mr. CHANDLER. Yes.

Mr. DANAHER. When the Senator says he reads all he has before him, he means he is reading from page 66 of the committee report.

Mr. CHANDLER. I am reading from page 66.

Mr. DANAHER. There are three asterisks there.

Mr. CHANDLER. Yes.

Mr. DANAHER. The Senator did not read them.

Mr. CHANDLER. I did not read the asterisks; I read the testimony.

Mr. DANAHER. The Senator read—

Senator LANGER. No, sir.

That is followed by three asterisks.

Mr. CHANDLER. I did not intend to read the asterisks or the semicolons or anything else in connection with it, but I do intend to read the testimony before me.

Mr. DANAHER. Mr. President, will the Senator yield for another question?

Mr. CHANDLER. Yes.

Mr. DANAHER. The Senator most certainly would wish to have all the Senators understand that if the asterisks referred to omitted matter which would throw light on the basis upon which Mr. Sullivan acquired the stock, he would not withhold such information from the Senate?

Mr. CHANDLER. Not for anything; no, sir. I was not aware of the fact that the presence of asterisks was intended to denote testimony favorable to the Senator from North Dakota. If that is so, I would want it to go in.

Mr. DANAHER. That is precisely what I wanted. Will the Senator permit me to do that?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Connecticut for that purpose?

Mr. CHANDLER. Yes; I yield for that purpose.

Mr. DANAHER. I should like to do it now, if I may.

Mr. CHANDLER. I yield to the Senator to put it in the RECORD now.

Mr. DANAHER. I thank the Senator. Let us go back to page 66 and reread what the Senator from Kentucky read:

Mr. BURKE. Well, Mr. Sullivan was to do the paying, and did it, in accordance with the terms of the agreement. Did you deliver the 500 shares of stock to him at that time?

Senator LANGER. No, sir; I still have all that stock; we simply have it on a 50–50 basis. * * *

That is where the first omission occurs. By turning to page 703 of the printed hearings, I am sure the significance of what has been omitted will be perceived. In the printed hearings, this is what appears:

Senator LANGER. No, sir; I still have all that stock; we simply have it on a 50–50 basis—that is, Sullivan has been down—he had some man in New York by the name of Hastings—Hastings and I never met—dickering with the Mexican Government, and if that deal went through, we were to divide 50–50.

Mr. BURKE. You never actually delivered any stock to Mr. Sullivan?

Senator LANGER. No, sir.

At that point there are again omissions in the testimony as printed in the majority report; but the printed hearings continue:

Mr. BURKE. What was the exact number of shares that you owned?

Senator LANGER. It was in the neighborhood of $55,000 worth.

Senator WILEY. Par value?

Senator LANGER. We figured that——

Mr. BURKE. $55,000 at par value?

Senator LANGER. Yes.

Mr. BURKE. The par value of the stock was $25 a share, was it not?

Senator LANGER. That is my understanding.

Mr. President, if the Senator from Kentucky, in his very gracious cooperation, will yield further, I think it is fair to comment at that point that the material which was omitted, as I have said, unintentionally insofar as the Senator from Kentucky was concerned, is significant in its relationship to the inference which might otherwise be drawn without that testimony.

Mr. CHANDLER. I think the statement of the Senator from Connecticut is too farfetched to have any bearing on it at all, although the admission was not mine; it was the failure of the committee to print it in its entirety; but the Senator should have gone further and read from page 706 what Mr. Burke said:

Mr. BURKE. So then Mr. Sullivan, for his $25,000 in cash—

I have heretofore read that—

acquired a half interest in approximately, or in $55,000—

Which is the amount the Senator read—

par value of the stock of that Land Finance Co., the stock not being presently available and nothing appearing on the records of the company to show that Mr. Sullivan has any interest whatever?

Senator LANGER. That is exactly right.

Senator WILEY. Has he—

That is Sullivan—

ever demanded the transfer of his interest?

Senator LANGER. No.

Senator LANGER and others represent Mr. Sullivan as being a smart businessman, financially able and independent. He could not get his money back dealing in that sort of stock and by not taking a stock certificate, and by dealing in business of that character and description. It would seem strange indeed that Sullivan never asked for a transfer, and, apparently, so far as the committee knows, since that time has been distinterested in seeing, as I follow it, that the property ever comes into his possession. So much for that.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. CHANDLER. I now yield to the Senator from Utah.

Mr. MURDOCK. It seems to me that in discussing the decrease and increase of taxes during the administration of Senator LANGER probably a better idea as to what was done could be had by taking the biennium during which he was Governor and comparing it with the biennium immediately preceding and that immediately following. As I recall—and I think my recollection is correct—1937 was a boom year, I think one of the best years since the depression of 1933 and 1934 until the war situation developed.

Mr. CHANDLER. Yesterday the Senator from Illinois was tackled on the proposition that it was a depression year. I do not recall which it was; it might have been one, but it was not both.

Mr. MURDOCK. I do not want to "tackle" anyone, and if I misstate the facts I should like to have the Senator correct me.

Mr. CHANDLER. The Senator was here, and he understood that it was stated that 1937 was a depression year.

Mr. MURDOCK. If so, I did not state it, for I think it is general knowledge that 1937 was considered to be a boom year. Members of the New Deal were severely attacked when 1938 came along and there was a considerable slump. Senator LANGER was Governor during 1937 and 1938, and, taking the taxes paid by the Great Northern Railroad during his biennium, we find that the total is $2,515,209, while for the biennium immediately preceding his administration we find that the total taxes paid by the Great Northern were $2,378,485.

Mr. CHANDLER. Is the Senator talking about 1935 and 1936?

Mr. MURDOCK. The last figures relate to 1935 and 1936.

Mr. CHANDLER. The figures are not accurate according to the tax statement which is before me.

Mr. MURDOCK. The figures are taken from the statement.

Mr. CHANDLER. As I understand it, the amount is $2,600,000-plus for those 2 years. I do not know where the Senator got his figures, but the statement I have does not show them.

Mr. MURDOCK. I got them from the record.

Mr. CHANDLER. According to my figures, the amount for 1935 was $1,361,000, and for 1936 $1,328,000. That is not the figure mentioned by the Senator.

Mr. MURDOCK. If the Senator will look at the column he is reading from he will note that he is reading from "taxes levied."

Mr. CHANDLER. That is right.

Mr. MURDOCK. I do not think the railroad company is so particularly interested in what is levied as they are in what is paid.

Mr. CHANDLER. That is right.

Mr. MURDOCK. If the Senator will turn to the column headed "Taxes paid," he will find that in 1935 $1,194,449 were paid, and in 1936, $1,184,036 were paid, making a total, if I have computed it correctly, of $2,378,485. Those figures are for the biennium 1935–36. Then take the 1937–38 biennium during which Governor LANGER was Governor and we find in 1937 $1,286,578, and in 1938, $1,228,631, making a total of $2,515,209, or an increase during the Langer biennium of $136,724.

Mr. CHANDLER. The Senator is using figures that represent years when there was greater depression than there was in 1937 and 1938. The Senator is losing sight of the fact that in 1935 $167,209 of taxes were abated and that the next year $145,252 of taxes were abated.

Mr. MURDOCK. They were abated.

Mr. CHANDLER. What does that mean?

Mr. MURDOCK. It simply means that during those years the former Governor, I think under a decision of the court, abated that much of the taxes.

Mr. CHANDLER. Then, as to the aggregate of taxes paid by the railroad company during the term to which the Senator refers when Senator LANGER was Governor, what is the difference?

Mr. MURDOCK. The difference is that the taxes actually paid were $136,724 more in the Langer administration than in the previous biennium.

It seems to me, if there is any weight to be given to the matter, certainly the bienniums of two Governors should be taken into consideration. I think, however, the record here does not give the biennium following; it gives 1939, but I believe that that was a better year than 1938.

Mr. CHANDLER. I think the significant thing about it, and the thing which should be remembered, is that the amount of taxes paid by the railroad company in 1937 was $1,286,000, and the next year they amounted to $1,228,000. They were reduced right sharply the next year.

Mr. MURDOCK. By $58,000.

Mr. CHANDLER. Yes.

Mr. MURDOCK. I wonder whether it is fair to assume that a railroad company, in order to get a reduction of $58,000, is going to pay Attorney Sullivan $20,000 a year, and Mr. LANGER $25,000?

Mr. CHANDLER. That would be good business. I assume, however, that Mr. Sullivan had other duties. I assume that was not the sole job of Mr. Sullivan, because he is represented as being a man of great wealth and influence and power, and not necessarily employed by one railroad company.

Mr. MURDOCK. If the Senator will yield for one further observation——

Mr. CHANDLER. $25,000 and $20,000 makes $45,000, and the difference between that and $58,000 is $13,000. There is some difference.

Mr. MURDOCK. Is it reasonable to assume that the attorney for a railroad company will go bad for that amount of money?

Mr. CHANDLER. I am not trying to answer that; I do not know whether he would or not, but I know that this transaction does not look good to me, and it has not been explained satisfactorily to me. If it has been explained satisfactorily to the Senator, I have no objection.

Mr. MURDOCK. That has nothing to do with the facts of the case.

Mr. CHANDLER. It has something to do with them. We are going to vote on whether we are satisfied by the testimony or not.

Mr. MURDOCK. The final observation I desire to make, if the able Senator will yield, is that there is too much assumption in this matter, and not enough good, cold facts.

Mr. CHANDLER. I think the Senator is mistaken. I have heard objections made about Senators assuming and Senators having conclusions. I have always noticed that a Senator does not object to having his own conclusions, but he frequently objects to someone else having his.

Mr. MURDOCK. Oh, no——

Mr. CHANDLER. I have a right to assume and to draw conclusions, and if I have conclusions, I have a right to state them. My conclusions are my own, and I do not ask anyone else to take them. They are based on facts, as I believe the facts to be. Many Senators assailed the Senator from Illinois at some length about putting conclusions in the report. Of course, they will not be satisfactory to all, but they are his conclusions and mine, and if I have them, I cannot do anything about it; and I happen to have them.

Mr. TUNNELL and Mr. MCKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield, and, if so, to whom?

Mr. CHANDLER. I yield first to the Senator from Delaware; then I will yield to the Senator from Tennessee.

Mr. TUNNELL. I should like to ask the Senator from Kentucky whether the important thing in this transaction was whether or not Senator LANGER accepted, under suspicious circumstances, a large fee from a tax representative of the railroad company, which the following year received a reduction of $3,000,000 in its assessment.

Mr. CHANDLER. I do not think it is explained why Senator LANGER, as the Governor of his State, had this dealing. I wish to say that, in my opinion, the Governor of a State dealing with a lawyer for a railroad company cannot possibly have any relationship with good government and good business. I have to say that, Senator LANGER, while he was Governor, in my opinion, had no business, even if it was a legitimate deal, making a deal with a railroad attorney in which he sold for some $25,000 worthless stock and never delivered it, and the purchaser never got anything for it. It has not been explained satisfactorily to me, not even by Senator LANGER, or by anybody else who has spoken for him, and such a transaction on the part of the Governor of a State with a railroad, where stock of no value is transferred but not delivered, and where $25,000 passes, should be impossible in good business dealings, in the United States or anywhere else.

Mr. TUNNELL. Whether or not the assessment was reduced?

Mr. CHANDLER. That has nothing to do with it, in my opinion.

I now yield to the Senator from Tennessee.

Mr. MCKELLAR. I understand fully what the Senator says about it being a very serious matter, and it is exceedingly serious; but, inasmuch as railroad companies are obliged to keep accounts of their financial dealings, and are constantly subjected to the examination of public officials, I am wondering whether the committee made any examination of the railroad company's books, or whether it invited or had before it any representative of the railroad company to testify as to whether the railroad company furnished the money to this man Sullivan.

Mr. CHANDLER. The records show that Sullivan got $20,000 for 2 years, and that was all the investigators were able to ascertain.

Mr. MCKELLAR. They did not take the testimony of the railroad company as to where the $25,000 came from?

Mr. CHANDLER. No.

Mr. McKELLAR. And the $20,000 paid to Sullivan was paid in salary for those 2 years?

Mr. CHANDLER. Yes.

Mr. CLARK of Missouri. Mr. President, will the Senator from Kentucky yield to me?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator from Kentucky if the record printed in this green book, or otherwise, shows anything as to the question whether the treatment accorded to the Great Northern Railroad by the State board of equalization, or whatever the body is—it is the State board of equalization in my State—during the years involved, was any different from the treatment accorded other railroads. In other words, was the reduction given all the railroads during those years, and the subsequent increases put on all the railroads, or was the Great Northern singled out from other railroads for peculiar and unique treatment?

Mr. CHANDLER. I cannot answer that, although the investigator informs me that it is the largest one of the railroads.

Mr. CLARK of Missouri. I do not desire to press the Senator if he does not know——

Mr. CHANDLER. I cannot give the Senator an answer.

Mr. CLARK of Missouri. I am asking the question purely for information. It seems to me it is a very relevant and important fact as to whether the Great Northern Railroad received unusual treatment, outside the general trend of the course of conduct of the State board of Equalization with regard to railroad taxation, or whether it was simply in a piece with the general trend.

I know, and the Senator from Kentucky knows, that in certain years the taxes of all railroads and all utilities may be subject to increase, and the next year, or some other year, they may be subject to decrease, entirely governed by conditions. What I should like to ascertain, if it is in the record—and I am frank to say I have not read the record—is whether the treatment accorded the Great Northern was in conformity with the general trend.

Mr. CHANDLER. I am not able to say that they got any worse treatment or any better treatment than that received by other railroads, but I know that the Great Northern was the only railroad company which had a lawyer who dealt with the Governor.

Mr. CLARK of Missouri. It would not seem to have done them any good, if they did not get any better treatment than any other railroad received.

Mr. CHANDLER. The showing is that they did get better treatment. This is the only information the committee got, that a railroad company had a lawyer who bought stock from the Governor and paid him $25,000 for it. That is the only answer I have to that.

Mr. BONE. Mr. President, will the Senator from Kentucky yield?

Mr. CHANDLER. I yield.

Mr. BONE. I wonder whether I am reading an accurate statement of the facts in what I find on page 29 of the report setting forth the minority views. It does not indicate that the Great Northern got any different treatment from that accorded any other railroad, so I wonder what significance this might have. I have dealt with utilities for a good many years. I think that if there is any Member of this body who has occasion to know what they do, I am that man, and I know they do not waste any money, that when they go after something they want to know there is a quid pro quo. That is what makes me want to know whether the Great Northern got more than was accorded to the Milwaukee, or any other railroad, and if they did not, I think the Members of this body, who are practical-minded men, have to draw very definite conclusions from that fact. That is why I ask whether this statement is an accurate portrayal of the facts. Here I find some assessed values set out. I do not want to make a mountain out of a mole hill, or in any other way misconceive the significance of the facts and the statements set out in the minority report. As I hurriedly read this, it does not indicate that the Great Northern got any more consideration than the other railroads received.

Mr. CHANDLER. I do not think they got as much as they paid for. Somebody paid for more than they received.

Mr. BONE. I have seen many strange things in my life, but I know full well that if a utility company pays a public official, it gets a quid pro quo. I know that, and every other man in public life who has dealt with public utilities knows it. Men in this body who have been Governors of States know the significance of this. To me the one point is whether the Great Northern Railroad got something which no other railroad got. I have had sufficient experience along this line to know that that is the acid test.

Mr. CHANDLER. In the second year they got a reduction in taxes of $58,000. I do not know whether that was what they were looking for, but that is what they got. Even if they did not get anything, the fact of the Governor of a State—and I have had the honor of being Governor of my State—dealing with a lawyer for a railroad company, and selling him $25,000 worth of worthless stock—and there is no doubt about it being worthless—at a time when the assessment was about to be made, and at a time when taxes were about to come due, in my opinion is an impossible situation, and cannot be condoned as good government.

Mr. BONE. Aside from whatever relationship that might set up, and whatever the implications of it, I am interested in ascertaining whether the Great Northern in that year received greater consideration than was accorded the other railroads.

Mr. CHANDLER. I do not know whether they did or not.

Mr. BONE. All through the West there were reductions in taxation. I do not know whether in my own State there was something unusual, but I have seen the State board of equalization in my State do things which were astounding. For instance, the power companies of my State sent out a million pieces of literature to the voters, put out by men who were jealous of their honor, a million pieces of literature in which they stated that they had $300,000,000 worth of property on the tax rolls. That was 18 years ago, and they claimed they were putting 10 to 20 million dollars of new property on the tax rolls every year—yet this year the value on which they pay taxes in my State is a little over $46,000,000. I do not know whether that is unusual, but I know it is a fact.

Mr. President, I know if I were critical about it and wanted to be real mean, I could draw some very invidious comparisons. I would not have to go outside of my own State to do so. But I shall not do that. Being practical and cold-blooded about these things, and certainly having had a world of experience with them, I want to know what the one road got over some other railroad. That does not militate against the argument being made by the Senator from Kentucky, but I merely want to know what the cold-blooded dollars-and-cents facts are.

Mr. CHANDLER. I have given them in the temporary absence of the Senator from Washington. I read from page 67 of the report:

> But the most significant thing of all, in the opinion of your committee, lies in the fact that in 1938 there was a reduction in the assessed valuation of the railroad property belonging to the Great Northern Railway Co. in the State of North Dakota in the sum of $3,000,000, and 15 days before that reduction was made by the board of equalization the final check for this worthless stock was paid by Sullivan to the respondent. It is no small amount. It is in the sum of $12,475.
>
> Now follows another strange and rather unusual situation involving the cashing of this check. Respondent—
>
> Governor LANGER—
>
> had borrowed on his life-insurance policies various sums of money.

Mr. President, there is nothing wrong about that.

> On August 13, 1938, there was due $8,046.13. When he received this check from Thomas Sullivan on that date, he immediately sent the same to the insurance company at Milwaukee, Wis., asking that his loans be paid in full and the check drawn in his behalf for the balance.

Mr. President, he did not send his own check to pay off the loans. He sent to the insurance company the check which he received from Sullivan, and the insurance company credited that check on the amount of his debt and sent back to him the balance.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. ELLENDER. What significance does the Senator attach to that? Here was a debt owing by Sullivan to LANGER. It was paid by way of a check. The check was payable to the order of Mr. LANGER and he had to endorse it. Mr. LANGER sent that check to Milwaukee to pay on account or in full settlement of a debt which he owed to an insurance company. I should like to ask the Senator to explain what significance he attaches to such a method of payment? A great deal of emphasis has been made about that method

of procedure. Let me further add that if I desired to steal $12,000 or $25,000, I certainly would not sign any contracts, or have the checks made payable to me so that I would have to endorse them to obtain the cash.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. The check from Sullivan to LANGER, as payee, when it was sent to the insurance company, had LANGER's endorsement on it, did it not?

Mr. CHANDLER. I assume it did.

Mr. CLARK of Missouri. What would be the difference between LANGER sending his own check, and sending a check payable to him, with his own endorsement on it?

Mr. TUNNELL. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TUNNELL. Does not the Senator think there is a difference between depositing a check in some other person's bank and depositing it in his own bank?

Mr. CHANDLER. I think so, and if some Senators do not think so they must consider me stupider than I am. I am not going to answer that, because it seems on its face to be stupid.

Mr. ELLENDER. Mr. President, I will ask the Senator to answer it.

Mr. CHANDLER. I have made a statement of fact. Senators can draw their own conclusions. I will draw mine.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. I did not get clearly what the Senator said about the amount of the check being the same as the amount of the debt. Was it the same?

Mr. CHANDLER. No; it is not significant to one who does not believe it is, but it is significant to me that in 1938 there was a reduction in the assessed valuation of the railroad property belonging to the Great Northern Railway Co. in the State of North Dakota in the sum of $3,000,000, and 15 days—that is close to the time—15 days before that reduction was made by the board of equalization, of which the Governor of North Dakota was a member, the final check for this worthless stock was paid by Sullivan to the Governor.

Mr. BARKLEY. Will my colleague again yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. The $25,000 then was paid in installments? Is that true?

Mr. CHANDLER. Yes. This was the last part of it, the final check, and it was in the sum of $12,475. I do not know why the Governor did not deposit that in his bank to his credit, but he did not do so. I am not undertaking to explain why he did not do it. He probably had his own reason, but this is what he did: He owed the insurance company in Milwaukee, Wis., $8,046.13. When he received the check from Thomas Sullivan in the amount of $12,475, I assumed he endorsed it and sent it to the insurance company to pay a debt of $8,046.13, and the insurance company accepted it in payment of his loan in full and complied with his request to send the rest of the money back to him. That was the way the transaction was handled. Senators can draw their own conclusions about why that was done.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. WILLIS. Was the date on which the last check was sent the date set out in the contract made several months before?

Mr. CHANDLER. No. That contract was not strictly adhered to. The last payment was made 15 days before the $3,000,000 reduction was made by the board of equalization in North Dakota of the railroad company's assessment.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. CHANDLER. I yield.

Mr. ELLENDER. How long was that last payment made after the contract was entered into?

Mr. CHANDLER. The contract was entered into the 27th day of May 1937.

Mr. ELLENDER. I recall that; but, according to the contract, $5,000 was paid on the execution of it, and then payments were to be made of $5,000 each 6 months thereafter.

Mr. CHANDLER. At periods not to exceed 6 months apart, in amounts of $5,000.

Mr. ELLENDER. That is correct; but is there anything to indicate that the payments were not made in accordance with the agreement?

Mr. CHANDLER. The last payment was made before the assessment was reduced, I will say to the Senator. I do not know why it was made at that time, but it was.

Mr. ELLENDER. The fact remains that the payments were made according to the signed contract. Will the Senator tell us the date of the payment?

Mr. CHANDLER. Fifteen days——

Mr. ELLENDER. No; I am talking about the date of the payment of the $12,000 check.

Mr. CHANDLER. The 13th day of August.

Mr. ELLENDER. Of what year?

Mr. CHANDLER. Nineteen hundred and thirty-eight. I read from the report:

> They [the insurance company] enclosed the receipt for the total amount due on the loans and the policies themselves; enclosed the loan agreements, which had been canceled and also their check, payable to the order of respondent in the sum of $4,428.87, which was due and owing him because of this. Copy of the insurance letter and receipts are records in this matter.
>
> Your committee further calls attention to the evidence on page 704 of the hearing:
>
> "Senator WILEY. I mean, after the final payment was made, was there any receipt?
>
> "Senator LANGER. No, sir; he just paid the money.
>
> "Senator WILEY. Where was the final payment made; in St. Paul?
>
> "Senator LANGER. It was made in St. Paul."
>
> The record in this case is a complete blank as to what value Thomas Sullivan received in exchange for the $25,000 he paid to the respondent, then Governor of North Dakota. The actions of respondent and Thomas Sullivan, as disclosed by their own testimony, are vague and uncertain as to the real motives prompting the philanthropic and charitable attitude of Mr. Sullivan. All of their testimony is inconsistent with common honesty and decency, when one considers the peculiar relationship of Sullivan as special attorney for the Great Northern Railway Co., and the respondent as Governor, who was ex officio chairman of the board of equalization of the State of North Dakota.

Mr. President, I do not believe that transaction can be defended.

I continue reading from the report of the committee:

> XI. Gregory Brunk and V. W. Brewer make almost $300,000 in gross profits on North Dakota bonds in 1937 and 1938—Brunk purchased sight unseen $56,000 worth of real estate from respondent—

From the Governor—

> with an equitable value of $5,600.
>
> As heretofore shown, the respondent was Governor of North Dakota during the years 1937 and 1938. Respondent was a close friend of one V. W. Brewer, a bond broker of Minneapolis, Minn., who had been engaged in the bond business in the Dakotas for more than 20 years, first as a local representative and later free lancing for himself. Respondent was also a close and intimate friend of one Gregory Brunk of Des Moines, Iowa, who was a partner of V. W. Brewer, operating under the firm name and style of V. W. Brewer Co. Brunk was also the sole owner of the Realty Holding Co., a corporation of Des Moines, Iowa, which had a capital stock of $100.

It was quite a company. It had a capital stock of $100.

> The evidence shows that Brunk had been a friend of LANGER over a long period of years, first meeting him at a farmers' convention at Des Moines, back in 1930. Thereafter LANGER employed Brunk in a legal way for the first time. The nature of the employment had to do with a claim of attorney's fees from an Indian. Brunk was an intimate friend and attorney of one Milo Reno, who was the spearhead in the Farm Holiday Association, in which respondent played an important role, and the evidence shows that the three of them were together upon many occasions.
>
> During the trial of respondent on the first conspiracy charge, Brunk solicited funds through the Republican National Committee for his defense and according to Brunk's testimony, he raised $5,000, and that he also gave his own check to the respondent for $1,000 for his defense. When asked why he gave his check for $1,000 he stated, "Well, I did not have unmixed motives in that. I was dealing at that time with Milo Reno, who, I believe, was on the right side of an economic problem, and I was dealing for myself with my hope of future relations in life." It was not a simple answer.
>
> Brunk further testified that he spent 3 or 4 days in the public library during the trial of LANGER, conferring with him frequently but at no time did he see the attorneys of record for LANGER, and apparently the attorneys of record did not know of Brunk's presence in Bismarck, N. Dak.
>
> During the aforesaid intimate relationship between Gregory Brunk and Governor LANGER, the evidence shows that Brewer, his bond partner, was doing a land office bond business in the State of North Dakota. It is well to say at this point that Brunk found Brewer back in 1934 at a time when Brewer had failed to sell to the Twin City banking fraternity of Minneapolis, Minn., rural credit bonds. Brunk testified that the disappointment of Brewer in failing to make the disposition of these bonds so affected Brunk that he invited Brewer to his home in Des Moines for a conference and kept him there for about 3 weeks. They sat down in

Brunk's office canvassing what Brewer had done and where there was an opportunity for a service to be rendered, and how to go about doing it. Following this strange and unusual meeting of these two bond salesmen, they later entered into a partnership known as the V. W. Brewer Co., hereinabove mentioned.

As was stated above, Brewer was thoroughly acquainted with the bond situation in North Dakota. It was not, however, until 1937 and 1938 that he and his partner, Brunk, started to reap enormous profits. Prior to that time, we found Brewer occasionally financially destitute. There seems to be a cogent reason for this lucrative business in the years 1937 and 1938. First, Brewer was instrumental in contacting the county commissioners in various counties in North Dakota, whose obligations in the nature of anticipation warrants, certificates of indebtedness, bonds, and other obligations, were a serious financial problem. There can be no dispute about Brewer doing yeoman service in connection with the reorganization of the fiscal structure of the various counties that were in financial distress. His refunding operations consisted in the collection and payment of all the outstanding indebtedness through refunding bonds. After this important preliminary work was accomplished, it became necessary for Brewer to find the market for these bonds. The easy manner in which Brewer was able to dispose of all these bonds at a tremendous profit through the Bank of North Dakota, then managed by Frank A. Vogel, LANGER's longtime political and intimate friend, is, in the opinion of your committee, the beginning of a transaction involving moral turpitude of the respondent, which was consummated in the sale of his land to Brunk, which will hereinafter be discussed in detail.

Evidence further shows that when the respondent became Governor of the State of North Dakota he demoted a man by the name of Stangler, who had been with the bank as manager thereof for a great number of years. He appeared before the committee. His demeanor, his testimony, and his background indicated he was a man fully qualified to carry on the business and all the problems of a large financial institution such as the State Bank of North Dakota.

After Stangler was demoted, one Frank A. Vogel was placed at the head of this tremendous financial institution. The evidence shows that Vogel had been an unsuccessful banker of a small bank at Cold Harbor, N. Dak., same having been liquidated during the crash.

It is well to point out that under the laws of North Dakota the State Bank of North Dakota, as well as other State institutions, had the power to negotiate and purchase direct, bonds issued by the various counties of that State, and that upon at least three occasions where the county commissioners attempted to sell the bonds direct to the bank, or to the State institutions, over which the respondent had veto power, there was a refusal upon the part of the State bank or State institutions to buy said bonds. But in those cases the evidence shows that later on, after Brewer had purchased these bonds from the counties at a discount, he was able to sell to the bank, or some of the other State institutions, these very same bonds for par value.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions. In other words, Brewer would arrange with the bank for the disposition of the county bonds between the date that the bonds were authorized and the fiscal delivery of the bonds to the bank. Thereupon the bank, upon delivery, would credit the county with the price Brewer had paid for them and deliver to Brewer the difference between that and the par value or better, which was the profit made by Brewer. In other words, Brewer was able to make these profits without any outlay of his own finances or without making any other financial arrangement. It should be noted that the State Bank of North Dakota is the fiscal agent of all State institutions and counties. It is mandatory upon the counties and the State institutions that they deposit their funds in this State bank.

The Governor had the right to veto the transactions. Whenever he did not approve of a transaction, and whenever Brewer was not able to make arrangements, they were not made; but when Brewer made the arrangements and discounted the bonds in the local institutions, they paid the difference between the par value and the discount, and he received the difference between the discount and the par value, without having to make any financial arrangements at all.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CHANDLER. I prefer to finish my statement.

The PRESIDING OFFICER. The Senator declines to yield at this time.

Mr. CHANDLER. Reading further from the report:

It is fair to state that the first bond issue purchased by Brunk and Brewer was from the commissioners of the county of Morton in the sum of $300,000. In this case, Brunk and Brewer bought from the counties the floating debt at par. They arranged with the Central National Bank & Trust Co., of Des Moines, Iowa, this being 7-percent paper, to buy that paper at par and accrued interest in bundles as the county auditor would ship it down.

The bank credited the checking account for the amount of principal that the county was paying, and gave Brewer and Brunk for their commissions the amount of accrued interest.

A significant thing is that they paid in full for the first set. They finally got started. They paid par for the first set of 7-percent bonds. That was the way they launched their endeavor. That was the way Brewer and Brunk financed the first transaction in North Dakota.

Continuing to read from the report:

This transaction took place before Governor LANGER was sworn in as Governor, and it was in connection with this bond issue that Brewer and Brunk paid WILLIAM LANGER, as attorney, a fee of $610 for legal services rendered in said case.

Upon that question the following colloquy took place:

"LUCAS. You think the fee that was paid to the Senator at that time was fair and reasonable, and that he earned the money?

"BRUNK. Yes; I think it is the cheapest service Mr. Brewer has paid for up there.

"LUCAS. That is especially true in view of the profits made later on?

"BRUNK. Yes, sir. I think it is the cheapest fee paid."

I have no objection to that. Senator LANGER was not Governor. He was an attorney. He had a right to take $610 for a fee.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. ELLENDER. As I understand, the $10,000 profit which the Senator states started Brewer in business was made before LANGER became Governor.

Mr. CHANDLER. I am not prepared to answer that question at the moment. All I am prepared to say now is that LANGER was employed by those two men as attorney to start floating certain bond transactions, and that the first transaction was for $300,000. I have no complaint to make about that. The bonds seem to have been bought for par, and delivered in Des Moines. They gave LANGER $610 for a fee, but he was not then Governor. I am not complaining about that. However, they say it is the cheapest fee they ever paid. I do not know why it was. Let us see what future events developed, and then see why they considered it cheap. The men who employed him and paid him said that it was the cheapest fee they ever paid.

Mr. ELLENDER. The Senator attaches great significance to that transaction.

Mr. CHANDLER. I may.

Mr. ELLENDER. Of course the Senator does, according to what he states and the manner in which he states it.

Mr. CHANDLER. Will the Senator stop complaining about the significance I attach to things? I am not complaining about the significance which the Senator attaches to certain things, or his failure to attach significance to certain things. If I wish to attach some significance to it, let me do it.

Mr. ELLENDER. Is it not also a fact that most of those transactions were done under an act of the legislature which was enacted before 1937, and that most of the work with respect to all the bond issues was virtually completed before LANGER ever became Governor?

Mr. CHANDLER. No; that is not correct.

Mr. ELLENDER. I do not mean the collection of the fees and the actual sales. I am talking about the "yeoman service" rendered by Brewer, to which the Senator has referred.

Mr. CHANDLER. The only service to which I have referred is the service for which LANGER received a fee of $610. He had a right to accept the fee. He had a right to take the employment. He was not Governor. Brewer and Brunk had a right to pay him. I am not complaining about that. However, I shall refer to some further transactions. This is only one.

Mr. ELLENDER. I am speaking about the work of Brewer and Brunk—not LANGER—with respect to all the bond transactions. The point I am making is that most of the work done by Brewer and Brunk, or a great deal of it, was done prior to LANGER assuming the governorship.

Mr. CHANDLER. I do not think there is any possible way to approve of the action of the Governor, who had the veto power in the State.

Of course, cross-examination is a two-edged sword. Many times a lawyer who wants to help his client makes a mistake by cross-examining a witness because in the cross-examination he calls attention to some matter and makes the witness say something which otherwise he would not have said. But I must say this now, because the Senator from Louisiana has made it necessary to do so: Here was a

man who had the veto power. He was permitting only two bond salesmen—not all the bond salesmen—to go into the general market and to do what they could to buy county bonds or county obligations at a low rate. If a county wanted to deal with those two men, the Bank of North Dakota would finance them; but if the counties did not deal with those two men, the counties could not sell their bonds or obligations; they could not get anything done. There would be no one to finance them; and all the obligations had to be financed through the one State bank.

Mr. MURDOCK. Mr. President, will the Senator yield to me at that point?

Mr. CHANDLER. I yield.

Mr. MURDOCK. Certainly the Senator knows that there were other bond brokers making profits out of the county bonds.

Mr. CHANDLER. Yes; there were others. But unless they were in cahoots with Brunk and Brewer they did not make anything, because Brunk and Brewer had the veto power. Otherwise a deal could not be made, as the investigation shows.

Mr. ELLENDER. The evidence does not show it.

Mr. MURDOCK. Mr. President, will the Senator yield to me for a question?

Mr. CHANDLER. Not at the moment; I want to finish my argument.

The record and the investigation show that if other brokers had the approval of Brunk and Brewer and were in favor, the bank discounted the bonds for them, and they received the profits; but if the other brokers did not have the approval of Brunk and Brewer, they could not do any business. That is what the record shows. The bonds were purchased in many different names, but we can ascertain who got the money: it was Brunk and Brewer.

Now let me continue to read from the majority report:

> Upon the hearing the committee caused to be produced the ledger sheets kept by Gregory Brunk in his Des Moines office, dealing with the profits that he and Brewer had made in 1937 and 1938 of the various bond issues purchased through the counties and sold to the National Bank of North Dakota, a copy of that sheet being set forth as follows:

I want to give the figures to the Senate. When I was Governor of my State, no bondholders cheated counties in the State out of money, and I do not believe any Governor can justify—it has not been explained to me—permitting little counties of his State to have their bonds taken by a bond syndicate, and lose money as did the little counties in North Dakota.

On April 7, McHenry County lost $7,827.31. That is a clear profit.

On April 30, McLean County lost $6,584.04; on May 22, Pierce County lost $1,486.66; on June 15, Ward County lost $14,910; on June 17, Divide County lost $5,496.71; on June 18, Sheridan County last $2,360; on June 19, Grant and Slope Counties lost $5,722.70; on July 7, Burleigh County lost $5,687.87; on July 17, Rolette County lost $2,080.20; on July 19, Dunn County lost $5,322.17; on July 22, Burleigh County—again—lost $1,560; on August 3, Dunn County—again—lost $2,180; on August 6, Burleigh County—again—lost $500; on August 18, Mountrail County lost $16,135.40; on August 18, Stutsman County lost $492.42—and more and more and more; so that the 1937 total was $121,699.95.

Mr. President, I ask unanimous consent to have the entire list for 1937 and 1938 included in the RECORD as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

North Dakota county-bond profits listed on Brunk ledger sheets, 1937

Apr. 7, McHenry	$7,827.31
Apr. 30, McLean	6,584.04
May 22, Pierce	1,486.66
June 15, Ward	14,910.00
June 17, Divide	5,496.71
June 18, Sheridan	2,330.00
June 19, Grant and Slope	5,722.70
July 7, Burleigh	5,687.87
July 17, Rolette	2,080.20
July 19, Dunn	5,322.17
July 21, Burleigh	1,560.00
Aug. 3, Dunn	2,180.00
Aug. 6, Burleigh	500.00
Aug. 18, Mountrail	16,135.40
Aug. 18, Stutsman	492.42
Aug. 23, Mercer	12,178.51
Aug. 27, Mountrail	2,000.00
Aug. 31, Bowman	201.49
Sept. 22, Mountrail	540.00
Nov. 13, Mountrail	4,829.69
Nov. 13, Kidder	3,744.87
Dec. 13, Hettinger	3,558.10
Dec. 20, Divide	16,301.81
Total	121,699.95

Profits as shown by Brunk ledger, 1938

Jan. 17, Morton	$6,385.57
Feb. 23, Mountrail	116.92
Mar. 18, Mountrail	1,000.00
Mar. 18, Mountrail	446.77
Mar. 21, Mountrail	543.55
Mar. 25, Divide	1,082.27
Mar. 28, Divide	3,098.67
Mar. 28, Morton	27,972.71
Apr. 26, Morton	4,644.39
May 5, Mountrail	285.11
May 18, Morton	6,396.95
May 31, Mountrail and Divide	162.75
June 20, Morton	107.07
June 22, McKenzie	12,480.00
July 1, Morton	487.18
July 5, Divide	499.36
July 29, Morton	16.46
Aug. 23, Morton	1,680.00
Sept. 6, McKenzie	2,756.25
Oct. 27, Burleigh	140.00
Nov. 23, Ward	256.07
Nov. 29, Ward	214.00
Dec. 14, McKenzie	143.34
County bonds	70,916.14
State bonds	103,300.04
Total	174,216.18

Mr. CHANDLER. I desire to refer more specifically to the losses in 1938.

Mr. AUSTIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Vermont?

Mr. CHANDLER. I yield.

Mr. AUSTIN. On the point about which the Senator was last interrogated, I desire to call his attention to page 40 of the report, which corroborates, I think, the inference which he has stated so definitely, that unless a broker had this kind of influence he could not get anywhere except in the sale directly, under the law, to these State institutions.

On page 40 we find the following:

> While Brunk was making his large commissions (which might have been avoided by sale of the bonds direct from the counties to the State agencies which ultimately bought them), a petition for removal of the county commissioners of Williams County because of sales made by it through H. E. Mueller was pending.
>
> Respondent, as Governor, suspended these officials and then granted a hearing on their removal.
>
> December 31, 1938: Governor LANGER removed them (investigators' record, 631, 632).
>
> A substantial file showing the removal proceedings is in possession of the committee as an exhibit.

The subject is also dealt with at pages 631 and 632 of the investigators' report.

Mr. CHANDLER. I thank the Senator from Vermont. His contribution is not only a valuable one but a truthful one, and I think it substantiates the statement I made—that at least the Governor was not friendly to other bond brokers; at least he preferred these two men, and they seem to have had the right-of-way.

There is no question about their success. According to their own books, they made $121,699.95 in 1937. That was profit, and that was while Senator LANGER was Governor of North Dakota. In 1938—and then they were running full speed—they made $174,216.18. In 1937 and 1938, while Senator LANGER was Governor of North Dakota, their gross profits on county bonds and State bonds were $297,236.35—quite a substantial showing.

I again quote from the report, referring to the profits shown by the Brunk ledger:

> The above figures are undisputed and uncontradicted and are literally lifted from the original ledger sheets produced in evidence by Gregory Brunk. It should be said at this point that in 1937, when the respondent became Governor, a law was passed by the Legislature of North Dakota making it necessary that before the State Bank of North Dakota or any other State-owned institution could invest their reserve funds it was necessary for said institution to obtain the approval of the industrial commission—

Which means the industrial commission of North Dakota, of which Senator LANGER was chairman.

Mr. ELLENDER. The law referred to was put on the statute books before Senator LANGER became Governor; was it not?

Mr. CHANDLER. No; I think it was put on while he was Governor. However, I shall make sure of that; I do not want to make an inaccurate statement.

Mr. ELLENDER. I think the Senator is mistaken.

Mr. CHANDLER. If I find that I am, I shall say so.

Mr. ELLENDER. Very well.

Mr. CHANDLER. I shall take the time to check on that point at once. I am in no hurry; and, if the Senator from Louisiana is not, I shall take time to make sure that I state the matter accurately.

Mr. ELLENDER. No; I am not in a hurry; I merely desire to get the facts.

Mr. AUSTIN. Mr. President, if the Senator will yield to me, let me say that

the record shows that Senator LANGER was Governor in 1937 and 1938, from January to January.

Mr. CHANDLER. The report shows that when the respondent became Governor the law was passed. It was passed in 1937. That is a matter of fact.

Mr. MURDOCK. Mr. President, if the Senator will yield to me, let me say that I think the record will show that the law was enacted in 1935, and was reenacted in 1937.

Mr. ELLENDER. Yes; it was reenacted in 1937. That is correct.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I will yield in a moment. First I should like to read from the Duffy testimony. Duffy says:

I assumed that it was, after the resolution was passed. I do not remember when it was passed, but it was in this period that I was investigating. It had not gone into effect before 1937, but it went into effect sometime during that 2-year period.

Mr. MURDOCK. Mr. President, will the Senator yield? I think the record will disclose not only the date but the law itself.

Mr. CHANDLER. Was the law reenacted during Senator LANGER's term as Governor?

Mr. MURDOCK. The law was enacted in 1935.

Mr. CHANDLER. Very well.

Mr. MURDOCK. I assume that the Senator is rather familiar with the record.

Mr. CHANDLER. I am rather familiar with it. Did the Senator say the law was reenacted in 1937?

Mr. MURDOCK. Yes.

Mr. CHANDLER. What for? It must not have been effective.

Mr. MURDOCK. Certainly it was. It terminated in May 1937, and was reenacted.

Mr. CHANDLER. Very well; then it was reenacted.

Mr. MURDOCK. But the Senator will find that most of the bond transactions with the counties were accomplished prior to 1937.

Mr. ELLENDER. That is correct; that is the point I made a while ago, let me say to the Senator.

Mr. MURDOCK. I think that even a casual reference to the record will disclose that fact.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. LUCAS. Of course what the Senator from Utah says is substantially true, but that is clearly beside the point. It does not make any difference what yeoman service was done by Brunk and Brewer in the reorganization of the fiscal structure of the various counties. The point is the sale of bonds to the Bank of North Dakota when the Governor of the State had the veto power. That is the point.

Mr. MURDOCK. Mr. President, will the Senator yield to me in order that I may make an observation?

Mr. CHANDLER. No; I will not yield now, but will a little later. I am anxious to disclose the reason why the sale could have been made and why the profits could have been made, and the reason for enacting the law.

Now I desire to get the point to which I started to refer when I began this discussion:

Gregory Brunk was not only busy during 1937 and 1938 in making huge profits from these bond transactions.

It must be remembered that if the Governor wanted to stop the transactions, he could have done so at any time, because he had the veto power. By exercising his veto power he could have stopped all the bond transactions whereby these two salesmen caused the little counties to lose nearly $300,000—$300,000 lost, I say to the Senate, as profits to men who performed no real service to the people of North Dakota.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CHANDLER. Not now.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. CHANDLER. I have been generous, and I should like to conclude. I read from the report:

It is significant that these real-estate deals were consummated one after another at about the same time these bond issues were being sold. During the 2 years in which these enormous profits were made, the records show, and it is undisputed, that Gregory Brunk, in the name of the Des Moines Realty Co., purchased from the respondent over 5,600 acres of land in North Dakota. Different types of deeds were drawn and in some instances contracts for deeds were made. Brunk purchased all of this land, sight unseen.

Just as Sullivan bought the stock and never got it, so far as I know, never saw it.

Instead of going to North Dakota to examine the land, examine the title, and examine encumbrances and liens, if any, he sent his law partner with instructions to do whatever Governor LANGER thought best.

Mr. BONE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BONE. I have had some experience with publications, because I have had to get out a number of them as counsel for public bodies. Perhaps I am not sufficiently familiar with the record in this case to enable me to get it straight. I have not had time to read 700 or 800 pages of record, but is the charge made by the committee that the Governor induced the counties to sell the bonds at below par?

Mr. CHANDLER. The committee has not made any charges; the people of North Dakota made charges.

Mr. BONE. I wish to know whether it appears anywhere in the record that the Governor induced the counties to sell the bonds at below par. If the buyers later sold them at par and made money, fault could hardly be attributed to anyone in that operation. If I go into my own State, and a county sells me bonds at 99.7, and I can unload them at par, there is nothing wrong with the transaction, because the county authorized me to buy the bonds at 99.7. That is why I asked the question. Is there any charge or any responsibility attaching to the Governor because the county sold at below par? Was not that how the profit was made; that they later sold the bonds at par?

Mr. CHANDLER. Yes; but it is an unusual situation when two bond dealers are financed and permitted to use the credit of the State Bank of North Dakota, and when the bank pays for the bonds to the counties, although they cannot do it if the Governor says "No." He is the boss, but he does not say "No."; so they pay the counties for bonds, and the bond dealers get the difference. I claim that the Governor could have stopped this, but at least he suffered it to go on. They made this money while he was Governor, and they used the financial security of the Bank of North Dakota to back the venture.

Mr. BONE. Was it a sort of assignment of their right of purchase, an assignment of a chose in action, or what was the nature of it? Did they simply go to the bank and say, "We have a right to buy these bonds. We have a firm commitment from the county to deliver so many dollars of bonds to us, and we will turn them over to you"? Was that the way the profit was made?

Mr. CHANDLER. It was so good that a county official who would not agree to it was removed from office. They fixed it so that these two fellows were the only ones who could make successful deals with the county and State bonds of North Dakota. They went into the little communities and got the bonds without putting up any money, the transaction cleared, the little counties got their checks from the State Bank of North Dakota, Brunk and Brewer got the profits, and the Governor permitted it, or suffered it; let it go by. He could have stopped it, and he should have stopped it, in my opinion, if he knew about it. If he knew about it, it was crooked, and if he did not know about it, it was stupid. That is my opinion about it. He should have known about it. And the people lost the money.

Mr. BONE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BONE. I have seen bond issues tendered by public bodies, and a syndicate of buyers organized. Lawyers here who have represented public bodies have seen that happen. Such transactions are frequently handled through a syndicate of buyers. Frequently the syndicate does not want to handle the issue so, having a firm commitment from the city, or county, or other public body, they are able to go and peddle their options. I never regarded that particularly as an affront to decency, or bad business, because it is done in perfect good faith. They may not actually put up their own money. They have a firm commitment from the city or county for a million or two million dollars of bonds, so they will go out and dispose of the bonds to banks or other agencies.

Mr. CHANDLER. The bond dealers sold the bonds at par to the bank, the little counties and other subdivisions were paid for the bonds, and these men got the difference. It was an unconscionable transaction, in my opinion. I

do not ask the Senator to take my view of it.

Mr. BARKLEY. Does the Senator desire to proceed longer this afternoon, or would he care to suspend now?

Mr. CHANDLER. It suits me to suspend.

Mr. BARKLEY. Then, I suggest that the Senator suspend at this time.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations in the Army, which were referred to the Committee on Military Affairs.

(For nominations this day received, see the end of Senate proceedings.)

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 12, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 11 (legislative day of March 5), 1942:

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE BRIGADIER GENERALS

Col. Charles Duncanson Young, Corps of Engineers (Reserve).

Col. Ralph Waldo Coane, Field Artillery (National Guard of the United States).

TO BE A LIEUTENANT GENERAL

Maj. Gen. Brehon Burke Somervell (lieutenant colonel, Corps of Engineers), Army of the United States.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

Col. Robert Hilliard Mills, Dental Corps, to be assistant to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance, vice Brig. Gen. Leigh C. Fairbank, assistant to the Surgeon General, who retired February 28, 1942.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Brig. Gen. Lindsay McDonald Silvester (colonel, Infantry), Army of the United States.

Brig. Gen. Charles Philip Hall (colonel, Infantry), Army of the United States.

Brig. Gen. Wade Hampton Haislip (colonel, Infantry), Army of the United States.

Brig. Gen. Franklin Cummings Sibert (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Robert Henry Lewis, United States Army.

Brig. Gen. Alexander McCarrell Patch, Jr. (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Orlando Ward (lieutenant colonel, Field Artillery), Army of the United States.

Brig. Gen. Glen Edgar Edgerton (colonel, Corps of Engineers), Army of the United States.

Brig. Gen. Raymond Albert Wheeler (colonel, Corps of Engineers), Army of the United States.

Brig. Gen. Russell Lamonte Maxwell (colonel, Ordnance Department), Army of the United States.

Brig. Gen. Jonathan Waverly Anderson (colonel, Field Artillery), Army of the United States.

Brig. Gen. Albert Monmouth Jones (colonel, Infantry), Army of the United States.

TO BE BRIGADIER GENERALS

Col. Louis Emerson Hibbs (lieutenant colonel, Field Artillery), Army of the United States.

Col. Douglass Taft Greene (lieutenant colonel, Infantry), Army of the United States.

Col. John Bellinger Thompson (lieutenant colonel, Cavalry), Army of the United States.

Col. Eugene Manuel Landrum (lieutenant colonel, Infantry), Army of the United States.

Col. Stafford Le Roy Irwin (lieutenant colonel, Field Artillery), Army of the United States.

Col. Manton Sprague Eddy (lieutenant colonel, Infantry), Army of the United States.

Col. Frederick Augustus Irving (lieutenant colonel, Infantry), Army of the United States.

Col. James Allen Lester (lieutenant colonel, Field Artillery), Army of the United States.

Col. Stanley Eric Reinhart (lieutenant colonel, Field Artillery), Army of the United States.

Col. Fay Brink Prickett (lieutenant colonel, Field Artillery), Army of the United States.

Col. Raymond Eugene McQuillin, Cavalry.

Col. Thomas James Camp (lieutenant colonel, Infantry), Army of the United States.

Col. Robert Walker Grow (lieutenant colonel, Cavalry), Army of the United States.

Col. Raymond Oscar Barton (lieutenant colonel, Infantry), Army of the United States.

Col. Jay Ward MacKelvie (lieutenant colonel, Field Artillery), Army of the United States.

Col. Edward Mallory Almond (lieutenant colonel, Infantry), Army of the United States.

Col. William Spence (lieutenant colonel, Field Artillery), Army of the United States.

Col. Basil Harrison Perry (lieutenant colonel, Field Artillery), Army of the United States.

Col. Withers Alexander Burress (lieutenant colonel, Infantry), Army of the United States.

Col. Robert Alexis McClure (lieutenant colonel, Infantry), Army of the United States.

Col. Ernest Nason Harmon (lieutenant colonel, Cavalry), Army of the United States.

Col. Alfred Maximilian Gruenther (major, Field Artillery), Army of the United States.

Col. Wilhelm Delp Styer (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. James Edward Wharton (lieutenant colonel, Infantry), Army of the United States.

Col. Lucius DuBignon Clay (major, Corps of Engineers), Army of the United States.

Col. Charles Philip Gross (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Paul Lewis Ransom (lieutenant colonel, Infantry), Army of the United States.

Col. Raymond Alexander Kelser, Veterinary Corps.

Col. Charles Everett Hurdis (lieutenant colonel, Field Artillery), Army of the United States.

Col. James Richard Townsend (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Charles Spurgeon Harris (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. La Rhett Livingston Stuart (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Stanley Raymond Mickelsen (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Arthur William Vanaman (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. William Ormon Butler (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. William Elmer Lynd (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Raymond George Moses (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Robert Meredith Perkins (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Edwin Jacob House (lieutenant colonel, Air Corps), Air Corps.

Col. Stuart Chapin Godfrey, Corps of Engineers.

Col. Lewis Charles Beebe (lieutenant colonel, Infantry), Army of the United States.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 11, 1942

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father of all, it is Thou who hast made us and given us all things to enjoy; we rejoice that Thou dost call us to the duties of a new day. Grant that we may be strong in the assurance that light in its struggle to overcome darkness makes us strong, free, and fearless. Breathe upon us an atmosphere of joyous hope, assuring us that this virtue of character is a most impressive force. When the way is barren and rough and our experiences are difficult to reconcile with our faith, heavenly Father, with morning faces and with morning hearts make us eager to work and strong to endure.

Dear Lord, we need to remember that true and lofty souls have ever found rest in the deepest perplexities; thus life is our teacher, acquiring great value. Enable us to learn that mercy is greater than sacrifice, that truth is infinitely mightier than fiction and that goodness is superior to any type of greatness. Toiling with fidelity, exulting in the power to be and to labor even in the most menial tasks, Oh, how simple and yet how sublime, dear Lord! We pray that we may thus be lifted above the infirmities of the flesh and our souls brought into the region of supernal power. In the name of our Redeemer and for His sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

AMMUNITION CARRIERS

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. O'TOOLE addressed the House. His remarks appear in the Appendix.]

BONNEVILLE'S CONTRIBUTION TO WINNING THE WAR

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my

remarks in the RECORD and to include two brief letters.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, the Bonneville hydroelectric project on the Washington side of the Columbia River in my district is making an essential and real, worth-while contribution to our winning the war. The two huge aluminum plants of the Aluminum Corporation of America at Vancouver, Wash., and the Reynolds Metals Co. at Longview, Wash., are among the most important and essential war industries in the entire Pacific Northwest. I am inserting in the RECORD letters from Dr. Paul J. Raver, administrator of Bonneville, and Mr. Donald M. Nelson, Chairman, War Production Board, which emphasize these facts.

The letters referred to are as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BONNEVILLE POWER ADMINISTRATION,
Portland, Oreg., March 9, 1942.

Hon. MARTIN F. SMITH,
House of Representatives,
Washington, D. C.

MY DEAR MR. SMITH: I am attaching hereto a copy of a letter from Donald Nelson, which I am sure will be of interest to you.

Very truly yours,

PAUL J. RAVER,
Administrator.

WAR PRODUCTION BOARD,
Washington, D. C., March 6, 1942.

Administrator JAUL J. RAVER AND EMPLOYEES,
Bonneville Power Administration,
Portland, Oreg.

MY DEAR DR. RAVER: The prosecution of a successful war program by this Nation on fighting fronts throughout the world requires a vast army of workers wholeheartedly devoting their efforts to greater and greater production of machines and materials necessary for the armed forces. World War No. 2 will be won by our fighting men equipped with superior airplanes, tanks, guns, ships, and other implements of modern warfare.

As one of the Nation's greatest sources of power for war industries producing machines, equipment, and supplies for the armed forces, the Bonneville-Grand Coulee Power Administration, is vital to the successful prosecution of the war. Every employee of your organization should realize fully his participation in the Nation's vital war-production effort. While you and your employees are not in military uniform, nevertheless, I want you to feel that your all-out contribution of conscientious productive effort to supply electric power to essential war industries is of vital importance to the Nation's war program. Bonneville Power Administration is a basic war-production agency.

Very truly yours,

D. M. NELSON.

HARRY BRIDGES

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, as this House knows, I have presented Resolution No. 401, calling for an investigation of the handling of the Harry Bridges matter.

So far, the chairman of the Rules Committee has been unwilling to grant me a hearing.

I wonder if the chairman of the Rules Committee really knows what I am asking for. The reason I say this is that in his answer as to why he did not give me a hearing, shown on page 2113 of the CONGRESSIONAL RECORD, March 9, he says:

> Furthermore, I feel that the passing of any such measure by Congress would be held to be a bill of attainder, prohibited by the Constitution of the United States.

Does this great chairman really mean to say that my request for a congressional investigation is a bill of attainder? This should be a surprise to every Member in this House. Is not that one of the weakest excuses that could possibly be given in denying a hearing, on a rule, for a congressional investigation?

Can it be that this distinguished chairman has this whole matter mixed up with an entirely different matter, namely, the Allen bill, which passed this House by a vote of 330 to 42? Or the second Allen bill, which passed this House unanimously? For his information, these are different matters, and I would hate to think that, due to any such mistake, I was denied a hearing.

I believe this chairman should explain his attitude and bring himself up to date.

PERMISSION TO ADDRESS THE HOUSE

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD and to include a short letter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. PADDOCK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two letters I have received.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include letters I received from Donald Nelson and Sidney Hillman, my reply to the Donald Nelson letter, and also a letter from the office of the Under Secretary of War, pertaining to the clothing contracts.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On March 7, 1942:

H. R. 794. An act for the relief of Catherine Ward;

H. R. 1647. An act for the relief of William H. Dugdale and wife;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 2302. An act to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes;

H. R. 2908. An act for the relief of William H. Evens;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.;

H. R. 4626. An act for the relief of the legal guardian of Jane Hawk, a minor, and J. L. Hawk;

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6446. An act to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof; the Coast and Geodetic Survey and the Public Health Service, and civilian employees of the executive department, independent establishments, and agencies, during periods of absence from post of duty, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

On March 9, 1942:

H. R. 962. An act for the relief of Multnomah County, Oreg.;

H. R. 2980. An act for the relief of National Heating Co., Washington, D. C.;

H. R. 3966. An act for the relief of Estella King; and

H. R. 5413. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes.

On March 10, 1942:

H. R. 6511. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1943, and for other purposes.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, FISCAL YEAR 1943

Mr. SNYDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6736) making

appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes.

Mr. RANKIN of Mississippi. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. WOODRUM of Virginia. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 37]

Arnold	Jarrett	Ramspeck
Bates, Mass.	Jenks, N. H.	Reece, Tenn.
Bender	Jensen	Reed, Ill.
Bishop	Johnson,	Sasscer
Bolton	Lyndon B.	Satterfield
Byron	Kee	Schaefer, Ill.
Camp	Kilburn	Scrugham
Case, S. Dak.	Kleberg	Shafer, Mich.
Casey, Mass.	Kramer	Shannon
Chenoweth	Ludlow	Sheridan
Cole, Md.	McGranery	Stratton
Courtney	McKeough	Sumners, Tex.
Crosser	McLaughlin	Sweeney
Culkin	Maas	Tolan
Curtis	Magnuson	Vreeland
Douglas	Merritt	Walter
Drewry	Monroney	West
Duncan	Mundt	Wheat
Englebright	Myers, Pa.	White
Gavagan	Norton	Whitten
Hancock	O'Day	Wigglesworth
Heffernan	Osmers	Wolcott
Howell	Pfeifer,	Worley
Izac	Joseph L.	
Jarman	Ramsay	

The SPEAKER. On this roll call 359 Members have answered to their names, a quorum.

Mr. WOODRUM of Virginia. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6736.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6736, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. At the time the Committee rose yesterday an amendment of the gentleman from Arkansas [Mr. TERRY] was pending. Time on the amendment was limited to 45 minutes. The Chair has the names of the following Members to be allotted time: Mr. RICH, Mr. SHORT, Mr. WOODRUM of Virginia, Mr. RANKIN of Mississippi, Mr. COLLINS, Mr. PLOESER, Mr. ELLIS, Mr. POWERS, Mr. SNYDER.

Mr. COLLINS. Mr. Chairman, in my opinion White River is the greatest river in this country for the production of electrical energy. Its power possibilities surpass those of any other river in the United States. One dam, the Norfork Dam, is already being constructed, and if the amendment of the gentleman from Arkansas prevails, a dam will be built at Table Rock, which will have an ultimate capacity of 120,000 kilowatts, and another at Bull Shoals, with an ultimate capacity of 360,000 kilowatts. Labor and material for the construction of these dams are in abundance in these areas. Power can begin to be supplied by these two dams not later than December 1944.

There is a power shortage already in the State of Arkansas. Forty-eight percent of all of the power used in that State comes from outside of it.

Likewise, there is a power shortage in north Texas and in southern Missouri. There are at least three large cities, Kansas City, St. Louis, and Springfield, in the State of Missouri, and Little Rock in the State of Arkansas, Greenville in Mississippi, and Memphis in the State of Tennessee, where there are war industries and activities already, and others to be constructed, that will be supplied if these dams are constructed. I remind my colleagues that 95 percent of all of the bauxite in the United States is located in this territory. Also there are large deposits of manganese, lead, zinc, cinnabar, and related products. Furthermore, one of the best deposits of coal in this country for the manufacture of synthetic rubber is located in the heart of the Ozark Mountains, and the plants for the manufacture of synthetic rubber will be located in this region.

If this war becomes more acute, it may be necessary to remove essential war production from the Pacific coast to a region far removed from possible air raids. It would be impossible to find sites better than those within serving distance of these dams.

Russia wisely located a large part of her war industries within and east of the Ural Mountains. We must not complacently refuse to prepare for the future. Time is fleeting. Production must not be delayed. These dams are needed now.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SHORT. Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes.

The CHAIRMAN. The time is already limited.

Mr. SHORT. I understand that my colleague from Missouri [Mr. BENNETT] is included in the list, and he has gladly yielded that time to me, if that can be done.

The CHAIRMAN. The gentleman from Missouri [Mr. BENNETT] was not included in the original calculation made yesterday.

Mr. SHORT. He stood yesterday at my side.

The CHAIRMAN. However, the Chair is going to include him by cutting half a minute from the time of everyone else. The gentleman from Missouri is recognized for 5 minutes. The gentleman asks unanimous consent that he be allowed an additional 5 minutes heretofore allocated to the gentleman from Missouri [Mr. BENNETT]. Is there objection?

There was no objection.

Mr. SHORT. Mr. Chairman, I deeply appreciate this additional time, though I regret that I have not at least 20 or 30 minutes to speak in behalf of the amendment offered by our able colleague from Arkansas [Mr. TERRY]. The people of southern Missouri, as well as our neighbors who live in northern Arkansas, are deeply grateful to our good friend, the gentleman from Arkansas, DAVE TERRY, who has so generously given of his great ability and untiring energy to the construction of Bull Shoals and Table Rock Dams. White River rises in the Boston Mountains, in northwest Arkansas, and runs through three counties of my congressional district, back across northeastern Arkansas until it spills into the Mississippi River. It flows through and drains a vast area of several million acres in southern Missouri and northern Arkansas, and you will find in the White River Basin one of the richest alluvial valleys in the whole United States.

The annual direct loss due to floods in that region is in excess of $2,000,000. The Army engineers, after extensive and exhaustive surveys, have definitely stated that, from the standpoint of flood control alone, these two dams at Bull Shoals on the White River in Arkansas and at Table Rock on the White River in Missouri are justified from an economic point of view. They are also feasible from an engineering point of view.

As has already been pointed out, this area is a great agricultural region. These Ozark hillsides are dotted with sawmills and canning factories. We manufacture lumber and barrel staves. We perhaps grow and can more tomatoes in my congressional district than any other equal area in the whole world. Power is needed not only for these mills and factories, but it is needed for the manufacture of Carthage marble and stone, glass sand, clay products, bauxite, manganese, and particularly in the great tri-State mining area of southwestern Missouri, northwestern Arkansas, and northeastern Oklahoma where we are furnishing lead and zinc for war production.

I want to advise the Members of the House that this is no new thing. When I came to Congress 14 years ago I immediately began to fight for Table Rock Dam. Only last summer I took the gentleman from Texas [Mr. THOMASON], the gentleman from Alabama [Mr. SPARKMAN], the gentleman from Tennessee [Mr. DAVIS], and the gentlemen from Arkansas [Mr. GATHINGS and Mr. ELLIS] out to this Table Rock dam site. I am sure they will verify everything that I say, that it has one of the greatest potential power possibilities that can be found in the whole of the United States, in a great defense area that is vitally in need of hydroelectric power.

This matter has been thoroughly investigated and gone over by various committees in and out of Congress during the past 14 years. Not only the National Rivers and Harbors Congress, a nonprofit and nongovernmental organization of which I am president, and which is composed of many Members of Congress, mayors of cities, outstanding engineers, shippers, and businessmen all over the country, has given unanimous approval to both of these dams, but the Federal Power Commission and the National Resources Planning Board have recommended it. The district engineer of the United States Army at Little Rock, the Chief of Engineers, Maj. Gen. Eugene

Reybold, a man who stands at the top of his profession, have not only officially endorsed it but have personally told me on many occasions that it is one of the finest sites for a dam that can be found in the entire United States.

Not only would it give protection to the alluvial valley down in Arkansas, which would result in immense benefits to the farmers of the country, but it would furnish power for many industries in both Arkansas and Missouri. Not only the National Resources Planning Board, the Federal Power Commission, and the Chief of Army Engineers, but the Flood Control Committee of this House, after hearing this proposition for many years, reported it to this body. I want to say that when a bill gets past the gentleman from Mississippi, WILL WHITTINGTON, who is an able lawyer and a fine gentleman, who exercises meticulous care, it has to have some merit and some worth. This House and the Senate authorized in the Seventy-seventh Congress, Public Law, 228, both of these projects, and the Budget has approved it. The President has even gone to the trouble of writing a letter to the Speaker of the House of Representatives urging that both Table Rock and Bull Shoals be included in the appropriations in this measure.

On February 19, 1942, Mr. Harold D. Smith, Director of the Bureau of the Budget, in a letter addressed to the President, speaking of Bull Shoals and Table Rock dams, said:

> [They] are recommended as necessary in the interest of the war effort by agencies directly concerned therewith.

The following day the President of the United States, in a letter addressed to the Speaker of the House, said that he concurs in the comments and observations of the Director of the Budget.

Here is a proposition, if you please, that has made every hurdle. It received the unqualified endorsement of the National Rivers and Harbors Congress, the Federal Power Commission; was recommended by the Army engineers, after spending thousands of dollars surveying and investigating, taking soundings and borings down at these two dam sites on the White River. Then a committee of this House reported it. It was authorized by the Congress of the United States, approved by the Budget, and urged by the President as of vital necessity for our war effort. Your subcommittee on appropriations approved Table Rock along with Bull Shoals, but the full committee, by a majority of 4 votes, left it out. Why? On a technicality. Because $6,500,000, the initial allocation for Table Rock, would go above the authorization by about three or four million dollars. But I want to call to your attention the fact that the amendment offered by the gentleman from Arkansas does not exceed by one thin dime the authorization in the bill. It merely adds $2,106,000 that we have in reserve, to bring the authorization up to the $49,000,000. General Reybold has told me within the past 2 days, and so did Colonel Reber inform other Members, that if they can get this $2,106,000 that they already have, due to the elimination of the $6,500,000 allocated for Table Rock, they can begin this project immediately.

So I want my friends particularly to bear in mind that this amendment offered by the gentleman from Arkansas does not increase by one red cent or one thin dime the authorization in the present measure.

Table Rock should not have been eliminated.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the distinguished chairman of the Committee on Military Affairs.

Mr. MAY. But if the appropriation is included it will authorize the starting of a dam that will cost how much?

Mr. SHORT. Thirty-seven million dollars; and which will pay for itself in a short period of years and will produce hydroelectric power for 2.6 mills per kilowatt-hour.

Mr. RANKIN of Mississippi. Two and six-tenths mills.

Mr. SHORT. Two and six-tenths mills per kilowatt-hour, and that will produce 120,000 kilowatts an hour. The result will be the starting of the process of electrolytic mining in that area in the production of the lead and the zinc that is so essential to the conduct of the present war effort.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SHORT. Gladly.

Mr. DONDERO. How many horsepower will be generated by the $37,000,000 to be expended?

Mr. RANKIN of Mississippi. One hundred and twenty thousand kilowatts an hour, or more than 1,000,000,000 kilowatt-hours a year, of firm power alone.

Mr. DONDERO. If the gentleman favors the generation of power there he would undoubtedly be in favor of the St. Lawrence project that would develop 2,200,000 horsepower; would he not?

Mr. SHORT. Oh, no, that is a navigation project as well as a power project. It will require 7 years to complete it. It also is an international project. It calls, of course, for expenditures vastly greater than those in this bill; besides, this proposition has already been authorized by the Congress of the United States. It has been approved by all these Government agencies, and I want to urge the Members of this House, in the interest of national defense, and I believe it to be in the interest of national defense—to vote for the Terry amendment which will include Table Rock Dam. Food and munitions are essential to the winning of this war and the construction of these two dams will furnish both.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RICH] is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, if there is any Member in the House of Representatives with whom I would want to go along, it would be my colleague from Missouri who just preceded me. I love him like a brother.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. RICH. I yield to the distinguished gentleman from New York.

Mr. TABER. I was very much interested to notice in the hearings that the cost per kilowatt of electric power supposed to be produced by this project would be 3.2 mills, as against a coal cost of approximately 2 mills. What does the gentleman have to say about that kind of situation?

Mr. RICH. It is my opinion that the cost does not warrant the construction of this project at a time like this, when the Nation needs every dollar it can marshal to prosecute this war.

Mr. SHORT. Will the gentleman yield?

Mr. RICH. No; I cannot yield; I have not the time. I want to make my statement, then I will yield.

In the first place, if you vote this item into the bill, this project will cost $62,000,000. This project has never been started. This one dam, when finished, is supposed to cost $37,000,000, according to the hearings. Colonel Reber states that the first power will not be ready until May 31, 1945. That is 3 years from now. The job will not be completed until June 30, 1946; that is 4 years and 4 months from now. Goodness knows we want this war to be over a long time before that. The situation is just this: If you appropriate $37,000,000 for a flood-control project, and we are going to add to that a few kilowatts of power, possibly it will do some good; I would not doubt that if we were in a position where we could get out and construct it, and if we had the money, and if we had the men, and if we had everything that was necessary so far as priorities is concerned to get these generators, it would be all right; it would develop that country and help the States of Missouri and Arkansas, and I think it would be a good thing; but, Mr. Chairman, do you think to go out and construct this dam, where it will be 4 years and 4 months before it will develop any power, where not a pick has been stuck in the soil—do you think it would be sensible? Where will you get the money?

Mr. TERRY. Will the gentleman yield?

Mr. RICH. I yield.

Mr. TERRY. I know the gentleman wants to be fair. He states that the project will not be finished for 6 years.

Mr. RICH. No; I said 4 years and 4 months.

Mr. TERRY. Four years; but the energy will be produced in the spring of 1945.

Mr. RICH. That is when they expect to begin to furnish energy. I quoted from Colonel Reber, who was the engineer who appeared before the committee.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. MAY. This would be but the beginning, the starting of a system of dams on the White River that would ultimately be like T. V. A., which was started with $50,000,000, but which has cost us over $1,000,000,000.

Mr. RICH. I would not be surprised that that will ultimately be the case because there are two dams they want to construct now. The Bull Shoals Dam that they also want in this bill will

cost $50,500,000. That is in the bill also, and it is the beginning of that project. They want in this bill for that $16,700,000. So the sum total of these two, we know, is going to be $87,500,000.

Mr. Chairman, to save America we ought to stop this, and stop it now. Will you do it? Your vote will decide.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN of Mississippi. Mr. Chairman, oh, how familiar these speeches against this proposal sound. The same crowd and the same words they used in opposing the development of the Tennessee Valley Authority and the development of the Columbia River project. I want to ask you: What kind of a predicament would we be in if their opposition to the development of the T. V. A. had prevailed?

In 1920 I heard these same arguments against the completion of Muscle Shoals Dam. They said, "We have a surplus of power in that area." At that time the American people only used 40,000,000,000 kilowatt-hours a year. This last year we used 160,000,000,000 kilowatt-hours, and today the administration is clamoring for power in every section of the country. I am a member of the Rivers and Harbors Committee that heard the testimony with reference to the St. Lawrence project. Our great leaders came there advocating the building of that dam, and that it would take just about as long to construct this one. Mr. Knudsen said that there never will be enough power in America; there will always be a shortage. We only used 160,000,000,000 kilowatt-hours last year. Today there are 230,000,000,000 kilowatt-hours of annual production of hydroelectric power running to waste in this country that would pay for itself, as this will, if the power is developed, and it is in an area that needs it worse than any other section of the country.

The time will come when the American people will use 1,000,000,000,000 kilowatt-hours of electricity a year.

I am glad to know the gentleman from Pennsylvania [Mr. RICH] hopes the war will close so soon. God speed us in that direction. But I am afraid we are in for a long-drawn-out conflict. I am afraid we will have time to build all these dams and develop all this power from the St. Lawrence to the Rio Grande before the war is terminated and peaceful conditions once more settle down upon the world. As you know, I have advocated the development of hydroelectric power in every section of the country.

Mr. STARNES of Alabama. Will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the distinguished gentleman from Alabama.

Mr. STARNES of Alabama. The distinguished gentleman from Mississippi [Mr. RANKIN] is undoubtedly the ablest and most ardent advocate of public power development in America. I wonder how he welcomes to his ranks this morning the gentleman from Missouri [Mr. SHORT] to help him, the New Deal, and the public power bloc, since in this project $34,600,000 of the $37,000,000 is devoted to power?

Mr. RANKIN of Mississippi. While the light holds out to burn, the vilest sinner may return.

I am expecting to see a revival of righteousness all over this House. And may I say to the gentleman from Alabama that this project is of such glaring importance under the circumstances that I expect my friend the distinguished gentleman from Pennsylvania [Mr. RICH] to go to the cloakroom, hold prayer for a few minutes, and come out and support it wholeheartedly.

Mr. SHORT. Will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Missouri.

Mr. SHORT. May I say for the benefit of the RECORD that if the gentleman from Alabama, who has received so much benefit from this public power program, had not opposed this measure in the Appropriations Committee it would be in the bill today.

Mr. RANKIN of Mississippi. The gentleman from Missouri is wrong.

Mr. SHORT. I am not wrong.

Mr. RANKIN of Mississippi. The gentleman from Alabama is not opposed to this project.

Mr. SHORT. He was in the committee.

Mr. RANKIN of Mississippi. That was because of the parliamentary situation.

Mr. SHORT. Has he seen the light?

Mr. RANKIN of Mississippi. The gentleman from Alabama is with us, and other Members of the House are going to be with us.

This project is in an area where we are going to need more power if the war continues. All of our high-grade bauxite comes from Arkansas. There is where we get many of our war materials, and I sincerely trust that every Member of the House will vote for this amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, I am sure there is one point on which we can all agree, that is, that we are determined to win this war regardless of what it takes.

On March 9 Chairman Olds, of the Federal Power Commission wrote Chairman CANNON, saying among other things:

> As you know, the limitations on the manufacturers to produce land turbines have become increasingly serious on account of the necessity of pushing to the fullest extent the naval and maritime ship program. The same manufacturing capacity is utilized for the production of land and marine turbine equipment that is used for the production of steam-plant turbines.

He goes on to say that hydroturbines can be had for the development of hydroelectric power in this area and that it is very doubtful that steam-turbine generators can be had to sufficiently increase the capacity of this Nation.

This great project will have an ultimate power capacity of 120,000 kilowatts, 60,000 of which will be firm. It will increase the firm capacity of the private power company dam below it on the White River by 15,000 kilowatts, and it will increase the capacity of Bull Shoals below that by 16,000 kilowatts. There is no more economical power project in this Nation than this one.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield to the gentleman from Missouri.

Mr. SHORT. These two dams are so constructed that they are to operate together. The success or worth of one of the projects depends pretty largely on the completion of the other project.

Mr. ELLIS. That is right.

Mr. SHORT. While you cannot shoot these dams at the Japs, they can generate the power necessary to produce munitions of war to fight the enemy.

Mr. ELLIS. That is right. In the Ozark hills are great deposits of manganese, are great deposits of cinnabar, from which mercury is made; there are great deposits of bauxite, practically all in the Northern Hemisphere, and there are great deposits of lead and zinc. The Federal Government is moving forward now to develop these great resources to win this war. The Federal Government has told us that these projects are necessary and essential in this program of winning the war.

Are you and I going to stand up here and say, "Oh, we know how to win this war"? Are we going to stand up here and become obstructionists in a program for the winning of a victory against the Axis Powers?

We would not have had this fight except for a technicality, except for the fact that the committee thought—and it was correct—that the $6,500,000 requested by the Budget exceeded the authorization. They cut the item out entirely. Then the Army engineers told us we should start this project. The Chairman of the Federal Power Commission told us we must have this project. That is why he wrote the letter to Chairman CANNON. If we must have this project, if it is essential for the war effort, surely you and I will not stop it. I hope you will vote for the amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, yesterday I voiced my approval of my colleague the gentleman from Missouri [Mr. COCHRAN] in his particular opposition to Table Rock Dam in Missouri. This is part of the unnecessary spending program that persists in the administration under the false label of defense. The members of the committee will not be misled. I have the confidence that the vote will defeat this amendment. In addition, I hope this House, in committee, will strike out of this appropriation bill the section allocating funds for Bull Shoals in Arkansas. I understand that my colleague will introduce an amendment to strike Bull Shoals from this bill. I shall support such an amendment. I have the confidence that this opinion will today prevail and thereby save from

$77,000,000 to $90,000,000 of expense unnecessary at this time.

Mr. Chairman, I shall vote against this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I know that public service often makes strange bedfellows, but I never did think you would get a bed big enough for my friend the gentleman from Mississippi [Mr. RANKIN] and my friend the gentleman from Missouri [Mr. SHORT] to sleep in on the power question. But here we are today. I guess it is just another old case that depends on whose baby has the measles.

There is one thing I wish we would get clear. If we want to go ahead in this emergency—and we are supposed to be trying to win a war—and put in some projects in our districts that we would like to have and that under ordinary circumstances would be commendable and justifiable, why, vote them in; but please do not be under the mistaken thought that this is a war project. It is not that under the widest stretch of the imagination.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I am sorry; I have only 5 minutes.

Mr. SHORT. The Army has requested it.

Mr. WOODRUM of Virginia. Yes, I know it; and what a strange thing to hear my friend from Missouri urging the House to do something because the President said do it.

What is the situation on this project? The President laid down a production objective that at the time he laid it down seemed fantastic. He said we should have 60,000 airplanes in 1942, 125,000 in 1943; 45,000 tanks in 1942; 75,000 in 1943; 8,000,000 tons of shipping in 1942 and a very much increased amount of shipping in 1943. That was his production schedule in January to win this war. If we can maintain that schedule the war will be won. But you will never win this war by electric power that does not come into being until the spring of 1945.

It is a fantastic suggestion to say that we should build hydroelectric power now that does not come into being until 1945, and begin the manufacture of aluminum in 1945. It takes a year or a year and a half from the time you make the aluminum until the time it goes into a plane. So we would be here fighting the war in 1946 or 1947; and, Mr. Chairman, this war will be won and gloriously won before that time can arrive.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I hope the gentleman will excuse me, as I have only a little time.

It is not pleasant to oppose projects which under ordinary times might be justified and in which your friends are very much interested and which mean so much to their districts. But, Mr. Chairman, we have reached the point where we have got to begin to think about the general welfare and not about particular geographic areas. We need every dollar we can get and every dollar we can borrow and every ounce of energy and every yard of wire and every sack of cement we can get to build real defense projects that are going to help win this war. I hope it will be the pleasure of the Committee in this instance, and in other instances, to lay aside at least for the time being these worthy projects until a more opportune time, when we can turn to developing the actual resources of our country. Let us devote all of our interest today to this war effort, and do not ever go on the assumption that a hydroelectric plant that you start to work on now could ever help win this war.

There is need for power today, although they have power to run the industries as they stand now, and you have not even started to ration electric power. Go out on the streets of Washington at 7:30 some morning and you will see in the great city here that they burn the electric lights way into the daytime or almost until the sun comes out. A great wealth of electric power could be saved and conserved for use in war industries if we were rationing electric power as we are rationing rubber, tires, and other war essentials.

A high-ranking representative of the War Production Board told us a few days ago—and it is no secret—that while the President's production objectives, as I have indicated, which he outlined to the Congress several months ago, seemed fantastic at the time, this official said he had every reason to believe now that they would be accomplished.

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, there is very little I can say that would be nearly as forceful as the speech just made by the gentleman from Virginia [Mr. WOODRUM]. I do want to point out, however, a few facts to the Members of this House—cold, hard facts, that cannot be refuted.

If you retain Table Rock and if you retain Bull Shoals, and an amendment on that will come within a very short time, you are committing the Congress to an expenditure of $90,000,000. I wonder if every Member of this House knows what $90,000,000 means? It would take the entire income tax paid by all Members of the House and Senate—at the rate of $1,000 or more per year per Congressman—for a period of 45 years to pay out $90,000,000.

I wonder also what the average taxpayer understands by $90,000,000 in terms of his own income tax? Assuming an average tax of $50 a year, under the present rate, for taxpayers earning $2,500 a year it would take the total income tax from 20,000 of these taxpayers over a period of 90 years to equal $90,000,000.

Mr. Chairman, there is not one scintilla of evidence that Table Rock is a national defense necessity. Let me read you from the RECORD on page 72, where the gentleman from Alabama [Mr. STARNES] asked Colonel Reber, of the Army engineers, this question:

> What defense activities are located in that particular area?

Meaning Table Rock.

Colonel Reber replied:

> Personally, I do not know of any in that immediate vicinity.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I am sorry; I cannot yield.

Mr. STARNES of Alabama then asked:

> What great industrial center is in that particular area?
>
> Colonel REBER. The Kansas Citys in Missouri and Kansas, and St. Louis, Mo., are probably the closest.
>
> Mr. STARNES of Alabama. They are over on the Missouri and Mississippi Rivers?
>
> Colonel REBER. Yes.
>
> Mr. STARNES of Alabama. How far away is that?
>
> Colonel REBER. St. Louis is about 210 miles away, and the Kansas Citys are about 180 miles from Table Rock.
>
> Mr. STARNES of Alabama. Do you not run into the question, then, of the cost of transmission of power developed there to any defense industry engaged in the war effort?
>
> Colonel REBER. You do face that problem of transmission; yes, sir.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I cannot yield as I only have 5 minutes.

When Table Rock was first advocated, it was advocated as a flood-control project, not as a power project. The power was incidental. This is borne out by the report of the Chief of Engineers as contained in House Document 917, Seventy-sixth Congress. In this report the Chief of Engineers recommended gradual development, both as to Bull Shoals and Table Rock, and, evidently, that was in the minds of the members of the Flood Control Committee in authorizing these two projects.

Mr. Chairman, there is none of our national defense program in Table Rock, and I sincerely hope the amendment is voted down.

Mr. WINTER. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield.

Mr. WINTER. Does the gentleman know that at Lake Catherine, Ark., the Government is now constructing its own 120,000-kilowatt plant with which to make this bauxite, and will have it done in a few months.

Mr. POWERS. I did not know that.

Mr. WINTER. That is the fact, and private utilities have now agreed to furnish in the interim the 65,000 kilowatts necessary to operate the plant until the Government's own generating plant is completed.

Mr. POWERS. I thank the gentleman for that contribution.

Mr. Chairman, I yield back the balance of my time.

Mr. SNYDER. Mr. Chairman, I shall make only two short statements. First, my subcommittee of nine members, by a majority vote, reported this bill out to the whole committee with this item in it. It was in the whole Committee on Appropriations that the item was taken out by a vote of 15 to 13. Second, the amendment of the gentleman from Arkansas will not increase the amount carried by the bill above the Budget estimates. The bill would still remain well within the Budget estimates.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. RANKIN of Mississippi. I want to answer the gentleman from New Jersey [Mr. POWERS]. The gentleman from New Jersey went on to say that Kansas City was 150 to 175 miles from this dam, and St. Louis, 200 miles. As a matter of fact, every electrical engineer who testified before the Committee on Rivers and Harbors said that you could transmit electrical power 100 miles for half a mill per kilowatt-hour, and that means that this power could be laid down in St. Louis or Kansas City for not more than 4 mills a kilowatt-hour. That means that this power will be available in the area where we will need it most, and Mr. Nelson and Mr. Knudsen both testified when appearing for the St. Lawrence project that we will need all the power that we can get, and we never will have a surplus of power.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. TERRY. The gentleman knows that Mr. Leland Olds, Chairman of the Federal Power Commission, has said:

> These projects are essential parts of a program of power supply for the war effort in a region which comprises the States of Arkansas, Louisiana, most of Oklahoma, and Texas, part of Missouri, and the westerly portion of Mississippi. This program includes existing generating facilities, new steam electric units on order by the utilities, new generating capacity on order to serve aluminum and magnesium loads, and existing and other proposed hydroelectric projects.

Mr. SNYDER. Yes; this is a part of a system to produce needed power.

Mr. SHORT. And it should be pointed out that within a radius of 100 miles from Table Rock Dam you have not only the O'Reilly Hospital unit but Camps Crowder and Fort Leonard Wood, about 150 miles away.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. MAY. Did the gentleman ever hear of the old saying about the camel getting its nose under the tent?

Mr. SNYDER. That is not apt here, I may say to my friend.

Mr. TABER. And it is a fact, is it not, that the conservation commission of the State of Missouri has opposed this proposition?

Mr. RANKIN of Mississippi. Oh, that is a duck-hunting outfit.

Mr. SNYDER. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. TERRY) there were—ayes 78, noes 115.

Mr. ELLIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. POWERS and Mr. TERRY to act as tellers.

The Committee again divided; and the tellers reported—ayes 80, noes 126.

So the amendment was rejected.

The CHAIRMAN. Are there any further amendments to this paragraph?

Mr. RICH. Mr. Chairman, I have an amendment which I desire to offer.

Mr. SNYDER. Mr. Chairman, I have an amendment at the desk.

Mr. RICH. Mr. Chairman, the Chair recognized me.

The CHAIRMAN. The chairman of the subcommittee offers an amendment.

Mr. SNYDER. Mine is a clarifying amendment.

The CHAIRMAN. The clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. SNYDER].

The clerk read as follows:

> Amendment offered by Mr. SNYDER: Page 7, line 25, commencing with the word "unless," strike out the matter through and including the comma following the word "letter" in line 1 on page 8, and insert in lieu thereof the following: "unless."

The CHAIRMAN. Without objection, the amendment will be agreed to.

Mr. STARNES of Alabama. Mr. Chairman, I reserve the right to object. I want the chairman of the subcommittee to explain the effect of this amendment.

Mr. SNYDER. Mr. Chairman, I shall be glad to explain to the gentleman what the amendment is.

The CHAIRMAN. The Chair calls attention to the fact that yesterday the gentleman from Pennsylvania [Mr. SNYDER] spoke as follows:

> I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

That unanimous consent was granted.

Mr. TABER. Mr. Chairman, I reserved the right to object and I asked the gentleman from Pennsylvania whether his request was to the paragraph or to the amendment, and he said to the amendment.

The CHAIRMAN. The Chair will read:

> Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 50 minutes
>
> The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?
>
> Mr. TABER. Mr. Chairman, reserving the right to object, is it the intention of the chairman of the subcommittee to go on through with this tonight?
>
> Mr. SNYDER. Yes
>
> Mr. TABER. That means 7 o'clock or later.
>
> Mr. SNYDER. We will try to finish. There is only one more amendment to be offered, so far as I know, and that will be a short one.
>
> Mr. TABER. Well, there will be quite a lot of amendments offered after this one.
>
> Mr. RANKIN of Mississippi. Why not adjourn to meet tomorrow at 11 o'clock?
>
> The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?
>
> There was no objection.

Mr. TABER. Mr. Chairman, I have a specific recollection of having made that statement and reservation, and I have had Members come to me since the question was raised this afternoon and confirm that.

The CHAIRMAN. The Chair will state that this can be vacated by unanimous consent.

Mr. SNYDER. Let me make a statement as chairman, if you please.

The CHAIRMAN. Does the gentleman wish to vacate the order of yesterday?

Mr. SNYDER. I do; because the one who took that down took it down wrong.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the order of yesterday be vacated. Is there objection?

Mr. ELLIS. Mr. Chairman, I object.

Mr. COCHRAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. COCHRAN. I make the point of order that the gentleman from Pennsylvania [Mr. SNYDER] cannot explain his amendment. I have an amendment to offer and if I cannot explain my amendment he cannot explain his.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SNYDER].

The question was taken; and a division was demanded by Mr. TABER.

Mr. SNYDER. What is the amendment?

The CHAIRMAN. The Chair states to the gentleman from Pennsylvania [Mr. SNYDER] that the amendment is the amendment offered by the gentleman from Pennsylvania [Mr. SNYDER].

Mr. WOODRUM of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOODRUM of Virginia. With reference to the parliamentary situation, I would like to make this inquiry: Undoubtedly every member of the Committee wants logical and orderly consideration of what is before the House. Undoubtedly there has been some misunderstanding about it. There are amendments pending at the desk which ought to be explained to the Committee before we vote on them.

I would like to ask unanimous consent that the matter be reopened and that there be additional debate of 20 minutes on this paragraph and such amendments as may be offered.

Mr. ELLIS. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. COCHRAN. Mr. Chairman, reserving the right to object, I want to be in on that 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the amendment offered by the gentleman from Pennsylvania [Mr. SNYDER] be read for the information of the House.

The CHAIRMAN. Without objection the Clerk will report the amendment.

There being no objection, the Clerk reported the amendment, as follows:

> Amendment offered by Mr. SNYDER: on page 7, in line 25, commencing with the word "unless", strike out the matter through and including the comma, following the word "latter", in line 1 on page 8, and insert in lieu thereof the word "unless."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. SNYDER. Mr. Chairman, let me make this explanation: The amendment would permit the initiation of new projects, which Mr. Utz, in charge of this work, fears that the War Department may call upon the Department of Agriculture to perform in connection with defense projects of one character or another. The control of the matter would be left with the War Department, since joint approval by the Secretary of War and the Secretary of Agriculture is required. That is all that is involved.

Mr. MAY. Who is Mr. Utz?

Mr. SNYDER. He is the head of the agricultural unit that has to do with the Agricultural Department's province in the flood-control program. Mr. Utz is a very capable and efficient official. It was he who indicated the appropriateness of curtailing his activity at this time in the interest of national defense. He is an exceptional man indeed; a national defense man.

Mr. MAY. I congratulate the gentleman.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. POWERS. There is nothing wrong with the amendment, and I think there should be no further discussion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SNYDER].

The amendment was agreed to.

Mr. COCHRAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN: On page 7, line 5, after the word "law", strike out "$144,973,700" and insert "$128,273,700."

Mr. COCHRAN. Mr. Chairman, the purpose of this amendment is to complete the job. It is only half done. When you voted down the amendment offered by the gentleman from Arkansas [Mr. TERRY] you struck out the Table Rock project. My amendment proposes to strike out the Bull Shoals project by reducing this appropriation to let the War Department know that the Congress of the United States does not want the engineers to go ahead with the Bull Shoals project.

The Norfork project is already in progress. That is provided for in this bill. It will be completed as a power project. Originally a flood-control project, it is now a power project. Let us go ahead with the Norfork project. Now bear in mind you are not going to get any power from Norfork until 1945 and will not get it then unless you get priorities so they can get turbines, generators, and the other machinery necessary to generate power. I do not know whether they are going to get it or not. When I tell you that Members of this House today cannot get priorities to buy typewriters for their offices you will realize how hard it is to get priorities from those in control. Your Committee on Accounts is trying to get permission to buy typewriters.

I said last night in opposing the Terry amendment that the original authorization for these projects was $49,000,000. Had the Terry amendment carried the House would have committed itself to an additional appropriation of $87,500,000 according to the argument of the Army engineers. You struck out one of these projects, the Table Rock project; now let us strike out the other, Bull Shoals, and stay within the authorization, because, as I said last night, the Chair has time and again ruled that even though the appropriation is above the authorization, if the job is in progress an amendment is in order to go above the authorization; in other words, you are making an additional authorization here, unless you do adopt my amendment, to go above the $49,000,000 which the Congress has already authorized for the White River Basin.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Just a minute. The gentleman had his time.

There is one plant out there, as I said, a national defense plant, an aluminum plant. The hearings show they are going to have their own power plant. They do not need this dam for their power; they are going to have their own power plant; that is provided for. The Government is building the plant, or, at least, has advanced the money; so let us not include that national defense project on the bauxite field of Arkansas in saying this is a defense project. I say it is criminal at this time to provide for these projects when you cannot get any power from them until 1945 and might not get it then.

Mr. ELLIS. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Just a minute.

Mr. ELLIS. It is 1944 on this dam.

Mr. COCHRAN. How about Norfork?

Mr. ELLIS. It is 1944, though, on this dam.

Mr. COCHRAN. The gentleman has made statement after statement about the projects in this basin. He has said almost everybody favors everything he wants. He has quoted almost everybody as favoring the project. I was the only one who appeared before the Flood Control Committee in opposition to it. I am consistent in my opposition. If I thought for a minute that this was a national defense project, I would vote for it. I will vote for anything that is necessary to bring this war to a successful conclusion, but I am not going to let the plea of national defense put over projects which, in my humble opinion, are not necessary. Here is an opportunity to save $87,500,000. Let us do so, and use that money to buy ships, planes, tanks, and other material to win the war.

[Here the gavel fell.]

Mr. TERRY and Mr. POWERS rose.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. TERRY].

Mr. POWERS. Mr. Chairman, I am ranking minority member of the committee and am seeking recognition.

The CHAIRMAN. The Chairman first recognizes the gentleman from Arkansas [Mr. TERRY].

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. How much of the time allotted for debate of these amendments remains?

The CHAIRMAN. Thirteen minutes remain.

Mr. POWERS. As ranking minority member of the committee, may I ask for 5 minutes immediately following the gentleman from Arkansas [Mr. TERRY]?

The CHAIRMAN. The gentleman from Arkansas is recognized for 5 minutes.

Mr. POWERS. That will leave 8 minutes. May I, as ranking minority member of the committee, be recognized for 4 of the 8 minutes?

The CHAIRMAN. The gentleman from Texas, a member of the committee, asked for recognition.

Mr. RICH. Mr. Chairman, I, a member of the committee, asked recognition.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RICH] asked for recognition, and he is a member of the Committee.

Mr. PITTENGER. Mr. Chairman, I am not a member of the committee and I would like recognition.

Mr. MARTIN of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN of Massachusetts. Does the Chair mean to say that the ranking minority member of the subcommittee having the bill in charge may not have time?

The CHAIRMAN. The Chair stated there would be 8 minutes remaining for those Members wishing to be heard on this amendment.

Mr. POWERS. Within those 8 minutes probably the gentleman from Pennsylvania [Mr. SNYDER], chairman of the subcommittee, will want to say something. Certainly I do as ranking minority. I am asking that I have 4 minutes of the 8 remaining minutes.

The CHAIRMAN. I think that is correct.

Mr. POWERS. May I ask that I close debate on the amendment?

The CHAIRMAN. Is the gentleman for or against the amendment?

Mr. POWERS. I am very much for the amendment.

The CHAIRMAN. The gentleman from Arkansas [Mr. TERRY] is recognized for 5 minutes.

Mr. ELLIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ELLIS. Mr. Chairman, awhile ago I withdrew my objection to proceeding here. This project is in my district. I did not understand the unanimous-consent request to limit the debate.

The CHAIRMAN. The Chair may say to the gentleman from Arkansas that the gentleman from Virginia made the request standing right beside the gentleman and he said he withdrew his objection.

Mr. ELLIS. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ELLIS. Mr. Chairman, will I be permitted to have any of the time that is remaining?

Mr. TABER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is demanded. The gentleman from Arkansas is recognized for 5 minutes.

Mr. TERRY. Mr. Chairman, the amendment which was adopted a few minutes ago knocked out of the bill about $2,000,000 to start construction on Table Rock. I feel that the committee probably felt that my amendment would increase the amount over the authorization given by the legislative committee, even though approved by the Budget. That is not a fact, because that amendment would not have been over the Budget or the authorization.

Here we have an amendment to strike out the reservoir project known as Bull Shoals in northern Arkansas. This project has been highly recommended by the Army engineers.

On page 65 of the hearings appears the following:

Mr. SNYDER. I understand there has been considerable opposition by local interests to the Table Rock project. My recollection is that certain people out there maintain that such power as may be needed in that area for defense needs can be furnished more expeditiously in other ways and at much less cost. What have the Army engineers to say about that?

General REYBOLD. I doubt that considerably.

Mr. TERRY. Mr. Chairman, will you state what people are making that criticism?

Mr. SNYDER. I do not have their names at hand. They wrote about it. I was trying to ascertain if the Army engineers endorsed the feasibility and virtue of these dam projects on the Arkansas [White River]?

General REYBOLD. We do, wholeheartedly.

Mr. Chairman, the engineers say that this project is necessary for the war effort. Mr. Leland Olds states that these projects are essential as a part of the war program. The President of the United States has requested that this Budget item be sent down here, recommending the inclusion of Bull Shoals as a part of the war program. Since when has this House started throwing back into the face of the Army engineers the recommendations they have made in behalf of the war effort? This Bull Shoals Reservoir will be producing energy and power the latter part of 1944. The gentleman from Virginia has said that if this power is not produced until 1944, it will be too late. I say to the gentleman from Virginia, where does he get this prophetic wisdom to say that the war will be over by 1944? We are now building battleships, we are now building great plants all over the country which will not go into production until after the time that this dam will be producing the energy that is needed in the war effort.

Mr. WOODRUM of Virginia. Does the gentleman ask me a question?

Mr. TERRY. No.

Mr. WOODRUM of Virginia. I wanted to tell you where I got the prophetic information.

Mr. TERRY. Mr. Chairman, I say to the members of the committee that they should not turn down the recommendation of the engineers, of the Federal Power Commission, and of the President of the United States. According to a letter from Mr. Olds, he says that the electric power produced by these dams will be thrown into a vast power pool for the war program and will be used in a number of Midwestern States, the five States of Mississippi, Missouri, Tennessee, Arkansas, and Oklahoma. I say even though you are against public power and in favor of the private utilities, the power we will produce from this dam is absolutely essential to the war effort and will be used by both public and private agencies, and I ask that the amendment be voted down.

[Here the gavel fell.]

Mr. ELLIS. Mr. Chairman, I ask unanimous consent that the time be extended 5 minutes and that after the other speakers have spoken I may be heard.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas [Mr. ELLIS]?

Mr. POWERS. Mr. Chairman, reserving the right to object, I shall not object for the simple reason, as the gentleman says, this project is in his district, and I think he has a perfect right to be heard on it. I could not object to a request of that kind.

Mr. RICH. Mr. Chairman, reserving the right to object, and I will not object since it is in his district, but last night I had an amendment to present to this section; I asked for recognition from the Chair this afternoon; I was recognized once, then things got in a turmoil and the Chair forgot to recognize me.

The CHAIRMAN. The Chair did not forget the gentleman. The Chair could not do that.

Mr. RICH. The fact of the matter is he did not recognize me. If the gentleman from Arkansas has 5 minutes, I think we would be very glad to have 5 minutes also.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time be extended for 10 minutes, 5 minutes for the gentleman from Arkansas [Mr. ELLIS] and 5 minutes for the gentleman from Pennsylvania [Mr. RICH]. Is there objection?

Mr. DOMENGEAUX. Reserving the right to object, Mr. Chairman, I ask unanimous consent that the time be extended an additional 5 minutes in order that I may have an opportunity to speak.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that an additional period of 5 minutes, or 15 minutes in all, be granted in order that he may speak on the amendment. Is there objection?

Mr. POWERS. Reserving the right to object, Mr. Chairman, I shall not object if I may have my 4 minutes after the other gentlemen have consumed their portion of the 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, this project on the White River in Arkansas will produce a total of 448,000,000 kilowatt-hours of electricity a year. It will have an ultimate capacity of 336,000 kilowatts. In the spring of 1944 the first units of this project will be brought in. A total of 126,000 kilowatts of firm power will be brought in in the spring of 1944.

Mr. Chairman, it seems to me we are creating here at this time a breach in our war effort that should not be created. It seems to me we are endeavoring to tell the President of the United States, the Commander in Chief, the War Department, and the Federal Power Commission, which is charged with the responsibility of finding power to prosecute this war program, how to run a war. I think that is not our purpose here in time of war.

Mr. POWERS. Mr. Chairman, will the gentleman yield for a correction?

Mr. ELLIS. I am sorry.

I think that is exactly what we would be doing. We have a war on our hands. We are told by the Federal Power Commission that we may have to almost double the power capacity of this Nation in order to win this war. This project is a hydro project, it is true. Down in my State we are developing 120,000 kilowatts of steam power in order to make available in that area, where a shortage of power exists, sufficient power to carry on the war effort. We need this power. We need all the power we can get in that area. We have the minerals, we have the natural resources. The Nation is calling upon us for that manganese, that lead, that zinc, that mercury, and that aluminum. Those in charge of this war program have said to us that this power is necessary in order to develop these resources.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield to the gentleman from Missouri.

Mr. SHORT. What the gentleman is saying is absolutely true, but I hope he does not fail to point out to the Members of the House that the construction of Bull Shoals Dam will prevent the flooding of thousands of the most fertile farm acres you will find in this country.

Mr. ELLIS. That is true. The Bull Shoals Dam will provide about one-third of the flood control that is necessary to completely control the devastating floods of the White River.

Mr. SHORT. We need food as well as munitions to win the war.

Mr. ELLIS. That is all true.

Mr. Chairman, we are faced with another problem, a problem of getting turbines to supply the additional power that is necessary in this war effort. The Chairman of the Federal Power Commission in his letter to Chairman CANNON, which has been read here, pointed out clearly to us that we may not be able to get sufficient turbines now to supply the ships we need in our war program, yet the very capacity that is needed to build steam turbines is needed to build turbines for these ships. Another kind of capacity is needed to build hydro turbines. This, therefore, would not conflict with the shipbuilding program and would open up

new avenues for the expansion of the power program of this Nation.

Mr. Chairman, I appeal to you, do not strike the Bull Shoals Dam out of this bill.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, certainly if I thought this project we are now considering was vital to the winning of this war, I would be for it, but when I look over this War Department civil-functions appropriation bill and realize that we are appropriating hundreds of millions of dollars in this bill, it seems to me the flood-control projects we have already started are the ones that logacilly should be completed. That we should launch new projects now, with conditions as they are in the country today, seems more like sheer folly than common sense.

Yesterday the Committee on Ways and Means brought in here a bill to raise the national debt limit from $65,000,000,000 to $125,000,000,000, a jump of $60,000,000,000. The greatest debt this Nation has ever faced is before us, and it will be upon us very soon. What does this bill do in that respect? If you adopt the amendment offered by the gentleman from Missouri [Mr. COCHRAN], you will save $50,500,000. You will not do it in this bill, since the amount in this bill is $16,700,000, but in order to complete this project there will be needed $33,700,000 additional. We have not done a thing on this project except to survey it. Why start something new when it will take us until 1946 to complete it?

Mr. ELLIS. Oh, no; 1944.

Mr. RICH. Or 1945.

Mr. ELLIS. 1944.

Mr. RICH. 1945.

Colonel Reber said the first power can be delivered at the Bull Shoals site, assuming, of course, that they have adequate priorities, on December 31, 1944, and that the project would be completed on April 30, 1945.

Three years from now.

Three years from now is a long time.

It will be 1945 before this project is completed and it seems to me that if we are going to win this war, as sound legislators we must take into consideration the ordinary procedure to do so, and when we think of the things that are going against us today, we must realize that the responsibility now is yours and mine, and you have got to realize that you cannot start a lot of projects just because Members of Congress would like to see them established in their districts. Gracious goodness, I would not do a thing against any Member of Congress if I thought it was going to make for the welfare of this Nation, and this is especially true of some of our friends who have talked here this afternoon. But we have got to be able to say "No," and that is what this administration has got to be able to do. You must do the most important things first. You have got to say "No" by voting for this amendment, so we will strike out this appropriation at this particular time. If we want the privilege to do the necessary things, first we must win the war; so vote for this amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. DOMENGEAUX] for 5 minutes.

Mr. DOMENGEAUX. Mr. Chairman, my request was that the time be extended for 5 additional minutes to allow me an opportunity to speak on an amendment which I propose to offer.

Mr. POWERS. The gentleman then wishes to speak after the vote on the Cochran amendment?

Mr. DOMENGEAUX. That is correct.

Mr. POWERS. Mr. Chairman, this Bull Shoals project falls in the same category as Table Rock and is not a national defense project. The gentleman from Arkansas stated a few moments ago that power would be developed there during April of 1944. I call your attention to a statement made by Colonel Reber on page 76 of the hearings, stating:

> Bull Shoals starts to deliver power practically in 1945; that is, December 1944. It will be completed in 1945.

Now it will be completed, Mr. Chairman, in 1945, provided they have sufficient rainfall and provided they can obtain priorities for construction of the project. If the rainfall is not sufficient and the priorities are not granted, then it may not be completed in 1960.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield to the gentleman.

Mr. PLOESER. I would like to ask the gentleman from New Jersey if he has any knowledge about a move on the part of O. P. M., now the War Production Board, to deny priorities on part of this other project, the Norfork project?

Mr. POWERS. I have not any definite knowledge, but I have heard they have been denied priorities, and if they deny priorities on the Norfork project, they will deny them on this project.

Mr. PLOESER. And all of this is predicated on the assumption that priorities will be allotted.

Mr. POWERS. It is based on two assumptions, that the rainfall is sufficient, and also that they get priorities.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield.

Mr. COCHRAN. Is it not true that in rejecting the Terry amendment $37,500,000 was saved?

Mr. POWERS. That is correct.

Mr. COCHRAN. And is it not true that if this amendment is adopted, $50,000,000 will be saved?

Mr. POWERS. The gentleman is correct.

Mr. COCHRAN. Furthermore, is it not true that if the power dam at Norfork goes ahead and there is no delay there, there is money in this bill to continue and complete the Norfork project and we are not in any way whatever harming the Norfork project?

Mr. POWERS. That is correct.

Now, Mr. Chairman, a few minutes ago the Committee refused to appropriate or authorize an eventual appropriation of $37,000,000 for Table Rock. I hope now that we are going to refuse to authorize an eventual appropriation of $50,000,000 for Bull Shoals. Ninety million dollars will buy a great quantity of tanks. Ninety million dollars will buy a lot of equipment that is more sorely needed now than these two projects, which started as flood-control projects and are now sought to be sold to us under the guise of power and national defense.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I thought everyone would be in favor of leaving this provision in the bill. There are a number of reasons for this: First, it had the endorsement of the whole committee of the Committee on Appropriations, it had the prior approval of the subcommittee in charge of the bill, and then every agency downtown—the War Production Board, the Army, the Navy, and everybody else having to do with defense, have asked for it as a national defense need.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. No; the main reason I am for this provision is this: This war is liable to last much longer than any of us suspect, and we must provide for the worst and pray that the worst will never come. We may be asked, Mr. Chairman, to move all of our factories from California to the interior regions, just as Russia had to do, and I am afraid that if we do not go along with this project we may later find ourselves guilty of having lacked proper vision. If we turn this down it may prove to be as serious as turning down other essential defense demands. That is what I am fearful of. So I ask the committee to adhere to our recommendation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. COCHRAN].

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 104, noes 65.

So the amendment was agreed to.

Mr. DOMENGEAUX. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

> Page 7, line 5, strike out "$144,973,700" and insert in lieu thereof "$145,933,700."

Mr. TABER. Mr. Chairman, I make the point of order against the amendment on the ground that there has been a change already in this figure and another change cannot be considered.

The CHAIRMAN. The gentleman is correct. The figure cannot now be amended.

Mr. DOMENGEAUX. Mr. Chairman, I ask unanimous consent that the amendment be changed at this time so as to coincide with the amount deducted by the last amendment.

Mr. TABER. Mr. Chairman, I shall be glad to reserve the point of order so that the gentleman can speak, but I cannot withdraw the point of order.

The CHAIRMAN. The gentleman from Louisiana is recognized for 5 minutes.

Mr. DOMENGEAUX. Mr. Chairman, the amendment that I have just offered

provides an increase of $960,000 for the initial construction of the Teche Vermilion project, situated in the southern portion of southwest Louisiana. The entire project includes an appropriation of $1,390,000. This project was approved by the engineers, and subsequently approved by this House during this Congress. In addition to that, the National Rivers and Harbors Congress has placed this project in classification A.

I shall try to give you a picture of what has been happening in southwest Louisiana. If it were not my honest belief that this project would materially assist in our efforts to help out this war, I would not offer the amendment at this time. These two rivers or bayous as we commonly call them in Louisiana drain approximately 1,500,000 acres of fertile alluvial black soil in that section of the country. It is the largest rice producing area in America. Cotton, truck farming, and sugarcane are some of the crops planted in that immediate area. In addition to that 85,000 barrels of oil are produced in that immediate locality and there are the largest salt and sulphur deposits in the world in that immediate locality. For many years past, and particularly last April 1940 that section of the country was visited by a flood, which brought about an actual damage to crops, to cattle and livestock, of over $8,000,000. Every year we can expect periodically a flood in that section of the country, and it is caused by the accumulation of silt and other deposits in these bayous, which prevents natural drainage.

Mr. PLAUCHÉ. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. Yes.

Mr. PLAUCHÉ. Is it not true that the Mermentau River project, which was approved at the same time as the Teche Vermilion project should be developed at the same time, to be effective?

Mr. DOMENGEAUX. There is no doubt about that. They are kindred projects, they complement one another, and without the completion of both you could not expect the relief that the people of that section are entitled to and if we get the relief it will essentially augment the production of crops, and naturally develop the oil production.

Mr. PLAUCHÉ. Should the point of order be overruled, would the gentleman consent to substitute an amendment to include the $969,800 which has been approved for the Mermentau Basin project?

Mr. DOMENGEAUX. Gladly.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. DOMENGEAUX. Yes.

Mr. COLMER. As I understand the gentleman, this project has received authorization from the Flood Control Committee, and has also received the approval of the engineering department of the Government.

Mr. DOMENGEAUX. The gentleman is correct.

Mr. COLMER. I hope the gentleman from New York [Mr. TABER] will not insist upon his point of order.

Mr. DOMENGEAUX. I thank the gentleman. Mr. Chairman, I think we all appreciate the fact that food is just as essential to the winning of this war as munitions, and we of south Louisiana are anxious to make our contribution. We cannot build munitions, but we can produce food.

Mr. Chairman, in offering amendments to the bill under consideration, I feel that I should give an explanation to this House as to the importance of the Teche Vermilion and Mermentau projects to our national defense and the relatively small cost of completing these projects as compared to the enormous benefits we would receive and the losses that would probably be prevented.

These bayous are located in the extreme southern portion of southwest Louisiana. They empty into the Gulf of Mexico and drain a good portion of the northern part of the State. In years past, improvements have been made to local drainage areas, and much work has also been done in the form of spillway levees in the Atchafalaya Basin, which is adjoining. The result has been that these streams have been clogging themselves up with silt, and at the same time are now required to carry more water than formerly. This became very apparent in the fall of 1940, when, after a large rainfall, we experienced the phenomenon of seeing water go upstream in these bayous. This was caused by their clogged conditions at and near their outlets.

In this flood alone, losses and damages amounted to about $8,000,000. Many thousand head of cattle were lost; and as most of this grazing land is very low, even until today some of it has remained flooded.

Just this past week I received telegrams from that section, stating that even after a slight rainfall much of that land which was recently planted is again under water, in which the farmers plead that the Government do something to help them protect their crops so that they may produce more for our national defense effort. The fishing industry and oil industry, which both use boats in their line of endeavor, have also contacted me urging that everything possible be done to open these streams so that they may conduct their business without the fear of existing hazards that now damage their boats and cause many delays in their operation. I shall be glad to show any Member of this House these letters and telegrams upon request.

This section of Louisiana is one of the most prolific farm sections of this country insofar as the variety of agricultural crops are concerned, and the bayous mentioned form a natural drainage area for approximately 1,500,000 acres of land, two-thirds of which is under cultivation, and most of the remainder being good pasture land for the raising of stock; however, continued periodic floods are not only reducing the natural wealth of this section but are having a severe effect upon the social and economic welfare of our people. The banks in many instances are refusing loans on farms that were at one time very prosperous. Some of the farms originally flooded are now under cultivation; however, the risks of flood, even from small rains, is so great that the extension of investment capital has been greatly curtailed.

This section is also dotted with many oil fields, and in this emergency, oil is a vital necessity and the completion of these projects would naturally aid in transporting this oil by water. The production of oil in this locality averages over 85,000 barrels per day.

Our United States engineers have made a complete investigation of these projects and find they are economically justified by a ratio of 2 to 3. This ratio is high as compared to other projects passed by this House; however, from a local point of view, when considering the staggering losses experienced and our potential resources, it is a very conservative figure. These projects involve the deepening and widening of these streams. Hardly any material under priority restrictions will be needed for their completion, most of the work being the removal of sediment. When completed, we will have opened new routes for water transportation connected with the intracoastal canal system. We will have taken measures to prevent a recurrence of past periodical floods, and we will have a controlled supply of fresh water for the irrigation of rice lands.

On several occasions our Secretary of Agriculture, Mr. Wickard, has stated that "food will win the war and write the peace." This section is a veritable breadbasket, and its production could be doubled under proper conditions, and the added form of transportation would furnish an additional means of getting our natural resources, such as oil, sulfur, salt, lumber, and agricultural products to the points where they are most needed.

The completion of these projects is definitely of vital necessity to our national defense program, and in view of the small cost as compared to the benefits that would be derived, and the fact that this section of the country has not had the privilege of enjoying any of our national defense expenditures in the form of contracts or otherwise, I ask that my amendment be unanimously approved.

Mr. TABER. Mr. Chairman, I insist upon my point of order.

The CHAIRMAN. The point of order is sustained.

Mr. NORRELL. Mr. Chairman, I move to strike out the last word.

I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. NORRELL. Mr. Chairman, I am very much interested in this part of the appropriation contained in the bill under consideration.

On April 21, 1927, a portion of the district of which I have the honor to represent suffered the most tremendous and devastating flood recorded in history. The flood of that year in the alluvial valley of the Mississippi River took a toll of something like 200 lives, rendered approximately 700,000 people homeless for approximately 1 month, and inflicted property damage estimated to be upward of $200,000,000. Since 1927, we have been wanting flood control within the levee walls of the Mississippi River, but nothing has been done by Congress

during all of these years to accomplish this desire on the part of our splendid citizens. It is commonly known that flood control in this section of the Mississippi River is the greatest problem of its kind in all the world. General Tyler, before our Flood Control Committee hearings this year, testified in part as follows:

It is well known that flood control in the alluvial valley of the lower Mississippi River is the greatest problem of its kind in all the world. For over 50 years, or perhaps 100 years, progress on that plan has been continuous until the protection now afforded is good—better than anybody 25 years ago thought it would be.

After the devastating flood of 1927 the only request our citizens made of the United States was that our National Government give us a fair assurance that the calamity of 1927 would not again occur.

On May 15, 1928, the Congress of the United States recognized and accepted national responsibility for flood control on the main stem or channel of the Mississippi River throughout its alluvial valley, and adopted the Jadwin plan, as set forth in House Document No. 90, Seventieth Congress. The Jadwin plan, among other things, provided for diversions from the main channel of destructive floodwaters in excess of the carrying capacity of the then existing levees, the most important of which diversion was the Boeuf floodway in the critical middle section of the river lying immediately south of the mouth of the Arkansas River and flowing through southeastern Arkansas into Louisiana designated to carry approximately 100,000,000 cubic foot-seconds of water, 6 times the volume of water flowing normally over the Niagara Falls.

The property owners of that area upon the passage of the act assumed that it was necessary for the floodway to be constructed in order to give the maximum levee benefits possible to the greatest area affected by the floods, and while they did not desire to sell their property and very greatly hoped for adequate flood control, they felt that under the guaranty contained in the fifth amendment to the Constitution of the United States that "private property shall not be taken for public use without just compensation," they were entitled to equal levee protection or just compensation for their property. They were willing for the authorities to determine which should be done: (1) Levee protection; (2) compensation for property caused by the floodway. I think it can be said that the property owners accepted the decision at that time of Congress, that the sacrifice of their property in the Boeuf floodway was necessary in order to protect the remainder of the alluvial valley of the Mississippi River, and, of course, assumed that they would receive fair and reasonable compensation for their property.

To this end a test suit to collect reasonable compensation for their property was prosecuted through the Supreme Court of the United States under the style of Mrs. Julia Caroline Sponenbarger against United States, and the Court's decision was to the effect that they were not entitled to compensation. Hence, if they are not entitled to compensation, they now take the position that they are entitled to equal levee protection with their neighbors to the north, south, and east of the Mississippi River, such levee protection now being possible, according to the testimony and reports of our Army engineers.

In the report of the Army engineers, contained in Document No. 90, several suggestions for the control of the floodwaters of the Mississippi River were made. They have been very efficient in their work and have secured the maximum benefits from several of the methods suggested in House Document No. 90 to reduce the flood hazards of the Mississippi River. Some of the methods are as follows:

First. Dredging the river annually.
Second. Side channels.
Third. Set-back levees.
Fourth. Straightening river channel.
Fifth. Clearing between levees.
Sixth. Forestry work.
Seventh. A multiplicity of other minor suggestions.

On page 18 of the Commission's report, further to illustrate how successful the efforts of our Army engineers have been in the operation of several methods of flood control, as above mentioned, we find that the Mississippi River has been shortened between the mouth of the White River and the lower end of the Glasscock cut-off approximately 137 miles. This was done by straightening the river channel. It is well established that the Army engineers have very greatly increased the flood-carrying capacity of the Mississippi River through the other methods mentioned above, and, as a consequence, have very greatly reduced the height of crest flow lines of all floods confined between front-line levees.

General Tyler further testified before our Flood Control Committee, as follows:

In 1928, when the existing project was laid down to include a west-side overland floodway in the middle section, the capacity of the main river leveed channel was estimated at about 1,950,000 cubic feet per second, and the capacity of the floodway at about 1,250,000 cubic feet per second. The capacity of the main river leveed channel at Arkansas City is now about 2,600,000 cubic feet per second. Had these conditions existed in 1928 serious consideration quite probably would have been given to confining the project flood between the main levees, for to do so would not have involved such substantial increases in levee heights as were then estimated.

The report of the Mississippi River Commission contained among other things the following statement:

Had the flood conditions of today existed in 1928, consideration also would quite probably have been given then to a west-side floodway of less capacity than the one recommended and adopted.

After much testimony and extensive arguments the Flood Control Committee finally recommended the adoption of plan No. 4, which was the provision of the Overton-Norrell bills, with one modification, to wit: That the levees in the Yazoo Basin on the east bank of the Mississippi River, south of Coahoma-Bolivar County line in said plan, shall have a 2-foot freeboard over the west side of the river in this area.

Last year you very kindly passed the provisions of the Overton-Norrell bill and thereby extended to the citizens of southeast Arkansas and northern Louisiana a new hope. We are greatly encouraged. Work on the levees has already started and if this appropriation is made the work may be continued through the ensuing year. Additional appropriation will be asked from year to year until the levees are constructed according to the bill which passed the House last year. Adequate flood protection shall thereby be extended to the property owners residing upon the west side of the Mississippi River. I hope the appropriation is made. It has the approval of the engineers, Budget Bureau, Appropriations Committee, and the President. It continues the work that you authorized last year.

I thank you.

The Clerk read as follows:

HYDROELECTRIC POWER

Power plant, Fort Peck Dam, Mont.: For completing the construction of the hydroelectric power plant at Fort Peck Dam, Mont., as authorized by the act approved May 18, 1938 (52 Stat 403), to remain available until expended, $1,300,000.

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent that I be permitted to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, I would like to ask the gentleman if he is satisfied that this $1,300,000 will complete the construction of the hydroelectric power plant at Fort Peck?

Mr. O'CONNOR. The only information I have on the subject is obtained from the hearings. I notice that the Budget or the President sent a special request to the committee asking for $1,300,000 for the purpose of construction of the powerhouse, surge tanks, and pen stocks.

Mr. CASE of South Dakota. I call attention to the fact that the language reads, "for completing the construction of the hydroelectric power plant at Fort Peck." That places a limitation upon the appropriation to be made for the Fort Peck hydroelectric power plant.

Mr. POWERS. Mr. Chairman, further reserving the right to object, the Army engineers testified that that amount of money would complete the project?

Mr. CASE of South Dakota. The testimony is that that question was asked with respect to the power plant at Bonneville. I was unable to find a direct statement on Fort Peck.

Mr. O'CONNOR. Here is the testimony of Colonel Burton, with reference to the gentleman's question.

These additional funds are required for the construction of the powerhouse, surge tanks, and pen stocks.

These additional funds plus those now on hand are required to meet payments under the final contract. * * * By July 1, 1943, it will be ready for the delivery of power. The entire project will probably be completed 6 to 9 months later. We have been requested to expedite the job to produce power.

That is page 93 of the hearings. Then on page 94 Colonel Burton said:

We expect that this will complete it, unless there should be a large amount of delay due to the nonreceipt of materials and things of that kind which would result in claims on the contract. Barring unexpected happenings of that kind, this will complete it.

That is all that the evidence shows as to being sufficient to complete the plant.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana that he may be allowed to extend his remarks?

There was no objection.

Mr. O'CONNOR. The amount of $1,300,000 included in this bill is, as pointed out, for the purpose of completion of the power plant at Fort Peck. The primary purpose, of course, in building the Fort Peck Dam was navigation and flood control. Power was incidental. The Congress in 1938 provided for the installation of power facilities. This move on the part of the Congress was a very wise one, as all who had given the subject any thought knew that within a short time there would be a dearth of electric power not only in the northwestern section but throughout the United States.

I yesterday touched upon the potential use of this power with reference to mining for such as strategic minerals, and so forth. This power will also be used for irrigation covering great sections of arid country in both Montana and western North Dakota. In places water will be pumped to some considerable height to attain the necessary purposes. Even though power is available in 1943, it is not likely that transmission lines will be installed in time to permit the use of this power for irrigation purposes much before the summer of 1944. It was, indeed, a very wise move on the part of the President to ask for the appropriation included in this bill, namely, $1,300,000, and request that the job of completion of the power plant be expedited.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, resuming the matter, in order that we may have a complete understanding as to just what this does, I would like to ask the gentleman from Montana [Mr. O'CONNOR] if he is satisfied under that testimony that this appropriation is sufficient, and whether the language should remain "for completing the construction"?

Mr. O'CONNOR. My judgment is that it would be clearer in the bill if the bill provided language to the effect that the amount would be used for the continuation of the construction of the plant. However, the highest authority says $1,300,000 is sufficient to complete the plant.

Mr. CASE of South Dakota. May I suggest to the gentleman that I think he should satisfy himself on that point, and if there should be some change made in that language, that he seek to have that change made in the Senate.

I yield back the remainder of my time.

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent that upon the conclusion of the reading of the bill we may return to this paragraph for the purpose of further consideration.

Mr. TABER. Mr. Chairman, I would be willing to have the gentleman strike out the last word and make a speech, but I could not agree to his request.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

Power plant, Bonneville Dam, Columbia River, Oreg.: For completing the construction of the hydroelectric power plant at Bonneville Dam, Columbia River, Oreg., as authorized by the acts approved August 30, 1935 (49 Stat. 1038), and August 20, 1937 (50 Stat. 731), to remain available until expended, $4,166,000.

Mr. ANGELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ANGELL. Mr. Chairman, on yesterday when we had under discussion under the 5-minute rule H. R. 6736, I asked for recognition to urge support of the appropriation for the Bonneville project, which appears on page 9 of the bill, calling for an appropriation of $4,166,000. This amount is in accordance with the Budget estimate and has the support of the committee. This appropriation will furnish the needed funds to complete the power installations in the Bonneville project on the Columbia River. The project calls for 10 generating units with a capacity of 518,400 kilowatts. As shown by the hearings before the committee, pages 96 and 97, 6 of the 10 units have been completed and 5 are now in operation, and the remaining 4, with the funds provided by this bill, will be completed within a period of 2½ years. Most of the units will be completed long before the final completion of the last unit.

It is unnecessary for me to call to your attention the critical situation confronting us in our war effort, in our all-out effort to furnish fighting aircraft not only for our forces on the battle fronts but also for our own defense here in continental United States. The outstanding deficiency in our fighting strength has been aircraft and unquestionably has led to the adverse results in the engagements which we have had thus far. The pool of hydroelectric power produced in the Columbia River area, and particularly the power coming from Bonneville and Grand Coulee, is furnishing the necessary energy to produce much of the aluminum going into airplane construction.

When Bonneville and Grand Coulee shall have been completed, the 518,400 kilowatts at Bonneville, added to the 972,000 kilowatts at Grand Coulee, will make a heavy contribution to the needed hydroelectric power for carrying on aluminum production. General Reybold reported to the committee, as shown on page 98 of the hearings, that during the calendar year 1941 there were generated 1,480,390,000 kilowatt-hours, which is 86 percent of the maximum possible energy which could have been generated by the equipment installed in that project and utilizing the water available. Of this amount, 98.5 percent was delivered to the Bonneville Administrator for sale.

Aluminum is one of the essential materials which we must have in larger quantities than now available if we are to achieve the goal of full production in order to win the war. The Bonneville Dam itself is completed. The water in the Columbia River is available. The transmission lines are rapidly being completed, which will provide the facilities to deliver the power to the manufacturing centers. And it now remains our job to complete the generating units themselves. This appropriation will make possible putting into active production the 10 units in this great project. At Troutdale, near the Bonneville project itself, in my district an aluminum reduction plant is being rushed to completion, being one of a number in the Columbia River area. The Bonneville Power Administration is advancing construction of 2 transmission lines, 1 of 115,000 volts and the other 230,000 volts, to connect with the Troutdale operation. Fifty-six Bonneville contracts have already been executed for power, making a total power commitment of 425,635 kilowatts. The total executed contracts and contracts under active negotiation, as reported by the Bonneville Power Administration, in its release of February 7, aggregate 875,885 kilowatts.

I urge approval of this appropriation recommended by the Budget and the committee, so that the Bonneville project may be completed at the earliest possible moment and the energy put to work in supplying bombers and other fighting planes for our armed forces.

The Clerk read as follows:

THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; lawbooks; textbooks and books of reference; printing and binding, including printing of annual report; personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; travel expenses when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on

official business; not to exceed $2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

Mr. DITTER. Mr. Chairman, I move to strike out the last word.

All of us from Pennsylvania know the standing of the Patriot, one of the outstanding newspapers of the State. The colloquy that took place at an earlier hour today with reference to the construction of dams and the attitude of my distinguished colleague the gentleman from Pennsylvania [Mr. SNYDER], who is chairman of the subcommittee, prompts me to take this time to direct his attention and the attention of the House to an outstanding editorial in the Patriot under date of March 10.

The editorial is entitled "A Threat to Pennsylvania." It is an appeal by an outstanding journalist and able editor to Pennsylvanians to oppose the St. Lawrence seaway project. Emphasis is laid in the editorial not only on the expenditure of funds and that the seaway has no place in the defense program but it emphasizes particularly the threat to the coal-mining industry of the State. The editorial appealed to me. I should like to quote just one paragraph from it, particularly for the benefit of my colleagues from Pennsylvania. I am hopeful that both Republicans and Democrats alike from the Keystone State will stand shoulder to shoulder in opposing the project known as the St. Lawrence seaway.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I will be glad to yield.

Mr. SNYDER. I did not know that that project was involved in the bill under consideration.

Mr. DITTER. Answering my friend, I did not know that we had confined the discussion in any way, as we have offered these pro forma amendments to items that were carried in the bill.

Mr. SNYDER. We have not.

Mr. DITTER. It seems to me we have gone far afield on other subjects. I think the St. Lawrence project is within proximate distance of items contained in the bill. I think it is not only relevant but pertinent. So I believe that the editorial I am referring to has a place, and it should have a place, particularly in the mind and heart of my distinguished friend from the coal-mining district of the western part of Pennsylvania.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. DITTER. No; I cannot yield any further at this time.

Mr. RANKIN of Mississippi. Mr. Chairman, a point of order. I make the point of order, Mr. Chairman, that the gentleman from Pennsylvania is out of order in discussing the St. Lawrence project under the 5-minute rule and in reading editorials from some newspaper that is lambasting the administration and the St. Lawrence project. I make the point of order that the gentleman is not in order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. DITTER. Mr. Chairman, may I first correct my distinguished friend from Mississippi for whom I have a high regard by saying that I had not as yet started to read. Up to this point I had carried on an ad lib discussion entirely. If the subject of the St. Lawrence seaway is so distasteful to my friend from Mississippi who is usually most generous and gracious in debate——

Mr. RANKIN of Mississippi. Let me say to the gentleman from Pennsylvania that I objected because this was some of the usual anti-St. Lawrence propaganda.

The CHAIRMAN. The gentleman will proceed in order.

Mr. DITTER. Now I should like to proceed in order by reading the paragraph to which I refer.

Mr. RANKIN of Mississippi. Mr. Chairman, reserving the right to object, before reading that editorial, will the gentleman state what paper it is from?

Mr. DITTER. Mr. Chairman, I had hoped that someone on the other side would ask that question. If the gentleman knew of the Patriot of Harrisburg as we who come from Pennsylvania do, he would know that its publisher is an outstanding Democrat. My impression has always been that its editorial policy was Democratic. This is a Democratic paper. This is not a Republican sheet. I wanted to compliment the Democratic Party by showing the change of heart on the part of an outstanding Democratic publisher to give expression in an editorial such as this condemning the St. Lawrence seaway and advancing the cause of the coal miners of Pennsylvania. His name is McCormack.

Mr. RANKIN of Mississippi. I am not interested in furthering the welfare of the coal barons of Pennsylvania, but I withdraw my objection.

Mr. DITTER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for 2 additional minutes. Is there objection?

There was no objection.

Mr. STARNES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DITTER. After I have read one paragraph.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield right there?

Mr. DITTER. I must yield to the majority leader.

Mr. McCORMACK. I wanted to call the gentleman's attention to something I believe he wants to correct. He referred to this as a Democratic paper, not a Republican sheet. I think he ought to correct that phrase "Republican sheet."

Mr. DITTER. Mr. Chairman, I purposely used the word "sheet," sir, for this reason: It indicates our plebeian standing. We are not of the autocracy and the plutocratic group that has fine pages. We do not have the glossed paper, the tinted pictures, the costly steel engravings which the majority has at its command as a result of the Government publicity staffs. All we have are the sheets that the common man can read. Now, Mr. Chairman, I should like to read the paragraph in question and ask unanimous consent to insert the entire editorial at this point.

The CHAIRMAN. That cannot be done in the Committee.

Mr. DITTER. I ask unanimous consent that at this point I may include the editorial in its entirety.

The CHAIRMAN. The gentleman will have to secure that permission in the House.

Mr. DITTER. I will make that request when we go back into the House. The editorial, Mr. Chairman, is a commonsense statement of facts. It is a strong, forthright declaration of principles which are sound. It is a timely warning to the Congress against "pork barrel" legislation. It is an appeal to the men of Pennsylvania to be on their guard against threatened invasions into fields which provide the opportunity for thousands of her people for gainful employment. It is not propaganda such as has been suggested.

The St. Lawrence waterway is not a new proposal. The administration has urged it for a long time. It was advocated before the acceleration of the defense program. The Florida ship canal, Passamaquoddy, and the St. Lawrence were a trio, none of which received approval. More recently the St. Lawrence project has been clothed with a national defense garb. How it can be finished in time to be of value as a part of the defense program has not been made clear. Where we are to get the men, the materials, or the money at this time has not been shown. How we can afford to divert the man-hours from our all-out war effort to this project remains a mystery.

The issue which involves the coal miners, their opportunity to work and earn an honest living is not a new one. As the editorial suggests, we should make every effort to revitalize the stricken coal districts. Is it unreasonable to urge that steps be taken to create more jobs for idle miners? Is it unreasonable to advocate the stimulation of the industry and to oppose its suffocation? Is it unreasonable for Pennsylvanians to guard against an invasion which strikes at the very heart of its industrial life, and which, if successful, would rob thousands of her sons of their livelihood?

But, Mr. Chairman, those of us who oppose the project are not prompted solely by our interests in the Keystone State. Were the project justifiable as a defense effort every worthy Pennsylvanian would subordinate the interests of the State to the welfare of the Nation. Pennsylvania contributes generously to the support of the Federal Government. It has the right to expect protection. It is entitled to the maintenance of safeguards against proposals which would rob the State of millions of dollars in in-

vested capital and in invested work opportunities.

I submit the editorial to which I have referred:

[From the Patriot, Harrisburg, Pa., of March 10, 1942]

THREAT TO PENNSYLVANIA

Despite Nation-wide protest, "pork barrel" legislation at Washington still includes public funds for the extravagant and wasteful St. Lawrence Waterway.

Camouflaged as a defense and navigation proposal, it is essentially another Federal hydroelectric project and, as such, threatens one of Pennsylvania's great bulwarks, the coal industry and all its dependents.

Should Congress finally approve the St. Lawrence project, not only would many millions of tax dollars be taken from the American people for a job that would be years in building, but afterward and for endless years, many millions of dollars would be taken from the operators and miners of coal because of the substitution of water for steam in the generation of electricity. Furthermore, it would cut into the supply of materials urgently needed for war.

So incalculable is likely to be the loss suffered by Pennsylvania from this fantastic and uneconomic Federal program that selfish as well as patriotic interests suggests an all-Pennsylvania effort to eliminate it. The threat to the State's welfare and one of its basic industries is so real that the full extent of it should be ascertained by expert investigation.

To this end Governor James would be justified in summoning a non-partisan conference of capable Pennsylvanians, who could plan the raising of sufficient funds to employ experts and engineers to study the paralyzing effects, not only on the mining industry, but the railroads of this State, once the generation of power on the St. Lawrence starts competing with power generated by steam from Pennsylvania coal.

Such a study would reveal to what extent steam-generated power is more economic than power from the costly installation of dams and other works on the St. Lawrence. It could find to what extent the coal mines of the State would be crippled and the loss of coal tonnage the railroads would suffer, if coal now or to be used later in the generation of electric power loses its present and potential markets.

The findings of such a conference would make hard-hitting ammunition for Pennsylvania's United States Senators and Congressmen in smashing the St. Lawrence project in Washington. Certainly these representatives of the people can offer no excuse against doing their utmost to protect the welfare of their home State.

Federal projects like the St. Lawrence inflict double punishment on such coal-producing States as Pennsylvania; not only are the taxes of Pennsylvania used to build such projects but later, through competition with water power, the dollars of investment, capital, wages, railroad rates involved in the mining and transportation of coal are impaired.

As has been said repeatedly, if the Federal Government has concern for the welfare of Pennsylvanians, it will nurse rather than curse the ailing coal industry of this State. Instead of suffocating mining it would stimulate it; revitalize the stricken coal districts; create more jobs for idle miners; supply tonnage for railroads, with corresponding increases in jobs and in mercantile and other sales throughout the State.

Pennsylvania ought not to sit dumb before this threat to its welfare—it need not. With the findings of an expert commission, Pennsylvania can go to Washington and "spike" the St. Lawrence waterway for the unwise, ill-timed, discredited fantasy its dreamers have made of it.

One reason Governor James called the legislature in special session was to consider wartime emergencies. The threat to Pennsylvania in the St. Lawrence waterway is a war as well as peacetime danger. The legislature could recognize and meet it with appropriate action.

Mr. PITTENGER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am very much opposed to this amendment. As I read the bill the pro forma amendment has to do with the Panama Canal, its maintenance, its operation, and other things connected with it.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. RANKIN of Mississippi. As the gentleman knows, these enemies of the St. Lawrence power project were enemies also of the Panama Canal.

Mr. PITTENGER. The gentleman is correct; and they were opposed to the Panama Canal as they are to all great projects that are of great benefit to the American people. The Panama Canal is a rivers and harbors project; it is a transportation project; it is in line with these two projects in the Arkansas valley that were turned down this afternoon, a move that this House will regret. It is in line with the deepening of the Delaware River that makes Philadelphia a port instead of a little mud fishing hole.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. CULKIN. Is it not a fact, I ask the gentleman from Minnesota, that the same influences that are now opposing the St. Lawrence seaway attempted to sabotage the Panama Canal?

Mr. PITTENGER. They have attempted to sabotage everything that was of benefit to the American people.

I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman from New York called the gentleman's attention to the fact that when we were trying to build the Panama Canal this same old influence, like the Irishman's horsefly he thought was a hornet—they have changed their suits, but we know their voices. They were raising the same objections then and making the same vicious fight against the building of the Panama Canal. And again, let me call attention to the fact they made the same fight against the supplementary locks of the Panama Canal.

Mr. DITTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DITTER. Does the gentleman from Minnesota have the floor or does the gentleman from Mississippi have the floor?

Mr. PITTENGER. Oh, I know who has the floor. I do not need any advice on transportation or on who has the floor. I am slightly familiar with both subjects.

Mr. WHITE. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from Idaho.

Mr. WHITE. The gentleman has enumerated here a great many benefits.

Mr. PITTENGER. There is the Snake River in Idaho, and I am in favor of that.

Mr. WHITE. Is not the Panama Canal vital to national defense at this time?

Mr. PITTENGER. Yes; if we did not have that I do not know what we would do. I want to say in all seriousness that these power projects in the Arkansas Valley, which is a long, long way from my home, are of absolute benefit and value to the American people, and you are going to regret the action you took this afternoon.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from California.

Mr. VOORHIS of California. I agree with the gentleman's last statement. I would like to ask him whether he does not feel that in connection with the things we consider in this House we have got to consider them from a purely national standpoint and not from the standpoint of any one State or section?

Mr. PITTENGER. May I say to the gentleman that the world is on fire. This country is facing a problem it has never faced before. If we do not get rid of the sectional viewpoint, we are doing damage to America.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. We have heard a lot of talk about power projects. Can the gentleman tell us how we can get some of this power to General MacArthur?

Mr. PITTENGER. I will leave that up to the War Production Board, the Army, the Navy, and the Commander in Chief. That is their job. If we all put our shoulders to the wheel and develop our domestic economy 100 percent we will be doing something practical here that will set in motion the forces that I hope will bring aid to General MacArthur.

Mr. SHAFER of Michigan. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from Michigan.

Mr. SHAFER of Michigan. I would like to have the gentleman clarify a question in my mind.

Mr. PITTENGER. On the Panama Canal?

Mr. SHAFER of Michigan. Is the gentleman for or against the St. Lawrence seaway?

Mr. PITTENGER. I am 100 percent in favor of it.

Mr. DITTER. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I just want to ask how long it is going to take to do this St. Lawrence seaway job?

Mr. PITTENGER. I do not care how long it takes. The sooner it is started the quicker it is done. We need it now, and we will need it 4 years from now.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am sure that the inquiry of the gentleman from Pennsylvania [Mr. DITTER] to the chairman of the subcommittee the gentleman from Pennsylvania [Mr. SNYDER] was for the purpose of eliciting information although not with respect to a matter under consideration. He undertook to ask the gentleman's attitude with respect to the St. Lawrence seaway project which, of course, is not under consideration. It would have been in order, of course, for a question to have been propounded to the gentleman in charge of this pending appropriation bill the gentleman from Pennsylvania [Mr. SNYDER] with respect to his attitude on the principal matter under consideration, to wit, flood control.

Mr. Chairman, after the Commonwealth of Pennsylvania, for 40 years and more, had pleaded and pleaded with the Congress of the United States to provide for the protection of the great city of Pittsburgh, reminding Congress and the country repeatedly, that the State of Pennsylvania had contributed greatly to the revenues of the Nation, it remained for the Congress under the present administration to adopt, in 1936, the Flood Control Act, under which one reservoir after the other—six in all—have been constructed, with the assistance of the gentleman from Pennsylvania [Mr. SNYDER] and under appropriations by the subcommittee, of which the gentleman from Pennsylvania [Mr. SNYDER] is chairman. As a result of his championing those projects the city of Pittsburgh and the Pittsburgh area are now being protected by flood-control reservoirs that have been constructed under authorizations and appropriations of the Congress of the United States. No Member has been more vigilant and active in behalf of flood control throughout the United States, and especially in Pennsylvania, than the capable and efficient chairman of the subcommittee of the War Department appropriations for both military and civil functions, the gentleman from Pennsylvania [Mr. SNYDER].

Mr. RANKIN of Mississippi. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, since the gentleman from Pennsylvania [Mr. DITTER], representing as he says, the interests of the coal producers of Pennsylvania, sees fit to rise and attack the administration's program for the development of power in the St. Lawrence, may I say to him that we went through the testimony on that bill for months and months. We had before us the representatives of the administration who are now charged with the duty of supplying the implements of war, and they all testified that this St. Lawrence dam, this St. Lawrence power project, that would provide for the American people more than 6,000,000,000 kilowatt-hours of electricity a year, is absolutely necessary from the standpoint of national defense. Not only that, but Mr. Knudsen himself came before the committee, and when asked if we did not already have a surplus of power, stated:

> We not only do not have a surplus of power, but we never will have a surplus of power.

They have tried to tell you that it would take years and years to construct it, the same old argument they used against the Tennessee Valley Authority, the same old argument they used against the developments on the Columbia River. Now, as a matter of fact, it would take only 18 months of straight work, if they could work the entire year.

If the weather would permit them to work the year around, the St. Lawrence project can be constructed in 18 months.

Mr. DITTER and Mr. VAN ZANDT rose.

Mr. RANKIN of Mississippi. I yield to either one of the gentlemen representing the coal districts of Pennsylvania.

Mr. DITTER. I think the gentleman is fair enough that he would want me to correct something on the record with reference to the district that I represent. I do not represent a coal district.

Mr. RANKIN of Mississippi. I know that, but the gentleman is speaking for the coal interests.

Mr. DITTER. What I want to say to the gentleman is that all I was doing was subscribing to the sentiment of a Democratic editor with reference to the St. Lawrence seaway.

Mr. RANKIN of Mississippi. I decline to yield further. I fear he was reading some more coal operators' propaganda, or railroad propaganda.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Of course, I represent a coal district.

Mr. RANKIN of Mississippi. Yes.

Mr. VAN ZANDT. Can the gentleman tell us when the St. Lawrence seaway bill will reach the floor?

Mr. RANKIN of Mississippi. If I had my way, it would have been here before now. I am hopeful that it will be here within the next few days, or at least in the next few weeks.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield for a question.

Mr. MAY. I come from a coal district. Does the gentleman know that Mr. Gano Dunn, the most noted engineer in this country, testified before the House Appropriations Committee and before the Senate Appropriations Committee that electricity can be produced cheaper from coal than it can from hydro?

Mr. RANKIN of Mississippi. I do not know whether he testified to that effect or not, but I know it is not being produced more cheaply. Besides, this power in these streams belongs to us. It belongs to the American people. It is now going to waste and running wanton to the sea, and it will be doing so for all time to come unless it is developed.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from California.

Mr. VOORHIS of California. On the question of whether or not you can produce electricity cheaper with coal, that depends altogether on whether you have the coal and where you have the coal.

Mr. RANKIN of Mississippi. Certainly, and the cost of that coal.

Mr. VOORHIS of California. In a place where you do not have the coal it obviously will not work.

Mr. RANKIN of Mississippi. This power is in the very region where power is going to be needed most because of the density of population. The people within the distribution radius of this project are now overcharged more than $400,000,000 a year for their electric lights and power.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from New York.

Mr. CULKIN. The past opposition to the Bonneville Dam, the Grand Coulee, and the Tennessee Valley Authority, I assume, covers its face in shame today. This by reason of this power being gravely needed for national defense.

Mr. RANKIN of Mississippi. That is true. Did not the gentleman just now hear some of them speaking?

Mr. CULKIN. I was with them on some of those projects. I plead guilty. Today, however, Bonneville, T. V. A., and Grand Coulee are now an essential part of national defense. We could not make war without them. I hope history will not repeat itself in the case of these gentlemen.

Mr. RANKIN of Mississippi. Of course, this country would be paralyzed if it were not for the Tennessee Valley Authority and the developments on the Columbia River.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Michigan.

Mr. RABAUT. Bringing the question of coal into the discussion of the St. Lawrence seaway is just about as ridiculous as if, 25 years ago, producers of oats had opposed the manufacture of automobiles on the theory that the new gasoline buggies would displace horses and thereby reduce the market for oats. Their position would have been no more absurd than the present position of the coal producers on the St. Lawrence issue.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from California.

Mr. THOMAS F. FORD. Is it not a fact that the coal consumption in the Tennessee Valley has increased almost 1,000 percent since the hydroelectric plants were put in, because they have to have it for stand-by plants?

[Here the gavel fell.]

Mr. McGRANERY. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi may proceed for 1 additional minute.

Mr. DITTER. Reserving the right to object, Mr. Chairman, I think the gentleman from Pennsylvania should have 5 minutes rather than 1 minute. My regard for him and his ability is such that I think he should have 5 minutes.

The CHAIRMAN. The gentleman from Pennsylvania has asked unanimous consent that the gentleman from Mississippi be permitted to proceed for 1 additional minute. Is there objection?

There was no objection.

Mr. McGRANERY. I just wanted half a minute to inform my distinguished friend, the gentleman from Pennsylvania [Mr. DITTER], that the authoritative newspaper he held up for the edification of the House, a Democratic newspaper, supported Mr. Willkie in 1940.

Mr HOFFMAN. He is a Democrat.

Mr. RANKIN of Mississippi. It certainly ought to be in good standing with the power trust if it supported Willkie. That answers everything that has been said on the other side of the aisle.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, anyone listening to the debate yesterday would have gotten the idea that it was up to Congress to save a little money sometime and that this was the time. The folks back home, if my letters are any indication, are still disgusted with Congress. They have not taken us back into the family circle nor forgiven us for that pensions-for-Congressmen business nor for our rubber-stamp qualities. We are still on probation.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I should like to ask the gentleman whether he knows that a very substantial number of common-sense Democrats supported Willkie last year just the way the editor of this paper did?

Mr. HOFFMAN. I do not know much about that Willkie campaign. I have tried to forget as much of it as I could.

This is what I wanted to say. Talking in a large store operated by a couple of farmers who have made a success of merchandising as well as of farming—farmers sometimes operate stores in Michigan when they get ahead a little bit—they asked me, "What are you fellows doing down there in Washington?" I said—and this was more than a year ago—"Oh, you know we are spending some more money." One word brought on another, until several were taking part, and the remarks became real personal. One fellow jumped all over me and he said, "You have not done a thing down there but just talk, and you have not gotten anywhere." I told him I had but 1 vote out of 435. Another fellow said—they were both friends of mine—"Clare is one of the best of them down there." Naturally I did not dispute that; he said that I was doing all right here, and then the first man said, "Yes; I know he is, but," he said, "the whole blankity-blank outfit does not amount to a tinker's damn." Now, Mr. Chairman, there are a lot of folks who think that same way. We have given blank checks; we have tried to shirk responsibility. We do not insist upon protection for workers. We let money be wasted.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. No; you have the radio—a broadcast—every few days. I have not.

Now there is no joke about the way the people are acting and talking about Congress. Let me tell you something. I may be mistaken, but the letters I get indicate that the folks are dissatisfied with all of us, regardless of party, regardless of our individual records. They want us to straighten things out—to be ourselves. These fellows down in the departments would not like anything better than to have an entirely new Congress, none of whom would be up to any of the tricks that they like to play. Do you not see where we are caught? We all may be in for taking a licking come November. While that may be a good thing for national defense, the way we are acting or failing to act, yet I am sure that is not a very popular idea here among ourselves. Congress will not be able to duck the wrath of the people just because some executive fails in his duty when it is also our duty to see that action is taken.

Let me read to you what this young man from home—Aubrey Brady—writes:

> People out here are beginning to be very uneasy and some wonderment and bewilderment is in their conversation, not to mention anger and resentment, at some of the news coming from Washington.

Listen to this:

> They want to know why it is necessary to be continually voting more money when the huge sums previously voted are not used up. Why are we being given good news of engagements for a day or two, then the Japs win the battle? Where are those men that they were told were on their way there, with equipment, etc.? Why are we sending men east when the immediate trouble is in the Pacific, which is west? When are those people who are telling us we don't know what it is all about going to start proving they know what it is all about? Our people, like all others who are thinking, do know what it is all about. How can they help it, with their sons, brothers, husbands, fathers, neighbors in the service; when they are being forced from work, buying bonds, paying taxes, skimping to keep going on, without asking for help, and then being told that they do not realize how serious it is. Do you people in Congress really think we are simple because we are not on a Government pay roll somewhere?
>
> What they [our people] would like to know is this: When are we going on the offensive; when are we going to attack where it will hurt? If our forces are not ready, when will they be ready? Are all of our officers McClellans except MacArthur? Clare, these people are tired of being treated like simpletons and cowards by the people who are running this war.

There is food for thought and reason for action packed in that letter.

[Here the gavel fell.]

Mr. PATRICK. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I will confess that I do have the advantage of the radio. It took me 4 years to learn that. I did not have a monopoly of the floor. I had to yield that to the gentleman from Michigan [Mr. HOFFMAN]. I wish to say that those two gentlemen who told him that certain Members of Congress would have to go back home or quit shooting off their mouths too much, certainly were his friends. He recognizes the fact they are friends of his and he does not realize just what good friends they were, as is patent by the consistent behavior the gentleman has followed.

Now, there are a few gentlemen here on the floor of the House that would do themselves a wonderful service if they would keep quiet since Pearl Harbor. Mr. HOFFMAN is one of those gentlemen. A man taking the position that the very excellent gentleman took on the floor here, with that ability to talk, I think has shed less light on more subjects than any man on the floor since I have been here, but one who voted against everything that was to prepare this Nation for the position it is in now, one who voted against drafting soldiers when we needed them more than we ever had; one who voted against increasing our Navy; one who voted against every measure we have had up, practically, to prepare this Nation for defense, should be the last one now to get up and plague and to flay and flail those who are trying to do something to go to town and fight our battles when the Nation is confronted with the danger it is now.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. Oh, certainly, I could not fail to do so.

Mr. HOFFMAN. I shall not at this time attempt to answer those inaccuracies to show the complete lack of foundation for the statements to which the gentleman has just given voice. Some other occasion will be used for that purpose and I shall then point out that the policies I have advocated we now know were better than those followed, and had they been adopted we would not now be in the unprepared condition in which we find ourselves. I ask the gentleman this question: Was the potato peeling which the gentleman carried on while acting as a picket down at the White House a defense activity?

Mr. PATRICK. Yes; it was, because the gentleman knows he begged me for the peelings to keep them as souvenirs.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

The Clerk read as follows:

> SEC. 3. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

I had sought recognition earlier in the debate, but what I have to say will be equally appropriate here. Appropriations for our vital installations in the Panama Canal Zone are before us in this paragraph, but they are not in dispute, and I should like to speak in a general way about another extremely important matter.

Today in making appropriations of public money consideration should be given to one question and one question alone: How will this appropriation contribute to the winning of the war and

the saving of American lives? All other questions, however important they may be in peacetime, are absolutely unimportant and unworthy of consideration at this time.

An unhappy situation exists in many of the Government departments. The division chief in the bureau wants to glorify himself and his division by grasping as much money as possible for his division and by having under his direction the largest possible number of people. The more money he spends and the more people he employs the more important he feels himself to be. He does not devise means of reducing the number of his employees and the amount of money spent. He does exactly the opposite. This practice is indefensible in time of peace, and in time of war it is nothing short of disloyalty to the Government. This practice must be stopped.

In this particular bill for the civil functions of the War Department there was originally an item of one-half million dollars for flood-control surveys and studies, a work of importance but having no direct relation to the war effort. This work was begun in 1938. Nine million dollars have been spent in surveys and plans, but actual work has been begun upon only one project. Two hundred and seventy-five million dollars of proposed work has been surveyed and plans made for actual development. This gives a good backlog of work which will be available for immediate consideration after the end of the war.

This work is directed in the Department of Agriculture by Mr. E. J. Utz, a man of fine ability and high degree of patriotism. In evidence thereof I quote the following from the hearings on this bill:

Mr. MAHON. I think we are interested in this country, in trying to eliminate work that can be suspended for the time on account of the war. I am wondering if, in connection with this item, you could almost fold up this thing until the war is over.

Mr. UTZ. Yes; we could fold this up. Of course, we have to recognize that we have a lot of work here that is not completed. There would be considerable waste, because we could not get the same people back to pick up where we left off. It would be very wasteful. But if it is essential to do that in connection with the war, I do not think there is anything that cannot be eliminated at this time

Mr. MAHON. It just impresses me this way: You have referred to these projects, from the Kickapoo River, in Wisconsin, on down the line, to many of them in Texas, in which the people, even those who live in those areas, are not as much interested as they are in the war; they are interested in the war more than they are in this long-range planning. And, as you know, planning never comes to an end.

Now, you have worked on this since 1938 and not a spade has been turned actually to prevent erosion, has there?

Mr. UTZ. Yes; there has; on the Los Angeles project.

Mr. MAHON. That is the only place where you have actually done anything but plan?

Mr. UTZ. That is the only place where funds have been released to us with which to start actual control work.

Mr. MAHON. And about all that will happen if we suspended the operation of your agency now would be a suspension of plans?

Mr. UTZ. That is correct.

OFFICE SPACE USED IN WASHINGTON

Mr. MAHON. We need office space in Washington rather badly for defense agencies. How much room do you occupy?

* * * * *

Mr. MAHON. Would you put in the record approximately the number of square feet that you use for office space?

Mr. UTZ. Yes, sir. The 77 people now employed in Washington use 8,625 square feet of space. About 500 square feet of this space will be released April 1.

Mr. MAHON. The Government is in need of highly specialized people. Nearly all of your people are college men?

Mr. UTZ. Yes, sir.

Mr. MAHON. Well trained?

Mr. UTZ. Yes. sir.

Mr. MAHON. Many of them engineers?

Mr UTZ. Not as many as we really need. We have lost more engineers than from any other group.

Mr. MAHON. But you are glad to lose them for the war.

Mr. UTZ. Yes, sir. Mr. Munns just tells me that most of the engineers we still have left are above draft age.

Mr. MAHON. But they are not necessarily above the age of usefulness, are they?

Mr. UTZ. No.

* * * * *

Mr. MAHON. I do not mean to appear antagonistic—I am very strong for this program of soil conservation; I am just asking these questions in order to make up my mind whether I, as one Member of Congress, am willing to go along with a continuation of this program when the world is on fire.

Will you also advise me approximately how much money it would cost to carry out the $9,000,000 worth of plans that you have made since 1938; that is, to develop the projects that you have planned?

Mr. UTZ. I suspect that it would run to somewhere around $275,000,000 or above.

Mr. MAHON. In other words, the idea of planning now for the time when the war is over, which is a very indefinite thing, would not hold so well, because we have already planned a lot of things that would take a long time to complete?

Mr. UTZ. Yes, sir.

And so the half-million-dollar item was eliminated from the bill in committee.

A tremendous sum of money can be saved for the war effort if we will suspend for the duration of the war nonessential projects and programs however attractive they may be as peacetime projects. And what is equally important, essential manpower will be released for the winning of the war.

There is no doubt but that millions of dollars are being spent on Government employees and projects which could be eliminated altogether or at least suspended until the war is over.

I reassert the necessity of testing every appropriation item with the question: How will this appropriation contribute to the winning of the war and the saving of American lives?

This test is sound, and you may be sure that it will meet with the hearty approval of those who are paying their taxes this month and who are confronted with higher taxes in the immediate future. It will also meet with the approval of American sons who face the enemy on the battle fronts of the world.

The Clerk read as follows:

SEC. 6 No part of any money appropriated by this act or any other act, except the appropriation "Contingent expenses, Executive Office," and acts making appropriations for the Military and Naval Establishments, shall be used for the purchase or exchange of any motor-propelled passenger-carrying vehicle without the specific approval of the Secretary of War and the Secretary of the Navy.

Mr. RABAUT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. RABAUT: Page 18, line 5, strike out the words "without the specific approval of" and insert "if such purchase or exchange interferes with the priorities or quotas for military and naval purposes, as determined respectively by."

Mr. TABER rose.

Mr. SNYDER. Mr. Chairman, we accept the amendment.

Mr. TABER. I reserve the point of order on the amendment, Mr. Chairman.

Mr. RABAUT. Mr. Chairman, I submit that the point of order comes too late. The purpose of this amendment is clarifying. Here we have the Army and the Navy, the two busiest agencies of the Federal Government. According to the language in the bill every person from a doctor to the 10,000 employees of the F. B. I. would be required to go to the Army and Navy for permission to buy or exchange a car. It is just another job placed upon the two agencies of the Government that now have a great amount of work, more than they can possibly do at the present time. To put it in the language of the street, they already have their hands full. What does this proposed amendment do? It strikes out on page 18 of the bill the words "without specific approval of" and inserts "if such a purchase or exchange interferes with the priorities or quotas for military and naval purposes as determined respectively by" the Secretary of War and the Secretary of the Navy. In other words, it gives priority to the Army and the Navy for the purposes you desire, and stops every Tom, Dick, and Harry from requiring their decision in every specific case of purchasing or exchanging an automobile. This is a good amendment and should pass.

Mr. SNYDER. Mr. Chairman, the committee accepts the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

SEC. 7. This act may be cited as the "War Department Civil Appropriation Act, 1943."

Mr. CANNON of Missouri. Mr. Chairman, I wish to say a word in appreciation of the form in which the bill has been presented to the House, and of the admirable way in which it has been handled by the distinguished gentleman from Pennsylvania [Mr. SNYDER]. His subcommittee has had the primary responsibility for the appropriations providing for the War Department, and to them is due in large part the advanced degree of preparedness in which the country finds itself at this critical time.

The gentleman from Pennsylvania is perhaps as well acquainted with the Military Establishment and its needs as any

Member of either the House or the Senate. He has made frequent personal inspection of facilities, both here and abroad, and has a wide and intimate acquaintance with the activities for which the bill provides. It was through his earnest suggestion that the tests were made which resulted in the adoption of the Garand rifle, so highly praised by General MacArthur in his report from Bataan.

Equal credit is due the gentleman from New Jersey [Mr. POWERS], and both the majority and minority members of the subcommittee. Too much cannot be said in commendation of their work on the annual bills, the supplementary bills, and the bill now before the House. At a time when the need of Army personnel and armament was a much mooted question, and frequently in the face of bitter criticism, they sponsored appropriations without which the Army and the country would today find itself in an embarassing state of unpreparedness. No agency of the Congress has exhibited a higher degree of patriotism or statesmanship. They are entitled to the appreciation of the Congress and the country.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment. For many years the gentleman from New Jersey [Mr. POWERS] has been the ranking minority member of this subcommittee. His efforts to bring in a coordinated bill for national defense have been outstanding. It is largely due to his efforts that the Congress has provided large sums of money to provide for experimentation and development of our airplane and the other implements of war. I think the Congress of the United States and the people at this time owe to Mr. POWERS a great debt of gratitude. He has done a wonderful job.

[Here the gavel fell.]

Mr. SNYDER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 6736, and directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. SNYDER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the chair will put them en grosse.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

LEND-LEASE ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 661)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk, and together with the accompanying papers referred to the Committee on Foreign Affairs, and ordered printed:

To the Congress of the United States:

I am transmitting herewith to the Congress a report on the first year of lend-lease operations.

One year ago, in passing the Lend-Lease Act, the American people dedicated their material resources to the defeat of the Axis. We knew then that to strengthen those who were fighting the Axis was to strengthen the United States. We recognized then the lesson that has since been hammered home to us by Axis treachery and Axis arms—that the rulers of Germany and Japan would never stop until they were thrown from power or America was forced to its knees.

Now that we have had to dedicate our manpower as well as our material resources to the defeat of the Axis, the American people know the wisdom of the step they took 1 year ago today. Had not the nations fighting aggression been strengthened and sustained—their armed forces with weapons, their factories with materials, their people with food—our presently grave position might indeed be desperate. But for the continued resistance of these steadfast peoples, the full force of the enemy might now be battering at our own ports and gateways.

Lend-lease has given us experience with which to fight the aggressor. Lend-lease has expanded our productive capacity for the building of guns and tanks and planes and ships. The weapons we made and shipped have been tested in actual combat on a dozen battlefields, teaching lessons of untold value.

Lend-lease is now a prime mechanism through which the United Nations are pooling their entire resources. Under the Lend-Lease Act, we send our arms and materials to the places where they can best be used in the battle against the Axis. Through reciprocal lend-lease provisions we receive arms and materials from the other United Nations when they can best be used by us.

The war can only be won by contact with the enemies, and by attack upon them. That takes time, for the United Nations need more and still more equipment and transportation. Success will come dearly, at the price of defeats and losses. The offensive that the United Nations must and will drive into the heart of the Axis will take the entire strength that we possess.

For that combined strength we can thank the decision we took a year ago today. With that combined strength we go forward along the steep road to victory.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 11, 1942.*

W. M. HURLEY AND JOE WHITSON—VETO MESSAGE (H. DOC. NO. 660)

The SPEAKER laid before the House the following veto message from the President of the United States which was read by the Clerk:

To the House of Representatives:

I return herewith, without my approval, H. R. 3200, a bill "Conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson."

The bill would confer jurisdiction on the court to adjudicate the claims of W. M. Hurley and Joe Whitson, of North Little Rock, Ark., against the United States for alleged damages resulting from the breaking of a dike constructed by the United States Government on the Arkansas River near property belonging to them.

On October 14, 1940, I withheld my approval from a bill (H. R. 775) authorizing payment of the sum of $500 to W. M. Hurley and the sum of $1,500 to Joe Whitson for damages to their property as the result of the alleged failure of the United States to keep in repair a dike constructed on the Arkansas River.

I pointed out in my veto message that in making this improvement for the benefit of navigation the Government did not impliedly contract with adjoining or nearby landowners or assume a moral obligation to keep it in repair and protect them from the consequences of a break, and that it had not been shown that the improvement itself, either directly or indirectly, caused the damage to the property of the claimants but rather was the result of unprecedented high river conditions obtaining in February 1938, and the impingement of the flood water due to the dumping of old automobiles and other refuse in the river.

If it is the wish of the Congress that the court be given jurisdiction to pass upon the merits of this case, such jurisdiction should be granted on a basis which would protect the interests of the Federal Government.

The provisions of the bill under consideration are at least ambiguous as they fail to provide that the Government should be liable only in the event that negligence on its part is shown and are subject to an interpretation that the Government assumes liability for the damages, if they are established, without requiring proof of negligence. Regardless of any other considerations, the court should not be given jurisdiction in such a manner as will enable it to render judgment in favor of the claimants unless it found that there was negligence on the part of the Government, which resulted in the property damage.

I regret, therefore, that I find it necessary to withhold my approval from the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 11, 1942.*

The SPEAKER. The objections of the President will be spread at large upon the Journal and the message and bill referred to the Committee on Claims, and ordered printed.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to find out, if I could, from the majority leader what the legislative program will be for the rest of the day?

Mr. McCORMACK. Of course, the Dies resolution will be taken up immediately and the debate will be for 1 hour, as I understand. After that we will take up the Department of Agriculture appropriation bill in the hope of disposing of the parity provision this afternoon.

Mr. MARTIN of Massachusetts. We will probably get through with parity and that is all as far as the agricultural appropriation bill is concerned today?

Mr. McCORMACK. That would be my suggestion to the extent to which we should go today. After the Department of Agriculture appropriation bill is concluded the Rogers bill will be taken up. The gentleman asked me personally a few moments ago about the Rogers bill. That will come next in order after the appropriation bill.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MAY. Is it probably the fact that we will not reach the Rogers bill before Friday, or may that be reached tomorrow?

Mr. McCORMACK. I wish I could answer the gentleman, but that depends entirely upon the House and how long the debate continues. The Rogers bill is next in order after the Department of Agriculture appropriation bill. I am hopeful that the situation will be such that we can finish those two matters this week and the House can adjourn over Saturday.

Mr. MARTIN of Massachusetts. The Department of Agriculture appropriation bill and then the Rogers bill?

Mr. McCORMACK. The Rogers bill can come up on Friday if the situation is such that it may be considered at that time.

Mr. MAY. I wonder if we could not agree to let the Rogers bill come up on Friday?

Mr. McCORMACK. Of course, it is next in order. You cannot displace the Department of Agriculture appropriation bill with the Rogers bill, so it follows this bill.

Mr. MAY. I did not want to displace it. I would rather it would come up on Friday, if possible, than tomorrow. If we are sure we can have enough to do today and tomorrow to keep us busy, it could go over until Friday.

Mr. McCORMACK. I think there will be enough debate on this bill tomorrow to consume the afternoon. That is my impression.

[Here the gavel fell.]

SELECT COMMITTEE TO INVESTIGATE UN-AMERICAN ACTIVITIES

Mr. SABATH. Mr. Speaker, I understand I am to be recognized to ask for consideration of House Resolution 420.

In that connection I am going to ask unanimous consent that I may have 15 additional minutes, for this reason: Originally the Rules Committee voted for 3 hours' general debate. Yesterday that was rescinded, and only 1 hour has been permitted under the general rules of the House. I have made some promises to Members, believing that the 3 hours would be forthcoming. I have done everything in my power to try to satisfy a few gentlemen who have asked me for time, and therefore I would appreciate it if I could have unanimous consent for 15 additional minutes.

Mr. FISH. Reserving the right to object, Mr. Speaker, I have no objection if the minority side could also have 15 minutes. We have a great number of requests on this side. I would be very glad to have the request granted, but it is a very bad precedent to establish if the gentleman should confine it to 15 minutes for himself only.

Mr. ANDREWS. Mr. Speaker, I object.

Mr. SABATH. I am doing so because of the fact that at the time when the 3 hours were rescinded——

The SPEAKER. The gentleman from New York [Mr. ANDREWS] has already objected.

Mr. SABATH. Mr. Speaker, I call up House Resolution 420, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Special Committee to Investigate Un-American Activities is authorized to continue the investigation begun under authority of House Resolution 282 of the Seventy-fifth Congress, and continued under House Resolution 26 of the Seventy-sixth Congress, and continued under House Resolution 321 of the Seventy-sixth Congress, and continued under House Resolution 90 of the Seventy-seventh Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 282 of the Seventy-fifth Congress and shall report to the House as soon as practicable, but not later than January 3, 1943, the results of its investigations, together with its recommendations for necessary legislation.

The SPEAKER. The gentleman from Illinois is recognized for 1 hour.

Mr. SABATH. I presume the gentleman from New York wishes me to yield him the usual time?

Mr. FISH. The usual 30 minutes, not 29½.

Mr. SABATH. I was in hopes, in view of what has been said, that the gentleman would not ask for more than 20 minutes that I might have a chance to keep the promises I made.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent, in view of the fact that the Committee had originally decided on 3 hours, that the time for general debate be fixed at 2 hours.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate on the resolution be extended to 2 hours. Is there objection?

Mr. HOFFMAN. Mr. Speaker, I object.

Mr. SABATH. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Illinois is recognized for 5 minutes.

Mr. SABATH. Mr. Speaker, I will proceed for a few minutes only in order that I may keep faith with those gentlemen to whom I promised time. Personally, I feel that we, and the country likewise, have much more important matters to take up our time than debating a resolution extending the life of the Dies committee. The committee has already been investigating for 3 years and 10 months and has expended $385,000—more than any other committee in the history of the House—and, in addition, nearly an additional $90,000 has been expended for printing.

I regret that I am obliged to oppose the passage of the resolution to continue the Dies committee, because it has failed to penetrate and investigate the real Fascists and Nazis of this country that are really the greatest danger to our country.

Mr. Speaker, in view of the fact that the time has been taken away from me that I originally intended to have, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I originally helped to create the Dies committee, and in great measure was responsible for the gentleman from Texas being made chairman of that committee.

At that time, he assured me that the committee under his chairmanship would continue to penetrate all subversive and un-American activities that were brought to light by the McCormack-Dickstein committee. However, within a few months, I was obliged to urge him to proceed to investigate these Nazi un-American activities as he had promised.

Personally I know Mr. DIES is a very capable and resourceful gentleman. He is a splendid publicist and has received greater publicity than any Member in the United States because of the speeches and releases he has made and issued from time to time.

Unfortunately he has failed to keep the pledge that he made to the House and to me to carry on the work for which his committee was created. I regret that, notwithstanding his ability, he has permitted himself to be misled by shrewd and vicious Nazi-Fascist propagandists. In this connection, George Sylvester Viereck and the many Nazi-Fascist agents and propagandists have succeeded in diverting attention from their activities by continuously charging everyone who has tried to unmask them and their stooges with being Communists or connected with organizations with communistic leanings. They have succeeded in

imposing, yes, misleading, Members of this House as well as Members of the other body. On the other hand and at the same time, Mr. DIES has branded hundreds of labor leaders and honest, well-meaning Americans who believe in progressive legislation, yes, humane New Deal policies, as Communists and Socialists.

Despite his statements to the contrary, I must charge that he has not, as relentlessly as he should have, investigated the Nazi Fascist leaders and propagandists. From information I have, all of those who have already been indicted and convicted have been brought to justice by the F. B. I.

Fritz Kuhn, Wilhelm Kunze, the Nazi spy ring in New York, Laura Ingalls, George Hill, and George Sylvester Viereck are convictions obtained by the Department of Justice as the results of the F. B. I. investigations and not by the Dies committee.

Mr. DIES has claimed credit for bringing about the arrest of William Dudley Pelley. I am obliged to differ with him. The facts are that Pelley was convicted on evidence uncovered by the McCormack-Dickstein committee and is serving time for stock deal frauds for which he was convicted years ago.

In fact, Mr. DIES' agents maintained for a year that they could not find Pelley, notwithstanding that he had spent most of his time right here in Washington—and did not find him.

However, they did find him when the Hoffman resolution was considered by the Committee on Rules on charges that had been made by Representative HOOK on the floor of the House that Pelley had boasted that he had written letters stating that the Silver Shirts, of which he was a leader, could trust Mr. DIES.

At the hearing Mr. Pelley testified that a certain letter bearing his signature was a forgery, and a man named Mayne, who worked for the Dies committee at one time, and also with Pelley, forged the letter. It is indeed strange that appeals for leniency and every effort was made to save David G. Mayne from imprisonment after he had pleaded guilty.

Mr. Speaker, it should be remembered that 2 years ago, when he asked for continuation of his committee, the gentleman from Texas [Mr. DIES], and again last year, assured the Committee on Rules and the House that he would not give out any statements or issue any releases without the consent of his committee, and that he would proceed strenuously to investigate the Fascists, Nazis, and any and all organizations connected with them.

As it is, notwithstanding his assurance, there are many organizations and individuals that have not been investigated and their activities brought to light as they should have been. Here I point out a few of them: George E. Sullivan—known as Slap-Happy Eddie—an active Nazi supporter and attorney for former Congressman Thorkelson. To the latter's many vicious and lying inserts into the CONGRESSIONAL RECORD I have objected and pointed out that they emanate from and are a part of Nazi propaganda. Sullivan served as chief investigator for the Dies committee.

John B. Trevor and Walter Steele, of the American Coalition, affiliated with Nazi groups. Intimates of Gerald Winrod and James True.

Walter D. Ogden of the Christian Front. Fourteen members of this front were indicted in Brooklyn for seditious activities.

Father Coughlin, Social Justice. Tied up with Christian Front and Christian Mobilizers. Coughlin nominated Dies for President in 1940.

George A. Van Nordall and Edwin Westphall, the Crusaders for Americanism.

Joe E. McWilliams, a bund member, leader of the Christian Mobilizers.

Stanley E. Smith, George Goadby, and Robert Edmundson, bund members and American Nationalists.

A. Allen Zoll, leader of the American Patriot. Wizard Colescott of the Ku Klux Klan.

Manfred Zapp of the Trans-Oceanic News Service.

The United Electric News states:

> While DIES himself has attended dinners along with Fritz Kuhn, the Nazi leader now in jail, he has given only the most minor attention to the German-American Bund.

Edwin James Smythe, commander of the Protestant War Veterans, referred to Hitler as the greatest living Christian since Jesus Christ.

Ralph Townsend, of Scribner's Commentator, the America First organ; George Christian, of the Christian Crusaders; General Moseley; Gerald Smith; Colonel Hadley; Winfield Jones; and E. N. Sanctuary.

This failure to investigate was not due to his lack of money, because his committee has already received $385,000. In February 1939 Mr. Warren, then chairman of the Accounts Committee, stated:

> Mr. Speaker, this resolution carries the largest single amount ($100,000) ever brought before me. If this investigation is not to be terminated within 1 year, I would not have supported it. I have always opposed these perpetual investigating committees.

In February 1941 Mr. COCHRAN, the present chairman, stated:

> Mr. Speaker, with the unexpended balance, the resolution carries $154,000 which the gentleman from Texas [Mr. DIES] states is sufficient to carry the investigation through. A total of $385,000 has been appropriated. This is more money than ever heretofore appropriated by the House for the use of a special committee.

Mr. Speaker, I deeply regret that there are some Members who are supporting Mr. DIES because of his activities against organized labor which, notwithstanding the few deplorable strikes, is demonstrating a real patriotic spirit during this critical time.

I hold no brief for the Communist form of government, but everyone must recognize that the Soviet Government and the Russian people are rendering our country a real vital service in this war.

I feel, and I think the country agrees, that we should desist from attack on a valiant nation doing its best to bring about the defeat of Hitlerism.

In the best interests of the country, I appeal to those Members of this, as well as the other body, who may have permitted themselves to be imposed upon by shrewd, conniving Nazi-Fascist propagandists, to now unite in the vital task of winning this war.

I realize that, regardless of what evidence is offered against the adoption of this resolution, that it will pass the House, but and notwithstanding the fact that it will in a great measure interfere and conflict with the investigation that is now being made by the F. B. I. I feel that it would be wiser to give that money to the F. B. I., because during the existence of this committee, I do not know of a single bill that the committee has introduced that would more easily bring about the apprehension of the Fascists, Nazis, and now of the Japanese forces undermining our unity and bringing about as much discord as possible.

Mr. Speaker and gentlemen, I have in my possession thousands of letters, telegrams, news items, articles, and editorials from papers and people all over the United States. Many of them who formerly supported the gentleman from Texas [Mr. DIES] now urge the discontinuation of the committee. I insert only a few of the many letters and telegrams that came to me during the past few weeks, leaving to other Members the insertion of editorials and news articles:

DUKE UNIVERSITY,
Durham, N. C., February 11, 1942.

Hon. ADOLPH J. SABATH,
Chairman of the Committee on Rules,
House Office Building,
Washington, D. C.

MY DEAR MR. SABATH: I write to ask you to use your influence to prevent a continuance of the Dies committee, which I understand is asking for another large appropriation and an extension of its life.

It has nothing to show for its work except publicity for its chairman, the arousing of prejudice against liberals, and an addition to the "scares" which harass our citizens needlessly. Our regular agencies can adequately care for the real domestic enemies.

Cordially yours,

ELBERT RUSSELL,
Dean Emeritus.

DEAN'S OFFICE,
THE SCHOOL OF THEOLOGY,
THE UNIVERSITY OF THE SOUTH,
Sewanee, Tenn., February 9, 1942.

Hon. ADOLPH J. SABATH,
Chairman, Committee on Rules,
House of Representatives,
Washington, D. C.

MY DEAR MR. SABATH: I understand that the Dies committee will expire on March 31 and that House Resolution 420 has been introduced by Mr. Dies to continue its life.

It seems to me that this committee has done a great deal of harm, and I earnestly hope that you will see your way clear to vote against its continuance.

Sincerely yours,

FLEMING JAMES.

OKLAHOMA CITY, OKLA.,
February 9, 1942.

Representative ADOLPH J. SABATH,
Chairman, Committee on Rules,
House of Representatives,
Washington, D. C.

DEAR SIR: This letter is to register my most strongly seated aversion to the continuation

of the Dies committee, as proposed in House Resolution 420.

MARTIN DIES has always been a destructive and degrading force in American democracy. In this war period, when all sections of the American people are united behind our Government's all-out effort to win the war against fascism and aggression, MARTIN DIES' activities are doubly harmful to our just cause. His committee is a friend and agent of Hitler, nothing more.

Now that he is pressing for a continuation of his committee and for funds, he makes the same old gesture of pretending to investigate the real enemies of our country, the Nazi agents and propagandist organizations. This pretense does not fool anyone. If DIES were sincere, he would bring to justice and to light the activities of many Fascist organizations and individuals whom he has been shielding for several years.

The continuation of his committee will mean more Red baiting, labor baiting, administration baiting, with the result that national unity and the fight against foreign and native fascism will be seriously hampered.

Therefore, I urge you most strongly to reject House Resolution 420 in the interest of national unity and American democracy.

Sincerely yours,

NENA BETH SHAW.

CHRIST CHURCH RECTORY,
Cambridge, Mass., February 7, 1942.

Hon. A. J. SABATH,
Chairman, Committee on Rules,
House of Representatives.

DEAR MR. SABATH: As a citizen I would like to register a protest against continuing the appropriation for the Dies committee, which matter I have been informed, rightly or wrongly, will come before the House committee soon. As far as I have been able to follow the work of the committee it seems to me that they have attacked some people but have not attempted to protect us against notoriously fascistic people, who seem to me more dangerous than many they have spent time investigating.

Very truly yours,

GARDINER M. DAY.

THE FELLOWSHIP OF RECONCILIATION,
New York City, February 10, 1942.

Hon. ADOLPH J. SABATH,
Chairman, House Rules Committee,
House of Representatives,
Washington, D. C.

MY DEAR MR. SABATH: As cosecretary of the Fellowship of Reconciliation, I am certain that the 10,000 members of the fellowship would wish me to protest to you and their other Congressmen against another year's extension and $100,000 to the Dies committee.

As you know, not a single piece of legislation has resulted from the Dies committee's investigations. The net effect of its operations has been only to arouse prejudice and unjustified attacks on liberal and progressive causes. Nothing is gained for national defense and unity in a time of crisis by arousing the fears which the Dies committee promotes. The established agencies of our Government are adequately equipped to protect the country against subversive influences. Since Mr. DIES and his committee have been in operation since 1938 they have had ample time in which to investigate the Ku Klux Klan. This he has not done, and I am certain that the American public is very much against the committee's extension under the pretense of a Nation-wide exposure of the Klan. Certainly the Klan needs such investigation, but we do not believe that Mr. DIES' committee is the agency fitted for the job.

Sincerely yours,

JOHN NEVIN SAYRE,
Secretary.

RELIGIOUS FORUM,
Los Angeles, February 9, 1942.

Hon. A. J. SABATH,
Chairman, House Rules Committee,
Washington, D. C.

DEAR SIR: We urge on you, very emphatically, "to let the Dies committee die." A few of the many reasons briefly stated are—

Instead of investigating and exposing the real fifth columnists it spent its time and money in smearing every type of progressive and exerted and expended its energies to destroy the labor movement.

DIES himself is and has been very closely associated with professional anti-Semites and open Fascists.

DIES with his disruptive tactics and Red baiting is today one of the most powerful factors against national unity.

And need we call to your attention that before each new appropriation he always promises to go after the real Fascists, only to go back to his one-purpose job of defending and advancing everything reactionary.

We believe that there is a need to expose and stop the fifth columnists in our country, but certainly DIES has proven through all these years where his heart and interests lie. So we urge upon you "to let the Dies committee die."

Respectfully yours,

RELIGIOUS FORUM,
DAVID GRANT, *Chairman.*

THE WALNUT STREET
PRESBYTERIAN CHURCH,
Philadelphia, February 11, 1942.

The Honorable A. J. SABATH,
Chairman, Committee on Rules,
House Office Building,
Washington, D. C.

MY DEAR CONGRESSMAN SABATH: With a multitude of intelligent Americans, I believe that it will be disastrous, in this time of strain when unity is essential to our national salvation, to have the Dies committee continued. To do so will be worth an entire army division to Hitler and Hitlerism.

I assure you of my appreciation of the splendid service that you have rendered and are rendering to the Nation.

Respectfully yours,

J. A. MACCALLUM.

THE UNIVERSITY OF WISCONSIN,
Madison, February 3, 1942.

Hon. ADOLPH J. SABATH,
House Office Building,
Washington, D. C.

DEAR SIR: I hope that the House will not accede to Congressman DIES' request for another year's extension of the activities of his committee. Now is the time to promote unity in the interest of defense, and the type of investigation his committee has been doing is anything but a happy way to promote national unity.

You will find my name in Who's Who.

Sincerely yours,

E. A. ROSS.

WESTPORT ON LAKE CHAMPLAIN, N. Y.,
February 6, 1942.

Hon. ADOLPH J. SABATH,
House Office Building, Washington, D. C.

DEAR MR. SABATH: May I protest against granting the request of Congressman MARTIN DIES, asking for another year's extension of his committee and $100,000 to pursue his investigations?

I am one of the many citizens of the United States who feel that nothing has resulted from these investigations. I agree with the statement that "the net effect of its operations has been only to arouse prejudice and unjustified attacks on liberal and progressive causes."

With the hope that the Dies committee may be discontinued,

Very sincerely yours,

MARY E. WOOLLEY.

SPOKANE, WASH., *February 2, 1942.*

Hon. ADOLPH J. SABATH,
Washington, D. C.

DEAR SIR: Respecting the Dies committee request for another $100,000, may I say that I know of no greater waste of funds than this. The Dies committee has gone off on more wrong scents and developed more prejudice with its attacks based on inadequate information than any other group, official or unofficial, in my time.

In view of the favorable work that the Federal Bureau of Investigation has been doing, it seems to me that at this long last the work of this committee might well be discontinued.

Yours faithfully,

B. H. KIZER.

CHICAGO, *February 6, 1942.*

Hon. ADOLPH J. SABATH,
Chairman of the Committee on Rules,
House of Representatives,
Washington, D. C.

DEAR SIR: I note that Representative DIES is again requesting an extension of life of his committee and as an inducement he has issued his fantastic report of espionage. It seems to me that the report convicts Mr. DIES of criminal negligence. If he really knew as much as he says he knew, he could have prevented the Pearl Harbor attack.

I believe that the man is untrustworthy and a menace to Americanism and I hope that you will vote against House Resolution 420.

Very truly yours,

LEON M. DESPRES.

PHILADELPHIA, PA., *February 9, 1942.*

Hon. ADOLPH J. SABATH,
Chairman of House Committee on Rules,
Washington, D. C.:

Sincerely urge no further appropriation to un-American Dies committee.

ERNEST N. VOTAW,
President, Philadelphia Lawyers Guild.

THE MEADVILLE THEOLOGICAL SCHOOL,
Chicago, February 9, 1942.

Hon. A. J. SABATH,
Chairman, Committee on Rules,
House of Representatives.

MY DEAR MR. SABATH: Permit me to express the opinion that it would be inadvisable to give the so-called Dies committee further opportunity to make the kind of sensational and indiscriminate investigation that has hitherto marked its proceedings. The committee, despite the unbalanced attitude of its chairman, did a real service in arousing the American people to the very real danger of subversive activities, but by now our people are aroused. They do not need further stirring up. They need, rather, calming down.

During the first World War we made great mistakes and did grave injustice not only to perfectly harmless aliens but to loyal American citizens. It was possible for anyone to pay off a grudge by reporting a neighbor to the Federal district attorney. I lived in Boston during the war, and after it was over the district judge declared that not one of the many cases tried as a result of the complaints of volunteer spies had any real ground for action.

Fortunately, the Federal Bureau of Investigation has now been organized and expanded. I have had calls from a number of so-called G-men investigating the records of persons of my acquaintance, reported for one reason or other to the Bureau. I have found these young men intelligent, painstaking, and fair-minded. The intent of the Bureau is evidently not to persecute but to learn the truth. I believe that investigation of subversive activities can best be left in their hands.

We do not need at this time flamboyant and sensational spy hunts by a committee

that has already shown a disposition to judge by labels rather than by facts, and has done grave injustice by smearing the reputations of good men and women. The work of such a committee makes not for loyalty but for disloyalty to the United States.

Very sincerely yours,

SIDNEY B. SNOW, *President.*

THE UNITARIAN CHURCH,
Lincoln, Nebr., February 5, 1942.

Hon. ADOLPH J. SABATH,
Washington, D. C.

DEAR MR. SABATH: It has been called to my attention that MARTIN DIES is asking for another $100,000 for his committee. In my judgment this is another case of wasting the public's money. I regret to say that Mr. DIES is an unmitigated nuisance.

I am,

Respectfully yours,

ARTHUR L. WEATHERLY.

THE NEW YORK CONFERENCE FOR INALIENABLE RIGHTS,
New York City, February 7, 1942.

MY DEAR CONGRESSMAN: This brief letter asking you to vote "No" on the continuation of the Dies committee is sent to emphasize the ma. , communications already submitted by informed and honest Americans making the sar e request.

I am sending it to emphasize certain points:

1. The Federal Bureau of Investigation is sufficient. The Dies committee is duplication. It spends uselessly much-needed money.

2. The Dies committee has been and will be a menace to national unity, and to our President's policies which the country overwhelmingly supports.

3. The Dies committee has consistently attacked labor unions and liberal people while allowing Fascists and Nazis to go unrebuked.

We have faith that you who represent the American people will insist upon an immediate termination of the Dies committee.

Faithfully yours,

ROSALIE MANNING,
President.

WELLESLEY, MASS.,
February 1, 1942.

Hon. A. J. SABATH,
Chairman, Rules Committee,
Washington, D. C.

DEAR SIR: May I express my strong hope that the appropriation of half a million dollars for the Dies committee may not be made. We have better uses for our money in this grave hour than to spend it on incitement to often unfounded fear.

Respectfully yours,

V. D. SCUDDER.

PHILADELPHIA,
February 9, 1942.

MY DEAR CONGRESSMAN SABATH: I want to say that I am for the defeat of the resolution—No. 420—to extend the life of the Dies committee for another year and hope that you will do everything in your power to see that this committee, which has been run so badly, is not continued.

Yours truly,

ELIZABETH FRAZIER.

FARMERS' UNION LIVE STOCK COMMISSION CO.,
South St. Paul, Minn., February 4, 1942.

Hon. JOHN P. O'HARA,
Member of Congress, Washington, D. C.

HONORABLE SIR: The Dies committee is again asking that it be continued, and Dies' resolution to this effect is now before the House Rules Committee.

Though we are now waging war against the Axis, Mr DIES and his committee could never bring themselves around to an effective investigation of Nazi spying or Fascist plotting. The committee spent money lavishly through the years attacking democratic organizations, trade unions, farm groups, consumer organizations, and cooperatives. But it never had the time or inclination to expose the truly un-American fuehrers.

Now the Dies committee says that its work is unfinished and asks that it be continued. The Dies committee will never finish what it never chose to begin, and we agree with the C. I. O.'s statement urging the refusal of its request for further continuation. The work of dealing with foreign spies is too serious at this time for any loose handling by unsympathetic parties.

The Dies committee is impeding the war effort and jeopardizing national unity, as among other things, its recent attempt to use the Lash case as an attack on Mrs. Roosevelt and its absurd charges against Leon Henderson.

At its Omaha convention, the National Farmers Union passed a strong resolution condemning the undemocratic character of the Dies committee, and we now want to ask your support in opposing any further appropriations for the Dies committee.

Respectfully yours,

FARMERS' UNION LIVE STOCK COMMISSION,
CHAS. D EGLEY, *Manager.*

Copy to Hon. ADOLPH SABATH, chairman, House Rules Committee, Washington, D. C.

PHILADELPHIA, *February 7, 1942.*

Representative ADOLPH J. SABATH,
Chairman, House Rules Committee,
Washington, D. C.

DEAR REPRESENTATIVE SABATH: House Resolution 420 is coming before your Rules Committee at an early date. I am asking you to oppose this resolution

Mr DIES has done much harm so far in his condemnation of all that is American. He is a hindrance to our national defense program. If we have known un-American activities the Federal Bureau of Investigation should handle the investigation.

May we count on you to oppose this resolution?

Thank you.

WILHELMINA A. CARVER.

BOSTON, MASS., *February 10, 1942.*

Hon. A. J. SABATH,
Washington, D. C.:

Because I believe that the effect of the present policies of the Dies committee is not helpful in sustaining and building up national morale, I hope very much that the life of this committee may not be continued, and I would urge that your committee do not recommend passage of the proposed bill.

FREDERICK M. ELIOT.

CAMBRIDGE, MASS., *February 8, 1942.*

Chairman A. J. SABATH,
Rules Committee,
House Office Building,
Washington, D. C.:

Opposed to further appropriation for Dies committee. Feel it endangers free speech.

M. L. THOMAS.

VALPARAISO, IND., *February 9, 1942.*

Hon. A. J. SABATH,
Chairman, Rules Committee,
House Office Building:

To the best of my knowledge and belief, the record of the Dies committee does not justify its continuance from the funds that must come from the taxpayers.

JAMES H. MCGILL.

WELLESLEY, MASS., *February 8, 1942.*

Chairman A. J. SABATH,
House Office Building,
Washington, D. C.:

Allow me to protest strongly against approbation for Dies committee.

FLORENCE CONVERSE.

BROOKLINE, MASS., *February 8, 1942.*

A. J. SABATH,
House Office Building,
Washington, D. C.:

We trust you will discontinue un-American, unpatriotic Dies committee.

MR. AND MRS. JOHN F. MOORS,
Brookline, Mass.

JAMAICA PLAIN, MASS., *February 7, 1942.*

Representative A. J. SABATH,
House Office Building,
Washington, D. C.:

We strongly oppose further continuation Dies committee as injurious to morale of a nation defending freedom.

PHELPS PUTNAM.
UNA PUTNAM.
FRANCES FRITCHMAN.
REV. STEPHEN FRITCHMAN.
MRS. HENRY PUTNAM.

CLEVELAND, OHIO, *February 9, 1942.*

Hon. A. J. SABATH,
House Office Building,
Washington, D. C.:

I earnestly protest against resolution giving further support to DIES.

D. R. SHARPE.

LOS ANGELES, CALIF., *February 10, 1942.*

Representative ADOLPH J. SABATH,
Chairman of the Rules Committee,
House of Representatives,
Washington, D. C.:

MARTIN DIES represents the spirit of fascism abroad in America today Therefore urge, in the interest of national unity and an eventual American victory, you make every effort to defeat bill 420.

ARNAUD DUSSEAU.

PALO ALTO, CALIF., *February 10, 1942.*

Representative ADOLPH J. SABATH,
House of Representatives,
Washington, D. C.:

Respectfully protest extension of Dies committee. He has promised, but never obtained, information of Fascist spies. Promoted disunity and hindered defense by attacking labor and Red-baiting the President's appointees, thus comforting our enemies.

S. W. WEYMOUTH.

NEW YORK, N. Y., *February 9, 1942.*

Chairman A. J. SABATH,
Washington, D. C.:

Urge Rules Committee refuse extension Dies committee today.

ELSIE D. HARPER,
Pleasantville, N. Y.

NEW YORK, N. Y., *February 9, 1942.*

Chairman A. J. SABATH,
House Office Building,
Washington, D. C.:

Urge Rules Committee refuse extension Dies committee today

RHODA MCCULLOCH,
New York City.

LOS ANGELES, CALIF., *February 10, 1946.*

Representative ADOLPH J. SABATH,
Chairman, Rules Committee, House of Representatives, Washington, D. C.:

Strongly urge that you do utmost to defeat H. R. 420. Publicity mongering detrimental

to war effort. Federal Bureau of Investigation and Intelligence Services adequate without Mr. DIES.

JOSEPH L. HABER.

BEVERLY HILLS, CALIF., *February 9, 1942.*
Representative ADOLPH SABATH,
Chairman, House Rules Committee,
Washington, D. C.:

Continuation un-American Does committee dangerous to American unity. End the Dies farce and give us a real investigation of Coughlin and other Fascist forces.

MADELAINE RUTHVEN.

PHILADELPHIA, PA., *February 8, 1942.*
ADOLPH J. SABATH,
Chairman, House Rules Committee,
Washington, D. C.:

National unity necessary for victory. Urge vote against Dies committee.

ANNE FOX.

NEW YORK, N. Y., *February 11, 1942.*
Hon. ADOLPH J. SABATH,
Chairman, Rules Committee,
House of Representatives,
Washington, D. C.:

The Dies committee has been destructive of national morale with its insidious scarehead-hunting accusations irresponsibly made with no opportunity of rebuttal, and with its generally undemocratic procedures. Has accomplished little or nothing toward uncovering actual agents of Nation's enemies. Emphatically urge opposition to any appropriations whatsoever toward its continuation.

DAN H. KRUPP.

NEW YORK, N. Y., *February 11, 1942.*
Hon. ADOLPH J. SABATH,
Chairman, Rules Committee,
House of Representatives,
Washington, D. C.:

Dies committee perils national unity. Urge strong opposition to appropriations.

FRANCES BRANDMARK.

NEW YORK, N. Y., *February 11, 1942.*
ADOLPH J. SABATH,
Chairman, Rules Committee,
House of Representatives,
Washington, D. C.:

Urge no appropriations to pro-Hitler Dies committee.

BETTY HERBST.

NEW YORK, N. Y., *February 11, 1942.*
Hon. ADOLPH J. SABATH,
Chairman, Rules Committee,
House of Representatives,
Washington, D. C.:

Dies committee impedes national unity. Urge opposition to further appropriations.

JUNE MIRKEN.

CHICAGO, ILL., *February 8, 1942.*
Congressman ADOLPH SABATH,
Chairman, House Rules Committee,
House of Representatives,
Washington, D. C.:

Strongly urge discontinuance of Dies committee as serious obstacle to national unity and civilian morale. Hope your committee will render the Nation high service by ending this fantastic side show.

Rev. DWIGHT J. BRADLEY,
Director, Council for Social Action,
Congregation Christian Churches.

AGNEW, CALIF., *March 7, 1942.*
HOUSE RULES COMMITTEE,
House Office Building,
Washington, D. C.

DEAR COMMITTEE: The morale of millions would be raised by the abolition of the labor-busting Dies committee. The refusal of this committee to investigate enemy subversive activities warrants this suspension.

Respectfully,

FRED BRAKEBILL.

SUNNYVALE, CALIF., *March 6, 1942.*
HOUSE RULES COMMITTEE,
House Office Building,
Washington, D. C.:

GENTLEMEN: The continuance of the Dies committee puts the stamp of congressional approval on witch-hunts among patriotic American working people. DIES' phoney report is only being given because he wants more money.

Very truly yours,

VERN SCHESSLER.

NEW YORK, N. Y., *March 11, 1942.*
Representative ADOLPH J. SABATH,
Chairman, Rules Committee,
House Office Building:

The public affairs committee of the National Board of the Young Women's Christian Association urges discontinuance of Dies committee. In our judgment, work of this committee can better be carried on by Federal Bureau of Investigation.

DR. EMILY HICKMAN, *Chairman.*

Mr. SABATH. I now yield 30 minutes to the gentleman from New York, for debate only.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MASON], a member of the Dies committee.

Mr. MASON. Mr. Speaker, in consideration of the resolution that is before the House, a resolution to continue for another year the so-called Dies committee, I wish to call the attention of the Members to the old and quite generally accepted maxim, "A man may be known by the company he keeps." As a corollary to that well-known maxim I offer the following: "A man may be known by the enemies he makes," and its converse, "A man may be known by the friends he makes."

Mr. Speaker, I know of no better way in which to appraise the work of the Dies committee than to look into the character of its friends and its enemies. A colorless and ineffectual person may have no enemies and very few fast friends. Whatever else may be said of the Dies committee, it must be recognized by all that our committee has stanch friends—countless in their number—and also desperate enemies—not so numerous, but qualitatively very significant.

I doubt if any committee of the United States Congress has ever been so hysterically attacked as the Dies committee, and I also doubt if ever any committee has been so wholeheartedly defended as the Dies committee.

Our committee has files of the Weckruf, newspaper of the German-American Bund, which contain scores of the most vicious articles against the Dies committee. Speaking for myself and, I am sure, for the rest of the members of our committee, I say that we are proud of the enmity of the German-American Bund. I consider that richly merited enmity a badge of honor.

Another example is the case of one Edward James Smythe. Smythe has been one of the crew of pro-Nazis operating under the guise of patriotism. Our committee seized Smythe's complete files 2 years ago. Among his letters, there was one in which he solicited funds from the German Consulate in New York. In another letter which he wrote to the foremost Nazi propagandist in Germany, Herr H. R. Hoffman, Smythe expressed his bitter hatred of the Dies committee in the following language: "I went before the un-American Dies committee August 1. This rat," meaning DIES, "double-crossed the American people and sold out to the enemy." It is significant that both Edward James Smythe and Adam Lapin, newspaperman for the Communist Party in Washington, call our committee the un-American Dies committee. Judged by the standards of the Nazis and the Communists, our committee is worse than a failure; it is a positive menace.

Mr. Speaker, I could discuss in great detail the facts concerning our committee's numerous enemies, but that would take more time than I have at my disposal. I can only remind the House that three of the largest and most influential Communist-dominated organizations in this country have sent briefs containing scurrilous attacks, replete with misstatements of fact, to the Members of this House urging the discontinuance of our committee. These organizations are the National Lawyers Guild, the National Federation for Constitutional Liberties, and the International Labor Defense. Adolph Berle, Assistant Secretary of State, resigned from the National Lawyers Guild 2 years ago, declaring publicly that he had found that the guild was completely dominated by Communists. The International Labor Defense and the National Federation for Constitutional Liberties are composed almost exclusively of Communists and Communist fellow travelers.

At this point I want to list some of the enemies of whose hostility we are proud; and also some of the friends of whom we are even more proud. I shall name only a few in each category, but enough to give you a clear picture.

Our enemies:

Fritz Kuhn and the German-American Bund, a Nazi organization.

The Silver Legion of America, the Pelley outfit.

The Kyffhauserbund, another Nazi organization.

National Workers' League, a Nazi anti-Jewish group.

Knights of the White Camellia, George Deatherage's old outfit—a Fascist group.

The Communist Party and its many front organizations.

National Lawyers Guild, controlled by Communists.

International Labor Defense, also controlled by Communists.

International Workers Order, controlled by Communists.

National Federation for Constitutional Liberties, another Communist outfit.

Our friends:

The American Legion.

The Veterans of Foreign Wars.

Disabled War Veterans of America.

Daughters of the American Revolution.

Sons of the American Revolution.

Knights of Columbus.

The Catholic Churches of America.

Federation of Women's Clubs of America.

Benevolent and Protective Order of Elks.

Junior Order of American Mechanics.

The American Federation of Labor.

One hundred and twenty-nine million Americans out of the one hundred and thirty million the census figures show.

Mr. Speaker, these lists of friends and enemies of the Dies committee tell the whole story in a nutshell—more eloquently than any words I can use. Truly, a man may be known by the enemies he makes and also by the friends he makes. I believe the stand of these various organizations on the Dies committee calls for the continuance of the committee's labors in the interest of Americanism and national defense. I also feel sure that 95 percent of the membership of this House believes the record of the committee warrants its continuance and will so vote.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MASON. Mr Speaker the committee has been accused of making mistakes. Truly, the committee has made mistakes. What Member of this House has not made mistakes? What committee of this House has not made mistakes? Because it has made mistakes, they seek to have the committee killed. If that is the purpose, perhaps the committee that brought in the pension bill should be killed off, too, and many other committees of this House that have made mistakes. But, Mr. Speaker, if you strike a balance, putting the mistakes on one side as the liabilities of the committee and the achievements of the committee on the other side as the credits of the committee, striking a balance, the balance will be found on the right side.

[Here the gavel fell.]

Mr SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. COFFEE].

Mr. MARCANTONIO. Will the gentleman yield?

Mr. COFFEE of Washington. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman from Illinois [Mr. MASON] has stated that the committee is going to be judged by the friends it keeps and the friends it has. I point to an article in the Daily Oklahoman of February 25, 1942, wherein it is reported that the Ku Klux Klan endorses the Dies committee.

Mr. COFFEE of Washington. I am going to get to that.

Mr. Speaker, this is not the first time the Dies committee has come before this honorable assemblage for ratification and continuation. The House is in a more or less jovial humor today and I hope we will continue to maintain our good humor. I hope that we will not chase the smile off the face of the genial and brilliant gentleman from Texas, the chairman of this committee, with whom I exchanged the most pleasant colloquy the other day.

Mr THOMAS of New Jersey. Will the gentleman yield?

Mr. COFFEE of Washington. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. I also hope that we will not remove the smile from the genial gentleman from Massachusetts [Mr. ELIOT].

Mr. COFFEE of Washington. That is fine. I will incorporate that remark in my statement because what I have to say refers to all, both proponents and opponents.

Personally for the membership of the Dies committee I entertain profound affection and deep respect. For each individual member of that committee I have a very warm feeling in my heart. My attitude does not spring from a personal difference. My conviction is one founded on principle and objective conclusions.

I am reminded of what was said in the ancient Roman days: "Ave, Imperator, morituri te salutamus." "Hail, Caesar, we who are about to die salute thee."

We who are opponents of the continuation of the Dies committee recognize all too well that we will be overwhelmingly defeated in this fight, but we are going to make the fight because we believe deeply in the fundamentals for which we stand.

The gentleman from Illinois said that we should judge the committee by the friends it has made and by the character of its enemies. He has referred to Fritz Kuhn, of the German-American Bund, as being an opponent of the Dies committee. The gentleman referred to Mr. William Pelley, of the Silver Shirts, as being an opponent of the Dies committee. He has referred to Mr. Deatherage and his Knights of the White Camellia as being opponents of the Dies committee. These are among the leading Fascists in the United States. The fact of the matter is all three of these gentlemen have warmly endorsed the Dies committee and have urged its continuation. Mr. Deatherage stated in three different newspapers that he warmly supported the work of the Dies committee.

What did Mr. Pelley say? Mr. Pelley, in his publication Liberation of November 23, 1939, said:

As soon as Pelley learned that DIES had been voted his committee, he—Pelley—wanted to know at once whether his Silver Shirts faced a repetition of the Dickstein crackdown of 1934. To ascertain this, Pelley dispatched a trusted representative to interview DIES, and that DIES had declared, "I am not interested in Pelley. On the whole, I consider that he's done a good job"—referring to the La Follette exposé.

Fritz Kuhn, leader of the German-American Bund, in an interview in the New York World-Telegram, December 8, 1939, paid his respects to the Dies committee and said:

I am in favor of it—the Dies committee—to be appointed again, and I wish them to get more money.

The following is from William Pelley, head of the Silver Shirts:

I founded the Silver Legion in 1933 to propagandize exactly the same principles that Mr. DIES and his committee are engaged in prosecuting right now; in other words, antagonism to subversive influences in the United States.

That is on page 7208 of the Dies hearings.

Fritz Kuhn, now in the penitentiary, warmly approved the Dies committee and urged its continuation. If you are going to judge the committee by the standards and criterions set up by the gentleman from Illinois, I submit that the support of the three leading Fascists in the United States is not any great recommendation.

We come to the question of who supports the Dies committee and who opposes it. We should not draw any invidious distinctions as between honest, honorable, and patriotic citizens who disagree as to the merits or demerits of the Dies committee.

William Dudley Pelley, of the Silver Shirts, testified before the Dies committee itself, as follows:

I subscribe so completely * * * with the work which has been done by the Dies committee—and I have expressed it outside in publications—that if its work continues and goes on the Silver Shirt Legion stops. We have no more use for it. * * *

Mr. THOMAS. Do I understand you to say that if the Dies committee continues with its investigations the Silver Legion will immediately fold up?

Mr. PELLEY. I would say yes, with my blessing If the Dies committee will go ahead——

Mr. THOMAS. That answers the question. (Hearings, vol. 12, p. 7527, Feb. 8, 1940.)

The Silver Legion has folded up.

The pattern of leniency toward the Fascists has remained unvaried throughout the existence of the Dies committee.

From the testimony of William Dudley Pelley, head of the Silver Shirts, before the Dies committee on February 7, 1940:

I founded the Silver Legion in 1933 * * * to propagandize exactly the same principles that Mr DIES and this committee are engaged in prosecuting right now—in other words, antagonism to subversive influence in the United States (p. 7208 of the hearings).

In the course of the hearings a portion of Mr. Pelley's propaganda was read to him, as follows:

We leaders are risking our lives to write a new page in American history. We do not propose to see America made the rag bag and wastebasket for an element that Hitler is controlling in Germany.

After reading this extract, Mr. Pelley was asked:

What is your comment on that?

Mr. Pelley replied:

Isn't that exactly what the Dies committee is doing? (p. 7236).

This approval of the Dies committee was stated by a man who under oath testified freely that he approved "the work of Hitler" and "his manner of controlling Germany."

Many patriotic citizens support the Dies committee, as has been brought out. On the other hand, equally patriotic citizens bitterly condemn the Dies committee.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 1 additional minute to the gentleman from Washington.

Mr. COFFEE of Washington. Mr. Speaker, I regret that although we were promised by the Rules Committee 3 hours of discussion, it has now been cut down to

1 hour, and the time is not sufficient to afford us an opportunity to debate the merits of the resolution.

I have here a few editorials from leading newspapers of the United States opposed to the Dies committee. One of them is PM, a New York daily newspaper; one is from the New Republic; another is from the Nation; another is Time magazine; another is Newsweek; another is the Springfield Republican; another is from the In Fact. Another is from the Galveston News; another is by Ernest K. Lindley, a leading nationally known columnist.

I have here a list of 500 of the leading intellectuals, writers, and thinkers in the United States, petitioning this Congress to disband the Dies committee.

Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks and refer briefly to some of these editorials, by quoting herein excerpts therefrom.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FISH. Mr. Speaker, I yield 1 additional minute to the gentleman from Washington, if he so desires.

Mr. COFFEE of Washington. I thank the gentleman very much.

I have not time now to read any excerpts from these editorials other than to remind you that there are plenty of magazines and newspapers in this country that take the view that the Dies committee, having already expended $385,000, and not having exposed clearly as a fascist Mr. George Sylvester Viereck, not having found out about Laura Ingalls, not having pitilessly exposed the Christian Front in New York, not having found out about the numerous German spies who have been apprehended by the F. B. I. and are now being prosecuted, has already forfeited its right to continuation. I shall attach some pertinent editorial expressions. It seems to me that we now have agencies within the Federal Government empowered to carry on the work of exposing un-American activities, agencies which will do it in a legal and ethical way, carrying out the principles of the American Bar Association as set forth in its legal ethics code, according to the accused the right to a hearing and permitting him to be present and to be represented by counsel.

Mr. Speaker, the Federal secret service, the Army and Navy Intelligence, the F. B. I., the Department of Justice, are equipped to perform completely and efficiently the exposure of subversive activities in a way which will bring to justice those culprits guilty of undermining our form of government. They are performing assiduously every day, without fanfare, without newspaper notoriety, but with results which are very apparent to the casual researcher.

I am no defender of communism, nor of the Communist Party. I am not appearing in the role of critic of the Dies committee motivated by any sympathy by, or affiliation with the Communist Party. Like Wendell Willkie and the St. Louis Globe-Democrat, I concede it to be my high patriotic duty to resist legislation insuring the continuation of this committee. I want no committee to be permitted to function whose activities so palpably menace the good relationship between the United States and the Soviet Union.

The other day Radio Berlin broadcast a jibe at the United States, as it is wont to do daily, but this time it directed its special attention to the gentleman from Texas. The German announcer broadcast in English that Herr DIES must have been embarrassed if not humiliated, because Gen. Douglas MacArthur had sent a cablegram of friendly greeting to Joseph Stalin, Dictator of Russia, complimenting the Russian Army for having achieved the greatest military upset and victory and all-round army accomplishment in recorded history. Gen. Douglas MacArthur freely employed superlatives in lauding the intrepidity and tenacity of the Russian Army in their engagements with the Nazi invaders. The German broadcaster thus called attention to the Dies committee's frequent sneers at the Soviet Union and the many remarks made by the chairman of that committee on public platforms throughout the country reflecting upon the U. S. S. R. at a time so critical to the destiny of the United States. We can't afford to offend the Soviet Union, much as we may disagree with its philosophy of government. This is no time for any official committee of Congress to be tossing brickbats at our Allies. We should, on the other hand, be following the inspiring example of that military genius in the far Philippines who has demonstrated his right to respect and admiration—the incomparable Doug MacArthur, the exploits of whose leadership and whose army have thrilled all patriotic Americans to the very core of their being. We have reason to know that Russian officials are offended by the indiscriminate reflections upon the Soviet Government made by the irrepressible gentleman from Texas, the chairman of the committee under discussion today. Recently, the gentleman offered two amendments to a bill affecting citizenship rights in the House of Representatives. These amendments were overwhelmingly defeated. The erudite chairman of the House Judiciary Committee, the gentleman from Texas [HATTON SUMMERS], in opposing his colleague's amendments, gravely deplored any action which the House might take which might jeopardize the cordial relations between the United States and Russia.

Whether we like it or not, Russia is the one country in the world today which is making a decisive military stand and accomplishing effective results against the Nazi hordes. We need her fighting with us side by side. We should render her honor for her sacrifices. The State Department should have intervened in this matter of continuing the Dies committee, and should have pointed out to the Members how the very security and future of our country is threatened by an unfavorable reaction at the hands of the Soviet Union. Is it not possible for this House to recall that we are engaged in a war against Japan, against Italy, and against Germany, and that our most potent ally, our most tireless and yet sensitive cobelligerent, is Soviet Russia? Great God, gentlemen, we are dealing with dynamite today. This is no time for maudlin sentiment and paying homage to old shibboleths. This is reality—grim, stark, blazing reality. We are faced by conditions, not theories. It is unfortunate that those in charge of our foreign relations, and those Army and Navy officers who have made joint war plans with Russian high army and navy officers, were not sought out and their opinion solicited in connection with this situation.

Here are some pertinent editorial expressions which should be of interest to the House in connection with the continuation of the Dies committee.

St. Louis Post Dispatch:

THAT MAN DIES AGAIN

If MARTIN DIES, the voter-repudiated Texas politician, has his way about it, he is going to break the record of the nine-lived cat. He wants another $100,000 to finance another year of peeking under the bed, and the House Rules Committee has sent the request to the floor.

Apparently in an effort to give it a touch of wartime justification, DIES has disclosed that the President and the State Department prevented him from holding public hearings last year regarding Jap subversive activities. In other words, we suppose that, if it hadn't been for President Roosevelt, Secretary Hull and also the Attorney General, MARTIN DIES would have prevented Pearl Harbor.

That is a lot of claptrap. At that time, we were striving to maintain peaceful relations with Tokyo, and Jap-baiting would have been no help. Why did not DIES hold secret hearings, or, better still, whisper a word or two into Edgar Hoover's ear, or to the Army and Navy intelligence staffs?

DIES has been operating for a long time now by virtue of a statute which authorizes Congress to conduct investigations with a view to the enactment of legislation. The country has yet to hear a meritorious suggestion of that nature from his committee. As a matter of fact, he has turned it into a one-man show which has stimulated the sort of prejudices which, unfortunately, have a cash value on some lecture platforms. He has gone Mrs. Dilling and her redbacked book one better.

The United States needs to be vigilant. If some of us did not fully realize that before Pearl Harbor, we certainly do now. But what can DIES contribute to national vigilance? His show has gone on long enough. It has degenerated into something little better than a personal racket. It's time to call a halt.

For $100,000, we can buy three medium tanks.

The Herald, of Spartanburg, S. C.:

DIES WANTS MORE MONEY

Representative DIES, chairman of the congressional committee investigating un-American activities, has asked for an appropriation of $100,000 to enable a thorough investigation of the activities of the Ku Klux Klan in every State. The request was made after Mr. DIES had a conference with the imperial wizard of the Klan. The meeting was behind closed doors, and Mr. DIES said the Ku Klux Klan potentate had promised cooperation with the committee.

Why the imperial wizard should ask this investigation is not known. Why the Government should appropriate $100,000 to prolong the life of the Dies committee that it may make the investigation is not to be understood.

Mr. DIES likes the spotlight. He has spent much public money to air his personal views on the dangers to the Nation. He may have done some good. We cannot say that he has

not. But if the Congress desires to get somewhere with appropriations for investigating un-American activities, we believe the American people would like to see the money turned over to the Federal Bureau of Investigation. Let Hoover do the trick, and forget Representative DIES.

Kenneth G. Crawford, in the newspaper PM, New York City:

BREAK IT UP, BOYS

All the people of the United States of America—and particularly those who will be eligible to vote in the forthcoming congressional elections—should read two recent issues of the CONGRESSIONAL RECORD (March 4 and March 6).

These two issues record what happened to TOM ELIOT, a new Member from Massachusetts, when he undertook to hold Chairman MARTIN DIES, of the House Committee on Un-American Activities, responsible for some misrepresentations of fact about the committee's work and to expose the committee's recent Yellow Paper as the fraud it is.

On the earlier occasion the House cheered a speech in which DIES was so corny that any group of bright sixth-grade boys and girls would have laughed at him On the second occasion the House deliberately gagged ELIOT by adjourning in the midst of an address in which he proposed to show up the Yellow Paper hoax.

Most Americans will be baffled by the two incidents as set forth in the CONGRESSIONAL RECORD. Why was ELIOT put on the spot by the House, made the butt of slurs and reprimands, when DIES was the Member whose statements wouldn't stand examination? Why was ELIOT gagged and not DIES? Why is our Congress no longer a forum in which free speech is upheld? What goes on here anyway?

All these questions can best be answered, perhaps, by another incident that the CONGRESSIONAL RECORD does not mention. Representative JOHN RANKIN'S secretary accidentally sent to the Public Printer a letter addressed to the public schools of Mississippi, in which RANKIN offered to provide every school with an autographed photograph of himself suitable for framing. The letter was deleted from the RECORD to save RANKIN embarrassment.

DIES and RANKIN are both old-timers in the House. They are both pretty average fellows with rather vulnerable records. Neither one, in all probability, could get another job as good as his present one if beaten for re-election Lots of other Members of the House are in the same boat. So they stick together, protect each other, promote each other. When a newcomer like ELIOT undertakes to show them up, they gag him.

Free speech is nice, but it is not to be tolerated if its going to hurt one of the boys, particularly one of the boys who, like DIES, has for several years been making good in the newspaper headlines. Sure his stuff is a little phony So what? He's shown up some Communists, hasn't he? What if a few innocent people—outside the club—have been hurt? He's made life miserable occasionally for the big fellow in the White House, hasn't he? Isn't it good in uncertain times like these to divert public attention from Congress by keeping the White House under fire?

That is the attitude of many, perhaps most, Congressmen toward MARTIN DIES. It is the attitude which assures renewal of the committee. It is the attitude which will persist, unless the voters decide to say at the polls this year:

"Break it up, boys. We want a wartime Congress, not a peacetime, mutual-aid demagogues' club."

KENNETH G. CRAWFORD.

Time magazine:

DIES IRATE

Should the Dies committee be continued? That annual question was up again before the House. The answer would be "yes"; MARTIN DIES would perhaps get another swatch of money, perhaps another $100,000.[1] In the meantime he had some bad moments.

Many a House committee witness testified on the un-Americanism of DIES' study of un-Americanism. One well-noted point: In Axis propaganda broadcasts, according to Federal Communications Commission listeners, MARTIN DIES was one of the most-praised of all Americans

Red-faced, MARTIN DIES demanded an explanation. Federal Communication Commission's Chairman Fly, a favorite Dies target, replied:

"Representative DIES received as many favorable references in Axis propaganda to this country as any living American public figure. His opinions were quoted by the Axis without criticism at any time. The remarkable thing is that Congressman DIES should be presented to Americans by Nazi and Fascist propagandists as an authority whose opinions should be heeded."

Scarcely had this deft needle slipped in when up rose Massachusetts' young THOMAS H. ELIOT to deliver the sharpest attack on DIES the House ever heard.

"[The committee has] all too often acted irresponsibly * * * Rash and reckless in a time of national danger. * * * The Dies committee's definition of 'subversive' is so fantastic as to defy belief. A vote against the Dies committee is a vote for responsible government."

As evidence, young TOM ELIOT cited chapter and verse from a new Dies dossier of "subversive" Government employees. On the list, said ELIOT, were:

An employee who endorsed the National Youth Administration (also endorsed by Warden Lewis E Lawes and a member of the Dies committee).

One Mary Johnson—because a different Mary Johnson drew a picture for a Communist paper in 1936.

One George Saunders, a Roman Catholic from San Francisco, listed by DIES as a Communist of Pittsburgh.

An employee who once signed a petition against the Dies committee.

Gazette, of York, Pa.:

NOT ANOTHER CENT FOR DIES

MARTIN DIES will soon be asking the House of Representatives for more money with which to continue investigating un-American activities. That is the purpose for which his committee was created and for which money has been appropriated by the House. What has actually happened, however, is very different.

Mr. DIES has followed the fascist line from the very moment his investigations started. It has beome so typical that it is surprising that he has been allowed to get away with it for so long. The technique is to make conversation about running down Nazi and Fascist subversive influences and actually put all the effort into investigating Communists and Communism in the process whereof attempt is made to smear every liberal of however mild opinion with the stick of Communism.

DIES' investigations have been almost completely ineffectual so far as tracking down the real enemies of the Nation are concerned. Fascist organizations have surely been handled lightly by him and his agents, while witch hunts have been engaged in to discredit every liberal movement DIES ever heard of. It has only been a few days ago, for instance, that he attempted to discredit Leon Henderson, Price Control Administrator, by associating him with the Technocracy movement which had quite a vogue during the early days of the depression. Certainly Mr. DIES was only showing his ignorance in making this charge. Even though Mr. Henderson had been as close to the movement as DIES asserted, which he was not, it would be no reflection upon him. Every thinking man was interested in any proposal to better economic conditions and to alleviate the consequences of the depression which was so seriously affecting our body politic. Technocracy was one of the ideas suggested as a way to bring back prosperity. It received the attention of a great many persons sincerely interested in improving conditions. They studied it for what it might be worth. It was found lacking and we have heard little of it for some years.

When DIES attacked Henderson, who is a sincere and hard-working patriot, for having investigated technocracy, he was once again attempting to besmirch a liberal merely because he is a liberal and for no other purpose. And he was so attacking Henderson because he, DIES, is a Fascist and is using the methods of that kind of people in an effort to discredit liberalism in general.

If we were in the least jealous of our democracy and of our American way of life, we would rise up in arms against DIES and his witch hunts and we would make our opposition to him so vocal that the House of Representatives of our Congress would refuse to appropriate one more cent to enable him to continue his un-American activities. For that is just exactly what they are so far as the general average is concerned.

MARTIN DIES has long ago forfeited any right that he might have had to conduct such investigations as the committee headed by him has been proposing to conduct these many years. What with his attempted besmirching of Governor, now Supreme Court Justice, Murphy, Leon Henderson, and many other sincere patriots whose only offense was to attempt to make their country a better place in which for all of us to live, he has definitely ranged himself with the Fascist elements of the country who in their hearts hate democracy and are forever conniving to undermine and destroy it.

Not one cent for more witch hunting should be the answer to DIES. Not one cent to further the interests of the Fascists by drawing red herrings across the trail and attempting to discredit good Americans who really believe in the democratic way and are willing to do what they can to make this a government of the people, by the people, and for the people, in fact as well as in theory. After all, we are fighting fascism abroad. It is ridiculous that we should permit MARTIN DIES, one of our outstanding American Fascists, to conduct investigations which inevitably result in attempts to cast discredit upon liberalism by insinuation that it is communistic, which in truth it most decidedly is not.

Herald, of Cheyenne, Wyo.:

IT'S RESPECTABLE NOW

MARTIN DIES' investigation of anti-American activities blew up in his face because Germany's invasion of Russia stole his trump card, without which he could not make a bid for lasting fame as an eradicator of subversive elements. He was all set to make public a list of defense officials who had invested in Russian bonds. As matters now stand, it is perfectly O. K. for a lease-lender to have faith in a foreign country to which he is helping ship war matériel in accordance with White House policy. In fact, it is downright respectable.

It is known that the Texas representative would love to kiss and make up with the

[1] He has already spent $385,000 since 1938.

President. He would like to ditch his House probe, even though he did an excellent job beating the bushes and flushing "pinks." The international picture is shifting too rapidly for any committee, in an administration-controlled Congress, to analyze in detail the tie-ups between Government employees and subversive alien creeds.

DIES had the naive idea that it would be a valuable contribution to Americanism to inform the public which of its officials were investing in the securities of a country which officially was financing and directing attempts to destroy our way of life. He obtained from an internationally famous New York bank the list of persons receiving Soviet dividend checks, and compared it with the roster of persons living off the taxpayers. The number and prominence of names which appeared on both lists was astounding at the time. Now it is not.

Evening Post of New York City:

Representative DIES' newest "exposé" seems insubstantial. He is outraged because reporters for the Daily Worker have visited Army camps and the Naval Academy at Annapolis. The menace, as DIES puts it, has two prongs: (1) Daily Worker reporters are likely to popularize communism in our armed services; (2) Daily Worker reporters are likely to pick up military secrets for transmission to Moscow.

Mr. DIES is an investigator. The Diarist, who merely messes around with words, feels bashful about challenging the Representative's thesis. Yet we doubt that the Daily Worker reporters, in a few hours' time, will succeed in subverting the Army. Daily Worker reporters presumably print their best arguments in the Worker Unless the Communists have been holding back on us, they just haven't a sales talk good enough to capture Fort Dix.

And we suspect that those military secrets lying around in the open aren't worth collecting. Moscow must know a good deal about our equipment; if it doesn't, Mr. Harriman's trip was a waste of time. He was supposed to tell Russia just what she, as our quasi-ally, could expect in the way of American-made matériel

Hasn't it been rather long since Representative DIES turned up evidence of Axis-inspired subversive activities? Since Russia switched over, and subversion is no longer the party line, German, Japanese, French, and Spanish influences have been the real concern. What has the committee got, for example, on the Spanish Falange.

Springfield, Mass., Republican:

DIES COMMITTEE'S RECORD AND FUTURE

The Dies committee of the National House has been functioning since 1938, and Chairman DIES now seeks to have the House renew its life for another year. The American Civil Liberties Union points out that "not a single piece of legislation has resulted from the investigations."

While new laws may not be a complete test of the committee's usefulness, the absence of any legislation on the statute books to be credited to the Dies committee's persistent investigations indicates that the committee does not enjoy the confidence of Congress. If this inference is justified, why should the committee get further authority to run an inquisition? Congressional investigations are held for the purpose of obtaining information that would aid the legislators in framing new statutes.

Now that war has come the job of running down subversive activities and exposing disloyalists is in the special field of the Department of Justice and the Federal Bureau of Investigation, which are adequately equipped for the work. While the Dies committee can only smear, the Department of Justice can prosecute; and a prosecution at least gives the accused a chance for defense before a judge and jury. Many of the Dies committee, including its chairman, have an obsession against liberals. One of the members, a Mississippi Congressman, is now quoted as saying that any person who loves his country could well afford to submerge so-called civil liberties until the war is over. That attitude is not the attitude of the administration as defined by Attorney General Biddle. So-called civil liberties, he has declared, are still to be safeguarded.

The Dies committee should be submerged rather than civil liberties, so-called. In any case, the committee's continuance cannot contribute to the winning of the war so much as to continued publicity for Chairman DIES.

News and Observer, of Raleigh, N. C.:

DIES AT IT AGAIN

Representative MARTIN DIES, of Texas, is at it again. The war has changed the viewpoint of many people, but not that of MARTIN DIES. He can still find no better use for his time than to devote it to baiting Reds, real and imaginary.

When the House of Representatives had before it the bill which would expand the present law requiring registration with the Secretary of State by agents in the United States of foreign principals, three Dies amendments aimed at Communists and German Bundists were adopted.

The Senate refused to accept the amendments and the entire Judiciary Committee of the House recommended that they be stricken out. After appeals from its leaders that this is no time to go out of the way to antagonize Russia, the House on last Wednesday threw the amendments out of the bill by a vote of 228 to 40. But while an overwhelming majority of the House refused to follow DIES in this instance, it is significant that his demand for a roll call vote was denied, although the concurrence of only one-fifth of those present was necessary to secure roll call.

Sooner or later the House will have to go on record concerning DIES. The sooner the better. The earliest opportunity will come when DIES next makes his periodic request for an extension of life and further appropriation for his Committee on Un-American Activities.

The request should be denied. There are differing opinions as to the value of the activities of the Dies committee before the war but there should be general agreement on the proposition that such matters should be entrusted in times like these to some one possessing more poise and better judgment than DIES has demonstrated. All energies should now be directed to fighting Germans and Japanese rather than to keeping alive old quarrels with Russia, which is now making the most effective fight against Germany.

Christian Science Monitor, of Boston, Mass.:

GIVE IT TO THE FEDERAL BUREAU OF INVESTIGATION

There are a number of better ways of spending $100,000 than by renewing the appropriation asked in the House of Representatives for continuance of the Dies committee.

This committee occasionally in the past has served a useful purpose. But its methods have not always been those to inspire confidence. Its investigators, on the basis of loose generalization, have blackened the reputation of many who were given little chance to defend themselves; in recent weeks the outgivings of the committee have overlapped the functions of other Federal investigatory agencies.

A potentially valuable job might be done in exposing the present sources and channels of pro-Axis propaganda in the United States. Another and distinctly important job is being done by the Federal Bureau of Investigation in rounding up enemy aliens and plotters on specific evidence.

To the first of these jobs the Dies committee already has made some contribution. Testimony of George E. Deatherage before the committee furnished part of the basis on which this former leader of the Knights of the White Camellia has been excluded from work for the United States Navy Department. But the evident reluctance with which Mr. DIES and his committee went into the activities of the various American Fascist groups after a long preoccupation with the Communists and their fellow travelers has been followed by weeks of talk without action since the Axis Nations became declared enemies of the United States.

In fact, during the very months when the Federal Bureau of Investigation needed its every man to protect the Nation against sabotage and conspiracy, a number of its agents have had to be detailed to the investigation of a long list of citizens placed under suspicion by the Dies committee because they belonged to organizations which in some instances included also such outstanding Americans as former Chief Justice Charles Evans Hughes, William Allen White, and Carter Glass.

If the immediate task is to protect America from saboteurs and other enemy agents, the Federal Bureau of Investigation is the agency for that job. The need for this purpose is not hearsay testimony or promises of sensational disclosures that may tip off the quarry. The need is for actual evidence presented to grand juries without publicity until there are indictments and arrests. The $100,000 for the Dies committee is an item that could very well be saved or transferred to the Federal Bureau of Investigation.

The following is an editorial from the Building Trades Union Press, American Federation of Labor, New York City, February 28, 1942, on the Dies committee:

WHY IS DIES EASY ON FASCISTS?

If appeasers and Nazi agents are to be tracked down and exposed it will be in spite of Representative MARTIN DIES.

George Deatherage, head of the Fascist Knights of the White Camellia, has finally been driven off an important job on a $25,000,000 naval construction project, deemed vital to our defense. How he smuggled his way into this vital post is still unknown.

Yet DIES knew about Deatherage way back in September 1939, when he promised, in a radio address, to investigate this Fascist. Of course, he never did.

A number of other isolationist Congressmen, including Representative FISH and Senators NYE and CLARK, have been linked with Nazi propagandist George S. Viereck, who is on trial for failing to register as a foreign agent.

Yet DIES knew about Viereck's activities in August 1938, when he promised to investigate the Nazi propagandist. DIES not only failed to expose Viereck, but even let him go off to Europe on a trip.

More to the point would be an investigation of DIES himself. Let him tell why he appeared on the same public platform with Nazi Fritz Kuhn, and was on friendly terms with American Fascists; why he failed to expose Deatherage and Viereck; or why he persistently attacked administration and labor leaders.

The following is an editorial from the Hartford (Conn.) Daily Courant, March 6, 1942, on the Dies committee:

ANOTHER DIES "SENSATION"

It has been the custom for MARTIN DIES, chairman of the House committee investigating un-American activities, to go into

spectacular action shortly before Congress votes on continuing the inquiry, and this year brings no exception to the rule. He is seeking $100,000 to extend the life of his committee, and, to emphasize the value of its work, he is once again dealing in sensational discoveries.

For instance, the committee report just issued relating to Japanese under-cover activities in the United States makes the startling point that Mr. DIES and his associates wanted to hold hearings last fall to expose enemy espionage, but neither President Roosevelt, Secretary Hull, nor the Department of Justice would consider such action. The heavy implication is, of course, that if Mr. DIES had been given free rein he would have cleaned up the spies and perhaps prevented the disaster at Pearl Harbor.

That is so much headline "hooey." What really occurred was that Mr. DIES was asked by the Department of Justice to turn over evidence of Japanese espionage to it, instead of holding noisy public hearings at a time when the State Department was endeavoring to maintain peaceful relations with Tokyo. On August 24, 1941, Mr. DIES informed the Attorney General's office that his "evidence" belonged to him, and that if the Department of Justice desired such knowledge it should use its own agents.

This situation is a typical chapter in the history of the Dies committee. It is part of the bungling, self-publicity, and careless smearing that have not only embarrassed the administration but in some cases unhinged the defense against subversive elements by flushing suspicious coveys before the Department of Justice had evidence enough to arrest and indict. It is well to remember that the functions of the Dies committee are limited. It has no responsibility for enforcement of the law against traitorous and disloyal groups. It is a legislative board, not a second Federal Bureau of Investigation. The actual enforcement of the law remains with the Department of Justice. The obligation of the Dies committee is to keep Congress and the public informed as to activities that are inimical to the American system of government and to sponsor any new legislation that may be needed in this field.

In this instance, as in others in the past, it is apparent that the committee was seeking to move beyond its legislative task in the pursuit of sensational testimony. Because the administration was disinclined to track down saboteurs through hearsay evidence or promises of earth-shaking disclosures, Mr. DIES would now have the public believe that his "hot dope" was disregarded out of sheer professional jealousy.

If this is to be the contribution of the Dies committee to internal vigilance, its usefulness is clearly at an end. The $100,000 could well be saved or added to the worthwhile program of the Department of Justice.

THE DIES COMMITTEE UPSETTING AND DEMORALIZING TO CONSUMER ORGANIZATIONS

We have spent and are now spending millions to get consumer cooperation in the drive for victory. The administration is wooing the consumer and consumer groups, but the Dies committee has been chasing them with a big stick.

The need for consumer cooperation was realized long before the outbreak of the war. When the National Defense Advisory Commission was set up a consumer's division was immediately established in charge of a commissioner Early in 1941 the Consumer Division became associated with O. P. A. C. S.—later O. P. A.—and the Commissioner in charge became Associate Administrator of O. P. A. C. S.—Defense, now Victory, the official bulletin of the Office for Emergency Management, volume II, No. 15, page 3.

The policy of the defense authorities toward consumers was stated in an address on December 2, 1941, by Associate O. P. A. Administrator Elliott, in charge of the Consumer Division—the Division is now under the direct charge of O. P. A. Administrator Henderson:

Seeing that consumers get the best value for their money is vital to defense, for any weakness, any waste, any improper use of our economic or material resources will, at some point of place or time, hinder the defense program. * * *

The Consumer Division has a role imperative to the success of our national effort. * * * Our land of plenty is insufficient to meet today's need in the short time history has allotted us. We don't have surpluses. We do have scarcities. * * * It is this urgent need to eliminate waste, to avoid the loss of economic energy, that has thrown the problems of the consumer into the very heart of the defense program. (Defense, Dec. 9, 1941, vol. 2. No. 49, p. 13.)

On November 12, 1941, the Associate O. P. A. Administrator said:

The food we eat, the clothes we wear, the things we buy, the things we use, the dollars we spend, the pennies we save, all these are as much a part of defense as guns, tanks, and airplanes. Each one of America's 132,000,000 consumers holds it in his power to build defense by guarding these resources. (Defense, Nov. 12, 1941, vol. 2, No. 45, p. 14.)

The Dies attacks on the consumer movement have been widely reported and commented upon in the press. In the course of a special article in PM on February 3, 1941, it was reported that Mr. DIES had—

told a Madison Square Garden gathering that it was un-American to support the child-labor amendment. It was DIES whose blunderbuss shooting at un-American activities hit the consumer movement at the very time that Mr. DIES was playing footsie with Merwin K. Hart, the Fascist-bent economist.

When the Dies report, castigating the consumer movement and some 17 consumer organizations by name, appeared in December of 1939, the St. Louis Post-Dispatch described it as a sorry attempt to injure an increasingly helpful work.

THE DIES COMMITTEE'S POOR PROCEDURE THE CLINCHING ARGUMENT AGAINST CONTINUANCE IN WARTIME

The Dies committee's behavior has been bad, so bad that the act of continuing would alone be a serious blow to the democratic ideals for which we are waging war. The following judgments of the work of the committee are chosen for their brevity from among the many which are available. Comment upon them is unnecessary.

Three experienced Washington correspondents have written—Alan Michie, of Time, and Frank Rhylick, of the New York Post:

The newspaper reports of the proceedings did not carry a mention of the superficial, unlegal manner in which the hearing was conducted.

* * * * *

The procedure never varied. Unlike other congressional committees to which the accused are summoned and damned or forced to confess by an overwhelming burden of proof, the accused were conspicuous by their absence from the Dies committee meetings. On the other hand, the accusers were allowed to put into the RECORD hearsay evidence, personal opinions, and the backwash of their wildest imagination.

* * * * *

A poll by the New York Daily News revealed that only 2 out of 19 reporters thought the hearings were fair; the majority agreed that the Dies committee was putting on one of the most fantastic performances ever staged in Washington, where fantastic performances are not unknown. (Dixie Demagogues, pp. 56–57.)

The titular head of the opposition party, then in private business:

Wendell Willkie, public-utilities executive, assailed the Dies committee investigating un-American activities yesterday for employing methods "undermining the democratic process." He charged the House group with ruining reputations by publicity, inference, and innuendo, while denying to witnesses the protection of counsel and an adequate opportunity to answer allegations.

* * * * *

"The democratic process," he asserted, "cannot go on and will be gradually undermined if men can b put on the witness stand without protection of counsel and without adequate opportunity to answer.

"There is no more cruel way of destroying the reputation of a man than by publicity, by inference, and by innuendo—and it has been done to hundreds of businessmen and public figures heretofore. I have hesitated to speak on it before because I might be thought of as self-serving and self-protecting, but now it is not my associates who are being investigated." (New York Times, November 2, 1939, p. 14, col. 4.)

A distinguished Federal judge:

Raids last month by agents of the Dies committee * * * were held illegal today by Federal Judge George A. Welsh.

"Let the seal of judicial approval be placed upon each constitutional violation and liberty of the person and liberty of religious and political thought and action will have vanished from our land," the court declared.

A committee of over 100 members of the bar:

6. That the Dies committee, while giving lip service to impartiality and fair play and proclaiming its devotion to Americanism and American institutions, used its hearings, the forum provided by Congress, for the dissemination of irresponsible slanders against honest public servants and private individuals and against public-spirited organizations, on testimony consisting of surmise, conjecture, unfounded opinion, unsupported conclusions, and unwarranted deductions without any attempt at verification or confirmation, which no self-respecting, fact-finding agency anywhere would consider—a proceeding wholly unworthy of a committee of the legislative body of a great and free Republic. (Findings from a study made of the Dies committee in 1939 and signed by over 100 attorneys, including Frank P. Walsh, of New York City, Prof. Louis L. Jaffe, of Buffalo, Prof. D. James Farage, of Carlisle, Pa., etc.)

Mr. Speaker, I submit that the Dies committee, on the face of the record, has shown itself not to be entitled to continuation. I submit that the committee has demonstrated itself to be the foe of groups the Government is trying to unite in the war effort; the tool of big business; the disrupter of relations with our military Allies; the creator of internal confusion, hub-bub, and disunity; the implacable antagonist of the New Deal; the avoider of fair judicial and committee

procedure; the exemplar of marked solicitude in its treatment of American Fascists; the grantor of the committee forum as a platform from which Jew-baiters, crackpots, and totalitarians identified with Fascist organizations spouted their nauseating nostra. These, and many other attributes, omissions, and commissions of the committee, make it, in my judgment, deserving of a quiet and not too well heralded funeral.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMAS], a member of the committee.

Mr. THOMAS of New Jersey. Mr. Speaker, the most successful weapon against fifth-column activities in the United States has been the Dies committee. The most insistent antagonist of spies, saboteurs, and purveyors of foreign ideologies has been the Dies committee. The one agency of the Government which has continually fought the yoke of bureaucratic influence has been the Dies committee.

For 4 years this committee of the House of Representatives has investigated and exposed un-American agents, subversive groups, and their many fronts. We have made no exceptions. We have let the chips fall where they may. Communists, Fascists, Nazis, Japs, and Falangists looked all alike to us.

Volumes of testimony on these subjects has been taken. Thousands of exhibits have been correlated. Hundreds of thousands of names of individuals who at one time or another have been members of, or have sponsored un-American organizations and their fronts, are card-indexed in our files. This is but a part of the voluminous records of the Dies committee, but based on these records, exhibits, and files, it is safe to say that our committee is second to no existing agency of the Government when it comes to a knowledge of un-American organizations and their technique.

Our committee could have accomplished even more, however, if it had not been for the obstacles placed in its way. I do not refer to the obstacles which were natural to expect—such as those placed in our path by the Communists, the Fascists, and others coming under our scrutiny, but I refer to those which our own Government cast before us. At no time did we ever get so much as a blessing from the White House.

Further, the Dies committee was always hampered by lack of funds. Today, with the Nation at war, with the biggest job before our committee that any special committee of the Congress has ever been called upon to undertake, I hope we will not be forced to operate with limited funds. Let us not bleed the committee to death. That is the specter we want to guard against, and that is the action being prayed for today by the enemies of the committee.

I will leave to our reports and to other Members whatever revelations the Dies committee has made, or may make in the future, except to hint at one subject—and that is the danger which this Nation faces from Spanish Falangists. Spain's Franco is now doing in this hemisphere, through the Spanish Falange, what Hitler has for years been doing through the German-American Bund and other Nazi organizations. There are some hundreds of thousands of these Falangists operating in the United States, Mexico, Cuba, Puerto Rico, and in many of the Central and South American states. They are the new agents here of the Axis Powers. They are the latest crop of un-American termites, and, as such, are definitely under the scrutiny of your committee. More about the Falange, however, will be told to you and to the American people at a later date. In the meantime, all agencies of this Government, and all countries in the Western Hemisphere, should be on guard against Franco's Falangists and other Spanish agents.

So this new menace is but one more reason why we should continue the Dies committee. You and I can mention many more. As one who has lived with the committee since its inception, I could cite hundreds of reasons why this House today should pass the resolution before it. But one will suffice: The Dies committee may turn out to be the last remaining safeguard against the dictatorship of the proletariat in America. A vote for the Dies committee today may be a vote to save our own hide tomorrow.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Speaker, I want to say to the House a very personal word this afternoon, a personal word about myself, about the reasons that have not motivated the fight I have been making against the Dies committee, and about the reasons that have.

It goes without saying, as anyone who knows me can tell you, that I have never had any sympathy whatever with the Communist Party. I do not believe that Communists should hold positions of influence in this country. I cannot understand why any American should apparently feel that his first loyalty is to the government of any other country. But I oppose the Dies committee because in its perhaps praiseworthy hunt for Communists it has heedlessly and recklessly smeared and damaged the reputations of hundreds of loyal, decent Americans.

Further, in the field of the people who are our bitterest foes right now, the Fascists and the Nazis, the record of the committee is one of big promises and little or no performance. The most un-American activity that we have heard of recently in this city took place right across the street as George Sylvester Viereck walked unhampered down the corridor of the House Office Building and the Dies committee across the street did nothing whatever about him and never, never exposed that real subversive influence in this land.

Mr. Speaker, a week ago the gentleman from Texas—and I may say to the House and to the gentleman that at no time have I felt I was engaging in any personal feud—pointed his finger at me and said that I must learn at once to love and respect every Member of the House. You do not get to know everybody in the House in your first term, but I do know many Members and for them I have a very affectionate regard. I hope that in a few cases at least that regard is reciprocated.

However, Mr. Speaker, I have very deeply a respect for the institution of the House of Representatives. I have always felt that this House is the highest expression of representative government in action.

Mr. Speaker, my great-grandfather served in this House 90 years ago. I have looked forward hopefully to serving in this House since I was a boy of 16. I am opposing the Dies committee today because I have respect for this House and because the actions of the committee, the witch hunts, the publication of reports like the report on Japanese activities, which I have exposed in this House, have made the House itself in the eyes of informed people an object of ridicule and scorn.

Mr. Speaker, there is no political advantage to me in opposing this committee. There is virtually no C. I. O. in my district. There is very little C. I. O. in the new district I have been redistricted into.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. ELIOT of Massachusetts. I am sorry, I have not time to yield.

There is no political advantage, although it is interesting to note that since I started this campaign the mail that has been coming in has been coming in at a ratio of 1,000 to 1 against the Dies committee, including many letters from members of Legion posts, by the way, and commanders of Legion posts. It is interesting to note that all over the country the newspapers are getting aware of the record of this committee and are demanding its discontinuance. But we must not think of politics today. We have got to think of national unity and of working together with our Allies as well. For the sake of functioning democracy as distinguished from communism or fascism, for the sake of the dignity of this House, for the sake of national unity in the struggle ahead of us, I urge that this resolution be defeated.

Mr. FISH. Mr. Speaker, I yield to the gentleman from New York [Mr. BALDWIN], 3 minutes.

Mr. BALDWIN. Mr. Speaker, I rise in opposition to the passage of this resolution.

I have not been here long enough to know all about the activities of the Dies committee, so-called. I have no doubt in my own mind it has contributed on many occasions valuable service, but, in the first place, I am convinced—and when I say I am convinced I have to refer back to my legislative experience prior to coming to this House—as a legislator of 15 years' standing that a legislative body should not become a permanent investigatory body. We have other things to do and our investigating committees should be temporary and report to us on legislation that should be passed. In the second place, I am firmly convinced that today, when we come to national—I do not like to use the word "defense" because that is not a good word—but national offense—when we come to na-

tional offense, Mr. Speaker, I believe this kind of problem should be left in the hands of our military and naval authorities, and I do not say that idly. I have had some consultation on it and I believe I know how they feel about it. With all the splendid work the committee may have done, today our military and naval authorities should have charge of that business and should say when it should be published or not published, when it should be investigated or not investigated by any outside body, and I plead very earnestly, under those circumstances, for the defeat of this legislation.

Mr. COX. Mr. Speaker, will the gentleman yield to me?

Mr. BALDWIN. Certainly, Mr. Speaker.

Mr. COX. Remembering what old Isaiah said about the ox knowing his owner and the ass his master's crib, I am prompted to inquire of the gentleman if he is in any wise under obligation to PM, the uptown edition of the Workers' Union, which is leading the opposition to the continuation of the Dies committee.

Mr. BALDWIN. Mr. Speaker, I am glad to answer that. I am under no obligation whatsoever. On the contrary, they are under obligation to me.

Mr. COX. Did the gentleman make a visit to England at the expense of PM?

Mr. BALDWIN. Mr. Speaker, indirectly at the expense of PM, but it happened to be my idea, and that is how it was handled.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, I cannot conscientiously vote in favor of the resolution to extend the Special Committee on Un-American Activities, commonly known as the Dies committee.

Aside from all of the other matters which have been mentioned here, and which have received a good deal of publicity, I feel that this committee has utterly failed to expose the outrageous alien propaganda plot which has been going on right here in Washington, under the very nose of the committee.

Various organizations and newspapers have, in recent days, raised the very proper question: Why did the Dies committee fail to push its investigation of George Sylvester Viereck, recently convicted of violation of the Foreign Agents Registration Act and described by Department of Justice prosecutors as—

> The master mind of the Nazi propaganda machine, the false prophet of the false god in Berlin, spreading his germs of hate in this country.

The Dies committee cannot plead ignorance of the pro-Nazi activities of Viereck. In 1938 he was subpenaed by the committee and was then permitted to sail to Germany and so far as I know, was never recalled by the committee after his return.

The New York Times of August 4, 1938, contains a statement from the gentleman from Texas stating that he had subpenaed George Sylvester Viereck, and that Viereck had asked to be excused from testifying in order to sail for Europe as he had planned. According to Representative DIES' statement at that time Viereck intended to visit the ex-Kaiser and Hitler.

There is little doubt that Viereck proceeded on schedule. He visited Europe and returned to proclaim the merits of the Axis and to boast falsely that the Axis would protect the peace of the world.

Today hundreds of millions of people throughout the entire globe have learned the falseness of these statements. Apparently the Dies committee has not. That George Sylvester Viereck was brought to justice must be credited to another agency of our Government, and the committee's failure to expose him stands as a blot on its record.

Viereck was able to make contacts with Axis agents because for 25 years he has been the leading pro-German propagandist in the United States. Within his lifetime he has served a Kaiser and a Hitler. Within his lifetime he has twice attempted to sabotage the United States in the prosecution of a world war. Within a lifetime he has repeatedly betrayed the interests of the country which has protected him and allowed him to work.

The Congress has for almost 4 years allowed a committee of the House to idle away funds and to jeopardize the prestige of this highest body of the American Government. The Congress has for almost 4 years tolerated the undignified doings of a committee which has never fulfilled its mandate. I feel it is incumbent upon myself as a conscientious Member of this body to urge that the follies of our past be ended.

We are now at war. Above all there is no room for mere sideshows. The business of smashing subversive groups belongs urgently to the professional Government agencies that are really equipped for and capable of this job.

We have a responsibility today as the representatives of the American people to expedite the prosecution of the war and to assist the agencies of the executive branch of the Government primarily charged with the duty of fighting through to victory. To that end I recommend that this body restore to the law-enforcement branches the functions usurped but not fulfilled by the Dies committee. I urge that you join with me in voting to terminate this committee now that we may more rapidly reach victory over our Axis enemies.

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Speaker, I take this time to call attention to the way I think the people of the State of Wisconsin feel about this Dies committee. The National Federation of Constitutional Liberties wrote me a letter and asked me to vote against continuance of the Dies committee, and I wrote and asked them to furnish me with the names of the people in Wisconsin who had taken it up with them and were opposed to it. I find there are only five people in the State of Wisconsin who are opposed to the extension of the Dies committee so far as this Liberty League knows.

I think this is a time when we need somebody to do some investigating. I remember during the first World War the sabotage we had in this country, and I notice during the present war we are not having that sabotage, and the reason is because we have the names of so many of these people that would like to undermine this Government, and we know where they work and what they are doing. As long as this committee can find out where these fellows go and keep their fingers on them, we are going to avoid that experience. I am for any committee, whether in Congress or outside, that can do that for the American Nation at this time. I hope the resolution will be adopted overwhelmingly.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Speaker, as a member of the House Labor Committee I have voted to preserve the Wagner Act and the Wage and Hour Act. Most of my district is C. I. O., but the rank and file and the real labor leaders in my district are in favor of the continuation of the Dies committee. We have to do more than adopt this resolution, for this great body has a job to do in the future. We must follow through. It is our job to see that our defense plants are guarded and protected. We have had a little sabotage in the last few months, but if those plants are not protected we shall see more of it in the future.

Mr. Speaker, I never addressed the House with a greater sense of responsibility than I do now. It is becoming increasingly apparent that our defense program and the security of our country are in danger. It does seem to me important to be recorded in this critical hour so in the future anyone may turn to the CONGRESSIONAL RECORD and find many Members of the House ready for action against the subversive activities in America.

I would like to discuss briefly our dangers from within. Now is the time to eliminate the Red labor leaders from our labor unions. When I speak of Reds, I mean any individual representing the Axis or any other organization whose activities tend to overthrow our republican form of government.

In the month of June 1941 I introduced a bill which would eliminate the Red labor leaders from our labor unions. This bill was voted out of our Labor Committee last December. I believe that over 90 percent of our labor troubles are caused by Red labor leaders. Many businessmen, labor leaders, and the rank and file will bear me out in this. Reds do not strike for the benefits and better working conditions of the workers. Their objective is to delay defense production and create a world-wide revolution. They tried this out in 1934, but it failed in all States except California, according to the testimony given before the Dies committee.

My legislation is directed at a small group of un-Americans who will damage and wreck the labor movement if we let them. It is designed to protect our country, the rank and file of labor, American labor leaders, and increase defense production. Labor has promised to clean house. We have waited a long time for

them to act. Some of the Reds have been removed, but many of them still remain as leaders of our unions. Several labor officials admit it is impossible to remove all of them. It will take legislation to do the job.

The purpose of H. R. 5580 is to prohibit subversive individuals from representing employees in labor unions. If the Attorney General finds, after due notice to such individual and affording him an opportunity for a hearing, that he is a subversive individual, and by order so declares, then for all purposes of this act such individual shall thereafter cease to have and cease to be entitled to such status. In case any organization, agency, committee, or plan has a subversive individual as an officer, it ceases to have any rights under the National Labor Relations Act until it shows to the satisfaction of the Attorney General that no officer is a subversive individual.

We have had very little sabotage in our defense industries up to this time. This is due, in part, to the commendable work of the F. B. I., the Dies committee, and other agencies. Perhaps the time is not ripe for large-scale sabotage by the Axis. We know that there are numerous German, Japanese, and Italian agents in this country under orders from abroad. Their orders thus far have been to lie low, avoid detection, and be prepared to strike at the right moment to do the most defense damage and create the greatest amount of confusion. We cannot afford to relax and congratulate ourselves that we have taken adequate precautions against them. We need to be constantly and increasingly on guard. You may have some of them in your own community. They will probably try to get a foothold in our civilian defense program.

None but Americans should be placed on guard. The time has arrived to place a double guard, if necessary, around our defense plants, strategic materials, and food storage plants. Almost every day you can notice an article in the newspapers about an explosion or a fire in one of our defense plants. Several examples are *Normandie*, ordnance blast at Burlington, Iowa, wool fire in Boston, magnesium fire in Nevada.

Newspaper pictures have shown that some of our storage places are not well guarded. We need a department with authority to hire some two-fisted veterans or hunters who can shoot. This would be a good job for the veterans of the first World War to handle. It is better to have too many guards than too few. Do not forget it takes time to build these defense plants; let us protect them. To accomplish this purpose I have introduced a bill to provide more guards for our defense industries.

To do a real job against sabotage we must increase our restrictions on private airplanes. I know you will say that their licenses have been revoked and the owners are being fingerprinted. They are also double checked at the airports. However, there is nothing to prevent any pilot from taking off from a cow pasture or selling his plane to a subversive individual. If subversive individuals get possession of 50 to 100 planes and bomb our defense plants, we will lose time in rebuilding them. We have no time to lose. Of course, these pilots will be punished, but that will not save the powder plants. If the Government can take land, property, and tires, they can take private planes. The only planes that should be allowed to fly, except in exceptional circumstances, are military and air-line planes.

The time has come when all Americans must work, fight, and sacrifice if we are going to win this war. We must win in order to preserve our liberties and protect our high standard of living. America must wake up. America has no place for an individual who places any other flag, constitution, way of life, or any other ideals of government above our own. We must gird ourselves to resist all attacks on the American way of life.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Speaker, I am voting against the continuation of this committee, and I might as well say to you that in part it is personal. I have come near dying on the floor of this House since I have been here and I owe to the gentleman from Texas, Judge SUMNERS, the fact that I am alive now, I think.

I realize that this committee has done a wonderful work in some respects. I know that every man on the committee is of the highest patriotism, and I have learned to know and love and highly regard them, but I am of opinion that the work of the committee, which they have developed on the floor of the House, is dangerous, when we take into account that while Russia was one of our main Allies and source of help and protection, attack was made on them, to no use, highly dangerous, by the committee chairman while we were looking to Russia for help. These mistakes might occur again.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman 1 minute more.

Mr. FOLGER. Mr. Speaker, I do not feel that there is a sufficient and proper understanding between the activities of this committee and the Government itself. I do feel that the most efficient way of putting down and eliminating sabotage and things which are detrimental to us is through the F. B. I. and the Department of Justice and the Military and Naval Intelligence, and that all these should be controlled under one head. I am afraid we will gum up the situation if we keep this up.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, I am convinced beyond all doubt that the net result of the labors of the Committee to Investigate un-American Activities is harmful to the Nation's war effort. It has excited suspicion unduly, created distrust and disunity, and has embarrassed and hampered the orderly functioning of important departments of our Government. I am extremely fearful that it may by some injudicious or intemperate outburst bring disaster to the cause of the United Nations.

Its record is one in which the Congress can have no pride, and its procedure at times has been violative of what we Americans like to call fair play. No longer can I condone its misdeeds, and, having no hope that it will reform, I hope its continuance will not be authorized. Money appropriated for expenditures by that committee is worse than wasted. I shall vote "nay."

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. FISH. Mr. Speaker, I yield the gentleman 2 additional minutes.

The SPEAKER. The gentleman from New York is recognized for 7 minutes.

Mr. MARCANTONIO. Mr. Speaker, there are several points at issue which have been raised since the discussion with regard to the continuation of this committee commenced before the Rules Committee. One of them is: Who was responsible for Pearl Harbor? Of course none of us in the opposition took Mr. DIES' contention very seriously, except that we felt it was our duty to challenge his charge of dereliction against the administration and give the true facts to the Nation, particularly as the gentleman from Texas [Mr. DIES] had asserted that he had information which, if he had been permitted to reveal it, would have averted the tragedy at Pearl Harbor.

The record will demonstrate that no one prevented Mr. DIES from revealing his information and that despite the fact that the Attorney General had requested the information which the gentleman from Texas said he had, the gentleman from Texas has never furnished that information. We may argue this matter as much as we want; but there is one proposition that stands out, and that is that the Attorney General, on August 13, asked for the specific information which the gentleman from Texas said he had. The fact is that never has the gentleman from Texas turned over the information which the gentleman from Texas described to be of such character that if he had been permitted to reveal it, would have averted the tragedy at Pearl Harbor. It is true that recommendations were made against public hearings on the matter, but certainly with information of that kind in the possession of the chairman of this much publicized committee, it was his duty, it seems to me and to every reasonable person in this country, if that information was of such serious character, to at least whisper it into the ears of the Attorney General or to whisper it into the ears of Mr. J. Edgar Hoover, head of the F. B. I. That was never done. The correspondence is a matter of record.

I repeat, the record shows that despite the fact that the Attorney General on August 13 asked for that information, the gentleman from Texas never turned over that information to him, who is

charged with the apprehension and prosecution of spies and fifth columnists.

Now, with regard to the character of the information: Last Saturday afternoon before this House I had the long-sought opportunity to reveal to the membership of the House the character of the information. I showed how, page for page, comma for comma, period for period, most of this material was lifted bodily, word for word, from a news letter published in Los Angeles, Calif., by New Research Service, sold for 10 cents a copy, as far back as July 16.

In that discussion I granted the committee the benefit of every doubt. I even said assuming that the publisher of this News Letter went to the committee and said, "Gentlemen, here is material that you may use. You may copy it. I do not want any credit." assuming that that is all true, bear in mind, however, that the issue involved is not one of violation of copyright nor one of authorization. When this yellow book was published by this committee, what was it supposed to be? It was supposed to represent the work, the investigation, the translation, of whom? Of the Dies committee. Instead, what does it turn out to be? In page after page it turns out to be the work, the translation, the investigation of the person who issued this News Letter and who sold it to the public for 10 cents a copy on July 16, 1941

You can argue as much as you want on this proposition, but you cannot get away from that fact that these sections in the report are copied word for word. In one place, for instance, where the newsletter says, "Illustration on this page," and it has an illustration, the Dies committee, in making the copy, left out the illustration but forgot to omit the words "Illustration on this page." The seriousness of this lifting is not one of violation of copyright or of lifting without authorization. The deplorable and serious character of this word-for-word copying is that the committee misrepresented to the House and to the country as its work, words, translation, and investigation the words, work, translation, and investigation of someone else contained in a news letter published July 16, 1941, and sold for 10 cents a copy. This is the issue raised by my charges, and I trust Mr. DIES will stick to this issue of misrepresentation.

If you will turn to pages 1733, 1734, and 1735 of the report, you will find another translation lifted from another source; that is, the China Weekly Review, September 2, 1939. This was done again without giving credit to the source. No proof of authorization in this case. I challenge the gentleman from Texas to orate this one away.

I do not want to dwell on these things too long, because you cannot do much in 7 minutes. But why do these things happen in connection with investigations of Japanese, Nazis, and Fascists? Because this committee is not attuned, it is not prepared, it is not geared, it is not disposed, it is not capable in view of its record, to investigate these people who have been and are the real enemies of our country, as proven by world events. I call as my chief witness on that point none other than a distinguished member of that committee, the gentleman from California [Mr. VOORHIS], who on page A725 of the CONGRESSIONAL RECORD said:

> Some of the most important pro-Nazi and pro-Fascist people in America are highly placed and wealthy and powerful people whose activities are seldom if ever in the open. A third reason is that the committee has on its staff no expert in this field, no one who knows it from the inside.

The whole set-up, the whole background, the whole work, the whole activity of this committee guarantees its failure to do the real job against the enemies of the Nation in the future. The same reasons account for its failure in the past.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I refuse to yield. I have quoted the gentleman accurately, and I refuse to yield at this time.

This committee has been acclimated to and its activities have been based on what? On the anti-Comintern bogey, the brain child of the Rome-Tokyo-Berlin axis. Accordingly, the committee did nothing else but direct its energy toward building up bias, prejudice, and hatred against the Soviet Union. What a perfect job for Adolf Hitler. The results have been what? The results have been that its activities have been diverted from the real enemies of our country.

This committee therefore is untrained and unfit to do the job that has to be done today; namely, to investigate Japanese, Fascist, and Nazi activities within the United States. Let me quote to you from a very left-wing magazine, Collier's magazine, of March 7, 1942, an article entitled "I Don't Like To Travel" by Quentin Reynolds, a man whom we all respect, a man who has seen this war and has had close touch with it, who knows that this war is an anti-Fascist war. Here is what he said.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman one-half minute.

The SPEAKER. The gentleman may proceed for one-half minute.

Mr. MARCANTONIO. He said:

> It made one wonder, it made one wonder if some of the Washington committees which in recent years have spent so much time and money investigating Soviet propaganda in America, would not have done better to look into the sources of the anti-Soviet propaganda in America.

I submit that on the record and on the facts this committee has failed to investigate the real enemy, and in so failing it has tended to cause disunity, division, and disruption among those who are today joined in a collective effort to defeat fascism all over the world.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Speaker, I have heard it said that we do not need the Dies committee during a time of war. I submit that we need it more during a time of war than we do at any other time, because the work of subversive interests is more active and far more harmful during wartime.

I think the Dies committee has done one of the finest jobs that has ever been done by any committee since I have been in Congress. They assuredly have gone out and brought to the public attention the subversive interests in this country that were tying to fifth columns, and that whole subversive gang. Particularly at this time do we need this committee when this country is filled with a bunch of weak-kneed officials who have not the intestinal fortitude to do their duty, who sit in their offices and split hairs over the so-called rights of minorities. This is wartime, and we need a committee like the Dies committee to turn on the light of publicity where it is so badly needed.

Mr. DIES, I commend you, I congratulate you and your committee of real, courageous, red-blooded Americans for the splendid work you have done; I am surprised to know that any man in this House would ever come out and take up the other side of this question. I may be prejudiced, but I cannot see anything but the American side on your side of this question.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The gentleman yields back one-half minute.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, there can be no doubt that the amount of material on various kinds of antidemocratic activities which this committee has assembled is very great, indeed. Neither, in my judgment, can there be any doubt but that those people who are in positions of leadership in all types of antidemocratic organizations are opposed to the committee.

What I want to use these 2 minutes for is to speak about the future of the committee, whose continuation I assume. In my judgment, the future of the committee should be devoted primarily and with every bit of major emphasis at its command to the doing of a job of exposing and combating the work of people who attempt to create confusion in our country and to build up sympathy with the Nazi philosophy of government. Thus they seek to weaken America's war effort. I believe the whole record of the committee will stand or fall on the basis of how well it does that job. For our country is at war and our work must be focused upon its enemies.

The quotation the gentleman from New York read is a correct quotation from what I said in my speech of February 25 about the committee's work and the dangers of undercover Nazi and Fascist influences, but if he had gone forward he would have found that the reason I made the point I did was that I was saying that this committee should supply itself with staff members primarily equipped to do the sort of job I have

just outlined. I believe it should; I hope it will.

I believe also—and I would not be true to my own convictions in this matter if I did not say this, and I have said it many times in the committee itself—that the committee should function more as a committee.

What I mean by functioning as a committee is this: I believe regular meetings ought to be held at which time decisions about the committee's work and its public statements ought to be made. Second, I believe statements by the committee or its members bearing upon its work should only be made after a majority of the committee has approved. And I believe information in the committee's possession should be—as I am informed it has been—always available—all of it—to law-enforcing or intelligence agents of the Government, but not to anyone else except after committee action has been taken to release it.

That the committee has not acted more as a committee is due in part to the fact that it has never had regular meetings and partly to the fact that members have been lax about attending meetings when the chairman has called them.

America is at war. The duty of this committee is to expose the work of agents of the nations against which we are fighting and of those who give propaganda aid to such agents. Sometimes it will be the committee's duty to work very quietly indeed, simply passing on information to those who can make arrests and catch spies and do work of that kind which this committee cannot do. Sometimes it will be the duty of the committee to speak out and give information to the people directly.

[Here the gavel fell.]

Mr. WEISS. Mr. Speaker, I supported the Dies committee, House Resolution 90, on February 11, 1941. This was a resolution for the continuation of the Special Committee to Investigate Un-American Activities. This was during peacetime. We are now at war in a conflict which has enveloped the four corners of the universe. This is a titantic struggle between two different worlds, and one must fail. The liberties and freedoms that are our heritage are not only challenged, but civilization itself is threatened. Unity; yes, national unity is our only hope of averting a catastrophe, for the national danger is extremely grave and perilous.

Unity and cooperation with all nations opposing the ruthless Axis tyrants are a vital prerequisite to victory. And then victory can only be accomplished after a long, hard, bloody, and costly struggle.

Do the American people want congressional investigating committee chairmen in newspaper headlines blasting about Russian communistic dangers, as the gentleman from Texas, MARTIN DIES, did in his speech to the House on January 28? I detest communism and its unorthodox philosophy, but I pray and thank God that Russia and whatever they believe in and stand for are on our side in this present world struggle. As the distinguished and able gentleman from Texas, HATTON SUMNERS, coming from the same State as MARTIN DIES, so well said to the House recently, and I quote him:

> We must not knowingly insult any nation which is now engaged in this war as an ally of our own.

Since the creation of the Dies committee several years ago, approximately half a million dollars has been expended without one piece of concrete, constructive legislation submitted to Congress. Little was heard from the Dies committee about Japanese dangers until after Pearl Harbor, and now the gentleman from Texas [Mr DIES] says:

> If the Department of State had permitted us to investigate the Japs, Pearl Harbor would have been averted.

This statement hit the Hearst headlines all over the country—but on October 24, 1941—just a few weeks before Pearl Harbor, the gentleman from Texas, MARTIN DIES, speaking to the New Orleans Association of Commerce, said that—

> the Japanese policy was just a bluff—and not too good a bluff at that. A lot of Americans like myself would like to see them bring their coal burners out for a good licking, but they won't.

The gentleman from Texas [Mr. DIES] has been constantly offending our ally, Soviet Russia, instead of ferreting out Axis agents and Fascist leaders in America. The Federal Communications Commission Chairman in a letter said, and I quote:

> That the chairman of the Dies committee has been frequently and favorably quoted on Axis propaganda broadcasts beamed to this Hemisphere.

The Dies committee, in its reckless release of statements to the press which always hits Hearst's and other newspaper headlines, called un-American or Communist-front organizations—one which contained such outstanding Americans as: Senator Barbour of New Jersey; the able and distinguished Senator Carter Glass of Virginia; Alfred E. Smith, former Governor of New York; Rev. M. E. Sheehy of Catholic University; Attorney General Biddle; Senator Bennett Clark of Missouri; Thomas E. Dewey, former district attorney of New York; Josephus Daniels, former Ambassador to Mexico; Governor Saltonstall of Massachusetts; William Allen White; and Wendell Willkie. It makes this Congress look silly indeed to tolerate such utterances, let alone condone and encourage this sideshow by annually voting more appropriations to continue the committee.

The gentleman from Texas, MARTIN DIES, said to the House on March 4 that he intended the exposé of an Axis plot to smear personally and undermine confidence in President Roosevelt. Has the gentleman from Texas [Mr. DIES] always cooperated with our President and supported him, for whom he has suddenly shown such regard and interest? Let's look at the record.

August 1940: Demanded President to remove Ickes from cabinet.

October 1940: Said President Roosevelt was evasive on restrictive measures against Communists, Nazis, and Fascists for fear he might antagonize a few votes in the November election.

December 1940: Charged Attorney General Jackson, now in Supreme Court, with inefficiency and laxity in administrating the law.

October 1941: Criticized the President's statement about Soviet Constitution at a time when the President was seeking better relations with Russia.

November 1941: Denounced Leon Henderson as a Communist sympathizer.

January 1942: Admitted he had not studied conference report on the price-control bill, but said he would vote against it if the President put Henderson in charge. DIES periodically condemned organizations supporting F. D. R. foreign policy as Communist fronts, among them were China Aid Counsel and the Refugee Scholarship and Peace Committee. The late Sara Delano Roosevelt, mother of F. D. R., served on both. Labor is another target of the Dies committee in constant unwarranted statements when the records show that shipbuilding, munitions, tanks, and guns are being produced ahead of schedule, due to the superhuman efforts of labor in this critical hour.

I do not question the patriotism of the gentleman from Texas, MARTIN DIES, and if we were still at peace I would readily vote to continue the committee, but we must gather information on subversive and un-American activities that tend to undermine our democracy in a quiet manner, without advanced newspaper headlines, and this can best be accomplished through the F. B. I., one of the finest and most fearless investigating agencies in the world. Within the past week the F. B. I. in their quiet, efficient, and unheralded manner arrested over 1,976 enemy aliens throughout the country and recovered vital maps, ammunitions, and radio sets in their possession. Thousands of F. B. I. agents are quietly working in the shipyards, in industry, in agriculture, and mingling with the population in civilian life guarding against sabotage and espionage activities. I trust the F. B. I.

Let me conclude:

Just as important as the gallantry of our Army in the front trenches and our Navy in defense of our island outposts is the sober, yet grim, determination on our home front to stand as a united people against the threats from abroad and work together to accomplish the multitude of tasks which are ours. Our strength is the unison, the inspiration, and the will to win with which we go about our duties as civilian defense workers, in the mills, in the mines, or at the assembly line.

Yet even on the home front we have to beware of enemies. Two of the most dangerous, rendering most efficient service and giving greatest comfort to our foes, are rumor and malicious gossip and unwarranted newspaper headlines that help divide the American people. They creep in the dark, are invisible, spread like wildfire, and do devastating work They serve the enemy well in time of war; they create distrust and suspicion and weaken our efforts. And, tragically enough, we often, though inadvertently, become allies of the enemies.

I will not vote to waste $100,000 for the continuation of the Dies committee. Let us vote to give this $100,000—or let us make it $500,000—to the F. B. I. to in-

crease their present personnel and it will be money well expended and will repay this Congress a thousandfold for its wise decision in a time of national emergency. Let us quit these rumors and propaganda dissemination that tend to divide ourselves—yes; that even tend to divide the allied nations—and let us embark on a program to divide the enemy.

For the sake of national unity, let us eliminate the Dies committee.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. Is the resolution subject to amendment?

The SPEAKER. If the previous question is ordered, it is not subject to amendment.

Mr. SABATH. Mr. Speaker, I have agreed that I will not yield to anyone to offer any amendment to the resolution, and I am going to keep my faith, as I always try to do. Therefore, with regret, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MARCANTONIO. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 331, nays 46, not voting 54, as follows:

[Roll No. 38]

YEAS—331

Allen, Ill.	Cluett	Gifford
Allen, La.	Cochran	Gilchrist
Andersen, H. Carl	Coffee, Nebr.	Gillette
	Cole, N. Y.	Gillie
Anderson, Calif.	Collins	Gore
Anderson, N. Mex.	Colmer	Gossett
	Cooley	Graham
Andresen, August H.	Cooper	Grant, Ala.
	Copeland	Grant, Ind.
Andrews	Costello	Green
Angell	Courtney	Gregory
Arends	Cox	Guyer
Barden	Cravens	Gwynne
Barnes	Crawford	Hall,
Barry	Creal	Edwin Arthur
Bates, Ky.	Crowther	Hall,
Baumhart	Culkin	Leonard W.
Beam	Cullen	Halleck
Beckworth	Cunningham	Hancock
Beiter	D'Alesandro	Hare
Bell	Davis, Ohio	Harness
Bennett	Davis, Tenn.	Harrington
Blackney	Day	Harris, Ark.
Bland	Dies	Harris, Va.
Boehne	Dirksen	Hart
Boggs	Disney	Harter
Boland	Ditter	Hartley
Bonner	Domengeaux	Healey
Boren	Dondero	Hébert
Boykin	Doughton	Heidinger
Bradley, Mich.	Duncan	Hendricks
Brooks	Durham	Hess
Brown, Ga.	Dworshak	Hill, Colo.
Brown, Ohio	Eaton	Hinshaw
Bryson	Edmiston	Hobbs
Buckley, N. Y.	Elliott, Calif.	Hoffman
Bulwinkle	Ellis	Holbrock
Burch	Elston	Holmes
Burdick	Engel	Hope
Burgin	Faddis	Houston
Butler	Fellows	Hull
Byrne	Fenton	Hunter
Canfield	Fish	Imhoff
Cannon, Mo.	Fitzpatrick	Jacobsen
Capozzoli	Flaherty	Jenkins, Ohio
Carlson	Flannagan	Jennings
Carter	Forand	Jensen
Cartwright	Ford, Leland M.	Johns
Case, S. Dak.	Ford, Miss.	Johnson, Calif.
Chapman	Fulmer	Johnson, Ill.
Chenoweth	Gamble	Johnson, Ind.
Chiperfield	Gathings	Johnson,
Clark	Gearhart	Luther A.
Clason	Gehrmann	Johnson, Okla.
Claypool	Gerlach	Johnson, W. Va.
Clevenger	Gibson	Jones
Jonkman	Paddock	Snyder
Kean	Patman	South
Keefe	Patton	Sparkman
Kefauver	Pearson	Spence
Kelly, Ill.	Peterscn, Fla.	Springer
Kennedy, Martin J.	Peterson, Ga.	Starnes, Ala.
	Pfeifer,	Steagall
Kennedy, Michael J.	Joseph L.	Stearns, N. H.
	Pittenger	Stefan
Keogh	Plauché	Stevenson
Kilday	Ploeser	Sullivan
Kinzer	Plumley	Sumner, Ill.
Knutson	Poage	Sumners, Tex.
Kocialkowski	Powers	Sutphin
Kunkel	Priest	Sweeney
Lambertson	Ramspeck	Taber
Landis	Randolph	Talbot
Lane	Rankin, Miss.	Talle
Lanham	Rankin, Mont.	Tarver
Lea	Reece, Tenn.	Tenerowicz
LeCompte	Reed, Ill.	Terry
Lewis	Reed, N. Y.	Thill
Lynch	Rees, Kans.	Thom
McCormack	Rich	Thomas, N. J.
McGehee	Richards	Thomas, Tex.
McGregor	Rivers	Thomason
McLaughlin	Rizley	Tibbott
McLean	Robertson, N. Dak.	Tinkham
McMillan		Traynor
Mahon	Robertson, Va.	Treadway
Manasco	Robinson, Utah	Van Zandt
Mansfield	Robsion, Ky.	Vincent, Ky.
Martin, Mass.	Rockefeller	Vinson, Ga.
Mason	Rockwell	Voorhis, Calif.
May	Rodgers, Pa.	Vorys, Ohio
Merritt	Rogers Mass.	Wadsworth
Meyer, Md.	Rogers, Okla.	Ward
Michener	Rolph	Wasielewski
Mills, Ark.	Romjue	Weaver
Mills, La.	Russell	Welch
Monroney	Sanders	Wene
Moser	Satterfield	Wheat
Mott	Sauthoff	Whelchel
Mundt	Schuetz	Whitten
Murdock	Scott	Whittington
Murray	Secrest	Wickersham
Myers, Pa.	Shafer, Mich.	Wigglesworth
Nelson	Sheppard	Williams
Nichols	Short	Wilson
Norrell	Sikes	Winter
O'Brien, N. Y.	Simpson	Wolcott
O'Connor	Smith, Maine	Wolfenden, Pa.
O'Hara	Smith, Ohio	Wolverton, N. J.
O'Leary	Smith, Pa.	Woodruff, Mich.
Oliver	Smith, Va.	Woodrum, Va.
O'Neal	Smith, Wash.	Youngdahl
O'Toole	Smith, W. Va.	Zimmerman
Pace	Smith, Wis.	

NAYS—46

Baldwin	Granger	Marcantonio
Bloom	Haines	O'Brien, Mich.
Buckler, Minn.	Hill, Wash.	Pheiffer, William T.
Celler	Hook	
Coffee, Wash.	Jackson	Pierce
Delaney	Kee	Rabaut
Dickstein	Kelley, Pa.	Sabath
Dingell	Kirwan	Sacks
Downs	Klein	Scanlon
Eberharter	Kopplemann	Schulte
Eliot, Mass.	Leavy	Shanley
Fitzgerald	Lesinski	Somers, N. Y.
Fogarty	McGranery	Weiss
Folger	McIntyre	Wright
Ford, Thomas F.	Maciejewski	Young
Gale	Maciora	

NOT VOTING—54

Arnold	Heffernan	Norton
Bates, Mass.	Howell	O'Day
Bender	Izac	Osmers
Bishop	Jarman	Patrick
Bolton	Jarrett	Ramsay
Bradley, Pa.	Jenks, N. H.	Sasscer
Buck	Johnson, Lyndon B.	Schaefer, Ill.
Byron		Scrugham
Camp	Kerr	Shannon
Cannon, Fla.	Kilburn	Sheridan
Casey, Mass.	Kleberg	Stratton
Cole, Md.	Kramer	Tolan
Crosser	Larrabee	Vreeland
Curtis	Ludlow	Walter
Dewey	McKeough	West
Douglas	Maas	White
Drewry	Magnuson	Worley
Englebright	Martin, Iowa	
Gavagan	Mitchell	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Ludlow for, with Mrs. O'Day against.

Mr. Englebright for, with Mr. Magnuson against.

Until further notice:

Mr. McKeough with Mr. Vreeland.

Mr. Camp with Mrs. Bolton.

Mr. Drewry with Mr. Maas.

Mr. Jarman with Mr. Bates of Massachusetts.

Mr. Kerr with Mr. Howell.

Mr. Patrick with Mr. Stratton.

Mr. Cannon of Florida with Mr. Osmers.

Mr. Arnold with Mr. Kilburn.

Mr. Kleberg with Mr. Bender.

Mr. Buck with Mr. Martin of Iowa.

Mr. Cole of Maryland with Mr. Jenks of New Hampshire.

Mrs. Norton with Mr. Jarrett.

Mr. Kramer with Mr. Curtis.

Mr. Crosser with Mr. Bishop.

Mr. West with Mr. Douglas.

Mr. Gavagan with Mr. Mitchell.

Mr. Casey of Massachusetts with Mrs. Byron.

Mr. Bradley of Pennsylvania with Mr. Heffernan.

Mr. Izac with Mr. Sasscer.

Mr. Ramsay with Mr. Scrugham.

Mr. Schaefer of Illinois with Mr. Tolan.

Mr. Walter with Mr. Sheridan.

Mr. Larrabee with Mr. White.

Mr. Worley with Mr. Shannon.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) the agricultural appropriation bill, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

Mr. TARVER. Mr. Chairman, I desire to submit a unanimous-consent request.

When the Committee rose on Monday it was considering, and had been considering for a considerable while, the Commodity Credit Corporation paragraph in the bill, and there is, I believe, one amendment pending which would strike out the limitation which would prohibit the use of the funds of the Commodity Credit Corporation in the sale of agricultural commodities owned or controlled by the Government at less than parity prices, with certain modifications as to the sale of deteriorated wheat and wheat for industrial alcohol purposes, and cotton for new cotton uses. At that time I sought to have the Committee agree to limit further debate to an additional 30 minutes, but that was unsatisfactory to a majority of the Committee. At this time I wish to request unanimous consent that further debate on the paragraph and all amendments thereto be limited to close at 5 o'clock. In submitting this request I wish to say it is my purpose after the conclusion of action on this paragraph, to move that the Committee rise.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. GILCHRIST. Mr. Chairman, reserving the right to object, how will the time be distributed?

Mr. TARVER. That, of course, will be in the discretion of the Chair and I would not have anything to do with that.

Mr. GILCHRIST. I should like to have 4 or 5 minutes.

Mr. TARVER. The Chair, I am sure, will endeavor to deal fairly with everyone who desires to speak.

Mr. DIRKSEN. Mr. Chairman, reserving the right to object, and I shall not object, I would suggest to the gentleman from Georgia that the last 10 minutes of the time be reserved for the subcommittee and be divided between the minority and the majority.

Mr. TARVER. I add that to my request, Mr. Chairman. I think on this side we probably would not require the 5 minutes we would have, but in case there might be some developments in the debate that might make it advisable to use such time I will incorporate that in my request.

Mr. RANKIN of Mississippi. Mr. Chairman, reserving the right to object, what page does that take us down to?

Mr. TARVER. This paragraph ends on page 78. I contemplate, Mr. Chairman, that the next paragraph should be read, but not debated or any amendments thereto considered this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, on yesterday the distinguished author of this amendment said he could not understand why anyone would want to keep this provision prohibiting the sale of commodities at less than parity in the bill. I was a little surprised at my good friend from Oregon making that statement after the interest I know he has shown in securing a fair price for the products of the farm. The reason we want this provision in the bill, Governor, and the reason we want it, I will say to all of the Members of the Committee, is because we believe the farmers of this Nation are entitled to a reasonably fair return for the products of their labor just the same as any other citizen of the Nation. I do not believe any group in this Nation is ordained of God or of government to work for starvation wages in a condition of peonage in order that other groups in this Nation may enjoy a larger income.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Surely; I gladly yield to my good friend from Oregon.

Mr. PIERCE. Is not the price of wheat fixed this fall by the loan value, with the prospect of its being upward of 200,000,000 bushels more than we had a year ago?

Mr. POAGE. I do not think so, Governor.

Mr. PIERCE. The loan value alone will fix the value.

Mr. POAGE. There you and I entirely disagree. I believe that the price of all of these basic farm commodities will go to parity as quickly as the Government removes the depressing effect from these sales at less than parity. There is a deliberate attempt by the Government at the present time to drive the price below parity, and it has been publicly stated by responsible officials of the Government that it is their purpose and their desire to drive the market down below parity. This means driving the return or the wages of the individual down below parity.

As to the suggestion that the Government loan of 85 percent of parity will fix the price of the next crop, I must disagree with my good friend from Oregon. Demand will bring prices up. The demand for all basic farm commodities is better today than it has been for years. Cotton is bringing a reasonably good price—not because of any 85-percent-of-parity loan. The price is substantially above the loan value simply because the market wants cotton, and no deliberate effort is being made to break the cotton market, as is being made in the case of wheat and corn. The only basic commodities that are selling appreciably below parity today are the commodities that the Department of Agriculture is deliberately trying to hold down. And why should the Government try to keep any farmer from getting parity in the market place?

I believe, Mr. Chairman, that the time has come to make good on our oft-repeated pledge of parity prices for agriculture. For many long years our Government has told our farmers that it wanted them to enjoy parity prices. On the other hand, it has loaned them 51 percent of parity and other similar low figures on their crops. When the farmer needed help the most, his Government graciously offered him a loan of 50 cents on the parity dollar and told him to be thankful. He was grateful for the small favors he received, and now there are those who seem to think that he should be delighted to always enjoy a condition of peonage. He is told, at a time when industrial wages are higher than they have ever been in the history of the world and while agricultural prices are still 20 percent under the 1929 level, that he should receive only 85 percent of parity and like it. Mr. Chairman, if you adopt this amendment, the farmer will have to get along with 85 percent of a fair price, but you cannot make him like it, and you cannot make me believe that it is fair.

[Here the gavel fell.]

Mr. GILCHRIST. Mr. Chairman, I shall now call Mr. Wickard, the Secretary of Agriculture, as a witness. He is a good friend of mine; he is a good Secretary of Agriculture; and he is O. K. He was down at Atlanta on January 28, and there made a speech to some gathering, and the next morning the markets in Chicago dropped 5 cents on corn and rye, and almost the limit on cotton. This drop in market prices aggregated millions and millions of dollars, and the farmers of the country suffered it. This loss was caused by the speech which the Secretary of Agriculture made in Atlanta the night before. I have here the Wall Street Journal of the 29th of January, and will read some of the headlines and statements therein contained:

[From the Wall Street Journal of January 29, 1942]

WICKARD'S REMARKS ON CORN WEAKEN MAJOR MARKETS—COTTON DECLINES ALMOST $3—FUTURES INDEX CLOSES OFF 1.34

COMMODITY TRENDS

Commodity markets were thrown into sudden upheaval yesterday by Secretary Wickard's remarks on recent trading in corn. The break was the heaviest suffered since mid-October 1941. Cotton at the day's lows was off $3.05 a bale, corn and rye the limit decline of 5 cents a bushel permitted during 1 day's trading, and soybeans within one-eighth cent of 6-cent permissible decline.

And here is another excerpt from the daily market report of the Wall Street Journal for January 29:

The upturn in cotton was halted yesterday. A selling movement which at the close had forced values down $2.35 to $2.95 a bale was touched off by the announced intention of the Department of Agriculture to stabilize corn prices around 85 percent of parity.

In justice to the Secretary let it be said that these markets have recovered materially, but no man ought to have the power to cause such losses. Now the gentleman from Oregon proposes by his amendment to allow the Secretary to sell surplus stocks away below parity. Farmers are entitled to parity. No man should expect to put them or any of them on a lower level. They want equality, and no man should be given the power to prevent what Congress has been striving to give to the farm people during the past 10 years. Let us have justice for agriculture.

We ought not to require some of our farmers to produce feed at 80 or 85 percent of parity in order that feeders may get 130 percent of parity. Corn is now at 81 percent, while hogs stand at 110 percent of parity and beef cattle are at 130 percent thereof. If this amendment carries, it then may be said with one of old—

Unto every one that hath shall be given, and he shall have abundance; but from him that hath not shall be taken away even that which he hath.

I want all farmers to be prosperous. Livestock producers should have good returns, and good prices for feed eventually bring good prices for livestock. You can not make much money in the end by feeding cheap corn. Two minutes is a short time to talk about this.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. O'CONNOR. Mr. Chairman, I think it would be well to read just what is sought to be eliminated from the bill, and then we will have a more thorough understanding:

Provided further, That none of the funds made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned stocks of farm commodities at less than parity as defined by the Agricultural Adjustment Act of 1938.

If this amendment goes through, there is not one single bit of protection for the wheat or the corn farmer, or any other

farmer in connection with trying to secure parity prices. We have a tremendous surplus of wheat now and of corn. We have a surplus of all kinds of farm products. With that provision out, the Government of the United States, just as the gentleman from Missouri [Mr. CANNON] pointed out the other day, has the power to control the price by placing any or all of these Government-owned or Government-controlled products on the market. Then down goes the price. Now is the time to show whether we are friends of the farmer or whether we are going to render him lip service or actual service by giving him parity, as the country has promised to give him.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. COFFEE of Nebraska. Does the gentleman think that the retention of this provision in the bill will absolutely prevent the Community Credit Corporation from selling any of these stocks below parity?

Mr. O'CONNOR. It will prevent them from using any of the funds provided in this bill. It may be done but such action would be contrary to what we have been saying and doing.

Mr. TABER. The gentleman would not like to hold out to the farmer the belief that the retention of the provision in this bill would be of any protection whatever?

Mr. O'CONNOR. I say, this, that it goes just as far as you can in a bill of this kind.

Mr. TARVER. It will be effective unless it is evaded.

Mr. O'CONNOR. Exactly. Yes; if the Government does not evade or duck, it will prohibit the sale of those commodities below the parity price.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. HOPE. Mr. Chairman, I am opposed to the Pierce amendment. I say that, notwithstanding the fact that I am not very well satisfied with the language in the bill. I think it was perhaps a mistake to put a provision of this kind in the bill. I think it would have been better to leave the matter to the Committee on Agriculture, which is already considering legislation of this kind. But if we adopt the Pierce amendment, the House is going to go on record as being opposed to the parity principle. I offered an amendment to this provision the other day, which I felt would be helpful. I think the provision as now written is too rigid, even with the Reed amendment.

Nevertheless, if we adopt the Pierce amendment this House will have gone on record as being opposed to the principle that the Federal Government ought to use its powers to give the farmer parity, instead of using those powers to keep prices below parity. So I hope that notwithstanding the fact that I am not entirely in accord with the language now in the bill, we will vote down the Pierce amendment and then let the Senate or the conference committee work out the proper detail.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. PACE. Would not the gentleman add that striking this provision might be accepted by the Department as a green light to start dumping these commodities?

Mr. HOPE. I think they would be justified in thinking that we had no objection to it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK] for 2 minutes.

Mr. HOOK. Mr. Chairman, it may be that in the 8 years I have been a member of the Committee on Agriculture I have not gotten through my head what the farmer actually wanted. I have always heard that a surplus was not a good thing for agriculture. Now we have these large surpluses that are a threat upon the market. we will have another big crop this year piling on top of these surpluses now on hand. If in an orderly way we can place in the channels of commerce those heavy surpluses that I have always been told were a burden upon the market and a danger to the farmer, I think we would help not only the farmer but the consumer as well. In other words, we put in a control program for the purpose of eliminating surpluses, in order to give the farmer a better price for his commodity.

Now that we have a surplus and what is known as the ever-normal granary, or whatever it is called, they say, "Let us keep that surplus. Do not let it go out into the channels of commerce unless we can sell it at not less than parity." If we can get rid of that surplus, if we can get it into the channels of commerce, even below parity at this time, if we get rid of that surplus certainly you will go up to parity when you do not have a surplus. The question of supply and demand will then govern the market. If you keep that surplus there, you are going to be at the mercy of the speculators. You are going to depress the market when this artificial thing is over. The President of the United States, the Secretary of Agriculture, and others interested in winning this war, tell us that we should not keep this restriction in this bill. I am willing to defer to their judgment. Inflation is a real danger. If we spiral prices in agriculture, labor, and industry, we will ruin this Nation with inflation which will impede our war efforts more than Pearl Harbor. Let us be sensible, gentlemen. Give up some of our peacetime luxuries and go on a war footing. Any retarding of the war effort means more sacrifice and loss of life. Vote for this amendment and support your Commander in Chief.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. RIZLEY] for 2 minutes.

Mr. RIZLEY. Mr. Chairman, the past 6 days have been consumed in this debate on appropriations for agriculture.

A stranger within our gates would undoubtedly come to the conclusion that we are attempting to balance the entire national budget and doing it all through the appropriations that have been recommended by the subcommittee on appropriations for agriculture. Heaven knows, we need to economize.

We were told by the gentleman from Georgia, chairman of the subcommittee, and likewise by the gentleman from Kansas, ranking Members of the subcommittee, neither of whom can be rightfully classified as spendthrifts, that the appropriations recommended this year are approximately 33⅓ percent, or one-third, less than a year ago. In the Committee of the Whole House we have made further drastic reductions.

If the ax is applied to the other appropriations yet to be considered, in the same proportion that it has been applied to the agriculture bill, we will have gone a long way toward drastic reductions in governmental expenditures.

It is almost amusing at times to note how some of our friends become excited and shed crocodile tears in behalf of economy when agriculture is involved. But when we began to talk about parity prices for farm products, and when we talk about putting the farmer on even keel with industry and labor, the poor old farmer is immediately branded as a profiteering, greedy old money grabber and chiseler, who is trying to bring about uncontrolled inflation and cost the public a billion dollars in food prices. How utterly ridiculous.

It is passing strange, to say the least, that just a few months ago, when we were getting ready to make another campaign, what pretty language we used in our respective party commitments. Our friends on this side of the aisle were pledging full parity at the market place; and on this side of the aisle, at Philadelphia, we were saying, "Within the shadows of Independence Hall we solemnly reaffirm that a prosperous and stable agriculture is the foundation of our economic structure, and the farmer is entitled to a profit price for his products and a temporary and permanent governmental policy which will establish and maintain for him an equitable balance between labor, industry, and agriculture."

Did we mean it when we said that in 1940? Was it merely pretty language, to secure votes? Or do we sincerely want equality for the farmer, when compared with labor and industry? That is all parity undertakes to do.

You vote day after day to keep the wage scale high. You say to the worker, "You shall work only 40 hours per week, and for overtime you shall be paid time and one-half, and for holidays and Sundays, double time." You say to the industrialist, "We guarantee and underwrite your contracts for national defense materials on a cost-plus basis"; but to the farmer you say, "You are entitled to only 85 percent of parity, and if you insist on equality, we will dump upon the markets of the country wheat and corn owned or controlled by the Government, in order to keep the market price of your products below the parity level."

Just a few weeks ago this House, by a very substantial majority, said to Brother Henderson, the Price Control Administrator, "You must not discriminate against the farmer, you must not fix a maximum price for any agricultural commodity below (a) the market price

equivalent to 110 percent of the parity price, or comparable price for the commodity adjusted for grade, location, and seasonal differentials, as determined and published by the Secretary of Agriculture; or (b) the market price prevailing for such commodity on October 1, 1941"; and after you had said that, and being somewhat apprehensive as to Mr. Henderson's good intentions, out of an abundance of precaution you further said to him, "We are going to put Secretary Wickard in there to watch you."

Hardly had the print become dry on the bill we passed, until some of us concluded that perhaps we had better have someone to watch both Henderson and Wickard—and that is evidently what this subcommittee must have been thinking about when it wrote into this bill the language which the gentleman from Oregon, by his amendment, now seeks to strike down and strike out.

Ah, someone says, it won't do any good; that the language does not mean anything; that they can transfer other funds and thereby violate the spirit as well as the letter of the law.

Well, is it not a pretty state of affairs when we get to a place in our representative system of democracy, when the greatest legislative body ever set up by the ingenuity of man must kowtow to the bureaucrats and be so vacillating as to concede that they can, with impunity, violate the laws which we enact, and that we cannot do anything about it?

It seems to me that it is about time we get enough intestinal fortitude in this body to stand up and fight for the independence of a sovereign branch of the Government of which we are the representatives.

The CHAIRMAN. The gentleman from Texas [Mr. MAHON] is recognized for 2 minutes.

Mr. MAHON. Mr. Chairman, it seems almost futile to endeavor to make a speech of 2 minutes' duration on this subject. Let us consider for just a moment the point involved. The Government has gone out and made loans on agricultural commodities, and the Government has invested considerable money to make the loans. The Government has something at stake. If the Government sells these commodities below the loan rate, then the Government will lose money, and the Government is the people. All we now ask in this bill is just the very minimum for the farmer; not excessive profits or prices, but just the very minimum—parity.

If we give him parity insofar as his profits are concerned what do we give him? We certainly give him little enough. We enable the Government to make money on many of the products that the Government holds, we prevent the Government from beating down the price of the farmer, and we bear in mind, of course, that if the Government beats down the price of the farmer's products the Government must make it up to him out of the taxpayer and reimburse the farmer for that loss. So, in the name of the people, in the name of the consumer, the producer, and the taxpayer, I denounce the amendment offered by the gentleman from Oregon wherein he seeks to encourage the sale of farm commodities below parity.

If you have not gone into the details of the matter involved I ask you to read the speeches made by the gentleman from Georgia [Mr. TARVER] and the gentleman from Missouri [Mr. CANNON] on pages 2142 and 2143, which absolutely explode the contention that we should adopt the amendment which has been offered by the gentleman from Oregon. I am confident that when the vote is taken on this measure the gentlemen on the right and on the left who understand this matter, and most of them do, will vote against the amendment. I believe the amendment will be overwhelmingly defeated.

A price of at least parity for farm products in time of peace and in time of war is best for the farmer, the taxpayer, and the Nation as a whole.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WADSWORTH] for 2 minutes.

Mr. WADSWORTH. Mr. Chairman, as the gentleman from Texas so wisely remarked, it is difficult if not impossible to discuss this thing in 2 minutes. This is the first time I have attempted to inflict myself upon the Committee on this bill.

Not many days ago I supported a measure which if it had been enacted would have suspended for the duration of the war certain Federal statutes granting privileges, or advantages to labor. I refer to the 40-hour week, the 8-hour day, and time and a half for overtime. Having voted to suspend those, I cannot at this time vote to support a measure which extends by statute certain privileges to another class. It strikes me that at a time like this we should not pass bills or retain upon the statute books existing laws which single out a class or group of people and accord special treatment to them.

Coming to a practical discussion of this thing, and I wish I had more time, because I would like to talk a little farming here, the gentleman from Nebraska [Mr. COFFEE] called the attention of the Committee last Tuesday all too briefly to a practical consideration which I think those versed in livestock management and dairying might well heed. Corn is not used extensively as a human food, it is fed to animals.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. HOBBS] for 2 minutes.

Mr. HOBBS. Mr. Chairman, one day a nigger walking along the sidewalk of a small southern town was having difficulty holding onto a rabbit he held by the ears. Pausing within earshot of an adjacent home he was heard talking to the rabbit: "Sweet little rabbit, pretty little rabbit, what you kickin' for? Why you jerk so hard? I ain't goin' do nothin' to you but skin you and gut you."

I could not help thinking of that rabbit all the time as I heard the speeches on the radio the other night, and you on this floor who are holding the American farmer by the ears, as you all say, in effect: "Sweet little farmer, pretty little farmer, hard-working nonstriking farmer, what you kickin' for? We ain't goin' do nothing to you but skin you and gut you. We admit that since the parity period 1909–14 the wages of labor have increased 379 percent, but we are at war and you can't have that nickel an hour the farmers got for their work in that period, we want to manipulate the markets by selling farm products at less than parity so you won't."

Ah, you guaranteed to all other classes 30 cents or more an hour. As one of the men in Alabama said:

> They took my valley farm and they beat me down to $11 an acre by repeated pleas to my patriotism, and $11 an acre was all they would agree to pay me for a fee-simple title. And that was all right with me, for if my Government needed my land for war purposes they were welcome to it. But what got me was when, after taking my land for $11 an acre they hired the sorriest nigger in this section and paid him $11 a day to dig holes in my land.

There are only three groups who are not doing well financially in this wartime. These three are: First, our men in uniform; second, the workers on salaries; and third, the farmers who feed and clothe us all, and who have never been promised more than parity, which means a wage of a nickel an hour.

The 1940 platform of the Democratic Party, on which our great President was reelected for his present term, reads, in part, as follows:

> We pledge ourselves to make parity as well as soil-conservation payments until such time as the goal of parity income for agriculture is realized.

Millions of our soldiers, sailors, and marines are receiving a wage of $1 a day or less. Millions of the favored industrial laborers are receiving $1 an hour or more. Millions of farmers are receiving parity, which means a nickel an hour—few, if any, more. Why should the party which pledged parity seek now to repudiate?

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, we are most wasteful of the things that we have in so much abundance. I would like to remind you that in connection with the subject of industrial alcohol, which is very important to the war industries and to all members of the farm communities, there are a great many things from which alcohol can be made. It can be made not only from wheat and corn, but it can be made also from old apples and potatoes that are no good for food any more and cannot be sold. It can be made out of a hundred and one products of the farm. It can even be made from the garbage of the cities.

Alcohol is a simple thing to make, but we are prone to destroy those things from which it can be made the cheapest, namely, our waste products. On October 3, 1940, I placed in the RECORD a little article describing the chemical process for making butyl alcohol from not only garbage but from other waste cellulose plants and materials, and how that alcohol could be catalyzed into 98.7 octane gasoline. With all of the re-

quirements that we have for our aircraft and our lack of large production capacity of aviation gasoline in order to keep them in the air, why does not somebody in the administrative branch go into this matter and find out how we can best support our alcohol and aviation gasoline program by using waste products.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE of Nebraska. Mr. Chairman, I spoke on this subject the other day and did not know I was still down for a few minutes; however, I will be glad to take this time and yield to the gentleman from New York [Mr. WADSWORTH], who only had 2 minutes and had not yet the opportunity to make the statement he wanted to make.

Mr. WADSWORTH. Mr. Chairman, the gentleman from Nebraska is very kind and takes me completely by surprise. It is my own fault if I cannot say anything in 2 minutes.

I was going to call attention to the observations made by the gentleman from Nebraska the other day apropos of the problem of the feeder. The price of feed in which farmers are interested in greater numbers even than those who raise it is rapidly going up. The whole enormous dairy industry is affected, the whole beef-feeding industry, the whole hog- and lamb-feeding industries, they are all affected.

I anticipate if this provision is left in the bill prohibiting the Commodity Credit Corporation from selling any of this stuff for good feed that the price of feed will go up higher and higher and will increase five to ten dollars a ton in the next month. You will notice, and the gentleman from Nebraska will notice, that only yesterday or the day before Mr. Henderson put a ceiling on the wholesale price of pork. That is your beginning. That, of course, governs the price of live hogs. If Mr. Henderson can put a ceiling on the finished products of feed and you encourage a rise in the cost of feed, you will completely dislocate the whole livestock and dairy industry.

I hope this amendment is adopted.

Mr. COFFEE of Nebraska. Mr. Chairman, I want to impress upon the Members at this point that it has only been by virtue of the Commodity Credit laws that the price of corn, wheat, and cotton are maintained at the price today. The Government is not trying to tear those prices down. It is only by virtue of this loan program that these prices are up today where they are.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, in view of world conditions and surveying the situation as it exists in our country today, I am not so much alarmed concerning surpluses of grains and other food products as some of my fellow Members seem to be this afternoon. In the first place, I think a little surplus of crops might act as a kind of safety valve. As I have heretofore suggested, a great share of the so-called surplus of grain could be easily handled without injury to anyone if we would use a little common sense and judgment in taking care of it.

For example, we are this afternoon talking about disposing of surplus grain, and yet the Committee on Agriculture of the House has not seen fit to recommend a bill that I introduced several months ago that would permit farmers to feed their wheat to their own livestock without paying a penalty of 49 cents a bushel on it.

Mr. Chairman, I am in favor of the farmers receiving parity prices for their crops. I think the great majority of us are in favor of that proposition. Congress has already gone on record on that question. I am not in favor of the Government dumping what may be regarded as surplus and thereby depressing the market, but I do think that in view of the demand for grain to make alcohol, which in turn is converted into smokeless powder, that a great deal of it can and will be used for that purpose.

Mr. Chairman, let me say again that since our Government is asking our farmers to produce more and more food of all kinds, and especially meat and dairy products, there should not be any difficulty in the use of any extra grain that we might have on hand if we will use a little judgment in taking care of it. So far as corn is concerned, only a small part of it is used for human food; nearly all of it is used for feeding livestock, which in turn is converted into meat. It appears that in the very near future the demand for dairy products and meats is going to be all we can supply. We will need all the grain we can possibly produce in order to satisfy the demands for meat, poultry, and dairy products. Mr. Henderson, the Price Administrator, has just recently served notice that he is placing a ceiling on the price of pork. It is likely that the same thing will be done to beef and other meat products within the rather near future.

Mr. Chairman, I do not think the adoption of the amendment before us will make much difference, except that the approval of it might lead the producers of the country to think that Congress does not favor parity prices for farm products. I know Congress does not want to leave that impression.

Mr. Chairman, the farmers of this country are certainly not demanding exorbitant prices for their products. All in the world they want is a fair and reasonable price on the basis of what they are required to pay for the things they need to buy.

Mr. Chairman, I am sure the farmers and producers of this country would be a lot better off and better satisfied if a good many of the restrictions now in effect could be removed. Let them go ahead and produce food supplies in line with the increased demand.

Mr. Chairman, this country is going to hold the farmers and producers of the country responsible for supplying an increased demand for food for its consumers that includes hundreds of thousands of factory workers and millions of men under arms. Not only that. The United Nations of the world have their eyes right now on the United States of America, expecting it to provide the needed supply of war materials, one of the most important of which is food.

There is a possibility that within the not too far distant future we may be more concerned about a supply rather than a surplus.

We are going to feed armies abroad, and we are going to do it this year, next year, and possibly for some years to come.

Mr. Chairman, the farmer is assuming a tremendous responsibility in the world picture. Give him a chance and he will do his part.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, there are two things the gentleman from New York [Mr. WADSWORTH] should consider. One is that on March 1 cattle were selling at 130 percent of parity, and it is a little hard to understand why, when he is receiving that price, he would not want the wheat and corn producers to get at least 100 percent of parity for their commodity. He also overlooked the fact that when the cost of feed goes up to the cattle raiser his parity price goes up. So there cannot be any great loss to the cattle producer.

I want to say this and I do not want to be critical of anyone. I do not see how anyone who appreciates the economic condition of the farmer or the condition of the United States Treasury can vote for this amendment. This amendment, if adopted, is likely to cost the United States Treasury $400,000,000, because we have voted to give the farmer parity either out of the market place or out of the United States Treasury. The gentleman from New York [Mr. TABER] figures that that would cost $350,000,000. I think he is high. I think it could probably go to $250,000,000, unless we can keep the price up around parity, so there is $250,000,000 that will be saved the Treasury if the farmer can get parity prices when he sells his products.

Mentioning one item, the Government has a little over 5,000,000 bales of cotton. It has invested in it approximately 13 and a fraction cents. It is selling that cotton under the present law in an orderly way, 300,000 bales a month. The last it sold was at 19.30 cents per pound. It is making a profit of a little over 6 cents a pound or $30 a bale. Multiply that by 5,000,000 and you will see that under the present arrangement the United States Government will recover about $150,000,000 profit out of the cotton it now has on hand. If we permit the Government to dump that cotton 4,000,000 or 5,000,000 bales at a shot, and break the market, not only will the United States Treasury itself lose $150,000,000 but those fellows down in my country who today are putting the seed in the ground will face a flooded market when the new crop is ready to move.

I certainly do not want wild inflation and I do not believe that giving the farmers of this Nation a fair or parity price for their products will cause inflation. Other groups have been permitted to receive increases far beyond the parity level,

some as much as 400 percent above parity.

Those who produce the food and fiber to feed and clothe this Nation ask merely for equality of treatment. You should not ask or expect them to accept any less.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, during the debate today the remark was made that each Representative who spoke from the Well of this House should let the opinion of his own district be submerged in the national good. However, I cannot follow that suggestion in this instance, and urge the Congress to vote against the amendment which is here presented. The dairymen of my section have been through much hardship. They have suffered great losses from flood, from fire, and from famine. Now, to top it all off, they are being deprived of the labor which is necessary to run their farms and operate their dairies. Add to that the cost of labor and the rising cost of feed and you will have the reason for my support of the gentleman's amendment, which will bring about lower feed prices.

Mr. BENNETT. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Missouri.

Mr. BENNETT. It has been stated here that Mr. Henderson is fixing a ceiling on the price of meat. Does the gentleman from New York know anything about a disposition on the part of Mr. Henderson to fix a ceiling on the price of harness, and mowers, and plows, and binders, and so on?

Mr. EDWIN ARTHUR HALL. I do not feel that that applies to this particular amendment in any way, because we are discussing only the availability of lower-than-parity prices for feeders and dairymen. I voted for parity when it came before the House in the price-control bill. I cannot go so far as to support what some consider as parity which, in reality, is way out of reach for my farmers.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. The gentleman is a member of the Committee on Agriculture, and he has heard and knows that parity prices do not fit the livestock industry at all.

Mr. EDWIN ARTHUR HALL. I agree with the gentleman. I think that feed must be made available to these dairy farmers at low costs if they are to remain in the dairy business.

[Here the gavel fell.]

Mr. FULMER. Mr. Chairman, I have listened with a great deal of interest to the debate on this amendment which would permit the Secretary of Agriculture to continue to sell Government-owned surplus farm products below parity.

I confess that I cannot understand the philosophy of those who are anxious to adopt the amendment offered by my good friend and colleague [Mr. PIERCE] of Oregon.

If this amendment is adopted, then the Secretary of Agriculture can continue to sell surplus commodities below parity prices.

We have two groups debating in the interest of the passage of this amendment.

One group says:

> Cut the price of certain farm products below parity so that you may give to my farmers an opportunity to take advantage of same so as to get a parity price for that which they produce.

This is ridiculous; that is, proposing to penalize one group of farmers in the interest of another group.

I call the attention of the gentleman from New York [Mr. WADSWORTH] to the serious problem confronting the dairy, livestock, and poultry people, and that is, the price they are paying, after it leaves the Government and passes through various hands the manufacturer and others, and on to the people, whom he is now representing.

I charge today that the feed the farmer buys for livestock and poultry is about $10 or more per ton higher than it should be, although the original price, the farmer's price, is below parity.

The price-control bill, which clearly intended to secure for farmers full parity price—in fact, 110 percent of parity—which would have given to cotton farmers, for instance, around 21 cents for their cotton, has been so administered that the Secretary has been permitted to sell these surplus products, especially wheat and corn, below parity price.

It appears from statements made by the Secretary that this will enable those who are engaged in the livestock and poultry business to buy these products at a cheaper price, which would tend to hold down the ultimate price paid by consumers.

In the meantime, it appears to me that neither Mr. Henderson nor the Secretary of Agriculture is doing anything about controlling the prices which consumers have to pay. In other words, those who are operating between farmers and consumers are permitted to add on profits to the extent that wher these products reach the consumer the consumer has to pay unreasonable prices, and that is the thing which is destroying the very people you are trying to help, as well as the consuming public.

I have letters in my possession coming from those engaged in the poultry business stating that they are having to pay $64 per ton for mixed feed for their poultry.

I am in receipt of a letter from one of my constituents stating:

> In that the Government is begging us to increase production, I have secured a larger number of hens, with the hope of producing more eggs, with the further hope of being helpful in this great emergency.
>
> However—
>
> This same party states—
>
> I am having to sell my eggs at 20 cents per dozen, and I am paying $61 per ton for poultry feed.

There is one other group in this House, the so-called economy group, in season and out of season, standing up and trying to economize at the expense of the farmer.

If you vote for the amendment offered by my friend and colleague the gentleman from Oregon [Mr. PIERCE], you are voting to take money out of the Treasury of the United States because it is a known fact that you are going to have to pay the difference between the 85 percent of parity and parity unless the price of cotton, corn, and wheat reach parity price.

What are you doing when you continue to give to the Government the right from day to day to place these commodities on the market below parity?

I will tell you what you are doing. You are simply giving to the speculators an opportunity to ride the futures market up and down, on all reports and rumors, making millions, without producing a living thing.

I am wondering how long General Motors, the International Harvester people, or any other large industry or business concern, would be able to continue in business if their products were marketed and handled as farm products are marketed and handled today.

As far as I am concerned, parity prices today, as suggested by the Secretary of Agriculture, are very unfair because, in working out parity, the Secretary of Agriculture does not take into consideration farm wages and that price for farm products which would give to farmers a fair and just portion of the national income.

For many years those of us who are deeply interested in the farmers of this country have been doing everything possible to see to it that farmers are paid a fair price for their products, a price, as stated, which would give to them a just proportion of the national income.

For the first time during the administration of President Roosevelt we have been able to bring farm products, especially cotton, up to the so-called parity price.

It appears now that the Secretary of Agriculture, who is supposed to represent the best interests of the farmer, is determined to force the farmer's price below parity, even at the expense of the taxpayers of the country.

During the fall of 1940 and the spring of 1941 cotton was selling for 10 and 11 cents per pound.

We reported from the Agriculture Committee a bill, which was passed by Congress and signed by the President, providing for an 85-percent parity loan.

Immediately the price of cotton and wheat commenced advancing until cotton reached 19 cents and wheat, which had been selling at 60 cents per bushel, reached a price of $1 to $1.25 per bushel.

Now it appears that there are those who propose to tear down the whole price structure, which, if you are successful in doing, will put an end to the farmers in this country.

It is pitiful to me to see Members standing upon the floor of this House trying to destroy our farmers, the most patriotic group in this country, in the name of economy and on the ground that farm prices today are destroying the consumers of this country.

I challenge that statement, and, more than that, it is ridiculous and untrue.

It is a known fact that prices which farmers have to pay for that which they purchase are either fixed under legislation passed by the Congress or by monopolistic groups who are able not only to control the production and distribution of their products but are absolutely able to fix the prices thereon down to the ultimate consumer; you can take it or leave it.

Let me state that as far as I am concerned the procedure on the part of the Congress in giving price-fixing privileges to industry, railroad, labor, and other groups, while feeding agriculture promises, thereby forcing agriculture into economic slavery, will go down in history as the greatest economic blunder that was ever foisted on a free, patriotic, and liberty-loving minority.

Farmers are engaged in the most technical and complicated business of any line of industry in the United States. Many of these people, through no fault of their own are uneducated; yet they are supposed to know all about the various types of soil, kinds and qualities of planting seed, various grades and types of fertilizer, and how to properly grade their products, of which cotton has some thirty-two-odd different grades as to color, staple, and so forth.

More than that, farmers are engaged in the most hazardous business of any in the country. They have to contend with all types of weather—dry and rainy seasons, floods, drought, hailstorms—insects of every kind, including the cotton boll weevil, pink boll worm, corn borer and grasshoppers, all of which annually leave thousands of farmers financially in a helpless and hopeless condition.

If you will take a look at the cotton crop in South Carolina last year, you will be able to observe a real picture of what I am talking about.

This brings me to one of our major farm problems, that is, the marketing of farm products.

Farmers operate as individuals. Their products are marketed without any regard to proper grading as far as the farmer is concerned. He has to take the other fellow's grading.

If we should attempt to legislate to establish an up-to-date cooperative marketing system from the county, through the State and national cooperative agencies, with financial assistance and guidance by the Federal Government, so that farm products may be properly graded and properly distributed, when and where needed, at a fair price, which would be helpful, also, to consumers, why you would hear a howl from these parasites who are now operating between farmers and consumers equal to the blasting bombs of Hitler.

The time was that 90 percent of our people lived on the land or in small towns. In these years agricultural products formed the mainspring of our commerce.

During all of these past years, however, because of the changes in policies, legislation, and the monopolistic operations of certain groups, agriculture has been gradually declining with thousands of good, honest farmers being forced off the farms as landowners and into tenant farming.

As a matter of fact, the beginning of the downfall of agriculture was from the effect of the passage of the Protective Tariff Act.

This tariff policy has consistently operated against the farmer in every section of the United States and to the definite advantage of the industrial groups. During all of these years, while the Congress was taking care of industry with a tariff, as well as the passing of legislation from time to time giving special legislative privileges to banks, railroads, labor, the coal industry—in fact, practically all groups except farmers—in the meanwhile farmers have been losing their farms, becoming tenants and wandering migrants, all of which has brought about increased unemployment and billions of dollars in losses to business and to our Government. No one today is advocating destroying the tariff policy or these special legislative privileges given to other groups, except in certain instances, on account of the present emergency.

However, those of us who actually and sincerely represent farmers, that great class of citizens, who are responsible for feeding and clothing 130,000,000 Americans, demand that farmers be given legislation which will definitely place them on an equal economic basis with those other groups and in a position whereby they may be properly protected in their own markets.

It appears to me, from the President on down to the Secretary and numerous Members of Congress, that they do not realize the importance of a successful agriculture at this time, when we are engaged in one of the greatest struggles ever in the history of this country.

The thing that I am fearful of is that we are going to wake up within the next 12 or 24 months to the sad realization that the farmers of this country, with all that they have to contend with with the type of assistance they are receiving at the hands of those who should be deeply interested in a successful agriculture which is necessary in order to win this war, instead of having an increased production, which the Secretary of Agriculture is requesting at this time, will have a production even below normal.

Let me give you some definite problems confronting agriculture, the seriousness of which, apparently, the President, the Secretary of Agriculture, and many Members of Congress do not realize:

First. The shortage of farm labor brought about for three reasons—drafting many from the farm, W. P. A., and other activities, and, in that thousands have left the farms, entering other lines of work with private industry, national defense factories, or employment with the Government. Naturally, we cannot blame these people for leaving the farm because of the difference in wages received in connection with these various lines of work as compared with the small wages paid on the farm, being the best that farmers can do based on the price that they receive for that which they produce.

Second. The shortage of fertilizer material, especially nitrate of soda, which, according to the information that I have, is being very unfairly distributed.

Third. Under the priorities program, wherein farmers are not going to be able to secure many farm implements, truck transportation, and other things necessary to carry on successful farming operations.

I want to call your attention at this time to the fact that unless something is done not only to see to it that farmers are paid a fair price for that which they produce, but to remedy these serious problems just referred to, we are not going to be able to produce sufficient food and fiber to take care of our people and our allies, which is very necessary if we are going to be able to win this war.

I hope that the amendment will be voted down.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, a good deal of the wheat and corn that is now in storage or that now belongs to the Government or is under its control ought to be gotten rid of just as fast as it can be for use in feeding cattle and hogs and sheep and poultry and for the purpose of making alcohol.

We have an opportunity now to get rid of that stuff. It now and will for many years to come, unless it is moved off, be a constant menace to the price which the farmer can receive. I do not believe that the disposition of this stuff is going to affect materially the price which the farmer will receive. I do not propose, under any circumstances, to be a party to carrying language in here and going out to the country and saying to the farmers that this says that the Commodity Credit Corporation shall not sell below parity price, because it does not, and it will not, have that effect. It is easy enough to get around it. You are simply making a misrepresentation to the farmer and the people on behalf of the House of Representatives if you pass the bill with this language in it, for two reasons, for the purpose of keeping myself in a position where I want to tell the truth about what I am doing, and for the further reason that I want to see those surpluses eliminated before it is too late and before the people who are raising stuff on the farm are ruined as a result of hanging on to that stuff so long.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. Mr. Chairman, I am sure Members of the House are just as familiar as I am with what transpired during recent weeks with respect to the legislation passed by this House relating to farm products.

The provision of the pending bill to which the amendment is offered is nothing more or less than an effort of the House to require observance of existing law by the agencies of the Government established under laws passed by Congress. This is all there is in this provision of the pending bill. It presents a larger issue that transcends the mere

matter of price control. The question now is whether legislation passed by Congress shall be treated as the law of the land. If we are not to require the observance of the laws now on the statute books designed to protect the farmers of the country and those who toil on our farms against exports to beat down the wages of farm labor to unbearable levels—if we are not going to require the observance of those laws we ought to reconsider and repeal those measures by proper legislative procedure. If we are not going to do that we ought, out of regard for the dignity and prestige of the Congress and the prerogatives of the legislative branch of the Government, to require those responsible for the enforcement of legislation to respect and obey the laws under which they hold their jobs. If we are not going to repeal these laws, we ought to require those charged with authority for their administration to enforce them as they are written upon the statute books.

Miss SUMNER of Illinois. We ought at least to make it clear to the public just exactly what we have been trying to do.

Mr. STEAGALL. Everybody knows what Congress has been trying to do. There is no misunderstanding about that; after an arduous struggle lasting over a period of years, we have been able to enact legislation to secure parity prices as the least that justice demands. This was agreed by everybody to be right, and we now propose to enforce it by control of appropriations, which seems to be the only method left to enforce it.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I just want to clear away all this alarm about this surplus so far as grain is concerned. Here are some figures brought out in the hearings before our committee today which I think will be of interest.

It requires 55 gallons of alcohol to dehydrate the necessary amount of powder to fire a 16-inch shell. To produce 1 gallon of alcohol requires 16½ pounds of raw sugar. To fire a 16-inch gun once is equivalent to the firing of 907½ pounds of raw sugar. Every time you fire a 16-inch gun you fire 22 bushels of corn, the amount necessary to dehydrate the powder contained in a 16-inch shell.

When you consider your surplus and realize the magnitude of this war, you will see what is going to happen to this surplus.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Chairman, I believe the one-gallus farmers are getting tired of some department heads openly and flauntingly ignoring the provisions of the law and making their own rules. There is another item which I desire to mention here: Mr. John L. Lewis has been going over the country exacting excessive payments from the patriotic men in order that they may receive employment in the defense plants. He is also traveling around making an effort to organize the dairy farmers, and I hope you other Congressmen representing dairy farmers do not let him do it in your State. I know they will not let him do it in Oklahoma. Imagine a 5-day week for dairy cows. He may brag about the manner in which he has been able to mine the miners, but I do not believe he can fleece the dairy farmers. Another point: Some of these agencies are building information centers—using funds which should be spent for defense purposes. The public does not want that kind of information. The information they desire is how we can build more bomber planes, tanks, cannons, and ammunition, produce food for defense, and how we can control the strike situation, so that we can operate 24 hours a day and longer than 40 hours a week. The people out home want to write some of the legislation instead of the department heads doing it. I believe that labor restrictions should be removed to the extent that labor could work at least 8 hours a day 6 days a week and direct defense plants to operate 3 shifts of men—that is, operate 24 hours a day continuously. Furthermore, Mr. Henderson may know how to pedal a bicycle, but I do not believe he knows the problems of the farmers of the country. He will not even allow you 5 ounces of camelback rubber to mend and really preserve and conserve a 25-pound tire. This is false economy. The hour has arrived when you and I, as Congressmen, representing the people, write the laws and see that they are enacted. I am for 100-percent parity for farmers.

Mr. CARLSON Mr. Chairman, it seems to me that we have just got down to a very practical situation. This House and this Congress has gone on record for parity, for agriculture. I think the chairman of the Committee on Agriculture hit the nail on the head when he said that if this House votes for the Pierce amendment and tells the farmers of this country they will not get parity or are not entitled to it, the Treasury of the United States will be called upon for from three hundred million to four hundred million dollars. That is the first thing. The second is, there has been a great deal of discussion about surpluses. I think we ought to quit worrying about these surpluses. The gentleman from New York [Mr. REED] told us a few moments ago how many bushels of corn it takes to produce the alcohol to fire one 16-inch shell, and we do not need to worry about surpluses very long, if we quit using sugar and use corn to produce alcohol. Let us produce all of the corn we can in this country. The European countries are going to need it, and we are going to need it, and therefore this afternoon I hope the House will vote down the Pierce amendment and retain this provision in the bill.

Mr. DIRKSEN. Mr. Chairman, it was the great Sage of Concord who said that a foolish consistency is the hobgoblin of small minds, but, notwithstanding that fact, on a question of policy I do like to be consistent. This matter has disturbed me a good deal, particularly so since I recognize the complete inefficacy of the provision which is now in the bill if the Commodity Credit Corporation is disposed to circumvent it. There is a transferability clause that provides for exchange of funds up to 5 percent, and, besides that, the President has a blank check and can provide for any amount of money desired. It was, therefore, rather intriguing that the President was so eloquently silent on this point on Monday night when he addressed the country. There remains, then, the element of public psychology. I think the thing that bothers most everybody is the general reaction and the idea that will be gotten by the farmers of the country as to what the intent of Congress is with reference to parity. We talked on it as early as 1938, in the second farm bill. We have been discussing it for years and have given assurance of parity. Then we come along with the Price Control Act and in section 3–A give the farmers assurance that there shall be no maximum price below the level that represents practically 110 percent of parity. There is the additional fact that on Monday last we passed the parity section of this bill, and we cannot go back to it now. There could be a motion to recommit, but there is no other way to get at it. It provides and, in fact, directs the Secretary of Agriculture to make commitments and incur obligations for full parity. That is the language of the bill now before us.

To incur obligations and make commitments for full parity.

Where does it leave us if we are going to play both ends against the middle? That would be torpedoing parity. It is an inconsistency. I am afraid that we may get ourselves in the position of the little mule that was balky and fell down in the street. The farmer could not get him to budge. Finally a veterinarian came along, and the owner said, "I can't do a thing with this mule." The veterinarian reached into his case, got out a syringe and squirted something into the hindquarters of the mule, and he got up and ran down the street. The owner said, "How much is that?" The veterinarian said, "That is 10 cents." The owner handed him 30 cents and said, "Here; give me two more shots of that so I can catch that mule."

That is the position we are in at the present time. Having assured the country of parity, which we adopted by a 2-to-1 vote on this bill on Monday, yet we are going to have to have a couple of shots of something out of the Treasury in order to catch that index level for farm prices. If the elimination of the proposal in the bill to compel the Commodity Credit Corporation to sell at parity should result in a lowering of farm prices, it would require a larger amount of funds out of the Treasury to carry out the parity mandate contained in this bill.

Now, with respect to alcohol, do not be disturbed about that. Notice in the hearings that the Commodity Credit Corporation refers to "Government-owned commodities." Included in that are 157,000,000 bushels of corn and 170,000,000 bushels of wheat.

There has been more misinformation on this floor about the subject of high-proof industrial alcohol for the production of powder than any other subject that I have heard ventilated here. The

corn and wheat referred to above belongs to the Government. It can be transferred by other methods than by sale. This can be transferred to the distilleries. It is not a sale. It can be converted into alcohol and the Government could furnish the grain and simply pay the cost of conversion. So you see there is no problem. Here are 327,000,000 bushels of grain that the people of the United States own today that will manufacture approximately 775,000,000 gallons of 190-degree high-proof alcohol, for the manufacture of smokeless powder.

Do not be concerned therefore as to whether or not we have got the grain with which to do it.

A wrong impression may go out to the farmers today on this thing, after all the assurance we have given them concerning parity. If we are going to dip in with the right hand, under the direction adopted by this committee, to achieve full parity, and then torpedo the price, then we will have to reach down into the same Treasury and get larger quantities of funds with which to achieve that same level.

My notion is that the committee language ought to be supported and that we ought to oppose the amendment offered by the gentleman from Oregon [Mr. PIERCE].

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I have already addressed the Committee once on this subject matter. I do not propose to consume very much of your time now.

I am somewhat amazed by the contradictory arguments which have been advanced by gentlemen supporting the Pierce amendment, and who are in favor of striking this limitation out of the bill. On the one hand, they say it will be effective and will prevent certain consumer interests in this country from receiving at prices at which they ought to be permitted to buy farm products owned or controlled by the Government, and which those consumers need. On the other hand, they say that because it is merely a limitation upon the expenditure of funds by the Commodity Credit Corporation, it will not be effective; it may be evaded, and that therefore by adoption of the limitation contained in the bill we are telling the farmers of the country that we are accomplishing something for them when, as a matter of fact, we are not. In other words, they say on the one hand that the proposal will work and therefore it ought to be adopted. They say on the other hand that the proposal will not work, and therefore it ought not be adopted. I am reminded, without intending to reflect upon either of these gentlemen, of the lines of doggerel which run something like this:

> He wiggled in and wiggled out and left the natives all in doubt, whether the snake that made the track was leaving home or coming back.

Now, perhaps this limitation is not effective. Perhaps the officials of the Commodity Credit Corporation and others who have charge of the administrative affairs of the Government may be so dishonest as to seek to avoid a mandate by the Congress of the United States. I do not wish to believe that. I do know this to be true, however, that if we keep this limitation in the bill, by rejecting the Pierce amendment, we will send to the Senate the framework upon which that body may build an effective limitation which nobody can avoid, no matter how much he may be inclined in that direction, and which, under the rules of the House, it is not possible for us to incorporate in the bill.

I think we may rest assured, in view of the recent 2 to 1 vote by the Senate in favor of substantially this proposal, that that body, when it does complete action upon this portion of the agricultural appropriation bill, will have in the bill a provision which will be absolutely effective.

What are the duties of the Commodity Credit Corporation?

Are you in favor of having the Corporation discharge the duties which devolve upon it? I read from the justifications:

> First, to protect and increase farm income; second, to stabilize farm prices; third, to maintain an adequate reserve supply of farm products.

Do you think it is protecting and increasing farm income to undertake to manipulate the market as they admit they are undertaking to do to the disadvantage of the farmer and for the purpose of depressing the value of farm products? The question answers itself.

I am insisting, Mr. Chairman, that fairness to the farmers of the country and compliance with the promises made by Democrats and Republicans in their national platforms for 10 years requires that we keep this limitation in the bill and reject the Pierce amendment.

[Here the gavel fell.]

The CHAIRMAN. Does any other Member desire recognition on this paragraph? There are still 3 minutes remaining.

Mr. H. CARL ANDERSEN. Mr. Chairman, I would like to be recognized briefly.

The CHAIRMAN. The gentleman from Minnesota [Mr. H. CARL ANDERSEN] is recognized.

Mr. H. CARL ANDERSEN. Mr. Chairman, I shall take but a minute to repeat what I said the other day, that if you agree to this amendment you say to the farmer, in effect, that he is not entitled to more than 85 percent of parity on wheat and corn.

I was astonished that three Members who are my friends and big cattle feeders or Representatives of such cattle-feeding districts should rise in this Well today and advocate that we not insist on parity on corn and wheat. In other words, they would have the corn and wheat farmer supply at 85 percent of parity corn and wheat to feed cattle for which they receive 130 percent of parity. They ought to be ashamed of themselves.

Mr. GOSSETT. Mr. Chairman, I would like to be recognized.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. GOSSETT] for the remainder of the time.

Mr. GOSSETT. Mr. Chairman, I cannot see why anybody would want to cut the farmer below parity on anything he grows or sells. In our section of the country most of the small business is suffering greatly because they have received no war-production business. We have no industries to speak of in the great Southwest. If the farmer is cut below parity on the things he has to sell the small business man in our section is going to suffer even more than the farmer. If farm markets are broken the result will be economic bondage for the entire Southwest.

As a matter of fairness, of equity, and of justice, the farmer of this country ought to have at least parity for everything he has to sell. I cannot conceive why the Department of Agriculture or the administration would want to take any action that would force the price of farm commodities anywhere below parity. Even parity prices for farm products do not mean parity income for the farmer, because he does not raise cash crops on his retired acreage. It seems to me as a matter of simple justice that we ought not to dump on the market any surplus commodity that would force the price of any farm product below parity.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Oregon.

The question was taken; and on a division (demanded by Mr. PIERCE) there were—ayes 47, noes 116.

Mr. O'BRIEN of Michigan and Mr. PIERCE demanded tellers.

Tellers were refused.

The Clerk read as follows:

> Administrative expenses: Not to exceed $775,000, in addition to the funds provided by section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935, as amended (7 U. S. C. 612c), shall be available for administrative expenses in carrying out the provisions of said section 32, as amended, and the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), including personal services in the District of Columbia.

Mr. COLLINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this subcommittee has heard considerable testimony on the general subject of rubber, a subject of interest to every person in the country.

The position in which the Nation finds itself respecting supplies of rubber is one that hits every individual of the Nation directly. There are more public announcements and comments, more publicized regulations, and more stories, jokes, and cartoons on the subject of rubber than on any other strategic commodity today. There are some important facts on the subject that the American people should know; and in the hope that it will help to crystallize efforts of the Nation toward logical action and efficient organization in meeting the rubber problem, I wish to present them to the House. I will not take your time in dwelling upon the well-known and the obvious facts. You know that more than 97 percent of our rubber, comprising 650,000 tons annually, came from Malaya and the Netherlands Indies, now completely overrun

by the enemy. You know that a highly technical industry employing millions of skilled workers, 9,000,000 acres of well-kept groves, a billion mature trees, is not going to be replaced easily or quickly even by the most ingenious nation in the world. You know that our job is not only to carve out other sources of rubber supply or rubber substitutes for ourselves, but for our Allies as well. All these things are known. As a member of the Committee on Appropriations, I have a special interest in the efforts of the Department of Agriculture in attempting to solve the problem of supplies of natural rubber.

We have recently heard much about synthetic rubber. The assertion was made by the head of the Government Loan Agency, Mr. Jesse Jones, that synthetic rubber will be produced at the rate of 400,000 tons a year by the middle of 1943. Let us assume that Mr. Jones made that assertion on competent authority and let us critically examine the promise, which undoubtedly allayed the fears of many for a rubberless future, and may even have inspired some in authority to dig deeper into our limited stockpile of natural rubber. Synthetics are substitutes for rubber only in part and natural rubber is still needed in generous proportion to make tires approaching the mileage performance and dependability of our present tires. Natural rubber is indispensable. Germany, despite the popular misconception that the Nazi motorized army is shod satisfactorily with substitute rubber tires, I have been told, is making frantic effort to get supplies of natural rubber, paying fabulous prices for real rubber that runs the blockade. The Nazis have recently built factories in French Morocco and Algeria to extract natural rubber, expensively and inefficiently, from a third-rate latex-bearing plant that grows in northern Africa. This is part of the collaboration of Vichy. We can use 400,000 tons of synthetics and I fervently hope that Mr. Jones is correct in his assurances, but let us face the fact that we must have natural rubber to supplement it and mix with it to make decent tires for my son and your sons in the Army when their very lives depend upon 100 percent performance of their equipment. We can help to insure that performance, but it will not be by half measures. We have not finished the job by providing money for rubber-substitute factories still on blueprint paper. There is much more to do. Early this month the President signed a bill providing the authority for making available a source of crude rubber for emergency needs. Under that authority of that bill the Department of Agriculture is already putting forth a tremendous effort in a race against time to grow enough seedlings of the desert rubber shrub guayule to plant 75,000 irrigated acres. That represents all of the seed available at this time. The nursery beds for the seedlings are so extensive that it requires 20 miles of overhead pipe to irrigate them.

I want to assure you that there is nothing slow about the Department of Agriculture once we give their competent technicians the go sign. But let me tell you the story of the bill. It is not a pleasant one to contemplate for solicitous fathers and mothers with sons in the Army. It is a story of indecision on the part of our multiplicity of agencies having to do with rubber. It is the old story of too many cooks. Worse still, the novices among these agencies have as much to say as the long experienced agencies. This bill was originally introduced June 11, 1941, by Mr. ANDERSON of California, after consultation on the technical points with representatives of the Bureau of Plant Industry who gave assurance that usable rubber could be produced in 5 years, or in 3 years with some sacrifice in yields of rubber per acre. The bill was submitted by the Bureau of the Budget to the Department of Agriculture, the O. P. M., R. F. C., the Army, the Navy, and O. P. A. C. S. It was immediately endorsed by the Department of Agriculture and by the Army and Navy. O. P. M. and W. R. C. had other fish to fry and were lukewarm. Other alphabetical outfits were decidedly cool and therefore the bill rested in refrigeration for nearly a half year. The Price Administrator told us last month that there would be no tires for civilian cars nor even rubber to retread the tires on the milkman's delivery truck. Last week he hoped it would not be necessary to sequester the tires already on our cars. One wonders if some of these so-called rubber experts are the same who saw no need to grow guayule rubber last summer when the project was presented logically and with intelligent foresight as a device to insure a nucleus planting of the shrub, to be expanded when and if needed.

I want to point out that the same confusion of thought, the same ignorance and ineptitude that brought the delay in the case just cited still exists in the 15 Government agencies having to do with procurement of rubber and allocating or dispensing manufactured rubber articles.

This is no job for amateurs nor is it a job for various uncoordinated rubber specialists among whom the crude rubber production experts have been conspicuously absent or voiceless. To my mind the rubber producer, even with such limited production as is possible, is more important to a nation at war than a whole host of Mother Hubbards wrangling at the empty cupboard. Before long we will face an empty cupboard unless other positive logical actions like the planting of the guayule are taken immediately. Let us begin to think clearly and recognize that of the two jobs before us the baking of the cake will eventually take precedence over the cutting of the cake, however important the latter may be currently. But the cake cutter cannot do his job intelligently unless he knows how much there is to cut this year, next year, and for 5 years or more to come.

I have recently seen a timetable of rubber-production possibilities from 1942 to 1950 prepared by the Department of Agriculture. It sets forth our rubber position more convincingly than any of the disjointed statements I have read, because it combines the nine major potential sources in tabular form and the expected production at future delivery dates. For every item the necessary action to realize the estimated production is indicated. The action is no mere matter of plunking cash on the barrel head, but requires careful planning and tremendous effort by ourselves. This interesting document is available to you individually in mimeographed form, but it seems such an accurate factual statement of our position in respect to a strategic material that I do not propose to put it in the RECORD.

My purpose in alluding to this rubber-production timetable is twofold. First, it is a matter for congressional attention that there are 15 agencies of this Government giving attention to an important strategic requirement. Apparently some of them that give only part-time attention to rubber can checkmate the sound plans of others or cause irreparable delay. Second, I want to emphasize the overwhelming importance of production in contrast with all the appendages of production, including the procurement, the allocation, the rationing and, in short, the long list of Government middlemen between producer and consumer, all of whom will be without jobs if we do not now pave the way for production.

There should be an over-all clearing house having representation of the executive agencies with an experienced, competent rubber-production expert at the top to review and take action on all proposals having to do with the important matter of bringing into existence and exploiting all potential rubber resources and allocating the product to specific uses. All of the product from all available sources of rubber in sight on the horizon do not add up to more than our bare strategic and critical needs. The only way that we can translate those sources into balls and sheets of rubber flowing into the manufacturing plants where they are needed is by organization and coordinated action, hence I earnestly hope action will be taken at an early date to consolidate these agencies and to place an experienced rubber authority in charge of them.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, had come to no resolution thereon.

THE LATE LEROY D. BRANDON

Mr. McINTYRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming [Mr. McINTYRE]?

There was no objection.

Mr. McINTYRE. Mr. Speaker, may I ask that the House pause a moment in remembrance of Leroy D. Brandon, who

served as Journal clerk of the House of Representatives with distinction for many years.

He was appointed Journal clerk while a member of the staff of the Government Printing Office, detailed to service with the House of Representatives.

Mr. Brandon came to Washington on April 27, 1900, from Iowa as a youth, when appointed to a position in the Government Printing Office. He achieved such efficiency in his craft that he was chosen for detailed service in the Capitol when the Clerk of the House requested such aid in compiling publications issued by his office.

His familiarity with and aptitude for the procedure and detailed work in the House of Representatives made him the logical choice for Journal clerk on December 1, 1923. He supervised the compilation and writing of the Journal of the House until about 1½ years ago, when illness compelled his retirement from that arduous task.

But with all his faithful and eminently competent service to the House, Mr. Brandon always remained first and last a printer—loyal to the traditions of Gutenberg, Franklin, and Greeley. He loved the craft which he had learned as a boy and had followed through the years before his appointment as Journal clerk of the House.

To the exacting tasks of the Journal clerk he applied the precision for which his craft is noted. The Journal of the House was never written with greater accuracy, nor published with more dispatch, than during his service.

Mr. Brandon was ever ready to help his fellow workers and give them the benefit of his lifetime experience in the Government Printing Office and the House of Representatives. He never failed to answer an appeal for information, regardless of the pressure of his own occupation. His retentive memory and love of order made easier his grasp of parliamentary questions—on which he was recognized as an authority by his fellow employees.

As to his general character and bearing, it might well be said of Mr. Brandon:

His life was gentle, and the elements
So mix'd in him, that Nature might stand up
And say to all the world, "This was a man!"

LEAVE OF ABSENCE

Mr. EATON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New Jersey [Mr. HARTLEY] may be excused for 2 days, on account of a death in his family.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. EATON]?

There was no objection.

EXTENSION OF REMARKS

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article entitled "The Trenton Plan."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. POWERS]?

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks at the point in the RECORD where they appear and to include an excerpt from the Democratic national platform of 1940.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

RURAL RESETTLEMENT ADMINISTRATION

Mr. WHITE. Mr. Speaker, we have been debating some very serious problems of government. As I see it one of the most serious problems that this Government has to undertake is the shifting of the unemployed population from the industrial centers back to where they can become self-supporting on the farms. The greatest agency that has been created to handle this work has been the Rural Resettlement Administration.

Mr. Speaker, I ask unanimous consent to include two telegrams from representatives of farmers' organizations and a letter from a member of the State Legislature of Idaho on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

The telegrams and letter follow:

OGDEN, UTAH, *March 3, 1942.*

Representative COMPTON WHITE,
Washington, D. C.:

As a producer cooperative representing about 2,000 members we feel the appropriation for farm security should be at least equal to last year on account of the numerous family-sized farms who need farm security support in order to produce to capacity this coming year.

FARMERS GRAIN CO-OP,
ELWOOD WILLIAMS.

SPOKANE, WASH., *March 4, 1942.*

COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

We urge your support Farm Security Administration appropriations equal to last year if increased production is to be made possible.

WASHINGTON-IDAHO FARMERS UNION,
LUVERNE FETZ, *President.*
ALMER MCCURTAIN, *Secretary.*

STATE OF IDAHO,
SENATE CHAMBER,
Clark Fork, Idaho, March 2, 1942.

Hon. COMPTON I. WHITE,
Member Congress from Idaho,
Washington, D. C.

DEAR CONGRESSMAN WHITE: It has been noted that a possible attempt will be made in Congress to reduce or impair the function of the Farm Security Administration, and I respectfully call to your attention a few points in support of the work of this branch of agricultural credit, and urge that it be continued if possible with increased possibility for service rather than impairment.

You are well aware of the development process involved in making a farm from a stump ranch—of the difficulties in getting enough land cleared to make a farm capable of supporting a family—of the combination of lumbering employment summers, and farm development during the rest of the year that has brought about the principal development in the past, and of the problems and distress in recent years brought about by the elimination of lumbering employment which was so necessary a complement to this type of farm development.

You are also aware how well the Farm Security Administration stepped into this breach caused by cessation of woods work, by making funds available to these ranchers so that they could clear land rapidly, and as rapidly develop self-supporting farms on which the occupants could live all year and support themselves and accumulate a surplus to apply on repayment of these loans. Without these loans many of these farms would not be an asset on the tax rolls, but would now belong to the county, and their operators would not be contributing to our defense effort and assisting in the development of our area. Since the principal production in this area is in dairy, vegetables, pork, and poultry, this Farm Security Administration program is more than usually valuable at this time.

No other agricultural credit is available to these farmers, many of whom are well out of the marginal class now, and bank credit, though probably more than usually generous here, has never been suitable or always available for the longer terms required in crop production and the clearing of land and development of livestock enterprises.

If criticism is to be directed against any division of the farm credit set-up I would direct it against the operation of the Interstate Production Credit Association, with headquarters in Spokane, which is supposed to serve this northern Idaho area. This division, which operates to considerable extent through the Washington-Palouse Counties down to Pullman, appears to consider Bonner County a nonagricultural county. It is supposed to loan funds for production of crops to all legitimate farmers, and likewise to finance the production of livestock on a longer term basis up to 5 years. It has only two or three loans in this county, according to A. C. Chace, treasurer of the association, and when I took him to task last Saturday before the stockholders' meeting of the Panhandle Farm Loan Association at Sandpoint for failure to serve this area, he had no satisfactory answer, and further asserted it was not the intention of his association to liberalize their policy to increase production for defense in this county, and that no change was contemplated over past policy. This Production Credit Association refuses to serve farmers in this area or accomplishes refusal in effect by requiring so much security on loans that no sensible borrower can submit.

The Farm Security Administration is not designed to serve those who are well-established farmers and whose chattels and land are accumulated and moderately free from debt, and it is this class who have security and productive capacity, and who wish to expand for the benefit of the Nation and themselves, who are denied aid by the Production Credit, whose field it is to finance them. The Farm Security Administration has attempted to help, and has gone as far as its restrictions and its resources would permit. I point out that it would be disastrous to limit them further—better instead to turn over to them the better loans and greater productive capacity possible on the established farms of this county and of the Nation if this condition is widespread. Increased funds and a more liberal policy with respect to taking the better classes of loans would be of multiple advantage at this time. I make this suggestion in view of the fact that the Interstate Production Credit is an old entrenched Washington concern little interested outside its own little sphere, and probably financially independent now so that pressure might have little effect in changing their procedure. If possible to supplement the present Farm Security Administration with increased capacity for service in this field so that it might supplant the service the Production Credit should provide, I sincerely urge that this be done.

With kind personal regards, I remain.

Yours respectfully,

A. M. DERR.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend

my own remarks in the RECORD; and, secondly, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DITTER] may have permission to revise and extend his own remarks in the RECORD and to include an editorial from the Patriot.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short article from the Des Moines Register-Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. HARRINGTON]?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today on the civil-functions bill and to include therein a brief excerpt from the hearings on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MAHON]?

There was no objection.

PROPOSED AMENDMENT TO NATIONAL LABOR RELATIONS ACT

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GIBSON. Mr. Speaker, I am, of course, more concerned over a diligent and successful prosecution of our war efforts than any other issue currently before the American people. I am concerned and you are concerned because our most precious heritage is at stake—that of the right to live in a full democracy of freedom and justice. Much of the wealth of this Nation is going to be dissipated in our efforts to win this war and maintain our rights in democracy. We are going to win the war; we cannot afford to lose it. We cannot forfeit to barbarism that which was bought with the blood of the purest and bravest patriots to ever forfeit their lives on the field of battle for the cause of justice and righteousness. We will not let freedom perish before the fire of hatred blazing from the sword of the aggressors and leave only a despotism to receive our posterity and take from those yet to be born that which they have a right to expect—the privilege of living as free men and women.

I want to remind you and the American people that if victory is worth what it is going to cost us in dollars, in blood, in broken hearts, and homes, it is worth our efforts today, tomorrow, and through the ages to maintain and safeguard the benefits of that victory. Let not our fondest hopes and most optimistic dreams cause us to minimize the sacrifices that must follow our victory. We must face a terrible depression irrespective of what we may be told—it must come, a pay day must come. There is a limit to what any people can pay in taxes. All who profess to be patriots had as well prepare to be guardians of our Nation in its rebuilding. The destruction of war is not blown away by the first soft winds of peace. Years of toil and hardship alone can banish from our people the horrors and poverty left in the path of war. There never comes in the life of any nation so crucial an era as her reconstruction days after a destructive war; her people are demoralized and susceptible to false leadership.

There is not, nor will there ever be, any danger in the true American workingman; there will never be any danger in an American labor organization that is led by true American workmen. We have seen so often, however, where honest labor has been exploited, its money taken and never accounted for by unscrupulous and mercenary labor leaders who have no interest in the cause and who have never done an honest day's work, until we are brought to know that the honest workingman has a right to demand protection. This bill is framed to this prominent end.

There are from day to day efforts exerted looking to the amalgamation of the two great labor organizations—the American Federation of Labor and the Congress of Industrial Organizations. Let this occur and the natural era of reconstruction with all its hardships, deprivations, and discontent among our people come, without the protection to the American workmen and the American people the proposed amendment provides and you will see this democracy fold up and our Government taken over by the leadership of the great labor organization so set in existence. I make this statement with the full conviction that it will be sustained by the verdict of time. It has been said before, and it is true, that it was labor groups that gave bolshevism to Russia. It was violent reactions against violent excesses by labor groups that gave fascism to Italy. It was middle-class groups that helped Hitler to give nazi-ism to Germany. It was a fanatical fight between labor and antilabor extremists that divided and demoralized France, that led directly to its military downfall and to the antidemocratic government of Marshal Petain. Why should we, the best people in the world, recline in complacency and let these horrors seize us? When this occurs, the masses of labor and the American citizen will become serfs and slaves. This is what I see coming, and what my voice will always ring out against. Is my prediction sustained by the following facts:

As matters stand, the A. F. of L. and the C. I. O. each boast a membership of 5,000,000, or 10,000,000 in all.

Just imagine for a moment one labor organization starting off with 10,000,000 members without any competition to interfere. It would not be very long when these 10,000,000 would be turned into 20,000,000 when we consider the millions of workers who do not belong to either organization today, simply because they do not know to which organization to belong. With just one, there would be no other choice.

Twenty million men enrolled into one organization paying as little as $1 a month dues, to say nothing about assessments, gives the leaders the tidy sum of $240,000,000 a year to be spent as these leaders see fit, and without restraint. This amount is based only on the assumption that the present dues would not be raised. However, this is very unlikely because with just one organization there would be no competitive obstructions, and dues would be levied to suit the pleasure of the leaders. This $240,000,000 could very well become $500,000,000 annually. And, as in the past, this money could be used most conveniently for promoting a national political campaign in 1944 with a $1,000,000,000 campaign fund—or for any other purpose to which unscrupulous or unwise labor leaders may appropriate this money.

When labor gains numerical strength it must also gain moral stability. Until we see complete responsibility on the horizon, the amalgamation of these organizations does not offer much hope. Every effort should be made to bring peace to organized labor but this peace must guarantee security to the workers, the employers, and our Nation as a whole. This can best be assured through sensible legislation which will guarantee honest union operation irrespective of numerical strength.

Is it wrong to say that such sums of money shall only be handled by organizations chartered in the United States of America or the Dominion of Canada?

Is it wrong to say that the management and expenditure of such sums of money shall be directed by only citizens of the United States of America or the Dominion of Canada?

Is it wrong to say that such sums of money will be managed and expended under the direction of persons who have had actual experience in the work and problems of the trades represented by their respective organizations?

Is it wrong to say that those responsible for the care and handling and expenditure of such great sums shall be bonded to insure proper uses of such funds?

Is it wrong to say that those collecting such sums from the masses of the American workingman shall render to the ones from which the same was collected an annual statement disclosing fully what such funds have been used for?

Is it wrong to say that the powers invested in a few leaders by such great sums of money shall not be used to influence the American voter in the free use of his franchise in selecting the person or party of his choice to public office in these grand United States of ours?

Is it wrong to say that membership in labor unions shall be voluntary, that the law will not permit one to be forced to pay for the right to work in free America, and that labor unions by their merits should be the strongest invitation for membership?

Is it wrong to say that a strike is illegal if pulled before the lapse of a 60-

day cooling-off period when we specifically provide that the settlement of such dispute shall be retroactive to the date the dispute arose?

Is it wrong to say that there shall be no interunion strikes, when it is known that the only resulting benefit is to those in the high command and under no circumstances could benefit accrue to those who actually perform the labor and pay in the dues to the organization?

The bill I expect to introduce is amply able to stand on its own merits and is not subject to criticism from labor or industry. I have high regard for the American laborer. I worked with the various crafts of a railroad in the United States for a period of 7 years and learned to respect them as a loyal and patriotic body of American citizens. This bill is just as much for the protection of labor as for any other citizens. I say without fear of contradiction that if anyone will be fair and unbiased he will have to admit that the railroad brotherhoods have, through the ages, been reasonable in their demands and just in their means of trying to enforce them. I make this statement, speaking as a whole: We all make mistakes and these brotherhoods possibly have, but they have been minor, and as a whole the railroad brotherhoods are entitled to the respect of the American people. It is true, however, that these brotherhoods as a whole have men skilled in their trade who are American citizens as their leaders. They do not place the responsibility of their leadership in the hands of men like Harry Bridges. Where we see the great abuses of the privileges accorded American labor is in the industrial organizations, where, in many instances, aliens and men with views antagonistic to American ideals, are placed in leadership.

The provisions of the bill that I propose to introduce in substance codifies, or I may say embraces, the fundamental principles under which the railroad brotherhoods have operated through the years.

I am pleased also to say to you that this legislation is sponsored, approved, and unanimously favored by the leadership and membership of the Railroad Yardmasters of North America, Inc., which is one of the smallest labor organizations in the United States. Mr. Maurice R. Franks, their editor, has been cooperative in drafting this legislation. My motives cannot be assigned to selfish reasons. This organization has only approximately 2,500 members, and, so far as I know, not a one in my congressional district; certainly if any, there is very few. This organization not only feels that this legislation is necessary for the maintenance of our form of government, but for the protection of American labor. It is a very patriotic service that this organization is rendering our people and to it and its membership should go the highest respect of the American people.

[Here the gavel fell.]

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GIBSON. This bill is an amendment to the National Labor Relations Act, and for the benefit of those before me and of the RECORD, I quote in substance the provisions contained in the bill which could consistently be referred to as constituting eight points, as follows, to wit:

First. Only labor organizations chartered in the United States of America or the Dominion of Canada will have status under the National Labor Relations Act.

Second. Only citizens of the United States of America or the Dominion of Canada will be eligible to hold office or be a leader.

Third. All labor leaders will be persons from within the rank with at least 6 months in the occupation represented by their organization.

Fourth. All officers or leaders handling the funds of their organization will be adequately bonded by an independent, reputable company or companies.

Fifth. Each member of a labor organization will receive a financial statement at least once per annum prepared and certified to by an independent certified public accountant.

Sixth. It will be illegal under the terms promote any political campaign or in of this act to utilize the funds of a labor organization for political purposes or to the interest of anyone seeking public office.

Seventh. Membership in labor unions will be voluntary.

Eighth. Strikes to be illegal if pulled before the lapse of a 60-day cooling-off period, and settlement of such dispute will be retroactive to the date the dispute arose. Interunion strikes defined to mean strikes between two or more national labor organizations or between two or more local labor organizations, crafts, or occupations, or between any combination of the aforementioned.

In conclusion, I want to state sincerely to this body and to the American people that I have no disposition to be unfriendly to labor, but say frankly that I have at heart the protection of the laboring man from those who would gulp him up and enjoy a life of ease and comfort from the fruit of the sweat of his brow. I call on every American workman to analyze closely the application of the provisions of this amendment before condemning same. I ask the membership of this House to study the provisions of this amendment and their actual application very closely before you decline to lend your full support thereto. I feel sincerely in my heart that there is no legislation that is more necessary to the continuation of our democracy, with its full benefits, than the amendment I now introduce.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, my extension of remarks will run a little over the amount allowed under the rule. I ask unanimous consent that it may be printed in the RECORD notwithstanding that fact.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. GAVAGAN, indefinitely, on account of important business.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 3798. An act to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government."

ADJOURNMENT

Mr. TERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Thursday, March 12, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on Thursday, March 12, 1942, at 10 a. m. for consideration of H. R. 6483. The hearing will be held in the caucus room, Old House Office Building.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet Thursday, March 12, at 10:30 a. m., in room 353, House Office Building, to resume hearings on the bill H. R. 6522.

COMMITTEE OF INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1476. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend the joint resolution approved August 27, 1940 (54 Stat. 858), as amended, and the Selective Training Act of 1940 (54 Stat. 885), as amended, so as to remove the requirement that medical statements shall be furnished to those persons performing military service thereunder; to the Committee on Military Affairs.

1477. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California; to the Committee on Indian Affairs.

1478. A letter from the Secretary of War, transmitting a draft of a proposed bill to provide for the decentralized settlement and payment of damage claims arising from activities of the Army, other than in foreign countries; to the Committee on Claims.

1479. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 31, 1941, submitting a report, together with accompanying papers on a survey of

the Palarm Creek in Faulkner and Pulaski Counties, Ark., authorized by the Flood Control Act approved on August 28, 1937; to the Committee on Flood Control.

1480. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 24, 1941, submitting a report, together with accompanying papers, on a preliminary examination of the Hatchie River and tributaries, Mississippi and Tennessee, authorized by the Flood Control Act approved on August 11, 1939; to the Committee on Flood Control.

1481. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 1, 1942, submitting a report, together with accompanying papers, on a preliminary examination of Toro Negro River and tributaries, Puerto Rico, authorized by the Flood Control Act approved on August 11, 1939; to the Committee on Flood Control.

1482. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the Treasury Department for the fiscal year 1941 amounting to $30,412, and supplemental estimates of appropriations for the fiscal year 1942 amounting to $2,840,000, in all, $2,870,412 (H. Doc. No. 662); to the Committee on Appropriations and ordered to be printed.

1483. A communication from the President of the United States, transmitting four supplemental estimates of appropriations for the Department of Agriculture for the fiscal year 1942, three totaling $7,350,000 to remain available until June 30, 1943, and one for $4,200,000 to remain available until expended; in all, $11,550,000 (H. Doc. No. 663); to the Committee on Appropriations and ordered to be printed.

1484. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Veterans' Administration for the fiscal year 1942, amounting to $1,670,000 (H. Doc. No. 664); to the Committee on Appropriations and ordered to be printed.

1485. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Department of Labor for the fiscal year 1942 (H. Doc. No. 665); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SANDERS: Committee on Interstate and Foreign Commerce. S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.; without amendment (Rept. No. 1888). Referred to the House Calendar.

Mr. TENEROWICZ: Committee on Interstate and Foreign Commerce. S. 2133. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940; without amendment (Rept. No. 1889). Referred to the House Calendar.

Mr. TENEROWICZ: Committee on Interstate and Foreign Commerce. S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; without amendment (Rept. No. 1890). Referred to the House Calendar.

Mr. HALLECK: Committee on Interstate and Foreign Commerce. H. R. 6080. A bill authorizing the county of Lawrence, Ill., to construct, maintain, and operate a toll bridge across the Wabash River at or near St. Francisville, Ill.; without amendment (Rept. No. 1891). Referred to the House Calendar.

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 6495. A bill granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center; with amendment (Rept. No. 1892). Referred to the House Calendar.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. H. R. 6730. A bill to protect the public health by the prevention of certain practices leading to dental disorders; and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; without amendment (Rept. No. 1893). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PRIEST:

H. R. 6765. A bill authorizing the President to require persons deferred under the Selective Training and Service Act of 1940 to perform civilian service of importance to the prosecution of the war; to the Committee on Military Affairs.

By Mr. CELLER:

H. R. 6766. A bill to permit officers of the Army and Navy, commissioned since December 7, 1941, to continue to hold their civil offices while on active duty during the war; to the Committee on Military Affairs.

By Mr. PEARSON:

H. R. 6767. A bill abolishing the Work Projects Administration; to the Committee on Expenditures in the Executive Departments.

By Mr. LANDIS:

H. R. 6768. A bill authorizing the President to appoint persons to guard plants, material, and utilities necessary to the prosecution of the war; to the Committee on the Judiciary.

H. R. 6769. A bill to provide for the seizure of nonessential aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTWRIGHT:

H. R. 6776. A bill to authorize the purchase of certain interests in lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians; to the Committee on Indian Affairs.

By Mr. GIBSON:

H. R. 6777. A bill to further protect the rights of individual employees under the National Labor Relations Act through denying certain representatives and labor organizations their status and benefits as such under the National Labor Relations Act; to the Committee on Labor.

By Mr. COLLINS:

H. Res. 455. Resolution expressing the sense of the House of Representatives that there should be a consolidation of Federal agencies concerned with the production of natural and synthetic rubber; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. BISHOP:

H. R. 6770. A bill to correct an error to confirm, as of March 2, 1861, the title to certain saline lands in Jackson County, State of Illinois, to Edward Holden; to the Committee on the Public Lands.

By Mr. ALLEN of Illinois:

H. R. 6771. A bill for the relief of Roy Delavergne; to the Committee on Claims.

By Mr. GREEN:

H. R. 6772. A bill for the relief of Mrs. Cora B. Jones and James C. Jones; to the Committee on Claims.

By Mr. KLEIN:

H. R. 6773. A bill for the relief of Jean Rudnikoff Bloomstein; to the Committee on Immigration and Naturalization.

H. R. 6774. A bill for the relief of Ruth Rudnikoff Stotland; to the Committee on Immigration and Naturalization.

By Mrs. SMITH of Maine:

H. R. 6775. A bill for the relief of Cornelia Hunton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2550. By Mr. ANDERSON of California: Petition of the Board of Supervisors of San Benito County, Calif., urging the evacuation and concentration of all Japanese and their descendants to a concentration camp under supervision of the Federal Government; to the Committee on Immigration and Naturalization.

2551. By Mr. BULWINKLE: Petition of sundry citizens of Kings Mountain, Cleveland County, N. C., favoring Senate bill 860 or House bill 4000; to the Committee on Military Affairs.

SENATE

THURSDAY, MARCH 12, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

O Lord God, who art the Guide and Leader of the generations of men, who hast called us with our limitations to be joyful inheritors of the wonder and glory of Thy Kingdom: We humbly acknowledge our utter unworthiness of Thy mercies, and confess how little we have done to exalt in freedom and fullness the faith of our fathers, brought to us through so many perils, purchased with such sacrifice.

Forgive us our long neglect of this our bounden duty, our past unfaithfulness, our deafness to Thy call, with its consequent neglect of opportunities. Give to our Nation power to face with courage the issues of this present time that she may go forth daringly, trusting in the leadership Thou dost inspire, and, unfettered by the past, may one day bring the nations of the world into that perfection which is the Father's will. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the

Journal of the proceedings of the calendar day Wednesday, March 11, 1942, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Overton
Austin	Glass	Pepper
Bailey	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hayden	Rosier
Bilbo	Herring	Russell
Bone	Hill	Schwartz
Brewster	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Smith
Burton	Johnson, Colo.	Spencer
Butler	La Follette	Stewart
Byrd	Langer	Taft
Capper	Lee	Thomas, Idaho
Caraway	Lucas	Thomas, Okla.
Chandler	McFarland	Thomas, Utah
Chavez	McKellar	Tobey
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Mead	Vandenberg
Danaher	Millikin	Van Nuys
Davis	Murdock	Wheeler
Doxey	Murray	White
Ellender	Nye	Wiley
George	O'Daniel	Willis
Gerry	O'Mahoney	

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from South Carolina [Mr. MAYBANK], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from Nevada [Mr. MCCARRAN] is holding hearings in the West on silver, and therefore is unable to be present.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holdings hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

THE LATE J. FRED ESSARY

Mr. TYDINGS. Mr. President, last evening there passed away from Washington and the national scene a gentleman who for 30 years has been associated with the press of the National Capital, Mr. J. Fred Essary. He was the dean of most of the correspondents, if not the dean of them all, in point of service, and for 30 years represented the Baltimore Sun in the Nation's Capital.

Mr. Essary wrote his articles over his own signature. I think they will be conceded to be articles written without passion or prejudice and with that degree of detachment and fact which is the aim of all outstanding journalists.

Mr. Essary was a man in whom any officeholder, either elected or appointed, could put absolute trust; they could tell him of events and news, or of coming events, and the confidence would be implicitly respected.

He was a former president of the Gridiron Club and of the National Press Club, and entered into all the interesting activities of those organizations which from time to time provide wholesome entertainment for the benefit of those of us who are associated in an officeholding way with the National Government.

Because of Mr. Essary's ability as an outstanding newspaperman, because of his long and distinguished service, and because of his high rank among those of his own profession and the high regard in which he was held by all Members of the Congress and generally by officials in Washington, I rise to express my deep regret, which I believe is universally shared, that he has passed from the scene of his brilliant activities.

ANNIVERSARY OF BIRTH OF ANDREW FURUSETH

Mr. LA FOLLETTE. Mr. President, this day is the anniversary of the birth of the late Andrew Furuseth, one of the most outstanding labor leaders whom it has ever been my privilege to know. I am sure the Members of the Senate who have served long in this body will remember him and his tireless and effective work in behalf of the men who follow the sea.

I ask unanimous consent to have inserted in the RECORD as a part of my remarks the minutes of a meeting of the Friends of Andrew Furuseth Legislative Association, of New York City. I call particular attention to that portion of the minutes which contains the call which Mr. Furuseth, who at that time was president of the International Seamen's Union, issued to all seafaring men ashore and afloat shortly after our entrance into the World War in 1917. I think it is very apt and appropriate that we should read this call in the light of the events which are happening today.

The PRESIDING OFFICER. Without objection, the minutes will be printed in the RECORD.

The minutes are as follows:

Members of this organization are gathered together on this 12th day of March 1942 to observe and commemorate the eighty-eighth birthday of a great American, Andrew Furuseth, leader of seamen, who died January 24, 1938, and whose ashes were buried at sea March 21, 1938.

Be it remembered that not only did he lead seamen in their successful fight to abolish arrest for desertion on American ships wherever they are on the high seas, but that he won freedom for seamen of foreign countries likewise when they are in waters of the United States.

We commemorate the birthday, life, and work of Andrew Furuseth for his sincerity, his personal integrity, the simplicity of his life, intensity of his work, and his selflessness as to material things. That his life and work have been an inspiration to seamen is proven by the fact that at this time, when the liberties of landsmen and seamen alike are threatened by the powers of evil and darkness in the fight for material things which would make slaves of all men, the merchant ships of the United States and of the United Nations are kept moving. In spite of the great risks, the terrific loss of lives due to the violation of international laws and laws of human decency in the matter of sinking vessels without warning, seamen of the world have not abandoned their calling, are not deserting, are not flinching, and we repeat, in the hope that these minutes will be printed in the CONGRESSIONAL RECORD of our great country, what Andrew Furuseth said in his message to seamen on the occasion of the last World War, 1917:

"A CALL TO THE SEA—TO ALL SEAFARING MEN ASHORE OR AFLOAT

"The Nation that proclaimed your freedom now needs your services. America is at war. Our troops are being transported over the seas. Munitions and supplies are being shipped in ever-increasing quantities to our armies in Europe. The bases are the ports of America. The battlefields are in Europe. The sea intervenes. Over it the men of the sea must sail the supply ships. A great emergency fleet is now being built. Thousands of skilled seamen, seafaring men of all capacities who left the sea in years gone by as a protest against the serfdom from which no flag then offered relief, have now an opportunity to return to their former calling—sail as freemen and serve our country.

"Your old shipmates—men who remained with the ship to win the new status for our craft—now call upon you to again stand by for duty. Your help is needed to prove that no enemy on the seas can stop the ships of the Nation whose seamen bear the responsibility of liberty.

"America has the right, a far greater right than any other nation, to call upon the seamen of all the world for service. By responding to this call now you can demonstrate your practical appreciation of freedom won.[1]

"ANDREW FURUSETH.

"MAY 1, 1917."

Today our troops are in the Far East, Iceland, Europe, and South America. Our oil tankers are being sunk without warning, but the seamen are not flinching.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Municipal Council of St. Thomas and St. John, V. I., protesting against the alleged action and method followed by the Governor of the Virgin Islands in securing the adoption of an amendment to the organic act of the Virgin

[1] Seamen's Act of March 4, 1915 (popularly known as the La Follette Act), Bureau of Navigation and Steamboat Inspection Service.

Islands without first informing or advising with the legislative assembly or the municipal councils of the Virgin Islands relative to his intention and obtaining the views of the people of the islands; to the Committee on Territories and Insular Affairs.

A resolution of the Senate of Puerto Rico; to the Committee on Military Affairs:

"Senate Resolution 1

"Whereas the totalitarian powers, with a decided purpose to destroy democracy throughout the world in order to establish a regime of violence, insecurity, and oppression, have extended their devastating war to the American Hemisphere;

"Whereas after the brutal and treacherous attacks on the naval base of Pearl Harbor and the Philippine Islands the Congress of the United States declared the existence of a state of war with the totalitarian powers;

"Whereas in the present conflict, which at this time already includes all the nations of the earth, the fate of democracy in the world is involved, the totalitarian powers striving to annihilate it definitely as an ideal of life and of government, and all free nations being bound in a common effort to insure its subsistence in order to save with it the conquests of civilization, the spiritual values of humanity, and the right of man to liberty, security, and peace;

"Whereas the people of Puerto Rico, because of their close relations with the people and the Government of the United States and their devotion to the cause of democracy, are absolutely identified with the great American Nation in this struggle for the subsistence of liberty and right;

"Whereas the people of Puerto Rico are ready to make the utmost contribution of men and effort and to suffer whatever sacrifices may be necessary in order to fight beside the people and the Government of the United States in this transcendental struggle until the totalitarian powers are definitely defeated and the bases of a regime of justice and security for all nations are firmly established; and

"Whereas interpreting the sentiment of loyalty of our people to the American Nation and their solidarity of purpose in the fight begun, the Legislature of Puerto Rico today, the opening of its second regular session of the Fifteenth Legislature of Puerto Rico, considers it its duty to make these feelings public and to fix its historical position in this great struggle for the cause of democracy, pledging its best efforts for the triumph thereof: Now, therefore, be it

"*Resolved by the Senate of Puerto Rico:*

"First. To express, as it is hereby expressed, the solidarity of the people of Puerto Rico with the people and the Government of the United States of America in the struggle against the totalitarian powers undertaken to safeguard democracy in the world.

"Second. To pledge, as they are hereby pledged, all the resources and efforts of the people of Puerto Rico to carry forward the war until the total destruction of the military power of the totalitarian forces and the vigorous affirmation of liberty and democracy as standards of life for all peoples.

"Third. To testify, as it is hereby testified, to the administration of the Honorable Franklin Delano Roosevelt, the profound identification of our people with his efforts in favor of these great ideals of humanity.

"Fourth. To send a copy of this resolution to the President of the United States of America, the Honorable Franklin Delano Roosevelt, to the Speaker of the House of Representatives of the United States, to the President of the Senate of the United States, to the Secretary of the Interior, to the Governor of Puerto Rico, and to the Resident Commissioner of Puerto Rico to the United States."

By Mr. CAPPER:

Resolutions forwarded by Howard Barber, of Courtland, Kans., and adopted and signed by numerous farmers of western Republic County, Kans., protesting against the operation of the agricultural adjustment program and favoring repeal of the Agricultural Adjustment Act; to the Committee on Agriculture and Forestry.

A resolution adopted by the Junior Chamber of Commerce of Emporia, Kans., favoring the adoption of a "work or fight" policy in the Nation during the present war emergency; to the Committee on Education and Labor.

By Mr. BARKLEY:

A concurrent resolution of the General Assembly of the State of Kentucky; to the Committee on Education and Labor:

"IN THE HOUSE OF REPRESENTATIVES,
"COMMONWEALTH OF KENTUCKY,
"*March 11, 1942.*

"House Resolution 72

"Concurrent resolution petitioning the Senate of the United States of America to enact into law a bill relating to labor disputes in defense industries, and urging the Honorable ALBEN W. BARKLEY and the Honorable ALBERT B. CHANDLER, Senators from Kentucky, to support the bill

"Whereas the United States is now engaged in a war in which continued and uninterrupted production of war materials will be a vital factor in the attainment of ultimate victory; and

"Whereas the youth of America, comprising our armed forces now engaged in a life and death struggle with the enemy, are in desperate need of the arms and munitions of war with which to bring about our complete victory; and

"Whereas strikes and work stoppages in defense industries are impeding the manufacture of such arms and munitions: Therefore be it

"*Resolved by the General Assembly of the Commonwealth of Kentucky:*

"SECTION 1. That the Senate of the United States of America be petitioned to enact into law an act which would require a 30-day notice to be given by employees of a defense contractor before a strike or lock-out is called and a secret vote before a strike is conducted in a defense industry, prohibit a defense contractor from denying employment to any person because of his membership or nonmembership in a labor union, and the use of violence or intimidation in labor disputes in defense industries, limit pickets to persons who were employees of a defense contractor prior to the beginning of the labor dispute, and prohibit jurisdictional strikes, secondary boycotts, and sympathy strikes where defense contracts are involved

"SEC. 2. That the Honorable ALBEN W. BARKLEY and the Honorable ALBERT B. CHANDLER be urged to use their personal efforts to secure the action contemplated in section 1.

"SEC. 3. That the secretary of state be directed to certify copies of this resolution to the Chief Clerk of the Senate of the United States, and to the Honorable ALBEN W. BARKLEY and the Honorable ALBERT B. CHANDLER, representatives from Kentucky in the United States Senate.

"This resolution was adopted by the House of Representatives on February 18, 1942, and was concurred in by the Senate of Kentucky on February 20, 1942.

"Attest:

"W. A. PERRY,
"*Chief Clerk, House of Representatives.*"

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROSIER, from the Committee on Claims:

S. 1991. A bill for the relief of Mrs. William Meister; with amendments (Rept. No. 1158);

H. R. 4099. A bill for the relief of Onie Martin and Betty Martin; without amendment (Rept. No. 1159);

H. R. 4657. A bill for the relief of Floyd P. Moritzky; with an amendment (Rept. No. 1161);

H. R. 5652. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes; without amendment (Rept. No. 1160); and

H. R. 5887. A bill for the relief of Howard L. Miller; with an amendment (Rept. No. 1162).

By Mr. TUNNELL, from the Committee on Claims:

S. 1044. A bill for the relief of L. H. Goodman; with amendments (Rept. No. 1164);

S. 1648. A bill for the relief of the Shaver Forwarding Co.; with amendments (Rept. No. 1165); and

S. 1732. A bill for the relief of Max Miller and Vera Caroline Miller, and others; with amendments (Rept. No. 1163).

EXECUTIVE REPORT OF A COMMITTEE

Mr. McKELLAR, as in executive session, from the Committee on Appropriations, reported favorably the nomination of Richard Irvin, of Pennsylvania, to be Work Projects administrator for Pennsylvania, effective March 1, 1942.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REED:

S. 2365. A bill to prohibit discrimination with respect to employment in the service of the United States or employment resulting from expenditures made by the United States; to the Committee on the Judiciary.

By Mr. REYNOLDS:

S. 2366. A bill to provide for the decentralized settlement and payment of damage claims arising from activities of the Army, other than in foreign countries; to the Committee on Claims.

S. 2367. A bill to amend sections 1 and 2 of chapter XIX of the Army Appropriation Act approved July 9, 1918; and

S. 2368. A bill to amend the joint resolution approved August 27, 1940 (54 Stat. 858), as amended, and the Selective Training and Service Act of 1940 (54 Stat. 885), as amended, so as to remove the requirement that medical statements shall be furnished to those persons performing military service thereunder, to the Committee on Military Affairs.

By Mr McFARLAND:

S. 2369. A bill for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California; to the Committee on Indian Affairs.

HOUSE BILL REFERRED

The bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ADDITIONAL CLERK IN THE DISBURSING OFFICE

Mr. BARKLEY submitted the following resolution (S. Res. 230), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to employ a clerk for service in the disbursing office of the Senate at the rate of $2,220 per annum, to be paid from the contingent fund of the Senate until otherwise provided by law.

ADDRESS BY SENATOR TAFT ON PROFITS, PICKETS, AND PARITY

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address on the subject Profits, Pickets, and Parity, delivered by him at the National Republican Club on March 7, 1942, which appears in the Appendix.]

ADDRESS BY SENATOR MURRAY ON WAR PRODUCTION BY SMALL BUSINESS

[Mr. MURRAY asked and obtained leave to have printed in the Appendix a radio address delivered by him at a meeting of the American Business Congress New York City, March 10, 1942, on affording small business concerns opportunities for war production, which appears in the Appendix.]

UTILIZATION OF SMALL BUSINESS IN WAR PRODUCTION

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a letter from Meyer Jacobstein, of the Brookings Institution, relating to the utilization of small business firms in the national production program, which appears in the Appendix.]

SMALL BUSINESS AND THE WAR PRODUCTION PROGRAM—EDITORIAL AND STATEMENT BY SENATOR MEAD

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial from the Washington Star of March 9, 1942, together with a statement by himself, regarding Senate bill 2250, which appear in the Appendix.]

T. P. &. W. RAILROAD STRIKE

[Mr. MEAD asked and obtained leave to have printed in the RECORD a history of the T. P. &. W. strike, which appears in the Appendix.]

SINKING OF REFUGEE SHIP "STRUMA"

[Mr. MEAD asked and obtained leave to have printed in the RECORD a telegram and memorandum relative to the sinking of the refugee ship *Struma*, which appear in the Appendix.]

FACILITIES OF THE OFFICE OF GOVERNMENT REPORTS

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article from the Washington (D. C.) Evening Star of March 12, 1942, by Gould Lincoln, on the subject of the facilities of the Office of Government Reports, which appears in the Appendix.]

WAR SPIRIT IN DETROIT—ARTICLE FROM DETROIT FREE PRESS

[Mr. BROWN asked and obtained leave to have printed in the RECORD an article from the Detroit Free Press of March 11, 1942, entitled "I Will Do My Best," which appears in the Appendix.]

RETURN OF GOVERNMENT BENEFIT PAYMENTS BY INDIANA FARMERS

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an article from the Decatur (Ind.) Daily Democrat of March 9, 1942, entitled "Farmers Pledge Not To Receive Payments," which appears in the Appendix.]

REQUISITION OF TIRES AND DESTRUCTION OF CIVILIAN CONSERVATION CORPS MATERIAL

Mr. DAVIS. Mr. President, I understand that Price Administrator Leon Henderson has announced that it may be necessary to requisition tires from private owners for use of the armed forces. How far Administrator Henderson intends to go with this program I do not know. It may be that he has his program well in hand. If so, I am certain that American citizens will want an explanation from him of the outrageous destruction of C. C. C. materials which has taken place in some of the camps in Pennsylvania.

I ask unanimous consent to have printed in the RECORD as a part of my remarks the news article of Gerson H. Lush published in the Philadelphia Inquirer, March 8, 1942, which portrays but a small part of what will be found in the way of extravagance in Government departments when a full examination is made.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer of March 8, 1942]

VITAL DEFENSE MATERIALS WRECKED AS CIVILIAN CONSERVATION CORPS CAMPS ARE ABANDONED; NEW CLOTHES AND BLANKETS BURNED—TWO HUNDRED TRUCKS LEFT IN FIELD TO RUST; TOOLS LYING IDLE

(By Gerson H. Lush)

Valuable and vital defense material—much of it irreplacable—is being wrecked by the Federal Civilian Conservation Corps in the abandonment of some of its camps in Pennsylvania, it was learned yesterday.

There are Civilian Conservation Corps camps in 47 other States where the Civilian Conservation Corps is retrenching.

While the civilian supply of all-wool clothes is dwindling, the Civilian Conservation Corps has burned brand-new, unpacked stocks of long underwear. The same goes for Civilian Conservation Corps uniforms, oilskin raincoats, arctics, and other rubber overshoes, and even Army blankets

While the War Production Board is attempting to utilize all "surplus materials," Civilian Conservation Corps storehouses are loaded to the ceilings with brand-new tools.

While Price Administrator Leon Henderson has announced it might be necessary to requisition tires from private owners for use of the armed forces, there is one Civilian Conservation Corps storehouse packed with at least 1,200 good truck tires, some of them virtually new.

TWO HUNDRED TRUCKS UNCARED FOR

While autos and trucks are being rationed, the Civilian Conservation Corps is permitting more than 200 usable trucks to rot in open fields—unprotected from the severe winter weather.

While there is a shortage of road equipment, 23 graders and 9 caterpillar tractors are wasting away in the same manner.

This reporter saw the trucks and tires and tools.

He saw some of the clothes saved from the fire pile, although he did not see the wanton destruction which took place last week at Camp S–51, Pine Grove Furnace, Cumberland County.

However, citizens in the camp area are up in arms about the wasteful burning. They even asked why the clothes, especially the underwear, raincoats, and arctics couldn't have been turned over by the Civilian Conservation Corps to the armed forces.

They are also asking why the Civilian Conservation Corps is holding onto the tools, trucks, and other equipment needed in defense work elsewhere.

TRUCKS STRIPPED OF TIRES

At Camp S–51, which was abandoned recently, there are 176 trucks, ranging from one-half to five tons; the 1,200 tires mentioned above; the 23 graders and 9 caterpillar tractors. Also a shed full of tools.

In a self-made "graveyard" atop a mountain at Cooks Run, Clinton County, are 78 more trucks.

Eight smaller Civilian Conservation Corps camps throughout the State are now in the process of demobilization. Each camp has 12 trucks.

Incidentally, the 1,200 tires at Camp S–51 come from the trucks parked in two fields adjacent to the headquarters. The trucks were jacked up and the tires removed.

TOOLS LYING IDLE

In storehouses at Hyner, Clinton County; North Bend, Clinton County, and Waterville, Lycoming County, are:

Seven hundred and eighty-five steel wheelbarrows.

Five thousand heavy sledges and hammers.

Six hundred and fifty heavy crowbars.

Seven hundred and fifty picks.

Four hundred mattocks.

Innumerable other tools and fire extinguishers.

At one time there were 104 camps in Pennsylvania. They were put up by the Civilian Conservation Corps, an agency of the United States Department of Agriculture. Most of them are on land supplied by the State.

At present there are only 14 camps, and of that number 8 are to go in the near future.

Some of the camps have been dismantled completely. At others the barracks and other buildings remain standing in good condition. They may be valuable for evacuation centers or concentration camps.

THE BOWLING PROGRAM AND PHYSICAL FITNESS

Mr. GUFFEY. Mr. President, recently the junior Senator from Virginia [Mr. BYRD] made an attack upon Mr. John B. Kelly, of Philadelphia, United States Director of Physical Fitness, because he had adopted a bowling program as a part of his plan to furnish recreation to war-plant workers and to improve the physical fitness of the American public.

I am advised that the junior Senator from Virginia telegraphed Mr. Kelly for complete information concerning this program, and that Mr. Kelly in turn furnished the Senator with information which enabled him to be familiar with just what was being done through this bowling program.

Mr. Kelly, because of the attack upon him and the program by the junior Senator from Virginia, issued a statement to the public press, as follows:

The unwarranted attack by Senator HARRY F. BYRD on the bowling program of the United States Division of Physical Fitness is a classic example of one of our national leaders boondoggling in Congress instead of focusing his attention on what is happening in the South Pacific and in Europe.

This is a perfect example of a politically inspired committee head asking for facts and then presenting them in twisted fashion for public consumption.

Mr. Jack Willem, of Chicago, was appointed bowling coordinator for the Hale America Bowling Council on February 17. He is 1 of 61 such coordinators who now make up this Division's Sports Board.

Not 1 of these 61 coordinators receive salary, per diem, or pay of any kind—not even traveling expenses. They are all patriotic-minded sports authorities who are spending their own money—not yours, mine, or the Government's—to help develop the sports portion of a program designed to get this country physically fit to win the war quickly and decisively.

Senator BYRD knows this. He wired for the facts last Saturday. I wired back to him the information that Mr. Willem was not being paid and never had been paid. Apparently the Senator sent one telegram seeking information but ignored the reply because it did not suit his purposes.

There were 16,000,000 bowlers in the United States when this Division was established by

Executive order of the President. Since then the number has been increased to nearly 20,000,000. Statistics show that bowling is one of the games most desirable from a point of recreation and relaxation among the personnel in war-production plants.

And this personnel is vitally important for the welfare of the country's war effort because it still takes 18 men and women behind the line to keep 1 man on the battle front supplied with tools and equipment, without which we cannot hope for victory. Or doesn't Senator BYRD know that?

The desire for bowling by workers in war-production industries is best illustrated by what happened in Chicago 2 months ago. City authorities decided bowling establishments should be closed at 10 o'clock each night. There was a great uproar from war-production-plant workers, who are kept busy turning out emergency equipment until midnight or later 7 days a week. These workers charged they were being deprived of their one desired and practical means of recreation. Mayor Edward Kelly agreed with them and announced he was in favor of keeping Chicago's bowling alleys open 24 hours daily.

All work and no play makes Jack a dull boy. If we do not provide recreation for war-production personnel, how can we expect to keep our men and machines—on both the home and the firing fronts—operating at peak efficiency? What is Senator BYRD's solution?

On February 6, 1942, in the office of the United States Division of Physical Fitness, the representatives of America's 16,000,000 bowlers convened for a round-table discussion. Some 25 men and women came to Philadelphia, at their own expense, from every section of the Nation to form a Hale America Bowling Council. The purpose of this council was to enlist every bowling facility, and every bowler, in a program designed to make all Americans physically fit by providing necessary recreation.

Attending this conference were the delegates of the American Bowling Congress, the Women's International Bowling Congress, the National Duck Pin Congress, the Rubber Bank Duck Pin Congress, the Candle Pin Association, the American High School Bowling Congress, the Bowling Proprietors Association, and the Bowling Manufacturers Association.

This was the first time all of these groups had been represented at any round-table discussion. They came to Philadelphia because they all had the same thing in mind—how could they best serve America's war effort? Why, the American Bowling Congress alone had subscribed over $10,000,000 to the Defense bond campaign. These people were here because they wanted to do their part.

Right after this meeting Mr. Willem was chosen coordinator for the Hale America Bowling Council. He was picked because of his experience in the bowling extension field.

Mr. Willem accepted the assignment and went to work, at his own expense, to utilize the services of America's bowlers and all bowling facilities in whatever way they would best serve America's all-out war effort.

To date his activities have cost the people of the United States less money than the telegram Senator BYRD sent to me or the one which I sent to him and he apparently chose to ignore.

SPEEDING UP OF WAR PRODUCTION

Mr. LEE. Mr. President, for over 2 years I have been urging that we place all war industries on a 24-hour, 7-day basis.

Nearly a year ago from this floor I advocated relaxing the 40-hour week in order that we might increase production. Until recently I felt like a voice crying in the wilderness.

But today, thanks to Donald Nelson and News Analyst Kaltenborn, a prairie fire of public opinion has started which will not be quenched until we have reached the peak of our production.

Thank God our people are today demanding that every hindrance, no matter how small, be swept out of the way. They are demanding that no strike or lock-out, no matter however insignificant, be tolerated. They are demanding that profiteering and racketeering in industry be eliminated.

Mr. President, the British boys at Dunkerque had to fight without weapons. For 4½ years the Chinese have fought almost with their bare hands.

In almost every engagement where the Allied forces have lost it has been because the enemy had a superiority of heavy weapons. Today our own boys are going into battle. They must have weapons. Every other cause and every other problem must take second place today. American production must be increased. It will be increased.

Mr. President, I feel sure now that we shall get action, and may I say also that I expect speed as well. At this hour, when our whole world may fall for the want of weapons, we must suspend all regulations that hinder our purpose.

Mr. President, the Chairman of the War Production Board, Donald Nelson, said in a radio speech yesterday:

> If all our equipment now involved in war production were used 24 hours a day, 7 days a week, we would practically double the man-hours being put into military production.

And then he went ahead to explain how the unused plant and tool capacity can be put to work.

Then later he listed the problems involved in increasing this production. I quote two of them.

First:

> A reluctance to increase the number of shifts.

And second:

> There are questions of time and a half and double time for holidays and Sundays.

These two hindrances to production, it seems to me, can be removed by proper legislation. Therefore, I have addressed a letter to Mr. Donald Nelson asking him to recommend legislation that will, in his opinion, be helpful to him in speeding up production.

It is not my intention to permanently destroy any of the gains which labor has made in the past years, because I worked too hard to help bring about those gains, but it is my purpose to suspend any law or regulation that is hindering production and to help pass any legislation that will be helpful in speeding production.

If Mr. Nelson answers my request by suggesting legislation which will help speed production, I shall introduce such legislation just as soon as it can be prepared.

PROHIBITION OF LIQUOR TRAFFIC AND VICE NEAR MILITARY CAMPS

Mr. BILBO. Mr. President, in asking the indulgence of the Senate on this occasion, I have no desire to delay the speedy consummation of the matter now pending before the Senate. I wish to say that I am in receipt of more letters and more complaints from my constituents dealing with the subject I now wish to discuss for a few minutes than I have received on any other question pending before Congress. I have received more letters of complaint on this particular subject than I have received complaining about strikes and congressional pensions.

Mr. President, shortly before his death last year, the late lamented and dearly beloved Senator Morris Sheppard, of Texas, introduced Senate bill 860 providing that in the interest of common defense no person, corporation, partnership, or association shall sell, supply, give, or have in his or its possession any alcoholic liquors, including beer, ale, or wine at or within any military camp, station, fort, post, yard, base, cantonment, training, or mobilization place which is being used at the time for military purposes; and to provide for the suppression of vice in said military establishments.

Senator Sheppard, "the dean of Congress," was the distinguished chairman of the highly important Committee on Military Affairs, a recognized student of military affairs, and also an ardent exponent of prohibition. His courageous and unrelenting fight for prohibition throughout his long and honorable public career earned for him the title, "Father of Prohibition." The repeal of the eighteenth amendment was the abiding sorrow of his life, and thereafter on each anniversary of the passage of the eighteenth amendment, the Senator made a stirring speech in this Chamber condemning beverage alcohol as a threat to the health, happiness, and prosperity of our citizenship. In his address on January 16 of last year, he especially emphasized the evil of the liquor traffic in relation to national defense. He condemned it as "a charge upon the public, intolerable in an era of strenuous effort toward national security and defense." He condemned it because "an alcohol-drinking democracy cannot develop the maximum strength for national defense."

It is significant to note, however, that in drafting Senate bill 860 Senator Sheppard very prudently avoided any semblance of using it as a back-door approach to that intensely controversial subject of national prohibition. The measure is confined solely to national defense. It is strictly a war measure, relating to men in the service. In its essence the issue involved as pertaining to alcoholic beverage is whether or not alcohol shall be permitted to impair the efficiency of our armed forces for saving our country in this time of our Nation's severest crisis.

There is nothing new or bizarre about it. During World War No. 1 far more stringent steps were taken because they became necessary. Senator Sheppard knew that, because he played an important role in that wartime legislation. In the final analysis it even became necessary to pass what was called the Wartime Prohibition Act, prohibiting the manufacture of intoxicating liquor in the United States for the duration of the war. I might add that during the period of strict wartime prohibition the alco-

holic death ratio dropped to 1 per 100,000 population, compared with a ratio of 5.25 per 100,000 population for the 5 wet years, 1913 to 1917, inclusive. In other words, deaths from alcoholism decreased 80.8 percent during the wartime prohibition era. Senator Sheppard knew all that, yet he did not take advantage of current wartime conditions by trying to place in effect an all-over prohibition measure. With characteristic fairness, he took a well-warranted step in the right direction and proposed a manifestly essential measure in the best interests of the defense program. I deem it the duty of the Congress to give early and favorable consideration to Senate bill 860, which would most surely go a long way to preserve and promote the efficiency of our defenders and help us win this World War No. 2.

During the past year my mail has been heavy with appeals from good citizens in every walk of life throughout my State and throughout the whole country, urging that Congress pass proper legislation to control the liquor evil around our training centers.

Mothers of young men in the service are especially insistent that we do something about the liquor problem. I do not blame them. We have exercised our power to call their boys into service, and those mothers are looking to us to see to it that their sons are afforded every reasonable protection from evils which lurk in the shadows to ensnare young men in uniform. They are expecting us to do everything within our power to send their boys home to them after it is all over, as fine and virile and upright as when they left their homes to join the colors of their country.

Now that we are in actual combative warfare on five oceans and seven seas, involving all the islands of the seas, it is doubly essential that we resolutely and uncompromisingly tackle the liquor problem existing in and around our military posts.

Let no one misunderstand my motives or my sentiments in regard to this subject. I have every confidence in the boys in our armed services. They are the flower of American manhood. For the most part they are courageous, intelligent, ingenious, and fervently patriotic; they have character and integrity. Almost to a man they are determined to win a victory so complete that freedom will ring down through the ages with a strength that no potential dictator would dare challenge. I would be the last to suggest imposing undue restraints on their personal liberties or to advocate too much regimentation. It is because I do have at heart the personal welfare of our service men and because I so highly cherish the priceless liberties to be defended by our men, that I am so seriously concerned with the problem of safeguarding them from exploitation by the liquor traffic and its accompanying evils.

I was Governor of my State during World War No. 1, and so have first-hand knowledge of and some experience in dealing with the kind of situation now under discussion. As a Member of the United States Senate, I have been profoundly interested in the affairs of the veterans of that war, helping to fight for adequate veterans' pensions, assisting veterans with compensation matters, and so on. It is heart-rending to note the number of physically and mentally disabled veterans whose conditions are attributed mainly to the effects of liquor habits and social diseases acquired while in the service. Such veterans have been denied compensation because the authorities hold that their conditions are due to their own misconduct. Fine, stalwart men they were, most of them; the pride of their mothers' hearts—but now physical and mental wrecks.

The crying need for immediately effective action to minimize the number of such cases in the current war is glaringly demonstrated in the recent statement of Dr. Parran, Surgeon General of the United States Public Health Service. His report showed that tens of thousands of young men in our armed services were found to have contracted social diseases during the past year.

War-time psychology is such that sometimes even the best of boys, finding themselves stationed far away from the stabilizing influences of home, perhaps away from home for the first time in life, are easy prey for that most insidious of saboteurs—John Barleycorn. It is too frequently accepted as axiomatic that the soldier or sailor or aviator is entitled to take his fun where he finds it. The spirit seems to be "Drink, for tomorrow we may die." Even among young men in civilian life drinking gets to be more prevalent in war times. With them it is, "Drink, for tomorrow we are drafted."

It is certain that the proximity of liquor dispensaries encourages the liquor habit in boys who otherwise would not be likely to cultivate the drinking habit; and it is our duty to do something about it.

It would seem to me that argument in favor of the pending measure should not be necessary. It should appeal, without question, to the intelligence and higher sentiments which actuate thinking men and women when dire and appalling crises have befallen humanity. We all know that our boys should be kept as sober, as virile, and as alert at all times as it is possible to be in these perilous times when the safety of the Nation rests on their shoulders. Any military officer worthy of the name will tell us emphatically that our service men do not need alcohol. The recent statement of Col. George Skinner, Medical Corps, United States Army, retired, is so straightforward and so appropriate to the subject, that it warrants repetition here. I quote Colonel Skinner:

> Today our development is so largely mechanical and our equipment moves at such speed that even the most ordinary routine of daily life requires the clearest brain and the most accurate and rapid muscular action possible. This is demonstrated daily by the number of traffic injuries, and as traffic is now mostly automobile, the injuries and deaths from this cause are appalling. A large percentage of them are the direct result of the use of alcoholic drinks. Why? We depend largely upon the quick action of the mind and the rapid response of the muscles to the needs of the body. The first action of alcohol is to break up the connection between the mind and body, to confuse the mind, and to slow muscular action. Hence, even if the mind notes that the body is in danger and orders the muscles to act, the order is badly mixed up in reaching the muscles, and the response may be directly opposite from what it should be. The worst of it is that the owner of the mind does not realize the difficulty and proceeds serenely on his destructive way until he is either killed, injured, or taken out of circulation some other way.
>
> These reactions to alcohol operate as surely in the Army as in civil life. In our present defense needs, the protective armament is very largely mechanical and often exceedingly complicated, requiring the finest training and muscular response (coordination) possible. As a man's life—and the lives of others—in an airplane depends upon the accurate judgment and coordination of the pilot—and both judgment and coordination are badly disturbed by alcohol—it stands to reason that a man who indulges in alcohol is not going to be trusted with such an important assignment. The same is true in practically every other part of the modern army and if our country is to survive in a crisis depending upon defense, we must have trained defense forces relatively free from the disturbances of alcohol.
>
> An air pilot who has alcoholic inclinations is not going to last long on his job, for not only is there danger to the lives of others besides himself but he is in charge of a very expensive machine which takes months to replace if damaged or destroyed, and by which the safety of our country may largely and radically be altered; and he would be removed entirely from his assignment. Not only does he not have to drink to be a soldier, but if he does drink he cannot occupy any responsible position.

Mr. President, can anyone refute the profound and unimpeachable truth of Colonel Skinner's words? Most certainly not.

No sensible person, be he saint or sinner, total abstainer or the biggest drunkard in the country, would agree to risk his life in an airplane piloted by a drunken pilot or on a train run by a drunken engineer. No successful businessman would think of hiring men who would drink on the job to operate expensive machinery, or to build it. In fact, no successful businessman or organization will permit drinking on the job. Therefore, I contend that we are not taking away personal liberties of our service men when we take steps to curb alcoholism at their posts of duty.

We are appropriating billions and billions of dollars to buy planes, tanks, ships, and guns for the defense of our country. It stands to reason that this equipment will not and cannot be any more efficient than the men who must operate it.

If there be any Senators who doubt that a country's defense is imperiled when the discipline of its defenders is relaxed, their virility and alertness impaired, and their sense of duty distorted by alcohol, let them look to the events of the past for incontrovertible proof that armies, nations, and causes have collapsed because of intemperance.

Incidentally, the American Business Men's Research Foundation has been doing some exhaustive research on the subject of war and liquor. No doubt other Senators received, as I did, a copy of the foundation's recent letter calling attention to historic cases of liquor mixed

up with war. The gentlemen who constitute the foundation deserve our commendation for their gallant efforts. They have concluded and unequivocally declared:

Liquor has defeated more men, more armies, more nations than any other cause. It does seem that the lessons that history records should serve as an ample warning against this greatest of all enemies.

Mr. President, that statement, viewed lightly, may seem to be an exaggeration; the indictment too severe. Viewed maturely, in the strong light of historic fact, it is, indeed, convincing.

I submit that history, both sacred and profane, furnishes abundant evidence that time and time again alcohol has been a contributing factor, if not the prime factor, in the defeat of armies on the battlefield and of nations in conflict with other peoples.

Holy Writ records—and surely no stable mind can doubt the Holy Word—that Babylon, that celebrated city of antiquity, brought about its own ruin through drunkenness and dissipation.

It was when Belshazzar sat drinking wine out of the sacred vessels in his Babylonian palace, with his lords and multiple wives and other "ladies" of the court, that the writing came upon the wall in blazing letters, "Thou art weighed in the balances, and art found wanting." It is thought that this particular night of revelry had been planned for the rulers and captains who had retreated before the advancing armies of Cyrus into the stronghold of Babylon. Doubtless the carousal was a desperate effort to draw the minds of all from the dangers that surrounded them. Be that as it may, there was much drinking, not only in the palace but throughout the great city. Wine flowed freely, and spirits were gay and abandoned. Belshazzar and his people felt secure within the vast stone walls with heavy gates of brass. But out in the country a few sturdy and diligent mountaineers had been digging ditches for some time, unnoticed. Nobody had taken much account of the humble ditch diggers; yet even that night, in the very midst of Belshazzar's wine-drenched revelry the veteran troops of Cyrus were marching silently and steadfastly under the walls, down the bed of the lowered Euphrates, and the very pathway of Babylon's wealth and grandeur became the pathway of her ruin.

In that night was Belshazzar, the King of the Chaldeans, slain. And Darius, the Median, took the kingdom, being about threescore and 2 years old.

Holy Writ records that Nineveh, another proud city of antiquity, was destroyed by the Medes when the enemy came upon it in a night of sensual drinking and feasting. Nineveh, like Babylon, drank her hemlock of dissipation and was absorbed by the sands of the desert.

Holy Writ records that David defeated the Amalekites after they were found drunk celebrating a temporary victory.

Holy Writ records that Ahab surprised and defeated Benhadad, King of Syria, when he found him with 32 kings, "drinking themselves drunk in their pavilions."

In the realm of profane history let us take as one example Alexander the Great. He experienced triumph after triumph and longed for new worlds to conquer. His remarkable conquests, the charm of his dynamic personality, and the fervor of his spirit stirred the imagination of the whole world. Wherever he went he became a legendary figure. He was even acclaimed by some as the son of Zeus. Throughout the period of his phenomenal victories he was noted for his sobriety. Perhaps excessive adulation turned his head; perhaps it was due to boredom while waiting for new worlds to conquer, or a combination of both—we know not—but the inference is clear that he fell into the habit of imbibing. According to the immortal Greek biographer, Plutarch, the death of Alexander the Great was precipitated by a drunken carousal.

There—

According to Plutarch—

he drank all the night and the next day, until at last he found a fever coming upon him.

Alexander the Great, the invincible conqueror, himself was conquered by alcohol at the early age of 33.

The Romans in the earlier years of their civilization were strictly sober but eventually undermined and sacrificed their great civilization through a period of three centuries of dissipation.

The Normans won the Battle of Hastings on September 28, 1066, during which, as told by the historian William of Malmesbury, "they passed the night in fasting and prayer," while "the Anglo-Saxon devoted the same period to drunkenness and debauch." In the battle that took place the next day, Harold and his drinking Saxons were routed, and William won the throne of England.

On Christmas Eve, 1776, the American troops crossed the Delaware and won the Battle of Trenton when they surprised the Hessian soldiers celebrating the season with drinking and feasting.

In the War of 1812, the U. S. S. *Argus* fell an easy prey to the British brig because the night before the battle the American sailors had been allowed to drink so much wine that few of their shots hit the British vessel.

Napoleon met his Waterloo when a tyrant as ruthless as himself crept into his army, for, as someone has aptly expressed it:

Since the creation of the world there has been no tyrant like intemperance and no slaves so cruelly treated as his.

Everyone familiar with the story of the Battle of Waterloo knows that poor discipline was largely responsible for the defeat of Napoleon's armies. Authentic historical records now disclose that Marshal Ney retired to his headquarters on the eve of the fateful battle and—

Fell into a deep and prolonged sleep after imbibing his favorite Burgundy too freely, and when he awoke he found himself apparently unable to give orders or to reach any decision.

During World War No. 1, when the German forces were advancing on Paris, the spearhead of the advance suddenly broke. No one could tell why. It was later revealed by Prof. Hans Schmidt, a commanding officer on the west front, that—

The French had left a great supply of alcoholic drink as the surest means of retarding the German advance. Two whole divisions were found drunk ready to be cut down by the Allied troops; the wine-drenched Germans were simply mowed down by the enemy machine guns.

It is said that the Crown Prince, acknowledging receipt of Professor Schmidt's report, remarked:

If we had not found alcohol, we should have advanced further than the March offensive. You are right in laying your finger on this painful wound.

According to press dispatches from Vichy following the collapse of France in World War No. 2, certain French Government spokesmen named alcohol as the chief cause of the moral collapse of the French Army under the German attack. It was stated that drunkenness had been rampant in the Army during the 8 months of inactivity at the start of the war; that a single hospital in the Fourth Army Area had 814 cases of delirium tremens during a single month; and that the "disastrous era of intoxication" among young French soldiers had caused most of the cases of nervous break-down and shell shock when they had to face the German dive bombers and tanks.

Hitler's armed forces have been strictly disciplined in every respect, and particularly against the use of alcohol. The German people are great beer drinkers, to be sure; but immoderate use of beer or any other alcoholic beverage is "verboten" for men in the service. One Dr. Matthael, formerly staff physician in the German Army, went on record as saying:

We should not discuss moderation with a man. The thing has long since been settled by science. The use of narcotic poisons is simply indecent and criminal.

Some persons hold that there is a wide difference between alcohol and narcotics. But Dr. Haven Emmerson places alcohol and narcotics in the same category. He served as a colonel in the Medical Corps of the United States Army during the first World War. He was decorated by France and by the United States for his distinguished service. Dr. Emmerson's opinion of alcohol is, in part:

Alcohol is a depressant habit-forming narcotic drug. Alcohol is a protoplasmic poison. Alcohol is drunk to get the drug effect and whenever it is so taken in whatever amount it exerts to some degree its depressant and toxic effects.

As I have just said, Hitler's men have been rigidly trained to conserve every resource, every ounce of energy, every atom of brain power, and every scintilla of ingenuity for application to the unholy cause for which they are fighting. Of late, however, occasional lapses have been noted. In their desperation, in their fanatical determination to subdue the Russians, they have been resorting to the false and temporary stimuli of alcoholic beverages. Back in November, in order to make progress toward the capture of Moscow in the face of the terrific winter storms that assailed them, the German troops were found in many cases to have been doped with alcohol in

the hope of gaining temporary courage, energy, and warmth to overcome the obstacles that lay before them. The results that followed must have been very disappointing to the Germans, for they sustained a disastrous series of defeats along a large part of the fighting lines.

On January 31, news reports came from London to the effect that the German troops on the Moscow front had resorted to suicide attacks such as they used when the tide turned against them at Leningrad, in desperate attempts to halt the Russian drive. According to the communique, German shock troops marched in close order to counterattack a village held by a Russian tank unit. The soldiers had been given intoxicants before the attack. The Russians described the Germans as marching up like automatons. The tank men held their fire until the Germans were at close range and then blasted them with every gun they had. Scores of Germans fell at the first volley and the German formation broke and fled.

The title of that news item was "Nazi Suicide Troops Given Rum Courage." The finale was another defeat for the drinking German troops. The moral is: Rum courage cannot win battles.

At this juncture I am forcefully reminded of the interchange between Robert Ingersoll, the prominent atheist of his time, and Dr. James Buckley, an eminent physician of that period. Ingersoll sent the good doctor a package, and with it this letter:

DEAR BUCKLEY: I send you some of the most wonderful whiskey that ever drove the skeleton from the feast or painted landscapes in the brain of man. It is the mingled soul of wheat and corn. In it you will find the sunshine and shadow that chased each other over billowy fields, the breath of June, the carol of the lark, the dew of the night, the wealth of summer and autumn, rich content, all golden with imprisoned light. Drink it and you will hear the voices of men and maidens sing in the harvest home, mingled with the laughter of children. Drink it and you will feel within your blood the starred dawns, the dreamy, tawny dusks of perfect days. For 40 years this liquid joy has been confined within staves of oak, longing to touch the lips of man.

The letter was signed, "Your friend, Robert G. Ingersoll."

Dr. Buckley acknowledged his friend's offering, as follows:

MY DEAR BOB: I return to you some of the most wonderful whisky that ever brought a skeleton into the closet or painted scenes of lust and bloodshed in the brain of man. It is the ghost of wheat and corn, crazed by the loss of their natural bodies. In it you will find a transient sunshine chased by a shadow as cold as an Arctic midnight, in which the breath of June grows icy and the carol of the lark gives place to the foreboding cry of the raven. Drink it and "you will have woe, sorrow, babbling, and wounds without cause." Your eyes shall behold strange women and your heart shall utter perverse things. Drink it deep and you shall hear the voices of demons shrieking, women wailing, and then, all orphaned, children mourning the loss of a father who yet lives. Drink it deep and long serpents will hiss in your ears, coil themselves about your neck, and seize you with their fangs. "At last it biteth like a serpent and stingeth like an adder." For 40 years this liquid death has been confined within staves of oak, harmless there as pure water. I send it to you that you may put an enemy in your mouth to steal your brains; and yet, I call myself your friend.

BUCKLEY.

Dr. Buckley's words came vividly to my mind as I read some days ago an Associated Press story emanating from one of our military camps in California. It carried the headline, "Soldier gets 10 years as drinking-bout slayer." It briefly stated that a master sergeant—I shall omit names—was sentenced to 10 years in prison by a court martial which convicted him of manslaughter in the shooting of another sergeant during a drinking bout on December 17. I know nothing of the events that led up to this tragic occurrence. I can only presume it to have been just one of those inexplicable incidents that can arise from a drinking bout—whether among soldiers or civilians. The chances are that those two soldiers had been good buddies, the best of friends. But now one is dead, and the other is in prison for the slaying of a fellow soldier, all because of the iniquitous effects of alcohol. I have no doubt that both were fine young men. But when the "long serpents" of "liquid death" are hissing in the ears, the voice of human compassion, of reason, and of conscience is stilled.

We had a very tragic example of this kind right here in the shadow of the Capitol the other day. Everybody who reads the papers knows about it. A 20-year-old Bolling Field soldier shot and killed a cab driver at Eleventh and East Capitol Streets. The only explanation this poor youngster has been able to give is:

As much as I can tell you is, I never saw the man before in my life. I was drunk at the time and didn't know what I was doing. I never saw the man before. I never before killed a man in my life. That's all I have to say.

According to the police, the young soldier had been drinking and got a ride into town in an Army car. He had with him a gun which he had "borrowed" from the holster of another soldier. Near the Capitol he hailed a taxi, and rode around town for a short time; then the soldier pulled out the gun and began brandishing it. The cab driver halted the car and started to flee, only to be shot in the back and killed by the soldier boy—for no reason at all. The youngster was drunk, and did not know what he was doing, or why.

This is but another sad commentary on our lack of proper control over the liquor evil in and around our training camps. It is a shameful reflection on our Government. It points an accusing finger at Congress for not enacting proper control legislation.

And yet in the face of all the damaging evidence against alcohol the opponents of Senate bill 860 are advancing all sorts of specious arguments against controlling liquor traffic in our military establishments. In an effort to strengthen their feeble arguments, they sometimes point to great men of history as examples of heavy drinkers who achieved greatness. They claim that those men did their best work and reached their highest pinnacles of success while "under the influence." They mention such men as General Grant, Shakespeare, Daniel Webster, and Robert Ingersoll.

It is true that shortly after the close of the Mexican War, General Grant was kicked out of the Army because of his intemperance. In fact, he had a most difficult time getting back in. Except for the pressing need for trained officers during the Civil War, he would have remained in disgrace and obscurity. He was in constant peril of being thrown out again because of his occasional lapses back into his solitary drinking habits. His men had to rally to his defense on more than one occasion and testify to his sobriety in order to save him from dismissal. The memoirs of his fellow officers in the Civil War show that General Grant did his drinking between times, while celebrating a victory, or when things were dull; never while mapping important plans of strategy.

He well knew that alcohol was the enemy of military efficiency, for when he joined the Sons of Temperance and took the pledge of sobriety a few days after his marriage to Julia Dent, he went on record as saying:

There is no safety from ruin by liquor except by abstaining from it altogether.

He was very careful to appoint officers to serve with him who were abstemious—for instance, John Rawlins, who was appointed as an adjutant as soon as Grant received his commission as brigadier general. Rawlins is described by historians as "a teetotaler who was punctual, precise, and abstemious to the verge of fanaticism." This young officer was constantly at the general's elbow and wielded a great influence over him. Gen. James H. Wilson said—and I quote:

It was Rawlins more than any other man who aroused Grant's sensibilities and gave his actions that prompt, aggressive, and unrelenting character which so distinguished them. In fact, it has been frequently and truthfully said that the two together constituted a military character of great simplicity, force, and singleness of purpose, which has passed into history under the name of Grant.

There is nothing in the factual records to indicate that General Grant ever approached any very important undertaking while under the influence of liquor. On the other hand, his strategies all were planned deliberately, soberly, and with the counsel of trusted fellow officers who were notably sober.

Now let us see about Shakespeare. It may be true, as some claim, that Shakespeare's death came as a result of a drunken debauch at the home of his affinity, on his way from London to his home in Stratford. But it must be remembered that the great Shakespeare had quit writing 3 years before his death, had entirely deserted his "brain children." There is nothing in the records to prove that he imbibed to any considerable degree during his productive years. He was a good businessman as well as a brilliant poet and dramatist. He did his work systematically and amassed a sizable fortune Toward the end of his writing career, when evidences of liquor showed up in his work, he grew careless and—

left to lesser hands the lagging later scenes of Cymbeline, parts of Henry VII, and very much of Pericles.

The inferior quality of those productions, as compared with the literary glories of Hamlet, Lear, Macbeth, and so forth, serve conclusively to void the argument that Shakespeare did his best work while under the influence of alcohol.

As for Daniel Webster and his famous speech at Bunker Hill, it is true that he was so inebriated that he had to be helped off the train when he arrived to deliver his address. But all the evidence points to the fact that his address was prepared beforehand with painstaking care and in an atmosphere of absolute sobriety, so that the profound sentiments and beautiful language that went into the speech were the products of a strictly sober mind.

As for Robert Ingersoll and his eloquence and his liquor, it is true that he was an able orator and a confirmed drinker. But he was principally noted for his declarations of atheism. He gained some prominence in politics, but his distorted concepts of life ruined him. We may well assume that his addiction to drink went a long way to warp his mind and soul. Certainly no thinking man or woman could seriously regard Ingersoll as an exemplar of true greatness when it is realized that his drunken eloquence won for him only the undesirable distinction of being "a brilliant but dangerous iconoclast."

Let the wets reflect upon what some of our greatest Presidents had to say about liquor.

George Washington, the father of our country, only a few days before his induction into office as President of our Nation condemned drink as "the source of all evil and the ruin of half the working men in the country."

John Adams, the second President, classed the liquor traffic as "an arch corrupter of politics."

Thomas Jefferson, the third President, and author of the Declaration of Independence, was outspoken in his condemnation of liquor. Here is what he said:

> The habit of using ardent spirits by men in public office has produced more injury to the public service and more trouble to me than any other circumstance that has occurred in the internal concerns of the country during my administration.

In fact, a few months after the signing of the Declaration of Independence, the First Continental Congress passed a resolution, which read as follows:

> That it be recommended to the several legislatures of the United States immediately to pass laws the most effectual for putting an immediate stop to the pernicious practice of distilling grain, by which the most extensive evils are likely to be derived, if not quickly prevented.

Abraham Lincoln, in a speech on Washington's Birthday, in 1842, made a strong appeal for prohibition:

> In it we shall find a stronger bondage broken, a viler slavery manumitted, a greater tyrant deposed; in it, more of want supplied, more of disease healed, more of sorrow assuaged. By it, no orphans starving, no widows weeping. By it, none wounded in feeling, none injured in interest. * * *
>
> If the relative grandeur of revolutions shall be estimated by the great amount of human misery they alleviate and the small amount they inflict, then, indeed, will this be the grandest the world shall ever have seen. * * *
>
> And when victory shall be complete—when there shall be neither a slave nor a drunkard on the earth—how proud the title of that land which may truly claim to be the birthplace of both these revolutions that shall have ended in that victory. How nobly distinguished that people who shall have planted and nurtured to maturity both the political and moral freedom of their species.

We could go on and on, quoting utterances of the world's greatest patriots in condemnation of the liquor evil. On and on, down through the corridors of time, ring the echoes of voices, long since silenced, in eloquent testimony to the fact that alcohol has been a most dangerous fifth columnist, a most vicious saboteur of human welfare, since time immemorial.

Now we are spending large sums of money to curb sabotage, espionage, and fifth-column activities in our present war effort. Yet there are some who would prevent passage of the proposed measure to rout from our training centers the master ally of all the saboteurs and spies and fifth columnists—John Barleycorn.

If there be any who doubt that alcohol and narcotics are playing a fifth-column role in the current war, let them ask our Allies who have been in the war longer than we have. Let them ask China. Opium is to the Chinese what liquor is to the American, you know. Chinese leaders tell us that the Japanese have used opium as a major weapon in this war. Dr. Victor Hoo Chi-Tsai, an eminent Chinese physician, is quoted as having said:

> Japan has invaded China not only with men and guns but with narcotics. Manchuria, Japan's puppet state, has become a narcotic arsenal. Japanese consulates in China are distributing centers for opium.

He said that Japanese fifth columnists are dispensing opium freely among millions of Chinese peasants in conquered territories in order to keep them from helping their fellow countrymen in the awful conflict.

Hon. Harry J. Anslinger, United States Commissioner of Narcotics, in a recent report, disclosed that many attempts had been made by the Nipponese to poison the blood of the American people with dangerous drugs. He said that Japanese officials had three objectives in their drug traffic—to gain revenue, to corrupt western nations, and to weaken or enslave the peoples of lands invaded or marked for invasion by Japan.

He stated further that wherever the Japanese Army goes the drug traffic follows; that in every territory conquered by the Japanese a large part of the people become enslaved with drugs, because the Japanese are master technicians at poisoning with drugs. Just as the Japanese are master technicians at poisoning with drugs, so, too, are the liquor traffickers master technicians at poisoning with alcohol.

No, Mr. President, I cannot reconcile the views of the opponents of Senate bill 860 with any reasonable attitude looking to the welfare of our men in the armed forces. Even if we would or could ignore the physical and mental welfare of these young men, even if we would or could ignore the constant anxiety of the mothers and wives of these boys who are risking their lives for the salvation of our country, even if we would or could ignore all the moral principles involved, we still would be duty bound to see to it that the liquor traffic and its accompanying evils shall not sabotage the manpower of our armed forces.

"Make America strong" is the slogan we hear on every hand. All Americans are being urged to make every possible sacrifice in order to win this far-flung war. We are spending gigantic sums of money to make America strong. We are determined to give our fighting men the very best of everything to be used in winning this war. We know that the efficient handling of this expensive armament depends upon the virility and alertness and precision and judgment of the men who operate the ships and planes and tanks and guns. Then we should be very short-sighted indeed should we fail to take immediate and effective steps to safeguard our men and our equipment against the destructive forces of the liquor traffic and its accompanying evils. We just cannot afford to let John Barleycorn wage an alcoholic warfare to the advantage of the Axis murderers.

The perennial "wets" may talk and theorize as much as they please, but they know in their hearts that the whole story of civilization speaks this eternal truth with clarion voice: It is when Samson lies in the lap of Delilah, or reclines in the arms of the goddess of wine—it is then that the enemy sneaks in and ensnares and subdues him.

In the interest of effectual national defense and ultimate victory, in the interest of the physical and mental welfare of our defenders, for the sake of anxious mothers and wives, and in the hallowed memory of our late lamented colleague Senator Morris Sheppard, I do most earnestly implore the Senate to pass Senate bill 860 without further delay.

CALL OF THE ROLL

Mr. SMITH. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Overton
Austin	Glass	Pepper
Bailey	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hayden	Rosier
Bilbo	Herring	Russell
Bone	Hill	Schwartz
Brewster	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Smith
Burton	Johnson, Colo.	Spencer
Butler	La Follette	Stewart
Byrd	Langer	Taft
Capper	Lee	Thomas, Idaho
Caraway	Lucas	Thomas, Okla.
Chandler	McFarland	Thomas, Utah
Chavez	McKellar	Tobey
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Mead	Vandenberg
Danaher	Millikin	Van Nuys
Davis	Murdock	Wheeler
Doxey	Murray	White
Ellender	Nye	Wiley
George	O'Daniel	Willis
Gerry	O'Mahoney	

The PRESIDING OFFICER (Mr. GREEN in the chair). Eighty Senators have answered to their names. A quorum is present.

Mr. SMITH obtained the floor.

Mr. O'DANIEL. Mr. President, will the Senator yield to me?

Mr. SMITH. I yield to the Senator from Texas.

PROHIBITION OF LIQUOR TRAFFIC AND VICE NEAR MILITARY CAMPS

Mr. O'DANIEL. Mr. President, the senior Senator from Mississippi [Mr. BILBO] has just delivered a very able address in favor of the enactment of Senate bill 860. In view of the remarks he has made, I should like to call attention to the fact that on January 16 I made an unsuccessful effort to bring that bill before the Senate for consideration. At that time I made the following statement, which appears on page 423 of the RECORD:

> Very well. Since the Senator mentioned that the Secretary of War had objected to this bill, I merely wanted to call attention to the fact that his objection was filed a long time before we got into war. I wish also to call attention to the fact that this bill would not, in any way, shape, manner, or form, put the men in the armed forces, the men in uniform, in a different category from civilians. It would not prohibit a man in the service from buying liquor and drinking liquor wherever it is legally for sale, and drinking it there It would prevent civilians from going into military camps and buying liquor just as it would prevent men in uniforms, members of the armed forces, from buying liquor in the same place. It would simply remove liquor from the workshop of the American Army, Navy, and air force.

After I made these remarks on the floor of the Senate on January 16, the Committee on Military Affairs sent me a copy of a letter which they had received from the Secretary of War, Henry L. Stimson, dated January 22, addressed to the Senator from North Carolina [Mr. REYNOLDS], chairman of the committee. In the letter the Secretary stated:

> It has been brought to my attention that during the debate in the Senate, January 16, 1942, on the motion to proceed to the consideration of S. 860, a bill relating to the sale of alcoholic liquors to members of the land and naval forces and to provide for the suppression of vice in the vicinity of military and naval camps and establishments, it was argued that my opposition to the enactment of that measure was expressed "a long time before we got into war." Lest that statement should influence anyone's attitude toward the legislation, I wish to state to you and to the members of your committee that the views I expressed in my letter of May 2, 1941, remain unchanged.
>
> I trust that no further action will be taken by the Senate on the legislation.
>
> Sincerely yours,
>
> HENRY L. STIMSON,
> *Secretary of War.*

Mr. President, I merely wish to keep the record straight, and that is my purpose in reading this letter into the RECORD, so that Senators may know that until January 22 the wish of the Secretary of War was that the Senate should take no further action on Senate bill 860.

In that connection I wish to congratulate the Secretary of War for his wisdom and strategy in making this statement. There will come a day of reckoning with reference to everything that is being done in connection with the conduct of the war, and the responsibility will be placed, no doubt, where it belongs, and the blame will be placed where it should be placed. At the present time the responsibility for the conditions with which Senate bill 860 deals is not on the shoulders of the Secretary of War.

As I understand, the responsibility is wholly on the Congress of the United States. Therefore if the Secretary of War, in his wisdom and by his strategy, can bluff the Congress into not placing the responsibility on him, no doubt he will have freed himself of a great responsibility. I merely wish to call this to the attention of Senators in order that we may realize that it is not necessary for the Congress to comply with the wish of the Secretary of War, that if we desire we can shift the responsibility from our shoulders to those of the Secretary of War, and then he will be able to handle the problem in any way he desires. If he is in favor of the way in which it is now being handled, he may continue with the same system. If he desires it changed, he can change it. It would merely place the responsibility on him, where the responsibility rightfully belongs, inasmuch as he is the Secretary of War.

I have received thousands of letters from folks who are interested and alarmed about conditions existing around some of the camps. I shall not take the time of the Senate to read all the letters, but I have one in particular which has just been received, which I should like to read into the RECORD. It comes from W. L. Hall, route 1, James, Tex., and reads:

> Mr W. LEE O'DANIEL.
>
> DEAR SIR: I have heard you so much on my radio it seems as I ought to know you.
>
> And I do know from your words you love God and His cause.
>
> So I am writing you these few lines that you may let me know what I can do.
>
> I have 10 children. My oldest child is 23. He was called to the Army; left Gilmer yesterday, the 26th. It was awful to see my boy, your boy, or anybody's boy leave with such as he had to leave with, as a number of them had their liquor and was drinking heavy.
>
> Now, I have tried to raise my boys right, and I had rather see him go to his grave than to go in such company; such strong temptation.
>
> I see many weeping with tears, seeing our boys going into the camp, and so much evil in our country and in our camps, for it is hard to get along with one drunkard much less 100 hundred or more. Now, if we can clean up our country of this liquor, I feel that the Japs will not last long, for if God is with us who can be against us?
>
> What a pleasure it would be to go and fight for our country and for our freedom if we had a clean country to fight for. So I am asking to please write me a few lines and let me know what I can do to help clean our country from liquor.
>
> Yours with best wishes.
>
> W. L. HALL,
> *James, Tex.*

I should also like to include the following letter from a soldier's mother, Mrs. I. R. Hanks, of route 5, box 178, Wichita Falls, Tex.:

> WICHITA FALLS, TEX., *February 9, 1942.*
>
> DEAR SENATOR O'DANIEL: I am writing you of a matter that is very near my heart, and, knowing you as a sincere Christian, believe you can help us some way or other.
>
> As you know, there were a lot of package stores here before Sheppard Field was built here, and now that the field is full of fine young men, like my soldier boy and yours, the whisky and beer is flowing on all sides, so to speak, and more places are being opened all the time by money-greedy men who don't care what becomes of our boys.
>
> Saturday night, after their last pay day at Sheppard Field, our streets were lined with drunken soldier boys who had been robbed of their money and their manhood, too.
>
> I've read that France fell from such doings as this, and America could do likewise if something isn't done quickly
>
> We fear fifth columnists and saboteurs; well, that's what these package stores are to our fine Army and in the very heart of our fair land.
>
> You are our Governor no longer, but we still believe you can help us in our troubles in Texas. Texas misses you, but may God bless and use you there.
>
> A SOLDIER'S MOTHER,
> Mrs. I. R. HANKS.

Mr. President, I also wish to place in the RECORD at this time a list of petitions from thousands of good citizens of this Nation urging the enactment of Senate bill 860.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Petitions with signatures, by cities

Johnstown, N. Y.	53
Hartwick, N. Y.	23
Yates-Ontario, N. Y.	31
Middlesex, N. Y.	35
Syracuse, N. Y.	17
Westville, N. Y.	20
Buffalo, N. Y.	6
Broome County, N. Y.	57
Hornell, N. Y.	22
Cleona-Lebanon, Pa.	47
Harrisburg, Pa.	253
Joliet, Ill.	16
State of Ohio	406
Mount Pleasant, Mich.	16
Cumberland County, N. J.	44
Marshfield, Oreg.	19
Honolulu, T. H.	91
Venice, Calif.	17
San Jacinto, Calif.	17
Fall Brook, Calif.	18
San Diego, Calif.	18
Puente, Calif.	17
Santa Clara, Calif.	74
Los Angeles, Calif.	370
LaVerne, Calif.	15
Tulare, Calif.	36
Portersville, Calif.	95
Miscellaneous petitions	14
Total	1,847

Letters and petitions, with signatures, by States

California	3,142
Washington	2,315
Ohio	175
New York	380
West Virginia	96
Virginia	10
Kentucky	70
Kansas	70
Connecticut	746
Pennsylvania	111
Oregon	480
Wisconsin	17
Maryland	280
Iowa	480
Nebraska	604
Total	8,976
Grand total	10,823

Mr. O'DANIEL. I also ask to place in the RECORD at this point a news article

regarding the deplorable conditions which exist at one point in particular close to one of our Army reservations; a news article regarding a drunken soldier boy killing of a cab driver here in Washington; and an editorial appearing in Progress of February 1942.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Sun of February 20, 1942]

THE UNITED STATES AT WAR—WAY DOWN SOUTH, AND WIDE OPEN—SOLDIERS READY, STEADY CUSTOMERS AT GAMING TABLES OF DIXIELAND

(By Ward Morehouse)

PHENIX CITY, ALA., February 20.—Dixie has gone Monte Carlo, and in a big way. To such an extent that it makes the he-man and supposedly roistering great Southwest seem mild and placid indeed. Villages, towns, and cities, particularly those spots with military reservations nearby, have really cut loose, and there are few restraints.

Gambling establishments, many that are wide open and some that are under cover to a degree, are running full swing. They count on, and they get terrific soldier trade. Bars have multiplied in sections that are legally and theoretically dry.

It's all here, 'way down South in the land of cotton. Here, in the regions of the Suwannee, the Sabine, and the Chattahoochee the bars and the gaming tables find the uniformed man a sure and steady customer. He is offered all the after-dark diversion that he wants, can take, and pay for.

"Mister," said the Columbus (Ga.) cab driver who picked me up at the Hotel Ralston (which won't handle liquor), "I worked for 1 whole year in Chicago, but I never saw things like you can see on the other side of the river," meaning Alabama.

CONSIDER PHENIX CITY

Dice, roulette, blackjack, and slot machines by the thousand. Bars, bands, and dance floors. "Hostesses" on the prowl. Soldiers surging into the taverns and the dice parlors long after midnight. I saw an Infantry lieutenant win $100 at roulette in 5 minutes on an original investment of $5, and a private lose his $21 at dice quicker than it took the table operator, in his melancholy chant, to say "New gunner—coming out!"

These conditions, certainly not unexpected, now exist in this teeming Southland of the tall pines, the tented cities, and the training troops in untold numbers. They exist, certainly, in Louisiana, in Alabama, in Florida, in Georgia, and probably in Mississippi.

Now, consider Phenix City. See it under imparital daylight and it seems a humdrum, uneventful Alabama town, linked with Georgia and Columbus by the bridge over the Chattahoochee. Some nice homes in Phenix City and many shabby ones. Some pretty streets, stores, clubs, churches, and a town in the foothills of the Appalachians that goes in for the manufacture of pottery, woodwork, brick, and tile. Breastworks of the Confederates are still visible. In brief, a town of around 17,000 souls not unlike, by daylight, numerous others in the Southeastern States.

THE LIEUTENANT'S $135

But Phenix City after dark, particularly after midnight, is something else. The home folks have gone to bed and the soldiers take over. Uniformed men—privates, corporals, sergeants, lieutenants, and a captain here and there—swarm across the Chattahoochee and they bring cash. Phenix City jangles. It takes on the look of Las Vegas, Nev., with more soldiers around than Las Vegas ever saw. It becomes, around 1 a. m., something of a composite of Las Vegas, Reno, Lordsburg (N. Mex.), Yuma, and the Caliente that used to be.

In one Phenix City bar, in the heart of the town and a drive of 3 minutes from the center of Columbus, there were at least 200 soldiers at 1 a. m.; probably 100 at another; and a like number at a third. Some were going along with beer, others with harder stuff; others were engaged with roulette, blackjack, dice.

The Club ———, only a block or so from the bridge, is the best in Phenix City. There were only about 50 uniformed customers present, but the proprietor, or one of the proprietors, explained that it was a little early and that it looked like a quiet night. Officers outnumbered privates, corporals, and sergeants. Five lieutenants were engaged at the dice table. One of the five was from Atlanta, another from Brookline, Mass. The Atlantan lost; the boy from Brookline with the one silver bar did all right.

After a 2-hour session he turned in his red chips for an exchange of $135 in soiled, crumpled currency. Then he tossed off the drink which had been served at the gaming table by a colored boy with a tray, stuffed the wad of bills into a pocket, turned to his less fortunate military companion and said, "Come on, Oklahoma. Now let's do the town. I hear they got everything here except bullfights."

DIXIE, THE UNRESTRAINED

Gambling unrestrained and prostitution uncontrolled—there's no denying that both are in evidence in this soldiered Dixieland of wartimes. "The city will notify us in plenty of time if we've got to shut down," said a head man at one of the establishments of Phenix City. "What do you expect?" said the lady fortune teller, who gets $1 for the job. "It's always been like this where there's an army and it always will be."

"Forty thousand men," mused the hotel man in Columbus. "Forty thousand men. That's a lot of money and a lot of men and the South is getting it while it can. Sure, the South now has more slot machines and more dice tables and more loose women and more bars around because it has more soldiers."

In Phenix City, the weekly—the Herald—published every Friday and billed as "the most thoroughly read newspaper in Russell County," is edited by Harold E. Poor, who hails from New Hampshire. He made no attempt to enter a denial for his town as I talked with him. But it is apparent that he is disturbed by the extent to which Phenix City has gone in extending the selectees Chattahoochee hospitality.

"I came here several years ago," said this New Englander, " and I didn't come to overhaul the town. I came to publish my small newspaper. I understand that there are things here in Phenix City that people like me can't understand, but before you write anything I wish you'd look around the South and see if things are not as bad or worse elsewhere."

I've looked and hereby report that there are spots in the South of wartimes that would undoubtedly make the mining camp of bygone days seem like a garden party Dixieland is wide, wide open. And so certainly is Phenix City. In Louisiana, in Alabama, in Florida, and in Georgia the selectee is offered the diversions of Virginia City, Nev., of a distant day. By day he trains for war; by night, in this Chattahoochee country, he can name his entertainment and get it—if he has the price.

———

[From the Washington Times-Herald of February 26, 1942]

SOLDIER BLAMES SLAYING ON DRINK—RATHBUN ORDERED HELD TO GRAND JURY

"I was drunk and didn't know what I was doing," Pvt. John Rathbun, 20-year-old soldier stationed at Bolling Field, told a coroner's jury yesterday in explanation of his confessed slaying of a cab driver Monday at Eleventh and East Capitol Streets.

The jury, after hearing the soldier voluntarily testify at the inquest into the death of Conrad Steele, 36, the cabbie, ordered him held for action of the grand jury. Told by Coroner A. Magruder MacDonald that he did not have to take the stand, the soldier said he wanted to say something anyway, and, in a voice almost inaudible, told the jury:

"I had never seen the man before. I was drunk at the time and didn't know what I was doing. I don't know why he yelled 'Hold-up.' I never killed a man before in my life. That's all I have to say."

Detective Sergeant Edgar E. Scott told the jury Rathbun admitted killing Steele with a .45-caliber pistol which he had "borrowed" from the gun rack of a guardhouse at Bolling Field. He quoted the youth as telling him that he was "out to get" a deputy prison warden in Georgia who had once struck him.

Military authorities have formally turned Rathbun over to civilian authorities for action.

———

[From Progress of February 1942]

THE PEARL HARBOR REPORT

The Roberts report to the President is a whitewash insofar as it uncovered the lack of alertness which Secretary of the Navy Knox said was the cause of the disaster at Pearl Harbor on Sunday, December 7. It places the responsibility as to who were guilty for the disaster, but it does not disclose why they were not alert when the attack came. In an address at the Foundry Methodist Church, Washington, Sunday February 1, the editor, as reported in the press, asked this question:

"If the 500 saloons in the Honolulu area were not a vital contributing cause to the major military and naval disaster of American history, why were they immediately closed by military order and kept closed ever since? Why lock the stable after the horse has been stolen without disclosing to the owner why the hostler was not on the alert? Had prohibition prevailed and the law been as strictly enforced before as since the disaster, the Pearl Harbor massacre might never have occurred, with loss of nearly 3,000 officers and men, a billion dollars' worth of property, and lowered our morale, and naval prestige around the world.

"NORMALCY AT PEARL HARBOR

"If the 500 saloons in the Pearl Harbor area, 285 of them owned and operated by unnaturalized Japanese, were a contributing cause of the disaster because of their lack of alertness, why were they overlooked as a fruitful fifth-column source of seditious dissemination, and subversive action? And why was not that relation included in the Roberts commission report? Why must the liquor traffic always be protected against investigation and exposure, as it was in France until after the disaster?

"To suggest, as the report does, that liquor conditions were normal, and not any different than on previous Saturday nights, may mean nothing or everything. In the absence of attack it may mean nothing; under attack it may be the chief cause of defeat."

AUTOMOBILES VERSUS ALCOHOL

Discussing the Government's prohibition against the manufacture and purchase of automobiles, in the same address the editor said: "If the Government can prohibit the citizen from purchasing a new automobile, or tires for his old automobile, which is a blessing to society, a necessity to business, recreation for himself, and a pleasure to his family, it can prohibit his liquor, which is a curse."

BEAM VERSUS MOTE

If it can stop one of the major industries of the country producing 37,000,000 automo-

biles annually and throw millions of men out of employment, it can stop the seditious and subversive liquor traffic for the duration of the war before the disaster as it stopped it at Pearl Harbor and Honolulu after the disaster.

The same Government which supplied our most potential enemy with scrap iron and steel by the shiploads, and gasoline by the hundred million gallons, to be used, like the sword of Damocles, against us, has prohibited the sugar bowl on the restaurant tables and limited American citizens to a single lump, while the liquor interest gets all the grain and coal and trucks and tires they need to convert the staff of life into nonessential and devitalizing intoxicating liquors.

PRESIDENTIAL PARASITES

As for the "parasites" which the President proposes to move from their own homes in Washington to make room for war workers, why not move the greatest parasite of them all, the 2,500 liquor outlets in Washington, which sell a nonessential and poisonous commodity that reduces war-work efficiency and fills our penal and charitable institutions with broken humanity?

If the President has power, as he claims to have, to take over office buildings and hotels and lodging houses, and evict retired "parasites" from their own homes, as no doubt he has, he also has power to close the parasitical liquor premises, and the parasitical liquor-selling post exchanges in the training camps without waiting on Congress to pass a prohibition law, as Abraham Lincoln abolished slavery and confiscated slave property as an act of war, without asking or waiting for the consent or authorization of Congress. In such an emergency as this Nation now faces, the abolition of the liquor traffic is more essential to victory than was the abolition of slavery.

THE BRAND OF CAIN

We are told in the morning papers of today that the 15,000 liquor employees in Washington are to be fingerprinted. Why? Why not fingerprint the milkmen, the grocers, the drygoods, and other merchants? Why not fingerprint the lawyers, teachers, and preachers? Why put the brand of Cain on the liquor men? Cannot the Government find something better for those 15,000 citizens to do to help win the war than selling rum? What contribution does that make toward military efficiency? A drinking soldier may be more dangerous in war than a drinking driver may be in peace.

NOT ON THE ALERT

Recently the editor made a trip from Washington to fill a speaking engagement in South Carolina. It required an all-night ride to reach his Sunday engagements. On the Pullman out of Washington were three young men in military uniform, each assigned to a lower berth. They possessed 2 quart bottles of whisky and began to celebrate before the train left the terminal and continued into the small hours of the night.

When the editor left the train at 6 in the morning the three defenders of democracy were sleeping in one lower berth with their uniforms and boots on, dead to the world, with John Barleycorn in the same berth.

Had any military emergency arisen these defenders of the flag would have been no more alert than were the defenders at Pearl Harbor. This does not say that they were drunk, but their lack of alertness, their indifference to attack and their dereliction of duty, was a much more serious offense if they were sober. That would imply military incompetence which must prove very heartening to Japan and Hitler.

WORSE THAN WAR

Relating to the return home on furlough for Christmas dinner of a lad in uniform from a military camp, in an intoxicated condition, who was met by his mother on the arrival of the train on which the editor was a passenger, the editor said:

"As a father of six, three of them sons, I am wondering what may happen to that boy at the end of a year of training in a camp where intoxicating liquors are sold, and where contraceptive appliances are supplied to the boys for sex indulgence with underworld women when they leave camp for the big city. We already know what has happened to thousands of virtuous young girls who are fascinated by the uniformed youth, particularly after visits to roadhouses, taverns, and dance halls where intoxicating liquors are sold contiguous to the camp and towns and cities within easy reach.

We know too well the relation of alcohol in any form to sex indulgence. Over 40 pregnant high-school girls are reported in the hospital of a small city contiguous to a training camp.

There are penalties which our youth may be called to pay that will be worse for them, worse for our daughters, and worse for their mothers and fathers than death in battle.

There are some things worse than war, and greater sorrow to fathers and mothers than death of sons in their country's service.

And I say to you as a father who bears in his body the marks of Old Glory, I would rather have a sober son in a concentration camp in Germany than in a service camp in America, if that son should become the victim of the drink habit, either there or in the active service of his country.

His character is worth more to me than his country, for that will last till the end of eternity, and if his country does not watch its step there is no guaranty that it will outlast the next war, if it succeeds, with its partnership with vice and rum and lust to win this war

There is a popular song, I Didn't Raise My Boy To Be a Soldier. I did, when his country needs him. But I did not raise any one of my boys to be a drunkard, in the Army or out. And the mothers of this country, who were the best soldiers that ever marched on a field of battle to bring their boys into life, and raise them to manhood, would say the same thing. There is not a physical disability, not even insanity, that I would not prefer for one of my sons than to return from the service to his country a confirmed drunkard.

"It is impossible but that offenses come, but woe unto that man or nation by whom the offense cometh. It were better for that man, or Uncle Sam, that a millstone be hanged about his neck and he were cast into the sea."

THE CHURCH BEAUTIFUL

The sermon from which the above article is taken was preached in the Fountry Methodist Church, the Cathedral of Methodism, at Washington, attended by Winston Churchill and Lord Beaverbrook when recently visiting the Capitol City, of which Dr. Frederick Brown Harris is the distinguished pastor. The sermon was preached from the magnificient spiral pulpit recently dedicated in honor of Bishop William Frazer McDowell, who was a friend of the editor, as was the father of Dr. Harris, in whose pulpit he preached many times in the New Jersey Conference.

On the beautiful church calendar, Foundry Methodist Church stands in the foreground of the front page, with the great white dome of the Nation's Capitol in the distance. The announcement for the evening service on page 4 reads: "We are glad to welcome to the McDowell pulpit tonight Hon. Clinton N. Howard, a valiant knight of righteous causes. For many years across the continent his voice has been raised on behalf of the things that make our Nation great. William Jennings Bryan said: 'I have never heard his equal. I hope the world can hear this modern apostle.' It will be a joy to have him with us at the evening service."

LAG IN WAR PRODUCTION

Mr. O'DANIEL. Mr. President, I should also like to say a few words at this time with reference to the lag in the production of war materials, and to place in the RECORD some additional telegrams I have received on that subject. I am receiving so many telegrams of late that I think it is my duty to present some of them to the Senate in order that Senators may know at least how some of the people in Texas and other States feel about the lag in production of war materials. I read first a telegram from H. C. White, secretary-treasurer, Temple White Co., Inc., of Diboll, Tex., as follows:

Earnestly urge you take necessary action bring war production fullest capacity.

I read a telegram from Miriam Partlow, secretary, Liberty County Defense Council, Liberty, Tex., signed by him and 24 others, as follows:

Support legislation to cut out strikes and put war production on 100-percent basis.

MIRIAM PARTLOW,
Secretary,
Liberty County Defense Council,
(And 24 others).

I read a telegram from Mrs. E. J. Daffin at Houston, Tex.:

Outlaw strikes. Lengthen work hours.

I read a telegram from John T. Beldwin, manager, Chamber of Commerce, Huntsville, Tex.:

Our board of directors has gone on record by unanimous vote protesting the controversy between the employer and the employee in vital defense plants, causing a delay in the manufacturing of defense materials the shortage of which is bringing about the untimely death of our boys on the fighting front. Every red-blooded American will certainly not be satisfied with anything short of an all-out effort for manufacturing war materials. We are confident that you feel as we do, and urge your support of the Smith bill or any other legislation that will correct the deplorable situation and stop these damnable strikes for the duration at least.

Next I read a telegram from W. R. Calhoun, Texas Cement & Plaster Co., Hamlin, Tex.:

Act now and end all strikes and the 40-hour week. Force labor individuals and capital to a 60- or 70-hour week. No more racketeering in labor, business, or politics. Give Nelson the 100 percent go signal. I have 175 workers and am sure they are 100 percent for this idea. If Senators and Congressmen do not do this at once they will be classed as slackers. We have got to win this war and to do so we must begin now at full speed. We do not need after-dinner or political speeches but do need production. We are all on the right side except the fifth columnist and you know what rough treatment they should have. We must beat our enemies without beating around the bush.

I read a telegram from Jim Maples, manager, Yellow Taxicab Co., Muskogee, Okla.:

My taxes last year were $10,000. For many years I lived in Texas. Believe I am entitled to know why the Government permits labor racketeers to collect $20 from day laborers, $50 from carpenters, $60 from painters, and $200 from plumbers before they are permitted to work on Government financed defense projects. Will you furnish this information? Also advise why Congress continues to play

politics and make appropriations for boondoggling projects, thereby wasting money and depriving defense projects of necessary materials.

Now I read a telegram from Caleb Read, of Abilene, Tex., as follows:

No work in defense plants on holidays and kicks on 40 hours a week are absurd. Two shifts of 12 hours a day, 7 days a week would save the lives of our soldiers who give 24 hours every day and are being killed for lack of planes and munitions We, as Americans, are willing to do anything and naturally we ask the question, What are you doing?

I read a telegram from A. E. Amerman, Jr., of Houston, Tex.:

Public is outraged at the 40-hour week, holidays, time and a half for overtime, and strikes resulting in partial utilization of war machinery. Nelson's plea for 7-day week and for full-time employment of machines should be answered immediately by legislation to abolish these home-made enemies of our war effort. Suggest you push with all your effort the abolition of 40-hour week and anti-strike legislation, and any other legislation which will immediately compel full-time operation of war machinery.

Following that is a telegram from John H. Bradley, of Alice, Tex.:

We think something ought to be done about the 40-hour-week labor law. Donald Nelson told the world that we were losing the war because we were producing only 50 percent. How about a little action and place all war production on 24-hour basis, 7 days a week? We demand that you and other Representatives get busy and straighten out this mess. It can be done, but it takes men to do it. What would happen if MacArthur would work only 40 hours a week, or does our Congress think he could or would? Action is what we want, and we believe we speak for all true Americans. We'll take care of our fifth columnists here; you take care of them in Congress.

I read now a telegram from J. T. Lundell, of Dallas, Tex., as follows:

Why not order at once all war production on a 24-hour basis, 7 days a week? We're tired of sitting here close to the border and coast, where enemy can get to us, and working day and night preparing for civilian defense, air-raid wardens, and defense-guard activities, and have the Congress refuse to act to force all-out war production. It's a blessing our soldiers don't work 40 hours a week. Action is needed—it speaks louder than all speeches and all CONGRESSIONAL RECORDS.

Next I read a telegram from Jess McLarry, president, Optimist Club, of Wichita Falls, Tex.:

The Optimist Club, of Wichita Falls, composed of 80 businessmen, adopted at their regular weekly luncheon today the following resolution: *Resolved*, That the club go on record as approving the stand of Donald M. Nelson that we require defense industries to operate 24 hours per day 7 days per week during the national emergency, and that the 40-hour week be abolished. Since it is apparent that the battle must be won on the assembly line and that we are losing it there as long as we manufacture anything short of full capacity, it seems imperious that as long as our boys at the front are drafted and paid only $21 per month and have to go for weeks without taking off their clothes and put up with this until they fall asleep from exhaustion that all of us feel it is likewise imperious that our leaders take every step to stop strikes and run factories full blast. Now, therefore, it is the feeling of this club that if it was reported that our sons were drowning or imperiled by fire in a burning building that we would certainly not wait our union hours to rescue them. This country of ours is imperiled, and unless we do bend every effort we do not deserve to win this war.

Then a telegram from C. W. Alcorn, of Houston, Tex., as follows:

Donald Nelson said we could practically double production by working 24 hours a day 7 days a week. The Wagner Act prevents this ever being done. There was no place for the Wagner Act when this country was building, and there is no place for it when we are fighting to preserve it. We demand that you act immediately to suspend it for the duration.

I now read a telegram from R. D. Shinkte, manager, Alice Chamber of Commerce, Alice, Tex.:

We want action. Why not freeze all employer-employee relation and kill all labor disputes for duration? Raise 40-hour restriction and give all-out aid to war production. Men, not politicians, are needed now.

I read a telegram from J. Arthur Lundell, of Alice, Tex., as follows:

We think something ought to be done about the 40-hour-week labor law. Donald Nelson told the world that we were losing the war because we were producing only 50 percent. How about a little action and place all war production on 24-hour basis, 7 days a week? We demand that you and other representatives get busy and straighten out this mess. It can be done, but it takes men to do it. What would happen if MacArthur would work only 40 hours a week, or does our Congress think he could or would? Action is what we want, and we believe we speak for all true Americans. We'll take care of our fifth columnists here; you take care of them in Congress.

Finally, a telegram from Marshall Rotary Club, of Marshall, Tex., as follows:

Our people are indignant over Ford strike. Our Texas boys are dying daily due lack war equipment. We people are cheerfully giving up tires, sugar, and other things. We insist these strikes be stopped—not next week, but today. This resolution unanimously adopted.

Mr. President, I also wish to have printed in the RECORD at this point an excerpt from H. V. Kaltenborn's broadcast of March 8, 1942, at 3:15 p. m., eastern war time, over the National Broadcasting Co. I shall not now take the time to read it.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM H. V. KALTENBORN'S BROADCAST MARCH 8, 1942

The people of the United States owe an important debt of gratitude to a Congress of Industrial Organizations labor leader. His name is Irving Abramson. He is president of the State Industrial Union Council of New Jersey. He has had the courage to call the attention of the President and people of the United States to the fact that the industrial plants of the State of New Jersey which are now turning out war material for our soldiers and sailors are working at less than half of their capacity. For more than half the time the New Jersey machines which turn out materials to build ships, planes, tanks, and guns are idle.

Why? Because the unions and the employers are unable to agree on the payment of double time for Sunday work and on the payment of overtime for every hour worked in excess of 40 in any given week.

On Washington's Birthday, the President of the United States talked to the people of the United States. He talked to employers, to workers, to you, and to me. Here is what he said: "We shall not stop work for a single day. If any dispute arises we shall keep on working while the dispute is settled by mediation, conciliation, or arbitration."

Yet on the very holiday on which the President spoke to the Nation, some 17,000 workmen remained away from their machines on the west coast because they insisted on getting and their employers insisted on refusing double-time pay for holiday work.

Now, when the President of the United States, who is our Commander in Chief, says something, you and I have the right to suppose that it means something. Yet on the very day on which the Commander in Chief said with a ring in his voice, "We shall not stop work for a single day," 17,000 workers stopped work on that very day. And nothing was done about it. The employers were not rebuked for refusing to pay double time. The workers were not rebuked for idling. After all, there was nothing in the contracts that obliged employers to put men to work on a holiday and pay double time when those same men were free to take a day off in the middle of the week. And the union men who refused to work only acted on the advice of leaders who told them that they must insist on employers holding to the double-time provisions of their contract. It was, obviously, a case for Government intervention. But the Government only talked. It did not act.

Now the Congress of Industrial Organizations leader in New Jersey tells the President of the United States that instead of the Presidential motto: "We shall not stop work for a single day," the New Jersey motto is: "We shall stop work for 2½ days out of every 7." Will nothing be done about that, too? Or is the time at hand when the administration will realize that it can no longer sidestep its duty in the settlement of a problem that has bedevilled the production of war materials for the past 2 years? The Congress of Industrial Organizations survey in New Jersey found just two plants that were working the full 168 hours called for by Donald Nelson, head of the United States War Production Board. Which certainly proves that it takes more than Rooseveltian eloquence or Nelsonian demands to get things done either in the State of New Jersey or anywhere else in the United States.

Out of 77 war production plants surveyed in the State of New Jersey, less than one-half do any work at all on Saturdays, and only 10 out of the 77 work on Sundays. Which means that while Japan is winning the war because we lack the tools of victory, the war workers of the United States are still on a 5-day week. For don't imagine that conditions are much better in any one of the other 48 States.

And here is the tragedy. The Army has already absorbed tens of thousands of young men who might very well have been more useful in war plants than they will ever be in uniform. But by the time our war plants get ready to move from their present 40-percent basis to something nearer their 100-percent basis, draft boards will have put so many into uniforms that it may be impossible to find enough workers of the right age and the right type. Women workers will be one solution. The president of one of the country's great engineering colleges called me up the other day to express his delight with the way women are taking to his engineering courses. It seems that properly selected women students are just as capable as men in absorbing many kinds of technical instruction. The aircraft plants of California found that out long ago.

The most serious immediate bottleneck of America's war effort is ships. The U-boats are sinking ships faster than we are building them, which means that for some time to come conditions will get worse instead of better. And conditions are bad. Here is a telegram that has just come to me from New Jersey: "For many weeks commuters

on the Erie Railroad have daily viewed with dismay literally miles of packing cases, dismounted jeeps, steel beams, etc., getting more weatherbeaten as they lie in the freight-yards just west of Jersey City. If it is lack of ships, why are not the shipyards working 24 hours a day to move this vast pile of war goods?" And the echo answers, "Why?"

William H. Harrison, Director of Production of the War Production Board, tells us that there is a definite possibility that the President's production goal of 8,000,000 tons of new shipping this year will not be realized. Donald Nelson says he refuses to recognize this possibility. But recognize it or not, Mr. Nelson, there it is, and what are you going to do about it? New Jersey's Abramson has told you and the President what's wrong. He has told you about one New Jersey shipbuilding company that employs 14,500 on the first shift, 3,500 on the second, and 1,500 on the third. In one of the smaller New Jersey shipyards where two shifts are being worked, the employees, according to Mr. Abramson, appealed for the addition of a third shift for the dual purpose of cutting down their own overtime and increasing production, but the management refused. There you get the fight between the two 10-hour shifts preferred by management and the three 8-hour shifts preferred by labor. That has caused strikes, walk-outs, and labor difficulties all over the country, and no one has done anything about it.

Abramson's report also shows that we are not doing enough to train the unemployed for war jobs and that vocational training facilities are woefully inadequate to meet New Jersey's present and prospective needs for trained war workers. As a union man, we must expect him to put most of the blame for what's wrong on the employers. But he has rendered a real service in putting before the President and before Production Director Nelson the fact that in New Jersey war plants work on a half-time basis. Now let the employers in New Jersey wake up and put their case before the President and before the Director of War Production.

Thus far most of us have blamed either the unions or the employers for a situation in which both share the blame. Many employers have contracts under which the payment of more than a minimum of overtime and double time would turn profits into losses, and don't forget that while the Government will certainly take away most of the profits it cannot be held responsible for any of the losses. If employers are asked to pay workers time and one-half, as well as double time, on contracts which were made before the President called for 24 hours a day 7 days a week production, they are entitled to some sort of adjustment, and a fair-minded Government will recognize that fact. It will be easy enough to draft tax laws that will draw back to the Government in one way or another every cent of excess profits.

As for the labor unions, they have contracts with employers which provide for the payment of overtime and double time. Until they have some guaranty that the sacrifice of these provisions will not transfer additional profits to their employers they are entitled to insist upon them, and they have the right to insist that the change or abrogation of these provisions shall be for the emergency period only. The vice of the whole situation lies in the fact that the Government in Washington has tried to sidestep its responsibility. It has pussyfooted and delayed in the hope that the situation would settle itself and that it would not have to act.

This reminds me of a talk I once had while driving to the White House with a man who may well become the next President of the United States. He is close to the President and has his confidence. I was appealing to him for Presidential leadership on the ground that the country was crying out for the next step.

"Perhaps," replied this man who knows the President, "perhaps the President is only waiting until you and those who agree with you can persuade the country to cry out more loudly and with a more certain voice."

So perhaps, if, before it is too late, 100,000,000 Americans turn their voices toward Washington and cry out, "Action, action, action," we can get things done.

Mr. O'DANIEL. Mr. President, I wish to call attention to the fact that some of these telegrams and many letters which are coming to me refer to this broadcast made by Mr. Kaltenborn. They refer to statements of our President, and they also refer, as Senators have just noticed, to the speech made night before last by Donald Nelson, Chairman of the War Production Board. I hope the Senate and the House of Representatives will take legislative action to back up the statement of our President, who said:

> We shall not stop work for a single day. If any dispute arises we shall keep on working while the dispute is solved by mediation, conciliation, or arbitration.

Mr. President, I hope the Senate will take legislative action to back up the urgent demand made by Donald Nelson, upon whose shoulders rest such grave responsibilities and such a great load at the present time, and that the Congress will enact some legislation which will start the factories into full-time operation, 24 hours a day, 7 days a week, as Mr. Nelson suggested, in order that there may be an increase in the production of war materials in the Nation. I hope in the final analysis Senators will also pay some heed to the voice of the people as expressed in the telegrams I have just read.

FERTILIZER SHORTAGE AND SMALL GRAIN CROPS

Mr. SMITH. Mr. President, I had hoped that some of the Senators who are interested in the matter which I wish to discuss today might be present. I have from Clemson College, one of the great agricultural colleges in the South, an important document, written by the director of cooperative extension work in agriculture and home economics. I do not know how those on the Atlantic seaboard from Maine to Florida feel about this problem, but we are within 2 weeks of losing practically the entire small-grain crop of the South. Some time ago I called the attention of the Senate to this matter. Senators do not seem to be interested. I am not surprised that those from the West, whose soil does not need artificial fertilization, pay no heed to this question, except through long-distance sympathy; but we are confronted by the danger of a catastrophe more deadly than anything that has thus far been inflicted by our enemies. The situation is so imminent and drastic that only those of us who are acquainted with the actual facts know what is ahead.

I took this matter up with Mr. Myers of the War Production Board. He said, "We have allocated nitrates to the distributing corporations, namely, the fertilizer corporations, and they are supposed to distribute them."

There was a meeting of the farmers of Georgia and South Carolina on the grounds of Clemson College. I should like to read a letter addressed to the South Carolina delegation by Mr. D. W. Watkins, director of cooperative extension work in agriculture and home economics in the State of South Carolina. The letter is addressed to Representatives BRYSON, FULMER, HARE, MCMILLAN, RICHARDS, and RIVERS, the junior Senator from South Carolina [Mr. MAYBANK], and myself. I wish to read the letter for the RECORD. The only Senator from the section interested who is present is the Senator from Georgia [Mr. RUSSELL].

Mr. SMATHERS. Mr. President, will the Senator yield for the purpose of suggesting the absence of a quorum?

The PRESIDING OFFICER (Mr. ROSIER in the chair). Does the Senator from South Carolina yield to the Senator from New Jersey for the purpose of suggesting the absence of a quorum?

Mr. SMITH. No. What is the use? No one is interested in anything but election this year. We are in the midst of a tremendous "turpitude" fight. It smells more like turpentine than turpitude. [Laughter.] We are in the midst of it; yet see how many Senators are interested. That condition will be just as deadly in its subsequent effects as the danger to which I refer is in its immediate effects. We are deliberating on the moral character of a man, which is the most valuable asset he has, even though he be worth billions of dollars. We are asked to damn him forever on the basis of the evidence which has been given. Some persons may think that the ruin of a man's record is a trivial thing. I shall not enter upon that question. Later I shall have something to say on it. The majority report criticizes the minority for having had the temerity to question certain acts of the majority. I will question them. At the proper time I will give my view on that mess.

I should like to read the letter to which I have referred:

> At a State-wide marketing conference called at Clemson for Friday and Saturday, March 6 and 7 (program enclosed) a considerable number of farmers present brought up the matter of nitrate of soda distribution as it is working out in South Carolina. There was considerable discussion of this subject and general agreement that as a means of securing equitable distribution of the available supplies of nitrates the plan has broken down.

That is what I called to the attention of Mr. Myers this morning. I said, "You ought to have allocated so much to South Carolina. What steps have you taken to see that the individual farmer who needs fertilizer will get it?" He said, "We cannot go into that."

Continuing with the letter:

> The main reason why it has broken down appears to be that the plan of rationing does not extend down to the farms but stops with a few very large manufacturers or dealers. Some farmers who used nitrates last year are securing none this year. Others seem to be obtaining widely varying percentages of the amounts used last year. There seems to be no relation between the amounts received by farmers and the amounts needed on this year's grain crop. Reports are frequent to the effect that farmers must buy mixed fertilizers from dealers

in order to get any nitrates. This entire procedure seems to be in a state of confusion as far as agriculture is concerned. I have not heard any farmer say that he is insistent on having a supply of nitrate of soda in spite of needs of munitions. However, there seems to be no doubt that the method being followed is full of inequities. Some farmers who ordinarily home-mix their fertilizers are this year unable to obtain materials. Others who used other kinds of nitrates last year as a top dressing for oats and wheat are unable to secure these other types this year.

The resolution passed at the meeting this morning with instructions to forward copies to our Congressional delegation is attached. The particular example mentioned in the resolution with the correspondence that has taken place in connection with it is attached. Please note that up to this time this farmer, Mr. Pegues, has been unable to secure any nitrate whatever. There are many others. The kind of replies we get to inquiries are typified in the letter from Mr. George W. McCarty of the War Production Board in which he says: "Your sources of supply should be such as to enable you to get your fair share of nitrate of soda that is allocated by the month." Another letter to Mr. Pegues from Dr. P. H. Groggins says: "We are confident that the nitrate situation in our Southeastern States should now be in good condition." Unfortunately, neither statement describes the confused situation and it will soon be too late for top dressing to be of any service on this year's small grain crop.

There were expressions at this meeting to the effect that the delegation in Congress from South Carolina might be able to help straighten out this mess. It is with that view that I was instructed to forward this information to you. If there is anything that this office can do to help, we shall be only too glad.

Sincerely yours,

D. W. WATKINS,
Director.

I wish to read the resolution which the meeting of farmers adopted. I was told at the War Production Board, "Yes; we have sent the soda down there. As to the distribution, we leave that to the manufacturers of fertilizer." There is an extension service; and under the Seed Loan Act there is a man in every district who visits every farmer. Why could not a farmer be asked to fill out a card showing how much he used last year, and let the distributing agent send each farmer his quota, whether it be a third, a fourth, or what not? As it is, some are receiving a third, some are receiving none, and some are receiving as much as 50 percent.

This is the resolution:

CLEMSON, S. C., *March 7, 1942.*

Resolution passed by Marketing Conference for submission to the War Production Board and the Office of Agricultural Defense Relations:

"*Be it resolved:*

"South Carolina farmers complain that the nitrate of soda allocated to this State by the War Production Board is not being equitably rationed. Many farmers are able to buy little, if any, nitrate of soda, although from released figures it appears that South Carolina has already been allocated as much, or more, nitrate of soda as ever used during a similar period. Apparently the nitrate soda allocated to this State is not reaching the hands of the farmers as intended.

"For example, Pegues Bros., of Bennettsville, S. C., purchased 66 tons of nitrate of soda in 1941 from the Virginia-Carolina Chemical Co. Said company now—in a letter dated March 3, 1942—notify Pegues Bros. that they will be unable to supply them any nitrate of soda in 1942. This is one of many cases in the State.

"We feel that this matter is of such vital importance that the War Production Board should take immediate steps to see that available supplies of nitrate of soda are equitably rationed to South Carolina farmers."

I now wish to read a letter from Pegues Bros. to the Office of Production Management. I suppose the reason for singling out Pegues Bros. is that they are, perhaps, the largest farmers in Marlboro County, which is the banner cotton county of South Carolina.

OFFICE OF PRODUCTION MANAGEMENT,
Washington, D. C.

Attention Mr. Howe.

I do not know who he is.

DEAR SIR:

This is a letter Mr. Pegues wrote to them:

In 1941 we purchased fertilizer for our farm from the Virginia-Carolina Chemical Corporation, of Wilmington, N. C. In that purchase was 66 tons of nitrate of soda, as follows:

Then follow the dates and amounts of their purchases.

Their sales manager told me at their office yesterday, February 9, that their interpretation of the Office of Production Management ruling was that they were not bound to sell us any soda for 1942 crop since we did not buy our mixed fertilizer from them this year (1942). They feel that Maybank Fertilizer Co., Charleston, S. C., should sell us our 1942 soda allotment since we purchased our mixed fertilizers from them this year (1942).

Pegues Bros. had changed their purchases from the Virginia Co. to the Maybank Co. I continue to quote from the letter—

On the other hand, Maybank takes the other side and told me that their interpretation of the Office of Production Management ruling was that they are to take care of the ones that purchased soda from them in 1941 and not base their sales on the mixed-fertilizer sales.

Please advise me by return mail where and how much soda we can get for our 1942 crops. As it stands now, we are ostracized because we changed our brand of fertilizer. And we appreciate very much if you advise us by return mail as to what steps to take.

Yours very truly,

PEGUES BROS.

This is the reply, written on the letterhead of the War Production Board, Materials Division, Chemicals Branch, Washington, D. C., dated February 12, 1942:

MR. V. R. PEGUES,
Pegues Bros., Route 4,
Bennettsville, S. C.

DEAR MR. PEGUES: This will acknowledge your letter of February 10 with reference to soda purchased by you last year.

It is not within the province of this department to attempt to tell the manufacturers and distributors to whom they shall sell the soda that is allocated to them.

It is allocated to the manufacturers, but the department does not tell them to whom they shall distribute it.

Your sources of supply should be such as to enable you to get your fair share of nitrate of soda that is allocated by the month.

Yours very truly,

GEORGE W. MCCARTY,
Consultant, Nitrogen Unit.

I have in my hand another letter, similar to Mr. Pegues' letter. I shall not read it; but I do wish to read a letter from Mr. Groggins, Chief of the Chemicals Division, United States Department of Agriculture, Office of Agricultural Defense Relations—the outfit here that is writing to these men, but the farmers never have heard of it:

DEAR MR. PEGUES: Mr. Watkins, in his letter of February 23, has given you an accurate picture of the sodium-nitrate situation as of that date. Since then two encouraging steps have been taken: First, we asked the administrator of the sodium-nitrate order to advance March deliveries to the latter part of February. Then we asked that the advanced deliveries be changed to additional releases. Both of these recommendations have been accepted.

We are confident that the nitrate situation in our Southeastern States should now be in good condition. As a matter of fact, some States have this year received more nitrate of soda than they did in 1941.

I do not know what States they are; he did not say.

Mr. President, I ask unanimous consent that all the letters I have before me, including those from which I have read, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CLEMSON AGRICULTURAL COLLEGE,
Clemson, S. C., March 7, 1942.

Hon. JOSEPH R. BRYSON,
Hon. HAMPTON P FULMER,
Hon. BUTLER B. HARE
Hon. JAMES L. MCMILLAN,
Hon. JAMES P. RICHARDS,
Hon. MENDEL L. RIVERS,
Members, House of Representatives,
Hon. ELLISON D. SMITH,
Hon. BURNET R. MAYBANK,
United States Senators,
Washington, D. C.

GENTLEMEN: At a State-wide marketing conference called at Clemson for Friday and Saturday March 6 and 7 (program enclosed), a considerable number of farmers present brought up the matter of nitrate of soda distribution as it is working out in South Carolina. There was considerable discussion of this subject and general agreement that as a means of securing equitable distribution of the available supplies of nitrates the plan has broken down. The main reason why it has broken down appears to be that the plan of rationing does not extend down to the farms, but stops with a few very large manufacturers or dealers. Some farmers who used nitrates last year are securing none this year. Others seem to be obtaining widely varying percentages of the amounts used last year. There seems to be no relation between the amounts received by farmers and the amounts needed on this year's grain crop. Reports are frequent to the effect that farmers must buy mixed fertilizers from dealers in order to get any nitrates. This entire procedure seems to be in a state of confusion as far as agriculture is concerned. I have not heard any farmer say that he is insistent on having a supply of nitrate of soda in spite of needs for munitions. However, there seems to be no doubt that the method being followed is full of inequities. Some farmers who ordinarily home mix their fertilizers are this year unable to obtain materials. Others who used other kinds of nitrates last year as a top dressing for oats and wheat are unable to secure these other types this year.

The resolution passed at the meeting this morning with instructions to forward copies to our congressional delegation is attached. The particular example mentioned in the

resolution with the correspondence that has taken place in connection with it is attached. Please note that up to this time this farmer, Mr. Pegues, has been unable to secure any nitrate whatever. There are many others. The kind of replies we get to inquiries are typified in the letter from Mr. George W. McCarty, of the War Production Board, in which he says: "Your sources of supply should be such as to enable you to get your fair share of nitrate of soda that is allocated by the month." Another letter to Mr. Pegues from Dr. P. H. Groggins says, "We are confident that the nitrate situation in our Southeastern States should now be in good condition." Unfortunately, neither statement describes the confused situation, and it will soon be too late for top dressing to be of any service on this year's small grain crop.

There were expressions at this meeting to the effect that the delegation in Congress from South Carolina might be able to help straighten out this mess. It is with that view that I was instructed to forward this information to you. If there is anything that this office can do to help, we shall be only too glad.

Sincerely yours,

D. W. WATKINS, *Director.*

CLEMSON, S. C., *March 7, 1942.*

Resolution passed by marketing conference for submission to the War Production Board and the Office of Agricultural Defense Relations:

Be it resolved:

South Carolina farmers complain that the nitrate of soda allocated to this State by the War Production Board is not being equitably rationed. Many farmers are able to buy little, if any, nitrate of soda, although from released figures it appears that South Carolina has already been allocated as much or more nitrate of soda as ever used during a similar period. Apparently the nitrate of soda allocated to this State is not reaching the hands of the farmers, as intended.

For example, Pegues Bros., of Bennettsville, S. C., purchased 66 tons of nitrate of soda in 1941 from the Virginia-Carolina Chemical Corporation. Said company now (in a letter dated March 3, 1942) notify Pegues Bros. that they will be unable to supply them any nitrate of soda in 1942. This is one of many cases in the State.

We feel that this matter is of such vital importance that the War Production Board should take immediate steps to see that available supplies of nitrate of soda are equitably rationed to South Carolina farmers.

PEGUES BROS.,

Bennettsville, S. C., February 10, 1942.

OFFICE OF PRODUCTION MANAGEMENT,

Washington, D. C.

Attention Mr. Howe.

DEAR SIR: In 1941 we purchased fertilizer for our farm from the Virginia-Carolina Chemical Corporation, of Wilmington, N. C. In that purchase was 66 tons of nitrate of soda, as follows: February 25, 15 tons; March 12, 8 tons; May 9, 14.5 tons; May 12, 14.5 tons; and May 13, 14 tons.

Their sales manager told me at their office yesterday, February 9, that their interpretation of the Office of Production Management ruling was that they were not bound to sell us any soda for 1942 crop, since we did not buy our mixed fertilizer from them this year (1942). They feel that Maybank Fertilizer Co., Charleston, S. C., should sell us our 1942 soda allotment, since we purchased our mixed fertilizers from them this year (1942). On the other hand, Maybank takes the other side, and told me that their interpretation of the Office of Production Management ruling was that they are to take care of the ones that purchased soda from them in 1941 and not base their sales on the mixed-fertilizer sales.

Please advise me by return mail where and how much soda we can get for our 1942 crops. As it stands now, we are ostracized because we changed our brand of fertilizer. And we appreciate very much if you advise us by return mail as to what steps to take.

Yours very truly,

PEGUES BROS.,
By V. R. PEGUES.

WAR PRODUCTION BOARD,

Washington, D. C., February 12, 1942.

Mr. V. R. PEGUES,

Bennettsville, S. C.

DEAR MR. PEGUES: This will acknowledge your letter of February 10, with reference to soda purchased by you last year.

It is not within the province of this Department to attempt to tell the manufacturers and distributors to whom they shall sell the soda that is allocated to them.

Your sources of supply should be such as to enable you to get your fair share of nitrate of soda that is allocated by the month.

Yours very truly,

GEORGE W. MCCARTY,
Consultant, Nitrogen Unit.

BENNETTSVILLE, S. C., *February 21, 1942.*

Mr. D. W. WATKINS,

Director of Extension,
Clemson College, Clemson, S. C.

DEAR MR. WATKINS: Mr. V. R. Pegues, a big farmer in Marlboro County, asked me to write to you in regard to helping him secure nitrate of soda for his 400 acres of small grain, thinking that you in your position might be of service to him and other farmers in like predicament.

He bought mixed goods and 66 tons of soda from V. C. Fertilizer Co. in Wilmington, N. C., in 1941. In 1942 he bought mixed goods from Maybank in Charleston. Maybank refuses to furnish soda this year and tells him that V. C. is supposed to furnish soda, because he bought soda from them last year; V. C. refuses to furnish soda this year and informs him that it is up to Maybank to furnish soda this year because he bought mixed goods from them.

Mr Pegues has visited Bob Hamilton in Columbia, Mr. Roy Jones, and Barrett Co. He has also written letters to the Secretary of Agriculture in Washington, Congressmen, and Senators; as yet he has gotten no satisfaction or any promise of any soda.

At a meeting of county war boards and Agricultural Adjustment Administration administrative officers, held in Florence recently, strong resolutions were passed and sent to Congressmen and Senators and the Secretary of Agriculture. No answer has been received to these resolutions.

Without top dressings, small-grain crops will be materially curtailed. Upon these crops depends essential war products such as pork, beef, poultry, and dairy products.

Prompt action is necessary if this situation is to be remedied. Anything that you can do will be appreciated.

Very truly yours,

COLIN MCLAURIN, *County Agent.*

BENNETTSVILLE, S. C., *February 25, 1942.*

VIRGINIA-CAROLINA CHEMICAL CORPORATION,

Wilmington, N. C.

GENTLEMEN: I am informed that the V. C. Chemical Corporation are authorized or instructed to sell the farmer 30 percent of the soda that was purchased from them in 1941, the delivery to be made in the corresponding month.

On February 25, 1941, I bought 15 tons of soda from you, and therefore please ship to me, Kollocks, S. C., at once, 4.5 tons for February this year. In March last year you sold me 8 tons of soda, so kindly ship me March 1, 2.4 tons soda.

Make sight draft bill lading attached on me through the South Carolina National Bank, Cheraw, S. C.

Yours very truly,

PEGUES BROS.,
V. R. PEGUES.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF AGRICULTURAL DEFENSE RELATIONS,

Washington, March 2, 1942.

Mr. V. R. PEGUES,

Bennettsville, S. C.

DEAR MR. PEGUES: Mr. Watkins in his letter of February 23, has given you an accurate picture of the sodium nitrate situation as of that date. Since then two encouraging steps have been taken. First, we asked the Administrator of the sodium nitrate order to advance March deliveries to the latter part of February. Then we asked that the advanced deliveries be changed to additional releases. Both of these recommendations have been accepted.

We are confident that the nitrate situation in our southeastern States should now be in good condition. As a matter of fact, some States have this year received more nitrate of soda than they did in 1941.

Yours very truly,

P. H. GROGGINS,
Chief, Chemicals Division.

VIRGINIA-CAROLINA CHEMICAL CORPORATION,

Wilmington, N. C., March 3, 1942.

Messrs. PEGUES BROS.,

Bennettsville, S. C.

GENTLEMEN: We have your letter of February 25.

The limited supply of nitrate of soda allocated us by both producers is preventing our being able to supply the normal demand of our regular customers. We regret, therefore, that we will be unable to sell you any nitrate of soda this season.

Yours very truly,

H. N. HAYDEN,
Assistant Manager.

Mr. SMITH. What I want, Mr. President, is to get some action from some one, from some source, to have a stop put to this passing the buck. If we go to one man he says, "Well, go to Mr. A." When we go to him he says, "Well, go to Mr. B"—and then back to Mr. A, and so on. In the meantime the small-grain crop of the South and Southeast will be practically a failure.

I talked to Mr. Myers this morning, and he seemed to be surprised that there is not an adequate supply of this element essential to our production. I become so tired trying to get something done. It is much like the story in regard to the doctrine of predestination. A man asked, "If I pray and live an exemplary life, but am not chosen, will I go to hell?"

The answer was, "Yes."

Then he asked, "If I drink and carouse and cuss, but am chosen, will I go to heaven?"

The answer was, "Yes."

Then he went away, and after awhile came back, and said, "I have got that thing fixed. It is like this:

"I can and I can't.

"I will and I won't.

"I'll be damned if I do.

"And damned if I don't."

That is the situation of the farmer today. [Laughter.]

Of course, the metropolitan press and administration leaders denounce the so-called farm bloc. I do not know where they are. There have been a few who express a desire to help the farmers; but according to the press and certain leaders we are proposing things that will lead to inflation. I think that every man who criticizes the farmer for his effort to get sufficient money with which to live decently should be forced to work with his hands on a farm for 12 months. I wish we had a law to that effect. Let a man go to work on a farm in my State and start to plant cotton, break up the land, lay off the rows, distribute the fertilizer, bed the cotton, rustle around with the cotton planter until he knows how to keep the cotton on the bed; then, when the cotton grows a little, chop it to a stand; then, along about the middle of June, when the sun becomes about as big as a saucer, the sunlight is beating down on him, his shadow is falling under him, and he is sweating and tugging, he would think cotton was worth a dollar a pound; yes, indeed.

It is very easy to sit in a nice, secluded room, with an opportunity to be a "p-a-y-t-r-i-o-t," and criticize a man who works on a farm, who is subject to all the changes of the seasons, to insect ravages, and tell him about how to become rich and independent.

I hope something may be done. I had hoped that those who are interested in this tragic situation would at once take steps to relieve the farmers in their predicament.

Not only that but next month and the month after in my section of the country corn will not make a crop unless the soil is highly fertilized.

Once I was accused of being the biggest liar in the Senate because I said that one man in my State had made 242 bushels of corn to the acre. The members of the committee said I was the most notorious liar who ever came to Congress. But that yield is of record in the Department. Jerry Moore made 230-some bushels. I have learned how to make it, but have not yet learned how to measure it. I will get to that later. There is hardly any telling what can be produced to the acre with a proper concentration of fertilizer. I do not know what is the matter with those who are dealing with the fertilizer situation. They know more about farming than I do. They know where to send the stuff, but their attitude seems to be: If the farmer gets it, all right; but if he does not get it, why that is too bad.

I do not want to take up the time of the Senate and divert it from this desperate fight to try to damn someone. I think if things keep on we may elect the object of their wrath President of the United States. It looks that way to me. I shall not be a party to it; I want that understood now.

Mr. President, I sincerely hope that in this matter which affects every State on the Atlantic seaboard, from Maine to Florida, some method will be used to enable the farmers to obtain this ingredient so that at least a small-grain crop may be assured.

There is not a contract hand on my farm—not one. W. P. A. and P. W. A., and so forth, and so forth, have got them all.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. O'DANIEL. I have received some information from some of the farmers in Texas indicating that they, too, believe there is something rotten in Denmark about the commercial fertilizer situation.

Mr. SMITH. Denmark? Something rotten in Denmark? The whole darn business is rotten. [Laughter.]

Mr. O'DANIEL. I have prepared a resolution asking for the appointment of a committee of three Senators to make an investigation of the whole commercial fertilizer business. If the Senator has no objection, and unless the Senator from South Carolina intends to submit some resolution or make some motion, I shall ask unanimous consent to submit my resolution and have it referred to the Committee on Agriculture and Forestry.

Mr. SMITH. Well, I have been here a long time, and I have found that in our investigations we have investigated to the benefit of the people being investigated; that generally has been the result of the investigations in the past. However, I should be very glad to have the Senator submit the resolution and let it go to my committee. I do not think they will do anything.

Mr. O'DANIEL. I thank the Senator, and I submit the resolution.

The PRESIDING OFFICER. Without objection, the resolution will be received and referred to the appropriate committee.

The resolution (S. Res. 229) was referred to the Committee on Agriculture and Forestry, as follows:

Resolved, That a special committee of three Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete study and investigation with respect to (1) the supply of commercial fertilizers in existence which are available for the use of American agriculture; (2) the supply of raw materials available for the manufacture of commercial fertilizers; (3) the current prices of such fertilizers and whether or not action should be taken to reduce such prices, to freeze them, or to prevent them from increasing unduly; and (4) such other matters relating to the production and distribution of such fertilizers as the committee may deem it appropriate to study and investigate with a view to the establishment of a national policy designed to make adequate supplies of such fertilizers available to American farmers at reasonable prices. The committee shall report to the Senate, as soon as practicable, the results of its study and investigation, together with its recommendations, if any, for legislation.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh Congress to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $10,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. SMITH. Now, Mr. President, I want to say what I have got to say, but I do not feel much like speaking. I do not like the precedent of going back into the history of Senators for 25 or 30 years. If we apply the same rule generally which it is sought to apply in the present instance, we would not have a quorum here. I think some of us are like an old Negro, Uncle Bill, who was honest and truthful, and who had a son named Wes, who was a playmate of mine. One day my brother caught Wes stealing eggs, caught him red-handed. My brother said, "Wes, take these eggs and walk with me to your Uncle Bill." So they went to Uncle Bill and my brother said, "I caught Wes stealing these eggs; here they are." Old Uncle Bill reached over and pulled down a limb from a peach tree and said, "I will teach you not to let the buckra catch you stealing." He was not beating him for stealing eggs; he was beating him for letting the buckra catch him. Some of us may not be immune from attack because we have not as yet been found out. I think that the Biblical expression, "Let him without sin cast the first stone," is very applicable.

PHYSICAL FITNESS ACTIVITIES OF OFFICE OF CIVILIAN DEFENSE

Mr. BYRD. Mr. President, during the absence from the Chamber of the Senator from Virginia earlier today the Senator from Pennsylvania [Mr. GUFFEY] read to the Senate, I understand, a newspaper statement which had been made by Mr. Jack Kelly, United States Director of Physical Fitness of the Office of Civilian Defense, in which statement Mr. Kelly says that the attitude of the Senator from Virginia is "a classic example of one of our national leaders boondoggling in Congress instead of focusing his attention on what is happening in the South Pacific and in Europe," and this because I exposed the fact Mr. Kelly had appointed a national coordinator of bowling.

Mr. President, I ask unanimous consent to insert in the RECORD as a part of my remarks a letter which I wrote to Mr. Landis, the Director of the Office of Civilian Defense, with respect to the fact that a United States bowling coordinator had been appointed in the Office of Civilian Defense. I never said that the appointee Mr. Willem was receiving any compensation from the Government. I simply made an inquiry as to whether he was or not.

I also ask unanimous consent to insert in the RECORD the reply made by Mr. Landis and my response to his letter. These letters explain all I have said and give both sides of the argument.

Mr. President, I can say that not only has Mr. Kelly appointed a coordinator of bowling but he has appointed a number of other coordinators as a part of civilian defense; he has appointed, for instance, a coordinator of ping pong, who is connected at this time with the Office of Civilian Defense. He has appointed a coordinator of badminton; he has appointed a coordinator of archery, of bag

punching, of weight lifting, of billiards, of minature golf, of paddle ball and paddle tennis, of code ball, canoeing, camping, and other activities. I will insert very shortly in the RECORD a statement of those who have been appointed to these positions, 61 of them in all, by Mr. Kelly as a part at the present time of the Office of Civilian Defense.

I have never charged that there were any payments made to these particular persons, but I wish to say, in view of Mr. Kelly's statement, that yesterday Senator Guffey's office asked me to see Mr. Kelly, which I did. During the conversation Mr. Kelly said that the physical fitness, of which he is the head, should be provided with an appropriation of $1,000,000 of Federal funds yearly and that unless as much as $300,000 yearly in the form of a Federal appropriation was made he intended to resign.

So, while these persons who have been appointed as a part of the civilian defense program may not be receiving any compensation at this time, I have Mr. Kelly's own statement that he expects to urge a greatly increased appropriation for his division. Within the next 36 hours, as soon as I can obtain the information, I will insert the names of those who have been appointed as coordinators of 61 sports and recreations in connection with the national defense program. I favor exercise and recreation but I do not believe such activities have any part in a program of national defense, nor do I favor regimenting the American people by the Federal Government as is being proposed in this very extended program. This can be accomplished by the public schools and other agencies. To me it is fantastic that in the day of great peril such tomfoolery should be indulged in by a defense branch of the Government.

I also ask unanimous consent to insert in the RECORD, as a part of my remarks, an article by Mr. Bob Ruark, appearing in the Washington Daily News which I have reason to believe are substantially correct, and I ask that they be inserted in the body of the RECORD, as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matters ordered inserted in the RECORD on request of Mr. BYRD are as follows:

MARCH 9, 1942.

Hon. JAMES M. LANDIS,
Director, Office of Civilian Defense,
Washington, D. C.

MY DEAR MR. LANDIS: The Daily News of Chicago, on March 4, contained a picture of Jack M. Willem, of Chicago, as United States bowling coordinator in the Office of Civilian Defense, wherein he is enlisting the aid of Gloria De Mala and Adele Valette, whose pictures are likewise published, in a movement to enroll 25,000,000 men, women, and children in a program to "roll their way to physical fitness."

In the list of employees, and those holding official positions in your organization, which you furnished me, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures the name of Mr. Willem is not included, but I have received a telegram from Raymond J. Kelley, Chicago, in charge of the sixth civilian defense region, stating that Jack M. Willem is the national coordinator of bowling and attached to your physical-fitness division.

By reason of this omission from the list you furnished the Joint Committee on Reduction of Nonessential Federal Expenditures, and likewise the omission of the dancer, Miss Mayris Chaney, although you later acknowledged that Miss Chaney was employed on the date you made your report, and said the omission of her name was an inadvertent error, I am asking that you recheck carefully all the information you have given the committee, for the purpose of ascertaining whether other omissions occurred, in addition to the two above mentioned.

This announcement, on March 4, that the Office of Civilian Defense was undertaking a national campaign for the purpose of enrolling 25,000,000 men, women, and children to bowl, and that this activity is a part of the national defense program, astonished me, as no mention was made of this activity when you appeared before the committee on February 27

Such a program will certainly be costly, if organized on this scale, and may I ask if it is your purpose to undertake this program? And, may I add further that public resentment against boondoggling such as this in connection with our national defense program has reached a point where it is imperative, in my judgment, that you strip your agency of those activities that are not related directly to national defense

This letter is occasioned, first, by the fact that this activity and Mr. Willem's name were omitted from the information you furnished the committee, and, then, to express to you again my strong condemnation of any activity of this nature in connection with the defense program, in which activities of this nature have no place whatever. Already, public confidence in our defense program has been undermined by just such activities as this.

With best wishes, I am,
Cordially yours,

HARRY F. BYRD.

THE DIRECTOR OF CIVILIAN DEFENSE,
Washington, March 10, 1942.

Hon. HARRY F. BYRD,
United States Senate, Washington, D. C.

DEAR SENATOR BYRD: Mr. Jack Willem, of Chicago, to whom you refer in your letter of March 9, 1942, was named as bowling coordinator on February 17, 1942, by Mr. Jack Kelly, the head of the Physical Fitness Division. Mr. Willem's appointment is purely on a volunteer basis. He has not, nor will he be, entitled to receive a nickel from the Federal Government. For that reason there was no occasion for putting his name on the list that was furnished your committee.

Mr. Willem is spending his own money and his own time and has tried to increase bowling facilities for industrial workers. In Chicago, for example, he has, with the help of Mayor Kelly, succeeded in keeping many of the bowling alleys open on a 24-hour basis so that industrial workers on a night shift can have an opportunity to engage in that healthy recreation. Surely there can be no objection to activities of that kind which cost the United States Government nothing and which give the men in the production line the kind of relaxation that they need.

Although this is one of the activities that belongs to the Physical Fitness Division which is on the point of transfer to another agency, it is one that I personally believe is distinctly worth while, carried on as it is without any expense to the United States Government, but at the personal expense of the leaders of those 22,000,000 bowlers who regard it as a healthy sport in the American tradition.

Sincerely yours,

JAMES M. LANDIS, *Director.*

MARCH 10, 1942.

DR. JAMES M. LANDIS,
Director, the Office of Civilian Defense,
Washington, D. C.

MY DEAR DR. LANDIS: I acknowledge receipt of your letter of even date, in which you state that Mr. Jack Willem was appointed, without salary, as national bowling coordinator with the Office of Civilian Defense, as of February 17, by Mr. Jack Kelly, the head of your Physical Fitness Division.

You state further that bowling is an activity that you personally believe to be distinctly worth while, carried on, as it is, "without any expense to the United States Government."

Since the receipt of your letter I have seen illustrated posters, printed in colors, that appear to have been done at rather substantial cost, entitled "Keep them rolling, hit the head pin with Uncle Sam," with a notation that they were printed at the United States Government Printing Office, and they must have been paid for out of Government funds.

The National Duckpin Bowling Congress is, I am informed, affiliated with this movement, and certainly considerable cost ultimately will result in organizing 25,000,000 bowlers to bowl for national defense, with great profit to commercial bowling alleys.

However, I think that you entirely miss the point which I endeavored to make in my former letter, and that is that dancing, bowling, track running, and other physical activities, while all right in their place, should not be functions of the Office of Civilian Defense. From the time Mrs. Roosevelt defended the employment of dancers to teach the art of dancing as a part of national defense the whole movement of national defense, vitally important as it is, has been much discredited in the public mind.

The fact remains that Mr. Willem has been appointed officially as National Bowling Coordinator by the Office of Civilian Defense, and your endorsement has been given to this activity as a part of the national defense program, which makes it possible for those engaged in the commercial bowling business and the manufacture of equipment for bowling to exploit the enormous advertising value incident to recognizing such an activity as a part of the defense program.

The real function of the Office of Civilian Defense, namely, the protective defense of America, is so vital and important for our security and welfare that again I express the earnest hope that you will immediately strip your agency of these nonessentials and thereby obtain to a greater degree than at present the cooperation of the American people in the real work that you have to do.

Cordially yours,

HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures.

[From the Washington Daily News]

MORE COORDINATORS RIGHT HERE: OFFICE OF CIVILIAN DEFENSE HORSESHOE-PITCHING DEPARTMENT PROMISES TO SAVE THE NATION

(By Bob Ruark)

While Senator BYRD (Democrat, Virginia) fulminates on Capitol Hill at a bowling coordinator away out in Chicago for his connection with the Office of Civilian Defense, he might have aimed his darts at a closer target. For your information, Senator, right here in the shadow of the Capitol are members of an Office of Civilian Defense sports board embracing 35 departments.

The horseshoe-pitching chief of the Office of Civilian Defense's muscle-building program, for instance, is Harry T. Woodfield, 734 Nineteenth Street NE. The rifle-shooting boss is C. B. Lister, secretary-treasurer of the National Rifle Association. That building,

Senator, is located at 1600 Rhode Island Avenue NW., where all can see.

What's more, the coordinator of Negro sports, Edwin B. Henderson, is recreation adviser for Negro schools here. You ought to look more closely, Senator.

PLEASED OVER PUBLICITY

Mr. Woodfield, president of the National Horseshoe Pitching Association, hopes his connection with the Office of Civilian Defense will bring barnyard golf into the homes of thousands whose former idea of a ringer was a race horse operating under false colors. Mr. Woodfield is quite frank to say his association is delighted to join hands with the Office of Civilian Defense in order to obtain publicity that never before was available.

Working with the guidance and blessing of Handsome Jack Kelly's physical-fitness unit, Mr. Woodfield's program is to increase membership and interest in shoe-flinging clubs all over the Nation. He answers all questions about staging tournaments, forming clubs, laying out courts, and related stuff. So far he has had no funds, he says, either for the procurement of equipment or promotion of his sport.

GOOD FOR STOMACH MUSCLES

Mr. Woodfield, a former acrobat, says that "in horseshoe pitching lies the physical salvation of the Nation.

"It's the greatest sport I ever saw for keeping you in general good shape," he says. "I only took it up a few years ago, but it's done wonders for me. One of its chief benefits is a strengthening of the stomach muscles, which is wonderful for taking aches and pains out of people—women especially—who sit hunched over desks all day.

"It doesn't cost much. You can get a set of shoes for a couple of dollars. You can set up a court almost anywhere—even if you're traveling. I'm grateful for this chance to get enough publicity to spread its benefits over the country. When I get hold of a good thing I like to let everybody else in on it."

WANTS COURTS FOR STENOGS

Mr. Woodfield hopes eventually to get funds to set up pitching courts around the Government buildings, so that stenographers can use them at lunch hour or after work. He is making a survey now to see how much equipment is available in Washington proper. There are only about 5,000,000 flingers in the country, Mr. Woodfield says, and he'd like to double that number in a year or so.

Mr. Lister, head of the National Rifle Association here, is going along with an Office of Civilian Defense rifle-shooting program that is nothing new to his association.

"We've been conducting the same program for a little matter of 70 years," Mr. Lister says. "The Office of Civilian Defense idea merely overlapped. And it seems to me that teaching civilians to shoot is one thing that should be included in a national defense scheme.

PROGRAM FOR TYROS

"The National Rifle Association hasn't had to do much to conform with the Office of Civilian Defense's shooting program. We've been organizing shooting units all over the Nation for years. But we have eliminated all championship competition, in order to conserve ammunition, and now we're aiming chiefly at the training of tyros—people who've never shot before."

It is quite likely that the rifle-shooting program, which oddly enough falls under the jurisdiction of Mr. Kelly's physical fitness outfit, won't flourish too widely, because of an increasing ammunition shortage. The rifle association gets no priorities on powder and bullets because of the Office of Civilian Defense connection, Mr. Lister said.

MORE COORDINATORS

If Senator BYRD really wants to whet his teeth on some fine adjuncts of Mr. Kelly's fitness program, let him consider the coordinators of the following sports:

Badminton: R. Ward Starrett, S. Dearborn Street, Chicago.

Archery: H. A. McCune, Ben Pearson, Inc., Pine Bluff, Ark.

Bag punching: Albert A. Nino, 7052 Aberdeen Road, Upper Darby, Pa.

Billiards: Charles C. Peterson, 629 S. Wabash Avenue, Chicago.

Canoeing: Theo. Altender, 1217 Spring Garden Street, Philadelphia.

Camping: Robert Lechner, 927 Carteret Avenue, Trenton, N. J.

Code ball: William E. Code, 2306 North Clark Street, Chicago. (Editor's note—What the devil is code ball?)

Miniature golf: Frank Beal, 312 East Thirtieth Street, New York City.

Paddle ball and paddle tennis: Also Mr. Beal, same address.

Weight lifting: Robert Hoffman, 51 North Broad Street, York, Pa.

There's a raft of similar coordinators, including skiing and trapshooting. But that ought to be enough.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. LUCAS. Mr. President, when the Senate took a recess yesterday we were discussing paragraph 11, page 68, of the majority report of the committee in connection with the exclusion of Senator LANGER, of North Dakota. At that time the junior Senator from Kentucky [Mr. CHANDLER] was discussing the sale of bonds by a number of counties in the State of North Dakota to the State Bank of North Dakota, as well as the deal consummated by one Gregory Brunk, who was one of the bond salesmen, for the purchase of some 5,600 acres of land from Senator LANGER in North Dakota.

I continue to read from the report where the junior Senator from Kentucky [Mr. CHANDLER] left off yesterday, starting at the top of page 73:

Gregory Brunk was not only busy during 1937 and 1938 in making huge profits from these bond transactions but he was also busily engaged in real-estate transactions with the respondent. It is significant that these real-estate deals were consummated one after another at about the same time these bond issues were being sold. During the 2 years in which these enormous profits were made, the records show, and it is undisputed, that Gregory Brunk, in the name of the Des Moines Realty Co., purchased from the respondent over 5,600 acres of land in North Dakota. Different types of deeds were drawn and in some instances contracts for deeds were made. Brunk purchased all of this land, sight unseen. Instead of going to North Dakota to examine the land, examine the title, and examine encumbrances and liens, if any, he sent his law partner with instructions to do whatever Governor LANGER thought best. Gregory Brunk paid to LANGER, in all, the sum of $56,800, and when Brunk was asked what he thought those lands were worth when he paid $56,800 for them he replied, "I don't have judgment about it, and I did not pretend to have judgment."

Senator LUCAS asked the following:

"And that did not make any difference to you, as to what the lands were worth. You were willing to take Senator LANGER'S word for that, and you were willing to invest at that time $56,000 in lands you did not know anything about, that this never made any particular difference, that you never made any particular record investigation as to whether the title was clear or whether there were any delinquent assessments or anything else against them?

"Mr. BRUNK. I did just that. * * *

"And I told that story to them, and I said in my last paragraph:

"'I sat in the defense of the Lieutenant Governor of Iowa and an alleged conspirator of his when some of the same forces of Government in Washington were attempting to eliminate the Lieutenant Governor because he disagreed with some of the ambitions of some of the men in his own party here. Fortunately, a fair court and a fair jury presided and nothing further came of the charges. The people of the State of Iowa reelected the Lieutenant Governor after a full airing of the charges, and it is my own personal opinion that if these political crimes are debated on the public platform instead of in the criminal courts it would be more wholesome. It would seem to me that in view of the appeals for campaign contributions which you and I know are repeatedly being made upon most officeholders that even a sense of humor would dictate the absurdity of the proceedings in North Dakota.

"'I know that you will pardon my rambling in this regard, but I feel quite strongly about it.'

"I felt so strongly about it that I gave him $56,800 for land I didn't see.

"The CHAIRMAN. That is the point that I want to know more about.

Mr. President, the chairman at that time was the senior Senator from New Mexico [Mr. HATCH], and if I may digress for just a moment, I wish to say that the Senator from New Mexico was as much interested in this inquiry as was any other member of the committee. He sat for days and listened to the testimony presented at the hearings by the various witnesses, and I personally know that he made a lengthy and thorough investigation of the evidence obtained by the investigators in North Dakota. I do not believe there is a more conscientious and sincere public servant in the Senate than Senator CARL HATCH, of New Mexico, and I am sure that, on every occasion he has given his time and his effort and his ability to matters involving either a legal or a moral turpitude question, Senators as a whole have had tremendous respect for his conclusions and deductions upon the subjects in which he was interested.

It is to be regretted that the Senator from New Mexico is not with us today. He was as familiar with all of the facts and details of the case as was any man on the Committee on Privileges and Elections, and probably more familiar.

As all Senators know, the Senator from New Mexico is ill, having been stricken some time ago, and later while he was recuperating he was the victim of an automobile accident and is again in the hospital. I know that it is the wish of every Member of the Senate that he may have an early and speedy recovery and

that he may soon return to his duties in this legislative body.

Continuing with the evidence, I find Mr. Brunk said:

I felt so strongly about it that I gave him $56,800 for land I didn't see.

The CHAIRMAN. That is the point that I want to know more about.

Mr. BRUNK. That is it, Senator.

The CHAIRMAN. You explained to this committee that you sat out there and paid $56,000 for land you never saw and didn't know anything about, and you have justified it because of your—what did you say?

Mr. BRUNK. I told this Senator this morning, Senator HATCH, that my motives couldn't be explained as simply as anyone thinks. I have no children. I have seen big corporations and chain banks become perfectly holy in their relationships to life, but the minute that some fellow sets out on an enterprise to represent my kind of people that weren't born on the right side of the tracks, then he is in trouble.

The CHAIRMAN. Why didn't you just give him a check for $50,000 and say, "This is a donation"? Why go to all the subterfuge of buying the land?

Mr. President, that is what the Senator from New Mexico said. Now listen to this:

Mr. BRUNK. If I had been intelligent, I wouldn't have bought the land, and if I had been intelligent I wouldn't have gone to subterfuge, and if I were intelligent I wouldn't be here and he wouldn't be here arguing about the thing. All I can say is that I am that kind of a fellow. I have sued people without compensation because I thought they were in a conspiracy to eliminate a life-insurance company. I am that kind of a fellow. I don't claim to be rational about it.

Senator LUCAS. You are complaining bitterly about these big fellows; you have done pretty well for yourself?

Mr. BRUNK. Sure I did; I did so well that I put some of it back up there——

Back up where? Where did he get his money to begin with? He got it from the bond transactions in the State of North Dakota, over which Governor LANGER had a veto power, and he made so much money out of these bond transactions that he put some of it "back up there" into these real-estate transactions. In the humble opinion of the Senator from Illinois, a more shameful episode has never taken place between one who was the Governor of a State and one who occupied the position of a bond salesman of county and State securities of North Dakota, as did both Brunk and Brewer in this case.

I did so well that I put some of it back up there, and I hope that I have helped, but it looks to me like I have hurt.

That is the testimony of Mr. Brunk.

At this point in the debate it seems to me to be pertinent to read into the RECORD some of the testimony of this eccentric Mr. Brunk, of Des Moines, Iowa. The following appears on page 206 of the record of the hearing:

Senator LUCAS. What arrangements did you have with Brewer as to the profit-and-loss situation in this arrangement?

Brewer was his bond partner.

Mr. BRUNK. My hopefulness at that time was that I would share in the profit and that there would not be any losses.

Senator LUCAS. Did it prove to be so?

Mr. BRUNK. He has proven to be the best client I have ever had—

Meaning Mr. Brewer—

as far as policy is concerned, and as far as consideration for what I believed to be my rights is concerned.

Senator LUCAS. Now, here is a photostatic copy that the investigators obtained when they were in Des Moines this summer, which is known as Corporation Sheet No. 1 and is headed "Attorneys' fees and commissions paid."

Mr. BRUNK. Do you want to keep those while I look at copies of them, Senator?

Senator LUCAS. If you will just identify this, as to whether it is not a true and correct photostatic copy?

Mr. BRUNK. Yes; it is.

Senator LUCAS. Mr. Reporter, mark this "Committee's Exhibit No. 3."

(Committee's exhibit No. 3 was marked for identification.)

Senator LUCAS. The first item on this page is February 25, 1936?

Mr. BRUNK. Yes.

Senator LUCAS. And down in the middle of the page you will find a sum of $610 payable to WILLIAM LANGER, which has been spoken of here.

Mr. BRUNK. Yes.

Senator LUCAS. By previous witnesses?

Mr. BRUNK. Yes.

Senator LUCAS. Just give the committee briefly what that was for?

Mr. BRUNK. I do not think I was in but one of the conferences, but I think I know what that $610 was for, if you want hearsay with reference to it.

Senator LUCAS. Yes.

Mr. BRUNK. There was an appointee of the Senator that was on the workmen's compensation board.

By that time the Morton County and Ward County transactions were to the point where Wells Dickey and Allison Williams and V. W Brewer had bonds to sell.

He asked, I think, the ex-Governor, Mr. LANGER, to go up there and see this particular party and introduce him. I think, in addition to that, there were discussions of counties all around there—

Mr. President, I repeat that:

I think, in addition to that, there were discussions of counties all around there—

Remember, Senators, this was in the fall of 1936, just before Governor LANGER took office in 1937. If I am not mistaken, the Governor had been elected, but had not taken office, when this $610 had been paid on the Morton County bonds.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. ELLENDER. Does not the record further show that most of the work leading to those bond transactions had also been done prior to Governor LANGER taking the oath of office?

Mr. LUCAS. I will come to that, and whether it was or was not does not have any bearing on the position I take on this transaction.

Mr. ELLENDER. That is not the answer I intended to elicit from the Senator from Illinois. In other words, I do not believe that his answer is responsive to my question.

Mr. LUCAS. We have read that report into the record, and we have shown that these gentlemen did yeoman service in the reorganization of the fiscal structure of the various counties in North Dakota in 1936, 1937, and 1938.

Mr. ELLENDER. I presume that the Senator will also refer to the report that was made by order of Governor Moses, who succeeded Governor LANGER, and I do not believe, as I recall, that that report reflects any fraud of any kind practiced by Governor LANGER in connection with any of the bond deals.

Mr. LUCAS. If I do not show that, I am certain the Senator from Louisiana will.

Mr. ELLENDER. No, Mr. President; I think the Senator ought to do it for the benefit of the Senate.

Mr. LUCAS. I will say to the Senator in the beginning that I am going to read this record, and I should like to proceed as rapidly as possible with it, because we have a long record. I do not desire to refuse to yield, but I shall be forced to do so if interruption continues. I wish to get through with the record, and I suggest that the Senator make notes as I go along, and when I have concluded ask me for any information he desires. What I am reading here does not have any connection with what the Senator has asked me. His question refers to another point. Consequently I do not wish to be diverted from the subject, and from the point I am trying to make now. If the Senator will bear with me on that point, I shall appreciate it very much.

I am reading from page 207 of the hearings:

I think, in addition to that, there were discussions of counties all around there and the people to see and talk to and who were in relationship to all these various factions, without which you could not deal in any county.

I think there was a time charge of $610 for that service.

Senator LUCAS. You think the fee that was paid to the Senator at that time was fair and reasonable and that he earned the money?

Mr. BRUNK. Yes; I think it is the cheapest service Mr. Brewer has paid for up there.

Senator LUCAS. That is especially true in view of the profits made later on?

Mr. BRUNK. Yes, sir. I think it is the cheapest fee paid.

Senator LUCAS. Now, right below that is an item of $200——

I may say to Senators who are following the reading, that I was pointing to a ledger sheet which had been lifted from the original ledger sheet of Mr. Brunk himself, which sheet was introduced and is part of the record here. In other words, we are talking about his own records. They had an account they called an expense and an entertainment account, which shows that thousands and thousands of dollars were paid out, and what I am now reading was a part of it.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LUCAS. Not just now.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). The Senator from Illinois refused to yield.

Mr. ELLENDER. What I wish to ask pertains to what the Senator is now talking about.

Mr. LUCAS. I am going on with this matter now.

Mr. ELLENDER. Very well.

Mr. LUCAS. I continue to read:

Senator LUCAS. Now, right below that is an item of $200 to Hugh McCulloch and another item of $150 to Hugh McCulloch and another item of $200 to Hugh McCulloch; and another one of $250 to Hugh McCulloch on April 28; another one, April 28, Hugh McCulloch, $750.

Do you know anything about what those commissions were for?

Mr. BRUNK. No; I do not, but I can tell you what I think they were for.

Senator LUCAS. Well, you have talked to Brewer about the money that he paid out to Mr. McCulloch, of course?

Mr. BRUNK. Yes.

Senator LUCAS. And I think it is fair, while probably not proper, to have your views upon that subject.

Mr. BRUNK. Well, I think this whole list in here was predicated upon this type of concept that I have had.

I think that, first, you have to have a place where a reasonable service can be performed before you have a right to talk to anybody.

Second, you have to talk to the people that can contract with you to let you perform that service.

Third, you have to have people associated with you that can perform the service.

Fourth, you have to keep everybody else in agreement with you; that will not upset you while you are trying to do it.

There is more testimony following but it is not on this line of thought. I am now going to turn to another page wherein we find analogous examples of pure bribery. What I am attempting to show to the Senate at this particular time is the amount of fees paid by Brunk and this fellow Brewer to different individuals up there who had a nuisance value so to speak, in order to get them out of the way. In other words they bought their way through, if necessary and I will prove that by Brunk's own testimony. That is what he has reference to in his statement:

Fourth, you have to keep everybody else in agreement with you, that will not upset you while you are trying to do it.

On page 219 of the hearings the same type of examination continues. I read from Mr. Brunk's testimony:

Senator LUCAS. From this exhibit—

I am still discussing the same exhibit that was produced from the records of Mr. Brunk—

From this exhibit I notice on September 8 you paid a fellow by the name of L. M. Peet—

It must be remembered that this is money which is being paid by Brunk and Brewer to these chiselers in 1937, when they are dealing with these various bond issues in the State of North Dakota.

What was that for, and who is Peet?

Mr. BRUNK. L. M. Peet is the vice president of the Farmers' Union Life Insurance Co.

Senator LUCAS. What was that paid for?

Mr. BRUNK. He and Mr. Brewer had a deal in relation to some counties in North Dakota, and what it was paid for I don't know, in relationship to counties, but I know that it was paid for in relationship to service.

Senator LUCAS. What was it paid for in relationship to service; what did he do?

Mr. BRUNK. That classified in my definition, or the definition to me, as promotion.

Senator LUCAS. Promotion?

Mr. BRUNK. That is right.

Senator LUCAS. Is he one of the fellows that you had to get with you before you could make the deal, as you explained this morning?

Mr. BRUNK. No; he wouldn't classify to my mind on that basis.

Senator LUCAS. As that type of a fellow?

Mr. BRUNK. No.

Senator LUCAS. All right. You also paid L. M. Peet on October 28 another $1,000—was that for the same type of service?

Mr. BRUNK. That is right.

Senator LUCAS. Then you also——

Mr. BRUNK (interposing). Are you looking at the October 6 item, Senator?

Senator LUCAS. Oh, you paid him $900 on October 6, and then you paid Peet, on October 28, another $1,000.

Mr. BRUNK. That is right.

Senator LUCAS. And you are not just sure what Peet did for that?

Mr. BRUNK. I never thought he did anything. I thought he chiseled.

This is to lay the foundation on which to show what they were doing in North Dakota—these high-powered, dignified, clean-cut bond salesmen who paid out $1,800 to a man because, as he said, they "chiseled us out of it." They were willing to pay a chiseler $1,800 in order to help put this bond deal over in North Dakota—pay it to a man for doing nothing.

Mr. BRUNK. Yes; I think he was one of these fellows who set himself up as a nuisance value and you weren't sure whether you had it or not.

Senator LUCAS. Well, he was dealing with some pretty smart fellows——

Mr. BRUNK (interposing). The only thing I think was smart about the transaction is that when you just resent a man it doesn't do any good to resent him.

In other words, do not resent him if you have a big deal on. Pay, in order finally to get him out of the way, whether he renders any service or not. That is exactly what Mr. Brunk meant.

Senator LUCAS. How about John M. Holzworth. On November 10, 1938, you paid him $1,000. Who is he and what did he do for that?

Mr. BRUNK. He sold $1,000 worth of his books on the Fighting Governor to Mr. Brewer.

Senator LUCAS. He sold $1,000 worth of books to Brewer on the Fighting Governor?

Mr. BRUNK. Right.

Senator LUCAS. Who was the Fighting Governor?

Mr. BRUNK. The subject matter of the book was about his old classmate WILLIAM LANGER, of Columbia.

Senator LUCAS. And Mr. Brewer fell for $1,000 worth of those books?

Mr. BRUNK. That is right. I don't like the word "fell."

Senator LUCAS. You said that he sold him, that he sold Brewer $1,000 worth of books?

Mr. BRUNK. That is right.

Senator LUCAS. Do you think he would have sold Brewer $1,000 worth of books on the Fighting Governor from Montana?

Mr. BRUNK. No; I don't think he could have done it on the Fighting Governor from Montana.

Not a chance. A thousand dollars for books goes from Brewer to the book salesman, for the book on the Fighting Governor of North Dakota. There was not a chance to sell a book on the Fighting Governor of Illinois, or the Fighting Governor of Louisiana.

Mr. President, I am laying out a pattern. I am attempting to tell the Senate what those bond salesmen did in laying a foundation in North Dakota to get into their hands the cream of the crop so far as county bonds were concerned, in order that they might in 2 years make $300,000 in gross profits. They were ruthless. I saw them both on the witness stand. Listen to the next glaring example of chicanery and fraud.

Senator LUCAS. Now, you also have an item here on December 31, 1938, of J. J. Shambaugh, where you paid him $1,225 as a commission. Who is Shambaugh?

Mr. BRUNK. Shambaugh was president of the Royal Union Life Insurance Co., who came to me on the Royal Union loan, and when it went into receivership I appreciated the $37,500 fee that had come out of the deal, and when he got out of a job down in Davenport where he was an examiner in charge of an insurance trust, and when no other insurance company would hire him, I put him in the office and he called on Iowa insurance companies to try to sell them bonds.

Senator LUCAS. That had nothing to do with the North Dakota bond deal?

Mr. BRUNK. Nothing whatever.

Senator LUCAS. And is that true with respect to the item that was paid out, of $1,200, to Shambaugh at a later date?

Mr. BRUNK. Yes, sir. The exact explanation of that is 12 months at $100 a month in each case.

Senator LUCAS. You paid him $100 a month for 12 months?

Mr. BRUNK. In each case; that is right.

Senator LUCAS. Weren't there some bonds bought at that time in Shambaugh's name?

Mr. BRUNK. Shambaugh sold, I think, in his entire experience, 10 bonds, and 10 bonds were bought from Brewer and sold and delivered in Shambaugh's name to somebody——

Senator LUCAS (interposing). Why was that?

Mr. BRUNK. Well, it was his customer, and he sold them.

Senator LUCAS. You mean Shambaugh——

Mr. BRUNK (interposing). I think what you are asking about—and we can go faster on this—I think there were some bonds delivered later to institutions in North Dakota when Governor Moses was Governor, and the name Brewer had achieved so much distaste up there that he preferred they be delivered in another name, and I think Shambaugh was a dummy in that transaction.

That is Brunk's testimony. Brewer's name had achieved so much disrepute in the State of North Dakota that he and Brunk decided to deliver bonds under another name during Governor Moses' reign. Instead of delivering the bonds under the name of Brewer they delivered them under the name of Shambaugh. I do not care whether the amount was $100 or $100,000. It is the principle of the thing. Yet we are told that those bond salesmen in North Dakota, Mr. Brunk and Mr. Brewer, were the acme of purity in all these transactions, and that nothing was wrong.

Senator LUCAS. How many bonds were delivered in the name of Shambaugh as a dummy transaction?

Mr. BRUNK. I can't give you that, but I don't believe it was over 100 bonds.

Senator LUCAS. Why did Brewer do that?

Mr. BRUNK. Because the name Brewer had had plenty of publicity and they didn't want the name on the records.

The name of Brewer had had plenty of publicity? What kind of publicity would cause a man not to want to have his own name go on the records in the banks of North Dakota?

Senator LUCAS. On this same sheet there is also an item of $300 on June 19, paid to C. L. Lewis; and on July 10 an item of $300

paid to C. L. Lewis; and on September 22, an item to C. L. Lewis of $250; and on September 14, an item to C. L. Lewis in the sum of $1,100. Do you know Lewis?

Mr. BRUNK. I have never met Mr. Lewis, but I think I know who Mr. Lewis is. He was a brother-in-law of Gronna, he had been fired by Governor LANGER, and he was out of work and was helping Brewer.

Senator LUCAS. What did Brewer tell you that Lewis was doing?

Mr. BRUNK. Going out and getting together with county commissioners and introducing Brewer.

Senator LUCAS. And Lewis was a brother-in-law of Gronna, who had been fired by Governor LANGER?

Mr. BRUNK. As I understand the story.

Senator LUCAS. But Lewis and Mr. LANGER were friendly?

Mr. BRUNK. I don't know that.

Mr. MURPHY. Senator, it was Lewis who was fired, and not Gronna.

Senator LUCAS. Lewis was fired by Governor LANGER?

Mr. MURPHY. Yes; not Gronna.

Senator LUCAS. I see.

Now, there is an item here of $5,000 to John Sullivan. Do you know John Sullivan?

Mr. BRUNK. I never have met him, but I know who he is.

Senator LUCAS. He is a lawyer in that section that did a lot of work for Mr. Brewer in connection with the reconstruction of the fiscal structure?

Mr. BRUNK. Right; he was in those deals in Morton County, the very first one and the later ones, as I understand it.

The CHAIRMAN. Those were strictly legal fees?

Mr. BRUNK. I rate them in the same relationship as the others.

The amounts which Sullivan received were not legal fees.

Mr. BRUNK. I rate them in the same relationship as the others. I think you can't deal very much in Morton County without consulting him. He had a taxpayers' league and everything else. He is a representative of the taxpayers' association, an attorney for all the railroads——

Senator LUCAS (interposing). Now let me ask you this. What do your records show as to the total amount of money that the Brewer Co. made while Senator LANGER was Governor of North Dakota during the years 1937 and 1938? Make a recapitulation and show that.

Before I proceed further, let me say that I introduce this line of testimony on the part of Gregory Brunk himself to show that in the beginning he paid thousands of dollars to individuals in various counties simply to buy them, in order to get in. That was all there was to it. Brewer and Brunk simply bought those people in order to get hold of the bonds.

I now return to page 74 of the committee report, and continue to read:

Your committee further represents that there were $6,200 delinquent taxes against said property (see p. 590) when it was purchased by Brunk, and that he had made no effort to pay them up to the time of the hearing. Your committee further represents that there were mortgages against this property, one of which had been foreclosed, and at the hearing Gregory Brunk said that while it was his understanding that the respondent would take care of these mortgages and all claims of indebtedness against the land, that if respondent did not meet the obligations Brunk would. The evidence shows that there was $30,200 in liens against said land.

Mr. BROWN. Mr. President, will the Senator yield before he leaves the question of the activities of Brunk?

Mr. LUCAS. Yes.

Mr. BROWN. I am sure that the Senator believes that the testimony pretty clearly indicates that bribery was going on in Brunk's relations with Senator LANGER. I note that the testimony was taken about November 1, or the first week in November of 1941. I have gathered from the proceedings that the present administration in North Dakota is unfriendly to Senator LANGER. Is that true?

Mr. LUCAS. I do not know whether I am qualified to reach a conclusion on that point. Governor Moses is a Democrat.

Mr. BROWN. It seems to me that the testimony which was adduced at the hearing is sufficient to cause the authorities in North Dakota to investigate the activities of Brunk. I want to know whether anything of that kind has been done, to the knowledge of the Senator from Illinois.

Mr. LUCAS. I may say by way of brief explanation of the point the Senator has raised that what happened was that a man by the name of Duffey was appointed by Governor Moses to make an investigation of the bond situation; and the investigation is partially included in the report. But Duffey never scratched the surface so far as obtaining what we obtained. Duffey had no power to go outside the State of North Dakota, and go into Des Moines, Iowa, to find out what Brunk did in Des Moines. Neither did he have any power to go into Minneapolis, Minn., where Mr. Brewer lived, and make such an investigation. The evidence obtained when the investigators interviewed Mr. Brunk in his office in Des Moines, Iowa, some time last summer, was the first evidence that anyone in North Dakota or anyone else ever obtained insofar as the details of the transaction are concerned.

In the campaign questions were raised about this bond issue and that bond issue. I think Lemke raised such questions, and I think that many general charges were made that the counties had been robbed and that someone had made a lot of money on the bond issues, and so forth and so on. But I challenge anyone to show from any newspaper or from any record that the details of the bond transaction, including the sale of real estate, ever were discussed in North Dakota.

The Governor of North Dakota and Mr. Duffey, the special tax man he appointed to make the investigations, know all about the matter. Duffey testified down there before our committee, and he and the Governor know exactly what has happened.

Mr. BROWN. Is he the attorney general of North Dakota?

Mr. LUCAS. I do not think he is the attorney general; I think he is the special attorney who was appointed by Governor Moses to make the investigation.

I do not know whether the statute of limitations has run upon the transaction or not.

Mr. BROWN. I was about to ask the Senator if he knows whether there is a statute of limitations which would run against a criminal prosecution based upon the facts which are set forth in the testimony.

Mr. LUCAS. That I cannot tell. Those matters occurred in 1937 and 1938, and this is 1942. Whether North Dakota has a 5-year or 10-year statute of limitations I simply do not know.

At any rate, that is the explanation. Without some authority from a Federal source of some kind, without the power to subpena books and records, as was done in this case, no individual in the State of North Dakota ever would have the right—as the Senator well knows—to go into another State and make such an investigation.

Before I proceed to discuss other matters, I want to return to the bond transaction, because it is important. In the minority report the argument is made and the position is taken that in 1937 and 1938 the Governor of the State of North Dakota never had a single thing to do with any of these county bond issues, and that he never talked to any of the county commissioners, with the exception of the commissioners of the one county of Divide. That may be true. But all the way through in this argument it must be remembered that in 1937 there was reenacted a law providing that no county bonds could be sold to the State Bank of North Dakota or to any other financial institution of that State, such as the agricultural college, and so forth, unless the matter was first passed on by the industrial commission, of which the Governor of the State was chairman; and of course the Governor had veto power over everything done by the State Bank of North Dakota. It must also be remembered in connection with this matter that Mr. Vogel, who at that time was, and still is, head of the State Bank of North Dakota, had been the lifelong political friend of Governor LANGER. They were indicted together in the coconspiracy case. They still are friends; they still are close, and have been all these years. Vogel was the fellow who in 1937 was put in by Governor LANGER to head the bank; and he replaced a Mr. Stangler, who had been there for a long time. He appeared before our committee, and he made an impression upon me. But Mr. Vogel did not come down; he was not subpenaed, and for some reason the opposition did not subpena him. The record shows that Vogel had been a small banker up at Cold Harbor, N. Dak., and his bank went down with the crash. Senator LANGER, when he became Governor, placed Vogel in the vital position of head of the Bank of North Dakota.

Mr. MURDOCK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. LUCAS. I yield.

Mr. MURDOCK. I think it would be unfair to Senator LANGER to leave the statement just made by the Senator

from Illinois without the further statement that Mr. Stangler—of whom the majority speak with a great deal of respect in their report, and of whom the Senator from Illinois [Mr. LUCAS] now speaks with a great deal of respect—was kept in the bank under Mr. Vogel, was called as a witness before our committee, and his testimony from beginning to end shows—if I read it correctly—that the business of the bank, and especially with the county commissioners, was carried on through him, and, so far as he knew, there never was anything irregular.

If the Senator will yield further——

Mr. LUCAS. I shall not yield now if the Senator wishes to make a long speech; I cannot yield now for that purpose.

Mr. MURDOCK. No; I do not intend to make a long speech. I simply wish to make a further observation.

Mr. LUCAS. Very well; I yield.

Mr. MURDOCK. I wish to say that, in my opinion, every Member of the Senate, before he renders his decision in the pending matter, should read the complete evidence of Brewer, of Spangler, and of Mr. Duffy, who made the investigation for Governor Moses of the State of North Dakota, and should get from the record the true picture of the bond transactions.

Mr. LUCAS. That certainly will be satisfactory to me.

Mr. MURDOCK. I think it should be done.

Mr. LUCAS. It certainly will be satisfactory to me to have Senators read those records and read Mr. Brunk's testimony. The Senator from Utah would also include Mr. Brunk's testimony in his request, would he not?

Mr. MURDOCK. Yes; I would include Mr. Brunk's testimony.

Mr. LUCAS. Yes; I think that should be read, by all means.

Mr. MURDOCK. But, in order to find out what the bond transactions were, I think that all Members of the Senate should be sure to read the testimony of Duffy, of Spangler, the man who investigated for the Governor, and of the other man who ran the bank as assistant to Mr. Vogel.

Mr. LUCAS. Now I desire to return to the matter of the bond transactions, and to discuss it in a little more detail, because I think it is important.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. LUCAS. No; I do not yield for the moment.

Mr. ELLENDER. I thank the Senator.

Mr. LUCAS. In the course of the hearings, Senator LANGER testified that no single instance could be shown in which he interfered with the county commissioners in bond transactions; and that is part of the argument of counsel that was made before your committee. I think what the Senator had reference to was insofar as dealing with any of the county bonds that were taken over by Brunk and Brewer. Insofar as that statement is concerned, he is absolutely correct; he had no dealing, so far as the record shows, with any of the county commissioners, in attempting to get them to do what they did in the selling of the bonds to the State Bank of North Dakota. It was not necessary for him to do so, and he did not do so.

But I desire to call to the attention of the Senate the power that the Governor of the State of North Dakota has over the county commissioners and the State's attorney of each county. It is almost unbelievable that the Governor should have the power to suspend the State's attorney of a county—an official who is elected by the people. But in North Dakota the Governor does have such power; and it was rather an interesting legal proposition to me when I came across it, because I had never before heard of anything of that sort.

I desire to call the attention of the Senate to an important case involving the County Commissioners of Williams County. In June 1937, when Mr. Brewer and Mr. Brunk were doing a land-office business with all the county bonds in that county, Williams County sold $145,000 of bonds to H. E. Mueller. Immediately thereafter a petition was filed with the Governor of North Dakota by certain citizens of that county asking that the commissioners of the county, as well as the State's attorney, who was authorized and directed under the law to pass upon the legality of the bond issues, be removed from office. I desire to read just a little of the petition that was filed.

It was filed by a man by the name of Roy Frazier, who was a close political friend of Governor LANGER, and was constantly in the witness room during the hearings, so I am told; he was called as a witness but never was used as a witness. Frazier is the fellow, along with two or three or four others, who signed this petition; and it presents a bit of interesting reading as to what Mr. Burk, the State's attorney who was suspended by the Governor, said about the whole proceeding.

Here was Mueller, who was independent of Brunk and Brewer, and who bought $145,000 worth of bonds. Then the petition was filed by certain citizens, in which they say in the prayer:

> Wherefore we, as plaintiffs and your relators, do hereby pray and petition that you, as Governor and chief executive of the State of North Dakota, accept and file this petition and complaint, together with copies thereof; and that you serve or cause to be served on the defendants and each of them a notice of the time and place of taking testimony set or to be set by you; and that you name a special commissioner, before whom any and all evidence shall be taken and proceedings shall be had according to law; that you authorize and direct the attorney general of the State of North Dakota to prosecute such hearing and that you designate a competent attorney as special counsel to appear on behalf of and prosecute these proceedings for the State of North Dakota; and that you take any and all other necessary steps and proceedings contemplated hereby and required by law; and we do hereby especially petition and request that you audit or cause to be audited and investigate any and all books, records, and proceedings relating to matters herein complained of, including any and all other wrongful acts and misconducts which may come to your attention through such investigation committed by the defendants or each of them named herein, and that this petition be in all things granted to the end that the defendants and each and all of them be removed from his office of county commissioner in and for said Williams County, and such other and further relief as you may deem just, proper, and lawful in this proceeding.

Among other charges made was that the State's attorney was not only ignorant of the law but was doing wrong in connection with the approval of the bonds; and they also charge, I believe, among other things, that he had not done his duty as State's attorney. So a gentleman was appointed in accordance with the prayer of the petition to take the testimony. I wish to put in the RECORD the meat of the charge found in the second paragraph:

> That at said time and place these defendants, as such members of the Board of County Commissioners of the said Williams County, individually and as such members, initiated, introduced, and considered a resolution authorizing the issuance of bonds of the said Williams County in the sum of $145,000, to bear interest at the rate of 4½ percent per annum, payable semiannually, and by the terms of such resolution stipulated and agreed that one H. E. Mueller, of Hazen, N. Dak., become the purchaser of such bonds, and that such purchaser should and would pay a price for the proposed bonds so that he would net a commission to himself of three-fourths percent on the total amount of such bonds; that on June 8, 1937, the defendants, as members of the said board, voted in favor of aid, and did then and there pass such resolution.

Then paragraph 4 of the petition states:

> That the undersigned complainants are informed and understand, and therefore allege on information and belief, that the defendants, as members of the Board of County Commissioners of said Williams County, did not advertise or cause to be advertised for bids for the sale of the bonds herein mentioned, and that the said defendants did willfully, wrongfully, and negligently did not offer or attempt to offer to sell said bonds to any bank, bond or State agency of the State of North Dakota authorized by law to purchase the said bonds, and willfully, wrongfully failed to sell or offer to sell such bonds to any person, firm, or corporation within or without the State which were engaged in the business of buying and selling such bonds.

And so forth. The chief complaint in that was that they failed to attempt to sell the bonds to the State of North Dakota, which, under the law, they should have done. As the result of this transaction, as a result of the charges against the State's attorney, the matter was referred to a commissioner to take the proof. Governor LANGER appointed a commissioner by the name of Halpern to take the proof, and, under the petition, suspended all the officers of the county during that time, including the State's attorney of the county and every member of the county board.

Then, what happened? I wish to read the testimony of Walter Burk.

Mr. MURDOCK. Mr. President, will the Senator yield just for an observation?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. LUCAS. I yield.

Mr. MURDOCK. I was about to suggest to the Senator that it might be well to put the entire petition in the CONGRESSIONAL RECORD.

Mr. LUCAS. I will be glad to do that, and I ask unanimous consent that the petition from which I just read be included in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The petition is as follows:

Before the Honorable WILLIAM LANGER, Governor of the State of North Dakota—State of North Dakota ex rel. plaintiffs and petitioners, against J. M. Swanson, George Eckblad, Adolph Olson, H. P. Overland, defendants—complaint and petition for removal of public officers by the Governor.

TO HIS EXCELLENCY, WILLIAM LANGER, GOVERNOR OF THE STATE OF NORTH DAKOTA:

We as resident citizens and qualified electors in and for Williams County in the State of North Dakota in the name and by authority of the State of North Dakota do hereby, and herein respectfully complain and inform your excellency, the Governor and chief executive of this State of North Dakota, that is to say, the aforesaid-named defendants are and were guilty of misconduct, malfeasance, neglect of duty, and misconduct while in office as commissioners and members of the Board of County Commissioners of Williams County, said State, that is to say:

1. That at all times and dates, from and after the first Monday in January 1937 and on this date the hereinbefore-named defendants, J. M. Swanson, George Eckblad, Adolph Olson, and H. P. Overland, have been and now are the duly elected, qualified, and acting members of the Board of County Commissioners in and for Williams County, State of North Dakota, which county during all of the time herein mentioned was and is a regularly organized county within this State and that the defendants herein named were acting and did act as its board of county commissioners charged with all of the duties imposed by the laws of North Dakota on members of such commissioners while and when acting in such official capacity.

2. That between the first Monday of January 1937 and this 26th day of March 1938, and particularly on or about the 8th day of June 1937 the defendants herein named and each of them have been and now are guilty of misfeasance, malfeasance, misconduct in office, neglect of duty in the office of members of the Board of County Commissioners in and for Williams County, N. Dak., in that on or about the 8th day of June 1937, at a regularly called and constituted meeting of the Board of County Commissioners of said Williams County of which board these defendants were and did act as members, had under consideration the sale of approximately $145,000 of bonds as a bond issue of the said Williams County, which bond issue was then and there to be issued and sold as obligations of said Williams County for the purpose of raising funds for said county to take up and refund outstanding and existing indebtedness of the said county created and existing as an obligation of said county prior to January 1, 1937; that at said time and place these defendants, as such members of the Board of County Commissioners of the said Williams County, individually and as such members, initiated, introduced, and considered a resolution authorizing the issuance of bonds of the said Williams County in the sum of $145,000 to bear interest at the rate of 4½ percent per annum, payable semiannually and by the terms of said resolution stipulated and agreed that one H. E. Mueller, of Hazen, N. Dak., become the purchaser of such bonds and that such purchaser should and would pay a price for the proposed bonds so that he would net a commission to himself of three-fourths of 1 percent on the total amount of such bonds; that on June 8, 1937, the defendants, as members of the said board, voted in favor of aid and did then and there pass such resolution, which resolution is herein set out by copy attached hereto marked "Exhibit B" and by such exhibit made a part of this complaint and petition as those herein fully recited.

3. That your petitioners are informed and believe, and allege on information and belief, that all of the defendants attended the said meeting of the Board of County Commissioners on June 8, 1937, and each in his official capacity considered and voted in favor of the passing of such resolution and entered the same as a part and portion of the official records of such meeting, and each of the said defendants thereafter considered and approved such official minutes of their said meeting, thereby made the same effective and binding on said Williams County.

4. That the undersigned complainants are informed and understand and therefore allege on information and belief that the defendants as members of the Board of County Commissioners of said Williams County did not advertise nor cause to be advertised for bids for the sale of the bonds herein mentioned, and that the said defendants willfully, wrongfully, and negligently did not offer nor attempt to offer to sell said bonds to any bank, bond, or State agency of the State of North Dakota authorized by law to purchase the said bonds and willfully, wrongfully failed to sell or offer to sell such bonds to any person, firm, or corporation within or without the State which were engaged in the business of buying and selling such bonds, but on the other hand the defendants willfully, wrongfully, unlawfully, and negligently acting and proceeded in accordance with the resolution herein set forth and referred to; and that the said defendants knew or should have known that their acts, as set forth in the resolution herein referred to as exhibit "B," and all other proceedings taken and had by them relating to the negotiations of the sale of the said bonds was binding on said Williams County and permitted the purchaser, contemplated by such resolution, to avoid his part of the agreement at any time before the contemplated transaction was entirely completed; and that by reason of such willful, wrongful, and negligent acts of the defendants the said county of Williams and the citizens and taxpayers therein have lost and will lose large sums of money to the wrong and detriment of the said county and its taxpayers all by reason of the willful, wrongful, careless, and negligent acts of the defendants and each of them relating to the bond transaction herein mentioned and set forth.

5. The undersigned complainants allege that Walter O. Burk was at all times during the bond transaction, herein complained of, the duly appointed, qualified, and acting State's attorney in and for said Williams County, and was during the bond transaction, herein complained of, the legal adviser of the defendants as members of the board of county commissioners, and knew, or should have known, all of the acts and transactions had and done by the defendants as county commissioners, and by reason thereof your complainants allege on information and believe that all of the acts and proceedings of the defendants as members of the board of county commissioners was had and done with the full knowledge, consent, and approval of the said Walter O. Burk as State's attorney in and for said Williams County, and by reason thereof we allege that he is not the proper person to investigate nor prosecute the charges made in this complaint.

6. That this proceeding is brought by these plaintiffs as petitioners in the name of the State of North Dakota upon the relationship of these plaintiffs and as authorized and provided by law and particularly under the provisions of sections Nos. 683 to 696 of the Compiled Laws of the State of North Dakota for 1913, and any and all amendments thereto.

Wherefore we as plaintiffs and your relators do hereby pray and petition that you as Governor and Chief Executive of the State of North Dakota accept and file this petition and complaint, together with copies thereof, and that you serve or cause to be served on the defendants and each of them a notice of the time and place of taking testimony set o. to be set by you; and that you name a special commissioner before whom any and all evidence shall be taken and proceedings shall be had according to law; that you authorize and direct the attorney general of the State of North Dakota to prosecute such hearing and that you designate a competent attorney as special counsel to appear on behalf of and prosecute these proceedings for the State of North Dakota; and that you take any and all other necessary steps and proceedings contemplated hereby and required by law; and we do hereby especially petition and request that you audit or cause to be audited and investigate any and all books, records, and proceedings relating to matters herein complained of, including any and all other wrongful acts and misconducts which may come to your attention through such investigation committed by the defendants or each of them named herein, and that this petition be in all things granted to the end that the defendants and each and all of them be removed from his office of county commissioner in and for said Williams County and such other and further relief as you may deem just, proper, and lawful in this proceeding.

Dated at Williston, N. Dak., this 26th day of March 1938.

Mr. LUCAS. Mr. President, I have just offered for the RECORD the petition in the case involving the county commissioners and the State's attorney. After the verified petition was filed, Governor LANGER, on the 29th of March 1938, issued an order, as follows:

A verified petition having been filed with the Honorable WILLIAM LANGER, Governor of the State of North Dakota, alleging certain irregularities on the part of the above-named county commissioners of Williams County, and the Governor, after a careful consideration of such charges and believing they constituted grounds for removal, if true, thereupon suspended said commissioners from office and appointed Saul Halpern, Esq., of Glen Ullin, N. Dak., to act as special commissioner to take and report the testimony in a hearing to be had before said commissioner commencing at 10 a. m., on the 18th day of April 1938, in the courtroom of the Williams County Courthouse, at Williston, N. Dak., and upon the conclusion thereof to report such testimony to the Governor in the manner provided by law, and the said Saul Halpern having accepted such appointment and having filed his oath of office, and all summary proceedings having been disposed of, the hearing in the above matter was called to order by Special Commissioner Halpern, at the time and place stated in such notice at which time William G. Owens, special assistant attorney general, appeared on behalf of the plaintiffs and the defendants being also present in person and by their attorney, Ivan V. Metzger, of Williston, N. Dak., and being ready to proceed, the following proceedings were thereupon had:

At 10 a. m., April 18, 1938, the hearing was called to order in the courtroom of the Williams County Courthouse at Williston, N. Dak., by Special Commissioner Saul Halpern.

By the COMMISSIONER. At this time, for the record, I will file my appointment and oath of office, and I believe it will also be necessary to swear the reporter.

Then followed the appointment of the commissioner:

APPOINTMENT OF COMMISSIONER

I, WILLIAM LANGER, Governor of the State of North Dakota, do hereby appoint Attorney Saul Halpern of Glen Ullin, N. Dak., as

special commissioner to take and report testimony to be received by him at the hearing upon the complaint and petition filed with me for the removal from office of J. M. Seanson, George Eckblad, Adolph Olson, and H. F. Overland, as members of the Board of County Commissioners of Williams County, N. Dak., and to report the same to me as provided by law.

Dated this 29th day of March, 1938.

WILLIAM LANGER,
Governor of the State of North Dakota.

By reference to the next page we find that on March 29 the Governor appointed a special prosecutor, and the proceedings followed. They are quite lengthy proceedings, and after the testimony was taken the respondents were found guilty by Governor LANGER, and were suspended. An appeal was taken by the State's attorney of the county, who was suspended along with the commissioners. He took an appeal, and I wish to read Burk's testimony into the record, which will be found at page 620 of volume 1 of the investigators' report.

Walter Burk was the State's attorney of the county, who was suspended by Governor LANGER as the result of his misdeeds in connection with the issuance of the bonds and their sale to this man Mueller. This is the testimony of Burk:

Walter Burke, called as a witness by the Committee on Privileges and Elections, having been first duly sworn to tell the truth, the whole truth, and nothing but the truth, was examined and testified as follows:

Mr. HOOD. Please state your name.

Answer. Walter O. Burke.

Question. Your address.

Answer. Williston, N. Dak.

Question. Your age?

Answer. Thirty-nine.

Question. And how long have you resided here?

Answer. Since January 1928.

Question. And what political offices have you held?

Answer From August 29 to January 1, 1933, I was the assistant State's attorney of Williams County. From the first part of January 1933, to December 31, 1938, I was State's attorney of Williams County, N. Dak.

Question. Now, then, during your term of office as State's attorney of Williams County, did Williams County let certain bonds, or make a bond issue.

Answer. There were several bond issues.

Question. Particularly was there a bond issue in 1937 and 1938?

Answer. There was one in 1937.

Question. And what was the amount of that bond issue, if you recall?

Answer. I don't recall the exact amount; it was in excess of $100,000, according to my best recollection.

Question. And to whom was that bond issue sold?

Answer. H. E. Mueller, of Hazen, N. Dak.

Question. And do you recall what commission was allowed Mr. Mueller, or what price that particular bond issue was sold at?

Answer. I do not. I took no part in the proceedings in that bond issue.

Question. Well, do you recall that there was a discount allowed, or a commission allowed, Mr. Mueller?

Answer. I understand there was.

Question. And do you know whether or not prior to that time, prior to the time the bonds were sold to Mr. Mueller, that is the 1937 issue, that the Commissioners or someone representing Williams County had been to the Bank of North Dakota or to the other State agencies and had made an effort to sell the bonds to the Bank of North Dakota or other State departments?

Answer. I understand that no effort was made on that particular bond issue.

Question. You understand that no effort was made?

Did you have anything to do with the sale of the bond issue of 1937?

Answer. I did not.

Question. That was handled by whom?

Answer. That was handled between H. E. Mueller, the County Commissioners and the County Auditor of Williams County, according to the information that these people have given me.

Question. Do you know whether or not Mr. Mueller shortly after he bought this issue sold them to some of the State Departments or to the Bank of North Dakota?

Answer. I don't know definitely. I understand he disposed of those in the Twin Cities.

Question. Now, then, did you have filed against you in 1937 or 1938 a petition or a complaint to remove you from office?

Answer. I did.

Question. Do you recall the date that the complaint was originally filed?

Answer. The complaint was served on me on April 1, 1938.

Question. Do you have a copy of that complaint?

Answer. No; the—my copies were submitted to Judge Lowe in substitution of the file which was missing from the Governor's office.

Question. That would be available from Judge Lowe in Minot?

Answer. Either there or—unless he has returned it to the District Court of Logan County.

Question. What is the county seat of Logan County?

Answer. Napoleon.

The entire proceedings would either be with Judge Lowe at Minot or with the clerk of the District Court of Logan County at Napoleon.

Question. Well, as briefly as possible state the substance of the complaint against you.

Answer. The original complaint was based entirely on the bond issue of 1937, which bonds were sold to H. E. Mueller. The complaint alleged that I had advised or should have advised the county commissioners with reference to this bond issue. The complaint alleged that the bonds had never been advertised for sale, and that no effort had been made to sell the bonds to any State department of the State of North Dakota before they were offered to H. E. Mueller.

Question. Did it also refer to the Bank of North Dakota and State department and the Bank of North Dakota, or did it just limit it to——

Answer (interrupting). My recollection is it referred to any departments or agencies of the State of North Dakota.

Question. Go ahead.

Answer. Before the date of the hearing an amended complaint was served on me which contained the allegations as to the bond issue, and also that I had commenced a certain garnishment action on behalf of the Williston Rural Credit Co. as plaintiff, and L. B. Dochtorman, and in which Williams County was named as garnisher.

The complaint also charged that I, as State's attorney, had failed to do my duty in failing to punish the proprietor of a certain roadhouse located within Williams County.

Mr. CLARK of Missouri. From what is the Senator reading?

Mr. LUCAS. I am reading from the investigators' report, starting with page 620.

Mr. CLARK of Missouri. Am I to understand that this investigator went out and took an ex parte deposition?

Mr. LUCAS. That is correct, and the Senator approved it, if he was here.

Mr. CLARK of Missouri. If I approved it, I did it without knowing what was contemplated, because I must say that in my familiarity and experience with Senate procedure I have never known of an investigator being permitted to go out and take an ex parte deposition.

Mr. LUCAS. The Senator was not present, probably, when I went over this a day or so ago, but that is exactly what happened in this case. After a lengthy discussion in the committee, it was thought that investigators should be sent out, with the right on the part of both the petitioners and the respondent to give to the investigators the names of any witnesses they had.

Mr. CLARK of Missouri. If the Senator will permit me, I had understood that was merely the customary procedure followed in making a preliminary investigation. I did not understand the record was to be accepted in the Senate as evidence.

Mr. LUCAS. What would be the purpose of sending out the investigators if we did not expect to use the testimony?

Mr. CLARK of Missouri. For the purpose of later developing it in a hearing by the Senate committee. I may be in error, but I have never in all my experience and familiarity with Senate practice or House practice heard of such a thing as sending out investigators to take an ex parte deposition which was later to be accepted as evidence.

Mr. LUCAS. The only thing I can say to the Senator—and I am not going to take any blame for it myself——

Mr. CLARK of Missouri. I am not blaming anyone.

Mr. LUCAS. This question has been raised two or three times, and if there is anyone to blame, it is the Senate of the United States itself. There was a long discussion about what we should do in connection with this matter, and we finally decided that the investigators should go out and take testimony like this I am reading. If we cannot avail ourselves of it, there was not very much use in taking it. I have known what the rule of law is with respect to ex parte hearings, just as well as the Senator from Missouri does, but I have never seen any rules of evidence observed in the Senate or in any committee.

Mr. CLARK of Missouri. I am not blaming anyone in this matter. If I voted for any such procedure, I must say I voted for it without being apprised of the facts, and without being familiar with them. I realize that the rules of evidence followed in a Senate committee are not the same as rules of evidence observed in a court of law, we all know that, but it seems to me that the purpose of a preliminary investigation by an investigator is to determine lines of investigation, not that the testimony so taken shall later be made a part of the record. I am not criticising the Senator from Illinois or any other Senator. If I voted for the procedure followed, I assume my share of the blame, but I do desire to state that I do not approve taking evidence in any such fashion.

Mr. LUCAS. Of course, I cannot control the views of Senators in this matter. It is one of the things we go into, and after going into it, and after long hearings, and someone trying to fulfill his duty, someone else rises and says, "No; I agreed to the original resolution, resolution 118, which gives the investigators power to go out and make this investigation, but I am not going to be bound by it." That is perfectly all right; I do not care whether the Senator is bound or not, but it does seem to me that we should consider the evidence, even though it is ex parte.

We took an affidavit, and letters and petitions, just plain letters and petitions and one affidavit, on the opening day of the session, and the Senate conferred jurisdiction upon the Committee on Privileges and Elections, without any verified matters, other than one affidavit, that of Jim Mulloy. Every one here on the opening day joined in conferring jurisdiction upon the Committee on Privileges and Elections to proceed and make the investigation.

Mr. CLARK of Missouri. Mr. President, if the Senator will permit me, that was simply part of the bill of complaint, which apparently presented a prima facie case for an investigation. That had nothing whatever to do with the procedure or the matter of the taking of evidence. I would vote against having an investigation of the subject without any hesitation.

Mr. LUCAS. No; but the Senator took it upon an ex parte proposition. Most of it was not sworn to.

Mr. CLARK of Missouri. The Senator just stated that there was an affidavit sworn to, which was in the nature of a bill of complaint.

Mr. LUCAS. When you obtain the affidavit look at the type of affidavit he made. You will find that it is not even an affidavit.

Mr. CLARK of Missouri. I am not familiar with it. The Senator just stated it was an affidavit. At least it was sworn to.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CONNALLY. I may say to the Senator from Missouri and also to the Senator from Illinois that at the time of the transaction referred to I happened to be chairman of the Committee on Privileges and Elections. What caused us to take the course we took with reference to the matter was that the committee was anxious to avoid the necessity of sending a subcommittee out to the coast and having open hearings, and all the dramatics and things that go with it. We did not think it was practicable to bring all these witnesses to Washington and pay their expenses out of the Treasury. We had not had any authorization to do that. So we did authorize the investigators to examine witnesses and take their affidavits, and all that. But there never was any implication or any understanding that the Senate or the committee either one was bound, of course, by any of this stuff.

Mr. LUCAS. We are not bound by this now. No one is bound by it.

Mr. CONNALLY. No; not any more than we would be bound by a letter that might be introduced, or by a statement. It was done more to help us determine what the real issues were, and then when those issues were clarified in the minds of the members of the committee, if necessary the witnesses on those issues could be called before us to testify and be cross-examined. That was done in connection with some of these issues. We did have a hearing later on. We did not have all the witnesses before us, of course, but we had before us a number of witnesses who testified directly on what we thought was a pertinent issue.

I wish to advise the Senator from Missouri that there never was any intention, to my knowledge, on the part of the committee to bind in any way the subcommittee or the committee or the Senate or anyone else when it permitted the filing of these affidavits or the taking of these ex parte statements. So far as I know, the rules of evidence have never been strictly observed in any of these proceedings or hearings. If the affidavit does not seem credible, everyone is at liberty wholly to disregard it. Am I correct?

Mr. LUCAS. The Senator is precisely correct on the matter.

Mr. CONNALLY. I thank the Senator.

Mr. LUCAS. The Senator is precisely correct. I wish to say in reply that there were lawyers on both sides of this case; it must be remembered that capable and competent counsel were employed on both sides. I should like for the Senator from Missouri to listen to this, if he will, because he is the one who raised the issue. Lawyers on both sides were employed. Former United States Senator Burke represented one side of the case, and former Senator Hardwick, of Georgia, represented the other side, together with a very fine lawyer by the name of Francis Murphy from Fargo. I think there were in all about eight attorneys engaged in the case.

I never saw so many lawyers sit around a trial table as sat around this table. They combed all the testimony. I can promise you that if there are any individuals who have read every line and every sentence in all the reports it is the lawyers on both sides of this case. They examined every bit of the testimony. They had the right, under the rule which we laid down, to cross-examine all the witnesses, and to produce any statement that had been found by the investigators, read it to the witnesses, and ask them whether it was true or false, or to cross-examine the witnesses in any way they desired.

In addition to that we gave the lawyers the right to subpena any witnesses they wanted to subpena or to have appear before the committee, and the taxpayers of the United States were paying the witness fees. That was what we did in order to protect every one involved in this matter.

I know that the affidavit I am reading is an ex parte affidavit, and no one has to accept it. It was taken under oath, but the witness was not cross-examined. Mr. President, doubtless the Senator from Missouri himself has been chairman of a committee or subcommittee which held hearings and examined witnesses under a procedure whereby no one had an opportunity to cross-examine the witnesses, and the examinations were ex parte, but were carried on by a United States Senator or Senators.

In order to avoid sending a committee to North Dakota to conduct hearings out there for 3 months—we talked the matter over at great length—in order that Senators could remain in Washington during the great emergency; we thought it best to follow this course of procedure.

The Senator from Texas [Mr. CONNALLY] brought into the Senate, Senate Resolution 118, which was prepared by the legislative counsel, in line with his understanding, and the resolution was read to the committee, which unanimously agreed upon it. Under that resolution these investigators received the power to do what they have done in this case.

The briefs on behalf of both sides in this case have referred to testimony involved in these hearings which was prepared by the investigators the committee employed. In view of those circumstances, I thought I was in order in reading this affidavit into the RECORD, because it bears on the bond issue. This bond issue is the most important issue in the entire series of charges of moral turpitude. I do not care whether the testimony is ex parte or not. So long as it is under oath I am at least willing to examine it in order to determine, if I can, the motives and purposes behind this case, and to determine whether or not there is any relevancy in this bond transaction in Williams County, the county in which the Governor suspended all the commissioners, and the State's attorney, and caused the latter to appeal his case for reinstatement. The State's attorney finally was reinstated, but nothing was ever done about the county commissioners. The Governor went out of office, and after he went out of office the commissioners were all reelected and the bond issue was never invalidated. The State's attorney, however, was not reelected. He lost out by 125 votes.

I bring this matter in to show the Senate at least by an inference that when the county commissioners in Williams County, N. Dak., did not deal with Brewer and Brunk, the legal machinery of intimidation was started. Senators will find Mueller in other bond transactions after this one, dealing with Brewer and Brunk in North Dakota. He was a good boy after this transaction took place. That is the only reason I am reading this testimony.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. As the Senator has referred to committee practice, and to myself, as having been a member of some committee, let me say that I have frequently been familiar with committees sending out investigators, but I have never been familiar with making anything part of the record which was not adduced before the committee itself. I realize, as I said a while ago, that the

committee practice in the Senate does not conform to the rules of evidence in a court of law, but I have never heard of the proposition before of making anything a part of the record which was not adduced before the committee itself.

Mr. LUCAS. Mr. President, I can read a letter written to me by Governor Moses, of North Dakota, or I can read a letter from some citizen of North Dakota, and the Senator can either accept it for what it is worth or he can reject it.

Mr. CLARK of Missouri. There is no question about that, Mr. President, but the Senator from Illinois is referring to this ex parte deposition as a part of the record of the committee.

Mr. LUCAS. That is correct.

Mr. CLARK of Missouri. I do not question the right of the Senator from Illinois at all to give any credence he pleases to a postal card or to any sort of report that he has had from North Dakota. I simply say that so far as I am concerned I am not disposed to give credence, as a part of the evidence in this case, to a purely ex parte deposition.

Mr. LUCAS. That is entirely within the Senator's right.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. With all due respect to everyone, it seems to me that entirely too much time is being taken up at this time with technical matters involving the procedure of the committee.

Mr. LUCAS. We have been on the spot, I will say to the Senator.

Mr. BARKLEY. And so far it has been difficult to determine whether the Senator from North Dakota or the committee is on trial.

Mr. LUCAS. The Senator may put it this way—whether the Senator from North Dakota or the Senator from Illinois is on trial.

Mr. BARKLEY. The Senator from Illinois has been very courteous and considerate to everyone in this whole discussion. These remarks are without prejudice for or against anyone, just as the Senator from North Dakota was admitted to the Senate without prejudice. The situation resulting from these charges has not been precipitated by the Committee on Privileges and Elections. It was not precipitated by the Senate. It was precipitated by some of the people of North Dakota. They took the initiative here in bringing to the attention of the Senate, through me, certain charges against the Senator-elect from North Dakota. The Senator-elect could have been required to stand aside without taking the oath, on the basis of those charges, until the committee had investigated them. He was allowed to take his seat without prejudice, either against him or against the Senate, in the exercise of their respective rights. The Committee on Privileges and Elections was charged with the duty of investigating these charges, and I think the committee has done its duty conscientiously and industriously in an unpleasant and disagreeable situation.

We all know that all committees of the Senate, no matter what the procedure, assume greater latitude than would be permitted in a court of law. The rules of evidence are not required to be observed, and properly so. They cannot be observed in investigational matters which might lead to legislation or other official action by the Senate.

In a matter of this sort all the Senate desires to do is to arrive at the truth by whatever method it can arrive at it. I do not believe that Senators will make up their minds on the basis of some technical question as to whether the committee should have done this, that, or the other. The Senate is interested in arriving at the truth with respect not only to the charges, but all matters and circumstances pertaining to the qualification, suitability, and fitness of the Senator from North Dakota. Regarding that question I have not the slightest prejudice. It seems to me that the Senate ought not to be meticulous in undertaking to decide whether the committee, in the discharge of its duty as the agent of the Senate, and under the instructions of the Senate, observed or departed from the strict rules of evidence which would be applicable in a court of law or a court of equity. I think that in such proceedings the rules governing a court of equity are more applicable than those governing a court of law. We say that equity is the effort to correct the inequalities and injustices of the law itself.

Even beyond that question, a committee investigating a matter of this sort must seek to find the facts. Many Members of the Senate are lawyers. They know how to weigh testimony. They know what credit to give to it. I myself would not be prejudiced by an ex parte statement. Certainly, I would not make up my mind on the basis of an ex parte statement. I might even be induced to discount an ex parte statement which might be absolutely true, on the ground that the other side had not had an opportunity to cross-examine the witness who was giving the testimony or making the statement.

We have now been engaged for 4 days in the procedure on which we have embarked. Sometimes it seems as though the committee itself is under investigation and scrutiny to determine whether it pursued the right course in trying to ferret out the facts.

Many circumstances have been related, which constitute a chain of events. Taken separately, such circumstances might mean nothing, or taken altogether might mean much or nothing. All such circumstances together might not disqualify the Senator. Any given circumstance might not disqualify him. I think the Senate is able to draw the distinction and to make the proper discount and allowances. It seems to me that we ought not to devote too much time to the technical question of whether the committee, in any particular investigation, in the examination of certain witnesses, or in sending investigators to a remote section of the country, exercised proper discretion.

We all know how committees proceed. I myself was once investigated by investigators of a committee duly authorized by the Senate. I did not have any opportunity to cross-examine the investigators. They were sent into my State, and they made ex parte statements. I did not complain about these ex parte statements, because I have learned to take my share of it "on the chin" like everybody else.

It seems to me that we ought to try to find out the truth, whether it is for or against the Senator from North Dakota, and ought not to waste too much time in quibbling over whether the committee, in the performance of its duties, may in some particular instance have gone beyond what a court of law or a court of equity would have done in trying to find out the facts pertaining to any circumstance which goes to make up the chain of circumstances relied on by the committee in the report which it has made to the Senate.

I think the committee is entitled to such a statement as I have made. For 4 days we have sat and listened to sincere, earnest, and patient arguments on the part of the Senator from Illinois and other Senators. We ought to try to arrive at the facts, and arrive at a just conclusion based upon all the facts which may be adduced through any procedure which may be regarded as fair and just to all parties concerned. I cannot help but express my regret that in these discussions the committee itself, which is an agency of the Senate, created by the Senate and authorized by the Senate, has been regarded as the victim or the criminal—if there be such—in this case. What we are trying to find out is whether, from all the facts, the Senator from North Dakota is entitled to his seat.

Mr. GEORGE. Mr. President, I think that I should make a brief statement in this connection.

In my judgment, there was nothing unfair about the method pursued by the committee in this case. It was entirely fair, and the procedure was conducted in a spirit of complete fairness. It is true that investigators were appointed to go to North Dakota and make a field investigation. As I recall, the first report received, during the chairmanship of the able Senator from Texas [Mr. CONNALLY], was submitted to the committee, and criticism was made of the report. I think I myself criticized it. The investigators seemed somewhat inclined to state their conclusions rather than the facts.

Thereafter the investigation went on during the chairmanship of the Senator from Texas, and that of his successor, the Senator from New Mexico [Mr. HATCH]. The investigation proceeded in the way I have described; and, in my opinion, it was entirely fair. I am not sure that the procedure would not have been admissible even in a court of law. The evidence certainly would have been considered competent and, in the absence of some timely objection, the procedure would have been considered entirely regular.

The report of the investigators was brought to the committee. It is not necessary to say that the committee made an investigation of the report itself, to be sure what should be done, and to ascertain whether the charges were sufficient

to justify consideration by the full committee.

The report which came to the committee was the basis on which the whole inquiry was conducted.

The Senator from North Dakota [Mr. LANGER] had full opportunity to examine the report, and he did examine it. He probably examined every line of it. He certainly had the right to do so. Counsel for the Senator from North Dakota had the right to examine every line of it. It was the basis of the examination of the witnesses who were subsequently called in person. Counsel for those who were protesting the seating of Senator LANGER and counsel for Senator LANGER had the report before them. In large part they based their questions to each witness who appeared upon the stand upon the report.

Moreover, the Senator from North Dakota had the right to have subpenaed any witness whom he wished to have heard. If there was a single line in the report that he wished to controvert he could have called witnesses. Witnesses were called by both sides, of course; and the report constantly remained the basis of the proceeding before the committee.

The Senator from North Dakota was given full opportunity to make such statements as he wished to make. He did not confine himself to the oral testimony alone, but responded to and answered the statements made in the report and in the affidavits which were gathered by the investigators. He had full opportunity to respond to anything in the report. He was unrestricted, and there were no interruptions so long as he wished to respond to anything in the report.

I can see nothing wrong with the procedure. If the same thing had occurred in a court of law, in the absence of timely objection a record would have been made up in the court on which the issue could have gone to judicial determination. So it seems to me that there is nothing wrong with the method pursued by the committee. It was the only practical way of getting at the matter. The committee thought, rightly or wrongly, that when the report was brought in the opportunity should be given to any witness to controvert any statement made in the report. Opportunity was given to the parties in interest to examine the report and use it as a basis for questioning witnesses.

Finally, when the report was subjected to the fullest, freest inspection by the Senator from North Dakota and his counsel, and was used throughout as the basis of the trial of the issue, it seems to me that nobody can complain that the question has not been fairly considered. I was not able to attend many of the sessions of the committee; but if any complaint had even been made in my hearing that any witness was desired, or that the fullest and freest opportunity had not been given to controvert any statement in the report, if I had considered the statement to be relevant and to have any bearing whatever on the merits of the question, I would certainly have voted to make it possible to bring the witness before the committee, where he might be confronted by the Senator from North Dakota himself.

Mr. President, I felt that I should make this statement, because I certainly cannot see that there was any irregularity or any element of unfairness in the manner in which the investigation was conducted.

Mr. TUNNELL. Mr. President, the purpose in sending out investigators was not to have an ex parte proceeding, in the ordinary sense. As I understand the term "ex parte," it means one-sided. The report of the investigators was the result of an investigation. I think that some of the statements in the report are favorable to Mr. LANGER. Certainly the investigators were not sent out with instructions that they should obtain only testimony against Senator LANGER; at least, I did not understand such to be their instructions. In that sense I do not think the testimony is ex parte; and in that sense I think that what the Senator from Georgia has just said is true. The testimony would be admissible in a court of law. It was obtained as the result of an examination made by investigators sent out as such, and not as the result of an attempt to prosecute.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I will yield in a moment. I merely wish to say a word with respect to what the Senator from Delaware [Mr. TUNNELL] has said in regard to the investigators who went out at the beginning of the investigation. The members of the subcommittee and the investigators themselves will bear out the statement that before the investigators went to the State of North Dakota the Senator from Illinois, as chairman of the subcommittee, specifically and in unmistakable terms advised them that under no circumstances were they to go there on the theory that they were to "get" anyone in connection with this case.

That all the Senator from Illinois and the Committee on Privileges and Elections wanted to know was the truth in regard to the serious charges which had been filed here on the opening day of the session of Congress on January 3, 1941. I made that so plain that the investigators, perhaps, thought that I, myself, was some sort of a small dictator. I did so because in the past I have had some experience with investigators; and if there was anything I did not want done, it was to have an unfair and partial investigator go into the State of North Dakota. We told the petitioners, as well as Senator LANGER, that every witness whose name was given to the investigators would be interrogated while the investigators were in North Dakota. That procedure was followed. I think the names of some 20 witnesses were given on the part of Senator LANGER to the investigators, and I think some 16 of those witnesses were interrogated. Their statements were taken and are now a part of the record. I think some 3 or 4 witnesses were outside the State, or, for some reason or other, their testimony could not be taken.

In no instance did the investigators refuse to comply with the petitioners' request. While the investigators were in North Dakota they went to Attorney Murphy, who was advising the Senator in this case. Mr. Murphy testified before our committee that the investigators came to him and asked him, as attorney for Senator LANGER, whether there were any witnesses whom he desired to have interrogated.

Mr. Murphy said, in substance, that if he knew what the witnesses on the part of the petitioners were going to testify to when they were examined by the investigators in North Dakota he would be in a much better position to inform the investigators, and that he would wait and see.

The time came, Mr. President, when all the evidence was in. The time came when Senator LANGER and his counsel had an opportunity—and plenty of time was given them—to make a thorough and fair examination of all the testimony. If they had wanted to bring to Washington, D. C., every witness whom the investigators had interrogated on the plains of North Dakota, I assure the Senate that the committee would have unanimously said, "Bring them in." Of course, we said, "Gentlemen, please keep down the expense as much as you possibly can." However, no member of the committee wanted to hamper the petitioners or the respondent by hesitating to spend any money that might be necessary to be spent in order to bring in any material witness. If they had wanted to do so, they could have brought here the gentlemen from whose testimony I have just been reading, and could have cross-examined him as long as they wanted to do so. The bars were down; there were no rigid rules of evidence; there was liberality as to all types and kinds of evidence insofar as every witness was concerned. If ever there was an investigation which was conducted thoroughly on the part of a committee, I think it is the one before us. I appreciate what the Senator from Georgia and the distinguished majority leader have said.

I now yield to the Senator from Texas.

Mr. CONNALLY. Mr, President, although I do not know what course was pursued afterward, in fairness to the Senator from North Dakota I think I should say that while the Senator from Texas was acting as chairman of the committee he conferred with Senator LANGER and advised him that he could have witnesses appear before the investigators. Senator LANGER expressed a disinclination to do so until the report of the investigators should be filed and he should be advised and informed what the affidavits contained and what the result of the investigation was. He took the position that he could not meet the charges until he knew what the evidence of those adverse to him was.

I think it should also be said, in fairness to the Senator from North Dakota, that the report of the investigators, as well probably as the subcommittee report, was given wide publicity before the Senator from North Dakota had presented his oral evidence at the committee hearing. That report went out over the country and probably created an impression in many minds. I am not saying this for the purpose of undertaking to criticize the Senator from Illinois or to take issue with him, but I think it is fair to say

that the Senator from North Dakota expressed the view that he did not care to have witnesses summoned before the investigators until he knew what the witnesses who were adverse to him had said.

Mr. LUCAS. Mr. President, what the Senator from Texas says is correct. In connection with the question of dissemination of information after the committee print based on the long hearings was submitted, I should like to read the original suggestion which was made by the subcommittee.

Mr. CHANDLER. Mr. President, will the Senator yield to me so that I may ask a question while he is locating the material which he desires to read?

Mr. LUCAS. Yes; I yield to the Senator from Kentucky.

Mr. CHANDLER. During the course of the debate there has been some criticism to the effect that the committee went far afield and gathered up too many things. I should like to have the Senator state what his impression was regarding one of the earlier meetings of the committee. My own impression is that some of us wanted to have a bill of particulars filed. We were anxious not to have a "shotgun" process. We were anxious to take dead-level aim at the specific charges. My own impression is that it was largely upon the insistence or advice of the then chairman of the committee, the Senator from Texas [Mr. CONNALLY], that it was decided to go into the whole matter and more or less spread it out; and I think perhaps that was the instruction which was given to the committee investigators.

If the recollection of the Senator from Illinois coincides with my recollection of the matter, I wish he would say so.

Mr. LUCAS. The junior Senator from Kentucky is absolutely correct in his statement regarding what occurred in the early days of the committee meetings. I repeat what I said once before on the floor of the Senate—that in the early part of the proceedings, with all we had before us, the Senator from Illinois was among those who repeatedly demanded more specific charges, and even a bill of particulars. The record will show that I specifically stated that I was not in favor of sending a fishing expedition into the State of North Dakota. That is the truth of the matter; and the Senator from Kentucky was one of those who agreed with me on that point. But what I suggested was not done.

Mr. CHANDLER. It should be said that the Senator from New Mexico [Mr. HATCH], I believe, entertained the view that we should have specific charges.

Mr. LUCAS. Yes; and other Senators took the position that, inasmuch as we had received petitions, letters, and evidence, and the people of North Dakota had made a complaint, and those matters were before us, we had to make the investigation: there was nothing else we could do; we had to investigate.

I now desire to say something with respect to what the Senator from Texas said a while ago with respect to the dissemination of the confidential print, which was in the nature of a report and memorandum of information. It was submitted to the Committee on Privileges and Elections after the subcommittee had sat for days going through the testimony with the investigators. We finally submitted the first print, hoping that it would give the committee some information.

The minority report says that we drew conclusions and made recommendations. That is not the fact. We drew no conclusions; we made no recommendations; but we did make observations and suggestions, and one of the observations made to the full committee was:

OBSERVATIONS

(1) That the names of all witnesses heretofore submitted by the petitioners to be examined by said investigators have been interviewed and their testimony taken, except in such cases where said witnesses were unavailable or could not be reached without incurring what appeared to the investigators as being excessive expenses or loss of time, or where the witnesses' testimony appeared to have little or no evidentiary value

(2) That the names of all witnesses heretofore submitted by the respondent to be examined by said investigators have been interviewed and their testimony taken, with the exception of four character witnesses who were outside of the State or away from their usual abode and who consequently could not be reached by said investigators.

SUGGESTIONS

(1) That copies of this confidential print be delivered to the respondent, Senator WILLIAM LANGER, and his attorneys, as well as the attorneys for petitioners, with all convenient speed.

That is the point I wanted to make. In other words, just the moment we agreed upon this report, it was in the hands of the respondent; it was in the hands of the attorneys for the respondent. The chances are, if any Senator wanted to get a copy of this printed at that time, he could have had it; perhaps copies were distributed; I do not know; I was not chairman of the committee, and I do not know what was done about that; but every Senator was entitled to a copy of this and could have had a copy of it at that time. Because of the length of these proceedings, because of the tremendous amount of work involved, it was my opinion that the Senate ought to be enlightened gradually upon this matter. This was one of the ways, perhaps, we could do it, by giving this print out at that particular time, but there were no conclusions, there were no recommendations made. There were observations and suggestions; and when the committee met they followed the suggestions and the observations.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. The report itself ends up with conclusions, and, while I want to assure the Senator from Illinois that I have absolutely no criticism of his presentation of this matter on the floor, and certainly I have no criticism of him or anyone else on the committee, nevertheless, when there are what are referred to as conclusions, I do not think that the minority report——

Mr. LUCAS. "Conclusion" is the headline, and under it are the words:

In conclusion, your subcommittee respectfully makes the following observations and suggestions.

Mr. MURDOCK. I do not think the Senator should be too critical of the minority report in referring to conclusions, for I am not critical of him in any way. I think he has done a good job on the floor presenting the case.

Mr. LUCAS. I thank the Senator, and I am sure he and I are going to get along all right.

Mr. BROWN. Mr. President——

Mr. LUCAS. I yield to the Senator from Michigan.

Mr. BROWN. I sincerely hope that we can get along with the trial of this matter. We have spent 2 hours talking about a totally inconsequential point. No one here is trying to throw any of the members of the committee out of the Senate; they are all going to be here regardless of the outcome of this particular controversy. I am deeply interested in charge No. 11. The Senator from Illinois was making a fine statement along the line of that charge. I want to know what the facts are, and what the truth is concerning that matter, and I hope, from now one, we can go ahead with the trial of the case and stop trying the committee. I myself may have been somewhat guilty along that line, but the Senator from Illinois goaded me a little bit the other day and I regret very much the remark I then made. I think now, however, we ought to start trying the Langer case and not the Lucas case or any other case.

Mr. LUCAS. I certainly agree with the Senator from Michigan, and I have been trying to do that for 4 days.

Mr. CHANDLER. Mr. President, I agree that my friend from Michigan is largely responsible for all this, and I regret what he said the other day, because I feel like the committee, in a way, is being charged with not proceeding properly. I do not think the committee can be subjected to such a charge; and I really want to compliment the Senator from Illinois on the hard work he and the subcommittee have done. They have diligently and patiently performed their duties, and have no desire that the result be one way or the other. I thought, from some things that have been said, that, perhaps, the committee was on trial, and some of us thought we ought to answer, at least, before sentence was pronounced. That is the reason some of us agreed to answer for the committee. If the Senate will let the Senator from Illinois proceed for a while, we can get back to the trial of the case.

Mr. LUCAS. I have absolutely no animosity toward the Senator from Michigan as the result of what he said the other day. It is one of those unfortunate things that happen, and perhaps I was partially responsible. I repeat what I have already said when I state that when the Senator asked me the question, I turned to the investigator to ascertain what the facts were, and it looked as if I was not paying any attention to the Senator; he had just returned from a long trip and was tired, and I was tired; but now everything is

all right between the two of us, I will say to the Senator from California.

Mr. JOHNSON of California. Proceed.

Mr. LUCAS. Before I was diverted from the line of my argument about an hour ago—

Mr. JOHNSON of California. Mr. President, may I ask a question by way of information I desire?

Mr. LUCAS. I should be glad to answer, if I can.

Mr. JOHNSON of California. When the committee sent investigators out, how many did it send?

Mr. LUCAS. Two.

Mr. JOHNSON of California. What were the instructions given them?

Mr. LUCAS. I was not chairman of the committee, but at that time I had something to do with the employment of one of the investigators.

Mr. JOHNSON of California. Who was he?

Mr. LUCAS. Sam Hood, of Texas. I can tell the Senator how I got him, if he would like to know. I never saw the man before in my life until he came here and was employed. Mr. Smith, the other investigator, was with the Gillette investigating committee last year and that is how he happened to be here. To these gentlemen were presented the charges; that is, the petition and the answer which had been filed, along with the letters and affidavits, and all the different exhibits which were in the hands of the majority leader of the Senate on January 3, 1941, and which were all sent to the committee. I will say to the Senator, from an examination of the precedents, I found that in the past in the important cases of this kind pending before the Senate, usually a resolution was adopted authorizing and directing the committee to do certain things. That was not done in this case. There was, apparently, no particular interest in the beginning on the part of any Senator; but there were received a number of letters and affidavits, as I recall, and perhaps a petition filed by a man named Verry and others against the right of Senator LANGER to a seat in the Senate.

Mr. JOHNSON of California. What were the investigators to do?

Mr. LUCAS. They were to investigate the charges contained in the petition. First, we caused the lawyers to file an amended petition, and they did file an amended petition. Edward R. Burke, former Senator, was the counsel for the petitioners.

An amended petition and an answer were filed, upon which the issue was joined, and upon that petition and answer the investigators went to North Dakota to make the investigation.

They had the power, under Senate Resolution 118, to investigate anything and anybody who knew anything about any of the transactions involved in the petition. For instance, take the charge in the petition that Senator LANGER was guilty of moral turpitude over a period of 20 years. That was a broad charge. The Senator knows that, unless, as in a court of law, the petitioners were compelled to file a bill of particulars specifying what the charges were, the gate was left wide open, and that all such charges could be investigated.

Mr. JOHNSON of California. Were the investigators to investigate under that sort of a charge?

Mr. LUCAS. Yes.

Mr. JOHNSON of California. Did any members of the committee go with the investigators?

Mr. LUCAS. No; not to North Dakota.

Mr. JOHNSON of California. Then, the two investigators went out with carte blanche to investigate Senator LANGER and all the charges that have been made against him?

Mr. LUCAS. Yes, sir; and the Senator from California voted for the resolution.

Mr. JOHNSON of California. Suppose I did?

Mr. LUCAS. Then, the Senator is just as much responsible as I am in this matter.

Mr. JOHNSON of California. Oh, no.

Mr. LUCAS. Well, the Senator voted for Senate Resolution 118, which I read into the record more than once, giving the investigators the power to do the very things they did.

Mr. JOHNSON of California. No, not in this case, because the first day I withdrew from it.

Mr. LUCAS. I know that, but I am talking about the resolution. I will say to my good friend, the Senator from California, that there came from the Committee on Privileges and Elections to the Senate, Senate Resolution 118, and the Senate acted on it.

Mr. JOHNSON of California. That is all right, but I simply want to get to the facts. I do not know that there is any desire to exclude any of the facts; I think that my questions have been pertinent, and have been plain, and I think they ought to require a plain and pertinent answer.

Mr. LUCAS. I have tried to do the best I could, but I will answer the Senator further if he desires.

Mr. JOHNSON of California. I will try again for a moment. I shall not detain the Senator long, because I realize that he is tired and weary; he has stood on the floor for an ungodly length of time, and taxed his physical endurance to the utmost.

However, these two men went out there to make the investigation themselves, with nobody over them, nobody directing them. That is correct, as I understand?

Mr. LUCAS. That is correct.

Mr. JOHNSON of California. I have to disagree with the Senator from Georgia who, I am sorry, is not present. I do not think that sort of thing would be tolerated in a court for 15 seconds.

Mr. LUCAS. The Senator from Georgia made the specific statement that it would be tolerated unless objection was made in due time.

Mr. JOHNSON of California. Oh, well, unless objection was made.

Mr. LUCAS. The Senator from Georgia took the legal position that objections coming in the course of the argument in a court of law would be of no avail. I may be wrong about that.

Mr. JOHNSON of California. It has been my fate to try a great many cases, and to be interested in a great many kinds of cases, but I have never known of testimony being admitted in any court in this land when such procedure was followed. It is simply a question of fact, as between my recollection and that of the Senator from Georgia, perhaps, but I have stated my recollection. To send out a couple of investigators, with a great record as to this case, and have them determine what was relevant and what was not, have them determine which testimony should be admitted and which should not be admitted, and have them determine the fact——

Mr. LUCAS. Does the Senator contend that any rule of relevancy is followed in presenting testimony in the Senate, or in any committee thereof?

Mr. JOHNSON of California. Certainly there should be relevancy.

Mr. LUCAS. I have never found it to be so.

Mr. JOHNSON of California. We should be more careful of the relevancy of testimony when we are trying one of our own Members.

Mr. LUCAS. Perhaps that is true, but there is no rule of relevancy observed in the United States Senate; there is no rule of germaneness. If some one desires to present a resolution along that line, I shall support it, although I know there has never been any rule of germaneness in the Senate in its whole history. The House of Representatives did have one.

Mr. JOHNSON of California. There has been such a rule observed in trials in the Senate.

Mr. LUCAS. The Senate may have followed such practice in a case of impeachment, but not in a matter of this kind.

Mr. JOHNSON of California. We have observed it in trials repeatedly and continuously.

Mr. LUCAS. The rules of relevancy?

Mr. JOHNSON of California. Certainly we have followed it.

Mr. LUCAS. Does the Senator mean here on the Senate floor? I should like to have him read the report of the Reed committee, which made the investigation into the case of Frank Smith, of Illinois, if the Senator thinks there was any relevancy rule followed.

Mr. JOHNSON of California. The Senate halted him at the door.

Mr. LUCAS. They halted him at the door, and they indicted the people of Illinois at that time.

Mr. JOHNSON of California. Perhaps they did.

Mr. LUCAS. I mean so far as the fact is concerned, and one of the things contended here is that the matters have been passed on by the people of North Dakota, and that therefore we have no right to go into them.

Mr. JOHNSON of California. The Senator is getting away from the question.

Mr. LUCAS. I am not getting away from the question; I am talking about the question of relevancy and materiality.

Mr. JOHNSON of California. Very well, we will omit that temporarily. Of course, the rule as to relevancy and materiality is observed in the United States Senate in a trial that is being conducted by the United States Senate.

Mr. LUCAS. I am sorry that someone did not lay down the rules for the committee before we went into this investigation.

Mr. JOHNSON of California. I am sorry, too.

Mr. LUCAS. The Senator from Illinois has been here only 3 years, and I may not be familiar with all the rules, but I was doing the best I could, and I have merely followed the policy I thought the Senate had been pursuing for 150 years.

Mr. JOHNSON of California. There is no disposition on my part to criticize the Senator. He must not take what I have said as criticism. There is no desire on my part to criticize.

Mr. LUCAS. I appreciate that.

Mr. JOHNSON of California. I have no desire to do or say aught against the Senate committee. That is not my purpose at all. My purpose is to show, by the Senator's admissions now, that the investigators went forth and performed a function in relation to this case which was the function of the United States Senate and of the Committee on Privileges and Elections.

Mr. LUCAS. I agree with the Senator that that is exactly what they did.

Mr. JOHNSON of California. Exactly.

Mr. LUCAS. And I wish to repeat, for about the seventh time, and I want to make it emphatic, in the hope I shall not have to repeat it again, that the Committee on Privileges and Elections brought in a resolution, Senate Resolution 118, which was presented to the United States Senate, and read by the clerk of the Senate, and under the power and authority vested in the committee by that resolution, the investigators had the right to do exactly what they did in connection with the investigation they made. Not a single objection was made by any Senator when the resolution came up for consideration. So it is no fault of mine.

Mr. JOHNSON of California. I am not claiming it is any fault of the Senator.

Mr. LUCAS. I understand that; but Senators keep reiterating that the investigators have gone into North Dakota, and have done this and have done that, apparently without any right or authority. Whatever they did, whatever these men are guilty of, the United States Senate is equally guilty of, because they derived their power and authority solely from a resolution which was unanimously passed by the Senate.

Mr. JOHNSON of California. It would not be the first time the United States Senate had been guilty of some sort of wrong. The wrong has been perpetrated, and the wrong occurs in the presentation of the sort of evidence now submitted.

Mr. LUCAS. It is perfectly all right if the Senator from California desires to lay the blame on the Senate.

Mr. JOHNSON of California. I have not any hesitancy in doing so if it deserves it.

Mr. LUCAS. If there is any wrong—and I do not say that there is—the blame belongs on the United States Senate.

Mr. CHANDLER. Mr. President, I do not think it can be assumed that any Member of the Senate is more interested in Senator LANGER's case than were Senator LANGER and his attorneys; they were informed and knew of every step that was taken. I agree with the Senator from Georgia that if they had made timely objection, which they did not make, to any step of the procedure, and if the testimony had been taken in spite of the objection, there would have been grievous error. But they made no objection. No objection was made either by Senator LANGER or by his employed attorneys, and the committee proceeded to do exactly what, under the circumstances, they were instructed to do.

I do not believe the committee is subject to censure, or that the Senate is, because we had to proceed, and we proceeded according to directions, with the respondent looking out for his own interests, and with employed attorneys. We brought the case to the Senate, and it is here. No one has intended to work a hardship on anyone, or to avoid in any instance giving everyone everything to which he is entitled, or anything he asks for.

Mr. JOHNSON of California. The distinguished Senator from Kentucky is looking directly at me.

Mr. CHANDLER. I like to look at the Senator; it does not mean I am complaining about him.

Mr. JOHNSON of California. There is no complaint of the committee; there is no complaint of the subcommittee; there is a complaint as to the procedure which has been pursued.

Mr. CHANDLER. Senator LANGER did not complain.

Mr. JOHNSON of California. I do not know whether he did or not.

Mr. CHANDLER. His lawyers did not complain.

Mr. JOHNSON of California. I do not know whether they did or not.

Mr. CHANDLER. It is generally assumed that when one employs lawyers, if there is anything which justifies complaint, they make it. If I were in Senator LANGER's situation, I should complain if I did not agree with what was being done.

Mr. JOHNSON of California. Some lawyers would and some lawyers would not.

Mr. CHANDLER. There was no complaint in this case, so the Senator from Illinois proceeded according to his direction and according to the understanding that he should ascertain everything that was existent. Some of us wanted a bill of particulars; we wanted specific charges; charges which we thought were serious charges, not just all sorts of charges.

Mr. JOHNSON of California. So you brought in a general charge of moral turpitude.

Mr. CHANDLER. The Senator from Texas instructed, and the Senator from Illinois so understood, that that was the business of the committee. They disregarded the expressed wish of some of us. As I recall, the Senator from Illinois, the Senator from New Mexico [Mr. HATCH], and I thought there should be specific charges, and that we should investigate them to see if there was enough to warrant an investigation. The Senator from Illinois said he did not want to go on a fishing expedition. Some of us might have liked to go to North Dakota again, but we decided to save the people's money and not send an expedition to North Dakota to try to find the facts.

Mr. JOHNSON of California. That is a most exemplary habit, to save the people's money.

Mr. CHANDLER. Some of us do it.

Mr. JOHNSON of California. It is a splended habit, and those guided by that consideration are to be highly commended. But that is neither here nor there. Our difference is merely over a question of fact. The Senator construes it one way and I construe it another. That is all there is to it.

Mr. CHANDLER. I agree with the Senator from Georgia that some timely objection should have been made. The objection was not made; and, not having been made when it was in order to have made it, it seems to me it should not be made now; that it is too late to make it now.

Mr. LUCAS. This is a pretty important case I am reading, and it might have some connection with the objection.

Mr. BARKLEY. If this is a demurrer against the jurisdiction or the conduct of the committee, I wish the court would pass on the demurrer so that we can get down to the merits of the case.

Mr. LUCAS. I think some general demurrers have been filed, but no special demurrer has been filed.

Mr. CLARK of Missouri. Mr. President, I do not desire to take the time of the Senator from Illinois, because I know he is tired after 4 days of conducting this matter——

Mr. LUCAS. I am just getting my second wind.

Mr. CLARK of Missouri. A little while ago the Senator stated that he had been derailed from the line of his argument about an hour before, and the senior Senator from Kentucky and I perhaps facetiously spoke of this whole matter as a demurrer. Since I was the one who very innocently asked the Senator what I considered a very pertinent question as to the merits of the evidence he was offering, in order that I might attach whatever weight to it I might desire, sitting here as a judge, I should like to call attention to what happened.

My question did not last over a minute or two, but at that point the senior Senator from Kentucky rose to his feet and delivered a lengthy lecture, admonishing the Senate as to what its conduct should be, and what the attitude of individual Senators should be in attaching weight to the evidence presented. The Senator from Illinois responded in suitable terms.

The Senator from Georgia [Mr. GEORGE], a member of the committee, then entered upon a lengthy defense of the committee, complimenting the committee in terms of suitable laudation, which were appropriately acknowledged by the Senator from Illinois. The junior Senator from Kentucky [Mr. CHANDLER] then entered upon a defense of the committee, which was also suitably acknowledged by the Senator from Illinois. The Senator from Michigan [Mr. BROWN]

then rose and demanded that the matter proceed, and took up some time apologizing for something he said a day or two ago, which apology was accepted by the Senator from Illinois. So that if the Senator was derailed from the line of his thought, I merely wish to say that I had nothing to do with it further than to ask a simple question as to the nature of the document from which he was reading, in order that I might attach to the document whatever weight I thought proper.

Mr. LUCAS. Mr. President, I want to thank the Senator from Missouri [Mr. CLARK] along with other Senators who have been so complimentary.

Mr. CHANDLER. Mr. President, the Senator from Missouri simply put the Senator from Illinois on the side-track. The Senator was not derailed. The Senator from Missouri put him on the side-track.

Mr. CLARK of Missouri. Mr. President——

Mr. LUCAS. Mr. President, I shall not yield further. I wish to proceed now with the testimony of Walter Burk, and place that in the record before we close the session today. The testimony is not very lengthy.

Before I was derailed by the Senator from Missouri about an hour or two ago. [Laughter.] I was reading from the records made by the investigators involving the testimony of the State's attorney, Walter Burk, in connection with the bond proceedings in Williams County. I continue to read:

Answer. Before the date of the hearing an amended complaint was served on me which contained the allegations as to the bond issue, and also that I had commenced a certain garnishment action on behalf of the Williston Rural Credit Co. as plaintiff, and L. B. Dochtorman, and in which Williams County was named as garnisher.

The complaint also charged that I, as State's attorney, had failed to do my duty in failing to punish the proprietor of a certain roadhouse located within Williams County.

And this, Mr. President, was the complaint that was filed by certain citizens of that county and referred to the Governor of the State, who under the law had the right to pass upon a proposition of this kind, and either suspend or dismiss him.

I continue to read from Mr. Burk's testimony.

Question. At whose instance was this complaint brought, if you know?

Answer. I am informed, and I am positive, that the Governor of North Dakota, William Langer, Frank Vogel, manager of the Bank of North Dakota, and Oscar E. Erickson, commissioner of insurance of North Dakota, were the ones who advised and secured the complaint of removal.

Question. Do you know where the complaint was drawn?

Answer. I was advised by one of the assistant attorneys general of North Dakota that the complaint was drawn in the office of the attorney general.

Question. Was that Mr. Thompson?

Answer. Yes.

Question. Do you know his initials?

Answer. T. A.

Question. T. A. Thompson?

Answer. Yes. Both the original and the copy of the complaint having been printed on the—strike that—the complaint—both the original and the copy of the complaint were prepared on the legal stationery of the attorney general.

Question. Now, did some of the local people here sign the complaint originally?

Mr. President, the important thing about the matter, and I want the Senate to understand it, is to show the connection of this person who got out this complaint against the commissioners and the State's attorney.

Answer. The complaint was signed by local employees of the State highway department—just a minute, let me see (refers to papers)—the complaint was signed by George McChesney, whom I had prosecuted and convicted on a criminal charge; Eugene Byrns; L. W. Johnson, a local employee of the State highway department; Oscar Mobraten, an employee of the State highway department; and Frank Byrnes.

Question. What was his position?

Answer. My recollection is that he is related to L. W. Johnson, an employee of the State highway department.

Question. Now, then, do you know who secured those signatures on the complaint?

Answer. Roy W. Frazier.

Question. What was his position at that time?

Answer. He was a traveling inspector for the State highway department.

Question. Was Mr. Frazier a strong political ally of Mr. LANGER?

Answer. I know that of my own personal knowledge that he was.

Question. As a matter of fact, had he, in 1933, or during the campaign of that year, been the campaign manager?

Answer. I don't believe he was State campaign manager, but at one time he was on the State central committee—strike that State central committee out—he was on the State committee of the Non-Partisan League, which had the management of the Langer campaign.

Senators, listen to this:

Question. Did you check the expense voucher of Mr. Frazier relative to the trip that he made out here to get the signatures on the complaint; and if so, what did you find?

Answer. I personally, at Bismarck, checked the original voucher bearing Frazier's original signature, and found that all of the trips which he had made to Williams County in connection with my removal proceedings, including the date that he secured the signatures upon the removal proceedings, were charged to the State highway department and paid out of the highway fund.

Question. Now, then, when he got this complaint signed by the various complainants, was a copy served on you at that time?

Answer. The—according to the information which I have, which I am certain is accurate—the complaint was taken back to Bismarck, the Governor signed it; then, later, Frazier returned to Williston with the complaint, delivered it to the sheriff's office, and it was served on me by J. D. Jeffrey, deputy sheriff.

Mr. President, the point I am making in connection with this complaint is that here we have a case of at least three out of the five persons being on the State pay roll, the fourth one being a relative of one of those on the pay roll, and Senator LANGER was then Governor of North Dakota. The individual who obtained the signatures was also on the State highway department pay roll. He went out there and obtained the signatures on this petition to oust these commissioners, and to oust the State's attorney, in connection with this bond issue, and he charged the expenses of his trip to the taxpayers of North Dakota.

I continue to read:

Question. Then, subsequent to the hearing. I mean subsequent to the service of the complaint and prior to the hearing, were there some changes made in the complaint as served on them?

Answer. I was informed by a resident of Williston that the complaint had been changed after it had been signed by the petitioners.

Question. Did some of the petitioners admit that on examination?

Answer. The petitioners admitted that the complaint had been signed on two different times.

All of the testimony relative to the alteration of the complaint is included in the transcript of the testimony. The first page of the transcript has been torn off, but the first page contained none of the testimony [indicating].

Question. This is the transcript, these yellow sheets here?

Mr. President, the point I want to make, without reading all this testimony into the RECORD, is that the State's attorney was suspended, and he had to carry his case to the courts, he had to take an appeal on the matter, which he had a right to do. He was suspended by the then Governor of North Dakota in connection with this bond issue, and he had to take an appeal to the court, and upon that appeal the judge ordered him to be reinstated. Nothing ever came of the suspension of the commissioners. They were suspended. Governor LANGER went out of office. The commissioners were later reelected.

Mr. President, I read from a certified copy of the order, being exhibit 2 of the records:

The above-entitled matter having come on for hearing before me at court chambers in the courthouse in the city of Minot, Ward County, N. Dak., on the 23d day of June 1939 pursuant to the stipulation of J. A. Coffey, special prosecutor, and Walter O. Burk, the above-named defendant; J. A. Coffey appearing for the prosecution and the defendant appearing in person as his own attorney and the court having heard the arguments and having examined the records and files in said action, including the transcript of the testimony and having duly considered the matter: Now, therefore, it is hereby

Ordered, That the order of WILLIAM LANGER, as Governor of the State of North Dakota, dated December 31, 1938, removing the defendant, Walter O. Burk, from the office of State's attorney of Williams County, N. Dak., be, and same is hereby, in all things vacated, reversed, annulled, and set aside; and it is further

Ordered, That any and all orders made by WILLIAM LANGER, as Governor of the State of North Dakota, suspending the defendant, Walter O. Burk, from the office of State's attorney of Williams County, N. Dak., be, and the same are hereby, in all things annulled, vacated, and set aside; and it is further

Ordered, That the defendant, Walter O. Burk, be, and is hereby, reinstated to the office of State's attorney of Williams County, N. Dak., with all the rights, privileges, and emoluments, including the right to the salary of the office, with interest thereto pertaining as of the 29th day of March 1938, the date of the suspension of the defendant, Walter O. Burk, from the office of State's attorney of Williams County, N. Dak., as fully as if said order of removal and order of suspension had never been made; and it is further

Ordered, That judgment be entered by the clerk of the district court of Logan County, N. Dak., in accordance with this order.

While this gentleman was under suspension he was a candidate for reelection, but was defeated at the polls by 129 votes, and nothing ever happened, insofar as the suspension of the commissioners was concerned, other than to remove them for the time being until they could be reelected.

Mr. President, the very witnesses whose names were signed to the petition involved in this bond deal in North Dakota are significant to me, if this witness tells the truth—and he is under oath. While the affidavit is an ex parte affidavit—and Senators can take it for whatever it is worth—Senator LANGER had the right, through his attorney, to bring this gentleman in and cross-examine him if he wanted to do so before the full committee.

This is the situation. Simply because this fellow Mueller, who bought these bonds at three-quarters of 1 percent profit, was not in with Brunk and Brewer, they were going to show that he could not operate in North Dakota, and if Senators examine the records from that time on they will find that any bond issues that Mr. Mueller sold in North Dakota went through Brunk and Brewer after this procedure in Williams County. To me that is a significant fact.

Senators may think whatever they want to about it. They may draw whatever conclusions they desire about this situation. Senators cannot tell me that the Governor of North Dakota did not know something about this $140,000 bond transaction made in that county, with Brunk and Brewer holding a complete monopoly upon the bond business there, especially in view of what the Governor did in suspending the State's attorney because he gave wrong legal advice in connection with this bond issue.

Mr. President, I should like, if I may, to discuss just one more point, and then I am going to ask the majority leader to suspend, if I may.

Something has been said in connection with this case about various bond salesmen buying bonds in North Dakota through 1937 and 1938 from these different counties, and I turn to page 93 of the committee print. On that page will be found a report by Clyde Duffey, special counsel for Governor Moses, made in connection with the attempt to ferret out this thing. On page 94 will be found a reference to Grant County.

Grant County: Grant County issued $161,000 of 4-percent bonds, dated May 1, 1937. The records of the county auditor show that these bonds were sold to Allison-Williams Co. at a discount of $10,159. On June 12, 1937, O. E. Erickson was authorized by the industrial commission to purchase $126,000 of these bonds from V. W. Brewer Co. at par, plus accrued interest, and this purchase was completed on June 21 through the Bank of North Dakota acting as collecting agent for V. W. Brewer Co. The bank purchased the other $35,000 of bonds from V. W. Brewer Co. at par and accrued interest on June 18, 1937. The bank had held $155,000 of certificates of indebtedness of this county which were paid through refinancing process.

Allison-Williams Co. purchased $161,000 worth of bonds, but Erickson purchased $126,000 of them from Brewer. In other words, there was not a single bond issue in this whole transaction in which Brewer and Brunk were not interested somewhere. I do not care in whose names the bonds were purchased in the beginning; Brewer and Brunk will be found making final disposition of the bonds.

Reading further from the memorandum:

Adams County: Adams County issued $66,000 of 4½-percent bonds, dated August 15, 1937. These were sold to H. E. Mueller at par. On September 4, 1937, the Bank of North Dakota purchased these bonds from H. E. Mueller at 103½. Before making the sale to Mueller the county applied to the State land department and the Bank of North Dakota, but the application was rejected by both.

This was an issue of bonds with respect to which application was made to the State Bank of North Dakota to buy the bonds. The bank had the power to do so. The proceeding in Williams County was instituted by the petitioners, and the Governor of the State suspended certain persons because they did not ask the State bank to purchase the bonds in the beginning, or give the State bank the opportunity to purchase them. In this instance, when the State bank was given the opportunity to buy the bonds, it said, "We do not want the bonds." Mueller bought them, and in turn sold them to the State National Bank, as did Brewer and Brunk on many occasions.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. Does the Senator recall what Mr. Stangler, the manager of the bank, said with reference to turning down those issues?

Mr. LUCAS. Yes; I recall what Mr. Stangler said in that connection. I shall be satisfied if every Member of the Senate will read Stangler's entire testimony in connection with all these transactions. The important fact is that when Senator LANGER became Governor in 1937 Stangler was demoted as the head of the State institution, after having been with the institution for 6 or 7 years. Senator LANGER's friend Vogel was placed at the head of that institution. Regardless of what Stangler may have testified to, the individual who is at the head of the institution has the responsibility for all these matters.

Mr. MURDOCK. Mr. President, will the Senator yield for a further question?

Mr. LUCAS. I yield.

Mr. MURDOCK. If Mr. Vogel was the man who was responsible, then does not the Senator think that in order to get the true story the Committee on Privileges and Elections should have called Mr. Vogel to testify?

Mr. LUCAS. That was one of the things that the Senator could have done. It was within his power to do it.

Mr. MURDOCK. That is true.

Mr. LUCAS. Was not Vogel present at the hearing?

Mr. MURDOCK. I do not know; but if the Senator will allow me to take the time, I will say that in substance Mr. Stangler testified that the bank did not want any complete issue of bonds but wanted to purchase early maturities. He also said that the bank was loaded up with certificates of indebtedness, warrants, and so forth, and that it exchanged those evidences of indebtedness for short-term maturities, but that it could not load itself up with bonds running over a long period of time.

Mr. LUCAS. Not unless Brewer and Brunk sold them. If Brewer and Brunk came in with an issue, whether they were short-term or long-term bonds, they sold them.

Mr. MURDOCK. To the Bank of North Dakota?

Mr. LUCAS. Certainly.

Mr. MURDOCK. I should like to have the Senator point out to me one scintilla of evidence offered by Mr. Stangler showing that that occurred.

Mr. LUCAS. What is this all about? They made $300,000 in profits on bonds which they sold in North Dakota.

Mr. MURDOCK. There is no question about that; but the question in my mind—and I think it is a fair question—is, What is the evidence on the part of the man from the Bank of North Dakota who handled the bonds? What does he say about it? If the Senator will read Stangler's testimony again he will find that he said that the bank was not interested in any complete issue, but was interested in the shorter maturities. I think it is only fair to go to the record made by Mr. Stangler on that particular question.

Mr. LUCAS. It is perfectly all right with me. The Senator can read Stangler's entire testimony into the RECORD when he gets to it. I shall not do so; but I am perfectly satisfied with Stangler's testimony. I hope every member of the Senate will read it.

Mr. MURDOCK. Have I not quoted it with substantial accuracy?

Mr. LUCAS. I do not know whether the Senator has or not.

Mr. MURDOCK. The Senator is certainly familiar with Stangler's testimony.

Mr. LUCAS. Yes.

Mr. MURDOCK. I ask the Senator whether or not I have quoted it substantially correct.

Mr. LUCAS. I cannot tell whether the Senator has or not. When the time comes I want the Senator to read his entire testimony.

Mr. MURDOCK. I have been speaking in plain English.

Mr. LUCAS. We gave Stangler an absolutely clean bill of health. He was an excellent witness. His deportment was fine. He was the type of man whom I should like to have running such an institution for me if I had one. But when Senator LANGER became Governor, Stangler was demoted.

Mr. MURDOCK. Mr. President, will the Senator yield for one further question?

Mr. LUCAS. I yield.

Mr. MURDOCK. Does the Senator know how Stangler first got into the

bank? Who brought him there in the first place? It was Governor LANGER.

Mr. LUCAS. And Governor LANGER demoted him.

Mr. MURDOCK. That is true.

Mr. LUCAS. When Governor LANGER became Governor in 1937 he demoted Stangler.

Mr. MURDOCK. That is correct.

Mr. LUCAS. And put in his place Mr. Vogel, who had been a small-town banker in Cold Harbor, N. Dak. The little bank with which he had been connected failed in the crash. Then he was brought in to run one of the greatest institutions in the Northwest, the State Bank of North Dakota.

Mr. MURDOCK. That is correct.

Mr. LUCAS. Under the law every cent of money that comes from counties and municipalities must go through the cage of that particular bank. It has charge of practically everything. Stangler was the man who saved the bank, as his testimony shows.

Mr. MURDOCK. That is correct.

Mr. LUCAS. It was Stangler who came to the Reconstruction Finance Corporation, as his testimony shows, and obtained the money which saved the Bank of North Dakota from a crash. He was rewarded by being demoted; and a small-town banker, with very little banking experience, was put in his place. Whatever Mr. Vogel's banking experience had been, his bank fell by the wayside in the crash. However, for a number of years he had been the bosom political, financial, and social ally of the Governor of North Dakota.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. If Senator LANGER, while Governor, mistreated Mr. Stangler, would it not have been natural for Mr. Stangler, if there had been anything bad about Governor LANGER's connection with the bank, to have been the first one to bring it out in his testimony? The Senator has made much of the fact that Governor LANGER demoted Stangler. If he did so unjustly, would not Stangler wish to retaliate, and would not we find the retaliation in his testimony?

Mr. LUCAS. The Senator can draw his own conclusion along that line. I am only presenting the facts.

Mr. MURDOCK. Would not that be natural?

Mr. LUCAS. I do not know whether it would be natural or not. I do not know what the relationship between the two men was. We can never tell about those things. We cannot speculate and conjecture as to what some man might have done under certain circumstances.

Mr. MURDOCK. That is exactly my position in this case.

Mr. LUCAS. I am only laying the cold facts before the Senate. I know that Mr. Stangler, who had been there all those years, was demoted.

Mr. MURDOCK. That is true.

Mr. LUCAS. Stangler did not ask to be demoted. I know that a small-town banker, whose bank had gone down in the crash, was put in Mr. Stangler's place at the head of the State Bank of North Dakota.

Mr. MURDOCK. That is correct.

Mr. LUCAS. That fact is rather significant to me, in view of the fact that Mr. Vogel was with Mr. LANGER in the early days in 1934 and 1935, during the various trials.

Mr. MURDOCK. Mr. President, will the Senator yield for one further question? I shall not interrupt the Senator again.

Mr. LUCAS. I think I shall decline to yield further.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). The Senator from Illinois declines to yield.

Mr. BARKLEY. Mr. President, does the Senator wish to suspend at this point?

Mr. LUCAS. I wish I might.

POSTMASTER—ANNA SCHILD ELLIS

Mr. BARKLEY. Mr. President, there is only one nomination on the executive calendar. That is the nomination of Anna Schild Ellis to be postmaster at Watts Bar Dam. I ask unanimous consent, as in executive session, that the nomination be confirmed and that the President be immediately notified.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). Without objection, as in executive session, the nomination is confirmed, and the President will be immediately notified.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. MURDOCK. Mr. President, I should like to inquire as to the possibility of entering into some agreement under which the Senator from Illinois [Mr. LUCAS] may continue tomorrow, and the minority of the committee may proceed probably on Monday.

Mr. BARKLEY. Mr. President, I have no information as to how much more time the Senator from Illinois wishes to occupy.

Mr. MURDOCK. He has stated to me that he will occupy all of tomorrow.

Mr. BARKLEY. The Senator from Illinois is now in the Chamber.

The Senator from Utah has made the suggestion that the Senator from Illinois wishes to occupy the time of the Senate tomorrow, and suggests that we might have an understanding that on Monday the minority may proceed. I have told the Senator from Utah that I cannot make any agreement in that connection. I do not know how much longer the Senator from Illinois may wish to proceed.

Mr. LUCAS. If the Senator from Illinois can avoid a number of highly technical and specialized arguments regarding what the committee should or should not have done a long time ago, I think it will be possible for me to conclude tomorrow, even including a discussion of the law.

Mr. BARKLEY. I do not think we can make any iron-clad agreement regarding the matter. Of course, I think the Senator from Illinois can control the time consumed tomorrow by refusing to yield for all sorts of things. The Senator has been very generous in that regard.

Mr. LUCAS. Tomorrow I shall try to finish my statement regarding the facts. If I may have 1 hour for discussion of the legal points on which I am prepared to speak, I can conclude by tomorrow afternoon; but if we have to go again into a long dissertation on what the committee did do or did not do, of course, we may be here for a long time.

Mr. BARKLEY. Of course, I have no control over that.

Mr. LUCAS. Nor have I.

Mr. BARKLEY. However, as I said to the Senator from Illinois, and as I tried to indicate today, I do not think the committee is required to apologize for its course in the matter. It did its duty as it saw it. I do not think the Senate regards the committee as having done otherwise; and I say to the Senator that if I were he I should not waste too much time in that connection.

Mr. LUCAS. Let me say that I am not at all worried about what the Senate thinks about the committee; because, as I have said many times, I want it understood that in what I have done, I have sought to do my duty under my oath.

Mr. BARKLEY. I am sure the Senate appreciates that.

Mr. LUCAS. I want to be tolerant and fair with everyone, because I should not wish to do any injustice to Senator LANGER; neither do I want to do any injustice to the integrity of the United States Senate. It seems to me that a great many questions have been asked on just one theory; those who have asked the questions have forgotten, apparently, that, after all, the integrity of the Senate is involved in this case just as much as is the integrity of the respondent. However, very few arguments have been made about the integrity of the United States Senate, which has been in existence for 150 years.

If ever a time comes when the integrity of the Senate falls, if ever a time comes when the people of the United States reach the conclusion that there is no integrity remaining in the Senate, then one of the great foundation stones of government will have been removed. That is what I am interested in avoiding. I am not interested in personalities.

I have no personal feeling about the matter one way or the other. As I said in the beginning, I am interested in only that one thing: I want to see the Senate of the United States continue the same high degree of integrity and honor it has had in the past. I say with all due deference that when I read this record from beginning to end I cannot vote for Senator LANGER, because I think that with this record the integrity of the Senate will be impaired if he remained a Member. I say that coldly, bluntly, and honestly, without the slightest emotion one way or the other, without the slightest feeling toward Senator LANGER. I have had no trouble with the Senator, and will not have any, whether he retains his seat or not; but I have a duty to perform, as every other Senator has. I shall not

object to any other Senator's decision on the matter. I have not been buttonholing any Senators, trying to persuade them to do what I think should be done in this case. I have not done that, and would not do it. When my task in this connection is finished I shall simply bow gracefully out of the picture. Whatever the vote may be, it will be perfectly all right with the Senator from Illinois. I have simply done a duty, and a difficult one; but the Senate may have some trouble in persuading me to serve on such a committee again.

Mr. BARKLEY. Mr. President, of course the Senator from Illinois can control the length of time required in this respect, just as any other Senator can. He can control the number of times he yields to other Senators; and if he wishes to conclude his discussion of the matter tomorrow, it is within his power to do so.

Mr. LUCAS. Let me say that I shall change my tactics, and shall no longer yield so liberally, because I desire to conclude my discussion of the matter, and let some other Senator resume the case where I stop. If I make a number of mistakes, that will be to the advantage of the opposition; then the opposition can obtain the floor and attack my presentation.

Mr. MURDOCK. Mr. President, if the Senator from Illinois will yield, let me ask the Senator from Kentucky whether he intends that we shall adjourn over Saturday.

Mr. BARKLEY. I wish to avoid a session on Saturday, and I do not think the Senate wishes to have a session on Saturday. It is not my purpose now to move for a session on Saturday.

Mr. MURDOCK. May it be understood that the Senator from Illinois will occupy all the time tomorrow? A number of other Senators have spoken to me regarding the order of procedure tomorrow, but I have not been able to tell them whether there would be time for them to speak. However, if it may be understood that the Senator from Illinois will occupy all the time available tomorrow, we can agree that there will be nothing from the other side until Monday.

Mr. BARKLEY. I do not suppose that the Senator from Illinois would wish to be compelled to occupy all the time tomorrow, unless he should find it necessary to do so in order to conclude his remarks. However, from what he has said, I gather that probably he will occupy most of the time tomorrow—in which event we shall go over until Monday.

Mr. MURDOCK. Very well.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Friday, March 13, 1942, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate March 12 (legislative day of March 5), 1942:

POSTMASTER

Anna Schild Ellis, Watts Bar Dam, Tenn.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 12, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who spared not Thy only Son but didst deliver Him up for us all, hear our prayer. In Him we have the nobility of purpose, the power of self-denial, and the elevation of soul which are sublime proofs that He came from God, the Father. Grant that everything in our thoughts, our emotions, and in our conduct may have their inspiration in Him. His was the most saintly life, the most sublime face which ever fronted danger and death for the oppressed.

Thou who wast wounded for our transgressions and reviled not, may we learn from Thy meekness and gentleness and find peace for our souls, disturbed by avarice, pride, and passion. We pray that the spirit of the Master whose strength is for weakness, whose purity for sin, and whose goodness for need may be a voice reigning in all hearts. Oh help us to see Thy footprints and the path they trod, though steep and hard; it is Thy way, O Lord.

Have pity, Lord, on hearts that lie
Wrapped in a selfish sleep, at peace
That will not wake at misery's cry,
That can be glad while others weep,
That shut Thy holy light away
And dream that their own light is day.

In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix.]

ADDITIONAL ORDNANCE MANUFACTURING AND PRODUCTION FACILITIES

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

The Clerk read the title of the bill.

The Clerk read the bill (S. 2249), as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000 for necessary tools, equipment, and facilities for the manufacture or production of ordnance material, munitions, and armor at either private or public plants.

SEC. 2. The authority herein granted shall include the authority to acquire lands at such locations as the Secretary of the Navy may deem best suited to the purpose, erect or extend buildings, acquire the necessary machinery and equipment, and in private establishments provide plant protection installations, and shall be in addition to all authority heretofore granted for these purposes. The Secretary of the Navy is hereby directed to report to Congress within 6 months from the enactment of this act a statement of all lands acquired under this section showing the acreage, location, and the price of each such acquisition.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this is just an expansion of a program already started.

Mr. VINSON of Georgia. The gentleman is correct. This is to authorize an additional expenditure of $100,000,000 to provide certain ordnance facilities, and I may state that the Rules Committee has already granted a rule for the consideration of this bill and filed the rule yesterday. I am hoping we may get it through by unanimous consent.

Mr. MARTIN of Massachusetts. The Navy Department has endorsed the measure.

Mr. VINSON of Georgia. This is a Senate bill unanimously passed by the Senate and unanimously reported by the House Naval Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 447 was also laid on the table.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief excerpt from a House report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

(Mr. BEITER asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a brief editorial from the Plainfield Courier-News, containing an amazing statement about cultural agriculture.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and

to include an editorial from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Alaska Highway.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution passed by post No. 16, American Legion, of Stockton, Calif.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

[Mr. O'CONNOR addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include the Brotherhood Week Script No. 3. I have been informed by the Public Printer that this would exceed the amount and would cost $105. I ask unanimous consent that it be printed in the RECORD notwithstanding.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio address delivered by me last night.

The SPEAKER. Is there objection?

There was no objection.

BUREAU OF AGRICULTURAL ECONOMICS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker last week the House concurred in an amendment to strike $1,000,000 from the funds of the Bureau of Agricultural Economics. Here is one evidence of some of the work which that Bureau does. It is a book of 134 pages, printed on very fine gloss paper, and it purports to be a pictorial study of a village in New Mexico. They say that it is 1 of 6 such studies and that it will be a companion volume to certain research studies, making a total of 12. This can be purchased for 45 cents. It is a beautiful camera study of El Cerrito, N. Mex. That is part of the work of the Bureau of Agricultural Economics.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a communication from a constituent.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business today, and any other special orders, I be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection?

There was no objection.

REPEAL OF PENSIONS FOR CERTAIN APPOINTIVE OFFICERS, ETC.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I call the attention of the House to H. R. 6690 which I have introduced. This bill provides for the repeal of pensions for some 250,000 appointive officers and employees of the Federal Government through the recently enacted Ramspeck Act.

Keep in mind these 250,000 persons referred to have nothing to do with Civil Service or the merit system. They are purely political appointments.

These 250,000 receive salaries up to $10,000, possibly $18,000, a year and the pensions provided for them run up to $5,000 per year. The cost to the Government for these pensions is more than $44,000,000 annually.

The mere repeal of Congressmen's pensions was not enough. This Congress will not have done its duty unless it repeals these other pensions.

Every Member of Congress will have an opportunity to go on record as to how he stands on this matter as I intend to place a discharge petition on the desk unless the Civil Service Committee reports my bill out.

I am glad to inform the House that I am receiving some splendid support for my measure. Certain persons in at least one important Government agency, namely the Securities Exchange Commission, have informed me that they are back of my bill 100 percent. That is patriotism for you. They are men who want to win this war and who show by their actions they want to win it.

Now let us see some of the other Government agencies demonstrate their patriotism.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the St. Louis Post-Dispatch of Sunday, March 1, 1942.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent Mr. GEHRMANN was granted permission to extend his own remarks in the Appendix.)

PERMISSION TO ADDRESS THE HOUSE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's table and any other special orders, I may be permitted to address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. RICH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. WOODRUM of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 39]

Arnold	Gavagan	Merritt
Bates, Mass.	Heffernan	Mitchell
Bender	Howell	Myers, Pa.
Bishop	Izac	Norton
Bolton	Jarman	O'Day
Bradley, Pa.	Jarrett	Osmers
Brooks	Jenks, N. H.	Ramsay
Buck	Jensen	Reed, Ill.
Buckley, N. Y.	Johnson, Lyndon B.	Sasscer
Byron	Kennedy, Martin J.	Scanlon
Camp	Kennedy, Michael J.	Schaefer, Ill.
Cannon, Fla.	Kilburn	Scrugham
Casey, Mass.	Kirwan	Shannon
Chapman	Kleberg	Sheridan
Cole, Md.	Kramer	Smith, Pa.
Creal	McCormack	Stratton
Curtis	McKeough	Sweeney
Douglas	Maas	Tolan
Drewry	Magnuson	Vreeland
Eberharter	Mason	Walter
Englebright	Merritt	West
Fitzgerald	Mitchell	Williams
Gale	Myers, Pa.	Worley

The SPEAKER. Three hundred and sixty-five Members have answered to their names. A quorum is present.

On motion by Mr. WOODRUM of Virginia, further proceedings, under the call, were dispensed with.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709), making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the distinguished gentleman from Massachusetts, the majority leader, Mr. MCCORMACK, is unavoidably absent on very important official business. He has asked me to stand by in his absence.

I have just been talking with the gentleman from Georgia [Mr. TARVER] and the gentleman from Illinois [Mr. DIRKSEN] about the bill that is presently before the committee. It is very earnestly hoped that it will be the pleasure and disposition of the committee to expedite consideration of this bill so that we may finish it today, even if it is necessary to sit a little late. I say that for this reason: We have laid out a very full program for the next couple of weeks. If this bill is finished today it is hoped to bring up the Rogers bill tomorrow, creating the Woman's Auxiliary Corps of the Army, and dispose of that. If that can be done, it probably will not be necessary to have a session on Saturday.

We have a very full 2 weeks following that, but if the schedule laid out can be carried out as planned, and unless something intervenes, it is hoped that it may

be possible to have perhaps 2 weeks' recess. Of course, that is entirely contingent upon two things: First, that we clear the calendar of all these important things; and, second, that something else does not intervene in the meantime.

I suggest that to show you that it is very important, if we can do it, to get through with this bill today. There are several controversial things in the bill over which we might argue for several days if we were of a mind to do so, but there have been a number of days' discussion on the bill already. Every phase of it has been discussed over and again many times, and it is the hope of the leadership, and concurred in by those gentlemen in charge of the bill, that we might proceed expeditiously today to consider carefully everything that is offered, but to use no more time than is necessary.

Mr. TARVER. I am certainly very much in accord with the statement made by the gentleman from Virginia as to the desirability of our passing this bill today. I certainly think and believe that the Committee will be cooperative in shortening debate as much as may be practicable and endeavor to get through with it at a reasonable hour this evening. I shall not move to close debate at any time unless I believe an adequate opportunity for the discussion of the subject matter has been had. I do not, of course, expect the Committee will at all times agree with me.

With reference to the paragraph which has just been read, so far as I can ascertain only pro forma amendments will be offered. I have not heard of any amendment to be offered affecting the merits of the paragraph. I hope that as far as possible debate will be confined to the subject matter of the paragraph.

Mr. VOORHIS of California. Mr. Chairman, I have an amendment.

Mr. TARVER. Affecting the merits of the paragraph?

Mr. VOORHIS of California. I believe so.

Mr. TARVER. Very well.

I want to say before I finish, Mr. Chairman, that the gentleman from Kansas [Mr. LAMBERTSON] ranking Member on the Republican side, is cooperating in all of the efforts made to expedite consideration of the bill.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. CASE of South Dakota. I should like to ask the chairman of the subcommittee if he intends to follow a uniform policy of objecting to all requests for extensions of time beyond the 5 minutes allowed under the 5-minute rule?

Mr. TARVER. I would not feel justified in doing that. If a Member is discussing an amendment of importance and asks an additional opportunity to express his views I would not feel warranted in objecting; but, as I said before, I shall insist that the discussion be confined to the subject matter of the amendment or the paragraph. In other words, I hope by making points of order to confine discussion to the bill and to the amendment.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: Page 79, line 11, after the period, add the following paragraph:

"To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, $40,000,000. Such sum shall be immediately available and shall be in addition to, and not in substitution for, other appropriations made by such section or for the purpose of such section."

Mr. TARVER. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from California on the ground that there is no authority of law for making an appropriation in addition to the permanent appropriation made by section 32 of the Agricultural Adjustment Act. There is no legislative basis for the amendment which the gentleman offers.

Mr. VOORHIS of California. Will the gentleman withhold his point of order, or will he not object if I move to strike out the last word at this point?

Mr. TARVER. I may say to the gentleman from California that while I would ordinarily have no objection to his talking concerning an amendment which could not be considered by the House, yet, in view of what has just been said before he took the floor with reference to expediting action on this bill, I shall be obliged to insist on the point of order.

Mr. VOORHIS of California. I would remind the gentleman that this is the first time I have asked for the floor on this bill.

Mr. TARVER. I appreciate that fact. The gentleman can get the floor with reference to some other matter where his remarks would be pertinent.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. VOORHIS of California. No, Mr. Chairman; I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. VOORHIS of California. Mr. Chairman, the reason for offering this amendment which has just been ruled out I can explain in 5 minutes. I am seeking here to——

Mr. TARVER. Mr. Chairman, I am compelled to make a point of order against the gentleman's discussing the subject matter of an amendment which has just been ruled out of order. I would be glad, as far as I am concerned personally, to let the gentleman proceed for 5 minutes; but if I am to be consistent in my efforts to confine discussion to the bill, I must now object to the gentleman's discussing an amendment which has been ruled out of order. I must insist that the gentleman's remarks be addressed to the matter pending.

Mr. VOORHIS of California. Mr. Chairman, I am discussing the paragraph under consideration, to which I sought to offer an amendment.

Mr. TARVER. I addressed my remarks to the Chair, and, of course, will be subject to whatever ruling the Chair makes.

The CHAIRMAN. The gentleman will proceed in order.

Mr. VOORHIS of California. Mr. Chairman, I am discussing section 32, the whole purpose of which has been through the years to bring together the products of our farmers and the people of our country who have had need of food. Particularly I want to talk about the school-lunch program.

My amendment was designed to make it possible to make this program at least meet the most serious undernourishment among the school children of America.

We are pursuing a policy of attempting to maintain farm prices at a parity level. But at the same time it is obviously true that certain sections of our population are not having the benefit of an increased income which other sections are getting and that, therefore, the ability of those groups of people to buy the food they need has been and is being sharply reduced. We are at the same time, and have already, provided $1,800,000,000 for the purpose of lend-lease shipments of food to the people of other countries. This, I believe, was right. But can we at the same time fail to see that there is a basically adequate diet for the children of our own land? We are conducting a food-for-freedom program, in which we are asking our farmers to step up their production to the maximum amount they can produce. Inevitably there will be cases where some things are produced in greater quantity than can be moved across the sea or purchased in the ordinary manner here at home. There will then be problems in connection with the prices of certain commodities under those circumstances. And there should be a means of seeing that that food is moved to the places and the people where it is needed if we are to successfully combat undernourishment and disease and raise a strong, stalwart generation of American citizens. It would be different if this were beyond our power, but it is not. It would cost us only about $60,000,000 to reach every undernourished child in America this year with a lunch every school day.

Most careful studies show that there are 9,000,000 undernourished children in America today.

GENERAL HERSHEY'S STATEMENT

General Hershey, Director of Selective Service, made the statement that 15 percent of all the men drafted for the Army had to be rejected because of malnutrition. Here is the statement he made at the National Nutrition Conference on May 27, 1941:

It has been estimated that perhaps one-third of the men rejected (for physical unfitness) was due either directly or indirectly to nutritional deficiencies. In terms of men the Army today has been deprived of 150,000 men who should be able to do duty as soldiers. This is 15 percent of the total number which have been physically examined by the Selective Service System.

It is perhaps of little use to speculate on what should have been done by our schools, by parents, by health bodies, or by the Government. * * * It is a condition we should recognize as dangerous and which we should take immediate, positive, and vigorous measures to correct.

I heard the Surgeon General of the United States only the other night state that this school-lunch program has been the most basically helpful step in improving the health of the American people that has been taken by our Nation.

I know there are a lot of things we cannot do during this war. I know there are many things we must and should go without. I know that many expenditures of government will have to be cut down, but I submit there is one basic policy we ought to pursue, and that is the policy of seeing to it that there shall be no malnutrition in our country at the present time, at least among the children. We could go a long way toward doing that even with this small amount that I attempted to offer in this amendment. If there is one thing most necessary to the strength of our Nation, most helpful in preventing tuberculosis and other diseases, it is a good diet for our children.

This program has been substantially cut by the committee to about $92,000,000 less than we had last year. I hope some way may be found so that that amount can be restored before this bill is finally enacted. I agree thoroughly that we should help feed the people of England, who have suffered so much, but while we do that I think we must establish here a principle and policy of saying that there shall be no undernourishment of the children of America.

It would cost only $20,000,000 to provide funds necessary to enable every one of these undernourished children to buy milk at 1 cent per half pint each day.

Mr. TARVER. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman is correct when he says this bill has been reduced, but he must realize the committee has no authority to place money in the bill not authorized by law.

A PRINCIPLE FOR AMERICA

Mr. VOORHIS of California. I should have stated that the net effect of what has happened in connection with this bill and the amount appropriated last year would be to give this program $92,000,000 less than it had last year, which is perhaps a more accurate statement. The thing that will happen, of course, will be this: It will be the children of the poorer school districts that will have to go without these school lunches, not the well-to-do sections. For there can be no school-lunch program without local sponsorship. There have been about 80,000 schools participating in this program during the past year. Next year there can be only about 40,000. The ones that will be left out, unless Congress corrects the matter, will be the very ones where the children need it most.

"No undernourished child in America." Here is a principle that the House ought to be thinking about, even if the amendment be subject to a point of order.

A GRASS-ROOTS BUSINESS

There is no extension of Federal bureaucracy, no Federal control, about this program. Briefly, the school-lunch program works this way: Commodities purchased by the Surplus Marketing Administration are allocated to State departments of welfare, who in turn allocate them to schools which certify that they have undernourished children in attendance. Whatever commodities are available are allotted to schools on the basis of the number of undernourished children, and these children are given free lunches. At the same time, every effort is made to have all children in the school served the same food, so that there is no discrimination whatever between the paying and nonpaying children. Local sponsors of the program, who may be boards of education, parent-teacher associations, or other public-spirited civic groups, furnish labor, equipment, and foods to supplement those furnished by the Surplus Marketing Administration. The children do not need to even know, and in many cases, I expect, do not know that the Federal Government is giving them anything There is just a lunch, that is all, where there did not use to be any. No group of children is set apart from the rest. They all sit down together. Their parents who can afford it pay all or part of the cost. But all have the same meal, just as they have the same schooling.

Administration of the program is left entirely to the local sponsor. The Surplus Marketing Administration and State departments of welfare exercise only nominal supervision over the program to make sure that the food is properly utilized.

The Surplus Marketing Administration, I am told, is now besieged by anxious teachers, parents, and social workers who fear that under the emergency program Federal aid for school lunches will be curtailed or cut off completely. The tone of the letters leaves no doubt that lunch programs will have to be completely abandoned in many areas if this aid is denied.

Of course, the poorest communities, which are least able to do anything for themselves, will be the hardest hit.

I do not want to see this work curtailed; rather, I think because of our country facing what it does we must expand it to the point that there is not one hungry child in the land. One of the four freedoms for which we are fighting is freedom from want is it not?

We can establish freedom from want here in our own country for our children now. If we do, the dynamic effect of our action will, I can assure you, reach around the world.

Here is a letter written by a Missouri school teacher which everyone ought to read:

JANUARY 1941.

We feel that the hot-lunch program is one of the best things the State of Missouri has done for the children in many years. I find that my school children have gained from 3 to 10 pounds of flesh since we started about the 1st of September. This is my second year to sponsor the hot-lunch program and I find that it also helps attendance. Wish to say that our program is working perfectly and we are very grateful to the State of Missouri for it.

PEARL BEAL,
Teacher, Middle Smith School,
District 104, Stoddard County, Mo.

Will Miss Beal's school be one of those left out next year? Notice she does not mention the Federal Government or the Department of Agriculture at all. She thanks the State of Missouri. I am glad she does.

WHAT OUR FARMERS HAVE A RIGHT TO EXPECT

Our farmers who are now engaged in this food-for-freedom program have a right to expect that we will not go back on our moral obligation to see that their prices do not collapse. And our people who face a rising living cost without any rise in income have a right to expect us to deal justly with them. So I plead for this policy of mine in order that we may do two things:

First. Provide adequate funds to make the price support effective.

Second. Provide for offsetting the disadvantages of the policy to groups caught by it—the low-income groups whose incomes are not improved by war.

Let us contrast our policy with that on the British Isles and in Canada. There the prices of foods are held down, in many cases frozen. Thus the low-income groups are not further disadvantaged. In the case of the British, meantime, subsidized consumption has been greatly expanded, especially in the case of children, made possible largely by our American lend-lease food. But the farmer's problem is recognized, too—a system of bonuses is provided to induce him to increase production, offsetting his higher costs and making it possible to utilize marginal areas. This provides a heavy burden on the Treasury—but it is a complete policy, a fair policy, both to farmers and disadvantaged consumers.

Meantime we in this country look a little foolish, it seems to me, helping—and justifiably—support school lunches and free school milk in England, Scotland, and Wales—and soon in Russia—without positively assuring ourselves of such a program at home.

The production increase on farms is going upward. Ships to move it to the British and Russians are short. We may be caught through the price-supporting program with large quantities bought with lend-lease funds which we cannot move, or, if ships are available, beyond what may be needed in some cases. We do not want to be caught, I am sure, with our warehouses jammed while kids and others are not properly fed because we do not have enough section 32 funds to move the charge from lend-lease account to section 32 account, from our lend-lease warehouses to the mouths of our own people who have need of it.

So, joined together, reasons for expanding the school lunch and school

milk program have their origin in (a) expanding farm production, (b) offsetting in part the disadvantage of our present incomplete policy, (c) the nutritional shortages of a third of our school population, (d) keeping our policy of feeding, as executed abroad under lend-lease, consistent in regard to our own food needy.

WHAT ENGLAND IS DOING

I would like to call to your attention the tremendous effort England is putting into her school-lunch program. England, of course, has long since passed through the period we are now in and has already reached the inescapable conclusion that nothing is more vital to the defense effort than an adequately fed civil population. I understand the Central Government of England is now subsidizing milk for school children up to 100 percent, and school lunches up to 95 percent of the total cost, and the announced policy of the Ministry of Food is to expand school lunches until all the 5,000,000 elementary and secondary school children in the country are included. In addition, school canteens are given larger allowances of the protective foods than are ordinary restaurants and cafes. If England, with her shortage of food, can do this, should we, with our tremendous stocks of food, consider reducing the little help we are now giving this important work?

OUR BASIC STRENGTH IS THE HEALTH OF OUR CHILDREN

My amendment could do this: It could provide that the school-lunch program reach every one of the 9,000,000 undernourished children in America today.

Half the amount I have proposed would finance for 9,000,000 children a 1-cent milk program—so there could be one-half pint of milk, at a cost to them of 1 cent, for every undernourished child.

If this is not part of America's war effort, I do not know what is. If it is not fundamental to national strength, I do not know what is.

This is no social reform or experiment.

This is only a matter of the most fundamental of all measures to strengthen the fiber of our Nation, to protect our health, to do the one thing which more than all else and in place of many other things we cannot do now, will prove almost all by itself our sincerity when we say America's cause is the cause of the common people everywhere.

I am after a principle here. I admit that.

It is the principle of no undernourishment among America's children.

It can be realized.

And it never will cost so very much.

As we restrict the use of the things we should restrict and need to restrict, as we curtail other things that we can do without, as we learn to do without automobiles, to use less sugar, to pay higher taxes, let us establish this basic equality among America's school children—an equal right to a balanced meal once a day.

These children are the ones that will inherit the world that we are making now. They will come of age in a period when the whole world has been wracked by war and maybe by pestilence. Let us give them a good start—a fair and equal start.

This is a great thing we can do—a truly great thing. And a very simple and understandable one.

The pro forma amendment was withdrawn.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937, as amended (7 U. S. C. 1100–1183), including the employment of persons and means, in the District of Columbia and elsewhere, as authorized by said act, $47,462,910, to remain available until June 30, 1944

Mr. HENDRICKS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HENDRICKS: Page 79, beginning with line 13, strike out everything in the paragraph down through line 19

Mr. HENDRICKS. Mr. Chairman, this is a very important section that we are about to discuss; and, while I shall not decline to yield, I hope the membership will not interrupt me until I have finished my statement.

The amendment that I have offered may indicate that I disapprove this section being in the bill, but this is not true. I take the same position that the committee took—that is, that the House should review the problem—and I want to read the statement of the committee in the report on this section, as follows:

The committee has approved the Budget estimate of $47,962,910 for the administration of the Sugar Act of 1937. The hearings disclosed there is in prospect a very pronounced shortage of sugar and that acreage and quota restrictions have been removed. The committee can see no sound reason for the continuance of this program of benefit payments to growers who are free to produce without restriction for a market in which the demand is certain to be substantially in excess of the supply for some time to come and would have stricken the item from the bill except for the recent action of Congress extending the act. The committee believes the legislation should be suspended under present conditions. Under these conditions, price-fixing legislation recently enacted may be so administered as to assure fair prices for sugar producers.

I cannot imagine, Mr. Chairman, much enthusiasm on the part of the committee to keep this section in the bill.

Let me show you just briefly the picture. You will find on page 161 of the hearings that Dr. Bernhardt testified that last year continental United States consumed about 8,000,000 tons of sugar. You will find on the same page that he testified that the estimated production of the Virgin Islands, Cuba, Puerto Rico, Hawaii, and the continental United States for 1942 will be just a little more than 8,000,000 tons; in fact, about equal to what we used last year, and we have to provide our Allies with as much sugar as possible.

I do not think this item should be retained in the bill. I anticipated certain arguments that will be used against an attempt to strike it out, and I called up the Sugar Section of the Price Control Administration and asked them what effect this amendment would have on the sugar situation. They told me it would tend to make prices rise and that perhaps Cuba would get some more benefits.

Let me read to you a part of section 2 (e) of the Price Control Act:

Whenever the Administrator determines that the maximum necessary production of any commodity is not being obtained or may not be obtained during the ensuing year * * * he may make subsidy payments to domestic producers of such commodity in such amounts and in such manner and upon certain terms and conditions as he determines to be necessary to obtain the maximum necessary production.

I called this to the attention of Mr. Davis and Mr. Westering, of the Sugar Section, and they frankly admitted that under certain circumstances the price could now rise above what it is. When I mentioned this section to them, and said that they had authority to prevent this, they admitted that they did have authority to make subsidy payments, but said that this would require an appropriation. If it requires an appropriation later for subsidies, I shall not object to that, but I think that we are putting ourselves in a very peculiar situation here in projecting a $48,000,000 item into the next fiscal year to pay benefits to the sugar growers.

Mr. Chairman, this seems a little paradoxical to me. Some time ago we had an overproduction of sugar and prices were down. This House passed the Sugar Act—I did not vote for it but the House passed it—for the purpose of keeping prices up and for the purpose of curtailing production. Now we find ourselves faced with a shortage of sugar and we are trying to increase production. I am told that we are going to use the same act and this same appropriation to increase production and at the same time keep prices down.

I think it is going to be very difficult for Members of this Congress to explain to the people of this Nation, to our constituents, when they begin to get their sugar-rationing cards for a half-pound or a pound of sugar a week, or maybe less—we do not know how much—and when they know that every one of the Allied nations are going to need all the sugar we can send to them, that our supply will be cut off, and perhaps we shall not have enough bottoms to ship the sugar here from Cuba, why we should project a $48,000,000 benefit payment into the next year when not a cent of it has been contracted for and when we are trying to get increased production.

Mr. Chairman, I think this section should be stricken out, and save the taxpayers $48,000,000.

[Here the gavel fell.]

Mr. COLLINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. RICH. Reserving the right to object, Mr. Chairman, I thought the chairman of the committee was going to limit the debate to 5 minutes on all amendments.

Mr. TARVER. I indicated in my statement that where important subject mat-

ters were being discussed and Members had not had an adequate opportunity to express themselves, I would not object to a reasonable extension.

Mr. RICH. Certainly I would not object to the gentleman's request.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLLINS. Mr. Chairman, in my opinion, this is the most misunderstood item in the Agriculture Department appropriation bill. Not an ounce of sugar is raised in my congressional district, so I am speaking solely for the consumers of sugar and for the military protection of our country.

Last year we used in excess of 8,000,000 tons of sugar. The estimated normal consumption for this year is 6,800,000 tons. In addition, the estimated alcoholic need for explosives is for 1,300,000 tons. This makes our requirements a total of 8,100,000 tons of sugar.

The estimated available supply of sugar, counting an increase in the Cuban sugar crop of 1,000,000 tons and an estimated increase of 600,000 tons in the United States, approximates 7,100,000 tons. Thus, there is a difference between the consumption and alcohol-for-explosives estimates and the production estimate of 1,000,000 tons—a shortage of that amount.

Under the sugar and the price-fixing acts, the price of raw sugar has been fixed by the Price Administrator at $3.74 per 100 pounds, and the price of refined sugar at $5.45 per 100 pounds. The Cuban producer receives $2.65, and with the tariff at 75 cents, and transportation of 34 cents the cost of Cuban sugar becomes the domestic cost. The difference between the refined price and the raw price is made up of a Federal tax of 50 cents per 100 pounds and refiners' charges of $1.20. Permit me to remind the membership of the House that this tax imposed by the Sugar Act will yield about $80,000,000 to the Treasury.

The Cuban sugar producers are paid $2.65 under a contract that was made with them by the head of the Defense Supplies Corporation when the entire Cuban sugar crop was purchased. However, there is a clause in this contract that if the domestic price of sugar rises that contract is amended so that the Cuban sugar producers will receive the same price per 100 pounds as is paid producers in the United States.

That is the situation we find confronting us. Under the Sugar Act and the item of appropriation under consideration the American producer gets 80 cents per 100 pounds in addition to the $2.65 plus the tariff readjustment. In other words the 80 cents per 100 pounds is a part of the price the American farmer receives for his sugar and is so considered by the Price Administrator in fixing the price of sugar at 110 percent of parity. If this section is stricken out of this bill and the Price Administrator has to raise the price of sugar in this country to make up the loss of these producer payments so as to encourage domestic production, then the sugar producers in Cuba receive the price as fixed by the Price Administrator.

It is estimated Cuba will produce 3,000,000 tons of sugar. Even though the price should not go up more than the 80 cents per hundred pounds, this would amount to $48,000,000, a straight-out gratuity to Cuban producers. Eighty cents per hundred pounds is the least it would be raised. Everybody knows that the price would be raised much more than that amount. It has been estimated at least double that amount, which would mean $96,000,000 that we would vote as a gift to the producers of sugar in Cuba. The increased price sugar consumers would have to pay would not go to the producers; only a small part of it will ever reach them. Certainly they should receive a reasonable price—a living—if they plant sugar beets or cane rather than crops they have cultivated in the past. The hazards are too great, and they should not be expected to work at a loss. Furthermore, contracts have been made with producers providing consumer payments in pursuance of the provisions of the Sugar Act, and Congress should not attempt to abrogate these contracts.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Just let me finish and then I will yield.

It has been intimated on the floor of the House that some of our sugar producers will receive unusual benefits under this item. The largest sugar producer in this country produces about 100,000 tons of sugar. This producer does not receive 80 cents per hundred pounds but a lesser amount as the consumer payments go down with increased production, and in this instance it is 37 cents or even less. That concern would receive, under the allotments in this section, approximately $700,000. But if the price of sugar goes up 2 cents a pound, which will certainly be the case, that concern will not lose but will receive at least three times the amount that is paid them now.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Excuse me just one second, and then I will yield.

The saving of $47,000,000 in this bill will be trifling compared to the increased costs to American sugar consumers. They will be taxed, through increased prices of sugar, not $47,000,000 but three or perhaps four times that amount.

I appeal to you not to pursue a short-sighted policy under the guise of saving money, especially since we know that the results of our acts will be the placing of burdens of at least $200,000,000 upon the people—the sugar-consuming public of the United States.

Farmers will produce all of the sugar needed for human consumption and for alcoholic needs for explosives if we will treat them fairly. Certainly this should be our policy if by so doing we save money to taxpayers and the Public Treasury.

[Here the gavel fell.]

Mr. RICH rose.

Mr. TARVER. Mr. Chairman, I desire to see if we can arrive at some basis as to limiting the time. I understood it would be satisfactory to the minority side to close debate on this item at 1:45.

Mr. WOODRUFF of Michigan. Reserving the right to object, Mr. Chairman——

Mr. TARVER. The gentleman has not submitted any request yet.

Mr. RICH. I want to know how much time we are going to have on this.

Mr. TABER. Mr. Chairman, reserving the right to object, I think if we get through this in 35 minutes we will be doing very well.

Mr. TARVER. That is substantially the request I propose to offer. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close at 2 o'clock. We have already had 15 minutes of debate.

Mr. WOODRUFF of Michigan. Mr. Chairman, I reserve the right to object, and I do so for the purpose of suggesting to the Chairman that there probably has been no item in this bill of greater interest to the Members of this House and the consuming public of the country than the amendment which is now before us. I hope the gentleman will not insist upon asking anything of the Committee that will limit the debate unduly.

Mr. TARVER. Of course, I am merely undertaking to serve the Committee, but from expressions I have had on both sides of the aisle I feel they think an additional 30 minutes for the discussion of this matter will be sufficient.

I move, Mr. Chairman, that all debate on this paragraph and all amendments thereto close at 2 o'clock.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 61, noes 44.

Mr. BOGGS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. TARVER and Mr. BOGGS.

The Committee again divided; and the tellers reported that there were—ayes 63, noes 55.

So the motion was agreed to.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RICH] is recognized.

Mr. SANDERS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Pennsylvania yield for a parliamentary inquiry?

Mr. RICH. How much time am I to have, Mr. Chairman?

The CHAIRMAN. The gentleman is recognized for 2 minutes.

Mr. RICH. Mr. Chairman, if there ever was a cockeyed section in any bill or measure coming before the Congress, this is it. Just think of last year and for several years past paying the sugar farmers of this country if they did not raise sugar, both cane sugar and beet sugar—and you paid them millions of dollars—you now turn a somersault and under this crazy Department of Agriculture appropriation bill you pay the farmers for raising sugar. Where are you going? Does that make sense? To me it is just silly; it does not make sense. You say it makes money for the Government because you take more in than

you pay out. Who pays it in? All the sugar eaters, everybody, the taxpayers. Who gets it? The employees of the Government who are in the Department, the political leeches, and the sugar farmers. The sugar farmers do not want it. They want the privilege of raising more sugar; they want a tariff on imported sugar. There is a screw loose some place. You cannot get any better evidence that this bill ought to be licked than to read the statement of the committee on the Sugar Act on page 19. I will read that again:

The committee can see no sound reason for the continuance of this program of benefit payments to growers who are free to produce without restriction for a market in which the demand is certain to be substantially in excess of the supply for some time to come, and would have stricken the item from the bill except for the recent action of Congress extending the act.

The committee says that the sugar section ought to go out, but because you, the House of Representatives, voted to extend the act the Department wants to change from paying the farmers not to raise sugar to paying the farmers to raise sugar. Do you not think, in the House here, we ought to agree to support the amendment offered by the gentleman from Florida? It is the only sensible, the only sane, the only wise thing to do.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Chair recognizes the Commissioner from Puerto Rico [Mr. PAGÁN].

Mr. PAGÁN. Mr. Chairman, I arise to oppose to the amendment of the distinguished gentleman from Florida [Mr. HENDRICKS]. Such amendment is really vicious. If approved it would not result in any economy. On the contrary, it would be detrimental to the Federal Treasury, as it would kill the goose that lays the eggs of the processing taxes on sugar, as such amendment would practically dislocate and wreck the sugar industry.

There is some misunderstanding about the source from which these benefit payments are financed. These sugar payments in question are really paid by the sugar producers themselves, out of the processing taxes which they pay according with the present Sugar Act. On this matter, the Secretary of Agriculture, Mr. Wickard, in a letter to Senator BYRD of Virginia, which appears in yesterday's CONGRESSIONAL RECORD, states the following:

In appraising the sugar program, one cannot lose sight of the fact that its expenditures are covered by a special one-half-cent-a-pound excise tax on sugar which not only pays all the costs of the program but has, during the past 3 years, shown a substantial net return to the Treasury. In other words, this program not only pays its own way but puts money in the Treasury besides.

This matter was also discussed fully at the hearings before the subcommittee on appropriations of the House. On this matter of the tax collections and the benefit payments, the following dialogue took place between the chairman of the subcommittee, the able gentleman from Georgia [Mr. TARVER] and Dr. Bernhart, chief of the Sugar Division of the Department of Agriculture. I will read from volume 2, page 166, of the printed hearings about this legislation:

Mr. TARVER. How much was collected in excise taxes last year, Dr. Bernhart?

Dr. BERNHART. About $68,000,000.

Mr. TARVER. How much was paid out in benefits?

Dr. BERNHART. About $48,000,000.

Mr. TARVER. You only had an appropriation of $47,962,000.

Mr. RHEA. The payments amounted to $46,000,000 plus

Dr. BERNHART. For this fiscal year 1941 there was collected approximately $80,000,000, and $46,000,000 was actually expended, leaving a net for the Treasury of $34,000,000.

In Puerto Rico only, during the last 3 years 1939, 1940, and 1941, the processing taxes paid amounted to $29,608,320 while the payments received by the sugar growers amounted to $29,012,833, or about $600,000 less than the taxes paid. So from Puerto Rico alone the Federal Treasury, in 3 years, had a profit of about $600,000.

The Secretary of Agriculture, discussing further this matter in said letter to Senator BYRD, states the following referring to the proposed cut of the benefit payments:

Consequently, there would be a direct increase in cost to the Treasury on purchases of sugar and of the many food products containing sugar for the armed forces, as well as on purchases for our Allies under the lend-lease program. Moreover, the price of industrial alcohol, under wartime conditions, is determined by the price of sugar since so large a portion of our requirements is made from the sugar contained in molasses. Therefore, they would also have to pay increased prices for vast quantities of essential war materials.

As refers Puerto Rico, as well as other sugar-producing areas, if the benefit payments are cut, under the tax the sugar industry could not operate, it would not be profitable, it would have great losses, and would be discontinued and wrecked. And then, there would not be any processing taxes and the Federal Treasury would lose.

We would not object to the cutting of the benefit payments if the processing tax is repealed also, as well as other restrictions of the quota system. That would be fair. But we think that to collect the processing taxes and at the same time cutting the benefit payments, would be utterly unfair and, as the Secretary of Agriculture has stated, that would be deemed by many as an act of bad faith. It would also wreck and destroy a so necessary and important industry as the sugar industry.

I hope that the amendment is voted down.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. DOMENGEAUX].

Mr. DOMENGEAUX. Mr. Chairman, there has been considerable misapprehension about this sugar amendment. In the first instance, when you speak about economy, you are speaking of saving something for someone. By the adoption of this measure no economy would result. On the other hand, it would cost the Treasury of the United States over $33,000,000 a year, because at the present time the sugar program, since 1937, has brought into the Treasury of the United States $125,000,000 more than that which has been paid out in the form of benefit payments to growers. This results from a tax of 50 cents per 100 pounds, an excise tax, so that you can well see that economy will not result from this, but on the other hand it will cost the Treasury a considerable amount of money. These benefit payments are not paid for restrictive production. On the other hand, we must realize that today there is no restriction whatsoever placed upon the growers of sugarcane and sugar beets in this country.

In this time of war we need sugar more than ever, and to eliminate this appropriation would thoroughly discourage our farmers from planting more sugarcane and sugar beets and would only result in probable plantings of other crops, of which we now have a surplus and which the Government has been forced to purchase in the past for the protection of the farmer.

You may recall in December we voted for the extension of the Sugar Act by a vote of 134 to 32. Shall we now in just a few minutes destroy the months of consideration this legislation was given at that time? Shall we sabotage a program that has been carefully planned and thought out by our leading agriculturists and also discussed pro and con among Members of this House? The elimination of this item would not only do that but would also place a burden upon the domestic producers, as it would place them in direct competition with the cheap agricultural labor of Cuba, who now enjoys the benefits of a 75-cent tariff on sugar. It would have the effect of our consumers donating an additional $75,000,000 a year to Cuba. Should this item be struck out, the immediate result would be that the price of sugar would rise to a probable prohibitive point to our consuming public at no benefit whatever to our sugar farmers.

Our sugar program embodies soil conservation, crop insurance, regulation of child labor, and assures the farmer justifiable prices for his crops so that he may compete with cheap foreign labor. It is a long-range program to protect the fertility of our land. It is a program to protect our children by regulating their hours of work in this industry. It is a program that in many instances insures a farmer from losses beyond the farmer's control.

It must be remembered that the sugar industry alone is paying for this program. It is financed by an excise tax placed on processors of sugar and other sugars imported to this country. It is not a tax upon the general public. This tax money goes into the general fund of the Treasury and is appropriated for the purposes provided for by the Sugar Act and is in effect a trust fund for the producers of sugar. Sugar not only pays its own way but also helps to swell the coffers of our Treasury. For the present fiscal year it is estimated that approximately $80,000,000 will be collected in sugar taxes and only $43,000,000 will be allotted to the sugar producers. This leaves a net profit of $33,000,000 in the Treasury for other uses, so instead of

a burden to our Treasury, the sugar industry is a contributor. I might mention further that the Sugar Act is so written that it also adjusts differences in tariffs on sugar between Cuba and this country, as each time the Cuba sugar tariff has been lowered the Congress of the United States has consistently added in additional benefits under sugar legislation.

Let us not scuttle our sugar program. Let us not discourage our sugar farmers from expanding their production. Let us continue in the improvement of our sugar lands. Let us also continue protecting child labor in the sugar industry. We should rather encourage our farmers to plant more sugar, and the elimination of this item would certainly work to the contrary. I dare say it would throw the sugar industry into a state of chaotic confusion above which it may never rise again. I respectfully ask the membership of this Committee to vote against the amendment proposed.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The Chair recognizes the gentleman from Kansas [Mr. HOPE.]

Mr. HOPE. Mr. Chairman, I do not know of any question we consider here, unless it is the money question, that is any more complicated than the sugar question. I think it is ridiculous for me to try to discuss it in 2 minutes, or for the Committee to try to revise the Sugar Act in the course of a 50-minute debate. That reason alone it seems to me would justify us in voting down this amendment. Here is the situation. We have to pay the sugar producers of this country a certain return in order to induce them to grow sugar. In other words, you cannot produce sugar unless you assure the grower that he at least has a fair chance to break even on the proposition. Today we have a sugar shortage.

We can secure the maximum production of sugar in this country only if the growers are sure of a return that will enable them to stay in business. We can do that by either paying a higher price or by paying this subsidy. If you pay a higher price, as has been pointed out by the gentleman from Mississippi [Mr COLLINS], we will be benefiting a large sugar-growing concern in Florida and also the sugar growers of Cuba and other foreign countries. They will get millions and millions of dollars more by reason of that high price. On the other hand, if we pay the subsidy, it will go to the domestic sugar producers, the farmers in this country.

The adoption of this amendment will not repeal the tax. Sugar consumers will continue to pay it at the rate of one-half cent per pound. It will still be reflected in the price. In addition, consumers will be forced to pay from $80,000,000 to $150,000,000 additional for sugar in order to give the farmer the same return that he is now receiving per ton of beets. The larger part of this increased cost will go to foreign producers, and to processors and dealers.

The public is irritated enough about sugar now. Rationing is not popular, although, of course, it is being accepted in good grace as a necessity. If we adopt this amendment, however, and increase the cost of sugar to the consumer without justification in order to benefit a great corporation in Florida and producers in foreign countries, we cannot justify it to the American people. They will resent it and have just cause for resentment.

Let me point out in conclusion that if it is deemed desirable to discontinue payments, the President already has the power to suspend them under section 509 of the Sugar Act of 1937. We can always modify or repeal these provisions if it is wise to do so. Whatever is done, however, should be done only after careful consideration and not in this summary fashion.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE of Nebraska. Mr. Chairman, there is little that I can say in 2 minutes on such a complicated subject. I want to impress on you this fact: If you vote for the amendment offered by the gentleman from Florida, you will get beans this year instead of sugar. The farmers of this country are now ready to plan their production of sugar beets, and unless they can be assured of this additional payment they will grow some other crop instead of sugar. You must understand that there is a price ceiling now on raw sugar of $3.74 a hundred pounds, which is translated to $5.45 on refined in New York City. Under the price-control law the growers were assured they would not be forced to sell their product below 110 percent of parity. These conditional payments are necessary, because of the price ceiling, to assure the grower cost of production. If this appropriation is knocked out, it means that the price ceiling must be raised, and that will cost the American public at least a cent a pound more. This will amount to more than $100,000,000, and Cuba will get about $60,000,000 of that. Why does Florida want this stricken out? The United States Sugar Corporation is the principal grower and processor in Florida. The 50-cents-per-hundredweight excise tax this company will pay on its expected 100,000-ton production will amount to $1,000,000.

The conditional payment it gets back amounts to about $720,000. This company wants to wipe out the Sugar Act. Florida may be able to produce sugar as cheaply as Cuba, but no other State can do it. By eliminating these payments and raising the price of sugar this company could increase their earnings by more than a million dollars.

This is an economy move to retain this appropriation. This sugar excise tax that has been levied on the industry has been bringing to the Federal Government $20,000,000 a year more than has been paid out in conditional payments. Last year $80,000,000 was raised from the excise tax, and the expenditures were $46,000,000, leaving a net revenue of $34,000,000 in the Federal Treasury.

I want to correct an erroneous statement that was made by the gentleman from Florida [Mr. HENDRICKS]. These payments are not being made to sugar growers to cut down production. They are made to preserve the domestic sugar industry, to encourage production, and to insure a domestic supply of sugar at a fair price. It is unfortunate that more encouragement has not been given to domestic production in the past.

I have here a letter from Mr. Galbraith, Deputy Administrator of the Office of Price Administration, which outlines very forcibly the reasons why this appropriation is necessary. I am inserting it in the RECORD at this point:

OFFICE OF PRICE ADMINISTRATION,
WASHINGTON, D. C. *March 7, 1942.*

The Honorable HARRY B. COFFEE,
House of Representatives.

DEAR MR. COFFEE: This will apprise you of the views of the Office of Price Administration with respect to the current discussions concerning the suspension of the tax and benefit provision of the Sugar Act of 1937, as amended. The following facts are submitted to support our attitude.

1. The suspension of benefit payments to domestic producers would compel an increase in the price of sugar in order to maintain the 1919–29 average price or other applicable standards fixed in the Price Control Act of 1942. This increased price would of necessity apply to imported sugars as well as those domestically produced. The effect of such an increase in price would be an over-all increase in the country's sugar bill.

2. The price increase necessitated by suspension of benefit payments would produce a windfall profit to certain of the areas supplying sugar to this country.

3. An increase in the price of sugar would have the effect of increasing the price of alcohol which is produced in large part from molasses, since at the present time the molasses prices is directly related to the sugar price. The United States Government is currently purchasing between 60 and 70 percent of the alcohol manufactured in this country for the manufacture of munitions and other items directly related to our war effort.

4. The suspension of the excise tax on sugar would deprive the Federal Treasury of a source of revenue which during the past 4 years has averaged $20,000,000 per year in excess of the amount paid to growers in the form of benefit payments.

In addition to the facts set forth above, I should like to point out that a prolonged consideration of the suspension of titles III and IV of the Sugar Act would have a detrimental effect on the planting of beet sugar for the 1942 crop year. Beets at the present time are being planted in the western parts of the United States, and any uncertainty with respect to prices to be realized upon the sale of these beets is certain to have an adverse effect on the planters' decision to grow beets. The discussion of the proposed suspension of the tax and benefit plan, furthermore, is likely to interfere with the free flow of sugar from offshore areas of supply. This would result because sellers in such areas would be inclined to withhold their sugar from this market while there was the prospect of a price increase which would occur not later than the latter part of August 1942, when 1942 beet sugar first moves to market.

I should like to emphasize that a price increase in sugar has an inflationary effect entirely out of proportion to the original increase in the price of the commodity itself. This is true because sugar is a commodity very widely used in the manufacture of almost every variety of food product in the country. The increased price of sugar, therefore, increases the cost of the processed articles, which, in turn, where percentage mark-ups are applied, further adds to the increase of prices to consumers.

I should like to point out that the sugar program carried out under the legislation of 1934 and subsequent acts has not resulted in a subsidy plan which burdened the consumers or the Public Treasury. At the time the Sugar Act of 1934 became effective the duty on Cuban sugar was reduced by an amount roughly corresponding to the excise tax levied on the manufacture of sugar. Thus, the consumers paid no more for sugar and the cost of the program was borne by the Treasury from a fund appropriated by Congress which was considerably less than the moneys provided by the levy of the tax.

The sugar program merely represents a redistribution of the income within the industry. The existing sugar program can be adapted with equal facility to the reduction or the expansion of acreage. When sugar is plentiful the payments can be made contingent upon the limitation of acreage. When sugar is scarce the payments can be made contingent upon the planting of a certain minimum acreage. This aspect of the sugar program was recognized when the Sugar Act of 1937 was extended on December 26, 1941, for at that time the rate of benefit payments was increased from 60 to 80 cents per hundred pounds of recoverable sugar. It was recognized at that time that the higher rate of benefit payment served as an added inducement to the growing of beet sugar without necessitating an over-all increase in the price of sugar.

These facts are respectfully submitted for your consideration, and if we can be of any further service to you, please call on us.

Sincerely yours,

J. K. GALBRAITH,
Deputy Administrator.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. HILL].

Mr. HILL of Colorado. Mr. Chairman, it is impossible to say anything about this complicated sugar program in 2 minutes. I really prefer to say nothing, but I arise to correct some ideas that have been expressed which are not according to the facts in the situation.

As the gentleman from Nebraska [Mr. COFFEE] said, he and I both come from large sugar-producing areas. We know you are not paying more for sugar than you would have paid if you did not have this program. I do not agree with those who say that you will not have to pay more than 1 additional cent per pound for sugar. It is easy to stand here and say what is going to happen next year, but no man knows. My guess is that you may pay from three to five times as much for your sugar on your table if you vote for this amendment offered by the gentleman from Florida. The processor is paying this tax. Someone will say, "Oh, the consumer does, too." All right. Then let us check the price of sugar during the period this Sugar Act has been in force, and you will find that we are getting the cheapest sugar on the face of the earth. These farmers cannot grow this sugar if we adopt this amendment. I can well imagine the confusion that will exist among the many farmers in this great beet-producing territory where we produce thousands of tons of sugar beets, if you adopt this amendment.

The proposal to strike out of the agricultural appropriation bill the appropriation for the administration of the Sugar Act is based upon a complete and dangerous misunderstanding of the realities of the situation. It is in direct conflict with the policies of the Department of Agriculture, the Office of Price Administration, and the War Production Board. It would require an increase in the ceiling price of sugar that would cost American consumers more than $120,000,000 a year.

The argument for eliminating the appropriation, apparently, is based on the fallacious assumption that conditional payments are made by the Federal Government to sugar-beet and sugarcane growers only as a reward for limiting production, or, as it is often expressed, "for not growing sugar." Since no acreage limitations are to be imposed in 1942, the argument runs, the payments are no longer needed.

The fact of the matter is that conditional payments are not a reward for not growing sugar. They are paid to growers of sugar crops in consideration of their compliance with certain standards established by the Secretary of Agriculture. These standards require that no person under 14 years of age shall be employed in the production of the crop, and that all farm labor shall be paid fair and reasonable wages, as determined by the Secretary of Agriculture. The grower must also comply with certain farming practices tending to improve the fertility of the soil and prevent erosion. The requirement that the grower shall not exceed his proportionate share of the total quota established for his area is only one of the conditions for payment.

The elimination of the appropriation would not benefit consumers. On the contrary, it would require an increase in the present ceiling price of sugar more than 1 cent a pound, which would mean a total annual burden on consumers—assuming a consumption of 6,000,000 tons—of $120,000,000.

The necessity for increasing the ceiling price of sugar if the appropriation is eliminated arises from the following situation: The grower of sugarcane or sugar beets is paid for his crop by two sources: First. He receives a payment from the processor to whom he sells his cane or beets, and second, he receives a supplementary conditional payment from the Federal Government.

The Emergency Price Control Act provides that no ceiling shall be established for a farm commodity less than that sufficient to return 110 percent of parity to the farmer. The present ceiling price on sugar—$3.74 a hundred pounds for raw cane sugar—is not sufficient, in the absence of the conditional payment made by the Federal Government, to get 110 percent of parity to the producer of sugar beets. The ceiling price, therefore, would have to be increased to make up the difference. The amount of the increase, as has been pointed out, would necessarily be more than 1 cent a pound.

Sugar is the first food to be rationed. As a matter of national policy every effort should be made to increase the production of sugar at home, where it is free of the war-time hazards of ocean shipping—at least during the emergency.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Chairman, the whole problem arises out of the use of the quota system at the present time. The only reason they say there are no quotas is because they have estimated on the basis of a large consumption, but there has not been an Executive order yet signed suspending quotas. The cane growers of Florida have not yet been assured that if they prepare land and plant cane today, they will be allowed to harvest the stubble of that cane next year. Informally we have been told this, but no order as yet.

This Appropriation Committee says it should be suspended. The only reason it included this item in the bill is because on the same day of the passage of the so-called Congressional Pension Act, by suspension of the rules that day, you continued the quota system in this country. I have no fault to find with approaching honestly this subject, and assisting on a subsidy payment where needed. The beet growers in certain areas probably need that, and maybe cane growers, but it should be an honest long-range program so that they will be paid to raise something rather than a trick quota system in which you hold down production and the producers will not know from year to year what they are going to produce.

With reference to the amount that might be realized by the Sugar Co. of Florida, you will recall that on this floor, repeatedly, I called attention to the large benefit payments which they received for not producing. I proposed an amendment to the sugar law to reduce benefit payments to a maximum sum of $2,500, and this was also advocated by the Sugar Co. before the Committee on Agriculture. In a few days the women of this Nation will stand in line for the purpose of getting a little stamp in order that they may buy sugar, yet they will know that there are vast areas in the West and vast areas in Florida in which additional sugar can be produced. We wrote the Secretary and told him that if we could be assured that they would allow us a market in the subsequent year we would produce 100,000 extra tons in Florida alone this year. The quota system which curtails production of a necessary food and national defense item is wrong. This appropriation is for the year 1943–44. If you will strike this item out, there will be plenty of time to write a fair and a sane sugar bill. We do not oppose help to the farmer. We do oppose a limitation of the production of sugar. You talk about Cuba. How do you know ships hauling sugar might not be diverted to other purposes? Strike out this paragraph and enable increased production.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida. It is unfortunate that debate was limited on this important piece of legislation, because today there is no more vital problem confronting our country than the so-called acute sugar shortage.

I have carefully read the hearings before the committee and I am appalled by the amount of misinformation which

exists upon the sugar issue. For instance, Dr. Bernhardt said that the beet-sugar industry was confronted on January 1, 1941, with stocks of approximately 1,700,000 short tons. That was at the beginning of 1941. Dr. Bernhardt also testified that about 15 months ago, the sugar section conferred with the Cuban Government and through the Reconstruction Finance Corporation financed the production of 400,000 tons of sugar, notwithstanding that huge surplus which we had in our country.

At the hearing he stated that this additional Cuban production turned out to be a very wise action, although it was very severely criticized at the time because there appeared to be such a great surplus in the market. Dr. Bernhardt did not call attention to the arbitrary reduction of 16.2 percent in the sugar-beet acreage in the United States during that same crop year of 1941, which, in reality, means that while our Government was encouraging greater production in Cuba, it was curtailing continental production. If it were wise to make 400,000 more tons of sugar available in Cuba, it would have been far more advisable to have permitted the sugar-beet producers of our country to operate without curtailment in 1941. We might just as well have had 350,000 or 400,000 tons more sugar produced by the beet industry here than was actually harvested in 1941, if there had been no acreage curtailment by the Department. This fact was pointed out by western Representatives more than a year ago, but their appeals were ignored by the Department of Agriculture, and sugar-beet acreage was cut from 979,000 to 820,000. In my district this arbitrary action forced the closing of one sugar-processing plant.

The shortage of sugar has resulted in consumer rationing, and appeals are now being made by the Department of Agriculture for increased sugar production in this country. If the benefit payments were eliminated at this time, it would have a detrimental effect on beet-sugar production, because farmers would divert acreage to the production of other crops for which there is as great a demand and the possibility of greater financial returns. In this emergency there is little justification for eliminating the benefit payments of the Sugar Act of 1937. The current sugar shortage partially results from the action of the Department of Agriculture in curtailing production of beet sugar during 1941.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Utah [Mr. ROBINSON].

Mr. ROBINSON of Utah. Mr. Chairman, this amendment is fundamentally wrong, and every member of this Committee in order to protect the integrity of the legislative committees of this House should vote against it. The subject matter of this legislation was given serious and thoughtful consideration, and extensive hearings were had, and upon this careful work the great Committee on Agriculture practically unanimously reported out the legislation that is now proposed by the gentleman from Florida to be stricken down without any consideration by the House.

Not only did the committee give this subject matter careful thought and consideration, but it was considered by the House and also by the Senate, and by a very substantial majority in both the House and the Senate this legislation was passed. Now, in all fairness to the thousands of people involved, would you Representatives be willing to strike down such legislation without first giving it more consideration than can possibly be given under the consideration that is being given this phase of this appropriation bill? Therefore, if for no other reason than this, the amendment should be rejected.

I am very glad, however, to advise this Committee that there are other and very cogent reasons to support this appropriation. For 8 years the legislation controlling the sugar beet and the sugarcane industry has been in operation, and this industry during that time has progressed and obtained a certain degree of stability. During this time the sugar-beet industry has increased 22 percent, and the sugarcane industry has increased 103 percent, and yet the price of sugar to the consumer has remained the same. This is one industry that does not take any money from the Federal Treasury. Last year this industry paid into the Treasury $34,000,000, and will likely pay that much into the Treasury this year. Therefore, the striking out of this item in the bill does not save any money to the taxpayers, but it would take directly from them a profit of from thirty to forty millions of dollars.

Let us look at this legislation from the standpoint of fairness to the people involved. Last December a bill was approved which said to the farmer you can plant sugar beets and you can raise sugarcane, and for the sugar that you produce we will pay you a certain amount on each 100 pounds of sugar. Thereafter, and in January, the Price Administrator, Mr. Henderson, fixed the price at which sugar could be sold. The farmer relying on the good faith of his Government prepared the soil and made arrangements to plant the sugar beets and the sugarcane. Some farmers, especially is this true in California, have already planted their sugar beets. Others have done a great deal of the work which is necessarily involved in the planting of this crop. After this work has been done, now the gentleman from Florida by his amendment wants to say to these farmers that when we passed this bill last December, we were not acting in good faith, we did not mean what we said, and now we want to ask you as patriotic citizens to raise these beets and cultivate this sugarcane, but we have fixed the price of sugar so that it will be impossible for you to raise them without suffering a very distinct and decided loss.

It has been hoped that the sugar necessities of the domestic consumer might be met to a great extent by the increased production of beet sugar on lands irrigated under the vast irrigation projects of the West. It has been anticipated that this increased production would offset to some extent at least the depletion of our sugar stocks brought about by the unprecedented demand which has been made upon sugarcane production for the manufacture of smokeless powder and other necessary articles of war and by large shipments of sugar destined for our Allies, particularly Great Britain and Russia.

You will recall that during the last war sugar sold for considerably over $27 per hundredweight. Now the price is fixed at $5.45 per hundredweight. You realize, of course, that we produce only 27 percent of our sugar. You also realize that the Secretary of Agriculture has taken all restrictions off so far as quotas are concerned. Therefore, the farmer can raise all the sugar beets he desires. The people in Florida and Louisiana can raise all the sugarcane they desire. There are no restrictions under this law. However, during these times, there are many agricultural crops under Government protection which even now compete with the profitableness of a sugar crop, and it is certain that if this Congress repeals the Sugar Act at this time, which it would virtually do by adopting the proposed amendment, the farmers who have not already committed their land to sugar-beet production will unquestionably not plant sugar beets with the prospects held out to them under the adoption of this amendment. This would have serious consequences both in relation to our war efforts and to the welfare of the domestic consumer who within a short time will face a rationing of this essential food product.

We have provided that there shall be a tax of one-half cent per pound on every pound of sugar produced, which tax shall be applied first to the payments provided in this bill, and then any balance that remains in the Treasury can be applied for general purposes. During every year that this law has been in operation there has been a balance paid into the Treasury for general purposes, and as stated previously the balance for last year was $34,000,000. Therefore, in the interests of economy and as a matter of just plain, common honesty between the Government and the farmer, this amendment should be defeated.

To permit such an amendment as this to pass would not only be a direct slap in the face of the great Committee on Agriculture that passed this legislation, it would be a violation of faith on the part of our Government and a wholly immoral act. But further than that, it would destroy one of the greatest industries of this country—the sugar industry—and would destroy it at a time when that important product is so vitally necessary to our very existence. Mr. Chairman, surely no member of this committee who understands the facts would be willing to vote for this amendment.

The CHAIRMAN. The Chair recognizes the Delegate from Hawaii [Mr. KING].

Mr. KING. Mr. Chairman, the elimination of benefit payments to the American sugar producer would ruin the quota system entirely, because while payments are made to the growers, this is one appropriation that is justified, for the industry pays for itself. First, the Government collects from the sugar industry

nearly $70,000,000, then refunds to the American producers something like $47,000,000. This leaves a net profit in the Treasury of the United States of $23,000,000

The domestic sugar industry cannot stand the tax if the benefit payments are not made; and they are not really benefit payments in fact, because they are paid only to those producers who comply with the various provisions of the quota system. So I would say that if this amendment carried and this appropriation were eliminated from the current bill, the entire domestic sugar-quota system would break down and we should have to return to a system that, as has already been described by the gentleman from Mississippi [Mr. COLLINS] would cost the American sugar consumer about three times what it is costing him now.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BOGGS] for 2 minutes.

Mr. BOGGS. Mr. Chairman, it has been ably demonstrated by the Members who have preceded me that this amendment is not offered as an economy move for two reasons: First, the processing tax produces revenue for the Federal Treasury; and second, were you to remove the benefit payments, you would indirectly tax the consumers of this country possibly in excess of $200,000,000. Let us look at this move and call a spade a spade. This is actually a move by the Florida delegation to repeal the Sugar Act. The same fight was made in December and was lost because the Representatives of every other sugar-producing area fought the Florida group.

I say to you that it would be tragic in the course of 45 minutes' debate to repeal the Sugar Act, which is vital not only to the domestic economy of this country but in our foreign relations. This act is the result of many years' study. Do not forget that sugar is more directly tied up with our good-neighbor policy, our relationship with Cuba and other South and Central American nations than any other commodity. To repeal the benefit payments will be the signal for a complete readjustment of tariffs.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. WOODRUFF] for 2 minutes.

Mr. WOODRUFF of Michigan. I believe none of the speakers has as yet given to the committee the reasons why the benefit payments were put into effect. If the Members will remember, when the Roosevelt administration came into power there was a tariff on sugar from Cuba of $2.20 per 100 pounds. Everyone familiar with the sugar industry knows, of course, that at different times since then the tariff has been reduced until now it is only 75 cents per 100. Anyone who knows anything about the difference in the cost of producing sugar in Cuba and in the United States knows very well that the sugar producers of this country cannot compete with the low cost of operation in Cuba. They ought to know that the continental beet industry cannot survive without the benefit payment while the tariff remains at its present level.

Mr. Chairman, sugar is the first food product to be rationed to the American consumer. It is the one food product which we can produce economically and satisfactorily, but which we are prohibited from producing to the point of properly protecting the consumers of the Nation in times of emergency. It is the first domestic agricultural product to carry an excise tax, one-half cent per pound. This is called a processing tax, and is collected from the industry. It was provided for the sole purpose of extending necessary benefit payments to sugar-growing farmers to encourage them to grow this product and to do this without adding to the burdens of the consuming or taxpaying public. The fact that the retail price of this product has been lower since this law was enacted indicates clearly that it constitutes no burden to anyone other than those from whom it is collected.

This tax last year amounted to more than $80,000,000.

The bill before us provides $47,500,000 of this money to be returned to the farmers who grew this crop, leaving $32,500,000 in the Treasury for the general purposes of the Government. I propose to show that not $1 of that $80,000,000 tax is paid by the consumers of the Nation. Further, I propose to show that the existence of our domestic sugar industries is alone responsible for each year saving hundreds of millions of dollars to the housewives of the Nation.

Mr. Chairman, the situation as regards the production of beet sugar at this time is very similar to that which existed during and immediately following the first World War. The burden of feeding the armies and civil populations of our Allies then fell upon us. In those days they looked to us for everything. Our present Allies are now looking to us for everything, including sugar. Prices on food staples then were high. They are now high and will be higher later.

As compared to the growing of sugar beets, the growing of other food staples requires little hand labor. So when farm labor is scarce, as it was in that other war and is now, and when prices on all farm crops are high because of a continuing demand which exceeds the available supply, a considerable percentage of the beet-growing farmers turn to the growing of other crops which require less labor, especially if by so doing they can earn as much or more.

In those other days, for the reason I have set forth, the growing of sugar beets was greatly reduced, and it is interesting to study the effect upon the sugar market of that reduction and the increased cost of this important food product to the housewives of the Nation. For instance, in 1920 there was not enough beet sugar produced to have any other than a mere temporary effect upon the market. This sugar became available to the public in small quantities in October of that year. Because of the necessity of marketing this limited supply in order to promptly secure the money with which to pay the farmers for the beets, the sugar processors were compelled to dispose of the year's entire crop without delay. Our cane-sugar producers were in a similar situation. When these two crops were absorbed it left the American people at the mercy of offshore producers, most of whom were located in Cuba.

Government records disclose the fact that in January 1920 the average retail price for sugar was 17.8 cents per pound. This increased month by month until in June the average price reached the hitherto unheard of peak of 26.7 cents per pound, and in many instances it was sold for more than 30 cents. In July it was 26.5 cents; in August, 22.9 cents; in September, 18.3. In October, when the beet sugar came on the market, the price dropped to 13.9 cents; in November to 12.8 cents; and in December, 10.5 cents. From 1920 on, as the farmers returned to the raising of sugar beets, the price to the consumer was consistently reduced until the decade of the thirties and since, when the price was the lowest of any such period during our entire national life.

Actual retail price of sugar, 1920

[Average price per pound, 19.4 cents]

	Cents
January	17.8
February	18.6
March	18.7
April	20.2
May	25.4
June	26.7
July	26.5
August	22.9
September	18.3
October	13.9
November	12.8
December	10.5

From Division of Retail Price Statistics, Department of Labor.

Mr. Chairman, for the years from 1931 to 1939 the records disclose that the average retail price per pound to the consumer for this most valuable food product was 5.42 cents. The difference between the price paid during this period and the average price of sugar for the year 1920, when domestic sugar was not to be had, and when the average price was 19.4 cents, is approximately 15 cents per pound. During that year, 4,554,000 tons, or 9,108,000,000 pounds, were consumed. If one will multiply that number of pounds by the 15-cent difference in the average price of sugar then and during the 9-year period I have mentioned, he will find that the American consumers during 1920 alone paid $1,365,200,000 more than our housewives have been charged in recent years. This was possible only because during that and the previous year we did not have American beet and cane sugar industries sufficiently productive and stabilized to offer genuine competition to those who literally held up the American people when they were in a position to do so, and who would promptly do so again if an opportunity presented.

Mr. Chairman, on Saturday last I put into the RECORD the statistics of average sugar prices for the years 1913 to 1941, inclusive. They will be found beginning on page A889 of the Appendix of the RECORD. If the Members will give some attention to these figures, they will find that all down the years after our sugar-beet and cane industries became sufficiently developed to have an effect upon the market, the price of sugar to the

consumer has shown a reduction when the domestic sugar came on the market. Further, it will be noted that whenever the time came during the year when the limited sugar-beet crop disappeared from the market, the price to the consumers has advanced.

Mr. Chairman, if there were anything needed to prove to the Members of this House the importance of giving every possible encouragement to the production of domestic sugar, it is supplied by the information contained in the tables referred to. If conditions were such in 1920 that those living outside continental United States could so successfully jack up the price of this necessary food product to where the American people would be compelled to pay in 1 year approximately a billion and a quarter dollars more than they pay today, just what will happen to our people during the next few years if for any reason our farmers can be beguiled or driven from the raising of this commodity?

The fact that the price of sugar since the program of benefit payments for sugar growers was put into effect has been lower than it has ever been before and that sugar is the one commodity of which that can be said is definite proof that here is a tax that is not paid by the consuming public, but instead is paid by the industry itself, and last year netted the Treasury, after benefits were paid, the tidy sum of $32,500,000.

Mr. Chairman, this is the time of the year when farmers are beginning to sign their acreage contracts with sugar-beet refiners. If word goes out to those farmers that this House has stricken from the bill the sum provided by law and approved by the committee for benefit payments, it will have an exceedingly unfortunate effect upon those farmers.

Representatives of the Agricultural Department at this time are in Michigan, and I suppose in other sections of the country where beets are grown, urging the farmers to put in all possible acreage for the white or navy bean, as well as other staple food products. Faced with a most difficult situation because of the scarcity of farm labor, our beet farmers do not need much encouragement to turn their activities and acres to other crops.

With farm production costs what they are, the beet-growing farmer cannot make a profit on his crop without receiving the benefit payments to which he is entitled under the law. The tax will be collected whether the benefit payments are made or not. If they are not made, the tax should be removed, as every Member will agree. In that event the Treasury will suffer a loss running into millions of dollars every year.

American housewives are already limited in the amount of sugar they can buy. They need every pound that can possibly be raised. Any curtailment whatsoever of our sugar production this year will mean an intensified problem where further rationing of this valuable product will be unavoidable. I hope the House will do nothing that will make an already bad situation much worse.

Certainly we ought not hamper or destroy an activity which results in putting into the Treasury a sizable sum of money each year and, in addition, protects the people of the United States from the foreign sugar gougers who will go effectively into price-raising action if and when the domestic industry is seriously affected. I most sincerely hope the committee will defeat the amendment.

Mr. Chairman, I ask unanimous consent to include as part of my remarks a table prepared by one of the Government departments.

The CHAIRMAN. The gentleman will have to secure that permission in the House.

The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, for month after month we sat in the Committee on Agriculture and discussed the sugar situation. I do not believe that proper time could be given to it by the Subcommittee on Agriculture to such an extent that they should be able to report back here that this appropriation should be stricken out, thereby repealing the act we gave much serious attention and study.

This does not affect our domestic problem alone but it has a far reaching effect on our foreign policy. It has been ably demonstrated here that this amendment would not be an economy measure, but would cost the consuming public over 200 millions of dollars.

If you should by any chance agree to this amendment, I want to impress upon you that when these women, the housewives if you please, go down with their ration stamps and start buying a mere pittance of sugar at a price that will be outrageous, such as they paid during the last war and after the last war, you better reflect on what you do here today. The consuming public is willing to sacrifice but not where it is absolutely unnecessary. Vote down this amendment and give the housewife sugar at a reasonable price such as she has had since the enactment of the Sugar Act.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I am not going to attempt to go into the merits of this amendment. I want to point out to you that the Congress of the United States has already committed itself to the payment of these benefit payments. Let us not undermine the faith that the American farmers and the American beet growers have in the Congress of the United States, by now refusing to go through with the commitment. It would not be fair to them and it is not fair to ourselves.

May I point out that these benefit payments are not only made to farmers for producing the sugar but are made on certain conditions. What are those conditions? First, the producers must agree to take care of the soil, which is vital. Second, the producers must agree to pay a certain standard of wages, and surely that is important. Not a single Member of this House wishes to see labor working in the beet and cane fields for a few cents a day. Third, the producers must agree not to use child labor, and no Member of the House wants child labor used in the production of beets or cane either. Under the terms of the Sugar Act all of these conditions must be complied with.

The sugar program was established several years ago by an act of Congress known as the Sugar Act and it has been renewed from time to time and just last December again renewed. It is an established policy. The province of the Appropriations Committee, as I view it, is to appropriate money to carry on the various agencies and expenses of the Government as provided for by law. In other words, it is really not a legislative committee. For the Congress today to change the Sugar Act in an appropriation bill by refusing to appropriate would seem to me to be a direct repudiation of the Sugar Act as extended and in effect a repudiation of the contract made with the beet and cane growers of the country. If we were to do that here today by adopting this amendment the sugar producer of the United States will no longer have any faith in the Congress and could not, with safety, after an act of Congress was passed, rely and plan and proceed thereunder.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. SANDERS].

Mr SANDERS. Mr. Chairman, one of the gentlemen engaged in making this unfortunate attack upon the American sugar farmer characterized the sugar program as cockeyed If there is anything that is more cockeyed than this amendment which has been offered by the gentleman from Florida, I fail to see what it is. At the very time when sugar is needed as never before in our history, not only for food but for alcohol and for explosives, this Congress is asked to adopt a policy of discouragement to the American sugar farmers and to tell them that they alone among the farmers are going to be singled out as the ones that we will not give encouragement to, and to say to them, in effect, that "You shall not be incorporated into the American farm program." This is, to my mind, the very height of absurdity.

Mr. Chairman, I sincerely hope that upon such short notice no amendment offered in such manner will be adopted.

Mr. FULMER. Will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from South Carolina.

Mr. FULMER. Is it not true that if we adopt this amendment we would be going altogether contrary to the program on the part of the Government to hold down prices for the consumer?

Mr. SANDERS. The gentleman is absolutely correct.

This suggestion is based upon a lack of understanding of the problem. In fact, nothing would be more disastrous to the public, both taxpayers and consumers, than for such action.

For years we who have made a study of our sugar problem have warned the Members of this Congress and the American public of the disastrous situation that we would face if our continental sugar farming industry should be permitted to be destroyed. This present war emphasizes our arguments for the

very shortage of water transportation which we foretold is causing the consuming public to depend more and more upon the continental sugar growers.

American public opinion and simple justice would both require that the American sugar farmer, like other farmers, should receive not less than parity. Under the terms of the Price Control Act, if parity payments are withheld from sugar farmers, the Price Administration would have to raise the ceiling sufficiently to make up the difference. Inasmuch as the Sugar Act actually leaves a surplus in the United States Treasury, the result of cutting out parity payments to sugar farmers would not be a saving to the public but would actually cost the public more money.

The present sugar shortage and the prospect of sugar rationing makes it absolutely necessary that the production of sugar in the continental United States be encouraged and this is the obvious purpose of the parity payments.

The average annual consumption of sugar in the United States is assumed to be around 6,000,000 tons. If the price of sugar should be increased from 80 cents to $1.50 per hundredweight, the annual increase of the consuming public would amount to from one hundred million to one hundred and eighty million dollars per year. This increase would go largely to Cuban producers and a few corporations who control the market of offshore sugar. The net result would be to increase the cost to the public and to transfer the benefits now received by the United States continental sugar farmers to Cuban producers and to certain large American corporations.

Parity payments should be continued in justice to the consuming public and to the sugar farmers alike.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, I strongly favor the amendment as offered by my colleague from Florida [Mr. HENDRICKS]. I have no fault to find with the zeal of my colleagues from the beet-growing States. I can appreciate their problems, and it has been my contention for many years that legislation can and should be worked out which will give the payments to and production to the sugar-beet growers of our country and at the same time permit unlimited sugarcane production in Florida and other States.

It is absurd for the Federal Government to restrict sugarcane production in the State of Florida, particularly during a war sugar shortage. Continental United States produces only about 30 percent of our Nation's requirements. After we obtained the usual quantity from Puerto Rico, Hawaii, and the Virgin Islands all combined we still produce only about 55 percent of our Nation's sugar requirements. We formerly received some 15 percent of our Nation's requirements from the Philippine Islands; however, it is obvious that we cannot expect to receive under war conditions any appreciable amount of sugar from the Philippine Islands. Neither can we depend fully upon sugar from Cuba. It is imperative that we produce every possible pound within the continental United States and inspfar as possible in this matter supply our domestic needs.

The gentleman from Mississippi [Mr. COLLINS] has stressed his belief that if the Hendricks amendment is adopted that the price of sugar in the United States will increase. This is not necessarily the case, because we have passed a price-control law, the Honorable Leon Henderson has been appointed Price Administrator and, I believe that we can depend upon him to protect the American consumer in any attempted unjust sugar price increase.

It is impossible to discuss this subject in time so limited, but I sincerely urge my colleagues to accept Florida's amendment.

I have introduced a bill, H. R. 6541, for the repeal of the sugar quota system insofar as sugarcane production in the continental United States is concerned. The acceptance of the Hendricks amendment will, in a way, be a substitute for this bill. We in Florida are determined to expand sugarcane production in our Florida Everglades section. This is probably the finest sugar-producing land in the world, and it is all too plain that more sugar is needed. And may I remind my colleagues that the sugar rationing plan is now ready for enforcement, and it is your duty, and my duty, to relieve the situation all we can. The best relief that I know of is to repeal the silly sugarcane production restriction in the United States.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. LEWIS].

Mr. LEWIS. Mr. Chairman, I hope Members present understand what they are doing if they vote this amendment to the bill. The pending amendment would strike from this bill the appropriation to enable the Secretary of Agriculture to carry into effect the provisions of the Sugar Act of 1937, as amended so recently as last December. This amendment, if adopted would make impossible the continuance of the sugar policy which was adopted in 1937 and has worked very well during 4½ years. As has been pointed out by other speakers, if this amendment should be adopted, the cost of sugar would be raised and the shortage of sugar would be increased. Unless the sugar-beet farmers know what to expect, they just will not grow sugar beets; they will grow other agricultural commodities. I make an appeal to you, and each of you who I hope credit my sincerity, that you defeat this amendment. It will have a very bad effect on the principal industry in our State of Colorado, which is the sugar-beet industry.

TEXT OF WICKARD LETTER TO SENATOR BYRD CONCERNING SUGAR PAYMENTS MADE PUBLIC

The Department of Agriculture under date of March 9, 1942, made public the following letter from Secretary Claude R. Wickard to Senator HARRY F. BYRD, of Virginia, in response to the Senator's letter of March 6, 1942. In this letter Secretary Wickard answers criticisms and objections made to the Sugar Act.

Hon. HARRY F. BYRD,
United States Senate.

DEAR SENATOR BYRD: Acknowledgment is made of your letter of March 6, 1942, with respect to the pending appropriation of $47,962,910 for payments to sugar-beet and sugarcane producers under the Sugar Act of 1937, as amended. You are of the opinion that the proposed expenditures represent in their entirety a drain on the Treasury, constitute nonessential spending, are made primarily for reducing production, and provide for unjustified payments to large producers. You therefore ask that this Department "make no contracts for these benefit payments until Congress has had an opportunity to review the sugar-control legislation."

We are in full accord with your objective to eliminate nonessential Federal expenditures. But in this instance, the facts are, as I shall explain in some detail, that the elimination of the 1942 crop payments may actually result in a greater net outlay of Treasury funds; would preclude continuation of important social measures; would unquestionably reduce 1942 plantings in the beet area; and would necessitate a tremendous toll from consumers, a large portion of which would provide a huge and inflationary "windfall" for foreign producers and much of which would accrue to large domestic producers. Moreover, any commitment made to producers with respect to 1942 payments arises out of congressional action of late December 1941 and not from any contracts entered into by this Department.

If the conditional payments authorized by the Sugar Act are not made, it would be necessary, under the Emergency Price Control Act, to increase the ceiling price for sugar at least 80 cents per hundredweight after 1942 crop sugar becomes available. This minimum increase would meet the requirements of that act only in the event that revisions in the purchase contracts, under which growers market their sugar beets and sugarcane, could be made in a manner so as to give growers the total amount of the ceiling price increase. Should no revision in contracts be made, an increase in the ceiling price of as much as $1.50 per 100 pounds would be necessary. Consequently, there would be a direct increase in cost to the Treasury on purchases of sugar and of the many food products containing sugar for the armed forces, as well as on purchases for our Allies under the lend-lease program. Moreover, the price of industrial alcohol, under wartime conditions, is determined by the price of sugar since so large a portion of our requirements is made from the sugar contained in molasses. Therefore they would also have to pay increased prices for vast quantities of essential war materials requiring the use of industrial alcohol (explosives, antifreeze, plastics, lacquers, solvents, etc.).

Furthermore, the excise tax on sugar provided for in the sugar legislation is part of a comprehensive program for dealing with the problems of the sugar industry which was recommended by the President in 1934, and again in 1937. In the absence of conditional payments to producers, it is doubtful whether the continuation of the tax on this one food commodity could be justified. In fact, the continuance of the tax under such conditions would be deemed by many an act of bad faith. Repeal of the tax would result in a loss to the Treasury of collections which have averaged $74,000,000 in the last 3 fiscal years. In appraising the sugar program, one cannot lose sight of the fact that its expenditures are covered by a special one-half-cent a pound excise tax on sugar which not only pays all the costs of the program but has, during the past 3 years, shown a substantial net return to the Treasury. In other words, this program not only pays its own way but puts money into the Treasury besides.

The objectives of the legislation of effecting a relatively just distribution of the income of the industry as between grower, processor, and laborer, of preventing child labor, and of conserving the soil—all of which objectives are attained through the tax and conditional payment provisions—may not appear to some as a valid basis for continuing this appropriation. However, there are many large groups of citizens who are vitally interested in these objectives. Various public agencies who have investigated these matters have commended the results of the program, the most recent instance in point being the report of the Select Committee to Investigate the Inter-State Migration of Destitute Citizens (77th Cong., 1st sess., H. Rept. No. 169), which refers with approval to the safeguarding of higher labor standards in the sugar program. It should also be pointed out that the Congress, on three occasions within the past 8 years, after thorough investigation by appropriate congressional committees of the contentious issues involved in sugar legislation, has endorsed these objectives by reenactment of the legislation.

It cannot be stated too emphatically that failure to make this appropriation would have a serious effect on beet-sugar production in this country this year. Although it may eventually be explained to the great majority of beet growers that the loss in Government payments would be made up by increased sugar prices to consumers, the immediate effect of the failure to appropriate would be to cause considerable confusion and uncertainty among beet growers today when planting is just getting under way and would unquestionably lead many growers to curtail, if not cease, planting beets.

It is true that it was found necessary under the provisions of the act to curtail somewhat 1941 beet acreage with respect to which payments were to be made, because of the pressure of record carry-over stocks in that area, as well as of large stocks in other areas supplying the United States market. Since most of the sugar-beet acreage is planted in the spring months and a decision had to be made before planting, 7 months prior to "Pearl Harbor," anticipatory judgments of possible developments in the far-eastern situation could not have been taken into consideration. However, it is usually overlooked that domestic sugar production, particularly in the continental beet and cane areas, has increased very greatly under the sugar programs. For example, the crops of 1938 to 1941, inclusive, produced in the continental beet and cane areas averaged 22 and 103 percent, respectively, above the last four crops grown in these areas immediately prior to the sugar programs.

On the assumption of a 6,000,000-ton consumption, an increase of from 80 cents to $1 50 per hundredweight in the ceiling price would increase the annual consumer cost of sugar by $100,000,000 to $180,000,000 per year. In addition, the cost of industrial alcohol would increase by $35,000,000 to $65,000,000 per year if the present relationship between the price of sugar and alcohol continues. The increased levy on consumers would create an inflationary windfall of from $60,000,000 to $110,000,000 per annum for foreign producers. It would also permit certain large firms engaged in the production of domestic sugar to receive very substantial increases in income. For example, a producer making 100,000 tons of raw sugar would receive, if the appropriation were made and the condition for payment met, payments of $720,000. In lieu of such payments the indicated increase in ceiling price would result in an additional income ranging from $1,600,000 to $3,000,000 or $880,000 to $2,280,000 in excess of that obtained under the payment program. Furthermore, if the Congress fails to make this appropriation and the revisions in the purchase contracts referred to earlier are not made, processors of sugar beets and sugarcane would enjoy exorbitant returns.

With respect to your request that we make no contracts for these conditional payments, we wish to inform you that no contracts are provided for under the Sugar Act of 1937. The act merely authorizes the Secretary to make payments to producers upon fulfillment of the conditions specified in the act itself. You will recall that there was extended debate in the Senate in December of 1941 when extension of the act was under consideration. This debate covered in part the same issues to which you now refer and the amendments you then proposed were rejected by the Senate. Many farmers in the sugar-beet producing area, relying upon this action taken by Congress, have made arrangements for planting and in some instances have completed planting the 1942 crop.

In pointing out that the failure to make this appropriation will create several serious public problems and will not alleviate the Treasury position, this Department does not disregard the large returns for a number of individuals or corporations which may result from this or any other agricultural program. The Department has advised the Congress heretofore that under any method of protection to producers, whether such protection takes the visible form of direct payments with Federal conditions attached or the invisible form without Federal conditions, some producers, whether they be small or large, whether they be individuals, partnerships, or corporations, will make large returns. This problem is primarily part of the general national problem of working out equitable tax legislation with respect to excess earnings.

Sincerely yours,

CLAUDE R. WICKARD,
Secretary of Agriculture.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wyoming [Mr. MCINTYRE].

Mr. McINTYRE. Mr. Chairman, I feel from the indications we see that, unless the provisions are retained in this bill as they are written, we are going to have many farmers who ordinarily produce sugar that will not be producing it this coming season.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. McINTYRE. I yield to the gentleman from Montana.

Mr. O'CONNOR. Is it not a fact that if these payments are not provided for; in other words, if this amendment prevails, many of the gentlemen's beet growers in Wyoming will proceed to raise wheat instead of beets?

Mr. McINTYRE. That is absolutely correct. We need the sugar and need it badly at this time, too.

Mr. O'CONNOR. The gentleman is opposed to the violation of the contract made between the Congress of the United States and the American beet grower when the Congress passed the law providing for the payment of these benefit payments?

Mr. McINTYRE. I feel that is involved; yes.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. McINTYRE. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. May I say that I have a letter here from the Office of the Price Administrator which I did not have time to read, but which I shall ask permission to place in the RECORD. It is opposed to the amendment.

Mr. McINTYRE. I thank the gentleman for his contribution.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, thousands of acres are already planted or about to be planted to sugar beets. They are already prepared in California and in my State, under a direct contract with this Congress, that the Government would pay so many cents per hundred pounds, depending on the sugar content. Do you propose to violate a contract? Our colleagues from Florida do not want to do that. I sympathize with them and would like to curtail foreign imports to increase Florida's quota, but do not turn down a contract. Think of it! That is what our enemies would do. We cannot afford it. We must appropriate this money.

This is not a drain on the Treasury. Remember that in the first 4 years $87,000,000 more was collected from the processors of sugar than was paid back to the growers. In this year there will be many millions collected from the processor that will be paid back to the growers. Let us not start in by repudiating a contract. Let us vote down the amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Chairman, I do not claim to be a sugar expert but I do recall that on May 1, 1920, I went to work for a wholesale grocery house. I recall very well that the wholesale price of sugar on that date was $20.32 per hundred pounds. They sold only to their regular customers. I saw storekeepers refused sugar because the quantity available was so limited the jobber could sell only to its very best customers. Surely we do not want to see a recurrence of such a situation.

I think the sugar policy of this country is pretty well established. The Secretary of Agriculture has expressed himself as being in favor of continuing the present sugar program. It is true that the sugar-beet farmers are about to plant their crop for this year. Next to tires, I think perhaps the sugar problem is the most acute in this country. None will deny it is one of the most serious problems now facing the American people. Certainly we do not want to do anything now which will upset our sugar production. Our farmers should be encouraged to plant more sugar beets than ever before.

In the very short time allotted it is of course impossible to go into the sugar problem in detail, but I am sure the gentlemen who have preceded me have convinced you that this amendment should be defeated and that the sugar program should be left as it is.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Chairman, I rise in opposition to this amendment.

The situation of the sugar producers in this country is not entirely of their own choosing. They are subject to a policy that was adopted by the Government, a policy for which they perhaps would have preferred another policy—that of a protective tariff. The policy of subsidization in lieu of a protective tariff was adopted on the theory that the consumers of the country would get cheaper sugar by subsidizing that minor part of our sugar produced at home, rather than by paying a tariff and a higher price on all the total consumption of the United States. Who will now say that the development of a domestic-sugar industry is not worth what it costs?

Let me emphasize the point made by the gentleman from Oregon [Mr. PIERCE]. Before this legislation was passed in December, on account of the concern of the beet growers in California, I went to the members of the committee and to the Department of Agriculture, urging prompt action to determine the policy, so that our growers would know whether or not, and under what conditions, they could plant their beets. On the faith of that act passed in December our growers have been preparing for this year's production. Their planting is now well advanced in our State in reliance on the policy adopted by Congress in that act. The action proposed here would be a repudiation of what Congress did in December.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, the pending controversy over sugar has been rather well ventilated, and I want to submit a few rather incidental facts since the question of alcohol has been discussed on the floor in recent days.

One million two hundred thousand tons of molasses from the Cuba crop have been earmarked for the production of alcohol. I am hopeful that that amount can probably be reduced to 600,000 tons or less. On the 13th of August 1941 the Secretary of Agriculture announced the availability of 20,000,000 bushels of Commodity Credit Corporation corn for conversion into alcohol. On the 15th of January of this year the Commodity Credit Corporation had actually worked out a plan for making available corn at 85 cents per bushel delivered to the distillery and expressed the hope that probably 60,000,000 bushels of corn could be converted into alcohol in 1942. On the 27th of January 1942 the Commodity Credit Corporation offered wheat for conversion into alcohol at a delivered price of 91 cents a bushel. It is therefore plain that the Secretary of Agriculture is making some effort to diminish the amount of molasses that must be converted into alcohol and, proportionately, increase the availability of grain for that purpose.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I did not ask for recognition.

The CHAIRMAN. Is there any gentleman who wishes recognition at this time?

Mr. HENDRICKS rose.

The CHAIRMAN. The gentleman from Florida [Mr. HENDRICKS], a member of the committee, is recognized for 4 minutes.

Mr. HENDRICKS. Mr. Chairman, I just wanted to say a few words about this matter before we voted on it.

I heard one of the Members say that this was purely a Florida affair. Well, if it were, we would be perfectly justified in offering this amendment because in this whole sugar program Florida has been coming out of the little end of the horn. But it is not a Florida affair, let me assure you of that. If you want evidence that it is not a Florida affair, take the committee report and poll the members of the Appropriations Committee and see what they thought about it. I can tell you, frankly, that there was every possibility that this amendment might have been adopted in the committee had it been offered.

Mr. ROBINSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. Not at the present time.

Mr. ROBINSON of Utah. Why not go to the members of the Committee on Agriculture?

Mr. HENDRICKS. I am not yielding until I have finished my statement.

However, I did not intend to offer it there because I felt the House ought to have an opportunity to act on this because they had passed the Sugar Act.

Then we hear so many people say that this money is obligated. To those who think this money is obligated, I want to refer to the letter of the Secretary of Agriculture to the gentleman from Virginia on the other side of the Capitol in which he said this money is not obligated and that there are no contracts under this money.

This is a $48,000,000 appropriation projected into the next fiscal year to pay the growers' benefits for sugar. We passed a Sugar Act here based on overproduction and low prices. We did it to bring up prices and curtail production. Now we have a shortage of production, and you say that we are going to use the same act to increase production and keep down prices. This seems a bit paradoxical to me.

Then we talk about the revenue the Treasury would lose. Do not worry about the Treasury losing any revenue. When the Ways and Means Committee gets through with this tax bill everything in this country is going to be taxed.

I now want to go back for a moment to say to you that this sugar problem is not a Florida problem. It is not a problem that we are selfish about. But when people begin to get these stamps for sugar, then it is going to be a proposition affecting every boy and girl and man and woman in this country.

We enacted this act on December 1 of this year, and every representation made by sugar growers in this country was made before Pearl Harbor. I do not want you to forget that. I want you to remember this one thing. When you say that the sugar growers will not produce sugar I want to remind you that we grow oranges in the State of Florida. If the Government will tell me that there is a shortage of oranges and we need all the oranges we can produce, I will go and buy a grove myself to help furnish oranges. I am sure the sugar producers of this country, with the Government telling them we need all the sugar we can get, not only for ourselves but for our Army and our Allied nations, will continue to produce and increase production of sugar.

None of this is contracted for. We can handle the question by a subsidy. We can take care of the sugar situation. I am sure if you take the bridle off of these people they will produce. I am sure the people of Florida will produce sugarcane in large amounts, but they are not going to plant sugarcane realizing there is a quota on it and they cannot get anything out of their first crop, but must be permitted to cut their stubble for 4 or 5 years. They cannot do this under the Sugar Act.

Mr. Chairman, I think this amendment ought to be adopted.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

The Clerk read as follows:

FEDERAL CROP INSURANCE ACT

Administrative and operating expenses: For operating and administrative expenses under the Federal Crop Insurance Act, approved February 16, 1938, as amended (7 U. S. C. 1501–1518 and 55 Stat. 255–256), $8,572,954, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, purchase of lawbooks, books of reference, periodicals, and newspapers.

Mr. DIRKSEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 79, line 20, strike out line 20 with the balance of the paragraph down to and including line 3 on page 80.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Chairman, I think we ought to get a picture of the operations of this Corporation clearly before us. Prior to July 1, 1941, the Corporation had been operating for 3 years. During that 3 years it had had appropriated for administrative expenses approximately, but not quite, $17,000,000. The figure of $31,000,000 which my colleague the gentleman from Illinois [Mr. DIRKSEN] stated as the total amount appropriated for administrative expenses not only included the appropriation for

the present fiscal year, the results of the operation during this fiscal year not yet being available, but it also included the appropriation for the fiscal year 1941 twice, because he evidently copied from the bill book the figures for 1941, which were twice stated in that column. Only approximately $17,000,000, slightly less than that amount, has been appropriated for the fiscal years ending July 1, 1941. During that 3-year period, when operations were confined to wheat, the losses sustained by the Corporation over and above premiums which were received were approximately 18,000,000 bushels of wheat.

Mr. HOPE. Mr. Chairman, will the gentleman yield right there?

Mr. TARVER. I do.

Mr. HOPE. It is true also, is it not, that during the first 2 years that this Corporation operated in the insurance of wheat there were years of drought out in the great wheat-growing sections of this country, when the loss was much greater than might be anticipated in normal years?

Mr. TARVER. Undoubtedly these years during which the Corporation has operated in wheat have been very unfavorable crop years for wheat, at least insofar as 2 of those years are concerned. The officials of the Corporation feel that the feasibility of an operation of this character should not be tested by 2 or 3 years, but that a considerable period of time is necessary in order to determine whether or not the plan as originally conceived might be carried out.

Only last year the operations of the Corporation were extended, by act of Congress, to include insurance of cotton. Of course, I come from a cotton-producing section of the country and I supported that legislation upon the theory that if the wheat producers were to receive the benefits of this program, the cotton producers should also be included. But I want to be perfectly frank with you as to my opinion and as to the opinion of the majority of the committee. You have heard the report quoted to you by our colleague the gentleman from Illinois [Mr. DIRKSEN] in the course of his argument. I wish that I were able to entertain the belief that the operations of this crop-insurance plan would eventually be shown to be successful. I think it would be a fine thing if some method could be provided by which the farmers of the country might be protected against seasonal losses occasioned by drought or by insects or from whatever other cause, so as to insure to them reasonably stable income. I think it is a fine idea and a very fine objective. I am one of those who does not believe that that objective will be attained.

I do not believe this crop-insurance program is going to work out, but at the same time I do not think you ought to undertake to abandon it by eliminating this appropriation from an appropriation bill. If you do this, you ignore the contracts that the Corporation has entered into with the wheat and cotton growers of the country and which they had the right to anticipate would be carried out by the Government. The committee in its report indicated that, in its opinion, if during the next year or so it is not demonstrated that this crop-insurance plan is workable the Congress should give consideration to the elimination of the plan by appropriate legislation; but do not do it by withholding funds in an appropriation bill for an authorized purpose. If it is to be abolished, the Committee on Agriculture should consider legislation to liquidate the obligations of the Government in connection with the program and to wind it up in an orderly way. I certainly hope, despite my fears, that the program will be made to carry out effectively the objective which Congress had in mind in instituting it. The House should not, in the middle of a season of operation of the Corporation, when it has entered into contracts with hundreds of thousands of growers of wheat and cotton in the country, undertake at one fell swoop to simply cut out all of the money carried in the bill for carrying on this work. It ought to be done, if it is done at all, after careful study by the Committee on Agriculture and in an orderly way.

Mr. TARVER. Mr. Chairman, I yield back the balance of my time.

Mr. FULMER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, so far as I am concerned, I think it is pitiful to see members of the Appropriations Committee come upon the floor of the House attempting to legislate in connection with agriculture problems on an appropriation bill. This insurance proposition was gone into fully by the Committee on Agriculture.

The Government today has thousands of contracts with wheat growers, and this year they are entering into contracts with cotton growers. I may state to the gentleman from Illinois that during the period it has been operating they have made a better showing than any private insurance company has been able to show in a similar period. Our committee studied insurance operation over a stretch of 5 to 7 years in connection with operations of various private insurance companies, working down to a definite and fair program. Private companies were unable to make as good a showing during their first year's experience as this Government insurance experiment has made.

Certainly we are going to have some losses, but I say to you this is one program that is going to be the salvation of thousands of farmers who are going to be put out of business and who have been put out of business prior to this program because of various losses for reasons they are not responsible for. This last year in my State, South Carolina, we had over a 60-percent loss in the cotton production. I venture to say that thousands of good, clean, honest farmers who want to remain on the farm are drifting away from the farm because they had no protection of insurance.

A special committee of the House is investigating migration. I will tell you one of the reasons people are migrating from the farm: It is because they are not in position to do those things and get those things that every other group you can mention are getting today. It is very easy for this Congress to take care of practically every other group in anything they might want, but when it comes to agriculture they must work out their own salvation. All we ask is 2 to 5 years of experiment to work out and perfect what I believe will be the salvation of the farmer. Then we find someone coming in who does not, perhaps, receive any benefits in his district under this program, and who may be personally against it, asking this Congress to legislate on an appropriation bill and wipe out the whole program.

Prior to the time we had this insurance we had to pay millions to farmers because of losses where they were unable to pay their taxes, pay their indebtedness, and in a great many instances, indebtedness to the Government. Now with a three-fourths value insurance they can pay their taxes, they can pay practically all of their indebtedness, and enter the new year on a good, sound basis.

I hope the Committee will vote down the amendment.

Mr. HOPE. Mr. Chairman, I move to strike out the last word.

Mr. TARVER. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. HOPE. I yield to the gentleman.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. HOPE. Mr. Chairman, the crop-insurance report program was begun as an experiment. The Committee on Agriculture held very extensive hearings before the legislation was passed. We went into the subject thoroughly, realizing we were touching upon a field that had never been explored. At the same time we realized that it was a field of very great importance as far as agriculture is concerned.

There is no industry in the world which needs insurance as much as agriculture, because the farmer is subjected to all the vicissitudes which affect other industries, and many more as well, yet it is the one great industry which up to now has not had the protection of insurance. I think all of us can realize the great value to agriculture of a crop-insurance system which should, upon trial, prove successful.

I am going to be perfectly frank and state that up to date I do not think we have had an opportunity to determine whether or not this system is going to be successful. I am willing to go further and say that I am somewhat disappointed in the results of the program so far; but we have to take into consideration also that it has been in operation on only one crop, and that during 2 out of the 3 years it has been in operation a large part of the area in which that crop was produced has suffered from very severe weather conditions. Those 2 years at least did not afford a fair trial of the efficacy and value of crop insurance.

Mr. BURDICK. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from North Dakota.

Mr. BURDICK. Assuming that there was a loss on the insurance to the wheat farmers, was it not a good deal cheaper to pay the loss in that way than to put these people on relief, where they were before?

Mr. HOPE. I think so. Of course, I do not conceive of crop insurance as a relief measure. I do not feel it should be so considered. It ought to be a business proposition. Nevertheless, I agree with the gentleman wholeheartedly in the view just expressed.

Mr. HARE. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from South Carolina.

Mr. HARE. Can the gentleman give us any idea as to what percentage of the wheat farmers take insurance or carry insurance under the existing plan?

Mr. HOPE. I cannot say just now what the percentage has been. I would say, offhand, about 20 percent.

Mr. HARE. Would the gentleman consider a suggestion that a plan may be worked out whereby the insurance policy could be incorporated or attached to or connected in some way with the soil-conservation policy and in that way have all of the growers participating in and contributing to the fund from which the losses should be paid?

Mr. HOPE. I have heard that suggestion made. I have not gone into it enough myself to have any opinion on it. Anything, however, which would result in wider participation would strengthen the system.

Mr. BROWN of Georgia. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. A short time ago we had a bill here dealing with relief for the stricken farmers in many sections of the country, the cotton farmers and the dairy farmers. On the floor of this House that bill was defeated because many Members thought that they ought to have insurance. We have not tried out insurance on cotton, because we only passed it last year. It is unfair at this particular stage to take away all of the funds without giving it a test.

Mr. HOPE. I do not think there is any doubt about that. Of course, right now, as far as the winter-wheat producers are concerned, there have been many, many thousands of policies written, and those losses will have to be paid. The Federal Government is not going to repudiate those losses. I am sorry that I do not have more time to discuss this matter. May I conclude, however, by saying that I feel it would be a great mistake to adopt this amendment. Crop insurance is on trial. It will have to prove itself. I do not feel, however, that sufficient time has elapsed as yet to make a fair determination of the matter. Furthermore, if it is to be discontinued, this is no way to do it. It should only be done after adequate consideration by the proper legislative committee.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, as was pointed out by the gentleman from Kansas [Mr. HOPE], this insurance program was considered an experiment from the very beginning. I was on the subcommittee and acted as chairman of the subcommittee that first considered crop insurance. After the matter had been given very careful consideration by the subcommittee and by the full committee, a bill was reported and a program for wheat-crop insurance was approved, with the understanding at the time that as soon as sufficient data had been collected by the Department a program of insurance for cotton would be undertaken.

Subsequently my recollection is that a bill passed the House authorizing the program for cotton-crop insurance. My recollection is that the bill passed the Senate and the President vetoed the measure because he was of the opinion at that time that sufficient data had not been collected by the Department.

At a later date, however, the Congress passed another bill extending the benefit of all-risk insurance to the cotton farmers of the Nation. The President signed that bill and it is today the law of the land. Under that program the Department of Agriculture is just now making arrangements for the first time to make all-risk crop insurance available to the cotton farmers of the country.

The statement in the report of this subcommittee is very unfortunate, in my opinion. The subcommittee of the Appropriations Committee should not have written into this report the language which appears here. No one understood at the beginning that this program could possibly be placed upon a sound basis from an actuarial standpoint within 2 or 3 years of operation. The suggestion has been made that this field of insurance had never heretofore been explored. The fact is the field has been explored but rather unsuccessfully by private corporations.

This was an experiment of great magnitude. It was one which we knew would involve the loss of a substantial sum of money. Nobody undertook to lead any Member of the House into believing that we could make a success of this great undertaking in just a year or two of operation. I do not know how the gentleman from Illinois voted on the original program and have not taken the time to check the record, but certainly this bill did not pass the House by unanimous consent. There was great controversy about it because many of the Members thought it was not feasible to undertake it at all. However, in an effort to give the farmers of the Nation an opportunity to insure their business, Congress undertook this very worth-while experiment.

Every other businessman in the country has the benefit of insurance. Even the showgirl can insure her dancing feet. But here is the farmer with his crop, in the field, exposed to every insect and to all sorts of weather conditions. His livelihood is dependent upon it. To say that because we are going to lose a little money in trying to devise a sound insurance program for him we should abandon it right at its inception I do not think is right.

A ridiculous thing about this amendment, it appears to me, is that we are now just beginning the program. It seems to me we certainly should not abandon it now.

It is still in an experimental stage; and even if the Corporation is incurring losses, I am sure that the losses sustained to date do not greatly exceed the losses which were anticipated at the beginning of the program. I assume that every possible effort is being made to place the program on a self-sustaining and actuarially sound basis at the earliest possible date. The fact that so many hazards are involved and the situation is so different in different parts of the country, makes the program all the more difficult. I feel that the Department should be complimented upon the amount of data it has obtained and the calculations it has made. Even if the experiment is proving somewhat expensive, it may yet prove to be well worth the money which has been invested in it. The undertaking is too great for any private corporation, but it is not too great for the Federal Government to undertake if there is a probability of such a program being developed as will prove to be sound and lasting. We simply cannot afford to abandon it at the present time and I urge the defeat of the pending amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I, like the preceding speaker, sat on the subcommittee that studied the farm crop insurance bill which finally passed the House. At that time I listened very attentively to every witness that came before the committee. One of the witnesses was a Mr. Green, who painted a very flowery picture and told us many things and prophesied many benefits to the farmers. I was convinced at that time, based on the testimony he presented to us, that this was going to be a good program for agriculture and for the farmer.

However, after the first year, relying on what Mr. Green told us, I asked for statistics from the Federal Crop Insurance Corporation on administrative expense and the cost of the policies issued. I was amazed at the figures they gave me, and the cost of this program, which was far different than was painted to us in the first instance. They said:

> You must let us experiment. We are right in the first year. The big part of the cost is the administrative expense and the cost of setting up the original administration of the bill. After we go through with that and have the administrative personnel set up, after we have gone through our year of experience, you will see a reduction in the rate next year and in the administration cost of this bill.

I am not opposed to the basic principle back of this proposition, but either it is unsound or it is being improperly administered.

Lo and behold! the next year it was more, and the third year it cost still more.

The thing that interests me is that with the little time the Subcommittee on Agriculture had to study the question that they saw the picture. I think this has gone far enough. Are we going to go into another field of experimentation? We have experimented in crop insurance on wheat. In my opinion it has been a complete failure, because of improper administration. If not improper administration then it is unworkable. Are we now going to spend millions and millions more to have another experiment in cotton, and then come back to the House and admit that we tried two experiments and that both of them failed?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield to the gentleman from North Carolina.

Mr. COOLEY. Did not the gentleman understand to begin with that this was an experiment?

Mr. HOOK. I understood it was an experiment, but I did not think it was the kind of experiment that we were going to continue year after year with a loss, and then go into another field when we had not decided whether or not the first one was successful.

Mr. COOLEY. Does not the gentleman agree that it was understood that the cotton program would be undertaken as soon as the data were available in the Department?

Mr. HOOK. It was my understanding that the cotton program would be taken up provided the wheat-insurance program was a success. The gentleman will recall, if he will bear with me, that I raised that question at the time we brought up the question of cotton-crop insurance.

Mr. COOLEY. Did the gentleman expect the crop-insurance program to be able to demonstrate its sufficiency within 1, or 2, or 3 years?

Mr. HOOK. I expected it at least to demonstrate its sufficiency within the second year. It might not have been put on a paying basis the first year, but it certainly should have demonstrated that it was going to be sound and able to be operated to the success of the farm program during that time.

Mr. COOLEY. Did not the advocates of the program definitely state to the subcommittee and the full committee that it would be impossible to put it on a sound basis in 2 or 3 years?

Mr. HOOK. The gentleman will recall that we were told that within 2 years they would be on an operating basis under which the premiums would not cost the Government anything; that the farmer himself would take care of it. It has not proved out that way. In fact, this program puts submarginal land into production when we are trying to get submarginal land out of production. This is the way it works: These large owners of submarginal land go to the banker and loan money to plant this poor grade of land, knowing there will be a failure. The banker knows the crop is insured. He is protected on his loan. These submarginal-land sharks clean up on the insurance, and the Government and the real farmer hold the bag. Let us stop it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I am opposed to this or any amendment which would abolish crop insurance, for I have always been an enthusiastic advocate of every kind of insurance—life insurance, fire insurance, property insurance, and feasible insurance of any and every kind. Insurance is an important economic concept which is tremendously valuable socially as well as economically when the institutfon is properly conducted.

I understand from the chairman of the Committee on Agriculture that this program, which has now been 3 years in operation with regard to wheat, has proven successful the third year, and has been profitable.

Mr. DIRKSEN. Mr. Chairman, would the gentleman be willing to be corrected at that point?

Mr. MURDOCK. Yes.

Mr. DIRKSEN. The losses in 1941 were twice as much as the losses in 1939, exclusive of the administration cost, which was well over $5,000,000.

Mr. MURDOCK. Probably I should have said it was successful the third year with wheat in a large majority of the States. However, I want to set forth that this was an experiment, and we cannot rule a thing out like this merely because it is not quite perfect in the experimental stage. Would you military men say that because we have had bad luck with certain military experiments we should never try to perfect, for instance, lighter-than-air warcraft? Such a stand is hardly feasible, hardly good sense.

I want to say this: We are instructed to bear one another's burdens. That is what good society attempts to enable its members to do. That is what the social institution, the economic institution, of insurance will do. The farmer is one man who is subjected to more risks than any other businessman or any other citizen. Yet we would want him to take all the risks, even the avoidable risks, if we destroy this institution now before it has had time to be thoroughly tried, tested, and perfected on a mathematical basis.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I have not time to yield at this point.

I want to say to you gentlemen that every private insurance company in America has done a certain amount of experimenting. Old as life insurance is in America, some life-insurance companies have gone broke. Fortunately, most life-insurance companies have succeeded, which may be due in part to good management and in part because they made a lucky guess in regard to premiums and mortality tables in the very beginning of their existence. Now, after many years, it is no guesswork, for they have absolutely reliable data. We have got to get statistical data on this proposition of crops worked out to a point where premiums will counterbalance or more than counterbalance probable losses. We have not had time to do that with regard to wheat, and certainly not with regard to cotton.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. COOLEY. If the program requires 5 or 6 years to demonstrate its soundness, does not the gentleman think it will be well worth while and a good investment on the part of the Government?

Mr. MURDOCK. I certainly do, and for that reason I am opposed to the pending amendment, not only because this is interfering with a policy and is in effect legislating through an appropriation bill, but I am opposed to taking snap judgment such as this amendment would do at this point of the experimental effort.

Now, Mr. Chairman, you must have insurance on fire, life, property, marine insurance, and all that sort of thing. The Government is willing to do much of that in time of war. Just a few days ago we voted a system of insurance to bear the risk of war of our own citizens with regard to property losses. How long will it take us to realize that the American farmer is embattled all the time, as well as after war is declared, and that we ought to take this step to enable him to share his burden with his neighbors and thus not be overpowered by these accumulative hazards upon the individual farmer.

I hope the amendment will be voted down.

Mr. HARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. HARRINGTON. When this program was originally conceived, does the gentleman think the idea was for the Government to make money at the expense of the farmer out of the insurance program?

Mr. MURDOCK. No; I do not understand this is a money-making proposition on the part of the Government any more than carrying the mail was to be a money-making proposition at its inception. We must expect to suffer some losses in carrying the mail, but it is for the general good, and this is also for the general good.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. HALLECK. Is it the gentleman's idea that enough money should be collected in premiums to pay the losses?

Mr. MURDOCK. It certainly is, and that, I think, is the intent of the program. Just as soon as it can be put on a solid actuarial basis, there will be collected premiums sufficient to pay the losses.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. PACE] for 5 minutes.

Mr. PACE. Mr. Chairman, I may be all wrong, but it had seemed to me that the farmers of this Nation were entitled to a little security. You know they are the foundation of everything—what they produce out there in the fields.

They are merely asking today for the privilege of perfecting a system whereby, together, they may protect themselves against unusual losses. There are about 3,000,000 farmers involved in this $8,000,000 appropriation. Do you know what the chairman up here told me a minute ago? You are this year appropriating $100,000,000 as the Government's contribution to the security of the civil-service employees of the United States Government—$100,000,000 to further protect about 1,000,000 Government employees who, from their youth to their old age, will be making a minimum of at least $120 a month, while the wheat and the cotton growers out yonder, furnishing you with the food and fiber to live and be clothed with, are on a wage of from $20 to $30 or $40 a month. It is all right to protect everybody but the farmer. The railroads—when their wages go up they go to the Interstate Commerce Commission, as they did a few days ago, and get a rate increase of $200,000,000, the major part of which the farmers of this Nation will have to bear. It is all right to give $100,000,000 to supplement the retirement of 1,000,000 civil-service employees, but, no, you must not spend $8,000,000 to put some security into the hands of the millions of people who produce the food and the clothing for this Nation. That must not be done—that is an experiment.

Yes, it is an experiment, and if you will give us an opportunity, it will be one of the greatest experiments this Nation has ever undertaken. I appeal to you today, and I talk to you as sensibly as I know how. Let us give to the farmers of this Nation some security, so when they put the seed in the ground they will have some conception of what the harvest is going to be. How many of you have ever farmed? Have you ever stood in your wheat field in May and seen the prospect of a fine crop, and then later watch the clouds go away and stand there and see your wheat practically burned in the field? Have you ever stood in a cotton field the first of June and seen one of the most beautiful prospects that a kindly God can bestow and then watch the rains come and look at those bolls and find where the weevil has punctured every boll in the field, and instead of 250 or 350 pounds of cotton to the acre you may get a bale out of 10 acres? You do not know what you are seeking to do here. You damn the only man who has never raised his voice for double pay or time and a half for overtime. All he is saying here is, "Give me a chance to do my part to win the war, but, for God's sake, let me have the opportunity in the security program of this Government, to know when I plant seed what the harvest will be."

Mr. LEAVY rose.

The CHAIRMAN. The Chair recognizes the gentleman from Washington.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes.

Mr. BROWN of Georgia. The function of the Committee on Appropriations, as I understand it, is to see how much money is necessary to carry out the provisions of the various acts of the Congress.

Mr. LEAVY. That is correct.

Mr. BROWN of Georgia. The merits or demerits of any law passed by the Congress should not have anything to do with this, because the amendment of the gentleman from Illinois would say "We do not expect to carry out the will of Congress, and, therefore, this agency must be obliterated."

Mr. LEAVY. The gentleman is absolutely correct, and, so far as the committee report is concerned, that report was made by a divided subcommittee. I appreciate that no one has contended otherwise.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I have only 5 minutes.

Mr. TABER. Is it not a fact that the major object and result of this is to keep certain marginal land under cultivation, and thus prevent any curtailment of crops?

Mr. LEAVY. I think just the opposite, because the premium rates are fixed upon what the production of any particular region has been, breaking it down by counties for a period of 20 years in the western country, and for 10 or 15 years in other sections of the country. There is a great deal of misunderstanding about what this is. In the first place, I am in full accord with the gentleman from Georgia [Mr. BROWN] that the Committee on Appropriations—and I have been a member of that committee ever since I have been in the House—has no right to starve an activity that the Congress as a whole has said should exist. Congress enacted a law providing for crop insurance. Crop insurance has not been the great loss that it has been pictured. Thus far it has dealt with a crop that is a billion dollar a year crop. When it passed the original act Congress provided a capital structure of $100,000,000 for crop insurance, and the actual losses after 3 years have not been the figure that I have heard repeated here a number of times.

Instead of that, the losses or impairment of capital are $9,328,563, and if crop insurance had been put into effect in 1937 instead of 1939, because we had 2 years of normal yield, in 1937 and 1938, it would actually have shown a margin of profit. If you will read the hearings, you will find that 36 States in this Union had policyholders in this insurance, and last year, bad as it was, 31 States, where crop insurance was in operation, showed a margin of profit in the premiums collected as against indemnities paid. The loss occurred in only 5 States, and the average yield of wheat for the Nation indicated that 1939, 1940, and 1941 were bad years in some very important sections. What is the attitude of the farmers about this crop insurance? I wish that my friend from Illinois [Mr. DIRKSEN], who has offered this amendment, would get these figures. In Illinois, in 1939, 12,000 farmers took insurance. In 1940, 26,000, and in 1941, 35,000. In Kansas in '39, 14,000; in 1940, 58,000; and in 1941, 60,900; and in Nebraska, 13,000 the first year, 53,000 the next year, and 63,000 last year. I could go on down through these figures. Now, as a matter of good conscience, and I think as a matter of law, we do not have any right to destroy this program by denying appropriations when just recently, by legislative enactment, we said to the American wheat and cotton farmer, "You can now take a 3-year insurance policy instead of a policy for 1 year, and you can give a note against your soil-benefit payments, instead of giving wheat or cotton, and thus save the Government warehousing, and can insure yourself for a 3-year term in the matter of your crop, which means your living."

I hope the amendment will not be agreed to.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. TABER) there were ayes 61 and noes 82.

So the amendment was rejected.

The Clerk read as follows:

Salaries and expenses: For necessary expenses in connection with the making of loans under title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), and the collection of moneys due the United States on account of loans heretofore made under the provisions of said act, including the employment of persons and means in the District of Columbia and elsewhere, exclusive of printing and binding as authorized by said act, $2,500,264.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I have sent to the desk.

Mr. TARVER. Mr. Chairman, I wonder if the gentleman will not be satisfied if the entire provision relating to the Farm Tenant Act may be read and open to amendment at the same time—the loan provision as well as the administrative expense?

Mr. DIRKSEN. I have no particular objection. I know the gentleman will be liberal in the matter of debate.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the remainder of the language with reference to farm tenancy be read and that the entire language be open for amendment and discussion at the same time.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. TABER. Mr. Chairman, reserving the right to object, the request of the gentleman refers simply to pages 80 and 81?

Mr. TARVER. That is right.

Mr. TABER. And not to page 82?

Mr. TARVER. No, no.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Loans: For loans in accordance with title I of the Bankhead-Jones Farm Tenant Act,

approved July 22, 1937 (7 U. S. C. 1000–1006), $45,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation at an interest rate of 3 percent per annum, and which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average farm unit of 30 acres and more in the county, parish, or locality in which such purchase may be made, which value shall be determined solely according to statistics of the farm census of 1940; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary of Agriculture upon the security of any obligations of borrowers from the Secretary under the provisions of title I of the Bankhead-Jones Farm Tenant Act approved July 22, 1937 (7 U. S. C. 1000–1006): *Provided*, That the amount loaned by the Reconstruction Finance Corporation shall not exceed 85 percent of the principal amount outstanding of the obligations constituting the security therefor: *Provided further*, That the Secretary may utilize proceeds from payments of principal and interest on any loans made under such title I to repay the Reconstruction Finance Corporation the amount borrowed therefrom under the authority of this paragraph: *Provided further*, That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof.

Mr. DIRKSEN. I offer the amendment, Mr. Chairman.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 80, line 18, strike out "$2,500,264" and insert "$1,250,000."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that another amendment relating to this same paragraph be reported.

The CHAIRMAN. For the purpose of information?

Mr. DIRKSEN. That is correct.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection, and the Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 80, line 21, strike out "$45,000,000" and insert "$35,000,000."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, in 1942, which is the current fiscal year, we made provision for farm-tenant purchase loans in the sum of $50,000,000, and also $2,488,000 for administrative expenses. In 1943 it will be $45,000,000, which is a reduction of $5,000,000 from last year. The administrative expenses are, oddly enough, $11,000 higher than they were last year.

I am offering two amendments. The first one is to virtually halve the administrative expenses and save $1,250,000, and the second amendment would strike $10,000,000 from the amount of loans which will be available.

Since 1938 we have made available for this farm-tenant purchase program $75,000,000 in direct appropriation and $100,000,000 in Reconstruction Finance Corporation loans, making a total of $175,000,000.

The last report we had from Mr. Baldwin, who is Administrator of the Farm Security Administration, is that 23,722 farms were purchased over most of the States of the Union. To me this is very singular. We make available an amount of money that will buy a farm, including livestock, including repairs to buildings, and such other buildings as are necessary, amortize it over a period of 40 years, and you would think that with liberal terms of that kind, a farmer, if he has got the stuff, would make good. Yet, lo and behold, the same Mr. Baldwin, who is Farm Security Administrator, comes before the committee and tells us that grants and operating rehabilitation loans have been made to the very people to whom Uncle Sam gave the money with which to buy a farm on the basis of 40 years.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Not just now. You will find it in the hearings. Ten thousand and fifty-nine loans were made to the same 23,000 people, or a portion thereof, who bought farms with Uncle Sam's money. Of that number 124 received outright grants.

Mr. TABER. Will the gentleman yield?

Mr. DIRKSEN. Yes, briefly.

Mr. TABER. How many were there who bought farms?

Mr. DIRKSEN. There were 23,722 to begin with. Rehabilitation loans and grants numbered more than 10,200 for the single fiscal year of 1941. That is nearly half of the people for whom we bought farms out of this fund.

Mr. TARVER. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. TARVER. The gentleman says the grants numbered 10,000?

Mr. DIRKSEN. No. There were 124 grants. The rest of them were loans. I thought I made that clear. Ten thousand and fifty-nine loans and 124 grants.

Now, that would not be so bad if they were not out buying land on a rising land value market. You need not take my word for it. Examine the table that the Secretary of Agriculture himself inserted in volume 2, page 66, of the hearings. There you will find that in the very areas where farm-tenant purchase loans are heaviest because of a preponderance of farm tenancy, land values have gone up 6 points since 1939. I do not know that we ought to go along with a program of that kind, and particularly so when the greater part of the county farm loan associations are delinquent at the present time. Back in 1916 when we set up this land purchase program through the land banks they operated through the county loan associations. Information gathered by your committee shows that whereas in 1932 there were 3,583 of these county loan associations in the United States, today 2,047 of them are so delinquent and their capital structure is so impaired that under the law they cannot make a single loan; and yet we go along with a farm-tenant purchase program where one-half of the people who purchased farms under it since 1938 come back for operating loans and in some cases for grants.

I have opposed this program from the outset. I shudder to think what the ultimate-loss headache will be before we get through.

I hold in my hand a handbill that was circulated by the Farm Security Administrator at Center, Ala. Notice the title:

Attention, farmers, tenant sharecroppers, farm laborers! Make application now for the purchasing of farms from the farm tenant purchase program or Farm Security Administration. There is no limit to the number of farms that can be bought in Cherokee County this year. This may be your opportunity to become a farm owner. If you know a friend who might be interested, do not fail to tell him. It might be his only chance.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. In just a moment.

Mr. COOLEY. I want to ask the gentleman a question about the circular he referred to.

Mr. DIRKSEN. I want to finish this and then make an observation.

It might be said, of course, that the director down there published that at his own expense—at least, that is what the hearings show; and it might be said that this is one of those isolated things and that therefore you can draw no conclusion from it; but in this connection I call attention to a letter which one of the directors of the Farm Security Administration in Washington directed to the district director of Farm Security in Alabama to the effect that they have got the money, they have got the personnel, that they have been assigned a quota and they have got to go out and place the loans. It did not say anything about need, it did not say anything about whether there were farms available or whether those people were in need down there, but they were to go out and get them. So much in respect of the rural rehabilitation loans, and can we conclude that way down deep and fundamentally they are operating in any other fashion with respect to the farm tenant purchase program?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. COOLEY. The gentleman was talking about the rural-rehabilitation loan, not the farm-purchase loan.

Mr. DIRKSEN. I am talking about both.

Mr. COOLEY. But the gentleman's amendment deals with the farm-tenancy section and not with the rural-rehabilitation loan section.

Mr. DIRKSEN. That is right. This is the farm-purchase program I am referring to.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. TARVER. The gentleman knows, of course, that the Farm Security Administrator disapproved strongly of this advertising gotten out by the supervisor at Center, Ala.

Mr. DIRKSEN. That is right.

Mr. TARVER. It had been gotten out at the supervisor's personal expense and without any authority from the Administration.

Mr. DIRKSEN. That is the reason I referred to the letter from this man in Washington, wherein he wrote to the Farm Security director at Center telling him that they had the money; that they had the personnel; that he should go out and place the loans.

Mr. TARVER. Does the gentleman have reference to the letter referred to by the gentleman from Virginia [Mr. WOODRUM] yesterday, written by Mr. J. C. Lewis on March 1, 1941?

Mr. DIRKSEN. Yes.

Mr. TARVER. I hold in my hand a copy of a letter addressed by Mr. Baldwin to the gentleman from Virginia, in which he points out that the letter in question was not correctly quoted. I hold in my hand a correct copy.

Mr. DIRKSEN. I was referring to the letter sent to the district's director.

Mr. TARVER. I am talking about the letter of the district supervisor. It has not been correctly quoted. I hold in my hand the correct version.

Mr. DIRKSEN. It would be singular, indeed, if a subordinate in the Farm Security Administration, who is one of the district directors, has incorrectly quoted one of the managers in the Washington branch.

Sixty-five percent of all this money is being expended in eight or nine States. I suppose that is in conformity with the law because the law provides it has to be done proportionately on the basis that tenancy bears to the whole farm population of that particular State; so I assume it is worked out according to that basis. But the amazing thing is that the loans and the grants that were made in 1941, after we bought farms for folks, runs the highest in those particular areas. In Alabama 77 percent of the farm-tenant purchasers also got these loans. That was in 1941. There were 62 percent in Georgia, 57 percent in Mississippi, 47 percent in North Carolina, and 58 percent in South Carolina.

Mr. Chairman, there is no substance to a program like that. My quarrel with it is that we are going to have the same experience that we had with the Home Owners' Loan Corporation. We are going to run deeply in the red and if there was an excuse for it then, there is no excuse for it now with things on a rising curve at the present time and the country at war. There is a solemn responsibility upon the Congress to curtail these activities and these abuses, and it seems to me there have been abuses. This is just one of them.

Mr. COOLEY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I ask the gentleman if this phase of the work that is being done by the Farm Security Administration shows that it is in the red now or, if, on the other hand, it shows they are actually in advance of current payments?

Mr. DIRKSEN. I will tell the gentleman what I can do. I will take a program like this, and I do not care what they pay back. If you will give me enough money every year to make loans, to keep existing loans current, I will never be in the red. I can always keep going.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. TARVER. Mr. Chairman, if the Members will examine the hearings, they will find that no member of our subcommittee was more critical of the Farm Security Administration and its operations than I have been. You will find literally hundreds of pages of evidence developed by the subcommittee with regard to practices on the part of the Farm Security Administration which we thought were not good practices, and in the preparation of the bill which you now have before you and in the succeeding paragraphs of the bill you will find restrictions proposed by the subcommittee with a view to correcting these practices which we thought were bad. So I do not come before you to undertake to defend all of what has been done by the Farm Security Administration. I do think that in many instances it has been incorrectly charged with misfeasance upon the basis of rumors and upon the basis of incorrect information. I do not think you ought to charge the Farm Security Administration in Washington with the act of a farm supervisor down at Center, Ala., who had an advertisement printed at his own expense which contained statements that were not correct; nor should you consider abolishing any part of the work of that Administration on account of the misfeasance of a farm supervisor in the field. I have quite a lot of these farm-tenant borrowers in my district.

We have millions of tenants in the United States. Approximately 60 percent of the farm population in my congressional district are tenants, and I am for any proposal which is reasonable in character that will aid those tenants to become landowners. I think it ought to be one of our national objectives to have those who till the soil become the owners of the soil, not collectively, as has been attempted by the Farm Security Administration in some instances, but as individuals. We have undertaken to stop these collective operations by a provision contained in the following portions of the bill.

I would like to do something for these millions of men who do not own land which they till. I have gone out in my district and visited the homes of a great many of those who are farm-tenant land purchasers. I have investigated the circumstances in each particular case of their purchases, the amount of their repayment, and the progress they have made. With one or two exceptions out of the number of homes I visited, I found that these tenant operators were repaying their loans and, in most instances, were paying ahead of the amounts of their maturities. They were not, therefore, receiving anything from the Government which they were not accounting for. I found in those homes families of people who seemed to have a new hope in life, people with children who were filled with greater ambition. In the cases of those farm-tenant families the Government has certainly lost nothing, and while they are not as numerous as I wish they were—I wish the Government could have reached more people than it has been able to reach—I can conceive of no reason why the Government should undertake to abandon any attempt to help that type of people.

Taking the country as a whole, they are repaying their loans at the rate of 99 percent of the maturities and when repayments of amounts not due are taken into consideration, 120 percent of the amounts of maturity. When you compare with that record and I call your attention to page 190 of the hearings to show that this statement is correct, the record of the business borrowers from the R. F. C., you will find that those borrowers are to the extent of 7.87 percent delinquent in their matured obligations. The American tenant farmer who has been accorded benefits under this program is delinquent only to the extent of 1 percent. He has been able to make a better record than that which has been made by the business interests of this country that have been served by loans from the Reconstruction Finance Corporation.

Just why under those facts should the House consider cutting out the money which has been used in this very useful program?

The gentleman may say that he has not proposed in his amendment to cut it out, he has proposed to reduce it. That is true. He proposes to reduce administrative expenses by one-half and to reduce the amount of loans by $10,000,000 from $45,000,000. Remember that in administrative expenses the Farm Security Administration not only has to look after the new loans that have to be made but it has to look after all the loans that have been made heretofore, aggregating, as I recall it, substantially $185,000,000. The interests of the Government must be taken care of. The farm supervisors in the field must keep in touch with these tenant-borrowers, aid them in their farming program, and collect from them the amounts which are due the Government. Therefore, you could not cut the appropriation by $10,000,000 on the loan authorization and at the same time fairly cut the administrative expenses half in two. In my judgment, you ought not to do either one.

One of the most frequent criticisms of this program has been that it serves so few people. Only 23,000 farmers, approximately, have been enabled to buy homes. Only 9,000, approximately, will be able to secure loans to buy homes during the present fiscal year. It has helped so few people, they say, and there are so many who ought to be helped, that we simply ought to abandon the program altogether.

I do not find in my district, where we have so many tenant farmers, that the tenant farmer who does not get a loan is bitter against the man who does succeed in getting a loan. On the contrary,

if he has filed his application—I believe there have been about 18 applications filed for each loan it has been possible to grant—and some other tenant—his neighbor, perhaps—gets a loan and his application is declined, he devotes himself to trying to build up such a record in farming and in the management of his farm operations as will cause the county committee to act favorably on his application next year. It is, therefore, not only the small number of people you are able to grant loans to but the tremendously larger number who are inspired by the operations of this program to improve their farming operations and to establish better records for industry and for business management of their farms that you indirectly aid.

The amount which is carried in this bill as a loan authorization is $5,000,000 below the amount which has been made available the present fiscal year. It is certainly a program which is costing the Government nothing, a program which is vastly beneficial to the individuals who are directly concerned. It seems to me there certainly should not be any hesitation on the part of the House in approving the comparatively small amount which is proposed to be authorized in the committee bill.

[Here the gavel fell.]

Mr. PLUMLEY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, my position with reference to this matter of farm tenancy is too well known, especially by the members of the subcommittee, for me to have to spend much time talking about it. I am against the theory, the concept which underlies and is involved in the whole process. I am against the paternalistic theory of government on which the program rests. I am also opposed at this time to loaning 1 cent of the money of the taxpayers to anybody any further than may absolutely be necessary to continue a skeletonized organization with respect to those who have already undertaken to take advantage of this program. No man dares suggest that sectionalism enters into my consideration of this matter. This is my country. I am opposed to the theory of farm tenancy. I mean tenancy.

Do you know it will take 280 years, under the law as it now stands, to complete this program at $50,000,000 a year, to say nothing about the loans, which is $14,000,000,000, and more, of the taxpayers' money going into these experimental economic propositions and into a socialistic and theoretical program, in which certainly at this time we cannot afford to indulge at the expense not only of the taxpayer, but at the peril of the loss of our liberty?

We cannot afford to go back to the feudal system, with the Government the landlord. You just cannot avoid nor evade that; for the Government, the bureaucrats are the Santa Claus; and they and those of you who are so anxious to continue this program full force will have to explain to your own constituents why you propose to expend fifteen billions of the taxpayers' money at a time and during a period when we need every cent for the conduct of the war. You do not seem to realize that the days of the spending orgy are over.

You—and that means all of us—we cannot carry on our social, humanitarian experiments as such at the expense of the taxpayer on top of all other necessary expenditures. Tenant farmers? I ask you where is farm labor to be found today? Spend your time worrying about making it possible for farmers of today to carry on. The absentee owner of the farm-tenant farm is another problem. It is time to cut this proposal to the skeleton, for the duration—north, east, south, and west.

When you get right down to the theory back of all this program it is all un-American, and it is all wrong—or else we have gotten so far away from fundamentals that we cannot see them.

"Poor farmer group." That is an insult. Poor doctor, poor lawyer, poor dentist, poor industrialist—why not—as well? Paternalism undiluted and unadulterated can be dispensed with for the duration, and will have to be before we are through with this war, or we will be through forever.

I am in favor of the amendments.

Mr. TERRY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, several years ago, in 1937, when the legislative committee of the House reported this legislation for the Bankhead-Jones farm-tenant purchase program, it was supposed to be in the nature of an experiment, and the legislative committee authorized the sum of only $10,000,000 for the first year to start the program and then $25,000,000 for the next year, with a provision for $50,000,000 annually thereafter. The third year we changed the method from making appropriations for the farm-tenant purchase plan to that of borrowing money from the Reconstruction Finance Corporation on loans, so they were authorized last year to borrow $50,000,000 for the making of loans under this program. This year they have cut that $50,000,000 authorization to $45,000,000.

The committee has gone very fully into the subject of the success or failure of the farm-tenant purchase program, and I tell you as one member of that committee that as far as I know there has been no better program adopted by this Government.

Mr. Chairman, we have heard a good deal of criticism of the Farm Security Administration, some of which has been deserved and some not. The committee has gone as fully as possible into that subject. We have listened carefully to witnesses on both sides. We have the greatest admiration and respect for those witnesses who have come before us with concrete suggestions as to economies, but the committee felt that to materially cut down or to destroy the farm tenant purchase program which, I think, has been one of the most successful parts of F. S. A., by not giving them sufficient funds to operate, and to cut out the authority to make these loans from the Reconstruction Finance Corporation, would be a mistake.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I ask the gentleman if the criticism which has been directed at the Farm Security Administration has not been directed more at the loans, grants, and rural rehabilitation provisions?

Mr. TERRY. Yes.

Mr. COOLEY. In other words, I do not recall having heard anything except praise for the part of the program which is now under consideration.

Mr. TERRY. That is the reason I am surprised that the effort is now being made to cut down this part of the program. As was said by the gentleman from Georgia [Mr. TARVER], the repayment of loans under this program has been 89 percent, on the average, over the United States. On page 216 of the hearings you will see that, as regards tenant purchase loans, the average percentage of collections to maturities, as of December 31, 1941, was 99 percent.

The State of Illinois has repaid 97.4 percent. The State of Arkansas, my own native State, I am proud to say, has a record of 99.1 percent. As a matter of fact, these loans have been overpaid, and I just want to make this statement: The Government has been lending money over the United States for the past 10 years, and until this program was adopted there was no place where the small tenant farmer could go for help or relief, and I may say it seems to me that the farmers of the country, the small farmers of the country, the people from whom you would expect the least in the way of payments, have done the most, and they are making a record of which we may all be proud.

I oppose the adoption of the amendment.

Mr. TARVER. Mr. Chairman, I desire to submit a unanimous-consent request for a limitation of time.

Mr. Chairman, I ask unanimous consent that debate on this amendment and on all amendments to the sections relating to the Farm Tenancy Act close at 4 o'clock.

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, I have an amendment at the desk which has not yet been reported.

Mr. TARVER. I am sure the Chairman would try to take care of gentlemen having amendments.

Mr. TABER. Mr. Chairman, that would mean about a minute and a half apiece.

Mr. TARVER. I will modify the request and ask unanimous consent that debate close at 4:15 on the paragraphs and all amendments thereto.

Mr. TABER. Will the gentleman make it 1 hour?

Mr. TARVER. That is only a matter of 8 minutes and I will concur in the gentleman's suggestion.

Mr. McINTYRE. Mr. Chairman, reserving the right to object, it is not clear to me what paragraphs are involved.

Mr. TARVER. Both of the paragraphs relating to farm tenancy.

Mr. McINTYRE. Would that include the paragraphs on page 82?

The CHAIRMAN. It does not affect page 82.

Mr. CANNON of Missouri. Mr. Chairman, reserving the right to object, I would like to have at least 5 minutes.

Mr. DONDERO. Mr. Chairman, reserving the right to object, may I suggest to the chairman of the committee that there are nearly 20 Members standing who indicate a desire to speak and 1 hour will give them between 2 and 3 minutes.

Mr. TARVER. May I suggest to the gentleman that we have been trying for 10 days to pass the bill and the only possible way to complete its consideration today is to have some limitation on the time for debate. I hope no one will object.

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. Is the motion or request directed to all amendments to the farm-tenancy paragraphs.

Mr. TARVER. All amendments to the paragraphs ending at the bottom of page 81.

Mr. DIRKSEN. I would not want to be foreclosed to say a word or two on the other amendment at the desk, because that amendment would now be pending.

Mr. TARVER. That, of course, would be a matter for the determination of the Chair.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, reserving the right to object, I have been interested in this program from its beginning, and if the gentleman means that I am to have only 2 minutes to discuss this matter——

The CHAIRMAN. That question has already been settled. There was no objection to the request and the time is now limited to 1 hour.

Mr. CASE of South Dakota. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, most of the debate on this farm-tenancy program has sounded as if there had never been a Pearl Harbor. It seems to me there is a fundamental difference between this kind of appropriation and many of the others in the agriculture bill. What harm could possibly come to the country if this entire program of buying farms were postponed for 5 years?

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. The gentleman will understand I am limited in my time and cannot yield until I have explained an amendment I expect to offer.

The rural-rehabilitation loans are another matter. I regard them as an important part of an operating program in producing food for victory, but so far as this land-buying program is concerned, I have yet to hear a single reason to show there would be anything serious happen to this country if the entire land-buying program were postponed for 5 years.

We got along for a hundred years without it and while it may have its good points, the life of the Nation does not depend on it. If we maintain it at peacetime levels, we will also be called on for more funds to carry it along administratively. No possible harm can come to the country if we cut it down for a few years. If we cut it out entirely, we would be no worse off than we were before the program was started a few years ago. I am only proposing to reduce it, however.

Farm tenancy is a problem, but it is not a life-and-death matter in time of war. I think the amendment that has been offered to cut off ten million is not enough of a saving. So I have an amendment at the desk which would reduce the $45,000,000 carried in the bill to $25,000,000, which would halve the actual appropriation of the current year.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Briefly.

Mr. DIRKSEN. Merely to observe that the largest farm organization, the American Farm Bureau Federation, is in favor of a substantial cut in this item.

Mr. CASE of South Dakota. If this item were cut to $25,000,000, $20,000,000 below the recommendation in the bill, it would be the equivalent of saving $20,000,000 that must be raised in taxes. It would be equivalent to saving $20,000,000 that has to be raised in Defense bonds and stamps. As a friend of every farm program, that appeals to me to be sound for actual farmers. I want to say that there is no program in my part of the country that is causing so much criticism today as this use of money to buy land, taking money from school children who sell old newspapers to buy Defense stamps, taking money from school teachers, taking money from laborers, taking money from farmers who pay taxes by hard work, to turn around and buy land at this time, while the country itself is in danger.

I see no justification in trying to carry on this program on a peacetime basis. I am in favor of the rehabilitation loans, because those are operating loans, necessary to carry on production. But there is a fundamental difference between that F. S. A. program and this plan of dispossessing one farmer, and putting another on the farm, through money from the Treasury of the United States. This program of land readjustment can wait; the land will produce as well for a renter as for an owner. Certainly no harm is done if the program slows up until we have licked the Axis.

Mr. COOLEY. Does the gentleman understand that this is not a land purchase program? This only provides for loans, to help the tenant.

Mr. CASE of South Dakota. It is to help the tenant buy farms under title I of the Farm Tenant Act. The language of title I of the act specifically provides for loans for the purchase of land and sets up the procedure for doing so.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. COOLEY. Mr. Chairman, I think that I have been just about as critical as any other Member of the House of some of the activities of the Farm Security Administration. I have tried to constructively criticize this agency. I have sought to be helpful to the officials charged with administering the laws which we have enacted and which the officials of the Farm Security Administration have in many instances violated, both in letter and in spirit, but I am just as anxious to save and to continue this particular part of the program now under consideration as I am to force that agency to liquidate certain other parts of programs upon which the agency has embarked. The program now under consideration is one which Congress itself created. This program is known as the Bankhead-Jones Tenant Purchase Act, under which the title to not one single acre of land is acquired or is authorized to be acquired. The basic legislation provides only for loans to worthy tenants on a long-term basis and at a low rate of interest. The purpose of the law which we enacted was to assist worthy tenant farmers to become home owners. No loan can be granted to a tenant for the purpose of enabling him to purchase a farm until both the tenant and the land to be purchased are approved by a local committee of farmers. This local committee passes upon the health, the habits, and the character of the tenant who is applying for a loan, and they likewise pass upon the value of the property about to be purchased, and this local committee must approve the applicant and must approve the farm as a self-sustaining farming unit, upon which the tenant, the person to whom the loan is to be made, will be able to earn a livelihood for himself and his family and to meet his payments to the Farmers Home Corporation.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I am glad to yield to my friend from Georgia.

Mr. COX. Does not the gentleman think this is an activity which could well be suspended during the duration of the emergency?

Mr. COOLEY. I would not say that the agency is indispensable. While it may well be suspended during the emergency, I see no necessity for depriving the farmers of the privilege of borrowing money on a long-term basis and at a low rate of interest from the Reconstruction Finance Corporation through this agency in the Department of Agriculture, especially while other citizens are continuing to obtain Government loans, or loans through the Reconstruction Finance Corporation. The loans were authorized to encourage home ownership in the rural sections of America.

Mr. COX. I have a genuine appreciation of the efforts of the gentleman to clean up this dirty mess within the Farm Security Administration, but frankly I am somewhat disappointed that he should come to the rescue of the Administration insofar as this item is concerned.

Mr. COOLEY. I am coming to the rescue of the Bankhead-Jones Tenant

Purchase Act, which our committee very carefully considered and drafted and presented to this House under the leadership of Marvin Jones, who was at the time chairman of the House Committee on Agriculture. No man was ever a member of this body who was more intensely interested in the welfare and happiness of the tenant farmers of America than was Marvin Jones. I do not believe that many men appreciated more than he the vicissitudes and hardships which are experienced by the tenant farmers of the Nation. If my recollection is correct, Marvin Jones was reared as the son of a tenant farmer, and during his entire career in the House of Representatives he had a burning desire to do something constructive which would alleviate the suffering and the hardships of those who were forced to work on the farms of others and to provide hope and help for worthy tenant farmers who wanted to own their own farm home. You no doubt will recall the great interest of our late and beloved Speaker, Hon. William B. Bankhead, in the Tenant Purchase Act, which became a law during the time that he was Speaker of this House. His distinguished brother, Senator JOHN BANKHEAD, piloted the bill through the Senate, and as coauthor, along with the distinguished and able gentleman from Texas, Marvin Jones, this bill now bears his name.

I am intensely interested in the complete success and in the expansion of the program which is provided by the Bankhead-Jones Tenant Purchase Act, and I would gladly vote to double the amount which is authorized in this bill for loans to tenant farmers to enable them to become home owners, but I bitterly oppose the efforts of officials of the Farm Security Administration to evade this law and the other laws which we have enacted in behalf of tenant farmers and to prostitute the program and the purpose for which we have made money available. These officials have circumvented the law and have devised ways and means to defeat the clear intent and purpose of Congress. All of the charges which I have preferred against the officials of the Farm Security Administration have been substantiated by the Comptroller General in the opinion he recently rendered upon evidence contained in this record, which was submitted to him by the chairman of the subcommittee in charge of this bill. Some months ago I introduced a resolution calling for the appointment of a special committee to be appointed from the membership of the House Committee on Agriculture, to fully and completely investigate the activities of the Farm Security Administration and to obtain full information regarding the many programs upon which this agency has embarked, in violation of law. The members of the House Committee on Agriculture are friends of the Farm Security Administration, and in seeking this investigation we seek only to obtain full information which will be used as a guide in the drafting of legislation which will force a complete compliance with provisions of law which Congress has enacted or which may hereafter be enacted. Certain projects should be immediately liquidated, but some orderly method of liquidation must be provided, and if it is to be provided the legislation should be written by the Committee on Agriculture only after it has obtained all of the facts. We hope that the Rules Committee will soon favorably report the resolution which is now pending, and that an appropriate and prompt investigation of this agency may be made.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. DONDERO. I rise in support of the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, the mail that is coming across my desk of late is growing in volume, and it begins to indicate a growing impatience on the part of the American people over three or four subjects of vital importance to all of us. One is the failure, or, at least, the indifference, of the Congress of the United States to curtail and reduce nondefense expenditures. Second, they are becoming impatient with our trying to conduct a war on social gains, such as the 40-hour week; and, third, they are becoming aroused over the necessity of paying time and a half and double time in order that men might work for their Government in producing essential materials of war. Donald M. Nelson sounded a note of warning a night or two ago on the radio when he said, "The people want production, and no fooling."

The public wrath is rising, and justly so. The people are justified in their attitude. Just a little while ago in this Chamber the committee refused to strike out an activity of this Government that has cost the people of this Nation in 3 years a loss of $43,000,000. I refer to the Federal Crop Insurance Act. It was an opportunity to reduce nondefense spending and wasting of public money. I voted to strike it out.

Last week the gentleman from Oklahoma [Mr. MONRONEY] made a determined effort on this floor to cut down some of the expenses in this bill. He met with consistent defeat in that effort. Members rise on this floor and say, "I am in favor of economy; I want to do everything that is necessary to carry on the war"; but they want to do it on the next bill—not the bill under consideration. That is evident this afternoon. My colleagues, in the name of a great nation at war, I appeal for a drastic reduction in the cost of government and nondefense spending.

Just a few days ago we increased the debt limit of this country to $125,000,000,000. It is like setting a line of credit in a bank for somebody to reach up and begin spending until it is gone. How long will this continue? It will continue just as long as the credit of the Nation is good, but a day of reckoning is coming, and it is coming fast. Let every one of us remember there is a limit to the financial resources of this country. This trend of spending and wasting the public money must stop before complete economic collapse comes to this Nation. We are at war. We are trying to conduct business as usual, but the times are not as usual. Our enemies are not conducting business as usual. They are working night and day, and if we are to meet them successfully in this war, we must adopt at once a program of complete and total effort to do so. Let us begin now and here by adopting the pending amendment to reduce expenditures.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Yes; we are at war, but in a time of war we need the resources of all, both large and small. This program was to help make landowners out of tenants. When a man becomes a landowner and he is no longer a tenant he feels more like getting in there and putting his shoulder to the wheel and producing. The man who actually owns his place, whether he has paid for it or not, does more toward the end of producing "food for freedom" than the man who is just a tenant. When a man owns his land he is less subject to be lured by communistic ideas than when he is a tenant.

I think this is a worthy program. I have not a single, solitary person in my district that participates in this program, but I fully realize that what we need in this program is food, and more food. The only place you are going to get an increase in food production for this war is from the small, family-size farmer, the type of farmer that you are making landowners out of by the Tenant Farmer Act and this appropriation—men who have been tenants before. That is where we will get our increased production. We are not going to get it from the large industrial farmer, because he has farmed to the limit before. We are not going to get it from the big plantation owner. But give this man who is provided for in this bill a chance and he will produce. This is the bill that was spoken for so eloquently by our late and beloved Speaker, Mr. Bankhead. He convinced me beyond a doubt that this program was actually needed in the section from which he came. Our beloved former colleague, Marvin Jones, who now graces the bench, was one of those who pleaded for this bill. The speakers who have spoken since then from that great section have convinced me.

I wish some of you men could have listened the other evening to Senator HILL of Alabama, when he told of the advantages that were in behalf of the farmers of his section by this piece of legislation. I know there would not be one vote against it if they heard that speech and the arguments he presented. In the interest of our war program, you should weigh well your vote here today. Produce food and win the war. A rifle in the hands of a starving man is not very effective. You cannot win the war with bullets alone. You may win votes but votes will not save you if the Japs are able to stop our boys because of lack of food.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Wisconsin [Mr. HULL] is recognized.

Mr. HULL. Mr. Chairman, the endeavors of the metropolitan press, the radio speakers, and many others to turn public opinion against appropriations for agriculture at the very time that the same agencies of publicity are demanding increased food and fiber production by the farmers, is evident as the Department of Agriculture appropriation bill comes up for consideration in this House. Statements about the increased income of agriculture as a whole are published to indicate that a live prosperity has succeeded the 20 or more years of depression and adversity which the farmers have endured. Along with such statements come price-fixing programs, threats of inflation if farm products increase in price, and all else that may arouse prejudice and protest influencing the amounts to be set aside to aid in permitting agriculture to function by ample production to feed the Nation and our allied nations while we are winning the war against Axis aggression.

The Farm Security Administration and its policy of aiding more farmers to produce more come in for criticism of the expense involved, without proper consideration of the results achieved, and the benefits shared in by the Nation as well as by those who are the farm clients of the program.

There are too many who seem to feel that increased production and higher price levels have solved the farm problem without taking into consideration facts indicating new troubles incident to the war, such as shortage of farm help, lack of facilities, lack of capital, and lack of the credit needed by millions of farmers who with true patriotism endeavor to respond to the demands being made upon them.

The bare statement that the aggregate of farm receipts was $11,000,000,000 or more in 1941, an increase of approximately 10 percent over those of 1940, is meaningless if the further fact is omitted that at the same time $1,000,000,000 were added to the farm income; the nonfarming population received an increase of $27,000,000,000 of the national income. The farmers, composing 24 percent of the national population, received less than 4 percent of the total increase of national income.

About one-third the farmers more favorably situated annually receive about three-fourths the total farm income, leaving two-thirds of the farm population only one-fourth such income. Most farmers in the lower-income groups receive an actual income of less than $1 per day.

The value of the farm-security program to thousands of farmers is shown by the excellent results in the Ninth District of Wisconsin, in which it has 2,093 farm clients. Some criticism has been voiced and now seems to be emphasizing the shortcomings in administration of the program in other States. Considering the vast program, dealing with hundreds of thousands of individuals, it is only natural that mistakes may be made and some wrongs endured. Perfect administration of all Government policies has not yet been attained, but I can say that in my own State and in my own district, the F. S. A. program has been carried out with the minimum of criticism. The State administrators and those of the counties of the Ninth District, and the supervisory staffs, have been doing and are doing a wonderful work.

The 1940 census showed that the low-income half of the Nation's farmers produced only 12 percent of total values of farm products sold, traded, or used at home in 1939. With about 3,000,000 farmers scrambling to get approximately 1 out of every 10 farm-market dollars, it is no small wonder that they get little benefit from rising farm prices.

A recent report of the Senate Civil Liberties Committee, Senator ROBERT M. LA FOLLETTE, of Wisconsin, chairman, throws further light on the troubles of the small farmer. The report states:

> Today the family farm system, which has never prevailed in the cotton- and tobacco-producing areas of the South, and long ago lost its dominance in California, seems on the wane throughout the Nation. Large-scale operations, specialization of functions, mechanization, multiple, or chain farming are the predominant characteristics of our changing agriculture. * * * Even in the regions where this system has not been established, the security and the prosperity of the independent farm operator, who, with his family and an occasional hired man, works his own land, is passing.

The Farm Security Administration is the agency authorized by Congress to give these small farmers the help they need. For several years a large portion of the low-income farmers in the Ninth District of Wisconsin, as well as in other rural areas of Wisconsin and the whole United States, have had to rely on the credit provided by the Farm Security Administration. If Farm Security were abolished or its activities curtailed, many of these farmers would lose the only opportunity they have to increase their production and improve their economic conditions. A report recently issued by the American Bankers Association shows that in many counties in Wisconsin farm-security loans form a large proportion of the non-real-estate agricultural loans made by all lending agencies. In the Ninth District the percentage ranges from 18.4 percent in Buffalo County to 44.3 percent in Eau Claire County, and in some other Wisconsin counties the percentage is even higher. This in itself demonstrates the need for this program, inasmuch as Farm Security Administration loans are made only to persons other credit agencies, such as banks and the production credit associations, are unable to assist.

These loans are being repaid. As of December 31, 1941, $1,352,617 had been repaid on loans totaling $2,994,806 in the Ninth District, even though a large portion of these loans will not fall due for 3 or 4 more years.

The Farm Security Administration also makes a limited number of loans to tenant farmers to enable them to purchase farms under the authority of the Bankhead-Jones Farm Tenant Act. All of the tenant-purchase borrowers in the Ninth District, as well as in the whole State of Wisconsin, who have been on their farms long enough to have a loan payment fall due are 100 percent current in their repayments.

What is more, these small farmers have amply demonstrated their farming ability. Farm-security borrowers in the Ninth District, since they have been receiving help from the F. S. A., have increased their net income from $595 to $1,121. The value of the food they produce for home use has risen from $120 to $265.

With farm-security help, these families have also greatly improved the security of their position on the land. More than 4 out of every 10 farmers in the Ninth District do not own the land they farm. But with the aid of the Farm Security Administration, almost 9 out of every 10 tenant-farmer borrowers now operate their farms under written leases.

These families are now in a good position to help raise the food that is needed to win the war. But the families farm security is helping are only a part of the low-income group. In the whole United States there are about 500,000 small farmers receiving farm-security help at the present time, while there are at least 2,000,000 small farmers in the country who could take part in the food-for-freedom program if they were given a chance.

The Department of Agriculture has estimated that 35 percent of the increase in pork and lard, something like 40 percent of the increase in eggs needed, and similar portion of the other food increases called for by the war program could come from these low-income farmers.

There is every reason for continuing the farm-security program on a basis which will make it even more effective in increasing the food supply. Secretary of Agriculture Wickard has warned the public that the prospects are not as favorable as they appeared to be a few months ago. Congress should not make the mistake of "too little and too late" as to the farm-production program.

The statistics as to the Farm Security Administration in the Ninth District in the State of Wisconsin present an interesting story of what is being done. They are as follows:

TENANT PURCHASE PROGRAM

NINTH DISTRICT, WISCONSIN

Counties eligible: Barron, St. Croix, Pierce, Trempealeau, Dunn, Chippewa.

Number of loans approved (as of December 31, 1941): 111.

Amount of tenant purchase loans: $658,548.

Number of loans on which maturities have fallen due (as of June 30, 1941): 70.

Payments against maturities (as of June 30, 1941): $9,842.

Delinquencies: None.

Payments versus maturities: 100 percent.

Extra payments: $1,291.

Average amount of loan: $5,933.

WISCONSIN AS A WHOLE

Number of loans approved (as of December 31, 1941): 279.

Amount of tenant purchase loans: $2,066,229.

Number of loans on which maturities have fallen due (as of June 30, 1941): 170.
Payments against maturities (as of June 30, 1941): $35,410.
Delinquencies: None.
Extra payments: $8,956.
Payments versus maturities: 100 percent.
Average amount of loan: $7,406.

FARM SECURITY ADMINISTRATION FARM DEBT ADJUSTMENT

FOR NINTH WISCONSIN DISTRICT

Number of cases adjusted (June 30, 1941): 450.
Amount of debt adjusted: $1,355,559.
Reduced: $395,528.
In percent: 29.2.
Accounting for taxes amounting to $10,983.

FOR WISCONSIN AS A WHOLE

Number of cases adjusted (June 30, 1941): 2,349.
Amount of debt adjusted: $9,712,523.
Reduced: $3,259,135.
Average reduction per case: $1,387.
In percent: 33.6.
Accounting for taxes amounting to $72,491.

Rural rehabilitation loans (as of Dec. 31, 1941)

Active standard borrowers	Amount, loan advances	Repayments	
		Principal	Interest
Ninth District, Wisconsin: 2,093	$2,894,806	$1,352,017	$213,091
State: 8,488	12,232,777	5,708,396	861,686

Family progress, Farm Security Administration borrowers, 1941

	Before Farm Security Administration	1941
Ninth District, Wisconsin:		
Net income	$595	$1,121
Milk for home use—gallons	223	312
Value of food for home use	120	$235
Fruits and vegetables—quarts	176	313
Meat for home use—pounds	188	412
State of Wisconsin:		
Net income	579	1,111
Milk for home use—gallons	223	312
Value of food for home use	$130	$291
Fruits and vegetables—quarts	164	299
Meat for home use—pounds	210	442

Tenure status of Wisconsin low-income farmers

	Percent full owners	Percent of tenants with written leases
Ninth District	27	89
State	30	87

Mr. Chairman, among the many communications I have received favoring continuance of the Farm Security program upon a liberal basis, I have selected several which are representative of the attitude of many prominent citizens of Wisconsin. They are those of K. W. Hones, president of the Wisconsin Farmers' Equity Union; Hon. G. Donald Barnes, mayor of Eau Claire; Hon. Earl W. Hanson, member of the Wisconsin Assembly; and A. R. Vogtsberger, vice president of the Bank of Menomonie. The telegrams and letters are as follows:

CHIPPEWA FALLS, WIS., *March 3, 1942.*

Farm Security Administration only ray of hope for unfortunate and low-income farmers to reestablish themselves as farm owners. Wisconsin Farmers' Union urges you do everything to retain Farm Security Administration's appropriations and status quo of last year. Wisconsin Farm Security great assistance to farmers in general and our coperation.

WISCONSIN FARMERS' EQUITY UNION,
K. W. HONES, *President.*

EAU CLAIRE, WIS., *February 24, 1942.*

Do not eliminate or curtail the work of Farm Security. This program deals with people never before given any consideration. It makes our taxpayers not tax burdens. Expect Farm Security program to greatly assist some laborers in outskirts of city who are not working because of recent lay-offs at Gillette Tire Plant and Pressure Cooker. Sincerely ask your support of this program.

G. DONALD BARNES, *Mayor.*

ELK MOUND, WIS., *February 27, 1942.*

I understand that a bill providing for appropriations to carry on the work of the Farm Security Administration will come up for consideration in the near future.

I think I can say that much good has been done by our county office here to assist farmers who were in need and could get no financial help from other sources. Many of the farmers assisted are now paying up their loans and are in a better financial condition. In spite of the improved farm conditions, I am satisfied that there still will be some that will be in need of help to bring them out of the depths that they have been in. Some of them were in more difficult circumstances, and it will take them a little longer to be able to get on their own feet. In some cases outright grants will again be needed to carry them over.

It seems to me that this work should be continued for this year, or until such time it can be definitely shown that there is no further need of the service. I believe that it would be a mistake to cut off right now or make the appropriations too low in order to carry out the needed service. This county is providing free office space for both the county and district office

E. W. HANSON,
Chairman, County Board,
Dunn County, Wis.

BANK OF MENOMONIE,
Menomonie, Wis., February 23, 1942.

It has been interesting to me to note the press releases pertaining to the law affecting the Farm Security Administration.

Naturally, I cannot speak for the Farm Security Administration activities in the South or any mismanagement which might have cropped up in other communities, but, from personal observation and contact in our own county and in counties adjoining this community, I cannot help but admire the fine and necessary work that has been done.

It is my opinion that the Farm Security Administration has done a worth-while and necessary work, and it should be continued because, most assuredly, the banks cannot lend their depositors' money to the full extent of the purchasing price of the personal property, and until such time that the equity is great enough in the personal property to borrow from a financial institution the Farm Security Administration can and does step in and carry them in the interim.

Perhaps there have been cases and there will be cases where the person borrowing does not live up to his obligations, but that does not condemn the majority who are trying to do their best and have succeeded. I am certain that the Farm Security Administration statistics will show that in paying off the obligations many of them are paid off faster than what they had originally been contracted for.

I believe the rehabilitation work that the Farm Security Administration has done, has done more to bring back the self-respect of the average down-and-out farmer than any other agency now or at any other time set up by the Government.

Being a banker, naturally, I am interested in having governmental economy, but I do not think that not advancing money to people to become self-sufficient is economy because, if they do not become self-sustaining, they will become direct charges of the community and will be a greater tax burden than the method used by the Farm Security Administration. I do not think we should be penny-wise and pound-foolish, and it is my opinion that the Farm Security Administration should be continued, with the understanding that if the client of the Farm Security Administration can get borrowing from private associations he should do so.

Therefore, I think you should support any bill which will continue the Farm Security Administration, and I am certain that the majority of your constituents feel the same.

A. R. VOGTSBERGER,
Vice President.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. THOM].

Mr. THOM. Mr. Chairman, the burden of the argument today seems to me to be that we should forget and disregard the general welfare of the people on the home front. That was not the doctrine that animated Abraham Lincoln in the greatest days of the Republican Party. I call the attention of the Republican critics of this measure to the fact that on May 20, 1862, a Republican administration passed the homestead law, the purpose of which was to give 160 acres of land to the landless of that day. Here we were in the thick of a great civil war, and yet the Republican administration enacted the homestead law, which was one of the highest and most important achievements of the Republican Party. Was it socialism then? Was it paternalism then? Under this law between two and three million acres of land were settled during the period of the Civil War.

Now, gentlemen, we cannot give to the landless today free lands, because there are no more free lands in this country, but we can help the landless by lending to them money with which to buy farms and set themselves up in agriculture. Incidentally, the W. P. A., which we instituted at the beginning of the depression, was simply a modern version of the old Homestead Act. Instead of giving land we gave to the man a job.

Now, something has been said about the opposition of the Farm Bureau Federation. We, of course, accord to that organization attention and consideration, but the Farm Bureau is not united on this subject. The great Farm Bureau of the State of Ohio, through its secretary, Mr. Murray D. Lincoln, has wired me as follows:

Ohio Farm Bureau urges you to give full support to adequate appropriations for Farm Security Administration and Surplus Marketing Administration

MURRAY D. LINCOLN.

So there are divided counsels in that organization.

In conclusion, if you are going to wreck this program, remember you have $700,000,000, or something approximating this amount, outstanding in loans that you have made to worthy farmers. Are you

going to nurse those loans and recover that money or are you going to let it be wasted? The conservative, wise procedure is to use every effort to reclaim that money.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, what I have to say upon this particular feature of the bill I intended to say upon the next section, and if I can get the time I am going to use 5 minutes on that section. Let me say here, however, that inasmuch as the gentleman from Illinois has brought into this particular question the attitude and the success or failure of the Security Administration and the general loans I want to refer to it now.

One would think from what has been said here that there are no tenants anywhere except in the South. One good friend of mine said:

> Keep still, this does not affect you any, this is a bill that is going to help the South.

Well, for God's sake! I thought you were through with the North and South a long time ago. If there is any body of farmers in distress in the South, it distresses the Nation, and I will never take a position in this Congress just because there is a geographical difference, that I am going to cast my vote in favor of the district in which I live, at the expense of any other section of the country.

Last year there were 575,000 farmers foreclosed in the United States of America—575,000. Do you suppose none of them were foreclosed in North Dakota? They become tenants, and when they become tenants we try to get some land for them, that is all. It applies to the South, it applies to the North.

I have repeatedly stated that when this Congress takes a notion to save money it invariably starts to deny the farmers a square deal. The Republicans in particular rise up in a solid body to fight farm legislation. On some of these votes today only three Republicans have stood up for the farmers. There is no economy in this attitude. If the farmers are put off the farms and into the relief lines, the Government will have to maintain them at the rate of about $700 annually. Is it objectionable to let them go to work to support themselves? Great stress has been put on the loss the Government will sustain in these loans, but the hearings disclose that all payments to date have been paid 99 percent and that payments not yet due have been paid by many. When a plan will pay its own way, where is the economy in destroying it and forcing literally thousands of farmers back in the bread line?

When a farm bill comes up, a great mass of Members lose their reason and start a stampede no more intelligent than I have seen on the cattle range.

That is all I desire to say upon this feature of the bill.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I cannot understand the opposition to this farm-tenant purchase program. All of you, of course, heard the statement made that at the present rate it would take 286 years to clear up the situation. I doubt if the tenancy situation will ever be completely cleared up, but even if it does take 286 years, that is no reason why we should delay starting this program.

Farm tenancy when disproportionately high is a dangerous thing. When in any section of the country there is a growing tendency toward a high percentage of farm tenancy it is time for the people to wake up. I am glad to notice that in my own State the rate of farm tenancy in the last 5 years has dropped from approximately 65 percent to 58 percent. I do not attribute it wholly to the activities of the Farm Security Administration and the farm-tenant purchase program, but I do know that has had a good deal to do with it. I have seen that program work, I have seen it in the counties of my district and I know something about the efficiency with which it is done, particularly the way in which it is received by our people. I cannot understand the criticism of this program from a financial standpoint when throughout the United States there has been a collection of 99 percent of the maturities.

In my own State, I notice, it has been 99.3 percent. No other program in the United States, I dare say, can show a better record than that. It is strange to me that this program, getting its money from the R. F. C., can be criticized with that kind of showing when, as a matter of fact, day after day we stand here, and we praise the R. F. C. for the work that it does with business. We have no hesitancy in authorizing the R. F. C. to go out and help these businessmen expand their factories and build new factories, and to do various things; yet I dare say that agency has never made any such collection record as this.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield.

Mr. JOHNSON of Oklahoma. As a matter of fact, is it not true that Jesse Jones does not lend money unless he expects to get every dollar of it back?

Mr. SPARKMAN. I think that is true. We were told in this debate that loans made by Farm Security were to be regarded, as the gentleman from North Dakota said, as being that much money taken away from our defense program, that much money that might be saved to our taxpayers.

He speaks as if they were gifts. They are not gifts. They are loans; loans that have been paid back to date at the rate of 99 percent. I was talking with someone the other day about the program down in my own section, and he said to me:

> If the payments continue as they have been made during the time that the program has been in existence, those people are going to be landowners in a much shorter time than it was planned when they first took over those farms.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is it not a fact that the language of this bill requires the Reconstruction Finance Corporation to advance this money, regardless of what Jesse Jones thinks about the soundness of any particular loan?

Mr. SPARKMAN. I assume that is so. I know when we first put this into the R. F. C. we did require a certain amount of collateral to be pledged with the R. F. C., and Mr. Jones had the right to pass on that.

Mr. COOLEY. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Does not the local committee, composed of outstanding farmers, pass upon the soundness of the loan?

Mr. SPARKMAN. Absolutely. In my section we will have 10 times as many applicants as we can take care of and those committeemen, who are outstanding farmers in their respective precincts and counties, pass on every one of those loans.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Chairman, one of the first official actions that I took upon being elected to Congress was in 1931, when I got a telegram from Mr. Hoover, who was then President of the United States. He wanted some pledges in advance of the meeting of Congress about the lending of money to the bankers and corporations of the United States, and referred to what he proposed regarding the establishment of the R. F. C. The country was then in turmoil. Banks and financial institutions were going bankrupt, and almost any wind that might blow could bring news of the collapse of big metropolitan banks which would result in financial chaos for the whole country. Well, we gave him the authority to advance and loan money to banks and financial institutions through the Reconstruction Finance Corporation, and since then the R. F. C. has been a very wonderful instrument in preserving the solvency of this country. Both and all political parties have embraced it and endorsed it.

Afterward the right of R. F. C. to lend money and its authority was extended to other people and other groups. It was extended, under the Bankhead-Jones Act, to farm tenants. A local committee decides upon the character and solvency of the men who get the money. These local committees go out and discover the men who are to be given the right to buy these tenant farms. One year ago I went over my district and visited these farms. I visited five of the tenant farmers and found every one of them to be doing well. They were raising families and educating their children in good Iowa farm homes, and paying their loans also. Where can you find any other institution or any other group of men that pays its obligations up to 99 percent?

Now, the question here today is as to whether we want home owners or whether we want landlords. Which will make a better civilization?

We are at war. Oh, yes; we are in the war; but whoever is going to fight for a boarding-house keeper or an absentee landlord?

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, yesterday as I walked over to the House, another Member of Congress told me that he has some land down in my State, that he is not going to be able to farm it this year, because he has not been able to find tenants. If he were farming it, he would be growing something that would aid in this food-for-victory program.

So far as I know, there is no opposition to this part of the program. There are thousands upon thousands of good farm-tenant families who are looking for good land like our colleague owns. Sixty percent of the farm population of the United States today is in that category, in that class of nonoperators. Eighteen million people are farm tenants.

I think one of the most vicious practices under the American system is the practice of absentee ownership of land and the kind of farming we must get on that land if the owner lives in New York City or elsewhere. We are destroying the land, in the first place. We are destroying the individuals that must eke out a bare existence from that land, in the second place.

If you will turn to the hearings, you will see listed 11 pages of counties in the United States in which the Farm Tenant Act is being put into practice. You will see the counties in your own district, whether you live in the North, the South, the East, or the West, where deserving young men, usually they are young, and their families are able to live upon the farms that they themselves operate and eventually will own. Even though we are at war, surely we will not deny at this hour the right of these young people to continue to buy their own homes. Surely we will not destroy at this hour a program that has made one of the best records in the whole of the New Deal or in the whole of modern financing. Ninety-nine percent of all the loans have been repaid. You cannot find a record like that among the railroad loans or among any of the other big corporation loans that are also made by the R. F. C.

The Farm Tenant Act deserves to be continued, it cannot cost us anything as long as the money is being paid back.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I agree with the gentleman from South Dakota to this extent that I believe loans which will make possible the production of additional food by the poor farmer group of this country are perhaps more insistently necessary than are loans to enable tenants to purchase farms; but I do not agree with him when he says, "What harm would it do if we abandoned this program?"

I think, unless a showing can be made, that money required for other purposes is to be put into it, a program with the value of this one certainly ought not to be abandoned. My reason is this:

We are at war. We are at war for the purpose of the preservation of democracy. What does democracy mean? Democracy means a nation governing itself by means of majority rule, freely arrived at, with a constitutional democracy as a form of government. It also means a nation in which there is preserved as much as possible the freedom—economic, social, and political—of the individual person. Just let this concentration of land ownership proceed, just let the number of tenants, compared to farm owners, increase, just let the situation go on until you get great industrial and land monopolies existing side by side with homeless, wandering people, and it will be difficult, indeed, to preserve democracy.

This program has not cost the Government anything. Indeed, in the course of the next few years there will be as much being paid back as is being loaned out. In the last 10 years there have been a million and a quarter farms foreclosed in this country. The disappearance of the family-sized farm will be one of the greatest, if not the very greatest, tragedy this country has ever faced. This program is one small thing we have tried to do to stem that tide and turn it in the other direction.

The gentleman from Illinois mentioned the fact that some of these people who received Bankhead-Jones loans have also received other loans. May I point out that in the case of other farmers a great many of them received land-bank loans in the first place and then production-credit loans in the second place. Anybody who knows anything about farming knows that if a man borrows the money in order to purchase a farm, that does not give him the necessary funds he may need to plant his crop the next year.

If you are going to conduct this thing on a sensible basis, you must, as another Member has said, protect the loans you have made. Indeed, I think the record speaks for itself on that point.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman from Illinois also pointed out that only 124 grants have been made, but the loans number in excess of 20,000.

Mr. VOORHIS of California. That is correct.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, much that has been said in favor of the Farm Tenant Act is no doubt true. I am glad tenants have so very many defenders. I voted for the act. I voted for it in the committee on the supposition that it was to help the poor. But, gentlemen, are you aware that we are at war? The Congress sometimes seems unaware of it. I recently returned from the west coast. There they are war-conscious. Must the shrapnel break and the bombs fall in Washington before we wake up? Yes, I would suspend this act now. I have an amendment to suspend this act for the time being, and if it is in order I should like to have a vote on it. I ask unanimous consent, Mr. Chairman, that it be read now for information.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. Pierce: On page 80, line 4, strike out the remainder of the page and page 81.

Mr. PIERCE. I admit some you say of the good things of the Farm Tenant Act, but, gentlemen, the whole future of this Republic is at stake in this war! There has been no record in history of anything like Pearl Harbor and the days that have followed it. We do not seem to realize that our boys are dying just a few thousand miles out there in the west. We must preserve every bit of financial strength we can. We will need it before this struggle is over.

I fear many of my colleagues do not understand the Japanese. There are many of them. They are out to fight to the death. It is the end of our institutions and the end of everything we have if we lose. We simply cannot lose, neither can we compromise. We must win. Therefore, we need to husband every bit of financial strength for war purposes.

I would not for a minute stop any of the activities for the benefit of the downtrodden, but I would suspend some which are as questionable and go to the well-to-do. I ask for a suspension of these activities.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I was glad to hear that fine patriotic appeal from the gentleman from Oregon [Mr. PIERCE]. The people out in the country are far in advance of us who are sitting here in the House of Representatives and in the Senate of the United States. They realize that we are at war. They realize that it is absolutely necessary for us to quit monkeying around and get down to business and fight. If we do not fight there will not be farm tenancy, there will not be agricultural payments to the farmers, there will not be any opportunity for the laboring men to work for wages in this country. They will be slaves of Mr. Hitler and of the Japanese Emperor.

There is no use kidding ourselves about it. The more we dissipate our resources at this time the more we help Mr. Hitler and the Japanese.

This is a move, I hope, to cut down some of these expenditures. Let me say to you with respect to the amendment that will come with reference to farm loans, the committee has raised that figure from $40,000,000 to $45,000,000. Just think of it. Raised in such times as these from $40,000,000 to $45,000,000. It is perfectly ridiculous.

Last year there was not a loan of this kind made in my State. There is not a

tenant farmer in my State who is competent to run a farm who cannot buy one from a landowner who is delighted to sell it to him and will finance the operation. From the experience I have had I believe this same situation prevails throughout the Nation. Why should we set up a privileged class among the farm tenants? Why should we take some of them and make them the wards of the Government when we ought to be conserving every dollar there is in sight?

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I cannot yield.

I hope the amendment reducing the amount will prevail if the amendment of the gentleman from Oregon [Mr. PIERCE] cutting it out, does not prevail.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I do not know of an agency of our Government that is doing more good for more people than the Farm Security Administration. The question has been brought up here that we are at war and therefore we should cut out this appropriation. May I remind these distinguished gentlemen who have brought up that point that there are hundreds of thousands of young men in uniform who are baring their breasts to enemy bullets for the purpose of saving this country, including its land, whose parents do not own 1 foot of it, and neither do they. When they return we should have some kind of system built up where we can at least let them have the money, if they promise to pay it back, that will enable them to own a home. While they are away serving their country for $21 or $31 a month, the least we can do is to permit their good parents to borrow money through their Government, pay it back over a period of 40 years at 3-percent interest, for the purpose of owning a part of the earth that their sons are fighting for every day. This is the least we can do.

We have voted billions of dollars to bail out banks, insurance companies, and railroad companies and all other big corporations when they needed it. We have voted billions of dollars for our Allies. Little of it, if any, will ever be paid back. Do you not think the least thing we can do is to make it possible for these poor farmers, working the hardest kind of way with their hands in the fields from daylight to dark, to earn a home of their own? That is all we are attempting to do here. We are not giving them a penny. They are not asking for a cent. This is the best way to keep people off relief. This is the best way to preserve the American way of life and make it possible for people to own their own homes.

You could not point, I will say to my friends, to a better record of repayment than we have in the Tenant Purchase Act, and with that record of experience, which is an excellent one, let us not turn thumbs down on this appropriation.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. ZIMMERMAN].

Mr. ZIMMERMAN. Mr. Chairman, I think the Jones-Bankhead Tenant Act is one of the most progressive measures which this Congress has passed in many years, and I say that for this reason: Proprietorship is absolutely necessary to build up great communities and strong States. As the gentleman from Ohio [Mr. THOM] well said, President Lincoln recognized the necessity of men having a land interest, a home, and for that reason, even during the darkest hour in this Nation's history up to this time, he advocated giving to the people land where they could have a home and have an interest in the community in which they lived.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. ZIMMERMAN. I have not time to yield.

Let me tell you that there are a lot of rural sections that are becoming decadent, with churches going to wrack and schools going down because the ownership is in town, and there is no longer any ownership in the occupants of the lands of that community. When these lands are foreclosed, who buys them? The man in the bank or some man in town, and he often has little interest in the local welfare of that community. But let these men who till the soil own the land, build their homes, and you have the greatest antidote to communism, fascism, and all the other "isms" that seek to destroy this civilization of ours. You never hear of a man who owns his home or the land he tills wanting to do anything to destroy that home or destroy the community in which he lives.

This is the program that puts land back into the hands of the man who tills the soil, and I want to tell you that if we continue this program, in the years to come we will see its fruits in a finer citizenship, in finer communities, in stronger States, and in a greater nation.

[Here the gavel fell.]

Mr. FULMER. Mr. Chairman, I am surprised at the statements made by many gentlemen on the floor of the House, in attempting to wipe out this very meritorious program. I believe that you gentlemen have in mind certain things that those in charge of this program are doing, that never were intended under any act, and that should be stopped. It is the purpose of the Agricultural Committee to put a stop to those activities. What are you proposing to do here under this amendment? I agree with my good friend from Oregon [Mr. PIERCE] that this is a time when every citizen of this country should get down to work, to real business in trying to win this war, but I state to you that one of the most important parts of our national defense program is the production of sufficient food and fiber, not only to feed and clothe 130,000,000 Americans, but millions of our Allies who are struggling with us to win this war.

Let me call your attention to an item in this bill. On page 83 you have an item of fifty-three-million-odd dollars; for what? To build facilities—camps—to take care of migrants, people who have already left the farm, thousands of them, drifting into the large cities, many of whom are on relief, and yet you propose to scrap this program that would keep people on the farm. You want to cut out $10,000,000 that will keep people on the farm, and on page 83, as stated, you have an item of $50,000,000 to take care of people who have already left the farm. Why did they leave the farm? They left because of the prices that they received for the things that they produce, and the high, fixed prices they had to pay for those things they had to buy.

I never hear any objection when the railroads or the business groups go down to the R. F. C., when they are permitted to borrow money, paying only 3-percent interest thereon, but as soon as the farmers of this country—the most patriotic group in the country—come in for a few paltry dollars to assist them to remain on the farm and become landowners, we have eminent, distinguished gentlemen, who know nothing about farming or what farmers have to contend with on the farm, standing up here and proposing to cut ten millions from this very meritorious item.

I want to call this to your attention—that is, it is impossible to build a successful national defense program unless you are able to have a successful agricultural program, and I predict that unless something is done to assist farmers to secure better farm prices and much-needed farm labor, as well as fertilizer materials and farm implements, we are going to wake up at the end of 1942 with a production far below normal instead of an increased production which will be needed to win this war. I want to state emphatically that the millions who are producing in our factories and the millions of our young men on the battlefields cannot make it with empty stomachs. I hope this amendment will be voted down.

Mr. RICH. Mr. Chairman, I was very much interested in the gentleman from Nebraska in talking about the farm, and what we could do to help the farmers. If you gentlemen had spent the money to put these fellows on the farm that you have spent in the last 8 years to put this country in the hole to the tune of forty billions of dollars, you would have had a farm by this time for every man, woman, and child in America. The trouble is that you have done so much boondoggling that you have not been able to get any farms for people.

Mr. EDWIN ARTHUR HALL. Does the gentleman know how many loans have been made to tenants last year in Pennsylvania?

Mr. RICH. We haven't made so many in Pennsylvania, but you have made a lot of loans all over the country for the people on the farms, and if the people on the farms take advantage of it and be willing to work to their advantage and do more farming instead of having the country pay them for not farming, then those fellows would have had the farms, and they would not have had to bring this bill in here this afternoon. Here is a letter that was sent to me, and in it the writer says:

The worst part of the unnecessary spending is the adverse effect it has upon the sale of Defense bonds. When the ordinary citizen

is urged to buy his $100 or $500 worth of bonds for defense, and sees the money being voted for other purposes, he throws up his hands and refuses to buy bonds, because Congress will not cut, by even $10,000, appropriations which he thinks are needless. He simply says, what is the use of putting my little money into bonds, when it will be wasted in Washington. Even in spending for defense projects economy should be the watchword. As has been well said, appropriations in themselves, do not furnish ships and planes.

I tell you, Mr. Chairman, that the people of this country are getting sick of what this Congress is doing, and I do not see anything but wreck ahead of us, the way this administration is running this Government and its waste and extravagance. We are in war now and you have got to economize; if you do not, the Nation is ruined.

Mr. COOLEY. Does the gentleman know that 99 percent of these loans have been paid?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DIRKSEN. First, let me clarify the parliamentary situation. The first vote will come on the reduction of $1,250,000 in the administrative expenses for the operation of the Farm Tenant Act. Subsequent thereto will come the vote on the amendment offered by me to reduce the amount of the loans from $45,000,000 to $35,000,000. That will be a net reduction of $10,000,000. As a matter of fact, it will be a net reduction of only $5,000,000 below the Budget figure, because the Budget, in making up the estimate for 1943, suggested $40,000,000, and the subcommittee has increased that amount by $5,000,000.

Mr. CASE of South Dakota. Will the gentleman also explain the situation with reference to the substitute that I offered?

Mr. DIRKSEN. There is also a substitute amendment pending offered by the gentleman from South Dakota [Mr. CASE], which would reduce the loan amount from $45,000,000 to $25,000,000.

Mr. TABER. And the gentleman from Oregon [Mr. PIERCE] said he was going to offer a motion to strike out the entire section?

Mr. DIRKSEN. The entire section would be stricken if the amendment offered by the gentleman were adopted.

Mr. Chairman, in 4 years we bought 23,000 farms out of this program, out of $75,000,000 in direct appropriation and $100,000,000 in loans. We asked Mr. Baldwin when he came before the committee how many farms had changed hands in the year 1941. Here is his answer:

> Estimated number of farms changing ownership as a result of foreclosures, assignments, or other conditions of credit distress during 12 months ended March 15, 1941, 575,000.

So, in 4 years we have provided an average of 6,000 farm-tenant purchasers, while there have been 575,000 changes of ownership. There you have a pretty fair index of the results we are going to achieve under this program.

Governor PIERCE, you are exactly right. We do not have any business buying land at a time when the Nation is in peril, any more than we have business spending millions for soil conservation when boys are dying on the Bataan Peninsula. No. There is a great, grim problem before the country today, and there is dalliance in the Congress. If there is one spot in the United States where there is no proper alertness to the problem that faces the country today, it is here. We talk about lack of unity in the country. We talk about complacency among the people. The complacency is in Congress—not among the people. There will be unity whenever our decorum, our conduct, and the policies to which we give our hand and our direction will find favor among the people of the Nation.

I hope that one of these amendments is adopted. Mine only cuts it down $10,000,000. The amendment offered by the gentleman from South Dakota [Mr. CASE] cuts it $25,000,000, and the amendment of the gentleman from Oregon [Mr. PIERCE] cuts it $45,000,000; but the first vote will be on the administrative expenses to save $1,250,000.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Oklahoma [Mr. JOHNSON] is recognized for the remainder of the time.

Mr. JOHNSON of Oklahoma. Mr. Chairman, every Member present, I am sure, will recall the amendment I offered to the pending bill that reduced the appropriation more than any other one amendment that has been adopted or proposed to the measure. It is somewhat significant that at that time some of those who are now very actively supporting the Dirksen amendment in the name of economy were valiantly opposed to the amendment to place a limit of $1,000 on soil-conservation payments. The big-shot farmers, many of whom never lived on a farm and yet who have been receiving from $1,000 to $10,000 in checks from the Federal Treasury, somehow were not interested in real economy then. It seems it depends altogether on whose ox is being gored—whose farmers are affected—as to whether some gentlemen present are really and truly for rigid economy.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield briefly.

Mr. AUGUST H. ANDRESEN. The amendment that the gentleman proposed and had adopted the other day to reduce the benefit payments was not a saving to the Treasury, but it was a redistribution of that money so that the smaller farmers would get it instead of the big operators.

Mr. JOHNSON of Oklahoma. I regret that I cannot agree with the gentleman. I was advised that my amendment, as originally offered, would have saved in excess of $50,000,000. But the modified amendment, as passed, will not only be a protection to and for the small farmers, but if properly administered, an actual saving to the Treasury of many millions of dollars can and should be made.

Mr. AUGUST H. ANDRESEN. I hope the gentleman is correct.

Mr. JOHNSON of Oklahoma. I will say it is definite and certain that $50,000,000 less will be appropriated for the item in question this year than was spent last year for the so-called soil-conservation checks. I repeat that if the bill is administered properly and efficiently additional millions could easily be slashed from that item.

Now in the brief time I have, let me give briefly a history of this farm-tenant legislation that is now being attacked. A few years ago the Congress, after much consideration and investigation, by an overwhelming vote enacted what is known as the Bankhead-Jones Farm Tenant Act. By the provisions of that act $10,000,000 was authorized to be appropriated the first year; $25,000,000 the second year, and $50,000,000 was authorized thereafter. This Congress, I say, after careful consideration and much deliberation enacted that law. No one expected it to do anything like solve the distressing farm-tenant situation in 5, 10, or 15 years. Many of us had hoped that over a long period of time, with the Government spending $50,000,000 annually that we could really make considerable headway toward solving one of the most perplexing economic problems that our country has faced during this generation.

Now, just in order to keep the record straight, the gentleman from New York [Mr. TABER], and the gentleman from Illinois [Mr. DIRKSEN], were among the leaders who opposed the original Bankhead-Jones Act. Then, year after year, when the appropriation has been brought to the floor of this House to carry out the mandate of the Congress, the RECORD will disclose that some of the same gentlemen who are now so active in this well-organized and highly propagandized effort voted to cut this item by many millions of dollars.

The gentleman from Illinois, for whom I have a profound respect, and the able gentleman from New York are simply running true to form. They had a right to be against the original law. But it is significant that the burden of their argument in the beginning was that $10,000,000, authorized for the first year, was entirely too little to do any real good. But now we hear the same gentlemen tell us that $5,000,000 less than the amount authorized by law, to be expended in this great home-ownership program next year, is entirely too much. How consistent.

The gentleman from New York, who has from the beginning opposed this law, complains bitterly that no farms were purchased in the district he represents in Congress under the farm-tenancy program. I will not charge him with assuming the dog-in-the-manger attitude, but I cannot help but remind him that there is only 12.8 percent farm tenancy in the great State of New York as compared with Alabama which has 58.8 percent of farmers who do not own the farms on which they live, toil, and make their livelihood. More than 60 percent of the farmers of Oklahoma are in the same category. That is the same or similar situation of every State in the South.

I heartily agree with my good friend the distinguished and able gentleman from Oregon [Mr. PIERCE] that this Congress must awaken to the fact that we are in the throes of a war, a war that

many of us are fearful will be a long, hard, bitter struggle; but I also agree with the statement of the gentleman from Georgia, the chairman of the agriculture subcommittee, who is handling this measure in an admirable manner, that in the last analysis food will win the war. At the rate tenant farmers have been leaving the farms for the past 10 years, it is not improbable that there will be serious shortage of many food supplies if the present war continues as long as many of the so-called military and naval experts are now predicting.

To win the war America must not only have sufficient food for her armed forces and that of her Allies, but food for her civilian population. This food must be grown on farms and the work must be done by actual farmers. We cannot depend on the drug-store farmers or the agriculturists who live in the cities. When the rub comes, America must depend upon the little farmers to produce the foodstuffs. The increased need for food production cannot and will not be met on big farms or by the big farmers. They are now producing as much as they can without vast increases in the use of hired farm labor, and we might as well recognize the fact that many people who have been farm laborers in the past and others who might be willing to become farm laborers are now or soon will be in the armed forces of the United States or in the factories producing the tools to win the war. Increased production, therefore, must come from farmers who do their own labor. It must come from the working farmers, the dirt farmers of the country, who will give the Nation the essential food production to win the war.

Let me say here that I was somewhat surprised to hear the distinguished gentleman from South Dakota [Mr. CASE] repeatedly make the assertion that funds carried in this bill to continue the farm-tenancy program were "taking money away from the school teachers and others and giving it to the farmers." I cannot believe the gentleman really meant what he said. I am sure that the distinguished and able gentleman understands full well that not a dollar of this fund is to be given to any farmer, and that every dollar furnished by the Reconstruction Finance Corporation, headed by the Honorable Jesse Jones, in carrying out this great program will be returned to the Treasury with interest. Not a dollar has been lost to the Government under this program so far, and I am convinced that no funds will be lost in the future. An average of about 99 percent of these loans has been paid up to date, and in many instances farmers have paid 125 percent of the loan in order to save interest, and at the same time actually hasten the day when they will live under their own roofs and sit by their own firesides.

I know that the House is in a bad frame of mind this afternoon. I know also that many Members have been flooded with telegrams from many States in the Union to cut to the bone all nondefense activities of Government. Again I say I am wholeheartedly in sympathy with such a policy. But I hope that Members will also remember that food played a major role in winning World War No. 1, and food may play even a greater part in winning the present struggle.

[Here the gavel fel..]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired; all time has expired.

The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 93, noes 79.

Mr. TARVER. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. TARVER and Mr. DIRKSEN.

The Committee again divided; and the tellers reported that there were—ayes 109, noes 82.

So the amendment was agreed to.

The CHAIRMAN. The gentleman from Illinois [Mr. DIRKSEN] has an amendment pending at the desk, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 80, line 21, strike out "$45,000,000" and insert "$35,000,000."

The CHAIRMAN. The gentleman from South Dakota [Mr. CASE] offers a substitute for the Dirksen amendment. The Clerk will report the substitute.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota as a substitute for the amendment offered by Mr. DIRKSEN: Page 80, line 21, strike out "$45,000,000" and insert "$25,000,000."

The CHAIRMAN. The question is on the substitute offered by the gentleman from South Dakota.

The question was taken; and the Chair being in doubt the Committee divided, and there were—ayes 84, noes 88.

Mr. CASE of South Dakota. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CASE of South Dakota and Mr. TARVER.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

Mr. MARTIN of Massachusetts. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN of Massachusetts. The gentleman cannot interrupt a vote.

The CHAIRMAN. The vote has not started.

Mr. MARTIN of Massachusetts. We had already started to vote on the substitute and the Chair had announced the vote as 84 to 88.

The CHAIRMAN. The tellers had not taken their places.

The point of order is overruled.

Mr. MARTIN of Massachusetts. Mr. Chairman, we had started the vote when the first voice vote was taken.

The CHAIRMAN. The point of order is overruled.

The gentleman from Georgia moves that the Committee do now rise.

The question is on the motion.

Mr. WOODRUM of Virginia. Mr. Chairman, on that I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WOODRUM of Virginia and Mr. TARVER.

The Committee divided.

Mr. TARVER. Mr. Chairman, a point of order: There are a couple of gentlemen who voted both ways, but I shall make no point of it.

Mr. COX. Mr. Chairman, I ask permission to change my vote.

Mr. WOODRUM of Virginia. Has not a Member the right to change his vote if he so desires?

Mr. TARVER. I am not raising any objection.

The tellers reported that there were—ayes 92, noes 123.

So the Committee refused to rise.

The CHAIRMAN. The question is on the Case substitute amendment.

The Committee again divided, and the tellers reported that there were—ayes 120, noes 104.

So the substitute amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment as amended by the Case substitute.

The amendment as amended was agreed to.

Mr. PIERCE. Mr. Chairman, I have an amendment pending at the desk.

The Clerk read as follows:

Amendment offered by Mr. PIERCE: On page 80, beginning at line 4, strike out the remainder of the page and all of page 81.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. PIERCE].

The question was taken; and on a division (demanded by Mr. PIERCE) there were—ayes 93, noes 116.

So the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to continue to provide assistance through rural rehabilitation and grants to needy farmers in the United States, its Territories and possessions, including (1) farm-debt-adjustment service, and making and servicing of loans and grants under this and prior law; (2) loans; (3) grants; (4) the prosecution of Federal rural rehabilitation projects under the supervision of the Farm Security Administration on July 1, 1941; (5) projects involving provision of water facilities; and (6) projects involving construction and operation of migratory labor camps, $50,319,557, together with not to exceed $5,000,000 of the unobligated balance of the appropriation made under this head for the fiscal year 1942, which sum shall be also available for necessary administrative expenses incident to the foregoing, including personal services in the District of Columbia and elsewhere; compensation of experts (including the Administrator and not to exceed three Assistant Administrators of the Farm Security Administration) without regard to the Classification Act of 1923, as amended; purchase of lawbooks, books of reference, periodicals, and newspapers; purchase, operation, maintenance, and exchange at the seat of government and elsewhere, of motor-propelled passenger-carrying vehicles; and printing and binding.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 89, line 3, strike out "$50,319,557" and insert "$25,319,557."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

Mr. DINGELL. Mr. Chairman, reserving the right to object—and I shall not object if we may have an understanding that I might have a similar length of time in order to answer the gentleman.

Mr. BURDICK. Mr. Chairman, I object.

Mr. TABER. Mr. Chairman, so that there may be no confusion about it, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The Clerk again read the Dirksen amendment.

Mr. DIRKSEN. Mr. Chairman, the item of $50,000,000 carried in this bill is broken up about as follows: For farm and home management assistance, $18,500,000; for farm-debt adjustment, a little over $13,000,000; for servicing loans and grants, $12,500,000; for rural rehabilitation projects, $350,000; for migratory labor camps, $3,500,000; for administration, $7,500,000.

Most of this money goes to salaries, supplies, and mileage. I want to tell my good friend, the gentleman from Oklahoma [Mr. MONRONEY], who sits here in a front seat, that the travel for the farm security out of this item for the fiscal year 1943, when all put together, will be $7,414,000. You talk about migrants in the West? Why, the Security Administration supervisors are the migrants who will be riding the lower berths and the bedrooms on the fine Pullman cars of the country, spending $7,000,000 for mileage.

They will have 19,448 people on the pay roll. Doing what? Let me tell you what they say in their own justification.

Farm and home management supervisors will work personally with each borrower. They will give assistance to clients in planning management practices, including land use and labor use. They will advise on the use of certified seed and purebred sires. They will advise on high-analysis fertilizer and feed rations. They will advise on crop management and livestock management.

Here is a great plan for cooperative service, and they propose to spend $18,500,000 for that. We will also pay out of that fund 2,755 fine ladies who will go into the farm homes of the country to tell them how to cook and prepare food for freedom.

There will be 4,327 county farm-management supervisors to tell them about purebred sires and certified seed. Great conscience, there are 7,000 on the extension pay roll now doing an identic kind of work, not to speak of the thousands of 3-A committeemen who are operating in all the 48 States of the Union. There never was such a travesty in all the Government as the Farm Security Administration program for rural rehabilitation loans, which comes as close to 100 percent paternalism as anything I have ever seen.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. The item which the gentleman is seeking to cut is the administrative expenses and not the amount which is used for loans, which is in the next paragraph?

Mr. DIRKSEN. That is right. I want to reduce some of this $7,000,000 for mileage; I want to chop down some of this $18,000,000 for the home-management and the farm-management people, who are going from one end of the country to the other; I want to chop down some of the $149,000 that they are spending in mileage for the migrant camps out on the west coast and elsewhere. They took care of 15,000 or 20,000 people last year, and the supervisors are now going to travel $149,000 worth in 1943. They are the real migrants instead of the migrants for whom they entertain such paternal solicitude in some of the areas of the western section of the country.

This is one of those awful things. If I had time, I could go on to tell you about their experiments in community planning, their experiments in communal farming in the country, their experimentation in setting up defense relocation corporations made up of employees of the Farm Security Administration, taking over vast sections of land as, for instance, the Scully estate in Missouri, embracing 40,000 acres, using their own employees to set up the corporation, and doing an act which a former Member of this House, Lindsey Warren, presently the Comptroller General of the United States, regarded as illegal and as in excess of the authority which the Farm Security Administration possesses under existing law.

There is only one way you will stop these abuses, and that is by a good, healthy cut. The amendment on the desk now proposes to reduce this item from $50,000,000 to $25,000,000.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, from every quarter we are daily admonished that in times like these all must make sacrifices. But there seems to be a general agreement on the part of industry, labor, and transportation that most of the sacrificing should be done by the farmers. They make no offer to cut the price of any of the war munitions they are producing but they are all agreed that the farmer should take subparity prices for the indispensable war rations he is producing. And no bill has been more severely criticized or more bitterly attacked than the farm appropriation bill notwithstanding the fact that it has been more drastically reduced than any of the supply bills reported to the House this session of Congress.

But even with the reductions made by the committee it is still a comprehensive bill and carries guaranties of farm prices and farm income without which the lot of the American farmer would be untenable. One of the greatest victories ever won for agriculture was won yesterday when recognition of farm parity was reenacted and reaffirmed by permanent incorporation in the bill. All such essentials maintaining and stabilizing farm prices and farm income must be indomitably defended against every assault. But the nonessentials we can afford to cut. And this is a nonessential. On such deferable items as these we can afford to retrench in the Nation's wartime budgets.

Mr. STEFAN. Mr. Chairman, will the gentleman yield for a very short question?

Mr. CANNON of Missouri. I yield to the gentleman from Nebraska who has contributed so largely to sound agricultural legislation. Without his able counsel and support it would have been impossible to have secured enactment of the first appropriation for parity payments.

Mr. STEFAN. Will the Dirksen amendment affect the land-purchase program?

Mr. CANNON of Missouri. It would affect merely the number and salaries of personnel, the amount to be expended for travel and other administrative expenses.

Mr. STEFAN. It covers administrative expenses, but it does not affect the land-purchase program?

Mr. CANNON of Missouri. It covers administration only and does not affect the program itself. Of course, the less of the appropriation spent for unnecessary administrative expense, the more you will have for the farmer.

The provision here for administrative expenses is out of all proportion to the amount ultimately reaching the farmer. Out of every $3 of this appropriation $1 goes to the administrators and only $2 reaches the farmer. For every dollar which reaches the farmer, a half-dollar is absorbed en route. This heavy expense of administration is due to unwarranted repetition, overlapping, and duplication which can be eliminated at a saving of millions of dollars without affecting the service to those whom the appropriation is intended to benefit.

The hearings before the subcommittee reporting the bill and the widely published accounts of the hearings before the Joint Committee on the Reduction of Nonessential Federal Expenditures last month are convincing proof of the necessity of reducing this top-heavy appropriation for administrative expense.

It is a disservice to the farm cause and to the farmers for whom these appropriations are ostensibly made, to load this bill down with heavy sums which can be reduced without affecting the service. All such appropriations should be cut to the bone in order to justify all the more convincingly the necessity of retaining the really essential items in the bill. It is up to us to attend to our own household and make voluntary reductions in every reducible item in order to more consistently justify our demand for items which cannot be

reduced. I trust the House will appreciate our fairness and our willingness to economize where economy is possible and hope it will cooperate with us in our efforts to enact a consistent bill by joining with us in voting for the amendment.

[Here the gavel fell.]

Mr. JOHNS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think if you go back into Wisconsin you will find that the farmers of that State feel that I am as good a friend as they have in the State of Wisconsin, especially in my own district. I know what the good farmers are thinking about the amount of money that is being spent here for agriculture, and I hear it from every farmer that I talk to that they want to reduce the expenses of this Government. They are perfectly willing to do their share in doing it.

I was very glad to hear the chairman of the Committee on Appropriations tell you that this travel expense is unnecessary because, in my opinion, it ought to be cut out. I should like to know where we are going to get the people to do the fighting in this war if we have these fellows running around interfering in every farmer's business. What the farmer wants to do today is to get rid of these men who have been advising him for 6 or 7 years now, because he feels now that he knows the program of the Government and is perfectly willing to carry it out if he is given an opportunity to do so.

Now we must get some of these men off the pay roll. I do not know whether you realize the tremendous increase in the appropriations for agriculture or not, but I pointed out here on the floor a few days ago how we have increased the appropriations from about $38,000,000 in 1918, to about $1,300,000,000 last year. A large amount of this money, as pointed out by the chairman of the Appropriations Committee, is spent upon men who go around and take up the time of the good farmer who wants to get his work done in giving him advice. He has now had all the advice he needs or wants, and he is perfectly willing we should take some of these fellows, at least, and put them out on the farm working or put them in the Army where they can do some fighting.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. I yield.

Mr. GIFFORD. One of these men said, "I have a book here with some instructions, so you can do much better." He said, "I don't need it; I ain't doing as well as I know now."

Mr. JOHNS. I think there is something in that. Personally, I think the good farmers of this country are able to take care of themselves with the amount of money they are getting, and yesterday we gave them parity, and we are going to see that they get the prices for their products, and that is all the farmers want. I do hope that this Congress can appreciate what the people are thinking back home, not only with this farm program but every program that comes along here for appropriations. We know there are a number of people who are useless in each one of these departments, and we will help by eliminating them as much as we possibly can and save this money for our national defense.

I hope this amendment will be adopted, and I trust the Democrats will join with the Republicans and the Republicans with the Democrats in seeing that it is done.

Mr. TARVER. Mr. Chairman, I would like to see if we can reach an agreement as to closing debate on this paragraph and all amendments thereto.

Mr. TABER. Mr. Chairman, may I suggest to the gentleman that if we had 20 minutes that ought to do?

Mr. TARVER. We have read only one paragraph of the provisions for rural rehabilitation, and closing debate on this paragraph would not have anything to do with closing debate on the paragraph authorizing $70,000,000 in loans.

Mr. Chairman, I ask unanimous consent that further debate on this paragraph and all amendments thereto may be limited to 1 hour, the last 10 minutes to be controlled by the committee in opposition to the amendment.

Mr. HOOK. Reserving the right to object, Mr. Chairman, it seems rather queer that when some Members get up and ask for extra time of 5 minutes they get it, but when some other Members interested in the proposition get up here to speak they try to close debate.

The CHAIRMAN. The gentleman from Georgia [Mr. TARVER] asks unanimous consent that all debate on this paragraph and all amendments thereto close in 1 hour.

Mr. HOOK. Mr. Chairman, I object.

Mr. TARVER. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 1 hour.

The motion was agreed to.

Mr. TARVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 6709 the agricultural appropriation bill, had come to no resolution thereon.

FILING OF CONFERENCE REPORT

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight to file conference report on the bill S. 2208.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address made by the Executive Assistant to the Attorney General.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HULL. Mr. Speaker, I ask unanimous consent to extend the remarks I made this afternoon and to include certain telegrams and tables therein.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker I ask unanimous consent to revise and extend the remarks I made today and include a letter from the Office of Price Administration in connection with the sugar appropriation item discussed here today.

The SPEAKER. Is there objection?

There was no objection.

Mr. SOUTH. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from one of my constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend the remarks I made today in the Committee of the Whole and include a letter from Secretary Wickard.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. PLOESER. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative business and any other special orders I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma [Mr. WICKERSHAM] is recognized for 5 minutes.

WAKE UP AMERICA

Mr. WICKERSHAM. Mr. Speaker, I give credit for some information I desire to give to the House for the next 5 minutes to an editorial from the New York World-Telegram and the Daily Oklahoman, and ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, wake up America—it's late.

The Nation needs to awaken to the full gravity of the peril that confronts it.

It needs to appreciate how badly we have been defeated in 3 months of war.

It needs to understand that it is possible for the United Nations and the United States to lose this war and suffer the fate of France—and that this possibility may become a probability if the present tide does not change.

It needs to realize that there is grave chance of the Japanese pushing through India and the Germans driving through the Near East to join their armies and resources in an almost unbeatable combination.

It needs to get away, once and for all, from the comforting feeling that while we may lose at the start we are bound to win in the end.

Only when fully aware of existing perils will the United States do its utmost. Pray God that awareness will not come too late, as it did in France.

Production Director Donald Nelson appeals for vastly increased industrial output on a 24-hour, 7-day basis—168 hours a week. Maximum production, in short.

Can we get it?

Not on the present basis—not under the psychology of recent years.

Not until we quit thinking in terms of less work for more money.

Not while there is greater concern about overtime pay than overtime production.

Not while politicians are more interested in higher prices than raising more essentials.

Not while Government bureaus—created to meet a depression emergency that is ended—continue to grab for themselves money needed for armaments.

Not while an army of Federal press agents clamors to promote and perpetuate activities that have no present need or value.

Not while Congressmen try to put over useless canals and river schemes and take up the time of defense officials clamoring for factories and contracts as if war were a great gravy train.

Not while strikes hamper war production, despite a solemn promise that they would stop.

Not while the life-and-death need for uninterrupted production is used as a weapon to put over the closed shop.

Not while double time is demanded for Sunday work or time-and-a-half in excess of a 40-hour week.

Not while a man cannot be employed on an Army project or in a war plant until he pays $20 to $500 or more to a labor racketeer.

Not while criminal gangs control employment and allocation of men to work on the *Normandie* and the other ships along New York's vast water front.

Not while fifth columnists are pampered and enemy aliens move freely in defense areas.

Not while the grim job of preparing our home communities against air raids and sabotage is gummed up with a lot of highfalutin, boondoggling, social-service activity.

Not while pressure blocs clamor for higher benefits and bounties.

We will not get maximum production, in short, unless, first, we fully realize our awful peril; and, second, get over the "gimmes" of recent years, such as:

"Gimme shorter hours, gimme higher wages, gimme bigger profits, gimme more overtime, gimme less work, gimme more appropriations and patronage, gimme plants for my congressional district, gimme fees and dues to work for Uncle Sam, gimme ham and eggs, gimme share-the-wealth."

France had the "gimmes," too—had them till the Germans were close to Paris. Then everybody went frantically to work—too late.

France has no "gimmes" today—except "gimme food for my baby, gimme a place to lay my head, gimme death."

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address by our colleague the gentleman from Indiana [Mr. HARNESS].

The SPEAKER pro tempore (Mr. SOUTH). Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the New York Sun.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, also, I ask unanimous consent to extend my remarks and include a resolution from the Puerto Rican Legislature.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article from the Evening Star.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MERRITT, indefinitely, on account of illness.

HOUR OF MEETING TOMORROW

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. tomorrow.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House, pursuant to the order heretofore adopted, adjourned until tomorrow, Friday, March 13, 1942, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on Friday, March 13, 1942, at 10 a. m., for consideration of H. R. 6483 and House Joint Resolution 290. The hearing will be held in the caucus room, Old House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet Friday, March 13, at 10:30 a. m., in room 353, House Office Building, to continue hearings on the bill H. R. 6522.

EXECUTIVE COMMUNICATIONS, ETC.

1486. Under clause 2 of rule XXIV, a letter from the Secretary of War, transmitting a draft of a proposed bill to amend sections 1 and 2 of chapter XIX of the Army Appropriation Act approved July 9, 1918 (40 Stat. 392; 33 U. S. C. 3), was taken from the Speaker's table and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CARTER: Committee on Rivers and Harbors. H. R. 2989. A bill to authorize the use of a tract of land in California known as the Millerton Rancheria in connection with the Central Valley project, and for other purposes; without amendment (Rept. No. 1894). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDERSON of New Mexico: Committee on Indian Affairs. H. R. 622. A bill authorizing the Snake or Piute Indians of the former Malheur Indian Reservation of Oregon to sue in the Court of Claims, and for other purposes; with amendment (Rept. No. 1895). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee of conference on the disagreeing votes of the two Houses. S. 2208. An act to further expedite the prosecution of the war (Rept. No. 1896). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VINSON of Georgia:

H. R. 6778. A bill to provide that certain provisions of law relating to the Navy shall be held applicable to the personnel of the Coast Guard when that service is operating as a part of the Navy; to the Committee on Naval Affairs.

By Mr. RANDOLPH:

H. R. 6782. A bill to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the Detective Bureau of the Metropolitan Police Department, and for other purposes; to the Committee on the District of Columbia.

By Mr. VOORHIS of California:

H. J. Res. 291. Joint resolution to establish the National Commission for Post-War Reconstruction; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 6779. A bill authorizing the Russian Orthodox Greek Catholic Church of North America to purchase certain public land on

Spruce Island, Alaska; to the Committee on the Public Lands.

By Mr. JOHNS:

H. R. 6780. A bill for the relief of J. M. Jesse; to the Committee on Claims.

By Mr. MARTIN J. KENNEDY:

H. R. 6781. A bill for the relief of Frank Novak, as guardian of Lorraine Novak, a minor; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2552. By Mr. KRAMER: Petition of Adjt. Paul La Teer, Karl Ross Post, No. 16, Inc., the American Legion, Stockton, Calif., relative to the gearing of our war industries to the highest speed possible; to the Committee on Ways and Means.

2553 By Mr. LAMBERTSON: Petition of W. H. Crutcher, of Topeka, Kans., and 88 others, favoring the immediate passage of the Sheppard bill; to the Committee on Military Affairs.

SENATE

FRIDAY, MARCH 13, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Spirit of Truth, Who are the revealer of secrets, Who dost open the heart to perceive and to understand: Help us, guide us in our uncertainties, and bring us through the inward mists and confusions induced by whatever there be of insincerity in us, to the firm ground of stalwart resolution and definite conviction.

Spirit of Liberty, by whose operation are the emancipations of the human soul, give us the freedom of trust and courage, the freedom of the open and responsive mind, and by these freedoms do Thou enable us to triumph over whatever necessary toil and strife we may be called upon to endure.

Spirit of Life, make us ever responsive to the beauty and the claim of things that are eternal. Indwell us, we beseech Thee, that we may live within these shadows and the narrow bounds of time the fuller life that is yielded by what we are, no less than by what we do, the life beckening our immortality, as it is transfigured by the presence of our Lord and Saviour, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 12, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

RELIEF OF G. F. ALLEN

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes (with accompanying papers); to the Committee on Claims.

EXTENSION OF CERTAIN OIL AND GAS LEASES

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a list of oil and gas leases, which by their terms would expire in 1941, but by reason of their inclusion in an approved unit plan are extended beyond their initial 20-year term until the termination of such plan (with an accompanying paper); to the Committee on Public Lands and Surveys.

PAYMENTS UNDER SEVERAL AGRICULTURAL PROGRAMS

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report containing the names and addresses of payees who received $1,000 or more and showing the amount of payment to each payee for participation in the 1940 programs administered under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and section 303 of the Agricultural Adjustment Act of 1938, as amended; also a statement showing the estimated number of payees and percentage distribution by size groups under the 1940 conservation and parity payment programs (with accompanying papers); to the Committee on Agriculture and Forestry.

ROUTINE MORNING BUSINESS

Mr. LUCAS. Mr. President——

The PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LUCAS. Mr. President, I shall yield to any Senator who desires to present routine business or to incorporate something in the RECORD, but that is as far as the Senator from Illinois is going to yield today. I want to get through my argument. I yield for the purpose I have indicated.

(Mr. WHITE presented a petition of citizens of Corinth, Maine, relative to Senate bill 860, which appears under the appropriate heading.)

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Michigan, favoring the enactment of legislation to include total and permanent disability benefits in war-risk insurance; to the Committee on Finance. (See resolution printed in full when presented by Mr. VANDENBERG on the 11th instant, p. 2232, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of Michigan, favoring the enactment of legislation to designate as a military road a highway from Detour to Sault Ste. Marie, in the Upper Peninsula of Michigan; to the Committee on Military Affairs. (See resolution printed in full when presented by Mr. VANDENBERG on the 2d instant, p. 1808, CONGRESSIONAL RECORD.)

A resolution of the House of Representatives of Puerto Rico; to the Committee on Banking and Currency:

"Whereas a few weeks after the United States entered the war against the totalitarian countries, the North American Congress passed an act providing war insurance to give indemnity for the damages that might be suffered by reason of air attacks, a large sum of money being appropriated for such purpose;

"Whereas as soon as the United States entered the war against the totalitarian countries, the Puerto Rican people offered the United States their moral and material support in favor of the cause defended by the North American Nation;

"Whereas, the Island of Puerto Rico, on account of the naval and army bases constructed therein, has acquired strategic value and great military importance to such an extent that the towns and cities where said bases have been, or are being, constructed are practically military objectives and may be, at any time, the object of unforseen attacks and aerial bombardments, the urban property being exposed to serious damage: Now, therefore, be it

"Resolved by the House of Representatives of Puerto Rico:

"First. To request the Congress of the United States, as it is hereby requested, that the war insurance passed and provided for by said Congress be made extensive to Puerto Rico.

"Second. That a copy of this resolution be sent by the most rapid way possible to the Honorable President Franklin D. Roosevelt, to the Honorable President of the United States Senate, to the Honorable Speaker of the House of Representatives of the United States, and to the Honorable BOLÍVAR PAGÁN, Resident Commissioner of Puerto Rico to the United States."

By Mr. WHITE:

A petition, numerously signed, of sundry citizens of Corinth and vicinity, in the State of Maine, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. TYDINGS:

A resolution adopted by the seventieth annual farmers' convention assembled at Sandy Spring, Md., protesting against the enactment of legislation placing a ceiling over farm commodity prices without a like control being placed over wage scales; to the Committee on Education and Labor.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Marion and vicinity, in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

RESOLUTION BY THE SUNDAY SCHOOL OF FIRST BAPTIST CHURCH, HOPE, KANS.

Mr. CAPPER. Mr. President, I present and ask unanimous consent to have printed in the RECORD and appropriately referred a resolution recently adopted by the Sunday school of the First Baptist Church of Hope, Kans., to the effect that fruits and grains now used for the manufacture of intoxicating liquor be diverted

from distilleries to uses directly in line with present war emergency needs.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Whereas there are millions of people in the world hungry for bread; and

Whereas we are urged to save all waste paper, rags, and metals; and

Whereas all useful materials are needed for the defense of liberty, justice, and the principles of democracy: Therefore be it

Resolved, That we recommend to the Congress and the President of the United States of America that legislation be enacted immediately diverting all grains and fruits now used for the manufacture of all distilled, fermented, and malt beverages to the manufacture of bread and the preserving of fruit juices for food, and convert all plants now used for the manufacture of liquors and malt beverages to the manufacture of materials for our common defense, with adequate provisions for the compensation of the owners of such plants and the enforcement of such legislation.

RESOLUTION BY CITY COUNCIL OF BURLINGTON, VT.—TAXATION OF STATE AND MUNICIPAL BONDS

Mr. AUSTIN presented a resolution adopted by the City Council of Burlington, Vt., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas it is the considered and unalterable conviction of the members of this council that—

1. A Federal tax on the interest from municipal securities would greatly increase the cost of municipal financing; and

2. Such increase would make the price of municipal financing so costly that many of our municipalities today would be unable to issue their securities for new and vital municipal improvements; and

3. Would result in an increase in municipal taxation, and thereby impose a double burden upon local taxpayers and customers of municipally owned utilities; and

Whereas it would increase the cost of necessary refinancing of present city obligations; and

Whereas the taxation of the securities of the United States by local authorities would greatly increase the interest rates which the Federal Government would have to pay, thus bringing about a very undesirable condition in times of national emergency; and

Whereas it is, in the opinion of the members of this council, vitally necessary that our theory of dual sovereignty be maintained, especially in times of emergency, when local government may be called upon for greatly increased efforts in behalf of national defense, particularly in time of war or invasion; and

Whereas it is necessary that the sovereignty and credit of the local communities be preserved; and

Whereas it is not necessary for either the local or Federal Government to impose taxes upon the securities of the other, as adequate funds can be raised by other means of taxation without impairing the credit of either the local or the Federal Government; and

Whereas in this time of grave national crisis the fullest cooperation between the Federal and municipal governments of the United States is essential to the successful prosecution of our war effort; and

Whereas, despite this grave national emergency and the need for complete unity of purpose and good will between the separate branches of our Government, the Treasury Department persists in its disturbing efforts to impose a Federal tax upon the income from State and municipal bonds, and thus needlessly resurrects this highly controversial and irritating domestic issue; and

Whereas a tax on future issues of State and municipal bonds would raise practically no revenues whatsoever at this time: Now, therefore, it is hereby

Resolved by the City Council of the City of Burlington, Vt.:

1. That we hereby record the determined opposition of this council to the continued attempts of the Treasury Department, either by statute, administrative rulings, or by judicial decree, to impose a Federal tax on State and municipal bonds.

2. That we express the conviction of this council that this most controversial domestic issue should not at this time, and under the false pretense of national defense, be permitted to irritate and disturb that wholehearted cooperation in our American war effort which is the objective and purpose of the cities of America.

3. That this council hereby records its determined opposition to any proposal to impose Federal taxes upon the income from State and municipal securities or upon any function of State or municipal government and its like opposition to any proposal by State or municipal governments to impose any local taxes upon the securities of the Federal Government and hereby pledges itself to join in all efforts to prevent the imposition of all such taxes.

4. That the city clerk be, and he is hereby, authorized and directed to forward a copy of this resolution to the President of the United States, the Secretary of the United States Treasury, to each of the United States Senators from Vermont, to the Representative in Congress from Vermont, and to each member of the Ways and Means Committee of the House of Representatives and each member of the Finance Committee of the United States Senate at Washington.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Immigration:

S. 2339. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War; without amendment (Rept. No. 1166).

By Mr. BULOW, from the Committee on Civil Service:

H. R. 3488. An act to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes; without amendment (Rept. No. 1167).

By Mr. GEORGE, from the Committee on Finance:

S. 2356. A bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands of the Veterans' Administration facility, Murfreesboro, Tenn., to the city of Murfreesboro, State of Tennessee, to enable the city to construct and maintain a water-pumping station and pipe line; without amendment (Rept. No. 1168).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Donald J. Hunt to be a surgeon in the United States Public Health Service, to rank as such from March 1, 1942.

By Mr. REYNOLDS, from the Committee on Military Affairs:

Sundry officers for transfer, promotion, or appointment in the Regular Army and sundry officers for temporary appointment in the Army of the United States.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURTON:

S. 2370. A bill authorizing the naturalization of Robert G. Sherck; to the Committee on Immigration.

By Mr. TUNNELL:

S. 2371. A bill to protect the public health by the prevention of certain practices leading to dental disorders and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; to the Committee on Interstate Commerce.

By Mr. CLARK of Idaho:

S. 2372. A bill to provide for the relief of certain Basque aliens; to the Committee on Immigration.

(Mr. D'DANIEL introduced Senate bill 2373, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. PEPPER:

S. 2374. A bill to provide under the Soldiers' and Sailors' Civil Relief Act of 1940 additional benefits with respect to insurance, civil rights, and taxes; to the Committee on Military Affairs.

(Mr. WILEY (for himself and Mr. LA FOLLETTE) introduced Senate Joint Resolution 141, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

HOURS OF LABOR IN WAR PRODUCTION INDUSTRIES

Mr. O'DANIEL. Mr. President, for several days I have had inserted in the RECORD telegrams from persons interested in increasing production of essential war materials. This morning I desire to ask unanimous consent that some further telegrams be printed in the RECORD at this point.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the telegrams referred to were ordered to be printed in the RECORD, as follows:

ELECTRA, TEX., *March 13, 1942.*

Hon. W. LEE O'DANIEL,

United States Senate, Senate Building:

Forty-four Lions voted unanimously today to request that you enact or support bill putting industry on 24-hour-a-day basis and suspend 40-hour week for the duration.

ELECTRA LIONS CLUB,
GLEN SHAMBURGER,
President.

WACO, TEX., *March 13, 1942.*

Senator W. LEE O'DANIEL:

Suggest Congress stop playing politics and pussy-footing around for the duration and enact legislation immediately forcing labor and capital to maintain operations 24 hours a day, 7 days a week.

DAVIS STRIBLING.

ALICE TEX., *March 12, 1942.*

Senator W. LEE O'DANIEL,

United States Senate, Washington, D. C.:

Hundreds of Alice and other Texas businessmen have telegraphed President Roosevelt and Members of Congress to lift 40-hour week labor restrictions and put war production on 24-hour, 7-day basis. Get all Texas Congressmen and Senators together and fight. We must win the war. It can be done so get

Congress to stop bickering and get busy. Throw out the fifth-column lobbyists.

H. H. HOWELL.

NEW BRAUNFELS, TEX., *March 12, 1942.*
The Honorable Senator W. L. O'DANIEL,
Washington, D. C.:

The Lions Club of Newbraunfels, Tex., respectfully requests you to do all in your power to end the labor troubles that are hindering our war-production efforts. We feel this is no time to quibble about hours of work, and whether pay should be time and one half or double time. The main issue being to provide our men in the service with adequate arms as quickly as possible by operating all our war-production plants and shipyards 168 hours per week.

HARVEY RICHARDS,
President.

NEW BRAUNFELS, TEX., *March 12, 1942.*
Senator LEE O'DANIEL,
Washington, D. C.:

May I join with countless other American citizens in urging immediate passage of legislation to put war industries to work on a 24-hour 7-day basis without regard to time and a half or double time for overtime, it is going to take 168 hours per week to do the job. We can no longer argue over petty politics. Let's do something. Your friends in Texas are behind you in this constructive move.

WALTER DILLARD.

EL PASO, TEX., *March 13, 1942.*
Senator W. L. O'DANIEL,
Senate Office Building:

We demand action to settle bickering between labor and capital in defense factories. We want defense factories on 24-hour basis, 7 days a week. Whatever cost, want action now. Hope this called to your attention. What is your answer, Western Union?

HOWARD MAXON,
Chairman, Action Committee,
20–30 Club, El Paso, Tex.

HOUSTON, TEX., *March 13, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Public demands immediate legislation compelling full-time employment of war machinery. We were shocked at the necessity for Nelson to have to plead for 7-day week and full-time employment of war machinery. Public is far ahead of Congress and administration and will accept any legislation which will compel labor and capital to work war machinery 7 days per week, 24 hours per day. Suggest you push or promulgate legislation abolishing 40-hour week, time and a half for overtime, holidays, strikes, and any other legislation which will compel labor and capital to work full time in operation of war machinery.

J. B. CHRISTIAN.

HOUSTON, TEX., *March 13, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Public demands immediate legislation compelling full-time employment of war machinery. We were shocked at the necessity for Nelson to have to plead for 7-day week and full-time employment of war machinery. Public is far ahead of Congress and administration and will accept any legislation which will compel labor and capital to work war machinery 7 days per week 24 hours per day. Suggest you push or promulgate legislation abolishing 40-hour week, time and a half for overtime, holidays, strikes, and any other legislation which will compel labor and capital to work full time in operation of war machinery.

J. R. TURNBULL.

ALICE, TEX., *March 12, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Air-raid wardens, civilian police, fire fighters, Red Cross, Motor Corps, and the entire civilian defense organization in Alice, including the Texas Defense Guard, are working day and night, in addition to their regular jobs, to prepare and help in winning of this war. We don't need a 40-hour week to govern us—and neither does war-production effort. Don't ask labor to work only 40 hours. Tell them that if we are to win they must work. Ask Donald Nelson; he'll tell you how. Congress ought to get busy and show they are men instead of a group of politicians.

ALICE FIRE DEPARTMENT.

Mr. O'DANIEL. Mr. President, in order to conform to the request of those who have been sending me telegrams and letters, in order to carry out what I consider to be the express wish of the President of the United States to get full-time production, and also to carry out the desire of Donald Nelson to get full-time production, I ask unanimous consent that I may, out of order, introduce a bill, to be referred to the Committee on the Judiciary. It is a bill to eliminate all restrictions on hours of labor, provide for the same rate of pay for all hours, and provide that no distinction shall be made between persons who belong to a union and those who do not belong to a union.

In this connection, I wish to call attention to the fact that the bill does not deal with the general subject of wages; it provides only that the same wages shall be paid for each hour of employment.

There being no objection, the bill (S. 2373) relating to the hours of employment, compensation, and conditions of employment of employees engaged in interstate commerce or the production of goods for such commerce or employed in the performance of any Government contract was read twice by its title and referred to the Committee on the Judiciary.

COMMEMORATION OF BIRTH OF JAMES MADISON

Mr. WILEY. Mr. President, this morning I received the following telegram:

MADISON, WIS.,
March 12, 1942.

Senator ALEXANDER WILEY:

Wisconsin's capital city observes next Monday the one hundred and ninety-first birthday of President James Madison. Although time is short, will you confer with Senator LA FOLLETTE and Congressman SAUTHOFF regarding possibility of securing joint congressional resolution taking cognizance of birthday of the fourth President, father of the Constitution, whose life has such direct application to the present national crisis?

J. W. JACKSON,
Executive Director,
Madison and Wisconsin Foundation.

Mr. President, it is perhaps singularly appropriate at this time that we consider briefly the life of James Madison.

It is interesting to recall that when this country was in a state of chaos, when there were riots in New England, when there was a flood of paper money, when there were vital treaties to be discussed early in the year 1786, James Madison played an important role in the convention called by the Legislature of Virginia and held at Annapolis.

Even at this early date Madison displayed statesmanship in a critical period of uncertainty, and, of course, every Senator is conversant with his profound knowledge of constitutional law, a knowledge which subsequently caused him to be called the father of the Constitution, not that he framed it, because it was the work of many men, but perhaps because he had more to do in making it what it is than any single man.

In the management of almost every question he took the lead in the Constitutional Convention, and today, in this critical hour, it might be well for us to recall what Madison wrote. He said:

> I feel it my duty to express my profound and solemn conviction * * * that there never was an assembly of men, charged with a great and arduous trust, who were more pure in their motives or were more exclusively and anxiously devoted to the object committed to them than were the members of the Convention of 1787.

In that Convention Madison, along with Mason, Wilson, and Franklin, stood for the rights of the people, and then frequently found themselves out of harmony with the majority.

Our Congress today faces vast responsibilities. The First Congress, which assembled in the spring of 1789, also faced grave responsibilities, and James Madison took his place in the House of Representatives. Every school child knows the friendship and the alliance between Madison and Jefferson, and when Jefferson became President, in 1801, he chose as his Secretary of State his intimate friend and lifelong companion, James Madison. It may be said, in passing, that probably there never were more kindred spirits in public life than Jefferson, Gallatin, and Madison.

In later years it was largely through Jefferson's influence that his Secretary of State gained Presidential preference. Madison was a small man physically. He was a man of quiet, simple manners and was eminently equipped for the high office of the Presidency. He had been outstanding among the framers of the Constitution. He had been a leader in Congress under Washington, and he had completed 8 years as chief in the Cabinet of Jefferson. He knew the workings of government, but he lived during a grave period, and every Senator is familiar with the history of that time.

James Madison was born March 16, 1751, at Port Conway, King George County, Va. He was the son of James Madison, descendant of John Madison, of England, who in 1653 took out a patent for land on Chesapeake Bay between the York and North Rivers. After his retirement from the Presidency, he retired to his rural home at Montpelier, Va., where he grew old gracefully in the familiar scenes of his youth.

He was the last survivor of the illustrious group of men who had framed the Constitution. He died in 1826, after 20 years of private life, and it has been said that no President in his declining years enjoyed a deeper reverence from his people than did James Madison. Throughout his lifetime he insisted on a recognition of the fact that the United

States was a first-class power, and he demanded the respect of other nations.

The capital city of my State is Madison, Wis., and in view of the interest of residents of that city in the anniversary of the birth of James Madison, I respectfully request unanimous consent, on behalf of my colleague [Mr. LA FOLLETTE] and myself, to introduce a joint resolution for early consideration.

I also request that the joint resolution which I have drawn may be printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 141) providing for the commemoration on March 16, 1942, of the anniversary of the birth of President James Madison, was read twice by its title, referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolved, etc., That in commemoration of the anniversary of the birth of James Madison, the fourth President of the United States, and in recognition of his great services in connection with the establishment of the Government of the United States and the establishment of the principles upon which it is founded, March 16, 1942, is hereby designated as James Madison Day.

SEC. 2. The President of the United States is authorized and requested to issue a proclamation inviting the people of the United States to observe March 16, 1942, as James Madison Day.

THE FISHERIES OF ALASKA—AMENDMENT

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (S. 2227) to assure conservation of and to permit the fullest utilization of the fisheries of Alaska, and for other purposes; which was referred to the Committee on Commerce and ordered to be printed.

UNITED STATES FERRYING COMMAND—ADDRESS BY EDWARD R. MURROW

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD a radio address delivered by Edward R. Murrow on February 27, 1942, on the subject of the United States Ferrying Command, which appears in the Appendix.]

EFFECT OF NATIONAL DEFENSE PROGRAM ON THE TYPEWRITER BUSINESS

[Mr MALONEY asked and obtained leave to have printed in the RECORD an article from the Hartford (Conn.) Times of March 7, 1942, with relation to the situation confronting those engaged in the typewriter business, and a letter from Mr. B. W. Long, of the Superior Typewriter Co., Hartford, Conn., which appear in the Appendix.]

USELESS REPORTS AND DISTRIBUTION OF MAIL MATTER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an editorial from the Hartford (Conn.) Courant entitled "The Washington Paper Wasters," which appears in the Appendix.]

ORE IN RIVER BARGES—EDITORIAL FROM CHICAGO DAILY TRIBUNE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an editorial from the Chicago Daily Tribune of March 11, 1942, on the subject, Ore in River Barges, which appears in the Appendix.]

LABOR RACKETEERING—EDITORIAL FROM NEW YORK TIMES

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an editorial from the New York Times of March 12, 1942, entitled "Inviting Labor Racketeering," which appears in the Appendix.]

POLL TAXES AND POLITICAL CONDITIONS IN TENNESSEE

Mr. McKELLAR. Mr. President, I have a two-page statement which I should like to read concerning an article that appeared in yesterday's Washington Evening Star. I should like to read at this time the article and a two-page statement, if the Senator does not object. It is a matter of importance to my State, and I should greatly appreciate the Senator yielding to me for that purpose.

Mr. LUCAS. How long will it take?

Mr. McKELLAR. I imagine 3 or 4 minutes—not longer.

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Tennessee?

Mr. LUCAS. I yield to the Senator for the purpose indicated.

Mr. McKELLAR. I thank the Senator.

Mr. President, yesterday in the Washington Evening Star I read the following article:

SILLIMAN EVANS SAYS POLL TAXES PERMIT "MINORITY RULE"—PUBLISHER TELLS HEARING SYSTEM ENABLED CRUMP TO BUILD BIG MACHINE

Silliman Evans, newspaper publisher, told a Senate committee today that the poll tax permitted "minority rule" and "cheating" of honest voters in eight southern States.

Mr. Evans, appearing as publisher of the Nashville Tennesseean, testified before a judiciary subcommittee that poll taxes had enabled Ed Crump of Memphis "to build up a political machine that has no peer in the country."

SUPPORTS PEPPER BILL

He supported a bill by Senator PEPPER, Democrat, of Florida, which would outlaw payment of State poll taxes as a prerequisite for voting for Federal officers.

Mr Evans said the "Crump or Shelby County machine" controlled about 80,000 of Tennessee's 400,000 voters and that a man "can't expect to defeat a Crump-supported candidate who goes into a race with about 20 percent of the votes in his pocket."

Mr. President, I wish to say the statements which I have read from this newspaper made by Mr. Evans are willfully and deliberately malicious and wickedly untrue. A short and ugly word might possibly best describe them, but I shall not use that word.

Mr. Crump has a splendid political organization in Memphis, but it is not in the slightest or remotest degree dependent upon the poll-tax system. It brooks no cheating. It brooks no dishonesty and no swindling. It does not represent a minority, organized or unorganized, and no such minority controls elections there. Evan's charges of dishonesty of elections in Memphis by the Crump organization, direct or indirect, or any dishonesty in elections there, are base and are ignorantly spoken calumnies.

Fortunately we have two elections in Memphis this year, one early in August and the other early in November. I invite any honest person, who is not moronic or neurotic, who may be interested in honest elections, to come to Memphis at the election in August or at the election in November, or to both, and I will personally take him to the various wards and voting places throughout the city and county and show him how untrue such charges are.

Mr. Crump's highly successful political organization in Memphis is primarily due to his masterly leadership, to his honesty, to his courage, to his fair and square dealing, and to his winning personality, which is known all over our State and Nation. Mr. Crump has spent a long life in building up the fine character he started out with—a life of good deeds; a life filled with high ambitions and noble purposes. He is a man whose word is his bond. Mr. Crump's outstanding successful career in business, in finance, and in politics is the result of fine parentage, exalted character, indomitable energy, great ability and learning, and the highest order of physical, mental, and moral courage. I have known him intimately for nearly 50 years; we have always been close and intimate personal and political friends, and those who cast aspersion on his purposes or his character or his acts are maliciously ignorant or willfully wrong.

The people of Memphis and of Tennessee respect, esteem, and admire him, and have naught but contempt and pity for any temporarily self-important assassin of character who tries to traduce and vilify him.

There is no city or county in the country that has better government than the city of Memphis and the county of Shelby. They have law and order there; they have good citizenship there; they have honest elections there; they have honest people there; and I here and now denounce as untrue, and without the vaguest or slightest foundation in fact, the statements made by Mr. Evans as published in this newspaper concerning Memphis and concerning Mr. Crump.

I do not know of a man in Tennessee who knows as little about Memphis as Mr. Evans knows. He has spent a part of his time at Nashville for 2 or 3 years, where he bought and owns a newspaper, but I doubt if he ever spent 3 hours of his time, while awake, all together in Memphis in his life. Since buying a newspaper at Nashville, and beginning his visits to Nashville a short time ago, he seems to have an obsession about Memphis and Memphis citizens; he continuously attacks them in his newspaper, and now he is coming here attacking them without knowledge or cause or excuse.

Because of my great admiration and esteem for Jesse Jones, his backer, or his friend, I have tried to get along with Evans, but wholly without success. So long as he attacked me personally and politically—and he has quite continuously done so in his newspaper—I stood it; but when he attacks the great city in which I have lived for 50 years and its government and its leaders, I cannot remain silent.

In the highest degree of sincerity and in what I believe to be perfect knowledge of the man, I say, Mr. President, that Edward Hull Crump is one of the greatest men of Tennessee in all her history and a worthy disciple of our patron saint, Andrew Jackson.

Mr. STEWART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Tennessee?

Mr. LUCAS. I shall yield to the Senator from Tennessee for a few brief remarks, but I shall not yield further after this for any more speeches today. I do not intend to yield for a couple of hours of speeches as I did yesterday. I yield to the Senator from Tennessee.

Mr. STEWART. Mr. President, I appreciate the Senator's attitude, and am grateful to him for yielding to me for the moment.

I am utterly surprised to learn that such an article appeared in last night's newspapers as that which has been read by my colleague, the senior Senator from Tennessee [Mr. McKELLAR]. I did not see the article, and had no knowledge of it prior to this time.

Of course, Mr. President, I endorse every word my colleague has stated in commendation of Mr. Crump. This article is critical of Mr. Crump, accuses him of not only improper conduct, but of corruption. The people in Tennessee have a pretty fair idea of what it takes to make up an honest man, and Mr Crump's reputation in Tennessee throughout the years has been that he is absolutely honest.

The city of Memphis, where Mr. Crump and my colleague, Senator McKELLAR, have both lived for almost half a century, and have contributed more than any other two men there, perhaps, to its upbuilding, has become one of the outstanding cities of the entire South, as everyone knows. The city government has been strictly honest; the city has grown and prospered, chiefly under the leadership of this man who is criticized and accused of infamy in the article which my colleague has just read.

As I have said, I was taken completely by surprise; I had not seen the article before. Probably if I had had more time to think about it I would have more to say, but I certainly endorse every word my colleague has said with respect to the integrity and the outstanding honesty of Mr. Crump.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Brewster	Chandler
Austin	Brown	Chavez
Bailey	Bulow	Clark, Idaho
Bankhead	Burton	Clark, Mo.
Barbour	Butler	Connally
Barkley	Byrd	Danaher
Bilbo	Capper	Davis
Bone	Caraway	Doxey
Bridges	Chandler	Shipstead
Brooks	Chavez	Smathers
Brown	Clark, Idaho	Smith
Bulow	Clark, Mo.	Spencer
Burton	Connally	Stewart
Butler	Danaher	Taft
Byrd	Davis	Thomas, Idaho
Capper	Doxey	Thomas, Okla.
Caraway	Ellender	Thomas, Utah
Chandler	George	Tobey
Chavez	Gerry	Townsend
Clark, Idaho	Gillette	Truman
Clark, Mo.	Glass	Tunnell
Connally	Green	Tydings
Danaher	Guffey	Vandenberg
Davis	Gurney	Van Nuys
Doxey	Hayden	Wagner
Ellender	Herring	Walsh
George	Hill	Wheeler
Gerry	Holman	White
Gillette	Hughes	Wiley
Glass	Johnson, Calif.	Willis
Green	Johnson, Colo.	
Guffey	La Follette	
Gurney	Langer	
Hayden	Lee	
Herring	Lucas	
Hill	McFarland	
Holman	McKellar	
Hughes	McNary	
Johnson, Calif.	Maloney	
Johnson, Colo.	Mead	
La Follette	Millikin	
Langer	Murdock	
Lee	Murray	
Lucas	Nye	
	O'Daniel	
	O'Mahoney	
	Overton	
	Pepper	
	Radcliffe	
	Reed	
	Reynolds	
	Rosier	
	Russell	
	Schwartz	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are holding hearings in western States on matters pertaining to national defense.

The Senator from Nevada [Mr. McCARRAN] is holding hearings in the West on silver, and therefore is unable to be present.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Nevada [Mr. BUNKER], the Senator from South Carolina [Mr. MAYBANK], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The PRESIDENT pro tempore. Eighty Senators having answered to their names, a quorum is present.

Mr. LUCAS. Mr. President, yesterday when the Senate took a recess, the Senator from Illinois was discussing some activities in North Dakota in connection with the sale of county bonds to the brokers operating under the firm name of A. V. Brewer Co., composed of one Mr. Brewer and one Mr. Brunk, who in turn sold those bonds to the State Bank of North Dakota, which was completely owned and operated by the State, and over which the Governor of the State had complete veto power insofar as the purchase of bonds of this character was concerned. At that time I was discussing what happened in Williams County, N. Dak., with respect to a proceeding held in that county, on a petition filed in behalf of certain citizens, in which those citizens charged the county commissioners of Williams County with dereliction of duty because they failed in some respects to comply with the law. After a hearing on that petition these county commissioners were suspended, as was the State's attorney of the county, by Senator LANGER, then Governor of North Dakota. In that case the evidence shows the bonds were sold by Mueller & Co. What was done in the way of a petition by the citizens who sought to suspend the county commissioners and the State's attorney for violating the law, in no way invalidated the bond issue itself, and the bonds were sold accordingly.

Mr. President, the point is made by the committee with respect to this transaction, however, that there was demonstrated here a weapon which could be used on other commissioners unless they dealt through Mr. Brunk and Mr. Brewer. That was the point that was made in that case yesterday.

I now desire to read a little more testimony taken by the investigators. I read from the testimony of Mr. Brewer. We have heard a good deal about what was done by Mr. Brunk, and learned how Brewer and Brunk purchased various individuals in order to get them out of the way.

I desire to read from the testimony of Mr. Brewer a little more evidence along that line. The following question was asked Mr. Brewer by the investigator, and the testimony can be found in the report of the investigators on page 23:

> Do you recall through 1937 and 1938 an approximation of what you may have paid by cash and check to Hugh McCullough, of Washburn, N. Dak.?

Mr. President, this is the same Hugh McCullough who Mr. Brunk in his testimony before the committee said was one of the individuals who had more or less of a nuisance value, and that in order to make the set-up work in North Dakota they had to get him out of the way. He was one of the individuals helping arrange the sale of these bonds of North Dakota counties to the State Bank of North Dakota.

> Do you recall in 1937 and 1938 an approximation of what you may have paid by cash and check to Hugh McCullough, of Washburn, N. Dak.? He is since deceased.
>
> Answer. I would guess that in cash and checks, although it is purely a guess, that I could have paid him anywhere from $15,000 to $18,000.

Then he talked about John Sullivan, and told of the $5,000 paid him for the same type of service, just as Mr. Brunk had testified. This testimony was read to the Senate yesterday. Brunk did not say that John Sullivan, as a lawyer in that county, earned that fee by rendering legal services, but he placed Sullivan in the same classification as all the other individuals in that section of the State whom they were paying.

Then the question was asked Mr. Brewer about payment to V. A. Corbett, of Minot:

> Question. How much did you pay (him)?
>
> Answer. I would say, from memory, approximately $25,000.
>
> Question. That is in 1937 and 1938?
>
> Answer. That covered more than 1937 and 1938. * * * I think that was paid him in 1935, 1936, 1937, and possibly 1938.

In Mr. Brunk's testimony, which was read yesterday, he referred to another man named Carl W. Lewis. I now read what Mr. Brewer said about Carl W. Lewis, when asked how much he paid him:

Question. Do you recall how much that might have been?

Answer. Between $7,000 and $10,000.

Then he testified with respect to the fee that was paid Senator LANGER at that time:

Question Did you ever pay WILLIAM LANGER, when he was in or out of office, any sizable fee? Six hundred and ten dollars in 1936, when he was out of office, is that right?

Answer. Yes, it is; if it is there it must be right. but I don't even recall it

Here we have as a witness one of the bond brokers and partners in this gigantic concern who says that he does not even recall paying Senator LANGER $610 in 1936, and yet Brunk said it was the cheapest fee that they ever paid in North Dakota for this preliminary work. So the story goes.

Mr. President, I now desire to turn back to the committee report and read from the point at which I left off yesterday. I read from page 74:

Your committee further reports that it caused to be sent to the State of North Dakota, three disinterested and competent appraisers, men who had many years experience as farm appraisers throughout the central and northwest, and after an exhaustive study of every tract involved in the Brunk-Langer dealers, the appraisers testified before your committee that the 3,990 acres of land sold by LANGER to Brunk had an equitable value of $5,718.46.

Mr. President, respondent brings on no one to refute the testimony as to the value of that land. I wish to say to the Senate that the appraisers the committee sent out were men who were highly trained in this particular work. I turn to page 255 of the hearings and read from the hearings as follows:

Senator LUCAS. The committee adopted the report of the subcommittee and directed your subcommittee to secure the appraisers. As chairman of that subcommittee, I took it upon myself to obtain what I believe to be fair, competent, and impartial men who have a thorough understanding of titles, as well as rural appraising.

These appraisers were ordered to be employed by the full committee, upon the suggestions and observations made by the subcommittee which made the original report. I continue to quote from my statement in the report:

For the benefit of everyone concerned, it should be understood that the chairman of the subcommittee, or no member thereof, knew either of the three men who were appointed before they came to Washington for an interview. I made it clear that no man living in North Dakota; no man living in Illinois; no man from any State in which a member of the subcommittee lived should serve, although I understand one of these gentlemen had lived in Illinois some 13 years ago. These three men were total strangers to us, but came with excellent recommendations for integrity, ability, and experience.

The first appraiser who testified before the committee was Ellis B. Southworth, who is vice president of the Title Insurance Co. of Minnesota. He testified he had been vice president of that company 13 years; that he is also general manager; that he handles the keeping of the title records and passes upon the insurance of titles made by the company, and that he is a lawyer by profession.

Mr. President, when he completed his testimony, telling the committee that he had made a careful examination of each and every tract which was involved in the Brunk-Langer real-estate deals, he told the committee, under oath, that—

The taxes on all of the properties involved, delinquent, to and including the taxes for 1937, amounted to $4,506.78.

I asked him this question:

Senator LUCAS. Now, the taxes in 1937 would be the taxes levied in 1936?

Mr. SOUTHWORTH. That would be the 1936 tax; that is right

The present amount necessary to take care of all properties involved in the report would be approximately $9,946.20. That includes $3,100 necessary to redeem the Morton County property in which Mr. Brunk indicated he had no interest.

The amount necessary for the 3,500 acres which he intended to redeem would be $6,846.20.

The other two appraisers were men of much rural-appraisal experience.

So Mr. Brunk, the great philanthropist of Des Moines, Iowa, bought this property back in 1937 and 1938, on which no taxes were paid; at least, when these appraisers went out there they found that on this $56,000 worth of land, this valuable land Brunk bought, which the appraiser said was worth only $5,600, there was at that time $6,846.20 due and owing in taxes alone. In other words, the taxes on this land due and owing at that time were more than the equitable value of the land found by these three disinterested appraisers, men who had had 20 to 25 years' experience in appraising land throughout the West and Northwest.

Mr. ELLENDER. Mr. President——

Mr. LUCAS. Mr. President, I am not going to yield. I am going on with the story, and the Senator can take his time and answer in his own time.

Mr. President, I have in my hand a book entitled "Appraisal and Title Notes, Lands and Mortgages Sold by WILLIAM LANGER to the Realty Holding Co." It is a very interesting document, made by the three men employed by the committee. The appraisal was made on a scientific basis. The appraisers walked over the land and made pictures of it. I shall be very happy to have any Senator who desires to examine the report do so. It has been on file with the Committee on Privileges and Elections all the time.

I wish to turn to this report and show exactly how much land was actually transferred from Senator LANGER, who was Governor of North Dakota at that time, to Brunk, and how much was left under a contract for a deed. Forty-five hundred acres of land were involved. The report of the title investigators develops a very interesting situation from the standpoint of the majority report in this case.

With respect to tract No. 1, containing 640 acres, the report shows that at the time the examination was made, on October 28, 1941, some 3 or 4 years after these transactions took place, the title was still in the name of E. J. Goetsch, subject to——

(a) Contract for deed to WILLIAM LANGER, dated April 6, 1927, and recorded in book 199, page 48. Contract sales price, $8,260; unpaid balance unknown.

The title to tract No. 2, of 960 acres, was in WILLIAM LANGER, subject to—

(a) Part purchase money mortgage to J. W. Rodgers, dated October 15, 1925, to secure the payment of $9,500 * * *.

(b) Taxes for the years 1932 to 1940, inclusive * * *.

There is nothing in the records of North Dakota which show that the Realty Holding Co. or Mr. Brunk had any interest whatsoever in that land.

Tract No. 3 consisted of 600 acres, in section 9, township 139 north, range 71 west, in Burleigh County, N. Dak. The title was in the Realty Holding Co.

The record shows that the title to tract No. 4, containing 80 acres, was in the Realty Holding Co.

What a tremendous organization was the Realty Holding Co. of Des Moines, Iowa. It was organized by Brunk and had a capitalization of $100. On that $100 capitalization he did thousands and thousands of dollars' worth of business under the name of the Realty Holding Co. It sounds like a big name, but it had a capitalization of exactly $100.

Turning to the next page, we find tract No. 5, which contained 640 acres. That tract was subject to the Bert Smith mortgage. That mortgage was transferred over to the Realty Holding Co. There was a mortgage of $4,500 on that place. Since 1940 it has been foreclosed, and the title has been vested in the State of North Dakota That is another of the very valuable pieces of land which were sold for so much money, sight unseen.

Tract No. 6 consisted of lots 11 and 12, in block 19, in the town of Tappen, Kidder County, N. Dak. The information shows that there was a mortgage, called the Shoemaker mortgage, in the amount of $600.

The report says:

This mortgage was made in 1928 to Andrew Gross and assigned to WILLIAM LANGER on August 13, 1930.

There is no assignment of this mortgage to the Realty Holding Co. of record.

Part of tract No. 7 consisted of 158 acres. The title was in WILLIAM LANGER, subject to a mortgage to Emil Krauth, dated August 1, 1926, recorded September 15, 1926. There is nothing in the record which shows that the Realty Holding Co. had any interest at all.

Another part of tract No. 7 consisted of the northwest quarter of section 20, township 134 north, range 80 west, in Morton County, N. Dak. The title was in WILLIAM LANGER, subject to a judgment in favor of Christian Diede, Sr., dated and filed March 2, 1934, for $1,486.71. There was an unrecorded tax deed to Morton County, dated October 1, 1940. The premises were sold for taxes of 1929 to 1935, inclusive, for $704.17.

Tract No. 8 consisted of 160 acres. The title was in WILLIAM LANGER, subject to a judgment in favor of Christian Diede, Sr., dated and filed March 2, 1934, in the amount of $1,486.71. There is an unrecorded tax deed to Morton County, dated October 1, 1940.

Mr. SMATHERS. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. SMATHERS. Does the record show anywhere that the purchaser ever took title and cleared up the encumbrances on any of the land which was purported to have been sold?

Mr. LUCAS. No; not a single one of those encumbrances was ever cleared up. It was understood that the particular encumbrances about which I am talking would be taken care of by the Senator himself under the contract; but Brunk said that he did not expect the Senator to do so, and that if the Senator did not do so he would take care of them himself.

I now return to the testimony taken before the committee. I am about to refer to a very interesting piece of testimony.

I do not see my friend from Utah [Mr. MURDOCK] in the Chamber. I wish he were present. He has exhibited more interest in this case than almost any other Senator. He did as much in developing some of the most vital evidence against Senator LANGER as did any other member of the committee; and yet he has stood here, along with the Senator from Louisiana [Mr. ELLENDER] and battled throughout this case for the Senator from North Dakota. That is perfectly all right; but it seems to me that in view of the attitude which the Senator from Utah took before the subcommittee, and in view of some of the questions he asked, which I am about to read into the RECORD, it is a little inconsistent for him to attempt to take my measure every time he finds an opportunity to question me upon some immaterial point which does not have a thing to do with the real issues involved.

I wish to read what the Senator from Utah said in this connection when he was cross-examining Mr. Brunk. It forms one of the most interesting parts of the record.

Mr. SMATHERS. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. LUCAS. I yield for that purpose.

Mr. SMATHERS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUCAS. I ask unanimous consent that the proceedings under the quorum call be vacated.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LUCAS. I thank the Senator.

Mr. President, on page 786 of the hearings held before the Committee on Privileges and Elections, from November 3 to November 18, 1941, is set forth the testimony which I am reading at the present time. I am still referring to the real estate bond transaction in North Dakota. Senator WILEY asked the following question of Brunk:

Senator WILEY. In making this deal was there an element in it that you were trying to serve him in a financial way?

Mr. BRUNK. Absolutely. That did not relieve me of all my obligations to him. I know my good Scotch wife still does not understand it.

That is Brunk talking; Brunk is talking about the deal they made; and Brunk says that his good Scotch wife still does not understand it.

I continue to read the testimony:

Senator WILEY. Do I understand, as I recall some of the testimony, that there was that feeling on the part of Mr. Brewer, too?

Mr. BRUNK. Mr. Brewer did not know anything about it.

Think of that!

Senator WILEY. That is all.

Mr. BRUNK. I might say he—

Meaning Brewer—

was fair to middling horrified about it when he heard about it, too.

Yes; his own bond-broker partner, Brewer, according to Brunk's own testimony, knew nothing about the transaction between Brunk and Langer; but when Brewer found out about it he was horrified. Just imagine Brewer being "fair to middling horrified" about a thing of that kind. Is it any wonder that his good Scotch wife was also "fair to middling horrified" when she found out about this same kind of transaction?

The testimony continues, as follows:

The CHAIRMAN. Any other questions to Mr. Brunk?

Here is where the energetic, youthful, and distinguished Senator from Utah comes in:

The CHAIRMAN. Any other questions to Mr. Brunk?

Senator MURDOCK. I would like to ask this question.

Mr. BRUNK. All right, sir.

Senator MURDOCK. You say, as a land transaction, you think that the transaction between you and Senator LANGER is very irrational; is that right?

Mr. BRUNK. Yes; I do. I do not think any businessman would approve of any part of it.

Brunk is a big businessman in Des Moines, Iowa, and a lawyer; and yet no businessman, under his own testimony, would approve of any part of his transaction.

Next we find the following testimony:

Senator MURDOCK. I agree thoroughly with you.

That is Senator MURDOCK's testimony:

I agree thoroughly with you—

That no businessman would approve it.

Senator MURDOCK further says:

If your Scotch wife has a little trouble understanding it, you would not blame the Senators here if they did not?

That is what the Senator from Utah said. I see that he is absent today.

Yes; Senators could not be blamed for not understanding this thing, so said the junior Senator from Utah, "If your Scotch wife has a little trouble understanding it."

Next we find the following:

Mr. BRUNK. No; she agrees with all of you.

Senator MURDOCK. Now, if a group of men were looking for something—

I see that the junior Senator from Utah [Mr. MURDOCK] is now in the Senate Chamber. I am glad he is here. Let me say to him that I am just reading the testimony developed by him at the hearings, and I am happy that he is present to hear it.

Mr. MURDOCK. The Senator does me honor to read it.

Mr. LUCAS. I shall go back and read a little of the preceding testimony for the Senator's information, because I do not think he is familiar with what he said.

Mr. MURDOCK. Oh, yes; I am. [Laughter.]

Mr. LUCAS. I read the following testimoney from page 786 of the volume containing the hearings held before the Committee an Privileges and Elections, November 3 to 18, 1941:

Senator MURDOCK. You say, as a land transaction, you thing that the transaction between you and Senator LANGER is very irrational; is that right?

Mr. BRUNK. Yes, I do. I do not think any businessman would approve of any part of it.

Senator MURDOCK. I agree thoroughly with you. If your Scotch wife has a little trouble understanding it, you would not blame the Senators here if they did not?

Mr. BRUNK. No; she agrees with all of you.

That is what Brunk told the Senator from Utah:

She agrees with all of you.

Undoubtedly, Brunk thought the Senator from Utah did not understand it at the time.

The testimony continues, as follows:

Senator MURDOCK. Now, if a group of men were looking for something to cover up, if they were doing a job that needed covering up, is it not quite rational for them to reach out and bring in a land deal such as you gentlemen did in this case?

Mr. BRUNK. Well——

Senator MURDOCK (interposing). Is not that the very thing that they would do if they had something to cover up, is to reach out in all directions and see what they could do to cover up, and is that not exactly what you have done in this case?

Those are rather plain words.

I continue to read from the testimony:

Mr. BRUNK. No; that is not exactly what I did. I might have followed a formula which you, as rational men, would have done if you had the one motive of trying to cover it up, but that is not what I did.

Senator MURDOCK. I will agree with you thoroughly that as a business transaction it cannot be explained on any rational basis, but as a cover-up transaction it seems to me that it is just exactly the type of thing that you could reach out and cover up with.

Mr. BRUNK. Well, would you believe that it would be rational under those circumstances to pick a corporation that the secretary of state's office in Iowa showed to belong to me and to be used by me in many other transactions?

Senator MURDOCK. Yes; after listening to you here on the witness stand I can very well conceive you can do that very thing.

The Senator from Utah had a lot of faith in him when he was on the witness stand; did he not—a lot of confidence in Mr. BRUNK on that witness stand.

Next, we find the following testimony:

I can also conceive, after listening to you on the witness stand, that you would handle a transaction by check instead of cash.

Mr. BRUNK. Well, I did.

Senator MURDOCK. What is irrational as a business deal, if all the details are not thought out, it may even be irrational as a cover-up scheme. That is the picture that I got.

That is not the picture that the junior Senator from Utah [Mr. MURDOCK] has had the last several days, however.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I am not going to yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. MURDOCK. I think that, in fairness to me——

Mr. LUCAS. I am not going to yield.

Mr. MURDOCK. All right; I did not think the Senator would yield.

Mr. LUCAS. I am simply quoting what the Senator said at that time.

Mr. MURDOCK. If the Senator did that I should not object.

Mr. LUCAS. This is the testimony:

Mr. BRUNK. Well, I am aware that the petitioners have that picture, and I am quite aware that many of my fellow townsmen at home would have that picture, but that is not my picture.

In other words, Mr. Brunk says, "I am aware, Mr. MURDOCK, that you have that picture, and I am aware that many of my fellow townsmen at home would have that picture; but I do not have that picture."

I continue to read from the testimony:

Senator MURDOCK. The thing we are trying to get at—you say it is irrational as a business deal. Now, I say that as a cover-up thing is it not the very thing that you would do? I would like to have your explanation on that.

Mr. BRUNK. Well, in the first place, I did not think these county-bond transactions involved the Governor's vote. I thought this thing was in momentum.

Oh it was in momentum no doubt! He did not know—the smart Mr. Brunk did not know—that the Governor had the veto power on matters of this kind. He thought it "was in momentum." Everything was in momentum until the investigators examined Brunk last summer.

The testimony continues:

Senator MURDOCK. You told us early in your testimony that you found out in handling deals similar to this that you had to get the opposition out of the way, you had to buy them off, you had to do something for them, and as the result of your having failed to do that you lost a big deal.

Mr. BRUNK. That is right.

Brunk said: "That is right." Yes; one time in the early history of Mr. Brunk, because he did not "buy them off," he "lost a big deal." But since that time he learned his lesson; he was "buying them off" after that.

I continue to read from the testimony:

Senator MURDOCK. You had learned your lesson?

Mr. BRUNK. But that official was not a public official.

Senator MURDOCK. You said you had learned your lesson when you came into the North Dakota deal.

Mr. BRUNK. The South Dakota deal, pardon me.

Senator MURDOCK. You knew Governor LANGER was one of the directors of the State Bank of North Dakota?

Mr. BRUNK. Yes; but I certainly did not consider him then, nor now, as opposition.

Well, of course he did not consider him as opposition. He would not have made all these deals if he had considered the then Governor of the State as opposition. His answer is perfectly asinine when made in reply to a question of that kind.

The testimony continues as follows:

Senator MURDOCK. You knew he was a director, did you not?

Mr. BRUNK. I knew he was Governor.

Senator MURDOCK. You knew if he was opposed to this transaction, which meant a profit from counties that could not afford to pay it to bond brokers, that you would have to get him out of the way to put it over, under your own theory; is that not true?

Mr. BRUNK. No; that is not true, and that had no part in the decision of this matter.

Senator MURDOCK. I know that that is what you say, but under your theory, if there had been opposition, and if there was opposition from the men handling the Bank of North Dakota, then under your theory you would have to get them out of the way, would you not?

What was the Senator driving at in that remark, when he was asking Brunk that question?

I continue to read the testimony:

Mr. BRUNK. Well, let us not——

Senator MURDOCK (interposing). That can be answered either "yes" or "no," can it not?

That is how emphatic the Senator from Utah was with Mr. Brunk, he said, "The question can be answered either 'yes' or 'no'; can it not?"

The testimony continues, as follows:

Mr. BRUNK. Well, there was no opposition, and I did not think, through reasoning processes, that there would be demonstrated opposition I did not believe it, and the statement of the deposits in the Brewer Co. indicates that the county deals were already in process before a single land contract was signed. I do not know whether it was deliberate to eliminate the three or four items that came in January of 1937 from this deal, and the one of April 7 There were many county transactions, I listed them here, four anyway with this one of May 7, of April 7 here and of April 30 here, which total $14,000 here before a land contract was signed These were in process of being done. There was not opposition. This was an accepted thing.

Senator MURDOCK. Yes; I can readily conceive of that, but before any checks were delivered to Senator LANGER the land transaction was consummated, according to you.

Mr. BRUNK. That is right. I think the first check was May 11, 1937.

Senator MURDOCK. And the point that I am trying to make is that just this type of transaction would be the kind of cover-up transaction you would be looking for.

Mr. BRUNK. Pardon me, Senator. I think you are making the argument to me. I do not agree with those premises. The first check to him was dated the same day as the first contract, May 11, and possession was taken that day.

Senator MURDOCK. Yes; I can see that.

Mr. BRUNK. Maybe that is the way you cover up things, to send your man out to take possession of land that is as well known as the Langer land. I do not know. Maybe that is it, but I do not think so.

Senator MURDOCK. If you wanted to make the real-estate deal look genuine, that is exactly what you would do, is it not?

Following Brunk's theory of things:

Mr. BRUNK. Well, it is genuine. I had $2,300 or $2,400 off of it this year, which indicates some genuineness to it.

Senator MURDOCK. That is all I have, I believe.

Then, the Senator from Delaware [Mr. TUNNELL] interrogated the witness:

Senator TUNNELL. I would like to ask one or two questions.

The CHAIRMAN. Senator TUNNELL.

Senator TUNNELL. I understood you to say that you took this land over; did you?

Mr. BRUNK. I own all of the Realty Holding Co.

Senator TUNNELL. Why did you use the expression "horrified" with reference to Mr. Brewer? Why was he horrified?

Mr. BRUNK. Because he could see very promptly what you rational people see here.

He could see "very promptly what you rational people see here" with respect to the cover-up deal which was brought out so forcefully by the Senator from Utah.

Senator TUNNELL. He thought it looked crooked?

Mr. BRUNK. He thought it would appear to be bad, and he had not been dealing that way.

Senator TUNNELL. I see.

Mr. President, I now read from page 75 of the majority report:

Your committee cannot escape the definite conclusion that this transaction between Brunk, Brewer, and respondent has every earmark of a cover-up deal. And while the brilliant, irrational, and erractic Mr Brunk constantly attempted to convince the committee that he was only attempting to be helpful to a man whom he believed was being persecuted politically, and whose economic theories he endorsed, nevertheless we find that this so-called charitable inclination by Brunk toward the respondent kept perfect pace with the profits he was making out of the bond deals in North Dakota.

Your committee concludes that this shameful transaction between the Governor of a State and two bond salesmen and brokers who lived beyond the border lines of North Dakota, is contrary to justice, honesty, and good morals. A public official owes to his fellow man and society in general a course of conduct with respect to honesty and integrity in his official life, that can under no circumstances be seriously questioned.

Your committee has set forth in more or less seriatim fashion respondent's strange course of conduct as an official of the court, as attorney general, and as Governor, over a long period of time. A careful reading of the report and the hearings demonstrate a continuous, contemptuous, and shameful disregard for the high concepts of public duty that every public official swears to uphold and defend under his constitutional oath. The charges of moral turpitude are found in many shades and patterns, culminating in the sale of the Mexican land stock and the bond real estate transactions.

Those are the transactions I have just been discussing.

Mr. President, yesterday one of the distinguished Members of the Senate was talking with me about the lack of actual proof in cases of this kind. Well, of course, any transaction of this kind is difficult to prove. We elicited more proof from Mr. Brunk on cross-examination than is usually elicited in cases of this kind. Mr. Brunk was an extremely nervous man when he was before the committee. He is a man of extraordinary brilliance, but eccentric. He was well able to take care of himself upon all occasions, and Senators listened eagerly to the testimony he gave in connection with this cover-up transaction.

For the benefit of those who may think that there should be proved here every link in the chain in connection with this Mexican land deal, and in connection with the deal involving the sale of the bonds and the real-estate transactions, I shall take the liberty of reading from the petitioner's brief, on page 19, as follows:

But the purchase of the land was, as petitioners charge, a cover-up transaction—even as the giving of the note by Fall to Doheny for the $100,000 was a cover-up transaction in the leasing of the Teapot Dome to the Pan American Co. The uniform annual percentage of profits paid to respondent was no mere coincidence.

Brunk and LANGER inadvertently left their tracks. The Supreme Court of the United States in upholding the cancelation of the lease as having been obtained by fraud in *Pan American Co.* v. *United States* (273 U. S. 456), stated that:

"The facts and circumstances disclosed by the record show clearly that the interest and influence of Fall, as well as his official action, were corruptly secured by Doheny for the making of the contracts and leases; that after the Executive order of May 31, 1931, Fall dominated the administration of the naval reserves—

Just as the Governor of North Dakota dominated the State Bank of North Dakota, the industrial commission, and every other governmental agency there.

"And that the consummation of the transaction was brought about by means of collusion and corrupt conspiracy between him and Doheny. Their purpose was to get for petitioners oil and gas leases covering all the unleased lands in the reserve. The making of the contracts was a means to that end. The whole transaction was tainted with corruption. It was not necessary to show that the money transaction between Doheny and Fall constituted bribery as defined in the Criminal Code or that Fall was financially interested in the transaction or that the United States suffered or was liable to suffer any financial loss or disadvantage as a result of the contracts and leases. It is enough that these companies sought and corruptly obtained Fall's dominating influence in furtherance of the venture It is clear that, at the instance of Doheny, Fall so favored the making of these contracts and leases that it was impossible for him loyally or faithfully to serve the interests of the United States."

Mr. President, in that connection, I want to state what happened to the counties of North Dakota that sought to sell their bonds to the State bank.

I shall read this from page 97 of the subcommittee's report and memorandum of information submitted to the Committee on Privileges and Elections, quoting from the report of Clyde Duffy, who was special counsel for Governor Moses, and who investigated these bond transactions. This is what he said:

Grant, Mercer, Sheridan, Morton, Ward, Adams, Slope, and Mountrail Counties are all reported as having applied to one or more State agencies before making a sale of their bonds through a broker.

In other words, the very thing which the Supreme Court was talking about in the Fall case. These counties went first to the State agencies for the purpose of attempting to sell their bonds, as they should under the law, but they could not do it. Later on the counties sold their bonds to Brunk and, there are, as set forth on page 71 of the committee's report, figures taken from Mr. Brunk's private ledger sheets, kept in Des Moines, Iowa, showing the commissions he made from these transactions. When the State Bank of North Dakota was importuned, in the first instance, to take these bonds, the bank's officials said, for some cause or other—perhaps because they did not have the men to go out and do the work—they could not do it and, accordingly, they did not buy them. The commissions were sizable amounts. For instance, in the large county of Morton a commission of $27,972.71 in one transaction went to the bond broker, a commission which could have been saved to the county of Morton had the State bought the bonds in the first instance, or at least the profit could have been made by the State Bank of North Dakota. The lower courts for that reason rightly held the United States entitled to have them adjudged illegal and void.

They were referring to the contracts and leases. I am still quoting from the petitioner's brief:

The bribe of respondent in this case is further demonstrated by the fact that the appraisal made by the three eminent appraisers selected by this committee showed that respondent's equity in the land in 1937–38 was worth only $5,718.46 (p. 270), or less than one-tenth of the amount of money he secured from Brunk, which we claim was his share of the profits secured by Brunk & Brewer from North Dakota on the bond deals. The testimony of these appraisers is in the printed hearings, and this testimony (pp. 265–274) and their joint unprinted report should be read in full The United States was not able to prove each link in the bribery of Secretary Fall in the *Mammoth Oil case* (14 Fed. (2d) 707; affirmed 275 U. S. 13). The circuit court of appeals there said, at page 731, among other things, that:

"Is a court to say that, because none testified as to the actual transfer of the bonds, a fatal missing link in the evidence exists? We conclude not The reasonable, proper, and natural inferences and presumptions from the accrual of condemnatory incidents appearing in this record supply the so-called missing links in the testimony and satisfy us of Sinclair's connection with the Continental Trading Co., Ltd., and with the acquisition of the Government Liberty bonds by Everhart and Secretary Fall."

I say, Mr. President, that in the case before us at this very moment I can repeat the same language, "the reasonable, proper, and natural inferences and presumptions from the accrual of condemnatory incidents appearing in this record," involving the sale of these bonds and the sale of this real estate, "supply the so-called missing links" in any actual testimony that is necessary, in the humble judgment of the Senator from Illinois, and that is the view which at least 13 members of the committee took.

This is what the Court said, still quoting from the Fall case:

A trail of deceit, falsehood, subterfuge, bad faith, and corruption, at times indistinct, but nevertheless discernible, runs through the transactions incident to and surrounding the making of this lease. It should not receive the approval of the courts. Our conclusion is that the Government has sustained its claim that the lease and contract were procured by fraud and corruption, and that they should be canceled.

Mr. President, it is also contended in the views of the minority, as well as in the briefs filed by learned counsel for the petitioners, that the Senate should not refuse to seat Mr. LANGER on account of the charges against him because many of the matters involved in the charges have been adjudicated in the courts in favor of Mr. LANGER, and the others could have been or could now be so adjudicated.

The principal charges in the case are those relating to the bond deals and the Mexican land deal. It seems clear that the argument of the minority heretofore referred to could not reasonably be maintained with respect to these charges for the following reasons:

First. The criminal offenses of which the evidence indicates Mr. LANGER may have been guilty in connection with these matters was in accepting bribes for the use of his influence in connection with his official duties as Governor.

Second. It appears that the facts relating to the receipt by him, in 1937–38, of payments which might be found to be bribes did not become known until they were discovered in the course of the investigation by this committee.

A large number of matters which were brought before the committee in the early part of the investigation were known by the people of North Dakota, and obviously they had been discussed all over the State in the campaigns. Most of those facts, as I have heretofore said, were brought forth voluntarily on the part of Senator LANGER himself, but there are three matters in the case about which the people of North Dakota knew nothing.

The first is in connection with the payment of $275, the balance due and owing on a transaction between Mulloy, the secretary to the Governor at that time, and Gale Wyman, son of Judge Wyman, for the latter's peculiar influence in connection with the first conspiracy case and the perjury charge. Regardless of the reason for which he was employed, Gale Wyman had no business in that case, and the Senator, as Governor at that time, had no moral or legal right to pay that man, in the face of the circumstances. And one angle of the case upon which the witnesses agreed was that no one knew a single thing about it until the investigators found it out last year.

In connection with the transaction between Sullivan of Chicago and Mr. LANGER the day they made the contract in their office, is there anyone here who believes that the people of North Dakota ever saw a copy of that contract in any campaign? Is there anyone who believes they knew anything about the details of that transaction, or its purpose? Does anyone believe that the people knew that no stock was delivered to the respondent, that he received absolutely nothing but some worthless stock, which is now with the Agrarian Commission on Mexican Claims, at least most of it?

No, Mr. President, the people did not know that, and certainly the people of North Dakota did not know anything about the facts to which Gregory Brunk has testified. Gregory Brunk over in Des Moines, Iowa, Mr. Brewer up in Minneapolis, Minn., both beyond the State lines of North Dakota, collaborating with the respondent in this case, making deals for the sale of this real estate.

No one knew that Mr. LANGER sold $56,000 worth of real estate to Gregory Brunk. No one knew that land was worth some $5,600, so far as the equitable value was concerned. Some might have known of the value of the land, but they

did not know it had been sold for $56,000, some 10 times what it was worth.

I say that those things were not known in any campaign in North Dakota, and there is not a scintilla of evidence to show that they had been injected into any campaign. The people talked about the bond deals in North Dakota, they talked about someone making something off these deals in the campaigns—I think Mr. Lemke talked about that—but I am referring to the real facts in the case as they were uncovered by the investigators. The people of North Dakota did not know them.

Mr. President, the North Dakota statute of limitations provided that the prosecution of a felony, which the acceptance of a bribe would be, must be commenced within 3 years after the commission of the felony. So it goes without saying, that if the public officials did not know the details of the matters about which I am now speaking, the statute of limitations has run against them, and no prosecution could be had, regardless of what the Duffy report says, or regardless of what any other report may say.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. Has the statute of limitations run against the payer of the bribe, Mr. Brunk, who is not a resident of North Dakota, and has not been in the State at all since?

Mr. LUCAS. I do not know what the statute of Iowa is in that respect. I do not know where the deal took place. I cannot tell.

Mr. MURDOCK. The record discloses that Brunk is a citizen of Iowa, does it not?

Mr. LUCAS. Yes; and perhaps the transaction took place in Iowa. I do not know that. I do not think the Senator knows just where all these transactions took place.

Mr. MURDOCK. That is my position, and it is rather unfair to continually draw a conclusion against the Senator from North Dakota, when under the laws of this country a man is accompanied by a presumption of innocence until he is proven guilty beyond a reasonable doubt.

Mr. LUCAS. I brought this matter in because the Senator from Michigan [Mr. BROWN] asked me yesterday what the statute of limitations of North Dakota was with respect to a matter of this kind. I looked it up last night, and have stated the fact. It comes from the legislative counsel of the Senate, and I presume it is correct. I should be glad to put in the statute of limitations of Iowa. Certainly I am not here defending Mr. Brunk or Mr. Brewer, or any of those connected with this transaction. I think they are just as guilty as anyone else; but I am not trying Brunk in this case. His testimony is used frequently as that of a good witness for the majority report, but he is not on trial here, and what is done with him in North Dakota or in Iowa I do not care. I quote this statute because of the inquiry made by the Senator from Michigan [Mr. BROWN] yesterday.

Mr. MURDOCK. If the Senator will yield for one further question——

Mr. LUCAS. I yield.

Mr. MURDOCK. My reason for propounding the question is that, since the committee has dug up and unearthed and revealed all the facts which were presented in the committee's investigation, if a crime has been committed in the sale of bonds and the payment of bribes in North Dakota, it seems to me natural that the present Governor of North Dakota would be interested in bringing the culprits to trial in that State, unless he is precluded by some statute of which I know nothing.

Mr. McFARLAND. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. McFARLAND. Does the statute of limitations run from the date of the crime or from the date when it is known?

Mr. LUCAS. I think it is from the date of the crime. This is not like a murder case. I think that in the ordinary bribery case or felony case or case of misdemeanor it runs from the date of the commission of the act. It probably differs in the various States.

Mr. McFARLAND. I was asking about North Dakota.

Mr. LUCAS. I do not know whether it runs from the date the crime is known or not. But, of course, the statutes of limitations are different in different States respecting different crimes.

Mr. McFARLAND. I thank the Senator.

Mr. LUCAS. In the State of Illinois I think the statute of limitations never runs against murder, for instance, and one or two other crimes.

Mr. McFARLAND. The reason I asked the question is that in some States the statute begins to run from the date that the crime is known.

Mr. LUCAS. The Senator is absolutely correct.

Mr. President, the view urged by the minority of the committee in this case seems to be that the Senate should not exclude Mr. LANGER because of acts which may have constituted crimes unless he has been convicted of the commission of those crimes in the courts. The precedents in other cases which have been determined by the two Houses of Congress throw some light on this question.

In the case of Phillip F. Thomas, the Senate refused to seat Mr. Thomas, who was a senator-elect from Maryland, on the ground that he had "given aid, countenance, and encouragement to persons engaged in armed hostility to the United States." There can be little doubt that if Mr. Thomas was guilty of such action he was also guilty of the crime of misprision of treason. However, at no place in the report of the case in Hind's Precedents (vol. 1, pp. 466–470) does it appear that anyone urged that the Senate should not consider the matter because it was a crime which had not been tried in any court.

In the case of B. F. Whittemore—Hind's Precedents, volume 1, page 47—the House refused to admit Mr. Whittemore, who had been chosen at a special election to fill a vacancy resulting from his own resignation from the House to escape expulsion. He had been charged with the sale of appointments to the Military Academy. Mr. Logan, in advocating the exclusion of Mr. Whittemore, urged that it was right to exclude a man from the House for crime. It does not appear that anyone urged that crime should be tried only in the courts.

In this case, since Mr. Whittemore was elected at a special election to fill a vacancy created by his own resignation from the House, it is evident that the electorate in his district must have been familiar with the charges against him.

Mr. Price Wickersham commented on the Whittemore case. He wrote the very excellent brief in the Frank Smith case on qualifications. He was a member of the Kansas City bar. As I recall, former Senator James Reed placed that brief in the RECORD, and it can be found in the CONGRESSIONAL RECORD, volume 69, page 118. In his comment on the Whittemore case Mr. Wickersham said:

> In considering the Whittemore case and in weighing its value as a precedent it should be borne in mind that the charge complained of was an offense punishable by law, but for which, under the Constitution, he was presumed to be innocent until proven guilty, and the offense was committed prior to the last election and the facts concerning the charge were known by the electorate prior to the election. (See CONGRESSIONAL RECORD, vol. 69, p. 118.)

But there was no charge against him. The court never took any evidence on the matter at all.

Mr. MURDOCK. Mr. President, will the Senator yield? Are not these the facts in the Whittemore case——

Mr. LUCAS. If the Senator is going to make a speech on the Whittemore case, I will let him make it in his own time. I will yield to answer questions.

Mr. MURDOCK. Very well, if that is what the Senator desires.

Mr. LUCAS. I cannot permit myself to be placed in the position in which I have heretofore in this case, I will say with all due courtesy to the Senator.

Mr. MURDOCK. I think the Senator has been the most courteous Senator I have seen on this floor in a long time. I withdraw my question.

Mr. LUCAS. I thank the Senator very much.

Mr. President, in the case of Brigham H. Roberts—Hind's Precedents, volume 1, page 527—Mr. Roberts was excluded from the House on the grounds that he was a polygamist. In the majority report of the committee on this case was the following language:

> He is disqualified because for years he has been living in open, flagrant, and notorious defiance of the statutes of Utah and in open, flagrant, and notorious defiance of the statutes of Congress—of the very body which he now seeks to enter—in defiance of the law as declared by the Supreme Court of the United States, and in defiance of the proclamations of Presidents Harrison and Cleveland. He has persistently held himself above the law.

It does not appear that Mr. Roberts had been convicted in any court of the commission of any crime.

Yet, the House, by a tremendous majority, ousted Mr. Roberts.

I shall now refer to the Frank L. Smith case. Mr. Smith was elected by my own State. He has been mentioned frequently in the course of the debate in this case. In that case the resolution by which Mr. Smith was excluded from the Senate contained the following language:

That at all of the times aforesaid the said Frank L. Smith was chairman of the Illinois Commerce Commission, and that said public-service corporations commonly and generally had business before said commission, and said commission was, among other things, empowered to regulate the rates, charges, and business of said corporations.

It further said:

That by the statutes of Illinois it is made a misdemeanor for any officer or agent of such public-service corporations to contribute any money to any member of said commission, or for any member of said commission to accept such moneys, upon penalty of removal from office.

In the debate Senator MCKELLAR said:

It is charged, and the committee have reported the fact to the Senate that Mr Smith violated the law in his own State for which violation the Senate has a right to vote as to whether or not they will permit him to take a seat here, or whether he shall be excluded. (CONGRESSIONAL RECORD, vol. 68, p. 1048).

It does appear that in the Smith case there was urged the same view that is now being presented in the present case. This is indicated by a quotation from the remarks of Senator Bingham which I shall read. Before I read Senator Bingham's remarks I wish to return for a moment to the Smith case. There is not any question that there was a law in the State of Illinois, as was quoted by the Committee on Privileges and Elections, making it a misdemeanor for a corporation such as Samuel Insull's to make a contribution to Frank Smith, who was candidate for the Senate, and at that time chairman of the Public Utilities Commission of the State of Illinois. Nevertheless the fact is that Illinois did not prosecute him. Smith never was prosecuted. That did not keep the Senate from acting upon the evidence it had before it.

Senator Bingham, who was favorable to Frank Smith, said:

Mr. President, this special committee tells us that that law of Illinois has been broken. Before it tells us this, it is in evidence in the hearings that three members of that committee had already gone on record as being opposed to any claim of innocence on the part of Mr. Smith.

No court in Illinois has ever passed on this case. The people of Illinois, through their district attorneys or through their officers of the law, or whatever may be their usual methods of bringing criminals to the bar of justice, have not proceeded against Mr. Smith. He has had no fair trial in a court of law as to whether or not he broke the law. We have in this case merely the decision of this committee that he broke the law. That is not our usual way, under the principles of justice which we have inherited from our ancestors, of trying those who break the law in this country. It has been our practice from time immemorial to assume that a man was innocent and to consider him innocent until he had been proven guilty in a court of law; but this case evidently is not regarded in Illinois as of sufficient importance for any district attorney or any special attorney to bring any case in any criminal court against Mr. Smith, and so he has not been convicted of any fraud or corruption. Under our practice, then, he is innocent. (CONGRESSIONAL RECORD, vol. 69, p. 1592.)

The Senate, however, said "No," and ousted Smith.

The argument made by Senator Bingham is refuted by the following quotation from the remarks of the Senator from Georgia [Mr. GEORGE] in that case:

The offense committed by Mr. Smith against the people of Illinois is and must remain a question between Mr. Smith and the people of his State; but whatever, in the light of the undisputed and uncontroverted evidence, it is the duty, under the Constitution, of the Senate to do, the Senate must do regardless of other considerations, not as a challenge to the great State of Illinois but because Illinois and all other American States expect the Senate of the United States to exercise the power which was given to it in the Constitution for the protection of the Senate and the people of the United States. (CONGRESSIONAL RECORD, vol. 69, p. 1591.)

It might be noted in passing that Mr. Smith's misconduct in connection with the primary in Illinois had been investigated by the Special Senate Committee prior to the election, and that the committee's report had been made public and thoroughly discussed in Illinois during the campaign preceding Mr. Smith's election and that he was elected by the people of Illinois nevertheless.

Mr. Smith came back to the Senate, but was excluded from the Senate. He was not even given the oath.

While I am discussing the Smith case I wish to reiterate what I have said once before in connection with it. It has been constantly said here on the Senate floor, and was argued by learned counsel in their written brief, as well as in their oral arguments before the committee, and the hearings contain frequent references to the statement that the people of North Dakota have passed upon this case; that the people of North Dakota, having elected Mr. LANGER, the Senate of the United States has nothing to say about it.

I wish to discuss that legal point a little later, but for the moment I desire again to impress upon the Senate what was done in Illinois back in 1926, when Frank Smith was refused his seat in the Senate. Frank Smith first came here with bona fide credentials, upon appointment by Governor Small, and no election was involved in that particular instance. Before he came here, however, the Reed committee had been in Illinois and had investigated all the facts and found out what had happened out there and submitted the matter to the Senate. While there was nothing in the appointment of Frank Smith that could be charged in connection with the election in the fall—because the voters had nothing to say about that appointment—nevertheless when Smith came here under that appointment he was not allowed to take the oath.

Certainly refusal was based upon the moral-turpitude charges, the acts committed by Smith prior to the election, and on nothing else. So after the Senate refused to give him the oath, which was 90 days after the primary, when Senator McKinley died, and Governor Small appointed Smith to fill out the unexpired term, he then went back to the people of Illinois and he made speeches, according to his own testimony in the RECORD, in every county in that State. A man named McGill came out on an independent ticket against him, and George Brennan was the candidate on the Democratic ticket. McGill made this Reed report the only issue in the campaign.

McGill was violently opposed to public-utilities theory of things, and he made the public utilities an issue against Frank Smith, along with the excessive use of money in that campaign in Illinois. There was not a newspaper in the State which did not carry the story. There was not a voter who was interested in the campaign who did not know about it. If there was ever in the history of the Senate a case in which the people knew about the real issue, it was the Frank Smith case in Illinois.

Notwithstanding this campaign against him, the people of my State sent him back here again with a majority of 80,000 votes; but when he came he was barred from coming through yonder door to take the oath, because of what had happened in the primary campaign. The Senate took the same position then which the Senator from Georgia [Mr. GEORGE] took in the case which I have just read. The Senate took the position that it is the judge of the qualifications of Members of this body, and that the people of the State of Illinois have nothing to say about the qualifications of Members of the Senate under the Constitution laid down by the founding fathers long ago. It took the correct position in making that decision, so far as this body being the judge of the qualifications is concerned. Of course, we do not have to wait for a court decision in any case if we think that the laws have been violated and corruption and moral turpitude are involved. If we ourselves believe it, that is enough.

Mr. President, I wish to discuss another legal question, the question of jurisdiction. This question was not raised on the floor of the Senate the day the oath was administered to Senator LANGER back in January 1941; but it was raised in executive session in the committee. While I doubt that there is anything to the point which was made, nevertheless, in view of the fact that the question was raised, I shall take a little time to discuss it.

For the information of the Senate, your committee voted 14 to 2 in the affirmative on this question. It is doubtful that the vote itself had any force or binding effect in ratifying what the Senate had previously done on January 3, 1941. The CONGRESSIONAL RECORD of that date shows that the Majority Leader [Mr. BARKLEY] advised the Senate that he had received charges and affidavits from various citizens of North Dakota objecting to Senator LANGER's taking the oath and being seated as a United States Senator. The request was denied; but in a discussion of the charges filed, the able majority leader suggested that all charges and affidavits be referred to the Committee on Privileges and Elections for speedy determination. All Members participating in the debate agreed

to the proposal. The Senate unanimously agreed to it.

Mr. President, I submit that the question of jurisdiction should have been raised on January 3, 1941, prior to the time the majority leader made the motion to refer the charges to your committee for investigation. In making that statement I do not preclude the Senate from taking or denying jurisdiction of a matter of this kind at any time before a final determination is made. However, I am of the opinion that the better practice in matters of this kind is to raise the question of jurisdiction at the first available opportunity.

My position upon the question of jurisdiction is based upon a precedent in the case of Arthur R. Gould, a Senator from Maine. When a charge was filed against him that he had been guilty of bribery some 14 years before his election to the United States Senate, the question was thoroughly debated upon the floor of the Senate before it was referred to the Committee on Privileges and Elections.

I want some of the Senators who have been protesting about the committee going back 15 or 20 years and investigating the public acts of a man to remember the Gould case. I shall refer to still another.

The Senate thought that 14 years before Gould became a United States Senator he had had some trouble up in Maine, involving a bribery charge. In the debate Hon. David Reed, a Senator from Pennsylvania, seriously contended that the Senate had no jurisdiction and could not take jurisdiction, even if Senator Gould should give his consent. Senator Gould stood on the floor of the Senate and asked for a speedy investigation of the charges which Senator Walsh at that time presented to the Senate. Senator Reed took the position that the Senate had no jurisdiction, and that even though Gould asked for a speedy determination he himself, under the Constitution, could not confer jurisdiction upon the committee. I should like to read a little of that debate, because it is interesting. Let me read what Senator Borah said on the question of the people having passed upon the issue. In that case Gould had carried every county in the State of Maine. In the county where the bribery was supposed to have taken place he received 9,000 of 10,000 votes. Former Senator Hale made a very interesting argument on the point that the people had passed upon the issue, and that consequently the Senate had no jurisdiction to go into the charge of bribery 14 years before. In answering that argument, Senator Borah said:

> Mr. BORAH What I desire to say is that I am going to vote to adopt the resolution as it is offered; but I do not want to be understood as being influenced in any way by the theory that the vote in the State of Maine had anything to do with the vindication of the Senator, so far as the question here presented is concerned. In other words, I do not want to have it established by my vote in the Senate that an election in a State, after a man has been charged with certain derelictions, deprives the Senate of jurisdiction to investigate those matters itself.

Mr. President, that is a sound doctrine. It is the same doctrine which was promulgated by the Senator from Georgia [Mr. GEORGE] in the case to which I referred a few moments ago.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. I realize, of course, that there are many conflicting views with reference to the constitutional authority of the Senate in cases of this kind. Various views have been expressed by individual Senators on the floor of the Senate during the course of debate in reference to election cases; but, with particular reference to the Gould case, I do not think the able Senator from Illinois can stand upon the Gould case as a precedent because, notwithstanding what various Senators may have said, what Senator Reed may have said on one side and other Senators on the other side, the committee, in its report——

Mr. LUCAS. I shall read the report. I am coming to it. The Senator is anticipating what I shall say in the conclusion of my argument. I have no objection if he desires to refer to the committee report at this time.

Mr. OVERTON. The committee said:

> No opinion is expressed by the committee on the important constitutional questions touching the power of the Senate in the premises. If the fullest power exists, the committee believes that every case involving the exclusion of the Senator-elect or the expulsion of a Member of the Senate for an offense alleged to have been committed prior to his election, must depend upon the peculiar facts and circumstances of the particular case. The general conclusion to which your committee has come makes it unnecessary to give an opinion upon the power of the Senate with respect to the questions here raised.
>
> The committee is in entire agreement in the instant case on the following particulars.
>
> (a) * * *
>
> (b) The transaction here inquired into had in fact no relation to the selection of the Honorable Arthur R. Gould as a candidate of his party in the primary of 1926 or to his election to the Senate of the United States in the election held in the State of Maine in 1926.

Therefore the committee reported, first, that it expressed no opinion as to the authority of the Senate with reference to the question as to whether or not the Senate had the constitutional right to exclude a Senator-elect from the Senate on account of some act which he had committed prior to his election; and the committee distinctly based its report, among other things, on the fact that the transaction had no relation to the election. The committee exonerated him, as did the Senate, from the charge which had been alleged against him; but it expressly declared that that transaction had no relation to the election.

Mr. LUCAS. Of course, if he was innocent it could not have had any relation.

Mr. OVERTON. It was not on that ground. That was not the particular emphasis that the committee was placing on that phase of it.

Mr. LUCAS. I know what the committee said. The committee acted just as the Supreme Court does in certain cases. When certain issues are raised, the Court may pass on one issue and say that the case should be reversed; it says also that it does not care to go into the other issues. The question which the Senator has raised is analogous to that situation. The committee found that Gould was not guilty of the charges, so it did not raise any of the other issues.

Mr. OVERTON. That is the point I am making. The committee not only found that Gould was innocent of the charge which had been preferred against him, but based its report upon the further and very important ground that the transaction had no relation whatsoever to his election.

Mr. LUCAS. The Senator says it had no relation to his election. Various interpretations may be placed upon that statement.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Maine.

Mr. WHITE. It has been a long time since I thought of this particular case, and a still longer time since I have undertaken to refresh my recollection about it; but such recollection as I have is that the charge was of bribery of some official of the Province of New Brunswick.

Mr. LUCAS. That is correct.

Mr. WHITE. And he was found not guilty on that charge.

Mr. LUCAS. That is correct.

Mr. GEORGE. Mr. President, will the Senator yield to me?

Mr. LUCAS. I yield.

Mr. GEORGE. I do not want to interrupt; but I lived through nearly all these cases. I was here during the Smith case; I was a member of the special committee and of the Committee on Privileges and Elections. I was here during the consideration of the Vare case; and of the Gould case. I think I was a member of the special committee appointed in the Gould case; I think Senator Bratton, of New Mexico, and I were members of that committee, and perhaps Senator King, of Utah.

In the Gould case it was charged that 14 years before the election Senator Gould had committed what was tantamount to bribery. It had been found by a chancelor sitting in a Canadian court that a transaction had occurred which indicated bribery. But when the committee investigated the facts, it was found that Senator Gould, while a director of a railway company which wished to get certain concessions from a Canadian province, had authorized a contribution of $100,000 to one political party in Canada; that Senator Gould personally did not approve of the payment of the contribution; that he was instructed by the board of directors to make the contribution, but that he personally did not approve it or vote for it. He acted as an official of his company in carrying out what the board of directors of the company had instructed him to do; to wit, to make the contribution to the political campaign of one of the political parties in Canada. I have forgotten the particular party.

Having arrived at that fact, the subcommittee and subsequently the full committee took into consideration the fact that the transaction had occurred 14 years before the election. Lapse of time has something to do with all cases

of this kind, of course; it would not be sensible for any man to take a contrary position; lapse of time is not controlling. The facts in the Gould case were known. Mr. Gould personally had not approved the contribution. He protested; he had much of the sense of frugality which is said to exist in Maine, I have no doubt, and which should exist everywhere in this country. He said the contribution would be a needless waste of money. That was his personal attitude. Yet officially, as an officer of the company and a member of the board of directors, having been overridden, he said, "Yes; we will go ahead and do it." The committee having found that to be the fact, we felt that it was unnecessary to decide any other question or to go into any other question, because the proof did not show any reason in our opinion why Senator Gould's seat should be vacated.

Mr. OVERTON. Mr. President, will the Senator from Illinois yield so that I may ask the Senator from Georgia [Mr. GEORGE] one or two questions?

Mr. LUCAS. I yield to the Senator from Louisiana.

Mr. OVERTON. It is a fact, however, that the committee in its report did make the statement that it was not expressing any opinion whatsoever as to the constitutional authority of the Senate to adopt a resolution of exclusion; is that correct?

Mr. GEORGE. I do not remember the language of the committee, but I should take that as being true, because that was the fact.

Mr. OVERTON. It says:

> No opinion is expressed by the committee on the important constitutional question involving the power of the Senate in the premises.

Mr. GEORGE. Yes; and I would say by way of explanation, that the matter having turned on the question of fact—and I have detailed the question of fact—and on the earnest insistence of certain members of the committee who were definitely in the minority, we said, "It is wholly unnecessary to go into those questions." We did not go into them because we did not think it was proper to do so in that kind of a case.

Mr. OVERTON. Just one other question. Can the Gould case be considered as a precedent in view of the fact that the Senate did not pass any edict of exclusion against Gould, regardless of whether its action is based on the question whether he was innocent or not?

Mr. GEORGE. Looking at it as the decision of a court, we would say it determined only the issues in the action involved and actually passed upon. But the Senate took jurisdiction in the Gould case on the theory that it did have power to inquire; and that was the act of the Senate—that it had a right to go into it.

It referred the whole matter to the committee; but when the committee looked into the facts, we thought that the issue should be determined on those facts, in justice to Mr. Gould, and in order to put an end to an issue that should be ended as quickly as possible in all cases in which the right to a seat in the Senate is involved. There cannot be authority to the contrary.

Mr. OVERTON. Why is it that the committee with so much care expressly declared in its report that the transaction inquired into had in fact no relation to the election of Gould, either in the primary or in the general election?

Mr. GEORGE. I do not want to take the time of the Senator from Illinois in order to discuss that particular point. But I will say this with reference to the report: It was so written because of the strong opinion of one or two members of the committee on the constitutional question raised. We found it unnecessary to go into that matter because we did not think the facts presented justified exclusion.

But I have no doubt of the naked power of the Senate to exclude, and I so considered in the Smith case and in the Vare case—while I understand the facts were different; and the facts are different in all cases. In a very early case involving membership in this body—the Blount case, as I recall, a case coming from Tennessee, in which there was a motion to expel on the ground of bribery, I considered that there was no doubt about the power of the Senate to act; I am still of that view, and for the following very simple reasons:

The Senate is a sovereign body. It is made so by the Constitution of the United States. Of necessity the Senate has the power to say whether one presenting himself here has been legally elected, and that his returns are regular, but also whether he possesses qualifications which entitle him to sit in this body. The Constitution nowhere says that the Senate is not the judge of the qualifications, but in express terms it affirms it. In the Constitution there is a prohibition on the power of the States with reference to qualifications. There is a prohibition with reference to the Members of the House and Members of the Senate:

> No person shall be elected—

That is, the States shall not elect anyone who is not 30 years of age and who has not been a citizen of the State for the required number of years, and so forth. That is a prohibition on the power of the State. A sovereign body by virtue of necessity has the right and the power to protect itself. It can protect itself. I never, never would subscribe to any doctrine contrary to that. But in all cases, the facts of the case should control the decision of the Senate.

That is what we said in the Gould case. We said we will not go into the constitutional question raised; there are two or three members of the committee who have views different from those of the majority, but we will not discuss that, because the facts in the case do not justify any declaration on the part of the Senate of the United States that Senator Gould is not entitled to retain his seat.

The statements referred to undoubtedly were made there. However, the facts are so clear to my mind because I served all through them and I was a member of the subcommittee. I could discuss at length the Smith case and could discuss at length the Vare case and the other cases in which the prior decisions of the Senate and many of the decisions made by the House of Representatives were reviewed. There has always existed a difference of opinion. There has been a strong opinion that the prohibitions in the Constitution were exhaustive of the grounds upon which the Senate could act in excluding a Senator. But I have never thought that that doctrine could be adhered to, because the occasion might arise when someone who was a moral leper, and publicly and notoriously known to be such, guilty of all kinds of crimes, would come here and would say, "I have been elected by my State, and here is my certificate, and I want to sit here." If this body could not protect its integrity, if it could not preserve itself against that kind of a Member, then this body would have lost the power to preserve its very life.

When we come to consider the facts of the case we should look at all those facts; and I should be the last man to say that we should exclude a man from a seat here unless the facts were convincing, unless there were sound, substantial, and impelling reasons. The election in the State is a strong circumstance. The confidence of the people of any State in its representatives sent here by them is a strong circumstance that right-thinking Senators, of course, will consider. Those are all things that must be considered.

But on the naked question of power, of necessity a sovereign body has the power to protect itself—not only has the power, but it has exclusive power. It is subject to review nowhere. No court in the land can challenge the exercise of that power.

Under the Constitution this is a coordinate branch of the Government, and, with respect to matters regarding the membership of the body, it is absolutely supreme; no one has any right to say yea or nay about it. If one comes here and a motion is made to exclude him because of some act for which he has not been indicted in his State, it raises a question solely between the individual and the State; it has nothing to do with the Senate except as the deliberate act of a sovereign State in sending him here is entitled to respect, to due consideration, and due weight by this body. On the question, however, of the naked power of this body to exclude on the ground of qualifications, I have no doubt in my own mind respecting its power. It is a necessary power; it grows out of the fact that in a government created under a constitution such as ours, a coordinate branch of the government is necessarily sovereign with respect to the regulation of its own internal affairs and membership.

Those who framed the Constitution were careful to say that the Senate is the judge of the qualifications, elections, and returns of its own Members, but the whole people of the United States, speaking through the Constitution, and not a particular State making selection of its representatives here, said we desire to go a little beyond that; we do not know what the States may do, and therefore we are going to say that no person shall be a Member of the Senate unless he meets certain age, citizenship, and residence

qualifications. That is purely negative. Therefore they said no person shall be a Member of the House who does not meet certain qualifications, and no person shall be a Member of the Senate who does not meet certain qualifications; but over and beyond that is the whole broad field of whether, in the opinion of the Senate itself, the necessary qualifications are found to exist, and if they are found not to exist and the Senate is persuaded that matters of such gravity are involved as to impel its action in excluding one who comes here with a certificate, I have not any doubt that we have the full power to act. It was not in the Gould case intended to assert anything to the contrary.

The report in that case speaks for itself, and I would not attempt to impeach its integrity, but it speaks in the light of the facts of that case. The other cases that preceded the Gould case—and I believe both the Smith and the Vare cases preceded the Gould case—provoked lengthy debate in the special investigating committee, in the committee itself, and then finally on the floor of the Senate.

So I have gone on the assumption that the Senate itself had settled this question, not to the satisfaction of every individual Senator, for some Senators have strongly insisted upon the contrary viewpoint all the while. The able Senator from South Carolina and others have strongly insisted that when one came here possessing the necessary age, residence, and citizenship qualifications, that that was the end of it, and the Senate had no further right to look into it. That is a view that can be held, but I had assumed that the Senate had settled this matter, so far as it could settle it, during the days of the Smith and Vare cases, although having no power, of course, to control the action of tomorrow as to who shall sit in our seats.

I beg the Senator's pardon for interrupting him.

Mr. WHITE and Mr. BARKLEY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield first to the Senator from Maine.

Mr. WHITE. Mr. President, I have no personal interest in the technical questions which were raised in the Gould case; but I succeeded former Senator Gould in this body. Senator Gould is now more than fourscore years of age, and I am jealous of his reputation, as I am jealous of the reputation of every man from my State who may sit in this body. So I want the RECORD clearly to show that in that contested case the finding of the committee was that Senator Gould personally disapproved of the acts which were the foundation of the proceeding against him, and that the committee, in effect, found that he was not guilty of the charges made against him.

Mr. LUCAS. What the Senator from Maine says is true, and I referred to the Gould case for only one purpose, which was not to discuss the question of qualifications, although that was debated, but primarily the question of jurisdiction. In this case the question was raised in the committee in executive session whether the Senate of the United States had any jurisdiction. The precedent I could find was in the Gould case, where the matter had been discussed. In that case the Senate took jurisdiction over the protest of the able Senator from Pennsylvania, Mr. David Reed, who took the position then that inasmuch as the so-called reported bribery had been committed 14 years before, therefore the Senate, because of the lapse of time, had no right to make inquiry into it. Gould immediately rose on the floor and invited an investigation. Reed took the position that, even though he wanted an investigation, primarily because of the lapse of time, Gould could not confer jurisdiction on the Senate, even though he requested it. So, as a result, a debate took place on the floor of the Senate. The then Senator from Montana, Mr. Walsh was the Senator who presented the resolution in that case. There was lengthy argument on it. My only purpose in referring to it was to show that the Senate in that case, wherein the charge was based on an incident occurring 14 years previously, did take jurisdiction and sent the matter to the Committee on Privileges and Elections, which held long hearings on it. When Senator Gould testified before the committee he convinced the committee, beyond any reasonable doubt, as the Senator from Maine has said, that he personally opposed the payment of $100,000 to the political party in the Province in Canada, but, nevertheless, carried out the instructions of his organization. He convinced the committee that he was innocent of any wrongdoing.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. LUCAS. I yield.

Mr. TAFT. I should like to read the conclusion of the committee in the Gould case.

Mr. LUCAS. That has been read, I will say to the Senator.

Mr. TAFT. No opinion is expressed not only on the exclusion of the gentleman but on the expulsion question. So the mere fact that they went into and examined the question of a past offense is no evidence that they were considering exclusion or expulsion or had decided on either course. It is just as much a ground for claiming that they were considering the question of expulsion as that they were considering the question of exclusion.

Mr. LUCAS. I do not think they raised either the question of expulsion or exclusion. What they were attempting to do was well explained a moment ago by the Senator from Georgia, who was a member of that committee. They merely went into the facts, just as the Supreme Court does frequently, when very important issues are raised, and finally determine that they have no jurisdiction of the issues or the subject matter before them, and so they dismiss the case without making any decision. That is exactly what was done in the Gould case. Having decided, after they heard the facts in the case, that there was no merit in the protest that had been lodged against Senator Gould, that the facts did not bear it out, therefore they held there was nothing to decide and made no decision of any kind or character, and merely reported back to the Senate that the charges were not borne out by any facts or testimony before the committee.

Mr. BARKLEY. Mr. President, will the Senator yield to me to suggest the absence of a quorum?

Mr. LUCAS. I yield for that purpose.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Overton
Austin	Glass	Pepper
Bailey	Green	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hayden	Rosier
Bilbo	Herring	Russell
Bone	Hill	Schwartz
Brewster	Holman	Shipstead
Brown	Hughes	Smathers
Bulow	Johnson, Calif.	Smith
Burton	Johnson, Colo.	Spencer
Butler	La Follette	Stewart
Byrd	Langer	Taft
Capper	Lee	Thomas, Idaho
Caraway	Lucas	Thomas, Okla.
Chandler	McFarland	Thomas, Utah
Chavez	McKellar	Tobey
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Mead	Vandenberg
Danaher	Millikin	Van Nuys
Davis	Murdock	Wheeler
Doxey	Murray	White
Ellender	Nye	Wiley
George	O'Daniel	Willis
Gerry	O'Mahoney	

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Eighty Senators having answered to their names, a quorum is present.

Mr. LUCAS. Mr. President, before the quorum call the Senator from Illinois had cited the Gould case. I should like to go back for a moment and read into the RECORD a statement made by a very distinguished Senator by the name of Garrett Davis, from Kentucky, in 1852, in connection with what was known as the Bright case, which was then pending before the Senate. It deals with the question which has been raised in these debates to the effect that the courts in a State should make a determination in the case of a crime with which a Senator might be charged, before the Senate would have the right to take jurisdiction. It is a very strong and very unusual argument. I wish to read it into the RECORD. Senator Garrett Davis said:

> But what is the law? We are not sitting as a court trying the honorable Senator. There are some gentlemen—able men, very able men, too; men of enlarged patriotism, of eminent public and private virtue—that have pursued the profession of the law so long, either as practitioners, counselors, and solicitors, or as judges, that their minds become too contracted for enlarged statesmanship and the great principles of policy and of moral justice upon which governments ought to be administered and upon which alone they can be wisely administered. They have dwarfed their minds to such an extent that they cannot reason on the expansive principle and sentiment and consideration that ought to guide and to control the largest and the wisest statesmanship.
>
> There is no law which defines any particular class of offenses that shall be sufficient to

expel a Senator from his seat. The common law does not; there is no statute law that does. There are no laws of evidence establishing technically the rules of testimony that are to guide and control and govern this body in getting its lights and reaching its conclusions when a Senator is thus on trial.

The general rule and principle of law and of reason and common sense is that whatever disqualifies a Member of the Senate from the proper discharge of his duties, whatever it may be, is sufficient and ought to be held sufficient for his expulsion; and whatever evidence satisfies the mind reasonably, and according to moral certainty and truth of the existence of that cause, is sufficient evidence, without resort to the technical rules of testimony upon which to convict him. That is the law of this country; it is the law of England; it is the law of Parliament.

This is to substantiate the argument made a few moments ago.

It was a case of expulsion then pending before the Senate of the United States.

Mr. President, when I was interrupted a short time ago, I was reading from the Gould case. I was reading from a statement of Senator Borah, found on page 43 of the CONGRESSIONAL RECORD for June 7, 1926. In the statement Senator Borah was discussing his position with respect to the point which had been made by Senator Hale upon the fact that the people of Maine had passed upon the question because of the tremendous vote that Mr. Gould received in the election. As I said before, he carried every county in the State and was elected by perhaps the largest majority ever received by any Senator in the history of the State. Senator Borah said this:

What I desire to say is that I am going to vote to adopt the resolution as it is offered; but I do not want to be understood as being influenced in any way by the theory that the vote in the State of Maine had anything to do with the vindication of the Senator, so far as the question here presented is concerned. In other words, I do not want to have it established by my vote in the Senate that an election in a State, after a man has been charged with certain derelictions, deprives the Senate of jurisdiction to investigate those matters itself. That matter may become important hereafter, and I should not want to be committed on the subject in that way.

Mr. Reed, of Pennsylvania, said this:

Mr. President, I should like to make a similar brief statement of my attitude toward this resolution.

I intend to vote against the resolution, in spite of the request of the accused Senator that the investigation proceed, because I do not believe that any charges of this sort against him, nor his own consent, can give the Senate jurisdiction to inquire into an alleged offense long preceding the election of the Senator, which, if it existed, was disclosed and was fully discussed in the campaign preceding his election, and which was for the voters of Maine to determine.

On page 44 we find the following:

Mr. REED of Pennsylvania. Does the Senator claim that there is any precedent for expelling a Member from this body for a crime supposed to have been committed before his election?

Mr. BORAH. I have not a particle of doubt but that we have the power to expel a Member who has been elected for any reason that the Senate, in its own judgment, thinks sufficient. This is not a power which belongs to the States; it is a power which was specifically reserved to the Members of either body by the provisions of the Constitution itself. The reason I made the statement that I did was because I understood perfectly that if the doctrine which is now being announced were followed to its logical conclusion the Senate would have no power to pass upon the qualifications of its Members, regardless of what series of acts of corruption they might have been guilty of, or regardless of the fact that they may have purchased their seats here, or regardless of the fact that they may have committed all kinds of crimes before they got here. That doctrine has never heretofore prevailed, and I trust that the exigencies of the situation will not cause it to be established as a precedent now.

The Senate of the United States was discussing at that time the question of whether it would take jurisdiction in the first instance; that is, the moment the resolution was presented directing and authorizing the Committee on Privileges and Elections to make an investigation as to what Senator Gould was purported to have done 14 years before the Senate proceeded to debate that question on the floor of the Senate before it ever was referred to the Committee on Privileges and Elections. Some Senators took the position that the Senate had no jurisdiction, that as a result of the fact the purported crime had been committed 14 years before, the Senate had lost jurisdiction, and that Senator Gould himself could not confer jurisdiction upon the Senate.

But the vote upon the question was as follows:

The resolution of Senator Walsh in the Gould case, referring the charges to the Committee on Privileges and Elections for further study and consideration, was carried, 70 to 7, notwithstanding jurisdictional argument of Senator Reed to the contrary.

Mr. President, in the case before us thousands of pages of testimony have been taken, and, based upon that evidence, a report adverse to the seating of Senator LANGER has been filed. Your committee has pursued the course adopted by the Senate.

The Senate conferred upon the Committee on Privileges and Elections jurisdiction to make a thorough investigation and report their findings with respect to the question of seating Mr. LANGER. I am satisfied that, in view of the fact the Senate unanimously conferred the jurisdiction upon your committee in the beginning, and in view of the voluminous record which has been made of the facts involving the question of moral turpitude, as well as the vote thereon, the Senate will not seriously consider the point of jurisdiction in this matter.

In conclusion, the Senator from Illinois would like to say that any protests or charges filed against any Senator-elect would indeed have to be of the most frivolous and transient character in order to cause the Senate not to take jurisdiction for the purpose of ascertaining the truth or falsity of any such charges. In the past many charges have been filed against Senators-elect. They invariably have been referred to the Committee on Privileges and Elections. I am under the impression that the majority have been decided adversely to the contestants or petitioners seeking to deny to a Senator-elect the right to serve in this body. In such cases the Senate has usually followed the report and recommendations of the committee.

. . will be observed that the arguments made in the Arthur Gould case upon jurisdiction were based not only on the fact that the so-called bribery which was charged had been committed some 14 years before the election, but also on the fact that it was seriously contended that the Senate of the United States lacked jurisdiction to inquire into the qualifications of any Senator-elect, other than those prescribed by the third paragraph of section 3 of article I of the Constitution, which reads as follows:

No Person shall be a Senator who shall not have attained to the Age of 30 Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The point made in the Gould case is also made in the Langer case. It is well to point out to the Senate that when this question was presented to your committee only three members took the position that the qualifications set forth in this section of the Constitution were absolute, regardless of the deficiency, either in character or in intellect, of any Senator-elect. Thirteen members of your committee support the opposite view. We are convinced that these three qualifications set forth in the section of the Constitution to which I have just referred are in fact disqualifications. This reasoning is further fortified when we consider that the framers of the Constitution, in article I, section 5, laid down the following proposition:

Each House shall be the judge of the elections, returns, and qualifications of its own Members.

This is a grant of power without limitation.

Mr. President, cases under these sections of the Constitution have been before the Senate for consideration upon many occasions. They have been extensively debated by great constitutional lawyers and statesmen of this body for generations. Obviously, in the proper construction of the term "qualifications," both of these sections must be considered and construed together.

Mr. President, in the presentation of this argument, I propose first to discuss the minority view, which contends the three constitutional qualifications of age, residence, and citizenship are absolute. The Senator from Illinois is certain that he can convince the reasonable and prudent mind that if this theory is followed to its logical conclusion, the United States Senate could be reduced to the vanishing point in power, dignity, and prestige.

If section 3 of article I is a complete limitation upon section 5 of article I, we are restrained from considering anything but the age, residence, and citizenship of a Senator-elect. If this theory is adopted, then it must be admitted that the Senate is powerless to keep from yonder door the most dangerous criminal in America if he comes here with credentials from the proper

office of the State from which he was appointed or elected; if a homicidal lunatic possesses these three constitutional qualifications, he is eligible for a seat in this august body, and there is no constitutional power to stop him.

The moral leper, the counterfeiter, the murderer, all could find a haven of rest here in the Senate if the people elect, or the Governor appoint. We are now engaged in fighting the common enemy throughout the world; but under the theory promulgated here, the traitor, with hands blackened by espionage and sabotage, would still have the right to move down this aisle and, cynically, dishonestly, and traitorously, raising his hand to Almighty God, swear to uphold and defend the Constitution, although, judged by every previous action, he would attempt to destroy the letter and spirit of that majestic document.

If this absurd condition should prevail, bribery, conspiracy, perjury, or any other charge of moral turpitude, however grave, would be beyond the powers of the United States Senate to investigate or condemn.

It is most fortunate for the democratic processes of this Republic that the majority of Senators and Members of the House of Representatives from the beginning of the Nation have decided that these three constitutional qualifications were in reality disqualifications. I undertake to say that if the interpretation had been in conformity with a strict limitation of power, anarchy and decay might have visited these Chambers in the long ago. But I hear it said by those who would place a limitation upon the power granted in section 5 of article I that if either branch of the Congress is permitted to go beyond the three qualifications specified in the Constitution, there would be no barrier or restraint upon the Congress in refusing to seat men who come from the various States with proper credentials. They argue sincerely that men might be ousted upon the flimsiest pretext. If we did not like the cut of a man's jaw, if we did not like the color of his hair, if we did not like the church to which he belonged, if we did not like the political philosophy which he expounded, we would have the right under these broad powers to exclude him from the Senate; and, Mr. President, literally speaking, that assertion is true. I am confident that under the constitutional powers of this legislative body, a majority of Senators might exclude a man from service in the Congress upon almost any pretext whatsoever; in fact, they might not have to have any pretext at all.

Obviously, I have portrayed the most glaring examples of what might happen; but, Mr. President, the fact is that even in the most trying times of this Republic, men serving in this body have never seen fit to go that far. In the first place, we are proud of the fact that the people elect to high public office men whose integrity and honor are seldom challenged.

A man who comes here must take the constitutional oath; few men take it with reservations. The self-respect and conscience of every decent Senator would not permit him to attempt to exclude one of his fellow Members upon any trivial cause. Again, it must be remembered that few men who serve here do not seek to be reelected. Senators know that the public would be outraged by such a demonstration of injustice. Public opinion would rise rapidly, and any Senator guilty of such rank prejudice and discrimination would find sufficient retribution at the polls in the following election to retire him to private life forever.

No, Mr. President, I do not say that this power, under the theory of the majority in this case, could not be abused; but I most respectfully submit that it has not been abused in the case we are now considering. I am confident the facts, heretofore presented, bear out that statement. I also submit that a careful study of the Senate precedents indicates beyond the shadow of a doubt that this power has not been lightly considered. I realize that it is a dangerous power, an ominous power, and a delicate power. It is a power that should be exercised with great circumspection and moderation, and always with cognizance of the rights of the people of the respective States involved, as well as the rights of the Senate. I recognize that this power in the hands of unscrupulous and cunning men would be a danger to the safety of the Republic. But the framers of the Constitution were met at the threshold with the necessity of lodging the power somewhere, and the lodgment of power in this case is similar, for instance, to the assignment of power to the Supreme Court, to the Chief Executive of the Nation, and to other governmental agencies. They have power, which, if ruthlessly and indiscriminately used, might easily lead to the downfall of the Republic; but we need only to look at our present position in this war-torn world to realize how successful our form of government has been, notwithstanding the powers that have been delegated.

In addition to the sweeping powers granted under the Constitution to protect the integrity and the honor of the United States Senate, I unhesitatingly say that if there were not a single line in the Constitution dealing with the subject, this legislative branch of Government would have the inherent power to protect itself from destructive and immoral characters who might seek admittance by the presentation of proper credentials. It is a question of self-preservation. It is an inherent right that parallels every democratic highway. This inherent right of self-protection is a creature of the colonial days. For proof of this inherent power I invite the attention of the Senate to the Virginia Constitution of 1776, which provided for a house of delegates and a senate. The house of delegates was to be composed of—

> Such men as actually resided in and are freeholders of the same, and are qualified according to law.

It will be noted in the above constitutional provision of the Virginia Code that nothing is said about the right of the house to judge of the election returns and qualifications of its own members. History records that one John Breckenridge, a youth of 19 years, was elected to the house of delegates. He was refused admission on the ground that he was too young to be entrusted with the matters of state. Thereafter he was reelected by his constituents and once again the House of Delegates of the State of Virginia refused to admit him on the same ground. He was elected the third time, and finally was admitted.

It must be assumed from this very interesting case that the delegates of this legislative body took the position that they had the inherent power to judge the qualifications of its members, regardless of the absence of a constitutional provision granting such a power.

The Supreme Court of the United States, in re Chapman—166 United States Reports, page 668—specifically holds that the Senate possesses the inherent power of self-protection. I quote from a part of that opinion:

> Under the Constitution the Senate of the United States has the power to try impeachments; to judge of the elections, returns, and qualifications of its own Members; to determine the rules of its proceedings; to punish its Members for disorderly behavior; and, with the concurrence of two-thirds, expel a Member; and it necessarily possesses the inherent power of self-protection.

Let me return for the moment to the constitutional provision that "each House shall be the judge of the elections, returns, and qualifications of its own Members." The history back of this provision is truly interesting. Prior to the adoption of the Constitution of the United States many of the Colonies had adopted various provisions dealing with these various factors. Not until 1777 did we find this identical language in the Constitution of the State of Georgia. Members of the Constitutional Convention were familiar with the various State constitutions, and it is significant that the committee on detail finally adopted the language of the Georgia Constitution which contained no limitation on the grant of power.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I am glad to yield.

Mr. MURDOCK. Does the Senator make no distinction between the right of the respective Colonies or States after the Declaration of Independence and prior to the Constitution on this particular question and the right of the Federal Government under the Constitution? I agree with him, and agree with the decisions and statements he has read, that the Colonies that now make up the Federal Union were limited by nothing; their sovereignty was unlimited; but the Government of the United States is a Government of delegated powers which came from the States that came into the Union. I think therein lies the distinction between what a State could do before the Constitution and what the Federal Government can do now. I think that that distinction of sovereignty must be carried through this entire debate before we can arrive at a right conclusion.

Mr. LUCAS. I am not sure that I follow the Senator's argument in connection with the important constitutional question.

Mr. MURDOCK. I am not sure that I made myself clear, either, but the Senator referred to what the State of Virginia and other States did prior to the adoption of the Constitution and after the Declaration of Independence. Was there any limit on their sovereignty at all?

Mr. LUCAS. Any limit on the sovereignty of the States?

Mr. MURDOCK. Yes; on the State itself.

Mr. LUCAS. Of course, it all depends upon what the Senator is referring to. I am now discussing the question of qualifications, and there are two sections of the Constitution that deal with qualifications.

Mr. MURDOCK. The point I want to make is this that, in writing the Federal Constitution the Thirteen Original States were gathered together in convention which proceeded to delegate certain powers. The Senator mentioned a few moments ago the power of the Executive. Has he ever examined the distinction between the grant of power to the Executive and the grant of power to the legislature? If I remember the Constitution correctly, the grant to the executive department is that "The executive power shall be vested in a President of the United States of America," but when it comes to the legislative power the Constitution reads:

All legislative powers herein granted shall be vested in a Congress of the United States.

The point I make is that all the "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people," and in my opinion therein lies the control of sovereign powers of a State and the sovereignty of the Federal Government.

Mr. LUCAS. I appreciate the argument the Senator is making, and that school of thought has existed for almost a century and a half. However, on the question of qualifications there has been the same school of thought which I was discussing a moment ago, and under the two sections of the Constitution, which I contend seriously must be construed together, I cannot agree with the Senator's position that the Senate of the United States is bound simply by section 3 of article I of the Constitution, dealing strictly with the citizenship and age and residence. In other words, my position on that point is that if what the Senator says is true, that is a limitation upon section 5 of article I, which gives to the Congress of the United States, in fact, to both branches of Congress, the right to judge the returns, elections, and qualifications of its Members. If we were to adopt the position the Senator takes, this last clause of the Constitution would be meaningless, and I do not believe that the framers of the Constitution ever meant that we were bound to stand idly by in the Senate and permit any type of individual to take a seat here, so long as he had the age and the citizenship and the residential qualifications.

Mr. MURDOCK. There are two other qualifications, the one contained in the amendment about having taken the oath of office and violated it, and the other about holding office. Those are all in the Constitution.

Mr. LUCAS. That is correct.

Mr. MURDOCK. Does the Senator consider the specifications in the Constitution itself as merely a minimum, and does he think the Senate has a right to add to them any qualifications it sees fit to adopt?

Mr. LUCAS. Without doubt; in my mind there is no question about it at all, and there has not been any question about it since the beginning of these cases in the United States Senate, so far as the majority is concerned. I do not believe the Senator will find a case wherein this question has been raised in the Senate, or in the House of Representatives, in which the same question has not been debated, but the Senator will not find a single decision in which the majority did not say these three qualifications were in fact disqualifications, that they were not absolute, and that the Senate of the United States had a right to add other disqualifications, depending upon the facts and circumstances in each particular case.

Mr. MURDOCK. If the Senator will yield, let me call his attention to the Humphrey Marshall case, one of the earliest in our history.

Mr. LUCAS. I am familiar with that case, and although I do not have it before me, I do not believe it will bear out the Senator's argument. I will get to it, but I do not believe the Senator is correct in his interpretation of the case.

Mr. MURDOCK. I intend to refer to it in my time, and I do not wish to interrupt the Senator further.

Mr. LUCAS. I am sure the statement I have made is correct.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. I do not wish to argue the case in the Senator's time—

Mr LUCAS. I am delighted to yield to the Senator from Louisiana, because he has taken but little of my time.

Mr. OVERTON. My sole purpose in asking the Senator to yield is that I may obtain some information. Before I ask the question I wish to propound, let me state my view.

My view is that no precedent can be established by the Senate along the line of the argument made by the able Senator from Illinois unless the Senate had passed a resolution of exclusion of a Senator-elect for some reason other than that relating to his election, the returns, his age, his citizenship, or his residence.

Can the Senator from Illinois point to a single edict of exclusion pronounced by the Senate of the United States for anything done by a Senator prior to his election which does not relate to his election, or upon any ground which does not relate to his age, citizenship, or residence? I am not speaking of arguments which have been made—and very able arguments in support of the contention made by the Senator from Illinois have been made, and there have been equally as able arguments on the other side of the question, but if we are looking for precedents, the only precedent would be a case in which the Senate has acted, and has excluded one from a seat in the Senate for some act he committed prior to his election.

Mr. LUCAS. I shall discuss both the question of exclusion and of expulsion. I do not wish to go into that now, but I shall come to it before I finish my presentation this afternoon, and shall be glad to discuss it then with the Senator, and, I believe, convince him of his error.

Mr. OVERTON. If there is such a case in the Senator's mind, I shall be glad to have an opportunity to look at it.

Mr. LUCAS. I have references on some cases of that type and I shall give them to the Senate.

The Constitution of Georgia is the basic landmark for the language contained in the Federal Constitution. From the day it was written until now, eminent statesmen and constitutional lawyers have been disagreeing as to the correct interpretation of the meaning of "qualifications."

It is advisable to state, however, that all through our history when this question arose, the majority have taken the position that the qualifications laid down in section 3 of article I are not absolute, and in no way are a limitation upon the language in section 5 of article I, which has heretofore been quoted. I am constrained to cite a few precedents in order to make a complete record, and now I get to just what the Senator has been discussing.

On March 18, 1867, the credentials of Philip F. Thomas, Senator-elect from Maryland, were presented in the Senate. Objection was made that there were rumors affecting his loyalty, and after discussion his credentials were referred to the Committee on the Judiciary.

On December 18, Senator Johnson, of Maryland, reported from the Committee on the Judiciary:

That they have taken the evidence submitted herewith, and that they find nothing sufficient, in the opinion of the committee, to debar said Thomas from taking his seat, unless it be found in the fact of the son of said Thomas having entered the military service of the Confederacy; and, in the circumstances connected with that fact or relating to it, and without the expression of an opinion in regard to this point, they report the whole evidence to the Senate.

Mr. Johnson submitted the following resolution for consideration:

Resolved, That the Honorable Philip F. Thomas, Senator-elect from Maryland, be admitted to his seat on his taking the oaths prescribed by the Constitution and laws of the United States.

On January 6, 1868, the report was taken up, and it was debated at length on a number of different days.

Speaking on February 13, Senator Edmunds, of Vermont, who had a remarkable standing as a lawyer and statesman, said, after quoting the provision in the Constitution relating to qualifications:

Senators will observe that these are negative statements. They are exclusive, every one of them. It is not declaring who shall be admitted into the Senate of the United States. It is declaring who shall not be eligible to election to this body; that is all. It is the same as to the House of Representatives and as to other officers, always in the

negative, always exclusive, instead of in the affirmative and inclusive. And upon what principle was this Constitution founded? Will lawyers here deny that we have a right to look to the course of constitutional and parliamentary jurisprudence in that country from which we derive our origin and most of our laws to illustrate our own Constitution and to enlighten us in this investigation? By no means. And what was that? The House of Commons, in Parliament, using the very language that in another section of the Constitution is used here, were the exclusive judges of the elections, returns, and qualifications of their own members. What was their constitutional power under that rule? It was that they were the sole and exclusive judges, not only of the citizenship and of the property qualification of persons who should be elected, but of everything that entered into the personnel of the man who presented himself at the doors of the House of Commons with a certificate of election for admission. And what were those rules? One was that an idiot could not be a representative in the Commons; another was that an insane man could not be; and a variety of other disqualifications, of which the Commons themselves alone were the sole and exclusive judges.

Speaking on February 18, Senator Johnson, of Maryland, contending for the opposing view, which is likewise being pressed in this case, said:

> The only qualifications required by the Constitution are that the party to be chosen shall be at least 30 years of age, etc. * * * Subject to these limitations, the legislature of the State has the unrestricted right of choice. No department of this Government of the United States has any jurisdiction over it.

Mr. Johnson went on to substantiate this argument by reference to the clause relating to expulsion.

On February 19 a vote was taken on the resolution reported by Senator Johnson, which would have permitted Senator-elect Thomas to take his seat. The resolution was defeated—yeas 21, nays 28.

Then, by a vote of yeas 27, nays 20, the Senate agreed to the following resolution, offered by Senator Drake, of Missouri:

> *Resolved*, That Philip F. Thomas, having voluntarily given aid, countenance, and encouragement to persons engaged in armed hostility to the United States, is not entitled to take the oath of office as a Senator of the United States from the State of Maryland, or to hold a seat in this body as such Senator; and that the President pro tempore of the Senate inform the Governor of the State of Maryland of the action of the Senate in the premises.

I have read the record of this case and find that all the respondent did was to give to his son, who had enlisted in the Confederate Army, a sum of money before he left home in order that he might have something with which to take care of himself on his hazardous and long journey ahead. Because of that fact the Senate of the United States voted to deny the father a seat, by a vote of 27 to 20. That was an exclusion proceeding, and not an act of expulsion, and it occurred, as I understand, before the Senator-elect came in.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. The Thomas case was a case which came up during the reconstruction days, immediately after the War between the States, when bitter animosity existed between those who had espoused the cause of the South and those who had espoused the cause of the North. For that reason I would not rely upon it as a precedent. The Senator from Illinois is correct, it was a case of exclusion, and it dealt with something which occurred prior to the election of Mr. Thomas. However, Mr. Thomas had been a member of the Cabinet under President Buchanan, and had taken an oath to support the Constitution and the laws of the United States. According to the view at least of a majority of the Senate, he had given aid and comfort to the cause of the South. The specific instance was the fact—and I think that alone shows the bitterness of sectional animosity then existing even in the Senate Chamber—that when his son was going out as a soldier from his father's home, his father advanced him the sum of $100. I take it the main argument that was made in the Thomas case, however, was based upon the amendment which had been passed by both Houses, and which had been submitted to the States for ratification, and had been ratified at that time. That was the amendment in reference to disloyalty.

Mr. LUCAS. The fourteenth amendment.

Mr. OVERTON. The fourteenth amendment. Mr. Sumner, of Massachusetts, presented the chief argument for the exclusion of Mr. Thomas. I quote from the argument made by Mr. Sumner, of Massachusetts:

> More than once at other times I have discussed the question of loyalty in the Senate. But this was anterior to the adoption of the fourteenth constitutional amendment. The case is plainer now than then, inasmuch as there is now an explicit text requiring loyalty as a qualification. Formerly we were left to something in the nature of inference; now the requirement is plain as language can make it. By the new amendment it is provided that "no person shall be a Senator or Representative in Congress who, having previously taken an oath as a Member of Congress, or as an officer of the United States, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof."
>
> These words are precisely applicable to the present case. They lay down a rule from which there is no appeal, and this rule is not merely in the statutes but in the Constitution. It is the plain declaration that loyalty is a requirement in a Senator and Representative. If we do not apply it to ourselves now it is difficult to see with what consistency we can apply it to others. Your course here will affect the meeting of this constitutional amendment, if not its validity, for the future.
>
> I do not stop to argue the question, if that amendment is now a part of the Constitution; for I would not unnecessarily occupy your time, nor direct attention from the case which you are to decide. For the present I content myself with two remarks: First, the amendment has already been adopted by three-fourths of the States that took part in proposing it, and this is enough, for the spirit of the Constitution is thus satisfied; and secondly, it has already been adopted by "the legislatures of three-fourths of the several States" which have legislatures, thus complying with the letter of the Constitution. Therefore, by the spirit of the Constitution, and also by its letter, this amendment is now a part of the Constitution, binding on all of us. As such I invoke its application to this case. In face of this positive peremptory requirement it is impossible to see how loyalty can be other than a qualification. In denying it you practically set aside this amendment.

Therefore, Mr. President, the Thomas case is not to be regarded as a precedent applicable to the case at bar, because the Thomas case was one of disloyalty and arose at a time when the fourteenth amendment to the Constitution had in fact been adopted, which amendment in effect declares that no person shall be a Senator who has given aid or comfort to the enemies of the United States.

Mr. LUCAS. Mr. President, I appreciate the argument which the Senator from Louisiana has made. Nevertheless there was a close vote on the question. It was decided by a vote of 27 to 20, and I presume the question hinged on what was or what was not disloyalty at that particular time. I know that in the stress of those Civil War days Members of the House and Members of the Senate did things they would not do today or in other normal times. Nevertheless, that is a precedent, and, insofar as the adoption of the fourteenth amendment is concerned, it was adopted under the stress of the same circumstances. I do not believe anyone will deny that the Senate of the United States would have the right to establish other disqualifications by constitutional amendment. Following the English law, we could say that no idiot or insane person would have the right to serve in either branch of the Congress. That would be another disqualification. I think we have the inherent power to keep out such person. Nevertheless, if we wanted to provide another amendment to the Constitution along that line, we could add another disqualification, along with disloyalty, and disqualifications relating to citizenship, residence, and the age limitation, which are in the Constitution at the present time.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. STEWART. While the Senator from Louisiana [Mr. OVERTON] is in the Chamber I desire to make a statement concerning the motion I made the other day. During the discussion of the Langer case, I think on the day before yesterday, the question was raised by the Senator from Louisiana that evidence was being referred to in the argument of this case which had not been placed in printed form on the desks of the Senators, as has the evidence contained in the green-backed book which I mentioned on that day, and which evidence might be important to Members of this body who would have to vote in the end on the question of expulsion of Senator LANGER. As a member of the Committee on Privileges and Elections, who attended most of the hearings when the witnesses appeared in person before the committee, I was impressed with the appeal made by the Senator from Louisiana

that all the evidence should be printed and placed on the desks of Senators just as the testimony which was taken by the committee itself is placed on the desks of Senators. I stated at the time that the other evidence, in addition to that which is printed and is now on the desks of Senators, consisted chiefly of statements made by witnesses who were interviewed in North Dakota and elsewhere by the investigators who were employed by the committee. As I said, I was impressed by the statement made by the Senator from Louisiana to the effect that that evidence, while it was considered by the committee, was not made available—it was available in fact, but was not made easily available to all the Members of the Senate, because there is only one copy, or at the most only two copies, of the statements of the witnesses, as I understand, who were interrogated by the investigators.

The motion I made was not acted upon, because the Senator from Illinois [Mr. LUCAS], who has been handling the presentation of the Langer case chiefly, was not inclined at the time to yield for the purpose of having the motion voted on. The Senator did say that he would later yield for the purpose of having the motion voted on, and that he himself would probably support the motion. I did not press it further then, and have not pressed it further since, except to discuss the matter with several Members of the Senate, including the Senator from Louisiana, whose statement inspired my motion, and the majority leader, the Senator from Kentucky [Mr. BARKLEY]. I have met with some discouragement. It has been felt that if such a motion should be acted upon favorably it would be necessary to suspend the present proceedings and await the printing of this evidence, and its distribution among the Members of the Senate, which necessarily would entail some delay. I think that is corerct. I think it would be proper, if the motion should prevail and the other testimony printed, to delay the hearings until the printing could be done, and until Senators would have time and opportunity to read the matter so printed. I met with some objection for the reasor that the printing requested would entail delay, and it was felt that it would not be proper at this juncture, after we have proceeded a few days with the hearing of the case, to delay it for various and sundry reasons which have been suggested to me.

I do not mean by that statement to say that I am abandoning my motion; but I do wish to state that I have also talked with the Parliamentarian about it, and he has advised me that in this case perhaps a motion is not the proper procedure. He has drafted for me a resolution, which will probably have to be altered a little before it is introduced, for the reason that, as now drawn, in conformity with my motion, it would require the printing of all the unprinted evidence, including exhibits. I am informed that if the resolution were introduced the necessary procedure would be that it would be referred to the Committee on Printing for a report by that committee as to the cost of the printing. It would therefore be necessary to determine just what matter should be printed. Perhaps I was mistaken the other day when I insisted on my motion that everything should be printed. Perhaps it would not be practicable to print the exhibits, because numerous exhibits are newspapers, which carried advertisements in political campaigns. Perhaps it would not be feasible or practicable to print those.

At any rate, I bring this matter up for the purpose of serving notice that if the matter is printed it will be necessary to change the procedure. That is, a resolution will have to be introduced and referred to the Committee on Printing.

I may say also in this connection that I have conferred with the chairman of the Committee on Printing, the Senator from Arizona [Mr. HAYDEN].

Mr. LUCAS. What would happen if we should reach a vote on this case before the Committee on Printing makes its report?

Mr. STEWART. Of course, if we should have a vote on it before the committee reports, I presume the printing of the hearings would then not be necessary at all. It would be a paradoxical situation, at least, if that should occur.

At any rate, I am advised by the chairman of the Committee on Printing that he will oppose this procedure because of the fact that the Government Printing Office is now working overtime, and he has had requests to send down no more printing than is absolutely necessary. He says that the situation is rather serious. That, of course, is something to consider; but at the same time my thought has always been that it is highly important that before Members of this body vote on this question they should have the benefit of every single, solitary word of evidence upon which the committee itself acted.

I was told yesterday that I had been quoted somewhere as having said that I wanted this matter referred back to the committee, placing me somewhat in the position of back-tracking, so to speak, or changing my position in the matter. I voted with the majority of the committee, and have not changed my position in any sense so far as that question is concerned. I merely brought up the question of printing all the evidence on which the committee acted, out of what I conceived to be a spirit of complete fairness. We perhaps overlooked doing this in the beginning. I think we ought to have done it. I think I was right in my motion. I think the Senator from Louisiana [Mr. OVERTON] was right in his objection, which brought about my motion.

I satisfy myself by saying now that I shall confer further with other Members of the Senate. I do not want to propose something which is not feasible or practicable. I do not want to insist on it if the Members of the Senate do not care about the matter being printed; but at present I am inclined to adopt the attitude of insisting on it. I understand that we shall probably take a recess until Monday. At that time I shall probably present a resolution.

I wished to make this statement in the presence of the Senator from Louisiana.

I thank the Senate.

Mr. LUCAS. Mr. President, before I yielded to the junior Senator from Tennessee I was discussing the precedents involving qualifications. I had just finished with the case of Johnson, from Maryland. I now turn to the Brigham H. Roberts case, found in Hinds' Precedents, volume 1, page 518.

In 1900 the House refused to admit Brigham H. Roberts, a Representative-elect from Utah, on the ground that he believed in and practiced polygamy The question of his eligibility was raised at the time of the organization of the House, and without administering the oath to Mr. Roberts the matter was referred to a special committee which, after investigation, submitted a report dealing exhaustively with the subject. In that report the majority of the committee said:

> The objection is made to the refusal to admit Roberts that the Constitution excludes the idea that any objection can be made to his coming in if he is 25 years of age, has been 7 years a citizen of the United States, and was an inhabitant of Utah when elected, no matter how odious or treasonable or criminal may have been his life and practices.
>
> To this we reply:
>
> 1. That the language of the constitutional provision, the history of its framing in the Constitutional Convention, and its context clearly show that it cannot be construed to prevent disqualification for crime
>
> 2. That the overwhelming authority of textbook writers on the Constitution is to the effect that such disqualification may be imposed by the House, and no commentator on the Constitution specifically denies it. Especial reference is made to the works of Cushing, Pomeroy, Throop, Burgess, and Miller.
>
> 3. The courts of several of the States, in construing analogous provisions, have with practical unanimity declared against such narrow construction of such constitutional provisions.
>
> 4. The House of Representatives has never denied that it had the right to exclude a Member-elect, even when he had the three constitutional requirements.
>
> 5. In many instances it has distinctly asserted its right so to do in cases of disloyalty and crime. (Hinds' Precedents 1-521)

At another place in the report the majority said:

> Thus we see that the Senate and the House have taken the ground that they had the right to exclude for insanity, for disloyalty, and for crime, including polygamy, and, as we believe, there is no case in either the House or the Senate, where the facts were not disputed, in which either the Senate or House has denied that it has the right to exclude a man, even though he had the three constitutional qualifications. There is a large amount of debate, where opinions are given on both sides of the proposition, but as against that is the never-varying action of the two bodies themselves. (Hinds' Precedents 1-536.)

The majority recommended the following:

> *Resolved*, That under the facts and circumstances of this case, Brigham H. Roberts, Representative-elect from the State of Utah, ought not to have or hold a seat in the House of Representatives, and that the seat to which he was elected is hereby declared vacant.

This resolution was agreed to by a vote of yeas 268, nays 50.

He was not expelled. He was excluded. He was not even permitted to take the oath. The resolution was agreed to by a vote of 268 yeas and 50 nays.

Another outstanding case along the same line was that of Frank L. Smith.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. In that connection, I assume, of course, that the Senator from Illinois would agree with me that a precedent established by the House is not binding on the Senate. So far as that goes, I do not know that the Senate is capable of establishing any precedent which is binding on its successors.

Mr. LUCAS. I agree with the Senator in that statement; but the identical provisions of the Constitution apply, so far as the qualification of Members is concerned, to both the House and the Senate. As States respect the court decisions of their sister States we should at least give some respect and consideration to a decision by the House. I think if I had been in the House I should have agreed with it. The work which was done upon the Roberts case indicates that men of intelligence and statesmanship wrote the report.

Mr. OVERTON. Mr. President, if the Senator will further yield, at about the same time the House was passing on the Roberts case the Senate was passing on the Reed Smoot case.

Mr. LUCAS. Yes.

Mr. OVERTON. In that case the issue may not have been identical with that in the Roberts case.

Mr. LUCAS. It was not.

Mr. OVERTON. I think the issue was practically the same, but the charge was not established that Senator Smoot actually practiced polygamy. However, that was the issue. Both men were connected with the Mormon Church.

Mr. LUCAS. Reed Smoot was permitted to take the oath.

Mr OVERTON. Yes.

Mr. LUCAS. Roberts was not permitted to take the oath.

Mr MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I wish to make this brief observation in behalf of a former Senator from my State. The Senate found absolutely in its report that Reed Smoot had never been guilty of polygamy.

Mr. LUCAS. I wil come to that. I shall argue that case a little later, and quote exactly what the committee said.

Mr. OVERTON. I do not think that makes very much difference.

Mr. LUCAS. That is not what the Senator from Louisiana and I were debating.

Mr. OVERTON. No. I think the issue was raised, but the fact was not established. Let it go at that.

The position taken by the Senate was that the Senate not only refused to exclude Senator Smoot because of the charges which were preferred against him, but, after debate and upon an amendment to the resolution, required a two-thirds vote, which, of course, meant a vote of expulsion and not a vote of exclusion from the Senate.

The Senator from Illinois said that if he had been in the House he probably would have voted to exclude Mr. Roberts. Let us view the Smoot and Roberts cases as illustrative of the extent to which we can carry this theory when we depart from the Constitution. We could take the position that everyone who might have violated the commandment that our Lord handed down to Moses at Mount Sinai, that "Thou shalt not covet thy neighbor's wife, * * * nor anything that is thy neighbor's" should not be entitled to a seat in the United States Senate. We could take the position that any Senator who might be shown to have committed adultery should not be admitted to the United States Senate. We could go further, and could say that any Senator who did not observe the Sabbath day, "to keep it holy," who had not honored his father and his mother, or who had taken the name of his Lord in vain should not be entitled to a seat in the Senate, because the Biblical code is a moral code. If we are to go beyond the constitutional provisions, and say that we may exclude a Senator because he is a member of the Mormon Church or because he has violated any of the commandments, where are we going to stop? There must be some limitation.

Mr. CLARK of Missouri. Mr. President, if the Senator will permit me to ask him a question, with the permission of the Senator from Illinois——

Mr. LUCAS. Certainly.

Mr. OVERTON. Very well.

Mr. CLARK of Missouri. I should like to ask both Senators a question, because they have read the Roberts case recently, and I have not. I remember the Roberts case very well; I remember the day when Roberts was thrown out of the House. As a boy I read the record, but I have not read the record for a long time. Is it not a fact that the Roberts case was very different from the case now before us, in that Roberts was thrown out not because of anything that happened before he was elected to the House, not because of anything that occurred in the days or years preceding the election, but because he was sitting in the House at that time and was practicing polygamy, did not deny that he was practicing it, was making no denial, but was attempting to justify the practice of polygamy? As I recall, it was on that basis that Roberts was thrown out of the House.

It seems to me that the facts of that case are not at all similar to those of the case now before the Senate.

Mr. OVERTON. The Senator is correct; but I cannot accept the Roberts case as a Senate precedent under any circumstances.

Mr. LUCAS. What the Senator from Missouri has said of the Roberts case is not correct. Roberts never was admitted.

Mr. CLARK of Missouri. He was on the floor of the House, and I saw it.

Mr. LUCAS. That may be so; but Hinds' Precedents, upon which I rely, state that he was not admitted to the House.

Mr. CLARK of Missouri. I did not say he was admitted; I said he sat on the floor of the House, and at no stage in the proceedings did he ever deny that he was practicing polygamy.

Mr. LUCAS. I did not say that; I said he was not admitted to the House of Representatives.

Mr. CLARK of Missouri. I did not say that. The Senator from Illinois said I was mistaken in regard to the facts. I was not mistaken. I was not mistaken, because I did not say Roberts was actually sworn in. I said he was sitting in the House, and was actually practicing polygamy.

Mr. LUCAS. There is a distinction between sitting in the House and being admitted to the House. That is the distinction between the Roberts case and the Smoot case. In the Roberts case, Roberts was not permitted to take the oath; and, because he was not a Member of the House, the House voted to exclude him.

In the Smoot case, Smoot was admitted to the Senate and took the oath. The charge was made thereafter that he believed in polygamy, even though he did not practice it; that he believed in polygamy after taking the oath, and that because of this continuing belief in polygamy he became subject to the constitutional provision for expulsion.

That is the distinction between the two cases; and I think all the text writers on the point make that distinction. I shall have a good deal to say about both those cases when I discuss them.

However, the point I am making with respect to the Roberts case is made in reply to the remark made a while ago by the Senator from Louisiana, when he said that I could not cite a precedent.

In the Thomas case there is some excuse because of the conditions of the times. Of course, the Roberts case is not a case involving membership in the Senate.

Mr. OVERTON. I was referring to Senate, not House, precedents.

Mr. LUCAS. So far as the Roberts case is concerned on that point, I have to agree with the Senator; but everyone knows that the provisions of the Constitution relative to the qualifications, elections, and returns are the same both as to Members of the House and Members of the Senate.

Mr. OVERTON. But the point I was making is whether, in any event, we can consider the precedent established by the House as controlling in the Senate, when the Senate acted contrary to the House in the Reed Smoot case

Mr. LUCAS. That is the point. The Senate did not overrule it in the Reed Smoot case, as I said a while ago. The Senate permitted Reed Smoot to take the oath. He was a Member of this body; he was active. His belief in the Mormon theory was constant; it was what was called in the report a continuous offense; and the moment he took the oath he was just as guilty of that charge as he was before.

In the Roberts case the House refused to let Roberts take the oath, and excluded him. In the Reed Smoot case, Senator Smoot had taken the oath. His belief in the doctrine of polygamy was continuous—Senator Smoot himself did

not practice polygamy; he led an exemplary life, but he did believe in certain theories of the Mormon Church concerning polygamy—consequently he was tried in the Senate because of his continuous belief under the expulsion clause of the Constitution.

Mr. AUSTIN rose.

Mr. LUCAS. I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, I hope I misunderstood the Senator from Illinois. However, if I correctly understood him, I should like to call his attention to what appears on page 20 of the committee report. I understood him to agree with the Senator from Louisiana [Mr. OVERTON], who claimed that there were only two precedents, and that one of them canceled out the other.

Mr. LUCAS. Oh, no; I did not say that. I have another precedent to submit.

Mr. AUSTIN. Five precedents are cited in the committee report. Three of them were Senate cases; two of them were House cases. All of them were decisions on the point in question. Every one of them was under article I, section 5, clause 1 of the Constitution, for exclusion.

Mr. LUCAS. That is correct.

Mr. AUSTIN. Not one of them was for expulsion. Every one of them was for an act committed previous to election.

Mr. LUCAS. That is correct.

In addition to that, I can cite another case in which an investigation was made. During the arguments in the Gould case, former Senator Tom Walsh engaged in a discussion of the Roach case, which covers an entire page in the RECORD. The facts in the Roach case were simply these: A man in Washington, D. C., had been guilty of embezzlement of money and had entered a plea of guilty. He was placed on probation. He lived up to the probation rules and regulations. Later he left Washington and went to the State of North Dakota, where he led an exemplary life. He was successful in business and became so highly thought of that he was elected to the United States Senate. He came here after many years had passed since he pleaded guilty to the embezzlement charge; but the Senate took jurisdiction in that case, and investigated it thoroughly.

One of the greatest legal arguments ever made in the Senate was made in the Roach case by Senator Chandler, of New Hampshire; and it can be found in the discussion of the Gould case. Senator Tom Walsh took time to quote some two or three pages of Senator Chandler's discussion in connection with that particular point. In that case the same type of investigation was made as was made in the Gould case, and nothing ever came of it.

The point is that in that case the Senate took jurisdiction years and years and years afterward, just as it did in the Gould case. I merely refer to that point in passing.

I think there can be no question that the case I was discussing, the Roberts case, was considered on the theory that it was solely an exclusion, because it was based primarily on the fact that the man had not taken the oath of office; therefore he was not a Member. If he had been permitted to come into the House and then had continued the practice of polygamy and his belief in it, of course, the expulsion clause of the Constitution would have prevailed.

I turn now to the Frank L. Smith case. Certainly it i a case which should fit the situation. It seems to me that particular emphasis should be placed on the Smith case because of its comparatively recent date and because of the extensive consideration given at that time by the Senate to the questions there involved. The synopsis of the case given in Hays, Senate Election Cases, at page 289, is as follows:

During the 1926 senatorial campaign it was alleged that corrupt practices and expenditures of huge sums of money were being used to influence the nomination and election of candidates to the United States Senate from Illinois and Pennsylvania. A special committee of the Senate was authorized by Senate Resolution 195 of the Sixty-ninth Congress to investigate the rumors and charges.

At the Illinois primary of April 13, 1926, Senator William B. McKinley, Republican, was defeated for the senatorial nomination by Frank L. Smith, chairman of the Illinois Commerce Commission. Mr. Smith received 642,023 votes, and Mr. McKinley received 522,771 votes. At the general election of November 2, 1926, Mr. Smith was elected over the Democratic nominee, George E. Brennan, for the 6-year term commencing March 4, 1927. Mr. Smith received 842,273 votes, and Mr. Brennan received 774,943 votes. No contest was filed against Frank L. Smith on his nomination or election.

A good deal has been said about the corruption and the excessive use of money in connection with that election, and I suppose it was true. The point is that no charge was ever filed in the State of Illinois bringing any type of criminal procedure whatsoever against Frank Smith, or his campaign manager, or anyone else who had anything to do with the election at that particular time.

The synopsis given in Hays' Senate Election Cases continues, as follows:

Senator McKinley died December 7, 1926. The Governor of Illinois appointed Senator-elect Frank L. Smith to fill the unexpired portion of Senator McKinley's term.

The reports of the special committee authorized to investigate the campaign disclosed expenditures in behalf of the various candidates in Illinois as follows: William B. McKinley, Republican, $514,143; Frank L. Smith, Republican, $458,782; George E. Brennan, Democrat, $20,841. The committee investigation disclosed that Samuel Insull contributed $125,000 to the Smith campaign fund. Mr. Insull represented an investment of $650,000,000 in Illinois public utilities subject to the regulation of the Illinois Commerce Commission, of which Frank L. Smith was chairman at the time of his election to the Senate. Mr. Clement Studebaker, Jr., of Indiana, also an officer of Illinois public-utility corporations, was shown to have contributed $20,000 to the Smith fund. Without substantial dispute the evidence showed that out of a total expenditure in behalf of Mr. Smith's candidacy of $458,782, Illinois public service institutions contributed the sum of $203,000. The evidence also disclosed that Insull interests contributed $15,000 to promote the candidacy of George E. Brennan, who was Mr. Smith's Democratic opponent.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BROWN in the chair). Does the Senator from Illinois yield to the Senator from Washington?

Mr. LUCAS. I yield.

Mr. BONE. What led the Senate to investigate in that case? The action must have been based on some charge from some source. Who made the charge against the Smith campaign?

Mr. LUCAS. It came about, as I understand, through the Senate elections investigating committee, which is appointed every 2 years by the Senate.

Mr. BONE. Did this committee, on its own motion, go into the Illinois field and examine the facts?

Mr. LUCAS. I presume they had some information in advance that there was "something rotten in Denmark" in the way of the spending of money there, and when they looked into it they discovered probably more than they anticipated.

Mr. BONE. It has been a long time ago, but I recall the Smith case, and, from my reading of the story in the newspapers, as I remember the case challenged my attention because the power company had, through Sam Insull, not only helped to underwrite, in a major way, the Smith campaign but had gone over to the Democratic Party and helped elect the Democratic candidate, too.

Mr. LUCAS. That is right; he took no chances.

Mr. BONE. He was "playing both ends against the middle," and trying to buy up both candidates.

Mr. LUCAS. That is true.

The Illinois statutes did not restrict the amount that a candidate could expend, nor did they require a filed statement showing the amount expended. The Federal Corrupt Practices Act of 1911, which attempted to limit senatorial campaign expenditures, had been declared unconstitutional in the Newberry case so far as it related to primary elections. However, the Senate had established a guide and committed itself to a precedent in the Newberry resolution by condemning an expenditure of $195,000.

The case was referred to both the Committee on Privileges and Elections and to a special committee and, after lengthy hearings commenced in June 1926, the latter committee recommended on January 17, 1928, that Mr. Smith was not entitled to a seat. This resolution was adopted in the Senate by a vote of 61 to 23.

In addition to the facts stated above, it is pertinent to note that the Senate refused to seat Frank L. Smith pursuant to his appointment by the Governor, as well as refusing to seat him pursuant to his election.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. With all due respect to the Senator's recollection of the facts of the case, I differ with him in

reference to his last statement. Smith first came to the Senate under an appointment from the Governor of his State.

Prior to that time, because of the widespread charges of corruption in Pennsylvania and Illinois, there was a special committee appointed to make an investigation, and an investigation was proceeding in reference to Smith's election, who, at the time he presented himself, had not only undergone his primary election and had been nominated, but had also been elected at the general election. The term for which Smith was appointed expired the following March. He was appointed in December, and the regular term began on March 3. The Senate committee never made a report with reference to whether or not Smith should be excluded from the Senate until after the temporary appointment had expired and the regular term for which he had been elected had commenced. It began in March, and the Senate committee reported in January of the following year. When the committee reported a resolution of exclusion, it was an exclusion not from the temporary appointment, which had long since expired, but was an exclusion from his election as a Senator at a regular election held in the State of Illinois.

Of course, I do not consider the Smith case a precedent if we look upon it as an exclusion from his seat by reason of his alleged election, because the position taken by the Senate, as I understand the case, is that so much money had been spent, so much corruption had been practiced, so much fraud had taken place in the Illinois primary and in the Illinois election, Smith should be excluded from the Senate under the authority of the Senate to investigate the elections and returns of its Members. The Senate, however, never did exclude him from his seat by virtue of his temporary appointment by the Governor.

Mr. LUCAS. Assuming they did not, they did exclude him when he was elected finally by the people of Illinois.

Mr. OVERTON. That was on the ground of fraud and corruption in his election.

Mr. LUCAS. What difference does that make?

Mr. OVERTON. It makes the greatest difference in the world. We certainly have authority to pass on the elections and returns of our own Members.

Mr. LUCAS. Yes; but the Senator stated there was no precedent in the Senate for exclusion, as I understood him.

Mr. OVERTON. I said no exclusion that did not relate to the election or the returns or to citizenship or age, or residence.

Mr. LUCAS. Very well; but the Senator will find, if he cares to look into the record, that Frank Smith came here on appointment by the Governor——

Mr. OVERTON. He did.

Mr. LUCAS. He brought his credentials with him. They were bona fide credentials issued by the Governor, and there was not any election whatsoever involved. There was no corruption connected with his appointment, but he was never given the opportunity to take the oath.

Mr. OVERTON. Ah; but the Senate never did adopt a resolution excluding Senator Smith from a seat in the Senate by virtue of his appointment at the hands of the Governor of Illinois.

Mr. GEORGE. It denied him the right to a seat.

Mr. OVERTON. Certainly; pending an investigation. That has been done over and over again; it has been done in 10 or 17 cases.

Mr. GEORGE. There was not any investigation of his appointment.

Mr. OVERTON. Certainly not.

Mr. GEORGE. He was here with a certificate.

Mr. OVERTON. That is correct.

Mr. GEORGE. I was a member of that special committee, let me say to the Senator, and I spent some time in Chicago investigating the election. Smith came here with a certificate.

Mr. OVERTON. There is no question about that.

Mr. GEORGE. But he was not permitted to take the oath.

Mr. OVERTON. But the Senate adopted no resolution excluding him from the seat.

Mr. GEORGE. There was Senate action taken that he would not be allowed to take the oath.

Mr. OVERTON. That is done over and over again, pending investigation.

Mr. GEORGE. There was no investigation of the appointment.

Mr. OVERTON. I beg the Senator's pardon. There was an investigation going on at that time because of allegations of fraud and corruption.

Mr. GEORGE. There was an inquiry into the primary at the time.

Mr. OVERTON. Then, there was an inquiry as to the general election.

Mr. GEORGE. Subsequently there was as to the general election.

Mr. OVERTON. Smith came here on the appointment after the general election had taken place and after he had been elected.

Mr. GEORGE. Oh, no, the Senator is wrong, I think.

Mr. OVERTON. Let me refresh the Senator's memory. McKinley was the incumbent. Smith was elected at the general election held in November, but McKinley, the sitting Senator, died the following December, and it was after McKinley's death and after Smith's election that the Governor of Illinois appointed Smith, and he came here with the appointment.

Mr. GEORGE. Why did he need an appointment?

Mr. OVERTON. He was elected in November, but at that time, under the Constitution, he could not be seated until March 3.

Mr. GEORGE. He did not need any appointment. He had already been elected. He had a right to the office in his own right. So the Senator is wrong. I do not know what the record may show, but Smith came here and presented himself to take the seat under the appointment which was for the unexpired term of Senator McKinley.

Mr. OVERTON. That is correct; and there was an investigation on the ground of fraud and corruption.

Mr. GEORGE. I do not remember whether any formal order was adopted, but the effect was that Smith was not allowed to take the oath.

Mr. OVERTON. The point I am making is that the Smith case cannot be used as a precedent, because the Senate did not exclude him from a seat in the Senate by virtue of a temporary appointment by the Governor; but when it did report, it reported almost a year after his election, and excluded him from a seat in the Senate by virtue of fraud and corruption practiced in the election.

Mr. LUCAS. I will look up the record. I remember distinctly, however, that William McKinley died in December; that Governor Small appointed Frank Smith to fill the unexpired term which was to expire in March of the next year, and that Smith came here with his credentials. They were bona fide credentials, and there could not be an investigation regarding the appointment, but the Senate did not permit him to take the oath. I do not know why they did not let him take the oath, except that they were then making an investigation into the general election. They had made one investigation of the primary election.

The election did not have a single thing to do with the appointment and, to all intents and purposes, he had a legal right to come here and take the oath to fill the unexpired term, but the Senate absolutely refused to let him do so. There must have been a vote on that question. The Senate must have asked him to stand aside. I will look that up and discuss it a little later. Even if the Senate asked him to stand aside under those circumstances—and that is all there was to it—Smith came here with credentials given to him by the Governor of the State, credentials which could not be questioned.

Mr. OVERTON. The point I am making, if the Senator will permit me to say just a word or two more, is this: If, after the credentials of Smith, based on his temporary appointment, had been presented, the Senate would not accept his credentials, and would not permit him to occupy a seat in the Senate by reason of the fraud and corruption he had practiced in a certain election in Illinois, then there would be a precedent, because that fraud in the election had nothing to do with his temporary appointment. But the Senate never did adopt a resolution excluding Smith from a seat under his temporary appointment, but it excluded him from taking a seat after the general election because of fraud and corruption connected with the general election. I thank the Senator for yielding.

Mr. LUCAS. Mr. President, further with reference to the Smith case, as in the earlier cases, the contention was made that the Senate could not impose qualifications other than those specified in the Constitution. That question was

debated at length. It was admitted that Smith had the qualifications required by the Constitution. It was admitted that his appointment was legal, in the case of the appointment, and that he was actually and lawfully elected in the case of his election. Yet in both cases the Senate refused to seat him because of large expenditures in his behalf during the primary, and because of the acceptance of large contributions from public-utility interests. The facts concerning these expenditures and contributions were disclosed prior to the election and were widely debated in the State during the campaign. Nevertheless, Smith was elected. The fact of his election was not in dispute, and it cannot be said that the Senate in his case was judging his election. Certainly it cannot be said that his election was being judged when the Senate refused to seat him under his appointment, because his right to the seat then did not depend on his election. It seems evident that he was excluded from the Senate because of immoral conduct which, although connected with his election, did not make it void. Thus the Senate definitely required qualifications other than those specified in the Constitution.

I do not believe one can read the Smith case and arrive at any logical conclusion other than the Senate excluded him the first time, or had him stand aside, because of the charges of moral turpitude based on the expenditure of excessive sums, and taking funds from Sam Insull in the campaign. That this was the theory on which the Senate acted, and that the Senate deliberately took the position that it could require additional qualifications, is demonstrated by the debates in the Senate. These debates are too lengthy to review in detail, but I shall give excerpts from them

The position of those Senators contending that Mr. Smith was entitled to be seated was stated by Senator Watson, as appears in the CONGRESSIONAL RECORD, volume 68, page 1987 as follows:

I contend that, inasmuch as he has been regularly appointed, inasmuch as there is no doubt whatever as to his constitutional qualifications, inasmuch as he fulfills in the highest degree all of those qualifications set forth specifically in the Constitution of the United States, all we can do, in obedience to the behest of that Constitution, is to admit him as a Member of this body

Again it was urged by Senator Deneen, who said, as appears in the CONGRESSIONAL RECORD, volume 69 page 1583:.

There is no dispute about the legality of the election or that Mr. Smith has the qualifications prescribed in the Federal Constitution, which are:

"No person shall be a Senator who shall not have attained to the age of 30 years and been 9 years a citizen of the United States, and who shall not when elected be an inhabitant of that State from which he shall be chosen." (Art. I, sec. 3, par. 3.)

The position which the State of Illinois takes is that the United States Senate cannot create any additional qualifications for a United States Senator or limit further the power of a State to elect him; that neither the Senate nor the Congress nor the States can add to the qualifications of a Senator as expressed in the Constitution of the United States; and that neither the Senate nor the Congress nor the State of Illinois, nor any other State, has prescribed any additional qualifications for United States Senator; that the pending motion attempts to add additional qualifications and by the Senate alone.

The opposite view, which was reaffirmed by the Senate in the Smith case, was stated and supported in the following remarks of various Senators:

The senior Senator from Nebraska [Mr. NORRIS] said, as appears in the CONGRESSIONAL RECORD, volume 69, page 122:

It is argued by those who contend that the Senate is helpless, and must seat these men regardless of the money spent to obtain their nominations, that the word "qualifications" in the Constitution refers only to the technical validity of the credentials of a Senator-elect. If "qualifications" does not mean qualifications except in a limited sense, and if that limited sense and meaning is to be defined by those who desire to have Mr. Smith and Mr Vare admitted, then the Senate is helpless. Unfortunately for those who thus argue, there is no legal or justifiable reason for putting this limitation on the word. There is no language anywhere in the Constitution, either direct or implied, that would justify such an interpretation. And again, the Senate is the sole judge of what the word means, and is under no compulsion, either of reason or logic, to accept the limited definition given by those who would take away from the Senate its right to perform its constitutional functions.

The Constitution, in section 5, article I, in speaking of the House and the Senate, declares that "each House shall be the judge of the election, returns, and qualifications of its own Members."

There is no limitation on this power. The Senate, under this language, is the only body in our Government that has a right to pass upon the qualifications of those who seek admission here as Members.

If, in the judgment of the Senate, the facts reported by this special committee, which stand practically undisputed, disqualify Mr. Smith and Mr Vare, or either of them, then it is its duty, of course, to vote accordingly. Neither is there anything in the argument that is made by those who claim the Senate is helpless, that if we can keep out of the Senate one who has spent, in its judgment, too much money in order to get in we might abuse this power; that we might keep a man out because he was a Protestant, or because he was a Catholic, or because he was a pauper, or a railroad president.

The fact is that no power is delegated by the Constitution of the United States to any body or to any court which is not susceptible of abuse. It is impossible to frame a government and delegate any powers to any official without there being a possibility of the danger that such official will abuse the powers given to him. The power to pass on the qualifications of Senators must be given to somebody. Our forefathers, it is true, might have given it to the courts. They might have conferred this power upon some other tribunal instead of the Senate, and if they had, the Senate would have to abide by the judgment of whatever official or tribunal had jurisdiction. But the truth is that our forefathers, in drafting our Constitution, gave this power to the Senate. It is not only a power but it is a responsibility—a responsibility that cannot be shifted.

The present senior Senator from Georgia [Mr. GEORGE] said, as appears in the CONGRESSIONAL RECORD, volume 69, pages 1589–1590:

I am quite familiar with the doctrine that where a constitution prescribes certain disqualifications the disqualifications enumerated are exhaustive of all others. That view may be supported upon a highly technical process of reasoning. It does not in fact or in practice control either in the construction of statutes or constitutions. Some authorities follow it, but I cannot subscribe to that view. I have reached the conclusion, as I have said, not hastily, but cautiously and deliberately, that the Constitution merely prescribes certain disqualifications and says to the Senate, "You shall not admit a man under 30 years of age and who is not a citizen of the United States, and who is not an inhabitant of the State from which he was elected." It says to the Senate, "You shall not permit one to sit here who is at the same time the holder of an office under the United States."

That that is the correct view of it seems to me to be beyond the peradventure of a doubt when one considers those circumstances which occurred prior to and during and immediately following the War between the States. The fourteenth amendment prescribed an additional disqualification. Those who framed and submitted the amendment never doubted that the Senate had the power to exclude a Member who had previously taken an oath to support the Constitution and yet had engaged in any one of the several things enumerated and prohibited in the amendment; but they were anxious to make that disqualification absolute, and so they said that no one who had previously taken the oath of office and who had subsequently engaged in any of the several acts enumerated in the amendment should be eligible to membership in the Senate. Prior to the submission and ratification of the amendment the power to exclude a Senator-elect had been exercised by the Senate, composed in large part of the same Senators who framed and submitted the amendment. Throughout its history the Senate had in fact excluded Senators-elect for reasons other than those specifically set forth in the Constitution.

Senator Borah said, as appears in the RECORD, volume 69, page 156:

Under article I, section 5, we have the power to pass upon the elections, returns, and qualifications of Senators. If there is any limit to that power save the sound judgment of this body, I am unable to find it; I do not believe it exists. As was so well said by the able Senator from Nebraska [Mr. NORRIS] yesterday, it is liable to abuse. So is almost any power that can be found in the Constitution because somewhere, at sometime, somebody must render a final judgment or make final disposition of the subject. It is indeed a vast power, and when we consider that we may exercise it in contravention of the wishes expressed by a State it becomes a delicate and ominous power. All this, in my opinion, we may do by a majority vote. We may pass upon his qualifications, we may pass upon the validity of his election, and may do so by a majority of the Senate.

I conceive that we are proceeding wholly under article I, section 5, clause 1, and not at all under article I, section 5, clause 2, and that under that clause our power is practically without limit.

The Senator from Tennessee [Mr. MCKELLAR], as appears in the RECORD, volume 69, page 1597:

Under those circumstances, believing as I do that the Constitution gives this body absolute and plenary power over the qualifications of its Members, and it not being disputed as a matter of fact that Mr Smith has been guilty of violating the Illinois law in securing very large contributions from those concerns which it was his duty as commerce commissioner to regulate, and

that his nomination and consequent election were obtained by corrupt means, with which wrongdoing he has been charged here, there is, as it seems to me, but one thing for a Senator under his oath to do, and that is to vote for this resolution denying to Mr. Smith a seat in the Senate. I shall so vote.

Senator Reed, of Missouri, spoke as follows, as appears in the RECORD, volume 69, page 1588:

More than that, there are other States in the Union that have some rights; for when a Senator comes here from Illinois he becomes a Senator of the United States, and he is as much a Senator for each of the 48 States as he is for the State that sent him here, and his vote binds all of the States.

Therefore, these other States have the right to say that, no matter what the vote may have been in a particular State, if the individual coming here does not come along the road of the law, walking it straight, and coming here without taint upon his office, they will refuse to allow him to sit here and bind the sovereign people of this Republic.

Any other view than that means that fraud can walk in the noonday, that corrupt organizations can defeat any chance at fair elections, and that every kind of iniquity and every sort of villainy will triumph, provided by some means a majority of votes can be gotten into a ballot box. That is not good morals; it is not good law.

It appears from the foregoing authorities that it is definitely established that in the exercise of its power to judge the qualifications of its Members the Senate may exclude for lack of qualifications one whom the Senate deems morally unfit. However, it is necessary to determine whether, under the circumstances which exist in the present case, this power may be exercised by a majority vote of the Senate, or whether it requires a two-thirds vote.

Since the power was exercised by majority-vote procedure in each of the cases I have discussed, and since the power to judge the qualifications of Members of the Senate is admittedly one which may be exercised by majority vote, it would seem to be entirely clear that it could be exercised by majority vote in the present case, and it would seem unnecessary to discuss that question, if it were not for some statements made in connection with past cases which seem to indicate a different view, and the action of the Senate in the Reed Smoot case.

Reference is again made to the case of Brigham H. Roberts, heretofore discussed. In their report on that case the majority of the committee said, according to Hinds' Precedents, volume 1, page 522:

The interesting proposition is made that the claimant be sworn in and then turned out. Upon the theory that the purpose is to permanently part company with Mr. Roberts, this is a dubious proceeding. Such action requires the vote of two-thirds of the Members. We ask if such a vote is possible or right, in view of the following observations:

The expulsion clause of the Constitution is as follows:

"Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

No lawyer can read that provision without raising in his own mind the question whether the House has any power to expel, except for some cause relating to the context. The ablest lawyers, from the beginning of the Republic, have so insisted, and their reasoning has been so cogent that these propositions are established, namely:

1. Neither House of Congress has ever expelled a Member for acts unrelated to him as a Member or inconsistent with his public trust and duty as such.

2. Both Houses have many times refused to expel where the guilt of the Member was apparent; where the refusal to expel was put upon the ground that the House or Senate, as the case might be, had no right to expel for an act unrelated to the Member as such, or because it was committed prior to his election.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. With reference to the Senate writing its own rules of procedure, and under the Senator's theory that the Senate has the right to add qualifications which are not specified in the Constitution, does the Senator believe the Senate could adopt a rule specifying intellectual and moral qualifications?

Mr. LUCAS. I do not know how far the Senate might go with respect to a matter of that kind.

Mr. MURDOCK. Can we have something in our consciences here which we do not propose to write into a rule?

Mr. LUCAS. The Senate can do anything it wants to do, and if a constitutional amendment is passed by both Houses and the States ratify it——

Mr. MURDOCK. No; I do not mean by way of constitutional amendment. I refer to the theory that the Senate may write its own rules of procedure.

Mr. LUCAS. Yes; the Senate can deny a person his seat simply because it does not like the cut of his jaw, if it wishes to.

Mr. MURDOCK. And we can write a rule to that effect.

Mr. LUCAS. I do not think we would want to write a rule to that effect.

Mr. MURDOCK. Certainly we have a right to write out anything we may want to.

Mr. LUCAS. I do not think the Senator can find any rules for such procedure, except those the Constitution itself provides. In the early days, at the time of the beginning of the Government, the position was taken that either body of Congress could examine the qualifications or disqualifications of persons elected to the body to judge those qualifications, and from time to time since that has been done.

Mr. MURDOCK. If we are going to tell the States that we in the Senate will determine the qualifications of those who are sent here—if that theory is correct, if it is constitutional, then in fairness to the States it seems to me the rule should be put in writing so the States will know the type of men we expect them to send here.

Mr. LUCAS. Would the Senator vote to permit a man who was, we will say, an idiot, to sit in this Chamber, if the people in a State elected him?

Mr. MURDOCK. No; but I think it is unfair to arrive at a construction of the Contitution on the assumption that the States are going to send idiots and moral perverts to the Senate.

Mr. LUCAS. There have been many persons excluded on far more serious charges than the misfortune of insanity. One of the earliest cases was that of a man who was guilty of disloyalty to the Government, and he was excluded.

Mr. MURDOCK. Which case is that?

Mr. LUCAS. The Blount case I think. I shall come to that in a moment.

Mr. MURDOCK. In that case the matter charged occurred while the person was a Senator. Let us consider the early Smith case. Smith was accused of being a coconspirator with Aaron Burr. In my opinion, the eloquent report of John Quincy Adams gives a proper construction of what the Constitution provides with respect to qualifications. That is not the Frank Smith from Illinois. That Smith came from Ohio. The Senate did not expel him.

Mr. LUCAS. The Senate excluded Smith from my State. The Senate never gave him a chance to take the oath of office. He was excluded because of excessive use of money in the election. The charge was, as I read from the statement of the Senator from Tennessee [Mr. MCKELLAR], that Smith had violated the criminal laws of the State of Illinois, and he was punishable under those laws. No one in the State of Illinois, however, ever attempted to punish him. Frank Smith is a good citizen, notwithstanding the fact that he was thrown out of the Senate.

I am not debating that matter now other than to say that Smith was excluded on a charge based on a criminal offense. The Senate excluded him. The Senate did not wait until he was a Member of the Senate. It did not give him a chance to take the oath of office, but excluded him because of something that happened before he came here.

That is the point I am making with respect to the Frank Smith case in answer to the Senator from Utah. Of course the Senate will never lay down any rule as to what should or should not be done in connection with speculative matters. Each case must stand upon the facts and circumstances surrounding it, and must be determined upon those facts and circumstances. No two cases will ever be alike.

Mr. President, I realize that I have perhaps detained the Senate unnecessarily in my argument and in the citation of all these precedents to sustain the same. However, the importance of this case to the people of North Dakota, to the Senator-elect from that State, as well as to the United States Senate, representing all of the people, demands that every question presented here upon which there is a division of thought must by necessity have the serious consideration of every member of this body. It now becomes my duty, in the course of this argument, to move into another legal field, which deals with the question of expulsion rather than exclusion. You will remember there is no direct reference in the Constitution to the question of exclusion. However, upon the question of expulsion, we turn to section 5 of clause

2 of Article I of the Constitution, which reads as follows:

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and with the concurrence of two-thirds expel a Member.

There may be those who because Senator LANGER was permitted to take the oath on January 3, 1941 believe that the Senator is now a Member of this legislative body and, therefore, the case before us becomes a matter of expulsion rather than exclusion, thus requiring a two-thirds vote rather than a vote by a majority. In answer to this position, it must be remembered that every act of moral turpitude, heretofore discussed in detail, occurred prior to the time Senator LANGER was given the oath on the opening day of the Seventy-seventh Congress It will be remembered, and the CONGRESSIONAL RECORD so shows. that upon opening day Senator BARKLEY made a very clear-cut and distinct statement to the effect that while he had been importuned to ask the Senator from North Dakota to stand aside without taking the oath, he thought it was better practice to permit him to take the oath without prejudice to the Senator-elect, and without prejudice to the United States Senate. No charges have been made, and no evidence has been offered of any disorderly behavior of Senator LANGER since he was admitted to the Senate and, therefore, the majority of your committee was of the opinion that this case does not fall under the constitutional provision quoted above, but is clearly one of exclusion, and exclusion only

We have examined carefully the available records of expulsion cases. As a result, it is the opinion of the committee that, in the entire history of the United States, there has never been an exercise of the power to expel. necessitating a two-thirds vote, unless the misconduct involved impinged upon the honor and dignity of the Senate during the membership of the accused.

The question is frequently asked, if Senator LANGER is not a Member of the United States Senate, why is he permitted to vote upon all of the important questions that have been before the Senate during the time this shadow or cloud has been over him? And that is an intelligent and interesting question. But, insofar as this hearing is concerned, we take the position that the oath that was given in no way entitles him to complete and final membership in this body until the Senate, after due consideration of the charge now before it, votes that Senator LANGER is entitled to a seat. It simply becomes a matter of public policy to determine whether or not the Senator is denied the oath and awaiting the action of the Senate in determining the truth or the falsity of the charges, or whether or not he be given the oath and thereby permit the State to have its full share of representation during the time the charges are being investigated.

Mr. President, here is a typical example of what I have in mind. In my State we have a law which says that a man convicted of a felony loses his right of citizenship and cannot vote. But until that man is convicted he is still a citizen and retains his right of franchise even though he may be under indictment for murder for a year and a half before he is tried. During that time he may control a county election by his one vote, in spite of the fact there is an indictment for murder hanging over his head. If he is convicted and sent to the penitentiary he loses his right of citizenship. That is analogous to the case here, in my humble opinion, insofar as his right to vote is concerned. The Senator from North Dakota [Mr. LANGER] has the right to vote. He has been acting as a Member of the United States Senate. But that fact does not necessitate a two-thirds vote to exclude him.

Charges touching the election returns and qualifications of Senators-elect have been before the Senate in 46 cases. Twenty-nine times the Senate has accepted the credentials of such Senators and investigated the charges afterward, and 16 times the Senate refused to seat the Senators-elect until the charges were investigated. This practice has definitely established the right of the Senate to exercise its discretionary power as to whether or not it will investigate before or after the oath is given to the Senator-elect.

If the doctrine is established that the seat of a member who has taken the oath cannot be vacated except by two-thirds vote, the natural and probable result would be that whenever charges are brought against a Senator-elect before he is sworn in, the Senate must prevent him from taking the oath in order to protect itself. Thus he would be deprived of his seat while an investigation was made, even though the charges were subsequently proved to be groundless.

In the event the United States Senate should decide with the majority of the Committee on Privileges and Elections on this case, had the oath been refused in the beginning North Dakota would have been without representation by one Senator since January 3, 1941.

If we should adopt that practice, it might well constitute an open invitation to defeated political factions to file charges upon every conceivable pretext. Thus the Senate might be confronted, at the beginning of a Congress when one-third of its Members presented themselves to take the oath, with charges filed against all of them. The Senate under such circumstances would be obliged to prevent them from taking the oath, or place itself in the position of being unable to disqualify any of them except by a two-thirds vote.

The position that the administration of the oath should be permitted as a matter of practice and within the discretion of the Senate was approved by the Supreme Court in the case of *Barry* v. *Cunningham* (279 U. S. 597, 614) in which the Court said:

It is said, however, that the power conferred upon the Senate is to judge of the elections, returns, and qualifications of its Members and, since the Senate had refused to admit Vare to a seat in the Senate or permit him to take the oath of office, that he was not a Member. It is enough to say of this, that upon the face of the returns he had been elected and had received a certificate from the Governor of the State to that effect. Upon these returns and with this certificate he presented himself to the Senate, claiming all the rights of membership. Thereby, the jurisdiction of the Senate to determine the rightfulness of the claim was invoked and its power to adjudicate such right immediately attached by virtute of section 5 of article I of the Constitution. Whether, pending this adjudication, the credentials should be accepted, the oath administered, and the full right accorded to particpate in the business of the Senate, was a matter within the the discretion of the Senate. This has been the practical construction of the power by both Houses of Congress, and we perceive no reason why we should reach a different conclusion.

I now direct the attention of the Senate to one of the early cases of this kind wherein we find that the oath was administered and the Senator-elect was excluded by a majority vote I refer to the *Gallatin case* (Webb & Pierce Senate Election Cases, 153). On December 2, 1793, Albert Gallatin, of Pennsylvania, took the oath and took his seat as Senator.

On February 28, 1794 after an investigation had been made, Mr. Gallatin was deprived of his seat in the Senate on the ground that he had not been a citizen of the United States for the number of years required by the Constitution. The vote was—yeas 14, nays 12.

In the Gallatin case, the Senate excluded a man who had already been seated. Acting under its authority to judge the qualifications of its Members, it excluded him by majority vote because of a disqualification specified in the Constitution. The Senate acts under the same authority to judge the qualifications of its Members when it excludes a person because of disqualifications not so specified, and there can be no ground for saying that the exercise of the authority requires only a majority vote in the one case but requires a two-thirds vote in the other.

The authority to judge elections of Members is exercised under the same provision of the Constitution. It is well recognized that a Member who has been seated in either House may be subsequently deprived of his seat by a majority vote if it should be determined that he was not duly elected. Again there is no reason for saying that the power conferred by this clause of the Constitution may be exercised by a majority vote in some cases, but in other cases may be exercised only by a two-thirds vote.

I again refer to the Frank Smith case upon this very question I refer to what Senator Tom Walsh, of Montana, said. This is very important because it is the very question the Senator from Louisiana argued a while ago. In the Smith case the oath was never administered to Mr. Smith. However, it appears from the debates that the Senate was clearly of the opinion that Mr. Smith could have been excluded by a majority vote after he had taken the oath; that permitting the oath to be taken was a matter within the discretion of the Senate which did not affect the exercise of the power to judge qualifications; and that in the particular case then under consideration the

facts warranted the Senate in not permitting the oath to be taken before the matter was finally determined.

The following excerpts from the debates in the Smith case seem pertinent on this point:

Senator Walsh of Montana said, as found in the RECORD, volume 69, page 1595:

There is no reason for making any distinction between the qualifications and the elections. The qualifications are coupled up with the elections and returns; they are all determined by a majority vote.

The Senator from Georgia [Mr. GEORGE] said in that case as found on pages 1590–1591 of volume 69:

The Senate acts under the provision that each House shall be the judge of the elections, returns, and qualifications of its own Members. The narrow argument is here made that one is not a Member until he has actually taken his seat, though he may have been elected for that purpose, and is appearing here and demanding the right to take his seat.

Why "judge of the election" if there can be no inquiry until the man has taken his seat? I grant that in the majority of cases it is contemplated that the Senator-elect will be admitted to the Senate, and I grant that in the vast majority of cases the Senator-elect should be admitted to a seat in the Senate. But the conclusion to which I come is that the naked power of the Senate cannot be questioned; that it is in every instance only a question of the rightful exercise of the power * * *

Mr. President, the power may have been as well exercised after Mr. Smith had taken the oath of office; I grant that, because the question of exclusion or expulsion does not so much depend upon the time when the motion is made, but, in fact, upon the character of the motion and the grounds upon which the motion proceeds. When a fact vital to the election and directly connected with and related to the election is the subject of the inquiry, the proper motion, in my judgment, whenever made, is one to exclude. The motion to expel is against a sitting Member and on account of an act which has occurred or transpired after he has qualified as a Member of the body.

The Senator from Nebraska [Mr. NORRIS] said, on pages 122 and 123 of volume 69:

The question as to whether Mr. Smith and Mr. Vare should be seated pending the decision of the question as to whether they will be allowed to remain here permanently is another point involved. It is true that in ordinary cases a Senator is sworn in upon the presentation of his certificate of election and, if his right to a seat here is then contested, he remains in the Senate as a Member until that question is finally determined by the Senate. That procedure is followed because, in the ordinary case, the only official evidence that the Senate has of the election or the qualifications of one claiming the right to be a Member of the Senate is the certificate of election. No other evidence of any official kind is ordinarily in the possession of the Senate, and hence, when the Senate is called upon to act, either to permit or to refuse to permit, the applicant to take the oath of office, there is no evidence except the certificate of election. It, as everyone knows, is only prima facie evidence of the facts which it purports to state.

In the case of Mr. Smith and Mr. Vare an entirely different proposition confronts the Senate. The Senate has appointed its committee and directed it to make an investigation, and in obedience to the commands of the Senate, the committee has gone into Illinois and Pennsylvania and made an investigation.

Senator Borah said, as appears on page 157 of volume 69:

Suppose we permit Mr. Smith to take the oath; suppose we permit him to speak in his own behalf; and suppose we permit the people of Illinois to have their full constitutional representation and to speak here upon the floor of the Senate. If we find the facts to support our conclusions, what have we lost, except, perhaps, 2 or 3 hours of time? It is within our power, when the conclusion has been reached, or when the procedure is at a close, to exercise our judgment and exclude him; and, for myself, I shall feel infinitely better after I have voted, if I do vote, to unseat Mr. Smith, if I know the people of Illinois have no reason to complain of the Senate in its procedure.

Senator Borah, in arguing for the right of Frank Smith to take the oath in order that he might be here and present his case to the Senate, said, "What difference does it make? If we think his case is not worthy we can then vote to exclude him." In other words, he was saying that the fact that he might take the oath would not make any difference. He would still be subject to exclusion.

Former Senator Hale said, as appears on page 1597 of volume 69:

Mr. President, I regard the presence of a corrupt Senator in this body as a real menace to the Republic. Had the Committee on Privileges and Elections, or for that matter, any other committee duly appointed to act by the Senate made the report that this committee has made, and had the facts contained in that report been uncontroverted I should have voted, after the Senator had been allowed to take his seat, to declare the Illinois seat vacant.

Former Senator Reed, of Missouri, said, as appears on page 1914 of volume 68:

In the cases cited the applicant for a seat presented credentials, and upon the credentials asked to be sworn in. He contended that the credentials entitled him prima facie to his seat, and, as there was no contrary showing before the Senate, he was allowed to take the oath, and then the question as to his right to continue to sit was referred to an appropriate committee. That action in itself asserted the right and power of the Senate to overturn the prima facie case made by the certificate, and upon a proper showing to disregard the certificate and deny the right of occupancy to the applicant for a seat.

Former Senator Cameron said, as appears on page 2001 of volume 68:

No one questions but that if he is seated, and the oath of office administered, the Senate still has the undoubted right to adjudge any question as to his qualifications that is within its power to determine, and, if the applicant be found disqualified, to declare the office vacant. Then the State, if it desires the continuous representation to which it is entitled, may instantly name a successor. There is no denial to the State of its right to representation.

The dignity of the Senate demands that if any Senator-designate is charged with any disqualifying conditions, he shall have his day in court. A hearing, to which he is beyond question entitled, will take time. Unless he is permitted to act for his State pending that investigation and decision, then to that extent and for that period of time the State is denied its right of representation.

Former Senator Bingham, of Connecticut, said, on page 2005, of volume 68:

Personally I do not believe that it requires a two-thirds vote to determine whether a Senator measures up to the qualifications required by the Constitution. I do not believe that even after a Senator has taken his seat and taken the oath it requires a two-thirds vote to declare that he is not 30 years of age, or that he has not been a citizen for 9 years, or that he is not a resident of a State which has sent him, or that he is a Federal officeholder and therefore not eligible to sit in this body. And if I were one of those who believed that it was intended that the Senate could add any other qualifications that occurred to it, as many of my colleagues seem to think, I would feel equally sure that a majority vote could declare that a Senator did not have the qualifications to hold a seat in this body and that it does not take a two-thirds vote so to decide.

Mr. President, these precedents and arguments leave little doubt as to the effect of taking the oath. Whether a Senator-elect takes the oath and is allowed the rights of a duly qualified Senator, or whether he is requested to stand aside without being administered the oath, in no way adds to or takes away from his disqualifications. He is either guilty or not guilty of the charges found in the petition. The mere taking of the oath in no way changes those charges. Your committee earnestly submits that the case before us is solely one of exclusion.

However, three members of your committee contended that this is a case of expulsion under section 5, clause 2, article I of the Constitution, which, for convenience, is again quoted:

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

A careful review of the precedents in the United States Senate discloses that the case of William Blount is the first case of expulsion to which the Senate of the United States applied its jurisdiction under the above constitutional provision. Blount was a Senator from Tennessee, elected in 1796. In July of the following year he was expelled from the Senate for a "high misdemeanor entirely inconsistent with his public trust and duty as a Senator."

Joseph Story, in his Commentaries on the Constitution of the United States, second edition, page 580, states, among other things:

The offense charged against Blount was an attempt to seduce an American agent among the Indians from his duty, and alienate the affections and confidence of th Indians from the public authorities of the United States, and a negotiation for services in behalf of the British Government among the Indians. It was not a statutable offense; nor was it committed in his official character; nor was it committed during the session of Congress; nor at the seat of government. Yet by an almost unanimous vote he was expelled from the Senate.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CONNALLY. With respect to the Blount case, let me say that that case is of great interest to the Senator from Tennessee [Mr. MCKELLAR], who is probably the best informed man on the history of Tennessee now living. He has

written a volume, which has not yet been published. He takes very violent exception to what the Senate did in the Blount case. He said that Blount was expelled from the United States Senate for doing exactly what Andrew Jackson did about 20 years later. Blount was expelled shortly after the establishment of the Government.

Mr. LUCAS. He was expelled in 1796.

Mr. CONNALLY. He was carrying on negotiations, or was charged with carrying on negotiations, for the acquisition of Florida. Andrew Jackson went down there and annexed it by the sword about 20 years afterward, with the acclaim and applause of most of the people of the United States.

I submit that observation merely because I know that if the Senator from Tennessee were present he would interrupt the Senator. I am a close friend of the Senator from Tennessee, and I am performing that little service for him.

Mr. LUCAS. I am very glad the Senator has called attention to that interesting fact. The only point the Senator from Illinois was making was that the offense was committed while Blount was a Senator. I am not the historian to say whether or not an offense was committed; but the record shows that while Blount was a Senator he was charged with disloyalty. The point I am making is that a two-thirds vote was required to remove him from the Senate, which was done.

The next case of expulsion arose in 1808. John Smith was elected as a Senator from Ohio in 1803. He was charged with participation in the supposed treasonable conspiracy of Aaron Burr. The conspiracy took place while Smith was a Member of the Senate. Story in his Commentaries, in discussing this case, says that the motion to expel Smith was lost by a want of the constitutional majority, by two-thirds of the Members of the Senate. The precise ground of the failure of the motion does not appear, but it may be gathered from the arguments of his counsel that it did not turn upon any doubt that this power extended to cases of misdemeanor not done in the presence or view of the body; but most probably it was decided upon some doubt as to the facts. The Committee on Privileges and Elections in reporting on the John Smith conspiracy case said, among other things, the following:

> The power of expelling a Member for misconduct results on the principles of common sense from the interest of the Nation that the high trust of legislation should be invested in pure hands. When the trust is elective it is not to be presumed that the constituent body will commit the deposit to the keeping of worthless characters. But when a man whom his fellow citizens have honored with their confidence on the pledge of his spotless reputation has degraded himself by the commission of infamous crimes which become suddenly and unexpectedly revealed to the world, defective indeed would be that institution which should be impotent to discard from its bosom the contagion of such a member, which should have no remedy of amputation to apply until the poison had reached the heart.

In the discussion of the question of exclusion, I read at some length the report and the law in regard to the exclusion of Brigham H. Roberts. Reference is again made to that case in connection with expulsion. On pages 523 and 524 of Hinds' Precedents of the House of Representatives, the following language appears:

> It thus appears that the language of the provision for expulsion, in the view of the ablest commentators, furnishes clear and cogent reasons for its construction and that neither House ought to expel for any cause unrelated to the trust or duty of a Member. This has been the uniform practice of both Houses of Congress.

Probably the most interesting case in recent times wherein the question of expulsion by the vote of two-thirds of the Members of this body arose was in the case of Reed Smoot. On March 5, 1903, Senator-elect Reed Smoot of Utah presented himself to the Senate, and the oath was administered to him without question. On January 27, 1904, the Senate agreed to the resolution directing the Committee on Privileges and Elections to investigate the right and title of Reed Smoot to a seat in the Senate. Such an investigation was conducted, and continued for some time. The investigation showed he was a member and the holder of a high office in the Mormon Church. No claim was made that he himself was a polygamist, and it appeared his private life was of an exemplary character. The majority of the committee were of the opinion that Mr. Smoot should be deprived of his seat in the Senate because of his connection with the Mormon Church, which they believed adhered to and encouraged objectionable doctrines with respect to polygamy and with respect to the relationship of the church and the state. Consequently, they recommended the adoption of the following:

> *Resolved*, That Reed Smoot is not entitled to a seat as a Senator of the United States from the State of Utah.

In the course of the debate in the Senate, Senator Knox stated his views as follows:

> If I were asked to state concisely the true theory of the Constitution upon this important point, I would unhesitatingly say:
>
> First. That the Constitution undertakes to prescribe no moral or mental qualification, and in respect to such qualifications as it does prescribe, the Senate by a majority vote shall judge of their existence in each case, whether the question is raised before or after the Senator has taken his seat.
>
> Second. That as to all matters affecting a man's moral or mental fitness the States are to be the judges in the first instance, subject, however, to the power of the Senate to reverse their judgment by a two-thirds vote of expulsion—

Here is the point—

> when an offense or an offensive status extends into the period of senatorial service, and such a question can only be made after the Senator has taken his seat.

It will be noted that Senator Knox took the position that a Senator-elect could not, for moral unfitness, be excluded by a majority vote even if it should be done prior to taking the oath. In this he differs from the majority of the committee in the Roberts case, differs from the precedents above discussed, and differs from the prevailing views expressed at length in the Smith case. However, he was logically obliged to adopt that position if he were to maintain the proposition that a majority vote was not sufficient after the oath had been taken.

For the Senate can judge the qualifications of its Members after they have taken the oath as well as before. Senator Knox knew that the charge against Reed Smoot was a continuous one; that is to say, Smoot was just as guilty of believing in the so-called objectionable doctrine of polygamy after he became a Member of the Senate as before. He had offended the constitutional clause with respect to misbehavior. Therefore, Knox and others argued it was necessary for him to be expelled rather than excluded.

On February 20, 1907, the question reoccurred on the resolution, declaring Mr. Smoot was not entitled to a seat in the Senate. Senator Hopkins moved to insert, after "Resolved," the words "two-thirds of the Senators present concurring therein." This amendment was agreed to—yeas 49, nays 22.

Thereupon, Senator Carmack proposed a substitute, as follows:

> *Resolved*, That Reed Smoot, a Senator from Utah, be expelled from the Senate of the United States.

This substitute was disagreed to—yeas 27, nays 43.

Then the committee resolution, with the Hopkins amendment, was disagreed to—yeas 28, nays 42.

This is the point I desire to make in connection with the Reed Smoot case. In the Reed Smoot case there was both the question of exclusion and the question of expulsion; and I undertake to say that there is no constitutional basis on which the practice followed by the Senate in this case can be logically supported. There were only two provisions of the Constitution under which the Senate could act—the one giving it the power to judge qualifications of its Members, and the other giving it power to expel a Member. The Senate was not purporting to vote on the expulsion of a Member, because it had just voted down Senator Carmack's proposal that the final vote be taken on a resolution in the form which provided for expulsion. Thus, the only power left under which the Senate could act was its power to judge qualifications. There is no warrant in the Constitution or elsewhere for requiring a two-thirds vote when that power is exercised.

In other words, when they defeated the Carmack resolution, in my humble opinion that was all that was necessary. That was an expulsion resolution, and that should have been sufficient and final. But they proceeded to vote on the first proposition, that being an amendment to the exclusion clause of the resolution. This was the first time that such procedure had been followed in the history of the Senate.

In the course of the arguments made before your committee by respective counsel representing the petitioners and the respondent, Attorney Thomas Hardwick, former United States Senator, and counsel for the respondent, stated:

> You cannot expel a Senator for something he did before he became a Senator. That, I think, is elementary, and there is no exception from it.

And, Mr. President, to this proposition the Senator from Illinois agrees to the

end that none of the acts involved in this case have been committed by the Senator-elect while he has been a putative Member of this body, and your committee, upon a full deliberation, decided that this is not a case to which article I, section 5, clause 2, of the Constitution applies.

Mr. President, that concludes my presentation of the case. The Senator from Missouri [Mr. CLARK] gives manifestations of applause; but I know he does not feel nearly so happy about it as I do.

I have taken a long, long time in the presentation of the facts and the law, and the great number of hours required have been tiring and boring to a number of Senators. It is rather difficult to read a legal argument or factual data and keep the attention of many Senators. A Senator must have great persuasive powers, like the great Senator from Georgia or the very able Senator from Missouri, and other Senators, in order to get the attention he deserves. However, I have done the best I could with the facts before me.

In conclusion, I want to reiterate what I said in the beginning: I have absolutely no personal interest or personal malice whatsoever in the case. I have no feeling whatever against the unfortunate respondent in this matter, WILLIAM LANGER. When I came to the Senate I took an oath to uphold and defend the Constitution of the United States, just as I did when I entered the Army during the last war, and just as I did when I occupied public offices in my State of Illinois. Throughout this case I have attempted to observe that oath.

Mr. President, to any reasonable, fair, and prudent mind reading the testimony in this case from beginning to end, basing judgment solely upon the facts in the case, and not upon high constitutional grounds, as the senior Senator from Louisiana has been doing, basing it solely upon the charge of moral turpitude, I think there can be no question that Senator Langer has been proved guilty beyond all reasonable doubt, just as the committee report states.

Mr. President, a great deal of complaint and a great deal of petty sniping was indulged in during the early part of the debate in connection with some of the charges which were brought—most of them being voluntary charges which fell from the lips of the Senator from North Dakota [Mr. LANGER] himself when he was before the committee. A modicum of fun was made of the fact that we brought in the charge that he himself said he had been arrested for stealing a drugstore, for inciting a riot in connection with some prohibition raids in Minot, N. Dak. Some Senators did not like it because we brought in Senator LANGER'S own voluntary statement that he was arrested for seizing a telephone company in connection with that incident.

Some Senators objected to the fact that we dared talk about Senator LANGER'S activities when he was a lawyer years ago, such as going into a jail and taking out an individual who was charged with murder, and taking him across the State line into another State. Some thought we were wrong in reproducing his own statement about breaking into the sheriff's door and his desk. I call attention again to the case in South Dakota in which a man was charged with bootlegging, was under a $2,500 bond, and through the manipulations of a lawyer, the sheriff, was taken across the State line into Minnesota and escaped. When the conduct of the lawyer in that case was considered by the courts in South Dakota, they charged it to be an unparalleled exhibition of political debauchery; and in no uncertain terms they scored the lawyer for action of that kind and finally suspended him from practice.

To my way of thinking the Oster case is far more serious than the South Dakota case. If we refer to the record of the last moments of his term as Governor, we can trace the pattern of a man who cared nothing about law and order. That pattern as a whole shows that when there was any obstacle in the Senator's way, he was ready to remove it with strong-arm methods, with Hitler tactics, if you please. There he stood, in the last hours of his last day as Governor of the State, and declared martial law, and suspended civil process, with the sole purpose of preventing service of the Supreme Court's ouster upon himself as Governor. He admitted in the testimony that his only purpose in issuing the declaration of independence, which was practically a declaration of secession from the Union, was to get himself ready to become Governor 2 years and a half thereafter.

Of course, the people knew about that charge, and they elected him Governor and elected him Senator, but that does not in any way alter the fact that he used despotic, tyrannical, strong-arm methods in the last few moments of his days as Governor back in 1934. It is contrary to the free way of life.

In addition, we have the giving of the check of $275, in the case wherein Gale Wyman, the son of Judge A. Lee Wyman, was employed for some reason or other. In the first place, it is most despicable to bring that type of boy and use him regardless of the purpose, in a case over which his father is the presiding judge. The manly, decent, and square thing to have done in that case would be to go to the father and tell him what Mulloy and Leedom were attempting to do to his son under those circumstances. But instead of that Governor LANGER gave him a check for $275, and said, "I would have given him a check for $1,000 more to get him out of town" because I was being tried by his father—while the evidence shows the trial was over when the payment was made. Yet he says there was no impropriety in that, because he was on trial, and was trying to protect himself.

Following that came the Mexican land finance transaction. Any one can read the testimony and draw whatever inferences he desires. There was Tom Sullivan, who paid LANGER $25,000 for worthless stock. Tom Sullivan does not do that sort of thing just because he is a great philanthropist. I knew Tommy Sullivan in the city of Chicago. He is a good, shrewd lawyer, and has traveled all over the country. He was the defender of the philosophy of the Nonpartisan League, running on their ticket in the early years, speaking for them. He defended labor organizations of all kinds. Yet in 1937 and 1938 he went over to the utility companies, he went over to the power companies, he went over to the railroad companies in North Dakota, to make his big money.

I am informed, Mr. President, that this man Doherty, who is chief of counsel of the Great Northern Railroad, receives $25,000 a year as counsel—and that can be checked through the Interstate Commerce Commission; yet here is Tommy Sullivan getting $20,000 a year for 2 years, in 1937 and 1938, when the respondent was governor. He never appeared in the courts as attorney of record at any time. In addition to his railroad connection, he was also attorney for power companies, some in North Dakota. I submit that no lawyer of Sullivan's ability would pay out the sum of $25,000 for stock without getting something in the way of evidence that the stock was his.

Read the testimony of Lemke, who was the president of the company, and it will show that Senator LANGER does not own $55,000 worth of stock, and Senator LANGER'S testimony does not show that he owned $55,000 worth of stock. I think it is $35,000, and he has an interest in his father's estate, and in that of his brother and of some of his friends, amounting to $55,000.

Now let us turn to the stock transaction. If there was not moral turpitude, if there was not chicanery, if there was not fraud, if there was not something of that kind involved in that case, then I just do not understand evidence. Every Senator has a right to draw his own conclusions and inferences in matters of this kind. Just as was said in the case of Fall and Doheny, it is not possible to present proof, link after link, in those cases. One has to draw some conclusions from the testimony.

The last case, that involving the bond deal, smells to high heaven. Anyone who will sit down and read the testimony from beginning to end in the bond case cannot reach any conclusion other than that there is moral turpitude involved in charge after charge. The testimony of the erratic Mr. Brunk, of Iowa, challenges the credulity of reasonable men. He paid money right and left in order to get people out of the way. He paid Senator LANGER $56,000 for land he never saw, and admitted to the Senator from Utah [Mr. MURDOCK], on cross examination, that that was not a rational deal, and that no one would think it was a rational deal. He said that his good Scotch wife could not understand it, and that he did not expect us to understand it, but he was just that kind of a fellow. Yet it is said no moral turpitude is shown.

It is said, as the Senator from South Carolina [Mr. SMITH] stated yesterday, that we are trying to humiliate this man and his family. God forbid! I am the last individual who would attempt to place a stain of any kind upon a man and his family. But I still go back to the point that, under the Constitution, I have a duty to perform as a Member of the

United States Senate. I am still defending the integrity and the honor and the dignity of the United States Senate in this case, and that is all I have attempted to do throughout.

With this, Mr. President, I now yield the floor.

WORK AND WAR PRODUCTION

Mr. THOMAS of Oklahoma. Mr. President, I ask that the few remarks I shall make may be placed in the RECORD immediately following the remarks today made by the Senator from Illinois.

I desire to call the attention of the Senate, and I hope the country, to a development which is now taking place throughout America. During the past few days at least 75 percent of my incoming mail is directed to one point, and that point is criticism—criticism of the Government, of the President, of the Congress, of the bureaus of Government, and of the several labor organizations. Already today I have received over 1,000 letters and telegrams—1 telegram was signed by 456 persons. I desire to place in the RECORD samples of the letters and messages which will speak for themselves. I ask permission to incorporate in the RECORD as part of my remarks a letter addressed to me by the county judge of Garfield County, Okla. The letter is self-explanatory.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF COUNTY JUDGE
OF GARFIELD COUNTY,
Enid, Okla., March 11, 1942.

Hon. ELMER THOMAS,
United States Senate, Washington, D. C.

DEAR SENATOR THOMAS: I was approached yesterday to sign a petition addressed to Members of Congress in regard to the failure of Congress to pass legislation eliminating strikes and requiring full-time production. The wording of the petition was too vitriolic for me to feel free to sign, but as I do have a strong opinion in regard to this matter, I thought it best to take the matter up individually.

According to the information which I gather from the newspapers and from the radio, strikes are continuing in war industries and, in fact, increased during February, in spite of the strong appeal by Government leaders for uninterrupted production. One editorial I read stated that the man-hours lost through strikes in February were sufficient to produce 2,000 dive bombers, or 200 four-motor heavy bombers. Think what an armada such as that could mean in the South Pacific or in Russia. According to Donald Nelson's radio speech last week, we are failing in another sphere to get full production. He stated that 20 percent of the war industries still observe a five- or five-and-a-half-day week; that in spite of some war industries having three shifts, that the second shift only uses 40 percent of plant capacity, and the third shift, 20 percent of plant capacity; that the tooling industries could increase their production 45 percent, and that airplane engine and propeller industries cou'd increase their production 25 percent, if operated at full capacity.

In view of the foregoing facts, it seems to me that we are failing our military forces. They are giving their all, and we are giving our 50 percent. I realize there are many aspects of the situation to be considered, but certainly the time for governmental action has come. Requests addressed to capital and labor have not resulted in an all-out effort, and anything less than an all-out effort should not be tolerated. I think the rank and file of industry and labor are anxious to produce at full capacity. Let's give them legislation that will enable them to do so.

Very truly yours,
PAUL EDWARDS, *County Judge.*

Mr. THOMAS of Oklahoma. I also ask unanimous consent to have printed in the RECORD following the letter the text of a telegram received by me from Ponca City, Okla. I shall not ask that the names of those who sent the telegram be printed, because 456 names are signed to this telegram. I ask that the telegram be printed in the RECORD without the names.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PONCA CITY, OKLA., *March 12, 1942.*
Hon. Senator ELMER THOMAS,
Washington, D. C.:

What are you doing about eliminating strikes and extending the 40-hour week? Are you waiting for industrial management and labor to do the leading you were elected to perform? Are you unwilling to fight against your political consorts in order to save our Nation from slavery? If so, please come home and admit your failure as our Senator. We want your answer to these questions to be manifested in your work on the floor of the Senate immediately. (Signed by 456 Oklahomans.)

Mr. THOMAS of Oklahoma. Mr. President, I also ask that a telegram sent to me by an American Legion post at Poteau, Okla., be printed in the RECORD, together with the signature.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

POTEAU, OKLA., *March 12, 1942.*
Senator ELMER THOMAS,
Washington, D. C.

DEAR SIR: Like every loyal American citizen, we want our defense plants operating full time and war production be not hindered by a favored few, whoever they might be. We want our boys in the armed forces of our country to feel and know that not only our President but the Congress is fully aware of the danger we are in and that you are doing everything in your power to hasten the day that victory will be ours. We want you to know that we are back of you to a man on everything that is right, and urge you as our leader in this crisis to constantly fight for the preservation of our Republic.

Yours sincerely,
GUY FINCER,
Commander, Obra Fair
Post 132, American Legion.

Mr. THOMAS of Oklahoma. Mr. President, I also ask to have printed a telegram sent to me by Farmers' Union, No. 43, Rush Springs, Okla.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MARLOW, OKLA., *March 12, 1942.*
Senator ELMER THOMAS,
Senate Office Building,
Washington, D. C.:

At a meeting last night the farmers of Union No. 43 demanded that action be taken at once on the 40-hour-week law and also on strikes. In reality, what they want is to do away with 40-hour-week law and stop the strikes for the duration, as neither one will win the war. We crave action.

O. L. QUICKLE,
President, Farmers Union No. 43,
Rush Springs, Okla.
A. L. COLEMAN, *Secretary.*

Mr. THOMAS of Oklahoma. Mr. President, the letter and telegrams are submitted as samples of my communications today.

Mr. President, because these telegrams and letters which I am receiving with signatures running into the multiplied thousands are all addressed to one point, that of criticism, and because I do not have the facts upon which to base answers and replies, I am sending identical letters to the Navy Department; the War Department; the Department of Labor; to Mr. William Knudsen, Director of Production of the War Department; to Donald Nelson, Chairman of the War Production Board; and to Admiral Land, of the Maritime Commission, asking for information and statements relative to the criticisms and charges leveled at the respective Departments. I am sending the same letter to Mr. William Green, president of the American Federation of Labor; Mr. Philip Murray, president of the Congress of Industrial Organizations; Mr. J. G. Luhrsen, executive secretary, Brotherhood of Railway Labor Executives' Association; and to Mr. Martin Miller, national legislative representative, Brotherhood of Railway Trainmen. The letters are all identical, except for the addresses. I ask unanimous consent to have a copy of the letter printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 13, 1942.

Hon. HENRY L. STIMSON,
The Secretary of War,
Washington, D. C.

DEAR MR. SECRETARY: Due to statements made in the press, over the radio, and in addresses, the public has the impression that our war production program is not progressing as it should.

Obviously, the public has been led to believe that our program is being held back (a) by the operation of the 40-hour-week law; (b) exorbitantly high prices being paid for labor; and (c) the prevalence of and the increasing of strikes in defense industries.

In order that you may know of the nature of the charges coming to us, we are submitting herewith a number of criticisms and questions contained in news stories, editorials, telegrams, and letters.

On Monday next, March 16, at 10:30 a. m., hearings will begin on the War Department civil functions appropriations bill for 1943 and in connection with these hearings we desire to have information for the record either justifying the charges being made or a refutation of such charges. In any event, we want the facts.

In addition to submitting a prepared statement, we should like for you to appear at a convenient time to answer such questions as may be propounded by the members of the committee. If bottlenecks exist we want to know where they are and the reason or reasons therefor so that we may take steps, if necessary, to correct or assist in correcting such defects.

Early in the coming week our secretary will contact you advising you when you or a representative of your Department may appear to give us the information desired.

I consider the charges in the nature of criticisms, if not condemnation, of the Congress and the administration and I think the best interest of the public demands that such charges, which seem to be Nation-wide, be answered.

Respectfully submitted.

ELMER THOMAS,
Chairman, Subcommittee
on War Department.

Mr. THOMAS of Oklahoma. Following the letter, I ask to have printed in the RECORD a statement showing the nature of the criticisms and the charges which are being made against the Government, the Congress, and the labor organizations. I think many of the charges are unfounded, but I do not have sufficient reliable facts upon which to base definite answers. In order that we may have the facts for the benefit of those who may need them, I ask permission to have the statement printed as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CRITICISMS AND QUESTIONS TO BE CONSIDERED BY SENATE SUBCOMMITTEE HANDLING WAR DEPARTMENT APPROPRIATION ITEMS

1. The Congress and the administration are condemned—

(a) For not repealing the 40-hour-week provision of law.

(b) For not enacting legislation outlawing strikes.

2. Charges are made that—

(a) Strikes are increasing.

(b) That in February strikes increased 76 percent over January.

(c) On March 10 an editorial in a western newspaper made the charge that "last week the number of strikes in defense plants was greater than in any week since December 7."

(d) That German factories are working 70 to 80 hours per week, and that "in Japan they know no Sundays or holidays, and 12 hours a day is commonly worked."

(e) That in January, 43 plants engaged in essential war industries were closed by strikes, and that in February 76 such plants were closed by strikes.

3. It is charged—

(a) that machines and tools are idle in defense plants 8 to 16 hours of each day;

(b) that "shortage of ships is responsible for the lack of transportation facilities to carry fighter planes to the front";

(c) that there are now 17,000 shipbuilders idle in the California area;

(d) that John Green, president of the Congress of Industrial Organizations National Union of Ship Building Workers, advises the industry is operating at only 30 to 50 percent of efficiency.

4. The following questions are asked repeatedly:

(a) Why are we not able to increase production of necessary military supplies more rapidly?

(b) Why are men not drafted for work in defense industry?

(c) Why does the Government permit to exist a policy of requiring men who desire to secure work in defense-plant construction and in defense-manufacturing industries to pay a certain sum to any person or organization in order to secure a job?

(d) Why not place all defense plants on a 24-hour-production basis?

(e) Under war conditions and when boys are drafted and paid $21 per month, why is it necessary to pay wages at the rate of time and a half and double time for work in defense-plant construction and operation?

(f) Why should not defense plants operate 24 hours per day and on Sundays and holidays?

(g) What specific thing or things should or can be done to provide the 25-percent increase in the defense output as demanded by Donald Nelson in his recent Nation-wide radio address?

PHYSICAL FITNESS PROGRAM OF OFFICE OF CIVILIAN DEFENSE

Mr. BYRD. Mr. President, I have just received from Mr. Jack Kelley, who is the physical fitness director of the Office of Civilian Defense, a list of activities, numbering 51, for which national coordinators have been appointed. Mr. Kelley told me that these activities numbered 61. The rest will be inserted in the RECORD later. I shall read only the list of the activities, and shall ask that the names of the coordinators be printed in the RECORD as a part of my remarks.

Mr. Kelley has appointed national coordinators, as part of the national defense program, for archery, badminton, bag punching, baseball, basketball, bicycling, billiards, bobsled, bowling, boxing, camping, canoeing, code ball, fencing, field hockey, golf, handball, hiking, horseshoe pitching, ice hockey, ice skating, lacrosse, motorboating, outing clubs, paddle tennis, playgrounds, riding, rifle shooting, roller skating, sand-lot sports, skiing, Negro in sports, soccer, soft ball, speed ball, squash racquets, swimming, table tennis, tennis, track and field, trapshooting, tug of war, volley ball, walking, weight lifting, wrestling, and yachting.

I ask that the list be printed in the RECORD as a part of my remarks, together with a statement which I have prepared on the subject.

There being no objection, the list and statement were ordered to be printed in the RECORD, as follows:

NATIONAL COORDINATORS FOR OFFICE OF CIVILIAN DEFENSE

Archery: H. A. McCune, Ben Pearson, Pine Bluff, Ark.; Mrs. Myrtle Miller, 450 West Twenty-fourth Street, New York, N. Y.

Badminton: R. Ward Starrett, president, National Badminton Association, 8 South Dearborn Street, Chicago, Ill.; Miss Elizabeth Gilreath, Wilson College, Chambersburg, Pa.

Bag punching: Albert A. Nino, 7052 Aberdeen Road, Upper Darby, Pa.

Baseball: C. O. Brown, president, American Baseball Congress, Inc., 3622 Zumstein Avenue, Cincinnati, Ohio; Raymond Dumont, president, National Semiprofessional Baseball Congress, Post Office Box 2202, Wichita, Kans.; Homer Chilleaux, American Legion, Indianapolis, Ind.; Harry Wolfer, director of intramural athletics, Leland Stanford University, Stanford, Calif.

Basketball: Miss Josephine Fiske, Goucher College, Baltimore, Md.; Willard N. Greim, N. A. A. U., 414 Fourteenth Street, Denver, Colo.; Mrs. Irvin Van Blarcom, N. A. A. U., 848 Amidon Avenue, Wichita, Kans.

Bicycling: Dr. Graydon McK. Powell, League of American Wheelmen, Inc., 59 East Madison Street, Chicago, Ill.

Billiards: Charles C. Peterson, 629 South Wabash Avenue, Chicago, Ill.

Bobsled: Matt Monahan, 23 Greenwood Street, Lake Placid, N. Y.

Bowling: John M. Willem, 8 South Michigan Avenue, Chicago, Ill.; Mrs. William Zang, Y. W. C. A., New Haven, Conn.; Robert W. Mann, 606 South Spring Avenue, La Grange, Ill.

Boxing: James Jay Braddock, 7 Central Park West, New York, N. Y.; Jack Dempsey, 1619 Broadway, New York, N. Y.; Spike Webb, U. S. Naval Academy, Annapolis, Md.; Lou Elcom, 6545 Carnegie Avenue, Cleveland, Ohio.

Camping: Robert Lechner, 927 Carteret Avenue, Trenton, N. J.; Miss Barbara Ellen Joy, Hazelhurst, Wis.

Canoeing: Theodore G. Alteneder, 1217 Spring Garden Street, Philadelphia, Pa.; Fred Grant, 1510 Hanna Building, Cleveland, Ohio; Miss Marjorie Camp, University of Iowa, Iowa City, Iowa.

Codeball: William E. Code, M. D., 2306 North Clark Street, Chicago, Ill.

Facilities, equipment, supplies: Dr. Frederick W. Luehring, University of Pennsylvania, Philadelphia, Pa.

Fencing: William J. Herrmann, 16 South Tenth Street, Philadelphia, Pa.; Miss Frederica Bernhard, University of California, Berkeley, Calif.

Field hockey: Henry Greer, Rye, N. Y.; Miss Cynthia Wesson, Jericho Manor, Jenkintown, Pa.

Golf: Glenn H. Morris, National Golf Foundation, 14 East Jackson Boulevard, Chicago, Ill.; Frank M. Hardt, U. S. Golf Association, 135 South Broad Street, Philadelphia, Pa.; Joseph C. Dey, Jr., U. S. Golf Association, 73 East Fifty-seventh Street, New York, N. Y.; Jimmy D'Angelo, Professional Golfers' Association, Baederwood Golf Country Club, Jenkintown, Pa.; William F. Gordon, Pennsylvania Public Golfers' Association, Marble Hall Golf Course, Conshohocken, Pa.; George W. Blossom, Jr., U. S. Golf Association, 73 East Fifty-seventh Street, New York, N. Y.; Fred J. Corcoran, Professional Golfers' Association, 150 Nassau Street, New York, N. Y.; Robert T. Jones, Jr., 1425 Citizens and Southern National Bank Building, Atlanta, Ga.; Ed Dudley, 20 Overbrook Parkway, Overbrook-in-the-Hills, Philadelphia, Pa.; Craig Wood, Professional Golfers' Association, 14 East Jackson Boulevard, Chicago, Ill.; Joseph S. Shaw, Philadelphia Country Club, Bala, Pa.; Leonore Alway, State Normal and Training School, Cortland, N. Y.

Handball: Arthur M. Wehrmann, N. A. A. U., 233 Broadway, New York, N. Y.

Hiking: Bernarr Macfadden, 535 Fifth Avenue, New York, N. Y.

Horseshoe pitching: Harry T. Woodfield, 734 Nineteenth Street NE., Washington, D. C.; George D. Chumard, N. A. A. U., 644 Main Street, Cincinnati, Ohio.

Ice hockey: Edward W. Stanley, N. A. A. U., Clinton, N. Y.

Ice skating: Irving Jaffee, 7272 One Hundred and Twelfth Street, Forest Hills, N. Y.; Miss Mildred Howard, Mount Holyoke College, South Hadley, Mass.

Industrial activities: Frank Callahan, N. A. A. U., 25 Hawk Street, Schenectady, N. Y.

Lacrosse: Louise Burbeck, Miss Beard's School, Orange, N. J.

Motorboating: Charles P. Chapman, 572 Madison Avenue, New York, N. Y.; Victor Oristano, New York Journal-American, 210 South Street, New York, N. Y.

Noncompetitive outdoor activities: Edward N. Decker, 220 East Forty-second Street, New York, N. Y.

Outing clubs: Miss Harriette Aull, Smith College, Northampton, Mass.

Paddle tennis: Frank Peer Beal, United States Paddle Tennis Association, 312 East Thirtieth Street, New York, N. Y.

Playgrounds: Nash Higgins, N. A. A. U., 315 Morgan Street, Tampa, Fla.

Riding: Miss Phyllis Van Vlett, University of California, Berkeley, Calif.

Rifle shooting: C. B. Lister, National Rifle Association of America, 1600 Rhode Island Avenue, Washington, D. C.; Miss Helen Taylor, George Washington University, Washington, D. C.

Roller skating: Jim Morton, New York Journal American, 210 South Street, New York, N. Y.; Mrs. J. M. Beatty, 308 Thornhill Road, Baltimore, Md.

Sandlot sports: J. J. Tomlin, Sandlot Sports Association, 1016 Packard Building, Philadelphia, Pa.

Skiing: Roger Langley, Barre, Mass.; Robert Booth, Manchester, N. H.; Miss Margaret M. Phillips, 7 Mount Hope Terrace, Worcester, Mass.

Negro in sports: Edwin B. Henderson, Dunbar High School, First Street between N and O Streets NW., Washington, D. C.

Soccer: Miss Blanche Higgins, Roosevelt High School, St. Louis, Mo.

Soft ball: M. J. Pauley, executive secretary, Amateur Softball Association, 2376 East Seventy-first Street, Chicago, Ill.; Wilbur E.

Landis, Jr., Amateur Softball Association, Briggs Manufacturing Co., Detroit, Mich.; Miss Bernice Cooper, Women's Gymnasium, Iowa City, Iowa.

Speedball: Miss Helen Yeakel, University of Indiana, Bloomington, Ind.

Squash racquets: Darwin P. Kingsley, Jr., president, United States Squash Racquets Association, 120 Broadway, New York, N. Y.

Swimming: Sam Ingram, Colgate University, Hamilton, N. Y.; Mrs. Hermia Lechner, 927 Carteret Avenue, Trenton, N. J.; Laurence J. Johnson, N. A. A. U., 200 Summer Street, Boston, Mass.; Elsie L. Viets, N. A. A. U., 470 West Twenty-fourth Street, New York, N. Y.; Virginia Horne, University of Wisconsin, Madison, Wis.

Table tennis: Miss Marjorie Hillas, Teachers College, Columbia University, New York, N. Y.

Tennis: Holcombe Ward, president, United States Lawn Tennis Association, 120 Broadway, New York, N. Y.; Miss Helen Driver, University of Buffalo, Buffalo, N. Y.

Track and field: Lloyd W. Olds, N. A. A. U., Michigan Normal College, Ypsilanti, Mich.; Hon. Eugene C. Bonniwell, 101 Carpenter Lane, Philadelphia, Pa.; Mrs. Catherine D. Meyer, N. A. A. U., 12 Menzel Avenue, Maplewood, N. J.; Miss Alice Schriver, Washington University, St. Louis, Mo.

Trapshooting: C. H. Newcomb, Rogers, Brown, Lavino Co., 1528 Walnut Street, Philadelphia, Pa.

Tug-of-war: Col. Charles J. Deiges, N. A. A. U., 17 John Street, New York, N. Y.

Volley ball: Dr. George J. Fisher, president United States Volley Ball Association, 2 Park Avenue, New York, N. Y.; James A. Lee, N. A. A. U., Cleveland Athletic Club, Cleveland, Ohio; Miss Josephine Burke, Hunter College, 695 Park Avenue, New York, N. Y.

Walking: Bernarr Macfadden, 535 Fifth Avenue, New York, N. Y.; Sebastian Linehan, N. A. A. U., Cincinnati Gym, Cincinnati, Ohio.

Weight lifting: Robert Hoffman, 51 North Broad Street, York, Pa.; Dietrich Wortman, N. A. A. U., 109 East Twenty-ninth Street, New York, N. Y.

Wrestling: W. Austin Bishop, University of Pennsylvania, Philadelphia, Pa.; Jim Londos, Biltmore Hotel, Los Angeles, Calif.

Yachting: William H. Taylor, Herald Tribune, 230 West Forty-first Street, New York, N. Y.

STATEMENT BY SENATOR HARRY F. BYRD (DEMOCRAT, VIRGINIA), MARCH 12, 1942

Senator GUFFEY of Pennsylvania yesterday read in the Senate a statement by his constituent, Mr. Jack Kelly, of Philadelphia, who is the National Coordinator of Physical Fitness under the Office of Civilian Defense.

In this statement, Mr. Kelly referred to me as a "classical example of one of our national leaders boondoggling in Congress instead of focusing his attention on what is happening in the South Pacific and in Europe," and this, merely because I exposed the fact that Mr. Kelly had appointed a National Coordinator of Bowling, and expressed to Mr. Landis my disapproval of such an activity as a part of the civilian defense program, saying that unless the Office of Civilian Defense is stripped very promptly of such nonessential activities, what little respect remains over the country for this organization would completely disappear.

Wednesday afternoon the office of Senator GUFFEY asked me to accord Mr. Kelly an interview, and this I courteously did. During this interview in my office I was very much astonished to be told by Mr. Kelly that not only had he appointed a National Coordinator of Bowling but had appointed 61 other coordinators of various activities in sports and recreation.

Mr. Willem, appointed as National Bowling Coordinator, I understand, is authorized to undertake a national campaign to recruit 25,000,000 men, women, and children for regular attendance at bowling alleys to "roll their way to physical fitness." Mr. Willem has been identified to me as an executive of the Stack-Globe Advertising Agency, which handles the account of the Brunswick-Balke-Collender Co. I am informed the Brunswick-Balke-Collender Co. holds a virtual monopoly on the manufacture of bowling alleys, balls, and pins. If this information is accurate, this company, of course, will be a beneficiary of the advertising resulting from such a national campaign as that proposed to be undertaken by Mr. Willem in his official capacity as National Bowling Coordinator.

I shall list some of them:

National Badminton Coordinator, R. Ward Starrett, Chicago.

National Archery Coordinator, H. A. McCune, Pine Bluff, Ark.

National Bag Punching Coordinator, Albert A. Nino, Upper Darby, Pa.

National Billiards Coordinator, Charles C. Peterson, Chicago.

National Canoeing Coordinator, Theo Alteneder, Philadelphia.

National Code Ball Coordinator, William E. Code, Chicago.

National Miniature Golf Coordinator, Frank Beal, New York City.

National Paddle Ball and Paddle Tennis Coordinator, also Frank Beal, New York City.

National Weight-Lifting Coordinator, Robert Hoffman, York, Pa.

These are just a few, and there are others so fantastic as to be almost unbelievable as being an integral part of a program of national defense at a time of great peril to our country.

The plan also provides that every national coordinator of each activity will appoint a regional coordinator for the 9 regional districts, which would make, in all, 610 main coordinators, and then local coordinators will be established in every community. The problem then will be to coordinate the coordinators which can only be done at the expense of great effort and public funds, which should be utilized for national defense.

Mr. Kelly further told me that he believed Congress should appropriate $1,000,000 annually for these physical fitness activities, and then said that unless an appropriation of at least $300,000 annually is made, he would resign, which he seemed to think would be a great catastrophe to the country. This was an admission that the effort will be made to institute a gigantic plan of regimentation for physical fitness and recreation as a part of the national-defense program.

This I do not believe is a proper function of civilian defense. The necessary results can be accomplished through the public schools and the various other agencies that are now interested in the improvement of public health.

In this time of war and great peril such as we face today, it seems to me we need less of badminton and billiard playing and similar activities, so we may devote our total and undivided effort to winning the war.

As Mr. Kelly refers to my interest in the Pacific, may I ask him if he thinks the playing games at home inspires the American boys who are fighting under MacArthur for their lives and our security and who have no time for such things? I think the chief obligation of this country today is to produce the implements of war necessary to protect our boys already abroad and to bring the war to a successful conclusion. My efforts as a Member of the Senate have been exerted in this direction for many months.

Mr. JOHNSON of California. Mr. President, will the Senator from Illinois yield so that I may ask the Senator from Virginia a question?

Mr. LUCAS. I yield.

Mr. JOHNSON of California. What does this long list of sports relate to?

Mr. BYRD. It relates to national coordinators who have been appointed by Mr. Jack Kelley, who is the head of the Physical Fitness Division of the Office of Civilian Defense. As I understand, these activities are under the direction of the Office of Civilian Defense.

Mr. JOHNSON of California. Are we going to protect our country with these sports?

Mr. BYRD. I do not think so. We cannot win this war by playing billiards. That is the reason why I am inserting the list in the RECORD. It is the first time we have obtained a complete list of the various activities.

Mr. SMATHERS. Mr. President, will the Senator from Illinois yield so that I may ask the Senator from Virginia a question?

Mr. LUCAS. I yield.

Mr. SMATHERS. Is Jack Kelley himself on salary with the Federal Government?

Mr. BYRD. As he told me in my office several days ago, he receives no salary, but he does receive his expenses while travelling. He has assistants who are paid out of the funds of the Office of Civilian Defense.

COMPACT WITH RESPECT TO WATERS OF THE REPUBLICAN RIVER—CONFERENCE REPORT

Mr. MILLIKIN. Mr. President, on behalf of the Senator from Oregon [Mr. MCNARY] who is temporarily absent from the Chamber, I submit a conference report on the amendments of the Senate to House bill 5945, granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, and ask unanimous consent for its present consideration. The conference report recommends that the House recede from its disagreement to the amendments of the Senate.

The PRESIDENT pro tempore. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate.

J. H. BANKHEAD,
JOHN H. OVERTON,
PAT MCCARRAN,
CHAS. L. MCNARY,
Managers on the part of the Senate.
COMPTON I. WHITE,
JOHN R. MURDOCK,
DEWEY SHORT,
THOMAS D. WINTER,
Managers on the part of the House.

Mr. LA FOLLETTE. Mr. President, let me ask the Senator from Colorado whether he has conferred with the senior Senator from Nebraska [Mr. NORRIS] about this report.

Mr. MILLIKIN. I have not.

Mr. LA FOLLETTE. I recall that at the time the bill was before the Senate the Senator from Nebraska was very much interested in it. As the Senator knows, the Senator from Nebraska has been unable to be present in the Senate Chamber lately. I wonder if the Senator can tell me whether the provision in which the Senator from Nebraska was interested prevailed, or was eliminated in the conference.

Mr. MILLIKIN. As I recall, the position of the Senator from Nebraska was not accepted by the conference. The conferees unanimously accepted the position of the Senate, which was that the compact should be accepted without amendment.

Mr. LA FOLLETTE. Does the Senate act first on this particular matter?

Mr. MILLIKIN. The Senate acts first.

Mr. LA FOLLETTE. Is the Senator willing to defer this matter until I can get in touch with the Senator from Nebraska?

Mr. MILLIKIN. Certainly. I would not take advantage of the Senator from Nebraska.

Mr. LA FOLLETTE. I appreciate the Senator's attitude.

Mr. LA FOLLETTE subsequently said: Mr. President, in the short interval of time since the Senator from Colorado asked permission to take up the conference report on the Republican River compact I have been in touch with the secretary of the senior Senator from Nebraska [Mr. NORRIS], who informs me that the senior Senator from Nebraska has no desire further to hold up this matter. Therefore I have no objection to the present consideration of the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

PROBLEMS OF SMALL BUSINESS IN WAR PRODUCTION PROGRAM

Mr. MALONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial appearing in the Washington Evening Star of March 9 entitled "Small Business." This editorial refers to a very important bill now under consideration by the Banking and Currency Committee of the Senate, and expresses the opinion that "Congress should make every effort to expedite passage of the legislation."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of March 9, 1942]

SMALL BUSINESS

The report that the Senate Banking Committee is expected to take favorable action on legislation authorizing Donald M. Nelson, Chairman of the War Production Board, to appoint a special deputy to handle the problems of small manufacturers and bring them into the war-production program will be welcomed by that important section of America known as small business.

There is no doubt that the small business man in this country is faced with an imminent threat of permanent ruin. It is estimated that there are 169,000 small manufacturing establishments in the country, some 45,000 of which could be utilized in war work. Before this country entered the war, however, only about 10,000 of these plants had been touched by the military production program, approximately 75 percent of the value of all contracts having been concentrated among 56 big corporations.

The small business men, including those qualified for war work, also have been squeezed by the delay in converting existing facilities to war production, which meant that large amounts of critical materials were used in constructing new facilities. The result is that the small plants now seeking war work are having difficulty in getting materials and those which cannot be fitted into the war program are finding it virtually impossible to get supplies.

This country can ill afford to permit these small business establishments to be driven to the wall if it is at all possible to prevent such a calamity. It is necessary, of course, to continue placing major emphasis on speedy production of war materials, for our primary purpose must be to get planes, guns, ships, and tanks for the Army and Navy at the earliest possible date. But it is also quite possible that we have gone too far in placing orders for these supplies with the large producers, while the facilities of the small producers, important in the aggregate, remain unused.

There is mounting evidence of official concern in this respect, and progress is being made toward overcoming this failure to utilize our maximum production capacity. The pending legislation to authorize appointment of a deputy war production chief for small business and also providing for establishment of a $100,000,000 Small War Plants Corporation to make capital loans and provide other assistance to plants seeking war contracts is an important step in the direction of making greater use of these facilities. Because of the importance of this matter in the prosecution of the war, as well as in saving a place for the small business man in our post-war economy, Congress should make every effort to expedite passage of the legislation.

PROFITS OF UNITED AIRCRAFT CORPORATION

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD an editorial from the Hartford Courant referring to the 1941 profits of the United Aircraft Corporation.

It is very interesting to note that, while the annual report of that company for 1940 shows a profit of 7 percent, the annual report for 1941 shows a 5-percent profit.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Hartford Courant of March 9, 1942]

THE PERFORMANCE OF UNITED AIRCRAFT

The eighth annual report of the United Aircraft Corporation shows net profits for 1941 of approximately 5 percent, as compared with 7 percent in 1940. On sales to the Government, now virtually the sole business, the indications are that the rate of net profit for the current year will be considerably less, perhaps not much over 3 percent. This is the same corporation that was taken to task recently by the House Naval Affairs Committee for having made excessive profits, a conclusion hastily reached on a basis of gross earnings as distinguished from net earnings. This was by no means the only instance where the public has been misled in a similar way. Profits before taxes and profits after taxes are two very different things. It is to be noted that the tax obligations of United Aircraft for the last calendar year amounted to nearly $62,000,000, equivalent to $23 a share on the common stock, or about $1,770 for each employee.

The corporation under present war conditions is, of course, doing an enormous business, the magnitude of which probably has by no means been reached. But although last year's sales amounted to $307,000,000, the ratio of profits to sales markedly dropped. Looking over the report it is hard to believe that 9 years ago this industry, despite the superiority of its products, was finding it not easy to keep going. Fortunately, it weathered the vicissitudes of that period—how fortunately our own country and the United Nations can testify.

Not only are the amazing Pratt & Whitney air-cooled radial Wasp engines, Hamilton hydromatic and controllable pitch propellers, and Vought-Sikorsky planes coming off the assembly lines in ever-increasing volume, but under nominal license fees they are now in manufacture at other great plants in order to meet as rapidly as possible the ever-expanding demands of the war. It all constitutes a splendid tribute to the inventive ingenuity, the mechanical skill, and the managerial ability that have made United Aircraft what it is today.

The principles governing this corporation are (1) to exact no more in profit than is necessary to maintain the business on a sound financial basis, (2) to stimulate output and reduce costs by rewarding individual initiative and performance with adequate compensation under the best possible working conditions, (3) to provide reserves that will help to restore stability when the war ends and the conditions attending peacetime economy, which may be almost as serious as war, have to be met. It is a patriotic and a far-seeing program under which the corporation is operating and it reflects great credit upon management. To be all-out for the war regardless of anything else, while looking forward to the continued success of the business and the interests of the workers when peace again reigns sets an example for every wartime industry to emulate.

TRANSFER OF DISTILLED SPIRITS AT REGISTERED DISTILLERIES

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate proceed to consider House bill 6543, a bill to amend certain provisions of the Internal Revenue Code relating to the production of alcohol. I have spoken to the Senator from Kentucky [Mr. BARKLEY] and to the Senator from Oregon [Mr. MCNARY] with respect to the matter. The bill has been reported favorably by the Committee on Finance, and it is highly desirable that it be passed as speedily as possible.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia?

There being no objection, the Senate proceeded to consider the bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol, which is as follows:

Be it enacted, etc., That section 2683 of the Internal Revenue Code (relating to transfer of spirits at registered distilleries) is amended by adding at the end thereof the following:

"(d) Under regulations to be prescribed by the Commissioner and approved by the Secretary, distilled spirits of any proof may be removed in approved containers, including pipe lines, from any registered distillery (including registered fruit distilleries) or internal revenue bonded warehouse to any other registered distillery (including registered fruit distilleries) or internal revenue bonded warehouse for redistillation and removal as

provided in (c): *Provided*, That in case of removals of distilled spirits to any registered distillery (including registered fruit distilleries) for redistillation, the receiving distiller shall undertake to assume liability for the payment of the tax on the spirits from the time they leave the warehouse or distillery, as the case may be: *Provided further*, That any such spirits of 160° of proof or greater may be removed without redistillation from any internal revenue bonded warehouse as provided in (c): *Provided further*, That such spirits may be stored in tanks in any internal revenue bonded warehouse: *And provided further*, That sections 2836 and 2870 shall not apply to the production and removal, and such sections and sections 2800 (a) (5) and 3250 (f) (1) shall not apply to the redistillation and removal, of such spirits.

"(e) Transfer of spirits for redistillation: Under regulations to be prescribed by the Commissioner and approved by the Secretary, and subject to the provisions of part II of subchapter C of this chapter, spirits of any proof may, without payment of tax and in bond, be removed in approved containers, including pipe lines, from registered distilleries (including registered fruit distilleries) and internal revenue bonded warehouses to industrial alcohol bonded warehouses and industrial alcohol plants for redistillation and removal for any tax-free purpose, or upon payment of tax for any purpose, authorized by said part II of subchapter C of this chapter: *Provided*, That when the spirits are so withdrawn, the tax liability of the producing distiller and the internal revenue bonded warehouseman, and the liens on the premises of the producing distiller shall cease, and the tax shall be the liability of, and the liens shall be transferred to the warehouse or plant of, the industrial alcohol bonded warehouseman or proprietor of the industrial alcohol plant to whom the spirits are transferred: *And provided further*, That any such spirits of 160° of proof or greater, so removed and stored in any alcohol bonded warehouse, may be removed from such warehouse without redistillation for any tax-free purpose, or upon payment of tax for any purpose, so authorized: *And provided further*, That sections 2836 and 2870 shall not apply to the production or removal of spirits of any proof for such redistillation. This subsection and subsection (d) shall cease to be in effect upon the termination of the unlimited national emergency proclaimed by the President on May 27, 1941."

Mr. GURNEY rose.

Mr. GEORGE. If the Senator from South Dakota will permit me, I may say that I understand the Senator has an amendment which he wishes to offer to the bill. An amendment was offered in the Committee on Finance which was rejected by a majority of the committee; but the amendment the Senator is now about to offer is not so broad, and does not seem to be objectionable. Therefore, if there shall be a request for a conference with the House, I shall be willing to take the amendment to conference.

Mr. GURNEY. Mr. President, I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 13, after the word "warehouse" it is proposed to insert the following additional proviso:

Provided further, That taxes on distilled spirits removed under the provisions of this paragraph, either before or after redistillation, if such distilled spirits or any portion thereof are lost, shall be remitted or refunded in the same manner and under the same conditions as the tax on alcohol would be remitted or refunded under the provisions of section 3113 of the Internal Revenue Code.

Mr. GURNEY. Mr. President, my interest in the amendment is that the industries which are making industrial alcohol for war purposes may more easily arrange their affairs and use the farmers' corn to make industrial alcohol.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an explanatory statement of the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

H. R. 6543 makes existing law as to in-bond shipments between internal revenue bonded warehouses applicable to tax losses on distilled spirits lost after removal under paragraph (d) of the bill from a registered distillery or internal-revenue bonded warehouse for shipment to another registered distillery or internal-revenue bonded warehouse. Under such existing law the tax on the spirits lost is abatable only if the loss occurred while the spirits were in the possession of a common carrier subject to the Transportation Act of 1920, and then under limited conditions, and if the loss occurred during handling, storage, etc., the taxes are abatable or refundable in very restricted and limited circumstances. In most instances, "casualty" must be shown and the word "casualty" has been given rather a technical and limited meaning by the administrative officers and the courts.

On the other hand, H. R. 6543 makes the provisions of part II, subchapter C, of chapter 26, with respect to tax allowances on distilled spirits applicable to spirits lost after removal under paragraph (e) from a registered distillery or an internal-revenue bonded warehouse for shipment to an industrial alcohol plant or alcohol bonded warehouse. The tax on such losses are abatable or refundable as to the distilled spirits lost unless said distilled spirits were diverted to some taxable use. Part II, subchapter C of chapter 26, includes section 3113 of the Internal Revenue Code.

The purpose of the proposed amendment is to make the same provision for abatement or refund of taxes on distilled spirits lost if those distilled spirits are withdrawn for the purposes enumerated in the bill whether those distilled spirits are withdrawn for shipment to a registered distillery, an internal-revenue bonded warehouse, an industrial alcohol plant, or an alcohol bonded warehouse. There can be no reason for the distinction between the tax allowances for distilled spirits which are lost after removal in accordance with the provisions of this bill merely because of the type of registration under the internal-revenue laws applicable to the consignee. In other words, inasmuch as the registered distillery, internal-revenue bonded warehouse, industrial alcohol plants, and alcohol bonded warehouses to which the distilled spirits will be shipped under the terms of this bill will all do exactly the same thing with the spirits, they should all be treated alike.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. GURNEY].

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6543) was read the third time and passed.

LABOR DISPUTE ON THE TOLEDO, PEORIA & WESTERN RAILROAD

Mr. MEAD. Mr. President, it was my privilege on several occasions to call the attention of the Senate to the lock-out on the Toledo, Peoria & Western Railroad, and to bring the record up to date I wish to inform the Senate that yesterday the National War Labor Board felt called upon, under the circumstances, to issue a unanimous and sincere entreaty to the president of the Toledo, Peoria & Western Railroad, pleading with him to terminate his defiance. In that release made public yesterday the National War Labor Board makes this statement:

The defiance of the Government of the United States by the Toledo, Peoria & Western Railroad Co. has raised issues far beyond the dispute between the company and the railroad brotherhoods. This Government of the people in time of war cannot afford to permit the special or private interest of any labor union or corporation to break down the national agreement between management and labor, that labor disputes shall be settled for the duration of the war by peaceful means.

The Government of the United States, which, through four successive public agencies, proposed patiently but unsuccessfully a peaceful settlement of this dispute, cannot be flouted by private interests.

The Board continues:

In this time of dire necessity for the quick maximum transportation of all materials as part of total war, any refusal to settle a railroad labor dispute involving a small but vital link in overland transportation between the oceans is intolerable to the American people in their struggle to remain free.

Mr. President, the fact that it is claimed that violence has been engaged in by strikers and friends of the strikers constitutes not even a semblance of an excuse for McNear's defiance of the War Labor Board. In fact, such occurrences make it all the more imperative that there be an immediate peaceable settlement of the controversy.

McNear's defiance of the War Labor Board itself tends to breed violence. Nothing would do more to allay ill-will among the workers and their friends than knowledge that this law-defying railroad president will be made to bow to the will of the Government, the same as any ordinary man.

The issues should not be confused. The charge of violence on the part of the strikers is one thing. Defiance of the War Labor Board, the agency set up by the President for the settlement of industrial disputes is quite another thing.

The courts will deal with those charged with acts of violence, and if they are guilty they will be and should be punished. The Government, through the War Labor Board and, if necessary, the President of the United States, should deal with the railroad and its president, who, up to date stand in defiance of all governmental authorities who are charged with the settlement of labor disputes.

Mr. President, I believe the President, under the powers granted to him by the Congress, should take over and operate this road; at least for the time being.

This is the only case of defiance, the only dispute at the present time before

the National War Labor Board. It ought to be settled. Then the Board's record would be as we want it to be—clear of all cases of strikes certified by the Department of Labor as strikes to it.

DORIE MILLER

Mr. President, I desire now to call to the attention of the Senate a much more pleasant incident, described in a report from the United States Navy.

The United States Navy Department in an official release this week disclosed the identity of the Negro sailor who manned a machine gun on a battleship at Pearl Harbor December 7, 1941, though he had heretofore been confined to the duties of a second-class mess attendant. The communication stated:

In company with two officers and several enlisted men, Dorie Miller, second-class mess attendant, was on the signal bridge of a United States battleship when the commanding officer of the vessel received a fatal abdominal wound. While others sought to construct a stretcher to lower the captain to a safer location, a Naval Reserve lieutenant and Miller manned a pair of machine guns and fired upon the attacking planes until fires started by bombs rendered the machine guns useless.

Unable to lower their captain on an improvised stretcher, four officers and men, including Miller, carried him from the blazing bridge of the ship to the more-sheltered deck under the portside antiaircraft guns.

Dying, the captain ordered the officers and men to abandon ship. Finding other means of escape blocked because of flames, they made their way to shore, hand over hand, along lines strung deckward from a boat crane.

Since those tragic hours on the Sabbath of December 7, 1941, at Pearl Harbor, 12,000,000 Negro citizens have with pardonable pride rejoiced in the feat of the "unnamed colored hero" who was mentioned in news releases at the time.

There has been a fruitless but untiring effort to learn his identity, especially by the Washington staff of the Pittsburgh Courier, the most widely circulated weekly Negro publication in the United States.

This week the Pittsburgh Courier, in the issue of March 14, 1942, on the front page carries the first picture of Dorie Miller and the young woman he left behind, Miss Mozelle Alexander, of Flint, Tex.

A Washington dispatch in the Pittsburgh Courier outlines the first official news of this colored sailor's brave conduct under fire. I ask unanimous consent to have it printed in the RECORD at this point.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

MESS ATTENDANT TURNED MACHINE GUN ON JAPANESE

WASHINGTON, D. C., March 12.—Add the name of Dorie Miller, 22-year-old mess attendant in the United States Navy, to the illustrious honor roll of Negro fighting heroes, who have inscribed their names in the red ink of raw courage—from Bunker Hill to Metz.

Add the name of Dorie Miller, Texas-born and Texas-raised, to the Phantom Brigade of fighting black men, whose deeds have become immortalized in the record book of American history.

JOINS LONG LIST OF HEROES

Add the name of Dorie Miller, son of a land-anchored family to those men of years ago, who have walked through the "valhalla" of death as American patriots. Crispus Attucks, Needham Roberts, Henry Johnson, Sgt. William H. Carney—the six men at Arlington Cemetery who died as heroes in the Mexican uprising at Carrizal.

Add the name of Dorie Miller to the glowing achievements of the Ninth Cavalry in the Boxer Rebellion, the Rough Riders at Santiago, the Ninety-second and the provisional Ninety-third Divisions during World War No. 1.

Because it was Dorie Miller, third son of a Waco, Tex., family, who manned the machine gun during the infamous sneak attack of the Japanese at Pearl Harbor on the morning of Sunday, December 7, 1941, and became the unnamed Negro messman hero.

No longer is his name unknown.

NAVY CONFIRMS COURIER SCOOP

Following weeks and months of intensive effort, in which every possible rumor was run down, the Pittsburgh Courier, this week, takes pride in announcing to America the name of Dorie Miller and the magnificently courageous part he played.

Starkly dramatic is the official communiqué which the Courier obtained last week from unimpeachable sources and which has been verified by the Navy Department. It follows:

At the time of the attack on Pearl Harbor, mess attendant Miller, in company with two officers and several enlisted men, was on the signal bridge of a battleship.

When the battleship was attacked, the commanding officer received what was to prove a fatal abdominal wound. While others attempted to provide a stretcher on which to lower their commanding officer to a less exposed position, Miller and a lieutenant manned a pair of machine guns and fired upon the enemy aircraft.

They maintained their fire until the machine guns were put out of action by the encroaching flames from numerous blazes set by enemy bombs.

ORDERED TO ABANDON SHIP

Unable to improvise a stretcher, the officers and enlisted men, including Miller, managed somehow to carry their captain to the deck and the shelter of an antiaircraft gun located on the port side of the vessel. Dying, the captain ordered all hands to abandon ship.

Flames made usual means of leaving the ship impossible, but Miller and the others finally succeeded in getting to shore by climbing hand over hand down ropes dangling from an overhead crane.

Thus is revealed the first Negro hero of World War No. 2—the first Negro naval hero and the youth who for months has been referred to by white columnists and radio announcers as the "unnamed Negro messman hero."

Woven through the lines and sentences of the communiqué is a story far more dramatic than that which has been printed.

ASSIGNED ONLY TO MENIAL JOBS

Dorie Miller was born on October 12 (Columbus Day), 1919, the son of Mr. and Mrs. Conery Miller. He is the third son of a family of four boys

Upon completing his elementary and high-school education, he enlisted in the Navy on September 16, 1939, just before reaching his twentieth birthday.

When Dorie enlisted, however, he was allowed to enlist only in the rank of messman. He served meals, cleaned up after the officers, and did the menial work which is the role of Negro messmen throughout the Navy.

When the Japanese attack of Pearl Harbor occurred, over 2 years after Dorie had enlisted, he was still a messman. (In the Navy, you know, a Negro cannot advance above the role of messman.)

FIRST TIME TO FIRE GUN

Dorie had never fired a machine gun before. (Navy policy wouldn't give him an opportunity to learn the intricacies of this weapon.)

But when the surprise "sneak attack" occurred, the fighting instinct and the burning patriotism which smoldered deep down inside the youth burst into brilliant flame.

Dorie Miller, a Negro American, became a reincarnation of those Negro heroes of other years.

It was as natural for Dorie Miller to grasp that machine gun and to start its stuttering messages of death leaping toward the "rising sun" emblems he could see on those diving enemy planes as it was for any other American.

It was natural for him to remain at his post until leaping flames forced him to retreat.

To Dorie Miller, son of the Lone Star State, a real sailor, an American fighting man, no longer an unnamed hero, America salutes you.

Mr. MEAD. Mr. President, there were many sailors at Pearl Harbor who are to be cited for exceptional bravery, several of them Negroes. I understand one colored sailor from New York will be added to the roll of honor for his valor and courage under fire.

It is fitting and proper for the Senate to honor all American soldiers and sailors regardless of race, creed, or color.

Dorie Miller, I believe, should be voted the Congressional Medal of Honor or any other citation in keeping with the great tradition of the United States Navy.

The Pittsburgh Courier, the National Negro Council, the National Baptist Convention, the Methodist and other church leaders and laity, representatives of the 12,000,000 loyal and patriotic Negro people will be cheered by this recognition of one of their own by the Congress—the United States House of Representatives and the Senate.

PVT. ROBERT H. BROOKS

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. BARKLEY. I asked the Senator to yield to permit me to call attention to the fact that a Negro soldier who was one of the first casualties in this war, performed heroic service. His name was Robert H. Brooks, and he came from Sadieville, Ky. He was a private in the United States Army. He has been signally honored by the officials and commanders at Fort Knox, Ky., because of heroism in the performance of his duty.

I am indebted to Edgar G. Brown, president of the United Government Employees and director of the National Negro Council, for the following facts in connection with Private Brooks. He was the first American soldier to die with the armed forces of General MacArthur. The main parade ground at Fort Knox, Ky., was named in Brocks' honor and six generals were present on that occasion in January.

I am glad to add Robert H. Brooks' name to that of the Negro sailor commented upon by the Senator from New York.

Mr. MEAD. I am glad the majority leader has made his observation at this time.

BUREAU OF INFORMATION OF OFFICE OF GOVERNMENT REPORTS FOR VISITORS COMING TO WASHINGTON

Mr. BARKLEY. Mr. President, on behalf of the Senator from Pennsylvania [Mr. GUFFEY] and in his absence by reason of the fact that he has been called away from the Chamber, I ask unanimous consent to have printed in the RECORD at this point a portion of the broadcast delivered over the Mutual Broadcasting System last evening at 7 o'clock by Fulton Lewis, Jr., in which he discusses the question of lobby racketeering in Washington, and the victimizing of innocent persons who come here seeking information. He discusses the establishment by the Office of Government Reports of a central bureau of information at which persons who come here may obtain information.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Now, you've heard of lobbyists in Washington, lobbyists for labor unions, for railroads, for sugar interests, for steel companies. Several years ago Congress made a rather sensational investigation of the lobbies that were being conducted there.

At the present time, however, there's a brand new one beginning to unfold there—the lobbyists' lobby, and I think you'll be interested in it.

Whether you know it or not, the average industrialist and corporation president and such people are the most guillible suckers in the world, when it comes to Washington. They pour into Washington by the hundreds on war contracts, they don't know their way around, most of them don't even know their own Congressman. They nurse a sort of dime-novel idea that the Federal Government is a fabric of string pulling and political payoffs, and there's a new form of racketeer who has sprung up to prey on that idea and make capital out of it.

There are, of course, a great many legitimate men doing a legitimate job of representing firms in Washington on Government contracts and other business. I'm not talking about them. I'm talking about another sort of fellow who runs an actual racket.

For instance, a New England businessman came to Washington less than a week ago. He wanted to get some information about a piece of legislation, about which he'd heard rumors. He wanted to find out what the legislation was likely to be.

A casual acquaintance of his at home had told him to look up a certain lobbyist—that if anybody could fix him up this man could, because he had very important connections.

The businessman went to him. The lobbyists threw big names around. In his conversation Mr Leon Henderson was Leon, Secretary Hull was Cordell. Harry and Jesse and Sumner and Harold told him this and that. When the businessman explained what he wanted, the lobbying gentleman got very grave. That was a very tough order. He said he had one inside connection at the Capitol that might be able to slip this information to him.

They got in a cab. The lobbyist had the driver stop about a block from the Capitol, and he told the client to wait there, and not get out of the car for anything. A half hour later he came back with a triumphant and very mysterious smile. He told the driver to go to the Union Station. Halfway there, very surreptitiously, he slipped a piece of paper into his client's hand and said, "Here it is; don't let anybody see you with this. Get out of town right away." The businessman looked at it; surely enough, it was an official print of the legislation he was trying to find out about. He paid very gladly a fee of $500, and he went back home happy, except for a little worry that he might get caught.

The fact is, anybody would have gotten that print. All the lobbyist did was to go to the bill room in the Capitol, ask for it, take it when the bill clerk handed it to him, and then go back to the automobile. But the gentleman from New England didn't find that out until he got home and then, quite by accident, and that's only one of scores of cases, along the same line, that happen every day.

Government officials have been trying to stop those rackets, and, to do that, Mr. Lowell Mellett, one of the President's secretaries, has set up a new general information headquarters, where visitors on Government business can get information about how to get information. It's a sort of general clearinghouse to tell strangers on business how to do this or that, or who to see, or where to go.

But that, of course, ruins the picture for the racketeer lobbyists, and so they're conducting a really high-pressure lobby at the Capitol to try to break up Mr. Mellett's venture. They've used every known method to attack it. They've called it boondoggling—that it's an attempt to control all information emanating from any part of the Government—on a censorship basis. That's not true. Businessmen, who know their way around, can still get whatever information they get now, direct from the Government departments. This merely helps the poor little sheep who have lost their way—baa, baa, baa—and gives them an escape from the wolves.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. MURDOCK. I desire recognition at this time, so I may be recognized when the Senate reconvenes on Monday in connection with the debate on the resolution pertaining to the Senator from North Dakota [Mr. LANGER]. I do not wish at this late hour to detain the Senate longer, but I should like it understood that I may be recognized when the Senate reconvenes on Monday.

Mr. BARKLEY. That is entirely satisfactory to me, if it is agreeable to other Senators, and I have no doubt that the Senator from Utah will be recognized Monday.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

WORK PROJECTS ADMINISTRATION—RICHARD IRVIN

Mr. BARKLEY. Mr. President, there is only one nomination on the Executive Calendar. I ask unanimous consent that it be considered as in executive session.

The PRESIDING OFFICER. The nomination will be read for the information of the Senate.

The legislative clerk read the nomination of Richard Irvin to be work projects administrator for Pennsylvania, effective March 1, 1942.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed.

Mr. BARKLEY. I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

RECESS TO MONDAY

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, March 16, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 13 (legislative day of March 5), 1942:

APPOINTMENTS IN THE NAVY

Admiral Ernest J. King to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of 4 years.

The following-named rear admirals to be vice admirals in the Navy, for temporary service, to rank from the 10th day of March 1942:

Frederick J. Horne
Russell Willson

REGISTER OF THE LAND OFFICE

Theodore Wanerus, of Wyoming, to be register of the land office at Buffalo, Wyo. Reappointment.

CONFIRMATION

Executive nomination confirmed by the Senate March 13 (legislative day of March 5), 1942:

WORK PROJECTS ADMINISTRATION

Richard Irvin to be Work Projects administrator for Pennsylvania, effective March 1, 1942.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 13, 1942

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Father of mankind, we would open the doors of our souls and have Thee teach us Thy way and will. Give us the spirit of the Great Teacher of Nazareth, though a Man of Sorrows and acquainted with grief, yet He ever spoke of His joy and peace. There is a hidden strength in that which we call suffering and we pray that when misfortune comes and the winds of sickness blow, Thou wilt help us hold our anchor in the haven of divine mercy. As half lights and shadows, too deep for thought, are often cast on our pathway, may problems not daunt us, but lead us forward with greater vision and firmer faith.

We rejoice that it is Thou who softens tears into psalms, resolves discords into harmonies, and weaves dimming hopes into tapestries of ageless beauty; thus with our burdens and limitations may we be patient and uncomplaining. Knowing that all things work together

for good to them that love God, we pray for all upon whom rest the business, political, and industrial life of our country. Beset so often both in victory and defeat, in all their ways may they acknowledge Thee. Bless unto us all the bounties of Thy grace. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Nashville Banner, issue of March 10.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MACIEJEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution adopted at the annual meeting of the Board of Directors of the First Catholic Slovak Union of America.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution passed by the Federation of Labor at Spencer, N. C.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. STRATTON] may be permitted to extend his remarks and include therewith an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, recently I asked permission to extend my remarks and include certain extracts from letters and information regarding the Woman's Auxiliary Army. The Government Printing Office advises me it will cost $189. I ask unanimous consent that it may be printed notwithstanding.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONTRACTS FOR ARMY CLOTHING

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to address the House for a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ENGEL. Mr. Speaker, each Member of the House received this morning a release from the War Production Board referring to a letter that Donald M. Nelson, Chairman, and Sidney Hillman, Director of Labor Divisions, wrote to me. If you will examine the Appendix of the RECORD, page A956, you will find these same letters were inserted in the Appendix by me, together with my reply to the Donald Nelson letter. If you will read that reply, you will find, I believe, some interesting information.

I also placed in the Appendix a letter from the Under Secretary of War, in which he stated specifically that the War Production Board gave the War Department orders that the manufacturers of women's garments were not to be given any contracts for Army clothing, and that they were following that order.

[Here the gavel fell.]

OKLAHOMA IS AWAKE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, as I entered the elevator this morning the operator noticed the large bundle of telegrams, letters, and petitions I was carrying and he said:

> They are waking up in Oklahoma, are they not?

I hold in my hand letters and telegrams bearing the signatures of more than 5,000 truly patriotic Oklahoma citizens. They are already awake in Oklahoma and have been fully awake for a long time. Among other things those folks say:

> My pledge to help win the war:
> I solemnly pledge that I will refuse to vote for the reelection of any United States Senator or any United States Congressman who does not consistently vote for a law outlawing all strikes in every industry connected with defense and who does not vote to abolish the limitation of 40 hours a week labor in defense industries for the remainder of the war.

Mr. Speaker, these citizens express the idea. It is true that only nine-tenths of 1 percent of the men in defense industries are striking, but a sufficient number are striking that it is alarming and affecting the morale of the public. We must see that something is done about it. The House passed a bill on December 3 which would really curtail strikes. It still lies dormant in the Senate. I understand our Senators from Oklahoma have been urging immediate consideration of same.

WORKS PROGRESS ADMINISTRATION

Mr. PEARSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. PEARSON addressed the House. His remarks appear in the Appendix.]

RAILROAD PRESIDENT DEFIANT—LABOR AGREES TO ARBITRATION

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. YOUNG. Mr. Speaker, last December a dispute arose between railroad employees and officials of the Toledo, Peoria & Western Railroad Co. The independent brotherhoods of locomotive firemen, enginemen and railroad trainmen have agreed repeatedly to arbitrate this dispute. The president of this railroad has defied the Government of the United States. He has persisted in his defiance. He has repeatedly refused to consider the agencies of Government, including the Conciliation Service of the Labor Department and the National War Labor Board. The War Labor Board last night again called on this company and its officials to arbitrate the dispute with its employees. In a formal statement, the War Labor Board very properly denounced the company for its "disregard of law and defiance of peaceful procedures" in refusing to heed the order of the War Labor Board heretofore made to submit the disagreement to arbitration. The War Labor Board reports that:

> The Government has been patient, but there is a point beyond which patience becomes an act of disloyalty to a people who have seen stronghold after stronghold of freedom go down because men and materials to save them arrived too late.

The railroad brotherhoods are to be commended for their attitude and repeatedly expressed willingness of all these workers to arbitrate all differences. One hundred and four experienced trainmen have been deprived of employment since last December because of the arbitrary and un-American attitude of this railway president. I want the country to know that here is a case where labor has agreed to arbitrate and where the employer is dictatorial and defiant.

Day after day President George McNear, of this railroad, expresses himself as being bigger than his Government. He is acting in defiance to law, order, decency, and justice, and in disregard to the public safety and national interest.

[Here the gavel fell.]

PROGRAM FOR WEEK OF MARCH 16

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I understand that, of necessity, there has been a slight change in the program for the next few days. I wonder if the acting majority leader can tell us what it will be.

Mr. WOODRUM of Virginia. Mr. Speaker, it is hoped, of course, to complete consideration of the Agriculture bill today.

Monday the Consent Calendar will be called, and following that the Rogers bill (H. R. 6293) to establish a Women's Auxiliary Army Corps in the United States Army; then, if possible, the conference report on the second war-powers bill.

The SPEAKER. If the gentleman from Virginia will permit, the Chair promised the gentleman from Texas [Mr. SUMNERS] on yesterday that the conference report on the war-powers bill would probably be the first order of business on Monday.

Mr. WOODRUM of Virginia. Very well, Mr. Speaker.

Tuesday we expect to take up the legislative appropriations bill.

Wednesday we will take up H. R. 6750, the State sales-tax bill.

Mr. MARTIN of Massachusetts. What is that bill?

Mr. WOODRUM of Virginia. That is a bill reported out by the Ways and

Means Committee respecting sales taxes in the States on war products. It is tentatively set for Wednesday. It will follow the legislative appropriations bill. Following that we will take up the bill H. R. 6600, dealing with citizenship certificates.

Mr. MARTIN of Massachusetts. Is it the purpose, if we finish this bill today, to go over the week end?

Mr. WOODRUM of Virginia. If we finish this bill today, it is the purpose to ask unanimous consent to adjourn over until Monday.

Mr. MARTIN of Massachusetts. And I suppose the Private Calendar on Tuesday will be set aside.

Mr. WOODRUM of Virginia. It will be set aside, I am told; yes.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. DONDERO. As I understand the sales-tax bill to which the gentleman referred, it is a bill to void State taxes on contracts with the Government on defense material.

Mr. WOODRUM of Virginia. That is correct.

STRIKES DURING WARTIME

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RIZLEY. Mr. Speaker, a few days before Pearl Harbor this House passed a bill which had for its purpose the stopping of strikes in defense industries and sent it over to the other body, where apparently it has been placed on ice and received the kiss of death.

Like a good many of my colleagues I am in receipt of thousands of letters and telegrams demanding that Mr. Knudsen and Mr. Nelson be supported in their efforts to abolish the 40-hour-week law and stoppage of all strikes or walkouts of any kind for the duration of the war, and that production be put on a 24-hours-per-day and 7-days-per-week basis. So far as I know neither Mr. Nelson nor Mr. Knudsen have done very much toward stopping strikes in defense plants, or recommending suspension of the provisions of the wage-and-hour law for the duration of the emergency. Possibly the reason is their Chief does not approve.

I agree wholeheartedly with the objectives of these telegrams and letters, and have consistently voted that way. One nod of approval from the President and I am sure that the bill which we passed, even before Pearl Harbor would be lifted from its sleeping quarters in the other body and passed immediately. They ought to do it without nod, but apparently they do not intend to do so.

I do not blame the people for being aroused and alarmed, but let those who are responsible for this situation accept that responsibility.

As for my part, I am ready to act and act speedily and now, and will support any and all legislation which will give our Government a program of uninterrupted production, and I mean uninterrupted production 24 hours per day, 7 days in the week, and 365 days in the year.

EXTENSION OF REMARKS

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include two resolutions adopted by the Pomona Grange of Bedford County, Pa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

STRIKES AND THE WAR EFFORT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, this is Friday the 13th, a coincidence of day and date that commands attention. It would be a mighty fine thing if something would command the attention of the membership of the House to stir within them a desire to eliminate these strikes that are hampering production. It would be a mighty fine thing if something could stir the President of the United States to assist the Senate in bringing out the bill the House passed so that we might stop these strikes. If we win the war, it is necessary to furnish the soldiers guns, tanks, ships, and airplanes, with ammunition. You can only do it when you stop radical strikers.

The Members of the House are beginning to get the jitters now because this is election year. Now they are for economy. Oh, what a change for some of you boys. It is about time you all get on the band wagon of economy if we are to win this war. It is essential that we all draw a sharp line between the essential and the nonessential spending; that we stop a lot of this boondoggling. Make this Friday the 13th of March a day to resolve we will save the country from bankruptcy. We will stop the radical spending, cut out nonessentials, and keep our country solvent, so we can furnish our soldiers and sailors the equipment necessary to win the war.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution from the Lions Club of Spartanburg, S. C.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. BRYSON]?

There was no objection.

GOVERNMENT'S NEGLIGENT USE OF ELECTRICAL ENERGY

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. SPRINGER. Mr. Speaker, it was recently suggested that the people should reduce the amount of electrical current used in their homes and at their places of business, in order to conserve the electrical energy in this Nation. That is a laudable plan, if it is, in fact, necessary that the people conserve in the use of electricity for war purposes.

If this plan is to be enforced, may I suggest that our own Government should set the pattern in this conservation of electricity. The street lights in the city of Washington are burned to capacity throughout the night, and often long after daylight. The Public Health Building, on Constitution Avenue, has a large number of floodlights about it, and these floodlights are burned all night to capacity. There is no effort made to conserve the electrical energy by our own Government. The vast amount of electrical energy which is wasted by our own Government will, no doubt, constitute the direct cause for rationing electricity in the future.

Mr. Leon Henderson has already rationed automobile tires; he is preparing to issue cards and ration sugar; and I surmise the very next step will be to ration electricity in our country. If this course is necessary to win this war, the people will not complain. But if this added form of regimentation is to be forced upon the people, let our own Government first make some effort to conserve the waste which it now permits. The floodlights on the Public Health Building, which burn nightly, make it a fine target for any foe. This waste must be stopped, and it must be stopped before the people are required to make another sacrifice to win this war.

EXTENSION OF REMARKS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a message from Major General Richardson to the San Jose Civilian Defense Council.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. RIVERS]?

There was no objection.

CRITICISM

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. LUTHER A. JOHNSON]?

There was no objection.

Mr. LUTHER A. JOHNSON. I heard this morning two of our friends on the Republican side of the aisle justify the failure to pass legislation to prevent strikes because of the failure of the President of the United States to so recommend. I think the President has a responsibility and I think he should exercise it, but may I say to the gentlemen on the other side of the aisle who made the statement that they are waiting for a nod from the President that it ill becomes them to wait for a nod from the President of the United States when they have not been following the President's recommendations on other matters. Many of us on this side of the aisle, believing that Congress also has a responsibility, have not waited for a nod from the President, but have voted for all legislation to stop strikes in war industries. I wonder if the gentlemen who made those speeches voted to suspend the 40-hour law when

we had it up for consideration last week in the war-powers bill.

Mr. RICH. Why certainly we did. You fellows over there never do anything.

Mr. LUTHER A. JOHNSON. Now, I do not yield for a speech. The gentleman makes more speeches than anybody else.

Mr. HOFFMAN. And good ones, too.

Mr. LUTHER A. JOHNSON. Sometimes. Today the gentlemen cannot dodge and duck behind the fact that the President has not given the nod. I am in favor of the House asserting its authority and when the executive branch does not do it to go on without any nod at all. The House did pass an antistrike bill on December 3. Why does not the other body act?

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN A. HALL]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I agree with the gentleman from Texas [Mr. JOHNSON] that Congress should not wait for the President to adopt and enforce a labor policy. We have now waited altogether too long. It is evident that the President does not intend to do anything to give us a sound labor policy unless forced by public sentiment to act. He wants to be sure of retaining the support of the labor bloc.

You cannot justly accuse us on the Republican side of being negligent in this matter because more than a year ago we aided in forcing through the Smith amendments, now chloroformed on the administration's orders, and reposing in the Senate graveyard.

True, a few days ago, Republicans did not as a party organization support the Smith amendments then offered. Some of us did. Some have grown tired of pulling the chestnuts out of the fire for the administration. Some have grown tired of incurring the ill will of labor politicians and of then having the President, through his friends in the Senate, render our efforts of no avail.

Personally—and I speak only for myself—I agree that the refusal of the President to do his duty does not excuse us for our failure to act.

The latest Gallup poll, clipped from the paper this morning, shows that the people whose views were sought were 9 to 1 in favor of legislation prohibiting strikes and slow-downs.

Let the President play politics. That is no reason why we should.

Since 1937 I have advocated legislation which would restore to the American citizen his unqualified right to work.

Now, when we are at war, the President refuses to compel the labor politicians to loosen their strangle hold on the honest American worker, but permits them, by his refusal to let legislation through Congress—and by the recent decision of the United States Supreme Court, they are permitted—to practice in what other citizens amounts to highway robbery.

[Here the gavel fell.]

THE LATE EARL BREWER

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. WOODRUM of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 40]

Arnold	Houston	O'Brien, N. Y.
Bishop	Howell	O'Day
Bolton	Jarman	Osmers
Buckley, N. Y.	Jarrett	Pfeifer,
Byron	Jenks, N. H.	Joseph L.
Camp	Jennings	Ramsay
Cannon Fla.	Johnson, Calif.	Rockwell
Casey, Mass.	Johnson,	Sacks
Celler	Lyndon B.	Sanders
Cole, Md.	Johnson, W. Va	Schaefer, Ill.
Culkin	Kennedy,	Scott
Curtis	Martin J.	Scrugham
Dewey	Kennedy,	Shannon
Dies	Michael J.	Sheridan
Ditter	Kilburn	Short
Douglas	Kleberg	Smith, Pa.
Englebright	Kocialkowski	Stratton
Ford, Thomas F.	Kramer	Sweeney
Gale	Landis	Thill
Gavagan	McCormack	Thom
Gibson	McKeough	Thomas, N. J.
Gifford	McLean	Tolan
Gillette	Maciora	Vree'and
Gossett	Magnuson	Walter
Grant, Ind.	Mason	Weiss
Hancock	Merritt	West
Heffernan	Mitchell	Worley

The SPEAKER. Three hundred and fifty-four Members have answered to their names; a quorum.

On motion of Mr. WOODRUM of Virginia, further proceedings under the call were dispensed with.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1943

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6709, with Mr. RAMSPECK in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, debate on the pending paragraph had been fixed at 1 hour.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent that the amendment may be again read.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 83, line 3, strike out "$50,319,557" and insert "$25,319,557."

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman, I am opposed to making so drastic a cut as 50 percent in this appropriation. I have checked over the Budget Bureau estimates. I believe this appropriation might stand a moderate cut, not in excess of $10,000,000, but when you consider that $10,000,000 out of this $50,000,000 is allocated to grants, that means $40,000,000 is left from which you must make your cut. If you cut $25,000,000 from the $40,000,000 allocated for the work this agency is doing, you will practically put it out of business. This agency has done too much good work to be put out of business in this way at this time.

I believe it is known generally that the House Committee on Agriculture proposes to make an investigation of the activities of the Farm Security Administration. I think it will stand some investigation. I think we ought to go into its activities which have not been authorized or which are unjustified. However, the organization has done splendid work among the poorer class of farmers, those who need assistance not only from the financial standpoint, but from the standpoint of better and improved farming methods as well. The worth-while and much-needed activities should not be curtailed.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. HARRINGTON].

Mr. WHITE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Iowa yield for that purpose?

Mr. HARRINGTON. I yield, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. WHITE. Mr. Chairman, if Members who have asked for time to speak on this amendment do not respond when their names are called, can their time be allocated among the remaining speakers?

The CHAIRMAN. It will be if they do not appear before the hour is up.

Mr. HARRINGTON. Mr. Chairman, I think the amendment offered by the gentleman from Illinois is most unfair. As pointed out by the gentleman from Kansas, the Farm Security Administration has done excellent work. Many of the issues are confused because of misrepresentation. I call attention to the fact that not only does this amendment reduce the administrative expenses but wrecks

the entire program as well. It will affect a great many of the services the Farm Security Administration has done so well during the period of drought and depression in the Farm Belt.

In the first place, the Farm Debt Adjustment Service will probably have to be discontinued on account of such a cut. The loan program and the grant program, which has been so necessary in so many areas of the country, will be drastically cut. In fact, we may as well abolish the Farm Security Administration as to cut out its heart.

The gentleman from Illinois has called upon the House to cut these expenses so that the men fighting on the Bataan Peninsula may have guns and planes and munitions—weapons with which to fight. I submit that the finest and most deadly weapons in the world are worth nothing if the men who man them are not physically, mentally, and spiritually able to use them to their maximum efficiency. Inanimate engines of war cannot alone produce victory. A classic example of this might well be taken from the world of sport. Everyone familiar with baseball remembers George Sisler, perhaps the greatest first baseman of all time. In 1921 he enjoyed one of his best years. In the winter of 1922 he was stricken with sinusitis, caused by dental infection. The following summer his batting average slipped to .128 and marked the end of his career, just as he should have been entering his prime. His armament was the same as the year before—a bat of his selection—but his power of physical coordination was gone. Once destroyed, it is not easily restored.

But what has this to do with farm security? Just this. One of the best programs developed under the present Administrator is the medical and dental program to enable families in low-income brackets to secure excellent medical and dental service. In almost all cases the medical and dental officers use the facilities of the area in which they operate. They use the home town physician and dentist and act as coordinating officers between the agency and the clients of F. S. A.

It is hard to see how anyone can consider that it would be in any way economic to curtail or stop this constructive type of assistance. On the contrary, when the Nation can least afford unproductiveness and displacement of farm people, this work is even more essential and the job ahead is even larger than the job that has been done. Farm Security county offices in Iowa report that there are 16,000 known additional families who need help but for whom funds are not available, and most of them could qualify for standard rehabilitation loans.

One thing that the Farm Security Administration has done with notable success is to reduce ill health and physical handicaps among neglected rural people. It became apparent soon after this program was started that one of the chief causes of rural poverty were the health conditions that made many farm people unable to do a full day's work. Clinical examinations made in 21 typical counties in 17 States showed an average of 3½ physical defects for every man, woman, and child examined. The most prevalent trouble by far was bad teeth. Seven out of every ten persons over 5 years old had decayed permanent teeth. Malnutrition showed its effect in the fact that 1 child out of every 12 was undernourished and 1 in 17 either had rickets or showed the after effects of rickets.

Better diets from home-grown food and better sanitary facilities and housing have done their share in reducing illness among Farm Security borrowers, but more was needed for many of these people. In cooperation with local doctors and medical societies, a rural medical group program was developed through which more than 100,000 rural families can now be sure of a doctor's care when it is needed at a cost within their farm incomes. Frequently such services include hospitalization, drugs, and, sometimes, dental care. The program of dental care, however, is still the least developed, although dental needs rank first among rural health problems. For the health and better production of these small farmers, for the protection of our armies which draw heavily for their recruits from rural areas, and for the Nation's future population which must be replenished from these rural families, the medical service and health protection that the Farm Security Administration makes possible to the small family farmer are essentials in the national welfare.

Assistance that makes it possible for our people to work out their own problems and to resume and hold their place as individual producers in the Nation's economy is neither extravagance nor relief. It is the soundest form of economy and an investment that is worth many times the small cost. The Farm Security method repays with interest not only the loans but also the debt to democracy and our farm people that all of us owe wherever poverty holds people down.

It may well be that the lack of medical and dental care, coupled with malnutrition among the underprivileged masses of the nations opposing Hitler, contributed as much to his success as any disparity in armament. We had been informed by supposedly creditable sources that the "ersatz" equipment of the Axis was inferior to the armament possessed by other Europeans—at least, such was the story before hostilities. The F. S. A. is attempting through its home management and medical and dental programs to contribute to the well-being of these people. The medical and dental service at least will become increasingly more difficult as professional personnel in rural areas is called to the colors.

It is entirely possible that the children of these families, now in their early teens, will be needed before the present emergency is over. It would behoove the Nation to have them in a state of optimal health if this should come to pass.

A tank operator with a batting average above .400 is a far greater destructive force than one batting .098. A machine is certainly no better than its operator.

But that is not all. The F. S. A. has been grossly and unfairly misrepresented to this House. It has become a victim of the half-truths and demagogery of many who are jealous of its eminent successes. Even some so-called farm organizations have stooped to underhand methods to destroy this agency which has done so much good. In the end it is the farmer and agriculture as a whole which suffers from this sabotage. Dressed in the cloak of the farmers' friend, the fifth column is on the prowl again, seeking to destroy a useful and helpful arm of the Department of Agriculture.

Let us see further how my own State of Iowa has benefited from the F. S. A.

While farm income has been going up, farm people have been going down. We have succeeded in good measure in bringing farm prices to parity, but we have not yet attacked with sufficient vigor the problem of disparity among the farming population.

Today we face a decision as to whether American agriculture is to be consolidated into great corporate and absentee holdings or whether its family type structure, which has insured benefits of the land to the people who live on it and work it, is to be preserved.

The Farm Security Administration was created to protect and preserve the family owner-operator as the basis of our farm economy. More than 900,000 families have received F. S. A. rehabilitation loans and guidance to keep them from being pushed off the farm by forces that have made for larger land concentrations. This type of help remains the one solid hope for the great mass of our small farmers to continue as productive citizens and not as outcast migrants wandering homeless in search of an occasional job.

But the Farm Security Administration has been able to reach only a part, perhaps a third, of the families who need its help, and the forces of displacement have continued to operate ruthlessly against hundreds of thousands of others. In the State of Iowa the 1940 census shows that we have not done enough to stop the trend toward large commercialized farming. In Iowa more land is in cultivation than 10 years ago but fewer people farm it. The number of Iowa farms without milk cows has increased more than 25 percent during the last 10 years, and the number of farms without poultry has increased 60 percent.

We find, moreover, that the mass of our farmers are going further down the economic ladder. During the last 10 years, the percent of all farms in the Nation receiving less than $600 in gross earned farm income has increased from 28 percent to nearly 48 percent. In Iowa, one of our richest and most prosperous farm States, this less-than-$600 group has doubled, increasing from 7 to 14 percent of all Iowa farmers.

When we are faced with these facts, we must be compelled to recognize that fair opportunities for the mass of our working farmers is just as serious a problem as fair prices for commercial farmers in agriculture. The Farm Security Administration has developed the methods to provide such opportunities to the small farmer and to help him make the most of them.

In Iowa, more than 18,000 farm families who were unable to get the help they needed anywhere else have received loans, supervision, and other assistance from the Farm Security Administration.

Out of $11,550,000 that Farm Security has loaned to these people, $5,370,000, nearly 48 percent, has already been repaid, and more than 5,000 borrowers have repaid their loans in full.

Under the tenant purchase program, 636 loans to low-income farmers in Iowa have been approved for the purchase of family-type farms. Their response has been amazing. At the end of last year, those with tenant-purchase farms in operation have repaid every cent that was due on their farm purchases, and in addition, have paid up nearly $25,000 in extra payments.

But this has been more than a financial transaction under F. S. A. Standard rehabilitation borrowers in Iowa have paralleled the progress of F. S. A. borrowers throughout the country. A survey of the 10,000 Iowa borrowers on the program last year showed that they had increased their net income 85 percent since they first received Farm Security help. The average family income rose from $609 to $1,128. In other words, this entire group increased their total income by more than $5,000,000.

One particularly significant thing at a time when we must do everything possible to enable small farmers to step up food production to meet wartime goals is that this borrower group in Iowa increased the food produced for home use from $140 to $235, or 81 percent. Included in this is an increase in milk production per family from 326 to 394 gallons; in fruits and vegetables canned for home use from 212 to 271 quarts, and in meat and poultry for home use from 295 to 492 pounds.

With the number of mortgaged farms in Iowa still rising at the time of the 1940 census, the F. S. A. has also helped to unburden small owners and tenants of heavy debts through their Farm Debt Adjustment Service. More than 5,000 farmers in Iowa, by voluntary agreement between creditors and debtors, have reduced their debts by more than $8,500,000, or 18.6 percent, to a point where they could again farm successfully. These adjustments also resulted in the payment of $300,000 in taxes.

Rural rehabilitation loans, as of Dec. 31, 1941

Active standard borrowers	Amount loan advances	Repayments	
		Principal	Interest
Ninth District, Iowa: 1,183	$1,764,601	$829,270	$130,120
State: 9,939	11,550,546	5,373,644	793,724

Family progress, Farm Security Administration borrowers, 1941

	Before Farm Security Administration	1941
Ninth District, Iowa:		
Net income	$550	$1,220.
Milk for home use	289 gallons	421 gallons.
Food for home use	$133	$290.
Fruits and vegetables	177 quarts	250 quarts.
Meat for home use	304 pounds	604 pounds.
State of Iowa:		
Net income	$609	$1,128.
Food for home use	$140	$250.
Milk for home use	326 gallons	394 gallons.
Fruits and vegetables	212 quarts	271 quarts.
Meat for home use	295 pounds	492 pounds.

Tenant purchase program

NINTH DISTRICT, IOWA

Counties eligible: Cherokee, Clay, Dickinson, Ida, Lyon, Monoma, Osceola, Plymouth, Sac, Woodbury.

Number of loans approved (as of December 31, 1941): 73.

Amount of tenant purchase loans: $773,337.

Payments against maturities (as of June 30, 1941): $31,773.

Delinquencies: None.

Extra payments: $2,410.

Payments against maturities: 100 percent.

Average amount of loan: $10,594.

IOWA AS A WHOLE

Number of loans approved (as of December 31, 1941): 636.

Amount of tenant purchase loans: $5,798,738.

Payments against maturities (as of June 30, 1941): $175,886.

Delinquencies: None.

Extra payments: $24,036.

Payments against maturities: 100 percent.

Average amount of loan: $9,118.

Farm Security Administration farm debt adjustment figures

FOR NINTH IOWA DISTRICT

Number of cases adjusted: 1,044.

Amount of debt adjusted: $6,776,698.

Reduced: $984,890.

In percent: 15 percent.

Accounting for taxes amounting to: $48,386.

FOR IOWA AS A WHOLE

Number of cases adjusted: 5,279.

Amount of debt adjusted: $46,118,362.

Reduced: $8,607,361.

In percent: 18.6 percent.

Accounting for taxes amounting to: $301,584.

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONDERO. May the time not used by those whose names have been called without response be assigned to some other Member who may desire time?

The CHAIRMAN. If we run out of speakers on this list before the hour is up, the Chair will then recognize other gentlemen.

Mr. DONDERO. I should like to be so recognized, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Chairman, there is no question but what some good is being accomplished from all these things, but this is a time and this is a thing that can be reduced with perfectly good grace. You know what we need on the farms now are good hired men, and Farm Security has a tendency to take hired men and make something else out of them. Any man who is willing today to work on a farm can get a good job as a hired man. Nearly every successful farmer in my country was a hired man once. Let us dignify this whole thing and provide good hired men, and less Farm Security for the duration. Also high prices prevailing for farm equipment make it inadvisable for men at this time to embark on farming.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, in view of the fact we cannot have more than one minute and a half of time, we might just as well give that up. I have some arguments to present and I do not intend to be cut off in the middle of them.

The CHAIRMAN. The Chair recognizes the gentleman from Washington, [Mr. COFFEE].

Mr. COFFEE of Washington. Mr. Chairman, I wonder if the members of this body realize what it would mean to the low-income farm families of this Nation if the program of the Farm Security Administration were pulled from under them at this time?

Few of us realize, I believe, that the people who are being helped by F. S. A. and who might be helped by F. S. A. in the future have enjoyed very few of the benefits of living in a democracy. And now, at a time when this democracy's very life is at stake, we are considering the possibility of doing away altogether with the one chance that these people have of coming to know what America can really mean to them.

This is not something that is purely emotional or sentimental. It is very real, and, let me add, very serious. The ramparts we watch may be protecting a democracy that has very little meaning to the people whose land it is. What a sorry spectacle that would present—a people out half-heartedly defending something for which they did not care or whose danger was no concern to them.

This can happen here. It is my belief that we would be surprised to find out, if we made a survey of disadvantaged rural people living in miserable shacks and struggling to make a living on miserable soil, that these people do not think very much of democracy. The reason is that they do not think about it at all. They do not even know what it is.

These people could turn out to be like the Roman farmers who, being asked by the invading barbarians which was the way to the city, casually pointed in the right direction and went back to their work. They had no interest in Rome, which had refused to take an interest in them. It did not matter to them that Rome might be sacked and pillaged; Rome had ceased to mean anything to them.

Please do not misunderstand me. I am not accusing any group of Americans of disloyalty. I am merely pointing out that to a large number of our fellow citizens, democracy does not mean all that it should. And I ask you, was there ever a time when we should be more mindful of what democracy really does mean to us, more anxious that its deep value and real advantages be known and made available to all?

We need not search in the backwoods of the poorer areas of the South or the cut-over forests of the upper Great Lakes to find rural poverty. We need not always take the beleaguered sharecropper as our text. Rural poverty is nearer to the big, shiny white highways and closer to the thin, steel rails over which tons of defense materials are constantly thundering, than most of us realize. What a travesty it would be if in our haste to defend our great democracy, we hurried down the highways and thundered down the rails so fast that we did not notice the people watching us blankly and

without understanding from the miserable farmsteads on both sides.

Let me quote a few facts. The 1940 census showed that 47.8 percent of all of the farmers in this country had gross earned farm incomes of less than $600. This would mean that the average family in this group, if he were a bona fide farmer, had an annual gross earned farm income of about $350. After adding in a $50 A. A. A. benefit payment and $80 in cash from off-farm work, and subtracting farm operating expenses and the value of home-produced food, the family would have only $17.50 in cash available each month—about 81 cents per person per week.

I ask you, is that good enough evidence of the problem of rural poverty? And can we well afford to think in terms of restricting the opportunities of these people for improvement in income, living standards and hope for the future by restricting the activities of the Farm Security Administration?

What F. S. A. does to help low-income farm families is well known to all of us. Its program of loans to help these families buy necessary operating goods, of supervision to help them use their resources most efficiently, of guidance in providing good food for the family, and of many other types of assistance is one of the most constructive programs that this Government has sponsored.

I do repeat, however, that even if we are conscious of what F. S. A. is doing, many of us do not appreciate the significance of this work. Perhaps most of us do not know what it is to be a farmer without a good plow, a housewife without a stove, a farm boy without enough clothes to go to school, without opportunities for getting ahead, without much hope. But there are a great many families in these kinds of situations.

Mr. Hitler has said for a long time that democracy cannot provide good things for its people. We know that he is absolutely wrong. We know that democracy is the only form of government capable of providing the things of value. I believe that the reason we Americans have never had any use for Mr. Hitler is that we know he is wrong. We know from experience as well as from our hearts and minds that he is wrong.

But there are some people in this Nation who do not know this as well as others. It is not their fault. I think that it is ours. Among these people are disadvantaged farm people. Many of them have never heard of Mr. Hitler and probably would not like him if they knew about him. But we have given these people powerfully little ammunition with which to answer his arguments. In their experience there is very little evidence that democracy is what the rest of us know it to be.

So I say once again that this is no time to consider retrenching the activities of the Farm Security Administration. Now is the time to make democracy worth while to the million or two million low-income farm families whose welfare and well-being is the long-run strength of our country.

We have recognized their need before. We have come to their aid and given many of them a boost. Let us not forget those who still need our help now.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, as far as farm tenancy is concerned the appropriations have never been sufficient to make any impression on the farm tenancy percentages of the country.

Fundamentally, the procuring of farms for renters is a desirable objective. The depression, low farm prices, and the droughts have caused more farm tenants than tenants have been converted into landlords. To meet this situation from a national viewpoint it is necessary to adopt a measure like H. R. 1422—introduced by the Honorable STEPHEN PACE, of Georgia—that provides 90-percent guaranteed loans. A measure like H. R. 1422 will provide an attack on the tenant problem on a universal basis, and will take the responsibility back to the localities where the tenancy prevails. These 90-percent guaranteed loans on a present market-price valuation will be a far superior risk to the 75-percent loans made on the basis of normal agricultural values. This legislation should be brought up for consideration.

We now find ourselves in a strained legislative situation. The people of this country are desirous that all nonmilitary expenditures that are not absolutely necessary be reduced or terminated. The public is serious about this.

On Monday the gentleman from Oklahoma offered an amendment that would reduce the payments from $10,000 to $1,000 maximum payment to any individual or corporation. This amendment might have reduced the expenditures some thirty to forty million dollars per year. However, an amendment to the amendment was agreed to, and the savings were nullified so that even the optimism of the author does not anticipate even a $5,000,000 reduction. It is doubtful if there will be any reduction whatsoever. Is this action based on common sense and common justice?

Now, as long as we in our wisdom have seen fit to legislate so that the large landowners and the large corporation farmers may not be deprived of their $10,000 to $75,000 subsidy checks, it is rather difficult to expect us to vote to reduce the subsidy that has been granted in connection with the low farm income group of our farm people serviced by the F. S. A.

If we had reduced the subsidies to the big corporation farmers, which subsidy is questionable in peacetime and undefensible in wartime, we could, in fairness, say to the low-income group as represented by Farm Security clients, "Now put your house in order, too."

The Farm Security low-income group already live on farms, and are in a position to take an active part in an increased food program. Any parts of their program not directed toward increasing the food supply of the country, can and no doubt would be willingly suspended by the F. S. A. themselves. Let us try to analyze the following situation in our best judgment: First, we have refused to reduce the subsidies to the large farm operators and farm corporations. In the past these farm subsidies have been condoned, explained, or excused on the basis that it was necessary to make these large payments to large operators so that the large operator could be induced to join the crop-control program.

What reason have we to vote these funds, and for what purpose, when we do not want to reduce or control production? Can you answer this question? In fact, we have a national program for increasing our food supply at this time. Do you know any good reason to abolish rural relief and not urban relief? If drought prevails and no food is produced, one may be just as hungry in the country as he would be in the city.

The public knows who has control of the legislation on this floor. The housewife knows who must accept the responsibility for all legislation. The public has a keen eye on all legislation before us.

The majority must be held accountable if it is necessary to put a ceiling of 117 percent of parity on hogs and then take a subsidy from the United States Treasury as an extra gratuity. Do you know why this should be done?

The majority must assume the responsibility of explaining to the housewife how it can justify $10,000 to $75,000 subsidy checks to big corporation operators when the products are parity or above. The majority must assume the responsibility of the yearly $17,000 subsidy checks to Campbell and other big wheat operators, and must explain this to the housewife, with her continually shrinking purchasing power.

We are trying to pass a dozen bills in one. Millions of dollars could be saved if this legislation was approached in the light of available materials, priorities, and war needs. The lack of priorities and the shortage of farm labor will have more influence on food production than any other factor.

All legislation must be considered in the light of the all-out effort to produce food to win the war, and the sooner we use this pattern in our legislative efforts, the more will we be voting in conformity to the wishes of our people. Let us remember if we do not, others will replace us that will follow the will of the people. In the last tax bill you voted to tax the nipple on the baby's milk bottle. What can we expect from the new tax bill?

When this appropriation bill is recommitted it should include a provision to limit any subsidies to $300 which is sufficient to pay the taxes and insurance on any family-sized farm in America.

The reductions already voted for Farm Security low-income farm groups, will assuredly justify this reduction to $300 per farm for any of the large producers. In fairness, when this bill is recommitted it should include a provision to reduce the subsidies to the large operators.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Chairman, I am for cutting down ordinary expenses at this time and promoting in every possible way war production, but I do not believe the Congress of the United States should destroy the farm-security program that

has been inaugurated here for the benefit of the lowest-income group in this country and to whom the Nation is looking to do their part in the program for increased production of food that is such an essential part of our all-out effort to win the war and the peace after the war. Someone said here the other day that what the farmer needs is high prices and to be let alone; but, Mr. Chairman, there is a large group of the farming population that cannot be let alone and left to shift for themselves. I will not have time to go into it at length, but no one has ever been particularly interested in the general health of the low-income group in the farming population of this country until this administration took up the question. Last year a Nation-wide investigation and report on the health of the farm-security borrowers was made in 21 typical counties in 17 States, under the supervision of the United States Public Health Service.

These examinations were made in collaboration with the State universities, and by members of the medical staff, and with the assistance of local doctors, the expenses for which survey were paid by the F. S. A.

According to this investigation only 4 out of every 100 were in first-rate physical condition, with an average of 3½ defects for every man, woman, and child examined. Seven out of every 10 had decayed teeth; 85 percent of all white persons between 15 and 30 years had decayed permanent teeth. Fifty-five and three-tenths percent of all persons had defective tonsils; 41.6 percent of all wives had one or more injuries resulting from childbearing and inadequate medical care. Forty percent of the wives and 35 percent of the husbands had defective vision in both eyes. One out of every 12 husbands had some degree of hernia. One out of every 15 children was suffering from malnutrition, and 1 out of every 17 children had rickets, or showed aftereffects of rickets.

This is one thing that the rehabilitation program has been doing. It has sought to raise the average of the health of this group of low-income citizens of the Nation.

Mr. Chairman, agriculturally speaking, deeded land is the American ideal, and the cornerstone of the F. S. A. program is to promote and increase small farm ownership and the live-at-home program. Unfortunately, the statistics show that small farms are growing smaller, and large farms are growing larger. Small-owner operation is growing less, and day-labor operation is growing larger. Twenty-eight percent of our farm families in 1929 received less than $600 for all products. By 1939 that group increased to 47.6 percent. In 1929 only 6.6 percent of all farmers had an income of less than $250 annually. The 1940 census shows that this group has increased to 19.2 percent.

One of the problems that face the country in reference to agriculture is to increase the income of the small-farm owners in order that they may have their proper share of the Nation's income.

Mr. WOODRUM of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOODRUM of Virginia. Mr. Chairman, yesterday when the Chair made this list, certain gentlemen were on their feet asking for time. Apparently they are not here today. The effect of their names being on the list prevents other gentlemen who are here who are recognized, from speaking for more than a minute and a half. I am wondering if the Chair would consider a resurvey of the situation, so that the time of gentlemen who are not here may be assigned to those who are, which would give them time enough to express themselves. It seems to me if gentlemen are put down for time and do not come here to claim it, that that time should be assigned to those who are here.

The CHAIRMAN. The Chair cannot tell whether gentlemen are going to be here before the hour expires or not.

Mr. HARE. Mr. Chairman, may I present a parliamentary inquiry?

The CHAIRMAN. Certainly.

Mr. HARE. Referring to the statement of the gentleman from Virginia [Mr. WOODRUM], suppose, for example, I prefer to yield my time to the chairman of the Committee on Agriculture, am I in a position to do so?

The CHAIRMAN. The gentleman cannot yield his time, but he can yield the time back, and then the Chair can allot it.

Mr. HARE. Then I take this opportunity of yielding back my time, and asking that it be allotted to the chairman of the Committee on Agriculture.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, if I get through with this minute and a half, it will be 3 minutes that I have had on this bill which has now been before the House for 2 weeks. There is some misapprehension among a lot of people, who seem to think that I am a farmer. I am not. I am a lawyer—and a good one. I do not want to be branded as any boulevard farmer from the State of Illinois, either.

There are just two things that you can do about these 700,000 farmers. Many are living in my section of the country. You can either pay them $720, the average Government relief per family, and let the Government feed them, or you can let them attach themselves to land, and let them take care of themselves. War has nothing to do about this, except we should produce in every line, especially in producing food. From a business standpoint, the thing to do is to help those people help themselves. Where is the man in this Congress who is opposed to that kind of philosophy? Can we not all agree that every human being has the right to live, the right to eat? If he has, they are going to get something to eat in some way. When enough people get hungry enough, they will get enough to eat. It is easier to take care of these people by letting them take care of themselves. I submit in my extension complete and positive evidence of the success of the Farm Security Administration.

Mr. Chairman, a vicious attack has been made upon a Government agency that of all agencies is most justified in the North and Midwest sections of this country. Because of some practices that have been carried out by certain officials of the Farm Security Administration, many in this Congress seem willing to condemn the whole institution which was originally designed to put landless farmers on their feet.

Before we accept the statements of the opposition to this bill, let us find out what the evidence discloses. On page 189 of the second part of the hearings on the Agriculture Department appropriation bill for 1943, we find:

Mr. BALDWIN. Let me put it this way: The 96½ percent figures were as of June 30. As of December 31 the collection figure shows that 99 percent of all maturities had been paid.

Mr. TARVER. Only 1 percent delinquent?

Mr. BALDWIN. Only 1 percent delinquent. On top of this $5,205,000 has been collected on these loans; $925,000 has been collected as extra payments made in advance on these loans.

Mr. TARVER. Now of the total amounts due and the total amount paid, what percentage of the amounts due have been repaid?

Mr. BALDWIN. Ninety-nine percent.

Mr. TARVER. Not considering the borrowers who have overpaid their commitments, but taking them all together, 99 percent have paid up in full. But the total amount collected is well over 100 percent?

Mr. BALDWIN. The total amount collected would be above 120 percent.

Now, right at this point, I wish to say to the membership of this House that no agency of the Government can demonstrate more success and less liability on the part of the Government.

On page 206 of the above hearings, we find the following evidence:

Mr. TARVER. What is the total amount of repayments that have been returned to the Government, together with the total amount of interest paid?

Mr. BALDWIN. The total principal collections amount to $2,275,572. The total interest payments amount to $2,929,653.

Mr. TARVER. Making a total of approximately $5,000,000?

Mr. BALDWIN. $5,205,225. Then, in addition to that, extra payments of $925,312.

Mr. TARVER. That makes a total of around $6,000,000?

Mr. BALDWIN. $6,100,000 and a little bit over.

Mr. TARVER. That is on an investment of $117,000,000, because nothing has become due on any of the $50,000,000 you had for this year?

Mr. BALDWIN. That is right. On a good many of the other loans nothing has come due on them because in some cases families have not actually moved on their farms even though they paid for it maybe 4 or 5 months ago.

Mr. LEAVY. Your statement of the operations of this activity is an encouraging and refreshing one, though it affects very few farmers in my congressional district by reason of the procedure of distribution, and very few farmers on the whole in the State of Washington. But with the experience you have had to date in it and the results you have obtained, and several of those years have been

through depression years when agricultural crops have been making a low return, indicate that you have a program that has real promise to it. Now, I want to ask you this question: Have you been able to check the increasing trend toward farm tenancy in those years?

Mr. BALDWIN. The trend toward farm tenancy per se has been checked. But it has been checked in a most unfortunate manner. I would just like to give you some figures on that.

Mr. LEAVY. I wish you would discuss that.

Mr. BALDWIN. There has been a substantial increase in landless farm people. There are 6,096,000 farmers in the United States. Nearly one-third of all farm families have as their major crop food produced for home use. In other words, approximately 2,000,000 farms qualify as subsistence farms.

On page 208 of the hearings, Mr. Baldwin says:

The thing that has been happening is that more and more farm families are being forced into a day-labor status. They are not tenants. They are not sharecroppers. They haven't any hold at all on the land now except whatever hold they have as farm laborers, which is not very substantial.

Mr. Baldwin further states:

Estimated number of farms changing ownership as a result of foreclosures, assignments, or other conditions of credit distress, during 12 months ended March 15, 1941, in the United States is 575,000.

On page 210 of the hearings, we find the following evidence:

Mr. LEAVY. But in your justifications you state for the past 50 years the income of the farmer has been out of balance with the income of other groups in our economy.

Mr. BALDWIN. Yes, sir.

Mr. LEAVY. And that the farm population, representing about one-fourth of the total population, has an income of only about one-tenth of the national income. Now, for what period of time is that taken?

Mr. BALDWIN. That is for the 10-year period.

I cannot understand why the Farm Bureau Federation is fighting this section of the bill. I should think they would be more than satisfied and even enthusiastic about putting landless farmers back on the soil where they can make a living for themselves and their families. There must be some ulterior motive actuating this attitude on the part of the Farm Bureau Federation. If that were not true, then their President, Mr. O'Neill, would not work so viciously to destroy this section of the bill.

On page 710 of the hearings, the Honorable Claude E. Wickard, Secretary of Agriculture, makes the following statement:

The Farm Bureau states that Farm Security Administration is burdening farmers with debts beyond their ability to pay. The best answer to this charge is the repayment record of Farm Security Administration clients. Of more than $600,000,000 loaned $254,000,000 has been repaid, even though most loans run for 5 years.

Quoting the Secretary again:

I am startled by the statement that Farm Security Administration has made flagrant attempts to build up pressure groups to maintain congressional appropriations. I have forbidden all employees of this Department to engage in work of organizing nongovernmental agencies or groups or in membership campaigns for such organizations.

In contrast to this position of the Department stands the close public-private relationship between the American Farm Bureau Federation and the Extension Service. In some States Federal grant-in-aid funds are used to pay part of the salaries of jointly employed Farm Bureau county-extension agents.

Finally, the Farm Bureau states that the Farm Security Administration rigidly controls the farming plans of its clients and that it destroys the client's initiative and self-respect. This is a surprising statement. Where is the self-respect of people whose average gross income before assistance from the Farm Security Administration (for a family of five) was about $700 per family, of which $480 was left for the family to live on after paying expenses; whose children are ill-fed, ill-housed, and ill-clothed; whose children often lack elementary schooling and have seldom seen a doctor, even during periods of severe illness? Is their self-respect destroyed or improved when they find their efficiency increasing and their gross income up 41 percent; when they find they have 35 percent more for family living; when the value of products produced for use in the home is up 62 percent; when their children obtain medical attention and schooling; when they organize cooperatives for buying and selling, and, in many cases for the first time, take part in community activities?

Mr. Chairman, it seems to me that the attack by the Farm Bureau Federation has been amply answered and in that answer the design and purpose of the Farm Bureau Federation is brought to light in the following language of the Secretary of Agriculture:

In some States Federal grant-in-aid funds are used to pay part of the salaries of jointly employed Farm Bureau county-extension agents.

In other words, the Farm Bureau Federation has "an ax to grind" in its vicious attack upon this bill; they want to extend and increase their own organization through the county-agent system to their own advantage and use Government funds to perpetuate themselves.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, in view of the fact that all time has not been used, I ask unanimous consent to proceed for 5 minutes.

The CHAIRMAN. The Chair cannot entertain a request of that kind. The time has been fixed by the committee.

Mr. WHITE. Mr. Chairman, in the first place, the money advanced by the Farm Security Administration is reimbursable—that when this money is advanced to these people they agree to pay it back and will. The record of the Farm Security Administration in the State of Idaho is all to the good, and the record of the Farm Security Administration in taking people off relief and putting them on the land where they may become self-supporting in Idaho is all to the good. When our great apple-growing industry was ruined by a disastrous freeze, when the banks and all the farmers were loaded with obligations which they could not meet, it was the Farm Security Administration that stepped into the breach and by making loans saved the great apple-growing industry of southern Idaho. If we had not had such an organization we would have lost an industry that had been built up with years of labor. If this was an appropriation for the R. F. C., we would pass it very quickly by 100 percent, but here we are trying to deprive the poorest lot of people of an opportunity to help themselves. Let us continue to help them go into the stump land of the West, let us make the necessary advances to these farm families, and let them do as our forefathers did—dig their living out of the ground and become self-supporting and go forward in the work of building homes and communities, and a successful agriculture. This is a great movement—one of the greatest things undertaken by the Government.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

The Chair recognizes the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I take this time to ask the author of the amendment if by cutting $25,000,000 off the $50,000,000 that would affect any of the rehabilitation loans and grants to farmers?

Mr. DIRKSEN. Will the gentleman indulge me long enough to answer that completely?

Mr. STEFAN. Yes.

Mr. DIRKSEN. It would be rather interesting if a great many people would first inform themselves before they go into the Well to talk about this matter. This is administrative money. This involves mileage. This involves nineteen thousand on the pay roll. This is not concerned with loans whatever.

Mr. STEFAN. How about the farm debt adjustment and rural rehabilitation?

Mr. DIRKSEN. That is involved. Those are all personal services, $50,000,000 worth, including mileage.

Mr. STEFAN. I have a lot of farmers who are willing to cut some of these unnecessary administrative expenses. We should know just what we are doing here.

Mr. DIRKSEN. That is what this is. The loans come in the next paragraph.

Mr. STEFAN. We should not cut this item right in half without knowing just what items in the farm rehabilitation program will be affected. I am informed that by cutting this item in half we will have to eliminate or cut down much of the rural rehabilitation work; grants to needy farmers; farm-debt adjustment and servicing of the loans. I have gone along on some cuts which I felt were justified. But I do not want to destroy the entire program. The committee brought this bill out with a figure which was over $500,000,000 less than the figure of last year. That was a pretty good cut in a farm appropriation bill. Up to this time about a hundred million dollars more have been cut out of the bill. There are limitations here which will prohibit anything like collective farm operations. There are many other safeguards.

The reductions in this bill are heavier than in some other appropriation bills we have had thus far. It is a bill making annual appropriations for the entire Department of Agriculture. I am sure most of the farmers in my district will agree that some of these cuts are justified. But I am sure that they do not want to destroy all of the program.

I feel that I know what our farmers want today. They agree with us that all unnecessary expenditures should be eliminated. They want nondefense expenditures cut. They are opposed to unnecessary travel, administrative expense, and too many officials, but they are not opposed to useful and helpful activity which will aid in fitting the farmer into the war program. The farmers in my State are among the most patriotic Americans in our country. They are not complacent. They want efficiency and economy in the distribution of Federal funds. They want the frills and nonessentials eliminated.

What our farmers need today is a good hired man or two who will actually work so that the farm can produce the things our Government says we need for our armed forces and also that we can feed our civilians and the millions in foreign lands who are looking to the American farmer for help.

I have heard very little complaint against this particular item. I have heard complaints against some useless administrative activities and the committee can cut this item to some extent. But a deliberate cut like this, in my opinion, is a little too drastic.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the committee itself has placed restrictions in this bill with regard to certain activities of this administration that have been objected to heretofore. Those matters are already taken care of.

This is the only part of this farm program that applies to the really poor farmers who cannot in the nature of the case increase their production in the way they are being asked to do under the food-for-freedom program unless they get assistance in this program. This poorest group of farmers are being counted on to produce 35 percent of the additional pork needed, 40 percent of the eggs, 50 percent of the tomatoes, and so on. They are part and parcel of the food-for-freedom program.

The gentleman contends that his amendment applies only to administrative expenses. But I read from the Appropriations Committee's own breakdown of this item. All of the $10,000,000 for grants is included in this $50,000,000 item. Not one cent of that $10,000,000 is for administration. It is all for helping these poor farmers and their families in cases of outright and absolute distress. Seventy million dollars for loans is in another item, that is true, but all the grant money is here.

How does the gentleman expect this agency to make loans unless they service them? How does he expect the loans to be repaid unless they are serviced? So far the Farm Security Administration has made loans in a total amount of $560,000,000 to some 738,000 poor farm families. It costs about $40 per borrower per year to service these loans. For my part, I think that is a very important part of this program. Without the improved working of the farms, the loans themselves are not likely to yield any of the beneficial results which otherwise they can yield.

The whole amount of money for the agricultural labor camps is involved in this item also. This item is not all administrative expense—not by any means. Those camps are for the people who lose out at trying to farm in some of the sections represented by other members and come to my country. For my part, I want them to at least have a floor to pitch their tent on and a place where they can wash their clothes when they get there. It is true that a portion of this money is for administration. By no means all of it is. The effect of the amendment will be to hamstring the constructive program of helping one-crop poor farm families to plant other crops, grow gardens, raise a little livestock, and really get on their feet.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, I find myself in this situation today: I would like to vote for a reduction of these administrative expenses. I think they should be reduced, but I do not believe the committee should support this 50-percent reduction. It goes too far. The Farm Security Administration has rendered real service to hundreds of thousands of low-income farmers in practically every State in the Union. It has been especially helpful in Kansas where we have had severe crop failures the last few years. It has taken a group of farmers that were unable to secure financial assistance from local banking institutions and rehabilitated them. During the past few days I have had a large number of telegrams and letters from leading bankers in the Sixth District asking me to support the appropriation for the continuance of Farm Security. One banker advised me there were 150 farm families in his county that could not be financed except for this agency. It is my thought that it is much better to continue the rehabilitation-loan program of the Farm Security Administration and provide assistance for these farmers than force them off the farms on the W. P. A. or some other relief agency. The Farm Security Administration is like every other Federal agency. They started out with the laudable purpose of rehabilitating farm families and working out a debt-adjustment program among the low-income farm group. They are now carrying on many valid activities that are not related to the rehabilitation of farm families. It is my thought that reductions can and should be made in these categories. The Sixth Congressional District is served by the regional offices in Lincoln, Nebr., and Amarillo, Tex. In my opinion these regional offices have handled the administration of this program in a very excellent way. During the past few years I have had few complaints in regard to their administration. They no doubt have made mistakes. At a time when our citizens are demanding reductions in expenditures, I am certain they will further eliminate waste and extravagance. Let us reduce the administrative costs of this agency, but let us not in any way interfere with the loans to the individual farm families.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, a strong case is being made against the appropriation of $50,000,000 for administrative expenses. Let me point out that $50,000,000 is not contained in this item for administrative expenses alone. Other items are involved. For instance you have the cost of the supervision of migratory camps. You have millions set aside for grants, a necessary part of the Farm Security program. When these items are taken from the $50,000,000 you have approximately thirty-two or thirty-three millions for administrative expenses. Funds for administrative expenses thus are more than one-third lower than is indicated by the language of the bill. Now, it is also very important that we realize that the money available for administrative expenses is not being used just for the supervision of $70,000,000 of rehabilitation loans, as has been stated and for no other purposes. It is also being used for the continuing supervision of approximately $400,000,000 of long-time rehabilitation loans. These loans were made in previous years for periods up to 5 years. In many cases no additional money is to be loaned to these people this year, but the supervision must continue to insure most advantageous use of funds and greatest benefit to borrowers.

Please do not forget that supervision is still required for approximately $212,000,000 in old tenant purchase loans, and for $140,000,000 in old resettlement projects inherited by the Farm Security Administration. In addition there is the item of supervision of 65 migratory labor camps now in operation and some 40 new ones under construction. All told, you have supervision of approximately $900,000,000 of Federal money, money belonging to the people of the United States which has been advanced on this program. Not $70,000,000, as the proponents of the amendment insist, but $900,000,000, affecting half a million deserving farm families. This great investment in the future security of our Nation is too important to be jeopardized by unjustifiable cuts.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, in the 1940 fiscal year the Farm Security Administration made rehabilitation loans to 299,000 families, and it had loans outstanding to 668,902 families on January 1, 1940. Source: F. S. A. annual report, 1940; and Agricultural Statistics, 1941, United States Department of Agriculture. The F. S. A. now has approximately 759,000 rehabilitation loans outstanding. Testimony of F. S. A. Administrator Baldwin, page 965, transcript of hearings, February 13, 1942, Joint Congressional Committee on Reduction of Nonessential Federal Expenditures.

In 1943, with greatly improved farm income, the number of clients needing assistance will probably be much smaller.

Nevertheless, the 1943 Budget provides a great increase in the number of permanent field employees and in the expenditures for field personnel above the amount expended in 1940.

The 1943 Budget allows a total of 13,821 permanent field employees at a cost of $24,070,064, compared to 9,686 permanent field employees at a cost of $14,043,740 in the year 1940. Thus, the Budget for 1943 allows 43 percent more permanent field employees and 71 percent more expenditures for this purpose than in 1940, yet the total number of clients to be served in 1943 should be very much reduced below 1940, if assistance is restricted to legitimate need.

The general overhead costs of administration are likewise allowed a larger amount in 1943 than in 1940, although the increase here is much smaller.

The 1943 Budget allows a total of $18,705,623 for the farm and home management services of F. S. A., compared to a total of $11,871,196 for this purpose in 1940—an increase of aproximately 60 percent in the expenditures for this purpose, when the number of clients should be smaller.

Similarly, the 1943 Budget allows a total of $12,533,204 for expenditures for investigations of applications, and making, collecting, and servicing loans and grants, whereas the total expenditures for this purpose in 1940 amounted to $7,431,543—an increase of about 66 percent in 1943 above 1940.

Despite the greatly improved situation with respect to farm prices and farm income, the 1943 Budget allows a total of $1,796,580 for debt adjustment activities, compared to a total of $1,902,953 expended for this purpose in 1940. Here again most of this money is expended for field personnel. Of the total amount allowed for this purpose in the 1943 Budget, $1,385,365 is to be expended for 640 field employees and $237,000 for temporary field employees—included in foregoing total.

In the fiscal year 1940 the F. S. A. had 1,077 employees in its Washington office, 3,497 employees in its 12 regional offices, 437 employees in its 42 State offices, 554 employees in its 222 district offices within the States, and 8,825 employees in its 2,097 county offices. These employees were engaged in the rural rehabilitation program and does not represent a complete roster of employees.

The 1943 Budget allows a total of 19,448 permanent field employees, at a cost of $34,131,375, compared to 14,586 permanent field employees in 1940 at a cost of $22,119,347.

The total expenses for personal services, travel, and all other purposes except loans and grants, which are allowed in the 1943 Budget, amount to $44,346,282.

It is significant to compare these costs and the number of personnel required to carry out the F. S. A. rural rehabilitation program with the cost and number of personnel required by the Farm Credit Administration to carry out its program of crop and feed loans. Both of these types of loans are made to low-income families which cannot obtain credit elsewhere, yet the total cost of administration of crop and feed loans totals only about $3,500,000 and requires only about 1,200 employees.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. WICKERSHAM]

Mr. WICKERSHAM. Mr. Chairman, with reference to supervision in Oklahoma the Farm Security Administration has only 409 employees. That is not very many for the 86,000 clients in Oklahoma besides the 900 that come under the operation of the Bankhead-Jones Act. These 409 are a very patriotic group of employees—as are the 86,000 clients. Everyone of these 409 employees, unlike most organizations have bought Defense bonds to the extent of 15 percent of their salaries.

I believe we should cut some nondefense and nonessential spending from all appropriations, but I tell you that there are more nondefense items in some of these so-called defense appropriations than any other place. I will tell you something the people want cut: They desire to cut out these strikes; they want to suspend the 40-hour law during the emergency and extend the working hours in defense industries to the extent that plants will operate continually with three shifts of men. They rightfully feel that other laborers desiring to work may be permitted to do so without having to pay a high tribute to labor leaders.

I hold in my arms telegrams and letters received during the last 2 days containing over 5,000 signatures of people who want to cut out these strikes. We have passed a bill exactly 100 days ago that will do that, and have laid that bill on the doorstep of the Senate. It is up to the Senate now. I do not place the blame on our two Oklahoma Senators. I understand they have been urging consideration of same.

I am for a program of reduced expenditures, but why start at this late date on the farmer only right now? Why do we not cut out $34,000,000 for the building across the creek? Why do we not cut out the $70,000,000 for building defense houses here in Washington when there would have been no need of additional defense housing if the defense program had been fully decentralized, placing more of these defense industries out in the various States, especially the Southwest?

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, there is one test I think we should apply to all proposals for appropriation of money: Is this appropriation essential to the defense program of this Nation? If it is not essential to the defense program, we ought to vote against it and deny it. I notice that 140 pages of the hearings have been devoted to this section of the bill. Before any Member of this House votes against the Dirksen amendment I commend to him a reading of the statement by Mr. O'Neal, of the American Farm Bureau, on page 618 of the hearings, in which he states among other things the following:

We have had so many complaints of waste, extravagance, and abuses in the administration of the Farm Security Administration programs that we felt it advisable to have a preliminary investigation made. While we did not have the time nor the facilities to make a complete investigation, the preliminary findings indicate some startling and shocking conditions of waste, extravagance, and indefensible practices in the administration of these programs, including:

1. Assignment of quotas of the number of clients to be secured in counties in order to expend funds appropriated by Congress and to maintain personnel employed by the agency.

2. Widespread solicitation of clients in order to meet quotas.

3. Burdening of clients with excessive loans beyond their ability ever to repay, resulting in a complete loss of hope and in break-down of morale.

4. Establishment of impractical collective-farming projects.

5. The policy of making grant payments from Federal emergency relief funds, for which the Farm Security appears to be a certifying agency, as a means of enabling clients to repay loans rather than using such funds to relieve destitution, and in this way substituting funds intended for direct relief to repay loans which have become delinquent.

6. Use of numerous devices, such as the substitution of grant payments, renewal notes, and the 5-year and 10-year variable payment plans as a means of showing that loans have been collected when actually little or no collections have been made; or in many cases showing loans fully paid where the indebtedness of the borrowers has actually been increased.

7. Flagrant attempts to build up pressure groups to maintain congressional appropriations and local political and community support through various devices and practices.

8. Instances of refusal to accept payment of indebtedness in full or to make full reimbursement of overpayments evidently for the purpose of maintaining governmental control over the individual; and

9. Right control of business and farming plans of the clients, amounting to complete regimentation, and in this way destroying the initiative and self-respect of the clients.

The American Farm Bureau is one of the great farmers' organizations of the country. The statement I have quoted is the voice of the farmers themselves, speaking and expressing their views against the waste and indefensible practices of the Farm Security Administration.

Think of it! Taking relief money belonging to the Government, voted by Congress for help to those in need, and giving it to those who borrowed money from the Government in order that they may pay back such loans to the Government. That practice is indefensible and senseless. The policy of holding out grants, loans, and subsidies is making beggars out of the American people. They must ask Washington for everything and anything. Their morale and independence is being destroyed and their republican form of government will be destroyed by it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Chairman, I ask unanimous consent that my amendment may be read for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read the amendment for information.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FULMER: On page 83, lines 1 and 2, strike out the words "and (6) projects involving construction and operation of migratory labor camps."

Mr. FULMER. Mr. Chairman, this morning's paper contains headlines to the effect that General Hershey has said:

Now is the time to mobilize every citizen of this country to engage in some part of this defense program in order that we might be able to win this war.

I cannot get through my mind the common sense of voting yesterday to take out millions which will perhaps drive farmers away from the farms, then spending millions to build camps to induce people to migrate and go there at the expense of the taxpayers and the Treasury of the United States. This is no time for the building of migratory camps and inducing labor to sit down at the expense of the Government. There are plenty of places on the farm today for people who want to work. One of the serious problems of our farmers is the labor shortage. These people can find work regardless of what section of the country they are from or where they are located at this time.

If my amendment is agreed to, you will save several millions which may go back to the farmers that we are trying to help and to those people who work and not for those who might be delighted to have the Government build beautiful camps, entertain and feed them at the expense of the taxpayers.

I hope my amendment will be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I cannot cover my subject in a minute and a half. I am sorry.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MONRONEY]

Mr. MONRONEY. Mr. Chairman, I ask unanimous consent that an amendment I will offer be read for information.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. MONRONEY]?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 83, line 3, strike out "$50,319,557" and insert "$47,088,693."

Mr. MONRONEY. Mr. Chairman, because no one can tell what the situation will be after the vote on the Dirksen amendment, I will offer the customary travel amendment to reduce by about three and a half million dollars this fund for travel. So that the House may know my feelings, may I say that my State receives more good from the Farm Security Administration than from all the other activities of the Department of Agriculture combined. I cannot possibly agree to cut as deeply as the amendment offered by the gentleman from Illinois [Mr. DIRKSEN] seeks to do, because you will be taking out of the hides of those who can least afford it services that are helpful in rehabilitating them and making them self-sustaining families.

If someone will offer an amendment to cut it a less amount, 10 to 15 percent, I will support the amendment. The fact remains, Mr. Chairman, that if these amendments are voted down the Members should still vote for my amendment. I am trying to perform by my amendment an operation with a surgeon's knife rather than with a meat ax. The purpose of the Farm Security Administration is not to pile up six and a half million dollars in travel expenses. Most of their work in my State is commendable. The travel account budget for this year is a half-million dollars more than for the year 1941, yet the farmers today are better off than they were in 1941.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

Mr. PLUMLEY. Mr. Chairman, after the dust settles it will appear that a lot of people have been talking about something about which they know little and concerning others than the amendment before us.

We are not proposing to take one cent away from that class to which weeping reference has been made. We are trying to limit a lot of things that ought to help these very people and ought to be limited.

This takes off the road a lot of people who ought to be at work on the farms. It is an attempt to put a stop to unjustified, wasteful expenditure of the taxpayers' money uselessly. That is the truth. Let us curtail where we can without hurting anybody, and to help a lot of people, and stop fighting windmills. Nobody is fooled who has read the hearings, which, obviously, too few have done and as evidenced by their discussion of the question before us just now.

My position with respect to the matter, discussing it generally, yet reducing it to the reason why this amendment should be adopted is found in what I have said before in the committee and on the floor, namely:

FARM SECURITY ADMINISTRATION

I am not so overwhelmed with the forest that I cannot see the trees, nor see "through a hole in a ladder." I see something in the Farm Security Administration payment of poll taxes to allow a person to vote which might, if carried to its ultimate, wreck the country. I am against it. It is playing politics in a most corruptible manner to attempt to link voting requirements with agricultural programs sponsored by the Government. It is not funny, smart, nor to be minimized, so far as its possibilities for the corruption of the electorate and the destruction of orderly government are involved.

I agree wholeheartedly with the editorial writer of the Washington Star, who said:

"Like so many other developments in Washington, the controversy as to whether the Farm Security Administration should make loans for the payment of poll taxes is significant chiefly as a symptom of a state of mind."

Last Tuesday the President said he disapproved the use of Farm Security Administration funds to pay poll taxes. I agree. On Friday he changed this statement, declaring the premise on which his original statement was based had been erroneously presented. The Farm Security Administration plan, he said, consists of a household budget loan which includes funds for paying poll taxes.

Thus the President made a distinction. He would disapprove direct payment of poll taxes with Farm Security Administration funds; he does not disapprove the lending of these funds for payment of poll taxes along with a variety of household items.

This looks suspiciously like a distinction without a difference, especially in view of the fact that some 20 percent of Farm Security Administration loans are reported to be in arrears. It is one thing to lend impoverished farmers public funds for seed, stock, equipment, and similar purposes, but it is quite a different matter to use money paid in taxes by one citizen to enable some other citizen to pay his poll tax and vote, even though it be assumed that there is not the slightest intention to influence the political preference of the recipient of the loan.

To the President, who says he has always been opposed to poll taxes anyhow (why?), there may be a pronounced and obvious difference between the direct and indirect use of public funds to pay these levies. But it is a distinction which will not be so readily apparent to the taxpayers, who must foot the bill for the type of governmental activity of which this is a sample.

We can well afford to forget social gains just now. We cannot go on as usual. We will be lucky to limp along until we can walk.

So, as Congress realizes, and as the people must now more than ever, it is true that there is not a day, not an hour, to be lost. It is no exaggeration to say that our one real hope of victory lies in convincing the complacent American that he must plunge into the fight on the home front with everything that he has—not tomorrow or next week, but today.

Let us strip all these discussions of those nonessentials and obscurations to which the President has referred facetiously. The amendment is justified. It should be adopted, and a lot of people would vote for it if they would read the hearings before they follow off hog wild somebody less informed than they are themselves.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have no desire to prolong this debate unduly but merely wish to remind the Members of Congress that in dealing with this particular item Members are dealing with some of the poorest people on earth. You are dealing here with landless and impoverished little farmers who are unable to help themselves.

Let me ask that Members bear in mind that 768,000 actual dirt farmers have been rehabilitated under the provisions of this act and despite the castigation that the Farm Security Administration has received here this week from some Members of Congress, let me remind Members that an overwhelming majority of those farmers have made good, have been able to remain on the farm, and improve by a marked degree their financial condition. Despite the ridicule, sarcasm, and unfair and extremely uncomplimentary remarks that have been made

in and out of Congress, the splendid record of that organization with reference to this important item speaks for itself.

Mr. Chairman, it is one thing to stand up here and talk facetiously and even sarcastically about the Farm Security Administration, comparing it to rural fan dancing, but it is entirely another thing to know that should the amendment of the gentleman from Illinois prevail it will react against thousands of honest, hard-working citizens who through no fault of their own will be forced from the farms of the country. This particular item, let me say, has been cut drastically, first by the Budget and later by the committee. I want to make it plain that I do not wish this Congress to appropriate $1 more than is absolutely essential, but I do feel that the committee has gone pretty far in reducing this item and that it would be poor economy to pass the pending amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I am glad to hear the gentleman from Oklahoma say that the farmers were in bad shape but today they are making good. That is what some of us thought.

Seriously, Mr. Chairman, this is one of the items referred to by the distinguished chairman of the Appropriations Committee yesterday, Mr. CANNON, as being in the category that could be drastically curtailed without actually hurting the farmer. This has to do with administrative expenses, it has to do with travel and supervisors. It takes the supervisors off the road and turns them loose for constructive, useful, needed war work.

Mr. Chairman, it has gotten to the point when the F. S. A. in some localities have to advertise to get people to come and take this money. I have here an advertisement from the Cass Lake Times of Walker, Minn., as follows:

Money for farmers.

This by Erland Johnson, F. S. A. office, Walker, Minn.

I have another letter by a county agent, on the stationery of the Department of Agriculture, dated January 12, 1942. Listen to this:

The Federal Government has made available to farmers in Crawford County, a sum of money ranging from $45 to $75 per family. There are no strings or any obligations whatever to the money. It is a free gift to be used for purchasing the necessities of farm families.

January 17 will be the last day to make application so see one of the following and get an application blank, fill out and file before January 17, 1942.

It then shows the places where application blanks may be secured, and there is attached an application for rehabilitation, United States Department of Agriculture, Farm Security Administration.

Mr. Chairman, let us cut these things where they can be cut and curtail these administrative expenses and, as the gentleman from Missouri said, keep in the bill those things that have been kept there which affect the price of the farmer's product and his market, things that really mean something.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, this is a delicate surgical operation and no place for a butcher's meat ax. I was in favor of cutting out all of the appropriation for borrowing money at this time to lend to farm tenants, who are the cream of each community. Did you ever try to settle a tenant on a farm and make a landowner of him? I have. The very best man in the community is the selected tenant. He can get his money anywhere. He gets Government money because it costs only 3 percent and the Government conditions are right. I would have cut out all of that $45,000,000 had a few more of you voted with me.

This is another matter, however. This money is for the downtrodden, who must assert that they cannot get money or credit anywhere else. Such an applicant cannot go to the Crop Production Board, he cannot go to the banks, he cannot go anywhere and get financial help. There are three-quarters of a million of such people. Here is where the money ought to be left in this bill. We should not go in here with a meat ax and chop this off. You would destroy the hope and opportunity for hundreds and thousands who cannot get help elsewhere.

Our chairman of the Agricultural Committee does not understand the migratory labor camps of the West or he would not have offered his amendment; I know him too well. Our migratory camps have been a great success. They are an absolute necessity. It would be entirely unfair to compel any State to maintain these camps for people moving between the States for seasonal labor. We have had good administration of camps in the Northwest.

The F. S. A. loans in Oregon are important because we have many small farmers in irrigation districts which cannot come under the Farm Credit Administration. The total in our States is $6,894,599, lent to 5,753 borrowers. Collections to date are 86.4 percent of maturities and will improve as agricultural prices are stabilized. One thousand seven hundred and thirty-five are entirely paid up, to the amount of $3,512,984. In Malheur County, an irrigated section in my district, the F. S. A. has been a lifesaver and its clients have come from the four corners of this country. There have been 826 loans totaling $874,260. Collections on the principal, so far, have been $402,028.

Mr. Chairman, I am opposed to this cut.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, first, to win this war we want production not only in industry but on the farm lands. You are not going to get production on the farms unless you have farmers produce. That is No. 1.

Second, the people this bill is designed to help cannot get a dime from a bank. As you know, the banks have been hamstrung by the Federal Government until they cannot make a loan upon anything that is not liquid, that they cannot put on the market and get the money out of. These poor people cannot go any place else except to you, to the Congress, for relief. In the name of economy, are you going to deny these people, the poor people of my State and of every State in the Union, a chance to make a living? That is what we would be doing to adopt this amendment. Now, unless we rehabilitate them and give them something to work with, we will have to feed them anyhow. We have not reached a point yet where people will starve in this country. I might add their repayment record is good in my State.

Let us not reach the point where we put the dollar above humanity. That is the question. I say to my distinguished friend from Virginia, whom we all love and respect and admire for his great ability and economy stand, that his views on this amendment are contrary to the best interests of the country.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. GEHRMANN].

Mr. GEHRMANN. Mr. Chairman, in the short time I have I cannot say very much, but certainly I want to agree with the last two speakers that this is not the place to take it out on the poorest of the poor farmers, the poor fellows who are down there trying not only to make a living but to save their homes and gain self-respect for themselves and their families.

We talk about travel expense. Maybe it is too much, I do not know, but I am sure that every department in our Government, from the largest to the smallest, could cut out a lot of travel expense. Yet you are dealing with a different class of people here. The majority of these are county supervisors and do not travel in Pullman cars. They travel on dirt roads, in snow banks, and in mud—that is where most of these distressed farmers live. That is where they travel, and that is where they have to go to serve these needy farmers; that is the kind of people they have to see. They have to inspect the farms to see whether or not they can make a loan. They have to see that these loans are repaid, and assist these people and advise them, ask them to keep books and see that the books are kept, and put these farmers on a business basis. Ninety-nine percent of them have made good. They had lost all opportunity; they had even lost all hope that they would ever be self-respecting again, and now they have regained that hope. Do not take it away from them. Leave them there and assist others to do likewise. These farmers are the finest examples of Americanism. They set an example to others to adopt better business methods.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. GEHRMANN. I yield to the gentleman from Alabama.

Mr. SPARKMAN. Is it not true that these field workers are the lowest-paid Government workers?

Mr. GEHRMANN. Most of them are working for from $1,400 to $1,800. They do not even get enough mileage allowance to pay their actual travel expense.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I understand that the committee in writing this bill made due and appropriate cuts and economies such as the war demands. I am leaving it to their discrimination. I favor economy, too, where it can properly be made, but not at this point touching the poorest farm families.

I come from a State which lies on the highways of this country, across which came many refugees from the Dust Bowl seeking new homes farther west. I know that the Farm Security Administration has more than paid for itself in taking care of those refugees, the very poorest of our migratory farm population. Three useful migratory farm labor camps have been provided in Arizona which have been havens of refuge for many hundreds of these migratory families who had not where to lay their heads. Several worthy projects of a more permanent kind have salvaged much of human value among the destitute migratory farm class and restored self-respect and new hope to hundreds of families who were down and out, and in the very depths of despair.

Do not hamper this still very necessary program, for I tell you the war condition of today has not put an end to the situation that confronted us during the depression and which caused this distress. We must continue even during this war period to look after these families as the circumstances may require. I am not in favor of carrying on good Samaritan work only when remedial measures should be carried on. But if we cannot remedy an evil situation at its source, as we ought to do as statesmen, then let us not foreclose the good Samaritan work to alleviate some of the effects of that evil. Caring for the poor must be continued until we remedy the poverty which exists among our farm population. I prefer to prevent farm poverty rather than to apply charity in treating it, but to continue both so long as the need exists.

I am opposed to the Dirksen amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman——

Mr. HOOK. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. Is there not a rule that a person cannot talk twice on the same amendment?

The CHAIRMAN. A gentleman can talk in opposition to the pro forma amendment.

Mr. HOOK. Is one Member allowed to talk twice on the same amendment?

The CHAIRMAN. The gentleman is talking on the pro forma amendment, I may say to the gentleman.

Mr. WHITE. Mr. Chairman, I make the point of order that the gentleman is out of order in addressing the House twice on one amendment.

The CHAIRMAN. The Chair has just ruled on that point.

Mr. DIRKSEN. The gentleman from Illinois knows quite well what is in this bill and how this $50,000,000 will be expended.

Mr. HOOK. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. As I understand it, the gentleman is speaking to the pro forma amendment, which is the last word, and I make the point of order that the gentleman is not speaking to that pro forma amendment.

The CHAIRMAN. The gentleman has not spoken yet.

Mr. HOOK. Evidently he has.

The CHAIRMAN. The gentleman from Illinois will proceed in order.

Mr. DIRKSEN. The gentleman from Illinois knows what is in this bill and he does not have to sustain his case by referring to anybody as a boulevard farmer. The justification is before me. There is in this proposal $7,000,000 for mileage, roughly. There are salaries for more than 7,000 people who are going to visit throughout the country.

Mr. HOOK. A point of order, Mr. Chairman. The gentleman is not proceeding to talk on the pro forma amendment.

The CHAIRMAN. What is the pro forma amendment?

Mr. HOOK. Striking out the last word.

The CHAIRMAN. What is the last word? The point is overruled.

Mr. HOOK. The last word is "binding."

The CHAIRMAN. The gentleman from Illinois will proceed in order.

Mr. DIRKSEN. Mr. Chairman, there is $18,500,000 to maintain 2,252 county offices and 273 area offices; for the payment of 2,755 fine ladies to go out and see the farm homes in the country and for the payment of 4,327 county farm supervisors, when we have 7,000 doing the identic kind of work under the Extension Service for which we appropriate in this same bill.

I read from the justification that there is $12,400,000 for servicing loans and grants. That is something for personnel.

There is $1,750,000 for debt adjustment, and that is for personnel.

There is $9,800,000 for grants, and if the amendment is adopted there will still be money enough for grants and personal services.

There is $2,700,000 to maintain the migratory camps of which the gentleman from South Carolina, Judge FULMER, talked just a moment ago, and only a small amount for construction. It includes $149,000 in mileage for those who are supervising the migrant camps in the bill. That is what is pending now.

The chairman of the full committee, the gentleman from Missouri [Mr. CANNON] stood on the floor here yesterday and said this was a cut by which we could make some saving and some economy. He has been the chairman of this subcommittee for years, he lives on a farm, he knows the farm problems, and you do not have to have any authority from me. You can take it from him as to whether or not we can safely cut $25,000,000 out of this bill at the present time in the interest of the Treasury.

Mr. Chairman, it is not necessary for me to say anything more. I think the whole case has been made, and I reiterate to you that for the most part this is money for personal services plus $9,000,000 for grants, but when the amendment is adopted they can still function and still have on the pay roll a number of employees that would make up a triangular division in the United States Army.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Georgia, for the remainder of the time.

Mr. TARVER. Mr. Chairman, there are so many angles to this question that it will be impossible for me to make reference to all of them in the brief time I shall have to discuss the matter. I do wish to point out this fact, since so much has been said in an effort to stress the opposition of the chairman of the full committee, the gentleman from Missouri [Mr. CANNON], and in doing so, I do it without any sort of reflection upon him. But, Mr. Chairman, the chairman of the Appropriations Committee did not attend the hearings of the subcommittee in regard to the Farm Security Administration. He was present during our hearings, as I recollect, only during the evidence of Mr. Secretary Wickard, and the evidence of the Farm Bureau Organization. Mr. CANNON did not help to write this bill. If he entertains the opinion that this appropriation ought to have been cut more drastically than the committee cut it, he should have come into the committee, being a member of the subcommittee, in my judgment, and have offered his amendment in the committee. The gentleman from Illinois [Mr. DIRKSEN] did not offer in the subcommittee an amendment to cut the amount of this appropriation half in two. He did not offer such an amendment.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. CANNON of Missouri. While I appreciate the reference of the gentleman from Georgia, it should be remembered that during the time to which the gentleman refers I was engaged in hearings on defense bills, but had conducted the hearings on the agricultural appropriation bill for many years and this year read in full the printed report of the hearings and also had the advantage of the hearings of the Joint Committee on Reduction of Nonessential Federal Expenditures on this item. If there has been any error in my statements on the subject they should be pointed out.

Mr. TARVER. Mr. Chairman, I decline to yield further. I said that I

attach no blame to the chairman of the committee for not being present and attending the hearings, but since the chairman of the full committee, because of other duties, was prevented from attending and participating in the activities of the subcommittee, I doubt whether he is justified in assuming that the House ought to rely on his judgment as to what the necessary requirements of this organization may be, rather than upon the judgment of gentlemen who did attend all of the hearings, and heard all of the evidence, and undertook to prepare here a bill that ought to be approved, in their judgment, by the House.

With regard to the distinguished gentleman from Virginia [Mr. WOODRUM], the great economist, he is in possession, so he claims, of newspaper clippings and magazine clippings which show evidence of misfeasance on the part of employees of the Farm Security Administration. The gentleman from Virginia, while not a member of the subcommittee, is a member of the full committee. He must have been advised for the last 2 or 3 months that we have been holding sessions during the forenoons and afternoons, and during a large portion of that time investigating the affairs of the Farm Security Administration, trying to find out in what way we might be able to improve the work of that organization. A great deal of the time he has been sitting just across one room from us, and yet he did not come before our committee to advise us of evidence which he claims to have, concerning the alleged misfeasance on the part of employees of the Farm Security Administration.

I wonder whether the House, since the gentleman did not take that course, is now justified in reversing the judgment of the subcommittee on the basis of newspaper and magazine evidence, which he now produces on the floor of the House? They tell me that when Adolf Schickelgruber, alias Hitler, takes over a country in Europe the first thing he does is to send in his agricultural experts and scientists to organize the agriculture of that country and increase its production to the full limit of capacity. We do not like Adolf Hitler, and perhaps we want to do the opposite of what he does. We want, it seems, according to the views of some gentlemen here, instead of increasing our agricultural production to meet this war emergency, as is advocated by practically all authorities of the Department of Agriculture, to destroy part of the organization we have.

We want to take away from these seven hundred-odd thousand farmers in the country who have been producing increased amounts of agricultural products, the opportunity that they have had heretofore to produce, and we want to constrict and restrict production rather than increase it, as advocated by our national defense authorities, and by the authorities of the Department of Agriculture. That may be the way to win the war, or is it? That is the question for you to determine here. This has a very vital part in the national defense program. The evidence before our committee shows, without contradiction, that if there is to be any increase in the amount of production of foodstuffs and other agricultural materials, that are regarded as strategic materials in the defense effort, it must come from the lower 50 percent of farmers of the United States. The upper 50 percent are already producing to the extent of their capacity. If there is to be increase in the production of food and other materials that are necessary, these poor fellows with whose efforts you are dealing today in approving or disapproving the amounts of the appropriations recommended by the subcommittee, must bring about that increase in production.

A great deal of misinformation has been given to the House. I wish it were possible in the time that I have to correct it all. That is a matter of impossibility. Men have been talking here about $40,000,000 and $33,000,000 administrative expenses just as if they knew what they were speaking of.

I hold here a copy of the Budget for 1943, page 464. The administrative expense connected with this particular item in the portion of the work of the Farm Security Administration is slightly in excess of $6,000,000. There is also included in this item of $50,000,000 that you propose to cut by this amendment to $25,000,000, an item of approximately $10,000,000 for grants. Is that something that ought to be cut out?

The gentleman from Illinois said they will not cut that out; that they will cut out some of these farm supervisors who are traveling around the country; that they are the itinerants. How do you know they are not going to cut out the $10,000,000 in grants if you adopt this amendment? It is my observation of the departments of the Government that when they have to make reductions they reduce everything else before they reduce personnel. This grant of $10,000,000 is very small. That permanent appropriation under section 32 of the Agricultural Adjustment Act carries $132,000,000, of which $89,000,000 is going to be used for the food-stamp plan. The chairman of our committee, the gentleman from Missouri [Mr. CANNON], opposes that. I have always favored it, and I favor it now, but if we provide $89,000,000 for grants to those suffering, underfed, undernourished citizens of our cities, are we not justified in providing $10,000,000 in grants for the poor farmers of the country——

Mr. TABER. Will the gentleman yield?

Mr. TARVER. I am sorry. I do not have time to yield.

To the poor farmers of the country who are producing foodstuffs that are being distributed in this way to the suffering and needy of our large cities.

In my judgment, there ought not be anybody in this country hungry, whether in the cities or on the farms, so long as we have surpluses of foodstuffs with which we should be able to feed them.

I could go through this list and show to you that the items which we provide for in this $50,000,000 are absolutely necessary. We have cut many of these items. We have already cut this appropriation below the present fiscal year by $60,000,000. I am referring now also to the loan item which is to follow this, in the amount of $70,000,000. They had $120,000,000 this year for that item, and this particular item is reduced $10,000,000 under the appropriation for the present fiscal year. The total reduction, as I have said, below the amount available for this fiscal year is $60,000,000.

In the name of common sense, what do you want to do with this organization? If you want to destroy it, then adopt an amendment to strike the appropriation for it out of the bill, but if you want to carry it on in a reasonable way, effecting such economies as may be possible, then certainly you cannot go any further than the subcommittee has undertaken to go in the preparation of this bill.

We have investigated the Farm Security Administration. We have gone through its work. We discovered a great deal more than the gentleman from Virginia [Mr. WOODRUM] has been able to call to your attention. We have taken steps in the next paragraph of this bill to correct some practices which in our judgment were unfortunate. At the same time I say to you that it is distinctly unfair to undertake to condemn the Farm Security Administration, which has actually done a great deal of excellent work, simply because some farm supervisor published an ad in the paper which was not in accord with the instructions given from the Washington office, and which was done on his own initiative, and which perhaps constituted misfeasance on his part. We ought not to condemn an organization which has accomplished the amount of useful work which has been done by the Farm Security Administration simply because out of 18,000 or 19,000 employees some few may have been guilty of exercising bad judgment.

Gentlemen, this is a poor man's bill. You can vote to strike it out, because they say that in many cases the beneficiaries of this appropriation are not able to vote. You can make a record for economy if you want to in connection with the poor man's items in the bill, and after some of you have voted for extravagant appropriations for other purposes and who are now opposing reasonable appropriations for the Department of Agriculture, you can go back to the people and say, "Why, of course, I voted to appropriate money to build a huge building down on Pennsylvania Avenue to house the Office of Government Reports, a probably unnecessary organization. I voted for all extravagances which have been shown in the course of the progress of the defense program, but let me tell you something, when we got down to the poor farmer who could not get along without public assistance, we cut him down. We economized on him, and although he had already been cut $60,000,000, we decided we would cut what was left of him in two."

Talk about these migratory labor camps, there is not one in my district or in my section of the country, but I am told by these people out West that they are very necessary things and are doing very useful work. This very Congress has appropriated hundreds of thousands of dollars to the Tolan committee to investi-

gate the conditions of these migratory laborers.

We sought to find out what to do about that.

And what does the Tolan committee say to do about it? They came before our subcommittee, the chairman and the ranking minority member of the Tolan committee, and urged us not to do anything to cut down this Farm Security Administration, pointing out how necessary it was in the work of trying to undertake to do something for these migratory workers. Why do you want the Tolan committee to investigate anything if you are not going to take their advice when they bring in recommendations?

I am told by the gentleman from California [Mr. VOORHIS]——

Mr. TABER. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. I make the point of order that time for debate on this paragraph has expired.

The CHAIRMAN. The Chair informs the gentleman from New York that the gentleman from Georgia has three-fourths of a minute remaining.

The gentleman from Georgia will proceed.

Mr. TARVER. Mr. Chairman, I am informed by the gentleman from California [Mr. VOORHIS] that the removal of these Japanese laborers from the west coast agricultural areas has left the owners of those lands without labor for cultivation of their fields. That will add greatly to the necessity for these migratory labor camps to take care of the situation so far as those agricultural producers are concerned. You Members from the west coast know whether we should delete funds from this item; you know whether we should vote to cut out of this bill all appropriations for migratory labor. You also ought to know generally something about the work which has been done by this Administration in the adjustment of farm debts. They have cut down the debts of these people from about $500,000,000 to approximately $118,000,000, I hope you will not vote to cut out that part of the bill that is responsible for such a desirable achievement.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Georgia has expired; all time has expired.

The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 118, noes 106.

Mr. TARVER. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chair appointed as tellers Mr. TARVER and Mr. DIRKSEN.

The Committee again divided and the tellers reported that there were—ayes 142, noes 119.

So the amendment was agreed to.

The CHAIRMAN. Are there any further amendments to this paragraph?

Mr. FULMER. Mr. Chairman, I have an amendment at the desk.

Mr. HOOK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOOK. Was time limited to debate on the amendment just voted on, or to the paragraph?

The CHAIRMAN. The time limit was to the paragraph.

The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FULMER: On page 83, in lines 1 and 2, strike out the language "And (6) projects involving construction and operation of migratory labor camps."

Mr. RUSSELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUSSELL. Will this amendment, if carried, result in a further cut than that effected by the Dirksen amendment?

Mr. FULMER. It will save more.

The CHAIRMAN. That is not a parliamentary inquiry; but the amendment does not cut any money out of the bill.

The question is on the amendment offered by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. FULMER and Mr. VOORHIS of California) there were—ayes 99, noes 63.

So the amendment was agreed to.

The CHAIRMAN. Are there any further amendments to this paragraph? If not, the Clerk will read.

The Clerk read as follows:

Page 83, line 16:

"In making any grant payments under this act, the Secretary of Agriculture is authorized to require with respect to such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of the act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation, and benefits shall apply to those persons performing such work: *Provided*, That this section shall not apply to any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death."

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

One of the most revolting things that has come to my attention since I have been a Member of Congress was the fact that Edward O'Neal, head of the Farm Bureau Federation, sat in the gallery yesterday afternoon signaling and directing the efforts of those on the floor of the House to sabotage one of the finest Government agencies that this Government has had in the interest of the small farmer and the war program. I say this advisedly because I saw it with my own eyes, and I refer to many others, including my good friend JED JOHNSON of Oklahoma, who observed the same tactics.

If I had any criticism to make on the Democratic side, I would say that it is lack of organization and lack of united will to save those things that we the Democrats have fought for in the years past.

Those who are fighting to tear down this agency are the very group who cried out against the fortification of Guam, letting the island of Guam wide open for attack from the Japanese peril. They are now stripping from the farm program those fortifications necessary to stop the onrush of paganism, nazi-ism, and fascism. The mistake was made in not fortifying Guam. The results are well known. The farm program, and especially the Farm Security Administration under the loan and rehabilitation program and the Farm Tenant Act, is just as important as the fortification of Guam would have been. We need food for freedom; we need food for our boys at the front; we need food for those at home—food to keep the morale of the people to the point that they be a support to the boys at the front. A rifle in the hands of a starving man is not effective against the onrush of a fanatical enemy.

I heard the voices raised here yesterday afternoon pleading falsely, in my opinion, with regard to the boys that are fighting and dying in the battles in the Far East. Even though we win this war, it will have been of no avail unless we win the peace. We who were in the last war realized the tragedy of the situation when we returned. Having won the war, we came back to a Nation that had lost its democratic spirit—lost the new freedom of President Wilson and the liberalism of Gladstone and Asquith. Both of these perished in the last war. Yet these forces that tore down democracy at that time are out now to destroy those things that will preserve democracy for those boys who will return after having offered their lives in the interest of democracy. True to the character of all wars, the present war placed into the hands of the Tory minority increased powers of obstruction. Ever since America was required to go all-out for arms production this selfish group could command a high price for its cooperation. Several years ago President Roosevelt paid the price that was demanded and that was the control of the defense program and the sacrifice of the most militant men who have fought in the interest of a real democracy for America. From that time on, this group has fought every single solitary thing that was built to bring about a better way of life. The Bureau of the Budget rose suddenly first to smear and then to break down all gains that were made in the past. The Byrd committee, led by the junior Senator from Virginia, under the guise of the Citizens Emergency Committee, has carried on their work of destruction. Today this group clamors for further cuts as war expenditures rise and the peril of inflation threatens us. They were the ones that fought price control, rationing, and adequate income corporate taxes, but they are the ones now that demand that inflation be halted by slashing appropriations for agencies that are necessary to the war program. The Citizens Emergency Committee, the Farm Bureau Federation is nothing more than the new front of the National Association of Manufacturers

and the Republican National Committee hired to do their dirty work at a time when it is considered bad manners to indulge in politics.

You of the Democratic Party, if you are true to your convictions that this war should be won in the interest of democracy, should preserve democracy for those people who are fighting and dying on the battlefields, do not tear down the flag of democracy today by wiping out the only organization that can bring about an increased production of food in this fight for freedom. The eyes of those boys will be turned upon you. The blood and the sweat and the tears will have been shed in vain if we do not preserve that for which we are fighting. Rise up, you Democrats, and beat down this onrush that is about to tear this Congress asunder as the did after the last war. If you do not, there will be a full Republican Congress here, and then God help the democratic gains we have made in the past.

The young men on the front lines facing death from the air, on the ground, and on the sea are the generation to whom the future belongs. They are fighting for the right to live in a country that will or should be governed by the democratic or American way of life. We, here in this Congress, alone can bring that future about, or we can by the action of the Republican reactionary minority destroy that thing for which they are fighting.

This farm-security program is one in which Franklin D. Roosevelt, the beloved President of the United States, has taken much pride in, because it is the one program that has reached the forgotten man. That is why the Republicans and the reactionary group referred by me heretofore in this speech has, through the slashing of appropriations, attempted to destroy it.

You cannot destroy the will of the people. You Republicans may take great pride here today sabotaging the program which has helped the farmer, but you cannot destroy their will to live in decency.

You Democrats must or should realize that the strategy of the Republicans is to play politics by voting for direct appropriations for the Army and Navy, but against all other expenditures. That will give them an opportunity to say at election time, "We were for all-out defense but against nonessential expenditures." The American public is not dumb. The people know what happened before Pearl Harbor and will judge the Republicans' actions in these instances just as shortsighted as before Pearl Harbor.

When food shortages appear; when ration cards are the order of the day, I want the farmer, the laborer, and the housewife to know that they were brought about by the Republican reactionaries, coupled with the Byrd group representing the citizens' reactionary committee and the National Association of Manufacturers. Oh, yes; do not forget the Republican National Committee which is using these groups to put over the thing that they have not the nerve to sponsor in their own name.

Let me sum this up by referring to the past and its analogy to the present together with what is in the offing in the immediate future if the Democrats do not wake up to what is going on.

In the last term of President Wilson this same group misled the people and elected a Republican House. They then proceeded to wreck the Wilson program. This resulted in the Hoover depression. God forbid that we ever go through another.

Wilson was not able to carry out the peace program as it should have been. Thus the world conflict of today. The Republicans were responsible for that because when President Wilson sailed to Europe to take part in the Versailles affair for the peace of the world, a Republican House had been elected just 5 weeks before. This led Theodore Roosevelt to remark:

> Our allies, our enemies, and Mr. Wilson himself must know that Mr. Wilson has no authority to speak for the American people at this time. His leadership has just been emphatically repudiated by them.

So, my friends, you see the Republican gang and the reactionary group do not want to see President Roosevelt in a position to speak in the interest of a lasting peace. If a Republican House is elected it would be a repudiation of President Roosevelt and take from him the authority to speak for America. Oh, how the Japs, Nazis, and Fascists would welcome that. I plead with you in the name of humanity, in the name of the American people who want a lasting peace, do not follow the kind of leadership that has shown its fangs on the floor of this House today and yesterday; and, oh yes, in the gallery. Follow the safe, sane road that is the leadership of President Roosevelt. Give him our support and we will be safe. Fail him in this hour of need and you will relegate the future generations to wars, blood, sweat, and tears. Yes, worse than concentration camps, in my opinion, into the bonds of serfdom.

Wake up, you Democrats, before it is too late.

Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

Mr. MOTT. Mr. Chairman, I object.

Mr. KNUTSON. Mr. Chairman, if it is only 1 minute let him go ahead. We can stand another minute.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph do now close. I understand there are no other bona fide amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

Mr. SHAFER of Michigan. Mr. Chairman, I object.

Mr. TARVER. Mr. Chairman, I move that all debate on this paragraph do now close.

The motion was agreed to.

The Clerk read as follows:

> For additional funds for the purpose of making rural rehabilitation loans to needy farmers, the Reconstruction Finance Corporation is authorized and directed to make advances to the Secretary of Agriculture, upon his request, in an aggregate amount of not to exceed $70,000,000. Such advances shall be made: (1) With interest at the rate of 3 percent per annum payable semiannually; (2) upon the security of obligations acceptable to the Corporation heretofore or hereafter acquired by the Secretary pursuant to law; (3) in amounts which shall not exceed 75 percent of the then unpaid principal amount of the obligations securing such advances; and (4) upon such other terms and conditions, and with such maturities, as the Corporation may determine. The Secretary of Agriculture shall pay to the Corporation, currently as received by him, all moneys collected as payments of principal and interest on the loans made from the amounts so advanced or collected upon any obligations held by the Corporation as security for such advances, until such amounts are fully repaid. The amount of notes, debentures, bonds, or other such obligations which the Corporation is authorized and empowered to issue and to have outstanding at any one time under the provisions of law in force on the date this act takes effect is hereby increased by an amount sufficient to carry out the provisions of this paragraph.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

> Page 84, line 8, strike out "$70,000,000" and insert "$50,000,000."

Mr. DIRKSEN. Mr. Chairman, in the fiscal year 1942 the Farm Security Administration had available $120,000,000 in R. F. C. loans for rural rehabilitation purposes. The Budget reduced the estimate to $75,000,000 for 1943 and the committee subsequently reduced that figure to $70,000,000.

The amendment now pending proposes to reduce this from $70,000,000 to $50,000,000.

If I need any argument to support this amendment I find it in the bill. On page 85 you will notice beginning in line 4 this limitation:

> None of the moneys appropriated or otherwise authorized under this caption shall be used (1) for the purchase of land or for the carrying on of any land purchase program.

You may wonder how this limitation got into the bill. The limitation was suggested by that very courageous and diligent public servant, the Chairman of this subcommittee, Mr. TARVER, who is just as familiar with the abuses that have been happening in the field of rehabilitation loans as any other member of the subcommittee.

The record will show that the F. S. A. has created 18 separate corporations in 18 separate States made up of employees of the Farm Security Administration and to whom farm security funds were lent for the purpose of purchasing large tracts on which to house farm families. You will find it on page 304 of volume 2 of the hearings. Actually they have under purchase 372,300 acres, totaling $11,946,000. They estimate the development cost of that land to be another $11,000,000. So that the entire outlay for 3,542 families will be $23,000,000. Those are the people whose farms have been possessed by the Government where they have located a defense project. There is no indication that the element of need has entered into the use of that money, yet they have set up separate corporations of their own employes and they

propose to spend $23,000,000 for this purpose if they can find money for the purpose, and the element of need does not enter into it.

They can stand a cut of $20,000,000 and for that matter a good deal more. They have been relocating these families and the cost will run up as high as $11,000 per family.

When they created the Iowa Defense Corporation they took over with one of these corporations created by the F. S. A. 10,100 acres of land for 125 families. The relocation costs will be $11,080 per family.

Let us see what other agencies have been relocating farmers. Take, for instance, the Tennessee Valley Authority. Down in the Cherokee area they relocated 793 families at a cost of $18.76 per family. The Farm Security will spend an average of $7,000 and up to over $11,000 for that purpose.

In the Wolf Creek Ordnance District at Milan, Tenn., the Tennessee Valley Authority relocated 525 families at a cost of $6.21 per family. In the Watts Bar area they relocated 890 families at a cost of $18.19 per family. The Farm Security Administration will do it at a cost of at least $7,000, or more. That is one limitation we wrote into the bill at the insistence of our good friend Judge TARVER.

The second limitation we wrote in on page 85 is that the money shall not be available for carrying on experiments in collective farming. Collectivism is going on at the present time. It seems to have the favor of some of those who are giving direction to the policies of the F. S. A.

Finally, the third limitation written in by the subcommittee provides that not over $2,500 of this money shall be loaned to any individual farmer.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Does not the gentleman feel that that $2,500 should be reduced to about $1,000, in view of the fact that they are not going to buy any land?

Mr. DIRKSEN. I would favor such a reduction, but I do believe that in view of the fact that regardless of need they go around and use this money to relocate families we can safely cut at least $20,000,000 from the loan fund and not in any wise injure the present program.

Mr. COOLEY. I call attention to the fact that the Comptroller General held that they had no authority to do that.

Mr. DIRKSEN. Yes. That ought to be stressed.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we ought to understand clearly this provision and the effect of the proposed amendment. I have no quarrel with anybody for voting his convictions after he understands the issue which is involved, but I do think we ought to try to understand just what has been done by the committee and what is here involved.

I have already pointed out on more than one occasion that our subcommittee has been responsible for finding out most of these facts about the handling of the affairs of the Farm Security Administration about which gentlemen complain. They can read our hearings and find the material which we developed as to practices which we thought were improper.

I took the position, as you will observe from the hearings, in examining Mr. Baldwin that his use of money for the purpose of buying these large tracts of land upon which to locate people removed from defense areas was a misuse of these funds. It was upon my suggestion that the question was submitted to the Comptroller General. The Department did not submit the question to the Comptroller General until after the committee had indicated that it proposed to do so. So we put in the bill in line with the ruling of the Comptroller General—in fact, we put it in the bill before he made his ruling—this limitation on page 85 which will not permit them to use any of this money to buy land at all.

I may say this in justice to the people who are running the Farm Security Administration. This land-purchase program for the taking care of families removed from defense areas did not originate with them. They were told to do it. It may be that some method of taking care of these people who are removed from the defense areas ought to be adopted. I think there should be a method adopted. But I do not think we should go to the extent of buying a $7,500 farm for every farmer who is removed from such areas. I think it might be much more reasonably accomplished than with that sum of money, and I do not think it is an obligation of the Department of Agriculture. I think that whenever the defense activities of the country dislocate a part of the farm population, any necessary expense in relocating them ought to be taken care of as a national defense item and ought not to be included in a bill for the Department of Agriculture. That is one thing.

Now, these Resettlement Administration projects which have been carried on in some cases on a cooperative basis, which, to my mind, is rather communistic in nature, were not started by the Farm Security Administration. They were started by the old Resettlement Administration under the Department of the Interior—Mr. Tugwell, and his associates. They were inherited by the Farm Security Administration, who had directions from the Congress, reiterated in the pending bill, to liquidate those projects, wind them up, and get them out of the way. They cannot properly be held responsible for programs which were initiated in connection with those projects by the Resettlement Administration, but we do provide in the bill that they shall not use any of this money for carrying on any experiment in collective farming except for the liquidation of any such projects heretofore initiated. The committee has made that provision.

Then we decided that since these loans were for the benefit of distressed agriculture, and since they said they had over 600,000 applicants they were unable to take care of or do anything for, they ought not to be loaning as much as $7,000 or $7,500 to one individual—that they ought to spread it out a little more and try to reach more folks. So we put this limitation in here that they cannot make loans to any individual in excess of $2,500.

I wanted to make the amount $1,000. I would vote to make the amount of that limitation $1,000 now. I want to help the poorest fellow, and we have so many of them in agriculture that you could use all this money and not make a loan of more than $1,000 to any one individual, but you would need all this money in order to do it. If you really want to correct some of the extravagances of the program, offer an amendment here to cut this amount of $2,500 to $1,000, so as to spread that out a little bit more.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman.

Mr. COOLEY. I have an amendment just along the line the gentleman is now discussing to cut that figure from $2,500 to $1,000. I agree with the gentleman that this program can do very much good, but I do not see the necessity of having loans as high as $2,500.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. I think that would be a wise thing to do—to cut this limitation on loans from $2,500 to $1,000. They have been making loans in the amount of $7,000 or $7,500, which I think is totally beyond the intent and purpose of the Congress in making provision for this sort of work. The gentleman's amendment would cut the amount to $50,000,000, although it has already been cut from $120,000,000 to $75,000,000 by the Budget and further to $70,000,000 by the committee.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. VORYS of Ohio. How much was the amount spent last year?

Mr. TARVER. The amount spent last year was $120,000,000 for loans. So we already have in this bill as it is written now $50,000,000 below the amount to be spent for the present fiscal year.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. DONDERO. I appreciate the suggestion made by the chairman to cut the amount to $1,000. I recall the other day we limited to $1,000 the amount any one person could receive under the soil-conservation program.

Mr. TARVER. I thank the gentleman. I think if you will read these hearings you will find that I have been as active as anybody could be in bringing about economies in this administration. I hope you are not going to destroy it. Any amendment which is of a constructive character and will tend to bring about greater efficiency in the work of the organization and have it reach more people and be of more benefit to the people of the country I shall support as well as you, but I hope,

in view of the drastic reductions already made, you will not undertake still further to reduce the funds available for this purpose.

[Here the gavel fell.]

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this appropriation bill has had a long and difficult journey through this House, in large part due to the fact that there is an economy wave spreading over the country in reference to the civil functions of the Government. It is based upon emotionalism rather than rationalism and is sure to result in reductions that are unwise and will be destructive of essential Government functions. Further because of the fact that some of the officers of the Farm Bureau organization of America, led by Mr. Ed O'Neal, its president, has decided that the farm program, as advanced by the administration and led by Claude Wickard, the Secretary of Agriculture, must die, or else it must pass into the hands of Mr. O'Neal and his associates, and then these same persons desire to transfer all matters dealing with field work to the Extension Service of the Agriculture Department. Some of this Extension Service is, in large part in some States, directly responsive to the will and desire of those Farm Bureau leaders who are so responsible for the fight here made against agriculture. That organization has actually, by Mr. O'Neal's own testimony a year ago in these hearings, asked Extension Service agents to go out and recruit membership for the Farm Bureau organization. This practice, in my humble judgment, is a dangerous practice and could make a private organization greater than Government itself.

Let us look at this item here. The hearings will disclose that the Farm Bureau was not particularly opposed to the F. S. A. activity as such, but they wanted it in the Extension Service where it could be made subservient to their own demands. This item last year was $120,000,000. The committee cut it under Budget estimates $5,000,000, making it $70,000,000. Now what has this service done for the underprivileged farmer? This service has met the needs of thousands and hundreds of thousands of poor but good and honest American farm families, whose sons today by the thousands are in the armed forces and are going to be asked to, and will, willingly die, if need be, for this country. They are patriots and the sons of patriots.

Five hundred and sixty million dollars has been paid out in grants and loans to 738,000 farm families and they have already paid back $200,000,000 of that money. The average crop value of families before they received this benefit per annum, was $480. After receiving this service it was increased to $640.

Last year the increased agricultural production of clients under Farm Security, getting their loans from this source, amounted to $75,000,000. It is estimated that if it were carried on on the same price level this year as last, it would amount to $80,000,000. Given the increased prices for farm products now prevailing, this sum would be over $100,000,000.

Their repayment figures indicate that this agency is successful financially, but above and beyond the $70,000,000 we have 600,000 to 700,000 American families that are being put upon a higher level of living and alone are capable of meeting this increased demand for agricultural crops in this year.

Now some of the details of the program might not be all they ought to be, and they probably could be improved. The record shows this Agency has reached a high degree of efficiency.

In the States of Oregon and Washington I have gone over a number of these projects and I have talked to scores of these farmers who have been given consideration by this service. I have found them entirely a different type of men than they were before they secured this consideration and, mark you, this is not giving money, it is loaning money at 3½ percent. It is not taking money out of the Federal Treasury, because it is merely an authorization to borrow money from the R. F. C.

Now, if we want to say to an important and large number of our people, about 700,000 farm families, that we are going to continue to keep them in a depressed condition and that we will drive them further down into the pit of despair, then I say to you, my colleagues, you are creating a situation that so many of you state you fear. You are creating a condition that might destroy the economic order we have in America and destroy free enterprise. This matter involves more than dollars and cents. They involve more than the desire of some individual to elevate himself into a position of influence. They involve the life of our beloved country.

Mr. Chairman, the amendment ought to be defeated.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 1 hour.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that all debate on this paragraph and all amendments thereto close in 1 hour. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, the original purpose of the farm-security program was to assist distressed farm people who could not get financial assistance elsewhere to get out of debt and become self-supporting. A gigantic bureaucracy has been built up which seeks to perpetuate its army of employees and to extend and maintain its control of clients. All too often poor farmers have been persuaded to incur debts beyond their ability to repay, or they have been saddled with excessive costs against their own judgment and desires, due to the impractical and extravagant plans which were forced upon them by F. S. A. representatives.

Clients complain bitterly of the practices and policies of the F. S. A. Among these complaints are the following:

1. Getting borrowers too heavily involved in debts beyond their ability to repay.

2. Payment of excessive prices for land and imposing extravagant, unnecessary improvements upon borrowers.

3. Excessive overhead costs of management in the case of cooperative farming projects, which must be paid for by borrowers.

4. Dictatorial methods of supervision of F. S. A. clients which destroys initiative and freedom and self-reliance of clients.

5. Impractical farm management methods which result in unnecessary costs to borrowers.

Examples of the foregoing complaints and conditions follow:

FROM MISSISSIPPI REPORT OF INVESTIGATOR WILLIAM G. CARR

NO. 5. COSTS PLACED ON BORROWERS

I have already cited the case of the Loch Lomond plantation in Leflore County. This place was formerly owned by a Mr. Sibley It was one of the show places of the State of Mississippi. It had 4 six-room houses, 1 seven-room house, 12 four-room houses, and 8 three-room houses. These houses were made out of the finest hard cypress. They had copper screen on the windows and doors. They were in excellent condition when the Farm Security Administration took over the property.

These houses were all torn down and the lumber, which is practically extinct today, was used for fuel. The people in general in this community feel it was nothing short of a crime to destroy these houses, which they say were built to last 100 years.

The erection of new buildings on this farm increased the financial load placed upon the clients and, bearing in mind the production figures which I have already given, it is practically impossible for them to ever pay off their notes.

Buildings were torn down on the Sunflower plantation in Sunflower County and new buildings were erected. Land was purchased at $60 per acre. I was told that these unnecessary improvements have run the value of the land to as high as $126 per acre. This burden, of course, is being carried by the clients.

There are numerous other incidents where smaller amounts are involved. Fruit jars are given to the clients. Very few of them are ever used. Draperies, curtains, etc., are put up for a short while and eventually thrown away.

A landlord by the name of Summers in Lincoln County had built a new barn just a few years before the Farm Security Administration acquired the property. The barn was giving adequate service, but it was torn down and a new one built.

There have been numerous complaints concerning the saddling of debts on clients by the actions of the clients themselves. I was told that in Lincoln County the Farm Security Administration clients make it a practice of getting their fertilizer and selling it on the way home for about one-third to one-half of its original cost. It was impossible to check on this in the short time which I had to make the investigation.

I favor the Dirksen amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, as a Representative with a city constituency including a large portion of industrial workers, I rise to make certain observations and raise certain questions about the attacks on the Farm Security Administration. I do so in part because organized labor of all affiliations—A. F. of L., railroad brotherhoods, and C. I. O.—is actively defending the Farm Security program and asks that that program not only be maintained but expanded. Labor recognizes the major importance to be played in full production for the war by the army of low-income farmers of the country. Labor agrees with President Roosevelt's statement that these farmers are the very ones who can expand most readily under supervision of the Farm Security Administration and with credit advanced by that agency. Labor sees that any move made by this Congress to jeopardize increased food production by these farmers is a definite threat to the welfare of the Nation as a whole.

It is pertinent, therefore, to inquire from what source these attacks on the Farm Security Administration derive. They come, as all of us know, from Edward A. O'Neal, president of the American Farm Bureau Federation, and certain of his associates. These men charge waste, incompetence and worse to the Farm Security Administration. By no means, however, do they speak for their entire national organization. The Ohio Farm Bureau Federation, one of the largest branches of the national organization, through its secretary, Murray Lincoln, and its president, Perry L. Green, has spoken vigorously in support of the Farm Security Administration and has disavowed Mr. O'Neal and his associates. So likewise have the Vermont Farm Bureau Federation and various other elements in the national organization. The National Farmers Union through its president, James G. Patton, and the chairman of its legislative committee, M. W. Thatcher, who is president of the National Federation of Grain Cooperatives, has been and is unequivocal in its endorsement of the Farm Security program and is urging its expansion as a war measure.

Why, then, these attacks by Mr. O'Neal, using the Byrd economy committee and certain Members of this body as his spokesmen? Is it not fair to point out that Mr. O'Neal, together with certain of his associates, represents the large-plantation type of operation in the cotton South and the large-scale commercialized farming operations in the grain, vegetable, and fruit sections of the country? Is it not proper to suggest that Mr. O'Neal does not want any governmental agency to help restore tenants, sharecroppers, and farm laborers to ownership and operation of their own farms, and thus check the growth of the type of operations he represents? The farm security program is aimed toward the reinstitution of family type farming in this country as the backbone of our democratic system.

At the bottom of this barrage of loosely flung charges at the Farm Security Administration seems to me to be a fundamental clash between divergent economic and social policies. The policy of Mr. O'Neal appears to be a kind of modern feudalism in concept, believing in the concentration of land ownership in a comparatively small proportion of the agricultural population. This concept makes tenants, sharecroppers, and farm laborers subject to industrialized agricultural management with ownership more often than not in absentee hands.

The Farm Security Administration obviously believes in doing everything it can to help reverse that trend and to make family farming the dominant, the significant factor it formerly was in our economy and in our social and political customs.

It is interesting to speculate on whether Mr. O'Neal, as president of a farm organization, has a further organizational vested interest in restricting the farm security efforts to help rehabilitate low-income farmers, tenants, sharecroppers, and farm laborers. In that connection I wish to refer to a letter or a telegram received the other day by Senator LA FOLLETTE, member of the Byrd economy committee, when Mr. O'Neal was first publicly airing his charges against the Farm Security Administration. This communication, I am informed, was from John A. Boutwell, chairman of the agriculture committee of the Mississippi House of Representatives and chairman of a special fact-finding committee of that body. Senator LA FOLLETTE read parts of that letter into the Byrd committee record. I believe the entire letter should be placed in the RECORD, since up to now it has had only partial public reference.

When Ed. O'Neal appeared before the Byrd committee he made the statement that he had "cracked down" on Wallace when he was Secretary, that he had "cracked down" on Wickard when he didn't do what he (O'Neal) thought he should, and that he would "crack down" on anyone who didn't do what he thought was right.

It is apparent that O'Neal is now "cracking down" on Congress.

My reasons for referring to the questions are twofold. First, I am convinced that continuation and expansion of the farm security program are essential for our war effort and for the long-range welfare of our country, with family-type farming as the predominant method in the agricultural areas. Secondly, growing out of that, I feel strongly that unmerited attacks on governmental agencies like the Farm Security Administration—whether those attacks spring from selfish, economic, or organizational motives—are a definite disservice to our country in its hour of great peril and should be revealed as such and discouraged wherever and whenever possible.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, in dealing with a problem like this, it seems to me that the House, acting as a Committee of the Whole, finds itself handicapped. It is always difficult to write a bill on the floor. It is difficult to take the different types of loans that are made by an agency like F. S. A., and, in a minute or two, draw the line between those that are more valuable than others. I am reminded of that by the opinions that have been expressed with regard to the size of the loan that might be permitted.

Last fall I took a day and visited clients of the Farm Security Administration in my district who had received rural rehabilitation loans. As a result, I was convinced that a small loan to a man in a livestock country was less likely to succeed than a loan somewhat larger—still not what you would call a big cattle loan. The man whose loan was too small had nothing with which to make a living while his herd was growing. Of course, anyone familiar with livestock financing knows that a loan of $1,500 or $2,000 may be a sounder loan than one of $400 or $500.

So I think it would be definitely a mistake to change the limitation on the size of the loan without thorough consideration of what is involved. Let me illustrate: I have in mind two clients; one started off in 1937 with a loan of $435. It was not enough to buy enough livestock for him to get anywhere. He bought a few cows, but he had no income until he could get a second generation of calves. He had to have grants to live on. He required more loans for doctors' bills. After about 4 years his loan totals had doubled, but it was not until then that he had enough livestock that he could sell anything. In the fifth year, however, his inventory showed assets in excess of his liabilities.

On the other hand, another client started off with a loan of about $2,300. He got a loan at the outset big enough to get a little dairy herd along with his beef foundation. In a year's time his assets showed an increase of $1,700 over his liabilities.

This is a difficult problem to set forth in 3½ minutes, but any of you who have had any experience with livestock loans at banks must know that the average bank would prefer to loan a livestock man enough for a profitable operation than to make three or four smaller loans where the farmer would not have a decent chance to come out on them.

I think that the rural rehabilitation loans have been the soundest part of the Farm Security Administration program. These are not lifetime land-purchase loans; they are operating loans. They have taken people who were put out of business by drought and put them on their feet. They have taken people who could not get commercial credit and have helped them to get started again.

The collections on these loans are steadily increasing. Up to January 30 of this fiscal year, I am advised, collections amounted to $63,000,000 as compared with $38,000,000 in the preceding fiscal year for the same period. I sincerely hope that the House will distinguish between this and other propositions where money spent is gone forever. These are working loans for people who can produce but who cannot qualify for commercial credit. They are paying out.

This program is a sound proposition in producing food for victory.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman and gentlemen of the Committee, if you will pardon a personal allusion, I would like to first identify my expressed interest in legislation designed for the benefit of agriculture for the past 25 or 30 years.

I had the privilege and the honor of preparing and submitting to the committee the first plan, and the plan finally adopted, for allocating funds by the Federal Government to the various States when the law creating the Extension Service was first enacted. That was the real beginning of our modern agricultural program. It was my privilege to outline the first long-term amortization plan for loans to farmers in the United States, and the plan was used and became the basis of the Federal land bank system created by Congress in 1915.

Upon coming to Congress in 1925 it was my privilege to be the author of the law known as the Produce Agency Act, which makes it unlawful for a commission merchant to make a false report regarding the condition, disposition, or sale of any perishable farm crop received upon consignment. It was also my privilege to introduce the first bill in the Congress providing for direct loans to farmers for production purposes through the intermediate credit bank. It was my further privilege to be the author of the first bill introduced in this body to insure bank deposits. Previous bills had been introduced providing for the guaranty of such deposits, but the first bill to insure bank deposits was offered in 1931. This was during President Hoover's administration, and my Republican friends missed a good opportunity to have obtained credit for the enactment of one of the most valuable laws enacted by the Congress within the last quarter of a century, because it was left to the present administration to enlarge upon the proposal and enact it into law in 1934.

Mr. Chairman, I do not make these statements for the purpose of boasting or appearing to be egotistic, but I make them for the purpose of showing my long and active interest in behalf of agriculture.

I hold no brief for the Farm Security Administration, because that policy was adopted while I was not a Member of this body, but I want to say that from my observation and contact it has made and is still making valuable contribution in an effort to rehabilitate many farmers, particularly those who have been unable to find means by which they could carry on their business and remain on the farm. They may have made some mistakes. It would be a miracle if they have not, but the new language placed in the bill by the subcommittee should certainly correct them without destroying the many virtues in the program.

The amendment offered by the gentleman from Illinois [Mr. DIRKSEN] would strike $20,000,000 from the "funds for the purpose of making rural rehabilitation loans to needy farmers," as provided in lines 4 and 5 on page 84 of the bill now under consideration. In my district and State the farmers had the most disastrous crop failure last year known in history. An actual survey of 1,485 farmers in my home county shows that 10 percent of them harvested no cotton whatsoever, 36 percent of them produced less than one-half of a bale, and the average was only about 2 bales compared with the usual average of approximately 8 bales per farm.

The corn crop of many of them was equally as short. They had but little to do at harvest time and there was no opportunity otherwise for employment; as a consequence a large percentage of them were in actual need and distress. A bill I introduced on October 10 of last year to provide governmental assistance to these farmers was favorably reported with minor amendments by the Committee on Agriculture. Six or eight weeks ago when I stood here and argued for the passage of the bill we were met by opponents to the measure who said and argued that the Farm Security Administration had been established for the purpose and was able, ready, and willing to supply the needs of most of these farmers. The bill was defeated by that argument. Thousands of these farmers have filled application with their county Farm Security Administration agent, many of whom have been advised that up to this time their needs and wants could not be met with available funds. Now the Appropriations Committee has included in this bill an item authorizing the Reconstruction Finance Corporation upon request of the Secretary of Agriculture to advance a limited amount of funds to be used by the Farm Security Administration for aiding and assisting such needy farmers, including others who may be in need or entitled to such assistance. The amendment referred to would reduce the amount by $20,000,000 which is approximately the amount requested a few weeks ago in the bill referred to and I sincerely trust the amendment will not be adopted.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, it is a grand thing to stay in the Well of the House and enumerate the many, many things that we have done for the benefit of the farmer, the many things that we have done for the benefit of labor, and the many things we have done for the benefit of industry, but after all is said and done we have got to sum it up and find out whether the many laws that have been passed in the last few years are the best thing for this country of ours. We have the responsibility to see that this Nation is perpetuated under the Constitution and under the form of government that was handed to us when we came into office. We swore to uphold that Constitution and abide by it. But I think in the last 6 or 8 years we have got so far afield that when we take an inventory of all the things that have been done we find now where we are going. We have handed out money lavishly and extravagantly until we have the greatest debt the Nation has ever known. The fact that you increased the national debt limit last week from $65,000,000,000 to $125,000,000,000 shows the position you are getting yourselves into. You are just about getting to the breaking point—to bankruptcy. We have been handing out things to the people of this country, making them believe they could get anything they wanted by asking the Federal Government or the New Deal for it or by asking their legislators for it; that it was just like getting manna from heaven or getting money out of a well that never went dry. But the fact is you have to go back to your taxpayers now and tell them they have to pay more taxes. You have got to pay for the things we gave the people, because we have raised our debt to the point where we cannot give it to them any longer without a financial wreck. You thought money grew on trees. You will find that it must come from the people in taxation if we are to survive the squandering of the past 8 years.

I want to help the people of our country, consistent with sound business judgment, and to the ability of our taxpayers to aid and assist.

I think the Santa Claus should get out of government, and that the Congress and the President should stop, look, listen, and be able to say no, when it means the welfare of our Nation.

How long are you going to be able to go on before you run into bankruptcy? Not very long. How long are you going to be able to continue these things and still be able to furnish the guns, the ships, the ammunition, and the airplanes necessary for men like MacArthur, who are working 24 hours a day and lying in the trenches with their very lives at stake? We do not want to interrupt the peaceful routine of good, sound-thinking, well-fed American citizens, but I must say you have about reached the breaking point of our ability to pay.

In the name of America, our liberty, our independence, our freedom, also to our boys in the trenches now at war, furnish them the tools to work with, the guns, ships, ammunition, airplanes, or you will lose the war, and wreck the Nation. Then all is lost. Vote some economy. Where will you get the money?

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. DUNCAN] for 3½ minutes.

Mr. DUNCAN. Mr. Chairman, I have the honor of representing one of the finest agricultural districts in the Middle West, in northwest Missouri. I do not know anything about this organization generally; I know only how it has operated in my section of the country. It has done a splendid job. The administrators are capable, conscientious people. It has people who are absolutely unable to obtain loans elsewhere to stay on the farms or to get back on farms. I believe we will have to depend in the future more on small farmers than we have in the past. Already in our section of the country agricultural labor is becoming a very great problem. These smaller farmers must be encouraged. I am just a bit afraid that $1,000 is too low a maximum, but it depends a good deal on the community, the type of agriculture in which

they are engaged as to how much is necessary. In an area where they are growing corn, wheat, and engaging in general farming I believe it would require a bit more to get them going than in some other area.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. I yield.

Mr. HOPE. Is it not true also that at the present price of livestock, high as it is, $1,000 does not go very far toward stocking a farm?

Mr. DUNCAN. Very definitely so.

Mr. Chairman, in the remainder of my time I want to read a letter which came to me this morning. It speaks more forcefully than anything I can say. It comes from Gentry, Mo. Omitting the salutation, I read:

I understand there is in Congress a move to curtail or eliminate the activities of the Farm Security Administration. I urge you to use whatever influence you can to see that this is not done.

I have just completed my first year as a borrower and client of the Farm Security Administration, and if you could see and realize what it has done for me and my family you would never see its work curtailed or eliminated.

You, of course, are familiar with my case with the Veterans' Administration, and after I got to where I could become eligible for Farm Security Administration help it has meant everything to me and my wife and 7-year-old daughter in better living, a chance to be self-supporting, and to look toward the future with the confidence that with a reasonable chance we can get on our feet again.

Of course there are instances of mistakes made, but that's to be expected.

This Farm Security Administration help was the only way out we had except to go on direct relief, and I urge you to consider very carefully anything that would deprive myself and other farmers of this great administrative agency of help.

With best regards.

Respectfully,

J. B. SEAT.

There are thousands of cases like that, of men who have been kept off relief, who have become self-respecting and self-supporting citizens. I do not know just what the maximum loan should be. I do believe we should consider it well, having in mind the requirements and conditions of the different sections of the country, before limiting it to $1,000.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. GILLIE] for 3½ minutes.

Mr. GILLIE. Mr. Chairman, it is seldom that I rise in the Well of the House to discuss the various issues that are brought up from time to time. However, I feel this agricultural problem is very important and should be discussed and explained in as much detail as possible.

I am proud to say that I represent one of the finest agricultural districts in the country, the Fourth Congressional District, in the northeastern corner of Indiana. One of the important problems before the House today is the proposed farm-credit legislation. One of the objections that I have to the proposed legislation is the cost that will have to be borne by farmers and other agricultural groups. Control in Washington would replace the old, but proven, system of cooperatives, or, rather, the cooperative system of farm loan banks.

We were told in the committee hearings on this legislation that lower interest rates might inflate land values and cause greater speculation and make it more difficult to pay for a farm; that many farm owners would be taxed to subsidize interest and losses of less successful farmers. The Federal land bank system would become a Government lending agency under Federal control. Naturally, if it were supported by public funds it would also expect to control it. Therefore I would like to see the land bank system controlled in their own communities.

I am sure this will be satisfactory to all concerned, because farmers are now getting parity income, and in all probability it will continue for some time to come. Farm-mortgage interest rates are the lowest in history. These banks have proved their soundness, that they need not be subsidized nor operated by Federal agencies.

Another matter I wish to bring to your attention at this time in our march for economy in governmental affairs is a proposal adopted by a group of patriotic farmers in Allen County, in my district, pledging themselves to refrain from accepting any more A. A. A. payments during the emergency; that they further pledge themselves to produce to the limit of their ability the crops they are equipped to produce. "We will stop the sayings that the farmers have to be paid to be patriotic."

Since Allen County was the first to begin this march of Government economy in food production and refraining from accepting any more A. A. A. payments during the emergency, 87 Adams County farmers, in my district, adopted a similar resolution, and I am informed other districts will follow shortly.

The Decatur Daily Democrat of March 9, 1942, has this to say:

[From the Decatur (Ind.) Daily Democrat of March 9, 1942]

FARMERS PLEDGE NOT TO RECEIVE PAYMENTS—REFUSE GOVERNMENT BENEFIT PAYMENTS

A group of Adams County farmers met at the Rainker School Friday evening. They adopted the following pledge, signed as follows:

"Believing that the taxpayers of the Nation are about to shoulder the greatest tax burdens in our history, and believing also that economy should be practiced in our Government as well as in our household, we, as patriotic farmers of Adams County, Ind., do hereby pledge ourselves to refrain from the acceptance of any Government Agricultural Adjustment Administration payments for the growing or nongrowing of any crops, livestock, etc., on our respective farms. (Beet-processing tax payments not included.)

"And consistent with this undertaking, and in a spirit of contributing in every possible manner to the cause of victory and of national abundance, security, and stability, we further pledge ourselves to produce to the limit of our ability all of the things which we are best equipped to produce.

"It is the intention of these men to let Congress know that the farmers of the Nation are willing to do their patriotic duty without Government pay.

"Other farmers of the county will have the opportunity to sign the pledge as the pledges are posted in elevators over the county, and those wishing to sign can do so.

"It is hoped that this movement started by a group of Allen County, Ind., farmers, will spread across this Nation, and their checks which amount to more than a billion dollars a year will be retained by the Treasury of the United States of America for guns, planes, and other necessary equipment for winning this war. This may shorten the war by many months.

"With the prices farmers receive for their products, no farmer needs this handout at this time.

"Some of the things different farmers remarked, who signed this pledge, are:

" 'We will stop the sayings that the farmers have to be paid to be patriotic.'

"One farmer who would get a large check remarked, 'Take it for other things. I can get along.' Another man reasoned, 'If we turn this money back, interest will not have to be paid, but if we farmers take these checks and turn them into bonds, interest will have to be paid for 10 years, besides the principal.'

"Still another farmer deplores the idea of a hundred thousand men running over this county drawing pay at this time when the country is struggling to keep on its feet with debts piling up and the boys fighting for their lives in the Philippines and other places.

"A collection was taken up for the Red Cross, this totaled $17. This money has been turned in.

"C. D. Putnam and A. T. Hixon, well known Allen County farmers, spoke. Both stressed the idea that farmers should raise more foodstuff and should refrain from taking money for doing so.

"That there is no surplus of corn or wheat at this time in Allen or Adams Counties on account of the increased feeding program, before fall there will probably be a shortage as a large percent of the farmers are already buying feed to finish their livestock.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. STARNES] for 3½ minutes.

Mr. STARNES of Alabama. Mr. Chairman, I think the committee is to be commended when it shows or displays a keen interest in administrative economy, but that is an altogether different proposition from cutting out authority for granting loans to needy farmers.

I have had occasion to visit Farm Security clients in my district during the past year, men who have become self-supporting and self-sustaining units in the economic life of the area by virtue of the fact that we enabled them to make certain low-interest loans in order to purchase food, supplies, and equipment with which to conduct their farming operations. I believe this House would make a very serious mistake if it felt impelled as a matter of economy to strike out or reduce the amount set out in this bill which authorizes the R. F. C. to make loans to these needy farmers. These are not grants; this is not charity. This is an effort to help the man who needs help, the man who cannot go to his bank, who cannot go to his supply merchant or to other credit facilities in the area and offer sufficient collateral or sufficient security with which to obtain a needed loan but who can go to a governmental agency which is exhibiting an interest in his welfare and making an attempt to keep him off relief by lending a helping hand. While it is true these are not gilt-edged loans; while it is true that some losses

will be sustained, I submit that the effort displayed here to lift a man from that substrata in which he has been living to a higher and better plane of life and encouraging him to be self-sustaining, is an effort worth while. It is a good investment, not only in dollars and cents, although we may lose a few dollars and cents, but it is a fine investment in human values, in spiritual as well as material value. Men who are obtaining these loans feel they have a Government which is taking a direct interest in their welfare, a Government that is not giving them something but a Government sufficiently interested to lend a helping hand. These farmers are entitled to be encouraged in their efforts to improve their status.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. GEHRMANN].

Mr. GEHRMANN. Mr. Chairman, I want to correct some of the statements that have been made here that the whole Farm Bureau Federation is in favor of reducing drastically the appropriation for, or perhaps eliminating altogether, the Farm Security Administration. When we started to consider this bill sometime last week I was very much surprised to receive a letter from my State farm bureau federation president So I wrote to a leader in that organization and I received his answer, that I will include in my statement. Knowing him and knowing the farm bureau folks in Wisconsin, having worked with them when I was president of the old American Society of Equity, I knew they were exactly the same as we were, so I could not understand it. My good friend, Max Leopold, is not in accord with his national president, and says that the State president simply followed Mr. O'Neal. Mr. Leopold is one of the leaders, who attends all of the national conventions, and is one of the most active fellows in behalf of the farmers I have ever met.

His letter is as follows:

WOOD COUNTY FARM BUREAU,
Vesper, Wis., March 10, 1942.

Hon. B. J. GEHRMANN,
Congressman, House of Representatives, Washington, D. C.

DEAR FRIEND BARNEY: I was glad to receive your letter of March 7 in regard to the fight now taking place in Congress as to the value and the merits of the Farm Security Administration.

To make myself clear, to me the whole fight that is going on now between O'Neal and Baldwin is more or less a fight of means of methods of achieving goals rather than the principle of farm security. I believe it was at the annual meeting of the American Farm Bureau held in Chicago at the Stevens Hotel in 1939, where I was present, where the whole farm-credit system was discussed from all angles—farm tenancy, Federal land bank loans, and Farm Security. I was sure at that time that O'Neal was very sound in his constructive criticism on all these branches, and Baldwin was present at that meeting, and that it was unanimously agreed that the Farm Bureau would continue to support those agencies and maintain its right as a national farm organization at all times to bring before the Federal Land Bank System, the farm tenancy, and Farm Security such suggestions, recommendations, or criticisms that would tend to make these agencies more flexible to the needs of the farmers of America and help build a more stable and more secure individual farm ownership in America. My own experience with Farm Security in the State of Wisconsin, and I am sure you know that I know a good many of the supervisors, is that it is doing a good job. I don't mean that no mistakes are made in the selection of clients or in the extension of credits, but I want to assure you that the men I know have honestly and sincerely tried to bring back to the farms men who have in many cases, through no fault of their own, lost their homes or lost hopes in maintaining a home because of lack of income caused by drought and depressed commodity prices.

Therefore I know the Farm Security is doing a good job keeping and placing farmers back on the farm around here. In our county Mr. A. P. Bean, president of the Wood County Farm Bureau, is a member of the advisory committee of Farm Security, and in many counties where you have men like A. P. Bean there can be no question of the integrity of the work being done. It goes that way in our own State, and I believe in our Nation, and it proves to me that the principle of Farm Security is sound.

Now, in reply to your letter as to the action taken by Roscoe Smith, our State president. I believe that he just did that to comply with a request from the national office, and not from his own experience with Farm Security work. In fact, our own president from our county received a letter from Roscoe asking him to write to every Congressman and United States Senator from Wisconsin to vote or work against the Farm Security, and he refused to do so, as he could not justify the statement made in the enclosed copy of a form letter.

I don't know the troubles the Farm Bureau has with the Farm Security in the Southern States, and I don't know whether Farm Security pays dues to the Farmers' Union in Minnesota or North Dakota. I don't know if Farm Security tries to bring back to the people in the Southern States their born rights as citizens by paying their poll tax and thereby give them a chance to exercise their rights as citizens, and I don't know whether the county agents in the Southern States are collecting dues for the Farm Bureau or the county agricultural association in the Southern States are forcing the farmers to pay dues to the county farm bureau as a condition to getting their soil-conservation check. These are all incidents in the life of the people and does not destroy the value of the Agricultural Adjustment Act, or the Extension Division, or the Farm Security, or the general farm organization. What we need in every county, State, and our Nation are men with principle and character like A. P. Bean, our own president of the Wood County Farm Bureau, and believe me, Barney, there are tens of thousands in the United States like him—and what we lack is that in many counties in our States these men are not given the leadership, and we run into some others with political or economical axes to grind, and then condemn everything. Therefore I wish to state that I personally don't agree with anyone, whether he is president of the American Farm Bureau, Farmers' Union, or Grange, if he does not care to see the whole picture, but is too quick on destroying because he may not like the individual in the program. So if Ed O'Neal is against Baldwin, or any other individual in the Farm Security, and tries to abolish the Farm Security, I sure am not in favor of that. You may make use of this letter if you need it.

Yours truly,
WOOD COUNTY FARM BUREAU,
MAX LEOPOLD, *Secretary.*

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, from the attendance in the Chamber at this time I assume that the main fight on this bill is over. However, may I say that we are dealing with one of the most important activities and policies of the Federal Government when we deal with Farm Security and help people who are seeking to become self-sustaining and get off relief.

We hear much talk these days to the effect that there is no more frontier, that there is no more land, that there is no longer opportunity for people to go back to the land. Let me remind you, in answer to that statement, that there is lots of land. There are great unsettled portions of the West, in the cut-over regions of the western States, and I refer particularly to the Northwest, the State of Idaho, the State of Washington, the State of Oregon, and northern California. There is much good agricultural land out there awaiting settlement.

People in the congested industrial centers, where employment has played out, good, worthy, thrifty, frugal people who are seeking a chance to become self-sustaining and a chance to get back on the land, have migrated to these cut-over sections of the West. I know that in the five northern counties of the State of Idaho the Farm Security Administration has come to the assistance of these worthy people who are seeking to get established. These people must have help, they must have financial assistance to reclaim the land, build a little home and get started. They must have land enough so that they may become self-sustaining and that is where the Farm Security has come in.

From my long experience in connection with this cut-over region, and in connection with my work of reclaiming cut-over land, and I state this from first-hand experience, it has been long apparent to me that some agency should be created to come to the assistance of good, worthy people who went onto this land but had not the means of reclaiming enough land to become self-supporting. In these days of machinery, when machinery and explosives are vailable, but there is no capital, the Farm Security Administration has come in and made a heavy outlay. May I say to the members of the committee that one of these big, modern, heavy caterpillar bulldozers costs about $8,000. An individual farmer, or even a small group of farmers, cannot finance the purchase of this kind of machinery, and the Farm Security Administration in financing the purchase and operation of the machinery to be repaid by the farmers has greatly advanced the welfare of the farmers on cut-over land.

[Here the gavel fell.]

Mr. ROBERTSON of North Dakota. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Chairman, I am opposed to this amendment because it is based upon a false assumption—the assumption that the war has solved all our other economic problems. We of the Middle West know this is not so. We have not been the beneficiaries to any extent of the tremendous defense spending program, and, if anything, the war has augmented our problems.

The major contribution which the Middle Western States will make to the war effort is the production of greatly increased supplies of food and fiber products. To achieve that production, I believe that every reasonable step should be taken to aid those upon whom we must depend for such production. The war has not solved the problems of thousands of small-farm families which have been dispossessed of their holdings because of the depression and long-extended drought. These families are still looking for a helping hand to assist them in getting back onto the farms. It is the duty of the Federal Government to help them now just as much as it was in years gone by.

Adoption of this amendment, reducing the appropriation by $20,000,000, will deprive many needy farm families of the opportunity to get off relief and back onto their feet as producing farmers. On the other hand, a small investment by the Federal Government through these rehabilitation loans will enable thousands of these families to get back on the land, and in addition to providing subsistence for themselves they can contribute greatly to meeting the increased demand for foodstuffs.

I have received hundreds of complaints from farmers which indicate that we may fall far short of our food-production goals this year due to the fact that so many of our young men from the farms have either been drafted into military service or have taken jobs in defense industries. It is important, therefore, that families which have previously made their living from the farms be given the means to return. Most of the men who lost their farms during the drought period are heads of families, too old for military service, and who hesitate to leave their families for defense jobs. They are experienced in farm work and will gladly return to farm work if they can get one of these small rehabilitation loans to buy the most essential equipment. Why should we not take advantage of this great untapped labor force and put it to work building one of the most essential weapons we have to win this war—the production of food? By giving them a little help at the start, and with the added incentive of increased farm prices, these families can take a long stride forward toward again becoming self-sustaining.

I think the record of the Farm Security Administration in this rehabilitation program thus far justifies its continued operation and justifies the appropriation recommended by the committee. I therefore urge that the amendment to reduce this appropriation by $20,000,000 be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, this is an attempt to reduce by only $20,000,000 a $70,000,000 appropriation for rehabilitation loans to farmers. There is a provision in the bill on page 85, in the next paragraph, which the committee has inserted, limiting the appropriation so that none of the funds under these paragraphs on the two or three preceding pages can be used for the purchase of land or the carrying on of any land-purchase program. These items for the purchase of land and carrying on land-purchase programs would run into millions of dollars.

There is also a limitation prohibiting any experiment in collective farming. That also would run into millions of dollars.

There is a further limitation prohibiting loans in excess of $2,500. This would also reduce the total amount that should be required.

On top of that, with farm prices as they are today, most of these people are able to secure advances and loans from local and private banks and other sources. With that in mind, the suggestion that we reduce this item from $70,000,000 to $50,000,000 would mean a very small reduction. It will not hamper any legitimate operation that might be conceived of in connection with the proposition. There is no question in the world that the farmers will be able to be financed liberally under this situation.

Of course, these loans are not all repaid. The percentage rate of repayment is approximately 72 or 73 percent, when you come to consider the principal repayments.

I do not believe we will be justified in appropriating, with these limitations in the bill which cut down the demand, any more than the $50,000,000 the gentleman from Illinois [Mr. DIRKSEN] has proposed. I hope the members of this Committee will see to it that they practice some economy, and that these people are permitted to save for the Treasury through the Reconstruction Finance Corporation at least $20,000,000.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I have at the Clerk's desk an amendment I shall offer to the next paragraph. The purpose of the amendment is to reduce the amount of the loan that may be made to any individual farmer from $2,500 to $1,000.

I call attention to the fact that the average loan that has heretofore been made under this program throughout the entire United States is $277. The highest average loan is in the State of Washington, $908. In view of the fact that the committee has already placed certain restrictions on the use of this money and has definitely provided that in the future no part of it may be used for the purchase of land or the carrying on of any land-purchase program, or for carrying on any experiment in collective farming, except to liquidate those particular projects, it occurs to me that unless we restrict this amount to $1,000 the officials of the Farm Security Administration may unnecessarily increase the amount of the individual loans.

I am not familiar with the situation in other sections of the country, but I know that no tenant farmer in North Carolina is furnished anything like $2,500 to use in the cultivation of a crop. Therefore, it occurs to me that we should place a restriction on the authority to loan, and it seems to me that $1,000 is a reasonable limitation because—and I refer to the record—the average loan in no State at the present time is in excess of $1,000. Why should we more than double the average that exists at the present time? It seems to me that this limitation of $2,500 might be considered as an indication to the Farm Security Administrators that Congress would like for them to make loans up to $2,500.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. MANSFIELD. Can the gentleman tell me what the average has been in Texas?

Mr. COOLEY. Yes; I think I have it right here. In Texas the average loan was $232. In my own State it was $276, or $1 below the average throughout the country.

Mr. KEEFE. What was it in Wisconsin?

Mr. COOLEY. In Wisconsin it was $466.

Mr. PIERCE. In Oregon?

Mr. COOLEY. In Oregon it was $586, well within the limitation provided by my amendment.

Mr. BUCKLER of Minnesota. Does the gentleman have the figure with regard to Minnesota?

Mr. COOLEY. Yes; $541.

Mr. COFFEE of Nebraska. Will the gentleman give me the figures for Nebraska?

Mr. COOLEY. Nebraska, $319.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I am very much in favor of the work the Farm Security Administration has been doing with these rehabilitation loans, and I am very much in opposition to the pending amendment.

I do want to say a word, however, about a very distinguished gentleman whose name has been drawn into these debates. I refer to Mr. Ed O'Neal, the president of the American Farm Bureau Federation, a distinguished son of Alabama and a constituent of mine, a man who has been a farmer all of his life, who is still a farmer, and who has the interest of the farmers at heart.

I am just as much opposed to Mr. O'Neal's attack on the Farm Security Administration as anybody can be. I am a member of the Farm Bureau myself. I think Mr. O'Neal is wrong, and I think the leadership of the American Farm Bureau Federation is wrong in taking this

stand with reference to the Farm Security Administration.

Further, as a lowly member of that organization and as a farmer, I say that I do not believe the rank and file of the membership of the American Farm Bureau Federation bear him out in his opposition to the Farm Security Administration. I know that in the State of Alabama our people are proud of Ed O'Neal, they are proud of the leadership he has manifested for the farmers of America. They believe in him. They pay tribute to him as a great farm leader. But in this fight I do not believe that the people in Alabama are any more in agreement with Mr. O'Neal than I am, and I think that spirit has been manifested by the editorials that have appeared in the Alabama papers since this fight has been taken up.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Let me finish this statement first, if I may.

I do want to make it very clear that even though I find myself in great disagreement with Mr. O'Neal and the leadership of the American Farm Bureau Federation, I recognize that the stand which he takes is an honest stand and it is simply an honest difference of opinion between people and the kind of difference of opinion that all of us have a right to have. I want to stand before you today and pay tribute to Ed O'Neal as a great leader of a great organization and a man who has done a tremendous amount of good for the farmers of America, even though he is wrong in this instance.

I now yield to the gentleman.

Mr. COOLEY. In what respect has the Farm Bureau's criticism of the Farm Security Administration been unjust or unfair?

Mr. SPARKMAN. I do not have time to go into all of that. For instance, it has been said that the Farm Bureau is advocating this cut, whether it is true or not, I do not know, but it has been said here on the floor that it is. This is money that goes to the farmers and it is to help to produce the food that is necessary to be produced if we are to win this war.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, we have been having a sort of guerilla warfare in connection with this farm bill for over a week. I want to say that while some of the cuts which have been made are, in my opinion, justifiable, I do feel that some of them have been too drastic. As one representative of a farm State, however, I trust that the same gentlemen who have been leading this economy drive on the farmer will not lose their zeal as we continue to go into other nondefense expenditures week after week and day after day for the duration of the session.

We are all interested in economy and saving every possible place we can these days, and now that a start, and a rather substantial one, has been made on this bill, I think it would be wholesome if this same group would see to it that the paring knife is not put away to gather dust until next year when the agricultural bill again comes before the House. Let us continue to save every possible dime and dollar in all nondefense items so that we can throw the full strength of America into our No. 1 job of winning this war.

We had a lot of conversation and argument going on a short time ago in connection with the Farm Security Administration when Mr. DIRKSEN'S other amendment was up for curtailing travel expenses and administrative costs. I want to make it clear that this new amendment however is not directed at administrative costs. His present proposal is to cut from $70,000,000 to $50,000,000 the funds available to the farmer in this bill. It would be a cut right out of the farmers and it is a cut that is directed at a point where the farmers can least afford to stand such a cut.

In the first place, the fellow aided by the F. S. A. is the little farmer, not the big operator, not the follow in position to get a big conservation check from the Government. He is the little fellow struggling along on a margin of existence. In the second place, he is the struggling farmer, because he has had difficulty from various disasters, grasshoppers, droughts, insects, and so forth, and because of the difficulties he has encountered he is struggling to rehabilitate himself. Yet you are trying to cut $20,000,000 out of his appropriation. In the third place, he is a stubborn fellow because he will not give up and he will not quit. He does not want to go on relief, he does not want to move to town, but he wants to stay there on the farm and make good in the farming business. Yet the gentleman from Illinois [Mr. DIRKSEN] proposes to take from that little fellow his last ray of hope by this reduction of $20,000,000, which comes out of his pocket and stops him in his courageous climb back to solvency and independence.

May I suggest in all fairness that if the rest of America were as well prepared for this war as the farmers of America, we could deliver the knock-out blows to the Axis aggressors which they so abundantly deserve before Saturday night. That is because the farmer of America has worked hard for 10 or 12 or 14 or even 16 hours a day, because he has not gone out on strike, because he has not always exacted his pound of flesh. He has given us a food reserve 12 or 18 months in advance, and has done all this without subsidy and without the benefits of either a floor under his income or a negotiated contract guaranteeing him a fair return on his investment.

Mr. Chairman, by dint of hard labor, personal sacrifice, long hours, and careful planning the American farmer has produced a reserve supply of food capable not only of feeding America but many of the people of the United Nations for months to come. The American farmer has shown this country the road to victory by demonstrating that ample production requires hard work, long hours, sweat, sacrifice, and stubborn persistency in the face of discouraging odds. When industry, labor, political planners, and the rest of the country catches up with the farmer, the victory which we all desire will come to light wearing a "made in America" label and ushering in an era of peace which Americans must help plan, prepare, and perpetuate in order that war may henceforth be banned from this universe.

By making adequate appropriations through the Farm Security Administration, by defeating this proposed $20,000,000 cut if you please, we are helping the little fellow add his bit to the food production program of America and we are helping to rehabilitate thousands of honest and industrious farmers who prefer hard work to relief and whose protection is essential if rural populations are not to drift to the cities and if large-scale corporate farming is not to replace the family size farm and independent farm ownership and operation. Let us correct any abuses and excesses which may exist in the Farm Security Administration but let us not vote this $20,000,000 out of the pockets of the most needy class of farmers in this Republic.

Mr. Chairman, may I remind this House that at the $70,000,000 figure provided by the committee in this bill, the Farm Security Administration will still be operating next year with $50,000,000 less than it had for the preceding year when we appropriated $120,000,000 for this same purpose. The reduction of that $50,000,000 indicates that progress is being made, that farmers are being rehabilitated, that loans are being repaid, and that this service is accomplishing the task set before it. Let us not, however, disrupt the entire program now by making a capricious cut of another $20,000,000, carelessly arrived at, and thus deprive the needy farmers, who still need assistance, of the opportunity to rehabilitate themselves, remain off relief, stay on the farm, and gear themselves back into profitable and paying farm operations.

I urge you to give this matter your serious consideration, each of you, and to vote against Mr. DIRKSEN'S amendment to cut another $20,000,000 from this program. Let us defeat this amendment, to help free American farmers remain free and independent. Let us defeat it to help them help us produce the foodstuffs essential to the winning of this war and to the feeding of the starving people of the world after the war. Let us defeat it as a measure of economy in the saving of human souls and the preservation of family life on the small-sized farm which has done so much to build America and which can contribute so much to its continued greatness.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. JOHNSON.]

DEFENDS FARM SECURITY ADMINISTRATION REHABILITATION FUND

Mr. JOHNSON of Oklahoma. Mr. Chairman, during the discussion of many of the items that have been considered here for the past few days, several Members of the House who have been active in the organized fight to slash appropriations for various activities almost indiscriminately have stood on the floor of this House and in effect professed their

devotion for the farmer. Time and time again we have been told by Members that they were for every dollar in this bill that will go direct to the farmer, but were opposed to any item that might carry funds for administrative expense. That has been the burden of their argument. Now, here is an opportunity to prove your faith by your vote.

We are now considering an item, not $1 of which is for or can possibly be expended for administrative expense; not $1 of which is for travel or for office help. It is my desire that those who have been giving lip service to these poor landless farmers understand that every dollar of this appropriation will actually go to assist needy farmers who are unable to secure help, loans, or credit elsewhere.

As has been stated, the appropriation for this important rehabilitation work was $120,000,000 last year, and even the worst critics are unable to point to $1 that has been squandered. Nor can they truthfully say that any of these funds have been wasted. Yet the committee has cut and slashed this one item exactly $50,000,000. No one has ever charged the gentleman from Georgia with being a spendthrift.

The distinguished gentleman from Virginia [Mr. WOODRUM] would have us believe that the Farm Security Administration has had difficulty in finding needy clients. That may be true in the State of Virginia. I do not know. The great State of Virginia, now a virtual arsenal for the war program, may not have any of these desperately needy farmers. But that condition certainly does not prevail in Oklahoma and I am certain the same is true in many other States.

Despite the fact, Mr. Chairman, that these farmers are landless and homeless and that their incomes have been small because of persistent droughts in certain areas and unusual floods in others, and for the further reason that farm prices until very recently have been unreasonably low, not one of the 768,000 farmers that have been rehabilitated under this program have gone out on a strike. They have not struck for higher wages nor for shorter hours. Yet these farmers have worked in the fields from sun to sun and in many instances from daybreak until dark, eking out a meager living for themselves and their families. They have not sabotaged the defense program but are loyal, patriotic citizens. They have sent their sons to fight and die if need be for the defense of the country and now they will be called upon to play an important part in feeding the civilian population or our armed forces and that of our Allies.

In this connection I want to remind Members that so far as the farmers of the country, large and small, are concerned, agriculture is much better prepared for war than is the industrial section. In fact, the farmer by his long hours of toil has produced vast surpluses of farm commodities, a thing that the country can well be proud of. Except for those farm surpluses I shudder to think where our Nation would be today so far as the food supply is concerned. There is no surplus in the steel market or industry, yet one steel concern has received a contract of $1,500,000,000 in Government contracts. The Government will pay enormous sums to a few such concerns, amounting to many times more than all the subsidies and benefits that will go to all the farmers of the United States. Again I remind Members that we must depend on the small farmers to produce the food to win this death struggle that the enemies of civilization have thrust upon us.

Mr. KEEFE. And the farmers are to pay it back?

Mr. JOHNSON of Oklahoma. Yes; I will say to the gentleman from Wisconsin that, so far as the farm-tenant-purchase program is concerned, despite the dire predictions to the contrary, those farmers are paying off their loans in advance of maturity. Moreover, even these rehabilitation loans, made to 768,000 men who were unable to secure loans elsewhere, they, too, have surprised even officials of the Farm Security Administration as well as Members of Congress by repaying their loans. They have already repaid over $200,000,000 of these loans that few expected would ever be paid. These little farmers have demonstrated that all they really wanted was an opportunity to make good. The F. S. A. has been the direct means of assisting these desperately needy farmers to increase their own assets some $500,000,000. That cannot be laughed off or answered with mere sarcasm and ridicule. It has made better citizens of them and made them feel that their Government is interested in them and that they have a country and a Government that they can be proud to fight for.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the seat of intelligence is in the head. The seat of emotions is in the abdomen. I like to see the House legislate by means of the former of these two portions of the human anatomy. Only as an example I would like to point out, however, that awhile back we adopted an amendment to cut $300,000 out of the appropriation for the control of the Japanese beetle, because one Member made a speech in which he said, "Let us fight the Japs instead of fighting the beetle," and that was all the House needed. The committee that studied the matter decided that the amount carried in the bill was needed to control this very dangerous pest. The House cut almost all of it out on a mere quip.

We are now talking about saving the taxpayers' money. The gentleman from Illinois [Mr. DIRKSEN] indicates he is going to save the taxpayers a lot of money by denying $20,000,000 of loans to distressed farmers, loans, mind you, nearly all of which will be repaid. I have some figures here and maybe they will help Members to visualize just what the real truth—the relative importance of things—really is. We decided recently to increase the debt limit to $125,000,000,000, which is the top line on my chart here. The next line represents the amount of an appropriation bill recently passed by the House, and the third line is the amount of lend-lease appropriations so far for food alone. The next is the appropriation bill under consideration when it started through the House, but it is less than that now. Now I expect it amounts to about $600,000,000, hardly a third of the amount appropriated last year. This particular item for farm security already had been cut by $60,000,000 by the committee before the bill ever came in. Then the amount was cut by another amendment by the gentleman from Illinois to the extent of $25,000,000, and he now proposes to cut $20,000,000 more, so that the bill will carry for this whole program for the low-income farmers only about $80,000,000, against $184,000,000 last year.

What are we going to say to these people? You know who they are. The Farm Security Administration, or some mistake in administration, is not the issue here. It is not an issue of the sort of relocation of farmers dispossessed by military authorities that the gentleman complained about and that the Comptroller General said that the Farm Security could not continue any more. Farm Security only undertook this because it was instructed to, anyway. And yet it is proposed to "take it out" on the little farmers. That is all out. The gentleman knows it as well as I do. His amendment will not have a thing to do with the relocation of these people. This money for rehabilitation loans is, every cent of it, to go to a group of people who have given more volunteers to the American Army than any other kind of people in the United States. Do you expect those boys who go out and volunteer to feel happy when they get word that Congress, in order to make a pretense—yes, a pretense—of saving the taxpayers' money, is going to cut off more than half of these rehabilitation loans to their families at home? This amendment really means that the Farm Security Administration will not be able to loan a few dollars to a poor family so it can buy a few chickens and a pig or two. This amendment is like saying to them: "You can go back to one-crop farming; back to growing just one crop that will exhaust your soil; and, when you cannot do anything else, then you can go to California; and, when you get there, become a migrant worker." Another amendment already adopted has said to these same people: "There will be no more migratory labor camps at all, but you can live behind a sign post or out on the road." I ask Members from the Pacific coast to think about some of these things.

No, gentlemen, the issue here is not an agency nor travel expenses. The issue is the poor farm people.

From such families as these have come some of America's greatest men. These are the people who bred that long line of log-cabin Presidents, who gave this Nation Andrew Jackson and Abraham Lincoln.

I want them to be able to go on tilling America's soil, but I want them to own a piece of it. I want that because I believe the small family farm is the most important cement that holds any democracy together. I want them to be helped to hold their farms, helped now when they can more certainly make a

go of it. I want them to be helped to have some livestock, some diversification in their crops. It will help our whole Nation.

It is from just such families that hundreds of thousands of American soldiers are being taken today—taken for the Army this Congress voted to build. Do you want those boys to hear from home that the hope their folks had of one day owning a little place and building it up so the son could be a better farmer, a more hopeful citizen than his father was—do you want those boys to hear from home that the same Congress that drafted them told their folks it was through being concerned about them and that so far as it was concerned they could look in vain for a helping hand and hit the open road again to try to find a place in California?

When I have finished you will be urged by more finished orators than I to be sensible about this matter, to remember we are at war, to be done with social reform. Great God; since when is it social reform to bolster the American family farm, to add to the number of people who own a piece of America's precious soil and thus become a part of the bedrock of this Nation's institutions? That is no radical doctrine. It is the only true conservatism. And if these things be said to have nothing to do with the war, let me remind the House that it is upon these 3,000,000 farmers that we must primarily depend for increased production and the success of our food for production program.

The issue here is whether or not the one program that has been of substantial aid to the very poorest but some of the very best and most completely American people in our whole country shall go on.

This amendment ought to be defeated.

The CHAIRMAN. The time of the gentleman from California has expired.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, a few days ago this Committee refused to vote cuts in the soil-conservation program. I strongly commend the Committee for that action. Conservation of the soil and conservation of the forests are highly important in this country. But what about human conservation? What about conserving human values? How infinitely more important it is that we also see that the underprivileged in this country are given an opportunity to stand on their own feet again. Of what value is it if we conserve the soils and the forests without providing the physical and mental endowments necessary for our people to properly utilize the soils and the forests? Gentlemen, the Farm Security Administration is an organization which helps our underprivileged, our needy people to stand on their own feet.

Let me quote briefly some of the things the Farm Security Administration has done in my own district for people who are now enjoying the benefits of rehabilitation.

The net income of those people is more than twice as much as it was before they had the benefits of the rehabilitation program. Per annum the actual amounts are $509 as contrasted with $295. The value of food produced for home use has increased two and one-half times, or from $126 to $298. The amount of milk produced for home use is nearly double, with 414 gallons being produced now as against 237 before F. S. A. Pounds of meat produced for home use is more than double—the amounts are 533 pounds and 253 pounds. Here is an item I want you to keep in mind: Fruits and vegetables canned for home use before F. S. A., 86 quarts; after F. S. A., 273 quarts.

Do you know what they use to put up those fruits and vegetables? Pressure cookers, the things which one gentleman has stated on this floor were being used for slop jars. Obviously, people are using most of them for their rightful purposes. Down in my country we use them to can fruits and vegetables.

Last year we had available for the item of rehabilitation $125,000,000. This bill cuts the amount available down to $70,000,000, yet here we are asking to further reduce it to $50,000,000. Such an amendment must have one effect only. It would cut off a great many people from a valuable and helpful program, leaving them nowhere else to turn. For what can they turn to if we eliminate this provision? I grant that some of the people now on rehabilitation have been rehabilitated to the point that they can continue to operate without further help from F. S. A., but let me point out to you there is no general war prosperity. The profits of this war are not spread evenly over the country. There are wide areas where the only pronounced effect of war activities has been to increase materially the living costs and farm operating costs of the people. Many of these people would find it necessary either to go to W. P. A. or back into the rut from which they came. For each person who goes to W. P. A., the cost to the Government will be three or four times as much as the cost of aiding a family on F. S. A. Your F. S. A. client borrows his money. He is making himself a self-dependent citizen. He is working toward the time when he can stand on his own feet.

For every person deprived of the advantages of the rehabilitation program with its sensibly supervised food-production program, there must be a corresponding reduction in the amount of food available for our war effort. This very important item is in itself sufficient to justify the defeat of the proposed amendment.

Mr. Chairman, the adoption of this amendment would seriously limit, would help to destroy one of the finest programs yet developed for the conservation of human values.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I was cut short on the speech I was delivering a few minutes ago. I think I should carry on here. I might call your attention to the fact that in the first part of my speech this morning I referred to the fact that Mr. Edward O'Neal, head of the Farm Bureau, was in the gallery yesterday directing activities. I notice he was there again today, but that right after the big slash in this bill he left the gallery. Oh, but he is back there again. His lieutenants—you know who they are—left then, but his lieutenants are back here now, and at his beck and call to hamper the small farmer. I wonder if they are looking for another slash at the expense of the poor, small farmer? Yes; I said it was their type who were the ones that fought price control, rationing, adequate corporate income taxes. They are the ones who demand that inflation be halted by slashing appropriations for this and other agencies that are necessary to the war program.

The citizens emergency committee and the Farm Bureau Federation is nothing more than the new front of the National Association of Manufacturers and the Republican National Committee, hired to do their dirty work at a time when it is considered bad manners to indulge in politics. Yes, you men on the Republican side can cheer now, but you did not cheer before Pearl Harbor. You went down against lease-lend. I wonder if you are going to cheer the boys who are now fighting on the front over there when they come back and they find that you were the ones who slashed the program that was helping their fathers and mothers.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I refuse to yield.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KEEFE. Why do not you talk where the votes are? Go over there and talk where the votes are.

Mr. HOOK. The votes were solid on the Republican side.

Mr. KEEFE. Go over there and talk where the votes are. Do not talk to us.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Chairman, under the bill that was brought in by the subcommittee a provision was included which prevents the Farm Security Administration from purchasing land. This land was largely purchased for the purpose of reestablishing farmers and tenants who were dispossessed of their lands on account of the building of cantonments and war-industry plants in various parts of the country. If that resettlement program is to go out of the window on account of not being authorized by statute, there must be some legislation by which some agency is given authority to do something about the owners and tenants who are dispossessed on account of the war activities, and who are without funds to acquire new homes or the opportunity to acquire new tenant contracts.

On page 294 of the hearings it is shown that in 22 States, 18,000 farm families have been dispossessed on account of defense activities; that over 2,180,600 acres of land have been taken out of the hands of these families and turned over to these war activities. If a man obtains a reasonable amount for his farm when he is compelled to give it up to the Government, it may or may not

constitute a great hardship, but he may have tenants on his place, sharecroppers and others who work there, and who might be deprived of their opportunity to make a living by reason of their eviction.

It is that group, Mr. Chairman, to which no consideration is given under the terms of this bill. Something must be done to assist them to relocate, in proper cases. Down in my State when Camp Robinson was built and 40,000 acres were taken out of cultivation and use by the owners, they were given just 6 months' rental on a year's lease, and told to go. Many had nowhere to go, no money with which to buy lands; and but for the Farm Security Administration, which came to their aid, many would have been turned out without a dime.

Mr. Chairman, I am opposed to this amendment, which will reduce the authorization for obtaining from the R. F. C. funds for the purpose of making rural rehabilitation loans to needy farmers. The amount carried in the bill is $70,000,000, and represents a reduction of $50,000,000 under the amount of the authorization carried in the 1942 bill. The amendment reduces the limit of loans by an additional twenty million.

These loans are for the purpose of assisting needy farmers to procure stock, personal property, and farm equipment necessary to enable them to carry on their farm operations. On page 282 of the hearings is a table showing the amount of these loans, cumulative to June 30, 1941, and showing the amount of the loans, maturities, collections, and the percentages of collections as compared with maturities. A vast majority of the individual States shows a very high percentage of repayments. The total for the whole Nation shows loans, $564,051,844; maturities, $252,697 527; and collections, $202,634,600—or a national average of 80.2 percent, which I submit to the committee is a very good average, considering the fact that the loans are made to a group that is least financially able to repay them. As a matter of fact, it seems to me that the record of repayments made by needy farmers, both under the Bankhead-Jones Tenant Purchase Act, where the percentage of repayments is 99 percent, and under the loan rehabilitation program, where, as just stated, it is 80.2 percent, is absolutely astonishing and reflects high credit on that group.

Why the Member proposing this amendment desires to cripple or destroy this program, which was intended to benefit the lowest-income group of the country, is a mystery to me. Secretary of Agriculture Wickard is calling upon the farmers of the country to increase their production of food and fiber for the winning of the war. It is stated that the large farms of the country are nearly up to their capacity of production, and that the hope of a very large increase over present production lies with the small family-size farms, which heretofore have not been able to produce as much as they should; and the ultimate success of the program of food for victory will depend to a considerable extent upon the efforts of the small farmers of the Nation.

The CHAIRMAN. The time of the gentleman from Arkansas has expired; all time has expired.

Mr. MAY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. MAY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Kentucky is recognized for 5 minutes in support of his motion.

Mr. MAY. When I am through talking at the end of 5 minutes, of course, I expect to withdraw this motion, or if that permission is refused me I expect the House to vote it down.

Mr. CANNON of Missouri. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Missouri will state the point of order.

Mr. MAY. Mr. Chairman, I have not yielded for a point of order.

Mr. CANNON of Missouri. Mr. Chairman, I make the point of order that under the unanimous-consent agreement all time for debate has expired and the gentleman cannot be recognized on a motion to strike out the enacting clause offered to secure time for debate, and not offered merely to secure time for debate.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. MAY. Yes, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. MAY. In the first place, Mr. Chairman, I did not yield to the gentleman from Missouri for the purpose of his making a point of order.

The CHAIRMAN. The gentleman from Missouri did not have to ask the gentleman from Kentucky to yield in order to submit a point of order.

Mr. MAY. Secondly, Mr. Chairman, I stated that I offered the motion to strike out the enacting clause, but that I expected at the end of my remarks to withdraw it, or, if permission was not granted me to withdraw it, that I expected the Committee would vote it down. I did not ask them to vote it down. I said I would exercise a right which I have under the rules of the House to ask to withdraw a motion.

Mr. HOFFMAN. Mr. Chairman, a further point of order.

The CHAIRMAN. The gentleman from Michigan will state his further point of order.

Mr. HOFFMAN. The gentleman from Kentucky has not said that he was opposed to the bill.

The CHAIRMAN. Is the gentleman from Kentucky opposed to the bill?

Mr. MAY. I am in favor of the two amendments, and I am in favor of all the reductions that have been made in these appropriations.

The CHAIRMAN. The gentleman has not answered the Chair's question. Is the gentleman opposed to the bill?

Mr. MAY. Does the Chairman mean the entire bill?

The CHAIRMAN. Yes.

Mr. MAY. I am opposed to the bill in its present form.

The CHAIRMAN. The gentleman qualifies.

Mr. CANNON of Missouri. If the Chair will indulge me further, we are now operating under a special order of the Committee of the Whole under which debate was closed at the end of an hour. The gentleman now proposes to violate the special order and concedes that is his purpose by announcing that, at the close of his remarks, he will withdraw the motion. But the gentleman is obviously out of order even had he not made that admission, as no one seriously offers a motion to strike out the enacting clause of a bill of this character and the Chair should take judicial notice of that self-evident fact.

The proposal of the motion at this time also violates another rule of the House—a universal rule of debate in every parliamentary body in the world—that the committee shall have the right to close debate.

The proposal of my good friend the gentleman from Kentucky, with whom I have served for many years and for whom I have the highest regard, is all the more flagrant in view of the fact that he could have secured time when the order was made, but made no effort to do so.

Nothing could be more unfair and more conducive of disorder or more at variance with parliamentary equity than the proposal to disrupt the program agreed upon by order of the Committee of the Whole.

The gentleman is not entitled to recognition on such a patent subterfuge.

The CHAIRMAN. The gentleman from Kentucky qualifies. The point of order is overruled.

Mr. LAMBERTSON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Kentucky yield for a parliamentary inquiry?

Mr. MAY. No, I do not, Mr. Chairman.

Mr. LAMBERTSON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state the point of order.

Mr. LAMBERTSON. I expect to object to the gentleman's request to withdraw his motion and shall take 5 minutes in opposition to it.

The CHAIRMAN. That is not a point of order.

The gentleman from Kentucky will proceed.

Mr. MAY. Mr. Chairman, I believe it to be the responsibility and the duty of every Member of this House to be frank, plain, and open with all of his colleagues. When I find something in the country that I think the House or the committee ought to know I feel it my duty to let them know it. I have just

returned from Kentucky where last night I spoke to the State meeting of the Daughters of the American Revolution. That meeting was made up of citizens of Kentucky from every nook and corner of the State and from every county in the State. The question of the possibility of victory in this war, and the question of the solvency of the Federal Government, and the question of the hope of the people in this country were all of uttermost concern to every one of those great women and men who were there. Not only that, but it was also the topic of common conversation in the lobbies of the hotels. At no time did I hear an utterance other than that the Congress of the United States should go about cutting unnecessary domestic expenses. While I do not say that these amendments that are pending ought or ought not to be adopted, I want to tell you that we are going to see changes in this country and we are liable to see some of them in this House unless we adopt a different attitude and show some sort of effort to cut substantially all nondefense expenses of the Government.

We have been spending money through bureaus of this Government for the last 10 years in an unheard-of way. I am the last man in the House who would oppose doing something to lend a poor man a few dollars if wise to do so, but I think the poor man in this country will be fortunate maybe some of these days if he has any dollars at all. His liberty is gravely threatened, and he may lose that.

I want to call your attention to what I think is the situation, and it is alarming. The cry that you hear in Washington that the people of the country are not alert is a false alarm. At least down that way they know that we are in a war and they know that we are in the most dangerous war this Nation has ever encountered. Frankly, there is considerable doubt in their minds as to what may be the ultimate result, and they are alarmed.

I have not come here to cry out a false alarm, but I do come here to caution the House of Representatives against appropriating money for unnecessary domestic purposes in any line or in any branch of the Government's activities.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the motion offered by the gentleman from Kentucky [Mr. MAY].

Mr. Chairman, I regret very much to detain the House, but someone undoubtedly would have risen for this time. I believe in economy as much as the gentleman from Kentucky could possibly believe in economy, and, in fact, judging from some of the authorizations that have come from his committee that have been the basis for appropriations made by this House, I think I believe in it to a far greater extent than he does.

We are talking now, when we talk about nondefense expenditures, of saving something out of nondefense expenditures in the Budget which total slightly in excess of $6,000,000,000. We have appropriated since the beginning of this emergency about $150,000,000,000. We have appropriated over $80,000,000,000 in large part upon authorizations reported from the gentleman's committee since the occurrence at Pearl Harbor on December 7, 1941. When the gentleman from Kentucky talks about economy for the first time in the matter of an appropriation to take care of the Department of Agriculture of the Government, he is saving at the spigot while wasting at the bung.

The House has already made very severe cuts in the pending bill. The committee had already made cuts amounting to $560,000,000 in the appropriations for this Department as compared with the present fiscal year. No other department of the Government has sustained any such cuts in the action taken in regard to their supply bills.

When we passed a bill a little while back for the Departments of State, Commerce, and Justice, that bill was $15,000,000 above the Budget, not below the Budget. I wonder where the gentleman from Kentucky was at that time that his clarion voice was not heard in this Hall demanding that at least we stay within the Budget in the case of the appropriations for those three Departments. When we have been making other appropriations, some of which have been used for such unworthy purposes as the construction of this huge structure down on Pennsylvania Avenue to take care of the Office of Government Reports, I wonder why the gentleman from Kentucky was not present on the floor making some effort to bring about a reduction in those appropriations.

Mr. MAY. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kentucky.

Mr. MAY. Does the gentleman intimate or even hint that the Committee on Military Affairs of the House authorized the appropriation or the money to be used for that purpose down there on Pennsylvania Avenue?

Mr. TARVER. No; I will tell you openly what I mean—and this is not an intimation or a hint. I assume the gentleman was here when these huge appropriations were being made for the purposes of an extravagant character. The gentleman was not here then raising his voice and moving to strike out the enacting clause and asking for reductions in those appropriations, even when bills were pending which carried huge sums above the Budget figures. It is only when the bill for the Department of Agriculture and for the benefit of the American farmer is pending, already cut more than $600,000,000 below the present year, that the gentleman undertakes to tell us about the results of a meeting he had in Kentucky.

Mr. MAY. Will the gentleman yield?

Mr. TARVER. No; I yield the floor.

The CHAIRMAN. The question is on the motion offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 14, noes 123.

So the motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 94, noes 114.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DIRKSEN and Mr. TARVER.

The Committee again divided; and the tellers reported that there were—ayes 98, noes 126.

So the amendment was rejected.

The Clerk read as follows:

None of the moneys appropriated or otherwise authorized under this caption ("Loans, grants, and rural rehabilitation") shall be used for (1) the purchase of land or for the carrying on of any land-purchase program; (2) for carrying on any experiment in collective farming, except for the liquidation of any such projects heretofore initiated; or (3) for making loans to any individual farmer in excess of $2,500.

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: On page 85, line 10, after "of", strike out "$2,500" and insert "$1,000."

Mr. COOLEY. Mr. Chairman, I do not care to be heard for the full 5 minutes on this amendment. I only want to reiterate what I said a moment ago, that unless we change this limitation on loans to individual farmers from $2,500, I am very much afraid the Farm Security Administration will be led to believe that the House indicated by this provision that it would be perfectly all right for them to make loans up to that amount in all the different sections of the country.

The average loan throughout the Nation up to date is only $277, but by this bill we have placed a limitation upon the fund so as to provide that no part of the money can be used to purchase land or to carry on a land-purchase program. Therefore, it is entirely possible that the administrators of the F. S. A. might decide that it would be well for them to buy tractors for tenants or otherwise let them have money in excess of what is actually needed. I know and I believe you know that the purpose of this rehabilitation program has been to aid people in need in the agricultural areas of the country.

I have here a list of the average loans in the different States.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Louisiana.

Mr. BROOKS. Will the gentleman read into the RECORD the average loan in the State of Louisiana?

Mr. COOLEY. The average loan in the State of Louisiana is only $195. If we indicate that that may be increased to $2,500, there is nothing in the world to prevent the Farm Security Administration from letting a tenant in Louisiana have that amount of money.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Nebraska.

Mr. STEFAN. Why could we not have some differences in there? For instance, in the cattle country, the livestock country, and the dairy country a loan of $2,500 might be justified; whereas in the

South there are small farms, one-mule farms, where such a loan would not be justified, and the amount would be lower.

Mr. COOLEY. The average loan in the gentleman's State is only $319.

Mr. LECOMPTE. I wonder if the gentleman has the average loan figure for the State of Iowa.

Mr. COOLEY. In the State of Iowa it is $457. My amendment would permit them to more than double that figure.

Mr. WICKERSHAM. Can the gentleman give me the figures on the average loan in Oklahoma?

Mr. COOLEY. Yes; $245.

Mr. McGREGOR. I wonder if the gentleman can give me the figure as to the average loan in the State of Ohio.

Mr. COOLEY. It is $425.

Mr. REED of New York. Will the gentleman give me the figure for New York?

Mr. COOLEY. Yes; $594.

Mr. MANSFIELD. And that is a dairy State.

Mr. SPRINGER. Will the gentleman give the average loan for the State of Indiana?

Mr. COOLEY. Four hundred and seventy-two dollars in the State of Indiana.

Mr. WOODRUFF of Michigan. I wonder if the gentleman will give me the average amount of the loans in Michigan.

Mr. COOLEY. Six hundred and fifty-eight dollars.

Mr. O'HARA. What is the figure for Minnesota?

Mr. COOLEY. Minnesota, only $541.

Mr. MANSFIELD. Which State has the highest average?

Mr. COOLEY. The State of Washington has the highest average loan, of $908.

Mr. MANSFIELD. None of them is up to $1,000?

Mr. COOLEY. The average loan in no State is in excess of $908.

Mr. TREADWAY. What is the figure for the State of Massachusetts?

Mr. COOLEY. Six hundred and fifty-eight dollars in Massachusetts.

Mr. SHAFER of Michigan. I suggest that each Member get a copy of the hearings and find out for himself.

Mr. COOLEY. The tables to which I have referred may be found on pages 279 and 280 of part II of the hearings.

Mr. STEFAN. What is the highest loan?

Mr. COOLEY. Nine hundred and eight dollars in the State of Washington. That is the highest average in any one State.

Mr. STEFAN. But what is the highest loan?

Mr. COOLEY. I am sorry I do not have that information, but it does seem to me that $1,000 to a tenant farmer to carry on the cultivation of his crop is quite sufficient.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I should like to find out if it is possible to obtain a limitation of debate on this paragraph.

Mr. DIRKSEN. I think a while ago the gentleman indicated that he is in favor of this amendment. I am in favor of it, too.

Mr. TARVER. I am in favor of the amendment, but I do not speak for the subcommittee. There are some gentlemen who are opposed to it.

Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, the rules of the House are the tools with which we work. Any injury to them must have far-reaching effect. The securing of 5 minutes' debate is in itself a matter of small importance. But the misuse of an important rule opening the way to daily interference with the established procedure of the House is a matter of serious consequence.

Mr. HOFFMAN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. The gentleman is not talking on the amendment.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed out of order.

Mr. HOFFMAN. Then I make the further point, Mr. Chairman, that it is dilatory.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection,

Mr. CANNON of Missouri. Mr. Chairman, my interest in the matter is purely academic. I have no objection to my friend, the gentleman from Kentucky, speaking at length on any topic. I am always glad to see him take the floor and I hear him always with interest and edification. But I am certain that on mature consideration he will agree that this use of the rule involves considerations of the most serious import.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the distinguished gentleman from Kentucky, who, as the chairman of the great Committee on Military Affairs, is rendering such invaluable service to national defense.

Mr. MAY. The gentleman from Missouri is the great parliamentarian of the House, and, perhaps, the greatest in the country. I wonder if there was any more impropriety in the gentleman from Kentucky moving to strike out the enacting clause than there was when the gentleman from Georgia moved to strike out the enacting clause of a bill we had here some time ago to increase the number of cadets at the West Point Military Academy. It was stricken out, and some 200 young men were deprived of an opportunity to get a military education and go into the Army.

Mr. CANNON of Missouri. I join with the gentleman in appreciation of the importance of the measure to which he refers, but in that instance the motion was offered in good faith, and was insisted upon, and the House by vote approved it and thereby rejected the bill.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Asking you, as an expert on the rules, was it proper for you awhile ago to question the good faith of the gentleman or make the statement that he was not acting in good faith, even if it was true?

Mr. CANNON of Missouri. The gentleman conceded that he was not acting in good faith and that he was not making the motion with the intention of having it acted upon.

Mr. Chairman, I will here insert in the RECORD the remarks made on a similar occasion, on February 26, 1940:

Mr. CANNON of Missouri. Mr. Chairman, in 1910, in the Sixty-first Congress, John Dalzell, of Pennsylvania, at that time a member of the Committee on Rules, a committee consisting of three, the Speaker of the House, the leader of the minority, and Mr. Dalzell, made the statement in the course of debate that the Rules of the House of Representatives of the United States were not only the most perfect system of rules in the world but the most perfect system of procedure that could be devised, so perfect, in fact, that it was doubtful whether any further amendment was possible.

If Mr. Dalzell, great statesman and great parliamentarian that he was, could come back today, he would hardly recognize the rules of the House of Representatives, so completely and so fundamentally have they been revised and rewritten.

In the 30 years that have intervened since that statement was made we have adapted and adjusted our system of procedure until we have evolved through experiment and practice a remarkably serviceable system of procedure. It is possible that the next generation will look back on that statement in the same light in which we now regard the complacent appraisal of the great Pennsylvanian, but at least one thing has been accomplished. We no longer hear discussions on the floor and in the cloakrooms of proposed amendments to the rules. I can recall when the rules were the subject of almost daily debate on the floor and "liberalization" of the rules was an issue in national platforms and campaigns. There were modifications of the rules at the opening of every Congress and a general revision with every change of administration. Only in comparatively recent years have the rules approached a degree of permanent standardization where they have ceased to be the object of comment or complaint. For the present at least, regardless of what the parliamentarians of 1970 may think of them, the rules of the Seventy-sixth Congress answer every requirement.

One practice, however, has grown up, and is being resorted to with increasing frequency of late, which, if continued, will require some change, either in the rules themselves or preferably through the decision of some able and experienced chairman. It is the unwarranted practice of using, on every occasion and any occasion, the motion to strike out the enacting clause for the purpose of obtaining the floor for debate. Of late there is rarely an instance in which a consent agreement is secured to limit debate in the Committee of the Whole but what some Member nullifies the agreement and disregards the established rules of debate by moving to strike out the enacting clause. The Member could have asked to be included at the time debate was agreed on and have had his quota of time in regular order, but he waits until all time has expired and the Committee has closed debate, as is its right, and then disrupts the proceedings by again opening the question to debate

in disregard of the understanding to which all interested Members on both sides of the aisle have agreed, or by vitiating the right of those in charge of the bill to close debate. Such misuse of the motion is unwarranted and is in bad taste and verges on bad faith. If my warm, personal friend from New York will indulge me by permitting me to use his recent motion as an example, in answer to my point of order, he said he had made the motion in good faith.

Now, of course, he did make it in good faith in the sense that he desired to eliminate that provision of the bill. But, as a matter of fact, his only purpose in making the motion was to secure the floor, as is shown by the fact that when he closed his remarks, he closed them, not with the expressed hope that the enacting clause be stricken out, but, as he very plainly said, in the hope that the amendment of the gentleman from Connecticut would be agreed to. No such use of the rule was ever contemplated. It is a motion of dignity and high privilege. To prostitute it to such menial use is on a par with invoking the great writ of habeas corpus to release a chicken thief from the village calaboose. It is as unparliamentary as mob rule. It supersedes the fundamental rules of debate. It is neither fair nor logical. It wastes the time of the House and disorganizes established procedure and, to that degree, reflects upon those responsible for the integrity of House and committee procedure.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from South Dakota.

Mr. MUNDT. Will the gentleman advise me, a new Member of the House, what other course a Member may take to get access to the floor if a situation arises such as occurred last Friday, when debate was ruthlessly closed and no time was permitted, except about 34 minutes out of the day, for Members other than committee members to introduce amendments? What other recourse does a Member have except to offer such a motion?

Mr. CANNON of Missouri. That would not give a Member an opportunity to introduce an amendment; it would merely give him 5 minutes to interfere with the orderly program of the House.

* * * * *

Mr. MCCORMACK. May I say with regard to the observation of the gentleman from South Dakota that debate was ruthlessly closed, that that, of course, is a matter of opinion; but may I call the attention of the gentleman to the fact that the debate went along for nearly 2 hours before the motion to limit debate was made by the chairman of the Committee on Ways and Means?

* * * * *

Mr. CANNON of Missouri. The right of the House to close debate is indispensable. Without it, debate would proceed endlessly. And the right of the committee or the proponent to close debate is axiomatic. To interfere with either right is disorderly and should be so held by the Chair.

Mr. WARREN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from North Carolina.

Mr. WARREN. * * * I feel quite fortified in having the gentleman take the same position I endeavored to take on Friday on exactly the same question. The gentleman is entirely correct, and I hope that some chairman, some day, will rule accordingly.

Mr. CANNON of Missouri. I may state that I was moved to make this comment by the argument on the point of order recently raised by the gentleman from North Carolina. He is one of the ablest parliamentarians of the House, and one of the most efficient presiding officers who occupies the chair, and his point of order was so well taken and so well supported that it is to be hoped that some strong presiding officer will follow the suggestion made by the distinguished gentleman from North Carolina and establish this much-needed precedent.

* * * * *

Mr. CROWTHER. But once in 21 years of service have I offended against the rule the gentleman speaks of. This happened on last Friday. Does the gentleman think that such a procedure contains any element of unfairness if the opportunity is given the opposition to rise in opposition to the motion?

Mr. CANNON of Missouri. I am certain the distinguished gentleman from New York, with whom it has been my privilege to serve here so long, understands that I am speaking purely in the abstract and had no personal reference in mind.

Mr. CROWTHER. I would have been very pleased to have had the enacting clause stricken out of the bill.

Mr. RAYBURN. Yes; but the gentleman attempted to withdraw his motion after he had his 5 minutes.

Mr. CROWTHER. Well, that is customary with a pro forma motion. It was offered as a pro forma motion. [Laughter.]

[Here the gavel fell.]

Mr. GEHRMANN. Mr. Chairman, I do not know that I shall take the full 5 minutes, but I point out the effect that the amendment offered by the gentleman from North Carolina [Mr. COOLEY] might have. While the average loan of course is below $1,000 in every State in the Union, and while the average in my State, according to the figures that the gentleman from North Carolina [Mr. COOLEY] quoted, is between $400 and $500, I do realize that a great majority of these loans are little seed loans and perhaps for an extra work horse. That goes with the majority of loans made here before, but we are now asked to produce more and more, especially of dairy and livestock products. In that case there are a great many cases where $1,000 loans would absolutely make it impossible to help a fellow who is deserving, who is about to be foreclosed, and lose what he has, because he is not in a position where he can go to a local bank and borrow the money. He cannot get a loan from the Farm Security Administration unless he is not eligible to borrow at the bank. That fellow may have a mortgage not only on his farm, but on the livestock and other personal property as well, and he could not borrow at the bank. Nowadays a cow is worth from $100 to $150, and unless a family has a working unit of eight cows or more, they could not expect to make a living. To limit a loan to $1,000 I do not believe is fair. It is all right in sections where they raise cotton, or even grain, but it would not do in a livestock or dairy section. I do not believe that we should hastily adopt this amendment without thinking what the consequences may be. Heretofore we have had no limit, and the average throughout the years has been less than $1,000. I do not see why the Farm Security Administration should go above that average now if it is limited to $2,500. I think $1,000 is too low in sections where livestock and dairy farming are the main agricultural pursuits. I hope that the amendment will be rejected, or at least that the livestock and dairy farmers will be exempted from that limitation.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GEHRMANN. Yes.

Mr. COOLEY. I just pointed out that they have been operating year in and year out without a limitation at all and that in the gentleman's State the average loan is something like $400. If there was no limit in the past, I cannot see any reason to give them $2,500 when the average loan throughout the country is only about $800 or $900.

Mr. GEHRMANN. Until recently livestock was worth less than half of what it is today. In the case of dairy or livestock farming, it would work a hardship. You could not help those farmers who have to have a working unit which in many instances requires more than $1,000. Many of them still have mortgages not only on the farm, but on their livestock and on their personal property, and he could not go to the bank and borrow money to redeem the mortgage, and pay the interest, which is at the rate of from 7 to 10 percent and it would only help the small local financier, who holds the mortgage. I do not think it is fair.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I am afraid that this table and these figures that have been mentioned are misleading. Speakers have been citing this table of rural rehabilitation loans in the hearings or giving the average loan per farmer. It gives no such thing. The heading of the columns shows that it gives the number of loan agreements. Then the average amount of loan per loan agreement, not per farmer.

From my personal knowledge of the way in which this operates, a man may get an initial basic loan for a few hundred dollars; then he may get a loan for medical expenses, $15 or $25; then he may need a supplemental loan for feed, perhaps $50 or $60. Each loan constitutes a separate loan agreement. So to take the total number of loan agreements and divide them by the total amount of money loaned does not give the picture we need here. That gives you the average amount of money per loan agreement, but it does not give you the average amount of money loaned per farmer. The figures the gentleman from North Carolina has been citing do not give the picture that is being assumed.

The table he has cited shows 95,000 loan agreements in South Dakota. Now, we do not have many more than 100,000 families in South Dakota, and not half of them are F. S. A. loan clients. Personally, I doubt if there are more than 25,000 or 30,000—but there may be 95,000 loan agreements, the basic loan and two or three or four or five supplementary loan agreements covering small subsequent loans for feed, seed, and so forth. This reduces the average amount per loan agreement.

The language in the bill which it is proposed to amend makes a limitation on the total amount in loans to any individual farmer, and the case for the amendment is being made on something entirely different.

Now, personally, I think that this limitation of $1,000 would be unwise in any event, because it does not take into ac-

count the type of farming that a farmer may be engaged in. A man who is engaged in livestock farming has a different loan need. Any banker who is engaged in making loans in a livestock country would tell you he would rather make a livestock loan in a sufficient amount so that the farmer would have a sound operating unit than to make several times as many small loans where the farmers would not be able to turn around while his herd is developing.

Mr. HARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. HARRINGTON. Would not the effect of the gentleman's amendment be to discriminate against the livestock producers of the West, in Wyoming, Dakota, and Iowa, where they would feed or raise cattle?

Mr. CASE of South Dakota. Unquestionably that is true. There should be some leeway according to the type of farming in which the loan clients are engaged.

Now, some Members seem to think that these loans are grants or something like that. This rural rehabilitation loan is not a grant. It is an operating loan and ought to be thought of in the same category as a loan to a business. In spite of the fact that they go to persons who cannot borrow at banks, these supervised loans are being collected. I have in my hand a letter from the Administrator in which he states that the collections in this fiscal year up to January 30 were $63,300,000 as compared with $38,400,000 in the previous fiscal year. This entire appropriation is repayable. The money comes back to whence it came. It is estimated that by June 30 the total collections for this year will be in excess of $900,000,000, and we are only appropriating $70,000,000.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. COOLEY. In South Dakota the average loan is only $168.

Mr. CASE of South Dakota. I am sorry, but the gentleman is mistaken in his application of those figures. That table is misleading because the gentleman does not distinguish between loan agreements and loan clients. That average he speaks of is obtained by dividing the total amount loaned by the number of loan agreements. Yet one farmer may have as many as five or six loan agreements. He has his initial loan to set him up; then he has supplementary loan agreements as he needs feed, seed, and so forth. I have some figures with respect to one case. The initial loan was $493. Later the farmer got a supplementary loan of $16 for medical treatment. Then he got a supplemental loan of $40 for feed. Each of those is a loan agreement. So that that one farmer has three loan agreements. So when you divide it up you have a misleading average. You have an average for the loan agreements, but not an average per farmer. In the case just cited, the farmer's three loans total $549, but the average per loan agreement would be $183 and that gives a misleading picture.

Mr. COOLEY. Does the gentleman think we should make loans to tenant farmers to the amount of $2,500?

Mr. CASE of South Dakota. If he is in the livestock business it may be a sounder proposition to loan him $2,500 than to loan him $500.

Mr. COOLEY. In no State of the Union has the loan exceeded $900.

Mr. CASE of South Dakota. The gentleman is certainly mistaken; I know personally that loans to individual farmers total more than that. The gentleman is misled by thinking loan agreements and loan clients are the same thing.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY.]

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from New York.

Mr. TABER. Why is it that there are over a hundred loans made last year in the District of Columbia to farmers, on an average of nearly $900?

Mr. TARVER. Will the gentleman permit me to answer that?

Mr. LEAVY. I yield to the gentleman from Georgia.

Mr. TARVER. Those were not made to farmers in the District of Columbia. They were made to farmers in different parts of the country who thereafter removed to the District of Columbia and are now located here.

Mr. LEAVY. Mr. Chairman, I want to briefly, if I may, advise my colleagues as to how I look upon this situation, because I disagreed with my chairman when we wrote this very unusual language into this measure. It is only free from points of order because it comes in under a rule.

We provide that no money shall be used for the purchase or carrying out of any land-purchase program. That is entirely eliminated for the first time. No money shall be used for any collective farming experiment. So we left it merely to this one item, that is, grants, and to rehabilitation.

In all the years this agency has been in action, no abuse is shown. So why place a limitation that may make it impossible for the program to function at all? To my friends from the West, let me say this involves all of these water-facility projects. This involves the large-scale wheat farming and irrigated farming. This also involves debt adjustments. Let me take, as an illustration, a man who has a farm and all equipment worth $5,000, and his debts are $6,000. His creditors are willing to adjust for $4,000, but under this $1,000 limitation it would not be available to him. If the proponents of this amendment, or anyone else, were able to show any abuses that have existed in the past, then there would be some reason to go along with the amendment.

No basis has been shown to justify this amendment. What you are doing is simply this: If you deny a farmer who requires $2,000 or $2,500 to rehabilitate himself, you deny him these benefits and you turn him into that type of farmer who sooner or later is going to come and ask for a grant; and, of course, when you authorize a grant he must be down in the economic scale and there is no chance of getting any of the money back since it is a gift. As there is no abuse shown in this activity and since it has worked successfully throughout the whole western section, as I have seen it and known it—it has been very beneficial—and since it does not involve the appropriation either by increase or decrease, why should we make this reduction?

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. KERR. I suppose the limitation by this proposed amendment is intended to save money. Has it been shown to this House that one penny will be saved?

Mr. LEAVY. No; there was no showing. I do not believe that even the proponents of the amendment make that claim.

Mr. COOLEY. Certainly I do not make any such ridiculous contention. What I contend is that by reducing the amount you will be able to reach more people and do more good.

Mr. LEAVY. Since the Committee has voted down the amendment to reduce the money available for this service there is no reason to adopt an arbitrary loan limit so small as to make the funds unavailable. I trust the amendment will be defeated.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Washington has expired; all time has expired.

The question is on the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. COOLEY), there were—ayes 82, noes 45.

Mr. LEAVY. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), (not to exceed $551,100) and the provisions of sections 4 (not to exceed $83,700) and 5 (not to exceed $65,200) of the act entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," approved June 7, 1924 (16 U. S. C. 567–568), and acts supplementary thereto, including the employment of persons and means in the District of Columbia and elsewhere; the purchase of reference books and technical journals; not to exceed $30,000 for the construction or purchase of necessary buildings, and other improvements; in all, not to exceed $700,000: *Provided*, That no part of this appropriation shall be expended in any State or Territory unless the State or Territory, or local subdivision thereof, or individuals, or associations contribute a sum equal to that to be allotted therefrom by the Government or make contributions other than money deemed by the Secretary of Agriculture to be the value equivalent thereof: *Provided further*, That any part of this appropriation allocated for the production or procurement of nursery stock by any Federal agency or funds appropriated to any Federal agency for

allocation to cooperating States for the production or procurement of nursery stock, shall remain available for expenditure for not more than three fiscal years: *Provided further*, That in carrying into effect the provisions of the Cooperative Farm Forestry Act, no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

Mr. HOPE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Chairman, this paragraph carries $700,000 for cooperative farm forestry. This amount was approved by the Bureau of the Budget and is broken down in the Bureau's estimate to include $298,000 for the Prairie States farm forestry project commonly known as the shelterbelt. Last year the Department of Agriculture appropriation bill, as finally enacted, carried $300,000 for this project. The item was not in the bill as it passed the House originally but was introduced as an amendment in the Senate. The conferees failed to agree upon this item and brought it back to the House, where upon a separate vote the conferees were directed to agree to the Senate amendment.

The language contained in this paragraph is the same as that carried in the recommendation of the Bureau of the Budget, and under the language as it stands, the $298,000 is authorized to be spent on the shelterbelt project. However, the committee in its report indicates that it does not approve of the expenditure of this fund on the shelterbelt project. The committee's suggestion is certainly most unusual, and with all due respect to the committee, it does not seem to me that the conclusions reached in the report are justified or based upon either facts or sound reasoning. The section of the report dealing with this matter reads as follows:

The Budget proposal is to allot $300,000 of this fund to the so-called shelterbelt project. It is believed that the Norris-Doxey Act was passed by Congress with the thought in mind that the appropriations to implement it should be allotted among the several States in some equitable ratio, such as one based on the total farm acreage in each of such States adapted to forestry. Of the total appropriation of $700,000, but $551,100 is allotted to the Norris-Doxey Act and more than half of the latter sum, namely $300,000, is set up by the Budget for expenditure on the shelterbelt project. The committee disapproves of such a patently unfair and unwise distribution of this fund.

It was revealed in the hearings that the Department is requiring a much less substantial contribution from the prairie States in connection with the shelterbelt than it requires from other States in which this work is carried on. Here again the committee feels that there is unwarranted discrimination in favor of the shelterbelt States as opposed to the other States and that it is a matter which the Department should rectify.

I presume that this unusual language was included in the report with the thought that the Department administering the act would take it as a direction not to spend the amount allocated on the shelterbelt project, but to distribute it among the various States in some other way. In that connection it might be pointed out that a distribution of $300,000 among the 48 States for farm forestry would be a most impractical and wasteful procedure. Neither the Forest Service, the Soil Conservation Service, or the Bureau of the Budget has prepared, approved, or submitted any proposal along that line, and certainly no responsible departmental head would sponsor such a wasteful and unjustified proposal. If the purpose is to kill the shelterbelt project, then it seems to me that it would have been wiser to have eliminated the appropriation altogether rather than to make the suggestion for its expenditure as is contained in the report.

I want at this time to call attention to some of the statements contained in the report and to point out that they cannot be justified by any facts shown in the records of the committee or of this Congress. Take, for instance, the statement:

It is believed that the Norris-Doxey Act was passed by Congress with the thought in mind that the appropriations to implement it should be allotted among the several States in some equitable ratio, such as one based upon the total farm acreage in each of such States adapted to forestry.

I was a member of the Committee on Agriculture when it reported the Norris-Doxey bill. I was present in the House when the bill was considered. To refresh my recollection, I have read the debate in the House on the bill and have reread the report from the Agricultural Committee and have also carefully reread the bill. There is nothing whatever in the bill, in the committee report, or in the discussion in the House which would in any way justify a belief that the Norris-Doxey Act was passed with the idea that the appropriations made under it should be allotted among the various States on the basis of some mathematical ratio. If it had been the intention in the act that funds should be allotted to the States on some such basis, certainly the bill would have set out that fact and the formula for making the allotments would have been set up in the bill itself. I challenge anyone to point out anything in the bill, the committee report, or the debates in the House and Senate which would justify any such assumption as is contained in the committee report.

I challenge, also, the statement contained in the committee report:

That the Department is requiring a much less substantial contribution in connection with the shelterbelt than it requires from other States where this work is carried on.

Under the Norris-Doxey Act it is not required that the States or even individuals make any contribution to match Federal funds, the only requirement being that "no cooperative reforestation or afforestation shall be undertaken pursuant to this act unless the cooperator makes available without charge the land to be planted." However, it has been the policy of the Forest Service to require contributions on the part of those on whose land shelterbelt plantings were made. It should be recalled, however, that until the present fiscal year no direct Federal appropriations were made for carrying out the shelterbelt program. All of the Federal money which has been expended has been W. P. A. money, expended by the States in an effort to solve unemployment, which money undoubtedly would have been spent on other projects than the shelterbelt had not that program been in operation.

I have asked the Forest Service to furnish me the amount of the total project expenditures as compared with the money or other contributions furnished by farmers, municipalities, counties, and individuals in the way of cooperation. I have been furnished with these figures. For 1940 the total project expenditures were $2,198,641 and the value of the cooperation by farmers, municipalities, counties, and individuals was $1,133,875. For 1941 the corresponding figures were $2,070,037 and $1,184,827. Most of these contributions were made by the farmers themselves.

It will be seen, therefore, that notwithstanding the fact that no contribution is required of cooperators under the Norris-Doxey Act, very substantial contributions have been made by the cooperators, and furthermore that not only is it true that substantial contributions have been made by the cooperators, but no direct expenditures have been made by the Federal Government on the project until the present fiscal year. Therefore, any statement that a less substantial contribution is required of this project than others is not borne out by the facts.

I think it should also be pointed out that under the Norris-Doxey Act cooperation with individuals is provided for specifically in contrast with the provisions of some other acts providing only for cooperation by the State or State agencies. In fact, it might well be said that the principal purpose of the act was to set up a program whereby there should be direct cooperation between the Federal Government and the individual farmer.

Furthermore, it was contemplated at the time of the passage of the Norris-Doxey Act that the Prairie States forestry project was one of the projects under which funds would be spent. If you will refer to the letter of the Acting Secretary of Agriculture reporting on the bill, which is set out in the report, it will be noted that this project was referred to in some detail. Furthermore, the discussion of the Norris-Doxey Act shows clearly that this project was contemplated.

I would like also at this time to refer to the statement which has frequently been made in the Committee on Appropriations and here in the House that Congress ordered the liquidation of the shelterbelt project. It is true that the 1937 Department of Agriculture appropriation bill, passed by Congress in 1936, contained an appropriation of $170,000 for liquidation of the project. That money was never expended. Whatever the intention of the committee or of Congress may have been at that time is of no moment now because at least twice since that time both Houses of Congress

have approved of the shelterbelt project; first, in the passage of the Norris-Doxey Act; and second, in the passage of the Department of Agriculture appropriation bill for 1942, where an appropriation of $300,000 was voted upon separately in the Senate where it was offered as an amendment from the floor and here in the House on a motion to instruct the conferees to accept the Senate amendment.

Mr. Chairman, I do not know of any governmental project which has been more misrepresented and more misunderstood than the shelterbelt project. In the beginning many professed to treat it as a joke. It had the united opposition of the nurserymen of the country who were so shortsighted that they failed to see that a successful project of this kind would greatly stimulate the nursery business. It is my understanding that the nurserymen of this country have changed their minds on the matter and now realize that the success of this project has given a great impetus to the nursery business in the Prairie States.

This project was begun frankly as an experiment. There was little to go by in the way of experience. It has become one of the most successful afforestation projects ever undertaken in all of the history of mankind. During its early years it was handicapped by the fact that climatic and weather conditions were the worst in the history of the Great Plains. It would have been no discredit if due to those adverse weather conditions the project had failed. However, the project did not fail. It has been a tremendous success. I wish that every Member of this House had the opportunity to visit a shelterbelt planting. Some of you have done so, and I know the wonder and amazement with which you have viewed the results so far achieved. Its success is a tribute to the ability, efficiency, and training, as well as the vision, of the men comprising the Forest Service of the United States. It is my understanding that the project is now about to be taken over by the Soil Conservation Service, and I feel sure that under that management it will continue to be the success that it has been up to date. I am told that a large part of the personnel who have been conducting the project for the Forest Service will be taken over by the Soil Conservation Service. This insures a continuity of experience and management.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all Members who have spoken on this bill in the Committee of the Whole may be permitted to extend their remarks in the RECORD.

Mr. MANSFIELD. Why not include all Members?

Mr. TARVER. Mr. Chairman, I modify my request in accordance with the suggestion made by the gentleman from Texas [Mr. MANSFIELD], that all Members may have permission to extend their remarks on the bill.

The CHAIRMAN. The gentleman will have to secure that permission in the House.

Mr. TARVER. Then, Mr. Chairman, I restrict my request to what I originally presented: That all Members who have spoken on the bill in the Committee of the Whole may be permitted to extend their remarks in the RECORD.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, as amended (7 U. S. C. 901–914), as follows:

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports including the salary of the Administrator, Rural Electrification Administration, and other personal services in the District of Columbia and elsewhere; purchase and exchange of books, lawbooks, books of reference, directories, and periodicals; not to exceed $300 for newspapers; financial and credit reports, $4,013,798.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 87, line 24, strike out "$4,013,798" and insert $3,750,000."

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. TARVER. Mr. Chairman, in view of the necessary reduction of the activities of the R. E. A. and the very considerable reduction in the amount of funds which will be available for the next fiscal year, our subcommittee has decided after conference with each other and with the gentleman from Illinois that we would be willing to accept this amendment. The gentleman from Illinois [Mr. DIRKSEN] originally proposed a very much larger reduction, but we have agreed to accept the present amendment if it meets with the approval of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

Total, Rural Electrification Administration, $4,013,798.

Mr. FADDIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FADDIS: Page 88, line 18, strike out the period at the end of the line, insert a comma and add the following: *"Provided*, That during the period of the war in which the United States is now engaged, no part of this money appropriated under this bill shall be expended for administrative services which have to do with the construction of any facilities for the production or transmission of electric power in any area now receiving central station service."

Mr. RANKIN of Mississippi. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. RANKIN of Mississippi. Mr. Chairman, I make the point of order that the amendment is not germane and that it is legislation on an appropriation bill.

As a matter of fact, the Rural Electrification Administration does not build these lines. That is done by the Cooperative Power Association. To attempt to restrict the funds for the administration of the Rural Electrification Administration here in Washington would certainly not be germane because it could not apply to restricting the Cooperative Association as to what it shall do with the funds it has borrowed, not the funds provided for administration but the funds provided for in the $10,000,000 above and other funds that have been provided through the R. F. C.

So, Mr. Chairman, this amendment is entirely out of order and, as I said, it is not germane; besides, it is legislation on an appropriation bill that cannot possibly reach the object to which it is directed.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. FADDIS] desire to be heard?

Mr. FADDIS. Mr. Chairman, I contend this is not legislation upon an appropriation bill. It is a restriction of the way in which these funds may be spent, therefore a restriction upon the amount.

The gentleman from Mississippi [Mr. RANKIN] states that this is a restriction upon the operation of the administrative branch of the Rural Electrification Administration here in Washington. I call the attention of the Chair to the fact that the object of this amendment is to prevent it from building lines in competition with lines already built and in support of that I want to read to the chairman section 2, or a part of section 2 of the act:

The Administrator is authorized and empowered to make loans for rural electrification and the furnishing of electric energy.

The CHAIRMAN. The gentleman's amendment does ont simply apply to rural electrification. The gentleman's amendment applies to everything appropriated in the bill.

Mr. FADDIS. It applies to the administrative expenses of the Rural Electrification Administration.

The CHAIRMAN. The language of the amendment reads:

No part of this money appropriated under this bill shall be expended—

And so forth.

The Chair is ready to rule on the point of order, unless the gentleman has something further to offer.

The Chair is of the opinion that since the amendment is directed to the entire bill, it is not germane to this paragraph and therefore the point of order is sustained.

Mr. FADDIS. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. FADDIS: Page 88, line 18, after the period at the end of the line, insert a comma and the following: *"Provided*, That during the period of the war in which the United States is now engaged, no part of this money shall be expended for administrative services which have to do with the construction of any facilities for the production or transmission of electric power in any area now receiving central station service."

Mr. RANKIN of Mississippi. Mr. Chairman, I make the same point of order against this amendment, and also the further point of order that it attempts to change existing law.

I call the attention of the Chair to the fact that the duties of the Rural Electrification Administration are already prescribed in existing law. This amendment attempts to change that, which makes it purely legislation on an appropriation bill. Besides, as I pointed out a moment ago, this expense account has nothing whatever to do with the disposition of the money borrowed by the rural electrification cooperatives from the R. F. C. or through the R. F. C. This amendment is not in order for those three reasons.

Mr. TARVER. Mr. Chairman, may I offer an observation in connection with this argument? The limitation which the gentleman seeks to impose upon the administrative expenses cannot be germane to this paragraph of the bill, which has nothing to do with administrative expenses but merely with the item of loans. The item of administrative expenses has already been passed.

The CHAIRMAN. The Chair would call attention to the fact that the amendment is offered to the total amount for rural electrification, which includes everything for rural electrification.

Mr. TABER rose.

The CHAIRMAN. Does the gentleman from New York [Mr. TABER] wish to be heard on the point of order?

Mr. TABER. No; not at this time.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. FADDIS] desire to be heard? The Chair is ready to rule.

Mr. FADDIS. Mr. Chairman, this amendment I believe to be germane to the portion of the bill to which it is offered because it is offered as a limitation upon the administrative expenses connected with the administration of rural electrification without which administration they cannot borrow the money from the R. F. C. to construct lines. I contend that it is part of the administrative function of the R. E. A. to borrow money to construct lines, therefore an amendment offered to the administrative expenses of this bill is germane.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Pennsylvania offers an amendment which reads as follows:

Page 88, line —, after the period at the end of the line, insert a comma and the following: "*Provided*, That during the period of the war in which the United States is now engaged no part of this money shall be expended for administrative service which has to do with the construction of any facilities for the production or transmission of electric power in the area now receiving central station service."

The gentleman from Mississippi makes the point of order it is not germane. The Chair feels that the present amendment as distinguished from the former amendment, being limited to the amount proposed to be appropriated for the Rural Electrification Administration, and being a limitation only upon the expenditure of those funds, is in order; therefore, the point of order is overruled.

The gentleman from Pennsylvania [Mr. FADDIS], is recognized.

Mr. FADDIS. Mr. Chairman, as has been stated many times during the consideration of this bill, we are at war and because we are at war and because of the excessive use of copper at this time, copper has become a metal of the very highest strategic importance.

All I seek to do by this amendment is to prevent the R. E. A. from constructing lines to transmit power which duplicate already existing lines. I submit that in so doing I am only being consistent as regards the very wording of the law which gave the R. E. A. birth.

Section 2 of Public, No. 605, Seventy-fourth Congress, says in part:

The Administrator is authorized and empowered to make loans for rural electrification and the furnishing of electric energy to persons in rural areas who are not receiving central-station service.

Reference to the legislative history in connection with the enactment of this act and examination of the debates at that time disclose among the statements of its strongest supporters the following from Senator NORRIS:

There is no intention of going into a farming community which is already supplied with electric current and forming farm organizations there and having them built up to go into competition with farmers who are already getting their current from a central station.

Speaker RAYBURN, at that time chairman of the Committee on Interstate and Foreign Commerce of the House, said this:

This organization, like the present temporary one, would finance projects in virgin territory only.

Mr. Chairman, Mr. Sanford M. Stoddard, for the Associate Solicitor, Rural Electrification Division, stated this in a letter:

Section 4 of the Rural Electrification Act of 1936 limits the loan-making power of the administrator to the making of loans for the purpose of financing the construction and operation of facilities "for the furnishing of electric energy to persons in rural areas who are not receiving central-station service." This, by implication, prohibits the making of loans to finance the construction of facilities to serve persons who are already receiving central-station service. Moreover, it evidences a congressional intent to set up a safeguard against Federal funds being used by the Rural Electrification Administration to finance the construction of facilities to compete with or duplicate existing facilities.

Mr. Chairman, all I seek to do by this amendment is to provide that during the time of this emergency copper will not be wasted in constructing lines to transmit power where lines are already constructed for that purpose. As I have stated before, copper is a metal of the very highest strategic importance, and I certainly do not believe that at a time like this, regardless of what beliefs anyone may have about the R. E. A., we should allow the R. E. A. to continue its duplication of already existing lines to the detriment of national defense.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I had hoped that we might be able to get by this paragraph of the bill without reopening this perennial row between the advocates of public power and the advocates of private power. Certainly there is no excuse for having a row about this section of the bill. The amount of the appropriation contained in the paragraph is very small in comparison with that carried in previous years, $10,000,000 as against $100,000,000 for the present fiscal year, although there will be carried over about $20,000,000 in addition to that, making about $30,000,000 available for the next fiscal year, which Mr. Slattery himself has testified would be sufficient.

There is no reason, therefore, that anybody should offer an amendment to increase the amount, and, in my judgment, no reason why anybody should undertake to decrease it.

As far as the amendment offered by the gentleman from Pennsylvania is concerned, it evidently has relation to his subcommittee's investigation of the case in Arkansas, where his subcommittee report claims that copper was wasted by an R. E. A. cooperative and that a private power company could have built the line with less copper, and so forth, and so on. Our subcommittee, conceiving it to be a matter within its jurisdiction, made a thorough investigation of that Arkansas case. You will find the evidence with relation to it in the hearings. We were not able to determine that there had been any abuse of discretion on the part of the officials of the R. E. A. The defense officials of the Government seemed to feel that the R. E. A. had performed a very great public service in acceding to their desire to build the line in question, and that they did it with the use of less copper and furnished more power for the purposes desired by the defense authorities than would have been the case had the line been constructed by the private power company.

All that I think is neither here nor there. Here you are asked to put into the bill a limitation that would prevent the War Production Board from calling on an R. E. A. cooperative and asking that R. E. A. cooperative to do something for it that in its judgment would aid in the defense effort, as was true in the Arkansas case.

For what reason would you want to handicap the War Production Board in making use of any or all of the facilities of this country that may exist for the building of power lines or the furnishing of power to any defense industry or defense activity?

No matter how you feel on this public power versus private power question, there certainly is no justification for putting this limitation in the bill. I hold no brief either for or against power companies. I think power companies ought to be treated fairly. Their stocks are owned by citizens, and those citizens are entitled to fair treatment. I also think R. E. A. is doing a good job. But there is no reason for messing up this agricultural appropriation bill by a limitation of this kind, that is simply the outcome of a bitter fight over the Arkansas case, and handicapping our defense authorities in the way that is here proposed.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman from Georgia is on the committee that investigated the Arkansas case. That matter will be disposed of before this money is available, will it not? This could not apply to that at all.

Mr. TARVER. Undoubtedly so. I assume the gentleman wants to stop such practices for the next fiscal year. I do not think the House ought to enter judgment on the Arkansas case because I do not think it is a matter we can properly determine here at this time.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Arkansas.

Mr. TERRY. May I also call the gentleman's attention to the fact that the $10,000,000 the Reconstruction Finance Corporation was authorized to lend this year was for defense projects only.

Mr. TARVER. Undoubtedly the limitation here would handicap the War Production Board and other defense authorities endeavoring to use, to the extent that they can do so, the service of the R. E. A.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Chairman, I rise in opposition to the amendment and move to strike out the last word.

Mr. TARVER. Mr. Chairman, I wonder if the gentleman would permit me to propound a unanimous-consent request?

Mr. RANKIN of Mississippi. I yield.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

SEVERAL MEMBERS rose.

Mr. TARVER. Mr. Chairman, I withdraw the request.

Mr. RANKIN of Mississippi. Mr. Chairman, this amendment can serve no useful purpose. It can only tend to handicap the Rural Electrification Administration and the national defense efforts at this time.

In this connection let me say that this will not apply to the district I represent, for the reason that we have no private power companies in the district, but it will apply to a great many areas where it is absolutely necessary that these lines be built or that stand-by facilities be provided.

The gentleman from Pennsylvania [Mr. FADDIS] attempts to leave the impression that the R. E. A. is hoarding or wasting copper that should be used for other purposes. I most emphatically deny that charge. That question was thoroughly investigated by the Appropriations Committee, as the gentleman from Georgia [Mr. TARVER] has just told you, and they found that no such condition prevails. On the other hand, certain private power interests have been hoarding copper, packing it in their warehouses and then demanding that the R. E. A. be denied the use of the copper necessary to carry on its work and to meet the defense efforts.

You are passing a bill for the American farmers. So far as the farmers are concerned, the people who till the soil, this Rural Electrification has done more for them in the last 5 years than has all the rest of the Department of Agriculture. You only have one-third of the farms of this Nation electrified now. The rest of the farmers are pleading for it. It is necessary to enable them to meet the war demands. Yet you come here and go far beyond anything in the original law which prohibited the serving of individual homes that were already served from a central station. By this amendment you try to shut them out of the entire area and say to the farmer that if that area has been preempted by a private power company, then we shut the door in their faces so far as Rural Electrification is concerned.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield.

Mr. RANDOLPH. Is it not a fact that when these rural lines are taken to the homes and given to the farmers, they themselves pay for the installation in their properties.

Mr. RANKIN of Mississippi. They pay for the wiring of their homes and for the installation of the facilities in their houses and out of the rates they pay, they ultimately amortize every dollar that is advanced for the building of these lines.

The Government of the United States will not lose a dollar, the Government of the United States will not lose a penny, but, on the other hand, it is building the morale of the American farmers. Why, did you know that the countries we are now fighting have been building these rural power lines for years? From 90 to 98 percent of the farmers in Germany, France, Norway, Sweden, Italy, and even Japan have been receiving the benefits of electricity for more than 7 years, when all we have done through our rural electrification program has been to electrify about one-third of the farm homes of the Nation.

This is nothing in God's world but the old attempt to paralyze rural electrification. It is an insidious movement of the enemies of R. E. A. to try to block rural electrification now. They talk about not wanting to build competing lines. The private power companies have gone into the areas where the R. E. A. cooperatives were building these lines and have built spite lines until the farmers took their shotguns and ran them out.

By all means, this amendment should be defeated.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE], a member of the committee.

Mr. CASE of South Dakota. Mr. Chairman, I only want a minute. I would like to ask the gentleman from Pennsylvania a question if I may have the attention of the author of the amendment. I am just a little confused about the meaning of the amendment, and for the purpose of its interpretation in case it should be adopted I would like to have the opinion of the gentleman.

I have in mind a national defense project, an ordnance project of considerable importance, that is now being constructed, the power for which it has been expected would be supplied by R. E. A. In order to reach that point they go by a little town where there is an inadequacy of service now for the houses that will be needed there because of the construction of the ordnance proposition a few miles away.

It has been presumed that if the organization served the plant it might also go into this town. The utilities there are not in position to expand their own facilities. Does the gentleman think his amendment would preclude such a solution of the problem?

Mr. FADDIS. No; I do not, because obviously the small utility at this time serving that locality is not furnishing enough electricity to satisfy the demand and it would not apply in a case of that kind.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, the gentleman from Mississippi [Mr. RANKIN] and likewise I am willing to admit the gentleman from Pennsylvania [Mr. FADDIS] in discussing this question go to such extremes, one on one side and one on the other, that it is never possible to discuss the matter calmly. I happen to be a member of the majority of the committee that investigated the R. E. A. situation in Arkansas and Texas. We spent a great deal of time on that question, and did a mighty good job. We did determine that there was waste of strategic and critical material and there never has been any denial of that. As a matter of fact the explanation that comes from the War Production Board is that the project they approved consumed only 200 tons more copper than the one we said should have been approved. That much copper is of primary importance to our defense program. This Nation has always been a copper-exporting Nation; however, we are now a copper-importing nation. We have contracted for all of the surplus ore of South America in an attempt to bring it to the United States for smelting. That ore will run about 30 percent copper, because it is concentrated before shipment. At that rate 600 pounds of copper will require a ton of shipping. One third of our present requirements is coming from South America. The shortage of ships makes the transportation of that copper most difficult. Two hundred tons of copper is a very material amount, as you will agree, when you know that one type of bombing plane requires 500 pounds of copper and another type requires 2 miles of copper wire to keep it flying. Everytime a battleship slides down the ways it means that 2,000,000 pounds of copper is going to sea. Every pound of copper diverted from the war program means a soldier some place will not have the ammunition and supplies which he needs.

Of course, they now bring in the statement that the project was to furnish an additional amount of power, but that never appeared in our committee. That is something that has been raised since in an attempt to justify the waste. What we are trying to do is conserve strategic material. There is no question here

about stopping the R. E. A. program. The true friend of the farmer who examines into what has been going on in these cases will find that these co-ops have used bonds that are the obligation of the farmers to build plants and lines to serve defense installations which will be idle after the war, and the farmers will be left without any return and the obligation to pay.

We have heard much during the past few weeks of blocs. Sometimes it is the labor bloc and sometimes it is the farm bloc, or some other bloc. It is high time that we all get together and form the United States bloc. It is time for all of us to forget the special interest or the special advantage of any isolated portion of the population and devote our talents and our efforts to the welfare of the Nation. It has been interesting to note the number of Members who were strong in their support of the provision to suspend the 40-hour week who have been ardent in their objection to any reduction in any portion of this agriculture appropriation bill. On the 40-hour suspension they contended with force, and with logic, that you cannot fight and win a war while working but 40 hours a week. Many of those same gentlemen are equally forceful, but far less logical, in their contention that all of the services, subsidies, programs, and benefits accorded the farmer in time of peace shall continue during time of war.

These gentlemen think they are sustaining the best interests of the farmer. They are sincere in that belief. Let me warn you now you are doing your farmer friends no service in this regard. The best service you can render now is frankly and conscientiously to admit that you cannot have this war effort and all of these other benefits at the same time. Those who are interested in labor, in the farmer, in the underprivileged, or any of the other objects and beneficiaries of these programs, can best serve the group in which interested by assisting in a sensible program of retrenchment. Take this bill and, in good faith, remove therefrom the items which can be removed with the least damage to the program. There is not a man on this floor who does not know that the departments are crowded with unnecessary employees. They will be eliminated when you cut the appropriation to the point that the department heads must eliminate them. That will result in their transfer to war work. You know as well as I do that even minor employees of all of the departments travel at Government expense on the slightest pretext. Yet you continue to refuse to cut the items contained in the bill for travel expense. The reduction or elimination of these administrative items will do slight, if any, damage to the beneficial objectives which you seek. You just insist upon maintaining these programs without amendment or drastic retrenchment and you are going to find that the people of this country will rise up in time, and that time is not far distant, and repeal the whole program. You friends of the farm program, and the friends of other programs for that matter, had better get busy and make those reductions yourselves. If you do not do it with friendly and sympathetic interest in the program, the enemies of those programs will surely get the upper hand and do the job. When the enemies do the job they will leave nothing of it. You friends can, if you will, reduce these appropriations where they will do the least harm. It is ridiculous to see friends of the farmer take days here in insisting that yearbooks shall be issued in time of war, that information service shall not be curtailed, and that the myriad of inspectors and agents shall be continued. You cannot win a war like that. The people know that you cannot win a war like that. They are not going to stand for this Congress acting as if you can win a war like that. You descendants of those who sustained the Union, and you descendants of those who sustained the Confederacy should call upon your ancestors for advice. Those ancestors will tell you that the kind of war in which you are now engaged takes all of your resources. They, on both sides, felt the actual pangs of hunger. They wore rags and tatters. They gave their all for a war effort. Since that great struggle we have seen no such war until our entrance into this one.

Every selfish interest must be abandoned. Groups must cease trying to get an advantage over each other. That applies to everybody. Publicly owned electric power and privately owned electric power must cease their attempts to secure advantages to be enjoyed after the conflict, and waste sorely needed strategic or critical material in the effort. No patriotic man or woman should hesitate to forego an advantage. Where did you get the idea that all of the sacrifices of war is to be borne by those who enter the Army? Why should they be called upon to suffer inconvenience, financial disaster, bloodshed, and death, while others give up nothing, not even social gains, limitation upon hours of labor, farm parity, or profits? During their absence; their parents are not going to accept such a notion with complacency. Those who are risking all are not going to forget such an attitude. They will remember it when they get back and there will be just retribution.

Your mail and mine reflects great concern, doubt, and unrest throughout the country. That mail comes from men and women who know what war means. It comes from mothers, fathers, sisters, brothers, wives, and sweethearts of men from whom they have not heard in weeks. All they know is that their loved ones have sailed for foreign duty. To do what? Enjoy the benefits of a new economic order? Oh no; to sweat, to toil, to bleed, and to die. To sustain him in that effort he needs to know that his loved ones are wholeheartedly behind him. And those left at home must feel that their Government is fully sensible of the needs of this situation. You worry about this unrest as I do. Then why not do something toward ending it. Get down to work and cut out these appropriations which are not needed. Put everybody to work every available hour and keep them working. Put a stop to strikes. Put a stop to excessive war profits. Put a stop to reckless spending. When you do those things you are rendering a patriotic service to your Nation and to all of the people, laborers, farmers, businessmen, soldiers, sailors, and marines, and you are doing no one an injustice.

It was interesting to hear members of this appropriation subcommittee contend that amendments should not be offered from the floor to cut items in this bill. They take the position that the men who have brought this bill to the floor have had years of experience in preparing the bill and in placing the items in it. Frankly, that is just the trouble with all of these bills. By that I mean no reflection upon those gentlemen. The point is that these items have been carried from year to year for such a period of time that few remember the exact reason they were placed in the bill in the first place. In other words, as a Congress and a Nation we are in the position of a person who goes along from year to year feeling that he cannot do without any of the things he regards necessary to life. It just does not seem possible to cut personal expenses. The pay check goes each month and nothing is left and still there is no expenditure that he can eliminate. Did you ever have the experience of losing your job? It was remarkable the number of things you could do without. You never thought you could live on so much less. Things formerly regarded as essential became unnecessary luxuries. That is the situation in which this Nation now finds itself and we had better admit it. There has been a terrible change in our position. We are faced by a condition as vital and critical as that which faces the man who suddenly finds himself without an income for himself and family. As a Nation we must do just what that man would do. That is, we must do without many things we thought indispensable. Let us get down to doing it. Not only in the case of the farmer, but in the case of everybody except the soldiers, sailors, and marines and their arms and equipment. This bill is before us now, let us go to work on it and keep up the work throughout.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. WINTER].

Mr. WINTER. Mr. Chairman, the amendment offered by the gentleman from Pennsylvania [Mr. FADDIS] is a very good amendment, and if the members of this Committee will carefully read the amendment and understand what is in it, they will see that this does not do anything to the R. E. A., and I for one do not want to do anything to the R. E. A. This amendment limits the R. E. A. from going into competition with private industry, where private industry is sufficiently filling the bill and furnishing the power in that particular place. I have in my pocket a map of the Arkansas-Louisiana district in which they are running lines, and they have applications before the Public Corporation Commission of Kansas, and also before the commission in the State of Missouri to run lines directly parallel with the lines now serving and that are serving rural cooperators in my district, and they had their hear-

ings set up until after next May, after this report of the committee came out, and they are going to try to do that. They have bought 675 poles and they have them on the ground, and 10,000 insulators, and other equipment except the copper conductor wire lying down there in violation of the law, right this minute. This amendment should be adopted to stop that practice.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, my distinguished colleague and good friend the gentleman from Texas [Mr. KILDAY] stated a moment ago that his committee had not known until after they closed their hearings that the proposal submitted by the R. E. A. would bring more power into Arkansas than the proposal submitted by private utilities.

Mr. KILDAY. I did not state that. I stated that the contention was never made by the people who contended for the other project. And another thing——

Mr. POAGE. No; not another thing, because I have only 2 minutes. The gentleman now says that the contention was not made by those who represented the R. E. A. The committee never called a single witness from the R. E. A., nor a single witness from any of the local cooperatives. They had witnesses from the private utilities, but not one single witness was ever called by that committee from any of the local cooperatives, and if they can name a man that they called representing the R. E. A. or the local cooperatives, then I will apologize to them here and now. Name one man that you called from the R. E. A.

Mr. FADDIS. Whose witness was the gentleman?

Mr. POAGE. You did not call me.

Mr. ELLIS. And they did not call me, either.

Mr. POAGE. You did not call either one of us. My colleague [Mr. KILDAY] was very kind and fair and notified me of the hearing, but I gathered the distinct impression when I appeared before your committee, at my own request, that you did not want to hear me. Several times you called attention to the fact that you were not interested in knowing why certain lines were built but only in how much copper was wasted. You assumed that all the copper used was wasted and did not want to be shown anything to the contrary.

You did not call either Mr. ELLIS or me and neither one of us represented either the R. E. A. or any local cooperative. You purported to find what the books of these local cooperatives showed and yet you did not have a single witness who had ever seen the books. I am afraid that if your amendment were adopted, it might be administered through power company injunctions with the same lack of consideration for the rights of the R. E. A. that your hearing was conducted.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLIS to the Faddis amendment: After the word "proceeding," insert the word "adequate."

Mr. FADDIS. Mr. Chairman, I accept the amendment and will be glad to do so.

Mr. ELLIS. Mr. Chairman, just in case the Faddis amendment should be adopted—I do not think it should be and I do not think it even does what the gentleman would like to do to the R. E. A., or what he hopes to do to the R. E. A.—but, just in case it should be adopted, then certainly you would want the word "adequate" in there or else you would forever preclude the R. E. A. from building lines anywhere where there was even a tiny, small bit of electric power in the community.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. ELLIS. Yes; I yield.

Mr. RANKIN of Mississippi. The instance cited by the gentleman from South Dakota [Mr. CASE], if the production of that utility was adequate or inadequate, they could not build a line in there?

Mr. ELLIS. Right. Even if a small servicing line happened to go out into a community to a private home, then no transmission line could be built into the community.

Mr. RANKIN of Mississippi. Just as this fiasco which the Arkansas Power & Light has been trying to perpetrate.

Mr. ELLIS. That is right.

The situation in my State has been mentioned. That was a case where the R. E. A. was building a transmission line out into a rural area that was not being served by a private power company. The plant is in Mr. NORRELL's district. He is on the floor. They are building a big aluminum plant out in a wooded area that did not have central-station service, and the very amendment which the gentleman from Pennsylvania [Mr. FADDIS] is proposing would not remedy anything he was talking about. I hope you will add my amendment to his and then kill it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, the Faddis amendment ought to be defeated. It does not add anything to the war program. It hurts a program important to many sections and many people. They cannot get the copper to build any unessential lines anyway, as there are priority boards here in Washington. If you have not found that out, I have. They decide whether anyone can have the copper or not.

It is just a part of the old utility game to run out a spite line. I have lived on a farm for years without electric power. I have lived on a farm by the year with electric power and I know how much it adds to country life. I know of no greater wrong that was ever done to the farm people than by the utilities running out their little spite lines all over the country to prevent the R. E. A. from giving the country the electric service they needed.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arkansas to the amendment offered by the gentleman from Pennsylvania.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Pennsylvania [Mr. FADDIS], as amended.

The question was taken; and on a division (demanded by Mr. FADDIS) there were ayes 49 and noes 87.

So the amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that I may extend my own remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. DIRKSEN. Mr. Chairman, in 1942 the Rural Electrification Administration had funds available in the sum of $100,000,000 for R. E. A. loans together with a sum of $4,262,375 for administrative expenses.

For the fiscal year 1943 the committee has reported $10,000,000 for loans and the sum of $4,013,798 for administrative expenses. If one adds the $20,000,000 of unused funds for the R. E. A. now available for loans, it will mean that it will have available in 1943 13 percent for administrative expenses as against 4.2 percent in 1942.

The amount reported by the subcommittee is identic with the Budget estimate. Available loans were cut by 90 percent.

Administrative expenses were cut by only 5 percent. I am, therefore, of the opinion that the amount of administrative expenses should be further reduced. I am not insensible to the fact that the R. E. A. has an accumulation of work as a result of loans made in other years but I feel notwithstanding that fact that a further administrative cut should be made and I am glad that the chairman of the subcommittee has acceded to my suggestion for a further cut of $250,000.

The hearings as well as the committee report will indicate that for several years I have given close attention to the R. E. A. not because I am opposed to public power but because I will not countenance in any agency of the Government deceptive and misleading information.

When the agricultural appropriation bill for 1941 was reported to the House on the 3d of March 1941 the committee report devoted more than a page to the matter of "integrity of sources of information of committees of Congress" as a result of an investigation which I made.

At that time I discovered in a report which was submitted to me by the R. E. A. that the number of persons who have received administrative within-grade promotions was not complete and accurate. I discovered, also, that a large number of employees had actually received as much as three steps of promotion whose

names were entirely omitted from the report made to me by the R. E. A.

When this letter was submitted to the attention of the subcommittee the committee at once recognized the gravity of this matter, because the committee understood full well the importance of accurate information coming from the various agencies of government to the Committee on Appropriations.

In the committee report which accompanied the 1941 bill the subcommittee said:

> This regrettable series of incidents involving as it does the integrity of a source on which the Congress and its committee must draw for information desired in the formulation of policy-making legislation is of such grave importance that the committee believes it should be called to the attention of the House, and is, therefore, presenting it in this report.

I was far from satisfied with the disposition of the matter and thereupon requested the Secretary of Agriculture to make a complete investigation of the whole matter. The Secretary's investigators performed a diligent and forthright piece of work in consequence of which the Secretary of Agriculture made a report to the subcommittee on November 15, 1941.

In that report he made the following statement:

> At the outset, let me say that the investigation fully supported Mr. DIRKSEN's contention that the promotion figures submitted by the Rural Electrification Administration to the Director of Personnel of this Department, which formed the basis of the Director's report to Mr. DIRKSEN, were inaccurate and incomplete. The investigation further revealed that equally inaccurate and incomplete promotion figures were submitted by the Rural Electrification Administration to the Bureau of the Budget.

Disciplinary action has been taken by the Department. In the case of Robert B. Craig, Assistant Administrator, the Secretary reports that—

> A severe letter of reprimand and warning has been addressed to Mr. Craig.

In the case of Mr. Kendall Foss, Chief of the Information Division of Rural Electrification Administration, the Secretary states that—

> At the very outset, he invented a scheme designed to thwart the submission of complete information that had been requested. * * * Charges looking to his removal from the service have been preferred against Mr. Foss.

In a subsequent report to the committee, dated February 9, 1942, the Secretary states:

> I have signed a decision finding that the charges are sustained and removing Mr. Foss from his position in this Department effective at the termination of his last day of service January 30, 1942.

In the case of Mr. W. Lyle Sturtevant, budget officer of the Rural Electrification Administration, the Secretary's report states:

> Mr. Sturtevant has been severely reprimanded and his suspension from duty without pay for a period of 30 days has been ordered.

The Secretary further advised the committee that—

> The foregoing information came as a distinct shock to me and you may be sure that the Department will not tolerate the submission of false or misleading information to any committee of Congress or any Member thereof.

The Secretary is to be commended for expeditious, forthright, and resolute disposition of this regrettable matter.

In a subsequent letter dated February 27, 1942, the Secretary said:

> I felt that the evidence did justify a finding that Mr. Craig, as Assistant Administrator, had not employed diligence and care commensurate with the responsibility of his office in supervising the compilation of the information in the communications to the committee with respect thereto. I, therefore, took the disciplinary action with which you are familiar.

The whole matter is rather completely set forth in volume 2 of the printed hearings on the appropriation bill for 1943, beginning on pages 448 and 755.

Notwithstanding the fact that Mr. Kendall Foss, who was Chief of the Information Division of Rural Electrification Administration, was finally dismissed, he is today employed in the Economic Defense Board. Truly it is strange and puzzling that an employee discharged for devising and inventing a scheme to thwart the submission of complete information to a committee of Congress should be acceptable to another agency in the executive branch of the Government which also operates on public funds.

The Clerk read as follows:

> Not to exceed 5 percent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 5 percent shall be added to any one item of appropriation except in cases of extraordinary emergency.
>
> Within the unit limit of cost fixed by law the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motortrucks in the District of Columbia: *Provided further*, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the Department, to such extent as the exigencies of the service may require: *Provided further*, That appropriations contained in this act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him: *Provided further*, That the funds available to the Agricultural Adjustment Administration may be used during the fiscal year for which appropriations are herein made for the maintenance, repair, and operation of one passenger-carrying vehicle for official purposes in the District of Columbia.

Mr. TABER. Mr. Chairman, I move to strike out the last word, and would like to ask the gentleman from Mississippi [Mr. COLLINS], who was also on the Military Appropriations Subcommittee, what effect the provision which was carried in the civil-functions War Department bill will have upon this paragraph.

Mr. COLLINS. The civil-functions War Department bill carries the following section:

> That no part of any money appropriated by this act or any other act except the appropriation "Contingent Expenses, Executive Office," and acts making appropriations for the military and naval establishments, shall be used for the purchase or exchange of any motor-propelled passenger-carrying vehicle if such purchase or exchange interferes with the priorities or quota for military or naval purposes as determined, respectively, by the Secretary of War and the Secretary of the Navy.

This amendment, I may say to the gentleman from New York, is applicable to the pending appropriation bill as well as to all other appropriation bills for other departments and independent activities.

Mr. TABER. And no department outside the War and Navy Departments can get any money to buy automobiles unless it comes within the provisions of the priorities that may be set up by the Secretaries of War and Navy?

Mr. COLLINS. That is right, except the Executive Office of the White House.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE of South Dakota. Is it not entirely probable that the civil-functions War Department bill will be passed by the Senate and approved by the President before this bill? So it would affect this act also.

Mr. COLLINS. It would make no difference.

Mr. CASE of South Dakota. It was not plain from the language.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. TABER. I yield.

Mr. DONDERO. I would like to ask the chairman of the committee this question: I notice on page 526 of the hearings that there is only a decrease in the number of automobiles, passenger-carrying vehicles, of 18 between 1942 and 1943, out of a total of some 21,000 vehicles used by the Department of Agriculture. Is the country to understand that this is the only reduction to be practised by the Department of Agriculture when the people of the country are on notice that they have got to get along without any?

Mr. TARVER. If the gentleman will observe the copy of the bill as it was submitted in accordance with Budget recommendations, it contains provisions in connection with every Bureau's appropriation throughout the bill for a certain number of motor-propelled vehi-

cles. We eliminated all of those provisions. The only provision in the bill, therefore, with reference to passenger-carrying vehicles is that which has been quoted in the paragraph just read. We have gone through all of the numerous estimates to which the gentleman has referred.

Mr. DONDERO. Then it is wrong to assume, as these figures would indicate, that the Department is going to have in 1943 within 18 cars the same number of vehicles it had in 1942?

Mr. TARV R. They are going to get along with a lot less than they estimated for, I may say to the gentleman from Michigan.

Mr. DONDERO. That is what I was asking for.

Mr. TARVER. They are going to find it very difficult to get the number of vehicles they think they need.

Mr. DONDERO. Exactly; and they should not be favored any more than the public.

[Here the gavel fell.]

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

SEC. 3. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department of Agriculture as may be designated for the purpose by the Secretary of Agriculture are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Mr. MONRONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: On page 99, between lines 6 and 7, insert a new section numbered—

"SEC. 4. Not more than a total of $8,000,000 of the funds appropriated by this act may be spent for travel expenses either by railroad, privately owned automobile, steamship, or airplane, including the per diem allowance for hotels, subsistence, or other incidental traveling expenses."

Mr. MONRONEY. Mr. Chairman——

Mr. TARVER. Mr. Chairman, my attention was inadvertently diverted from the reading of the amendment. Will the gentleman explain the purpose of his amendment?

Mr. MONRONEY. My amendment seeks, Mr. Chairman, to limit the amount that can be spent by the Department of Agriculture from funds appropriated in this bill to $8,000,000 for travel.

Mr. TARVER. Mr. Chairman, will the gentleman yield to permit me to submit a unanimous-consent request?

Mr. MONRONEY. I yield.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MONRONEY. Mr. Chairman, as I said before, this is an over-all amendment. The word "over-all" perhaps sounds a little peculiar in a travel account for the Department of Agriculture. This amendment merely seeks to freeze into the Budget $8,000,000 of excessive funds that can be saved the taxpayers of the Nation. If the Budget does not care to freeze it, perhaps the Senate can restrict the amounts individually and thus save $8,000,000, or, as a very last resort, this $8,000,000 that will be left loose in the bill may be spent on the farms of this country. Those are the three choices.

Perhaps I am a little bit picayunish in setting forth such small figures in these amendments, but I want the Members of the House to realize that in 16 States of the Nation they are paying in 1941 corporate and individual income taxes less than $16,000,000. I do not believe that the individuals of these States who are paying their taxes will want to think that the entire collection from those States will be spent for bureaucratic travel alone. Furthermore, may I advise the Members of the House that the farmers themselves are smart? They know where this money is wasted. I have received but one out of four or five hundred letters protesting a reduction in this travel amount.

Legitimate objection was made to some of my amendments, that it would unduly curtail and restrict travel in certain specific instances. This amendment, if adopted, will allow the Department of Agriculture to budget its travel account where the need is greatest and to reduce it where the need is not at all great. It will provide a saving in this way and will provide that the agencies and bureaus that do travel may take the funds, and those who have been taking trips to conventions, going around and wasting money in all sorts of ways, may be cut out. Perhaps a greater amount may be given to departments like the Bureau of Dairy Industry, which, may I call to the attention of Members from the dairy States, spent less than $9,000 in travel last year, while other departments spent up to a half-million dollars. It goes back to this one proposition: They can travel half as many, half as far, not half as often, or half as well, or, if they do not want to do that, they may reduce 12½ percent on each one of these items, and that will effect the saving we are trying to effect in this bill. It will not mean a 50-percent reduction, even if you limit it to $8,000,000, because of other reductions that have been made in this bill. In fact, it will give them from 60 to 66⅔ percent of the travel account that was budgeted before Pearl Harbor for use of the travel account of the Department of Agriculture.

The yardstick is very popular in this administration, and I believe it is a pretty good yardstick. I always like to go to the Post Office Department, because I find that that is one Department which functions 100-percent efficient.

You do not have a lot of extra or waste motion or a lot of extravagance. Would you gentlemen believe that the Post Office Department appropriations or budget, or the amount of money spent for travel in 1941, was less than one-third of the amount asked by the Department of Agriculture? The Post Office Department spent $5,387,000 for travel. I would like to ask you which Department you think serves the greatest number of people or did the best job?

It will be argued that this will cripple the Department, but I want to point out that this will not affect the 20,000 Government-owned cars that are not touched by this travel appropriation bill. When you listen to the story that it will cripple the Department, ask yourselves how the automobile dealer in your home town feels; ask yourselves how the tire dealer in your home town feels; ask yourselves how the refrigerator dealer, how the typewriter dealer, and how the housewives, who are going without sugar today because of the war emergency, feel. Then tell them that you were afraid to cripple the activities of the bureaucrats down here in Washington by putting a 50-percent or a 66⅔-percent limit on their pre-Pearl Harbor expenses.

Mr. Chairman, I ask that the amendment be agreed to.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

Mr. Chairman, the adoption of this amendment, which I do not believe, judging from previous action, the Committee of the Whole contemplates, will, of course, be very disastrous. To begin with you have already cut the administrative expenses of some organizations severely. You cut the administrative expenses in connection with the farm-tenant purchase program 50 percent. That included the travel item, salaries, and expenses. Now it is proposed to cut them 50 percent more. You cut the Bureau of Agricultural Economics $1,000,000 which, of course, involved the travel item for that Bureau as well as other items of expense in connection with the Bureau. Now it is proposed to cut them 50 percent more. The same thing is true with reference to the Office of Information, which has some travel expenses in it, in which you have a reduction of one-third, from $1,500,000 to $1,000,000. Then you cut by $25,000,000 the appropriation for grants and rural rehabilitation. Now the effect of this amendment would be to cut them by another 50 percent.

Those are only some of the instances in which the adoption of an amendment such as this would work disaster upon the Department of Agriculture. There are seven organizations of the Department of Agriculture that use 85 percent of the travel allowance. The Bureau of Animal Industry is one of them. If you

cut the travel allowance for the Bureau of Animal Industry half in two, of course that Bureau is not going to be able to continue efficiently its work in the eradication of Bang's disease, tuberculosis, and various diseases of animals with which it undertakes to deal.

The only sensible way to reduce the appropriation for travel expenses in the Bureau of Animal Industry or in any of the other bureaus, as pointed out by the gentleman from South Dakota [Mr. CASE], the other day, would be to first reduce the personnel by whatever percentage you wanted to reduce the travel expense. If you wanted to reduce the travel expense 50 percent, cut the personnel 50 percent first, then cut travel expense 50 percent. It certainly would be foolish to cut the travel expense item 50 percent and leave the same number of personnel to be employed.

Then we have the Forest Service, a Service which is charged with the protection of a great deal of the most valuable of the forest area of the United States and for which a great amount of travel is necessary for adequate protection.

Do you want at one fell swoop, without any reason being assigned therefor except the desire of somebody to economize to cut by 50 percent the allowance of the Forest Service for travel? Can you not envision the very serious effect that that would have upon the operations of that Service for the next fiscal year?

I might go on with a discussion of the other seven of the organizations. There is the Farm Credit Administration, which has over $1,000,000 of this travel allowance, which is used in connection with its manifold activities. There are the land banks, the production-credit associations, and other activities throughout the country in connection with the work of the Farm Credit Administration. You certainly do not want to undertake to hamper that service by cutting its appropriation for travel to 50 percent of what was felt necessary by the subcommittee which formulated this bill. The activities of the Agricultural Adjustment Administration would be similarly handicapped.

There is a reasonable way to effect economies. It ought to be based upon evidence; it ought to be based upon sound judgment as to where economies may be made without seriously hampering important governmental services. In my judgment, this is not the way to do it, and I hope the gentleman's amendment will be voted down.

[Here the gavel fell.]

Mr. GORE. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk again reported the Monroney amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and, the Chair being in doubt, the committee divided, and there were—ayes 95, noes 65.

Mr. NICHOLS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was agreed to.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 99, after the period in line 6, insert a new section as follows:

"SEC. 5. *Provided*, That none of the funds appropriated in this act shall be used to pay the salaries, allowances, or expenses of more than one Agricultural Adjustment Administration committeeman in each county committee and one township (community) committeeman in each township: *And provided further*, That salaries, expenses, and allowances of the county associations shall not be more than 2 percent of the benefits paid directly to farmers."

Mr. TARVER. Mr. Chairman, I make a point of order against the amendment offered by the gentleman. There are no funds carried in the bill to pay the salaries of county committeemen or community committeemen. The expenses of the administration of the Agricultural Adjustment Act are paid by the farmers themselves, or deducted from their benefits. The amendment offered by the gentleman, if adopted, would be absolutely nugatory and ineffective, and does not have any relation to any funds carried in the pending bill.

The CHAIRMAN. Does the gentleman from Ohio wish to be heard on the point of order?

Mr. JONES. Yes, Mr. Chairman.

Mr. Chairman, the benefits the farmers receive, from which the committeemen, county and community, are paid, are carried in this bill. It seems to me it makes no difference as to the germaneness of the amendment whether it takes a long while to get the money from these funds or whether they get them right now. It seems to me that by direction this is a limitation upon the amount of expenses that can be charged for the county and community committeemen and the entire personnel for their work.

The CHAIRMAN. Can the gentleman point out anything in the bill that relates to the matter on which he is trying to place a limit?

Mr. JONES. Parity payments are carried in the bill. The section with regard to that covers the funds from which the county and community committeemen are paid. The sugar benefits, amounting to some $40,000,000, are funds from which they are paid. The soil-conservation benefits carried in the bill are funds from which they are paid.

Mr. TABER. Mr. Chairman, will the Chair permit me to be heard on the point of order?

The CHAIRMAN. The Chair will be glad to hear the gentleman from New York.

Mr. TABER. These committeemen are paid by the Government out of this appropriation, as I understand. There is an allotment made to the farmer of a certain amount figured in accordance with the Adjustment Act. Out of that allotment is taken the farmer's share of the committeemen's fees, and these fees are paid to the committeemen by the Government out of this appropriation.

The CHAIRMAN. Does the Chair correctly understand the gentleman from New York to say that the committeemen to whom this amendment relates are paid from funds carried in this bill?

Mr. TABER. That is my understanding, Mr. Chairman, paid by the Government.

Mr. TARVER. Mr. Chairman, I offer the additional point of order that the amendment is certainly not germane to the portion of the bill to which it is offered, which has no reference to the work of the Agricultural Adjustment Administration.

The CHAIRMAN. The Chair is ready to rule.

The amendment offered by the gentleman from Ohio is a limitation on all the funds appropriated in the pending bill. It appears to the Chair that it is simply a limitation upon those appropriations carried in the bill, and, therefore, the amendment is in order. The Chair overrules the point of order.

Mr. JONES. Mr. Chairman, I ask unanimous consent to address the House for 2 additional minutes.

Mr. HOOK. I object, Mr. Chairman.

Mr. JONES. Mr. Chairman, the purpose of my amendment is to cut down the amount of money taken out of the hides of farmers benefited by the A. A. A. crop-insurance program, parity-payment program, and sugar-benefit program. The county committee expenses, including the township committeemen, the clerical help, the office force, office rent, the mapping division, and travel expenses for township and county committee costs 5.8 percent of the benefits paid to the farmers. The Washington office of the A. A. A. and the field office of the A. A. A. cost another 2 percent, although this latter 2 percent for the Washington and field offices is not taken out of the farmers' checks. The total administration of A. A. A. is too high, and the figures show that the administrative cost is ballooned.

I now give you the break-down of the cost. County committeemen expenses chargeable to the benefits paid to farmers, as follows:

	Approximate
County committeemen	$4,800,000
Community of township committeemen	4,600,000
Compliance division	11,900,000
Clerical, office force, office rent, including perimeter mapping division	18,000,000
Travel for county or township committeemen plus performance division	1,758,000
Actual total, as given by Agriculture Department	41,944,000

Under section 388 of the basic law, all or any part of the county, including township and community—associations' expenses may be charged to the farmers benefitted. Under the figures for 1941, $14,944,000 is 5.8 percent of the direct benefits paid to the farmers.

Section 392 provides that the D. C. and field expenses, salaries, etc., shall not exceed 3 percent of the appropriation for farm benefits. In this 3-percent limitation is included General Accounting Office expense of audit, and Treasury Department expense for writing the checks.

Under section 392 for the 1941 fiscal year 2 percent of the entire appropriation was used. In this 2 percent approximately $500,000 went to the General Accounting Office and $400,000 to the Treasury Department.

The payments direct to farmers are as follows:

A. C. P.	$470,469,890
Parity	213,300,000
Sugar benefits	45,470,000
Total payment	729,169,890

By way of comparison, the Internal Revenue Bureau has a similar organization and a similar responsibility of collecting from and checking over the returns of the general public who has to deal with the Government. The entire cost of personnel for the fiscal year 1942 for the Internal Revenue Bureau is $78,264,521. The number of personnel who earn this salary is 30,660 persons. The total amount collected in the fiscal year 1941 was $12,198,665,000. Thus the Internal Revenue Bureau operates for two-thirds of 1 percent of the funds it deals with.

To give you some idea of the extent of the work done by the Internal Revenue Bureau throughout the country with individuals and corporations, the $12,198,665,000 is represented by unemployment compensation, social-security taxes, income taxes, excess-profits taxes, liquor and tobacco taxes, and miscellaneous taxes.

Obviously, the difference between the operation of the Internal Revenue Bureau and the A. A. A. program is that the Internal Revenue considers everybody honest, and allows them to make out their own report without snooping until they find that the Government has been defrauded. The Agriculture Department deals with the farmers as though they were all crooks.

The purpose of my amendment is to cut the cost of administration to 4.1 percent of the benefits paid to the farmers—2.1 percent for Washington and field officers, and 2 percent for county and community committee organizations—which I think is ample, if the Agriculture Department puts the farmer on his honor as the Internal Revenue Bureau puts the people of the United States on their honor to report their income to the Government.

True, I have cut the number of committeemen but the big cuts will have to come from the technical staffs. Everybody knows there is money wasted in the operation. The administration costs too much. This amendment will do the job that should be done. I hope the committee will adopt my amendment.

Mr. TARVER. Mr. Chairman, I do not yield to the gentleman from Ohio [Mr. JONES] or anybody else in my desire to see the county administrative expenses of the Agricultural Adjustment Administration reduced to as low a percentage of the benefits which they handle as may be possible. I certainly want the farmers of the country to receive, to the last penny they may receive after the payment of reasonable administrative expenses, every dollar that is carried in this program. But if you adopt the amendment offered by the gentleman from Ohio you are going to wreck the farmer.

If you will examine the hearings of the Subcommittee on Agricultural Appropriations for the last several years, you will find that we have not waited for the gentleman from Ohio to raise this question. We have had it up with the officials of the administration from time to time and have urged the bringing down of these administrative expenses in every possible way. They have been brought down. They are very much lower now than they were some 2 or 3 years ago. We conceive that the activities of our subcommittee may have had some influence in that direction. But you cannot put all of these counties in the United States, 3,000 or more in number, of an agricultural character, in the same category from the standpoint of administrative expense. You cannot put all of those in my congressional district in the same category. In the counties where the farms are small and few in number, and where a great deal of measuring has to be done in order to determine whether the farmers are within their quotas or not, the administrative expenses are necessarily much larger in proportion to the amount of benefits involved than they are in larger counties or in sections of the country where there are large farms that may be easily measured.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. CASE of South Dakota. I would like to ask the chairman of the subcommittee a question. I think it is quite desirable to reduce expenses wherever that can be done, but I have a county in my district where it is 135 miles from one side of the county to the other. The area of the county is about as large as the State of Connecticut. How could one man measure all the farms in that county to find out whether the farmers are in compliance or not?

Mr. TARVER. The amendment would wreck the farmers in the gentleman's county, and it would wreck the farmers in most of the counties of my congressional district because they could not get this work done. This was a new thing just a few years ago, and they had to set up the organization to carry out the program. It was not and is not perfect. They had to secure not only these committee men and field men to measure in the field, but a lot of other employees whose services were of a seasonal character, not necessary throughout the year, but only at certain times.

Adopt this amendment and in a great many counties of the United States, if not in most of them, we will not be able to measure these farmers' land and determine whether they are within the quotas assigned them for the various crops that are subject to quota, and instead of helping the farmer, this would do just the opposite.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. JONES. Would the gentleman think that 4 percent, the amount the farmers receive, is not enough?

Mr. TARVER. I think in some counties it is too much, and in other counties too little. I think it depends on the nature of the work to be done. If you go into counties like some of mine, where the farms are small, and some times very hilly, it takes a good deal of time to measure the land in the field, to determine how much the man has in cotton. It takes as long a time to measure one little farm as it would to measure a 600-acre farm out in the country where the land is level, and where the cultivated land is all in one block. I am sure the gentleman's purpose is good, but I am sure his purpose if achieved would bring about the opposite of what he desires.

Mr. JONES. I submit that the photographing of all of the country has been done by the Agricultural Department, and all they have to do is to get a measuring stick out in their offices.

Mr. TARVER. But the farmers do not plant the same crops in one field every year. In my country they are rotating their crops. They will have one field in cotton one year, and the cotton will be in another field the next year. You have to measure those fields every year in order to determine whether they are within the quota.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. TARVER. Mr. Chairman, I move that all debate on this paragraph and all amendments do now close.

The CHAIRMAN. The question is on the motion of the gentleman from Georgia that all debate upon this paragraph and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 64, noes 102.

So the amendment was rejected.

The Clerk read as follows:

This act may be cited as the "Department of Agriculture Appropriation Act, 1943."

Mr. CANNON of Missouri. Mr. Chairman, I move to strike out the last word in order to express admiration for the able way in which the gentleman from Georgia [Mr. TARVER] has handled this bill.

It is a difficult bill at any time, and particularly this year, not only because of the varied and extensive provisions of the bill itself, but because of the condition of the times and the circumstances under which it has been considered. Notwithstanding the obstacles encountered, the gentleman from Georgia has steered the bill with unfailing tact and courtesy and has displayed a generalship which is one of the outstanding features of this session of Congress.

The members of the subcommittee reporting the bill—including the membership from both sides of the aisle—have labored indefatigably. The hearings on the bill, beginning in November and continuing until late in February, exceed by

far, both in extent and duration, the time spent on any other appropriation bill this year. They are entitled to the thanks and commendation of the entire membership of the House. The bill is exceptional in another respect. It is the first bill ever reported by the Committee on Appropriations on which the beneficiaries—the farmers—speaking through their farm organizations, have requested a reduction in appropriations. They are to be congratulated on the passage of a bill under which—with the few adjustments to be made by the Senate—they can efficiently and adequately produce the food that will win the war and dictate the peace that follows the war.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment. We have been 9 days in the consideration of this bill. It has taken much time and attention, and I believe that the Committee has given to it the very best that was in them in trying to solve the problems presented by the bill. At this time I feel it would be wrong if I did not call attention to the fine work that has been done here by the gentleman from Kansas [Mr. LAMBERTSON], the gentleman from Illinois [Mr. DIRKSEN], and the gentleman from Vermont [Mr. PLUMLEY] throughout the long, hard debate which we have gone through. Many amendments have been involved, and for the men to keep track of those amendments as well as has been done and to cover the situation from the hearings and from other facts at their disposal has been a severe task.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I desire to make an announcement for the benefit of certain gentlemen who have talked with me at various times during the day concerning whether or not separate votes were to be requested on certain amendments.

At the time of my consultations with them I advised them that it was my purpose to ask for separate votes on certain amendments. Since that time, and in view of the hard work which has been done by the House and the lateness of the hour and the probability that the Senate will pretty thoroughly review everything that has been done by the House in connection with this bill, I have decided that as far as I am concerned I do not intend to ask for any roll call on these amendments or any separate vote on the amendments.

I make this announcement in order that other gentlemen may, if they see proper, request separate votes.

Mr. Chairman, I consider that everybody has been granted unanimous consent to revise and extend their remarks.

I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and Mr. COOPER having assumed the Chair as Speaker pro tempore, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 6709, making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill, as amended, do pass.

Mr. TARVER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. LEAVY. Mr. Speaker, I demand a separate vote on the amendment involving loans, grants, and rehabilitation, which appears on page 83 of the bill—the so-called Dirksen amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse.

The other amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 83, line 3, strike out "$50,319,557" and insert "$25,319,557."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. WHITE) there were—ayes 174 and noes 102.

Mr. HOUSTON. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore (after counting). Twenty-seven Members have arisen, not a sufficient number.

The yeas and nays were refused.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TABER. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: On page 72, line 2, strike out "$20,510,812" and insert "$10,510,812."

Mr. TARVER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit offered by the gentleman from New York [Mr. TABER].

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion by Mr. Tarver to reconsider the vote whereby the bill was passed was laid on the table.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that the Clerk be permitted to correct totals in the bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND ON AGRICULTURE APPROPRIATION BILL

Mr. TARVER. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Minnesota [Mr. KNUTSON] be allowed to extend the remarks he made on Tuesday by adding a paragraph.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article on Army Ordnance, by Colonel Barker.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a resolution by the United Mothers of America.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that at the conclusion of today's business and other special orders I may address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to include a letter in the remarks I made in the Committee of the Whole this afternoon.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a petition from 800 farmers in my district.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include figures given me by the Farm Security Administration.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain excerpts.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. TERRY. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today in the Committee of the Whole, and to include certain excerpts.

The SPEAKER pro tempore. Without objection, it is so ordered.

(Mr. McGREGOR asked and was given permission to revise and extend his own remarks.)

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include an editorial from the Chicot Spectator.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a speech made by my colleague, the gentleman from Pennsylvania [Mr. DITTER], on December 4, three days before Pearl Harbor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein, in the Appendix, a newspaper article which appeared in the Washington Post.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a speech delivered by my colleague, the gentleman from Pennsylvania [Mr. EBERHARTER], and to extend the remarks I made on the Agriculture Department appropriation bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I have two requests, one to revise and extend my own remarks in the RECORD and to include an editorial and the other to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that on Monday, March 16, immediately after the address by the gentleman from Michigan [Mr. ENGEL], I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

EXTENSION OF REMARKS

(Mr. DITTER asked and was given permission to extend his own remarks in the Record.)

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include some excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. BECKWORTH]?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address delivered by myself last evening.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. PLOESER]?

There was no objection.

ORDER OF BUSINESS ON TUESDAY NEXT

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that on Tuesday next it may be in order to consider individual bills on the Private Calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

ADJOURNMENT OVER

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

EXTENSION OF REMARKS

(Mr. RANDOLPH asked and was given permission to extend his own remarks in the RECORD.)

SPECIAL ORDERS

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Oregon [Mr. PIERCE] is recognized for 30 minutes.

THE CENTENNIAL OF THE HONORABLE DUNHAM WRIGHT, OF MEDICAL SPRINGS, OREG.

Mr. PIERCE. Mr. Speaker, today all Oregon is greeting the honored centenarian, Dunham Wright. Grande Ronde Valley pioneers will be gathered at my home town, La Grande, tonight to celebrate, in his living presence, the hundredth birthday of a vigorous, notable man. Such an event is unusual, not only in our State but in the Nation and in world history. The most amazing fact is that I, their Representative in Congress, can join, through an airborne message, in the celebration held so far away and that thousands of others will participate as they sit in their homes listening to the radio.

This national legislative body may well pause to listen to the story of the career and era of a man who was a member of the Oregon State Legislature for a decade of legislative pioneering, from 1872 to 1882. This amazing man exemplifies pioneer physical strength and the pioneer characteristics of warm hospitality, quick decisive action, and a life motivated by the vision of things to come in a happy future, as the Nation moved toward fulfillment of its destiny. Think of this strong man today, 100 years of age, thoroughly enjoying life and friends, cheerful, hopeful, helpful as he sits before the great fireplace in his hospitable hall, sharing remembrances of the old days and recollections of men and events of the century through which he has lived.

EVENTS OF 1842

Let us picture for a moment the world into which Dunham Wright was born. Only 50 years had passed since Captain Gray had sailed into the Columbia River, to which he gave the name of his ship. Our Oregon—covering Oregon, Washington, Idaho, and part of Montana—was under joint occupancy by the United States and Great Britain, with boundary lines undecided. Beginning in 1838, with a bill to establish the Territory of Oregon, the subject of the rights of the United States in the Oregon country had been constantly before Congress. It was hoped the Oregon boundary dispute would be settled during the negotiations leading to the Webster-Ashburton Treaty, still pending in 1942. The colonists were talking about a provisional government, and plans were brewing which finally materialized in a meeting of Willamette Valley settlers at Champoeg on May 2, 1843, leading to a government grounded on the broadest principles of democracy.

Jason Lee and Marcus Whitman, missionaries, were still in Oregon, and Whitman was soon to ride on that eastern trip to save his mission. Dr. John McLoughlin, chief factor of the Hudson's Bay Co., had just founded Oregon City. Oregon Institute—Willamette University—long the center of learning on the Pacific coast, was organized the year Dunham was born. Here I must interject an explanation of my reference to the great man by his first name, "Dunham." According to pioneer custom, the men affectionately regarded by the people among whom they lived were usually known by their first names, and young and old in our country today speak of the Honorable Dunham Wright as Dunham or Uncle Dunham.

One of the most significant westward movements of the world's history took place one year after Dunham was born. That was the great 2,000-mile Oregon Trail migration of '43, which tied the Northwest to the United States. In that year the first wagon train reached the Columbia River. The exploring expedition of Fremont traveled through central Oregon. Eighteen hundred and forty-three was such an important and momentous year in the history of the Oregon Territory and the old Oregon

Trail that I have introduced into this House a bill authorizing the issuance of a special postage stamp in honor of the hundredth anniversary of those great events, and I hope my colleagues will have the pleasure of affixing to their letters such a commemorative stamp and that they will then recall something of its meaning and significance. If peace should settle upon our land and upon the world, we shall expect to see many of you in Oregon to help us celebrate an epochal event in American history.

TRAVELING IN 1842

The first great overland exploring expedition to Oregon, undertaken at the order of President Jefferson by Lewis and Clark, had occurred about 40 years before Dunham's birth. This expedition was piloted part way by the Indian heroine, Sacajawea, whose name has been given to the hotel in which the celebration in honor of Dunham Wright is being held tonight.

The men and women who think today of Dunham Wright and his remarkable life, in the most swiftly changing century of human history, will turn to the printed record to read once again the story of significant national events and amazing changes of the century which has passed since this grand old man was born in the humble little cottage in the Territory of Iowa. He typifies the change in the American scene because he made his way across the wilderness country to the frontier which has now vanished. He has kept step with our progress in thought and in inventions, utilizing all for the utmost good of his fellow man. He learned to use a typewriter after he was 84.

When Dunham Wright was born, the first railroad had just reached Washington; the telegraph was not an accomplished fact for another 2 years; and the telephone undreamed of. It was the day of the tallow candle and the whale-oil lamp, over a decade before kerosene was used. The first United States postage stamp had been issued 2 years previously. There is an interesting story in Josiah Quincy's Figures of the Past of a trip from Boston to New York, starting at 3 o'clock Friday morning and reaching New York Monday morning; so thankful that they lived in the days of quick transportation, as it formerly took a week. Now the time is less than 2 hours by airplane. Quincy tells of a plan to put light boats and fast-moving horses on the canal system, and it was hoped that they could possibly make 8 miles an hour. Steamboats were just beginning to cross the Atlantic. Our country was not threaded by roads nor by railroads. Travel was by coach and horseback over roads often unfit for wagons. There were trails on which lives were endangered by the wild animals then beating the paths later followed by Indians, then by white men, then by the railroads. These transcontinental roads were being laid out by the wild animals—buffalo, elk, and deer—the locators of the transportation systems of our America.

THE GREAT PLAINS IN '42

I have a very vivid memory of acres of whitened buffalo bones that were to be viewed at the head of many canyons when I crossed the plains. The buffalo would go down to the running streams to drink and then slowly make their way up the canyons out to the tablelands. The repeating rifle had just been perfected and hunters with these rifles, sheltered in protected huts, would shoot the buffalo as they came up and would take their hides. The principal occupation of the early settlers of that short-grass country was gathering these bones and hauling them many, many miles to the railroad stations where they were shipped east for fertilizer. This was 22 years later than the time when our honored pioneer crossed the same country.

There was a story I have never forgotten about the way the buffalo treated the first telegraph poles that were erected on the plains where the railroads were being built. They found them good rubbing posts for their tough old hides and they came in great numbers. Of course, the poles gave way and the lines fell to the ground. After putting up the poles several times, only to have them rubbed down by a new band of buffalo, orders came from New York for the men in the construction force to put sharpened spikes in those poles so that the buffalo would not use them, but, instead, the buffalo were even more highly pleased with the spikes, and they came all the way from Canada, it is said, to enjoy rubbing on the spiked poles. Never were they able to maintain the telegraph lines against the depredations of the buffalo, until they had killed off the herds. We cooked over fires made of buffalo chips even in '82. The herds must have been numbered in the millions when Dunham was born, and numerous when he traveled west.

OUR PUBLIC LIFE A CENTURY AGO

In Dunham's natal year, the population of the United States was slightly over seventeen millions, now six great cities total as many millions. Only 104,565 were immigrants and other aliens. A new America was being created west of the Alleghanies and the center of population had shifted to Clarksburg, then in western Virginia. The population of Washington, D. C., was about 40,000. The national debt was then twenty-six and a half millions, now it is more than twice that many billions.

Slavery existed and was supposed to be a permanent institution. Indeed, slave trade was carried on in this Capital City, and each political party had its pro- and anti-slavery wing. California and the great Southwest were Mexican territory. Texas was an independent republic. The United States Bank had failed in 1841, bringing about universal financial distress. New York was celebrating the completion of the Croton Aqueduct. In November 1842, Abraham Lincoln was married to Mary Todd.

When our hero was born, in 1842, it was only 16 years after the passing of John Adams and Thomas Jefferson, author of the Declaration of Independence. McCormick's great invention, the reaper, had been perfected only 8 years when Dunham was a babe in Iowa. Andrew Jackson was living when he was born. There were also many soldiers who had fought in the Revolutionary War, for it was only 61 years from the time of his birth that the smoke had cleared away from the smooth-bore cannon that had compelled Cornwallis' surrender at Yorktown. What a link with the past is this man, Dunham Wright.

IN CONGRESS IN 1842

The Washington Monument had just been completed to 221 feet, about one-half its present height. The dome of the Capitol was not built until 20 years later, and the wings housing this room, and the one in which the Senate meets, had not been constructed. In fact, they were not started until 10 years later.

John Tyler was President of the United States, and having his troubles, too. Daniel Webster was Secretary of State; Justice Taney was Chief Justice. John White of Kentucky was Speaker of this House, and Henry Clay was, in a few days, to resign from the Senate. The Twenty-seventh Congress was in its second session, in this Capitol but not in this room. There were 294 Members in place of our present 531 of the Seventy-seventh Congress; 242 in the House and 52 in the Senate. The parties at that time were Whigs, Democrats, and Tylerites. In the Senate there were 28 Whigs, 22 Democrats, and 2 Tylerites. The House was composed of 133 Whigs, 102 Democrats, and 6 Tylerites, with 1 vacancy.

Japan was then practically unknown to the world, as its doors were not opened by Perry until 12 years after our friend's birth. Thirty years previous to that date, Napoleon had warned European civilization saying, "Beware when the Chinaman learns the art of war." To people of his day Chinese and Japanese belonged to the same group. They have now learned the art of war and today they have brought us into the terrific world struggle which threatens our way of life.

HIGH ADVENTURE A CENTURY AGO

Turning from the national scene, I am reminded by the one hundredth birthday of this grand old hero of events in the life of our West during his childhood, the gold rush of '49 and the few years following the initial rush. It should never be forgotten that the forty-niners and those immediately thereafter were unique in world's history. The great body of those adventurers followed two routes. There was the group that went by water to Panama, then across the Isthmus and by boat north to California. Others traversed what seemed like the almost endless plains through the "short grass country," climbed over the high mountains, crossed dangerous and almost impassable rivers and reached the gold coast by the overland route. Those who constituted this body of emigrants were from the farms and small villages of the Middle West pioneer communities. They were generally young men, 16 years of age up to 30. They were untrained in mining or in any of the ways of business—just rough, good-natured western American frontier boys.

MINER'S LUCK

This migration reached California in the fall of '49 and for 15 years there was an almost unbroken stream of recruits

added thereto. "Uncle Dunham" was a part of that migration. I, coming 20 years later into the West, was not a real part of it, but I knew many of the men personally, first in Colorado and then in Oregon when they were men in middle life. They were rough in exterior and in speech, men who looked you straight in the eye, told you the truth and expected in return a square deal. Failing to get it, they "drew from the hip." When these boys came into the West they had to learn the art of mining, most of them knew nothing about the technicalities of the occupation in which they were engaged.

The remarkable fact is that the rushing, eager group of active pioneers discovered in 15 years every placer gold field from Mexico to the Arctic Circle, except Klondike. They not only discovered these gold deposits but they mined them, taking the gold out and turning it into the channels of trade by the ton. As an example I cite Canyon Creek, Grant County, Oregon, where they discovered a placer gold strip. In less than 3 years they took out from 2½ miles of that creek over $20,000,000 in gold, in washings. About $10,000,000, or 20 tons of gold, was taken out by those pioneer boys from every mile that they mined. It has always been a favorite theory of mine that the gold which poured into the channels of trade, following the discovery of that precious metal in California in '49, was one of the chief factors in building the prosperity of the middle nineteenth century.

MINERS OF '49 WERE REAL MEN

These young miners learned to cook their meals beside the road in a rainstorm or in the driving snow. They learned to shoe a horse, or ox, beside the road at an improvised forge. They learned to build for themselves, quickly, a covering from the storm. They learned to live with the wild animals, and with each other. In many communities they framed their own laws and afterwards their rules were incorporated into the laws of the land.

The boys who constituted this migration were self-reliant. If the Indians bothered them, taking toll of the struggling settlers, they organized their own expeditions to teach the Indians good behavior. They knew what it was to go hungry. They knew what it was to sleep in the open and to watch the stars. They knew what it was to wake up in the morning with several inches of snow on their blankets. They never thought of appealing to Washington "or any other seaport," for a housing project. They never dreamed of asking someone to build a bridge across the stream. They swam the stream or built a bridge with their own hands. A few years ago there was a picture on the screen known as the "Covered Wagon." It was a very vivid portrayal of the trials of these pioneer men and their women, who shared in the hardships and joys of the trail.

HORSEMEN AND LONG-LINE DRIVERS

These men were some of the finest horsemen ever developed. They rode and they drove expertly. Almost without roads, they headed those freighter wagons West, with their 8 to 16 mules or horses; the driver often sitting on a wheel animal with one line reaching out to the leader, perhaps in a 16-mule team. Every animal knew the word spoken by the driver, and they minded like children. The story of those long-line or jerk-line drivers is a thrilling one yet unwritten. I can remember with what admiration I watched those California drivers, who had been in the gold rush of '49, and had then come back in the Leadville rush. They would drive those wagons and their long stream of animals up the almost impossible hillsides and swing them around sudden curves over the brink of terrifying precipices.

As I write of the prowess of these rugged men of the forties and fifties I just wonder what has happened to the people of some sections of the far West today and what has made them so dependent and so fearful. There are those who have begged to have the Japanese remain among them under guard to raise their vegetables and tend their orchards. They begged that the War Department would not evacuate alien enemies and leave them to their own resources to provide vegetable foods! The real descendants of the pioneers, the real westerners about whom I have spoken, must be the ones who sent word back to Washington that they will take care of the coast and of the Japanese if they can just be furnished the armaments and munitions of war.

MEN WERE HONEST THEN

There was a degree of honesty and friendship existing between these pioneer boys that we in this decadent and sordid age can scarcely understand. I recall one day, in the summer of 1882, watching a man hang a beef up in one high tree at the bend of the road where one trail led to the west coast and the other to the mines around Leadville. I remember asking him what he was doing and he said, "This is the way I sell my beef. See that sign down there." It read, "If you want to buy some beef, let one of these quarters down by the ropes and cut off what you want. You will find scales at the foot of the tree to weigh it. You will find gold scales in the box. Leave the money in the tin boy marked 'money.' Thank you." In other words, a passerby on the long, long road to the West could help himself to a forequarter or hindquarter, cut off what he wanted, weigh it and pay, leaving the money behind him. I said to the man, "Do they not steal your money?" He said, "You must be a tenderfoot." That is what he said. "Just arrived in the mountains?" I replied, "Only a few weeks ago." He answered, "I thought so; only a tenderfoot would ask such a question."

Indeed, there was a code of personal honesty and belief in the honesty of fellow men in those pioneer days almost unknown today and not practiced by the "highly civilized" citizens of the twentieth century. All over the mountains west of the river—and by "the river," cattlemen always means the Missouri—ever since those pioneer days, it has been the rule of the camp never to lock the doors of the sheep or cattle cabin. The passerby was welcome to go into the house or cabin and cook a meal for himself. The one invariable rule was that he had to leave clean dishes and fuel when he went away. In my operations in the West, I never thought of a lock on a cabin or on my ranch houses in the early days. For some reason or other, everything now has to be under lock and key.

Dunham Wright's work was accomplished in an atmosphere he and his kind have always created. No one in legislative hall or in political convention ever, in his presence, laid plans for a dishonest act. Skullduggery was foreign to his make-up and his conduct. Out of the lives of such men has come the America of which we are so proud, which today faces its supreme test, not only on the field of battle, but also in the field of our public life which must be held and kept incorruptible, lest we perish. A prominent American-Japanese once said to me, "We never make a contract that we would not break, if to our advantage—contract made to fool the other fellow." Directly opposite from the teachings of the pioneer. A word spoken or a contract made was binding upon him and his conscience, whether expressed in written legal terms or by word of mouth. He typifies the American character molded and shaped by the exigencies of life in the mountains of the far West. Today, we see tested, on terrible battlefields, the pioneer characters of Americans, and Australians, as against the code of Nippon, underlined by deception.

A STATESMAN OF OLD OREGON

Let us turn now from the world in which he lived and the pioneer character which he exemplified to a few of the incidents in the life story of the centenarian, Dunham Wright. Because my own public career was what first linked me with Dunham Wright, 50 years ago this summer, when I was a candidate for County Clerk of Umatilla County in Oregon, I like to think of him, first, as a public man. He was then candidate for joint Senator from Umatilla, Morrow, and Union Counties. We traveled together, speaking from the same platforms. He taught me some of the arts of public speaking, suggesting to me how to tell stories which would bring out points. I remember he said to me in those far-off days: "Walter, never tell an off-color story, and never use an oath in a speech." What good advice. "Also," he said, "speak in a voice so people can understand you and do not forget to sit down before you have exhausted your subject." Truly, Dunham was a natural-born orator. After he was past 90, I have heard that musical and magnificent voice roll forth, holding audiences spellbound while he gave reminiscences of the past and stories of the pioneer days. The America of his dreams is still the America of our dreams, which our sons are today going forth to protect by fighting in the uttermost parts of the earth.

For 10 years of the formative period of Oregon statehood, 1872–1882, Dunham Wright was a member of the Oregon State Legislature; 4 years in the house and 6 years in the senate, elected when he was 30 years of age. He was in the

legislature when the capitol building at Salem was located and planned, the cornerstone being laid in 1873. He tells of his journey to our Oregon capital in 1872, made thrilling by his first view of a railroad train, and his terror of the locomotive engine as it bore down toward the little platform at The Dalles, Oreg., where he boarded the train, after traveling 250 miles from his eastern Oregon home by horseback.

LINCOLN IN UNCLE DUNHAM'S LIFE

Uncle Dunham, as he is affectionately called throughout Oregon, had little interest in amassing material wealth. He loved his lands and he had an abiding faith in the future of Medical Springs health resort, to the building of which he gave so many years, erecting much of it with his own hands. When that resort was destroyed by fire 24 years ago he lost his most precious possession, a Bible given to him by his grandfather, William Hanks, and bearing on its flyleaf the name of Abraham Lincoln, who had used the Bible and was a nephew of Dunham's grandfather.

I have spoken of Dunham's connection with the family of our great President Lincoln. There were many ties between the families. Dunham's father had been a soldier with Lincoln in the Black Hawk War. They had worked together surveying. Dunham voted for Lincoln for President, and he is probably one of the few men in the United States who has voted at every Presidential election since that time. He knows the Presidents and what they stood for. He knows United States history, because he has been a part of it, and a close student. Now, on his one-hundredth birthday, he enjoys good eyesight and every day he reads his papers. Every day he draws from his remarkable memory the stories of the past and the poems he recited in school 93 years ago.

Dunham Wright was born in what was then the Territory of Iowa, near New London. His mother died when he was 2 years old, and he went to live with his maternal grandparents, Mr. and Mrs. William Hanks. William was the brother of Nancy Hanks, the mother of Abraham Lincoln. The grandmother was a midwife, and she is the one who took into her arms the babe, Abe Lincoln, washed him, and put the first clothes on him, tiny garments made from his mother's linsey-woolsey dress. Little did she realize that she held in her arms a future President of the United States, the Great Emancipator. The bed on which Nancy lay was roughly made of common boards, and the covering was of the skins of wild animals, so Dunham's grandmother told him. This connection of Dunham Wright with Lincoln is one of the most significant things about his life.

WESTWARD HO—MINING AND FREIGHTING

At the age of 18 Dunham joined a train of 200 wagons moving from Iowa across the plains. Steady travel by ox team, making 8 or 10 miles a day, brought them in the fall of 1860 to Denver, a city of many tents and 8 cabins. Twenty-two years later I, too, reached Denver, Colo., in a covered wagon, in 1882. Denver had then grown into quite a Western city, still with many tents. Clearly do I recall the camping grounds near the Denver & Rio Grande Railroad shops where I and my company joined the many other campers. When Dunham Wright reached Denver, mining was booming. He first worked in a lumber camp and whipsawed lumber at $2 a foot. Twenty-two years I also worked in a lumber camp, not far from Denver. We then had a circular saw, but no modern sawmill equipment.

Dunham Wright worked for George M. Pullman of "palace car" fame who then owned the Gregory mine at Central City, Colo., and had erected thereon a 10-stamp quartz mill. The winter Dunham was 19 years old he spent in Estes Park with Uncle Joel Estes, who discovered it and made the first settlement there, giving his name to that beautiful mountain resort. After mining in different places in Colorado and southern Idaho, Dunham arrived in eastern Oregon in the spring of 1863. Captured by the scenery, the climate, and the opportunities, he has remained a citizen of our State. Exactly 20 years later, I, a boy from the Middle West, seeking my place in the world, yielding to the same charm and to the warm hospitality of eastern Oregon, became an Oregonian and have ever retained that designation, of which I am so proud.

Dunham and three other boys bought 20 pack mules, a big gray mare that carried a loud bell, and began packing miners' supplies from Umatilla Landing on the Columbia River, to Boise Basin mining region, a distance of nearly 400 miles. It required 13 days of steady traveling and mighty good luck to make the trip way up the Umatilla River, over the Blue Mountains, through the Grande Ronde Valley, and across the Snake River into the famous gold fields of Boise Basin. Peter Rudio, the grandfather of my children, and Henry Heppner, for whom an Oregon county seat is named, packed over the same trail, at the same time. They packed all sorts of foodstuffs and mining supplies, including powder, tools, ten-gallon kegs of whisky—very necessary in mining camps. Dunham likes to tell a story about a pack animal falling and smashing in the head of a keg of wine. The trail was full of frozen tracks which quickly filled with wine. The men drank the wine out of the tracks and, as a result, they made only 4 miles instead of 20 that day.

A PIONEER FARMER

After following packing for 2 years, Dunham settled in the Grande Ronde Valley, my home. He brought the first mowing machine that ever came into that valley, where wild hay grew luxuriantly. With relays of horses, the mower ran constantly all daylight and all night on moonlight nights. If they broke a section in the sickle by striking a rock or a picketing pin left, perhaps, by one of the squaws, it would cost them $5 to have a local blacksmith make a new section out of a shovel. That was in 1865–66 and, ever since, Dunham Wright has been a factor in the life of our section.

In July 1867 our hero married Artemisia Duncan in Cove, Oreg. She had crossed the plains in 1864 with her parents and 10 brothers and sisters. The marriage ceremony was performed by Rev. J. M. DeMoss, father of the famous musical family of Oregon that traveled over the United States and Europe on their musical tours. Mrs. Wright was a country school teacher and helped her husband in making up for the education that he had missed when he was a boy. The year after their marriage they located 25 miles from any other habitation, in the mountains at Medical Springs, where they had found a large flow of hot mineral water in which the Indians had been bathing since time immemorial. Dunham constructed the wagon roads from this mountain retreat to civilization. He now lives in comfort in this place which he homesteaded 74 years ago.

It was my pleasure when I was first sent to Washington to intercede to keep alive the post office at Medical Springs, established by Dunham 54 years ago. A modern sawmill had located less than 2 miles from Medical Springs, and, not knowing the historical associations, the owners had endeavored to move the post office. However, Dunham still gets his mail at Medical Springs.

PUBLIC LIFE AND POLITICS

Four years after he had established his home at Medical Springs, Dunham was notified by letter, brought to him by a passing Indian, that he had been nominated for State representative on the democratic ticket of Baker County, which then included Malheur, Union, and Wallowa Counties. He campaigned these counties for votes, on horseback, carrying his bed and grub with him, stopping some nights at log cabins. Homes were few and far between. Elected a member of the legislature, he was paid the sum of $3 per day and mileage, the same remuneration I received as a member many years later, but the mileage gold he received bought many things to make life easier for the family in the mountains back home. Forty years ago this summer I was a candidate for the Oregon Senate. I received the strong support of Dunham Wright and his friends, who also assisted in my reelection to the senate. He was active when I was elected Governor of the State in 1922. When I was first talked of as Congressman from our district Dunham urged my nomination. After an acquaintance of over a half century I hold him as one of my dearest and best friends.

As I salute and honor Dunham and dwell upon his era and its setting I think of his faithful daughter and her husband, Grace and Pat Powers, who have been untiring in caring for their honored father and have made this day possible.

DUNHAM WRIGHT A FRIEND TO MAN

Most of the boys who came West in '49 died in poverty. They made money by the bucket full; they gave it away; and among them were some of the finest characters I have ever known. True as steel to a friend, generous to those in distress, they gave from their stores for charity and to help the underdog. Much has been written of them, in story and in song, but I have not read what I would consider an adequate description of those frontier characters. Dunham Wright

was one of them. No grander, kindlier soul ever lived. No better individual of higher motives ever breathed the air of eastern Oregon. Dunham Wright seemed to have as his object in life making people happy and the world better. He wanted to help people, and if everyone for whom he has done a favor should today bring to his centennial celebration at La Grande, Oreg., a wreath of flowers, there would certainly be a mound of them in that western city in the Blue Mountains where they are doing honor to him today on his one-hundredth birthday.

As my mind dwells on the man, Dunham Wright, and follows the hundred years of his life through the century of our national expansion in territory, in wealth, and in the comforts of life, there comes to me a poem, from an unknown writer in the heart of Australia in which:

THE PIONEERS SPEAK TO US

We shall not travel by the road we make:
Ere day by day the sound of many feet
Is heard upon the stones that now we break,
We shall be come to where the cross-roads meet.

For us the heat by day, the cold by night,
The inch-slow progress, and the heavy load,
And death at last to close the long grim fight
With man and beast and stone; for them the road.

For them the shade of trees that now we plant,
The safe, smooth journey and the final goal,
Yea, birthright in the land of covenant—
For us day labor, travail of the soul.

And yet the road is ours as never theirs!
Is not one joy on us alone bestowed?
For us the master—joy, O pioneers—
We shall not travel, but we make the road.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. BRYSON] is recognized for 30 minutes.

OUR RELATION TO THE PRESENT CRISIS AS CITIZENS

Mr. BRYSON. Mr. Speaker, ladies and gentlemen of the House, during the past several months the American people have been literally snowed under by speeches on civilian defense responsibilities and related duties of the citizen in the present crisis. Still, I ask: "How well do we really know what our duties are as citizens in the present crisis?" Not so well as we think we do, I fear! Is it not possible that the deafening roar of the barrage after barrage of words which have been hurled in the projection of supercivilian defense undertakings and organizations on the home front—the very prominent noise of this heavier cannon fire—has muffled out of our hearing range the faint whistle of many small and simple, yet vital items in this matter of the citizen's relation to the present crisis?

It is the direct responsibility of every American citizen, be he rich or poor, weak or strong, on the battle front or in the home to seek to find to do his duty in helping to win our country's war.

DUTY NO. 1—TO KNOW WHAT WE ARE FIGHTING FOR

The first duty of every American today is the duty of knowing what we are fighting for. Here is our first great duty, but, unfortunately, thousands of Americans have hardly dreamed of it, and other thousands have cast it aside without giving it a second thought. Too many of our people, too long persisting in the well-known shrug of the shoulder—"Oh, what difference does it make?" attitude, have skipped over this duty altogether, either failing to realize its importance or not caring to trouble their minds with any serious or thoughtful study of it. Make no mistake about this, the Nation pays, and often pays dearly, for the misdeeds of those who slack the duty of knowing for what we are fighting. For example, consider the horrible spectacle of a man in a defense industry laying down his tools and going on a strike during these dire days of national agony and peril. The man who commits such an unpardonable atrocity against the Nation's war effort is not only depraved with the most violent form of selfishness, he is disgracefully afflicted with a kind of dumbness and stupidity which comes, in large measure, from his neglectfulness in the duty of knowing what we are fighting to save; because, most assuredly, if he knew just what the winning or losing of this war is going to mean to him, to his family, and to his fellow workers in terms, possibly, of life itself, liberty itself, and the pursuit of happiness itself, he would, instead of making himself almost a traitor to his country, do everything within his power to work for her salvation. Any owner of furnace, farm, or factory who thinks first of profits at this crucial time is devoid of patriotism.

WORSE THAN SLAVERY

A nation cannot successfully fight a war half-heartedly. We must carry the fight to our enemies with conviction and determination. And this we can better do the sooner we fully understand just what we are fighting for and just what we have at stake in the outcome of this world-wide conflict in which we are engaged. Knowing this, we shall think of but one thing in facing the trials and tribulations of the present struggle, namely: that no cost, how high it be; no sacrifice, how large it be, is too much to pay for bringing about the defeat of the enemy.

It is time that every American realized what this war is about. We are not fighting for the glory of victory; we are fighting for the simple right of existence. Our enemies seek not merely to defeat us, they seek to make us their vassals. They seek, verily I warn, to place a yoke of subjugation on us and our children and the posterity of our children's children which will sap the vitality and spirit of a once free and proud people worse than chains of eternal slavery. I ask, How many people realize this? You ask, Is it really so bad as I paint it here? I answer, it is, and let no one persuade you to believe otherwise.

CONQUERED UNTO DEATH

The objective of our enemies is world domination. They aim to rule over us as masters over servants. Before the skeptics call this proposition fantastic let them be reminded that the Romans held the whip over their conquered peoples for more than 5 centuries. If our enemies succeed in what they are attempting they expect to hold us in check with something a thousand times more powerful and effective than the ancient Roman legions. It is the airplane which, excluding its value to humanity in other ways, has been developed into the most destructive weapon in all history. It has already been proven that armies on the field of battle without air power and mechanized ground forces stand little or no chance of surviving against armies possessing air power and mechanized strength. Conceivably, if one nation possessed thousands of planes and tanks and then controlled the production facilities of another nation, allowing her no such arms, the unarmed nation could never hope to challenge the supremacy of the armed nation. The Axis plan of rule over us calls for exactly that—the permanent destruction of all of our plants which produce planes and armored equipment.

In this way, once our enemies gained a grip on us every attempt to revolt against their tyranny and rule over us would prove futile and hopeless because our patriots would be smashed quickly with the cold steel of their armies of occupation. Since the Germans and Japanese regard themselves as racially superior to us, it is difficut to approximate the ends to which the Huns and yellow men would go to keep us at the bottom of a slave society. In Poland the Germans are carrying forward with great system and efficiency the destruction of a whole race of people by placing them in concentration camps and then feeding them the germs of deadly diseases. This is the character of the enemies we are fighting. No, my friends, we are not fighting for the glory of victory; we are fighting for the right of existence.

LIGHTS OF CIVILIZATION

Lest we forget, we are fighting to preserve our way of life as well as to destroy the grasping hands of our enemies. We are, in short, fighting for the preservation of the American way of life. That way of life was not born in a day nor in a decade. More than a century was required to win its rights and establish its claims—even more than the 150 years of our history have been required in its growth and development, I should point out, because the struggle for man's freedom began a long, long time ago. The struggle for Christianity, which, like democracy, symbolizes the foundation of the American way of life, began 20 centuries ago. Now we hold in firm belief these precious lights of civilization. But men of armed force, who do not believe in God or Christ, dictators, they are, who preach to their people the gospel of racial superiority and require them to worship the state as their only religion—these madmen, seeking, as they do, to impose their order of living upon the whole world, have shouted that they have no use for American way of life and that it is their intention to snuff out our lights of Christianity and democracy. If the American people know fully of these threats, which our adversaries make against us, we shall hurl them back with ample margin for victory. Thus, the duty of knowing what we are fighting for comes first, and let no citizen fall short for failing it.

DUTY NO. 2—TO KEEP THE FAITH

The next duty of every American today is: The duty of keeping the faith—first in this duty of keeping the faith is that of keeping faith in the Commander in Chief of our armed forces, the President of the United States. He is now, more than ever before, the captain of our ship, and if as a Nation we are to make it safely past the storms and treacherous reefs that lie ahead the captain must have the support and loyal backing of his mates.

Rest assured that our enemies will do everything within their power to dislodge the confidence and trust we have reposed in our great President. Their chief hope is to sow the seeds of dissention and dissatisfaction amongst us which will bear the evil fruit of bitter complaints and angry criticisms of the President.

We must not allow the Axis Powers to trick us into feeling that the President is blundering or making mistakes in our war strategy. This is undoubtedly one of our enemies' main purposes at the moment as evidenced by their activity in sinking merchant ships near our shores and shelling points on the Atlantic and Pacific coast lines. These shellings do little material or military damage but they are calculated to do political damage to the administration by way of striking a division in public opinion on the President's announced policy of sending fighting men and materials to the larger theaters of war away from continental United States. This is but one of many devices being employed by the Axis to confuse and mislead the American people in their understanding and appraisal of the Government's war policies.

FAITH IN OUR PRESIDENT

To date the Axis propagandists have found the American people hard to fool because, despite some heavy blows here and there, they have remained calm and firm in their faith in their chosen leader. In the months that are to come we must be prepared to bear up under the shock of other hard blows; but temporary losses, when they come, must not be made the occasion for losing faith in the judgment, wisdom, and capacity of our Commander in Chief. If ever we weaken and fall into the sin of distrust a fatal disaster will be on us. We must, therefore, keep the faith in our Commander in Chief so that our determination to avert such disaster will far out-do the efforts of our enemies to have it thrust upon us.

FAITH IN OUR ARMED FORCES

The duty of keeping the faith applies to our armed forces likewise. The foundation of this faith is: That the fighting men of America, the sons of each generation of Americans, in all our history, have never lost a war they fought for us. What of today? I contend that in courage, stamina—physical, mental, and spiritual—and in fighting ability, the boys marching out of our homes and into the lines of battle today are as good as any that ever answered the call to colors, and the Nation should be as grateful for them as their mothers and fathers have a right to be proud of them. Evidence of the high valor and superior fighting ability of the American soldier and sailor already stands before us: McArthur and his men on Bataan Peninsula, whose rugged defense and brilliant counter blows against overwhelming odds surpasses our imagination; the handful of Marines on Wake Island who withstood a siege which ranks their achievements with the Alamo; the so-called Fighting Tigers, ace American pilots in China who are knocking Japanese craft out of the air at a rate of 10, sometimes more than 20 to 1; the greatly outnumbered units of our fleet which aided in sinking a whole Japanese armada in the Strait of Macassar. The valor and fighting ability of our men in these engagements is the same kind of valor and fighting ability which, when once fully armed, will be hot on the enemies' tail, blasting their ships out of the skies, sending their floating vessels to the bottom of the seas and crushing the units of his land forces into thousands of disintegrated bits. This is the very kind of retaliation we must, and we shall mete out to enemies who have stabbed us in the back and seek to fasten their filthy hands on our throats.

But, in the midst of these opening frames of the war, when the going has naturally been toughest for us, the Axis has been doing everything within its power to weaken our faith in our armed forces. You will remember that immediately after the attack on Pearl Harbor the Japanese radio swung into high gear and loudly boasted that practically all of our fighter and bomber planes concentrated at this mid-Pacific fortress, as well as the bulk of the American Navy situated in adjacent waters, had been destroyed. The Japanese claimed that they had crippled our sea and air power in the Pacific beyond all possibility of replacement or repair. As baseless and untrue as were these wild and fantastic claims, they were made for the purpose of discrediting our fighting forces which the Japanese hoped would have both the effect of causing an immediate weakening of the faith of the American people in their Army and Navy and setting into motion a run-away flood of disaster rumors.

LOOSE TALK DANGEROUS

When the President delivered his February 23 address to the Nation, he gravely warned that the citizen who willfully or carelessly degenerates into a defeatist-monger, peddling loose talk and unfounded rumors, is playing the fate of the Nation right into the hands of the enemy. Too many citizens are prone to ask out loud: "Where is the Navy? Where are our airplanes?" and like questions. Impatient, they expect to receive news hot off the wires at all times as to every move in the theater of war, this despite the well-known fact that most moves must be kept secret if a plan of strategy is to be executed successfully. The point I wish to make is this: It should not be necessary, and we must realistically face the fact that it is oftentimes absolutely impossible, for our high command to furnish the public with a play-by-play description of its operations in order to bolster the faith of the American people in our armed forces. The thing not to be forgotten is that to feel and do his best the man who is out in the front lines charging against the bullets of the enemy needs and must have your faith and confidence behind him; and, regardless of what means our enemies employ to shake and destroy that faith and confidence, you must resolve to keep it intact. That is standing up to the duty of keeping the faith in our armed forces.

FAITH IN OUR ALLIES

Keeping the faith with our Allies, that is important, too. Divide and conquer has been one of the mainsprings of Axis strategy to date. Defeat one nation at a time until at last the few surviving peoples will not stand a chance of resistance. This has been the long-range objective of our enemies. Today the United States should be thankful for her Allies: England, which refused to give up the ghost after the fall of France and the horror of Dunkerque; England, which may have saved civilization when she guarded a narrow strip of water under the white cliffs of Dover, and stood up under Germany's rain of death and destruction from the air; and Russia, which, if she is able to do nothing more, has destroyed the myth of German invincibility by withstanding the mightiest onslaught ever known, and then sweeping the Nazi invasion hordes before her; and China, which under the leadership of that military genius, Generalissimo Chiang Kai-shek, has with hardly more than her bare hands frustrated Japanese military penetrations for over 5 years; and the Dutch, the Australians, the Canadians, and the other brave peoples who are fighting by our side.

The Axis wish more than anything else to isolate the United States from her Allies, that to be accomplished by destroying our faith and trust in them. Fifth columnists and Nazi sympathizers in our country, which, in my opinion, should be hanged wherever they are found, are at work today trying to spread distrust and drive a wedge between ourselves and the nations fighting on our side. They would have us complain about the Russians being Communists; the Chinese, orientals; and the British, imperialists. They would have us believe that we should not share our equipment and supplies with our Allies. They do not wish for us to be united in our war against them because they realize that united as a group of nations we shall crush them to the ground, and only if they have a chance at us singly will it be possible to defeat us. They would trick the United States into losing faith in her Allies; of withdrawing our support from our Allies; of retreating into a shell of isolationism and sealing our doom for the future. But we must not be tricked, we must not be fooled, we must not be drawn away from the duty of keeping the faith in our Allies.

FAITH IN OURSELVES

Finally, through it all—the good and the bad, the hard and the easy, the bright and the dark—we have the duty of keeping the faith in the American people and the American way of life. That means keeping faith in ourselves as the citizens of the greatest democracy on the face of the earth. We must strive to keep the faith in Christianity, democ-

racy, and American citizenship because, as one writer recently put it:

Our enemy is counting on us to be terrified. He hopes we will point trembling fingers at the maps of his invasions and wonder whether we have it in us, and in our democratic processes, to pit our unregimented lives against a system so highly organized, so completely ruthless. He thinks we have been so softened by our easy living and unprecedented personal liberties that our hearts will fail us when we confront an army composed of men who have been taught contempt for goodness and mercy.

If we are strong and abide by the duty of keeping faith in this democracy of ours we shall not be frightened by the boasts of efficiency which issue from Fascist Germany, Japan, and Italy. Instead, we shall take increased strength from our faith in democracy, realizing that it was under our, not their, industrial genius that mass production was developed; that it was the brains of our, not their, free-thinking scientists which led to the invention of the airplane, the tank, the steamship, the gasoline engine, and practically every weapon of modern warfare. In the past we have thrived on the freedom afforded by our institutions of government and we shall continue to thrive on it through this present test. The free, unregimented American boys of 1917 were quickly welded into a fighting force that drove the Germans from their trenches on the western front. And we shall drive them again; but this time all the way to Berlin and Tokyo.

Our leader, our armed forces, our Allies, and our people—they cannot, they must not, they shall not fail! So must be the immovable conviction of every American citizen. That is the duty of keeping the faith.

There are two other foremost duties of the citizen in the present crisis which I wish to suggest here. I should like to say much concerning each, but, wishing to avoid greater imposition on your time, I shall discuss them only briefly.

DUTY NO. 3—TO DO OUR PART

This next duty, to which I have just referred, is the duty of doing our part. The civilian on the home front too often underestimates the value and importance of his efforts to the successful prosecution of the war. It occurs all too frequently that the average citizen, surmising that he is far removed from advanced positions in the scene of conflict where men do their actual fighting and dying, feels that he has no part in the action. But he does have a part in this action, and in this day of total war the part played by the civilian is more important than ever before. Total war means war ranging over a wide area—that area today being the whole world—with tremendous quantities of arms and fighting equipment, prevailing today in a high state of mechanization. Additionally, this total war is waged against civilians and military personnel alike. As suggested in my discussion of keeping the faith, the enemy is ever seeking to pull the props from under our armed forces and war strategy by destroying the public faith and confidence necessary to their successful operation. But resistance to such enemy attempts is not the only part to be played by the citizen in total war. He must play a more energetic part by making certain positive contributions to the war effort as well.

To keep a man armed and equipped on the field of battle today calls for the labor on the home front of two or three times the number of workers formerly required. In total warfare more of everything is needed quicker. The tendency of the average citizen is, nevertheless, to feel at a loss to add anything material to the war effort. Unless he is employed in a defense industry he will incline to overlook his part by saying, "Oh, well, I can't help; I don't work in a plant producing planes or tanks."

He inclines to feel that his services in civilian defense will come to naught unless he happens to live in a large city, like New York, Washington, or San Francisco, which is likely to be made the target of an enemy air raid at any moment. He thinks of the heroic and all-important role the civilian played in London, Coventry, and other British centers of population during the murderous assaults of the German Luftwaffe in the fall of 1939 and winter of 1940, but he is unable to visualize a repetition of anything like that over here. My answer to that common inclination is this: In the duty of doing our part none of us has the right to regard anything as impossible, however improbable it may appear today. While at all times hoping for the best, we must still always be preparing for the worst. So I urge, encourage, and implore each of you to lend your full help and support to the Government's civilian defense efforts. Every able-bodied American should endeavor to make some contribution to this work.

UNSUNG HEROES OF WAR

The undramatic sometimes counts the most. Wars have ever been won by the unsung heroes; and much of the outcome of this war hangs on the part to be played by millions of unsung heroes on the home front. I am speaking now of the millions of Americans who do their part in ways other than those already suggested. The family, for instance, that makes up its mind to and succeeds in "getting by" on less plays its part in the role of conservation. I cannot overemphasize the importance of conservation in everything we consume, from the sugar on your table to the tires on your car. Total war demands unbelievable quantities of everything. New scarcities in materials of all sorts are showing up every day; shortages are certain to spread in all directions as the war progresses. Price Administrator Leon Henderson stated to a congressional committee earlier in this month that "not a single pound of crude rubber will be available for the some 30,000,000 passenger cars in the United States." It was also stated by the Price Administrator that the day may be near at hand when the Government will be compelled to requisition tires now on cars of ordinary citizens.

Thus it is not beyond the realm of possibility to speculate that the rubber on our cars today, if properly conserved, may tomorrow send the last-needed battalion of tanks or squadron of planes speeding over the enemies' lines to final victory. The individual who is given to wastefulness today not only fails to do his part for our country; he aids the enemy who profits by our losses.

Make every moment count in your work, no matter what your craft, trade, or profession. It bears a relation to total production, although its relation may not appear on the surface. "Time is short"—production experts are pounding that phrase home over and over again. The duty of doing your part also means speed in your every endeavor. Do the best you can, as quickly as you can.

It has been estimated that in Julius Caesar's time the cost of killing an enemy soldier was only 75 cents, but that in this war we must pay at least $50,000 for each dead Jap and German. To meet the staggering costs of this war, every citizen must do his part by paying taxes, buying Defense bonds, and otherwise lending all possible financial assistance.

Yes, the citizen does have a part, a very real and mighty important daily role to play in the winning of this war. I have mentioned only a few of the many opportunities for contributing to the war effort available to the citizen who seeks to do the duty of doing his part.

DUTY NO. 4—TO KEEP UP THE GOOD SPIRIT

In concluding my remarks on the subject of our relation to the present crisis as citizens, I wish to mention briefly one further duty which is vitally essential to America's ultimate victory. It is the duty of keeping up the good spirit—good spirit, strong purpose, high optimism—call it morale; call it esprit de corps; call it what we may; but I pray that never we shall forget it or lose it, because it is the vital substance which carries nations on to victory; or, lacking, robs them of the hope of success. Armies on the field of battle must possess it; the supporting population on the home front must come forward with it.

When fed with enthusiasm, confidence, and firmness of purpose, the spirit of victory thrives; when poisoned with indifference, complacency, and fear it deteriorates; and when the spirit of a nation deteriorates its physical strength soon disintegrates. The American people, I hope, and believe, are now freeing themselves of the dragnet of complacency and our spirits are gaining altitude. The good spirit which we are gaining will be maintained to the day of final victory if we will but fire our determination with the right kind of confidence. Making no mistake about the power and vicious methods of our enemies, we must realize all the way through that by making ourselves strong—not by hoping for or relying upon the weakness of our enemies—we shall sweep them before us. Beware of confidence founded on false optimism, but take hold of confidence founded on realism and the determination to win.

CHRISTIAN COURAGE

The days may seem dark, the prospects gloomy at times, but if we of this Christian world are worthy of the faith we profess, we shall derive comfort and courage from the Scriptures, for—

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for

Thou art with me; Thy rod and Thy staff they comfort me.

Across the Pacific and across the Atlantic our boys are sailing, probably thousands of them at this very hour, to their battle stations in this far-flung struggle which is on us. We can count on them. They will fight bravely, heroically, as our defenders. They must count on us to prove their dauntless supporters by doing the duty of keeping up the good spirit until the last blow has been struck and the last shot fired.

WE OR THEY!

To summarize and conclude: The crucial test is on; the fateful decision is in the making. What we do, or fail to do, now will determine the shape of things to come. For your thoughtful consideration, I ask: We, in our expression of reverence toward God, or they, in their worship of dictators and idolatry of the state; we, with our democracy as a form of liberty, or they, with their fascism as a form of tyranny; we, with our free peoples, or they, with their regimented digits of humanity; we, who hold for the world the hope of civilization, or they, who carry for it the terror and threat of barbarism; we, who deny racial supremacy, or they, who embrace it; we, who when we have won the battle will have saved for ourselves and humanity the priceless possessions of our heritage, or they, who if allowed to win are to sit as master over the conquered subjects of a slave society? There is but one answer. It must be we—not they. America has set her sights for victory, and to the winning of that victory for every American citizen this creed I now propose:

PLEDGE OF DUTY

I believe in God Almighty as the Supreme Being over all men, of the universe; I believe in the democratic form of government and the American way of life, which were wrought for us by sacrifice, in blood, toil, and perseverence of the brave men and women who have preceded us in the annals of our Nation's history; and, resolved in the duty of knowing what we are fighting for, the duty of keeping the faith, the duty of doing my part and the duty of keeping up the good spirit, I pledge—even to the giving up of all I have or hold in life and property—myself for the preservation and continuation of the American way of life with liberty and the pursuit of happiness as secured for us by the great vision and long-suffering of our forebears. So help us, God, to win victory.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. PLOESER] is recognized for 15 minutes.

APPOINTMENT OF COLLECTOR OF INTERNAL REVENUE, ST. LOUIS DISTRICT, MO.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain editorials from St. Louis newspapers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PLOESER. Mr. Speaker, if the present plans to appoint Robert Hannegan, the discredited retiring chairman of the St. Louis Democratic Committee, to the post of collector of internal revenue for the St. Louis district go forward to a successful conclusion, it will be the rawest slap in the face the Federal administration could ever give the people in the great city of St. Louis.

Any man who has operated a political organization of the nature of the scandalous Dickmann-Hannegan machine in St. Louis would have little respect for Federal civil service.

How can we expect wholehearted cooperation from the people in the war effort when the administration, by political appointments, undermines the public morale by disregarding the people's mandate?

It is my desire to show the House here some of the things which are about to be perpetrated on the people of St. Louis through the attempt to appoint Mr. Hannegan collector of internal revenue.

Mr. Hannegan has for the last number of years been the chairman of the democratic city committee in the city of St. Louis, and he has been the head, at least the organization head, of what was known as the Dickmann-Hannegan machine, the same crowd of political cohorts who tried to steal the governorship of the State of Missouri a year ago after Republican Forrest Donnell was elected by some 3,700 votes to the governorship. Governor Donnell is a man of whom Missouri may be proud.

The great newspapers of the city of St. Louis feel so deeply and indignantly on this question that the St. Louis Post-Dispatch has published a special edition in which it has devoted 3 or 4 pages to the subject, relating all the scandals of this political machine. The following is a part of what appeared in the Post-Dispatch on that occasion:

EX-BOSS HANNEGAN TO BE REWARDED WITH $7,000 JOB—APPOINTMENT AS COLLECTOR OF INTERNAL REVENUE LIKELY TO GO TO SENATE FOR CONFIRMATION THIS WEEK—SPONSORED BY BENNETT CLARK, WHO ALSO WAS IN ON THE "DEAL"—ANOTHER EXAMPLE OF THE POLITICAL HAND-OUT AS RESULT OF PRESSURE TO SERVE PARTY AND KEEP MACHINE INTACT—AGAIN THE STORY OF THE GOVERNORSHIP STEAL AND THE IMPORTANT PART HANNEGAN PLAYED IN IT—HOW THE PEOPLE KICKED DICKMANN OUT—HOW THE PRESIDENT IS ABOUT TO PUT HANNEGAN IN

(By Curtis A. Betts, State political correspondent of the Post-Dispatch)

One of the curious inconsistencies of life in democratic America is the blind and unreasoning loyalty to party, which so frequently takes precedence over loyalty to the public interest and, in many instances, loyalty to public decency.

Hoary tradition dictates that the rich political plums shall go to those who have served the party, regardless of any question of service to the public. The politician whom a Senator endorses, a President must appoint and the Senate confirm. Simply because of that custom, Robert E. Hannegan, retiring chairman of the St. Louis Democratic City Committee and partner in the scuttled Dickmann-Hannegan machine, is slated for reward and seems about to be rewarded this week with the $7,000 job of United States collector of internal revenue in St. Louis.

Former Mayor Bernard F. Dickmann, senior partner in the ill-starred venture into the realm of "big time" politics, is in political oblivion, defeated for a third term a year ago by a majority of 35,684, a crushing repudiation by an electorate which 4 years before had chosen him for the city's highest office by a majority of 48,170.

The organization headed by Dickmann and his sidekick, Hannegan, was wrecked by political greed and unconscionable grasping for power. It is floundering and helpless. It is unable even to agree upon a new chairman who has the confidence of the party members and is capable of rescuing it from the chaos into which it has been tumbled.

HANNEGAN TOOK THE FIRST OVERT STEP

But Hannegan is to be rewarded for past services. He was an active participant—indeed, he took the first overt step—in the disgraceful attempt to "steal" the governorship for Lawrence McDaniel, a machine cohort. He was loyal to United States Senator BENNETT CHAMP CLARK and to United States Senator HARRY S. TRUMAN. His organization had been faithful, as politicians view faith, and had delivered votes for them when they needed votes. So, regardless of public protest and public revulsion, the two Senators from Missouri are determined to pay their debt to him.

The politcial history of St. Louis was a sorry one during the 8 years of the Dickmann-Hannegan machine rule. Immediately after Dickmann's first election in 1933, there developed a step-by-step progress toward the building, of a machine to rival that of boss Tom Pendergast of Kansas City, whose debauchery of the ballot and of public officials led to his downfall and his incarceration in the penitentiary.

Even before the colossal blunder of the attempted governorship steal, the public had begun to grow restless under the threat of a machine designed to be more powerful even than Pendergast's. It had seen the machine under Hannegan's chairmanship invade the sanctity of the judiciary, it had seen the machine knife good candidates and place its tools on the circuit bench. It had known of the heavy padding of election registration lists.

But it was not until the machine's effort in 1940 to place in the Governor's office Lawrence McDaniel, the Dickmann-Hannegan candidate, through a sorded use of political might—the Democratic control of the legislature—that it so far overstepped the bounds of even political decency as to bring down upon it the overwhelming wrath of the voters. The voters defeated Dickmann for reelection by a majority almost as large as that by which they had elected him 4 years before, and by defeating him made certain that Hannegan could no longer head the party organization in St. Louis. They declared as vociferously as they could that they wanted no more of Dickmann, and no more of Hannegan, in position of public authority.

MACHINE LEADERS LOOKING AFTER SELVES

Until its foray into State politics the machine seemingly had a stranglehold on St. Louis. But it was not satisfied with that. Power breeds a desire for more power, and with the collapse of Pendergast the St. Louis politicians thought they saw the opening for control of Jefferson City and of the State, as well as St. Louis. To get that control the machine must have its man in the Governor's chair. Studying the list of availables, it decided upon McDaniel, who was Dickmann's appointee as city excise commissioner, and who seemed to fill the bosses' requirements in every respect.

Dickmann and Senator Clark did not agree on a candidate in the early negotiations, Clark preferring Dan M. Nee, United States collector of internal revenue in Kansas City. But when trial balloons failed to show that Nee had the desired following, Clark withheld the go-ahead sign for Nee and joined with Dickmann in the support of McDaniel.

McDaniel's candidacy proved a dud. Although President Roosevelt carried the State by 87,467, so great was the machine handicap

for McDaniel that he lost to his Republican opponent, Forrest C. Donnell, by the slim margin of 3,613 on the official return. It was the first time a Republican Governor had been elected in Missouri in 12 years.

This was a devastating blow to the machine leaders. All their plans were wrecked. Loss of the governorship meant they were deprived of the huge patronage of the Governor's office, patronage being a vital necessity for the maintenance of a political machine, and that they were deprived of the many financial favors which flow from a Governor to those who serve the party organization.

In a desperate situation, they decided upon a desperate course. In the forlorn hope of saving themselves, they wrecked their party organization in city and State, and threw out of jobs in St. Louis many thousand loyal followers. The leaders themselves went scurrying to Washington to see what the national administration could do for them. Dickmann landed quickly with the job of inspector general in the Office of Civilian Defense, but that job recently was abolished, and he is again on the waiting list. Recently McDaniel landed himself a $3,000 job as parole officer of the St. Louis circuit court. Hannegan is to be taken care of with the fat office of internal revenue collector. The chiefs in the machine had ways of looking out for themselves, but the men and women in the ranks are not that fortunate.

In whose mind first lodged the germ which gave birth to the partisan scheme to "steal" the governorship, to prevent Governor Donnell from taking office and to install McDaniel in his stead, has been held a closely guarded mystery, but it is known that the first overt step was taken November 13, only 10 days after the State election.

That first overt step was taken by none other than Hannegan. He called a conference of party leaders in a room in the De Soto Hotel for the purpose, as Dickmann later explained it, of "discussing what, if anything, should be done about the governorship." In that smoke-filled hideout gathered Dickmann and Hannegan, Senator Bennett Clark, Attorney General Roy McKittrick, Secretary of State Dwight H. Brown, Chairman Charles M. Hay of the St. Louis Board of Election Commissioners, Probate Judge Glendy B. Arnold, Chairman C. Marion Hulen of the Democratic State Committee, State Senator Michael Kinney of St. Louis, and others.

They discussed the catastrophe which had overtaken the machine and they reached a decision, not unanimously, but by sufficient strength for State Chairman Hulen to proceed with the approval of the machine. Those in attendance never have admitted that this decision was anything more than an authorization for Hulen to make an investigation to determine whether there was evidence of fraud and election irregularities which would justify the institution of a contest. But the fact is that from that moment the plot to seize control of the Governor's office was in full swing.

COULD NOT SAY THEY HAD NOT BEEN WARNED

When the plot failed, with its consequent repudiation of Dickmann and Hannegan, they could not say that they had not been warned. Sitting in the haze of the curling blue smoke, listening and taking little part in the discussion of plans, was Attorney General McKittrick, who is noted for a political sagacity acquired through years of rough and tumble campaigning in his native Chariton County. The course of many a political conference has been changed by one homely comment by McKittrick.

As the discussion went more and more into detail, McKittrick changed his seat a time or two until he was off in a corner almost by himself. About all that was to be said about the plans had been concluded. Hannegan was summing up, when McKittrick interrupted and said:

"One thing you fellows in St. Louis should consider carefully: If you go into this, you will be the ones under the gun. You city fellows have a city election in the spring, while we country boys will have 2 years to get over it before we have an election."

The stage was set, however, and McKittrick's warning went unheeded. The political mind could easily hold the idea that nothing could go wrong with the plans, so long as the Democrats controlled both branches of the legislature. They would simply have the legislature vote McDaniel in and Donnell out, and that would be all there would be to it.

And, with the carrying out of the scheme, what had the machine in St. Louis to fear in the spring election? Would it not control both the board of election commissioners and the board of police commissioners? What more would be needed to reelect Mayor Dickmann?

State Chairman Hulen, the front man for the State machine, immediately put into motion the forces necessary, as it was thought, to lay the groundwork for carrying out the plan, and to get the sorely needed support of the entire Democratic organization in the State. Ten lawyers were employed to gather evidence of "Republican frauds." Democratic job holders in St. Louis, Jefferson City, and throughout the State began to pour in reports. In 6 short weeks Hulen was primed.

At a meeting of the Democratic State committee in Jefferson City December 30, Hulen solemnly announced he had sufficient evidence to show that McDaniel had been elected and that Republican frauds had resulted in McDaniel being counted out. But he did not produce an iota of his evidence for the committee. He had a bulky brief case, which he said "contained the evidence," and he even loosened one strap of the brief case, but he didn't get it opened. The State committee took his word for it and adopted a resolution calling for "a general and sweeping investigation of the election."

It also asked that the local Democratic committees throughout the State adopt resolutions to be addressed to the legislature, urging the investigation.

HANNEGAN READY AND EAGER FOR HIS ROLE

Hannegan not only was ready but also eager for his role in St. Louis. As chairman of the Democratic city committee, he called the city committee into session just 4 days later, January 3, 1941, at the Jefferson Hotel. Again no evidence of fraud was presented, but Hannegan explained that the State committee desired the adoption of a resolution which had been prepared in advance. Forty-nine of the 56 members of the city committee were present and unanimously followed Hannegan's advice and adopted the resolution.

The scheme for an "investigation," as distinguished from a "contest," was a slick political trick. It called for a legislative committee to be controlled by Democrats, which would have the power to hear such evidence as it wanted to hear and exclude such evidence as it didn't want to hear, and to examine only such ballots as it wanted to examine, and to make its report to a Democratic legislature. Its report would be approved or rejected, the machine leaders seemingly having no fear of a rejection.

Of supreme importance in the plot was the fact that it would prevent the inauguration of Governor Donnell on January 13, the date fixed in the State constitution.

JUST ONE SLIP IN SCHEMING

There was just one slip in the scheming. The machine did not take into consideration the Missouri Supreme Court, or if it did, was so naive as to think it could count on a solidly Democratic supreme court to throw in with it. It was the supreme court, acting with high judicial integrity, which caused the collapse of the whole plan.

If there was any honest doubt in the minds of any of the Democratic leaders that Governor Donnell had been elected, the proper legal course to have followed was for McDaniel to file a contest petition with the legislature, provision for which is made in the constitution. The supreme court so held when Donnell instituted proceedings to stop the illegal investigation. That, however, was what the machine did not want. For that would have provided for opening all of the ballot boxes, and Donnell would have been seated as Governor pending the outcome.

The legislature boldly attempted to play the part cut out for it by the machine. At a stormy all-night session January 11, and over the protest of a few Democratic members, it adopted the investigation resolution. There came an almost instantaneous blast of disapproval from throughout the State.

Leading Democrats—Gov. Lloyd C. Stark, Congressman John J. Cochran, State Senator Allen McReynolds, of Carthage; State Senator Michael Kinney, of St. Louis, and others—denounced the scheme as illegal and insisted that the only legal course would be to follow the constitution with a straight-out contest, seat the Governor, and proceed in an orderly manner.

FOUR WERE STRANGELY SILENT

Strangely silent were Senator Clark, Senator Truman, Mayor Dickmann, and the city chairman, Hannegan. None had even a suggestion of criticism of the scheme. They were mute, awaiting results.

Four days after the resolution was adopted by the legislature, and the aroused fury of Democrats as well as Republicans over the attempted steal had become evident, Hannegan issued a statement advocating the counting of all ballots but persisting in demanding a partisan inquiry and decision.

Governor Stark said, "All the able constitutional lawyers I have talked with agree that the duly elected Governor (Donnell, the Republican) should be seated as required by the constitution, and the contest, if any, then be carried out according to the constitution."

Congressman COCHRAN said, "Unless the will of the people is carried out there will be a breaw-down in our form of government."

State Senator McReynolds said, "It is the duty of the majority (the Democrats in the legislature) to observe the exact language of the constitution."

State Senator Kinney said, "We should follow the Governor's advice and proceed in an orderly, constitutional way."

Clark, Truman, and Dickmann said nothing. Hannegan continued to stand for a narrow, partisan decision.

Governor Stark on January 15 threw the machine leaders into a state of consternation by the unprecedented action of vetoing the "investigation" resolution passed by the legislature. No governor ever before had exercised the power of veto over a legislative resolution. The machine leaders and the legislative leaders who had been charged with the spadework of carrying out the machine orders were thunderstruck.

SCHEMERS EDGING AWAY

Governor Stark's veto message terrorized the machine leaders, and they began to edge away from an appearance of participation in the scheme They began to itch and squirm, and, looking forward to the city election in St. Louis, in which Dickmann was a candidate for mayor for the third time, they began to seek a way to calm the tumult.

It became common talk in St. Louis and through the State that the governorship contest would mean Mayor Dickmann's defeat. The machine leaders recalled—but, alas, too late—the words of homely wisdom uttered by Attorney General McKittrick 2 months earlier

in the smoke haze of the DeSoto Hotel hideout—"You city fellows have a city election in the spring, while we country boys will have 2 years to get over it before we have an election."

Governor Stark said in his veto message:

"Leaving out of account any discussion of the constitutional problem, which is now out of my hands (it had been taken to the supreme court by Donnell), I am of the opinion that the principles of good government and fair play dictate that the candidate (Donnell, the Republican) receiving the highest number of votes in the returns published by the secretary of state, should be seated, and the contest proceed in a legal and proper manner."

CLARK BREAKS SILENCE

Senator CLARK, in Washington, finally broke his silence after the State was aroused to fever heat. The mayorality election was then only 10 weeks off. He spoke, but vaguely, and in generalities: "I certainly think that under no circumstances should the contest on the governorship be made in a partisan manner. Just because the Democrats have a majority in the legislature is no reason for throwing Donnell out. On the other hand, if McDaniel was elected, he should be seated. As to the legal aspects of the case, I must decline to give an offhand opinion."

However, State Senator McReynolds, a lawyer of recognized ability, had not hesitated to express the legal opinion that the course being pursued was illegal. Governor Stark, acting on legal advice, had not hesitated to declare it illegal. The Supreme Court, deciding the case, specifically held that it was illegal.

The wishy-washy statements by the machine leaders and Senator CLARK served to increase the public clamor for fairness, but the party leaders held their ground, continuing their plans, if not with the same degree of openness, to carry out the original scheme, but stopped for the time being by the supreme court, to which Donnell had appealed. The supreme court, in accepting jurisdiction of the case, had directed that all proceedings be held up until its final decision.

By the latter part of January, while the supreme court was considering the issue, the first noticeable evidence that the machine leaders were thoroughly scared of the effect of the contest on Dickmann's chance for reelection appeared in Jefferson City. St. Louis members of the legislature, who, with the exception of Senator Kinney from the beginning and Senator Clinton T. Watson later, began to soften in their support and showed signs of abandoning the stand they had taken. One of them said: "To hell with the governorship if this thing's going to beat Barney."

ANOTHER HOTEL MEETING

The real break came late in January when State Senator L. N. Searcy of Eminence, chairman of the "investigating" committee, was summoned to another hotel conference in St. Louis. It was held at the Coronado Hotel. In addition to Searcy, one or two other members of the legislative committee were there to meet Hannegan and some of his St. Louis machine cohorts. Hannegan by that time had become convinced that the fight was endangering Dickmann and he knew that Dickmann's defeat would mean the immediate collapse of the machine on which they had so laboriously toiled for 8 years.

At the Coronado Hotel conference, Hannegan sought to abandon the governorship steal, advising Searcy that nothing more should be done to carry out the detailed plans of the original cabal; that the "investigation" should be halted; that Governor Donnell should be seated.

But those who had been charged with the legislative responsibility at Jefferson City were in no mood to quit. Whatever their doubts in the beginning, they had gone so far that they were not willing to back-track. Senator Searcy returned to the capital determined to recklessly brazen it through.

However, he was not given the opportunity. The supreme court declined the matter for him. On February 19 the court ordered that Governor Donnell be seated, holding that a "contest" under the constitution was the proper mode of procedure.

The supreme court left the schemers only the toehold for starting all over again with a legal contest. Governor Donnell was inaugurated February 26, and shortly afterward a contest petition was filed by McDaniel with only the half-hearted support of the machine and the legislative leaders most active in the original proceeding. The schemers really had no hope of sustaining a contest, but a recount of the ballots was begun. As the returns came in, it was evident that if there had been frauds and irregularities, they had been in McDaniel's favor rather than Donnell's. The indications soon were that a completed recount would show that Donnell had been elected by a majority in excess of 10,000, instead of the 3,613 shown by the original retuns.

Even in the face of this situation, it was not until May 21 that McDaniel abandoned hope that through some quirk of fate the cards would fall his way, although long before that the originators of the plot had lost interest in it. For Dickmann had been defeated for reelection in the April election. The Republicans had control of the city hall. Nearly all the St. Louis machine Democrats were out of jobs, and there was no rift in the clouds for the Democrats in the contest. So on May 21, McDaniel asked the legislature to dismiss his contest which, he said, he had instituted "with the highest motives," and "with the firm conviction that I had in truth and in fact been elected Governor."

So ended the most gigantic attempted political steal in the history of the State. Dickmann and Hannegan became job hunters instead of job dispensers. What its effect will be on Senator CLARK when he seeks reelection 2 years hence is for disclosure in the still somewhat remote future. As for the immediate future, it seems reasonably certain that while the people kicked Dickmann out, the President and the Democratic majority in the United States Senate are about to put Hannegan in.

The St. Louis Star-Times has also published an editorial on this subject. While the Star-Times is a competing paper and does not fully agree with the St. Louis Post-Dispatch, it still agrees that this is no time, nor is any other period of good government a time, for picking up broken-down political hacks who have been discredited by the people and putting them on the Federal pay roll.

The editorial appearing in the Star-Times is as follows:

THE HANNEGAN ISSUE IN PERSPECTIVE

Robert E. Hannegan, former chairman of the Democratic city committee, should not receive the appointment of collector of internal revenue. His political record, and particularly the fact that his appointment would merely follow the patronage tradition, disqualify him for this position.

But the question of the Hannegan appointment has been made the subject for an attack so unbridled and so extreme that the attack itself has become a fit matter for public comment. It is of the most vital importance, when newspapers employ the powerful medium of type to denounce and condemn men and to sway the popular mind, that fair play and a proper sense of proportion be preserved.

In this case there has been a departure from these standards, and the public is being imposed upon. There is something distorted, something awry, in the spectacle of a newspaper piously invoking last year's gubernatorial "conspiracy" as the basis for an attack upon Mr. Hannegan while that same newspaper remains silent upon this year's merit-system grab in St. Louis.

The Democrats failed in their plot to seize the governorship. All the papers of Missouri combined against that "steal," but the Becker administration is succeeding in robbing the people of the merit-system law, in setting aside its operations and in continuing the abuses of patronage, spoils, and the lug, which the voters thought they were outlawing last September.

What is happening at St. Louis' City Hall today in the setting aside of the merit system constitutes a deadly blow to democratic processes in St. Louis. The public is being gulled when one of its newspapers blinds it with exclamatory headlines about a gubernatorial steal, thereby distracting it from the present-day merit-system grab, which is threatening its well-being more even than would the appointment of Mr. Hannegan as collector of revenues.

There are few cities in the country where politicians could have committed the outrage that has been committed in the merit-system hoax and not receive the united denunciation of the entire press.

Moreover, it is a simple canon of fair play that participants in the same plot shall be treated to equal condemnation. Former Mayor Dickmann and Lawrence McDaniel were involved in the gubernatorial fiasco as deeply as was Mr. Hannegan. Yet the newspaper which is so loudly denouncing Mr. Hannegan had this to say of Mr. Dickmann when he was appointed inspector general in the Office of Civilian Defense:

"Mayor LaGuardia has made an excellent choice in appointing Bernard F. Dickmann as inspector general. * * * His talents should be well used."

The same newspaper also commented in a kindly vein on McDaniel, when he recently was named parole officer of the circuit court, as follows:

"Well versed in criminal law and possessing an unusual human warmth, Mr. McDaniel has notable personal equipment for the work which he will do."

To be sure, the memory of the people is short, but they should not be exploited for this reason. Selective persecution is not palatable. If two perpetrators of a plot are to be forgiven and treated mercifully, it is incongruous and shabby to assail a third perpetrator with nearly every form of journalistic extremism.

The Star-Times is opposed to the Hannegan appointment, on the basis of Hannegan's whole record—not simply the gubernatorial scandal. But it is also opposed to the inconsistency of meting out cruel and unusual treatment to only one member of a triumvirate which was guilty of a joint offense. It is also opposed to studied preoccupation with yesterday's steal when every courageous organ of public opinion should be engaged in recovering for the people the merit system which they voted into effect last September and which is now being withheld from them.

The performance of the Becker administration is smothering the merit system is the great menace of machine politics facing St. Louis, and it will not be banished by the magician's trick of diverting our attention to the sins of a former administration.

You will note that the Post-Dispatch points out that one of the curious inconsistencies of life in democratic America is the blind and unreasoning loyalty to party which so frequently takes precedence over loyalty to the public interest and, in many instances, loyalty to public decency. It also points out that

immediately after the citizens of St. Louis had discredited this machine in the mayoralty election in which they elected our present very able mayor, Mr. William D. Becker, the Office of Civilian Defense picked up the discredited and defeated mayor, Bernard Dickman, and put him in a $6,500 job with the dancers and fancy pool-shot artists and the bowling experts and the various other social-service workers of the Office of Civilian Defense. For a great part of his stay at O. C. D., St. Louis believed him to be a dollar-a-year man. It was not revealed that he was on a salary of $6,500 a year, until this very House of Representatives exposed him. Then he went out of the $6,500 job and into a job that paid $22 a day, I believe, for expenses.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Did he have charge of any of the ping-pong work that I understand is a part of the matter under investigation in the O. C. D.?

Mr. PLOESER. I do not believe this particular gentleman did. I do not know what his ability is in the line of ping-pong.

Mr. DITTER. That is a pretty fast game.

Mr. PLOESER. It is a pretty fast game. Well, this Dickmann-Hannegan machine crowd play a pretty fast game, too.

Mr. DITTER. I mean ping-pong is a pretty fast game.

Mr. PLOESER. Now we have a situation where it is being recommended to the President that he appoint this man, and it is understood by the good citizens of St. Louis and the newspapers and the rest of us who are interested in decent government in the city of St. Louis, that the President is about to appoint Robert Hannegan, who was the chairman of this vote-stealing and vote-padding machine, who in his own home was caught with padded registrations, and who was the ringleader of the group that tried to steal the governorship, to the $7,000 post of collector of internal revenue.

I understand that our illustrious Senators are approving this appointment. I bring this matter onto the floor of the House in the hope that in some manner my feeble voice may penetrate these walls and reach into the other body with such appeal to these distinguished Senators from the State of Missouri that they change their opinion and not foist this great public affront onto the people of the city of St. Louis. This is directly an insult to the intelligence of the voters of St. Louis. They have just recently discredited this entire gang, and now we are to understand that the Federal Government is to give them fat political plums for their services in the past. Surely the Democratic Party must have some decent and capable citizens who would be eligible for such appointments.

I cannot see anything else but what the civil service in the Internal Revenue Bureau of St. Louis would be in direct jeopardy if we appointed a man such as this to head that Department. I am hopeful that the citizens of St. Louis, should this appointment go through, will rise in righteous wrath and denounce everyone who has anything to do with it.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Michigan [Mr. DINGELL] is recognized for 10 minutes.

Mr. DINGELL. Mr. Speaker, the United States Navy Department in an official release this week disclosed the identity of the Negro sailor who manned the machine gun on a battleship at Pearl Harbor, December 7, 1941, though he had theretofore been confined to the duties of a second-class mess attendant.

The communication stated:

In company with two officers and several enlisted men, Dorie Miller, second-class mess attendant, was on the signal bridge of a United States battleship when the commanding officer of the vessel received a fatal abdominal wound. While others sought to construct a stretcher to lower the captain to a safer location, a Naval Reserve lieutenant and Miller manned a pair of machine guns and fired upon the attacking planes until fires started by bombs rendered the machine guns useless.

Unable to lower their captain on an improvised stretcher, four officers and men, including Miller, carried him from the blazing bridge of the ship to the more sheltered deck under the portside antiaircraft guns.

Dying, the captain ordered the officers and men to abandon ship. Finding other means of escape blocked because of flames, they made their way to shore, hand over hand, along lines strung deckward from a boat crane.

Since those tragic hours on the Sabbath of December 7, 1941, at Pearl Harbor, 12,000,000 Negro citizens have with pardonable pride rejoiced in the feat of the unnamed colored hero who was mentioned in news releases at the time.

There has been a fruitless but untiring effort to learn his identity, especially by the Washington staff of the Pittsburgh Courier, the most widely circulated weekly Negro publication in the United States.

This week the Pittsburgh Courier, issue of March 14, 1942, on the front page carries the first picture of Dorie Miller and the "young woman he left behind, Miss Mozelle Alexander, of Flint, Texas."

The following Washington dispatch in the Pittsburgh Courier outlines the first official news of this colored sailor's brave conduct under fire.

MESS ATTENDANT TURNED MACHINE GUN ON JAPANESE

Washington, D. C., March 12.—Add the name of Dorie Miller, 22-year-old mess attendant in the United States Navy, to the illustrious "honor roll" of Negro fighting heroes, who have inscribed their names in the red ink of raw courage, from Bunker Hill to Metz.

Add the name of Dorie Miller, Texas born and Texas raised, to the "phantom brigade" of fighting black men, whose deeds have become immortalized in the record book of American history.

JOINS LONG LIST OF HEROES

Add the name of Dorie Miller, son of a land-anchored family to those men of years ago, who have walked through the Valhalla of death as American patriots. Chrispus Attucks, Needham Roberts, Henry Johnson, Sgt. William H. Carney, the six men at Arlington Cemetery who died as heroes in the Mexican uprising at Carrizal.

Add the name of Dorie Miller to the glowing achievements of the Ninth Cavalry in the Boxer Rebellion, the Rough Riders at Santiago, the Ninety-second and the provisional Ninety-third Divisions during World War No. 1.

Because it was Dorie Miller, third son of a Waco, Tex., family, who manned the machine gun during the infamous sneak attack of the Japanese at Pearl Harbor on the morning of Sunday, December 7, 1941, and became the "Unnamed Negro messman hero." No longer is his name unknown.

NAVY CONFIRMS COURIER STORY

Following weeks and months of intensive effort, in which every possible lead was run down, the Pittsburgh Courier this week announced to America and linked the name of Dorie Miller with the magnificently courageous part he played. Starkly dramatic is the official communique which the Courier obtained last week from unimpeachable sources and which has been verified by the Navy Department, as follows:

"At the time of the attack on Pearl Harbor, Mess Attendant Miller, in company with two officers and several enlisted men, was on the signal bridge of a battleship.

"When the battleship was attacked, the commanding officer received what was to prove a fatal abdominal wound. While others attempted to provide a stretcher on which to lower their commanding officer, to a less exposed position, Miller and a lieutenant manned a pair of machine guns and fired upon the enemy aircraft.

"They maintained their fire until the machine guns were put out of action by the encroaching flames from numerous blazes set by enemy bombs.

ORDERED TO ABANDON SHIP

"Unable to improvise a streacher, the officers and enlisted men, including Miller, managed somehow to carry their captain to the deck and the shelter of an antiaircraft gun, located on the port side of the vessel. Dying, the captain ordered all hands to abandon ship.

"Flames made usual means of leaving the ship impossible, but Miller and the others finally succeeded in getting to shore by climbing hand over hand down ropes dangling from an overhead crane."

Thus is revealed the first Negro hero of World War No. 2—the first Negro naval hero and the youth who for months has been referred to by white columnists and radio announcers as the "unnamed Negro messman hero."

Woven through the lines and sentences of the communique is a story far more dramatic than that which has been printed.

ASSIGNED ONLY TO MENIAL JOBS

Dorie Miller was born on October 12 (Columbus Day), 1919, the son of Mr. and Mrs. Conery Miller. He is the third son of a family of four boys.

Upon completing his elementary and high-school education, he enlisted in the Navy on September 16, 1939, just before reaching his twentieth birthday.

When Dorie enlisted, however, he was allowed to enlist only in the rank of messman. He served meals, cleaned up after the officers, and did the menial work which is the role of Negro messmen throughout the Navy.

When the Japanese attack on Pearl Harbor occurred over 2 years after Dorie had enlisted, he was still a messman. (In the Navy, you know, a Negro finds it difficult to advance to the higher grades of seamanship but has been confined largely to the role of mess attendant.)

FIRST TIME TO FIRE GUN

Dorie had never fired a machine gun before. (Navy policy wouldn't give a messman the opportunity to learn the intricacies of this weapon.)

But when the surprise sneak attack occurred, the fighting instinct and the burning patriotism which smouldered deep down inside the youth, burst into brilliant flame

Dorie Miller, a Negro American, became a reincarnation of those Negro heroes of other years.

It was as natural for Dorie Miller to grab that machine gun and to start its stuttering messages of death leaping toward the Rising Sun emblems he could see on those diving enemy planes, as it was for any other American.

It was natural for him to remain at his post until leaping flames forced him to retreat.

To Dorie Miller, son of the Lone Star State, a real sailor, an American fighting man, no longer an unnamed hero: America salutes you.

Mr. Speaker, it is fitting and proper for the House of Representatives to honor American soldiers and sailors regardless of race, color, or creed.

Dorie Miller should be voted the Congressional Medal of Honor or any other citation in keeping with the great traditions of the United States Navy.

The Pittsburgh Courier, the National Negro Council, the National Baptist Convention, the Methodist, and other church leaders and laity representation of the 12,000,000 loyal and patriotic Negro people will be cheered by this recognition of one of their own by the Congress, the United States House of Representatives and the Senate.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a resolution of the Italia Moderna Society, of Louisiana.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief excerpt from a statement issued by Hon. George P. Alderson, State Tax Commissioner of West Virginia.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, we are all acutely aware of the report brought back to the United States by Admiral Hart, from the Pacific fighting zone, wherein he says, in effect, "too little, too late."

We have once again been told that we must have air power and it must be at the scene of action if we are to expect victory in the future. While we are thinking in terms of superiority in the skies on the fighting fronts we must not forget that the domestic air transportation system of America is vital. We have now only 350 transports which could be converted into troop-carrying planes, which would take care of 6,000 men. The only way we could carry those 6,000 troops to a point of attack on this country quickly is by this method. I trust the policy now being pursued of taking the domestic planes and putting them into the fighting service abroad will not be continued to the point where it will weaken America at home. We must realize that our enemies might conceivably attack at some particular point in the United States. Our domestic air lines are performing highly valuable service on the home front. They stand ready for any emergency and can be converted to wartime units. I am placing in the Appendix of today's RECORD my feelings about the necessity for a helpful attitude toward the air transportation carriers of this country. I trust my colleagues will join in a constructive encouragement of this industry—which contributes valuable experience, research, equipment, and personnel in time of war and which shall play a vital part in winning commerce and good will in the peace which will follow.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to—

Mr. THOMAS F. FORD (at the request of Mr. VOORHIS of California) for 2 days, on account of illness.

ADJOURNMENT

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 5 o'clock and 25 minutes p. m., the House adjourned to meet (in accordance with its previous order) on Monday, March 16, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1487. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes; to the Committee on Claims.

1488. A letter from the Secretary of Agriculture, transmitting a report of payees receiving payments in excess of $1,000 under the 1940 agricultural conservation program, range conservation program, naval stores conservation program, and payment program; to the Committee on Agriculture.

1489. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

1490. A letter from the Acting Assistant Secretary of the Interior, transmitting a list of the oil and gas leases which by their terms would expire in 1941, but by reason of their inclusion in an approved unit plan are extended beyond their initial 20-year term, until the termination of such plan; to the Committee on the Public Lands.

1491. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to existing appropriations for the Treasury Department for the fiscal year 1942 (H. Doc. No. 666); to the Committee on Appropriations and ordered to be printed.

1492. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942 in the amount of $18,000,000 for the Federal Works Agency (H. Doc. No. 667); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANDIS: Committee on Labor. H. R. 5580. A bill to prohibit subversive individuals from representing employees for the purposes of the National Labor Relations Act; with amendment (Rept. No. 1897). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SOMERS of New York:

H. R. 6783. A bill granting a pension of $50 per month to all widows of Civil War veterans who have attained or hereafter attain the age of 65 years; to the Committee on Invalid Pensions.

H. R. 6784. A bill to prohibit the movement in interstate commerce of packages of food not of the standard units of weight or measure herein prescribed, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. RANKIN of Mississippi:

H. R. 6785. A bill to amend the Communications Act of 1934, as amended, so as to prohibit the radio advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

By Mr. LUDLOW:

H. J. Res. 292 (by request). Joint resolution to designate the composition known as Onward Christian Soldiers as the national war song of the United States of America; to the Committee on the Judiciary.

By Mr. SAUTHOFF:

H. J. Res. 293. Joint resolution providing for the commemoration on March 16, 1942, of the anniversary of the birth of President James Madison; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of Michigan:

H. R. 6786. A bill for the relief of Mrs. Julia Peterson Mills; to the Committee on Claims.

By Mr. ROLPH:

H. R. 6787. A bill for the relief of Shumate Investment Co.; to the Committee on Claims.

By Mr. KING:

H. R. 6788. A bill for the relief of Lily Pao-Nu Cheng Chong; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2554. By Mr. GAVAGAN: Petition of the board of directors of the National Association for the Advancement of Colored People; to the Committee on Rules

2555. By Mr. KEOGH: Petition of the International Association of Chiefs of Police, Washington, D. C., concerning House bill 6256, known as the Citizen Identification Act of 1942; to the Committee on the Judiciary.

2556. Also, petition of the National Youth Administration College Work Council for the City of New York and Long Island, favoring the continuance of the National Youth Administration college work program; to the Committee on Appropriations.

2557. By The SPEAKER: Petition of the Southwest Civic Association, Washington, D. C., petitioning consideration of their resolution with reference to the Alley Dwelling Act; to the Committee on the District of Columbia.

SENATE

MONDAY, MARCH 16, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Right Reverend James Hutchison Cockburn, D. D., moderator of the General Assembly of the Church of Scotland, minister of Dunblane Cathedral, Scotland, offered the following prayer:

O God, whose is the kingdom and the power, as the eye of a servant looks to the hand of his master, so we, Thy servants, turn our hearts to Thee. In Thee is our help and our defense; from Thee come wisdom and understanding; by Thee we live and move and have our being. Thy loving kindness is ever about us and Thou providest for our needs in due season, so that our souls are glad in Thee and we Thy children know that we can wait patiently on Thee from whom cometh our salvation. Keep us, we pray Thee, by Thy mighty power, and uphold us by Thy free spirit, that no earthly power may hold us in fear, and no untoward happening distress us, that we, being rooted and grounded in faith and stayed on the rock of Thy strength, may be steadfast and unmovable. Through cloud and sunshine may we abide in Thee, whose is the kingdom and the power forever.

Eternal Father, who rulest the rulers of the earth, look favorably, we beseech Thee, on the President of this commonwealth and on all his household; give him wise judgment, quick decision, and a spirit to seek Thy praise. Upon the Vice President, the members of the Cabinet, and all who have been called to the office of this Senate, pour out Thy grace which alone maketh rich, and give them the gladness of them that serve the people and Thee. Bless abundantly the people of this land, accept their sacrifices and prosper them in Thy ways. Keep in Thy faith and fear their sailors, soldiers, and airmen; sustain them and the rulers, the peoples, and the armed forces of those who are allied with them in a noble cause; strengthen them with the assurance of victory, and by their abundant labors, by their endurance, courage, and trust in Thee, restore peace to our broken world, that Thy kingdom may be advanced. We ask this in Christ's name, who alone is the Redeemer of the world.

And now, as Thy servants take up their appointed tasks, give them, we pray Thee, the comfort of Thy guiding counsel, that no selfish passion may hinder them from knowing Thy will, no weakness from doing it, that in Thy light they may see light clearly and in Thy service find perfect freedom; through the Spirit of our Lord and Master, Jesus Christ, to whom, with Thee and the Holy Ghost, be everlasting praise.

The grace of Our Lord Jesus Christ, and the love of God, and the communion of the Holy Ghost be with you. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, March 13, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes, and it was signed by the Vice President.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM

The VICE PRESIDENT. The Chair has been informed that the senior Senator from New Hampshire [Mr. BRIDGES], because of illness, is desirous of resigning as a member of the Special Committee to Investigate the National Defense Program, and the Chair appoints the junior Senator from Ohio [Mr. BURTON] to fill the vacancy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated.

By the VICE PRESIDENT:

A letter in the nature of a petition from Mrs. L. Keller, of Warren, Pa., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

A joint resolution of the General Assembly of the State of Virginia; to the Committee on Finance:

"GENERAL ASSEMBLY OF THE COMMONWEALTH OF VIRGINIA

"House Joint Resolution 37

"To memorialize Congress concerning taxes on hard liquors

"Whereas Virginia has been compelled, in the control of hard liquors, to increase the sale price from time to time, both to meet the increasingly heavy Federal taxes levied thereon and also to insure some margin of profit to this Commonwealth; and

"Whereas the high price at which Virginia is now compelled to make such sales has greatly encouraged the illegal manufacture and sale of such liquors in this Commonwealth, and, consequently, greatly increased the cost and expense of her effort to enforce the laws against such illegal manufacture and sale; and

"Whereas Virginia has been compelled to pass an act at the present session of the general assembly reducing the taxes heretofore imposed upon such liquors in order to discourage, as far as possible, such illegal manufacture and sale, such reduction in tax affecting the returns from such sales to so great an extent that the Commonwealth will not hereafter be able to sell such liquors at such prices as will produce the margin of profit to which she is justly entitled: Now, therefore—

"1. *Resolved by the house of delegates (the senate concurring)*, That the Congress of the United States be, and is hereby, memorialized to refrain from imposing any additional taxes upon hard liquors in order that Virginia and other States may be able to sell such liquors at prices that will discourage, rather than encourage, the illegal manufacture and sale of such liquors.

"2. *Be it further resolved*, That copies of these resolutions be transmitted by the clerk of the house of delegates to the presiding officers of the United States Senate and of the House of Representatives, respectively, and to each member of the Virginia delegation in the Congress of the United States.

"Agreed to by the house of delegates, March 12, 1942.

"E. GRIFFITH DODSON,
"Clerk.

"Agreed to by the senate, March 12, 1942.

"E. R. COMBS,
"Clerk."

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Abilene, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Military Affairs:

S. 2305. A bill to relieve disbursing and certifying officers of the United States of responsibility for overpayments made on transportation accounts under certain circumstances; without amendment (Rept. No. 1169).

By Mr. REYNOLDS from the Committee on Military Affairs:

S. 2344. A bill to limit the initial base pay of $21 a month for enlisted men in the Army and Marine Corps to those of the seventh grade; without amendment (Rept. No. 1170); and

S. 2352. A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones; with an amendment (Rept. No. 1171).

By Mr. GURNEY, from the Committee on Military Affairs:

S. 2353. A bill to amend sections 1305 and 1306 of the Revised Statutes, as amended, to eliminate the prohibition against payment of deposits, and interest thereon, of enlisted men until final discharge; without amendment (Rept. No. 1172).

By Mr. GEORGE, from the Committee on Finance:

H. R. 6691. A bill to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; with an amendment (Rept. No. 1173).

ADDITIONAL CLERK IN DISBURSING OFFICE

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate Resolution 230, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 230) submitted by Mr. BARKLEY, March 12, 1942, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to employ a clerk for service in the disbursing office of the Senate at the rate of $2,220 per annum, to be paid from the contingent fund of the Senate until otherwise provided by law.

BILL INTRODUCED

Mr. McKELLAR introduced a bill (S. 2375) for the relief of Robert T. Groom, Daisy Groom, and Margaret Groom, which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

HOUSE BILL REFERRED

The bill (H. R. 6709) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PRINTING OF MANUSCRIPT IN RELATION TO THE SENATE COMMITTEE ON FOREIGN RELATIONS

Mr. CONNALLY submitted the following resolution (S. Res. 231), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "The Committee on Foreign Relations of the United States Senate" be printed as a Senate document.

FARMERS AND THE WAR—ADDRESS BY THE VICE PRESIDENT

[Mr. MURDOCK asked and obtained leave to have printed in the RECORD an address delivered by the Vice President at a joint meeting of farmers and businessmen at Omaha, Nebr., March 14, 1942, on the subject Farmers and the War, which appears in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH TO THE EAST AND WEST ASSOCIATION

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah at the banquet of the East and West Association at the Waldorf Astoria Hotel in New York, March 14, 1942, which appears in the Appendix.]

WASHINGTON'S BIRTHDAY ADDRESS BY SENATOR McFARLAND

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address delivered by Senator McFARLAND at Denver, Colo., on February 23, 1942, which appears in the Appendix.]

WAR RUMORS—STATEMENT FROM WILMINGTON (DEL.) MORNING STAR

[Mr. HUGHES asked and obtained leave to have printed in the RECORD a statement published in the Wilmington (Del.) Sunday Morning Star of March 15, 1942, which appears in the Appendix.]

THE 40-HOUR WEEK

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial from the Washington News of March 12, 1942, entitled "Forty Hours—and Time to Lose," which appears in the Appendix.]

WORK IN TEXTILE INDUSTRY; SMALL BUSINESS; LABOR CONDITIONS ON T. P. & W. RAILROAD

Mr. MEAD. Mr. President, over the week end we read in the newspapers of the stoppage of work in the textile industry which has resulted from the statement by Mr. Robert R. Guthrie in resigning his position with the W. P. B. The Senate Defense Committee cannot tolerate a condition of this kind, and I am informed by the chairman that immediate action will be taken to ascertain whether a stoppage really has taken place.

Mr. President, in my judgment, the best way we can increase military productivity is to bring independent and small business into play. In that connection our committee on small business has a bill pending before the Committee on Banking and Currency, and I am informed that the Committee on Banking and Currency is giving the matter active consideration and that legislation will be forthcoming in the premises in the very near future.

Lastly, Mr. President, I note that Mr. McNear is still holding out and continuing his lock-out on the Toledo, Peoria & Western Railroad; that he is still in defiance of the Government, but the Government is closing in on him, and the President of the United States has directed a letter to him this morning, and, if action is not taken, I understand, the road will be seized.

Mr. TRUMAN. Mr. President, in connection with the remarks of the distinguished Senator from New York [Mr. MEAD] with regard to Mr. Guthrie's resignation from the War Production Board, I have just received by special messenger a letter from Mr. Donald M. Nelson, which reads as follows:

MARCH 16, 1942.

Hon. HARRY S. TRUMAN,
Chairman, Special Committee Investigating the National Defense Program, United States Senate, Washington, D. C.

DEAR SENATOR TRUMAN: May I ask your committee to investigate the charges made in the statements issued to the press yesterday and today by Mr. Robert R. Guthrie, who, on Saturday, resigned from this organization?

Mr. Guthrie for some time past has been head of the textile, leather, and clothing branch, which operates in three sections. Recently I learned that personal conflicts had developed between Mr. Guthrie and the members of his staff in the textile section. This situation finally reached the point where it was impeding that part of the war-production effort. During the period of this conflict, Mr. Guthrie, as chief of the branch, had authority to deal with the situation, but he failed to do so on his own account and did not bring the difficulties to my attention or request any action on my part until after his resignation.

After reviewing the situation, it was decided last week to separate the textile section from the other two, retaining Mr. Guthrie in charge of leather and clothing. For the textile section it was proposed to bring in a new man who would be wholly impartial and free from any involvement in the conflicts which had been impeding the work. Mr. Guthrie took the position, however, that this would be unsatisfactory to him and thereupon resigned.

I have, of course, instituted and will continue a careful investigation of these charges. I think, however, that in view of the public importance of this matter it would be well to have an investigation conducted also by an outside agency, and I shall therefore be glad to have your committee make such an investigation. You may rest assured that in doing so you will have my fullest cooperation.

Yours very truly,

DONALD M. NELSON,
Chairman.

THE PRODUCTION PROBLEM

Mr. BANKHEAD. Mr. President, recently a Washington newspaper carried an editorial on the production problem. After referring to recent speeches by the Director of the War Production Board, Mr. Donald Nelson, in which he made it "abundantly clear that we are not getting the production which we ought to have with existing facilities and which we must have to win the war," the editor stated that Mr. Nelson said:

You can't get this maximum production by pressing a button, by giving an order, or merely by making speeches.

The editor then asked:

Granting that this is true, how can we get it?

This question is the most important one now confronting the American people. The newspaper attempted no comprehensive answer. Is there an answer?

Mr. Nelson's statement that we cannot get maximum production by giving an order constitutes a too complacent and summary exclusion of the exercise of national power when backed by the will and desire of the people and supported by an understanding and aggressive government. In my judgment, the time has come when not merely "an order" should be given but order after order should be given to do the things necessary to get production to the full capacity of our production facilities. Before existing production capacity is reached, construction of additional facilities should be under full headway. When orders are given to management and labor by Mr. Nelson as the war master of production, he should see that such orders are executed promptly and in good faith and with full effectiveness.

It is now conceded by all thoughtful persons that the fate of hundreds of millions of people depends upon the result of the contest of production in which the Allies and the Axis Powers are engaged. Japan is asserting that she can produce implements and instruments of war as fast as can America and England combined.

After the unexpected demonstration of her organization and equipment and effective manpower, who is in position to deny, with certainty, that Japan can do what she has said she can do? In the

last few months she has surprised all the world by her display of power. She has manifested to all drifting and ineffective nations the victorious results of thorough preparation, of quick attack, and of mass determination to win or die. The American people realize the danger that confronts us from the combined efforts of the desperate forces operating under the orders of a German maniacal military genius and the barbaric and cruel Japanese hordes who are fatalistic and devoted worshipers of their pagan emperor.

It is believed by some informed people that a shortage of steel may develop in this country. Nothing more terrible could happen. It is unnecessary to attempt to capitulate the disastrous results that would follow such a horrible catastrophe. It would be infinitely worse than the prevailing rubber situation. Mr. Nelson seems to feel satisfied about securing steel production sufficient to meet our needs. I hope he is right. I am not in position to take issue with him further than to say that I know, as some other Members of the Senate know, that Mr. Nelson's feeling of satisfaction is not unanimously shared by all the Government officials whose duty it is to acquire steel for absolutely essential war production.

I have no criticism of Mr. Nelson. I am sure that he will do a good job in a big way. He is entitled to the support and cooperation of a united people. All broad-minded men, however, like to have helpful suggestions. I am sure Mr. Nelson is that type of man. In his recent speech he emphasized the necessity for increased production. He well said:

> We must be animated by a spirit of attack. We have been on the defensive long enough. The attack begins here—here at home—here in the production line. It is production offensive we must have before we can carry the war to a successful offensive against the enemy. We are in the fight. This is war.

Amen, Mr. Nelson.

Mr. Nelson also said:

> If I read my mail aright, this public that has spoken to me wants production and no fooling. It wants it with such an intensity of feeling that it is going to get it one way or another.

He has correctly interpreted the attitude of the masses of the people. It is incumbent upon the President and Congress and other governmental agencies, and especially the War Production Board, to give the people that thing they most ardently demand: Production, production, and more production.

Mr. Nelson further stated:

> If all our equipment now involved in war production were used 24 hours a day, 7 days a week, we would practically double the manhours being put into military production.

If that is true, why not do it and do it at once?

What about manpower? Millions of trained and untrained men are available. Where necessary, large training schools should be established. If not otherwise obtainable, the required manpower for all essential war production should be drafted. If necessary, plants with all equipment should be taken over by the Government when management will not comply with orders issued by the War Production Board.

Unless full cooperation can be obtained by Mr. Nelson asking capital and labor to increase production, the time has come for him to give orders to both capital and labor to do the production job. If necessary, I recommend that he start by pointing his finger at the largest manufacturer engaged in war production and its employees and giving them the necessary order for increasing production to the limit of their capacity. He should then proceed down the line of all the plants engaged in war production until he gets to the blacksmith shops, with a similar order to management and workers. If such reasonable orders are not obeyed, the public will get that production, "one way or another," as stated by Mr. Nelson. The strong arm of the Government, supported by a patriotic and determined people, will be irresistible by management and by workers.

Mr. President, let me make one other suggestion. Millions of people, men and women, throughout this country, want to do something to help our war cause. They may not live near production plants. They do not know what to do. They are willing and anxious to be helpful. An organization should be established under Mr. Nelson's control to find work in the production field for them to do—work that would help equip our military and naval and air forces for attacks upon our enemies wherever they may be found. It seems to me that women should be given a more active part in the production program. Many of them are eager to make their contributions to our country in the time of its great peril. If provided suitable opportunities, they can be tremendously helpful in aiding the production program throughout the country.

I hope Mr. Nelson will chart a comprehensive plan giving every man and woman in this country an opportunity, so far as possible, to do his and her part in preserving civilization from the greatest menace that has threatened it since the period of the Dark Ages.

If Mr. Nelson finds that he needs any additional legislation giving him all power permissible under the Constitution to bring about maximum production, I earnestly urge him, without delay, to send suitable recommendations to Congress, stating what additional laws are needed to secure maximum production. I believe that Congress is ready, willing, and anxious to pass such laws as may be required to carry out the production program to the fullest extent.

RATIONING OF GASOLINE AND THE OIL INDUSTRY

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD, at this point, a copy of a letter I have received from J. B. Owens, chairman of the industrial committee of the Neodesha (Kan.) Chamber of Commerce; also a copy of a letter written by me to Hon. Harold L. Ickes, Secretary of the Interior and Petroleum Coordinator.

Mr. Owens writes in protest against an announced plan for rationing gasoline all over the Nation, even while there is a surplus of gasoline and petroleum products in the mid-continent area. Such a program does not seem to make sense. He protests also against the continual reduction of production allowables for the mid-continent area, even while there is an admitted shortage of petroleum products in the Nation.

The third major objection Mr. Owens voices is against the proposal by Secretary of the Treasury Henry Morgenthau—and this objection is shared by the entire oil industry in our section—to do away with depletion allowances for oil producers in computing income-tax returns. He objects also, and with very good reason, to the proposal to double excise taxes on gasoline.

Mr. President, I think it is high time for the administration to give some consideration to the problem of having some industries and businesses left on which to levy taxes for the hundred and more billions of dollars needed for the war effort.

The oil industry and the automotive industry have been prolific sources of tax revenues for the Federal, State, and local governments. Tax money from the automobile industry will be almost nonexistent in a few months, as things are going, and I warn that if what seems to be the present policy of killing off the domestic oil industry is followed for another year, another source of tax revenue will be lost; and increasing the tax on gasoline from 1½ cents to 3 cents a gallon will not make up the difference.

I realize the necessity for subordinating everything else to the winning of the war. I know it is an all-out war, and that whatever interferes with winning the war must go into the discard; but at the same time it does not seem to me that the war program should require the ruthless destruction of so much of private business, and particularly small business, especially when we consider that tax revenues to support the war program must depend, to some extent at least, upon the ability of business and industry to make incomes from which to pay taxes.

It is my understanding that the present shortage of gasoline and fuel oil along the Atlantic seaboard is really due to a shortage of water transportation; but I understand also that if the entire refining capacities of the mid-continent area were to be utilized, sufficient gasoline and fuel oil could be shipped in tank cars and through existing pipe-line facilities—with a comparatively few additional connections—to make up much of the Atlantic seaboard shortage.

Of course, I can appreciate that refining interests along the seaboard will object to having gasoline and fuel oil from Mid-Continent refineries reach a market they have had to themselves, but in this emergency I do not believe the eastern refineries should place their own selfish interests above the national interest; and I do not believe they would, if the matter were presented to them by their Government in the right light.

Because I do not have a too clear understanding of what the Government program is for conservation, production, and distribution of petroleum and petroleum products, I addressed a letter to Secretary Ickes March 2, asking for information. I ask that this letter, as well

as the letter from the Neodesha Chamber of Commerce, be placed in the RECORD following these remarks and hope that, in a short time, I may be able to place in the RECORD an answer from Secretary Ickes which will explain the entire program.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas?

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *March 2, 1942.*

Hon. HAROLD L. ICKES,
Secretary of the Interior,
Washington, D. C.

DEAR SECRETARY ICKES: I am writing you in hope of getting information and understanding of what the oil-production program contemplates.

Very frankly, our people and myself cannot understand what the program is, nor why it has, what seems to be, several contradictions.

We are told that the Nation faces a shortage in fuel oil, gasoline, petroleum products generally.

But, at the same time, we are told the Petroleum Coordinator for National Defense is considering seriously a plan by which the oil production in my native State of Kansas, for example, will be reduced between 40 and 50 percent. This would be done through basing allowables on "established reserves," as I understand it.

In a statement by Mr. Ralph K. Davis, Deputy Petroleum Coordinator, before the Oil Subcommittee of the Committee on Interstate and Foreign Commerce of the House of Representatives, February 25, I note this statement:

"Sustained production of petroleum depends entirely upon active recovery operations and proper development programs. There must be increased exploratory activity if we are to make available new reserves of oil and gas at a rate at least equal to that at which known or previously discovered reserves are produced and consumed. The recent discovery record has not been too good.

"Over the last 3 years, for example, new discoveries of crude oil have failed to balance consumption by approximately 2,000,000,000 barrels—demand is now pressing supply."

But in the face of this situation, according to letters and telegrams and personal talks with Kansas oil men, there was put into effect through M-68 rulings and regulations that made it practically impossible for exploratory (wild catting) development. I am informed that M-68 has been modified somewhat, but that in practice new development in Kansas and other States in the Mid-Continent field is being discouraged by the Petroleum Coordinator's office.

There also is the matter of price, and the industry is disturbed over reports from the Treasury that depletion alowances are to be seriously reduced in the new tax bill, if Treasury recommendations are followed.

But the main point which I cannot understand is why, in the face of threatened shortages of gasoline and fuel oil—so serious that it is contemplated to ration gasoline in the heart of the oil fields—there is being seriously considered a program which would reduce oil production in Kansas around 40 percent.

I am writing this letter in the hope that you will tell me, for the RECORD, what program you have in mind for the oil industry, what is the objective of that program, and why it is not inconsistent to reduce production and discourage new production in the face of these serious shortage forecasts. I would appreciate an early reply.

Sincerely yours,

ARTHUR CAPPER.

NEODESHA, KANS., *March 10, 1942.*

Senator ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR MR. CAPPER: Recent press and radio reports have carried the item that rationing of gasoline may soon be necessary along both coasts of our country, due to the critical shortage of transportation, and Oil Coordinator Ickes is quoted as having said that if rationing is made effective in one part of the country it would probably be made to include the entire country.

Our community is located in the oil producing and refining section of the country, and we have been made aware of the fact that there is a surplus of oil in the country rather than a shortage. We wish to respectfully protest against the establishment of a general country-wide rationing of gasoline, and request that you use your influence to prevent such a course from being adopted.

The rationing of automobile tires has already markedly reduced the consumption of gasoline, at least in this section of the country, and it is estimated that the consumption for the year will be off at least 20 percent due to this cause alone.

We believe it would be an unjustified and unnecessary blow to the domestic economy of the country to further ration gasoline at this time. Secretary Morgenthau is proposing to increase revenues by raising the Federal tax on gasoline from 1½ cents per gallon to 3 cents, yet if consumption is decreased the income from this source will be reduced. Gasoline taxes have furnished the easiest way of raising both State and Federal revenues, and are now totaling over a billion dollars a year, and any unnecessary reduction in consumption will adversely affect the economy as a whole.

Price Administrator Henderson testified recently before a committee of the Senate investigating the rubber shortage that he can see no possibility of supplying any kind of rubber for passenger automobiles. If this prediction proves true it has been estimated that in less than 3 years fewer than 7,000,000 of the country's passenger cars will remain in service, or fewer than 25 percent of the cars now in use. It seems to us this would mean a dislocation of industry and loss of revenue from taxes that hardly seem justified. Certainly the situation should not be aggravated at this time by a rationing program that is not now necessary in this section.

We stand ready to support wholeheartedly any program that we believe will aid in national defense or further the successful prosecution of the war.

Yours very truly, J. B. OWENS,
Chairman, Industrial Committee,
Neodesha Chamber of Commerce.

OIL DEPLETION ALLOWANCE

Mr. DAVIS. Mr. President, the oil producers in the Bradford field of Pennsylvania are opposed, and justly so, to the way the officers in charge of administering the laws treat the oil industry as a whole, when they should differentiate between fields, especially between properties within a field. In the Bradford field the crude oil is released from the rock by water pressure. This method is peculiar to the Bradford field.

I ask to have printed in the RECORD as a part of my remarks a brief submitted to me by Mr. Evans J. Jones, of Bradford, Pa., in which he presents the grounds of opposition to lessening the depletion allowance. I also ask to have printed an article from the Bradford Evening Star and Daily Record referring to the same subject.

There being no objection, the brief and article were ordered to be printed in the RECORD, as follows:

BRIEF OF THE BRADFORD DISTRICT OIL ASSOCIATION IN OPPOSITION TO LESSENING DEPLETION ALLOWANCE

The association is composed of oil producers in the Bradford field. In this field the crude oil is released from the rock by water pressure. This method, because of the nature of the same, is peculiar to this field.

Because of pressure application and its results the investment costs have doubled and in many instances trebled. The number of wells to be drilled on a fixed area have quadrupled with a corresponding increase in lifting and operating costs. These forced conditions and problems are not encountered in fields of natural production

Your committee is quite aware of the fact that the Congress and the officers in charge of administering the laws treat the industry as a whole; that the laws do not differentiate between fields, much less between properties within a field. It can be said that "no chain is stronger than its weakest link." Bradford oil field is such a link.

There is a strong urge on the Congress to lessen the depletion allowance in computing net income of oil producers for tax purposes. This urge comes from the head of the Treasury. It comes not because of wrongs to be righted; it is not to close up leaks or taps in the law; it is not proposed because the present law is allowing the oil producer something new or something unwarranted or something unfair and not allowed to others. No; it is none of these. The Government needs money and still more money (this is not denied) and the Treasury head, in his search of ways and means, determined that lessening depletion allowance was one way to get some of it.

Let us look at the record. The Constitution was amended in 1913. This amendment allowed the levy of a direct tax. On its adoption, the Congress passed its first income tax law. In that law and all subsequent tax laws, taxpayers engaged in the natural resources were granted the right and directed to deduct an amount as depletion, to compensate or return to that taxpayer his investment costs. In some industries, notably the lumber industry, a unit price per thousand feet cut was set up. The Revenue Act of 1918 recognized the right of the oil producer to deduct a determined amount to be free of tax and called depletion.

The oil industry presented some difficulties because of its diversity in location, quality of oil, and varying costs of production. Combination of interests existed in many fields, or perhaps in all fields where major companies had large holdings, were engaged in production, transportation, refining, and marketing. This condition led to difficulties in fixing a unit value of depletion.

In 1926 Congress made an effort to give some uniformity to the perplexed item and in the revenue act of that year, set down a fair allowance for depletion, which we know now as 27½ percent depletion.

Congress did not change its policy that depletion was a proper allowable to return to the producer his investment costs. This percent was less than that taken and allowed under the 1918 act. It was fixed after an extensive survey and a thorough study of the question by the Ways and Means Committee of the House. It was taken as a fair allowance, so accepted by tax accountants and tax experts.

The Congress said it was fair, and has continued to say so for 16 years. No condition or emergency, however great or threatening, can logically controvert the conclusion of its fairness. If this percentage was determined to be fair and acceptable in the Revenue Act of 1926, maintained in 1928, 1930, and 1932, and on down to date, it must be held that Congress so construes it. To take any part of allowable and tax it as income would be discriminating, inequitable, and manifestly unfair.

Depletion is not income, but by lessening the amount allowed, the difference is made

income for taxing purposes. An oil producer cannot replace the oil he pumps out of his property. Depletion alone is his return of investment, and depletion alone is his compensation for nonrecovered oil. Depletion and depreciation represent the living wage to many of our producers.

Your committee urges this association to use all of its available effort to maintain this depletion percentage. Space does not allow the discussion of peculiar conditions in the oil and gas industry as against other lines of industry, nor does it, although more pertinent, allow a discussion of the variables in investment costs and lifting costs and in percentages of recovery, in different fields and in different properties within a given field. Suffice it to say that in this field many smaller and independent operators, if this percentage is reduced, will be harmed, resulting in loss of production and the abandonment of many properties.

Respectfully submitted.

EVAR J. JONES.

[From the Bradford (Pa.) Evening Star and Daily Record of March 11, 1942]

BOARD OF COMMERCE SCORES DEPLETION CUT—FOCKLER INFORMS GUFFEY OF EFFECTS ON LUBES FOR WAR

A letter protesting against any modification of the present oil-depletion allowance has gone out from the Bradford Board of Commerce to Senator JOSEPH F. GUFFEY and other legislators.

The message, signed by F. O. Fockler, manager-secretary, said removal of the depletion allowance, in effect 16 years, would mean that money which has been available for maintenance and expansion of Pennsylvania oil production would cease to be available at a time when the greatest supply of high-grade lubricants is required.

Here is the letter:

ADMITS BIG TASK FACED

"The Treasury Department has recently had the task of finding ways and means of producing more revenue to meet the expenses of our present emergency which, to say the least, is probably one of the greatest tasks that has ever been thrust upon this Department in the history of our country, and it goes without saying that any responsible citizen realizes the tremendous problem which is facing the Government today in keeping ahead of inflation and in serving the people to best of its ability, but, in order to serve and protect our country, there is a greater problem than raising money to the detriment of sacrificing production.

"Such detriment lies in the remova' of the depletion allowance because the Secretary of the Treasury has likened the oil right of an oil producer to a machine in a factory and stated that, while the manufacturer could depreciate his property but once, the oil producer was in effect depreciating his property time after time.

"On the surface this may probably seem to be the case; actually, however, a greater part of a producer's capital is spent in drilling wells, and in spite of modern geological advances many of these wells are dry holes; a manufacturer may deplete or depreciate his machinery completely, and he is always faced with the possibility of selling the machinery and salvaging some of its original purchase price.

"The oil business is a hazardous investment, and if the oil producer is not permitted to maintain a certain capital structure in his business, and if tax provisions in good years are not liberal enough to compensate for the unusual risks, it is readily apparent that it will be most difficult for the oil producer to remain in business, and this is particularly true of the smaller oil producers.

CREDIT FACILITIES LIMITED

"Most of the wildcatting in this country for the discovery of new pools is carried on by smaller operators to whom this is a matter of life or death, and this relationship of the small producer to the oil industry is particularly true in the Pennsylvania area, which needs no explanation to you, as you know most of the operations in Pennsylvania are now carried on by the small producers, and the small producer has very limited access to the credit facilities of the larger banks.

"The removal of the depletion allowance, stated in simple terms, will mean that the money which has been available for the maintenance and enlargement of this production will cease to be available, and at a time when the greatest supply of high-grade lubricants is required, the production will be curtailed."

LAG IN THE WAR PRODUCTION

Mr. LEE. Mr. President, in accordance with recent statements from the floor of the Senate that I was requesting the Chairman of the War Production Board, Mr. Donald Nelson, to recommend legislation that would help increase production, I had a conference with Mr. Nelson last Friday. While he discussed the situation freely, he declined to make any recommendation for legislation which would help speed production.

I had hoped that since he had pointed out the possibility of increasing production materially that he would make some specific recommendations in order that we might enact them into legislation.

Mr. Nelson again pointed out that our situation was not the result of any major cause, but the result of a number of contributing causes which he outlined in his recent radio speech, such as shortage of materials, the necessary delay in changing over to the production of war materials, and so forth.

Again, he indicated that the big labor organizations were keeping their pledge of no strikes and cooperating enthusiastically for an increased production.

But, Mr. President, the original statement of the Chairman of the War Production Board still stands that we must do more. It is evident to me that there has been and is now as much delay on the part of management as labor. At the outset of our defense program there was considerable delay on the part of management in taking the Government contracts. I denounced such a policy from the floor of the Senate.

I called attention to the statement of one big executive who boasted that they would not take contracts until the tax law was satisfactory to them. Furthermore, I called attention to the contractors who were delaying contracts for manufacture of planes because the ceiling on profits was too low.

Now we hear that the 40-hour week is causing some delay. No doubt management is unwilling to pay the time and one-half and labor is unwilling to work on Sundays and holidays without double pay. I could not get Mr. Nelson to say that this was one of the major causes of delay, but he did list it as one of the causes contributing to delay. Therefore I believe it should be removed at once.

Now, Mr. President, from the very first I have urged that we make this war an all-out effort. In order to do that we should stop all strikes and lock-outs, suspend the 40-hour week, stop all cost-plus-10-percent contracts, recover 100 percent of all excess profits by taxation, and raise money to pay for the war by forced loans in proportion to ability to lend. This has been my program from the first, and it is now. At times I have felt a little discouraged. But I want to say that I have taken new heart because reinforcements have arrived and more are coming. They will continue to come until Congress takes action on an all-out program that will prevent all profits and all stoppages of production.

I am disappointed that Mr. Nelson has not made a specific recommendation, but there are a number of bills pending which will cover every phase of this problem. These bills are now before the Committee on Education and Labor, the Judiciary Committee, and the Finance Committee.

I am not a member of any of these committees, but I urge those who are members to speed up consideration of these bills in order that we may have an early opportunity to vote for a really all-out program.

This legislation may suspend some rights and privileges which are very dear to all of us, but it is better that we suspend these rights and privileges than to have them all destroyed by losing the war.

The great majority of organized labor has already voluntarily agreed to suspend many of its peacetime rights and privileges in order to help win the war. This is indeed commendable, but there is a small minority which has not followed this patriotic policy. This is equally true of management. Therefore, we must pass legislation which will require the same cooperation from the small minority of management and labor which is already being voluntarily accorded by the majority of management and labor.

It has been argued that such a program will work a hardship on many persons, but no one has ever argued that war is convenient. No doubt it will work a hardship, but suppose one were to tell that to a mother whose son is in Iceland, or a wife whose husband died in the Philippines. There is no hardship compared to the hardships endured without a murmur by our soldier boys.

Thousands of people in the United States have had their business entirely swept away. Their business houses are closed. But I have not heard a sour note from a single one of them. The only letters they write are for help to get into the service, where they can do something.

Today is the dead line for the payment of taxes, but are the people bitter about the payment of the heaviest taxes this country ever collected? Certainly not. They are eager to do even more.

Therefore, I say the time is overdue for Congress to pass legislation for an all-out war effort, preventing not 90 percent of the profits but all profits. War does not create wealth. It destroys wealth, and when some people benefit even 10 percent during wartime that means somebody else is paying double. Therefore, again I urge upon the members of these committees to give us a chance to vote on legislation to prevent profits and stoppages in industry.

Mr. President, one other thing must be done. Our Government must be stripped immediately of nonessentials. Therefore

I call upon the heads of departments and bureaus to take their blue pencils and cut off all frills and every expense and activity which is not absolutely essential. I warn you that unless you do it, it will be done for you, and it may not be done as carefully as you can do it. We may not feel that we have time when men are dying every hour carefully to go through every item of your program and eliminate the nonessentials. Consequently we may cut off a certain percentage of your appropriations or we may cut off some agency altogether.

I had hoped that after the first unfavorable and sensational publicity about nonessentials, bureau and department heads would immediately, of their own motion, eliminate all nonessentials, but, to my surprise and embarrassment, I read in Saturday's newspaper that the Division of Physical Fitness, with its long list of coordinators of games, was being transferred from the Office of Civilian Defense to another Government agency. Things of that nature must be eliminated, not merely transferred.

Let me read one telegram out of many communications I have received to give the Senate some idea of what effect all this has upon people who are giving everything to win this war:

BARTLESVILLE, OKLA., *March 14, 1942.*

My wife's nephew is a captured marine and we have a home-town boy with MacArthur. We feel to properly support these and hundreds of others of our boys we should have a coordinator of roller skating and top spinning.

SYD W. DILLINGHAM.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. McKELLAR. I simply wish to say to the Senator that his doctrine of economy with respect to civilian expenses of the Government—they have been called nondefense expenses, but are now called nonwar expenses of the Government—has received most careful consideration at the hand of the Appropriations Committee. I am greatly delighted that the Senator from Oklahoma has expressed the views he has in favor of cutting down those expenses. He will have an opportunity to vote on cutting off a great many, and I shall welcome his vote and support.

Mr. LEE. Mr. President, I am glad to have that statement from the Senator from Tennessee, the chairman of the subcommittee of the Committee on Appropriations, who has charge of this matter. He has always had good, hardheaded, horse sense, and I am willing to rely heavily on his opinion with regard to the nonessentials, and he may be sure that I will back my word with my vote.

Mr. McKELLAR. I thank the Senator.

Mr. LEE. Mr. President, no doubt the rubber shortage will become so acute that people will soon get enough exercise from walking without providing a division of physical fitness. The very fact that our Government is engaged in nonessentials of this nature arouses the righteous indignation of the people.

The fact that these coordinators may not be paid a salary from the Government does not prevent the people from resenting such a program at this critical hour in our history. Things of this nature cost our Government much in the way of public morale. It costs us the confidence of our people.

I went home on Washington's Birthday and spoke to my people in Oklahoma. I told them that our Government would eliminate all nonessentials as rapidly as possible. I told them that I would do everything in my power to remove things of this nature from the war effort. I intend to do just that.

A storm of indignation is rapidly rising in this country. When it hits Washington in all its force it will sweep away every obstacle to our war effort, and every person, high or low, who stands in its way; and I shall do my part to help bring that about.

When our boys are shedding their precious blood on every battlefield of war, I am not going to stop at anything within the power of my office to furnish them with everything they need to win the war.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion, or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Pepper
Bankhead	Glass	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brooks	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	La Follette	Spencer
Butler	Langer	Stewart
Byrd	Lee	Taft
Capper	Lucas	Thomas, Idaho
Caraway	McFarland	Thomas, Okla.
Chandler	McKellar	Thomas, Utah
Chavez	McNary	Truman
Clark, Idaho	Maloney	Tunnell
Clark, Mo.	Mead	Tydings
Connally	Millikin	Vandenberg
Danaher	Murdock	Van Nuys
Davis	Murray	Wheeler
Doxey	Nye	White
Ellender	O'Daniel	Willis

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in western States on matters pertaining to national defense.

The Senator from Nevada [Mr. McCARRAN] is holding hearings in the West on silver, and therefore is unable to be present.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. MURDOCK. Mr President, it is not an easy thing to disagree with the majority of a committee of the United States Senate, and especially is this true when a Senator finds himself in disagreement with the chairman of the committee. I was highly honored when I was made a member of the Senate Committee on Privileges and Elections. At that time the distinguished senior Senator from Texas [Mr. CONNALLY] was chairman. He was chairman of this great committee when we began proceedings in connection with the charges made against Senator LANGER, of North Dakota. As chairman he handled the proceedings, as far as he went, in a dignified, fair, and efficient manner. Early in the proceedings, however, as Senators all know, he was made chairman of the Committee on Foreign Relations, and the distinguished senior Senator from New Mexico [Mr. HATCH] succeeded the Senator from Texas as chairman of the Committee on Privileges and Elections. The Senator from New Mexico presided during the public hearings in the proceedings against Senator LANGER. No Senator could have conducted the hearings in a more dignified, fair, and efficient manner. At the conclusion of the hearings, as I recall, 13 members of our committee brought in a resolution adverse to Senator LANGER, with which Senators are all familiar. The Senator from Texas [Mr. CONNALLY], the distinguished senior Senator from North Carolina [Mr. SMITH], and I found ourselves unable to agree with the majority, and have submitted our minority views.

In arriving at the conclusion that Senator LANGER should not be expelled from the Senate I do so in conformity with a statement made by one of the greatest constitutional lawyers who ever sat in the Senate, and who later went to the Supreme Court of the United States, ex-Senator George Sutherland, of Utah, late an Associate Justice of the Supreme Court of the United States, as follows:

It must be manifest that any evidence which would warrant the Senate in finding that a duly elected, duly accredited, and constitutionally qualified Senator was not entitled to retain his seat, must be of the gravest possible character, and such as to evidence beyond all cavil that he was utterly unfit to sit here.

To arrive at that conclusion the charges which may be filed must be supported, in my judgment, by clear and convincing proof. In my opinion, the proof submitted in the proceedings against Senator LANGER is not of that clear and convincing type, but is woefully lacking, as I view it, and in order to convict him of the charges one must be willing to engage in presumptions and imagination. I am not endowed or blessed with the virility of imagination necessary to do this.

All last week, from Monday through Friday, the Senate listened to the able, persistent argument and presentation by the distinguished Senator from Illinois [Mr. LUCAS]. He told the Senate time and again that he did not appear in the guise of prosecutor. Here I am reminded of a story heard in the 1940 campaign in my home State. One of the campaigners learned that his associates on the ticket and the people of the State were complaining at the length of his speeches. At his next meeting he told the people he understood he was being accused of making long speeches. He said, "This is untrue. I do not make a long speech; it only seems long."

I do not believe the Senator from Illinois assumed the role of prosecutor; it only seems that he did; but I will say that I doubt very much whether he left anything unsaid concerning what was pictured as the dark side of Senator LANGER's life. His efforts showed a diligence and an industry not common to this body or any other public body. This, of course, was his right, and, as he put it—and I believe him in all sincerity—he considered it to be his duty. He told us time and again that he was defending the dignity of the United States Senate. I think during his early remarks he pictured the dignity of the Senate as one of the bulwarks and pillars of democracy.

Mr. President, I believe with him that the dignity of this body must be maintained, also its prestige and its honor. During the course of the remarks of the Senator from Illinois, on my way back from the Senate cafe, I saw in the corridors the portraits of former Members of this great body. I saw the portraits of Sumner, Calhoun, Clay, Webster, Robinson, and others, and as I looked at their portraits I thought also of many other great Members of this great deliberative legislative body. I thought of the elder La Follette, I thought of Knox, and then coming closer home I thought of the present Senate, of our distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY]; the distinguished minority leader, the Senator from Oregon [Mr. MCNARY]; the senior Senator from California [Mr. JOHNSON], who has been here for such a long time; the senior Senator from Nebraska [Mr. NORRIS]; the senior Senator from Michigan [Mr. VANDENBERG]; the senior Senator from Massachusetts [Mr. WALSH]. Indeed, I could name scores of others from the beginning of the history of this great body down to the present who have contributed to the dignity, the honor, and the prestige of the Senate. So the picture I see, Mr. President, is not that the dignity, honor, and prestige of this body is a fragile, hothouse orchid which can be withered and wilted by every draft that blows from any direction. On the contrary, Mr. President, as I see the picture, the dignity, honor, and prestige of this body are best symbolized by an indestructible oak which has weathered and will weather every attack made upon it. It is said that the soul of man cannot be destroyed except by man himself. I say that the dignity, prestige, and honor of the United States Senate cannot be besmirched, contaminated, or interfered with except by our actions in the Senate. We cannot hurt the dignity of this great body by doing something prior to the time we come here.

On the other hand, to take the position of the majority of the distinguished members of the Committee on Privileges and Elections, we are asked to overthrow, nullify, and hold for nought the action of a great sovereign State of the Union in exercising what, in my opinion, is the most fundamental and essential principle of democracy, namely, the absolute freedom of the people of our sovereign States in the election of their representatives. Even if the prestige, dignity, and honor of the Senate were somewhat impaired—even materially impaired—it would not constitute nearly so great a catastrophe as that which would result from the impairment of the absolute freedom of popular elections. Mr. President, if I ever have to make a choice between the dignity, prestige, and honor of the Senate and striking down the freedom of elections, I will not hesitate to make my choice; and that choice will be in favor of the freedom of elections. However, in my opinion, it is not necessary in this case to make such a choice.

WILLIAM LANGER has been honored by his people by being elected to the office of United States Senator. So far as I know—and I believe the same statement can be made of every other Member of this body—he has satisfactorily served his State in his official capacity as State's attorney, attorney general for two terms, and Governor for two terms. In my opinion such a man does not very much endanger the dignity and honor of this great body.

In this case, if I have correctly analyzed it, there are two questions to be decided by the Senate: First, has the Senate the right to superadd or impose upon the people of any State in the selection of a Senator qualifications not set out in the Constitution itself? If this question is answered in the affirmative, and if we have the right to go beyond the Constitution and superadd qualifications, then we must further find that Senator LANGER is not qualified according to the superadded qualifications, whatever they are.

If both questions are answered in the affirmative, we confront the further question as to whether or not he should be expelled from the Senate. No Member can question that he is a Member of the Senate at this time, and has been such ever since he walked down the aisle with the rest of us in January 1941 and took the oath. Is there any question that he has been a Senator every minute since that time, and still continues to be a Senator? We have before us the question whether his expulsion requires the concurrence of a two-thirds majority, or whether, by some subtle subterfuge or process, we can evade the constitutional requirement of the concurrence of a two-thirds majority, rather than a mere majority, for the expulsion of a Member.

At this point I wish to call the attention of the Senate—I hope I may have the attention of Senators, because I think it is of the utmost importance—to the resolution which has been reported by the Committee on Privileges and Elections. What do we find? Senate Resolution 220 reads as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by a two-thirds vote—

Then comes the important part:

because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

That is the first resolving clause in the resolution. He is not charged with disorderly behavior during his membership in the Senate.

In the very resolution which is before us, in their zeal to keep away from a two-thirds vote the majority members of the committee would have the Senate resolve—what? That WILLIAM LANGER is a Member of the United States Senate. If he is a Member—and he took the same oath which I took; he has had the same privileges which I have had; he has received the same salary which I have received, and has voted on the same questions upon which I have voted—and if we adopt the first resolving clause in the resolution, can we then say that he is not a Member?

Then we come to the subterfuge, the subtle evasion of the constitutional requirement of the concurrence of a two-thirds majority before a Senator may be expelled. The last resolving clause is:

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

I challenge any Member of the Senate to write a more inconsistent resolution than the one before us. It is proposed first to make him a Member by resolution of this body—if that is necessary—and then to say that WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota, after he has served for more than a year and after we first resolve, without qualification, that he is a Senator. To me that is subterfuge. To me that is a subtle procedure of evasion of a solemn constitutional provision. I hope that in the consideration of this matter every Senator will thoroughly study the resolution upon which we are expected to act. First, it is proposed to make him a Senator by solemn resolution, and then to follow that action by saying that he is not entitled to be a Senator.

Mr. President, I desire first to discuss the legal aspects of this controversy; and in doing so I may save the time of the Senate by following the brief set out in the minority report. Following that, I intend briefly to review the facts as I understand them.

Before beginning with the brief which appears in the minority report, let me make this statement and see if there is disagreement with it: In my practice of the law as a humble country lawyer—and I emphasize the word "humble"—I have learned that whenever the organic law of a State—or in this instance the organic law of the great Federal Government—is misconstrued, it is patched up by procedure. To me that is the most convincing proof which I have encountered that the proceedings which have been going on for a year were never contemplated by the framers of the Constitution. The very Senators who take the position that we can now exclude Senator WILLIAM LANGER from the Senate by a majority vote also take the position that when a Senator-elect comes to the Senate with credentials from his State, if there is no question as to his age, citizenship, or residence, no question as to whether he ever committed treason, and no question as to his holding some other office under the Government, he is entitled to a seat in the United States Senate.

In my opinion, that position is correct. Why? Because the qualifications which I have stated are the qualifications specified in the Constitution. When a Senator comes here and presents the proper credentials, and there is no question as to any of the constitutional qualifications, even the majority of our committee say that he is entitled to a seat.

In my opinion, they misconstrued the situation, and they decide—what? They decide that although he has been allowed to become a Member, nevertheless, some day in the future, after hearings, if we conclude to do so, we can exclude him by a majority vote. To me, such a decision is a misconstruction of the organic law, a misconstruction of our Constitution, and then an attempted remedy of that misconstruction by procedure. Is it anything else? They misconstrue it. They say we have the right, notwithstanding what happened in the Constitutional Convention, to superadd to the qualifications specified in the Constitution.

Mr. President, I make the following request for unanimous consent, in order to expedite the delivery of my statement: I desire to conform to the brief contained in the minority report; but if there are portions of it that I think it unnecessary to read, I ask unanimous consent that the portions left out by me may be inserted as a part of my remarks, in the order they should take.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MURDOCK. We should first consider, Mr. President, the pertinent constitutional provisions which confront us. It is said by some that this matter has been repeatedly settled. It has been, but it has been settled against the contention of the majority of the committee. That is what has happened.

One of the provisions with which we are confronted is found in article I, section 3, clause 1, as follows:

> The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for 6 years—

Of course, Senators are now elected by the people—

> and each Senator shall have one Vote.

The next pertinent provision is contained in article I, section 3, clause 3:

> No Person shall be a Senator who shall not have attained to the Age of 30 years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

Article I, section 4, clause 1, contains the following provision:

> The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Is it the Senator's contention that the framers of the Constitution, using the language they employed, which is in the nature of a prohibition or, rather, is negative, intended that anyone else or any Federal agency should impose additional limitations?

Mr. MURDOCK. Certainly not.

Mr. CONNALLY. Is it the Senator's contention that all other matters except those were to be decided and passed upon by the electing authority?

Mr. MURDOCK. Yes; by the people.

Mr. CONNALLY. By the people, or, in the original case, by the legislature?

Mr. MURDOCK. Yes; that is correct—by the legislature.

Mr. CONNALLY. But now the contention is that all other matters or any additional qualifications which are to be imposed must be imposed by the electing authority. Is that the Senator's contention?

Mr. MURDOCK. Yes; that is my position.

Mr. President, I think it is the very distinguished and able Senator from Georgia who makes the contention that the constitutional provisions relating to qualifications, because they are stated in the negative—that is, "no person shall be a Senator"—are merely restrictions or prohibitions on the State; but—and I shall read it later on—when we read what Madison said, when we read what Hamilton said, when we read what the other framers of the Constitution said on that question, there cannot be a doubt as to what they intended and what they meant.

Every student of the Constitution knows that the qualifications of the President of the United States are phrased in the same manner. The provision is:

> No person except a natural-born Citizen, or a Citizen of the United States at the time of the Adoption of this Constitution, shall be eligible to the Office of President—

It is stated in the negative.

Will any Senator rise today and say that because the language is stated in the negative it is a prohibition only on the people of the United States, or the Congress, and that the Senate would have the right to add other qualifications to those specified as requisites for eligibility to the office of President? No one ever heard of such a contention.

Read the phraseology in the provision regarding the President, and it will be found to be almost identical with that used in setting forth the qualifications of a Senator. I say that to take the position that the qualifications set out in the Constitution are merely disqualifications, and aimed solely at the States as a prohibition, is splitting hairs. I have not the versatility of intellect required to make the distinction, and I doubt that any other Senator has, except in his mind; and, in my opinion, such a Senator is always unable to explain just what he means.

The next pertinent constitutional provisions are contained in article I, section 5, clauses 1 and 2. Clause 1 reads as follows:

> Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, * * *.

I understand it is under that clause of the Constitution that the majority of the committee claim the right to superadd qualifications and to exclude a Senator after he has become a Member of this great body.

Clause 2 reads as follows:

> Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two third, expel a Member.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator referred to article I, section 5. What does he think the framers of the Constitution meant when they gave to each House the power to determine or to judge the qualifications, and so forth, of its own Members?

Mr. MURDOCK. I construe the term "judge" to mean what it is held to mean in its common, ordinary usage. My understanding of the definition of the word "judge" as a verb is this: When we judge of a thing it is supposed that the rules are laid out; the law is there for us to look at and to apply to the facts.

But whoever heard the word "judge" used as meaning the power to add to what already is the law?

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHAVEZ. Would it not also mean the qualifications passed on in the first part of the pending resolution, Senate Resolution 220?

Mr. MURDOCK. Yes; and my position is that in article I, section 3, clause 3, the qualifications are set out.

Mr. CHAVEZ. That is correct.

Mr. MURDOCK. Subsequently we find the provision commencing, "Each House may determine." I think it is important to look at every word in the Constitution, because at the Constitutional Convention the framers of the Constitution had a committee on detail and a committee on style, the members of which were conceded to be masters in the art of putting words together. There is not a clause or a word in that great document that does not have some significance, that

does not have some importance; and that is why in reading it we must make the distinctions for which its words call.

Mr. CHAVEZ. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Utah yield to the Senator from New Mexico?

Mr. MURDOCK. I yield.

Mr. CHAVEZ. In order to make my point clear, let me read the first part of Senate Resolution 220, as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Did not the members of the Senate committee pass upon the qualifications of Senator LANGER at the time when they reported that particular part of the resolution?

Mr. MURDOCK. Of course, as to what was in the minds of the majority of the committee, all I know is what I find in the report and the resolution. If the Senator from New Mexico was not here a moment ago, perhaps he did not hear me when I attempted to show the inconsistency found in the language of the resolution itself—that first we must find that Mr. LANGER is a Member, and then find that he is not a Member and is subject to exclusion by a majority vote.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MURDOCK. First I should like to answer the Senator from Illinois, if the Senator from Kentucky will pardon me for a moment.

Mr. BARKLEY. Yes.

Mr. MURDOCK. I desire to read again the provision—

Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, * * *.

To my mind, the word "judge" means to look at the qualifications contained in the Constitution. That is what the verb "judge" means: To judge of something in existence—law or facts—and to apply the law to the facts. To extend the definition of the word "judge" to mean that we can superadd to these qualifications, in my opinion, is a misconstruction of the word itself.

Mr. BARKLEY. Mr. President, will the Senator yield there?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kentucky?

Mr. MURDOCK. I yield.

Mr. BARKLEY. I should like to get the Senator's reaction to this situation, in view of his discussion of the provision of the Constitution regarding the President. Of course, the description in the Constitution of the mandatory qualifications of any man who holds public office, either the President, a Senator, or a Member of the House is brief and to the point. The Constitution does not go into any detail about it.

Mr. MURDOCK. That is correct.

Mr. BARKLEY. The President must be 35 years of age; he must be native-born, and so forth; but even if those qualifications did not exist, and for any reason the electoral college or the people should elect a man President who did not possess them, the Senate as such could not do anything about it, nor could the other House of Congress or the Congress itself do anything about it.

Mr. MURDOCK. The Senator does not mean that we could not impeach?

Mr. BARKLEY. Oh, yes; we could impeach, but we could not prevent him from taking the oath. We could probably proceed later.

The Constitution also says that by a two-thirds vote the Senate can expel a Member, but does not say for what; it does not lay down any guide whatever for the Senate in determining whether there should be any reason at all.

Mr. MURDOCK. That is correct.

Mr. BARKLEY. So far as the Constitution is concerned and its wording is concerned, the Senate might, by a two-thirds vote, expel me without any charges whatever against me, and I would be out.

Mr. MURDOCK. God forbid, but the Senate could do it.

Mr. BARKLEY. I am not certain about the first part of the Senator's statement, but, anyway, the Senate could do it, so far as the Constitution is concerned. We have, however, built up a sort of tradition here that there must be filed against a Senator some charge indicating misconduct after he comes into the Senate, which would justify his expulsion, although the Constitution does not fix any such limitation on the power of either House.

Mr. MURDOCK. That is correct.

Mr. BARKLEY. Therefore, are we not required to assume that, in determining whether a Senator should be expelled after he comes in, there being no question as to his right to come in in the beginning, we are left to our determination, under the rules of equity and fairness, and all the things that would go to determine whether a man ought to be permitted to hold a seat in the Senate?

We can keep him out at the beginning, or we can let him come in, and, after he is in, if there is no question about his right to come in, we can expel him, although we do not have to give any reason for doing so.

Mr. MURDOCK. I would not want the Senator to feel that I agree with that statement.

Mr. BARKLEY. I understand; but I am talking about the strict language of the Constitution itself.

Mr. MURDOCK. That is exactly what I am talking about.

Mr. BARKLEY. It does not say what we may expel a man for. He does not have to be charged with a breach of the peace; he does not have to be charged with anything. So far as the Constitution is concerned, we could turn a man out because he had red hair.

Mr. MURDOCK. But in the case of expulsion, the Constitution requires a two-thirds majority.

Mr. BARKLEY. That is right.

Mr. MURDOCK. We do not have to explain, and nobody can review our action. The Senator is right; we can expel for anything or nothing by a two-thirds vote.

Mr. BARKLEY. A man can be kept out, when he knocks at the door of the Senate, by a majority vote; but that is not the question I want to discuss here. I am trying to find the Senator's reaction to the analogy that, inasmuch as the Constitution gives the Senate absolutely carte blanche in determining whether a man shall be expelled, the only qualification being that it must be a two-thirds vote, would the Senate have the same discretion in determining originally a man's qualifications and fitness to come to the Senate, if later it would have the right to determine his fitness, not on account of something he does as a Senator, but for any reason we could turn him out, the only difference being that in the one case it has to be by a majority vote and in the other by a two-thirds vote? What is the Senator's view about that?

Mr. MURDOCK. My view is that we cannot stop a man at the threshold of the Senate if he comes here with the proper credentials from his State and there is no question as to his age, his citizenship, his residence in the State that sends him or other constitutional qualifications.

Mr. BARKLEY. The Senate, however, I will say to the Senator, has done that on more than one occasion. It has stopped a man at the door and refused to permit him to come in. Although he was of the required age, had a certificate, and had all the constitutional qualifications, the Senate, notwithstanding that, did not permit him to come in.

Mr. MURDOCK. Will the Senator cite me to a case?

Mr. BARKLEY. The case of Smith, of Illinois. He was elected.

Mr. MURDOCK. I certainly cannot agree with the Senator as to that.

Mr. BARKLEY. There was some question as to the morals of his election, because of the expenditure of money, but he came here with a certificate, he had a majority of the vote, he was of the required age, and had the proper residence; but the Senate excluded him because of the moral question involved in the matter of his election. The same thing is true in the Pennsylvania and other cases, but I am sure that questions involving the mere number of votes a man gets, the regularity of his certificate, his age, and his residence within the State have not always been the criteria by which the Senate determined whether it would admit a man to the Senate when he came in the first place.

Now, the question that bothers me is, if the Senate, after a man comes here with all the constitutional qualifications, can turn him out without any charges being filed against him because the Senate might decide he ought not to be here, is the Senate restricted further than that in the determination as to whether he shall be permitted to enter the Senate in the first place, assuming that he has the age and residence qualifications, and so forth, although there might be other things involved in his character or in his election which the Senate might have the right to investigate?

Mr. MURDOCK. My answer to the Senator is that if, as in the Smith case,

there is a question of the legality of the election, of course, the man can be stopped at the door, and it can be said to him, "Thou shalt not enter here."

Mr. BARKLEY. In that case it was not exactly an illegality.

Mr. MURDOCK. If the Senator will wait——

Mr. BARKLEY. Certainly.

Mr. MURDOCK. If the election, which is a most fundamental part of the process of democracy, in my opinion, has been violated, the will of the people has been thwarted, and we can tell him not to come in, but, in my opinion, if he has the other constitutional qualifications that is the only reason he can be excluded.

Mr. BARKLEY. The Senate could have done in that case, in the Vare case, and in other cases what it did in this case; it could have permitted them to take the oath and occupy their seats without prejudice, which would suppose that the Senate had the same rights as it originally had when the applicant knocked at the door here. The Senate could have permitted them to come in, take the oath, and act as Senators, reserving the right to investigate the circumstances of their election, which may not have always involved violation of law, and therefore no illegality, but may have involved the morals of the election as to whether the man spent too much money, though he may have done so without violating any law.

Mr. MURDOCK. I do not think I agree, in full, with the distinguished majority leader.

Mr. BARKLEY. I have great respect for the Senator's legal opinion, and his good faith, and I wanted his reaction to this opinion, that, based on the Constitution, we have the right to turn a man out if we want to by the required vote, and we have the right to deny him admission for the same or other reasons that would give us the right to turn him out after he came in.

Mr. MURDOCK. I do not agree with the Senator that the Senate has a right to expel a Senator from this body for any reason except, as Justice Sutherland put it, the gravest kind of an offense. I will admit, in answer to the Senator, that, while we would not have the right to do it, we could exclude a Senator because he had red hair, and while we would not have the right to exclude because of some rather minor indiscretion, we would have the power to do it if two-thirds of the Senators concurred.

Mr. BARKLEY. Of course, that raises a metaphysical question, a philosophical question, as to whether any legislative body has the right to do what it has the power to do when the power is designated and defined in the Constitution. Of course, my illustration of a man with red hair may be farfetched, but I used it to illustrate the fact that, under the naked language of the Constitution itself, we do not have to give any reason at all. If two-thirds of the Members of this body desired to throw a man out tomorrow, they could do so, and that has been held where there was no charge against him of any kind.

Mr. MURDOCK. That is right.

Mr. WHEELER. Mr. President——

Mr. MURDOCK. I yield to the Senator from Montana.

Mr. WHEELER. I want to say the same thing is true with reference to a jury. Twelve men, selected and sworn to obey the law and the evidence, have it in their power to turn a guilty man loose, but they have not any right to do so. They have the power to turn a man loose, no matter what the evidence may be or what the law is, but they have not the right to do so. We have the power to throw a man out of the Senate, but we have not any right to do it unless we comply with the Constitution of the United States.

Mr. MURDOCK. I do not think we have any right to allow any man to come here and become a Member of the Senate and then expel him except as provided by the Constitution; and I repeat, as I said a few moments ago, that we have continued a misconstruction of the Constitution by adopting that procedure, which, in my opinion, is erroneous, and it should not be continued.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Louisiana.

Mr. OVERTON. I understand the position taken by the able Senator is that section 5, article 1, of the Constitution, which vests in each House the right to judge of elections, returns, and qualifications of its own Members does not vest any authority in the Senate or in the House to add to the qualifications prescribed by the Constitution, and that the word "judge" is not to be interpreted as the word "prescribed" would be interpreted, but means simply that the Senate, in this case, for example, sits as a judge and, as a judge, applies certain well-known provisions of the Constitution and of statutory law to the facts of the case.

Mr. MURDOCK. That is my position.

Mr. OVERTON. I wish to add one contribution to the argument made by the able Senator—that is, what the Supreme Court of the United States had to say with reference to section 5 of article I, which gives each House the power to judge of the qualifications of its Members. The Supreme Court of the United States, speaking through Mr. Justice Pitney, said:

> The power to judge of the elections and qualifications of its Members, inhering in each House by virtue of section 5 of article I, is an important power, essential in our system to the proper organization of an elective body of representatives. But it is a power to judge, to determine, upon reasonable consideration of pertinent matters of fact according to established principles and rules of law; not to pass an arbitrary edict of exclusion.

I think that fully supports the contention made by the able Senator from Utah, and I think it correctly interprets the word "judge" as used in section 5 of article I of the Constitution.

Mr. BARKLEY. If the Senator from Utah will yield, the word "judge," in the very language used by the Senator from Louisiana, is also interpreted to mean "determine"—to judge and determine.

Mr. MURDOCK. Certainly the Senator will not say that I have construed the word "judge" to mean that.

Mr. BARKLEY. No; I refer to the language used by the Senator from Louisiana.

Mr. OVERTON. But how are we to determine—

> to determine upon reasonable consideration of pertinent matters of fact according to established principles and rules of law, not to pass an arbitrary edict of exclusion.

Mr. BARKLEY. The exercise of the right and power to judge is the exercise of the right to determine. A judgment is a determination as to the rights of people, whether it is in a court, or wherever it may be. To judge of something is to determine the merits of it, and I do not see how, by any definition of the word "judge" and the word "determine," we can show that there is a great deal of difference between them.

Mr. MURDOCK. I do not claim there is a great deal of difference, but I emphatically claim that the word "judge," used as a verb, does not mean the power to add to something already existent.

Mr. BARKLEY. I make no such contention as that. I did not wish to get into this colloquy, because I understand the Senator does not want to speak as long as he might do so under other circumstances, and I shall not interrupt him further; but the right to judge as between two parties, or between a given situation and another given situation, is the power to determine, to reach a determination on the merits of the matter, not to add something which is not justified, but to determine it on the basis of the power to render a judgment or to judge of the merits; not by the consideration of any extraneous matter, but on a consideration of matters which are before either the judge or the Senate or the House, or any other body which has the right to judge anything.

Mr. MURDOCK. I am very happy to have the position of the majority leader explained, and I am indeed happy to say that he takes the position which the minority of the committee has taken in its legal brief—that the power to judge does not include the power to add to.

What do we judge? A man comes here and presents his credentials and claims that he has the constitutional qualifications to be a Senator. As judges of that fact, we look at his credentials; we consider his constitutional qualifications. Where do we find them stated? We find them set out in the Constitution. I believe it was contemplated by the framers of the Constitution that when a man came here with credentials from his State, and claimed to have the constitutional qualifications, the matter could be judged by the Senate in not to exceed a week or 2 weeks' time; but when the word "judge" is construed to mean the power to add qualifications, about which the State does not know, about which the Senate does not know, then, of course, there is brought about the type of farce which resulted in taking 4 years to determine that Reed Smoot was entitled to sit here as a United States Senator, and the type of farce which has resulted in

Senator LANGER's right to a seat being held in abeyance for more than a year, the committee searching his life almost from childhood up to the present time.

Oh, did the men who wrote the Constitution ever contemplate that such a thing as that would happen? In framing the Constitution they had the right to decide what tribunal should be the judge of the morals and the intellectual qualifications of the men sent here, and they decided that the people of the sovereign States should have that power, restricted only by the very definite but simple qualifications enunciated in the Constitution itself.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. I should like to suggest, not right on the point about which the Senator is speaking now, but regarding what was discussed a little while ago about the case of a Senator who comes with a certificate, and whose election is questioned that that is not on all fours at all with the instant case, or other cases like it, because when the Senate determines finally, if ever, that a man was never legally elected, of course the whole election is voided, and technically he never was a Senator.

Mr. MURDOCK. That is correct.

Mr. CONNALLY. Is not that the distinction? It is not possible to draw an analogy between the case of a man coming here with questioned credentials, and a case where his credentials are unquestioned, because if he was not legally elected—and the Senate can determine that at any time, just as the House can determine such matters as to its Members—he would not be seated. When I was a Member of the other House, on the last night of a session, at about 4 o'clock in the morning, when the session was to expire at noon of that day, the House ousted a sitting Member, and seated a new Member to serve for a few hours. It had the right and power to do that; but that is not comparable with the other cases at all, because in that case, if the election in the State was invalid, the man was never legally a Representative.

Mr. MURDOCK. That is correct.

Mr. CONNALLY. Although he was a de facto Representative, he was not a de jure Representative. His vote could not be impeached, because he was voting with the consent and agreement of the House; but he never was a de jure Representative, he was merely a de facto Representative.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. HUGHES. Along the line of the remarks submitted by the Senator from Texas, I wondered if the Senator from Utah had noted this quotation in the report in the Frank L. Smith case, as well as in the Vare case. It is stated:

> It was pointed out in the debate that the Smith case was unprecedented in that charges made against him had already been officially investigated by a committee of the Senate and that an unfavorably partial report was before that body

In other words, the case had been investigated by a committee of the Senate, and a partial unfavorable report had been prepared, which was before the Senate, I understand, when Mr. Smith appeared and presented himself to be sworn in as a Senator. That, it is stated, was one of the chief reasons why he was excluded. He was not sworn in because the matter had already been heard by a committee of the Senate, evidence had been taken, and charges had been made about the use of money in the primary election.

Mr. MURDOCK. And partial reports had been made to the Senate up to that time.

Mr. HUGHES. A partial unfavorable report had been made, as the report shows. The same thing was true in the Vare case.

Mr. LUCAS. Mr. President, will the Senator yield on that point?

Mr. MURDOCK. I will yield in a moment; I do not think the Senator from Delaware has concluded.

Mr. HUGHES. I wondered whether the Senator distinguished that case, and whether that distinguishes that case from the instant case.

Mr. MURDOCK. I think the Senator has distinguished the case. In the Smith case, as the Senator from Nebraska [Mr. NORRIS] put it on the floor, there was a battle royal of millionaires in the State of Illinois, and under the resolution of the Senate the election was held to have been a fraud; the will of the people had been thwarted; in other words, it was not a lawful election. That fact was shown; and Frank Smith was excluded; in fact, he was never allowed to take the oath. To say that the Frank Smith case is a precedent for the Langer case in my opinion is a very farfetched construction.

I now yield to the Senator from Illinois.

Mr. LUCAS. I wish to repeat what I said in the legal argument I made last Friday with respect to the Frank Smith case being a precedent. Frank Smith came to the door of the Senate in December following the death of William B. McKinley, whom he had defeated in the primary election. McKinley's term of office was not to expire until the following March. Governor Len Small appointed Frank Smith, gave him bona fide credentials, and Smith came here. No election whatsoever was involved in that appointment. Smith came here and asked to be admitted to the Senate upon the credentials forwarded to the Senate by the Governor of the State of Illinois. Though he asked that he be given the oath when he came here with those credentials, he was not permitted to take the oath. He was not given the oath because of what the Reed committee had ascertained in connection with the huge amount of money which was spent in the primary in 1926, as I recall the year, plus the fact that Frank Smith, as chairman of the Illinois Commerce Commission, had received $125,000 from Sam Insull, who was then the utility baron of the country.

There cannot be any question about that case being a precedent. The only ground on which the Senate could decline to give Frank Smith the oath was that of moral turpitude, and the moral turpitude was in the primary election, because Smith's appointment by the Governor had absolutely nothing to do with any fraud in any election. It was never contended that there was any fraud in that appointment. So I say, with all the sincerity I possess, that the Smith case is an absolute precedent for the case we have now before us.

Mr. MURDOCK. Mr. President, I am sorry I cannot agree with the distinguished Senator from Illinois that the Smith case is a precedent. The Senator has stated the facts as they are. I think he distinguishes the case, however, when he says that the Senate refused to seat Smith when he came here as the appointee of the Governor. Why? Because of what had happened in the election.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. There would not have been any question about having Senator LANGER stand aside on January 3, 1941.

Mr. MURDOCK. I do not know whether that is true.

Mr. LUCAS. Yes; it is true. The Senate on 29 different occasions in its history has said, "We will let you take the oath and investigate the charges afterwards." On 16 occasions the Senate has had the Senator-elect stand aside. Personally, I think it is the better practice to have the Senator-elect take the oath, and let his State have representation during the time the investigation is going on, rather than have him stand aside and wait until the investigation shall have been concluded. In other words, in this case North Dakota would not have had representation on the floor of the Senate by one Senator, if Senator LANGER had been requested to stand aside on January 3, 1941.

Mr. MURDOCK. Mr. President, I admit that under the rather subtle subterfuge and procedure which we have adopted such a thing has been done; but had the Constitution not been construed in the past as requiring more than the constitutional qualifications, it never would have been necessary to adopt the procedure which we find in the Langer case and in many other cases.

Mr. VANDENBERG. Mr. President, will the Senator yield so I may ask a question?

Mr. MURDOCK. I yield.

Mr. VANDENBERG. I am asking for information. I know of the great familiarity which the Senator from Utah has with this subject, and I am going back to his original proposition, that in judging of qualifications we are limited to the specifications laid down in the Constitution. Are there any precedents in the history of the Senate involving cases in which elections were not concerned, but in which Senators have been expelled from the Senate for other reasons than those listed in the qualifications set forth in the Constitution? Are there any such instances?

Mr. MURDOCK. Oh, yes; I think during the Civil War period many Senators were expelled for disloyalty to the Union. There can be no question about that.

Mr. VANDENBERG. I am thinking about the exclusion of Senators for ulterior reasons.

Mr. MURDOCK. I know of no precedents, unless one wants to call the case of Thomas of Maryland a precedent. That is one of the so-called precedents which is referred to in the majority report. In that case, as I remember the facts—and if I do not state them correctly, I know the Senator from Illinois and other Senators who are more familiar with them than I am will correct me—they were these: Thomas had a son who entered the service of the Confederacy. His father, knowing that, gave him some cash money to take with him, as he put it, so that he would have something to take care of himself in case of emergency. Mr. Thomas was accused of disloyalty and of giving comfort and aid to the enemy, and was excluded from the Senate on that ground. In considering the Thomas case, though, I think it would be unfair not to have in mind the test oath, and also the fact that the fourteenth amendment had already been considered by the Congress, and was in the course of ratification by the States. I think it had actually been ratified, but not promulgated by the Secretary of State. I think we must bear those facts in mind in dealing with the Thomas case. I do not claim, as the Senator from Michigan indicated, that I am very familiar with the subject, but I have made about as exhaustive a search of the authorities as I could, considering how busy we all are, and I am frank to state that the Thomas case comes nearer being a precedent than any other case I can find, with the exception of the Smoot case.

Mr. VANDENBERG. That is the extent of the precedents the Senator can submit.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. Along the line the distinguished Senator from Michigan has discussed, I invite his attention to two cases. I do not think the Senator from Michigan was present the other day when I discussed them. I specifically call his attention now to the Roach case. Mr. Roach was alleged to be guilty of embezzlement of funds in the city of Washington. Later he went into the State of North Dakota—and for many years lived an exemplary life. He became one of the bulwarks of the community, so to speak. So good was his life that the people there finally elected him to the United States Senate.

Mr. MURDOCK. I am familiar with the case.

Mr. LUCAS. An exhaustive investigation was made in the Senate. The Senate took jurisdiction of that case, even though the offense charged had been committed many years before. The Committee on Privileges and Elections made an exhaustive investigation, and gave the Senator-elect a clean bill of health, and nothing was done about the charges. The Senator will find in the Roach case some of the most profound legal arguments ever made on the subject. One was made by Senator Chandler, of New Hampshire, who thoroughly explored all legal questions.

Another case which was cited was the Gould case, in connection with which the Senate went back 14 years to investigate a charge of bribery. The Senate Committee on Privileges and Elections found that Senator Gould was not guilty of the charges. The point I am making is that in the Roach and the Gould cases the Senate took jurisdiction for the purpose of making the investigations. In one case they found that the Senator-elect had led an exemplary life since he was guilty of embezzelment and therefore admitted him. In the other case the Senate investigated a charge which was said to have taken place 14 years before. It found that Senator Gould was in no way guilty of the charge of bribery in connection with a political fiasco in one of the Provinces of Canada. Therefore the Committee on Privileges and Elections brought in a resolution of not guilty, which was adopted by the Senate.

Mr. MURDOCK. Mr. President, I hope I may have the attention of the Senate in my discussion of the two cases which the Senator from Illinois has cited. If the Senator from Illinois takes the position that the Senate of the United States, under a resolution to investigate, takes jurisdiction of a matter, that is one thing; but in order that an act of the Senate may become a precedent, I am inclined to the view that we should go to the resolution itself and see what was the question involved.

If Senators will turn to the Gould case they will find—what? They will find that a resolution was adopted by the Senate directing the Committee on Privileges and Elections to investigate certain charges made against Senator Gould. Very well. The committee made the investigation. The committee reported to the Senate—what? It reported to the Senate that there was insufficient evidence to support the charges. The committee very emphatically and definitely stated that it did not make any decision on the constitutional questions involved, but, because there was no evidence to support the charges against the accused, it recommended that the whole matter be dropped. That is the Gould case.

Mr. LUCAS. Mr. President, may I say a further word?

Mr. MURDOCK. Let me answer the Senator with respect to the case of Senator Roach, of North Dakota. In that case charges were made against a Senator from North Dakota. I do not recall that he pleaded guilty to the embezzlement charge in the District of Columbia. I think his statement was that he was making restitution of what he was supposed to have taken. What is the history of the case? That the Senate committee investigated the case, but that nothing further was done in the matter.

Mr. President, it seems to me very farfetched in the way of obtaining precedents for the Senator from Illinois to cite those two cases as precedents for what it is proposed to do in the instant case.

Very often a case comes into one of our courts of which the court assumes jurisdiction and trial is had, and an appeal is taken to the appellate court.

In the appellate court the question of jurisdiction is finally raised; and notwithstanding the fact that the case has run the gantlet of the trial court and the appellate court, in many instances of which the Senator knows the appellate court has dismissed the case because of lack of jurisdiction.

For the Senator to take the position that the Senate took jurisdiction in those cases by merely adopting a resolution and having an investigation made and then dropping the thing would be to take the position that because the trial court took jurisdiction the appellate court could not reverse the case, notwithstanding the fact that there was no jurisdiction originally. I cannot agree with the Senator on that type of precedent.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. On the question of jurisdiction, of course the argument the Senator has made with respect to lower courts taking jurisdiction and appellate courts reversing cases because the court did not have jurisdiction is hardly analogous, because in the first instance we can take or deny jurisdiction. As the Senator knows, one of the questions which we discussed in executive session was whether the Senate could deny or take jurisdiction at any time; and whether we could say in the beginning, "We have no jurisdiction" and end the matter.

The Gould case is important from the standpoint of jurisdictional precedent. When Mr. Gould's credentials were presented, the very able Senator from Pennsylvania, Mr. Reed, took the position that the credentials should not be referred to the Committee on Privileges and Elections because the Senate had no jurisdiction to do so. When Senator Gould rose and invited an investigation of the charges Senator Reed further said that, regardless of whether Gould wanted an investigation made, Gould himself had no constitutional authority to confer jurisdiction upon the committee for two reasons—first, because of the lapse of time; second, because the constitution's qualifications of age, residence, and citizenship were absolute and a limitation upon the right of the Senate to judge the qualifications of the Members. The Senate by a vote of 60 to 5, referred the case to the Committee on Privileges and Elections for study and investigation.

Mr. MURDOCK. Mr. President, I have the highest respect for the Senator from Illinois as a lawyer. I think I have publicly so stated. However, my experience as a lawyer is that we do not go to the preliminary proceedings in lawsuits to find out what the precedent is. We do not go to the briefs of the able counsel on both sides to find out what the precedent is. Where do we go, Mr. President? We go to the final determination of the court. It makes no difference what the preliminary procedure was. It makes no difference how eloquent, cogent, and logical the briefs were. The ultimate decision of the court establishes the precedent.

What do we find in the Gould case? I will admit that in the Gould case, as the Senator says, in the preliminary skirmishes certain things were done. I will admit that Senator Reed, of Pennsylvania, made a great and eloquent statement. He was opposed by able

lawyers. However, I do not want to go to the preliminary skirmishes to see what the precedent is. I want to go first to the resolution adopted by the Senate, and then follow it through the hearings of the committee; but ultimately I want to look at the decision of the committee, which was brought to the floor of the Senate, and then I want to look at the ultimate action taken by the Senate. We must be guided by that ultimate action as a precedent for one school of thought or for the other school. If the Senator from Illinois can obtain satisfaction from the preliminary skirmishes, he is welcome to it. I cannot. I am satisfied that he cannot go to the ultimate action of the Senate, or to the report of the Committee on Privileges and Elections, which was before the Senate in the Gould case, and obtain any support for his contention. I do not understand how he can obtain any satisfaction from it.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. McNARY. Mr. President, I had not thought of obtruding myself at this time. Later I may discuss this case. I am quite in accord with the observations now being made by the very able Senator from Utah. I lived through the Gould case. I lived through the Smith and Vare cases. Indeed, I am probably the only Senator remaining in the Senate who was on the subcommittees in the Vare and Smith cases. I have a very vivid memory of what occurred and what was discussed. I shall give my views on that question at a subsequent time.

On the question raised by the very able Senator from Illinois regarding procedure, only one procedure has been followed by the Senate. Only one logical procedure can be followed by the Senate when a petition is filed by petitioners, remonstrators, or dissidents—dissatisfied persons, whoever they may be. Always the petitions are referred, pro forma, to the Committee on Privileges and Elections.

In the Smoot case the unbroken practice of the Senate was well stated by Senator Burrows, a very able lawyer from Michigan who was at that time a Member of the Senate. It has been discussed by Senator Hoar, the great lawyer and statesman from Massachusetts, and an ornament of this body in years gone by. Only one course is open when a man presents his credentials and a petition is filed by those who desire to object. That course is to send the case to the committee having jurisdiction. It goes there as naturally as a bill which is introduced is referred to the appropriate committee.

When the Gould case arose I occupied a seat in the Senate not far distant from the seat I now occupy. Senator Gould was on the Committee on Agriculture and Forestry with me. I knew him intimately; I knew his character; I did not know anything about the charges; but when the charges were brought to the Senate, Senator Reed, of Pennsylvania, thought that we should determine them immediately. That was no time to make a determination. No facts were before the Senate. No committee having jurisdiction had reported on the matter. Senator Reed was entirely presumptuous and premature in his statement, although he made a very good one. Only one course was open. Only one course had ever been open. Only one course should be open, and that is to refer the charges to the committee having jurisdiction, namely, the Committee on Privileges and Elections, or, as in the Smith and Vare cases, a special committee upon which was conferred special jurisdiction.

Senator Gould was exonerated, and properly so. He was one of the finest Members of the Senate whom I have been privileged to know during my 25 years of service. It seems to me that it is not quite proper to cite that case as a precedent.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. OVERTON. In answer to the argument made by the Senator from Illinois, I take it that if there were a case which had been passed upon by the Senate, in which a Senator had been excluded from a seat in the Senate upon some ground dissociated from his election, his citizenship, his age, or his residence, then we should have a precedent.

The Senator from Oregon is perfectly correct in the statement that the preliminary reference of a petition to a committee does not establish a precedent. The able Senator from Utah is correct in his position. What establishes a precedent is a decision by the Senate. I challenge the Senator from Illinois or any other proponent of the resolution to point to a single case in which any Senator-elect has been excluded from the Senate upon some ground not connected with his election, age, citizenship, or residence. There is absolutely no such case except possibly as the Senator has pointed out, the Thomas case, which arose under the fourteenth amendment in reference to disloyalty.

Mr. MURDOCK. Mr. President, it might be well at this time to read the portion of the resolution in the Gould case which we are discussing at this point. I read from Senate Election Cases, 1913–1940, by Hays, at page 278. The resolution was in part as follows:

Resolved, That in that absence of official information concerning the charge thus made, the qualifying oath be administered to the Member-elect, and that the Committee on Privileges and Elections be, and it hereby is, directed to inquire into the truth of the facts so reported and recited, and to report the same at the earliest convenient date to the Senate, with such recommendations touching action by it in the premises as may seem to them warranted.

That is the resolution under which the investigation of the charges against Gould was begun, and, as the Senator from Oregon states, there was not much else that could be done. I do not agree with the practice of seating a Senator and then reserving the right to exclude him; I think that is an evasion of the provisions of the Constitution.

Then, coming to the report of the Committee on Privileges and Elections, what do we find, other than the statement that there was not sufficient evidence, or no evidence, to support the charges? On the constitutional question—and that is what I am attempting to argue—we find the committee making the following report:

No opinion is expressed by the committee on the important constitutional questions touching the power of the committee in the premises.

When the Senate adopts such a report, does it not say that the Senate makes no conclusion as to the constitutional questions involved? Having said that, how can any careful lawyer, even though he may be the most diligent and zealous of lawyers, say that that constitutes a precedent for what is contended by the majority in the Langer case?

Mr. LUCAS. Mr. President, will the Senator yield for one remark?

Mr. MURDOCK. I yield.

Mr. LUCAS. The only point I make in connection with the Gould case is that at least the Senate took jurisdiction of the charges that were filed, and the case was submitted to the Committee on Privileges and Elections for a determination of the truth or falsity of the charges—whatever they might be. There is no question, the record shows, that every member of the Committee on Privileges and Elections at that time said that there was no truth in the charges; consequently, from the standpoint of the constitutional charges, there was nothing to make any determination of, because the committee simply said that the man was not guilty. So that ended it. But the point I am making is that they did make an investigation.

Mr. MURDOCK. There is no question about that. Why should the Senator argue with me on that point, when I admit it?

Mr. LUCAS. There seems to be some misinterpretation of the position I am taking in connection with the Roach case and in connection with the Gould case. The only point I am making is that, notwithstanding the 14 years that had elapsed in the Gould case, the Senate made the investigation, just as the Senate made the investigation in the pending case.

In the LANGER case we have found that, in the opinion of the majority, there is evidence sufficient to exclude. It was found in neither one of the other cases that there was evidence sufficient to exclude. Consequently both cases were dismissed.

If in this case we had followed the action taken in the Roach case we should not today be discussing the case of Senator LANGER.

Mr. MURDOCK. Following the Senator's able argument all the way through to its logical conclusion, let me ask what it is upon which the Senate will take action after we conclude these rather extensive debates? Our decision will be on the question whether the Senate will adopt the recommendations of the majority of the committee. When the Senate acts, its action becomes a precedent. In my opinion, there is no Senator who does not understand the Senator's position on the Gould case and on the Roach case.

Mr. LUCAS. I thought the Senator from Utah misunderstood it.

Mr. MURDOCK. The only trouble I have is in agreeing with the Senator. I understand the position he takes, but I cannot agree with him.

Mr. LUCAS. That is quite all right; I cannot object to that.

Mr. MURDOCK. No. Of course, the Senate ultimately will decide the pending case, and its decision will constitute a precedent set by the Senate, just as in the Gould case, just as in the Roach case, just as in the Thomas case. Again I state that the only precedent I know of that even comes close to being a precedent for the pending case is the Thomas case.

Mr. BURTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Utah yield to the Senator from Ohio?

Mr. MURDOCK. I yield.

Mr. BURTON. On the question of precedent, let me say that, as I understand, in the House of Representatives the rule is the same, but the judge is different. Are there any cases that have arisen in the House of Representatives that would form a precedent for the Senate on a similar issue?

Mr. MURDOCK. In answer to the Senator let me say that I think that the majority of the Committee on Privileges and Elections has in its personnel some of the greatest lawyers in the United States Senate. Anyone who listened to the Senator from Illinois [Mr. LUCAS] in the presentation of the case and who is not convinced that he is an able and an industrious lawyer, in my opinion has misconstrued his efforts. I think that the senior Senator from Vermont [Mr. AUSTIN] is conceded to be a great lawyer.

Inasmuch as the able Senator from Ohio asks the question, I desire to call his attention to the legal brief contained in the majority report. In the report we find nine pages devoted to a discussion of the assertion that during his term as a Senator, Senator LANGER has done nothing for which he can be excluded.

Is there a Senator sitting under the roof of the Senate Chamber who makes any contention contrary to that? Of course not. Nevertheless, the majority of the committee have seen fit to devote nine pages of their brief to a discussion of the point that nothing Senator LANGER has done since he has been here is involved in the pending case.

Subsequently, in chapter II of the majority's legal brief, we find five pages devoted to a discussion of the question of constitutional qualifications. After devoting five pages to a discussion of that question they finally tell us that no question of constitutional qualifications is involved. Every Member of the Senate has known from the time when Senator LANGER came here that no one questioned his constitutional qualifications. Nevertheless, the majority of the committee devoted five pages to a discussion of that matter.

Next in the brief of the majority we come to a discussion of what they say is the question:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members, * * *.

They say that is the question involved here. To a discussion of the question which is involved, we find devoted not nine pages, not five pages, but three full pages and a portion of a fourth page devoted to a discussion of the real question at issue; we find three and one-quarter pages devoted to that discussion. Two questions which do not have the slightest thing to do with the case are discussed, and we find nine pages devoted to a discussion of the first and five pages to a discussion of the second.

The Senator from Ohio has asked me if there are any precedents in the House for the position taken by the majority. I shall mention the precedents the majority cite. They cite the Roberts case, with which I believe everyone is familiar. Brigham H. Roberts, one of the greatest statesmen, in my opinion, who ever came to the House, one of the greatest orators, one of the grandest men who ever came here—coming from my own State—was accused of polygamy, was accused not only of past practice of polygamy, but of a continuing and present practice when he presented his credentials at the door of the House of Representatives.

In the Roberts case we find not a question of determination of moral turpitude existing prior to the time when he came to the House, but we find the question of his engaging in polygamy at the very time when he presented his credentials. Of course, that fact distinguishes the Roberts case from the situation we find in the LANGER case. Senator LANGER is not accused of committing any crime since he has been here. Senator LANGER is not accused of having done anything, except in the past, prior to his election. But, the precedents being so few, the majority resort to the ones I have mentioned. We have already discussed the Senate precedents. The House precedents they cite are the Roberts case, which certainly is distinguishable from this case, and one other, the Whittemore case. I know that the Senator from Ohio [Mr. BURTON], who sits before me, is one of the most careful lawyers in the Senate. He has demonstrated time and again, on every question which has been submitted to him, the thoroughness of his preparation. I ask him if he will, tonight, or whenever he finds it convenient, take time to study the Whittemore case and determine what it is. These are the facts: Whittemore was serving in the House. During the session he was accused of selling appointments to West Point. A resolution of expulsion was filed against him. For some reason or other—I suppose because the evidence was sufficient—instead of letting the matter go to an ultimate decision on the question of expulsion, he resigned and went back to his State, South Carolina, where he immediately presented himself again at a special election for election to the House, during the same session. He came back to the House, elected to the House in the same session during which he resigned in order to avoid expulsion. If that case does not distinguish itself from the pending one and if it did not give the House the right to take disciplinary action for a crime committed during a session, I am mistaken. To my mind, on that legal question I think the case is distinguishable from the LANGER case.

I should like to have the Senator from Ohio, and any other Senator who may be interested in doing so, read the statement of Representative Logan on the Whittemore case. Mr. President, if any lawyer in this great body can get any satisfaction from the Whittemore case as a precedent, then, as a very humble lawyer, I am surprised. The speech made by Representative Logan never even came close to a discussion of the legal questions involved.

No one else was allowed to say a word after Logan concluded a speech which gave evidence that he did not know anything about the law involved. So we find five precedents cited by the majority report in the Langer case, namely, the Senator Thomas case, the Representative Whittemore case, the Representative Roberts case, the Senator-elect Gould bribery case, and the Senator-designate Smith, of Illinois, case. As I have said to the Senator from Illinois, if he can get any comfort from these precedents in support of the contention he makes, I cannot understand how he does it.

It is true in their arguments great lawyers sustain the position that he takes today, but I state again that, in order to be a precedent, the final action must square with the contention made in the case, and there cannot be found, in my opinion, other than in the Thomas case, one case in the history of the United States which warrants the action that we are asked to take in the Langer case.

Mr. BURTON. Mr President, will the Senator yield for a question for information?

Mr MURDOCK. I yield.

Mr. BURTON. I understood from what was said here the other day, that in the Roberts case the representative had not taken the oath of office, that it was acted upon as a case of exclusion. Is that correct?

Mr MURDOCK. That is correct; he was never seated. I intend to read quite extensively the Roberts case, because I think the minority views in that case present the law of the land on this question. The Roberts case, however, is distinguishable from this case.

Why? If on no other ground than on the ground that the offense was a continuing offense right up to the time when he presented his credentials. He never denied it, although given every opportunity to do so. I say again that a grander man never presented credentials, even though he was charged with polygamy or plural marriage as a part of a religious tenet. He was man enough to say and to give public utterance to the statement, "law or no law, I shall never betray these loyal women"; and he did not do so.

Anyone who knew him must have acknowledged that he would add dignity, competence, and intelligence to any body into which he was admitted. His whole life was exemplary, unless men can be

condemned for devoutly believing in a religious tenet.

Passing now to the brief in the minority views, I come to section 3 of the fourteenth amendment.

This is important, Senators; it is the amendment that was adopted after the Civil War started. It was designed to do what? To expel and exclude Members of Congress for disloyalty, as well as to prevent the holding of public office by others charged with disloyalty. Section 3 of the fourteenth amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President or Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, or have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Why would the Congress of the United States, if it has the right, and if it had the right then, to superadd to the qualifications set out in the Constitution, add an additional constitutional qualification by amending the Constitution? It seems to me, if there is no other answer to the majority's case, that the very fact that Congress, in order to establish another qualification, resorted to an amendment of the Constitution to do it answers the majority of the Committee on Privileges and Elections in this case.

Article V of the Constitution provides, among other things:

* * * and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

Then the tenth amendment provides:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

In other words, after the qualifications have been set out, after all other delegations have been made to Congress, to the Executive, and to the judiciary, then we find what? A specific protection for the sovereign States by a provision saying that the powers not herein delegated and not herein prohibited to the States are hereby reserved to the States, respectively, or to the people. Why were they reserved? In my opinion, one reason is found in the very case we have before us today. They had had experience with the British Parliament. Madison speaks of it in the debates in the Constitutional Convention, and says our experience with the British Parliament is such that we know that the very Constitution itself may be subverted if we leave all power in the Legislature or grant power to the Legislature over matters not specified herein.

We often hear of the inherent powers of the Senate and the inherent powers of the House of Representatives; but, as I understand the very nature of the Federal Government, the inherent powers of the United States of America are vested in the people, not in the Senate and the House of Representatives.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Colorado.

Mr. MILLIKIN May I ask if the committee has considered the relationship of this proceeding to the constitutional provision guaranteeing a republican form of government to every State? Has that been considered?

Mr. MURDOCK. Does the Senator mean in the committee?

Mr. MILLIKIN. Yes, sir.

Mr. MURDOCK. I do not recall that that question was ever raised in the committee.

Mr. MILLIKIN. I suggest to the Senator that a representative form of government is the heart of a republican form of government, and when the Senate undertakes to eliminate a newly elected Senator that, instead of guaranteeing a republican form of government, it is destroying a republican form of government.

Mr. MURDOCK. I think the Senator is exactly correct, and I thank him for his contribution. To say to a sovereign State that by reason of its inherent power the Senate reserves the right to pass on the morals and the intellectual qualifications of the men who are sent here is disruptive of a republican form of government.

Oh, some States, Mr. President, may be handicapped somewhat in selecting Senators. It was said once in this great body, as I recall, that a number of Senators who came from the West were the "sons of wild jackasses"; but, nevertheless, the people of those States, whether my State, or North Dakota, or the State of Colorado, or any other State, still have the right to say, subject to constitutional qualifications, who shall represent them in the United States Senate, and to add qualifications, to say that we have the inherent power to overthrow the will of a State is to do exactly what the Senator from Colorado says, and is to deny a republican form of government to the sovereign States that make up the Union.

IV. NATURE OF THE FEDERAL GOVERNMENT

The powers of the Government of the United States are delegated, not inherent. They are enumerated in a written instrument—the Constitution. We quote from Cooley on Constitutional Limitations, section 9, as follows:

"The Government of the United States is one of enumerated powers; the national Constitution being the instrument which specifies them, and in which authority should be found for the exercise of any power which the National Government assumes to possess. In this respect it differs from the constitutions of the several States, which are not grants of powers to the States but which operates and imposes restrictions upon the powers which the States inherently possess."

Some wish to cite what has been done by the States in their constitutions as a precedent for what we do here, but they fail to distinguish between the sovereignty of the States which came into the Union and the powers delegated by those sovereign States. That is exactly what Cooley in his book on constitutional limitations says:

Chief Justice Marshall in *Martin* v. *Hunter's Lessee* (1 Wheat. 326) said, in referring to the Constitution of the United States:

"The Government of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given or given by necessary implication."

I ask Senators who are interested in the Constitution whether, in granting the power to judge of the qualifications, there is any necessary implication of the power to add qualifications. The word we are to construe today is the word "judge"—to judge of the qualifications. That is the only power granted, to judge of the qualifications. Unless by implication further powers have been granted, we are limited by the word "judge," and who here will say that in exercising the power directly granted we have to imply anything in the way of a power to add qualifications?

I read:

In *Gibbons* v. *Ogden* (9 Wheat. 187), Chief Justice Marshall said: "This instrument contains an enumeration of the powers expressly granted by the people to their Government."

Mr. STEWART. From what page is the Senator reading?

Mr. MURDOCK. I have been reading from page 42 of the minority views. I am about to read from page 43:

The powers granted are thus—

(a) Those expressly given them.

(b) Those given by necessary implication.

The word "necessary" as here used by the Chief Justice has peculiar significance. Thus, no powers may be implied except those essential to the exercise of those expressly given.

The tenth amendment above quoted was adopted to check the well-known tendency to extend and enlarge governmental powers by implication.

V. CONSIDERATION OF THE POWER TO EXCLUDE

The line of demarcation between the two powers of the Senate, the power to judge of the election, returns, and qualifications of its Members by a mere majority vote—that is, to exclude—and the power to expel its Members by a two-thirds vote, is clear and well defined. These powers must not be treated as identical. The power to exclude as distinguished from the power to expel is given by article I, section 5, clause 1, above quoted, while the power to expel is given by article I, section 5, clause 2, above quoted. Exclusion, therefore, must be based on an adjudication of (a) invalidity of or corruption in connection with the election, or (b) insufficiency of the returns, or (c) lack of prescribed qualifications. In the present instance the inquiry is narrowed to (c), lack of prescribed qualifications.

The only qualifications prescribed by the Constitution are to be found in article I, section 3, clause 3, above quoted. Admittedly Senator LANGER possesses each of the qualifications prescribed by clause 3, supra. It must, therefore, be made to appear that the power to judge "qualifications" expressly given in clause 1, section 5, article I, is (a) not restricted by the provisions of clause 3 of section 3 of article I, or (b) necessarily implies the power to determine "fitness" as well as "eligibility" in order to exclude in this case.

(A) Definition

Words in a constitution are always to be given the meaning they have in common use unless there are other strong reasons to the contrary (*Tennessee* v. *Whitworth*, 117 U. S. 147, 6 S. C. R. 649, 29 L. Ed. 833).

They are to be taken in their natural and obvious sense, and not in a sense unreasonably restricted or enlarged (*Pollock* v. *Farmers L. & T. Co.*, 158 U. S. 617, 15 S. C. R. 912, 39 L. Ed. 1108).

The makers of the instrument were precise in the use of terms. The word "qualification," when used in prescribing the elements which a member-elect must possess in order to be entitled to enter upon the office, is synonymous with the word "eligibility." This is substantially the definition of legal lexicographers—Bouvier, Rapolje, and Anderson. The word "qualifications" is used by the makers of the Constitution in section 2 of article I obviously in the sense of eligibility.

Again, in providing for the qualifications for the office of President of the United States, the term "eligible" is expressly used. Article II, section 1, clause 4:

"No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the Office of President * * *."

"Where any particular word or sentence is obscure or of different meaning, taken by itself, its obscurity may be removed by comparing it with the words and sentences with which it stands connected. *Rhode Island* v. *Massachusetts* (12 Pet. 722, 9 L. Ed. 1233), *Wheaton* v *Peters* (8 Pet. 661, 8 L. Ed 1055)."

If there be doubt as to the meaning of the word "qualifications" as used in article I, section 5, clause 1, such doubt can be resolved by observing that it is coupled in the same sentence with the words "elections" and "returns." From this it is reasonable to assume an intent to limit the word by the nature of the powers indicated. The power to judge the validity of an election and the returns thereof involves only an inquiry as to whether the said election was held at the time and place and in the manner prescribed by law, and that the results thereo are reported in due form. Of like nature is the inquiry as to the "qualifications" of the candidate selected, namely, whether he has the essential elements of eligibility prescribed by article I, section 3, clause 3

The power to judge qualifications does not authorize the creation of new qualifications.

"In exercising this power the Senate acts in a judicial, not a legislative capacity. *Barry* v. *U. S.* (279 U S. 597, 73 L. Ed. 867)."

The function of a judge is to apply the law, not to make it.

We are acting here today in our judicial capacity. Our function in this case is to judge of the qualifications, not to superadd or fix additional qualifications.

Mr. LEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Pepper
Bankhead	Glass	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brooks	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	La Follette	Spencer
Butler	Langer	Stewart
Byrd	Lee	Taft
Capper	Lucas	Thomas, Idaho
Caraway	McFarland	Thomas, Okla.
Chandler	McKellar	Thomas, Utah
Chavez	McNary	Truman
Clark, Idaho	Maloney	Tunnell
Clark, Mo.	Mead	Tydings
Connally	Millikin	Vandenberg
Danaher	Murdock	Van Nuys
Davis	Murray	Wheeler
Doxey	Nye	White
Ellender	O'Daniel	Willis

The PRESIDING OFFICER. Seventy-eight Senators have answered to their names. A quorum is present.

Mr. MURDOCK. Mr. President, with regard to the effect of the use of negative words, it is contended by some very able lawyers that by reason of the use of negative words in specifying the constitutional qualifications a certain construction is placed on the pertinent clause in the Constitution, and that by reason of the use of negative words the qualifications specified are not exclusive. On that point I wish to read from the brief in the minority views:

The asserted right to add qualifications to those prescribed in article I, section 3, clause 3, is based upon the fact that such qualifications as prescribed are negatively expressed. An inquiry as to the origin of this clause should determine the matter. We here quote from the interesting and instructive report made by the minority of the committee in the case of Brigham H. Roberts (1900):

Let me say, Mr. President, that in the Roberts report a discussion of the debates in the Constitutional Convention was set out. If Senators are interested in what the framers of the Constitution said on this question, it may be found in the minority views on the Roberts case. Quoting from that report:

The whole case of the right to add qualifications is based upon the fact that such qualifications as are prescribed are negatively expressed. The juxtaposition of the affirmative and negative clauses, it is said, has some significance. It does not appear that any of the courts' elementary writers or lawyers that have had occasion to insist upon this have ever availed themselves of the debates in the Federal Convention for the purpose of ascertaining the intention of the framers of the Constitution. While this precaution has not hitherto been observed, common fairness, and a due regard for a thorough investigation require that these great men, whose handiwork has so well withstood the assaults of time, should now and upon this important question be allowed to speak for themselves. An inquiry as to the origin of this clause will not only be interesting and instructive, but possibly determining. This course is stated by Cooley to be proper. (Cooley's Constitutional Limitations, p. 80.)

Reference was made to the debates in the constitutional convention itself on the question of the proper construction of the clause included in the Constitution after the debate had been finished and action had been taken.

I continue reading from the minority views in the Roberts case:

And Story, in his great work on the Constitution, makes constant use of the debates in the Federal Convention.

In the report of the committee of detail giving the first draft of the Constitution August 6, 1787 (Madison Papers, etc., vol. 5, p. 376), the paragraph in question appears as an independent section, i. e., section 2, article IV, and reads:

"SEC. 2. Every Member of the House of Representatives shall be of the age of 25 years at least, shall have been a citizen of the United States for at least 3 years before his election, and shall be at the time of his election a resident of the State in which he shall be chosen."

Of course, the qualifications of Senators are stated in the same language, except for the additional time of citizenship.

It is significant that this section is affirmative, and is therefore exclusive, as is conceded, in its character. It is important to inquire whether the change in phraseology was made for the purpose of changing its legal effect. That it was understood by the framers of the Constitution to be exclusive will, we think, clearly appear. The first consideration which indicates this is the incorporation in the same draft of the Constitution of section 2 of article VI which reads:

"SEC. 2. The Legislature of the United States shall have authority to establish such uniform qualifications of the Members of each House, with regard to property, as to the said legislature shall seem expedient."

The inference that the framers of this draft must have understood that section 2 of article IV was exclusive, and that in order that the legislature might have any power at all over qualifications it was necessary to confer it by a later and specific provision, is imperative and obvious. The debates confirm this idea.

Madison opposed the proposed section 2, article VI.

If we are to give credit to anyone for understanding what was going into the Constitution I believe we can give credit to him and depend upon him. Madison opposed the proposed section—

Madison opposed the proposed section 2, article VI, "as vesting an improper and dangerous power in the legislature. The qualifications of elector and elected were fundamental articles in a republican government, and ought to be fixed by the Constitution. If the legislature could regulate those of either it can by degrees subvert the Constitution.

That is Madison speaking—not some present-day Senator, but Madison himself, taking the position that any qualifications should be stated in the Constitution itself, and not delegated to the Congress.

I continue to quote from Madison:

A republic may be converted into an aristocracy or oligarchy, as well by limiting the number capable of being elected as the number authorized to elect. In all cases where the representatives of the people will have a personal interest distinct from that of their constituents there was the same reason for being jealous of them as there was for relying upon them with full confidence when they had a common interest. This was one of the former cases.

So there we have the introduction of a clause providing that the legislature may fix property qualifications.

We find that another very important member of the Constitutional Convention, Gouverneur Morris, said the following—and I read further from the brief of the minority of the committee in the Roberts case:

Gouverneur Morris moved to strike out "with regard to property," in order, as he said, "to leave the legislature entirely at large."

In other words, the first provision introduced with reference to the legislature's having power over qualifications was restricted to the fixing of property qualifications.

I repeat the quotation from the minority report in the Roberts case:

Gouverneur Morris moved to strike out "with regard to property," in order, as he said, "to leave the legislature entirely at large"—

precisely what is now claimed without any such constitutional provision. This was objected to by Mr. Williamson on the ground that "should a majority of the legislature be composed of any particular description of men—of lawyers, for example—which is no improbable supposition, the future elections might be secured to their own body."

Madison is quoted again:

Mr. Madison further observed that "the British Parliament possessed the power of regulating the qualifications both of the electors and the elected, and the abuse they had made of it was a lesson worthy of our attention. They had made changes in both cases, subservient to their own views of political or religious parties. (Madison Papers, etc., vol. 5, p. 404.)

This article was not agreed to.

Is it to be surmised that Madison, who was one member of a committee of three—its members were Madison, Hamilton, and Gouverneur Morris—would be so emphatic with reference to this particular point, and, after retiring in order to put it into immaculate form, would bring it back with the substance changed? No, Mr. President; to make such an assertion is to question the integrity of Madison, a man who fought not for phraseology, not for some technicality, but for substance. The substance was what? That the qualifications of Members of Congress should be specified in the Constitution itself, not left to the discretion of the Congress. Why did he take such a position? Because he knew that the fundamental cornerstone of the government of a republic is the people's right to freedom of choice of those who represent them; and Madison knew that the qualifications should be contained in the Constitution and not left to the whim and caprice of the legislature.

Some Senators say that in the British Parliament we find precedent for the position taken today by the majority of the committee in the Langer case. What did Madison say with reference to the British Parliament? He said that their experience with the British Parliament had been such that they were required then, for once and for all, to be guided by that experience, to profit by it, and to write into the Constitution itself the qualifications, and not to leave the situation as it was left in the British Parliament.

The British Parliament is cited as a precedent for our guidance in a republic that profited by the experience which the members of the Constitutional Convention had had with England—experience which greatly aided them in their efforts to rectify and to right the parliamentary wrongs of which they were so cognizant.

The minority report in the Roberts case continues:

Note the significance and primal importance of Mr. Madison's assertion that "the qualifications of electors and elected were fundamental articles in a republican government, and ought to be fixed by the Constitution," as otherwise the legislature might "subvert the Constitution."

Was Madison correct? As evidence of the correctness of his position, I cite the farces which have occurred in the Senate as a result of a misconstruction of the substance of the Constitution for which Madison contended in the Constitutional Convention itself. He knew by experience that legislatures were too prone to talk about inherent rights, to become dictatorial, to become oligarchies. How? By the assertion of inherent power. We hear Senators talk about the inherent right of the Senate to take steps for its self-protection. I come back to the proposition, Mr. President, that the Senate does not need to worry about what happens extraneously. We do not need to worry about what some man in some State did prior to coming here. The thing we must watch is what we do after we get here.

If, after he takes his seat here, a Senator strays from the proper path, if he disregards his duty to his constituency, if he is found wanting in devotion and adherence to his oath, the same framers of the Constitution—among them, Madison, who said that the qualifications should be specifically written into the document—provided a clause for the self-protection of the Senate; they provided a clause to protect the Senate from those guilty of disorderly conduct, to protect it from the felon, to protect it from the moral pervert. That clause is what? That the Senate shall have the power to expel—as was said earlier today by the Senator from Kentucky [Mr. BARKLEY]—for anything or for nothing, so long as there is a concurrence by a two-thirds majority.

In the Roberts case the minority of the committee explain why the provision of concurrence by a two-thirds majority was insisted upon:

His insistence upon these grounds prevented the adoption of the provision that only conferred this power upon the legislature in one particular, and the convention thus evidently adopted his views as to the exclusiveness of the provisions of article IV, section 2.

Again, when the original proposition which resulted in article IV, section 2, was under discussion prior to the draft reported by the committee of detail, Mr. Dickinson opposed the section altogether, expressly because it would be held exclusive, saying he "was against any recitals of qualifications in the Constitution. It was impossible to make a complete one, and a partial one would, by implication, tie up the hands of the legislature from supplying omissions" (ibid., p. 371).

Oh, was there thoroughness in the consideration of this question? Did they go into it, or did they merely wink at it and pass it by? Here is a man, Dickinson, who says, "If you put anything in the Constitution it will be construed to be exclusive, and I do not want it in there."

Madison says the qualifications must go into the Constitution and must not be left to the legislature.

Mr. CONNALLY. Mr. President, will the Senator yield there?

Mr. MURDOCK. I yield.

Mr. CONNALLY. When the Constitution sets out these three grounds, if it was intended that the House of Representatives or the Senate or anyone else should prescribe others, what kept it from saying so? Could it not have said, "and such other qualifications as may be prescribed by law or such other qualifications as the Senate may determine?

Mr. MURDOCK. That is correct.

Mr. CONNALLY. If the Senator will permit me, my thought was this: I do not quite agree with some of the Senators about the use of the negative language; to me the use of the negative language would seem to imply that all other matters were left to the States, to the people making the choice, and they could choose anyone provided they did not violate any of the three requirements.

Mr. MURDOCK. I think the Senator is right.

Mr. CONNALLY. So, with that in view, it seems to me that it might be safely inferred by the use of the negative language that the Constitution was not seeking to lay down all the requirements or all the qualifications, but was simply saying that the States may elect anybody they want to, but they must not elect anyone unless he is of a certain age, has been 9 years a citizen, and lives in the State which elects him. If it had undertaken to embrace the entire field of qualifications, it would have proceeded and said—and there was nothing to prevent it doing so—"in addition to being a citizen for 9 years and an inhabitant of the State, and 30 years of age, he must be a man of good moral character. What was there to prevent the makers of the Constitution saying he must be a man of good moral character?

Mr. MURDOCK. Nothing in the world.

Mr. CONNALLY. Or that he must belong to the Baptist Church, if they wanted to say that, or to the Methodist Church, or providing any other requirement if they had wanted to prescribe it?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. WHITE. I take it, then, the Senator's conclusion is that the qualifications must rest either in the constitutional provision or in the discretion of the State, and not in this body?

Mr. CONNALLY. Exactly. Let me suggest to the Senator, while we are on the subject, that there is another little clause in the Constitution, which has been frequently overlooked and which provides that the powers which are not conferred by the Constitution remain with the people. In this instrument the Federal Government has not been given any power to make any qualifications as to a Senator except the three specified. If it has not expressly conferred such power, if there is any other power with reference to qualifications, it seems to me, under that clause of the Constitution, it still resides in the voters who elect these men. I suggest that to the Senator.

Mr. MURDOCK. I think that is a very excellent contribution, and I call the Senator's attention to the fact that masters of form and style were appointed—to do what? To put the substance agreed upon by the whole convention into the proper phraseology.

Three men were delegated to do that in the committee on style. They were selected because of the fact that they were artists along that line; they were masters of English; they knew how to take the substance and put it into the

most immaculate style, expressing most emphatically and clearly the substance agreed upon.

There are Senators who take the position that Madison, contending for the principle that a republican form of government requires that the qualifications be set out in the Constitution, when he went into the committee room reversed himself, and that by bringing back the phraseology stated in the negative he surrendered the principle of substance. Can anybody believe that? Can anybody believe that Madison would stand on the floor of the Convention, contend for a principle, and give his reasons, one of which was experience with the British Parliament, and then go into a committee room with the other members of the committee—just a few of them—and surrender the principle by adopting certain phraseology? To me such a position questions the integrity of the man most responsible for the document that has guided us down through 150 years to the point where we are today the greatest democracy in the world.

Mr. Wilson took the same view, saying, "Besides, a partial enumeration of cases will disable the legislature from disqualifying odious and dangerous characters" (ibid., p. 373).

The very point that is contended for here today was raised by Wilson, but he did not prevail.

When this section in the draft was under discussion, after "three" had been stricken out and "seven" inserted as to citizenship, Alexander Hamilton moved "that the section be so altered as to require merely citizenship and inhabitancy," and suggested that "the right of determining the rule of naturalization will then leave a discretion to the legislature on the subject which will answer every purpose" (ibid., p. 411).

So Hamilton contended only for the qualifications of citizenship and inhabitancy; but he did not prevail.

Here it is clear that, as Hamilton construed this provision, without this latitude as to naturalization, the legislature had no discretion or power. From the affirmative language of this provision, then as it stood in the report of the committee of detail, and the understanding of the framers of the Constitution, it is clear that it was exclusive. This section was not changed to the negative form by amendment or as the result of any debate.

Bear that in mind, that the positive or affirmative phraseology was not changed to the negative by debate or by amendment in the convention, but it was changed by the committee of which Madison was a member, the committee on style.

Mr. CONNALLY. Mr. President, will the Senator yield again?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Along the line suggested a moment ago which was being so ably discussed by the Senator from Utah, I may refer to section 3 of the fourteenth amendment to the Constitution, which was aimed at those who had served in the Confederate Army, and so forth and so on. There other qualifications are added to those of 30 years of age and 9 years' citizenship.

Mr. MURDOCK. That is right. That was done by an amendment to the Constitution, and, of course, that can always be done.

Mr. CONNALLY. I should say it shows that the makers of the Constitution and those who amended it had in mind that, if they desired so to do, they could go ahead and add other qualifications. In section 3 of article XIV they did so, and they still use the negative language. For instance it is provided:

No person shall be a Senator, or a Representative in Congress, or elector of President and Vice President—

And so on, skipping some—

who, having previously taken an oath as a Member of Congress * * * shall have engaged in insurrection or rebellion—

And so on. So when that amendment was submitted, the Congress believed that, if that ground were to be invoked, it ought to be invoked by adding it to the qualifications stipulated in the Constitution. So they added it by saying so.

Mr. MURDOCK. We are not limited in the amendment of the Constitution; anything the Congress wants to propose, as provided by the Constitution, when ratified by the people, becomes a part of the document and is just as effective as if it were in the original instrument itself.

I think the Senator from Texas has made a very distinct contribution when he points out that the Congress itself, when it adopted that amendment and submitted it to the people, construed, as Madison construed, the qualifications written in the Constitution to be exclusive.

Mr. CONNALLY. Mr. President, will the Senator yield again?

Mr. MURDOCK. I yield.

Mr. CONNALLY. I dislike to disturb the Senator. On the other hand, does it not irresistibly follow that the Congress believed that, unless that provision was added to the Constitution, the people of the States could elect men and send them here who had served in the Confederate Army and who had violated, as they thought, the rules of patriotism and loyalty?

Mr. MURDOCK. I think that is a fair and reasonable construction.

Mr. CONNALLY. Otherwise, there would have been no occasion for adopting the requirement. It inevitably follows that, except for that sort of a provision, the people in exercising their choice could send that particular kind of representative here?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MUDROCK. I yield.

Mr. WHITE. Does it not also signify that the fourteenth amendment——

Mr. CONNALLY. I will say, for the RECORD, that I do not like a good many things in the fourteenth amendment.

Mr. WHITE. Does it not also signify a belief on the part of Congress that submitted the amendment that, without its adoption, the Senate could not have excluded a Member because of insurrection or participation in rebellion?

Mr. CONNALLY. I meant to imply that the people had a right to elect them, and, having a right to elect them, the Senate could not exclude them unless that clause was put in the Constitution. It was the view, evidently, of the Congress that submitted the amendment to the Constitution, that without it, if such men were elected, the Senate would have no power to exclude them on that ground.

Mr. MURDOCK. Mr. President, it has just been called to my attention that today is the anniversary of the birth of James Madison. It might be coindidental that today, after 150 years of the experience under the Constitution, the agency which was purposely created by the Constitution as the great bulwark of the sovereign States, the Senate itself, is on this anniversary of Madison's birth debating a question which should have been settled and which was settled in the Constitution itself. I read further from the minority report in the Brigham Roberts case:

In its affirmative form with other sections that had been finally acted upon, and their construction and terms definitely settled, it was referred to a committee "to revise the style of and arrange the articles which had been agreed to by the House," and this committee consisted, among others, of Mr. Hamilton, Mr. Gouverneur Morris, and Mr. Madison (ibid., p. 530).

The substance had been agreed upon, then the form was referred to this particular committee, of which Madison was a member.

This committee had no power to make any change in the legal effect of any of the clauses submitted to them. They were simply "to revise the style of and arrange." Certainly, with his very pronounced views, Mr Madison would not have made a change in article IV, section 2, that would, in his opinion, have placed it within the power of the legislature to "subvert the Constitution."

That is the language, "subvert the Constitution."

Yet, when the committee reported the Constitution as it now stands, article IV is rearranged so as to be included in article I, and the original affirmative section 2 of article IV appears in the negative form as the second independent paragraph of article I, somewhat changed, it is true, but in no sense connected with or dependent upon the preceding paragraph, which, with an improvement in phraseology, is section 1 of article IV of the draft. This reference to the original sources of information, we submit, deprives the argument sought to be derived from the juxtaposition of all significance (ibid., p. 559).

An examination of the finished work discloses the fact that the rearrangement and changes in phraseology by the committee were extensive. The object unquestionably was to make the arrangement more orderly and lucid and the language more perspicuous and felicitous. To hold that in any particular any change was intended to be made in the legal effect is to impeach the integrity of men whose characters are of the most illustrious in our history. To assert that they unwillingly made such changes is a much more grievous assault upon their intelligence and ability.

Here we have the record of the convention agreeing to Madison's contention, then the convention saying to Madison, "Go out, now, and write the substance of that upon which we have agreed in the most immaculate phraseology of which you are capable." And that is what he did.

Moreover, we are not left to inference as to how this clause in its present form was interpreted by the most eminent of the framers of the Constitution. The Federalist, as is well known, was published while the Constitution was undergoing public discussion, and while it was being ratified by the States. It had been ratified by six States only when the numbers of the Federalist hereafter referred to appeared. The author of No. 52 evidently assumes that all of the qualifications of Representatives had been "very properly considered and regulated by the convention."

He says:

"The qualifications of the elected, being less carefully and properly defined by the State constitutions, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the convention. A Representative of the United States must be of the age of 25 years, must have been 7 years a citizen of the United States, must at the time of his election be an inhabitant of the State he is to represent, and during the time of his service must be in no office under the United States. Under these reasonable limitations, the door of this part of the Federal Government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith."

If the learned author had supposed that any limitations in addition that might appeal to the caprice of a legislature could be added, he would hardly have used the term "these reasonable limitations," as he evidently did, as descriptive of all of the limitations to be imposed. In No. 57 a general reference to this clause is made, which evidently proceeds upon the idea that the qualifications to be required are stated in the Constitution. It reads: "Who are to be the objects of popular choice? Every citizen whose merit may recommend him to the esteem and confidence of the country. No qualification of wealth, of birth, of religious faith, or of civil professions is permitted to fetter the judgment or disappoint the inclination of the people."

That is another contemporary construction of this particular clause during the period of the ratification.

How could he know that unless the Constitution settled the qualifications? The authorship of these two numbers is in doubt between Madison and Hamilton. Hamilton is conceded to be the author of No. 60, and with many no authority is greater than his; and this, so far as his authority goes, settles it beyond cavil. He says:

"The truth is that there is no method of securing to the rich the preference apprehended but by prescribing qualifications of property, either for those who may elect or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution and are unalterable by the legislature."

This is Hamilton speaking, construing the very clause we have before us today, taking a position diametrically opposed to that of the majority of the committee, taking a position with the people of North Dakota, that they have a right, within the limitations of the Constitution, to exercise their freedom of choice in election.

This unequivocal declaration was made after the negative form of expression had been adopted, made concerning the provision as it now exists in the Constitution. It is not contended that the Federalist was a determining factor in securing the ratification of the Constitution, though it was undoubtedly published for that purpose. So far, however, as this clause weighed in the public mind, as this is the only construction that appears to have been placed upon it, it may be inferred that this construction was adopted by the States which afterwards ratified.

With the indulgence of the Senate, I desire to read another construction of the same clause by John Quincy Adams, when he was a Member of the Senate of the United States, in the case of Senator Smith, of Ohio. John Quincy Adams was chairman of the committee handling that case. I read from Hinds' Precedents of the House of Representatives, volume 2, at page 818, the eloquent language of John Quincy Adams with respect to qualifications:

The spirit of the Constitution is, perhaps, in no respect more remarkable than in the solicitude which it has manifested to secure the purity of the legislature by that of the elements of its composition. A qualification of age is made necessary for the Members, to insure the maturity of their judgment; a qualification of long citizenship, to insure a community of interests and affections between them and their country; a qualification of residence, to provide a sympathy between every Member and the portion of the Union from which he is delegated; and to guard, as far as regulation can guard, against every bias of personal interest and every hazard of interfering duties, it has made every Member of Congress ineligible to office which he contributed to create and every officer of the Union incapable of holding a seat in Congress.

John Quincy Adams pointed out in the report to the Senate how solicitous the framers of the Constitution were with respect to the qualifications of the Members who make up the Congress. He did not say that these are a minimum of requirements; he did not say that the legislature had the right to superadd qualifications. No; he said with respect to the Constitution itself:

The spirit of the Constitution is, perhaps, in no respect more remarkable than in the solicitude which it has manifested to secure the purity of the legislature by that of the elements of its composition

He then set out the qualifications but did not contend that we could add any additional qualifications. I have been reading from the majority report of the committee of which, I think, Adams was chairman; at least he was a member of the committee. The committee reported and recommended to the Senate that John Smith, of Ohio, be expelled. Why? Because of his complicity in the Burr treason. Notwithstanding the eloquence of the report, notwithstanding that Smith was accused of treason, which is the most heinous offense known to our law, the Senate did not expel him. John Quincy Adams contended that it was not necessary for a man to be convicted of crime before he could be expelled.

In the Humphrey Marshall case, which is one of the first precedents, the Senate said—what? The Senate said in its adoption of the report in that case that until Humphrey Marshall had been convicted of the crime of which he was accused before Congress he was attended by the presumption of innocence the same as in a court of law.

I cite the language of John Quincy Adams for the purpose of showing that he in that early day, in considering the question of expulsion, did not say that the legislature had the right to superadd qualifications, but did say that the Constitution in no other matter had been more solicitous than on the question of qualifications.

I continue to read from the minority brief:

In the light of these facts it is to be deplored that exigencies arise which are supposed to justify a construction in direct conflict with the intention and interpretation of those who framed and assisted in ratifying the Constitution. It seems clear that the negative form of expression has no interpretive significance, and, as it affords no support for the proposition which involves the right to add qualifications, that proposition must fall with the erroneous construction upon which it is based.

The great weight of the other authorities sustains this conclusion.

In *Thomas* v. *Owens* (4 Md. 223) the court said:

"Where a constitution defines the qualifications of an officer, it is not within the power of the legislature to change or superadd to it, unless the power be expressly, or by necessary implication, given to it."

And in *Page* v. *Hardin* (8 Ben. Mon. 661) the Court said:

"We think it entirely clear that so far as residence is to be regarded as a qualification for receiving or retaining office, the constitutional provision on the subject covers the whole ground, and is a denial of power to the legislature to impose greater restrictions."

In *Black* v. *Trover* (79 Va. 125), also, the Court said:

"Now, it is a well-established rule of construction, as laid down by an eminent writer, that when the Constitution defines the qualifications for office, the specification is an implied prohibition against legislative interference to change or add to the qualifications thus defined."

Mr. Justice Story is conceded to be one of the greatest authorities upon the construction of the Constitution, and upon this point he states the law as follows:

"It would seem but fair reasoning upon the plainest principles of interpretation, that when the Constitution established certain qualifications as necessary for office, it meant to exclude all others as prerequisites. From the very nature of such a provision, the affirmation of these qualifications would seem to imply a negative of all others." (Story on the Constitution, sec. 625.)

Cooley certainly stands equal in authority to Story, and he says:

"Another rule of construction is that where the Constitution defines the circumstances under which a right may be exercised, or a penalty imposed, the specification is an implied prohibition against legislative interference, to add to the condition, or to extend the penalty to other cases. On this ground it has been held by the Supreme Court of Maryland that where the Constitution defined the qualifications of an officer it was not in the power of the legislature to change or superadd to them, unless the power to do so was expressly, or by necessary implication, conferred by the Constitution." (Cooley's Constitutional Limitations, p. 78.)

Cushing, as against his former statement, says:

"The Constitution of the United States having prescribed the qualifications required of Representatives in Congress, the principal of which is inhabitancy within the State in which they shall be respectively chosen, leaving it to the States only to prescribe the time, place, and manner of holding the election, it is a general principle that neither

Congress nor the States can impose any additional qualifications. It has, therefore, been held, in the first place, that it is not competent for Congress to prescribe any further qualifications or to pass any law which shall operate as such." (Cushing on Law and Practice of Legislative Assemblies, 2d ed., p. 27, sec. 65.)

John Randolph Tucker, one of the latest writers on the Constitution, and an able one, is explicit on this point:

"Nor can the Congress nor the House change these qualifications. To the latter no such power was delegated, and the assumption of it would be dangerous, as invading a right which belonged to the constituent body, and not to the body of which the representative of such constituency was a member." (Tucker on the Constitution, p. 394.)

"The principle that each House has the right to impose a qualification upon its membership which is not prescribed in the Constitution, if established, might be of great danger to the Republic. It was on this excuse that the French Directory procured an annulment of elections to the Council of Five Hundred, and thus maintained themselves in power against the will of the people, who gladly accepted the despotism of Napoleon as a relief." (Foster on the Constitution, p. 367.)

"It is a fair presumption that where the Constitution prescribed the qualifications it intended to exclude all others." (Paschal's Annotated Constitution, 2d ed., p. 305, sec. 300.)

"Where the Constitution prescribed the qualifications for an office, the legislature cannot add others not therein prescribed." (McCrary on Elections, sec. 312.)

McCrary also takes the ground that statutory and constitutional provisions making ineligible to office any person who has been guilty of crime presuppose a conviction before the ineligibility attaches (ibid., p. 345).

Paine, in his work on elections, takes the same view (pp. 104–108).

Certainly the great weight of authority is against the right to add, even by law, to the qualifications mentioned in the Constitution.

I pass on now to the argument, as we call it, from inconceivability. Some Senators say it is inconceivable, it is ridiculous, to think we do not have the right to say what qualifications shall attend a man when he comes here. They refer to the inherent right of the Senate to prescribe qualifications. They say it is inconceivable to think that the Senate does not have such a right; but if Senators will examine the Constitution and read the debates in the Constitutional Convention, as I have read them here partially, they must come to the conclusion that we do not have such inherent right.

(C) ARGUMENT FROM INCONCEIVABILITY

It is said that it is necessary to put hard cases as a test of principle. Pursuing this method it is then assumed that the electors might choose a convicted felon for the high office of United States Senator. It is then argued that if the makers of the Constitution intended to limit the discretion of the Senate by the express provisions of the instrument that the Senate would be unable to preserve its dignity and integrity. This is said to be inconceivable.

The answer to this argument is that this Government was intended to be a government by the consent of the governed. The makers regarded the electorate as a higher tribunal than the Senate.

That is correct. On that question, I desire to read again from Hinds Precedents in the Ames and Brooks case. In that case the Committee on Privileges and Elections of the House, in discussing the Credit Mobilier case involving Representatives Ames and Brooks, claimed that the House had the right to expel them on the basis of charges preferred against them for matters happening prior to the time they came into the House. The Judiciary Committee of the House disagreed with the Privileges and Elections Committee, and wrote a report, which was adopted insofar as Ames and Brooks were concerned, and they were not expelled. However, the House refused, as the Senate refused in the Gould case, to pass on that particular question, or if it did pass on it, I believe it reserved the right to pass on qualifications.

This is the portion I wanted to read to the Senate. In the report of the Judiciary Committee, reading from page 855 of Hinds Precedents, volume 2, in replying to the Committee on Privileges and Elections of the House, the Judiciary Committee said:

But the answer seems to us an obvious one that the Constitution has given to the House of Representatives no constitutional power over such considerations of "justice and sound policy" as a qualification in representation. On the contrary, the Constitution has given this power to another and higher tribunal, to wit, the constituency of the Member. Every intendment of our form of government would seem to point to that. This is a government of the people, which assumes that they are the best judges of the social, intellectual, and moral qualifications of their Representatives, whom they are to choose, not anybody else to choose for them; and we, therefore, find in the people's Constitution and frame of government they have, in the very first article and second section, determined that "The House of Representatives shall be composed of Members chosen every second year by the people of the States," not by representatives chosen for them at the will and caprice of Members of Congress from other States according to the notions of the "necessities of self-preservation and self-purification," which might suggest themselves to the reason or the caprice of the Members from other States in any process of purgation or purification which two-thirds of the Members of either House may "deem necessary" to prevent bringing "the body into contempt and disgrace."

Your committee are further emboldened to take this view of this very important constitutional question because they find that in the same section it is provided what shall be the qualifications of a Representative of the people, so chosen by the people themselves. On this it is solemnly enacted, unchanged during the life of the Nation, that "no person shall be a Representative who shall not have attained the age of 25 years, and been 7 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Your committee believe that there is no man or body of men who can add or take away one jot or tittle of these qualifications. The enumeration of such specified qualifications necessarily excludes every other. It is respectfully submitted that it is nowhere provided that the House of Representatives shall consist of such Members as are left after the process of "purgation and purification" shall have been exercised for the public safety, such as may be "deemed necessary" by any majority of the House. The power itself seems to us too dangerous, the claim of power too exaggerated to be confided in any body of men; and, therefore, most wisely retained in the people themselves, by the express words of the Constitution.

I read that because, in my opinion, it is about the clearest-cut language I have encountered in my research in this matter, stating the fact that the framers of the Constitution had the power to elect which tribunal should govern the qualifications. They decided that, except for the qualifications written into the Constitution, a higher tribunal than the Senate or the House of Representatives, namely, the people themselves, should have that right.

Reading again from the minority report:

The power to determine fitness was reserved to the electorate as the best judges of the social, intellectual, and moral qualifications of those whom they saw fit to select as their representatives. The makers of the Constitution doubtless balanced the possibility of an unwise choice of the electorate against the possibility that an agency of government, given unrestricted discretion, might, under the masquerade of morality, decide from motives of partisanship, bigotry, or fanaticism.

That is what we have here. We are masquerading as great moralists—so great, so pure, and so easily contaminated that we dare not trust the people of North Dakota to send to the Senate a man who has been their Governor and who has been their attorney general. The Senate is such a fragile hothouse orchid that almost anything might contaminate it. To me such a contention is absurd; it is ridiculous. I do not believe that we need to be afraid of being contaminated by one man, or a dozen men, especially if they are the choice of the people of sovereign States. Men who have been accused of crime have come to the Senate and have left it; but the Senate goes on, its integrity, honor, and dignity unimpaired.

When I became a Member of the other House in 1933 I was rather horrified at one speech which I heard, but the House went on. It is still functioning. I think its dignity is still maintained, and will continue to be maintained. Sitting there during the first month or two of my tenure, I was somewhat horrified, as I say, when one of my colleagues rose and prefaced his remarks by the statement that many men had gone from Congress to Federal penitentiaries, but that he was the first man to come from a Federal penitentiary to the Congress. I think his statement was exaggerated in the use of the word "many" in referring to Members of Congress leaving Congress and going to penitentiaries, but he spoke the truth when he said that he was the first to come from a Federal penitentiary to the Congress.

Did anybody question his right to a seat? No. I think he was boasting when he spoke, but he was not challenged. Why? I suppose because the great sovereign State of which he was a resident had elected him to the Congress.

Mr. ROSIER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. ROSIER. I am not a lawyer, but I have read the Constitution. Am I correct

in thinking that the Constitution does not contemplate any sort of moral or religious test for any one who is elected or appointed to office? It does make provision for the punishment those who are elected or appointed to office if after they assume the office they are guilty of misconduct or malfeasance in office.

Mr. MURDOCK. After taking the oath.

Mr. ROSIER. After taking the oath and assuming the office. There are constitutional provisions for punishing those who betray their trust after they assume the obligation.

Mr. MURDOCK. We have the specific remedy of impeachment, and in this body we have the specific remedy of expulsion.

Mr. ROSIER. But that is based solely on conduct after the office has been assumed, and not upon any previous conduct.

Mr. MURDOCK. As I understand, that is true, except that in the Smoot case Senator Knox seems to have deviated slightly from that construction. In a few moments I intend to read what he said.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BROWN. I was interested in what the Senator said about the Member of the House who came to the House at the same time the Senator from Utah and the Senator from Michigan became Members of the House. I think it would help the Senator's argument somewhat to say that the people of the congressional district from which that particular Representative came took care of him in the next election by refusing to return him to the House.

Mr. MURDOCK. I thank the Senator for that contribution.

What does such a situation mean? It means that a man may fool his constituents once. He may fool them twice; but eventually his constituents will catch up with him. Therein, in my opinion, lies the remedy in a republican form of government. I still have confidence in the people of my State and of other States. I think if they make a mistake by sending a crook, a felon, or a moral pervert to Congress he may "get by" once, but his constituency will eventually catch up with him, as was the case in the instance of the Representative to whom the Senator from Michigan and I have referred.

Of course, I do not say that that type of man added anything to the House of Representatives. He did not. I cited that instance to show that he was not challenged in the other body, although his constituency challenged him when he came up for reelection; and, as the Senator from Michigan has pointed out, they took care of him.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. WILLIS. Does the Senator think that the dignity of the House of Representatives was impaired because the Representative referred to was not excluded or expelled?

Mr. MURDOCK. No. I think that the dignity of the House and the dignity of the Senate do not depend on one man or one man's action. In my opinion, their dignity depends largely on the collective action of both Houses. I am no more afraid of one man contaminating this great body than I would be of polluting a lake or reservoir by dropping a few drops of impure water or some foreign substance into it. If a Member of the Senate does not possess the moral character he should have, or if his behavior is disorderly or not consonant with the dignity, honor, and prestige of the Senate, we have the remedy of expulsion; and I think that is sufficient.

I read from the minority report with respect to the Smoot case—

Senator Bailey, of Texas, in the Smoot case, said:

"The qualifications which the two Houses are authorized to judge of are qualifications laid down in the Constitution. In other words, the Constitution provides that 'no person shall be a Senator who shall not have attained to the age of 30 years and been 9 years a citizen of the United States, and who shall not when elected be an inhabitant of that State for which he shall be chosen

"As I have always understood it, that provision fixed the qualifications of a Senator, and it is not competent either to add to these qualifications or to subtract from them, and that when the two Houses are authorized to judge of the elections, returns, and qualifications of their Members, it has reference to the question of age, citizenship, and returns within the State."

Mr Van Cott in the same case argued as follows:

"The contention has no merit that Senator Smoot is subject to being expelled by a majority vote

"The Federal Constitution, article I, section 4, provides: 'Each House may * * * with the concurrence of two-thirds, expel a Member.'

"To give proper meaning to the above provision, it is best to inquire as to the motive that induced the constitutional fathers to insert this clause. In those early times there was c nsiderable jealousy among the different States—that one State should not gain an advantage over another in the matter of representation; in other words, each State wished to protect its rights in the National Government, and to accomplish that end insisted upon a two-thirds vote to expel. If the provision had been that a majority might expel, then the States might the more easily be deprived of their representation, as combinations, corrupt or otherwise, could be formed to expel a member. A majority vote might be successful, while a two-thirds vote would probably be unsuccessful. Therefore, it is reasonable to assume that the two-thirds rule was inserted in the Constitution so as to guard the more carefully each State's representation. This idea has been expressed by the Supreme Court of the United States. In *Anderson* v. *Dunn* (6 Wheat. 233), it is said:

" The truth is that the exercise of the powers given over their own Members was of such a delicate nature that a constitutional provision became necessary to assert or communicate it. Constituted as that body is, of the delegates of confederated States, some such provision was necessary to guard against their mutual jealousy, since every proceeding against a representative would indirectly affect the honor or interests of the State which sent him. (Hinds' Precedents, vol. 1, p. 568.)"

In my opinion, from the standpoint of the legal questions involved, the Smoot case is the outstanding precedent of the Senate as affecting the Langer case. Senator Smoot was seated with the understanding that the investigation of the charges against him would be made, and that a resolution of exclusion would probably be presented. When the Senate finally took action it first said, by the adoption of the Hopkins amendment or substitute, that Senator Smoot could not be excluded, but that if he were removed from the Senate he would have to be expelled by the concurrence of a two-thirds majority. I think the same action will be taken in the case of Senator LANGER. I do not believe that any Senator will take the position that Senator LANGER is not a Senator. I do not believe any Senator will take the position that we can evade the Constitution by expelling him by anything less than a two-thirds majority.

In that connection I ask, Where do we obtain the power to permit a man to become a Member of the Senate and then expel him by a majority vote? I recur to the argument which I have made twice before in my address. The misconstruction of the Constitution brought about a fallacious procedure which comes back to plague us. As I have previously stated, I think the Smoot case is the outstanding precedent for the Langer case. I believe that if the Senate ever expels WILLIAM LANGER it will do so by a two-thirds vote, and not otherwise.

Mr. President, I hope to bring my remarks to an early conclusion. I think that in the Smoot case Senator Knox made the best statement and exposition of the law which I have read on this particular question. I want my colleagues to listen while I read it. It is not very long. I read further from the minority report.

Senator Knox, of Pennsylvania, in the Smoot case, said:

Mr. President, the Constitution provides that the Senate shall be the judge of the qualifications of its Members; a majority of the Senate can determine whether or not a Senator possessed them. The Constitution also provides that the Senate may, with the concurrence of two-thirds, expel a Member.

I have intentionally referred to the proposed action against Senator Smoot as expulsion. I do not think the Senate will seriously consider that any question is involved except one of expulsion, requiring a two-thirds vote. There is no question as to Senator Smoot possessing the qualifications prescribed by the Constitution, and, therefore, we cannot deprive him of his seat by a majority vote. He was at the time of his election over 30 years of age and had been 9 years a citizen of the United States, and when elected was an inhabitant of Utah. These are the only qualifications named in the Constitution, and it is not in our power to say to the States, "These are not enough; we require other qualifications," or to say that we cannot trust the judgment of States in the selection of Senators, and we, therefore, insist upon the right to disapprove them for any reason.

This claim of right to disapprove is not even subject to any rule of the Senate specifying additional qualifications of which the States have notice at the time of selecting their Senators, but it is said to be absolute in each case as it arises, uncontrolled by any canon or theory whatever.

Anyone who takes the trouble to examine the history of the clause of the Constitution as to the qualification of Senators must admit that it was the result of a compromise.

I think that Senator Knox was depending upon the very arguments I have

read to the Senate this afternoon from Madison and the other framers of the Constitution.

The quotation from the statement by Senator Knox continues:

> The contention that the States should be the sole judges of the qualifications and character of their representatives in the Senate was acceded to with this limitation: A Senator must 30 years of age, 9 years a citizen of the United States and an inhabitant of the State from which he is chosen. Subject to these limitations imposed by the Constitution, the States are left untrammeled in their right to chose their Senators. This constitutional provision secures a measure of maturity in counsel, and at least a presumption of interest in the welfare of the Nation and State.

Probably Senator Knox read the great opinion of John Quincy Adams before he gave utterance to that expression on the floor of the Senate. I read it to the Senate this afternoon.

Senator Knox further said:

> By another provision—namely, that relating to expulsion—the Constitution enables the Senate to protect itself against improper characters by expelling them by a two-thirds vote if they are guilty of crime, offensive immorality, disloyalty, or gross impropriety during their term of service.
>
> I specify these reasons because I cannot imagine the Senate expelling a member for a cause not falling within one of them.
>
> * * * * *
>
> I know of no defect in the plain rule of the Constitution for which I am contending. I know of no case it does not reach. I cannot see that any danger to the Senate lies in the fact that an improper character cannot be expelled without a two-thirds vote. It requires the unanimous vote of a jury to convict a man accused of crime; it should require, and I believe that it does require, a two-thirds vote to eject a Senator from his position of honor and power, to which he has been elected by a sovereign State.
>
> The simple constitutional requirements of qualification do not in any way involve the moral quality of the man; they relate to facts outside the realm of ethical consideration and are requirements of fact easily established. Properly enough, therefore, as no sectional, partisan, or religious feeling could attach itself to an issue as to whether or not a man is 30 years of age, had been a citizen of the United States and an inhabitant of a State for the periods prescribed, the decision as to their existence rests with a majority of the Senate—

Simple, reasonable qualifications that do not require anything but a good-faith examination and an early conclusion as to whether they exist.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator is now discussing the question of expulsion, and he has just read a very excellent opinion by former Senator Knox. Assuming that Senator LANGER had been asked to stand aside on January 3, 1941, and never had been permitted to take the oath, would the Senator from Utah still contend that under those circumstances we should have to vote him out by a two-thirds vote?

Mr. MURDOCK. I take the position that we have absolutely no right to ask a Senator clothed with the proper credentials from his State, and possessing the qualifications provided in the Constitution, to stand aside.

Mr. LUCAS. I can understand the Senator's position; but, if we are to follow the precedents of the past, we must remember what they show. Upon 29 different occasions Senators have been permitted to take the oath, and afterward have been investigated; on 16 occasions in the history of this country a Senator-elect has been told by the Senate, "You shall stand aside while we investigate the charges; and thereafter we shall either deny you the oath or administer the oath to you."

We must consider the precedents and the fact that the Senator-elect was permitted to take the oath makes absolutely no difference on the question of exclusion or expulsion. In my humble opinion, the result is the same. The question is still one of exclusion. It will be distinctly remembered by Members of the Senate that on the opening day, when Senator LANGER came here, because of the fact that at that time certain charges had been filed against him, charges which were automatically submitted to the Committee on Privileges and Elections, the senior Senator from Kentucky [Mr BARKLEY] said:

> I ask that he be permitted to take the oath without prejudice, which is a two-sided proposition—without prejudice to the Senator and without prejudice to the Senate in the exercise of its right—

The RECORD shows that on that day the Parliamentarian of the Senate, following a colloquy between the senior Senator from Vermont [Mr. AUSTIN] and another Senator, held that a majority vote would be all that would be necessary to exclude Senator LANGER. Of course, his opinion is not binding upon the Senate.

Mr. MURDOCK. My answer to the Senator is one which I have made two or three times before in the Senate: If the Senate ever adopted the precedent contended for by the Senator—that the Senate has the right to ask a Senator-elect clothed with proper credentials and having the constitutional qualifications to stand aside—it misconstrued its powers, because it has not such power.

I take the position that under the Constitution we have no power to ask a Senator-elect to stand aside, if there is no question as to his constitutional qualifications or regarding his election, or regarding his having the proper credentials. Under the Constitution we are bound to let him take the oath of office. If, thereafter, he does anything that is wrong or disorderly, we have the right to expel him. But once the Constitution is misconstrued, once Senators start to assert the inherent powers referred to—the power to tell Senators-elect to stand aside, even though they have the constitutional qualifications and credentials—the Senate must remedy such misconstruction of the organic law. In my opinion the adoption of a fallacious procedure comes back today, and will continue to come back, to plague the Senate in matters of this kind.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. MURDOCK. Yes; I yield.

Mr. LUCAS. Let me cite an example which probably would not occur, but which might occur: A Senator is elected by his people, and, following his election, he is given all the necessary credentials by the Governor of the State; but 3 days before he arrives here he commits first degree murder, and admits it. Under the theory of the Senator from Utah there would be nothing the Senate could do but admit him and expel thereafter?

Mr. MURDOCK. That is my position.

Mr. LUCAS. I thank the Senator.

Mr. LA FOLLETTE. Mr. President, will the Senator yield.

Mr. MURDOCK. First let me answer the Senator from Illinois. I am rather pleased that he brought up the question.

Let us see how it would work out. A man is elected in his State, he has all the constitutional qualifications, he comes here with his credentials, but a few days prior to his coming here, for some reason or other, he commits murder, as the Senator has said. The Senator contends that the Senate should be able to exclude him by a majority vote?

Mr. LUCAS. No; I am not talking about that; I am talking about his admission at the door there. The position the Senator from Utah takes is that it does not make any difference what a Senator does in the way of crime, that whenever he is elected by the people of his State, comes here with bona fide credentials, and there is no fraud in the election, the Senate cannot refuse to give him the oath. That is the position the Senator takes?

Mr. MURDOCK. That is my position; yes.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I should like to make a further observation.

Mr. CONNALLY. Very well.

Mr. MURDOCK. Let us see what would happen. The man who has committed a murder comes here with all proper credentials and qualifications. I cannot conceive, as Senator Knox has said, that we have a right to try the murder case before we allow him to come here and take the oath.

After a Senator takes the oath, after he becomes a Member of this distinguished body, after he is cloaked in the senatorial toga, then suppose he walks right out of this Chamber and commits a murder while a Senator of the United States. Can he by a majority vote be kicked out? Can he be excluded because he has committed a murder? Of course he cannot be. If there is any reason for a man being an exemplary citizen, if there is any reason in the world that should make him live a moral, clean lawful life, it is after he has taken on the toga of a Senator and assumed his duties here. The position for which the Senator contends is that if he is elected and comes here and a few days before he gets here he committed murder, we can exclude him by a majority vote, but, after he becomes one of us, if he commits a murder, the only way he can be excluded is by a two-thirds vote.

I do not think that the framers of the Constitution ever intended that there should be any such distinction.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. I was out of the Chamber for a while, and the Senator has practically answered the question I had in mind to ask him. I was going to ask him this question: Suppose a man 20 years ago committed an offense—there is no statute of limitations here, but statutes of limitations prevail in the States—suppose he had lived an exemplary life thereafter and had behaved himself; he is elected to the Senate; the contention of the opposition is that the Senate could exclude him on that showing by a majority vote, but a month after he takes his seat here, if he committed the same crime, it would take a two-thirds vote to oust him. Is there any consistency of thought in that sort of a contention?

Mr. MURDOCK. I cannot believe that the framers of our Constitution contemplated any such result.

Now, let us take a further example. If we have the right to go into the moral character or the intellectual ability of a Senator-elect, then do we not have the corresponding duty to do it? Think that over. What would be the result? Every Senator-elect, then, would have his enemies in his own State; we have a right, under the contention of the majority, to go on these fishing trips; if we have the right, we have the duty; and if we have the right and the duty, then what do we become? We become the triers of the moral and the intellectual life of every Senator-elect from the cradle to the time of his election. Who is going to concede that? Who is going to contend for that?

Now, I wish to submit another example.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. Let me give the further example, if the Senator please. If we have a right, as the majority contend, to exclude a man on moral or lack of moral qualifications or intellectual qualifications, then I ask, does the element of time make any difference? Does the element of time have anything to do with the moral character of Senator LANGER? The reason I ask that question is this: Let us suppose that Senator LANGER is guilty of bribery; he is elected to the Senate of the United States; he comes here and nobody questions his right to come into the Senate until after he gets here and until after he is a full-fledged Senator. Then, would the majority contend that, because of his immorality, because of his crime, we could exclude him on the ground that we did not know of the immorality at the time he took his seat? Certainly not. They do contend, however, that if his enemies get here before the time he takes the oath, then we can exclude him if they make the charges against him. I say, that if the matter involved is one of moral qualifications or intellectual qualifications, then the time element should not enter into it. If we can exclude for immorality or crime, then what difference does it make as to the time we find it out?

Did the framers of the Constitution contemplate that if the enemies of a Senator-elect got here ahead of him before he took the oath, and filed a few affidavits, he could be excluded by a majority vote, but, if he beat them to the mark, and got here before they were ready with their charges, and the Senator got in, then a two-thirds vote would be required to expel him?

Then, take the other step, which is that if after a Senator gets here he commits bribery, it would also take a two-thirds vote to expel him after he becomes a Senator.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. Of course, if the position of the Senator is correct, it simply means that in the future every man who comes here whose credentials are questioned or who has any charges filed against him whatsoever, will be asked to step aside and be denied the right to take the oath. He will not be in the Senate so long tions, and during that time the State from which he was elected will be without representation, as the Constitution contemplates.

Certainly the Senator would not contend that if Senator-elect LANGER had not been permitted to take the oath, it would require the constitutional two-thirds majority to oust him and vacate the seat. Frank Smith did not become a Senator from my State because the Senate would not permit him to take the oath in the beginning. So, all that was necessary to do was by a majority vote to exclude, notwithstanding he came here by appointment of the Governor of the State which was in no way questioned. There was no fraud in the appointment but the Senate said, "You shall stand aside; you cannot take the oath, Mr. Smith, even though you have been appointed by the Governor of your State. Your credentials are unquestioned but you will not be permitted to take the oath." They referred it to the Committee on Privileges and Elections. It could only have been upon the theory of fraud in the excessive spending of money, which was moral turpitude insofar as it affected a bona fide appointment. I urge the Senate to consider the necessity of the majority leader having to adopt the hard and fast rule of having every Senator against whom charges are preferred stand aside.

Mr. MURDOCK. As I have said before, I am glad the Senator from Illinois gets some comfort out of the Smith case.

Mr. LUCAS. I do get comfort out of it.

Mr. MURDOCK. I am happy the Senator does. I do not care to yield further at this time. I want the Senator to get all the comfort he can out of the Smith case, but I still take the position that the framers of the Constitution did not contemplate any such proceeding as that with which we are now confronted.

I further take the position that the precedent on which I stand is the Smoot case, in which the Senate permitted the Senator-elect to take his seat, let him take the oath, and then began an investigation of the charges made against him. But when the question of unseating him arose, the Senate adopted a substitute resolution, notwithstanding the recommendation of the majority of the committee. Just as in the case before us, the majority of the committee in the Smoot case recommended his exclusion, but the Senate said, "No." Senator Knox contended, as I stated a few moments ago, that he did not think any Senator would seriously state that Senator Smoot could be expelled except by a two-thirds vote.

There we had the ultimate action of the Senate in a case which, in my opinion, is a precedent in the instant case. The Senate held in that case, notwithstanding the fact that Senator Smoot was permitted to take his seat, notwithstanding the recommendation of the Committee on Privileges and Elections, that the Senate could not expel him except by a two-thirds vote.

Mr. LUCAS. Will the Senator yield for a further observation in connection with that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. I thank the Senator. With respect to the Reed Smoot case, I wish to call the attention of the Senate to the two cases which came out of Utah.

Mr. MURDOCK. I hope the Senator will not take too long.

Mr. LUCAS. I want just a moment of the Senator's time. In the Brigham Roberts case, which, in the House of Representatives was identical with the Reed Smoot case in the Senate——

Mr. MURDOCK. Oh, no; it was not identical, and when the Senator makes that statement he is just as far away from the facts, in my opinion, as he is when he states what he considers to be the law in the Smith case.

Mr. LUCAS. I thought the Senator yielded to me.

Mr. MURDOCK. I do yield.

Mr. LUCAS. I am well aware that in the opinion of the Senator from Utah I know neither the facts in the Smoot and Roberts cases nor the law in the Smith case. I concede all that knowledge to my able friend. But once again I shall repeat what I submit the record shows.

It is true that the facts of the two cases are different. However, the basic principle of constitutional law is the same. In the Brigham Roberts case, he was charged with the actual practice of polygamy, having four wives, when elected. In the Reed Smoot case, he had only one wife, he led an exemplary life, but nevertheless he adhered to and believed in the doctrine of the Mormon Church which condoned polygamy.

In the Roberts case, the House of Representatives refused to permit Roberts to take the oath. They asked that he stand aside. They said:

> What is the use in permitting him to take the oath, and then, after he takes the oath, expel him by a two-thirds vote?

The House excluded Roberts by a majority vote.

In the Reed Smoot case, Smoot was admitted, and he qualified by taking the oath. The moment he became a Senator he immediately came under the constitutional provision of expulsion, provided his conduct was such that the provision was violated. Those defending Smoot said that the belief in polygamy was a continuing offense, and, once a bona fide member of the Senate, he could not be excluded for an offense then

committed, but expulsion was the only remedy. This was Senator Knox' position.

Mr. MURDOCK. I am unable to agree with the Senator in his statement of the two cases.

Mr. LUCAS. There is no doubt about it.

Mr. MURDOCK. There is not in the Senator's mind. I know, but he must accord to me the same right I accord to him, that is, the right to arrive at my own conclusion. I do not think the Senator has adhered closely to the facts in either case. I think the question of polygamy in the Smoot case was absolutely eliminated by the Committee on Privileges and Elections, and it was so stated on the floor of the Senate. The distinction I make—and I made it this morning in regard to the Roberts case—is that there was a continuing offense, which was not denied by Roberts. So, of course, it is not a precedent for the Langer case today.

Let me make one further suggestion to the Senate. As to the time element—and I think it is important in arriving at a proper conclusion in the case—suppose Senator LANGER had resided in the State of California during his youth and his early manhood. Suppose while he was there he had been arrested and convicted of the crime of embezzlement. Years pass. He goes to North Dakota, becomes an exemplary citizen there, lives a moral life, and because of his courage and because of his other virtues, the people of North Dakota elect him to the Senate of the United States. Let us assume that no one here knows anything about his conviction for felony in California. He comes here and becomes a Member of the Senate. After arriving on the floor of the Senate he is recognized by someone from California who immediately says, "That is the same BILL LANGER who was convicted of embezzlement in California." Could we then get rid of him as a Senator by a majority vote? Of course not.

Mr. CLARK of Missouri. Mr. President——

Mr. MURDOCK. Permit me to finish the analogy I wish to make; and I hope I make myself clear, although it is a rather difficult comparison to make. What I stress is that if we have a right to go into the moral qualifications of a man, then the time element should not come into the picture. If a man is convicted of crime, no one may know about the fact, but he is convicted, he is a criminal, because a jury of his peers have convicted him. He gets into the Senate, notwithstanding his conviction, and it takes a two-thirds vote to expel him. But if he commits the same crime, and we are apprised of that fact, under the contention of the majority, before he takes his oath, we have a right to exclude him by a majority vote. The point I make is that if the question is one of moral qualifications, why should there be a difference simply because of the time of discovery of the immorality? I cannot follow the kind of reasoning of those who make such a contention. I cannot believe that the framers of the Constitution ever contemplated any such inconsistency.

Mr. CLARK of Missouri. Mr. President, will the Senator now yield?

Mr. MURDOCK. I yield.

Mr. CLARK of Missouri. To add another example to the several very apt illustrations the Senator from Utah has used, would it not be true that if the Senate by a majority vote could exclude a Member who had been sworn in—and I do not think that fact makes any difference, so far as the illustration I am giving is concerned—if it took something he did in the trial of a lawsuit 15 or 20 years ago; that is to say, if the transaction was not cured by his election by the people of any State, such as North Dakota, it would follow, would it not, that if he went home and was elected again, the same thing he did 15 or 20 years ago would still be a bar to his admission to the Senate? It does not seem to me it could be cured any more by two elections or three elections or four elections than by one election. Would it not follow that the practice would amount to bringing a bill of attainder against a man, and if his State desired to elect him again, would result in depriving a sovereign State of the Union of its equal representation in the Senate without its consent?

Mr. MURDOCK. The Senator is correct.

Mr. CLARK of Missouri. There is no escape from that conclusion.

Mr. MURDOCK. We are a great Christian country, and certainly if a man commits a crime, is convicted, and serves his time, and then lives a moral life, he is entitled to forgiveness, and to some degree of consideration.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. PEPPER. I wish to ask a question only for information, because unfortunately I have not heard all the Senator's able argument.

Is it the Senator's position that under section 5, article I of the Constitution, which gives each House the authority to be the judge of the elections, returns, and qualifications of its own Members, each House would have the authority to determine that a man did not possess the necessary qualifications if something occurred up to the time when the person became actually a Member of the body, so that for any conduct occurring prior to the time he presented himself to become a Member of the Senate only a majority vote would be required, under the section to which I have referred; but, under a further provision that "each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member"—expulsion for any misbehavior or unseemly conduct after one became a Member would require a two-thirds vote?

Mr. MURDOCK. My position is that we do not have the right to exclude anyone who comes here clothed with the proper credentials and possessing the constitutional qualifications. My position is that we do not have the right under the provision of the Constitution to which the Senator from Florida referred, to add to the qualifications. My position is that the State is the sole judge of the intellectual and the moral qualifications of the representatives it sends to Congress.

Mr. PEPPER. Let us assume that there was a given reason why the Senate did not deem a Senator to possess the necessary qualifications—whether it be a deficiency, or the commission of some offense. Under the power to determine the qualifications, the criterion would be the time element, would it not? That is, if the qualification which it was complained he lacked to justify his membership in the Senate was a deficiency, or a lack of qualification occurring prior to the time he became a Senator, then only a majority vote would be needed to exclude him.

Mr. MURDOCK. Let us consider a concrete example: Let us suppose that a man comes here with proper credentials, and supposedly having all the constitutional qualifications; but let us further suppose that before he takes the oath someone who is well acquainted with him comes here and says, "This man is not eligible to be a United States Senator because he has not been a citizen of the United States for the number of years prescribed in the Constitution." Of course, that man can be excluded by a majority vote.

I will go further and say that even if he got into the Senate and took the oath of office, if it could then be shown that he lacked the citizenship qualification, or the inhabitancy qualification, or the age qualification, we could still exclude him by a majority vote? Why? Because he is absolutely ineligible under the Constitution to be a Member of the Senate.

Mr. PEPPER. That was a deficiency existing prior to the time he took his oath.

Mr. MURDOCK. Yes.

Mr. PEPPER. But if the disqualification occurred after he became a Senator, that is, if he became deranged, or committed an offense, then that would be a case for expulsion, and would require a two-thirds vote.

Mr. MURDOCK. Yes.

Mr. PEPPER. So the criterion, then, is time—whether the thing complained of occurred before he became a Senator or after he became a Senator.

Mr. MURDOCK. No; I do not think the element of time enters into the constitutional qualifications. I do not think it makes any difference, so far as time is concerned, when we discover that a person, whether he is in the Senate or has not been admitted——

Mr. PEPPER. No; I mean whether the thing complained about as constituting a lack of qualification existed prior to the time he became a Senator or occurred subsequent to the time he became Senator.

Mr. MURDOCK. I do not know that I follow the Senator.

Mr. PEPPER. The Senator spoke a minute or so ago about imagining that one had committed an offense. If he had committed a homicide, for example, prior

to coming to the Senate, then the Senate would have the power to find, by a majority vote, that the commission of that offense constituted a lack of qualification.

Mr. MURDOCK. No; I take the opposite view. I take the position that the Senate has no right under the Constitution to go into the morals of the Senator-elect.

Mr. PEPPER. I see. The Senator construes section 5, or article I, which gives each House the power to judge of the qualifications of its Members, to be limited to the things prescribed in the Constitution?

Mr. MURDOCK. Yes.

Mr. PEPPER. I thank the Senator.

Mr. MURDOCK. The Senator from Florida states the matter very clearly.

I read further from Senator Knox's statement, which I do not think I had completed:

> The simple constitutional requirements of qualification do not in any way involve the moral quality of the man.

I may say to the distinguished Senator from Florida that I am now reading from the argument made by Senator Knox in the Smoot case, which appears on page 49 of the minority views. I continue reading:

> They relate to facts outside the realm of ethical consideration and are requirements of facts easily established.
>
> A man's age, his citizenship, his inhabitancy—those things are easily ascertained.
>
> Properly enough, therefore, as no sectional, partisan, or religious feeling could attach itself to an issue as to whether or not a man is 30 years of age, had been a citizen of the United States and an inhabitant of a State for the periods prescribed, the decision as to their existence rests with a majority of the Senate. When, however, a different issue is raised dehors the Constitution upon allegations of unfitness, challenging the moral character of a Senator, involving a review of questions considered and settled in the Senator's favor by the action of his State in electing him, then the situation is wholly changed, and a different function is to be performed by the Senate calling for its proper exercise, the highest delicacy and discretion in reviewing the action of another sovereignty.
>
> If I were asked to state concisely the true theory of the Constitution upon this important point, I would unhesitatingly say—

This is what Senator Knox said was his construction of the Constitution, and I think it is worth while to consider it:

> First. That the Constitution undertakes to prescribe no moral or mental qualification, and in respect to such qualifications as it does prescribe the Senate by a majority vote shall judge of their existence in each case, whether the question is raised before or after the Senator has taken his seat.

In other words, if the question of age is raised, if the question of citizenship is raised, if the question of residence is raised, whether before the Senator takes his oath or after, all that is required for a decision of such a question is a majority vote.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. MURDOCK. Yes.

Mr. PEPPER. I was wondering if we could find the protection which the Senate would feel justified in asking for under that interpretation, in the probability that any offense involving serious moral turpitude would have constituted such a legal offense in the State of a man's election that he would probably have become convicted of a crime which would have made him ineligible to be an elector and, therefore, ineligible to be a Senator, so that the Senator's interpretation would not leave the Senate without probable protection under the law of any ordinary civilized State?

Mr. MURDOCK. I think it is stated in a report of the Judiciary Committee of the House that the State certainly is not going to send convicted felons here, nor is it going to send idiots, nor persons absolutely physically disqualified to carry on the duties of a Senator. I think an attempt to construe the Constitution in the light of a presumption that a State may elect a moral pervert, or a felon, or an idiot, or a man physically disqualified to come here and perform his duties, would be a very strained construction of the Constitution. I continue to read:

> Second. That as to all matters affecting a man's moral or mental fitness the States are to be the judges in the first instance, subject, however, to the power of the Senate to reverse their judgment by a two-thirds vote of expulsion when an offense or an offensive status extends into the period of senatorial service, and such a question can only be made after the Senator has taken his seat.

Mr. LUCAS. Mr. President, will the Senator yield at that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator read:

> When * * * an offensive status extends into—

the Senator's term.

That is the very point I tried to make awhile ago.

Mr. MURDOCK. If the Senator will obtain a copy of the minority views—I do not know whether he has taken enough interest in them to read them——

Mr. LUCAS. Oh, he certainly has.

Mr. MURDOCK. This is what Senator Knox said, and I read it again:

> Second. That as to all matters affecting a man's moral or mental fitness the States are to be the judges in the first instance, subject, however, to the power of the Senate to reverse their judgment by a two-thirds vote of expulsion when an offense—

In the Roberts case the offense he was charged with continued right up to the point of the presentation of his credentials.

Mr. LUCAS. Did it in the Smoot case?

Mr. MURDOCK. I continue reading:

> When an offense or an offensive status extends into the period of senatorial service, and such a question can only be made after the Senator has taken his seat.

I know some Senators who take a very similar position; I think Senator Knox took the position that if an offense exists at the time the credentials are presented, and it is carried over into the service of the Senator, then the Senate has the right to expel by a two-thirds majority.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. MURDOCK. Yes; I yield.

Mr. LUCAS. I do not disagree with the Senator upon that proposition. I agree with him when an offense continues over into the service after he takes the oath. That is exactly what happened in the Reed Smoot case. But on the question of moral unfitness——

Mr. MURDOCK. What was in question in reference to Smoot? Was it intellectual unfitness or moral unfitness?

Mr. LUCAS. Moral unfitness.

Mr. MURDOCK. Yes.

Mr. LUCAS. For the benefit of those who did not hear it, let me read what I said in the Senate last Friday:

> It will be noted that Senator Knox took the position that a Senator-elect could not, for moral unfitness, be excluded by a majority vote even if it should be done prior to taking the oath. In this he differs from the majority of the committee in the Roberts case, differs from the precedents above discussed, and differs from the prevailing views expressed at length in the Smith case. However, he was logically obliged to adopt that position if he were to maintain the proposition that a majority vote was not sufficient after the oath had been taken.

Mr. MURDOCK. That is the Senator's construction of Senator Knox's position. As I have previously stated, I cannot agree with him in that construction. The position stated by Senator Knox, that a two-thirds vote is required to expel if a Senator possesses the constitutional qualifications, was adopted by the Senate.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. PEPPER. I was interested in the language which the Senator read. I obtained the impression from the reading of it by the Senator that the continuing offense referred to meant an actual continuity of wrong. For example, if one were a disturber of the peace outside, and continued to be a disturber of the peace inside the Chamber; or if outside the Chamber one believed in the overthrow of the Government by violence, and inside the Chamber also advocated the overthrow of the Government by violence, there would be a continuity of wrong. That is the kind of continuity which would bring the offense through the doors of the Chamber. However, section 5, which refers to misbehavior which would justify expulsion, does not mean that a person who possesses a character which at some previous time was capable of misbehavior has committed an offense in the Senate. It refers to the place of commission of the act. I have not read all the record. Is Senator LANGER charged with having committed any such act since he became a Seinator?

Mr. MURDOCK. In answer to the Senator, let me read the resolution proposed by the majority of the committee. I think that in their zeal and in their desire to get away from the two-thirds vote they have overstepped themselves. They have strained at that point so persistently and tenaciously that, in my opinion, they overstrained or overdid themselves.

The first resolving clause is as follows:

> *Resolved*, that the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is

neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

In other words, it is proposed that we first resolve that he is a Member of the Senate, and that during the time he has been a Member he has not done anything to bring him within the two-thirds rule.

The second resolving clause is as follows:

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

That is considered a resolution of exclusion, requiring only a majority vote.

Mr. PEPPER. Does the Senator construe that language to mean that the committee has affirmatively found that since he has been a Member of this body Senator LANGER has been guilty of no offense involving moral turpitude or furnishing grounds for his exclusion by this body?

Mr. MURDOCK. The majority of the committee have not only come to that conclusion and stated it in the resolution, but they take nine pages of their legal brief to argue that point, when no Member of the Senate even questions it.

Mr. PEPPER. So, if he has committed any offense or possesses any lack of qualifications which would bar him from being a Senator, it must be something which occurred prior to the time he came here and presented himself as a Senator.

Mr. MURDOCK. That is the position of the majority.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I think it should be remembered that on the opening day, when Senator LANGER presented himself, objection was made, and he was given good treatment, whereas he might have been given what would have been considered bad treatment. He could have been told to stand aside until we had made an investigation and had made up our minds whether or not to let him have a seat at all; but the majority leader made a statement in which he said that the better practice was to let him be sworn without prejudice either to the Senator or to the Senate. Then a discussion ensued, and the Vice President said that according to his information on the parliamentary law of the situation, the Senate could later pass upon his qualifications by a majority vote.

It is not denied that a two-thirds vote would be required to expel him. I do not know any member of the committee who would not say that a two-thirds vote would be required to expel him. I think we all agree that he has committed no wrong since he has been a Senator. We did not try to determine whether or not he had. If he has done so we have not been advised of it.

Under the authority which the committee had—and I think the Senator from Utah and the Senator from Illinois will support this statement—we investigated the question as fully as we thought we were authorized to investigate it. If Senator LANGER committed offenses prior to his coming here, those offenses continued, or at least they have not been adjudicated so far as the Senate is concerned. The case was not brought by any member of the Senate Privileges and Elections Committee. It was brought by persons from North Dakota. Each side had representatives, lawyers, and ammunition; and so far as I know all hands agreed that the issue should be tried. The charge has been repeatedly made that somebody wants to do something to Senator LANGER which under the rules ought not to be done. I wish to disavow any such desire.

Mr. MURDOCK. I do not know of anyone who has made that accusation.

Mr. CHANDLER. It has been repeatedly made.

Mr. MURDOCK. By whom? Only two Senators have spoken—the Senator from Illinois [Mr. LUCAS] and myself.

Mr. CHANDLER. Numerous Senators have spoken.

Mr. MURDOCK. I certainly do not accuse anybody of violating any rules.

Mr. CHANDLER. I think Senator LANGER has been given good treatment by the Senate. His case has not been prejudiced by the Senate, because he was permitted to take the oath and be a Senator during the time the investigation and examination went on. The Senator is familiar with what the Vice President said. Objection was made to seating Senator LANGER and the Senator from Vermont [Mr AUSTIN] said:

Does this procedure waive any requirement of a two-thirds vote?

In the course of the debate the Vice President said:

The Parliamentarian advises the Chair that it does not. If this agreement is entered into, only a majority of the Senate will be required to pass on the qualifications of the Senator-elect.

That debate took place on the opening day. We were sincerely of the opinion—at least 13 of us were—that, so far as we knew, Senator LANGER had not committed any offense since he came to the Senate. However, the offenses which he was charged with committing before he came to the Senate have not been adjudicated by the Senate. They still stand until we pass on them one way or the other. Only a majority vote of the Senate would be required to determine whether he was guilty of those offenses to such an extent as to constitute moral turpitude. Is not that a fair statement of the situation, at least from the point of view of the majority?

Mr. MURDOCK. I think the Senator is always fair; and I have the highest regard for his ability.

I have the highest regard for the Parliamentarian of the Senate. I think that in the ordinary case we can be absolutely guided by him. However, when it comes to a construction of the Constitution, I, as a Senator, must reserve the right to construe it as I see it. I do not think that any statement by the Parliamentarian or by the Vice President is binding on me as a Senator. It is true that the Senator from Kentucky [Mr. BARKLEY] stated that when the Senator took the oath he did so without prejudice either to himself or the Senate; but in my investigation of these questions I cannot find any authority in any constitutional construction or precedent which gives the Senate the right to permit a man to come here as a Member and then exclude him, except by a two-thirds majority. I say that on that question the Smoot case is a precedent.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BARKLEY. Of course, if that were the rule of the Senate, the result would be that when anyone came here with his credentials and any question were raised as to his right to enter the Senate, the Senate, in order to protect itself, would be compelled to exclude him until the investigation were held.

Mr. MURDOCK. I cannot agree with that construction, with all due respect to the majority leader—and I have a profound respect for him.

Mr. BARKLEY. I appreciate that; but when a man comes here with credentials if all we can do is to examine the regularity of his credentials, find out how old he is, and how long he has lived in the State, then no matter what sort of question may be raised as to his election and his right to come here, if we permit him to take the oath we cannot pass upon that question originally. The only way we can pass upon it originally is by requiring him to stand aside.

Mr. MURDOCK. That is not my position. My position is that if the election is in question, of course he should not be allowed to come in. However, if we admit that his credentials are in order; if we admit—as we must in this case—that he has the constitutional qualifications, then I say that the Senate has no right under the Constitution to ask him to stand aside.

Mr. BARKLEY. I am trying to settle this matter for the future of the Senate, without regard to this particular case.

Mr. MURDOCK. I also am interested in properly settling this case for the future, so that it may be a precedent.

Mr. BARKLEY. If the Senate is to pass upon the question of whether a two-thirds vote is required to enable the Senate, after a man gets in, to do what it could have done by a majority vote before he got in, then certainly an important question is presented for decision to guide the Senate in the future. We could have excluded the Senator from North Dakota by a majority vote on the day he arrived with his credentials.

Mr. MURDOCK. My answer is that we could not rightfully have done so.

Mr. BARKLEY. Suppose, as is sometimes done, he had been asked to stand aside, and had refused to stand aside, but had demanded the right to take the oath. Does the Senator contend that we could not have prevented him from taking the oath except by a two-thirds vote?

Mr. MURDOCK. No. If we had then wanted to say to him, by a majority vote, "You cannot come in here," that action probably would have stood. There is no review of our proceedings; but we must not confuse the power with the right. I do not think we would have the right to do so, but we might have the power.

Mr. BARKLEY. In connection with a constitutional question of this kind we

are bound to assume that when the writers of the Constitution gave us the power to do a definite thing they also gave us the right to do it, if within the judgment of the Senate it should be done.

The point is that on the day when Senator-elect LANGER came to the Senate, we could have said to him, by a majority vote, "You cannot enter the Senate until the charges are investigated." Instead of doing so, as an act of courtesy, generosity, and even of justice, we said, "Very well, you can come in; but the Senate reserves the same rights to deal with you after you get in as it now has before you get in."

Is it the Senator's contention that, having admitted him in that tentative way, without prejudice either against him or against the Senate, we cannot now, except by a two-thirds vote, do what we could have done by a majority vote on the first day of the session?

Mr. MURDOCK. That is my position, that we have no right now to expel the Senator, except as provided by the Constitution. In support of my contention I call the Senator's attention to the case of former Senator Smoot.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr MURDOCK. I yield.

Mr. WHEELER. I think the Senator perhaps misunderstood or misconstrued the question the Senator asked. I take it that, under the Constitution of the United States, neither the Republican leader nor the Democratic leader nor any other Senator has a right to say to a Senator-elect, "Step aside." The Senator-elect can demand that he be sworn in. It is probable that under the Constitution we have the power to say to him by a majority vote, "We will not let you in." However, under the Constitution we have no right to do so unless there is involved a question of fraud in his election. But if it is a question of his morals, if it is a question of his intellect, we would not have a right by a majority vote of the Senate to say, "You cannot be sworn in."

Mr. MURDOCK. That is exactly what I meant.

Mr. WHEELER. I thought so, but it seemed to me that perhaps the Senator from Utah misunderstood the question.

Mr. MURDOCK. I thank the Senator for clarifying my position; he has stated it exactly.

Mr. BARKLEY. Of course, if that were to be the position of the Senate the Senate could not, except by a two-thirds vote, question on any ground whatever, except that of lack of age or other constitutional qualifications, the right of any Senator-elect to be admitted.

Mr. MURDOCK. No; except that if there were a contest of his election, or a charge that he did not have the qualifications required by the Constitution, of course, we would have the right to say, under the Constitution, "Your eligibility is questioned; you cannot be sworn in until we ascertain whether you are 30 years of age, whether you are a resident of the State of North Dakota, or whether you have been a citizen of the United States for the requisite number of years."

Of course, these are prerequisites to admission.

On the other hand, when a Senator-elect comes here without having any question whatever raised about his election or about his constitutional qualifications, I take the position that we have no right to exclude him on grounds of moral or intellectual disqualifications.

Mr. BARKLEY. As I recall the Smith case, which has been considerably discussed, it grew out of a question raised regarding expenditure of money in the primary election, not in the general election.

Mr. MURDOCK. That is correct.

Mr. BARKLEY. The Supreme Court had held that the Congress of the United States had no jurisdiction over primaries, and that therefore the title of Smith to his seat, as a result of the November election, could not be questioned, if no question was raised as to his election in November. The question which was raised, and which resulted in his exclusion, was not a question of legality, but a question of morals surrounding the primary, in which he spent a large sum of money—a matter over which Congress had no control. When he presented his credentials, his legal title to the seat was not involved, but the case necessarily turned upon the question of good morals in the conduct of a campaign over which Congress had no control. So that we are bound to get away from the theory that we can consider only the question of one's age, his residence, and the legality of the certificate, when he comes here as the result of an election which we can control, which is the general November election.

Neither Smith's age, his residence, nor the legality of his election in November, was involved when he came with his certificate. The only question was as to the conduct of the primary election, which did not involve the legality of the November election, but involved what the Senate evidently thought was a moral question in the expenditure of money and the source of the money in obtaining a nomination which entitled him to have his name placed on the ballot in November.

Mr. MURDOCK. I cannot agree with the distinguished Senator from Kentucky in his analysis of the facts in that case. About all I can do is to refer him to the resolution which was reported by the committee, which states emphatically why they recommended the denial of the seat; I think the gist of the offense charged was fraud and corruption in the election.

Mr. WHEELER. That is correct; what was actually involved in the Smith case was fraud and corruption in the way he secured his nomination.

Mr. BARKLEY. Yes; and, so far as the Senate was concerned, so far as his title to the seat here was concerned, that was a moral question, not a legal question.

Mr. WHEELER. I do not agree at all with the Senator from Kentucky on that point. I say that if the man obtained the nomination illegally, if he was corrupt in getting his name on the ballot, that was part and parcel of his whole election; and that is the way the Senate looked on the matter at that time.

If my recollection serves me correctly, what the Supreme Court said was that we did not have a right to pass a law governing the nominations and the fixing of the amount of money which could be spent, or something to that effect.

Mr. BARKLEY. No; that we had no control over primary elections; that they were not a part of the elective process which Congress could control or regulate. Personally, I did not agree with the decision; but it was a decision of the court and we have lived up to it since then.

Mr. WHEELER. I did not agree with the decision, and the Senate of the United States did not agree with it, because when the Senate threw out Mr. Smith it threw him out on the ground that the machinery which elected him was corrupt and a fraud upon the people of the State of Illinois. The Senate threw him out for that reason.

Mr. MURDOCK. Let me make this suggestion in answer to the remarks of the Senator from Montana: If a Senator fraudulently got his name on the ballot, then would he not carry the fraud into a general election with his name on the ballot?

I think all one has to do is to read the report of the committee on the Smith case to find that the committee at least thought, and the Senate supported them in the view, that the whole election, from the primary to the finish, was corrupt by reason of the vast amount of money used.

Of course, as to whether the Congress of the United States has a right to pass a law with reference to a primary election, that certainly is an entirely different question, and I do not see that it is involved.

Mr. BARKLEY. The question whether he won the primary election by fraud was a matter to be passed upon by the courts and the election authorities of the State of Illinois.

Mr. MURDOCK. No; I cannot agree to that. I think the Senate certainly has something to say about it.

Mr. BARKLEY. Oh, no; we have nothing to do with saying how a Senator shall get his name on the ballot in a general election.

Mr. MURDOCK. That may be true—that probably we could not write the laws and the rules for the primary elections; but certainly the Senate is the judge of the elections of its Members; and if there is corruption in getting a man's name on the ballot, corruption in securing a nomination carries over into the general election; and I think in that view I am supported by the action of the Senate and the report of the committee.

Mr. BARKLEY. I may be meticulous in attempting to draw a distinction between an illegal act and an immoral act. The question of whether Smith's name was rightfully on the November ballot in Illinois was not a question on which the Senate could legally pass.

Mr. MURDOCK. I cannot agree with the Senator in that.

Mr. BARKLEY. It could not pass a law that would keep his name off the

ballot; that is certain. The Senator will agree to that. Congress had not passed such a law; and we had no legal jurisdiction to review a man's nomination so as to determine whether he should get on the ballot in November. That is a matter for the State courts and the State election authorities to regulate.

Mr. MURDOCK. But the Senate ruled contrary to that in that very case.

Mr. BARKLEY. No; the Senate did not rule contrary to that.

Mr. MURDOCK. The Senator and I disagree as to that. I think it did.

Mr. BARKLEY. There is no question that Smith received the largest number of votes in November.

Mr. MURDOCK. No; there is no question of that.

Mr. BARKLEY. The Senate passed upon the question—which, in my judgment, was at least partly a moral question and not a legal question—that in obtaining the nomination, although satisfactory to the authorities of Illinois, or to a certain extent certainly it was not contested by the authorities of Illinois, he was guilty of immoral conduct in the course of the primary—conduct which vitiated his right to the nomination, even though he received the largest number of votes in November when his name was legally on the ballot in Illinois. I say that the case does involve a moral question, as well as a legal question.

Mr MURDOCK. I do not doubt that at all.

Mr. LA FOLLETTE. Mr. President, will the Senator from Utah yield?

Mr MURDOCK. I yield.

Mr LA FOLLETTE. Of course, it is very difficult, in reading the roll call which occurred in the Smith case, which arose in 1926 or 1927, if my recollection serves me correctly, to know what was in the minds of the various Senators who voted "yea" or "nay," but I think anyone who will read the record in the Smith case cannot escape the conclusion that what the Senate at least appeared to be doing at that time was to take the position that the Newberry decision of the Supreme Court, by a 5 to 4 vote, striking down an act of Congress setting up certain prohibitions against corrupt practices in primaries, was not to be binding upon the Senate. Furthermore, because of the constitutional provision which we have heard repeated so often in this case, that the Senate is the judge of the qualifications of its Members, the Senate took the view, the Supreme Court decision to the contrary notwithstanding, that the primary and the election were one continuous process, and that, if a committee of the Senate and the Senate itself determined that there was an excessive use of money in the primary, the nomination in the primary was therefore obtained as the result of the excessive use of money and of corrupt methods, the entire process had been corrupted, and that therefore the Senate, under the Constitution, was entitled to take that into consideration, and by a majority vote exclude a person who had presented himself here with credentials under such circumstances.

Mr. WHEELER. The Senator from Wisconsin is entirely correct. The Senate merely held that the election of Smith was fraudulent and corrupt, and that was why they threw him out. It may be that they had no right, under the Supreme Court decision, to say, "Because you got your nomination illegally, through fraud, you shall not be seated here." Possibly they had no right to say that, if they were following the decision strictly. But the Senate said, "Your election was fraudulent," and they included in the election the primary. Consequently the question in the Smith case was expressly a question of fraudulent election.

Mr. CLARK of Missouri. Mr. President, will the Senator from Utah yield for a suggestion along the line of a remark of the Senator from Wisconsin?

Mr. MURDOCK. I yield.

Mr. CLARK of Missouri. The Senator from Kentucky has stated that the Senate had no jurisdiction over the question of the primary election; but the Senate had asserted jurisdiction over the primary election and had assumed jurisdiction over the primary election by its investigation into contributions in Illinois, Pennsylvania, and other States, and by the original appointment of the Reed committtee. What right did the Reed committee have to go around and investigate into the primary if the Senate had no jurisdiction over it? The whole basis of the investigation of the Reed committee, which was also the basis of the action subsequently taken by the Senate itself in the Smith case, was that the Senate did have jurisdiction over the primary, because it was part and parcel of the general election, by which the credentials were given Smith under which he came here and claimed the right to be sworn in.

If the Senator from Utah will yield for a further interruption, let me point out that it has been the practice of the Senate in every election year since the time of the Smith case to appoin a select committee, and to take the very jurisdiction the so-called Reed committee had in the two cases referred to.

Mr. BARKLEY. I do not wish to take the time of the Senator from Utah; perhaps he desires to suspend if he does not hope to conclude this afternoon, it now being after 5 o'clock; but where Congress has no legal jurisdiction to regulate the preliminary process, which might justify the Senate, if facts developed like those involved in the cases referred to, in excluding a Member-elect from the Senate, I think that there is involved as much of a moral question as of a legal question. That is the point I am undertaking to make.

Mr. MURDOCK. I thin' we are confusing two things: One is our right to pass a law controlling, or attempting to control, a primary election; the other is our constitutional jurisdiction over the question of fraud and corruption in an election. I have no doubt that the Supreme Court held as the Senator states, and I agree with the Senator that probably we had no right to prescribe rules or regulations by law for a primary election, but certainly that would have no bearing on our right to investigate a charge of fraud and corruption in an election; and, as the Senator from Wisconsin and the Senator from Montana have stated, if there is fraud and corruption in the primary, certainly it carries over into the general election.

Mr. BARKLEY. That is true; but it might be argued, on the contrary, that the fraud having been known to the people of Illinois when they elected Smith in November, therefore we were barred from considering it, because the people of Illinois had passed upon that question.

Mr. MURDOCK. It might be so argued, but the Senate might think differently.

Mr. BARKLEY. Does the Senator wish to suspend at this time?

Mr. MURDOCK. Let me finish reading the statement of Senator Knox, which is very brief, and then I shall suspend:

> If to this it is objected that it contemplates admitting a man who may be immediately expelled, I reply that it is hardly proper to adopt a rule of constitutional construction and senatorial action based upon the theory that the States will send criminals or idiots to the Senate. Besides, it does not seem to me to be conceding much to a State, after it has deliberately and solemnly elected a Senator after the fullest consideration of his merits, to concede on the first blush of the business the State's intelligent and honorable conduct by allowing its chosen representative admission to the body to which he is accredited.

Mr. President, I believe I may be able to conclude my legal argument in a very few minutes tomorrow, and I am sure that I can conclude the argument on the facts within an hour or an hour and a half at the most.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2208) to further expedite the prosecution of the war; that the House had receded from its amendments Nos. 45, 46, and 50 to the bill, and that the House further insisted upon its amendments Nos. 32 and 47 to the bill.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MURDOCK, from the Committee on the Judiciary:

Daniel B. Shields, of Utah, to be United States Attorney for the District of Utah; and

Gilbert Mecham, of Utah, to be United States Marshal for the District of Utah.

By Mr. VAN NUYS, from the Committee on the Judiciary:

James O. Carr, of North Carolina, to be United States Attorney for the Eastern District of North Carolina; and

Philip F. Herrick, of Puerto Rico, to be United States Attorney for Puerto Rico, vice A. Cecil Snyder, resigned.

By Mr. McFARLAND, from the Committee on the Judiciary:

Louis LeBaron, of Hawaii, to be associate justice of the Supreme Court, Territory of Hawaii, vice Samuel B. Kemp, who has been elevated to be chief justice; and

Carrick H. Buck, of Hawaii, to be judge of the first circuit, circuit courts, Territory of Hawaii, vice Louis LeBaron, whose term has expired.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committee, the clerk will state the nominations on the calendar.

PUBLIC HEALTH SERVICE

The Legislative Clerk read the nomination of Donald J. Hunt to be a surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Legislative Clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all confirmations.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 17, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 16 (legislative day of March 5), 1942:

COLLECTOR OF CUSTOMS

Frank J. Duffy, of Nogales, Ariz., to be collector of customs for Customs Collection District No. 26, with headquarters at Nogales, Ariz. Reappointment.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named doctors to be assistant surgeons in the United States Public Health Service, to take effect from date of oath:

John Warren O'Donnell
Stephen John Lange
Fred L. Wommack

APPOINTMENTS IN THE REGULAR ARMY

TO BE FIRST LIEUTENANTS, MEDICAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

First Lt. John Mitchell Willis, Jr., Medical Corps Reserve.

First Lt. Michael Joseph Hitchko, Medical Corps Reserve.

First Lt. Robert Hicks Holmes, Medical Corps Reserve.

First Lt. Arthur Joseph Carbonell, Medical Corps Reserve.

First Lt. Edward Jenner Whiteley, Medical Corps Reserve.

TO BE FIRST LIEUTENANTS, DENTAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

First Lt. George Nicholas Schulte, Dental Corps Reserve.

First Lt. Edwin Howell Smith, Jr., Dental Corps Reserve.

First Lt. Julius Calvin Sexson, Dental Corps Reserve.

First Lt. Frank Archer Mitchell, Dental Corps Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. Perry Cole Ragan, Infantry, with rank from November 29, 1940.

TO QUARTERMASTER CORPS

First Lt. James Lee Massey, Infantry (temporary major, Army of the United States), with rank from August 1, 1935.

TO CORPS OF ENGINEERS

Lt. Col. Edward Marion George, Quartermaster Corps (temporary colonel, Army of the United States), with rank from November 29, 1940.

Lt. Col. Wallace Marmaduke Allison, Quartermaster Corps, with rank from October 15, 1941.

TO ORDNANCE DEPARTMENT

First Lt. James Aloysius Cain, Jr., Field Artillery (temporary captain, Army of the United States), with rank from August 1, 1935.

TO CHEMICAL WARFARE SERVICE

First Lt. Ronald LeVerne Martin, Field Artillery (temporary major, Army of the United States), with rank from June 12, 1937.

TO AIR CORPS

Second Lt. James Arthur Plant, Corps of Engineers (temporary first lieutenant, Army of the United States), with rank from June 11, 1940.

Second Lt. William Thomas Seawell, Corps of Engineers, with rank from June 11, 1941

Second Lt. Howard Clarke Goodell, Corps of Engineers, with rank from June 11, 1941.

Second Lt. Kenneth O'Reilly Dessert, Field Artillery, with rank from June 11, 1941.

Second Lt. Hume Peabody, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Ben Isbel Mayo, Jr., Corps of Engineers, with rank from June 11, 1941.

Second Lt. Robert Merrill Tuttle, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. John Langford Locke, Field Artillery, with rank from June 11, 1941.

Second Lt. Wayne Edgar Rhynard, Infantry, with rank from June 11, 1941.

Second Lt. Charles Edwin Jones, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. John Miles Henschke, Coast Artillery Corps, with rank from June 11, 1941

Second Lt. David Ernest Kunkel, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Clarence Lewis Elder, Infantry, with rank from June 11, 1941.

Second Lt. Robert James Colleran, Signal Corps, with rank from June 11, 1941.

Second Lt. Floyd Sturdevan Cofer, Jr., Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. Willis Bruner Sawyer, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. John Adams Brooks 3d, Field Artillery, with rank from June 11, 1941.

Second Lt. Clifford Elbert Cole, Infantry, with rank from June 11, 1941.

Second Lt. Eric Thomas de Jonckheere, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. William LeRoy Mitchell, Jr., Coast Artillery Corps, with rank from June 11, 1941

Second Lt. Leon Herman Berger, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. George Hamilton Stillson, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Edwin Watson Brown, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. Paul Rutherford Larson, Cavalry, with rank from June 11, 1941

Second Lt. Herbert Welcome Frawley, Jr., Signal Corps, with rank from June 11, 1941.

Second Lt. Jack Leith Bentley, Cavalry, with rank from June 11, 1941

Second Lt. Andrew Julius Evans, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Robert William Horn, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. Walter Leon Moore, Jr., Coast Artillery Corps, with rank from June 11, 1941

Second Lt. Richard William Kline, Cavalry, with rank from June 11, 1941.

Second Lt. Paul James O'Brien, Infantry, with rank from June 11, 1941

Second Lt. Thomas Rees Cramer, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. William Wallace Brier 4th, Infantry, with rank from June 11, 1941.

Second Lt. Clinton Field Ball, Infantry, with rank from June 11, 1941

Second Lt. Rob Reed McNagny, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Fred Milas Hampton, Quartermaster Corps, with rank from June 11, 1941.

Second Lt. Charles Love Mullins, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. Charles Sumner Seamans 3d, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. James Henderson Dienelt, Field Artillery, with rank from June 11, 1941.

Second Lt. Gwynne Sutherland Curtis, Jr., Coast Artillery Corps, with rank from June 11, 1941

Second Lt. Horace Grattan Foster, Jr., Infantry, with rank from June 11, 1941.

Second Lt. John William Meador, Quartermaster Corps, with rank from June 11, 1941.

Second Lt. George Scratchley Brown, Infantry, with rank from June 11, 1941.

Second Lt. Richards Abner Aldridge, Coast Artillery Corps, with rank from June 11, 1941.

Second Lt. Joseph John Weidner, Infantry, with rank from June 11, 1941.

Second Lt. George Luther Hicks 3d, Infantry, with rank from June 11, 1941.

Second Lt. Edison Kermit Walters, Infantry, with rank from June 11, 1941.

Second Lt. Maxwell Weston Sullivan, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Charles Fuller Matheson, Infantry, with rank from June 11, 1941.

Second Lt. Thomas Goldsborough Corbin, Infantry, with rank from June 11, 1941.

Second Lt. Harry Canavan Harvey, Infantry, with rank from June 11, 1941

Second Lt. Roderic Dhu O'Connor, Infantry, with rank from June 11, 1941.

Second Lt. Edgar Mathews Sliney, Infantry, with rank from June 11, 1941.

Second Lt. Charles Edwin Thomas, 3d, Infantry, with rank from June 11, 1941.

Second Lt. Edwin Forrest Harding, Jr., Infantry, with rank from June 11, 1941.

Second Lt. Jean Albert Jack, Field Artillery, with rank from July 1, 1941.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonels with rank from March 1, 1942

Lt. Col. Harry Albert Flint, Cavalry (temporary colonel, Army of the United States).

Lt. Col. Walter Melville Robertson, Infantry (temporary brigadier general, Army of the United States).

Lt. Col. John Henry Lindt, Coast Artillery Corps (temporary colonel, Army of the United States).

Lt. Col. Pearl Lee Thomas, Cavalry (temporary colonel, Army of the United States).

Lt. Col. Sidney Vincent Bingham, Cavalry (temporary colonel, Army of the United States).

Lt. Col. Bird Spencer DuBois, Coast Artillery Corps (temporary colonel, Army of the United States)

Lt. Col. Isaac Spalding, Field Artillery (temporary brigadier general, Army of the United States)

Lt. Col. Harry James Maloney, Field Artillery (temporary brigadier general, Army of the United States).

Lt. Col. Henry Lytton Flynn, Cavalry (temporary colonel, Army of the United States).

Lt. Col. Robert Fee Hyatt, Field Artillery (temporary colonel, Army of the United States).

Lt. Col. Harold Marvin Rayner, Cavalry (temporary colonel, Army of the United States).

VETERINARY CORPS

To be captain

First Lt. Edward James Watson, Veterinary Corps, with rank from February 25, 1942.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 16 (legislative day of March 5), 1942:

UNITED STATES PUBLIC HEALTH SERVICE

Donald J. Hunt to be a surgeon in the Public Health Service.

POSTMASTERS

ALABAMA

Eugene Edward Haynes, Headland.

ALASKA

Marshall V. Rafferty, Skagway.

CONNECTICUT

Willis M. Nettleton, Guilford.

KANSAS

E. Leon Morain, Minneola.
Ruth A. Coleman, Sharon.

KENTUCKY

Mary E. Chaudoin, Buffalo.
Carolyn H. Grimes, Harrodsburg.

MICHIGAN

Robert B. Fair, Beulah.
Alden E. Derrie, Champion.
Tella C. Hunter, Gagetown.

NEW HAMPSHIRE

Daniel H. Goodwin, Hollis.

NORTH CAROLINA

Wilbur C. Ormond, Ayden.
Silas R. Nichols, Sparta.

VIRGINIA

Martha P. Walker, Denbigh.

WASHINGTON

Wilbur W. Washburn III, Neah Bay.
Jane W. Cody, Republic.

WISCONSIN

Clovis J. McGeehan, Ashland.
Gerald Scanlan, Fennimore.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

Col. Robert Hilliard Mills to be Assistant to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

TEMPORARY APPOINTMENTS IN THE ARMY OF UNITED STATES

TO BE LIEUTENANT GENERAL

Brehon Burke Somervell

TO BE MAJOR GENERALS

Lindsay McDonald Silvester
Charles Philip Hall
Wade Hampton Haislip
Franklin Cummings Sibert
Robert Henry Lewis
Alexander McCarrell Patch, Jr.
Orlando Ward
Glen Edgar Edgerton
Raymond Albert Wheeler
Russell Lamonte Maxwell
Jonathan Waverly Anderson
Albert Monmouth Jones

TO BE BRIGADIER GENERALS

Louis Emerson Hibbs
Douglass Taft Greene
John Bellinger Thompson
Eugene Manuel Landrum
Stafford Le Roy Irwin
Manton Sprague Eddy
Frederick Augustus Irving
James Allen Lester
Stanley Eric Reinhart
Fay Brink Prickett
Raymond Eugene McQuillin
Thomas James Camp
Robert Walker Grow
Raymond Oscar Barton
Jay Ward MacKelvie
Edward Mallory Almond
William Spence
Basil Harrison Perry
Withers Alexander Burress
Robert Alexis McClure
Ernest Nason Harmon
Alfred Maximilian Gruenther
Wilhelm Delp Styer
James Edward Wharton
Lucius DuBignon Clay
Charles Philip Gross
Paul Lewis Ransom
Raymond Alexander Kelser
Charles Everett Hurdis
James Richard Townsend
Charles Spurgeon Harris
La Rhett Livingston Stuart
Stanley Raymond Mickelsen
Arthur William Vanaman
William Ormon Butler
William Elmer Lynd
Raymond George Moses
Robert Meredith Perkins
Edwin Jacob House
Stuart Chapin Godfrey
Lewis Charles Beebe
Charles Duncanson Young
Ralph Waldo Coane

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Leon Calhoun Boineau.

TO QUARTERMASTER CORPS

Lt. Col. Maurice Vernon Patton.
Maj. Daniel Francis Healy, Jr.

TO FINANCE DEPARTMENT

Maj. Ernest Orrin Lee.

TO CORPS OF ENGINEERS

Lt. Col. Elmer Gwyn Thomas.
Capt. Carleton Merritt Clifford.
Capt. Jesse Huckett Veal.
First Lt. Gordon Pendleton Larson.

TO ORDNANCE DEPARTMENT

First Lt. Henry Jacob Katz.

TO COAST ARTILLERY CORPS

First Lt. Kenneth Edward Tiffany.

TO AIR CORPS

Second Lt. Everett Houston Ware.
Second Lt. Joseph Lee McCroskey.
Second Lt. Charles Leonard Peirce.
Second Lt. Fred John Ascani.
Second Lt. Richard Bradford Polk.
Second Lt. Clarence John Lokker.
Second Lt. Joseph Meryl Silk.
Second Lt. George Winfield Stalnaker.
Second Lt. Frank Ely Locke.
Second Lt. Alpheus Wray White, Jr.
Second Lt. Lanham Carmel Connally.
Second Lt. Richard Van Pelt Travis.
Second Lt. Charles Gleeson Willes.
Second Lt. Donald Vincent Thompson.
Second Lt. James Philip Walker.
Second Lt. Howard Frank Adams.
Second Lt. Joseph Scott Peddie.
Second Lt. David Burch Taggart.
Second Lt. Justus MacMullen Home.
Second Lt. Hamilton King Avery, Jr.
Second Lt. Joseph Scranton Tate, Jr.
Second Lt. Harry Lee Jarvis, Jr.
Second Lt. Bert Stanford Rosenbaum.
Second Lt. William John Hershenow, Jr.
Second Lt. Alden George Thompson.
Second Lt. Bruce Campbell Cator.

PROMOTIONS IN THE REGULAR ARMY

TO BE LIEUTENANT COLONELS

William Warren Welsh, Air Corps.
Arthur Ignatius Ennis, Air Corps.
Caleb Vance Haynes, Air Corps.
Jean Edens, Infantry.
Emil Frederick Kollmer, Quartermaster Corps.
LeRoy William Yarborough, Infantry.
Edward Bernard Schlant, Judge Advocate General's Department.
Richard Francis Stone, Quartermaster Corps.
James Norwood Ancrum, Infantry.
William Wallace Brier, Quartermaster Corps.
John Brandon Franks, Quartermaster Corps.
John Joseph Turner, Field Artillery.
Richard James Sothern, Field Artillery.
Orville Ervin Davis, Quartermaster Corps.
John Thomas McKay, Quartermaster Corps.
Percival Adams Wakeman, Signal Corps.
Herman Jackson Crigger, Field Artillery.
Floyd Thomas Gillespie, Signal Corps.
Charles Homer Martin, Cavalry.
William Henry Speidel, Infantry.
Robert Owen Montgomery, Field Artillery.
Sidney Frank Wharton, Infantry.
Stephen Eugene Bullock, Field Artillery.
Dayton Locke Robinson, Infantry.
Home. Banister Pettit, Corps of Engineers.
James Yancey Le Gette, Field Artillery.
Sherman Edgar Willard, Coast Artillery Corps.
Howard Samuel Paddock, Signal Corps.
Harold Arthur Bartron, Air Corps.
Joseph Albert Sullivan, Quartermaster Corps.
James Bryan McDavid, Quartermaster Corps.
Lloyd Henry Gibbons, Infantry.
Henry Elmer Sowell, Field Artillery.
William Stilwell Conrow, Cavalry.
James Webb Newberry, Infantry.
John Frederick Whiteley, Air Corps.
John Carson Grable, Signal Corps.

TO BE MAJORS

Cleveland Rex Steward, Medical Corps.
William A. Dains Woolgar, Medical Corps.
Karl Rosenius Lundeberg, Medical Corps.
Arthur Herman Corliss, Medical Corps.
Jonathan Milton Rigdon, Medical Corps.

TO BE CAPTAINS

Raymond Taylor Jenkins, Medical Corps.
Carl Bennett Stilson, Medical Corps.
Harold Thomas Little, Medical Corps.
Robert Nathan Lehman, Medical Corps.
Louis Franklin Saylor, Medical Corps.
Raymond Bender Croissant, Medical Corps.
Richard Stirling Bolten, Medical Corps.

TO BE COLONEL

George William Brower, Veterinary Corps.

TO BE FIRST LIEUTENANT

Howard Brim Nelson, Medical Administrative Corps.

TO BE COLONEL

Milton Omar Beebe, Chaplains, United States Army.

TO BE CAPTAIN

Ralph Mark Reed, Chaplains, United States Army.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 16, 1942

The House met at 12 o'clock noon.

Rev Edward T. Gilbert, pastor of St. Agnes Church, Washington, N. C., offered the following prayer:

In the name of the Father and the Son and of the Holy Ghost. Amen. We pray Thee, O God of might, wisdom, and justice, through whom authority is rightly administered, laws are enacted and judgments decreed, assist with Thy Holy Spirit of counsel and fortitude the President of these United States, that his administration may be conducted in righteousness and be eminently useful to Thy people over whom he presides, by encouraging due respect for virtue and religion, by faithful execution of the laws in justice and mercy, and by restraining vice and immorality. Let the light of Thy divine wisdom direct the deliberations of the Congress and shine forth in all the proceedings and laws framed for our rule and government, so that they may tend to the preservation of peace, the promotion of national happiness, the increase of industry, sobriety, and useful knowledge, and may perpetuate to us the blessings of equal liberty.

O God, from whom proceeds all holy desires, all right counsels, and just works, grant unto us, Thy servants, that peace which the world cannot give, that our hearts may be devoted to Thy service, and that being delivered from the fear of our enemies we may pass our times in peace under Thy protection. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, March 13, 1942, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6543. An act to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5945) entitled "An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin."

EXTENSIONS OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at two points, in one place to insert a letter from the Civilian Conservation Corps, and in another to insert an address which I expect to deliver on the radio tonight.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD some remarks by myself and also a brief statement by the Under Secretary of War; also a second request, to extend my remarks in the RECORD and to include brief excerpts from the hearings before the Committee on Ways and Means.

The SPEAKER. Is there objection?

There was no objection.

FORTY-NINE-CENT PENALTY ON WHEAT

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I arise to call the attention of the House to a decision of national importance, which was handed down Saturday by a special three-judge United States court, at Dayton, Ohio. This decision declared the 49-cents-per-bushel penalty on surplus wheat illegal; and prohibits the collection of such penalties by the Department of Agriculture under authority of the law passed by this Congress in May of 1941. The decision, which is far-reaching in its scope, came as a result of a suit filed by one of our former colleagues, Hon. Harry N. Routzohn, of Dayton, Ohio, on behalf of thousands of farmers in Ohio who were protesting the heavy and unfair penalty placed on surplus wheat. The court's decision will be of great satisfaction and benefit to the vast majority of the farmers of America.

SYNTHETIC RUBBER

Mr. WINTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks in the RECORD and include a statement by Mr. W. S. Farish, president of the Standard Oil Co. of New Jersey.

The SPEAKER. Is there objection?

There was no objection.

[Mr. WINTER addressed the House. His remarks appear in the Appendix.]

STRIKES AND THE WAR EFFORT

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. CARTWRIGHT addressed the House. His remarks appear in the Appendix.]

FORMER GOVERNOR GRAVES, OF ALABAMA

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRANT of Alabama. Mr. Speaker, astronomers say that so distant are many of the fixed stars from us that if one were extinguished its light would still linger for years on our earth. And the poet adds:

So when a great man dies
For years beyond our ken,
The light he leaves behind him lies
Upon the paths of men.

It is with profound regret and sorrow that I announce to the House the passing of former Governor Graves, of Alabama. Governor Graves has the distinction of having twice served his State as Governor. He was an officer in the World War and was deeply interested in the preparedness program of our country.

Governor Graves was a close friend of President Roosevelt, and at the time of his death was serving by request of the President upon an important national agricultural board.

He knew not only the great but he knew the humble. He was one of whom it can be said "he walked with kings and kept the common touch."

A great Frenchman once said:

The dead take into the next world clasped in their still cold hands only what they gave away in this world

Bibb Graves gave his life in service to his State and Nation. His motto was "Keep on keeping on." He kept the faith.

Someone has said:

I wrote my name upon the sand,
And trusted it would stand for aye;
But soon, alas, the refluent sea
Had washed my feeble lines away.

I carved my name upon the wood,
And after years returned again,
I missed the shadow of the tree
That stretched of old upon the plain.

The solid marble next my name
I gave as a perpetual trust;
An earthquake rent it to its base,
And now it lies o'erlaid with dust.

All these had failed; I was perplexed;
I turned and asked myself, what then?
If I would have my name endure,
I'll write it on the hearts of men.

Bibb Graves' name has been written on the hearts of the people of Alabama. He has been called the builder—a builder of schools, roads, and other worthy projects that insure the convenience and happiness of mankind.

Knowing Bibb Graves as I do, I believe that he would want and cherish this simple epitaph upon his tomb:

Bibb Graves,
The Builder.

Our sympathy is extended to his devoted wife and helpmate, the former Senator from Alabama, who is affectionately known as Miss Dixie.

EXTENSION OF REMARKS

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Speaker, also I ask unanimous consent to extend my remarks and include a statement on manganese in war.

The SPEAKER. Is there objection?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

STRIKES AND THE WAR EFFORT

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, I have become convinced that the bad situation of which the gentleman from Oklahoma [Mr. CARTWRIGHT] complains, is one that can only be cured by an aroused, inflamed, sustained public opinion. This governmental boordoggling, coddling of extremists, and particularly the racketeers in the ranks of labor must come to an end. I want the public to express itself, I want it to turn on the heat, and more heat and more heat, and compel the suspension, if not the complete abrogation, certainly for the duration of the war, of the 40-hour workweek, and force the outlawing of strikes against the Government.

The SPEAKER. The time of the gentleman from Georgia has expired.

LABOR LEGISLATION

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DISNEY. Mr. Speaker, I have with me this bale of letters, my last 3 days' mail on the subject of racketeering, strikes, and the suspension of the operation of the 40-hour week. This comprises about 4,000 communications all told. I would like to ask unanimous consent to have them inserted in the RECORD.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr DISNEY. No. I would like to, but I do not have time.

This expresses the inflamed and enraged attitude of the people which the gentleman from Georgia [Mr. COX] hoped would come about. They are enraged and inflamed. This was precipitated by the speeches of H. V. Kaltenborn and Donald Nelson a week ago Sunday on the subject of war production, followed by editorial comment in the papers of my State. The people are justified in asking "Why" when their sons are going all out for war.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. DISNEY. Mr. Speaker, is it proper for me to ask unanimous consent to insert all these in the RECORD?

Mr. COX. Reserving the right to object, what is it?

Mr. DISNEY. This is my last 3 days' mail on racketeering, strikes, and the suspension of the 40-hour week. It comprises about 4,000 communications.

Mr. COX. An indication of the feeling of the people in your district?

Mr. DISNEY. Yes, sir.

Mr. RANKIN of Mississippi. Mr. Speaker, I have no objection, if the gentleman will call attention to the fact that this legislation is now pending in the Senate.

Mr. RICH. Mr. Speaker, reserving the right to object, we cannot permit the RECORD to be filled up with communications from the gentleman's district, but I do hope that every district in the United States will back every Member of Congress in the same manner they have backed the gentleman from Oklahoma, and we will get action in the House of Representatives.

I object to inserting those in the RECORD, Mr. Speaker.

The SPEAKER. Objection is heard.

THE SOO LOCKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I take this time to inform the House that I have today introduced a House joint resolution instructing the Secretary of War to henceforth designate the new lock at Sault Ste. Marie, Mich., as the General Douglas MacArthur lock. I am introducing this resolution and sincerely hope that prompt action will be forthcoming thereon, because of the fact that I understand that it has been the long-established custom in the War Department not to name locks, dams, and similar construction projects after living persons. These, however, are unusual times and frequently require deviation from our past customs. In introducing this resolution I fully appreciate that this suggested honor is but a very minute tribute to the courage, energy, and patriotic devotion to duty exemplified by our Nation's No. 1 hero, General MacArthur. I do feel, however, that if this lock is to be immediately and henceforth known as the General Douglas MacArthur lock that it will serve as an inspiration to the efforts of everyone who will be employed in the construction and operation of this lock and that its earliest possible completion may be thereby stimulated. The demand for the services to be performed by this lock is immediate and of the greatest urgency, and the courageous defense of the Bataan Peninsula will serve as a daily reminder of the vital need for this new link in the chain of our armament for offensive warfare.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include reflections of an editor.

The SPEAKER. Is there objection?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at two points, and in one to include an editorial from the Milwaukee Journal and in the other to include an editorial from the Christian Science Monitor.

The SPEAKER. Is there objection?

There was no objection.

Mr. TERRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a short editorial.

The SPEAKER. Is there objection?

There was no objection.

LABOR LEGISLATION

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD Mr. Speaker, I thoroughly concur in what my colleagues have said about the suspension of the 40-hour week. Unfortunately there was no record vote made on that, and I want this record to show right here that I was one of the 60 or more Members who voted to suspend the 40-hour week. Our people are called upon to make additional sacrifices and to give up their way of living. I say that other people in this country should make the same kind of sacrifice.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, in one to include an editorial from the Springfield Union and in the other to include a news item from a Washington newspaper.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from the department commander of the American Legion of Louisiana.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brief editorial from the Herald Journal of Syracuse, N. Y.

The SPEAKER. Is there objection?

There was no objection.

LABOR LEGISLATION

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, a special three-judge court at Dayton, Ohio, in a 2-to-1 decision, has nullified the 49-cent penalty on wheat.

According to my understanding of this court decision, the wheat status now reverts back to what it was before the passage of Public, 74, Seventy-seventh Congress, approved May 26, 1941.

This is fortunate for the country, especially coming at this time, when the Nation is in its greatest peril.

The idea of the bureaucracy penalizing the farmers for raising bread would be wrong at any time, but to do this now, when a large portion of the world

is starving and when we ourselves are seriously threatened with a food shortage is so wrong that no words exist to describe it. If the present crop-scarcity program is not stopped, it can lose us the war.

NEW SLOGAN FOR CONGRESS

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I wish to propose the following new slogan for immediate adoption by the Congress:

A plague on politics, on red tape, on the demands of special pressure groups, and on quibbling, and a moratorium on social reform until we have won a smashing victory over our enemies.

It would not be comportable with the decorum of the House of Representatives for me to repeat verbatim the strong languag, that my constituents have used in asking me why the Congress does not act, immediately and decisively, to remove some of the stumbling blocks standing in the path of full and effective performance of our war-production program, but it is proper to paraphrase in milder language the questions relating to one of these stumbling blocks which looms large before us. I therefore put this question to the House, How in the name of high heaven can we expect to win the war by working 40 hours a week when all of our enemies are working 24 hours a day every day in every week?

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein in the Appendix the bill to which I referred.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUBVERSIVE PUBLICATIONS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article from the New York Tribune.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, I hold in my hand a reprint from the Washington Post of yesterday citing a list of about 10 pro-Nazi weeklies that are flourishing in this country today. These publications include within their columns all of the vile, filthy, dirty tripe that is being put out by Nazi and Axis short-wave propaganda broadcasts.

I believe wholeheartedly in freedom of the press and free speech, but I do not believe in freedom for treasonable publications in this country or freedom for treason; and I take this opportunity to call on the Attorney General of the United States to investigate this filth which is seeping into the mails all over the Nation.

[Here the gavel fell.]

STRIKES DURING WARTIME

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, prior to the election of the Seventy-seventh Congress I thought I had gone a little too far when I made a preelection statement to the effect that anyone who was to raise his hand and strike against the Government of the United States would be guilty of a treasonable act.

Since December 7, Mr. Speaker, I feel that such words were not too strong but rather were too weak and too supine. So at this time I reiterate that statement and say to the Congress that is is high time some action was taken to heed the protests we are getting from back home and to eliminate the strikes that are going on all over the country and hindering war production. We must back up the boys at the front with full-time production here at home.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I desire to submit three unanimous-consent requests: First, to extend my remarks in the RECORD and to include therein an editorial from the Memphis Commercial Appeal entitled "Let Us All Keep Faith"; second, to extend my own remarks in the RECORD and include an editorial from Saturday's Washington News entitled "Mr. Baruch Was Not Too Late"; and third, to extend my own remarks in the RECORD and to include therein an article by Mark Sullivan on the question of sugar.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent that on Tuesday next after the disposition of the legislative business of the day and other special orders I may address the House for 30 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. PIERCE addressed the House. His remarks appear in the Appendix.]

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent that at the conclusion of the other special orders for today I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

PETITION FROM OKLAHOMA

Mr. RIZLEY. Mr. Speaker, I hold in my hand a very brief petition, but it is signed by 4,842 people from one city in my congressional district. The petition is to the Congress of the United States and reads as follows:

This demand is made by the undersigned voters of Enid, Okla., and vicinity, who bitterly realize that Congress, through its cowardly persistence in refusing to take the necessary action to place our war production on an effective basis, has forfeited all rights to the customary courteous petition.

With the head of the New Jersey Congress of Industrial Organizations announcing that a complete investigation shows the war production plants of that State to be operating at only 50-percent capacity, and with this same condition prevalent throughout the United States, a Congress, bankrupt of public spirit, is betraying this country and its armed forces by an abject surrender to conscienceless labor leaders, reinforced by a farm bloc under a threat by the Congress of Industrial Organizations.

A 168-hour production week is necessary to win the war. We demand action. Forget politics. Produce or quit and come home. Then we can elect men who are not cowardly enough to sacrifice our $21-a-month soldiers to keep $10,000 jobs.

Mr. Speaker, I propose this afternoon to put the monkey on the back where it belongs as to who is really to blame for failure to enact effective antistrike legislation.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks at two points in the RECORD and in one to include a resolution and in the other to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, during the past several days members of the Oklahoma delegation in Congress, and I presume other delegations, have been deluged with letters and telegrams from our citizens at home protesting against the strike situation in

war industries and urging the suspension of the 40-hour law during the present grave emergency. Judging from the information I have, I am sure that I have received fewer letters than any of the other members of the Oklahoma delegation in Congress on this all-important subject. Possibly this is for the reason that during the past several months I have repeatedly and persistently criticized radical labor leaders and their contemptible attitude in failing and refusing to cooperate in speeding up of the national defense program.

More than once I have stood on this floor and demanded legislation to outlaw strikes and the suspension of the 40-hour week during the present grave emergency. We must have a full all-out war production program so that the United States can actually take the offensive in the near future and hasten the war to an early and successful end. I have been delighted to receive letters from home urging immediate and drastic action. I am pleased to know how the people of Oklahoma feel about the present war situation. I am especially glad to know that an overwhelming majority of citizens who have written me endorse my position on this issue. The record will show, Mr. Speaker, that many months ago, and that of course means long before Pearl Harbor, I took a definite position against strikes in defense industries.

It is needless for me to add that I have consistently supported labor legislation for normal times, including the 40-hour week, but these are not normal times. The Nation is now in a death struggle that will decide the destiny of our people for thousands of years hence. We cannot afford to take any chances on losing this war.

In discussing the subject of strikes at some length in June 1941, I warmly commended the President for ordering the Army to take over the North American Aviation Co. factory in Inglewood, Calif., where workers had gone on a strike. I also commended the President for ordering those strikers who refused to return to work despite the fact that they were receiving from $8.40 to $24 a day, to be reclassified in the draft. It is significant that within 24 hours after the President's order the House attached two important amendments with teeth in them against strikes to a $10,000,000,000 defense bill. I actively supported those amendments. It is also significant that after Congress took the proverbial bull by the horns and passed this legislation, that particular strike came to a sudden end. That, I repeat, was way last June.

As mentioned by the gentleman from Oklahoma [Mr CARTWRIGHT] a few minutes ago, and others, this House, on the 3d of December 1941, passed by an overwhelming vote, the Smith bill to put teeth in the law and forever outlaw strikes in all defense industries. I was glad also to give that bill my enthusiastic support.

Again, 1 week after Pearl Harbor, as shown by the CONGRESSIONAL RECORD, while the House was observing the one-hundred and fiftieth anniversary of the ratification of the Bill of Rights, I spoke my mind in no uncertain terms on this controversial subject of strikes. In that address I said:

> Further strikes in defense industries must not be tolerated. This House has spoken in no uncertain terms on legislation to curb defense strikes. It is to be hoped that the body at the other end of the Capitol will also act at an early date so that the public may know that strikes in these great industries so essential to the Nation's defense are actually at an end. One who strikes now in a defense industry is striking against his Government and is giving aid and comfort to the enemy.

The gentleman from Mississippi [Mr. RANKIN] a few moments ago stated that the bill in question passed by the House has been peacefully sleeping in a certain Senate committee since last December. I am glad to say the chairman of that committee has finally decided to hold hearings on the bill passed by the House December 3.

It will be recalled that a year ago and the year previous the Oklahoma delegation opposed a proposal that the House recess for a period of 2 or 3 weeks in order to permit the Members to return home and rest or repair their political fences. I think I am safe in saying that we believed then as now that the business of Members of Congress is in Washington and that this matter of speeding up the Nation's defense is a lot more important than anyone's job. Rumor has it that Congress proposes to take another recess the latter part of this month. I do not know whether or not there is any basis to this rumor, but, speaking for myself, and myself only. I am opposed to that proposal. I know that Members of Congress have been working overtime. I realize full well that we are under a tremendous strain. The Committee on Appropriations, of which I have the honor to be a member, has been in session almost constantly for many months. Aside from that the Interior Subcommittee on Appropriations, of which I have the added responsibility of chairman, has been in long, tedious session daily since the 23d of February. I might say here that the committee has been working seriously and overtime in an effort to materially reduce all nondefense expenditures in that bill, which includes twenty-odd agencies of Government. That bill when reported by my committee to this House will speak for itself.

Let me say in conclusion, I am convinced that the citizens and taxpayers of the country have a right to become aroused, not only because of the strike situation, but also because of the lethargy and complacency of Congress. I am glad the people are demanding immediate action. Many of them have sons with General MacArthur, or out somewhere in the Pacific, or elsewhere in the armed forces. They not only have a right to speak up and give their views but they speak with authority.

Let us not only stop these strikes, that the radical labor leaders have promised so often would be stopped, but at the same time stop the racketeering of excess profits in war contracts. This Congress should also drastically curtail all activities of the Government for the duration of the war not strictly in connection with an all-out effort to win this war and save for ourselves and our posterity the precious heritage which we call the American way of life.

EXTENSION OF REMARKS

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief newspaper article issued by the publisher of the Wapakoneta Daily News.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JONES]?

There was no objection.

A NEW SECRETARY OF WAR AND A NEW SECRETARY OF THE NAVY

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. SAUTHOFF]?

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I have been sitting patiently on the sidelines waiting, listening, and trying to learn something about our conduct of the war and our present situation. If there is any one fact that stands out in my mind it is this: In 1940 two political appointments were made to the Cabinet. It was a shrewd political move and it served its purpose. But the election is over. We are now confronted with the most serious problem we have ever had to face. The two most powerful war machines that the world has ever known are seeking our subjugation or destruction. These political appointments are no longer adequate. I respectfully suggest that instead of a corporation lawyer from New York and a Chicago publisher running our Army and our Navy that the President pick the best possible naval authority as the head of the Navy and the best possible authority on military affairs as the head of the Army. And let these men be young enough to stand the strain and airminded enough to give this branch of our service every possible attention.

ABOLISHMENT OF 40-HOUR WEEK

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I am glad to note from what I have heard this morning that the House is now anxious to vote upon suspension of the 40-hour week. I propose to present and to get to the House for a vote in the very near future a bill which will accomplish that purpose and will set forth the following declaration of policy with provisions of law to implement them:

First. That it is the inherent and inalienable right of American citizens to work at any lawful occupation without being required to maintain membership in or pay tribute to any person, association, or organization;

Second. That no person, firm, or corporation should be permitted, in the prosecution of the war effort, to make or

to retain excessive profits at the expense of the taxpayers of the United States;

Third. In the prosecution of work essential to the defense of the Nation there should be no limitation by law or by contract upon hours of work which may be voluntarily performed, and no individual should receive, at the expense of his Government, compensation in excess of that paid as straight time under prevailing law; and

Fourth. That all laws, customs, contracts, and agreements which violate the policies above set forth must, in the interest of national security, be suspended during the period of the existing war.

IS THE CONGRESS WAKING UP?

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, I, too, am glad to see that some of you are having a change of heart in the House of Representatives and that it comes from the people back home. It is a good bit like when we voted a pension for Congressmen. The four gentlemen from Oklahoma have been getting a large amount of correspondence in reference to the 40-hour week and these radical labor leaders. These radicals should be put in concentration camps if they are going to prohibit the furnishing of guns, ships, and supplies that are necessary for our boys to win the war by calling strikes. I hope every Member of Congress will receive a lot of this same kind of correspondence. May I say to my people that they do not have to write to me, because I have been against all that sort of nonsense all along. If you fellows will get a change of heart on account of the people back home and their correspondence, then we will get proper legislation in Congress, Mr. SMITH, and Mr. SMITH will go to town.

[Here the gavel fell.]

WHEAT QUOTAS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I rise, because of a question I asked the distinguished gentleman from Oregon [Mr. PIERCE], with reference to the farm program. I refer to the question of feeding wheat. I do not want to wreck the farm program, but I think it is subject to a good many modifications at this hour. I do not see why the Committee on Agriculture, with all the information it has before it, should not report my bill that would relax these restrictions enough to let a farmer feed his own wheat to his livestock without charging him 49 cents a bushel on it, especially in view of the increased demand from the Government and from the country for more meat and more dairy products. As I see it, it just is not common sense to make a farmer pay 49 cents a bushel on the wheat he feeds his own livestock and poultry, or to penalize him for using this grain to raise more livestock and more poultry and thereby provide more food for our people and for our armed forces.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the La Crosse (Wis.) Tribune, dated March 14, 1942, under the title of "The Alaskan Highway."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AIRCRAFT PRODUCTION

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I should like to read a few sentences from a letter I have received from a man who works in an aircraft factory. He says:

> Since the war every time we see a ship come out of the shop all complete and ready to see action we are proud and look forward to the future when instead of only one or two a day we can be furnishing five or six a day. It won't be long either; just in the past month production has stepped up from one to seven a week. Don't feel discouraged; this is only one type of ship. The other types have more men working on them and there is a good-looking stream of finished airplanes every day.

Mr. Speaker, I ask that Members not forget that there are several million fellows like this involved in all the questions you have been talking about today. Yes; he works in a factory. He builds airplanes. Sometimes I get the impression here in the House that Members think somehow airplanes would get built, even though there were no men to do it. Fortunate for us it is that these men carry on day after day, regardless of the things said about them here.

[Here the gavel fell.]

ANTISTRIKE LEGISLATION

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, on last Friday I told the House that I had received 5,000 letters urging antistrike legislation and urging suspension of the 40-hour week during the emergency. This morning that number has increased, and the tide is still rising. I have received more than 13,000 of these letters. I know we are not supposed to work on Sundays, but the Bible says that if your ox gets in the ditch, get him out. I hired 13 girls yesterday out of my own pocket in order to answer those letters. I will say that not only did my ox get in the ditch but my ox, cart, and all got in the mudhole, and I have tried to get them out. I tell you that the rest of you are going to receive literally thousands of such letters in the next few days.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I feel a good deal like Rip Van Winkle must have felt when he came out of his 20 years' sleep. Back in 1937 I suggested to the House and subsequently introduced bills that would have made it possible for a man to work without buying a license to work or without paying any money for the privilege of working.

I never got anywhere with those bills and never heard much about them on the floor, but from the sounds of wailing heard in the House this morning, it is evident that, while I have been dreaming here for the last 5 years of good legislation to come, the people from back home have been getting under the skins of their Representatives and somebody is in trouble over this lack of a sound labor policy, and I really hope that everybody begins to get a few letters and that at last we get action. I have many from the C. I. O. and from Communists. Now we are all hearing from the people to whom we must answer.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I have heard a great deal about labor racketeers from the gentleman from Oklahoma and others, but it is strange no one has mentioned the large industrial racketeers and chiselers who are making many millions, as indicated from their financial reports.

These poor millionaires seem to have the sympathy of many Members. Personally, I have no use and hold no brief for labor chiselers or racketeers, nor have I any use for these avaricious multimillion-dollar corporations who have hundreds of millions of dollars in contracts, who refuse to go on a 24-hour-work-day basis or fail to work overtime for fear their large profits will be reduced.

In this connection I wish to insert a letter addressed to me on March 12, which reflects conditions existing not only in the plant of the International Harvester Co. but in the plants of the General Electric Co., the Bethlehem Steel Co., the Winchester Repeater Arms Co., and many others:

UNITED FARM EQUIPMENT WORKERS OF AMERICA,
Chicago, Ill., March 12, 1942.

Representative A. J. SABATH,
House Office Building, Washington, D. C.

DEAR SIR: Our organization, which is composed of workers from the tractor plant, International Harvester Co., Chicago, Ill., which employs approximately 5,300 men, is in full agreement with Mr. Nelson's program as enunciated in his March 2 radio address for joint committees of management and labor.

The situation in the tractor plant has become very acute. Approximately 1½ weeks ago a curtailment order came through in regard to the crawler-type tractors that we have been building. The result of the order was the men in those departments have been staying home for that length of time. But this is not the worst of the picture. Today another curtailment order came through in regard to the Farmall "A" and "B" tractors, built in our plant, which will affect about a thousand men.

Is this the company's answer to the President's request for no interruption in the production program?

We think this plant is capable of handling most any kind of work essential to winning the war. We are ready and willing to work 24 hours a day, 7 days a week—anything—to defeat Hitlerism.

We call upon you to do all you can to alleviate this situation, which will grow worse if war work is not obtained, and "business as usual" continues.

Respectively yours,
UNITED FARM EQUIPMENT WORKERS OF AMERICA, LOCAL NO. 101,
ARTHUR PETERSON,
Recording Secretary.

Here are men willing to work, at any time of the day, but for some unknown reason many machines and toilers are kept idle.

I feel that if these industrial czars and the few labor leaders who are responsible for a few strikes, do not cooperate at this time, they may regret their indifference to the country's needs.

I have received letters from many employees in many plants complaining that they are being laid off and are not permitted to work longer hours, but that does not seem to interest the labor baiters and those who are principally interested in bringing about the destruction of organized labor who, I repeat, are cooperating and wholeheartedly supporting the Government, in full realization of the dangerous conditions.

The country today is really in a threatened, desperate situation and it will require the complete cooperation of all, to produce more planes, more tanks, and more munitions. Although I have the utmost confidence that we will win the war that has been thrust upon us, I feel that if there is not complete solidarity, united action, and 100 percent cooperation on the part of industry and labor, the ultimate victory will be delayed for 2 or 3 years. Our boys on our ships, in the air, and in the trenches plead for more planes, for more tanks, and munitions, and it is our duty to supply them. I hope that we will go ahead at full speed in the realization that we are not only protecting our courageous fighters, but our Nation and our liberty as well.

EXTENSION OF REMARKS

(Mr. PATRICK asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made a few moments ago and to include therein excerpts from several communications I have received.

The SPEAKER. The Chair thinks that something ought to be done about this matter now. There is not a Member of the House who is not receiving literally hundreds of telegrams and letters with reference to this so-called labor situation. If we begin putting these letters and these telegrams in the RECORD, the RECORD will be bigger than the Revised Statutes each day. The Chair would suggest to Members that they do not ask consent to put these letters in the RECORD, or excerpts from them.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I have no thought of putting any letter or any telegram in the RECORD, but I did think that a few excerpts from letters giving a general idea of how the people of the district I have the honor to represent think would be appropriate at this time.

The SPEAKER. The Chair would think that if the Members would read their own mail they would know what the people generally are thinking. If no one else objects, of course, the Chair is not going to object.

Mr. YOUNG. Mr. Speaker, reserving the right to object to this request, after all the test is whether legislation is right or wrong, not the pressure that is brought on us, and I do object to this request.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD, not with my own remarks, but under my name, the purported newspaper story in yesterday's Washington Post by the Vice President, with respect to his intent or purpose to extend the New Deal to the four corners of the earth.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SECOND WAR POWERS BILL

Mr. SUMNERS of Texas. Mr. Speaker, I call up conference report on the bill (S. 2208) to further expedite the prosecution of the war, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2208) entitled "An act to further expedite the prosecution of the war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 30, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 48 and 49 and agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with the following amendments: Page 2, line 18 of the House engrossed amendments, strike out the comma and the words "and deliveries" and insert in lieu thereof a period and the word "Deliveries", and in line 20 after the word "and" where it appears the first time, insert the words "deliveries of material under", and in the same line strike out the word "and" where it appears the second time and insert in lieu thereof the word "or"; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment strike out, in the Senate engrossed bill, all after "subsection." in lines 8 and 9, page 5, down to and including "defense." in line 23, and insert in lieu thereof the following (printed flush):

"Deliveries under any contract or order specified in this subsection (a) may be assigned priority over deliveries under any other contract or order; and the President may require acceptance of and performance under such contracts or orders in preference to other contracts or orders for the purpose of assuring such priority. Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilities for defense or for private account or for export, the President may allocate such material or facilities in such manner, upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense."

And the House agree to the same.

Amendment numbered 14: That the Senate recede from its disagreement to the amendment of the House numbered 14, and agree to the same with an amendment, as follows: Page 5, line 7, of the House engrossed amendments, after the word "documentary", insert the words "evidence or certified copies thereof"; and the House agree to the same.

Amendment numbered 27: That the Senate recede from its disagreement to the amendment of the House numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment strike out, in the Senate engrossed bill, lines 13 to 18, inclusive, on page 8, and insert in lieu thereof the following: "by striking out the proviso therein and inserting in lieu thereof the following: *'Provided*, That any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this Act and the aggregate amount of such obligations acquired directly from the United States which is held at any

one time by the twelve Federal Reserve banks shall not exceed $5,000,000,000.' "; and the House agree to the same.

Amendment numbered 28: That the Senate recede from its disagreement to the amendment of the House numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SEC. 501. The head of each department or agency responsible for the administration of the navigation and vessel inspection laws is directed to waive compliance with such laws upon the request of the Secretary of the Navy or the Secretary of War to the extent deemed necessary in the conduct of the war by the officer making the request. The head of such department or agency is authorized to waive compliance with such laws to such extent and in such manner and upon such terms as he may prescribe either upon his own initiative or upon the written recommendation of the head of any other Government agency whenever he deems that such action is necessary in the conduct of the war."

And the House agree to the same.

Amendment numbered 29: That the Senate recede from its disagreement to the amendment of the House numbered 29, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SEC. 602. The second sentence of the first paragraph of section 1 of the Act of October 16, 1941 (55 Stat. 742), entitled 'An Act to authorize the President of the United States to requisition property required for the defense of the United States', is amended by striking out the words 'on the basis of the fair market value of the property at' and inserting in lieu thereof the words 'as of'; and at the end of such sentence, before the period, inserting the words ', in accordance with the provision for just compensation in the Fifth Amendment to the Constitution of the United States', so that such sentence will read as follows:

" 'The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this Act and the fair value of any property returned under section 2 of this Act, but each such determination shall be made as of the time it is requisitioned or returned, as the case may be, in accordance with the provision for just compensation in the Fifth Amendment to the Constitution of the United States.' "

And the House agree to the same.

Amendment numbered 31: That the Senate recede from its disagreement to the amendment of the House numbered 31, and agree to the same with an amendment, as follows: Page 11, line 4 of the Senate engrossed bill, strike out the word "or"; and the House agree to the same.

Amendment numbered 37: That the Senate recede from its disagreement to the amendment of the House numbered 37, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment with the following amendments:

Page 13, line 8 of the Senate engrossed bill, after the number "1137" insert "; U. S. C. 1940 ed., Title 8, secs. 501-907".

Page 13, line 17 of the Senate engrossed bill, after the word "war" insert: "and who, having been lawfully admitted to the United States, including its Territories and possessions, shall have been at the time of his enlistment or induction a resident thereof,".

Page 13, lines 19 and 20 of the Senate engrossed bill, strike out the words "and no certificate of arrival".

Page 14, lines 23 and 24 of the Senate engrossed bill, strike out the words "this Act as provided in title XV" and insert in lieu thereof "those titles of the Second War Powers Act, 1942, for which the effective period is specified in the last title thereof".

Page 16, line 18 of the Senate engrossed bill, after the word "Act" insert: "; and such ground for revocation shall be in addition to any other provided by law".

Page 16, strike out lines 23 and 24 of the Senate engrossed bill.

And the House agree to the same.

Amendment numbered 44: That the Senate recede from its disagreement to the amendment of the House numbered 44, and agree to the same with amendments, as follows: Page 10, line 14 of the House engrossed amendments after "documentary" insert "evidence or certified copies thereof", and in lieu of the matter proposed to be inserted by that part of the House amendment beginning on page 12, line 19 of the House engrossed amendments, and ending on page 13, line 21 thereof, insert the following:

"SEC. 1501. The Secretary of Commerce shall, at the direction of the President, and subject to such regulations as the President may issue, make such special investigations and reports of census or statistical matters as may be needed in connection with the conduct of the war, and, in carrying out the purpose of this section, dispense with or curtail any regular census or statistical work of the Department of Commerce, or of any bureau or division thereof. Any person who shall refuse or willfully neglect to answer any questions in connection with any special investigations made under this section, or who shall willfully give answers that are false, shall upon conviction thereof be fined not exceeding $500 or imprisoned for a period of not exceeding sixty days, or both.

"SEC. 1502. That notwithstanding any other provision of law, any record, schedule, report, or return, or any information or data contained therein, now or hereafter in the possession of the Department of Commerce, or any bureau or division thereof, may be made available by the Secretary of Commerce to any branch or agency of the Government, the head of which shall have made written request therefor for use in connection with the conduct of the war. The President shall issue regulations with respect to the making available of any such record, schedule, report, return, information or data, and with respect to the use thereof after the same has been made available. No person shall disclose or make use of any individual record, schedule, report, or return, or any information or data contained therein contrary to the terms of such regulations; and any person knowingly and willfully violating this provision shall be guilty of a felony and upon conviction thereof shall be fined not exceeding $1,000, or be imprisoned not exceeding two years, or both.

"SEC. 1503. For purposes of this title the term "person" shall include any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not."

And the House agree to the same.

The committee of conference have not agreed to the following amendments:

Disagreement as to substance

Amendment numbered 32.

Disagreement solely as to title and section numbers and cross-references

Amendments numbered 45, 46, 47, and 50.

HATTON W. SUMNERS,
CHARLES F. MCLAUGHLIN,
CLARENCE E. HANCOCK,
Managers on the part of the House.

JOSEPH C. O'MAHONEY,
WALL DOXEY,
WARREN R. AUSTIN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2208) entitled "An act to further expedite the prosecution of the war", submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendments numbered 1, 2, 3, 4, 5, 6, 7, and 8: These amendments are of a minor clarifying or clerical nature. The Senate recedes.

Amendment numbered 9: The Senate bill made specific amendments to paragraph (1) of subsection (a) of section 2 of the Priorities Law (the act of June 28, 1940, as amended) and the House amendment set out the full text of that paragraph. The Senate recedes from its disagreement to the amendment of the House with amendments of a minor nature which clarify the language. The amendment, in setting out the full text of such paragraph (1) necessarily repeats language of existing law in which no change is proposed. Included in this language in which no change is proposed are certain restrictions on the making of Government contracts. The First War Powers Act authorized the President to relax certain requirements in the making, performance or modification of contracts whenever he deems such action would facilitate prosecution of the war. The President's powers under the First War Powers Act are not intended to be restricted by the restatement in this legislation of such provisions of paragraph (1) of section 2 (a).

Amendment numbered 10: This amendment is a clarifying one. The Senate recedes.

Amendment numbered 11: This amendment is of a clerical nature. The conferees agreed to an amendment in lieu of the House amendment which merely strikes out all after "subsection." in lines 8 and 9, page 5 down to and including "defense." in line 23 in the Senate engrossed bill, and reinserts the same language with the House amendment (printed flush), so that the style and arrangement will be corrected and conform to the present law.

Amendments numbered 12 and 13: These two amendments are clerical ones and the Senate recedes.

Amendment numbered 14: This amendment set forth the subpena powers of the President to obtain books and records in connection with priorities, and permitted the furnishing of certified copies. The bill as it passed the Senate made applicable similar powers of the Federal Trade Commission, by reference. The Senate recedes with an amendment to insert after the word "documentary" the words "evidence or certified copies thereof", in order to make the language contained in the House amendment consistent.

Amendments numbered 15, 16, 17, 18, 19, 20, 21, and 22: These amendments are clerical, and the Senate recedes.

Amendment numbered 23: This amendment eliminated the restriction which limited the benefits of the provisions of paragraph (7) under Title III of the bill to persons who had received priority or allocations orders, and extended such benefits to any person who defaults on a contract caused by compliance with such an order. The Senate recedes.

Amendments numbered 24, 25, and 26: These amendments are clerical, and the Senate recedes.

Amendment numbered 27: This amendment provided for limiting to $5,000,000,000 the aggregate amount of bonds, notes, or other obligations of the United States or which are fully guaranteed by the United States as to principal and interest, which Federal Reserve banks may buy and sell without regard to maturities. The Senate recedes with an amendment which rewrites the proviso of subsection (b) of section 14 of the Federal Reserve Act making it clear that direct purchases from the Treasury are

to be subject to the usual rules governing purchases in the open market and that the aggregate amount of such obligations acquired directly from the United States which is held at any one time by the 12 Federal reserve banks shall not exceed $5,000,000,000.

Amendment numbered 28: This amendment restored Title V of the bill, relating to the waiver of navigation and inspection laws, to the form in which it was reported by the Senate Committee on the Judiciary to the Senate. On February 28, 1942 the President issued an Executive order transferring the authority vested in the Secretary of Commerce to waive compliance with the navigation and vessel inspection laws, to the Secretary of the Navy and the Secretary of the Treasury. It was therefore desirable to change the House amendment and make the language flexible so that the "head of each department or agency responsible for the administration of the navigation and vessel inspection laws" will be authorized to make the waiver. The Senate recedes with amendments effecting this change.

Amendment numbered 29: This amendment was made on the floor of the House and proposed that whenever machinery or equipment in actual use and necessary to the operation of a factory or business is requisitioned, the owner be paid fair and just compensation which shall not be less than the difference between the fair market value of such factory or business before and after the taking of such equipment or machinery. The conferees agreed to an amendment in lieu of the House amendment which would rewrite the second sentence of the first paragraph of section 1 of the Requisition Law (act of October 16, 1941) to make it clear that the determination as to the amount to be paid for property requisitioned or returned shall be in accordance with the provision for just compensation in the fifth amendment to the Constitution of the United States.

Amendment numbered 30: This amendment is a clerical correction. The Senate recedes.

Amendment numbered 31: This amendment was made on the floor of the House and has the effect of exempting members of Selective Service and Training Boards from certain prohibitions of the Hatch Act. The Senate recedes with an amendment to strike out the additional word "or" to clarify the language.

Amendments numbered 33, 34, 35, and 36: These amendments clarified the language of title IX to make it clear that protection may be afforded against hazards other than forest fires. The Senate recedes.

Amendment numbered 37: This amendment struck out title XI of the bill providing for the naturalization of aliens honorably serving in the armed forces of the United States during the present war. The conferees have restored the title with several amendments. The amendments require that the alien shall have been lawfully admitted to the United States, including its Territories and possessions, and a resident thereof at the time of his enlistment or induction; and provision is made that the revocation of citizenship of a person subsequently dishonorably discharged is a ground for revocation in addition to any other provided by law. As the alien is required to have been lawfully admitted, the language is stricken out which would have relieved the necessity of furnishing a certificate of arrival. Clerical amendments also have been made.

Amendments numbered 38, 39, and 40: These amendments are clerical changes. The Senate recedes.

Amendment numbered 41: This amendment eliminated a restriction of the Senate bill which would have limited the addition of other metals to 10 percent of the proposed new 5-cent piece of silver and copper. The restriction was eliminated in order not to limit the possibility of devising an all-purpose 5-cent piece. The Senate recedes.

Amendment numbered 42: This amendment merely added "records" to the authorization for inspection and audit of war contractors books and plants. The Senate recedes.

Amendment numbered 43: This amendment was made on the floor of the House and provided that the inspection and audit of war contractors and the determination whether a given contract is a "defense contract" should be made by a governmental agency or officer designated by the President or by the Chairman of the War Production Board, instead of by the agency placing such contract or order or the contract or order under which such subcontract was placed, or by the chairman of the War Production Board. The Senate recedes.

Amendment numbered 44: This amendment did two things: First, it inserted in title XIV specific provisions with respect to administering oaths, requiring the attendance and testimony of witnesses, and other related matters, in lieu of the provisions of the Senate bill which made the provisions of sections 9 and 10 of the Federal Trade Commission Act applicable by reference. Second, it added a new title XV to the bill, granting to the Secretary of Commerce authority to make special investigations and reports, subject to the direction of the President, needed in connection with the conduct of the war. The Senate recedes with amendments which (1) make clear that the Secretary of Commerce is to make the special investigations and reports, and dispense with or curtail regular census or statistical work, when directed by the President, and subject to regulations issued by the President, and (2) define the term "person" and use such term in appropriate places in the title, (3) make clear that the regulations of the President issued under section 1502 shall apply both to the making of information available by the Secretary of Commerce and to the use of such information after it has been made available, (4) provide that records and other information are to be made available only on written request, and (5) provide that only knowing and willful violations of the President's regulations will be subject to punishment.

Amendments numbered 48 and 49: The bill makes numerous amendments to existing law which are intended to be effective only during the period specified in the last title of the bill. Amendments numbered 48 and 49 were intended to make this purpose more clear. The Senate recedes.

The committee of conference have not agreed on the following amendment of substance:

Amendment numbered 32, which struck out title VIII of the Senate bill, relating to compensation for certain civilian defense workers.

The committee of conference have not agreed on the following amendments relating solely to title and section numbers and cross-references, because the proper numbering cannot be determined until an agreement is reached with respect to amendment numbered 32:

Amendments numbered 45, 46, 47, and 50.

HATTON W. SUMNERS,
CHARLES F. MCLAUGHLIN,
CLARENCE E. HANCOCK.
Managers on the part of the House.

Mr. SUMNERS of Texas. Mr. Speaker, may I submit a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. SUMNERS of Texas. Amendment No. 32 is highly controversial. I understand it is my duty to move that the House further insist upon this amendment. May I ask unanimous consent that the consideration of that amendment be postponed for the moment?

The SPEAKER. The Chair suggests to the gentleman from Texas that the first thing to do is to adopt the conference report, leaving out, of course, those matters that are in disagreement.

Mr. SUMNERS of Texas. Then, Mr. Speaker, I make that motion at this time.

Mr. PATMAN. Mr. Speaker, if the gentleman will permit, one part of this conference report is very controversial. There is a misunderstanding about one amendment to which I think some consideration should be given, by the conferees at the present time. I know that it was a case of misunderstanding between the parties. When this bill passed the House, several of us expected to ask for a separate vote on title IV, on the so-called Smith amendment, knowing that the House would very quickly strike it out, and that it would not even be in conference. We were told and allowed to believe that it would be stricken out in conference, and that there would be no use in asking for a separate vote, but that we should let it go to conference, and that it would be stricken out. The misunderstanding came about, I think, by reason of the $5,000,000,000. We were not as much concerned about the language in respect to it as about the amount. In view of that honest misunderstanding, I hope that the chairman of the committee will give us opportunity to vote on that amendment separately, even if it is necessary to take it back to conference to do so.

The SPEAKER. The parliamentary situation is this: Insofar as the amendments in disagreement are concerned, the conference report must first be voted up or down. The gentleman from Texas has moved that the conference report be adopted.

Mr. PATMAN. Then I ask for recognition in opposition to it.

The SPEAKER. The gentleman from Texas has the floor, and he may yield to the gentleman.

Mr. PATMAN. I hope the gentleman will yield to me.

Mr. SUMNERS of Texas. Mr. Speaker, let me inquire in regard to the time. How much time is allowed for the entire disposition of the conference report, including amendment No. 32?

The SPEAKER. The gentleman is entitled to 1 hour on the conference report. He can yield such time as he desires. Then, if he desires, an hour may be taken on each amendment in disagreement.

Mr. SUMNERS of Texas. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

GOVERNMENT BOND RACKET

Mr. PATMAN. Mr. Speaker, up until 1935 the Federal Reserve banks could purchase securities directly from the Treasury of the United States. That was as it should have been, because our Government, through Congress, has given the Federal Reserve banks the power to issue money on the credit of this Nation. The Federal Reserve banks have the right to call upon the Bureau of Engraving and Printing to print for them all the

money that they want, and the Treasury had the right to exchange Government securities for that money. The Treasury itself could not issue the money. But in 1935, in another body, what appeared to be a very innocent amendment was placed in an act which it had no relation to at all. That amendment provided that hereafter the Treasury could not sell bonds to the Federal Reserve banks directly and save the brokerage commission, the service fees, which are enormous in these transactions involving hundreds of millions and even billions of dollars, and provided that the Federal Reserve banks could only buy those bonds by going into the open market and buying them with the Government-created money. That made a pure, simple racket out of it.

We have heard on the floor of this House where farmers are being charged so much a truck to carry their produce into the city of New York and other cities. This is exactly the same principle involved. We are permitting the big banks of this country to control our credit to the extent that the Government itself must pay a brokerage, a service fee, upon its own money that it creates itself.

Now, is that right? Is that fair? Is that just? Absolutely not. It is wrong in principle and cannot be defended any place in this world.

When this war-powers bill was before the House it provided in title IV that hereafter the Treasury could, as they had done before 1935, deliver to the Federal Reserve banks Government securities and get credit for them. In other words, exchange an interest-bearing obligation for a noninterest-bearing obligation. The Government created both of them, and both of them created upon the credit of the people of this Nation. They are both a lien and an obligation against the earnings of all the people and the productive capacity of th's country. They are exactly the same.

So when the bill came in the House the gentleman from Virginia [Mr. SMITH] offered an amendment to restrict it to where the aggregate amount that may be bought shall be $5,000,000,000. I was not concerned about the language. I was concerned about any limitation of any kind whatsoever.

Mr. McLAUGHLIN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. McLAUGHLIN. The gentleman states that he was not concerned about the language. The fact is, however, that the language made a very material difference in the amendment.

Mr. PATMAN. That is very true.

Mr. McLAUGHLIN. In other words, the Smith amendment provided that the aggregate of Government obligations which might be purchased from the Treasury would be $5,000,000,000.

Mr. PATMAN. Yes.

Mr. McLAUGHLIN. That is, as amended by the Dewey amendment.

Mr. PATMAN. Yes.

Mr. McLAUGHLIN. But it made no distinction between purchases in the open market and purchases direct from the Treasury.

Mr. PATMAN. I thoroughly agree with the gentleman.

Mr. McLAUGHLIN. Now you say you have no interest in the language. The language carried out that very intention.

Mr. PATMAN. The language was not the determining factor with me. The determining factor with me was a limitation of any kind whatsoever.

Mr. McLAUGHLIN. But the sense which the language conveyed is what I am addressing myself to now, and what we have before us today is a distinctly different thing than the thing upon which we voted when we passed upon the Smith amendment.

Mr. PATMAN. A difference in qualifying phrases only. That $5,000,000,000 limitation is still in here.

Mr. McLAUGHLIN. But my friend will recognize that if the Smith amendment had been passed the $5,000,000,000 limitation would have applied to purchases on the open market, whereas under the provision which we have before us today there is no limit on the purchases on the open market. The only limitation is as to purchases direct from the Treasury. The provision under discussion would create a revolving fund. In other words, as the obligations move out of the Treasury they can be replaced by other obligations, provided the high level does not exceed $5,000,000,000. There is a vast distinction between the two proposals.

Mr. PATMAN. That is very true, but it makes it very vulnerable for the gentleman to present it to us in that way. In other words, we say to the banks of this country, "It is all right for the Federal Reserve banks to go into the open market and buy all the bonds they want to. It is unlimited." The gentleman is right about that. But where it comes from the Treasury to the Federal Reserve it is limited to $5,000,000,000. If it is fair to have one unlimited, why is it not fair to have the other unlimited? I agree with the gentleman that the language as written is much better than the Smith amendment, but the Smith amendment language is not what I was concerned about so much as I was the $5,000,000,000 limitation or any limitation of any kind.

HIGH INTEREST AMENDMENT

May I suggest to you that this will probably be called a high-interest amendment. That is what it means. It means high interest on Government bonds. There are a number of people in this House who would like to have our Government compelled to pay at least 4-percent interest on Government obligations instead of 2½ percent. This is the greatest step in the direction of 4-percent interest that has been taken since this emergency started.

I want to read the report that was filed by the gentleman from New York [Mr. REED], a prominent Republican Member of the House on this bill. It commences on page 19 of the hearing. I want to read one excerpt from it:

> While the New Deal has been able to finance its spending at low interest rates and without apparent difficulties to date, such excessively low interest rates—

And I hope the chairman of the committee will listen to this—

> such excessively low interest rates are not a sign of financial stability but the sign of economic ill health.

This report was submitted by the Republican conference committee on national debt policy, of which the gentleman from New York [Mr. REED] was a member.

In other words, the Republican members of the Judiciary Committee gave the House and the country notice that what we want is higher interest rates; that they are opposed to the Government getting its money for 2½ percent. They want the Government to pay more than 2½ percent. Two and one-half percent interest in economic ill health, they say, and they want higher interest rates. So they are getting it in this particular limitation.

I can see how those who want higher interest rates would want a limitation of this kind, but I cannot see how anyone who is in favor of the present policy of the Government financing its debt burden at the cheapest possible rate, can afford to vote for any such limitation as this, or any other limitation.

It is absolutely wrong and should not be permitted to stand. I know that we are at a great disadvantage. I know this was an honest misunderstanding, but in view of the fact that both sides know it was a misunderstanding and that those of us who felt this matter keenly relied upon what we believed to be the understanding that this would be stricken out and that we had to give up a valuable right, we sat there and did not ask for a division, we did not ask for a separate vote. I believe the members of this committee would tell us now it would have been stricken out if we had asked for a separate vote; but, counting on the honest belief that it would be stricken out in conference, we gave up that valuable right.

I know what the gentleman from Texas [Mr. SUMNERS] and the gentleman from Nebraska [Mr. MCLAUGHLIN] thought: They thought we were concerned about the language, but they were honestly mistaken. Since there was an honest mistake, I hope the committee will see fit to take it back and correct it. The Senate does not want this language, why should the House insist upon it? They did not have it in here. It was the House that put in that qualifying language, and I hope the committee will concede that point and voluntarily take it back to conference.

I will briefly summarize points that I believe should be given consideration:

First. The 12 Federal Reserve banks that are privately owned create the money on the Government's credit. They have tons of money printed at the Bureau of Engraving and Printing and pay on an average of 30 cents per thousand for it. Each piece of paper money is the same as a Government bond, except it provides for no interest. Each piece of paper money is a separate obligation of the United States Government

and not an obligation of the Federal Reserve bank issuing it; it provides on its face:

The United States of America promises to pay on demand —— dollars.

Nowhere on the paper money does the Federal Reserve bank issuing it promise to pay it. It is purely and simply a Government obligation, just like a Government bond, except no interest.

Second. A Federal Reserve bank obtains a million dollars' worth of this paper money and buys a million dollars' worth of bonds that are being sold in the open market. The Federal Reserve bank gives a million dollars in currency, for which it paid 30 cents per thousand dollars, in exchange for the million dollars' worth of Government bonds, which provide an interest rate. The Federal Reserve bank then keeps the bonds, and, if they provide for 3-percent annual interest, each year the bank will collect $30,000, having exchanged a Government non-interest-bearing obligation for a Government interest-bearing obligation.

Third. The Committee on the Judiciary says that it is all right for the 12 Federal Reserve banks to buy all of the bonds they want to in that way through the open market. It would be possible for them to buy $240,000,000,000 worth that way, and the Committee on the Judiciary offers no criticism whatever on this policy.

Fourth. The committee says, however, that the 12 Federal Reserve banks should not be permitted to buy bonds directly from the Treasury, except to the amount of $5,000,000,000. In other words, after these 12 banks have purchased and accumulated $5,000,000,000 worth of Government bonds, they cannot buy another bond direct from the Treasury. After that they will have to go into the open market and buy bonds and pay the extra premiums, service fees, brokerage fees, commissions, and so forth.

Fifth. If it is a sound business transaction for the Federal Reserve banks to buy an unlimited amount of bonds in the open market, why would it not be just as sound a transaction for the same Federal Reserve banks to buy the same bonds directly from the Treasury and save the enhanced value of the bonds, extra interest, extra service charges, extra commissions, and so forth?

Sixth. The limitation gives the few big banks of the country a tight grip upon the financial throat of the American people. It will place these few big banks in a position to whip up interest rates, have great influence on Government finances through this cornering-of-the-market ability given to them by this amendment, will result in higher interest rates to the Government and move a large part of the financial capital back from Washington to Wall Street.

Seventh. It must not be overlooked that the 12 Federal Reserve banks create the money on the Government's credit and furnish nothing themselves to back it, which is used to buy these interest-bearing bonds.

Eighth. Congress should at the earliest possible date compel the Treasury to finance the Government's deficit that cannot be taken care of by the sale of bonds to the public by depositing non-interest-bearing bonds with the 12 Federal Reserve banks and receiving credit therefor. In this way, the Government would not have to pay interest and a 3-percent payment each year on the principal would entirely liquidate the debt in 33½ years. It is true that the debt will still have to be paid just the same, but the people, the taxpayers, and the Government will not be compelled to pay tribute to any person or corporation for creating money upon the Government's own credit to finance the cost of the war.

Ninth. The Government has title to more than $22,000,000,000 in gold. The 12 Federal Reserve banks are now receiving the free use of this gold. It could be used through the Federal Reserve System to finance the war without placing the people in perpetual bondage.

Tenth. The effect of the Judiciary Committee amendment placing a limitation of $5,000,000,000 on the amount of securities that the 12 Federal Reserve banks can own at one time by reason of purchase directly from the Treasury causes the Government to be placed in this position: Let us say that out of the $125,000,000,000 national debt, which we will soon have, that it is necessary over a comparatively short time to refinance $10,000,000,000 of it and the Federal Reserve banks buy their $5,000,000,000, all that they can buy from the Treasury. Then the other $5,000,000,000 will be sold to commercial banks, who buy them and immediately sell them back to the 12 Federal Reserve banks at a good premium.

Eleventh. When the Pearl Harbor incident occurred December 7, 1941, the Treasury had outstanding an offer to sell $150,000,000 in bonds the next day, December 8. The Treasury could not sell them directly to the Federal Reserve banks, so the Treasury and the Federal Reserve officials, thinking possibly the Pearl Harbor disaster might affect and particularly weaken the market for Government bonds to the extent that they might not be sold the next morning, got in touch with a few big bankers and told them to go ahead and buy the bonds; that the Federal Reserve would guarantee to take them off their hands promptly at a premium of $1.30 per hundred dollars without them putting up a penny. This was equal to about $2,000,000 on the issue that the Government would have to pay at the rate of $1.30 a hundred. This round-about way was fixed by the limitation of the Federal Reserve Act. Now this limitation should be completely removed and the $5,000,000,000 amendment should be rejected.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Speaker, I listened to the gentleman from Texas with a great deal of interest, but I would like to refer him to the traditional relations between central banks of issues and treasury departments, which are a matter of history.

I have here a factual statement prepared for me at my request by the Federal Reserve Bank of New York in regard to the British treasury borrowings from the Bank of England. I would like to ask the House to listen to a pertinent paragraph of this statement. Later I will ask unanimous consent to have the whole statement placed in the Appendix of the RECORD. I read:

LEGAL BASIS FOR TREASURY BORROWING FROM THE BANK OF ENGLAND

The Bank of England is almost unique among central banks in that it is subject to virtually no legal restrictions of any sort. The deputy governor of the bank, for example, in his testimony before the Macmillan committee in 1930, stated that the only legal restrictions upon the bank's operations related to its note issue, its form of weekly statement, the prohibition of bank dealings in merchandise or other wares, and its ability to lend to the Government. No elaboration was made by him concerning this latter restriction; however he apparently had in mind the original restriction in the act of 1694, noted above, and the restatement and amplification of that restriction in the act of 1819. In that act, which still regulates the bank's power to make advances to the Government, the bank was prohibited from advancing or lending any sum whatever to the Government upon the credit of any Government bills or securities, or in any other manner, without the express authorization of Parliament. The act also provided that, whenever the Treasury wished to borrow from the bank, copies of the application for such advances, as well as the bank's answer, must be laid before Parliament. In accord with this provision correspondence between the Government and the bank relating to ways and means advances is laid before Parliament annually. These advances are annually authorized in the annual appropriation acts which always contain a clause authorizing the Bank of England to lend any sums not exceeding those mentioned in the act, the moneys so borrowed to be repaid with interest, not exceeding 5 percent per annum, not later than the next succeeding quarter to that in which the said moneys were borrowed.

I make this statement merely to prove that the Bank of England, formed in 1694, has followed this procedure and has set a limit each year as to the amount of money the treasury may borrow from the Bank of England or the bonds or securities that the Bank of England may purchase from the treasury.

[Here the gavel fell.]

Mr. DEWEY. Mr. Speaker, I ask unanimous consent to incorporate in the Appendix the statement to which I referred in my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, let me see if I can explain this situation from the standpoint of the conferees of the House whose report is before you. It will be recalled that the Committee of the Whole House on the state of the Union adopted the Smith amendment. The Smith amendment puts a limitation on the Federal Reserve banks of $5,000,000,000 on transactions in Federal securities throughout all the future, both open market and those directly with the Treasury. It was understood generally that there was some confusion about that amendment and how it came to be in the bill. I believe it was the statement made by members of the

Committee on the Judiciary and by the prospective conferees on the part of the House that such a limitation upon the transactions of the Federal Reserve banks would not be agreed to, in fact the Smith amendment would go out.

As stated by the gentleman from Texas [Mr. PATMAN], there seems to have arisen some confusion because of their attitude as to just what position the Members of the House conferees would take when they got to conference. It is to be regretted of course that this misunderstanding has developed. Here is what was done, and this is why it was done. It will be recalled by Members of the House that since 1935 there has been no authority for the Federal Reserve banks to buy directly from the Treasury. Now, let us follow this along.

After the Pearl Harbor occurrence it was found that a difficult condition had to be dealt with. There was a billion and a half of Federal securities coming on the market at about that time. The market was in no condition to stand the weight of another billion and a half of Federal bonds. An indirect arrangement was made under which the Federal Reserve banks in effect bought indirectly from the Treasury. That was not a good way to do it. Hence the request for authority to make direct purchases from the Treasury. A Federal Reserve bank representative and an advised representative of the Treasury, while preferring no limitation, told the conferees on the part of the House that insofar as they could visualize the future the $5,000,000,000 reservoir of securities that might be bought directly from the Treasury would meet all that they could see in the future, or all that they could anticipate in the future.

This $5,000,000,000 reservoir for direct purchases has nothing to do with the total amount of Government securities purchased in the open market which may be held by the Federal banks at one time. At the moment the Treasury has not one bond, not one dollar's worth of Federal securities that has been bought directly from the Treasury. With this $5,000,000,000 provision in the law, the Federal Reserve bank would have the right and power to absorb that limit of Federal securities purchased directly from the Treasury at this time, sell and purchase more from the Treasury; in other words keep this $5,000,000,000 reserve full, and in addition purchase without limit in the open market. I do not profess to be an expert on these things and I do not believe my brother conferees would make that claim for themselves.

Mr. PATMAN. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Texas.

Mr. PATMAN. I concede that the amendment is much better than when it left the House, there is no question on earth about that, but the gentleman states it is all right for the Treasury to sell all the bonds it wants to the open market and the banks, then for the Federal Reserve banks to buy them back in unlimited quantities, thereby compelling the Government to pay a brokerage and service fee that runs into the millions of dollars per issue. If it is right and fair to have it unlimited and the Government is forced to pay a brokerage fee and service fee, why not let them sell directly to the Treasury unlimited? If we have it unlimited in one case, why restrict it in the other? Does it not appear to the gentleman like it is hog-tying the Government to where it will be compelled to pay a brokerage and service fee for the Government's money?

Mr. SUMNERS of Texas. I neither endorse nor condemn the brokerage-fee proposition. In fact, I do not know much about it. I understand it is about one-thirty-sixth of 1 percent.

Mr. PATMAN. But it ran into $2,000,000 on the Pearl Harbor issue.

Mr. SUMNERS of Texas. All right. Under this conference report the banks could have bought that entire issue directly from the Treasury and had left over three and one-half billion unexpended authority to make direct purchases from the Treasury. We are dealing here in this report with 12, 13, or maybe 14 different items which have to do more or less with the immediate needs of the Government in conducting this war. This is important to have in mind. This committee, not professing to be experts in regard to these matters, of permanent monetary policy sought to procure legislation which would certainly take care of any emergency needs of the Government in the conduct of the war. These matters of permanent policy must be dealt with by committees to whose jurisdiction they belong.

We were not attempting to set up a permanent system with regard to transactions in the securities of the Government. We were attempting to make provision by which, if there should be a repetition of a similar thing to that which happened at Pearl Harbor, the Federal Government could clearly protect its credit. That is what we tried to do. We were not trying to compel the things which my distinguished friend from Texas is tremendously concerned about. Insofar as the testimony which we had is concerned, we have done that very thing. It is within the province now and probably within the responsibility of the Banking and Currency Committee to bring before the House a suggested permanent policy with regard to these transactions in Federal securities.

I assume that my friend from Texas, who has studied these matters a long time, has a notion that there ought not to be any transactions in the open market by the Federal Reserve banks. That may be sound as a matter of fixed policy insofar as I know.

Mr. PATMAN. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Texas.

Mr. PATMAN. No. I say there should be open-market transactions under certain conditions, but you should not compel the Government to go into the open market.

Mr. SUMNERS of Texas. Well, all right. That is a matter dealing with the permanent policy of the Government, that is something that this committee did not attempt to go into in bringing in these many items, each of which could have been a separate bill. They could have gone to separate committees. That is something we were not qualified to deal with and something we did not attempt to deal with.

Mr. MAY. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Kentucky.

Mr. MAY. As a matter of fact, there are about a dozen different things or more that are regarded as emergency needs of the different defense organizations, the Army and Navy in particular?

Mr. SUMNERS of Texas. The gentleman is correct.

Mr. MAY. Included in which is the right to condemn the use of land as well as the fee simple title?

Mr. SUMNERS of Texas. I say to the gentleman that there are many things, and an examination of the bill shows them. Where the gentleman from Texas, for whom I have great respect, is in confusion with reference to this bill is as between meeting an emergency need of the Government and establishing what he considers to be a sound public fiscal policy with regard to Federal securities.

[Here the gavel fell.]

Mr. COLE of New York Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield myself 1 additional minute, Mr. Speaker, and yield to the gentleman from New York.

Mr. COLE of New York. May I ask the gentleman with regard to the title that was in the bill and which was stricken by the House with relation to granting citizenship to soldiers in uniform?

Mr. SUMNERS of Texas. We will come to that later.

Mr. COLE of New York Is that in this bill?

Mr. SUMNERS of Texas. Yes; much. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MOSER. Mr. Speaker, I am opposed to this conference report and am constrained to make a point of no quorum.

The SPEAKER. Does the gentleman object to the vote on the ground that a quorum is not present?

Mr. MOSER. I do, Mr. Speaker.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 315, nays 22, not voting 94, as follows:

[Roll No. 41]

YEAS—315

Allen, Ill.	Andresen, August H.	Bates, Ky.
Allen, La.	Andrews	Bates, Mass.
Andersen, H. Carl	Angell	Baumhart
Anderson, Calif.	Arends	Beam
Anderson, N. Mex.	Arnold	Beckworth
	Barnes	Bell
		Bender

Bennett	Hall,	Pittenger
Blackney	Edwin Arthur	Plauché
Bland	Hall,	Ploeser
Boehne	Leonard W.	Plumley
Boggs	Halleck	Po ge
Bolton	Hancock	Powers
Boren	Hare	Priest
Bradley, Mich.	Harness	Rabaut
Brooks	Harrington	Ramsay
Brown, Ga.	Harris, Ark.	Ramspeck
Brown, Ohio	Harris, Va.	Randolph
Bryson	Hart	Rankin, Mont.
Buck	Harter	Reece, Tenn.
Bulwinkle	Hartley	Reed, Ill.
Burch	Hébert	Reed, N. Y.
Burgin	Heidinger	Rees, Kans.
Butler	Hendricks	Richards
Byrne	Hess	Rizley
Camp	Hill, Colo.	Robertson,
Canfield	Hinshaw	N. Dak.
Cannon, Mo.	Hobbs	Robertson, Va.
Carlson	Hoffman	Robinson, Utah
Carter	Holbrock	Robsion, Ky.
Cartwright	Holmes	Rockefeller
Case, S. Dak.	Hope	Rockwell
Chapman	Houston	Rodgers, Pa.
Chenoweth	Hull	Rogers, Mass.
Chiperfield	Hunter	Rogers, Okla.
Cíason	Imhoff	Rolph
Claypool	Jackson	Russell
Cluett	Jacobsen	Sabath
Cochran	Jenkins, Ohio	Sanders
Coffee, Nebr.	Jennings	Sasscer
Coffee, Wash.	Jensen	Satterfield
Cole, N. Y.	Johns	Sauthoff
Collins	Johnson, Calif.	Schuetz
Colmer	Johnson, Ill.	Schulte
Cooley	Johnson, Ind.	Secrest
Cooper	Johnson,	Shafer, Mich.
Copeland	Luther A.	Shanley
Costello	Johnson, Okla.	Sheppard
Courtney	Johnson, W. Va.	Sikes
Cox	Kean	Simpson
Cravens	Keefe	Smith, Maine
Crawford	Kefauver	Smith, Ohio
Crosser	Kelly, Ill.	Smith, Va.
Crowther	Kennedy,	Smith, Wash.
Culkin	Martin J.	Smith, W. Va.
Cunningham	Kerr	Smith, Wis.
Curtis	Kilday	Snyder
D'Alesandro	Kinzer	South
Davis, Ohio	Knutson	Sparkman
Davis, Tenn.	Kunkel	Spence
Day	Landis	Springer
Dewey	Lanham	Steagall
Dingell	Lea	Stearns, N. H.
Dirksen	Leavy	Stefan
Disney	LeCompte	Stevenson
Domengeaux	Lesinski	Sullivan
Dondero	Ludlow	Sumners, Tex.
Doughton	Lynch	Sutphin
Downs	McGehee	Talle
Drewry	McGregor	Tenerowicz
Duncan	McIntyre	Terry
Durham	McLaughlin	Thom
Dworshak	McLean	Thomas, Tex.
Eaton	McMillan	Thomason
Edmiston	Maas	Tibbott
Eliot, Mass.	Maciejewski	Tinkham
Elliott, Calif.	Maciora	Traynor
Ellis	Mahon	Treadway
Elston	Manasco	Van Zandt
Engel	Mansfield	Vincent, Ky.
Fellows	Martin Iowa	Vinson, Ga.
Fenton	Martin, Mass.	Vorys, Ohio
Fish	Mason	Wadsworth
Flaherty	May	Ward
Flannagan	Meyer, Md.	Wasielewski
Folger	Michener	Weaver
Forand	Mills, Ark.	Weiss
Ford, Leland M.	Mills, La.	Welch
Ford, Miss.	Monroney	Wene
Fulmer	Mott	West
Gamble	Mundt	Wheat
Gathings	Murray	Whelchel
Gearhart	Nelson	Whitten
Gehrmann	Nichols	Whittington
Gibson	Norrell	Wickersham
Gifford	Norton	Wigglesworth
Gilchrist	O'Brien, Mich.	Williams
Gillie	O'Brien, N. Y.	Wilson
Gore	O'Hara	Winter
Gossett	O'Leary	Wolcott
Graham	O'Neal	Wolfenden, Pa.
Granger	Paddock	Wolverton, N. J.
Grant, Ala.	Patrick	Woodrum, Va.
Green	Patton	Wright
Gregory	Pearson	Young
Guyer	Peterson, Fla.	Youngdahl
Gwynne	Peterson, Ga.	Zimmerman
Haines	Pheiffer,	
	William T.	

NAYS—22

Burdick	Ford, Thomas F.	Izac
Faddis	Hill, Wash.	Jones
Fitzgerald	Hook	Jonkman
Lambertson	Patman	Tarver
Moser	Pierce	Voorhis, Calif.
O'Connor	Rankin, Miss.	Woodruff, Mich.
Oliver	Rich	
Pace	Starnes, Ala.	

NOT VOTING—94

Baldwin	Gerlach	Murdock
Barden	Gillette	Myers, Pa.
Barry	Grant, Ind.	O'Day
Beiter	Healey	Osmers
Bishop	Heffernan	O'Toole
Bloom	Howell	Pfeifer,
Boland	Jarman	Joseph L.
Bonner	Jarrett	Rivers
Boykin	Jenks, N. H.	Romjue
Bradley, Pa.	Johnson,	Sacks
Buckler, Minn.	Lyndon B.	Scanlon
Buckley, N. Y.	Kee	Schaefer, Ill.
Byron	Kelley, Pa.	Scott
Cannon, Fla.	Kennedy,	Scrugham
Capozzoli	Michael J.	Shannon
Casey, Mass.	Keogh	Sheridan
Celler	Kilburn	Short
Clark	Kirwan	Smith, Pa.
Clevenger	Kleberg	Somers, N. Y.
Cole, Md.	Klein	Stratton
Creal	Kocialkowski	Sumner, Ill.
Cullen	Kopplemann	Sweeney
Delaney	Kramer	Taber
Dickstein	Lane	Talbot
Dies	Larrabee	Thill
Ditter	Lewis	Thomas, N. J.
Douglas	McCormack	Tolan
Eberharter	McGranery	Vreeland
Englebright	McKeough	Walter
Fitzpatrick	Magnuson	White
Fogarty	Marcantonio	Worley
Gale	Merritt	
Gavagan	Mitchell	

So the conference report was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. McCormack with Mr. Englebright.
Mr. Barden with Mr. Douglas.
Mr. Gavagan with Mr. Scott.
Mr. Boland with Mr. Taber.
Mr. Keogh with Mr. Ditter.
Mr. Jarman with Mr. Kilburn.
Mr. Bonner with Mr. Short.
Mr. Kocialkowski with Mr. Gale.
Mr. Dies with Mr. Gerlach.
Mr. Clark with Mr. Howell.
Mr. Kramer with Mr. Thill.
Mr. Merritt with Mr. Thomas of New Jersey.
Mr. Cannon of Florida with Mr. Bishop.
Mr. Boykin with Mr. Clevenger.
Mr. Murdock with Mr. Jenks of New Hampshire.
Mr. Cole of Maryland with Mr. Osmers.
Mr. Klebereg with Mr. Grant of Indiana.
Mr. Bloom with Mr. Vreeland.
Mr. Romjue with Mr. Talbot.
Mr. McKeough with Mr. Gillette.
Mr. Cullen with Mr. Baldwin.
Mr. Rivers with Mr. Jarrett.
Mr. Scrugham with Mr. Stratton.
Mr. Creal with Miss Sumners of Illinois.
Mr. Tolan with Mr. Marcantonio.
Mr. Delaney with Mr. Buckler of Minnesota.
Mr. Barry with Mr. Lane.
Mr. Healey with Mr. Buckley of New York.
Mr. Kee with Mr. Casey of Massachusetts.
Mr. Capozzoli with Mr. Kirwan.
Mr. Kopplemann with Mr. Celler.
Mr. Lewis with Mr. Eberharter.
Mr. Fitzpatrick with Mr. Mitchell.
Mr. Myers of Pennsylvania with Mr. Fogarty.
Mr. Klein with Mr. Walter.
Mr. White with Mr. Beiter.
Mr. Joseph L. Pfeifer with Mr. Sacks.
Mr. Kelley of Pennsylvania with Mr. O'Toole.
Mr. Michael J. Kennedy with Mr. Magnuson.
Mr. McGranery with Mr. Heffernan.
Mr. Bradley of Pennsylvania with Mr. Lyndon B. Johnson.
Mr. Somers of New York with Mr. Smith of Pennsylvania.
Mr. Sweeney with Mrs. O'Day.
Mr. Dickstein with Mr. Schaefer of Illinois.
Mr. Sheridan with Mr. Shannon.
Mr. Scanlon with Mrs. Byron.

Mr. HOOK changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Pasadena Star-News.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PADDOCK. Mr. Speaker, I have been granted permission to address the House for 15 minutes at the close of business today. I ask unanimous consent that this time be transferred to next Thursday, at the conclusion of the legislative program of the day and following any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SECOND WAR POWERS BILL, 1942

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 32: Page 16, "Title VIII. Compensation for certain civilian defense workers," strike out all of page 16 and lines 1 and 2 on page 17.

Mr. SUMNERS of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SUMNERS of Texas. How much time is permitted for debate on this proposition?

The SPEAKER. Debate is under the hour rule. The gentleman has control of 1 hour. If he does not move the previous question at the end of that time, any other Member getting the floor will have an hour.

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House insist upon its amendment numbered 32, and yield myself 10 minutes.

Mr. Speaker, I hope the Members of the House will give full attention to this discussion on a matter with reference to which members of the Committee on the Judiciary and Members of the House have very definite differences of opinion. This amendment deals with a governmental policy that goes very, very deep, and is something we ought to consider as we are moving away from the position of the skirmish line of this World War and into the realities of a struggle for existence.

This is a proposition to attach to the Federal Treasury millions of persons engaged in voluntary community service. I want to get across what this proposes. We have been going on the theory in America that the Federal Treasury is inexhaustible. It is my observation, and I have studied this thing pretty closely, that every time there is a manifestation of true, democratic spirit in America some one of the Federal bureaus runs out and tries to suppress it, ties it into the Federal machinery and smothers its spirit of independence. There is not a bit of use in getting up here and denouncing bureaus when we endorse the extensions of this character of bureaucratic power over these fine voluntary manifestations that the spirit of democracy is not dead in America.

We are coming to a show-down in America as to what sort of government we are going to have here. You cannot have a democratic government in America if the people of the communities are not able or willing or permitted to assume on their own responsibility these local matters. That is all there is to it.

Each of you is familiar with the various activities of civilian defense, including the work of air-raid wardens, and so forth. I have been checking in on the spirit of those people and of the spirit of the American people generally. To my mind, it is the one bright spot in this whole picture—self-reliance, conscious responsibility, and a willingness to do the job without looking to Washington to get something from the Federal Treasury.

These people are proud of what they are doing, and I want to tell you that that is the spirit we have got to have in America if we are to win this war. That is all there is about it. A man who will not go out in his community and do what he can to protect his neighbors unless he has assurance that, somehow, he can connect up with the Federal Treasury, does not make up the sort of people that have a chance to win this war. When they are becoming fitter and finer day by day, why do this destructive thing?

I am going to read a telegram, and I want you to listen to it. I want to say that this telegram does not represent the spirit of the new-born America. I do not know whether you people have been taking samples of the public attitude and public fitness in America or not. I have been doing it for several years, especially during the past 2 years. The most magnificent thing I have seen on this earth and the most heartening thing I have seen on this earth is to see the people now under the challenge of danger and responsibility shoving aside this false, unfit, soft personality which used to dominate America and standing forth now strong, courageous, determined people willing to do the job that is necessary in order to preserve our democracy.

This thing reaches further than just attaching these some millions of people to the possibility of getting something from the Federal Treasury. These people are exemplifying what we have got to have in America if we are to have a chance to win.

Let me read this telegram, and I am talking to you now when your Nation and mine and everything we have got are at stake. Do not tell me that any people have a chance to win who are not strong and vigorous and determined to do the job as civilian protectors of their own communities without getting attached to the Federal Treasury. Here are these patriotic citizens in little communities and big communities meeting under the challenge of community danger, and of our democracy, and here we have one of these Federal bureaus running out and trying to hook them onto the Federal Treasury. Let me read this telegram to you. I do not know whether these telegrams have been stimulated from Washington or not:

> Believe imperative that public liability feature of Senate bill 2208 be restored to protect volunteers in civilian defense.

I want you to listen to this. This is signed by public officials, and this is what they say about their people:

> Unless this is done—

Now listen to this, talking about his folks in his community:

> Unless this is done, not only will the morale of the air wardens, auxiliary policemen, and auxiliary firemen be destroyed.

Unless we attach these people to the Federal Treasury, a busted Treasury, unless we attach them, the morale of auxiliary air wardens and policemen and firemen will be destroyed.

Have we got a chance to win a war with a gang like that? We might just as well put up the white flag now and be done with it. Destroy their morale—

Now, listen to this:

> But we may lose their services.

Think of a man saying that about the people in his community—they will absolutely quit. Well, I think it is a pretty good time to find out what we have with which to fight this war. I have been studying people all my life and the American people today have got the fittest stuff in them they have had since I have had any connection with public life. I want to tell you they are way ahead of us here. What we need in this country is to let these patriotic citizens in these communities stand out as a flaming light in a dark night, and let us point to them as patriotic citizens willing to serve their country without greasing their pockets with Federal money.

What is the matter with the communities taking care of these people? Where is this money coming from if the Federal Government does it? It is coming from them. The outfit that is possibly having these telegrams sent out wants to have some more thousands of people administering this thing on the Federal pay roll eating up the tax money of the people, which we need to fight this war. Where is the money coming from? It is coming from the people.

I feel deeply about this. I have respect for gentlemen who disagree with me about it, but I have been studying this matter. I have been going deep into it. I have been wondering whether my people have a chance to win. We cannot win in Congress. The President cannot win. We need something more than armies and navies with which to win.

We need that which is represented by the sacrifice and the effort and the devotion to service of these brave men who go out to these meetings, willing to risk their lives for their Nation and their community, and yet this man who sends this telegram says they will quit unless, somehow or other, they can hook on to the Federal Treasury. He has a finer people than that telegram indicates.

I am now going to reserve the rest of my time, and I am going to have something more to say when the other fellows get through.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield to me?

Mr. SUMNERS of Texas. How much time does the gentleman want?

Mr. HANCOCK. Mr. Speaker, if the gentleman will yield me 20 minutes, I think that will take care of all of the time wanted on this side. I have three requests for time.

Mr. SUMNERS of Texas. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. HANCOCK]. If the other gentlemen to whom he refers will come to me, I think I can take care of them.

The SPEAKER. The gentleman from New York is recognized for 10 minutes.

Mr. HANCOCK. Mr. Speaker, the conferees on the part of the Senate and the House have been able to compose the differences in S. 2208 as it was passed by the two bodies, so far as they are authorized to do so, in all respects save one. Our distinguished chairman, as he has told you with characteristic eloquence and earnestness, is unalterably opposed to title VIII as contained in the text of the bill passed by the Senate and to any modification or amendment of it. He does not believe that the unsalaried employees of the O. C. D. should be eligible for any benefits under the United States Employees' Compensation Act, no matter how dangerous or how arduous their duties may be. Out of deference to him and because of our high regard for him, the conferees have agreed to disagree so that he may again state his views to the House and ask for instructions to insist on the House amendment striking title VIII from the bill.

I realize that this is not an opportune time for the Director of the O. C. D. to ask that his organization be made eligible for the benefits of the Employees' Compensation Act. The first two Directors of it showed such a thorough misconception of its proper functions as to bring the entire institution into disrepute. The O. C. D. was created by Executive order on May 20, 1941. It was set up primarily to organize for defense against the destruction and the suffering that may be occasioned by enemy bombardments and air raids on our cities, our factories, and our civilian population. For these purposes the Congress appropriated $100,000,000. Many of our finest citizens have volunteered to do the various types of work involved in saving

lives, saving property, caring for the injured, the homeless, and all the victims of hostile attacks on our shores. Serious blunders have been made at the top but not in the rank and file of the O. C. D.

The people of the United States were disgusted and indignant when they learned that the responsible heads of the organization here in Washington had diverted their efforts from making necessary preparations for protective services to promoting public amusement and recreation on the theory that such activities would bolster public morale. If there is any Member here who failed to recognize the public outcry against the employment of dancers, movie actors, coordinators of rowing, walking, ping-pong, billiards, bag punching, horseshoe pitching, and other amusements he must be deaf, dumb, and blind.

The people are sick and tired of boondoggling, of waste and extravagance, of inefficiency in high places, and of partisan politics. I do not believe they approve such narrow partisan attitudes as that displayed by the Attorney General when he intimated that the success of the New Deal was of paramount importance; by Chairman Flynn when he stated the election to office of any but new dealers would be a disaster as great as Pearl Harbor; by ex-Chairman Farley when he exhorted his cohorts to keep the political pot boiling. They are outraged by the jockeying of rival labor organizations and farm groups and industrial groups for profits and preferential treatment in this critical hour when our national existence is theatened. How many more defeats must we suffer, how many more disasters must befall us, how much greater must be our taxes and privations before selfish individuals and groups of individuals from the highest to the lowest in the land realize the necessity for sacrifice, for hard work, for a united effort to save our common country and the institutions we cherish?

All this may seem beside the point, but it is not. Title VIII in a modified form is in the interest of our war effort. Certain of our citizens will be called upon in the event of bombardment from the sea or air attack to act as air-raid wardens and fire wardens. Others will engage in air patrols. They are training now for these dangerous and important duties. Theirs will be the chief responsibility to actively assist the regular police and the fire departments in protecting the rest of us when the shells and the bombs begin to fall. It is all very well to say that everyone will rush to assist their neighbors at such a time. Unorganized and untrained men can accomplish nothing except to create confusion and pandemonium in a crisis.

If attacks come, they will be made against the large industrial cities on or near the Atlantic and Pacific coasts. The property damage will be largely localized, but the burden should be shared by all of us. We have recognized the justice of this proposition in the disaster insurance bill passed a few days ago. Many of the wardens in those cities will be killed or maimed. The burden of caring for them or their dependents ought not to be placed on the charity of the afflicted communities. It is the duty of all of us to assist the victims of the aggression of our common enemy.

I still think the O. C. D. should have been placed under the jurisdiction of the War Department and that greater use should have been made of such splendid organizations as the American Legion, the American Red Cross, and other patriotic and humanitarian societies in the work of protection and rescue. However, we must accept the situation as it is and make the best of it.

The new Director of the O. C. D. has inherited a job badly begun. There are mistakes he must correct, and I have enough faith in him to believe he will do it. He is entitled to our support. He most earnestly asks that the men of the O. C. D. trained for hazardous duties and willing to perform them in emergencies without pay shall be brought within the provisions of the United States Employees' Compensation Act as a matter of simple justice and for the purpose of strengthening their morale. The policemen and firemen with whom they will work in emergencies are covered by local compensation laws. The paid personnel of the O. C. D. are eligible for compensation. If the wardens received salaries they would automatically come within the provisions of the Federal compensation law. There is no justice in barring them from the benefits of the act because they are public spirited enough to risk their lives for the common cause without pay.

I am not entirely satisfied with the language of the title as originally introduced in the Senate, as amended in the Senate, or as suggested to the conferees by a proposed new draft of the title. I think the benefits of the United States Employees' Compensation Act should be limited to those men who have taken a prescribed course of training in one of the protective services and who in an emergency are obliged to expose themselves to danger when the rest of the population seeks shelter, to men who have been officially designated for such duties and who have taken an oath to perform them. I want these groups specifically named.

The passage of this bill ought not to be unduly delayed, since many of its provisions are urgent. I should dislike, however, to have this House go on record as being opposed to the principle of title VIII. Let it go back to conference without instructions. If the conferees cannot speedily agree upon a just and reasonable provision with proper limitations, one which will meet your approval, I as a humble member of the conference will vote to strike it from the bill. It will then come up as a separate bill and be considered de novo. But the matter ought to be settled now in the interest of justice and the morale of the O. C. D. England has such a law. We will have it sooner or later. We have already delayed action on too many important questions too long.

It is our duty to see to it that these brave, generous, public-spirited men who do the perilous work of wardens receive the benefits of the Compensation Act just as much and more than to indemnify the people whose property is destroyed by shells and bombs from the air and from the sea.

It is hard to resist the eloquence of the gentleman from Texas [Mr. SUMNERS]. He usually wins. I simply ask you to give this matter some thought. Send it back to conference and see if we cannot bring back a fair bill with limitations that will satisfy you and that will do justice.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. MICHENER. If I understand the gentleman's position, he is not in favor of title VIII of the bill as written, or what has been agreed to by the conferees?

Mr. HANCOCK. No; I am not. I think the whole thing should be rewritten and that limitations should be inserted such as I have indicated, that benefits should only be extended to those men who are especially trained to do the work of air wardens or fire wardens and who have taken an oath to do it and who will be obliged to expose themselves to danger while the rest of us are seeking shelter.

Mr. MICHENER. I appreciate the gentleman's position, but this thing as drafted is so broad that if any one of those people working for the O. C. D., which is an agency of the Government, and under the direction of somebody who is an agent of the Government in the O. C. D., as, for example, a dancer, should break a toe, the Federal Government must pay. We will be confronted with a lot of accidents of that kind. I, for one, want to vote to eliminate this whole title VIII from the bill.

Mr. HANCOCK. So do I as it is now written. I agree with the gentleman. The class of people the gentleman has in mind should not come within the provisions of the compensation law.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, in order that Members of the House may have full information respecting title VIII of this bill, S. 2208, and what is proposed at this particular time, may I briefly explain that at the time this bill was considered by the Judiciary Committee, title VIII was not agreeable to a majority of the committee. The bill came to the floor of the House. After debate, title VIII was entirely eliminated from this bill. It then went to conference and the conferees have made a report herein, by which they bring back into this bill title VIII, by language approximately the same as that which was originally included in the bill.

Title VIII, as you know, provides that all of these volunteers, either air-raid wardens, or fire wardens, even though they receive no compensation for service, if there is any injury of any kind suffered during any fire or during any air raid, they are brought under the Federal compensation law just as if they were receiving $100 per month compensation from the Government for services rendered. In other words, the basis of their compensation would be 66⅔ percent of such

monthly pay, at the rate of $100 per month. Any person who is injured, who comes within the classification of a fire warden or an air-raid warden, would be entitled to that compensation, if this provision is agreed to.

I am inclined to believe, Mr. Speaker, that our people are all patriotic. I am constrained to believe that our people want to guard the safety of themselves, their families, and neighbors, as patriots.

I want to call the attention of Members of the House to the argument which was presented by my very distinguished friend, the gentleman from New York [Mr. HANCOCK]. He and I are usually in full agreement. However, I cannot agree with his logic in this instance. The gentleman from New York says these air-raid wardens or fire wardens ought to be brought under the provisions of the Federal compensation law. However, I suggest to you, in that connection, where are you going to draw the line of demarcation between an air-raid warden, or an assistant, or one whom he sends into a dangerous position, or place, in time of peril? To which one of those men are you going to say, "You may receive compensation?" Yet, to the other man, who is not classified as an air-raid warden or a fire warden, you are compelled to say, "You cannot receive 1 cent compensation." Think with me for just a moment in this connection: In some of the large apartment houses in this city I have checked with some of the air wardens. Just last Saturday afternoon I was talking with one who has assumed that responsible position of air-raid warden. I discussed this provision of this bill with that gentleman, title VIII. This is what he said to me: "We do not want any law of that kind." I discussed with him the subject of his assistants and those who have been assigned to positions of responsibility in case of an air raid or in case of a fire. He said to me, "I have assigned people on every floor and in every wing of this apartment house." Some of these people will no doubt have a very responsible task in case of attack. In case of a fire, or in case of a raid, who would have the position of greatest responsibility? The warden, who would give the general command, or the fellows who would go into the wings of the apartment building and get people out and aid in getting them into places of safety?

My judgment, Mr. Speaker, compels me to say that, in my opinion, the assistants—those who go into the places of extreme danger—are in peril equally as great as the warden himself. There is certainly no difference between men—certainly there is no difference between an air-raid warden or fire warden and his assistant. Then, pray tell me, why the warden, if injured, should claim compensation under Federal law, while his assistant, or others working for the general safety of the public, cannot claim such compensation? If title VIII, approved by the conferees, is accepted by the House that is just the plan we will endorse.

I am wondering where you are going to draw the line of demarcation. If one group is entitled to such compensation, then all groups should likewise be so entitled. If you include one, you must include all. Everyone will be in position of peril under those circumstances.

May I conclude with this statement: We are engaged in a terrible war. We must win this war, and we must win it as quickly as possible. We must save the lives of our men and boys. While our boys are fighting, and while every American is making an all-out effort to win this war, do we want to take away the right of patriotic Americans to render a service for their country, for themselves, their families, and their neighbors, without placing their hands in the Federal Treasury. Our people want to work, they want to render service, they want to win this war, and they do not want either pay or compensation. They want to assert their patriotism.

Mr. Speaker, when I think of the millions of our people who would come under the provisions of title VIII, if it should be enacted into law, I shudder at the staggering cost. Can we visualize the frauds which might be involved—malingering would become the watchword in many instances, and deception would be presented. Our Government would be almost completely helpless to protect itself.

Let us forget these pensions. When this war is over we will face staggering pensions. Let us win this war now. Let us not attempt to buy the patriotism of our patriotic people—let us encourage them. Let us stop this plan for pensions, and let us think of our Nation. We must preserve it, forever.

Mr. SUMNERS of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Speaker, I want to read a telegram into the RECORD:

LOS ANGELES, CALIF., *March 13, 1942.*

HON. LELAND M. FORD,
Washington, D. C.:

Believe imperative that public liability features of Senate bill No. 2208 be restored to protect volunteers in civilian defense. Unless this is done, not only will morale of air-raid wardens, auxiliary policemen, and auxiliary firemen be destroyed, but we may lose their services. Congress urged to remember matter of tremendous importance to volunteers serving in this target area.

SHERIFF E. W. BISCAILUZ,
Chairman,
HAROLD W. KENNEDY,
Executive Director,
Los Angeles County Defense Council and member of California State Defense Council.

This telegram comes from an area which will be a battleground. I have heard the argument both for and against this section 8 of the bill. Nobody can accuse me of wanting to vote for frivolous expenses, particularly in view of the fact that it was my amendment that passed the House 88 to 80 to cut them out.

Now, Mr. Speaker, I want to answer my colleague about the matter of demarcation. One demarcation—I say this sincerely—could be those areas that are battle areas. In California, for instance, it would not be proper to make a State set-up and make the State carry these compensation cases because, after all, the people of the west coast did not declare war; it was the United States of America that declared war. They therefore should be responsible for the expense. We are in the combat area and we have to face it. I will agree with my colleague from Texas that we should cut out expenses of certain kinds, but there are in the O. C. D. two kinds of functions, proper functions and improper functions. I will go down the line on cutting out every single one of the frivolous expenses not only on this bill but I will go right on down the line on every department on the matter of social gains and a lot of these things that I consider to be unreasonable and undesirable and unnecessary functions of the Government.

In the matter of this air-raid warden service the wardens will not only be located in apartment houses but they will go out in the streets. These air wardens who serve on a voluntary basis and who are willing to sacrifice their lives, if necessary, are a part of our defense forces and should therefore be properly protected. Are you going to say to all these people: "You go out and protect us but if you are injured we will not stand behind you?" What is going to happen to your organization?

Mr. Speaker, these things either are necessary or they are not necessary. If they are necessary there are certain reasonable expenses that must go along with their operations. I say that this is a necessary expense. It is a part of our war program. It may be that title VIII should be rewritten, should be clarified, the language made more specific. If that is necessary I hope it will be done, but I hope the conferees will include this title in the bill.

[Here the gavel fell.]

Mr. ROLPH. Mr. Speaker, Mayor Angelo Rossi, of San Francisco, wired me Friday:

Senate bill 2208, title 8, provides for workmen's compensation for civilian defense workers engaged in protective services and brings these persons within purview of Federal Workmen's Compensation Act. After passage by Senate, House deleted title 8, section 801. Tomorrow morning conference will consider reinstating deleted portion of said bill. If bill is not adopted as passed by Senate, San Francisco as well as other cities will have to provide fund to care for civilian defense workers when injured. Workers in San Francisco alone will amount to over thirty thousand. Their duties are not entirely local but represent national as well as civilian defense. I ask you to exert your best efforts in obtaining reinstatement of deleted portions of bill.

On making inquiry as to the conference mentioned in the mayor's telegram, I learned that no conference was to be held last Saturday, so reference is no doubt to the report being considered today.

Title VIII deleted by the House is still in dispute as will be seen by conference report.

When title VIII was before the House on February 28, 1942, the gentleman

from Texas, Representative SUMNERS, said:

Briefly, this title VIII deals with voluntary organizations, individuals, and so forth, in the various communities of the States engaged in community defense, like fire wardens and people of that sort. This bill provides that in the event of injury, persons not on a salary shall be dealt with from the standpoint of Federal compensation as though they were employed at a salary of $100 a month.

And from Congressman CELLER'S remarks I quote:

Our Judiciary Committee wishes to provide relief for those injured, hurt, maimed, wounded, and for dependents of those who have rendered the supreme sacrifice. But we desire that it be done in a separate bill.

The gentleman from Ohio [Mr. THOM] said he opposed the amendment when it was discussed in the Judiciary Committee. When the bill was later reported to the Committee of the Whole he offered an amendment which was as follows:

On page 15, line 21, after the word "defense", insert "during an enemy attack."

In support of this special amendment, the gentleman from Ohio [Mr. THOM] explained:

Every man who enlists as a warden and is injured will seek his Congressman out and have him introduce a special bill in the House of Representatives. If these air bombings become general you will have hundreds and hundreds of special bills to deal with. These bills will grant lump sums that may be used up quickly, whereas the compensation system would give them a certain amount weekly over many weeks in order to keep their families together until they can again become wage earners.

Large cities on all seacoasts will no doubt be subjected to the most devastating and most intense air raids. This is so apparent that it hardly seems necessary to restate it, but those people who live inland and therefore are in sections less likely to air raids should realize the war is all-out war against the United States and not a war against the Atlantic States, the Gulf States, or the Pacific States.

Mr. Speaker, I urge the House to recede from our position and accept the Senate title VIII, section 801, of Senate bill 2208.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. DUNCAN). The gentleman will state it.

Mr. MICHENER. There seems to be a slight misunderstanding as to what is before the House. As I understand the matter, the chairman of the Judiciary Committee has made a motion that the conferees insist on the position of the House; that is, if that motion carries, and if the conferees do insist, title VIII will be out of the bill entirely, or at least the matter must come back to the House. Am I correct?

Mr. McLAUGHLIN. Mr. Speaker, if the Chair will permit me, that is not the situation.

Mr. MICHENER. What is it, then?

Mr. McLAUGHLIN. I want to disclaim——

Mr. MICHENER. Just a minute, I cannot yield any time for debate, I do not control the time.

Mr. McLAUGHLIN. There is no time running against anybody. The gentleman is operating under a parliamentary inquiry.

Mr. MICHENER. The only person who technically can answer the question is the Speaker, but if the gentleman has the answer I am sure we would like to have it.

Mr. McLAUGHLIN. I shall be pleased to give the gentleman my best judgment on it, having given it a little thought, if he is willing to listen.

My understanding is that the matter went to conference on a disagreement. The House struck title VIII out of the bill after the Senate had passed title VIII in the form in which it was in the bill as stricken out by the House. Those conferees who were favorable to the general purpose of title VIII were not willing to adopt title VIII of the Senate bill in the form in which it had been defeated in the House. The Senate conferees came back with a proposition and suggestion amending title VIII, to which the gentleman from New York [Mr. HANCOCK] and myself as conferees were willing to agree. The gentleman from Texas [Mr. SUMNERS] was not willing to agree. We then agreed, rather than to sign a 5 to 1 conference report embodying the Senate amendment, to bring the conference report back in total agreement with exception of title VIII that we have before us.

That means this, as I understand it: In order to send the bill back to conference, it is necessary, as I view it, for those on both sides, either for or against, to vote to insist on the House amendment. This will put the bill in disagreement and will send it back to conference. We will go to conference and will then consider it in conference, bringing back a conference report, unless the Senate should accept our position, in which event the matter would be terminated.

Mr. MICHENER. That is my understanding, but I wanted to get before the House the fact that in order to eliminate this title VIII the vote on this motion must be "yea." Then the bill goes back to the Senate and if the House conferees will stay by the instructions given them by the House, through the passage of the bill, they will insist on the elimination of title VIII from the bill and so report back to the House.

Mr. McLAUGHLIN. I am not entirely in accord with the gentleman so far as the latter part is concerned.

Mr. MICHENER. Disagreements do sometimes occur.

Mr. McLAUGHLIN. I agree with that, but might I say that I do not understand the situation to be that the conferees will be in a position where they will not be permitted to exercise their judgment or discretion as conferees in the event the House votes to insist upon its amendment, because that is the only way in which the matter can go to conference. The situation now is such that in order to get title VIII back to conference, even to incorporate in the bill the Senate amendment, we would have to vote against title VIII, or, in other words, we would have to vote for the Sumners motion to insist on the action of the House. When the gentleman says that the House conferees are bound to insist on the elimination of title VIII, I am afraid I do not agree with the gentleman.

Mr. MICHENER. There is no use arguing that. All I am interested in is this: I have listened to the two speeches of the gentlemen who are on the conference committee. The gentleman from Texas [Mr. SUMNERS] stated his position, which was the position of the House when the bill was before the House. The gentleman from New York [Mr. HANCOCK] stated his position, which was broader than the position taken by the House. There were many, especially on this side, who feel as they did when the matter was before the House and do not agree with the position expressed by my good friend from New York, with whom I usually agree. It would seem strange to vote with the gentleman from New York when you are not in favor of the position which he suggests, yet that is the thing we must do here if we are still of the same mind we were when we voted on the bill when it was before the House.

Mr. HANCOCK. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from New York.

Mr. HANCOCK. The gentleman from Nebraska will remember that it was our hope that this bill with this title would come back to the House for instructions, and it was my hope that the chairman of the committee would make his motion in the form of a request for instructions. Before abandoning title VIII entirely, the gentleman from Nebraska and myself wished to have an expression of the sentiment of the House.

Mr. McLAUGHLIN. The gentleman is correct.

Mr. MICHENER. That cannot be accomplished under the parliamentary procedure in the House, as presently presented. The gentleman from Nebraska and the gentleman from New York are suggesting doing something that cannot be done at this time under the rules of the House. That is why I am asking for a clarification by the Speaker as to just what the situation is.

The SPEAKER pro tempore [Mr. DUNCAN]. The Chair may say that there are two things the House may do: The House may insist on the amendment, or it can recede from it. If the bill goes to conference, then the conferees have the subject before them, to be considered by the conferees, if the Senate insists on its position.

Mr. McLAUGHLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McLAUGHLIN. If the House votes not to insist upon its amendment, then there is nothing before the conferees, because the House will then have yielded to the position taken by the Senate, as I understand the situation. Am I correct?

The SPEAKER pro tempore. If the House recedes from its amendment, then

there would be no reason to go to conference.

Mr. McLAUGHLIN. That is what I intended to ask. So that the situation is, Mr. Speaker, if I understand it correctly, we have two alternatives—one to insist and one to recede.

The SPEAKER pro tempore. That is correct.

Mr. McLAUGHLIN. If we recede, we vote to pass without further action by the conferees the bill in the form in which it was prior to the time the Judiciary Committee, by committee amendment, moved that this title be stricken out, and prior to the time the House adopted that amendment. If we vote to insist, then we send it back to conference for action by the conferees. Is that not the situation?

The SPEAKER pro tempore. If the House adopted the pending motion, then it goes back to the Senate for further consideration. It goes to the Senate first before it goes to conference.

Mr. McLAUGHLIN. If the Senate does not agree with our action in accepting the Sumners motion insisting on the House amendment, then the matter will have to go to conference?

The SPEAKER pro tempore. That is correct.

Mr. McLAUGHLIN. In that event the conferees on the part of the House and the conferees on the part of the Senate will have within their power and discretion the right to bring in any proposal which they see fit to bring back to the House and to the Senate?

The SPEAKER pro tempore. It will be before the conference and the conferees may bring in a compromise report, if they so desire.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MICHENER. The real point in which I am interested is that there is no possible parliamentary way whereby the House may instruct the conferees at this time. To effect our purpose therefore we must send this bill back to conference or accept the objectionable Senate amendment.

The SPEAKER pro tempore. The House cannot instruct the Senate conferees.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. If I want to vote against putting the employees upon the compensation roll, if they are hurt, how should I vote?

The SPEAKER pro tempore. Vote "aye" on the motion.

Mr. SUMNERS of Texas. Mr. Speaker, a number of gentlemen have asked for time and I want to make another big speech, but I believe I shall move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion offered by the gentleman from Texas.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 45: Page 31, in the title, strike out "XV" and insert "XVI."

Mr. SUMNERS of Texas. Mr. Speaker, I believe all the other amendments in disagreement are formal amendments, and I ask unanimous consent that they may be considered en bloc.

The SPEAKER. The Chair understands that the remaining amendments in disagreement are not controversial and are simply amendments changing the numbers of sections.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Clerk will report the remaining amendments in disagreement.

The Clerk read as follows:

Amendment No. 46: Page 31, line 6, strike out "1501" and insert "1601."

Amendment No. 47: Page 31, line 7, strike out "Title XII" and insert "Titles XII and XV."

Amendment No. 50: Page 31, line 17, strike out "1502" and insert "1602."

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House recede on its amendments numbered 45, 46, and 50.

The motion was agreed to.

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House insist on its amendment numbered 47.

The motion was agreed to.

By unanimous consent, a motion to reconsider the votes by which the several motions were agreed to was laid on the table.

EXTENSION OF REMARKS

(Mr. ELIOT of Massachusetts asked and was given permission to extend his own remarks in the RECORD.)

Mr. SUMNERS of Texas. Mr. Speaker, I had agreed to yield time to the gentleman from California [Mr. ROLPH] during the discussion on the conference report just adopted, but overlooked it. I ask unanimous consent that the gentleman from California be permitted to extend his own remarks in the RECORD at that point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PUYALLUP TRIBE OF INDIANS, STATE OF WASHINGTON

The Clerk called the first bill on the Consent Calendar, H. R. 4578, to authorize certain corrections in the tribal membership roll of the Puyallup Tribe of Indians in the State of Washington, and for other purposes.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OF CLASSIFICATION ACT OF 1923

The Clerk called the next bill, H. R. 6217, to amend section 13 of the Classification Act of 1923, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MOSER, Mr. COLE of New York, and Mr. KEAN objected.

ADDITIONAL JUDGE FOR THE DISTRICT OF NEW JERSEY

The Clerk called the next bill, S. 1961, to eliminate the prohibition against the filling of the first vacancy occurring in the office of district judge for the district of New Jersey.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. HART. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. I object, Mr. Speaker.

AMENDING THE NATIONALITY ACT OF 1940

The Clerk called the next bill, H. R. 6439, to expedite the naturalization of persons who are not citizens, who have served or who hereafter serve honorably in the naval or military forces during the present war.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SUMNERS of Texas. Reserving the right to object, Mr. Speaker, I think this bill covers the same subject matter that was dealt with in the conference report just agreed to.

Mr. COLE of New York. I was going to object to the consideration of the bill for that reason, Mr. Speaker. With that explanation, I object.

INDIANS OF CALIFORNIA

The Clerk called the joint resolution (H. J. Res. 268) to extend the time for amending the petition of the Indians of California under section 4 of the act of May 18, 1928.

Mr. COCHRAN. Mr. Speaker, at the request of the gentleman from California [Mr. LEA], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FRED B. WOODARD

The Clerk called the next bill, H. R. 3759, to limit the operation of sections 109 and 113 of the Criminal Code, and section 190 of the Revised Statutes of the United States, with respect to certain counsel.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

TLINGIT AND HAIDA INDIANS OF ALASKA

The Clerk called the next bill, H. R. 5484, for the relief of the Tlingit and Haida Indians of Alaska.

Mr. COCHRAN. Mr. Speaker, at the request of the Delegate from Alaska [Mr.

DIMOND], I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CREDITING OF MILITARY SERVICE UNDER RAILROAD RETIREMENT ACTS

The Clerk called the next bill, H. R. 6387, to extend the crediting of military service under the railroad retirement acts, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 24, 1937 (50 Stat. 307), entitled "An act to amend an act entitled 'An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes,' approved August 29, 1935," as amended, is hereby amended as follows:

Subsection (a) of section 3A is hereby amended to read as follows:

"(a) For the purposes of determining eligibility for an annuity and computing an annuity, including a minimum annuity, there shall also be included in an individual's years of service, within the limitations hereinafter provided in this section, voluntary or involuntary military service of an individual within or without the United States during any war service period, including such military service prior to the date of enactment of this amendment: *Provided, however*, That such military service shall be included only subject to and in accordance with the provisions of subsection (b) of section 3, in the same manner as though military service were service rendered as an employee: *Provided further*, That an individual who entered military service prior to a war service period shall not be regarded as having been in military service in a war-service period with respect to any part of the period for which he entered such military service."

SEC. 2. Subsection (b) of section 3A is hereby amended to read as follows:

"(b) For the purpose of this section and section 202, as amended, an individual shall be deemed to have been in 'military service' when commissioned or enrolled in the active service of the land or naval forces of the United States and until resignation or discharge therefrom; and the service of any individual in any reserve component of the land or naval forces of the United States, while serving in the land or naval forces of the United States for any period, even though less than 30 days, shall be deemed to have been active service in such force during such period."

SEC. 3. Subsection (c) of section 3A is hereby amended to read as follows:

"(c) For the purpose of this section and section 202, as amended, a 'war service period' shall mean (1) any war period, or (2) with respect to any particular individual, any period during which such individual (i) having been in military service at the end of a war period, was required to continue in military service, or (ii) was required by call of the President, or by any act of Congress or regulation, order, or proclamation pursuant thereto, to enter and continue in military service, or (3) any period after September 7, 1939, with respect to which a state of national emergency was duly declared to exist which requires a strengthening of the national defense."

SEC. 4. Subsection (f) of section 3A is hereby amended to read as follows:

"(f) Military service shall not be included in the years of service of an individual unless, prior to the beginning of his military service in a war-service period and in the same calendar year in which such military service began, or in the next preceding calendar year, the individual rendered service for compensation to an employer or to a person service to which is otherwise creditable under this act, or lost time as an employee for which he received remuneration, or was serving as an employee representative."

SEC. 5. Subsection (k) of section 3A is hereby amended to read as follows:

"(k) No person shall be entitled to an annuity, or to an increase in an annuity, based on military service unless a specific claim for credit for military service is filed with the Board by the individual who rendered such military service, and in no case shall an annuity, or an increase in an annuity, based on military service begin to accrue earlier than 60 days prior to the date on which such claim for credit for military service was filed with the Board nor before October 8, 1940: *Provided*, That this subsection shall not be construed to prevent payment of annuities with respect to accruals, not based on military service, prior to the date on which an annuity based on military service began to accrue."

SEC. 6. Subsection (l) of section 3A is hereby amended to read as follows:

"(l) An individual who, before the ninety-first day after the date on which this amendment of section 3A is enacted was awarded an annuity under the Railroad Retirement Act of 1937 or the Railroad Retirement Act of 1935, but who had rendered military service which, if credited, would have resulted in an increase in his annuity, may, notwithstanding the previous award of an annuity, file with the Board an application for an increase in such annuity based on his military service. Upon the filing of such application, if the Board finds that the military service thus claimed is creditable and would result in an increase in the annuity, the Board, notwithstanding the previous award, shall recertify the annuity on an increased basis in the same manner as though the provisions making military service creditable had been in effect at the time of the original certification subject, however, to the provisions of subsection (k) of this section. If the annuity previously awarded is a joint and survivor annuity, the increased annuity shall be a joint and survivor annuity of the same type, the actuarial value of the increase to be computed as of the effective date of the increase: *Provided, however*, That if on the date the increase begins to accrue the individual has no spouse for whom the election of the joint and survivor annuity was made, the increase on a single life basis shall be added to the individual's annuity."

SEC. 7. Immediately after subsection (l) of section 3A insert the following new subsection:

"(m) In determining the amount of death benefits payable under section 5, there shall be added to the aggregate compensation (determined as provided in section 5) an amount equal to $160 multiplied by the number of months in which the deceased was in creditable military service after December 31, 1936: *Provided*, That if, under any other act of Congress, there is payable with respect to the death of the individual any gratuitous death benefit, allowance, or pension by reason of military service on the basis of which, in whole or in part, death benefits payable under section 5 are increased under the provisions of this subsection, the amount of such increase shall be reduced by the total amount payable under such other act or, if such total amount is unascertainable in advance, by the actuarial value thereof, as determined by the Board."

SEC. 8. Subsection (m) of section 3A is hereby amended to read as follows:

"(n) In addition to the amount authorized to be appropriated in subsection (a) of section 15 of this act, there is hereby authorized to be appropriated to the railroad retirement account for each fiscal year, beginning with the fiscal year ending June 30, 1941, (i) an amount sufficient to meet the additional cost of crediting military service rendered prior to January 1, 1937, and (ii) an amount found by the Board to be equal to the amount of the total additional excise and income taxes which would have been payable during the preceding fiscal year under subchapter B of chapter 9 of the Internal Revenue Code, as amended, with respect to the compensation, as defined in such subchapter B, of all individuals entitled to credit under the Railroad Retirement Acts, as amended, for military service after December 31, 1936, if each of such individuals, in addition to compensation actually earned, had earned such compensation in the amount of $160 in each calendar month in which he was in such military service during such preceding fiscal year and such taxes were measured by all such compensation without limitation as to amount earned by any individual in any one calendar month. The additional cost of crediting military service rendered prior to January 1, 1937, shall be deemed to be the difference between the actuarial value of each annuity based in part on military service and the actuarial value of the annuity which would be payable to the same individual without regard to military service. In calculating these actuarial values, (1) whenever the annuity based in part on military service begins to accrue before age 60, the annuity without regard to military service shall be valued on the assumption of deferment to age 60, and whenever the annuity based in part on military service is awarded under subsection 2 (a) of section 2 (a), the annuity without regard to military service shall be valued on the assumption of deferment to age 65; and (2) all such actuarial values shall be calculated as of the date on which the annuity based on military service begins to accrue and shall not thereafter be subject to change. All such actuarial calculations shall be based on the combined annuity table of mortality and all calculations in this subsection shall take into account interest at the rate of 3 percent per annum compounded annually. The Railroad Retirement Board, as promptly as practicable after the enactment of this amendment, and thereafter annually, shall submit to the Bureau of the Budget estimates of such military service appropriations to be made to the account, in addition to the annual estimate by the Board, in accordance with subsection (a) of section 15 of this act, of the appropriation to be made to the account to provide for the payment of annuities, pensions, and death benefits not based on military service. The estimate made in any year with respect to military service rendered prior to January 1, 1937, shall be based on the cost, as determined in accordance with the above provisions, of annuities awarded or increased on the basis of such military service up to the close of the preceding fiscal year and not previously appropriated for, and shall take into account interest from the date the annuity began to accrue or was increased to the date or dates on which the amount appropriated is to be credited to the railroad retirement account. In making the estimate for the appropriation for military service rendered after December 31, 1936, the Board shall take into account any excess or deficiency in the appropriation or appropriations for such service in any preceding fiscal year or years, with interest thereon, resulting from an overestimate or underestimate of the number of individuals in creditable military service or the months of military service."

SEC. 9. Immediately after the subsection of section 3A which, as amended, is subsection (n), insert the following new subsection:

"(o) Section 3A, as herein amended, shall be effective as of October 8, 1940. No rights shall be deemed to have accrued under section 3A which would not have accrued had this act amending section 3A been enacted on October 8, 1940."

SEC. 10. The third proviso of section 202 of said act of June 24, 1937, is hereby amended

to read as follows: "*And provided further,* That for the purposes of determining eligibility for an annuity and computing an annuity there shall also be included in an individual's service period, subject to and in accordance with the second proviso of subsecton (a), subsections (b) to (e), inclusive, and subsections (g) to (l), inclusive, of section 3A of this act, as amended, voluntary or involuntary military service of an individual within or without the United States during any war service period, including such military service prior to the date of enactment of this amendment, if, prior to the beginning of his military service in a war service period and in the same calendar year in which such military service began, or in the next preceding calendar year, the individual rendered service for compensation to a carrier, or to a person, service to which is otherwise creditable, or was serving as a representative; but such military service shall be included only subject to and in accordance with the provisions of the Railroad Retirement Act of 1935, in the same manner as though military service were service rendered as an employee. This proviso, as herein amended, shall be effective as of October 8, 1940. No right shall be deemed to have accrued under this proviso which would not have accrued had this amendment thereof been enacted on October 8, 1940."

SEC. 11. Immediately after section 18 of said act of June 24, 1937, insert the following new section:

"INCOMPETENCE

"SEC. 19. (a) Every individual receiving or claiming benefits, or to whom any right or privilege is extended, under this or any other act of Congress now or hereafter administered by the Board shall be conclusively presumed to have been competent until the date on which the Board receives written notice, in a form and manner acceptable to the Board, that he is an incompetent, or a minor, for whom a guardian or other person legally vested with the care of his person or estate has been appointed: *Provided, however,* That the Board may, in its discretion, validly, recognize actions by, and conduct transactions with, others acting, prior to receipt of, or in the absence of, such written notice, in behalf of an individual found by the Board to be an incompetent or a minor, if the Board finds such actions or transactions to be in the best interests of such individual.

"(b) Every guardian or other person legally vested with the care of the person or estate of an incompetent or minor who is receiving or claiming benefits, or to whom any right or privilege is extended, under this or any other act of Congress now or hereafter administered by the Board shall have power everywhere, in the manner and to the extent prescribed by the Board, to take any action necessary or appropriate to perfect any right or exercise any privilege of the incompetent or minor and to conduct all transactions on his behalf under this or any other act of Congress now or hereafter administered by the Board. Any payment made pursuant to the provisions of this or the preceding subsection shall be a complete settlement and satisfaction of any claim, right, or interest in and to such payment.

"(c) This section shall be effective as of August 29, 1935."

SEC. 12. Effective as of June 24, 1937, except as to death benefits certified prior to the date of the enactment of this section, section 5 of said act of June 24, 1937, is hereby amended to read as follows:

"DEATH BENEFITS

"SEC. 5. (a) The death benefit shall be an amount equal to 4 percent of the aggregate compensation (determined in accordance with section 1 (h) of this act but exclusive of the excess over $300 in any month's earnings) earned by an individual as an employee after December 31, 1936, less any annuity payments paid him, and less any annuity payments due him but not yet paid at his death, and, if he is survived by a spouse entitled to a joint and survivor annuity, less any annuity payments paid such spouse under sections 3 (f) and 4 of this act, and less any annuity payments due such spouse under said sections but not yet paid at death.

"(b) The amount of the death benefit computed under subsection (a) of this section shall be due upon the death of an individual who was an employee after December 31, 1936, or, if he is survived by a spouse entitled to a joint and survivor annuity, upon the death of such spouse and, upon application therefor, as provided in subsection (c) of this section, shall be paid in a lump sum to the person or persons designated by such individual in a writing filed, on or before the date of his death, with the Board, in such manner and form as provided by the Board: *Provided, however,* That if such designation has not been filed, or was improperly executed or improperly filed, or no designee is alive on the day the death benefit becomes due, the amount of the death benefit shall be paid to the person determined by the Board to have been such individual's spouse on the day of his death; if no such spouse is alive on the day the death benefit becomes due, such amount shall be paid to the person determined by the Board to be his child, by blood or by legal adoption, and alive on the day the death benefit becomes due, and if there be more than one such child they shall share equally; if there be no such child, such amount shall be paid to the person determined by the Board to be his parent and alive on the day the death benefit becomes due, and if both parents are so determined they shall share equally; if there be no such parent, such amount shall be paid to the person determined by the Board to be his brother or sister, by blood or through legal adoption, and alive on the day the death benefit becomes due, and if there be more than one such brother or sister they shall share equally; and if there be no such brother or sister such amount shall be paid to the person determined by the Board to be his grandchild, by blood or through legal adoption, and alive on the day the death benefit becomes due, and if there be more than one such grandchild they shall share equally. If there be no such persons enumerated above in this subsection, the Board may compensate other persons to the extent and in the proportions that they have borne the expenses of the last illness or funeral or both of such individual in an amount or amounts, and upon such conditions, as the Board may fix as equitable, but the total of such amounts shall not exceed the amount of the death benefit.

"(c) No payment shall be made to any person under this section unless application therefor, in such manner and form as provided by the Board, shall have been filed, by or on behalf of any such person (whether or not legally competent), prior to the expiration of 2 years after the date the death benefit becomes due as provided in subsection (b) of this section. For the purpose of this subsection, if the death benefit became due as provided in subsection (b) of this section before the enactment of this amendment, such death benefit shall be considered to have become due on the date of the enactment hereof."

SEC. 13. The first proviso in subsection (c) of section 1 of said act of June 24, 1937, is hereby amended to read as follows: "*Provided, however,* That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case the Board may prescribe such other formula as it finds to be equitable:".

The amendment in this section shall operate in the same manner and have the same effect as if it had been part of the Railroad Retirement Act of 1937 when that act was enacted on June 24, 1937.

SEC. 14. The first proviso in subsection (d) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended to read as follows: "*Provided, however,* That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case such other formula as the Railroad Retirement Board may have prescribed pursuant to subsection (c) of section 1 of the Railroad Retirement Act of 1937 shall be applicable:".

The amendment in this section shall operate in the same manner and have the same

effect as if it had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if it had been part of the Carriers Taxing Act of 1937 (50 Stat. 435) when that act was enacted on June 29, 1937: *Provided, however,* That no interest or penalties shall accrue or be deemed to have accrued for the failure to make returns under, or pay taxes levied by, sections 1500 and 1520, respectively, of said Internal Revenue Code and sections 2 and 3, respectively, of said Carriers Taxing Act of 1937 with respect to the compensation of employees of any local lodge or division or of any general committee of a railway-labor-organization employer earned prior to the enactment of this amendment, if (1) the headquarters of such a local lodge or division was not located in the United States, or (2) all, or substantially all, the individuals constituting the membership of such a local lodge or division were employees of an employer not conducting the principal part of its business in the United States, or (3) the individuals represented by such a general committee were employees of an employer not conducting the principal part of its business in the United States, or (4) the service to such a general committee was rendered outside the United States, or (5) the office or headquarters of the individual rendering service to such a general committee was not located in the United States and if such returns are made and such taxes are paid within the time allowed for making returns and paying taxes with respect to the first calendar quarter beginning after the enactment of this amendment.

SEC. 15. The first proviso in subsection (e) of section 1 of the Railroad Unemployment Insurance Act, approved June 25, 1938, as amended, is hereby amended to read as follows: "*Provided, however,* That an individual shall be deemed to be in the service of an employer, other than a local lodge or division or a general committee of a railway-labor-organization employer, not conducting the principal part of its business in the United States only when he is rendering service to it in the United States; and an individual shall be deemed to be in the service of such a local lodge or division only if (1) all, or substantially all, the individuals constituting its membership are employees of an employer conducting the principal part of its business in the United States; or (2) the headquarters of such local lodge or division is located in the United States; and an individual shall be deemed to be in the service of such a general committee only if (1) he is representing a local lodge or division described in clauses (1) or (2) immediately above; or (2) all, or substantially all, the individuals represented by it are employees of an employer conducting the principal part of its business in the United States; or (3) he acts in the capacity of a general chairman or an assistant general chairman of a general committee which represents individuals rendering service in the United States to an employer, but in such case if his office or headquarters is not located in the United States and the individuals represented by such general committee are employees of an employer not conducting the principal part of its business in the United States, only such proportion of the remuneration for such service shall be regarded as compensation as the proportion which the mileage in the United States under the jurisdiction of such general committee bears to the total mileage under its jurisdiction, unless such mileage formula is inapplicable, in which case the Board may prescribe such other formula as it finds to be equitable:".

The amendment in this section shall operate in the same manner and have the same effect as if it had been part of the Railroad Unemployment Insurance Act when that act was enacted on June 25, 1938: *Provided, however,* That no interest or penalties shall accrue or be deemed to have accrued for the failure to make returns under, or pay contributions levied by, section 8 of said Railroad Unemployment Insurance Act with respect to the compensation of employees of any local lodge or division of a railway-labor-organization employer earned prior to July 1, 1940, and with respect to the compensation of employees of any general committee of a railway-labor-organization employer earned prior to the enactment of this amendment if, with respect to any such local lodge or division (1) the headquarters of such a local lodge or division was not located in the United States, or (2) all, or substantially all, the individuals constituting the membership of such a local lodge or division were employees of an employer not conducting the principal part of its business in the United States; and if, with respect to any such general committee (1) the individuals represented by such a general committee were employees of an employer not conducting the principal part of its business in the United States, or (2) the service to such a general committee was rendered outside the United States, or (3) the office or headquarters of the individual rendering service to such a general committee was not located in the United States and if such returns are made and such contributions are paid by such a local lodge or division or by such a general committee within the time allowed for making returns and paying contributions with respect to the first calendar quarter beginning after the enactment of this amendment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF ATLANTA, GA.

The Clerk called the next bill (H. R. 5866) for the relief of the city of Atlanta, Ga.

There being no objection, the clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $276.38 to the city of Atlanta, Ga., in full settlement of all claims against the United States for the construction of a cement sidewalk adjacent to the property of the Civil Aeronautics Administration on Wells Street in that city.

With the following committee amendment:

Page 1, at the end of the bill change the period to a colon and insert:

"*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POLICE JURISDICTION OVER LANDS WITHIN THE SHENANDOAH NATIONAL PARK

The Clerk called the next bill (H. R. 5016) to amend section 1 of the act approved August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes," is hereby amended to read as follows:

"That in order to provide for uniform Federal jurisdiction over all of the lands now or hereafter embraced within the Shenandoah National Park, the provisions of the act of the General Assembly of the Commonwealth of Virginia, approved April 1, 1940 (acts of 1940, ch. 402, p. 725), fixing and defining the respective jurisdiction and powers of the Commonwealth of Virginia and the United States and ceding to the United States exclusive police jurisdiction over all lands now or hereafter included within the park are hereby accepted and such exclusive jurisdiction is assumed by the United States over such lands. From the effective date of this act the respective jurisdiction and powers of the Commonwealth of Virginia and the United States over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

"(a) The United States shall have exclusive jurisdiction, legislative, executive, and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

"(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands: *Provided, however,* That, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area: *And provided further,* That, if the general laws of the Commonwealth of Virginia permit the sale of alcoholic beverages, then the regulations of the United States relating to such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

"(c) The Commonwealth of Virginia shall have jurisdiction to serve civil process within the limits of said park in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.

"(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all alcoholic beverages possessed or sold on said lands.

"(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor-vehicle fuels and lubricants for use in motor vehicles. This subsection shall not be construed as a consent by the United States to the taxation by the Commonwealth of such sales for the exclusive use of the United States.

"(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their fran-

chises and properties, on said lands, and on their businesses conducted thereon.

"(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action had arisen in the county or city in which the land lies outside the park area, and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.

"(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent, as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the Commonwealth of Virginia."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECLARATION OF CERTAIN LANDS AS PART OF PUBLIC DOMAIN AND THE ADMINISTRATION THEREOF

The Clerk called the next bill, H. R. 5860, declaring certain lands to be a part of the public domain and providing for the administration thereof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from the date of the approval by the Secretary of the Interior of the release, each tract of land, claims to which have been or may be released by a carrier by railroad pursuant to subsection (b), section 321, part II, title III, of the act of September 18, 1940 (54 Stat. 898, 954), shall be deemed to be a part of the public domain: *Provided*, That, subject to existing valid rights, any such tract lying within the exterior boundaries of a withdrawal or reservation shall be deemed to be a part of the withdrawal or reservation in which it lies and shall be administered by the agency of the United States charged with the administration of the withdrawal or reservation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUILFORD COURTHOUSE NATIONAL MILITARY PARK COMMISSION

The Clerk called the next bill, H. R. 5719, to abolish the Guilford Courthouse National Military Park Commission, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Guilford Courthouse National Military Park Commission, established pursuant to the act of March 2, 1917 (39 Stat. 996; 16 U. S. C. 430i), is abolished effective at the expiration, on October 13, 1941, of the current appointment of the resident commissioner.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT OF CONGRESS TO AMENDMENT OF CONSTITUTION OF STATE OF NEW MEXICO

The Clerk called the next bill, H. R. 6625, granting the consent of Congress to an amendment to the Constitution of the State of New Mexico, providing a method for executing leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress approved June 20, 1910.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of New Mexico and the qualified electors thereof to amend the constitution of such State by the adoption of the following amendment proposed by the legislature of said State at its fifteenth regular session by Senate Joint Resolution No. 8, approved April 4, 1941, to be added to the end of article XXIV of the constitution of said State, to be designated as: "Paragraph (A), article XXIV" and entitled: "Contracts Relating to Grazing and Agricultural Leases Upon State Lands," said amendment being as follows, to wit:

"Leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress of June 20, 1910, entitled 'An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States,' may be made under such provisions relating to the necessity or requirements for or the mode and manner of the appraisement, advertisement, and competitive bidding, and containing such terms and provisions as may be provided by the act of the legislature; the rentals and other proceeds therefrom to be applied and conserved in accordance with the provisions of said act of Congress for the support or in aid of the common schools or for the attainment of the respective purposes for which these several grants of land were made."

SEC. 2. The consent of Congress also is granted to such State to enact such laws and establish such rules and regulations as it may deem necessary to carry such constitutional provision into full force and effect upon its adoption.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECORATIONS FOR HEROIC SERVICE IN AMERICAN MERCHANT MARINE

The Clerk called the next business, House Joint Resolution 263, to provide decorations for outstanding conduct or service by persons serving in the American merchant marine.

Mr. KEAN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Virginia why this dates back to the very beginning of the European war. During the last war such a bill was passed and that was limited to the time we were in the war. I could understand going back to the time that we passed the Lend-Lease Act, when it was considered our duty to get these goods across, but up to that time I do not see how we can go any further.

Mr. BLAND. Because under the operation of the merchant marine during the war in Europe, but before our entry, there have been instances of valorous conduct that should be recognized. For instance, I cite one case, that of bringing a ship back from Norway and valorous service in connection therewith. There may have been other valorous services that have been performed by men of the merchant marine, before our entry into the war, that ought to be recognized. I do not have at my finger tips all of those instances, but I do recall a particular case in which Captain—I forget the name——

Mr. KEAN. I recall the instance the gentleman has in mind.

Mr. BLAND. Where the ship was captured and brought back, and there was valorous conduct on the part of officers and men. I recall now that the ship was the *City of Flint*, of which Capt. Joseph Gainard was master. There may have been other cases such as that relating to men in merchant ships, and in the fishing boats—cases where the crews have rendered valorous services. The situation somewhat parallels the bill that we passed a short time ago in which, if we adhered strictly to the entry into the war, we would not have recognized a man belonging to the Coast and Geodetic Survey who was killed in the Philippines. It is to take care of cases such as those.

Mr. KEAN. Is it the gentleman's intention to make this permanent legislation or only for the duration of the war?

Mr. BLAND. It is for the duration of the war. It may not be strictly limited to that, but I think the language is sufficient to make it for the duration. The only part not within the duration of the war would be from 1939 down to the entry into the war.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. DONDERO. Does this involve any charge upon the Treasury of the United States, or the expenditure of public money?

Mr. BLAND. I doubt that anybody would be getting the medals entirely free. It, of course, is limited to the cost of the medal.

Mr. DONDERO. It is limited simply to a public decoration with medals?

Mr. BLAND. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the United States Maritime Commission is hereby authorized and directed, under such rules and regulations as it may prescribe, to provide and award a medal of such material and design and with such devices and inscriptions as the Commission may deem suitable to each person who in the American merchant marine, on or after September 3, 1939, has distinguished himself or during the war distinguishes himself by outstanding conduct or service in the line of duty. Such medals shall be presented with appropriate ceremony as specified by the Commission.

SEC. 2. There may be issued with each medal a rosette or other device to be worn in lieu of the medal. Not more than one

medal shall be issued hereunder to any person, but for each succeeding instance sufficient to justify the award of a medal to such person the Commission may award a suitable bar or other emblem or insignia to be worn with the medal and the corresponding rosette or other device. In case any person who so distinguishes himself as to justify the award of a medal or decoration hereunder dies before the award can be made to him, the award may be made and the medal or decoration presented to such representative of the deceased as the Commission deems proper.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ACQUISITION OF LANDS BY FEDERAL WORKS ADMINISTRATION

The Clerk called the bill (S. 2222) to authorize the Federal Works Administration to acquire title, on behalf of the United States, to not more than 35 acres of land, subject to certain reservations in the grantors.

The SPEAKER. Is there objection?

Mr. STEFAN. Mr. Speaker, I reserve the right to object. I do this to get an explanation of the bill from the author. What land are they buying?

Mr. LANHAM. When the airport was built at Gravelly Point, the Public Roads Administration had lands and buildings in proximity to the airport.

Mr. STEFAN. Are these the brick buildings south of the airport?

Mr. LANHAM. A great many of those are now being used in connection with the airport. Land was acquired elsewhere for the Public Roads Administration, and these 35 acres are adjacent to that site. This involves no appropriation whatever. The transfer of the funds in the exchange from the airport site to the present site will take care of the acquisition of this land.

Mr. STEFAN. Are we buying additional land from Virginia to put in the Washington airport site with this legislation, or giving the Federal Works Administration power to buy 35 acres, or not more than 35 acres, of this land?

Mr. LANHAM. The 35 acres are a part of the site that has been acquired, except there has been no conveyance by reason of the fact that these 35 acres are owned by two ladies who have built for themselves a home in one corner of it. They wish to remain in their home, and it is in a part of the tract which will not interfere with the use of the remainder by the Public Roads Administration for its testing work.

Mr. STEFAN. It will still be part of the Washington National Airport?

Mr. LANHAM. No; it will be a part of the site of the Public Roads Administration.

Mr. STEFAN. And no part of the Washington Airport?

Mr. LANHAM. Oh, no. The Public Roads Administration had to move when the airport was built. The Federal Works Agency now has this site, with the exception of these 35 acres. It has also the funds with which to purchase that site.

Until now the ladies who own the property have been unwilling to convey it, but by reason of the fact the home they wish to occupy is in a corner of the tract that will not interfere in any way with their occupancy or with the operations of the Public Roads Administration, they have decided to dispose of it.

Mr. STEFAN. I do not object to the legislation at all, but I would like to know whether or not this legislation will further complicate the question as to whether this Washington National Airport is going to belong to the District of Columbia or Virginia?

Mr. LANHAM. Oh, not in the least. This land would have been acquired prior to this time as a part of the Public Roads Administration site but for the fact that these ladies who own this particular 35 acres did not wish to convey it, by reason of the fact that they have built their home upon it, but they are willing to convey it with the reservation that they may continue to live there during their lives and occupy their home. That will not interfere with the work of the Public Roads Administration.

Mr. STEFAN. The distinguished gentleman who is chairman of the Committee on Public Buildings and Grounds has made a very fine explanation of this matter. I am happy that he assures me this will not complicate the argument as to whether the airport is in Virginia or in the District of Columbia.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That not more than 35 acres of the land to be acquired by the Federal Works Administrator on behalf of the United States as a site for the testing laboratory and research activities of the Public Roads Administration may be acquired subject to a nonassignable and nontransferable reservation to the grantor or grantors of the right to continued occupancy during his or their natural lives of so much thereof as, in the opinion of the Federal Works Administrator, will not impair the use of such land for the purpose for which acquired.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF CERTAIN AGRICULTURAL CLAIMS AND ACCOUNTS

The Clerk called the next bill, H. R. 5636, to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, will someone explain this bill? This is a very liberal relief bill.

Mr. FULMER. I will be pleased to explain the bill.

The purpose of the bill is to expedite the settlement of certain claims and accounts that came up prior to 1936 under the old original Agricultural Adjustment Act. They have been going along all of these years and have come to the period where they have collected practically everything that they can, and they want to establish a certain date or limitation for claims to be filed or settlements to be made, and at that time turn over to the Treasury the amount that they hold on hand, something over $100,000, and wind up same.

Mr. COCHRAN. Then in your proviso you strike out $45,000 and insert $25,000. That is going to remain unobligated for a year, although 180 calendar days closes up the whole act.

Mr. FULMER. That is right.

Mr. COCHRAN. Are you going to keep them on the job for the rest of the year after the 180 calendar days?

Mr. FULMER. If we do not pass this act the whole $100,000 is subject to be taken up by continuing this program in expenses and payments to employees.

Mr. COCHRAN. Section 2 relieves the disbursing officer.

Mr. FULMER. That would be a small amount.

Mr. COCHRAN. How much is that?

Mr. FULMER. Oh, that is just a small amount; it relates to small accounts.

Mr. COCHRAN. Section 3 will keep the Government from recovering overpayments. How much is involved there? In other words, if we have overpaid a man and we pass the bill with section 3 in it, we cannot collect, no matter how rich that man may be.

Mr. FULMER. Up to this date practically all accounts that could be collected have been collected, and they will have up to this limitation to collect any further accounts that can be collected, and then we will close this matter, turn the money into the Treasury, and cut out the expense that has been going on since 1936. I think it will save the Government money.

Mr. COCHRAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to expedite the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto, and related legislation, no claim shall be considered or paid from the appropriation "Payments for agricultural adjustment" made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, unless presented to the Secretary of Agriculture within 120 calendar days from the date of approval of this act, and the unobligated balance remaining in said appropriation 180 calendar days after the date of approval of this act shall be covered into the surplus fund of the Treasury: *Provided*, That not to exceed $45,000 of such unobligated balance shall remain available thereafter for not more than 1 calendar year for administrative expenses incident to carrying out the purposes of this act.

SEC. 2. That with respect to payments made in connection with any program (1) under the Agricultural Adjustment Act of 1933 or amendments thereto or other legislation relating to programs inaugurated prior to January 6, 1936, which were administered through the Agricultural Adjustment Administration; (2) under the appropriation "Payments for agricultural adjustment" as made in the Supplemental Appropriation Act, fiscal year 1936, as amended; or (3) under title IV of the Agricultural Adjustment Act of 1938 (52 Stat. 70), amendments thereto and re-

lated legislation, the Comptroller General of the United States is hereby authorized to allow credit in the accounts of the disbursing officers who made the payments and no charge shall be raised against the certifying officers who certified the vouchers: *Provided*, That the Secretary of Agriculture certifies that such payments were made in good faith and without fraud or collusion on the part of such disbursing officers or certifying officers.

SEC. 3. That where it appears payments mentioned in section 2 hereof have been made in excess of the amounts to which the persons to whom such payments were made were entitled, without fraud on their part, no action shall be taken by the United States to recover such excess payments if the Secretary of Agriculture, after such investigation as he deems appropriate, certifies that, considering the contribution made in good faith by any such person to agricultural adjustment compared with the contributions of other persons somewhat similarly situated, it would be inequitable to require refund of the excessive payments; or certifies that appropriate efforts to obtain such refunds have failed and there is no reasonable prospect of later obtaining such refunds.

With the following committee amendment:

Page 2, line 7, strike out "$45,000" and insert "$25,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

APPROVING ACT NO. 70, SPECIAL SESSION LAWS OF HAWAII

The Clerk called the next bill, H. R. 6166, to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I reserve the right to object.

Mr. GORE. Mr. Speaker, reserving the right to object, I would like to inquire from the Delegate from Hawaii if it appears advisable to him to reamortize unpaid interest?

Mr. KING. Mr. Speaker, this is part of a program of refinancing small farmers and homesteaders in Hawaii. The funds are borrowed from our local Territorial funds. The rate of interest heretofore charged was 6 percent. Then it was reduced to 5 percent. This act would reduce it to 3 percent and allow them to reamortize existing loans.

Mr. GORE. I was not questioning about the reduction of interest, but it did seem questionable to me if this was to come from United States funds, to reamortize the unpaid interest.

Mr. KING. These are local funds purely. No Federal funds at all. The only reason it is before the Congress is because the local attorney general ruled that it was in conflict with the organic act which requires congressional approval to validate the local law passed by the Territorial legislature.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Act No. 70 of the Special Session Laws of Hawaii, 1941, entitled "An act to amend chapter 253 of the Revised Laws of Hawaii, 1935, relating to farm loans, by amending section 7763 thereof and adding thereto three new sections, to be numbered 7764–A, 7764–B, and 7764–C, respectively, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board," is hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL SESSION LAWS OF HAWAII

The Clerk called the next bill, H. R. 5962, to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Act 20 of the Special Session Laws of Hawaii, 1941, amending section 17 of Act 174 of the Session Laws of Hawaii, 1935, as amended, so as to extend the time within which revenue bonds may be issued and delivered under said Act 174, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said Act 174 of the Session Laws of Hawaii, 1935, as amended, and as further amended by said Act 20, without the approval of the President of the United States and without the incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said Act 174, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELEASE OF LANDS IN COCONINO NATIONAL FOREST, ARIZ.

The Clerk called the next bill, S. 1762, to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized and directed to execute on behalf of the United States a quitclaim deed to Lewis E. Hart and Delia E. Hart, husband and wife, releasing to them all right, title, and interest of the United States in a certain tract of land consisting of approximately three hundred and eighty-seven one-thousands (0.387) acre in Coconino County, Ariz., which on January 24, 1931, was without consideration and as a gift deeded to the United States by said Lewis E. Hart and Delia E. Hart for the use of the Forest Service and which tract is not now needed for any Government purpose, said deed having been recorded in Book 60 of Deeds, pages 63–64, Records of Coconino County, Ariz.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER CUSTODY OF PORTION OF CROATAN NATIONAL FOREST, N. C.

The Clerk called the next bill S. 2089, to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Navy a portion of the Croatan National Forest, N. C., containing approximately 465 acres: *Provided*, That in the event the area transferred pursuant to the provisions of this act shall cease to be used for military purposes, it shall revert to its former national-forest status.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PERISHABLE AGRICULTURE COMMODITIES ACT, 1930, AS AMENDED

The Clerk called the next bill, H. R. 6360, to amend the act know as the "Perishable Agricultural Commodities Act, 1930" (46 Stat. 531), approved June 10, 1930, as amended.

Mr. HULL. Mr. Speaker, reserving the right to object, I am wondering if the chairman of the committee would be willing to give consideration to legislation by his committee which would strike out the word "perishable" in connection with this bill.

Mr. FULMER. We would be very glad to do that.

Mr. HULL. I have no objection.

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, I would like a little more explanation of this bill. Just what does it provide?

Mr. FULMER. They have been administering this provision for 10 or 11 years with commission merchants and others respecting the handling of the produce of farmers and shippers. The rules and regulations require that the commission merchants shall properly receive the goods, make out accounts, and settle for same. Some of the commission merchants have not properly received the goods, have let them remain on sidetracks; and where they did, while they made out accounts, they did not make payments. All this does is to see that they carry out these rules and regulations so that those who ship—farmers and others—will get proper return under the rules and regulations.

Mr. SMITH of Ohio. This is to protect the Government?

Mr. FULMER. No.

Mr. SMITH of Ohio. It is to protect the farmer?

Mr. FULMER. This is to protect the shipper, the farmer, those who ship in to commission merchants, and others.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), as amended, be amended as follows:

"SECTION 1. That section 2, paragraph (4), is hereby amended by striking out the language therein and substituting the following:

"(4) For any commission merchant, dealer, or broker to make, for a fraudulent purpose, any false or misleading statement in connection with any transaction involving any perishable agricultural commodity which is received in interstate or foreign commerce by such commission merchant, or bought or sold, or contracted to be bought, sold, or consigned, in such commerce by such dealer, or the purchaser or sale of which in such commerce is negotiated by such broker; or to fail or refuse truly and correctly to account and make full payment promptly in respect of any transaction in any such commodity to the person with whom such transaction is had; or to fail, without reasonable cause, to perform any specification or duty, express or implied, arising out of any undertaking in connection with any such transaction."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARINE WAR RISK INSURANCE

The Clerk called the next bill, H. R. 6554, to amend war risk insurance provision of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort.

Mr. BATES of Massachusetts. Mr. Speaker, reserving the right to object—and I do this only to inquire from the chairman as to the provisions of this particular bill—just what particular war-risk insurance does this bill imply?

Mr. BLAND. The purpose of this bill is to broaden the scope and liberalize the conditions under which insurance may be granted.

At the time the original insurance bill was passed we were not at war, and the purpose of the insurance bill then was to take care of a situation that is inapplicable to a nation that is at war. It was provided that we should take care of hulls, of cargoes, and personnel on American-flag ships; and, of course, American-flag ships under the Neutrality Act were not permitted to go into the war zone. The situation is entirely different now. We are using foreign ships. We have a specific purpose in view—to win the war; and we must use all the ships we can get our hands on, whatever their flags may be. If necessary we have got to insure the movement of the water-borne commerce of the United States.

I would like for this bill to pass by unanimous consent. It has been reported by our committee. The gentleman from New Jersey [Mr. HART] may desire to further explain the bill, which was reported by him; however, there is already pending, and will be presented today, a rule for the consideration of this measure. So it rests entirely with the House. I should like to get the bill out of the way, because as it is now we are limited in the exercise of the insurance law we passed sometime ago. That law does not apply to foreign-flag ships that are used in the transportation of American water-borne commerce.

Mr. BATES of Massachusetts. There is no restriction in this bill at the present time in respect to underwriting war-risk insurance on American vessels?

Mr. BLAND. It is broadened in this bill and takes in fishing vessels, I may say to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. As I understand, fishing vessels have already been included within the scope of the present law. This bill in no way restricts, does it?

Mr. BLAND. Not at all. It broadens and liberalizes the conditions under which insurance may be granted.

Mr. DONDERO. Mr. Speaker, further reserving the right to object, may I ask the gentleman. Is it broad enough to include the fishing industry in the Great Lakes area?

Mr. BLAND. I do not have in mind the Great Lakes. I think it does, but I would not like to say definitely.

Mr. DONDERO. That is the difficulty. I am afraid that sometimes we are entirely left out of mind and I do not want that to happen.

Mr. HART. May I say to the gentleman that it includes the fishing industry in whatever section of the country it might be located, provided it is engaged in the water-borne commerce of the United States.

Mr. BLAND. I think that statement is accurate.

Mr. DONDERO. That would cover the Great Lakes.

Mr. SABATH. May I say to the gentleman that after the Rules Committee listened to the gentleman from Virginia and the gentleman from New York, both gentlemen thoroughly and intelligently explaining the bill, the Rules Committee by unanimous vote granted a rule for the consideration of this bill. This will merely save time.

Mr. GORE. Mr. Speaker, reserving the right to object, and it is very much to my dislike to object to the present consideration of the bill, but I have read the bill and so far as I am able to determine it is thoroughly meritorious. However, as is evidenced by the number of questions that have been asked, it is entirely too important a bill to be passed by unanimous consent. In view of the fact a rule has already been granted, I believe the gentleman from Virginia will agree it should be discussed more fully by the House.

Mr. BLAND. That is entirely up to the House.

Mr. PLOESER. Does not this bill set up in the Maritime Commission an insurance situation which is similar to the war-risk insurance bill that was recently passed by the House?

Mr. BLAND. It is broader.

Mr. GORE. I am not going to discuss the bill and for the reason that these questions have been raised, I object, Mr. Speaker.

COMPACTS BETWEEN ATLANTIC COAST STATES FOR REGULATION OF FISHING

The Clerk called the next bill, H. R. 6020, granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Atlantic seaboard and creating the Atlantic States Marine Fisheries Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, reserving the right to object, the statement which I made in reference to the previous bill on the calendar applies to this bill, therefore I object.

Mr. BLAND. Mr. Speaker, may I ask the gentleman to withdraw his objection? I shall ask unanimous consent that the bill be passed over for the present, retaining its place on the calendar without prejudice. I felt very much like the gentleman did about this bill and opposed it very vigorously until I was converted. The Virginia State Legislature has passed a bill, which has not yet been signed by the Governor; and I will ask unanimous consent to have this bill passed over because I wish to introduce an amendment.

Mr. GORE. Mr. Speaker, I withdraw my objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

AMENDMENT TO NATIONALITY ACT OF 1940

The Clerk called the next bill, H. R. 4743, providing for the naturalization of certain wives and children of citizens of the United States who lost citizenship through service in the Allied forces during the World War.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. Mr. Speaker, I object.

Mr. ANDREWS. Mr. Speaker, will the gentleman withhold his objection?

Mr. SCHULTE. I withhold it.

Mr. ANDREWS. Mr. Speaker, all this bill does is grant citizenship to some very few persons in the country who originally were citizens and lost that citizenship and came back to this country. These persons served with the Allied forces, particularly Canada, during the last war. It gives them and their families the right to become American citizens. That is all it does.

Mr. SCHULTE. I grant everything my friend says as being true and there is no reason why I should doubt his statement. But in view of the actions that have been taken on some of these immigration laws and in view of what has happened at Pearl Harbor, may I say to the gentleman that I am taking no more chances on being liberal. That is the reason I want to go into this bill. I object.

Mr. ANDREWS. Mr. Speaker, may I ask unanimous consent that the bill be passed over without prejudice?

Mr. SCHULTE. Mr. Speaker, I withdraw my objection to let it go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. ANDREWS]?

There was no objection.

INCREASE IN PERMANENT INSTRUCTION STAFF AT UNITED STATES COAST GUARD ACADEMY

The Clerk called the next bill, H. R. 6641, to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved April 16, 1937 (50 Stat. 66), be, and the same is hereby, amended as follows:

(a) Section 1, first sentence, after the word "heads", insert the words "or assistant heads".

(b) Strike out section 3 and insert in lieu thereof the following:

"SEC. 3. The Secretary of the Treasury, or the Secretary of the Navy when the Coast Guard is operating as a part of the Navy pursuant to law, is authorized to appoint in the Coast Guard, subject to the competitive provisions of the civil-service laws and regulations, such number of civilian instructors as he deems necessary, and the compensation of such appointees shall be fixed in accordance with the Classification Act of 1923, as amended."

With the following committee amendment:

Page 2, line 4, after the word "necessary", insert "not to exceed eight."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed and a motion to reconsider was laid on the table.

BRIDGE ACROSS BAYOU LAFOURCHE AT VALENTINE, LA.

The Clerk called the next bill, S. 1971, to legalize a bridge across Bayou Lafourche at Valentine, La.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. Reserving the right to object, Mr. Speaker, is this to be a toll bridge?

Mr. BULWINKLE. The gentleman from New York [Mr. WADSWORTH] is a member of the subcommittee in charge of this bill and he can tell the gentleman whether or not this is a toll bridge.

Mr. HOLMES. If the gentleman will yield, in reply to the gentleman from Indiana, may I say that this is a pontoon bridge which has been there a good many years. It was placed across the river illegally and this bill seeks to legalize its status. I do not believe this is a toll bridge; I think it is a free bridge.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice, until we can find out whether it is a toll bridge or a free bridge.

Mr. BULWINKLE. I may say to the gentleman from Indiana that I believe we are not passing any toll bridges.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from New York.

Mr. WADSWORTH. The Committee on Interstate and Foreign Commerce has not reported any legislation authorizing privately owned or built toll bridges. This bridge was built by a private company some years ago without realizing that the waters which it crosses were regarded as navigable. There has never been any complaint against it. However, they suddenly waked up to the fact that it would be better if they had had the permission of the Army engineers and the Bureau of Roads. This bill is to legalize the existence of a bridge which has been there a long time. Both the Army engineers and the other branch of the Government concerned O. K. it.

Mr. SCHULTE. Mr. Speaker, I withdaw my request and my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a pontoon bridge already constructed by Valentine Sugars across Bayou Lafourche at Valentine, La.: *Provided*, That said bridge has been authorized by the Legislature of the State of Louisiana and as located and constructed affords reasonably free, easy, and unobstructed navigation.

SEC. 2. When the location and plans of said bridge have been approved as provided in section 1 of this act, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOLL BRIDGE ACROSS THE STRAITS OF MACKINAC, ST. IGNACE, MICH.

The Clerk called the next bill, S. 2133, to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TOLL BRIDGE ACROSS THE ST. MARYS RIVER, SAULT STE. MARIE, MICH.

The Clerk called the next bill, S. 2134, to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, the purpose of this bill is to revive a previous act authorizing the construction of a toll bridge. It will be remembered that last summer or last fall when we considered these toll-bridge bills a question was raised about the advisability of imposing a restriction on the use of the toll bridges so as to make it impossible for the owner to levy a toll against any Government military vehicle using the bridge to cross the river. At that time members of the Committee on Interstate and Foreign Commerce said they would take it under advisement. I take this opportunity of making inquiry of them as to what has been done.

Mr. HOLMES. If the gentleman will yield, I may say to the gentleman that quite a little material and data have been secured in the interest of the committee with regard to this matter. We have had opinions from the War Department and the Public Works Administration and the Department of Justice. A number of decisions have also been pending on this question, and we have had photostatic copies made. However, we have not yet taken up the question of amending the original Bridge Act, as incorporated in the gentleman's suggestion.

Mr. COLE of New York. It is the thought of the committee, then, that when the committee does get around to it it will recommend a measure which will cover generally all toll bridges?

Mr. HOLMES. Yes.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved December 16, 1940, authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada, be, and is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 2 years and completed within 4 years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOLL BRIDGE ACROSS THE WABASH RIVER, ST. FRANCISVILLE, ILL.

The Clerk called the next bill, H. R. 6080, authorizing the county of Lawrence, Ill., to construct, maintain, and operate a toll bridge across the Wabash River at or near St. Francisville, Ill.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, may I ask the gentleman if it is going to be his purpose to stop all toll bridges, regardless of whom they are owned by or constructed by?

Mr. SCHULTE. I may say to my good friend from Michigan that before I take

the position of letting them go through this way we certainly want to look into them. There are too many toll bridges throughout the United States today. I am now thinking of several across the Ohio River that have been paid for a long time ago but are still operating as toll bridges.

Mr. WOLCOTT. My particular point is, Does the gentleman object to a bridge constructed by a commission established by two States, or a commission established under State authority to build an international bridge which is a State instrumentality, if it is a toll bridge?

Mr. SCHULTE. The gentleman from Indiana would like to look into the matter before either objecting or giving his consent.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FREE HIGHWAY BRIDGE ACROSS THE MISSISSIPPI RIVER, BROOKLYN CENTER, MINN.

The Clerk called the next bill, H. R. 6495, granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Minnesota to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near the village of Brooklyn Center, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 7, after "Center", insert "Minnesota,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center, Minnesota."

PROHIBITION OF INTERSTATE COMMERCE IN DENTURES IN VIOLATION OF STATE OR TERRITORIAL DENTAL LAWS

The Clerk called the next bill, H. R. 6730, to protect the public health by the prevention of certain practices leading to dental disorders; and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry.

Mr. COLE of New York. Mr. Speaker, I reserve the right to object, and I do so for the purpose of getting some information from the committee reporting this bill. As I understand the bill, it prohibits the use of the mails or other instrumentalities of the Government for the transportation of dentures into a State, the laws of which regulate the practice of dentistry.

Mr. BULWINKLE. The gentleman is correct. There are 47 States that have laws that would prevent this within the State.

Mr. COLE of New York. There are 47 States that have enacted laws designed to prohibit the importation of false teeth?

Mr. BULWINKLE. I think so. This is from the American Dental Association, and the medical association also opposes this practice in some respects. The way this is done is that there are about 8 or 10 of these houses in the United States that will have advertisements in the papers, and if you write them they will send you a gob of wax or some kind of similar material, and if you need false teeth you put that material in some water and clamp down on it, and then send it back to them. Then you pay them twelve or fifteen dollars—I think the average is about twelve and a half dollars—and for this they send you these false teeth. The purpose of the bill is to prevent that practice, because the dentists say it has caused the people a great deal of trouble through not being properly fitted, and in some cases it may cause cancer or, perhaps, some other disease.

Mr. COLE of New York. My reason for making the inquiry is because there is a penalty to be imposed of $1,000 fine, or a year in jail. What consideration did the committee give, if any, to the protection of a person who, for instance, is away from his home State on a vacation or is traveling in another State and loses his denture and is unable to send back to his doctor for a replacement without being subject to a $1,000 fine?

Mr. BULWINKLE. It would not affect such a man at all.

Mr. COLE of New York. This would prohibit a doctor back in the man's home State from sending the denture to the man who had lost it or broken it.

Mr. BULWINKLE. No. The language is:

The construction or supply of dentures by a person other than, or without the authorization or prescription of, a person licensed under the laws of such State or Territory to practice dentistry—

And so forth.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, reserving the right to object, I believe, after speaking with our own Dr. TRAYNOR, this is aimed primarily at the mail-order racket, those who solicit these orders by use of the mails through advertisements in newspapers, and so forth, and would not refer to the case of a legitimate and reputable practitioner.

Mr. BULWINKLE. Yes; one of these mail-order men very frankly told us about that. I asked him, "Are you a dentist?" He said, "No." I asked him, "How did you happen to go into this?" He said, "I was looking around for something to make money on, and this was pretty good."

Mr. WILLIAM T. PHEIFFER. It is unquestionably a widespread "racket."

Mr. YOUNGDAHL. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. YOUNGDAHL. The bill does not prohibit a dental laboratory, for instance, from furnishing a denture by prescription of a dentist?

Mr. BULWINKLE. Not at all.

Mr. DONDERO. This is simply to provide against the practicing of dentistry in absentia?

Mr. BULWINKLE. That is it.

Mr. DONDERO. I have had considerable correspondence on this same subject.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. ROBSION of Kentucky. I think I understand the bill and I do not desire information about that, but I still have all my teeth and I am not interested in that respect——

Mr. BULWINKLE. The gentleman is to be congratulated. I have not.

Mr. ROBSION of Kentucky. In the years I have been here, some 8 or 10 of my constituents have complained about this practice, and I want to commend the gentleman and his committee for having brought out for our consideration this bill.

Mr. BULWINKLE. The gentleman from Delaware [Mr. TRAYNOR], who is a dentist, by the way, is responsible for it.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. JENNINGS. As I understand this, this bill prevents, for instance, a dentist from being able to violate a State law simply because he is carrying on these practices in another State and therefore is beyond the writ of the criminal court.

Mr. BULWINKLE. Yes.

Mr. DONDERO. I think the bill ought to be passed.

Mr. HAINES. Is it not true that these men are practicing dentistry without having a license to do so?

Mr. BULWINKLE. Yes; and as one of these men said, "Dentistry does not mean anything; it is just like going into a shoe shop and putting on a pair of shoes."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful, in the course of the conduct of a business of constructing or supplying dentures from casts or impressions sent through the mails or in interstate commerce, to use the mails or any instrumentality of interstate commerce for the purpose of sending or bringing into any State or Territory the laws of which prohibit—

(1) the taking of impressions or casts of the human mouth or teeth by a person not licensed under the laws of such State or Territory to practice dentistry;

(2) the construction or supply of dentures by a person other than, or without the authorization or prescription of, a person licensed under the laws of such State or Territory to practice dentistry; or,

(3) the construction or supply of dentures from impressions or casts made by a person not licensed under the laws of such State or Territory to practice dentistry,

any denture constructed from any cast or impression made by any person other than, or without the authorization or prescription of, a person licensed under the laws of the State or Territory into which such denture is sent or brought to practice dentistry, or any mat-

ter advertising or soliciting orders for any denture so constructed or so to be constructed.

SEC. 2. As used in this act, the term—

(1) "Denture" means a set of artificial teeth, or any prosthetic dental appliance;

(2) "Territory" means any Territory or possession of the United States, including the District of Columbia and the Canal Zone.

(3) "Interstate commerce" means (1) commerce between any State or Territory and any place outside thereof, and (2) commerce within the District of Columbia or within any other Territory not organized with a legislative body.

SEC. 3. Any violation of any provision of this act shall be punished by a fine of not more than $1,000, or by imprisonment for not more than 1 year, or both such fine and imprisonment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This completes the eligible bills on the calendar.

EXTENSION OF REMARKS

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by the inclusion of a resolution I received from my district relative to the patriotism displayed by various organizations.

The SPEAKER. Is there objection?

There was no objection.

WOMEN'S ARMY AUXILIARY CORPS

Mr. SABATH. Mr. Speaker, I call up House Resolution 438, which I send to the desk and ask to have read.

The Clerk read the resolution (H. Res. 438, Rept. No. 1769), as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6293) to establish a Women's Army Auxiliary Corps for service with the Army of the United States. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, later on I shall yield 30 minutes to the gentleman from New York [Mr. FISH]. I now yield myself 10 minutes.

This rule makes in order the so-called Rogers bill, a bill to establish a Women's Army Auxiliary Corps for noncombatant service in the Army of the United States. It provides for 2 hours of general debate, and that after that the bill shall be taken up under the general rules of the House under the 5-minute rule. This bill is recommended and urged by the War Department, by General Marshall, and others. Originally I was not inclined to support the bill or grant a rule, but after I heard some gentlemen from the War Department I came to the conclusion that they are entitled to our full cooperation. General Marshall feels that this will not add any additional cost to the Government, because the few thousand volunteer women who are now rendering splendid service and who are entitled to our appreciation are unsatisfactory in view of their volunteer status. I am of opinion that women of America desire to serve the Nation, and I believe the service they will render will be of great value to the Army.

Mr. Speaker, I believe that the work that will be performed by these auxiliary Army women workers will release a great deal of soldier manpower now used to carry on this particular work as well as civilians who are also employed at these tasks. Notwithstanding what has been stated as to the cost of establishing this corps, I personally do not think it will increase the expenditures. If anything, it might reduce them, because the auxiliary corps workers could do the work of those now engaged as clerks, machine operators, telephone, teletype, telegraph, and switchboard operators, and others, who are under civil service and, naturally, drawing higher salaries. Such civilian workers, of course, would be transferred to civilian defense departments, so no hardship would be worked.

Mr. Speaker, had we and the country followed the President's urgent appeals and recommendations, and if there had not been so much Nazi, Fascist, and Communistic activity in this country, and the Axis powers had not been made to believe by our own Nazi and Fascist leaders and our appeasers and pacifists that there was discord and disunity in our country, I feel that the Axis Powers would not have had the audacity to attack us and war against us. It is to be regretted that we still have men at large in our country who continue in every way in their efforts to delay our war activities just as they did in our preparation for defense. Their efforts are continuously directed in endeavoring to weaken those whose duties are to safeguard our freedom and liberties. I know that if any Fascist, Nazi, or such in Germany, Italy, or Japan committed such antagonistic acts it would not be tolerated and those guilty, even to a lesser degree than some of our own Nazi and Fascist leaders, would have been thrown into concentration camps, jails, or even shot.

Mr. Speaker, it is to be regretted that many of the appeasers, Nazi and Fascist leaders, in order to create discord and to hide behind their activities, continue to criticize, assail, and attack the United Nations, particularly Great Britain and Russia, who, taken by surprise, are fighting for their defense and at the same time fighting for our country to bring about the defeat of Hitler, Mussolini, and the Jap war lords. It is in view of these destructive, underhanded, and collusive activities that it has become necessary to establish a Women's Auxiliary Corps for the Army.

Mr. Speaker, 4 years ago, almost to the day on the 18th of March 1938, I called attention of the country in a speech I made on this floor, to the secret agreement between Hitler, Mussolini, and the Japs. In that speech I said:

Three years ago (January 1935) I voiced belief that a secret or tacit agreement existed between Hitler, Mussolini, and Japan, but my warning went unheeded. In the Orient, Japan pursued a course toward domination of the yellow races, apparently with preassurance that Italy and Germany would so engage the attention of the European democracies that interference in China would be impossible. * * * Whether Il Duce is as smart as he thinks he is in cooperating with the imperialistic-minded Hitler, only the future will tell. But there are many sapient observers who have their doubts. * * * If this nefarious triumvirate should effect the dismemberment of the great British Empire, what would become of Canada? Could we still feel free and at ease without present-day Canada? In view of all this and our enemies within, I feel that it behooves us adequately to protect ourselves against even the remotest eventuality.

Mr. Speaker, if the Nazi propagandists had not succeeded in interesting so many Americans in attacking the President and all those who realize the coming dangers, this legislation would not be necessary. Unfortunately, today, nearly the same men who, under George Sylvester Viereck and the Gestapo, were attacking and striving to weaken the President in his efforts are still continuing to snipe, despite the fact that our country is at war.

I hope to God that this force will not weaken or bring about disunity among our people, and that we will realize our responsibility and work in harmony and unity and stand by the President and the administration that is doing everything humanly possible to protect this Nation, as well as to protect the democracies and the people of the world. Unfortunately, hardly a day passes when we do not hear some people who fail to recognize the danger to our own country. I hope that in the near future they will realize it and recognize that we have a real duty to perform; that each and every one of us, the 130,000,000 Americans, will be united as one man in an effort to bring about the defeat of Hitler, Hitlerism, and the Japanese war lords.

I feel that with united action and with the cooperation and ability that we possess in this country we can bring about the defeat of these men. To do so we need the organization that this rule provides for. In view of those conditions I am in favor of the adoption of the rule and the passage of the bill.

I ask unanimous consent to revise and extend my remarks, Mr. Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I reserve the balance of my time and I now yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, there is only one paramount issue before the country. That issue has nothing whatever to do with partisan politics. I will say to the distinguished chairman of the Rules Committee [Mr. SABATH] it has nothing to do with former interventionists or noninterventionists. There is just one issue before the country, and that is to win the war. I do not think it serves any purpose, any good purpose certainly, whether it is in this House or in the press or among the columnists or over the radio to revive the issue between interventionists and noninterventionists.

Mr. SABATH. Will the gentleman yield?

Mr. FISH. Yes; I yield.

Mr. SABATH. Well, that is my object. That is my plea. I hope we will eliminate all those things.

Mr. FISH. I will say to the gentleman there was 100-percent unity when Japan attacked this country on December 7th. But if interventionists continue to rehash these pre-war issues that unity will be jeopardized. I want to go on record as saying that I do not know of a single noninterventionist that has changed his views and certainly 80 percent of the American people were noninterventionists and against going to war unless attacked. But they are all united to win this war. However, they are losing their patience and getting sick and tired of having their motives impugned, whether for constructive criticism of President Roosevelt or anyone else in the administration for the tragic failures in the conduct of the war and for the waste and incompetency on nondefense projects. I hope from now on both sides will adhere to the main issue and program before the American people, of winning this war, cost what it may in blood, treasure, and tears.

That is the reason we have this bill before us today to permit women to volunteer in an auxiliary force, under the supervision of the Army, to do noncombatant work, because it is part and parcel of the program of all-out war, of all-out service, of all-out sacrifice, and of all-out effort in winning this war at the earliest possible moment. That is the reason for the legislation now before you, approved by the Military Affairs Committee by unanimous vote, and by the Rules Committee by unanimous vote, because they believe we are in the greatest war in the history of the world, the greatest war we have ever been engaged in, and that we are united, regardless of partisanship, to win that war. You can only win it by fighting; not by resolutions and talk, or hehashing what happened before the war. The sooner the American people realize that, the more unity we will have.

Let me say this: I am not one of those who, because we have been defeated several times on the high seas, have lost faith in our Navy. As far as I am concerned, I think we ought to admit our defeats. I think the more facts that are given to the American people the more unity there will be. I do not believe in the present program of secrecy, which never existed in the last war. I would publish the casualty lists. I would let the people know what this war means to them. They are still rulers of this country. They have a right to know what is going on. They can take it even if we suffer a few more defeats, and carry on to victory.

It is like a football game. One team may make two or three touchdowns in the first quarter. The other team, the stronger team, will then get going, get organized, and begin to play football, and their plays will click, and they will run the ends, smash the line, and throw forward passes. We have the most powerful team, and we are going to win this war. Our Navy is going to click. We still have a greater Navy than Japan. We have lost the first quarter, that is all. We have three more quarters to go. Before the war is a year old we will be ahead of the game, and from then on we will make a clean sweep with our Navy, our Air Force, and our Army. There is nothing to be discouraged about, but for heaven's sake let us take the American people into our confidence, as they have the courage, faith, and determination to win.

I have received a lot of telegrams, and so has everybody else in this House, as follows: "Please use your influence to help MacArthur immediately." "Save MacArthur"; "do something now." Everybody in the House knows that we have lost control of the far Pacific for the time being and that we cannot relieve MacArthur immediately, but in this Nation of ours, with our great industrial and natural resources, this war is down our alley. If it is a question of building big ships, big tanks, big airplanes, and building them better than any other nation, we can build them and outstrip all the Axis nations.

It may take time to finish that program, but before we are through we shall have more ships, we shall have more airplanes, we shall have more tanks, and bigger and better than our enemies. If there is any person in this Chamber who does not think that the American soldier properly trained is not just as good as any Jap or any German then he does not know what he is thinking about. The American soldier is just as brave, just as intelligent, and will make just as courageous a fighter as any in the world.

I want to go on record in favor of this bill as part of an all-out war effort that we are making to bring the final victory to America. The one thing that can stop victory is to split the people of this country apart and destroy the existing unity. A handful of interventionists, newspaper columnists, and radio commentators who insist on keeping this issue alive are not going to deceive the American people, but if it goes any further then the responsibility is theirs and they will divide the American people, who are now united. That is why I replied as I did to the gentleman from Illinois. I hope I misinterpreted what he had to say; I am rather inclined to think that possibly I did misinterpret his remarks. I am sure he wants unity in this country, but I am also sure he does not mean to say to the minority that the minority has no right of constructive criticism, no right to criticize the President when we think he is wrong, or the Secretary of War, or the Secretary of the Navy, or any official in the administration. We are still living in a free country. Healthy criticism is the best thing that can happen in a free country during a war, or even in time of peace.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. SABATH. I myself believe in honest criticism, but I am opposed to continuous striking. I am for unity. I have plead for it for 4 long years, and I hope we shall have it. This is the reason I took the floor today to repeat it. I hope to God we shall be united as one people fighting for the cause of democracy, freedom, and liberty.

Mr. FISH. I am sure the gentleman is but he should not open up the pre-war issues if he believes in national unity. Here is what one Member of Congress had to say today according to the press:

> That criticism of the President in relation to the $600,000 Central Information Bureau for the Office of Government Reports to be erected on the park at Fourteenth Street and Pennsylvania Avenue is giving aid and comfort to the enemy.

In other words, any Member of Congress is a Nazi because he criticizes these nondefense projects, these nonessentials that the American people want to cut out. There is a limit to such tirades and I hope no Member of Congress on the minority side will be fooled. I hope the Democrats will go along in trying to cut out these nondefense expenditures and these nonessentials and not be stopped because some ardent New Dealer says you are a Nazi or that you are aiding and abetting the enemy.

I am in favor of this bill as a part of the all-out program to win the war. I hope it will be passed unanimously and without any restrictive amendments.

MARINE WAR-RISK INSURANCE

Mr. SABATH from the Committee on Rules submitted the following privileged resolution (H. Res. 457, Rept. No. 1902) on the bill (H. R. 6554) to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended in order to expedite ocean transportation and assist the war effort, which was referred to the House Calendar and ordered printed:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6554) to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

CALL OF THE HOUSE

Mr. BROOKS. Mr Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. THOMASON). The Chair will count. [After counting.] Sixty-nine Members are present, not a quorum.

Mr. NICHOLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 42]

Anderson, Calif.	Gavagan	Mitchell
Baldwin	Gillette	Murdock
Barden	Gossett	Myers, Pa.
Barry	Grant, Ind.	O'Day
Beiter	Hébert	Osmers
Bishop	Hefferman	O'Toole
Bloom	Howell	Pfeifer, Joseph L.
Boland	Jarman	Rivers
Bonner	Jarrett	Robertson, N. Dak.
Bradley, Pa.	Johnson, Lyndon B.	Romjue
Buckler, Minn.	Kee	Sacks
Buckley, N. Y.	Kelley, Pa.	Scanlon
Byron	Kennedy, Michael J.	Schaefer, Ill.
Cannon, Fla.	Keogh	Scrugham
Capozzoli	Kilburn	Shanley
Casey, Mass.	Kirwan	Shannon
Celler	Kleberg	Sheridan
Clark	Klein	Smith, Pa.
Clevenger	Kocialkowski	Somers, N. Y.
Cole, Md.	Kopplemann	Stratton
Creal	Kramer	Sumner, Ill.
Cullen	Lane	Sweeney
Cunningham	Larrabee	Taber
Delaney	Lewis	Talbot
Dickstein	Lynch	Thill
Dies	McCormack	Thomas, N. J.
Ditter	McGranery	Tolan
Douglas	McKeough	Vreeland
Eberharter	Maas	Walter
Englebright	Maciejewski	White
Fogarty	Magnuson	Whitten
Ford, Leland M.	Marcantonio	Wilson
Fulmer	Merritt	Worley
Gale		
Gamble		

The SPEAKER. On this roll call 330 Members have answered to their names. A quorum is present.

On motion of Mr. NICHOLS, further proceedings, under the call, were dispensed with.

Mr. NICHOLS. Mr. Speaker, I yield myself 10 minutes.

Mr. ANDREWS. Will the gentleman yield for a question?

Mr. NICHOLS. I yield to the gentleman.

Mr. ANDREWS. Am I correct in understanding from the chairman of the Committee on Military Affairs that it is his intention to take action on the rule tonight and that going into the Committee of the Whole and actual debate on this bill will come tomorrow? Is that correct?

Mr. MAY. That is the statement I made to the gentleman from New York, if there is no objection.

EXTENSION OF REMARKS

Mr. HAINES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the Civilian Conservation Corps and a statement attached thereto.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. HAINES]?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. GORE]?

There was no objection.

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Utah [Mr. GRANGER]?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a certain editorial comment on the Alaska Highway and the aviation facilities in that country.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Kansas City Star.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. GUYER]?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter received from Mr. Leon Henderson.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. BECKWORTH].

There was no objection.

WOMEN'S ARMY AUXILIARY CORPS

Mr. NICHOLS. Mr. Speaker, in a few minutes I want to discuss an amendment which I will offer to this bill when we come to the consideration of it. Before I do that, however, I would like to answer some of the statements made by my colleague on the Rules Committee, the gentleman from New York [Mr. FISH]. I agree with the gentleman from New York [Mr. FISH] that we should quit talking about things that the President did before the declaration of war. I agree with that 100 percent and I hope that our friends on the left side of the aisle will also agree with the gentleman from New York [Mr. FISH] on that point.

Mr. HOFFMAN. Will the gentleman yield for a question?

Mr. NICHOLS. Briefly.

Mr. HOFFMAN. Does the gentleman also agree there should be no talk about what some other folks did prior to entering the war?

Mr. NICHOLS. The gentleman from New York [Mr. FISH] complains because the newspapers are not, as he says, permitted to publish everything that is going on about this war. Mr. Speaker, may I remind the membership of a very interesting chapter in Hitler's Mein Kampf. I recommend that you read it. Hitler there points out how impossible it is for a democracy to defend itself against a dictatorship because, Mr. Hitler says, under a dictatorship the dictator can go secretly about his way of making preparations for war, without the necessity of advising the people of what he is doing. In a democracy, on the other hand, that cannot be done. A government representative in form must inform all the people about all the things the government is doing with the people's money, or the people will kick the government out of office.

Is that a pretty fair statement? Yes; Hitler is right. The dictatorship, of course, has the best of it. The dictator tells his people only that which he wants to tell them, whether or not it is the truth. We, under the time-honored principles of our Government, have followed the time-honored practice of advising the people of everything the Government is doing.

I hope the people of the United States and the administration and the Government have now come to the point where they are willing to realize that many things that are being done by the Government must be withheld from the people. I hope the people of the United States are willing to accept this. They must accept it. Whether you like it or not, Franklin Delano Roosevelt is the Commander in Chief today, and we will win this war or lose it under his direction and nothing can be done about it.

I therefore hope that the President will have intestinal fortitude enough to recommend to the other agencies of the Government that many things be withheld from the people in the interest of our preparation to win this war.

I agree with the gentleman from New York [Mr. FISH] that Members of this body should not be criticized for making constructive criticism, but I would warn you that you keep your criticism constructive. When it is constructive, I am confident that no one will complain. Thank goodness, this is the citadel where constructive criticism can be made without fear. We can walk into the Well of this House and, under the protection of the rules that are thrown around us, make any statement we want, be it constructive or not. But I hope we will not abuse that protection and in our zeal go beyond constructive criticism.

Mr. EATON. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from New Jersey.

Mr. EATON. I have today seen a communication from the county head of the civilian defense in one of the counties in the gentleman's State of Oklahoma, in which he pledges himself to ask everybody to vote against every Member of Congress who does not vote to suspend the 40-hour week and break up strikes. Then he states that the President of the United States has been in favor of these things for some time, the implication being that Congress has headed off his very patriotic efforts in this respect. What does the gentleman have to say about that?

Mr. NICHOLS. I thank the gentleman for his contribution.

I should now like to address myself for a minute to the bill whose consideration this rule makes in order, the Women's Auxiliary Corps. Among other things, this bill provides that when these women are taken into service to serve with the Army, if they receive an injury or are killed in the line of duty, they shall be paid for their injury, disability, or death, under the provisions of the United States compensation law, as other civilian employees.

When a general from the War Department was before the Committee on Rules, I asked him why they had seen fit to make a distinction between women who would be serving in the field by the side of soldiers and the soldiers themselves, when admittedly these women will be made a part of American expeditionary forces sent outside the continental limits of the United States to any place in the

world we would send any soldier, and when admittedly they will be used in Army posts and in Army camps to do noncombatant service. I said:

Why, then, Mr. General, would you make a distinction between the man and the woman?

The reply was this:

Because these women are not actually in the Army and we do not have complete control over them; that is to say, we cannot court martial them, we cannot punish them as we would punish the soldiers. Therefore, we think this distinction is justified.

Mr. Speaker, I believe that in 2 minutes I can prove to this House that these women will come under the Articles of War and be subject to every regulation, rule, and penalty that any soldier in the United States Army would be subject to. Let me see if I can do that.

On page 10 of this bill, section 12, down to the first comma, reads as follows:

The corps shall not be a part of the Army, but it shall be the only women's organization authorized to serve with the Army.

Keep that "with the Army" in mind.

Now follow me.

On page 11, section 14 states this:

The members of the corps shall be subject to such disciplinary regulations as the Secretary may prescribe, including provisions for the punishment of major infractions by summary discharge from the corps, and shall be subject to the Articles of War pursuant to the second article thereof when applicable.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Speaker, I yield myself 5 additional minutes.

Let us see what the second article of war provides. You will find it in the United States Code, section 1473, on page 612. I read:

The following persons are subject to these articles and shall be understood as included in the term "any person subject to military law," or "persons subject to military law," whenever used in these articles.

Subsection (d) reads as follows:

All retainers to the camp and all persons accompanying or serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles.

Now what does that mean? This bill was prepared in the War Department before the declaration of war. I do not charge these Army officers who came up here and made these statements with bad faith at all. The bill was prepared before the declaration of war, and before the declaration of war if they were serving within the continental limits of the United States they would not be subject to article 2 of the Articles of War. But since the declaration of war, if I can read the English language, whether they are serving within or without the continental limits of the United States, they are subject to the Articles of War the same as the soldiers. Therefore I have prepared, and shall offer at the appropriate time, an amendment which will provide, in substance, and it has been carefully prepared by the drafting service of the House, that these women, during and after the war is over, will be given the same rights and privileges as the soldier by whose side they serve, and you need not worry about building up a great big mountain here that will be too big to handle because the committee, when this bill is read for amendment, will offer an amendment which will limit this corps to 150,000. So it only means 150,000. The War Department says it will mean very much less than that, 17,500. But small or large, if you are going to take these women and put them by the side of the men, I say they are entitled, after the war and during the war, to every benefit and every protection that a man is entitled to. I sure do not want to go home and tell my girls that I took care of the soldiers and that I was willing to give them compensation and hospitalization and allow them to pay for and carry insurance on their lives, but I was not willing to let the women do it.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Yes, I yield.

Mr. MAY. The gentleman understands, of course, that unless these women are actually inducted into combat service as members of the Army, they are civilian employees of the Government.

Mr. NICHOLS. Yes; they are civilian employees. That is right.

[Here the gavel fell].

Mr. NICHOLS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. MAY. The soldiers in service are actually members of the Army and can be ordered into combat duty. Does the gentleman mean to say that without regard to sex he would make a distinction between them and say the women should have the same compensation, pensions, and disability allowances as those in the combat service?

Mr. NICHOLS. I will answer the gentleman. You are going to put uniforms on these girls.

Mr. MAY. Yes.

Mr. NICHOLS. You are going to give them the rank of officers up to major and you are going to commission them down to third lieutenants. They are subject to every rule and regulation and they will be on duty 24 hours a day subject to call the same as a man. They will be running your telephone exchanges on the posts and in the fields. They will be running your laundries on the post and in the field, right in the combat areas.

Mr. MAY. No.

Mr. NICHOLS. Yes; they will, admittedly, and they will be waiting on tables. They will be running information centers and filter centers in continental United States and out. Certainly, I am not willing to draw a hairline distinction between active and inactive or combative and noncombative service in any such narrow line as that.

Mr. MAY. Mr. Speaker, will the gentleman yield again?

Mr. NICHOLS. Yes.

Mr. MAY. Does the gentleman think this language would protect them:

Or if any member dies as a result of such physical injuries, she or her beneficiaries shall be entitled to all the benefits prescribed by law for civilian employees of the United States who are physically injured while in the performance of duty or who die as a result thereof.

Mr. NICHOLS. Yes; it will protect her to this extent. To the extent that is provided under the United States compensation law, but this law was passed for civilians, and I say these women to all intents and purposes are in the Army.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. MICHENER. The gentleman has just called attention to one point that I wanted to mention. Another point is this. One of the purposes of this bill is to make it possible to bring the women into the service under Army discipline. As the Committee on Rules was told, one of the factors is to make it possible to send these women outside our own country.

Mr. NICHOLS. That is right.

Mr. MICHENER. Now, the question is if the same ship carries the men and the women to perform a like duty in Iceland and they are performing a similar duty under the same kind of conditions in Iceland, and they are bombed, why should we treat the woman in a different manner from the man?

Mr. NICHOLS. I thank the gentleman.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the gentleman from Oklahoma [Mr. NICHOLS] just told us in substance that we should forget what the President said and what he has done. That is all right, but gentlemen will remember the question I asked the gentleman from Oklahoma [Mr. NICHOLS]. I asked, What about forgetting what other folks have said, and what other folks have done? How about it? The gentleman did not answer my question. Does he believe there should be one rule for New Deal spokesmen, another for their opponents? It is a poor rule that does not work both ways. It is easy enough to go along and say nothing about what the President said or what he has done. That is no hardship. But when someone, whether he be a new dealer, a Communist, or one of our own political faith, or some Democrat gets up on the majority side or any place else and challenges the patriotism of some of us who said some things which we thought would keep us out of war prior to entry into this war—if you think we are going to keep still and take all of the abuse and falsehoods that are hurled at us, then you are mistaken. We are not going to be lied about, accused of lack of loyalty or patriotism, and remain silent. The fact of the matter is that there were two schools of thought in this country prior to December 7, and all of us can assume that everyone was honest and sincere in his convictions. The

President told us that he was going to keep us out of war by following a certain course. Some of us thought we would stay out of that war by following a different course. Now, forget it. I agree with the gentleman from Oklahoma [Mr. NICHOLS] it does no good to talk about the past. It matters not who got us in; it matters not how we got in; we are in—as we will learn to our sorrow, as we did yesterday, when we read the report that came from the Southwest Pacific, that told of the destruction of our Asiatic Fleet.

I cannot agree with what the gentleman said that we will lose or win this war under the present Commander in Chief and that we cannot do anything about it. He is right in the first half of that assertion. We may win or lose under this Commander in Chief, but we can do something about it. On my desk Saturday came this bill, which falsely accused me of spreading Hitler's doctrine, because I said:

Perhaps nothing but a march on Washington will ever restore this Government to the people.

Was that a true statement? This morning, or this noon rather, man after man got up on this floor and disclosed the messages which he had received from his people during the last few weeks, demanding the end of strikes, of pay and a half, of double pay on defense work. There will be more letters and wires from home, and that sentiment will continue to grow, and there is something that we can do about it. We can do something about strikes and slow downs and about pay and a half and double pay.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. And every man on this floor knows that we can do something about it, and if we do not, then I say to you in all sincerity that there will be something besides letters and telegrams and telephone messages. You will have delegations from home down here, and do not underestimate the demand for this legislation. They will come down here with anger in their hearts, and if we do not do what the people want, come November next, they will get a new Congress, as they should, if we do not follow the will of our people. I yield to the gentleman for a question.

Mr. COX. For an observation.

Mr. HOFFMAN. Just briefly.

Mr. COX. I am sure that there is no room for questioning the patriotism of any Member of this body.

Mr. HOFFMAN. Of course there is not.

Mr. COX. I probably was as much in favor of war as any Member. The gentleman may have been as strongly against rushing into war. I gladly concede that the gentleman's patriotism is just as good as mine. I do not think there is any difference between any of us. We all want to do our best to carry through.

Mr. HOFFMAN. There is no question about that. Listen to this. Here is another statement in this lying circular which refers to the gentleman from Pennsylvania [Mr. FADDIS], who sits back here. Listen to this, please, and get the purport of these words. This Member of Congress is accused of aiding Hitler by making a statement, and here is the statement. Said the gentleman from Pennsylvania [Mr. FADDIS]:

When the present war is over, if we are at that time victorious—and I hope we will be—we will have within our midst a great number of men who have honorably served their Nation in various wars. Because of the sacrifices those men have made, because of what they have given of themselves to their country's cause and in the defense of this Nation, and in guaranteeing its national security, I have an abiding faith that those men will rise up in their wrath and they will demand that the affairs of this Nation be put into the hands of solid, substantial citizens, of unquestionable loyalty, and see that they administer the affairs of this Nation as they should be.

What is there in that statement that spreads the doctrine of Hitler? Not a single thought. Why should not the men who return from this war insist that the affairs of this Nation be put in the hands of solid, substantial Americans of unquestioned loyalty?

The statement of the gentleman from Pennsylvania [Mr. FADDIS] is one which might well serve as a declaration for every loyal American.

Let me repeat: Is there anything unpatriotic about that statement of the gentleman from Pennsylvania? Is there a single word in it which gives aid to the enemies of our country? The only ones who could possibly be disturbed by those words are the enemies of our country.

It is quite evident from the criticism of those words by Friends of Democracy, Inc., that Friends of Democracy, Inc., and Birkhead, national director, object that those who have served their Nation in this war, when the war is over, will rise up in their wrath and demand that the affairs of this Nation be put into the hands of solid, substantial American citizens of unquestioned loyalty.

It is quite evident from their criticism of these words that Birkhead and his associates, when this war is over, want the affairs of this Nation put into the hands of irresponsible people of questionable loyalty.

Because the gentleman from Pennsylvania warned that when the war was over, patriotic ex-servicemen would insist that public officials be loyal to this Nation, he is now charged with disloyalty. Shame on the so-called Friends of Democracy, Inc.

By their own utterances Birkhead and Friends of Democracy, Inc., stand convicted of disloyalty, of being enemies of our country, and that in time of war. It is evident from the circular which he puts out that Birkhead and his associates want the affairs of this Government, after this war is over, to be administered by the international bankers, the international politicians, and those who think not of the needs of America, not of the preservation of America, but of their own selfish ends.

What does this organization want?

Mr. MAY. Will the gentleman yield?

Mr. HOFFMAN. I cannot. What does this organization want? Evidently, it wants this Government placed in the hands of some international banker or some dictator who believes in communism, which teaches that there is no God; has no faith in religion; and tells us there is no hereafter. The gentleman from Pennsylvania [Mr. FADDIS] could not have made a more patriotic statement. He could not have offered a better guide for every loyal American than that quoted in this smearing, lying circular.

I yield back the balance of my time.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I, too, refer to a certain circular that was sent out on Saturday because it contains my name. I just want to read a little of it now, and I quote:

This is war.

And Hitler's propaganda is repeated in Congress.

On the floor of the House of Representatives—

It refers to four other Members of Congress and myself—

are making statements that can be heard any night on your short-wave radio coming straight from Berlin and Rome.

Are Adolf Hitler and Benito Mussolini putting words in the mouths of our Congressmen or are our Congressmen furnishing the Axis with propaganda?

In their desire to nullify the influence of the President, these Representatives seek to arouse distrust in our duly elected leaders and in our Government, thus, whether intentionally or not, serving Hitler's cause.

Signed by Friends of Democracy, Inc., L. M. Birkhead, national director, Eastern Regional Office, 103 Park Avenue, New York City, N. Y.

I would say this fellow must be a Communist. When he says his name is Birkhead I think he is a pinhead for making a statement like that. I want to be just as patriotic an American citizen as there is in America. Just as the gentleman from Georgia [Mr. COX] said a moment ago, we are in this war. We got into it. It may not have been our wish. We might have had different ideas, but God only knows I want to win it. I am going to do everything I can to see that we win it, but when the time comes that we cannot conscientiously and honorably criticize some of the things that are done that we know will lose the war if they are continued, then we are not good, patriotic American citizens for standing here and permitting it to go on.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. RICH. I cannot yield now. I have tried to economize in Government ever since I have been here. I have been talking economy down through the years. I realize where we are going when we are taking our Nation into a debt that is almost unbelievable, almost to bankruptcy, so that it is necessary for you and me to cut out a lot of unnecessary spending. I suggest that we do it by eliminating and cutting out the W. P. A., except those projects that have been partly finished and it is necessary to finish. I say let us cut out the C. C. C. Let us cut out the N. Y. A. Let us cut out the F. H. A. Let us cut out the A. A. A. Let us cut out a lot of these things that are not essential to winning this war. You must

do it; it is imperative. Let us remember this, that we have boys fighting for $21 a month, 24 hours a day, risking their lives. It is our duty to furnish them with guns, tanks, ammunition, and airplanes. We are not going to do it if we permit strikes to continue by radical labor leaders who are leading these strikers on. We ought to stop it. We must stop strikes. The House of Representatives passed a bill on December 3, and we ought to see that that bill is passed. The Senate should find out why that bill is not passed. The President of the United States should find out why that bill is not passed. These constructive criticisms to furnish these implements of war are essential and necessary. If we want to win this war we should be like the football team that takes the offensive. We have to carry the ball. The only way we can carry the ball in this game now is by having the implements of war to go ahead and win it. We are not going to do it by taking the defensive. Get on the offensive and do it at once.

Mr. PATRICK. Will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. PATRICK. Does not the gentleman feel, if this is what the gentleman says, merely a windmill, that Members of Congress are making a mistake in bringing it onto the floor and helping distribute it before the Nation?

Mr. RICH. Well, I just want this fellow to know that I have the intestinal fortitude to get up on the floor of this House and defend my actions. I want to defend them, because I believe I am as good an American as there is in the House of Representatives, and certainly a better one than that skunk.

Mr. PATRICK. Is he important enough to make that sacrifice and distribute it to the Nation and advertise his cause on the floor of the House?

Mr. RICH. That may be all right, but we find it is a question of criticism, and I say constructive criticism is necessary and essential to the best interest of the American people. In this afternoon's Star I see criticism of the administration in the O. G. R. hearing over the $600,000 being spent in the construction of another and greater information bureau. I think it is a waste of money. Spend that money for airplanes; they will win the war; not waste and unnecessary squandering in teaching fan dancing and the playing of all kinds of games. This is a time for work and hard work. This is a time to use good, common sense; a time to stop the unnecessary things and only dwell on essentials. Essential war material and a will to win will do the job. Let us go to work—work not 40 hours a week but 50 hours, if necessary, and more.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, nobody wishes to suppress criticism. It is something we all indulge in more or less, some more freely and more extensively than others, but there is a danger of our going too far, because we are obliged to concede that maintenance of public confidence is of tremendous importance.

The gentleman from Oklahoma observed in addressing the House a few moments ago that we are fighting this war under the leadership of our present Commander in Chief. We must be careful in our criticism to guard against undermining the public confidence which the President is obliged to hold and enjoy. I am not complaining of the gentleman from Pennsylvania for his taking note of this unfair criticism contained in this circular to which reference has been made, but as observed by the gentleman from Alabama, it is of hardly sufficient importance to justify the gentleman in taking public notice of it.

Mr. EATON. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes; I yield to the gentleman with pleasure.

Mr. EATON. It seems to me there is a concerted movement going on in the country to fix the blame for everything that happens or does not happen upon the Congress and thus remove attention from the administration that has the responsibility of leading all this effort.

Mr. COX. I think it a mistake to direct all criticism at Congress. I believe that so far as Congress is concerned, this branch of the legislative body is prepared to do everything that might be expected of a loyal and patriotic citizen in behalf of winning the terrible war in which we are now engaged.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, it has been said that there might be some duties which the gentleman from Oklahoma referred to, such as kitchen police and laundry duty, to be done by the women who are included in this bill. It is not my thought that anyone having anything to do with the program has any idea whatsoever of using these women for those duties, or any duties anywhere near like them.

In considering this bill I am going to vote for the 1,500 patriotic women out in my part of the country who are employed at the Fourth Air Force Interceptor Command. They are the women who are entitled to enter the Army service. They are doing the work of enlisted men in the Army, and in some cases of the officers of the Army, and they are doing an excellent job. They are on duty 24 hours a day plotting on the various boards and maps the location of aircraft, friendly and enemy, if they appear, and so forth. This is the type of women it is intended to bring in under this bill. I believe that if this bill is to pass they are entitled to the same treatment as members of our own armed forces because they are doing the work of the armed forces, and they are probably going to suffer just as much hazard as those in the armed forces who are so engaged.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. MICHENER. One of the questions raised in the Rules Committee in opposition to this bill was the fact that in cases like Los Angeles—that was referred to in particular, where these women are doing such a splendid job as volunteers—that if this bill were enacted into law and these auxiliary women placed in those positions, then the California volunteer women would be out of jobs. Those women have volunteered, irrespective of their station in life. In one letter it was pointed out that one woman's hands were full of diamonds; that she is a wealthy loyal woman with a family, but wants to contribute, and is contributing. The woman next to her is perhaps a maid. They are all interested as volunteers.

Mr. HINSHAW. There is no class distinction between those women who are volunteering nor is there class distinction in our armed forces.

Mr. MICHENER. They will be supplanted by women sent from all over the country—and this must be so, who will be sent to Hawaii, Alaska, and Iceland under this bill.

Mr. HINSHAW. I believe the women now engaged in the work should certainly be protected under this bill, in order that they may continue in the splendid work they are doing, where they are presently engaged. A number of them spoke to me, when I was home briefly last January, saying that they needed to be placed on an official status as part of the military service. They are all serving as volunteers without pay, many of them going to their headquarters after finishing their regular day's work at home or in an office. The turnover is fairly high, as many cannot afford physically to do 2 days' work in 1 day with regularity. This should not be necessary. Pay and allowances will permit them all to do military work only, and will increase efficiency. However, enlistment under this bill and its provisions will not be attractive to a number of women who do not wish to give up their home life and who now contribute 6 hours per day of their time to their country. This whole matter must be given serious consideration.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman one-half minute.

Mr. COX. Will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Georgia.

Mr. COX. Does not the gentleman agree with me that since this is the first expression of national interest, so far as the bringing of the women of the country into our defense activities is concerned, that we ought to leave the question of shaping the legislation to the extent that it affects the women of this Nation to the author of the bill, the gentlewoman from Massachusetts [Mrs. ROGERS], who represents the womanhood of America?

Mr. HINSHAW. I think she should understand the problem quite fully.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KUNKEL], such time as he may desire.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short article from the Pennsylvania Commercial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. KUNKEL]?

There was no objection.

Mr. FISH. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS], author of the bill, the balance of the time on this side.

Mrs. ROGERS of Massachusetts. Mr. Speaker, to go back to the bill, this authorizes a Woman's Army Auxiliary Corps for the noncombatant forces of the Army of the United States, for the purpose of making available to the national defense the needed knowledge, skill, and special training of the women of this Nation.

I suppose that no one can realize the gratitude that I have that this bill is on the floor today for consideration. I introduced this measure last May, as H. R. 4906, because I felt it was a very vital part of our national defense. When I introduced the corrected bill, H. R. 6293, in December, I felt it to be a very vital part of not only our national defense but a vital part of our war effort.

Mr. COX. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Georgia.

Mr. COX. Does the gentlewoman from Massachusetts realize that a very outstanding compliment and honor is being paid to the gentlewoman by the membership of this House, both minority and majority, all standing aside and leaving to the gentlewoman from Massachusetts the responsibility not only of sponsoring but of carrying through this important piece of legislation? I think it quite a compliment to the gentlewoman, and I think it is one well deserved. Nobody has tried to filch from her the sponsorship of this bill. The entire membership has gladly gotten behind her, and it appears to me that she has pretty solid support from the membership.

Mrs. ROGERS of Massachusetts. I appreciate that more than I can say. May I say to the gentleman from Georgia that I consider it a great compliment when he makes that statement, because I know of his intense interest in our war program.

Away back in 1917, when I was overseas, the English women had a similar corps, a women's army auxiliary corps, that worked even with our own soldiers, our own A. E. F. There were 2,000 of them who served with our men. They were considered very valuable to our own armed forces. I contrasted their lot with the lot of our own women who served over there in various capacities, and not so far removed from the women's auxiliary corps of England. But our women, with the exception of the nurses, had no status recognized by the Army. They had not the protection offered by such recognition, neither did they have the benefit of hospitalization and compensation if injured or in any way disabled—and many of them were. Since 1917 I have wanted the Army to have a Women's Auxiliary Corps. This measure has the wholehearted support both of the Secretary of War and of the Chief of Staff. Both have urged immediate passage of the measure repeatedly.

[Here the gavel fell.]

The SPEAKER. All time has expired.

Mr. NICHOLS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two editorials from the Washington Daily News.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

PREVIOUS ORDER

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. ENGEL] is recognized for 15 minutes.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a letter written to me by the Brewster Aeronautical Corporation, dated March 11, received March 13, also copy of a telegram I sent to the Brewster Aeronautical Corporation, and extracts from the Grand Rapids Herald, dated March 12, 1942.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. ENGEL]?

There was no objection.

COMMISSIONS ON AIRPLANE CONTRACTS

Mr. ENGEL. Mr. Speaker, on Monday, March 9, I called the attention of the House to certain transactions between the Brewster Aeronautical Corporation and the Hayes Aircraft Accessories Corporation, of New York, and the Hayes Manufacturing Corporation, of Grand Rapids, Mich. According to the Navy Department the Brewster Aeronautical Corporation hold some $20,000,000 in Navy airplane contracts. The Hayes Manufacturing Corporation is a subcontractor making airplane wings and other airplane parts. I also called attention to the fact that on April 12, 1940, F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda, organized under the laws of the State of New York the Hayes Aircraft Accessories Corporation with a nominal capital stock; that while this corporation purported to be a manufacturing corporation, it was in fact a sales corporation and that these three men were the sole owners, officers, and directors. I pointed out further that on June 28, 1940, they obtained an exclusive sales contract with the Hayes Manufacturing Corporation whereby they were to sell all the Hayes Manufacturing Corporation products, adding from 5 to 10 percent commission to the sale price. These facts were taken from reports made by the corporation to the Securities and Exchange Commission which report also stated that on January 22, 1942, the Hayes Manufacturing Corporation had unfilled and pending orders for aircraft subassemblies amounting to approximately $12,200,000.

Since I discussed this matter on the floor of the House on Monday, March 9, I have acquired additional information. I find that Alfred J. Miranda, Jr., and Ignatius J. Miranda were arrested on May 6, 1936, by the United States marshal of New York, charged with violation of title 18, section 88, of the United States Code, the charge being conspiracy to violate the arms embargo. Each was sentenced to serve 1 year and a day in the Federal penitentiary and to pay a fine of $2,000 each. The record further shows that Ignatius J. Miranda and Alfred J. Miranda, Jr., were received at the Federal penitentiary at Lewisburg, Pa., on April 1, 1940, and that Alfred J. Miranda, Jr., was paroled on August 28, 1940, and Ignatius J. Miranda was paroled 1 day later, on August 29. 1940. Thus, I find that on April 12, 1940, the date the incorporation papers of the Hayes Aircraft Accessories Corporation were filed with the Secretary of State of the State of New York, two of the three incorporators were confined in the Federal penitentiary at Lewisburg, Pa. They were still so confined on June 28, 1940, when the exclusive sales contract was signed between them and the Hayes Manufacturing Corporation whereby the Hayes Manufacturing Corporation agreed to pay them from 5 to 10 percent commission on sales. It would be interesting to know just what service these three men who were the sole owners, officers, and directors of the Hayes Aircraft Accessories Corporation could render to the Hayes Manufacturing Corporation or to the Government to justify the payment of any commissions in view of the fact that two of those men were in the Federal penitentiary serving a sentence at the time the company was incorporated and the contract was signed.

It would be interesting to know just why an old corporation with a splendid reputation covering years of work, the Hayes Manufacturing Corporation, permitted these two ex-convicts while in prison to use their name "Hayes" in organizing what purported to be a manufacturing corporation, but actually was a sales corporation without capital stock; just why did they permit these two ex-convicts while in prison serving a term to use their name to mislead the public into believing that it was a manufacturing corporation instead of a sales corporation which was taking commissions and operating solely on a commission basis?

Alfred J. Miranda, Jr., and Ignatius J. Miranda, operating together apparently as sales agents, were convicted of "conspiracy to violate the arms embargo." It takes more than two men operating together on one side of a question to conspire. Who were the other conspirators? Who were the others who conspired with these two Mirandas, and what were the inside facts? How could sales agents in a conspiracy be convicted without convicting the other men who were similarly involved? Can it be that Alfred J. Miranda, Jr., and I. J. Miranda are taking the rap and protecting someone else and, if so, was this the pay-off?

It would be interesting to know just what influenced the Hayes Manufacturing Corporation to sign an exclusive sales contract with this sales corporation while two out of the three incorporators were serving a sentence in the Federal penitentiary. It would be interesting to know who were the persons in the Brewster Aeronautical Corporation who were influenced to the extent of having that corporation impose a condition in a

$5,000,000 subcontract with the Hayes Manufacturing Corporation by which F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda acquire "for retention for a reasonable time a stockholding interest in the Hayes Manufacturing Corporation of not less than 100,000 shares." I would like to know whether the charges filed in the $10,000,000 stockholders' suit against the Brewster Aeronautical Corporation that they were paying excessive commissions and refused to purchase from concerns not represented by the Mirandas as sales agents and that the Brewster Aeronautical Corporation gave orders for airplane parts to the Hayes Manufacturing Corporation on a noncompetitive basis were true, despite the denials made by Brewster.

I received a letter from James Work, chairman of the Brewster Corporation, who, according to the New York Times, is one of the defendants in the $10,000,000 stockholders' suit, in which he quotes a letter written to the Navy Department which I am placing into the record. He stated that they have placed one order for Navy wings with the Hayes Manufacturing Corporation and claims "that we were assured in writing by the Hayes Aircraft Accessories Corporation that the Hayes Aircraft Accessories Corporation receives no commission on this order" and "that in the breakdown of costs no commissions were allowed by the Hayes Manufacturing Corporation and we are informed that no commission will be paid on this order." He does not say anything about what the Hayes Manufacturing Corporation agreed to. The fact of the matter is that according to the Securities and Exchange Commission, Alfred J. Miranda, Jr., I. J. Miranda, and F. William Zelcer, as sole owners of the Hayes Aircraft Accessories Corporation, have the exclusive right to handle all Hayes Manufacturing Corporation products, adding to the price of the product from 5 to 10 percent commission and the Hayes Manufacturing Corporation under the law is liable to the Hayes Aircraft Accessories Corporation for these commissions under the contract, unless specifically waived by contract between the Hayes Manufacturing Corporation and the Hayes Aircraft Accessories Corporation. The Brewster letter also claims that no commissions were paid by them. No one said that the Brewster Corporation had paid any commissions. I have before me a news release of the Grand Rapids Herald of March 12, 1942, in which the officers of the Hayes Manufacturing Corporation stated that the $5,000,000 subcontract upon which the 5-percent commission was paid, was a subcontract for a British and Netherlands Government order admitting they paid $223,000 commission. Whether it was or not, the final result is that this gave either the British or Netherlands Government $223,000 less to expend before they reached down into the lend-lease money which comes out of us.

It is also there stated that the owners of the Hayes Aircraft Accessories Corporation, F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda, all of New York City, were described by a Hayes Manufacturing Co. official as having important connections with the Netherlands Government for which he stated they have made large purchases of military supplies. It would be rather difficult to convince anyone that the good Queen Wilhelmina of the Netherlands would send her agents to the Federal Penitentiary at Lewisburg, Pa., to make purchases for her or that anyone in the Federal penitentiary where Alfred J. Miranda, Jr., and I. J. Miranda were serving a term would have any influence with the good Queen Wilhelmina and her government or even with our Government. The fact is that these three men, two of whom were convicts, received $223,000 out of this one order alone and have an exclusive sales contract with the Hayes Manufacturing Corporation whereby they can demand 5 to 10 percent commission from every product that rolls off their assembly line. It seems rather strange to attempt to defend this sort of conduct by saying "I didn't rob Uncle Sam, I robbed Queen Wilhelmina. It was not the American Army that did not get the bomber that this money would have bought, but it was those brave Dutchmen fighting in the Macassar Straits, Java, and Batavia whose greatest prayer was for extra bombers or fighting planes." It did not make any difference to these two ex-convicts whether this extra bomber could have sunk a few Jap transports in that battle and save thousands of Dutch lives, so long as they got their $223,000 commission, even though they were serving a sentence in the Federal penitentiary when the contract was made.

This whole transaction should be investigated thoroughly. I have talked to my good friend, the gentleman from Georgia, CARL VINSON, chairman of the Naval Affairs Committee of this House, who is doing such a splendid job in his investigation work. I am turning all the information I have over to him. He has agreed to investigate the matter thoroughly, to stop payment, if possible of any commissions under this contract and to do what he can to prevent the giving of any Government contracts so long as this commission agreement exists by which these three men can demand a commission on such contracts. I am also hoping that the publicity given to the entire matter will in itself prevent the payment of any commission on contracts which the Hayes Manufacturing Corporation now has or may have in the future.

May I add that we need the productive capacity of these factories and I sincerely hope that we can eliminate these practices in such a way so as to retain that productive capacity as well as to keep the men who are working in those factories employed.

When I received this letter from the Brewster Aeronautical Corporation, which I am including herein, I sent the following telegram to Mr. James Work, chairman of the Brewster Aeronautical Corporation:

WASHINGTON, D. C., *March 13, 1942.*

Mr. JAMES WORK,
Chairman, Brewster Aeronautical Corporation, Johnsville, Pa.:

Letter received. Please explain why Brewster Aeronautical Corporation imposed a condition precedent in the $5,000,000 subcontract to the Hayes Manufacturing Corporation that F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda acquire for retention for a reasonable time a stockholding interest in the Hayes Manufacturing Corporation of not less than 100,000 shares. Also inform me whether Alfred J. Miranda, Jr., and I. J. Miranda, two of the three sole owners of the Hayes Aircraft Accessories Corporation, are the same Alfred J. Miranda, Jr., and I. J. Miranda who served a term in the Lewisburg Penitentiary for violation of the Arms Embargo Act.

ALBERT J. ENGEL,
Member of Congress.

This telegram went out on the morning of March 13, and to date I have received no reply.

I have pointed out the fact that through the manipulations of these 3 men the Hayes Aircraft Accessories Corporation acquired 100,000 shares of stock in the Hayes Manufacturing Corporation.

I have further information, Mr. Speaker, that the total shares of stock of the Brewster Aeronautical Corporation outstanding on October 15, 1941, were 521,356.

I find further that on December 21, 1940, the Brewster Aeronautical Corporation sold, by private sale, 50,000 shares of $1 par capital stock to Brewster Export Corporation for $600,000, and since that time this interest has been acquired by Alfred J. Miranda, Jr., I. J. Miranda, and F. William Zelcer. These 3 men are the owners of 50,000 shares of stock in the Brewster Aeronautical Corporation.

I further find that on December 31, 1941, foreign sales were made through the Brewster Export Co., a partnership composed of Alfred J. Miranda, Jr., I. J. Miranda, and F. William Zelcer. Under an agreement dated November 30, 1939, Brewster Aernautical Corporation agreed to pay Brewster Export Corporation—the predecessor of the Brewster Exporting Co.—commissions not to exceed 12½ percent of the contract price on sales of airplanes and accessories to certain foreign governments. The Brewster Export Corporation was liquidated on June 26, 1941, and the agency agreement was assigned to the Brewster Export Co., the present partnership. At this time, commissions to the export company were reduced from a basis not to exceed 12½ percent to a basis not to exceed 10 percent of the contract price of foreign orders, and the agreement was made to terminate May 31, 1942, subject to renewals.

Here we have a situation where these men were knocking down 12½ percent commission on these foreign sales. This means that the foreign countries paying this 12½ percent are reaching the end of their dollar resources and will come under lend-lease 12½ percent sooner. For instance, if one of these countries has $1,000,000,000 in dollar resources, it means that when they reach $1,000,000,000 less 12½ percent they are through buying out of their own resources and will come that much sooner into our lend-lease funds, which will, of course, never be repaid in full.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. I thank the distinguished gentleman from Michigan for the valuable aid he is rendering to his country, and particularly to the Committee on Naval Affairs in their investigation, by presenting to us the information he has. I assure the gentleman that not only in this instance but in other instances, by ferreting out and exposing the extravagance and waste that has been going on in connection with the construction of buildings in Army cantonments, the gentleman has performed an outstanding service for which the country is deeply grateful to him. We will look into this matter most carefully. I appreciate the fact that the gentleman has called it to the attention of the House.

Mr. ENGEL. I refer this to the distinguished chairman of the Committee on Naval Affairs and his committee with complete confidence that they will get to the bottom of the matter and get all the facts and handle the matter in their usual efficient way.

Mr. VINSON of Georgia. With the gentleman's cooperation, I believe we shall be able to accomplish something.

Mr. ENGEL. I thank the gentleman.

EXHIBIT A

BREWSTER AERONAUTICAL CORPORATION,
Johnsville, Pa., March 11, 1942.

The Honorable ALBERT J. ENGEL,
House of Representatives,
Washington, D. C.

SIR: I have received a copy of a speech delivered by you March 9, 1942, in the House of Representatives, in which you made a wholly unwarranted attack on certain contractual relations between Brewster Aeronautical Corporation, Brewster Export Co., Hayes Manufacturing Corporation, and Hayes Aircraft Accessories Corporation. This speech was given wide publicity. We have advised the Navy Department as follows concerning your charges:

"We wish to assure you that no 'illegitimate practices' or 'irregularities,' either legal or moral, have existed or now exist insofar as this corporation's relations with Brewster Export Co., Hayes Manufacturing Corporation, or Hayes Aircraft Accessories Corporation are concerned. We state for the record that no commissions of any kind or description were proposed to be paid, have been paid, or will be paid to Brewster Export Co. on any Army or Navy business obtained by Brewster Aeronautical Corporation. Our contract with Brewster Export Co. covers only foreign business. None of these foreign orders were received under lend-lease.

"We have placed one order for Navy wings with Hayes Manufacturing Corporation. Before placing this order, which was approved by the Navy, we were assured in writing by Hayes Aircraft Accessories Corporation that Hayes Aircraft Accessories Corporation would receive no commissions on this order. In the break-down of costs no commissions were allowed by Hayes Manufacturing Corporation and we are informed no commissions will be paid on this order.

"In summation, not one penny of Government money is involved in any of the contracts in question. Furthermore, all of these contracts have been made a matter of public record with the Securities and Exchange Commission, both by Brewster Aeronautical Corporation and Hayes Manufacturing Corporation.

"We are requesting Mr. ENGEL to retract his charges."

Unfortunately, this corporation has no legal redress against false allegations made under congressional immunity, even though such statements adversely affect the reputation of the corporation and most definitely undermine the morale of our employees. In light of the foregoing statements made to the Navy Department, the truth of which statements may easily and quickly be checked by yourself, it is respectfully requested that you give the same publicity to the facts in the case which you saw fit to give to the erroneous assumptions made in your recent speech. Such publicity coming from you will allow the management of this corporation to devote its time to the manufacture of much needed airplanes, rather than to the denial of your charges to the numerous stockholders and employees of this corporation who are of necessity vitally interested. It certainly has not aided this corporation in its war efforts to have 12,000 employees read in the public press that the integrity of their management has been questioned on the floor of Congress.

Your cooperation in remedying this situation will be deeply appreciated.

Very truly yours,

JAMES WORK, *Chairman.*

[From the Grand Rapids (Mich.) Herald of March 12, 1942]

MR. ENGEL'S CHARGES BRANDED FALSE BY HAYES OFFICIAL

Asserting an investigation would be welcome, Arch A. Anderson, vice president of Hayes Manufacturing Corporation, Tuesday issued a detailed denial of statements made Monday on the floor of the House at Washington by Representative ALBERT J. ENGEL, of Muskegon. He accused ENGEL of "grossly misrepresenting the facts" and drawing conclusions that are "wholly wrong."

Mr. ENGEL said he has requested and received assurance from the War and Navy Departments of an investigation into an alleged agreement to pay commissions on war subcontracts and charged the local concern was obligated to pay $850,000 in commissions to Hayes Aircraft Accessories Corporation, described as a subsidiary. The financial return to R. W. Clark, president of Hayes Manufacturing, also drew Mr. ENGEL's fire.

BRANDS CHARGES

Following a telephone conversation with Clark, who is absent from the city on business, Anderson branded Mr. ENGEL's charges as false and misleading. He asserted that:

1. Hayes Manufacturing Corporation never has authorized nor paid commissions on war subcontracts.

2. The arrangement entered into by Hayes Manufacturing with Hayes Aircraft Accessories Corporation and Brewster Aeronautical Corporation, of Long Island City, N. Y., were approved over a year ago by the Securities and Exchange Commission and the Reconstruction Finance Corporation, to which Hayes then owed $450,000.

3. Disclosure that, while Hayes Manufacturing has approximately $12,000,000 in unfilled orders, only $1,500,000 is represented by aircraft production for the Government under Brewster subcontracts. Hayes is making outer wing panels for Navy aircraft.

COMMISSIONS

Commissions discussed by Mr. ENGEL are supposedly due on subcontracts placed with Hayes Manufacturing by Brewster, and Mr. ENGEL said they ranged from 5 to 10 percent. Mr. ENGEL calculated the commissions on a $5,000,000 Brewster subcontract which he said is complete and on additional $12,200,000 in unfilled orders which, according to Mr. ENGEL, were aircraft subcontracts.

Hayes never received that volume of aircraft subcontracts, according to Anderson. He said the total is $6,500,000, of which $5,000,000 was the first Brewster subcontract and the remainder for the Navy, on which no commission was paid.

Anderson admitted that Hayes Aircraft Accessories earned a commission on the $5,000,000 Brewster subcontract which, he added, is not yet finished, but said it covered production for the British and Netherlands Governments. He revealed that the commission was $223,000 and owners of Hayes Aircraft Accessories accepted Hayes' stock in payment, taking altogether $250,000 in stock and paying the local concern cash representing the difference.

IDENTIFIED OWNERS

Since then, he said, Hayes Aircraft Accessories earned additional commissions of approximately $50,000 for obtaining contracts other than Government orders.

Mr. ENGEL identified owners of the accessories company and declared it is purely a sales agency. Anderson admitted the fact, but asserted Hayes Manufacturing had nothing whatever to do with its organization.

The owners, F. William Zelcer, Alfred J. Miranda, Jr., and I. J. Miranda, all of New York City, were described by Anderson as having important connections with the Netherlands Government, for which, he said, they have made large purchases of military supplies.

Hayes Manufacturing officials were put in touch with them by a New York stockbroker, A. W. Porter, according to Anderson's statement. They offered the $5,000,000 Brewster subcontract, and in order to handle it, Hayes had to sell stock, Anderson explained, adding:

"LIKE TO LOOK

"The Securities and Exchange Commission told us that if Hayes Aircraft Accessories Corporation could deliver the Brewster business, they would approve the stock sale. The corporation did deliver the contract, and the Securities and Exchange Commission approved. Maybe Mr. ENGEL would like to take a look at that approval."

Particularly unfair, Anderson said, was Mr. ENGEL's reference to compensation paid Hayes' president. He said Clark's salary and commission and the manner of their payment were likewise approved by the Securities and Exchange Commission and the Reconstruction Finance Corporation and are in line with common business practice.

Mr. ENGEL had said that by deducting Clark's salary and commission, Hayes Manufacturing lowered its income-tax liability.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(Mr. BOYKIN and Mr. DEWEY were given permission to revise and extend their own remarks in the RECORD).

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. PRIEST] is recognized for 10 minutes.

Mr. PRIEST. Mr. Speaker, a few days ago I introduced in the House a bill, H. R. 6765. This bill would authorize the President of the United States to require the services of men deferred under the Selective Service and Training Act of 1940 for certain work in civilian pursuits necessary for the prosecution of the war. Since the introduction of that bill, Mr. Speaker, I have had very wide response in my mail, and the reaction largely has been very favorable, not altogether favorable. I am not planning to take the time of the House this afternoon to go

into a full discussion of that measure and how it might operate, but I do want to call the attention of the House to the question of manpower which I believe we must face very shortly and face rather seriously.

We are in total war, Mr. Speaker. Anyone who questions that needs only to consider the information of the hour to be convinced, I am sure. And total war, if it means anything to me, means total mobilization, total mobilization of all our manpower, our machinery, and the utilization of that manpower and that machinery every hour of every day. I want to emphasize that: Every hour of every day.

Selective service during the past year and a half has called thousands—yes, hundreds of thousands—into the service of the land and naval forces of this country. It has called men to carry guns and to fire them. It has called men to man submarines and to fire torpedoes, to fly airplanes and drop bombs. In short, to do all of the work necessary for an army.

Now, Mr. Speaker, there are thousands of others who have been deferred for one reason or another under section 5–E of the Selective Service and Training Act of 1940. I am convinced, and I believe most of you will agree with me, that a great majority of those who have been deferred for one reason or another are entirely willing, and most of them eager to perform whatever service their Government wants them to perform at this time and for the prosecution of this war. I doubt if there is a Member of this House who has not received letters from men deferred, perhaps, for physical reasons, asking that certain waivers be granted in order that they might get into the service. This has been very common during the past few weeks, I am sure, and I believe that a great majority of them want their Government to tell them what they can do, and are ready to take any job, anywhere, so long as they can take such job without paying some exorbitant fee for the right to exercise that inalienable privilege of working. I am thoroughly convinced they are willing by the millions to do whatever may be necessary.

I was interested yesterday, Mr. Speaker, in reading in the New York Times a dispatch cabled from Wellington, New Zealand. I read just a paragraph or two from that dispatch:

> New Zealand's total mobilization for defense against the Japanese threat was announced by Prime Minister Peter Fraser, today. He revealed that the War Cabinet had decided to extend the use of the country's manpower into the ranks of older men and also to enlist women for war work.

I come down to one other paragraph, which I read:

> The normal working week is now 54 hours in the defense program, Mr. Webb said.

That was the action taken only last week by New Zealand, as a step toward total mobilization and total utilization of its manpower. The goal of production which has been set by the President of the United States for industry and labor is indeed a stupendous one. We have appropriated money already to provide for $50,000,000,000 worth of war matériel by this time next year. I notice today that the President shortly will ask for $18,000,000,000 in addition for war production. Let us look at that situation just for a second in the light of our employable population, and also in the light of man-hours, as applied to dollars worth of production. According to the 1940 census, we have 56,000,000 employables in the United States. During the year 1940 there were engaged in what we then called our national defense program 1,400,000 people. That number had increased last year to 7,500,000, and now we have estimates that an additional 10,000,000 must be engaged in war production by the end of 1942, making a total thus engaged, of 17,500,000.

I believe all production engineers, or a greater portion of them, use as a basis for deciding how we can turn man-hours into dollars' worth of production that rule that we may count on $1 worth of production for each man-hour of labor. If we employ 17,500,000 workers for 50 hours a week 50 weeks in the year between now and this time next year, we will produce 43,750,000,000 man-hours, and on that basis of a dollar of production for a man-hour of labor, we will still be far short of the $50,000,000,000 worth of production we must turn out within the next 12 months.

There may not be any immediate labor shortage except for a few special skills and in a few special places, but I am convinced that the hour is fast approaching when we in this House must give some consideration to legislation which will enable us more fully and completely to utilize the manpower of this Nation, to select men who have been deferred for one reason or another from jobs they now hold and put them to doing some other jobs more important to our war effort. It is being done in many other places. The time rapidly approaches when every person of military age in this country must be engaged in a job necessary for the winning of this war.

At another crisis in our Nation's history, Mr. Speaker, an American poet wrote these lines:

> New occasions teach new duties; time makes ancient good uncouth;
> They must upward still, and onward, who would keep abreast of truth.
> Lo, before us gleam her campfires,
> We ourselves must Pilgrims be,
> Launch our Mayflower, and steer boldly,
> Through a troubled, wintry sea.
> Nor attempt the future's portals,
> With the past's blood-rusted key.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to proceed for 1 minute more.

The SPEAKER. Has the gentleman from Oklahoma any objection?

Mr. RIZLEY. No; I have no objection.

Mr. PRIEST. Mr. Speaker, if we have any agreements made in a peaceful past that are interfering with a realization of our maximum production, we must do whatever is necessary by voluntary agreement or legislation to take care of that situation, and to realize this maximum production. If we have any laws enacted in a peaceful past which are today hampering our war effort, then they should, for the duration, be suspended.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. RIZLEY] is recognized for 20 minutes.

LABOR LEGISLATION

Mr. RIZLEY. Mr. Speaker, I doubt if it would be the part of wisdom at this late hour to take the full 20 minutes, and I shall not do so.

This morning I called the attention of the Members of this House to a petition which I received from one county in my district relating to strikes and stoppages in defense plants and relating to the Wages and Hours Act as it applies to 40 hours per week, and other concessions. Since I inserted the petition in the RECORD this morning and read the same, I shall refrain from again reading it. In addition to this huge petition, which contains the signatures of 4,842 people, all from a city of about 30,000 inhabitants, which means that approximately one-seventh of the population took this means of petitioning their grievances to this Congress, I have received thousands of letters, telegrams, petitions, and other documents of similar import.

From the information I have accompanying this petition, it is significant that the petition was not passed around for the purpose of obtaining signatures, as is the ordinary petition, but a notice containing the paragraphs of the petition was placed in the local newspapers and the public was told that the petition was available for signatures, and that if they believed in and stood for the things set out in the petition, to call there and sign the petition. In that manner these 4,842 citizens responded.

In addition to that, as I have stated, I have received in the past 3 days letters and telegrams from more than 15,000 people in my own district and in other parts of Oklahoma. This convinces me that this complaint is not the hobby of someone who simply wants to obtain publicity or who is politically ambitious; it represents the genuine sentiment in this country of the vast majority of the people relating to strikes and stoppages in our defense industries and the things that the people believe are causing us to lose this war.

Another thing that prompted me to make this short speech this afternoon was another form of petition, practically the same as this, which has some official significance, due to the fact that it is signed by the chairman of the civilian defense committee in one of the counties in Oklahoma, a splendid gentleman. I know him well. He is also county judge of that county. This petition was publicized in every paper in the county, both weekly and daily papers. This is what he says.

Mr. Speaker, I ask unanimous consent that I may include as a part of my remarks this communication from Judge Carver, chairman of the civilian defense committee.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

WILL WE WIN?—WILL WE LOSE?—STOP ALL STRIKES IN ALL DEFENSE OR WAR MANUFACTURING AND MUNITION PLANTS NOW

As your county chairman of civilian defense in Kay County, I wish to call your attention to the pledge to help win the war, which is attached hereto.

Democracy is ruled by the voice of the people expressing their choice in legislation.

It is my honest conviction that it is necessary to stop all strikes in the munition and war manufacturing plants during the war and also suspend the 40-hour-week labor law during our national emergency.

Our Commander in Chief of the Army and Navy has for some time advocated this legislation, as well as certain restrictions on agriculture and business.

If you agree with me on these questions, which I believe are advisable for our national preservation and for ultimate victory, will you please detach the pledge below and send it to your Senator or Congressman or bring it to my office and I will see that it is mailed to them.

Your Senators are ELMER THOMAS, Senate Building, Washington, D. C.; JOSH LEE, Senate Building, Washington, D. C.; and Congressman ROSS RIZLEY, House Office Building, Washington, D. C.

Respectfully submitted.

ROY R. CARVER,
County Chairman
of the Civilian Defense Committee.

MY PLEDGE TO HELP WIN THE WAR

I do solemnly pledge that I will refuse to vote for the reelection of any United States Senator or any United States Congressman who does not consistently vote for a law outlawing all strikes in every industry connected with defense and who does not vote to abolish the limitation of the 40-hours-a-week labor in defense industries for the remainder of the war.

(Signed) ——— ———.
(Address) ——— ———.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. Yes; I yield.

Mr. BURDICK. That article seems to indicate that the President of the United States has set before this Congress that exact situation and we had failed to act.

Mr. RIZLEY. That is correct, and that is why I have taken this time this afternoon.

Mr. BURDICK. As a matter of fact, the President of the United States has not communicated any special message to this Congress setting forth the facts about strikes, has he?

Mr. RIZLEY. Not to my knowledge.

Now, let us look at the facts in this case. To use the words of a distinguished Democrat:

Let us look at the record.

Four days before Pearl Harbor—on December 3 to be exact—this body passed, by a vote of 252 to 136, and sent to the other body what is known as the Smith bill, having for its purpose stopping strikes and stoppages in industrial plants manufacturing or assembling war munitions and supplies of every kind and character.

The bill has since reposed in the Labor Committee of the other body, or some other committee, and I have been advised that its demise over there has the complete approval of the administration.

Mr. Speaker, when a nation becomes involved in an all-out war such as we are now in, every citizen is subject to military duty. It should be fundamental that if we can take the young and middle-aged by force and compel them to serve in the Army, that every dollar and every hour of capital and labor should also be at the command of our Government. The burden for doing this is upon the executive and legislative departments of the Government. The President and Congress have equal responsibilities.

In order that the record may be kept straight, and particularly because many of these communications which I have received set out as a fact that the executive branch of the Government has been trying to get legislation that will stop strikes and suspend the Wage and Hour Act, and that the sole blame is upon the Congress, I think it only fair, decent, and right, that we "put the monkey" on the backs of those where it rightfully belongs.

Why, Mr. Speaker, during the 14½ months that I have been in Congress, gentlemen on both sides of the aisle, day after day, week after week, have repeatedly requested that the committees having the various bills which have been introduced to curb and stop strikes bring the bills out of committee and bring them before the Committee of the Whole House for action.

The gentleman from Virginia [Mr. SMITH], the gentleman from Kentucky [Mr. MAY], chairman of the Military Affairs Committee, and many others, have attempted repeatedly to amend by anti-strike provisions the appropriation and authorization bills relating to the national defense contracts for material and machinery, and have been repeatedly defeated by those who purport to speak for the executive branch of this Government.

The gentleman from Michigan [Mr. HOFFMAN] by a conservative estimate has more than 100 times during the past year, pled, begged, and demanded of the majority leader and others that legislation be enacted to stop strikes and suspend the provisions of the Wage and Hour Act during the emergency.

Mr. Speaker, the issue became so hot that some of my friends on the other side of the aisle were threatening to start a sit-down strike themselves against major legislation until something was done by the administration to stop the strikes. It reached such a stage that our great Speaker took the floor himself on one occasion, to assure the membership that he personally was ready to follow or lead in any movement by legislation or sanely otherwise that would keep the defense production going in our country; and it was only 21 days from the time that he gave that assurance until this body passed the Smith bill to which I have heretofore referred.

Let those who are now becoming so vocal about this matter put the blame where it belongs. The party in power has approximately 100 majority in this House, and a larger majority proportionately in the Senate. Most of us over here I am sure, are anxious and ready to enact effective legislation that will "get the job done," and bring about uninterrupted production in our manufacturing and assembly plants—and let me repeat, uninterrupted production. Yes, 24 hours per day, 7 days in the week.

I can at least assure you of my own personal desire for such a program. I have voted consistently for every measure, whether it was an original bill or by way of amendment, which had for its purpose preventing strikes and stoppages in our plants.

Just a few days ago when we were considering Senate bill No. 208, having for its purpose to further expedite the prosecution of the war, I voted for the amendment offered by my colleague, the gentleman from Oklahoma [Mr. MONRONEY], authorizing the President to suspend the provisions of the Wage and Hour Act in plants determined by him to be vital to the production of war supplies; and when the Monroney amendment failed, I was 1 of the 62 who walked between the tellers and registered my vote for the Smith amendment which likewise attempted to suspend certain provisions of the Wage and Hour Act during the emergency.

I did this, notwithstanding the fact that the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK] forcibly and effectively (and quite logically) opposed the amendment and pled with the Congress to leave the matter up to the President, who, as he suggested, is charged with the successful conduct of the war. Notwithstanding the logic and the reason offered by the majority leader, I voted for the amendment because I felt that even though it might not be sufficient to do the job for which it was intended, that it would have a salutary effect throughout the country, and would be an indication to both capital and labor that production must go on uninterrupted every day of the week, every hour and every minute.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman briefly.

Mr. JONES. I want to keep the RECORD straight. Will the gentleman permit this observation: That the Smith bill, to which he has referred, that passed the House by a 2-to-1 majority is now reposing in the Committee on Education and Labor of the Senate.

Mr. RIZLEY. I thank the gentleman for his contribution. I have already so stated.

Yes, Mr. Speaker, I was fearful then that its defeat would bring about the very condition that these thousands and tens of thousands of letters and telegrams are indicative of, namely, that we have a labor government and that we are going the way of France.

Is that what the people are believing?

Let me call your attention to just one letter—and I have hundreds more containing similar language. Here is how it reads:

MY DEAR CONGRESSMAN: America is losing this war.

The folks back home deplore the recent shocking approval of the principle of the 40-hour week by Congress.

France worked 40 hours while Germany worked 70 hours, and now suffers abject slavery. This should be a lesson to us.

In spite of solemn pledges by labor leaders not to strike in war industries, we find as of

the week ending February 28 that there were 30 war-industry strikes, involving 14,260 employees.

Another serious aspect is the slow-down to enforce union demands and the "racket of dues picketing" involving shut-downs where there was no dispute with management.

This war cannot be won on a 40-hour week.

The folks back home are incensed at the attitude of Government toward strikes in war industries and further nonwar spending.

We expect action to the end that America win this war.

Mr. EATON. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. EATON. Where did this county judge get the information that the President of the United States has been advocating for some time this legislation to abolish strikes and cut out the 40-hour week?

Mr. RIZLEY. I am sure I cannot answer the gentleman as to where the information came from.

Mr. EATON. Did he get it from the Senate committee that has had this legislation in its pigeon hole for 3 months?

Mr. RIZLEY. As I say, I cannot give the gentleman that information; I am sorry.

Mr. Speaker, it was said here this afternoon that while some of us may have disagreed in the beginning as to the best course to pursue, we are in this war now, we must have unity; and we must give to our boys, whether in the jungles, on sea, or in the air, the necessary guns, tanks, planes, and other equipment to carry on. So far with the exception of the gallant MacArthur and his small band of immortals we have taken a terrific beating on every hand.

As was so well said in an article by Felix Morley in the Washington Star of yesterday:

The rapid spread of World War II threatens to engulf all races.

Rangoon, occupied by the Japanese on March 9, was the seventh center of white administrative control in the Far East to fall into the hands of a conquering Asiatic race.

Hanoi, the French Indochina, came under Japanese direction some months before the assault on Pearl Harbor. Since then, in rapid succession, the capitals of the Philippines, of Sarawak, of North Borneo, of the Federated Malay States, of the Netherlands East Indies, and of Burma, have all been unceremoniously placed under the flag of the Rising Sun.

Of these seven distinct colonial areas, four had previously owed allegiance to Great Britain, one each to the United States, the Netherlands, and France. Now, at a speed so great that few realize the magnitude of the event, these great white empires have disappeared. The Star-Spangled Banner yet waves defiantly on the peninsula of Bataan. The flags of Portugal and France may still be displayed by Japanese suffrance in Macao, Timor, and Indochina. Otherwise, and almost overnight, symbols of white power have been swept from the Far East.

This major political operation has been so sudden, so unexpected, that the inevitable after-effect is not yet apparent in this country. * * * There has been no change to compare with this in the lives of men now living. It is not the sort of change which future events can ever completely cancel out.

* * * * *

Since the United States entered the war, the general balance sheet has swiftly altered to the material detriment of our side. The fact is as indisputable as it is surprising and shocking.

Mr. Speaker, again let me repeat—we are now in this war. I had hoped and prayed that it might be averted; that we would not again have to send our sons to fight and die in Europe, Asia, and Africa, but such was not to be; apparently it was decreed otherwise.

There is no turning back now. We could not if we would, and we would not if we could. And so we must lay aside everything; politics, ambitions, greed, avarice, labor advantages, capital and management advantages, and many things that we will fight for in peacetime, in order to win this war.

If we lose this war we lose all. Free labor will go, free agriculture will go, free speech will go, free press will go, free schools and free institutions of all kinds—all of them will go. Yes; God and Christianity—the kind we have known about—will go.

Yes, if we lose this war we lose all. If we win, we win everything.

Let us suspend for a while at least, some of these so-called social gains that we have heard so much about. These dynamic and revolutionary policies which were so eloquently praised at the 9-year birthday party and the New Deal testimonial meeting by Mr. Biddle and others the other evening, can be submerged for a while in favor of some good old pioneer principles—thrift, economy, hard work, and long hours—these were the principles that conquered and made possible this, the greatest of all Christian nations; these were the principles which gave to us the American way of life; these were the principles which gave to us the heritage we are fighting to defend.

Either we shall continue to go along as we have been, considering political expediency paramount to national welfare, and considering political self-interest above patriotic duty and lose the war, or we will streamline our American way of life, forgetting self-interest and political expediency and subordinate everything to the task now before us, the task of winning this war and preserving for ourselves and our posterity the God-given liberties for which man has been struggling for thousands of years.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MARTIN J. KENNEDY, for tomorrow (St. Patrick's Day), March 17, to participate in the parade in New York City in honor of St. Patrick.

To Mr. CLEVENGER, indefinitely, on account of illness.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. SNYDER. Mr. Speaker, I take pride in reading a few lines of a letter from a young man, 23 years of age, who comes from my district. He is a high-school graduate, has had several years in college, was a bank clerk, and for the last year a bank examiner for the Federal Government. This young man volunteered for service and enlisted in the Army as a buck private some weeks ago.

From the Army camp where he is located he wrote to me on March 12, 1942, as follows:

After a few weeks of Army life, I can only say that it is a shame we have to have a war in order to give the American boy an opportunity for this camp life. I think it is going to do us all a lot of good. Any parent can be assured that the boys are receiving the best attention possible.

This letter was from my nephew, Josef Tressler, of Meyersdale, Pa.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

[Mr. BURDICK addressed the House. His remarks appear in the Appendix.]

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2249. An act authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

ADJOURNMENT

Mr. MONRONEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 39 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 17, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on Tuesday, March 17, 1942, at 10 a. m., for consideration of H. R. 6483. The hearing will be held in room 1304, New House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1493. A communication from the President of the United States, transmitting a supplemental estimate of appropriation of the Federal Security Agency for the fiscal year 1942, amounting to $9,000,000 (H. Doc. No. 668); to the Committee on Appropriations and ordered to be printed.

1494. A communication from the President of the United States, transmitting a supplemental estimate of appropriation of $235,000

for printing and binding, Post Office Department, for the fiscal year ending June 30, 1942 (H. Doc. No. 669); to the Committee on Appropriations and ordered to be printed.

1495. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 5, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of the Nestucca River and tributaries, Oregon, authorized by the Flood Control Act, approved on August 28, 1937; to the Committee on Flood Control.

1496. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 31, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of the Mud River and Wolf Lick Creek, Ky., authorized by the Flood Control Act approved on June 22, 1936; to the Committee on Flood Control.

1497. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 31, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of the North Platte River and tributaries, Wyoming, authorized by the Flood Control Act approved on June 22, 1936; to the Committee on Flood Control.

1498. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 20, 1941, submitting a report, together with accompanying papers, on a preliminary examination of the Fox River and its tributaries, Missouri, and dam at northern end of Fox Island, Clark County, Mo., authorized by the Flood Control Act approved on June 28, 1938; to the Committee on Flood Control.

1499. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 22, 1941, submitting a report, together with accompanying papers, on a review of the reports on a canal from Waldo, Fla., into Lake Alto and from Lake Alto into Little Lake Santa Fe, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on October 5, 1940; to the Committee on Rivers and Harbors.

1500. A letter from the Secretary of the Interior, transmitting a report of the National Park Service on a study of the park and recreation problem of the United States; to the Committee on the Public Lands.

1501. A letter from the Chairman, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for the fiscal year ended June 30, 1941; to the Committee on Interstate and Foreign Commerce.

1502. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Security Agency, amounting to $12,500,000 for the fiscal year 1942, together with amendments to the Budget for 1943 involving a net increase of $3,100,000 (H. Doc. No. 670); to the Committee on Appropriations, and ordered to be printed.

1503. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal years 1942 and 1943, amounting to $15,800, for the Supreme Court of the United States (H. Doc. No. 671) to the Committee on Appropriations and ordered to be printed.

1504. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the national defense activities of the Civil Service Commission, amounting to $977,957 for the fiscal year 1942 (H. Doc. No. 672); to the Committee on Appropriations and ordered to be printed

1505. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment Architect of the Capital, for the fiscal year 1942, amounting to $45,650 (H. Doc. No. 673); to the Committee on Appropriations and ordered to be printed.

1506. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Security Agency, for the fiscal year 1942, amounting to $453,000 (H. Doc. No. 674); to the Committee on Appropriations and ordered to be printed.

1507. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Federal Works Agency for the fiscal year 1942 in the amount of $4,177,245, and a supplemental estimate of appropriation for the fiscal year 1943, amounting to $4,588,025, the latter in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 675); to the Committee on Appropriations and ordered to be printed.

1508. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1942, amounting to $2,929,720, and drafts of two proposed provisions pertaining to existing appropriations, all for the Department of Commerce (H. Doc. No. 676); to the Committee on Appropriations and ordered to be printed.

1509. A communication from the President of the United States, transmitting four supplemental estimates of appropriations for the Department of the Interior for the fiscal year 1942, amounting to $2,002,300 (H. Doc. No. 677); to the Committee on Appropriations and ordered to be printed.

1510. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Navy Department and naval service for the fiscal year ending June 30, 1942, amounting to $825,924,000, together with proposed provisions affecting certain existing naval appropriations for the fiscal years 1942 and 1943 (H. Doc. No. 678); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 6759. A bill to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time; without amendment (Rept. No. 1901). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 457. Resolution for the consideration of H. R. 6554, a bill to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort; without amendment (Rept. No. 1902). Referred to the House Calendar.

Mr. REES of Kansas: Committee on Immigration and Naturalization. H. R. 6633. A bill to amend the Nationality Act of 1940; without amendment (Rept. No. 1903). Referred to the Committee of the Whole House on the state of the Union.

Mr. DICKSTEIN: Committee on Immigration and Naturalization. H. R. 6717. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War; without amendment (Rept. No. 1904). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ANDREWS: Committee on Military Affairs. S. 2026. An act to provide for the posthumous appointment to commissioned grade of certain enlisted men and the posthumous promotion of certain commissioned officers; without amendment (Rept. No. 1898). Referred to the Committee of the Whole House.

Mr. HARTER: Committee on Military Affairs. S. 2202. An act to reinstate Paul A. Larned, a major, United States Army, retired, to the active list of Regular Army; without amendment (Rept. No. 1899). Referred to the Committee of the Whole House.

Mr. ARENDS. Committee on Military Affairs. H. R. 2978. A bill for the relief of Merle E. Rudy; without amendment (Rept. No. 1900). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 6789. A bill to amend the joint resolution approved August 27, 1940 (54 Stat. 858), as amended, and the Selective Training and Service Act of 1940 (54 Stat. 885), as amended so as to remove the requirements that the medical statements shall be furnished to those persons performing military service thereunder; to the Committee on Military Affairs.

By Mr. SMITH of Virginia:

H. R. 6790. A bill to permit the performance of essential labor on naval contracts without regard to laws and contracts limiting hours of employment, to limit the profits on naval contracts, and for other purposes; to the Committee on Naval Affairs.

By Mr. COSTELLO:

H. R. 6791. A bill to amend section 16 (b) of the Fair Labor Standards Act of 1938; to the Committee on Labor.

By Mr. SMITH of Virginia:

H. R. 6792. A bill to permit the performance of essential labor on military contracts without regard to provisions of law and contracts limiting the hours of labor or prescribing overtime compensation, to limit the profits on military contracts, and for other purposes; to the Committee on Military Affairs.

By Mr. VOORHIS of California:

H. R. 6793. A bill to promote the mutual understanding and insure the continental solidarity of the peoples of the American republics by the interchange of students and teachers; to the Committee on Foreign Affairs.

By Mr. FADDIS:

H. R. 6794. A bill to prevent certain farm-loan agencies from requiring assignment of rents and royalties while the borrower is not in default; to the Committee on Agriculture.

By Mr. BOREN:

H. R. 6795. A bill to insure the successful prosecution of the war; to the Committee on Labor.

By Mr. WICKERSHAM:

H. R. 6796. A bill to suspend during the continuance of the present war provisions of law or contract which require overtime compensation for employment in excess of a specified number of hours in any workweek; to the Committee on Labor.

By Mr. LEA:

H. R. 6799. A bill to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs

arising out of the present war; to the Committee on Interstate and Foreign Commerce.

By Mr. MAY:

H. R. 6801. A bill to amend sections 1 and 2 of chapter XIX of the Army Appropriation Act approved July 9, 1918; to the Committee on Military Affairs.

By Mr. BRADLEY of Michigan:

H. J. Res. 294. Joint resolution instructing the Secretary of War to henceforth designate the new lock in the St. Marys River at Sault Ste. Marie, Mich., as the Gen. Douglas MacArthur lock; to the Committee on Rivers and Harbors.

By Mr. FADDIS:

H. J. Res. 295. Joint resolution providing for the procurement of raw natural rubber from sources in the Western Hemisphere; to the Committee on Coinage, Weights, and Measures.

By Mr. COLLINS:

H. Res. 456. Resolution expressing the sense of the House of Representatives that there should be a consolidation of Federal agencies concerned with the production of natural and synthetic rubber; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD:

H. R. 6797. A bill for the relief of the estate of Tom Gentry; to the Committee on Claims.

By Mr. TIBBOTT:

H. R. 6798. A bill for the relief of Elmer T. Johns; to the Committee on Military Affairs.

By Mr. DINGELL:

H. R. 6800. A bill to authorize the President of the United States to present a Congressional Medal to Dorie Miller; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2558. By Mr. JONKMAN: Petition of sundry citizens of Grand Rapids, Mich., advocating the enactment of the so-called Sheppard bill to prohibit the sale of intoxicating liquors at military establishments; to the Committee on Military Affairs.

2559. By Mr. KEOGH: Petition of the Association of Towns of the State of New York, concerning Federal taxes on State and local securities; to the Committee on Ways and Means.

2560. By Mr. SMITH of Wisconsin: Resolutions of the council of the city of Kenosha, calling upon the Congress of the United States to revive House bill 6559, providing for unemployment benefits for persons who by virtue of the conversion from peacetime to wartime production are left unemployed; to the Committee on Ways and Means.

2561. By the SPEAKER: Petition of the clerk of the House of Delegates of the Commonwealth of Virginia, petitioning consideration of their resolution with reference to taxes on hard liquors; to the Committee on Ways and Means.

2562. Also, petition of the chairman of the Chickasha war committee, petitioning consideration of their resolution with reference to speeding up the production for national defense; to the Committee on the Judiciary.

2563. Also, petition of the president international, the Pan American League Headquarters, petitioning consideration of their resolution with reference to 40-hour-week provision; to the Committee on Labor.

2564. Also, petition of the president, Lumbermen's Club of Memphis, petitioning consideration of their resolution with reference to coordination in the war production program; to the Committee on the Judiciary.

2565. Also, petition of the National Federation of Post Office Clerks, Local No. 443, Youngstown, Ohio, petitioning consideration of their resolution with reference to cooperation with the national defense program with the Post Office Department; to the Committee on Military Affairs.

SENATE

TUESDAY, MARCH 17, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Most mighty God and Father of us all, who art greater, wiser, and more glorious than we can ever know, who leadest us, whether in our pride or our humility, by ways we cannot understand: Give us an heart to love and worship Thee as the perfection of beauty after which we sigh, though we cannot attain unto it, and, out of Thy bounteous goodness, we beseech Thee to guide us in judgment, for though our eyes be holden, yet we believe in Thee, that Thou art and that Thou wilt grant us the vision of Thyself.

Make us true economists of happiness as we learn the use of joy and true beneficence in these days that need not only courage, but a wholesome gladness amid the reactions of lassitude caused by the wear and tear, the strain and stress of daily life; gladness amid the depression and uncertainty created by the deepening complexity of problems that are yet unsolved.

And now we ask that Thou wilt unfold to us the deepest thoughts which can fill the heart of our humanity with a sense of wonder and of power, thoughts which shall become the precious lifeblood of a master spirit, treasured up on purpose to a life beyond our life. In our Saviour's Name, we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 16, 1942, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Butler	George
Austin	Byrd	Gerry
Bailey	Capper	Gillette
Bankhead	Caraway	Glass
Barbour	Chandler	Guffey
Barkley	Chavez	Gurney
Bilbo	Clark, Idaho	Hayden
Bone	Clark, Mo.	Herring
Brewster	Connally	Hill
Brooks	Danaher	Holman
Brown	Davis	Hughes
Bulow	Doxey	Johnson, Calif.
Burton	Ellender	Johnson, Colo.
La Follette	O'Daniel	Stewart
Langer	O'Mahoney	Taft
Lee	Overton	Thomas, Idaho
Lucas	Pepper	Thomas, Okla.
McCarran	Radcliffe	Thomas, Utah
McFarland	Reed	Truman
McKellar	Reynolds	Tunnell
McNary	Rosier	Tydings
Maloney	Russell	Vandenberg
Mead	Schwartz	Van Nuys
Millikin	Shipstead	Wheeler
Murdock	Smathers	White
Murray	Smith	Willis
Nye	Spencer	

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from Rhode Island [Mr. GREEN], the Senator from South Carolina [Mr. MAYBANK], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON A STUDY OF THE PARK AND RECREATION PROBLEM

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the National Park Service of the Interior Department on A Study of the Park and Recreation Problem of the United States (with an accompanying report); to the Committee on Public Lands and Surveys.

DISPOSITION OF EXECUTIVE PAPERS

Letters from The Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of War (2) and Agriculture (5); the Federal Trade Commission (2), Federal Security Agency, Federal Security Agency (Food and Drug Administration), Federal Works Agency, and the National Archives, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Fort Scott, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. TYDINGS:

Petitions, numerously signed, of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on March 16, 1942, that committee presented to the President of the United States the enrolled bill (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOXEY:

S. 2376. A bill to authorize the Secretary of the Interior to cooperate with the States in the carrying out of projects designed to develop, restore, and replenish supplies of commercial sea foods; to the Committee on Commerce.

By Mr. McCARRAN:

S. 2377. A bill to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the Detective Bureau of the Metropolitan Police Department, and for other purposes; to the Committee on the District of Columbia.

By Mr. O'MAHONEY:

S. 2378. A bill to promote the development and production of minerals belonging to the United States, to authorize the construction and operation of electrical facilities, to promote utilization of the natural resources of the Nation, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. BROWN:

S. 2379. A bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on Claims.

By Mr. GURNEY:

S. 2380. A bill to suspend for the duration of the present war all prohibitions against the marriage of officers of the land and naval forces of the United States; to the Committee on Military Affairs.

ADDRESSES AND PAPERS OF FRANKLIN D. ROOSEVELT: DEVELOPMENT OF UNITED STATES FOREIGN POLICY, 1933–41

Mr. OVERTON. I ask unanimous consent to have printed as a Senate document certain outstanding addresses and papers of Franklin D. Roosevelt relating to peace and war covering the period 1933–41, inclusive. These addresses, messages, and letters have been compiled from the Public Papers and Addresses of Franklin D. Roosevelt, 1933–40, the CONGRESSIONAL RECORD, the Department of State Bulletin, White House releases, and other official sources.

This compilation is intended to present the chronological development of the foreign policy of the United States from the announcement of the good-neighbor policy in 1933 through the war declarations of 1941.

Mr. BONE. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BONE. I rise to inquire of the Senator from Louisiana if the dossier to which he refers contains the public statements and messages of the President dealing with his recommendations to Congress by the way of appropriations and such allied matters which are involved in the whole war problem?

Mr. OVERTON. The compilation does not contain all the speeches or all the messages of the President, but those contained in it have been very carefully selected as representing the most important utterances of the President, in whatever form they were made, whether as public addresses, fireside talks, addresses before both Houses of Congress, or press releases which indicate the foreign policy of the United States, both before the present war and after we entered into the war, and with particular relation to the war. I have requested that they be published because I think they will be of great historical value.

Mr. BONE. There can be no doubt about that, but I wonder if they contain all the President's recommendations as to specific appropriations for the Army, for the Navy, and for national defense, and matters of that sort.

Mr. OVERTON. No; they do not contain all the recommendations with respect to all appropriations.

Mr. BONE. Of course, in many of his recommendations the President has been very specific as to how and for what purpose the money was to be used, which is important to know in connection with the general long-term effect of the operation that was to be conducted under an appropriation when it was made available.

The VICE PRESIDENT. Without objection, the compilation presented by the Senator from Louisiana will be printed as a document.

THE NAZI LAND POLICY—ADDRESS BY T. E. HOWARD

[Mr JOHNSON of Colorado asked and obtained leave to have printed in the Appendix and address by T. E. Howard, former president of the Farmers Union of Colorado, on the subject, The Nazi Land Policy Will Enslave Millions, which appears in the Appendix.]

A LETTER TO DONALD NELSON FROM FRANK J. WOLF

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a letter to Donald Nelson from Frank L. Wolf, publisher of the Colorado Monitor, and printed in the issue of the Monitor of March 13, 1942, which appears in the Appendix.]

WASTEFUL SPENDING—EDITORIAL FROM KANSAS CITY TIMES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an editorial from the Kansas City Times entitled "Kick All of It Out," which appears in the Appendix.]

AN OPEN LETTER TO THE PRESIDENT—EDITORIAL FROM THE CHARLOTTE (N. C.) OBSERVER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an editorial entitled "An Open Letter to the President," published in the Charlotte (N. C.) Observer of March 12, 1942, which appears in the Appendix.]

A PRACTICAL METHOD OF PILOT SELECTION

[Mr. ROSIER asked and obtained leave to have printed in the RECORD an article from the Proceedings of the Staff Meetings of the Mayo Clinic, entitled "A Practical Method of Pilot Selection," which appears in the Appendix.]

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy;

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; and

S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5016. An act to amend section 1 of the act approved August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes";

H. R. 5636. An act to expedite the settlement of claims and accounts incident to certain agricultural-adjustment programs, and for other purposes;

H. R. 5719. An act to abolish the Guilford Courthouse National Military Park Commission, and for other purposes;

H. R. 5860. An act declaring certain lands to be a part of the public domain and providing for the administration thereof;

H. R. 5866. An act for the relief of the city of Atlanta, Ga.;

H. R. 5962. An act to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935;

H. R. 6166. An act to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board;

H. R. 6360. An act to amend the act known as the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), approved June 10, 1930, as amended;

H. R. 6387. An act to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes;

H. R. 6495. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center, Minn.;

H. R. 6625. An act granting the consent of Congress to an amendment to the Constitution of the State of New Mexico, providing a method for executing leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress approved June 20, 1910;

H. R. 6641. An act to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937;

H. R. 6730. An act to protect the public health by the prevention of certain practices leading to dental disorders, and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; and

H. J. Res. 263. Joint resolution to provide decorations for outstanding conduct or service by persons serving in the American merchant marine.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 5016. An act to amend section 1 of the act approved August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes";

H. R. 5719. An act to abolish the Guilford Courthouse National Military Park Commission, and for other purposes; and

H. R. 6625. An act granting the consent of Congress to an amendment to the Constitution of the State of New Mexico, providing a method for executing leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress approved June 20, 1910; to the Committee on Public Lands and Surveys.

H. R. 5636. An act to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes; and

H. R. 6360. An act to amend the act known as the "Perishable Agricultural Commodities Act, 1930" (46 Stat. 531), approved June 10, 1930, as amended; to the Committee on Agriculture and Forestry.

H. R. 5860. An act declaring certain lands to be a part of the public domain and providing for the administration thereof; to the Committee on Indian Affairs.

H. R. 5866. An act for the relief of the city of Atlanta, Ga.; to the Committee on Claims.

H. R. 5962. An act to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935; and

H. R. 6166. An act to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board; to the Committee on Territories and Insular Affairs.

H. R. 6387. An act to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes; and

H. R. 6730. An act to protect the public health by the prevention of certain practices leading to dental disorders; and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; to the Committee on Interstate Commerce.

H. R. 6495. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center, Minn.;

H. R. 6641. An act to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937; and

H. J. Res. 263. Joint resolution to provide decorations for outstanding conduct or service by persons serving in the American merchant marine; to the Committee on Commerce.

LABOR CONDITIONS ON T. P. & W. RAILROAD

Mr. MEAD. Mr. President, I should like to have permission to insert in the RECORD a copy of the President's letter addressed to George P. McNear, Jr., president of the Toledo, Peoria & Western Railroad Co., in which company a lock-out still persists. By the action of Mr. McNear in refusing to arbitrate the difficulty he creates an issue which, in my judgment, is more serious than the issue existing between the men and the company. The big question now is, Shall the National War Labor Board, the agency of the Government set up pursuant to the agreement made between the representatives of industry and labor that all controversies should be settled by peaceful means during the duration of the war, be resisted and defied as is being done in this case? If McNear can get away with this, then the usefulness of the National War Labor Board will quickly come to an end, and the prospect of peace in industry will be gloomy indeed.

Mr. President, I hope the lock-out on the T. P. & W. may speedily be brought to an end by the President exercising his power to take over the road.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 14, 1942.

Mr. GEORGE P. MCNEAR, JR.,
President, Toledo, Peoria & Western R. R. Co., Peoria, Ill.

DEAR MR. MCNEAR: The National War Labor Board has informed me that on February 27 the National War Labor Board notified you of its decision that you should arbitrate under the auspices of the National Mediation Board the pending dispute on the Toledo, Peoria & Western Railroad, of which railroad you are president.

The history and significance of this case is recited in the final appeal of the National War Labor Board sent you on March 13, 1942, as follows:

"The defiance of the Government of the United States by the Toledo, Peoria & Western Railroad Co. has raised issues far beyond the dispute between the company and the railroad brotherhoods. This Government of the people in time of war cannot afford to permit the special or private interest of any labor union or corporation to break down the national agreement between management and labor, that labor disputes shall be settled for the duration of the war by peaceful means.

"A private quarrel between a company and a union cannot be allowed to continue in the midst of a total war.

"The Government of the United States, which, through four successive public agencies, proposed patiently but unsuccessfully a peaceful settlement of this dispute, cannot be flouted by private interests.

"Before Pearl Harbor, both sides refused arbitration proposed by the National Railway Mediation Board. Since Pearl Harbor, a number of Federal agencies have attempted to settle this dispute by peaceful means.

"First, the National Railway Mediation Board proposed arbitration. The unions accepted but the company rejected.

"Second, the Director of the Office of Defense Transportation proposed arbitration. The unions accepted but the company rejected.

"Third, a three-member panel of the United States Conciliation Service proposed arbitration. The unions accepted but the company rejected.

"Fourth, the National War Labor Board unanimously directed arbitration under section 8 of the Railway Labor Act and under the auspices of the National Railway Mediation Board, set up by Congress for that purpose. The unions accepted but the company rejected.

"Fifth, the National Railway Mediation Board sent its mediator to Peoria to carry out the directive order of the War Labor Board for arbitration. The unions again agreed to cooperate and the company refused.

"This rejection of established peaceful and lawful procedures for settlement of this labor dispute tends to breed violence and a disrespect of lawful processes.

"We denounce any violence, any disregard of law, and any defiance of peaceful procedures. The national crisis demands the use of the peaceful means of settlement established by the Government.

"The Government has been patient, but there is a point beyond which patience becomes an act of disloyalty to a people who have seen stronghold after stronghold of freedom go down because men and materials to save them arrived too late. The people of the United States have a right to demand that their Government prevent a private quarrel from checking the national will.

"In this time of dire necessity for the quick maximum transportation of all materials as part of total war, any refusal to settle a railroad labor dispute involving a small but vital link in overland transportation between the oceans is intolerable to the American people in their struggle to remain free.

"The National War Labor Board, in the name of the Government of the United States, again unanimously, and for the last time, calls upon the management of the Toledo, Peoria & Western Railroad Co. to accept arbitration of this dispute in accordance with the decision of the Board."

In these times of war I must insist that the national agreement that there shall be no strikes or lock-outs for the duration of the war and that the procedures for the peaceful settlement of labor disputes as set forth in the Executive order creating the National Labor Board must be complied with by all American employers and labor groups.

As President of the United States and Commander in Chief of the armed forces, I hereby request you to comply with the order of the National War Labor Board immediately.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

CONDUCT OF GOVERNMENT AFFAIRS—LETTER FROM F. H BURNAP

Mr. HOLMAN. Mr. President, I ask unanimous consent to have published in the body of the RECORD as a part of my remarks a letter addressed to me by Mr. F. H. Burnap and other citizens of Oregon. The letter expresses well the growing, righteous indignation of the people of my State regarding the incompetency

and irregularities of the present Federal administration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CORVALLIS, OREG., *March 8, 1942.*

Senator RUFUS HOLMAN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HOLMAN: I wish I had a copy of the telegram sent by the voters of South Carolina to their representatives in Washington—would repeat it to you and our other representatives from Oregon. We in this State are wondering what our representatives in the Capital are doing to help preserve our American system and win this war.

We are paying high taxes, and will pay more; we are buying bonds, and will buy more bonds to help win the war; but we don't appreciate the continuation of some six billion dollars being spent each year, and to be spent in 1942, to keep all those New Deal alphabet bureaus running. It is neither right nor necessary for our Government to spend such huge sums that ought to be spent for war purposes. If these useless bureaus constitute what the President calls "the dignity and brotherhood of man," do you think they can win this war for us? If not, why aren't they eliminated, and now?

Do we have to listen to Alabama Democrats (Clark County Democrat) to learn what our country is headed for? The day is not far distant when statesmanship must supplant political expediency if the American form of government is going to survive.

If the head of our administration is afraid to do something about the racketeering labor unions at this time, why doesn't Congress act? Is there a tie-up between the unions and our representatives, as there seems to be with the administration heads? We at home feel we are being let down. Due to the Wagner Act some 5,000,000 days' work were lost in the shipyards in 1941 and some 25,000,000 work days lost in other war industries, mostly due to the union leaders. Both industry and labor may be at fault, but what is our Commander in Chief of the Army and Navy doing about it, but tell us "not a day shall be lost in our defense program"? How can we, the average citizens, do anything about the slowing down of our defense program and other equally radical administrative failures? Our representatives are supposed to be doing something for us, but are they?

We also resent the postponement of the court-martial trials for Kimmel and Short. In all justice they should have their hearing at once; and if some higher-ups in Washington get "nicked," let them take it. The public is tired of having every mistake made by the big names being whitewashed. Are our representatives doing anything about demanding an immediate hearing for these demoted officers?

With so many "reds" and radical new dealers spending billions for nondefense programs and supporting the President in every whim he thinks up, with the Supreme Court failing us, who have the folks back home got to turn to if it isn't the men they sent to Washington? For God's sake get busy and stick your necks out and begin a campaign to stop some of this damned foolish spending of our money and get down to the business of winning this war. We have had enough of this spending spree for the purpose of buying votes to perpetuate these New Deal racketeers.

What but un-American when our Government allows and encourages the union men to receive such high wages with half-time or overtime pay, most war industries working 3½ days a week and refusing to work on holidays even when the President and Nelson ask them to do so. Compare the life of these high-paid union men to that of our boys in uniform—low wages and loss of jobs for them and every chance of being killed or crippled. Many are killed daily even before they get into the fighting—4 burned to death and 18 seriously burned when a discarded poultry house was used for barracks for boys from Wyoming. There is something so rotten in Washington and the administration that many Oregon voters are not in favor of returning any of our Representatives for another term—none of them. Surely the State can find some men who won't play politics and turn a deaf ear to legislation the people want and need right now. Our men may be doing more than we know of—we hope so—but we do feel they are keeping pretty quiet and doing little.

Leon Henderson asks the housewives to take back to the grocer any sugar they have and says that failure to do so "is almost traitorous." Huh! How about the Agricultural Adjustment Administration of the Federal administration, which alone is completely responsible for the sugar shortage resulting from the socialistic efforts to run the farmer's business and limiting the number of acres he might sow to sugar beets? If treason is defined, as Henderson seems to define it, then the Agricultural Adjustment Administration should be court martialed—and that includes the man responsible for it.

We trust you listen to H. V. Kaltenborn. God knows this country could stand more men with his understanding and the courage to say what he thinks. He makes sense, as do most of the editors of the Oregon newspapers.

Sincerely,

Mr. and Mrs. F. H. BURNAP.
Mr. and Mrs. G. J. FRINK.
Mr. and Mrs. JOHN W. BROWN.

P. S.—I let two neighbors read the above, and if they had thought me too radical would not have sent this, but they insisted on signing it and wanted me to show it to every home owner in our neighborhood. They said every Republican and most every Democrat would sign.

They all feel the soldier's pay should be raised. Corvallis probably isn't any different from every other town of its size in the Nation—that is, one where the Agricultural Adjustment Administration has offices. If you could hear the disgust on every side for the wanton waste of our tax money on the damn fool projects the Agricultural Adjustment Administration is getting out—color motion pictures of this and that all over the State; a bit of soil erosion here, etc.; private motion-picture studios being built with Government money; high salaries for men who could be serving the country in uniform; big traveling-expense accounts, etc. It makes no sense to anyone but a new dealer. Let some of these grafters be conscripted to help get the crops in. The Work Projects Administration has dropped many of its old hands and now they refuse to work on the farms this spring—too hard work, too little pay. My sister on a berry farm helped her neighbor train berries for 2 weeks when no men could be hired, and she was paid 25 cents an hour. Then the President wants farm prices, etc., kept down to ward off inflation. What are the union wages, etc., doing but bringing on inflation? Am sorry to wrote so lengthy and know much of this is out of focus, but many things are so damned crooked and so unnecessary to win the war that we all feel this administration is rotten to the core.

CONTRIBUTION OF SENATOR CHANDLER AS GOVERNOR TO EXCELLENT FINANCIAL CONDITION OF KENTUCKY

Mr. BROWN. Mr. President, an Associated Press dispatch published in the Louisville Courier-Journal on March 15, 1942, pays very high tribute to our good friend and colleague the junior Senator from Kentucky [Mr. CHANDLER]. It calls attention to the fact that, through legislation which he initiated as chief executive, the State of Kentucky will this month of March become entirely free from debt. It calls attention to the fact that the junior Senator from Kentucky while Governor of his State reduced the debt of Kentucky from $25,000,000 to $5,000,000.

I felt that the Members of the Senate would be pleased to have this tribute to the Senator from Kentucky called to the attention of the country by having the article printed in the CONGRESSIONAL RECORD, and I ask unanimous consent that it appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Louisville Courier-Journal of March 15, 1942]

STATE CALLS LAST OF WARRANTS; CLEARS DEBT FIRST TIME IN YEARS—PAYMENT SET FOR MARCH 25

FRANKFORT, KY., March 14.—Kentucky, for the first time since its early history, soon will be free of its warrant debt.

Gov. Keen Johnson announced today the last of the State's outstanding interest-bearing warrants, amounting to $495,000, had been called for payment March 25.

When newsmen to whom he made known the call asked for a statement, the Governor remarked tersely:

CREDITS ACCOUNTING SYSTEM

"It speaks for itself. There's nothing romantic or spectacular about paying off a debt. You run into debt and crawl out. We've been a long time crawling out."

The warrant debt was reduced to its present size from approximately $25,000,000 in slightly more than 6 years.

The treasurer's office said the warrant debt stood at $25,232,913 when Gov. A. B. CHANDLER took office in 1935 and at $5,374,542, 4 years later when Johnson became Governor.

Governor Johnson attributed the State's ability to pay off the debt to the 1936 Reorganization Act, which he said brought a "rigid accounting system" through creation of a division of accounts and control.

In earlier years, he added, lax accounting methods often found the State spending more than its income, necessitating issuance of warrants.

CAN'T RECALL LAST TIME

When the last payment call lowered the outstanding warrant total to $495,000—which bears 1 percent interest—it was the first time since 1908 the debt had fallen below $500,000, the constitutional limit.

Even the oldest timers in Frankfort couldn't remember when the State was debt free.

The 1942 legislature enacted a law putting teeth in the constitution's $500,000 debt limit. Courts had ruled in the past that certain expenditures by the State did not come under the limitation.

Technically, the State will still have outstanding warrants on its books after March 25.

SOME WARRANTS NOT PRESENTED

The treasurer's office reported $29,573 worth of warrants called for payment have not been presented. They bear no interest after their call.

Of these, however, $13,278 worth have been outstanding many years and virtually have been given up for lost or destroyed.

Governor Johnson said even these outstanding warrants probably would be wiped out in 2 years.

He pointed to a new law voiding outstanding warrants unless action has been started

to obtain payment on them within 2 years after their call.

The unencumbered balance in the State treasury as of today, the Governor said, is $1,940,178.

DISPOSITION OF MEMORIAL CANNON

Mr. BROOKS. Mr. President, I am in receipt of a letter from the custodian of one of the smaller State parks in the State of Illinois, in which he suggests:

We have four large-size Civil War cannon here that we want to turn over to the Government, provided that they can in any way be of service to them. * * * If you have the time, I wish you would put me in touch with the proper department.

Subsequently I addressed a letter to Major General Reybold, and received a reply from the War Production Board, which stated:

DEAR SENATOR BROOKS: Your letter to Major General Reybold containing information that the Fort Massac State Park, Metropolis, Ill., has four large copper cannon aggregating around 20,000 pounds which it is considering turning over to the Federal Government for scrap purposes, has been referred to the undersigned.

The War Production Board is very much interested in the potential 20,000 pounds of copper scrap contained in these cannon. If it is decided to scrap them, we would like to recommend the names of several scrap-metal dealers to facilitate their disposal.

Yours very truly,

A. I. HENDERSON,
Deputy Director,
Materials Division.

This may be the only way that the War Production Board can devise for accepting this metal that is in the hands of civic and governmental organizations throughout the country, but I suggest to them that they set up some sort of a round-up of these idle cannon in a different manner than to turn them in as scrap to private dealers on which to make a profit as they are moved into the war effort of our Nation.

In every community all over this Nation there are cannon containing valuable metals, and now that we find ourselves so short of metal that we are shutting down factories throughout the land, and are admittedly short of material to put in the hands of our fighting young men on land, sea, and in the air, I believe that almost every community would find it a patriotic joy to crate and ship to any central point designated by the Government the ancient cannon of the wars of yesterday, with the feeling that they are contributing once more to the defense of the liberties of America, and there should be no junk-dealer's profit extracted in the transformation.

LABOR AND WAR PRODUCTION

Mr. O'DANIEL. Mr. President, I ask unanimous consent to have incorporated in the RECORD another batch of telegrams from citizens of Texas and other States of the Union expressing righteous indignation at the deplorable conditions existing in this country which are slowing down the production of essential war materials, and urging the Congress of the United States to take such action as will bring to an end this tragic situation.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SAN ANTONIO, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL:

We strongly urge your active support Smith bill limiting war profits and suspending closed shop. Please oppose delaying and perversive amendments which will undoubtedly be proposed.

Charles F. Nichols, Helen H. Nichols, George W. Hopper, Mary Jane Hopper Charles George, Jr., Adele George, Robert W. Hopper, Ruth Hopper, T. H. Turner, Blanche Turner.

WESLACO, TEX., *March 14, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

We believe Congress should require our war-production plants to match the service of our brave soldiers by working maximum hours without double-time or overtime pay. We urge you to make labor do its duty—work or fight.

Weslaco Chamber of Commerce; T. H. Henderson; G. L. Wood; Y. P. Yarbrough; O. J. Gunn; E. Schoen; F. L. White; T. F. Langford; W. F. Powell; Hardy Aldridge; Robert Dela Rosa; Fred Voigt; O. B. Abel; C. E. Raye Garza; J. T. Ellis, Jr.; C. S. Salsginer; O. M. Little; C. L. Skaggs; Thos. W. Glass; A. B. Valdes, Sr.; Mrs. M. A. Shields; C. D. Bennett; Roy Lombard; Judson Friday; Gordon Rethley; H. J. Martin; R. M. Gilmore, publisher; W. F. Andersen; Rogers Butler; Brad H. Smith; E. B. Ford; Pat Cannon; E. L. McCollum; W. Roen; E. Donlon; Fred E. Kay; S. N. McWhorter; Mrs. R. M. Gilmore; Don E. Ransom; Julius Frosch; B. L. Harrington; F. T. Wells, publisher; Lloyd C. Wilson; J. D. Brixey; B. K. Traylor; J. S. McManus; Frank R. Dorsey; J. E. Petty; George Magee; C. D. Fitzgerald; G. O. Aldridge; T. G. Cressner.

PAMPA, TEX., *March 16, 1942.*

Hon. W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

Our pledge to help win the war: We solemnly pledge that we will refuse to vote for the reelection of any United States Senator or any United States Congressman who does not consistently vote for a law outlawing all strikes in every industry connected with defense and who does not vote to abolish the limitation of 40 hours a week labor in defense industries for the remainder of the war.

The citizens of Pampa, Tex.: Paul Tabor, Grayden Teeters, Carman Teeters, Louise Walters, Bruce Walters, Grace Pool, Glen Pool, Helen Dixon, Mrs. Fred Roberts, Lois Reeves, I. B. Hughey, Katherine Hughey, Fern Hines, Johnnie Hines, Sam Erwin, Lillian Erwin, Claudie Benge, Charley Dunkel, R. M. Bellamy, J. P. Werhung, Pauline Sidwell, Eugene Sidwell, Irene Beagle, Del Beagle, Esther Daugherty, Walter Daugherty, Andrew McNamara, Audrey Tabor, A. B. Zahn, Eleanor McNamara, Audrey Schwartz, Ann High, Clifton High, Dr. Schwartz, Finis Jordan, L. C. Graham, Naida Graham, Paul Kasishke, Ken Thornton, Gene Thornton, Francis Garman, Jake Garman, George Cree, Opal Cree, Alma McCoy, Myrtle Hoover, Dee Paterson, Bill Watson.

SAN ANTONIO, TEX., *March 16, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate, Washington, D. C.:

We, and our wives, 58 strong, solemnly pledge to vote against any Senator or Congressman who does not take immediate action to outlaw all strikes in defense industries, to abolish the 40-hour week and all nondefense expenditures for the duration and to adjust existing industrial contracts to meet these changes. We demand true representation, not politics. Our continued loyalty depends on your action.

Drs. Lloyd Ross, Thomas Wheat, Wilber Robertson, Charles McGehee; Messrs. Willard York, Luther Beery, Jean Nelson, Martin Casey, Desmond Farrel, Henry Pagenkopf, Roy Taylor, Fred Schlichting, Ewart York, J. D. Miller, Milton Fischer, Harry Dillon, Russell Grieve, Paul Creamer, Sidney Padgett, Arnold Larson, Otis Mason, Joe Moody, Orbia Blanton, Walter Miller, Tom Cobb, James Shaw, L. M. Levy, Roy Keyes, and K. Pedlar.

HOUSTON, TEX., *March 16, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate, Washington, D. C.:

We demand immediate abolition of closed shop, excess pay for overtime, part-time war production, and special catering to capital, labor, and agriculture. We also demand immediate freezing of wages and prices. We don't care whose toes are stepped on, including ours. We want immediate, positive action and we don't intend to wait until the Japs land in America to get it.

Emory E. Gose, Jr., J. Clyde Higday, Mrs. J. C. Higday, Mrs. Emory Gose, Mrs. P. A. Sloane, J. J. Brewer, Mrs. J. A. Beeley, James A. Beeley, Mr. and Mrs. E. E. Watson, Mrs. Daisy Bickford, I. G. Strauss, R. F. Mills, Mrs. John R. Ray, J. C. Koetting, Mrs. J. C. Koetting, Ray McBridge, Mrs. R. A. McBride, C. J. Halla, Mrs. C. J. Halla, E. A. Kruse.

DALLAS, TEX., *March 16, 1942.*

Senator LEE O'DANIEL,
Washington, D. C.:

A resolution passed unanimously by the Democratic Woman's Luncheon Club authorizing us as a committee to protest the failure of Congress to abrogate the 40-hour a week for the duration of the war. We urge you to continue to use all means within your power to prevail upon the President and Congress to suspend the 40-hour week and enact immediate legislation to prevent strikes.

Mrs. F. R. CARLTON.
Mrs. FLORENCE RODGERS.
Mrs. GEORGE A. RIPLEY.
Mrs. PAULINE ADOUE HALL.

DALLAS, TEX., *March 15, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

As you represent our voice in national affairs, we urge you to demand a war-profits limitation on all manufacturers and industries holding Government contracts, removal of 40-hour workweek limitations, Government seizure and operation for the duration of all manufacturing plants not fully cooperating with War Production Board.

GEORGE J. WORTHAM.
HATTIE MAE WORTHAM.

HOUSTON, TEX., *March 15, 1942.*
Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

As loyal friends we ask that you give wholehearted support to the repeal of the 40-hour week and any other red tape standing in the way of winning the war.

Mr. and Mrs. J. M. C. CAMERON,
And Mrs. HELEN CAMERON.

BEEVILLE, TEX., *March 15, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator:

Your untiring efforts to get bill passed to eliminate strikes is greatly appreciated by the masses of people in Texas. Strike leaders and politicians are going to cause us to lose this war unless something is done about it.

S. R. DAVIS.

HOUSTON, TEX., *March 15, 1942.*
Senator O'DANIEL,
Washington, D. C.:

At last the people are gathering courage to speak their mind. It is time for our representatives to listen to them instead of the President who is losing this war. We want all strikes outlawed, the 48 hours a week adopted, no double time. Stop all housing graft programs. Stop all Work Projects Administration, National Youth Administration, Civilian Conservation Corps, and all forms of socialistic experimental schemes. Stop spending public funds for pork-barrel purposes. We are at war and losing fast. Those at Washington who fail or refuse to heed these warnings are due for retirement.

E. N. BIGGERS.

DALLAS, TEX, *March 14, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We petition you to see that the President's statement that there will be no stoppage of war production and that there shall be no special gains for any group be translated from pronouncement to working effect. We insist upon equality of sacrifice and that no group be given excess benefits in the way of time and one-half or double time. We don't believe that a 40-hour workweek is good for a wartime policy. We don't believe that the inadequate protection of Guam should be practiced upon the United States itself. Our buddies are with MacArthur in the Philippines, Moore in Corregidor, and Hartle in North Ireland. Six thousand of our Aggie brothers are in the active armed service of the United States. We feel that we would not be keeping faith with them to remain silent while they gladly and gloriously serve 24 hours for a 7-day week at small pay while strike and work hours and pay schedules slow down delivery to them of the weapons which they must have to shorten this conflict. Congress has evidently failed to grasp the true feeling of the American people, at least in this State. An awekened and almost angered public may lose pride and confidence in a Congress that is forced to do something vital and just in the future that is being bypassed at the present time. This message has been authorized at a regular meeting of the below-named club and your sincere and careful consideration of same will be appreciated.

DALLAS A. & M. CLUB,
By ED STAPP, *President.*

DALLAS, TEX., *March 14, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We want to encourage you in fighting for your bill for the abolition of the 40-hour week with overtime bonuses until the war is won. We must fight first and conduct social experiments after the war is over. The American people, including the rank and file of labor, are more angrily determined to secure increased arms production than are the Members of Congress who have not yet sensed the rising wrath of the people, too many of whom have sons in the services concerning whose safety they are more concerned than they are about paying homage to labor bosses and racketeers. Events of the next few months will prove that Congressmen who demand all-out mobilization for war production will be returned to Congress if there is a Congress, and Members who continue to fawn before labor leaders will not be returned. The people are far ahead of Congress in their grasp of the true situation.

JAY ALEXANDER.

HOUSTON, TEX., *March 14, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

You deserve the congratulations of all patriotic Americans. We hope your labor bill just introduced is passed quickly and with votes to spare. Count on us to back you now and in November.

ROSS BIGGERS.

HOUSTON, TEX., *March 14, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Advise your effort to compel full-time employment of war machinery. Am doing everything I can to bring around public opinion before Congress and administration leaders which demands suspension of 40-hour, double time, and time and half for overtime and any other obstacle caused by labor or capital which prevents war industry from running 7 days a week, 24 hours a day. Keep up the good work.

A. E. AMERMAN, Jr.

DALLAS, TEX., *March 14, 1942.*
Senator LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Too bad we don't have more like you in Congress. Now get Chief Leaf-Raker Hopkins out and the people of the United States will realize that this war is not another Work Projects Administration project. A few military gains is the best insurance for our social gains.

L. J. N. KELIHER.

HOUSTON, TEX., *March 15, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Have just listened to Kaltenborn and we have for some time felt what he expressed today together with our own thoughts. It is time that our representatives should act for the people they represent.

Dr. and Mrs. JAMES A. HILL.

BEAUMONT, TEX., *March 15, 1942.*
Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Let's get the job done. Why not work a person 48 hours a week without overtime. Stop time and half pay over 8 hours per day and on Sunday. Stop pussyfooting around and come to our senses and get the job done. This area feels this way that is the majority of the people. Get some backbone on the floor of Congress and raise a little hell for a change

STANDARD BRASS & MANUFACTURING ORGANIZATION,
Beaumont Branch.
BURL BOYKINS, Jr.

DALLAS, TEX., *March 15, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Whereas entrenched greed and selfishness are fast losing the war for our Nation and whereas on December 3, 1941, the House of Representatives passed by an overwhelming majority a bill eliminating the 40-hour workweek and removing many obstacles now seriously hindering the full prosecution of our all-out war efforts: Now be it

Resolved, That we congratulate the membership of the House of Representatives for their patriotic action and respectfully urge Members of the United States Senate and President Franklin D. Roosevelt to give their full and immediate support to the favorable consummation of this bill. Adopted this 15th day of March 1942, by unanimous vote of the national defense committee of Texas.

R. L. THOMAS, *Chairman.*

FORT WORTH, TEX., *March 15, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Forty-hour week should be suspended for duration. If needed, labor must work 70 hours with regular pay. Trust you will favor such legislation.

Dr. W. J. BISCO.

HOUSTON, TEX., *March 15, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

People aroused. Press your measures for full immediate war production.

J. O. WEBB.

DALLAS, TEX., *March 13, 1942.*
Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Hurray for Senator with nerve and conscience to speak it.

ARTHUR A. EVERTS.

SAN ANTONIO, TEX., *March 13, 1942.*
W. LEE O'DANIEL,
Senator, Senate Office Building,
Washington, D. C.:

Just received word of legislation introduced by you today to prevent discrimination against union and nonunion workers and to remove restriction on working hours and elimination of time and half and double time for overtime. Congratulations. Certainly hope can get it through. Regards.

HUGH A. L. HALFF,
W. O. A. I.

HOUSTON, TEX., *March 16, 1942.*
W. LEE O'DANIEL,
Washington, D. C.:

Power to you on attempt to end 40-hour week and strikes. We are paying income tax cheerfully and buying bonds. How about lining up Washington demagogues in an all-out production effort? Wake up America. It's late.

Sincerely,

BARBARA DUMBLE.

LAREDO, TEX., *March 16, 1942.*
Senator W. LEE O'DANIEL:

Believe urgent you use your influence and vote soonest to see that 40-hour week be killed, and that free hand be given both labor and business to work night and day to win this war. This no time for bickering or for clock punching. Boys at the front don't quit when they've fought and bled and died for 40 hours. Suggest you folks in Washington far behind sentiment at home, which is to win this war even if radical labor leaders prefer to fiddle while our chances for victory burn. Let's forget about boondoggling and prepare to save this Nation for our children. Believe menace of hour restrictions hampering our rearmament and defense fully as great as that of Hitler and Mikado. For God's sake and for the sake of humanity and democracy get some action quickly.

LAREDO CHAMBER OF COMMERCE,
RICHARD FURMAN, *Manager.*

DALLAS, TEX., *March 16, 1942.*
Senator W. LEE O'DANIEL:

People are tired of politics continuing to dominate our Government in such a serious time as this, and are demanding something be done to permit loyal people to work longer hours and more days to furnish more and better equipment. It is now time for action and not fireside chats and no results thereafter. I appeal to you to please use your efforts in behalf of our country now.

M. D. WILLHITE.

VAN ALSTYNE, TEX., *March 16, 1942.*
Hon. W. LEE O'DANIEL:

Your people fed up with "soft soaping" labor. Ask you adopt firmest tactics before too late. Order of day should be "work or fight."

J. Umphress, Spencer Taylor, J. H. Neill, H. D. Hynds, James N. Taylor, J. M. McLemore, R. E. B. Fielder, S. M. Cartwright, L. A. Cartwright, Roscoe Garver, Creed Taylor, Walter Barron.

HOUSTON, TEX., *March 16, 1942.*
Senator O'DANIEL:

We beseech you to take drastic steps to improve conditions pertaining to existing labor and production difficulties. We heartily approve the bill you have introduced and will do anything possible to assist you.

O. D. SMALL.
FRANK BLACK.
T. M. SMITH.
W. R. VEALE.
G. A. CLARKE.

HOUSTON, TEX., *March 16, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator from Texas:

Your fight for 24-hour production of war materials appreciated. Don't give up until this is accomplished.

J. D. HEDLEY.

WESLACO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL:

We urge your influence to assure continuous production war industries upon which lives America's armed forces depend.

20-30 CLUB OF WESLACO,
ZEB RIKE, *Secretary.*

SAN ANTONIO, TEX., *March 16, 1942.*
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

What is the matter up there? Why is our war effort allowed to bungle along with selfish or incapable Congressmen doing nothing to prevent strikes and under-maximum production of war materials. We need men with backbone who will forget politics now that lives are at stake. We need action.

ELLIS M. WILSON.

SAN ANTONIO, TEX., *March 16, 1942.*
Hon. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Would appreciate anything you can do to further the prompt passage of the Howard Smith labor bill.

W. B. OSBORN.

MCALESTER, OKLA., *March 16, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

From one Irishman to another, keep the shillalah working.

BRYAN PATTERSON.

SAN ANTONIO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Our military forces serve 7 days a week, 24 hours a day. The wheels of industry must do the same. If racketeers dominating labor that wants to work cannot permit men to keep our factories running 168 hours a week, then draft labor and pay it the same salary as our boys receive in military service. It is up to Washington to see that this war is won in the shortest possible time. We want action, not lullaby talks. We want ships, planes, and tanks, not strikes. Remember, millions of Americans are interested in saving America, not votes or labor racketeers.

NORTH ST. MARYS SKATING RINK.

DALLAS, TEX., *March 17, 1942.*
Senator LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

We, the undersigned air-raid wardens of the North Dallas District, Dallas, Tex., urge the enactment of pending legislation abolishing the 40-hour week.

Joe B. Autrey, John Butera, John Bianchi, R. A. Terrell, Harry B. Merrill, Charles F. Bunney, Gentry Dugat, William P. O'Brian, F. O. Stephenson, John C. Watwood, A. R. Cox, Arnold H. Jund, James R. Bailey, E. J. Wilson, A. H. Uecker, O. A. Pearson, R. M. James, W. A. Davis, Angus McLeod, L. O. Jones, G. A. Hedick, Ruby Wright, Ben D. Willis, V. C. Gillespie, R. C. Arthur, Jack W. Hudgings, F. W. Wilson, H. T. Grace, O. L. Hailey, Joe Stone, O. D. Bates, Dan Myer, L. L. Branna, W. L. Ross, W. F. Gillespie, J. N. Stone, A. R. Baldwin, Mrs. W. M. Clower, Jack Cox, H. L. Burton, M. P. Lane, Home T. Chamber, Mrs. Gerarl Ownes, Robert Baker, Maurice Ullman, B. Dozz, Mrs. O. J. Wagner, William Holbrook, Louise Wilson, Leroy Bartlett, Carl Fleming, W. T. Henny, Charles Bayless, C. J. Compton, Henry Cohen, J. H. Gomez, C. A. Brunning, A. Berryman, E. E. Hill, N. V. Langston, Clarence Millican, Ted F. Garrison, Joe S. Willingham, C. Hilley, W. C. Sherard, Charles E. Lambourne, Daisy Cox, W. H. Dean, Dan G. Benggeli, G. H. Dickerson, Leo T. Holden, N. C. Woodroof, E. L. Hargrove, Edwin Hammann, H. M. Gordon, William Holmes, J. B. Reed, L. W. Yockey, W. E. Whidd, Margeret Pjtikow, W. M. Clower, W. J. Jacoby, E. G. Hendrex, J. H. Ingold, J. B. Cuker, Florence Mackey, J. B. Sunkel, James Killam, B. Bitterman, Donald Moore, Frank Beck, John Babin, James Burney, Regis Stacer, O. B. Copeland, Harry Schuett, Pat F. Relyea, W. V. Foster, C. G. Stubbs, George F. Smith, R. D. Hudson, F. L. Thompson, A. W. Murray, S. G. Phillips, R. R. Rickard, Fred L. Edwards, C. E. Thomas, Mrs. W. C. Sherard, Jack H. Best, B. W. Gordon, Joe O. Wilson, Mrs. Joe O. Wilson, Josephine Martin, C. S. Calvert, V. K. Green, Charles Miller, K. P. Parker, Ben Klein, W. W. Fisher, G. W. Hughes, Albert Faber, Edgar Ramsey, Ike Lowenthal, Arthur Harris, R. G. Patterson, Clarissa Martin, Mrs. J. H. Ingold, R. B. Pearce, Howard Said, F. Alreis, E. B. Comstock, Oscar Feltner, William Wilson, B. S. Brooks, S. R. Catherall, William F. Wilson, G. N. Smith, Henry Thompson, Fred Peoples, D. W. Smith, Fay Smith, John H. Fran, Helen Hill, Winston Sadler, Robert E. Witt, Carl E. Redstron, J. S. Moore, Otto J. Wagner, M. H. Baines, L. N. Phillips, M. A. Langford, Raymond Potts, John Randolph, C. E. Hearne, Preston Godwin, F. B. Carr, E. R. Foster, W. N. Hixson, Howard Davenport, C. G. Shipley, J. L. Richardson, Rufus Hyde, C. L. Barbozon, Mrs. R. A. Phipps, R. A. Phipps, C. H. Coonrod, Olly Fromed, J. B. White, Joe Ward.

HOUSTON, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Parkplace Civic Club wishes to go on record as favoring 24-hour production in defense industry.

Mrs. MONTE BEACH, *President.*

HOUSTON, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Congratulations on your last two speeches. We are just two Texans, but know we are speaking for thousands. Please continue your fight against strikes, that our boys might be properly equipped. Our son is in the Navy, doing his bit for America and all it stands for.

Mr. and Mrs. JOHN W. HOUSE.

BORGER, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senate Building, Washington, D. C.:

Now is the time for all our war production. Strikes and 40-hour week won't win this war. Not fair to boys in service. Sincerely urge your support and influence. Thanks.

TOM B. DAVIS.

EL CAMPO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Five hundred citizens of El Campo, Tex., demand action put defense work on 24-hour basis, legislation to stop strikes, shut-downs, and abolish 40-hour week until war is won.

ADOLPH ANDERSON,
President, El Campo Chamber of Commerce.

FORT WORTH, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:

Overtime and 40-hour week most go without further delay. Your support is respectfully requested.

JOHN MAXWELL,
Maxwell Steel Co.

FORT WORTH, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:

Forty-hour week and overtime must be abolished without further delay. Give your immediate attention, please.

VERA ROGERS, *Teacher.*

BORGER, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Time has come for all-out support of war program. Your support to legislation which will prevent work stoppage urged. A 40-hour week is ridiculous when soldiers and sailors are o duty 24 hours a day 7 days a week.

Rev. HAROLD G. SCOGGINS.

HOUSTON, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

The United States is at war.

You are elected to office to safeguard the interests of the United States.

This we feel you have failed to do.

Our fighting men need planes, guns, ships, tanks, and supplies.

Management takes large profits.

Labor leaders discuss the 40-hour week and double time. Many machines work only part time.

You watch your political fences and production lags.

Only production counts.

Get busy or resign.

R. E. Leigh, Mallie Phegley, Grace M. Perkins, Mrs. M. Ferrell, Mrs. Lucille B. Campbell, Mrs. Eleanor Fox Ponder, Mrs. Stacy D. Webb, Mrs. Wilma Johnson, Lillian Moore, Mrs. W. O. Tompkins, Mrs. Floyd W. Taylor, Mrs. J. C. Mills, Catherine M. Brooks, Margaret Kennerly, Minne Moore Gillespie, Myrtle Kihnel, Mrs. Martha Jenkins, Mrs. Romayne McElhinney, Tallulah Hinds, Dorothy Swope, C. C. Davis, Mrs. Bess Skipper, C. S. Atkinson, Mrs. W. J. Davis, Mr. and Mrs. J. E. Bell, Mrs. D. C. Livingston, R. J. Alsup, Mrs. V. O. Cox.

DONNA, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,

United States Senator,

Washington, D. C.:

Our armed forces on 24-hour service are losing their lives and battles, due to the shortage of planes and munitions. The fact that many defense plants do not work holidays and longer hours and people quibble for overtime and a 40-hour week is a tragic crime which should be stopped by our Congress now.

W. E. O'Neil, J. K. Morrow, Floyd Ennis, Henry Foster, P. M. Dykema, H. L. Stone, J. W. Webb, J. H. Vertrees, Milton Evans, G. Vance, G. B. Wheelock, Carl C. Stone, Guy W. Ennis, Leo H. Whorton, A. F. Taormina, G. B. Wood, D. A. Puryear, W. W. Perkins, L. B. McGee, W. G. Vickers, Geo. E. Bell, C. T. Peters, L. E. Gilbert, Earnest Barrett, J. W. Agan, F. A. Yerger, W. S. Ray, A. C. Clag tt, O. A. Prather, C. E. Allen, Gayle Martin, W. A. Todd, H. B. Scott, Nelson Jean, W. B. Allen, C. T. Riley, W. C. Todd, B. S. Roberts, E. W. Thurmond, Walter Bean, W. H. Tomme, L. F. Boling, E. A. Boyce, W. F. Becker, Fred Hammons, C. F. Wood, Laurence S. Boettner, Eddie Reinner, C. L. Tracy, C. C. Hadsell, Publishers.

SAN ANTONIO, TEX., *March 16, 1942.*

Senator W. LEE O'DANIEL,

Washington, D. C.:

For God and your country's sake, wake up. Stop boondoggling. Stop strikes. Abolish 40-hour week. All Texas is disgusted with cowardly politicians losing war.

MAX J. KENNEDY.

EL PASO, TEX., *March 17, 1942.*

W. LEE O'DANIEL,

United States Senate,

Washington, D. C.:

The El Paso section of the Woman's Auxiliary of the American Institute of Mining Engineers passed a resolution protesting the retention of the 40-hour week and double pay for Sundays and holidays during the war.

HALLIE H. ROBERTS,

Secretary.

GAINESVILLE, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,

Senate Office Building,

Washington, D. C.:

Imperative you support wholeheartedly repeal of 40-hour week law in defense industries, outlaw defense industry strikes, and take every action necessary to insure war production on 24-hour-a-day basis at total capacity Stop No sacrifice too great to insure ultimate victory over Axis.

The Gainesville Register, C. H. Leonard, publisher; Joe M. Leonard, publisher; A. Morton Smith, L. K. Evans, John S. Hardy, T. H. Chaffin, D. L. Monroe, Colyar P. Dodson, Gerald P. McCollom, Clyde J. Matherpy, Fred Snuggs, John W. Culp, F. C. Blagg, Mrs. Flossie Snuggs, Mrs. Lola Blagg, Mrs. Irene Hathaway, Ken E. Heath, R. A. Stamps, C. B. Stringer, H. C. Taylor, Harvey Olmon, C. M. Buckingham, Ralph G. Buckingham, Fred Buckingham, C. W. Harrison, Esther R. Leonard, A. W. Wells, Elizabeth Graham, E. B. Russell, Kenneth Blanton, F. E. Case, D. R. Grove, John Gray, Marse Anderson, Dr. A. A. Davenport, Felix L. McCurdy, Cecil McGregor, James P. Derryberry, Mrs. H. L. Frasher, Alexander Gray, W. B. McKinney, E. W. Johnson, Mrs. E. W. Johnson, Mrs. B. C. Truitt, B. C. Truitt, O. J. Robinson, M. L. Helm, Mrs. M. L. Helm, Joe N. Boozer, Dr. C. L. Stocks, John M. Stewart, Cliff McMahon, J. C. Reese, Ancil H. Ross, Mrs. R. L. Evans, George S. Thomas, Lucille Gieb, Mrs. W. O. Mongomery, C. S. Fletcher, Russell and Russell, W. F. Russell, J. L. Webb, L. F. O'Neal, W. H. Clark, Leo M. Kuehn, Pearl M. Kuehn, Hans H. Cook, David Hugon, Paul Hugon, David Nicholson, R. C. Sparkman, Doris Lee, G. W. Wingert, C. F. Holland, O. L. Holland, John McCarty, A. H. Ingle, F. M. Bentley, Dr. James W. Atchison, F. C. Canon, E. D. White, Dick Lucas, Mrs. Dick Lucas, Mrs. D. W. Nettleton, Kate Butler, Bill Schafer, O. K. Allen, W. H. McDaniel, W. M. Overton, Richard W Dickerman, Dr. Lee Roy Rice, J. B. Townsley, Tony Andress, J. E. Cunningham, L. W. Graves, Bertha Graves, Tom Dobson, William Norris, W. E. Rail, Ruby Ratliff, Albert Wallace, J. C. Ratliff, Grover Pike, F. E. Clayton, Dr. J W. Truitt, Mrs. J. W. Truitt, Charles Lindsey, J. A. Smith, H. H. Grimes, Mrs. H. H. Grimes, M. L. Moore, C. J. O'Neal, H. H. Hamilon, T. L. Whitfield, R. A. McElrath, E. McWilliams, Arthur Teague, Phil Teague, Bill Chapman, J. A. Bichm, B. L. McKinley, Sr., J. W. Schad, J. T. Morrow, H. C. Bartlett, W. E. Nations, John L. Tippit, C. C. Nance, A. S. Brient, Mrs. A. S. Brient, Rafe I. Piper, Mrs. R. I. Piper, G. J. Carroll, Jr., Luther Turner, David Turner, L. E. Roane, Elmo Faubion, J. B. Saylors, Mrs. Given W. Bradley, R. E. Bandy, B. O. Yeakley, W. R. Harper, C. F. Stephens, Mrs. C. F. Stephens, R. C. Speake, Carl Kaden, Otto Kaden, Mrs. Otto Kaden, George Gunter, J. C. Wilkerson, Homer Bell, T. R. Jackson, Roy E. Dillon, J. P. Bomar, Marvin O'Brien, Mrs. Marvin O'Brien, H. R. Truitt, Erskine B. Ward, Lucile Bell, Eugene Springs, O. H. Westerman, P. O. Hays, Howard Springer, J. A. Thomas Food Store, Clyde Thomas, Ellis Thomas, T. W. Kaden, Mrs. Carl Kaden, H. P. Killgore, J. P. Schwab, E. H. Patrick, R. D. Clack, R. C. Livingston, Mrs. R. C. Livingston, Martin Wade, Reid Gantt, G. N. Cox, Mrs. G. N. Cox, Jimmie Harp, W. D. Garnett, Victor L. Ford, R. M. Faulkner, Sid Horn, Mrs. Sid Horn, Randolph O'Brien, R. S. Hall, Duane Robison, Mrs. R. E. Bandy, Sr., Mrs. R. E. Bandy, Jr., Ben Levine, Joe Davis, Dr. S. M. Yarbrough, Mrs. Silas M. Yarbrough, J. N. Speake, Milton Wade, J. P. Fleming, A. G. McLerran, J. M. Wilfong, T. P. Elliott, Rev. J. D. Rowland, G. F. Vandever, Maurene Hodges, Florence Pagel, Mrs. Eva Townsley, Roy Townsley, Frank Dustin, Gladys Strader, Robert Little, L. J. Marshall, Mrs. George Walker, Tom Blount, A. J. Cunningham, S. M. Duffey, Ed Liedtke, Sr., J. L. Wimberly, J. H. Riley, F. H. Turbeville, Mrs. F. H. Turbeville, Raymond C. Wimberly, Tanner Furniture Co., Frank H. Savage, Shipp Motor Co., Joe Walter, Mrs. Joe W Walker, E. F. Robeson, Mrs. E. F. Robeson, Fred Robeson, Mrs. Addie Hatfield, B. F. Porter, R L. McGehee, John Mahan, Paul Bringman, Herman Atkins, Joe Bennett, Joe W. Walker, Charles Shinn, H. W. Stark, Pat Ware, C. T. Powers, Charles McDearman, Boyd Sisson, John F. Reid, R. J. Russell, Earl Lohn, E. L. Bradshaw, Mrs. E. L. Bradshaw, W. S. Powers, Mrs. R. E. Dillon, Mary Louise Dillon, H. I. Williams, Ernest Herin, Mrs. Carl F. Moore, Mrs. Urufus C. Whiddon, Hazel Martin, Phoebe Leonard, Nina Reed, Mrs. Minnie F. Armstrong, Grace Hickson, Dr. E. C. Mead, B. P. Garvey, R. L. Parker, R. C. Aughtry, Carroll F. Sullivant, Mrs. H. S. Holman, J. R. Farmer, Albert G. Young, Mrs. W. L. Morris, Mrs. J. A. Hill, Mrs. W R. Johnston, Sol F. Zacharias, Clarence Turbeville, Elbridge Campbell, W. H. Campbell, Mrs. W. H. Campbell, Warren Flowers, Mrs. John Gray, Ira H. Clement, Mrs. Ira H. Clement, Harry C. Grice, Mrs. Harry C. Grice, J. W. Gladney, Mrs. J. W. Gladney, J. R. Seitz, Mrs. M. R. Seitz, Adam Seitz, Mrs. Adam Seitz, W. B. Comegys, Mrs. W. B. Comegys, Mrs. Brien Bonner, W. Brien Bonner, Ruth Bonner, Cecil Kling, D. L. Keener, Elizabeth's Beauty Shop, T. J. Vaughan, J. G. Richards, H. H. Roberts, Mrs. H. H. Roberts, Mrs. R. C. Bone, Harry Lewis, Jack R. Lewis, T. V. Reeves, Mrs. T. V. Reeves, Mrs. W. L. Blanton, Robert C. Bone, Mrs. Queenie Bone, J. Robert Evans, Felton Lockhart, Frank Burns, Jessie McMurray, A. Baker, Mrs. A. Baker, W. A. Hensley, Mrs. J. A. Walker, Mrs. Stell Jackson, Pauline Walker, James M. Walker, Mrs. T. R. Jackson, Willie Frasher, Minnie Frasher, L. G. Neal, Phil Schad, Wallace Beasley, J. L. Leazer, E. G. Neubauer, Mrs. W. J. Price, Alice Rollins, Henry J. Schumacher, W. R. Killgore, Rev. C. S. Wood, John McAllicote, Mrs. John McAllicote, C. F. Gobble, I. C. Brenner, J. E. Douglass, Jack Jetter, A. J. Cook, D. W. Brumbaugh, Mrs. Lena Brumbaugh, Mrs. Carrie Cason, Mrs. Fred M. Anderson, Mrs. W. L. Ratcliff, Lavoid Stice, Hubert H. Moss, R. A. Wilson, L. B. Hall, G. D. Bell, John D. Gilliland, William C. Robinson, Fred Wagner, Mrs. Fred Wagner, W. E. Chalmers, Mrs. W. E. Chalmers, A. C. Stinson, W. L. Ratliff, Mrs. H. H. Grimes, L. Ratliff.

INCREASE OF DEBT LIMIT

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate proceed at this time to consider Calendar No. 1210, House bill 6691, to increase the debt limit of the United States, to further amend the Liberty Bond Act, and for other purposes.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, which had been reported from the Committee on Finance with an amendment, on page 1, beginning with line 6, to strike out:

SEC. 21. The face amount of obligations issued under the authority of this act shall not exceed in the aggregate $125,000,000,000 outstanding at any one time.

And insert:

SEC. 21. The face amount of all obligations issued under the authority of this act, and the face amount of all obligations issued by any agency or instrumentality of the United States which are unconditionally guaranteed as to the principal and interest by the United States, except such guaranteed obligations which are owned by the Treasury Department, shall not exceed in the aggregate $130,000,000,000 outstanding at any one time.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. GEORGE. Mr. President, it is perhaps unnecessary to offer an explanation of this measure, because all Members of the Senate are no doubt familiar with it, and certainly all the members of the Finance Committee are familiar with it. The only amendment made by the Finance Committee has just been stated at the desk, and the amendment speaks for itself. Our present debt limit is $65,000,000,000, as is understood. The unused borrowing authority of the Treasury at the end of February of this year was only $1,405,000,000. It is imperative that the public-debt limit be raised as soon as possible and for obvious reasons.

Mr. President, it is estimated that by the end of the fiscal year 1942 the public debt will amount to $70,600,000,000. The estimated deficit for the fiscal year 1943, after taking into consideration an additional $7,000,000,000 of new money to be raised by taxation, will be $35,400,000,000. To this should be added $4,400,000,000 which the Treasury will be required to advance in that year to the governmental corporations using the public credit, and the estimated increase in the public debt for the fiscal year 1943 will amount of $39,800,000,000, and by June 30, 1943, the total public debt will be $110,400,000,000.

The reasons why it is necessary to act with reasonable dispatch of course are obvious, and particularly since the Finance Committee has offered an amendment to the bill it is highly important that the matter be passed on as soon as possible so that the House may deal with the amendment which has already been adopted.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. VANDENBERG. From the minority side of the Senate Finance Committee I wish to make the brief observation that, of course, this action increasing the debt limit to $130,000,000,000 is unavoidable, and the action of the committee is unanimous. We must pay whatever it costs to win this war. But I want to comment upon one or two phases of the situation which are disclosed by the committee hearings and by the committee report, because I think it is dreadfully important that Congress and the country should be highly realistic about the war burdens which we confront, and this fabulous bill certainly typifies one of them. We cannot be realistic unless we face facts and assess naked truths.

In the passage of this new debt-limit bill we have not solved any problem at all; we have merely identified one, and I want to carry the identification just a step further than has been done by the distinguished Senator from Georgia in presenting the report.

Mr. President, I want to emphasize, as disclosed on page 7 of the committee hearings, that the Treasury Department estimates our operating deficit for the present fiscal year ending next June 30, 1942, at between $21,000,000,000 and $22,000,000,000. It estimates the deficit in 1943 at $40,000,000,000. That is a total deficit up to June 30, 1943, of $62,000,000,000, and this, mind you, is figured after taking credit for $9,000,000,000 in annual new taxes which we have not yet found a way to raise.

Mr. President, the significant thing I want to emphasize in this connection is that the Secretary of the Treasury reports that his maximum Defense bond sales under the present voluntary plan of purchase does not exceed $1,000,000,000 a month. At that tempo the total of bond sales for a year would be $12,000,000,000.

Therefore, on the face of the testimony before the committee, the ultimate gap between taxes plus voluntarily purchased Defense bonds, on the one hand, and the deficit on the other—the gap in this fiscal year is $10,000,000,000, and the gap in the next fiscal year is $28,000,000,000. In other words, Defense bonds must be purchased by the people at the rate of about $2,000,000,000 a month in this fiscal year and more than $3,000,000,000 a month in the next fiscal year—instead of at the present maximum rate of $1,000,000,000 a month—if we are to pay our war bills and preserve the public credit.

Mr. President, in going to the country for these additional funds, and that is where we have to go; in going to the people for these additional funds, because that is where we have to go—and I should like to interpolate that I think it is desperately important when this war is over that the evidences of national debt shall be in the hands of the whole public and not in the hands of the banks—in going to the country for these additional sums which are not now in sight, either by taxes or by voluntary Defense bond purchases, we had better prepare from day to day to give the country a strict and an adequate accountability for maximum efficiency in the management of this war and minimum mistakes and errors and wastes and boondoggles and exploitations. This applies not only to essential economies in nondefense expenditures. It applies equally to every other phase of the conduct of this war. Let me give you one example. If I am any judge of an aroused and outraged public opinion, I want to say in passing, I think the irresistibly dominating thought of this country is coming, in an ugly degree, to the justified conclusion that you can no more win this war against totalitarians on a limited 40-hour week in the so-called arsenal of democracy here at home where we produce the tools of war, than you can win it with a 40-hour week in the fox holes of Bataan Peninsula, or with a 40-hour week on the ships that battle for us on dangerous seas, or with a 40-hour week in the camps which train our patriot sons. The quicker the Congress recognizes this vital fact and acts accordingly, the quicker it will not only succeed in giving us the defense production we require, but the quicker it will conserve and vitalize that public morale upon which we have got to lean to find the funds to fill the money gap to which I have referred. If morale is sagging, Mr. President, it is not due to any public complacency. It is due to a public revolt against war conditions here at home that must be corrected without further delay.

Mr. President, I want to refer to one other phase of the committee hearings, as I think it is important. I refer now to page 15. I do not believe any of us should fool ourselves into thinking that because we have now raised the debt limit to $130,000,000,000, that we have encompassed all the fiscal necessities which we already have entailed. We have not put the debt problem behind us. We have only recognized it, and started down the long, hard trail which leads to a solvent answer.

In other words, the increase of the debt limit to $130,000,000,000 does not even carry the debt limit to the point which will subsequently be required by the expenditures and the authorizations upon which we have already voted. We are not even financing what we have already ordered to be spent.

I want to emphasize the figures on page 15 of the Senate Finance Committee hearings. We have already spent $6,000,000,000 in the present fiscal year. We shall spend an additional $24,000,000,000 during the remainder of this fiscal year. We shall spend $53,000,000,000 in the next fiscal year. That is a total of $83,000,000,000. That $83,000,000,000 of expenditures between now and the end of the next fiscal year is all that is covered by this increase in the debt limit, although our total authorizations are already $140,000,000,000, and we are adding to these every hour.

Therefore even the action we take today falls $57,000,000,000—less offsetting revenues—short of the debt limit which will be required within another 15 months on the basis of the appropriations already made and authorized and with no consideration of other war authorizations yet to come. Therefore this is but one step in the progressive fiscal problem which the country must meet. In the meeting of it, Mr. President, which includes another increase in the debt limit at the end of the next fiscal year—in the meeting of it the Government must expect to be held to strict accountability by the country and by the citizens who must

pay these bills, and by the armed forces which must fight this war; it must expect to be held to strict accountability for every phase and part of the management and conduct of this war; to the end that maximum efficiency and minimum mistakes—maximum service and minimum selfishness—are the measure of the record. Unfortunately that is not the record up to date. But it must become the record as swiftly as possible. The people will cheerfully and adequately support us in proportion as our hazards are frankly disclosed to them and in response to leadership which impresses them as devoted exclusively to whatever efforts are necessary to win this war.

Mr. GEORGE. Mr. President, I wish to say that in the main the majority members of the Finance Committee have no difficulty in agreeing with the statements made by the Senator from Michigan. It is of the utmost importance to remember that this increase in the debt limit will take care of the needs of the Treasury only during the next fiscal year; that is, the year beginning July 1942. Probably the borrowing power of the Treasury will not have been exhausted by the end of the fiscal year, but certainly it will be nearing exhaustion, so that there will of necessity be further increases in the debt limit.

It is, of course, of the utmost importance—and I think of supreme importance—that the Senate now begin to think of the great urgency in reaching by taxes the tremendous increase in our national income. We may reason about it as much as we please; but if we are to reach that increase, we shall have to reach it where it is. If the national income has increased $20,000,000,000, in virtue of the vast expenditures of Federal funds, we must know where the $20,000,000,000 go, because we cannot reach them where they have not gone. Therefore, an imperative obligation is placed upon the Senate to face that question also.

Undoubtedly, when all the Defense bonds have been sold that can be sold, there will be a vast reservoir, represented in national income figures, which will not go into the Treasury either by way of taxes or by way of purchase of Defense bonds or Federal securities. As the Senator from Michigan has pointed out, it is of supreme importance that when this war ends the evidences of Federal debt shall be held by a vast number of American citizens. If they are not held by the masses of the people, it will be easy enough for a future Congress—or for ourselves, if we are yet spared—to find some easy way of servicing the tremendous national debt; and we shall be driven—probably by public opinion—to find that easy way. We shall then have completed the whole process of inflation in its ugliest and most disastrous meaning and terms.

In other words, after we shall have done the utmost to finance this war by direct taxation, and in large part by the sale of Federal securities or bonds, if those bonds are not widely dispersed and held by large numbers of Americans, a tremendous job will challenge future Congresses to meet the issue which will then be presented, because if those bonds are held by a comparatively few the vast majority of our citizens, like other citizens everywhere, will demand that some other way rather than burdensome taxes be found to service them, carry them, and liquidate them. Then, Mr. President, we shall face the real and final chapter of an inflationary movement which already is manifesting itself in rapidly rising prices.

Mr. President, we all know the burden which is upon us. We all appreciate the burden which is upon this country. We may be heartened this morning by the news that General MacArthur, with some of his staff, has actually landed in Australia and will take command in the southwestern Pacific as commander in chief of the United Nations forces. But while we are heartened by such an event as we are now witnessing in the writing of our history, we all still stand under the shadow and burden of the greatest task this Nation has ever faced. I make that statement for this reason: If we are to win this war, if we are to supply American troops in Australia and wherever else they may be disposed about the earth, and if we are to support those troops, we have upon our shoulders the greatest undertaking and burden that we as a people have ever known.

The Commander in Chief in the White House has a responsibility greater than that of any other man who ever occupied the high office of President. Literally the burden of this whole world war is day by day settling upon his shoulders.

We shall not be able to win the war, Mr. President, unless business is willing to take less, and not more, profit. We shall not be able to win the war unless labor reaches the position where it will demand less, and not more, increases in wages. Labor should receive reasonable wages, and business should receive profits which will sustain our business enterprises and enable them to carry through; but until we have the attitude in America that all of us—and I use the words in their broadest significance—are willing to demand and accept less rather than more, in all good faith we shall not win the war.

We shall find great leaders like General MacArthur and we shall be able to dispose those leaders about the earth wherever they can lead effectively. We must find great leaders at home in every branch of our activity. By great leaders I mean the very best leadership—not the second best, not merely good leadership, but leadership of the first quality. If we are not willing to do that, then we face difficulties in the future which we do not yet know how to answer.

Our enemies, particularly the Germans and the Japanese, are fighting with the fervor of religious zealots; and America can win the war only if our own people are inspired by the same fervor. That means that no class of Americans, whether they be executives or whether they be workers in our plants, can assume the attitude of demanding more and more without writing an end to this war which will add nothing to the stature of America. Even the Italians, in lesser degree, are inspired by a like zeal; but the two main Axis partners have that zeal, and it can be met only by the best leadership which we can provide, by the ruthless sacrifice of inferior men in every position—in the Army, in the Navy, in the Air Corps, and in the civil branches of the Government everywhere. The President is entitled to have that kind of leadership if he is to meet the tremendous obligation which has settled upon him and which he never will be able to delegate.

Down through our whole population, in every enterprise, every individual citizen must come to the consciousness that he must give up. That means that he must not demand increasing profits, increasing income, or increasing wages, because we can lose the war by waste. We can lose the war by waste because waste shades off into corruption; indeed, waste carried to the *n*th degree is separated from corruption by only an invisible line. We can lose the war by waste, because through the waste of our resources we can break down the morale of men and women throughout this land. That is the basis of the condemnation of many things which are occurring in our official life at this moment. The American people realize that we are paying more per gun, per ship, per tank, and per rifle than we ought to be paying; and when that knowledge comes home to the men and women in the hamlets and small towns and on the farms of America we shall have to correct the situation or we shall destroy the morale of our people.

Some little progress has been made in cutting down expenses on the nondefense side of government. We must cut down the expenses of government, even in our war efforts, in the sense that we must not constantly increase the unit cost of everything in order to satisfy any group in America which demands higher pay.

Mr. President, I have been saddened beyond power of expression when the word has come to me directly from men in high and responsible positions that, "We are washing out this controversy between management and labor. We are going to have the supplies, whatever the cost." That is our job; it is the job of every American; and fine words will not avail; fine words will not answer. It will take stern action; and we must come to the point at which we will say to all business, "Do not come down here talking about increased incomes and increased earnings and increased profits. Make up your mind on that point." We must be willing to say to all our people—all of them: "Reasonable compensation always will be provided as the standing policy of the Government; but you cannot go on demanding increase after increase in wages, because we propose to win the war. We know the character and quality of our enemies, and we propose to win the war. It cannot be won merely by money, but it can be lost by waste; it can be lost by any sort of practice that destroys the morale of the man down on the farm and at the crossroads if he considers that his money is being willfully wasted. Our people do not mind paying taxes; but they do not want to see the money they pay as taxes spent

to gratify the selfish demand of any group."

The vast majority of the American people, in business and in the ranks of labor, thoroughly agree with every word I am saying. I do not care whether the leaders of either group agree or disagree with it, because they must face the American people. Ultimately the American people will make themselves heard and will make themselves understood.

At the moment, our spirits are lifted up by the news that a great leader, who has shown all the qualities of military leadership—without adequate supplies and support, with a mere handful of troops—has been recognized by the Government and has been transferred to a greater theater, in which his activities and his great powers of leadership can render a larger service to America and to the cause which he represents.

However, when we send MacArthur or a single American boy either to Australia, to Iceland, to North Ireland, or perhaps tomorrow to some other point of the globe, we assume, and the President assumes, the direct obligation to be able to supply and support MacArthur and that humble private soldier. The American people will never forgive the spreading of our forces, whatever may be the necessity to spread them, unless we are willing to take the steps which will result in supplying and supporting them in the battle stations in which we place them.

We shall not be able to do so if men come to Washington trying to get something from the Government, undertaking to drive a hard bargain or a hard contract with the Government. We shall never be able to do so if large bodies of our fellow citizens demand increased wages without respect to comparable increases in the cost of living, simply because the opportunity now exists.

To win this war, Mr. President, we must have the zeal and fervor of men inspired by a high and a holy and a moving cause; and such zeal a: d fervor cannot be read in the action of any man or any group of men who simply see the opportunity to demand more and more of government, and when men in high places say, "Well, to hell with it; we will not quibble about how much it is costing per unit. The American people will pay the bill, and we will pay the price, in order to get the production." That is not the way to get the production; that will not get the production. That will destroy the motive of the American people to sacrifice and to produce the one thing that will inspire production and greater production—which is the conviction of the American citizen that he, here and now, must expect less for the time being, must demand less, and must go on with his job, in order to win this war.

The debt limit must be raised. Even if the war ends next year, Mr. President, it probably will have to be raised again. Certainly, if the war continues for 2 or 3 years, the debt limit will have to be stepped up again. In fact, there is no real reason, except a psychological reason, why a limit upon our borrowing power should be continued in our law, so far as I am able to understand. Mr. President, America is willing to stand the added burden. All Americans expect us to take every reasonable step to safeguard America when the war is over; they expect us to raise as much money as possible by taxation and to distribute as widely as possible all the bonds that are sold, because they want America to live.

America will live, but it will live only if those of us here and in the other branch of this Congress are willing to do our duty today. Our duty today is to say that there will be economy in Government such as we have not thought about, and to say to every man who is charged with doing anything, even for the war effort, "There will be economy there also, and there will not be that unreasonable yielding all along the line which can end only in final and utter defeat, because it will result in the breakdown of the morale of the people who must support this great effort."

Mr. CONNALLY. Mr. President, I am in general agreement with the remarks submitted by the Senator from Georgia. I hold in my hand a copy of the Washington Evening Star of today, which announces that the President has ordered General MacArthur to remove his headquarters from the Philippines to Australia and also advising that there he will be in command of all United Nations' military operations in the south Pacific.

The action of the President and the action of General MacArthur in assuming command in that area probably will give to the United Nations the greatest thrill they have experienced in the recent past. General MacArthur undoubtedly is the outstanding military leader who has appeared thus far in this war. Of course, I cannot know the trength of his troops or their numbers in Australia; but I feel confident that, whatever they are, under his gallant and wise leadership they will be utilized to the maximum of their efficiency and of their power.

Mr. President, we have had some dark days, but I am not depressed to the extent of fearing that we may lose this war.

We are not going to lose this war. We shall suffer losses, of course; we have already suffered losses, and we shall suffer disasters, but we are not going to lose this war. Our people, peace-minded, constituting a democratic nation, are always slow to wake up to the gravity of a situation which may confront them. Congress also has been slow. We were not prepared as we should have been prepared, whereas we face enemies that are prepared and were prepared and were practicing and developing and training their forces for 4 or 5 years, while we largely were deluding ourselves into the belief that we could avoid war and were not making the naval and military preparation that was necessary. We were, of course, assailed by stealth and treachery when we were unaware and probably negligent, but those things are behind us. We always finally wake up and do whatever is necessary to win the war.

I wish to say that I am prepared to vote for whatever is necessary to arm and equip our forces. I am in favor of the suspension for the duration of the war of the 40-hour week; I am in favor of regulating and preventing strikes. I secured the passage by the Senate last June of an amendment which would have stopped strikes in every plant manufacturing national defense articles. That bill is now on the calendar, and at the first opportunity I expect to move that the Senate take it up for consideration.

There is waste, Mr. President, but the waste is not—I desire to be fair to labor—all on the part of labor. There are exorbitant profits being demanded and received right now by corporations and contractors, at the hands of the Army and the Navy. I know of no way to reclaim them except in the tax bill which is soon coming before the Senate, and I wish to say that, so far as I am concerned—and I think I speak for other Members of the Finance Committee—I shall vote for any possible amendment that will recapture inordinate or unreasonable profits which Government contractors have been extorting and demanding from the Army and the Navy in the recent past.

Mr. HILL. Mr. President, will the Senator yield there?

Mr. CONNALLY. I yield.

Mr. HILL. I wish to say that, while I am not a member of the Finance Committee, I share the views of the Senator from Texas about the recapture of profits. The distinguished Senator has a bill known as the Connally bill, which the Senate has passed, I think, once or twice, but both times in the form of an amendment it went out in conference. I certainly hope that the Senator will take that bill, bring it down to date, and, if there are any holes in it, plug the holes up, make the bill just as stringent and as effective as possible, endeavor to get it out of the committee, and if he does not get it out of the committee, offer it as an amendment on this floor to some other bill.

Mr. CONNALLY. I thank the Senator from Alabama. He is correct. The bill to which he referred was passed 2 or 3 years ago on two occasions by the Senate, but the House did not do anything about it, but rejected it in conference.

The bill will need some streamlining and bringing down to date. The extortion of great profits presents a difficult situation. The Army and Navy are anxious to have contracts made; they want the contracts quickly; some great, powerful concern comes in and says, "We will make this article for so much," and the Navy or the Army will reply, "All right, go ahead and make it." We have got to use the taxing power, and yet it is very difficult, because frequently when we can use the taxing power to meet one case there may result discrimination and injury to some other contractor in another bracket or in another aspect. Nevertheless, so far as possible, the Finance Committee of the Senate must use the taxing power to recapture inordinate profits.

Now, as to the strike bill which I sponsored; it has been approved by the War Department, the Navy Department, and the Maritime Commission, the three great agencies producing war materials. Each one of them says it wants it; each one approves it; and in the hearings ap-

proved it 100 percent. The bill freezes labor conditions. It says to labor, "You shall not utilize the Nation's distress to further your jurisdictional disputes, and you shall not utilize the Nation's danger to extort the closed shop." On the other hand, it says to capital, "You shall not utilize the Nation's necessities to improve your condition and secure special privileges for the employer, but you shall arrest and freeze labor relationships as they existed before the war."

Mr. CLARK of Missouri. Mr. President——

Mr. CONNALLY. I yield to the distinguished Senator from Missouri.

Mr. CLARK of Missouri. In reference to the measure known as the Connally bill, having to do with strikes, I should like to say to the Senator that a few days ago I had a conversation with the head of one of the most important defense agencies of the Government, who expressed the opinion at that time that two words in the Connally bill, namely, "freezing relations," for the duration of the war would have a greater effect on speeding production and promoting the efficiency of the war effort than any measure which is now before the Congress or of which he could conceive.

Mr. CONNALLY. I thank the Senator from Missouri. I am gratified to know that that statement came from the head of one of the three war-producing agencies of the Government.

Now I invite the attention of Senators to the hearings before the Subcommittee on the Judiciary with respect to this bill. We there find that Under Secretary of War, Judge Patterson, who is a most capable man, and an able and most efficient servant of the Government, approved the measure wholeheartedly; that Under Secretary of the Navy Forrestal, a man of large affairs and of splendid grasp of naval necessities, approved it 100 percent; and that Admiral Land, formerly a great naval officer, now in charge of the Maritime Commission, a man who has had difficulties on the Pacific coast because of welders' strikes and strikes in shipping plants which have held up and delayed and postponed the production of ships, approved it 100 percent.

I say to you, Mr. President, that shipping and the securing of more ships and more ships is the very key to all our military and naval problems. The people cry out and ask, "Why do you not reenforce MacArthur?" We cannot reenforce MacArthur unless we have the ships to carry the troops and supplies and the ships to convoy the transport and supply ships.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. A few days ago I had occasion to visit one of the largest shipyards in this country, a shipyard now engaged, I believe, or it was engaged at that time, about 2 weeks ago, in producing some 20 ships for the Government of the United States, both naval and merchant vessels. I was told that on the day I visited that shipyard 3,400 men were off work; that they had laid off for no reason on earth except that they had worked a few hours overtime during the week at time and a half, and, therefore, felt free to take off a day at normal wages without any other reason whatever. I was told that the normal rate of absenteeism or voluntary layoffs in that plant in ordinary times runs to a maximum of 2½ percent, but at this time, when the Government is straining every possible nerve to produce the ships as rapidly as possible, the rate of voluntary absenteeism constantly runs from 6 to 8 or 9 percent. I do not think there is any justification for that. I do not think we ought to have such a situation that men can work a few hours overtime at time and a half, and get all they think they need for a week, and, therefore, proceed to take a day off at normal wages without any other reason whatever.

Mr. CONNALLY. I thank the Senator from Missouri. Of course, he is correct. In the dark and tragic hour of the Nation's peril, the life of a soldier on land or in the air or the sailor on the sea ought not to depend on some other man laying down his tools and quitting work at the end of 40 hours or any other number of hours, when the Nation needs production of war materials and our men are shedding their blood and dying on the battlefield in order that the other man can have the job he is playing with in security.

No, Mr. President. Of course, I want to regulate all profits and reclaim them. The time may come when we will have to place even heavier restrictions upon all our people to get this job done. The American people have got to do the job; we have got to win this war; we have got to get ships; we have got to get troops, we have got to get men for the Navy, we are going to get them, and we have enacted a law to get them. I am prepared to vote for any constitutional or legal measure which will tell any class of our citizenship, "We need your plant; if you do not use it for the Government's use, we will take it and use it ourselves; we will convert it into a munition-making plant."

The Senator from Alabama [Mr. BANKHEAD] volunteers the information that he made a similar statement yesterday on the floor of the Senate. The Senator from Alabama has uttered many wise words on this floor, but nothing ever more wise than that.

We have to say to anyone, "We need you; we need your services; we need your money; and we are going to take it if it is necessary in order to win the war. We have to win the war."

During the Revolution General Washington, in the early days, had to retreat at Long Island, he had to retreat down the Hudson, he had to flee across the snows of New Jersey; but finally he triumphed. During the War between the States there was Bull Run, as Senators will remember, from which Congressmen scurried back to Washington as fast as they could. Senators will remember the peninsular campaign of McClellan, which was disastrous, where he was defeated and driven back in the 7 days fighting before Richmond. But after a while the Union realized that they were going to have to fight; they realized that they were going to have to get men and munitions and supplies, and finally they put Grant at the head of the Army.

Mr. President, it is most cheering to hear that General MacArthur has been ordered by the President to go to Australia and to there assume command of all the armies of the United Nations. I have great faith in General MacArthur's military genius and in his capacity and his courage, and in the courage of the men under our flag who may stand in his ranks. God help him and them.

This Nation has to survive if it takes every dollar this debt limit provides, and if it takes every drop of the blood of some of us.

Mr. BONE. Mr. President——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from Texas yield to the Senator from Washington?

Mr. CONNALLY. I yield.

Mr. BONE. As I recall the tax measure proposed by the Senator from Texas, which was voted on here once or twice, it made no distinction between the sources from which revenue was derived, but was a blanket application of the graduated-tax principle. I wish to say to the Senator that I am entirely in sympathy with that principle. I can see no reason in logic or horse sense why in a crisis we should distinguish between the forms and the sources of revenue, because in a crisis of the nature of the present one we should not be called upon to make such distinctions.

As I recall, the Senator's bill said, in substance, "If you earn so much, you pay so much," regardless of whether the income was based on pre-war earnings or some other basis. I think that is a logical system of taxation. I wish to ask the Senator if that is not the scope and general purport of his bill.

Mr. CONNALLY. I thank the Senator for what he has said. The bill which I sponsored was integrated with the present system of taxation. It scaled up the rates to carry out the principles of existing legislation with increased revenue. It did not make any distinction as to whether or not the profit was made in the production of war articles. It is almost impossible to do that, because every war article has relationship to practically every other article in use.

Mr. BONE. When the Senator pays his income tax and when I pay mine the Government makes no distinction whatever between our pre-war earnings and our present earnings, and I see no reason why in applying a tax Congress should make any distinction as to whether a man made his money during the pre-war period or is making it now. The Government is taking a percentage of the income, without regard to when it is made.

Mr. CONNALLY. I agree with the Senator.

In closing I should like to say that the affection and admiration of the American people go out to General MacArthur and his brave men. The finest traditions of this Republic cluster around them. I pray to God they may be successful.

Mr. MURDOCK. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. MURDOCK. I am prompted to make an observation in reply to what the Senator from Washington [Mr. BONE] has just stated with reference to taxation, and I hope that the Finance Committee of the Senate will bear it in mind when it goes into session to consider taxes.

It is true that in the ordinary case it does not make much difference as to when or how profits were made, but there are some distinctions, there are some classes of property which are being called upon to make a distinction. I refer to the metal mines of the country.

Under the ordinary program of mining, there is certain development proceeding all the time in order to keep a block of ore ahead, and every ton of ore that is taken out of a mine depletes to that extent the capital of the mining company. When we say to the mining company, "We want you not only to produce as much as you produced prior to the war, but we want you to double and redouble and quadruple your production of lead, zinc, copper, and all other strategic metals," we are asking them to deplete that much more rapidly the reserve ore in the mine. So, I say that is one class of property which certainly must be given particular treatment in the tax bill.

I hope the Senator will bear that in mind, and allow a few of us who come from the mining States to appear and present the matter to the committee.

Mr. CONNALLY. As to all minerals, the law provides for a depletion allowance of 15 percent.

Mr. MURDOCK. That is true.

Mr. CONNALLY. The Treasury is making an assault on that provision, attempting to destroy it entirely, or reduce the percentage. I wish to say to the Senator that I am not in favor of destroying that principle, because it is fundamental, in the case of exhaustible natural resources, that when we take something from the ground it is not all profit, but a part of it is capital investment, and that must be recognized.

Mr. MURDOCK. All we ask is that the Senator will bear that in mind in the preparation of the tax bill.

Mr. McKELLAR. Mr. President, I shall occupy the floor but a moment or two.

First, I wish to commend with all my strength and all my heart and all my mind the two very sensible, very eloquent, very thoughtful, and very timely addresses just made by the senior Senator from Georgia [Mr. GEORGE] and the senior Senator from Texas [Mr. CONNALLY]. What they have said should appeal to every Senator, and our duty is apparent to us now.

It is true, as these Senators have suggested, and as we all know, that conditions are not what they should be either in industry or in labor. The only body which can correct the injustices which exist and the situations with which we are confronted is the Congress of the United States, and I say to the senior Senator from Texas that I wish to urge him to bring before the Senate his bill designed to prevent strikes, of which he has spoken a number of times.

Strongly as I believe in the rights of labor, and strongly as I have always supported labor, it is my belief that at a time like this those engaged in production should not be allowed to proceed as they have done lately. It is not the laboring people themselves, because the rank and file of those who labor want to do what is right, and are ready to work, but, because of a misguided leadership, a condition is being created which should not be permitted to continue.

I shall support the Senator's bill to increase the number of hours, and to prevent strikes in industries making war materials, because we should not have strikes at such a time, and I am willing to join the Senator in an attempt to prevent them. I am glad he has prepared his bill and introduced it into this body, but I urge him to rise on the floor of the Senate at the very first opportunity and move the consideration of the bill. Whenever he does that, in my judgment the Senate will vote in favor of taking up and disposing of the bill.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CONNALLY. I thank the Senator very much, and I expect to ask to have the bill taken up at the first opportunity.

Let me say also, along the line of labor itself not being anxious to engage in strikes, that I have received a petition, which is somewhere in my files at the moment, signed by a great number of men in the employ of the railroad systems of my State, in which they say that a majority of the signers belong to labor unions, and they appeal to me to have the strike bill passed.

Mr. McKELLAR. I am sure that is true of labor not only in the Senator's State, but of labor in every other State in the Union. The laboring men want to win the war, just as we do, and it is our duty, it is the duty of the Members of this body and of the body at the other end of the Capitol, to pass a law along the lines of the measure introduced by the Senator from Texas.

Let me say at this point that this is the second week of the consideration of one question. I would a thousand times rather have been considering the Connally bill, or some measure of similar import with relation to subjects which are of such vital necessity.

I speak as a friend of labor, for I strongly believe in the rights of labor, and will protect labor in every way I can, but not as against our country. This is a time when we should all be for our country, and I know that the laboring people feel exactly as I do about it.

Mr. President, I wish to speak about another matter. Remember, Senators, labor is not the only offender. Big business is interfering at the expense of the Government. Industry is undertaking to mulct the Government at this time. Why do I say that? I happen to be a member of the committee that used to be called the Economy Committee, but it is now generally termed the Byrd committee, because the junior Senator from Virginia is its chairman. He is an able, industrious, and intelligent chairman; he is doing a great work, and I take off my hat to him. I wish to say that it was testified before that committee the other day that a large shipbuilding concern, as I recall it was the Todd Shipbuilding Co., had invested in one of its companies $35,000 of stock, and that particular company took from the United States Government and from the British Government $210,000 in dividends. On a stock investment of $35,000 the company took $210,000 in dividends If I remember aright at this time that shipbuilding concern has a contract for 37 ships to be built for the American Government, and the official of that company who testified before the committee said the concern was going to make the same amount of profit out of the building of these 37 ships that it had been making out of the building of the other ships concerning which he testified.

Think of that proportion of profit to stock investment. There we find an investment of $35,000 in stock in one little company, and $210,000 of profit on that stock investment. The other companies of this large shipbuilding concern are similarly situated with respect to investments and profit. Such a profit is unconscionable, it is unpatriotic. That is the least I can say about the matter. It is worse than unpatriotic. They might as well be joined up with our enemies when they undertake to mulct the Government in any such profits as that. I shall support the distinguished chairman of the Finance Committee [Mr. GEORGE] when he shall bring in a tax bill to put these war profiteers in a class by themselves and tax them to the very limit, so that they shall not run away with the finances of the Government as they are now doing.

Mr. President, one more word about waste. I first point to my friend, the Senator from Virginia [Mr. BYRD], who is making such an active and determined and able attack upon the waste in governmental expenditures. All honor to the Senator from Virginia. The waste which we find occurring is almost unbelievable. I suggest to the Senator from Georgia [Mr. GEORGE], who brought up the question of waste, that there is but one way to stop it, and that is not to appropriate the money which will be wasted. This body appropriates money which is used for many wasteful proposals. I wish to call attention to one source of waste and, by the way, its discovery came about in a very unusual way. I will say to my friend the Senator from Virginia, who a few days ago heard the colloquy in the Joint Committee on Reduction of Nonessential Federal Expenditures.

Mr. Mellett appeared before the committee and testified. He said he had a very active organization, which could obtain information very rapidly. I had in mind to get some information, but it was very slow in coming, so I said to Mr. Mellett, "If you are so good at obtaining information in a hurry I should like to have you furnish information showing how much the Federal Government spent last year for travel pay alone.

That includes our travel pay as well as that of all others in the Government." I will say to the Senator from Virginia that I was very happy to receive a letter from Mr. Mellett yesterday morning, as I recall, in which he enclosed the figures for which I had asked, as he said he would do, and I take off my hat to him. I honor and respect him for this service to the Government at this time, when we are considering an appropriation.

Mr. President, the figures are utterly astounding. The Members of the Congress of the United States are entitled to travel pay, and Members of Congress and Delegates and Resident Commissioners come from all over the world. Two of them come from the Philippines on the other side of the globe. Some come from Puerto Rico, some from Hawaii, some from Alaska, and from various other places, and from all over this Nation, and the entire travel pay of Congress is $222,000.

What do Senators suppose the travel pay of all other members of the Government are? I have the figures before me. I have them by departments. The travel pay for all the others amounts to $147,896,385, nearly $150,000,000 for travel pay of Government employees, who are using up the space on our trains, using cars and tires, getting a per diem, while they are traveling de luxe all over the country. For them the Government pays out $147,000,000.

Mr. DAVIS. Mr. President——

The PRESIDING OFFICER (Mr. ROSIER in the chair). Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. McKELLAR. I yield.

Mr. DAVIS. Does that include also the per diem?

Mr. McKELLAR. I just said that that includes the per diem.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. SHIPSTEAD. I presume these sums came before the Appropriations Committees of the House and of the Senate for consideration and were allowed by the two Appropriations Committees.

Mr. McKELLAR. They were before the committees. Whether they were allowed or not, the sums have been used.

Mr. SHIPSTEAD. Are those matters being examined into?

Mr. McKELLAR. I will say to the Senator that no committee of Congress has ever examined into these things any more closely than the Appropriations Committees are examining into them today.

Mr. SHIPSTEAD. Will the Senator yield for another question?

Mr. McKELLAR. I yield.

Mr. SHIPSTEAD. If the Senator has the information, I wish he would tell us how much the mail of Representatives and Senators costs the Federal Government, and how much the mail of the executive departments costs the Federal Government.

Mr. McKELLAR. That is a question which has been debated since 1789.

Mr. SHIPSTEAD. We hear criticism only of Senators and Representatives using franked mail to handle and expedite public business.

Mr. McKELLAR. That is a very small portion of the total, but that is a question which has been debated since 1789, and it is almost too late to get very much out of it now.

Mr. SHIPSTEAD. I do not wish to discuss it. I only ask the Senator if he can tell us what was the amount expended by the Government for the mail of Members of Congress and for the mail of the executive departments.

Mr. McKELLAR. My recollection is that the cost of congressional mail is between one and two million dollars, but that is only my recollection. If I can procure the exact figure, I will put it in the RECORD so the Senator can read it in the morning.

Mr. SHIPSTEAD. Will the Senator put in the RECORD the cost to the Government of the mail of the executive departments of the Government?

Mr. McKELLAR. I can do so only with respect to the House and Senate. It would take a long time to obtain the other figures, and that is a separate question. I wonder if the Senator will not permit me to continue, as I am nearly through with my statement.

I wish to call specific attention to some items of the travel pay. Who has not heard of the Federal Security Agency? It spent in travel $16,769,000 last year.

Mr. WHEELER. Will the Senator give that figure again?

Mr. McKELLAR. Sixteen million seven hundred and sixty-nine thousand dollars.

Mr. SHIPSTEAD. For travel pay?

Mr. McKELLAR. For travel pay. The next item deals with the Civilian Conservation Corps. The junior Senator from Massachusetts [Mr. LODGE] spoke last fall of a large truck or bus, all painted up, going about on the streets of Boston getting recruits for the Civilian Conservation Corps. From the figures presented I would not think they used such conveyances much. Travel pay for the Civilian Conservation Corps last year was $11,770,000. No wonder those who legitimately use the railroads could not obtain berths.

The next item on the list is the National Youth Administration, created by the Congress—and very wisely created at the time—because then economic conditions in the country were such that we had to do something for the youth of the land. What we did was by way of charity. It was a little better than that. The figure for travel pay alone for the N. Y. A. is $2,446,000. For the Social Security Board the amount is $1,522,000; and for the Federal Works Agency, $4,201,000.

The next item on the list is the Department of Agriculture. I digress long enough to say that I was born on a farm, and lived on a farm all during my youth. I do not think I ever voted against a farm measure in my life. My sympathies are entirely with those who have to till the soil in order to provide the food to sustain us all. Every Senator present knows that I have uniformly stood with the farmers under all circumstances; but listen to these figures. One would not think that so many of our farm organization men and women would ride on trains, airplanes, Pullman cars, and automobiles. In addition, their expenses are paid. I shall give some of the figures. I am glad that so many Senators are listening, because this is a very important matter. In a very short time the question will arise before our committee. Later it will come before the Senate.

For travel pay the Office of the Secretary of Agriculture uses the tidy little sum of $108,000; the Office of the Solicitor, $53,244; the Office of Information—which is the new title for the Office of Publicity—$4,091; the Bureau of Agricultural Economics, $665,000.

The figure for the Bureau of Animal Industry is $756,445. The Bureau must have found more animals on the trains than it ever found on the farms. [Laughter.]

Next comes the Bureau of Plant Industry. I thought plants were found in the ground. The bureau must be finding many of them on the trains, and in automobiles and airplanes. [Laughter.]

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MURDOCK. I am very much interested in the figures which the Senator is reading. My inference from the Senator's statement is that he very severely criticizes the travel-pay allowances.

Mr. McKELLAR. That is true.

Mr. MURDOCK. Does the Senator criticize members of the departments for using the money after we have appropriated it?

Mr. McKELLAR. No.

Mr. MURDOCK. That is the point I wish to bring home.

Mr. McKELLAR. I am now criticizing the acts of the Congress in heretofore appropriating so much. I shall appeal with all the earnestness of which I am capable, for heaven's sake, for a reduction in travel-pay allowances and other wasteful expenditures, as the Senator from Georgia so well put it a while ago, until after this war has been fought and won.

Mr. MURDOCK. We cannot blame the departments for spending the money which we make available.

Mr. McKELLAR. That is exactly correct. I am trying to the best of my ability to make Senators understand what tremendous sums are being spent for travel pay, so that we may reduce such expenditures.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WHEELER. I do not think it is quite fair to say that merely because Congress appropriates the money the departments should go ahead and spend it.

Mr. McKELLAR. Oh, no.

Mr. WHEELER. I do not think the Senator wishes to be so understood.

Mr. McKELLAR. No. I did not understand that to be the question.

Mr. WHEELER. We make appropriations on the basis of estimates; but the mere fact that the money is appropriated does not mean that the departments

ought to spend it. That has too often been the case.

Let me ask the Senator a question. Have these sums been listed in the appropriation bills as travel expenses, or have they been under some other title?

Mr. McKELLAR. The appropriation is usually in the words "including travel pay" or "including automobiles."

Mr. WHEELER. So the expenditure has been to a certain extent covered up?

Mr. McKELLAR. It is not stated openly in the appropriations. That is the reason I am availing myself of this opportunity to have so many Senators listen to a statement of the enormous amounts—the frightful amounts, it seems to me—which are being wasted. I should say that three-fourths of the money which we are today appropriating for travel pay is being wasted.

Mr. WHEELER. I think the Senator is rendering a real service to the country by letting the people know exactly how much money is being wasted in travel expenses. A couple of years ago a Senator stated on the floor of the Senate that the Office of Indian Affairs had more persons traveling upon and between Indian reservations than there were Indians on the reservations. That is probably an exaggeration; but the truth is that one cannot get on a Pullman car today, from one end of the country to the other, without seeing great numbers of Federal employees who are traveling up and down the country. They travel in Pullman cars, airplanes, and automobiles. Throughout the West and the Middle West we see great numbers of Government-owned automobiles traveling over the country. If some of the automobiles which are used by the departments were eliminated and the tires were saved, there would probably not be a shortage of rubber in the United States, because so many of them are used.

I hope that the Appropriations Committee will list exactly the amount appropriated for each of the departments and bureaus for traveling expenses, and that such appropriations will be cut to the bone.

Furthermore, in my judgment, some agencies could very well be eliminated entirely, and the Government and the people of the country would not miss them or know that the laws under which they functioned had ever been on the statute books.

Mr. McKELLAR. I thank the Senator.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. OVERTON in the chair). Does the Senator from Tennessee yield to the Senator from Missouri?

Mr. McKELLAR. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I entirely agree with the Senator from Tennessee that for the purpose of his argument it does not make any particular difference who is to blame in this matter.

Mr. McKELLAR. I am not blaming anybody.

Mr. CLARK of Missouri. I am perfectly willing to agree that Congress has been partly to blame. I am very sure that the departments have been very largely to blame. Whoever has been to blame, an abuse has grown up, and it is high time that it be corrected.

Three or four years ago I heard the Senator from North Carolina [Mr. BAILEY] rise in this Chamber and call attention to the fact that in the preceding year the Farm Security Administration had spent $3,400,000, as I recall, for traveling expenses, and on top of that had spent $1,600,000—I think that figure is correct, although I am speaking from memory—for telephone and telegraph expenses, in addition to the enormous amount of matter which had been mailed under Government frank.

Mr. McKELLAR. We are now examining into that question.

Mr. CLARK of Missouri. Everybody agrees that the amount of travel necessary in the public interest should be appropriated for. Everybody agrees that the amount of telephone and telegraph service absolutely necessary for the efficient performance of governmental functions should be appropriated for; but with respect both to travel and other expenses the departments have run wild; and, in my opinion, Congress has neglected its duty. Long ago it should have examined into the question and stopped such extravagances.

I might mention also the question of high salaries in some of the departments. I think the time has come for action. The effort now being made by the Senator from Tennessee is not only very desirable, but absolutely necessary for the well-being of the Government.

Mr. McKELLAR. I thank the Senator.

Let me mention a few other items. There are only a few more.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. THOMAS of Utah. No one can object to anyone trying to cut Government expenses. Everyone is in favor of it; but in reading the statistics in the way in which the Senator from Tennessee has read them, I am wondering if we catch the significance of them. For example, the Senator has stated that the Civilian Conservation Corps spent $11,000,000 for travel expenses.

Mr. McKELLAR. Yes.

Mr. THOMAS of Utah. How many members of the Civilian Conservation Corps were there last year?

Mr. McKELLAR. I do not know how many there were, but my recollection is that Congress appropriated $165,000,000 for the Civilian Conservation Corps. That is a very large amount of money.

Inasmuch as the Senator has brought up that subject, let me say to the Senate that the cost to the Government for each enrollee is $1,003 a year. The enrollees are not given a particle of education. When I was a boy and being educated, if some fairy had given me $500 a year for my college education I should have been grateful beyond degree.

The boys in the Civilian Conservation Corps go to camps and do a great deal of riding on trains, but no real education is given them at all.

Mr. THOMAS of Utah. Mr. President, I merely desire to ask a question so that I may obtain information, as I should like to understand this matter.

Mr. McKELLAR. I shall be very happy to answer the Senator's question if I can.

Mr. THOMAS of Utah. Everyone knows that the members of the Civilian Conservation Corps are enrolled for 6 months, and that there were about 300,000 of them last year.

Mr. McKELLAR. Yes; there were 600,000, but the number has been decreased.

Mr. THOMAS of Utah. Yes; but I desire to stay with this point, because I want to find out whether we are properly analyzing the statistics. There were 600,000 boys enrolled in the year covered by the statistics presented by the Senator; I think that is true. The figures are for yearly expenditures, are they not?

Mr. McKELLAR. Yes; yearly expenditures.

Mr. THOMAS of Utah. So that 600,000 boys were enrolled.

Mr. McKELLAR. At one time.

Mr. THOMAS of Utah. No; 300,000 were enrolled at one time; but in the period there would be 600,000, because they enrolled for 6 months.

Let us divide $11,000,000 by 600,000, so that we may determine whether the railway-travel expenses for the whole organization are very high. That is the way to test statistics. There is no doubt that today the Army of the United States is spending many millions of dollars in travel pay. All of it may be necessary.

Mr. McKELLAR. Yes; I am quite sure that all of it is necessary. But the trouble about the Civilian Conservation Corps is——

Mr. THOMAS of Utah. Mr. President, I do not want to argue about the Civilian Conservation Corps.

Mr. McKELLAR. The Senator has brought up the point, and I desire to discuss it. The Civilian Conservation Corps is being made a cloak to keep boys out of the Army.

Mr. THOMAS of Utah. The point is that if $11,000,000 is divided by 600,000, since there were 600,000 boys, we find the amount paid for their railway fare from the time of enrollment to the time when they were sent back to their homes, which expenditure is surely one which the Congress of the United States expected to make.

Mr. McKELLAR. I cannot believe it. I know that, as one Membe of the Congress, I did not expect it. I do not approve of it. I do not believe it is right. I believe it is unfair to the boy himself to be given such gifts by his Government. I believe it is unfair to the country, and should not be indulged.

But now I go back to my reading:

Bureau of Plant Industry, $237,603.

Forest Service—that is in the West, principally—$878,315 for transportation charges.

Bureau of Entomology and Plant Quarantine, $373,491 for transportation charges.

Agricultural Marketing Service, $473,893.

The Bureau of Home Economics seems to have been treated as a stepchild, or

was put into the doghouse, because it got only $3,603.

Commodity Exchange Administration, $20,441.

Soil Conservation Service, $1,348,246.

Agricultural Adjustment Administration—although the act establishing it was declared unconstitutional several years ago, and was rearranged in part by Congress—$1,859,435.

Commodity Credit Corporation, $48,980.

Surplus Marketing Administration—I do not think we have very much in the way of surplus markets now—$1,148,617 for travel pay.

Farm Security Administration, $6,607,083.

The junior Senator from Virginia knows something about that; we have had a great deal of testimony about the Farm Security Administration. Heaven knows we should make the farmer as secure as possible; but how can we do it when we pay out all this money for Pullman-car service, and per diem expenses, and for railroad fare?

Now we learn that the Farm Security Administration's travel expenses in 1941 were $6,607,083. I doubt if the Senator from Virginia would have believed it until he heard the testimony awhile ago.

Next on the list is the Farm Credit Administration — another organization — $1,183,773.

The total is $16,595,435.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BYRD. Before the Senator concludes his discussion of the expenses of the Department of Agriculture, let me say that perhaps he recalls the testimony before the committee of which he is such an able and outstanding member, that 100,000 committeemen are connected with the Agricultural Adjustment Administration, that they are drawing $44,000,000 from the Treasury, and that that sum is being deducted from the Soil Conservation checks which go to the farmers.

Mr. McKELLAR. The Senator is entirely correct. I thought the amount last year was $90,000,000, but perhaps the Senator is correct. Whatever the amount is, think of what a hardship that is on the farmers. We are trying to get for the farmers a reasonable return for their products, but here we have the Farm Security Administration charging them with many million dollars and making them pay it. What do they do? They appoint what they call committeemen. It is a pretty good organization. Senators who will have to run for election in the near future had better curry some favor with them, because they are many of the very best men in each county of the 3,000 counties in the United States. They have a fine organization. They simply select 15 or 20 or 30 or 40 or 50 men, depending on the size of the county, and put them on the Federal pay roll, and make the farmers themselves pay the cost. That is about the size of it. The farmers are made to pay for it. I do not suppose I will ever be bothered by anything of that sort; I am becoming too old; but younger Senators, who are thinking about returning here, had better look into this matter before they vote on it. A very fine organization is being built up for some one; I do not know who it is.

The Department of Commerce is the next department whose travel-pay expenditures are listed. Apparently their travel-pay is modest, with the exception of that for the Civil Aeronautics Authority, which amounts to $1,024,811. The other items are very small, and the Department of Commerce is to be commended, but I cannot understand the reason for the tremendous amount of travel pay for the Civil Aeronautics Authority. I cannot understand that amount of money being spent as travel pay for persons engaged in the airplane activities of the Government. It would seem that such persons would use their own airplanes when they go from one place to another. I do not know how that million-dollar item of expense is accounted for.

The next item listed in the statement is travel pay for the Department of State. The item is very small, and it need not be referred to.

The next item is for travel pay for the Treasury Department—a comparatively small item, the principal amount being for the Office of the Comptroller of the Currency; and I imagine that he has to have a good many persons on his pay roll. That item amounts to $3,412,220, but it seems to be a fair proportion.

The amount of travel pay for the Post Office Department is not large, in view of the immense amount of business it performs. It is an eight-hundred-and-some-odd million dollar business. We know that the persons employed by the Post Office Department are required to do an enormous amount of traveling; naturally, they would have to do so in looking after the mails of the country. However, the item of travel expense for the Post Office Department amounts to only $5,418,913.

Incidentally, the amount of travel pay for the Post Office Department is $1,000,000 less than that for the Farm Security Administration alone. The Post Office Department does business amounting to between $800,000,000 and $900,000,000 in an average year, and will do over $1,000,000,000 of business this year, and from the very necessities of the situation employees of the Post Office Department must travel. They must deliver the mail, and they must travel; but their travel pay is more than a million dollars less than that of the Farm Security Administration alone.

The items I have mentioned are the principal items. The War Department spent $56,060,194 for travel pay last year, and the Lend-Lease Administration's expenditure for travel pay was but $3,410. The Navy Department's expenditure for travel pay amounted to quite a large sum, because, of course, its officers and employees are required to travel. Their travel pay expenditures are not itemized in the report I have before me.

Those are the facts. I was moved to give the figures; and, Mr. President, I ask unanimous consent that the report from Mr. Mellett be printed in the RECORD at this point as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Actual obligations incurred for travel by the Executive Office, independent establishments, agencies, and departments during the fiscal year 1941

(Includes all obligations incurred in connection with travel or to provide subsistence while in travel status. It includes fares, food and lodging, per diem allowance, mileage, and other expenses incidental to travel which are to be paid by the Government either directly or by reimbursing the traveler.)

Executive Office of the President:	
White House Office	$28
Bureau of the Budget	39,495
Board of Economic Warfare	24,727
National Resources Planning Board	120,346
Office for Emergency Management	698,582
Office of Government Reports	20,236
Total, Executive Office	903,414
Independent establishments:	
American Battle Monuments Commission	29,458
Bituminous Coal Consumers' Counsel	2,361
Board of Tax Appeals	15,537
Civil Service Commission	325,457
Employees Compensation Commission	28,171
Federal Communications Commission	89,097
Federal Deposit Insurance Corporation	532,261
Federal Power Commission	203,304
Federal Trade Commission	111,645
General Accounting Office	175,282
Interstate Commerce Commission	677,596
Maritime Labor Board	13,500
National Advisory Committee for Aeronautics	40,203
National Archives	4,309
National Capital Park and Planning Commission	103
National Labor Relations Board	270,854
National Mediation Board	36,058
Railroad Retirement Board	208,550
Securities and Exchange Commission	296,997
Selective Service System	2,211,711
Smithsonian Institution	3,613
Tariff Commission	21,237
Tennessee Valley Authority	604,339
The Alley Dwelling Authority	298
Thomas Jefferson Memorial Commission	1,123
U. S. Coronado Exposition Commission	7,948
U. S. Maritime Commission	175,881
U. S. New York World's Fair Commission	1,221
Veterans' Administration	1,371,001
Total, independent establishments	7,459,115
Federal Loan Agency:	
Administrative expenses, Federal Loan Agency	303
Electric Home and Farm Authority	69,724
Export-Import Bank of Washington	15,940
Federal Home Loan Bank Board	190,285
Federal Housing Authority	959,269
Federal Savings and Loan Insurance Corporation	5,833

Federal Loan Agency—Con.	
Home Owners' Loan Corporation	$1,032,822
Reconstruction Finance Corporation	218,949
Total, Federal Loan Agency	2,493,125
Federal Security Agency:	
Office of the Administrator	30,388
Office of Defense Health and Welfare Services	56,056
Civilian Conservation Corps	11,770,890
Columbia Institution for the Deaf	193
Food and Drug Administration	123,469
Freedmen's Hospital	697
Howard University	12,897
National Youth Administration	2,446,208
Office of Education	132,974
Public Health Service	612,717
St. Elizabeths Hospital	1,248
Social Security Board	1,522,240
Total, Federal Security Agency	16,769,977
Federal Works Agency:	
Office of the Administrator	8,028
Public Buildings Administration	152,450
Public Roads Administration	309,739
Public Works Administration	134,932
U. S. Housing Authority	308,496
Work Projects Administration	3,287,714
Total, Federal Works Agency	4,201,419
Department of Agriculture:	
Office of the Secretary	108,977
Office of the Solicitor	53,244
Office of Information	4,091
Library, Department of Agriculture	245
Office of Experiment Stations	11,825
Extension Service	73,700
Bureau of Agricultural Economics	665,540
Office of Foreign Agricultural Relations	15,531
Office for Agricultural Defense Relations	7,179
Bureau of Animal Industry	756,465
Bureau of Dairy Industry	9,951
Bureau of Plant Industry	237,603
Forest Service	878,315
Bureau of Agricultural Chemistry and Engineering	87,003
Bureau of Entomology and Plant Quarantine	377,491
Agricultural Marketing Service	473,893
Bureau of Home Economics	3,603
Commodity Exchange Administration	20,441
Soil Conservation Service	1,348,246
Agricultural Adjustment Administration	1,859,435
Commodity Credit Corporation	48,980
Surplus Marketing Administration	1,148,617
Federal Surplus Commodities Corporation	15,476
Federal Crop Insurance Corporation	60,579
Farm Security Administration	6,607,083
Rural Electrification Administration	538,149
Farm Credit Administration	1,183,773
Total, Department of Agriculture	16,595,435
Department of Commerce:	
Office of the Secretary	$226,813
Bureau of the Census	157,347
Bureau of Standards	9,630
Civil Aeronautics Authority	1,024,811
Civil Aeronautics Board	75,493
Coast and Geodetic Survey	20,577
Bureau of Marine Inspection and Navigation	17,035
Weather Bureau	151,236
Total, Department of Commerce	1,682,942
Department of the Interior:	
Bonneville Power Administration	268,396
Division of Investigations	85,630
Grazing Service	114,365
Petroleum Conservation Division	9,885
Bituminous Coal Division	116,246
Office of the Secretary	9,762
Land Utilization Office	6,681
National Power Policy Committee	1,363
Commission of Fine Arts	1,906
United States High Commissioner to Philippine Islands	2,535
Office of Petroleum Coordinator for National Defense	440
General Land Office	173,828
Bureau of Indian Affairs	589,085
Bureau of Indian Affairs, general public-works program	38,697
Bureau of Reclamation	17,683
Bureau of Reclamation, general public-works program	161,467
Geological Survey	538,234
Bureau of Mines	165,441
National Park Service	98,736
National Park Service, general public-works program	28,535
Fish and Wildlife Service	404,804
Government in the Territories:	
Territory of Alaska	20,424
Territory of Hawaii	2,740
Virgin Islands	10,243
Puerto Rico	5,822
Equatorial and South Sea Islands	135
Division of Territories	2,217
Total, Department of the Interior	2,875,280
Department of Justice:	
Federal Bureau of Investigation	1,148,832
Immigration and Naturalization Service	706,474
Marshals	1,094,290
Fees of witnesses	1,021,279
Penal and correctional institutions	219,124
Others	458,691
Total, Department of Justice	4,648,690
Department of Labor:	
Office of the Secretary	7,928
Office of the Solicitor	68,421
Division of Labor Standards	101,438
Conciliation Service	196,723
International Labor Organization	1,864
Division of Public Contracts	54,703
Bureau of Labor Statistics	152,769
Children's Bureau	170,625
Women's Bureau	16,734
Wage and Hour Division	637,500
Total, Department of Labor	1,408,705
Department of State:	
Office of the Secretary	9,684
National Defense Activities	23,671
Department of State—Con.	
Foreign Service	$802,835
International Obligations, Commissions, Bureaus, etc.	139,339
Department of State, General Public Works Program	7,195
Total, Department of State	982,724
Treasury Department:	
Office of the Secretary	20,838
Office of Chief Clerk	6,351
Fiscal Service, Bureau of Accounts	82,409
Bureau of Public Debt	40,628
Office of the Treasurer of the United States	194
Bureau of Customs	279,244
Office of the Comptroller of the Currency	3,412,220
U. S. Processing Tax Board of Review	1,634
Bureau of Narcotics	81,395
Bureau of Engraving and Printing	1,072
Secret Service Division	141,578
Bureau of the Mint	93,486
Procurement Division	30,441
Total, Treasury Department	4,191,490
Post Office Department:	
Office of the Postmaster General, District of Columbia	1,150
Office of the Postmaster General, field service	17,672
Office of chief inspector	527,385
Office of the First Assistant Postmaster General	1,502,387
Office of the Second Assistant Postmaster General	3,335,698
Office of the Fourth Assistant Postmaster General	34,621
Total, Post Office Department	5,418,913
Navy Department	22,291,552
War Department:	
Military	53,198,848
Nonmilitary	2,170,149
Panama Canal	691,197
Total, War Department	56,060,194
Lend-Lease Administration: Division of Defense Aid Reports (May 2–June 30, 1941)	3,410
Grand total	147,966,385

Source: Schedules of obligations in the Budget of the U. S. Government for the fiscal year ending June 30, 1943, and contact with the departments and agencies. (Compiled by Office of Government Reports, March 1942.)

Mr. McKELLAR. Mr. President, I desire to say a word in regard to Mr. Mellett. When it was first suggested the other day that he give information to people, I had very serious doubts about the matter, and I hold a great many doubts about it yet. However, I hope he can do as good work all along the line as he has done in furnishing me the several reports I have requested. I have written to him, requesting him to furnish to me two other reports, one with reference to long-distance telephone calls and telegrams, and one with reference to publicity expenditures of the Government. I understand that our Government is spending huge sums for publicity. Of course, no one knows about our Govern-

ment, and our citizens should be informed about it. Such efforts are costing a great deal, as the Senator from Virginia and I know from the evidence about publicity.

I have requested Mr. Mellett to furnish me the facts and figures as to the long-distance telephone and telegraph charges and also the publicity expenditures incurred by the various departments and agencies of the Government, in order to do just what my distinguished and beloved friend from Georgia [Mr. GEORGE] so well said a little while ago should be done, namely, the elimination of waste and extravagance. That is one of the crying needs of the present time. Now is the time to put an end to waste and extravagance, and I hope the Senate will join us in the effort to do so.

I wish to say of Mr. Mellett that I have formed a much higher opinion of what he is capable of doing since he so promptly and, apparently, so efficiently, at my request, brought this information to me as a member of the committee.

Mr. THOMAS of Utah. Mr. President, since the regular business has been laid aside for the time being, since much has been said about the general condition of our country and reference has been made to strikes and labor, and since our committee has been attempting to keep abreast of conditions, I have asked permission of my colleague to take a few minutes before the pending bill is acted upon.

Mr. President, I stand before you and the Senate in a different attitude and speaking in a different tone from the attitude and tone of those who have addressed the Senate lately. I can see my country on the alert. It has been necessary for me to go almost to the Pacific coast within the last month, and everywhere I have seen such activities as I have never seen before in the United States. Due to the type of work I did during the last war, I can, out of my own experience, make comparisons as a result of actual observations. I rejoice in the war effort; I rejoice in the general response of the people of our country to that effort; I rejoice in the fact that we made preparations for this effort, and that we had an army of a million and a half men, at least partially trained, before December 7, 1941; and I rejoice in the fact that in 1935 I sponsored in the Senate of the United States the Army air-base bill, which became a law, and which was the beginning of air expansion within the Army. I am saddened to think that the people of our country did not see the need for that bill, and that, while the bill called for six Army bases, the administration did not move forward to their establishment, and to this day we do not have those six primary fundamental Army bases. My whole thought since 1934, when I felt in my bones what was coming, has been to be prepared. I say this because, as everyone knows, we have considered certain planning bills and enacted certain planning legislation which have borne fruit and by which we have accomplished much.

I wish to call attention to the fact that there is a scarcity of material, but how much greater would have been the scarcity of materials if we had not passed the strategic materials bill. Now I ask the question, Did the persons, did the newspapers, did the critics who are now making fun of the war effort, call attention to the fact that certain individuals were holding back? Did they give any support to that bill, which was a farsighted measure, and which, if it had been acted upon in its fullness, would have made it unnecessary to curb the use of tires, for example, at this time. There have been officials in the Government of the United States who have tried to be ready for the condition which now confronts us.

Mr. President, the fact as to conditions in the United States is that the general run of the citizens of the United States are prepared. Each one is doing his very best, as I will attempt to show by presenting one line of thought in relation to certain activities.

Mr. President, there has now been set up on a voluntary basis by executive order the War Labor Board, which came into existence as the result of a meeting of representatives of labor and industry and as a result of the acceptance of a simple motion made by me. Even the truth about this remarkable accomplishment has not been told to the people of the United States, for it was stated in the evening editions of the morning newspapers that the motion I made was made as the result of inspiration from the White House. Nothing could have been more untrue. Every one of the 26 men who took part in that conference was sincere in his endeavors; every one of them represented, in the extreme, a patriotic desire to meet the situation and to unite our country. We had, Mr. President, an opportunity to bring about a situation the accomplishment of which had been prayed for throughout generations. Yet when a simple motion was offered and accepted, that there should be no more strikes or lock-outs, that all disputes should be settled by peaceful means, we found that we could not unite the country on that basis. Today the head of one great railway system refuses to accept a dictum of that conference, and we are told that there are strikes which are interfering with production, and some people are talking about outlawing strikes during the period of the war.

Mr. President, I am fundamentally opposed to strikes. They are uneconomic; they are unnecessary; they result in loss, no matter how figured, both to the striker and to those against whom he strikes. The idea of assuming that something is all right at one time, but wasteful and bad at another time! Why should we not stand wholeheartedly and unitedly in favor of a plan which has been put forth, which can be fruitful, and which has been fruitful of much good in our country, if all the people will support what has been done.

The attack on Pearl Harbor. When I refer to that incident, Mr. President, I cannot help but digress for a moment. It does not take a master mind in propaganda to realize that the easiest way to divide this country is for the disloyal to make fun of Congress or to make fun of the administration. Long before our Government was set up in the struggle for representative government based upon the notion of freedom of speech, every man demanded his right to say what he wanted to say, and especially to criticize his representatives. One does not have to read very far in Hitler's book to discover that the easiest governments on earth to overcome are the democracies, because such governments are divided against themselves before the enemy starts moving in to divide them.

The Congress of the United States has gone through a burlesque in the last 2 or 3 weeks. A Bundle for Congress movement was organized in which some of the people of our country participated. Who thought of it? Who started it? Who started making fun of the Congress of the United States? Two men. What are their records? One of them was a former member of an enemy consulate; the other is a man who worked for years for another enemy country.

Mr. President, when, in their criticism of Congress, people aline themselves with a movement inspired by that kind of mind and character, it is not the sort of alliance that will promote unity in the country and it is a type of alliance with which I wish to have nothing to do. Sometimes people who criticize us find themselves in the position of either being ignorant or lying. Those who want to unite themselves with those who do not tell the truth or those who are ignorant are welcome to do so, but I refuse to unite myself in that kind of campaign.

Mr. President, the War Labor Board's record, especially since the passage of the Executive order creating the Board, has been beyond the expectations. The labor record of the people of the United States has been beyond belief. The accomplishments of the Government of the United States in uniting the workers so as to bring about production have reached the point where production will be on such a vast scale that we shall be embarrassed because of the lack of distribution facilities to take care of what is produced. One does not have to be an economist to make a statement of that kind. All one has to do is to remember what took place in the last war. We upped production until loaded cars congested the sidings, and a bottleneck was created.

Everyone knows that the carrying power of the ships on the high seas in peacetime was not American carrying power. Everyone knows that in most instances a ship which came to the United States was not an American ship. Everyone knows that probably American ships on the high seas never comprised at one time more than one-fifth of the total tonnage, if that much.

Consider the situation, and see what we have to do, since we are now dependent almost wholly upon American ships. That is the problem which faces us; it is becoming acute, and we want to take care of it.

There have been those who wanted a 168-hour workweek in all industry. That goal has been attained up and down the Pacific coast in the shipbuilding industry. The members of the union which had the greatest trouble from

criticism of all the unions in the United States when we were passing the Maritime Act 4 years ago were objecting to all rules, even rules established by the Maritime Commission.

What we need now is men to run our tankers. The crews of the tankers are the men who are facing today the greatest perils. A man who goes on a tanker knows that his chances of being sunk are greater than those of other seamen. He knows, too, that if his ship is hit there will be a fire, and he knows that even if he has to jump into the sea he will jump into a flaming sea.

Mr. President, the men who man our tankers today are acting in accordance with the labor laws of the United States, they are hired from the hiring halls, and they are just as loyal, just as patriotic, as any others. They have entered the service on a voluntary basis, and are dying in greater numbers, probably, than any other group.

I think we should be thoughtful about these things. Do not imagine that these men fail to realize the peril they are facing, that they do not understand their sacrifices, and that they are not willing to make them. It is interesting, I think it is even instructive, to realize that the head of the union through which the men on the tankers are employed was the man who seconded the motion to bar strikes and lock-outs, and to settle all disputes by peaceful means.

Mr. President, we cannot unite this country by making fun of one class or group. People use the capital "L" when they talk about labor, and what do they mean? There are 50,000,000 people in the United States who must be classified under "Labor" when it is spelled with a capital letter.

Let us find the wrongdoer and go after him. Let us not pick out a class. Let us find the man who is a racketeer, let us find the man who is taking advantage of the situation, let us find the advantage taker wherever he is, go after him, and convict him, not divide our country by pointing at a given class which is doing its very best.

Much has been said about the 40-hour week. What are the facts? Are there any industries in the United States, especially those making war materials, in which the employees are not working more than 40 hourse a week? I doubt whether very many such may be found, and I shall give statistics in a moment.

What about the 40-hour week itself? Long before we had the Wages and Hours Act there were thousands upon thousands of contracts made between employers and employees on a collective-bargaining basis. Such contracts held and were the law, so far as the particular industries were concerned, before we passed the law. What is to be done with those contracts? They have been found perfectly satisfactory, because they have been renewed year after year and year after year.

What about our industries? Can a great factory be run on 168 hours a week? The factory owner says "No." Machines, like men, suffer from fatigue. They have to be rehabilitated. They have to rest. Can we work a man 70 hours a week, 10 hours a day, and get maximum production out of him? Economists and others who study human beings and human nature say "No"—that it cannot be done. There comes a saturation point. If maximum production is desired, the labor conditions must be in accordance with that which produces the maximum.

The Wages and Hours Act did not come into existence as a matter of emotion. It was passed after over 2 years of deliberation and study. There is within the Wages and Hours Act no provision against working over 8 hours. There is provision in it under which workmen may be put on a monthly basis or a weekly basis, but that has not been often resorted to.

I have wanted to speak because in the last war I found myself in an administrative capacity very close to the men. I had to submit to all kinds of criticism but I knew when criticism was just and when it was unjust, because I saw things as they actually were. Anyone who has a memory of the last war, anyone who has a memory of the last War Labor Board, for example, anyone who has a memory of our production in the last war toward the war effort, anyone who will make comparisons in any way in regard to the war today and the war twenty-odd years ago, will discover that our country has made marvelous progress in skill and ingenuity and in accomplishing results. The machine is still not perfect; it does not click as well as all of us would like to see it click; but we are trying overnight to change the habits of 130,000,000 people to adjustments which have to be made.

Let me refer to one thing which I shall cover in the formal statement which I shall present. As I recall, there are 63 cases pending before the War Labor Board for adjudication. The men in the industry who have caused the cases to be certified have lived up to their agreements so well that in the 63 cases there was not a single man-hour lost to production.

Immediately after the attack on Pearl Harbor, there was a sharp and substantial decrease in the number and duration of labor stoppages. Many strikes in process were called off, and a large number of threatened strikes were averted even though in some cases strike votes had already been taken and the dates for stoppages had already been set. Local labor unions, city and State councils, and international unions throughout the country adopted resolutions pledging their full support in the war effort. They promised to maintain continuous production and to settle any grievance through established machinery in order to prevent work stoppages.

The cooperation of labor and management promised in the first few days following the declaration of war was further established at the Labor-Industry Conference called by the President on December 17, 1941, when a "no strike or lockout" policy was adopted for the duration of the war.

Following the Labor-Industry Conference, the creation of the National War Labor Board on January 12, 1942, by Executive order, was another significant development, as it provided further machinery for the peaceful settlement of labor-management problems.

The records show that there have been very few work stoppages in defense industries during January and February. During this period Commissioners of Conciliation were assigned to 63 strikes previously begun, or new ones which, according to the War, Navy, or War Production Board, involved some aspect of the war effort. Most of these came about through local misunderstandings and were very rapidly disposed of, causing only brief work stoppages.

That labor and industry are utilizing available mediation machinery is evidenced by the rapid increase in the number of cases classified as disputes and controversies by the Conciliation Service at the same time there was a great decrease in work stoppages. This indicates the degree of decrease following the pledge not to strike and the reference to Conciliation Service at once of all disputes. During January and February 1942, 1,330 labor disputes—not strikes, mind you, but labor disputes—were assigned to Commissioners of Conciliation.

Mr. President, everyone knows that disputes cannot be legislated out of existence. Disputes come about as a result of differences, and differences between men and other men will continue to occur for quite a long time.

During the same period last year, only 642 disputes—not strike cases—were assigned. In other words, the Conciliation Service, as the result of the war labor activity, increased its activity one hundredfold. Notice that these are not strike cases. These are controversies, or disputes, some of them minor, all of them settled very quickly through the bringing about of a meeting of minds.

The issues involved in our present labor disputes may be of some interest.

A break-down of the issues involved in the 935 active cases before the Conciliation Service on March 6 shows that a large proportion of the cases involved the issue of wages. Of course, almost every case involved a number of issues. That is, in labor disputes, even if the issue is clear, one will find it is a bargaining habit to add one or two other things. I think that is the way men who bargain have gotten along since the beginning of time.

The establishment or renewal of a contract was found to be an issue in about half as many cases as the wage issue. The provision for union security which may include either the closed shop, the union shop, maintenance of membership, and so forth, was an issue in only one-third the number of cases that wages was an issue. A few of the many issues appearing less often were vacations with pay, discharge of union members, working conditions, seniority, refusal to bargain, and grievance machinery. I shall later place in the RECORD a tabulation of issues.

In his Executive order of January 12, 1942, establishing the National War Labor Board, the President designated

the Conciliation Service of the Department of Labor as the front-line agency to maintain the labor-management peace so necessary to continuous production.

In setting forth the machinery to be used in the settlement of labor-management disputes which might interrupt work which contributes to the effective prosecution of the war, the order creating the Board provided for these three steps: first, direct negotiations by the parties involved; second, conciliation by the United States Conciliation Service of the Department of Labor; third, mediation or arbitration under its rules by the National War Labor Board; that is, under the rules made as a result of experience in the trial and error methods adopted by the War Labor Board.

In order to carry out effectively its task, the Service has a five-point program in dealing with these cases of vital national importance:

First. Commissioners of Conciliation are quickly assigned to cases.

Second. The Washington office daily directs the activities of Commissioners on vital cases.

Third. In case of threatened strike, all efforts are made to urge the union representatives to withhold strike action pending settlement.

Fourth. If the case is still unadjusted after these efforts, a panel of three Commissioners of Conciliation is frequently used in order to prevent any possible backlog of cases and in order not to overburden the War Labor Board.

Fifth. The Service cooperates with the National War Labor Board to settle cases not already settled by other available methods.

Since the establishment of the Board, the cooperation which has existed between the Board and the Conciliation Service has greatly aided in a speedy and satisfactory settlement of many cases.

Of the 62 cases certified to the National War Labor Board through February only 5 involving about 7,000 workers were in the strike stage. In 57 cases involving approximately 320,000 workers there was no stoppage at the time of certification.

For emphasis, let me repeat that statement: In 57 cases involving 320,000 workers there was no stoppage of work at all. The cases were allowed to go along and were settled by the proper methods of adjudication. Up to February 5 there were only 7,000 workers out on strike. Of the 62 cases certified, 23 are already settled, and there were no stoppages in any of them.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. DAVIS. In the total of 62 cases which were referred to the War Labor Board how many workers were affected?

Mr. THOMAS of Utah. Three hundred and twenty thousand.

In this period of great emergency we are seeing much evidence of the increased use of voluntary methods for the settlement of labor-management problems. Labor and management in many cases are learning about the available voluntary machinery for the first time, and the degree to which these methods are being utilized shows the present spirit of cooperation.

It is our responsibility on the home front to settle our labor disputes in a voluntary way. Coercion is impractical, inefficient, and undesirable as a method of settlement of labor-employer disputes. The voluntary method used by the parties with cooperation of government and full use of existing machinery is working well and there is no serious interruption of production.

For the period of the first 2 months of this year—January and February 1942—estimates have been made of the number of strikes which affect war production, as follows:

1942:	*January*	*February*
Number	10	21
Number involved	3,000	14,800
Man-days lost	7,100	33,800

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. Does the Senator have the figures showing the total number of man-hours that were being worked during January and February, so as to compare the man-hours lost with the total man-hours worked by those who were working?

Mr. THOMAS of Utah. I do not have those figures, but the computation can be made. In January 1942, there were employed in the defense industries alone between seven and eight million persons. If one were to multiply that number by 8 hours, or by 6 hours, or whatever number of hours they were working, the number of man-hours would be obtained, by which a comparison could be made.

Mr. BARKLEY. I thought if the Senator had the figures it would be well to show the comparison.

Mr. THOMAS of Utah. The comparison can be made in this way. The number of men working in war industries in the January 1942 period was between 7,000,000 and 8,000,000, compared, mind you, with a year ago, when only 1,500,000 persons were working in war industries. The number of persons working in war industries has increased about five-fold. Man-days lost through strikes in war plants in this period equals three one-hundredths of one percent.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Louisiana?

Mr. THOMAS of Utah. I yield.

Mr. ELLENDER. As I recall the figures given to our committee some time ago by Mr. Davis, Chairman of the War Labor Board, they were as follows: In January of 1941, with 1,500,000 men employed in war production industries, the loss due to strikes was 147,000 man-days; last January, 1942, with 8,000,000 men employed in war industries, the loss was only 7,000 man-days, or thereabout. In other words, gentlemen of the Senate, with an increase of 533 percent in the number of persons engaged in war industries in January 1942 over January 1941, there was a decrease of about 95 percent in the number of man-days lost.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. Those are very impressive figures. In view of all we are hearing from groups in regard to this situation, I think the Senator's remarks are very timely. All the American people really want to know is the truth. I think we may have been negligent in bringing the truth to them, but I certainly feel that it ought to be brought to them. When they find what the truth is they will undoubtedly do their own thinking with respect to this problem, and not be swept off their feet by some propagandist who has a particular motive in his efforts to propagandize the American people in connection with a situation which is infinitely different now from what it was a year ago.

A moment ago the Senator said that there are now 50,000,000 workers in this country. Of the 50,000,000 approximately 10,000,000 are organized. Most of those who are organized have entered into agreements with their employers regarding wages, working conditions, hours, and so forth. It is questionable whether any law could be enacted affecting those contracts; but admitting that it could be, Congress might enact a law nullifying all of them, which would include the transportation facilities of the country, employing more than 1,000,000 men. They have recently entered into contracts fixing wages for a term. If Congress had the power to nullify those contracts by authorizing somebody to change them or to fix a different wage if he thought the particular wage was too high, I think it is a legitimate question to consider whether such a process would create more trouble and chaos than it would settle. In my judgment it would.

The same thing applies to many industries in which agreements have been entered into covering a period of years and for a term not yet expired, and which, in many cases, will not expire until 1943 or 1944. Even if Congress has the power to enact some legislation which would nullify those contracts, I think it is a serious problem to consider whether we would create more chaos by attempting to undo those agreements than by letting employers and employees work out their problems in a voluntary way, as suggested by the Senator, and as has been attempted under the laws which we ourselves have enacted and encouraged.

What I am saying does not particularly affect the 40-hour week, except in this way: The 40-hour week was enacted as much for the benefit of unorganized labor as of organized labor. In all probability the need for it is greater among the unorganized than among the organized, because under our collective-bargaining system those who are organized can to some extent take care of themselves in negotiating agreements under the bargaining provisions of the law. The 40-hour week was intended for the great mass of thirty or forty million workers in this country who are not organized and who have to depend upon their individual power and influence to obtain their rights, no less than for those who can speak and work for themselves.

Assuming that because of the defense situation, and because of the desire of the people to have longer hours in defense

industries, it is desirable to suspend the law or to change it during this emergency so far as the 40-hour week is concerned. I have found it difficult to understand how we could work out a law which would apply only to defense workers and would not apply to the millions of unorganized—and in many cases disorganized—and voiceless men and women for whom the 40-hour week was enacted no less than for those who are organized and can bargain with their employers in groups. I think that many of those who are now clamoring for us to undo everything we have done in regard to labor legislation have not thought through this problem. It is easy to sit down after reading an editorial which is broadcast over the country and become angry because of what one reads in it, and write to his Senator or Representative; but it is not quite so easy to work out the problem among those who have the responsibility to consider it.

I think the Senator's remarks are timely, and I hope they will receive wide publicity. As I said awhile ago, I have faith in the American people. I have faith in their stability, dependability, common sense, and fairness. All they want is the truth; and I think they are entitled to the truth. I have every reason to believe that what the Senator has given them is the truth.

Mr. THOMAS of Utah. I thank the Senator from Kentucky. Had he been present at the beginning of my remarks he would have discovered that that which he has said is in complete harmony with what I tried to portray.

Mr. BARKLEY. I am sorry I was not present. I had been called over to the House of Representatives, and returned only a few moments ago. I did not know the Senator was about to speak, or I might have canceled my appointment.

Mr. THOMAS of Utah. The Senator's statement is the finest that can be made to the people of the country at this time.

Let me cite an instance to show how the people of the United States respond. We debated the Selective Service Act quite thoroughly and had a pretty close vote on it. In the fall of 1940 I was called into a certain district attorney's office and asked to give my advice because those who had charge of the administration of the Selective Service Act in that State had discovered about 1,200 cases of men having committed technical wrongs. They were subject to being haled before the court for having done something wrong in regard to their questionnaires, such as leaving out an address, or something of that kind. I said, "Gentlemen, I cannot tell you how to run your office, but let me tell you this, and then I think you will see how you should feel toward those persons."

I then related the fact that the best statistics which the War Department and the Bureau of the Census could give us were to the effect that of the number of men between the ages of 21 and 35 who would have to register there would be obtained approximately 13,500,000 names. We asked the Bureau of the Census and the War Department, "Are you sure you cannot get more than 13,000,000 names?" The Census Department was sure. We had only 1 registration day, and the registration was on a voluntary basis; but 17,500,000 names were registered on that day.

That is the way the people of the country respond. That is the kind of story to send out to the people, rather than stories to the effect that some persons are holding back. When I told that incident to the district attorney he said, "We will just keep these things here and watch." I venture to say that not a single one of those persons committed an offense knowingly. The response all along the line has been similar.

When we realize, Mr. President, that the number of workers in war industries has increased seven or eightfold, and that the number of man-days lost in strikes in war plants in January and February represented about three one-hundredths of one percent, we realize that the people of the United States are responding. Of course, it is true that in the war industries are most of our organized groups and the best disciplined labor. In those industries we have a record made by organized labor functioning under the best auspices.

Next follows an analysis of the total number of strikes in the United States involving both war industries and civilian activities. In January 1941 there were 263; in January 1942, 155. Of course, these comparative statistics, like most statistics, are meaningless by themselves, because so many factors enter into every comparison which has to be taken into consideration. The 2-day "quickie," which has become the habit in industry today, is still marked down as a strike. It has become the habit in industry today to settle disputes quickly. Such a dispute is considered as one unit in strike comparisons, the same as a strike which has been running for months.

In February, 1941 there were 250 strikes; in February, 1942, 180. The number of man-days lost in January, 1941 was 633,000; in January, 1942, 390,000. In February, 1941, the number of man-days lost was 1,128,000; in February, 1942, approximately 450,000. That includes all the statistics which have been given to me by the Government.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. ELLENDER. Those figures include other than war-production plants, do they not?

Mr. THOMAS of Utah. Yes; this is the whole picture.

Mr. ELLENDER. Does the record show how many strikes, if any, took place because of the closed-shop issue?

Mr. THOMAS of Utah. I will give those figures in a moment if the Senator from Louisiana will wait.

Mr. ELLENDER. I am sorry, but since that issue has been so extensively discussed I thought it might be well to bring that information to the attention of the Senate. My recollection is that not one single strike has resulted because of closed-shop demands since the creation of the War Labor Board.

Mr. THOMAS of Utah. Out of a total of 935, 39 strikes had to do with union recognition.

Mr. ELLENDER. Were the strikes actually called or were those merely disputes without stoppage of work? In other words, the question I desire to have cleared is whether strikes were actually called because of the closed-shop issue.

Mr. THOMAS of Utah. The only one I know of is the railway case which is pending. The closed shop is an issue in that dispute.

Mr. ELLENDER. That is correct.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. If the Senator is going to show this, I will not ask him to answer the question now; but among the strikes that have occurred in defense plants in January and February, up to the 6th of March or any other date for which the Senator has figures, how many of them, if any, were authorized by the organizations of labor, whether the American Federation of Labor or the C. I. O.?

Mr. THOMAS of Utah. Of the strikes which have been listed by the Secretary of Labor as wildcat strikes, none of them has been authorized since this period.

Mr. BARKLEY. In other words, they have occurred in an irresponsible way, not only not by the connivance and consent of the organizations, but in spite of them, and against their advice and their policy and against their attitude; is that correct?

Mr. THOMAS of Utah. That is true.

Mr. REED. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. REED. I desire to inquire of the Senator from Utah if he agrees that cessation of work has the same effect upon production, whether the cessation occurs because of a wildcat strike or whether the strike is authorized by the so-called international authorities.

Mr. THOMAS of Utah. There is only one answer to the question; I think a bad strike is just as bad as a good strike, if that is what the Senator wants me to say.

Mr. REED. I thank the Senator from Utah for his frankness.

Mr. THOMAS of Utah. I hope that the Senator does not want to get me into a situation in which I shall have to admit that the lack of discipline and the lack of keeping faith with agreements, and things of that kind, should be commended. I want to commend labor for living up to its side of agreements into which it has entered. The strikes that have occurred just happened to be wildcat strikes.

Mr. REED. Let me suggest to the Senator from Utah that I have such a high opinion of his intellect and his ability to take care of himself that I have never assumed it would be possible for me to get him into a false position.

Mr. THOMAS of Utah. The Senator from Utah lives constantly in a box. I thank the Senator for his kind remarks.

In January 1942 the number of man-days lost because of all strikes, both in war industries and civilian industries, equaled about six one-hundredths of 1 percent of the total man-days worked.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. BARKLEY. Does the Senator know how that figure compares with the figure for workers' loss of time because of illness due to common colds or because of injuries caused by factory operations or machinery?

Mr. THOMAS of Utah. I do know the answer to the question. We have never been able to compare the loss resulting from strikes with the loss because of illness, accident, the break-down of machinery, or any such causes, which probably may be listed as acts of God. In other words, the acts of men never equal the acts of God.

Mr. BARKLEY. No; and they do not get as much notice, either.

Mr. THOMAS of Utah. Of course, I mean my remark in the way I have stated it.

Strikes in 1942 are characteristically small and short in duration. In other words, the "quickie" has come into being. That is what happens when the complaints are of a minor nature. If a man is worked too long he becomes very irritable and tired, and a "quickie" occurs. That is the psychological aspect, I suppose, of the present situation about which I am talking.

Let me make one comparison with conditions existing during the last war. In the beginning of my remarks I mentioned several such comparisons. In 1917, in the World War period, there were 4,450 strikes. In 1918, during the struggle to set up the War Labor Board, the number had been reduced to 3,353.

Mr. President, I ask unanimous consent to have printed at this point of the RECORD, as a part of my remarks, a tabulation of available data relative to the issues involved in 935 active cases of labor disputes, not strikes, being handled by the United States Conciliation Service as of March 6, 1942.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

A tabulation of issues, based on available data, involved in 935 active cases of labor disputes, not strikes, being handled by the United States Conciliation Service as of Mar. 6, 1942

Issues:	*Number of cases in which issues are mentioned*
Wages	350
Contract, initial or renewal	173
Union security (closed shop, maintenance of membership, union shop, etc.)	121
Union recognition	39
Discharges and/or discrimination	39
Vacations	32
Working conditions	30
Seniority	24
Refusal to bargain	23
Overtime	23
Hours	18
Check-off	18
Violation of agreement	13
Grievance machinery	12
Job classification or evaluation	13
Jurisdictional	9
Miscellaneous, not elsewhere classified	21
Uncertain (data not yet available)	402

Mr. THOMAS of Utah. Mr. President, I shall be glad to answer any other questions along the line of the question asked by the Senator from Louisiana about the matters which seem to be the chief irritants in connection with strikes at the present time.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Utah yield to the Senator from Louisiana?

Mr. THOMAS of Utah. I am glad to yield.

Mr. ELLENDER. I desire to repeat that the disputes were merely complaints; they were not actual strikes.

Mr. THOMAS of Utah. They were disputes which the conciliation service was called upon to help settle.

Mr. ELLENDER. They were disputes, and I think the record will show that there were no strikes on the open shop issue except the one which is now pending at Toledo, Ohio.

Mr. THOMAS of Utah. I think the Senator is correct, because if there is one type of information we have sought for a little harder than any other, it is information relative to strikes because of the closed shop. We have not discovered any.

Mr. ELLENDER. That is correct. I think it is high time that the columnist and radio commentators of our Nation write and tell the truth about the strike situation. Give the facts; give both sides, and then let the people judge.

Mr. THOMAS of Utah. Mr. President, I merely desire to present a summary in regard to the hours of work in industrial plants. Of course, the 40-hour week is the law of the land. The problem is one affecting pay for overtime. It is necessary to adjust certain difficulties with reference to overtime compensation which exist because of certain union contracts between labor and management. In this connection, let me use as an example one in which Sunday work is concerned. Let us say a man works six days a week: That he starts to work on Thursday and that his working days include Sunday. He gets time and a half pay for the hours he works on Sunday, under his contract. A man who commences to work on Monday and who works six days a week does not work on Sunday. So, there is a difference between the pay of the man who works six days a week, including Sunday, and the pay of a man who works six days a week but not on Sunday. Now, the Wage-Hour law does not affect this situation at all, but it is purely a matter of individual contract. The law itself is especially designed to provide flexibility and permit unlimited overtime.

In war-production industries, schedules as low as 40 hours are rarely encountered except in continuous-process industries. In three-fifths of the plants surveyed by the Bureau of Labor Statistics, plants having 70 percent of the wage earners, all the workers in the plants average 46 hours or more of actual work. Such plants have scheduled 48-, 50-, 55-, and 60-hour shifts. As a result, every industry of direct importance to war production is averaging substantially more than 40 hours a week. The average varies from 53.8 hours in the machine-tool industry to 42.4 hours in the electric industry and steel railroad-car industry. An average of 46 hours of actual work can rarely be attained unless at least 48 hours of work is scheduled for each employee. Where an 8-hour shift is maintained, 6 days of work is the rule. The 10-hour day is never scheduled for less than five days, which results in a 50-hour week. Frequently, half a day is also worked Saturday, resulting in 55 hours; and in a considerable number of cases, 6 full days are worked for 10 hours a day. In some instances, workers are regularly scheduled for 7 days of 70 hours a week. Some plants operate 11- and 12-hour shifts, resulting in 55- and 60-hour schedules and, in rare instances, 72 hours. Examples exist of schedules calling for 84 hours.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BROWN. I wanted to call the attention of the Senator from Utah and the other Members of the Senate to the fact that the so-called mass-production industries—which perhaps are best known in the automobile industry now converted to mass production of guns and tanks and planes—cannot operate 7 days a week. I happened to go through the Chrysler gun plant in Detroit a week ago yesterday. I also went through the tank plant, where the 30-ton tanks are being produced. A magnificent job is being done. I asked if they should be operated 7 days a week. I was told that it is necessary once each 7 days to check up the assembly line; otherwise impending break-downs of the assembly line would take place. Such break-downs are prevented by having a small skeleton crew on Sundays go through the plant and check up and see that the assembly line is in proper operation. Therefore, so far as our great industries are concerned—and I think it is true of the Ford bomber plant at Willow Run, and the General Motors plants—it is generally necessary that 1 day out of 7 be devoted to keeping the assembly line properly running.

I thought that contribution to what the Senator is now saying would be valuable. It would be inefficient, from the standpoint of the machinery alone, to have the plant working 7 days a week. Six days is as many as men and machines can work in the ordinary mass-production plant.

Mr. THOMAS of Utah. I thank the Senator.

Mr. MEAD. Mr. President——

Mr. BROWN. I have one further observation to make on another line.

Mr. MEAD. I beg the Senator's pardon. I thought he had concluded.

Mr. BROWN. I want to make this observation in line with the statement the Senator from Utah is making, which is very interesting and very revealing to me. First let me say legitimate criticism is highly desirable. I know it is helpful, but I think it can be carried too far. A great deal of our difficulty in what is unfortunately a bitter contest between various economic groups in the country is due to the strong and critical language that is used in relation to each other's activity. The effort of the farm bloc to obtain parity for the farmer is bitterly

condemned. This has been most unfortunate and has contributed to disunity. Such terms as "greedy," "grasping," and "selfish" are used. Likewise the charges which are made against labor and labor's efforts to get what is considers to be a fair share of the national income are unfortunate. I think, as the Senator from Georgia said this morning, that we have all got to be prepared to sacrifice—farmer, laborer, and others as well. I desire to call attention to the fact that there are very large sectors of the economic picture who not only have not made sacrifices but have greatly increased what is the basis for their profits because of the economic conditions.

I happen to be very well acquainted with the business manager of the Saturday Evening Post. I went to college with him; he is a fraternity brother of mine, and he has called on me here. I read the Post with interest and profit. I like it. The Saturday Evening Post has repeatedly, and rather bitterly, editorially attacked the farm bloc and labor and business profiteers. I noted when we had the hearings on the price-control bill that the representatives of the publishing industry came before us and urged that we exempt periodicals from the provisions of the price-control bill. We did so. I think we did the right thing.

The newspapers have not increased their prices, but we all know that the Saturday Evening Post only a few days ago announced a hundred-percent increase in the price of their publication—an increase from 5 cents to 10 cents a week. That means a tremendous sum each year. As the Senator from Delaware reminds me, Collier's Weekly has done the same thing. I think it was, perhaps, necessary, because advertising by the automobile industry and many other lines has decreased. I would pay much more for my Post rather than lose it. It may, I say, be necessary for publications to increase their prices. I have not seen any editorials condemning them for doing it. Yet a 10-percent increase for farmers is bitterly condemned. It will be difficult for labor, when they think they are entitled to a 5-cent-an-hour raise, say 5 percent, and be denied it by Government edict, to contemplate a 100-percent increase in price of a magazine, without a feeling that injustice has been done. So with farmers and many others. This will be because the farmer and laborer do not understand the publisher. Perhaps the publishers also misunderstand.

I merely wish to say, along the line the Senator is speaking, that if all of us, those of us on the floor of the Senate, those who write editorials and letters, and the people of the country generally, would use a somewhat less critical tone in discussing the returns derived by the various economic groups in the country, it would be a great contribution to unity. I think that the farmers, the laborers, and business generally would be benefited, and particularly our war effort would be aided.

I wish to say a word for business, as I did the other day, if the Senator from Utah will pardon me a moment further. There were not very many Senators present when I made the statement that one of the top men of one of the great automobile companies of Detroit, which is one of the largest factors in production at the present time, said that if he could get an insurance policy from some substantial organization writing insurance to protect him absolutely against loss during the war period, and assure that his plant would be returned to him as it was and there would be no loss to his company for the entire war period, he would pay $5,000,000 for such a policy. I think that in our criticism of business, our criticism of labor, our criticism of the farmer, and in our criticism of each other, we are most unfortunate.

There is no question that the country is in a jittery condition because our military forces have not been highly successful up to the present time and everyone feels badly about it.

We hear much about attack, and it is stated that we ought to attack. I think that if we would all realize that we must prepare ourselves carefully before we attack, that we have got to take it for a little while, it would be advisable. I know there are many Senators who have boys in the service; I expect my oldest son also will be there in a very short time; but I do not want him and I do not want the armies of the United States to attack until the military authorities feel that we are ready to attack. Make no mistake. These leaders are the men we have trained for the job. They know their jobs better than we do. Let us give them a real chance.

I am satisfied that in due time—and I hope in a very short time—attacks will be made, but I want them to be made not at the demand and insistence of the Senate or the House of Representatives or even of public sentiment; I want the attacks to be made when the military and naval authorities feel that they are ready to do the job. They know the situation better than anyone else. Let them run the war for us. The appeal I make at this time is that we let each one of these economic sectors—labor, the farmer, business—and the Army and Navy do their jobs, and let us see if we cannot get along with a little less criticism, a little less snarling and back-biting at each other than has been the case for the last few months. Let us not be enemies of each other. Let us all start marching together, one way, toward the enemies of our country. Let unity be the goal and let us here lead the way.

Mr. THOMAS of Utah. I thank the Senator.

Mr. MEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. THOMAS of Utah. I yield.

Mr. MEAD. Before I ask the question I had in mind, I desire to compliment the distinguished junior Senator from Michigan [Mr. BROWN] for his observations. I believe that he has given sound advice. To my sorrow, I have heard men who really understand the farm problem and who know that the American farmer is producing more than he ever before produced in his life, and that he is reaching up to meet the challenge which is presented to him, of feeding not only this Nation but feeding the nations of the world, speak in very critical terms of labor and of the contribution made by the men in the mass industries.

I have been around and observed the men who are working in the mass industries of the country. The difficulty has not been with the men; the difficulty has been in the preliminaries for the conversion of the industries. In my opinion, it will not be long before those who are engaged in the mass industries of this country will swamp every means of transportation in the effort to ship their goods away and to obtain the supplies of raw materials.

So, I say with added emphasis that we ought to follow the advice of the junior Senator from Michigan, and give to our people, those on the farm, those in the factory, those in the manufacturing plants, those on the railroads, and those in charge of the reins of business credit for the magnificent job they have done and are doing.

The question I desire to ask the distinguished chairman of the Committee on Education and Labor is, has he left with the Senate any statistics as to the number of railroad strikes now before the National War Labor Board for their consideration? As I understand, disputes are handled by the Conciliation Service of the Labor Department; strikes that are illegal are usually settled quickly by the influence of the labor leaders, and strikes that have any tendency for prolongation are certified to the National War Labor Board, who have the authority of the Executive order and also the authority of the binding agreement between industry and labor. Has the Senator from Utah any figures with reference to the actual strikes now before the National War Labor Board for their consideration?

Mr. THOMAS of Utah. Twenty-three cases which normally would be strike cases are being considered by the National War Labor Board; but there is not a single stoppage in the activities of the industries affected by those cases. In other words, the agreements of no strikes, no lock-outs, and all disputes being settled by peaceful means has been lived up to completely in those cases that have been certified to the War Labor Board.

Mr. MEAD. Therefore, there is not a single man in an essential defense industry out on strike, so far as the National War Labor Board records are concerned?

Mr. THOMAS of Utah. That was the statement of the Secretary of Labor when she was before the committee last week. Something may have happened since then.

Mr. MEAD. I will bring it a little closer to date. The report I received yesterday from the Chairman of the National War Labor Board is that there has not been one strike since the agreement was reached, and only one strike overlapping that time, which is the railroad strike on the Toledo, Peoria & Western Railroad.

Mr. THOMAS of Utah. Mr. President, for bringing out the points they have developed, I thank the Senator from New York [Mr. MEAD], the Senator from Kentucky [Mr. BARKLEY], the Sen-

ator from Michigan [Mr. BROWN]; and I thank my colleague, the junior Senator from Utah [Mr. MURDOCK], for permitting me to speak in what should be his time. I especially thank the Senator from Louisiana [Mr. ELLENDER], who has served with us so faithfully on the committee.

My whole aim in rising today was to develop the point which has been brought out so well by the Senators, that if we will but look at our country as it is, we will find 130,000,000 people on the alert, practically each one of them trying to to the very best he can under all circumstances.

Mr. President, some become discouraged because of the loss of a battle. Those of us who lived through the last war know that we did not win any battles in that war until the last one. We did not win any important battles in the War of 1812 until after the peace was signed, when we won a very great battle, though it did not help us in the victory. We did not win any great battles in the Civil War until toward the end of the war. The history of George Washington's retreats is a history of the Revolutionary War, and I do not think we won very many battles in that war, taking it all in all, comparatively speaking, until the final one.

I think that historians will say as to the present war that once again the strength of democracy was illustrated by the way in which the American people were united, in spite of politics, in spite of disagreements, in spite of the incentive and the desire everlastingly to attack the Government, which is one of our noblest heritages. In spite of all these things, it will be found, when the war is over, that the dream of which the Senator from Georgia spoke—of everyone sacrificing and bringing unity through sacrifice—will save the situation, and we are going to be very proud of our country and all its people when that time comes.

We must never lose sight of the fact that we are trying almost overnight to change the habits of 130,000,000 people. America has never liked the single-will idea, nor the ideas about total warfare. We like to be doing many things, not just one thing. In an attempt to change the habits of our people, please do not lose sight of the fact that it is the most stupendous undertaking we have ever attempted during our whole national existence. We cannot afford to be discouraged because we are doing the job very well. We are doing it very much better than anyone ever anticipated. Let us be proud of our America, not everlastingly harping about a failure here or a failure there. When this war is won let us allow every man to take credit for it and be worthy in taking that credit. It is my America and your America I am speaking for. Let us never forget that.

Mr. TAFT. Mr. President, if the Senate will bear with me a few moments, I suppose it is still in order to speak on the bill which is before the Senate, and I hope to do so for only a few minutes.

The bill which is before the Senate is really a bill to authorize the Secretary of the Treasury to finance the war. It is a wide-open authority to the Secretary of the Treasury to finance the war, giving him practically unlimited power to choose the means by which that shall be done, except as we reserve the power to levy taxes for some part of the cost.

I think we should realize that we are placing all the power in the hands of the Secretary of the Treasury, and that all the responsibility for the manner in which the war is to be financed is also to be placed upon the Secretary of the Treasury.

To a certain extent he has laid down a policy. He has said that we should raise $7,000,000,000 in taxes. He has said that out of the $65,000,000,000 of estimated expenses during the next fiscal year we should raise $25,000,000,000 in taxes, and he does not suggest that we raise any more. He proposes that we authorize him to borrow $40,000,000,000 to make up the rest of the cost.

Certainly it is going to be a tremendously difficult thing to finance the war on that basis without great danger of inflation. The Secretary has said that he hopes to sell $12,000,000,000 of Defense bonds to people who really have the money, the savings with which to buy them. Of course, if he succeeds in selling that amount of bonds, they will not be inflationary, they will take money away from the purchasing power of the people which might otherwise be spent to force prices up. But he does not say, and we could not get him to say explicitly, how he was going to get the other $28,000,000,000 dollars.

There are other means by which that can be done. Bonds can be sold to the wealthier people, although if we enact the tax bill, which is likely to be passed, hardly any savings will be left for any such individual over and above his own expenses which he is almost committed to pay.

We can sell bonds to insurance companies, perhaps, to the extent of three or four billion dollars a year. We can sell some bonds to savings banks. To the extent bonds are sold to them, they are noninflationary. But, while the Secretary would not say how he was going to carry this financing through, I am very much afraid he feels that the rest, perhaps $20,000,000,000 in bonds, will probably be sold to the commercial banks. To that extent we will have inflation. We create purchasing power out of thin air, which tends to force up the prices of all goods, and, regardless of any price control, it is likely to force prices up.

Of course we are going to increase the expenditures of the Government by almost a hundred percent. So I think it is reasonable that we should not put our sights at $12,000,000,000 a year for Defense bonds from the lower income groups, but that we should try to get at least twice that amount, and certainly with the increase of the war expenditures in 1 year from twenty-five to fifty billion dollars there should be a tremendous amount of money available which can be used for the purchase of bonds.

The least inflationary method of proceeding is to tax, and I am inclined to think we should tax more than has been recommended. The second method is to sell bonds to people with real savings. Those two methods are hardly inflationary at all. The third method is to sell bonds to the commercial banks. That, of course, is the creation of deposits, and is inflation.

If we take the fourth method, which is authorized in the war powers bill, and sell bonds to the Federal Reserve banks, that step is the next degree of inflation, and it is only very short of the direct issue of greenback currency, which might be called the fifth and most inflationary method of all.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BROWN. I do not know that I wish to take issue with what the Senator has said, but ordinarily a sale of bonds to a bank is not, in my judgment, inflationary. If a bank buys the bonds and later secures credit from the Federal Reserve banks, or requests, as it may under the law, the issue of money based on those bonds, it is inflationary, but if it merely uses its own assets for the purchase of those bonds and keeps them, it is not inflationary.

Mr. TAFT. I agree with the Senator that an absolute rule cannot be laid down. If a bank takes savings deposits and invests them in bonds, that is not an inflationary process, but I do say that if bonds are sold to commercial banks, in probably nine-tenths of the cases it simply results in the creation of deposits on the banks' books, taking the banks as a whole, and these deposits that are spent by the Government create purchasing power out of thin air, which is used to buy goods.

Mr. BROWN. I agree with the Senator from Ohio, but I merely wanted to point out that there can be and are a great many purchases by banks out of savings where the result is not inflationary, and that the statement generally made that all sales of bonds to banks are inflationary is not entirely true.

Mr. TAFT. It is not entirely true. The sale of bonds to the Federal Reserve banks against deposits created on their books for the Government against which the Government may draw is 100 percent inflation, and I say only one step short of the issue of currency.

I hope very much, and I think the Secretary of the Treasury is impressed with the idea, that we may not get to the point where we have to finance the war through the issue of currency, because if we ever do get to that point, I do not think we can hold prices in check in any degree whatsoever. If we finally get to a point where we cannot sell bonds, then we will authorize the issue of currency, probably, to pay for the war. The war must be paid for. Our protection against printing-press money is not so much legislation as the development of the proper spirit, the selection of the proper method by the Secretary of the Treasury, and the proper cooperation of the American people, to prevent our ever getting to that point. So I am willing to give the Secretary all the power he thinks is necessary, in order to prevent his getting to that point. But I do desire to impress

upon the Senate that it is his responsibility, and if we pass the pending bill, there will practically be no limit on what he can do.

I call attention particularly to section 4 of the bill. This section really confers upon the Secretary of the Treasury the power to buy and sell Government bonds in the open market. That power was granted to the Federal Reserve Board, but we very carefully guarded its independence, because we felt that that action was so important that it should be exercised, as it were, by a supreme court of finance. But, now, in this section we make clear what, perhaps, there was some claim for before, that the Secretary of the Treasury may go into the bond market and may buy Government bonds or may sell Government bonds, according to his own desire. He may rig the market, he may bolster the price, or force the price down by the use of those powers. We are duplicating 100 percent the powers of the Federal Reserve Board in the powers now granted to the Secretary of the Treasury.

In effect we are saying, as I see it, that during the war crisis, at least, the Treasury shall become the supreme financial power of the United States. To a large extent, the Federal Reserve Board, in my opinion, abdicated its powers last year when it made recommendations to prevent inflation and then did not press them, and backed down and, in effect, took orders from the Secretary of the Treasury. It is prepared today to take those orders, and we, in effect, in this bill are giving the Secretary of the Treasury power to issue those orders.

Personally, I feel that some one department of the Government must have the responsibility in wartime, and I am therefore willing to approve the bill as it is proposed, to give all the dejure and de facto powers to the Secretary. I am confident the Secretary of the Treasury will use the powers which are necessary to prevent inflation. I am profoundly hopeful that he will not use those powers in such a way as to bring about inflation.

LAG IN WAR PRODUCTION

Mr. O'DANIEL. Mr. President, I am generally very happy on St. Patrick's Day. On this St. Patrick's Day I am unusually happy and well pleased to have had the opportunity to listen to some of the splendid speeches which were made on the Senate floor today. Since coming to the Senate last August I have continuously insisted on the enactment of legislation that would tend to stop strikes and slow-downs in war-production industries. Therefore, I think I would show myself to be very ungrateful if I did not rise to express appreciation and thanks to the able Senators who have rallied to the cause today and expressed themselves as being in favor of doing something to speed up war production. On the floor today we have heard from Senators who are well known to have been in favor of legislation of this character in the past. We possibly have heard from some new converts to this cause. And more particularly is it a pleasure to have noticed that those who are in opposition to legislation which would correct these labor situations and speed up war industries have also raised their voices here today on the defensive. I think that is a good sign, to find them on the defensive, although there is no bill of that character before the Senate at this particular time. To me it indicates they recognize weakness in their cause. I think it is an indication that the voice of the people is being heard, and I think that in this great democracy of ours it is well that the voice of the people be heard and heeded.

The people of this great Nation, and especially those of the State of Texas, are alarmed at the lag in the production of war materials, and they are so expressing themselves. I have taken occasion during last week and this week to read into the RECORD many telegrams expressing the desire of those people that Congress take some immediate action in a legislative way that will tend to speed up the production of war materials.

Mr. President, I realize that this is more than a one-sided affair. There may be different causes contributing to the lag in the production of war materials, but the people of this Nation are interested in eliminating any and all of the impediments which are causing this delay. Whether it be the labor leader racketeers or the owners of the factories, or whatever is causing this delay—the people are interested in getting full-time production. I do not think the people are interested a great deal in the statistics showing such a small percentage of strikes to be in existence at the present time, or that such a few man-hours are being lost, because those statistics will not help General MacArthur in his fight for freedom in Australia; those statistics will not help the cause in any way. To say that the strikes now in progress represent only a small fraction of those which were in progress a year ago or 2 years ago, is simply on a par with speaking of someone jumping across the river and getting all the way across except one foot; he still falls into the water. It is on a par with speaking of those boys in Bataan Peninsula who lack a few shells of completing the job, and of fighting men at other places along the battle front who had sufficient ammunition except just enough to get the job done and the victory won.

Mr. President, when I came to the Senate one of my objectives was to try to eliminate strikes in the war factories and get something done to speed up our war-production program. When I say that, I want it definitely understood that I am not fighting labor. I have been a laboring man. I was born and raised the son of laboring parents. I believe I have as good a labor record as any Member of the Senate. I worked at hard manual labor from the time I was small until I was grown. I might also say that I have belonged to labor unions. I belonged to unions way back before they even had cards printed. I am not opposed to the organization of labor unions. I may also say that I have been associated with an industry, of which the company in which I was interested was the first in the State of Texas to contract with union labor. I am not opposed to union labor in the least.

Furthermore, I wish to say, Mr. President, that I do not believe the honest laboring people of this country are at fault in the situation in which we find ourselves at the present time in regard to the lag in production of war materials. I think the laboring people of this country are sincere, honest, and patriotic. They want to work, and they want to speed up our war production to the limit, but the entire blame can be laid at the door of the irresponsible labor leader racketeers, who have the laboring people of this country within their clutches, so that the laboring people cannot voice their own sentiments, and must do what they are told to do by their leaders, else they run the chance of losing their jobs.

Realizing that is the condition, I want to recite a little history with reference to the bill which I introduced in the Senate the day I was sworn in as a Member. It is similar to the bill which has been enacted into law in the State of Texas. It has been said that the proof of the pudding is in the eating. On March 13, 1941, as Governor of the State of Texas, I went before a joint session of the Texas Legislature and recommended that legislation be enacted which would make it a felony to use force and violence, or the threat thereof, in any labor disputes, and the legislature promptly enacted that measure, and it became the law of the State of Texas.

The reason I did that was because there was great industrial development taking place in the State of Texas, and I was informed that communistic labor leader racketeers, realizing that great industrial development was taking place in the State of Texas, were flocking to that State with their suitcases and their paraphernalia with the intention and purpose of organizing our good, honest, laboring people in that State so that they could force them to serve their interests as laboring people are serving their interests in some other places in the United States. But that law seemed to head off that movement to Texas of these big labor leader racketeers. They decided that they did not care for any of the hospitality as dished out on our Texas penitentiary farms.

So they have been rather reluctant to come to Texas. As a result we are having no strikes in the State of Texas. We have many, many industrial plants in operation there. Airplane factories and all kinds of defense industries are in operation in the State of Texas. There have been very few attempts to start strikes in Texas industrial plants. In connetcion with one strike which was started, the law of which I speak got the right man. It did not get the laboring man in overalls who was doing the honest labor, but it got the president of the union for violation of that antiviolence law. He was sentenced to serve a term in the penitentiary of the State of Texas.

That law is similar to the bill which I introduced in the Senate last August. The bill would take away from labor none of its existing American rights. On the other hand, it would give to the

laboring man a right which he does not now possess.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. THOMAS of Utah. Was the bill which the Senator from Texas introduced last August, which would do away with picketing and labor racketeering, sent to the Committee on Education and Labor?

Mr. O'DANIEL. I wish to say that the law did not outlaw picketing, and I believe it was sent to the Judiciary Committee.

Mr. THOMAS of Utah. I asked that question, Mr. President, because bills dealing with various phases of our industrial life have been introduced and have been sent to other committees. The Committee on Educaton and Labor seems to be the only committee in the minds of the people of the country which does not act immediately upon proposed legislation. I thank the Senator for giving me this golden opportunity to point out the fact that there are probably other Senate committees which do not report immediately any bill which is referred to them.

Furthermore, any committee chairman always faces the possibility that in some newspaper, or perhaps on the floor of the Senate, a threat will be made to take a bill away from the committee and bring it directly to the Senate.

If the Senator from Texas does not object, I should like to emphasize the fact that the Senate, too, is somewhat responsible for not bringing his bill out of the Judiciary Committee, because it has not moved to relieve the Judiciary Committee of the responsibility in regard to the bill introduced by the Senator from Texas.

I think a remark of that kind is justifiable at least once in every Congress, Mr. President.

Mr. O'DANIEL. I thank the able Senator from Utah. Of course, I realize the crowded condition of the calendars of some of the committees. Possibly the Judiciary Committee has not had the opportunity to give full and complete consideration to the bill which was left with it last August. As it is in the Judiciary Committee, and owing to the urgency of the situation at the present time, if the committee cannot give it prompt consideration, and if the Judiciary Committee does not have time to give it consideration within the next week, I shall be glad to ask unanimous consent, if that step is in order, that the bill be sent to the Committee on Education and Labor, of which the Senator from Utah [Mr. THOMAS] is chairman, in order that it may receive prompt consideration.

Mr. THOMAS of Utah. Mr. President, will the Senator further yield?

Mr. O'DANIEL. I yield.

Mr. THOMAS of Utah. I thank the Senator for giving me the opportunity to thank him for not sending the bill to us in the beginning.

I think it is well to read the Constitution once in a while. A law which works very well in Texas, even to the satisfaction of a former Governor of Texas, may not be a measure which would fit into the national economy or the national structure.

There is one amendment to the Constitution which I think we should constantly keep in mind. I refer to the tenth amendment, which has to do with the reserved powers. The Federal Government has not all the powers. The powers which are reserved are reserved to the States and to the people. They are not vested in the Federal Government. I say that for two reasons, not only because I think that often proposed legislation is introduced which the Judiciary Committee will never report out for the reason I have stated, but because comparisons in regard to labor laws are constantly being made with Canada, which has a federal government, and with Great Britain, which has a unitary government. Comparisons cannot safely be made even with Canada, for the simple reason that under the Canadian Constitution the reserved powers are vested in the national government and not in the various Provinces. The constitutional barrier to which I refer sometimes interferes with the enactment of certain laws by Congress.

Mr. O'DANIEL. I appreciate the remarks of the able Senator from Utah; but I should like to call attention to the fact that the law in Texas of which I speak, and the bill which I have offered in the Senate, simply makes it a felony to use force and violence, or the threat thereof, in a labor dispute. If that is a philosophy of government which is foreign to our United States of America, of course, I would not insist upon its consideration by the Senate. But as I understand, at the present time our whole American force is being sent to the four corners of the world to protect the theory that force and violence should not be used as they are now being used by the Axis Powers. Inasmuch as we adopt that policy as an international policy, I can see no objection to my bill, which would not forbid strikes. It would not prevent picketing. It would not prevent collective bargaining. It would do nothing except make it a felony to use force and violence in labor disputes. That is all the bill would do. I believe that if it were enacted by the Congress it would have the same effect throughout the other States in this Union as a similar local law has had in the State of Texas.

The people of the United States, especially in Texas and in nearby States, from which I receive so much mail, are aroused at the conditions which exist. They want some legislation enacted to put our war program on full production. Such demands will very likely bring on heated discussion, and possibly bring to the floor of the Senate and the House some very radical antilabor bills, which I should not like to see happen. I should like to see conservative labor laws enacted by the Congress. I think the bill which I have introduced is indeed conservative.

This urgent appeal from the people has become so insistent that they have expressed certain ideas as to what should be done by the Congress. In response to their appeal, in view of the fact that the President of the United States has said that we shall have continuous production in our defense industries, and in view of the fact that Donald Nelson, the head of the War Production Board, has stated that we could produce 50 percent more war materials if all our factories were to operate 24 hours a day, 7 days a week, I introduced another bill in the Senate last Friday. The bill which I introduced last Friday would remove all restrictions with reference to the number of hours of labor any person might perform during any day, week, or any other period.

The bill would also tend to eliminate additional pay for part of the hours of a day which a person might work. It seems to me that it is a very fair bill. Some time ago, when we were in an entirely different position as a Nation, and when an entirely different labor condition existed, the Congress of the United States enacted laws which set up the 8-hour day, with time and a half or double time for overtime. Congress had confidence in the effectiveness of the law which it enacted at that time. It expected that some day it would serve its purpose; otherwise it would not have enacted legislation of that kind.

It seems to me that we have now reached the stage where manpower is needed. When the present law was enacted we had millions of unemployed. The situation is now entirely reversed. In my opinion, any laboring man who can find more than 8 hours' work to do and who wants to do it, should be permitted to work more than 8 hours a day, if the employer wishes to hire him, because he would thereby be able to make more money. Laboring people as a rule are ambitious and like to make more money.

The bill which I introduced last Friday would also eliminate the discrimination existing between union and nonunion employees. To my mind that discrimination is one of the most disgraceful blots on our American history. That view is also expressed in thousands of letters and telegrams which I have received. The United States Government is at war and urging everybody to put forth every possible effort to build and operate defense plants, then it enters into contracts with political contractors enabling them to refuse to hire good, honest, patriotic citizens unless they bow down and pay homage and tribute to some labor leader racketeer for the God-given right to work for their Uncle Sam during time of war.

I receive many letters along that line. At this time I wish to read one which I have just received. It is a sample of many others which I receive. I shall not give the name of the writer of the letter. It is signed in good faith, but realizing what might happen to the man if his name should become public, I shall withhold his name from the RECORD. The letter reads as follows:

DEAR SIR: I sincerely hope you can find time to read these few words. Mr. O'DANIEL, I am a plumber with many years' experience, and because I don't belong to the plumbers' union they won't hire me. There are several defense projects in Texas, one being built in Bastrop, Tex., and one in Texarkana, Tex., one in Marshall, Tex., and one just about ready to start in Killeen, Tex. I don't have

the $100 to pay to join the plumbers' union, therefore they won't hire me. I have a sick wife. She is in bed with Bright's disease and I can't do for her like I should because I have no job.

I wish the Senate to pay particular attention to this:

I am a World War veteran with an honorable discharge. I am 45 years old and in good health and, Mr. O'DANIEL, I have prayed and prayed for a job so as I can give my wife the right kind of medical attention. I have lived here all my life and have a good record as a citizen, and I am asking you, can you please assist me in getting a plumbing job? I can go anywhere. All I want is a chance, and if you will help me get a job, I must go to work at once. As I stated, my wife needs medical attention at once, but I can do nothing, no job; and if you will only help me to get a job it certainly will be appreciated by me and others. Remember, I can go anywhere to work, and I surely hope you can help me out by placing me on some plumbing job somewhere. I have run big jobs and have been general superintendent, but the union says I can't work because I don't belong to the plumber's union.

Hoping to hear from you when you have time.

Sincerely, your friend,

——— ———.

The letter is signed, but for the protection of the writer I am withholding his name.

Here is another interesting letter along the same line:

FARMERVILLE, UNION PARISH, LA.,
March 3, 1942.

Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I am writing you in regard and commendation of a statement in an interview you had with the press a few days ago of what was holding up our defense production. I have lived in Fort Worth since 1928 and have voted for you all along and believe in you and your outspoken policy; therefore, I agree with you in the aforementioned statement. I was called into the Texas State employment office last June and told I was selected as a qualified man to take a brush-up course in the National Defense School at Tech High School in North Fort Worth. I was working as a carpenter helper at the time, nevertheless, I attended the school 7 weeks and worked 8 hours in the daytime, went to school at night. My instructor was Mr. L. L. Sandlers. I was told when I finished the course I could go to work in a defense plant at the regular scale of wages, 75 cents to $1.25 an hour. Now, in addition to the 7 weeks' brush-up course I have had 10 years as a mechanic in a large manufacturing plant in Chickasha, Okla., and a year of plant engineer at King Candy Co., of Fort Worth. Now, Senator, I have been to every defense plant in the Southwest, including Texarkana, Ark., Pine Bluff, Ark., Bastrop, La., Fort Worth, Tex., Minden, La., Sterlington, La., and I find the same hold-up—the Committee of Industrial Organizations and the American Federation of Labor.

I am a qualified man according to the United States Government but not according to the above unions. I want to work and really need work. I have a son in the armed forces and believe I deserve a hearing in this matter. I have a wife to support.

I am 48 years of age and in good health, and can repair, assemble, and maintain any machine through years of experience, and it seems if I had some kind of "pull" I could be hired, but it also takes the initial fee of $52 and a weekly stipend to buy this job.

While my boy is in jeopardy each day, as well as your boys and all of the boys of mothers and fathers over this free land of ours. As I wait and you wait for our boys to face the enemy handicapped through lack of equipment, a bunch of politicians and unions will not let the production go forward without their "rake-off," while I and thousands of other men wait to take the wheel and push. What are our foremost leaders going to do about it, and what am I going to do about it, and thousands of others who want to work. Understand I am a 100-percent American and Irish all the way through, from County Heath, Ireland, same as Jim Farley, ex-Postmaster General, and my blood is easy to get hot, and its beginning to show an abnormal temperature now. All of the plants I have visited are creeping along at snail's pace. They are "clannish" and "secretive" about the work and I have stood for hours and watched the treatment received by union and nonunion men. Union men are hired regardless of qualifications for type of work; nonunion are not even treated with half respect, much less hired. These men want to work, and stand in line day after day, and are turned down. Can you help me, Senator, or let's get this before the public. Let me hear from you at once.

Respectfully yours,

——— ———.

This letter is also signed, but for the protection of the writer I am withholding his name.

It seems to me that is a very pathetic situation. A World War veteran, who fought during the last war to make this world safe for democracy, finds his own Government now entering into contracts which bar him from working for Uncle Sam on defense projects simply because he will not pay $100 to the union. He says he cannot pay it. He does not have the money. He is barred from work because he will not pay $100 to some labor-leader racketeer for the right to work on a defense job.

I receive many letters like that.

I do not challenge the right of a labor union to charge any fee that it desires to charge for membership. That is its business, the same as it is the business of a chamber of commerce or any other organization to charge a fee for membership. However, in my opinion, it is wrong for the Government of the United States to sanction contracts and to permit the writing of contracts which make it compulsory for the working man to have labor-union membership in order to work. Possibly that is the reason why the membership fees are so high. Perhaps they are worth that much. That is a matter for the member to decide.

However, there seems to be a great deal of objection and criticism because the fees are so high. In my opinion, the thing that makes the fees so high is the fact that the workers are not simply paying for membership in the union, but they are paying for the opportunity and the right to work for their Uncle Sam on defense projects, and they cannot get a job unless they do pay the fee.

We have been told that there are eight or ten million persons who belong to labor unions in the United States. I do not know how many of them have to pay a $100 fee. I receive letters telling me that some of the workers make arrangements to pay the $40, $50, $60, or $100 fee in installments and, as soon as they get all the installments paid, they are fired, and the unions take in someone else to pay the fee, over and over and over again.

There may be some fees higher than that and some lower; but if we figure $100 as the average fee paid by each of the 10 million members of the A. F. of L. and the C. I. O., we arrive at the sum of $1,000,000,000 for 1 year. That is a great deal of money. I have no way of knowing the amount of the total sum that is received by the labor unions; but that is their business. I am not inquiring into that at the present time. I am simply calling the matter to the attention of the Senate.

While I am on the subject I desire to say that every Senator may have his own idea, anyone may have his own idea, as to why the enormous war chest of the Communist labor union leaders is being built. I do not know what they intend to do with the money; but I do know that a book called Mein Kampf was written by Mr. Hitler, in which he laid down the plans and specifications for world conquest. Very few people paid much attention to the book when it was first published. Most people thought it was the fantastic plan of some lunatic. Nevertheless, his plan has been fairly well carried out. We look back, now, in that book and see that much of what was written has happened. I understand that the Japanese had their plans, and the plans were well known to some persons in authority in this country. The Japanese followed out those plans, and surprised us; and look at what they have done.

Along the same line I desire to now read to the Senate an extract from Representative MARTIN DIES' book, commencing at page 534:

Communist and Trade Union Work in the Factories. What is the main point that should be emphasized in the course of study in the Communist Party Schools? Work in the factories at all costs. * * * Unless work is carried on in the factories it will be impossible to win the majority of the working class, and that means impossible to fight for the dictatorship of the proletariat (or working class of people) successfully. That is the first point. But work in the factories assumes exceptional importance in view of the approaching imperialist war, which will mean, in the first place, the break-up of the legal revolutionary labor movement, of the legal Communist organizations and Red trade unions. Under such conditions work in the factories becomes more important than ever, and almost the only means of maintaining contacts with the masses of factory workers, of influencing them and guiding their actions. Moreover, in time of war, nearly all factories are transferred to the production of munitions and the manufacture of supplies for the imperialist armies of the home country or of other countries; consequently, the fight against war must, more than ever, be carried on in the factory. * * * Work in the factories is a difficult matter. At the present time, when unemployment is rife, all the revolutionary workers are being discharged. Our task is to penetrate the factories and mills at all costs, by all means, if necessary, under another flag—it makes no difference how, but we must penetrate the factories to carry on Communist work in them. * * * Wide and popular agitation must be carried on of the kind that the Bolsheviks carried on in the old days, and from February to October

1917. The Communist Parties in the principal capitalist countries are still legal. They have their own press; they can call meetings. But the work of agitation must assume a different character; it must be developed in the factories, at the factory gates, at the tram stops, near the subway stations, wherever the workers and office employees work and congregate. You must train a body of active people who know how to speak briefly and clearly, supply them with information and instructions, and send them into the street, into the factories and mills as agitators. Is this possible? It certainly is possible. The students who return to work should know this, should know how to do this themselves and how to organize this work.

That is the end of the quotation from Representative DIES' book.

Mr. President, I do not know that anything like that is going on now. I do believe that communistic labor leaders occupy powerful positions in our important war industries and I do believe that they have built up an enormous war chest from racketeering membership fees. I have simply read from Congressman DIES' book quoting the plans and specifications of the Communists, and am calling attention to the fact that it is not the honest laboring people who are causing strikes and slow-downs in our defense factories. It is the communistic labor-leader racketeers who are collecting the enormous sums of money from the good, honest laboring people. They are taking it out of their pay, by and with the consent of the Congress because Congress has enacted no legislation to stop it. That is the reason why I have been insisting for some time that the matter be considered. I feel that, as the junior Senator from Texas, it is my duty to continue to bring this matter before the Members of the Senate of the United States in order that the subject may receive prompt consideration. Statements have been made on the floor of the Senate today that some of the labor bills are to be brought out promptly and given consideration. I desire to urge that the committees bring in all the bills—not only my bill but any or all labor bills—or consolidate them into one bill; but let us do something that will speed up the production of our war materials and furnish the guns and ammunition and other equipment needed by our brave soldier boys at the battle front.

Let me say in conclusion, Mr. President, I did not intend to speak so long on this subject. However, I have desired to make a statement for the RECORD in order to show my appreciation of the fine statements which have been made on the floor of the Senate today by some of the able Senators, in which they have expressed the need and the urgency of giving such bills immediate and prompt attention. I am glad that this important issue seems to be gaining attention here.

In conclusion I desire to say that all the delays in the production of war materials may not be due to labor strikes or slow-downs or any of the other tricks that are being pulled by the labor racketeers; they may be due to the owners or the management of some factories. Some of the trouble may be caused by war profiteers holding back production in order to force the Government to pay higher prices. For over 160 years we have been building up a profit system in this country, teaching people to try to make more profits. The Government of the United States is supported by the profits that people make. Therefore, instead of trying to regulate and condemn those who are trying to make profits, it is my opinion—and I have so expressed myself on the floor of the Senate—that it is almost an impossible task to chase down every American citizen who is trying to make a profit and to pick out the ones who are making exorbitant profits and try to cut down their fees or their contract prices in each and every case. It is almost impossible to do so; but we do have a great democratic process, that has been in operation in this country for years, that will take care of those who make excessive profits. If anyone, for any reason, makes during this war an excessive profit, a profit over and above that which he made during the period immediately preceding the war, the Congress has the right to recover the excess.

During the time when our boys are making great sacrifices, are suffering and dying for a mere pittance in the armed forces, I cannot conceive of any American citizen staying at home and claiming that he has the right and the privilege to make greater profits each year during the war than those which he made in the period immediately preceding the war.

I think we can enact laws that will be fair and at the same time take none of the honest rights away from the laboring man of this country but will stop labor leader racketeers from indulging in their nefarious practices. We can also enact tax legislation that will recover any excess profits which any war profiteer may make during this war period. Let us deal with all of these important matters and do everything we can to speed up production of essential war weapons and materials.

I take this opportunity, Mr. President, of expressing the earnest hope that the committee will report the bills to which I have referred, because the public is aroused and alarmed; it is demanding that some action be taken by the Congress immediately. I thank the Senators for their kind attention.

INCREASE OF DEBT LIMIT

Mr. BROWN. Mr. President, I think a record should be made of the changes proposed by the Finance Committee in the bill which is now under consideration and which originated as House bill 6691. As I understand, the bill came from the House with a debt authorization of $125,000,000,000?

Mr. GEORGE. That is correct.

Mr. BROWN. And the Finance Committee raised that limit to——

Mr. GEORGE. It raised it to $130,000,000,000.

Mr. BROWN. It raised it to $130,000,000,000, and the purpose of that increase is to enable the Treasury to finance the Reconstruction Finance Corporation and other governmental agencies which borrow money.

Mr. GEORGE. That is exactly correct.

Mr. BROWN. In this connection I desire to make clear one or two points. The bill does not, as I understand, prevent the Reconstruction Finance Corporation from borrowing money from the general public upon its own credit. It may still so do, as I understand.

Mr. GEORGE. The bill restricts only the aggregate amount which the Treasury may borrow.

Mr. BROWN. And which it may unconditionally guarantee.

Mr. GEORGE. And the obligations of Federal corporations which it may unconditionally guarantee.

Mr. BROWN. As I understand, the testimony shows that there has arisen a practice by which the R. F. C. borrowed only through the Treasury and no longer went into the open market for their own borrowings. As I recall the testimony, it was to that effect.

Mr. GEORGE. I think the recollection of the Senator is correct. The Secretary of the Treasury stated to the committee sometime ago, when some other measure was under consideration, that that was contemplated, and in connection with the particular bill now before the Senate he stated, as I recollect, that practice was in effect now; in other words, he was carrying out, in part, at least, what this particular amendment seeks to secure.

Mr. BROWN. I thought for the record the reasons for that change ought to be made clear to the Senate, and that was my purpose in rising.

I myself have some misgivings about this new type of bookkeeping, because we can very well have a situation where the total amount of obligations which are outstanding against the United States will not be a true index of the actual indebtedness of the United States, for, if we include within the debt limit the amount of money which the Treasury may borrow or is authorized to borrow, the obligations of the Reconstruction Finance Corporation, the Commodity Credit Corporation, the Home Owners' Loan Corporation, and all other governmental agencies which in the aggregate are authorized to issue some $23,000,000,000, we will not have a true understanding of what the United States itself actually owes and what is the real obligation of the taxpayers of the United States. I desire to point out that the Reconstruction Finance Corporation, according to the statement which was presented by the Treasury and which is found on page 16 of the hearings, has sufficient assets to cover its entire obligations.

The same statement, I am quite satisfied, applies to the Commodity Credit Corporation, and also, to a large extent, to the Home Owners' Loan Corporation. I have no information as to the Tennessee Valley Authority, the United States Housing Authority, or the Maritime Commission; but I call attention to the fact that we are now including in the gross debt of the United States obligations which the United States itself, in all probability, will never have to assume and the amount of which outstanding at the present time is somewhat in excess of five and a half billion dollars.

Mr. GEORGE. That is correct. I may say to the Senator that the several corporations that have the authority to use the credit of the United States have a total limitation on their authority of

$23,634,000,000 but only about five and a half billion dollars, or perhaps a little more than that, of obligations have been issued by them. Some of them, of course, such as the Home Owners' Loan Corporation, for instance, which are authorized to borrow $4,750,000,000 but have actually borrowed only $2,415,000,000, are now in liquidation. So they will not use any of the authority granted.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill H. R. 6691 was read the third time and passed.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion, or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. MURDOCK obtained the floor.

Mr. BARKLEY. Mr. President, I presume at this hour, due to the fact that the Senator from Utah has not had an opportunity to resume his remarks, he would rather not proceed today. Am I correct about that?

Mr. MURDOCK. I think that the majority leader is correct, and that probably it would be better to let this matter go over until tomorrow.

Mr. BARKLEY. In view of the lateness of the hour, and the absorption of the Senate in other matters, I think it would probably not be advisable to resume today the senatorship case, with the understanding that the Senator may resume tomorrow.

Mr. MURDOCK. Very well.

EXECUTIVE SESSION

Mr. BARKLEY. Then, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate a message from the President of the United States nominating Herbert Emmerich, of Illinois, to be Administrator of the United States Housing Authority, which was referred to the Committee on Education and Labor.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the calendar.

SUPREME COURT, TERRITORY OF HAWAII

The legislative clerk read the nomination of Louis LeBaron, of Hawaii, to be associate justice of the Supreme Court, Territory of Hawaii.

Mr. BILBO. Mr. President, I ask that that nomination go over until tomorrow.

The PRESIDING OFFICER. The nomination will be passed over.

CIRCUIT COURT, TERRITORY OF HAWAII

The legislative clerk read the nomination of Carrick H. Buck, of Hawaii, to be judge of the first circuit of Hawaii.

Mr. BARKLEY. Mr. President, inasmuch as the appointment of Mr. LeBaron to be supreme court justice in Hawaii is a promotion from judge of the first circuit, which is indicated by notation following the next name on the calendar, probably it would be better that both nominations go over.

The PRESIDING OFFICER. Both nominations will be passed over.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of James O. Carr to be United States attorney for the eastern district of North Carolina.

The PRESIDING OFFICER Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Philip F. Herrick, of Puerto Rico, to be United States attorney for Puerto Rico.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Daniel B. Shields to be United States attorney for the district of Utah.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Gilbert Mecham to be United States marshal for the district of Utah.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read the sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of all confirmations made today.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 18, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 17 (legislative day of March 5), 1942:

UNITED STATES HOUSING AUTHORITY

Herbert Emmerich, of Illinois, to be Administrator of the United States Housing Authority.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17 (legislative day of March 5), 1942:

UNITED STATES ATTORNEYS

James O. Carr, to be United States attorney for the eastern district of North Carolina.

Philip F. Herrick, to be United States attorney for Puerto Rico.

Daniel B. Shields, to be United States attorney for the district of Utah.

UNITED STATES MARSHAL

Gilbert Mecham, to be United States marshal for the district of Utah.

POSTMASTERS

CALIFORNIA

Lisle F. Barksdale, McClellan Field.
Mayme Lea Jory, Manor.
Frederick S. Harrison, Patterson.
Gertrude Mooney, San Lorenzo.

FLORIDA

Burea H. Hughes, Baldwin.
Leon K. Stewart, Citra.
James Fred Linder, Ruskin.

GEORGIA

Ruby Anderson, Preston.

INDIANA

Virgil L. Stepler, Amboy.
John C. Cottrell, Shirley.

KENTUCKY

Mellie H. Greene, Sandy Hook.

LOUISIANA

Elinor McK. Barbier, Greensburg.
Dennis Gomez, Jr., Norco.

MARYLAND

Lester C. Thompson, Stemmers Run.

MONTANA

David H. Andrew, Three Forks.

NEW JERSEY

William H. Wichmann, Little Silver.
Stanley L. Murberg, Norwood.

NORTH DAKOTA

Anders G. Hagburg, Gladstone.
Edward J. Donovan, Langdon.
Edith G. Tangen, Pekin.

OREGON

George A. Hart, Vale.
Henry W. Goff, Waldport.

SOUTH CAROLINA

Wade Waddill, Holly Hill.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 17, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, search us and know our hearts; try us and know our thoughts; see if there is any wicked way in us and lead us in the way everlasting. We praise Thee for the many great and noble souls, courageous and devoted, who have raised up in every age, chivalrous bearers of the cross of our Lord and Saviour. Today we unite our hearts in gratitude for a patron saint who has become the inspiration to multitudes to do the work of the Good Samaritan under the spiritual leadership of our Great Teacher.

Almighty God, the moment is tremendous; an uncharted realm is before us; the lust for conquest and for the domination of innocent peoples in this heart-

sick world, measured against time, is dyed with deepest crimson. We pray that our own America may find her true greatness in adversity; oh spare us from the sore tragedy of disunity. In loss or in failure, this is our war; our conflict; our burden and our salvation and its outcome will be either our life or death. Almighty God, we most earnestly beseech Thee for our fellow Americans. Having done all, may we stand, stand when the storm beats down; stand until the groans of the requiem of sacrifice bathes the very soul of our Nation; stand together until the new freedoms flame from the processional of a redeemed humanity. The Lord God direct the administration of the United Nations. Abundantly bless our President, our Speaker, and the Congress and direct them in all their ways through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

GENERAL MACARTHUR

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, 22 days ago, February 22, 1942, Washington's Birthday, the Commander in Chief of the armed forces of the United States, President Franklin D. Roosevelt, directed that grand and courageous man, Gen. Douglas MacArthur, to change his headquarters from the Philippine Islands to Australia. Happily, today we find him in Australia as supreme commander of the forces in the Far East.

I hope that from now on many of those who are swivel-chair generals trying to tell the Secretary of War, the Secretary of the Navy, Gen. George Marshall, and others, what to do and how to move the various armed forces will just remember that this very day there are movements of our armed forces taking place in different parts of the globe that will be just as effective and just as gratifying to the American people when they mature as is this move the President made in the case of General MacArthur.

[Here he gavel fell.]

CALENDAR WEDNESDAY BUSINESS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

LABOR AND WAR PRODUCTION

Mr VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, in all our consideration of the matters that come before us there should be only one governing factor, and that is, will it help to win the war. No matter how strong pressure may be upon us, we ought not to fail to do whatever will help and with equal emphasis I say we ought not to do anything foolish that will not help.

I have here a newspaper clipping about the development of the production of bombers by assembly line methods. It is a very enlightening article. Mr. Tom Girdler, whose word I think many Members who have been so critical of labor ought to be willing to take, is quoted as saying, "We can get plenty of good workers for this purpose."

I also have here a letter from a person who says, "Why aren't our shipyards working three shifts? Why is labor standing in the way of increasing production?" But I have a telegram from the members of the union in that same shipyard to which this correspondent of mine referred saying they are demanding that they work three shifts but the company will not accede, and asking support to bring about 3-shift, 24-hour operation. All I ask is fairness, and a careful, sensible consideration of all the facts. We must do what is best, not just do something that will satisfy someone or ourselves, but which may not now be the wisest thing. I also have clippings here to the effect that one aircraft company made $18,000,000 profit last year. That is a matter which cannot be left out if we are going to consider legislation which will affect the wages of labor. If all excess profit were taken by our Government for the financing of the war, then labor could, I am sure, better understand consideration of reduction of overtime pay.

There are millions of men throughout this country in shops and mines and mills and plants that are manufacturing these things today that our country needs so much. We depend upon them completely. Whatever we do, let us be fair all around and let us act on the basis of all the facts.

[Here the gavel fell.]

THE LATE EDGAR NELSON RHODES

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

[Mr. EATON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial on cleaning house.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

A SOLUTION FOUND

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Speaker, I have been giving intense thought to our situation here in Washington.

I have come to a conclusion and found a solution.

I am so smart, so wise, and know so much I am able to suggest that the way to handle all our problems is to turn them over to me.

The President does not know; the Secretary of State does not know; nor do the Secretary of War or of the Navy know. General Marshall does not know and Donald Nelson does not know. Why not just rid ourselves of all these people and turn it all over to me?

Nobody has much sense but me. [This is a portrayal through satire.] But I deny that I am "me."

SAVING TIRES AND PROVIDING ADEQUATE TRANSPORTATION

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, recently at Pontiac, Mich., county seat of Oakland County, which comprises two-thirds of the Seventeenth Congressional District of Michigan, which I have the honor to represent, has been selected as a test city in which a staggered program is to be conducted to provide adequate transportation, save motor cars and tires.

Some of the points of the experiment have been given wide publicity throughout the country, and I include some of the salient provisions of the plan as carried in the public press.

First. The changing of work shifts in plants at opposite ends of the city to provide maximum use of crosstown transportation.

Second. Staggering of opening times of schools to relieve traffic congestion to avoid students and workers using traffic facilities at the same time.

Third. The opening of business establishments 1 hour later.

Fourth. Special inducements to shoppers to use transportation when not in use by industrial workers and school children.

Pontiac, Mich., is a dynamic, fast-growing city of 70,000 population. It is part of the automobile capital of the world, which contains some of the greatest automobile factories in Michigan. These great plants are now producing essential materials for the defense of the Nation, with labor and capital cooperating. It is an ideal city for testing this new plan for economizing in transportation and saving rubber and automobiles, both vitally necessary in winning the war.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio broadcast.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own

remarks in the RECORD and include therein excerpts from a letter from the Secretary of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief statement made by the Assistant Secretary of War before the Committee on Rules this morning.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some newspaper editorials.

The SPEAKER. Is there objection to the request of the Commissioner from Puerto Rico?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. ELIOT of Massachusetts addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Maj. Gen. William C. Rivers.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

(Mr. SMITH of Wisconsin asked and was given permissioln to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that after the legislative program of today and following any previous special order, I may be allowed to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

LEGISLATIVE APPROPRIATION BILL

Mr. O'NEAL, from the Committee on Appropriations, reported the bill (H. R. 6802, Rept. No. 1905) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, which was read a first and second time, and with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. TABER reserved all points of order on the bill.

TREASONABLE PUBLICATIONS IN THE UNITED STATES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, on yesterday I pointed out that because of the benign policy adopted by the Attorney General toward treasonable publications in this country, the mails are being flooded with this type of filth.

I quote from a paragraph in a periodical published by the notorious William D. Pelley, dated February 20:

> Britain is cracking up before our eyes. If Churchill falls, the fall of Franklin is not far behind. Then we Christian people are going to be heard. This situation is going to work out to our advantage within the next 6 months to a year, and you are going to realize that the Christian constitutional forces within this Republic are ready to go places.

Mr. Speaker, I reiterate that while our boys are dying treason should be suppressed.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein some remarks made by Mr. Crowley, chairman of the board of directors on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was on objection.

WASTE OF ELECTRICITY

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, on March 13, I spoke on the subject of the terrific waste of electricity, and the proposal of the Coordinator to ration electrical current in the future. In those remarks I especially referred to the floodlights about the Public Health Service Building on Constitution Avenue, which are burned to capacity throughout the nights, and they are so continued to this very day. This speech brought a letter to me from Dr. Thomas Parran, Surgeon General, in which he stated to me the following:

> The Public Health Service Building on Constitution Avenue has been turned over to the Inter-Allied High Command.

Mr. Speaker, it is of interest for the Members to know, and for the country to know, that the Inter-Allied High Command occupies that building, and burns electricity throughout each night therein, and continues to burn the floodlights surrounding the building each night. Those lights should not be burned throughout each night, and the floodlights should not be permitted to be burned each night. This waste of electrical current, and the waste which we observe here nightly, should be entirely eliminated. This is merely another example of waste, and this waste will, no doubt, cause restrictions to be placed upon the people of this Nation and result in greater sacrifices on the part of our people in this all-out war effort. We have but one duty today, and that is to win this war. We cannot win it by countenancing waste. We will win it by the universal sacrifice of our people, and this sacrifice must be extended to every agency of our Government, including the Inter-Allied High Command which now occupies the Public Health Service Building on Constitution Avenue.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Shreveport Times entitled "We're Not Spectators."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in two respects: In one to include an editorial and in the other to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SHORTAGE OF RUBBER

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD and to include therein certain excerpts from a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. BRADLEY of Michigan addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution adopted by the Shenango Board of Supervisors.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein one of the most far-reaching decisions that has been rendered by the Supreme Court of the United States in 100 years, so far as the economic welfare of the American people is concerned.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object, although I shall not do so. How long is that decision by the Supreme Court?

Mr. RANKIN of Mississippi. Mr. Speaker, I believe it is long enough to convert the gentleman from Pennsylvania—yes; just long enough. It consists of two or three opinions.

Mr. RICH. I call attention to the fact that there are 45 pages in the RECORD this morning of extension of remarks. That is one of our extravagances.

Mr. RANKIN of Mississippi. If this decision is followed and enforced it will save the people of Pennsylvania seventy-five to one hundred million dollars a year on their light and power bills alone. It will squeeze the water out of the utilities and enable the users of gas and electricity to get justice.

Mr. RICH. Mr. Speaker, the gentleman from Mississippi is always talking about the people of Pennsylvania and at the same time he is doing all he can to compel them to put the burden of taxation on their backs.

Mr. RANKIN of Mississippi. This takes burdens off their backs.

SLOW-DOWNS AND STRIKES

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, we learn this morning that General MacArthur has been transferred to Australia, where the battle for the white man's civilization is being fought. If we should lose that fight, the Japs would outrage the white people of Australia in ways that would shock the imps of hades.

I again call upon the Senate of the United States to pass the bill which we passed here on December 3 to put a stop to this slow-down on the part of labor and industry and guarantee to those boys who are fighting and dying in this war that we are going to supply them with the sinews of war at all costs. If the Senate will send that bill back here properly amended, we can adopt those amendments and stop the trouble of which the Americans now complain. That would be the greatest encouragement we could give to the fathers and mothers whose sons are fighting our battles in this war, as well as to the boys themselves.

THE PRIVATE CALENDAR

The SPEAKER. This is the day upon which the Private Calendar is due to be called. The Chair does not see any of the Members here who look after it.

Mr. COCHRAN. Mr. Speaker, in view of the fact that official objectors are not here, I think it would be a grave mistake to call the calendar, and if the Chair will recognize me for that purpose, I ask unanimous consent that the call of the Private Calendar be dispensed with.

Mr. MARTIN of Massachusetts. Mr. Speaker, the objectors on our side are here.

The SPEAKER. The Chair desires very much to have this calendar called today. The Chair has just been informed that some of them will be here within 5 minutes, and in that event a 1-minute talk might relieve the situation.

WOOLENS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, in a brief survey that I have made, I find that small business is suffering tremendously, especially in the garment industry, because of one thing and that is that the mills are selling all of their output to the Government for larger prices than they can get from the manufacturers, and the manufacturers in this country today cannot even get a piece of cloth to manufacture merchandise, to help the little fellow, the groceryman, the butcher, and everybody else. If I had time, I would like to discuss that more fully. I say this, that unless some committee makes some investigation, I propose to offer a resolution, because I think it is a disgraceful thing and should be aired thoroughly. The small business man forms the backbone of our economic structure and his fate is of the utmost concern to all of us. Words alone will not settle his fate. Action is necessary before it is too late.

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I happen to have the distinction of being a woolen manufacturer, and the statements made by my colleague from New York [Mr. DICKSTEIN] are absolutely wrong.

We are doing everything we can to aid and assist in the operation of our plants and manufacture clothing for the Government to clothe the soldiers and defense plants. The gentleman from New York [Mr. DICKSTEIN] would have us believe that we are not doing the things that civilians would like to have done. That is so. We have a board down here, Office of Production Management, that tells us just what we can do, and how we can and must do it. We are restricted to using 10 percent of the wool in the next 3 months for civilian needs that we used on the average during the first 6 months of last year. It is impossible for the manufacturers of woolen goods to furnish the civilian population of this country merchandise when we are at war and regulated so we must manufacture clothing for the Army and defense workers. That is the thing we must do, it is the thing we have got to do whether we like it or whether the civilians like it. We would like to take care of civilians as well as the Army and the wool manufacturers will do what they can to take care of all the people to the limit of their ability and capacity. There is not machinery enough. We are under restrictions of the Government. We cannot do all the public would like. We cannot furnish sugar or automobile tires.

[Here the gavel fell.]

LABOR LEGISLATION

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in view of the statement a few minutes ago, I am very sorry that I was not on my toes this morning on this 1-minute business. Yesterday was the day for confessions and repentance, and many a brother hit the sawdust trail down to the Well of the House and told us of the demands his constituents were making. Many then seemed disposed to meet those demands by legislation. But today is another day. In the Washington News today we are advised that administration leaders in Congress were trying today to slow up a movement toward immediate enactment of drastic antilabor legislation.

I hope all Members who felt so deeply yesterday the urgent need of that legislation will read carefully the news item in today's press telling us that Green and Murray have now agreed that there will be no more strikes in defense industries. Then read and consider carefully the implications contained in the President's statement, as given in the press, that he thought there should be no legislation immediately on the 40-hour-a-week issue because he said "things are going pretty well now."

If adequate legislation is not adopted now, then let the failure rest where it belongs, upon the shoulders of the administration and the Senate, not on those of us who have tried, not on this House.

EXTENSION OF REMARKS

Mr. PACE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter which I have addressed to the Farm Board in my district.

The SPEAKER. Is there objection?

There was no objection.

PERSONNEL OF THE MERCHANT MARINE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND. Mr. Speaker, as chairman of the Committee on the Merchant Marine and Fisheries, I wish to express my hearty concurrence in an editorial which appeared yesterday in the Washington Star under the caption "Serving the Nation." It began with a paragraph that the men now under the flag of the American merchant marine are adding new luster to their calling. I do not wish this opportunity to pass without referring to the splendid service of the licensed and unlicensed personnel serving in the American merchant marine. Without regard to danger or death, they are carrying on and are determined that our ships shall continue their glorious work upon the seas, even though they do not have the protection of guns, which are being placed on the ships as rapidly as possible. These men do not wait for that. They know that this war will be won by ships, and nothing can or will stop them. All honor to them in their splendid work.

I ask unanimous consent to revise and extend my remarks and include this editorial therein.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The editorial, under date of March 16, is as follow:

SERVING THE NATION

The men now under the flag of the American merchant marine are adding a new luster to their calling.

Daring sudden death from lurking Axis warcraft, these hard-bitten sons of the seven

seas go grimly about the task of keeping precious supplies moving to the far-flung forces of the United Nations, asking no quarter and giving none as they uphold in full measure the traditions of the service.

True, they get gratuities for braving the dangers of war, but so do others in less hazardous walks. Certainly it is more than the lure of a few dollars that keeps one man at his post on a sinking freighter, or that sends another back to the job when his ship has been lost and comrades have fallen in a hail of steel.

In every war the American seaman has been a proud figure. Once more this Nation can take pride in his accomplishments.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks by placing in the RECORD an article entitled "Michigan Oil for Michigan Industry," which appeared in the Michigan Republican Independent.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. KEFAUVER was granted permission to extend his own remarks and include a brief editorial.)

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

VERNON CLEMONS

The Clerk called the first bill on the Private Calendar (H. R. 809) for the relief of Vernon Clemons.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vernon Clemons, of New York City, the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages on account of personal injuries received by Vernon Clemons, Jr., the infant son of the said Vernon Clemons, on August 9, 1940, in New York City, when he was struck by a bicycle operated by a messenger in the Postal Service.

With the following committee amendments:

Page 1, line 5, strike out "Vernon Clemons, of New York City, the sum of $5,000" and insert in lieu thereof "the legal guardian of Vernon Clemons, Jr., of New York City, the sum of $2,835.50"

Page 1, line 9, strike out "the infant son of the said Vernon Clemons."

At the end of the bill add:

": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the legal guardians of Vernon Clemons, Jr."

JAMES D. G. ALEXANDER

The Clerk called the next bill, H. R. 1757, for the relief of James D. G. Alexander.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to James D G. Alexander, of North Hollywood, Calif., in full settlement of all claims against the United States for personal injuries and physical disabilities sustained by him as a result of his being struck by a United States Post Office Department mail truck, said accident occurring on January 8, 1940, near the intersection of Chandler Boulevard and Lemp Avenue, North Hollywood, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "of", strike out "$5,000" and insert "$4,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

WILEY W. WATKINS

The Clerk called the next bill, H. R. 2925, for the relief of Wiley W. Watkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury, on certification by the Secretary of the Interior, be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wiley W. Watkins, a sum determined by the Secretary of the Interior to be the fair and reasonable value of all improvements and the labor involved therein, not in excess of $10,000, placed by him on lot 7, section 20, township 59 north, range 24 west, fourth principal meridian, Minnesota, prior to November 9, 1940, by reason of erroneous allowance of homestead entry: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 9, after the word "of", strike out "$10,000" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES A. QUILLINAN

The Clerk called the next bill, H. R. 3476, for the relief of James A. Quillinan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to consider and determine the claim of James A. Quillinan, of Denver, Colo., for disability alleged to have been incurred by him while employed by the Public Works Administration, in the same manner and to the same extent as if the said James A. Quillinan had made application for benefits under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, within the period required by sections 17 and 20 thereof. No benefit shall accrue by reason of the enactment of this act prior to the date of such enactment: *Provided*, That claim hereunder shall be made within 90 days from the date of the enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause down to and including the word "thereof" in line 3, page 2, and insert "That sections 15 to 20, inclusive, of the act entitled 'An act to provide compensation for employees suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of James A. Quillinan, of Denver, Colo., who allegedly on January 17, 1939, suffered a paralytic stroke resulting in the alleged loss of the use of his right arm and leg, while an employee of the Public Works Administration, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. COL. S. W. McILWAIN

The Clerk called the next bill, H. R. 3722, for the relief of Lt. Col. S. W. McIlwain.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $53.12, to S. W. McIlwain, lieutenant colonel, Quartermaster Corps, Constructing Quartermaster, Baltimore, Md., and vicinity, in full settlement of all claims against the United States for reimbursement of his personal payment of two advertising orders in connection with an official project known as the Municipal Airport, at Frederick, Md., which project was constructed for the One Hundred and Fourth Observation Squadron.

With the following committee amendment:

Page 2, line 2, after the word "Squadron", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on

account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK SHEPPARD

The Clerk called the next bill, H. R. 3767, for the relief of Frank Sheppard.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2202, be substituted for the House bill.

The SPEAKER. Is there obection to the request of the gentleman from Indiana?

Mr. RUSSELL. Mr. Speaker, I object.

The SPEAKER. Is there objection to the consideration of the House bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Work Projects Administration to Frank Sheppard, of Lewisburg, W. Va., the sum of $1,500, in full settlement of all claims against the United States for damages sustained by the said Frank Sheppard, on account of permanent personal injuries suffered by him on August 24, 1939, when, while sitting on the front porch of his home at the town of Lewisburg, W. Va., he was struck by a heavy stone thrown by a blast carelessly, negligently, and without warning set off by Work Projects Administration workmen, employees of the Government then and there engaged in repair work upon the public streets of said town.

With the following committee amendments:

Page 1, line 5, strike out "allocated by the President for the maintenance and operation of the Work Projects Administration" and insert in lieu thereof "not otherwise appropriated."

Page 1, line 7, strike out "$1,500" and insert in lieu thereof "$300."

Page 1, line 10, strike out the word "permanent."

Page 2, line 1, after the word "blast", strike out the remainder of the bill, and insert in lieu thereof "set off by employees of the Work Projects Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OLIVE Z. RESSLER

The Clerk called the next bill, H. R. 4413, for the relief of Olive Z. Ressler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Olive Z. Ressler, of Detroit, Mich., the sum of $500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by Olive Z. Ressler when injured by an employee of the Works Progress Administration while on duty on February 27, 1939, said injury being incurred while Olive Z. Ressler was walking east on Grand River Avenue on the north side of the street near Pinehurst Avenue, in the city of Detroit.

With the following committee amendments:

Line 3, strike out "is" and insert "be, and he is hereby."

Line 6, strike out the figures "$500" and insert in lieu thereof "$360.50."

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

IRENE DIAL

The Clerk called the next bill, H. R. 4502, for the relief of Irene Dial.

The SPEAKER. Is there objection to present consideration of the bill?

Mr. SCHULTE and Mr. YOUNG objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JOHN LESNIAK

The Clerk called the next bill, H. R. 4723, for the relief of John Lesniak.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Lesniak, an infant of the city of Elizabeth, county of Union, and State of New Jersey, the sum of $10,000 in full satisfaction of his claim against the United States for damages for personal injuries sustained by him on July 8, 1940, as the result of an explosion of certain dynamite percussion caps found by the said infant, John Lesniak, while on the unguarded premises of certain construction operations under the direction and control of the Federal Works Progress Administration project at No. 705–717 Summer Street, in the city of Elizabeth, county of Union, and State of New Jersey: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 3, strike out "is" and insert in lieu thereof "be, and he is hereby."

Page 1, line 5, after "to" and before "John", insert "the legal guardian of."

Page 1, line 7, strike out the figures "$10,000" and insert in lieu thereof "$2,750."

Page 1, line 7, strike out "his claim" and insert in lieu thereof "all claims."

The committee amendments were agred to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of the legal guardian of John Lesniak."

EMIL LASSILA, ET AL.

The Clerk called the next bill, H. R. 4953, for the relief of Emil Lassila, Martha Lassila, Ellen Huhta, and Sylvia Huhta.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emil Lassila, of Chassell, Mich., the sum of $929.25; to the legal guardian of Martha Lassila, of Chassell, Mich., the sum of $5,057.65; to the legal guardian of Ellen Huhta, of Chassell, Mich., the sum of $3,300.65; and to the legal guardian of Sylvia Huhta, of Chassell, Mich., the sum of $3,057.85, in full settlement of all claims against the United States for property damage and personal injuries suffered by them when a vehicle in which they were riding, owned and operated by Emil Lassila, was struck by a truck owned by the United States Coast and Geodetic Survey on September 23, 1939, on United States trunk line No. 41, between the village of Houghton, Mich., and the village of Chassell, Mich.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 8, strike out the figures "$5,057.65" and insert in lieu thereof "$1,057.65."

Page 1, line 10, strike out the figures "$3,057.85" and insert in lieu thereof "$1,557.85."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FERD W. MEILE

The Clerk called the next bill, H. R. 5000, conferring jurisdiction upon the United States District Court for the

Eastern District of Michigan to hear, determine, and render judgment upon the claim of Ferd W. Meile.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Michigan to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Ferd W. Meile, of Detroit, Mich., against the United States for loss and damage sustained when his automobile was struck by a truck owned by the United States at Camp Custer Military Reservation near Battle Creek, Mich., on April 20, 1938.

With the following committee amendment:

Strike out all the language after the enacting clause, and insert in lieu thereof:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ferd W. Meile, of Detroit, Mich., the sum of $11,404.67 in full settlement of all claims against the United States for personal injuries and property damage sustained when the automobile he was driving was struck by a truck owned by the United States operated by an employee of the Work Projects Administration on April 20, 1938, at Camp Custer Military Reservation near Battle Creek, Mich.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of Ferd W. Meile."

GEORGE GARCAVY

The Clerk called the next bill, H. R. 5069, for the relief of George Garcavy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Garcavy, of Sitka, Alaska, the sum of $500. Such sum represents reimbursement for loss sustained by the said George Garcavy on account of the forfeiture to the United States, on or about November 10, 1938, of the sum of $500 under a bond posted by the Fidelity & Deposit Co. of Maryland and conditioned upon the departure from the United States of Mary Garcavy, sister of the said George Garcavy, the said George Garcavy having deposited with the said Fidelity & Deposit Co. of Maryland the sum of $500. Such bond was forfeited by reason of the failure of the said Mary Garcavy to depart from the United States in accordance with the terms thereof.

With the following committee amendments:

Page 1, line 3, strike out "is" and insert in lieu thereof "be, and he is hereby."

Page 1, line 5, after the figures "$500" and before the period, insert "in full settlement of all claims against the United States."

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. E. COTTON CO.

The Clerk called the next bill, H. R. 5352, for the relief of R. E. Cotton Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GORE and Mr. SCHULTE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

J. FURMAN RICHARDSON

The Clerk called the next bill, H. R. 5468, for the relief of J. Furman Richardson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Furman Richardson, of Simpsonville, S. C., the sum of $695, in settlement of damages to a tract of land leased to the United States of America as an emergency landing field on November 1, 1927, as a result of sodding the land with Bermuda grass and for one-half year's rent

With the following committee amendments:

Page 1, line 6, strike out "$695, in settlement of" and insert in lieu thereof "$290 in full settlement of all claims against the United States for.'

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF CHARLES L. CLARK

The Clerk called the next bill, H. R. 5500, for the relief of the estate of Charles L. Clark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Charles L. Clark, deceased, of Richmond Highlands, Wash., the sum of $10,000, in full settlement of all claims against the United States for the death of Charles L. Clark when, during the performance of his duties as a brakeman for the Great Northern Railroad, he was struck from the top of a moving freight car by signal wires strung across the tracks by a signal unit of the Army of the United States, in Yelm, Wash., at 9:15 p. m., on August 16, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$10,000" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN CLERKS IN THE POST OFFICE AT DETROIT, MICH.

The Clerk called the next bill, H. R. 5619, for the relief of certain clerks in the post office at Detroit, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the provisions of law governing the compensation payable to clerks in the Postal Service, the appointments of the following-named persons as clerks in the post office at Detroit, Mich., shall be held and considered to have been effective as of February 1, 1941: Lewis C. Butler, Clayton A. Campbell, John Marvin Campbell, James F. Colebank, Thomas S. Dowd, Vincent Grabowski, Thaddeus S. Hamers, Sigmond Janiszewski, Russell Korbutiak, Royal Charles LeDuff, Moses Matlen, John A. McMillan, Martin L. Metzger, Thomas A. Owen, Samuel J. Peck, Emmett A. Reynolds, Frank Shuttleworth, Herman S. Simms, Frank J. Walters, and Hermett H. Wortham.

Such persons were held to be substitute clerks during the month of February 1941 and as a result were required to refund to the United States a portion of the compensation paid to them with respect to such month.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEWIS J. AND MARY BLACK

The Clerk called the next bill, H. R. 5686, for the relief of Lewis J. and Mary Black.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Lewis J. and Mary Black, as the parents of James Black, Jr., an infant, the sum of $5,000, in full settlement of all claims against the Government of the United States arising out of the death of James Black, Jr., caused by the negligent operation of an automobile driven by Clyde Cooper, attached to the United States Department of Agriculture, Forest Service, Civilian Conservation Corps of the State of Ohio, while acting within the scope of his employment, on Ohio United States Highway Routes No. 56 and No. 159, 7 miles east of the city of Circleville, Ohio, on

June 13, 1941. And also the sum of $2,500 for medical expenses incurred as a result of the above outlined accident, to Mary Black: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "and also the sum of $2,500, for medical expenses incurred as a result of the above outlined accident, to Mary Black" and insert in lieu thereof "and to Mary Black, $2,500 in full settlement of all claims against the United States for personal injuries sustained by her as a result of the above accident."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JULIA JOHNSON

The Clerk called the next bill, H. R. 5794, for the relief of Mrs. Julia Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Julia Johnson, Palmyra, Ark., mother of Roy Owen, deceased, the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States arising out of the death of the said Roy Owen on March 24, 1940, from injuries sustained by him on March 23, 1940, when the vehicle in which he was riding on the Rison-Star City Road in Arkansas struck a culvert improperly and negligently installed by the Work Projects Administration (project No. 6879-2).

With the following committee amendments:

Page 1, line 7, strike out "$5,000" and insert "$1,000."

Page 2, line 3, insert:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALVIRA MANFREDI

The Clerk called the next bill, H. R. 5845, for the relief of Alvira Manfredi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alvira Manfredi, of 22 James Street, New York, N. Y., the sum of $3,500 in full settlement of all claims against the United States for personal injuries sustained by her on January 15, 1941, at the intersection of Kent and Lafayette Avenues, in the borough of Brooklyn, city of New York, by reason of her being struck by a motor vehicle in the service of the Post Office Department: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$3,500" and insert: "$3,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. F. WILDER TEMPLE

The Clerk called the next bill, H. R. 5977, for the relief of Mr. and Mrs. F. Wilder Temple.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. F. Wilder Temple, of Upton, Mass., the sum of $10,000, in full settlement of all claims against the United States for the death of their son, F. Wilder Temple, Jr., who died a few minutes after being struck by a United States Army truck on the "Common" in Upton Center, Mass., on September 3, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARK COUNTY LUMBER CO.

The Clerk called the next bill, H. R. 6063, for the relief of the Clark County Lumber Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Clark County Lumber Co. the sum of $362.95 in full settlement of all claims against the United States for additional costs incurred by them through an error in the Arkansas State Procurement Office purchase order No. 63-3332, dated September 18, 1937, covering a purchase of lumber to be delivered to Lake View project, Lake View, Ark.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike out "through an error in the" and insert "in complying with."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOMER C. CHAPMAN

The Clerk called the next bill, S. 1688, for the relief of Homer C. Chapman.

Mr. SCHULTE and Mr. GORE objected, and, under the rule, the bill was recommitted to the Committee on Military Affairs.

JOHN F. PATTERSON

The Clerk called the next bill, H. R. 2901, for the relief of John F. Patterson.

Mr. SCHULTE and Mr. GORE objected, and, under the rule, the bill was recommitted to the Committee on Military Affairs.

PAULINE CATON ROBERTSON

The Clerk called the next bill, S. 1564, for the relief of Pauline Caton Robertson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pauline Caton Robertson, of Williamson, W. Va., the sum of $5,000, in full satisfaction of her claim against the United States for compensation for the death of her husband, Eldridge F. Robertson, who died of personal injuries sustained by him as the result of certain blasting operations conducted in connection with a Works Progress Administration project at a stone quarry on the east side of the Lower Burning Creek, near Kermit, W. Va., on July 20, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTIN N. MAYRATH

The Clerk called the next bill, H. R. 710, for the relief of Martin N. Mayrath.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and

directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $31.50 to Martin N. Mayrath, Dodge City, Kans., in full settlement of all claims against the United States for annual leave earned while he was in the employ of the Coast and Geodetic Survey, from April 18, 1938, to July 7, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IDEAL SERVICE STATION

The Clerk called the next bill, H. R. 736, for the relief of Ideal Service Station.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,740 to Ideal Service Station, of Honolulu, T. H., in full satisfaction of all claims against the United States for services on account of a contract for the rental of passenger-carrying automobiles to the United States Army, entered into between July 13 and October 31, 1936, and $160.76 for repairs during this period on the passenger-carrying automobiles so rented: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 10, after "1936", strike out "and $160.76 for repairs during this period on the passenger carrying automobiles so rented."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLOYD ODOM

The Clerk called the next bill, H. R. 1901, for the relief of Floyd Odom.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Floyd Odom, of Albion, Okla., the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained by him on March 23, 1935, when struck by a Government truck operated in connection with the Civilian Conservation Corps, near Fewell, Okla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CUBAN-AMERICAN SUGAR CO.

The Clerk called the next bill, H. R. 3079, conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States.

Mr. HANCOCK and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

IDA BAIRD

The Clerk called the next bill, H. R. 3732, for the relief of Ida Baird.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida Baird, of Loraine, Tex., the sum of $500, in full satisfaction of all claims against the United States for expenses, resulting from the hospitalization and treatment of Roy Sanders Baird, deceased husband of Ida Baird.

With the following committee amendments:

Page 1, line 6, strike out "$500" and insert "$240.02."

Line 9, after "Baird", insert the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KARL K. WILKES

The Clerk called the next bill, H. R. 4625, for the relief of Karl K. Wilkes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Karl K. Wilkes, United States commissioner, of Jackson, Tenn., the sum of $308.35. Such sum represents the amount of fees earned by the said Karl K. Wilkes from July 10, 1940, to November 7, 1940, both dates inclusive, while acting as United States commissioner at Jackson, Tenn., but not paid because his term as United States commissioner expired on July 9, 1940, and his appointment for another term was not effective until November 8, 1940.

With the following committee amendment:

At the end of the bill insert the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEOFFREY ORME

The Clerk called the next bill, H. R. 4955, for the relief of Geoffrey Orme.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Geoffrey Orme, Rock Springs, Wyo., the sum of $145.31. Such sum represents the amount of compensation and per diem subsistence allowance which the said Geoffrey Orme earned for the period July 1, 1940, to August 11, 1940, inclusive (plus the sum of $10.81, representing the amount of compensation which the said Geoffrey Orme would have received if he had been able to take the leave which had accrued to his credit as of August 11, 1940), while employed as a field assistant in the General Land Office, Department of the Interior, but not paid to him because during such period he was not eligible, on account of citizenship requirements, to receive compensation or subsistence allowance from funds appropriated for the Department of the Interior.

With the following committee amendments:

Page 1, line 6, strike out "$145.31" and insert "$134.50."

Line 9, after "inclusive", strike out the remainder of line 9 and all of lines 10 and 11; and on page 2, strike out lines 1 and 2 down to "1940)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES REED

The Clerk called the next bill, H. R. 5010, for the relief of James Reed.

Mr. SCHULTE and Mr. GORE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JOHNSTON-HALL HOSPITAL AND DR. Z. V. JOHNSTON

The Clerk called the next bill, H. R. 5353, for the relief of Johnston-Hall Hospital, Calhoun, Ga., and Dr. Z. V. Johnston, Calhoun, Ga.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Johnston-Hall Hospital, Calhoun, Ga., the sum of $65, and to Dr. Z. V. Johnston, Calhoun, Ga., the sum of $75, to compensate them for the cost of an emergency operation and hospitalization rendered necessary because thereof in the case of Corp. Henry Grady Lay, Jr., Battery H, Two Hundred and Fourteenth Coast Artillery, said operation having been done on February 22, 1941, by direction of the post surgeon at Camp Stewart, Ga., where said corporal was stationed.

With the following committee amendment:

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY B. TUCKER

The Clerk called the next bill, H. R. 5381, for the relief of Henry B. Tucker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Henry B. Tucker, of Vicksburg, Miss., and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said act his claim on account of injury and disability alleged to have been incurred on or about April 8, 1940, while performing his duties as an employee of the United States Engineer Office, Vicksburg, Miss.: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUARDIAN OF CHARLES JIRINEC, AN INFANT

The Clerk called the next bill, H. R. 5433, for the relief of the guardian of Charles Jirinec, an infant.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Charles Jirinec, an infant, the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained on November 14, 1940, when he was struck by building material of the Work Projects Administration while walking on the sidewalk of Twenty-seventh Avenue in Long Island City, Queens County, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment

Page 1, line 6, strike out "$5,000" and insert "$614."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CECILE HERZOG AND LUCILLE HERZOG, AN INFANT

The Clerk called the next bill, H. R. 5449, for the relief of Mrs. Cecile Herzog and Lucille Herzog, an infant.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Cecile Herzog, of 535 North Second Street, New Hyde Park, Long Island, N. Y., the sum of $10,000 to her individually and $5,000 to her as general guardian of Lucille Herzog, an infant 12 years of age, in full settlement of all claims against the United States for the death of her husband, George W. Herzog, who was killed by the collision of a United States naval plane with private plane piloted by him, near Floyd Bennett Field, New York, on December 23, 1940: *Provided* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out "$10,000" and insert "$7,500."

Page 1, line 7, strike out "$5,000" and insert "$2,500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. C. M. W. HULL

The Clerk called the next bill, H. R. 6141, for the relief of Mrs. C. M. W. Hull.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws of the United States, relating to the issuance of immigration visas for admission to the United States and relating to admissions at ports of entry of aliens as immigrants, for permanent residence in the United States, the provision of section 13 (c) of the Immigration Act of 1924 (54 Stat. 162), as amended (U. S. C. A., title 8, sec. 213 (c)), which excludes from admission to the United States persons who are ineligible to citizenship, shall not hereafter be held to apply to Mrs. Constance Margaret Wilson Hull, who is the wife of A. T. Hull, Jr., a citizen of the United States; and said Mrs. Constance Margaret Wilson Hull, if otherwise admissible under the immigration laws, may be issued an immigration visa and may be granted admission to the United States upon application hereafter filed.

With the following committee amendments:

In lines 4 and 5 of page 2, strike out "may be issued an immigration visa and."

On page 2, line 6, strike out the period and add the following: "without presenting an immigration visa or other travel document."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES FRANKLIN SMITH

The Clerk called the next bill, S. 1669, for the relief of James Franklin Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Franklin Smith, of Nashville, Tenn., the sum of $1,500, and $50 per month in an amount not to exceed $3,000, making a total of $4,500, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck on October 27, 1940, by a Civilian Conservation Corps truck while he was sitting on an embankment by the side of United States Highway No. 70 at a point about 8 miles from Nashville, Tenn., in the direction of Murfreesboro, Tenn.: *Provided*, That the monthly payments to James Franklin Smith shall not commence until 3 months after the passage of this act: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT LEE PHILLIPS AND SIX MINOR CHILDREN

The Clerk called the next bill, S. 1777, for the relief of Robert Lee Phillips and for six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to pay, out of any money in

the Treasury not otherwise appropriated, to Robert Lee Phillips and his minor children, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips, the sum of $5,000, in full settlement of their claims against the United States for the death of Estelle Phillips, the wife of Robert Lee Phillips and the mother of the said Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips, minors, the said Estelle Phillips having been killed on March 25, 1941, when a land plane of the United States Naval Air Station, Pensacola, Fla., struck the said Estelle Phillips in a field near Robertsdale, in Baldwin County, Ala.: *Provided*, That $1,000 of the amount appropriated be paid the said Robert Lee Phillips and $4,000 be paid to a guardian of the said minors appointed by a court having jurisdiction of funds belonging to the said minors to be held by such guardian and expended for the support and maintenance of the said minors under the supervision and direction of such court: *Provided further*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF O. K. HIMLEY

The Clerk called the next bill, S. 1906, for the relief of the estate of O. K. Himley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of O. K. Himley, late of Crawford County, Wis., the sum of $80 in full satisfaction of its claim against the United States for damages arising out of the loss of two cows belonging to such estate that were drowned on or about February 13, 1934, as a result of work done on the Himley farm, without permission of the owners, by employees of the Civil Works Administration in carrying out a Civil Works Administration project: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MURRAY FREEMAN

The Clerk called the next bill, H. R. 246, for the relief of Mrs. Murray Freeman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any law, statute, rule, or regulation of limitation to the contrary notwithstanding, the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to hear and determine the claim of Mrs. Murray Freeman, of Fort Smith, Ark., and to make such award or awards to her as she may be entitled to receive by reason of the death of her husband, Henry Alney Freeman, who died on the 27th day of October 1937 as a result of injuries received by the latter in the course of his employment as an employee of the Works Progress Administration.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That sections 17 to 20, inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of Mrs. Murray Freeman, and her claim for compensation for the death of her husband, Henry Alney Freeman, who died on October 27, 1937, as the alleged result of injuries sustained by him while an employee of the Works Progress Administration, is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if her claim is filed not later than 6 months after the enactment of this act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COHEN, GOLDMAN & CO., INC.

The Clerk called the next bill, H. R. 4842, for the relief of Cohen, Goldman & Co., Inc.

Mr. SCHULTE, Mr. HALLECK, and Mr. MOTT objected and, under the rule, the bill was recommitted to the Committee on Claims.

ROMANO EMILIANI

The Clerk called the bill (H. R. 5295) for the relief of the estate of Romano Emiliani.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon either the Court of Claims of the United States or the United States District Court for the Canal Zone, the claimant may elect, to hear and determine the claim of Romano Emiliani, his heirs at law or his legal representatives, for just compensation for the taking by the United States of approximately 1,900 acres of land adjacent to the city of Colon, Panama, and now within the limits of the Canal Zone, and now used by the United States as sites for the Coco Solo Naval Base, the naval submarine base, and for other purposes, no compensation for the taking of said lands by the United States ever having been paid or allowed the said Romano Emiliani or his heirs or legal representatives.

SEC. 2. In the consideration of any suit brought under the provisions of this act, the court is directed to receive and consider any evidence, oral, properly recorded, or documentary, that may have been received by the so-called Joint Land Commission, and now on record either with the State Department or with the Panama Canal as its custodian, pertaining either to the extent of the taking or to the value of the lands taken, as well as any decision by the District Court for the Canal Zone as to the ownership of such lands. Also the court will evaluate the lands, giving due weight to the use later made thereof, and will base its award upon the value as of the time of actual taking, and not upon any value alleged to have prevailed as of the date when the original treaty with Panama with respect to the proposed taking of lands for canal purposes was perfected.

With the following committee amendments:

Page 1, lines 3 and 4, strike out the words "either the Court of Claims of the United States or."

Page 1, line 5, strike out the words "as the claimant may elect,".

Page 2, line 3, strike out the words "or allowed."

Page 2, lines 5 to 19, inclusive, strike out all of section 2 and insert in lieu thereof:

"SEC. 2. All competent testimony, exhibits, or other evidence heretofore admitted in evidence in any proceeding heretofore had under authority of the Panama Canal Act, as amended, and all competent testimony, exhibits, or other evidence heretofore admitted in evidence in any cases involving the lands of Romano Emiliani and heretofore docketed in the United States District Court for the Canal Zone, shall be received in evidence for the same purpose as heretofore admitted in any suit brought or to be brought under authority of this act, as amended: *Provided*, That such evidence shall be subject, however, to any objections that the United States may interpose as to relevancy, materiality, or competency other than the objection of the witnesses not being produced in person."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. J. ABNEY

The Clerk called the bill (H. R. 5504) for the relief of H. J. Abney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. J. Abney, Columbia, S. C., the sum of $1,419.50, in payment of expenses of Mr. Abney for hospitalization, medical treatment, and other items brought about from a wound inflicted by a military policeman February 22, 1941.

With the following committee amendment:

Page 1, line 6, after the figures "$1,419.50", strike out the rest of the bill and insert "in full settlement of all claims against the United States for personal injuries sustained when he was shot and wounded by a military policeman in Columbia, S. C., on February 22, 1941."

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOE A. MUMFORD

The Clerk called the bill (H. R. 5563) for the relief of Joe A. Mumford and the estate of W. C. Mumford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,946.55 to Joe A. Mumford, of Brazoria County, Tex., for property damage and personal injuries, and to pay the sum of $5,000 to the estate of W. C. Mumford as compensation for his death sustained when the car in which they were riding collided with an Army truck near Angleton, Tex., on June 9, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by an agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$5,946.55" and insert "$1,946.55", and in line 8, after the word "Mumford", insert "in full settlement of all claims against the United States."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUTHER HERBERT TENCH

The Clerk called the bill (H. R. 5778) for the relief of Luther Herbert Tench and Mrs. Mildred Farmer Tench.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Luther Herbert Tench, Demorest, Ga., the sum of $5,000, and to Mrs. Mildred Farmer Tench, Demorest, Ga., the sum of $10,000. The payment of such sums shall be in full settlement of all claims of the said Luther Herbert Tench and Mrs. Mildred Farmer Tench against the United States for personal injuries sustained on May 9, 1941, when the automobile in which they were riding collided with a truck in the service of the Work Projects Administration on State Highway Route No. 15 (U. S. Route No. 23) between Demorest and Clarkesville, Ga.

With the following committee amendments:

Line 6, strike out the figures "$5,000" and insert in lieu thereof the figures "$1,500."

Line 7, strike out the figures "$10,000" and insert in lieu thereof the figures "$3,500."

At the end of the bill add "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROY L. RIALES

Mr. GORE. Mr. Speaker, the next bill on the calendar, No. 620, H. R. 6036, for the relief of Roy L. Riales, should be stricken from the calendar. I ask unanimous consent that the bill go off the calendar because the matter was reconsidered by the Commission, and compensation paid. To pass this bill would only be to duplicate the payment.

The SPEAKER. Is there objection?

There was no objection.

The bill was recommitted to the Committee on Claims.

ANDREW J. BISSINGER

The Clerk called the bill (H. R. 3337) to provide for the issuance of a duplicate adjusted-service certificate to Andrew J. Bissinger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to issue to Andrew J. Bissinger, of Detroit, Mich., a duplicate adjusted-service certificate of the same terms in all respects as his original certificate and so marked as to show the number of the original certificate. Such original certificate shall thereupon be held and considered as canceled and such cancelation shall be entered upon the records of the Veterans' Administration. The said Andrew J. Bissinger shall not be required to file a bond or deposit any security as a condition to the issuance of such duplicate certificate. The original certificate is in possession of the said Andrew J. Bissinger's former wife, a resident of Belgium, who has refused to surrender it.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AUTHORIZING CERTAIN OFFICERS TO ACCEPT EMBLEMS, ETC.

The Clerk called the bill (S. 2063) to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the following-named officers and enlisted men of the Army be, and they are hereby, authorized to accept such emblems, medals, orders, and decorations as have been tendered them to the date of approval of this Act by foreign governments of the Western Hemisphere.

Gen. George C. Marshall; Lt. Gen. Daniel Van Voorhis; Maj. Gen. Herbert A. Dargue; Maj. Gen. John N. Greely; Maj. Gen. Edwin M. Watson; Brig. Gen. John A. Crane; Brig. Gen. Willis D. Crittenberger; Brig. Gen. Leigh C. Fairbank; Col. Lester D. Baker; Col. Enrique M. Benitez; Col. Charles B. Elliott; Col. Charles B. Lyman; Col. Charles H. Mason; Col. Charles L. Mullins, Jr.; Col. Joseph B. Pate; Col. John A. Weeks; Col. William C. Young; Lt. Col. Mark A. Devine, Jr.; Lt. Col. Uzal G. Ent; Lt. Col. Charles P. Gross; Lt. Col. George H. Weems; Maj. Darr H. Alkire; Maj. Paul C. Ashworth; Maj. Cornelius W. Cousland; Maj. Millard L. Haskin; Maj. John T. Murtha, Jr.; Maj. John L. Nedwed; Maj. Elwood R. Quesada; Maj. Frank H. Robinson; Maj. Douglas B. Smith; Capt. William B. Bunker; Capt. Thomas L. Crystal, Jr.; First Lt. Ryder W. Finn; First Lt. Robert W. Strong, Jr.; Second Lt. George S. Brown, Master Sgt. Leonard A. Baker; Master Sgt. Gib Bradley; Master Sgt. Lewis H. Burger; Master Sgt. Dwight M. Capps; Master Sgt. William J. Duffy; Master Sgt. Walter W. Fry; Master Sgt. Clarence D. Green; Master Sgt. Donald E. Hamilton; Master Sgt. Henry P. Hansen; Master Sgt. Lawrence L. Henry; Master Sgt. George C. Iknar; Master Sgt. Ralph R. Illick; Master Sgt. August W. Keuhl; Master Sgt. Eugene W. Latham, Jr.; Master Sgt. Troy V. Martin; Master Sgt. John A. Mauro; Master Sgt. John A. Piper; Master Sgt. Raymond F. Tucker; Tech. Sgt. Leroy S. English; Tech. Sgt. Archie R. Jester; Tech. Sgt. Russell E. Junior; Tech. Sgt. Jacob E. McDonald; Tech. Sgt. Aubrey C. Moore; Tech. Sgt. William A. Withers; Staff Sgt. Norbert D. Flinn; Staff Sgt. Donald F. Lowney; Staff Sgt. Paul F. Rochetti; Staff Sgt. George C. Snyder; and Staff Sgt. Joseph H. Walsh.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. P. CORLEY

The Clerk called the bill (H. R. 4092) for the relief of E. P. Corley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. P. Corley, of Jacksonville, Fla., the sum of $1,500. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said E. P. Corley, in Jacksonville, Fla., on June 27, 1938, when he was struck by a motor vehicle in the service of the Works Progress Administration while discharging his duty as police officer of such city.

With the following committee amendments:

Line 6, strike out the figures "$1,500" and insert in lieu thereof the figures "$1,250."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA MALAMA MARK

The Clerk called the bill (H. R. 726) relating to the citizenship of Anna Malama Mark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of section 5 of the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, as amended, Anna Malama Mark, the minor adopted child of Rev. Y. Sang Mark, a citizen of the United States, shall be deemed

to have begun to reside permanently in the United States on September 7, 1928; and notwithstanding any other provision of law, the said Anna Malama Mark shall be deemed to be a citizen of the United States 5 years after such date.

With the following amendment:

Strike out all after the enacting clause and insert: "That, notwithstanding any provision of the immigration laws, Anna Malama Mark, a native of Tonga Island of the South Sea Islands, admitted into the United States on September 7, 1928, for temporary residence, shall be permitted to remain in the United States permanently as though she had in all respects complied with the immigration laws upon entry, and that the residence in the United States of the said Anna Malama Mark shall date from the approval of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Anna Malama Mark."

MARY ALEXINA McKINNON

The Clerk called the bill (H. R. 1265) for the relief of Mary Alexina McKinnon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor be, and he is hereby, authorized and directed to record the lawful admittance for permanent residence of Mary Alexina McKinnon at the date of her last entry at Detroit, Mich., and that she shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence and naturalization.

With the following committee amendments:

Line 4, strike out "Secretary of Labor" and insert "Attorney General"; and line 7, strike out the word "at" and insert the words "as of October 18, 1938."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOLLIE ALEXANDER

The Clerk called the bill (H. R. 5762) granting an increase of pension to Mollie Alexander.

Mr. HALLECK and Mr. HANCOCK objected, and the bill was recommitted to the Committee on Invalid Pensions.

ETHEL H. CHAFFEE

The Clerk called the next bill, H. R. 5918, granting an increase of pension to Ethel H. Chaffee.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE and Mr. HANCOCK objected, and the bill, under the rule, was recommitted to the Committee on Invalid Pensions.

CECILIA PITT

The Clerk called the next bill, S. 1161, for the relief of Cecilia Pitt.

The SPEAKER. Is there objection?

Mr. MOTT and Mr. HANCOCK objected, and the bill, under the rule, was recommitted to the Committee on Immigration.

WILLIAM B. FAWKNER AND MRS. IDA FAWKNER

The Clerk called the next bill, H. R. 5059, to grant the status of quota immigrants to Mr. William B. Fawkner and his wife, Mrs. Ida Fawkner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Mr. William B. Fawkner and his wife, Mrs. Ida Fawkner, as of October 26, 1925, the date on which they entered the United States, if they are found to be otherwise admissible under the provisions of the immigration laws, other than those relating to quotas. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the quota for Great Britain when such quota numbers become available.

With the following committee amendment:

Page 2, line 2, strike out "two numbers from the quota for Great Britain" and insert "one number from the quota for Great Britain and one number from the quota for Australia."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BESSIE WALDEN

The Clerk called the next bill, S. 1696, for the relief of Bessie Walden.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to Bessie Walden, of Hot Springs, Mont., in full satisfaction of her claim against the United States for compensation for the death of her husband, George Walden, who died as the result of injuries sustained by him while assisting employees of the Indian Irrigation Service, Flathead project, Department of the Interior, in the erection of a power pole near Hot Springs, Mont., on November 19, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$10,000" and insert "$5,294.50."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. NAZARIA GARCIA

The Clerk called the next bill, S. 1898, for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz., in full satisfaction of all claims for personal injuries growing out of the death of Mrs. Garcia on September 5, 1941, when a United States Army transport plane crashed into her home at Winslow on that date: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE C. DEWEY

The Clerk called the next bill, H. R. 1154, for the relief of George C. Dewey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George C. Dewey, of Wilmington, Calif., the sum of $6,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by the said George C. Dewey when he was struck by a motor vehicle in the service of the Immigration and Naturalization Service, Department of Labor, on November 22, 1937, near Anaheim, Orange County, Calif.

With the following committee amendments:

Page 1, line 6, strike out "$6,000" and insert "$5,000."

Page 2, at the end of line 1, insert: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARL L. JONES

The Clerk called the next bill, H. R. 2014, for the relief of Carl L. Jones.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl L. Jones, East Lebanon, Maine, the sum of $5,000. The payment of such sum shall be in full settle-

ment of all claims against the United States arising out of an accident on May 7, 1938, near Rochester, N. H., involving the negligent operation of a Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOROTHY SILVA

The Clerk called the next bill, H. R. 2730, for the relief of Dorothy Silva.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dorothy Silva, of West New Brighton, Staten Island, N. Y., the sum of $5,000, in full settlement of all claims against the Government of the United States for injuries sustained in an automobile accident in collision with a motor vehicle owned by the Work Projects Administration for the city of New York in Four Corners, Staten Island, N. Y., on the 2d day of October 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$5,000" and insert "$1,074."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEAVER KELLEY

The Clerk called the next bill, H. R. 4153, for the relief of Cleaver Kelley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to Cleaver Kelley, of Louisville, Ky., the sum of $5,000 on account of the death of her husband Wilbur H. Kelley, who died of injuries sustained in a collision with an Army truck on November 20, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "and in full settlement against the Government."

Page 1, line 7, after the sum of "$5,000", insert "in full settlement of all claims against the United States."

Page 1, line 9, after the date "1940", insert "in Louisville, Ky."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD KEATING

The Clerk called the next bill, H. R. 4180, for the relief of Edward Keating.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward Keating, father of Jack Keating, the sum of $5,000. Such sum shall be in full settlement of all claims of the said Edward Keating against the United States for the death of his son, Jack Keating, as the result of a fatal injury received by him at Nelsonville, Ohio, on the 30th day of August 1936. Said fatal injury was a direct result of the negligence and carelessness of foremen and employees of the Works Progress Administration which had in the furtherance of its work in that vicinity assumed to cut away a large portion of a public playground which had been used by the children in that community for many years; that the negligence and carelessness of said foremen and employees consisted of their having by the use of a steam shovel made large and extensive excavations in said playground and had taken great quantities of sand from the same and had left the same with high, steep, and dangerous banks. While Jack Keating and other children were playing near one of these large excavations a sand bank which had been left unguarded and unprotected came down upon said children and covered and killed Jack Keating: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, beginning with line 6, strike out all of lines 6, 7, 8, 9, 10, and 11, and on page 2, lines 1 to 13, inclusive, and the word "Keating", in line 14, and insert "$2,953.97 for the death of his son, Jack Keating; to pay the sum of $1,215 to Luther Burch, as guardian of Dean Burch, minor; to pay the sum of $725 to John Fick, as guardian of Charles Fick, minor, all of Nelsonville, Ohio, in full settlement of all claims against the United States for the death of Jack Keating and the injuries of Dean Burch and Charles Fick sustained when an excavation caused by the removal of earth by the Works Progress Administration caved in on them resulting in the death and injuries on August 30, 1936, in Nelsonville, Ohio: *Provided*."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Edward Keating and others."

ALICE R. SWETT

The Clerk called the the next bill, H. R. 4331, for the relief of Alice R. Swett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Alice R. Swett, of Portland, Me., out of any money in the Treasury not otherwise appropriated, the sum of $37,671.80, in full satisfaction of her claims against the United States arising from personal injuries sustained when the car in which she was riding was struck by a Government truck, operated in connection with the Civilian Conservation Corps, on Route No. 9, in Searsburg, Bennington County, Vt., on September 5, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all the language starting with the word "That", in line 3, down to and including the year "1939", in line 11, and insert in lieu thereof "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alice R. Swett, of Portland, Maine, the sum of $4,523.89, in full settlement of her claim against the United States for personal injuries sustained by her when the car in which she was riding was struck by a truck operated in connection with the Civilian Conservation Corps, on September 5, 1939, in Searsburg, Bennington County, Vt."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF ROBERT S. SWETT

The Clerk called the next bill, H. R. 4408, for the relief of the estate of Robert S. Swett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Norman L. Snow, of Longmeadow, Hampden County, Mass., and John S. Kane, of Springfield, Hampden County, Mass., as administrators of the estate of Robert S. Swett, late of West Springfield, Hampden County, Mass., out of any money in the Treasury not otherwise appropriated, the sum of $10,000 in full satisfaction of the claim against the United States arising from the

conscious suffering and death of said Robert S. Swett resulting from personal injuries sustained when the car in which he was riding was struck by a Government truck, operated in connection with the Civilian Conservation Corps, on Route No. 9, in Searsburg, Bennington County, Vt., on September 5, 1939, which said sum shall be paid to said administrators as follows: One-half for the conscious suffering and the remaining one-half for the death of the said Robert S. Swett: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

After the word "Treasury", in line 3, strike out all the language down to and including the name "Swett", in line 8, page 2, and insert in lieu thereof "be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the administrators of the estate of Robert S. Swett the sum of $1,616.77 in full settlement of all claims against the United States; to Alice R. Swett, of Portland, Maine, the sum of $5,000 in full settlement of her claim for the death of her husband, Robert S. Swett, arising out of a collision between the car he was driving and a Government truck operated in connection with the Civilian Conservation Corps on September 5, 1939, at Bennington County, Vt."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of Alice R. Swett and the estate of Robert S. Swett."

HENRY J. McCLOSKEY

The Clerk called the next bill, H. R. 4464, for the relief of Henry J. McCloskey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $406.70 to Henry J. McCloskey, of San Francisco, Calif. Such sum represents the value of photographic equipment belonging to Henry J. McCloskey and used by him in his work as a guard-photographer in the Immigration and Naturalization Service which was destroyed by fire at the Angel Island station on August 12, 1940.

With the following committee amendments:

Line 6, strike out the period and "Such sum represents the value" and insert in lieu thereof "in full settlement of all claims against the United States for the loss."

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

G. C. BARCO

The Clerk called the next bill, H. R. 4796, for the relief of G. C. Barco.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HANCOCK, Mr. MOTT, and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

PHOENIX CONSTRUCTION ASSOCIATES

The Clerk called the next bill, H. R. 4981, conferring jurisdiction upon the District Court of the United States for the Eastern District of New York to hear, determine, and render judgment upon certain claims against the United States of the Phoenix Construction Associates.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is conferred upon the District Court of the United States for the Eastern District of New York, sitting as a court of admiralty and acting under the rules governing such court, to hear and determine the claim of Perry W. Hughes and Edward J. Shannon, copartners, doing business under the firm name and style of Phoenix Construction Associates as owners of the steam derrick lighter *Bull*, against the United States of America in contract and in tort for injuries and damages sustained by the steam derrick lighter *Bull* on or about March 2, 1939, while the said lighter *Bull* was engaged in connection with the Works Progress Administration project of demolishing old pier 64 North River, New York Harbor, and of erecting a new pier in that locality, including claim for loss of use of the said lighter while undergoing repairs; and to enter judgment or decree for the amount of such damages if any, plus interest and costs as shall be found to be due against the United States of America in favor of said Perry W. Hughes and Edward J. Shannon, copartners, doing business under the firm name and style of Phoenix Construction Associates, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal. The action being authorized shall be brought within 4 months from the date of the enactment of this act.

SEC. 2. The district attorney for the eastern district of New York is hereby charged with the duty of defending the United States in any suit instituted under the authority of section 1 of this act.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to pay the amount of any judgment rendered pursuant to this act.

With the following committee amendment:

Strike out all of the language after the enacting clause and insert in lieu thereof:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to the Phoenix Construction Associates, a partnership, the sum of $5,000 in full settlement of all claims against the United States for property damage to the steam derrick lighter *Bull*, on or about March 2, 1939, while engaged in connection with the Works Progress Administration project of demolishing old pier 64, North River, New York Harbor, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "For the relief of the Phoenix Construction Associates, a partnership."

SAN DIEGO GAS & ELECTRIC CO.

The Clerk called the next bill, H. R. 5438, for the relief of the San Diego Gas & Electric Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the San Diego Gas & Electric Co., San Diego, Calif., the sum of $1,027.52. Such sum represents the actual expenses incurred by such company in the repair of damage to a high tension transmission line crossing Lake Hodges, San Diego County, Calif., which was struck on November 15, 1940, by a United States Navy airplane. The payment of such sum shall be in full settlement of all claims of such company against the United States on account of such accident.

With the following committee amendment:

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney or account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH SOULEK

The Clerk called the next bill, H. R. 5439, for the relief of Joseph Soulek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,000, to Joseph Soulek, of Omaha, Nebr., in full satisfaction of his claim against the United States for damages for personal injuries sustained by him when an automobile in the service of the Works Progress Administration ran into another automobile, causing such other automobile to strike said Joseph Soulek, in Omaha, Nebr., on February 2, 1939: *Provided*, That no part of the amount appropriated in this Act in excess of 10

percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the figures "$4,000" and insert in lieu thereof "$4,050."

Page 1, in line 7, after the word "injuries", insert "and property damage."

Page 1, line 11, after the word *"Provided"*, insert "That the above sum shall be accepted in full release of the judgment held against Arthur L. Dunn: *Provided further."*

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMMETT ARMSTRONG

The Clerk called the next bill, H. R. 5452, for the relief of Emmett Armstrong.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emmett Armstrong, of the town of Lisbon, St. Lawrence County, N. Y., the sum of $1,525. The payment of such sum shall be in full settlement of all claims against the United States for damage to lands on the property of Emmett Armstrong, situated in the town of Lisbon, St. Lawrence County, N. Y., as the result of the use of such lands by the War Department for the camping and maneuvering of troops during field exercises in the month of August 1940.

With the following committee amendment:

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM HORSMAN

The Clerk called the next bill, H. R. 5559, for the relief of William Horsman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 to William Horsman, otherwise known as Doc Silvers, of Silvers' Float, Dundas Bay, Alaska, in full satisfaction of all of his claims against the United States for damages alleged to have resulted from the extension of the Glacier Bay National Monument, and in full payment for a dock and several buildings and appurtenances erected by him upon Government lands now within the Glacier Bay National Monument under a special use permit issued by the United States Forest Service, Department of Agriculture. Upon the acceptance by the claimant of the amount appropriated by this act, the said buildings, appurtenances, and dock shall become the property of the United States: *Provided*, That no part of the amount appropriated by this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOMMY HUDDLESTON

The Clerk called the next bill, H. R. 5596, for the relief of Tommy Huddleston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of Tommy Huddleston, who was injured while in the performance of his duties as an employee of the Civilian Conservation Corps, near Gatlinburg, Tenn., on or about June 23, 1934, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

SEC. 2. The monthly compensation which the said Tommy Huddleston may be entitled to receive by reason of the enactment of this act shall commence on the first day of the month during which this act is enacted.

With the following committee amendments:

Page 1, line 3, strike out "17" and insert "15."

Page 1, line 8, after the word "was", insert "alleged to have been."

Page 2, line 1, insert "injury consisting of rupture."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIEL ELLIOTT AND HELEN ELLIOTT

The Clerk called the next bill, H. R. 6714, for the relief of Daniel Elliott and Helen Elliott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daniel Elliott, of Baltimore, Md., the sum of $500, and to Helen Elliott, of Baltimore, Md., the sum of $1,000, in full settlement of all claims against the United States for personal injuries and expenses sustained when the car in which they were riding was struck by a Work Projects Administration truck on Broening Highway on October 29, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN DEPENDENTS OF VETERANS OF THE CIVIL WAR

The Clerk called the next bill, H. R. 6728, granting pensions and increase of pensions to certain dependents of veterans of the Civil War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension rolls, subject to the provisions and limitations of the pension laws—

The name of Sarah A. Scarritt, widow of Erasmus B. Scarritt, late a first lieutenant and quartermaster, One Hundred and Thirteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lillie Patrick, helpless and dependent daughter of Francis M. Patrick, late of Companies I and B, Fourteenth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month.

The name of Edward Morgan, helpless and dependent son of Sylvester Robinson, known as Charles Morgan, late of Company H, Fourteenth Regiment United States Infantry, and Troop K, Eighth Regiment United States Cavalry, and pay him a pension at the rate of $20 per month.

The name of Susanna B White, widow of George A. White, late of Company F, Eighth Regiment Connecticut Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Arthur Garfield Hudson, helpless and dependent son of Orlando Hudson, late of Company E, First Regiment Michigan Cavalry, and pay him a pension at the rate of $20 per month.

The name of Maggie Webster, widow of Moses Webster, late of the United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Missouri E. McCrum, widow of James McCrum, late of Company I, One Hundred and Twenty-ninth Regiment Ohio Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha E. Craig, widow of John H. Craig, late of Company E, One Hundred and Thirteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Ann Hoke, widow of Bromley Hoke, late of Company G, Fifty-fourth Regiment Massachusetts Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel L. Rector, widow of Hector O. Rector, late of Company K, First Regiment Ohio Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sophronia Brownson, widow of Harmon C. Brownson, late of Company C, Eighty-third Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Isabel F. Easum, widow of Charles L. Easum, late a second lieutenant and captain, Company E, Fifteenth Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Dessie Priest, helpless and dependent daughter of Ezra Priest, late of Company L, First Regiment United States Veteran Engineers, and pay her a pension at the rate of $20 per month.

The name of Dayton Pierce, helpless and dependent son of Levi Pierce, late of Company I, Fourth Regiment West Virginia Infantry, and pay him a pension at the rate of $20 per month in his own right in lieu of the $12 per month additional pension now being paid to his mother, Catherine Pierce, and that so much of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," Private Law No. 70, Sixty-eighth Congress, approved December 23, 1924, as provides additional pension of $12 per month on account of Dayton Pierce and payment of pension at the rate of $20 per month to him in his own right in event he is predeceased by his mother, is repealed.

The name of Annie M. Dill, widow of Henry Dill, late of Company B, First Regiment Maryland Cavalry, and pay her a pension at the ate of $50 per month in lieu of that she is now receiving.

The name of Hattie C. Knox, widow of William C. Knox, late of the Signal Corps, United States Army, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Martha J. Fristoe, widow of Edward J. Fristoe, late of Company B, One Hundred and Thirteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary S. Thompson, helpless and dependent daughter of Robert A. Thompson, late of Company E, Sixteenth Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $20 per month.

The name of Fredonya D. Craig, widow of Achibald Craig, late of Company A, Second Regiment Potomac Home Brigade, Maryland Infantry, and Company D, One Hundred Seventy-sixth Regiment Ohio Infantry, and pay her a pension at the rate of $30 per month.

The name of Hattie M. Butler, former widow of George Butler, late of Companies K and C, Ninety-sixth Regiment Ohio Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mina Tobin, widow of Cornelius W. Tobin, late of Company B, Thirty-second Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna Maria Amberg, helpless and dependent daughter of John Amberg, late of Companies I and C, Ninth Regiment Wisconsin Infantry, and pay her a pension at the rate of $20 per month.

The name of Maggie Sanford, widow of Andrew Sanford, late of Company F, One Hundred and Fifty-second Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lillie B. Reynolds, widow of Dudley S. Reynolds, late of Company B, Sixth Regiment Kentucky Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Robison, widow of Tolbert J. Robison, late of Company G, One Hundred and Ninety-ninth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month lieu of that she is now receiving.

The name of Clarence Leslie Skipper, helpless and dependent son of Nathan Skipper, late of Company G, Eleventh Regiment Illinois Infantry, and pay him a pension at the rate of $20 per month.

The name of Julia A. Jones, widow of Aaron L. Jones, late of Company I, Thirty-fourth and Thirty-sixth Regiments Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie McClean, widow of Joseph McClean, alias William Smith, late of Company G, Second Regiment Connecticut Heavy Artillery, and pay har a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma Agler, widow of Joseph W. Agler, late of Company K, Seventy-fifth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Marie R. Sharp, widow of Christian L. Sharp, late of Company I, Twenty-fourth Regiment New Jersey Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Jennie Hopkins, helpless and dependent daughter of William Hopkins, late of Company D, First Regiment Ohio Heavy Artillery, and pay her a pension at the rate of $20 per month.

The name of John Shipley, helpless and dependent son of John Shipley, late of Company K, Thirteenth Regiment Tennessee Cavalry, and pay him a pension at the rate of $20 per month.

The name of Lucy Pierce, widow of Samuel W. Pierce, late of Company F, Seventeenth Regiment Massachusetts Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Nancy Jane Miller, widow of William Miller, late of Company E, Fifteenth Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah C. Kimble, widow of George F. Kimble, late of Sixteenth Independent Battery New York Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WOMEN'S ARMY AUXILIARY CORPS

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6293) to establish a Women's Army Auxiliary Corps for service with the Army of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6293, with Mr. IZAC in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. MAY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill was introduced early last year by the gentlewoman from Massachusetts [Mrs. ROGERS]. I want to be perfectly frank with the membership and confess that when it was first introduced and called to my attention I was somewhat skeptical about the advisability of it. It remained in the committee for hearings for several months chiefly due to the fact that we were engaged in the consideration of other war legislation deemed more important than this. On the appropriate occasion and at the proper time, when I could, the bill was referred to the War Department. I asked for a report of the attitude of the Secretary of War on the matter. In due course we received a report from the War Department, and with it was sent an accompanying bill which was practically a rewrite of the original bill to meet what the Chief of Staff and the Secretary of War thought was essential to the proper administration of the auxiliary corps if and when established by the Congress.

I then set a time for hearings and we had rather extensive hearings. The gentlewoman from Massachusetts appeared and testified for the bill, and although we gave general notice of the time and place of the hearings, there was no one who appeared in opposition to it. I have not heard up to now of any opposition to the legislation.

I want to explain very briefly if I can just what the legislation does. First, it authorizes the President to set up what is known as a Women's Auxiliary Corps, with, but not in the Army. We are told by the War Department they will never need, so far as they can now see, more than from nine to twelve thousand of these enlisted women, and, by the way, they are all voluntary enlistments and not subject to draft.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Will the gentleman tell me whether or not this is a military organization or a semimilitary organization?

Mr. MAY. It is a civilian organization made up wholly of women between the ages of 21 and 45 on voluntary enlistment and acceptance by the War Department after proper examination and on the usual requirements for admitting people to such organizations.

Mr. VAN ZANDT. Will the service rendered by these women be comparable to the service now being rendered by the men of the armed forces?

Mr. MAY. It will be in the activity in which they will be engaged. They will take the place of able-bodied soldiers now on duty in such places as filter centers where Aircraft Warning Service stations are located; they will be assigned within the information and filter centers of the aircraft warning service as clerks, plotters, tellers, supervisors, teletype, telegraph, switchboard and telephone opera-

tors, and as messengers. That is one of the fields in which they will be called to service, and they will take the place of men who are trained soldiers and now operating telephone exchanges and filter centers and the like. The proof before the committee is to the effect that they make very much better employees in that service than the regular soldiers.

Mr. VAN ZANDT. What I am trying to establish is this: Will these women render military service to their country, or is it a civilian service to their country?

Mr. MAY. I have already told the gentleman that they will be civilian employees and not in the Military Establishment.

Mr. HARE. They will be under military regulation, will they not?

Mr. MAY. Yes.

Mr. HARE. I do not see how you are going to keep them out. I do not see how they can be civilian employees if they are under military regulations.

Mr. MAY. There are lots of people connected with the armed forces not in the Army of the United States. There are thousands of people working down here for the War Department who are civilians and not subject to military discipline, but because of the particular service these women will be called upon to render, they will be subject to discipline under regulations to be provided by the Secretary of War. The women who go into this corps will be subject to military discipline, but they will not be members of the United States Army. They are enlisted on voluntary enlistments for noncombatant service. The additional services for which they will be called will be such services as pharmacists, dietitians, hostesses, librarians, theater employees, welfare workers, post-exchange employees, cooks, stewardesses, and laundry workers. They will replace many enlisted men engaged in performing these specific duties and relieve them for military service in combat units.

Mr. HARE. If the gentleman will yield, are not the women already performing these same functions in the camps and other places of military activity today?

Mr. MAY. They are, but they are not subject to military discipline. For that reason the Army wants to put them where they can direct their activities and control the time of their employment. They want it to be so that a woman cannot just voluntarily get up and walk off a station. It may happen that within the time of a split second some radio communication may pass through a filter station, while someone is off duty. It is necessary that they be subject to discipline in order that the Army may command their services at the time and place they are needed.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Indiana.

Mr. SPRINGER. It will be a fact, will it not, that these ladies who are taken into the service will be subject to military discipline and will also be entitled to receive all the benefits, including pensions or compensation, which a soldier receives?

Mr. MAY. They will receive, under the provisions of the Federal Employees' Compensation Acts, certain stipulated benefits that are equivalent to those received by civilian employees of like status in the Federal service. That will be the compensation they will receive. This is set out in the hearings at length.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Michigan.

Mr. MICHENER. As I understand it, these women are to be subject to Army discipline?

Mr. MAY. That is right.

Mr. MICHENER. Suppose an enlisted woman violates a rule or regulation, exactly the same as an enlisted man might do. Then she is subject to like discipline. Would she be committed to the guardhouse and punished in that way, or how would the regular discipline be enforced?

Mr. MAY. She would probably be summarily discharged if the offense justified it. If not, of course, the Army authorities would administer appropriate punishment, whatever the circumstances and facts of the case warranted.

Mr. MICHENER. The question of punishment is a very important one. We are passing a bill that will affect many enlisted women. Does the gentleman mean to say there are no rules or regulations now?

Mr. MAY. I did not say there are no rules and regulations.

Mr, MICHENER. Are there?

Mr. MAY. The War Department will provide rules and regulations for the discipline of this corps, exactly as they provide rules and regulations for the discipline of units of the Army, but no doubt regulations for control of ladies will not be so drastic as those for men in the armed forces.

Mr. KILDAY. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Texas.

Mr. KILDAY. I call the attention of the gentleman to section 14, on page 11 of the bill, which provides as follows:

> The members of the corps shall be subject to such disciplinary regulations as the Secretary may prescribe, including provisions for the punishment of major infractions by summary discharge from the corps, and shall be subject to the Articles of War pursuant to the second article thereof when applicable.

It is a case in which the punishment will be administered by the Army authorities, and the offenses will be defined by Army regulations, as is the case in many instances in the other forces.

Mr. MICHENER. In other words, if she goes A. W. O. L., you just do not know what is going to happen to her so far as punishment is concerned.

Mr. MAY. I have just explained that, and it is set out in section 14, as stated by the gentleman from Texas.

Mr. ANDREWS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I intend to take no longer than 5 minutes on this bill and then yield to the lady from Massachusetts.

In view of the questions asked of the chairman of the committee, it seems to me it may be well to review in a general way a few provisions of this bill.

It establishes a Woman's Army Auxiliary Corps for service with the Army of the United States. It is not a part of the Army of the United States. It provides for a volunteer corps of women for noncombatant service with the Army.

Generally speaking, that service will be almost entirely within the continental United States. I suppose there would be some exceptions, such as Panama, Alaska, and similar places. The intention of the War Department today is that in all probability it will not utilize the services of over 15,000 women, although a higher limitation is placed in the bill and is acceptable to it.

The War Department says there are thousands of qualified women who are willing and eager to perform these duties, particularly in the Aircraft Warning Service of the Army, which women can perform better than men.

The proposed organization would operate under the direct supervision of the Army and would not conflict with or replace civilian defense activities. It would include only women citizens of the United States who volunteer for appointment or enrollment in the corps. The term of service is 1 year, which may be extended for the duration of the war plus 6 months. Age limits for officer personnel of the corps are such as may be prescribed by regulations. The age limits for enrollees are fixed in th bill as 21 to 45 years. There would be one director—a member of the corps—charged with the administration and operation of the corps under the supervision of the Chief of Staff of the Army; such assistant directors as may be necessary, probably one per corps area; an appropriate number of first, second, and third officers, leaders and auxiliaries to form, administer and train the companies, platoons, and similar units. A company, which is the largest unit now contemplated, would normally be stationed at a large camp or other military installation, including information centers of the Aircraft Warning Service. The type of duty to which personnel of the corps could be assigned is not specified in the bill except that it must be limited to noncombatant service. Existing requirements indicate that assignments may include the following: Clerks, machine operators, telephone, telegraph, teletype, and switchboard operators, pharmacists, dietitians, hostesses, librarians, theater employees, welfare workers, post-exchange employees, plotters, tellers, supervisors in information and filter centers, cooks, stewardesses, laundry workers, and messengers.

In the committee there has been no dispute about the provisions of the bill. There does seem to be some question today as to whether or not these women, who are not a part of the Army and not so intended, but are members of an auxiliary corps, should be subject to the provisions of various laws such as suggested by the gentleman from Oklahoma [Mr.

NICHOLS] on yesterday. They do not come within the same category for the reason that they are not a part of the Army.

There is one distinction today between nurses who are considered a part of the Regular Army and the women of this corps, who will be considered as auxiliaries. A nurse with the Army today is subject to receive a disability allowance for disability in line of duty under the act of June 20, 1936, as amended, and is entitled to retired pay at three-quarters of their active pay. In the event of death their estate is the beneficiary of a 6-months' gratuity from the War Department, and this is all handled by the War Department. These women will not be in the same category as nurses unless the Committee should adopt the Nichols amendment. The War Department, I may say, is against that as a matter of precedent, because the women of this corps would not be a part of the Army, but military auxiliaries.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. AUGUST H. ANDRESEN. Take the case of a woman who has enlisted and wants to be a hostess. The commanding officer says, "No; you are going to work in the laundry." She does not want to work in the laundry.

Mr. ANDREWS. The entire matter is subject to regulations prescribed by the Secretary of War, but the chances are in a case like that she would be discharged.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield myself 2 additional minutes.

She would probably be in the same category as the boy in the Coast Artillery who wants to get into the Quartermaster Corps. He may want to get over there, but he may not get there.

Mr. AUGUST H. ANDRESEN. But in the Army they go where they are told to go.

Mr. ANDREWS. And in this case they go where they are assigned to go.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. VAN ZANDT. What method of selection has the War Department indicated they may employ in selecting the various people for the various services?

Mr. ANDREWS. They would be selected through a military committee of Army officers in the way most of the reserves are handled.

Mr. VAN ZANDT. And there will not be any favoritism?

Mr. ANDREWS. There will not be any favoritism; and my understanding is that letters from Congressmen will not be preferred.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to my colleague on the committee, the gentleman from Ohio.

Mr. ELSTON. I would like to ask the gentleman from New York if it is not a fact, since the question has been raised about the possibility of women being punished by court martial, that if we are engaged in war, section 2 of the Articles of War will fully apply? As I understand, this section of the Articles of War makes a distinction between persons in the Army who are serving during wartime and those who are serving during peacetime. If they are serving during peacetime, they are not subject to court martial; but if they are serving during wartime, they are subject to court martial, the same as any soldier. So, if a woman who became a part of the Women's Army Auxiliary Corps should commit any violation of military law, she would be subject to the same penalties that any soldier would be subjected to, and could be punished in like manner. I will ask the gentleman from New York if that is not the fact?

Mr. ANDREWS. I believe that is correct. In fact, any civilian giving aid or comfort to the enemy would be subject to the same thing.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I now yield 10 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS], the author of the bill.

Mrs. ROGERS of Massachusetts. Mr. Chairman, almost a year ago I introduced this bill in Congress, on May 28, 1941, but the proposal for an organization of women to serve as noncombatants with the Army of the United States has long been in my mind. So far back as the first World War, when I was in England and France, I saw the need for such an adjunct to our military forces. Great Britain had a well-organized, smoothly operated women's auxiliary during the last war. I was thrown in close contact with them, worked with them myself, and came to appreciate and realize how extremely valuable the auxiliaries are in their performance of tasks for which women are suited or which they can do with equal facility as men. Even then I felt that our military forces should have an auxiliary force—one recognized as official, and one authorized by law to serve with the Army and to be subject to military control. In our first World War we did have women who served and who gave fine service. There were dietitians, physiotherapists, telephone operators—in fact, a number of categories—but their status was vague. Of course, nurses served as a part of our military services. They were not under military control in the strictest sense of the word. They received no compensation of any kind in the event they were sick or injured—and many were. It was a most unsatisfactory arrangement and has been the cause of much dissatisfaction ever since the Armistice. Many Members of Congress have felt as I do, that these women who gave of their service, unselfishly, patriotically, and under conditions comparable to that of men, should have received pay privileges for that service. The knowledge of these heart-breaking cases, the bitterness which some of these loyal, patriotic women felt, was one of the prime factors in my plan for a Women's Army Auxiliary Corps.

In planning the measure I conferred with many persons who had first-hand knowledge of the splendid women's corps in Great Britain. They were most helpful and their suggestions will in great measure enable us to avoid some of the errors and difficulties encountered in bringing the services up to their present state of perfection.

Last May I introduced my bill, H. R. 4906, calling for the establishment of a Women's Army Auxiliary Corps for service with the Army of the United States. It was referred to the Committee on Military Affairs of the House, and the Secretary of War was requested to make a report and submit his recommendations to the chairman of the committee.

The officials of the General Staff at the War Department studied the proposal very carefully, and the Secretary of War did not make public his recommendations until December 24, 1941, when he suggested a few minor changes in the bill and strongly advocated its enactment by Congress. The Chief of Staff, General Marshall, submitted a similar letter, in which he gave his opinion that—

> The Corps would provide a sound and practicable method of meeting military requirements with respect to the employment of women. * * * There are innumerable duties now being performed by soldiers that actually can be done better by women. * * * The efficient use of women for noncombatant service with the Army requires systematic organization and training of this personnel under military supervision and control.

The hearings held before the Military Affairs Committee of the House brought out that the General Staff wants the Corps and needs it at once. It was emphasized that the proposal is a military proposition pure and simple and has nothing whatever to do with civilian defense as that term is commonly used.

In simple language, the bill provides for the voluntary enrollment of women of excellent character, in good physical health, between the ages of 21 and 45 years, and who are citizens of the United States, in the Women's Army Auxiliary Corps for service with the Army of the United States. The term of service is defined in the bill as being for 1 year, with the customary proviso that in time of war, or of national emergency the Secretary of War may, by order, extend the term of service to include the period of the war or national emergency, plus not to exceed 6 months.

The measure provides for a Director of the Corps, who shall receive a salary of $3,000 a year, togethe with other allowances in lieu of quarters, rations, and so forth, where such is not supplied. This is comparable to the pay of a major in our Army.

There is also provided assistant directors, and it is proposed to have one assistant director for each Army Corps, or nine in all. The assistants would receive $2,400 a year, together with the customary allowances when necessary.

The Secretary of War is authorized to appoint officers in such numbers as he may deem necessary. The pay of a first officer is $2,000, a second officer, $1,575, and a third officer, $1,500 a year, plus allowances when necessary.

Noncommissioned ranks are provided and they are designated as first leaders, at $864 a year; leaders, at $720; and junior leaders, at $648 a year.

The auxiliaries, who are comparable to privates in the Army, receive the same pay as an enlisted man, $21 per month for the first 4 months of service and $30 a month thereafter. They are permitted to qualify as specialists and those of the first class would receive $15 per month in addition to their base pay, specialists of the second class, $10 per month additional, and specialists third class, $5 per month additional.

Quarters would be provided for the members of the Corps either on established Army posts, camps, or stations, or when such is not available pay allowances in lieu of these are provided at the rate of $1.15 per day. Similarly, subsistence is furnished, or provided for by allowances when such is not supplied.

The Corps will be a uniformed organization and the Secretary of War is authorized to furnish such uniforms, insignia, and so forth, under the regulations now being used for our Army.

Medical and dental services, hospitalization, and burial allowances in case of death are provided.

In the event of injury in line of duty, or of illness, members of the Corps would be entitled to the same benefits prescribed by law for civilian employees of the United States Government, such jurisdiction to rest in the United States Employees' Compensation Commission.

The measure provides also for the establishment and maintenance of schools for the training of candidates for officers of the Corps. While attending such schools, candidates will receive pay at the rate of $50 per month, and will be furnished living quarters, uniforms, medical and dental services, medicines, medical and hospital supplies, hospitalization, subsistence, and necessary school supplies.

It is expressly provided that the corps shall not be a part of the Army, but it shall be the only women's organization authorized to serve with the Army, exclusive of the Army Nurse Corps. In order to protect the Army Nurse Corps a clause is inserted in the bill providing that nurses shall not be enrolled in the Women's Army Auxiliary Corps, and nothing in this act shall be constructed to affect or change the Army Nurse Corps as now established by law.

Authorization is given to the Secretary of War to prepare and issue regulations, rules, and orders and to employ any and all the facilities of the War Department and of the Army of the United States to carry out the provisions of the act.

Members of the corps are not subject to court martial, but shall be subject to disciplinary regulations which the Secretary of War may prescribe. The officers of the General Staff feel that discipline can be maintained under such regulations, with the worst punishment being a bad conduct discharge, a discharge without honor.

There has been a tremendous, spontaneous, widespread approval of this proposal. I have received thousands of letters from women in every State of the Union—women who are anxious and eager to serve, who want to enroll at once. Significantly, almost all of these letters are from women who are not seeking the higher positions in the corps, but who wish to enroll as auxiliaries and prove their worth and ability through their service.

Two of these letters follow:

SANTA FE, N. MEX.

DEAR MRS. ROGERS: I see by the papers that you are urging the House to give us a chance to work for America, too. By us, I mean the young women of America who want so much to do war work but are unable to do much, as we have to make our own living. We are young, strong, and anxious to do what we can. I sincerely hope you can make the men see it our way. As you say, the women of England are doing a tremendous job. And so can we.

Sincerely,

———— ————.

WASHINGTON, D. C., *March 16, 1942.*

Hon. EDITH NOURSE ROGERS,
United States House of Representatives,
Washington, D. C.

DEAR EDITH: You have long known of my interest in and enthusiasm for your projected Women's Auxiliary Corps for the Army; but, as the bill goes up for final vote, I want to tell you that because of what I saw on my recent trip through the West and South, I have come to realize an added importance to your idea—

And this is it:

The women of this country are being thwarted in their great eagerness to help and share in the national war effort, because no national plan for women's activities has been produced. Consequently this tremendous reservoir of ability and usefulness has, to a great extent, remained untapped and undirected. The force is so great, however—the desire to serve and be of use so irresistible—that it has broken through the dam of national indifference and rushed into whatever channels of activity seemed to offer opportunities of service. The result is that in almost every locality I visited I found duplication of effort, misdirected energy and—most regrettable of all—mounting jealousy and ill feeling between the different groups. Furthermore, while certain activities were being greatly overdone, others—and these the most important in our war effort, such as salvage, conservation, planting, and so forth—were, in default of a national program and direction, being almost totally neglected.

Everywhere I found confusion, bewilderment, and dismay on the part of women that their energy and ability to help in the war effort were not being recognized and focused in a national program. You know so well how shattering this state of mind is to morale.

Therefore I see in your project a value beyond the assistance the corps will undoubtedly bring to the Army; I see it providing an urgently needed support to the morale of the Nation. It creates the first chance which has been given to American women in this war to share directly in the war effort on a national plan under the direction and discipline of a Government agency.

In this time of great stress, your plan will prove, as England has proved, that the strongest shock-absorber against the strain and worries of war is the steadying force of needed service efficiently performed.

I shall count it a privilege to be helpful in any way in the development and carrying out of your splendid idea.

Yours ever,

HELEN WOODS.
(Mrs. Arthur Woods.)

It is remarkable that little or no opposition has been made to the measure itself. The only protests of a material nature I have received have been from women who are either too young or to old to qualify under the age limitations set forth in the bill. These age limits—21 to 45 years—were set by the War Department officials as being most satisfactory for the needs of the service. There is no age limit prescribed for officers, but undoubtedly the Secretary of War will fix these by regulation.

No limitation is placed upon the size of the corps. In my first bill, H. R. 4906, I had a limitation of 25,000 members. However, the Secretary of War requested in his letter to the chairman of the Military Affairs Committee that size limitations be omitted, as the size of the organization would depend upon military requirements and cannot be determined at the present time. When I placed a limitation of 25,000 in the first bill, we were not at war, and I felt that if a corps of this size were authorized it would provide a basis for expansion and development. In the present bill the strength is left to the discretion of the President. In the testimony before the Military Affairs Committee the General Staff officers pointed out that 12,500 auxiliaries were needed at once, 9,700 of these to be used in the aircraft-warning service. At the present time the Interceptor Command of the United States Army is using about 6,000 women in the information or filter centers of that service. These women are volunteers, giving their services patriotically and unselfishly. They have done a fine job, and the War Department and the country at large are exceedingly grateful to them. It is pointed out, however, that it is vital to efficiency and to safety that the Army have military control over such employees. To illustrate the point, at the present time if Mrs. Smith, who is a plotter in one of the stations, found that she could not be on duty tomorrow afternoon because of some family duty requiring her presence at home, she could call the station and say that she could not be there, and the Army authorities could do nothing about it. In the case of the Women's Army Auxiliary Corps its members would be on duty, under the discipline and control of the Army authorities just as a soldier would be at any time, day or night. The War Department feels that the aircraft-warning service is much too important to leave to voluntary service without strict military control. In believing this it does not in any way cast discredit upon or minimize the fine work of the volunteers who have served so faithfully and so well. It is a matter of organization, discipline, training, and military control, and the big item is control. If women are to be used on a military basis, you have got to have military control. The information and filter centers are highly organized installations, and a large part of the work done there can be done better, according to experts, by women than by men. It is a service in which speed is the prime essential—where a matter of a few seconds may mean the difference between life and death. In Great Britain it has been demonstrated time and again that women are faster, more alert, in this work than is the case with their brothers. Thus it is extremely essential that irregular attendance and excessive turn-over in personnel

be eliminated in time of war in order to have a perfectly functioning, smooth organization under strict military control.

In addition to the needs of the Aircraft Warning Service, the members of the Women's Army Auxiliary Corps could be assigned as clerks, machine operators, telephone, telegraph, teletype, and switchboard operators, pharmacists, dieticians, hostesses, librarians, theater employees, welfare workers, post exchange employees, cooks, stewardesses, laundry workers, and messengers, or in any capacity which is noncombatant.

In talking with a high-ranking officer of our Army the other day about this bill, he pointed out to me that the one task his enlisted men disliked most was that of telephone operator. It is definitely a woman's work and men admittedly do not make good operators as a rule. In many camps, located far from urban districts, it is almost impossible to use women for the work because of the lack of transportation facilities to bring them to their work and return them at the close of the day. Under the set-up proposed, the Women's Army Auxiliary Corps would take over the task and the members of the corps would live in quarters assigned to them on the post, under strict military control.

I wish with all my heart I could read to you many of the letters I have received. They are so sincere, so patriotic, so eager. One of them is typical, and I will read a part of it here:

MY DEAR MRS. ROGERS: I have read and watched with a great deal of interest the comments and discussions concerning your bill for a Women's Army Auxiliary Corps, in fact I wrote to the War Department trying to obtain information about it, and offering my services. The Army wants about 12,000 women for certain work. They are more adaptable to these jobs than men, so why do we have to have so much fuss and argument over this bill? I suppose the men think all we want is to get into a uniform. Perhaps they don't know that we realize the seriousness of the situation. They don't need to worry. I have a son, 16 years old in December, and all he talks of is getting in the Navy. I have a nephew on the Burma Road. I have two very dear cousins—handsome boys, over 6 feet tall—also two other people I love very much, who are in the Army in Florida. So I guess we women realize the situation and only want to help, and we can if we are allowed. During the World War I took a man's place as a telegraph operator. After the depression I took up telephone operating, which I am now doing. I feel equal to instructing in either type of work. Your bill is right; fight for it, and let us hope it passes. * * * I married a Twenty-sixth Division man. I saw him die for over 7 months. I hate this war and if we women can release men to fight why should we be held back? I wish you success. This is a poor effort to express what I feel, but I am sure there are plenty more who feel the same way.

If we are to have total war—and that is what we are experiencing at the present time—there is a very definite place for women in it. Modern war recognizes no limitations of battlefields, no gender of its participants. To win a total war every resource, every service must be utilized.

In the beginning, I wanted very much to have these women taken in as a part of the Army, just as are the nurses. I wanted them to have the same rate of pension and disability allowance. I have been nursing this measure along through the years, as you see, and realized that I could not secure that. The War Department was very unwilling to have these women, if the bill should become law, as a part of the Army. They wanted them to serve with the Army, but not as a part of it. I think one reason for this is that today the Army has a large group of men not included in the Army, but who serve in a civilian capacity such as cadets at West Point, draftsmen in the Engineer Corps, field clerks in the Engineer Corps, civilian field clerks in the Signal Corps, postal agents, contract surgeons, and contract nurses. I have a feeling that the Army believes that if these women are taken in, the others should be taken in also.

The chairman of the Committee on Military Affairs has stated that there was no intention of taking in more than 12,500 women. I think he meant the taking in of only 12,500 at the present time, chiefly as aircraft warning filter station operators. But my wish, and I think the wish of the War Department, is to have an unlimited number of women ready to volunteer for the service. We are in the grimmest war that this country has ever had; the grimmest and most difficult war that has ever been known in all history. It is vital to have the authorities take in as many women as they need. It is entirely voluntary, as you know. I understand that the Military Affairs Committee will place a limit of 150,000.

Mr. MAY. That is correct; and an amendment will be offered to that effect. But, of course, if the time ever comes when the Army needs more than 150,000, then Congress will have to act again.

Mr. HARE. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes.

Mr. HARE. I can appreciate the patriotism and ambition of the gentlewoman and those favoring this proposition, but in view of the suggestion that these women are to be stationed at airports and other places, where they are to obtain messages, and be watchwomen, so to speak, as against invading enemy planes, I can see that the exposure to which they would be subjected would be out of order and entirely contrary to the treatment that is accorded women in this country. My feeling is this, that if we have young men in the Army who should be relieved of this, that there are probably hundreds and thousands of World War veterans who would like to demonstrate again their patriotism, and who would volunteer to serve in this capacity, and they would be just as efficient as anyone.

Mrs. ROGERS of Massachusetts. May I say to the gentleman that the War Department, and the man from England, with whom I had a long talk, who started the women on this technical work, say that women are particularly suited for this aircraft warning duty, and as telephone operators. Their voices carry much more clearly than do men's, and they have a certain aptitude for it. We all remember Pearl Harbor, and we all remember that there was no one at the aircraft warning station, at the filter station, a minute and a half before the attack, and if we had had these women there, or if the filter station had been protected, we might not have had the appalling tragedy of Pearl Harbor. Also, as the gentleman from Kentucky [Mr. MAY] suggested, a matter of 4 or 5 seconds, or of clipped seconds, makes a great difference in detecting enemy planes coming in, and getting a warning to the planes on the ground and in permitting planes to take off. If that had happened at Pearl Harbor, we might have had a different story today. Also, I may say that the volunteer women in the filter stations have done a marvelous piece of work, but they have not been able to be on the job all of the time, because they must be with their families, and they cannot always be wherever the stations have to be placed, because the aircraft warning units must be mobile. At one aircraft warning station the commanding officer said that they were usually 10 percent short, and another 40 percent irregular, through no fault of the women, because they had illness, or something at home to attend to.

Mr. ELSTON. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes.

Mr. ELSTON. The gentlewoman has suggested that women will command the stations in the aircraft-warning service. I think it should be understood that the women are not to take the place of men who are operating the listening devices in the Army.

Mrs. ROGERS of Massachusetts. No; not take the place of men at the radio detectors.

Mr. ELSTON. No, because those men are highly skilled operators; but the women will be largely stationed near or in big cities, where they will operate extensive warning-service devices for the purpose of detecting planes approaching big cities. They will not take the place of men at active combat posts, who are manning the listening devices and other devices that are in danger zones?

Mrs. ROGERS of Massachusetts. No; not at all. I would like to state, to the everlasting credit of the thousands of women I have heard from, not one has mentioned the matter of compensation, as far as the disability allowance is concerned. Some of them have said that they would serve if they only had their quarters, their sustenance, and their clothing. They would give their services gratis. Some have said that they must earn their living, so they must have a small amount of compensation.

[Here the gavel fell.]

Mr. ELSTON. Mr. Chairman, I yield the gentlewoman 4 additional minutes.

Mr. DONDERO. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Michigan.

Mr. DONDERO. I notice that the corps will be made up of those who have

either been appointed or enrolled. That indicates it will be a voluntary system.

Mrs. ROGERS of Massachusetts. Entirely voluntary.

Mr. DONDERO. Will this be spread over the United States by States or quota, as to the number that will be enrolled in the corps?

Mrs. ROGERS of Massachusetts. That I do not know. The rules and regulations have not been promulgated with respect to that feature. I understand they will be enrolled by the War Department, through the regular recruiting offices.

Mr. DONDERO. That would be under the quota system now in force in regard to the Army—each State is given a quota?

Mrs. ROGERS of Massachusetts. I am not sure how that will be handled.

Mr. VAN ZANDT. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. VAN ZANDT. A moment ago the gentlewoman from Massachusetts mentioned the fact that the women with whom she has conferred in the last several months indicated that they had no desire to ask for compensation similar to what the veteran receives.

Mrs. ROGERS of Massachusetts. Just the necessary amount on which to live. They are perfectly satisfied with the $21 for the first 4 months and $30 thereafter. They do not mention disability allowance. Their only desire seems to be to serve.

Mr. VAN ZANDT. The gentlewoman knows that after the war is over this group will form an organization and of course they will be here asking the Congress to grant them the same privileges as the veterans.

Mrs. ROGERS of Massachusetts. I think very likely, and I would like to have them have it.

Mr. O'CONNOR. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. O'CONNOR. What restrictions will be imposed as to qualifications for volunteering? Suppose they are married, and so forth?

Mrs. ROGERS of Massachusetts. My understanding is that no one with dependents will be taken in.

Mr. O'CONNOR. Suppose they have a husband who is not a dependent; then what?

Mrs. ROGERS of Massachusetts. I would say that we have spoken of the matter of disability allowance under the United States Federal Employees Compensation Act, which would apply to members of this corps. A dependent widower would receive compensation.

Mr. O'CONNOR. What are the limits of age?

Mrs. ROGERS of Massachusetts. Twenty-one to 45.

Mr. O'CONNOR. And what is the pay?

Mrs. ROGERS of Massachusetts. Twenty-one dollars for the first 4 months for an auxiliary, and $30 thereafter. Then you have additional pay for specialists; $5 for one group, $10 for one group, $15 for another. Then you have first leaders, leaders, and junior leaders, corresponding more or less to the noncommissioned ranks of the Army. Then you have officers, three grades.

Mr. O'CONNOR. Will the gentlewoman yield further?

Mrs. ROGERS of Massachusetts. I have promised to yield to other people. There is one director and several assistant directors, one, I believe, for each Army corps area.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. AUGUST H. ANDRESEN. I assume that any American citizen, a lady, who meets the physical qualifications, will be accepted?

Mrs. ROGERS of Massachusetts. Yes; she will be accepted. Anyone who meets the physical qualifications.

Mr. AUGUST H. ANDRESEN. No lines of demarcation?

Mrs. ROGERS of Massachusetts. None at all.

Mr. COLE of New York. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. COLE of New York. I understand these ladies are to be put in uniform?

Mrs. ROGERS of Massachusetts. Yes; and I hope it will be an attractive one. War is a terrible thing, and if there is any satisfaction to be had out of a good-looking uniform I hope they will have it.

Mr. COLE of New York. Of course, they should have. But their services will be manifold—some as messengers, some as clerks, some as operators. Will there be a different uniform for each type of work or will it be a standard uniform throughout the corps?

Mrs. ROGERS of Massachusetts. That I cannot say. I think that is to be left to the director. I think the uniform means authority and discipline. I think one of the finest things about this bill is that it gives the women of the country an opportunity to serve under a recognized Government department, thoroughly trained and disciplined. It is interesting to note the number of letters that speak of that fact—that they are delighted to be in a thoroughly disciplined unit. This measure will have a very steadying effect upon the morale, I believe. This measure has been urged repeatedly by the Secretary of War and by General Marshall, Chief of Staff. Letters from them to the chairman of the Military Affairs Committee are as follows:

DEAR MR. MAY: Urgent military business renders it impossible for me personally to present to your committee my recommendations regarding pending legislation to authorize a Women's Army Auxiliary Corps.

In my opinion this proposed organization would provide a sound and practicable method for meeting military requirements with respect to the employment of women. The percentage of our people employed in essential war industry is steadily increasing and I think it can be assumed that all of our available manpower and womanpower will be required, either in uniform or industry, to win this war. There are innumerable duties now being performed by soldiers that actually can be done better by women. Timely recognition of this situation and legislative action which will enable the Military Establishment to absorb and utilize its proportionate share of the available womanpower will contribute materially to the successful accomplishment of the task before us.

The efficient use of women for noncombatant service with the Army requires systematic organization and training of this personnel under military supervision and control. In order that the available means may be applied to meet the existing military needs I earnestly request that your committee support the legislation now being considered to establish a Women's Army Auxiliary Corps.

Faithfully yours,

G. C. MARSHALL,
Chief of Staff.

DECEMBER 24, 1941.

HON. ANDREW J. MAY,
Chairman, Committee on Military Affairs,
House of Representatives.

DEAR MR. MAY: The War Department recommends the enactment, with certain amendments indicated hereinafter, of H. R. 4906, Seventy-seventh Congress, a bill to establish a Women's Army Auxiliary Corps for service with the Army of the United States.

The bill provides for a volunteer corps of women for noncombatant service with the Army. A similar force is being used in England at the present time and experience both in this war and during the World War has demonstrated that such an organization will provide a practical means for utilizing the services of women where they can be of great assistance in national defense. At the present time there is no shortage of manpower in this country; nevertheless there are a great many types of duty in corps area service commands and in the Aircraft Warning Service for which women are better fitted than men, and the employment of women on such duty would increase efficiency and release men for more intensive work or combat service.

In order that a maximum benefit might be obtained from the proposed auxiliary corps it is essential that its organization and employment be carefully planned and key personnel properly trained before there is urgent need for extensive expansion. This bill provides a means whereby the organization could be perfected in an efficient and orderly manner on a small scale initially and expanded thereafter if required by the situation.

The organization contemplated by this legislation would not replace or conflict with any functions or activities now under the supervision of the Office of Civilian Defense. Under the provisions of this bill the Women's Army Auxiliary Corps would consist of individuals and units substantially as follows: One director charged with the administration and operation of the corps under the direction of the Chief of Staff of the Army; such assistant directors as may be necessary, probably one per corps area service command; one or more schools for training candidates for officers of the corps; and such number of first, second, and third officers, leaders, and auxiliaries as may be necessary to form initially a limited number of companies. A company would normally be stationed at a large post, camp, station, or other zone of interior installation and its personnel given such assignments as clerks, machine operators, cooks and bakers, stewardesses, telephone and telegraph operators, pharmacists, dietitians, hygienists, hospital and laboratory technicians, hostesses, librarians, theater employees, welfare workers, post-exchange employees, and laundry workers.

The proposed organization would include an aircraft-warning section as a component part of the Women's Army Auxiliary Corps. At present aircraft plotting units, military organizations, require a relatively large number of women volunteers to assist in the operation of filter centers and information centers. These volunteers perform such duties as clerks, plotters, supervisors, teletype, telegraph, switchboard, and telephone operators,

and messengers. They are procured through the Office of Civilian Defense, but their organization, training, and service is under military supervision. Approximately 9,700 women would be required to provide a full complement for all filter and information centers of the 28 regions within the United States. Filter and information centers are highly organized installations which cannot function properly with part of the operating personnel absent. The voluntary service of women operators has been satisfactory except for the matter of attendance, over which military authorities now exercise no control. If this bill is enacted, it is proposed to enroll qualified members of this volunteer group who so desire, together with such replacements and additional personnel as may be necessary, in the aircraft-warning section of the Women's Army Auxiliary Corps. The complete operating force of each filter and information center would then consist of military personnel and members of the Women's Army Auxiliary Corps, thus providing an organization entirely under military control. The auxiliary component would not be required at all times, but could be called to active duty for training or service when necessary.

The size of this proposed organization will depend upon military requirements and cannot be determined at the present time. It is therefore believed that H. R. 4906 should be amended so as to provide a corps with a total strength not in excess of the number authorized from time to time by the President and permit the distribution of personnel by the Secretary of War in the several grades authorized in the bill. A number of changes to facilitate administration have been recommended by the United States Employees' Compensation Commission and are concurred in by the War Department. Sections 15 and 16, as now worded, are believed to be unnecessary, as their purpose can be fully accomplished under provisions appearing elsewhere in the bill.

There is attached hereto a proposed revision of H. R. 4906 showing the changes which are believed advisable and it is recommended that the bill, amended as indicated, be enacted into law.

The additional cost of this legislation cannot be determined at this time. It is estimated at approximately 3,000,000 for the fiscal year 1942 and will probably be less than a military organization of the same size.

The Bureau of the Budget advises that there is no objection to the submission of this revised draft to the Congress for its consideration.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

[Here the gavel fell.]

Mr. THOMASON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, this bill has received very careful consideration by the committee and by the War Department. The Chief of Staff has endorsed the bill and recommended prompt action on it.

I believe, if you will read the hearings, you will get a very good idea of the purposes of the bill.

I would particularly call your attention to the testimony of the gentlewoman from Ohio [Mrs. BOLTON], and ask you to read the statement she made as to the desire of the women of the country to be of service. I think that is one of the important elements of this bill. The women are permitted to feel they are actually an integral part of the war effort. It will promote morale immeasurably.

Another matter worthy of note is that you do not face the danger of the fiasco we had in the Office of Civilian Defense, because in this instance it is going under the Secretary of War and the Chief of Staff, where we should have put civilian defense. You will recall that my amendment was in the bill when we considered it here in the House, and the House retained it, but it was taken out in conference. Had it remained in the bill, we would not have had the disgraceful conduct we have seen. So you do not face that in this bill.

I want now to take up particularly the remarks made by the gentleman from Oklahoma [Mr. NICHOLS] as to the uncertain status of the members of the auxiliary.

It goes back to the question as to whether they should be actually members of the military forces or civilians with the Army. The War Department recommends that they be placed in the status of civilians. I do not understand that the gentlewoman from Massachusetts had any objection to that when she appeared before the committee. The War Department feels there are very cogent reasons why they should be treated as civilians, and I am willing to accept their judgment. The fact is they are volunteers who have the right to resign. In this connection I believe we should follow the advice of the War Department.

Remember, this bill is not one that was devised by men brought in here and just handed to the women. The women Members of the House had the principal part in its drafting and presentation. I call your attention to the fact that Mrs. Oveta Culp Hobby of the War Department was designated by General Marshall to examine into the question. She came before the committee with her recommendations, and she did not take the position that they should be in any other status than that of civilians with the Army. "Civilians with the Army" is a status known to international law and to military law. It is a status that has always been recognized and provided for by international conventions. The Geneva Convention takes care of people who are serving with the Army as civilians. Their rights are preserved, and they have the rights which are accorded to prisoners of war.

The next question that comes up is that of compensation in the event of injury or death. The compensation under the Federal employees' compensation law is comparable to that paid by the Veterans' Administration. A dependent widower of an auxiliary drawing $21 a month would receive $30.62; whereas the widow of a soldier would receive $38 a month; so they are comparable. When the gentleman from Oklahoma said one of these women volunteers, if disabled, would get compensation at the rate of $7 a month he was totally incorrect. Under the Federal Employees' Compensation Act the minimum pay—no matter what may be the salary—the minimum compensation would be $58.33 per month.

Here is the point: If you are going to start putting civilians under the Veterans' Administration insurance you are throwing this Government into a most extensive insurance business.

It is the settled policy of the Veterans' Administration that they will not write civilian insurance. If we take in one group of civilian employees of the War Department and give them the benefits of the Veterans' Administration insurance, then we have opened the doors to 55,000 or more civilian employees of the War Department here in Washington; they would demand exactly the same treatment. All of the civilian employees of the War Department in the field would come forward at once with the demand that they be permitted to secure Veterans' Administration insurance. I for one feel that this Government has gone just as far as it should ever go in trespassing upon private business and getting into private enterprise. Just as surely as you let this group of civilians participate in Veterans' Administration insurance you open the doors.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. VAN ZANDT. The gentleman has expressed my opinion in regard to the Veterans' Administration granting civilian insurance; but take the case of one of these women who is injured, will she be entitled to free hospitalization by the Veterans' Administration?

Mr. KILDAY. She would be entitled to compensation just as is paid to a Federal employee. I understand they do receive hospitalization and other expenses while such treatment is necessary.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. KILDAY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. And travel pay also. The benefits will continue on afterward to dependents for the rest of their lives and to them.

Mr. KILDAY. Yes. Dependents under the Employees Compensation Act receive almost identically the same compensation that is received from the Veterans' Administration. I believe there are some few dollars difference, it is true.

Mrs. ROGERS of Massachusetts. I think in some instances it will be more and in some instances less. However, for the women auxiliaries the total amount will be $58. I wish that could be raised. But does not the gentleman believe that may be done later?

Mr. KILDAY. That is comparable. You take a hundred dollars for the man who is taking a chance on getting shot and $58 for noncombat service, and I do not think that is at all out of line.

In the case of a Reserve officer who is called to active duty and is given compensation under Federal Employees Compensation Act, I believe it is very materially greater than the benefit he would get if he were a Regular Army officer under the pension system of the Army. It works out that way. There is not enough difference to throw the Government into an extensive private insurance business at this time when we are giving them here just exactly what they should be entitled to receive.

Now, in reference to the matter of court martial, the main difficulty I think is we take up one of the Articles of War

here and try to base our whole idea of military law on that one article. It would be like basing our idea of jurisprudence on one section of the statutes. They would not be subject to military law, except when serving with the Army in the field. It is one of those things that is covered by military law, and is well understood in military law. It applies to those civilians who are with the armed forces. We have many of them. Many go along with the expeditionary forces. Many men in a civilian status have gone with these forces. Their status is well understood. I feel that we should be governed by the recommendation of the War Department as to whether these women should serve as civilians with the Army.

Mr. ELSTON. Will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Ohio.

Mr. ELSTON. The gentleman has stated that a great many persons might be blanketed under the insurance provisions in the event the amendment which will be offered by the gentleman from Oklahoma is agreed to. Is it not a fact that at the present time the War Department is considering the formation of a very large organization known as a Men's Civilian Auxiliary?

Mr. KILDAY. I think it has gone further than preparation. They are in the actual work of organization. Mr. Dwight Davis has been appointed to head that organization, and they are now in the actual process of recruiting civilian specialists. They will be in the same status as these women. They are going to be specialists with the Army. They will wear a distinctive uniform; it will not be identical with the Army, but it will be distinctive. They will have the same rights and benefits that we are providing here for the members of the Women's Army Auxiliary Corps. So that all civilians with the Army will be in the same position.

Mr. MAY. Will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Kentucky.

Mr. MAY. That was definitely testified to by General Hilldring this morning?

Mr. KILDAY. Yes; we had them before the committee this morning.

Mr. MICHENER. Will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Michigan.

Mr. MICHENER. As I understand, the gentleman has stated the fact that that was accomplished by Executive order. Why could not the creation of this Women's Auxiliary be the matter of an Executive order?

Mr. KILDAY. I do not know why. I understand the Judge Advocate General and the Attorney General have ruled that while the power existed to create that organization by Executive order it did not exist to create this one. The distinction or reason I do not know, but under the war powers bill the construction was made that he did have the power to create an organization of men.

Mr. MICHENER. If they are to perform a like duty, it must be just a question of sex?

Mr. KILDAY. I do not know, but I understand that was the ruling made.

Mr. WILLIAM T. PHEIFFER. Will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. A question was asked the gentlewoman from Massachusetts with regard to the aftermath. The gentleman has made it very clear as to the distinction between military personnel and civilian personnel, and I agree with him 100 percent. Does he not think that the time is now proper and right to look ahead and see what is going to happen after the war is over when these 3,000,000 or more civilian employees will come to the Congress and say, "We are entitled to some nature of benefit as veterans, either as a bonus or other benefit"?

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I would like to ask some questions of the gentleman from Texas, the gentleman from New York, the gentlewoman from Massachusetts, or anyone else who may have the answer. As you well know, out on the west coast we have a very large number of women who are volunteering their services in the interceptor command. Many of these women are employed, and many of them are not otherwise employed. They are all giving 6 hours a day of their time to the national defense. Does this bill contemplate that as civilian employees they may enter this service for the purpose of working in a specific place, or are they subject to being ordered any place under the military command?

Mr. KILDAY. They are subject to being ordered any place the military command might see fit to send them. That is one of the reasons for organizing them into this corps. Many of the Coast Artillery defenses, for instance, are at isolated points, and clerical help and telephone exchanges are necessary there. The Army does not feel that the women necessary to run those facilities should be taken to those isolated places except in this military set-up, subject to orders and discipline under the control of their officers while on the reservation.

Mr. HINSHAW. What about all these women who have other duties, which may be in the home or in an office, who are now employed by the Government on a volunteer basis in the interceptor commands? Are they to be necessarily forced to choose between enlistment for an unknown service in an unknown place, or may they volunteer for a certain duty in a certain place?

Mr. KILDAY. If they are going to be members of this organization they are going to give as much time to it as if they were in the Army. It will be a full-time set-up. I understand that about 6,000 of those working in the filter stations will be utilized immediately in this corps.

Mr. HINSHAW. These women are now giving 6 hours a day of their time, which is about all one can stand over those filter boards—I have watched them—and they do a good job. If they work much longer than that fatigue is likely to dull senses that must always be at the keenest point.

Mr. KILDAY. We hope it will never happen, but everybody may have to work 12 or 24 hours a day if the situation warrants it.

Mr. HINSHAW. I am talking about being alert on the filter boards. If I understand this matter, you are going to lose a great many of these splendid women who could not be sent to some other part of the country, because they have these other jobs, which may be home jobs or some other kind of jobs. You could utilize their services just as well as not in their present locations, providing they had some right to enlist for service in a particular location.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. The bill is to provide for service to the Nation, not to provide for an accommodation to certain individuals.

Mr. HINSHAW. I understand that; but when you go to work for the War Department here in Washington you are located here in Washington unless some peculiar order comes along, or if you work for any other department of the Government as a civilian you are generally located in a specific spot for a specific duty, unless you are one of the executive officers of an agency.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Louisiana.

Mr. BROOKS. A great deal of the service to which the gentleman refers is voluntary and, being voluntary, it may be given freely today but tomorrow due to some other circumstances the service may not be given as readily. This bill creates a mobile force which may be used in any spot.

Mr. HINSHAW. I see the advantages of it, all right. I am perfectly in agreement with it. However, I know there are many women who are very happy to do this work and want to continue providing they can remain in or near their own localities.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I am very sure those women would be very glad to change their type of work. I was a volunteer myself and I had to change my type of work, as did most of the volunteers during the war. Every letter I have received has been along that line. We want to serve where we can. We want to do the best we can. At any rate, we want to serve.

Mr. HINSHAW. I understand that, but there are lots of them who cannot volunteer under this bill unless they give up what other connections they have.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentleman has had many years of experience as a member of the American Legion in handling the affairs of the veterans after the World War.

Mr. HINSHAW. I have.

Mr. VAN ZANDT. In view of the service to be rendered by these women, does the gentleman realize, and I know he does, that after the war is over that group of women will come before the Congress of the United States and ask that they be placed on a parity with the men who now make up the armed forces?

Mr. HINSHAW. Well, I know that the Army Nurse Corps is in good standing.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Michigan.

Mr. DONDERO. I have been somewhat concerned about where these women will come from. Suppose a corps of 20,000 is ordered and 100,000 volunteer; who will have the right to say where they shall come from, from what States, and how many?

Mr. HINSHAW. That will be the War Department's business.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, this is a bill which came out of the House Committee on Military Affairs with a unanimous vote. I am told also that it came out of the Committee on Rules without any opposition, on the understanding that it would for the present be limited to 150,000. I do not believe there is any likelihood that the personnel in this corps will reach 150,000 under present conditions. I do believe, however, that it is exceedingly wise to set up this Women's Auxiliary Corps. We reported this upon the advice of the Chief of Staff and of the War Department because this corps is desired in the War Department at the present time.

I ask the Members of the Committee to remember that not a year ago, in fact only a little more than 6 months ago, when the Committee on Military Affairs came before the House of Representatives asking for an extension of the Selective Service Act, there was a great deal of opposition to the enactment of that extension. At that time there were a great many Members of Congress who believed the day would never come when we would need the Army we were endeavoring to form. Back beyond that there was a great deal of opposition to the original Selective Service Act. But today, I am sure, everyone realizes that one of the best things we ever did was to set up the Selective Service Act and extend the time of the selectees taken into the service under that act. Where would we be today if we were without the trained men who were brought into the service under the Selective Service Act?

No one knows today what conditions may prevail tomorrow. Although in the opinion of some the need today may not be great and although in the opinion of some this may seem like a foolish gesture or like an unwise departure from our customary procedure in time of war, I ask you to consider this. If the time does come sometime in the future, and it may come much more quickly than we believe it will come, when we are so drastically pushed for manpower that it would be necessary in the life of the Nation to institute such a corps as this, then, indeed, we would be in a sorry fix if we had not taken the preliminary step. So, upon that consideration, and that consideration alone, this bill merits the vote of every Member of this Committee because by setting up this corps we are at least setting up an organization with which we can build a pattern and with which we can secure some experience if we are forced to proceed further along this line at a later time.

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Iowa.

Mr. MARTIN of Iowa. I want to make this comment at this point. I think the gentleman has stated one of the most fundamental points in this bill, the conservation of trained manpower when and if we need these men in the Army for combat service.

Mr. FADDIS. I thank the gentleman.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. It will also allow men to keep on with the heavy work in the munitions factories, and we cannot win the war without munitions.

Mr. FADDIS. That is true.

Now, it is undoubtedly a fact that the British, both in the first World War and in this World War, have secured a great deal of valuable service from organizations of this kind. It is also a fact that there are a great many duties in connection with the service of armies which can be performed much better by women than by men. It is also a fact that it is much more desirable to have those women closely associated with the Army, at least under a semimilitary organization, than it would be to have them, for instance, under the civil service, as many of them are today. For instance, there is a demand for dieticians in connection with the Army. Certainly that is a woman's job. There are almost no men dieticians. There is need for hostesses in various places in the Army and certainly no one can deny that that is a woman's job. There is need for telephone centrals or telegraph operators and telephone operators and many other specialists and such work can be performed as well or better by women than by men.

As has already been stated here today, it is not necessary for the War Department or the Chief of Staff to come before the Congress and ask for this corps to be set up by authority of the Congress. As has already been stated to this committee, at the present time a corps similar to this composed of male specialists, is being set up. So I would a whole lot rather see a corps of this kind set up under an act of Congress, than to see it set up purely as an executive matter.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the chairman of my committee.

Mr. MAY. I am sure the gentleman from Michigan who, a while ago, propounded a question as to the authority for the Executive order, would agree with the gentleman likewise that he would rather do it by legislation than by Executive order.

Mr. FADDIS. I believe he would.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. VAN ZANDT. The gentleman mentioned a moment ago the great contribution that can be made to this war by the women of this country. As an example, all we have to do is to look at the Navy and the many yeomanettes who served during the World War and made a great contribution to the country at that time.

Mr. FADDIS. There is no doubt of that, and I am sure the women in connection with this corps will render as great or even a greater service to the Nation at this time.

Furthermore, there is no denying the fact that if the women of this country are to take a part in this war, they will feel a great deal better if they are able to take such part in an official manner.

Some question has been brought up here about the women who are already serving as volunteers in connection with certain activities of the Army. Of course, they are serving and, of course, their services are appreciated, but just the same they cannot feel as useful or be as efficient, perhaps, in their present capacities as they would feel if their services were performed in the manner prescribed by this act. Neither can a man perform a service as useful in the Army in an unofficial capacity as he can when he is part of the service. The same thing applies to the women. For instance, these women who are part of the warning service looking out for airplane raids or what not. There is no way to compel their attendance at a certain specified place at a properly appointed time. The women under the provisions of this legislation will be required to be at the properly appointed place at the properly appointed time. The experience of the human race, clear back through the ages, has proven organization and discipline to be absolutely necessary when waging war.

There must be some means of discipline, there must be some means to compel obedience to orders from a central authority, and there must be some means of coordinating these efforts better than any volunteer system has ever been able to coordinate them. This is the reason that armies, as we have them today, came into being, because under discipline an army, under the unified command of an army, it has been determined beyond possibility of doubt that better and more efficient service can be commanded. Therefore, under a system such as this,

we can certainly secure better services from the women. They are entitled to the same chance to serve under circumstances where they can conduct themselves in an efficient manner and with credit to themselves as are men.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Yes, indeed.

Mr. MAY. On this question of discipline of the women in this corps, if one of them should be found guilty of giving aid to the enemy, should be guilty of treason, would it be any less treason than if the crime had been committed by a man?

Mr. FADDIS. Certainly not. If a woman committed an act that was treasonable, if she were not subject to military discipline, she could be punished under the civil law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ARENDS. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Yes, indeed.

Mr. SHORT. Is there any Member of this body who supposes that the patriotism of the women of this country is less than that of the men?

Mr. FADDIS. I am sure not. No one would question that. Their patriotism, love of country, and desire to serve is beyond question.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Gladly, to the lady.

Mrs. ROGERS of Massachusetts. I should like to tell the membership of the House that I was talking to Mrs. Dwight Davis, the head of the volunteer women in the American Red Cross, just before she went to Canada to see the work of the Red Cross there, and the work of the Canadian force that corresponds to this. She told me that I could quote her personally as saying that she is heartily in favor of this measure. Of course, hers is a volunteer service, while this is under the Government, but she feels the great need for it.

Mr. MAY. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. FADDIS. Certainly.

Mr. MAY. To clear up what may be a misapprehension. I am sure that the gentleman from Missouri [Mr. SHORT] did not mean by his response that there was any intimation on my part that a woman is more apt to commit treason than a man.

Mr. SHORT. Oh, of course not. I had no such idea.

Mr. FADDIS. Certainly not. I am sure the gentleman from Missouri [Mr. SHORT] holds the chairman of the Committee on Military Affairs in much higher regard than to wish to have such an impression.

In closing, Mr. Chairman, this bill received careful consideration from the House Committee on Military Affairs. The Chief of Staff and the War Department want the legislation. In considering the bill, we took every precaution to make impossible under the terms of this legislation anything savoring of boondoggling. I believe we should make a start in this direction today. As I said before, no one knows what tomorrow will bring forth. Let us therefore pass this legislation, set up this Women's Auxiliary Corps, and give the women of the United States the same opportunity to perform patriotic service for this Nation as the male population has today.

We must not become unduly critical because of the recent news of our losses in the East. We cannot engage in a war without losses, casualties, and reverses. It is the old, old tale of the beginning of the war of a democratic nation. Too little and too late. While it is true that the losses of the United Nations were heavy, it must be remembered that they were fighting against heavy odds, at least 2 to 1. From the reports we have of this engagement, our forces gave a first-rate account of themselves before they were destroyed, and our powers to replace our losses are certainly vastly superior to those of the enemy.

The truth is that, due to the surprise attack on our fleet at Pearl Harbor and the loss of the *Prince of Wales* and the *Repulse*, we lost our superiority of sea power in the Pacific. As a result our strategic policy has been crippled ever since. It will take some time yet to adjust our program to the situation. You can be sure, however, that we will do so. In the meantime, the loudest groans, the most severe criticism, and the wildest suggestions I hear are from those who but a few months ago were so superbly confident that we would never be attacked.

Here is some good news—news that should bring joy to every heart—not only to American hearts but also those in all the United Nations.

The news has just been released that General MacArthur and part of his staff have arrived in Australia, where he will take command of the entire mid-Pacific area. I know he has the well wishes of all the American people, who know that he will bring to the cause of the United Nations in that theater of operations the courage, ability, and personality necessary to a man worthy and able to turn the tide of battle in favor of the Allied arms.

A year ago Hitler was in much the same state of overconfidence as is Japan today. He had swept through western Europe and the Balkans mainly because he had possessed a superiority of material. He had hammered England from the air all winter. He had conquered Greece and Crete. With one swift smashing blow after the other he had almost conquered Europe. Almost—and then he struck at Russia. For a while all went well and it seemed that his possession of the wheat of the Ukraine and the oil of the Caucasus was only a matter of a short time.

Then the Russian masses struck back. They were at first short of matériel and experience, but they husbanded the former and acquired the latter. The lease-lend program began to pay dividends. The German advance stopped and now is going the other way. How long it will continue to do so, we do not know, but we do know that the cause of the United Nations in the European theater looks much brighter than it did a year ago.

The British now have the Germans on the defense in the air and are regularly raiding the vital areas of Germany and France. In spite of the U-boat sinkings off our Atlantic coast, our convoys are crossing to Europe, bearing both men and supplies. Hitler can see the shadow of the coming event of a two-front war, confronting him in Europe. This he does not want and knows he cannot stand.

Remember the spring of 1918 when the Germans swept down through France, driving all before them, in what was to be their victorious drive. Eight months later with an army intact and still on foreign soil and a powerful navy intact, they asked for an armistice and surrendered. The weight of American valor, manpower, and economic might had been thrown into the balance.

Today we are not as near to victory as we were in the spring of 1918, but victory is just as certain. Slowly, too slowly but surely, very surely, our material might is growing. Planes, guns, ships, munitions, and equipment are coming, in spite of our impatience. Our striking power is growing with every day. We must not allow it to be frittered away to satisfy the impatient demands of amateur strategists or the panicky pleas of frightened local-minded politicians. It must be organized and held ready to deal an effective blow in whatever theater of the present conflict those in command believe to be of the highest strategic importance. We must take the offensive to win; but when we do take the offensive, it must be for the purpose of winning, and not merely for the purpose of taking the offensive to satisfy popular clamor. We must trust our leadership to recognize the proper time and place, which is a decision beyond the power of the Congress or of the people.

One thing is certain: The Japanese, like the Germans, are conquerors, not sovereigns. There is no point where they can stop and establish the status quo until they have done so by complete conquest. As long as one unconquered spot remains on the globe they must drive toward it. The resources of the regions they have conquered must go back to Japan to be fabricated into the planes, guns, munitions, ships, and equipment to replace those lost in battle or by attrition.

Ever-lengtl.ening lines of communication must be maintained. Vulnerable flanks must be guarded. Restless captive peoples must be policed. Meanwhile the wrath of those enslaved nations will gather. The 40,000 Koreans now in arms against her will will be doubled and quadrupled. Fifth columnists will rise in all the conquered lands. Guerilla warfare will blaze forth in many spots. The lines of communication will be cut. Flanks will crumble, and the entire warlike structure will crash, as every purely warlike structure since the dawn of history has crashed. Once more history will have repeated itself and democracy will

have triumphed, but as usual at an excessively heavy cost of life because of their refusal to prepare for war in time of peace.

Trust your Army and Navy and the responsible leaders of the Army and Navy. They will probably make mistakes from time to time, but you can be sure of their bravery and their patriotism. Look to the conduct of the domestic affairs of the Nation. See that the captains of industry keep pace with the demands of the captains of our general staffs. See that the workman on the assembly line supplies the soldier on the firing line. See that our industrial system keeps pace with our military machine and we need have no doubt of the result.

And now to assist our Chief of Staff and War Department in their task let us turn to the legislation under consideration.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. ARENDS. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. CLASON], a member of the committee.

Mr. CLASON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CLASON. Mr. Chairman, I think probably most of the propositions covered by this bill have already been brought to the attention of the House. In discussing the bill, however, we should have in mind that whoever becomes a member of the United States Army through joining this corps will be considered in legislation which is afterward taken up by the House as a veteran of this war. They should be entitled to benefits and emoluments under the present law that may be applied to members of the United States Army, and they will undoubtedly in the future receive consideration as such in any legislation that is brought up. In many cases these women will be called upon to perform duties which are now being carried on by soldiers, and they will relieve those soldiers from those tasks. They are entitled to exactly as much credit as soldiers, because they will be performing their duties under exactly the same hazards. Therefore they should be given exactly the same consideration, and no benefits should be given to men that are not given to women.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. CLASON. Yes.

Mr. GIFFORD. I understand they are volunteers. Can they resign at any moment?

Mr. CLASON. That is a question I intended to take up, and I think if the gentleman will turn to pages 29 and 30 of the hearings he will be interested in finding out what is the standing of these volunteers under the definition of Col. Ira Swift, of the General Staff Corps. He points out that at least at the present time it is not understood that they will take the same oath that the ordinary soldier in the United States Army takes. In other words, they will take a limited oath, a different oath, and they are not bound to carry on in their positions with this corps if at any time they decide they do not want to. In other words, they can resign at any time they see fit. An officer may refuse their resignation, but if they decide to leave, then Colonel Swift testified they must be permitted to go. They could not prevent them from going, but they would give them a discharge. The only punishment that would be inflicted upon them would be that they would receive this discharge, which they might not want to get. They would be out of the volunteer corps. You will find that the question was raised, supposing they had a ship ready to take these volunteers to Hawaii from a Pacific coast port. When they got the ship all ready, one of the young ladies decided she did not want to go. This is referred to on page 30 of the hearings. If a young lady says, for instance, "I do not want to go to Hawaii," she would probably be told, "Well, that is too bad. You are going to Hawaii anyway." Now, that girl could very easily just walk out, in which case she would get a discharge, probably a discharge without honor, which she does not want. Now, that is the situation. It is my understanding that there is some question as to just what is going to be the position of these volunteers after they get into this branch of the United States Army, for it seems to me if they are going in there and are gaing to assume this position, the Army ought to have somewhat more of a grasp upon them than is indicated by this testimony. I think there is a real question whether or not, once these persons get into the Army, as the gentleman from Oklahoma [Mr. NICHOLS] pointed out yesterday, regardless of this testimony, they may find that they are in the Army and have got to stay in.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. CLASON. I yield to the gentlewoman.

Mrs. ROGERS of Massachusetts. I know very well what a discharge without honor means. That undoubtedly would be given to these women who do not stay in. No soldier wants a discharge without honor. It is a bad discharge. The women will know this when they volunteer. In some instances they may allow them to leave upon request, just as they do in the case of the soldiers.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. BULWINKLE. I understand that any of these women can quit any time they get ready, but only some kind of a discharge, which is not known yet, will be given them, whether it is a discharge without honor, or a blue discharge, or a bob-tail discharge, or something else.

[Here the gavel fell.]

Mr. ARENDS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CLASON. I agree. That is my understanding of the testimony that was given before our committee by Colonel Swift, but I am not sure that Colonel Swift is absolutely right on his law, because if a person joins the Army now, after the war has started they may find themselves in the Army and cannot get out.

Mr. BULWINKLE. I think it ought to be that way.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. ELSTON. I call attention to section 7 of the bill, which provides that the term of service for all members of the corps shall be 1 year. It seems to me from that, that the testimony of General Swift is not absolutely accurate, because these women are enlisted for a period of 1 year, and they cannot walk away just when they please.

Mr. CLASON. Well, as he testified, this is a contract for labor that the young lady enters into. Being a labor contract, a person who is a party to it can break it any time he sees fit.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. DONDERO. Following the remark of the gentleman from Ohio [Mr. ELSTON], the next two lines point out that they may be discharged for one of three things, but it always remains for the Government, not the enrollee, to furnish the cause for their discharge. So the Government at all times has control. It simply says:

> They may be discharged for cause, or for disability, or for the convenience of the Government.

Mr. CLASON. But it is a contract and either party can break it.

Gen. George C. Marshall has stated in writing that he desires passage of this bill. It will release active young men for combat duty or other necessary tasks to the number that the Army accepts the services of young women in this corps. Obviously the provisions of this bill may have to be changed after its effect is observed in operation. Our head general says that all our manpower and womanpower will be needed to win this war. I shall vote for this bill in order that our Army may become more effective.

Mr. MAY. Mr. Chairman, I yield to the gentlewoman from New Jersey [Mrs. NORTON], such time as she may desire.

Mrs. NORTON. Mr. Chairman, I can add very little to this debate, more than to say I am heartily in favor of the bill. I want to congratulate the lady from Massachusetts on the splendid work she has done for the women of America.

I believe that most of the women of America who understand what the bill provides are in favor of it. On last Saturday I happened to meet with a group of Democratic women from my own State. I explained the provisions of the bill and asked if there was anybody present who was not in favor of the bill. I found there was not a single woman present who was opposed to it. Those women were members of the State committee of New Jersey, and I consider very representative women. I may also add that I have not received a single letter in opposition.

So I want to congratulate the gentlewoman from Massachusetts [Mrs. ROGERS] and the chairman of the Committee on Military Affairs [Mr. MAY]

for reporting this good bill. I sincerely hope the House will pass it unanimously. I know the womanhood of America will respond to the call and that we shall have reason to feel proud of their service.

Mr. MAY. Mr. Chairman, I yield to the gentleman from Louisiana [Mr. BROOKS] 5 minutes.

Mr. BROOKS. Mr. Chairman, this war in which we are engaged is, unfortunately, total war. We are realizing what total war means more and more each day.

I placed in the RECORD this morning an editorial from one of the newspapers indicating in a general way what total war would mean to each man, woman, and child in America. Fortunately at this point in the conduct of the war, we find that the women of America are equally as anxious to help win this war, and win it as quickly and with as little cost as possible, as are the men. They are anxious to do their part.

I have sought this time, Mr. Chairman, to give to this Committee a few figures that I have obtained from the War Production Board, indicating the definite trend in the consumption of manpower in war industries, in the Army and in nondefense industries in America at the present time. These figures indicate, and I think they are substantially correct, that in the year 1940 there were some 1,600,000 persons in war industries. In 1941 those figures indicate that the number in war industries in the United States had increased to 7,000,000 persons. In 1942, that is the current year, the number is expected to go to 17,500,000 persons or perhaps more.

On the other hand, Mr. Chairman, in the nondefense industries we find this is substantially the situation: In 1940 there were 36,000,000 persons in America employed in nondefense industries. In 1941 this number had fallen to 33,900,000 or thereabouts; and in 1942, that is the current year, it has fallen again until it reached the figure of 26,500,000.

As for the Army, in 1941 we had approximately 2,000,000 men in the Army. In 1942 this number will perhaps run to 4,000,000, or twice the 1941 figure. What the future may hold is not generally known, but I have seen it estimated in the newspapers of the country and heard from speeches of officials in the executive branches of the Government that we shall have an Army of from 7,000,000 to 10,000,000 men, making a further serious drain upon the manpower of the Nation to conduct this war to a successful conclusion.

At this point in the progress of the war we come to the necessity of establishing the Women's Army Auxiliary Corps and I think it is a very fine thing that we undertake to establish this corps at this time and to give these women in America who are just as anxious as the men to do their bit toward winning the war and crushing the Axis power all over the earth—giving them their opportunity to be of some real service.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. BULWINKLE. It has been disturbing me a great deal, this idea about these women enlisting and quitting whenever they got ready to. Did the committee do that just because of the eternal right of a woman to change her mind?

Mr. BROOKS. I will answer the gentleman, for I am sure he is serious in his question or he would not have propounded it.

Mr. BULWINKLE. Yes.

Mr. BROOKS. This corps is not part of the Army itself, if the gentleman has read the bill.

Mr. BULWINKLE. I have read the bill.

Mr. BROOKS. The language of the bill states that the corps is not a part of the Army, but it also states that it shall be the only women's organization authorized to serve with the Army.

Mr. ELSTON. Mr. Chairman, I yield myself 1 minute to answer the gentleman from North Carolina [Mr. BULWINKLE], by saying that when these women volunteer and are inducted into this corps they become subject to military discipline as civilians with the Army. They cannot quit when they please. If they should leave without permission, while accompanying or serving with the Army, they would be guilty of desertion or of being absent without leave just as would a soldier who left the Army under similar circumstances.

Mr. BULWINKLE. I am just talking about what was said here this afternoon.

Mr. ELSTON. I call the gentleman's attention to the fact that they undertake to enlist for a period of 1 year, but section 7 of the act provides that in time of war or in any national emergency declared by either the President or the Congress the Secretary, by order, may extend the time of service to include the period of the war or the emergency and 6 months thereafter.

Mr. BULWINKLE. That is right.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, if this bill should be adopted, it will institute a type of wartime service for the women of this Nation along lines never before attempted. In deciding if this is wise legislation I feel we should first of all consider whether it will be helpful in winning the war. We have been assured by General Marshall that it will.

Our Chief of Staff has advised us and I quote from his letter to the Chairman of the House Military Affairs Committee:

> There are innumerable duties now being performed by soldiers that actually can be done better by women. Timely recognition of this situation and legislative action which will enable the Military Establishment to absorb and utilize its proportionate share of the available womanpower will contribute materially to the successful accomplishment of the task before us.

One question which suggests itself is whether it is essential to create a Women's Army Auxiliary Corps in order to obtain the service of the women who will become a part of its personnel. At the present time thousands of women are rendering very important service to the Army, particularly in the aircraft warning service. In these positions they are serving on a part-time voluntary basis. While they have rendered excellent service it is felt by the Army that they should be on a full-time basis and subject to military discipline. Both of these requirements are important. Obviously a maximum of efficiency cannot be obtained if duty to the Army at any time is secondary to other duties or if the Army does not have the power to enforce its orders or to take disciplinary action in the event of any dereliction of duty.

This bill is by no means designed to include all women who render service to our military forces. It would not, for example, take in those who are doing stenographic work or rendering other clerical service in the War Department. The purpose of the bill is to include only those who would serve with or in close cooperation with our various units of the Army. They would be assigned to the Aircraft Warning Service, which is under the Air Force Combat Command, or would be stationed at an Army camp, depot, or other zone of interior installation. There is no provision in the bill against foreign service, and our committee has heard of no protest from the women of this Nation against overseas service.

The personnel of the Women's Army Auxiliary Corps would be made up of clerks, machine operators, telephone and telegraph operators, pharmacists, dietitians, hostesses, librarians, post-exchange employees, cooks, laundry workers, and a number of others. While their service in all instances would be noncombatant, they nevertheless would work in many cases in close contact with combat troops. While the corps is not a part of the Army, it would be under the jurisdiction of the Army, and officers and women of the corps would correspond to officers and enlisted men of the Army, the highest rank in the corps being equal to that of a major in the Army. Pay and allowances would be similar to those of enlisted men. Their benefits under the bill in its present form would be such as are prescribed for civilian employees of the Government under the jurisdiction of the United States Employees' Compensation Commission. I would have no objection to the amendment which will be offered, providing for all benefits now extended to members of the Army.

The size of the corps cannot be anticipated. It is expected that if the bill before us is approved, it will be limited to 150,000. This limitation appears reasonable for the present, but the time may come when it will have to be enlarged. The cost of the corps cannot be great. It may not cost anything over and above what it would otherwise cost if the same service were rendered by civilian employees or soldiers.

Primarily the purpose of this bill is to enable the members of an Army auxiliary corps to take the place of men needed for combat duty, or at least for more active military service. This in itself should be a sufficient reason for the passage of the act, even if it were not a fact that in many instances the duties now performed by the soldiers can be better handled by women under military supervision.

As the passage of this act is particularly urged for the reason to which I have

just referred, it follows as a matter of course that full disciplinary and supervisory authority must be given to those who are charged with the responsibility of doing the fighting. Even though the corps does not actually become a part of the Army, its members would be amenable to the Articles of War so far as those articles govern the conduct of civilians serving with or accompanying an army. These, together with the general statutes defining wartime offenses, should be ample, particularly in view of section 14 of the bill, which provides that the members of the corps shall be subject to such disciplinary regulations as the Secretary of War may prescribe, including provisions for the punishment of major infractions by a summary discharge from the corps.

Some of you may wonder why the agency created by this legislation should not be administered by the Office of Civilian Defense. The miserable record of mismanagement which that office has thus far made should be a sufficient answer. As the corps must work in close contact with the Army and render actual military service of a noncombatant nature, it should be under the direction of the War Department if maximum efficiency is to be obtained. I am sure it is a matter of great regret to many of us that we did not insist upon the Office of Civilian Defense remaining under the jurisdiction of the War Department. It did not take long to vindicate the judgment of the House that this agency properly belonged in the War Department.

Mr. Chairman, not a single witness appeared before our committee in opposition to this legislation. The War Department is earnestly asking that this bill be passed. General Marshall feels that it will materially aid in winning the war. The women of the Nation are willing and anxious to assume their full responsibility in this critical time and are eager to perform the duties contemplated by this bill. They are asking for work, not glamour. Many who would like to serve cannot do so without compensation, even though that compensation be no greater than that paid to men in the service. No one can be compelled to serve in this organization. All enlistments must be on a voluntary basis. All persons selected must be women of excellent character, in good physical health, between the ages of 21 and 45, and citizens of the United States. Army nurses have already demonstrated that women can serve their country under the supervision of the Army and subject to its discipline. This bill has received the unanimous approval of the Military Affairs Committee. If it becomes law I believe it will materially contribute to national defense and eventually to a real military offensive.

Mr. ELSTON asked and was given permission to revise and extend his remarks.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield for a question?

Mr. ANDREWS. I yield to the gentleman from California.

Mr. HINSHAW. It was said earlier in the debate that these women could resign when they wanted to. The gentleman now says they cannot resign. What is the truth about the matter?

Mr. ANDREWS. The actual regulations under which the corps will operate have not been written by the Secretary of War. I suppose the penalty would be discharge from the service.

Mr. HINSHAW. Without resigning?

Mr. ANDREWS. Yes.

Mr. HINSHAW. I thank the gentleman.

Mr. ANDREWS. Mr. Chairman, I yield the remainder of the time on this side, 5 minutes, to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I would like to ask the author of this bill a question. If the bill becomes law, will those women who are inducted into the service take over the functions of those who are now carrying on the entertainment of the soldiers, a very essential activity?

Mrs. ROGERS of Massachusetts. I doubt very much if that will be one of their activities.

Mr. HOFFMAN. Mr. Chairman, I have listened to the gentleman from Pennsylvania [Mr. FADDIS], because I have a great deal of respect for his opinion, due to the fact that he is an active and studious member of the committee and because he also served in the last World War. Listening very carefully to him as I did, I got the idea that he was going to vote for this bill principally because the War Department recommended it and because it was a precautionary measure; that there were some things in it he was not sure about.

It seems as though we have now reached the stage in Congress, and perhaps it is a good stage, where if the Navy, the Army, the Air Corps or if the administration asks for anything we must go along and vote for it, even though we know, and I repeat that word "know," that it will not aid the war effort, because if we do not vote for it we are sure to be accused of aiding Hitler and our enemies across the seas.

Mr. FADDIS. Will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. FADDIS. I am sure the gentleman would not wish to leave the impression with the House that the gentleman from Pennsylvania goes along with anybody purely on their sayso?

Mr. HOFFMAN. No; far from it; but I gather from what the gentleman said that he was somewhat in doubt about the merits of the bill but that he was going to vote for it because he thought it was a precautionary measure serving us now in case we needed something like this later on, and because the Department came in and asked for it. I understand the gentleman follows his own opinions always.

Mr. FADDIS. I want to assure the gentleman that I believe the enactment of this bill is wise from whatever viewpoint one may care to view it.

Mr. HOFFMAN. Mr. Chairman, from the time of the Molly Pitcher episode of the Revolutionary War up to the present moment no one has ever questioned either the courage or the loyalty or the willingness to sacrifice of any of our women. On that day when her husband fell, Molly stepped forward and served in his place in the battle line. What are we doing now? People throughout the country are aware of the fact that we are in a war, but being here day after day I sometimes doubt whether or not the Members of Congress are aware of that fact. I sometimes doubt whether we want to take the shortest, straightest, the hard road to ultimate victory, whether or not we are not inclined at times to follow a roundabout way, and if this is not one of those roundabout ways.

To me this bill is not a straightforward, plain, unvarnished, undecorated war measure which, put into effect, will increase the effective fighting force of our Army. To me it is a diversion, a detour from the straight and narrow road. Soldiers, whether we like it or not, are killers, that is their profession, that is their business.

Women, thank God, are not killers. It is the soldier's business to go forward, even though his comrade falls wounded by his side. Heartlessly because he must, he leaves that comrade, even though he be his own brother or boyhood friend and goes on. His brother may drop and, because of his wound being unattended, die. The soldier may know this, nevertheless he presses forward. But let an arm or a leg be shot from one of these women, serving with the armed force, and who is there in the Army that will leave that woman to die because of a lack of a few moments first-aid attention? Where is the man fighting in a foreign land with these women in the camps or behind the battle line who will not shudder and hesitate if the tide turns against him and he knows that the women in the armed force are to become the prisoners, the slaves, or worse of the Nazis or the Japs or their island allies?

War is a hard, cruel, killing business and until necessity demands, I cannot bring myself to believe that the efficiency of the fighting men will be improved by women in the fighting force. Moreover, this bill will add a cost to the maintenance of the fighting force out of all proportion to the service rendered. There must be separate and distinct uniforms, there must be separate barracks and certainly the merciless disciplining of the Army must be tempered to the punishment of the few women who will violate army regulations.

Again, is there anyone here, with experience, who believes for one moment that a woman officer, and there will be many of them, will obtain that same unquestioning obedience to her orders from other women in the service which men yield to their superiors?

Women as a class have not been trained to yield unquestioning obedience to what may seem unnecessary or foolish orders. They, and rightly, have come to expect from all men consideration, respect for their feelings, a yielding to their wishes and desires, consideration not given by men to other men. The habits, the beliefs, the standards, which have grown out of years of association and experience, cannot, however willing the spirit or great the desire, be put aside or obliterated by the act of volunteering or by induction into the Army.

Before this war is over there will a thousand jobs that women desiring to serve their country can fill as well as or better than men. Before we are through, if we are to wage war in the uttermost corners of the earth, we will need our men, and all our men, in the fighting force. Here at home women will be called upon to take over the jobs and perform the tasks which men must leave when they step into armed service.

Just as vital to our success as are fighting men are those behind the fighting lines. There must be food to eat, clothing to wear, guns and ammunition, and all the tools of war. With the task that confronts us, keeping in mind the losses which we have sustained, it must be evident to everyone that the fighting men must be supported and that to do that adequately our manpower alone is not sufficient. Present events indicate that there will be urgent need for women to take the places of men on the farms, in industry, when those men are called to the battle line.

I realize that the women who are to be called to service under this bill are limited in number, but it is the opening wedge, and past experience tells us that a matter of this kind once entered into there is no turning back. Take the women into the armed service, in any appreciable number, who then will maintain the home fires; who will do the cooking, the washing, the mending, the humble, homey tasks to which every woman has devoted herself; who will rear and nurture the children; who will teach them patriotism and loyalty; who will make men of them, so that, when their day comes, they too, may march away to war?

To me this bill seems to strike at and destroy the very foundation—the base—which supports and maintains our fighting men. This war, as all outside of Washington now realize, is not a social event; in it teas, dances, card parties, amusements generally play little, if any, part. This war is a dirty, a bloody, a cruel, a horrifying business, and the spirit of our fighting men should not be weakened by placing at their side women they would unconsciously irresistibly protect and defend at the expense of the military objective.

Is there any service which a woman could render under this bill which she cannot render today without joining the Army?

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentlewoman.

Mrs. ROGERS of Massachusetts. The Army has stated repeatedly that it is vital to have women at the filter stations and our air-raid stations.

Mr. HOFFMAN. Well, bless your dear heart, there is no reason why they cannot serve in the filter and air-raid stations now. If the men in the Army need anything, they need the loyal support of the women at home. You take a poll of the honest-to-goodness women at home, the women who have families, the women who sew on the buttons, do the cooking, mend the clothing, do the washing, and you will find there is where they want to stay—in the homes. There and when the time comes in the fields and factories, where many are serving today; there and in the hospitals and on the lines of supply and communication—in a hundred places where they can be of more real service than with the fighting men.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. HOFFMAN. No; I cannot yield. I know the spirit that moves this body today. You ask, am I going to vote for this bill. What else can I do? If I vote against any bill that is requested by the administration, the War Department, the Navy Department, or the Air Corps, I will be classified as one who opposes the war effort. But I venture to suggest that if we could get a secret expression or vote on this bill the Members of the House would turn the bill down today or at any other time it came up, because from what I have heard as Members expressed themselves privately, they do not believe it will actually aid in the war effort. More than one Member has said in substance that he would vote for the bill, but he hoped the Creator would forgive him. Believing as I do that the passage of the bill will hinder, not help—realizing the political retribution and the personal abuse that will follow—putting the welfare of my country first, I must vote against the bill.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, I thank the chairman of the committee for yielding me the balance of the time, but I want to assure the membership that I will not take it all, principally because I do not think it is necessary, and not only that but I believe all will agree that I am not given to long speeches.

I cannot agree with all the last speaker had to say. In fact, there was a lot of argument of that kind when we had up for consideration the Selective Service Act, although there is a marked difference between this act and that. It must not be forgotten that the Selective Service Act drafted the young men into the service and certainly it should not be forgotten that this is absolutely voluntary and for noncombatant service. Men, but not women, are compelled to enter the service. I hope that nobody will get away from the proposition that this is an absolutely voluntary enlistment. It should not be forgotten, also, that there are already 6,000 women in the United States who are engaged in this voluntary air-warning and kindred service, to say nothing of various other activities necessarily connected with our military activities.

When this bill was first brought before the Committee on Military Affairs, frankly I felt like the gentleman from Michigan, and as the chairman of the Committee on Military Affairs expressed himself, that he was a little bit skeptical about it. I was not quite sure that we were ready for such legislation.

But as has been said here repeatedly, this bill has the unanimous endorsement of the Committee on Military Affairs. It has the hearty and enthusiastic endorsement of the War Department; in fact, they urge its adoption.

I tell you frankly, without any attempt at flattering the women, that the thing that convinced me that this bill has merit to it was not only the fact that the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] has added more laurels to her legislative career by sponsoring the bill, for which she has fought ever since World War No. 1, when she went to France and England and saw first-hand what the women were doing, but it was also the argument that was made before the Committee on Military Affairs by the gentlewoman from Ohio [Mrs. BOLTON] that was most persuasive. I say this in no spirit of flattery, but hers was the most convincing argument that was made before the committee. I understand the gentlewoman from Ohio has two sons in the service. She gave her endorsement to this bill in this language, and I quote from page 50 of the hearings:

> So many women served in these various capacities in the last war without recognition, without thanks, without compensation; they gave all they had, including their health; some of them gave their lives, without a "thank you," without any recognition
>
> Now, the time for that kind of thing, gentlemen, has long since passed. The last war really did end it, and to have you consider this bill as you are doing, so fully and so seriously, is a very encouraging thing to those of us who feel that women should walk side by side with me.
>
> We do not want your jobs. We want to make your jobs easier, and we want to make them fit in better to the present day, which is a fighting world for you and an assisting one for us. This bill seems to give such a splendid method by which we can all do this war job, which none of us like, but which must be done effectively and with as little loss of energy and of clash of personalities, and so on, as is humanly possible.

That is the language of the gentlewoman from Ohio [Mrs. BOLTON], which was supplemented by the statement of the gentlewoman from Maine [Mrs. SMITH], and now today by the gentlewoman from New Jersey [Mrs. NORTON]. In addition to that, a distinguished woman of my own State of Texas, whom I know well and who happens to be the head of the Women's Division of the Public Relations Department of the War Department, Mrs. William P. Hobby, has given this matter close study and has collaborated with the Chief of Staff and the Secretary of War. She is one of the ablest citizens in my State, women or men, and in such matters as this I place a high value on her judgment and advice. Every woman who appeared before the committee, every woman who has spoken here as a Member of this body, and, likewise, women by the hundreds from every State who have written the gentlewoman from Massachusetts have said, "Give us a chance, give us a little recognition in

this World War in which we are engaged, and let us do it voluntarily."

We have to trust somebody. I am one of those who trusts the War Department to administer the law fairly and justly and in the best interest of national defense.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Did anyone appear before the gentleman's committee during the hearings in opposition to the bill?

Mr. THOMASON. Not a person opposed this bill, because, after you hear these women, after you hear the Secretary of War and the Chief of Staff, there can be no opposition.

I repeat, these women come here on an absolutely voluntary basis. They volunteer for this service. They want to do it; they are eager to do it. There are 6,000 of them in the service now, but they are without organization, pay, or direction.

In reply to the statement of the gentleman from Michigan, awhile ago that a lot of these women belong back in the homes, may I say that those begging to volunteer do not have husbands and do not have children or other dependents. They are now engaged in the service. They want to do their part, but they want official recognition.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I will yield later.

The testimony as disclosed by these hearings—and I invite you to read them because they are interesting—will show that these women in many kinds of noncombative work can do a better job than the men. Besides, they will release men now performing many of these duties and will undertake assignments such as air-raid wardens, clerks, machine operators, cooks and bakers, stewardesses, switchboard, telephone, and telegraph operators, pharmacists, dietitians, hygienists, hospital and laboratory technicians, hostesses, librarians, theater employees, welfare workers, post-exchange employees, and laundry workers. These are some of the jobs they are doing now, and they are the jobs from which men will be released.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Missouri.

Mr. SHORT. Does not the gentleman believe that permitting these women to take an active part in war activities will have a beneficial psychological effect in the prosecution of the war?

Mr. THOMASON. It will have the very finest kind of effect. It will do much for morale, which we need. The gentlewoman from Ohio said it forcefully. They feel then that they have a part in it, that they have had some recognition. They had little recognition in the last war. The 6,000 women now looking after the aircraft-warning service have no special recognition but are doing a grand job. They come and go as they please. The War Department says, "We need discipline." A woman who may be working at one of these filter centers may decide that she does not feel very well or does not want to go to work, and the War Department does not know that she will not show up and efficiency is destroyed. The Army must have discipline in order to know that these women will be on the job. They must have control and the power to direct.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Kentucky.

Mr. MAY. Of course, the gentleman realizes that the reason the women of America are so strong for this bill is that it is one of their ways of protecting the home, which they know is their citadel.

Mr. THOMASON. I assume that a woman with children or a sick husband or other dependents is not going to volunteer, in the first place, and in the second place, the War Department is not going to accept such women. The War Department will determine the women best fitted for this kind of work. There is not a one of us who does not know in his own community some fine women his own community some fine women who are unattached, who have no children, no husband, no home ties, but who want to do their part in the telephone booths or in the aircraft warning stations and other places where they would serve a very useful purpose and release some boy who is getting ready, perhaps, to go to Australia to join MacArthur.

I now yield to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. I think the gentleman has answered the question I was going to ask him. I understand from the gentleman's answer to the question of the chairman that marriage would not disqualify them, but the War Department is still the determining factor as to whether they are going to permit them to volunteer for the service.

Mr. THOMASON. That is correct. I hope in advance of the reading of the bill we do not go off on a tangent about putting these women under the Veterans' Administration insofar as death or disability may be concerned. I do not know, in fact, I am inclined to think that maybe there is some merit in that suggestion. As the gentleman from Pennsylvania [Mr. VAN ZANDT] has suggested, we may come to it when the war is over; but let us cross that bridge when we come to it. In the first place, this is on a volunteer basis. In the second place it is for noncombatant service. In the third place, I feel sure from what the War Department has said, that they do not expect to send these women outside continental United States, or at least very few of them. They are not required to fight like a soldier boy; and as my colleague the gentleman from Texas [Mr. KILDAY] so well said, they would receive comparable pay from the Employees' Compensation Commission and will be treated fairly and justly, and when the time comes Congress can recommend to the Veterans' Administration compensation if it is later advisable.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Among other things, as I understand the gentleman stated that these women have the right to resign?

Mr. THOMASON. Yes; I think so. There has been some question raised about that. They enlist for a year. May I say to the distinguished gentleman from Kentucky that a woman would be very slow to resign unless she could resign with honor.

If a woman saw facing her a discharge that was either dishonorable or a discharge without honor, we know how fine and sensitive and patriotic they are and therefore I anticipate you would have very few resignations after they had once been accepted.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman.

Mr. HINSHAW. Is it the gentleman's idea that the women who may volunteer under this bill will be used in the camp laundries and in the cook shacks, and so forth?

Mr. THOMASON. I would say, judging from what the War Department representatives said at the committee hearing, very few would be used in those capacities. Nevertheless that is a matter of administration by the War Department and we have got to have faith in somebody and I trust the War Department to do the fair and right thing about that. Frankly, I think most of these women will be used in technical positions where women do so much better than men, in telephone booths, air warden stations and filter stations and concentration centers.

Mr. HINSHAW. If the gentleman will yield further, would not the gentleman believe that in order to get the best type of woman for the type of work you know is needed, such as the filter stations and telephone booths and the teletype, and so forth, they ought to be assured they would not be put at some menial labor when they are employed. We have stenographers and housewives and all sorts of women perfectly well qualified to do the jobs the gentleman has mentioned, but they may not want to enlist if they are going to be assigned to a laundry.

Mr. THOMASON. I may say to the gentleman that I agree with him, but it would be hard to write that in the bill. It has been my experience you have to trust somebody and I believe the War Department will do the right and just thing about that. These women will be given jobs in keeping with their training and capacity and I predict will be proud of their assignments. They are not going to take an educated, cultered woman who is a first-class stenographer or one who operates a teletype machine and put her in a laundry. I just do not believe they would do it. I think the War Department would hear from it if they did.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that highly trained women will be needed for this work, and is it not

also true that there is just as much dignity in doing a good job in a laundry as anything else?

Mr. THOMASON. And the War Department, just like these women, is anxious to do a fine job.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman.

Mr. VAN ZANDT. In what way will the status of a woman in this corps compare with a field clerk?

Mr. THOMASON. She is a civilian employee and, I would say, would rank about the same.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. PLUMLEY. Let us get rid of all this flag waving and Army regulations and all this bologna. Does not the gentleman know, just as well as I do, that you cannot win this war without these women?

Mr. THOMASON. I am glad to hear the gentleman say that, because they have played a big part in every war this country or any other country has ever engaged in, and they will do their part in the present terrible conflict. For that very reason I say we ought to give them recognition. I repeat it is all voluntary. What can be wrong about that?

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. O'HARA. Will the gentleman tell us whether or not it is the intention of the War Department to send these women overseas?

Mr. THOMASON. I do not speak for the War Department, but, frankly, I imagine, if you asked them right now, you would not get an answer because they probably do not know. But I would say that certainly in the early stages of this development these women will be used here in defense activities in continental United States. Such is my guess and my hope because I do not know where they would play a very important part right now in Australia or any other foreign country. They can be sent out of this country, but I predict very few will be unless they request it. There are many Army nurses already out of the country and doing a wonderful and necessary service.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. FULMER. The gentleman enumerated numerous positions at various places that these ladies would fill under this bill. Is there anything to prevent these ladies from filling all those positions now without the enactment of this bill?

Mr. THOMASON. They can volunteer for the service, and 6,000 have done that. We are only talking about volunteers, and that is all we are talking about.

Mr. FULMER. I am asking the gentleman if there is anything to keep these ladies from filling these positions without this bill.

Mr. THOMASON. Oh, no; they can all volunteer for it, but the Army has got to have discipline and organization. For instance, somebody has got to look after the air-raid warning stations on the California coast on account of the situation existing there. They want to know those women will be there without putting them on a voluntary basis. The women volunteers are asking for it. At present they get no pay, hospitalization, or benefits. Under this bill they are treated same as the men.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HINSHAW. The women now employed in the laundries of the Army are getting more than $21 or $31. It is not proposed to take those women out of those jobs and assign members of this corps?

Mr. THOMASON. No; it is not.

I do not want to take any more time. I am sure there is little opposition to the bill, but I do want to express the hope that the amendment to be offered by the gentleman from Oklahoma will not be adopted. If it is necessary to make changes later on we can cross that bridge when we get to it. The War Department through the Secretary of War and Chief of Staff are insisting on this legislation. In these critical days we should back them up to the limit in everything that they think will help win the war. This is an all-out war, and there is a place and a duty for every one of us to perform. Rest assured the women will do their part and they are entitled to recognition when they volunteer and ask for it.

Mr. ANDREWS. Mr. Chairman, I now yield to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. Mr. Chairman, speaking for my district in San Francisco, I want to say we are 100 percent back of the gentlewoman from Massachusetts [Mrs. ROGERS] in support of her bill to establish the Women's Army Auxiliary Corps.

One woman writes:

So many women want to join, including myself and my sister, but we want to get started now. I have a position paying $120 a month but I would willingly quit it to work for $21 a month. Everyone wants to do his or her share in this war and make the necessary sacrifices (my sister and I feel we can help by doing the work for which we were trained—office work, switchboard), but how are we going to do our part if the necessary legislation is not attended to?

Another:

There are many women, like myself, who have had many years of experience as executives and business owners, who would like to volunteer in the Women's Army Auxiliary Corps but are excluded because of the fact that they have passed the 45-year limit, which the enrollment is restricted. It occurs to me, that in view of the fact that Congress requires a registration of men from 18 to 64, that the same age limit should apply to women, because I am sure that a woman of 64 is just as active as the average man of 64. May I ask you to give this serious consideration?

These letters are typical of the interest shown by women everywhere and I earnestly hope Representative ROGERS' bill, H. R. 6293, will pass unanimously. The legislation is a move in the right direction and will definitely help the Nation's all-out efforts. Congratulations to the gentlewoman from Massachusetts for her forward-looking, patriotic service to the country.

Mr. MAY. Mr. Chairman, I have no further requests for time on this side and I ask that the Clerk read the bill for amendment.

The CHAIRMAN. There being no further debate, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the President is hereby authorized to establish and organize in such units as he may from time to time determine to be necessary a Women's Army Auxiliary Corps for non-combatant service with the Army of the United States for the purpose of making available to the national defense when needed the knowledge, skill, and special training of the women of this Nation. The total number of women enrolled or appointed in the Women's Army Auxiliary Corps shall not exceed the number authorized from time to time by the President.

Mr. MAY. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MAY: Page 2, line 2, strike out the period and substitute a comma therefor, and add the following: "and in no event shall it exceed 150,000."

Mr. MAY. Mr. Chairman, I don't care to discuss the amendment, except to state that the Committee on Rules, after careful consideration of the matter, requested that there be a limitation placed upon the number that might at this time be inducted. I agreed with the Rules Committee that I would ask permission of the Committee on Military Affairs to offer such an amendment. This I did, and that is the amendment that I have offered.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection?

Mr. ANDREWS. Mr. Chairman, I reserve the right to object. Is this the amendment the gentleman is going to offer which he desires to discuss at this time?

Mr. NICHOLS. No. I have not offered that amendment.

Mr. ANDREWS. Is it the gentleman's intention to ask for 5 additional minutes when he offers the amendment to which I referred?

Mr. NICHOLS. I cannot say; but I tried to get time in general debate, but was unable to do so.

Mr. ANDREWS. The gentleman discussed his amendment with additional time in the debate on the rule yesterday.

Mr. NICHOLS. That is true.

Mr. ANDREWS. I ask the chairman of the committee whether we are going

to have such requests granted for an extension of the time?

Mr. MAY. Mr. Chairman, I am not going to object to the request of the gentleman from Oklahoma for additional time at this time, but do state in response to the inquiry of the gentleman from New York that the gentleman from Oklahoma did not ask me for any time on general debate until all the time had been promised.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma to proceed for 5 additional minutes?

There was no objection.

Mr. NICHOLS. Mr. Chairman, I hope the membership of the House will carefully follow this. I shall not have time to read all, but I wish that some Members would get the United States Code, which has titles from 1 to 16 in it, and turn to page 194, section 751, and start reading the Employees' Compensation Act, under which these women will come and advise themselves of what they are going to have to do in order to bring themselves under that act and be able to get compensation for disability, if any they receive. I am just as strong for this bill as anybody, but I cannot for the life of me see why the pride of authorship or any other thing would be blind to our responsibility to give these women the same protection that we give the men. Let me read you what the bill provides, when it provides that they shall come under this act:

If any member of the corps is physically injured—

I point out to you that there is no place in this bill that a woman could receive compensation if she were mentally deficient or mentally deranged because of either shell shock or something else that we knew a lot about in the war of 1917–18. What else—

physically injured in line of duty while on active duty.

If that is construed strictly, and it will be by the Workmen's Compensation Commission, supposing she is off duty to the extent of going to a picture show and is struck by a bomb, then I guarantee if this is strictly construed, as I say, she can recover nothing.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. If the gentleman will be quick about it.

Mr. ELSTON. I call the gentleman's attention to the provision on page 7 which provides that benefits shall accrue—

That the benefits shall accrue to any such member or her beneficiary where disability or death is the result of sickness or disease, contracted in line of duty, while on active duty, when such sickness or disease is proximately caused by service on active duty

Mr. NICHOLS. That only further narrows it, in my judgment. But anyway let us pass that for a moment.

The United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty; but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee, or by the employee's intention to bring about the injury or death of himself or of another, or if intoxicated, or if the injured employee is the proximate cause of the injury or death.

In other words, if this were strictly construed and it were applied to soldiers, and a soldier were injured on active duty while he was trying to kill a Jap or a German, he could not draw compensation under this act. If, under this act, the Employees' Compensation Commission could prove that a woman was trying to kill a German or a Jap she could not collect under this, if they followed the law.

Why get ourselves into this shape when it is a simple matter to put these women right where the soldiers are, and give them the same treatment?

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. MAY. If you put these women just where the soldiers are, in the language of the gentleman, would you be in favor of putting other civilian employees of the Government in the same status?

Mr. NICHOLS. Every one of them who is out fighting Japs and Germans, I would. I do not care whether they are civilians or not. These women are going to be on the battle front. They are members of the A. E. F. The bill says it. Oh, yes. It is admitted. Do not be misled. The chairman of this committee, and for that the distinguished generals of the United States Army appeared before the Rules Committee and said it is the purpose to send these women in American expeditionary forces all over the world.

Mr. DINGELL. Will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. DINGELL. You could not court martial them, could you?

Mr. NICHOLS. Yes.

Mr. DINGELL. Not according to law?

Mr. NICHOLS. Yes. I read it yesterday. I do not think there is a lawyer on this floor—if the gentleman from Michigan will go back to the Library and get the second article of war and read it, he will not have to have anybody interpret it for him. That article says that when we are at war anyone serving with the armies of the United States, whether in or out of the United States, is subject to the article.

Mr. DINGELL. I am just taking what the bill says. If you will pardon me, I would like to say that if you are going to send women with the A. E. F., where are the men going to be?

Mr. NICHOLS. Well, I do not know, but they are going. Have no fear. They are going.

Mr. MICHENER. Will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. MICHENER. Now, why argue about these things? One of the statements before the Rules Committee was that the Army may want to send some of these women—and I think the colonel who made the statement is up in the gallery now—to Alaska. I asked him about Iceland. He said if these women were needed there they would be sent there under this law.

Mr. NICHOLS. That is right. There can be no argument about that. It is the intention. I think the chairman of the committee will so state. Is that not correct?

Mr. MAY. Of course, I agree that they are subject to court martial.

Mr. NICHOLS. But I was answering the gentleman from Michigan [Mr. DINGELL]. They are going into the A. E. F., are they not?

Mr. MAY. Some of them may go into it.

Mr. NICHOLS. Oh, well, now, Mr. Chairman.

Mr. MAY. Well——

Mr. NICHOLS. I cannot yield further.

Mr. MAY. Then do not put me on the spot if you are not going to yield. I wanted to ask the gentleman if he understood that in case of a court-martial proceeding there are different penalties, and they do not necessarily have to be shot or jailed or put into the guardhouse.

Mr. NICHOLS. That applies to soldiers also. I understand that thoroughly. But they go exactly in the same way.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes; I yield.

Mr. ANDREWS. The gentleman's statement presupposes service on the part of these women which the War Department has not indicated in any way.

Mr. NICHOLS. They may not have indicated to the gentleman, but there are many men on the floor of this House who have heard the gentleman sitting in the gallery testify before the committee that they were going with the A. E. F. There was no question about it.

Mr. BATES of Massachusetts. And the chairman of the committee just made that statement.

Mr. NICHOLS. Why, yes. There can be no argument about that.

Now let me read further from this law:

If a partially disabled employee refuses to seek suitable work or refuses or neglects to work after suitable work is offered to, procured by, or secured for him, he shall not be entitled to compensation.

In other words, if one of these girls gets hurt and she is finally lucky enough to have the Employees' Compensation Commission start paying her something, and somebody came and offered her a job, if she did not take it, whether she liked it or not, they can cut her off. That is not all. This act provides—and I wish you would all read it—that before anybody can get compensation from the Employees' Compensation Commission they must first file an affidavit.

This law here, and I ask you to read it, sets out what must be put in the affidavit; and if she fail if this law is followed strictly, if she fail, even though

she be in Iceland or in Alaska, to get the affidavit to the Commission in time, under the law she is barred from collecting any compensation.

Mr. DINGELL. It applies equally to men and to women, does it not?

Mr. NICHOLS. But the soldiers in the Army do not come under this.

Mr. DINGELL. The civilians do.

Mr. NICHOLS. These boys, however, are not civilians; they are fighting.

[Here the gavel fell.]

Mr. KILDAY. Mr. Chairman, I rise in opposition to the pro forma amendments.

Mr. MAY. Mr. Chairman, will the gentleman yeld?

Mr. KILDAY. I yield briefly.

Mr. MAY. Mr. Chairman, in view of the fact that this is the very subject on which the gentleman from Oklahoma proposed to offer an amendment in the further reading of the bill, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

Mr. HINSHAW. Mr. Chairman, reserving the right to object, we have not heard the gentleman's amendment yet; how do we know but what there should be debate in opposition to it? Will not the gentleman give an additional 5 minutes in opposition?

Mr. MAY. This is a pro forma amendment now.

Mr. HINSHAW. I withdraw my reservation of objection.

Mr. MAY. Mr. Chairman, I modify my request and ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. KILDAY. Mr. Chairman, it seems to me as though we are heading into a debate which in my very candid opinion results entirely from a misunderstanding of the situation that is involved in this bill. There is no need for the excitement which is evidenced by the gentleman from Oklahoma because there is no proposal to do anyone an injustice or to create a situation that should cause any concern. I believe the gentleman was not here when I spoke during general debate with reference to the dangers of opening the Veterans' Administration insurance system to any civilian employee of the War Department. If these civilian employees are admitted, then you are going to have constant demands from the other civilian employees of the War Department and have hundreds of thousands come into the Federal insurance system and throw us into an endless system of insurance by the Federal Government.

The provisions of the Federal Employees' Compensation Act are adequate for all situations involved. There is no need of arguing whether the members of the auxiliary are going to be sent out of the country or not. I take it they are going to be sent wherever needed, surely to offshore bases. Wherever they may be needed they are going to be sent, and there will be times when they will be subject to military law. The gentleman from Oklahoma, however, continues to argue from an isolated article of war without going into the great body of military law which controls this situation. This is not a novel situation. It is a situation which has always existed, is thoroughly recognized in military law, and is recognized by the international conventions. The point is that a civilian with the Army in the field will be subject to military law.

This is true not alone of the women who happen to be members of the Women's Army Auxiliary Corps, but it is true of any civilian who is with the Army in the field. So, one of these women volunteers would be subject to military law when with the Army in the field, but she would not be subject to military law when on duty anywhere else. I have this information from the Office of the Judge Advocate General of the Army. I hold that opinion in my hand here now. That settles the question involved.

The disciplinary regulations and punishment to be meted out are yet to be determined. Apparently, from a reading of the bill, she would be subject to no greater punishment than summary discharge from the service, although I imagine that lesser punishments will be devised by the Secretary of War under the provisions of this bill. The bill gives him express authority to formulate regulations with reference to discipline and punishment and the procedure in connection therewith.

The Federal Employees Compensation system has been in existence for years. It is not something that has been patched up by amendments offered on the floor of the House, but it is a system based on experience.

I cannot follow the gentleman in his argument that a mental condition is not a physical condition. If we were to follow that argument to its logical conclusion, then thousands of veterans would have to be eliminated from the rolls by the Veterans' Administration, yet their mental disability is of such nature as to rate them 100-percent disabled.

Mr. BULWINKLE. Will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from North Carolina.

Mr. BULWINKLE. Does the gentleman know what construction, if any, has been placed upon similar provisions of the statute to this, involving physical injury without having been mentally injured?

Mr. KILDAY. I have not had the opportunity to brief the question.

Mr. BULWINKLE. I am asking the gentleman what construction has been put on it.

Mr. KILDAY. I cannot give the gentleman that information because I have not looked into it. I say it is quibbling to say that a mental disability is not a physical disability, and I have never known of an instance in which anyone failed to recover in a damage suit because of some distinction between mental and physical disability.

Mr. BULWINKLE. In your damage suit you allege mental disability. You do that in your complaint.

Mr. KILDAY. Does the gentleman take the position that the Veterans' Relief Act distinguishes between physical and mental disability?

Mr. BULWINKLE. It does in many instances.

Mr. KILDAY. The gentleman does not know of an instance in which mental disability is not regarded as a physical disability, does he?

Mr. BULWINKLE. The burden is upon your committee to inform the House whether or not a construction has been placed upon it.

Mr. KILDAY. I do not yield further.

[Here the gavel fell.]

Mr. KILDAY. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. KILDAY].

There was no objection.

Mr. KILDAY. Mr. Chairman, the gentleman from Oklahoma has indicated that someone of these auxiliaries might be struck by a bomb while in the theater of operations and not be covered by the terms of the Employees' Compensation Act. I cannot see how that could possibly transpire. If they are ordered into the theater of operations or if they are in a locality which is subject to bombardment, surely their presence there is the proximate cause of their injury, and under the express terms of this act they would be entitled to compensation if the injury was proximately caused by the discharge of their duties. That being the case, I think clearly they would be covered by the provisions of the Employees' Compensation Act, and that act would give them total coverage.

Of course, they are going to have to conform to rules and regulations as to filing applications, and so forth, but the veteran has to do that. He has a certain time in which he must file an application, and he has a certain time in which he must appeal. There are bound to be regulations on all of it. I happen to know that occasionally civilian employees fail to apply in time or make application, but I find that the House and Senate have been generous in waiving this limitation of time. It is not an unreasonable limitation of time and there is no reason why anyone could not apply.

I have worked out a schedule showing a comparison between the benefits resulting if compensated under the Veterans' Administration and if compensated under the Federal Employees' Compensation Commission, and, Mr. Chairman, I ask unanimous consent to include it in my remarks at this point. I may say, this is my own compilation, and not an extraneous paper.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. KILDAY].

There was no objection.

The compilation referred to follows:

Comparative statement of compensation paid under the Veterans' Administration and under the Federal Employees' Compensation Commission

	Veterans' Administration		Federal Employees' Compensation Commission	
Death Compensation:				
To widow (or dependent widower).	$38 ($45 after 50)		$30.62.	
To parents	$45 for 1 surviving $25 to each when 2		$21.87 for 1 or $35 for 2.	
Disability compensation: Total disability.	$100 per month		$58.33 per month.	
	Without parent	With parent	Without parent	With parent
Death Compensation:				
To children:				
One child	$20	$15 (over age 10)	$13.45	$8.75 for each child.
Second child	$13 additional	$13 additional	$17.17 additional	
Third child	$8 additional for each child.	$13 additional over age 10. Under age 10, first child $10 and $8 additional for each.	$7.95 additional	

Partial disability, is compensated by both systems on the percentage of disability and at the same rate for that percentage.

[NOTE.—All of Federal employees' death compensations are based upon a stated percentage of monthly salary. For the purposes of such computation $87.50 shall be regarded as the minimum salary and $175 as the maximum monthly salary. Therefore a member of the Women's Auxiliary's compensation would be on a base of $87.50 per month, although her cash salary would be only $21 per month.]

[NOTE.—The minimum compensation paid under the Federal Employees' Compensation Commission for total disability is $58.33 per month. That amount would be paid to a member of the Auxiliary even though she received but $21 per month salary. Otherwise the rate of compensation is 66⅔ percent of the monthly compensation.]

Mr. KILDAY. Mr. Chairman, you will find that the rates of compensation are almost identical except in the case of total disability. The death claims are almost identical. The widow under the Veterans' Administration will receive, at war rates, $38 per month until she is 50 years of age; then it jumps to $45 per month. The widower, and I doubt whether there will be many of them, although it is possible under the act, would receive $30.62 from the Compensation Commission rather than $38. Parents under the Veterans' Administration receive $45 a month for one or $25 each if both survive. Under this bill they would receive $21.87 for one and $35 for two. Children, under the Veterans' Administration, the first one would receive $20, the second $33, without parents; and with parents the first one would receive $15, if over 10 years of age, and the next one $13. Under this law it would be $13.45 and $18.71.

Then for disability, the veteran is rated $100 for a 100-percent disability, which is scheduled down in accordance with the percentage to which he is disabled. The Compensation Commission provision is that they shall receive 66⅔ percent of their monthly pay, but that it shall be figured on not less than $87.50 per month. So that the member of the Auxiliary Corps who receives $21 a month plus clothes, food, and lodging would be entitled to receive, if totally disabled, 66⅔ percent of $87.50 per month and if she were one of the officers she would be increased to the extent that her monthly compensation is greater.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. KILDAY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I verified the fact which I was very sure of, that mental disability receives compensation just as well as physical. A mental disability is considered a physical disability for the purpose of compensation.

Mr. KILDAY. I do not think there can be any doubt about that.

Mrs. ROGERS of Massachusetts. I just talked with the United States Compensation Bureau on that.

Mr. KILDAY. I do not think there can be any possible doubt about that. A person mentally disabled is probably suffering from the most severe physical disability possible. I have tried a few lawsuits in my time and I would not have very much hesitancy in representing the plaintiff in some of the cases the gentleman from Oklahoma detailed here. I believe I would have a fair chance to win them without difficulty on what constituted proximate cause or whether there was contributory negligence and so forth. This bill says "in line of duty" and I take it that is comparable to the similar provision of the Army regulations, which means, in effect, that the injury is not the result of his own misconduct.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 2. From women citizens of the United States, the Secretary of War is authorized to appoint the Director and such Assistant Directors as he from time to time may deem necessary or advisable, all of such appointees to serve during the pleasure of the Secretary. The Director shall receive a salary of $3,000 per annum, together with such other allowances as may be provided for hereinafter. The Director, under the direction of the Chief of Staff of the Army of the United States, shall advise the War Department on matters pertaining to the establishment of the Women's Army Auxiliary Corps; shall operate and administer the corps in accordance with normal military procedure of command and administration and such regulations as may be prescribed by the Secretary of War; shall make recommendations as to plans and policies concerning the employment, training, supply, welfare, and discipline of the corps; and shall perform such other duties as may be prescribed by the Secretary. Each Assistant Director appointed pursuant to this act shall receive a salary of $2,400 per annum, together with such other allowances as may be provided for hereinafter. Each Assistant Director shall perform such duties as may be prescribed by regulations published by the Secretary of War.

SEC. 3. The Secretary is authorized to establish and maintain such number of schools as he may consider necessary for the purpose of training candidates for officers of the corps. The Secretary may establish by regulation the qualifications for entry into such schools, the course of study to be pursued, and the requirements for graduation therefrom. Candidates for such schools may be selected from women volunteers who are citizens of the United States, and during their attendance at such schools shall be furnished living quarters, uniforms as hereinafter provided, medical and dental service, medicines, medical and hospital supplies, hospitalization, subsistence, texts, necessary school supplies, and pay at the rate of $50 per month. The Secretary may appoint officers in such numbers as he may deem necessary for the proper administration of the corps in the grades of first officer, second officer, and third officer, and with such responsibilities as he may direct. The pay of officers so appointed shall be $2,000 per annum for each first officer, $1,575 per annum for each second officer, and $1,500 per annum for each third officer, together with such allowances as may be hereinafter provided.

SEC. 4. The Director, each Assistant Director, and each officer of the corps shall receive allowances in lieu of rations at the rate of 60 cents per day and adequate quarters: *Provided*, That when adequate quarters are not furnished, the Director shall receive in lieu thereof the sum of $100 per month, an Assistant Director shall receive in lieu thereof the sum of $80 per month, and all other officers shall receive the sum of $40 per month. The adequacy of quarters furnished shall be conclusively determined in accordance with such regulations as may be issued by the Secretary.

SEC. 5. The Secretary is authorized to have enrolled in the corps, in addition to the Director, Assistant Directors, and officers hereinabove provided for, by voluntary enrollment, women of excellent character in good physical health, between the ages of 21 and 45 years and citizens of the United States The personnel of the corps so enrolled shall be distributed in the grades of first leader, leader, junior leader, and auxiliary, and those in the grade of auxiliary may be assigned ratings as specialist, first, second, or third class, in accordance with regulations prescribed by the Secretary of War, who shall have complete authority to define the qualifications for all such leaders and specialists. The pay of first leaders shall be $864 per annum, of leaders $720 per annum, of junior leaders $648 per annum, and for auxiliaries not otherwise classified $21 per month for the first 4 months of service and $30 per month thereafter. Specialists of the first class shall be paid, in addition to their base pay, the sum of $15 per month, specialists of the second class shall similarly be paid $10 per month, and specialists of the third class shall similarly be paid $5 per month.

The Secretary shall provide quarters for the members of the corps so enrolled either on established Army posts, camps, or stations, or on those to be established, or in such other places as he may direct, and may use any of the facilities of the Army for such purpose: *Provided*, That when quarters are not available the Secretary may provide by regulation to pay allowances in lieu thereof to members other than the Director, the Assistant Directors, and the officers at the rate of $1.15 per day.

Mr. HARRIS of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS of Virginia: On page 4, line 10, after "twenty-one and" strike out "forty-five" and insert in lieu thereof "fifty."

Mr. HARRIS of Virginia. Mr. Chairman, I gladly offer this amendment, raising the age limit to 50, at the earnest request of a number of good and patriotic women, who have been serving and are eager to continue to serve, the Nation in this grave hour of desperate war. These women, and their thousands of counterparts throughout the country, now are rendering highly essential services in the very categories contemplated in this bill. They are volunteers. They wish to be permitted to volunteer for the more definite official war duties proposed through the Women's Army Auxiliary Corps.

Many of these fine American women are more than 45 years of age, which is the limit fixed under the terms of this bill. But those it is desired to bring under the terms of the act by this amendment are not yet 50 years old. They are healthful, strong, and energetic, and physically and mentally capable of performing the duties that would be required of them, though, of course, they would have to pass the Army physical examinations before being accepted in the Women's Army Auxiliary Corps.

I have been asked to consider, in support of their desire to raise the proposed age limit, and I submit for your consideration, these points:

Many of the younger girls and women who would be eligible, under the proposed age limits of 21 to 45, are in college, or are young mothers with babies and young children to care for, and other important household demands upon them. It will not be practical, nor a wholesome thing, for the young women in this bracket to volunteer for auxiliary military duty.

Many others in the intervening ages up to 45 are employed, a large proportion of them in essential work, and most of them are dependent upon their employment for a livelihood for themselves and other members of their families—orphaned children and aged parents, in many cases.

Now, in the case of women between 45 and 50, most of them have completed their great contribution to society and to the Nation of guiding and training children; their boys and girls are, in many cases, men and women, and married. They have no rigidly exacting household duties which would prevent them from volunteering to serve, if they were disposed to do so.

In conclusion, Mr. Chairman, I would like to emphasize that this is purely a voluntary service; there is no thought nor possibility of drafting these women. They want to have the privilege of volunteering to do officially the things they long have been doing unofficially. If they are not physically fit, they will not be accepted for service.

Let us not deny to these patriotic women, who will have to bear a major portion of the hardships and sacrifices the war shall entail, the opportunity they seek, to offer their services in a particular field that appeals to them, and will give them the intense satisfaction of knowing they have served the Nation in the highest patriotic way in a period when it has the greatest need of the services of all good citizens.

I trust my amendment will be adopted.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HARRIS of Virginia. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that many of these women could be made leaders and then they would be outside the age limitations? I know that in Boston they told me that some of the finest women workers are the older women. I understand, however, that the Surgeon General has recommended against taking women over 45.

Mr. HARRIS of Virginia. If they could not pass the physical examination, the Army would not take them anyhow. Down in my part of the country they are now doing the best part of the work on the aircraft plotting boards and in the air raid warning centers, and all the other categories which are set forth in the report. These are the things which they are now doing unofficially. If they have been doing them voluntarily and without any recognition in the past, why come along and make this service official and deny them the right to do the thing they are now doing more efficiently, perhaps, than any other group? They want to do it.

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the age limits as set forth in the bill at the present time are practically the same age limits as set forth for the men in the armed forces. The reason this is done is that it is known as a general thing that individuals coming within these age brackets are in a better physical condition than are those either above or below. The same argument the gentleman from Virginia makes to raise this age limit from 45 to 50 in order to embrace a certain group of women might be made in favor of a raise as between any other two ages in order to embrace women within that group.

After all, as I remarked before, this is legislation designed to perform a service for the Nation. It is designed to supplement our defense forces and to provide a women's auxiliary corps that can take care of the needs the General Staff believes will come properly within the powers of this corps. It is not legislation to undertake to accommodate any certain age group which may, very commendably, desire to serve the Nation. I submit, therefore, that since upon the very best thought these age groups have been included as they are, they should be left as written in the bill.

Mr. HARRIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Virginia.

Mr. HARRIS of Virginia. Is there any positive statement from the War Department or the Army authorities that these women are not capable of rendering these services?

Mr. FADDIS. There was the general statement that these were the age brackets they desired. Yes, there were several statements to that effect. There was an attempt made in the committee to drop the age bracket below 21, and they decided to leave it there. These are the age brackets that, in the opinion of those who are in favor of this legislation, should be left in the bill.

Mr. HARRIS of Virginia. Is it not a fact that the same Army officers have been carrying on a publicity campaign and in other ways attempting to induce hundreds of thousands of women in these age groups, and even over, to render these same services on aircraft-plotting boards and in air-warning centers?

Mr. FADDIS. This would do away with the voluntary service of those women and set up an organization under the terms of the legislation to perform a specific duty in connection with the Army.

Mr. HARRIS of Virginia. The Army would not have to take them if it did not want to, if the women could not pass the physical examination. It is voluntary.

Mr. FADDIS. That is true of a volunteer soldier also.

Mr. HARRIS of Virginia. You are going to kick out thousands of women who are now doing that very work.

Mr. FADDIS. No; you are not going to kick out thousands of them because there are only 6,000 of all ages in service today.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. HARRIS of Virginia) there were—ayes 21, noes 45.

So the amendment was rejected.

Mr. CLASON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this to get a little light on the question of the interpretation of the bill. Some persons apparently do not think any of these women can be sent outside the United States with American expeditionary forces, that they are going to serve in the United States. Some think that the young women who become volunteers in this corps can be punished by courts martial, and others think they cannot.

Now, with reference to the question of going outside the United States, I think everybody should look at the hearings on page 54, where Mr. HARNESS, in the presence of General Hilldring, put the proposition that we might send an expeditionary force to Europe and need a lot of these women. The statement was made that you have got to have discipline. He also spoke of sending them to South America or Trinidad. I think, therefore, that anyone who votes on this bill wants to vote on the assumption that these volunteers can be sent with any expeditionary force to any part of the world, and they will be expected to go.

The other proposition is on page 30 of the hearings. At that time Mr. THOMASON asked this question of Col. Ira Swift, of the General Staff. I would like to ask the chairman of the committee about this in order that when we vote everybody will

understand they are voting in accordance with the views of the committee on this subject, which I believe to be important, because it is embraced in Mr. NICHOLS' proposed amendment. On page 30 of the hearings Mr. THOMASON asked this question:

But if the young woman wants to volunteer in this service, she cannot resign any time she wants to without being subject to court martial or punishment?

The answer from Col. Ira Swift, of the General Staff, sent up there to explain the bill to the committee, is as follows:

Colonel SWIFT. We cannot court martial her. We could punish her by giving her a discharge. That is the maximum punishment you could inflict under this bill.

That is the interpretation of the United States General Staff, that the maximum punishment under this bill is to discharge a volunteer. You cannot court martial her. Is that the understanding of the chairman, or does he now think that it is possible to court martial any of the volunteers in this corps and inflict a greater punishment?

Mr. MAY. I would like to answer the gentleman's question by reading from the hearings of Colonel Swift.

Mr. CLASON. At what page?

Mr. MAY. At page 30, near the bottom of the page:

Any civilian serving with or accompanying an Army in the field that is in combat operations is subject to the Articles of War to the same extent that a soldier is. Now, any civilian serving with or accompanying an Army of the United States outside the territorial jurisdiction of the United States is also subject to the Articles of War. These people would be subject to the Articles of War to the same extent that any other civilian serving with or accompanying an army would be subject to the Articles of War

Now, that means, of course, in time of war, and we are now engaged in war.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield further?

Mr. CLASON. Please wait until I reply.

This testimony was given in January 1942, when we were at war and at a time when the General Staff must have had in mind that we were at war. Your understanding from reading that sentence is that until such time as one of these volunteers leaves the territory of the United States she can resign and the greatest punishment that can be inflicted is to give her a discharge, but once they leave the United States, under that sentence, it is then possible to treat her in accordance with the Articles of War?

[Here the gavel fell.]

Mr. CLASON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MAY. I will answer the gentleman's question by asking him one. Would the gentleman want any more severe punishment than that which might be provided by the Articles of War?

Mr. CLASON. It is not a question of what I want. What I want to know is what these girls are submitting themselves to when they join this Army.

Mr. MAY. They become subject to the second article of war, just like anybody else, and if these combat forces engaged in any sector of the United States even, and they are within that area, they would be subject to the second article of war. If they are sent abroad in combat service or in an expeditionary force, they would likewise be in the same position even though we were not in war.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. CLASON. Yes; I yield.

Mr. ANDREWS. The Secretary of War stated clearly in his letter to the committee that these women troops are not going to be used as combatant troops. The answer which the gentleman recites from the hearings is quite correct so long as they are noncombatant troops. But he is assuming they are with combat troops, which they are not going to be.

Mr. CLASON. I do not think that statement is correct. I do not think that is the understanding of the members of the committee as a whole, because I certainly understood from Mr. HARNESS' statement and from other statements made before us at the hearings, that it was the intention to send these volunteer troops to military posts outside the United States; for instance, Trinidad, British Guiana, or other places. I think we still have to go back to the proposition of the particular question asked of Colonel Swift about a girl being required to go to Hawaii. He states definitely, at page 30, that if she says, "I do not want to go," and it was a time of war when this testimony was given, she does not have to go. She can stay at home and all they can do to her is to give her a discharge, and they cannot court martial her or give her any greater punishment. That was his testimony.

Mr. MICHENER. I do not wonder there is confusion, in view of the law as read by the Chairman, and the testimony given by an ill-advised officer of the Army, as quoted from the hearing. There is no question but that the gentleman from Massachusetts has clarified the matter, and I would like to hear the distinguished gentleman from New York [Mr. WADSWORTH], who knows about these matters, express an opinion. There is not any question that the gentleman from Massachusetts [Mr. CLASON] has stated the facts as they are. It seems to be clear that these women will serve with combat units and they can be court-martialed if they are so serving in time of war.

Mr. CLASON. If a person is serving in California on the California coast, or the New Jersey coast, where submarines are operating close to shore, that woman might well be considered to be in a combat zone. While that may be farfetched, I think anybody voting on this bill ought to be told by somebody exactly what is understood to be the law on this subject.

Mr. FADDIS. Of course, there is probably a misunderstanding in the House as to just what comprises combat troops or where you might define as being in the service with combat troops. Infantry are combat troops, although they may not be in combat all the time. Today it is true in warfare that the combat zone is a very deep zone. It is not today that thin line that protects all the rear area, as it has been in most warfare preceding this. The combat zone is liable to be of great depth, but it is not contemplated to put these women in the front line.

Mr. CLASON. Oh, no.

Mr. FADDIS. They are merely required to perform auxiliary service in the rear.

Mr. MICHENER. I am not questioning where they serve.

Mr. CLASON. Mr. Chairman, I do not yield any further. I am in favor of this bill because I think they will be able to relieve 150,000 men who may enter combat service where they are needed. For that reason I think if General Marshall says that this bill is needed we ought to go along with him. These girls can perform the tasks assigned to them as well, and in most cases better, than the soldiers assigned to those duties. At the same time I think we ought to tell them where they stand before we pass this bill.

Mr. MICHENER. Mr. Chairman, I move to strike out the last word to make a statement.

I take this time in order that my position with reference to the passage of this bill may not be misunderstood. Whether or not this is good legislation in a democracy, even in wartime, is debatable. In peacetime I would not support the measure. However, we are in the war, much as we may regret it. In these circumstances the whole picture is changed.

I shall vote for this bill solely because the War Department has appeared before the Military Affairs Committee, as well as the Rules Committee, insisting that the national safety at this time demands this legislation. We are confronted with a question that cannot be settled in the club, in the grocery store, or in the sewing society. If we win, it will be through the agency of our military forces. Therefore, if the War Department demands this legislation in the name of our national security and the winning of the war, I cannot justify a vote against it. No war can be won without leadership, and we cannot all be military strategists and war-winning and war-fighting experts. We must trust somebody. Possibly the War Department is wrong about this thing. Nevertheless, I shall resolve the doubt in favor of its advice, leadership, and demands.

At the same time, we should not pass this bill under a misapprehension as to what is contemplated and what will happen if the bill becomes a law. During the last few years we have passed bills affecting the Army under a possible misapprehension of the facts; that is, the facts were disputed in the debate.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Yes.

Mr. MAY. In what respect was the gentleman under a misapprehension about a bill that was passed?

Mr. MICHENER. As the matter turned out, I was not under a misapprehension about the legislation to which I refer. Indeed, time has proven that those bills contemplated just what I anticipated, even though some of the supporters of these bills took an entirely different position.

The questions I have asked in debate today probably provoked this discussion about discipline in connection with the Auxiliary Army Force; also as to whether these volunteer women might be sent beyond the continental limits of the United States, as a part of an A. E. F. to other parts of the world.

Mr. MAY. I think the discussion has been very profitable.

Mr. MICHENER. The members of the Military Affairs Committee do not seem to agree as to just what this bill means. For instance, the ranking member of the committee on the minority side, the gentleman from New York [Mr. ANDREWS], feels that this bill, if enacted into law, will not authorize the sending of these women outside of the continental United States to serve in an A. E. F. The chairman of the committee, the gentleman from Kentucky [Mr. MAY], takes exactly the opposite view. When asked the question, their answers are diametrically opposed. I have read the hearings before the Military Affairs Committee. I was present in the Rules Committee when the bill was explained, and, even so, I am pleased to have the clarification of these phases of the bill made by the gentleman from Kentucky, Chairman MAY. He has undoubtedly quoted the law with reference to courts martial correctly and it seems to me that the statement of the gentleman from New York in this particular is not exactly correct.

Mr. MAY. I think the gentleman from Michigan has stated the situation correctly.

Mr. MICHENER. No one should vote for this bill in the belief that the second article of war will not apply to these women serving with combat troops in time of war. This bill is primarily a general authority to the War Department. That Department will write the rules, the regulations, and administer the law, in accordance with its intent and purpose. I wish that those rules and regulations were embodied in the bill and were specific. However, such a bill is impossible at the moment. I am sure that we would all be pleased to have the opinion of the gentleman from New York [Mr. WADSWORTH], who is an authority on things military.

In conclusion, I reiterate the necessities of the hour can be the only justification for legislation of this character. This is a war emergency measure and should not be permanent legislation. We in this country do not want to so militarize our people as to make it possible or necessary to maintain a standing army in peacetime, composed in any part of the womanhood of the land. Remember, this law is to be administered by the War Department, not by a group of theorists, and that O. C. D. boondoggling will not be possible.

Mr. MAY. I think the gentleman has stated the situation correctly.

Mr. POAGE. Mr. Chairman, I move to strike out the last word and I do so to clarify the RECORD. If I understand correctly these ladies will be volunteers, and will be selected by the War Department and not by Members of Congress.

Mr. MAY. Of course, I do not know what the gentleman understands, but I can tell the gentleman what I understand and what is the fact. Every one of these women will be between the ages of 21 and 45, and will be volunteers only. They will be selected after physical examination by the board that is set up in the War Department for that purpose. No Congressman's letter will be regarded as a recommendation of any kind.

Mr. POAGE. That is exactly what I want to get in the RECORD and is the policy I hope the War Department will follow. I think that one of the greatest dangers in connection with this bill is the possibility that membership therein will be dependent on political endorsement. I hope that such will never be the case. I know today that with certain branches of the service a congressional endorsement is actually a hindrance rather than a help.

Mr. FADDIS. Will the gentleman yield?

Mr. POAGE. Yes; I yield.

Mr. FADDIS. I wish to inform the gentleman that it has already been stated that it is understood that a letter from a Member of Congress will insure rejection of any woman.

Mr. POAGE. I am glad the gentleman put that into the RECORD. I hope the press will get that and so publicize it that it will be clear to all before the bill goes into effect, that it will minimize rather than increase an applicant's opportunity to get into this corps for her to seek a letter from any Member of Congress.

I know that this organization cannot succeed if any outside influences, political or otherwise, are allowed to influence the selection of its members. This organization is so closely connected with the military that it is essential for its success that the military authorities have absolute control of its personnel. I, for one, believe that the O. C. D. would have rendered a much better service had it been placed directly under the control of the Army rather than under civilian direction. I voted to place the O. C. D. directly under the Army. I think we made a serious mistake when we did not do so. I am afraid we are about to commit an equally serious mistake today. This organization will be in uniform and will in many ways simulate a military organization. It is presumed that it will work along with men under military discipline—men subject to military law—and yet the members of the corps will not be subject to the same discipline and may at their own pleasure quit the service if they do not like the treatment they get. Under the most favorable circumstances it will be hard enough for the military authorities to keep this from becoming a lark for young socialites. I am glad that we have the positive assurance of the Committee on Military Affairs that no young lady will be able to enlist except by following the rules and meeting the regulations of the War Department. If this bill passes, and I think it will, I want it to be a success. It cannot succeed if you let outsiders control the personnel. I am always anxious to help my constituents, and I am not one of those who believe that it is necessarily a crime for a person who is seeking a job in an administrative branch of government to get a recommendation from an elected official, but I do not think that our military posts can be safely filled by elections, and I am more interested in the military success of my country than I am in the desire of any constituent to fill any military job.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I ask that the Clerk may read.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word.

Mr. MAY. Mr. Chairman, it is my understanding that debate was closed on this amendment by unanimous consent.

Mr. NICHOLS. There has been an amendment adopted since then.

Mr. MAY. No. There was one defeated.

Mr. NICHOLS. I think debate was not closed on this section.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

Mr. BULWINKLE. Mr. Chairman, reserving the right to object, what section is that?

Mr. MAY. Section 4.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. NICHOLS. Mr. Chairman, the only reason I again ask for recognition—and I am not very bad about imposing upon the time of the House on this or any other bill, so I do not feel so badly about it, but the only reason I ask for this time is to talk about the very thing that there seems to be such a great misunderstanding about.

I read it yesterday and I want to read it again slowly today. I am reading the very section to which the bill itself makes reference. Now, if it is not the law and if I do not have enough books here, I want somebody to tell me why. This is the section that the bill refers to. I read:

> All retainers of the camp and all persons accompanying or serving with the armies of the United States—

And that is the language of the bill, also. The bill says those folks are not in the Army, but they shall be the only recognized women's organization to serve with the Army. So that is the language both of the statute and of the bill—

> serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all retainers and persons accompanying or serving with the armies of the United States in the field, within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles.

Now, can there be any question, my friends? No. Combat? Not a word is said of combat. "In the field." Defino

the words "in the field" and you have the answer. I am frank to say I do not know what is meant by "in the field." I do not know if women are serving in a camp in the Hawaiian Islands they are in the field or not. In the war that I played a little part in in 1917 and 1918 we would have been in the field. If that is in the field, then these women—and no one can successfully contradict it—are subject to the articles of war, court martial and everything else, that any soldier is.

That is the law of the land, in the second article of war. I cannot understand why the War Department or anybody else would try to vary that plain and simple language. No one has as yet pointed out to me, and I would like them to do it if there is any other law on the subject. No one has yet said there is. The only thing they can do is to go back to the hearings and read to you and me the testimony of some Army officer. A good man; a good man, yes. My friends, we are presumed to be lawmakers. We are presumed to have some knowledge of the law, at least as much as a distinguished Army officer, who is not very closely associated with the business of making and interpreting the law.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes; I yield.

Mr. O'HARA. What would the gentleman say about the situation where the Army on the west coast is attacked, or on the east coast, are not those women serving in the capacity of this corps, in the field?

Mr. NICHOLS. Well, I am not sure. I will let somebody else interpret that, but if they are, then they come under the articles of war.

Certainly if any portion of this United States were attacked and we sent a regiment, or a division, or any other subdivision of the Army there to take part in that combat these women would go along to do their noncombatant duty and service. They in that case certainly would be in the field, would they not? I do not think there can be any question about it.

[Here the gavel fell.]

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

SEC. 6. The Secretary shall procure and furnish subsistence to all members of the corps, exclusive of the Director, Assistant Directors, and officers, which shall conform so far as is practicable to the subsistence of the Army: *Provided*, That when subsistence in kind is not furnished, the Secretary, by regulation, shall provide payment of allowances in lieu thereof.

SEC. 7. The Secretary shall prescribe the form of oath which shall be required of all the members of the corps and shall by regulation provide for the induction, including fingerprinting, of all members of the corps. The term of service for all members of the corps shall be 1 year: *Provided*, That the Secretary may discharge any member for cause, disability, or for the convenience of the Government: *And provided further*, That in time of war, or of national emergency declared by Congress or the President, the Secretary may, by order, extend the term of service to include the period of the war or national emergency plus not to exceed 6 months, and each contract of enrollment or certificate of appointment shall contain a statement to that effect.

SEC. 8. The Secretary shall prescribe uniforms, insignia, accessories, and equipment for the corps and shall procure and furnish to all members thereof, including the Director, Assistant Directors, and officers, such uniforms, headpieces, shoes, ornaments, insignia of rank and accessories, as well as such organization equipment and supplies, as may be required. The responsibility and accountability of the various individuals and officers for individual clothing and equipment, and for organization equipment and supplies, shall conform so far as is practicable, to the laws and regulations pertaining to the Army in like cases.

SEC. 9. The Secretary shall prescribe regulations for travel and for the payment of travel allowances, including travel allowances from the place of discharge to the place of acceptance for enrollment or appointment, and such regulations and allowances shall be similar to those for travel of the Army.

SEC. 10. The Secretary shall provide medical and dental services, hospitalization, medicines, and medical and hospital supplies for each member of the corps for injuries, sickness, and disease during the time such member is actually serving her enrollment or appointment, such services to conform as nearly as practicable to similar services rendered to the personnel of the Army; and the facilities and personnel of the Army may be used for such services.

Mr. BULWINKLE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am calling the attention of the chairman and members of the committee to section 11.

Mr. MAY. We have not reached that section yet.

Mr. BULWINKLE. I realize that, but I am calling attention to it now, so that if the gentleman thinks my words are worth anything he will introduce the amendment to correct what I am calling to his attention, and that is that these women, as far as disability from injury is concerned, will come under the Workmen's Compensation Commission. Bear in mind that when you say if any member of the corps is physically injured in line of duty, under the decisions and opinions of the Attorney General applicable to the Workmen's Compensation Commission, the word "injury" as used in the act is in no sense suggestive of disease, nor has it ordinarily any such significance, and there is a whole line of similar decisions. I therefore state to the members of the Military Affairs Committee that if this act goes into effect these women will not be treated fairly and squarely, because any man who was in the service must and will realize that disease causes far more disability than injury from gunshots or shell wounds.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BULWINKLE. In just a minute.

Section 11 should, therefore, be corrected so that if a woman has tuberculosis, so that if a woman contracts some disease or malady that forever disbars her from taking her part in life, the Government will at least do something for her.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. VAN ZANDT. Several months ago did not the House pass a bill instructing the Veterans' Administration to take into consideration the conditions under which men served during the World War so as to give him the benefit of doubt in his application for benefit as the result of disease?

Mr. BULWINKLE. That is correct.

Mrs. ROGERS of Massachusetts. I wonder if the gentleman does not labor under a misapprehension? I personally have helped some of the Federal employees to secure compensation under the United States Federal Compensation Act; and it is under that act they will receive pay for disease and for tuberculosis.

Mr. BULWINKLE. If there is any doubt in the mind of anyone, why not correct it?

Mrs. ROGERS of Massachusetts. There is not in mine.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. WADSWORTH. While I am not prepared to say that the gentleman's contention is correct, would it not clarify the situation somewhat if instead of using the word "injured" at the end of line 5 and the beginning of line 6 we used the word "incapacitated"?

Mr. BULWINKLE. I would do both. I think the gentleman is right. I would say "physically and mentally incapacitated in line of duty."

Mr. MAY. "Physically or."

Mr. BULWINKLE. "Physically or mentally incapacitated in line of duty."

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. SPARKMAN. I would like to call the gentleman's attention to the first proviso, starting in line 17, section 11, and reading as follows:

Provided, That the benefits shall accrue to any such member or her beneficiary whether the disability or death is the result of sickness or disease contracted in line of duty, while on active duty, when such sickness or disease is proximately caused by service on active duty.

Mr. BULWINKLE. I have read the provisions. I am offering this suggestion so it can be taken up in the next section and corrected in order that we can be absolutely fair to the women if we are going to enroll them in the service.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield for one further suggestion?

Mr. BULWINKLE. Yes.

Mr. SPARKMAN. The report furnished to the committee by the Employees' Compensation Commission's office called attention to the fact that the same coverage is given by this bill that was given in the bill covering Naval Reserve officers, and officers and enlisted men of the Reserve Corps; and it defines sickness acquired in line of duty.

Mr. BULWINKLE. I hope the committee will amend the section.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 11. If any member of the corps is physically injured in line of duty while on active duty, while engaged in authorized training without pay or while engaged in authorized travel with or without pay, or if any member dies as the result of such physical injury, she or her beneficiary shall be entitled to all the benefits prescribed by law

for civilian employees of the United States who are physically injured while in the performance of duty or who die as a result thereof, and the United States Employees' Compensation Commission shall have jurisdiction in such cases and shall perform the same duties with reference thereto as in the cases of other civilian employees of the United States so injured: *Provided*, That the benefits shall accrue to any such member or her beneficiary whether the disability or death is the result of sickness or disease contracted in line of duty, while on active duty, when such sickness or disease is proximately caused by service on active duty: *Provided further*, That employees' compensation under this act shall not be paid concurrently with active-duty pay or pension based upon active service: *And provided further*, That for the purpose of determining the benefits to which they are entitled under the provisions of this act, members of the corps physically injured when engaged in authorized training withcut pay will be held and considered as receiving the pay and allowances they would have received if in a pay status.

The Secretary, under such regulations as he may prescribe, may authorize and require the hospitalization, medical and surgical treatment, and domiciliary care so long as any or all are necessary of members of the corps injured as hereinabove set out and the Secretary is authorized to incur obligations with respect thereto without reference to their line of duty status: *Provided*, That this shall not apply to members of the corps who are treated in private hospitals or by civilian physicians while on furloughs or leaves of absence in excess of 24 hours. Members of the corps who suffer injury or contract disease in line of duty while on active duty or while engaged in authorized training without pay shall, under such regulations as the Secretary may prescribe, be entitled at Government expense to such hospitalization, rehospitalization, medical and surgical care in hospital and at their homes as is necessary for the appropriate treatment of such injury or disease until discharged from service, released from active duty, or released from authorized training without pay and during such time the period of such hospitalization or rehospitalization, but not for more than an aggregate of 6 months after the termination of service if on active duty with pay, to the pay and allowances, whether in money or in kind, that they were entitled to receive at the time such injury was suffered or disease contracted and to the necessary transportation incident to such hospitalization, rehospitalization, and return to their homes when discharged from hospital and such pay and allowances shall be in lieu of monthly compensation payable under the first paragraph of this section, during the period covered thereby; and for any period of hospitalization or rehospitalization when they are not entitled to pay and allowances under the preceding provision they shall be entitled to subsistence at Government expense. In the event any member of the corps dies during her period of enlistment or appointment, the necessary expense for the recovery of the body, its preparation for burial, including the use of such of the uniform and articles of clothing issued to her as may be required, interment or cremation, and transportation of remains, including round-trip transportation and subsistence of an escort to her home or the place where she received orders or enrolled or was appointed, or to such other place as her relatives may designate provided the distance to such other place be not greater than the distance to her home, shall be paid by the United States: *Provided further*, That if the death of the member occurs as a result of an injury in line of duty while on active duty, while engaged in authorized training without pay, or while engaged in authorized travel with or without pay, and while such member is entitled to receive the benefits of the act of September 7, 1916, the funeral and burial expenses shall be provided by the United States Employees' Compensation Commission under the provisions of section 11 of the act of September 7, 1916, as amended (5 U. S. C. 761), and in addition to the authority contained in that section, the Commission may embalm and transport the body, in a hermetically sealed casket if necessary, to the home of the member.

Mr. NICHOLS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. NICHOLS: Page 7, strike out lines 5 to 25, inclusive, strike out all of pages 8 and 9 and down through line 9, on page 10, and insert in lieu thereof the following:

"SEC. 11. (a) Members of the Women's Army Auxiliary Corps and their beneficiaries and dependents shall be entitled to receive the same pension, disability and death compensation, hospitalization, medical and surgical care, and other benefits for disability or death caused by injury suffered or disease contracted in line of duty while on active duty, or while on authorized training duty, or while on authorized travel, as is now or may hereafter be provided by law or regulation for members of the Officers Reserve Corps and the Enlisted Reserve Corps, and their beneficiaries and dependents.

"(b) (1) Section 601 (a) of the National Service Life Insurance Act, as amended, is amended by inserting before the semicolon at the end thereof the following: 'and (6) a member of the Women's Army Auxiliary Corps.'

"(2) Section 601 (c) of such act, as amended, is amended to read as follows:

"'(c) The term "active service" means active service in the land or naval forces (including the Coast Guard) of the United States or with the land or naval forces as a member of the Women's Army Auxiliary Corps and service in the land or naval forces of the United States under the Selective Training and Service Act of 1940, but the service of any person ordered to active duty in any such force for a period of 30 days or less, shall not be deemed to be active service in such force during such period;'."

Mr. NICHOLS. Mr. Chairman, the weight of the argument against my amendment now will be that these women are in a civilian status. The argument that I made on yesterday, and it was an argument as to whether or not these women came under the Articles of War, is now out of the way. Everyone now agrees, the chairman of the committee and all the rest of them, although they argued the other way yesterday, that these women come under the Articles of War. So that removes that argument.

Mr. HARNESS. Will the gentleman yield?

Mr. NICHOLS. I am sorry.

Mr. HARNESS. The gentleman referred to all of the committee.

Mr. NICHOLS. The members of the committee can get recognition at any time.

Mr. HARNESS. I do not agree with the gentleman's statement.

Mr. NICHOLS. I am awfully sorry the gentleman does not agree.

Mr. ANDREWS. The gentleman said all members of the committee. I do not, either.

Mr. NICHOLS. I will revise it and say the chairman of the committee. I do not want to be unfair about it.

Another agreement has been reached with the chairman of the committee, at least, when he agrees with the gentleman from North Carolina [Mr. BULWINKLE], that the bill is so vague it must now be amended by the addition of the words "mental sickness" or something of that kind. All there is now is the proposition that they maintain a civil status.

Do you know what that means? That means that you are putting those who are serving with the armed forces on exactly the same basis as you put the civilian clerks and employees who serve in air-conditioned, steam-heated buildings and ride on leather chairs downtown. You put them on the same status with the elevator operators and all the rest.

How do you think the girls are going to feel when they are out there dodging bombs and gas and everything else that goes with war? Do you think they are going to reflect kindly on a great Congress that put them in a civilian status, even though they are out there looking death in the face? Yes, their civilian status is saved by the most delicate hairline of fantastic technicalities imaginable and barely saved to them.

All they have is in a technical sense. Actually they are at war and no one can gainsay that. It is necessary to discharge them, oh, yes, but why? Mr. General, do you want to discharge the girls? Well, we want to discharge them so we can hold discipline over them. When they volunteer, how long do they volunteer for? Until they want to quit? Oh, no. This bill provides for voluntary service until 6 months after the duration; that is how long they go in for. Civilian status? Yes. Saved by the bell and a mere technicality. Civilian status of the kind that you have to have a discharge to get them out of the Government service. Show me any other civilian status in the Government, clerk, stenographer, secretary, and the rest, when the service is of such a peculiar nature that the law provides for discharge, honorable or not.

Mr. Chairman, the technicality is too narrow and my amendment cannot possibly hurt anything and might help. It will help those women who volunteer and who in so doing are as patriotic and as fine as your son who volunteers. I am not afraid that this amendment will not be adopted, because I am willing to leave it in the good conscience of the membership of this House that these women are entitled to exactly the same very good treatment both during the time they are in service and after they leave the service.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is the fourth time the gentleman from Oklahoma has discussed his amendment, including the remarks he made on the rule. The matter was submitted to the members of the House Committee on Military Affairs, who deemed it entirely unnecessary, and are opposed to it.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 31, noes 70.

Mr. NICHOLS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. ELSTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: On page 7, line 6, after "injured", insert "or otherwise incapacitated."

In line 9, after "injury", insert "or other incapacity."

In line 17, after "injured", insert "or otherwise incapacitated."

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I yield to the gentleman from Kentucky.

Mr. MAY. This is merely a clarifying amendment, as I understand, and meets the question raised by the gentleman from North Carolina, as well as the matters discussed by the gentleman from New York [Mr. WADSWORTH].

Mr. ELSTON. Yes; that is correct. The purpose of offering the amendment is that there will be no question about the provisions of this section.

Mr. MAY. We have no objection to the amendment, Mr. Chairman.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I yield to the gentleman from New York.

Mr. COLE of New York. I call the gentleman's attention to page 8, line 2, where a further similar amendment might very well be offered.

Mr. ELSTON. Mr. Chairman, I think possibly the amendment might also be extended to cover page 8, line 2, and I ask unanimous consent to modify my amendment by adding after "injured" in that line the words "or otherwise incapacitated."

The CHAIRMAN. The Clerk will report the further amendment.

The Clerk read as follows:

On page 8, line 2, after "injured", insert "or otherwise incapacitated."

Mr. MAY. That is agreeable.

The CHAIRMAN. Without objection, the modification will be made.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ELSTON], as modified.

The amendment was agreed to.

The Clerk read as follows:

SEC. 12. The corps shall not be a part of the Army, but it shall be the only women's organization authorized to serve with the Army, exclusive of the Army Nurse Corps. Nurses shall not be enrolled in the corps, and nothing in this act shall be construed to affect or change the Army Nurse Corps as now established by law.

Mr. O'HARA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA: On page 10, line 15, after section 12, add:

"No member of this corps shall be required to serve outside of the continental limits of the United States unless such member shall consent to such foreign service in writing."

Mr. O'HARA. Mr. Chairman, there has appeared to me this afternoon, in listening to the debate on this bill, to be considerable confusion about two things. One gentleman, a member of the committee, says that these women are not going to be sent in an A. E. F. Several members of the committee insist they will be.

I call your attention to page 30 of the hearings on this bill, where Colonel Swift, one of the Army officials, in testifying, said this:

If a girl comes up and says, for example, "I don't want to go to Hawaii," she would probably be told, "Well, that's too bad; you are going to Hawaii anyway." Now, that girl could very easily just walk out; in which case she would get a discharge, probably a discharge without honor, which she doesn't want.

The other feature to which I wish to call attention is the uncertainty as to what the War Department will do and what their final policy will be. I think it is something that some of us as legislators ought to think about before we pass a bill as to which the War Department does not know what it is going to do and we do not know what we are going to do. These women, who are going to enlist with the thought of serving in this country, and then suddenly may be told they are going to Hawaii or Java or Australia or Africa, should have the right to make up their minds somewhere along the line, if we cannot make up ours.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Indiana.

Mr. HARNESS. Of course, my distinguished friend from Minnesota knows, and every woman who would enroll in the corps would know, that the enrollees were under the sole jurisdiction of the Army, and could be assigned for noncombatant duty anywhere in the world where our Army was operating.

Mr. O'HARA. I may say to the gentleman that if they did not know their minds any better than we do or the War Department does, then I do not know just what kind of a contract we would be making with them.

Mr. HARNESS. Although I am opposed to the gentleman's amendment, because I believe it would seriously handicap the Army, I am glad the gentleman has so forcefully brought the matter of foreign service to the attention of the House and to the country.

Mr. O'HARA. If these people were soldiers, yes, that might be a different thing; but you are taking women into this corps. We want to be able to say to them, "We are making an honest contract with you, when you go in, you are going in for overseas duty."

It is a shocking thing to me that we people of America, who have treated our women with the greatest solicitude—and one of the most precious things we are fighting this war about is the sanctity of their homes—and Heaven forbid we should ever become careless or fail to give most careful thought to them when they come into the service and say to them that they shall go any place the men go, in view of all the cruelty of war they may face, from the Japs, for example.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from California.

Mr. HINSHAW. I do not see anything in this bill that provides any foreign-service pay for these women, such as is provided for the Army.

Mr. O'HARA. No; I do not, either. I want these women to be treated just as fairly as the men by whose side they serve.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Louisiana.

Mr. BROOKS. I asked the questions on page 30 to which the gentleman has referred.

Mr. O'HARA. That is right.

Mr. BROOKS. I do not think there was any doubt in the minds of the committee and I do not think there would be any doubt in the minds of the women volunteering, that they would be willing to go wherever it might be necessary under the circumstances to go to attend to the duties defined in this measure. I do not think there is any uncertainty on our part about it.

Mr. O'HARA. That is what I should like to have determined now.

I served overseas in the last war. We had several million troops over there. Outside of the Army nurses and our Red Cross women and our Y. M. C. A. women, all of whom rendered a magnificent service, who were all volunteers—and I know of no legislation of this type in '17 and '18—I did not know that we needed women, as this type of legislation infers, to answer telephones or do the work which is now claimed for our expeditionary forces. I would like to have the privilege granted to these splendid women who volunteer their services that they have the right to serve on this side or overseas, as they may elect and decide, when they enter service.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. FADDIS. Of course, when the gentleman refers to not being able to make up minds, he refers to his own mind and not to the mind of anyone else.

Mr. O'HARA. No; I am just calling the gentleman's attention to the fact as to what has transpired here in the House and to the confusion in the minds of the members of the committee. I assure my friend I am quite as capable as he in making up my mind after what has transpired here today.

Mr. FADDIS. I do not believe there has been any confusion along that line. The statements of the committee have been very definite.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

I believe, Mr. Chairman, the women would not wish to have this amendment. The women who write to me want to

serve in this country or overseas or wherever they are sent, and they will know when they go into it that they may be sent overseas.

I would like, Mr. Chairman, to read what Woodrow Wilson, your great President in the other war, said of the work of the women.

Mr. O'HARA. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. In just one moment, I will be glad to yield.

> And what shall we say of the women—of their instant intelligence, quickening every task that they touched; their capacity for organization and cooperation, which gave their action discipline and enhanced the effectiveness of everything they attempted; their aptitude at tasks to which they had never before set their hands; their utter self-sacrifice alike in what they did and in what they gave? Their contribution to the great result is beyond appraisal. They have added a new lustre to the annals of womanhood.

Then again, no President has paid a more graceful compliment to the work of women in wartime than did President Lincoln in an address March 18, 1864, he praised their efforts:

> I am not accustomed to the language of eulogy. I have never studied the art of paying compliments to women. But I must say, that if all that has been said by critics and poets since the creation of the world in praise of women were applied to the women of America, it would not do them justice for their conduct during this war. I will close by saying, God bless the women of America.

And do you think for one moment, Mr. Chairman, that the sisters of the men who have given their lives overseas for us would hesitate for one moment to go overseas if they could be of service?

Just recall for a moment the history of the women of this country from our earliest time. When they first came over they were willing to actually fight the Indians to protect their young. You know what the Revolutionary women did in the way of protecting their people. You know what your pioneer women of the West did. They were ready to shoot to protect their families. You in the South know what your women were ready to do and did during the Civil War. You know of the service of the women in our own war. I do not believe, Mr. Chairman, for 1 minute that the women would like to have this written into the bill. They want to go into the service, and they want to be sent wherever they should go.

I now yield to the gentleman.

Mr. O'HARA. The gentlewoman fully appreciates that the purpose of my amendment is to get away from this confusion and let these women know that they are either going overseas or they are not, and the gentlewoman from Massachusetts appreciates the sincerity of purpose of my amendment.

Mrs. ROGERS of Massachusetts. I appreciate that very much, indeed, but I feel that the women would not like it.

Mr. MAY. Mr. Chairman, will the gentlewoman from Massachusetts yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman.

Mr. MAY. I just want to remind the gentlewoman from Massachusetts that I agree with her outright that the women of this country, and particularly the women who will be inducted into this corps, would not want this amendment to begin with. But whether they wanted it or did not want it, they ought to remember that 2½ years ago we were talking about neutrality and asking cash on the barrelhead when we sent munitions abroad. Two years ago we put restrictions about the National Guard troops being sent abroad, but since then Singapore has fallen, Dunkirk was evacuated, Crete has fallen, France has fallen, and the Burma Road is gone, and restrictions of this kind would cripple this legislation.

Mrs. ROGERS of Massachusetts. And also I agree that we may all be in the actual theater of war before it is over.

Mr. HARRIS of Virginia. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. HARRIS of Virginia. In the event any of the members of this volunteer corps should go abroad, where would they be quartered and serve?

Mrs. ROGERS of Massachusetts. They would have their own quarters. I do not know where they would serve, but I know they would be well taken care of.

Mr. HARRIS of Virginia. In the same camps or in the same general location as the combat troops?

Mrs. ROGERS of Massachusetts. I know they would be protected. I trust the Army in that respect, and I trust the women thoroughly. It is not where you are, but what you are. The fact the men are in the Army in uniform is a very great protection.

Mr. HARRIS of Virginia. But the question I am leading up to is whether you would still call it having a civilian status when they are going over with troops and going on the firing line.

Mrs. ROGERS of Massachusetts. I think if we are stationed in this country we may be in the theater of war. I will say to the gentleman I think the bill should pass as it now is, and if experience teaches otherwise, the bill could be changed. Hitler is not waiting, and the Japs are not waiting. The War Department has asked for this particular bill, and they want its immediate passage.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I move that all debate upon this section and all amendments thereto close in 10 minutes.

Mr. DONDERO. Mr. Chairman, I have an amendment on the desk to this section, and I wish to have time to discuss it.

Mr. SOMERS of New York. Mr. Chairman, I would like to have a few minutes.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. WILSON. Mr. Chairman, I object.

Mr. MAY. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. O'HARA].

The amendment was rejected.

Mr. DONDERO. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. DONDERO: Page 10, line 13, strike out the words "shall not" and insert in lieu thereof the word "may."

Mr. DONDERO. Mr. Chairman, I offer this amendment and call the attention of the committee to the way the line now reads. We are trying to punish or penalize women who may be nurses. Line 13, section 12, reads:

> Nurses shall not be enrolled in the corps and nothing in this act shall be construed to affect or change the Army Nurse Corps as now established by law.

The reason for the amendment is this: Suppose that the Army Nurse Corps is complete and full, and a woman who happens to be a nurse desires to volunteer and give her services to the Nation in the Auxiliary Corps. Why should she be disqualified from volunteering because she is a nurse?

Mr. FADDIS. Mr. Chairman, I agree with the gentleman. I think that correction should be made. In that connection, however, if the gentleman will look at the same line I think he will agree that the word "and" should be changed to "but."

Mr. DONDERO. I agree with that.

Mr. FADDIS. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Michigan may be so modified.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. Yes.

Mrs. BOLTON. May I suggest that by this sort of an amendment, by saying that nurses may enroll in this corps, you may upset the set-up of the Army Nurse Corps.

Mr. DONDERO. Not at all. I am seeking to prevent a woman who is a nurse from being disqualified or refused simply because she is a nurse. She cannot enroll in this corps, according to the language now in the bill, if she is a nurse, and I am making it optional with the Department to accept her services in this corps, even though she be a nurse.

Mrs. BOLTON. I did not understand the gentleman's point, but I must register my certainty that it is a mistake at this point.

Mr. FADDIS. It does not change the situation in respect to the Army Nurse Corps.

Mr. DONDERO. No.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan [Mr. DONDERO], as proposed to be modified by the gentleman from Pennsylvania.

The Clerk read as follows:

> Page 10, line 13, strike out the words "shall not" and insert the word "may"; and in line 13, change the word "and" to the word "but."

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that the amendment be so modified?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SOMERS] for 2½ minutes.

Mr. SOMERS of New York. Mr. Chairman, judging by the trend of this debate, it is very likely that there will be no roll call on this bill. Therefore, I take this opportunity to express my definite and sincere opposition to what I consider the silliest piece of legislation that has ever come before my notice in the years I have served here. A woman's army to defend the United States of America. Think of the humiliation. What has become of the manhood of America, that we have to call on our women to do what has ever been the duty of men? The thing is so revolting to me, to my sense of Americanism, to my sense of decency that I just cannot discuss it in a vein that I think legislation should be discussed on the floor of this House.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. WILSON].

Mr. WILSON. Mr. Chairman, I regret very much that the distinguished chairman of the Committee on Military Affairs refused to give me recognition on this, because I wanted to bring out a point I think is important, since the language of this section says that this corps shall not be a part of the Army, but it shall be the only woman's organization authorized to serve with the Army. I think the amendment offered by the gentleman from Minnesota [Mr. O'HARA] should have been adopted. If this bill is as meritorious as it is purported to be, then we could enroll many more women into this service, by having an organization that was willing and ready to serve on the home front, in addition to those who are willing to accept service abroad, and we are simply sabotaging the purpose of this bill by refusing to recognize an amendment of that kind.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, it is said that some of the boys cannot make up their minds. I happen to be one of those. I have not made up my mind on this. I have listened to the debate and certain questions have come to my mind.

There are young men in this country who are really patriotic and want to serve their Nation, but who, through no fault of their own, have some minor defect that has taken them out of the right to become a part of the United States Army. They feel that just because of that they might now be branded as draft dodgers. They feel they would like in some way to become a part of this great Army, to be able to have worn the uniform and to have an honorable discharge. Those young men could perform these duties. You might take from them the right to compensation in the future. Give them a right to join this Army of the United States, so that later they will not be possibly branded with the stigma of draft dodgers by some people. I understand that the only reason they are bringing this thing under the Army and having a women's auxiliary corps is to sort of dignify the thing. Now, let us exhaust the manpower first before we try to make a women's auxiliary corps in the Army. Let us give these young men, who through no fault of their own, have some physical defect, but who are still able to serve and able to perform the duties that these women will be called upon to perform, an opportunity to have an honorable discharge from the United States Army.

Mr. BROOKS. Will the gentleman yield?

Mr. HOOK. I yield.

Mr. BROOKS. What would the gentleman do with the 6,000 already serving in activities of this sort? Would the gentleman let them go and then employ these men in lieu thereof?

Mr. HOOK. If there are 6,000 already serving in this capacity, then why do we have to have special legislation to make them an auxiliary corps?

Mr. BROOKS. To make it a mobile force, to move from one place to another.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 13. The corps shall be administered by the Secretary through the channels of command of the Army, pursuant to such regulations as the Secretary may promulgate. The Secretary is hereby authorized to prepare and issue any and all regulations, rules, or orders and to employ any and all of the facilities of the War Department and of the Army of the United States to carry into effect the provisions of this act. The Secretary is further authorized to utilize the services of the United States Employment Service to determine the qualifications of applicants for admission into the corps.

SEC. 14. The members of the corps shall be subject to such disciplinary regulations as the Secretary may prescribe, including provisions for the punishment of major infractions by summary discharge from the corps, and shall be subject to the Articles of War pursuant to the second article thereof when applicable.

Mr. RANDOLPH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have a genuine regard for the splendid abilities and patriotism of our colleague from Massachusetts [Mrs. ROGERS]. Of course, I have a high concept for the judgment of the House Committee on Military Affairs, charged with the consideration and reporting of this bill to the House.

It is with deep regret, therefore, that I state I believe this body makes a grave mistake if it passes the measure that is pending before us today. I say that with a depth of feeling and understanding of my own individual responsibility and the performance of my duty.

The only reason I took the Well of the House at this time was because I am doubtful whether there will be an opportunity for a yea-and-nay vote on the passage of the bill. The legislation I know full well will shortly be passed. Regardless of the words of caution and warning which I register, Mr. Chairman, I hereby lodge my protest to the approach to this problem in the manner contemplated by the proposal before us at this time. I oppose in this instance with the full realization of the splendid part that womanhood has played and will continue to play during the progress of any war in which this Republic is engaged. I feel that this action is unnecessary; that it is duplication of effort; that we will be sorry for the day when we have made this measure the law of the land. It is my considered opinion that there will be repercussions from the people of the country when they fully realize what is being done.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. HARE. I would like to say that I subscribe to everything the gentleman has said, because this action does not jibe with my philosophy and conception of life. I think it is a reflection upon the courageous manhood of the country to have the war-declaring body of the Nation at this hour pass a law inviting the women of this country to join the armed forces in order to win a battle.

Mr. RANDOLPH. I thank the gentleman from South Carolina.

Mr. SHERIDAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. SHERIDAN. Does not the gentleman feel that if the 9,700 women that they propose to use in the filter stations throughout the United States, by their duties, should be required to intercept planes, they would be in the most combatant area of any war area?

Mr. RANDOLPH. I think the observation of the gentleman from Pennsylvania is correct.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. MAY. I am sure the gentleman from West Virginia, due to the fact of the great amount of pressing business on his hands, has not had an opportunity to read the hearings and has not had an opportunity to study the bill.

Mr. RANDOLPH. I do not think the gentleman has a right to suggest the gentleman from West Virginia is not fully familiar with this bill.

Mr. MAY. Very well, then. I will withdraw it.

Mr. RANDOLPH. That is courteous. I think it should be done that we may be on solid ground. I have listened closely to the debate yesterday on the rule and today during several hours on the bill. I also read the provision of the bill and your committee report.

Mr. MAY. I certainly do not mean any reflection. May I ask the gentleman is he opposed to the women of this country having a part in our war program if they volunteer?

Mr. RANDOLPH. No; I am not. I think the womanhood of America has always been ready to serve, as I stated earlier. They will continue to play a vital and important part, not only during peacetime, but during the prosecution of any war. But I do not believe they want this elaborate over-all set-up. They will be at their proper posts without this agency adding to the confusion of our war program. Since the gentleman has raised the issue of my familiarity with the provisions of the bill, I will say there was a time not many days ago when the gentleman from Kentucky himself was opposed to this measure. Is that not correct?

Mr. MAY. Will the gentleman yield?

Mr. RANDOLPH. Yes.

Mr. MAY. I will say to the gentleman that I told the House of Representatives when I opened the debate today that I was at one time skeptical about it. Since I have studied it and heard the evidence and since all the women of the country have supported it, I have changed my mind, as I think all men ought to do when they are convinced.

Mr. RANDOLPH. That is the gentleman's reaction; mine has been just the reverse. I was ready to be convinced in the beginning, but now I am against it. We are in opposite positions on the matter now. But we do not need to suspect bad judgment on the part of either of us.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. Certainly.

Mr. HARE. Since we seem to be of the same opinion, I think we would both be willing to change our minds if we were convinced we were in error.

Mr. RANDOLPH. Certainly. Before I leave this House I want it clearly understood that I appreciate the fact that the women of America have stood side by side with the men of the country through its history, but to put the women of the country into a conflict of this kind by this foreign method is absolutely against my idea of the American way of doing business.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mrs. NORTON. Does not the gentleman believe that the women of the country know about as much regarding this question as the men of the country do?

Mr. RANDOLPH. I certainly do, and I think they will be heard sooner or later against this bill. I have an unswerving admiration for the women of our country. But this is not the manner in which we as men can show our deep respect for them.

Mr. Chairman, I shall continue to think of mothers as I do of that brave mother from the hills of what is now West Virginia who sent her three sons to fight in the Continental Army when the British, under Colonel Tarleton, threatened invasion of the Shenandoah Valley, with these words:

> Go, my sons, and keep back the foot of the invader or see my face no more.

When this story was related to Washington in the darkest hours of the Revolution, he said:

> Leave me but a banner to plant upon the mountains of West Augusta and I will rally around me men who will lift our bleeding Nation from the dust and set her free.

The Clerk read as follows:

SEC. 15. Provisions for leave now applicable to the Army of the United States shall also apply to members of the corps. In the case of any person who has left or leaves a position in the employ of the United States, its Territories, or possessions, or the District of Columbia, to join the corps, such person shall, upon the termination of her period of service in the corps, be restored to such position or to a position of like seniority, status, and pay, such restoration to be without loss of seniority; she shall further be entitled to participate in all benefits pursuant to established rules and practices relating to employees on furlough or leave of absence.

SEC. 16. Promotion in all grades of officers who have established or may hereafter establish their qualifications for such promotion shall be made under such regulations as may be prescribed by the Secretary.

SEC. 17. Under such regulations as the Secretary of War may prescribe, members of the corps may be relieved from active duty and called or recalled thereto at any time during their period of service. While on an inactive duty status such members shall not be entitled to pay or allowances in lieu of quarters or subsistence and shall not by reason solely of their appointments, oaths, commissions, enlistments, or status as such members, or any duties or functions performed, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit, or discharging any official function under or in connection with any department of the Government of the United States.

SEC. 18. The first sentence of section 125 of the National Defense Act, as amended, down to the first proviso thereof is further amended to read as follows:

"It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps; and it shall likewise be unlawful for any person not a member of the Women's Army Auxiliary Corps to wear its duly prescribed uniform or any distinctive part thereof, or a uniform any part of which is similar to a distinctive part thereof."

Mr. FULMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have served in Congress over 21 years. It is my opinion based on my service during this long period of time and from all my reading about past wars that this is the most ridiculous bill that has been considered since I have been in the Congress of the United States. I want to say to you that when you get through with it, when you get through with all of the paying offices connected with it, all of the uniforms, and the lipstick kits, and everything else, that you are going to get into a worse mess than the O. C. D. ever was.

It is interesting to notice how the Members are gathering around, obviously to prevent the point of no quorum being made so we can get by without a record vote. I simply want to take this time to put myself on record as being against this bill. I am perfectly willing to go back to my people on this record.

Someone awhile ago referred to the War between the States. I remember sitting at the knee of my mother when she told me about the Civil War and how she told me she stayed home and carried on while my father fought for what he believed to be right. He was wounded. She was not anxious to go in the war.

There are plenty of places today for every lady in this country, either at home, in some factory, or even in the positions referred to here.

Several gentlemen whom I questioned awhile ago were against the bill but who since have said: "Hell; I've got to vote for it, so many want it;" but it looks as though they were working things to avoid a record vote.

Mr. MAY. Does not the gentleman understand that under the rules of the House any Member has the right to demand the yeas and nays?

Mr. FULMER. Yes.

Mr. MAY. If the gentleman wants the yeas and nays I will give them to him.

Mr. FULMER. The gentleman is correct, a Member has the right to demand them, but that does not say he will get sufficient support to have the yeas and nays ordered. So far as I am concerned I will be delighted to go on record.

The Clerk read as follows:

SEC. 19. Section 101 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940 (Public, No. 861, 76th Cong.), is hereby amended to read as follows:

"The term 'persons in military service' and the term 'persons in the military service of the United States,' as used in this act shall include the following persons and no others: All members of the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, the Women's Army Auxiliary Corps, and all officers of the Public Health Service detailed by proper authority for duty either with the Army or the Navy. The term 'military service,' as used in this act, shall signify Federal service on active duty with any branch of service heretofore referred to or mentioned as well as training or education under the supervision of the United States preliminary to induction into the military service. The terms 'active service' or 'active duty' shall include the period during which a person in military service is absent from duty on account of sickness, wounds, leave, or other lawful cause."

SEC. 20. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out the provisions of this act.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. IZAC, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 6293, to establish a Women's Army Auxiliary Corps for service with the Army of the United States, pursuant to House Resolution 438, he reported the same back to the House with sundry amendments agreed to in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. SOMERS of New York. Mr. Speaker, on the passage of the bill, I ask for a division.

The House divided; and there were—ayes 77, noes 37.

Mr. SOMERS of New York. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER. Obviously no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 249, nays 83, not voting 96, as follows:

[Roll No. 43]

YEAS—249

Allen, Ill.	Fitzpatrick	O'Neal
Allen, La.	Flaherty	Paddock
Andersen, H. Carl	Flannagan	Patman
Anderson, Calif.	Forand	Patrick
Anderson, N. Mex.	Ford, Miss.	Patton
Andresen, August H.	Ford, Thomas F.	Pfeiffer, William T.
Andrews	Gamble	Plauché
Angell	Gathings	Ploeser
Arends	Gearhart	Plumley
Arnold	Gehrmann	Powers
Barnes	Gerlach	Priest
Bates, Ky.	Gifford	Rankin, Mont.
Bates, Mass.	Gilchrist	Reece, Tenn.
Baumhart	Gillette	Reed, Ill.
Bell	Graham	Reed, N. Y.
Bender	Grant, Ala.	Rees, Kans.
Bennett	Green	Rich
Blackney	Gregory	Richards
Boggs	Guyer	Rizley
Bolton	Gwynne	Robertson, N. Dak.
Boykin	Haines	Robertson, Va.
Brooks	Hall, Edwin Arthur	Robsion, Ky.
Brown, Ga.	Hall, Leonard W.	Rockefeller
Brown, Ohio	Halleck	Rockwell
Bryson	Hancock	Rodgers, Pa.
Bulwinkle	Harness	Rogers, Mass.
Burch	Harris, Va.	Rogers, Okla.
Burgin	Hartley	Rolph
Byrne	Healey	Russell
Canfield	Heffernan	Sabath
Capozzoli	Hess	Sacks
Carlson	Hill, Colo.	Sanders
Carter	Hinshaw	Sasscer
Cartwright	Holbrook	Sauthoff
Case, S. Dak.	Holmes	Schuetz
Chiperfield	Hope	Scott
Clason	Hull	Secrest
Claypool	Hunter	Shafer, Mich.
Cluett	Imhoff	Sheppard
Cochran	Isaac	Short
Coffee, Nebr.	Jackson	Simpson
Cole, N. Y.	Jacobsen	Smith, Maine
Collins	Jenkins, Ohio	Smith, Va.
Colmer	Jenks, N. H.	Smith, Wash.
Cooper	Jennings	Sparkman
Copeland	Jensen	Spence
Costello	Johns	Stearns, N. H.
Courtney	Johnson, Luther A.	Stefan
Cox	Johnson, W. Va.	Stevenson
Cravens	Kean	Sullivan
Crosser	Keefe	Sumners, Tex.
Culkin	Kefauver	Sutphin
Cullen	Kilday	Taber
Cunningham	Kinzer	Talbot
Curtis	Klein	Talle
D'Alesandro	Knutson	Terry
Davis, Ohio	Koppelmann	Thill
Davis, Tenn.	Kunkel	Thom
Day	Lane	Thomas, Tex.
Dewey	Leavy	Thomason
Dickstein	LeCompte	Tibbott
Dirksen	Lesinski	Tinkham
Ditter	McGehee	Traynor
Domengeaux	McGregor	Van Zandt
Dondero	McLaughlin	Vinson, Ga.
Doughton	McLean	Vorys, Ohio
Douglas	Maas	Wadsworth
Downs	Maciora	Ward
Drewry	Mahon	Weaver
Durham	Martin, Iowa	Weiss
Dworshak	Martin, Mass.	Wene
Eaton	May	West
Eberharter	Meyer, Md.	Wheat
Edmiston	Michener	Wigglesworth
Elliot, Mass.	Mills, Ark.	Williams
Ellis	Mills, La.	Winter
Elston	Monroney	Wolcott
Engel	Mott	Wolfenden, Pa.
Faddis	Mundt	Wolverton, N. J.
Fellows	Nelson	Wright
Fenton	Norton	Young
Fish	O'Brien, N. Y.	Youngdahl
Fitzgerald	Oliver	Zimmerman

NAYS—86

Beckworth	Burdick	Coffee, Wash.
Bland	Butler	Cooley
Boehne	Camp	Crawford
Boren	Chapman	Dingell
Bradley, Mich.	Chenoweth	Disney
Elliott, Calif.	Kerr	Rankin, Miss.
Folger	Lambertson	Schulte
Fulmer	Landis	Sheridan
Gibson	Lanham	Sikes
Gillie	Lea	Smith, Ohio
Gore	Ludlow	Smith, Wis.
Gossett	McIntyre	Somers, N. Y.
Granger	McMillan	South
Hare	Manasco	Springer
Harrington	Mansfield	Starnes, Ala.
Harris, Ark.	Moser	Steagall
Hart	Murray	Tarver
Heidinger	Nichols	Tenerowicz
Hill, Wash.	Norrell	Vincent, Ky.
Hobbs	O'Brien, Mich.	Voorhis, Calif.
Hoffman	O'Connor	Wasielewski
Hook	O'Hara	Welch
Johnson, Calif.	Pace	Whelchel
Johnson, Ill.	Pearson	Whitten
Johnson, Ind.	Peterson, Ga.	Whittington
Johnson, Okla.	Pittenger	Wickersham
Jones	Poage	Woodruff, Mich.
Jonkman	Rabaut	Woodrum, Va.
Kelly, Ill.	Randolph	

NOT VOTING—96

Baldwin	Hendricks	O'Leary
Barden	Houston	Osmers
Barry	Howell	O'Toole
Beam	Jarman	Peterson, Fla.
Beiter	Jarrett	Pfeifer, Joseph L.
Bishop	Johnson, Lyndon B.	Pierce
Bloom	Kee	Ramsay
Boland	Kelley, Pa.	Ramspeck
Bonner	Kennedy, Martin J.	Rivers
Bradley, Pa.	Kennedy, Michael J.	Robinson, Utah
Buck	Keogh	Romjue
Buckler, Minn.	Kilburn	Satterfield
Buckley, N. Y.	Kirwan	Scanlon
Byron	Kleberg	Schaefer, Ill.
Cannon, Fla.	Kocialkowski	Scrugham
Cannon, Mo.	Kramer	Shanley
Casey, Mass.	Larrabee	Shannon
Celler	Lewis	Smith, Pa.
Clark	Lynch	Smith, W. Va.
Clevenger	McCormack	Snyder
Cole, Md.	McGranery	Stratton
Creal	McKeough	Sumner, Ill.
Crowther	Maciejewski	Sweeney
Delaney	Magnuson	Thomas, N. J.
Dies	Marcantonio	Tolan
Duncan	Mason	Treadway
Englebright	Merritt	Vreeland
Fogarty	Mitchell	Walter
Ford, Leland M.	Murdock	White
Gale	Myers, Pa.	Wilson
Gavagan	O'Day	Worley
Grant, Ind.		
Harter		
Hébert		

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. McCormack with Mr. Englebright.
Mr. Boland with Mr. Grant of Indiana.
Mr. Gavagan with Mr. Crowther.
Mr. Hébert with Mr. Mason.
Mr. Jarman with Mr. Kilburn.
Mr. Cannon of Missouri with Mr. Thomas of New Jersey.
Mr. Peterson of Florida with Mr. Gale.
Mr. Satterfield with Mr. Clevenger.
Mr. Kleberg with Mr. Osmers.
Mr. Cannon of Florida with Mr. Stratton.
Mr. Lewis with Mr. Treadway.
Mr. Clark with Mr. Vreeland.
Mr. Keogh with Mr. Leland M. Ford.
Mr. Hendricks with Mr. Bishop.
Mr. Barden with Mr. Wilson.
Mr. Dies with Miss Sumner of Illinois.
Mr. Cole of Maryland with Mr. Baldwin.
Mr. Martin J. Kennedy with Mr. Howell.
Mr. Maciejewski with Mr. Jarrett.
Mr. Creal with Mr. Buckler of Minnesota.
Mr. Kramer with Mr. Marcantonio.
Mr. Beiter with Mr. Harter.
Mr. Shanley with Mr. Celler.
Mr. Buck with Mr. Houston.
Mr. Michael J. Kennedy with Mr. Smith of Pennsylvania.
Mr. Casey of Massachusetts with Mr. Lynch.
Mr. Barry with Mr. Pierce.
Mr. Ramsay with Mr. Joseph L. Pfeifer.
Mr. Bloom with Mr. Romjue.
Mr. Ramspeck with Mr. Buckley of New York.
Mr. Beam with Mr. O'Toole.
Mr. Kocialkowski with Mr. Bradley of Pennsylvania.
Mr. Kee with Mrs. Byron.
Mr. Bonner with Mr. Scanlon.
Mr. Schaefer of Illinois with Mr. Delaney.
Mr. Duncan with Mr. McGranery.
Mr. McKeough with Mr. Fogarty.
Mr. Merritt with Mr. Murdock.
Mr. White with Mr. Larrabee.
Mr. Smith of West Virginia with Mr. Scrugham.
Mr. Tolan with Mr. Myers of Pennsylvania.
Mr. Sweeney with Mr. Mitchell.
Mr. Walter with Mrs. O'Day.
Mr. Snyder with Mr. Magnuson.
Mr. Kirwan with Mr. Rivers.
Mr. Robinson of Utah with Mr. Worley.
Mr. Kelley of Pennsylvania with Mr. O'Leary.
Mr. Shannon with Mr. Lyndon B. Johnson.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

WAR DAMAGE CORPORATION

Mr. STEAGALL submitted a conference report and statement on the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

EXTENSION OF REMARKS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I have received from one of the outstanding directors of boys' activities in western Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by James A. Farley.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to extend my own remarks twice in the RECORD and in each case to include a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by David Lawrence.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Pueblo Star-Journal.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

(Mr. COCHRAN asked and was given permission to extend his own remarks in the RECORD.)

Mr. GREEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some letters.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

EXEMPTION FROM CERTAIN TAXES OF PROPERTY AND SERVICES USED IN PERFORMING DEFENSE CONTRACTS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, I rise at this time to state my position on the bill (H. R. 6750) to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes.

I think that if this bill is passed it will definitely wipe out States' rights and take away from the States a source of revenue to which they are entitled. I believe this bill is very important, and should be voted down in the interest of preserving States' rights and State government. In such States as my own State of Michigan, the bill would practically wipe out all the revenue we collect for the purpose of keeping up our highways.

POSTAL EMPLOYEES

Mr. BURCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6759) to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

The Clerk read the title of the bill.

The SPEAKER Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand this bill merely permits a postal employee to work another day because of the shortage of personnel at the present time, and that the employee gets the same wages he would get in ordinary times.

Mr. BURCH. That is correct.

Mr. MARTIN of Massachusetts. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the second proviso of the first section of the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, is further amended to read as follows: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for Saturdays in lieu of compensatory time, except cleaners, janitors, telephone operators and elevator conductors paid from the appropriation of the First Assistant Postmaster General, and custodial employees who shall be given compensatory time in lieu of overtime pay within 30 days next succeeding This amendment shall be in effect only during the present war and for 6 months thereafter.'

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRODUCTION OF MAGNESIUM

The SPEAKER. Under previous order of the House, the gentleman from New Mexico [Mr. ANDERSON] is recognized for 30 minutes.

Mr. ANDERSON of New Mexico. Mr. Speaker, on Saturday, March 14, Robert R. Guthrie resigned as Chief of the Textile, Clothing, and Leather Branch of the War Production Board.

In an editorial in the Washington Star on Monday, March 16, we read these words:

> In a statement released after he had tendered his resignation, Mr. Guthrie said that there is strong opposition in the War Production Board to an all-out effort to speed conversion of certain industries to maximum war production. By implication at least, he charged that War Production Board officials drawn from these industries are more concerned with protecting their private interests than with promoting the war effort. This, coming from a man who has had full opportunity to observe the functioning of the War Production Board at first hand, is a most serious charge, and certainly is one which cannot be ignored.

While that paper was on the streets, Members of this House gave evidence of fretfulness under the lashings of their constituents over the 40-hour week and the outbreaks of strikes in this country. One of the soundest businessmen in my State telephoned to me yesterday afternoon to warn me of a rising tide of resentment against restrictive labor laws and labor racketeers. There came over the wires dozens of telegrams, through the mail hundreds of letters, all in the same key: Smash the labor racketeers—outlaw the 40-hour week—put our factories on a 24-hour basis.

Let me call your attention to one interesting fact. Not one person who communicated with me by phone, by telegram, or by letter apparently saw any connection between this wholesale condemnation of labor and the statement of Mr. Guthrie that W. P. B. officials, drawn from industry, are more concerned with protecting their private interests than with promoting the war effort.

Think of it for a moment. The chambers of commerce in my State, and I suppose in yours, were being hurried into special meetings to damn labor for not working 24 hours a day. But what were those laborers to produce? War goods? Oh, no. Mr. Guthrie gave the American people the answer: Enough radios and refrigerators and rayon hose to stock the stores throughout the war from factories that had not been converted to military purposes.

Take one case only: Refrigerators. Mr. Guthrie wanted refrigerator production to stop March 31, but the manufacturers wanted to work until summer. They compromised on April 30. Do our people know that today—3½ months after Pearl Harbor—and for a month and a half to come, the manufacturer will still make refrigerators?

The people of New Mexico have this excuse for their impatience: We believe that more of our boys, per thousand population, are in the Philippines with General MacArthur, until his removal to Australia, than any State in the Union. Our whole National Guard is there. Able doctors, honored lawyers, prominent community leaders, men from every walk of life are there. They are not getting much help that we know about. The hearts of the mothers of New Mexico are heavy. They ask that aid either be sent to General MacArthur or his successor, or that their boys be sent home. We all sympathize in that sentiment.

That is why the people of New Mexico are so bitter when they feel labor is not doing its share. They condemn restrictions on the right to work on public projects. They criticize all strikes in war industries. They want the 40-hour law repealed because they believe that the lifting of the ban will increase our production to the point where our Commander in Chief can send aid to MacArthur.

But they never hear another side of the story—the part that industry must play in converting its plants to the production of things we need. They have never heard of Mr. Guthrie's indictment of selfish industrialists. So they blast labor and the 40-hour week as if labor alone had unwise and unpatriotic leaders.

I say to this House today that such a situation is a challenge to us all. As far as this body is concerned it has expressed itself on the question of strikes in the language of the Smith bill, a drastic anti-strike bill, which passed this House on December 3 and has been peacefully slumbering in committee at the other end of this Capitol ever since. Another law now would confuse rather than clarify the issue, would weaken rather than affirm the position of this House.

The 40-hour week is written into thousands of wage contracts as well as into a Federal law. This House may give the matter attention but with the full knowledge that the granting of overtime and even double time now is in reality a pay raise of from 5 to 10 percent to meet increased living costs. The repeal of the law could easily plunge the war effort into a series of wage conferences which

could be more costly in the diversion of employee time and attention from the job at hand than the operation of the law itself.

But what of the position of industry? What of the assertion of Mr. Guthrie, who is himself an executive and a representative of important business? What of his claim that there are in W. P. B. officials drawn from industry who today are more concerned with protecting their private interests than with promoting the war effort?

Who are these men? Can we identify them from Mr. Guthrie's thumbnail description? How have they so skillfully covered their tracks that the cry of "wolf" is directed at labor alone rather than at these business leaders who pull back in the harness when our country so sorely needs a lift?

I want to take the membership of this House today on a little expedition into one of the war industries—magnesium. I want to study a case history and try to locate the sort of situation that Mr. Guthrie told us existed in W. P. B.

At the outset let me pay tribute to the gentleman from Washington [Mr. LEAVY]. He has been steadily engaged in calling attention of this Congress to the magnesium situation. As early as Friday, December 19, 1941, the gentleman from Washington inserted in the RECORD an article by the metallurgist of the Bureau of Mines on the making of magnesium by electrothermic reduction. It was the plea of the gentleman from Washington at that time that those charged with the responsibility—

> Of meeting this Nation's needs in the mighty war effort that now confronts us will take advantage of the work done through the United States Bureau of Mines by Dr. Doerner and his assistants, and see to it that large-scale commercial production is provided for at an early date in the vicinity of these great magnesite deposits, and where the greatest flow of electrical energy in all the world is about to become available.

I need not tell you that the gentleman from Washington was referring to magnesite deposits in Washington and electrical energy at Grand Coulee Dam. He was very properly and earnestly interested in the developments of those deposits. He went to see Arthur Bunker, head of the Division of Aluminum and Magnesium, in what was then O. P. M. and is now W. P. B. If he got any satisfaction from Mr. Bunker he never gave evidence of it on the floor of this House or in his private conversations. Yet the Pacific Northwest has mountains of magnesite and hundreds of thousands of kilowatt-hours of electrical energy which would seem to be ideal for the development of a magnesium industry in western States on a permanent basis.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. Yes, I will yield to the gentleman from Washington.

Mr. LEAVY. The gentleman is making a very excellent address and is basing it upon provable facts. Labor is subject to criticism and must make changes, but the industrial giants of this country, the monopolies and the associations in the metals field are far more responsible than labor for the shortage of metals, and I know that in reference to magnesium. I did see Mr. Bunker, and Mr. Bunker frankly told me that he would not issue a certificate to anyone or any group for the manufacture of metallic magnesium unless they could prove to him that they had been manufacturing that metal successfully at some time in the past, and there is only one concern in America that could prove such a set of facts and that was the Dow Chemical Co., who have regulated the price of magnesium in accordance with a differential in weight between aluminum and magnesium. For the last 8 years in the United States, when aluminum was 20 cents, magnesium was 30 cents; when aluminum was 18 cents, magnesium was 27 cents; when aluminum was at 15 cents, magnesium was at 22 cents, which it is now, and yet we are told that next year we must produce 700,000,000 pounds of metallic magnesium against a 33,000,000 pounds production last year. Nobody but the Dow people can meet the formula laid down by Mr. Bunker.

Mr. ANDERSON of New Mexico. I thank the gentleman.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from California.

Mr. VOORHIS of California. I would like to second what the gentleman has said about the gentleman from Washington [Mr. LEAVY]. I think we are all indebted to him for the work he has done. I would like to thank the gentleman for his speech today and also would like to ask him whether he is aware of the fact that some of these men who work in one of our agencies downtown, namely, the Defense Plants Corporation, had prepared contracts for the expansion of magnesium production as long ago as last August, and something happened that prevented that expansion from taking place. I do not know what it was.

Mr. ANDERSON of New Mexico. I think if the gentleman from California will follow me, he will find there were other contracts prepared by Defense Plants Corporation that would have given a production of magnesium at 4 cents a pound, but those contracts were all shelved.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield further?

Mr. ANDERSON of New Mexico. I yield to the gentleman.

Mr. VOORHIS of California. I would like to ask the gentleman whether it is not true that Mr. Guthrie was one of the men who came down here and insisted upon cutting all his ties that he had before going on the Government's own pay roll. Is not that true?

Mr. ANDERSON of New Mexico. That is true, so far as I understand.

Mr. VOORHIS of California. Does not the gentleman think that that is a good example to be followed by all of these other people?

Mr. ANDERSON of New Mexico. Yes; I think it would be a fine example to be followed. The gentleman, Mr. Bunker, to whom the gentleman from Washington [Mr. LEAVY] refers, is now drawing $60,000 a year from Lehman Bros.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Has not the President authority, under the legislation we have passed, to take over those plants and operate them?

Mr. ANDERSON of New Mexico. I do not know that he has, but I think he does, I will say to the gentleman from Michigan. But I think also it is not a question of taking over existing plants. I am concerned with utilizing the present deposits we have and trying to develop those sources of magnesium in this country today.

Mr. HOFFMAN. May I ask the gentleman a further question?

Mr. ANDERSON of New Mexico. Yes; I yield to the gentleman.

Mr. HOFFMAN. Under the authority given to the President by Congress, can he not build new plants? I had thought we had given him all the authority necessary to remedy that evil.

Mr. ANDERSON of New Mexico. I think that is true, I will say to the gentleman. My purpose in taking the floor today is to try to put a little steam behind that effort.

Again on February 18 the gentleman from Washington presented in the CONGRESSIONAL RECORD a letter which he had written to Mr. J. Richard Brown, in which he had asked for a complete and detailed statement concerning magnesite-ore deposits in the vicinty of Grand Coulee. Mr. Brown's reply should have been of extreme interest to every Member of this House, because it not only pointed out the tremendous importance of magnesite as a source of magnesium metal but it indicated the desirability of locating a plant in the Spokane area. It particularly stressed the fact that two other plants, the Las Vegas and Permanente plants, would have their costs greatly increased by higher prices paid for electricity, and, if the ores were then transported, they would have an additional item of expense over the Spokane area.

I do not intend to repeat what the gentleman from Washington had printed in the RECORD, but I suggest that you review it in view of its relationship to the production of dive bombers. Let me quote this much:

> Magnesium alloys (usually 90 percent magnesium) with "greatest bend resistance," great fatigue, and sheer resistance, is the toughest and strongest metal, on a weight basis, available for the construction of aircraft, air cannon, machine guns, and other war equipment, and bend resistance is of paramount importance in the wings of airplanes.
>
> Magnesium in Aircraft, by Norman E. Woldman, chief metallurgical engineer, Bendix Aviation Corporation, Bendix, N. J. Mr. Woldman says, "Magnesium base allays are the lightest structural alloys yet known, being two-thirds the weight of aluminum and one-fourth the weight of iron and steel."

Since August of 1941 a company known as the Emro Chemical Corporation has been attempting to develop the enriched

brines of New Mexico for the production of magnesium. That these brines are recognized as a probable source can best be proved by quoting from the United States Bureau of Mines which says raw materials for magnesium are available in — among other items — "byproduct magnesium salts from the potash production in the Southwest."

The whole potash story in the Southwest is an interesting one which is a source of pride to those of us who live in the State. In 1939 this country produced less than half of its potash. Today it produces all of it and in addition has potash available for export to our Latin American friends. In exploring for potash these brine wells were discovered. They have been investigated by the Government and by private parties. The character of their contents has been weighed and measured. They are known to be a definite magnesium source.

When the New Mexico people presented this matter to the O. P. M. they found an organization which was only mildly interested. They were told that there was enough magnesium being produced and that their set-up was not appealing to O. P. M. In November, after repeated delays, I tried to be helpful and referred the matter to a specialist in O. P. M.

On November 13 Alex Taub, who bears an extremely fine reputation in industry, made a special survey of the proposition and wrote a memorandum in which he pointed out that the decision for the building of the plant was in the hands of Mr. Bunker, the divisional head of Aluminum and Magnesium Section, that recommendations came to him from Dr. Sebastian of that section and that Dr. Sebastian felt the 400,000,000 pounds provided for for a year from that date included liberal latitude over and above requirements as of that time.

Mr. Taub suggested that some of the plants might fail to materialize and that serious consideration should be given to the request for such a plant in New Mexico. He indicated that new production facilities would surely be inevitably required, and he pointed out that some of the plants might have difficulty in providing satisfactory production. One of the newcomers was the Permanente plant, in California, which, according to Mr. Taub, had promised substantial deliveries in August and had produced at that time but seven tons of metal. I want to quote only the last paragraph from Mr. Taub's report:

> The Production Division of the Aluminum and Magnesium Branch did not wish to be committed in any way to a definitely favorable report on the Emro Chemical Corporation. It would seem, however, that this was due to extreme caution on the part of the Production Division.

About the middle of December officers of the Emro Chemical Corporation again tried to get consideration for their proposal. It was pointed out to them that there were three plants using the Dow process. The first was the Velasco plant on the Gulf, owned by Dow Chemical, which would produce 72,000,000 pounds of magnesium. The second was the Austin, Tex., plant of International Agricultural Chemical or Union Potash, with a raw-material source at Carlsbad, N. Mex., to produce 24,000,000 pounds under a Dow process. The third was the Painesville plant of Diamond Alkali, to produce 36,000,000 pounds, all these using the Dow cell.

Then there were at least three other large plants. One was the Lake Charles plant in Louisiana, with a capacity of 54,000,000 pounds, using a Mathieson cell. The people who live close to this plant know the difficulties they had in getting approval for a process other than the Dow process. After a long and bitter struggle, they eventually obtained permission to go ahead with the Mathieson people. It ought to be of interest to realize that this Lake Charles plant may show the lowest cost of any magnesium plant operating in this country. It is a soda ash plant. It treats dolemite with calcium chloride to develop magnesium chloride. All of this process works jointly with the manufacture of lime and seems to give promise of a 4 to 5 cents a pound cost for magnesium in contrast to the present 15-, 18-, or more than 20-cent cost which is developed elsewhere.

Next, there was the Basic Magnesium plant at Las Vegas, Nev., a straight magnesium plant using magnesite. Here there will be employed a German cell, the Mel cell, and costs are likely to be high because of transportation difficulties, maybe doubly high because the process demands an anhydrous magnesium chloride.

Finally, there is the Permanente plant which uses the Nansgirg process concerning which there has been, of course, a great deal of controversy and discussion.

All these were supposed to add up to 400,000,000 pounds and, on the basis of that, it looked as if there was no room for the New Mexico plant. Insist as they would, the owners of the New Mexico properties were not able to convince O. P. M. that this country would ever need more than 400,000,000 pounds of magnesium, nor were they able to persuade them that the plants then contemplated might fail in process or in raw material sources and might therefore fail to develop 400,000,000 pounds per year.

The rest of the story is one of continuous disappointment. With the actual declaration of war between the United States and the Axis Powers, it was soon evident that more magnesium would be required for dive bombers and incendiary bombs. The Emro Chemical people were subjected to every sort of delaying process. Let me outline a few of these to you.

To begin with they had engaged a New York firm to do their engineering work. A member of this firm had previously done engineering work for certain large corporations. He submitted the references of the firm and of himself to O. P. M. When O. P. M. investigated, it found that all the firm's references produced favorable replies, but when certain large clients were asked about the firm when they had done business only with the individual, it was naturally confusing, and a reply was given which indicated they had no record of the firm's engineering services. These replies were taken as evidences that the firm was irresponsible even though every other reference was extremely good.

But even if the engineering firm was good, its process might be bad. I listened to people from the aluminum and magnesium section discuss the process suggested by the Emro people and heard them say it was new and untried and therefore not a wise thing on which to spend Federal money. That was in October and November and December of 1941, and yet in a report of these same men to Mr. Bunker, dated February 24, 1942, there is evidence of their faith that the process had been carefully checked and was all right.

So now we come to the next hurdle. If the engineering firm is all right and the process developed by its engineering skill is all right, then the only thing left to question is the raw-material supply. To prove that that supply did not exist, the Aluminum and Magnesium Branch of O. P. M. quoted to me what a geologist named Walter B. Lang had said about it. Mr. Lang happens to be an excellent geologist, an employee of the United States Geological Survey, who is fully familiar with the country involved. The only trouble with his report was that he was not able to testify definitely as to the extent of the brine because only two wells had been drilled at the time of his study. Since then a number of additional wells had been produced and we were a little discouraged that Mr. Lang's testimony was constantly brought into the picture when there was newer and better information available by virtue of the development of these brine wells.

In interview after interview which these New Mexico people had with O. P. M., they were told that the raw material supply was still in question. Therefore, they went to the Defense Plants Corporation to see if it would provide capital for the additional wells which were to prove the existence of a supply. I do not feel that was an unusual suggestion. Exploration of Michigan brines owned by the Dow Chemical Corporation was authorized by the Defense Plants Corporation at a cost of $200,000. A similar exploration of brines in Thompson, Utah, was authorized at a cost of $150,000. Out of 33 wells drilled over a large area in Eddy County, 14 had already encountered brine at the relatively shallow depth of 200 feet, and a request for $50,000 to explore the New Mexico brines did not seem unreasonable. The Chief Engineer of R. F. C. recommended to Mr. Jesse Jones on January 14, 1942, that such an authorization be made. Mr. Jones indicated to him that it struck him as all right and that it should be discussed with the directors.

Now, let us see what happened. On January 28, Mr. Drager, Chief Engineer, notified Dr. Mendenhall, of the United States Geological Survey, that Emro was about to pump at Carlsbad, N. Mex., to prove its supply and that R. F. C. would like to have U. S. G. S. check the pumping and report on the supply. That is the first step.

Then the second step was that W. E. Hale, of the Ground Waters Division of

U. S. G. S. was present when the wells were swabbed and pumping started. He was joined by Dr. C. V. Theis, a special geologist for U. S. G. S. The pumping lasted for a full week. These two geologists representing the Government reported on February 9, and their report shows that one of the wells—and there are many of them—one of the wells pumped 60 gallons a minute for a full week. The geologists, therefore, joined in a summary to their report which says, and I quote it:

The plant will use only 100 gallons of brine a minute. This would require a use of only 800 acre-feet in 5 years. It seems quite probable that such a quantity is available, although the exploration so far has not proved it.

What was the best answer then? Why not spend some of the $50,000 and explore, just as $200,000 was authorized to explore Dow prospects at Ludington, Mich. Defense Plants Corporation thought that was the sensible thing to do and its acting chief engineer on February 13 recommended that $50,000 be spent for further exploration and testing.

On February 14 the Board of D. P. C. in Plancor No. 613, approved this $50,000.

On February 16, Mr. Bunker was notified of that action in a letter from John W. Snyder, executive vice president of Defense Plants Corporation.

Mr. Bunker draws $60,000 a year from Lehman Bros. He feels that the Dow Chemical Co. has had the experience and the engineering ability to give them prior rights to Government consideration. All through the months of October and November and December and January he had resisted the idea of developing the New Mexico brines, but surely we now had a right to believe he would withhold his opposition. Now the Government had a check on the engineering abilities of the people who had designed the plant and project. Now the Government had a check on the process because a pilot plant had been built at Carlsbad, N. Mex., by International Agricultural Chemical which was almost identical in its process to what Emro Chemical had far earlier proposed. Now we had a pumping test conducted by the U. S. G. S., which showed that one well alone could have supplied 60 percent of all the raw material needed for the entire project, and there were seven wells already developed. Surely there was no reason why $50,000 could not have been made available to drill and explore for additional raw material not only for the proposed Emro plant, but for the International Agricultural Chemical or International Metals and Minerals plant which had already found itself short on raw material.

So what happened from February 16 when Mr. Bunker got his notification of the favorable action of the Defense Plants Corporation Board? Anything unfavorable on the physical side? No. On February 18 Dr. Mendenhall, Director of the U. S. G. S., wrote to the Chief Engineer of Defense Plants Corporation giving further reports from the geologists that had been able to check the recovery of the wells after pumping, and they then could report their new findings on which Dr. Mendenhall commented:

The recovery records obtained since the preparation of the report by Theis and Hale do not indicate any change in the general conclusions reached in that report.

You will remember that the conclusions were that the plant would use only 100 gallons of brine a minute and it seemed probable that such a quantity was available.

The drilling program was under way since magnesium is so badly needed. In that brief week one well had been brought in and three rigs were available for additional wells.

Bear in mind that the Army and Navy had had time to resurvey the magnesium needs of this country. They had almost doubled the figures. They had revised the goal from 400,000,000 pounds, which we had never reached, to 725,000,000 pounds, proving that Alex Taub was right way back in November, and that Mr. Bunker's office was wrong all the way through. Therefore it is important that these wells be drilled and this cheap, quickly-available source of magnesium be developed.

But what happens? There is a meeting arranged. Mr. Bunker talked to the Defense Plants Corporation officials. A U. S. G. S. engineer who was on his way from Los Angeles to supervise the drilling program was stopped. The Emro people were wired on February 23 not to proceed.

On February 24, Dr. Sebastian and Mr. Hopkins sent a memorandum to Mr. Bunker. They said:

Our views are these: That the continuation of drilling should not be undertaken until additional pumping tests are made and the time noted for the water table to stabilize; that the further prospecting be done; and that the United States Geological Survey keep us informed of all findings.

On February 27, Mr. Bunker sent that memorandum on to Sam Husbands, saying:

I concur in their conclusions.

I wonder what took place. I know there was a conference attended by U. S. G. S., W. P. B., and D. P. C. officials. The representatives of Mr. Bunker's office told that conference that the wells at Ludington, Mich., owned by the Dow Chemical Co., were being developed, that the Michigan field would provide an adequate supply of magnesium chloride, and that any development of brines in Borden County, Tex., or Eddy County, N. Mex., would be in the nature of reserves.

I have here a photostatic copy of a letter from the War Production Board and the Aluminum and Magnesium Branch, addressed to the Emro Chemical Corporation. It reads:

This will confirm my oral statement to you that we have virtually concluded negotiations for the production of magnesium metal and raw material for the same to cover the entire magnesium metal program as designed to us.

Since arrangements have been made for the magnesium chloride feed for all of the proposed electrolytic plants in this program, I regret to say that I do not see where magnesium chloride, which might be produced from your magnesium sulphate brines, could be used in the program at this time.

Plenty of magnesium. Where will it come from? Not from Texas or New Mexico. We could not spare $50,000 to explore those fields. But from the Dow Chemical Co. fields in Ludington, Mich., where $200,000 could be authorized for exploration.

WAR PRODUCTION BOARD,
WASHINGTON, D. C., *March 6, 1942.*

Mr. E. H. ROBERTSON,
Emro Chemical Corporation,
Dallas, Tex.

DEAR MR. ROBERTSON: This will confirm my oral statement to you that we have virtually concluded negotiations for the production of magnesium metal and raw material for the same to cover the entire magnesium metal program as designed to us

Since arrangements have been made for the magnesium chloride feed for all of the proposed electrolytic plants in this program, I regret to say that I do not see where magnesium chloride, which might be produced from your magnesium sulphate brines, could be used in the program at this time.

Very truly yours,
PHILIP D. WILSON,
Chief of Production,
Aluminum and Magnesium Branch.

Mr. ROLPH. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. Yes.

Mr. ROLPH. First, I compliment the gentleman upon his interesting and complete statement. The gentleman mentioned the Permanente plant in California and stated that that plant had produced only 7 tons.

Mr. ANDERSON of New Mexico. That was on November 15.

Mr. ROLPH. According to the gentleman's figures, the annual requirement would be something like 365,000 tons. Does the gentleman know what the production of the Permanente plant is now?

Mr. ANDERSON of New Mexico. I hope it is building up rapidly because this Nation needs every pound of magnesium it can get.

Mr. ROLPH. The gentleman has not the figures on that?

Mr. ANDERSON of New Mexico. No; I have not. But a new type of plant is now to be developed and the ferrosilicon process is to be employed. Never mind the mountains of magnesite in Washington, with cheap power at its doorstep; never mind the brine wells in New Mexico and west Texas, where, in the case of the New Mexico wells, valuable by-products like carbon black are developed, and the per-pound cost is one-third of the present Dow cost. Develop a new process and say that the quota is now exhausted so that a New Mexico plant cannot be built.

I think it would be illuminating if the Truman committee or one of the House committees sought to find out what magnesium will cost by the ferrosilicon process—not 4 to 6 cents, as in the Lake Charles plant of Louisiana. Not 5 or 6 cents, from the brine wells of New Mexico. Not 16 or 17 cents, as the Dow Chemical has been charging the Government, but 20 or 25 cents, possibly 30 cents a

pound, so that there will surely not be a post-war competitor to Dow.

Finally, what will these ferrosilicon plants require? Ten or fifteen thousand tons, maybe twenty thousand tons of chrome-nickel steel, badly needed for other war activities. In addition they will need all sorts of power to produce nearly 100,000 tons of ferrosilicon to feed the magnesium plants. We go to all this effort to make sure that there will not be other competitors in the magnesium business with low costs per pound.

I do not believe that a single ferrosilicon plant is actually under construction as yet. I hope that before any such step is taken, Donald Nelson checks up a little bit on the story Mr. Guthrie told to see if there are in industry persons who "are more concerned with protecting their private interests than with promoting the war effort." The magnesium situation needs his personal attention. We need dive bombers in 1942, and to get them, we need magnesium this summer. The Members of the House should see what he does about it.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. Yes.

Mr. LEAVY. It is a known fact now that Russia, Japan, and Germany are constructing their dive bombers out of magnesium, 85 percent, and metallic aluminum, 15 percent. Their studies in dive bombing are likewise well known. The American and British are constructing their dive bombers out of aluminum. I hold in my hand a piece of metallic magnesium produced by the United States Bureau of Mines by electrothermic method, a solid piece of metal. The Bureau of Mines definitely stated that that chemical process is unquestioned. There are 200,000,000 tons of reserves in that region and nearly 2,000,000 kilowatts of power developed potentially at Grand Coulee to be sold at 2 mills a kilowatt. The metal can be produced for 10 cents a pound, a saving of $100,000,000 to this government in 1 year.

The SPEAKER pro tempore. The time of the gentleman from New Mexico has expired.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent that the time of the gentleman may be extended for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LEAVY. And yet we are told that if that power is going to be used, the electrical energy will have to go for the ferrosilicon process, which cannot produce the metal at less than from 20 to 25 cents per pound.

Mr. Speaker, I think the gentleman from New Mexico has rendered an inestimable service to the House, and to the people, in the courageous exposure that he has made of where the difficulty lies in production, and I hope Mr. Bunker will leave the office that he occupies as the czar of aluminum-magnesium production.

Mr. ANDERSON of New Mexico. I thank the gentleman.

The SPEAKER pro tempore. The time of the gentleman from New Mexico has again expired.

LEAVE TO ADDRESS THE HOUSE

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of the business of the House, including special orders, I be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include certain letters from the Secretary of War and the Chief of Staff, General Marshall, regarding the imperative need for the passage of H. R. 6293, to create the Women's Army Auxiliary Corps, and one or two other letters.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Thursday next and also on Friday, after the legislative business has been finished and at the conclusion of other special orders, I may be permitted to proceed for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama is recognized for 10 minutes.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that I may proceed for an additional 5 minutes, making 15 minutes altogether

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, what topic is the gentleman going to discuss?

Mr. PATRICK. It is sort of a general matter. I am glad to have the gentleman stay, because I think, of all persons, he would be interested.

The SPEAKER pro tempore. The Chair has already recognized the gentleman from Alabama. The Chair did not understand there was any objection.

Mr. HOFFMAN. Oh, yes, Mr. Speaker, I reserved the right to object.

Mr. PATRICK. Does the gentleman object to my addressing the House for 15 minutes?

Mr. HOFFMAN. No, no.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 15 minutes.

Mr. PATRICK. Mr. Speaker, I wanted to say a few things about a matter that recently has arisen in the House day by day.

In Pilgrim's Progress, by John Bunyan, I remember the figure of the old man with a muckrake. While an angel was standing nearby offering him a golden crown he could only see, according to the metaphor used by John Bunyan, sticks and chips to rake up.

There is a little band of men who daily get on the floor here to pick this or that fault with every department or executive or bureau or system that hold can be laid on. I wish some way existed to reveal to the Nation how small this group is.

As a party, the Republican Party is doing a wonderful job of going along with the war effort, but I heard one the other day—I believe the gentleman from Pennsylvania [Mr. RICH]—state that he was not going to shut up; that it was his duty to find objections; and he was going to keep it up. All right. Keep it up and see what happens. There is a vast difference between wartime and peacetime. See what happens to you and what happens to your Government and to your cause.

A mighty dam is destroyed by letting small trickles through.

Of precious little service can I be to Mr. Walter Winchell, the radio commentator, who is listened to by millions every week and read in his daily columns throughout the Nation. But please let me state that those who arise on this floor to take unfriendly digs at Mr. Winchell have been those who in past months have opposed the Nation's preparedness effort. I have carefully examined the records of these gentlemen and I am afraid there is a living connection between the two sentiments. It will do no good to mention their names. It is not even necessary, as they will no doubt pop up from time to time and identify themselves. But when you examine their voting records you will find that all of them in nearly every case consistently voted in opposition to preparedness legislation.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I will yield in just a moment. I am going to refer to the gentleman directly, and I am sure he will want me to yield then.

Seldom there passes a Sunday evening that Mr. Winchell does not find time and make the opportunity to make some valuable announcement — some announcement in clear language and term that helps the country get some report, or vital fact, or news, or method, or time, or place, or information to soldiers, sailors, marines, or to citizens—as what to do or where to appear in response to a vital need of this Nation—a service few have the opportunity or command or the expanded spread to perform—and he does this without expense or cost to anyone except, by the way, his patriotic and loyal sponsor. Last night many of you heard Lt. Robert Montgomery on the radio. Did you object to his standing in the Navy uniform of his country as he ably and effectively spoke his lines on last night's program? Or Lt. Comdr. Eddie Peabody, known as the Banjo King? What is wrong with it? Nothing. Which voting group in the House was more faithful to our uniform when the selective-service bill was up? Those who wished to place more men in uniform for training or those who opposed both draft bills? Which, then, was doing the best service for his country?

Now, since the gentleman from Michigan [Mr. HOFFMAN] was good enough to

remain, I want to read from a speech made on this floor, or at least extended in the RECORD by the gentleman from Michigan [Mr. HOFFMAN]. He said:

I have spoken and voted for every national defense measure.

If that is true, the gentleman has certainly got a lot of records to correct, if I am able to interpret. I look at page 6102 of last year's bill, H. R. 9209, the military affairs appropriation bill, and Mr. HOFFMAN is recorded as voting to strike out $1,000,000. That is the Robsion amendment in that appropriation.

On the bill H. R. 8668, on May 30, 1940, the War Department appropriation bill, the record shows that the gentleman from Michigan, [Mr. HOFFMAN] voted "nay." The record shows that he voted to strike $5,000,000 from that measure, including the Guam matter. He is recorded as voting "aye" to strike it out.

On H. R. 8438, the naval appropriation bill, June 4, 1940, the bill was defeated by a vote of 156 to 234. The gentleman from Michigan, [Mr. HOFFMAN] voted among those who voted to defeat the bill.

September 7, 1940, page 11755, the first selective-service bill:

The gentleman is down as voting against that bill. Also the Second Selective Service Act of August 12, 1941. That vote is on page 7227. The gentleman from Michigan is down as voting "nay" on that.

February 8, 1941, page 850, the first lease-lend bill, H. R. 1776, he is down as voting "nay"; and also on the second supplementary lease-lend bill on March 10, 1941, on page 2440—and that bill passed, by the way, 336 to 55; and with 336 Members voting for that bit of preparedness, the gentleman from Michigan [Mr. HOFFMAN] is listed among the 55 voting against it.

On October 17, 1941, page 8251, arming of merchant vessels, which passed 259 to 138—that is House Joint Resolution 237, I believe—and the RECORD shows the gentleman from Michigan [Mr. HOFFMAN] as having voted "nay" on that. And there are others that could be mentioned. The gentleman from Pennsylvania [Mr. RICH] seems to have voted likewise on all of this except the Selective Service Act of 1941—that is S. 4164. The gentleman from Pennsylvania did not vote on that.

The Ship Seizure Act, H. R. 4466, on May 7, 1941, page 3806: On this the gentleman from Michigan [Mr. HOFFMAN] and the gentleman from Pennsylvania [Mr. RICH] are down as having voted "nay."

The Neutrality Revision Act, House Joint Resolution 237, on November 13, 1941, page 9116: Both these gentlemen are down as having voted "nay."

On the price control bill, H. R. 5990, of November 28, 1941, the RECORD, page 9483, shows that the gentleman from Michigan voted against it. If his yesterday's statement is correct you know he has some long catching-up to do. Who conspired with the congressional printers?

In the face of that in the RECORD placed there by his own hand and voice he has the temerity to stand here before the people of America and say: "I have spoken and voted for every national measure." And so, Mr. Chairman, while there are those who are—and I believe the gentleman from Michigan [Mr. HOFFMAN] will admit that he is one, yet raking chips, studying the program and chipping against it—I think it has greatly become a matter of habit.

I think, Mr. Speaker, that these gentlemen before Pearl Harbor were so deeply steeped in the habit of finding fault and kicking against everything they could see, that they just simply do not realize there is a war on and do not realize the danger, nor do they realize how the news goes out to the Nation. The people all over the country do not know how small this little band is. They know only that it is a voice resounding from the halls of the Congress of the United States. It has an effect, a dangerous effect. It has the effect of building up what we least want built up in the Nation; and when they kick us in the shins and we complain they just say: "Oh! Oh! Don't do that; we want unity, we want unity." And they do not want us even to talk back, do not want us even to refer to it. I wish some way could be found that the true facts could go out to the Nation of just how small is this little group that is kicking against everything, against our defense effort and finding fault with every department from the highest administrator down, and that most of the people in the law-making body of the Nation, most of the law makers are in unity and are in accord, diligently working together for all-out preparedness and a clean all-out effort to properly defend and support the United States of America.

I now yield to the gentleman from Michigan.

Mr. HOFFMAN. All I wanted was to submit a consent request.

Mr. Speaker, I ask unanimous consent that I may address the House for 15 minutes following the gentleman from Alabama; that is all.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan that he may address the House for 15 minutes following the gentleman from Alabama?

There was no objection.

Mr. PATRICK. All can see now—but it was written across the face of the heavens for more than 2 years. Mr. Speaker, oh, all the work that has gone by! Those who were trying to do the work—it was such a hard job—are now meeting with success—since Pearl Harbor. We want the people of the Nation to have confidence in their Nation to have con- everything that can possibly be done to properly prepare it and get ready for what is still in front of us will be done. I know it seems slow, and we all get impatient. The Congress is gravely concerned. Nobody is asleep here. The ones who were awake and calling attention before Pearl Harbor are still here—and are certainly no less alert this day.

Much of our problem is still unsolved. It was no little matter to those of us who were called warmongers and whose names were carried back home when we had to go out before our people to acclaim and vote for that which prepared us for war when we were a peace-loving Nation, hoping for peace, when we had to make the sacrifice and stem the tide of those who were afraid of themselves, those who said that if we should get into the war it would be "through the treachery of the President," and I quote this from a speech by the gentleman who is going to follow me [Mr. HOFFMAN]. He stated on a date that I have here in a speech of his that if we should get into war we would be "dragged in by the treachery of the President of the United States." A lot of help they were in those days.

So when that sort of thing was hurled at us, and we were called warmongers, all in the world we were trying to do was to build up our defenses so that we would not have a war, or be in shape to do something if we had to. When we did that we were called warmongers, then assailed. They assailed the defenders of this Nation and those who were building it up so that it could be defended, and they tried to hold up every effort, tried to defeat the purposes which were our aim, a very ignoble thing; I do not mean from the heart, I mean from a lack of vision. I hope these gentlemen will now find some way to reorient themselves, open their minds, eyes, and their hearts, and even extend their ears a little so that they may know that the thing we must do, that we are at war, is to gird on the armor, not try to pull it apart, in this Nation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

Mr. HOFFMAN. Mr. Speaker, even though there are only three or four Members on the floor, in view of the statements which have been made by the Member from Alabama [Mr PATRICK], I cannot refrain from making answer.

I regret exceedingly that the gentleman himself cannot forget that people may honestly differ in their views as to what is best for our country. I regret that the gentleman is so well satisfied with his own opinion, with his own infallibility, that he is so lacking in charity that he will not concede to others the same sincerity and the same loyalty.

Mr. PATRICK. Will the gentleman yield?

Mr. HOFFMAN. I do not believe I care to yield. I repeat, is so well satisfied with his own infallibility that he cannot concede the sincerity and loyalty of others who happen to disagree with him.

The statement that I made as to my votes on various matters I consider accurate, and I have no apology at this time, even though we are at war, to make for any single vote that I cast. I may have been wrong, but I was not lacking in either sincerity or loyalty when I cast those votes.

Mr. PATRICK. I know that.

Mr. HOFFMAN. You say you know that, but this is the second occasion you have risen on the floor of this House to question both my sincerity and my loyalty, and you know better.

Mr. PATRICK. I never questioned the gentleman's sincerity and loyalty. I only questioned his judgment and understanding, and I still do.

Mr. HOFFMAN. The gentleman talks with his mouth, but what he says disputes his present statement.

There is and there was a difference of opinion in this House, as to the course which would best protect our Nation. But let me waive that. The gentleman states that he wants loyalty and unity. How is he going to get unity by getting up here day after day and questioning either the loyalty or the motives of those who did not vote as he did or who do not agree with his conclusions? Those acts are of the past, and as I said yesterday on this floor, I am willing to forego any criticism of what the President of the United States or any Member of this body or any official of this Government did or said prior to our entering into this war except when Members rise on the floor and question my loyalty. Then I propose to make answer, not for the purpose of criticizing the President or anyone else but to show that we who had views not held by our critics were, and are, just as loyal as some who continually yelled for war, shouted "Lick the ———" but themselves do not fight.

You add nothing to the effort to win this war by jumping on any Member of this House for his vote prior to the 7th day of December. I did vote against the lend-lease bills both times, and I have no apology to make, sir, for that, and there are many Americans today who believe we would have been better off if we had kept some of our material at home for our own national defense. There are many who question the wisdom of sending our men into all corners of the earth, to every sea, when the force available is insufficient.

Mr. PATRICK. How about the draft?

Mr. HOFFMAN. That was a measure which came up prior to the war. Moreover, we were assured time and again that it was a measure to keep us out of war. And into it was written a provision, was there not, that the men were not to be sent to foreign lands? Those of us who suggested that the purpose might be to send another A. E. F. were charged with bad faith. Does the gentleman now contend that anyone then was making plans for the invasion of Germany, the sending of troops to India, Australia? And as time goes on, if we continue, which I pray to God we may not, to lose as we have lost, there will be more and more people who will believe that it was a mistake to send the means of defense to other lands.

I say I regret that I am forced to say this, and I would not say it and will strike it from the RECORD if the gentleman will take out his remarks, because neither statement adds anything to our war effort or to the successful prosecution of the war.

Mr. PATRICK. Will the gentleman yield? We might get somewhere.

Mr. HOFFMAN. Mr. Speaker, just this last week I had a letter from a father who said that on January 6 his boy was taken into the Army.

More than 2 weeks ago he had a wire that he was in Australia, and the complaint of the father was that the boy was without training. That our armed forces are without, and will for some time be without, many of the things which they need to successfully give battle, is due to our failure here in Congress to insist that our industries give us war materials and that without excessive cost.

I can tell you that in one African port more than 200 vessels today, loaded down with material for our armed forces, cannot discharge their cargoes because they lack the men to do it, and those who should do it have been paid a little more money and called off the job. I do not like to say that. But unless the leadership on the majority side calls off some of its war dogs, who are making their political attack day after day, I am telling you that you are going to hear of some of the failures of Congress and the State and Executive Departments here on the floor. I regret it. There will be no criticism of Army, Navy, or air force by me. But you need not think, nor need any other Member of the majority think, that you are going to get up here on the floor day after day and challenge my loyalty and my sincerity and not be answered.

Mr. PATRICK. How does that very proposition that the gentleman sets out stack up with his vote against drafting men right when we needed an Army?

Mr. HOFFMAN. I answered that just a few moments ago. If you force a further answer, reluctantly, here it is. The majority said you were drafting men to maintain the peace of our country, to keep war away from us. You know and I know now that those men were being drafted not for that purpose but to send an expeditionary force across the sea. I say to my distinguished friend here on my right, the gentleman from Missouri [Mr. COCHRAN], that I am sorry from the bottom of my heart that I must make that statement, but I must make it or stand convicted by my silence of disloyalty.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Missouri.

Mr. COCHRAN. The gentleman knows that that is an extremely strong statement, and I likewise am very sorry that he feels himself compelled to make it.

Mr. HOFFMAN. It is a strong statement, but it is susceptible of proof. I do not wish to make statements of that kind, but the gentleman leaves no other course open.

Let the majority pull off its war dogs. I will tell you something else. Those who wanted to get us into this war, if they will do as much to win the war as those who wanted to stay out of it, we will win the war. I will go as far as any member of the majority, but I do not propose to sit silent and, by Communists, profiteers, money grabbers, or politicians who think more of party than of country, be charged with lack of patriotism. I repeat, let the Member from Alabama [Mr. PATRICK] quit his assaults on my patriotism if he does not want to be answered. Let him cut it out of the RECORD. Then I will do the same. This is the second time within a week that the gentleman has made such an unfounded charge. The other time I refrained from answering. I am going to answer him every time from this day on. Now, you of the majority discipline your Members; let them stick to the truth, quit imputing improper motives to us, and over on our side we will keep silent about those things which we think were wrong. Is that fair? If for political purposes the Member starts the ball rolling, I will endeavor to be here in an effort to stop its spinning untruths.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; I yield.

Mr. PATRICK. How could I afford to sit silent and this House afford to sit silent in the light of the vote of the gentleman from Michigan?

Mr. HOFFMAN. When was the vote cast?

Mr. PATRICK. All the votes read here.

Mr. HOFFMAN. I heard you.

Mr. PATRICK. Whenever he stated "I have spoken and voted for every national defense measure"——

Mr. HOFFMAN. That is right.

Mr. PATRICK. How could the gentleman look the American people in the face and stand before this body and make such an outrageous statement as that, in the light of the vote he has cast throughout here and in the way he has just stood and obstructed every method we have tried to get to be ready for the war when we got in it. It was the obstructionists that kept us from being ready now.

Mr. HOFFMAN. Sit down; you have said enough. That is the trouble with you. That is what is the matter with you. That is an illustration of what is wrong with your head. You can only recognize one viewpoint, and that is yours. In the first place, the votes to which you refer as having been cast by me were prior to December 7. And I was not the only one who would have followed a different course had we known what was to happen at Pearl Harbor. Did the Member from Alabama foresee Pearl Harbor? Even after that, did he foresee what happened in the southwest Pacific? Notwithstanding those votes, this administration had every dollar and every power for which it asked and yet you have the monumental gall to say that those who voted, as did I, kept the Nation from being ready. If we were not ready, it was because those in authority either did not realize the necessity of economic, efficient spending, did not recognize first things first, or lacked the will to compel industry and labor to do its part, or was incompetent to handle successfully the stupendous problems which confronted it. It is easy now to criticize. I have no disposition to do it.

I say that lend-lease was not defense; you say it was. I have just as much right to my opinion as you have to yours, and there is where, by ignoring that truth, you make your mistake.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. No, I will not yield any more.

Another point the gentleman referred to is what he is pleased to term "my vote against the fortification of Guam."

There was no proposal before this House to fortify Guam. There was an appropriation, against which I voted, to clear the harbor at Guam for the use of commercial planes. Moreover, I am not one of those who believe that we can fortify all the islands of the Pacific, all the harbors of the world under our protection or the protection of Great Britain. For 123 years Britain held Singapore. It spent hundreds of millions of dollars upon the fortification of that port; yet it fell in a few short days. Outposts all over the world, inadequately fortified, lacking fighting planes and bombers, adequate protection are a liability, not assets.

In view of what has happened I should think that those who, figuratively speaking, shouted so loudly about licking the Japs with one hand tied behind them, would be a little more charitable toward those who believe that our first duty is the defense of our homeland and that we cannot, without means, now at our disposal, successfully fight on every battle front chosen by the enemy. Has not the fate of our Asiatic Fleet taught the Member from Alabama any lesson at all?

Is he one of those who, ignoring the losses to the Asiatic Fleet, is now yelling for an immediate offensive?

Let me repeat what I said to the gentleman from Missouri [Mr. COCHRAN], and I know he wanted war no more than did I. Those who opposed this war, who opposed getting into this war, who wanted none of it, can now say to those who wanted to get into it that they have got all the war they want and more, and it will take the efforts of everybody——

Mr. PATRICK. The gentleman will surely yield there?

Mr. HOFFMAN. No; I do not yield.

Mr. PATRICK. The gentleman has charged folks with wishing to get into this war.

Mr. HOFFMAN. I do not yield to the gentleman.

The SPEAKER pro tempore. The gentleman from Michigan declines to yield.

Mr. HOFFMAN. To go back, I say it will take the efforts of all of us to win it, and I repeat what I have said at least twice before today, the Member from Alabama [Mr. PATRICK] is contributing nothing by charging us or me with a lack of loyalty; sir, absolutely nothing. You are just stirring up discord. You just count on our loyalty to keep still here and let you make all sorts of unfounded charges; charges such as are made by the Communists; charges such as I referred to the other day in connection with a circular which quoted the gentleman from Pennsylvania as saying that when this war is over the returning veterans would insist that our Government be put into the hands of men of unquestioned loyalty or unquestioned patriotism, and then charging that that statement was disloyal. A charge that was an absurdity on its face.

Mr. PATRICK. Surely, the gentleman will yield now?

Mr. HOFFMAN. No; I decline to yield.

Mr. PATRICK. Not after making that statement? Will the gentleman make such a statement on the floor and refuse to yield?

Mr. HOFFMAN. I decline to yield.

The SPEAKER pro tempore. The gentleman should ask the speaker to yield before interrupting the speaker.

Mr. HOFFMAN. Now, let me repeat that again. Those of us who opposed getting into this war have, since the declaration of war, gone along and voted for every appropriation, even though there were unexpended billions on hand. Today I cast my first vote against a so-called war measure brought in by a committee, and that was the bill to put the women into the armed service in this war. I suppose that vote will, by some egotist, be declared an act of disloyalty. There were eighty-some of us who voted that way.

I voted that way because I believed we could do more by letting the Army and the Navy fight this war and for the reasons given when the bill was under discussion. I voted that way because I do not believe this war is a social function. It is real, and those of us who wanted none of it, will go down the line to the end, and without casting any reflections upon anyone, I will say that in my humble judgment we will go as far, and we will go farther than some people who wanted to get this Nation into it.

Now the Member referred to Walter Winchell. Perhaps that was because the Member is also a broadcaster and entertainer. In his, Winchell's, column he said that I was a member of the Naval Affairs Committee, which was not true. He said I suggested that he be sent to Samoa, which was not true; I said nothing of the kind. I inquired about his money-making activities while in uniform. He has raised a straw man by claiming we wanted him taken off the air. That is not true. I do not care how long he is on the air or when or where he speaks. The point which I made and which the Member from Alabama overlooks is this. Why should a man, Walter Winchell or anyone else, be permitted to wear the uniform of the armed forces of the United States while engaged in a commercial enterprise?

Do you want to buy your meat, your groceries, do you want to have your shoes shined by a man who is in the uniform of the armed forces? When I see a man coming down the street in the uniform of my country, figuratively speaking, my hat goes off to him, my heart goes out to him, because I realize that that man has dedicated his life to the defense of my land and my home and all that I hold dear. But when I see a man wearing the uniform engaged in a money-making enterprise and making profit for himself, selling the uniform as it were with his goods or his talent, I think that is a wrong use of the uniform. I understand the Army regulations prohibit the use of our flag in advertisements or for any commercial purpose. The same rule should apply to the wearing of the uniform of the armed forces. That uniform is a badge of honor—it is a symbol of sacrifice, it is a shield which assures you and me of protection from foreign foe. No civilian, no one seeking profit should desecrate it by wearing it unless he is then in the service of his country. If I had my way I would have a uniform for the combat forces and I would have another and a distinct one for those not engaged with the armed forces.

I am sorry the Member from Alabama [Mr. PATRICK] forced me to make these remarks. I hope that I will not again have any occasion to criticize any past act of any public official. I hope the Member will come to realize some time that he has no monopoly of either intelligence, information, insight, sincerity, or patriotism. When he does we can all work for the common good with less friction.

[Here the gavel fell.]

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PATRICK. Just to call the attention of the House to the fact that all of those things that I have said to which the gentleman from Michigan has taken exception is nothing but a revelation of his record. When he gets angry, it is at nothing that I said, but merely angry at what his own record is.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BALDWIN, indefinitely, on account of illness.

THE PRIVATE CALENDAR

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent that Senate 1131 be restored to the Private Calendar. I was away at the time it was called, and it was impossible for me to explain the matter.

The SPEAKER pro tempore. The Chair requests the gentleman to withhold that request until the House meets tomorrow.

Mr. KOPPLEMANN. Mr. Speaker, a parliamentary inquiry. Is it in order for me to ask that now?

The SPEAKER pro tempore. Of course, it is in order, but the Chair feels that the gentleman should propose that request tomorrow.

Mr. KOPPLEMANN. I was not present when this came up. It is a matter that comes from my district. Of course, I defer to the suggestion of the Chair.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2220 An act for the relief of Frank Sheppard; to the Committee on Claims.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy;

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; and

S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 18, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on Wednesday, March 18, 1942, at 10 a. m., for consideration of H. R. 6483. The hearing will be held in room 1304, New House Office Building.

COMMITTEE ON THE JUDICIARY

On Saturday, March 21, 1942, at 10 a. m. hearings will be resumed on H. R. 6444, to provide for the registration of labor organizations, business and trade associations, and so forth, before Subcommittee No. 3 of the Committee on the Judiciary. The hearings will be held in the Judiciary Committee Room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1511. A letter from the Archivist of the United States, transmitting a report on a list of papers recommended to him for disposal by certain agencies of the Federal Government; to the Committee on the Disposition of Executive Papers.

1512. A letter from the Archivist of the United States, transmitting a report on a list of papers recommended to him for disposal by certain agencies of the Federal Government; to the Committee on the Disposition of Executive Papers.

1513. A letter from the Administrator, Federal Security Agency, transmitting the Second Quarterly Report of the United States Commissioner of Education on the Education and Training of Defense Workers, covering the period beginning October 1, 1941, and ending December 31, 1941; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEAL: Committee on Appropriations. H. R. 6802. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes; without amendment (Rept. No. 1905). Referred to the Committee of the Whole House on the state of the Union.

Mr. COSTELLO: Committee on Military Affairs. H. R. 6758. A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones; with amendment (Rept. No. 1906). Referred to the House Calendar.

Mr. STEAGALL: Committee of conference on the disagreeing votes of the two Houses. S. 2198. An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, and for other purposes (Rept. No. 1907). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PIERCE:

H. R. 6803. A bill relating to marriage and divorce among members of the Klamath and Modoc Tribes and Yahoo Skin Band of Snake Indians; to the Committee on Indian Affairs.

By Mr. RANDOLPH:

H. R. 6804. A bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

By Mr. KNUTSON:

H. Res. 458. Resolution ordering the printing as a document of the manuscript entitled "A Digest of State Legislation of 1941"; to the Committee on Printing.

By Mr. BALDWIN:

H. Res. 459. Resolution authorizing the Committee on Labor to investigate the transfer, sale, or other handling of equipment of all types of the Civilian Conservation Corps; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. LESINSKI introduced a bill (H. R. 6805) for the relief of John Damacus, which was referred to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2566. By the SPEAKER: Petition of the women voters of the United States, petitioning consideration of their resolution with reference to joint-income tax be imposed upon husband and wife; to the Committee on Ways and Means.

2567. By Mr. GRANT of Alabama: Petition of C. A. Gaston, of Fairhope, Ala., submitting a plan for all-out support of all-out war; to the Committee on Ways and Means.

2568. By Mr. JENKS of New Hampshire: Resolution of the New Hampshire Good Roads Association, urging that no increase be made in the Federal tax on gasoline and lubricating oil; to the Committee on Ways and Means.

2569. By Mr. TINKHAM: Petition of sundry residents of Boston, favoring House bill 1036, the so-called Townsend bill; to the Committee on Ways and Means.

2570. By the SPEAKER: Petition of the Legislative Committee Auxiliary, No. 3, Park City Ladies Auxiliary, Park City, Utah, petitioning consideration of their resolution with reference to unemployment compensation; to the Committee on Ways and Means.

2571. Also, petition of the secretary, Local 468, I. U. M. M. and D. W., Los Angeles, Calif., petitioning consideration of their resolution with reference to unemployment benefits; to the Committee on Ways and Means.

2572. Also, petition of the mayor, village of Palmetto, Palmetto, La., petitioning consideration of their resolution with reference to cooperation between the Federal and municipal governments; to the Committee on Ways and Means.

2573. Also, petition of the I. W. A. Auxiliary, No. 19, Wauna, Oreg, petitioning consideration of their resolution with reference to unemployment compensation; to the Committee on Ways and Means.

2574. Also, petition of the Lumber and Sawmill Workers, Everett, Wash., petitioning consideration of their resolution with reference to alien enemies and sympathizers; to the Committee on Military Affairs.

SENATE

WEDNESDAY, MARCH 18, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Heavenly Father, who art just and merciful in all Thy dealings with the children of men: Accept, we beseech Thee, our humble prayer in which we lay before Thee our sins and our contrition, imploring Thy forgiveness that, with integrity of purpose, we may rise to meet the exigencies of another day.

Let every citizen of our beloved Country realize that goodness is greater than wealth, that character outweighs intellect, and do Thou help us to return to the simplicities of virtue so absolutely essential to the reclamation of our ideals of the rectitude of personal manhood.

Especially we pray for him who at the moment stands forth as the embodiment of hope and courage, in whose heart burns the heroic flame of the martyrs, that Thou wilt guard him in danger and keep him close to the heart of Thy love. Endue him with wisdom and insight for his great embassy as Commander of the United Forces in our sister commonwealth, and may the fineness of his example as soldier and leader inspire each one of us with the rapture of a high resolve to be all, to do all, and to achieve all, according to Thy will for us, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, March 17, 1942, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hayden	Rosier
Bilbo	Herring	Russell
Bone	Hill	Schwartz
Brewster	Holman	Shipstead
Brooks	Hughes	Smathers
Brown	Johnson, Calif.	Smith
Bulow	Johnson, Colo.	Spencer
Burton	La Follette	Stewart
Butler	Langer	Taft
Byrd	Lee	Thomas, Idaho
Capper	Lucas	Thomas, Okla.
Caraway	McCarran	Thomas, Utah
Chandler	McKellar	Truman
Chavez	McNary	Tunnell
Clark, Idaho	Maloney	Tydings
Clark, Mo.	Maybank	Vandenberg
Connally	Mead	Van Nuys
Danaher	Millikin	Walsh
Davis	Murdock	Wheeler
Doxey	Murray	White
Ellender	Nye	Willis
George	O'Daniel	

Mr. BARKLEY. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from Rhode Island [Mr. GREEN], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Alabama [Mr. HILL], and the Senator from Arizona [Mr. MCFARLAND] are detained on public business.

Mr. MCNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

REPORT ON EDUCATION AND TRAINING OF DEFENSE WORKERS

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the second quarterly report of the United States Commissioner of Education on the education and training of defense workers, covering the period beginning October 1, 1941, and ended December 31, 1941, which, with the accompanying report, was referred to the Committee on Education and Labor.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. AUSTIN:

A petition of sundry citizens, ladies of Hyde Park, Vt., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Abilene, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. BONE. Mr. President, I send to the desk a petition containing the names of many residents and voters of Walla Walla, in the State of Washington, praying that the sale of intoxicating liquors be stopped around Army camps, as provided in Senate bill 860; and I ask that the petition may be received and, under the rule, appropriately disposed of.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Washington will be received, noted, and lie on the table.

RESOLUTION OF ASSOCIATED INDUSTRIES OF KANSAS—ECONOMY IN NONDEFENSE EXPENDITURES

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. Gerald Gordon, secretary-treasurer of the Associated Industries of Kansas, with an accompanying resolution adopted by that organization at its annual membership meeting in Topeka, Kans., opposing the enactment of House bill 5993, the so-called omnibus river and harbor bill.

Specifically, the organization objects to the proposed appropriations for construction of the St. Lawrence waterway, the Florida ship canal, the Tombigbee-Tennessee Canal, and several other projects appearing under the guise of national defense projects, when actually they are not defense projects at all.

All I desire to say at the present time on this matter is that I believe the objections to this bill are perfectly valid, and I believe that nearly every Member of the Congress realizes that this is no time for the passage of such "pork barrel" legislation, dragging in a number of projects so scattered over the Nation as to appeal to the cupidity of various sections to enlist support for the proposed measure.

Some of these projects may have merit as part of a post-war public works program, but they certainly are not justified at the present time when appropriations for nondefense purposes should be pared to the bone. I send the letter and resolution to the desk for appropriate reference and printing in the RECORD at this point as part of my remarks.

There being no objection, the letter, with the accompanying resolution, was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

ASSOCIATED INDUSTRIES OF KANSAS, INC.,
Topeka, February 2, 1942.

Senator ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: We are enclosing, for your information and study, a copy of a resolution which was adopted at our annual membership meeting on January 28.

I think this resolution expresses the sentiment of a large majority of taxpayers not only in Kansas but in other States as well. The sentiment seems to be very much pronounced toward the elimination of all unnecessary local, State, and governmental expenditures at the present time in order to give full effective attention to the war effort.

The curtailment of civilian production will, no doubt, create a backlog for employment in the post-war period. It would seem that projects, such as the ones mentioned in this resolution, would also be a very sizable contribution for that period if actually needed. This resolution has been given State-wide publicity in Kansas, and we invite your study and comments.

We very much appreciate your cooperation on issues of a national character, and I want to take this opportunity to thank you for your courtesy and good will.

Very truly yours,

GERALD GORDON,
Secretary-treasurer.

Whereas the United States is at war, both in the Atlantic and Pacific, and if this war is to be won the rank and file of the American people will be required to economize in their business and personal life to the utmost degree. Business in the ordinary channels will cease to function as of old, and the manpower of the country, as well as the mineral and other resources of the Nation, will be drawn upon as never before in the history of the Nation to solve the manifold problems of defense; and

Whereas in order to accomplish this result and provide the necessary funds therefor an unusual, excessive, and continually increasing system of taxation will be put into effect by the Government and the taxpayer will be required to pay unheard of, excessive, and monumental taxes to finance the Nation's defense program; and

Whereas it is to the interest of the Government itself that the money thus raised be allocated solely and entirely to the defending of this country at home and abroad; and

Whereas there is a certain bill in Congress known as House bill No. 5993, which provides in its terms for the construction of alleged public works among which are the St. Lawrence waterway to cost $277,056,515; a Florida canal project to cost from $198,000,000 to $350,000,000 depending upon the plan to be finally adopted, and would entail the annual expenditure of approximately $20,000,000 to maintain; a project to create a navigable stream of the Trinity River of Texas at an estimated cost of $116,354,000; the digging of the Tombigbee-Tennessee Canal and channels at the estimated amount of $75,000,000; the digging of a 9-foot channel in the Coosa-Alabama River from its source at Rome, Ga., to the Mobile River for which the sum of $65,000,000 is provided as a starter; the digging of a 12-foot channel in the Connecticut River from Hartford to Holyoke, a distance of 32½ miles, with a power dam at Infield, at an estimated cost of $13,094,000, and an annual upkeep cost of $896,900, and our Con-

gressmen and Senators are being asked to enact this bill into law, and provide for the expenditure of these stupendous sums of money upon purely peacetime projects when our country needs every ounce of manpower and every bit of steel, iron, and other necessary war materials to properly defend this country; and

Whereas none of these projects contained in this bill could be completed or made effective or usable for many years in the future, and in nowise constitute defense measures, but will undoubtedly embarrass the taxpayers and liberty-loving citizens of this country and make it more difficult to raise funds with which to carry on the war:

Now, therefore, the Associated Industries of Kansas, in regular annual meeting assembled in the office of the association in Topeka, Kans., on January 28, 1942, does hereby publicly express their disapproval of and their objection to House bill No. 5993 and all of the provisions therein contained, and denounce the same as being uncalled for and unwarranted at this time and as dangerous to the carrying out of proper defense plans for this country.

We call upon our Congressmen in the National House of Representatives and our Senators in the Senate of the United States and all others who may have votes upon this important piece of legislation to oppose it to the fullest extent of their abilities as being unpatriotic, extravagant, needless, and unjustifiable; and be it further

Resolved, That copies of this resolution be by the secretary of this association forwarded to our Members of Congress and our two Senators for their information without delay.

REPORT OF A COMMITTEE

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6440) to authorize the renewal of the lease of the old naval hospital in the District of Columbia for an additional period of 15 years, reported it without amendment and submitted a report (No. 1174) thereon.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Rear Admirals Frederick J. Horne and Russell Willson to be vice admirals in the Navy for temporary service, to rank from the 10th day of March 1942; and

Capts Freeland A. Daubin and Robert M. Griffin, to be rear admirals in the Navy for temporary service, to rank, respectively, from the 26th day of November 1941 and the 5th day of December 1941.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

S. 2381. A bill to provide that certain provisions of law relating to the Navy shall be held applicable to the personnel of the Coast Guard when that service is operating as a part of the Navy; and

S. 2382. A bill to amend the act approved June 24, 1926, entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," so as to provide for the establishment of the designation of naval aviation pilot (airship), and for other purposes; to the Committee on Naval Affairs.

By Mr. CHANDLER:

S. 2383. A bill to relieve the State of Kentucky from liability on account of certain property issued to the Kentucky National Guard; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. 2384. A bill to authorize the reinstatement of Joe Causey as a member of the Metropolitan Police force of the District of Columbia; to the Committee on the District of Columbia.

By Mr. THOMAS of Oklahoma:

S. 2385 (by request). A bill to provide for the probate and distribution of restricted estates not exceeding $2,500 in value of deceased Indians of the Five Civilized Tribes in Oklahoma; to the Committee on Indian Affairs.

ADDRESS BY HON. JAMES A. FARLEY BEFORE FRIENDLY SONS OF ST. PATRICK

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley before the Friendly Sons of St. Patrick in Philadelphia, Pa., on March 17, 1942, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD BEFORE SCHOOL OF ENGINEERING, MANHATTAN COLLEGE

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by him at the golden jubilee communion breakfast of the school of engineering, Manhattan College, N. Y., on March 15, 1942, which appears in the Appendix.]

ADDRESS BY JUSTICE BYRNES BEFORE FRIENDLY SONS OF ST. PATRICK

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address delivered by Hon. James Francis Byrnes, Associate Justice of the United States Supreme Court, before the Friendly Sons of St. Patrick Society of Washington on March 17, 1942, which appears in the Appendix.]

THE PAPAL CONTRIBUTION TO JURIDICAL INSTITUTIONS OF PEACE—ADDRESS BY DR. BRENDAN F. BROWN

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by Dr. Brendan F. Brown, professor of law, Catholic University of America, on March 14, 1942, on the subject The Papal Contribution to Juridical Institutions of Peace, which appears in the Appendix.]

THE COURAGEOUS ATTITUDE—ADDRESS BY LEONARD HICKS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an address delivered by Leonard Hicks, of Chicago, entitled "The Courageous Attitude," which appears in the Appendix.]

ADDRESS BY DR. RUTH MILLER STEESE ON AMERICA SUMMONS TO SERVICE

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a radio address on the subject, America Summons to Service, delivered by Dr. Ruth Miller Steese, at Sunbury, Pa., on February 23 1942, which appears in the Appendix.]

STOP PROFITS AND BOOST PRODUCTION

Mr. MURDOCK obtained the floor.

Mr. LEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Oklahoma?

Mr. MURDOCK. Yesterday I had rather a distinct understanding with the majority leader that I would proceed today. Many inquiries were made of me yesterday as to what happened to the Langer seating. My reply was that nothing was done so far as the Langer seating was concerned, but I certainly was seated for the afternoon. [Laughter.] If the Senator from Oklahoma intends to occupy the floor for only a few minutes, I shall be glad to yield.

Mr. LEE. Mr. President, the Chairman of the War Production Board, Mr. Donald Nelson, performed a great service when he told the Nation that production can be doubled, but I still insist that Mr. Nelson should make a recommendation to Congress for legislation that would speed production.

If Mr. Nelson will do that, I believe Congress will pass such a measure in record time, but unless Mr. Nelson throws the support of his powerful office back of legislation to speed up production, it is difficult to secure quick action, because people are divided as to what type of legislation would best accomplish the purpose desired. Mr. Nelson is in a position to know what measures would accomplish the purpose. Therefore, a recommendation from him to Congress would result in immediate passage.

Mr. President, one of the main planks in my campaign platform was to take the profits out of war. I am more convinced today than ever before that that is necessary.

The thing that has hindered our production program from the very beginning has been the policy of holding on to the profit system under a war situation. That was the system followed during our pre-war defense effort. Those in charge of production were trying to get production through the profit incentive.

Then, under the Office of Production Management, the so-called O. P. M., the policy was still to get production through the incentive of profits, and that is still the policy under the War Production Board.

Such a policy places labor against management, and friction is inevitable. Due to the sheer patriotism of many of the big men in industry and the big men in organized labor, we have been able to step up production and in some cases move ahead of schedule. But the policy of increasing production by the profit incentive is wrong, because such a policy results in a contest between management and labor over the profits.

Therefore, if Mr. Nelson wishes to get maximum production, I recommend that he eliminate entirely the profit system and place everybody on a nonprofit basis. That means no more cost plus 10 percent profit contracts. Why should the Government guarantee management a 10-percent profit or a 7-percent profit when the Government is guaranteeing to pay all costs, which includes every necessary cost of the operation of the plant, replacement, depreciation, breakage, and like factors?

There are those who argue that it is fair that capital be guaranteed a normal profit. If that is true, then we should guarantee all the automobile people who had to close up their business a normal

profit, we should guarantee all the men who sold refrigerators, typewriters, and radios a normal profit, we should guarantee all the automobile-tire salesmen and tire-repair shops a normal profit. If that is correct, we should guarantee every soldier his normal income. Those boys who had jobs paying them $300 a month, and who are today working for a dollar a day and a chance to die, should be guaranteed a normal profit.

Mr. President, I here and now make Donald Nelson a proposition. If he will place management on a nonprofit basis, I will bet that all the laborers who walk out on a strike after that policy has been instituted can be crowded into a telephone booth. The laboring people have more sons in uniform than the managers have.

Now, Mr. President, the Chairman of the War Production Board has the power to do just that. Under the provisions of a law which I helped sponsor he has power to require every manufacturer to manufacture war goods, and if the manufacturer refuses his plant can be seized and he can be fined $50,000 and sent to the penitentiary for a period of 3 years. The law provides that the Government shall pay such a person a fair and reasonable price for his plant.

It is my contention that when we are in a war a fair and reasonable price does not include a profit. Mr. Nelson has the power to act now. In his recent radio speech, one of the reasons which he gave for lagging productior was "the reluctance to increase the number of shifts." He did not say whether that reluctance was on the part of management or labor, but if Mr. Nelson will institute a nonprofit policy I guarantee that if the fault is labor's they will willingly increase the shifts, whereas if the fault is management's he has the power to compel them to increase the shifts.

Furthermore, there is the question of the 40-hour week. Judging from my mail, some are under the impression that provision in the law for a 40-hour week means that workers are not allowed to work more than 40 hours a week, but, of course, that is not the case. There is no prohibition against a laborer working longer than 40 hours. The law requires management to pay the worker time and a half for all the time he works over 40 hours. Therefore, if this law is holding up production, it is very possible that it is because management is unwilling to pay the additional wage. If that is the case, then a no-profit policy would remove that as a cause for friction.

Mr. President, when I was a buck private in World War No. 1 I made up my mind that the only fair policy for any government to follow during war was profits for no one and duty for everyone. I determined then that I would fight war profits with all my energy. I have kept that promise.

There is much being said about an all-out war effort. That is my program exactly. It includes no profi , no strikes, no racketeers either in management or labor, no delays or hindrances in production. During peacetime we are creating wealth. Therefore, the profit system works well and furnishes proper incentive to enterprise.

But during war we are not creating wealth; we are destroying wealth. Every time we fire one of our big guns, thousands of dollars go up in smoke. Every time a city is bombed, wealth is destroyed. We are not increasing wealth. We are not creating wealth. We are destroying wealth. Therefore, if any person comes out of this war with a 10-percent profit or a 1-percent profit, then someone else has had to pay extra in order for that person to have a profit.

Unless every person in the United States comes out of the war with less than he had when we went in, then the burdens of war have not been equally or fairly distributed.

But you say to me, we must have the profit incentive in order to get the maximum production. If that is true with respect to management, then do not talk about limiting wages. If that is true with respect to industry, then do not talk about a price ceiling on agriculture.

Either none should profit or else all should profit. Obviously, all cannot profit. Obviously, if we continue a competitive scramble for profits, we shall lose this war and everything we hold dear.

Mr. President, profits in wartime are wrong. Therefore, why should we sanction them in cost-plus-profit contracts? I am opposed to them. I have been opposed to them and fought them at every opportunity.

I helped pass the law to which I recently referred, giving the Government power to seize a man's factory and send him to the penitentiary if he did not cooperate in our war effort.

I helped sponsor another bill which we passed last year, giving the Government power to requisition property.

Mr. President, my program is an all-out program. The people of my State, led by one of the big newspapers, are demanding that we suspend the 40-hour week and pass legislation preventing all stoppages in industry.

I favor both propositions.

Almost a year ago I advocated these same steps. Now that we are actually in war, I am even more in favor of them, but my program does not stop there; it goes all the way and includes management as well as labor; it includes no profits as well as no strikes.

But I am wondering if those who have been so eager to have Congress suspend the 40-hour week and pass antistrike laws will be just as eager now to take away all profits from industry.

I welcomed their support on the other part of the program, and I here and now invite and welcome their support in stopping war profits, in a move really to make this war a community effort.

OUTLAW LABOR RACKETEERS

Mr. President, early this year there came to my office a complaint about labor racketeers charging for the privilege of working on the powder plant at Chouteau, Okla. I referred this complaint to Lt. Col. H. A. Montgomery, Corps of Engineers, and in charge of construction of that plant. After an investigation, Colonel Montgomery wrote me, in part, as follows:

The information at hand indicates that the complainants have been misinformed or have been the intended victims of some individuals or groups, posing as union officials, since there is no evidence of the existence of a "Tulsa Local No. 154" in any organized craft.

This would indicate that the labor unions are not to blame for everything that has been done in their names.

But I have a number of letters, some from people I know personally, who are telling me of this outrageous practice of charging persons for the privilege of working. The complaints which have come to me recite cases at the Chouteau powder plant, also at the new depot being constructed near Oklahoma City, also on the Cookson Hills training camp near Muskogee. Such a practice is wrong and must be stopped. There is legislation pending before committees of the Senate which will put an end to such racketeering as this.

The dislocation of different businesses in Oklahoma has turned many persons out of their former employment. Naturally, they are trying to get employment in war industries. Many of them do not have the money to make these initial payments. Therefore, they cannot get employment.

But even if they had the money, the principle is wrong. It is un-American. This whole war is to determine whether or not we will have the right to live as free men. Therefore, the bitter irony of this whole situation should speed our committees to action. The very idea of free Americans having to purchase permission to work in a war industry in order to fight a war for liberty. Our people will not stand for this sort of thing. The labor racketeer and the industrial profiteer must both go.

Mr. President, I am a part of an administration which has done more for labor than any other administration in the history of this Government. I have personally battled for the rights and privileges which are so dear to labor. I have not changed in my policy toward labor at all. But now we are in war and we must change to a war status. We must recognize that there is a vast difference between a war economy and a peacetime economy.

Therefore, I urge the leaders of the administration and the labor leaders to join with the people in this all-out program which is absolutely necessary if we are to win the war in the shortest possible time. If the labor leaders and the leaders of the administration will themselves suspend these laws for the duration of the war, it will be much better than to have them swept aside by those who are unfriendly to these social gains.

Unless this is done by friendly hands, instead of these laws being suspended for the duration of the war, many of them will be repealed altogether and many years will elapse before we can replace them.

Mr. President, I have always supported the program of organized labor and collective bargaining. I am for the labor union, but there is another union that is more important, and that is the Union of our 48 States. Unless we can preserve this Union and keep the Stars and Stripes flying above American soil, there will be no labor unions to protect.

There is a difference between repealing a law and suspending it for the duration of the war. There are many rights and privileges which we would die for to preserve in peacetimes that we voluntarily surrender during war. We are fighting for the freedom of the press, but it has long been established that the Government has power to censor the newspapers, and even today the newspapers are operating under a voluntary censorship.

The right of freedom of the press was denied during the World War and at least one person sent to the penitentiary for printing and circulating handbills.

When a soldier is drafted into the service of his country, he surrenders his right to free speech, his right to free press, his liberty; he surrenders his right under the thirteenth amendment, which guarantees that "involuntary servitude shall not exist in the United States," and in thousands of cases he gives up his right to life itself. Therefore, it is idle to oppose an all-out program because it involves certain hardships upon civilians. The war must be won. We cannot dally with the issues of death.

I now wish to quote a few lines from a minister of the Gospel in Oklahoma City:

The forty-third man from my church is leaving today. These boys are in Iceland and Panama. Some of them were through the battle of Java and are now in Australia. They are officers, privates, noncoms, and in all divisions of the service. I look at their mothers and fathers everytime I stand in my pulpit. There I see one little mother and father who have a son with MacArthur at Bataan, from whom they have never had a word. I can hardly look in their direction at church without tears. They live in mortal suspense. It is hard for them to accept reasonable propositions when they ask "Why isn't something done to relieve the boys out there?"

Let those who feel that it works a hardship on industry to be required to build bombers without a profit explain that hardship to this mother and father. Let those who feel that the suspension of some of their peacetime rights and privileges will work an inconvenience to them explain that inconvenience to these parents. Let those who insist on a cost-plus 10-percent profit explain their right to that profit to the shell-shocked, the maimed, the blind, and the crippled boys who will come back from this war.

Mr. President, my program is whatever it takes we are going to produce and send to the battle fronts, no matter what sacrifice has to be made to do it, and there is going to be no comprise with anyone on this program.

LABOR AND WAR PRODUCTION

Mr. O'DANIEL. Mr. President, with the permission of the Senator from Utah [Mr. MURDOCK], I ask unanimous consent to have printed in the RECORD at this point in my remarks some of the telegrams which I have received from sincere, honest, patriotic citizens making suggestions for legislation which they believe should be enacted by the Congress, and urging the Congress to do something to speed up the production of war materials. I urge the committees in charge of the bills which are intended to speed up war production to use their best efforts to bring the bills to the floor of the Senate at the earliest possible date.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

STAMFORD, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
Senator from Texas,
Washington, D. C.:

Urge immediate action on legislation to suspend time-and-one-half and double-pay provisions of labor contracts for duration of war, limit profits on defense work at reasonable levels, abolish Agricultural Adjustment Administration program and prevent further advances in agricultural products, and raise needed revenues with a sales tax.

BARTLETT HOLLAND.
E. F. PRICHARD.

DALLAS, TEX., *March 17, 1942.*

Hon. Senator LEE O'DANIEL,
Washington, D. C.:

Congress should stop coddling labor and losing the war. I am in favor of open shop and the abolition of 40-hour week and extra pay.

BEDFORD SHELMIRE, M. D.

ALTO, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator from Texas:

It is the unanimous opinion this club that you take immediate action abolishing 40-hour week and adopt the "work or fight" policy and enact effective legislation outlawing strikes in war industries.

ALTO LIONS CLUB.

DENTON, TEX., *March 17, 1942.*

W. LEE O'DANIEL,
Care Senate:

At a meeting of the directors of the Denton, Tex., Chamber of Commerce held March 16, 1942, it was unanimously agreed that industrial and labor conditions of the United States require immediate legislation in order to speed up production of war needs; and

Whereas the 40-hour week has not justified President Franklin D Roosevelt's statement or hopes that the United States be the arsenal for democracy, we urge that the 40-hour week be abolished by act of Congress; and

Whereas strikes for more than a year have impeded production of necessary war equipment, it is insisted by this body that labor or industry which refuses to function for the best interest of the allied nations should be immediately inducted into the fighting forces; and

Whereas at present a workman in order to get work in many of the war production factories is compelled to join a union, it is recommended that closed shops be made unlawful: Now, be it

Resolved, That we respectfully urge Members of Congress and President Franklin D. Roosevelt to give immediate support to the enactment of such remedial legislation.

W. C. ORR,
President, Chamber of Commerce.

HOUSTON, TEX., *March 17, 1942.*

Senator O'DANIEL,
Washington, D. C.:

The 53 members of the Houston Executive Association unanimously approved this morning your stand with reference to organized labor being required to make concessions to the national war effort. Keep up the good work. We are all behind you.

HOUSTON EXECUTIVE ASSOCIATION.

CUERO, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

Cuero people unanimously demanding more aggressive defense activities and more militant measures, such as immediately placing production on 24-hour basis and removing 40-hour labor limit. Our citizens cooperating by furnishing defense funds and valiant sons, and urgently request that Washington carry forward all our program.

CUERO CHAMBER OF COMMERCE.

DALLAS, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL:

Forget 40 hours. Let's get going. Action, action, more action.

A. J. WILLIAMS,
Dallas Foundry.

DALLAS, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL:

To hell with Japan and strikers on defense works and 40-hour week.

HUGH B. WILLIAMS.

KARNES CITY, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator:

The time has come when the people expect and demand an all-out effort in this war. At home we are, without murmur, buying our bonds and stamps and paying our taxes. We request you to do all in your power to inaugurate and support all legislation that will outlaw any form of strikes in defense industries and the relaxation or abolishment of limitations of the 40-hour week. From here it appears that winning this war is now the primary task and all else is secondary, including corporation profits, farm blocs, business as usual, high union fees, and lobbyists.

KARNES CITY (TEX.)
CHAMBER OF COMMERCE.

SAN ANTONIO, TEX., *March 17, 1942.*

Senator LEE O'DANIEL:

Repeal 40-hour law. Sponsor anything to speed production.

E. M. SEVENS,
President, San Antonio Association of Automobile Finance Companies.

LONGVIEW, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

Donald Nelson's radio address tonight sounds good, but it is still necessary to pay tribute to a labor union in order to get a job on a defense project. Texas people are sick of pecksmiffian righteousness.

J. N. SAYE.

HOUSTON, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

It is the desire of Eastwood Men's Club that Congress pass suitable laws to destroy the methods used to block production or hinder or delay construction of war materials vital to the protection of our American standard of life. Such action should be taken immediately.

EASTWOOD MEN'S CLUB,
C. G. GRIBBLE, *Chairman.*

EDINBURG, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
Senator, Capitol Station,
Washington, D. C.:

We want action. Why not freeze all employer-employee relation and kill all labor dispute for duration. Raise 40-hour restriction and give all-out aid to war production.

EDINBURG CHAMBER COMMERCE.

SAN ANTONIO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:
Please support the Smith bill.
J. W. GORMAN.

BEAUMONT, TEX., *March 18, 1942.*
W. LEE O'DANIEL,
Washington, D. C.:
The same interests that destroyed the economic opportunities of this country are running the war. Unless chain-store and monopoly stool pigeons and labor racketeers are gotten rid of you are not going to win.
C. M. MABRY.

CRYSTAL CITY, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:
We decided today at regular meeting to let our representatives in Washington know that we approve of more definite constructive action in this crisis by eliminating some of the national sores apparently on the body politic. We would like to see the 40-hour week eliminated, strikes abolished, wages fixed, prices fixed, profits eliminated, and a definite order to go ahead in all defense industry, and stop so much talk, and get down to action. If necessary, conscript all manpower, capital, but, above all, arm the Army and Navy and let's get something done that will contribute more to success than has been done. Maybe you say why don't we do something. You tell us. We are ready.
ALL MEMBERS OF CRYSTAL CITY ROTARY CLUB.

EDINBURG, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:
The one objective of loyal Americans is to win this war Anything that hinders or interferes with it should be removed by whatever action is necessary. Edinburg citizens in mass meeting assembled urge repeal of the 40-hour law for duration of war in all defense industries, enactment of legislation to outlaw strikes in those industries, and speeding up by all possible means production of armaments and supplies needed to speedily accomplish this objective. This message is respectfully sent after hearing President's comment on situation today. We do not believe we are misinformed about the fundamentals involved or the imperative necessities of the situation.
SID L. HARDIN, *Chairman.*
A. A. ALDRICH, *Mayor.*

EDINBURG, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:
Stop strikes, draft labor and capital, put strikers on the front lines of our Army at $21 per month. Our boys don't fight 8 hours per day and quit in the middle of a battle because their time is up. No overtime pay for them. We Texans are getting mad and can raise an army of 1,000,000 men to handle strikers if necessary. This is no time for pussyfooting around.
W. P. SMITH.

DALLAS, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senate Building,
Washington, D. C.:
Have talked with dozens of people all walks of life past several days, and without exception all demanding Congress and administration take immediate steps speed up defense production by outlawing strikes, eliminating 40-hour week, and curtailing profits. If such legislation is speedily enacted, it will do more to uplift morale of people and give them confidence in Government than anything else. If not, the opposite effect will result. The eyes of Texas are on their representatives in Washington.
R. I. PAYNE.

TYLER, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:
Both of us have brothers in the Army, and they are working full time. We demand and know you will use every effort to accomplish the following: Suspension of the 40-hour week and overtime for the duration. And why should any American have to pay some labor racketeer money to work in defense plants in the United States?
Mr. and Mrs. MANER GRAHAM.

DALLAS, TEX., *March 18, 1942.*
Messrs. LEE O'DANIEL, TOM CONNALLY, HATTON W. SUMNERS,
Washington Office, Washington, D. C.:
Dallas wants no recess in Congress; no congressional sit-down strikes. Dallas wants record of all votes.
DALLAS COMMITTEE OF INVESTIGATION.

HOUSTON, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL:
All strikes and overtime should be abolished during war.
LLOYD P. WEBRE.

RUSK, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:
Unanimous actions by resolutions this post that you repeal 40-hour workweek; adopt work or fight policy; enact legislation prevent strikes war industries
COLEMAN ISGATE POST, 293, AMERICAN LEGION.

TYLER, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:
Suspend 40-hour workweek and overtime and double time. Abolish strikes completely and entirely stop unions from collecting a fee for the privilege of working on defense jobs.
R. L. WOOD.

EL PASO, TEX., *March 18, 1942.*
The Honorable W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:
We can and must win this war. Imperative that we brush away every obstacle impeding or slowing down necessary war production facilities. Those in authority should commandeer industry and labor alike, limit profits to industry and business in general, suspend hour-and-wage provisions, and forbid strikes for duration. Put a ceiling price on farm products from producers to middleman and ultimate consumer. Defeat any and all legislation for expenditures for nonwar purposes. Reduce all nonwar agencies to minimum requirements or close activities during emergency. Let's clear our decks for ruthless war and get tough.
Southwestern Wholesalers Distributors Association; Zork Hardware Co.; Darbyshire Harvie Iron & Machine Co.; Crane O'Fallon Co.; E. Meagher, manager, El Paso branch, American Rad. & Std. Sanitary Corporation; Mine & Smelter Supply Co.; Momsen Dunnegan Ryan Co.

AUSTIN, TEX.
Hon. W. LEE O'DANIEL,
Washington, D. C.:
This is a copy of the action of the board of directors of the Austin Chamber of Commerce taken March 16, 1942.
"It is our firm belief that many of the elected servants of 130,000,000 Americans are not clearly expressing the will of the people. There is too much talk and too little real statesmanship and sane action to accomplish what all concede is the paramount issue 'Win this war.' This is no time for political fences, political trades, and social reforms. If we lose this war, what good are politics or our social reform? It is Washington's job to state plainly the feelings and beliefs of the people, and we believe the people want immediate action that will insure results. Each elected servant should devote 100 percent of his time and energy to winning this war. To assure this we demand that legislation to accomplish these six things be enacted by April 1:
"1. Work or fight.
"2. Open shop and no strikes.
"3. No profiteering.
"4. Eliminate 40-hour week.
"5. No labor racketeering.
"6. Definite wage control.
"We are ready and willing to accept any sacrifices to win this war, but an awakened Congress must see that the proper machinery is put into action at once to accomplish this. Our public servants must be more concerned about Jap gains than social gains. They must place the safety of our Nation above the safety of their political future.
"Each Member of the Texas delegation is called upon to answer immediately with a positive statement of his intentions.
"E. B. Moody, president; Clark C. Campbell; Dennis W. Macken; J. R. Allen; Huron W. Mills; J. E. Harrison; E. J. St. John; E. G. Kingsbery; A. B. Spires; T. B. Warden; W. F McNamara; Jim Novy; James J O'Brien, C. S. C.; George C. Quinn; V. P. Patterson; Thurlow B. Weed; G. F. Thornhill; J. L. Rose; John H Fredericvtez."

SHERMAN, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:
We earnestly urge immediate action compelling every group, firm, and individual to cooperate in all-out war production without hour-and-wage limitations for the duration Present crisis demands continuous operation 24-hour day and 7 days every week.
Board of Directors, Sherman Chamber of Commerce: J. Tip Newell, J. B Knight, L. H. Young, Floyd Wallace, A. G. Hopkins, Carroll E Wood, Harry Hudgins, J. Newell Huston, Jess M. Totten, Frank P Vogt, J. C. Durham, J. A. Alexander, H. G. Tuck, E. B. Chapman.

EDINBURG, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:
Your talks appealing to mothers and all other patriotic citizens. Keep it up.
B. F. MCKEE.

EL PASO, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Senate of United States,
Washington, D. C.:
As group receiving daily calls to service we demand similar call to labor and capital. Twenty-four hour days and 7-day weeks in Army must be matched by defense industry. We call on Senators to sacrifice too. Lives for votes. How about it? Answer Postal Telegraph.
ACTION COMMITTEE,
EL PASO JUNIOR CHAMBER OF COMMERCE.

WESLACO, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:
MacArthur and h's men have no 40-hour week. Why should labor? We expect you as

our Senator to support any measure that will insure sufficient war equipment to support our fighting men. We are fed up on labor dictatorship and other selfish pressure groups in Washington delaying the war effort for their own greed.

WESLACO LIONS CLUB.

WESLACO, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Forty-hour workweek peacetime measure inappropriate under war conditions. Urge your influence to assure continuous production in war industries. All out for victory.

WESLACO BUSINESS AND PROFESSIONAL WOMEN'S CLUB.

BROWNSVILLE, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Request you support Smith-Vinson anti-strike bill without any devitalizing amendments.

JOS. C. JORDAN.

DALLAS, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

This is the time for an all-out effort and sacrifice by every patriotic American. We believe it is your duty to foster repeal of the 40-hour week and antistrike legislation for the duration immediately. Our fighting men need war materials right now, not 6 months off. Increased taxation will take care of excess profits. Put your support behind these movements.

OTTO HEROLD.
ALVIN HEROLD.

LAREDO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We are now engaged in a war that demands full-time duty for everyone. The Laredo Lions Club feels that 40-hour week should be abolished and every opportunity given business and labor to work night and day to win this war. Labor is just as necessary as service on the front and men in uniform do not fight by the hour. We must realize our position. Remove all restrictions. Stop arguments and have some action.

LAREDO LIONS CLUB.

WACO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We respectfully request that immediate steps be taken to abolish the wage-and-hour law and to see that all factories working on defense program are immediately put on a 24-hour basis. Sentiment of all the mothers and fathers is that immediate steps should be taken.

Sam Bates, J. C. Teat, C. W. Neyhard, W. E. Shankle, W. M. Kirkpatrick, E. R. Rickey, Robert M. Gorham, J. W. Simpson, M. L. Bando, B. M. Busy, J. H. Lawless, Dave Termin, H. B. Posey, S. E. Powers, J. F. Connor.

KINGSVILLE, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Undersigned request you favor and urge passage of legislation immediately to suspend 40-hour wage law, prohibit strikes in defense industries, and limitation of war profits. We feel boys fighting at front for $21 per month need the unqualified support of everyone at home.

Ben F. Wilson, county judge; J. C. Nolan, mayor; J. H. Kidd, Jr., county attorney; Gus L. Kowalski, attorney; E. W. House, banker; A. L. Kleberg, city commissioner; Clyde M. Allen; F. Fromme; D. A. Barber; Max Cornelius; Otis West; J. C. Chandler, D. D.; Robert Eckhardt, merchant; Charles H. Flato 3d, hardware merchant; C. C. Weller, druggist; H. T. Collins, banker; M. A. Smith, Jr., banker; Mrs. J. A. Demauri, Jr.; J. B. Otto; G. M. Patton; Hill Reese; H. B. Hollyfield; Tom Talty; R. C. Durham, Edwards Food Store; F. R. Kirk, engineer; J. S. Cage; R. K. Cumberland, farmer; Rex Wright, groceryman; Pauline W. Jester, teacher; Marion Chandler, banker; Joe B. Waldman, merchant; Mrs. Mae Demauri; R. W. Jennings, manager Cage Hardware and Implement Co.; G. C. Ellis, druggist; Paul M. Riley, professor A. and I. College; W. A. Donaldson, locomotive engineer; B. B. Woodall, locomotive engineer; H. M. McCormick, merchant; N. M. Harrell, druggist; F. C. Johnson, district manager, Weisman Jewelry Co.; J. J. Weisman; J. H. Weisman; Christ George; G. A. Haag; W. T. Mathis, county commissioner; Raleigh Colston, insurance; W. G. Eubanks, engineer; John D. Finnegan; Dr. Houston Brown; Caesar Kleberg; J. C Yeary; Chamber of Commerce, Kingsville, by E. B. Erard; Alex J. Anderson, boilermaker and welder; M. C. Reese, chairman pro tempore Locomotive Engineers.

TYLER, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Attended mass meeting Smith County tonight. I am 100 percent behind resolutions adopted. We want action now, not later. Let us hear from you.

T. L. JOHNSON.

DALLAS, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senate Building, Washington, D. C.:

We are all employed in the home office of a theater organization and well know the value of this form of amusement to public in times such as these. We are not in the business of manufacturing vital defense materials, but if we were, certainly would not jeopardize our country's chances by participating in strikes or insisting that a 40-hour week continue. We look to you, our Representatives in Washington, to do everything in your power to enact legislation to outlaw all strikes and eliminate the 40-hour week. Deep in the hearts of we girls, deep in the heart of Texas, is a sincere prayer that you will take action.

Mollie M. Warner, Lillian Skrehot, Blanche B. Boyle, Lee Roy Caffo, Edna Leonard, Margaret Morris, Dorothy Johns, Florence Hughes, Thelma Seaton, Frances McClinton, Marilyn Bragg.

TYLER, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Urge repeal 40-hour week. Ask legislation 24-hour day, 7-day week production war material, penal offense labor striking defense plant. Immediate action expected.

M. B. RUDMAN.

BORGER, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Mothers, fathers, wives of Hutchinson County men in service want full industrial defense production immediately. It's up to you, our leaders, to show the same courage and resourcefulness and unselfish devotion to duty as the men and women who offer their lives. Don't beg industry and labor, tell them what to do, like you command our loved ones in uniform to march into the jaws of death. Be our leaders—good ones. Act now.

W. A. SEEGER.

TYLER, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Urge your immediate support in repeal of the 40-hour-week law and that all defense plants be placed on 24-hour day, 7 days a week, and making it a criminal offense for anyone to strike in defense work for duration of war.

A. J. HARRIS.

SPUR, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

We respectfully urge that you continue your fight for longer hours for labor, make provisions for induction into the Army for strikers, and require more cooperation from industry. These are the sentiments of our entire county.

M. H. BARNNEN,
County Democratic Executive Committee.

SAN ANTONIO, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL:

Information desired by defense chairman for State conference, Texas Daughters American Revolution, as voting citizens, mothers, and wives of soldiers as to proper committees in Congress with names of chairmen and other keymen who should be telegraphed for action in securing suspension of 40-hour workweek and passage of legislation insuring continuous capacity production in war plants for duration. Will deeply appreciate favor if you will kindly furnish this information. Wire collect.

MRS. D. P. GERMANE,
State Defense Chairman,
Daughters of the American Revolution.

SHERMAN, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

We demand immediate legislation and action: To outlaw all labor strikes. To forbid overtime on Sundays and holidays. To eliminate the 40-hour week. To place industry on 24 hours a day, 7 days a week production. To place a ceiling on all wages and prices. To have government crack down on all business-as-usual individuals, industries, and organizations, and force complete mobilization of all our forces and resources to win this struggle. To force all politicians to place the interests of the Nation above all selfish desires. This is war. Our men are being killed. We had rather be regimented freemen for the duration and win the peace for our children than be slaves of totalitarianism.

Sherman Rotary Club: J. A. Alexander, Earl Altman, Carey Anderson, John W. Bailey, Virgil Baker, James Binkley, Paul Bimmerman, W. J. Carpenter, A. Y. Creager, Chas. Calhoun, John C. Daniel, Bryon Davis, Joe Dodson, W. S. Dorset, Basel Delaney, Joe Durning, Carl Enloe, Will H. Evans, Mordaunt Everheart, James A. Fant, A. Fernandez, W. J. Folley, Leon Foshee, James R. Grady, Levis Hall, Jr., E. M. Hampton, Lofton Hendrick, Arthur Hopkins, Nolan Jackson, Joe A. Keith, Herman Klapproth, A. Kubala, Geo. Livingston, Henry Lee Lowrence, Barney McLean, W. J. McGee, Jack McGee, H. L. McLean, L. L. McCruthin, John T. Nall, Tip Newell, John H. Perry, R. G. Piner, E. H. Powell, Stanley Roberts, Sr., Stanley Roberts, Jr., Virgel Ryan, C. W. Scheurer, Walter Seale, Sam H. Shutt, John

H. Sicks, Pail Gordon, Silas Lee Simmons, Jack Smith, Bob Steakley, Cobel Strothers, W. W. Simpson, Frank Thompson, Jim Tong, E. B. Tucker, S. P. Tucker, C. E. Vandemark, Frank Vogt, Floyd Wallace, Geo. Wear, Max R. Woodward, Sam Wolfe.

SAN ANTONIO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Congressional inactivity is disgusting Texans. War-aid measures are dormant in the Senate without justifiable excuse. The interests of groups, you know, are receiving more consideration than the business of the people. Big spending of money and slapping of business in the face will not win the war. You have the leadership to become tellingly aggressive. We beg you to throw yourself into the fight as when you sold flour. Whole Texas will back you up.

JES F. WOLFE,
President, Southwestern Seating Co.

SAN MARCOS, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Senator TOM CONNALLY,
Washington, D. C.:

We solemnly pledge that we will refuse to vote for the reelection of any United States Senator or Congressman who does not consistently vote for a law outlawing all strikes in every defense industry and who does not vote to abolish the 40-hour week in defense industries for the duration.

Tom Sumners, Ford dealer; Addison Buckner, publisher; Walter Buckner, publisher; C. H. Clayburn, laundryman; J. A. Younger, cafe; Charles Brown, publisher; Bert Miller, druggist; W. Ryan, Dodge-Plymouth; Frank Zimmerman, theater.

WINNSBORO, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We, the members of the Rotary Club of Winnsboro, Tex., wish to inform you of the rising tide of impatience, amazement, and indignation against the delay and inaction of our President, Senators, and Representatives. We demand prompt action. We are more concerned about getting supplies to our brave boys on the firing lines than in preserving the social gains of any preferred group at home.

We are not enemies of union labor, but we believe that union labor should make sacrifices with the rest of us. The stubborn effort of politicians to protect all the gains of organized labor while the public and the men at the front are putting all into the war will result in a Nation-wide reaction that will sweep away those coveted gains.

We demand the suspension of the 40-hour week; we demand that strikes which hold up war production be stopped; we demand that noncooperating, profiteering business leaders be dealt with as public enemies. We will not listen to plausible alibis. Cut the red tape and drive ahead.

Passed by unanimous vote.

CHARLES L. BOUNDS,
Chairman of Committee.

HOUSTON, TEX., *March 17, 1942.*
Hon. LEE O'DANIEL,
The Senate, Washington, D. C.:

The undersigned citizens at the monthly meeting of the insurance exchange of Houston voted unanimously today to wire you our strong belief that immediate and effective legislation be adopted to outlaw strikes and any stoppage of work in industries essential to successful prosecution of the war. We urge that this is of paramount importance, and no consideration of any sort should stand in the way of immediate passage and enforcement of such legislation. We believe the people of this section are in no mood to accept any reason or excuse if the Congress does not appreciate the national peril sufficiently to brush aside opposition of selfish groups who oppose such action. We want the machines producing war materials running 24 hours a day. This action came by spontaneous suggestion from the membership without any suggestion from the officers or directors of this association. The purpose of this message is to give you the sentiment of approximately 1,100 citizens employed in the firms represented at this meeting.

A. D. Langham, Claxton A. Iiams, J. T. Curson, Mrs. Margaret Christy, Miss Una Hooper, W. O. Woods, Wilbur T. Smith, Jno. R. Young, A. L. Vetrano, Mrs. Ala Bonner, Curtis Knobelsdorf, Robert Gartner, Jr., Willie Tucker, W. Tucker Blaine, W. B. Ruth, Mrs. W. W. Bland, John G. Jones, D. L. Anderson, Mrs. Vera L. McCartney, Annette Fraser Baker, R. H. Branham, Geo. W. Dorrance, Russel Lee Jacobe, Roy D Montgomery, W. M. Denton, Rufus Cage, A. M. Tomforde, M. M. Schwartz, Tom Godfrey, C. R. Yanch, Bill Urban, Mrs. M. R. Bunch, Mrs. Phil H. Arbuckle, Evander Ammons, Mrs. E. Ammons, A. M. Gideon, E. P. Gregg, W. J. Gebhard, W. C. Frank, J. A. Brackney, Geo. M. Fleet, H. J. Heath, Raymond S. Mauk, J. Lee Quillen, George Godine, Price K. Johnson, F. W. Dreyer, C. O. Flint, Emmett D. Seale, Mrs. Dan J. Morse, John W. Daniel, J. H. Murray, Frank N. Godon, Keith Collier, Ed Beular, L. O. Jarrell, Morris J. Strong, John D. Jones, W. L. Thaxton, Val Dawson, Louise Prater, Ben A. Calhcun, John B. Williams, W D. C. Lucy, Ethel Tucker, Miss Opal Bunting, Floyd E. Ford, R. M. Blaine, Joe McDonald, J. M. Levi, Carle Aderman, Mrs. M. Gillian, Malcolm S. McCorquodale, J. Hayden Young, J. F. Nowlin, R. G. Waters, J. G. Levey, R. E. L. Leiper, H. P. Cabness, Bill Potter.

HENRIETTA, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Our body had voted for Congress to repeal the 40-hour-week law and also to prevent strikes and other conditions impeding defense production. This represents unanimous public sentiment in the Southwest.

HENRIETTA AND CLAY COUNTY
CHAMBER OF COMMERCE.

TYLER, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Go all out for war effort. Cut out 40-hour week, overtime pay, and shut-downs. Think of boy, not blocs.

ARCH C. PRICE.

GALVESTON, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Our club, consisting of 87 members, urge you, our congressional Representative, to do all possible to inaugurate 24-hour, 7-days-per-week production program throughout the Nation, taking such steps as are necessary, either repealing or amending existing laws now acting as barriers or making new laws to accomplish this end, also to eliminate strikes and bickerings between industry and labor employed on defense contracts. We want action and want it now.

KIWANIS CLUB OF GALVESTON.

TYLER, TEX., *March 18, 1942.*
W. LEE O'DANIEL,
Washington, D. C.:

Urge legislation to speed production. Lives and liberty more important than group ambitions and profits. Forty hours, idle plants, and racketeering criminal.

LESLIE NEILL.

LLANO, TEX., *March 17, 1942.*
Senator W. L. O'DANIEL,
Washington, D. C.:

People here indignant over failure of Congress to discharge patriotic duty of supporting legislation immediately to outlaw strikes in defense industries and suspend 40-hour week for duration, also adequately dealing with labor racketeers. Patience of civilian population is exhausted and your mandate is clear. Unless condition changed at once, we believe people are approaching stage of revolt, and action alone, not words, can relieve tense situation.

Wilburn Oatman, Jr., president, Llano Lions Club; Bill S. Watkins, secretary; (Roster) Members Llano Lions Club: T. J. Watkins, mayor, city of Llano; H. J. Hoerster, president, chamber of commerce; Andy P. Box, county judge; Will Collins; A. H. Winkle; Carl Garner; M. C. Dalchau; Bailey Ratliff; A. C. Bowman; C. C. Ashley; Miles Buttery; C. E. Bishop; J. A. Mayes; Spencer Weber; Orville Buttery; R. L. Shepperd; Otto Holtzer; J. C. Jones; C. J. Whigham; John Cummins; A. G. Macy; L. L. Bruhl; C. L. Taylor; John L. Watkins; Van Spinks; Cullie Carter; R. P. McWilliams; C. V. Robinson; L. H. Baldwin; Leroy Lange; T. J. Moore; F. M. Cassiday; H. G. Wallace; Irvin Saltzman; N. A. Sanders; Leo Benorden; Thomas M. Spencer; W. W. Hart; Dick Williamson; and G. T. Dono.

WACO, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:

The people of this area recognize the terrifying fact that America has thus far lost the war. Our elected leaders have shamelessly failed to devote every hour of manpower, every acre of land, and every dollar of capital to the prosecution of war. Anything short of our utmost consecration to this cause means national suicide and abject slavery. We are distressed and disillusioned that selfishness and partisanship have impeded the production of tanks, planes, guns, and ships. Under the conditions existing today there is neither excuse for nor justice in a 40-hour week. Strikes and lock-outs are tantamount to sabotage. Anyone who impedes production of military equipment is a subversive force. Stiff-necked industry must eliminate business as usual and give 100-percent effort to the war program. All groups, regardless of name or party, must be made to recognize the folly of subsidizing nonproduction. Commodities essential for the prosecution of this war should be rigorously rationed. Abandon all nonessential agencies now using tax money, manpower, and materials that are needed to make the war program efficient. Abolish all Government functions and formality that fail to contribute directly to our war strength. If you would avoid inflation and economic chaos, you must place a ceiling on wages, profits, and commodity prices. This is imperative. The life of my son and the sons of millions of other

loyal American citizens depend on immediate and strenuous cooperation for an all-out production of sinews of war. We are impatient and angered with useless delays and boondoggling. This must stop if loyal cooperation is to be expected. A demand for vigorous war effort is stronger here than it seems to be in Washington. In the name of our boys at the front, of the defense for a just cause, of love for civilization, of decency, and justice, I entreat you to give up all political considerations and take the patriotic action so urgently indicated. This country is stirred to a depth heretofore untouched in its history at the lack of action on the part of our leaders. Give us action in that, and in that alone, you can depend on our wholehearted support.

Respectfully,

DEWITT T. HICKS,
Mayor, City of Waco, Tex.

PAMPA, TEX., *March 18, 1942.*

W. LEE O'DANIEL,
Senator, Washington, D. C.:

Our pledge to help win the war: We solemnly pledge that we will refuse to vote for the reelection of any United States Senator or any United States Congressman who does not consistently vote for a law outlawing all strikes in every industry connected with defense and who does not vote to abolish the limitation of 40-hours-a-week labor in defense industries for the remainder of the war.

The citizens of Pampa: Dudley West, Perry Franklin, O. Gillstrap, Thomas Cox, L. McCarroll, C. Cook, Herbert Hudson, W. Hudson, Virginia Hudson, Oscar Johnson, Mrs. Kentling, Mrs. Moss, Charles Burton, Mrs. Farrington, Ernest Crane, F. Hukill, Emmett Young, Ed Wiley, Frank Culberson, D. Sanders, Aubrey Randall, Henry Kolb, Louise Walstad, Henry Kolb, John Whelchel, Sam Devers, C. Ford, Floyd McConnell, J Kidwell, W Boyd, Chas. Kentling, Eugene Lewis, E. Anderson, F Morrison, George Woodhouse, Mrs. Kirby, D. Kirby, Tessie Parrish, Glen Carruth, Harold Beck, Lewis Meers, Mrs. Swan, Sue Johnson, Almida Fraser, Katherine Rogers, Marion Kelley, Alice Scheig, Earl Scheig, Al Blanchard, Eunice Lilly.

HOUSTON, TEX., *March 18, 1942.*

Senator LEE O'DANIEL,
Washington, D. C.:

Green and Murray give up right to strike. Blum did, too, but stayed with the 40-hour week. Look at France.

FLORRA ROOT CODY.

SAN ANTONIO, TEX., *March 18, 1942.*

The Honorable LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Whenever labor legislation is introduced in Congress the President seems to head it off; now we are tired of the closed shop, strikes, and the 40-hour week; promises and wise cracks won't do; we want action.

J. N. BEASLEY.

HOUSTON, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

The staff of the Methodist Hospital of Houston, Tex., consisting of 110 positions by unanimous vote on this date urge repeal of the 40-hour law and a 24-hour production of arms for our troops. We must win this war.

Dr. J. B. MCCULLEY,
Secretary of Staff.

HOUSTON, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Please support Smith-Vinson bill introduced yesterday limiting profits and voiding overtime pay on labor. Eliminate profiteering by business and labor alike during emergency, conscripting both if necessary to speed war production. Urge Washington to stop pussyfooting and playing politics, instead do what's necessary to win the war and do it now.

W. M. WOLTMAN.

LONGVIEW, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

Wholeheartedly behind those demanding immediate change on 40-hour week. Also in favor of companies with war contracts being limited to 6 percent net profit. Believe everyone in Gregg County feels same.

JOHN C. ROBBINS, Jr.

SEGUIN, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

We demand that you abolish 40-hour week. Institute 168-hour week, without extra pay. Outlaw strikes affecting war production. Institute charges of treason and sabotage against labor gangsters who slow up production. Immediate induction into Army at soldiers' pay of all strikers. Demand action and leadership, not pussyfooting, immediately to protect morale of our boys.

SEGUIN ROTARY CLUB,
For Guadalupe County Citizens.

WAELDER, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

As our representative in Washington, we demand action on the following: First, that Congress forget their petty differences and get to work winning the war. Second, that the 40-hour week and double pay on Sunday be abolished during the war. Third, not a loss of 1 hour by strikes during length of war. Fourth, that the so-called relief which is ruining the South be abolished so that every dollar invested in bonds will go direct to war effort. Fifth, freeze price of wages and materials.

SIXTY-THREE CITIZENS OF WAELDER, TEX.

EL PASO, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

Join our fight for the boys in uniform. We demand full-time operation of all war-production facilities on 168-hour weekly basis and that Government stop the bickering between labor and capital, or other special privileged groups. We insist that MacArthur be furnished all essential supplies. You have the answer and immediate action will be your reply. Hope this called your attention.

El Paso Traffic Club: E. F. Sanderson, J. V. Braswell, C. H. Boyce, John A. Carrell, W. T. Conley, N. L. Courreges, I. H. Cowsert, J. W. Callahan, Maxey H. Carr, J. R. Dalby, M. S. Darbyshire, J. B. Davis, R. B. Davis, W. C. Dugan, J. P. Evans, R. T. Eatman, Jr., Tom P. Fagen, W. B. Francis, R. P. Flynn, K. E. Gibson, F. W. Grueling, E. J. Griffiths, J. W. Gatlin, L. V. Gardiner, E. L. Guerry, Jr., A. M. Hoffer, Walter S. Harris, N. L. Hamilton, Burt Heffield, J. G. Hernandez, Lee Roy Kelly, T. S. King, Sam L. Lewis, Abner S. Lipscomb, B. F. Littleton, J. H. Millinary, J. R. McDade, E. L. McHabb, J. L. Naylor, A. G. Nelson, Harry E. North, Claude B. Olney, P. G. O'Neal, C. R. Pell, J. H. Pierson, E. E. Rothemier, D. W. Russell, S. R. Shields, M. G. Smith, Charles H. Schwankhaus, E. R. Tanner, F. C. Tockle, Fred Velaso, A. H. Wahlberg, John W. Brumlow.

GALVESTON, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

I urge your support and every effort for repeal 40-hour labor law.

A. J. RASMUSSEN.

LONGVIEW, TEX., *March 17, 1942.*

The Honorable W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Longview citizenship aroused. Strong resolution adopted last night by directors of chamber of commerce urging Congress to repeal immediately 40-hour Labor Act to put defense and war production on 24-hour 7-day basis, to stop strikes by drafting strikers for military service on the very day of the strike. Forget politics. Give up selfishness. Let's get going. Don't take time to answer this. Get on your job.

H. L. FOSTER,
President, Longview Chamber of Commerce.

LONGVIEW, TEX., *March 17, 1942.*

The Honorable W LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Bernay Camp Post, 149, American Legion, 250 strong on twenty-third birthday resolution urge Congress to repeal immediately 40-hour Labor Act to put defense and war production on 24-hour 7-day basis, to stop strikes by drafting strikers for military service on the very day of a strike, remove overtime scale, and put men to work. We have a job to do and want to do it. Forget politics, give up selfishness. Let's get the job done and then quibble. Answer not necessary. Get on the job and aid in production.

GRADY MCKINNEY,
Post Commander.

FORT WORTH, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Nation's welfare demands labor racketeering be stopped. Recommend your very earnest consideration revision all laws affecting labor, particularly as to hours worked overtime and union membership for duration so $20 per month and 24-hour-day Army boys can have something to fight with.

C. J. SIEMONEIT.

IOWA PARK, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
Senate Building, Washington, D. C.:

The Iowa Park Texas Lions Club today unanimously voted to wire and write urging you to use your influence and support in securing passage of legislation limiting profits on war contracts and suspension of Federal statutes prescribing maximum hours of work. We believe it is way past time for individuals or groups to desist from insisting on special rights and privileges. We are in complete agreement with the declaration of policy as stated in the measure introduced in the House by the Honorable HOWARD SMITH of Virginia and VINSON of Georgia.

IOWA PARK LIONS CLUB,
GEORGE E. JONES,
Secretary.

DALLAS, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:
Forget 40-hour week.
Let's work and make the Japs weak.
MARVIN HAYS, DALLAS FOUNDRY.

HOUSTON, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Care the Senate, Washington, D. C.:
In this war emergency everyone should be impressed with the idea that there will be no waste of energy in connection with production of war essentials and that all industrial plants should operate on a full-time basis, 24 hours per day, 7 days per week. Sincerely trust the Smith House bill outlawing strikes during emergency be passed immediately, and hope you will support it.
HERBERT F. ROSENBUSH.

HOUSTON, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Care Senate, Washington, D. C.:
During our war emergency we feel that there should be no waste of energy in winning and feel that it is time our war-production machine should operate on a 24-hour day 7 days a week, and that the Smith House bill outlawing strikes should be passed immediately. Anybody who wants to strike now should be placed in the service.
J. O. JARRELL.
RUFUS CAGE.

TYLER, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:
We respectfully demand that you introduce or support legislation designed to accomplish the following: Suspend immediately the 40-hour work week in labor for the duration; suspend the payment of time and one-half and double time for overtime and holidays; labor racketeering; above all, we demand that legislation be passed to cease all present strikes and prohibit future strikes in defense work.
Mr. and Mrs. J. C. OLIVER.

HOUSTON, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
United States Senate,
Washington D. C.:
We want an all-out war effort with all plants on a 168-hour basis without further delay even if it means conscription of labor and confiscation of all profits and full Government control of all phases of life for the duration. We expect you to do everything you can to release our full productive capacity at once.
Leo Roberts, Davis Woods, Mamie Jacks, Buddy Woods, Mrs. Bessie Reynolds, Mrs. Clotell Everritts, E. D Nelson, R. W. Ramsey, Bertha Battoms, Patsy Ditto, May Bonn, Annie Damon, Georgia Roiko Wilma Buttler, Mrs. A. L. Fresh, Christine Huser, Ima Roy, Louise Stewart, Lena Lorino, F. J. Bailey, B. A. Martin, Ernest Siros, O. H. Galler, Lela Ross, Robert A. Merrill, Jr., Ruth Cowart, M. L. Barton, Elgin H. Magel, Mrs. Glen Gowen, Floyd Dixon, Gene Pavlowich, Marcilla Halbrook, Ruth Walker, Victor Mazzarre, Wayne Waltman, William White, Mary Turney, Alice Lee, Mrs. R. L. Williams, Junious Tillman, Mrs. William H. Irwin, Himmy Tynes, Pete Yarger, J. F Knight, Elizabeth McClendon, D. D. Williams, R. A. Zatapek, Joseph Schillaci, Charlie Di Gas, F. L. Pierce, Edward S. Asrich, W. M. Hutch, Ole Eoe, Lucille Raschke, Alinene Stroud, J. A. Jaymer, Katy Lou Roberson, Mrs. J. P Kelly, James P. Kelly, Alma H. Bonianis, Ralph D. Harris, J. E. Jaencke, August A. Roth, Guy W. Smith, T. G. Johnson, G U Lansdowne, C. C. Shaw, Jr., M. R. Mitchell, W. F. Lemke, H C. Lee, H. R. Manic, Sam W. Boyd, A. T. Sten, O. D. Sowers, F. A. Nagel, Cecil Gregory, J. H. McAvoy, Hallie M. Gibbons Sidney E. Zlaiabut, G. E. Ostrauder, Ed F. Langford, Mrs. G Boyer, Mrs. Helen Lotz, Mrs. Mary Hughes, Betty Sue Harris, Gordon B Gibbs, C. K. Carsen, O. B. Mashburn, Clara Standley, Mrs. Hattie Bostom, Sol Burcharett, Irene Frick, Mrs. C. K. Carson, Hortense C. Barillek, Raymond Clark Virginia Tapalski, Margaret Thompson, Mrs Gretchen Randolph, Mrs Mary Romero, C. M. Siequist, W D Arnold, Albert Boyer, J. R. Lively, Harris Campbell, A C Williford, Mrs. R. M. Davis, A M Horton, Woodrow Lesikar, C. M Taylor, A L. Vinsy, J. H. McDougal, Freeman Smith, L. M. Hedge C R. Thomas, Geraldine Griffice, Lorine Stegall, Maxine Elliott T H. Allison, L. E. Williams, Bertha McKee, Nell Helvering, Orwetta Davis, Hattie M. Ashworth, Vera Rogers, Clara M. Gordor , Rowena Caldwell, N. W. Yates, William R Kilpper, James H. Boyer, Jr., F P Yerkes, Clarence Groschke, M. C. Stout, H. Dennis, M. E Knodel, Mrs. A. S. Dilley, E. T. Anderson, W L Ragland, V. J. Griffin G Julrich, R. S. Guidry L K Haines, R. T. Trammell, L. J Waddell, Bouing M. Myers, Eddie Brahek, Blanche Harris, Velma Dunnam, Louise Janca, Leroy Weaver, Donald Wademan, Corine A. Couch, Georgia Copsley R C. Truitt, M S. Sterling, Robert Leo Horton, Julian Sikes, W C. Stout, Mrs. O. B. Sowers, M. C. Bostick, S. M. Duston Mrs Martha Haynes, Mrs. Blanche Richardson, Charles T. Rooke, Mrs. Bibye Ray, Mrs. Louise Holbrook, Miss Nillie Porter, Mrs. A M. Smith, Sadie Loescher, Leroy E Talcott, Howard O. Lake, Lillian Sandall, Bertha Knodel, Gus Foehr, Jackson Wood, Loyce Warren, Linnie Freeman, Dorothy Smith, Ella Pfeffer, Lottie Huffner, Lani Bain, Manuel L. Aliman, John C. Weston, Robert W. Grant, Thomas D. Heddrick, F R. Williams, M V. Burns, W. E. Sandlin, P. Edwin Hurt, Mary Reuter.

BOGER, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:
Mothers, fathers, wives of Hutchinson County men in service want full industrial defense production immediately. Its up to you our leaders to show the same courage and resourcefulness and unselfish devotion to duty as the men and women who offer their lives. Don't beg industry and labor. Tell them what to do like you command our loved ones in uniform to march into the jaws of death. Be our leaders, good ones, act now.
J. A. PHILLIPS.

HOUSTON, TEX., *March 17, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:
We feel manufacturers airplanes, guns, tanks, and other implements war necessary successful termination present conflict being greatly impeded by continuation 40-hour week with payment overtime, and we urge you use your influence support such measure as will temporarily suspend these laws during continuation national emergency.
TEXAS CONSTRUCTION MATERIAL CO.

DALLAS, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:
The board of directors and the president's council of the Dallas Federation of Womens Clubs respectfully urge Members of the House of Representatives, the Senate, and President Roosevelt to give full and immediate support to legislation eliminating the 40-hour week and removing all other obstacles now hindering our full and complete war effort.
DALLAS FEDERATION OF WOMENS CLUBS,
MRS. GEORGE A RIPLEY,
MRS. KIRK HALL.

SWEETWATER, TEX., *March 18, 1942.*
Senator LEE O'DANIEL,
Washington, D. C.:
Sweetwater Lions Club composed of 94 members, today passed resolution urging you to support pending legislation outlawing strikes, repealing 40-hour Labor Act, and limiting war profits, and urging you to favor any legislation that will further the war effort and oppose any legislation that will hinder or impede an all-out war effort.
CARL M. ANDERSON,
Chairman, Patriotic Committee.

BOGER, TEX., *March 17, 1942.*
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:
Mothers, fathers, wives of Hutchinson County men in service want full industrial defense production immediately. It's up to you, our leaders, to show the same courage and resourcefulness and unselfish devotion to duty as the men and women who offer their lives. Don't beg industry and labor. Tell them what to do, like you command our loved ones in uniform to march into the jaws of death. Be our leaders, good ones; act now.
L. L. WILES, Jr.

LONGVIEW, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:
The Longview Rotary Club today passed resolution pledging support to Government in the most aggressive war effort possible, emphatically condemning every deterring influence, whether labor or industry or both, and calling upon Congress, and all in authority, to lay aside everything except the winning of the war, it being our candid opinion that, if necessary, drastic action should be taken to end all disputes which are now standing in the way of all-out and united effort.
E. M. BRAMLETTE, *President.*
GEORGE KELLY, *Secretary.*

DALLAS, TEX., *March 14, 1942.*
Senator W. LEE O'DANIEL:
May I commend the thinking that prompted your new labor bill. Am wiring this morning Congressman SUMNERS and Senator CONNALLY begging for action. I add

that more laboring votes will commend nullification of our limitation and any contract between industry and labor unions than will condemn action on the part of Congress. Regards.

JACK P. BURRUS.

ADDITIONAL CLERICAL ASSISTANCE FOR MEMBERS OF CONGRESS

Mr. TYDINGS. Mr. President, at the request of a number of Senators who have asked that the clerical staff be increased because of the volume of mail, I asked the Postmaster of the Senate to keep a record of all the mail received by each Senator from the 8th of January to the 1st of March. The record has been compiled. I shall ask permission to have it printed in the RECORD.

The tabulation will show that I have listed the States in accordance with their rank as to population. It is obvious that a State with a large population should produce more mail for the Senators representing it than a State of smaller population. That statement is pretty generally borne out by the tabulation. My purpose in putting it into the RECORD is to have the facts when the legislative appropriation bill comes over from the House in the next week or 10 days. Therefore I should like to have Senators who are interested in the question of additional clerk hire look at the table and submit to me any plan they may have in mind which would help to provide Senators who have the largest amount of mail, an adequate clerical force to enable them to handle their mail.

Mr. OVERTON and Mr. CONNALLY addressed the Chair.

Mr. TYDINGS. Mr. President, I am occupying the floor at this moment because of the courtesy of the Senator from Utah [Mr. MURDOCK]. I shall consume only a few minutes more. I shall be glad to yield if I may have his permission.

Mr. MURDOCK. Mr. President, I must decline to permit the Senator from Maryland to yield to other Senators for a discussion of the subject at this time.

Mr. TYDINGS. In order that I may conclude a brief explanation of this matter, let me say that, of course, a Senator who represents a small State necessarily has a smaller amount of mail than a Senator representing a State of large population. The Senator from New York [Mr. MEAD] receives one of the very largest deliveries of mail. Senators representing smaller States necessarily receive smaller amounts of mail. However, when a Senator is chairman of an important committee such as the Foreign Affairs Committee or the Naval Affairs Committee, his mail is much heavier than that of a Senator who is not the chairman of such a committee.

I am putting this statement into the RECORD with the hope that Senators who are interested in this problem will help me to evolve a system which will be fair to all and which will bring the greatest amount of relief to Senators who have been overburdened with mail.

I should like to say a word about the State of Illinois. The junior Senator from Illinois [Mr. BROOKS] has a volume of mail far in excess of that of any other Senator. That is largely because of the fact that that particular Senator is in the midst of a primary campaign, which has considerably increased his mail. With that exception, the tabulation represents a fairly normal picture of the situation over a period of 7 weeks.

I ask unanimous consent that the table may be printed in the RECORD immediately following my remarks. It will show, not what Senators claim they are receiving in the way of mail, but what they have actually received over a period of 7 weeks. We shall have facts instead of supposition on which to base a plan.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Jan. 8 to Feb. 28, inclusive

[As there are 96 Senators and 48 States, to compare a Senator's mail rank with the population rank of his State, divide the Senator's rank by 2]

Rank in population	State	Population	Mail, January and February		Rank in mail, volume			Senior Senator	Junior Senator
			Senior Senator	Junior Senator	Senior Senator	Junior Senator	Senior and junior Senators		
1	New York	13,479,142	7,950	13,296	9	2	3	Wagner	Mead.
2	Pennsylvania	9,900,180	7,021	6,609	12	15	6	Davis	Guffey.
3	Illinois	7,897,241	8,848	20,486	7	1	1	Lucas	Brooks.
4	Ohio	6,907,612	6,425	4,554	18	41	15	Taft	Burton.
5	California	6,907,387	5,957	7,790	26	11	5	Johnson	Downey.
6	Texas	6,414,824	11,206	10,379	3	4	2	Connally	O'Daniel.
7	Michigan	5,256,106	5,763	6,601	28	16	9	Vandenberg	Brown.
8	Massachusetts	4,316,721	9,416	6,451	5	17	4	Walsh	Lodge.
9	New Jersey	4,160,165	5,008	6,058	34	24	14	Smathers	Barbour.
10	Missouri	3,784,664	4,664	6,661	39	14	10	Clark	Truman.
11	North Carolina	3,571,623	4,068	6,089	51	21	19	Bailey	Reynolds.
12	Indiana	3,427,796	4,538	3,334	42	62	27	Van Nuys	Willis.
13	Wisconsin	3,137,587	5,567	4,284	29	46	20	La Follette	Wiley.
14	Georgia	3,123,723	6,002	5,172	25	31	12	George	Russell.
15	Tennessee	2,915,841	5,311	2,985	30	67	25	McKellar	Stewart.
16	Kentucky	2,845,627	5,070	5,799	33	27	16	Barkley	Chandler.
17	Alabama	2,832,961	3,766	4,916	59	36	23	Bankhead	Hill.
18	Minnesota	2,792,300	3,928	4,277	55	47	26	Shipstead	Ball.
19	Virginia	2,677,773	2,464	7,858	78	10	17	Glass	Byrd.
20	Iowa	2,538,268	3,946	4,964	54	35	22	Gillette	Herring.
21	Louisiana	2,363,880	3,173	4,122	63	50	29	Overton	Ellender.
22	Oklahoma	2,226,434	4,879	6,280	37	19	13	Thomas	Lee.
23	Mississippi	2,183,796	6,269	4,005	20	52	18	Bilbo	Doxey.
24	Arkansas	1,949,387	4,398	1,660	44	94	37	Caraway	Spencer.
25	West Virginia	1,901,974	3,906	2,208	56	85	36	Kilgore	Rosier.
26	South Carolina	1,899,804	2,277	4,211	83	48	34	Smith	Maybank.
27	Florida	1,897,414	3,877	9,169	57	6	7	Andrews	Pepper.
28	Maryland	1,821,244	8,339	4,179	8	49	8	Tydings	Radcliffe.
29	Kansas	1,801,028	6,695	2,529	13	75	21	Capper	Reed.
30	Washington	1,736,191	3,737	3,999	60	53	28	Bone	Wallgren.
31	Connecticut	1,709,242	4,483	2,601	43	73	32	Maloney	Danaher.
32	Nebraska	1,315,834	2,913	4,364	68	45	30	Norris	Butler.
33	Colorado	1,123,296	6,089	2,253	22	84	24	Johnson	Millikin.
34	Oregon	1,089,684	4,563	2,497	40	76	33	McNary	Holman.
35	Maine	847,226	1,943	2,795	89	71	44	White	Brewster.
36	Rhode Island	713,346	1,344	2,887	95	69	46	Gerry	Green.
37	South Dakota	642,961	2,777	3,036	72	66	38	Bulow	Gurney.
38	North Dakota	641,935	3,512	1,923	61	90	39	Nye	Langer.
39	Montana	559,456	6,081	5,159	23	32	11	Wheeler	Murray.
40	Utah	550,310	2,567	2,475	74	77	42	Thomas	Murdock.
41	New Mexico	531,818	2,153	2,878	86	70	43	Hatch	Chavez.
42	Idaho	524,873	3,057	2,329	65	82	40	Clark	Thomas.
43	Arizona	499,261	4,725	2,456	38	79	31	Hayden	McFarland.
44	New Hampshire	491,524	3,116	1,975	64	88	41	Bridges	Tobey.
45	Vermont	359,231	1,987	1,775	87	93	47	Austin	Aiken.
46	Delaware	266,505	1,342	1,803	96	92	48	Hughes	Tunnell.
47	Wyoming	250,742	3,827	2,365	58	81	35	O'Mahoney	Schwartz.
48	Nevada	110,247	2,416	1,855	80	91	45	McCarran	Bunker.

PRESERVATION OF ASSETS BY THE NETHERLANDS GOVERNMENT

Mr. WALSH. Mr. President, I have been requested by Mr. Berle, Assistant Secretary of State, to have printed in the RECORD a letter from him, accompanied by a memorandum from the Netherlands Minister. The memorandum deals with the action taken by the Netherlands authorities previous to and during the time of the invasion of the Netherlands by Germany, for the purpose of keeping assets out of the hands of the Germans. I ask permission to have the memorandum printed in the RECORD because press reports caused certain unwarranted inferences to be drawn from a statement made by an officer of the Government before a congressional committee, to which inferences the Netherlands Legation takes exception. I ask that the letter of Mr. Berle, together with the memorandum from the Netherlands Minister, be printed in the RECORD at this point.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, March 11, 1942.

The Honorable DAVID I. WALSH,
Chairman, Senate Committee on Naval Affairs, United States Senate.

MY DEAR SENATOR WALSH: I enclose herewith a copy of a self-explanatory note to the Secretary of State from the Netherlands Minister, together with a memorandum prepared by the Netherlands Legation with respect to the actions taken by the Netherlands authorities previous to and during the time of the invasion of the Netherlands by Germany for the purpose of keeping assets out of the hands of the Germans. In accordance with a previous telephone conversation with the clerk of the Senate Committee on Naval Affairs, I understand that you will be willing to bring this note to the attention of the members of your committee and to arrange for the printing of the memorandum in the CONGRESSIONAL RECORD.

Thank you for your courtesy in this matter.

Sincerely yours,

A. A. BERLE, Jr.,
Assistant Secretary.

[Enclosure: From the Netherlands Legation.]

WASHINGTON, *March 5, 1942.*

The Honorable the SECRETARY OF STATE,
State Department,
Washington, D. C.

SIR: I have the honor to enclose a statement in answer to a report of the Associated Press which alleges that Mr. Spingarn, Special Assistant to the Secretary of the Treasury, stated to the Senate Naval Affairs Committee that the Netherlands authorities were "timid" with respect to removing or destroying United States securities prior to the German invasion of the Netherlands.

I understand that the press report above referred to contains certain unwarranted criticism which is entirely lacking in Mr. Spingarn's remarks. Therefore the enclosed memorandum does not intend in any way to raise objections against what this official of the United States Treasury stated.

On the other hand, since the press reports received considerable attention both in this country and abroad, and since the original text of Mr. Spingarn's statements are not equally easily available, I would feel highly obliged if through whatever means Your Excellency may deem appropriate the contents of the enclosed statements be made public.

Please accept, sir, the renewed assurances of my highest consideration.

——— ———.

MEMORANDUM

The Netherlands authorities took active measures reasonably calculated to keep United States bearer securities and other valuable assets located within the European territory of the Netherlands out of the hands of the invading Germans.

Even before the treacherous attack by the Germans, the Government of the Netherlands had already passed an act making it possible for corporations within the Netherlands European territory to transfer their head offices to other parts of the Netherlands territories so that their affairs might be conducted free from duress in case of an invasion. Moreover, the Netherlands authorities, foreseeing the possibility of invasion, had taken steps to transfer a very large quantity of the liquid assets held in the Netherlands to a safe place. Various ingenious methods had been developed to put these transfers into effect at once in case of an invasion.

Directly after the invasion, the Netherlands Minister got into communication with the State and Treasury Departments. A procedure was speedily adopted at a special emergency conference as soon as it became clear that action had to be taken. It was decided that securities could be destroyed and certificates of destruction given by American consuls for transmission to the United States as a basis for a claim for new securities. It should be recalled that the ordinary legal procedure to be followed in such a case requires the presence of the American registrar, and that, this being impossible, the United States Government could not assume responsibility that new certificates would be issued upon presentation of the certificates of destruction.

The procedure was immediately transmitted to The Hague by the Netherlands Minister by telephone and wired by the State Department to the American authorities and consuls in The Hague.

Provision was also made for its announcement over the British radio. Unfortunately, however, the securities were spread all over the territory of the Netherlands and were held by thousands of private individuals and banks. The attack was so sudden and the enemy forces were so overwhelming that no time was afforded to put the procedure into effect. Moreover, there were comparatively few American consuls available in the territory and these were kept extremely busy. Even if these officials had been in a position to help, the means of communication with them were largely cut off. As a result of these unfortunate circumstances, for which the Netherlands Government was not to blame, some American bearer certificates did fall into the hands of the Germans.

It should be pointed out, however, that the Netherlands Government, in spite of the emergency situation, did succeed in keeping all their gold out of reach of the Germans.

Moreover, the Netherlands Government was successful in keeping out of enemy hands the balances held abroad by Netherlands corporations enabled by the above-mentioned legislation to remove their domicile to free territory.

Immediately continuing its struggle for freedom on the friendly British shore, the Government of the Netherlands lost no time in claiming title for the duration of the war to all balances and other property held abroad by its nationals and corporations exposed to enemy duress. The enforcement of this particular legislation in the United States, which is being sought through the action of the courts in this country, and which has been requested from the United States Government upon its entering into the war, will actually prevent the Germans ever to reap any benefit of claims originally held by Netherlanders on property in the United States.

It may be brought to mind, finally, that the Netherlands public always used to place a substantial part of its savings in bonds and shares of United States enterprises and that the Netherlands Government always allowed the free flow of funds toward this country, thus enabling its nationals to place this part of their savings in safety should the Netherlands territory in Europe be temporarily overrun.

The Netherlands Government feels that in the circumstances it did everything possible to block the ruthless attempts of the enemy, and it feels confident that the Government of the United States will concur in the above views.

A MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1669. An act for the relief of James Franklin Smith;

S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria García, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley; and

S. 2063. An act to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere.

The message also announced that the House had passed the bill (S. 1696) for the relief of Bessie Walden, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 246. An act for the relief of Mrs. Murray Freeman;

H. R. 710. An act for the relief of Martin N. Mayrath;

H. R. 726. An act for the relief of Anna Malama Mark;

H. R. 736. An act for the relief of Ideal Service Station;

H. R. 809. An act for the relief of the legal guardian of Vernon Clemons, Jr.;

H. R. 1154. An act for the relief of George C. Dewey;

H. R. 1265. An act for the relief of Mary Alexina McKinnon;

H. R. 1757. An act for the relief of James D. G. Alexander;

H. R. 1901. An act for the relief of Floyd Odom;

H. R. 2014. An act for the relief of Carl L. Jones;

H. R. 2730. An act for the relief of Dorothy Silva;

H. R. 2925. An act for the relief of Wiley W. Watkins;

H. R. 3337. An act to provide for the issuance of a duplicate adjusted-service certificate to Andrew J. Bissinger;

H. R. 3476. An act for the relief of James A. Quillinan;

H. R. 3722. An act for the relief of Lt. Col. S. W. McIlwain;
H. R. 3732. An act for the relief of Ida Baird;
H. R. 3767. An act for the relief of Frank Sheppard;
H. R. 4092. An act for the relief of E. P. Corley;
H. R. 4153. An act for the relief of Cleaver Kelley;
H. R. 4180. An act for the relief of Edward Keating and others;
H. R. 4331. An act for the relief of Alice R. Swett;
H. R. 4408. An act for the relief of Alice R. Swett and the estate of Robert S. Swett;
H. R. 4413. An act for the relief of Olive Z. Ressler;
H. R. 4464. An act for the relief of Henry J. McCloskey;
H. R. 4625. An act for the relief of Karl K. Wilkes;
H. R. 4723. An act for the relief of the legal guardian of John Lesniak;
H. R. 4953. An act for the relief of Emil Lassila, Martha Lassila, Ellen Huhta, and Sylvia Huhta;
H. R. 4955. An act for the relief of Geoffrey Orme;
H. R. 4981. An act for the relief of the Phoenix Construction Associates, a partnership;
H. R. 5000. An act for the relief of Ferd W. Meile;
H. R. 5059. An act to grant the status of quota immigrants to Mr William B. Fawkner and his wife, Mrs. Ida Fawkner;
H. R. 5069. An act for the relief of George Garcavy;
H. R. 5295. An act for the relief of the estate of Romano Emiliani;
H. R. 5363. An act for the relief of Johnston-Hall Hospital, Calhoun, Ga., and Dr. Z. V. Johnston, Calhoun, Ga.;
H. R. 5381. An act for the relief of Henry B. Tucker;
H. R. 5433. An act for the relief of the guardian of Charles Jirinec, an infant;
H. R. 5438. An act for the relief of the San Diego Gas & Electric Co.;
H. R. 5439. An act for the relief of Joseph Soulek;
H. R. 5449. An act for the relief of Mrs. Cecile Herzog and Lucille Herzog (an infant);
H. R. 5452. An act for the relief of Emmett Armstrong;
H. R. 5468. An act for the relief of J. Furman Richardson;
H. R. 5500. An act for the relief of the estate of Charles L. Clark;
H. R. 5504. An act for the relief of H. J. Abney;
H. R. 5559. An act for the relief of William Horsman;
H. R. 5563. An act for the relief of Joe A. Mumford and the estate of W. C. Mumford;
H. R. 5596. An act for the relief of Tommy Huddleston;
H. R. 5619. An act for the relief of certain clerks in the post office at Detroit, Mich.;
H. R. 5686. An act for the relief of Lewis J. and Mary Black;
H. R. 5778. An act for the relief of Luther Herbert Tench and Mrs. Mildred Farmer Tench;
H. R. 5794. An act for the relief of Mrs. Julia Johnson;
H. R. 5845. An act for the relief of Alvira Manfredi;
H. R. 5977. An act for the relief of Mr. and Mrs. F. Wilder Temple;
H. R. 6063. An act for the relief of the Clark County Lumber Co.;
H. R. 6141. An act for the relief of Mrs. C. M. W. Hull;
H. R. 6293. An act to establish a Women's Army Auxiliary Corps for service with the Army of the United States;
H. R. 6714. An act for the relief of Daniel Elliott and Helen Elliott;
H. R. 6728. An act granting pensions and increase of pensions to certain dependents of veterans of the Civil War; and
H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.;
S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;
S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, North Carolina, from the Department of Agriculture to the Department of the Navy;
S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the St. Marys River, from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; and
S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 246. An act for the relief of Mrs. Murray Freeman;
H. R. 710. An act for the relief of Martin N. Mayrath;
H. R. 736. An act for the relief of Ideal Service Station;
H. R. 809. An act for the relief of the legal guardian of Vernon Clemons, Jr.;
H. R. 1154. An act for the relief of George C. Dewey;
H. R. 1757. An act for the relief of James D. G. Alexander;
H. R. 1901. An act for the relief of Floyd Odom;
H. R. 2014. An act for the relief of Carl L. Jones;
H. R. 2730. An act for the relief of Dorothy Silva;
H. R. 2925. An act for the relief of Wiley W. Watkins;
H. R. 3476. An act for the relief of James A. Quillinan;
H. R. 3722. An act for the relief of Lt. Col. S. W. McIlwain;
H. R. 3732. An act for the relief of Ida Baird;
H. R. 4092. An act for the relief of E. P. Corley;
H. R. 4153. An act for the relief of Cleaver Kelley;
H. R. 4180. An act for the relief of Edward Keating and others;
H. R. 4331. An act for the relief of Alice R. Swett;
H. R. 4408. An act for the relief of Alice R. Swett and the estate of Robert S. Swett;
H. R. 4413. An act for the relief of Olive Z. Ressler;
H. R. 4464. An act for the relief of Henry J. McCloskey;
H. R. 4625. An act for the relief of Karl K. Wilkes;
H. R. 4723. An act for the relief of the legal guardian of John Lesniak;
H. R. 4953. An act for the relief of Emil Lassila, Martha Lassila, Ellen Huhta, and Sylvia Huhta;
H. R. 4955. An act for the relief of Geoffrey Orme;
H. R. 4981. An act for the relief of the Phoenix Construction Associates, a partnership;
H. R. 5000. An act for the relief of Ferd W. Meile;
H. R. 5069. An act for the relief of George Garcavy;
H. R. 5295. An act for the relief of the estate of Romano Emiliani;
H. R. 5363. An act for the relief of Johnston-Hall Hospital, Calhoun, Ga., and Dr. Z. V. Johnston, Calhoun, Ga.;
H. R. 5381. An act for the relief of Henry B. Tucker;
H. R. 5433. An act for the relief of the guardian of Charles Jirinec, an infant;
H. R. 5438. An act for the relief of the San Diego Gas & Electric Co.;
H. R. 5439. An act for the relief of Joseph Soulek;
H. R. 5449. An act for the relief of Mrs. Cecile Herzog and Lucille Herzog (an infant);
H. R. 5452. An act for the relief of Emmett Armstrong;
H. R. 5468. An act for the relief of J. Furman Richardson;
H. R. 5500. An act for the relief of the estate of Charles L. Clark;
H. R. 5504. An act for the relief of H. J. Abney;
H. R. 5559. An act for the relief of William Horsman;
H. R. 5563. An act for the relief of Joe A. Mumford and the estate of W. C. Mumford;
H. R. 5596. An act for the relief of Tommy Huddleston;
H. R. 5619. An act for the relief of certain clerks in the post office at Detroit, Mich.;
H. R. 5686. An act for the relief of Lewis J. and Mary Black;
H. R. 5778. An act for the relief of Luther Herbert Tench and Mrs. Mildred Farmer Tench;
H. R. 5794. An act for the relief of Mrs. Julia Johnson;
H. R. 5845. An act for the relief of Alvira Manfredi;
H. R. 5977. An act for the relief of Mr. and Mrs. F. Wilder Temple;
H. R. 6063. An act for the relief of the Clark County Lumber Co.; and
H. R. 6714. An act for the relief of Daniel Elliott and Helen Elliott; to the Committee on Claims.
H. R. 726. An act for the relief of Anna Malama Mark;
H. R. 1265. An act for the relief of Mary Alexina McKinnon;
H. R. 5059. An act to grant the status of quota immigrants to Mr. William B. Fawkner and his wife, Mrs. Ida Fawkner; and
H. R. 6141. An act for the relief of Mrs. C. M. W. Hull; to the Committee on Immigration.
H. R. 3337. An act to provide for the issuance of a duplicate adjusted-service certificate to Andrew J. Bissinger; to the Committee on Military Affairs.
H. R. 6293. An act to establish a Women's Army Auxiliary Corps for service with the Army of the United States; and
H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time; to the calendar.
H. R. 6728. An act granting pensions and increase of pensions to certain dependents of veterans of the Civil War; to the Committee on Pensions.

SENATOR FROM NORTH DAKOTA

The Senate resumed the consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion, or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. MURDOCK. Mr. President, when I suspended my remarks on Monday afternoon I was discussing the constitutional and legal questions involved in the Langer case as I understand them.

Yesterday this body passed a bill increasing the national debt limit to $130,000,000,000. It was called to our attention that expeditionary forces are being sent from this country to nearly all parts of the globe. We are taxing the people of the United States to the very utmost. Why? So as to preserve our constitutional democracy, our republican form of government. In order to perpetuate the American way of life no sacrifice of our wealth or of our manpower is too great.

I am in full accord, of course, with our national defense program, designed, as it is, to assure the preservation and perpetuation of our constitutional form of government. As I recall, President Washington in his Farewell Address said, in substance, that he did not fear for the Constitution from the outside, but that he did fear for the Constitution from within. In my judgment, one of the principles of the Constitution is attacked in the Langer proceedings; indeed, it seems to me that the very cornerstone of the Republic is in question today in this matter. I refer to the freedom of elections within the respective sovereign States, and the selection of Senators and Representatives in Congress. It costs us no dollars to preserve that constitutional cornerstone. It costs us no lives; but it does cost study, vigilance, and industry on the part of Members of this body. It costs our attention for a few days until this matter is presented.

I wish that Senators more eloquent and able than I were in my position today so that I could sit and listen rather than impose on the Senate in my feeble way to tell what I know, or what I think I know, of the Constitution of the United States.

I hope Senators are interested. I hope that the small number now present is not an indication of lack of attention, or of apathy, or indifference to what I consider to be a very important encroachment upon our constitutional form of government. We can lose it as readily from within as from without. I repeat today in substance what Washington told us. So long as we have MacArthurs and American soldiers I do not fear the destruction of my Government or my Constitution from without. But, in my opinion, apathy and indifference are and will continue to be the greatest menace.

Mr. President, away back in our history the case of Humphrey Marshall from Kentucky came before the Senate. As I understand the facts, he was accused of perjury. A memorial was sent from the Legislature of Kentucky to the United States Senate asking an investigation and a proper disposition in the Humphrey Marshall case. What did the Senate do in that very early case, soon after the adoption of the Constitution, soon after the debates were carried on that gave us the Constitution, soon after the publication of the Federalist papers during the period of ratification? At that early date the important Humphrey Marshall case came before the Senate, and the Senate wrote the following opinion, which is a precedent for the pending case:

Your committee are informed by the other Senator and the two Representatives in Congress from Kentucky that they have not been requested by the legislature of that State to prosecute this inquiry, and that they are not possessed of any evidence in the case, and that they believe no person is authorized to appear on behalf of the legislature.

Mr. Marshall is solicitous that a full investigation of the subject shall take place in the Senate, and urges the principle that consent takes away error, as applying, on this occasion, to give the Senate jurisdiction—

In that case, a Senator not only asked for an investigation but took the position that his acquiescence in the matter, and his desire to have an investigation conferred jurisdiction on the Senate, even though the Senate was rather loath to take it. How did the Senate answer Senator Marshall on that question? The answer is as follows:

But, as no person appears to prosecute, and there is no evidence adduced to the Senate, nor even a specific charge, the committee think any further inquiry by the Senate would be improper. If there were no objections of this sort, the committee would still be of opinion that the memorial could not be sustained. They think that in a case of this kind no person can be held to answer for an infamous crime unless on a presentment or indictment of a grand jury, and that in all such prosecutions the accused ought to be tried by an impartial jury of the State and district wherein the crime shall have been committed. If, in the present case, the party has been guilty in the manner suggested, no reason has been alleged by the memorialists why he has not long since been tried in the State and district where he committed the offense. Until he is legally convicted, the principles of the Constitution and of the common law concur in presuming that he is innocent. And the committee are compelled, by a sense of justice, to declare that in their opinion the presumption in favor of Mr. Marshall is not diminished by the recriminating publications which manifest strong resentment against him.

And they are also of opinion that as the Constitution does not give jurisdiction to the Senate the consent of the party cannot give it; and that therefore the said memorial ought to be dismissed.

Resolved, That the Vice President of the United States be requested to transmit a copy of the foregoing report to the Governor of Kentucky.

There is the precedent of the Senate in the early case of Humphrey Marshall.

It is interesting to note that in the next important case, that of Senator Smith, of Ohio, Senator John Quincy Adams, in writing the majority report of the committee considering that case, referred to the Humphrey Marshall case and said that, in his opinion, the Senate had probably made a mistake; but in the disposition of the case of Senator Smith, of Ohio, what happened? The Senate refused to adopt the majority report of the committee headed by John Quincy Adams.

It is true that the Senate, under resolutions, has investigated certain charges in many cases; but, Mr. President, if the theory in the Humphrey Marshall case has ever been overthrown by the Senate, except, perhaps, in the case of Senator Thomas, of Maryland, I have been unable to find any record of such a decision.

I think that probably it would not be advisable for me to continue this afternoon to read to the Senate the remainder of the brief from which I quoted on Monday. Therefore, I ask unanimous consent that, beginning at page 50, after the statement of Senator Knox, and continuing through page 60, the matter contained in the minority report be included in the RECORD at this point as a continuation of my remarks.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Is there objection?

There being no objection, the matter referred to was ordered to be printed in the RECORD as follows:

Senator Johnson, of Maryland made the following statement in the George F. Edmunds case:

"The only qualifications required by the Constitution are that the party to be chosen shall be at least 30 years of age, etc., * * *. Subject to these limitations, the legislature of the State has the unrestricted right of choice. No department of this Government of the United States has any jurisdiction over it. The Constitution, whether we regard its terms or its evident scope, as manifested by its nature, creates a Government of delegated powers, and that Government has, consequently, no authority to interfere."

Senator Harrison, of Tennessee, in discussing the Wheeler case, made the following statement:

"The framers of the Constitution of the United States, in prescribing or fixing the qualifications of Members of Congress, must be presumed to have been dealing with the question with reference to an obvious necessity for uniformity in the matter of the qualifications of Members, and with a jealous desire to prevent, by the action of either House of Congress, the establishment of other or different qualifications of Members.

"It was appropriate and proper—in fact, necessary—that the power should be given to each House to judge of the elections, returns, and qualifications of its Members; that is, to judge of the constitutional qualifications of its Members.

"The exercise of this power requires only a majority vote.

"But the House possesses another power, to decide who shall and who shall not hold seats in that body. It is altogether distinct, in origin and character, from that to which I have just referred. It is the power of expulsion which requires a two-thirds vote for its exercise.

* * * * *

"It was too dangerous a power to confer on either House without restriction, and hence it was expressly provided in the Constitution that there must be a concurrence of two-thirds of the Members to expel."

Senator Voorhees, of Indiana, in the Roach case said:

"Senators are officers of States. They are sent here by the States and by States alone. It has been held now for nearly 100 years

that they are not civil officers of the Federal Government. That was decided in 1799 in the celebrated case of Senator Blount.

"We hear a good deal sometimes about investigating a Senator's election to this body. It is provided that the Senate shall be the judge of the qualifications and elections of its own Members. Yes; we may judge of his qualifications, to the extent limited by the Constitution. If, as in some very celebrated instances, a man should come here alleged to be under the prescribed age, or who had not been a citizen of this country 9 years, or if not an inhabitant of the State, an investigation would be allowed, because these are required conditions by the Constitution.

"There is still, however another field of investigation. If charges are made that a man used fraud, was guilty of corruption, bribery, or other improper conduct before his legislature in securing his election, the right to investigate arises because, if such charges are true, he has not been elected at all according to law, but according to fraud."

We quote again:

"Can the States be trusted to send fit and proper men to this body? Are States a safe depository of power for the choice of Senators to represent them in the Federal Congress, or must Senators already chosen supervise the characters and moral fitness of incoming Members?

"Where, then, is the limit of inquiry, unless you take that invincible limit given by the Constitution? Will you, in the face of that sacred instrument dare to say that you have the right to inquire whether a man sent here by a sovereign State has at some time or other been indicted for crime, even if he has paid the penalty of the offense in accordance with the laws of his State? If you can investigate in such a case as that you can investigate anything and everything which may be distasteful to the Senator from New Hampshire or anyone else, however petty or contemptible the accusation may be

"If the States are not to be trusted in their own individual capacity to discharge this high duty, it would be a failure of government to remit it to the already elected representatives of other States In other words, when a State has made its choice and sent a Senator here, is it to be assumed that the representatives of the other States shall meet in conclave and pass upon his fitness and inquire into his morals? The presumptions run the other way; the presumptions are that the State knows him and understands him."

(E) TIME OF DISCOVERY AS DETERMINING THE REMEDY

It may be assumed that if the objections to a Member are discovered before he is seated he may be excluded by a majority vote, but if discovered subsequently the remedy is by expulsion by a two-thirds vote.

This suggestion has been effectively answered in the Smoot case. (See Hinds' Precedents, vol. 1, pp. 568 569.)

"Keeping carefully in mind the reason for the constitutional provision, it is apparent that it is just as logical to require a two-thirds vote to expel a Member for a crime that was committed before taking his seat as there is for a crime committed after taking his seat.

"Suppose A commits an offense against the laws of the United States after his election to the United States Senate. In such case * * * (it is conceded) that it would take a two-thirds vote to expel. Suppose, on the other hand, the same Member had committed the same offense before taking his seat. In that case * * * (it is argued) that such Senator might be expelled by a majority vote, because the objection existed at the time of taking the seat. The only difference in the two cases is time; there is no difference in reason.

"There is a substantive difference between a constitutional ineligibility on the part of a man to be a United States Senator and a mere personal objection, and the two principles should be kept distinct in the mind. Suppose A is elected to the United States Senate and is not a citizen of the United States. In that case there is a constitutional ineligibility. Such person may take the senatorial oath and take his seat, yet it is evident that such person, while he may be for the time a Senator de facto, he is not a Senator de jure, because he has not the necessary requirements. In such case it appears entirely reasonable that a majority vote could oust him.

"But suppose A is constitutionally eligible to be elected a United States Senator, and is so elected. Further, suppose that A at the time of the election has such personally offensive habits as to be intolerable to decent men. Nevertheless, suppose A presents himself to the United States Senate and takes the oath and enters upon the performance of his senatorial duties, and then these intolerably offensive habits are discovered. In the latter case the objection to A existed at the time of his election. Who, * * * would contend in such case that A could be expelled by a majority vote? The constitutional reason that a two-thirds vote shall be required to expel a Member applies with full force in such case; in the latter instance the Senators may waive or not the objection to the personal habits of A. Under the Constitution, however, they would not have the power to waive A's constitutional eligibility, as this in effect would override the Constitution."

(F) IMPLICATIONS FROM THE ADOPTION OF THE THIRD CLAUSE OF THE FOURTEENTH AMENDMENT

The fourteenth amendment was adopted in 1868. Among other things it provided (clause 3):

"No person shall be a Senator or Representative in Congress, * * *, who having previously taken an oath, as a Member of Congress, * * *, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House remove such disability."

The fair implication of the conduct of the Senate in proposing this amendment to the Constitution is that doubt existed as to the power of the Senate under the Constitution to exclude for the most serious of all offenses, treason.

It will be observed that the disqualification, however, applies only to one "who, having previously taken an oath, as a Member of Congress." This wholly negatives the idea that a newly elected Member might be excluded on the grounds stated.

(G) ARGUMENT THAT THE PROVISIONS OF CLAUSE 3, SECTION 3, ARTICLE I, CONSTITUTE DISQUALIFICATIONS BINDING ONLY ON THE STATES

It may be suggested that the provisions of clause .3 above mentioned constitute disqualifications rather than qualifications and were intended to bind only the States as such. In this instance the attempted distinction between qualifications and disqualifications is merely verbal. The legal effect is the same in either case.

The idea that these provisions bind the States only and not the Senate is contrary to the scope and purpose and form of the Constitution. It will be noted that these provisions are contained within that part of article I of the Constitution which deals solely and exclusively with the Congress of the United States, its powers, limitations, and its membership. All of the provisions intended to bind the States only are set forth expressly in a separate section, to wit, section 10, clauses 1, 2, and 3. It cannot reasonably be assumed that the masters of form who prepared and made this instrument could have designedly or inadvertently inserted a limitation upon the States, as such, in sections of that instrument otherwise dealing exclusively with the powers of Congress or of the two Houses thereof.

It would be equally tenable to argue that the provisions of article II, section 1, clause 4—

"No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President"—

are binding only upon the States and the people and not the Congress. If this is true, then Congress is competent to add to the qualifications for President of the United States.

(H) POWERS OF PARLIAMENT

It may be argued that the power of Congress or of either House thereof with respect to the exclusion of members was established by the rules and precedents of the British Parliament.

The distinction between powers of the British Parliament and that of Congress is quite obvious.

"The British Parliament possessed the power of regulating the qualifications both of electors and the elected, and the abuse they has made of it was a lesson worthy of our attention. They had made changes in both cases, subservient to their own views of political or religious parties." (Madison's Papers, vol. 5, p. 404.)

Quoting from the report filed in the Roberts case in the House, we note the following:

"The Houses of the American Congress have not accepted or followed these last-named precedents, due undoubtedly to the radical differences between organization, jurisdiction, and powers of the English Parliament and the American Congress. The most striking of these differences, as stated by Mr. Cushing, are that in this country Members of both branches of Congress are elected for specified terms and that the Members of the House of Representatives are apportioned among and elected by their several constituencies—so far as possible—upon the principle of equality; whereas in England the House of Lords is composed of members who are not elected at all, but who sit as members during their lives by virtue of hereditary or conferred right, as the nobility, or temporal lords, or of their appointment to places of high dignity in the church, as the archbishops and bishops, or lords spiritual; and the members of the House of Commons, though elected, are not apportioned among the several constituencies and elected upon the principle of equality or representation, but chiefly upon the principle of corporate or municipal right, and for no fixed period of time.

"Another important difference is that the existence and powers of the House of Commons rest largely on custom and tradition, aided, of late years, by statute provisions, whereas in the House of Representatives (as well as the Senate) these powers are founded in and for a great part regulated, limited, and controlled by a writtten Constitution and laws."

In support of this idea, the case of John Wilkes has often been referred to. It is not authority for the point sought to be made. In that case the distinction between the power of exclusion and that of expulsion was not emphasized, but the result itself does emphasize this distinction.

Wilkes had been elected twice to the House of Commons and excluded for alleged wrongdoing. On the occasion of his third election the House of Commons adopted this resolution:

"That John Wilkes, Esq., having been in this session of Parliament expelled this House, was and is, incapable of being elected a member to serve in the present Parliament." (Cavendish, Debates, vol. 1, p. 231.)

Edmund Burke, in opposing the adoption of this resolution, said: "I rise to obtain some information upon this great constitutional point. You are going to make a disqualification of a member to sit in Parliament; you are going to make a disqualification contrary to the unanimous opinion of a whole county. Words have been thrown out by the noble lord importing that this is the law of Parliament. Is that, sir, a fact? Is this the law of Parliament? I wish to have that law established on the ground which establishes all laws. Has it acts of Parliament? It has none. Has it records? Has it custom? I have not heard a variety of precedents used" (ibid., p. 231).

The resolution which declared Wilkes ineligible in effect was adopted February 17, 1769. Before this he had been twice expelled. On May 3, 1782, a resolution revising in emphatic terms a portion of its prior action in the Wilkes case was adopted. It is significant that this resolution did not attempt to impeach the validity of the action of the House in twice expelling Wilkes, but it wholly reversed its action in establishing a disqualification and then excluding him therefor. The resolution was as follows:

"That the said resolution (that of February 17, 1769, declaring him incapable of being elected) be expunged from the journals of this House, as being subversive of the rights of the whole body of electors of this Kingdom." (Hansard, vol. 22, p. 1409.)

This resolution is significant and important as declaring the lack of power of one branch of the Parliament to add a qualification and to exclude for the lack thereof.

VI. CONSIDERATION OF THE POWER TO EXPEL

The power to expel is conferred by article I, section 5, clause 2, reading as follows:

"Each House may determine the rules of its proceeding, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

In a number of cases investigated it has been claimed that the power to expel is limited to acts occurring while a Member.

Quoting from the argument of Mr. Thayer in the Smoot case:

"Now, if we construe that according to the ordinary rules which apply to the construction of the English language, we of course take it all together. The context relates to the words 'with the concurrence of two-thirds expel a Member'; and I have always assumed that the power to expel referred to that conduct which the Senate could carry on respecting a Member who had a right to be there, whose title there was unquestioned, and for something that he did, or for some status in which he was while a Senator. I think that is the only sound construction of that clause in the Constitution. It has never had another construction, in fact, by the acts of the Senate.

"No Senator has ever been expelled, no Member of the House has ever been expelled, except for some act done by him while a Senator or Representative, or relative to his functions as a Senator or Representative; and I think no serious effort was ever made to expel for any other reason than that." (Hinds' Precedents, vol. 1, p. 563.)

To this may be added the opinion of Senator Knox in the same case, found in Hinds' Precedents, volume 1, page 588, wherein he makes the following statement:

"If I were asked to state concisely the true theory of the Constitution upon this important point, I would unhesitatingly say:

"First. That the Constitution undertakes to prescribe no moral or mental qualification, and in respect to such qualifications as it does prescribe the Senate by a majority vote shall judge of their existence in each case, whether the question is raised before or after the Senator has taken his seat.

"Second. That as to all matters affecting a man's moral or mental fitness the States are to be the judges in the first instance, subject, however, to the power of the Senate to reverse their judgment by a two-thirds vote of expulsion when an offense or an offensive status extends into the period of senatorial service, and such a question can only be made after the Senator has taken his seat."

On the contrary, it has been argued in a number of cases that the power to expel covers acts occurring prior to the election. No precedent, however, can be found where the Senate has ever expelled for moral turpitude alleged to have been committed prior to the election or prior to becoming a Member. In the Smoot case, above referred to, which is more nearly in point with the matter now before the Senate than any other case to be found in the books, the Senate declined to exercise either remedy.

VII. SENATORIAL PRECEDENTS ON THE RIGHT TO EXCLUDE OR EXPEL

(Gallatin case, 1794 Hinds' Precedents, vol. 1, sec. 428)

In 1794 the Senate decided that Albert Gallatin was disqualified, not having been a citizen 9 years. The Senate, by a majority vote, unseated Albert Gallatin for disqualification after he had taken the oath. It will be observed here that the exclusion was based upon the lack of one of the qualifications prescribed by article I, section 3, clause 3, that is, citizenship.

(Marshall case, 1796)

In 1796 charges were laid before the Senate in substance accusing Marshall of having committed perjury in a suit tried 19 months before Marshall was chosen a Member of the Senate The charges were dismissed for lack of evidence. However, the committee said:

"If there were any objections of this sort, the committee would still be of opinion that the memorial could not be sustained. They think that in a case of this kind no person can be held to answer for an infamous crime unless on a presentment or indictment of a grand jury, and that in all such prosecutions the accused ought to be tried by an impartial jury of the State and district wherein the crime shall have been committed. If, in the present case, the party has been guilty in the manner suggested, no reason has been alleged by the memorialists why he has not long since been tried in the State and district where he committed the offense. Until he is legally convicted, the principles of the Constitution and of the common law concur in presuming that he is innocent."

(James Shields case, 1849, Hinds' Precedents, vol. 1, sec. 429)

The Senate decided in 1849 that James Shields was disqualified to retain his seat, not having been a citizen of the United States for the required time. The oath was administered leaving the question as to his qualifications to be decided later, it being contended that he had a prima facie right to the seat. The committee reported and the Senate agreed after debate, to a resolution declaring that the election of Mr. Shields "was void, he not having been a citizen of the United States the term of years required as a qualification to be a Senator of the United States at the commencement of the term for which he was elected."

This resolution was adopted without division, it being considered evidently that a majority vote only was required for the passage of the resolution. It will be observed here that the exclusion rested upon the matter of constitutional qualifications prescribed by article 1, section 3, clause 3 of the Constitution.

(John Smith case, 1807, Senate Election Cases, from 1789–1855, p. 934)

The charge was made against John Smith, a Senator from Ohio, that he was a coconspirator with Aaron Burr. The point was made that the indictment against Senator Smith was identical with the one against Aaron Burr and that Burr had been found not guilty. It was therefore argued that the Senate should not act because Senator Smith had not been convicted. The committee's report recommended that a conviction of a Member was not a necessary prerequisite to expulsion.

But, notwithstanding the fact that this report was eloquently written by no less a statesman than John Quincy Adams, the Senate refused to expel.

(Civil War cases)

The next cases were considered by the Senate in 1861 and were those of Jefferson Davis; Brown, of Mississippi; Mallory and Yulee, of Florida; Clay and Fitzpatrick, of Alabama; Toombs, of Georgia; and Benjamin, of Louisiana; and a number of others.

Expulsion was ordered because it was claimed—

"The Senators were engaged in a conspiracy for the destruction of the Union."

In all of the Civil War cases expulsion was made on the ground of treasonable acts occurring during the term of office.

(Benjamin Stark case, 1862, Hinds' Precedents, vol. 1, sec. 443)

In 1862 before the enactment of the test oath for loyalty the Senate declined to exclude for alleged disloyalty Benjamin Stark whose credentials were unimpeached. An argument was made in the course of debate that a Senator-elect might be excluded for disqualifications other than the three specified by the Constitution.

The Committee on the Judiciary, to which were referred the credentials, reported the following amendment:

"*Resolved*, That Benjamin Stark, of Oregon, appointed a Senator of that State by the Governor thereof, is entitled to take the constitutional oath of office."

In opening the debate the reasons for the conclusion which had been submitted from the committee were given, as follows:

"The question submitted to the committee was, whether or not evidence of this description (certain ex parte affidavits alleging treasonable declarations) could be allowed to prevail against his prima facie right to take his seat as a Senator. The committee were of opinion that they could not. The Constitution declares what shall be the qualifications of a Senator. They are in respect to his age, in respect to his residence, in respect to his citizenship; and the committee were of opinion that the Senate were limited to the question, first, whether or not the person claiming the seat and presenting his credentials produced the requisite evidence of his election or appointment; and second, whether there was any question as to his constitutional qualifications. * * * I do not understand that it is competent for the Senate, and I think they step aside from their only jurisdiction when they attempt to punish a man for his crime or misbehavior antecedent to his election. If this were so, the Constitution ought to be amended so as to read that the legislature of a State or the Governor of a State, in a certain contingency, shall elect or appoint a Senator, subject to the advice and consent of the Senate. The Senate would then be the ultimate judge whether or not the man ought to have a seat here, and it would be competent for the Senate upon any caprice or any view it might take of the capacity, moral, or intellectual, or political, of a man, to reject him and prevent his taking a seat. Sir, I do not so understand the Constitution. I understand the Senate is the judge of the election of a Senator, of the sufficiency and genuineness of the returns furnished, and the evidence of the election; and also of the constitutional qualifications of the individual to hold a seat in the Senate. Beyond that I apprehend the Senate have no power at all." (Hinds' Precedents, vol. 1, sec. 443.)

After debate, the following resolution was put:

"*Resolved*, That Benjamin Stark, of Oregon, appointed a Senator of that State by the Governor thereof, is entitled to take the constitutional oath of office without prejudice to any subsequent proceedings in the case."

This was determined in the affirmative—yeas 26, nays 19.

The oath was then administered.

Thereafter a resolution was presented to expel. This was disagreed to. (Hinds' Precedents, vol. 1, sec. 443.)

(David T. Patterson case, 1866, Hinds' Precedents, vol. 1, sec. 453)

The question arose in the Senate as to the loyalty of one David T. Patterson, a Senator-elect from Tennessee. His credentials were presented and after debate were referred to the Committee on the Judiciary with instructions to inquire into his qualifications. The debate discussed the propriety of refusing the oath to a person presenting prima facie evidence of his election. Resolution admitting him was thereafter adopted. (Hinds' Precedents, vol. 1, sec. 453.)

(Roach case, 1868, CONGRESSIONAL RECORD, vol. 25, pt. 1, 53d Cong., 1st sess., pp. 37–162)

Roach, a Senator-elect from the State of North Dakota, was charged and never denied that he had embezzled $30,000 from a bank of which he had been cashier. No prosecution had ever been instituted against him, the matter evidently having been settled. The question was later raised in the Senate, and discussed at great length, as to whether the Senate had the power to act "because it was a crime that he had committed before his election." The matter was referred to a committee but no vote was ever taken thereon. Complete record of the discussion in this case may be found in the CONGRESSIONAL RECORD (vol. 25, pt. 1, 53d Cong., 1st sess., beginning at pp. 140 to 153, inclusive).

(Philip F. Thomas case, 1867, Hinds' Precedents, vol. 1, sec. 457)

In 1867 the Senate, having in view the test oath and the spirit of the fourteenth amendment, excluded Philip F Thomas. There was a protracted debate, among other things, on the right to add other qualifications to the three prescribed by the Constitution. Seat was denied because of the inability of the Member-elect to take the oath because of disloyalty.

(Arthur R. Gould case, Senate Election Cases, pp. 276–288)

Gould was charged with the crime of bribery. Oath of office was administered and resolution adopted referring the matter to the Committee on Privileges and Elections for investigation and report. That committee in its report recommended dismissal of the charges for insufficiency of the evidence, but expressed the view that the Senate was without jurisdiction to expel for offenses committed prior to the election.

(Reed Smoot case, 1903, Hinds' Precedents, vol. 1, secs. 482, 483)

In this case, although it was understood that objection was made to the Senator-elect on the question of his qualifications, yet the oath was administered on his prima facie showing. It was objected that Senator Smoot by reason of fealty to a "higher law than the law of the Nation" was disqualified to hold a seat in the Senate. A complete discussion was had on the right of the Senate to exclude on a majority vote for lack of qualifications other than those enumerated in the Constitution. The majority of the committee agreed that the Senator was not entitled to his seat in the Senate and reported the following resolution:

"*Resolved*, That Reed Smoot is not entitled to a seat as a Senator of the United States from the State of Utah."

The minority declared in addition the following:

"Reed Smoot possesses all the qualifications prescribed by the Constitution to make him eligible to a seat in the Senate, and the regularity of his election by the Legislature of the State of Utah is not questioned in any manner."

Question was raised on the resolution recommended by the majority which recommended as follows:

"*Resolved*, That Reed Smoot is not entitled to a seat as a Senator of the United States from the State of Utah."

Mr. Albert J. Hopkins, of Illinois, proposed a substitute amendment to strike out all after the word "*Resolved*" and insert a new text, so that it should read as follows:

"*Resolved* (*two-thirds of the Senators present concurring therein*), That Reed Smoot is not entitled to a seat as a Senator of the United States from the State of Utah."

The amendment of Mr. Hopkins was agreed to—yeas 49, nays 22.

Thereupon Mr. Carmack, of Tennessee, proposed a substitute as follows:

"*Resolved*, That Reed Smoot, a Senator from Utah, be expelled from the Senate of the United States.

"This substitute was disagreed to—yeas 27, nays 43. Then the resolution of the committee as amended on the motion of Mr. Hopkins was disagreed to—yeas 28, nays 42—two-thirds not voting in favor thereof." (Hinds' Precedents, vol. 1, p. 590, sec. 483.)

(Smith, Vare, and Newberry cases)

The cases of Smith of Illinois, Vare of Pennsylvania, and Newberry of Michigan are not in point inasmuch as each of them involved alleged corruption either in the primary or in the election itself, the Senate being obviously competent to disqualify on this ground under the provisions of article I, section 5, clause 1, of the Constitution providing that each House shall be the judge of the election of its own Members.

(House precedents)

There are two cases presented to the House of Representatives which are quite frequently referred to as precedents for a decision in this case. The first has to do with the case of one B. F. Whittemore who was reelected to the same House from which he had resigned to escape expulsion for crime. He was excluded from taking the oath and his seat. In the discussions, however, it was assumed, apparently, that the right to exclude and the right to expel were identical.

The criticism of this case is to be found in a report of the legislative committee considering the Roberts case (Hind's Precedents, vol. 1, sec. 477, p. 540):

"The case of Whittemore, in the Forty-first Congress, is suggested as a legislative precedent for the right to exclude. We have examined that case with care, and we feel bound to say that we do not think it entitled to any weight as a precedent. The argument upon which it was based shows the action of the House to have been unwarranted and ill-advised in excluding Whittemore. The only speeches made in support of the proposition were by Mr. Logan. He does not in any way refer to the one great legal question involved, as to whether Congress, to say nothing of the House, acting alone, had the power to add to the qualifications specified in the Constitution, and that question was not raised during the debate, although at that time (1870) several State courts, one at least, had discussed, *People* v. *Barker* having been decided in 1824.

"The House had, apparently, never heard that there was such a question. The only provision of the Constitution that could possibly justify the action of the House, that constituting the House the judge of the 'election returns and qualifications of its own Members,' was not referred to directly or indirectly, and, if the debate is the criterion, the House acted without any reference to it whatever. The clause stating the qualification was incidentally referred to once. Indeed, they apparently acted upon an entirely different provision that does not relate to exclusion or determining eligibility or qualifications, and Mr. Logan distinctly based his case upon it when he says:

"'I base my opinion, first, upon the Constitution of the United States, which authorizes Congress to prescribe rules and regulations for the government of their Members, and provides that by a two-thirds vote either House may expel any one of its Members without prescribing the offenses for which either House may expel.'"

"He then proceeded to make this gratuitous and unwarranted assumption:

"'This being the theory with which I start out, I then assume that where the House of Representatives has power to expel for an offense against its rules or a violation of any law of the land, it has the same power to exclude a person from its body.'

"Without giving any attention to the legal distinctions involved, or even referring to the constitutional right of passing upon qualifications, or adverting to the fact that exclusion is the act of a majority and expulsion of two-thirds, he begs the whole question and assumes their identity. He quotes a statute which makes a disqualification to hold office absolutely dependent upon a conviction, and then assumes it disqualified Whittemore, although there had been no conviction. He admits there was no Congressional precedent for the action which he proposed. He cites the Wilkes case in the English Parliament as a precedent, when, as he states it, that case was directly in point against him. Wilkes, he says, was elected four successive times to the same Parliament, three times without opposition and the fourth time against an opposing candidate. Three times he was expelled. The fourth time his opponent was seated. Neither time, according to his statement, was Wilkes excluded.

"Just how that case could be an authority for excluding as against expelling Whittemore we cannot see. These considerations (and many more could be suggested), in view of the fact that the House, under Mr. Logan's lead, absolutely refused to allow any committee to examine, for the information of the House, the legal question involved or to have the case referred to any committee—though such a course was desired by such men as Poland of Vermont, Farnsworth of Illinois, and Schenck and Garfield of Ohio—and would not allow Schenck and Garfield to be heard on the law for even 10 minutes each, deprive this case, in our opinion, of all weight as a precedent."

The second case is known as the Roberts case. In the Fifty-sixth Congress one B. H. Roberts was elected to the House, and the House declined to permit the oath to be administered, and he was excluded on the charges of polygamous relations. There was an exhaustive debate on all of the legal questions involved. The issue was squarely presented under the majority and minority resolutions. The majority resolution recommended exclusion, and the minority recommended expulsion. The majority resolution prevailed. The case, however, is of doubtful value as a precedent here, because of the circumstances under which it arose and the attendant emotion and hysteria in connection with the charges involved.

These cases were suggested as precedents in the proceedings in the Smoot case and rejected by the Senate.

VIII. GENERAL CONCLUSION DRAWN FROM PRECEDENTS

Since the adoption of the Constitution the Senate has exercised the power to investigate in approximately 130 cases, including election

contests. From an examination of all of these cases we believe that it may be accurately stated that:

(1) No case exists where the Senate has excluded a Member for acts of moral turpitude alleged to have occurred prior to the time of the election or prior to the time when a Member is seated;

(2) No case may be found where the Senate has ever expelled a Member for acts of moral turpitude alleged to have been committed before he became a Member.

Respectfully submitted.

ELLISON D. SMITH.
ABE MURDOCK.

Mr. CONNALLY. Mr. President, will the Senator yield to me so that I may ask a question?

Mr. MURDOCK. I yield.

Mr. CONNALLY. As I understand, the Senator has concluded his argument on the constitutional law, and now intends to discuss the facts; is that correct?

Mr. MURDOCK. I have yet to make a very short conclusion on the law, and then I intend to discuss the facts. I hope that Senators will remain in the Chamber and will listen to my statement of the facts, at least, as they appear to me.

Mr. CONNALLY. Mr. President, will the Senator yield for another question?

Mr. MURDOCK. I yield.

Mr. CONNALLY. In connection with passing from the law to the facts, and especially in connection with the Marshall case, the makers of the Constitution having determined by whom the choice should be made in the case of a Senator, and the qualifications which should be required, let me ask the Senator who is better qualified to pass upon moral issues and issues of fact with respect to a candidate for the Senate, the people among whom he has lived all his life and among whom he has spent all the days of his activity or the Senate in a cursory examination by some committee?

Mr. MURDOCK. I think the Senator from Texas has asked a very important, a very intelligent, and a very fair question, as he always does. If we believe in democracy, if we believe in a government by the people, of the people, and for the people, will any Senator rise on the floor of the Senate and say that, on the question of passing on the moral and intellectual qualifications of a Senator, he has more confidence in the judgment of the Senate than in that of the people of a Senator's own State? Of course not. No Senator here believes that any other view was entertained by the framers of the Constitution.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Illinois?

Mr. MURDOCK. I shall yield in a moment.

No man who believes in democracy, no man who believes at all in the integrity of the people of his own State, will want to substitute the judgment of the Senate or any other body for the judgment of his own people. How do our people know us? Why do they know us? On what basis do they elect us? First, we have lived with them for a great many years. When we run for public office in our States we are subjected not only to public opinion but to the searching inquiry of every political opponent we have. The people know us. Why? Because the searchlight of publicity, the searchlight brought to bear by the ingenuity of the opposition politicians has been focused upon us. They know us because our neighbors speak of us; they know us because we have attended church in our State; because we have attended the schools of our State; in fact, they know us because they have lived with us. In my opinion, that is the reason why the framers of the Constitution laid down the principle that, although, of course, there should be a limited number of simple, over-all qualifications, such as residence, citizenship, and age—and I have given the reasons the Constitutional Convention considered in laying down such restrictions—nevertheless, all other qualifications should be passed upon by the electorate. When it comes to the question of determining moral and intellectual qualifications, what does the Senate know of the people of my State; what does the Senate know of the people of Maine or Florida or North Dakota; what do the Members of the Senate know about the candidates in any of those States, until they come here among us? But the people with whom a man has lived know him. If they do not know him, who under the sun could know him?

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. MURDOCK. I yield.

Mr. LUCAS. Following the inquiry of the distinguished Senator from Texas, let me ask the able Senator from Utah if he believes that the searchlight of publicity afforded to the people of North Dakota, proof of the land-bond transaction, the Mexican land finance deal, and the case in which Gale Wyman, son of Judge A. Lee Wyman, was employed by the respondent in this case.

Mr. MURDOCK. My answer to that question is that as to the details, as they have come to the investigators and to the Senate committee, no; but I refer the Senator from Illinois to the record; and if he can come to any conclusion other than that the bond transaction was a campaign issue, not only in 1940 but in 1938, I shall be very much surprised.

I desire to make the further observation that, knowing the opponent of Judge LANGER in the general election, I know the tenacity, I know the perseverance, I know the ingenuity of the man who was running against him; and if he could have found any facts to bring out on that issue he would not have neglected to do so.

I state the further fact, although I am now rather anticipating my argument, that the present Governor of North Dakota ran on the bond issue, and after his election he appointed an investigator to go to the bottom of the transaction.

Mr. LUCAS. Will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. That is true; and they are investigating the situation right now. They have asked for any number of exhibits and a great amount of testimony which has been taken by the investigators and which the special representative appointed by Governor Moses could not find out and did not have the power to find out. The only point I am making is——

Mr. MURDOCK. I am surprised that the Senator makes that point.

Mr. LUCAS. It is a fact, anyway.

Mr. MURDOCK. That may be so; but we are trying the case not on what the Senator knows or what the Governor of North Dakota might want to know. That is why I say such a type of argument is unfair, for it does not abide by the record; it does not stay within the record as submitted by the Committee on Privileges and Elections. I am surprised that the Senator raises that point.

Mr. LUCAS. The Senator can be surprised if he wants to.

Mr. MURDOCK. I am surprised.

Mr. LUCAS. He has been surprised quite often throughout this hearing.

Mr. MURDOCK. No; this is the first time.

Mr. LUCAS. But the point I am making is simply this: The Senator contends, along with the Senator from Texas, apparently, from the question he asked, that the searchlight of publicity has been turned on every single act of the respondent as disclosed by the investigators' report. I challenge that statement.

Mr. MURDOCK. I did not make that statement.

Mr. LUCAS. The Senator said that all these matters had been debated by the people of North Dakota.

Mr. MURDOCK. I was speaking generally of what happens to every Senator who announces his candidacy. The minute he does so, if he is a Democrat, what happens? The Republican opposition begins to look in every corner for something to upset him. The same thing is true when a Republican announces his candidacy; his Democratic opponents begin to look around for something that may defeat him. I say that when a man announces his candidacy he subjects himself to the glare of scrutinizing publicity.

Mr. LUCAS. There is no doubt about that. I certainly agree with the Senator as to that; we have all been through campaigns, and we know what we have to undergo. In every campaign specious trumped-up charges are made against the individual candidate. But the point I make—and I want to reiterate it, and then I will not take any more of the Senator's time——

Mr. MURDOCK. The Senator is welcome to interrupt me.

Mr. LUCAS. In view of the question the Senator from Texas asked, I contend that the record shows that the vital actions involving moral turpitude were the land transaction, the bond deal, the Mexican finance transaction, and the transaction with Gale Wyman, and the people of North Dakota knew nothing about those facts, on which the charge of moral turpitude really lies, when the campaign was under way.

Mr. MURDOCK. I am sure——

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I will yield in a moment; I wish to answer the Senator from

Illinois. I am sure that if the people of North Dakota feel that they are incapable of scrutinizing the candidates who offer themselves for election there, in the Senator from Illinois they have a very intelligent, a very industrious, and a very capable guardian who will attempt to protect them.

I now yield to the Senator from Texas.

Mr. CONNALLY. I interrupt only because the Senator from Illinois made reference to the Senator from Texas. Let me ask the Senator if it is not in the record that Mr. Lemke, who was a candidate against the junior Senator from North Dakota, discussed the so-called bond transactions all over the State during the campaign. Is not that in the written sworn testimony?

Mr. MURDOCK. There is no question about that.

Mr. CONNALLY. Is it not also true as to the land transaction that a considerable period before the campaign the deeds were on file in the public records, revealing the whole transaction?

Mr. MURDOCK. Yes; and they were referred to in the campaign.

Mr. CONNALLY. They were discussed.

Mr. MURDOCK. And the charge was made, I think, of $25,000 having been paid for land by one of the bond salesmen to Mr. LANGER. That is in the record.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr MURDOCK. I yield.

Mr LUCAS. I challenge anyone to find in the public records that Brunk, of Iowa, paid the respondent $56,000 for land which was bought "sight unseen" and that is the basis of the charge of moral turpitude growing out of the bond transaction.

Mr. MURDOCK. I admit frankly that the details were not brought out as they have been here, but if the circumstance, in substance, was even indicated to the opposition and they did know something about it, if we could not trust them to get to the bottom of it, then I fear that we have not the facilities to do it.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURDOCK. I would rather get through with what I call my legal argument.

Mr. ELLENDER. I should like to make an observation, if the Senator will permit me.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Louisiana?

Mr. MURDOCK. I yield.

Mr. ELLENDER. The record will show that Clyde Duffy who investigated the bond deal for Governor Moses, testified that the matter was brought to the attention of the people, that his report was made public, and that the figures were published before Senator LANGER was elected to the Senate. In other words, the people knew about the bond deals and charges and countercharges were made with respect to the entire subject matter.

Mr. MURDOCK. I believe the Senator's statement is correct; but I think he is anticipating my argument on the facts. My statement is becoming rather disorganized by interruptions; I should like to present it, if I may, in what occurs to me to be a chronological order.

Mr. ELLENDER. Since challenges are being made I desire to make one challenge to the Senator from Illinois or to any other member of the Committee on Privileges and Elections, to show one single solitary iota of evidence that connected LANGER with any of these matters. I want to say, as I have previously indicated, that conclusions have been reached that are based on pure suspicion. The majority of the committee have drawn their conclusions on mere suspicion, and that is all. I repeat, I challenge the Senator from Illinois or any other member of the committee to show one single solitary line of evidence connecting LANGER with any of these deals.

Mr. LUCAS. Mr. President, there is only one thing I want to say in reply to the Senator from Louisiana. The 13 members of the committee who sat for weeks and months investigating every line of the testimony reported that there was such evidence, and when the Senator makes that sort of a challenge he makes it against the 13 members of the committee in the majority.

I fear the Senator from Louisiana is one of those individuals who want proved every link in the chain; but he is familiar with many cases in which circumstantial evidence was involved, if he has had any lawsuits at all he also knows that the court said in the Fall-Doheny case that it was not necessary to prove the actual transfer of the bonds in that case, which was the meat of the transaction, and no one could be found to furnish that proof. It is necessary to make some inferences in connection with such matters. If the Senator can get comfort out of these transactions about which he knows and which, apparently, he has read, and can go along with them, that is perfectly all right with the Senator from Illinois. I merely want to suggest to him that some members of the committee who sat for months in this case are just as much interested in doing the right thing as is the Senator from Louisiana.

Furthermore, I wish to say to him that I have no personal interest in this case, one way or the other, and neither has any other member of the committee who sat in the case for many months; yet the Senator seems to think that it is strange that 13 men, who studied the evidence day after day, and who sat week after week, could come to the conclusion they did.

Mr. ELLENDER. Mr. President——

Mr. MURDOCK. Mr. President, I shall refuse to yield further at this time.

The PRESIDING OFFICER. The Senator from Utah declines to yield.

Mr. MURDOCK. The Senator from Illinois, Mr. President, has said on two or three occasions that 13 members of the Committee on Privileges and Elections came to a conclusion after diligent work. I agree with him that the committee was diligent; I want to agree with him that it is composed, with perhaps one exception, of some of the highest grade men in the Senate, and I do not know of a member of the committee, with the exception probably of one, who does not measure up to the standard of every other Member of the Senate. I think they did a wonderful job, but I do not believe, Mr. President, the fact that 13 members came to a conclusion, contrary to the conclusion of 3 other members, should have any particular weight. It is not altogether uncommon in this country that the minority occasionally is right.

I claim to have been diligent in my attendance on the committee meetings. I think I have been rather industrious. I am sure I have not anything of a personal bias in the case, and I honestly could not agree with the majority; but I respect them in their disagreement; I know that they are sincere; I know that they are earnest, and I know that they are conscientious.

Mr. STEWART. Mr. President, the Senator intimated that there might be one member of the committee who was unworthy. If we are not indulging in too many presumptions, I should like to know whether the Senator would object to being specific.

Mr. MURDOCK. I happen to be a member of the committee, and I am a modest sort of Senator——

Mr. STEWART. If the Senator had reference to himself, I wish to say that, in my opinion, he ranks as high as any other members of the committee, even though he did not agree with the majority.

Mr. LUCAS. I wish to join in that statement.

Mr. MURDOCK. I thank the Senators very much for what they have said.

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. MURDOCK. I yield.

Mr. DANAHER. A few minutes since the Senator was reading from volume 2 of Hinds Precedents, at page 859. I do not think it is sufficient merely to refer to the committee report. Hinds, in recording the case, specifically points out that a question was taken on the motion to expunge the following words:

> They think that in a case of this kind no person can be held to answer for an infamous crime unless on a presentment or indictment of a grand jury, and that in all such prosecutions the accused ought to be tried by an impartial jury of the State and district wherein the crime shall have been committed. If in the present case the party has been guilty in the manner suggested, no reason has been alleged why he has not long since been tried in the State and district where he committed the offense. Until he is legally convicted, the principles of the Constitution and of the common law concur in presuming that he is innocent.

Mr. President, the motion to expunge that language was expressly made the subject of a vote, and it failed to carry.

If the Senator will bear with me further, I should like to tell him that the old volume I hold in my hand, one of the treasures of my own law library, published in 1795 by a man named Zephaniah Swift, who served in the Congress of the United States as a Federalist from 1793 to 1797, was the first law text written and published in the United States. It was entitled "A System of the Laws of

the State of Connecticut." It was written under the patronage system which then prevailed. George Washington headed the list of subscribers and distinguished patrons; in fact, he ordered two sets of the work.

Zephaniah Swift went on to become secretary to Oliver Ellsworth in his mission to France; he later became a judge of the superior court, and, finally, chief justice of the State of Connecticut. He was unquestionably one of the most famous of the early American lawyers, a man who ranked among the greatest the Nation has ever produced, a man whose work—Swift's Digest—even yet is repeatedly cited as precedent by the Supreme Judicial Court of Errors of the State of Connecticut, and relied upon by lawyers.

He discussed the theory of government, with particular attention to the theory underlying the formation of the United States of America and the relationship of the State governments; and, among other details, Mr. Justice Swift wrote specifically on the qualifications of persons to be elected members of the legislature. He is using the term "legislature" in the abstract sense, and applying it to the Congress as well as to the State legislatures.

I should recall further that this volume was in the process of its construction and compilation only 5 years after the inception of our own United States of America. It was written at a time when this man as a Federalist was a Member of the House of Representatives, a companion body of the Congress. He said:

Every freeman—

In Connecticut at that time there was the status of "freemen" as distinguished from other types of citizens—

Every freeman is eligible of common right, excepting those who hold certain offices which are deemed incompatible with seats in the legislature, and have been expressly excluded by statute. These are judges of the superior court, and those officers under Congress, who are excluded from seats in the Legislature of the United States. No statute has pointed out a crime which disqualifies a freeman to be elected into either branch of the legislature. No statute authorizes the expulsion of a representative who is a freeman, if he be not unduly elected.

It will be recalled, let me interpolate, that the question of alleged irregularity in the election of the candidate whose case is before us has been expressly ruled out.

Mr. MURDOCK. The Senator is correct.

Mr. DANAHER. I continue reading from Mr. Justice Swift:

The statute says that no person shall be accepted as a representative unless he be a freeman. As the statute law stands, every freeman, however infamous, is eligible into the legislature. If we have recourse to the common law, we shall find that no crimes render a person ineligible but high treason and felony. A house of representatives, being only one branch of the legislature, can have no constitutional right to expel a member for any act done previously to his election unless he is disqualified by the common law or by statute.

Mr. President, in the absence of any exclusion at common law—and there was none except for treason and high felony, in the absence of exclusion eo nomine, by the statute itself—and there was none except insofar as disqualifications were stated in the Constitution—it followed that no power to exclude would lie.

It seems to me that the contemporaneous opinion and judgment of a man of such eminent learning and qualities as Mr. Justice Swift has bearing in relation to Hinds' Precedents, which gives the language quoted by the Senator from Utah an extraordinary character. I feel that it is a view which is entitled to very great weight and respect.

I have asked the indulgence of the Senator from Utah to permit this interruption at this point merely in order that the context and the record itself might unite these two lines of thought, the one presented by Hinds, to which I previously referred, and the other just quoted, before the Senator became engrossed in his discussion of the facts of the case.

Since the Senator has yielded to me thus far, I ask his forbearance while I make one further observation.

Mr. MURDOCK. I yield.

Mr. DANAHER. Since 1638 when at Hartford the colonists compiled the first written constitution the world had seen and from 1662, when the Colony of Connecticut, upon petition from its own citizens, gained its charter from King Charles, until 1818, there was no other constitution in the State of Connecticut.

In 1776, when news of the Declaration of Independence reached Connecticut, as it happened our general court, as the legislature was called, was in session. Word of the Declaration was brought to the general court, and its membership did no more pertaining to existing statutes and writs than to strike out references to the authority of His Majesty, King George, and to insert, "By authority of the State of Connecticut."

Its constitution was sufficient for those purposes, as sovereignty was inherent in the people. It persisted until 1818. Under what circumstances, let me ask anyone to suggest, is it to be supposed that a man was elected, or was eligible for election, either to the House of Representatives in the Congress, or to the Senate of the United States, between the years 1789 and 1818? By whose test, by what qualifications, by what standards, was a candidate selected from the State of Connecticut to this honorable body? Obviously by qualifications ascertained and fixed and agreed upon under and in consonance with the law of the State of Connecticut; not by any law emanating from the Congress of the United States to that State, but by virtue of the force and the subsistence and the power and the sovereignty of the State itself.

So it was, let me say to the Senator from Utah, that those taking part in the Constitutional Convention, in the discussions which attended upon the drafting of our Federal Constitution, and in the discussion back home concerning it, knew very well that they were not going to permit some great States like Virginia and New York, with their overshadowing might and populations, to rule out the Representatives, the duly elected Senators, of the smaller States. After the Constitution provided certain disqualifications, they expressly saved to themselves an additional protection by requiring expulsion only on the basis of a two-thirds vote of the body questioning the right of a particular Member to continue in the body when expulsion was under consideration. I have indicated why they reserved that right, why we find disqualifications, not qualifications, stated in the Constitution.

Thus, Mr. President, when we find in the first 10 amendments, particularly in the ninth and tenth articles, that the powers not expressly granted to the Federal Government by the Constitution were reserved to the people of the States, and to the States themselves, they were retaining to themselves the power already in existence of saying who were to be freemen of Connecticut, who were to be electors, and who were to be qualified to be officeholders in behalf of that State and in this body.

Mr. President, I respectfully submit that if we correlate the views of Mr. Justice Swift, with what we know to be the provisions of the Constitution of the United States, the precedent cited by the Senator from Utah becomes a shining and singular landmark for our guidance in our consideration of the pending business.

I thank the Senator from Utah for permitting this trespass upon his time.

Mr. MURDOCK. Mr. President, I am always glad to yield to the Senator from Connecticut. I constantly marvel at how the Senator from Connecticut can find time to go into every important question which comes before this body as thoroughly as he does. Seldom a day passes when he does not make a real contribution to the Senate debates. So I am always happy to yield to him. I hope every Senator will go into the question pending before us as diligently as the Senator from Conecticut has gone into it.

Mr. President, I am now reminded, in bringing my legal argument to a close, of the Wilkes case, which arose before the adoption of the Constitution. Who was John Wilkes? He was a kind of rascal in England, a man who believed in freedom of speech, a man who even thought he had a right to criticize the King, or any minister of the Government, a man who stood for freedom and liberty of the people on all occasions, but his morality was in question. He was no moralist. He did not claim to be. He was referred to as a kind of a rascal, but he stood for one thing, and that was the liberty and the freedom of the people, and especially the freedom of the people to elect their representatives to the Parliament. He was challenged on that point by King George III. The King's mother said to him, "George, be a King," and he began almost immediately on his accession to the throne to do—what? To challenge the right of the people of England to send representatives of their choice to the Parliament.

John Wilkes was elected to Parliament, but was accused of using libelous lan-

guage against the King and the ministers and was expelled from Parliament. He was then prosecuted and sentenced to a term in prison; but even while serving the term in prison we find him still writing, still printing, still espousing, and still sponsoring the rights of the people to send representatives of their choice to the Parliament. Even jail did not stop his pen. Again he was elected by the people of Middlesex as their representative in the House of Commons, and again he was expelled. He was elected a third time, and then the resolution of exclusion stated that he was not qualified to come back. Did he quit? No; he went back to the electorate again, and for the fourth time John Wilkes was sent to Parliament as the choice of the people of Middlesex.

Mr. President, what was happening in the American Colonies at the time? The little colony of South Carolina, knowing what John Wilkes was doing in the espousal of the cause of freedom and liberty, sent 1,500 pounds to England to John Wilkes to further his efforts. Why should South Carolina send money to England to a member of Parliament? Because the people of South Carolina knew of the tyranny of George III, and they thought, and rightly so, that John Wilkes was fighting the cause of democracy and liberty over there; so they made a contribution to him in the same spirit, and with the same theory underlying their action as that underlying our action when we passed the lend-lease measure providing for sending the wealth of this Nation to other nations—for what purpose? In order to save freedom and liberty among the inhabitants of the whole earth. They gave support to Wilkes for the same reason that we have joined the cause of England today.

In Pennsylvania is the city of Wilkes-Barre. That city was named for whom? It was named for John Wilkes and Col. Isaac Barré, who stood for the rights of men in the debate which took place in the Parliament. The King won several victories, but each time he won a victory the people won a greater one. Finally, the resolutions providing for expelling John Wilkes were expunged from the record, and George Grenville, who at the time of Wilkes' first or second expulsion was against him, finally took the floor in his behalf—why? Because Wilkes was right.

Mr. President, Wilkes was not a moralist. As I have said, he was referred to as a rascal. I wish to read, however, the words of James Beck, one of the greatest constitutional lawyers this country ever had, as set forth in his little volume, The Vanishing Rights of the States, on page 41:

> The Middlesex election was the great constitutional landmark of the eighteenth century. It determined for all time the right of Englishmen to be represented in Parliament by members of their own choice, for no king or minister has ever since dared to challenge that right. It also had a far-reaching effect in parliamentary reform in England, and, what is more important to Americans, it showed them the futility of expecting liberty from the government of George III. It nerved them for the long struggle, which led through Brandywine, Valley Forge, and Yorktown to the Constitutional Convention of 1787, where the right of electors to be represented by persons of their choice was, as it was thought, indestructibly written into the charter of our Government.

Yet today, Mr. President, when we are spending billions of dollars, and sending of the manhood of America even to foreign soil to preserve and to perpetuate the very principles for which John Wilkes fought, here we are in the Senate of the United States challenging a man whom we seated a year ago, and who was duly elected by the great sovereign State of North Dakota. What an anomaly; what an inconsistency. Wilkes thought he had settled this question away back before our Constitution was adopted. Yet we find Senators today on this floor who still tell us that we are more competent, and that we have more right under the Constitution, to pass on the moral qualifications of a Senator, than do the people of his own State.

Mr. President, is it too much to ask that the people of North Dakota, the people of New York, the people of Texas, and the people of California, be allowed to pass on the moral and intellectual qualifications of their representatives in Congress? Is that asking too much? Do Senators want to say with all self-righteousness and piety, that the people of our respective States, with whom we have lived, do not know enough about us to pass upon our moral and intellectual attributes when sending us to the Senate?

Some Senators have said that when we come here we are United States Senators. How true that is; but, Mr. President, my answer to that is that until a person is elected to the Senate of the United States he belongs to his State; he belongs to the people with whom he has lived and who know him. Of course, after his election, when he comes here, takes the oath of office, and becomes a Member of the United States Senate, then he belongs to the Nation, and, under the expulsion clause of the Constitution, if he misbehaves, if he does not conduct himself with decorum and with dignity, then he can be expelled and sent back whence he came.

Mr. SMATHERS. Mr. President——

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Utah yield to the Senator from New Jersey?

Mr. MURDOCK. I yield.

Mr. SMATHERS. By what majority did Senator LANGER win the senatorial election in North Dakota?

Mr. MURDOCK. I am unable to give the Senator the figures. However, as I understand, it was a three-man race in the State of North Dakota. If I am not correct the Senator from North Dakota will correct me, but in a three-man race a majority of all the votes cast is not necessary; only a plurality among the three candidates is necessary.

Mr. SMATHERS. Was any contest filed in North Dakota challenging Senator LANGER'S election?

Mr. MURDOCK. None whatever was filed. The distinguished majority members of the committee in their report state there is nothing to the charges concerning the election, and they were thrown out and disregarded. The only thing we have before us, according to them, is the question whether we have the right to superadd qualifications which exist in our own consciences and then expect the people of North Dakota to anticipate what qualifications we shall determine to be necessary, and to elect a Senator who will meet those qualifications, though none of the electors know what the qualifications are.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. WHITE. Am I correct in my recollection that the petition originally filed with the committee contained four charges with respect to the legality of the election and that each and all of the four charges were eliminated by the action of the committee?

Mr. MURDOCK. I do not claim to be accurate in agreeing with the Senator that there were four specific charges, but the Senator is entirely correct in saying that the charges in question were all thrown overboard; they were discarded; they were cast out.

Mr. WHITE. Were they not discarded because, as the committee said, there was no evidence to sustain them?

Mr. MURDOCK. That is correct. We find some reference to the election charges in the report. It was held that there was not sufficient evidence to sustain such charges. Whether there was sufficient evidence, or whether there was none, the charges were thrown out and are not before the Senate.

Mr. SMATHERS. The point on which I am asking information is that there was no contest in North Dakota on the question of whether Senator LANGER properly won the election?

Mr. MURDOCK. That is correct.

Mr. President, I wish to conclude my legal argument with a final statement on this important question. If we have a right in this body—which I absolutely and sincerely deny—to impose moral and intellectual qualifications, then, in fairness to the people of my State and your State, we should write down such qualifications so that the people will know what type of man we will accept. What could be fairer than that? If we do not have confidence in the knowledge of the people concerning the candidates, and if we have no confidence in the ability of the people to send proper men to the Senate, then, in the name of fairness, I ask: Is it not incumbent upon us to write down the qualifications which a man should possess before he presents himself at the bar of the Senate? From the standpoint of fairness, I do not believe that anyone can say that that is not a correct principle.

Mr. WHITE. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from Utah yield for that purpose?

Mr. MURDOCK. I yield for that purpose.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Bankhead	Guffey	Reed
Barbour	Gurney	Reynolds
Barkley	Hayden	Rosier
Bilbo	Herring	Russell
Bone	Hill	Schwartz
Brewster	Holman	Shipstead
Brooks	Hughes	Smathers
Brown	Johnson, Calif.	Smith
Bulow	Johnson, Colo.	Spencer
Burton	La Follette	Stewart
Butler	Langer	Taft
Byrd	Lee	Thomas, Idaho
Capper	Lucas	Thomas, Okla.
Caraway	McCarran	Thomas, Utah
Chandler	McKellar	Truman
Chavez	McNary	Tunnell
Clark, Idaho	Maloney	Tydings
Clark, Mo.	Maybank	Vandenberg
Connally	Mead	Van Nuys
Danaher	Millikin	Walsh
Davis	Murdock	Wheeler
Doxey	Murray	White
Ellender	Nye	Willis
George	O'Daniel	

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

Mr MURDOCK. Mr. President, as to the facts in the matter before us, I believe the Senate is not interested in having me cover every one of the charges which were covered by the Senator from Illinois [Mr. LUCAS]; I believe it would serve no good purpose for me to do so; and, while I am perfectly willing to go over each and every charge, if Senators so desire, I am quite satisfied they do not. In arriving at my conclusion in this matter, Mr. President, since the termination of the hearings, due to my study of the law, I have been so confident of the position I take under the Constitution and the precedents of the Senate, that it is not necessary, so far as I am concerned, in order to determine how I shall vote, to go into the facts. Due, however, to the fact that I did rather religiously attend the hearings, and due to the fact that I have studied them since, I thought that the Senate was entitled at least to have my opinion, if it wanted it, as to the facts. I intend to discuss at least at some length the matters with reference to the employment of Mr. Leedom and Gale Wyman in connection with the criminal proceedings against Senator LANGER in North Dakota.

First, however, I desire to call the attention of the Senate to one matter which I think should have their attention before we pass on, and that is with reference to the report submitted by the subcommittee of the Committee on Privileges and Elections.

On page 6 thereof we find this statement:

> That during the time respondent served as Governor of the State of North Dakota, he accepted the sum of, to wit, $4,000 for a pardon, which is of record in the State court of North Dakota, in a suit brought by the convict's mother to recover the sum so paid, which suit was settled and dismissed when the convict was forced, by threats of bodily harm, to persuade his mother to withdraw said suit.

There is a clean-cut charge, Mr. President, that Senator LANGER, while he was Governor of North Dakota, accepted a $4,000 bribe for issuing a pardon to a convict in the State penitentiary, and in the charge it is said that it is a matter of record in the State court of North Dakota.

I do not desire to be critical at all of the subcommittee that published this report; this charge was contained in those filed against Governor LANGER; but I think that, in fairness to Senator LANGER, he was entitled to a definite statement not only by the subcommittee of the Committee on Privileges and Elections, but by the entire committee itself, not only declaring the absurdity and falsity of that charge but condemning those who made it.

But that was not done, so that anyone picking up the report and reading on page 6 would have the right to conclude that those who made the charge, at least had gone to the records of the State court of North Dakota, which are open to the public, and ascertained the facts of the case.

We finally find in the subcommittee report, turning to page 74, this statement being made:

> Your subcommittee has carefully examined the charges in subhead E of count II, and finds that the evidence purporting to sustain said charge should be submitted to the committee; a résumé of said testimony pertaining to said charge being herewith incorporated and made a part of this confidential report.
>
> It is alleged by the petitioners on page 5 of the amended petition as follows:
>
> Then the charge which is found on page 6 under E is restated, and the subcommittee has this to say in answer to this charge of the complaint.
>
> In answer to this charge in the complaint, respondent answers that the charges are too vague, uncertain, general, and wholly insufficient. Further answering, respondent generally denies the charges.
>
> This charge refers to an instance in which Mr. LANGER is alleged to have solicited and collected a fee of $2,000 for his services as an attorney to secure the release of Floyd Johnson, an inmate in the State penitentiary, at Bismarck, N. Dak., serving a life sentence for murder in the first degree, from Esther Johnson, the mother of Floyd Johnson. It is alleged that Mr. LANGER did little or nothing to earn the fee paid him. Thereupon, Mrs. Johnson filed suit to secure the return of the fee, which suit she was forced to dismiss by coercion and intimidation in fear for her son's welfare.

So we find a charge originally stated as the acceptance of a $4,000 bribe paid to Mr. LANGER while he was Governor for a pardon, is changed to the acceptance of a $2,000 fee for service rendered as an attorney prior to the time he became Governor. The record bears out—and there is no member of the committee who will deny it—that a suit was brought by Floyd Johnson's mother against Senator LANGER; that Senator LANGER refused to take the oath of Governor until the suit had been settled; that the suit was settled, and the mother of Floyd Johnson came in and stated to the court that the suit never should have been brought, and it was dismissed. Senator LANGER asked to be allowed to go on the stand and submit his evidence in the matter, but the court refused to allow him to do so, notwithstanding his request. I point that out as showing how far the enemies of Senator LANGER have gone in the effort in order to unseat him as Senator when they could not defeat him in an election in North Dakota.

Mr. ELLENDER. Mr. President, will the Senator yield at that point with reference to the Johnson case?

Mr. MURDOCK. I yield.

Mr. ELLENDER. As I recall, the attorney who was employed to prosecute the case for Mrs. Johnson turned out to be a politician on the other side, who was paid by some newspaper owner to bring the suit for Mrs. Johnson in North Dakota.

Mr. MURDOCK. My conclusion from the record is that the suit was largely brought at the instance of a newspaper opposing Senator LANGER. The reason, however, I refer to it, Mr. President, is to show how far the enemies of a man in politics will go to ruin him and blacken his name. They charge him with the acceptance of a $4,000 bribe as Governor, and say that the record can be found in a State court, but it turns out to be the acceptance of a $2,000 fee in a suit as attorney before he ever became Governor, and the suit was dismissed at the instance of the plaintiff.

Mr. ELLENDER. Mr. President, will the Senator further yield?

Mr. MURDOCK. I yield.

Mr. ELLENDER. I am sure that the Senator has heard most of the evidence, and I feel confident that he has also read most of it.

Can the Senator point to one single, solitary case brought against Senator LANGER in which he was not either acquitted, or otherwise vindicated?

Mr. MURDOCK. I think the record bears out the statement that in every case brought against Senator LANGER in the State of North Dakota he won the decision.

Mr. ELLENDER. That is correct.

Mr. MURDOCK. Mr. President, as to the charge that Governor LANGER accepted a bribe for a pardon, I wish to make one further observation. I think the record will also disclose that the suit was brought against Senator LANGER about seven days before his election as Governor, indicating that some political influence might have been used in order to have the suit initiated.

Coming now to the employment of Gale Wyman and Chet Leedom, what are the facts? We find Governor LANGER occupying the chief executive's chair in the State Capital of North Dakota, Bismarck, duly elected, and charged in a Federal indictment with interfering with and obstructing the administration of a Federal statute. It was set out in the indictment that he had conspired with others to collect certain amounts from employees, both State and Federal. The amount collected, especially from any Federal employees, was rather negligible, but, notwithstanding that fact, the indictment was brought against him, and, with four or five other defendants, he was faced with the charge of conspiracy.

The case was submitted to the jury after several days' trial, and the jury brought in a verdict of guilty against the respondent and the others charged in the indictment with conspiracy. After the conviction, Senator LANGER, who was

then Governor, as I understand, filed a motion for a new trial, which was denied. Sentence was imposed, a term in the penitentiary and a fine, I believe. Am I right about that?

Mr. LANGER. Eighteen months in the penitentiary, and a fine of $10,000.

Mr. MURDOCK. He was sentenced to serve 18 months in the penitentiary and to pay a fine of $10,000. From that sentence he appealed to the Federal Circuit Court of Appeals for the Eighth Circuit.

While the case was pending on appeal, the Lieutenant Governor of North Dakota brought an ouster action before the Supreme Court of North Dakota to oust Governor LANGER from the governorship. Of course, on the ouster of Governor LANGER, the Lieutenant Governor would become the Governor.

I do not believe there is another State in the Union where politics has been more intense, more enthusiastically fought out, than in the State of North Dakota. There are not only a Republican Party and a Democratic Party in that State but there is a Nonpartisan League, and the Nonpartisan League, as I understand, is considered a very progressive political party, which has brought about many so-called progressive reforms in the State of North Dakota, one of which was the creation and establishment of a State bank, another the creation and establishment, for the benefit of the farmers of North Dakota, of a State mill and elevator.

The record discloses without any question that during the first trial, in which Senator LANGER was convicted of conspiracy, the jury was being tampered with, that the jurors were allowed to read newspapers containing rather disparaging and derogatory articles against the defendants. In that case, as I recall, both the United States marshal and the clerk of the court were found tampering with the jury to some extent. I think that fact was brought to the attention of the judge, Judge Andrew Miller.

After Governor LANGER was ousted by the supreme court of the State, a decision was handed down by the Federal circuit court of appeals before which was pending the appeal from the conviction on the conspiracy charge, and the Federal court held that the evidence in the conspiracy case was insufficient to justify a conviction That was the ground of reversal, that there was not sufficient evidence to justify the conviction in the trial court. But the conviction in the trial court had resulted in the ouster of Governor LANGER from the highest office in his State, that of Governor, and it resulted in a sentence that Senator LANGER should pay a fine of $10,000 and serve a sentence in the Federal penitentiary of 18 months. Will any Senator rise on this floor and say that under those circumstances Senator LANGER was not justified in being apprehensive of a retrial of that case? Here was a man ousted from the office of Governor, to which office he had been duly elected, and sentenced to serve for 18 months in the Federal penitentiary and to pay a fine of $10,000. Is there a Senator here today who, under such circumstances, would not have been apprehensive of a retrial of the case, especially in view of the fact that there was evidence that the jury had been tampered with?

Mr. ELLENDER. Mr. President, will the Senator yield for one observation at that point?

Mr. MURDOCK. I yield.

Mr. ELLENDER. The record also shows, in connection with the jury tampering, that although the State Senate of North Dakota was against Senator LANGER—I do not know what the condition was in the lower House—because of the jury tampering the Legislature of North Dakota adopted a resolution memorializing Congress to change the method of appointing jurors and the manner of their selection by the court. All of which goes to show that there must have been some evidence to show jury tampering and ample justification on the part of the attorneys of Senator LANGER to protect their client at the next trial against a repetition of such tactics by his enemies.

Mr. MURDOCK. I think that is correct.

Mr. President, we now come to the retrial of the conspiracy case. After Senator LANGER's reputation had been blasted, after he had suffered the disgrace of a Federal court conviction, after he had been sentenced to prison and to pay a large fine, he was again confronted with the retrial of the case. His liberty and his whole life were at stake in that case. Some persons in North Dakota were interested in Senator LANGER, and one of them happened to be a very distinguished Member of the House of Representatives, Hon. USHER BURDICK, with whom I had the pleasure and honor of serving for about six years in the House, and I challenge anyone in the Senate or anywhere else to say anything against USHER BURDICK. As I recall the evidence USHER BURDICK had shortly before that time been an assistant United States attorney, and he called on his friend, Governor LANGER, who had been ousted after having been convicted on the conspiracy charge. The advice of USHER BURDICK to Governor LANGER was, first, to get a lawyer with courage to stand up in court and see that his rights were secured. After he gave him that advice he recommended some attorney to him, and if I am not mistaken the attorney was Francis Murphy, and certainly any Senator who observed Francis Murphy before the Committee on Privileges and Elections can not help but agree that USHER BURDICK gave Governor LANGER good advice when he told him to get Francis Murphy to defend him. Francis Murphy is a great lawyer, and in my opinion is absolutely honorable, ethical, and highly intelligent.

Then Representative BURDICK, an ex-United States district attorney, advised Governor LANGER to do something else, which was to hire someone to watch the next jury, to be there and see that the clerk of the court and the United States marshal did no jury tampering in the next trial. Senator LANGER was also confronted with the fact, as the record shows, that he was unable in the first trial to obtain a list of the jurors until the day the case was called for trial. If I am wrong in making that statement I trust some member of the committee will call the error to my attention. Governor LANGER was confronted with the fact that he could not obtain a list of the jurors in the first case, and had to go to trial without the opportunity of finding out anything about them until the opening day of the trial. I think it is common practice in the Federal courts to allow attorneys to know who are on the jury lists, at least a few days prior to the time of the trial. Governor LANGER was advised by USHER L. BURDICK, now a Member of Congress, in the manner I have stated, and after learning that Judge Wyman, of South Dakota, would try the next case, a man by the name of James Mulloy, a close friend at that time of Senator LANGER, a man who had had, I think, several favors conferred upon him in the way of appointments by Senator LANGER, Governor LANGER at that time, went to South Dakota to contact a man by the name of Chet Leedom, former United States marshal in South Dakota, and a man reputed to be a friend of Judge Wyman, or at least on friendly terms with him, to see if he could come up to North Dakota and keep his eye on the activities of the United States marshal and the clerk of the court, or any other persons who might attempt to tamper with the next jury selected to try Governor LANGER.

Some persons may criticize and condemn that type of thing, but it was stated here the other day by the Senator from Montana [Mr. WHEELER] that when he was a United States district attorney he knew of but few cases in which that was not done. The fact is that Leedom did go to North Dakota with Jimmy Mulloy. While Leedom was there he did considerable drinking, considerable talking, but he did keep his eye on the United States marshal and on either the clerk or the deputy clerk handling the case, as attendants of the court, and found out that there was another attempt to tamper with the jury It was reported to one of the attorneys for Senator LANGER and he brought it to the attention of the court, and Judge Wyman called it to the attention of the United States marshal and admonished him that such things must not happen again. So it seems that, in order to get a fair or impartial trial in that case, it was necessary for Senator LANGER, for his own protection, to have someone watch the clerk and the marshal.

The trial of the case was completed. The jury disagreed. Exactly the same evidence was presented at the second trial as was presented at the first. Not one additional scintilla of evidence was offered against Senator LANGER. No new witnesses were called, but the same evidence was submitted which the Circuit Court of Appeals had said was insufficient. What I cannot understand is why Senator LANGER was not entitled to a directed verdict by the judge trying the case. Certainly the judge knew that the witnesses were the same and the evidence was identical to that in the first case. Certainly it was called to his attention that the Circuit Court of Appeals had held that evidence insufficient, and had reversed the case. But the court did not

give an instructed verdict. The case was submitted to the jury, which disagreed, making it necessary for Senator LANGER to be tried again, the third time on the conspiracy charge.

Before going to trial in the second conspiracy case, Governor LANGER, knowing the bias and prejudice of Judge Andrew Miller against him and his codefendants, filed an affidavit of prejudice against Judge Andrew Miller to disqualify him from trying the second conspiracy case. I think the record discloses without any question that Judge Andrew Miller was prejudiced. He even wrote the presiding judge of the circuit court that he might be prejudiced. As I understand the record, he had never before had to stand aside in a trial by reason of bias or prejudice, and he was a little touchy on that point, and did not want to have to disqualify himself by writing a letter to that effect to the presiding judge. He was asked by the attorney for Mr. LANGER to step aside, but he did not do so.

Senator LANGER, then the ousted Governor of North Dakota, in order to disqualify Judge Miller, had to file an affidavit of prejudice, which he did. Predicated on the affidavit of prejudice, Judge Andrew Miller caused to be filed against the defendant and the other signers of the affidavit a charge of perjury, and Senator LANGER was indicted on a perjury charge at the instance of the judge who tried him in the first trial.

During the trial of the perjury charge Senator LANGER wanted Leedom back again to watch the jury that was to try him in that case. His experience in the first conspiracy case and in the second one had convinced him that there was tampering with the jury, and he correctly anticipated further tampering, or at least another attempt to tamper.

Mr. Mulloy was sent to South Dakota to bring Leedom back. According to the record he found Leedom in such condition that he could not bring him back. He called Senator LANGER on the telephone and advised the Senator that Leedom was not in fit condition to return to North Dakota to attend the perjury trial. But in the telephone conversation between Mulloy and Governor LANGER, after apprising Senator LANGER of the fact that Leedom could not come, Mulloy advised him that he could bring "another fellow." It seems that quite a bit hangs on the question whether Mulloy said "another fellow" or "the other fellow." It seems that that is very important in the case—whether in the telephone conversation between Mulloy and Senator LANGER, Mulloy described the man to whom he referred as "the other fellow" or "another fellow." I think the Senator from Colorado [Mr. MILLIKIN] saw the significance of the two phrases when he asked some questions the other day of the Senator from Illinois [Mr. LUCAS].

I suppose the question in which the Senate is interested is, Did Senator LANGER know that Jimmy Mulloy was going to bring to the State of North Dakota Gale Wyman, the son of Judge Wyman? That seems to be the point of interest. Did Senator LANGER know that Jimmy Mulloy was going to bring the son of Judge Wyman to North Dakota? What does the evidence show on that particular question?

Mr. President, if Senator LANGER is unseated, he should be unseated on the record—not by presumption, not by imagination, but by what the record itself discloses. On this particular point we have three witnesses. We have Jimmy Mulloy, Gale Wyman, and Senator LANGER.

Who is Jimmy Mulloy? Jimmy Mulloy is a Judas, a former friend of Governor LANGER, a man who had received favors from Governor LANGER, but who, for some reason, some time later decided to do everything in his power to betray him and destroy him. He was not only a Judas, but a self-confessed criminal. During his examination the Senator from Illinois [Mr. LUCAS] said to him, "Mr. Mulloy, being a self-confessed criminal, we have the right absolutely to disregard your evidence unless it is corroborated by some other witness entitled to belief." That was the statement by the Senator from Illinois to Jimmy Mulloy.

The testimony of Jimmy Mulloy is, in substance, that Senator LANGER knew that Mulloy was bringing Gale Wyman. Senator LANGER's testimony is that he did not have any idea whom Jimmy Mulloy was going to bring; that in his conversation with Jimmy Mulloy, Mulloy said, "I can bring another fellow."

When Gale Wyman was on the stand before the committee, he corroborated Senator LANGER, and not Jimmy Mulloy. Gale Wyman's testimony on this point is found on page 116 of what has been referred to as the Little Green Book. This testimony is not taken from the great hodge-podge of affidavits and the great volume of testimony in the cloakroom. This testimony is found in the Little Green Book. It was given by Gale Wyman on the witness stand before the committee. Gale Wyman said, as recorded on page 116:

Mr. WYMAN. I do not know what he—

Speaking of Leedom—

had to go back there for. I did not at that time. After this conversation with Jimmy—

Meaning Jimmy Mulloy—

and before he called BILL LANGER in my office, we had been discussing this kind of a situation, and he called Bill—

Meaning BILL LANGER—

from my office, he asked me whether he could, and I said "Yes," and he called him. He had a very short conversation with him, stating to him it was impossible for him to bring Chet back there, that he was in the hospital, and that he was bringing another fellow

Mr. BURKE. Also a reporter for a farm newspaper?

Mr. WYMAN. No, sir; he said he was bringing another fellow—

That was the second time he said it—

and that is all he said, and I could not hear the Langer part of the conversation. After he had found out from Bill it was going to be all right to bring this other fellow, why, then, he told me, he says, "Well, you have got to go to North Dakota with me."

I read from page 131 of the little green book. Mr. Burke, attorney for the petitioners against Senator LANGER, asked this question:

Mr. BURKE. There was no doubt in your mind, was there, that the party on the other end of the line and the party talking in your presence were talking as if they understood who was meant by "the other fellow"—that you were the other fellow?

Mr. WYMAN. No; he did not say that. In his conversation with Mr. LANGER he said "I will bring another fellow."

That is Gale Wyman's testimony on that question. So all Senator LANGER heard from Jimmy Mulloy over the telephone was, "I can bring another fellow," or "I am bringing another fellow."

On cross-examination Mr. Burke attempted to get him to say that Senator LANGER knew who was coming. At the top of page 131, in answer to that question, Gale Wyman said:

No; he did not say that. In his conversation with Mr. LANGER he said, "I will bring another fellow."

On the question as to whether Senator LANGER knew that it was Gale Wyman who was coming with Jimmy Mulloy we have the statement of Gale Wyman, at least two or three times in the record, emphatically saying, "No! he did not say 'the other fellow'; he did not say Gale Wyman, but he used the expression, 'another fellow.'"

Senators can make their choice as to whether they will believe Jimmy Mulloy, who is uncorroborated, a self-confessed criminal and a Judas of the worst kind, to Senator LANGER, or whether they will believe the statement of Gale Wyman, corroborated by Senator LANGER in a number of places.

Mr. President, I do not think it was proper for Gale Wyman to go to North Dakota and neither do other Senators; but I call attention to the fact that after he had arranged with Jimmy Mulloy to go there—as he said, not to do anything out of the way, not to do anything except to go there and square Jimmy Mulloy with Senator LANGER, because, as Wyman said, Jimmy had gotten "in bad" with the Senator and needed somebody to straighten him out. Before he went he called his father, Judge Wyman, who was presiding at the trial. He told Judge Wyman that he was going there.

The majority in their report condemn Senator LANGER in no uncertain terms for having Gale Wyman go to North Dakota, even with the record showing that Senator LANGER did not know who was coming. There is not one syllable or scintilla of criticism of Judge Wyman for not telling his son not to come, when the son called from South Dakota and told the judge that he was coming. I cannot see much distinction. If we are to criticize Senator LANGER, whose life, reputation, and very all are in the balance, and who is on trial for having somebody watch a jury when he had had his experience with jury tampering, I cannot criticize him too severely without also criticizing someone else. To me such an attitude is not fair treatment.

Mr. BONE. Mr. President, will the Senator yield for a question which takes us off the beaten path of his presentation?

Mr. MURDOCK. I yield.

Mr. BONE. I have not had the opportunity to read the entire record in the

green book, because there are several hundred pages of rather fine print.

Mr. MURDOCK. The Senator understands, does he not, that Senator LANGER is being tried not only on the basis of the green book, but also on the basis of the "grab bag" in the cloakroom or in the hall—I do not know where it is. One can reach in and pull out affidavits, publications, and statements which are not even in the green book.

Mr. BONE. I understand that some of the matters were regarded as so irrelevant as not to be worthy of a place in the green book which was put on our desks for our information. Because of that situation, obviously we must disregard such matters, because, if they have a part in this case, they are not before the Senate.

I am wondering if there is any evidence which has been produced for the Senate which indicates that Senator LANGER in his election to the Senate debauched and corrupted the election and the voters in the election, and secured his seat in the Senate by corruption of that sort. I ask that question because the Smith case has been referred to; and, of course, in the mind of everyone who tries to reach a conclusion in such a matter as this there is a vast distinction between a man who buys an election and a man whose personal relations with someone might be distasteful to certain Members of the Senate.

In the remarks and the views of the minority, at page 50, I note a reference to a statement made by Senator Voorhees, of Indiana, who was a very able Senator, in discussing a case called the Roach case. He said, speaking of the Roach case—I do not desire to refer to it at any length:

> If charges are made that a man used fraud, was guilty of corruption, bribery, or other improper conduct before his legislature in securing his election—

I assume that it was a case in which the legislature elected the Senator; of course, at that time it was the practice for the State legislatures to elect Senators, and out of such practice corruption sometimes grew—

> the right to investigate—

The right considered in the pending case—

> arises, because, if such charges are true, he has not been elected at all according to law, but according to fraud.

Of course, as I view the problem which is before us, the situation is altogether different from that involved in the Smith case. I may not altogether like what Senator LANGER may have done in connection with some matters; but in the Smith case an election was obtained by the excessive use of money, as in the Newberry case; and of course, if seats in the Senate are to be "hocked" in a political campaign, the Senate will no longer be a proper forum in which justice shall prevail; but under such circumstances the Senate would present an intolerable picture to the people of the country, and such a situation would mean the death of our system of representative government.

Another aspect of the matter has intrigued me, and I hope it will be discussed further by other Senators. Senator LANGER was put on trial in the court, and was acquitted of the charges. He was again put on trial before the people, in the forum of public opinion. If there was discussion of those matters—and, certainly, the avenues of opportunity are not closed to critics of a man's acts; I have never found it to be so in the northwestern section of the country—then, obviously, the people who went to the ballot box and who exercised the process of selection by the arbitrament of the ballot box, could pass judgment on Senator LANGER and could qualify him, for whatever that was worth.

However, it seems that we have put him on trial for a third time, and he has been placed in jeopardy three times. Such a procedure is a rather novel concept of the law; and, yet, I am not challenging the right of the Senate to adopt it. I view it only as a rather novel aspect of the case. I do not like to see a man tried three times; I think such controveries should come to repose somewhere along the line. What "sticks in my craw"—to use a Western expression—is the fact that people of North Dakota had discussed these matters. If Senator LANGER had spent a great deal of money, and if there had been the circumstances disclosed in the Smith case and the Newberry case—cases in which an election was debauched, but in which the man was not made the butt of criticism because of some personal operations—the pending case would present to my mind an entirely different picture.

I do not want to make an argument on this matter——

Mr. MURDOCK. The Senator is not doing so at all.

Mr. BONE. But I desire to inquire of the able Senator from Utah, whose skill and ability and judgment I admire, as I admire the ability of the Senators who presented the other side of the case—and they have done a good job—if there is anything in the picture to indicate that Senator LANGER and his friends debauched the election in North Dakota?

Mr. MURDOCK. Absolutely nothing; and the majority of the committee are very frank in their statement that no such thing was charged. In the original petition, as I recall, there were some allegations that there had been irregularities in the election; but the subcommittee which was headed by the Senator from Illinois [Mr. LUCAS] in the subcommittee report, states that there is no evidence, or at least not sufficient evidence, to warrant the whole committee's going into charges concerning the election. So they were thrown overboard.

Mr. BONE. Then we may, as a jury, in effect repel any inference or suggestion or thought that there was any debauchery or corruption in the election proceedings. Is that correct?

Mr. MURDOCK. Oh, yes; there is no question about it.

Mr. BONE. I desire to get that point clear in my mind. I have not heard it discussed as yet, but I think that if such be the case, we should get the matter very clear in our minds, and should realize that what we are called upon to do is to pass judgment on Senator LANGER's relations with human beings in North Dakota, entirely apart from anything that challenges the validity of his election.

Mr. MURDOCK. I thoroughly agree with the Senator, and I should say that if there were any evidence in the record about the debauching of an election, I believe I should be one of the first Members of the Senate to rise and to say to Senator LANGER, "No; you cannot come in the door of the Senate Chamber."

The whole gist of my argument is that since there has been a fair election according to State laws, and since the man has been duly declared elected, and there is no question as to his constitutional qualifications, we have no right to refuse to permit him to take his seat in the Senate, and after he is seated we cannot unseat him except for misbehavior in the Senate, and then only by a two-thirds majority.

Mr. BONE. May I impose again upon the Senator's good nature?

Mr. MURDOCK. Yes; I am always happy to yield to the Senator from Washington.

Mr. BONE. There is another aspect of the problem which occurs to me and which in suggesting I presume I again part company with those who consider the strictly technical legal aspects of the case. There is certainly an odd facet of the case, an aspect of it about which a layman has asked me. Although the Members of the Senate who are lawyers probably will not find any complication in it, for they are accustomed to the oddities of the law and are accustomed to dealing with legal assumptions and legal fictions, nevertheless, we find the situation to be that if the Senate in its wisdom should determine that Senator LANGER has been guilty of some offense which is so obnoxious and so distasteful and repugnant from the viewpoint of an individual Senator that he would want to repel Senator LANGER and prevent him from remaining a Member of the Senate, yet if the offense were something that was not shocking to every Senator, but only to some, under the one theory presented a bare majority of the Senate could send Senator LANGER away—51 percent of the Senate voting "aye" on that issue.

The other day a layman said to me, "How is it that if Senator LANGER had been duly seated in the Senate, and no question had been raised, and he should be guilty of the heinous offense of murder or treason, it would take two-thirds of your body to expel him, whereas for some infinitely lesser offense, something less challenging or less offensive to the good taste of a Member of the Senate, only 50 percent of you are required to vote against him in order to oust him?"

I said, "My dear sir, I have spent half my life in the courts, in trying lawsuits, but I have never tried to explain to ordinary human beings the vagaries of the law."

I have spent much time on both sides of the trial table, as most lawyers have done—now I am looking at the Senator

from Illinois and the Senator from Louisiana, who is smiling at me; and they probably will agree with me——

Mr. OVERTON. I am smiling because I agree with the Senator.

Mr. BONE. I am sure many Members of the Senate who have had much legal experience will agree with me that there is no accounting for many of the things that the law stands for. I have had many laymen ask me if I would explain to them some of the vagaries and apparent inconsistencies of the law; and in reply to their inquiries I have said that, in trying to determine what a jury may do—and I have heard some persons say that never can be determined—I have found some things too thick to swallow.

Of course, it is well known that it is not uncommon for a lawyer representing a large company which is being sued, to have a rather thorough check made of the temperament and viewpoint of the prospective jurors. Such a lawyer will want to know the temperament and attitude of the prospective jurors—the members of the panel—and he will call some man and will say to him, "Will you check on John Doe and Richard Roe, in this panel, and see what sort of chaps they are, and what viewpoints they have? I am representing the X. Y. Z. Railroad Co., and I should like to find if any of these fellows have any inherent prejudice against railroad companies, because we are being sued here by a fellow who claims to have suffered a broken leg, or a broken back, or a broken head, and we should like to find out whether these prospective jurors hate the railroad company."

One does not have to hate a railroad company to understand the necessity of a lawyer for a railroad company trying to find out what sort of jury he might prospectively have to face. That jurors have been tampered with is too ominous and shady a part of the legal history of this country not to attract the attention of any lawyer who is capable of practicing law. If there is a lawyer in this body who should come to me outside and honestly say, "I never heard of that kind of business," I should want to make a cautious inquiry of his practical experience, because I know full well that almost all lawyers have had such experiences.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Kentucky.

Mr. CHANDLER. I should like to enter into the discussion of that point, because I think the Senator may have missed a point that was made the other day. It was not that a man may not look into the jury to find out what their prejudices may be, unless he knows them, but that he does not hire somebody after a case has been submitted to jury to watch the jury and that he does not hire some man to fix the judge or fix the jury. I practiced law for more than 20 years in my county, and I will say that in my memory I never heard of any charge being made that anybody ever hired any one else to fix the jury or to watch a jury or to fix a judge. In this case we have the suspicious circumstance of a judge's son having been employed by someone and paid by Senator LANGER and others to do something which is not explained to me.

Mr. MURDOCK. I think the Senator should stay with the record.

Mr. CHANDLER. I will.

Mr. MURDOCK. There is no evidence that anybody except Senator LANGER paid Gale Wyman a dollar.

Mr. CHANDLER. Gale Wyman said he got the money.

Mr. MURDOCK. Yes; through Senator LANGER.

Mr. CHANDLER. I say that he got the money——

Mr. MURDOCK. Yes; but there were no others.

Mr. CHANDLER. When Senator LANGER was to be tried before the father of the boy. In my memory of 20 years' practice there has been brought no charge against a fellow for trying to fix a jury or trying to buy a judge's son, which was the upshot of the matter in this case. I would not say that representing a client I would not find out who was on the jury panel, and, if I could, find out what their likes and dislikes were, and I should like to find out whether the jurors were for or against the proposition I was getting ready to uphold. I wanted to see whether I could clear the Senator's idea about what the discussion was the other day.

Mr. BONE. Mr. President, I do not want to take up too much of the time of the Senator from Utah.

Mr. MURDOCK. If the Senator will permit me, I hope the Senator does not get the idea that the situation, according to the record, is just as the Senator from Kentucky has related it.

Mr. CHANDLER. I think it is just as I related it.

Mr. MURDOCK. Of course, I doubt that we have time to go into it now or that it would be fair to the Senate to do so, but I am very much interested in knowing where in the record that type of evidence is to be found.

I now yield to the Senator from Washington.

Mr. BONE. Mr. President, I am not assuming any particular state of facts; I am merely pointing out, as my powers of observation have permitted me to perceive, what is going on about me. I have noticed that lawyers on both sides of a case try very thoroughly to understand the temperament and the viewpoint of prospective jurors, so that they may adequately represent their clients. That does not imply doing anything wrong, but every lawyer knows that there are canons of the American Bar Association and the State bar associations that make it a very serious offense for a lawyer to tamper with a jury.

I digress for a moment to refer to a case in my own State not long ago. As I recall, a condemnation case was being tried, involving a water system which was being acquired by a city.

If my memory serves me aright, one of the attorneys for the company whose property was being taken under the condemnation proceedings in the midst of the trial was suspected of having entirely too much interest in one of the lady jurors. It was not my good luck to be there, but gentlemen who were there said she was a very charming and personable lady juror, and there may have been on the part of the attorney something more than a desire to speak to her merely in her capacity as a juror. It seems, however, that the attorney took the lady juror out for a party while the case was being tried, and one day he was discovered on the river bank with the lady juror basking in the sunshine, neither of them more than scantily clad. Most of us thought it was at least somewhat irregular for an attorney for the defense to take one of the lady jurors during the trial of the case and entertain her on the river bank in scanty bathing clothes.

I am wondering what might have happened in that case in respect to the size of the verdict if this very engaging, persuasive, pulchritudinous, and, perhaps curvaceous, young lady had been permitted to continue to enjoy the company of the counsel for the defense. I never blamed my brethren who represented the plaintiff in that case for being sufficiently interested to employ a detective to check up and ascertain what was happening to the lady juror. As the result of this particularly maladroit operation, the counsel who was entertaining the charming lady juror was disbarred, for it was not considered good practice in my State to do things of that kind. Subsequently, for some obscure reason, the court reinstated him, since tampering with the jury was not looked upon there as seriously as it should have been regarded.

I mention this because I doubt if any of the veterans of the bar here have not had experiences which, perhaps, are somewhat similar. I chance to observe some of them here, and, as I look around and see them, I do not think any of them would undertake to fool me for a minute. They are good lawyers, and, I am sure, in their experience, they have seen many "funny" things happen, including attempts made to manipulate jurors. Every member of the bar has a feeling, "Well, perhaps something might happen"; but every member of the bar, every man with professional honor, knows, first, that he would violate all the ethics of his profession and violate his professional oath if he should speak or should have anyone else speak for him to a juror or attempt to tamper with a jury. I can forgive any lawyer for wanting to know what is happening sometimes when he sees "funny" things going on, as in the condemnation case I have just described.

Mr. STEWART. Mr. President, will the Senator from Utah yield to me?

Mr. MURDOCK. I yield; but first I wish to thank the Senator from Washington for his contribution.

Mr. STEWART. The Senator from Washington always makes delightful contributions, and I was so engrossed in his recital and enjoyed it so much that I also forgot to ask the Senator to yield before the subject was left entirely behind.

A few moments ago, during his colloquy with the Senator from Kentucky, I understood some question was raised about there being no testimony that any other money was paid to Gale Wyman than that which Mr. LANGER paid direct.

Mr. MURDOCK. I said so far as the record disclosed, according to my humble opinion, there is no evidence in the record at all that anybody paid anything to Gale Wyman except Senator LANGER himself; the record, as I understand, is to the effect that, through Jimmy Mulloy and Chet Leedom, he was paid $250 at one time, and, then when the perjury case came up Senator LANGER gave Jimmy Mulloy a check for $275 which was delivered to Gale Wyman.

Mr. STEWART. By Mr. LANGER himself?

Mr. MURDOCK. The check was made by Senator LANGER, delivered to Jimmy Mulloy; the check was payable to Jimmy Mulloy as payee, endorsed, and then delivered to Gale Wyman.

Mr. STEWART. I have picked out the testimony which shows exactly what the Senator says. I notice that Mr. Mulloy, on page 19 of the record, testified:

Mr. MULLOY. Mr. LANGER handed me five $100 bills, and I delivered them over to Mr. Chet Leedom in the Grand Pacific Hotel. That was the money that was to be sent to Gale Wyman.

Certainly that entire $500 was sent to Gale Wyman, Gale Wyman being, of course, the son of the judge. Skipping over a question or two, I read the following:

Mr. MULLOY. Well, on the second trip that I made down, that is, to get Leedom for the perjury trial, when I talked to Gale Wyman in Deadwood, he told me that Leedom had only sent him, my memory is, $250, that he had only received $250 of the $500.

That was related, as I understand, to Mr. LANGER by the judge's son, Gale Wyman, when he visited Mr. LANGER in North Dakota, and Mr. LANGER then paid him the remaining $250 to make up the total of $500, plus $25 which, I believe, was to be additional expense money.

Mr. MURDOCK. The Senator is correct.

Mr. CHANDLER. Mr. President, coming back to my original question——

Mr. MURDOCK. I inquire if the Senator from Tennessee has concluded?

Mr. STEWART. That was all I desired to say.

Mr. MURDOCK. I think the Senator has stated the matter correctly.

Mr. CHANDLER. The Senator does not contend, then, that Senator LANGER is the only one that this fellow got money from? Of course, it might have come from Senator LANGER, but did it not go through the other fellow?

Mr. MURDOCK. Yes; and I apologize to the Senator for misconstruing what he said.

Mr. CHANDLER. I do not want to be inaccurate about it.

Mr. MURDOCK. We can agree that Senator LANGER is the only person from whom any money went to Gale Wyman, and that it came out of Senator LANGER'S pocket.

Mr. CHANDLER. And the Senator will agree that the man who got the money was the judge's son?

Mr. MURDOCK. Oh, yes; there is no question about it.

Mr. CHANDLER. And the circumstances of giving the judge's son money, either by the man himself or by his agent, seem to be suspicious.

Mr. MURDOCK. I will not agree with the Senator in that. The Senator has his right to that conclusion.

Mr. CHANDLER. It is a suspicious circumstance to me. I wish to call attention to the testimony on page 119, where Senator Burke was questioning Mr. Wyman, and said:

Would you want to give the committee any reason why, upon going to the hotel in North Dakota, after having visited with your father, you registered under an assumed name, knowing, as I assume you did as a lawyer, that it is a misdemeanor I believe under the laws of the State of North Dakota, as well as generally? Why did you follow that course?

Mr. WYMAN. Because I felt like I should not have been there in the first place.

Mr. BURKE. Ah! You knew all the time you should not be in the matter at all, did you not?

Mr. WYMAN. Yes, sir.

Mr. BURKE. And you have regretted it many times, that you took the $500 or had anything to do with it?

Mr. WYMAN. That is true.

That is just one of the things which the Senator from Utah apparently can reconcile among the charges, which were not brought by us, which were brought by people from North Dakota.

Mr. MURDOCK. The Senator has been reading the evidence?

Mr. CHANDLER. I am reading the testimony before the committee.

Mr. MURDOCK. The Senator says it is one of the charges I can reconcile. I do not follow him in that.

Mr. CHANDLER. I mean in reaching a final conclusion, the Senator reconciles that, at least to the extent that it did not affect his decision with regard to Senator LANGER'S right to have a seat in the Senate.

Mr. MURDOCK. I believe every word the witness said there. I think it corroborates exactly what Senator LANGER told us. I think Senator LANGER, according to his own evidence, the minute he found Gale Wyman there, said, "I want you out of town." He said, "I would have paid him a thousand dollars if he had asked it. I did not want him there. I would have paid to get him out of town."

Mr. CHANDLER. He did not want him there after he found he was there, and asked him for more money.

Mr. MURDOCK. No; he did not.

Mr. CHANDLER. I do not blame him; I would not have wanted him there, either. But this is a circumstance: Gale Wyman is the son of a judge, and the judge is going to sit in the case, and this boy is paid something, for some reason, to try to fix the judge, although he says he did not do it.

Mr. MURDOCK. There is nothing in the record to that effect.

Mr. CHANDLER. I hope the Senator will let me state how I feel about it.

Mr. MURDOCK. I would rather have the Senator do so in his own time.

Mr. CHANDLER. I shall be glad to do it. I will have time.

Mr. MURDOCK. I shall attempt now to answer some of the questions the Senator has asked. I should like to ask the Senator one question before he leaves.

Mr. CHANDLER. I am not going to engage in an argument if the Senator cuts me off.

Mr. MURDOCK. I will not cut the Senator off.

Mr. CHANDLER. Very well; I will remain here, then. I cannot answer if the Senator cuts me off.

Mr. MURDOCK. Does the Senator take the position that Judge Wyman was in any way influenced in the conduct of the perjury trial by any person whatsoever?

Mr. CHANDLER. I do not think he was, but the intention was to influence him, and money was paid to influence him.

Mr. MURDOCK. The intention of whom?

Mr. CHANDLER. His son was sought out for the purpose of having some influence with his father, because they knew in advance that he was going to be assigned from South Dakota to try this case.

Mr. MURDOCK. Will the Senator point out in the record where he finds the evidence to arrive at that conclusion?

Mr. CHANDLER. It is there; I have read it many times. The Senator has asked me the question, and I am undertaking to answer him. Let me answer.

Mr. MURDOCK. I yield.

Mr. CHANDLER. To the eternal credit of the judge, I do not think it had any influence with him; but it was intended to. They sent a fellow to get the judge's son, and paid him money, and he went to North Dakota and registered at the hotel under an assumed name, and under cover did all sorts of things for which he was sorry later and said he wished he had not been involved in—but he took the money. He was given the money for the purpose of trying to have him influence the judge. That was their purpose. I think they failed, and the money was wasted, but they did not intend to waste it. Merely because it did not have the effect they intended it to have does not mean that it was a situation which they should not have brought about. It is not decent, and is not honest, and is not right, in my opinion.

Mr. MURDOCK. Will the Senator let me ask a further question?

Mr. CHANDLER. Certainly.

Mr. MURDOCK. Can the Senator cite anything in the record to show that Judge Wyman knew his son was going there before he reached there?

Mr. CHANDLER. I am not certain that the judge knew it, but the son was called there.

Mr. LUCAS. Mr. President——

Mr. MURDOCK. Let us have the Senator from Kentucky answer. The Senator is very familiar with the record.

Mr. CHANDLER. The Senator does not claim to have every point, and I will merely answer what I know about.

Mr. MURDOCK. I merely want to inquire whether the Senator knows that the judge knew that his son was coming before he reached there.

Mr. LUCAS. Will the Senator yield?

Mr. CHANDLER. Let the Senator from Illinois answer.

Mr. MURDOCK. I know the Senator from Illinois knows. I should like to have the Senator from Kentucky answer.

Mr. CHANDLER. My impression is that they were going to have a banquet for him, and that they called him on the telephone.

Mr. MURDOCK. Who was going to have a banquet?

Mr. CHANDLER. Someone in North Dakota was going to have a banquet for him, and they were going to give him notice that he was going to have courtesies and consideration. I did not memorize the record, and I am not certain.

Mr. MURDOCK. Every remark the Senator makes indicates that he did not memorize the record.

Mr. CHANDLER. The Senator has been perfectly accurate.

Mr. MURDOCK. I want to be challenged if I am not accurate.

Mr. CHANDLER. The Senator has been challenged.

Mr. MURDOCK. Then, I have acquitted myself from the record.

Mr. CHANDLER. The Senator gives himself a good reputation, and I am not trying to take it away from him. He recommends himself very highly; and I have no objection to that. The Senator is asking me questions, and I ask him to yield for questions. Let me ask him questions.

Mr. MURDOCK. Very well.

Mr. CHANDLER. Then let me answer the one I wanted to answer. I rose to say that the judge's son was given money.

Mr. MURDOCK. The Senator has said that three times.

Mr. CHANDLER. Has the Senator any objection if I say it again?

Mr. MURDOCK. No.

Mr. CHANDLER. I will speak in my own time if the Senator desires to regulate my conversation.

Mr. MURDOCK. Let the Senator proceed.

Mr. CHANDLER. The judge's son was given money by Senator LANGER and others. It is my opinion that he was given the money to try to influence his father. I say I do not know whether he influenced his father or not; I do not think he did; but, anyway, the motive back of it was to employ the judge's son to influence his father to decide the case favorably to Senator LANGER. In my opinion, that is not right, it is not just. If the Senator thinks it is, I have no objection.

Mr. MURDOCK. I do not, and the Senator should not even imply that I do.

Mr. CHANDLER. I did not imply that the Senator did; I say "if you do." I do not think so.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Utah yield to the Senator from Louisiana?

Mr. MURDOCK. I think that now I must proceed; but I yield to the Senator from Louisiana.

Mr. ELLENDER. I should like to have either the Senator from Illinois or the Senator from Kentucky point out in this record any evidence, except that indicated by the Senator from Utah, to show that Senator LANGER knew that Mulloy had talked to or employed Judge Wyman's son out in Deadwood. Also evidence that the payment was made by Senator LANGER at a time when he had prior knowledge of such employment. The evidence will show that Senator LANGER did not know that Mulloy had employed Gale Wyman, the judge's son, until he—Senator LANGER—confronted him—Wyman—for the first time; and that the moment he found it out he ordered him out of town, after paying him the balance due on a contract that he did not authorize but that he thought he should comply with in view of Mulloy's action in the matter.

Mr. LUCAS. The Senator from Louisiana has asked me to answer a question. Will the Senator from Utah yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. In the first conspiracy trial Senator LANGER did not think that he received a fair trial at the hands of Judge Miller, and one of the things called attention to in the second conspiracy case was the fact that Miller refused to permit Senator LANGER and his counsel to have a look at the respective jury lists. I do not know what the custom or rule in North Dakota is on that point. It has been argued both ways, that the judge had a right to deny counsel the privilege of looking at the jury list in advance, and some say it was a custom to do it even though the law was the other way. That was in the first case. In the second conspiracy case Judge A. Lee Wyman was designated by Judge Stone, who was the head of the circuit court of appeals, to try the case. I think it was Judge Stone.

Mr. MURDOCK. It was Judge Gardiner.

Mr. LUCAS. Perhaps it was Judge Gardiner. At any rate, it was at the beginning of the second conspiracy trial that Mulloy went to Deadwood to see Chet Leedom, and it was in that conversation that the two of them agreed that they had to save "Bill" meaning Senator LANGER. The conversation took place between these two men with respect to the jury list, and that is when they called in for the first time Gale Wyman, son of the judge, and talked to him about employment in this case. It was there that Mulloy said, "I cannot do anything about employing Wyman. It has to be O. K.'d by Governor LANGER." Leedom assured him that everything would be all right and that he would guarantee the payment of the money. So it was then that Wyman left his home in Deadwood and went to where the judge was, the father, and discussed with him at that time things which included what the Senator from Kentucky said a while ago about the banquet to be given him. Whether anything was said about the jury list——

Mr. MURDOCK. There is nothing in the record, is there, to show that Gale Wyman ever talked to his father about the banquet?

Mr. LUCAS. Oh yes; there is plenty of evidence about that. He warned him about being taken in up there by certain people who were friendly to Miller and his crowd. That is the testimony.

Mr. MURDOCK. I shall read the testimony about the banquet in a few moments.

Mr. LUCAS. Very well. There is no question that on the opening day Judge Wyman did permit Senator LANGER and his counsel to investigate who the prospective jurors might be, and I think he adjourned court for 2 days. That is the beginning of the employment of Gale Wyman in that case.

Mr. ELLENDER. How about the knowledge of Senator LANGER? Where did Senator LANGER come in, according to the Senator's contention?

Mr. LUCAS. I will tell the Senator. Anyway, that was the beginning of the employment of Gale Wyman, so far as Leedom and Mulloy are concerned, Mulloy being the personal representative of Governor LANGER. Following that, in the perjury case, which was tried before the second conspiracy case was tried, Mulloy went to Deadwood again to get hold of Leedom and take him there so that he and Leedom might watch the jury, and to see that nothing was wrong about it. But when Mulloy got there he found Leedom drunk, so then he called Governor LANGER, and said,

I can bring the other fellow.

Senator LANGER said that Mulloy said:

I can bring another fellow.

At any rate, "the other fellow" and "another fellow" were the same fellow. He brought Wyman to Bismarck when the case was being tried, and Wyman went there and registered under an assumed name, and the next day, following the perjury trial, he saw Senator LANGER, and it was after the perjury trial was over, not while the trial was going on as Senator LANGER said in his testimony, that he paid him. Senator LANGER said:

I would have given him a thousand dollars to get him out of town because I was being tried.

When he paid Wyman $275, which was the balance due and owing him, the perjury trial was over.

Mr. ELLENDER. Mr. President, will the Senator yield at that point?

Mr. MURDOCK. I yield.

Mr. ELLENDER. The fact remains, and I think the record will show, that the same judge, Judge Wyman, although he completed the perjury trial, I think it was on that Saturday, or whatever day the money was paid, was to try Senator LANGER on the second conspiracy case a few days thereafter.

Mr. LUCAS. I am taking Senator LANGER's own word for it, that he was then being tried, and that he would have given Gale Wyman a thousand dollars to get him out of town. My position is that Senator LANGER would have had the support of the people of North Dakota and of the judge himself if instead of being willing to pay Gale Wyman a thousand dollars to get him out of town, and actually paying him $275, he had laid the facts cold before the judge.

Mr. ELLENDER. Why should he have done so? Why should he have antago-

nized the judge's son and probably have created a stir at a time when his liberty was at stake? On the other hand, the judge knew that his son was going to come to North Dakota? Why not find fault with the judge for not warning his son to remain away?

Mr. MURDOCK. Mr. President, I must decline to yield further. I must say that I think the Senator from Illinois has stated the facts about as they are, but I still say to Senators that they must make a choice between believing Jimmy Mulloy, on the one hand, as to what happened with respect to Gale Wyman's employment, and the corroborated testimony of Senator LANGER. When I say "corroborated" I contend it is corroborated by Gale Wyman himself.

I come now to the statement which the Senator from Illinois makes about what Senator LANGER should have done when he found that Judge Wyman's son was there; that he should have gone to the judge and told him what Gale Wyman was asking. Mr President, this thought occurs to me; Gale Wyman called his father before he left South Dakota, and told him he was going to North Dakota; that he was employed by Jimmy Mulloy to go there and to straighten something out for Chet Leedom. Are we to imagine a lot of immorality, are we to imagine a lot of crime and unethical conduct on the part of Senator LANGER simply because, according to the record, when he found out that Gale Wyman was there he then told him to get out of town, and paid him off? If we condemn Senator LANGER for that, then can any Senator who condemns him say that when Gale Wyman called his father on the telephone before he left South Dakota, his father should have told him not to come there? That is the very point I made a while ago.

Some Senators seem very prone, very willing, indeed very anxious, to imagine and to presume certain things, and to condemn Senator LANGER for what happened with respect to Gale Wyman, but they wish to build a pedestal under the judge, who knew before his son ever left South Dakota that he was coming, and that he was employed by Jimmy Mulloy.

There is one question for the Senate to determine with reference to Gale Wyman, and that is, did Senator LANGER know that "another fellow"—that is the phrase which was used—referred to in the telephone conversation, was the son of Judge Wyman who was trying him? The evidence of Gale Wyman, corroborated by Senator LANGER, is that Senator LANGER did not know who the fellow was until Gale Wyman appeared on the scene. Then the uncontradicted evidence of Senator LANGER is—except as it is probably contradicted to some extent by Jimmy Mulloy, the self-confessed criminal, as stated by the Senator from Illinois—that as soon as Senator LANGER knew who he was, he ordered him to get out, and he got out.

Senators must decide whether they will believe the testimony of Jimmy Mulloy, standing alone, or whether they will believe the testimony of Gale Wyman and Senator LANGER.

The distinguished junior Senator from Kentucky [Mr. CHANDLER] referred to a banquet. I do not think much of the banquet story; I do not think the Senate even has time to bother with it; but let us see what the evidence is on that question.

Mr. LUCAS. Before the Senator does that, will he yield?

Mr. MURDOCK. Yes; I yield, because the Senator was so generous in yielding to me.

Mr. LUCAS. I should like to have the Senator read into the record any evidence that Gale Wyman told his father that he had been employed by Jimmy Mulloy in that case, and that he was coming to see him the next day. I know he telephoned his father that he was coming to see him.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. STEWART. Is there not a letter from Judge Wyman in the record, or did not the investigators have such a letter, if it is not in the printed record? At any rate, a letter was written by the judge who tried the case, which explained the transaction with his own son, and I think he states in the letter something about the telephone conversation. If it is in the record, it will explain the whole matter.

Mr. LUCAS. There was nothing in the record to show that the judge knew that the son was employed in this case.

Mr. MURDOCK. Mr. President, the Senator from Illinois asked me a question about the telephone conversation between Gale Wyman and his father. I think he intimated that I could not find it in the record. I am sorry the Senator asks questions and then leaves the Chamber before they are answered. I know it is unintentional, but I am sorry he did not wait.

Reading from page 116, Mr. Burke was examining Gale Wyman:

Mr. BURKE. Also a reporter for a farm newspaper?

Mr. WYMAN. No, sir. He said he was bringing another fellow, and that is all he said, and I could not hear the Langer part of the conversation. After he had found out from Bill it was going to be all right to bring this other fellow, why, then, he told me, he says, "Well, you have got to go to North Dakota with me—"

Quoting Jimmy Mulloy—

And I started inquiring then what the situation was, what the deal was, and I said I would have to call the judge before I would go up there under any circumstances, that I would not go up there and drop in there without letting him know that I was coming, because I was not going to embarrass him if I could help it, and I called Bismarck, and I got my father on the telephone and told him that I had to come to North Dakota and straighten Chet Leedom's situation out up there, and that I probably would see him when I got there. And when I started, when we left the office and got over—

That is the end of it. Then Mr. Burke asked another question.

So he did call his father on the telephone before he went there, and he did tell him that he was coming to straighten out a situation for Chet Leedom.

We also have in the record the judge's statement with respect to the telephone call. Reading from Judge Wyman's statement submitted by Senator Burke, we find this on page 129 of the Little Green Book:

Shortly after I received notice of my assignment, my son, Gale B. Wyman, who resides at Deadwood, S. Dak., called me over the long-distance phone at Sioux Falls and told me that some parties from North Dakota were in his office—

This statement of the judge was submitted to me by the Senator from Tennessee [Mr. STEWART]. I had not read it. I think this refers to another telephone conversation, and not the one to which Gale testified in the answer I have just read. I thank the Senator.

Why should we be so prone to condemn Senator LANGER, a Member of the United States Senate, and absolutely refrain from any type of criticism of Judge Wyman, who knew that his son was coming there? I do not take the position that it was right for Gale Wyman to go there. I do not think Gale Wyman should have gone to Bismarck, N. Dak. I think that when his father heard him say over the telephone that he was coming there he should have said, "Son, stay where you are. You have no business here." However, I do not censure the judge too much for that. I do not believe that a man should be condemned simply because his son is indiscreet. Probably if Judge Wyman had thought the thing over he would have told his son to stay where he was.

The important point at issue in the case is, Did Senator LANGER know that Gale Wyman was coming to North Dakota? Jimmy Mulloy testified that he did. Senator LANGER and Gale Wyman said that he did not.

Because the Senator from Kentucky is interested in banquets, I wish to refer to the banquet. The first time we hear anything about a banquet is on page 109 of the green book. Gale Wyman is talking about it. This is what he said:

and he told me—

Speaking of Mulloy—

of the proposed banquet that was scheduled for the judge upon his arrival, that the guests would be the Supreme Court of the State of North Dakota which had just previously removed Governor LANGER after his first conviction, and Judge Andrew Miller, who had presided at his first trial—

I want Senators to listen to this—

and he insisted that it was for the sole purpose of bringing anti-Langer influence to bear upon my father who was to try the retrial of the conspiracy case—

In other words, the information that was given to Gale Wyman was, among other things, that the anti-Langer faction would have a banquet for his father, the judge, on his arrival. Let us see how that evidence is turned against Senator LANGER. I do not think it was done intentionally, but inadvertently, but let us see what happened with respect to the banquet. If Senators will turn to page 124, another course of the banquet is served there. [Laughter.] The Senator from Tennessee [Mr. STEWART] comes into the picture:

Mr. WYMAN. They had a banquet arranged for the judge upon his arrival in North Dakota, and I was supposed to advise him.

Senator STEWART. To carry the place card over, or something like that?

Mr. WYMAN. No.

The CHAIRMAN. Senator STEWART, the witness testified that the entire Langer group had arranged a banquet for the judge.

I want the Senate to consider that. The evidence of Gale Wyman was that the anti-Langer group was going to give a banquet for the judge, to bring anti-Langer influence into the picture. When we turn to page 124 we have the chairman of the committee—I think unintentionally and inadvertently—changing the whole picture by saying:

The CHAIRMAN. Senator STEWART, the witness testified that the entire Langer group had arranged a banquet for the judge.

The two words have been interchanged. Gale Wyman talked about "anti-Langer." I suppose the chairman of the committee thought the witness had said "entire Langer" instead of "anti-Langer."

When we turn to the next page we find the following:

Senator STEWART. Did you admonish him not to attend any banquet?

Mr. WYMAN. I told him they had this banquet arranged for him and it was supposed to be composed of entire Langer men.

So what started out to be an "anti-Langer" banquet now becomes a banquet of "entire Langer men."

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I was interested in the question because originally I made the statement that I thought this boy told his father that they were going to have a banquet for him. I believe that is in the record. In order to clear up the point, on page 109 Mr. Wyman was discussing this matter. I wish to read to about the middle of page 110, because I think it is important to have it in the RECORD at this point. Gale Wyman testified:

Since he had been on the bench he had not even accepted social engagements in the neighborhood where he lived; that he will not accept dinner engagements; that he had never attended any lodges or gatherings where anybody could criticize him in any manner as to being approachable. I told him as far as I was concerned I was just as sure as I was sitting there that that invitation would be turned down without any suggestion on the part of myself, or any previous warning. However, he insisted that there was a chance to make some money, and that he wanted me to go to Sioux Falls and talk to my father along the lines that I have just related, and I told him that I could not go to Sioux Falls for nothing, it was 450 miles from Deadwood to Sioux Falls, it would mean a drive in an automobile, and it would take about 3 days to make the roundtrip and accomplish anything. I thought at the time I was making it big enough so that there was not going to be any danger for them paying me for the trip. I told him I would have to have $500 before I would go to Sioux Falls. He told me then, that he did not know, he did not have any authority to bind the situation right then, but that they would go back to North Dakota, meaning he and Chet, and upon their arrival in North Dakota he would immediately take care of this financial arrangement and that I would have this money back there within 2 or 3 days.

Mr. BURKE. If I may interrupt there——

Mr. WYMAN. Yes, sir.

Mr. BURKE. You had no question in your mind that they were willing to pay you $500 at your request solely that you might go over to Sioux Falls and tell your father to look out for some banquet that he was going to be invited to attend, or for your assistance in getting your father to do what the statute provides must be done under certain procedure in reference to the jury list, had you?

Mr. WYMAN. I did not get the first part.

Mr. BURKE. You had no question in your mind that that was all that they wanted?

Mr. WYMAN. Yes, sir; that is all that I thought they wanted.

Mr. BURKE. Did you think that they were paying you $500 in order that you would do that and that only?

Mr. WYMAN. Yes, sir.

Mr. BURKE. Well, I will read you your testimony, your statement given before the committee investigators appearing in volume I, page 17. You were speaking:

"I told them from the standpoint of a fixing policy it would be a physical impossibility for me to do any good."

Mr. MURDOCK. That is from the hodgepodge.

Mr. CHANDLER. I state the situation as it seems to me, at least: They did not employ Gale Wyman to tell his father that they were going to have a banquet for him, but they put the banquet business in; and when they were talking about it some conversation must have occurred which gave rise to his expression:

I told them from the standpoint of a fixing policy it would be a physical impossibility for me to do any good.

I do not think that he ever did indicate that he would "fix" his father, but he talked with them about fixing his father. I do not know how much conversation he had with him. I know he called him on the telephone. I know he went to see him. The whole thing is not a matter in which we can have faith, inasmuch as Senator LANGER is identified with certain men who were attempting to have the judge "fixed," and money coming from Senator LANGER was paid to the son of the judge.

I am not quarreling with my friend, but I am trying to have the facts accurately stated. I understand my good friend's position in regard to the case; but the things I have mentioned are things which trouble me when I attempt to justify, if I can, the suspicious actions of certain persons.

Mr. MURDOCK. The only difference between the position of the Senator from Kentucky and my position is that, although I do not like the fact that Jimmy Mulloy went to South Dakota to get Leedom, although I do not like the fact that Gale Wyman was brought into the picture, nevertheless, my recollection of the law is that in doing justice Senator LANGER cannot be convicted for something which Jimmy Mulloy did. The evidence in the record is that Senator LANGER did not know that Gale Wyman was coming into the picture at all until he got to North Dakota.

I say again, for the third or fourth time, that the Senate can make its choice.

Mr. CHANDLER. Mr. President, will my friend let me interrupt him at this point?

Mr. MURDOCK. No; I shall not yield now.

The Senate can make its choice as to whether it wants to believe Jimmy Mulloy alone, or Senator Langer and Gale Wyman. Chet Leedom is dead; he cannot speak. Nearly every person about whom Jimmy Mulloy talked had passed away. Jimmy Mulloy was betraying a friend; he was indicating that he wanted to destroy Senator LANGER, and he gave us one story. Gale Wyman told us another story. The only corroborated testimony in the record on that point is that Senator LANGER did not know anything about the employment of Gale Wyman until he got there.

I do not think that what Judge Wyman thought about the case has anything to do with the facts we are to consider. The question before us is the question whether Senator LANGER knew that Gale Wyman was coming to North Dakota. Let us even suppose that we find the answer to the question to be in the affirmative—that he did know it. Then the question arises whether he got him to do anything in the case with reference to influencing his father.

The answer to the question is that he did not get him to do anything. Why? Because instead of directing a verdict in the second conspiracy case—as he had a right to do, and as, in my opinion, he was bound to do under the decision of the circuit court of appeals—he submitted the case to the jury; and in the third conspiracy case, in which again he should have directed a verdict in favor of Senator LANGER, he again submitted the case to the jury, and Senator LANGER was finally acquitted.

If any Member of the Senate thinks that Judge Wyman was influenced, I should like to have him tell me so. If no Member of the Senate thinks that the judge was influenced, then I ask the further question, Can any Member of the Senate point to anything in the record which indicates that anyone tried to influence Judge Wyman in that case?

We might indulge in a great deal of imagination and suspicion; but there is nothing in the record, with one exception, to indicate that anyone tried to influence Judge Wyman. I now desire to read to the Senate some testimony of Gale Wyman.

Mr. CHANDLER. Mr. President, will the Senator yield on that point?

Mr. MURDOCK. Not just now.

Returning to the question of who was trying to influence Judge Wyman, we find Gale Wyman's testimony on page 123, as follows:

Mr. WYMAN. After this hearing here, after this investigation had been commenced, it was discussed considerably between us, yes.

Between him and his father.

Mr. MURPHY. What did he say?

Referring to Gale Wyman's father, in the conversations subsequent to the trials, and about which Gale Wyman was talking.

Mr. WYMAN. Lanier——

Who was the United States district attorney prosecuting Senator LANGER——

started the practice of running into his chambers at intermissions and trying to discuss the case, and he finally had to tell him very

bluntly, he said, that if he wanted to discuss that case, he should get counsel for the defendants in the room with him and that he would discuss or talk any part of the case over, but that he was not going to discuss it with him individually.

That is the testimony of Gale Wyman relative to a conversation between himself and his father subsequent to the trial; and he states that in the conversation his father told him that Lanier, the United States district attorney prosecuting Senator LANGER, came into his chambers time and again, trying to talk ex parte about the case, until finally Judge Wyman had to speak bluntly and tell him either to keep out of his chambers or to come there with defense counsel.

Let us read more of Gale Wyman's testimony on that point. I read from page 122:

Mr. MURPHY. Mr. Lanier was the United States attorney prosecuting the case?

Mr. WYMAN. He was.

Mr. MURPHY. All right. What did he say with reference to Judge Miller?

Mr. WYMAN. Then, subsequently, Judge Miller was in his chambers practically the whole time of the trial and he would make suggestions as to what should be done, and how it should be done, and my father finally told him that he was charged with the responsibility of handling that matter and that he did not need any help from the side lines. He had to be very blunt with him.

So we have the further testimony, if Gale Wyman told the truth, and the testimony is not contradicted so far as I know, that not only was the district attorney coming to Judge Wyman during the trial of Senator LANGER, but that Judge Miller himself, who saw that Senator LANGER was prosecuted for perjury, came into his chambers time and again, until Judge Wyman—according to his son—told Judge Miller that he did not need any help from the side lines, and asked him to stay out.

Therefore, can it be wondered that Senator LANGER thought he needed someone to watch the jury, to watch the clerk, the marshal, and the others when, according to the testimony of Judge Wyman's son, when he and his father discussed the case after the trial, his father pointed out to him that both the district attorney and the district judge were in his chambers, trying to influence him?

I do not know whether I need say anything further with reference to Gale Wyman; but, Mr. President, unless some member of the majority of committee is willing to state that Judge Wyman was influenced or that Senator LANGER tried to influence him, I say that in all fairness we are entitled—in fact, we are in duty bound—to resolve that question in favor of Senator LANGER. I do not think that Judge Wyman was influenced. I do not think that anyone tried to influence him. If his son told us the truth in the two statements I have read, I doubt very much that he was influenced.

We next come to the second matter which I think the Senate wants discussed—the Mexican land deal. What are the facts with respect to the Mexican land deal? Stated simply, they are these: Senator LANGER was serving as Governor of North Dakota, and sometime in May of 1937 he went to Chicago, and called at the office of a certain attorney known as Tommy Sullivan, or Thomas Sullivan. According to the record, Thomas Sullivan was an enthusiastic supporter, over a long period of time, of the Non-Partisan League movement in the State of North Dakota and the surrounding States in which the Non-Partisan League was active. Tommy Sullivan married the secretary of former Representative Lemke, who was a candidate for the Senate against Senator LANGER. Years and years ago Senator Langer, former Senator Frazier, Representative Lemke, and others in the Northwest organized a company for the purpose of procuring land in Mexico. Senator LANGER bought a certain amount of stock in the company. I do not know how much he bought, but, as I recall, the evidence shows that he either owned or controlled about $55,000 worth of the stock. His testimony is that when he went to see Tommy Sullivan, during a general discussion in Chicago, the name of former Representative Lemke was mentioned. According to Senator LANGER, Sullivan was praising Lemke in some way, and Senator LANGER said, "If you think so much of Lemke, or think he is so honest, how about buying some stock in the Mexican Land Co., which Lemke has had so much to do with?" According to the testimony, Mr. Sullivan's wife was acquainted with the land company, and, evidently, during her secretaryship under Lemke, became very familiar with its operations.

The record also shows that in 1937 Tommy Sullivan became a special attorney for the Great Northern Railroad Co., which operates through North Dakota, Minnesota, and other States. During the conversation in Chicago in May 1937, Senator LANGER and Tommy Sullivan finally entered into a contract, according to the record, whereby Sullivan bought a half interest in Senator LANGER'S holdings in the Mexican Land Co. No stock certificates exchanged hands, but there was a written contract, specifying how payments should be made, and conveying a half interest in the Langer holdings to Mr. Sullivan. As I understand, the charge against Senator LANGER in connection with the Mexican Land Co. is that Tommy Sullivan paid Senator LANGER $25,000 at intervals for the stock and that the last payment was made a short time before a reduction in the valuation for tax purposes of the Great Northern Railroad Co. in the State of North Dakota in the year 1938.

As I understand, the position of the majority of the committee is that Senator LANGER was bribed by Tom Sullivan with this $25,000 to reduce the tax valuation of the Great Northern Railroad in North Dakota. The majority take the position that the land is worthless, and, as I understand, that the transfer of half the holdings of Mr. LANGER to Tom Sullivan was simply a subterfuge, or, in other words, a cover-up scheme.

Now, let us analyze the facts. What are they? Tom Sullivan represented the Great Northern Railroad Co., and, if I read the majority report correctly, they want us to believe that Sullivan paid, and Senator LANGER accepted, $25,000 to reduce the taxes of the Great Northern Railroad Co. in North Dakota.

It is easy to indulge in suspicion; it is easy to conjure up in the mind that a man is a crook and a criminal; but men should not be convicted and men should not be expelled from the Senate except on the gravest kind of a charge, supported by clear and convincing evidence.

The facts are what? I ask do railroad companies or any other utility companies bribe Governors without obtaining something in return? Do Senators imagine, as they must do if they find Senator LANGER guilty of taking a bribe in this instance, not only that he was a crook, not only that Tommy Sullivan was a crook, but that the directors of the railroad company, from the president down were crooks? There was no bribery unless the railroad company handed Sullivan the money with which to pay a bribe. So I say, before the Senate can convict Senator LANGER, it has got to imagine that Sullivan, representing a railroad company as a special attorney, is a crook; second that Senator LANGER, as Governor of North Dakota, is a crook, and, furthermore, that all the railroad directors who supplied the $25,000, if it came from that source, were criminals and crooks.

In addition to that, according to the facts, it must be found that the Great Northern Railroad Co. bribed Senator LANGER and paid him not to reduce the taxes of North Dakota during his biennium as Governor but to add to them and make the company pay greater sums. If Senators have the virility of imagination, if they have the versatility of intellect to indulge in that type of thinking, then they might find Senator LANGER guilty; but, if they want to look at the cold facts and figures, what do they disclose? The records were all before the committee but they are not mentioned in the majority report. Here [exhibiting] is a page from one of the exhibits from which I shall read in a moment, but is it cited in the majority report?

What does the exhibit disclose as to tax valuations prior to the election of Senator LANGER as Governor of North Dakota for the biennium 1937–38? We have the record of the valuations fixed by the State taxing authorities who were then haled into court by the railroad company in the effort to have the valuations set aside. Let us see what their experience was. Starting in 1933, when Senator LANGER was Governor the first time, the Great Northern Railroad valuation for tax purposes was fixed—and, if Senators care to do so, I wish they would take their pencils and write down the figures—$78,832,888. That valuation fixed by the State agency was reduced by the court to $68,832,888; the amount of the reduction being $10,000,000, and the percentage of reduction 12.685.

In 1934, during his second year as Governor of North Dakota, in his first biennium, we find the tax valuation fixed at $70,859,259. It was reduced to $55,267,467, or a reduction of 21.999 percent.

Mr. WHITE. By the court.

Mr. MURDOCK. Yes; as I understand, these are reductions by the court.

Mr. LANGER. In that year $15,000,000 was stricken from the valuation.

Mr. MURDOCK. In 1935, after BILL LANGER had gone out as Governor, and had been succeeded by someone else, as I recall by Governor Welford—I ask the Senator from North Dakota if that is correct?

Mr. LANGER. That was his name.

Mr. MURDOCK. In 1935 the tax valuation was fixed at $71,581,360. It was reduced to $62,791,327, the percentage of reduction being 12.280. Then we come to 1936. The valuation for that year was fixed at $70,760,060. It was reduced by the court to $63,070,725, a percentage of reduction of 10.860.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. Is there any contention made by the investigators that Governor LANGER was responsible for the action of the court in reducing the tax valuation?

Mr. MURDOCK. No; I do not think so.

Mr. BONE. What is the basis of any charge arising out of the reduction of valuation for tax purposes by a court that has adjudicated the case?

Mr. MURDOCK. I am leading up to the reduction made by a board of which Senator LANGER was one of the five members.

Mr. BONE. Of course, if a court arbitrarily reduces valuations for taxation purposes fixed by the State board of equalization, or the other taxing authority which has in the first instance the power to fix the taxes, Senator LANGER could not be held responsible, unless it were shown that he influenced the court.

Mr. MURDOCK. I do not think there is any contention that Senator LANGER had anything to do with the court. I have only read the figures into the RECORD because to me they seem important. They show the background of railroad taxes in North Dakota.

I wish to point out, in fairness to everyone, that before the figure I last read, for 1936, was agreed to, it was called to Governor LANGER's attention. I think he was advised that the court was about to enter a decree for the reduction, and I think it was submitted to him to determine whether he had any objection. I think that Senator LANGER advised that he had no objection, that he was interested in having the taxes paid, and that the reduction was all right. I do not believe anyone can condemn him for coming to that conclusion, in view of the background of reductions of tax valuations by the court, which I have pointed out.

It should be borne in mind, in considering the case, that Governor LANGER is accused of receiving, in May 1937, at least a part of a bribe from Tommy Sullivan in connection with railroad valuations. But in August or September of 1937, after the alleged bribe contract had been entered into, instead of a reduction of tax valuations for the Great Northern, we find that the valuation for 1937 was fixed at $63,779,715, or an increase over 1936 of $700,000.

Now I ask my colleagues whether their imaginations can lead them to believe that Senator LANGER, as Governor, accepted a bribe to reduce valuations in May, and then in August the commission of which he was chairman, as I understand, raised the valuation $700,000.

In 1938, by action of the board in North Dakota which has this function to perform, the tax valuation of the Great Northern Railroad was reduced from $63,779,715 to $60,480,648, or a reduction of about $3,300,000, a reduction by the board of equalization, consisting of five members, of which board Senator LANGER was a member and was chairman.

Now, let us go to the other column of the exhibit, in which we find that in 1935 the taxes paid by the Great Northern Railroad Co. amounted to $1,194,449.

In 1936 the taxes they paid amounted to $1,184,026. That was the biennium immediately preceding the Langer biennium.

In 1937 the taxes paid by the Great Northern Railroad amounted to $1,286,578.

In 1938 the taxes paid amounted to $1,228,631.

If we total the taxes paid during the biennium immediately preceding the Langer administration, and then total the taxes paid during the biennium of the Langer administration, we find, by reference to page 31 of the minority report, that the total taxes paid for 1935 and 1936 amounted to $2,378,485, and the total taxes paid by the Great Northern for the biennium of 1937 and 1938, during the Langer administration, totaled $2,515,209, or an increase in taxes of $136,724 during the Langer administration over the preceding administration.

If Senators have the imagination to suspect and condemn and accuse Senator LANGER of bribery for raising taxes during his 2 years to the extent of $136,000 over those imposed during the preceding biennium, then, in my opinion, they have a vivid imagination.

Mr. President, these are not all the facts. We are just about halfway through. Valuations are not the only things to be considered in figuring the tax burdens of people. After the valuations are fixed another very important thing is the rate. Let us look at the rates in the exhibits before the committee, which come from the record. Let us see what the rates were. I refer to the millage rates.

In 1935 the rate of 4.69.

Mr. WILLIS. From what page is the Senator reading?

Mr. MURDOCK. The figures I am reading to the Senate now come from John Gray, the present tax commissioner of the State of North Dakota, and, according to his letter, were taken from an official record of the board of equalization of the State, which I intend to insert in the RECORD.

I have read the rate for 1935, which was 4.69. The rate for 1936 was 4.33. That was during the biennium immediately preceding the Langer administration.

Now, we come to Senator LANGER's administration. In 1937 the rate is given as 6.10. In 1933 it was 5.89. There is quite a material difference in the rates between the preceding biennium and the Langer administration, showing not a reduction, but an increase.

I think the majority of the committee will say that we should not consider biennium against biennium, but that we should consider the 2 years of the Langer administration themselves, and should not give him the benefit of the preceding biennium, that we should look only at the 2 years of his administration. There is no doubt that the reduction in valuation from 1937 to 1938 was about $3,300,000. Then, of course, the question immediately arises, Was there any justification for a reduction in tax valuations of the Great Northern Railroad from 1937 to 1938? I think the majority of the committee knew that 1937, as compared with 1938, was a boom year. The very records which were before the committee show that in 1937 the Great Northern Railroad Co. made a large profit, while in 1938 it operated in the red.

Before I lay this exhibit aside, I wish to call attention to another point. We find the majority of the committee pointing out very emphatically and in capital letters that John Gray was on the board of equalization with Governor LANGER at that time. Since then he has become the tax commissioner. They point out that, instead of Mr. Gray's agreeing to the decrease in 1938, from the figures of 1937, he wanted to increase the tax valuation of the Great Northern by about $4,000,000.

Mr. President, I repeat, that the majority members of the committee make much of the fact that John Gray, a member of the board of equalization, wanted to raise the tax valuation of the Great Northern Railroad in North Dakota, instead of reducing it, but when the board voted on Mr. Gray's motion to increase the valuation, Senator LANGER, as they say, and his two henchmen voted to reduce, but John Gray and the other member, the fifth member, voted to increase. I think the record will show, however, that on the motion to fix the reduced valuation every member voted for it but John Gray.

Let us see in how much good faith John Gray was acting in asking that the tax valuation of the property be raised by four million dollars in 1938. Since Senator LANGER went out, John Gray, as I have stated, became and is now tax commissioner. The letter from which I am reading is on his letterhead, "Office of the State Tax Commissioner, John Gray, Commissioner," signed by John Gray. I do not think anyone questions the signature. He wanted to raise the tax valuation in 1938 by $4,000,000. Very well. What happened? In 1939 the tax valuation was fixed at $61,052,793, the increase, as nearly as I can figure it, being $600,000 or $700,000. Oh, the contaminating influence of Senator LANGER had been removed then. He was not there to contaminate this man Gray at that time. But did John Gray and the board of equalization raise the tax valuation of the Great Northern by $4,000,000? No, they raised it by between $600,000 and $700,000. Is it common knowledge that 1939 was a better year than 1938? I think so. That is when the war began in Europe.

The year 1940 comes along. John Gray is still tax commissioner. He is the man who wanted to raise the tax valuation in 1938 by $4,000,000. What does he do in 1940? The tax valuation is fixed at $62,652,912.

In 1941, the board fixed the tax valuation at $63,278,204. In 1941 the increase of $4,000,000 asked by Mr. Gray had not yet been made, even though business had begun to boom after the initiation of the lend-lease program, and under the impetus of the war in Europe. In 1941 Gray had not gotten the valuation up to the $4,000,000 increase he wanted.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. Of course, the Senator knows that from 1938 on, in 1939, 1940, and 1941, John Gray was still simply one member of five.

Mr. MURDOCK. Yes; I know that.

Mr. LUCAS. I do not think there is anything in the record which shows, outside of 1937 and 1938, what position the other four commissioners took, or what position John Gray took in the years the Senator is now discussing. I do not think there is anything in the record to show that. I do not think there are any minutes such as we produced for 1937 and 1938.

Mr. MURDOCK. No; there are not, Mr. President, and therein lies, in my opinion, the dereliction of the committee, of which I am a member, and I plead guilty. Why did we not go into these important figures? Why did we not find out why John Gray was unable to get the tax valuation increased $4,000,000 after he had been in office, without the contaminating influence of Governor LANGER, for all these years? I wonder if the Senator from Illinois wants to imply that the henchmen of Senator LANGER are still there using their dominating influence?

Mr. LUCAS. I do not want to imply anything, but I think there are still some men on that board who are very friendly to Senator LANGER.

Mr. MURDOCK. The Senator thinks Senator LANGER is still dominating the board?

Mr. LUCAS. I do not know whether he is still dominating the board. I know he dominated the situation in 1937 and 1938, when he was Governor of the State. I wish to say further, in fairness to the argument being made, that what the conditions were in North Dakota in 1939, 1940, and 1941, with respect to what kind of equalization should have been made, is pure speculation now upon the part of any of us, because we do not know what the conditions were in those years.

Mr. MURDOCK. Yes; we do.

Mr. LUCAS. We do not know what caused the board to raise the tax valuation $700,000 one year and a million dollars the next year.

Mr. MURDOCK. I cannot agree with the Senator from Illinois.

Mr. LUCAS. There is no way for us to know.

Mr. MURDOCK. We have in the city of Washington, in the Nation's Capital, the Interstate Commerce Commission; and, if we had been more interested in facts and less interested in suspicion, we would have sent for the records of the Interstate Commerce Commission and found out what the facts were, but we did not do that.

Mr. LUCAS. Of course, I do not at all agree with the Senator, with respect to his suggestion concerning suspicion. I think we have many facts in the record, and I think the committee, along with the investigators, did everything they possibly could or thought ought to be done in connection with this matter. Certainly Senator LANGER was given every opportunity to go on the witness stand, and he stayed there for days explaining this matter. He had one of the greatest lawyers representing him that has appeared before any committee since I have been a Member of the Senate. I think the Senator will agree with that statement.

Mr. MURDOCK. Yes.

Mr. LUCAS. If the counsel to whom the Senate had to pay thousands upon thousands of dollars in connection with this case, did not see that proposition, was not able to bring it forward, and did not think it was material enough to develop from the standpoint of 1939, 1940, and 1941, then it seems to me the Senator is doing himself an injustice, as well as all other members of the committee, when he says we did this and did that upon mere suspicion. I resent that statement, because I do not think the committee did anything upon suspicion at all. I think the committee did the best job it possibly could do with the tools it had at hand. It was a long job, and the work was done painstakingly, as the Senator knows.

Mr. MURDOCK. I think the Senator has made that statement three or four times now, and I wish to say in answer, Mr. President, that if it comes to a choice, so far as I am concerned, even though the choice reflects on myself as a member of the committee, I am willing to make it in order to do justice to a man whose seat in the Senate is in peril. When the majority of the committee wants to place so much credence in, and make so important, the statements of John Gray and his action, then certainly, the burden of proof being on the petitioners, we should have called in the Interstate Commerce Commission, and called Mr. Gray here and found out why this or that was done. I think I have the answers in the exhibit which is before the Senate. I doubt very much whether the majority of the committee paid much attention to it, but I now want to read from it to the Senate.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. WHITE. Assuming, without admitting, that Senator LANGER dominated this commission, is it not factually true that the taxes collected for 1937, the year of the alleged bribe, were greater than the taxes in any one of the 4 years from 1935 to 1938, inclusive?

Mr. MURDOCK. The question is whether the taxes——

Mr. WHITE. Whether the taxes for the year 1937, the year of the alleged bribe, were not greater than the taxes for any of the 4 years from 1935 to 1938, inclusive.

Mr. MURDOCK. That statement is true.

Mr. WHITE. And is it not also true that even after the reduced assessment in 1938 the taxes for 1938 were greater than the taxes for either of the 2 years preceding the incumbency of Governor LANGER?

Mr. MURDOCK. That is also true.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. If there is a suspicion attached to the reduction of the valuation of a utility for purposes of taxation—and I am not implying it in any way in this question—I think it is only fair to pose this question to lawyers: If we are to assume that there is a suspicious circumstance in the reduction of a valuation for taxation purposes, and the suspicion arises from the mere reduction, then are we not to conclude that we are entitled to attach to the reduction by a court the same kind of suspicion? What sinister motive could be attributed to an individual which might not also be attributed—perhaps by careless thinking—to a court which reduces the valuation by several million dollars? In the name of reason, what is the difference?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BONE. I am talking about the bare fact of a reduction.

Mr. MURDOCK. Mr. President, I do not wish to yield for a discussion between two Senators. I have yielded to the Senator from Washington for a question or observation, and I wish him to state it.

Mr. BONE. As I say, I imply nothing; but I have seen valuations for rate-making purposes and tax purposes juggled upward and downward by regulatory bodies, State boards of equalization, and courts. If we are to attribute some rather sinister motive to that sort of business, all a lawyer needs to do is to take the record, and he can attribute suspicious activities to all such bodies, including the courts. The only evidence we have here is that during the Langer incumbency of 2 years the Great Northern paid something in excess of $136,000 more in taxes than it paid in the preceding biennium.

Mr. MURDOCK. That is correct.

Mr. BONE. There we have a fact, for whatever it is worth. In the year when the man is supposed to have been influenced by some transaction the value for tax purposes goes up. I do not know what to make of it. I have had some experience in criminal cases. I do not know how a man should view such a circumstance, other than as a most astounding circumstance. However, I do not want to leave in my own mind the thought that there is something wrong about a thing when a board does it, but that it is perfectly all right when a court does it. Are courts sacrosanct, so that they may not have their decisions even considered by a layman?

That is not the view I take. I am not the only one. Millions of people have scrutinized this kind of business, at times with perhaps an uncharitable attitude of mind; but I do not think that a man on

a bench is any better qualified to know about value than a rate expert in a State office. A judge hears the evidence and proceeds to dispose of the case on the evidence before him in the same fashion in which a member of the State board of equalization might dispose of it; but is he to be charged with corruption because he lowers the value? There seems to be some inference of corruption because values were lowered in this case; but when a court does it in North Dakota nobody lays profane hands on its decision and says that it is tainted with some sort of corruption.

Mr. MURDOCK. Let me make this observation with reference to what the courts did: If we compare the reduction which the courts made with the reduction made by Senator LANGER, what do we find? We find that the lowest reduction made by the courts was double the percentage of the reduction made by Senator LANGER.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield for a question.

Mr. LUCAS. I do not want to permit the argument made by the distinguished Senator from Washington to pass without some answer. Nobody is attaching any suspicion to any court reduction or to any reduction made by a Governor of a State, or by any board which has the power to make reductions of that kind.

But when we follow up the transaction in connection with the real charge of moral turpitude involved in the sale of the stock, it seems to me that we have the right to consider, and that it is our duty to consider, all those things as one transaction. We should not consider by itself the transaction dealing with the reduced assessments or the increased assessments. We have to follow it through to its logical conclusion.

Mr. MURDOCK. I have done so.

Mr. LUCAS. I know the Senator has; but the Senator from Washington took the position that that alone——

Mr. MURDOCK. The Senator from Washington was present when I made my opening remarks about Tommy Sullivan. What the majority of the committee wants us to do is to consider the fact that Senator LANGER received $20,000 or $25,000 from Tommy Sullivan on a stock transaction and, because of that, convict him of bribery because of the reduction in railroad taxes. What are the facts? There was not a reduction at all, but an increase of $136,000 in the biennium. Mr. President, I do not like to argue this point over again.

I come now to the significance which the majority of the committee wish us to attach to the action of John Gray, tax commissioner, in desiring to raise the tax valuation of the Great Northern when Senator LANGER wanted to reduce it. I call attention to the fact that during the time since Senator LANGER left the office of Governor, in 1939, 1940, and 1941, this great man, John Gray, who wanted to raise the tax valuation in 1938 by $4,000,000 has not yet succeeded in raising it.

The Senator from Illinois asks, "What do we know as to whether John Gray had the say in the board of equalization?" We do not know; but I am unwilling to use my imagination and suspicion to conclude that, although Senator LANGER has been in the Senate since 1941, his henchmen are still dominating the board in North Dakota, where the present Governor was elected on the issue that he was going to bring BILL LANGER to time on account of his wrongdoings. I want the Senate to examine the facts.

I am advised by Senator LANGER that one of the members who voted with Gray is still on the board.

Mr. LUCAS. That still leaves him in the minority.

Mr. LANGER. No.

Mr. MURDOCK. Are we to suspect, because of the $25,000 transaction, that the contaminating influence of Senator LANGER is still dominating the board of equalization in North Dakota?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. I do not take the position that the board is still being dominated by the contaminating influence of the Senator from North Dakota. The only position I take is that the Senator from Utah does not know what the conditions were in 1939, 1940, and 1941 with respect to the factors entering into the determination of the assessment of that railroad property.

Mr. MURDOCK. The Senator is very much in error. The Senator from Utah does know the facts. The statement which I made is that our committee was derelict because it did not know the facts. I further state that if the Senator from Illinois had given proper weight to the exhibit which was submitted by Senator LANGER, exhibit No. 116, he could not have come to the conclusion, on suspicion, as against facts, that Senator LANGER was guilty of bribery in this railroad matter.

Mr. LUCAS. I do not know what he was guilty of; but I should like to have the Senator say why it was that Tommy Sullivan paid him $25,000 in cold cash for some worthless stock.

Mr. MURDOCK. That is not the function of the Senator from Utah. The Senator from Utah is not engaged in the business of suspicion and accusation. From the time this case commenced down to the present time, the Senator from Utah has been more interested in the facts than in suspicion and accusation.

Mr. LUCAS. That is the reason why the Senator filed the type of minority report which he filed. He was interested in facts. The Senator has many misstatements in the minority report insofar as what the subcommittee did and what the investigators did: and yet the Senator talks about facts.

Mr. MURDOCK. If anything in that report is too critical of what the subcommittee did or what the investigators did, I ask the Senate, What has that to do with the question whether BILL LANGER was guilty of bribery in the Mexican land transaction? What difference does it make what I said about the investigators or about the subcommittee? The question in which the Senate is interested is the guilt or innocence of BILL LANGER on the facts in the record. I do not care to discuss with the Senator from Illinois anything I said criticizing either the subcommittee or the investigators in this matter.

Mr. LUCAS. If the Senator does not wish to discuss it, it is all right with me.

Mr. BONE rose.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) Does the Senator from Utah yield, and if so to whom?

Mr. MURDOCK. I yield to the Senator from Washington

Mr. BONE. Is there anything in the record or in the researches of the committee which indicates the basis for the reduction in the valuation by the Supreme Court of North Dakota?

Mr MURDOCK. In 1938?

Mr. BONE. Yes.

Mr. MURDOCK. I wish to read to the Senate the basis of the reduction in 1938.

Mr BONE. Is the Senator taking something from the court records?

Mr MURDOCK. No; from the record made before our committee.

Mr. BONE. For the purpose of this question I am interested in what the court decided upon as the reason for reducing the value by several million dollars.

Mr. MURDOCK. I have no information on that question.

Mr. LANGER. I have the decision before me.

Mr. BONE. I should like to have some enlightenment on that question, because obviously if a court is dealing in millions——

Mr. LANGER. I have before me the decision of the United States Supreme Court, which I hand to the Senator.

Mr. MURDOCK. Mr. President, I should like to go on with the matter concerning John Gray, to whose action the majority of the committee wishes to attach so much weight. The other day I asked the Senator from Illinois, when he was presenting the side of the majority in this case, if there was any reason for a reduction of taxes between 1937 and 1938 As I recall the Senator's answer, he said he knew of none. I asked the further question, Is it not common knowledge that 1937 was a boom year, and that all of us new dealers were boasting about it? Then in 1938, beginning in the fall of 1937, the New Deal administration—including me—was confronted with a slump which almost equaled the depression of 1932 and 1933.

Let us look at the railroad situation which confronted the board of equalization in North Dakota when it reduced the valuation for 1938 under that of 1937.

I shall not read all this exhibit, Mr. President. I therefore ask that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the exhibit was ordered to be printed in the RECORD, as follows:

GREAT NORTHERN RAILWAY CO.,
LAW DEPARTMENT,
St. Paul, Minn., October 27, 1941.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR SENATOR: As requested in your letter of October 25, I enclose herewith copies of exhibits 1 to 5, inclusive, which were pre-

sented to the North Dakota Board of Equalization on our behalf on August 3, 1938. I also enclose copy of the graph referred to in the first paragraph, commencing on page 41 of the transcript. This was not filed or given an exhibit number but was displayed to the board.

You may be interested in the attached statement showing changes which were made in 1938 for all railroads in North Dakota. You will note that the Northern Pacific and Milwaukee got almost as large a percentage reduction as the Great Northern. The Soo Line ultimately got a larger reduction, but this was through court action.

I also enclose a statement showing what action was taken by other States in 1938. Washington and Montana both made very substantial decreases, and South Dakota and California made much larger percentage decreases than North Dakota. Wisconsin and Oregon were the only States that made any increase in that year.

Very truly yours,

F. G. DORETY.

[Encls.]

Net railway operating income (before interest) class I railways, January to May, inclusive

UNITED STATES

1930 (normal year)	$308,216,827
1937	240,111,987
1932 (worst prior year)	99,495,675
1938	45,208,504

WESTERN DISTRICT

1930 (normal year)	$87,614,577
1937	47,068,160
1932	9,228,963
1938	7,667,249

Class I steam railroads, 5 months ended May 31

GROSS REVENUE

	1930, normal	1932, lowest prior year	1937	1938	Decrease 1938 under 1937	
					Amount	Percent
United States	$2,247,304,489	$1,355,204,742	$1,735,221,861	$1,354,268,701	$380,953,160	21.95
Western district	813,794,388	476,274,468	619,425,350	512,532,559	106,892,791	17.26
Great Northern	36,602,713	20,338,654	32,087,613	23,983,251	8,104,362	25.26
Northern Pacific	31,000,135	18,086,038	24,931,934	19,662,921	5,269,013	21.13

NET RAILWAY OPERATING INCOME

United States	$308,216,827	$99,495,675	$240,111,987	$45,288,504	$194,823,483	81.14
Western district	87,614,577	9,228,963	47,068,160	7,667,249	54,735,409	116.28
Great Northern	1,582,869	2,387,250	4,934,994	867,787	5,802,781	117.57
Northern Pacific	1,902,341	1,541,924	2,574,902	440,125	3,015,027	117.13

Net railway operating income of the Great Northern Ry. Co.

	1937	1938	Decrease	
			Amount	Per cent
May	$2,753,689	$264,490	$2,489,199	90.40
June	3,805,358	1,176,719	2,628,639	69.08
6 months ended June 30	8,740,351	308,932	8,431,419	96.47

Market price—Total stocks and bonds of Great Northern Railway Co.

July 1, 1937	$477,513,411
July 1, 1938	323,951,616
Decrease	153,561,795
Percent decrease	32.16

Iron ore tonnage handled

To July 21, 1937 gross tons	10,095,970
To July 21, 1938 do	2,314,520
Decrease do	7,781,450
Percent decrease	77.07

Comparison of Great Northern, North Dakota 1937 assessment with other States

State	Assessed valuation	Cost of reproduction less depreciation	Assessment, percent of cost
North Dakota	$63,779,715	$65,317,892	97.65
Montana	66,754,822	118,274,350	56.44
1938	64,391,164	118,210,363	54.47
Washington	59,563,000	105,906,834	56.24
Wisconsin	12,000,000	21,159,903	56.71
1938	14,000,000	21,722,582	64.45
Idaho	4,159,620	9,809,233	42.41
South Dakota	4,145,286	7,371,497	56.23
Oregon	3,205,154	6,411,226	50.00
Iowa	1,519,830	4,391,828	34.61
California	1,283,700	3,933,079	32.64
Total	216,411,127	342,575,842	63.17

Percent assessment to reproduction cost in North Dakota	97.65
Percent assessment to reproduction cost in other States (average)	54.65

	Cost of reproduction, less depreciation	1937 taxes	Percent of taxes to cost of reproduction
North Dakota	$65,317,892	$1,286,576.78	1.97
Minnesota	115,481,666	1,796,473.95	1.55

GREAT NORTHERN EXHIBIT 5

Great Northern Ry. Co., North Dakota, 1938

SYSTEM VALUE

Market value capital stock, 5-year average (p. 6, report to tax commissioner)		$70,068,808
Market value bonds, 5-year average (p. 6, report to tax commissioner)		338,533,614
Total		408,602,422
Less nonoperating assets, North Dakota method		109,382,868
System stock and bond value, operating property		299,219,554
Net railway operating income, 5-year average		19,344,942
Capitalized at 6 percent (p. 11, report to tax commissioner)		322,415,700
Composite system value		310,817,627
North Dakota proportion:		
1. Car and locomotive mileage, 5-year average	*Percent* 19.35	
2. Revenue traffic units, 5-year average	17.09	
3. Gross operating revenues, 5-year average	17.18	
4. Mileage all tracks operated	20.64	
5. Physical property	13.62	
6. Cost of service ratio	12.62	
Average 1, 2, 3, 4, and 5	17.58	54,641,739
6. Cost of service	12.62	39,225,185

The 1937 assessment, $63,779,715, is $9,137,976, or 16.72 percent more than the highest computed amount. The 1937 assessment is $24,554,530, or 62.60 percent more than the computed amount using cost of service ratio.

(Tax Division, Great Northern Ry. Co.)

Amount of 100 percent value placed by each State in which Great Northern Railway operates (except Minnesota which is on gross-earnings basis) against identical amounts of ties, rails grading, or other physical property of Great Northern

[Based on figures in Great Northern exhibit 4]

California	$59.72
Iowa	63.33
Idaho	77.60
Oregon	91.49
Average outside North Dakota	100.00
South Dakota	102.89
Washington	102.91
Montana	103.27
Wisconsin	103.77
North Dakota (45 percent above average of other States)	178.68

North Dakota—Statement showing comparison of assessed valuations of operating property of all railroads for the years 1937 and 1938

	1937	1938	Decrease	
				Pct.
Great Northern	$63,779,715	$60,480,650	$3,299,065	5.17
Northern Pacific	42,240,375	40,179,096	2,061,279	4.88
Soo Line	8,600,070	[1] 7,443,482	1,156,588	13.45
Milwaukee	4,700,163	4,469,301	230,862	4.91
Mid-Continental	100,555	100,559		
Northwestern	125,900	121,529	4,371	3.47
Fargo Grain & Shipping	399,999	281,897	118,102	29.53
Brandon, Devils Lake & Southern	99,999	96,728	3,271	3.27
Total	120,046,776	113,173,242	6,873,538	5.72

[1] As reduced by court.

Great Northern Ry. Co.—Statement showing comparison of assessed values of operating property for the years 1937 and 1938

	Assessed valuation		Increase (+) or decrease (−)	
	1937	1938		
				Pct.
Wisconsin	$12,000,000	$14,000,000	+$2,000,000	+16.67
Iowa	1,519,830	1,429,795	−90,035	−5.92
South Dakota	4,145,286	3,669,400	−475,886	−11.48
North Dakota	63,779,715	60,480,650	−3,299,065	−5.17
Montana	66,754,822	64,391,164	−2,363,658	−3.54
Idaho	4,159,620	4,078,192	−81,428	−1.96
Washington	59,563,000	57,000,000	−2,563,000	−4.30
Oregon	3,205,154	3,268,858	+63,704	+1.99
California	1,283,700	1,112,860	−170,840	−13.31
Total	216,411,127	209,430,919	−6,980,208	−3.23

Mr. MURDOCK. Now let us consider the railroad situation throughout the United States. I may say that I now am quoting from an exhibit which is attached to a letter of F. G. Dorety, attorney for the Great Northern Railroad Co., who appeared before the North Dakota Board of Equalization, in requesting a reduction for tax purposes. The letter and exhibit are a part of the record in this case.

Throughout the entire United States, on class I steam railroads, for the 5 months ended May 31, 1937, we find the figure $1,735,221,861; for the corresponding period in 1938, $1,354,268,701. That is the over-all picture for class I steam railroads; and we find that there was a decrease of $380,953,160, or 21.95 percent. In the over-all picture for class I steam railroads, from 1937 to 1938, there was a reduction of 21.95 percent.

The figures I am giving are found under the heading, "Gross revenue."

Next, let us consider the western district. Taking first the Great Northern, we find that in the corresponding period of 1937, its gross revenue was $32,087,613; in 1938, $23,983,251—a decrease in gross Great Northern revenue of $8,104,362, or a percentage decrease of 25.26. That is the picture of the Great Northern's decrease in gross revenue between 1937 and 1938.

John Gray, the man to whom the majority of the committee paid so much attention, and to whose testimony they give so much weight, wanted to raise the valuation of the Great Northern in 1938, over 1937, by $4,000,000, notwithstanding the fact that the percentage of decrease in gross revenue was 25.26.

Under the heading "Net railway operating income" we find that for the first 5 months of 1937 the net railway operating income of the Great Northern was $4,934,994 However, for the corresponding period in 1938 they were in the red by $867,787, or a decrease of $5,802,781, representing a percentage decrease of 117.57. Yet the majority of the committee criticized the board of equalization for reducing the tax valuation of the Great Northern in 1938, instead of following John Gray by increasing it $4,000,000.

O, Mr. President, if the Senate is interested in facts, if it is interested in figures, is not that the answer to the question whether the tax valuation of the Great Northern should have been raised or reduced in 1938?

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. In the prevailing opinion in the case of Great Northern Railway against Weeks, which I take it established the law in a case of this kind, the court announced the view and lays down the dictum that the State taxing authorities must take into consideration the financial situation concerning the road—its revenues and allied problems of that character.

Mr. MURDOCK. Certainly; and those are the figures I am now putting into the record. Those are the figures which, in my opinion, let me say to the distinguished Senator from Washington, are the figures on which we should have relied in coming to a conclusion in this matter, instead of trying to do so on the basis of suspicion, presumption, and imagination.

Mr. BONE. The court seems to have settled the legal problem in one sentence, when it says—

> The value of petitioner's property—

And I am assuming that now it refers to its value for taxation purposes, obviously, since that is the reason for the suit—

> varied with the profitableness of its use, present and prospective.

I assume that establishes the law in this case.

Mr. MURDOCK. Now let us look at another set of figures which may have some value, the market price of the total stocks and bonds of the Great Northern Railway Co. As of July 1, 1937, the figure was $477,513,411; as of July 1, 1938, the figure was $323,951,616—a decrease from 1937 to 1938 of $153,561,795, or a percentage decrease of 32.16.

Next, let us look at another very important set of figures, Mr. President. One of the most important sources of revenue of the Great Northern Railroad is the tonnage of iron ore that it hauls. The iron-ore tonnage handled to July 21, 1937, was 10,095,970 gross tons; the iron-ore tonnage handled to July 21, 1938, was 2,314,520 gross tons—a decrease of 7,781,450 gross tons, or a percentage decrease of 77.07.

On another page of the exhibit, Mr. President, we find a statement entitled "North Dakota—Statement Showing Comparison of Assessed Valuations of Operating Property of All Railroads for the Years 1937 and 1938." I think the Senator from Washington will be much interested in the figures given in the statement.

In the right-hand column, under the heading "Decrease," we find the following:

Great Northern—5.17 percent.
Northern Pacific—4.88 percent.
Soo Line—13.45 percent.
Milwaukee—4.91 percent.
Northwestern—3.47 percent.
Far. Grain & Shipping—29.53 percent.
Brandon, Dev. Lake & So.—3.27 percent.

The average decrease is 5.72 percent; and the decrease for the Great Northern was 5.17 percent.

In the statement following the figure for the 1938 assessed valuation of the operating property of the Soo Line, we find an asterisk; and in the lower part of the statement we find the explanation "As reduced by court." We note that, instead of being reduced 4, 5, or 3 percent, the reduction by the court was 13.45 percent.

Mr. BONE. Mr. President, will the Senator yield to me again?

Mr. MURDOCK. I yield.

Mr. BONE. Let me say that, as I read the minority report, it seems to me that approximately at that time there were rather general reductions of valuation in the Northwest, including my own State of Washington.

Mr. MURDOCK. I think that the only State in which there was an increase was Oregon.

Mr. President, I think there is one remaining charge, which I shall discuss tomorrow, that regarding the bond issue. I wish, however, to take a few minutes more with reference to the figures in the table.

HOURS OF DUTY OF POSTAL EMPLOYEES

During the delivery of Mr. MURDOCK's address:

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MURDOCK. For what purpose?

Mr. McKELLAR. I wish to ask unanimous consent to have a bill which was just messaged to the Senate from the House, considered and passed.

Mr. MURDOCK. If there is any urgency for the passage of the bill, I will yield, although I yielded to a similar request yesterday, and was placed in my seat and never got up. [Laughter.]

Mr. McKELLAR. I do not think this will take more than half a minute. If there is any indication that it will take longer, I shall withdraw the request.

Mr. MURDOCK. I yield.

Mr. McKELLAR. The House has just messaged to the Senate House bill 6759, which it passed yesterday, in which it fixes the hours of duty of postal employees, making a slight change in the hours of service. A similar bill has already been reported by the Committee on Post Offices and Post Roads of the Senate, and I ask unanimous consent that the bill which passed the House be substituted for the Senate bill, and that it be considered, and passed.

Mr. McCARRAN. Has the bill been before the Committee on Post Offices and Post Roads of the Senate?

Mr. McKELLAR. An identical bill has been. It was reported last week.

Mr. McCARRAN. If it is the same bill I have in mind, some correspondence from postal employees has come to my office apparently opposing the passage of the bill.

Mr. McKELLAR. If the Senator would prefer, I will not make the request at this time, but will wait until tomorrow, because I promised the distinguished Senator from Utah that I would not take his time.

Mr. McCARRAN. I do not want to hold the bill up any length of time, but I should like to look into the matter.

Mr. McKELLAR. Certainly. I withdraw my request for the present.

ADMIRAL ERNEST J. KING

During the delivery of Mr. MURDOCK's speech:

Mr. WALSH. Mr. President, will the Senator yield in order that I may take up an executive matter?

Mr. MURDOCK. I yield.

Mr. WALSH. I understand there is not to be an executive session, otherwise I would not interrupt the Senator.

Mr. President, I ask unanimous consent, as in executive session, to report from the Committee on Naval Affairs the nomination of Admiral Ernest J. King to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of 4 years.

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Is there objection to the presentation of the report? The Chair hears none.

Mr. WALSH. Mr. President, I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Admiral Ernest J. King to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of 4 years.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and without objection, the nomination is confirmed.

Mr. WALSH. I ask that the President be immediately notified of the action taken by the Senate.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

FINANCING OF WAR DAMAGE CORPORATION—CONFERENCE REPORT

During the delivery of Mr. MURDOCK'S speech, Mr. MALONEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting immediately before the fifth paragraph thereof the following new subparagraph:

"'(5) To acquire real estate and any right or interest therein by purchase, lease, condemnation, or otherwise, determined by the Corporation to be necessary or advantageous to the carrying out of any authority vested in any corporation created or organized pursuant to this section. The Corporation is also authorized to sell, lease, or otherwise dispose of any such real estate. Proceedings for such condemnation shall be instituted in the name of the United States pursuant to the provisions of the act approved August 1, 1888 (25 Stat. 357), as amended, and any real estate already devoted to public use which would be subject to condemnation in proceedings instituted upon application of any officer of the Government shall likewise be subject to condemnation in proceedings instituted upon application of the Corporation as herein provided. Sections 1, 2, and 4 of the act approved February 26, 1931 (46 Stat. 1421), as amended, shall be applicable in any such proceeding. Any judgment rendered against the United States in any such proceeding shall promptly be paid by the Corporation. Immediately upon the vesting of title in the United States of America in any such proceeding, the Secretary of Commerce, by deed executed by him in the name of the United States of America, shall transfer the entire title or interest so acquired to the Corporation, and the Corporation shall thereupon have the same rights with respect to any real estate so acquired as it has with respect to real estate acquired by purchase. The power to institute proceedings for condemnation in pursuance of this section shall terminate on June 30, 1944, or upon such earlier date as the Congress by concurrent resolution, or the President by proclamation, may designate, but no such proceedings instituted prior to such termination shall abate by reason thereof.'

"SEC. 2. The Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after section 5e thereof the following new sections:

"'SEC. 5f. (a) Any department, agency, or independent establishment of the Government or any corporation all of the capital stock of which is owned or controlled, directly or indirectly, by the Government is hereby authorized, notwithstanding any other provision of law, to sell, transfer, or lease, with or without consideration, to the Corporation or to any corporation created or organized pursuant to section 5d of this Act, any real estate and any right or interest therein.

"'SEC. 5g. (a) The Reconstruction Finance Corporation is hereby directed to continue to supply funds to the War Damage Corporation, a corporation created pursuant to section 5d of this Act; and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this subsection. Such funds shall be supplied only upon the request of the Secretary of Commerce, with the approval of the President, and the aggregate amount of the funds so supplied shall not exceed $1,000,000,000. The Reconstruction Finance Corporation is authorized to and shall empower the War Damage Corporation to use its funds to provide, through insurance, reinsurance, or otherwise, reasonable protection against loss of or damage to property, real and personal, which may result from enemy attack (including any action taken by the military, naval, or air forces of the United States in resisting enemy attack), with such general exceptions as the War Damage Corporation, with the approval of the Secretary of Commerce, may deem advisable. Such protection shall be made available through the War Damage Corporation on and after a date to be determined and published by the Secretary of Commerce, which shall not be later than July 1, 1942, upon the payment of such premium or other charge, and subject to such terms and conditions, as the War Damage Corporation, with the approval of the Secretary of Commerce, may establish, but in view of the national interest involved, the War Damage Corporation shall from time to time establish uniform rates for each type of property with respect to which such protection is made available; and, in order to establish a basis for such rates, such Corporation shall estimate the average risk of loss on all property of such type in the United States. Such protection shall be applicable only (1) to such property situated in the United States (including the several States and the District of Columbia), the Philippine Islands, the Canal Zone, the Territories and possessions of the United States, and in such other places as may be determined by the President to be under the dominion and control of the United States; (2) to such property in transit between any points located in any of the foregoing; and (3) to all bridges between the United States and Canada and between the United States and Mexico: *Provided*, That such protection shall not be applicable after the date determined by the Secretary of Commerce under this subsection to property in transit upon which the United States Maritime Commission is authorized to provide marine war-risk insurance. The War Damage Corporation, with the approval of the Secretary of Commerce, may suspend, restrict, or otherwise limit such protection in any area to the extent that it may determine to be necessary or advisable in consideration of the loss of control over such area by the United States making it impossible or impracticable to provide such protection in such area.

"'(b) Subject to the authorizations and limitations prescribed in subsection (a), any loss or damage to any such property sustained subsequent to December 6, 1941, and prior to the date determined by the Secretary of Commerce under subsection (a), may be compensated by the War Damage Corporation without requiring a contract of insurance or the payment of premium or other charge, and such loss or damage may be adjusted as if a policy covering such property was in fact in force at the time of such loss or damage.'

"SEC. 3. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased, in addition to the increase authorized in section 2 of this Act, by $2,500,000,000."

And the House agree to the same.

FRANCIS MALONEY,
J. H. BANKHEAD,
GEORGE L. RADCLIFFE,
JOHN A. DANAHER,
ROBT. A. TAFT,
Managers on the part of the Senate.

HENRY B. STEAGALL,
CLYDE WILLIAMS,
BRENT SPENCE,
JESSE P. WOLCOTT,
CHARLES L. GIFFORD,
Managers on the part of the House.

Mr. MALONEY. Mr. President, I move that the conference report be now considered, and I ask unanimous consent to have printed in the RECORD at this point a letter from the Secretary of Commerce, Jesse H. Jones, addressed to me, in explanation of the contemplated procedure under this measure.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, March 17, 1942.

Hon. FRANCIS MALONEY,
United States Senate, Washington, D. C.

DEAR SENATOR MALONEY: In our consideration of rates to be charged by the War Damage Corporation for protection against enemy attack, we are of the opinion that, since losses resulting from the war are a national responsibility, there should be no discrimination in rates because of geographical location.

Our thought as to appropriate rates is as follows:

Ten to fifteen cents per hundred dollars' coverage for farms, dwellings, and commercial properties up to $10,000; from 15 to 20 cents per hundred dollars' coverage on such risks between $10,000 and $25,000; and graduated rates on all amounts above $25,000.

I doubt the advisability of making these suggestions a part of the legislation, but this letter could be put in the record as a part of the discussions. If the committee prefers making it a matter of legislation, there can, of course, be no objection.

My thought about this is that the War Damage Corporation, with the approval of the Secretary of Commerce, should have as much latitude as possible to fix rates for such protection.

Sincerely yours,

JESSE H. JONES,
Secretary of Commerce.

Mr. LA FOLLETTE. Mr. President, will the Senator briefly explain how the conference report differs from the Senate bill?

Mr. MALONEY. Mr. President, except for perfecting language, there was only one substantial change in the conference report. The Senate bill, as Senators will recall, provided that the War Damage Corporation might provide free insurance up to the amount of $15,000. Excepting for the amount of $15,000, discretion was left entirely with the War Damage Corporation. When the bill went to the House the question of free insurance was debated at length, and in two or three instances, as the result of amendments submitted, votes were taken in the House, and all proposals to provide free insurance, in the amounts suggested, were rejected.

In conference—and I may point out that the conference lasted some time—we finally unanimously agreed upon an

amendment which would provide in effect that the insurance premiums should be uniform throughout the country. The bill as now written provides that from time to time the War Damage Corporation shall establish rates, and that, because of the national interests involved in the establishment of rates, the War Damage Corporation shall take into account all the insurable property of the country.

In brief, we believe that the result of the conference provides that all insurance rates, insofar as types of insurable property are concerned, will be uniform. One of the principal purposes of the amendment is to keep the rates at a low cost.

In connection with the conference report I offered for the RECORD a letter from the Secretary of Commerce, Mr. Jesse Jones, which tells us what the War Damage Corporation has in mind as to rates. The conferees thought that the suggested rates were as reasonable as could be expected.

I may add that the conferees were unanimous.

I now move the adoption of the report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report? The Chair hears none.

The question is now on agreeing to the conference report.

The report was agreed to.

TOTAL MOBILIZATION FOR THE WAR EFFORT

After the conclusion of Mr. MURDOCK'S speech,

Mr. PEPPER. Mr. President, I ask unanimous consent to submit a concurrent resolution out of order, and request its reference to the Committee on Education and Labor.

Mr. AUSTIN. Mr. President, I should like to inquire of the Senator from Florida what is the subject matter of the concurrent resolution? My inquiry relates to the committee to which the matter is to be referred.

Mr. PEPPER. I am glad to answer the question. It is a concurrent resolution providing for a joint committee of the House and Senate, to consist of seven Members from each body, to constitute a joint committee to make a study of means and methods by which we may more perfectly secure the total mobilization of the country, to aid the country's armed effort.

Mr. AUSTIN. Is not the subject properly one within the jurisdiction of the Military Affairs Committee?

Mr. PEPPER. I gave some consideration to that question, and it was a toss of the coin, so far as I was concerned, whether the concurrent resolution should go to the Committee on Military Affairs or to the Committee on Education and Labor. There were two considerations which led me to suggest the Committee on Education and Labor. The first was a natural one, that I was a member of that committee. The second was that I contemplated the field to be covered by such a joint committee, if one were created, to be beyond merely military matters. I had in mind the examination of the whole field of the national effort, with a view to determining in what way, if any, the country might be mobilized for effective prosecution of the war. I have no strong feeling about the matter. I have stated the considerations which led me to make the suggestion.

Mr. AUSTIN. I certainly do not seek additional responsibility or work for the Committee on Military Affairs, but I wonder whether the Senator from Florida would be willing to let the resolution lie over, and permit me to talk with him about it, before it is referred to a committee.

Mr. PEPPER. I shall be very glad to have that done.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from Florida withdraws his concurrent resolution?

Mr. AUSTIN. I have no objection to the concurrent resolution being offered, Mr. President.

The PRESIDING OFFICER. If it is offered, it will have to be referred, unless it is to lie on the table.

Mr. PEPPER. Assuming that the committee created might examine rather the whole gamut of the national effort, not so much with a view to the military situation or matters touching the military, but with respect to matters pertaining to the mobilization of public sentiment, the more perfect ordering of the country's effort, principally in regard to civilian activities, would the Senator consider that the Committee on Military Affairs would more properly be the repository of the concurrent resolution than the Committee on Education and Labor, which has jurisdiction over matters pertaining to education, public health, labor, and kindred subjects?

Mr. AUSTIN. I am not able to answer the Senator's question. I should like to have the concurrent resolution lie over, so far as the reference is concerned. It will not be harmed in any way by that action being taken.

The PRESIDING OFFICER. Let the Chair make the suggestion to the Senator from Florida that it might perhaps be better to withdraw the concurrent resolution, because if it is ordered to be printed and lie on the table and is then rereferred, two separate printings will be required.

Mr. PEPPER. Instead of that, with the permission of the Chair, I should much prefer to assume that the inquiry of the Senator from Vermont constituted a suggestion that the Committee on Military Affairs would be the preferable committee, and to acquiesce in that suggestion.

The PRESIDING OFFICER. The Chair is ready to rule on the question, if the Senator wishes to take the ruling of the Chair.

Mr. PEPPER. I should prefer that the concurrent resolution go to the Committee on Military Affairs, insofar as that request might be of value to the Chair.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The present occupant of the chair would like to state, with all due deference, that he is in violent disagreement with precedent established by the esteemed former Vice President, that a Senator may secure the reference of a bill or resolution to any committee to which he desires to have it referred. The present occupant of the chair feels that the jurisdictional situation, so far as committees of the Senate are concerned, is becoming chaotic as the result of that ruling. Realizing that the present occupant of the chair cannot establish a precedent, nevertheless hoping to move in that direction, he would like to state that he overrules the request of the Senator from Florida, and refers the concurrent resolution to the Committee on Military Affairs, because obviously that committee should have jurisdiction of the measure.

Mr. PEPPER. I should like to state, with the permission of the Chair, that the Chair cannot be overruling both my requests, because in the first instance I requested that the concurrent resolution be referred to the Committee on Education and Labor, and then, upon the suggestion being made by the able Senator from Vermont that probably the Committee on Military Affairs should have jurisdiction, I gladly acquiesced in his suggestion and made the request that the concurrent resolution go to the Committee on Military Affairs. I do not want to appear in the light of not having been disposed to the consideration of the concurrent resolution by the Committee on Military Affairs. Before the Chair ruled I did make the request to which I have referred.

The PRESIDING OFFICER. The Chair begs the pardon of the Senator from Florida. He did not understand the Senator to have made the request, and the Chair permits his ruling to stand merely as obiter dictum.

Mr. AUSTIN. Mr. President, I should like to have the opportunity of expressing my appreciation of the fair-mindedness of the Senator from Florida in acquiescing to the suggestion I made.

The concurrent resolution (S. Con. Res. 26), submitted by Mr. PEPPER and referred to the Committee on Military Affairs, is as follows:

Whereas the United States is engaged in war with totalitarian powers who are waging total war against us; and

Whereas it is essential to victory for our arms and our efforts that we mobilize our total strength and resources; and

Whereas it is the sentiment of the Congress that our Nation must give every possible support to our armed forces in waging this war against determined and ruthless enemies: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring) That there is hereby created a joint committee of seven Members of the Senate to be appointed by the Vice President and seven Members of the House of Representatives to be appointed by the Speaker which shall make an investigation and study of how the United States might more effectively and efficiently mobilize its strength in furtherance of the war against our enemies so as to insure victory for our arms and our cause. Such committee shall conduct such investigation with all reasonable dispatch and report such recommendations as it may have from time to time to the Senate and House of Representatives, and to the President if deemed desirable, and to such other agency, or agencies, as in the opinion of such joint committee might be in the public interest.

SEC. 2. For the purpose of this resolution the committee, or any duly authorized sub-

committee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned periods of either House of the Congress during the Seventy-seventh and succeeding Congresses; to employ such experts, and clerical, stenographic, and other assistants; to require, by subpena or otherwise, the attendance of such witnesses and the production of such books papers, and documents; to administer such oaths, and to take such testimony, and to make such expenditures as it deems advisable The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expense of the committee, which shall not exceed $10,000 shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the joint committee.

RECESS

Mr. MURDOCK. Mr. President, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 19, 1942, at 12 o'clock noon.

CONFIRMATION

Executive nomination confirmed by the Senate March 18 (legislative day March 5), 1942:

DEPARTMENT OF THE NAVY

Admiral Ernest J. King to be Chief of Naval Operations in the Department of the Navy, with the rank of Admiral, for a term of 4 years.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 18, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most gracious God and Father, we give Thee our grateful thanks in these distressing days. We trust that Thou wilt help us to rest our souls in Thee; make us wise as to the source of our strength and where peace may be found. Thou art the One who is ever wakeful, ever care-taking, and ever enduring to the end. Thou Christ who chants that love which casts out fear in a way we cannot understand, bless us with fresh manifestations of Thy presence. We pray that the pain, the wreck of life, and the blight of hope may work out the highest and the holiest good.

We acknowledge, dear Lord, our failures, our frailties, and our errors; do Thou forgive us and enable us to put our forces of understanding into the deepest channels, counting no sacrifice too great for the good of our country. Oh let us claim our redemption in a world whose builder and maker is God. In these days, holy unto the Lord, neither let us be grieved, for the joy of the Lord is our strength; may we therefore take pleasure in infirmities, in injuries, in necessities, and in distresses for the sake of Him who died that we might live. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6691. An act to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of War.
3. Federal Security Agency. Food and Drug Administration.
4. Federal Security Agency, Social Security Board.
5. Federal Trade Commission.
6. Federal Works Agency.
7. The National Archives, United States Food Administration.

HON JOHN W McCORMACK

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, on last Friday Boston University, one of the great educational institutions of this country, honored our majority leader by conferring upon him the degree of Doctor of Laws. I am sure I voice the sentiments of every Member of this House, regardless of which side of the aisle he may sit, in saying we appreciate this signal honor that has come to the House and to our majority leader. He is a man of outstanding ability and richly merited the honor. I extend to him, in behalf of the House, our heartiest felicitations.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an article in this morning's Washington Post.

The SPEAKER. Is there objection?

There was no objection.

CECILIA PITT

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, yesterday during consideration of the Private Calendar, the bill (S. 1161) for the relief of Mrs. Cecilia Pitt, was objected to. This was an outstanding hardship case and called for sympathy and favorable action by the House, but it was objected to. A year ago the husband of Mrs. Pitt committed suicide for fear he would be deported to Danzig. The Senate passed this bill unanimously. The House Committee on Immigration reported it favorably unanimously, and yet it was objected to here.

Mr. Speaker, I ask unanimous consent that S. 1161 be restored to the Private Calendar, so that I may have a chance to explain this meritorious bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

Mr. MOTT. Mr. Speaker, reserving the right to object, I was one of the members of the official objectors' committee who on yesterday objected to the passage of this bill by unanimous consent. My colleague the gentleman from New York [Mr. HANCOCK] was the other member of that committee who objected to the passage of the bill by unanimous consent. Two objections having thus been offered, the bill was recommitted to the Committee on Immigration and Naturalization. That committee may report it again to the House in an omnibus bill for consideration and vote if it so desires.

Mr. KOPPLEMANN. Will the gentleman yield at that point?

Mr. MOTT. Yes; I yield.

Mr. KOPPLEMANN. The gentleman from New York [Mr. HANCOCK] told me he did not object.

Mr. MOTT For the information of the gentleman, I will say that the objection of the gentleman from New York [Mr. HANCOCK] is in the RECORD.

Mr. KOPPLEMANN. It is in the RECORD, but the gentleman from New York [Mr. HANCOCK] told me he did not object.

Mr. MOTT. I am stating simply what the RECORD shows. However, Mr. Speaker, this is the evidence as to the merit of the bill, so far as it appears to Members of the House and of the objecting committee, from the report of the Committee on Immigration and Naturalization.

In a letter from the Attorney General addressed to the Chairman of the Committee on Immigration and Naturalization, which is printed in the Committee's report, from which I now read, the Attorney General states:

It appears from the files of the Immigration and Naturalization Service of this Department that Mrs. Pitt, who is approximately 49 years of age—

Mr. RANKIN of Mississippi. Mr. Speaker, I demand the regular order. This is no time to take up the Private Calendar. I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Connecticut?

Mr. RANKIN of Mississippi. Mr. Speaker, I object for the time being. I do not think we ought to take up the Private Calendar out of order.

Mr. MOTT. Mr. Speaker, this is a rather important matter.

The SPEAKER. The Chair has no discretion.

Mr. RANKIN of Mississippi. I will reserve the right to object until the gentleman reads the letter, but we are taking up a matter that was disposed of on yesterday.

Mr. MOTT. I thank the gentleman.

The SPEAKER. The gentleman from Connecticut [Mr. KOPPLEMANN] has made

a perfectly proper parliamentary request and the Chair must entertain it.

Mr. RANKIN of Mississippi. I am not quarreling with the Speaker.

The SPEAKER. The gentleman from Oregon [Mr. MOTT] reserved the right to object.

Mr. MOTT. And the gentleman from Mississippi [Mr. RANKIN] has withdrawn his objection to my proceeding under that reservation.

If I may continue with the letter—and my statement will be very brief, I may say to the gentleman:

Her husband, Aron Pitt, who was 49 years of age at the time of his death, was a native and citizen of Poland. Mrs. Pitt entered the United States as a quota immigrant on October 5, 1926. Her husband had previously entered the United States on March 6, 1925, also as a quota immigrant. Both received their visas under the German quota by claiming birth in Germany, although they had been born elsewhere. On May 28, 1935, Mr. Pitt became a naturalized citizen of the United States. Thereafter, on May 25, 1939, his certificate of citizenship was canceled on the ground that it had been fraudulently procured. At the same time, both Mr. and Mrs. Pitt were convicted in the United States District Court for the District of Connecticut on pleas of nolo contendere on charges of fraud in procuring Mr. Pitt's American citizenship. Mrs. Pitt resides in Hartford, Conn., where Mr. Pitt was engaged in the insurance and real estate businesses. She has two American-born children, whose ages are 10 and 12, respectively.

Now, the gentleman from Connecticut called me on the telephone this morning, reminding me of the fact that I had objected to consideration and passage of this bill by unanimous consent. I did object, after very thorough study, which, as a member of the objections committee, I always try to give to bills on the Private Calendar. I stated to the gentleman what my general attitude was on bills of this kind, which seek to legalize the admittedly fraudulent entrance of aliens into the United States.

The gentleman bluntly informed me, if that was my attitude to go ahead and object to his unanimous-consent request to reconsider the bill today, but he warned me that if I did so he intended to object to every unanimous-consent request that I should make to the House from now on.

Now, Mr. Speaker, I simply do not care to be bluffed or threatened in that manner by the gentleman from Connecticut, or any other Member, and I am sure no Member except the gentleman from Connecticut would ever undertake to threaten or bluff me. For this reason, Mr. Speaker, in addition to the reason that I feel my objection on yesterday was well grounded, I must object at this time to the gentleman's unanimous-consent request to restore the bill to the calendar and pass it by unanimous consent.

The SPEAKER. Objection is heard.

COMMITTEE ON NAVAL AFFAIRS: PERMISSION TO SIT DURING SESSIONS OF HOUSE

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs may have permission to sit during the sessions of the House for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. KOPPLEMANN. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. KOPPLEMANN. I am going to object all the way through to everything.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent——

Mr. KOPPLEMANN. Mr. Speaker, much as I regret it, I object.

Mr. RANKIN of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN of Mississippi. Is there not a way for the Congress to proceed in this emergency without being hamstrung by one individual?

The SPEAKER. That is not a parliamentary inquiry.

Mr. RANKIN of Mississippi. I think it is.

The SPEAKER. The Chair has recognized the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER. Without objection the gentleman may proceed for 30 seconds.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I would like the attention of the gentleman from Connecticut.

Mr. Speaker, the gentleman from Connecticut is a man for whom I have a profound feeling of respect. The House is a very tolerant body. We are all human beings, and we make our mistakes of judgment. Sometimes we are emotional. I am not passing judgment on the action of any Member because I am the most severe judge of myself and do not like to judge my fellow man.

Even though the gentleman from Connecticut feels that the objection advanced against him was wrong, the gentleman will make a very serious mistake if his reaction is to object to every unanimous-consent request that is submitted.

My few observations are directed to the reason of the gentleman from Connecticut—a gentleman who is very reasonable and not emotionally minded. I am sure the gentleman will not further object to unanimous-consent requests.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for one-half of a minute.

The SPEAKER. Is there objection to the request of the gentleman from New York that he proceed for half a minute?

There was no objection.

Mr. DICKSTEIN. I want to ask unanimous consent that the Senate bill referred to by the gentleman from Connecticut be restored to the Private Calendar, with the understanding that the committee will give the matter further study and file a supplemental report and take the matter up with the objector in order that we may get some procedure.

Mr. HALLECK. Mr. Speaker, reserving the right to object——

Mr. RANKIN of Mississippi. There is no use reserving the right to object; I object.

Mr. KOPPLEMANN. Then I shall continue to object, if I cannot get fair action in this House.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that today, after disposition of matters on the Speaker's table and at the conclusion of such special orders as may have been heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

Mr. KOPPLEMANN. Mr. Speaker, I object.

EXTENDING AUTHORITY OF THE RECONSTRUCTION FINANCE CORPORATION

The SPEAKER. The Chair recognizes the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. Mr. Speaker, I call up the conference report on the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

Mr. KOPPLEMANN. Mr. Speaker, I object.

The SPEAKER. The gentleman cannot object. The gentleman from Alabama is proceeding under the rules of the House.

The Clerk read the title of the bill.

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the full report.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. STEAGALL]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting immediately before the fifth paragraph thereof the following new subparagraph:

"'(5) To acquire real estate and any right or interest therein by purchase, lease, condemnation, or otherwise, determined by the Corporation to be necessary or advantageous to the carrying out of any authority vested

in any corporation created or organized pursuant to this section. The Corporation is also authorized to sell, lease, or otherwise dispose of any such real estate. Proceedings for such condemnation shall be instituted in the name of the United States pursuant to the provisions of the Act approved August 1, 1888 (25 Stat. 357), as amended, and any real estate already devoted to public use which would be subject to condemnation in proceedings instituted upon application of any officer of the Government shall likewise be subject to condemnation in proceedings instituted upon application of the Corporation as herein provided. Sections 1, 2, and 4 of the Act approved February 26, 1931 (46 Stat. 1421), as amended, shall be applicable in any such proceeding. Any judgment rendered against the United States in any such proceeding shall promptly be paid by the Corporation. Immediately upon the vesting of title in the United States of America in any such proceeding, the Secretary of Commerce, by deed executed by him in the name of the United States of America, shall transfer the entire title or interest so acquired to the Corporation, and the Corporation shall thereupon have the same rights with respect to any real estate so acquired as it has with respect to real estate acquired by purchase The power to institute proceedings for condemnation in pursuance of this section shall terminate on June 30, 1944, or upon such earlier date as the Congress by concurrent resolution, or the President by proclamation, may designate, but no such proceedings instituted prior to such termination shall abate by reason thereof.'

"SEC. 2. The Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after section 5e thereof the following new sections:

"'SEC. 5f. (a) Any department, agency, or independent establishment of the Government or any corporation all of the capital stock of which is owned or controlled, directly or indirectly, by the Government is hereby authorized, notwithstanding any other provision of law, to sell, transfer, or lease, with or without consideration, to the Corporation or to any corporation created or organized pursuant to section 5d of this Act, any real estate and any right or interest therein.

"'SEC. 5g. (a) The Reconstruction Finance Corporation is hereby directed to continue to supply funds to the War Damage Corporation, a corporation created pursuant to section 5d of this Act; and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this subsection. Such funds shall be supplied only upon the request of the Secretary of Commerce, with the approval of the President, and the aggregate amount of the funds so supplied shall not exceed $1,000,000,000. The Reconstruction Finance Corporation is authorized to and shall empower the War Damage Corporation to use its funds to provide, through insurance, reinsurance, or otherwise, reasonable protection against loss of or damage to property, real and personal, which may result from enemy attack (including any action taken by the military, naval, or air forces of the United States in resisting enemy attack), with such general exceptions as the War Damage Corporation, with the approval of the Secretary of Commerce, may deem advisable. Such protection shall be made available through the War Damage Corporation on and after a date to be determined and published by the Secretary of Commerce which shall not be later than July 1, 1942, upon the payment of such premium or other charge, and subject to such terms and conditions, as the War Damage Corporation, with the approval of the Secretary of Commerce, may establish, but, in view of the national interest involved, the War Damage Corporation shall from time to time establish uniform rates for each type of property with respect to which such protection is made available, and, in order to establish a basis for such rates, such Corporation shall estimate the average risk of loss on all property of such type in the United States. Such protection shall be applicable only (1) to such property situated in the United States (including the several States and the District of Columbia), the Philippine Islands, the Canal Zone, the Territories and possessions of the United States, and in such other places as may be determined by the President to be under the dominion and control of the United States, (2) to such property in transit between any points located in any of the foregoing, and (3) to all bridges between the United States and Canada and between the United States and Mexico: *Provided*, That such protection shall not be applicable after the date determined by the Secretary of Commerce under this subsection to property in transit upon which the United States Maritime Commission is authorized to provide marine war-risk insurance. The War Damage Corporation, with the approval of the Secretary of Commerce, may suspend, restrict, or otherwise limit such protection in any area to the extent that it may determine to be necessary or advisable in consideration of the loss of control over such area by the United States making it impossible or impracticable to provide such protection in such area.

"'(b) Subject to the authorizations and limitations prescribed in subsection (a), any loss or damage to any such property sustained subsequent to December 6, 1941, and prior to the date determined by the Secretary of Commerce under subsection (a), may be compensated by the War Damage Corporation without requiring a contract of insurance or the payment of premium or other charge, and such loss or damage may be adjusted as if a policy covering such property was in fact in force at the time of such loss or damage.'

"SEC. 3. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased, in addition to the increase authorized in section 2 of this Act, by $2,500,000,000."

And the House agree to the same.

HENRY B. STEAGALL,
CLYDE WILLIAMS,
BRENT SPENCE,
JESSE P. WOLCOTT,
CHARLES L. GIFFORD,
Managers on the part of the House.

FRANCIS MALONEY,
J. H. BANKHEAD,
GEORGE L. RADCLIFFE,
JOHN A. DANAHER,
ROBT. A. TAFT,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2198) to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Section 1 of the Senate bill and of the House amendment authorized the Reconstruction Finance Corporation to acquire real estate by purchase, lease, condemnation, or otherwise to the extent that the Corporation determined it to be necessary or advantageous to carrying out any authority vested in a corporation created or organized under section 5d of the Reconstruction Finance Corporation Act, as amended. Under the Senate bill the power of condemnation granted to the Corporation was not to be exercised after the expiration of the Second War Powers Act of 1942. The House amendment provided that power to institute proceedings for condemnation should terminate upon the conclusion of the present war or at such earlier time as the Congress by concurrent resolution, or the President, might designate, subject to the limitation that no proceedings for condemnation instituted prior to such termination should abate by reason thereof, or by reason of the expiration of the Corporation's period of succession.

The conference agreement provides for terminating the power of condemnation granted to the Corporation by section 1 on June 30, 1944, or on an earlier date designated by the Congress by concurrent resolution or by a Presidential proclamation. As provided in the House amendment, proceedings for such condemnation instituted prior to such termination are not to abate by reason thereof, but the reference to expiration of the Corporation's period of succession (January 22, 1947) is eliminated because of the earlier termination date (June 30, 1944) specified in the conference agreement.

Both the Senate bill and the House amendment authorized the Reconstruction Finance Corporation to supply funds in an aggregate amount of not to exceed $1,000,000,000 to the War Damage Corporation. Under the Senate bill the War Damage Corporation was to be authorized to use its funds to provide, through insurance, reinsurance, or otherwise, reasonable protection against loss of or damage to tangible real and personal property which may result from enemy attack, with such general exceptions as such Corporation with the approval of the Federal Loan Administrator might deem advisable. Under the House amendment such protection was to be afforded against loss of or damage to property, real and personal, which may result, or may have resulted, from enemy attack or from any action taken by the military, naval or air forces of the United States in resisting or guarding against enemy attack.

The Senate bill provided that such protection in an amount not more than $15,000 might be provided to the owner of any such property without requiring the payment of a premium by or other charge to such owner. The payment of a reasonable premium or other charge was required, however, where protection was provided in a greater amount. In all cases such protection was to be made available in accordance with terms and conditions to be prescribed by the War Damage Corporation with the approval of the Federal Loan Administrator.

The House amendment provided that the protection was to be made available upon the payment of such premium and subject to such terms and conditions as the Corporation, with the approval of the Secretary of Commerce, might establish. The House amendment also provided that any such loss or damage sustained prior to the approval of the act or prior to a date determined by the Secretary of Commerce (not later than July 1, 1942) might be compensated by the War Damage Corporation without requiring a contract of insurance or the payment of a premium or other charge.

Under the Senate bill the protection was limited to (1) property situated in the United States, the Philippine Islands, the Canal Zone, the Territories and possessions of the United States, and such other places as the President determined to be under the dominion and control of the United States, and (2) to such property in transit between any points located in any of the foregoing.

The House amendment provided, in addition, for extending such protection to bridges between the United States and Canada and the United States and Mexico, but it added a limitation that the protection was not to be extended to property in transit upon which the United States Maritime Commission is authorized to provide marine war-risk insurance.

The House amendment also provided that, with the approval of the Secretary of Commerce, the War Damage Corporation might suspend, restrict, or otherwise limit such protection in any area that it determined necessary or advisable in consideration of the loss of control by the United States or other factors making it impossible or impracticable to provide such protection therein

The conference agreement provides that the reasonable protection which the War Damage Corporation is to be authorized to make available is to cover loss of or damage to property, real and personal, which may result from enemy attack (including any action taken by the military, naval or air forces of the United States in resisting enemy attack). The "general exception" provision of the Senate bill is retained The Secretary of Commerce is required to determine and publish a date, which is not to be later than July 1, 1942, on which such protection will be available. The provisions of the House amendment with respect to the location of property to be covered (including bridges between the United States and Canada and Mexico) are retained in substance, and the House limitation on coverage of "property in transit" is to apply after the date so determined by the Secretary of Commerce.

Under the conference agreement, the provisions of the House amendment, relating to compensation without requiring a contract of insurance or the payment of a premium or other charge, are made applicable in the case of loss of or damage to property between December 6, 1941, and the date so determined by the Secretary of Commerce

The conference agreement also provides that, in view of the national interest involved, the War Damage Corporation shall from time to time establish uniform rates for each type of property with respect to which such protection is made available, and that, in order to establish a basis for such rates, the War Damage Corporation shall estimate the average risk of loss on all property of such type in the United States.

HENRY B. STEAGALL,
CLYDE WILLIAMS,
BRENT SPENCE,
JESSE P. WOLCOTT,
CHARLES L. GIFFORD,
Managers on the part of the House.

Mr. CRAWFORD. Will the gentleman yield for a question or two?

Mr. STEAGALL. I yield to the gentleman.

Mr. CRAWFORD. Will the gentleman explain to us a little more clearly the provision with reference to insurance premiums that are to be charged. In other words, is there any limit as to the amount of insurance that may be carried free of cost to those insured?

Mr. STEAGALL. The bill passed by the House provided a system of insurance by contract and assessment, and that provision was retained by the conferees. There is no provision for free insurance except pending the time when the plan that will be established under the bill can be put into effect, which will be not later than the end of the fiscal year, or at such earlier date as may be announced by the Corporation. As I stated, that is the plan provided in the House bill.

Mr. CRAWFORD. Let us take a case subsequent to next July 1, we will say, and beyond that date.

Mr. STEAGALL. Beyond that date all insurance is by contract.

Mr. CRAWFORD. On which a premium must be paid?

Mr. STEAGALL. On which premium charges must be paid.

Mr. CRAWFORD. Is the language clear and brief as to how the premium shall be arrived at?

Mr. STEAGALL. If the gentleman will read the concluding paragraph of the statement of the conferees, or the provision of the bill as agreed upon in conference, he will see that wide latitude and discretion is given the officials of the Corporation in fixing charges or assessments. There is a provision incorporated in the conference report to the effect that in determining the assessment to be imposed the Corporation shall estimate the total value of all property in the country of a certain type, and the rate must be uniform. That is the view that obtained when the present plan of protection was instituted that the losses caused by damage to property during the war should be the burden of the Nation as a whole, and that view is followed in the plan upon which assessments are to be made by the Corporation.

Mr. CRAWFORD. In other words, those in the interior, for instance, will have to pay the same rate of insurance, although the risk might or might not be as great as those located on the seacoast?

Mr. STEAGALL. We approached the problem from the viewpoint that the problem is a national one, that the burden should be borne by the Nation as a whole, and, as a matter of fact, nobody knows just where the greatest risk will be experienced. Of course, we do not expect any extensive bombings or destruction of property in the United States, but if it comes there is no way at all under modern methods of warfare to tell just what community or what particular section might face the greatest danger.

Mr. CRAWFORD. I thank the chairman of the Committee on Banking and Currency.

Mr. KEAN. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from New Jersey.

Mr. KEAN. If you carry out this uniform rate, that will mean the rate will be cheaper on the seacoast and a little higher in the interior than would otherwise be justified?

Mr. STEAGALL. That conclusion may turn out to be justified or it may not. It will require experience under actual operations of the plan to determine whether that will be the case or not.

Mr. KEAN. Is that not apt to mean nobody will take it out in the interior, and everybody will take it out on the seacoast?

Mr. STEAGALL. No; it is not expected that everybody will take this insurance, but in fixing the rates of assessment the number of beneficiaries or applicants will, of course, enter into the matter of cost. An insurance company in undertaking to assess a rate or arrive at a fair charge would, I should think, do just what the bill provides. An effort would be made to find out the total value of a property of a certain type throughout the country before undertaking to adjust rates.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Texas.

Mr. PATMAN. There was one thing about which the House was very positive, and that was that we would have no free insurance. Does the bill the conferees have brought back provide for any free insurance of any kind or character whatever?

Mr. STEAGALL. None whatever, except during the period within which to perfect and put into operation the plan that will be permanent, which, of course, is the plan provided in the House bill. I have my own individual views about that phase of the legislation, but that is what the House did, and the conferees agreed to the House provision.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Under the temporary arrangement until the contracts are written, say July 1, are the sinkings that are taking place at the present time covered by the temporary arrangement?

Mr. STEAGALL. Yes.

Mr. SMITH of Ohio. Is there any provision for taking care of these men who are losing their lives?

Mr. STEAGALL. This does not deal with life insurance in any form.

Mr. SMITH of Ohio. This takes care of the property alone?

Mr. STEAGALL. The property entirely.

Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, as this conference report is returned to the House it is signed by all the conferees on the part of the House because it expresses, I believe, the House version of the bill with some additions which perfect that bill.

I presume that any fundamental objection which any of the Members of the House may have to this manner of providing insurance presents only an academic question at the present time, but I want to use at least part of my time to call attention to something which I think is much more important than this particular conference report.

This bill and this conference report is indicative of a change which we are experiencing in our national and our political life. It indicates in some essential particulars that the Congress of the United States is in a position of impotency. The Congress of the United States should be the policy-making department of the Government. It may be somewhat sophomoric to call attention to the fact that we have in this Government three distinct, integrated branches of the Government, the legislative, the executive, and the judicial. We are taught from

childhood to respect the office of the President of the United States. The office of the Supreme Court is almost sacred to us. Through a series of events which have transpired, however, the Congress of the United States has been humiliated and ridiculed into such an impotent state that the people of the United States, in their anxiety concerning the perpetuation of the American form of Government, have felt the ineffectiveness of the only direct voice they have in Government. In each of the dictator countries, the power and prestige of the legislative branch of the government had to be destroyed before totalitarianism could prevail. As gradually the representative branch lost its jurisdiction over policies, proportionately the dictator ascended toward total sovereignty and ultimate despotism. The United States Congress is the only remaining bulwark against collectivism and socialism. To destroy its effectiveness as such either by ridicule or usurpation spells the end of American democracy.

Understand that this Corporation, the War Damage Corporation, establishes potential liabilities running into billions of dollars. It was created under section 5 (d), subdivision (3), clause (g), of the Reconstruction Finance Corporation Act, which provides that the Federal Loan Administrator, with the approval of the President, is authorized to create a corporation with power—

to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national defense program, but the aggregate amount of the funds of the Reconstruction Finance Corporation which may be outstanding at any one time for carrying out this clause (g) shall not exceed $200,000,000.

This is Public Law No. 108, Seventy-seventh Congress.

Under the above language the War Damage Corporation was created and $100,000,000 of the $200,000,000 made available to it.

This corporation put a binder on every piece of property. It gave every property owner in the United States free insurance from enemy attack, creating a potential and contingent liability on the part of the people of the United States of perhaps billions of dollars. It established a policy whereby private losses would be paid out of the Federal Treasury as soon as they were adjudicated, at a time when every effort is being made to get into that Treasury all the pennies our school children may save and all the dollars their parents may get together to carry on the war effort.

Of course, if this had been presented to the Congress before it was done, common sense would have necessitated the subordination of private interests to the carrying on of the war. We have done everything we could to get money into the Treasury. We have increased the taxes, we have made available defense bonds and stamps in denominations from 10 cents up. All in an effort to get money to carry on the war. By this bill we create a potential drain upon the Treasury of billions of dollars, at a time when the Treasury can least withstand that burden.

The proper thing to have done, and had it been presented to the Congress before this policy obligating these billions was initiated by the executive branch of the Government it probably would have been done, was to have established a commission to adjudicate these losses. A report would have been made to the Congress and the Congress would have decided whether the Treasury of the United States was in a position to pay these losses. In other words, private enterprise and private losses should be and must be subordinated to the war effort, but we have little or nothing to say about that. To my knowledge no Member of Congress was consulted before the Corporation was created. Has the Congress become so impotent and ineffective as the mouthpiece of our people, that the Executive was justified in so completely ignoring it in the establishment of this new and untried policy which binds us to appropriate perhaps billions of dollars?

The most flimsy language was used as an authority. Can you affiliate in any manner whatsoever the language of the act wherein it authorizes the creation of a corporation to expedite national defense, with the establishment of a corporation having potential liabilities of billions of dollars to give free property insurance against enemy attack?

The reason given to me was that it established and maintained morale. On the same premise, we should repeal all of our war-tax laws. On the same premise, of course, we should reimburse all losses to nonwar industries which have had to go out of business because material used by them was needed for guns, planes, tanks, and ships. On the same premise, of course, we should give a free hand to enterprise to go out and do as they please. But no, we have regimented industry, we have regimented the resources of this country to carry on a war effort, and we have logically not seen fit to decrease the intensity of our war effort because of its possible effect on morale. Nothing is so destructive of morale as unsound fiscal and war policies.

Morale will be able to withstand these shocks, and morale would have been able to withstand such shocks if it had not been for the demagogic appeal which has been made to every property owner of the United States. There is little the Congress can do now, if faith with the people is kept, but to adopt the conference report. All this bill does and all it is intended to do is to confirm the action which has already been taken with questionable authority. It is advisable that the country at large share any losses from enemy attack. This bill accomplishes that purpose.

We have provided that the rates shall be uniform, and we who are outside of the risk areas are glad of the opportunity to establish as a policy that the people in the risk areas shall not pay a disproportionate amount for this insurance now that the policy has been established.

So we adopted some language as a compromise which has as its purpose the establishment of two policies.

Mr. Claude E. Hamilton, general counsel of the Reconstruction Finance Corporation, has interpreted the language in respect to these policies in advance for us.

The language used is as follows:

But in view of the national interest involved, the War Damage Corporation shall from time to time establish uniform rates for each type of property with respect to which such protection is made available, and, in order to establish a basis for such rates, such Corporation shall estimate the average risk of loss on all property of such type in the United States.

In answer to my inquiry of Mr. Claude E. Hamilton as to how this language would be interpreted, he informed me, and informed the conferees, that his interpretation of the language which I have just read would be that, first, it would establish a uniform rate throughout the United States on the various types of property, and second, it enunciated the intent of the Congress that the premium rate should be established as low as it could be, consistent with good business practices, but that it did not otherwise set up a standard for the establishment of any rate.

I make this a part of the RECORD so that there will be no question of legislative intent.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, I ask permission to revise and extend my remarks in the RECORD and to include in those remarks a letter from Secretary Jones.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROLPH. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. ROLPH. Referring to the statement of the gentleman from Michigan [Mr. WOLCOTT], the ranking member of the committee, that you have advocated uniform rates all over the country, on behalf of one of the districts in the strategic area, I want to thank the members of the committee and the conferees for establishing that policy.

Mr. GIFFORD. Mr. Speaker, I think it is in the minds of very many of us to inquire what these rates may probably be. We have been trying in the last several days, while in conference, to get that information, and it was understood that when the conferees finally reported a letter from Secretary Jones would be incorporated in this report. Perhaps I was in error, so I rise at this time to assure you as far as I can that the Secretary has given us interesting information as to probable rates. He intends to see to it that insurance companies do as much of this business as possible and that they charge not much more than $1 per thousand on residential property That is, if you want to insure your home for $5,000, have a rider placed on your present insurance policy at a cost of not more than a $5 premium for a $5,000 policy. I imagine no one would say that that rate would be unreasonable. Respecting other types of property, the

Secretary was more reserved in his statement. On some other properties that are especially valuable and perhaps placed in especially dangerous locations, he may decide to have a rate, as in the case of income taxes, that is, a so-called graduated rate. I imagine, for instance, the Empire State Building would lend itself, probably, to being a real risk; and if the owners wanted to insure for a very large amount, a higher rate might be imposed.

THE SECRETARY OF COMMERCE,
Washington, D. C., March 17, 1942.

Hon. FRANCIS MALONEY,
United States Senate,
Washington, D. C.

DEAR SENATOR MALONEY: In our consideration of rates to be charged by the War Damage Corporation for protection against enemy attack, we are of the opinion that, since losses resulting from the war are a national responsibility, there should be no discrimination in rates because of geographic location.

Our thought as to appropriate rates is as follows:

Ten to 15 cents per $100 coverage for farms, dwellings, and commercial properties up to $10,000; from 15 to 20 cents per $100 coverage on such risks between $10,000 and $25,000; and graduated rates on all amounts above $25,000.

I doubt the advisability of making these suggestions a part of the legislation, but this letter could be put in the RECORD as a part of the discussions. If the committee prefers making it a matter of legislation, there can, of course, be no objection.

My thought about this is that the War Damage Corporation, with the approval of the Secretary of Commerce, should have as much latitude as possible to fix rates for such protection.

Sincerely yours,

JESSE H. JONES,
Secretary of Commerce.

I am also grateful that the committee has decided that Members from Arkansas, Nebraska, and other inland States should be willing to have the rates computed at a uniform rate. It would be interesting to me to give you certain information, but if you will read the Boston Herald received here yesterday, you will read statements made by a very prominent individual from Massachusetts holding a high position in civilian defense, who told his audience that we might well expect the bombing of our section. He reminded us that bombing planes could so easily fly from here there—and they are flying there every day—probably they could fly from there here if they felt so inclined. So if we think there is going to be but little bombing, accept that as our own opinion and not think that all feel this protection is not necessary.

I also remind you that there are perhaps too many frightening things being said and done. We must reassure our children at least. Would this meet with your approval? Last week I spoke to a group of gramn.ar school students from 11 to 14 years of age I suggested that if Jap bombers or German bombers were reported to be near, to sort of thumb their noses at them and show no greater fear than of that automobile whizzing by, which would get you if you do not watch out. I bring this up simply to show that we feel that bombings will be very limited, and not to be compared with the usual dangers of our everyday life. Whether this legislation will be reassuring or more frightening I do not know, but it is thought we have been shown the necessity of providing this sort of insurance.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. KEEFE. The provisions of this bill extend protection, as I read it, to such property "situated in the United States, including the several States, the District of Columbia, the Philippine Islands, the Canal Zone, the Territories and possessions of the United States, and any such other places as may be determined by the President to be under the dominion and control of the United States."

Would the gentleman advise us what that means or what is contemplated?

Mr. GIFFORD. Yes. We asked particularly about that. We have lost control in some places now, though perhaps later we might regain control. Many such problems will probably come back to the House for determination later. We could not determine very definitely what the future problems of conquered possessions might demand of us. We have to leave a great deal of latitude in these matters with the War Damage Corporation.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GIFFORD. Mr. Speaker, would the gentleman yield me a half minute more?

Mr. STEAGALL. I yield the gentleman another minute. I call the gentleman's attention to a statement he made which is not quite accurate. There was no understanding on the part of the conferees that the letter of Mr. Jones would be incorporated in the conference report. He addressed a letter to the conferees and stated that it might be incorporated in the RECORD. There is no objection to putting the letter in the RECORD.

Mr. GIFFORD. That is what I thought, but I am glad the gentleman has no objection to my putting the letter in the RECORD. In closing I might say that some Member might wish to bring up the question of intangible personal property. We thought that intangibles might be omitted in that your valuable letters, stocks, and bonds, and other intangibles might well be deposited in safety vaults, or easily otherwise hidden or protected.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. DEWEY. Mr. Speaker, will the chairman of the committee yield to me for a question?

Mr. STEAGALL. Yes.

Mr. DEWEY. I am wondering if consideration was given by the conference committee to those people who, after this matter becomes a law and rates are posted and the contracts are obtainable, do not avail themselves of these policies? Would such people who have sustained damage be foreclosed from coming to the Congress and seeking private relief?

Mr. STEAGALL. Oh, the gentleman knows that nobody is precluded from coming to the Congress with a petition on any of their problems—financial or otherwise.

Mr. DEWEY. It is generally supposed that if they had opportunity to obtain this insurance, that will put them in a position where they could not obtain public relief.

Mr. STEAGALL. Of course, that is a question that may arise and we cannot tell now just what is going to happen in this war. It may be that numbers of people will not avail themselves of the opportunity to protect their property by this insurance, and a situation might possibly arise where bills would be offered for relief, but what would happen no one can tell now. What we are trying to do—and this should have been said in connection with the statement of the gentleman from Michigan—is that we are undertaking to protect the morale of the people of the United States in the situation that confronts us and this measure is one of the most important steps that can be taken to accomplish that. We are approaching the problem as a national responsibility. We have undertaken to establish a system that will require citizens to pay for the protection that will be afforded. We are trying to protect the Treasury. That is what is contemplated by this legislation.

Mr. DEWEY. May I continue that inquiry further in this way. In the hearings before the Banking and Currency Committee was it not brought out that the purpose of this type of legislation is to relieve the public revenue from claims on the part of people and to offer a service that might be put on a business basis?

Mr. STEAGALL. That is absolutely true, and it is expected that the insurance companies will take over this business. We don't know that they will. That is contemplated, and if they do not, there will be plans worked out, it is hoped, by which reinsurance may be extended, and the service may be handled by the insurance companies.

Mr. DEWEY. I thank the gentleman for clearing that up.

The SPEAKER. The Chair would like to learn how much more time is necessary in the consideration of this bill. The Chair was informed that it would not take very much time.

Mr. STEAGALL. I think that we are through now, Mr. Speaker. There are no further requests for time, I think.

Mr. SMITH of Ohio. Hearings on this bill by the Banking and Currency Committee were held on the 2d, 3d, 4th, and 5th of January. The question was raised seriously in the committee as to whether it might not be advisable to provide for the payment of premiums on property which might be lost up to the time of the writing of insurance contracts. At that time we were not thinking of any damage except that which occurred at Pearl Harbor. The committee for some reason took no action on requiring such premium payments. Since that time we have had an immense amount of sinkings. I would like to have an expression

from the gentleman from Alabama as to whether we may not have made a mistake in not providing for premium payments on property which might be destroyed up to the time when actual contracts can be written.

Mr. STEAGALL. Of course, that is a matter that is past. What the conference report does is to embody the House provision in that respect, so that the matter is closed.

Mr. Speaker, I yield 1 minute to the gentleman from Connecticut [Mr. KOPPLEMANN].

Mr KOPPLEMANN. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, I have attempted on behalf of Members of the House to get fair treatment in respect to a private bill. I called the gentleman from Oregon [Mr. MOTT] this morning. He definitely told me that he would object to a fair request for an opportunity to develop arguments in favor of this private bill. He told me he was opposed to it because he was against this kind of people coming to America. Of course, I told him I would make objections if he were that unfair. The responsibility lies upon him. But since that time very decently the able chairman of the Committee on Immigration has suggested a plan whereby this private bill may be considered by the House and voted up or down by the entire membership instead of being objected to by the unfair prejudice of a single individual.

I now withdraw my objection.

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. KEEFE. Will the gentleman indicate whether or not the hearings on this bill determined the character of the property that might be insured in those places which might be determined by the President to be under domination and control of the United States? In other words, does this contemplate that we shall insure the property of any person except United States citizens?

Mr. STEAGALL. It does not.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. VINSON].

The SPEAKER. The Chair intends as soon as this conference report is agreed to to recognize the gentleman from Kentucky [Mr. O'NEAL] to call up the legislative appropriation bill and will not recognize Members for 1-minute speeches.

Mr. VINSON of Georgia. Mr. Speaker, I desire to call the attention of the House to the fact that on tomorrow morning the Naval Affairs Committee will begin hearings on the bill H. R. 6790, a bill to suspend the 40-hour week, the closed shop, and to place a limitation on properties. I invite all Members who are interested in this legislation to get a copy of the bill, to study it, and I extend to you a cordial invitation to come before the Naval Affairs Committee with any suggestions or criticisms that you desire to make of the bill.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. REED of New York. Mr. Speaker, a parliamentary inquiry Did I understand the Chair would not recognize any Member to ask unanimous consent to extend his remarks at this point?

The SPEAKER. The Chair will recognize the gentleman from Kentucky [Mr. O'NEAL] to call up the legislative appropriation bill at this time.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1943

Mr. O'NEAL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6802) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes; and pending that I ask unanimous consent that general debate may extend for 1 hour, the time to be controlled one-half by the gentleman from Nebraska [Mr. STEFAN] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. STEFAN. Mr. Speaker, that is satisfactory.

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Kentucky.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6802) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, with Mr. THOM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. O'NEAL. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this is our bill; it is the legislative appropriation bill. It provides appropriations for the Senate, the House of Representatives, the Capitol Police, the Joint Committee on Printing, the Joint Committee on Internal Revenue Taxation, the Office of the Legislative Counsel, the Architect of the Capitol, the Botanic Gardens, the Library of Congress, and the Government Printing Office. This is a somewhat unique bill. It is unique because it was the unanimous action of the Subcommittee on Legislative Appropriations. It was not only the unanimous action on the bill, but I think the members of that committee, the gentleman from South Carolina [Mr. HARE], the gentleman from Washington [Mr. LEAVY], the gentleman from Nebraska [Mr. STEFAN], and the gentleman from Indiana [Mr. JOHNSON], and the chairman were in agreement not only on the bill but on every item in the bill. We regretted that the ranking minority member the gentleman from New Jersey [Mr. POWERS] was serving on another committee which made it impossible for him to attend the meetings of this committee.

This bill is unique in another particular. This is the complete program of appropriation for one part of the Government, the legislative department. All of it is in one bill, and except for one item this takes care of the entire running expenses of one great branch of the Federal Government, the legislative branch. This bill is further unique in that it is cut to the bare bone. There is only maintenance and operation in this bill. This has been pared to a point where there are no increases in the House of Representatives' work, and it is a simple maintenance proposition. It is further unique in that it establishes, in my opinion, not the bill but the will behind the bill that Congress itself is exercising the most rigid control of its own expenses. I do not believe there is a department of Government that is so regulating its own expenses from the standpoint of economy that it compares with what Congress itself is doing to see that there are no useless and wasteful expenditures in its department. This is unique in my opinion from the standpoint of economy, and it is interesting to note that the amount in this bill for the operation of Congress is a sum which amounts to only one-third of 1 percent, one three-hundredths of the expenditure for nondefense agencies; one three-hundredths of the sum we appropriate for nondefense operations of the Government is the amount that Congress pays for the operation of the entire legislative department.

Since this is the bill of Congress, your bill, I ask your indulgence in engaging in a recitation of figures and small items which ordinarily might not be called to the attention of the House; but this being the bill where the committee is reporting to you as to your own House and how it is kept in order necessitates a little more explicit explanation than a bill would ordinarily receive. The amount which came to this committee from the Budget was $28,850,000.

The 1942 appropriations were $29,389,000, but the amount recommended in this bill is $27,581,866. The bill to run the legislative department in 1943 is $1,807,258 less than the 1942 appropriation, and $1,268,952 less than the Budget estimate. Of the $27,000,000 in the bill, Mr. Chairman, the part to run Congress can be pared to $20,000,000. The amount chargeable for every expense of the legislative department is about $20,500,000.

It is interesting to note that the amount of money appropriated to run our own establishment would not be sufficient to build one of the buildings being built for the Government. The cost of a flood wall would run the entire legislative branch for a year and a half. The amount of the unemployment bill, for $300,000,000 which was under discussion by the Ways and Means Committee would run Congress and pay all expenses for over 15 years.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield at that point?

Mr. O'NEAL. I shall be very happy to yield.

Mr. ZIMMERMAN. I just want to take this opportunity of expressing to the gentleman and to his subcommittee my appreciation of the real economy they have practiced in this bill. It is my sincere hope that other committees that bring in appropriation bills will follow the action of this committee in cutting down appropriations to the very bone. I feel that this committee deserves the congratulations of the country, and all of us will be interested in noting the several items where these cuts have been made.

Mr. O'NEAL. I thank the gentleman very much.

Mr. EDWIN ARTHUR HALL. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I want to echo the gentleman's sentiments and express my own appreciation for the remarkable work that the subcommittee has done in keeping these expenditures down.

Mr. O'NEAL. The committee very greatly appreciates the gentleman's statement.

Mr. LAMBERTSON. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. The gentleman says this is the legislative appropriation bill?

Mr. O'NEAL. That is correct.

Mr. LAMBERTSON. Can the gentleman assure the country there are no pensions in here for Congressmen?

Mr. O'NEAL. There are a great many sacrifices in here on the part of Members, but not pensions.

Mr. LUDLOW. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Indiana.

Mr. LUDLOW. I want to express my commendation to the gentleman from Kentucky. There is not a Member of this body, or any other legislative body, who is better qualified to serve as a member of the Appropriations Committee than the gentleman from Kentucky. He has superb business vision and is very alert always in looking after the interest of the taxpayers. I endorse everything that has been said by the gentlemen who have paid their tributes to him and I am sure that the House and the country owe a genuine debt of gratitude to the gentleman from Kentucky. The gentleman is held in the highest esteem by all Members of both branches of Congress because of his great ability, his common sense, and sound principles. The Third District of Kentucky made a notable contribution to the public service of the Nation when it sent the gentleman from Kentucky [Mr. O'NEAL] here and I hope it will keep him here as long as he lives.

Mr. O'NEAL. I appreciate very much what the gentleman has said.

With reference to the amount required to run the legislative branch of the Government, may I say that one W. P. A. bill would run all of the expenses for the legislative branch for 50 years. Referring to the very complimentary things spoken of the committee, I would like to say that this bill is not the action of the committee but it is an expression of the sincere purpose of the Congress to practice economy. There are economies practiced personally on the part of the Members, and as a body this great legislative branch is making a tremendous effort to save money wherever it is possible and they are doing as they should do, putting their own house in order as an example for others to follow.

If you will look at the report and will turn to the back of it you will see there are practically no increases. There are some with reference to grade promotions under the law, but you will observe there are practically no increases and a great many cuts.

To come to specific items—and I will not try to be too lengthy in what I have to say—since this is our bill, as I have stated before, I feel that we should have some of the little intimate details of what goes on "on the Hill."

As to the Senate appropriations, we followed the precedent which has existed for many years. The House Appropriations Committee reported the last year's current appropriations and the Senate may control its own activities. We have nothing to say, or we say nothing about it. We send it to them and they in turn take the same attitude toward the appropriations for the House of Representatives.

This year the House of Representatives has $9,235,000 in its appropriation, which is $315,000 less than last year, the 1942 appropriation, and $21,000 less than the Budget estimate.

Mr. Chairman, although this committee is in a difficult position, there are no new employments and no increases in salary in the appropriation bill. So that we may begin at home, the Appropriations Committee will draw in this bill $3,100 less than it drew last year.

The restaurant appropriation is of interest. We have cut down the appropriation for that purpose. Although food costs have gone up, by careful management it will be possible to operate the restaurant for less money than was provided last year.

We allowed only the same amount as last year in the item covering the laundry work in the Capitol, although bids for the laundry work have gone up this year 80 percent over what they were last year, but by careful management and careful scrutiny we believe that we should not spend any more for that than we did last year.

There was an item in the estimates for typewriters. We are asking the Members this year to do without new typewriters. In the first place, when the estimates were prepared there was nothing forbidding the purchase of typewriters. I am told, although I do not know, that there is a ban on the purchase of typewriters. However, we have a repair force that can take the typewriters and put them in first-class shape. The membership, we believe, can do without new typewriters with no serious sacrifice on their part.

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, I would like to explain to the committee how little items are looked into by the House of Representatives. We take rugs down to our repair department that ordinarily would be thrown away. The repair department takes those rugs, cuts them up, and makes new rugs out of them that will last 4 or 5 years. You are using many desks in your offices that were put in the House of Representatives when the old House Office Building was first built. Old roll-top desks have been sent to the cabinet-workers shop, the tops have been taken off, and those desks have been made into modern desks, saving a great deal in the cost of purchasing new ones.

There are a couple of changes in the bill which I would like to mention; one is air-mail-stamp provision. As you know, there was $50 a year allowed for air-mail stamps. A great many of the Members who live near at hand needed special-delivery stamps. So without increasing the amount we have put in here a change of language which will make it possible to have that amount used either for air-mail or for special-delivery stamps.

There is another legislative matter in the bill. The disbursing clerk can now act for the Clerk of the House, which he was not able to do before. This, you will find in the report.

Under the Architect of the Capitol, the amount allowed is $2,115,000. This is $313,000 less than last year, 1942, and $453,000 less than the Budget estimate.

We have allowed money, again, only for maintenance and operation of the great plant we have here, except in one item. There is a sewer condition on the west side of the Capitol which was studied last year, and it is an emergency, so $39,000 was put in the bill for the repair of that sewer. Otherwise, the entire amount is for maintenance and operation.

For the power plant we have allowed $782,281, which is $206,440 under the estimates and $15,885 over the Budget estimate. The committee eliminated several items, especially $194,000 for a cinder eliminator.

The increases are outlined on page 6 of the report. The price of coal obtained by competitive bidding has jumped 35 cents a ton, which necessitates a large increase in fuel costs.

The Architect of the Capitol is in charge of the mechanical and structural maintenance of the Library of Congress. Except for promotions required under the Ramspeck bill, the amount is $66,000 under the current appropriation and $195,000 under the estimates. We allowed some better lighting and roof repairs, but we disallowed a request for $97,000 for a new book stack. The cost of the book stack would be $165,000 under latest bids, so it seemed unwise to proceed with the expenditure now.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I am very glad to yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I wish to commend the gentleman and his committee on having made a very definite reduction in the appropriation. While everything is going up, I see the reduction

approximates 7 percent under last year. That is a very substantial reduction.

The gentleman mentions a restaurant. We also have barber shops here. There is a popular belief throughout the country that the Members of the House get free shaves and free barber service. Some believe we get free restaurant service. I just wanted to emphasize here that the Members of the House pay for all of these services and pay good prices for the food and service they receive in the restaurant. This is not paid out of the Treasury at all.

Mr. O'NEAL. The gentleman is correct about that. It is a common fallacy that haircuts, shaves, soda water, and things like that are furnished the Members of the House of Representatives free. Not one of those items is furnished free. That idea is all a mistake.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. COLE of New York. Can the gentleman advise the House and the country how much is contained in this bill for travel allowance to Members?

Mr. O'NEAL. Just about enough for one Member and his family to come up here and go home on.

Mr. COLE of New York. How many times a year?

Mr. O'NEAL. One time, about; that is, if the experience of the other Members is about what has been the experience of the gentleman from Kentucky. When I say to come here to Washington, I mean that if you have a small family, to bring them here and return home would exhaust the amount of your travel allowance.

Mr. COLE of New York. There is no allowance for travel to Members of Congress other than one round trip each year?

Mr. O'NEAL. That is about what it would amount to, with an average-sized family.

Mr. ROBSION of Kentucky. Right on that point, the average Member of the House on his official duties must make more than one trip, generally several trips, to his State and back.

Mr. O'NEAL. In my opinion, the average Member of the House gets about one-fourth or one-fifth by way of travel allowance of what he spends traveling on Government business.

As to the Library proper, the committee recommends $3,786,205, which is $165,262 less than in 1942 and $367,482 less than the Budget estimates.

We allowed 12 necessary new positions, and we inserted a provision giving the Library permission to make purchases up to $100 without competitive bidding.

We have a high regard for the work of Mr. MacLeish and his staff, and a full discussion of the work of the greatest library in the world will be found in the hearings.

My time is running very short, and I shall have to make this statement a little more brief.

I call attention, skipping over what I had planned to say by way of detail, to the Government Printing Office. It is an amazing business proposition. If you have not been there, I think every one of you should make a visit to the Government Printing Office. We allow them $8,147,000 in this bill, which is $972,000 under the 1942 Budget and $425,000 less than the present Budget estimates. In this amount there is $3,000,000 which is merely a loan of credit to the Printing Office to help finance their operations. It is not an expenditure, so you can subtract that from the $8,000,000, which would leave a total of a little over $5,000,000.

The printing job of the Printing Office has jumped from $28,000,000 a year to probably $60,000,000 in the coming year. It will be necessary to send out $10,000,000 worth of work to the small and large printing houses throughout the United States. The Printing Office is trying to do that intelligently with an idea as to geographic distribution. It has sent 3,500 letters out to find out the capabilities of the various printing houses.

On the question of printing for Congress, the amount is $3,700,000. This is $800,000 under 1942 and $380,000 under the Budget estimates. But we have been in almost continuous session.

I call attention before closing to the CONGRESSIONAL RECORD and the hearings. The estimate came to us for $1,000,000 for the CONGRESSIONAL RECORD and $1,000,000 for the hearings, and in that, along with some other printing items, we have made an arbitrary cut of $250,000. The committee is not attempting to say to Congress what it should or should not do on this item of the CONGRESSIONAL RECORD, but we have appealed for economy and we know we express the desires of Congress that we do all that we think proper to reduce the expenditures for the CONGRESSIONAL RECORD, and to shorten the hearings.

This year the appropriation hearings are 25 percent less than they were last year. We believe this can easily be absorbed. Tabular matter in hearings costs four times what ordinary printing costs. By a little thought and attention we can effect economies and we certainly can absorb the $250,000 which should be saved from the amount usually spent for this purpose.

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I yield myself 1 additional minute.

I would like to say that throughout these entire agencies under the legislative branch there are quite a few earnings. For instance, the Library brings in fees of over $700,000, and to offset partly these comparatively small amounts of expenditures, we have some monetary returns.

As chairman of this committee I wish to express my appreciation to the other members of the committee and I may say that in doing what we have done in this bill I feel we are only doing what Congress wants us to do—to put our own house in order and set an example of economy for all other departments of the Government.

Mr. LECOMPTE. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. LECOMPTE. How many dollars of printing did the gentleman estimate that the Public Printer had sent out which he could not handle himself?

Mr. O'NEAL. About $10,000,000, and he is trying to handle that in a very fair way.

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I yield myself 1 additional minute.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. WADSWORTH. I am going to ask a question which I think I have asked at every session of the Congress for the last 20 years, or nearly so. It is not asked in a spirit of hostility. I have wondered all these years whether the management of the Botanic Garden should fall under the legislative body. I ask the chairman of the committee if any consideration has been given to the transfer of that activity to some executive department of Government.

Mr. O'NEAL. I may say to the gentleman from New York that if I have the opportunity during general debate I would like to answer him because it has back of it somewhat of a tradition. There is a good deal to the point that it should remain where it is because of tradition, but not so much from a business or logical standpoint.

Mr. WADSWORTH. I can remember the days when that paragraph at line 12, on page 35, was not included in the bill, and I suspect the tradition perished with the insertion of that language.

Mr. Chairman, I believe that Congress is practicing very rigid economy in its own business affairs, and I feel sure that it will sustain the committee's work on this bill.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I shall not take up much time because the distinguished chairman of the committee, the gentleman from Kentucky [Mr. O'NEAL], has explained the bill thoroughly.

Mr. O'NEAL. If the gentleman has some spare time following his remarks, will he yield some time to the gentleman from South Carolina [Mr. HARE]?

Mr. STEFAN. I can assure the gentleman I have no spare time, because I have requests for more time than I shall have to yield, but if we should have any remaining time I certainly shall be pleased to pass it over to the gentleman.

Mr. Chairman, I wish to take this opportunity to commend our chairman, the gentleman from Kentucky [Mr. O'NEAL], and the other members of the subcommittee who have been working on this bill, especially Mr. Sheild, our chief clerk.

I know that every Member of the House is well informed on the determination of our chairman, the gentleman from Kentucky [Mr. O'NEAL], to eliminate expenditures in Government wherever possible. He has that reputation in the Congress, and I assure you, Mr. Chairman, that every member of the subcommittee went over this bill with a fine-tooth comb, with the result that a great many deep cuts have been made in the bill as explained by our chairman.

You should know that this bill embraces a number of activities. It takes in all of the activities of the legislative branch of the Government. Of course, the No. 1 item, which is the Senate, is something over which we have absolutely no control. Then there is the House of Representatives, the Capitol Police, the Joint Committee on Printing, Joint Committee on Internal Revenue Taxation, the Office of the Legislative Counsel, the Architect of the Capitol, the Botanic Garden, the Library of Congress, and the Government Printing Office, which is the biggest printing office in the world.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. STEFAN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The distinguished chairman of the subcommittee has emphasized, I think correctly, that this is our bill, meaning the Members of the House.

Mr. STEFAN. This is the bill making appropriations for the entire legislative branch of the Government. Not entirely our bill.

Mr. CRAWFORD. I wish to submit this question for the benefit of the public. Will the gentleman say whether or not the committee has made dead sure that this bill does not carry pensions for Members of the House?

Mr. STEFAN. I am glad the gentleman has asked that question.

Mr. CRAWFORD. I think the RECORD should show about that.

Mr. STEFAN. I can assure the gentleman from Michigan that there is absolutely nothing in this bill which has anything whatsoever to do with the granting of pensions to any Member of the House. That item has been repealed. It is a dead issue and should be.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is it not a fact that even if funds had been carried for the so-called pensions that were at one time authorized, they would not appear in this bill, but would appear in the appropriation bill that carries funds for the civil-service retirement fund?

Mr. STEFAN. Of course, the gentleman knows that was an amendment of the Civil Service Act and had nothing to do with this bill whatever.

Mr. Chairman, although we have made many cuts in this appropriation bill there may be others which the Members can make when we come to the time when we read the bill under the 5-minute rule. As we take the bill up section by section we can discuss these items. You will find in the report that the committee recommends the temporary elimination of the Agriculture Yearbook in order to save $150,000. I do not object to holding over the printing of the 1943 book, but I believe the 1942 book should be issued in view of the fact that all the material for it has been gathered. I do not think the farmers in my district would object temporarily to holding over the 1943 book if it will help in our national defense program. I do not get enough of these books to go around. I have many requests for them. They are quite valuable to farmers and agricultural students.

But while we are cutting here we must see to it that there are cuts in other nondefense items and some sacrifices be made all around. The 40-hour week, the double time for Sundays, the big war profits, and many other things which the people in my State are now interested in must be given some attention in this House immediately. The people are demanding something be done and I hope when we do get these items we will see to it that capital and industry share in the sacrifices which labor and the farmers are being asked to undergo.

Mr. Chairman, I reserve the balance of my time and now yield 5 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Chairman, first I add my congratulations to those of others to the gentleman from Kentucky [Mr. O'NEAL], the chairman of the subcommittee. Mr. O'NEAL is one of the ablest members of the Committee on Appropriations, and one of the most delightful Members of the House, a good lawyer, a fine American. He was a captain of Artillery overseas in the other war, and I hope that he stays with us a long time. If I lived in his district, I would vote for him.

Mr. Chairman, the recent defense of the closed shop, where a free-born American has to pay dues to a labor union before he can work in a defense plant, and the President's defense of time and one-half for overtime for all over 40 hours in defense industry that is drawing exorbitant wages today, and his further discouragement of any ceiling for wages, while trying to deflate the farmer who has not reached parity, to prevent inflation, are un-American. It is about as far from the rank and file as the two poles. The Commander in Chief is asking for $17,000,000,000 extra outlay for planes today, and if these ideals which he enunciated yesterday are maintained, at least five billions of the seventeen will be gravy, beyond a fair wage, to be paid for in sweat and taxes in the years to come.

I prepared the above for a 1-minute speech and did not get to make it, and now I am going to add a little extra to it. Another thing that the President said yesterday which startled me was—and here are the words I take from what is quoted:

> However, he added, there has long been a national standard prescribing pay at the rate of time and one-half for overtime.

A long time? The Wage and Hour Act was approved in June of 1938, just 1 year to the month before the King and Queen of England visited here and just 2 years to the month before the first billion dollars for defense in the emergency came before our deficiency subcommittee. The President said it had been "long" established by the Government. We defeated the wage-and-hour bill in December before. A great deal of pressure from high places was worked on the Members of the House—more than I ever saw happen before—and it was brought back and forced through the House in the spring of '38. It was actually forced through the House of Representatives. It was my privilege to move to recommit the bill. If my motion had prevailed, the Government would have been saved billions of dollars. It was for the subnormal worker, for the sweatshop. Now, to get on about it, these wages are high. It now appears that in an arrangement between the labor leaders and the President, they are not to have double time for Sundays, but are to keep the other arrangement—that is, 40 hours a week with time and a half for overtime. I say that is un-American at this time. The closed shop is un-American. It is defended by the Labor Department. There is no ceiling for these wages placed at this time and that is un-American also. We had in our committee yesterday on deficiencies, and I guess I am privileged to talk about this, because there is a Budget estimate for the request—testimony that 100 new conciliators are needed, because there has been more labor trouble since Pearl Harbor than there was before. Get that, and see how that coincides with what was said yesterday by the President at his press conference. There is a general atmosphere among administration leaders to let labor have its way and alibi by saying, "What more can we do about it?" It is cowardly.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. STEFAN. Mr. Chairman, I yield now to the gentleman from South Dakota [Mr. CASE].

APPOINTMENT OF MAC ARTHUR

Mr. CASE of South Dakota. Mr. Chairman, nothing that has happened since December 7 has so much pleased the legislative branch of the Government as the appointment of General MacArthur as commander of the forces of the United Nations in the Pacific. If the executive branch will now give the green light to the legislative branch of the Government for legislation to curb profiteering contractors and racketeering labor leaders the people of the United States will be equally pleased.

I ask unanimous consent to extend my remarks in the RECORD on this subject.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'NEAL. Mr. Chairman, I yield the remainder of the time on my side to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, as a member of the subcommittee, I reiterate the statement made by the chairman of the committee a few moments ago that the committee was unanimous in its opinion and action in reducing expenditures for the legislative branch of the Government. I should say, however, that we were not entirely unanimous in the full committee amendment to eliminate the publication of the Agricultural Yearbook, and I take this occasion to say that I hope that that amendment will not prevail.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. TARVER. Was there any witness at all before your subcommittee who testified about the Agricultural Yearbook,

or is there a line of evidence in your hearings about it?

Mr. HARE. I do not recall that there was.

Mr. O'NEAL. Will the gentleman yield?

Mr. HARE. I yield.

Mr. O'NEAL. Does not the gentleman think there were several very good witnesses on the committee who knew all about it?

Mr. HARE. I think probably the committee took judicial notice of testimony advanced in the consideration of the Department of Agriculture appropriation bill. However, that was not sufficient evidence to convince me that it should be reduced in this bill.

I do want to call attention, however, to this: In the publication of the CONGRESSIONAL RECORD the committee—or at least one member of the committee—feels we might make some reduction in that appropriation. My thought is that if we were to eliminate from the CONGRESSIONAL RECORD the publication of newspaper editorials, articles from magazines, and periodicals of various kinds, we could reduce the expenditures for the CONGRESSIONAL RECORD very materially. Yesterday I took occasion to note for the day previous that of the 32 pages in the Appendix of the RECORD, 16 pages, or exactly one-half, were filled with editorials from various newspapers, periodicals, and magazines. The editorials, of course, were informative. Most of them were able and timely, but I question the advisability and wisdom of the Congress of the United States appropriating money to further publicize these articles or editorials. Your committee could eliminate the appropriation for this purpose in the House, but unless similar action should be taken by the Senate nothing would be accomplished. I suggest that the Joint Committee on Printing might submit a resolution eliminating such articles to both the House and Senate for consideration.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. HAINES. Is it the gentleman's thought that we would eliminate the main body of the RECORD, or simply the Appendix?

Mr. HARE. Eliminate simply the editorials from periodicals, newspapers, and so forth. I would not eliminate any statement made by any Member on the floor of the House.

I doubt whether there would be an average of 16 pages per issue devoted to the inclusion of editorials, but if the average was only 10 pages per day, or even less, the total for the year would be more than the appropriation carried in the amendment to eliminate the publication of the Agricultural Yearbook. We must remember that Congress is in session nearly every day of the year, and 10 or 15 pages per day will run into volumes during the course of a year. During the 8 years I served in the House—from 1925 to 1933—the Congress was in session on an average of 176 days per year, but since my return 3 years ago the Congress has been in session on an average of 349 days per year. We are trying to cut appropriations everywhere, particularly in nondefense items, and I am convinced that the magazine articles or editorials in the RECORD are not indispensable to the defense program.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEFAN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS. Mr. Chairman, I join with my colleagues in commending this committee for the substantial reductions they have made in this appropriation bill. I hope that other committees bringing appropriation bills before the House will follow this lead.

I was pleased with the reductions made in the Department of Agriculture appropriation bill last week. I think we could have cut out more nonessential and unnecessary appropriations in that bill than we did, but I think the start made by the House was good for the country.

I hope this marks a definite trend toward sharp retrenchment in every last one of our nonessential activities. Let every expenditure which is not a direct and immediate contribution to victory be stopped completely, or pared to the bone.

Let us be as realistic as the country at large about these endless bureaus and agencies and propaganda mills. Let us make them justify their continued existence in cold facts, or chop them off ruthlessly.

If you think the people of the country are not favorable to a reduction of these nondefense appropriations and nonessentials I want to read a telegram that I just received this morning from a group of farmers in my district. This telegram is dated Huntington, Ind., addressed to me, and reads as follows:

> Following farmers of Huntington County want further reductions in agricultural appropriation bill and all bonus payments eliminated. We want parity prices and no more.
>
> Paul Beaver, Gerald Smith, Ervin Stultz, Perry Warner, Marshall Miller, Lester Eller, Ruby Eller, Clifford Fox, Almeda Fox, Clyde Smith, W. Brown, Levi Rodocker, Ernest Lowery, Jesse Rinerison, John Faviner, Clarence Layman, William Michel, Robert Warner, Howard Haines, Hobart Sprinkle, Walter Harris, Ralph King, Wilson Jones, Cyril Lahr, Mrs. Willis Fernderburg, Eleanor Rice, Dean Rice, Harry E. Harness.

I hope that other appropriation bills that are brought here will be stripped of their nonessentials. Our people realize that we are at war. I think they are away ahead of Members of this House in their desire to make sacrifices in order to win this war. I hope the House will bear in mind the desire of the people in this connection.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I now yield to the gentleman from Michigan [Mr. WOODRUFF] 7 minutes.

Mr. WOODRUFF of Michigan. Mr. Chairman, Gen. Douglas MacArthur is in Australia with his staff. Thank God for that. He properly is in supreme command of all Allied forces in that part of the world. He has, more than any other man in the world, earned that distinction. He was ordered there by his own Commander in Chief, the President of the United States. We start from here.

Have we and our Allies at last come to our senses, and do we now recognize the Japanese juggernaut for what it is—a greater threat to the civilization and freedom we have known than even the Nazis themselves? If so, are we now prepared to supply our great military leader with the Army and Navy air services, the equipment, the supplies necessary to enable our men properly to do the job ahead of them? Is MacArthur to have Navy cooperation necessary to safely move the men and equipment and supplies to him in time to save Australia and stop that juggernaut in its tracks before it can cross the Indian Ocean? If not, why not?

Let us take stock. What is wrong with our war preparedness program anyway? Why is it that in the year and 9 months the Congress has been voting money for this purpose in rapidly increasing astronomical amounts, until, including the latest demand of the President for seventeen billions more, those sums now aggregate more than $160,000,000,000, we still have not hit our stride in production? Why is it, I ask? There is something wrong somewhere. There is something or someone to blame. What is it or who is it?

It cannot be the Congress, because we have given the President all the money and all the legislation he has requested We have been unstinting in that. It cannot be the people. They have given their consent; yes, they have stood by, but with growing uneasiness at the staggering appropriations and the unsatisfactory results we have achieved. It cannot be industry, because business has with rare exception given this Government its most complete and loyal cooperation. From the first the President has had the power to enforce such cooperation had it been necessary.

It cannot be labor, because the great mass of men who labor in the mills and factories are just as unselfishly patriotic and just as anxious to do their full duty to their country at this time as any other group of citizens possibly could be. There are those, however, within labor's ranks who have neither the unselfishness, the patriotism, nor willingness to properly cooperate in this national emergency. Those individuals should be driven from the ranks of honest labor. If they are not willing to work at high wages, in the security of this country, in order that those who must do the fighting and the dying may quickly have a full measure of the most efficient equipment, perhaps the alternative of serving at $21 per month in the fox holes and jungles of the Tropics with the men doing the fighting might give them some idea of what citizenship responsibility means.

It cannot be the American farmer, regimented as he is, because he is the one unfortunate individual who, when he sells the products of his farm, is at the mercy of the man to whom he sells. He has

nothing to say about the price he receives for his crops. When he buys the products of industry, he finds himself at the mercy of the man from whom he buys. He pays the price asked, or he goes without the things he needs. No, it is not the farmer. Well, who is it?

Our situation is desperate. The delays thus far have been unconscionable. Every hour's delay in reaching peak production should be and must be, in the end, computed in thousands of men, women, and children killed or injured.

We learn that President Roosevelt is now studying a plan for a general ceiling on prices, wages, and profits. Well, it does not require much study to reach the conclusion that if we are to avoid runaway inflation this ceiling must be fixed.

We were faced with this same situation in the first World War. One man straightened things out in a hurry. He was the outstanding individual in war-production efforts of that day. He still knows what it is all about. He has not forgotten what he learned in those days. That man was Bernard M. Baruch. As a result, we equipped and put an army of 4,500,000 trained men in the field. One-half of them fought on foreign soil. We won that war and at its finish, when our troops were again at home and we balanced the books, it had cost less than one-third the amount the President has already requested for this war, and we now have neither equipped nor properly trained more than a mere fraction of that number of men. As a matter of fact, Mr. Chairman, we have not as yet really begun to fight.

Everyone concedes that this is to be a long war. It will take years and will cost the lives and the health of many tens of thousands of fine young Americans to undo what has been done in the Pacific alone since December 7, 1941. With our present program of expenditures and our present apparent indifference to the mounting costs of that program, who would dare prophesy the extent of the expenditures, both of life and money, that will be made by this Government before our war objectives have been reached.

Any person informed as to what is happening in this country realizes that if we are to stop these mounting costs—this constant increase in the cost of living and the cost of the war itself—if we are going to do the thing which plain sanity dictates, the price of everything, including wages, must be fixed on a fair basis and kept there, and this should be done at once.

More than 2 years ago Mr. Baruch urged the President to appoint a one-man control and direction of war production. Mr. Roosevelt only recently followed that advice. It was longer ago than that that Mr. Baruch pointed out the difficulties of attempting to deal separately with prices, wages, and profits. And we are told that the President is only now beginning to study the proposition.

When the so-called anti-inflation bill, a bill that met the approval of the President, was passed a short time ago, Mr. Leon Henderson himself said that under the provisions of that measure inflation could not be stopped. It could not be stopped because it was not all-inclusive. It proposed to fix prices on everything except wages, the one item which enters more largely into the cost of production of goods than anything else. The answer seems clear to me, and I suggest that in the future the President listen only to those whose training and experience is such as to equip them to point out the road along which success will be found—that he follow their advice to the exclusion of the advice of all others. Let's go. Nothing but top speed will do. Let those who stand in the way beware the wrath of an aroused American people.

Mr. STEFAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. JONKMAN].

Mr. JONKMAN. Mr. Chairman, the bill (H. R. 6750) which was scheduled to come up for consideration this week, is a measure to evade sales and use taxes imposed by some of the States in lieu of ad valorem taxes on real and personal property. Contractors engaged in furnishing war material to the United States are, of course, subject to such taxes and it was the confirmation of this principle in State of Alabama against King & Boozer, and the United States and companion cases in the Supreme Court of the United States which allegedly gave rise to the legislation.

The bill is an amended version of H. R. 6617 upon which hearings were had and from which it does not differ materially.

H. R. 6617 was introduced by the gentleman from Missouri [Mr. COCHRAN]. His claims for the meritoriousness and constitutionality of this legislation seem to be based largely upon alleged recommendation of its enactment by the Supreme Court in the above-named decision. The gentleman from Missouri appeared before the committee as a witness and stated "the Supreme Court in its decision practically told the Congress to enact legislation to exempt national defense expenditures other than the contract between the Government and the prime contractor." And later, "As I said the Supreme Court clearly indicated in its opinion that the Congress had the power to enact legislation of this character."

The gentleman from Missouri intimated that in this contention he would be backed up by witnesses to be produced before the committee and especially the judge advocates general.

The only testimony so adduced, according to the printed hearings, was first by Maj. Gen. Eugene Reybold, Chief of Engineers, United States Army, who said:

> I am advised that the power of Congress to immunize the national defense effort was fully recognized by the Supreme Court in the two Alabama decisions and even more strongly in a third case decided the same day, the discussion of which problem I shall leave to the War Department attorneys.

The only other witness on this point was Lt. Col. Ernest M. Brannon, Judge Advocate General's Department, who said:

> In other words, they would not assume, where an indirect burden was imposed on the Federal Government, that there was interference with the constitutional functions of the Government. But they clearly stated in those cases that it was a matter for Congress; that if there was interference in these cases Congress might decide and prevent it.

It is clear that the gentleman from Missouri received no backing whatsoever from these witnesses, and indeed it would be novel for the Supreme Court to "practically tell Congress to enact legislation." I am afraid the gentleman was in error, and his predominating premise for the enactment of this legislation was unsound and misleading.

Now what did the Supreme Court say on the subject of legislation on this matter in the Alabama cases? I quote:

> Congress has declined to pass legislation immunizing from State taxation contractors under cost-plus contracts for the construction of governmental projects.

Here the Court makes reference to a footnote:

> See proposed Senate amendment No. 120 to H. R. 8438.

This amendment was as follows:

> *Provided*, That all purchases under contracts entered into under the authority contained in this paragraph shall be exempt from Federal, State, and local taxes.

At a hearing on the conference report in the House an amendment was offered and agreed to striking out the above words in which the Senate later concurred and H. R. 8438, without said Senate proposed amendment, became the act of June 11, 1940, 54 Stat. 265. (See CONGRESSIONAL RECORD, 76th Cong., 3d sess., vol. 86, pt. 7, pp. 7518–7519, 7527–7535, 7648.)

Then with reference to the above legislation the Supreme Court continued:

> Consequently the participants in the present transaction enjoy only such tax immunity as is afforded by the Constitution itself, and we are not now concerned with the extent and the appropriate exercise of the power of Congress to free such transactions from State taxation of individuals in such circumstances that the economic burden of the tax is passed on to the National Government. The Government, rightly we think, disclaims any contention that the Constitution, unaided by congressional legislation, prohibits a tax exacted from the contractors merely because it is passed on economically, by the terms of the contract or otherwise, as a part of the construction cost to the Government. So far as such a nondiscriminatory State tax upon the contractor enters into the cost of the materials to the Government, that is but a normal incident of the organization within the same territory of two independent taxing sovereignties. The asserted right of the one to be free of taxation by the other does not spell immunity from paying the added costs, attributable to the taxation of those who furnish supplies to the Government and who have been granted no tax immunity.

There is therefore no basis whatsoever for the allegation that the Supreme Court in the Alabama cases, "practically told the Congress to enact this legislation," or even suggested the desirability or the constitutionality of such legislation. On the contrary, its finding asserts that there is no ground for either court or legislative action as the present nondiscriminatory tax is not an interference with the functions of the Federal Government. The imposition of this tax will

neither retard nor facilitate the war effort or war production one iota. On reliable testimony in the hearings it will reduce the war budget by less than two hundred and fifty millions, which the gentleman from Michigan [Mr. ENGEL] showed the swivel-chair generals to have wasted in building cantonments. And this entirely at the expense of the individual States, who will lose their revenue from civilian production and be compelled to furnish the same State government facilities to war production at a total loss. This measure will not give General MacArthur a single additional gun or facilitate the delivery of a single bullet to his men in the Pacific.

Mr. STEFAN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I thank the gentleman from Nebraska for allowing me the 5 minutes, though I can say but little in 5 minutes on the subject which I would like to discuss.

I want to congratulate our Vice President of the United States on the splendid speech he made at Omaha the other evening. Of course, I approved of most of it. He said that the farmers were ready "to go to town"; that they had been making ready the last 8 or 10 years. They have. We have given them billions of dollars to plan and prepare for the present emergency. They perhaps may well gloat over it. But the Vice President said that industry did not plan and accumulate reserves. I find it necessary, because it indicts the Congress of the United States to say that industry failed. The Congress itself is largely to blame for that. Industry has been in the "dog house" for 8 years. Let this administration take its full share of the blame for this condition.

While persecuting the businessman they have been subsidizing the farmers. We must not let them forget, while gloating over agriculture, what they have done to industry the last 8 years. Persecution and hindrances have been the order of the day during those years. Some Member recently, as you may recall, made much of our great lack of power and exclaimed, "What would we have done if it had not been for the Tennessee Valley Authority?" We who recall the crucifixion of power companies, the constant threat of public ownership with Federal funds, even in New York City, fully understand why increased reserves of power were not prepared for during the last 8 years. Yes, persecution and the threat of public ownership were the deadly weapons used by this administration. The very ones who now gloat over that socialized experiment of the Tennessee Valley may now well contemplate the near ruin of that private industry, now depended upon to save the Nation. Let Thurman Arnold stay his hand while this war demands every ounce of industrial activity. Let his so-called reform boys hold their pent-up enthusiasm. I feel it necessary to remind you of the havoc made of business when you gloat over the success of agriculture brought about by war conditions and billions of subsidies. I trust it is not unpatriotic. Anything that refers to present, past, or future action by Congress should be discussed freely on the floor of the House.

I had several things I desired to talk upon and had hoped to have had more time. However, I want to quote "that if these make-over-America boys see in this emergency a chance to put Government clamps more firmly on business and thus to throttle private enterprise, they will be lucky if there is not an explosion that blasts some of them back into private life." We cannot have many more Biddle speeches such as has been made lately. "In spite of the war we will give up nothing." "We will hold our gains." That is even now the pledge of the diehard new dealers. How about the suggestion we heard yesterday, that we do not need to change the 40-hour law, because we will so stagger the working days that the double pay will not be demanded, and that labor leaders by their silence give assent, and that all will now be well on the labor front? Are we ready to accept that lullaby? I find this sort of editorial in most of my weekly papers and I presume it is to be found in your papers, too, as a reprint:

> There always has been and always will be inconsistencies, but we confess ourselves absolutely unable to understand a course which on the one hand drafts all men of certain ages and degrees of fitness into the armed forces, and on the other hand refuses to take a strong, determined stand against strikes and labor agitations that interfere with the production of the very materials the armed forces need.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. GIFFORD].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 3 additional minutes.

Mr. GIFFORD. I thank the gentleman.

Mr. Chairman, I trust that these remarks will not be considered unpatriotic. I trust you will realize that they come from one of the few on this side who have generally supported the administration in its foreign policies. It comes from one who has spoken so many times, begged so many times, that we forego various largesses. I have pleaded from the floor that we investigate profligate spending. I have not succeeded very well, and I must now remind the majority leader: You will have to assume the responsibility. You had a great majority over there. Cheerfully you should accept the criticism of an outraged public over indefensible expenditures.

Shall Landis take 100 or more of his old chums away from the Federal Power Commission and the Securities and Exchange Commission and put them on his staff of the O. C. D.? They would still be on the other pay roll, but the O. C. D. will pay their expenses. These make recent headlines most interesting to the general public. Is that the way to build up a great staff of coordinators? Suppose I should ask to have Mr. Landis come before the Committee on Expenditures, of which I am a member? Would I get him? No; no, the majority will protect the spenders as they have for 8 long years.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I tried to get the gentleman on his feet.

Mr. McCORMACK. I was smiling at my friend when he was talking about supporting the President in his foreign policy—and the gentleman has pretty well—but the smile came because he also voted for the wage-hour bill. I wonder if he would take the House into his confidence far enough to tell us just how his conscience is?

Mr. GIFFORD. Oh, yes; I voted right in that instance, too. I am without guilt in that matter after consulting my conscience. But I want you to remind the gentleman that responsibility for profligate spendings is upon the majority side of the House. Do not attempt to dodge it.

In closing, I might suggest that you advise Biddle to refrain from such remarks as he has made recently. Let him subordinate his New Deal enthusiasm to the war effort. Let us clean house and stop favoritism and largesses. While we are sending the boys away the people are watching the Congress. They know it is inconsistent to draft men for war while granting special and increasing favors to others. I am greatly surprised at a statement of the President yesterday on the 40-hour law. It is apparent that it was made with the deliberate intent to prevent any legislation on the subject.

Let us weigh the effect of his argument on the country. The Congress may be forced to rescue the President from such ill-advised pronouncements.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

> Clerks, messengers, and janitors to the following committees: Accounts—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Agriculture—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk, $5,000 and $2,500 additional so long as the position is held by the present incumbent; assistant clerk, $3,900 and $1,100 additional so long as the position is held by the present incumbent; two assistant clerks at $3,900 each and $600 each additional so long as the respective positions are held by the present respective incumbents; assistant clerk, $3,900 and $300 additional so long as the position is held by the present incumbent; assistant clerk, $3,300 and $600 additional so long as the position is held by the present incumbent; additional clerical assistants at rates to be fixed by the chairman of the Committee on Appropriations, $15,960; messenger, $1,680; four clerk-stenographers at the annual rate of $1,800 each, one for each subcommittee of the Committee on Appropriations having jurisdiction over a regular annual appropriation bill as shall be designated by the chairman of the Committee on Appropriations and to be appointed by the chairmen of the subcommittees so designated, subject to the approval

of the chairman, $7,200. Banking and Currency—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Census—clerk, $2,760; janitor, $1,260. Civil Service—clerk, $2,760; janitor, $1,260. Claims—clerk, $3,300; assistant clerk, $2,460; assistant clerk, $1,800 and $1,000 additional so long as the position is held by the first incumbent appointed to such position; janitor, $1,260. Coinage, Weights, and Measures—clerk, $2,760; janitor, $1,260. Disposition of Executive Papers—clerk, $2,760. District of Columbia—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Education—clerk, $2,760; janitor, $1,260. Election of the President, Vice President, and Representatives in Congress—clerk, $2,760. Elections No. 1—clerk, $2,760; janitor, $1,260. Elections No. 2—clerk, $2,760; janitor, $1,260. Elections No. 3—clerk, $2,760; janitor, $1,260. Enrolled Bills—clerk, $2,760; janitor, $1,260. Expenditures in Executive Departments—clerk, $3,300; janitor, $1,260. Flood Control—clerk, $2,760; janitor, $1,260. Foreign Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Immigration and Naturalization—clerk, $3,300; janitor, $1,260. Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Insular Affairs—clerk, $2,760; janitor, $1,260. Interstate and Foreign Commerce—clerk, $3,900; additional clerk, $2,640; assistant clerk, $2,100; janitor, $1,560. Irrigation and Reclamation—clerk, $2,760; janitor, $1,260. Invalid Pensions—clerk, $3,300; assistant clerk, $2,880; expert examiner, $2,700; stenographer, $2,640; janitor, $1,500. Judiciary—clerk, $3,900; assistant clerk, $2,460; assistant clerk, $1,980; janitor, $1,560. Labor—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Library—clerk, $2,760; janitor, $1,260. Merchant Marine and Fisheries—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Military Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Mines and Mining—clerk, $2,760; janitor, $1,260. Naval Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Patents—clerk, $2,760; janitor, $1,260. Pensions—clerk, $3,300; assistant clerk, $2,160; janitor, $1,260. Post Office and Post Roads—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Printing—clerk, $2,760; janitor, $1,560. Public Buildings and Grounds—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Public Lands—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Revision of the Laws—clerk, $3,300; janitor, $1,260. Rivers and Harbors—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Roads—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Rules—clerk, $3,300; assistant clerk, $2,100; janitor, $1,260. Territories—clerk, $2,760; janitor, $1,260. War Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Ways and Means—clerk $4,620; assistant clerk, $3,000; assistant clerk and stenographer, $2,640; assistant clerk, $2,580; clerk for minority, $3,180 and $420 additional so long as the position is held by the present incumbent; janitors—one, $1,560; two at $1,260 each. World War Veterans' Legislation—clerk, $3,300; assistant clerk, $2,460; in all, $334,700.

Mr. DICKSTEIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent that I may be permitted to address the House out of order for an additional 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Chairman, I take this time to call the attention of the House to certain information that has reached me to the effect that in Thompson, Conn., there lives one Anastase Andrejewitch Vonsiatsky, who has been actively engaged in un-American activities for a number of years and whose activities have not been curtailed even after we entered the war. This is the same Vonsiatsky exposed on the floor of this Congress some years ago. He is one of the higher-ups, tied up and interwoven with Nazi and Fascist activities in this country. He is known as, and calls himself, a count. He was connected with the Russian Army some years ago and has set up a vast organization in this country, with the help of the Nazi government, to overthrow the Soviet government.

He conducts his councils with high outstanding Nazis in this country in Thompson, Conn., and, from information I have received, Mr. Chairman, he is a dangerous element in this country. If he were properly investigated by somebody it would be proven that he is connected with and supporting a number of groups and individuals whose activities are subversive and inimical to the interests of our country.

Vonsiatsky married a certain lady in this country with many millions of dollars, and I assume that he is using these funds and his big estate to build up and support his own as well as other Fascist groups. He and others—like Fritz Kuhn and other higher-ups—have had a number of conferences on the estate, which consists of several hundred acres. They have ammunition on the premises and rifle ranges. A great many conferences of subversive nature have been and still are being carried on there, and he and his visitors have been brazen enough to appear quite openly in Nazi and Fascist uniforms.

I call the attention of the American people and the Department of Justice and the Dies committee to this situation, and ask them to forthwith subpena Vonsiatsky and find out his tie-up and connection with the Nazi and Fascist groups in this country.

I am also informed, Mr. Chairman, that Vonsiatsky keeps an office in New York City where he meets in council with other Fascist groups as the invisible government in preparation to attacking certain elements in this country and abroad. He is a dangerous person and should have been dealt with long ago.

I appeal to the proper authorities to take the necessary steps to expose and put a stop to the dangerous activities of this Count Anastase Andrejewitch Vonsiatsky and his Fascist friends. This action is absolutely imperative for the defense of our country.

Mr. KEEFE. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Has the gentleman furnished this information to the Attorney General of the United States?

Mr. DICKSTEIN. Some time ago I spoke on the floor about Vonsiatsky and I called attention to him at that time.

Mr. KEEFE. That is not an answer to my question. I asked whether or not the gentleman had furnished this information to either the Department of Justice or to the Attorney General?

Mr. DICKSTEIN. Some time ago, but I could not identify whether this was the same person. I am satisfied now that he is an important agent of the Fascist and Nazi Governments in this country. I have received confirmation of that this morning.

Mr. KEEFE. Now that the gentleman has that information, has he furnished the information to the Attorney General?

Mr. DICKSTEIN. I hope to furnish the information to the Attorney General, but the Attorney General under present procedure has no power to subpena. I call on the Dies committee to forthwith subpena this man for the purpose of determining who his associates are and whom he has been tied up with in this country.

Mr. KEEFE. Has the gentleman furnished this information to the Dies committee?

Mr. DICKSTEIN. I cannot find the Dies committee, except one gentleman, and I gave the gentleman—Mr. VOORHIS of California—this information.

[Here the gavel fell.]

Mr. DISNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DISNEY: On page 18, line 5, after the period, add a semicolon and the following: "and $60,000 to be used for salaries and expenses of not more than six expert examiners for the examination of the departments of Government, said expert examiners to be for the use of the subcommittees of, and appointed by the chairman of, the Appropriations Committee of the House."

Mr. COCHRAN. Mr. Chairman, I make the point of order that this is legislation on an appropriation bill and not authorized by law.

Mr. DISNEY. Mr. Chairman, will the gentleman withhold his point of order?

Mr. COCHRAN. I very gladly withhold the point of order, Mr. Chairman.

Mr. DISNEY. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DISNEY. Mr. Chairman, this amendment would make provision for some expert examiners, appointed by the Appropriations Committee, required by the committee to investigate the departments of Government for the elimination of waste and duplication. My amendment does not provide for enough men. My judgment is that it would take a large staff, probably one man and a staff for each subcommittee of the Appropriations Committee.

Mr. Chairman, the time has come when Congress should do something about itself. It should again take charge of the situation and govern our ungovernable Government, with the purse strings.

For example, the press today discusses our $147,000,000 governmental travel bill. May I cite another example: In 1928, the Congress spent $845,000 of the people's money on the franking privilege in franking out official mail. In the same year, the departments of the Government spent $6,000,000 on the franking privilege. In 1940, the Congress reduced

its expenditures on that subject to $737,000, but the executive departments spent $39,000,000. I have no estimate of the cost of the material which was franked out but it must have run into many, many millions.

These are but two examples of the waste in Government. These are indicative of the reason why, although our population has grown only 50 percent in the last 30 years, our Federal appropriations have grown from $700,000,000 in 1913 to $9,000,000,000 in 1940, exclusive of the emergency defense fund.

The members of the Appropriations Committee cannot possibly learn the details of the expenditures in the departments by their own efforts. It is humanly impossible, considering the amount of other work they have to do. No member of the Appropriations Committee has ever visited the seven Federal agencies in my district to find out what is going on and to save the Government's money. It is not possible for it to be done that way. It is not possible for the individual Congressman to visit the departments in Washington, to ferret out and eliminate waste. This work must be delegated to expert examiners who are beholden to no one but the Congress and upon whom the executive departments have no power or influence.

The Ways and Means Committee has a staff of 10 experts to assist the members in the committee. If the Ways and Means Committee did not have such a staff, it would be wholly dependent on the Treasury Department for its technical tax advice. But in practice, having its technical staff, it is to a great extent independent of the Treasury, as witness the contest between the Ways and Means Committee and the Treasury on the subject of the average earnings alternative for the calculation of income tax. Better tax legislation is a result.

Similarly, the Appropriations Committee, if it could be cognizant of all the facts with reference to appropriations, could better advise the House on the spending of the people's money. I have never been a member of the Appropriations Committee, and I do not mean to make any invidious comparisons. I am simply trying to be constructive.

It may be argued that the Appropriations Committee has a staff of clerks for this purpose. I have heard it said that the clerk of the Appropriations Committee is familiar with all of the bills. He is reputed to be the best-informed man on appropriations in the Capitol, and I have heard many compliments showered upon him in that regard. But the job of the secretary of the committee is a ministerial one, to handle and manage the affairs of the committee, and not to examine departments. The Ways and Means Committee has a secretary with a staff who does not pretend by any means to be a tax expert. He handles ministerial affairs of the committee. The expert staff of this committee is wholly independent of the clerical staff.

So I propose a staff of experts for the Appropriations Committee, beholden only to that committee and to no one else in the Government, whose year-round, all-out duty and effort would be, to give the Appropriations Committee, and through them, the House of Representatives, the facts, all the facts, and nothing but the facts concerning the spending of the people's money by the executive departments.

As the condition now exists, the Appropriations Committee is almost compelled to take the word of the departments on the subject of their needs, their wants, their plans, and their policies. The committee substantially has no offsetting arguments. A splendid case can be built by its zealots for any Federal appropriation, to the detriment of the Federal Treasury, and even to the detriment of more worthy items in the Federal Budget, if the zealous bureaucrat can command the influence of some pressure groups.

The experts I have in mind can meticulously inspect our wonderland of bureaucracy, and ferret out the deadwood, the undesirable items.

The cost I have suggested is a bagatelle compared with the millions upon millions that can be saved by the Congress having complete possession of all the factual details of its Government.

If we permit these Federal expenses to climb as they have been doing in the past, we will find that business, as well as courage, disintegrates. Unless we act, an informed and resolute public opinion will acquire public servants who are wise enough to see the signs of the times, the obsolescence of the States, the decadence of local government, and those other ominous portents that indicate to every thoughtful man the terrible danger to our republican form of government.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from Louisiana.

Mr. BOGGS. For the information of the House, does the so-called Byrd economy committee, which I believe is made up partly of members of this committee, have experts?

Mr. DISNEY. I am not sure about that. I am not a member of the committee, but I think so; and if they did not, they ought to have.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. TABER. They have no experts except a clerical staff that has been assigned to them.

Mr. DISNEY. We all know that the Byrd committee, with a $10,000 appropriation, cannot complete the job unless it is continued and further money given to it for that purpose.

As it appears to me, it ought to be a regular course of business to frisk these departments.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. JENKINS of Ohio. Does not the gentleman agree with the proposition that the easiest saving that could be made by the committee, that the gentleman proposes, would be to stop all overlapping of effort?

Mr. DISNEY. I have never been on the Appropriations Committee, but looking at the whole picture there are many ways that money could be saved. There are countless bureaus and divisions that have conflicting jurisdictions and overlapping functions, and the committee, as these situations are disclosed by experts who are trained in such work, can as the time goes on present them to the House and do so in a technical manner.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to my colleague from Oklahoma.

Mr. MONRONEY. The gentleman from Oklahoma is, indeed, to be complimented on the effort for economy he has made, which extends over a considerable period. I am in complete sympathy with his suggestion. I believe it is the gentleman's idea that less essential items even in the legislative appropriation bill might be pared slightly to provide funds for this very useful and much needed service.

Mr. DISNEY. Yes, I rather believe we could get along with less than 142 police on Capitol Hill.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to the gentleman.

Mr. GIFFORD. I want to remind the gentleman that you have a Committee on Expenditures already set up.

Mr. DISNEY. That is true, but this situation has been going on in this form for a long time. While I do not want to make any comparison that may be at all distasteful, I do not believe the members of the Committee on Appropriations have the opportunity, without assistance, to know the details that are involved in connection with all of these departments.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I insist upon my point of order that such additional employees have never been authorized by law.

The CHAIRMAN. The Chair will inquire of the gentleman from Oklahoma [Mr. DISNEY] whether he can furnish the Chair with any information as to the authorization for such employees.

Mr. DISNEY. No; I cannot, Mr. Chairman. To be frank with the Committee, I knew in advance that this amendment would be subject to a point of order, but I presented it largely for the purpose of getting the subject before the House and to precipitate discussion. I have not taken up much time of the House and I know the House will pardon me for presenting an amendment which I knew in advance would be subject to a point of order.

The CHAIRMAN. Under the circumstances, the Chair is compelled to sustain the point of order.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in sympathy with the thought of the gentleman from Oklahoma [Mr. DISNEY], but I am not in sympathy with the manner by which he seeks to carry out his thought.

A few weeks ago the gentleman from Texas [Mr. LANHAM] introduced a bill which would authorize a set-up of this kind in the Appropriations Committee. Some years ago the Bureau of the Budget asked that the Congress appropriate

money to provide an investigating committee for that Bureau. A hearing was held and as the RECORD will show the money was appropriated and such a division is within the Bureau of the Budget at the present time. I was in favor of the Bureau of the Budget having an investigating committee, but that is not sufficient for the Congress. The Bureau of the Budget investigates for itself, not for Congress, nor should it.

The Budget and Accounting Act of 1921 is sufficient authorization to set up a division that will act for Congress alone. You do not need any further authorization because it is in the Budget and Accounting Act.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. In just a moment.

Following the introduction of the bill by the gentleman from Texas [Mr. LANHAM], I had a conference with him. I explained to him that the job should be put into the hands of the Comptroller General, who is the agent of the Congress of the United States and not the agent of the executive branch. The gentleman from Texas and myself had a conference with the Comptroller General, Mr. Lindsey Warren, and he expressed a willingness to accept such a responsibility if the Congress wanted to give him the money. Mr. Warren wanted to secure experts subject to the classified service and a sufficient amount of money to hire men who have had administrative experience and could be depended upon to make a really thorough investigation. Since then my understanding is the Appropriations Committee has appointed a subcommittee consisting of the chairman of the committee the gentleman from Missouri [Mr. CANNON], the gentleman from Virginia [Mr. WOODRUM], and the gentleman from New York [Mr. TABER] to confer with the Comptroller General in reference to this matter. It is my hope they will confer with him, and it is my further hope that an appropriation will be made in the next deficiency bill to give the Comptroller General a sufficient amount to set up an outstanding investigating organization that will bring about what the gentleman from Texas desires and what the gentleman from Oklahoma desires and, in fact, what is the desire of 90 percent of the Members of this House.

We cannot get the information that is needed from any agency now that will not, and naturally so, think of their own interests. What we need is a unit that has nothing to look forward to but to bring information to the Congress that will warrant elimination of useless activities as well as stop duplication of effort.

I now yield to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I appreciate the active interest of the gentleman from Missouri in the measure that I recently introduced. I have spoken on numerous occasions with reference to the waste, extravagance, duplication, and useless expenditures in these various departments upon which we should have some check. I stated at the time I introduced the bill on this subject that I realized it was not a perfect measure, but it was something that would enable us to have a basis for consideration in order to get some action taken that would effect the economies, amounting, in my judgment, to millions, if not billions, which can be effected through some proper system of this character.

Mr. COCHRAN. Mr. Chairman, I think the gentleman is absolutely right. There are many ways to save money. One came to my attention this morning. About a year ago in the Senate an amendment was offered to an appropriation bill that requires the Army and Navy to make a complete, detailed report to the Congress of the United States on every contract that was made over and above $10,000. That report must be in by July 1. That, remember, was before the war. We have today in the War Department over 800,000 individual contracts. Four hundred thousand of those are over $10,000. You have in the Navy 275,000 contracts over $10,000. If that section of the law is not repealed immediately, it is the duty of the Army and the Navy under that law, before July 1, to make an individual and complete report on all the contracts over $10,000. The amendment adopted in the Senate enumerated what information they have to furnish the House. I was told by the Under Secretary of War this morning that it would take thousands and thousands of employees and hundreds and hundreds of officers to comply with that law. Just think of it, when we are at war.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COCHRAN. I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Chairman, I talked to a high official of the Navy and he likewise said it would take thousands and thousands of employees and hundreds of officers to comply with the provisions of that law. If we had an investigation bureau in the Comptroller General's office, the members of that bureau would have discovered that, and they would have come here and said to the Congress, "Repeal that section immediately, because those officers are needed for other purposes and why spend this tremendous amount of money to employ several thousand people to do all this paper work at a time when we are at war, and when we have not even space enough for our regular employees. We will investigate any contracts you desire." I cite that as one instance. There are hundreds of instances where we can save money in the executive branch of the Government.

The gentleman from Massachusetts [Mr. GIFFORD] referred to the Expenditures Committee or I might say that he is still referring to it. Three times I went before the Committee on Rules, when I was chairman of that committee, and wanted to know if they wanted investigations of this character made, and if they did, then amend the rules to give us the jurisdiction and provide us with the help, and the committee would function accordingly. They refused to do that on three occasions. That is the reason that the Committee on Expenditures has not functioned along that line.

Mr. GIFFORD. Of course, the majority of the members of the Committee on Appropriations are on the gentleman's side, as well as the majority of the Committee on Expenditures.

Mr. COCHRAN. The Rules Committee did not grant us the jurisdiction; we could not proceed without that and expert assistance.

Mr. GIFFORD. Is the gentleman trying to apologize for the Expenditures Committee doing nothing?

Mr. COCHRAN. No; I am not; I never have and I never will.

Mr. Chairman, this is a step in the right direction. I am going to make a request of the subcommittee appointed to confer with Mr. Warren this afternoon and ask them to give us a hearing on this subject on the pending deficiency appropriation bill. I hope that committee will do so. I feel sure it will; and if it does, I think Mr. Warren, Mr. Lanham, Mr. Disney, and myself can make a case that will warrant an appropriation for such a division under the Comptroller that will make the investigations for Congress that are so badly needed. Then, again, that division could make the investigations which from time to time are delegated to select committees. We are creating too many select committees. I see an opportunity for real public service here.

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last word.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. Yes.

Mr. O'NEAL. I wonder if we cannot make some arrangement about time for debate on these provisions dealing with the House of Representatives. I ask unanimous consent that debate on the provisions in the bill dealing with the House of Representatives and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection?

Mr. KEEFE. Mr. Chairman, I reserve the right to object. Fortunately or unfortunately, I happen to be a member of the Committee on Appropriations. I have been seeking opportunity for some time to make a few comments on the subject raised by the speakers, the gentleman from Oklahoma [Mr. DISNEY], and the gentleman from Missouri [Mr. COCHRAN]. I have not been granted recognition by the Chair. I do not complain about that, but there has been a sort of uniform rule that I have noticed at other times, when other committees were here that the Chair recognized a member of the committee.

Mr. O'NEAL. Mr. Chairman, I ask unanimous consent that the debate upon the provisions of the bill relating to the House of Representatives and all amendments thereto close in 25 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, the gentleman from Kentucky [Mr. O'NEAL], the chairman and the members of the committee in charge of the pending legislative appropriation bill are entitled to the thanks of the country and of the Congress for reducing the pending bill

by approximately one million and one-quarter dollars from the Budget estimates and from the appropriations for the current year. We must practice what we preach Economy and retrenchment should begin at home. The bill appropriates for the legislative branch of the Government. If we do not retrench with respect to congressional and senatorial expenditures, we cannot make reductions in other branches of the Government.

The people of the country should know that the 8-hour day and the 40-hour week do not obtain by law in the offices of Senators and Representatives. Prior to Pearl Harbor, and, as I understand, since 1931, the basic workweek for Government employees in Washington was 39 hours. Under the act of June 28, 1941, in the Navy the 39-hour week was suspended, with provision for paying certain employees time and a half for overtime. In the Army no provision is made for the payment of time and one-half overtime, except in the field.

I understand that since Pearl Harbor, in nonwar agencies Federal employees in Washington are working 44 hours, and in the War and Navy Departments Federal employees in Washington are working 48 hours. There are provisions in a number of the departments or agencies in the field for paying either straight time or time and a half overtime for work in excess of 40 hours.

If the Government has thus suspended the 39-hour week in the Government service, I know of no reason why the 40-hour week should not be suspended in industry to secure maximum war production.

President Franklin D. Roosevelt, on March 17, 1942, in his press conference, stated he opposed the suspension of the 40-hour week and he is reported to have said there is no reason for restrictive labor legislation. While I have supported the foreign policy of the administration, I have not agreed with the labor views of the President. I do not agree with them now. He stated that he believed William Green and Philip Murray would voluntarily abolish double time for Sunday. He thus advocated voluntary cooperation instead of restrictive legislation. Voluntary cooperation did not result in the 40-hour week. It took legislation to provide for 40 hours. If voluntary legislation could not provide for 40 hours, voluntary cooperation cannot suspend the 40-hour week. President Franklin D. Roosevelt opposes the suspension. He admits he has no power to suspend it. He states that all time and all hours in excess of 40 hours must be paid at time and one-half for overtime.

Members of Congress who have opposed suspending the 40-hour week and who have opposed restrictive labor legislation have insisted that Congress has authorized the President to suspend the 40-hour week. They have emphasized that laborers in defense plants are working 44 or 48 and longer hours. I have repeatedly challenged the suspension contention. I assert now, as I have previously asserted, that there is no statute which authorizes the President of the United States to suspend the 40-hour week. Longer hours may be worked, but the statute cannot be suspended. If longer hours are worked, they must be paid for at time and one-half for overtime, and this is the crux of the matter. Defense contracts are being negotiated. Donald Nelson insists upon negotiated contracts. Taxpayers remember March 14, when they filed their income tax returns. They are more tax conscious than they have ever been. They are willing to be taxed to the bone, but they insist upon reasonable profits and reasonable wages. They are opposed to excessive wages and unconscionable profits. They maintain that the 40-hour week was passed in order to spread labor when unemployment was widespread. They insist that laborers should have an opportunity to work longer than 40 hours a week, and the laborers say they will be satisfied to work at regular pay longer than 40 hours a week.

The President can authorize longer hours for work, but he is without authority to provide that the longer hours shall be at regular pay.

Taxpayers are demanding the cutting out of frills, the elimination of experiments, the abolition of useless agencies, and the abolishment of subsidies direct or indirect. They demand reduction in all nondefense expenditures and the elimination of all nonessential expenditures. They are willing to be taxed to the limit to provide for the Army and the Navy, but they insist that their taxes not be squandered. They demand that there be no excessive wages and profits in the defense industry. I welcome the petitions of taxpayers for reduction and retrenchment. I am pleased to know that those whom I represent support my efforts to curb strikes and eliminate labor racketeers. I welcome the petitions of taxpayers to eliminate frills, to forget so-called social gains, to cut out nonessentials, and to retrench in all nondefense expenditures.

The alleged reason for the 40-hour week was widespread unemployment. There is a scarcity of workmen now. The reason for the law no longer obtains. The law should be suspended. The production essential to victory cannot be obtained with a 40-hour week.

Members of the House have said complacently that the President holds the solution of the 40-hour problem. I repeat he has no power to suspend the 40-hour week. I emphasize that only Congress can reduce war costs. As long as the 40-hour week obtains, just so long will all collective bargaining result in time and one-half for all hours in excess of 40. It may be admitted that the principle of time and one-half for overtime is sound. It obtained in the first World War, but there was no 40-hour week. The overtime began after 50 hours of work in many cases. It now begins at 40. The initial costs are thus increased approximately 25 percent. The taxpayer knows that the burden falls on him. He will make any sacrifice that is necessary to provide arms and munitions, but he wants to know that his dollar goes for that purpose and not to labor or war profiteers.

Again, many laborers, whether organized or not organized, plead with me and with other Members of Congress that they be permitted to work longer than 40 hours at regular pay. They ask to be delivered from their selfish and designing labor leaders. Their plea should be heard. At the same time, the laborers themselves elect and choose their own leaders. They must clean house. They cannot pass the buck altogether to Congress. For months and years I have insisted that those who toil and work will lose more if labor legislation is brought into disrepute than any other class of our citizens. I have urged that labor itself clean house for its own self-preservation and protection.

It is well known that I have collaborated with the gentleman from Virginia in urging and passing restrictive legislation. I supported the Smith bill to curb labor racketeers and to curb strikes in defense industries that passed the House in December. It is now in the other body. The bill should be considered by the Senate.

I recently offered an amendment to the so-called Smith bill to suspend the 40-hour week. It failed to pass the House some 2 weeks. This bill is pending before the Judiciary Committee of the House. I am among those who urged that committee to conduct hearings and report the bill. The gentleman from Virginia [Mr. SMITH], on March 16, 1942, introduced H. R. 6790 with respect to Navy contracts. It suspends the 40-hour week in defense works. It limits profits to 6 percent. It restricts and controls strikes. It eliminates labor racketeering I have been in frequent conference with the chairman of the Committee on Naval Affairs. I am glad the committee will consider, and I trust it will report, a proper bill. The gentleman from Virginia [Mr. SMITH] on the same day introduced H. R. 6792 which embraces Army contracts. It has been referred to the Committee on Military Affairs. I have urged that committee to consider and report the bill with any clarifying amendments. It suspends the 40-hour week with respect to Army contracts during the war. It limits profits to 6 percent. It curbs illegal labor practices. It controls and eliminates labor racketeers. I trust the Committee on Military Affairs will promptly report a proper bill.

Donald Nelson demands uninterrupted production. President Roosevelt pleads for uninterrupted production. The only way to reach greater production is to remove the unjustified 40-hour limitation beyond which time and one-half and double time must be paid. It is not merely a matter of saving money to employees. Costs are figured on straight time. Many workmen in defense jobs are willing to work longer at regular pay. Those who opposed the suspension emphasized that many work 50, and some as high as 60 hours. It is all right to work 50 hours a week for fat money, but it is all wrong to work 50 hours a week to help the United States win the war. If German laborers work 70 hours, American laborers should repeal a law which forbids 50 hours. The workers are willing to make the extra effort. Even without extra pay for overtime, they are much better off than our soldiers in the camp and in the field. They are much better

off than laborers in other countries. It is only the selfish labor racketeers who undertake to intimidate the Government. We must work and work before it is too late. The concrete question is, Will the Government permit its citizens to work longer than 40 hours to save and protect America and all that America stands for? We must work as well as fight if we win the war.

The CHAIRMAN. The gentleman from Wisconsin [Mr. KEEFE], a member of the committee, is recognized for 5 minutes.

Mr. KEEFE. Mr. Chairman, I spent about 30 years of my life as a very active trial lawyer in the trial of litigation covering a rather wide territory and a rather wide variety of litigation. Never in my life have I gone into court without a witness. I have no recollection of ever going into the trial of an important lawsuit expecting to win my case by the art of cross-examination alone.

My experience as a member of the Appropriations Committee in the work of examination of Budget estimates and justifications leads me to the belief that the present method of handling appropriations in committee requires us to try a lawsuit without the benefit of a witness.

In the first place, who makes up the appropriation bill itself? The bill comes up to the subcommittee, prepared by the Department as a result of the work of the Budget Bureau and representatives of the Department who appear before the Budget Bureau. That bill is handed down to the subcommittee with a book of estimates that looks like Webster's Dictionary, only much larger. There each estimate contained in that appropriation bill is specifically listed, and they expect five or six men on the subcommittee to sit there day after day and listen to testimony justifying these appropriations. Who are the people who come before the committee? They are the identical people who have already appeared before the Budget Bureau. They are the identical people, by and large, who are requesting the appropriations that they are attempting to justify.

I have failed to see, in my brief experience as a member of the committee, at least, where the committee has the advantage of an impartial examination and investigation of a single expert to advise members of the subcommittee as to the reasonableness or the necessity of the particular items making up the estimate. So when the committee carries on its work it depends upon the membership of the committee, largely hit and miss, if you please, in cross-examination of the witnesses who come before it to try to develop out of that cross-examination the fact that there may possibly be some opportunity for retrenchment in that particular appropriation.

When the committee proceeds to write up the bill—I think I am revealing no particular secret of the Appropriations Committee, because the procedure is well known—reductions in estimates are made by the subcommittee without benefit of independent evidence and without scientific basis. The action of the subcommittee frequently by the very nature of the proceeding must be quite as arbitrary as are amendments adopted in the Committee of the Whole. My experience has been that while they may act with a little more information perhaps on a particular item than the Committee of the Whole, most of the reductions that are made in the committee itself are unscientific and purely arbitrary for the simple reason that we do not have the benefit of independent scientific advice.

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. And so may I say to the gentleman from Oklahoma who is a member of the Committee on Ways and Means, that I have labored since I have been on the Appropriations Committee, sometimes under trying circumstances, to be sure that when a bill is finally reported that it is at least a fairly scientific estimate of the needs of the Department. In coming to that conclusion I am required to rely almost entirely upon the testimony of the people who have requested the appropriation and for whose benefit the appropriation is made.

Mr. Chairman, I now yield to the gentleman from Oklahoma.

Mr. DISNEY. The gentleman heard our colleague from Missouri [Mr. COCHRAN] discuss the matter of placing this idea in the Comptroller's hands.

Mr. KEEFE. I did.

Mr. DISNEY. What is the gentleman's judgment on that as compared with the proposition of having it right here in the Capitol under the control of Congress?

Mr. KEEFE. In response to the gentleman I may say I have repeatedly advocated ever since I have been a member of the Appropriations Committee and have had an opportunity to observe the work of the subcommittees that we should have attached to that committee itself under the specific direction of the committee some experts who could sit in and go through these departments, and sit in the Budget hearings if necessary, auditors who can examine these accounts and tell us whether it is necessary that they should have this number of employees or that number of employees, and what the employees are doing, and give us information that we cannot get from the cross-examination of these Bureau heads who come before the committee. It is one of the most vital necessities of this Congress that such assistance should be given to the Appropriations Committee.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BENDER] for 5 minutes.

Mr. BENDER. Mr. Chairman, before I proceed with my remarks I desire to congratulate the present occupant of the chair, who comes from Ohio, for I understand it is the first time that an Ohioan has occupied this chair since Nick Longworth was Speaker and presided while the House considered a bill in Committee.

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. DISNEY. Certainly the gentleman from Ohio [Mr. HARLAN] has presided many times; and the gentleman from Ohio [Mr. HARTER].

Mr. BENDER. I am glad to hear that. I was misinformed. I meant no reflection on any other Member; I merely wanted to congratulate the chairman and the Speaker for his selection of an Ohioan as Chairman of the Committee of the Whole to preside over these proceedings.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. McCORMACK. I was just going to say there is no more gracious Member of the House than the gentleman who occupies the chair at the present time.

PLOW-UNDER PROGRAM NEEDED

Mr. BENDER. I want to proceed for a few minutes on the question raised by the gentleman from Oklahoma—economy in government. Last Friday evening I met a responsible official of the Government who made the statement that we could get along with about half the people now occupying fine-cushioned seats in these buildings scattered around Washington. I agree with him.

As for Oklahoma, I call your attention to an editorial in today's Washington News headed "The cold winds of Oklahoma." I read:

> Nothing funnier has happened in Washington in a long time than the arm-waving act which the Senator from Oklahoma put on the other day.

Mr. MONRONEY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MONRONEY. Mr. Chairman, I am forced to make the point of order that the statements in the editorial would be out of order in the House of Representatives under the rule forbidding mention in debate of the other body or a Member thereof.

The CHAIRMAN. The gentleman from Ohio will proceed in order.

Mr. BENDER. Under the circumstances, although I have not mentioned the Senator's name, I shall have to ask the Membership of the House to read this editorial. I am sure it will be in order for them to read it in their homes or on the floor some time today

On every occasion since I became a Member of this House when an appropriation bill was up for consideration I have offered amendments, on one occasion 39 times, cutting down nondefense, nonessential appropriations. Examine the record and you will find how few of the Members voted for these reductions. I am glad that Members on the majority side of the aisle are finally getting "religion" on nondefense appropriations. I am sure our people are becoming more tax conscious since they paid their last income tax and came to the realization that still greater tax increases are forthcoming. Letters are coming in by the hundreds objecting to sale taxes, pay-roll taxes, objecting to all kinds of taxes.

Americans have turned out in unprecedented numbers to pay their taxes to Uncle Sam this week. The millions of dollars paid in over the income-tax counters of the Nation will go far toward sinking Mr. Tojo's ships and ending Mr. Hitler's oratory.

It is significant that in this week when Mr. and Mrs. America were turning out

by the millions to pay their taxes, the House of Representatives took a step forward in the direction of economy. It was not a long step, to be sure, but it represented a beginning through a cut of $56,510,722 in the farm-supply bill.

Even though this slash was only a small part of the $771,000,000 involved in the measure, it gave the Senate its first opportunity to join with the House majority spokesmen in cutting down on an appropriation bill.

On these measures the slogan of every Congressman, Senator, and taxpayer must be, "Every little bit helps."

When the New Deal came into power the Department of Agriculture had approximately 27,000 employees. The farmers were raising too much food. In order to help them raise less food the personnel of the Department has been raised to 91,000.

Now that the farmer is asked for more food again, it will be interesting to see whether any of these people are turned off or even more added to help farmers do what they were already doing when there were only 27,000 employees.

With the Government bringing thousands of new employees weekly into Washington, a city already crowded almost to indecency, and a shortage of desk spaces for defense offices, it would seem that the 64,000 increase in Department of Agriculture employees might be reduced and the personnel turned over to defense offices and the desk space more usefully employed.

With farmers short of help, some of the employees in the office might do farmers more good milking cows and slopping hogs than by pushing pencils or waiting for orders. But, looking them over, one would wonder just what a farmer would do with many of them or what interest they would have in agriculture anyway.

So rapidly is the army of Federal jobholders growing under the stress, and in some instances the excuse, of the current war emergency that Frank R. Kent, the Baltimore Sun's noted political analyst, recently estimated a Federal roster of 2,000,000 civilian employees a year from now.

Mr. Kent pointed out—

It is distinctly an understatement to say that the civilian defense organization of today is several times as large as the civilian war organization of 1917–18, and is costing several times as much.

At the end of March 1940—

Mr. Kent recalled—

there were 949,229 civilians on the Federal pay rolls alone; on March 31, 1941, there were 1,202,347; on September 31 there were 1,444,985.

In other words, 500,000 persons have been added to the pay rolls in the last 18 months—more than 230,000 of them in the last 6 months. The number is increasing now at the rate of 50,000 a month. So, a reasonable estimate will put the total civilian pay roll a year from now at 2,000,000. That this is a reasonable estimate is attested by the expansion plans already revealed by various agencies.

One of these is the Contract Distribution Division of the Office of Production Management, headed by Mr. Floyd Odlum. Shortly, it is stated, Mr. Odlum, with a $23,000,000 budget, expects to have 4,000 men in the field, 200 field offices, 3 exhibit trains running through 27 States, and defense clinics in all major cities. Another is the Treasury, where a most enormous increase is necessitated by the new taxes. Many thousands of new clerks, inspectors, and agents will be necessary to collect the $5 tax on some 40,000,000 automobiles and to handle the returns and payments from the 20,000,000 individuals who never paid taxes before but are now brought in by the lowered exemptions of the new law.

Then there is the Civilian Defense Organization, nominally headed by Mayor LaGuardia, but largely, it seems, being run by Mrs. Roosevelt, around whom "social workers" cluster thicker than flies. At the disposal of the Civilian Defense Organization are many millions and its rapidly growing roll of employees extends from coast to coast. There are some who feel that there is building up here an organization which it will be difficult to uproot after the war—and that Mrs. Roosevelt, with, of course, the noblest of motives, is using it to extend her influence over women's activities in a quite extraordinary manner. Certainly, since she took hold in a big way the social workers are swarming as never before.

In fact, the idea has thoroughly percolated through the country that anybody who wants a job can get it in Washington now. And they are coming in from all directions—and getting on. Unchecked, the result inevitably will be a bureaucracy swollen to so huge a size that it cannot be supported and may precipitate chaos. Leaving out the men in the military, naval and related branches, 1,449,000 civilians cited above means that 1 person in every 87 in the whole country is now on the Federal pay roll.

When to these are added Work Projects Administration, Civilian Conservation Corps, National Youth Administration, farm subsidies, social security benefits and pensions it is conservative to say that 20,000,000 persons, or nearly one-sixth of the total population, are receiving Government pay, pension, or benefit checks. The Administration plans are not to reduce this number, but to increase it. With a half a million added to the Federal pay rolls in 18 months and with the rate of increase about 1,600 a day, it does not seem unfounded to feel that the dangers to democracy inside are not much less than those from outside. At any rate, there is the picture.

The tremendous influx of new Federal employes has compelled the national Government to begin the removal of many civilian agencies from Washington. With war needs commanding the day, the growth of our Federal bureaucracy will inevitably swell to unprecedented proportions.

In this mushroom era, the taxpayers of the Nation are entitled to one definite commitment by their Federal Government. Inefficiency and idleness in a defense industry would be intolerable. Equally, inefficient and unnecessary civilian employment must be intolerable in our governmental agencies during the war. No new workers should be added to national pay rolls whose presence is not dictated by absolute necessity.

Uncle Sam's taxpayers are determined to play fair with their country. Their country must play equally fair with them.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. DINGELL]?

There was no objection.

Mr. DINGELL. Mr. Chairman, in reading the newspapers I was shocked to learn that two Nazi-German spies, one Peter Franz Erich Donay desecrating a uniform of an American soldier at Fort Jay, and another, Frederick Freundt, a traitorous naturalized American, were, upon apprehension and arraignment before United States Commissioner Edward Fay in Brooklyn, made eligible to release upon furnishing bail in the amount of $25,000, when they should have been shot on sight.

Think of it, the Federal courts coddling a pair of contemptible biped rodents who already confessed their guilt—instead of immediately turning these arch criminals over to the Army for summary court martial and execution.

This may be construed as a criticism of the court and if there is any misunderstanding on the point, I say to you that it is so intended.

Benedict Arnold who gave to the British the plans to a little blockhouse in New York which in the final analysis made no difference which side held it, was court-martialed and exiled. Major Andre, a Britisher, was executed. Today we treat a pair of slimy and venomous snakes in our midst as though they were petty law violators.

The wave of sabotage in every conceivable form, be it a mysterious crash of a bomber, the blowing up of an arsenal or the burning and sinking of the *Normandie* is due entirely to American indifference which permeates the entire American structure from worker to judge. We must all awaken to the danger if we are to master and overcome this dangerous element among us which seeks to destroy our Government. This is war, let us keep our eyes open, and when you catch a spy or a saboteur red-handed treat him roughly, and spying, sabotaging will cease forthwith.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I rise at this time because of my interest in the very recent manifestation of economy I have seen here during the past few days on the part of some of the gentlemen who have voted for the building of these agencies of Government and for all the appropriations we now talk about as being wasteful. There is an old saying that "when the devil was sick the devil a saint would be." I am happy to see that some of the gentlemen are getting religion, even though the conversion is coming just a little late.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WASIELEWSKI. Mr. Chairman, there is no reason under the sun why any industry engaged in a nonessential activity should be permitted to build up its inventory. It should be converted at once without delay.

In this morning's paper I noted a news item stating that the manufacture of the popular type of vending machines, which dispense beverage, cigarettes, food, candy, nuts, and chewing gum will be discontinued April 30 under an order issued by the War Production Board. Some 70 vending-machine plants are to be affected by the order. In 1941 these plants did a business of approximately $10,000,000. About 10 percent of these plants are already converted to direct war production, and another 10 percent partially converted.

Yesterday's paper carried an item setting forth that the manufacture of pinball machines, jute boxes, and other types of amusement machines were to be discontinued on May 1 under an order of the War Production Board. Some 30 plants employing 10,000 men are engaged in this industry, which did a $70,000,000 business in 1941.

Gentlemen, is there any reason why the manufacture of these pinball machines, juke boxes, beverage, cigarette, and chewing-gum machines should be protracted? These industries all use vital materials like copper, nickel, aluminum, and steel, which are so sorely needed in our defense production. Is there any reason why the skilled hands that manufacture these machines should not be put to war production at once? We cannot hope to win this war with pinball machines, juke boxes, beverage and chewing-gum machines.

W. P. B. should rescind its previous order and require immediate conversion of these industries. If they are converted at once, the vital materials that they use could be put into war machinery and they can be well on the way to mass war production before May 1. We need production now—May 1 may be too late.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, I deeply regret that only 2 minutes are allowed to discuss this very important Disney proposal, which was ruled out on a point of order. I also regret that the parliamentary rules make it impossible to transfer from less essential functions money that might be spent in this all-important function of investigating the bureaus in regard to the items that are carried in appropriation bills.

The statement that there are 132 Capitol policemen was mentioned. I think that with the Army guarding the Capitol at night, we could devote a part of that money to hiring really expert accountants and investigators for the Committee on Appropriations. Real investigators and auditors are badly needed to aid our committees and to look under every chip, to find out whether or not money is being wasted.

The gentleman from Texas [Mr. LANHAM] has been active in this matter. I have had occasion to check numerous times with the General Accounting Office and with the Budget Bureau for information on these bureaus' accounts. I am frank to say that I believe this move would be effective to cut down expenditures by furnishing real information on expenditures. We must have expert witnesses available for the Committee on Appropriations so that we here shall have the ammunition, the know how, the "savvy" to know where these expenditures can be wisely cut and where waste is going on. Until we reach that point we shall never have an effective and an efficient appropriation for any of the departments, because the appropriations will be cut helter-skelter and without due consideration.

I regret that the parliamentary rules make it impossible to transfer funds from one less essential function to a more essential function, but I do hope that legislation will be passed giving the power to the Congress to acquire this needed information.

What the Congress needs is "showcase accounting" and coordination of our accounting so that we can find out how much money is spent by various departments for travel expenses, for communications, and how many employees each department has, and an expert's slant on whether they have more than are needed.

I feel such investigators and auditors could save hundreds of millions without interfering with essential functions of Government. We furnish our bureaus all the help they need and much is used to build up their case for more appropriations. The other side of the picture also needs help to make it possible to weigh these requests for money in their true merit of service.

The Clerk read as follows:

Capitol Power Plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, $782,281, of which $69,000 shall be available immediately.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, several days ago Members rose in the House and displayed thousands of letters and telegrams from their constituents demanding that the House pass some legislation establishing a labor policy. In the noon edition of the Times-Herald I find a statement setting forth that the Speaker of the House told a press conference that indignation meetings have been held and are being scheduled throughout the Nation, which usually are resulting in mass criticism of the efforts of management, labor, and government in the war crisis. Over on the inside page there is a headline stating that "Roosevelt opposes move to abolish the 40-hour week."

The press carries the further information that the President, giving his views, said he could see no need for restrictive labor legislation. He viewed the labor situation in the defense factories as extremely satisfactory, the news item continues:

What we do need, more than additional legislation or anything else, Mr. Roosevelt asserted, is more enthusiasm in the whole war effort. He would like to see a few more parades, a few more bands playing.

In his press conference the Speaker is reported as having said that Congress was being swamped by letters and telegrams from every section of the country. Members of Congress know that quite well, and they also know that the senders of those letters and telegrams are in earnest and mean business, and that the people are fully aware of what is going on.

When the President said there is "an amazing state of public misinformation" he just proved that he does not know what the people are thinking or want. It may be true, as he stated, that some people think a man may not legally work more than 40 hours a week, but the vast majority know better. They also know that if men work more than 40 hours a week those men must be paid pay and a half for the extra time.

There is throughout these United States a growing resentment because of the excessive cost in the production of materials essential for the carrying on of the war.

The fact that those in the armed forces of the United States are serving in places of danger for a compensation which per month is no more than that paid per day to some of those engaged in industrial production and in most cases is far less per month than that received for a week's service of far shorter duration by industrial workers tends to create discontent and disunity.

The fact that drafted men are required to serve for $21 or $31 per month, 24 hours a day, 7 days a week, while industrial workers are required to be paid pay and a half for every hour over 40 hours worked in any 1 week has created a feeling of resentment throughout the country.

All efforts to remedy this situation have so far been blocked by a combination of union and administration pressure.

Remarks on the floor of the House during the past few days have indicated a growing desire on the part of the House to remedy this inequality, lessen this discontent, by adequate legislation.

The President has called on us time and again for an all-out united effort for production. I recall when the Speaker took the floor reading a letter from the President—and the incident was referred to the other night by the gentleman from Oklahoma [Mr. RIZLEY]—and told us that he would either lead or go along in an effort to give us legislation on labor. Shortly thereafter the House did pass such a bill and sent it over to the other body.

The thing I am getting at now is this. If the President wants a 24-hour day and a 7-day week, how can he ask that those who work more than 40 hours shall be paid pay and a half for all over the 40 hours? Our people are meeting and they are indignant. How can you get all-out

production at the lowest possible cost if we are going to pay these political allies of the administration pay and a half for every hour they work over the 40 hours? Is that fair to the boys in the ranks? I say it is not. I say, if the President would be consistent, let him demand the same service of these men who are staying at home that he is demanding of the men in the field. I would like to remedy that situation if I can.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. No; I cannot yield.

If we are to have the maintenance of the 40-hour week, if we are to have pay and a half for every hour that is worked by any man over the 40 hours a week, if we are to have double pay for Sundays and for holidays, and if that is the order of the administration, and if it is treason to question anything that the administration says, I will go along. Do you hear? I will go along, provided you will put through a bill which I dropped in the hopper this morning to give the armed men in the combat service, in the combat areas, the same pay, deducting a fair allowance for maintenance, that you give to the organized men in industry. Now, what is the matter with that, and why do I offer it?

I want to bring home to the administration, if I can or if that thing is possible, the inconsistency in its attitude, the unfairness in its conduct of drafting men for 24-hour, 7-day week service everywhere in the world, and then telling these men at home they need not work more than 40 hours to make the tools of war which the armed men must have if they are to succeed, unless they receive pay and a half for all time over 40 hours per week and double pay if they work on a Sunday or a holiday.

Inasmuch as the President still seems to feel that the 40-hour week should not be abolished for the duration of the war and that time and a half should be paid to men in defense industries for every hour they work over and above 40 hours per week; that the compensation of these workers should not be lessened, to call attention to the situation and to remedy the injustice, I introduced the bill to which I referred, calling for the payment of our armed forces in combat areas of compensation which will come somewhere near equaling that received by those who are working here at home, in places far from the danger zone.

[Here the gavel fell.]

The Clerk read as follows:

Salaries, Library, proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including special and temporary services and extra special services of regular employees (not exceeding $5,000) at rates to be fixed by the Librarian, $1,422,935.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 35, line 21, strike out "$1,422,935" and insert "$1,400,815."

Mr. DIRKSEN. Mr. Chairman, I feel extremely modest in offering an amendment to save $22,120. However, I am not insensible of the fact that $22,120 would be the aggregate of income taxes paid by 221 citizens of the United States who might in this calendar year pay $100 income tax each. We have become so insensible to money values because of the astronomical sums in which we have been dealing for a great many years, it must come as somewhat of a shock, I admit, when we undertake to save $22,120. The reason, however, for the amendment is that it will eliminate 12 positions which were allowed by the subcommittee. In the first instance, the Library asked for 136 and in the revised estimates I believe it was curtailed to 31. The subcommittee finally allowed 12. One of these is an emergency nurse, another one is an assistant law clerk, and three are additions in the Department of Orientalia in the Library of Congress.

Among other things they will do work in some of the so-called Indic study of material which has been assembled from Burma, from Thailand, from Malaya, from India, and elsewhere. It occurs to me that the daily newspapers, the magazines, and the microfilm which has been assembled from Burma and Siam can wait for a little while. This is as good a time as any to disallow the 12 additional positions that the Library is requesting at the present time. Seven other new positions are requested in the field of processing material for the processing of books. They have been in arrears for a long time over there, on processing, and is it not worth while to suggest that for the duration of this conflict they remain in arrears or at least for a little while longer? So I suggest to you, in all humility, that $22,120 is worth saving. It is more than chicken feed in the country from which I come.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VAN ZANDT. If they want information from Burma and Thailand they should ask the doughboys who will come back from that part of the world in a few years.

Mr. DIRKSEN. That is a good suggestion.

Mr. O'NEAL. Mr. Chairman, I rise in opposition. The gentleman from Illinois desires to save money. I believe that it is proper to save where it is wisdom to save, and I also believe that it is wise to spend money where it is wisdom to spend. The committee in the hearings gave sincere study and thought to these positions which the gentleman seeks to strike from the bill. First is the nurse. There is one nurse in that building with the hundreds and thousands of people that go there. She cannot be on duty all of the time. We felt that as a matter of protection to the lives and the health of the people that another one is needed. If one is needed, certainly two are needed, because one cannot be on duty all of the time.

So far as the Orientalia Division is concerned, if the gentleman will read the testimony he will see that it is greatly needed. These scholars have familiarity with the languages and customs, and they maintain in the Library today a 24-hour service for the War and Navy Departments, and this Orientalia Division is doing a tremendous piece of war work. That sort of service is not available anywhere else. We thought certainly at this time when so little is known of the southeastern Pacific, when the requests are coming in for that sort of service, that we must provide these people to help out in that Division.

In the Processing Division this is an economy, according to the RECORD. They have accessions in the Library of about 600,000 different items each year. Those must be cataloged and made use of. There is duplication now. If this is allowed for the next year and for 2 years these extra assistants will have caught up with the work, and they will make it unnecessary to have two groups doing this work. They will be able to wipe out those functions we have added, and some of the excess employees in the Processing Division. These seven employees will save money, and ultimately save personnel. Although they asked for 166 new employees in the Library which was later reduced to 31, we allowed only 12, and in the opinion of the committee, after careful study we felt that these 7 should be allowed and that the other employees should be put on. I trust the amendment will be defeated.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes, 41, noes, 45.

So the amendment was rejected.

The Clerk read as follows:

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications and for freight commissions, and traveling expenses not to exceed $5,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, $173,000, to continue available during the fiscal year 1944.

Mr. DIRKSEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 38, line 20, after the word "exchange", strike out "$173,000" and insert "$55,000."

Mr. DIRKSEN. Mr. Chairman, the amendment needs no extensive ventilation. The subcommittee reported $173,000 for increase in the Library of Congress. For 1942 that amount was $248,000. In 1942 it included $50,000 for the purchase of the Herndon collection of Lincolniana, so that from the Budget they asked the difference between $248,000 and $50,000, which is $198,000. That was scaled by the subcommittee to $173,000. The amendment on the desk would reduce the amount to $55,000. That would mean a saving of $118,000. The Librarian testified before the subcommittee that the basic cost of continuing the periodical subscriptions would be

$55,000 and the rest of the money will be used for microfilming, for the acquisition of books, and that $15,000 will be used for the recording of folk songs that the soldiers probably come in contact with in various areas of the country. It occurs to me at a time when we are in conflict, that every dollar must be saved, and that there is no justification for accessions to the Library now, and no justification for recording itinerant folk songs, and certainly we can save on the microfilming item. What is left is $55,000, which the Librarian said would be sufficient to continue the subscriptions for periodicals. The amendment, if adopted, will save $118,000, and certainly the library facilities of Congress will not be impaired.

Mr. MICHENER. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MICHENER. Did the subcommittee impress upon the Library the fact that these folk songs will keep until after the war and then if we ever did get more money, we might record them?

Mr. DIRKSEN. There was very meager testimony in the hearings, as the gentleman will ascertain if he investigates the printed record of the hearings. But it occurs to me these are things that can wait at this time. While there is only a modest amount involved, yet it is $118,000 and that will buy a first-class intercepter plane.

Mr. MICHENER. There is no question but what the gentleman reflects the views of the American people about elimination of these nonessential things. The very fact that we will have to borrow $15,000 and go out and sell bonds throughout the length and breadth of the land to raise the $15,000 to be used in the recording of folk songs is perfectly ridiculous. I would like to hear the explanation of the gentleman from Kentucky [Mr. O'NEAL] for placing an item of that kind in this bill.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr O'NEAL. Mr. Chairman, I rise in opposition to the amendment.

It is always interesting to hear criticisms where you have heard the testimony of witnesses as to certain subjects under discussion.

After you deduct $50,000 which they had for the purchase of the Lincoln collection, there was left $173,000. The committee, in the interest of economy, reduced that by $25,000. They have $25,000 less than their base estimate for this year.

I do not know what the attitude of the House will be with reference to using the Library to the best advantage and keeping it the greatest library in the world. Today the Congressional Library is the most serviceable, most useful, most wonderful, and the best library in the world. This is $113,060 simply to keep up what a great library needs, as the regular amount to provide periodicals, and other essential things they have need of, and to subscribe for necessary editions which come out from time to time—what one might term the regular and normal material. One hundred and thirteen thousand dollars is the amount that is needed to simply keep the regular accretions to the Library coming in. That is for many fields.

This is not just a local library. This Library is used by almost every library in the United States, by people everywhere in the United States, and the small amount here for acquisitions for the greatest library in the world is only $113,000. Then we give the Library $60,000 to take advantage of things which they can now acquire more advantageously than ever before. There are many books, there are many things that a library should have which can be acquired today at less cost, because of various reasons, than at other times. We felt that if we let the Library run along with $113,000, their normal amount required, and provide the greatest library in the world $60,000 for the acquisition of necessary books that come out and for rare books which they can pick up, it was nothing but fair and right that this Library, which belongs to all the people of the United States, should have this amount. We gave them a cut of $25,000. We thought that was adequate. We thought this great Library should have this small sum to improve collections and to expand them.

Mr. TABER. Will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. TABER. There is an item here of $40,000 for microfilming, whatever that is. I do not know.

Mr. O'NEAL. That is part of the $113,000.

Mr. TABER. Could we not get along without that?

Mr. O'NEAL. I am sorry I do not have more time to explain this. There are thousands of important old newspapers over there used by students and which are splendid for reference. They are falling to pieces. They are rotting out. They take up a tremendous amount of room. By spending a little money on microfilming you can reduce that whole newspaper to a very small size. You can make it much more readable and you can protect the information which it contains for all time to come. It is economy in that it saves space for the Library. It is more usable in the form of microfilm than it is as a rotting old newspaper. For that reason, in this $113,000 for continuous acquisition and for microfilming you are practicing direct economy in space, and certainly making it much more useful. This exact item may not apply to the microfilming of newspapers.

Mr. TABER. What about this item of $15,000 for this singing business?

Mr. O'NEAL. Of course, that is a question whether the gentleman feels it is worth while or not. Personally, I wish the members of this committee could go and hear the records, current records, current history in sound, and of life as it is today. To the historian it will be of tremendous importance. For instance, they plan to take this thing to all the Army camps. They intend to make records of the soldiers' songs and activities throughout the camps of America. This will be done in the A. E. F., in foreign fields. It is history. It depends upon what a man's interest is in history. It is current history of a type that no printed page can show, and as far as I am personally concerned, I think it is a most interesting contribution to history. Had we the songs, had we the campfire tales that happened during the Revolutionary War, I think it would be worth a great deal to us today.

I hope the amendment will be defeated.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I appreciate very much the good work the gentleman from Kentucky has done on this bill. He has brought it in, especially with reference to the items of the housekeeping of the House of Representatives, in such a careful manner that I do not see how there can be legitimate criticism of it. I am, however, very leery of some of the operations of the gentleman who is Librarian at the present time. He is the head of the Office of Facts and Figures, and he has been putting out press releases which will not hold water. He has gone into taking over radio programs and ruined them, and he has made a general mess of that situation. Now, when it comes to recording folk songs and that sort of thing I am quite leery of the gentleman. I am inclined to believe that this microfilming of these old newspapers, if there is any value in keeping them, might be all right; but I do believe that the folk-song business ought to be cut out. I am inclined to believe that we could save a very substantial amount on this and still allow them money enough to go ahead.

I hope a substantial cut will be made.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 57, noes 45.

Mr. O'NEAL. Mr. Chairman, I ask for tellers.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. Are we now voting on the $15,000 folk-song item?

The CHAIRMAN. The question is on the Dirksen amendment.

Mr. MICHENER. Is not that the $15,000 folk-song item?

Mr. TABER. That is included in it.

Tellers were ordered and the Chair appointed as tellers Mr. O'NEAL and Mr. DIRKSEN.

The Committee again divided and the tellers reported that there were—ayes 64, noes 42.

So the amendment was agreed to.

The Clerk read as follows:

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with

the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles, for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed $3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding $500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots, coats, and gloves; machinery (not exceeding $300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000); for salaries and expenses of preparing the semimonthly and session indexes of the CONGRESSIONAL RECORD under the direction of the Joint Committee on Printing (chief indexer at $3,480, one cataloger at $3,180, two catalogers at $2,460 each, and one cataloger at $2,100) and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work in all, $6,985,000 to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appriations; the printing, binding, and distribution of the Federal Register in accordance with the act approved July 26, 1935 (44 U. S. C. 301-317) (not exceeding $220,000); the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding $2,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding $3,985,000: *Provided*, That not less than $3,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than 6 months after the close of the fiscal year 1943: *Provided further*, That notwithstanding the provisions of section 73 of the act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of $3,985,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture) and no part of any appropriation shall be obligated after the date of the enactment of this act for printing the Yearbook of Agriculture for 1942.

Mr. TARVER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TARVER. Mr. Chairman, I make a point of order against the language contained in the proviso beginning on line 21, page 44, and ending with line 3 on page 45, and particularly to that portion of the proviso which reads as follows:

And no part of any appropriation shall be obligated after the date of the enactment of this act for printing the Yearbook of Agriculture for 1942.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. O'NEAL. So far as the second part of that proviso is concerned we are perfectly willing to concede the point of order if the gentleman will not ask that the entire section be stricken out.

Mr. TARVER. In my opinion, the language of the proviso is subject to a point of order on the ground of inclusion in the proviso of the language on which I am submitting the point of order, and I think the entire proviso should be stricken. I do not understand that the proviso itself can stand up in any particular if it contains language which is legislative in character.

Mr. O'NEAL. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. Does the gentleman from Georgia yield the floor?

Mr. TARVER. No; I have not yielded the floor. I desire to ask that the Chair rule on the point of order I submitted against the language in question which proposes to limit the expenditure of funds which are not carried in this appropriation bill but which we appropriated in the legislative appropriation bill for the year 1942. It therefore proposes to change existing legislation not by way of limitation under the terms of the Holman rule. It is therefore out of order under the point of order I have submitted, and the entire proviso is also out of order in view of the inclusion therein of the legislative matters to which I have made reference.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. O'NEAL. Mr. Chairman, we are perfectly willing to concede the point of order to the second part of the proviso. If the Chair holds that the entire proviso must be stricken, then I will offer an amendment to take care of the situation.

The CHAIRMAN. The Chair sustains the point of order on the ground that if part of a proviso is faulty the entire proviso falls.

The point of order is sustained.

Mr. O'NEAL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. O'NEAL: Page 44, line 21, after the figures "1943", insert: "*Provided*, That notwithstanding the provisions of section 73 of the act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of $3,985,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture)."

Mr. O'NEAL. Mr. Chairman, I would just like to make the statement that the first half is for the yearbook for 1943.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. O'NEAL. Mr. Chairman, I reserve the balance of my time, if the gentleman cares to rise in opposition.

The CHAIRMAN. The gentleman cannot reserve the balance of his time.

Mr. O'NEAL. I thought the gentleman from Georgia acceded to that request.

Mr. TARVER. I have not that power even if I were willing.

Mr. O'NEAL. Mr. Chairman, the amendment that is now being offered is what was in the bill with reference to the 1943 appropriation for the Agricultural Yearbook. There were two provisions put in by the Committee on Appropriations with reference to the Agricultural Yearbook. One was to stop the printing of the 1942 yearbook, and that was the part of the bill which was stricken from the bill by the point of order offered by the gentleman from Georgia. It so happened that that point was tied up with the 1943 appropriation for the same purpose, so when one part went out it carried both provisions with it.

I then offered this amendment, which merely replaces in the bill the part dealing with the 1943 appropriation for the Agricultural Yearbook and omitted the part for 1942. So what is before you now is an amendment which by way of limitation does not allow any of the funds in this bill to be used for Agricultural Yearbooks furnished to the Congress for the year 1943. It will effect a saving of $130,000 to $150,000. The gentleman from Georgia, as I understand it, wishes recognition against this provision. The gentleman is interested in retaining the Agricultural Yearbook for 1943, and I presume he is opposing this amendment. The amendment now offered is the action of the subcommittee and the action of the full committee, which will save, as I say, from $130,000 to $150,000, and we thought in the interest of economy the House would be very willing not to have the yearbook for 1943.

Mr. O'NEAL. I yield to the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Minnesota.

Mr. KNUTSON. The last few editions of the Yearbook have not been agricultural. The one for 1941 deals almost altogether with the showing of how the climate affects human behavior or something along that line.

Mr. O'NEAL. From synthesis to synthesis?

Mr. KNUTSON. Well, something like that; yes, sir.

Mr. TABER. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from New York.

Mr. TABER. I think the gentleman is doing a fine service in offering this amendment, and I think it ought to be adopted because the people generally feel that at such times as these we can get along without anything that is not absolutely necessary.

Mr. NORRELL. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Arkansas.

Mr. NORRELL. I am in favor of the gentleman's amendment, but I would like

to know whether there is a corresponding decrease in that part of the agricultural appropriation bill having to do with the services of people who prepare this book.

Mr. O'NEAL. This only deals with the printing done by the Government Printing Office for the House of Representatives.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. As I understand it, the price of these books is $1.25 if anyone wants to buy them from the Government Printing Office; is that right?

Mr. O'NEAL. I think it is $1.25. I am not sure about that, but there is a price.

Mr. TARVER. One dollar and seventy-five cents.

Mr. MICHENER. Will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Michigan.

Mr. MICHENER. If the gentleman's amendment is defeated and if this Agricultural Yearbook is to be sent out, will the gentleman accept an amendment providing that every Member who sends out one of these Agricultural Yearbooks must accompany it with a statement that the money has been borrowed and a bond issued to pay for it?

Mr. O'NEAL. I may say to the gentleman from Michigan that I would never be in favor of any sort of proposal like that. We ought to deal with it frankly and fairly, take it or leave it, and not do it some clever way.

Mr. MICHENER. This would give the farmer who gets the book for nothing the truth as to who is paying for it.

Mr. KEEFE. Will the gentleman yield?

Mr O'NEAL. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I was in attendance at another meeting of a subcommittee of the Appropriations Committee for the last few moments. As I understand it, the provision in this appropriation bill which was voted in there by the subcommittee to eliminate the funds for the printing of the Agricultural Yearbook for the next fiscal year was tied up with the amendment which the gentleman offered in the committee to strike out the appropriation for this year, and as a result a point of order was raised against both?

Mr. O'NEAL. That is correct.

Mr. KEEFE. And the gentleman has offered an amendment to carry out the purpose of the full Appropriations Committee to strike out the appropriation for the publication of this yearbook for the next fiscal year?

Mr O'NEAL. For 1943, 1 year instead of 2 years.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Kentucky [Mr. O'NEAL] and I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. TARVER. Mr. Chairman, I am in thorough sympathy with all the advocates of economy who are acting in good faith. I think my own congressional record demonstrates the truth of that statement. This, in my judgment, is something that it would be unreasonable to do, and after I have told you why I think it would be unreasonable to do it, if you see proper to adopt the amendment which has been offered by the gentleman from Kentucky that, of course, is your affair. I would have no quarrel with anybody who might be in accord with that viewpoint.

The gentleman from Kentucky comes from the city of Louisville. All of his farmers are residents of that city and its environs. The other two members of his subcommittee on this side of the House, the gentleman from South Carolina [Mr. HARE] and the gentleman from Washington [Mr. LEAVY] are opposed to this amendment and have so advised me. The gentleman from South Carolina made a speech on the subject earlier in the afternoon.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kentucky.

Mr. O'NEAL. I may say to the gentleman that we have some excellent city farmers there, but also in my district are 60,000 dirt farmers.

Mr. TARVER. I am very interested to know that. I am sure if the gentleman would confer with his dirt farmers regarding the desirability of continuing the distribution of this yearbook he would have a very different opinion from that which he apparently now entertains.

Let us understand this situation. The funds for getting up the yearbook, preparing the material, and so forth, are carried in the agricultural appropriation bill. They are not carried in this bill. Part of the work has already been done on the 1943 yearbook with funds which have been made available in the appropriation bill for the fiscal year 1942.

When the agricultural appropriation bill for the fiscal year 1943 was in the House the other day an amendment offered by the gentleman from Illinois [Mr. DIRKSEN] was adopted which cut down the funds of the Office of Information from $1,500,000 to $1,000,000, cutting out $500,000 of those funds.

In the argument on that amendment it was contended by some Members that the Agricultural Yearbook would be one of the things to go. The preparation of the Agricultural Yearbook provided for in the bill amounted in cost to $25,000. That was all that was in the agricultural appropriation bill for that purpose. The adoption of the $500,000 cut by the House did not cut out the Agricultural Yearbook any more than it cut out any other particular item provided for in the appropriation for the Office of Information, because the amendment did not designate what particular objectives carried out by the Office of Information should be abandoned in the event of the adoption of the amendment.

The bill has gone to the Senate. It will probably be some time yet before final action on the bill is completed. I submit that if in the final action on the bill we provide funds for preparing the material for the Agricultural Yearbook of 1943, it will be a rather foolish matter to provide in this bill that that information could not be printed. It seems to me that before you carry any direct inhibition in any other legislation against the printing of the Agricultural Yearbook of 1943, you ought to wait until the Congress has first determined whether it will authorize the preparation of the material for that yearbook or not.

The gentleman has pointed out that he has eliminated from this appropriation the funds which would be necessary in order to print some 246,700 copies of the yearbook, which would be printed if the appropriation were made therefor in this bill, but it certainly occurs to me that if you finally decide to have the material prepared, and that is a matter for your determination in connection with the agricultural bill, then you ought not to be hampered by a limitation placed in another bill before you have made that decision to the effect that none of that material should be published.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield briefly for a question only.

Mr. VORYS of Ohio. As I understand, these books are for sale and they are also given away by Congressmen at present.

Mr. TARVER. Yes.

Mr. VORYS of Ohio. Would there not continue to be yearbooks printed up and sold for $1.75 each, even though this fund were stricken out?

Mr. TARVER. No. If you strike this out, the Agricultural Year Book of 1943 will not be printed. There will not be any available by purchase. The Department of Agriculture will not have any. The statute law, enacted in 1895, 47 years ago, provided for the printing of a certain number of copies, 30,000, I believe, for the Department of Agriculture, and a certain number of copies for the use of the Members of the House and the Senate. That amount has been cut during the last 6 years to where the total printed for the House and the Senate has been 231,600, and the total printed for the Department of Agriculture has been 15,000. That is all provided for in the legislative appropriation bill, if it is provided for at all. If you do not provide any money in the legislative appropriation bill for printing the yearbook, then there will not be any book printed which anybody can have given to them or can buy or secure possession of in any other way.

There are people who do not think this yearbook is any good. I hold a copy of it here in my hand. You will find on page 10 of the index that part 3 of the book deals with information concerning small grains, sorghum, cotton, tobacco, vegetable crops, fruit and nut crops, sugarcane, sugar beets, forage crops, grazing, and quite a number of other subjects which are of tremendous interest to agriculture.

I find that the vocational agricultural students in my congressional district like to have these yearbooks. They use them as textbooks. I place them in libraries when they are requested by school libraries for the use of students. This appropriation provides only about 400 of

these yearbooks for each congressional district, and when you have 14 counties, as I have, that is slightly less than 30 to a county. I cannot furnish them to all of these schools that are teaching vocational agriculture. My supply is just about exhausted.

I cannot see why you want to save $130,000, which is the total amount involved here, or about 50 cents for each book which, when sold, retails at $1.75, and stop that service entirely.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. LUTHER A. JOHNSON. My personal experience is that I have requests from vocational agricultural classes and farmers which far exceed the quota allotted me and I always exceed my quota.

Mr. TARVER. I thank the gentleman.

I wish to point out also that you carry in this bill $222,000 for this Federal Register, two copies of which come to my office and to your offices every day. It is not worth anything in the world to me. I throw it in the wastebasket. I had a letter the other day from a Federal circuit judge stating that he had been trying for 2 months to get them to stop sending it to him and asking me to call up the Archivist and try to get him to stop sending it, but after two attempts I had to desist because they insisted on sending it anyway.

We have in this bill $1,000,000 to print the CONGRESSIONAL RECORD. I am sure a great many more people read this book than read the CONGRESSIONAL RECORD.

You carry in this bill everything that is provided for the Members of Congress, their mileage and their salaries and everything, undiminished. You have, as a matter of fact, added a little something to it because you provide that they may get special-delivery stamps, which they have never had before. You have not economized on yourselves in any way in this bill. You have made some economies, but not at the expense of the Members of Congress. Now, when you come to the question of something which is for the benefit of the farmers you want to make a record of economy by saving $130,000. There was not a single witness who appeared before this subcommittee to discuss the Agricultural Yearbook. You can read those hearings from front to back and there is not a word said about the Agricultural Yearbook by anybody. No representative of the Department of Agriculture was called. The Public Printer was not asked about it when he was on the stand testifying before the committee. Yet without any evidence whatever, a matter which is to be determined in the pending agricultural appropriation bill is sought to be predetermined here and a limitation adopted which would make ineffective your decision to have this 1943 yearbook prepared with funds provided in the agricultural appropriation bill if that shall be your decision. I think this would be unwise and I hope the amendment will not be adopted.

PRINTING OF YEARBOOK DIRECTED BY LAW

In 1895 the Congress directed that the Yearbook of Agriculture be printed. It is part 2 of the Annual Report of the Secretary of Agriculture as specified in section 241, title 44, United States Code. The language of the section follows, with that part pertaining to the Yearbook of Agriculture:

UNITED STATES CODE—TITLE 44, SECTION 241

Sec. 241. Agriculture Department; report of Secretary

The Annual Report of the Secretary of Agriculture shall be submitted and printed in two parts as follows: Part 1, which shall contain purely business and executive matter which it is necessary for the Secretary to submit to the President and Congress; part 2, which shall contain such reports from the different bureaus and divisions, and such papers prepared by their special agents, accompanied by suitable illustrations as shall, in the opinion of the Secretary, be specially suited to interest and instruct the farmers of the country, and to include a general report of the operations of the Department for their information. In addition to the usual number, there shall be printed of part 1, 1,000 copies for the Senate, 2,000 copies for the House, and 3,000 copies for the Department of Agriculture; and of part 2, 110,000 copies for the use of the Senate, 360,000 copies for the use of the House of Representatives, and 30,000 copies for the use of the Department of Agriculture, the illustrations for the same to be executed under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, said illustrations to be subject to the approval of the Secretary of Agriculture; and the title of each of the said parts shall be such as to show that such part is complete in itself. (Jan. 12, 1895, ch. 23, sec. 73, 28 Stat. 612.)

Note that the law prescribes a total of 470,000 copies to be printed for distribution by Members of Congress. The edition actually printed is less than half that number. In 1933 the Joint Committee on Printing, at the suggestion of the Secretary of Agriculture, directed that thereafter the number of copies of the yearbook printed for congressional distribution should be 54,500 for Members of the Senate and 177,200 for Members of the House, a total of 231,700.

The Department at the same time reduced its purchase of yearbooks from 30,000 to 15,000.

SALES OF THE YEARBOOK IN THE PAST 2 FISCAL YEARS

According to the records of the Superintendent of Documents, the yearbook sales in the past 2 fiscal years have been:

Fiscal 1941, $8,698.

Fiscal 1940, $7,378.

Figures are not available for the years before fiscal 1939, as the records were not kept in a form that makes it possible quickly to separate the figures on yearbook sales. The Superintendent of Documents states that his general impression is that the sales of the yearbooks are trending upward year by year. This is in spite of the fact that the number of books available for free distribution to constituents of Congressmen has not altered. It has remained at 231,700 for the past 6 years. The increase in sales evidently means an increasing demand for the information in the yearbooks which cannot be satisfied by the congressional distribution.

SALES OF THE 1941 YEARBOOK, "CLIMATE AND MAN"

This book was not available until late December. In the less than 3 months which have elapsed since that time the sales have amounted to $2,433.25. The record so far indicates a continuation in the upward trend of sales indicated by the figures for the past 2 years.

1942 AND 1943 YEARBOOKS OF AGRICULTURE GEARED INTO WAR EFFORT

The point should be emphasized that the 1942 and 1943 yearbooks are practical manuals dealing directly with things the farmer has to do in connection with the food-for-freedom campaign. These yearbooks take quite a long time to prepare, and it is not easy to swing them over in the middle of the job. But beginning with the 1942 yearbook, they have been swung over and geared into the war effort. They can be just as valuable here as they have been in the past when we were not engaged in war. There can be no question about their value in the past—the tremendous demand for them proves that. We do not want to waste that value, and the prestige the yearbooks have attained. We want to make full use of that value and prestige in new ways.

1942 YEARBOOK OF AGRICULTURE ANSWERS FARMERS' URGENT QUESTIONS

The articles in the 1942 yearbook were prepared by specialists who have sought to answer the questions and problems uppermost in the minds of farmers at this time, as indicated by requests for assistance received by the Department.

1942 YEARBOOK OF AGRICULTURE—HOW FARMERS NEED IT BECAUSE OF LACK OF VETERINARIANS

By virtue of its broad scope and the practical information contained, the 1942 Yearbook is certain to be valuable in supporting the food-for-freedom program.

The chairman of the committee that planned the book is Dr John R. Mohler, Chief of the Bureau of Animal Industry, well known to Members of Congress for efficiency and economy in dealing with livestock problems and for sound judgment as an administrator.

With the present increased numbers of livestock—particularly hogs and poultry now being raised—the dangers of disease are increased. The number of practicing veterinarians is inadequate to cope with extensive outbreaks. There are only 8,000 practicing veterinarians in the United States, one to every 25,000 head of livestock, excluding poultry. Stockmen themselves must use disease-prevention measures. This yearbook gives clear direction for such measures for all the important animal diseases.

Congressmen receive a heavy mail on animal-disease matters, indicating the desire of livestock producers for just the information contained in the yearbook. They need this ammunition for fighting disease.

1942 YEARBOOK OF AGRICULTURE PAYS FOR ITSELF IN ANIMALS SAVED

Diseases are constantly threatening and ravaging birds and flocks—thus performing sabotage, so to speak. This book will be a weapon of defense on the food front.

The wartime food value of even one hog, sheep, or head of cattle saved through the counsel of this book would pay for several copies.

1942 YEARBOOK OF AGRICULTURE—DISEASE MEANS LOSS OF PRODUCTION

Keeping animals healthy is just as important as keeping human beings healthy in this war. When you are engaged in an all-out production effort, you cannot afford to be sick yourself; and the farmer cannot afford to have sick animals on his hands. Some of the diseases that hit farm animals have an 80- to 90-percent mortality. They are as bad as typhus fever among human beings, or worse. But practically any disease is bad, whether it has a high mortality or not. The common cold of human beings does not have a high mortality, but when a million men are away from work even 1 day with colds, that means a million production days lost. It is the same with livestock; even a minor disease, when it is widespread, means an enormous production loss—and right now we cannot afford those losses.

The 1942 yearbook, Keeping Livestock Healthy, tells farmers how to avoid these losses. It will be the only complete book on the disease of all kinds of livestock available to farmers. It is a valuable part of the war effort.

1942 YEARBOOK OF AGRICULTURE—45 OF EVERY 100 PIGS DIE

All the text for the 1942 yearbook has been prepared and about two-thirds of the type has been set. To abandon it now would mean the waste of the work and printing costs that have already gone into it.

A book of this kind is certain to be a valuable animal health guide during the war period and afterward. Surveys have shown that publications are the cheapest and most effective means of distributing this type of information.

In the case of pigs alone, information in this yearbook can effect an immense saving. Losses of pigs are far greater than is commonly realized. Only about 55 of every 100 pigs born reach market. By following the practices recommended in the yearbook, farmers can cut this loss materially.

1943 YEARBOOK OF AGRICULTURE—FARMERS MUST FEED THEMSELVES

The 1943 yearbook is planned as a complete manual of the home production of all kinds of food products. We want every farm home in this country to produce as much of its own food as possible, because the more the farmers can feed themselves, the more their strictly commercial production will be available to feed the people in our own cities and our Allies abroad. On many a highly commercial farm, there is little or no production for home use. The farmer who has never kept chickens or a cow or run a vegetable garden needs good plain material on how to do it. That is what the 1943 yearbook will give him.

1943 YEARBOOK OF AGRICULTURE AS USEFUL AS A COOKBOOK

The 1943 yearbook on home food production not only tells how to raise your own products but how to can, dry, process, and store them. It tells how to plan production so that the needs of the family will be met without any waste. It tells enough about nutrition, in plain and simple language, so that the farm wife can emphasize the production of those things that are especially important for her family's health and handle the products so their health values will not be lost. Such a book in the farm home ought to be just about as useful as a cookbook, with the added value that it will give a tremendous boost to our food-for-freedom effort.

1943 YEARBOOK OF AGRICULTURE A HOW-TO-DO-IT BOOK

About half the material for the 1943 yearbook on home production has already been written. Almost all of it is being written in the States, by people familiar with local conditions and local needs. It is being written in plain and simple language—it is how-to-do-it stuff, as brief and plain as possible. No such complete manual on home production, covering vegetables, fruits, poultry, and poultry products, dairy products, hogs and pork products, and even the fish and game available to the farmer, has been prepared before. Farmers want to know, What can we do to produce more of our own food, and how can we do it? This book answers those questions.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, because I was privileged to discuss this matter when the agricultural appropriation bill was before the House and some considerable publicity, at least through the Middle West, was given to the remarks which I made at that time, I feel under some compulsion to say something in reference to the pending amendment. At no time have I ever attempted to deprecate the material which is found in this Agricultural Yearbook. I could not do so, because in my busy experience as a Member of Congress I have not had time to read it, and certainly a person would have to have a lot of leisure time if he ever attempted to read the last issue of the Agricultural Yearbook or any issue that I have ever heretofore seen. There is no doubt but what it contains a great deal of statistical material of some value to the people who see fit to use it. The simple question, however, is this: Can we not dispense with this nonessential expenditure during the war period? I have letter after letter from farmers in my district who read in the newspapers the statements which I made when the Agricultural Yearbook question was before us a week or so ago. Without fail, every single one of them who has written me on the subject says, "Yes; the yearbook is all right; it is a good thing if you have got time to read it, but we can afford to suspend the publication of that book now."

It is not necessary during this emergency, and when the people of this country are being called upon to make sacrifices of all kinds, and when there is a demand for a curtailment of the use of paper such as we see coming throughout the country every day, it seems to me that in the interests of just common decency we can suspend, not necessarily permanently prohibit, the use of 1 ton of paper for each Member of Congress, to be distributed or scattered throughout his district, 400 copies to a Member. I doubt whether the 400 people who get them ever make satisfactory use of the reading material that is contained therein. It has become so voluminous that you would have to be an agricultural expert teacher in order to make the best use of it. If it is so valuable, then it would seem to me that people who are so interested could afford to pay $1.75 for a copy. It seems to me the public is demanding that we make some curtailments.

Mr. VORYS of Ohio. Would the gentleman be willing to try the experiment here that he tried in his agricultural meetings, knowing that the yearbook is in the office of every one of us, and ask for a showing of hands as to how many of us have read it?

Mr. KEEFE. Yes; but I would not want to humiliate anybody.

Mr. TARVER. And does the gentleman not think that those who have not read it ought not to vote to condemn it?

Mr. KEEFE. I think the gentleman's statement is very good as a general proposition, but I do not understand that anyone who is speaking in favor of this amendment has condemned this yearbook. The gentleman is drawing a red herring across the trail when he makes that kind of statement. That is not the issue. I have repeatedly said that I have not condemned what is in this yearbook. I am not in position to do it, because I have not had the time to read it, but I do know that there is a unanimous demand throughout this country that we stop these unnecessary expenditures, and I am surprised that the distinguished gentleman from Georgia [Mr. TARVER] has not based his judgment on this matter on the fact that it is information necessary for national defense, as almost everything else is alleged to be. I have not heard him make that argument yet, but perhaps he will now do it, with his usual facility.

Mr. TARVER. I think that the 1942 yearbook with its contents in advising the farmer how to increase the production of food is a necessary element of the war progress.

Mr. KEEFE. But if we have to wait for the farmers of America to read that book before producing food, then we will have a famine in this country before the war is over.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FULMER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. O'NEAL. Mr. Chairman, let me see if we cannot arrange upon some time for debate. I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FULMER. Mr. Chairman, I do not think I shall take the 5 minutes allotted to me. It is very interesting to see this so-called economy block go into action just as soon as you mention the word "farmer." I say to you that perhaps around the first of 1943 or perhaps the first of 1944, those of you who are trying to economize on the farmers of this country will some day wake up to the sad

realization that you are not going to have even a normal production. I say to you that the most important part of our national defense program is agriculture, and unless we in this country are able to produce food and fiber to take care of 130,000,000 people in this country and millions of our Allies, because many in the various countries today are starving, you will never win this war.

One of the finest pieces of work that is being done in agriculture is being done by the young boys and girls and the various agricultural students of the Nation. Those who are attending agricultural colleges and who are going back to the farm and who will remain on the farm. The production goal that is suggested by the Secretary of Agriculture, and that is outlined in these books, is very necessary to carry on the victory program. This amendment that you propose will save only the small amount of $130,000. The gentleman from Wisconsin [Mr. KEEFE] who just spoke did not hesitate to vote on that bill yesterday, in which you are going to spend millions on one of the silliest bills ever before Congress.

Oh, yes; I know that you had to vote for that; a great many have told me; but when you get through with it the cost and the number of officers' salaries will make the W. C. D. look like a joke. Appropriations will be coming in here, and the gentleman will have to vote for millions because it is in the name of national defense. Go ahead and vote this small amount out; cancel the sending out of these books; but I say to you there is a sad day facing the country and the Congress, because thousands are leaving the farms, for two reasons. One is because of better pay in other lines, and the other is because the family on the farm cannot exist for the prices they receive for that which they produce.

Mr. BENDER. They would rather go on the W. P. A. than stay on the farm?

Mr. FULMER. Yes, because of the difference between what they get on the farm and the W. P. A. I have been farming all my life. I have been engaged in business and banking. I have one of the best farms in South Carolina. I cannot compete with W. P. A. or any other agency or line of business. I do not believe any farmer can do it, but when you mention the farmer's name on the floor of this House the economy bloc immediately begin to stab this innocent group, the most patriotic group in this country, in the back.

Mr. KEEFE. Will the gentleman yield?

Mr. FULMER. I yield.

Mr. KEEFE. You have been a successful farmer, have you not?

Mr. FULMER. I have had to take part of my salary all the years to pay the expenses of my farm up until the past few years.

Mr. KEEFE. I presume if the gentleman had studied this yearbook and its previous issues, he would have been a very successful farmer and he would have been making money.

Mr. FULMER. No; I do not have to study this book, but there are millions that could profit by the contents of the yearbook, especially the ones that have been issued during the last few years.

Mr. KEEFE. I have never criticized the yearbook, but when the gentleman referred to my vote yesterday, does the gentleman appreciate that there was not a dollar requested in that bill yesterday?

Mr. FULMER. Oh, no; but does the gentleman have any idea we are not going to have requests for millions before it is through with?

Mr. KEEFE. But when that request comes in that will be the time to talk about it, and not now.

Mr. FULMER. I can assure the gentleman, the House, and the country that the gentleman will vote for these appropriations when they come in.

Mr. BROWN of Georgia. Will the gentleman yield?

Mr. FULMER. I yield.

Mr. BROWN of Georgia. It is my understanding that this book has been printed annually since 1895?

Mr. FULMER. Yes.

Mr. BROWN of Georgia. All through the other war. I further understand that the vocational schools of this country use this book as a textbook.

Mr. FULMER. Absolutely. All of the county agents and those connected with the agricultural programs. I hope the amendment will be voted down, because of the pitiful amount that is involved.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. FULMER. I yield.

Mr. JOHNS. I was interested in what the gentleman had to say about the conditions of agriculture in 1942 and possibly 1943. Is it not a fact that today we have the largest surplus of butter and cheese in storage that we have had at any time in several years?

Mr. FULMER. Yes, and the gentleman should be thankful, because look at the price you people are receiving for these products.

We have a surplus of cotton, wheat, and corn, and before this war is over millions of our people and millions of our allies are going to thank God that this administration established the ever-normal granary.

The CHAIRMAN. The gentleman from Ohio [Mr. VORYS] is recognized for 1 minute.

Mr. VORYS of Ohio. Mr. Chairman, I have gone through this book, Climate and Man, very carefully, and I want to say that after doing so I feel that those of you who have not read it are competent to vote on whether this very interesting and abstruse volume on Climate and Man should be furnished free, not often to dirt farmers but probably as a textbook, as one free textbook to various institutions and libraries. I feel certain that this very interesting compilation of facts about clouds, how to live in the Tropics, what to wear in the Arctic, why it is hot, why it is cold or wet or dry, and about geology and a lot of other things would be worth your while to read, since you have got a copy free. But I certainly cannot see that it is going to have anything to do with winning this war to have a few favored farmers and friends and teachers in each Congressman's district get this thing for nothing.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. O'NEAL].

The question was taken; and on a division (demanded by Mr. TARVER) there were ayes 80 and noes 34.

So the amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 45, line 3, after "1942", insert *"Provided further*, That no part of this appropriation shall be used to pay the salary of any person who shall perform any service or authorize any expenditure in connection with the printing and binding of part 2 of the annual report of the Secretary of Agriculture (known as the Year Book of Agriculture) for 1942."

Mr. TARVER. Mr. Chairman, I make a point of order against the amendment. There are no funds carried in this bill for the purposes which are inhibited by the gentleman's amendment. It would be nugatory and of no effect, and I can conceive of no rule under which it might be in order.

Mr. DIRKSEN. I think the amendment will speak for itself. I think it is a limitation and would be germane and in order, irrespective of whether any funds are carried, but the fact of the matter is that the yearbook is not printed ordinarily until after the first of the year. Consequently the personnel and salaries for clerical work and mechanical work in the Government Printing Office is done after the beginning of the fiscal year 1943. I therefore regard it as a proper limitation and in order.

Mr. TARVER. An amendment has already been adopted which prevents the use of any funds in the bill for the printing of the 1943 yearbook.

Mr. DIRKSEN. But this is for the yearbook of 1942, which was stricken out by the gentleman's amendment.

Mr. TARVER. So far as the 1943 yearbook is concerned, if you are going to put one limitation in you might as well put in a half a dozen, but I cannot see the necessity for it. This bill carries no funds for the 1942 yearbook.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. DIRKSEN. No. I think the amendment speaks for itself, Mr. Chairman, and is a very proper limitation.

The CHAIRMAN (Mr. THOM). The Chair thinks that the limitation is a valid one, and, therefore, the point of order is overruled.

Mr. DIRKSEN. Mr. Chairman, I shall take but a moment in support of my amendment. It requires nothing more than to say that all of the language in the original proviso was stricken out on the point of order. If this amendment is adopted it will bring within the purview of the interdiction just adopted the yearbook, 1942, as well as the yearbook, 1943.

Mr. TARVER. Mr. Chairman——

The CHAIRMAN. The Chair will state that all debate on this amendment has been exhausted.

Mr. TARVER. On this amendment?

The CHAIRMAN. Yes; on this paragraph and all amendments thereto.

Mr. TARVER. The amendment could not have the effect the gentleman from Ilinois has stated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 73, noes 28.

So the amendment was agreed to.

The Clerk read as follows:

No part of any money appropriated in this act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

Mr. NORRELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point and to include therein an editorial.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. NORRELL. Mr. Chairman, the primary concern of the people of the United Nations is to win this war. If we fail to win we lose everything.

Great responsibility rests upon each and every individual of this Nation, as well as the other nations who are fighting as our allies. However, I desire at this time to emphasize the responsibility resting upon those of our citizens who are engaged in the publication of the newspapers so essential in the maintenance of the home front during the war. No greater responsibility rests upon any group of citizens engaged in civilian activity than that which rests upon our newspapers.

To date I think these papers have fully discharged their obligations to the United Nations in the promotion of our war efforts and I think that they will continue to do their best. Surely if our Government is to continue, their responsibility must be well performed.

The war has adversely affected the newspapers in many ways. I quote two outstanding examples: First, advertising revenue has decreased; second, they have to pay more for materials such as ink, paper, labor, and equipment. Much has been said recently about a shortage of paper, yet in each day's mail from Washington these newspapers throughout the Nation receive tons of press releases concerning the Army, Navy, Treasury, Marines, civilian defense, bonds and stamps, and dozens of other agencies with reference to their individual departmental work—in fact most all of the departments have their public relations divisions working overtime sending out what might be termed as propaganda mail to sell the functions of that department to the public. There are too many of them and they are not properly coordinated and harmonized. I believe it is a great waste of time and material, since practically all of their releases ultimately find their way to the wastebasket, resulting in a waste of paper when it is said that a shortage is imminent, to say nothing of the waste of money in the preparation of the articles and distributing the same.

The only way these editors can earn a living is through charging for their services, and I see no reason why a limited sum of money should not be appropriated, as is done in England and Canada, to pay for the display of any necessary and worthwhile advertising. Other individuals and firms rendering service in the war effort receive compensation for such services, but the newspapers do not receive reimbursement even for the ink and paper they use, much less for the labor necessary in setting up the type and in the printing of the same.

It also appears that some of the printing of the Government could now be done by the various job printers throughout the Nation. There must be a place in the economic picture of this Nation during the emergency for the small-town newspapers and job printers.

Many of our country newspapers now are gradually being liquidated because of the lack of advertising, and the fact that they have to pay too much for their materials. Two daily newspapers in my congressional district have recently closed their doors because of lack of sufficient earnings to continue to operate, and there are other country printers over this Nation standing idle at the present time while the Government Printing Office is forced to pay large sums of money in overtime for work. I do not believe that these newspapers desire any special favors; they only want equal treatment from their Government.

I hope that two things may be done: First, that many of the releases from the various Government departments will be stopped during this emergency, and thereby not only save a large quantity of paper and printer's ink, as well as the taxpayers' money; and I also hope that the Congress may soon provide sufficient appropriations to defray the expenses of doing the necessary advertising in the newspapers of this Nation and in providing that the surplus of printing matter at least be given to the country printers of this Nation.

In conclusion, I desire to include an editorial prepared by Hon. Walter Sorrells, one of the great news writers of the South, who is engaged as editorial writer for the Pine Bluff Commercial. The Pine Bluff Commercial is one of the leading dailies of Arkansas, and the following editorial appeared in that newspaper under date of March 5:

[From the Pine Bluff (Ark.) Commercial of March 5, 1942]

WHAT DO YOU THINK?

(By Walter Sorrells)

There might be a paper shortage, but the editors of this country will never be convinced of it.

No government on earth, even a democratic government, not even ours, with a past record of stumble-bug mistakes, would permit tons and tons of paper to be consumed by bureaucratic propaganda hand-outs, if there was a shortage of paper.

Every agency of the Government now is highly staffed with writers, turning out yards and yards of copy, extolling the many and varied virtues of the respective agencies, consuming paper by the trainloads.

Ninety-nine percent of it going in the covered several days ahead of the respective waste-paper basket. That which is news is Federal agency release by the great news-gathering agencies of the Nation which serve practically all newspapers in the country.

For instance, the Associated Press will carry a story involving some phase of governmental activity on Thursday, and the next Monday the Commercial will receive a big fat envelope containing the same information, except greatly expanded in manner and paper.

If there is a shortage of paper, or if there is likely to be a shortage of paper, then why in the name of God will the administration in Washington permit it to be wasted by hundreds of Federal agencies trying to justify their continued existence with a lot of slop that goes in the waste-paper basket?

Until the Government stops littering up my desk with the kind of bunk now being sent out, which is not only burdening the postal facilities but costing the taxpayers thousands of dollars, and wasting tons of paper, I shall pay no attention to the talk about a threatened paper shortage.

Many of these agencies ought to be abolished anyway, but if the Government insists on "doing business as usual" by financing social reforms undertaken in the last decade, then let them stand on their merits and conserve the paper being wasted trying to convince the taxpayers of their worth and continued existence.

Outside the public relations offices of the armed forces, which are doing, we think, a good job of servicing the papers with news of local interest, the news-gathering agencies supported by the papers of the Nation are fully equipped, at a cost of millions of dollars to the subscribers, to handle anything of news value.

No; there must not be a paper shortage. There is at least none in the Commercial office, where each day begins with a confetti shower of propaganda.

Mr. Chairman, I wanted to offer an amendment to this section, asking that a portion of this appropriation be made available for use with the newspaper and job printers throughout this Nation, but it would be ruled out of order, because it would be considered legislation on an appropriation bill. I admit that this would be the parliamentary situation, but I am going to do my best to see that the proper authorization is made for such purposes in future legislative bills.

I thank you.

The Clerk concluded the reading of the bill.

Mr. O'NEAL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 6802) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. O'NEAL. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. TARVER. Mr. Speaker, I demand a separate vote on the O'Neal amendment on page 44, line 21.

The SPEAKER. The question is on the remaining amendments.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which the gentleman from Georgia demands a separate vote.

The Clerk read as follows:

Amendment offered by Mr. O'NEAL: On page 44, line 21, after "1943:" insert: "*Provided further*, That notwithstanding the provisions of section 73 of the act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of $3,985,000 shall be used for printing and binding part 2 of the Annual Report of the Secretary of Agriculture (known as the Yearbook of Agriculture)."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 85, noes 31.

Mr. TARVER. Mr. Speaker, I object to the vote on the ground there is not a quorum present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 233, nays 100, not voting 98, as follows:

[Roll No. 44]

YEAS—233

Allen, Ill.	Curtis	Hess
Allen, La.	D'Alesandro	Hill, Colo.
Andersen, H. Carl	Davis, Ohio	Hinshaw
Anderson, Calif.	Dewey	Hoffman
Anderson, N. Mex.	Dirksen	Holbrock
Andresen, August H.	Disney	Holmes
Angell	Ditter	Hope
Arends	Domengeaux	Houston
Barnes	Dondero	Hunter
Bates, Mass.	Doughton	Jarman
Baumhart	Downs	Jenkins, Ohio
Beckworth	Duncan	Jenks, N. H.
Beiter	Durham	Jennings
Bender	Dworshak	Johns
Bennett	Eaton	Johnson, Ill.
Blackney	Eberharter	Johnson, Ind.
Bland	Edmiston	Johnson, W. Va.
Boehne	Elston	Jones
Bolton	Engel	Jonkman
Boren	Fellows	Kean
Bradley, Mich.	Fenton	Keefe
Brooks	Fish	Kefauver
Brown, Ohio	Fitzgerald	Kelly, Ill.
Bryson	Fitzpatrick	Kilburn
Bulwinkle	Flaherty	Kilday
Burgin	Fogarty	Klein
Butler	Folger	Knutson
Canfield	Forand	Kunkel
Capozzoli	Ford, Leland M.	Lambertson
Carlson	Ford, Miss.	Landis
Carter	Ford, Thomas F.	Lane
Chapman	Gamble	Lanham
Chenoweth	Gathings	LeCompte
Chiperfield	Gearhart	Lesinski
Clason	Gifford	Ludlow
Cluett	Gillette	Lynch
Cochran	Gillie	McGregor
Coffee, Nebr.	Gore	McIntyre
Cole, N. Y.	Graham	McLaughlin
Collins	Guyer	McLean
Colmer	Gwynne	Maas
Cooley	Haines	Maciora
Copeland	Hall, Leonard W.	Mahon
Costello	Halleck	Martin, Mass.
Cox	Hancock	May
Cravens	Harness	Meyer, Md.
Crawford	Harris, Ark.	Michener
Crosser	Harris, Va.	Mills, Ark.
Crowther	Hart	Mills, La.
Culkin	Harter	Monroney
	Hartley	Mott
	Heffernan	Murray
		Myers, Pa.
Norrell	Rockwell	Thomason
O'Brien, N. Y.	Rodgers, Pa.	Tibbott
O'Leary	Rogers, Mass.	Tinkham
Oliver	Rogers, Okla.	Traynor
O'Neal	Rolph	Van Zandt
Pace	Russell	Voorhis, Calif.
Paddock	Sabath	Vorys, Ohio
Patton	Schuetz	Wadsworth
Pearson	Scott	Ward
Pheiffer, William T.	Secrest	Wasielewski
Pittenger	Shafer, Mich.	Weiss
Plauché	Shanley	Welch
Ploeser	Smith, Maine	Wheat
Plumley	Smith, Ohio	Whittington
Powers	Smith, Va.	Wickersham
Priest	Smith, Wis.	Wigglesworth
Rabaut	Somers, N. Y.	Williams
Randolph	Spence	Wilson
Reece, Tenn.	Springer	Winter
Reed, Ill.	Stearns, N. H.	Wolcott
Reed, N. Y.	Stefan	Wolfenden, Pa.
Rees, Kans.	Stevenson	Wolverton, N. J.
Rich	Sullivan	Young
Rizley	Taber	Youngdahl
Robertson, Va.	Talle	Zimmerman
Robinson, Utah	Thill	
	Thomas, N. J.	

NAYS—100

Arnold	Hare	Poage
Bates, Ky.	Harrington	Ramsay
Bell	Healey	Rankin, Miss.
Bradley, Pa.	Heidinger	Rankin, Mont.
Brown, Ga.	Hill, Wash.	Richards
Burch	Hobbs	Robertson, N. Dak.
Burdick	Hull	Robsion, Ky.
Camp	Imhoff	Sanders
Cartwright	Izac	Sauthoff
Casey, Mass.	Jackson	Schulte
Clark	Johnson, Luther A.	Sheppard
Claypool	Johnson, Okla.	Short
Coffee, Wash.	Kerr	Sikes
Cooper	Kinzer	Smith, Pa.
Courtney	Kirwan	Snyder
Creal	Kopplemann	South
Cullen	Lea	Sparkman
Cunningham	Leavy	Steagall
Dickstein	McCormack	Sutphin
Dingell	McGehee	Tarver
Drewry	McMillan	Tenerowicz
Elliott, Calif.	Manasco	Terry
Ellis	Mansfield	Thom
Flannagan	Martin, Iowa	Vincent, Ky.
Fulmer	Moser	Weaver
Gehrmann	Mundt	Wene
Gerlach	Murdock	Whelchel
Gibson	Nelson	Whitten
Gilchrist	Nichols	Woodruff, Mich.
Gossett	O'Connor	Wright
Granger	O'Hara	
Grant, Ala.	Patrick	
Green	Peterson, Fla.	
Gregory	Peterson, Ga.	
Hall, Edwin Arthur	Pierce	

NOT VOTING—98

Andrews	Hendricks	Patman
Baldwin	Hook	Pfeifer, Joseph L.
Barden	Howell	Ramspeck
Barry	Jacobsen	Rivers
Beam	Jarrett	Rockefeller
Bishop	Jensen	Romjue
Bloom	Johnson, Calif.	Sacks
Boggs	Johnson, Lyndon B.	Sasscer
Boland	Kee	Satterfield
Bonner	Kelley, Pa.	Scanlon
Boykin	Kennedy, Martin J.	Schaefer, Ill.
Buck	Kennedy, Michael J.	Scrugham
Buckler, Minn.	Keogh	Shannon
Buckley, N. Y.	Kleberg	Sheridan
Byrne	Kocialkowski	Simpson
Byron	Kramer	Smith, Wash.
Cannon, Fla.	Larrabee	Smith, W. Va.
Cannon, Mo.	Lewis	Starnes, Ala.
Case, S. Dak.	McGranery	Stratton
Celler	McKeough	Sumner, Ill.
Clevenger	Maciejewski	Sumners, Tex.
Cole, Md.	Magnuson	Sweeney
Davis, Tenn.	Marcantonio	Talbot
Day	Mason	Thomas, Tex.
Delaney	Merritt	Tolan
Dies	Mitchell	Treadway
Douglas	Norton	Vinson, Ga.
Eliot, Mass.	O'Brien, Mich.	Vreeland
Englebright	O'Day	Walter
Faddis	Osmers	West
Gale	O'Toole	White
Gavagan		Woodrum, Va.
Grant, Ind.		Worley
Hébert		

So the amendment was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Barden of North Carolina with Mr. Treadway.
Mr. Hébert with Mr. Engelbright.
Mr. Kocialkowski with Mr. Bishop.
Mr. Lewis with Mr. Mason.
Mr. Boland with Mr. Baldwin.
Mr. Gavagan with Mr. Rockefeller.
Mr. Cannon of Missouri with Mr. Vreeland.
Mr. Davis of Tennessee with Mr. Jensen.
Mr. Keogh with Mr. Gale.
Mr. Ramspeck with Mr. Day.
Mr. Cole of Maryland with Mr. Case of South Dakota.
Mr. Rivers with Mr. Andrews.
Mr. Satterfield with Mr. Osmers.
Mr. Hook with Mr. Simpson.
Mr. Starnes of Alabama with Mr. Johnson of California.
Mr. Patman with Mr. Sumner of Illinois.
Mr. Martin J. Kennedy with Mr. Douglas.
Mr. Hendricks with Mr Clevenger.
Mr. Sumners of Texas with Mr. Stratton.
Mr. Kleberg with Mr. Howell.
Mr. Buck with Mr. Jarrett.
Mr. Thomas of Texas with Mr. Talbot.
Mr. Boykin with Mr. Buckler of Minnesota.
Mr. Boggs with Mr. Marcantonio.
Mr. Cannon of Florida with Mr. Buckley of New York.
Mr. McKeough with Mr. Dies.
Mr. Barry with Mr. Jacobsen.
Mr. Kee with Mr. Celler.
Mr. Bloom with Mr. Romjue.
Mr. Bonner with Mr. Kelley of Pennsylvania.
Mr. Michael J. Kennedy with Mr. Eliot of Massachusetts.
Mr. Delaney with Mr. Faddis.
Mrs. Norton with Mr. Walter.
Mr. Woodrum of Virginia with Mr. Merritt.
Mr. McGranery with Mrs. Byron.
Mr. Scanlon with Mr. Byrne.
Mr. Joseph L. Pfeifer with Mr. Sheridan.
Mr. Beam with Mr. O'Toole.
Mr. O'Brien of Michigan with Mr. Magnuson.
Mr. Maciejewski with Mr. Tolan.
Mr. West with Mr. Kramer.
Mr. Larrabee with Mr. Smith of West Virginia.
Mr. Sweeney with Mr. Scrugham.
Mr. Sacks with Mr. Mitchell.
Mr. White with Mr. Schaefer of Illinois.
Mr. Smith of Washington with Mr. Worley.
Mrs. O'Day with Mr. Lyndon Johnson.
Mr. Sasscer with Mr. Shannon.

Mr. ROBERTSON of North Dakota changed his vote from "yea" to "nay."

The doors were opened.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE OF DEBT LIMIT OF THE UNITED STATES

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, with Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

There was no objection; and the Speaker appointed the following conferees on the part of the House; Messrs. DOUGHTON, CULLEN, COOPER, CROWTHER, and KNUTSON.

EXTENSION OF REMARKS

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two short articles, one from the American Federationist and the other an article from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Worcester Daily Telegram.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement made today to the press by the Speaker of the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Valparaiso Vidette-Messenger.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a press release I gave out today.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a bulletin.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two different articles.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. GOSSETT]?

There was no objection.

PROFITEERING

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. GOSSETT]?

There was no objection.

Mr. GOSSETT. Mr. Speaker, it is not my practice to insert newspaper editorials in the CONGRESSIONAL RECORD. However, a short editorial in yesterday's Washington News is worthy of reproduction just here:

DON'T TELL MAC ARTHUR

"So live that you can look MacArthur in the eye."

Leaders of the United Auto Workers have just won an arbitration decision in Detroit. It gives them double time in all General Motors plants when the men work on Sundays or holidays, even though this work is merely part of a 40-hour week.

Where would they look if they met MacArthur?

One of the parties seriously affected by this agreement was evidently overlooked or misrepresented in the arbitration award. The American taxpayer is taken for a ride whenever double time is paid for work in war production. In addition to suspending the 40-hour week for the duration, this Congress should immediately enact laws to eliminate all excess profits by industry. Profiteering out of the blood, sweat and tears of this emergency by industry, labor or anyone else is a crime against American civilization.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made by Donald Nelson.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

LEAVE OF ABSENCE

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. PETERSON]?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, the gentleman from Florida [Mr. CANNON] was taken suddenly ill on Tuesday, a week ago with pneumonia. He was taken to the hospital at that time and has been unable to attend up until this time. I am glad to inform the House, however, that he is well on the road to recovery.

I ask unanimous consent that the gentleman from Florida [Mr. CANNON] may be excused from attendance as of Tuesday, a week ago.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. PETERSON]?

There was no objection.

EXTENSION OF REMARKS

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Louisiana Automobile Dealers Association.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

BETHLEHEM SHIPBUILDING YARDS, SAN FRANCISCO

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROLPH. Mr. Speaker, last Saturday Donald M. Nelson telegraphed the workers in Bethlehem Shipbuilding Yards, San Francisco, as follows:

I have been told of your "Give a Sunday" plan. That's the spirit it takes to produce the stuff it takes to win this war. Our goal is continuous operation of the yards 24 hours a day 7 days a week achieved through some form of the rotating shift. Go to it.

The telegram was sent because more than 5,000 of the shipyard workers are willing to give our Government a Sunday's work. These men are offering their services for a day without pay as a contribution to speed the construction of vitally needed ships.

The Bethlehem plant in San Francisco was originally the Union Iron Works where the famous battleship *Oregon* of Spanish-American War days was built.

The shipyard is in my congressional district, and I want the whole country to know of the unselfish patriotic devotion of these ship workers.

STATE SALES TAX BILL

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I desire to enter my protest against the passage of H R. 6750. I have the highest regard for the distinguished chairman and the members of the Ways and Means Committee, but to allow this bill to come on the floor in its present form is, in my opinion, an error as the bill is an encroachment on State rights.

I fully agree that the Federal Government must have some control over State activities in the present emergency, but I certainly cannot reconcile its control of the disposition and uses of the taxes which the State levies.

The great State of Ohio has cooperated and will continue to cooperate in every way with the Federal Government in the prosecution of the war, yet we feel that it is absolutely essential that we maintain our State and local governments. We are administering our sales and use taxes in complete harmony with the War and Navy Departments, and these taxes are imposing no burden on the Federal Government in its war effort. To prohibit Ohio, as this bill would do, from taxing personal property of those having war

contracts, to prohibit Ohio from levying her public utility excise taxes, and to prohibit Ohio from taxing gasoline and liquid fuel used on the highway will deal a serious and unnecessary blow to our State and local governments.

The passage of this bill in its present form will mean an annual loss of revenue to Ohio of over $25,000,000. Of this amount over $11,000,000 annually will be lost to local government in personal property, gasoline, and public-utility excise taxes. It will so reduce gasoline taxes as to make it impossible to properly maintain our highways which are essential for defense. Ohio knows more about the maintenance and construction of Ohio highways than anyone else and, therefore, the system of highway transportation should not be crippled partially or in any degree by the removal of the gasoline and liquid fuel taxes and the motor vehicle license fees as provided in House bill 6750.

Law enforcement is more necessary in wartime than at any other time. If trucks and passenger cars carrying defense workers or products are to be permitted to operate without identification tags, these operations can enter the field of criminal activities and enforcement will break down when it is most needed.

It seems to me that with one hand Washington is pouring money into the States and municipalities—building houses for defense workers, providing money for schools, sewer and water system expansion—and with the other hand, through the Doughton bill to exempt war contractors and subcontractors from various State taxes, is proposing to dry up sources of State revenue and make the subdivisions of Government still less able to take care of their own needs.

I contend that the passage of this bill, in its present form, will impair State and local revenues so that they cannot be replaced. Certainly it would seem unwise during this time of emergency to upset orderly tax structures when the energy and intelligence of national and local officials should be devoted to defense efforts.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New Orleans Item.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE MARCH OF THE LAST COMRADE IS OVER

Mr. WHEAT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WHEAT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an article from the Decatur Review.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WHEAT. Mr. Speaker, the Grand Army of the Republic was founded in Decatur, Ill., on April 6, 1866, by organizing the first encampment of the G. A. R., which was named Dunham Post, No. 1, District of Macon, Department of Illinois, which post has continued to be active until Monday, March 16, 1942, when with the passing of its last member, Comrade C. H. Collins, the affairs of the founding post of the Grand Army of the Republic were brought to a close.

Dunham post was organized on April 6, 1866, on the anniversary of the Battle of Shilo, in which Dr. B. F. Stephenson, its founder, and nearly all of the charter members had taken an active part.

Dr. B. F. Stephenson, Springfield, Ill., had the idea an organization should be created to handle the affairs of the veterans of the Civil War, but unable to get sufficient support for his idea in Springfield he discussed his idea with his friends and comrades in Decatur, Ill., who saw merit in the idea, and thus arose the official organization of the Grand Army of the Republic.

Listed as charter members were Capt. M. F. Kanan, Maj. George R. Steele, George H. Dunning, Col. Isaac C. Pugh, Lt. Col. John H. Nale, J. T. Bishop, C. Riebsame, Dr. J. W. Routh, B. F. Sibley, I. N. Coltrin, Joseph Prior, and A. Toland.

These 12 members gathered around a table on which was placed the Bible, and in the presence of the flag, together with the assistance of a gavel which was later to gain fame, held their first meeting, electing the following officers:

District officers: Commandant, Col. Isaac C. Pugh; quartermaster, Lt. Col. John H. Nale; adjutant, Dr. J. W. Routh.

Dunham Post, No. 1, officers: Post commander, Capt. M. F. Kanan; post adjutant, Maj. George R. Steele; post quartermaster, George H. Dunning; officer of the day, C. Riebsame; officer of the guard, J. T. Bishop; post surgeon, Dr. J. W. Routh.

The G. A. R. became a national organization, and according to the records of the Veterans' Administration, there are at present 1,120 Civil War veterans as of February 28, 1942, in the United States.

The gavel used by this post has a particularly interesting history. It was used at three national conventions of the G. A. R., by Presidents of the United States, Presidents William McKinley, Theodore Roosevelt, and Franklin D. Roosevelt, who were guests at these conventions. This gavel, together with the Bible, flag, and table, all of which were used by the 12 charter members founding the G. A. R. have been preserved by Dunham post until their use in the last rites over the remains of C. H. Collins, who at the time of his death was the only surviving member of the founding post of the Grand Army of the Republic.

The sounding of the gavel at the close of this service not only marked the passing of an honored soldier, but forever closed Dunham Post, No. 1, Decatur, District of Macon, Department of Illinois, which gave birth to the Grand Army of the Republic.

Mr. Speaker, the following article appeared in the Decatur Review on this subject:

[From the Decatur (Ill.) Review of March 16, 1942]

DECATUR G. A. R. POST CLOSED IN COLLINS FUNERAL

Comrade C. H. Collins was buried yesterday.

Funeral services were held in the First Methodist Church and with the services the final chapter of Dunham Post, the first Grand Army of the Republic post in the Nation, was written. Comrade Collins was the last Macon County Civil War veteran.

To Dr. Thomas B. Lugg, pastor of the First Methodist Church, who delivered the funeral sermon, went the unusual honor of closing the post. He performed the task with the words:

"I declare this Dunham Post of Macon County, Ill., closed forever."

Assembled near the pulpit at the church were the table around which the founders of the post gathered, the gavel with which the meeting in 1866 was called together, the Bible used in the lodge room, and a flag that belonged to the post.

CLOSE OF NOTABLE ERA

"We do honor to Mr. Collins and, at the same time, we commemorate the achievements of a great body of loyal and brave men in a rather significant way here this afternoon," Dr. Lugg said. "We come to the close of a great historical era. The G. A. R. was organized with the first chapter of 12 men here at the city of Decatur in 1866."

A particularly impressive part of yesterday's service was the reading by Rev. Mr. Lugg of a service used at the end of each meeting of the Dunham post. The service opened with three knocks of the gavel and those in attendance rose at a single knock of the gavel at the close of the meeting. This ritual was reenacted at the church.

The old gavel is a historic piece in itself. It was used at three G. A. R. national conventions by Presidents of the United States. Presidents William McKinley, Theodore Roosevelt, and Franklin D. Roosevelt all used it.

TWENTY-THREE ORGANIZATIONS REPRESENTED

Attending the funeral were members from 23 local patriotic organizations. Flowers from friends of Mr. Collins and from organizations were banked behind the coffin at the church and at the cemetery.

The traditional G. A. R. service given Union Army veterans was read by five Spanish-American War veterans, who also fired a salute at the graveside. Spanish-American War veterans who took part in the service were Charles Krohn, Ed Duvall, Everett Beeman, Earl Seiberling, and Theodore Maxey.

Among the 400 persons attending the service was Hiram H. Schumate, of Riverton, 94-year-old commander of the State G. A. R. organization. Serving as his escorts for the day were Commander Curtis Funkhouser, of the local chapter of the Veterans of Foreign Wars, and Commander Wilbur Lytle, of the Castle Williams post, American Legion.

FLAG GIVEN TO GRANDSON

Mayor Charles E. Lee and the city commissioners attended the services.

A flag that was placed over the Union soldier's coffin was furnished by the Government. At the conclusion of the service, it was given to Ralph D. Collins, a grandson of the veteran.

Music for the service was furnished by Harry Barber and Freeman Wilmeth. Taps was sounded by Lewis Grubb, bugler for the Veterans of Foreign Wars post.

The burial service, permitted on Sunday as a special tribute to Mr. Collins, was closed with the words:

"The march of the last comrade is over."

EXTENSION OF REMARKS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article on labor legislation, by Mark Sullivan, appearing in this morning's Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a poem by the gentleman from Alabama, Mr. LUTHER PATRICK, entitled "MacArthur and the Star-Spangled Flag."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the scholarly address delivered by the distinguished majority leader, the Honorable JOHN W. MCCORMACK, of Massachusetts, at the Founders' Day convocation at Boston University, at which time there was conferred upon the majority leader the honorary degree of doctor of laws.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a memorandum of an address scheduled to be delivered today by Mr. A. P. Nonweiler before the small business conference at Chicago, relating to the problems of small business.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the fuel situation in New England, and to include in that connection a telegram sent to the Secretary of the Interior and a public statement, both signed jointly by the six New England Governors.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SOUTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Roger Babson.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent that at the conclusion of the special order this afternoon I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ORGANIZING OF FARMERS IN THE UNITED STATES

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, it is my considered opinion that loyal labor and responsible unionism in the United States do not approve of efforts in the war period to bring about a highly organized campaign to enroll within any labor organization those groups not now holding membership.

The United Mine Workers, through a branch of that organization, is carrying forward a high-pressure campaign to organize all the dairy farmers of the Nation. In the expression of one of the organizers, uttered yesterday, they mean to expand the drive to cover all the farmers of the United States.

Mr. Speaker, I believe firmly in workers organizing for their benefit and mutual well-being. They have this right, and it is also a responsibility. I shall fight with them to keep this power. Now, however, we should bend every effort to produce—not use the war to organize.

EXTENSION OF REMARKS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter on national defense by Mr. Fred C. Bernhard, of Des Moines, Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an address recently made by the Attorney General, Hon. Francis Biddle, at the Founders' Day celebration of the Boston University School of Law.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Arkansas [Mr. GATHINGS] is recognized for 20 minutes.

Mr. GATHINGS. Mr. Speaker, with our country engaged in a fight for its very existence, in which we have drafted the flower of our youth into the armed forces, there is no place for disputes, labor stoppages, and strikes in defense industries. The munitions of war must be produced in ever-increasing numbers in order to meet the needs of our Army, the Navy, and our allies in the fight against the Axis Powers. The people of America have not been complacent about the existing conditions with respect to the precious hours lost due to strikes in defense plants in the past several months. They have, on the other hand, continuously urged the President, the Congress, labor, and management to take the necessary steps to stop strikes for the duration of the emergency.

To my way of thinking, a man who would walk away from his employment in a defense plant that is engaged in the construction of ships, airplanes, tanks, munitions, or other essentials for the successful prosecution of the war is guilty of an act unbecoming an American. The worker is not responsible for the greater part of the loss of the productivity of the defense plants due to strikes, since a great number of the strikes have been caused by disputes between unions on the question of which union should be given the right to organize a specific group of workers of the plant and a dispute over the closed-shop issue and other causes. Mr. Speaker, I can see no place under our system of government that would compel a man to pay initiation fees to a union before he can work in a defense plant to produce war supplies for his country.

Mr. NORRELL. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. I yield to my friend and colleague from Arkansas.

Mr. NORRELL. I want to take this opportunity to compliment the gentleman for his vigorous efforts to stop strikes and to have continuous production in this country. I know of no Member of the House who has done more. In that connection may I ask the gentleman if he knows anything the House can do that has not been done to remedy this situation?

Mr. GATHINGS. Yes; I will say to the gentleman that a little further along in my remarks I am going to discuss that very proposition. There have been two bills introduced in the House this week by the gentleman from Virginia [Mr. SMITH], and I do hope that those bills receive immediate attention and consideration at the hands of the House. I want to say to the gentleman that he, too, has supported all measures providing for continuous, uninterrupted, and maximum production in our war effort.

On September 8, 1939, the President declared a limited national emergency. On May 27, 1941, the President declared an unlimited national emergency existed and called for a continuous production along the assembly lines of all the defense plants of the country. In the month of June 1941, following the President's declaration in May of the same year, there

were 1,375,000 man-days, not hours, lost in national defense industries in this country due to strikes. In July 1941, the second month after the declaration of an existence of a national emergency, there were 1,300,000 man-days lost due to the existence of strikes. Nor have these strikes ceased since the attack made on Pearl Harbor on December 7, 1941. In the month of January 1942 there were 155 strikes, involving 32,500 workers, with 390,000 man-days lost. According to the information that I have obtained, the number of strikes rose appreciably in February 1942, involving the loss in man-hours of 2,028,824 in war industry strikes alone.

Mr. CASEY of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. I yield.

Mr. CASEY of Massachusetts. In view of the fact that a speaker made the statement this morning that as of March 17, in the entire country, there were only 100 on strike out of 6,000,000 working on war production, does not the gentleman think he is tilting at windmills in making these remarks? Never before has labor been so coordinated and working in such unison for a total, all-out effort against totalitarian nations. Why should we keep agitating the subject?

Mr. GATHINGS. I want to say to the gentleman that these figures I have were obtained from the labor branch of the War Production Board, and if we have lost 1 hour, if we have lost 1 minute, due to strikes, that ought to be stopped and stopped now by this Congress. I will ask the gentleman to help us to do it.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman.

Mr. RANDOLPH. Instead of tilting at windmills the American people are determined that the windmills continue to turn in our war industries. It is also noteworthy to recognize that the head of the C. I. O., Mr. Murray, and the head of the A. F. of L., Mr. Green, had to take occasion yesterday, after a conference at the White House, to once again reassure the country that now they were against strikes in defense plants, and promised to see to it that none occur.

Mr. GATHINGS. Regardless of what has been said on the part of those leaders, I say that the strikes continue and such strikes must be stopped, and I am mighty glad to get the reaction of the distinguished gentleman from West Virginia, who is a member of the Labor Committee of the House. I recognize that you speak as a friend of labor who for 9 years has fought for the workingman.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. I yield.

Mr. HOFFMAN. Whether any time is now being lost by strikes, is it not a fact that at the present time these unions and their members are demanding that if they work 1 hour more than 40 hours a week to support our armed forces, they must be paid pay and a half for every extra hour, and if they work on Sundays or holidays, they insist upon double pay? What kind of patriotism is that?

Mr. GATHINGS. I am going to get to that very thing if I am given the opportunity. I appreciate the remarks of the gentleman.

In the month of April 1941 the Military Affairs Committee of the House investigated the strike situation and called before it all of the Government officials in charge of the labor and production program. Let us see the feeling of those officials on this important issue. I have here questions and answers taken from the hearings on the inquiry as to national defense construction before the House Military Affairs Committee. The first witness was Mr. John D. Biggers, Director, Division of Production, Office of Production Management. On page 46 of the hearings Mr. COSTELLO asked the question and continues:

The reason I asked that is because legislation looking to that end has been introduced in Congress, and I am interested in knowing whether your organization approves such legislation or not.

Mr. BIGGERS. I think that is a very interesting and important question, and I would prefer that you take it up with Mr. Knudsen and Mr. Hillman, who have the direct responsibility of handling this situation and of finally determining the policies, I being their subordinate.

On page 65 of the hearings, Mr. SPARKMAN, of Alabama, asked Mr. William H. Davis, Chairman of the National Defense Mediation Board, the following question:

Mr. SPARKMAN. Do you believe that it would be wise to enact legislation which would cover all of those cases?

Mr. DAVIS. No, sir; I do not.

On page 116 of the hearings, Mr. THOMASON, of Texas, asked Mr. Sidney Hillman, the then Associate Director of Office of Production Management, the following question:

Mr. THOMASON. Do you think any legislation is necessary along that line?

Mr. HILLMAN. I believe, Congressman, that we will get better results without legislation That is my considered judgment. I believe that the Mediation Board, if we cannot handle it the other way, is amply prepared to handle it.

On page 173 of the hearings, Mr. FADDIS, of Pennsylvania, asked Secretary Francis Perkins the following question:

Mr. FADDIS. You say you can think of no legislation which Congress might enact that might help out the present situation?

Secretary PERKINS. I cannot think of any: no, sir.

On page 231 of the hearings, Mr. SHAFER, of Michigan, asked Mr. William Knudsen, who was Director of Office of Production Management at that time, the following question:

Mr. SHAFER. Do you think there should be a law, or that it would be necessary to have a law to accomplish that?

Mr. KNUDSEN. If it cannot be arranged in any other way, there should be a law; yes, sir.

Mr. THOMASON asked Mr. John O'Brian, general counsel for O. P. M. on page 236 of the hearings this question:

Mr. THOMASON. I would appreciate any statement you care to make s to whether or not legislation is needed or advisable at this time in the present crisis in order to solve this unfortunate labor situation that has developed within the last few weeks, affecting the national-defense program

Mr. O'BRIAN. My views on that subject are entirely in accord with those Mr. Knudsen has expressed. I would approach that with hesitation. As counsel for the Office of Production Management, I do not advise on matters of policy, but matters of policy are disposed of by the Secretary of War, the Secretary of the Navy, Mr. Knudsen, and Mr. Hillman.

Mr. THOMASON asked Mr. Donald Nelson, who was director of purchases, O. P. M., at that time, the following question found on page 243 of the hearings:

Mr. THOMASON. Now, in connection with management, and you as a businessman know what is meant by that particular designation, this committee was commissioned to find out if legislation is needed to cure this situation and if it requires legislation, in your opinion, will you give us the benefit of your ideas, from the standpoint of big business, and I use that term in no critical sense at all?

Mr. NELSON. I understand. Of course, my theory is, and I have followed this question of these relationships with labor for a great many years, and I have always deplored the theory of trying to settle labor difficulties by legislation, I feel that public opinion is the thing that in the final analysis will adjust labor disputes.

Now this testimony was given, bear in mind, in April 1941, when there were 7,800,000 man-days lost due to strikes. Mr. Knudsen was the only one of those called before us to testify on the need for strike legislation who finally admitted that a cooling-off period was desired. There are those who have eyes but cannot see and ears but cannot hear. What are we coming to in America when we sit idly by and not attempt to remedy the situation? And let me say that I cast no reflection on Mr. Nelson as Director of W. P. B. as I believe he is conscientiously trying to get results. I believe that the immediate removal of Madam Frances Perkins as Secretary of Labor and the removal of Sidney Hillman, Director of the Labor Division of the War Production Board, would bring unity out of chaos and restore confidence in the people of the country that Washington intends to see this thing through. These offices should be filled by public-spirited men who will deal with the problems facing their departments realistically, and who would not have the interest of either labor or management at heart, but only the welfare and future of 130,000,000 people. This is no time to expound social theories and social gains. We must lend our every effort to the one and only great problem with which we are confronted, the successful prosecution of this war.

Mr. Speaker, I have fought for months to stop these strikes. I was one of the first outspoken Members of Congress to denounce national defense production delays and tie-ups of the program, due to the walk-outs from any cause in defense plants.

On Friday, August 22, 1941, at Huntsville, Ala., I said:

If we don't stop strikes we'll never lick Hitler. Labor unions must be curbed to a certain extent or else this Nation will fall as did France. Our Nation has failed to enact any legislation to stop strikes in defense plants.

These quotations were carried in the Huntsville Times on Sunday morning, August 24, 1941. The Huntsville paper

had this further to say with regard to my remarks on the strike situation:

A young Arkansas Congressman made the welkin ring and drew shouts of approval that made the rafters almost rattle when he denounced strikes in defense industries, Friday night, before a crowd that filled the ballroom of the Russel-Erskine Hotel here.

He hit straight from the shoulder, pulled no punches, in saying that national defense is gravely imperiled by this unending series of walk-outs and stoppages of production.

And every word was so.

In a speech at Vanndale, Ark., on September 18, 1941, as quoted by the Wynne Daily Star-Progress, I said:

A Federal law is needed to curb strikes which are holding up defense work.

Further, the paper quoted me as saying that millions of working hours had been lost because of strikes.

In the Lepanto News Record of September 26, 1941, in an address before the Annual Terrapin Derby at Lepanto, Ark., on September 24, I was quoted as saying:

It is time to call a definite halt on the strikes.

During the captive coal mine dispute in which John L. Lewis was adamant in his demands for a union shop, which resulted in a general strike involving 53,000 coal miners, I wrote the President of the United States on November 15, 1941, and asked for his support of legislation that would put an end to work stoppages in defense plants. I quote from the letter:

DEAR MR. PRESIDENT: The strike situation continues to imperil the safety and security of our country, and it is even more serious today than when I discussed this matter with you a few days ago. I feel that I am expressing the views of practically the unanimous citizenship of the First District of Arkansas, which I have the honor to represent, when I say that strikes and work stoppages in plants filling defense contracts must end, and now, if Hitlerism is to be defeated. The American people's patience is wearing to a very thin edge when labor leaders of the John L. Lewis stripe continue to sabotage the defense efforts of this country. We all realize that labor has certain rights and that these rights are to be protected, but in these critical times some legislative safeguard regarding strikes should be thrown up, particularly in reference to our defense program. I am of the firm belief that the great mass of defense workers is primarily interested in the advancement of the defense program. The mail that I am receiving from my district and the State of Arkansas discloses that the people demand action at once against the further encroachment of labor gangsters in connection with our defense efforts.

I do not favor recessing or adjournment of the Congress until drastic strike legislation shall have been enacted. I urge that you confer with Speaker SAM RAYBURN and Majority Leader JOHN W MCCORMACK and demand the immediate passage through Congress of urgent legislation that will assure continued and uninterrupted production of direly needed essentials in our national defense program. I am confident that without your full and complete support, it would be difficult—and probably impossible—to enact this needed legislation, since every effort that we Members of Congress, who have worked tirelessly for several months in behalf of proposals to prevent the loss in production by strikes, has been futile.

According to the figures which I have obtained from the Department of Labor, there was a loss of 15,750,000 man-days due to strikes for the first 7 months in the year 1941. The war goods that would have been produced had there been no strikes during 1941 would have prevented many of the successes of the Hitler advance and furnished needed weapons to the armed forces of the United States.

I listened with great interest to the speech of Hon. SAM RAYBURN on the floor of the House during the debate of the neutrality repeal bill He quoted a letter from you which said, "This Government proposes to see this thing through." I am wholeheartedly in accord; but the people are interested in being assured that no interruptions through labor disputes will continue in the future. A specific request on your part to congressional leaders for the passage of a bill to stop defense strikes would unify America for the great trials and sacrifices that lie ahead.

With the hope that you will give this matter your immediate attention, I am,

Sincerely yours,

E. C. GATHINGS.

We, who are Members of the House of Representatives, while we have met with reversals at times, have passed many important measures through the House which would, in my opinion, assure continuous production of war needs and stop the strikes, only to find that our efforts have been thwarted by a recalcitrant Senate and an administration that has turned a deaf ear to our urgent pleas for action to stop these strikes. Let us review some of the accomplishments that have been made by the House of Representatives in dealing with this and kindred issues. Here is the record:

On June 3, 1940, H. R. 9766, a bill for the deportation of Harry Bridges, passed the House of Representatives by a vote of 329 to 42. The bill was transmitted to the Senate, where no action was taken on it and where it died with the end of the Seventy-sixth Congress.

On June 7, 1940, H. R. 9195, known as the Smith amendments to the Wagner Labor Act, passed the House of Representatives by a vote of 258 to 128. The bill went to the Senate, where it was sent to the Committee on Education and Labor; it remained there and died with the end of the Seventy-sixth Congress. This bill was designed to correct mistakes and errors in the Wagner Labor Act.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. Yes.

Mr. RANDOLPH. Without attempting to point the finger of criticism at any other body or individual that voted on the subject of the deportation of Harry Bridges, I think that in the years to come the action of the House of Representatives on two occasions in voting for the deportation of this man will stand to the credit of the Members who did so.

Mr. GATHINGS. I appreciate this expression on the part of the gentleman from West Virginia and believe with you that a vote to deport an alien agitator is commendable in any Member.

On October 6, 1941, H. R. 1644, for the deportation of Harry Bridges, was passed by an overwhelming vote in the House and was sent to the Senate, where it is still before the committee there.

On December 3, 1941, H. R. 4139, known as the Smith antistrike bill, passed the House by a vote of 252 to 136. It immediately went to the Senate and has remained there in committee ever since. This bill requires an initial 30 days' notice of intention of defense plant employees to strike or of defense contractors to conduct a lock-out. It provides for a secret ballot of employees in a plant under Government supervision before a strike can be called; freezes closed- and open-shop conditions as they now exist in a defense plant; prohibits violence or intimidation of workers on defense contracts, interference with those desiring to work or use of nonemployees to picket or break strikes; outlaws jurisdictional walk-outs, labor boycotts, or sympathy strikes; violation of any of these restrictions were made subject to the injunctive power of the courts, and violation of injunctions would be subject to contempt of court action; violators further lost status under the National Labor Relations Act, and forfeit the right to Federal relief money or benefits under the Social Security Act, including unemployment compensation; unions which knowingly permitted felons, members of the Communist Party, the Young Communist League, or the German-American Bund to serve as officers lose Wagner Act status; labor unions compelled to register with the N. L. R. B. a full statement of membership, officers, dues, fees, and finances, under penalty for failure of losing Wagner and Norris-LaGuardia Act rights—Ramspeck bill features retained—give the National Defense Mediation Board statutory powers, with the right to take jurisdiction in disputes without certification and authority to stay strikes 60 days during mediation.

On February 27, 1942, an amendment for the suspension of the 40-hour week during the period of the war was defeated in the House by a teller vote of 226 to 62.

I supported and voted for all of these measures.

The gallant soldiers in Australia and on the island of Corregidor are not asking for a 40-hour week. The farmer has no 40-hour-week law. He must now put in a longer and a harder day than ever before because his sons are being drafted and his hired men are being lured away to jobs in defense plants where they will receive higher wages. He will patriotically do the very best that he can to produce food and fiber with which to win the war. Last week I drew a petition to be circulated urging immediate action by the committee in charge of the bill on the suspension of the 40-hour-week law. I am delighted that since the introduction by the gentleman from Virginia [Mr. SMITH] of two 40-hour suspension bills this week, it is needless to proceed further with the petition. One of the bills applies to Navy contracts and is before the Committee on Naval Affairs. The other bill applies to war contracts and is before the Committee on Military Affairs. The gentleman from Georgia, Chairman VINSON, of the Naval Affairs Committee, has set Thursday of this week for hearings on this legislation. I have conferred with the gentleman from Kentucky, Chairman MAY, of the Military Affairs Committee, with respect to the bill before his committee and have been assured by him that the matter would

receive immediate attention in his committee.

With our way of life and our very existence hanging by a thread, it is essential that the 40-hour-week law be suspended for the duration of the war. This, in my judgment, is the only way to outstrip the Axis in the production of war materials. I recently read in the Washington papers a statement of Admiral Thomas C. Hart which attributed Japan's sweeping successes thus far to "the same old thing," supremacy in the air through all of the fighting. Our boys are crying for more guns, more ships, more planes, and more ammunition. Every work hour and every workday must be utilized to the fullest in order to place in the hands of the fighting forces of this country the weapons necessary to bring victory. Social gains should be relegated to oblivion while we are engaged in the greatest battle our country has ever faced for the preservation of liberty and freedom. The Smith bills should be enacted into law without further delay, and excess profits on war contracts should be eliminated.

Mr. HARRIS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. Yes; I yield to the gentleman from Arkansas.

Mr. HARRIS of Arkansas. We have all noted the bringing of General MacArthur out of the Philippines and putting him in command of the Southwest forces. That will be a stabilizing influence on the people of the United States. Does the gentleman not think that if we could by some action assure the production of matériel to send to our soldiers that it would have an additional stabilizing influence on the people of the whole Nation?

Mr. GATHINGS. I think so, and Mr. Speaker, I thank the gentleman for his contribution.

I yield back the remainder of my time.

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. BECKWORTH] is recognized for 10 minutes.

PRODUCTION IN THE WAR EFFORT

Mr. BECKWORTH. Mr. Speaker, for many months I have been devoting much time, attention, and effort to the problem of delays in our national defense and offense program.

The President of the United States announced the policy of our Government with reference to delays many months ago.

I herewith submit a letter written by the Secretary of Labor, November 27, 1940:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, November 27, 1940.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: Your letter to the President concerning the strike at the Vultee airplane plant, Downey, Calif., was referred to me so that you might be informed as to what the Government was doing to bring about a settlement. John R. Steelman, Director of Conciliation of this Department, settled the controversy yesterday, and work has been resumed in the plant.

As you know, the President announced yesterday, following a conference with Army, Navy, and labor representatives, that it is the policy of the Government to keep factories engaged in defense work open and that the problem of dealing with the labor situation in connection with national defense is under daily consideration.

Very truly yours,

FRANCES PERKINS.

Some 4 months after November 27, 1940, because numerous delays were transpiring, I requested the Chief Executive to state to me whether or not in his opinion the authorities of our Government possessed power to prevent strikes and delays. The two letters which follow verify this fact:

THE WHITE HOUSE,
Washington, April 19, 1941.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: I have your letter of April 9, 1941, inquiring as to the authority now possessed by the Federal Government to terminate delays resulting from industrial disputes in the event the Conciliation Service and the National Defense Mediation Board are unable to effect a settlement.

I have asked the Secretary of Labor to go into this question and to reply to your inquiry.

Sincerely,

FRANKLIN D. ROOSEVELT.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, April 23, 1941.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: The President has referred to me for reply your letter dated April 9 inquiring as to the authority now possessed by the Federal Government to terminate delays resulting from industrial disputes which the Conciliation Service and the National Defense Mediation Board are unable to settle.

I have asked the Solicitor of Labor to go into this matter and as soon as his investigation is completed I shall be glad to communicate further with you.

Sincerely,

FRANCES PERKINS.

The question often has been asked, "Do the authorities of our Government have the power to prevent these delays?" Mr. Gerard D. Reilly, the Solicitor of Labor, answered this question in a letter to me, written May 8, 1941. He concludes by saying:

> And, finally, for the occasional situation in which both prevention and impartial mediation are unsuccessful, the Government has authority to step in and act directly to assure resumption of production or an adequate alternative source of supply.

After I received the statement by Mr. Reilly, written May 8, 1941, which concludes with the above-quoted statement, I asked the Secretary of Labor whether or not she concurred with Mr. Reilly. She answered my inquiry May 10, 1941, with the following letter:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, May 10, 1941

The Honorable LINDLEY BECKWORTH, M. C.,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: I have your inquiry with regard to my concurrence in the opinion in the memorandum which I sent you yesterday, the memorandum having been prepared by the Solicitor of the Department.

In response to your original inquiry I asked the Solicitor to make a study of the various possible types of authority available to the Federal Government to bring about termination of delays resulting from industrial disputes which it was assumed had not been or could not be settled by the Conciliation Service and the Defense Mediation Board.

Mr. Reilly, Solicitor of the Department of Labor, made a report summing up a variety of powers and remedies which the Government has under existing law. It is in no way a statement of views or private opinions, but an exploration of all of the legal powers which the Government has under a variety of statutes. I believe this to be a correct summary.

Sincerely yours,

FRANCES PERKINS

The official communications to which I have referred clearly state the President announced November 26, 1940, "that it is the policy of the Government to keep factories engaged in defense work open," and according to the Secretary of Labor and the Solicitor of Labor, that "the Government has authority to step in and act directly to assure resumption of production."

To be as certain as possible concerning the need of additional legislation, I again wrote the President and the Secretary of Labor letters November 7, 1941; I wrote still another similar letter to the Secretary of Labor November 18, 1941. The answers to my letters follow:

THE WHITE HOUSE,
Washington, November 18, 1941.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

MY DEAR MR. BECKWORTH: Your letter to the President of November 7 has been received, as well as the extension of your remarks in the CONGRESSIONAL RECORD.

The President is giving very thoughtful consideration to all suggestions for legislation which will overcome delays in the production program due to any cause.

Thank you for your letter.

Very sincerely yours,

EDWIN M. WATSON,
Secretary to the President.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, November 19, 1941.

The Honorable LINDLEY BECKWORTH, M. C.,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: I have your letter of November 18 and note that you are asking me a question: "Is it still your opinion that no legislation is needed to prevent delays in national defense industries?"

All suggestions for legislative remedies are being given close consideration for practicality, administrative possibilities, constitutional effects, as well as for desirability.

Yours very truly,

FRANCES PERKINS.

Obviously, from the foregoing communications the authorities of the executive branch of our Government refer only to the fact that consideration is being given the question of delay. This has been the situation for more than 15 months, according to the record, as here portrayed. And the situation has not changed, according to the press today, March 18, 1942. I quote the second paragraph of a front-page story concerning strikes which appeared in the Washington Post today:

Telling reporters at his press conference of conversations earlier in the day with his union labor war cabinet, Mr. Roosevelt said he did not believe the country needed further legislation at this time, since such things should not be rushed when they are going pretty well

This same news story is partly headlined with the words, President Defends 40-Hour Week.

Although the authorities of the Executive branch of our Government have made the positive statements they have power to insure uninterrupted production, many Members of the House of Representatives, being anxious to provide our armed forces with an abundance of arms, ammunition, and implements of war, and feeling that delays and strikes should completely cease, have endeavored constantly to enact legislation to make as certain as possible that no slow-down or let-up in production would characterize our war effort. I am glad to say I have had a part in each of these efforts to prevent delays, as the CONGRESSIONAL RECORD will disclose. I wish to refer to some examples of the efforts which some of the Members of the House have made. On July 29, 1941, I was one of the 114 Members of the House of Representatives who voted for legislation to prevent delays in our national defense program; however, 255 Members of the House voted a different vote to that cast by me. On December 3, 1941, more than 3 months ago, the House passed a strong bill designed to prevent delays; I supported the bill which passed by a vote of almost 2 to 1 The bill, if enacted into law, would be very effective, but it has never been acted on by the Senate. Besides provisions with reference to the closed shop, labor-leader racketeering, and jurisdictional strikes, and so forth, the bill contains a section that deals with the problem of extortionate fees which are being charged those sincere and patriotic citizens who demand the right to work.

House Members frequently inquire as to why the Senate does not consider the bill we sent them more than 3 months ago. I cannot answer this question; however, I wish to insert in the RECORD at this point an excerpt from a news item which appeared in the Washington Post March 5, 1942. The pertinent portion reads:

Secretary of Labor Perkins will be called before the Senate Education and Labor Committee next week 'for information" on the defense labor situation, Chairman ELBERT D. THOMAS of Utah disclosed last night.

Senator THOMAS of Utah said Miss Perkins was invited "merely because we wish to keep ourselves informed" and not because the committee was contemplating any labor legislation.

THOMAS personally opposed legislation as "untimely" and said there was no likelihood of the House-approved Smith bill, drastically regulating unions during the emergency, ever clearing his committee.

"If the committee reported it and it passed the Senate, I think the House would repudiate its former approval when it went back to them," said THOMAS. "My opinion is that things are proceeding satisfactorily under the National War Labor Board."

Many of the American people are in accord with the sentiment expressed in the telegram I herewith quote:

CARTHAGE, TEX., *March 16, 1942.*

Hon. LINDLEY BECKWORTH:

Six million Texans expect General MacArthur to be saved. War profits and 40-hour weeks for management and labor must go by the board. Let's do something about it.

R. G. BROWN.

I now strongly urge the Senate to consider the legislation which we sent them more than 3 months ago.

Work is the secret weapon of any nation. All of our plants must operate not merely 40 hours per week, but to the fullest capacity, the type of capacity described and urged by Production Director Donald M. Nelson, March 10, 1942, in the following news item:

[From the Washington Post of March 11, 1942]

BLASTS PART-TIME USE

The public, Nelson said, is far from complacent and wants production with such "intensity of feeling" that it will make sure it gets it "one way or another."

Indicating the possibilities of the drive he announced last week to raise existing production rates by 25 percent, Nelson said that if all equipment now involved in war production were used 24 hours a day, 7 days a week, "we would practically double the man-hours" now going into military production.

Nelson noted that 20 percent of American war plants now operate only 5 days or 5½ days a week. Many plants, he added, closed on Sundays. In many others, the second shift uses only 40 percent of the plant facilities, and the third shifts use only 20 percent.

This, he concluded, means that thousands of machines needed for munitions work now stand idle part or all of every week end and from 8 to 16 hours every week day.

In another illustration, the production boss said that if the facilities of all the Nation's 31 aircraft engine and propeller plants were used to the same extent as those of the three with the best records, production could be increased immediately by 25 percent.

Similarly, if all of America's 153 machine-tool factories operated at the same level of utilization as the top three, machine-tool output would be stepped up by 45 percent he said.

I desire to say, on February 27, 1942, I was one of the 62 Members of Congress who by standing vote supported legislation to permit people to work more than 40 hours per week in national defense industries throughout the duration of the war.

The people of this Nation at this very moment are praying to God to give them enough strength to work not just 40 hours per week, but enough strength to work as many hours of every day, week, and month as is needed to defeat the Axis Powers.

Not long ago the Congress of our Nation approved an appropriations bill for approximately $32,000,000,000, the largest ever passed by Congress; this bill constitutes the major answer of the greatest democracy, America, to the dictators and oppressors of people. By it and similar bills we are evidencing that we had rather have victory at any cost than peace at any price. Deplorable it is that some unjustifiable waste and extravagance have characterized our defense and victory effort up to now; nothing is more reprehensible than war profiteering. It is my sincere hope that not one penny of the $32,000,000,000 or sums to be later appropriated will be wasted and that the small businessman who is now faced with the greatest difficulties ever confronted by him will be permitted to participate in our all-out program of production to the end that delivery of arms, ammunition, and implements of war may be hastened and that President Roosevelt's policy enunciated January 6, 1942, when he delivered his most recent message to Congress may be carried out. His words were:

We must convert every available plant and tool to war production. That goes all the way from the greatest plants to the smallest—from the huge automobile industry to the village machine shop.

May this policy soon be carried out.

Paraphrasing lines we all often have heard, I would say in this day of mechanized warfare that—

Heights of nations reached and kept
Were not attained by sudden flight
But they while other nations slept
Were toiling onward in the night.

Indeed, the people of our Nation in this uncertain and tragic hour must be toiling onward in the night.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a letter and some brief news articles.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. HOOK, for 10 days, on account of important business.

To Mr. SHANLEY (at the request of Mr. DOWNS), for today, on account of official business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1669. An act for the relief of James Franklin Smith;

S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr.; James Rudolph Phillips; Katherine Phillips; Richard Eugene Phillips; Charles Ray Phillips; and David Delano Phillips;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley; and

S. 2063. An act to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere.

ADJOURNMENT

Mr. O'NEAL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p. m.) the House adjourned until tomorrow, Thursday, March 19, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on

Thursday, March 19, 1942, at 10 a. m., for consideration of H. R. 6483. The hearing will be held in room 1304, New House Office Building.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet at 10: 30 a. m., Thursday, March 19, room 353, House Office Building, for the further consideration of H. R. 6522.

COMMITTEE ON THE JUDICIARY

On Saturday, March 21, 1942, at 10 a. m., hearings will be resumed on H. R. 6444, to provide for the registration of labor organizations, business and trade associations, and so forth, before subcommittee No. 3 of the Committee on the Judiciary. The hearings will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1514. A communication from the President of the United States, transmitting emergency supplemental estimates of appropriations, totaling $17,579,311,253, fiscal year 1942, to remain available until June 30, 1943, for the military activities of the War Department, together with five drafts of proposed provisions (H. Doc. No. 680); to the Committee on Appropriations and ordered to be printed.

1515. A letter from the Secretary of War, transmitting a draft of a proposed bill to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs arising out of the present war; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. H. R. 6738. A bill to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; without amendment (Rept. No. 1908). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 6782. A bill to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes; without amendment (Rept. No. 1909). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 6156. A bill to amend section 321, title III, part II, Transportation act of 1940, with respect to the movement of Government traffic; without amendment (Rept. No. 1910). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H. R. 6806. A bill providing for the registration of women between the ages of 18 and 65 under the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. MAAS:

H. R. 6807. A bill to establish a Women's Auxiliary Reserve in the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. HOFFMAN:

H. R. 6808. A bill to in part compensate the men in the armed forces of the United States who are serving in combat units in combat areas; to the Committee on Military Affairs.

By Mr. CELLER:

H. R. 6809. A bill for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H. Res. 460. Resolution that the manuscript entitled "Benefits Available to Officers and Enlisted Men and Their Dependents, Under Laws Administered by the Veterans' Administration," be printed as a public document; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Indiana:

H. R. 6810. A bill granting a pension to Amelia Branson; to the Committee on Invalid Pensions.

By Mr. REECE of Tennessee:

H. R. 6811. A bill for the relief of Fred Henry; to the Committee on Claims.

H. R. 6812. A bill for the relief of Robert C. Duff; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2575. By Mr. DIRKSEN: Petition of 150 citizens of Delavan, Ill., advocating the enactment of Senate bill 860; to the Committee on Military Affairs.

2576. By Mr. LUTHER A. JOHNSON: Petition of Datus E. Proper, executive vice president, Texas Good Roads Association, Austin, Tex., opposing House bill 6750; to the Committee on Rules.

2577. By Mr. KRAMER: Petition of the Board of Supervisors of the County of Los Angeles, Los Angeles, Calif., requesting the Work Projects Administration in Washington to fully utilize, consistent with the interests of the national defense, various Work Projects Administration music projects to the end that their personnel may not be unwisely dispersed; to the Committee on Ways and Means.

2578. Also, petition of the Lions Club of Los Angeles, Calif., demanding that all Japanese, both alien and American, be immediately removed from Pacific coast areas and from defense areas of the Territory of Hawaii, to prevent sabotage and espionage; to the Committee on Military Affairs.

2579. By Mr. McGREGOR: Petition of Richard F. Farley, of Mount Vernon, Ohio, and approximately 70 other residents of Knox County, Ohio, urging the immediate passage of Senate bill 860, known as the Sheppard bill, to preserve the health, welfare, and safety of our armed forces by preventing the sale of beer in our Army camps and the sale of hard liquor and the establishment of houses of prostitution in the vicinity of Army camps; to the Committee on Military Affairs.

SENATE

THURSDAY, MARCH 19, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God and Heavenly Father, who dost suffer us to be tempted in order that we may be strong: Lay not more upon us than Thou wilt enable us to bear, and if Thou sendest weakness, yet, for Thy mercy's sake, deny us not the comfort of true patience, since the fretfulness of our spirits is frequently more hurtful than the heaviness of our burdens. And, as Thy servant asked of old, do Thou, O Christ, teach us to serve Thee as Thou deservest; to give and not to count the cost; to fight and not to heed the wounds; to toil and not to seek for rest; to labor nor to seek reward save that of knowing that we do God's will.

Holy Spirit, whose guidance we invoke, take from our hearts all semblance of self-pity or excuse; enlighten our minds with Thy vision of honor, purity, and love; give to our whole being the power so to fight our besetting sin that, though we be scarred, we may win the victory of our Master, Jesus Christ, to whom with Thee and the Father be the loyalty and devotion of our lives, now and forever. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, March 18, 1942, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. CULLEN, Mr. COOPER, Mr. CROWTHER, and Mr. KNUTSON were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6302) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to

the following enrolled bills, and they were signed by the Vice President:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1669. An act for the relief of James Franklin Smith;

S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria García, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley;

S. 2063. An act to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere; and

S. 2198. An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Holman	Russell
Brooks	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Burton	La Follette	Smith
Butler	Langer	Spencer
Byrd	Lee	Stewart
Capper	Lucas	Taft
Caraway	McCarran	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Walsh
Ellender	Murray	Wheeler
George	Nye	White
Gerry	O'Daniel	Willis

Mr. BARKLEY. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Alabama [Mr. HILL] is detained on public business.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Jersey [Mr. BARBOUR] is an honorary pallbearer at the funeral of a friend, and therefore is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by a meeting of citizens of southwest Washington, held under the auspices of the Southwest Civic Association, favoring the prompt abolition of the Alley Dwelling Authority for the District and the substitution therefor of a housing board to be under the Commissioners of the District of Columbia; to the Committee on the District of Columbia.

A resolution adopted by the Pan American League at Miami, Fla., favoring repeal of the 40-hour-week provision of the wage-and-hour law or any other legislation which may handicap or limit a hundred percent, 24-hour-a-day, 7-day-a-week war production effort, and also favoring the enactment of such legislation as will assure the fullest production of ships and other war materials during the existing war emergency; to the Committee on Education and Labor.

A resolution adopted by the executive committee of the Filipino National Alliance in San Francisco, Calif., favoring the enactment of the so-called Marcantonio bill, to authorize the naturalization of Filipinos who are permanent residents of the United States; to the Committee on Immigration.

A resolution unanimously adopted by a meeting of Local No. 443, National Federation of Post Office Clerks, of Youngstown, Ohio, pledging unqualified loyalty and support to the various branches of the Government and to the Republic in the present war crisis; to the Committee on Military Affairs.

A petition of sundry citizens of Pittsburgh and vicinity, Pennsylvania, praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. CAPPER:

A resolution adopted by the board of directors of the Franklin County National Farm Loan Association, Ottawa, Kans., favoring the enactment of legislation to continue the 3½ percent interest rate on Federal land bank and Land Bank Commissioner loans for a period of 5 years; to the Committee on Banking and Currency.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. MALONEY. Mr. President, I present a petition which I have received from Mrs. Mary Hamilton Stocks, of 217 South Highland Street, West Hartford, Conn., and signed by her and numerous other persons, praying for the immediate passage of Senate bill 860. I ask that the petition may be received and, under the rule, appropriately disposed of.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Connecticut will be received and lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPENCER, from the Committee on Claims:

H. R. 2545. A bill for the relief of Chin Hoy; without amendment (Rept. No. 1175); and

H. R. 3091. A bill for the relief of Martin J. Price; without amendment (Rept. No. 1176).

By Mr. BROOKS, from the Committee on Claims:

S. 716. A bill for the relief of Hazel M. Lewis; with an amendment (Rept. No. 1177);

S. 2048. A bill for the relief of Lt. William Stewart Walker; with an amendment (Rept. No. 1178); and

S. 2116. A bill for the relief of Frank S. Mathias and Elsie Mathias; with an amendment (Rept. No. 1179).

By Mr. ROSIER, from the Committee on Claims:

S. 2069. A bill for the relief of the Quimby-Ryan Engineering Sales Co., Inc.; with an amendment (Rept. No. 1180).

By Mr. ELLENDER, from the Committee on Claims:

S. 1227. A bill for the relief of Mr. and Mrs. R. F. Claud; with an amendment (Rept. No. 1181);

S. 1334. A bill for the relief of Anthony Famiglietti; with an amendment (Rept. No. 1182);

S. 2309. A bill for the relief of the First National Bank of Huntsville, Tex.; without amendment (Rept. No. 1183); and

H. R. 5576. A bill for the relief of A. L. Freeman; without amendment (Rept. No. 1184).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 2025. A bill to readjust the pay and allowances of personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; with amendments (Rept. No. 1185).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NYE:

S. 2386. A bill to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.; to the Committee on Commerce.

By Mr. REYNOLDS:

S. 2387. A bill to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes; to the Committee on Military Affairs.

By Mr. WILLIS:

S. 2388. A bill to establish a Women's Auxiliary Reserve in the Navy, and for other purposes; to the Committee on Naval Affairs.

(Mr. REYNOLDS introduced Senate bill 2389, which was referred to the Committee on Commerce, and appears under a separate heading.)

FLYING HOURS OF AIR PILOTS

Mr. REYNOLDS. Mr. President, I ask consent to introduce a bill the purpose of which is to make it possible to utilize, in the Army and Navy, the services of experienced air-line pilots without interrupting domestic air-line schedules. The bill, by its own limitations, would expire 6 months after the termination of the war or at such earlier time as the Congress by concurrent resolution, or the President, might designate.

I ask that the bill be referred to the Committee on Commerce, and I request

that the Secretary be instructed to transmit to the committee the letter which I hold in my hand, under date of March 17, 1942, directed to me by the Honorable Henry L. Stimson, Secretary of War.

There being no objection, the bill (S. 2389) to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs arising out of the present war, was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

CHANGE OF REFERENCE

On motion by Mr. BROWN, the Committee on Claims was discharged from the further consideration of the bill (S. 925) for the relief of Lemuel T. Root, Jr., and it was referred to the Committee on Public Lands and Surveys.

HOUSE BILL REFERRED

The bill (H. R. 6802) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1943, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

INCREASE OF DEBT LIMIT

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GEORGE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GEORGE, Mr. BYRD, and Mr. LA FOLLETTE conferees on the part of the Senate.

A VICTORIOUS UNITED STATES—ADDRESS BY SENATOR GREEN

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address on the subject, A Victorious United States, delivered by Senator GREEN at the annual dinner of the Friendly Sons of St. Patrick, March 17, 1942, at Providence, R. I., which appears in the Appendix.]

REPORT OF FLOYD B. ODLUM ON PROBLEMS OF SMALL MANUFACTURERS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a report by Mr. Floyd B. Odlum, formerly Director of the Division of Contract Distribution of the Office of Production Management, of the activities of his Division and the problems of small business, which appears in the Appendix.]

ADDRESS BY SENATOR CAPPER ON PROBLEMS OF SMALL BUSINESS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by him on March 15, 1942, on the problems of small business, which appears in the Appendix.]

TALK BY EDWARD BRUCE AT LUNCHEON IN HONOR OF MRS. ROOSEVELT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the informal talk by Edward Bruce on May 16, 1941, at a luncheon in honor of Mrs. Roosevelt, which appears in the Appendix.]

TRANSPORTATION THROUGH THE LOCKS AT SAULT STE. MARIE

[Mr. BROWN asked and obtained leave to have printed in the RECORD an article by W. K. Kelsey, of the Detroit News, on transportation through the Sault Ste. Marie locks, which appears in the Appendix.]

LABOR AND MANAGEMENT—LETTER FROM ARTHUR B. ADAMS

[Mr. LEE asked and obtained leave to have printed in the Appendix a letter written by Arthur B. Adams, of Norman, Okla., under date of March 12, 1942, to Fred Tarman, editor, the Norman Transcript, Norman, Okla., on the subject of labor and management, which appears in the Appendix.]

THE NATIONAL YOUTH ADMINISTRATION—EDITORIAL FROM CHARLESTON (W. VA.) GAZETTE

[Mr. ROSIER asked and obtained leave to have printed in the RECORD an editorial published in the March 9, 1942, issue of the Charleston (W. Va.) Gazette on the National Youth Administration in War, which appears in the Appendix.]

COST OF CONGRESSIONAL AND GOVERNMENT DEPARTMENTAL MAIL

Mr. McKELLAR. Mr. President, day before yesterday the senior Senator from Minnesota [Mr. SHIPSTEAD] asked for the cost figures of mail carried free by the Government for Members of Congress, and similar figures for mail carried free for the executive departments. I did not have the figures at my command at the time, but I have them, now, and wish to insert them in the RECORD.

For Members of Congress, the total amount expended for all franked mail was $926,843. For all the departments, the amount was $49,020,190; the difference between the two being the difference between $926,000 and $49,020,000, or nearly 50 to 1.

ELIMINATION OF TAXATION ON DEFENSE AND WAR CONTRACTS

Mr. DAVIS. Mr. President, I have received a number of telegrams relative to House bill 6750, which seeks to eliminate taxation on defense and war contracts. I wish to call particular attention to a telegram which I have received from the Honorable I. Lamont Hughes, secretary of highways of the State of Pennsylvania, wherein he says that this measure, if enacted, would deal a staggering blow to our State and local highway transportation systems. Secretary Hughes states that it would cause financial chaos in our State and local subdivisions of government.

I am also in receipt of a telegram from the Amiesite Corporation of Pennsylvania on the same subject, in which it is stated that if House bill 6750 is passed without a provision for continuing the collection of highway-usage and automotive taxes the highway departments cannot function, and the result will be a break-down of the national highway transportation system, which will imperil our war effort.

Mr. President, I ask unanimous consent to have these two telegrams printed in the RECORD as a part of my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

HARRISBURG, PA., *March 17, 1942.*

Hon. JAMES J. DAVIS,
Washington, D. C.:

Bill H. R. 6750, to eliminate taxation on defense and war contracts, would deal a staggering blow to our State and local highway transportation systems and would cause financial chaos in our State and local subdivisions of government. Your vote against this bill is urged.

I. LAMONT HUGHES,
Secretary of Highways.

UNIONTOWN, PA., *March 17, 1942.*

Senator JAMES J. DAVIS,
United States Senate,
Washington, D. C.:

If H. R. 6750 is passed without a provision for continuing the collection of highway usage and automotive taxes, the highway departments cannot function. The result will be bankruptcy, and maintenance of national highways cannot be continued. The result will be a break-down of the national highway transportation system, without which the war effort cannot be successful. In its present form H. R. 6750 is the death warrant for all State and most local highway operation. The passage of this bill would leave practically no revenue to the States and local government for highway purposes.

AMIESITE CORPORATION OF PENNSYLVANIA.

WORK STOPPAGES AND THE LIMITATIONS OF THE 40-HOUR WEEK

Mr. DAVIS. Mr. President, I am receiving many letters and telegrams concerning work stoppages and the limitations of the 40-hour week. I am convinced that we are not going to win this war until we have put to effective use all our time and talents. We cannot win on the basis of labor as usual, business as usual, politics as usual. We have a cause to which we should give our all. If we expect to keep our liberties we must be willing to fight for them. Now is the time for group differences to be merged in an all-out effort to win the war by all of us throughout the entire country.

Mr. President, in this spirit I ask unanimous consent to have inserted in the RECORD, as a part of my remarks, a splendid statement on the Bill of Rights by Benjamin DeCasseres. Always we must remember the liberties for which we fight, and again dedicate ourselves to maintain them with every ounce of our energies, with every beat of our hearts.

There being no objection, the statement referred to was ordered to be printed in the RECORD, as follows:

THE BILL OF RIGHTS

I have heard the Bill of Rights expounded by learned college professors. I have heard it explained by unlearned Senators. I have myself made some feeble attempts to interpret those first 10 amendments to the Constitution.

But it has remained for a girl of 14, Patricia McCaffrey, of the Academy of the Sacred Heart of Mary, New York City, to put into a few hundred words the most vivid, the most all-comprehensive exposition on our Magna Carta that I have ever heard. (Miss McCaffrey was one of the winners in the New York Journal-American Bill of Rights contest.)

Here it is, and I urge you to cut this out and read it at least once a week:

"The instant I was born there stood around me 10 guardians of my future. They come a long way—through pain and suffering, persecution, intolerance, and the dark, grim battlefield of tyranny. But they were present because they had decreed that this child, the

American, had the right to go forth into the world a free, self-respecting, God-fearing individual.

"The Bill of Rights is the name given to these 10 guardians, and to me they represent the lifeblood of the American way of life—the heart of democracy.

"What is the Bill of Rights? Why, it is the privacy of the home in which I live. It is the streets in which I walk and the parks in which I play. It is the school which I chose to attend, the people I like or dislike, praise or criticize. It is the newspaper I read, the men and the measures I will be able to vote for or against, the calling I wish to follow, the equality of opportunity which stretches out before us all and the manner in which each of us chooses to worship our God.

"All these things and many more form the Bill of Rights. They are all parts of the whole. Destroy one and you destroy them all. With them you have the dignity which is man. Without them you have a hollow pretense called the state.

"With them you have the power to dream great dreams and make dreams come true. Without them you have only the ashes of ignorance and slavery."

Here we have the clear, unmisted mind of a young girl whose brain has not yet been corrupted by mental hemming and hawing, by hair splitting and by logical processes.

Miss McCaffrey begins with a kind of fairy story about the Bill of Rights—and what greater true fairy story is there than the dream of our Bill of Rights in the brains of the founding fathers and its materialization into a vital fact?

And then see how clearly and simply she defines for us mossy-brained oldsters what the Bill of Rights is in the third paragraph.

What an invaluable asset to this Republic the mind of Miss Patricia McCaffrey is.

BENJAMIN DECASSERES.

DESTRUCTION OF PROPERTY BY THE CIVILIAN CONSERVATION CORPS

Mr. DAVIS. Mr. President, I wish also to call attention to the contents of an important letter I have received relative to the destruction of property by the Civilian Conservation Corps. I am withholding the name of the writer, as he has requested.

I am informed that aluminum kitchen utensils becoming dented were destroyed by driving a pick into them and the articles buried on the site of the C. C. C. camps at Mount Union and Mifflin, Pa. Hundreds of pounds of aluminum utensils were buried in this way.

Rubber tires still of use to the Forestry Division were refused this Division and destroyed by burning.

Double-blade axes, becoming nicked on one blade, were destroyed because no provision was made for repairs.

Barracks canvases, valued at $600 new, were destroyed if and when a few cuts were found in them because no provision was made for repairs. An eyewitness saw five sets of canvases destroyed. Shoes and many articles of apparel still of useful wear to others were destroyed because no provision was made for their disposition so as to reimburse the C. C. C allotted funds.

Mr. President, this is an intolerable condition, which must be investigated at once, together with numerous other sources of waste and extravagance which are daily being called to my attention.

I am in receipt of an increased number of letters stating that the purchase of National Defense bonds has been halted in many places because those who are expected to maintain the war effort through taxes and the purchase of bonds have lost confidence in the administration of these funds. These criticisms are advanced without a partisan bias by patriotic Americans who desire improvement of administration in behalf of the national welfare.

Although there is much room for improvement, I am not at all in sympathy with those who say they are losing confidence in Government because of the mistakes which are made. If those in charge of public affairs fail in their responsibilities, changes can and should be made. There is no excuse for loss of confidence in the basic institutions of our Government. We will, we must go on.

ACCELERATION OF WAR PRODUCTION

Mr. O'DANIEL. Mr. President, again I ask unanimous consent to have printed in the RECORD at this point, some more telegrams which I have received from patriotic citizens urging Congress to take immediate action to speed up the production of war material.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DENISON, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
Washington, D. C.:

We demand immediate legislation and action to outlaw all labor strikes and lock-outs to forbid overtime on Sundays and holidays to eliminate 40-hour week, place industry on 24-hour-day, 7-day-week production, to place ceiling on wages, profits, and prices; to have Government crack down on all business-as-usual individual industry and organizations, and force complete mobilization of all sources and resources to win this struggle; to force all citizens to place the interest of this Nation above all selfish desires. This is war. Our men are being killed. We had rather be regimented freemen for the duration and win the peace for our children than be the slaves of totalitarianism.

DENISON LIONS CLUB.

CORPUS CHRISTI, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

Southside Optimist Club of Corpus Christi, Tex., went on record today favoring the proposition that the executive departments and the Congress take necessary adequate and prompt measures to speed up all war production, and place labor and industry on an emergency record basis.

SOUTHSIDE OPTIMIST CLUB,
GEORGE MCILHERN,
DR. HARVEY BALDWIN,
ALSTON TERRY,
Committee on Resolutions.

GOOSE CREEK, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

The 260 members of the Goose Creek Chamber of Commerce unanimously urge your wholehearted support of antistrike legislation, limiting of profit to 6 percent in defense industry, and repeal of 40-hour law with reference to overtime. Remember France and Pearl Harbor.

BOARD OF DIRECTORS, GOOSE
CREEK CHAMBER OF COMMERCE.

NOCONA, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Resolutions unanimously adopted by Nocona Rotary Club thanking you for past support of legislation outlawing strikes in war industries. Now we ask your support of pending legislation on this subject and also suspending 40-hour week and limitation of profits for duration of war. Men in armed forces deserve, and civilian population demand, more statesmanship and less politics and abler leadership, and we are looking to you to get it. We are wiring the President asking his support of this type legislation.

JESSE D. WOOD,
W. J. STONE,
HARRY WHITMAN,
Resolution Committee.

ARANSAS PASS, TEX., *March 19, 1942.*

Hon. W. LEE O'DANIEL,
Member of Senate, Washington, D. C.:

At a meeting of our local Lions Club today, where 30 men representing a cross section of our entire community life of the city of Aransas Pass and its environs, comprising 6,000 people, all other business was suspended in order to discuss the lack of patriotism and criminal selfishness now rampant in certain controlling pressure groups in Washington. A resolution was adopted which contains the statement that the calculating politician in Washington will not long have the opportunity to decide whether all-out war effort is to be subordinated to political expediency; and this means that we demand, first, that strikes in defense industries be stopped by law; that war profiteers be eliminated by law; that the 40-hour week law be repealed; that time and a half and double time in war industries be abolished by law; that 7 days of work in a week in defense plants be compelled by law; abolition of farm bloc and all other pressure groups, especially the labor group now controlled by racketeers. Our local war casualties might not have been had strikes in war industries not been a constant practice by labor racketeers with Congress afraid to assume its responsibility to the people whom it represents, due to threatened reprisals at the ballot box. The country is now aroused for fear we become another France.

THE ARANSAS PASS LIONS CLUB.

CONROE, TEX., *March 18, 1942.*

W. LEE O'DANIEL,
Senator, Washington, D. C.:

We, representing a group of about 500, have pledged not to support any Congressman or Senator for reelection that will not vote for the repeal of the 40-hour week for the duration of the war. Also, stop all strikes in the defense plants, for we think it is a shame that people cannot work to help win this war without joining some union, while our boys are fighting at the front for $21 per month. We urge you to get this legislation in action as soon as possible.

H. N. Grogan, L. A. Buckalew, G. R. Grisham, Hailey C. Wood, Gordon Verner, J. M. Walters, C. A. Estes, J. C. Walters, C. E. Cook, L. R. Moore, W. E. Anderson, J. G. Grogan, J. S. Bennett, John Spriggs, E. W. Green, C. E. Mott, John Vinson, J. G. Grogan, Jr., D. S. Grogan, C. E. Grogan, J. W. Nichols, T. M. Yancey, Roy J. Cole, J. G. Long, R. A. Stewart.

MARSHALL, TEX., *March 19, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

Our county has give 1,000 fine young men in armed service, some of whom have already died due to lack of adequate war implements. We demand you to do what is necessary to put all plants on 24-hour-day, 7-days-each-week basis. Unanimously adopted.

MUNICIPAL DEFENSE COUNCIL,
CITY OF MARSHALL, TEX.,
JOE MCGILVRAY, *Secretary.*

LUBBOCK, TEX., *March 18, 1942.*
Senator LEE O'DANIEL,
Washington, D. C.:

The 50 members of the Nancy Anderson Chapters, Daughters of the American Revolution, heartily commend your stand on the question of the elimination of the 40-hour week, excess-profits, and abolition of strikes. We demand that our sons and brothers in the service have necessary equipment now.

Mrs. O. D. HARGIS, *Regent.*
Mrs. M. B. HILBURN, *Secretary.*

WICHITA FALLS, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

The Lions Club of Wichita Falls, in regular meeting today, urgently requests that immediate action be taken to halt labor stoppages and suggest that all unnecessary quibbling and red tape be eliminated in order that production may be increased immediately. That production lines be operated 24 hours a day and 7 days a week for the duration of the war.

THE LIONS CLUB OF WICHITA FALLS, TEX., INC.

BEAUMONT, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

The President's stand on labor does not make sense when the boys in uniform are working as many hours as necessary to do their job and receiving the measly $21 per month. It is high time for our Senators to do something about this before it is too late. The public will soon demand action.

C. F. GRAHAM, JR.

EL PASO, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

I wish you would exert every effort to get full-time operation of all war-production facilities on 168-hour-weekly basis.

LEONARD A. GOODMAN.

HOUSTON, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

The members of this organization at noon today have unanimously asked that you be apprised that the present trend of the war effort may result in disastrous defeat and complete destruction of the American way of life.

1. We believe that the unwillingness of the President and Congress for labor to risk the loss of social gains or industry to risk the loss of profits is losing the battle on the war front.

2. We believe we cannot win this war with a 40-hour week, overtime, and double time, any more than France did.

3. We believe that permitting 17,000 war-industry workmen to take a holiday on Washington's Birthday within a few hours after the President had pledged MacArthur's men there would be no stoppage in war production encouraged slowing of production throughout industry thus tending to lose the war through destruction of civilian morale and lack of battle equipment.

4. We condemn the attitude of the President or any other official of the Government or any Member of Congress who permits or aids or abets any individual group or industry to put profit or selfish advantage ahead of patriotism.

5. We demand sacrifice by Government officials, by workers, organized and unorganized, and by industry equal to that of our men in the Army, Navy, Marine Corps, and Air Service.

6. Strip for action on the home front as well as on the battle front. This will build patriotic war spirit that will save America. Woe unto anyone who fails America today.

Kiwanis Club of Houston: Carle Aderman, L. H. Allen, Fred N. Ankenman, Isaac Arnold, R. W. Baldwin, Claud B. Barrett, J. B. Black, A. C. Hutcheson, Charles A. Johnson, Elliott Johnson, Simon H. Johnson, F. B. Kemp, L. W. Kemp, Louie Kier, Jos. S. Smith, Charles F. Spangler, Fred Staacke, Carl G. Stearns, John T. Stough, Maxfield Taylor, A. P. Todd, W. T. Blaine, M. E. Brock, G. D. Bronson, Paul W. Brower, Dawson C. Bryan, J. E. Burkhart, Sr., O. H. Carlisle, C. F. Carter, J. M. Cary, James Chillman, Jr., J. Howard Clark, Frank C. Clemens, V. O. Clemens, A. R. Cline, W. H. Cocke, E. Cockrell, A. W. Cooley, Allan H. King, Carl M. Knapp, Lawrence Koch, A. C. Krach, Dewitt Krahl, Frank H. Lancaster, A. A. Ledbetter, Arthur Lefevre, Jr., Joyce Lehman, J. S. Lindsey, John B. MacFerrin, Verner H. McCall, C. A. McCollum, Milton McGinty, W. H. McMullen, William C. Marshall, J. W. Mason, Jr., Gavin Ulmer, William E. Vandervort, T. J. Vanzant, R. D. Walton, Frank A. Watts, E. E. Weaver, Lee M. Webb, Ewin Werlein, T. P. Wier, L. H. Williams, Paul E. Wise, C. Lee Wood, Knox E. Wright, C. V. Allin, F. D. Shank, Stuart W. Short, W. H. Farrington, George B. Corless, J. C. De La Moriniere, J. Charles Dickson, James G. Donovan, Raymond P. Elledge, M. Farnsworth, William C. Farrington, James Forsyth, C. E. Gilbert, Jr., L. Goldston, M. A. Hamrick, B. D. Harris, William Harrison, F. A. Heimann, D. Henley, Homer G. Hewitt, Ernst Hoffmann, Roy C. Hohl, W. P. Horne, S. N. Hovas, Joe Hudson, Otis Massey, Will C. Miller, Roy D. Montgomery, W. E. Moreland, John T. Moore, E. J. Mosher, Roy Paul, A. L. Peterson, J. A. Phillips, John R. Phillips, George R. d, D. C. Ruthven, Jake H. Sam, D. C. Schnable, G. B. Schnurr, H. A. Scott, Carey Selph, Floyd L. Senter, C. M. Shaw, Frank C. Smith, H. R. Smith, W. G. Wilson, R. L. Dill, Frank Hargis, Henry L. Semler, Floyd Taylor, Floyd Hissong, E. J. Jones, Herman Masur, M. Menke, Will P. Shepherd.

PAMPA, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Our pledge to help win the war. We solemnly pledge that we will refuse to vote for the reelection of any United States Senator or any United States Congressman who does not consistently vote for a law outlawing all strikes in every industry connected with defense and who does not vote to abolish the limitation of 40 hours a week labor in defense industries for the remainder of the war.

The citizens of Pampa: Luke McClellan, Chas. Edwards, Curtis Gilmore, Mack Reeves, George Beasley, M. Sherrod, Emmett Ellis, Dan Gribbon, Carl Treas, A. Callahan, Charles Wagner, Tom Hogan, Price Dosier, Chas. Byrd, Grover Frier, Clare Crawford, Evora Crawford, Lottie Ochiltree, Lena Willis, Dan Williams, Mary Williams, B. Baldridge, Bryon Lilly, Glen Pool, Del Beagle, J. D. Wright, Geo. Risley, L. Watson, R. Graves, E. Attaway, Russell McConnell, Tracy Garner, Fred Broadnax, Paul Davis, Dwight Irby, Ruby Daniel, Hursell Burnett, Jim Botkin, Elizabeth Botkin, L. Wilder, M. Wilder, Hudson Collins, E. Bowen, Thelma McWilliams, Esther Wanner, Wilma Hoare, Dorothy Oden, Judge Grant, Bus Hoover, Otho Henville.

HOUSTON, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

MacArthur needs guns, planes, and tanks more than ever now. Abandon 40-hour week, put ceiling on prices, wages, and profits. People I contact every day are demanding these things and are distressed over Congress not taking action.

R. H. SCHENEWERK.

EL PASO, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

We are for you 100 percent on your labor stand. Keep up the good work. We demand that all nonessential squandering cease; 168-hour war production. This is election year.

Mr. and Mrs. C. E. VOGEL.

DALLAS, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

All the people in this section are white hot and practically mob spirit prevails in demanding total abolishment of 40-hour labor law and excess pay for overtime, immediate shut-down of all Work Projects Administration and public nondefense projects less than 90 percent complete, immediate antistrike legislation, and immediate conversion of industry to total war production. Roosevelt losing ground fast because of labor policies, and people won't stand it much longer. Mrs. Roosevelt's Ohio speech damaging Democratic Party.

RALPH P. JONES,
Jones Motor & Loan Co.

SAN ANTONIO, TEX., *March 18, 1942.*
The Honorable W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Directors of real-estate board unanimously approve Smith bill to remove production bottlenecks with respect to labor. Your labor stand endorsed. We favor suspension of Wagner Act for duration, abolition of 40-hour week, modification of overtime-pay requirements, abandonment of closed-shop racketeering, and limitation of war-contract profits.

JOHN E. ZELLER, *President,*
SAN ANTONIO REAL ESTATE BOARD.

KARNES CITY, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Whereas we are now engaged in a war in which it is vital that we have full-scale production of all implements of war and defense material, and whereas every strike and walkout in plants producing such war materials disrupts such full-scale production: Now, therefore, be it

Resolved by the Karnes City Luncheon Club, That we go on record as opposing all strikes in war and defense industries for the duration of the war and go on record in favor of legislation which will control such strikes and labor trouble and in favor of legislation which will allow full-speed production of all necessary war materials.

KARNES CITY LUNCHEON CLUB.

SAN ANTONIO, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

The Hawthorne Parent-Teachers' Association members would appreciate you using

your influence in obtaining more action and production and curtailing nondefense expenditures.

THE HAWTHORNE PARENT-TEACHERS' ASSOCIATION.

DEL RIO, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Washington, D. C.:

Congratulations on your stand to repeal the 40-hour week and the outlawing of strikes for the duration.

CLAUDE D. LANE.

TRINITY, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We respectfully request the 40-hour week and all other hindrances to the total-war effort be discarded for duration of war. Would appreciate a wire expressing your sentiments.

TRINITY LIONS CLUB.

DALLAS, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Care Senate, Washington, D. C.:

We urge you to continue to use every means within your power to prevail upon the President and Congress to suspend the 40-hour week and to enact immediate legislation to prevent strikes. American workmen should not have to pay tribute to labor unions.

MEMBERS OF DALLAS OPTIMISTS CLUB,
AUXILIARY OF OPTIMIST INTERNATIONAL.

LUBBOCK, TEX., *March 18, 1942.*
Senator LEE O'DANIEL,
Washington, D. C.:

Your aggressive action in passing legislation with teeth in it against strikes in all war industries will meet approval of all your friends here.

A. B. BROWN,
Manager, New Hotel Commercial.

WHITSBORO, TEX., *March 18, 1942.*
W. LEE O'DANIEL,
Washington, D. C.:

MacArthur's reputation won't kill Japs without hundred-percent support from home. Use your own judgment as to methods, but stop strikes, profiteering, and hour restrictions.

ROTARY CLUB.

SAN ANTONIO, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

The Lions Club of San Antonio voted unanimously today to urge you to support legislation to outlaw strikes to prevent by legislation work stoppage by either strikes or lockouts; to abolish the 40-hour week; eliminate excessive profits and salaries in industries related to national defense for the duration of the war.

LIONS CLUB OF SAN ANTONIO,
ENOS GARY, *President.*

HOUSTON, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Please tell President taxpayers are fed up with taxes and one-half for overtime in defense production. Workers will give full week if union bosses will permit.

J. E. ECKEL.

CORPUS CHRISTI, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

We commend highly your earnest efforts to outlaw strikes in defense industries, and join all patriotic Americans in insisting on immediate repeal of the 40-hour week as a too-long-delayed but vital step in winning the war. Let's not be another France.

L. A. WINSHIP AND FAMILY.

TYLER, TEX., *March 18, 1942.*
Hon. W. L. O'DANIEL,
Washington, D. C.:

The voters of Texas are aroused and demand suspension of 40-hour week. Stop strikes and penalty overtime and suspend politics in Washington for duration of the war.

B. J. PEASLEY.

RAYMONDVILLE, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We of this agricultural section do not limit our work to 40 hours per week; neither do we get time and a half for overtime, nor guaranteed 10 percent plus on our products. We are disgusted with this profiteering and racketeering bickering. Is our Congress a political tool or are they going to equalize the sacrifices that our soldiers are being forced to make? We stand ready, to a man, on the home front to prove our Americanism, and we demand that the same true Americanism be exacted of all labor and industry. Do you mean it when you call for all-out? We do.

RAYMONDVILLE CHAMBER OF COMMERCE.

AVINGER, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Please use your influence and vote for all-out action against strikes and against a 40-hour week in all defense industries for duration.

HOWARD BRIDGE.

HOUSTON, TEX., *March 19, 1942.*
W. LEE O'DANIEL,
Washington, D. C.:

It is high time that our Senators and Representatives realize that people are aware of troubles that are facing us. We associate with your constituents daily. We believe and we hear and we have a trend of thought in the country for the elimination of 40 hours a week, to eliminate strikes, to eliminate gouging the public Treasury by the officials of cooperations, and we believe a 6 percent profit margin on war contracts should be tops; besides we believe that officials in Government undertaking should know their jobs and stick to them; we believe your constituents want less mouth wash and more action by direct efforts and better efficiency by labor, industrialists, and Government officials who are prone to hand us futures instead of spots lest we forget. Remember the French era from 1937 to 1940 the workers were getting less hours and more pay, sit-down strikes and leasure doles for doing nothing. The industrialists gouged the people and gouged the government. Daladier, Blum, and their click enjoyed the bickering among themselves and feathered their nests and were too weak to come out against the voice of a few people to save their beloved country. They were too unpatriotic to overcome the fear of losing their jobs to save the honor of France. Let's not copy French history. Any sane human knows that inflation cannot be controlled unless farm commodities, wages, and industrial products are controlled. Unless all of the above are controlled we are kidding ourselves about inflation. One cannot be controlled without all the others also.

M. Tumey, G. McVey, M. Callaway, R. Taylor, M. Blue, L. Fleming, P. Evans, J. Ramay, M. Griesenbeck, E. Browne, E. Roessler, F. Hayes, M. Walcik, I. Morrow, F. Fitzgerald, L. E. Ory.

LOCKNEY, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We, the citizens of Lockney, in mass meeting and local American Legion in regular session demand that our congressional delegation support legislation prohibiting strikes, closed shop, and 40-hour week. Believe war can be won only by immediate action to accomplish all possible production of planes, tanks, and guns. Forget social legislation. Give us action now.

Joe McCollum, Bert Vernon, Floyd Huff, S. G. Miller, W. J. Griffith, Arthur P. Barker, Sidney Reeves, Wilson Head, H. W. Schact, H. P. Clemons, J. B. Allen, J. E. Cox, W. R. Childres, Fred Hall, R. E. Patterson, A. L. Shaw, J. Marvin Cox, Committee.

SAN JUAN, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.

DEAR SIR: Please convey our respects to the President of the United States and tell him we want to win this war even if we have to work a hundred hours a week for straight pay, half pay, or no pay at all. We not only oppose the crippling of war products by strikes, and unjustifiable short hours, but also oppose the crippling defense needs production by profiteering capital. San Juan citizens favor complete coordination of entire Nation to win this war and win it quickly.

A. A. SHARRER, *Mayor.*

(And 600 other citizens of San Juan community assembled this evening.)

PEARSALL, TEX., *March 19, 1942.*
Hon. W. LEE O'DANIEL,
Senate Chamber, Washington, D. C.:

We, the undersigned organization of business and professional men with paid poll taxes are thoroughly disgusted with the attitude of Congressmen and Senators disregarding strikes in industries connected with our national defense and crippling of output by 40-hour work week. We respectfully urge immediate and emphatic support of workable legislation correcting these evils and that enforcement of such legislation be placed in capable hands and not in hands of the present Secretary of Labor. We want action, not brilliant excuses.

ROTARY CLUB OF PEARSALL, TEX.
J. M. GREENWOOD, *Secretary.*

TYLER, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Suspend the 40-hour week, time-and-half overtime, and double time for holidays, and politics for the duration. Stop these strikes and quit appeasing these labor racketeers. Give our boys ammunitions and guns instead of alibis.

S. N. JACKSON.

BAY CITY, TEX., *March 19, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

We urge your support for the enactment of legislation suspending the 40-hour week and time and one-half over time for the duration of this war. We feel this is urgent if we would successfully wage this war to early victory.

V. L. Letulle, J. C. Lewis, E. L. McDonald, H. G. Gilmore, M. O. Savage, W. E. Davant.

EAGLE PASS, TEX., *March 19, 1942.*
Hon. Senator W. LEE O'DANIEL,
Washington, D. C.:

We, the undersigned, as members of the Eagle Pass, Tex., Lions Club, being true

loyal Americans who want to win this war in double-quick time, demand you exert all your efforts toward abolishing strikes, the 40-hour week, time and a half and double time for the duration and institute immediately action on the 24-hour day, 7 days a week.

J. A. Houston, Mike Chorgas, Max Grossenbacher, Ward Wueste, O. D. Montgomery, Jerry Denike, T. R. Hunter, Ben Spiegel, C. Maurer, F. N. Pegues, C. W. Gunnarson, Clyde Miller, Bob Gardner, Albert Rodriguez, Enrique Rodriguez, C. M. Benavides, W. E. Pingenot, Herbert Moore, Raul Montemayor, A. V. Bonnett, Joe Vollmer.

WACO, TEX., *March 19, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator,
Washington, D. C.:

Waco A. & M. Club tonight unanimously resolved to call upon our representatives in Washington to take immediate positive action stopping strikes and other delays in war effort and suspend 40-hour week during war. We appeal to you in name of our 6,000 Aggies now in service and thousands more entering armed forces. We want action and no more fooling in Washington.

WACO A. & M. CLUB.

HOUSTON, TEX., *March 19, 1942.*

Senator LEE O'DANIEL,
Washington, D. C.:

The best-thinking people here thoroughly aroused over delay in producing equipment for our boys and demand legislation to eliminate causes of the delay of the boys holding line with MacArthur 24 hours daily receive no overtime except Jap bullets. We are wondering what would happen if they refused to work more than 40 hours week for their $5 weekly. We urge immediate repeal of 40-hour week and to outlaw strikes.

KIWANIS CLUB OF EASTERN HOUSTON.

GARLAND, TEX., *March 19, 1942.*

Hon. W. LEE O'DANIEL,
Senate Chamber.

DEAR MR. O'DANIEL: Truly, we are a group as one crying in the wilderness, wilderness of dismay, inaction, quibbling, partianship, and lack of courage on the part of the ones in authority. In the name of all decency, our interest, our boys, and all those virtues we hold so dear, please use all your influence to remove all bottlenecks of strikes, walk-outs, the 40-hour-week labor law, and everything else that is aiding the enemy.

THE GARLAND PARENT-TEACHERS' ASSOCIATION,
Mrs. FLETCHER WHITE, *President.*

TYLER, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
Washington, D. C.:

Please keep head. Labor, organized or unorganized will have to win this war, furnish the arm forces, and likely have to pay for it.

JOHNSON SMITH.

TYLER, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
Washington, D. C.:

Action and favor to amendments for measure of meeting will concur with feelings of citizens.

J. H. JAMES.

HOUSTON, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate:

Our newspapers today carry the President belief the people do not understand the time-and-one-half provision for more than 40 hours work per week. You have been very right on this subject in all your public utterances in Texas and in Washington. Continue along the same line. Please insist upon the rights for every American to work without payment of legalized blackmail for permission to work. Let those who hold the jobs strike if they will; the Army can use them.

W. E. PARRY.

TYLER, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL:

My son in Army not subject to 40-hour week and overtime pay. Will he be provided with sufficient arms and equipment produced under present set-up in time to defend your home and job?

S. H. CREWS,
Former member American Expeditionary Force.

WEATHERFORD, TEX., *March 18, 1942.*

W. LEE O'DANIEL,
United States Senate:

We know that you will support the Connally bill being submitted today. Texas is in arms against the labor situation as it is today.

J. H. DOSS, *President M. and F. Bank.*

WEATHERFORD, TEX., *March 18, 1942.*

W LEE O'DANIEL,
United States Senate:

We know that you will support the Connally bill being submitted today. Texas is in arms against the labor situation as it is today.

E. A. FRANTZ.

WEATHERFORD, TEX., *March 18, 1942.*

W. LEE O'DANIEL,
United States Senate:

We would like that you support the Connally bill of today to do away with 40 hours a week in our defense plants.

GEO. FANT,
President, First National Bank.

SAN ANTONIO, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
Washington, D. C.:

As a vital interest to the Nation, thousands of south Texans join the following undersigned in urgently insisting upon your support to any legislative measure prohibiting any and all labor strikes for the duration of the war and repeal of the 40-hour workweek.

George W. Saunders, Livestock Commission Co.; J. W. Kothmann & Sons, Texas Livestock Marketing Association; Cassidy Commission Co.; San Antonio Livestock Commission Co.; Union Livestock Commission Co.; National Livestock Commission Co.; A. C. Oefinger Livestock Commission Co.; Alamo Livestock Commission Co., Inc.; C. F. Traugott & Son; John Clay & Co.; Producers Livestock Commission Co.; Walter Graves; Russell, Center & Jennings.

DALLAS, TEX., *March 18, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

As long as the majority of our population are required and are giving up various things and making sacrifices for the duration, why can't this foolish 40-hour week be discarded for the duration? We need less bull and more bullets.

JACK U. PERKINS.

HOUSTON, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

Please do everything you can to repeal the wage-hour law in this emergency. It is definitely slowing up defense production. The labor-union fees are entirely too high and time and half and double time is entirely out of line in an emergency like this. Therefore the manufacturers and industries are helpless unless the labor is controlled more efficiently. The strikes or the fifth-column strikers will stop us.

L. M. YORK,
President, York Oilfield Supply Co.

PAMPA, TEX., *March 16, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator:

Do you think Congress is doing their part in this emergency by letting labor laws and strikes go on as they are? This is an all-out war; let's go all out to win it. This part of the country wants our Government to take necessary steps to curb 40-hour law and the favored few.

CARL BENEFIEL.

DALLAS, TEX., *March 17, 1942.*

Senator W. LEE O'DANIEL,
Senate Building, Washington, D. C.:

Please support House bill removing maximum labor hours and vote for price ceiling on farm produce and labor. Congressional inaction endangers this country. Kind regards.

Mrs. WILLIAM BURROW.

DALLAS, TEX., *March 17, 1942.*

Hon. W. LEE O'DANIEL,
United States Senator from Texas,
Washington, D. C.:

Feel you should know the people of the Southwest are red hot over the labor and industry strikes and 40-hour-week situation on defense contracts. Hope you, as a loyal Texan, will do everything in your power to pass legislation stopping this deplorable condition and save country from revolution.

CEDRIC BURGHER.

DALLAS, TEX., *March 17, 1942.*

LEE O'DANIEL,
United States Senate:

Being an employer of over 100 men, I urge immediate stopping of strikes, cancelation of 40-hour-week law, and all unnecessary legislation. Employees join me in this request.

A. D. MARTIN.

MOUNT PLEASANT, TEX., *March 18, 1942.*

Hon. W. LEE O'DANIEL,
United States Senate:

The Rotary Club of Mount Pleasant, Tex., today approved and hereby endorses the resolution passed by the American Legion of Mount Pleasant Monday night, March 16, in regard to proposed legislation regulating labor and industry so that our production of war materials will not be impeded. Your support of this measure will be appreciated.

MOUNT PLEASANT ROTARY CLUB,
BEN PATRICK, *Secretary.*

SONORA, TEX., *March 17, 1942.*

W. LEE O'DANIEL,
Washington, D. C.:

One hundred and ten Sonora Lions demand necessary legislation immediately to set production on war basis unhampered by capital or labor disputes. Suggest suspension of all labor-union contracts and activities and the 40-hour week and set ceiling on profits by war industries for the duration. We have a war to win. This is no time to tolerate differences between capital and labor. The house is burning.

SONORA LIONS CLUB,
JOHN L. NISBET, *Chairman,*
H. V. BUZZIE,
STOKES NOBLE,
W. PRENTICE, *Committee.*

EL PASO, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

In order to save my brother Jack, who is in the Philippines to save democracy and civilization, I plead with you for legislation to require defense production 24 hours a day, 7 days a week, for the duration.

JIM KASTER.

WEATHERFORD, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Senator, Congress of the United States:

In a "work or fight" resolution passed by the chamber of commerce directory board today, we wish to submit to Your Honor the following: *"Resolved,* That we, the board of directors of the Chamber of Commerce of Weatherford, Tex., wish to protest against the 40-hour workweek in defense production and support in its entirety the Connally bill being presented today. We feel that it is not fair to our boys that are in the draft and the front lines at small recompense for labor to continue to demand higher wages and shorter hours. Therefore, we favor the suspension of the 40-hour week and favor going to 24 hours a day without time and a half or double pay for overtime. We desire that every man in industry be as loyal to his Government as the boys are that are in the armed forces."

Respectfully submitted.

BOARD OF DIRECTORS.
JOE B. WITHERSPOON, *President.*
J. M. DAVIDSON, *Manager.*

DALLAS, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

The undersigned Texans from Dallas, Tyler, Houston, and Corpus Christi heartily endorse and congratulate you on the stand you are making for real Americanism and efficiency in government. However, we do not favor prohibition.

CHESTER WYNNE.
WALLACE MORGAN.
ARNOLD MORGAN.
C. O. DAVIS.

AUSTIN, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

An article in this morning's Dallas News by John King states that a recess of 2 weeks is being urged upon Congress in order to give the Members time to cool off and give administrative forces time to consolidate and lay plans to cope with the problems now developing in Congress. We all need a recess to lay plans to cope with the problems now developing. MacArthur needs a rest period. Why not introduce a resolution in Congress granting MacArthur and Wainwright and the boys in the Philippines a 2 weeks' rest period? If we lay off over here 2 weeks in order to cool off many of our boys on foreign soils will be laid to rest and cool off. Stay in there and pitch.

PAUL C. WHITLEY.

TYLER, TEX., *March 18, 1942.*
Senator W. LEE O'DANIEL,
Washington, D. C.:

Labor as it is operated today is a blot on American history and the ruination of our war effort. Texas voters demand action to suspend 40-hour workweek and racketeering by labor or capital in defense industries. What is your stand in this respect?

J. L. MCDANIEL.

FORT WORTH, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senate:

Urge your support of antistrike bill and abolishing 40-hour week. My opinion 90 percent workingmen willing to work 7 days week on straight time. We're getting fed up on labor racketeers running things in Washington.

A. J. ROWE.

COMMERCE, TEX., *March 18, 1942.*
W. LEE O'DANIEL,
Member of Congress, Washington, D. C.:

Commerce Lions Club strongly urges immediate action toward removal all hindrances to all-out production.

J. G. SMITH, *Secretary.*

NEW BRAUNFELS, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL:

Please support and vote for legislation to end 40-hour week, closed shop, and strikes.

H. C. MCKENNA.

HOUSTON, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL:

Amazingly the public prints today carry the President's belief that the people do not understand the 40-hour wage-and-hour law providing overtime of time and one-half. You have been on the right track on this subject. Continue the good work, only make it louder. We see no reason for labor to give up the right to strike. Let them strike, but be subject to draft, and let us provide that any American who wants to work in a defense plant may do so without paying blackmail to a labor organization. Many a trained man lacks the money.

JAMES AND MARGARET ANDERSON.

DALLAS, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
Senate Office Building,
Washington, D. C.:

The Allied Nations have been too late with too little often enough to make us apprehensive of and opposed to the practice and operation of politics as usual during this war emergency. We respectfully urge you to immediately and aggressively take such action as may be necessary to get Congress to place our war production industry on a 168-hour-week schedule, to prevent management and labor quarrels from stopping production, and to eliminate the 40-hour workweek for the duration of the emergency. We further urge Congress to set the example and show the way to victory by furnishing the intelligent, aggressive, and unselfish leadership for which the American people are praying.

W. B. Oldham, president, Oldham & Sumner Lumber Co.; Cole Foster, district manager, United States Gypsum Co.; W. H. Kuhn, Payne & Kuhn Plumbing Co.; Fred Bennett, general manager, Blue Diamond Co.; C. L. McClure, McClure Electric Co.; Willis L. Lea, Willis L. Lea & Co.; Tom E. Smith, M. D.; K. K. Meisenbach, president, American Transfer & Storage Co.; C. P. McLeroy, manager, Firestone Skinnie and Jimmie; Laurin Marlow, vice president, E. G. Marlow Co.; J. J. Gibson, J. J. Gibson Co.; Leonard Nichols, manager, Truck Leasing & Rental Co.; W. W. Valloft, manager, Dallas Linen Service Co.; Arno Flack, vice president, Manor Baking Co.; George Young, president, Restland Memorial Park; Frank A. Selecman, M. D.; E. H. Linsteader, Frye, Gregory & Linsteader; W. C. Alexander, sales manager, Tennessee Dairies, Inc.; James S. Hudson, Hudson & Hudson; Ricks Strong, general agent, John Hancock Mutual Life; J. B. McMath, manager, Texlite, Inc.; Leonard Nichols, manager, Yellow Cap Corporation; Clyde Swalwell, Doc Jackson Garage; Dallas C. Biggers, Biggers, Baker & Lloyd; Bruton Orand, Orand Buick Co.; Arthur Hopkins, manager, Clarke & Courts; W. Gordon Maddox, M. D.; Dudley B. Kennedy, sales manager, Southwestern Paper Co.; B. F. McLain, manager, Hart Furniture Co.; C. B. Grant, Anchor Awning Co.; Grayson Gill; Claude Karr, manager, Karr Employment Service; John M. Pace, M. D.; K. Bertucci, vice president, Zenith Cleaning & Dyeing Co.; Don E. Stewart, manager, Stoneleigh Hotel; J. D. Singleton, M. D.; B. O. Twaddell, Dupont Co.; J. M. Ellis; R. E. Lee, manager, Meisenbach Distributing Co.; T. A. Blakeley, president, Mortgage Corporation of Texas; Neal Ferguson, Ferguson Advertising Agency; J. Hugh Campbell; Fred Farrow; George Weiland, president, Weiland Undertaking Co.; Earl L. Loftis, M. D.; T. H. Rutherford, Rutherford Business School; B. B. Brown, West Park Pharmacy; T. P. Vickery, department manager, Peaslee-Gaulbert Corporation; Henry English, Red Ball Motor Freight; W. A. Simpkins; C. D. Cox, manager, West Disinfecting Co.; Cedric Burgher, president, Cedric Burgher Construction Co.; John E. Ashby, M. D.; John L. Burke, agent, Travelers Insurance Co.; J. K. Wilson, J. K. Wilson Co.; H. P. Horsley, president, Weston Hardware Co.; J. Frank Parker, Parker-Griffith; Vinny A. Smith, D. D. S.; Paul Fischer, manager, Goodie Goodie Restaurant; Dr. L. E. Casey, Blue Cross Veterinary Hospital; John A. Williams, president, John A. Williams Printing Co.; Charles Boyette, Cloud Boyette Letter Service; E. J. Brandt, general manager, Lawyers Title of Texas; R. Q. Mills, Cannon Ball Chair Rental Co.; Myron Everts, treasurer, Arthur A. Everts Co.; J. G. Yarbrough, district manager, Gulf Oil Corporation; D. E. Remaley, sales agent, National Cash Register Co.; C. M. Johnson, president, Johnson Bros. Chevrolet Co.; C. F. Underriner.

HONEY GROVE, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

We are giving our unqualified support in your efforts to lead our Nation to victory. Without attempting to place responsibility on any person or group, we urge immediate abolition of the 40-hour week, stopping all labor hindrances, and placing production on 100-percent basis for victory. Disregard the votes and pocketbooks of either capital or labor and give us action, please. Work or fight.

CHAMBER OF COMMERCE.
LIONS' CLUB.

MOUNT PLEASANT, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL:

The Mount Pleasant Dads' Club, consisting of 300 members, heartily endorse the resolution forwarded you by local American Legion Post with respect to expediting the victory program and solicit your support for any laws introduced that will hasten the defeat of our enemies.

MOUNT PLEASANT DADS' CLUB,
E. M. LIDE, *President.*
T. C. WALKER, *Secretary.*

KERRVILLE, TEX., *March 18, 1942.*
Hon. W. LEE O'DANIEL,
United States Senate,
Washington, D. C.:

We respectfully request your support of any legislation pending or to be submitted in

Congress looking toward the elimination of strikes in industry, and repeal, for the period of the emergency, of any legislation limiting hours or requiring extra pay for overtime in any defense industries.

KERRVILLE CHAMBER OF COMMERCE.

SAN ANTONIO, TEX., *March 18, 1942.*

Hon. Senator W. LEE O'DANIEL,
Washington, D. C.:

We, our associates, and many employees solicit your support in endorsing all-out aid to Donald Nelson war-production program. Likewise we conscientiously recommend suspension of the 40-hour week, also overtime under 48 hours for the duration at least. Your cooperation will be appreciated.

ED FRIEDRICH, INC.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. MCLAUGHLIN, and Mr. HANCOCK were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, in which it requested the concurrence of the Senate.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. BARKLEY. Mr. President, I wish to inquire at this time whether there is any prospect of reaching a possible understanding as to when the Langer case may be disposed of. At the rate at which we are now proceeding, India will have been given dominion or some other status, China will have run Japan back into her islands, and Stalin will have invaded Germany, before we dispose of the Langer case.

I do not say this in criticism of the length of any Senator's speech, and we have had only one and a half speeches so far. I do not suppose any other Senator will take as much time, or would be required to take as much time, as has been consumed by the two Senators who have spoken, and I do not see how, under all the circumstances, they could have been briefer; but we have now devoted nearly 2 weeks to the Langer case, and I had hoped we might vote this week, but that hope has been abandoned. I am now hoping that we may dispose of it next week. I wonder if there is some way by which we can ascertain who else, after the Senator from Utah shall have concluded, intends to address the Senate on the subject so that we may begin to calculate in some definite way as to when we may be able to secure a vote in the case. Does the Senator from Oregon or the Senator from Utah have any definite information?

Mr. MURDOCK. Of course, I cannot speak for anyone else, but so far as I myself am concerned, knowing how difficult it is to maintain a quorum in the Senate, I am perfectly willing at this time to forego the remainder of my remarks and have a vote taken on the question right now. I am rather inclined to the belief that Senators have already made up their minds on the issue, and are ready to vote. If I could expedite the vote by yielding the floor now, I should be perfectly willing to do so.

Mr. BARKLEY. I want the Senator to understand that I had no purpose in any way to curtail his remarks.

Mr. MURDOCK. I know that.

Mr. BARKLEY. I do not think it is necessary for the Senator to do what he has suggested, but I had been told informally that probably there would be only a few other speeches. Then I was told informally yesterday that there might be a dozen more speeches, and I should like, if we can, to take a survey of the situation so that we may see when we may ultimately reach a conclusion of the matter.

Mr. MURDOCK. I shall this afternoon discuss one further point in the case, that is, the bond issue. I am hopeful that if I am not interrupted too often I can conclude in not to exceed 2 hours; but I am willing to forego my argument and vote now, if that can be done.

Mr. BARKLEY. I desired to make these observations while the Senator was here, so that he might cooperate in bringing the matter to a conclusion.

Mr. MCNARY and Mr. CLARK of Missouri addressed the Chair.

The VICE PRESIDENT. Does the Senator from Kentucky yield?

Mr. BARKLEY. I shall yield in a moment. I think it is desirable that the Senate give no more time to this case than is necessary, in view of other matters which are coming along.

I yield now to the Senator from Oregon, since I have referred to him. Then I shall yield to the Senator from Missouri.

Mr. MCNARY. Mr. President, the pattern set by those contesting the seat of the Senator from North Dakota has not been such as to inspire us to great expedition. The remarks of the Senator from Kentucky might well have been made last week. I am not criticizing anyone for making an extended speech, but it will be recalled that the Senator from Illinois [Mr. LUCAS] very ably discussed the question before us for one solid week. The able Senator from Utah [Mr. MURDOCK], another member of the committee, speaking in favor of permitting the Senator from North Dakota to retain his seat, has occupied 2 days, which, by comparison with the time taken by the Senator from Illinois, is a brief period.

I recall that Monday the Senator from Utah spoke a full day, but on Tuesday he was interrupted by other speeches, and by legitimate legislation having to do with the maximum debt the country could assume. Yesterday was the second day, really, taken by the Senator from Utah, as compared with 5 days, the whole of last week, occupied by the able Senator from Illinois.

I make this statement, not to suggest any invidious comparison, but only to show that perhaps we should have started with this move for expedition last week. I am not criticizing the leader; I agree with him that we should take as little time as possible, with a view to a full presentation of the case. I know there are several Senators who wish to speak briefly. I think the able Senator from Kentucky desires to make a few remarks. I wish to occupy a brief period, probably 30 minutes, not to exceed 45, in stating my views of the Constitution and of the rule we should follow in arriving at a correct decision in the case.

I think the able senior Senator from Vermont [Mr. AUSTIN], who collaborated with the Senator from Illinois in the preparation of the majority report, desires to speak at length. I do not know of any other speeches to be made. I wish to cooperate with the able Democratic leader in bringing the case to a vote as quickly as possible, and I assume that can be done early next week.

Mr. BARKLEY. I thank the Senator for his suggestion. It may, of course, be true that it would have been better, from his standpoint, at least, for me to have made my remarks and observations some time last week, in the middle of the speech of the Senator from Illinois. I am sure I can speak for the Senator from Illinois when I say that he took up much more time than he originally intended to take, and that was because of his generosity in yielding. The Senator from Utah, I am sure, has done the same. I know he has spoken longer than he intended to, due to his liberality in yielding to other Senators and for the transaction of other business. Nevertheless, that does not change the situation. At the rate at which we have been proceeding, we would be considering the Langer case an indefinite length of time, and I am sure no Senator on either side of the question favors that, and I hope we can arrange as soon as possible to bring the discussion to a conclusion.

It may be true, as the Senator from Utah has said, that every Senator has made up his mind as to how he is going to vote. I am not sure about that. If the Senator were sure of it and we were all sure of it, it would be futile to talk about the case any longer; but I am not ready to say that is true.

I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, I assure the Senator from Kentucky that I am in entire sympathy with the objective for which he is striving. I should merely like to make a suggestion to him about any arrangement that is made, if it is possible to get an arrangement, which I think might expedite a decision in the case; and as to that, of course, I do not know.

Day before yesterday, while technically the Senator from Utah held the floor, he was not permitted to address a single word to the Senate about the pending

business. Lengthy debate took place, consisting of very weighty discussions, very able discussions, very interesting discussions, on important issues having nothing whatever to do with the Langer case. It seems to me the matter can be very much expedited by having a general agreement to refrain from discussing other issues than the issue now before the Senate until it shall have been disposed of.

Mr. BARKLEY. I think the point made by the Senator from Missouri is correct. Of course, the Senator from Georgia brought up the debt-limit bill, consideration of which everyone, including the Senator from Georgia himself, thought would be concluded in a few minutes, but the Senate became diverted by another matter which had nothing whatever to do either with the debt-limit bill or the Senator Langer case, and we spent the whole day on it. I bring this matter to the attention of the Senate in the hope that we may not do such a thing again.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McKELLAR. In view of the very generous statement made by the distinguished Senator from Utah, I wonder if other Senators would not be as generous, and, in order to find out if that is so, I ask unanimous consent that the Senate proceed now to vote on the Langer case.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee?

Mr. TUNNELL. I object.

The VICE PRESIDENT. Objection is heard.

Mr. MURDOCK. Mr. President, coming back to the business before the Senate, which is the question of the expulsion of the Senator from North Dakota [Mr. LANGER], I wish to say that when I closed last evening I was discussing the charge with reference to the Mexican land transaction. I had discussed and I inserted in the RECORD a number of figures from the records with reference to the reduction by the State Board of Equalization of North Dakota of the tax valuation of the Great Northern Railroad Co. I think any Senator who will take the time even casually to look at the figures, submitted in the RECORD by me yesterday on that question, must conclude that the State Board of Equalization of North Dakota, if it had done anything other than reduce the tax valuation of the Great Northern Railroad in North Dakota, would have done the wrong thing, and would have denied justice to the railroad company. The figures which I put in the RECORD from one of the exhibits introduced before the committee were prepared by the railroad company. I have checked some of the figures with the Interstate Commerce Commission; and, of course, any other Senator can check them with the Interstate Commerce Commission if he so desires. I wish now to read from the figures submitted to me by the Interstate Commerce Commission on this question.

In 1937 the operating revenues of the Great Northern Railroad were $94,942,292. In 1938 they dropped to $79,215,531. In 1937 the net railway operating income, after deducting taxes and rentals, was $23,769,408. In 1938 it had dropped to $14,479,276. In 1937, the net income of the Great Northern Railroad, after fixed charges for its entire operation, as I understand, was $10,089,920. In 1938, it dropped to $2,712,560, or a drop of nearly $8,000,000 in 1938 as compared with 1937.

Will any Senator on either side of this case say that the State Board of Equalization of North Dakota could have done anything other than reduce the valuation of that railroad for the year 1938? We find a reduction in every State through which it ran, with the exception of two States, Oregon and Minnesota. As I understand the situation in Minnesota, the basis for taxation is very different from what it is in any of the other States.

The majority report gives great weight to the attitude of Mr. Gray, who was a member of the State equalization board with Senator LANGER, because in 1938 he wanted to raise the valuation by $4,000,000. Senator LANGER and the majority of the board voted to reduce it. Bear in mind that, notwithstanding the reduction in 1938, the Great Northern paid more taxes in that year than it paid in either of the years of the preceding biennium. Notwithstanding the reduction in 1938, in the biennium of LANGER, the Great Northern Railroad paid $136,000 more taxes than it had paid in the preceding biennium. How can anyone who is interested in figures and facts rather than in suspicion and accusation come to any other conclusion than that the action of the board was correct and that Mr. Gray was in error in asking for such an increase?

Bear in mind further that, notwithstanding the fact that Mr. Gray is today the State tax commissioner, he is still a member of the State board of equalization. The auditor who voted with him for an increase in 1938 is still a member of the board; and the Governor of the State, who ran in a campaign denouncing Senator LANGER, is the third member of the board. They constitute a majority of the board. I make that statement in answer to a question which was propounded to me yesterday by the Senator from Illinois [Mr. LUCAS]. Notwithstanding the fact that on the board there are three members of the opposition to Senator LANGER, as against two who might be considered friendly to him, and notwithstanding the increase in railroad business in 1939, 1940, and 1941, up to this time the board has not seen fit to raise the valuation of the Great Northern Railroad up to the point Gray suggested in 1938.

We now come to the question of the Mexican land transaction. What is the issue involved? It is the value, if any, of the stock which was transferred to Tommy Sullivan by Governor LANGER for the consideration of $25,000.

Who is the best judge as to whether the stock had value in the mind of Tommy Sullivan? Men go to race tracks and bet on races. We in the Senate may consider them fools to do so, but such betting goes on day after day, week after week, and month after month; and in the course of a year millions of dollars go through the pari-mutuel machines at the race tracks. Day after day on the stock exchanges in New York and throughout the country we find men gambling. We find men taking a chance by buying stocks. Day after day on the commodity exchanges in Chicago we find men taking chances in order to make money.

I do not know the psychology of Tommy Sullivan. I do know, from the Senator from Illinois, that he is an intelligent lawyer. I also know that at the time this concern was organized Tommy Sullivan's wife was the secretary of William Lemke, a former Representative. I further know that Tommy Sullivan said in his statement before the investigators that his wife knew more about that stock and about the operations of the company than did any other person in it. Those are facts which are undisputed I know, too, that for years Tommy Sullivan has been one of the spearheads in the Nonpartisan League in North Dakota and in a similar movement in Minnesota. I know that he has run for office in Minnesota, on the same platform on which Senator LANGER ran in North Dakota, and under the same program. According to the record, Tommy Sullivan has contributed thousands of dollars, not only to the movement in Minnesota, where he lived, but also to the movement in North Dakota.

I have before me his statement made before the investigators of the committee. Any Senator may examine it if he wishes to do so. In his statement he tells about his intense interest in this movement in the Northwest and about his friendship for Langer, Lemke, and Frazier. He states that he would not contribute to the Langer campaign in 1940. Why? Because his friends, Bill Lemke and Senator Frazier, were interested, and he could not make a choice between them.

We now come down to a discussion of the value of the stock in the mind of Tommy Sullivan. What did he say? If there had been any question in this case about the testimony of Tommy Sullivan before the investigators, why did not the committee call Tommy Sullivan before it and cross-examine him to see whether he was talking in good faith when he made his statement before the investigators? I read from his own testimony, found on page 159 of the record of testimony taken before the investigators:

> I have never been identified with them in any political contributions anywhere. If they gave them, it is entirely without my knowledge. I didn't know that.

He was referring to his clients.

> I have made, ever since I have started, which is a long time ago, and I am still not a very old man.
>
> There has never been a convention that I remember that I haven't contributed money to the convention in Minnesota, North Dakota, Illinois, sometimes even in Wisconsin; and I have in every campaign I have participated as a campaigner, and in the last campaign for the Democratic National Committee I was out for Mr. Flech in the last campaign, although I had always been a Republican under the Farm-Laborites. In the last campaign I was under the National Democratic

Committee in that campaign, and I took no expenses, paid all my own expenses, paid for my own radio time.

So we are dealing with a man who is interested in the politics of the section in which he lives and in economic problems. We must bear that fact in mind in coming to a conclusion with reference to the accusation of bribery.

Tommy Sullivan went on to state his interest in labor unions and things of that kind during a certain period. I do not want to bore the Senate by reading too much, but this is evidence which we should have in mind before we can intelligently and justly come to a conclusion in this matter.

The following refers to his contributions:

Question. It was your money; it was your personal money and not money of any client?

Answer. My own personal money. Any contributions I ever make to any political party and the times that I have run myself—and I ran for attorney general in Illinois and carried Chicago here in 39 of the 50 wards—and I never solicited a contribution even from (for) myself, and I spent a lot of money trying to win, but didn't win.

Mr. Hoon. How much was your contribution, Mr. Sullivan?

Answer. I think the first one was $3,500 and the second $1,500.

Question. A total of $5,000?

This man was not niggardly in disposing of his money for the things he believed in.

Answer. Yes; I think that is true. One thirty-five, and I believe the second one—that was for getting out the paper—$1,500.

But that is not my first contribution I made in North Dakota. I made more than that to other conventions and also, in the meantime, the organization of Senator NYE and Senator Frazier's organization I contributed to those during all the years.

I wonder if any Senator will rise and say that there was anything wrong about that. I think not.

Question. How much?

Answer. At least 10 years.

Question. Could you enumerate any other specific contributions that you have made? I mean as to the amounts.

Sullivan's answer was:

I would be drawing a lot on memory, but I paid every time there was a call, whether it was $2,000, $2,500, or $1,500. I don't think there was any at any time as much as $5,000 in any one time. I don't—yes, there is one, I think, $3,500 one time. There wasn't a campaign on, even.

It was Senator NYE; he was trying to maintain his organization, to build it up; had great faith in them and trying to keep the organization intact, wanted to get out, I don't know, some vouchers and some papers, and anyway, he wanted to keep his organization, hold meetings and things of that kind, and there wasn't even a campaign between campaigns, but it was a fight trying to keep the organization together.

He was interested in that, and certainly no one will say there was anything wrong about it.

I contributed, I think at the time I recall, somewhere around $4,000.

I have always contributed in Minnesota and every campaign I have always paid my own expenses, even over the radio.

Then we come to another phase of this evidence:

Question. Do you know Mr. W. P. Ronan?

Answer. Uh, huh, I do. He is a grain man here in Chicago.

Question. When did you first meet Mr. Ronan?

Answer. Somewhere around 1939, I should say. Nineteen hundred and forty. It isn't long.

Question. Well, do you remember the occasion on which you met him? I mean the circumstances under which you met him?

Answer. Yes; he was sent to me. A fellow called me up by the name of Frank Lyman, who is the clerk of the probate court here in Chicago. He called me and told me he had a friend named Ronan who formerly had the grain business or flour business for the North Dakota mill and he wanted to talk to me to see if I could help him get that business back.

So we see Ronan going to Sullivan to see if he could get back that business in North Dakota.

Question. That was along in 1938 or 1939?

Answer. I believe it was 1939, but I may be wrong.

Question. You think it might have been 1938?

Answer. It might have been 1938.

Question. Well, did you talk to Mr. Ronan about trying to help him in getting this contract back?

Answer. Yes.

Question. Did you make any effort to help him?

Answer. I did. I talked to Governor LANGER, it was 1938 because LANGER was still Governor. That is right.

I talked to Governor LANGER. He said no, nothing doing on Ronan. That Ronan had cheated the Mill and Elevator when he was in and that he had stopped checks after he was elected. They hadn't cleared when he took office. He stopped checks. Nothing doing on Ronan. That was that.

If at that time Senator LANGER was receiving bribes from Tommy Sullivan, I wonder if he would have been in a position to say, "No; nothing doing on this fellow."

Question. Are you at present the owner of any Mexican land stock?

Sullivan's answer was:

Answer. Well, as far as Mexican land. It is the Land Finance Co., it is a North Dakota company, but they own Mexican lands.

Question. How many shares of stock do you own?

Answer. $25,000 worth.

Question. When did you acquire that stock?

Answer. Oh, well, it may be either the latter part of 1937 or the early part of 1938. I think it was the latter part of 1937. Maybe somewhere after the middle of the year 1937.

Question. From whom did you purchase your stock?

Answer. From Senator LANGER.

Question. And how much did you pay for it?

Answer. $25,000. May I interpose?

Question. Surely.

I want the Senators here, if they will do so, to listen to this evidence of Tommy Sullivan with reference to the Mexican land:

Answer. That company was organized many years ago, long before I knew them but Congressman Lemke and Senator LANGER and a number of North Dakota men put in quite a lot of money into it.

My wife was secretary to Congressman Lemke, that is where I met her. She was secretary to Congressman Lemke when I was with the Non-Partisan League, when there was a board of three directors who ran the Nonpartisan League.

Congressman Lemke was one of them and she handled all the correspondence.

Listen to this:

I think she knew more about the Mexican land deal than any of them in the group aside from Lemke because during all those years she handled them.

I know all about them and Congressman Lemke had several times suggested to me making investments in that company and I never wanted to because of the uncertainty of it, but after the Mexican Government took over 80,000 acres of that land, what they call expropriation, and being somewhat familiar with the Roosevelt administration's attitude toward South American countries and to Mexico, I was completely sold on the idea that there would be an adjustment of this expropriated land, especially if you lined up with the oil companies on that side of the road.

Tommy Sullivan knew something about this land deal; did he not? He said his wife knew more about it than any other person in existence, except Bill Lemke. He said he was not very much interested in it until the Mexican Government took over some of the land. Then he saw—what? Oh, then he saw a chance that it might make some money, and at that time he was ready to talk business.

Continuing to read from his statement:

When Lemke was, or when Senator LANGER was in the office—not in this office, but in our office upstairs—one time, why, he was talking to me and he and Lemke had broken. They were very bitter opponents. I told Mr. Smith—

Referring to the other investigator, who is present—

I told Mr. Smith before you came in that that is one State where you can find out all the bad things about your opponents on either side.

When the loan act was over there, Lemke borrowed money from the State to build a house, just like the Federal Housing Administration is at the present time. It wasn't an elaborate home, I think $9,500, as I recall it; just a modest middle-class home.

Now he is talking about politics in North Dakota, and about how the opposition treated Bill Lemke.

Continuing to read from Mr. Sullivan's statement:

During the State fair at Grand Forks they had a big bus traveling from the fair with a great big sign on it, "Free ride to Fargo to see the mansion that Bill Lemke had built with the taxpayer's money." And so you see you get the idea. Some of the fellows got together and raised the money to pay this off to take it out of the campaign but very few ever made the trip. It is a long way from Fargo to Grand Forks. Very few ever made the trip but the idea was to get it into the campaign.

It is a typical campaign up there.

Well, anyway, my wife knew all about this company and he—

Referring to LANGER—

was busily berating Lemke. I am very friendly to Lemke.

Says Sullivan:

That is one of the reasons that LANGER got no help from me in 1940. He ran against Frazier in the primary and I certainly wouldn't do anything to injure Frazier and I am glad to have this opportunity under oath to say I didn't give 1 penny or make

one speech in that campaign though I didn't do anything to injure Frazier who has been my friend for 25 years and always did anything he could do to support me when I would run—

Then he tells of his friendship for Frazier and Lemke. I continue reading from his statement:

Issue statements for me, allowed his picture to be used in the farm districts because he was one of the authors of the Frazier-Lemke bill. Lemke did the same thing when I ran here, allowed his picture to be used in the leading farm paper here and agreed to campaign for me and so I wouldn't, nobody could have induced me to do anything against Frazier and Lemke.

Mr. President, I ask unanimous consent that the remainder of the statement of Mr. Sullivan be printed in the RECORD. I do not want to take time to read all of it, but it presents the background of Sullivan and his connection with North Dakota politics.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Is there objection?

There being no objection, the remainder of the statement was ordered to be printed in the RECORD, as follows:

Then LANGER and I were in a good-natured dispute and I told him that they ought to get together, they belonged on the same side and when Lemke, when he was attorney general, and Frazier was Governor, Lemke was attorney general and John Hagen was commissioner of agriculture and labor and that constituted the industrial commission in North Dakota who have control of the State mill and elevator, the State bank, and all of the institutions, and the opponent in those days was the I. V. A., the Independent Voters Alliance, and they were the fellows that were instigating the feud between them, they were fellows who were always natural opponents.

But, anyway, I started dickering with him and I said I will buy some of that stock. I will buy it. I made a deal with him and afterward—I was going to pay him over a period of 4 or 5 years and I thought the thing would be adjusted before that—and afterward he gave me a reduction, and I think it was $1,000, or maybe $750, to pay him, because he had some mortgages or something due that he wanted to pay, and I paid him. I still think it is a good deal, a dandy deal.

Mr. Hood, one of the investigators, asked—

Have you ever had a chance to buy—

Referring to the Mexican Land Co.—

Answer. No; nobody ever offered me any. I think I would buy some if I got a chance. But now, with these claims, all the negotiations have been with the Mexican Government; you know the claims are all on file and there are people who wouldn't sell them unless they were pushed for money, needed money I even let go of some American Telephone & Telegraph stock when I needed money.

Mr. HOOD. How long ago was it that this land was expropriated?

Answer. Well, it has been—was before that oil expropriation. It was before that. This is agricultural land. I have got the abstract—

Listen to this—

I have got the abstract and maps and leases, and all that kind of stuff.

Then he says:

It was before that.

Tommy Sullivan is ridiculed by some Senators because he made this deal, but those who ridicule him overlook his statement that he has "the abstract and maps and leases." Tommy Sullivan went into this Mexican land deal much more earnestly and intelligently than the majority report might indicate.

It was before that.

Question. About 1919?

Answer. Oh, it was later than that. It is later than that. I may be wrong. All the negotiations with the South American countries and because of the salability and because of the better relationship between the governments that these things are going to be filed.

Now listen to his statement:

I am gambling on it, but if it does, I will get many times what I invested because I got one-twelfth of that stock.

Question. Did you buy all Mr. LANGER had?

Answer I didn't. I only bought half.

Question. Did you ever contact Mr. Lemke, the president of this company?

Answer. Oh, yes. He is president of the company and he is trustee of the land and as trustee he is the one that has to file, file the land all in his name as trustee.

Question. Did you ever talk to him about the value of this stock?

Answer. Many times. He always told me it is very valuable and my wife thinks the same thing, so it is one investment I made with her approval.

That is Sullivan's evidence as to his purchase of that stock. He said:

I was gambling; I had talked to Lemke many times; he told me it was valuable, and it was one of the investments I had made with the approval of Mrs. Sullivan.

It will be recalled that Mrs. Sullivan was former secretary to Lemke, and the person, Sullivan says, who knew more about it than anybody in the world except Lemke.

Mr. WHITE. Mr. President, will the Senator yield there?

Mr. MURDOCK. I yield.

Mr. WHITE. I do not know whether it has been covered in what the Senator has said while I was absent for a moment, but his reference to Lemke called to my mind that in the proof of the claim submitted to the Government Lemke himself said that the value of this land was approximately $940,000, as I recall.

Mr. MURDOCK. Yes; under oath Mr. Lemke, as trustee, filed a claim for the company with the Mexican Claims Commission, or whatever the agency is that handled the matter, for $900,000, not for all the land but for 80,000 acres which were taken. There are still 400,000 acres of land held by this company in Mexico.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. ELLENDER. In addition to the claim for the value of the 80,000 acres to which the Senator has just referred, there is also an item pending for $302,000 for movables on the land, and that claim is now being considered by the Claims Commission. So that makes a total of over a million dollars, which would give value to that stock, as I recall, of 3 to 1 if the claim should be paid in full.

Mr. MURDOCK. Then the question was asked:

Question. Has the claim ever been acted upon?

Answer. So far as I know, it is all in negotiation between the State Department and the Mexican Government.

I took it largely on the fact of the fellows that were in it, but I lost a great many thousands of dollars in Florida. I bought land down in Alabama that has coal and iron on it. After a lawsuit, I found the fellow I bought it from—paid him for—didn't even have title to it. I paid over $20,000 for it. I took it on faith and I lost.

The Senator from Illinois the other day asked us, "Do you think that Tommy Sullivan, a smart, intelligent lawyer, is buying that land under those conditions?" We find Mr. Sullivan's testimony here to the effect that he bought land in Florida and lost on it; that he bought land in Alabama, without even investigating what the title was, and lost $20,000 on that. So we find him to be a man who does such things, although the Senator from Illinois—and, I think, other members of the committee—rather ridicule the idea that he might engage in that kind of business.

I may digress here for a moment to tell the Senate a little story about something that happened in my own State. I shall not mention the names publicly, but I will give the names privately to any Senator who may desire them, and I will prove exactly what I now state.

One of the rich mine operators in Utah went down into a South American country and bought a gigantic acreage of land there. He had plenty of money. When he died that land was listed in his estate at $1. He had a very enterprising grandson who went to South America and looked over this vast acreage of land. When he returned he contacted one of the prominent millionaires of this country and sold him the idea that that land, which was listed as worthless in the estate of his grandfather, had immense potential value. The millionaire put his money into it, and today the enterprising grandson has his own airplane flying over the acreage in South America; he is operating the property, and it is worth not a million dollars but many million dollars. It turned out to be the best asset in the estate of his grandfather.

Perhaps Tommy Sullivan might be the same kind of person as the grandson in this instance who saw value when other people saw none—who saw a chance to make money when very circumspect and careful United States Senators ridiculed the idea that things such as that are ever done. Yet Tommy Sullivan tells about two former instances of his losing money in similar transactions.

Mr. STEWART. Mr. President, will the Senator permit me to ask him a question?

Mr. MURDOCK. I yield.

Mr. STEWART. Does the Senator recall what the record shows with respect to the date of the claim filed under affidavit or supported by affidavit by Mr. Lemke? Was it filed prior to the affidavit made to the investigators in this case? I do not know. What does the record show with respect to when the

affidavit made by Mr. Lemke supporting the claim against the Mexican Government was made?

Mr. MURDOCK. I am not sure that I know.

Mr. STEWART. Was it made prior to the affidavit he made to the investigators, concerning Senator LANGER in this investigation?

Mr. LANGER. It was filed June 15, 1939.

Mr. ELLENDER. Mr. President, if the Senator from Utah will permit me, the affidavit of Representative Lemke as to value was made in June 1939. The other affidavit was made subsequent to that date.

Mr. STEWART. It was made probably in 1941, I imagine.

Mr. MURDOCK. Mr. President, I have read from Tommy Sullivan's statement because he, Representative Lemke, Senator LANGER, and former Senator Frazier, were the only witnesses who testified as to the value of the land in Mexico.

Mr. LANGER. And the manager of the company, Mr. Musick.

Mr. MURDOCK. Yes; and the manager of the company also testified. The record shows that this company still maintains a caretaker for the remaining 400,000 acres, and is still interested in it.

Ex-Representative Lemke appeared before the committee and testified that he did not think the land had much value; but I call attention to the fact that when he submitted his claim to the Commission for the expropriated 80,000 acres of land he stated under oath that it was worth more than $900,000.

If Mr. Lemke were called before the Commission today, I wonder whether he would be willing to take the same position he took before the Senate committee. Of course, he is a defeated candidate for the Senate. If Senator LANGER should be unseated, perhaps lightning might strike Mr. Lemke, I do not know; it could happen. He might have had some little interest, and he might still have a little interest. He could not defeat LANGER at the polls so he might have some little interest now in getting Senator LANGER out of the Senate. Let me say, while I am mentioning Lemke's name, that I served with him for 8 years in the House of Representatives. In my opinion, he is able, sincere, and earnest; I call him my good friend, and I hope I always may; but I know that when Bill Lemke goes after anything, hell and high water cannot stop him if he can climb over it.

In summarizing, we find that instead of a reduction of taxes during the biennium of Governor LANGER, there was an actual increase of $136,000. We find that there was a reduction of about $3,300,000 from 1937 to 1938, but if the exhibits, if the evidence, if the record, and the figures and the facts which I have put in, do not convince anyone that the railroads were entitled to a reduction, then I say it is an impossibility to convince by facts and figures.

We have to conclude, under the existing state of facts, under the existing circumstances, whether Tommy Sullivan was bribing Governor LANGER in the tax matter, or whether he was buying stock in the company referred to on the gambling chance that he would get two or three or four or several times the amount of money he was putting in. I say that if one will study the record, if he will confine himself to figures and facts, and not depend on suspicion and imagination, he cannot come to any other conclusion than that the deal between Senator LANGER and Tommy Sullivan was on the square.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. MILLIKIN. I should like to suggest to the distinguished Senator from Utah that I doubt whether there is a western lawyer in the Senate, who has had any experience with estates, who has ever opened a box of a decedent in that section which has not been cluttered up with worthless land certificates, land stocks, mining stocks, and oil stocks, worthless at the time, but when purchased worth a hundred cents on the dollar.

Mr. MURDOCK. Any of us who have had a law practice in the West know that such things happen, indeed, that they happen every time there is a big estate closed. I am sure many western lawyers will recall in their practice cases of instances of land which was considered absolutely worthless, not even worth the payment of taxes, sometimes becoming a million-dollar property.

I call attention to a case which happened in my own experience. A lady left Texas 20 or 30 years before the big oil boom around Tyler. Her grandfather, before she left, owned 100 acres of land. Her interest in it was small, so small that she did not pay any attention to it after she left the State of Texas. Twenty or thirty years went by, and one Sunday morning she picked up the Salt Lake Tribune and read in it a description of one of the richest oil fields that had ever been discovered. She recognized the map and saw that the land of her grandfather was right in the heart of the oil structure. She came to my office and said, "Years ago I had an interest in that land. Is it worth anything now?" I said, "I think it is worth looking into." We did look into it, and today she receives a check monthly for her oil royalties. Of course, if anyone had said she had any valuable interest there, if some enterprising man from Texas had come to Utah and offered her $50 or $100 for her interest, she would have thought he was crazy; but her interest was valuable. This Mexican land, under the good-neighbor policy, as Tommy Sullivan referred to it, may become valuable, and the gamble he made and for which he has been ridiculed by Senators, may turn out to be a rather profitable investment.

I ask Senators again to look at the facts and figures in the record; and if they can come to the conclusion that railroad companies are bribing Governors to do what Senator LANGER did in this instance, then I am greatly fooled. They did not get a reduction in taxes; they got an increase, during his biennium, of $136,000.

I now leave that branch of the case and go to the bond transaction, which I think probably is considered by many Senators to involve the most important charge against Senator LANGER. Let me hurriedly sketch what the record shows about the economic conditions in North Dakota.

Mr. SMITH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Holman	Russell
Brooks	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Burton	La Follette	Smith
Butler	Langer	Spencer
Byrd	Lee	Stewart
Capper	Lucas	Taft
Caraway	McCarran	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Walsh
Ellender	Murray	Wheeler
George	Nye	White
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. MURDOCK. Mr. President, coming now to the bond issue, I think probably I should first briefly review the economic conditions which existed in North Dakota when Senator LANGER took office as Governor in 1937. North Dakota had not only suffered with the rest of the Nation from the depression, beginning in 1929 and following through 1930, 1931, 1932, and 1933, but it was also suffering from failures of crops because of droughts to such an extent that the western section of North Dakota was to all intents and purposes bankrupt. Farmers could not pay their taxes. County governments were having a desperate time paying their officials and operating at all. School districts all over the State, and especially in the western portion of the State, were having difficulty in paying their teachers. The State government was having the same type of trouble. The failure to pay taxes was reflected not only in the municipal and county governments and the school districts, but in the State as well. In 1935 a law was passed, which I shall read from the laws of North Dakota, chapter 135, page 261, section 1:

> A municipality may issue bonds under the provisions of this act for the purpose of funding and refunding its existing indebtedness at any time prior to May 1937.

Without reading the whole of it, that law provided, as I understand, that municipalities might issue bonds for the purpose of funding and refunding without referring the question to a vote of the people.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. McKELLAR. Was that while Mr. LANGER was Governor, or before?

Mr. MURDOCK. It was before; it was in 1935. I call that to the attention of the Senate because of the statement of Mr. Duffy.

Let us see who Mr. Duffy is. Senator LANGER was succeeded as Governor by Governor Moses. Governor Moses was elected in 1938. In his campaign he said to the people of North Dakota—

As a result of the issue concerning these bonds, if you will elect me Governor of this State I will clean up the bond situation and bring to justice the men who are responsible for it, including Senator LANGER.

That was the election issue on which Governor Moses campaigned.

We find that after he was elected Governor in 1938 and took office in 1939, one of the first things he did was to appoint Clyde Duffy, a very able, intelligent lawyer who had supported him in the campaign, to investigate the bond issues and to inform him and the people of North Dakota as to what had happened. Moses is a Democrat, and Duffy is a Republican; but as a Republican Clyde Duffy supported Moses for Governor.

When Mr. Duffy was before the committee he exhibited an intelligence as a lawyer which, in my opinion, put him a little above the average. He seemed to be a very honorable, high-class man.

In the second paragraph of Clyde Duffy's report we find the following:

Pursuant to the 1937 law permitting counties and other municipalities to refund outstanding indebtedness a considerable number of counties and other municipalities during 1937 and 1938 issued refunding bonds.

I do not know why he said "pursuant to the 1937 law" unless he wanted to make a little better case against Senator LANGER. If it could be shown that the law under which the municipalities were operating had been passed during Governor LANGER's administration it would make a little better case against him; but the fact is that the law was passed in 1935, and, of course, was renewed in 1937. Why? I suppose because there were still some counties which wanted to take advantage of the law.

Let us leave the record for a few minutes and consider the question of how counties, municipalities, and school districts issue bonds. A great many Members of the Senate are lawyers. I am sure that many of them have had experience on that question as county attorneys, attorneys for municipalities, State's attorneys, or attorneys for school districts. How is it done?

The minute any county, school district, or municipality gives out information that it is about to issue bonds or is even considering it, the bond hawks are on the job, as industriously as are our news reporters in the press gallery and elsewhere. They are out after bonds, just as the news reporters are out after news.

They then begin meeting with city councils and school boards and offering proposals for taking care of the bond issues. Early in my experience as a county attorney I found that bond brokers are not willing to take the advice of a county attorney. They are not willing to take the advice of a general practitioner. When a bond issue is being considered they require the approval of the issue by an expert bond lawyer. All Members of the Senate who are lawyers and who know anything about bond issues know that to be a fact. In my practice I was rather indignant when some bond broker said, "You will not do. We want our attorneys to pass on the issue."

What is the proposition made to a county or school district? The bond brokers say, "In connection with your bond issue, or your refunding issue, we will take care of the proceedings from the first step down to the signing of the bonds, and give you so much for them." Unless I am mistaken, that is the way bond issues are handled.

The evidence in this case is that, because of the economic condition of the counties, because of the failure of the farmers to pay taxes, the counties began issuing warrants and certificates of indebtedness, bearing 6 and 7 percent interest, which could not be paid. Wherever they could do so, the counties were going to the great State Bank of North Dakota and endeavoring to sell their certificates of indebtedness there. The counties were issuing to their employees warrants, which, when they could not be paid by the county treasurer, were stamped, and from that date on they bore 7-percent interest. That is the picture of conditions in North Dakota.

We find that a man by the name of Brewer was operating in that section of the country—in North Dakota and in adjoining States—and had been doing so for years, buying and selling bonds, meeting with county officials and arranging to refund the counties' bonded indebtedness, meeting with State officials, meeting with school boards. He was there for that purpose. In my opinion, he was a great businessman. He knew the bond game from A to Z, and he was not only working with the counties in connection with their bond matters, but he was buying the certificates of indebtedness back in 1934, in 1935, and in 1936, prior to the time when LANGER was Governor—working with them, meeting with them, going over the situation, and offering them propositions with respect to how they could refund.

There was a terrible condition existing in the counties of North Dakota. Men with money were coming into the State from adjoining States and buying the land that was being sold by reason of defaulted taxes, land on which, as I understand, 12 percent and up was being paid as penalty and interest on unpaid taxes.

Senator LANGER, after he became Governor in 1937, in order to stop that practice caused to be enacted by the legislature a law which made the maximum interest which could be paid on the sale of land for tax purposes 6 percent. That law went into effect in 1937, to stop the practice of men coming in from the outside and buying such land—not to get the lands, but in order to draw the enormous interest on the tax sales.

The charge which is made against Governor LANGER is—and I am sorry that I do not see any Members of the majority of the committee present—that while Senator LANGER was Governor the counties could not sell their bonds directly to the State Bank of North Dakota or to the other State agencies of North Dakota, but, because of the dominating influence of Senator LANGER, they had to sell to Brewer; and, after Brewer purchased the bonds, he sold them to the State Bank and to the other agencies, at quite an enormous profit; and that it was through the influence of Senator LANGER that he was able to do so.

It is further charged that in payment for the exercise of his influence in these bonding matters, two men, Brunk and Brewer, paid Langer $56,000 for worthless lands, as a cover-up scheme, or, let us say, as a bribe, in the bond transaction. Brunk was the attorney for Brewer, and they formed a corporation, I think, having a very small capital.

We must consider the fact that the counties were interested in their bonds; they had a say. The Bank of North Dakota and the State agencies came into the picture. The evidence will disclose that Brewer was engaged in this bonding business for at least 2 years, according to the evidence of Stangler—who was manager of the bank before Senator LANGER's time—according to Brewer himself, according to Duffy, and according to Brunk and Senator LANGER. He had been engaged for 2 years in contacting the counties, arranging to buy, arranging the bond issues, and all the time purchasing certain quantities and amounts of the outstanding bonds and certificates of indebtedness.

In order to get the whole story, we must digress for a moment, and consider who Stangler was. Stangler, according to the report of the majority of the committee, was a very capable, efficient banker. I think he is lauded very highly in the majority report, and the Senator from Illinois did so on the floor. It was said that Stangler is a great banker, a man who can be believed, and who is worthy of our confidence.

I thoroughly agree with the Senator from Illinois and the majority of the committee that Stangler is a good banker, that he is a man worthy of our confidence and belief. I ask the Members of the Senate to read his testimony from A to Z, and to see if they can find any part of it which would show that Senator LANGER ever influenced a board of county commissioners to do anything for Brewer, that he ever refused to allow them to sell their bonds direct, or that he had anything whatever to do with the bond transactions except to sit on a board, as an industrial commissioner, or as one of the directors of the bank. I think no Senator can point out in Stangler's testimony any evidence to the effect that Senator LANGER had one thing to do with the bond issues in the way of stopping the counties from selling direct, and then allowing Brewer to come in and to sell as a broker.

Stangler first came into the picture because of his connection with the Bank

of North Dakota, which is not simply a State bank, as we understand State banks, but is a bank absolutely owned by North Dakota, created for the purpose of being the fiscal agent of the State agencies.

Stangler first came to the bank as an appointee under the first Langer administration, back in 1933. He finally became manager during the Langer administration. He continued as manager during the first Langer administration, and during the Welford administration, and he stayed in the bank during the second Langer administration; but when LANGER became Governor the second time, in 1937, Stangler was demoted—for reasons which Senator LANGER has given to me privately. Senator LANGER has stated that he will state to any Senator who will come to him privately the reasons why Stangler could not continue as manager of the bank. The reasons he gave me are, in my opinion, good; and, if there is any doubt in the mind of any Senator, I ask him to go to Senator LANGER and have him state why he demoted Stangler after he had made a successful manager of the bank, after he had first come in as the appointee of Governor LANGER. It was hard to understand why LANGER should want to demote Stangler as manager of the bank. Stangler was not removed; he was demoted from his position as manager of the bank to that of manager of the credit department; and a man by the name of Frank Vogel was brought in as manager of the bank, under LANGER.

Inasmuch as I have mentioned Vogel, let me ask the Members of the Senate to keep in mind during their study of the case the fact that Vogel became manager, under Governor LANGER, in 1937.

Governor Moses ran for Governor and one of his campaign issues was that of investigating the bond transactions in connection with which Senator LANGER had been accused. Mr. Moses is still Governor of North Dakota, and Frank Vogel, the man whom Senator LANGER made manager of the bank, continues as manager under Governor Moses.

If there was any wrongdoing in the bank, the wrongdoing had to come either through Vogel or Stangler. Stangler was manager of the credit department and Vogel was manager of the bank. If there was wrongdoing, one or both of those men were implicated in it with LANGER, were they not? Yet we find them both still officials of the State of North Dakota under Governor Moses. Vogel is manager of the bank and Stangler has been promoted to be manager of the State mill and elevator, which, I understand, is the highest paid job in North Dakota. Is it reasonable to infer that if Governor Moses discovered some chicanery or some fraud and corruption in these bond transactions he would still keep Frank Vogel as manager of the bank and put Mr. Stangler in charge of the great State mill and elevator? Is that natural? Is it reasonable to assume such a thing?

Mr. McKELLAR. Mr. President, if the Senator will yield, are the mill and elevator owned by the State?

Mr. MURDOCK. Yes; they are owned by the State.

Now let us read from page 68 of the majority report on this charge:

Gregory Brunk and V. W. Brewer make almost $300,000 in gross profits on North Dakota bonds in 1937 and 1938. Brunk purchased sight unseen $56,000 worth of real estate from respondent with an equitable value of $5,600.

I want to get down to the statement about the bank, but first I will read from the report concerning Stangler, on page 70, to corroborate my statement:

His demeanor, his testimony, and his background indicated he was a man fully qualified to carry on the business and all the problems of a large financial institution such as the State Bank of North Dakota.

After Stangler was demoted, one Frank A. Vogel was placed at the head of this tremendous financial institution. The evidence shows that Vogel had been an unsuccessful banker of a small bank at Cold Harbor, N. Dak., same having been liquidated during the crash.

I do not accuse the majority of the committee of unfairness; I have stated time and again that they have my highest respect; but I ask the Senate, would it not have been a little more enlightening if the majority of the committee had said that Frank A. Vogel, whom they picture as an unsuccessful banker, is still head of the State Bank in North Dakota under Governor Moses, who carried on the investigation into the bond transactions after he became Governor. That, however, is not in the majority report; nor is it stated when reference is made to Stangler that he is still one of the high officials in North Dakota under Governor Moses.

Returning to page 68 of the majority report, I read the following:

It is well to point out that under the laws of North Dakota the State Bank of North Dakota, as well as other State institutions, had the power to negotiate and purchase direct, bonds issued by the various counties of that State, and that upon at least three occasions where the county commissioners attempted to sell the bonds direct to the bank, or to the State institutions, over which the respondent had veto power, there was a refusal upon the part of the State Bank or State institutions to buy said bonds. But in those cases the evidence shows that later on, after Brewer had purchased these bonds from the counties at a discount, he was able to sell to the bank, or some of the other State institutions, these very same bonds for par value.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions.

If there is a member of the majority of the committee in the Chamber—and I see the Senator from Vermont [Mr. AUSTIN]— present—I should like to have him name for me the three counties to which reference is made in this statement in the majority report.

Mr. AUSTIN. Mr. President, I do not know to what the Senator refers. From what page has he been reading?

Mr. MURDOCK. I have been reading from page 70 in the third paragraph, not counting the part of the paragraph at the top, toward the center of that paragraph where is found the statement:

And that upon at least three occasions where the county commissioners attempted to sell the bonds direct to the bank, or to the State institutions, over which the respondent had veto power, there was a refusal upon the part of the State bank or State institutions to buy said bonds.

Mr. AUSTIN. Mr. President, I think I would have a remarkable memory if I could carry this item in mind.

Mr. MURDOCK. I think so, too; I agree with the Senator.

Mr. AUSTIN. I am perfectly willing to look it up for the Senator, but I could not possibly answer the question offhand.

Mr. MURDOCK. I realize it is an unfair question, but I thought, perhaps, the Senator might have some notes on it. The reason I ask the question is that if only three counties offered their bonds to the bank or State institutions and were turned down, certainly it would take but very little time to look at the record and see what the evidence is with reference to those three counties and ascertain if LANGER had anything to do with at least the three counties to which the majority of the committee refer. I realize, as the Senator from Vermont says, that when he is asked point-blank for the names of the counties, he would have to have a very remarkable memory if he could remember them unless he had some notes. I should like, however, to have someone furnish me the names of the three counties, if it can be done, while I am making my argument.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions.

What is the inference to be drawn from that statement? Is it not that Brewer was able to go the Bank of North Dakota and through the bank finance the purchase of the bonds? I will read it again.

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions.

If the majority of the committee mean that the bonds were delivered to the bank by the counties, and then by the bank delivered to Brewer after he paid for them, there is no question that the evidence supports such a statement, but if the majority of the committee mean that the Bank of North Dakota financed the purchase of the bonds on the part of Brewer, then I say that there cannot be found in the record anything to support such a contention; but, on the contrary, from the testimony of Stangler and of Brewer it is found that the bank never did such a thing. I do not know whether any Member of the Senate has in mind the particular evidence, or who gave it, that the bank financed the purchases of Brewer, but the record is replete with testimony that the bonds were delivered by the counties to the bank with instructions to deliver them to Brewer when Brewer paid for them. Brewer himself testified that when they were delivered, "Yes, I wrote my check and then told the bank to whom and where they should be delivered."

Unless I am mistaken there were 30 or 31 counties in North Dakota——

Mr. LANGER. Thirty-one.

Mr. MURDOCK. There were 31 counties in North Dakota which issued bonds

during the LANGER administration. Of the 31 counties, in 11 of them the transactions were handled by Brewer. To my mind that is important. Thirty-one counties are selling or issuing bonds, but in only 11 are the transactions handled by Brewer. I wonder what Governor LANGER got out of those who were handling the other transactions?

I think, Mr. President, that in order to find Senator LANGER guilty in the bond transaction it must be found that he had something to do with the sale of the bonds by the counties to the brokers. That is where the profit was made on these bond deals, namely, by the broker being able to buy at a discount from the counties and then when he sold the bonds to the State institutions or to private purchasers to sell them at par. Can any one blame Senator LANGER, as Governor, for what a board of county commissioners did with the bond issues, unless he can be connected in some way with the sale of the bond issues by the commissioners?

There is no question that if any of the State agencies over which he was presiding as commissioner or as Governor purchased the bonds at par it would not make Senator LANGER guilty of causing the county boards to sell at a discount, would it? I cannot understand how it could.

As I have read from page 70, we find the statement, "It should be noted that the State Bank of North Dakota is the fiscal agent of all State institutions and counties." If any Senator can point to the evidence in the record showing that the Bank of North Dakota is the fiscal agent of a county I should like to have him do so. I do not think there is any question that it might be considered to be, and was, the fiscal agent of the State, but I cannot find evidence in the record to show that it was the fiscal agent of the counties. On the contrary, Stangler testified that at one time it was compulsory for the counties to deposit their funds in that bank, but that the law had been changed, and at the time of the happening of the events we are considering it was not compulsory, but was absolutely optional.

I read further from the majority report:

> It is mandatory upon the counties and the State institutions that they deposit their funds in this State bank.

I should like to have some Senator, if he is able to do so, point out in the record the law which compels counties to deposit their money in the State Bank of North Dakota. I do not believe it can be done; I do not believe it is in the record. I believe, indeed I know, that Stangler's testimony is that at one time that was true, but that it was not true at the time we are considering.

Returning now to Mr. Stangler, and to what the majority think about him I have already read the statement about his appearance. What does Mr. Stangler say about the fact that the Bank of North Dakota is, or was, the fiscal agent of the counties, or that it was mandatory for the counties to deposit their funds in the bank? Let me read Mr. Stangler's testimony, given to the investigators, as it appears on page 1810. That is not in the green book, it is in the "grab bag," which contains so many affidavits and statements:

> Question. And under that statute is the Bank of North Dakota made the fiscal and financial agent of the State and all of its political subdivisions?
>
> Answer. Well, originally it was compulsory for all county funds or public funds to be on deposit in the Bank of North Dakota. Later on it was changed that it was optional with the cities, schools, counties, and townships. But, the State still had to deposit all its money in the bank.
>
> Question. You say it was optional with counties also?
>
> Answer. Counties, and counties—school district, townships, and cities, and maybe some of the other political subdivisions, small ones, but the State funds still is compulsory to this date
>
> Question. Well, did the statute however making the Bank of North Dakota the fiscal and financial agent of the State and its political subdivision? I mean aside from the question of whether it was compulsory for them to deposit all their money there?
>
> Answer. No; it never was the fiscal agent on a compulsory basis for the local subdivisions, because the counties operated their own business, their own affairs, just like an individual. In other words, county commissioners done whatever they pleased, as far as running their own county.

To show how little control the officials of the Bank of North Dakota—and that includes the Governor—had over the heads of departments, I quote the following from Mr. Stangler's testimony to the investigators, page 1815:

> Question. And did the officials of the Bank of North Dakota act as counsel and advisers for the various State departments with reference to their funds and deposits and loans?
>
> Answer. No. All the time I was up there, I don't want to say anything against the State departments, but I had very little chance to ever tell them as to investing their moneys, or what to do, occasionally one of them would come down and ask me, but generally speaking, they ran their own show.

In 1937 there was an investigation by the North Dakota Legislature relative to the purchasing of bonds, and it was after that investigation that the legislature passed a law requiring the approval of the industrial commission. This is Mr. Stangler's testimony in that regard, given to the investigators. It starts on page 1817:

> Question. Was there a Senate investigation of the purchase of bonds by the various State departments?
>
> Answer. That is right; that is what I was just mentioning.
>
> Question. And in what year was that made?
>
> Answer. Nineteen hundred and thirty-seven.
>
> Question. Well, as the manager of the Bank of North Dakota, did you consider it your duty to assist the various counties that may have bond issues in distributing those bonds at the best price available?
>
> Answer. I tell you they never, invariably they would never, come to us; they seemed to run their own show. Occasionally some county would come down and offer a bond issue. We purchased several small issues; in fact, I don't think there was any time that the bank during 1937 and 1938 and 1939 but what we bought here and there small issues.
>
> But, generally speaking, we never did much as to helping distribute the bonds. We would either buy them outright or that was as far as we would go.
>
> But we weren't in a very good position to buy very many bond issues in 1937—I mean 1933 on up to 1937.
>
> Question. But in 1937 you were in a better position; is that right?
>
> Answer. Well, certainly, a little better; but we remembered the past 4 years, how tough going it was, and, as far as I was concerned, I couldn't possibly reconcile myself to loading the bank up with a lot of securities—I couldn't reconcile it.
>
> They had one crop failure after another, and it was plenty tough when it looked as though we weren't going to have enough money to pay deposits, as well as school districts coming in there demanding the cash that they had on deposit and all that sort of thing.

As I understand, the majority report states that the counties could not sell to the bank, but that Brewer could. The evidence of Stangler, however, seems to be that the counties could not, except—and he explains it later on—the shorter maturities, in small amounts. The bank was interested and took some of them, but for a county to come in with, say, a $200,000 bond issue, in some instances, $400,000, or $600,000, and ask the bank to take them, Stangler says no, it was out of the question.

The question may arise in Senators' minds, could not the bank have taken the whole issue, and then sold the bonds around? Perhaps the bank could have done that, but Stangler says it did not have the facilities with which to do it.

The charge has been made in the majority report, and in very strong language, that the county commissioners would first offer their bonds for sale to the Bank of North Dakota, that the bank officials would refuse to buy them, that the counties would have to sell to Brewer, and that a few days later Brewer would sell the bonds to the Bank of North Dakota or to some other agency.

In this connection, we again have the testimony of Mr. Stangler, the man, remember, whom the majority of the committee praise very highly, the man whom the distinguished Senator from Illinois states he would swear by, the man whom Governor LANGER demoted, and who now has a leading position under Governor Moses. When he was interrogated by the investigators, he said in this connection, reading from page 1821:

> Question. Have you heard the charges that the counties selling bonds would, being unable to sell their bonds to the Bank of North Dakota, would be approached by Brewer, and after making a trade with Brewer that the bonds would immediately become the property, after delivery to Brewer, of the Bank of North Dakota and the State institutions?
>
> Answer. Yes; I have heard those charges.
>
> Question. Do you know anything about the truth or falsity of those charges?
>
> Answer. Well, as far as the Bank of North Dakota is concerned, my policy, and I think that was generally the policy, was that the—when you get rid of as many of these issues as we got. For example we had some old bond issues of counties that had been there for a long time. It was true in some cases we exchanged the old ones for the new ones; I think that was true, how extensively, I couldn't say. But, as to the general prac-

tice that the counties couldn't sell to the bank first, and then later sold to the—then later the bank became the owners, I don't think there was anything to that.

There we have Stangler's statement—

I don't think there was anything to that.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. AUSTIN. If the Senator is interested in the names of counties which there was evidence tending to show had offered or tried to sell direct, I can furnish them. My attention has been called to that evidence, and I am glad to give it to the Senator, if he wants it. I do not want to interrupt him if he does not.

Mr. MURDOCK. I am glad to have it.

Mr. AUSTIN. If the Senator will turn to page 97 of the report and memorandum of information submitted to the Committee on Privileges and Elections, he will find that the counties are Grant, Mercer, Sheridan, Morton, Ward, Adams, Slope, and Mountrail—this being, let me say, a part of the report of Mr. Clyde Duffy, the special attorney for the Governor. He says there that these counties "are all reported as having applied to one or more State agencies before making a sale of their bonds through a broker."

The names of others appear on the next page. There is also further evidence in the form of photostats of the books of the V. W. Brewer Co. showing the counties. The photostats have red marks on them, and I am glad to hand them to the Senator if he wants to make use of them.

Mr. MURDOCK. Do I understand that this is the only evidence in the record?

Mr. AUSTIN. I cannot say that. The fact is that personally I make no special point of that matter. This is not a part of the report with which I had to do, and this is the first time that particular question has been brought to my attention.

Mr. MURDOCK. Very well. The Senator from Vermont has very kindly given us as the evidence with reference to the three counties the report speaks about, the names of the counties listed on page 97 of what is styled "Committee print," which is the report and memorandum of information submitted to the Committee on Privileges and Elections. I think perhaps this is an improper question, due to the statement which the Senator from Vermont has made, but does the Senator know of any reason why the majority report refers only to three counties, when Mr. Duffy mentions eight counties?

Mr. AUSTIN. No; I cannot explain that.

Mr. MURDOCK. I thought there might be some reason for referring to those counties.

When I yielded to the Senator from Vermont—and I was very happy to do so—I think I was about to state that much is made in the report of the majority of the fact that Mr. Stangler was demoted and Vogel was put in his place. I do not know why that is important, unless the majority of the committee wants us to believe that Governor LANGER had some purpose in getting rid of Stangler and putting Vogel in the office. The inference I draw is that there must have been some kind of motive in the back of the Governor's head for demoting Stangler and putting Vogel in.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Is there any proof of that? Does one not simply have to imagine it?

Mr. MURDOCK. That is what I say. My inference from the majority report is that they attach considerable importance to that fact. They point out how successful Stangler has been, and that the only qualifications of Vogel seem to be that he was the operator of an unsuccessful bank at Coleharbor. If we take the view of the majority, that Stangler had a right to feel that he had been treated unjustly, then must we not also infer that if there was anything wrong with Governor LANGER's operations in connection with the bank, and Stangler knew anything about it, he would naturally want to come back at Governor LANGER and perhaps even up the score? I simply offer that suggestion for what it is worth, and it seems to me it is a proper inference to be drawn from the majority report on that question. We now have the evidence called to our attention by the Senator from Vermont that the counties which tried to sell directly, but failed, and then sold through Brewer, are the ones listed in the Duffy report.

Mr. LUCAS. Mr. President, will the Senator yield at that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. I think the Senator will find that there are two counties among those listed in the Duffy report, in which Brewer and Brunk did not figure. In other words, that the counties attempted to sell to some others, one being the same individual who originally bought the bonds from Williams County, and who later on had to buy through Brewer and Brunk. But there are two counties mentioned there with which Brewer and Brunk had nothing to do at all.

Mr. MURDOCK. The Senator from Illinois now tells us, and I think it is very remarkable, that two of the counties listed here by Duffy handled the bonds through someone else besides Brewer. So, certainly, Governor LANGER could have no connection with them, and did have no connection with them.

Mr. LUCAS. That is correct. I will say that those two counties which are listed in the Duffy report are not included in the report made by Mr. Brunk to the committee. In other words, the ledger sheets showing the profits made by Brunk from these various county transactions involving bonds, did not include those two counties which Duffy mentioned.

Mr. MURDOCK. Apparently the investigators were not quite satisfied, because later on the witness was asked, as appears on page 1842:

Question. Brewer, we will say for instance.
Answer. Gosh; I don't know—

This is Stangler testifying.

I just don't remembeer of a sale of a bond to Brewer that later was sold to the State; I can't recall any. There might have been one, but if there was, it was one in a very, very few.

All of those issues—that brings us right back down to what the politicians stated—

Stangler is now telling us what the politicians stated in the campaign—

that brings us right back down to what the politicians stated that the bank got these bonds. I heard Senator—Congressman Lemke make that statement over the radio that Ward County sold its bonds to Brewer, then they finally got into the Bank of North Dakota. Now, as a matter of fact, those bonds that the State departments bought never went into the Bank of North Dakota as ownership, never. Never. We never bought issues from Brewer and then later sold them to State departments. That wasn't the policy of the institution. It might have happened in a bond or two—

Speaking of individual bonds—

It might have happened in a bond or two that he may have had an agreement to sell a State department a certain number of bonds and then was a bond short. But never was a bond issued like this deal I am mentioning, like Ward County, like I turned them down and later on the bank in fact bought them, then they were in the State institutions, because the bank hasn't put a dime in those bonds, because the bank hasn't got one cent from their bonds.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. Is not that which the Senator is now quoting the best evidence that the people of North Dakota, even Lemke himself, did not know the real transaction that was going on? In other word, Lemke made that kind of a speech over the radio, and the one who was the manager of the bank at that time, comes along and testifies that Lemke himself was wrong in making that statement over the radio, proving conclusively to me that if Lemke, who was the opponent of Senator LANGER in that campaign, did not know what it was all about, certainly the people of North Dakota did not know about the bond transaction.

Mr. MURDOCK. I do not believe the manager of the bank is trying to tell us what Lemke knew about the transaction; but he does refer to the fact that Lemke was, as I understand, taking the position that the manager took, that the counties tried to sell to the bank direct. They could not sell, but when Brewer got the bonds he did sell them to the bank, and then the bank resold them to the State institutions. That is, at least as I understand, one of the charges the majority of the committee make. According to Stangler, it seems to have been talked about in the campaign by William Lemke, when he was running against LANGER.

Taking up one of the counties mentioned on page 71 of the majority report, the following question was asked, as appears in the testimony taken by the investigators at page 1845:

Question. Would it strike you as peculiar that on the same date that the bonds were delivered to the bank, which is as I have it here, July 27, 1937, that they were sold to the State Bonding Fund?

Answer. That is the way they always did, the bank never bought any. The way they

did it, the county asked that the money be deposited in the bank. So to protect the county, the county would send the bonds down to the bank after they were printed, and then—when instructions came—to give them credit for the bonds.

Question. Yes; but would it strike you as being peculiar that the State bonding fund would purchase these bonds on the same date that they were delivered?

Answer. No; that wasn't anything. Here is the way they do: Any bond company, just like this city here sold its bonds, here—these bond companies would buy these bond issues in, then the minute they had bought them they would immediately cast around and try to sell them, and whether they sold them to the State bonding fund or sold them to the outside, or sold them any place, the sale was made subject to these bonds being delivered.

In this case, I don't remember the incident, but if the bonds were sent to the bank, and if Brewer bought them, which I understand he did, he gave a check for them, I am satisfied of that, he always did. Never once did those issues come in—

I refer back to the following statement in the majority report:

It is apparent from the evidence that Brewer used the Bank of North Dakota to finance these transactions.

Stangler says that it was never done in connection with a single issue.

Mr. Smith, one of the investigators, was questioning Stangler:

He might anticipate this delivery——

Mr. LUCAS. Mr. President, will the Senator yield before he leaves that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. Will the Senator reread the testimony with respect to Brewer giving a check, and tell us upon what bank he issued the check?

Mr. MURDOCK. Stangler does not say on what bank.

Mr. LUCAS. He does not say on what bank; but as I recall there is evidence somewhere that the transaction was made at that bank, and that Brewer made no investment or outlay of money at all in connection with the sale of those bonds from the county to the State Bank of North Dakota. If there is any evidence from Stangler himself that shows on what bank Brewer gave his check I should like to have it.

Mr. MURDOCK. I wonder if the Senator is fair in this matter, as he should be.

Mr. LUCAS. I have tried to be.

Mr. MURDOCK. With respect to every quotation I have read to the Senate today I have not only given the page, but I have stated the name of the witness who was testifying, and the name of the investigator questioning him. Now the Senator rises and tells the Senate that somewhere there is some evidence in contradiction of the evidence which I am reading.

Mr. LUCAS. It does not contradict it at all. The Senator has not yet given the Senate any evidence that shows in what bank Brewer had his money, and upon what bank he drew the check. Stangler does not say from what bank Brewer drew the money to pay for the bonds.

Mr. MURDOCK. I think, before I have finished reading, the bank will be named.

Mr. LUCAS. I merely asked the question.

Mr. MURDOCK. The Senator would not expect me to know. I am reading the evidence of Stangler. I know that the Senate is rather bored by the reading of this evidence; but how can we get the facts if we do not go to the evidence? I do not think it is fair for any Senator to rise and say that somewhere there is evidence on this question. I think that when such statements are made the evidence should be at the Senator's disposal, so that he can call it to the attention of the Senate.

Mr. LUCAS. The Senator has just said that he does not know I realize that there is considerable evidence in this case, and that he does not have it all at his fingers' ends. Neither does the Senator from Illinois.

Mr. MURDOCK. But when I quote evidence I am able to turn to the evidence.

Mr. LUCAS. The Senator has not yet shown the facts from which he draws his conclusion with respect to the payment of money by Brewer for the bonds. It may be in the evidence, but the Senator has not yet shown it.

Mr. MURDOCK. Let me read Stangler's statement again:

Answer. No; that wasn't anything. Here is the way they do: Any bond company, just like this city here sold its bonds, here—these bond companies would buy these bond issues in, then the minute they had bought them they would immediately cast around and try to sell them, and whether they sold them to the State bonding fund or sold them to the outside, or sold them any place, the sale was made subject to these bonds being delivered. In this case, I don't remember the incident, but if the bonds were sent to the bank, and if Brewer bought them, which I understand he did, he gave a check for them, I am satisfied of that, he always did. Never once did those issues come in—

Then he was interrupted by the next question.

Mr. SMITH. He might anticipate this delivery and go to these agencies that might be in the market for it?

Answer. Oh, he sold them right away, the minute he had a bond issue bought, he would get busy immediately trying to sell them.

On page 1847, Mr. Stangler volunteered the following testimony:

Answer (interrupting). Of course, here is the one thing you want to remember, that the time was ripe in 1937 and 1938 for these various departments to buy securities, because the taxes came in, and they had a lot of surplus funds on hand, and they would buy quite freely; they would buy quite freely.

Question. Do you know why the various county commissioners were not informed of that fact by the bank or by the industrial commission?

Answer. Oh, gosh, I couldn't say. I will tell you my experience wasn't very satisfactory trying to tell these departments what to do. I appeared up before the university—not the university—the teachers' retirement fund many times, tried to sell them bonds of one kind or another. I don't think, just confidentially, that I ever sold them once. And, it was pretty hard to tell these State departments what to do, it was pretty hard to tell them what to do.

Question. Was it pretty hard to tell the commissioners or give them suggestions as to where they might sell them?

Answer. No; here is the way this works: If a State department—for example, I know in one case where a State department, I think that was the board of university and school lands, I am not sure now—had a certain bond issue, one or two hundred thousand dollars, and that was paying 5-percent interest. And the local subdivision had a chance to borrow the money at 4, and they made arrangements to borrow the money and paid off this big job of bonds, and right away the department had a lot of money on hand to reinvest, and quite a lot of that happened, and departments got loaded up with cash in short order, and my personal opinion is that Mr. Brewer had these counties sewed up quite a little time before the bond issues materialized, I think he must have had them sewed up for quite a while in advance.

Mr. SMITH. Sometimes as much as 2 years?

Answer. That is possible, so that the State departments wouldn't always know just when or how soon they could buy.

That is a statement from Stangler dealing with Brewer and the matter of delivery of bonds from the counties to him in his purchases and sales. In his opinion, Brewer had the counties tied up very much in advance of the sales—in some instances as much as 2 years. That would be 2 years before Governor LANGER became Governor. That is the end of that quotation.

I am sure that the Senate was much interested, in view of the majority report, in the statement that the Bank of North Dakota was the fiscal agent of the counties, in the following testimony of Mr. Stangler, from page 1849:

Question. Would you say the majority of the counties who had bond issues came to the bank?

Answer. I would say that invariably the poorer counties came, poorer counties generally came. The ones we wanted to get rid of. That is about the size of it. Cass County, Grand Forks County, they never come in. Stutsman County never come in. They could sell them readily, but these counties, like Grant County, Sioux County, we wanted to get rid of.

Grant County is one of the counties named in the Duffy report. It is reported to have wanted to sell its bonds direct. Stangler says that "the poorer counties came to us, but the richer counties did not." The counties they wanted to get rid of came. The other counties did not.

Coming to the question of the various counties which are named, if Senators will look at the committee report on page 71, they will find that the first county listed is McHenry County. There is no evidence whatever in the record that McHenry County ever came to the State Bank of North Dakota or to any State agency and tried to sell its bonds direct. I believe that no member of the committee can find one scintilla of evidence that McHenry County came to the Bank of North Dakota, or to any other agency.

The second county mentioned is McLean County. There is no evidence with respect to that county; but if the majority of the committee had read the evidence of Ole Sundby, County Commissioner of McLean County, beginning on page 323 of the testimony taken by the investigators, they would have found that Brewer bought those bonds in the month

of December 1936, before LANGER ever became Governor. The testimony shows that the auditor went to the board of university and school lands before WILLIAM LANGER became Governor, and that those bonds were turned down.

The third county on the list is Pierce County. I wish to call upon the Senator from Illinois or any other Senator on the majority of the committee and ask for the evidence with reference to Pierce County ever offering its bonds.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. I do not know whether it ever offered its bonds; but, if the Senator will turn to page 71 of the majority report, he will find that in 1937 Mr. Brewer made $1,486 out of Pierce County bonds. The date is shown in the report; it is 1937. I care not whether the profit was made during Governor Welford's administration or during that of another Governor; but the date is marked "May 22, 1937."

Mr. MURDOCK. However, the majority of the committee charge that Governor LANGER is guilty in that the counties tried to sell their bonds directly to the State bank but were unable to do so, and that thereafter they sold them to Brewer, who was able to sell them to the State bank.

I call on the Senator from Illinois or any other member of the majority of the committee to point out any evidence of Senator LANGER's having participated in such a manner in connection with the sale of the bonds of Pierce County, which is one of the counties listed in the report of the majority of the committee.

Mr. LUCAS. Certainly, we listed it; because the information as to it was lifted from Brunk's ledger sheets. He said positively that in May 1937 he made $1,486 in commissions on the sale of bonds of Pierce County. I do not know anything other than what the ledger sheet shows. He definitely stated that the profit was made in 1937.

Mr. MURDOCK. We do not contest the fact that he made a profit. Is it a crime to make a profit? Is that any evidence that Senator LANGER is guilty of having committed a crime in connection with that transaction?

I ask the Senator from Illinois or any other member of the majority of the committee to produce one word of evidence that Pierce County offered its bonds to some agency that could be influenced by Senator LANGER, and that the county was turned down.

Mr. LUCAS. In the Duffy report, I think the Senator will find that seven or eight counties are mentioned. Duffy is the man who was appointed by Governor Moses to make the examination; and he was cross-examined at great length by counsel for Senator LANGER.

On page 97 of the Duffy report we find the following statement by Duffy:

> Grant, Mercer, Sheridan, Morton, Ward, Adams, Slope, and Mountrail Counties are all reported as having applied to one or more State agencies before making a sale of their bonds through a broker. The commissions received by V. W. Brewer Co. and associates, as nearly as I have been able to determine, are as follows:

Then he proceeds to set forth the names and amounts.

There is nothing there about Pierce County, and I do not know that it is claimed anywhere in the majority report that there is any information about Pierce County other than that contained in the ledger sheet itself, as shown by Brunk's exhibit, which he put in evidence.

Mr. MURDOCK. Yes; we very readily admit that the ledger sheet shows a profit from the sale of Pierce County bonds; but in the majority report it is said that there were three counties—three counties out of all the counties they listed——

Mr. LUCAS. Mr. President, if the Senator will yield, let me say that we underestimated our position.

Mr. MURDOCK. I do not yield to the Senator. The majority state in their report that there were three counties that went either to the State bank or to some other State agency and tried to sell directly, but could not sell directly; and that Brewer, after he got the bonds, was able to sell directly to the State bank.

Since the majority report does not give the names of the counties to which reference is made, the responsibility becomes mine to go through the entire list, county by county, and to ask the majority of the committee to point to any evidence which shows that any county ever went to any State agency or to the State bank and offer to sell directly.

Mr. LUCAS. I just read to the Senator the county names that were taken from the Duffy report.

Mr. MURDOCK. Yes; from the Duffy report.

Mr. LUCAS. They were taken directly from the Duffy report, the accuracy of which was not disputed on cross-examination, as I understand, by anyone.

However, as I said a while ago, the profits made from 2 counties mentioned there are not chargeable to Brewer and Brunk.

The only thing the majority did was to understate its case insofar as the three counties are concerned.

Mr. MURDOCK. I want to give the majority members of the committee the opportunity to point out the evidence as we come to the names of the counties.

Mr. LUCAS. I cannot point them out any more definitely than I have pointed them out.

Mr. MURDOCK. I am sure the Senator from Illinois cannot point them out more definitely than he has.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Some statement was made with reference to bond sales in 1937. Does not the evidence show that LANGER did not become Governor until the first part of 1937?

Mr. MURDOCK. That is correct.

Mr. CONNALLY. And that he had been Governor, but had been ousted?

Mr. MURDOCK. That is correct.

Mr. CONNALLY. Is there not abundant proof that the negotiations in connection with the refinancing, and so forth, required a great deal of time? Therefore, if a refinanced bond were sold in the early part of 1937, the presumption is that the negotiations with the counties had occurred long prior thereto, and were bound to have occurred long prior thereto; is it not?

Mr. MURDOCK. I think that is a reasonable presumption. Stangler stated it as a presumption, but I do not believe the majority report agrees with him.

Mr. CONNALLY. The record shows that the negotiations were going on for a considerable period of time.

Mr. MURDOCK. I have read into the record evidence from Mr. Stangler's testimony that, in his opinion, Brewer had the bond issues "sewed up."

The question was asked:

> As much as 2 years before?

He replied:

> Yes.

Mr. CONNALLY. Let me ask the Senator a further question. Does not a reading of the whole record in regard to the resale of the bonds demonstrate the fact that, inasmuch as the counties which originally had the outstanding warrants and outstanding certificates of indebtedness which were about to mature were buying short-term paper, and the State was unable to take them up, of course their salability was reduced, as was their value? Through Brunk and Brewer, however, or anyone else, by a refunding process of collecting the certificates and spreading them out over a longer period, not only could the interest rate be reduced—and apparently it has been forgotten that the interest rate, which on most of the certificates of indebtedness and warrants was 7 percent, was reduced to 4 percent, a reduction of which the counties and the State got the benefit—but what had been an unsalable bond was made a highly attractive investment, and that fact is responsible for the enhanced value when the bank bought the bonds.

Mr. MURDOCK. Yes; and in Mr. Duffy's testimony we find that very statement, that every county improved its condition under the refunding operation.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Vermont.

Mr. AUSTIN. I think that in passing we should keep the record straight about the claim made on this subject in the majority report.

Mr. MURDOCK. I think so, too.

Mr. AUSTIN. It is only for that purpose that I rise; I did not want to interrupt the Senator.

Mr. MURDOCK. The Senator from Vermont has interrupted me very little, and I know of no Senator in the Chamber by whom I should prefer to be interrupted.

Mr. AUSTIN. I thank the Senator very much.

The claim is made that during the administration of Senator LANGER, throughout the period from January 1, 1937, to January 1, 1939, he had a power which could have interfered with or stopped the sales at any time; and that claim was coupled with Mr. Brunk's testimony, appearing at page 208 of the hearings, in which he said that the fourth basis of his

planning to employ people and pay them, when he paid funds or benefits which were not attorneys' fees, was as follows:

Fourth, you have to keep everybody else in agreement with you, that will not upset you while you are trying to do it.

That is the claim contained in the majority report, and I want that understood as we pass over this phase of the case.

Mr. MURDOCK. Of course, the only way I can construe the majority report is by a reading of the report itself. The distinguished Senator from Vermont states that Governor LANGER had a veto power which he could have used at any time to stop the sales. I desire to know if there is any evidence in the whole record to show that Governor LANGER or any other Governor of North Dakota could have ever interfered with the sale of county bonds.

Mr. AUSTIN. Mr. President, will the Senator yield again?

Mr. MURDOCK. I shall yield in a moment.

It may be true, Mr. President, that Governor LANGER when serving as a member of a State agency could have refused to buy bonds in cases in which some profit was involved; but I do not know of any bond brokers who are buying bonds at a discount and then selling them, for their health. They do not operate that way.

What I regard as one of the most important points is the fact that Senator LANGER, as Governor, had absolutely no control over the actions of boards of county commissioners in their dealings with bond brokers; and especially was that true prior to the time when LANGER became Governor; and, in my opinion, Brewer had every bond transaction with county boards tied up, before Senator LANGER ever became Governor of North Dakota.

Now I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, my recollection is that the evidence sets forth a law giving to a commission of the State of North Dakota—a commission of which the Governor is chairman—absolute control over every single bond sale made by anyone, particularly by the municipal organizations, to the various State agencies. Of course, the law did not directly interfere as between the county commissioners and the brokers; but it did indirectly interfere, because it gave the veto power over the sale to the agencies to whom the brokers had to go, and did go, to make the sales.

Mr. MURDOCK. I am not sure that the Senator quotes the law as it is. I believe that on some boards the Governor, as a member of the board, has the power to stop sales by brokers to the State agencies; but, Mr. President, can we convict Senator LANGER on that kind of a ground unless Senator LANGER, as Governor, was able to step in, preclude, and prohibit the county commissioners from selling their bonds to brokers? Then, how in the name of common sense, could he have stopped Brewer from dealing with the county boards he dealt with?

Let us admit that as Governor of the State Mr. LANGER did have the veto power, but the counties had agreed to sell their bonds and had sold them before Brewer could offer them to a State agency, and at a discount to Brewer. Brewer sold the bonds belonging to him. Then, I ask any Member of the Senate if it would have been good judgment, good procedure, good practice, to say to a broker, simply because the counties had made with him a deal which was profitable to him, that there was no sale for such bonds to a State institution in North Dakota? To me, it is preposterous to blame the Governor of a State for what county commissioners may do.

But the charge in the majority report is—and I go back to it—

But in those cases the evidence shows that later on, after Brewer had purchased these bonds from the counties at a discount, he was able to sell to the bank, or some of the other State institutions, these very same bonds for par value.

It is true that he sold them at par value, but the question arises, was there any power vested in Governor LANGER to stop him from buying from the county commissioners? We must also consider in this matter the fact that Brewer, as stated later on by Mr. Brunk from whose testimony I will read, had then in his possession as the owner, as I recall the figures, over a million dollars worth of these certificates of indebtedness in warrants. Could any county that wanted to refund its bonds refund them without taking into the picture Brewer who was the owner of a million dollars' worth of certificates and warrants that had to be refunded? If such a thing could be done, I should like to have someone tell me how it could be done, and where is the evidence to support the contention that it was done?

Next, Mr. President, we come to the fourth county on the list, which is Ward County. Is there any evidence that any Senator wants to submit that Ward County ever offered to sell direct to the State institutions, and could not do it, but later Brewer did it for them? I do not think there is any such evidence. Referring to Ward County, I call particular attention to the testimony of Mr. Brey, auditor for Ward County, given to the investigators, on page 349. Let us see what Mr. Brey says about what they did in that county. I quote the following, Mr. Smith asking the questions:

Mr. SMITH. State your name.

Answer. Fred M. Brey.

Question. May we have your age, and you are presently county auditor of Ward County?

Answer. I am 53 years old, presently auditor of Ward County.

Mr. HOOD—

Mr. Hood was one of the investigators—

Question. How long have you been auditor?

Answer. Since April 1937.

Question. Did you hold any political office prior to that time?

Answer. No, sir

Question. That is an elective office?

Answer. It is.

Question. How many bond issues does Ward County have outstanding?

Answer. I think there are three right now.

Question. Three right now? Do you recall the date of such issues?

Answer. Well, the dates of the—see, this one would be submitted about 2 months ago, that would take care—that took care of two old ones, I think.

Question. Well, we are not so much interested in that one 2 months ago as we are the first one.

Answer. You mean—oh; the old ones, then?

Question. Yes.

Answer. Well, there was a 1923 issue, and then there was a '35 issue and a '37 issue.

Mr. SMITH. The '35 and '37 would be the ones.

Answer. Those are the ones you are interested in?

Mr. SMITH. Yes.

Mr. HOOD. What was the amount of the '35 issue?

Answer. Was that $250,000 or $150,000?

The amounts changed materially from the time the application was made until the bonds finally went through.

Mr. HOOD. (Hands paper to witness.)

Answer. This $195,000—that '35 issue was $195,000.

Question. And the '37 issue was what?

Answer. The '37 issue you see was $213,000, it was originally started for $275,000, but by the time we got both sides around, got everything lined up for it, why, we reduced the amount necessary, you see?

Question. Now, were both of those deals or transactions arranged prior to your coming into office?

Answer. Yes; they were.

Question. But part of them were completed after you came into office; is that correct?

Answer. Well, the only thing there was left to do was for me to sign the bonds and make delivery to the Bank of North Dakota.

Question. Now, then, to whom were those bonds sold?

Answer. They were really sold to Brewer.

Question. V. W. Brewer & Co., of Minneapolis?

Answer. That is right.

I now refer to the testimony of Mr. Stangler himself, and I quote from page 330 of the testimony in the hearings, that is the green book:

Ward County I personally turned down, and they telephoned; they called in by long distance. It was only 2 years before—I think it was either in 1935 or 1936—that they had sold a bond issue. We did not buy it. I remember they were trying to sell those bonds. I knew that Ward County had heavy expenditures and a great amount of other securities outstanding, and I turned them down. As far as I know, I guess the bank never did buy any of their bonds. I think Mr. Brewer handled the previous issue.

Senator LUCAS. What county is that you are talking about, Mr. Stangler?

Mr. STANGLER. Ward County. I think Mr. Brewer handled that issue.

That is the evidence as to Ward County.

Next we come to Divide County, in the evidence of Mr. Feil, the county commissioner of Divide County, which is found at page 603 of the record in the box which is in the cloakroom. I quote as follows:

Mr. HOOD. What are your initials?

Answer. A. Feil.

Question. You reside at Fortuna?

Answer. Yes.

Question. You are a commissioner of Divide County?

Answer. Yes.

Question. And you have been since how long?

Answer. Since January 1, 1933.

Question. And you were on the commission, or one of the commissioners when the bond issue of 1937 was put through, is that correct?

Answer. Was it 1937?

Question. Yes, sir; I am sure.

Answer. That was the last issue?

Question. That is right.

Mr. SMITH. Three hundred and fifty thousand dollars.

Answer. Yes.

Mr. HOOD. And those bonds were refunding bonds on an old issue; is that correct?

Answer. Refunding bonds, and also I think it included the purchase of one.

Mr. SMITH. Refunding of the debt?

Answer. Refunding of the debt.

Mr. HOOD. And the county contracted with V. W. Brewer to take over the job of gathering up the old outstanding bonds and warrants and debts and disposing of the new bonds; is that right?

Answer. Yes.

Here we have undisputed testimony which, in the minds of the Senators submitting the minority report, is full and sufficient and conclusively shows that the entire Divide County transaction out of which Messrs. Brewer and Brunk made a part of the $300,000 gross profit alluded to, took place before Mr. LANGER was Governor. Then we come to Sheridan County. Sheridan County is one of the counties mentioned in the Duffy report as having offered its bonds direct. With regard to that, I read from the testimony of Ben Kludt, the county auditor. In response to a question by Mr. Smith, Mr. Kludt said:

Answer. Not advertised bids as I recall, but the chairman of the board and I did make inquiries at the State land department of that year, whether or not it would be possible to float a bond issue with them, yes.

Question. Do you recall whether Senator LANGER was a member of that board?

Answer. No; I don't. My recollection as to whether he was then Governor or not—without calculating it—

Question. He was Governor and——

Answer. We didn't contact him. It was the land department itself, the heads of it. And they told us at that time—the first time I was there, they told me that it was contingent upon laws passed that session of the legislature. That could be possible, I think.

Question. That is right.

Mr. HOOD. Then, what did they tell you on the second occasion that you were there?

Answer. Well, I don't just know, but we didn't get any encouragement from it. I don't remember whether I was along the first or second time. We were together once, the chairman of the board was with me once and once I was alone. I might, to make that clear, I was there twice, but once the chairman of the board was with me.

It is important that I now call the attention of the Senate to the fact that the head of the Land Department, known as the Land Commissioner, was appointed by the predecessor and political opponent of Governor LANGER, who was Governor Welford. There is not one scintilla of evidence that Governor LANGER knew anything about it. Not only that, but that bond issue was not even bought by Mr. Brewer. I quote from page 712 of the testimony taken by the investigators:

Question. Did you talk with anyone associated with the Bank of North Dakota about the possibility of their taking over the bonds, or did any of the Commissioners that you know of?

Answer. I am not so positive about that just now I am not—I couldn't tell you for sure whether I ever asked them or mentioned it to them, now, I am not positive.

Mr. SMITH. Do you recall who bought the issue?

Answer. H. E. Mueller, of Hazen. He is the man that made the entire deal, the bonds are made to bearer.

In this connection it is interesting to read the testimony of Mr. LANGER that Mr. Mueller was one of his political enemies. Still, of course, that is listed as one of the bond transactions on which Senator LANGER is accused, and for which, I suppose, it will be contended that he should be unseated.

We come now to the next county, namely, Grant County. Referring to the testimony of Mr. Stangler on page 330, we find:

Well, then, you refer down here to Grant County. That was a similar situation. Only 2 years before I had taken their entire bond issue to put them on a better basis. The bonds were still in the bank, when they were again ready for another bond issue, and I think we had in the interim loaned Grant County $155,000 on certificates of indebtedness, which this report shows; and, of course, as I was concerned, I could not see that we could grant that county additional accommodations in the way of buying another bond issue when we already had one and, in addition to that, certificates of indebtedness amounting to $155,000.

The next county is Burleigh, and I make the same offer now, that if there is any Member in the Senate who can point to any evidence that Burleigh County ever offered directly to sell its bonds and was refused, and then the bonds were sold by Brewer, I should like to know where the evidence is.

Now I come to the tenth county in the list, Rolette County, and I should like to be referred to any evidence in the record that the board of county commissioners ever offered the bonds of this county to the Bank of North Dakota or to any other State agency.

The next county is Dunn County. With reference to that we find this testimony of Mr. Stangler at page 1844 of the unprinted record:

Question. Did anyone from Dunn County approach you or anyone associated with the bank that you know of to try to sell the bank the bond issue of that time?

Answer. Yes; they were all in there; quite a lot of them were in there; I don't remember the incident, but I think they were there.

Question. You mean the commissioners?

Answer. Yes. In fact, I think the State's attorney was down with them, come to think about it. That is in the back of my mind.

It will be noted that this was while Mr. Stangler was still manager of the bank, and at a time when Senator LANGER was not in office as Governor.

Burleigh is the twelfth county. Mountrail is the thirteenth county on the list. With reference to Mountrail County, we have this evidence, quoting from page 671:

Mr. HOOD. I didn't quite understand what Mr. Glarum said in answer to the question of whether or not, prior to the time you made the deal with Brewer, you, or some of the commissioners, made a trip down and contacted the Bank of North Dakota, or some of the State agencies, to ascertain whether or not they would be interested in the purchase.

Answer. No; we did not; we didn't make any trip to the Bank of North Dakota; but they had talked with them and written to them, and, of course, we got information from Ward; I think, they were handling theirs.

Question. In their letters to you, did they say that they were not interested in purchasing the bonds?

Answer. I can't remember as to that—of course, for the most part we took it for granted; we followed the other counties; that was the principal part that we followed; the action of the other counties.

Question. Was it generally understood from following the bond transactions in other counties that the Bank of North Dakota and State agencies were not buying?

Answer. Were not buying; that is the way we understood—that the Bank of North Dakota wasn't buying bonds.

Question. Do you remember how you came in contact with Brewer?

Answer. No; excepting he came here; he was traveling through from other counties; that is all that I know of.

I wish to call the attention of the Senate particularly to the statement, "We got information from Ward."

Mr. Stangler was still manager under former Governor Welford, and, on his own testimony, turned down that issue of bonds.

Coming now to the fourteenth county on the list, Stutsman County, I again ask any Senator here, or any absent Senator, to produce any evidence that Stutsman County ever offered to sell directly to the bank, or to a State agency, which turned down the bonds, the bonds later being sold to Brewer.

The fifteenth county on the list is Mercer County. There is absolutely no evidence of anything such as that happening with reference to Mercer County.

We come now to the sixteenth county on the list, Bowman County, and there is no such evidence as to that county.

I come to the next county, Kidder County. There is absolutely no evidence in the record of Kidder County ever offering bonds directly to a State agency, and being turned down, and then being able to sell to Brewer.

The next county is Morton County, and I make the same challenge, to produce evidence as to Morton County ever offering an issue of bonds direct, and being turned down, and then being able to sell to Brewer

With reference to Morton County, we find the following evidence of Mr. Stangler, as given on page 1850 to the investigators:

Question. Would you say the majority of the counties who had bond issues came to the bank?

Answer. I would say that invariably the poorer counties came, poorer counties generally came. The ones we wanted to get rid of. That is about the size of it. Cass County, Grand Forks County, they never come in. Stutsman County never come in. They could sell them readily, but these counties, like Grant County, Sioux County, we wanted to get rid of.

I now wish to read to the Senate some further evidence with reference to Morton County, which is listed here, testimony taken by the investigators, as it appears on page 1851 of the unprinted record:

They were always bad, they weren't bad, but they owed a lot of money.

That was from Mr. Stangler. I now direct the attention of the Senate to the testimony of J. R. Fitzsimmons, as it appears on page 2254 and following of the testimony taken by the investigators:

Mr. HOOD. Please state your name and address.

Answer. J. R. Fitzsimmons, 503 Sixth Avenue NW., Mandan, N. Dak.

Question. And what is your occupation, Mr. Fitzsimmons?

Answer. I am a grocer.

Question. And are you presently one of the county commissioners?

Answer. I am the chairman of the Morton County board and have been for a period of 6 or 7 years, I imagine.

Question. And were you one of the commissioners at the time that your county here issued refunding bonds in December of 1937?

Answer. Yes.

Question. And the total amount of that bond issue was about $650,000?

Answer. Around $650,000; yes.

Question. What disposition was made of the $102,000 worth of those bonds?

Answer. It was traded. I don't remember the exact, it was either 4½-percent bonds that the school land department had or some way secured and they traded those back to us for 2-percent bonds direct to the county.

Mr. President, I particularly call the attention of the Senate to the fact that the Bank of North Dakota, which has a capital of $2,000,000, could hardly take this issue of $600,000 with all its other obligations. Because this charge against Senator LANGER is very important I am quoting practically the entire testimony of Mr. Fitzsimmons:

Question. And what disposition was made of the balance on them, both issues?

Answer. Mr. Brewer, too——

Question. Is that V. W. Brewer & Co.?

Answer. Yes.

Question. And he bought those bonds at a discount; is that correct?

Answer. I wouldn't say for sure. We had from 6-percent bonds down to 4, 4½-percent bonds, and refinanced them on this schedule you will find at the courthouse.

Question. I have that schedule.

Answer. That is the way he did, refinanced it the way these brokers do.

Question. Had you had any previous dealings with Mr. Brewer?

Answer. He refinanced—oh, I imagine the first or second year I was on, around 1933 or 1934.

Mr. President, I wish to say at this point that there is evidence—and we find the evidence replete in this unprinted record, in the statements of the county commissioners and the auditors—that Brewer had been dealing with these counties for years previous to the time that Governor LANGER was Governor the second time.

Question. And were those certificates of indebtedness at that time rather than bonds?

Answer. No; they were bonds. We had around $300,000, I imagine—that is, just as I remember it—around $300,000 worth of warrants out and them was the hard years, and then we had around $300,000 or $250,000 worth of certificates and bonds and stuff like that out and he refinanced the whole thing, and we put it in a bond issue.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. ELLENDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Reed
Bilbo	Hayden	Reynolds
Bone	Herring	Rosier
Brewster	Holman	Russell
Brooks	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Burton	La Follette	Smith
Butler	Langer	Spencer
Byrd	Lee	Stewart
Capper	Lucas	Taft
Carraway	McCarran	Thomas, Idaho
Chandler	McFarland	Thomas, Okla.
Chavez	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Maloney	Tunnell
Connally	Maybank	Tydings
Danaher	Mead	Vandenberg
Davis	Millikin	Van Nuys
Doxey	Murdock	Walsh
Ellender	Murray	Wheeler
George	Nye	White
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. MURDOCK. Mr. President, continuing to read from the testimony of Mr. Fitzsimmons, chairman of the County Commissioners of Morton County, I ask that all of his testimony included on page 19 of the document which I hold in my hand, which I am informed is a correct transcript of the testimony of Mr. Fitzsimmons contained in the unprinted record, be printed in the RECORD at this point, and also all of his testimony appearing on pages 20 and 20 (a) of this document.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Question. And do you recall to whom the bonds were sold by Brewer?

Answer. I think they went through a Des Moines, Iowa, bank, if I remember right.

The Bank of North Dakota was made the fiscal agent, I mean where we paid and they went through.

Question. That is right. Prior to your sale of this 1937 issue to Mr. Brewer, had you or any of the Commissioners contacted Mr. Frank Vogel of the Bank of North Dakota with respect to purchasing the issue?

Answer. Not at that time. We tried to sell our warrants and our certificates, enough to bring us up——

Question. Yes.

Answer (continuing). We went through them that way and they didn't want any more North Dakota papers, or Morton County papers, they was carrying too big a load, what Frank told us.

Question. How long before the bond issue was that when you went to them?

Answer. I imagine about 6 months.

Question. And about that time of your issue, did you also talk to Mr. LANGER about it?

Answer. I talked to Bill one time on refinancing Morton County and the same picture was in there.

Question. And what was his attitude towards——

Answer. He would have been tickled to take our paper for Morton County. He is a man from Morton County originally. If any of them would, he would have been glad to refinance any of these western counties or more or less Morton County because he came from here once, but the only thing he could promise me at that time was if we could get refinanced and they couldn't handle our paper at that time that he would try to use the $102,000 worth of bonds at a figure that we could operate on.

Previous to that time, maybe before, the board of administration held around $100,000 and some odd thousand dollars' worth of county warrants out a year and a half to two years.

They did see Mr. LANGER at that time and he recommended to the board, in the condition that Morton County was, that when he refinanced the first time that he would recommend to the board to take at par value the original amounts written against the warrants less interest and he did that for us.

Question. About how long prior to your contract in 1937 with Mr. Brewer did you contact Mr. LANGER on this subject?

Answer. Oh, I would say 3 to 6 months.

Question. And the $102,000 worth of bonds that went to the school land department, they were transferred at par, is that correct?

Answer. They were transferred at par. A direct sale between the State and county.

Question. Didn't Mr. Brewer handle the transfer?

Answer. No; that went direct, that was one of the conditions Mr. LANGER—that is one of the conditions, the delivery went through a broker, but that was a straight exchange.

Question. Straight exchange but it went through him?

Answer. I imagine that was put through him; yes.

Question. Yes; because that is what the record shows.

Answer. I imagine that is the way it was put through.

But Mr. LANGER at the time, I remember he was chairman of the school university at that meeting that he would take those $102,000, a direct deal between—no commission on that at all.

He happened to be Governor and chairman on the board. I know he had me on the carpet for 30 minutes.

Question. Do you know anything about the facts made against Mr. LANGER?

Answer. In what light; on finances and all that?

Question. Yes.

Answer. Well, only hearsay, what I seen through the papers.

Question. You have read something of the charges in the paper?

Answer. Oh, yes.

Question. Is there anything you have of your own knowledge that you would like to give us about that might tend to either prove or disprove those charges?

Answer. Well, I don't know. I never gave it a whole lot of thought. I have always been, I have always known BILL LANGER and I have heard a hell of a lot about him. Everybody has been going around and saying something about him or for him.

Every transaction we had with Morton County and BILL LANGER, while he was Governor, was all right.

I never paid; I have heard everything. A man in public life, so many men in public life, are criticized, and they say this and that about them, but they have a hell of a time proving them things, but so far as Morton County is concerned or so far as the dealings that Morton County has had while he was Governor, that is the only time he was on, and the only thing I have heard; I never paid him anything, and over here in Morton County he gave us a right deal and made us toe the line one way or the other.

Question. All right, sir. I think that is everything we want to ask you.

Answer. Personally, I have known BILL LANGER from the time he was attorney general here or State's attorney until he hit the Sen-

ate. Personally, I have known and I have heard him criticized, but two-thirds of the stuff I never believed.

Question. Did you ever make any investigation of your own to determine whether the criticism was justified or not?

Answer. In our county I have.

Question. What investigation?

Answer. Oh, that last woman deal, and I found out a lot of people that said that was all a frame-up, and then after the other deal—I don't know. I don't know only from just what I asked different fellows and different fellows and different little things that happened that come up in county business, and I was satisfied in my own mind as far as Morton County was concerned he was clear with us.

I never was a Langer man personally, didn't matter, but I really like to give the devil his dues when he has got it coming. He has always been very fair to Morton County in my estimation. I have heard a lot about him I never paid them much heed.

If that is true what they said about him, maybe it is true, I don't know. What happened in other counties didn't happen in our county, whatever it was.

Mr. MURDOCK. Mr. President, at this point I desire to call the attention of the Senate to the fact that the evidence in connection with Morton County is the only evidence which I find in the record showing that a member of a county commission went directly to Senator LANGER in order to sell part of the bond issue of his county. In this instance Senator LANGER cooperated and did everything he could to help the county; and the bonds which were bought by the board—a board of which Senator LANGER was a member—were bought without any commission being paid to any broker whatsoever.

I also call to the attention of the Senate the fact that Mr. Fitzsimmons in his testimony praised the action of Senator LANGER in connection with his treatment of that county.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. AUSTIN. I do not quite understand what the Senator claims with respect to Morton County. On page 97 of the subcommittee report I find that according to the figures and information furnished by the several county auditors and the Bank of North Dakota, the amount of commissions from Morton County sales in 1 year, which I think was the year 1937, was $49,892.

Mr. MURDOCK. From what page is the Senator reading?

Mr. AUSTIN. From page 98, not of the committee report, but of the subcommittee report. Does the Senator question that statement?

Mr. MURDOCK. Oh, no; I do not question it for a moment. The point I make is that the record shows that Mr. Fitzsimmons, chairman of the county board of Morton County, directly consulted Governor LANGER in connection with a part of the issue of that county; and Governor LANGER, who was a member of the board of university and school lands, told him, "Yes; we will do everything we can for you in this matter." As I understand, there was an agreement to buy $102,000 worth of the bonds from Morton County, but with the express provision that no commission be paid to any broker.

That is the one place in the record where I find Senator LANGER being directly consulted or having anything to do with a direct offer of a county. Also in Mr. Fitzsimmons' testimony will be found the following statement, which I desire to read:

Question. Is there anything you have of your own knowledge that you would like to give us about that, that might tend to either prove or disprove those charges?

That is, the charges against Governor LANGER in connection with the bonds.

Mr. Fitzsimmons' answer was as follows:

Answer. Well, I don't know. I never gave it a whole lot of thought. I have always been, I have always known BILL LANGER, and I have heard a hell of a lot about him. Everybody has been going around and saying something about him or for him. Every transaction we had with Morton County and BILL LANGER while he was Governor was all right.

That is the chairman of the Board of County Commissioners of Morton County.

I read further from his testimony:

I never paid. I have heard everything. A man in public life, so many men in public life, are criticized, and they say this and that about them but they have a hell of a time proving them things, but so far as Morton County is concerned or as far as the dealings that Morton County has had while he was Governor, that is the only time he was on, and the only thing I have heard; I never paid him anything; and over here in Morton County he gave us a right deal and made us toe the line one way or the other.

Then the question of the investigator is:

Question. All right, sir. I think that is everything we want to ask you.

I do not know whether this is significant or not. The county commissioner was speaking favorably of Governor LANGER, and the investigator concluded that that was everything he wanted to ask him, at least, at that time.

However, Mr. Fitzsimmons continued his testimony, and volunteered something else.

That brings us down to the last county in the list—McKenzie County. Again I suggest to any member of the majority of the committee that I should like to know if there is any evidence in the record with respect to McKenzie County to show that its board of county commissioners offered to sell its bonds directly to the State bank or to any other State agency, that they were turned down, and that then Mr. Brewer was able to sell the bonds.

I particularly desire to call the attention of the Senate to the testimony of Mr. Arne Tollefson, county auditor, as given to the investigators, starting on page 646. I call attention to the fact that bonds were issued in the amount of $402,000. Apparently, realizing that the Bank of North Dakota with its $2,000,000 capital and with the demands upon it from hundreds of school districts and townships and from other sources would be unable to finance the entire issue, they asked that the State, either through the bank or the board of university and school lands, take $37,000; that is, the entire issue was first sold to Mr. Brewer, and when the Bank of North Dakota took the $37,000 worth under Governor LANGER's administration, according to Mr. Tollefson, we find the following on page 648. I ask, Mr. President, that the evidence of Mr. Tollefson, on page 21 of this document and on pages 22 and 23, be inserted in the RECORD at this point.

The PRESIDING OFFICER (Mr. SPENCER in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Mr. HOOD. Now, then, those bonds which were sold directly to the—or, first, were those bonds which you first mentioned, the $37,000 issue, sold directly to the Bank of North Dakota?

Answer. Yes; they were.

Question. And at what price were they sold?

Answer. Well, now, let me see—they were sold at par, as I recall it.

* * * * *

(From page 651 of Mr. Tollefson's testimony:)

Answer. Then, in addition to that, there was another complementary arrangement by which, after this resolution was adopted, we withdrew the funding of some of these—of this amount to the extent that we sold $50,000 of warrant funding bonds to the State land department at Bismarck.

Question. State land department at Bismarck?

Answer. Yes.

Mr. HOOD. What interest rate did those carry?

Answer. They carried four.

Question. Four percent?

Answer. Yes.

Question. And they were sold to the land department at par?

Answer. At par; yes, sir.

Question. Now, then, prior to the time that this transaction was consummated with Mr. Brewer, was the Bank of North Dakota or any other State department contacted as prospective purchasers of these bonds?

Answer. Yes, sir.

Question. Which of the State departments were contacted, as you recall?

Answer. The State land department and the Bank of North Dakota.

Mr. SMITH. And both of them took some?

Answer. Took some; yes.

Question. Thirty-seven thousand and fifty thousand?

Answer. Yes.

Question. That is 87,000?

Answer. It is a long story, and I was there personally, and tried to make some of those arrangements with those departments.

Mr. HOOD. Who did you talk to at the Bank of North Dakota?

Answer. I talked to Mr. Stangler; R. M. Stangler, manager.

Question. Was he manager at that time?

Answer. Yes, sir; of the credit department.

Question. Of the credit department; and Mr. Vogel was manager of the bank?

Answer. Manager of the bank.

Question. And what did Mr. Stangler tell you with reference to the bank's purchasing the issue?

Answer. Well, I cannot recall.

Mr. SMITH. In substance.

Mr. HOOD. I mean just in substance.

Answer. In substance?

Mr. HOOD. Surely.

Answer. Well, he thought it would be; the bank couldn't handle it directly for the whole issue, and that was out.

Question. In other words, he was agreeable to taking 37,000 directly, but he couldn't handle it directly for the whole issue?

Answer. No; he couldn't handle the whole issue.

Question. Now, who did you contact with the State land department?

Answer. Oh, I met with the board of university and school lands.

Question. And who was present representing the State on the board there?

Answer. Governor LANGER.

Question. Governor LANGER?

Answer. Yes; he was the chairman of the board of university and school lands, and Mr. Thompson, who was the superintendent of public instruction and a member of the board; Berta E. Baker, State auditor; James E. Gronna, secretary of state. And I talked to the secretary of the board of university and school lands—I can't recall his name for the moment; Ole Stray.

Question. And what response to your approach or request did you receive from the board?

Answer. Well, they finally agreed to take 50,000. We asked them to take 85. And then the bank taking the 37,000, that would fund all our outstanding warrants that we needed to fund or could fund at that time. So we worked out the proposition between those departments and the Bank of North Dakota and the V. W. Brewer Co.

Question. Now, there were 50,000 to the State land department and 37,000 to the Bank of North Dakota?

Answer. That is right.

Question. Making a total of $87,000?

Answer. That is right.

Question. Now, then, was all of that $87,000 that went to those departments a part of this $402,000 issue?

Answer. That is right.

Mr. MURDOCK. Now, Mr. President, I desire to read from Mr. Stangler's testimony on page 331 of the green book, the printed record:

Mr. MURPHY. And whatever you did in the prior years, you used your own independent judgment?

Mr. STANGLER. That is right.

Mr. MURPHY. In 1933 and 1934, for instance, when Governor LANGER was in office?

Mr. STANGLER. Yes.

Mr. MURPHY. Now, in 1937 Mr. Vogel became the manager?

Mr. STANGLER. That is right.

Mr. MURPHY. But you remained there?

Mr. STANGLER. That is right.

Mr. MURPHY. We might put it this way: He was the boss, the ultimate man who would decide?

Mr. STANGLER. That is right.

Mr. MURPHY. But he did confer with you on practically all of these transactions, did he not?

Mr. President, in my opinion, the answer of Mr. Stangler on the question whether Governor LANGER used any influence on Mr. Stangler or Mr. Vogel in the purchase of bonds by the bank is very important. His answer was:

Mr. STANGLER. Well, as I mentioned before, these county boards invariably came to me first. I had my desk out in the open. My secretary was next to the rail, and Mr. Vogel had his office enclosed, and invariably they would come in and I would take them in to meet the manager.

Mr. MURPHY. Did you participate in the conferences?

Mr. STANGLER. At times; yes.

Mr. MURPHY. Did you concur in any refusals that were made on behalf of the bank?

Mr. STANGLER. I concurred in every one of them, I believe.

So, we have Mr. Stangler, who is praised in the majority report as a man entitled to confidence, saying, according to the printed testimony, that invariably the county commissioners came to him in the bank because his desk was in the open and that he would take them into Mr. Vogel.

Then he was asked if he concurred in the refusals of Mr. Vogel to handle directly county bonds, and his answer is—

I concurred in every one of them, I believe.

I think it would be well, Mr. President, although I do not want to read it, to insert in the RECORD the remainder of page 331 of the printed record and all of page 332, which is the evidence of Mr. Stangler as to his activities in the bank.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. MURPHY. You concurred in every one of the refusals?

Mr. STANGLER. Refusal of the bond issues?

Mr. MURPHY. Yes; I am speaking of that.

Mr. STANGLER. Well, of course, Mr. Murphy, there were some things—now, Mr. Duffy's report is substantially correct.

Mr. MURPHY. As to detail?

Mr. STANGLER. Yes; but there are some things in here that are not quite as it appeared at the time. For instance, now, Adams County came in. They are a very fine little county They have good commissioners, they have a good auditor. I think I had loaned the county some $60,000 off and on, and the auditor came in and wanted to know whether we would not buy the bond issue. I told him if he would wait a little while that in all probability I could handle those bonds, because I knew they were in good shape, but I said, "I don't like to do it right now." The next thing I knew, Mr. Mueller went out there and had signed up the county, which was an easy matter as I believe in 1935 a funding law was passed that it was quite easy for anyone to sign up a county to take their funding bonds, and Mr. Mueller at that time went out and got the bond issue.

Mr. MURPHY That is M-u-e-l-l-e-r, Mueller?

Mr. STANGLER. Yes. And there were several others that I talked to. I told him that we could not handle the entire issue. I said it was a question of a few bonds, and if it was a question of the shorter maturity bonds, that we might be able to handle a few of them. But the way it stood, and we had just gone all through this, as far as I was concerned, if we had to carry the county through the current obligations, that is, pay salaries and other bills, there would not be any difficulty, but I certainly did not want to have trouble on bond issues any more, if there was any way of getting away from it.

Mr. MURPHY. Are you familiar with some of the bonds that Mr. Brewer, or V. W. Brewer & Co., serviced with these various counties, these refunding bonds, so-called?

Mr. STANGLER. For instance, what counties?

Mr. MURPHY. Well, take Mercer County, for instance, as it is set up here. The general proposition I want to get from you, if I can, is that you are aware of his plan or method of refunding these outstanding county obligations?

Mr. STANGLER. Yes, sir.

Mr. MURPHY. Sufficiently acquainted with that method and with the financial conditions prevailing in the counties affected so as to have an opinion as to whether or not the services rendered by Mr. Brewer were valuable to the county?

Mr. STANGLER. Well, they certainly had to put their securities into a funding bond if they were going to continue and expect help from the Bank of North Dakota or the local banks were going to take their certificates. They just could not keep on issuing registered warrants and certificates of indebtedness. There was not any question that the county should refund.

Mr. MURPHY. In your opinion, after these refunding operations that have been testified to in this proceeding by Brewer & Co., was their financial condition in better order than it had been before?

Mr. STANGLER. Oh, there wasn't any question about that.

Mr. MURPHY. There had been a tremendous reduction in interest charges, had there not, as a result of that?

Mr. STANGLER. Well, here is about the way you would have to analyze that, Mr. Murphy: A county like Mercer, while they paid 7 percent, with the prospect of crops and the indebtedness, it was too much for them to pay. There was not any question about that. And yet, on the other hand, it would be pretty hard to sell the 4-percent bonds. It was a cheap rate for that country, but it certainly bettered their position, there is no question about that.

Mr. MURPHY. Difficult to sell 4-percent bonds of that county because of their financial rating and standing; is that true?

Mr. STANGLER. That is right.

Mr. MURPHY. And that is true of a number of these other counties mentioned in the Duffy report?

Mr. STANGLER. Well, there was not any particular market for it. There was, but it was pretty hard to find it.

Mr. MURPHY. And, if it was, was it not largely created by Mr. Brewer and his efforts?

Mr. STANGLER. Well, yes; he and his associates, as I understood it. Many of these deals were handled with other bond companies in the cities—Wells-Dickey, Kalman, Allison-Williams.

Mr. MURDOCK. I desire to read, Mr. President, from page 343 of the record:

Mr. BURKE. Are the brokers doing business there now, buying up county bonds at a discount and disposing of them quickly to the bank?

Mr. STANGLER. I could not tell what they have done in the last 2 years. I have not been there since the last 2 years.

Mr. BURKE. Mr. Vogel is the manager now?

Mr. STANGLER. Yes.

Mr. BURKE. I assume he will undoubtedly be here to explain some of the matters, such as the exhibit that was offered a few moments ago that no one seems to understand. I will not press that.

Mr. MURPHY. I think we understand it without any difficulty.

The point I desire to make is that if Mr. Burke, as counsel for the petitioners, had any question about Stangler's evidence, or if he thought it was important to bring Vogel to Washington—and he said in the record that he assumed Stangler would be here—why did he not bring him? It may be asked of me, Why did not Senator LANGER request that Mr. Vogel come to Washington. I do not know; but I do know that when the petitioners come here and challenge a man's right to a seat, in my opinion, in fairness and under the legal procedure in the United States, the burden is on the accuser to prove his accusation by clear and convincing evidence; and I think we can rightly and correctly add "beyond a reasonable doubt."

In the majority report much credit is given and much weight likewise to the Duffy report. I call attention, Mr. President, to the testimony of Mr. Duffy. I ask that pages 143 and 144 of the printed record of the committee be inserted in my remarks at this point.

The PRESIDING OFFICER. Without objection it is so ordered.

The matter referred to is as follows:

Mr. MURPHY. As a matter of fact, is it fair to say that these bond transactions, so-called, had been the subject of political discussion throughout the State for some time?

Mr. DUFFY. That is right.

Mr. MURPHY. They were one of the issues of the campaign?

Mr. DUFFY. That is right.

Mr. MURPHY. And discussed by various political orators over the radio and elsewhere?

Mr. DUFFY. That is right.

Mr. MURPHY. During the campaign?

Mr. DUFFY. Yes.

Mr. MURPHY. You have lived in North Dakota a long while?

Mr. DUFFY. I was born there.

Mr. MURPHY. You were; and that would be a long while?

Mr. DUFFY. That would be a long while.

Mr. MURPHY. You know that for a number of years prior to 1937 in the western part of the State particularly—by western I mean most of the territory west of the Red River Valley—was in bad shape financially?

Mr. DUFFY. No question about it.

Mr. MURPHY. There were many crop failures?

Mr. DUFFY. That is right.

Mr. MURPHY. The people, the taxpayers generally, and particularly the farmers in these counties, were unable to and were not in fact paying their taxes?

Mr. DUFFY. That is right.

Mr. MURPHY. Various counties in the State, in order to keep on functioning, were required to and did issue what are known as warrants against uncollected taxes?

Mr. DUFFY. That is right.

Mr. MURPHY. And the legislature set up a device whereby they could, in addition to that, issue a new form of indebtedness called certificates of indebtedness, which could be issued against the 4 preceding years of uncollected taxes?

Mr. DUFFY. That is right.

Mr. MURPHY. Many of these counties had outstanding large amounts of both warrants and certificates of indebtedness by, or prior to, 1937?

Mr. DUFFY. Yes, sir.

Mr. MURPHY. In other words, they were all in bad financial condition?

Mr. DUFFY. That is right.

Mr. MURPHY. And these warrants and certificates, as a rule, drew 7 percent interest?

Mr. DUFFY. About 7 percent interest.

Mr. MURPHY. Now, in 1937, when this bonding law was passed, that you referred to it was done for the purpose of permitting these counties to refund these outstanding obligations by long-term bonds without the necessity of submitting the question to popular vote?

Mr. DUFFY. That is right.

Mr. MURPHY. You discovered that they did, quite a number of them, respond and refund all of those high-interest-bearing certificates and warrants?

Mr. DUFFY. That is right.

Mr. MURPHY. And some old bonds that they had outstanding?

Mr. DUFFY. Many times they included old bonds that they were unable to pay.

Mr. MURPHY. In other words, the counties set in proper order their fiscal affairs, and got them all into one fund?

Mr. DUFFY. Well, that is a little optimistic They improved their condition, but I would not say they got them into good shape.

Mr. MURPHY. Well, at least they improved their condition?

Mr. DUFFY. They improved it.

Mr. MURPHY. You will say the refunding bonds did improve their fiscal or financial condition?

Mr. DUFFY. That is right.

Mr. MURPHY. In other words, their interest rate was greatly lowered on the average?

Mr. DUFFY. The interest rate was on the average lowered from 7 percent to about 4 percent, I believe.

Mr. MURPHY. About 4—and the bonds themselves were long maturities, extended over quite a period of time?

Mr. DUFFY. Well, of course, they were serial bonds, but they would extend over a long period before the last one was paid.

Mr. MURPHY. And they were all callable at any interest date, were they not; didn't you investigate that?

Mr. DUFFY. I do not remember now. I suppose I knew at the time, but I do not remember now.

Mr. MURPHY. Did you take into consideration the question of whether or not any long-term bonds were callable at an interst-paying date, in determining the value of that bond on the market?

Mr. DUFFY. No, sir; I was not interested in the value of the bond. I assumed it had the same value when it was bought by Mr Brewer as it had when it was sold by him I was interested in the commissions only.

Mr. MURPHY. That matter you never took into consideration at all?

Mr. DUFFY. No, sir.

Mr. MURPHY. Now, you say you started with Ward County?

Mr. DUFFY. That is right.

Mr. MURPHY. First, let us clear one or two of these matters, because these gentlemen are not familiar with North Dakota, I take it—probably don't want to be after what they have heard. How many counties are there in North Dakota?

Mr. DUFFY. I believe it is 53.

Mr MURPHY. And each county is an independent political unit, isn't it, as to its fiscal matters?

Mr. DUFFY. That is right.

Mr. MURPHY. And the fiscal officers of each county are known as a county board of commissioners?

Mr. DUFFY. That is right.

Mr. MURPHY. They have complete control of all of the fiscal affairs of the county?

Mr. DUFFY. Right.

Mr. MURPHY. Now, you told us something about these other funds. There is a workmen's compensation commission there, is there not?

Mr. DUFFY. That is right.

Mr. MURDOCK. I desire now to call the attention of the Senate to the absolute and unqualified statement of Clyde Duffy in response to a question asked him. It seems to me to be one of the most important pieces of evidence in the record. I read from page 147:

Mr. MURPHY. Did he say with what individual he had had contact?

Mr. DUFFY. I do not believe so.

Mr. MURPHY. There was no statement that he had at any time gone to Governor LANGER about it?

Mr. DUFFY. No.

Mr. MURPHY. Not at any time?

Mr. DUFFY. No.

Mr. MURPHY. Did any of these auditors——

Mr. DUFFY. There is not a single case they told me they had gone to Governor LANGER.

I wonder if that means anything to the Senate? Governor Moses, of North Dakota, conducted his campaign on the issue that he would investigate the bond deals under Senator LANGER and bring him to time. He appointed Clyde Duffy as the attorney or agent to make the investigation. Mr. Duffy, politically, is what is known in North Dakota as an Independent Republican. He happens to be chairman of that group. Here is a statement over his name, "Clyde Duffy, Chairman." I do not desire to read the whole statement, but I read a paragraph from the instrument which is dated March 30, 1936, and which is directed to the Independent Republicans of North Dakota:

A considerable number have expressed the view that the great issue in the Republican primaries will be Langerism. These feel that Welford should be supported, not because they agree with him politically, but because they feel his election would be less dangerous to the best interests of the State than the election of LANGER. This has been quite fully explained in several of the daily papers of the State

So we have Governor Moses running on the issue of investigating the bond transactions and bringing the wrongdoers to the bar of justice. We have him, in compliance with that campaign promise, selecting Clyde Duffy to go out and do the job. We find Clyde Duffy, after he has done the job, testifying before the committee as to whether there was any evidence that county officers had gone together to LANGER. I desire to read the statement to the Senate again, to emphasize it. The question was by Mr. Murphy:

Did any of these auditors?

Mr. DUFFY. There is not a single case. They told me they had gone to Governor LANGER.

What more conclusive evidence does the Senate want on the charge that the county commissioners went to the boards of the State in an effort to sell their bonds direct, and were turned down by reason of the influence of LANGER? Then there is what Clyde Duffy says, that in his investigation there was not any evidence in a single case that any of them ever went to Governor LANGER. But, of course, we can imagine that they did, even in the face of the evidence of the investigator.

Mr. President, I call attention to the fact that there have been no prosecutions as a result of the Duffy report and the Duffy investigation, which began in 1939 and was completed and submitted to the Governor before the campaign of 1940. If Brunk and Brewer were guilty of bribing Governor LANGER, then I ask Governor Moses why he did not cause them to be brought back to the State of North Dakota and prosecuted?

The Senator from Illinois [Mr. LUCAS] has said, "Of course, he did not know all about this thing." He was duty bound to know about it, and he carried on an investigation for a year and a half. But even though he did not know about the details, he has known about the fact since the Committee on Privileges and Elections have carried on their hearings, and I ask, Why has not Governor Moses, with the information which we have supplied, had Senator LANGER arrested under a criminal complaint, and why has he not had Brewer and Brunk arrested under a criminal complaint?

I call attention to the Duffy report from this angle, that many of the bond transactions were still pending, some of the bonds were still in the Bank of North Dakota, and I think some of them are still there today, held for delivery at the order of the purchasers of the bonds. Why has he not brought his ax down on those bonds and stopped any further transactions?

There can be no doubt that if Senator LANGER is guilty, he could not have operated through the Bank of North Dakota without the complicity and cooperation of Stangler and Vogel, and if the Duffy report indicated corruption on the part of LANGER, if it indicated any fraud in the purchase of bonds or in the refusal to purchase, then certainly Vogel and Stangler had to come into the picture. But instead of getting rid of Stangler and Vogel, Governor Moses has promoted Stangler to a higher position with the State Mill and Elevator. Vogel is still the manager of the great State Bank of North Dakota. Can the Senate find LANGER guilty of corruption and fraud, and at the same time conclude that there was no fraud or corruption on the part of Stangler and Vogel?

If there was fraud on the part of LANGER and fraud on the part of Vogel and Stangler, then I wish some one would explain to me why they are both still in office under an antagonistic Governor, under a Governor who threatened to bring LANGER to the bar of justice because of these bond transactions. Why are Stangler and Vogel still holding high office under Governor Moses?

Mr. AUSTIN. Mr. President, if the question is directed to me, I would answer that it is probably because there are three elected members of the industrial commission, and that two of that commission, the Governor being the chairman, are Attorney General Strutz and Matt Dahl, commissioner of agriculture. The Senator probably remembers the testimony with reference to the affiliation of the two last-named persons with Governor LANGER.

Mr. MURDOCK. Yes; and now the Senator brings me to a very important point on which he said he depended in coming to the conclusion he reached. He tells us, Mr. President, that the Governor has a veto power on the industrial commission. The industrial commission appoints the manager of the bank. If LANGER had the veto power, how about Moses? Does he possess it? When he came in as Governor, and a new man had to be appointed as manager of the Bank of North Dakota, if he had the veto power, why did he not exercise it and get rid of Vogel? Why did he not exercise it in the case of Stangler who was appointed manager of the State Mill and Elevator?

Mr. AUSTIN. Mr. President, the evidence which the committee accepted relating to this subject came directly from Mr. LANGER, in a book entitled, "The Non-Partisan League."

Mr. LANGER. Which was written 20 years ago; but the law has been changed.

Mr. AUSTIN. It was written a long time ago, I believe the Senator from North Dakota has just commented. On pages 34 and 35 of the book appears the following:

> The Bank of North Dakota is placed under the industrial commission, consisting of the Governor, attorney general, and the commissioner of agriculture and labor. The Governor can veto anything which the commissioner of agriculture and labor and the attorney general may do. He is supreme. Without his consent, the other men elected can do nothing.

That is a statement which was brought into the evidence, and which appears at page 823 of the printed hearings. Mr. LANGER was on the witness stand a long time, and if it is not accurate——

Mr. MURDOCK. I do not say it is not accurate; I do not know whether it is or not; but how can the Senator from Vermont say that Governor LANGER could do all these things by reason of his veto power, and then rise and explain to me why Governor Moses could not remove Vogel?

Mr. AUSTIN. I think it is perfectly clear.

Mr. MURDOCK. What is the explanation?

Mr. AUSTIN. Vetoing an affirmative act of the commission is quite a different thing from performing an affirmative act of the commission. It takes a majority of the commission to do an affirmative act, whereas, on the other hand, it takes only a veto of the chairman to stop anything.

On the question of ousting Vogel or anyone else within the jurisdiction of the commission, the Governor does not, as I understand the testimony, have the power to act alone; he is not the whole commission. He cannot do an affirmative thing. He can veto a decision of the majority against him.

Mr. MURDOCK. If that can be done, how does the Senator explain that Mr. Vogel remains in office?

Mr. AUSTIN. In this way: There are two members of the industrial commission who will not agree to the expulsion of Mr. Vogel.

Mr. MURDOCK. Does the Senator get that from the record, or is that a matter of presumption or imagination?

Mr. AUSTIN. No; that is not imagination; it is reasoning; it is the effect of this power, and of the fact which appears, that these two gentlemen, Strutz and Dahl, are friends of Mr. LANGER.

Mr. MURDOCK. As I understand, the evidence is that Dahl is not a friend to LANGER, but that he is unfriendly. Certainly when a new administration comes in and a new appointment is to be made, I cannot believe that the Governor of the State could be thwarted in his selection of a new manager of a bank; but it seems, if that is important, that the committee did not go into it. We were willing, and it seems now that the Senato from Vermont is still willing, to indulge in reasoning and imagination and presumption, rather than producing the fact as to why Vogel is still there. Whether it is through reasoning or something else, we still have the fact confronting us that after nearly 4 years under Governor Moses, Mr. Vogel is still the manager of the bank, and there is no answer to the question about Mr. Stangler being promoted to a higher position.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. The Senator adverted to the fact that Governor Moses in his campaign had proclaimed what he was going to do to Governor LANGER when he became Governor, with respect to these bond transactions.

Mr. MURDOCK. I think there is no dispute about that.

Mr. CONNALLY. Does not the record show that Governor Moses appointed Mr. Duffy to examine into and investigate all the bond transactions?

Mr. MURDOCK. One of his first official acts was to appoint Mr. Duffy to do that.

Mr. CONNALLY. Mr. Duffy made the report, and there has never been any indictment; there has never been any action taken in the State courts with respect to these bonds, based on Duffy's report, or based on any move made by Governor Moses.

Mr. MURDOCK. That is true. I do not know whether the Senator was present when I read the evidence by Mr. Duffy.

Mr. CONNALLY. I have read all of Mr. Duffy's evidence.

Mr. MURDOCK. On page 147 of the hearings we find Mr. Murphy questioning Mr. Duffy about whether any of the county officers ever went to Governor LANGER in any of his capacities and offered any bonds for sale. This is his answer:

> Mr. DUFFY. There is not a single case they told me they had gone to Governor LANGER.

Not a single case. Mr. Duffy, without any question, testified—and I think I have put it in the RECORD—that there was not a county which had refunded its bonds and had its interest rates of 6 or 7 percent reduced to 4 percent, that had not improved its financial condition under these bond transactions. That is in the Duffy testimony.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Is it true that the evidence shows that since Governor Moses went into office his administration purchased as much as $100,000 of similar bonds from this same man, Brewer?

Mr. MURDOCK. Yes; I think from the same Mr. Brewer. There is evidence in the record to the effect that in connection with refunding and refinancing the State issues, Governor Moses appointed Mr. Brewer as the agent of the State to do the job. That is in the record.

Mr. CONNALLY. After he had in the campaign denounced Brewer and LANGER as being involved in these bond transactions?

Mr. MURDOCK. Yes; and I think after the Duffy report was submitted, then when the State wanted to do some refinancing Mr. Brewer was appointed as the financial agent of the State to do it.

Mr. CONNALLY. Under the Moses administration.

Mr. MURDOCK. Under the Moses administration. I understand there is question raised by some as to that point. The record, however, discloses that that is exactly what happened, and I intend to refer to it in a few minutes.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. Is it a fact—and I assume it is from the course the argument has taken—that Mr. Moses was elected governor in 1939?

Mr. MURDOCK. In 1938.

Mr. BONE. In the fall of 1938?

Mr. MURDOCK. Yes.

Mr. BONE. And that one of the issues of that campaign was this bond matter which has been discussed?

Mr. MURDOCK. Yes.

Mr. BONE. And that Governor Moses, as a part of his campaign, said he was going to make an issue of it in a legal way after he became Governor?

Mr. MURDOCK. That is correct.

Mr. BONE. That was 4 years ago, in 1939. We are now in 1942. Governor Moses had a report made to him by a man named Duffy?

Mr. MURDOCK. Yes.

Mr. BONE. Nothing has been done about it since?

Mr. MURDOCK. Nothing has been done about it; but, on the contrary, Vogel still remains the manager of the bank. Stangler has gone to a higher position as manager of the State Mill & Elevator Co.

Mr. BONE. What puzzles me is this: If it is something which is bad, it concerns the people of North Dakota. Are we to set ourselves up here as some sort of a defensive mechanism against something being done to the damage of the people of North Dakota, when the people of North Dakota are indifferent enough to let it ride and do nothing about it themselves?

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Vermont.

Mr. AUSTIN. I ask the Senator from Utah if it is not his recollection of the record that the Duffy report, which was made to the Governor, came in October 1939 and referred only to the bond deal; that it did not contain any report whatever about the sale of land to a land company which Mr. Brunk owned, that is, the Realty Holding Co., and did not say anything about the sale of capital stock of the Mexican company to the attorney for a railroad company? Is that not true?

Mr. MURDOCK. I am sure the Duffy report does not refer to the Mexican land transaction, but I think it is just as fair to infer from the Duffy report that Duffy knew about the land transaction as it is for the Senator from Vermont to infer that he did not. Knowing the intelligence of Mr. Duffy, as exhibited on the witness stand; knowing his animosity to Senator LANGER; knowing that he was investigating for a governor who wanted to bring Senator LANGER to terms, the inference I draw from his report and from his testimony is that he could not connect LANGER with anything, or he would have mentioned it in the report.

Mr. AUSTIN. Mr. President, will the Senator yield further?

Mr. MURDOCK. I yield.

Mr. AUSTIN. Assuming the Senator to be correct, that the attorney specially employed for the purpose had an animus against Mr. LANGER, if he found the facts which were reported to the committee about the land deal and about the Mexican stock deal, which was a land deal, can the Senator account for his failure to report them?

Mr. MURDOCK. Can I account for Duffy's failure?

Mr. AUSTIN. Yes; if he knew of it, his failure to report it seems so unnatural that I cannot account for it on any theory.

Mr. MURDOCK. I call the Senator's attention to the fact that the record shows that in the campaign against Mr. LANGER the land transactions were referred to. I call to the Senator's attention the fact that the deeds with reference to many of the land transactions were on record, and that Brunk actually took possession of the land. I cannot infer, I cannot conclude that this intelligent, industrious investigator of the Governor overlooked all those points, but I do infer that, after knowing those things, he said not one word in his report to the Governor about them. I think it is just as reasonable, probably more reasonable, to arrive at the inference that Duffy could not connect the Governor with any of these bond transactions, and for that reason did not report them.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I think it is important, because of the question asked by my friend, the Senator from Washington [Mr. BONE], to say that we may infer that these matters were discussed in the campaign and decided by the people of North Dakota. If it is a fact that they were discussed in the campaign—and I have no doubt they were—then the people of North Dakota in the 1940 election voted against Senator LANGER's side of the question, because 152,000 voters voted for his 2 opponents, and only 100,000 voted for Senator LANGER. So, if, as the Senator says, that really was an issue, over 52,000 majority of the people of North Dakota did not approve of these transactions.

I should like to have the election returns of 1940 put in the RECORD, if the Senator from Utah has no objection.

Mr. MURDOCK. I have no objection to the Senator doing so, if he places them in the RECORD after my remarks.

Mr. CHANDLER. I should like to place them in the RECORD as a part of my remarks at this point.

Mr. MURDOCK. No; not at this point, but the Senator may do so following my remarks.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. The point I raise is that I personally have not only great reluctance, but I should consider the job utterly distasteful and entirely out of my hands to save another fellow when he does not ask me to save him. The people of North Dakoto can vote and decide as to who shall go into office. If they do not want a minority candidate elected, that is their business. Abraham Lincoln was a minority candidate, as I remember. Yet this Chamber has resounded with the praises of the minority candidate who saved the Union. Woodrow Wilson was also a minority candidate. Are we to challenge everything that Woodrow Wilson did? Are we to lay against the memory and the history of Abraham Lincoln the charge that he was not a good President simply because he was elected by a minority?

If I read my history aright, Abraham Lincoln was scared to death in 1864 for fear he would be defeated. The soldiers in the field voted for Abraham Lincoln. Many State legislatures provided that the soldiers from their States could vote in the field, and they did so. In this respect, I do not want to be charged with a misstatement, but my recollection is that Indiana, the State from which my father came, was one of the States which provided that its soldiers might vote. That was a State matter, however. Some States did not permit their soldiers in the field to vote.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Some States went further. They even sent election officers to the camps and let the soldiers vote in the camps.

Mr. BONE. Indeed they did. The men who were engaged in blood and iron business at Spottsylvania, Antietam, Gettysburg, and on other fields, wanted to see Lincoln elected. I suspect that George McClellan did not get very many votes among Northern soldiers.

Some States would not permit their soldiers to vote. I do not know what the States of the Southern Confederacy did with respect to their soldiers in any elections those States may have held, but perhaps they were bedeviled with the same problems. If the people of North Dakota want to elect a Senator by the processes provided in the State for elections, that is their business.

Mr. CONNALLY. Mr. President, will the Senator again yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. If we adopt the theory that the Senate is better able to judge as to who should sit in the Senate than are the people of the State, will not the tendency then be to create a little senatorial oligarchy here which will determine who shall be our successors, as did some of the republics of ancient times which fell into decay and vanished from the earth?

Mr. BONE. That is correct. One can admit whatever admission is justly proper in the picture as it is presented by the Senator from Kentucky [Mr. CHANDLER]. It is true, but if there is any reproach about it, the reproach lies against the State of North Dakota.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I do not mean to imply that there is any reproach. I think my friend the Senator from Utah [Mr. MURDOCK] raised the point that the matter under discussion was an issue in the election. If it was an issue, it was decided against Senator LANGER. It was decided by a vote of 150,000 to 100,000 against Senator LANGER. I do not say that other issues were not involved. That question, however, seems to me to have nothing to do with the matter. If the Senate does not have the right to be the judge of its own membership, and if it does not have the right to investigate,

when it is called upon to investigate, charges brought against a Member, or the election of a Member when charges are brought against the manner of his election, what are we doing here? We are fooling away a great deal of time. What we are doing now was not on my motion. I did not ask to bring the matter up. I have the idea that the Senate of the United States, for a good reason, or a bad reason, or for no reason at all, can permit a Senator to retain his seat or exclude him.

That is well known not only to all the States, but to all the people of the United States. It seems to me we are doing many foolish things here and wasting much time. No Member of the Senate or of the committee wanted to waste this time. Charges were made, and we were called upon to investigate them and make a report. We have done so. Three of the members of the committee had the view that under the circumstances we did not have the right to reach the conclusion which we reached, but 13 of us thought we had the right to reach it.

I do not want to take too much of the Senator's time, but if the things we complained about were an issue in the campaign—and the majority complains about the bond deal and the land transaction and two or three of the things which are unexplained to us—it cannot be said that the people of North Dakota passed on that issue in favor of Senator LANGER. They did not do so. They passed on it adversely to him.

Mr. BONE. It is a difficult thing to say what people pass on.

Mr. CHANDLER. I do not know.

Mr. BONE. I have spent a lifetime observing political affairs, but I have never been quite able to make up my mind exactly what the people pass on. There is such a mélange of ideas, cross-currents, likes, and dislikes, that a man would have to be pretty smart to know precisely what the people are passing upon.

As I understand, there were two candidates of the Nonpartisan League and one Democratic candidate. People are swayed by their likes and dislikes of individuals. The people of North Dakota may have voted for the other Nonpartisan candidate for personal reasons. Their views may not have been colored by this transaction, but obviously if they were enough outraged they could have visited their wrath on Governor LANGER by not permitting him to be legally elected.

However, over and beyond that, this is the thing which presents an almost impossible hurdle to me as a lawyer: This business was canvassed, the charges were bruited back and forth, and then a man was elected.

It seems that he did not love LANGER. He made a campaign on the issue that he was going to "kick the stuffing" out of LANGER in connection with the bond deal. Am I overstating it? Perhaps in my utterly crude style I attempted to use the vernacular, which does not befit this honorable Chamber; but I understand that he called down on LANGER's head the mildew of the wrath of God Almighty, and said he was going out to "fix" him after he was elected. That is true, is it not?

Mr. CHANDLER. It frequently happens.

Mr. BONE. He got himself elected, and hired a man to put a long probe into these matters. He had experts look them all over, and he did not bring down the mildew of his own wrath on LANGER's head; nor did he invoke the thunderbolts of the law. A year or two later, LANGER was elected to the Senate, and then an issue was made of the charges. All of a sudden, the processes of the criminal law in North Dakota not having been invoked, the petitioners come here and ask us to vindicate the majesty of the law to relieve their pent-up feelings; so we spit on our lances, grasp them firmly in hand, and yell for the faithful to follow our white plumes into battle to vindicate something or other. I do not want to be vindicating something when the people of North Dakota do not vindicate it themselves. They elected a Governor out there to vindicate all those things.

Mr. CHANDLER. They have spent $125 to obtain exhibits from the committee. Members of the State Senate in North Dakota and other influential persons have stated to me that they did not know anything about these charges until they were brought up in the Senate.

Mr. MURDOCK. The Senator did not testify to that before the committee.

Mr. CHANDLER. I did not testify before the committee. I can make that statement if I so desire.

Mr. MURDOCK. Certainly the Senator can do so; but I hope the Senator does not ask the Senate to convict LANGER on the basis of what derelict officials up in North Dakota had not thought about doing until our committee investigated.

Mr. CHANDLER. I have not asked the Senate to convict him at all. The information I have is my own information; and if I have it, I have a right to use it. I have it. Let me say to the Senator that I think certain persons in North Dakota are still trying. They are not satisfied. It is amazing to me that the charges could have been discussed so widely that everybody else knows about them, but no substantial number of the people of North Dakota know much about many of these transactions.

Mr. BONE. The point I tried to make is that I feel foolish in trying a case which ought to have been tried in the courts of North Dakota.

Mr. CHANDLER. I agree with the Senator.

Mr. BONE. Some Senators have been prosecutors. The Senator from Illinois [Mr. LUCAS] has been a prosecutor. The junior Senator from Kentucky [Mr. CHANDLER] was probably once a prosecuting attorney. Many other Members of the Senate have been prosecuting attorneys. There is not one of them who does not know in his heart that prosecution is only a matter of digging up the necessary evidentiary facts and getting into court. If I were a prosecuting attorney it would not have taken me all this time to make a case, especially after I had made an issue of it in a campaign. I should have gone blithely and trippingly down the pathway of diligence toward a prosecution.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator says that the Governor of North Dakota could have done all these things. On what theory could he have gone to Des Moines, Iowa, and obtained evidence from Brunk which only a Federal investigator could have obtained? That evidence is the real substance and meat of the entire transaction involving the land and bond deals.

Mr. BONE. Of course, I know that in a State prosecution a witness cannot be brought from another State. There is no use in lawyers kidding themselves about any aspect of this case. I say "I know." Perhaps I presume too much on the good nature of Senators; but I feel that if I were a candidate for Governor in a State, and had predicated my campaign in whole, or even in substantial part, on the theory that I was going to clean up some mess, by the eternal, I would have tried to clean it up. I would not have let it finally come to repose in some distant legislative body. I would have "hopped to it" and gone right to work on the thing.

Mr. LUCAS. It required more than a year for two investigators and the Committee on Privileges and Elections, consisting of some 18 or 19 members, to find out what they did find out. Under the resolution which was adopted, they had the Federal power and authority to go into any State, or into anybody's office. It has taken us some little time to do what we have done, at tremendous expense to the taxpayers. I do not blame the people of North Dakota for not finding what investigators clothed with Federal authority required months to find out.

Mr. MURDOCK. Mr. President, in answer to the Senator from Illinois I wish to call attention to what the record shows. The Federal investigators knew all about Brunk's books. Time and again he turned them over to Federal investigators and let them go through them; so certainly they knew about them.

Mr. LUCAS. Certainly; they may have known about them.

Mr. MURDOCK. The record is very clear on that point.

The Senator says that witnesses could not be brought from another State. Was any effort made to obtain them? No. What the Senator wants us to do is to draw a conclusion against Senator LANGER because no effort was made to bring in witnesses from another State.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator is talking about entirely different investigators from the ones about whom I am talking. I am talking about the investigators who were sent out by the Committee on Privileges and Elections, and not other investigators. I do not know what other investigators were doing, even if they did look at Brunk's books.

Mr. MURDOCK. I am telling the Senator what is in the record. The investi-

gators saw Brunk's books. As I understood the Senator, he made the point that witnesses such as Brunk could not have been brought from Iowa to North Dakota to testify in a State prosecution. However, the record shows that to everybody who asked Brunk for permission to look at his books he said, "Here they are."

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. If Mr. Duffy, who conducted the investigation for Governor Moses, who was going to throw LANGER in jail, had procured indictments in North Dakota based on these transactions, the attendance of Brunk and Brewer as witnesses could have been obtained when they stuck their heads across the State line. Otherwise their bond dealings would have been broken up.

Mr. MURDOCK. The record is that Brewer is still selling bonds in North Dakota.

Mr. CONNALLY. I understand; but the point is that their attendance as witnesses could have been procured the moment they crossed the State line, or they would have had to keep out of the State and abandon their bond dealings.

Mr. MURDOCK. Certainly.

We are confronted by the statement from the Senator from Kentucky and the Senator from Illinois that $125 has been spent by some of the State officials in North Dakota to obtain records from our committee. Are we to conclude from that that the officials of North Dakota are about to do something, and then draw the conclusion that because they are now going ahead LANGER is guilty of these charges? In my opinion that is rather far-fetched reasoning.

Mr. BONE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BONE. I have been tremendously interested in political history since I was a small boy. Being a Hoosier, that is probably an instinct.

Mr. CHANDLER. That instinct comes from Kentucky. [Laughter.]

Mr. BONE. There is only one worse place on earth in that respect, and that is Kentucky. [Laughter.]

Mr. BARKLEY. The Senator means better, not worse.

Mr. BONE. Kentuckians descend to levels of passionate interest far below that of Hoosiers. I have seen many political fights in States involving passionate bitterness transcending anything in one's imagination. I have heard charges and countercharges made which, if they were believable, would mean that the accused person plumbed the depths of infamy and achieved new low levels of viciousness in politics; and yet such things are largely forgotten afterward. I suppose every State in the Union has had such an experience, and has waked up with a headache the day after election. During a campaign people have the mighty, passionate desire to hold the Holy Grail in one hand and an Excalibur in the other; but a week after election all that great interest subsidies like a punctured balloon, and nothing is done.

Years ago when I was a young man I walked into a law office in Indianapolis, Ind., occupied by my cousin, who was a prominent young lawyer of that State. While I was in the office a dapper little gentleman walked in. As I remember, he wore pearl-gray spats, and was a pattern of sartorial elegance and luxury. My cousin introduced me to him. He said, "This is Governor Taylor, of Kentucky." I bowed clear to the floor. I thought, "This is fine for a kid like me to be meeting a real live governor."

Mr. CHANDLER. He was a fugitive from justice.

Mr. BONE. My cousin took me to one side and said, "Don't get too jazzed up, Homer, because he is a fugitive from justice. He would be back in Kentucky if it were not that our Governor refuses to send him back. The State of Kentucky wants him badly." It seems that Governor Goebel had been "knocked off" by some rough Kentuckian, a very rude person, who shot him. For a long time Kentucky was ripped and torn by the political feuds which arose out of the Taylor-Goebel incident. I am looking at the Senators from Kentucky suspiciously. I do not know how Kentucky ever ironed out that situation, or whether it ever got into the Senate; but somebody ought to have been indicted for something or other because of that trouble. I am only hopeful that none of the principals came to the Senate.

Mr. BARKLEY. All that is now barred by the statute of limitations. I do not know what connection the Goebel-Taylor situation has with the matter now pending before the Senate, but it was a very interesting political development which came very near to producing a revolution in the State of Kentucky. However, the legislature in its wisdom brought about a situation in which Lieutenant Governor Beckham was made Governor, following the death of Goebel. Governor Beckham served for practically 8 years, because, although the term of Governor is limited to one 4-year term, the court of appeals of our State held that the restriction did not apply to serving out the remainder of an unexpired term. Governor Beckham thereafter ran for the full term, and served practically 8 years continuously as Governor. Although a very young man, he brought about a solution of the problem by his calm, judicial temperament and by his wisdom. He restored order in Kentucky and avoided the chaos which was on the verge of occurring. Although for many years there were bitter memories and animosities as a result of the contest which had resulted in the murder of Goebel, soon thereafter the government of the State resumed its peaceful course in the history of Kentucky, and today those unhappy events remain as only an unpleasant memory to our people.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I yield.

Mr. CLARK of Missouri. In addition to what the Senator from Kentucky has said, it might be added that Taylor, the Republican who, on the basis of the election returns, was elected Governor, fled to Indiana and hid there for a number of years, being protected by the refusal of the Governor of Indiana to honor the requisition of the State of Kentucky. Later he was pardoned by Wilson, a Republican, who was elected Governor of Kentucky without opposition the first time he ran; Caleb Powers, who was charged with participation in the murder of Goebel, later served in the House of Representatives for 8 or 10 years.

Mr. BARKLEY. I do not want to go back into that matter. The pardon was issued by the Governor who in his campaign had sworn that he would not pardon Taylor, who had been hiding in the wilds of Indiana for 8 years. Caleb Powers, who was one of the men indicted for participation in the murder of Goebel, served 8 years in jail, after three trials. When he got out of jail he lived in the mountains, in a Republican district. The people of that district had vowed that when he got out of jail they would elect him to the House of Representatives and would keep him there for as many years as the Democrats had kept him in jail. They did so. Previously, he had been convicted under the administration of the same Governor under whose administration Taylor was convicted.

Mr. CHANDLER. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I yield.

Mr CHANDLER. That misfortune also came to us in 1896; in that year we had the first Republican Governor in the history of our State.

Mr. BONE. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I yield.

Mr. BONE. Of course, a considerable length of time would be required for the people of a State to recover from the shock of so great a tragedy as that.

Let me say to the Members of the Senate that, as a member of the jury, I am tempted to move for a mistrial because so many of the jurors have run out during the trial of the case, and the defendant does not seem to be receiving a trial at the hands of his peers.

Mr. BARKLEY. It is a misfortune that the rules of the Senate do not require the Presiding Officer to keep the jury together, as is required of the judge presiding during a criminal trial. It is probably fortunate that nobody has attempted to keep the jury together overnight.

Mr. BONE. If I may appear as amicus curiae, and may speak to the court, I should like to say that probably we should require the Sergeant at Arms to bring in the recalcitrant jurors so that they may find out if there is anything to the pending case. We do not want to waste on the desert air of empty seats all the sweetness on both sides. This is an important matter to the Senate, as well as to the Senator from North Dakota.

Mr. CHANDLER. Mr. President, if the Senator from Washington is worried about the matter, I wonder how he feels about members of the committee, who have been working on the case for nearly a year.

Mr. BONE. I am simply trying to make up my mind about some of the shadings and nuances of the case. I am wondering why the people of North

Dakota, who have sworn to do something about this matter, have not done it. I desire to satisfy my own judgment on the facts, and also, if possible, to vindicate the outraged feelings of the people of North Dakota, who do not seem to have vindicated themselves.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I shall yield in a moment.

While the remarks of the Senator from Kentucky, as well as the remarks of the Senator from Washington, which prompted them, are so fresh in my mind, I again point out to the Senate that the very fact that we cannot keep a quorum here and the very fact that our rules do not make it necessary for Senators to stay, probably were in the minds of the framers of the Constitution when, in my opinion, in the Constitution they precluded the type of proceedings we are having today. They knew that we would not have the facilities, and that we would not be so constituted as to be able to afford to a Senator who might come here charged with the commission of a crime the type of trial to which he should be entitled.

Mr. President, again the hour is late. It will take me perhaps 10 minutes more to sum up the points which I think should be again called to the attention of the Senate. I yield at this time for the day.

Mr. CHANDLER. Mr. President, I now request that the 1940 senatorial returns in North Dakota be placed in the RECORD at this point as part of my remarks.

There being no objection, the returns were ordered to be printed in the RECORD, as follows:

1940 returns:

Langer	100,647
Lemke	92,593
Vogel	69,847

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States submitting certain nominations were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on March 17, 1942, the President had approved and signed the act (S. 2249) authorizing appropriations for the United States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair), as in executive session, laid before the Senate a message from the President of the United States nominating Maj. Gen. Jonathan Mayhew Wainwright—brigadier general, Regular Army—for temporary appointment as lieutenant general in the Army of the United States, under the provisions of law, which was referred to the Committee on Military Affairs.

EXTENSION OF WAR POWERS—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit the report of the conferees on Senate bill 2208.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2208) entiled "An act to further expedite the prosecution of the war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 30, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 48, and 49 and agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with the following amendments: Page 2, line 18, of the House engrossed amendments, strike out the comma and the words "and deliveries" and insert in lieu thereof a period and the word "Deliveries", and, in line 20, after the word "and" where it appears the first time, insert the words "deliveries of material under", and in the same line strike out the word "and" where it appears the second time and insert in lieu thereof the word "or"; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment strike out, in the Senate engrossed bill, all after "subsection." in lines 8 and 9, page 5, down to and including "defense." in line 23, and insert in lieu thereof the following:

"Deliveries under any contract or order specified in this subsection (a) may be assigned priority over deliveries under any other contract or order; and the President may require acceptance of and performance under such contracts or orders in preference to other contracts or orders for the purpose of assuring such priority. Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilities for defense or for private account or for export, the President may allocate such material or facilities in such manner, upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense."

And the House agree to the same.

Amendment numbered 14: That the Senate recede from its disagreement to the amendment of the House numbered 14, and agree to the same with an amendment, as follows: Page 5, line 7, of the House engrossed amendments, after the word "documentary", insert the words "evidence or certified copies thereof"; and the House agree to the same.

Amendment numbered 27: That the Senate recede from its disagreement to the amendment of the House numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment strike out, in the Senate engrossed bill, lines 13 to 18, inclusive, on page 8, and insert in lieu thereof the following: "by striking out the proviso therein and inserting in lieu thereof the following: *'Provided*, That any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 12A of this Act and the aggregate amount of such obligations acquired directly from the United States which is held at any one time by the twelve Federal Reserve banks shall not exceed $5,000,000,000.'"; and the House agree to the same.

Amendment numbered 28: That the Senate recede from its disagreement to the amendment of the House numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SEC. 501. The head of each department or agency responsible for the administration of the navigation and vessel inspection laws is directed to waive compliance with such laws upon the request of the Secretary of the Navy or the Secretary of War to the extent deemed necessary in the conduct of the war by the officer making the request. The head of such department or agency is authorized to waive compliance with such laws to such extent and in such manner and upon such terms as he may prescribe either upon his own initiative or upon the written recommendation of the head of any other Government agency whenever he deems that such action is necessary in the conduct of the war."

And the House agree to the same.

Amendment numbered 29: That the Senate recede from its disagreement to the amendment of the House numbered 29, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SEC. 602. The second sentence of the first paragraph of section 1 of the Act of October 16, 1941 (55 Stat. 742), entitled 'An Act to authorize the President of the United States to requisition property required for the defense of the United States,' is amended by striking out the words 'on the basis of the fair market value of the property at' and inserting in lieu thereof the words 'as of'; and at the end of such sentence, before the period, inserting the words 'in accordance with the provision for just compensation in the fifth amendment to the Constitution of the United States,' so that such sentence will read as follows: 'The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this act and the fair value of any property returned under section 2 of this act, but each such determination shall be made as of the time it is requisitioned or returned, as the case may be, in accordance with the provision for just compensation in the fifth amendment to the Constitution of the United States.'"

And the House agree to the same.

Amendment numbered 31: That the Senate recede from its disagreement to the amendment of the House numbered 31, and agree to the same with an amendment, as follows: Page 11, line 4, of the Senate engrossed bill, strike out the word "or"; and the House agree to the same.

Amendment numbered 37: That the Senate recede from its disagreement to the amendment of the House numbered 37, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment with the following amendments:

Page 13, line 8, of the Senate engrossed bill, after the number "1137," insert "; U. S. C. 1940 ed., title 8, secs. 501–907."

Page 13, line 17, of the Senate engrossed bill, after the word "war", insert "and who, having been lawfully admitted to the United States, including its Territories and possessions, shall have been at the time of his enlistment or induction a resident thereof,".

Page 13, lines 19 and 20, of the Senate engrossed bill, strike out the words "and no certificate of arrival".

Page 14, lines 23 and 24, of the Senate engrossed bill, strike out the words "this act as provided in title XV" and insert in lieu

thereof "those titles of the Second War Powers Act, 1942, for which the effective period is specified in the last title thereof."

Page 16, line 18, of the Senate engrossed bill, after the word "Act", insert "; and such ground for revocation shall be in addition to any other provided by law."

Page 16, strike out lines 23 and 24 of the Senate engrossed bill.

And the House agree to the same.

Amendment numbered 44: That the Senate recede from its disagreement to the amendment of the House numbered 44, and agree to the same with amendments, as follows: Page 10, line 14, of the House engrossed amendments, after "documentary", insert "evidence or certified copies thereof", and in lieu of the matter proposed to be inserted by that part of the House amendment beginning on page 12, line 19, of the House engrossed amendments, and ending on page 13, line 21 thereof, insert the following:

"SEC. 1501. The Secretary of Commerce shall, at the direction of the President, and subject to such regulations as the President may issue, make such special investigations and reports of census or statistical matters as may be needed in connection with the conduct of the war, and, in carrying out the purpose of this section, dispense with or curtail any regular census or statistical work of the Department of Commerce, or of any bureau or division thereof. Any person who shall refuse or willfully neglect to answer any questions in connection with any special investigations made under this section, or who shall willfully give answers that are false, shall upon conviction thereof be fined not exceeding $500 or imprisoned for a period of not exceeding 60 days, or both.

"SEC. 1502. That notwithstanding any other provision of law, any record, schedule, report, or return, or any information or data contained therein, now or hereafter in the possession of the Department of Commerce, or any bureau or division thereof, may be made available by the Secretary of Commerce to any branch or agency of the Government, the head of which shall have made written request therefor for use in connection with the conduct of the war. The President shall issue regulations with respect to the making available of any such record, schedule, report, return, information or data, and with respect to the use thereof after the same has been made available. No person shall disclose or make use of any individual record, schedule, report, or return, or any information or data contained therein contrary to the terms of such regulations; and any person knowingly and willfully violating this provision shall be guilty of a felony and upon conviction thereof shall be fined not exceeding $1,000, or be imprisoned not exceeding 2 years, or both.

"SEC. 1503. For purposes of this title the term "person" shall include any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not."

And the House agree to the same.

The committee of conference have not agreed to the following amendments:

Disagreement as to substance: Amendment numbered 32.

Disagreement solely as to title and section numbers and cross-references: Amendments numbered 45, 46, 47, and 50.

JOSEPH C. O'MAHONEY,
WALL DOXEY,
WARREN R. AUSTIN,
Managers on the part of the Senate.

HATTON W. SUMNERS,
CHARLES F. MCLAUGHLIN,
CLARENCE E. HANCOCK,
Managers on the part of the House.

Mr. O'MAHONEY. I ask unanimous consent for the present consideration of the conference report.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the report.

Mr. AUSTIN. Mr. President, it seems to me that, in connection with a bill of this importance, the result of the conference should be explained to the Senate.

Mr. O'MAHONEY. I shall be very glad to follow the suggestion of the senior Senator from Vermont, who was one of the members of the conference and who contributed very substantially to the agreement which was reached in the conference.

This is what is known as the second War Powers bill. The conferees agreed upon all the amendments which were offered in the House with the exception of five, only one of which was a substantial amendment. The others were purely formal amendments. The substantial amendment was that by which the House, acting upon the recommendation of the Judiciary Committee of the House, had rejected the Senate provision extending the benefits of the employees' compensation law to certain persons hired by the Office of Civilian Defense. The House of Representatives approved the action of the House committee and struck this section from the bill. Thereafter the conferees were unable to agree. However, the House conferees took that provision back to the House for action, and again the House insisted that the provision be stricken.

The conference report agrees on all other substantial matters which were in disagreement between the two Houses. I may say that this includes the title which provided authority to the Federal Reserve Board to make direct purchases of Government obligations from the Treasury. With respect to this provision, the bill, as it passed the Senate, was unlimited. The House inserted a limitation which would practically have destroyed that power. The conferees were able to agree upon a substitute proposal which places a limitation of $5,000,000,000 upon the amount of such bonds, so purchased directly from the Treasury, which may be held at any one time by the Federal Reserve banks.

The House of Representatives struck from the bill the whole title which was approved by the Senate, providing for the naturalization of persons serving in the armed forces of the United States during the present war. This title was approved by the House committee, but was eliminated on the floor of the House when the bill was originally considered there. The conferees agreed upon a revision of the Senate text by which the right of naturalization was extended only to aliens who, having been lawfully admitted to the United States, its Territories or possessions, were residents at the time of enlistment or induction into the armed services.

The House inserted a new title, authorizing the Secretary of Commerce to make special investigations and reports of census matters for the purposes of the war. This also permits the Secretary of Commerce to dispense with the biennial census of manufactures, or any similar regular census or statistical work not now needed. The conferees held special hearings on this matter and received testimony that this latter provision in itself will effect a saving of something more than $1,000,000.

Perhaps I should add that the Senate accepted the House amendment by which members of the selective service and training boards are exempted from certain prohibitions of the Hatch Act.

Another provision of the measure as agreed upon by the conferees authorizes the inspection and audit of the books of war contractors. This eliminates all possibility of such an incident as that recently pointed out by the Supreme Court in the Government suit against the Bethlehem Steel Corporation, which grew out of the last war. At that time the Government did not have the right to examine Bethlehem's books dealing with contracts of the first World War, and the Supreme Court ruled against the Government. By virtue of the provision of this bill, which was slightly changed in conference, no such incident will be possible during this war. Under the provision as agreed upon in the conference, auditing may be conducted by any governmental agency or officer designated by the President or by the Chairman of the War Production Board.

Mr. President, I think that covers substantially the matters in which the Senate is interested.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
March 16, 1942

Resolved, That the House recede from its amendments numbered 45, 46, and 50 to the bill (S. 2208) to further expedite the prosecution of the war; and

That the House further insist upon its amendments numbered 32 and 47 to said bill.

Mr. O'MAHONEY. Mr. President, in order that the formal amendments may also be eliminated, the Senate conferees having no desire to pursue further the disagreement with the House upon the matter of the Office of Civilian Defense, I move that the Senate recede from its disagreement to the amendment of the House numbered 32, and agree to the same. This amendment is purely formal, having to do with the title number.

The motion was agreed to.

Mr. O'MAHONEY. I also move that the Senate recede from its disagreement to the amendment of the House numbered 47, and agree to the same. This is also a purely formal amendment.

The motion was agreed to.

Mr. O'MAHONEY. The provision of the original bill which was stricken out in the House—being title VIII—comes in the middle of the bill; and since it is now eliminated it means that the sections and titles following it must all be renumbered. Therefore, with the authority of the Senate conferees and of the Senate Committee on the Judiciary, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be read by title for the information of the Senate.

The concurrent resolution (S. Con. Res. 27) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in enrolling the bill (S. 2206) to further expedite the prosecution of the war, the Secretary of the Senate is authorized and directed to make all necessary corrections in title and section numbers and cross references as may be necessary by reason of the omission from the enrolled bill of title VIII.

Mr. O'MAHONEY. I ask unanimous consent that the statement of the managers on the part of the House with respect to amendment numbered 9 be printed at this point in the RECORD. I do so because this amendment deals with the priorities law, and it is the desire of the Senate conferees to express their concurrence in the statement of the managers on the part of the House that amendment numbered 9 is not intended to restrict the powers of the President under the first War Powers Act.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Amendment numbered 9: The Senate bill made specific amendments to paragraph (1) of subsection (a) of section 2 of the priorities law (the act of June 28, 1940, as amended) and the House amendment set out the full text of that paragraph. The Senate recedes from its disagreement to the amendment of the House with amendments of a minor nature which clarify the language. The amendment, in setting out the full text of such paragraph (1) necessarily repeats language of existing law in which no change is proposed. Included in this language in which no change is proposed are certain restrictions on the making of Government contracts. The First War Powers Act authorized the President to relax certain requirements in the making, performance or modification of contracts whenever he deems such action would facilitate prosecution of the war. The President's powers under the First War Powers Act are not intended to be restricted by the restatement in this legislation of such provisions of paragraph (1) of section 2 (a).

NOMINATION OF JONATHAN MAYHEW WAINWRIGHT TO BE LIEUTENANT GENERAL

Mr. CHANDLER. Mr. President, as in executive session, from the Committee on Military Affairs, I report favorably the nomination of Maj. Gen. Jonathan Mayhew Wainwright, brigadier general, Regular Army, for temporary appointment as lieutenant general in the Army of the United States, under the provisions of law, and ask unanimous consent for its immediate consideration. I ask that the nomination be read by the clerk, so that all Senators may know that General Wainwright has been nominated to succeed General MacArthur in command of the American troops on the Bataan Peninsula.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Maj. Gen. Jonathan Mayhew Wainwright—brigadier general, Regular Army—for temporary appointment as lieutenant general in the Army of the United States, under the provisions of law.

Mr. CHANDLER. Mr. President, I have consulted with the distinguished minority leader, the Senator from Oregon [Mr. MCNARY]; and I understand that he has no objection to the present consideration of the nomination.

Mr. MCNARY. Mr. President, I think the nomination comes within the exception to the rule; and I have no objection to its present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed.

Mr. CHANDLER. I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

ORDER FOR RECESS

Mr. BARKLEY. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations this afternoon, it take a recess until 12 o'clock noon, tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CONTROL OF ALIENS AND OTHERS IN MILITARY ZONES

Mr. REYNOLDS. Mr. President, I have in my hand a clipping from one of the morning Washington newspapers, reading as follows:

COAST BEGINS REMOVAL OF JAPS NEXT WEEK

SAN FRANCISCO, March 18.—Gen. John L. De Witt, commanding the Western Defense Command, announced tonight that evacuation of the first Japanese aliens and American-born Japanese from military area No. 1 will start "early next week" with the removal of 1,000 Japanese from the Los Angeles area.

Mr. President, I wish to address the Members of this body now with reference to Senate bill 2352, a bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, the measure relating to alien enemies and others.

As chairman of the Military Affairs Committee of the Senate, on March 9, 1942, I was requested by Hon. Henry L. Stimson, Secretary of War, to introduce the bill to which I have referred. At that time I received from the War Department a letter, signed by the Secretary of War, under date of March 9, 1942, reading as follows:

DEAR SENATOR REYNOLDS: There is enclosed herewith draft of a bill entitled "A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones,' which the War Department recommends to be enacted into law.

The purpose of the proposed legislation is to provide for enforcement in the Federal criminal courts of orders issued under the authority of Executive order of the President No. 9066, dated February 19, 1942. This Executive order authorizes the Secretary of War to prescribe military areas from which any and all persons may be excluded for purposes of national defense.

It is impossible to estimate the probable cost to the Government consequent upon the enactment of such legislation.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation for the consideration of the Congress, as the enactment thereof would not be in conflict with the program of the President.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

Immediately upon receipt of the letter which I have just read I introduced Senate bill 2352, which would provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones.

The bill was immediately referred to the Committee on Military Affairs of the Senate for consideration. On Friday, March 13, 1942, the full committee of the Committee on Military Affairs of the Senate, of which I am chairman, convened for the purpose of considering the bill, at which time the committee had the benefit of the presence of Col. B. M. Bryan, of the War Department.

This bill deals primarily with the activities of aliens and alien enemies, and therefore should be of interest to every Member of the Congress of the United States, in view of the fact that there are more than 5,000,000 aliens within the confines of continental United States. It may be stated without exaggeration that one of our most important fronts is the American front, and without the proper control of aliens and enemies of this Government we can hardly expect to be successful in other areas of the world unless we first provide protection for American citizens on the American front, where we must guard carefully our great munitions and manufacturing structures engaged in the production of war materials. It is concerning this that I wish to speak first in discussing the importance of the bill.

In order that the two Houses of the Congress of the United States and the American public may be given an insight into the battlefield on the home front, I wish particularly to bring to the attention of the Members of this body the alien question as it exists today, fifth-column activities within the United States, in other words, to give a brief discussion of the subject pertaining to the matter of fighting the foe within. We will remember Pearl Harbor. We recall that the invading forces certainly were provided aid from Japanese on land on the island of Oahu, which, I understand, is the only island of the Hawaiian group that is anywhere near properly fortified at the present hour. The report reaches us that canefields were cut in the form of arrows pointing to military objectives; that vegetable dealers and merchants kept detailed records of purchased naval supplies in order to gage fleet movements; and that fishing sampans are believed to have been in touch with ships of the Japanese fleet, or certainly with agents of the Japanese military intelligence division. The fact is, that on December 5, 2 days before the attack, a telephone conversation lasting around 18

minutes was carried on between a Japanese in Hawaii and Japan by which important military information was communicated to the Japanese Government.

When the vicious attack of December 7 came, Japanese are reported to have wrecked cars and otherwise obstructed traffic. It is revealed that Japanese pilots shot down above Pearl Harbor were found to be wearing Honolulu high-school insignia and United States college rings, and one person, later arrested as a spy, had been a highly regarded Honolulu citizen for 20 years.

Since the Pearl Harbor incident, enemy activity on the Pacific coast has quieted, but this lull itself leads our officials to suspect perhaps further blows, and evidences the fact that enemy groups of saboteurs are under excellent control by their leaders. Air and submarine attacks from the sea, for example, could be coordinated with sabotage on land by dynamiting dams, power plants, oil fields, refineries, and defense factories. Japanese settlements often are near these vital areas. Let us not forget that these Japanese who constitute a grave peril to our Nation are aided and abetted by an overwhelming mass of disloyal German and Italian sympathizers.

Reasons for suspected widespread fifth-column activity among Japanese is found in information gathered by our distinguished colleague, Senator GUY GILLETTE, of Iowa. The Senator recently pointed out that, although American-born Japanese are regarded as United States citizens, they also are held to be subjects of Nippon unless they specifically renounce the Emperor. Few renunciations have been made and all citizens may be conscripted into the Japanese service.

Furthermore, Japanese consuls, Buddhist priests, and other leaders have been propagandizing the children of their countrymen for years right here beneath the shadows of the American flag, right here in continental United States. We learn that from translations of essays written by Japanese high-school students in southern California to celebrate the twenty-six hundredth anniversary of the Empire. These students have expressed and do express pride in their dual citizenship and approval of Japanese ambitions in Asia.

This explains evacuation plans which I shall later mention.

In the face of such thorough propaganda activity which I have just mentioned, officials now feel that too much would be risked in allowing Japanese and other enemy aliens to remain in coastal areas, although some injustices probably would result from mass evacuations.

The possibility of Japanese sabotage on the west coast in the States of Washington, Oregon, California, and Arizona, leading from the Canadian border to the Republic of Mexico, is revealed by the census figures of recent date, which show that, of the 127,000 Japanese in America, 120,000 of them reside in the West, and, of these, 93,000 are in California alone. Our Justice Department reveals that 91,000 Japanese unquestionably may be classified as noncitizens.

It is revealed, thus, that Japanese plans, originally called for a five-pronged attack on the United States. Three of these prongs already have been driven into outposts at Hawaii, the Philippines, and the mid-Pacific islands. The two remaining prongs call for heavy submarine attacks on shipping and a thrust at the Panama Canal, possibly screened by a diversion in Alaska.

Suspicions were first aroused here in 1937 during joint congressional committee hearings on Hawaii's application for statehood. At that time, opponents of statehood questioned the loyalty of many of the 163,000 Japanese residents. At that time it was revealed by one witness that the Japanese consulate was arousing anti-American sentiment. At the time the Senator from Iowa [Mr. GILLETTE] proposed an investigation of Japanese organizations in the United States, but unfortunately his resolution was not pressed, after the State Department had warned against upsetting delicate negotiations then proceeding. Anyway, great credit should be given to our colleague, the Senator from Iowa, for his foresight in requesting an investigation of these Japanese organizations, and had his desires been carried out the probabilities are that much of the trouble and danger now occasioned by the Japanese in this country, and certainly in Hawaii, would have been eliminated, and perhaps the activities of the enemy Japanese in Hawaii would have been thwarted at Pearl Harbor on December 7. The Senator's warnings were not heeded. His sound judgment and advice was not taken advantage of.

Fifth-column activities and control, however, extend far beyond the Japanese groups. We know from the Attorney General's report that inside the country today is an estimated total of approximately 5,000,000 aliens. All subjects of the Axis nations, as we know, were ordered to register with the Justice Department on or before February 28 of this year, and Italian aliens have been ordered from their homes in certain west-coast areas.

Evidence that a tightly knit fifth column exists in the United States is daily being uncovered by the Federal Bureau of Investigation under the direction of its able director, the Honorable J. Edgar Hoover, to whom much credit should be given, and praise accorded for the fine manner in which he and his courageous men have to date handled the situation with such a limited number of special agents to carry out his orders.

West-coast raids on Japanese colonies have yielded truckloads of guns, ammunition, dynamite, and bombs, as well as cameras and radio sets in various quantities and numbers. Even Japanese army and navy uniforms have been found.

The extent of Nazi activities has been indicated in trials in New York and Washington. Thirty-three members of a spy ring operating in and around the metropolis of New York have been sentenced to prison terms ranging from 18 months to 18 years. This ring was uncovered through the operations of Mr. Hoover's Federal Bureau of Investigation. They even discovered in operation a radio station which was in contact with Germany.

The extent of these alien-enemy activities, and the work of saboteurs and spies we may easily glean from the columns of the daily press in all sections of the country. Already more than seven thousand enemy aliens have been brought into custody by officials, but it is feared that the surface has scarcely been scratched, and the fears are certainly well founded.

Before me I have 15 clippings which I have gathered at random from daily newspapers published in various sections of the country. These articles relating to enemy aliens are headlined as follows:

Alexandria, Va.: 15 aliens arrested in nearby Virginia; arms, radios seized. Alexandria, Arlington police assist Federal Bureau of Investigation in round-up of suspects.

Middletown, N. Y.: Federal Bureau of Investigation seizes six aliens in West Point area.

Baltimore, Md.: Federal Bureau of Investigation seizes enemy aliens in Maryland plot; German flags, radios, hint invasion threat.

Salisbury, Md.: Two aliens, arms, and radios, and other paraphernalia seized in Eastern Shore raid.

Santa Fe, N. Mex.: 400 Japanese aliens reach detention camps.

Los Angeles, Calif.: Federal Bureau of Investigation jails 200 Japanese teachers in California German pro-Nazi suspects also seized in 24-hour round-up.

Cape May, N. J.: More aliens seized in New Jersey coast round-up.

Philadelphia, Pa.: Japanese quizzed after round-up

San Francisco, Calif.: 60 aliens arrested in Federal Bureau of Investigation raids in northern California.

Annapolis, Md.: 179 aliens held after shore raids.

Albuquerque, N. Mex.: Powerful radio sender in hands of alien enemies seized in New Mexico.

New York City: Nazi spies convicted, but they get off lucky with 20 years in prison.

New York City: Two confessed Nazi spies face death penalty; naturalized Germans send aircraft data in invisible ink.

New York City: Seven found guilty in spy trial get total of 117 years.

Washington, D. C.: Attorney General Biddle orders 318 more enemy aliens interned.

And so it goes. Enemy aliens have been apprehended and placed under arrest in virtually every section of the United States, and enemy aliens are continuing to provide trouble for us here on the American front.

In addition to the headlines I have read, I have a number of clippings relating to this subject. I shall not attempt to engage the time of the Members of this body by reading these articles, but I do wish to set down here the headlines from the press, bringing to the attention of the American people just what we are confronted with here on the American front.

The articles are entitled:

Santa Clara, Cuba: 16 Axis spies seized in Cuban sugar fires.

Washington, D. C.: $18,000,000 sought to guard United States offices against sabotage.

Washington, D. C.: Dies "brown paper" to bare Spanish agents' work in the United States.

Washington, D. C.: Dies launches probe of Spanish, Fascist, Latin-American moves.

New York City: 20 Hindus seized for illegal entry.

San Francisco, Calif.: More than third of Hawaiian population found to be Japanese.

Washington, D. C.: United States now engaged in relisting more than 1,000,000 of the 5,000,000 aliens now in the United States.

Washington, D. C.: Loophole found which permits enemy agents to enter country.

Charlotte, N. C.: Charlotte raid discloses enemy alien subterfuge.

Washington, D. C.: War spurs naturalization for District of Columbia story is told.

In reference to this, it is my opinion that we should be much more careful, and have strict observation of the laws, and know something of the character of the thousands and thousands of aliens being naturalized today. Frankly, I believe that the safety of our Nation demands that we suspend all naturalization for the duration of the war.

The following is a statement from Ambassador Bullitt:

Ambassador Bullitt in a speech delivered in Philadelphia, on August 18, 1940, said:

"The agents of the dictators are already here preparing the way for their armies. They are preparing the way in the same manner in which they prepared the way in France.

"In France much of the most terrible and traitorous work was done by the Fascists and Communists working together.

"At the most critical moment of the fighting in Belgium other German agents, this time Communist railway men, stopped all traffic on the Belgian railways so that there was no transport by train for the French, British, and Belgian armies.

"The French had been more hospitable than are even we Americans to refugees from Germany. More than one-half the spies captured doing actual military spy work against the French Army were refugees from Germany."

We must remember that one of the primary problems of a nation at war is the control of alien activity in connection with war.

From what we learn, certainly America is today being given an insight into the battlefield on the home front, in reference to which Senate bill 2352 concerns itself.

Had the legislation which I have been advocating ever since 1936 been written upon the statute books, we would have excluded from the United States a mass of people, among them spies, saboteurs, and agitators of sedition and subversion, who now are a source of unending anxiety to the military authorities of this Nation. In 1936 I sought to have Congress adopt a law for the registration and fingerprinting of all aliens then in the United States and those who might arrive thereafter. I even went so far in these past years to advocate a complete suspension or stoppage of immigration into the United States. Now, Mr. President, let me point out that through the failure to pass this legislation our relatively open doors have permitted the entry of spies, saboteurs, and promoters of sedition and discord, who are a source of constant anxiety at this moment. As a result of their presence we are confronted with the possibility, indeed, I may say the probability, that some of these people are actually now in the plants engaged in producing essential war materials for our Government.

Some of my colleagues I know felt that I was unduly alarmed in 1936 about the situation which would some day confront us, and which now is a present fact. We are at war with the homelands of people who constitute, I regret to say, an undue proportion of our population, and when I say that, I do not wish to be misunderstood or misinterpreted.

I recognize full well the loyalty of many of our naturalized citizens who have come to us from the lands with which we are now at war, but the fact that an indeterminable percentage of those people are absolutely loyal does not in any way minimize the peril we face from those of whose loyalty we are uncertain, or of whose loyalty we have good reason to believe is questionable, to say the least. The War Department has asked me to sponsor this bill, which will confer broad powers on the military authorities charged with the protection of certain zones in our country. We well know that the necessities of our situation are such that these powers must even extend to the control of persons who are citizens of the United States.

Now I ask in all seriousness, when we consider this bill which is now before the Senate, S. 2352, let us remember that no matter what we may succeed in doing in this war, the problems which I have sought to present since 1936 will remain with us, and that this bill should not stand by itself. It should be supplemented, in my opinion, by legislation to end once and for all the entry of aliens into the United States until we can have so assimilated all the aliens in our population that never again will it be necessary for us to question the loyalty or devotion to our public institutions of any part of our population.

Indeed, the influx of aliens to our shores over the years has been such in its unrestricted nature as to permit of the entrance of alien enemies, spies, saboteurs, and radicals to such a degree that today the American front is one of the most dangerous fronts with which we have to deal.

On March 2, 1942, Lt. Gen. J. L. De Witt, United States Army, commanding the Western Defense Command, issued Public Proclamation No. 1, reading in part as follows:

To the people within the States of Arizona, California, Oregon, and Washington, and the public generally:

Whereas by virtue of orders issued by the War Department on December 11, 1942, that portion of the United States lying within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona, and the Territory of Alaska, has been established as the Western Defense Command and designated as a theater of operations under my command; and

Whereas by Executive Order No. 9066, dated February 19, 1942, the President of the United States authorized and directed the Secretary of War and the military commanders whom he may from time to time designate, whenever he or any such designated commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate military commander may determine, from which any or all persons may be excluded, and with respect to which the right of any persons to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate military commander may impose in his discretion; and

Whereas the Secretary of War on February 20, 1942, designated the undersigned as the military commander to carry out the duties and responsibilities imposed by said Executive order for that portion of the United States embraced in the Western Defense Command: and

Whereas the Western Defense Command embraces the entire Pacific coast of the United States which by its geographical location is particularly subject to attack, to attempted invasion by the armed forces of nations with which the United States is now at war, and, in connection therewith, is subject to espionage and acts of sabotage, thereby requiring the adoption of military measures necessary to establish safeguards against such enemy operations:

Now, therefore I, J. L. De Witt, lieutenant general, United States Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as commanding general of the Western Defense Command, do hereby declare that:

The present situation requires as a matter of military necessity the establishment in the territory embraced by the Western Defense Command of military areas and zones thereof as defined in exhibit 1, hereto attached, and as generally shown on the map attached hereto and marked exhibit 2.

Then General De Witt proceeded to define these military zones.

As a result of this order in the form of Public Proclamation No. 1, which I have just read to the Senate, the War Department asks for the enactment of Senate bill 2352, to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones. The bill itself reads as follows:

Be it enacted, etc., That whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than 1 year, or both, for each offense.

To quote the words of Colonel Bryan, of the War Department, who appeared before our committee:

The purpose of this bill is to provide for enforcement in the Federal courts of orders issued under the authority of this proclamation. As things now stand orders can be issued but there is no penalty provided for violation of orders and restrictions so issued. Last evening General De Witt called me on the telephone from the west coast, talked to me personally, and he stated that the passage of this bill was necessary to enable him to properly carry out the provisions of the Executive order.

Before I conclude, as I intend to do in a few moments, let me just say a personal word. Ever since 1936 I have sought the passage by Congress, as each and every one of the Members of the Senate knows, of legislation providing for the registration and fingerprinting of all aliens in the United States, for the drastic curtailment of immigration itself, and for the deportation of every class of undesirable alien who curse this Nation by their pres-

ence now; I may say, elements who are contributing to the grave peril which the Nation faces today. It is, of course, useless for me to recapitulate what I have said on many occasions before, but I trust that now that we have a concrete measure to deal with the peril which confronts the Nation, it will be passed immediately. For the information of my colleagues, I read the report adopted by the Committee on Military Affairs unanimously relating to this bill, as follows:

REPORT

(To accompany S. 2352)

The Committee on Military Affairs, to whom was referred the bill (S. 2352), "To provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones," having considered the same, report favorably thereon with an amendment and with a recommendation that it do pass.

The amendment is as follows:

In line 3, page 1, strike out the word "or" and insert after the word "leave" the following words, "or commit any act in."

The bill, as amended, provides that whoever shall enter, remain in, leave, or commit any act in military areas or military zones prescribed, under the authority of an Executive order of the President, by the Secretary of War or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone, or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor, and upon conviction shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than 1 year, or both, for each offense.

The purpose of this proposed bill is to permit the enforcement in Federal criminal courts of orders or restrictions prescribed by military authorities, with respect to military areas or zones under authority of an Executive order of the President. At the present time this bill is essential for the enforcement of orders issued by the Commanding General, Western Defense Command, with respect to military areas on the Pacific coast under the authority of Executive Order No. 9066, dated February 19, 1942. Said Executive Order No. 9066 authorizes the Secretary of War and the military commander whom he may from time to time designate whenever he or any designated commander deems necessary or desirable to prescribe military areas in such places and of such extent as he or the appropriate military commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any persons to enter, remain in, or leave, shall be subject to whatever restrictions the Secretary of War or the military commander may impose in his discretion The Secretary of War has delegated to Lt. Gen. John L. De Witt, Commanding General, Western Defense Command, the authority to prepare and prescribe military areas in the Western Defense Command under said Executive Order No. 9066.

By Public Proclamation No. 1, dated March 2, 1942, General De Witt established certain large and extensive military areas in the Pacific coast area, including the States of Washington, Oregon, California, and Arizona. It will be impossible for General De Witt to enforce his orders pertaining to these military areas without the immediate passing of S. 2352. An amendment to this proposed bill is desired to make certain that willful violations of any order pertaining to the conduct of persons within a military area, as far example a curfew restriction, would be punishable under the provisions of the bill.

It is the opinion of the committee that immediate passage of this bill is a military necessity, not only with respect to the Pacific coast region but also with respect to any other part of the United States or its possessions in which it is desirable to create military areas under Executive Order No. 9066 or other Executive order.

Recommendations of the War Department follow:

WAR DEPARTMENT,
Washington, March 9, 1942.

Hon. ROBERT REYNOLDS,
Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR REYNOLDS: There is enclosed herewith draft of a bill entitled, "A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones," which the War Department recommends to be enacted into law.

The purpose of the proposed legislation is to provide for enforcement in the Federal criminal courts of orders issued under the authority of Executive Order of the President No. 9066, dated February 19, 1942. This Executive order authorizes the Secretary of War to prescribe military areas from which any and all persons may be excluded for purposes of national defense.

It is impossible to estimate the probable cost to the Government consequent upon the enactment of such legislation.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation for the consideration of the Congress, as the enactment thereof would not be in conflict with the program of the President.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

In conclusion, Mr. President, I have before me now a letter dated March 13, 1942, addressed to me as chairman of the Committee on Military Affairs by Hon. Robert Patterson, Acting Secretary of War, reading as follows:

WAR DEPARTMENT,
Washington, March 13, 1942.

Hon. ROBERT REYNOLDS,
Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR REYNOLDS: By telephone on Thursday, March 12, 1942, Lt. Gen. John L. De Witt, commanding the Western Defense Command, requested that action be taken to expedite passage of S. 2352 and H. R. 6758, bills to provide penalties for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones.

General De Witt is strongly of the opinion that the bill, when enacted, should be broad enough to enable the Secretary of War or the appropriate military commander to enforce curfews and other restrictions within military areas and zones. To that end, it is suggested that in line 3, page 1, of S. 2352 the word "or" be stricken and that after the word "leave" there be inserted the words ", or commit any act in."

General De Witt indicated that he was prepared to enforce certain restrictions at once for the purpose of protecting certain vital national defense interests, but did not desire to proceed until enforcement machinery had been set up.

The War Department recommends immediate passage of the proposed law.

Sincerely yours,

ROBERT P. PATTERSON,
Acting Secretary of War.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). The Chair is informed that the amendment to which the Senator has referred is included in the bill which has passed the House of Representatives.

Mr. REYNOLDS. That is quite true. I was about to ask that the title adopted by the Senate Committee on Military Affairs be amended by inserting after the word "leaving" the words "or committing any act in", and likewise that the words which the Presiding Officer has just been good enough to call to my attention be inserted in line 3, after the word "leave."

If the Senate shall pass the bill with the amendment adopted by the House, and, as a matter of fact, the amendment we inserted in the Committee on Military Affairs of the Senate, the bill passed by the Senate today would be identical with the bill passed today by the House of Representatives, and as a result there would not be any need for conference with the House.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, which was read twice by its title.

Mr. REYNOLDS. I ask for the immediate consideration of the bill just laid before the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. DANAHER. Mr. President, reserving the right to object—and I have no substantial objection—I should like to know from the Senator from North Carolina to what extent he understands that "the restrictions or order" may go, and when I use those terms I am quoting the language of the bill.

Mr REYNOLDS. It is my understanding that in order to carry out the objectives of the proclamation, and thus keep clear the military areas which have been defined by General De Witt, the commander of the western area, we are asked to provide the department with authority to keep certain individuals from entering or leaving military zones, or not complying with any of the curfew laws, or any regulations which might be established within those zones. The proposed legislation would provide United States district attorneys, charged with the enforcement of our laws in the military area under General De Witt, as well as anywhere else, with authority to prosecute offenders, and there is provided a penalty to the extent of a fine not to exceed $5,000, or imprisonment for not more than 1 year, or both, for each offense.

Mr. DANAHER. Does the Senator understand what is meant by the use of the word "extent" in line 2, on page 2, of the Senate bill? In order to point out my inquiry specifically I should like to have the Senator tell us just exactly what is contemplated when a criminal prosecution can be brought against a person—and I quote from the bill—

If it appears that the accused should have known of the existence and extent of the restrictions or order

If we do not know what the restrictions are, and if we do not know what the

extent is how can others be presumed to know?

Mr REYNOLDS The interpretation would, I think, be that if notice is given and restrictions are made, and regulations issued to that effect, persons will be prohibited from entering a certain area, and if they did enter that would be a violation. In other words, if they should enter against the regulations or against notices posted or if they should leave certain areas wher they were instructed to remain in certain areas, they would be guilty of a violation under the proposed act

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. DANAHER. On page 1, in lines 8 and 9, Senators will find that the measure proscribes action contrary to the order of the Secretary of War. Does the Senator understand that such an order must be published before anyone would be bound to know of the extent of the application of the order?

Mr. REYNOLDS. That is my understanding. It would be based thereafter, I should think, upon a proclamation known as Proclamation No. 1, which was made by General De Witt.

Mr. DANAHER. Is that the proclamation referred to in the committee report?

Mr. REYNOLDS. The proclamation was issued on March 2, 1942.

Mr. DANAHER. That is the public proclamation referred to in the committee report?

Mr. REYNOLDS. Yes.

Mr. DANAHER. I should like to ask unanimous consent that the report be printed in full in the RECORD.

Mr. REYNOLDS. Mr. President, the proclamation will appear in the RECORD as part of my remarks.

Mr. DANAHER. Very well.

Mr. TAFT. Mr. President, I think this is probably the "sloppiest" criminal law I have ever read or seen anywhere. I certainly think the Senate should not pass it. I do not want to object, because the purpose of it is understood. It does not apply only to the Pacific coast. It applies anywhere in the United States where there is any possible reason for declaring a military zone. The bill provides:

> That whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War—

All that does is to let somebody say what a military zone is. Then it goes on and says that anyone who enters—

> contrary to the restrictions applicable.

It does not say who shall prescribe the restrictions. It does not say how anyone shall know that the restrictions are applicable to that particular zone. It does not appear that there is any authority given to anyone to prescribe any restriction. It then goes on:

> Or contrary to the order of the Secretary of War.

That might be enforceable, because there power is given to issue some kind of an order. Then it goes on and only makes it a crime—

> If it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof.

In which case he is liable to go to jail for a year or be fined $5,000.

Mr. President, I have no doubt an act of that kind would be enforced in wartime. I have no doubt that in peacetime no man could ever be convicted under it, because the court would find that it was so indefinite and so uncertain that it could not be enforced under the Constitution.

Mr. President, I do not want to object, because I understand the pressing character of this kind of legislation for the Pacific coast today, but I certainly think the measure should be redrafted in some kind of legal form, instead of in the form of a military order.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 6758) was considered, ordered to a third reading, read the third time, and passed, as follows:

> *Be it enacted, etc.*, That whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than 1 year, or both, for each offense.

The PRESIDING OFFICER. Without objection, Senate bill 2352, being an identical bill, will be indefinitely postponed.

DO NOT ENDANGER AMERICA'S OIL SUPPLY

Mr. LEE. Mr. President, the importance of petroleum to our success in this war cannot be overestimated. The terrific price which Hitler has paid in his effort to gain possession of the oil fields of Russia and the terrific price which Japan has paid to gain possession of the oil fields of the Dutch East Indies shows what an important role petroleum is playing in this war.

I read these headlines in the public press today:

> Gas sale curb begins today.

Further down in the article I read:

> Delivery of gasoline stocks to dealers beginning today will be cut one-fifth and there is a strong possibility that a further cut may be ordered by the War Production Board if Axis submarines continue to sink tankers in large numbers.

Mr. President, I am concerned today about our own supply of oil. Undoubtedly the Petroleum Coordinator is also concerned. Our known resources are diminishing. I am told that during the year 1941 we consumed three times as much crude petroleum as was discovered in new fields. The difficulty of our search for new fields is increasing. The results of our efforts are not too encouraging.

The supply of petroleum may well determine the final outcome of the war. Therefore our Government must follow a policy which will insure us an adequate supply of this valuable material. We are today redoubling ever effort to provide our soldiers with the engines of war, but to what purpose will that effort be if we are not able to provide those engines with fuel and lubrication?

Our Treasury Department, in an effort to provide our Government with adequate revenues, has suggested two changes in the taxing policy with respect to the oil industry, both of which would result in materially decreasing the discovery of new oil fields. These two suggested changes are: First, to eliminate the depletion allowance provision; and second, to eliminate the intangible development costs option. Both of these provisions are a part of a policy which this Government has followed since the World War.

To change the long-established policy of government in these two respects would militate tremendously against the small or independent companies. Eventually it would destroy most of them. This is bad from two standpoints. First, from the standpoint of an increased monopolistic tendency in the oil industry, and second, from the standpoint of decreasing the discovery of new fields. This second result would be disastrous at the present time.

According to published records, the independent oil companies discovered 73 percent of our new oil fields in 1941. The so-called independents are the "wildcatters." They are the men who pioneer in search of new fields. Therefore, anything that would reduce or limit the discovery of new fields at this time would be against our national welfare.

HISTORY OF THE DEPLETION ALLOWANCE

Mr. President, allow me to recite briefly the history of the depletion clause and the intangible development-costs option.

In 1917 and 1918 Congress faced a situation very similar to the one which we face today. Then, as now, petroleum was an important factor. We had what we now know to be a relatively small industry engaged in the production of this important war essential.

Congress at that time, in recognition of the importance of oil to our success, resolved that it would permit nothing to interfere with the exploration of new fields in order that we should not be found lacking in this vital material. Then, as now, Congress was confronted with the necessity of raising money. We had to meet the greatest obligations in the history of the country up until that time.

Petroleum at that time was selling at a very high price, and great fear was felt lest our supply become exhausted. In the consideration of the revenue measure in 1918, the Congress recognized the importance of petroleum. It also recognized that petroleum was not found as the result of any exact science but rather as the result of a pioneering and exploratory effort so full of hazards that

capital was hesitant to respond to its call.

Congress, at that time, in order to invite more capital into this important effort, and in recognition of the uncertainties of the very nature of the operations of the petroleum industry, provided for a depletion allowance to those engaged in the petroleum industry, based on discovery value. This allowance had a twofold base:

First. Because of the difficulty of ascertaining what amount of oil had been found in a well that was discovered, it was recognized that every barrel of oil sold might be a part of the capital invested in that endeavor.

Second. It was also recognized that many of the efforts to find the oil, although very expensive, might prove fruitless.

Therefore, it was necessary to find a provision which would be fair to the industry as a whole. Thus the provision for depletion allowance was developed.

Time has proved the wisdom of Congress. It was a wiser policy than the Congress itself knew.

Immediate exploration efforts were started throughout the United States and continued persistently and continually until, at the time the recent war started, the United States had the greatest supply of known petroleum reserves in its entire history, and approximately two-thirds of the known reserves of the entire world. No other country had done so well. Our system had gotten results.

In 1918 the depletion allowance was provided for through a recognition of the value of the oil at the time of discovery as capital. In 1926 it was continued, and for administrative purposes was simplified through the adoption of the present percentage method.

This encouraged the independent. He brought in new fields. He drilled dry holes. He took it on the chin. He was up. He was down. But he found this important essential of war. In most cases all the independent has is hope. We must not kill that hope now. It would be a most unwise policy at this critical hour when the Petroleum Coordinator is curbing the sale of gasoline for us to destroy the incentive to the petroleum industry to find new oil reserves.

Furthermore, from the standpoint of revenue to the Government, the policy of the depletion allowance has developed a great industry which is yielding revenue in amounts many times over the amounts the Treasury Department gave up in allowing these depletion claims.

Some have said that the depletion allowance is in the form of a tax avoidance. If that were so, then the petroleum industry's earnings would reflect this excessive revenue. Yet they do not. For I am informed from reliable sources that the over-all earnings of the petroleum industry are well under the earnings of industry in general throughout the United States. Furthermore, I have been advised that the bulk of the earnings in the oil industry are not from the oil producers but from other phases of the industry.

INTANGIBLE DEVELOPMENT COSTS OPTION

Now let me trace the history of the intangible development costs option.

The oil producer runs great risks in his exploratory effort. Many of the wells drilled prove to be unproductive, and many of the wells that appear at first to be productive are soon proven failures. These hazards have been recognized as justifying some special application in tax measures.

For more than 25 years the Treasury Department, in recognition of this situation, has permitted the producer in the petroleum industry to make an election as to whether or not the intangible expenses involved in development of petroleum should be capitalized or charged off as an expense item. This is not a continuing option. Once the election is made, it is binding throughout the life of that operator.

Many companies elected to capitalize. Most of these had sufficient capital to carry on their operating activities, or they could by the capitalization of such items raise new money by the issuance and sale of stock.

But most of the small operators, commonly known as independents, have, during this period, charged off their intangible development expenses in making their income-tax returns. This option has been a great assistance to the smaller operator, and he has built his accounting programs upon this policy.

The right of the Treasury to make such a regulation has been recognized by the courts. The wisdom of this provision has been accepted by succeeding Congresses. This policy has promoted the growth of the small operators in the oil industry.

It is doubtful if the Treasury Department in the long run loses anything by the operation of this option, because it receives revenue more on an installment basis rather than receiving it all at one time. To change this policy would eventually destroy the small companies and thus kill the goose that lays the golden egg.

Mr. President, let me conclude by saying that I cannot warn too strongly against the danger to our supply of petroleum if we change our proven policy in these two respects. Please bear in mind I am not asking a change in our laws. I am resisting change. It would be a short-sighted policy to abandon a proven program for an immediate increasing in revenue which would undoubtedly result in a long-time decrease in revenue, and at the same time threaten our supply of petroleum at this critical hour.

EXECUTIVE SESSION

Mr. MURDOCK. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the calendar.

SUPREME COURT OF HAWAII

The legislative clerk read the nomination of Louis LeBaron, of Hawaii, to be associate justice of the Supreme Court of the Territory of Hawaii, which nomination had been previously passed over.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CIRCUIT COURT OF HAWAII

The legislative clerk read the nomination of Carrick H. Buck, of Hawaii, to be judge of the first circuit in the circuit courts of the Territory of Hawaii, which nomination had been previously passed over.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MURDOCK. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

That completes the calendar.

Mr. MURDOCK. I ask that the President be notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

RECESS

Mr. MURDOCK. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Friday, March 20, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 19 (legislative day of March 5), 1942:

DIPLOMATIC AND FOREIGN SERVICE

Guy W. Ray, of Alabama, now a Foreign Service officer of class 6, and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Jonathan Mayhew Wainwright (brigadier general, Regular Army), Army of the United States, for temporary appointment as lieutenant general in the Army of the United States.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

Capt. (temporary) Graham H. Benson to be a captain in the Marine Corps from the 1st day of March 1942.

The following-named naval aviators of the Marine Corps Reserve to be second lieutenants in the Regular Marine Corps, in accordance with the provisions of the Naval Aviation Personnel Act of 1940, to rank from the dates stated:

Lowell S. Reeve, from the 1st day of April 1940.

Allen H. Anderson, from the 15th day of April 1940.

Elkin S. Dew, from the 15th day of April 1940.

Roscoe M. Nelson, from the 7th day of June 1940.

Walter J. Meyer, from the 15th day of July 1940.

Frank E. Hollar, from the 15th day of July 1940.

Thomas J. Myers, Jr., a citizen of North Carolina, to be a second lieutenant in the Marine Corps from the 31st day of August 1941.

The following-named citizens to be second lieutenants in the Marine Corps from the 31st day of January 1942:

Owen P. Lillie, a citizen of Michigan.
Evan E. Lips, a citizen of North Dakota.
James W. Love, a citizen of Tennessee.
George F. McInturff III, a citizen of Tennessee.
Guy W. Comer, Jr., a citizen of Illinois.
John R. Kerman, a citizen of California.
Francis L. Fagan, a citizen of Wisconsin.
Lincoln N. Holdzkom, a citizen of Illinois.
Charles R. Durfee, a citizen of North Dakota.
Thomas F. Mullahey, Jr., a citizen of New York.
William L. Culp, a citizen of West Virginia.
Charles F. Widdecke, a citizen of Texas.
Valentine E. Diehl, a citizen of New York.
John R. Lesick, a citizen of Pennsylvania.
Richard Phillippi, a citizen of Oregon.
Bruno J. Andruska, a citizen of Illinois.
John G. Dibble, a citizen of California.
William K. Crawford, a citizen of North Dakota.
Cleland E. Early, a citizen of Texas.
James M. Robinson, a citizen of the Territory of Hawaii.
William R. Burgoyne, Jr., a citizen of Pennsylvania.
Louis H. Wilson, Jr., a citizen of Mississippi.
Maurice J. Kelly, a citizen of Oregon.
William L. Flake, a citizen of Arizona.
Thomas F. Cave, Jr., a citizen of California.
Vincent J. Gottschalk, a citizen of Michigan.
George A. Gilliland, a citizen of California.
Cliff A. Jones, Jr., a citizen of Texas.
William R. Adams, a citizen of Illinois.
Bryan B. Mitchell, a citizen of Georgia.
John P. Storm, a citizen of California.
Rodney V. Reighard, a citizen of California.
John B. Erickson, a citizen of New York.
John N. McLaughlin, a citizen of Georgia.
Robert Mentzinger, a citizen of Pennsylvania.
Charles E. Hinsdale, a citizen of North Carolina.
Ralph Hornblower, Jr., a citizen of Massachusetts.
William H. Enfield, a citizen of Kansas.
James L. Denig, a citizen of Ohio.
John W. Bustard, a citizen of the Territory of Hawaii.
Maurice J. Coffey, Jr., a citizen of Ohio.
Joseph R. Clerou, a citizen of California.
Paul H. Groth, a citizen of Iowa.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 19 (legislative day of March 5), 1942:

SUPREME COURT, TERRITORY OF HAWAII

Louis LeBaron to be associate justice of the Supreme Court, Territory of Hawaii.

CIRCUIT COURTS, TERRITORY OF HAWAII

Carrick H. Buck to be judge of the first circuit, circuit courts, Territory of Hawaii.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Jonathan Mayhew Wainwright for temporary appointment as lieutenant general in the Army of the United States.

POSTMASTERS

MASSACHUSETTS

W. Dana Holmes, Barnstable.

MISSISSIPPI

Howard C. Overstreet, Brooklyn.
Mrs. Floyd J. Robinson, Raleigh.
Mary S. Farish, Whitfield.

PUERTO RICO

Concepcion Torrens de Arrillaga, Anasco.

RHODE ISLAND

Isabel T. Schofield, Fiskeville.

PROMOTIONS IN THE NAVY

TO BE VICE ADMIRALS FOR TEMPORARY SERVICE

Frederick J. Horne
Russell Willson

TO BE REAR ADMIRALS FOR TEMPORARY SERVICE

Freeland A. Daubin
Robert M. Griffin

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 19, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Master, who art the Good Shepherd, we rejoice that Thou hast crowned Thyself with a name which brings to us everything that is holy and true. Bless and lead us with the life Thou dost inspire, a life which is a glorious adventure in a world with its toilsome way, its market place, and with its comfortless songs of the night. For the new miracle of dawning light flushing the skies with prophecies of a new day we give Thee thanks. In Thy fold we pray Thou wilt deliver us from useless fears and aimless doubts and teach us the lesson of fair judgment that we may share in common human need

Thou Christ, who standeth for men in all their relations, Thou who dost enter their estate and showeth mercy, Thou who art the universal bounty giver, driving the night away from the eyes of weary watchers and bringing from captivity the joyous springtime of life, in Thy holy name we pray. Thou who art the way of time and the way of eternity, come and lift Thy wisdom and pity upon the fallen ruins of our humanity and mold them into forms deeper than the sea, wider than the world, ever leading its untroubled soul to the heavens of thought. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2198) entitled "An act to provide for the financing of the War Damage Corporation to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes."

THE LATE WILLIAM E. COX

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. BOEHNE].

Mr. BOEHNE. Mr. Speaker, it is my sad duty to inform the House of Representatives of the death of a predecessor of mine in this body, the Honorable William E. Cox, of Jasper, Ind., who departed this life on March 11, 1942. Mr. Cox was a Member of the Sixtieth, Sixty-first, Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Congresses. He was an intimate friend, and served during two Congresses with my own father. Only a few are now remaining as Members of this House who served with Mr. Cox, but those who do recall him, remember him as the father of legislation designed to extend Federal aid for the highways of the United States wherever the United States mails were carried. He was an active Democrat in his constituency and in the State. He was a man of deep convictions. His was a very positive character who preferred defeat to a compromise on principle.

Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD, and insert as a part of those remarks a resolution adopted by the Dubois County Bar Association a few days ago relative to the untimely passing of this former statesman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW] to address the House for 1 minute.

Mr. LUDLOW. Mr. Speaker, I am pleased to have this opportunity to join my colleague, the gentleman from Indiana [Mr. BOEHNE] in paying tribute to the memory of a distinguished and good man who served his district and his country with exceptional ability in this body for 12 years, from 1907 until 1919.

William Elijah Cox was a homespun character, as rugged as the everlasting hills of his native State. He was plain, outspoken, and typically Hoosier in his personal traits. In him there was no guile, and he was honest as the day is long.

All of his 80 years were spent as a resident of Dubois County, Ind., where he was born on September 6, 1861. He attended the common and high schools of Huntingburg and Jasper, Ind., and was graduated from Lebanon University, Tennessee, and from the law department of the University of Michigan at Ann Arbor. He was prosecuting attorney of the eleventh judicial district of Indiana for 6 years before he entered Congress on March 4, 1907. In the House of Representatives he was chairman of the Committee on Expenditures in the Treasury Department and was a member of two other important committees, the Post Of-

fice and Post Roads and Invalid Pensions. During World War No. 1 he was a vigorous and loyal disciple of Woodrow Wilson and rendered valuable support to the war effort. Surviving him are Mrs. Cox and a very charming and talented daughter.

I was a member of the Press Gallery all of the time Mr. Cox served in Congress, and I knew him intimately. He was a man of high ideals and perfect rectitude and his public service was of such a quality that his name will be honored and revered in Indiana throughout the years to come.

LABOR AND LABOR DISPUTES

The SPEAKER. The Chair recognizes the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, because of the fact that a great deal of interest is manifested in the subject of labor and labor disputes, I desire to give for the information of the House certain facts which were furnished to a subcommittee of the Appropriations Committee this morning by Dr. Lubin, the head of the Bureau of Labor Statistics. I do it without comment, but you can make such use of these statistics as you desire.

In August 1941 561,000 man-days were lost due to strikes; in September, 158,000; October, 304,000; November, 141,000; December, 21,600; January, 7,100; February, 33,800. The figures for March are not, of course, complete, but we are advised they will be lower than the figures for February.

In order to compute the number of man-hours lost because of strikes—and by the way these are strikes in defense industries only—we are advised by the Bureau of Labor Statistics that we should multiply these figures by 8½ hours.

As to the number of strikes in industry generally, using a comparable period: In August there were 1,800,000 man-days lost due to strikes; in September, 1,922,000; in October, 1,903,000; in November, 1,317,000; in December, 434,000; in January, 390,000; in February, 450,000.

It is interesting to note that the number of people employed in manufacturing industries in this Nation in the beginning of 1942 was 12,800,000, of which number 3,500,000 were engaged in defense industry, or approximately 25 percent. It is further interesting to note that it is expected as a result of statistics now filed that in the last quarter of 1942 there will be 14,400,000 people employed in manufacturing industries throughout the Nation, of which number 9,900,000 will be working on direct national defense, or a total of 65 percent. This last set of figures indicate a very hopeful sign.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I desire to extend my remarks in the Appendix of the RECORD on two subjects: To include in one a short editorial on What Government Wants from Advertising; and in the other an article on The Republican War Policy by the gentleman from Massachusetts [Mr. MARTIN], our distinguished minority leader.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to place in the RECORD a letter I received this morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Carter R. Bryan entitled "Lake the Pea in the Shell Game." The cost of this article, according to estimate of the Public Printer, is $108.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short poem by a soldier located at Pearl Harbor.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. CUNNINGHAM]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

[Mr. REES of Kansas addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with an announcement made by the gentleman from Louisiana [Mr. PLAUCHÉ] and to include an editorial from a Lake Charles, La., paper; and my second request is to extend my own remarks in the RECORD in connection with the letting of a Maritime Commission contract and to include an editorial from the New Orleans States and also an editorial from the New Orleans Item.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. HÉBERT]?

There was no objection.

HEARING OF CASES UNDER EXPEDITING ACT OF FEBRUARY 11, 1903

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. McLAUGHLIN]?

There was no objection; and the Speaker appointed the following conferees on the part of the House: Messrs. SUMNERS of Texas, McLAUGHLIN, and HANCOCK.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. SPARKMAN]?

There was no objection.

[Mr. SPARKMAN addressed the House. His remarks appear in the Appendix.]

PENALTY FOR VIOLATION OF RESTRICTIONS OR ORDERS WITH RESPECT TO PERSONS ENTERING OR LEAVING MILITARY AREAS OR ZONES

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering or remaining in, or leaving military areas or zones.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MAY. Mr. Speaker, this bill has been reported by the House Military Committee by unanimous vote. It provides a penalty for any person who shall leave, remain in, or commit any act in any military area or military zone prescribed under the authority of an Executive order of the President or by the Secretary of War or by any military commander designated by the Secretary of War contrary to War Department restrictions applicable in these zones or military areas.

It provides specifically, and the committee was very careful to specify in the legislation, that these penalties shall apply only if it shall appear that the party charged knew or should have known of the existence or extent of the restrictions. In other words, we want to protect any citizen of the country against being caught up who is unaware of the order or of the restrictions or regulations made by the Secretary of War. It makes it only a misdemeanor, not a felony.

Mr. MICHENER. From what the gentleman said, I was led to believe that the purpose of the bill is to implement the Executive order made by the President in reference to this matter. The last statement the gentleman has made would indicate that the bill is for the protection of those who may be affected by the law. Will the gentleman clarify?

Mr. MAY. There is nothing inconsistent in the two statements. The last statement I made was to the effect that if a man comes innocently into one of these areas, he will be in the position that, when he is charged, the prosecutor or the military commander having charge of him will have to assume the burden of proof that he has guilty knowledge of the restricted nature of the area.

Mr. MICHENER. Further reserving the right to object, Mr. Speaker—and I

shall not object—I do think that bills of this type, interfering with or even protecting the rights of citizens, should be given some consideration on the floor of the House and should be thoroughly understood and debated before their passage.

Mr. MAY. May I say to the gentleman that I do not disagree with what he has just said, and that we gave very careful consideration to this matter? It is intended to apply particularly to the situation that exists on the west coast at this time. The gentleman knows the purpose of the legislation.

Mr. MICHENER. Yes; I understand thoroughly the purpose of the legislation. At the same time this Congress is not warranted in passing legislation, even though the purpose is laudable, without knowing all the details and the effect it will have on the people.

Mr. MAY Quite right; but this is extremely urgent.

Mr. SPARKMAN. Reserving the right to object, Mr. Speaker, may I say that while our committee was out on the west coast studying this problem, one of the first things General De Witt called to our attention was the fact that even though he was given the authority to declare these to be restricted and prohibited areas, he had no way of enforcing the order by penalty if anyone violated it. All he could do was to move them off. If they came back, there was no penalty provided in the law. He asked for this specific legislation. It is needed immediately because that evacuation is taking place now

Mr. MICHENER. Yes; that is in exact harmony with my first statement, that this bill simply implements the Executive order which is now in force and effect.

Mr. MAY. It simply provides a means of making it effective; that is all.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman if these zones are marked so that citizens of this country cannot get into them without their knowledge and then being penalized for coming into these areas?

Mr. MAY. These zones are definitely defined in orders issued by the commander in the particular instance, by the Executive order issued by the President, or by regulations made by the Secretary of War. Citizens of this country will never be questioned about them, as a matter of fact. This is intended for a particular situation, about which the gentleman knows.

Mr. RICH. The ordinary citizen who is trying to obey the law could not get into trouble about this?

Mr. MAY. That is the reason we put in here that they would have to prove that he knew about it.

Mr. ANDREWS. Reserving the right to object, Mr. Speaker, it has been suggested to me that you might insert the word "knowingly" in the bill. I do not think it is necessary, but I do not have a copy of the bill in front of me.

Mr. MAY. It is in here.

Mr. ANDREWS. That is what I thought.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever shall enter, remain in, or leave any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than 1 year, or both, for each offense.

With the following committee amendment:

Page 1, line 3, strike out "or" and after "leave", insert "or commit any act in."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones."

COMMITTEE ON INSULAR AFFAIRS

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution (H. Res. 461) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That during the remainder of the Seventy-seventh Congress the Committee on Insular Affairs shall be composed of 23 members.

The resolution was agreed to.

WILLIAM JENNINGS BRYAN

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, the gentleman of whom I am about to speak was born on March 19, 1860, at Salem, Ill.

He was graduated from the University of Illinois in 1881 and from the Union College of Law in 1883. Was elected to the United States Congress in 1890 and 1892. During the Spanish-American War he served as colonel of a Nebraska regiment of volunteers. He was Secretary of State under Woodrow Wilson. A top-rung statesman, an unequaled humanitarian; he was a superior orator and a Christian gentleman.

He made his declaration as a supporter of labor when he said:

You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold.

As nation builders and conservationists, he placed the farmer first when he said:

Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms and the grass will grow in the streets of every city in the country.

This was William Jennings Bryan, whose birthday we honor today.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution (H. Res. 462), and ask for its immediate adoption.

The Clerk read as follows:

Resolved, That JOSEPH E. TALBOT, of Connecticut, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Insular Affairs, Committee on Election of President, Vice President, and Representatives in Congress, and Committee on Education.

The resolution was agreed to.

THE LATE EDWARD WATERMAN TOWNSEND

Mr. KEAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, on last Monday Edward Waterman Townsend died in New York City in his eighty-eighth year.

Mr. Townsend represented the district which I now have the honor to serve in the Sixty-second and Sixty-third Congresses.

A Democrat, he was later appointed postmaster of the town of Montclair, N. J., by President Wilson, and served in that capacity for 8 years.

Mr. Townsend had a brilliant career as a newspaperman and a short-story writer, and was the author of the Chimmey Fadden stories which many of you may remember.

His service to his community and the Nation will be gratefully remembered.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include two editorials, one from the Los Angeles Examiner, entitled "The Follies of 1942," and the other from the Santa Monica Evening Outlook, entitled "Why Not a Peoples' Offensive?"

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FULMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

[Mr. FULMER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include an editorial from the Jackson Daily News, of Jackson, Miss.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my re-

marks in the RECORD and to include a short article.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein certain excerpts from a resolution and also from a letter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

VOLUNTEER WHEAT

Mr. PACE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. PACE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a recent address.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in connection with the St. Lawrence seaway, and include a letter from the Maritime Commission to the chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD].

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and insert an editorial from the Fort Scott Herald.

The SPEAKER. Is there objection?

There was no objection.

WILLIAM JENNINGS BRYAN

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, this is the anniversary of the birth of the great commoner, William Jennings Bryan, of Nebraska. Mr. Bryan was a distinguished Member of this body, the leader of a major political party, an unexcelled orator, a soldier, and a Secretary of State of the United States. He was a great moral leader. A true liberal, many of his reforms have become a part of the law of the land. He was of the common people, a champion of the poor and the oppressed, a friend of labor and of agriculture. It is appropriate that we pause in our deliberations today to honor the memory of this illustrious American.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

ELECTION TO A COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution (H. Res. 463), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That HARRY SAUTHOFF, of Wisconsin, be, and he is hereby, elected a member of the Committee on Insular Affairs.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate insists upon its amendment to the bill (H. R. 6691) entitled "An act to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. BYRD, and Mr. LA FOLLETTE to be the conferees on the part of the Senate.

PRODUCTION OF ALCOHOL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 2, lines 12 and 13, after "warehouse:" insert "*Provided further*, That taxes on distilled spirits removed under the provisions of this paragraph, either before or after redistillation, if such distilled spirits or any portion thereof are lost shall be remitted or refunded in the same manner and under the same conditions as the tax on alcohol would be remitted or refunded under the provisions of section 3113 of the Internal Revenue Code."

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Will the gentleman explain the amendment?

Mr. DOUGHTON. Mr. Speaker, this bill was called to our attention by the Treasury Department, the Alcohol Division of the Bureau of Internal Revenue. The bill was introduced and passed unanimously, at their request. About all I know about this amendment is that the same authorities, the Alcohol Division of the Bureau of Internal Revenue, say that this amendment is all right.

Mr. MARTIN of Massachusetts. This is an amendment which the Department has agreed to?

Mr. DOUGHTON. Yes; and are satisfied with.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JENKINS of Ohio. I presume the gentleman from Massachusetts [Mr. TREADWAY] knows about this, or the gentleman from New York [Mr. CROWTHER]?

Mr. DOUGHTON. Not that I know of.

Mr. JENKINS of Ohio. There is no opposition that the gentleman knows of?

Mr. DOUGHTON. There is no opposition, I am sure.

Mr. JENKINS of Ohio. And there was no opposition in our committee at the beginning, was there?

Mr. DOUGHTON. No; not at all. It was passed by unanimous consent.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. RICH. Is this the bill that was passed by unanimous consent, wherein the Department was permitted to remit the tax on liquor which evaporated in storage under certain prescribed regulations, after a certain number of years?

Mr. DOUGHTON. It is one of those bills. There were two of them. The gentleman from Illinois [Mr. DIRKSEN] and the gentleman from California [Mr. GEARHART] were very much interested in those bills.

Mr. RICH. When I read the RECORD the next day after this bill passed and saw the enormous amount of evaporation that took place, I could hardly believe it was possible. I do not know just how this evaporation takes place. I think somebody ought to make an investigation of that. I think, if you will look at the RECORD, you will notice that a barrel of whisky, which contained some 40 gallons, lost 17 gallons in 3 or 4 years. I think perhaps somebody may have a nail driven in there and a straw placed in and it might have leaked out that way, or perhaps somebody might take the bung out and let a little bit leak out. Certainly I think you ought to make an investigation of this. It does not seem reasonable to me. I was very much surprised when the bill was passed. We need all the liquor tax we can get, and we must be sure we get the tax and not let it evaporate. Too much is and has evaporated the past several years. We might all evaporate if we do not watch out in the form of taxation being proposed.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. MARTIN of Massachusetts. I would say the gentleman from North Carolina does not drink, and he does not know anything about that.

Mr. DOUGHTON. He is not an expert on any phase of the subject.

Mr. RICH. That is the reason I want the gentleman from North Carolina to know that this bill is all right. When he knows it, I know we will not get legislation that is not right. I have confidence in him, but I think the gentleman from North Carolina ought to make an investigation of this bill to see that it is a good bill. I question whether you should put this through until you know absolutely yourself that it is all right.

Mr. DOUGHTON. I will say to the gentleman that the bill has already passed. These are some minor amendments.

Mr. RICH. But you can hold it up if it is not right, and I hope you will do it. I am going to place the responsibility

on you, because I have confidence in you; and if it goes through and it is wrong, you will be responsible.

Mr. DOUGHTON. And I put my confidence in the Bureau of Internal Revenue and the gentleman from Illinois [Mr. DIRKSEN], in both of whom I have full confidence.

Mr. RICH. I want to know that you know it is right. I am not putting my faith in bureaus; it is our duty to know that a law is good for the country.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JENKINS of Ohio. I would like to say that the same arguments have been expressed in the committee several times and the Treasury is thoroughly posted on all of that, and they assure us there is no occasion for the gentleman to be afraid.

Mr. RICH. Are you sure there is not somebody down there in the Treasury that might have a straw in the barrel? We must not have any leaks or any more evaporation.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

WILLIAM JENNINGS BRYAN

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, I cannot let this opportunity go by with only gentlemen on the Democratic side of the aisle saying something about the great commoner, William Jennings Bryan.

I should say something about him this morning because God knows we need his spirit alive again in the West. Every silver mine in the great State of Colorado—and in all the West today—faces a threat of being closed for good. I wish we had his spirit alive to help the silver miners of the great United States because with his spirit, if it should come again and be born in the minds and hearts of some of these men down in the headquarters of the War Production Board who issued Priority Order No. 56–A, I am sure they could never sleep again as long as these orders remain in force. We hope his great spirit will fill the hearts and souls of these gentlemen and hastily bring about a revocation of this priority order which is stirring every mining section of the entire United States.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I knew William Jennings Bryan from 1896 to the date of his sudden passing. I worked with and for him, traveled with him and admired him. I think he was a truly great American. We all know he was a great American. He effected many salutary reforms. For his unselfish endeavors in the interest of the masses he was continually assailed and attacked the same as were Washington, Jefferson, Lincoln, Wilson, and even our great President today. We all remember the unfair criticism of President Lincoln in a very dark era by Horace Greeley, because Greeley himself aspired to be President. It is to be regretted that great and unselfish men who try to aid the American people especially and humanity generally should always be so assailed and criticized when predatory interests do not quite agree with their philosophy, with their aims, and their aspirations.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, I too would like to say a word in reference to William Jennings Bryan, in respect to his Christian manhood. He was a worker in the churches of this country wherever he went. In Florida he conducted a great Sunday school every Sunday morning in the park, and the people of Florida and visitors to that State flocked to hear him in innumerable numbers. He was a great Bible student. I commend any man who has that spirit and who tries to do the things which are uplifting, who teaches the gospel of Jesus Christ in America or any other land. The presence of an audience of thousands on Sunday morning in the Florida parks to hear the gospel taught is a tribute to any man. William Jennings Bryan was one of the greatest Bible school teachers we have ever had. Would that we had more men in public life today who were students or teachers of the Holy Word.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DOCUMENTARY EVIDENCE OF UNITED STATES CITIZENSHIP

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I call up House Resolution 443, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6600) providing for the issuance of documentary evidence of United States citizenship. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, I shall yield half of the time, under the rule, to the gentleman from New York [Mr. FISH].

I yield myself 10 minutes.

The SPEAKER. The gentleman from Illinois is recognized for 10 minutes.

Mr. SABATH. Mr. Speaker, this rule makes in order the bill H. R. 6600, which comes to us unanimously reported by the Committee on Immigration and Naturalization. Although this bill comes from the Committee on Immigration and Naturalization it is not a naturalization bill, as some Members believe. This bill has for its purpose merely the aiding of American-born citizens who cannot somehow or other prove that they were born where they were born. The bill was originally introduced by the chairman of the Committee on Immigration, and it was favorably reported and the report was filed by the gentleman from Louisiana [Mr. ALLEN].

I am satisfied that the legislation is a step in the right direction and that it is necessary, because we have in this country many, many thousands of American-born citizens who cannot somehow or other prove the time or place of their birth. This merely will permit that Bureau of the Government dealing with immigration and naturalization to issue to such people, after the Government officials have satisfied themselves by their own investigation that these individuals are American-born, a certificate of their American origin. In view of this fact I think there should be no opposition to the rule, and I hope there will be no opposition to either the rule or the bill.

This bill does not apply to foreign-born American citizens, those who have been made citizens through our processes of naturalization. We have in this country a very large number of foreign-born citizens, many of them trying to become citizens but who through no fault of their own have been unable to obtain naturalization papers. I hope the Department will give these people deserving of becoming American citizens a proper opportunity of doing so. I know that in these crucial and critical times many people labor under the impression that numbers of these foreign-born, or even those born in this country with foreign names, cannot be trusted. The same arguments were made during the first war. At that time I assured the House and the country that by far the greater number of the foreign-born residing in the United States and those who had been naturalized were absolutely loyal to this country, ready and willing to do their part for their adopted country, and that assurance was proven by the tremendous number of voluntary enlistments and wholehearted cooperation during the last war. What applied then applies today. I concede that there is a small number of misguided men in this country, men who came here from Germany or Italy, who

may not have seen the advantages this country is offering them, and the advantages they enjoy, but this is only a small group and mainly among the new arrivals, in whom the Nazi-Fascist ideology has been unfortunately instilled and in which they seem to believe. I hope every effort will be made to point out to these people their duty to their adopted country, or at least their duty to the country in which they reside. As to the rest of them I know, whether they are Norwegians, Danes, Poles, Czechoslovakians, or any other nationality, they are loyal and desire to be of service in any way possible. I hope, therefore, that in the future some Members will desist from questioning the patriotism and loyalty of these people. We should encourage them and give them a fair chance, a deserved opportunity to be of service and of aid in this our critical moment.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes; I yield.

Mr. VOORHIS of California. Do I understand that this bill will take care of the problem that is confronted by a lot of men, some of whom are even veterans of the first World War and have an honorable discharge but who, when they go to try to get employment are told they must produce a birth certificate, but in some cases they cannot get a birth certificate because no certificates ever were required to be kept? As I understand it, the first section of this bill will make it possible for those people to go in and simply submit any satisfactory type of evidence and then get a certificate of citizenship without having to go back to the home county to get a birth certificate.

Mr. SABATH. The gentleman is correct as to the first part but not as to the second part, as this only applies to American-born.

Mr. VOORHIS of California. That is very important.

Mr. SABATH. I will give you an illustration which just came to me. We had a great fire in the city of Chicago in 1871. The records were burned and many of the people who were born before that time in the city of Chicago are not able to prove by the records that they were born there or on what day they were born. This will aid those people and thousands of others in other sections of the country where birth certificates have not been kept or records made of births in various counties have been lost or destroyed. It is only since the turn of the century that many States required the keeping of vital statistics.

Mr. NORRELL. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Arkansas.

Mr. NORRELL. Will the gentleman state why these people cannot be naturalized like other foreign citizens?

Mr. SABATH. They do not have to be naturalized. They are American citizens.

Mr. NORRELL. No; they are not American citizens.

Mr. SABATH. They were born here.

Mr. NORRELL. But they are considered foreign citizens.

Mr. SABATH. No. This only applies to the American-born citizen and to no one else.

Mr. NORRELL. There is no present way that these people can become citizens of the United States?

Mr. SABATH. They are citizens, but they cannot prove it by documentary evidence that is exacted from them by the Bureau of Naturalization.

Mr. HINSHAW. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from California.

Mr. HINSHAW. I am delighted to see this bill come before the House, because I recognize and have recognized this problem for a long time. Can the gentleman tell me what evidence was given the committee concerning the satisfactory proof angle? What would they consider to be satisfactory proof?

Mr. SABATH. That is left to the Bureau of Naturalization, which has a splendid record behind it, and which is subjecting everyone to a thorough investigation before it passes upon the application. That same policy, I am satisfied, will be pursued in this instance. I am not fearful that there will be any laxity in their activities in the future, judging by the past.

Mr. HINSHAW. The gentleman would join with me in hoping that the Department will forthwith, upon the passage of this bill, publish some facts or some notation of facts that they will require as satisfactory proof?

Mr. SABATH. I know it will. I may say to the gentleman that this matter has been before the Committee on Immigration. I know how that committee is constituted, and when that committee, by unanimous vote, reports a bill to the House I am satisfied that it deserves favorable consideration.

Mr. HINSHAW. I join with the gentleman in that thought.

Mr. HAINES. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. HAINES. I was wondering whether we do not have ample law right now to take care of the situation and that this bill will expedite it.

Mr. SABATH. There is no law governing the situation now unless they are subjected to an unnecessary amount of trouble, time, and expense.

Mr. HAINES. If the gentleman will yield further, may I say that a gentleman came into my office I have known for probably 30 years. He was born here in the city of Washington, he has been in the employ of the Government since 1911, and right now he has got to get his birth certificate. There is no record. He cannot find a record of his birth.

Mr. SABATH. There are many of those. Perhaps many Members right here might have trouble proving the place and date of their birth, because records have not always been kept.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Can the gentleman inform the House as to the probable number of persons that would be involved under this bill?

Mr. SABATH. No; I cannot. The probabilities are that members of the Immigration Committee, which committee held hearings on this bill, will be able to give the gentleman that information. I am informed that it runs into many, many thousands.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. DICKSTEIN. I may say that, on the present basis, there are 4,000,000 Americans in defense work today who are being discharged because they cannot establish that they were born in this country, while all evidence indicates that they were. There are many more that we do not know about, but we will explain that when we get to it.

Mr. BLAND. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Virginia.

Mr. BLAND. This is applicable in many sections of the Southern States in connection with my own people where, because of the absence of vital statistics and records, they have great difficulty in proving the date of their birth. I think probably I might have trouble myself.

Mr. SABATH. The gentleman is correct. I did not want to call attention to the situation in the South because I might be misunderstood.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. What reliance do the officials place upon census records in establishing citizenship?

Mr. SABATH. I do not think they pay any attention to them at all. They make a thorough investigation in each and every case of an application for naturalization, as far as I know.

Mr. CRAWFORD. I thank the gentleman.

Mr. SABATH. Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, this bill is in its nature a war measure. Many American-born people are trying to get into the war industries and work for uninterrupted production, but they find when they apply for jobs that they are asked to prove their citizenship. They are asked to produce birth certificates. There are probably a number—perhaps a large number—of Members of the House of Representatives who might have difficulty finding their own birth certificates.

The purpose of this bill is very simple. It is to permit American-born citizens who want to get jobs in defense industries to have certificates of citizenship issued to them when they are unable to provide their own birth certificates or other records, as long as they can satisfy the Commissioner of Immigration.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from California.

Mr. HINSHAW. Does the gentleman have in mind—or does the Committee on Immigration and Naturalization have in mind—that these certificates will be so drawn that they may also be used for the

purposes of the Social Security Act in establishing age and place of birth?

Mr. FISH. I would rather have the members of the commitee answer that.

Mr. DICKSTEIN. If the gentleman will yield to me, I can answer it.

Mr. FISH. I yield to the gentleman from New York.

Mr. DICKSTEIN. Yes; I think it will provide for that.

Mr. HINSHAW. We have many people now sending in asking for information on their age and place of birth.

Mr. DICKSTEIN. This will take care of that.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. May I add that it will not be a condition precedent for the issuance of the certificate that the age be proved, the primary purpose being to prove the citizenship. Then, if they can also prove the age, well and good. But we do not want to hamstring the act by making it absolutely necessary to prove the age along with citizenship. If the age can be proved then it will be included in the certificate.

Mr. HINSHAW. That is a splendid idea, if there is provided in the certificate a place where the date of birth may be inserted at a later time under proper proof.

Mr. DICKSTEIN. There is a provision in this bill about the age.

Mr. WILLIAM T. PHEIFFER. The committee considered that very carefully, and it is being taken care of.

Mr. FISH. Mr. Speaker, this bill comes here with a unanimous report from the Committee on Immigration and Naturalization. Apparently there is very little opposition to it. It has been thoroughly considered. Of course, when we go into the Committee of the Whole the bill will be considered more in detail. It is needed as an emergency measure to expedite production of war materials.

I now yield 2 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I think this bill, like nearly every other immigration bill, is complicated. I do not think it is entirely appropriate for us who do not understand the details of it to take up much time at this time, and we probably should yield to the author of the bill to explain it. In the time I have I want to ask one question. I understand it is the purpose of the bill that it should not apply to anyone but native-born citizens. May I ask the gentleman from Illinois [Mr. MASON], the author of the bill, if that is right?

Mr. MASON. I am not the author of the bill, but that is right. The bill applies only to native-born citizens.

Mr. JENKINS of Ohio. I take it that the gentleman means that the language in line 6 on page 1 is the language that would establish that fact. It states:

A person who claims to be a citizen of the United States.

Does not the gentleman think it would strengthen it if he changed the language so that it would read:

A person who claims to be a native-born citizen of the United States.

I do not want to encumber or delay the bill at all, but I should like to be absolutely sure that there is no ambiguity of language and that the bill contains language that will confine this bill to native-born citizens.

Mr. MASON. I would not have any objection to that, but he must prove that he is a native-born citizen before he is issued one of these certificates.

Mr. CLASON. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Massachusetts.

Mr. CLASON. I do not think that limitation ought to be placed in the bill, because frequently persons are born outside the United States who are still citizens of the United States, and they may have some difficulty in proving their citizenship. There is one family in Montana in which six children were born over the line, but the parents retained their American citizenship. Therefore, if you insert the words "native-born," this bill will not apply to persons in that situation.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 additional minutes to the gentleman from Ohio.

Mr. JENKINS of Ohio. I call to the attention of the gentleman from Illinois [Mr. MASON] that the observations made by the distinguished gentleman from Massachusetts raise the very question that I raised. He thinks that the law should not contain that provision as an amendment as I suggest and apparently he thinks it does not contain language that would restrict the application of the law as the gentleman from Illinois thinks it would. Personally, I think that the law should apply only to native-born citizens, to whom you intend the law should apply; consequently, it might be wise for you to offer an amendment to that effect. It is evident that the gentleman from Illinois does not have the same notion about it as does the gentleman from Massachusetts.

Mr. MASON. Evidently there is a difference between the gentleman's understanding of native-born citizen and my understanding of native-born citizen. The gentleman's understanding is that he must be born on American soil, but my understanding is that he can be born on Canadian soil provided the parents are citizens. Automatically, then, by virtue of his birth, he is a native-born citizen of the United States.

Mr. JENKINS of Ohio. In answer to that I may say that I maintain now, and have always maintained, that in the case of parents visiting in a foreign country or temporarily out of this country, when a child is born, naturally, that child is a native-born American citizen, but, of course, is not on exactly the same standing as one who was physically born in this country. He can elect to be considered as a citizen of the country in which he was born if his parents keep him in that country until he reaches the age of election.

Mr. MASON. Under the law he has the same standing as one actually born on this soil, because he was born to American citizens who maintain their citizenship here, but who happened to be abroad at the time of his birth.

Mr. JENKINS of Ohio. I think the gentleman from Illinois and I would have no trouble in working out an understanding about that, but the observation of the gentleman from Massachusetts [Mr. CLASON] would indicate clearly to me that he expects this bill to be interpreted to apply to people who are not within the purview of the qualifications that the gentleman and I place on a native-born citizen. If you intend that the law should apply exclusively to persons born in the United States or children of native-born citizens, then you should say so.

Mr. ALLEN of Louisiana rose.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. JENKINS of Ohio. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. I may say that I think it is fair to assume, and I think it is true, that the Immigration Committee in reporting out this bill, intended to take care of American citizens who were born here and who are having difficulty in proving their citizenship status. That is the intention I had in going along with the bill, and I think the suggestion the gentleman makes about writing the words "natural-born citizen" there is a good suggestion, and I think something like that ought to go into the bill.

Mr. JENKINS of Ohio. The gentleman from Illinois [Mr. MASON], and the gentleman from Kansas [Mr. REES] are probably the most distinguished authorities on immigration on our side of the House. I have raised the proposition here that I understand that it was the intention that this bill should apply only to native-born citizens or children of native-born citizens, and the gentleman from Massachusetts [Mr. CLASON] put his finger on exactly what I am afraid of. He thinks it goes further and applies to others. I think you should insert language in this bill that will leave no doubt about what you mean, because there are enough other opportunities to raise problems with respect to this bill. When you are compelled to take the matters up to the Attorney General and the Commissioner you have enough trouble there even though you have made the language as concise and as clear as possible. This section that refers to "derivitive citizenship" indicates clearly to me that many people will be included in this bill besides those born in the United States and children of those born in the United States. I am afraid that this is another bill that will go much further than its authors and supporters think it will go. When you include "derivitive citizens" you open a door that you do not know who or how many will pass through. I am in favor of relief for those who are American citizens and who cannot prove their citizenship. But to open the door of citizenship to many who are not citizens is an entirely different thing.

Mr. SABATH. Mr. Speaker, I yield myself 1 minute. May I explain to the

gentleman from Ohio [Mr. JENKINS] that the very point he raises is protected in the bill because the bill provides that it cannot apply to other than American-born citizens and does not apply to naturalized citizens.

Mr. JENKINS of Ohio. Does the gentleman want me to make any observations on that?

Mr. SABATH. Not necessarily, because it is as clear as can be.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, it is very clear here that a native-born citizen who has no birth certificate available on the books of his State can get it. I wonder if a party I read about who went to the authorities to get a birth certificate and found his birth recorded all right, but found himself recorded as "female" could get the matter adjusted? There seems to have been no redress; no way for any of the authorities to change it. I recommend that to your consideration. Perhaps an amendment might be offered to give someone such authority, if it is not already granted here. Perhaps it is assumed here that if he is native-born they can change his sex for him.

However, I rose to make a few remarks because I want to call to the attention of those people who are so anxious to get their birth certificates in order that they may get jobs in national defense work—that is what the report says—and I want to advise them that this is a splendid thing to do with 40 hours a week, time and a half for overtime, and double time on Sundays. I have watched that proceeding in a camp near my own home and everybody was very happy over the money they made and practically everybody wanted to work on Sundays. The President has spoken and he says we do not need any change in the 40-hour law. All those under him from General Fleming down, must now say, "We think the same thing, too." Why should they not? They must. So I ask you to read General Fleming's article that appears in the RECORD this morning, under the heading "The great 40-hour-week lie." Please consider that type of argument to be fed to soldiers and their parents. I want the man that is now going to be properly naturalized and who is to get in on this work, to consider this letter which I will now read into the RECORD:

My only son was born while I was in France during the first World War. Today he is a member of the United States Marine Corps. He sailed from California the 1st of January, and we have heard nothing from him since. We know he is somewhere in the Pacific. We are anxious about him. Thousands of other parents are like us.

The President says we do not have enough ships to send supplies to our troops and that we must build ships in a hurry. Even as he spoke several hundred shipbuilders refused to work on Washington's Birthday, because they were not paid double time.

How can fathers and mothers of boys who are in the danger zone and who are being called upon to sacrifice their lives feel any surge of unity when the President and the Congress permit a bunch of shipbuilders and munition workers to quit when they get good and ready?

Do our boys at the front get overtime and double time in the fox holes of the Philippines? Do our sons who are giving their lives to protect the jobs of these and others like them quit on holidays? Like hell they do!

One of my friends, who is a good mechanic, with a family to support, went to get a job in a munitions plant. Every day we hear on the radio and read in the newspapers that such men are needed to turn out munitions for our soldiers, sailors, and marines. But this man was refused a job until he could get a union card. He could not get a union card, because he did not have enough money to buy one.

Is it the idea of our Government that it is more important to preserve labor unions than it is to preserve the American Union? Why can't a free-born American citizen get a job in a plant where the Government needs workers without having to pay tribute to a high-powered labor leader?

If our sons are to be drafted to give their lives for their country, why should not labor and capital be drafted to supply them with munitions of war? Why should Congress, which has the power to make laws, be so tender of the regard for laborers and management who work and prosper in safety while having an utter disregard for the lives of the boys at the front?

We don't like it, and we don't mind saying so right out loud. Maybe it is time we were electing some Senators and Congressmen who will crack down and compel capital and labor to get into this war. And, come to think of it, this is election year, and we might as well get busy while we have the time and opportunity.

The signature of the writer was appended. The letter has already appeared in certain newspapers.

Mr. FISH. Mr. Speaker, I yield the gentleman 1 minute more.

Mr. GIFFORD. Mr. Speaker, I listened this morning at the hearing before the Committee on Naval Affairs, and I found that a serious situation has developed. The President—and all those appointed under him must necessarily follow suit, especially Mr. Fleming—feels that there is no need for change in the 40-hour-week law. I felt it necessary to give the testimony of someone who feels differently and who represents the people generally. That sort of testimony to me far outweighs the judgment of one man and those who must say, "Me, too."

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has again expired.

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

LABOR LEGISLATION AND UNITY—THE PEOPLE ARE LOYAL AND UNITED

Mr. HOFFMAN. Mr. Speaker, of such tremendous importance is the present question as to the necessity of labor legislation that both the President of the United States and the Speaker of this House have seen fit to give statements to the press bearing upon that issue.

The President announced his opposition to the move to abolish the 40-hour week, stating that he could see no need for restrictive labor legislation. He further told us through the press that he viewed the labor situation in the defense factories as extremely satisfactory.

From a last evening's paper I get this account of the Speaker's press conference. I quote:

Choosing his words carefully, RAYBURN said at a press conference that current "indignation" meetings throughout the country are providing valuable ammunition for the Axis.

From a morning paper I get these words:

Speaker RAYBURN told a press conference that war-work stoppages because of strikes "have been reduced about to zero." Referring to letters pouring into Capitol accusing Congress of "playing politics" and attacking labor and business, the Speaker said that "if our people are thinking this way and are thus divided, Hitler and Mussolini and the Emperor of Japan would have paid a lot of money for what they are getting free."

Thousands of communications are reaching Congressmen, protesting vigorously against the labor policy of this administration. The Speaker is reported as having said that Congress was being swamped by letters and telegrams from every section of the country.

The President attributes this action on the part of the people to "an amazing state of public misinformation," and he cites communications which indicate that some people believe that the law now prohibits work during more than 40 hours a week.

There may be a few such people in this country, but the great mass of our people are thoroughly familiar with the provisions of the wage-hour law.

The Speaker likewise seems to think that many of these letters are due to misinformation for, in an evening paper of last night, he is quoted as follows:

Blasting at widespread demands that Congress ban strikes in war industries, the Texan said production stoppages have been reduced to about zero, "regardless of what is said by some writers and speakers." On March 17, he said, there were fewer than 100 of some 7,000,000 war workers on strike.

Apparently, the Speaker is either not familiar with current publications, or at least one heretofore reliable source of information has made a mistake. From the United States News, dated March 20—tomorrow—I quote the following:

STRIKES

Twenty-five strikes, slow-downs, and other disputes which held up industrial production were reported in Washington last week. More than 6,681 employees were involved. The total number of strikes for the week represents an increase of 9 over the total reported for the previous week.

Part of this increase is accounted for by a growing number of disputes between American Federation of Labor and Congress of Industrial Organizations local unions. The remainder appear to be local outbursts, most of them beginning and ending within the week. Only 7 of this week's 26 stoppages began in the preceding week.

The totals:

Fourteen American Federation of Labor strikes involving more than 1,205 employees.

Ten Congress of Industrial Organizations strikes involving more than 5,450 employees.

One strike of 26 employees in which no union was involved.

In the list below, the figures are the approximate number of employees involved in each dispute.

INVOLVING AMERICAN FEDERATION OF LABOR UNIONS

Building-service employees: Court-Remsen Building, Brooklyn, N. Y., 27.

Building trades: Defense housing project, Wentzville, Mo.; J. L. Williams & Sons, Sheridan, Ark. 275; Kurz-Root Co., Appleton, Wis.; National Casket Co., Long Island City, N. Y., 170.

Electrical workers: Fisher-Memphis Aircraft Division, Memphis, Tenn.

Garment workers: Cosmopolitan Manufacturing Co., Cambridge, Mass., 200; Leon Bros., Los Angeles, Calif.; W. M. Finzk & Co., Detroit, Mich., 185.

Jewelry workers: American Metals Spinning & Stamping Co., New York, N. Y.

Metal trades: Allen Corporation, Detroit, Mich.; Beckwith Machinery Co., Pittsburgh, Pa., 40; Fisher Tank Arsenal, Grand Blanche, Mich., 8.

Miscellaneous: Armstrong Cork Co., Braintree, Mass., 300.

INVOLVING CONGRESS OF INDUSTRIAL ORGANIZATIONS UNIONS

Auto workers: Bower Roller Bearing Co., Detroit, Mich., 500; Firestone Rubber & Metal Products Co., Wyandotte, Mich.*; National Stamping Co., Detroit, Mich., 730; Thorrez-Mars Manufacturing Co., Jackson, Mich., 600.

Construction workers: Allsteel Equipment Co., South Bend, Ind.; Celotex Corporation, New Orleans, La., 2,300.

Mine workers: Bethlehem Steel Corporation (industrial collieries), Washington, Pa., 700.

Municipal workers: Detroit Street, Railways, Detroit, Mich., 400

Steel workers: Atlas Press, Kalamazoo, Mich.; P. Wall Manufacturing Co., Pittsburgh Pa., 220.

INVOLVING NO UNION

Ansin Shoe Co., Athol. Mass., 26.

But the issue does not depend upon the question of whether, at the present time, there are or are not strikes in defense industries. It goes far deeper than that. It goes down to the bedrock, the fundamental foundation issue of whether or not in this country a man shall be permitted to do a day's work without first being compelled to join a labor union, pay an initiation fee and subsequent dues as imposed by that union.

It includes also the issue as to whether one class, organized labor, shall be granted special privileges, permitted to make a profit out of the war, while all others are required to serve and sacrifice.

With all due respect, I state that the Speaker misses the significance of these meetings of protest when he said, according to the press:

If Americans are as divided as the recent deluge of mail on Congress would indicate, "Hitler and Hirohito would have paid a lot of money for what they're getting free."

And again when, according to another report, he said that—

If our people are thinking this way and are thus divided, Hitler and Mussolini and the Emperor of Japan would have paid a lot of money for what they are getting free.

The foregoing are taken from the press reports of the press conference. I have quoted the press because it is the press, rather than the CONGRESSIONAL RECORD, that the people read.

To avoid any possible misunderstanding which might be created by newspaper reports or radio comments, I will now quote the remarks of the Speaker as given to the press and inserted in the RECORD of yesterday by the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], pages A1078–A1079. They read in part as follows:

Not from one section of the country but from every section of the country are coming letters and telegrams; many of them are very insulting. They come not from Democrats nor Republicans but from every class and section.

They read: "Congress is playing politics." "Politics control the Army and the Navy." "Our war production has bogged down, and neither government nor manufacturers nor labor is doing its job."

If this is the case and our people are thinking this way and are thus divided, Hitler, Mussolini, and the Emperor of Japan would have paid a lot of money for what they are getting free.

Meetings have been called in various sections of the country, and others are proposed for next Sunday and some days after, which usually turn into indignation meetings. I hope in the future resolutions are not passed that will make headlines in Berlin and Tokyo. Instead of these meetings breeding division and discord and discontent and disunity, it would be much better for the safety of the country and our war effort if they were turned into unity parades and the effort and the wrath that is expended there be applied to doing some of the work of trying to win this war.

Congress is being criticized, but Congress has given the President every law and every dollar he has asked for defense purposes.

It is my understanding that the Speaker now feels that the interpretations given to his statement by most newspaper writers and many of the commentators on the radio mixed that statement with the 40-hour week and the time and a half for overtime.

For that reason let me again quote this statement from the RECORD: After referring to the fact that the letters came from every section of the country and from every class and that Congress was charged with playing politics and that our war production had bogged down and that neither Government, manufacturers, nor labor is doing its job, the Speaker said, and I quote:

If this is the case and our people are thinking this way and are thus divided, Hitler, Mussolini, and the Emperor of Japan would have paid a lot of money for what they are getting free.

Now, this conclusion is the old, old cry that is raised every time the policies of those who are in power are criticized. Every time a citizen—no matter how sincere, no matter how loyal he may be—raises a word of protest against anything—waste, extravagance, boondoggling, or downright corruption—by those in power he is charged with giving aid to Hitler, Hirohito, or Mussolini. That thought has always been used, whether Democrats or Republicans were in power.

But because it is used is no reason why freemen, independent citizens of courage, should fail to object to policies which are ruinous to their country and, in this instance, to the prosecution of the war.

In my humble opinion—and I express it in all humility and with deference—I think the Speaker draws the wrong conclusion as to the cause of these meetings and protests. It is not my judgment that the forces of disunity are at work back home or that these meetings or the protests or resolutions which they forward to us are the result of the forces of disunity.

It is my judgment—and my faith in our people confirms that judgment—that these meetings are held, these protests are formed, these resolutions are passed and forwarded, because our people are united and because they want us here in Washington to understand once for all that they intend not only to demand but to insist that we strip this Government, as a fighter is stripped, of everything which interferes with the success of its effort.

It is loyalty, a desire for unity and accomplishment, that is behind these protests.

Our people are not divided. Our people are united in their war effort. They are united in the support of the war policy of the Commander in Chief. They are united behind the men who are going to the fighting fronts.

Some forget that this is a government of the people. They seem to assume that, since we are at war, it is the President's war, not the people's war. If there is any lack of unity it is because the leaders, the politicians, have failed to sense and to follow the will of the people. Without a united, self-sacrificing people even a Commander in Chief, however wise, skillful, and determined he may be, has no power—none at all. That is why the Commander in Chief should inform himself of what our people not only want but what they intend to have, which is a unity of effort, an equality of sacrifice, the end of nonessentials, an end to special privileges and to favoritism.

What has aroused our people, what has caused them to meet, as, under the Constitution, they have a right to meet, and to petition and to protest to their leaders, is the fact, the indisputable fact, that notwithstanding the war, notwithstanding the danger which threatens to destroy our Nation and everything we cherish, one group—the leaders of organized labor—have been and are being granted and still insist upon special privileges, to wit, pay and a half—double pay—under certain conditions laid down by them.

Just so long as men are required to serve in foreign lands, in posts of great danger, for $21 or $31 per month, the people will never concede the justice of paying to anyone a wage and a half if that one works in defense of his country more than 40 hours per week.

Just so long as men, irrespective of race, color, or religious belief, of occupation or profession, are compelled to serve in the armed forces, the people of our country will demand that no man, no organization, however strong he or it may be politically, shall be protected and aided in an effort to impose upon those willing workers the added restriction of joining, the added burden of paying anyone for the right to work in defense of our country.

We are told that the President at his conference stated:

What we do need more than additional legislation or anything else is more enthusiasm in the whole war effort.

Just tell me how the young man marching off to war, leaving his home, his family, his friends, his business, or his profession; realizing as he must that he may never return, that he is to receive but a pittance for his efforts, can work up enthusiasm when he knows that the man who remains at home with his

---

Asterisks indicate the slow-downs.

family, his friends, in a place of safety and of comfort, is to be paid per week—yes, sometimes per day, as much as—sometimes more than—the soldier receives for a month.

Is it possible for the men in the fighting forces to become enthusiastic when they know that here at home, others, equally capable of rendering service with the fighting forces, refuse to work more than 40 hours per week unless they receive a wage and a half?

As the soldier stands sentry duty in the hours of darkness, perhaps in continual danger of being killed, can he think enthusiastically of these men back home, with time off for pleasure and recreation and association with their friends, who demand, if they work more than a mere 40 hours per week, a wage and a half for every hour they put in furnishing the tools with which the soldier must fight?

The President, we are told, said "he would like to see a few more parades, a few more bands playing."

According to the press, the Speaker said:

> Instead of these meetings breeding division, discord, discontent, and disunity, it would be much better for the safety of the country and our war effort if they were turned into unity parades and the effort and the wrath that is expended there be applied to doing some of the work of trying to win this war.

Neither playing bands nor parades make tools of war. Nor do these meetings breed division, discord, discontent, and disunity. Nor do they give aid and comfort to Hitler. True it is, these meetings, these protests, convey a message to Hitler, Mussolini, and Hirohito. That message—and it is one to which the President and all of his advisers should listen—is this: Our people are fed up with playing at war; with unnecessary organizations; with social activities which contribute nothing to the war effort. They are aroused because of the continuation of special privileges and undue advantages.

They want this Government, this administration, to strip itself of every single activity that is not essential to the winning of the war. They are tired of waste, of extravagance, and worse. They are sick of tinsel and of show. They want the parades and the band playing left until the boys return home victorious.

They want an end to so-called social gains, social experiments. They want their Members of Congress, those employed in the numerous bureaus and agencies of this Government, everyone connected with the administration, to get to work—not now and then but all the time—and to keep in mind the sole purpose—the furtherance of our war effort.

The message conveyed by these meetings to not only the rulers but to the people of Germany, Italy, and Japan, is that at last our people are aroused. They are through with politicians. They are through with playing at war. They are in earnest and they are demanding that those at the top give the same undivided service to the preservation of our country which they, the people, have always been willing to give.

Neither the President, the Speaker, nor any of us have any cause to worry about the people. The people may have much reason to worry about us.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I have no further requests for time.

Mr. SABATH. Mr. Speaker, I was hopeful that at least on this meritorious bill the question of organized labor and criticizing labor would be omitted, but unfortunately, of course, some gentleman must at all times come and criticize and find fault. Personally I know that neither the President nor the Speaker need any defense at my hands or the hands of anyone else.

Mr. HOFFMAN. Will the gentleman yield?

Mr. SABATH. No; not now.

Mr. HOFFMAN. I am not criticizing the Speaker. I am criticizing his views.

Mr. SABATH. Well, all right, then, his views.

Mr. HOFFMAN. That is right.

Mr. SABATH. And I am going to criticize yours.

Mr. HOFFMAN. Fine.

Mr. SABATH. Where I will be more justified in that than you have to criticize the Speaker, who very seldom gives out an interview or releases a statement unless he believes that conditions demand it.

It is unfortunate that speeches that are made here from time to time mislead the American people in certain sections, who believe that things are really so bad as some of these gentlemen will state them to be on the floor of the House. People do not realize that these attacks on the part of half a dozen men on this floor unfortunately are made to weaken the splendid confidence that is properly due the President and the administration and for political reasons, and at the same time creates prejudice against organized labor and labor in general. Personally I am of the opinion that never before in history, since organized labor came into being, have we had as few strikes as we have now.

What I want to say is this: I am strongly suspecting that all these statements, even the one that the gentleman quoted from the United States News, are instigated and encouraged by the industrial leaders of the United States who have obtained billions of dollars worth of contracts on bids based upon the law of the land, namely, the 40-hour week and overtime on Sundays. They have these contracts and they make millions, but by the eternal heavens they want to make more millions, and they want to take it out of labor. Unfortunately, this publication is not the paper that it was from its beginning. Today I am satisfied its editorials and policy are dictated and controlled by the avaricious industrial leaders.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No; I cannot yield. They think that if they could eliminate the law under which they obtained these contracts that they can still further increase their profits. I know many of those industrial leaders and the press that expresses their views and the articles that appear in many of these newspapers that are owned or controlled by the industries of America, very seldom have a good word to say about labor. Oh, no. They fail to say that Mr. Green, Mr. Murray, and all the organized labor leaders have pledged themselves that they will insist, demand, and urge a full day's work, the elimination of strikes and, if necessary, the elimination of double pay on Sundays.

They do not say a word about that. I feel, Mr. Speaker, that we are indeed fortunate to find the labor of this Nation cooperating as it does wholeheartedly in the interest of our country and helping to win the war.

Some gentlemen point out that these $21-a-month men who have been drafted are in danger of losing their lives; but they fail to say that the greatest majority of these men are sons of wage earners who are being attacked here on the floor day in and day out without justification, without reason. If real investigation and examination would or could be had, I venture to say that very few of the sons of these industrialists and critics of the President are among those who are doing the fighting in combat units of our armed forces, but they can be found behind desks in the offices here in Washington and in area headquarters.

Mr. SCHULTE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. SCHULTE. The gentleman from Illinois knows my district as well as I know it myself. He knows I represent about the largest industrial district in this country. I wonder if labor is to be blamed for this: Hundreds of men each and every morning walk up to the gates of Illinois-Carnegie Steel, Youngstown Sheet and Tube, and Inland Steel demanding work, demanding that they be given the opportunity to help in this war effort, but who are turned away notwithstanding the fact that these plants are working only 3 and 4 days a week. Is that labor's fault?

Mr. SABATH. And that applies to plants I am familiar with. I know the plants in Gary and the adjoining territory. It applies to a plant right in my own district, the McCormick-International Harvester Co.; and that is the reason I am taking the floor now. I received a letter from employees of that company which I put in the RECORD day before yesterday, in which the writer begged and pleaded for the right to go to work. Apparently for no good reason the McCormick-International Harvester Co. has laid men off. Why, I do not know; but it seems to me that in the interest of expediting production of war materials and even for the selfish financial interest of the company they would operate on full-time production. Perhaps it is an effort on their part to force the Government to pay higher prices for the things this company could manufacture to advantage, things that would help win the war.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. HOFFMAN. With that situation in mind, the gentleman from Illinois is one of the most influential Members of the House, is there not something we can do to end that? I assure the gentleman of support.

Mr. SABATH. I thank the gentleman sincerely for the compliment he has paid me. If I were the most influential Member here, I assure the gentleman that in the interest of our country my urging and pleading would be that all desist trying to create discord in America, because I feel that continuous nagging, attacking, and vilifying of labor—labor that has done everything that is humanly possible, that is showing its patriotism and loyalty—I fear they may start resenting these attacks on the floor of the House, in newspaper columns, and in the press generally.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. RUSSELL. I want to state to the gentleman from Illinois that, in the interest of America's future, if the industrial situation is so bad as the gentleman says it is, I pledge the gentleman my aid to correct these wrongs. Does not the gentleman believe it to be his duty, not only as an American citizen but as the duly elected Representative of a section of America, to take some step to correct the wrongs of the industrialists the gentleman described? I pledge the gentleman my aid and assistance.

Mr. SABATH. Again I thank the gentleman from Texas and assure him I shall do everything in my power to stop the industrialists from delaying the production of needed war material. Something should be done. In some instances I feel the Government would be justified in taking over these plants. We have voted that power to the President, but the President does not wish to assume it for fear he may again be assailed as he has been by the press that is controlled by the industrialists and the money powers of America.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH I yield.

Mr. MARCANTONIO. I think it should be pointed out that during the last 3 days two ships were launched and both of them were completed ahead of schedule, one in fact 30 days ahead of schedule.

Mr. SABATH. There is no question but what we are progressing and advancing. We have fewer strikes now than ever before in the history of any country. Indeed, we ought to be grateful to labor. Some may say they are getting $5 a week more than they did; but I ask: How much of it will be left when the trusts get through with them, when the trusts get through increasing the cost of living?

When the war is over these wage earners will not have a dollar left. It will be a repetition of what happened in the last war and what happened again when the crash came in 1929.

Mr. Speaker, in conclusion let me again urge the Members not to be swayed by the industrialists who, not for patriotic but for selfish reasons, are trying to destroy organized labor. Mr. Speaker, I cannot help but believe that very few of the attacks against labor conditions come from the industries engaged in production of war material, but do come mostly from Republican eastern carpetbagger manufacturers, who sold out their plants in New England and established themselves in the South. They did this because they desired to obtain unorganized labor, where they could work men and women, as well as children, long hours at very low wages, the same as many of them did in their sweatshops before the wages-and-hours law was enacted.

Mr. Speaker, I fear that they do not realize their country's danger—yes, their own danger—and have in mind only their selfishness; and their avariciousness blinds them the same as it blinded Fritz Thyssen and other industrialists in Germany who came to regret the aid they were giving to Hitler in their effort to destroy the German Republic.

For their own interest and the interest of this great country of ours they should desist in their continuous sniping, attacking, and creating discord and disunion, and become real Americans and show by their actions their devotion, loyalty, and patriotism. Not until then will they have the right to squawk and complain and find fault with those who really, honestly, and sincerely are trying to serve the Nation in this threatening hour.

[Here the gavel fell.]

The SPEAKER pro tempore. All time has expired. The question is on the resolution.

The resolution was agreed to.

Mr. DICKSTEIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6600, providing for the issuance of documentary evidence of United States citizenship.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6600, with Mr. MANASCO in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. DICKSTEIN. Mr. Chairman, I yield myself 5 minutes.

Mr. DICKSTEIN. Mr. Chairman, this bill, H. R. 6600, was carefully considered by the Committee on Immigration and Naturalization with a pretty full attendance because of the question involved. The witnesses who appeared before the committee had something substantial to say and gave us a real picture of what is happening today in the country with respect to the defense program. It was pointed out that thousands of American-born citizens are unable to obtain employment because under an act of Congress we have provided that only citizens may be employed in the defense program. Native-born American citizens who are now employed in defense work, in our tank, airplane factories, and so forth, are being discharged because when called upon by the employer to produce evidence of birth or naturalization they have no proof on account of the fact that there were no vital statistics kept in the town where they were born. In some sections of the country vital statistics on birth have been destroyed by fire and other causes. Other employees are too old and are unable to obtain living witnesses to establish that they were born in the United States. As a result, American-born citizens were discharged and are being discharged and American-born citizens who have applied for employment in vital defense industries are unable to obtain employment.

Mr. DONDERO. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Michigan.

Mr. DONDERO. Will the gentleman point out one more thing, and that is that in many of the States at the time of the birth of these men there was no legislative machinery requiring the keeping of records of birth?

Mr. DICKSTEIN. That is correct.

Mr. DONDERO. And these men are entirely helpless to provide this proof.

Mr. DICKSTEIN. The gentleman is correct.

The man who is a naturalized citizen can produce his naturalization certificate, he has no trouble, but the men who are native-born, and some of them served in the last war, have no certificates of birth. There is no question but what they were born in this country, but they cannot produce to the Department of Justice or the Immigration Service sufficient documentary proof so that these Departments may safely and justly issue a certificate showing he was born in the United States and that his age is so-and-so.

An amendment will be offered by a member of the committee, the gentleman from West Virginia [Mr. RAMSAY], to provide that the certificate will show not only that a person was born in this country but what his age may be at this time. This certificate will be presumptive evidence of birth so that at least American citizens who are having all this difficulty in obtaining employment will have the opportunity to help their country. If they cannot do it on the battlefield, at least let them do it in the industries of our Nation.

May I call the attention of the House to the fact that in the year 1942, 4,000,000 additional workers will be necessary in our defense program, but these 4,000,000 people will be unable to obtain employment on the present basis because they cannot furnish proof of their birth in the United States.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, this law will be administered by Francis Biddle, our great Attorney General, who is very sympathetic with this whole movement; Maj. Lemuel B. Schofield, head of the Immigration and Naturalization Service; Mr. Edward J. Shaughnessy; and Mr. T. B. Shoemaker, all men who have studied this problem thoroughly. I say that this law should have been enacted long ago to prevent the hardships that some of our

American citizens are experiencing in being unable to obtain employment to support their families. It will at the same time give this Government men who will give everything they have in the defense of this Government.

Mr. THOM. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Ohio.

Mr. THOM. In reading this bill, I do not find what the procedure will be in obtaining these certificates.

Mr. DICKSTEIN. Rules and regulations will be formulated by the Department of Justice and the Immigration Service, with the approval of the Attorney General. They will formulate a plan as to the issuance of these certificates. As a matter of fact, I think they have a plan already formulated and ready to put into effect.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, H. R. 6600, now under consideration, is a bill that was quite largely made necessary by a law that this Congress passed in June 1940, which stated that only American citizens could work in defense industries. When a naturalized citizen applies for a job in a defense industry he can show documentary evidence of the fact that he is a citizen by presenting his naturalization certificate; but when a native-born citizen, either one born on American soil or born of American parents temporarily residing abroad but who by virtue of his birth is automatically a citizen of the United States, if he is of middle age or older, he finds great difficulty in proving his citizenship because he cannot prove his birth. These vital statistics were not kept in many of the States until about 30 years ago, so if he is 40 or 45 years of age he may find it almost impossible to prove that he is a native-born citizen.

This bill would simply place the native-born citizen on a par with the naturalized citizen by making it possible for him to show documentary evidence to prove his citizenship. That is all the bill does. It is made necessary by virtue of the fact that some millions of our native-born citizens cannot show documentary evidence that they are native-born citizens. That is the whole sum and substance of the provision before us today.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Will the gentleman tell us why provision was not made for native-born citizens to go to their courts rather than to apply to the Immigration and Naturalization Service in order to secure proof of citizenship?

Mr. MASON. The machinery that would be set up under this bill would provide that they would go to their own courts and the representative of the Commissioner of Immigration in their district, and provide the proof necessary. After that proof was checked, they would be issued a certificate.

Mr. VORYS of Ohio. I think the gentleman is incorrect in interpreting the bill, or else I misunderstand it. The citizen does not apply to the court, he applies to an official appointed by the Immigration and Naturalization Service. Mind you, this is an American citizen simply seeking documentary confirmation of his citizenship.

Mr. MASON. Which under the present law he has no possibility of obtaining. This bill provides a method by which he can obtain that proof.

Mr. VORYS of Ohio. I fully agree with the purpose of this bill, to provide for documentary proof of citizenship, but I cannot see why you put American citizens in a class with aliens who are seeking citizenship papers.

Mr. MASON. I can answer that in this way. The courts would have to require the man, as they do, to bring all this evidence before them, and then they would have to sift it through and go to all that difficulty, when all that is necessary is for the agent of the Immigration and Naturalization Service to check through it and check the census for the last 10, 20, or 30 years. Then, if the records back there show that this man has been all that time a citizen, he is issued this simple statement, which will be accepted by defense industries as proof of his birth, and so forth.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, answering further the question of the distinguished gentleman from Ohio with regard to why the bill does not provide for the applicant to go into the court of his own district and obtain the certificate, may I point out that this is an emergency measure to meet a real, existing emergency. It is not a proceeding for naturalization by any means. It is simply to provide the modus operandi whereby all red tape will be cut in behalf of our native Americans who are being barred now from employment in defense industries because of being unable to procure and present birth certificates showing that they were native-born.

Mr. DICKSTEIN. If the gentleman will yield to me, I should like to clear something up. I believe the gentleman has not cleared up the question the gentleman from Ohio asked, and I should like to clear it up.

A native-born citizen has no records in any court whatever. If the birth of a native-born citizen was not recorded by the midwife or the doctor with the vital statistics bureau, he could not find it in any court. We are talking about American citizens born in this country who have no records whatever in the courts, so they cannot go to the courts. Under this bill, the burden is placed on the applicant to prove by evidence of some kind which is satisfactory to the Justice Department that he was born here, and the certificate will issue upon the submission of such proof. The naturalized citizen may go to the court because there is there a record of his naturalization.

Mr. DONDERO. If the gentleman will yield, I think I can help in the explanation.

Mr. WILLIAM T. PHEIFFER. In just a moment; I want to follow out the thought of the chairman of our committee and point out also that if it were necessary to go to the court in the applicant's home district, he might have to go from New York out to San Francisco or vice versa to make that application. We all know that the calendars of many of our courts are congested. It might be all the way from 6 months to a year and a half before that certificate could be issued. The machinery that will be set up under this bill will be simplicity itself, and at the same time the utmost care will be taken to see that the law is not abused.

I now yield to the gentleman from Michigan.

Mr. DONDERO. I think the question raised by the gentleman from Ohio springs from the first three words in line 1 on page 2, "upon satisfactory proof." What he wants to know is where the citizen must present that satisfactory proof. Is it in his local court, or does he have to come to Washington to present his proof?

Mr. WILLIAM T. PHEIFFER. No; neither. It was developed in the hearings that the means would be worked out by the Department of Justice whereby in each locality an agent would be set up, at the post office, for example. When the applicant came in with his evidence, we would have a man there a referee, let us say, who is schooled in the law and who is qualified to determine what is and what is not evidence. This man could say immediately, "On the basis of this proof, I feel sure we will be able to issue you a certificate." On the other hand, if the proof submitted by the applicant was insufficient in the eyes of the official at the post office, or whatever other agency might be adopted under the regulations, then he would say, "You have to go out now and get an affidavit from the midwife or an affidavit from a neighbor who is cognizant of the facts surrounding your birth, and then everything will be all right."

We even discussed the possibility of drivers' licenses and voting registration records being acceptable as a means of proof. That is how informal the procedure will be. In other words, the underlying motive of this legislation is to meet a present condition that seems to be getting more serious all the time.

We had one witness before our committee who was from my home city of New York. He made this rather succinct statement:

> I have run up against the proposition in my own State where the commissioner of health states they have had to let down the bars to obtain birth certificates or delayed birth certificates, involving any question of age whatever, and in 1 year, over one-third of a million New Yorkers applied for delayed birth certificates, and under the letting down of the bars 1,311 of them were able to meet the requirements.

Out of one-third of a million only 1,311 were able to establish their nativity and have a birth certificate issued.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. SMITH of Ohio. Does this mean any addition of personnel? Will the work involved be done through the present machinery as now set up?

Mr. WILLIAM T. PHEIFFER. So far as possible, that is true. Of course, we must to a large extent depend on the Bureau of Immigration and Naturalization to handle this new system under such rules and regulations as they consider proper and most expeditious.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr D'ALESANDRO].

Mr. D'ALESANDRO. Mr. Chairman, for some time native-born persons in Baltimore and other industrial cities in which a great amount of defense work is being done have been denied employment because they have no proof of their place of birth and are unable to secure a birth certificate.

I took this matter up with Dr. Huntington Williams, health commissioner of the Baltimore City Health Department, and he informed me that prior to April 1915 it was not a bit stylish to have one's birth recorded, and in many instances there is no such record, and to have it recorded now as a delayed registration procedure would be time consuming, difficult, and dangerous, because of lack of adequate contemporaneous documentary proof.

He also informed me that Baltimore's bureau of vital statistics and many others all over the country are staggering under repeated blows, and heavy ones in trying to meet this general misunderstanding, and agreed that there is a real need for Federal agencies to study this matter carefully, in the hope that some Federal agency might finally be selected to be authorized to furnish proper statements of citizenship for native-born Americans.

I believe that H. R. 6600 will be the answer to this question. I noticed from the copy of the hearings held before the Committee on Immigration and Naturalization, Maj. J. R. Smith, of the office of the Under Secretary of War, testified that there are some 43,000,000 people between the ages of 18 and 45 who have no certified evidence of their birth in this country. Many of these people, although born in the United States, have been denied employment in defense plants and other industries because they could not produce a birth certificate, and in many cases these men are World War veterans.

Aliens who become citizens by naturalization receive a certificate. They have no difficulty in proving their citizenship. Why should not native-born citizens be given the same privilege?

Under this bill applicants will be requested to fill out a simple form in accordance with the formula set up by the Department of Justice. The Attorney General has already expressed his approval of the purpose which this measure seeks to accomplish. The Army and Navy also fully subscribe to this purpose, and I urge the House to vote for its adoption.

Mr. Chairman, under leave to extend my remarks, I include an article written by Carroll Dulaney, of the Baltimore News-Post, and a letter from the director of public welfare of Baltimore, Md.

[From the Baltimore News-Post]

BALTIMORE DAY BY DAY

YOU ARE AN AMERICAN, BUT CAN YOU PROVE IT?

(By Carroll Dulaney)

Have you a birth certificate in your home?

Well, if you haven't, and you want a job in a defense plant, or other big industry, you may be out of luck.

The bureau of vital statistics of the Baltimore Health Department is rushed with calls for birth certificates. The applicants wish to establish their nationality in order to get a job or to apply to the city for relief. They are Americans, but they have a tough time proving it.

It is said that an average of 250 certificates are sought daily over the counter in the Municipal Building and 150 more applications come by mail from out of town. The fee for a certificate is 50 cents, or $1 if the applicant can furnish only meager information, and the task of searching the records is difficult.

At the State department of vital statistics, I am told, the number of applicants is almost as great.

The oldest record in the city's birth files is of January 1, 1875. Since that date just 1,450,000 births have been recorded here. They are listed in 2,100 volumes. Incidentally, the doctor who officiated at the first recorded birth in Baltimore 66 years ago was Dr. Theodore Cooke, 146 Hanover Street.

The record of deaths from that date—1875—is much less than that of births.

It must not be concluded, however, that if you were born in Baltimore since 1875 a record of your birth must be on file with the health department. For many years physicians were very careless about making returns.

Some years ago, a former Baltimorean, born here in 1879, was in Paris and wished to be married. He discovered that he could not be married without producing his birth certificate, and so I got a frantic cablegram from him asking me to get it right away.

I never did get it, although I sought it diligently for 2 months. He had to go to London to be married.

DEPARTMENT OF PUBLIC WELFARE,
Baltimore, Md., January 30, 1942.

Hon. THOMAS D'ALESANDRO,
House of Representatives,
Washington, D. C.:

DEAR MR. D'ALESANDRO: The way in which American citizenship must be proven in order to qualify for old-age assistance is to show:

(a) Proof of birth in America; or
(b) Naturalization papers.

Sincerely,

T. J. S. WAXTER,
Director, Department of Public Welfare.

Mr. DICKSTEIN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I simply want to use the 3 minutes of time to call attention to a situation, particularly in the large metropolitan centers where we have aliens who are branded as enemy aliens. That stigma or bar sinister is creating a great deal of resentment. There are many Italians and Germans in my particular district and in New York generally, for example, who have been in the country for a great many years. They came here when they were young to eke out a livelihood. They worked hard and diligently. They did not have any time to take out citizenship papers and many of them were too ignorant to know anything about it. They have now reared families and given numerous of their sons and their sons' sons into the Army. They have purchased Defense bonds and stamps and have been altogether loyal. Now they have placed upon them a bar sinister as enemy aliens. England was confronted with the same situation and set up what were known as loyalty boards. They were composed of volunteer public citizens who heard the plea of these aliens, examinations were had, and the aliens were divided into three classes: Friendly, neutral, and enemy.

I am of the opinion that the same situation could obtain in this country and loyalty boards might well be set up throughout the United States to which aliens might repair and sustain the burden of proof, under rules and regulations laid down by the Department of Justice, as to whether or not they are loyal. Then a certificate could be issued to them which would remove this bar sinister, and by doing this we would balk the efforts of many fifth columnists in our midst and in their midst who use these aliens as fodder upon which to pick. They unite them and arouse them, and these fifth columnists do everything in their power to infuriate these aliens now branded as "enemy," although deep down in their heart of hearts they are loyal.

Take the Italian alien. He is one who is betwixt and between, as it were, an orphan in a storm. His own native land is overrun by the Nazis, his adopted land spurns him and says he is not loyal. I believe the time has now come when we ought to reflect upon this subject and bring some modicum of relief to those Italian and German aliens who are friendl and who are not by any stretch of the imagination disloyal or inimical to our interests.

[Here the gavel fell.]

Mr. REES of Kansas. Mr. Chairman, I yield myself 5 minutes. I shall make a very brief statement and then if any Member desires to ask questions about the bill, I shall endeavor to answer them. Two or three things ought to be cleared up. One of them is this: Let us make sure that this applies only to American citizens who acquired their citizenship by birth in the United States, and persons born to citizens of the United States while abroad, and persons who are citizens by reason of derivative citizenship. It does not include naturalized citizens.

We do have American citizens who may have been born outside of the United States, but of American citizens. That is, we have Americans who go outside the United States, who have not lost their citizenship, who have children that come to the United States in time so they can claim citizenship.

Then we have the class who claim citizenship called derivative citizenship. We have a number of those, who become

citizens by reason of the naturalization of the father or mother or both, before the child or children have passed the age specified by law.

This measure is brought for our consideration particularly because of a demand of many Americans who are delayed in securing jobs in defense because they are unable to prove their citizenship. They do not have the documentary evidence to prove they are citizens of the United States, although born here. Many persons who are not native-born, but are naturalized citizens, have little or no trouble because they have documents showing they are citizens.

The difficulty lies in the question of proving they are American citizens.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I am pleased to yield to the distinguished floor leader of the House.

Mr. McCORMACK. Is not one of the reasons for that the fact that the birth-certificate records are unavailable in a lot of cases?

Mr. REES of Kansas. The gentleman is correct. Most of the difficulty is in the ability of the individual to secure a birth certificate. It is comparatively recently such records were made.

Mr. McCORMACK. We all know from our own experience that birth records are not always correct, and that in many places they were inaccurately kept, and that is not a criticism, but the fact is there are many persons whose records are incorrect. For instance, my birth certificate in Boston shows that I was born 10 days later than I really was born, but that would not be affected by this bill. However, there are many cases where there were no records of births kept at all.

Mr. REES of Kansas. That is correct.

Mr. McCORMACK. Or where the records were burned or lost.

Mr. REES of Kansas. It is only in recent years that many States have kept such records. I am advised that in many of our States those in charge of issuing certificates of birth are very far behind in their work.

This legislation comes to us as an emergency matter to take care of an important problem. If it were not for the war condition that requires the employment of so many persons who must be citizens, this legislation might not be necessary. I am anxious that, if enacted into law, it will work out satisfactorily.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. Yes; I shall be glad to yield to the distinguished Member from Michigan.

Mr. DONDERO. The question was raised a moment ago to the effect that birth certificates are not available, always. Is it not true that under President Theodore Roosevelt the first law was passed in 1904 respecting the keeping of such statistics, and so whatever laws we have in this country in that respect were passed subsequent to that time? Therefore, the whole matter is of quite recent origin?

Mr. REES of Kansas. I am sure, in view of the gentleman's statement, it is correct.

Mr. VORYS of Ohio. There is reference here to a certificate of derivative citizenship. That refers to citizenship not founded on birth actual in continental United States. Is not that correct?

Mr. REES of Kansas. That is correct.

Mr. VORYS of Ohio. So that this bill will cover other cases than those that the gentleman from Ohio refers to.

Mr. REES of Kansas. It would cover cases of certain individuals who are not born within the United States of America, if that is what the gentleman means. It covers persons who are born of American citizens while abroad, and who come to the United States within the time prescribed by law. Also persons who may attain citizenship by reason of the naturalization of parents, or parent as the case may be, before they have reached the age provided by law.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CLASON. Mr. Chairman, on November 28, 1941, I introduced H. R. 6138, a bill providing for the issuance of a certificate of citizenship to any person claiming to be a citizen of the United States at birth in whose case no official record of birth is available.

For many months I have been genuinely and greatly troubled at the seeming discrimination of our Federal laws against native-born Americans who could not produce birth certificates or other satisfactory documentary evidence of their citizenship. At first, requests for relief came largely from the aged people whose efforts in early womanhood and manhood had helped to make our country the great Republic it now is. In many, many instances misfortune had overtaken them. Faced with adversity, too old to work under the relentless rules of modern industry based largely upon governmental programs, too old even to work for their own Government with the iron-clad age requirements of its civil service, they have been forced to seek aid under the provisions of the Social Security Act. The aid, which they as native-born American citizens sought for themselves, was quickly forthcoming to naturalized American citizens armed with their naturalization certificates, proving both their citizenship and their ages. But in an unbelievable number of cases the native American was denied this same measure of relief. Why? Because he could not secure a birth certificate to prove his age and his birth in the United States. All of us Congressmen have tried to secure some evidence which would help such a deserving person, whether or not he has been a constituent. Often we have gained it in a measure through the Census Bureau with an early record about the applicant, showing somebody's assertion of his age to a census taker. But this method has been unsatisfactory and inefficient. There are long delays. Many are unable to secure sufficient records.

I have felt during the 5 years that I have been in Congress that our aged have not secured the full measure of fair treatment that should be accorded to them when in distress. Improvements—important improvements—in their position in our Nation's economic life have been secured. But with the black specter of the high cost of living always before them, bringing more and more suffering and misery to the many patriotic aged in our midst, I sincerely hope that this Congress will act whenever possible to relieve their situation. We have a long way to go yet before we secure for all Americans at all stages in their lives a fair distribution of the bounteous agricultural and industrial products with which our Nation is always blessed. I believe such a result will ultimately be obtained to the advantage of all. I hope more and better provisions may be made for the aged, even as this great World War rages. The least we can do is to make it possible for each of them to qualify for the benefits of the Social Security Act, to which he is, by present laws, entitled, but from which often excluded because he cannot prove he was born in the United States on any particular date. These many requests for help from our older citizens were a big factor in causing me to seek legislation which would permit them to secure Federal certificates of citizenship showing the dates and places of their births under H. R. 6138, through the Bureau of Immigration and Naturalization.

But a second and equally important reason for the immediate passage of this legislation arose with the outbreak of the war in Europe in September 1939. More and more our factories were converted to the making of war products. Under certain conditions Federal laws will not permit an alien to work on Army and Navy munitions. Perhaps the laws would not have caused too much trouble, if strictly followed, but owners of plants believed in the underlying reasons for such legislation and refused to employ anyone who could not prove himself to be an American citizen, either by producing a birth certificate or a naturalization certificate. American citizens already employed were told to produce birth certificates or be discharged. Possible sabotage, possible inadvertent violation of a Federal criminal law, possible subversive influences, and possible other troubles were to be guarded against. Employers, including the United States Government itself, wisely demanded proof of citizenship from their employees.

Untold trouble and hardship have resulted to thousands of truly patriotic American men and women who have lived

every minute of their lives in the United States of America. The more our industrial economy has become involved in making war products, the more acute and unbearable the situation has become. It is estimated by New York authorities that 60,000,000 American citizens cannot secure birth certificates for themselves. Usually when they seek the certificates they learn that there are no official records of their births. Frequently vital statistics were not recorded at all in their home towns at the time of their births. Sometimes a doctor, a parent, or some official failed to bring a birth to the attention of a city clerk. Sometimes records have been lost or destroyed.

The War Department has recognized the seriousness of this situation for more than a year. It attempted to secure cooperation from the officials of all States to provide for recording late the births of persons upon evidence. I believe 45 States have tried to help with the result that "delayed" birth certificates became available under varying provisions of State laws. In some States, such as New York, the provisions are quite strict. In a period of 12 months, more than 300,000 applied and only 1,115 secured certificates. In Connecticut a serious situation has developed. In Bridgeport, not far from New York City, anybody who could provide two affidavits from friends could secure a birth certificate for $1.25. Apparently no investigation of the truth of the facts sworn to by the affiants was made. In New York City, 1 out of 300 applicants can get such a certificate, while in nearby Connecticut every applicant can get one either on true or false statements. During the past 2 weeks this Bridgeport situation has developed into a scandal, followed by arrests and casting serious suspicion on all Connecticut birth certificates in the heart of our munitions-producing area. Obviously the States have neither the money nor the employees to handle this matter of such grave national concern. It is equally obvious that we cannot protect our plants against saboteurs, spies, and subversive elements by any birth certificates which may be obtained easily. But very fortunately the Federal Government has a body of well-trained and extremely intelligent and efficient officials in the Bureau of Immigration and Naturalization, ready, willing, and anxious to handle this problem.

Attorney General Francis Biddle filed a report on my bill, H. R. 6138, on January 7, 1942, in which he states in part that—

> This matter is of peculiar importance at this time because many employments are open only to citizens, and many native-born citizens of the United States are precluded from securing such employment unless they are able to present evidence of their citizenship.

He further stated that this condition should be rectified by the proposed legislation. The Attorney General offered certain amendments which would, in his opinion, improve the provisions of H. R. 6138. I agree with him in his views which have been set forth in the bill favorably reported by the committee, H. R. 6600, now under discussion.

One of the witnesses at the hearings before the committee was Attorney John J. McManus, of New York City, a past commander of the Catholic War Veterans for the State of New York. He has been actively interested with me in the effort to secure recognition of the need for this legislation. Several Members of Congress have told me that they are unable to secure birth certificates for themselves, having sought them for important purposes other than those to which I have referred. The passage of this legislation will fill an important gap in our national records. More important, it will bring immediate benefits to millions of Americans while securing untold help to our national war effort. High Army officers and Government officials have assured me that this legislation is of extreme importance and should be in effect right now. I am glad to have brought it to your attention for action.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. RICH. In section 339 of the bill it says:

> A person who claims to be a citizen of the United States, other than a person naturalized, may go to the commissioner, with the approval of the Attorney General, and secure proper papers for recording his naturalization.

Mr. CLASON. No. He is an American citizen. He is not naturalized.

Mr. RICH. I mean to prove that he is an American citizen.

Mr. CLASON. Yes. He asks for a certificate of citizenship.

Mr. RICH. That is when he does not have a birth certificate?

Mr. CLASON. Yes.

Mr. RICH. What machinery are you going to set up in order to take care of all these applications that you have?

Mr. CLASON. The advantage of it is that we have the machinery today in the Bureau of Immigration and Naturalization. They are established in the larger places. They are associated closely with the district courts of the United States. This bill really adds another section to the Nationality Act of 1940. It does not stand by itself. The person applies for a certificate.

Mr. RICH. That may be so in the larger cities, but how about in the country?

Mr. CLASON. They will get around everywhere.

Mr. RICH. Are they going to travel all over the country?

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RICH. In order to get around over the country, are they going to set special days to be at certain points, or how will they work that?

Mr. CLASON. Just as they do it today. They are not at Springfield, my home city, at all times, but the immigration and naturalization officials come in to the post office. People have already received the printed forms. They have made their applications for certificates of citizenship. Somebody will go out and investigate them in their own community if there is any question at all as to whether or not they are citizens. Whether or not they will require a particular individual to come to any particular spot will be determined by the rules and regulations adopted.

Mr. RICH. The Government is going to send people out to interview everyone who makes an application?

Mr. CLASON. They do not send them out today. The applicants come in to see them.

Mr. RICH. I do not know that the Bureau of Immigration and Naturalization has anybody up in central Pennsylvania. If so, I do not know where they are. I have never been called before them. But how will people in that locality out in the country find out where they are going to be located and what is going to be necessary for them to make their application for identification?

Mr. CLASON. They must know where their county courthouse is. They can write in to the Commissioner of Immigration and Naturalization, address it to the county courthouse, where they keep the records in regard to naturalization at all times. There will not be any difficulty in getting these forms after it is once set up. The Government under this plan is going to see that they are supplied with their certificates without any great trouble to themselves. The only persons who will be looked into carefully are those where there is doubt.

Mr. RICH. What will they have to pay for a certificate?

Mr. CLASON. One dollar.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. REES of Kansas. As far as expense is concerned, there will be a charge of $1 for this certificate. Furthermore, as the gentleman from Massachusetts has suggested, we already have a general set-up by which these representatives do go into these various districts.

This situation comes about as I suggested a few minutes ago, by reason of American citizens not being able to get jobs because they could not show their citizenship, yet alongside of them foreign-born individuals get jobs because they happen to have certificates in their possession. As I understand it, the department in charge of this expects to have its representatives go to the various cities where complaints are made, as suggested by the gentleman from Massachusetts, take care of a great many of them in groups. They will take care of hundreds or thousands in those particular sectors. It is not the plan to go all over the country and investigate every citizen, but mostly to take care of citizens in groups.

[Here the gavel fell.]

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS. Mr. Chairman, the measure now before the committee is, in my opinion, one of imperative importance to our war effort, and of tremendous value to millions of patriotic Americans. I hope it will be enacted into law.

On June 28, 1940, the Congress enacted Public Law No. 671, by the provisions of which none but bona fide citizens of the United States are permitted employment

in our key defense, or war, industries. Subsequently, all appropriation measures for defense or war purposes have carried substantially the same provisions set forth in Public, 671. of the Seventy-sixth Congress. Similarly, all Army and Navy contracts for strategic materials have included clauses similarly limiting the employment of persons in the contractors' factories.

In view of the obvious threat to our efforts through espionage, sabotage, and fifth-column activities, these precautions have generally been accepted as wise. By these restrictions, however, we have brought to light a glaring gap in Federal and State statutes relating to our native-born citizens, millions of whom are finding it a complicated, prolonged, and often quite expensive process to establish proof of time and place of birth.

By Federal law we have long since established careful and exact methods of providing certificates of citizenship for naturalized citizens and their children who acquire citizenship derivatively. Unfortunately, however, there is no provision by which a native-born American can secure a certificate of citizenship quickly and cheaply. The matter has been left entirely within State and local jurisdiction, but now we come to the amazing fact that vital-statistics records have been kept by States and communities generally only for a comparatively few years within the recent past.

As a result, millions of Americans who are now of middle age or over find it difficult, if not almost impossible, to provide acceptable proof of their citizenship. The naturalized alien and his children have the documentary evidence in their certificates of citizenship. Younger persons who had the good fortune to have their births recorded as a part of a State or local vital-statistics record may secure transcript certificates which are acceptable as legal proof of citizenship.

But this other vast group of Americans is required to assemble a mass of such evidence as it may be able to ferret out of private records, such as family Bibles, census transcripts, church and school records, marriage certificates, insurance policies, and old business papers.

This in itself is almost invariably a laborious, time-wasting, and costly task, but the trouble rarely ends with this compilation of evidence. Usually the applicant must submit this evidence in some court of jurisdiction for approval and recording before he can establish it as proof of citizenship which is acceptable for all purposes.

Hundreds of cases within my own congressional district in the State of Indiana have come to my attention in recent months, particularly where individuals are trying to comply with the present legal requirements for employment in war industries. In my experience in trying to help these people I know directly what tremendous wastes of productive talent and what personal hardships are being suffered.

In my State of Indiana we began keeping a State vital-statistics record in 1907. In other words, any person now over 35 who was born in a community where official records were not kept prior to that date must take such private evidence as he is fortunate enough to be able to compile into the circuit court of jurisdiction.

No great fault can be found with our Indiana statutes on this matter, but the fact remains that the individual applicant must follow a quite involved process before he can establish proof of citizenship. He must advertise his application pending before the court. He must conform to the forms and practices of the court, which means that he ought to have the services of an attorney. The cost involved is actually a tremendous burden for a great percentage of these people, but that is by no means the principal difficulty. During the time required to assemble this mass of private evidence and to secure its acceptance in court, the individual may be losing weeks of employment which mean everything to him and his family. Likewise, an industry producing some vital war supply is losing the valuable services of a person who ought to be contributing effectively to our war effort.

In this emergency time is the very essence, and time simply will not stand still. Every day of an individual's productive energy we lose delays by that much the successful conclusion of this war. No formality, therefore, must be allowed to stand unnecessarily in the way of employment for any man and woman who can contribute anything of value.

Aside from the direct and immediate value in our war effort of the measure under consideration, its value to millions of native-born Americans will undoubtedly be immediately apparent to this committee. I believe that every member will agree that these loyal, patriotic, native Americans should be provided a means of identification and certification as simple, as inexpensive, and as exact as we have already provided for persons becoming citizens by naturalization or derivation.

The Attorney General has already expressed his approval of the purpose which this measure seeks to accomplish. The Army also so fully subscribes to this purpose that I understand it has undertaken on its own initiative to secure the enactment of similar legislation. I know, also, that the Navy is in accord.

I repeat the hope, therefore, that the bill will pass.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield.

Mr. DICKSTEIN. And that certificate will be presumptive evidence not only in Indiana but throughout the United States and its possessions that the holder thereof whose name is inscribed thereon is a native-born citizen?

Mr. HARNESS. That is right. Let me illustrate: Let us assume the case of a person born in Indiana but working in San Francisco. In order to get a certificate now he would have to go back to Indiana and submit proof to the judge of the court in the county where he made application for his citizenship certificate. The procedure proposed in the pending bill would do away with that. The person would make application in San Francisco to the Commissioner of Immigration and could send back to his family or friends in Indiana for the necessary evidence and submit it to the Commissioner, who, upon being satisfied with the proof, could issue the certificate of citizenship. This would result in the saving of a great deal of time, expense, and inconvenience.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield.

Mr. RICH. I understand it is proposed the fee for securing this statement, or the proper papers, is $1. Does the gentleman believe that the $1 fee will pay the expense of the Government in connection with furnishing the man this certificate of citizenship?

Mr. HARNESS. I have no way of knowing how much it is going to cost the Government to issue this certificate. I assume the Department of Immigration has the organization now set up and that it will cost no more for additional employees but may cost a few dollars to secure the necessary forms and blanks.

Mr. RICH. Not only will there be expense because of forms and blanks but there will probably be an increase of employees. Does the gentleman believe it can be done for $1?

Mr. HARNESS. I do not know, and I do not care whether it can or not. I believe a citizen of this country is entitled to that much from his Government.

Mr. RICH. That is right; he is entitled to it, I agree; but who is going to pay the fiddler?

Mr. HARNESS. Well, who is paying the fiddler now?

Mr. RICH. We have too much fiddle and not enough paying; that is the trouble.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr Chairman, it is my best judgment that this bill, having been written by both the Justice Department and the Immigration Service, carefully scrutinized by the committee, should not be amended in any way because one amendment might to a great extent injure the purpose of this law.

I call attention to the discussion that was had at the opening of this debate by the gentleman from Ohio [Mr. JENKINS], in which he wanted to put the word "native" in here in place of the word now appearing. The committee would object to that and I think the Department would object to that for the reason that if we were to put the word "native" in there, we would be shifting the burden for the Government. We want to throw the burden on the person making the application. The burden should be upon him to establish that he was born in this State or the other State.

Mr. HINSHAW. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from California.

Mr. HINSHAW. I am very much interested in this bill, as the gentleman knows. We had a colloquy some months ago on the same subject. In connection with the necessary information that must be supplied the Department, has the gentleman any way of assuring the

House the Department will offer affidavit forms, and so forth, which will be satisfactory to the Department, so that the applicant need not go to some attorney to get these forms drawn up?

Mr. DICKSTEIN. In the first place, we all know that the legislation is absolutely necessary and the quicker we get it to the White House the better for many hundreds and millions of American people.

Mr. HINSHAW. I fully agree with the gentleman.

Mr. DICKSTEIN. I discussed this matter with the Department and it has already formulated certain rules and regulations for Americans who wish to establish proof of their citizenship. I have every reason to believe that everything will be done by the Department to help our American citizens without involving them in costly legal procedures.

Mr. HINSHAW. My only purpose in asking that question is to determine whether the gentleman would be willing as chairman of the Committee on Immigration and Naturalization to personally request the Department that it furnish these forms to the applicant?

Mr. DICKSTEIN. I will do everything I can, and I feel sure every member of my committee will, to expedite action on such cases.

Mr. Chairman, I have no further requests for time and I ask that the Clerk read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 339 of the Nationality Act of 1940 (54 Stat. 1160, U. S. C., title 8, sec. 739) be, and it is hereby, amended to read as follows:

"SEC. 339. (a) A person who claims to be a citizen of the United States, other than a person naturalized on his own petition, may apply for a certificate of citizenship under such rules and regulations as may be promulgated by the Commissioner with the approval of the Attorney General. Upon satisfactory proof that the applicant is a citizen, and upon taking and subscribing before a member of the Service within the United States to the oath of allegiance required by this act of a petitioner for naturalization, a certificate of citizenship shall be issued to the applicant, but only if the applicant is within the United States at the time that the certificae is issued.

"(b) Any application for a certificate of derivative citizenship heretofore filed, which may be pending at the time this act takes effect, shall be considered as having been filed under paragraph (a) of this section.

"(c) The provisions of section 327 (f) of this act with reference to the effect of certificates of naturalization or of citizenship shall apply to certificates of citizenship issued under this section, either as proof of the citizenship of the holder of such certificate or as proof of the holder's age, or both.

"(d) Any certificate of citizenship issued under the authority of this section may be canceled by the Commissioner on the ground that such document was illegally or fraudulently obtained, in accordance with the provisions of section 340 of this act.

"(e) The penal provisions of section 346 of th's act shall apply to any proceeding or application instituted or filed, or certificate issued under the authority of this section."

Mr. DICKSTEIN. Mr. Chairman, I offer a committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. DICKSTEIN: Page 2, line 11, substitute a colon for a period after the word "section" and add "*Provided*, That no part of the fee paid by an applicant for filing such an application shall be subject to refund."

Mr. DICKSTEIN. Mr. Chairman, this amendment simply means that the Government will not make any refunds because heretofore a number of people, over 20,000, have applied for a certificate of derivative citizenship and have deposited with the Government $5. Under this plan we are adjusting the certificate to Americans to $1. There may be some claims against the Government. From the hearings we were convinced that we ought to protect the Government to this extent so that the additional $4 that may be claimed by other persons shall not be claimed. The committee was unanimous on this, the Department is for it, and I ask for adoption of the amendment.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I ask unanimous consent that the Clerk report the amendment again with reference to how it started off. I would like to know whether that was a semicolon or a colon after the word "section."

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. WILLIAM T. PHEIFFER]?

There was no objection.

The Clerk read the Dickstein committee amendment.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, as a member of the committee, I believe the Chairman will agree with me, that that should be a semicolon instead of a colon. We are not introducing anything new here. We are simply pausing.

Mr. DICKSTEIN. Heretofore applicants for a certificate of the kind that is proposed under this bill have deposited $5.

Mr. WILLIAM T. PHEIFFER. I understand that.

Mr. DICKSTEIN. We are changing that law to $1. That is new law.

Mr. WILLIAM T. PHEIFFER. There is no question about the intent of it; I am for the amendment, but I am pointing out that as a matter of grammatical construction we will have to make that a semicolon instead of a colon.

Mr. DICKSTEIN. I am not going to split hairs with the gentleman. I think we ought to leave it as it is.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Illinois.

Mr. DEWEY. May I ask, if it is not too late—I regret I was not here when the matter was discussed—what the meaning is of "derivative citizenship" appearing in line 8.

Mr. MASON. I would be glad to inform the gentleman.

Under a previous law passed by this Congress, any child of a naturalized citizen whose parents were naturalized before that child became of age could apply for a certificate of derivative citizenship based upon the citizenship papers of his parents. That is now the law. The only reason it is mentioned in this bill today is to protect those 20,000 applications that are now on file for derivative citizenship papers.

Mr. DEWEY. I thank the gentleman.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. RAMSAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAMSAY: On page 2, at the end of line 17, insert "whenever the question of age of a citizen of the United States shall become necessary to be determined by any branch of the United States Government, the matter shall be referred to the United States Department of Justice for decision, and finding by that Department shall be binding on all branches of the United States Government."

Mr. RAMSAY. Mr. Chairman, I offer this amendment for two reasons. Practically this whole bill is centered around the question of age, not the question of American citizenship so much as the question of age. If you will look on page 59 of the hearings, you will see that each department of the Government has a different method of accepting proof of age; in fact, it was there admitted that some departments have different standards of proof for different applicants, whoever they might be. For instance, if the man is a workingman going to work on a ship, where he would have an opportunity to blow it up, they do not require very much proof, just his own word as to his age; but if the application is for another position which they claim to be higher, then they have a different standard of proof of age.

Of course, the question of proof of age is a legal one. Unless a man has some legal training, he has no idea what kind of proof should be required to prove a man's age. Therefore, the Justice Department is the only Department capable of doing that.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. I yield to the gentleman from Michigan.

Mr. DONDERO. Would this be conclusive in all courts of record in the various States, where the man wanted to prove his age to entitle him to old-age assistance benefits?

Mr. RAMSAY. I would think so, from a reading of the amendment.

Mr. DONDERO. If it were conclusive it would not be attacked. Suppose evidence were submitted to show that it was not correct?

Mr. RAMSAY. I do not understand that. No order or decree of any court is so binding that it cannot be attacked for fraud.

Mr. DONDERO. It would not be conclusive, then?

Mr. RAMSAY. No; surely not. If a man perjured himself, he could be indicted and convicted, and the order, whatever the order was, could be set aside. That is a rule of law.

The Department of Justice is in favor of this amendment and every other department I know of, except the depart-

ments who want to have charge of this question. For instance, the Census Bureau thought they were the proper parties to decide this question. I submit they are not the proper parties to decide it. As I have said, they stated that they have two or three different rules of evidence by which they are governed.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. I yield to the gentleman from California.

Mr. HINSHAW. Under this amendment, what is to become of all the information that is now being assembled from the Census records, to be used for the purposes of the Social Security Board in determining age? Are they to be valid or not?

Mr. RAMSAY. Yes. Mr. Shaughnessy, appearing before the committee, said they often accepted the Census records as proof, but would not always accept them, because those records really do not show how old the man is. The Census records might show that you were 10 years of age, or something like that, but they really are not positive evidence or proof. They are just cumulative evidence to indicate how old a man might be.

Mr. HINSHAW. The gentleman knows perfectly well that there are a lot of older people in this country who may have moved some place else; their friends are dead, their relatives are dead, and their books may have been burned some place, so that they have no one upon whom to depend except the Census Bureau for such information. If the Census Bureau's records are not to be accepted as proof of age, I should like to know how these poeple can ever establish their age.

Mr. RAMSAY. That is exactly what I had in mind, that we should have one board that will lay down one rule which will govern the proof of everybody's age, and not have a dozen different rules for proving somebody's age.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. I think it well to interpolate at this point that it is common knowledge that under the present system it generally takes about 6 months to get this information from the Census Bureau, unless you pay a special searcher's fee of $3, in which event you can get the report within about a week's time.

Mr. RAMSAY. That is correct.

Mr. WILLIAM T. PHEIFFER. This will serve to speed it up by authorizing other means of proof.

Mr. RAMSAY. It will authorize other means of proof such as are admissible in any State under the laws of evidence.

Mr. Chairman, I ask that this amendment be adopted. I understand that the committee is unanimously in favor of the amendment.

Mr. DICKSTEIN. This is a committee amendment, Mr. Chairman, and we have no objection to it.

Mr. VORYS of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment exemplifies the vice of this whole bill, which is directed to a laudable purpose, about which we all agree, but in carrying out this purpose it is an example of the type of legislation that I feel brings this body into disrepute and constantly threatens our whole form of government. This amendment provides that the decision—I have copied the words, and I think I have them correct—as to the age of an American citizen, made not by a court but by the Department of Justice, shall be binding on all branches of government, which would, of course, include the courts.

This involves one of the most sacred rights we have, that of citizenship. It is not only a right, it is a status; it is a fact, and it either exists or it does not exist. On this important matter the amendment provides that final decision shall not be made, let us say in a contested case, by a court or even by the Supreme Court of the United States, but shall be made by the Department of Justice, and that decision shall then be binding on all other branches of the Government.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I cannot yield at the moment.

Here is the difficulty with this bill. These certificates, which imply, and I quote: "Satisfactory proof that the applicant is a citizen," are going to be sought and used for all sorts of purposes. I can see the great usefulness of them. I can see the importance of setting up something to take care of this immediate situation where bona fide citizens are being discriminated against, but in our anxiety to do that we are not thinking this thing through, and we are setting up once more a system where a bureaucratic decision is to determine exclusively, and apparently under this amendment, conclusively, even as against the courts, the most sacred and fundamental rights of our citizens.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. JENKINS of Ohio. Would it not be better if we had gone back and amended the law that provides against such person getting a job in national defense? In other words, we should amend the national defense law and put in a paragraph and say that he should qualify as a citizen.

Mr. VORYS of Ohio. Very much better. This is a good example of going at a thing backward.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MICHENER. I have not paid very much attention to the amendment, but if it is as suggested by the gentleman from Ohio, this is another case where we are establishing an administrative court.

Mr. VORYS of Ohio. And this court is to be an administrative court without appeal, according to the language.

Mr. MICHENER. That is just what I am getting at. There has been a constant effort in the last few years to establish administrative courts in the departments from which there shall be no appeal to the courts of the land. Some of us have opposed that strenuously and usually have succeeded when the people understand. It seems to me if this amendment is as suggested by the gentleman from Ohio, there should be placed in there the saving clause, provided, however, the right to appeal to the court, in the final analysis, is reserved.

Mr. VORYS of Ohio. I am going to ask unanimous consent, when I have concluded, that the amendment again be reported so that we can see exactly the sweeping character of the language contained in it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MASON. I am afraid the gentleman has made too broad an interpretation of the language. If this amendment would preclude the courts from reviewing the decision of the Attorney General and his staff then, of course, it would be unconstitutional; but it does not aim to do that. I feel quite satisfied it does not do that, but it does make sure that the other departments of the Government, the Social Security Board, and all these other branches of the Government, will have to abide by the ruling of the Department of Justice on this matter of age.

Mr. VORYS of Ohio. It would be a fine thing if an amendment such as the gentleman describes was at the desk. But, unforunately, that is not the kind of amendment that is there.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I rise in support of the amendment.

Mr. VORYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. During my remarks I submitted a unanimous-consent request that the amendment be again reported after I had finished my time, and I understood there was no objection. Would that now be in order?

The CHAIRMAN. The Chair understood that such a unanimous-consent request would be made when the gentleman concluded his remarks. Does the gentleman submit the request now?

Mr. VORYS of Ohio. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Without objection, the Clerk will again read the pending amendment.

There was no objection.

The Clerk read the pending amendment.

Mr. DICKSTEIN. Mr. Chairman——

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. DICKSTEIN. Let me first make a brief statement. It seems to me we have lost the point of this entire amendment. As an illustration, let us say that Mr. Jones, of Washington, applied to the Government stating he was born in the State of Washington and that he is now of the age of 50. While the Government is running down the matter and checking his actual birth in the State of Washington, they are also checking at the same time to see how old he is. In issuing the

certificate to this American citizen, born in the State of Washington, they say that he was born on this or that date and that he is of the age of 50 years, for instance. This is all the amendment is intended to accomplish. It would be more or less binding as to age unless proved otherwise by other branches of our Government. This is all that the amendment proposes to do. It does not bar anybody from disproving that fact, and it does not prevent or stop anybody from showing that it is a fraud or that the person involved has committed perjury.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. DONDERO. Undoubtedly, this discussion has arisen over a question asked the gentleman from West Virginia [Mr. RAMSAY]. May I make this suggestion: Instead of the words "shall be binding," might it not help the legislation if we substituted the words "may be accepted"?

Mr. DICKSTEIN. That is a matter of splitting hairs as to the language. I want to follow the plan that I believe is for the best interests of the legislation and the country. But it seems to me, as I pointed out, that we are losing sight of the fact that, assuming this amendment is agreed to, we do not bar you, for instance, from proving that I was not telling the truth or that I was more than the age which I stated.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. HINSHAW. Would the gentleman have any objection, instead of using the words "all branches of the Government," to using the phrase "all executive agencies of the Government"?

Mr. DICKSTEIN. I would have no objection to that.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. McCORMACK. I think the suggestion made by the gentleman from California [Mr. HINSHAW] meets the situation. So far as the phrase "all branches of the Government" is concerned, there are only three branches of the Government—the executive, the legislative, and the judicial. I think if the amendment is changed to confine the matter to the executive branch, it will meet the situation and be a proper amendment.

Mr. MASON. That was the intent and the sole purpose. I do not believe any member of the committee would have any objection to limiting it to the executive departments of the Government.

Mr. DICKSTEIN. Will that satisfy the gentleman from Ohio?

Mr. VORYS of Ohio. Yes; I think that would meet the objection. The Supreme Court has held that decisions of administrative bodies are binding as to fact.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. WILLIAM T. PHEIFFER. Let us not become involved in paradoxes. If it is binding only on the executive department, then it would not be binding on the department that is making the finding in every case.

Mr. DICKSTEIN. I pointed out that if a man obtains a certificate, if he was born in a certain place on a certain day, and shows that he is of a certain age, and the department through investigation and other proof establishes that fact, that at least should be sufficient for other departments to determine the question of age, because age is always important in the matter of a certificate of citizenship.

Mr. WILLIAM T. PHEIFFER. The finding in the first place is made by the Department of Justice?

Mr. DICKSTEIN. Certainly.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield to me to offer an amendment?

Mr. DICKSTEIN. Yes.

Mr. HINSHAW. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. HINSHAW to the committee amendment: strike out the words "all branches" and insert "the Executive agencies."

Mr. RAMSEY. That is satisfactory to us.

The CHAIRMAN. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. DOWNS. Mr. Chairman, I move to strike out the last word. I take this time simply because Connecticut, and the city of Bridgeport in my district were mentioned by my distinguished friend from Massachusetts. I am heartily in accord with this legislation, because in my opinion it will eliminate a serious condition in the State of Connecticut. The Legislature of the State of Connecticut adopted a law which made it possible to secure a birth certificate in Connecticut upon the evidence of two witnesses. As a result, when the defense program began to boom, people came into Connecticut from all over the country in an effort to secure employment and soon discovered how easy it was to secure a birth certificate in the city of Bridgeport and other cities in the State. The passage of this law now under consideration will give us an entirely different setup, and will provide a standard system throughout the Nation. As a result we in Connecticut will not have these people coming into the State endeavoring to secure birth certificates through fraud. I think the bill is excellent, and clears up a situation in Connecticut and probably will keep the Governor of our State from calling a special session of the legislature to remedy the situation. I know that it will be welcomed by the mayor of Bridgeport where many of these certificates were issued, under the State law, through fraud.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. DOWNS. Yes.

Mr. DICKSTEIN. I am very sorry that I did not give the gentleman time. I intended to. I think he has made a very fine contribution in the statement that he has just made.

Mr. DOWNS. I thank the chairman for his observation and yield back the remainder of my time.

Mr. ROLPH. Mr. Chairman, I move to strike out the last word. I do this to ask the chairman of the committee a few questions. In San Francisco, in 1906, we had a fire that destroyed all birth records, not only in the city hall, but in many churches. Since that time the people have had a good deal of trouble in securing birth certificates, and certificates of citizenship. The bill provides that after satisfactory proof is shown, the certificate of citizenship will be issued. I would like to have the chairman clear up just what would be required.

Mr. DICKSTEIN. Of course, the Committee on Immigration and Naturalization does not draft the rules and regulations for the purpose of enforcing the law. The Department of Justice, with the approval of the immigration services, prepares and is now preparing rules and regulations, which I think every reasonable honest man will be able to comply with by bringing certain proof, which may be proof of where he was born, or a certificate of baptism, or certain writing in religious books, such as the family Bible—evidence that will satisfy any reasonable man that the applicant is telling the truth. This bill as written will take care of the very situation that the gentleman is now asking about.

Mr. ROLPH. If the gentleman will permit me, in the case of my own family, for instance, the records were burned in the city hall and burned at the church. The records of all the family were burned at the same time.

Mr. DICKSTEIN. I say to the gentleman that under this act the Immigration Service of the Department of Justice can very easily determine the facts with reference to the gentleman's family by any evidence that they believe will be honest evidence and believable in any court of law. I am sure you will have no difficulty in obtaining proper certification by the Government that you were born on that date and that you are a native-born citizen.

Mr. ROLPH. I thank the gentleman.

Mr. WILLIAM T. PHEIFFER. If the gentleman will yield I think perhaps I can offer some light on the question.

Mr. ROLPH. I gladly yield to the gentleman.

Mr. WILLIAM T. PHEIFFER. The following answer was made by Mr. Marvin Simms, principal attorney of the War Department, at page 15 of the hearings, when the question was asked as to the nature and extent of the evidence that would be required. Mr. Simms' answer was:

Yes; but that evidence could be very slight. It follows the best-evidence rule, and, therefore, permits the furnishing of a driver's license, a marriage license, voting registration record, birth certificates, and so forth.

Mr. ROLPH. In San Francisco in 1906 the birth certificates were all burned and

I understand from the gentleman's observation the court will use broad discretion?

Mr. WILLIAM T. PHEIFFER. The best-evidence rule would be the rule.

Mr. MASON. Will the gentleman yield?

Mr. ROLPH. I yield.

Mr. MASON. After all other sources of evidence of birth have been exhausted, then the department can go to the census figures and check back 10 years, 20 years, 30 years, or 40 years for John Jones' record in the census. If they tally each time, they could then accept that as evidence of John Jones' birth, and so forth. That is the last resort.

Mr. ROLPH. I thank the gentleman very much.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 2. Section 342 (b) (5) of the Nationality Act of 1940 (54 Stat. 1161, U. S. C., title 8, sec. 742) is amended to read as follows:

"(5) For application for a certificate of citizenship under section 339 (a), $1."

Mr. DICKSTEIN. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. DICKSTEIN: Page 3, line 5, add the following:

"The provisions of this section shall be applicable only to applications filed after the effective date of this act."

Mr. DICKSTEIN. Mr. Chairman, the amendment speaks for itself and I ask for its adoption.

The CHAIRMAN. The question is on agreeing to the Committee amendment.

The Committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. This act shall take effect 30 days after the date of its approval.

The CHAIRMAN. Under the rule the Committee will now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MANASCO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 6600 and pursuant to House Resolution 443, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR-RISK INSURANCE FOR MERCHANT MARINE

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 457.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into a Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6554) to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I do not think there is any contest about this rule. I wonder if we cannot pass the rule and proceed with the consideration of the bill and save that much time.

Mr. FISH. I have a few requests that will take about 10 minutes.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman from New York [Mr. FISH] 10 minutes.

Mr. FISH. Mr. Speaker, this bill is another war measure that is aimed to help those who are desirous of getting war-risk insurance and marine reinsurance which they are unable to get from the marine insurance companies in sufficient amount. It will be handled by or through the United States Maritime Commission in order to expedite ocean transportation and assist the war effort. It is necessary legislation because of the fact that very often the marine insurance companies cannot handle the amounts desired. Furthermore, in the past large amounts of this type of marine insurance have been handled through Lloyds in London.

If the bill is passed—and there was no opposition to it in the committee, nor was there in the Committee on Rules—the United States Maritime Commission will be so organized as to handle war-risk insurance and excess marine insurance on all ships, not only our own but foreign ships as well that enter our ports. That is the main purpose of the bill. I hope therefore there will not be very extended debate on the rule. The companies that handle war-risk insurance and other kinds of marine insurance favor this bill as an accommodation and help to them in covering such risks.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, the bill under consideration (H. R. 6554), to amend and broaden the war-risk insurance provisions of the Merchant Marine Act of 1936, was carefully considered by the Committee on the Merchant Marine and Fisheries. There was no opposition to the bill. It was unanimously reported. It is urgent wartime legislation, and I sincerely feel that it should be passed without hesitation.

Mr. Speaker, I yield back the balance of my time.

Mr. FISH. Mr. Speaker, I have no further requests for time.

Mr. SMITH of Virginia. Mr. Speaker, there are no further requests for time.

I move the previous question on the rule.

The previous question was ordered.

The resolution was agreed to.

MARINE WAR-RISK INSURANCE

Mr. BLAND. Mr. Speaker, I call up the bill (H. R. 6554) to amend war-risk insurance provisions of the Merchant Marine Act of 1936, as amended, in order to expedite ocean transportation and assist the war effort, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), is hereby amended to read as follows:

"SUBTITLE—INSURANCE

"SEC. 221. (a) Until 6 months after the termination of the present war is proclaimed or until such earlier date as the President may designate, the Commission is authorized to provide marine insurance and reinsurance against loss or damage by the risks of war and reinsurance against loss or damage by marine risks, as prescribed in this subtitle, whenever it appears to the Commission that (1) such insurance adequate for the needs of transportation in the water-borne commerce of the United States and its Territories and possessions (including the Philippine Islands, the Canal Zone, and any bases or lands leased or occupied by or on behalf of the United States), or of other transportation by water or other vessel services deemed by the Commission to be in the interest of the war effort or the domestic economy of the United States, cannot be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States, or (2) the furnishing by the Commission of such insurance or reinsurance with respect to any such transportation or other vessel services would be of material benefit to the war effort or the domestic economy of the United States, or (after consultation with the Secretary of the Navy or the Secretary of War) is necessary or advisable for military or naval reasons.

"(b) There shall be in the Treasury of the United States a revolving fund to be known as the marine and war-risk insurance fund (hereinafter referred to as the fund), to be used for carrying out the provisions of this subtitle, and to be constituted of such sums as may be appropriated to such fund and of moneys and receipts credited thereto as herein provided. There are hereby authorized to be appropriated to such fund such sums as may be necessary to carry out the provisions of this subtitle. All moneys received from premiums and from salvage or other recoveries, and all receipts in connection with this subtitle, shall be deposited to the credit of such fund. Payments of return premiums,

losses, settlements, judgments, and all liabilities incurred by the United States under this subtitle shall be made from such fund.

"SEC. 222. The Commission may insure against loss or damage by the risks of war, persons, property, or interests, as follows:

"(a) (1) American vessels (including vessels under construction), (2) vessels registered under the law of the Philippine Islands, (3) foreign-flag vessels owned by citizens of the United States (as said term 'citizens' is used in Public Law 173, 77th Cong., approved July 10, 1941) or owned or controlled by, or made available to, the United States or any department or agency thereof, and (4) any foreign-flag vessel not owned or controlled or made available as described in clause (3) hereof, but engaged in the water-borne foreign commerce of the United States or other transportation by water or other vessel services deemed by the Commission to be in the interest of the war effort or the domestic economy of the United States, while so engaged;

"(b) Cargoes shipped or to be shipped on any vessels specified in subsection (a);

"(c) The disbursements and freight and passage moneys of such vessels.

"(d) The personal effects of the masters, officers, and crews of such vessels.

"(e) Masters, officers, and crews of such vessels and other persons employed thereon against loss of life, personal injury, or detention by an enemy of the United States following capture.

"(f) Statutory or contractual obligations of the owner or charterer of such vessels of the nature customarily covered by insurance.

"SEC. 223. The Commission may reinsure, in whole or in part, any company authorized to do an insurance business in any State of the United States, on account of marine and marine war risks, including protection and indemnity risks, assumed by any such company, on persons, property, and interests specified in section 222 of this subtitle, and may reinsure with, or cede or retrocede to, any such company any war risk insured pursuant to such section 222, or any marine or war risk reinsured with the Commission as hereinbefore provided.

"SEC. 224. (a) Any department or agency of the United States is hereby authorized to procure insurance from the Commission as provided for in section 222 of this subtitle, except as provided in the Government Losses in Shipment Act, approved July 8, 1937, as amended (50 Stat. 479; U. S. C., Supp. VI, title 5, secs. 134 to 134h)

"(b) The Commission is authorized to provide such insurance at the request of the Secretary of War or the Secretary of the Navy on a nominal-premium basis in consideration of the agreement of the Department concerned to indemnify the Commission against all losses covered by such insurance, and the Secretary of War or the Secretary of the Navy is authorized to execute such indemnity agreement with the Commission.

"SEC. 225. In the event of disagreement as to a claim for losses or the amount thereof, on account of insurance under this subtitle, an action on the claim may be brought and maintained against the United States in the district court of the United States sitting in admiralty in the district in which the claimant or his agent may reside, or in case the claimant has no residence in the United States, in a district court in which the Attorney General of the United States shall agree to accept service. Said suits shall proceed and shall be heard and determined according to the provisions of an act entitled 'An act authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes,' approved March 9, 1920, as amended (known as the Suits in Admiralty Act), insofar as such provisions are not inapplicable and are not contrary to or inconsistent with the provisions of this subtitle.

"SEC. 226. (a) The Commission in the administration of this subtitle is authorized to adjust and pay losses, compromise and settle claims whether in favor of or against the Government, and to pay the amount of any judgment rendered in respect of any suit or settlement agreed upon in respect of any claim. The determinations of the Commission with respect to adjustments, compromises, settlements, and payments hereunder shall not be subject to review by any other executive or accounting officer of the Government.

"(b) The Commission is authorized to prescribe such forms and policies, to change or modify such forms and policies as may be necessary or appropriate under the circumstances, and to fix and adjust, as may be required by circumstances, the rates and changes of rates of insurance provided for in this subtitle.

"(c) The Commission is authorized and directed to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this subtitle. The Commission is authorized, in administering the provisions of this subtitle, to exercise its powers, perform its duties and functions, and make its expenditures, in accordance with commercial practice in the marine insurance business.

"(d) The Commission, without regard to the laws, rules, or regulations relating to the employment of employees of the United States, may appoint and prescribe the duties of such number of experts in marine insurance as the Commission may deem necessary in carrying out the provisions of this subtitle. The Commission, with the consent of any executive department, independent establishment, or other agency of the Government, including any field service thereof, may avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this subtitle.

"(e) The Commission shall include in the annual report to Congress a detailed statement of all activities and of all expenditures and receipts under this subtitle for the period covered by such report.

"(f) When used in this subtitle—

"(1) The term 'American vessels' includes any vessel registered, enrolled, or licensed under the laws of the United States and any undocumented vessel owned or chartered by or made available to the United States or any department or agency thereof.

"(2) The term 'transportation in the water-borne commerce of the United States' shall be deemed to include the operation of vessels in the fishing trade or industry.

"SEC. 227. Nothing in this subtitle shall be deemed to affect the rights of seamen under any provision of existing law."

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendment: Page 2, strike out all of line 16 and insert in lieu thereof: "At nominal or other rate basis would be of material benefit to the war effort, or (after consultation with the Office of Price Administration or other agencies) to the domestic."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 4, line 5, after (a), insert "Including shipments by express or registered mail."

Line 7, after the word "disbursement", insert: "(Including advances to masters and general average disbursements)."

Line 11, after the word "vessels", insert "And of other persons transported on such vessels."

Line 14, after the word "employed", insert "Or transported."

Line 17, after the word "obligations", insert "Or other liabilities of such vessels or."

The committee amendments were agreed to.

Mr. CULKIN. Mr. Speaker, I move to strike out the last word.

The Maritime Commission was created by Congress in 1936 and was brought out of the Merchant Marine Committee of the House after protracted hearings. The very distinguished chairman of the committee, the gentleman from Virginia [Mr. BLAND], presided over those deliberations, and his was the voice that guided the act through Congress. I know of no abler or more industrious Member of the House than the gentleman from Virginia. The objective of that act was to place on the sea an adequate merchant marine which in times of peace would carry our sea-borne cargoes and in times of war would act as auxiliary to the Navy and for convoy purposes. Nothing will be served by referring to the unhappy actions of the old Shipping Board and the actually hostile attitude of much of the country toward our past governmental maritime record. Under this law, as passed, every possible safeguard was thrown about the Government disbursements for construction, operation, and manning of ships.

So far as was possible, provision was made to avoid the unhappy errors of the past. It was fortunate indeed that the Maritime Commission was created when it was. The Commission has made a rational, sound, and successful development of the merchant marine. The members of the Commission and its loyal personnel have conducted the developing of the merchant marine with integrity and dispatch. It is one governmental commission that has functioned adequately and with success. Much of this has been due to the fine leadership of Admiral Land, who, besides being an able navigator, has been, since the beginning of his naval career, an outstanding technician in the field of construction.

The country is greatly in debt to the other members of the Commission, particularly to Commissioner Vickery, who has charge of the construction of ships. The normal development of the merchant marine was under Commander Vickery's direction, and he produced ships that were outstanding in type, comparable to the best in the merchant marine of England, Germany, and Japan. His division of the merchant marine was then called upon to produce the victory ships which are so vital to the continuance of democracy in the world. Born of the demands of the lend-lease law, and under Commander Vickery's auspices, 700 ships will be produced in this year of our Lord 1942. It is expected that the number will be stepped up next year to 1,200. Commissioner Vickery has done a splendid job. Ships, of course, are vital to the conduct of war and to the service of the Navy. They must be produced in great numbers to offset the submarine sinkings, to carry food to our Allies, and act as transports for our troops to the southwest Pacific,

where they are now fighting under the leadership of the gallant MacArthur.

Those of us who had a hand in the writing of this act, including the able gentleman from California [Mr. WELCH], the ranking minority member of the committee, are justly proud of the manner in which this program has been carried out. We all feel that the Maritime Commission, in every respect, has kept faith with Congress and the country. We of the committee congratulate ourselves on the fact that the hundreds of millions of dollars that is being disbursed to put ships on the seas is being handled with integrity and efficiency. A grave burden is upon the Commission to carry out their functions which are so vital in winning the war. We of the committee can assure the House that their trust has not and will not be misplaced.

Corroborative of the foregoing are the findings of the Truman committee of the Senate, which is engaged in an investigation of war disbursements. The Truman committee, which is functioning admirably, said that the Maritime Commission was the most effective of all the branches of the Government engaged in the war effort.

This brings cheer to us of the committee who have had a hand in the creation and amendment of this very important Merchant Marine Act of 1936. It should bring cheer to the House and country.

The title of the pending bill (H. R. 6554) "A bill to amend the war-risk provision of the Merchant Marine Act of 1936, as amended, in order to expedite ocean transportation and assist in the war effort," is an exact description of the contents of this bill. The bill broadens the scope of insurable property and persons for which Government marine insurance and marine war-risk insurance may be furnished under existing law. We cannot escape from the obligation to pass this legislation. The committee believes that this legislation should be put on the books. We believe that no Federal disbursement will, in the long run, be necessary to carry it on. It will perhaps comfort the House to know that in the first World War the Government made a net profit of about $17,000,000 on similar legislation. I respectfully urge the passage of this act as an actual necessity if we are to keep our ships on the seas and win the war.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Under the terms of this bill, does the gentleman believe that there is reasonable hope for some money to come into the Treasury under the operation of this Commission, as in its operation in the other war?

Mr. CULKIN. Certainly. In the first World War the Insurance Commisison, similar to the one created by the pending bill, made $17,000,000 in profits.

Mr. ROBSION of Kentucky. May I also inquire if this permits insurance of foreign vessels or foreign cargoes?

Mr. CULKIN. No; it does not permit the insurance of foreign cargoes.

Mr. ROBSION of Kentucky. Would it permit it if they were being used by the United States or an agency of the United States?

Mr. CULKIN. I think that is probably true. I would not want to commit myself on the floor to that effect, but I think that would be true as a matter of law.

[Here the gavel fell.]

The committee amendments were agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 4, after the word "provided", insert the following: "No insurance broker or other person acting in a similar intermediary capacity shall be paid any fee or other consideration by the Commission by virtue of his participation in any insurance transaction wherein the Commission directly insures any of the risk thereof. Reinsurance shall not be provided by the Commission at rates less than (1) the rates established by the Commission on the same or similar risks, or (2) the rates charged by the insurance carrier for the insurance so reinsured, whichever is the higher, except that the Commission may make to the insurance carrier such allowance for taxes, commissions, and other customary expenses (not to exceed 5 percent of the premiums paid for that portion of the direct insurance so reinsured) as it may deem reasonably to accord with good business practice."

The committee amendment was agreed to.

The Clerk read as follows:

Page 8, line 17, after the word "thereof", insert the following: "and any American-owned tug, or barge, or other watercraft (documented or undocumented), used in essential water transportation or in the fishing trade or industry. This subsection shall not be construed as including any watercraft used exclusively in or for sport fishing."

The committee amendment was agreed to.

The Clerk read as follows:

Page 9, line 2, strike out the quotation marks and insert the following:

"SEC. 228. In conformity with the President's Executive order of February 7, 1942 (Numbered 9054; 7 F. R. 837), the authority conferred upon the Commission by this subtitle shall be vested in and exercised by the Administrator of the War Shipping Administration."

The committee amendment was agreed to.

Mr. HART. Mr. Speaker, I move the previous question on the bill as amendments to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE OF DOCUMENTARY EVIDENCE OF UNITED STATES CITIZENSHIP

Mr. DICKSTEIN. Mr. Speaker, in connection with the bill (H. R. 6600) providing for the issuance of documentary evidence of United States citizenship, the House agreed to an amendment on page 3, line 5, as follows:

The provisions of this section shall be applicable only to applications filed after the effective date of this act.

That amendment should not have been incorporated because the House had already agreed to an amendment on page 2 which takes care of the matter. I ask unanimous consent that the amendment on page 3 as indicated may be stricken from the engrossed copy of the bill.

The SPEAKER. Without objection, the amendment will be deleted from the engrossed bill.

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the Department of Public Works of the City of New York, and, second, a letter from the First District Dental Society of the City of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EBERHARTER. Mr. Speaker I ask unanimous consent that on today after the disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today, and include therein a letter I have received from the Department of Public Welfare of Maryland and a short newspaper article entitled "You Are an American, But Can You Prove It?"

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. KELLY of Illinois. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, and include therein an article appearing in the Chicago Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short letter from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with regard to a bill introduced today.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AUTHORIZING SPEAKER AND CLERK TO ACT NOTWITHSTANDING ADJOURNMENT OF HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House the Clerk be authorized to receive a message from the Senate on the bill, H. R. 6758, and that the Speaker be authorized to sign the enrolled bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Illinois [Mr. PADDOCK] is recognized for 15 minutes.

CONGRESS AND THE WAR EFFORT

Mr. PADDOCK. Mr. Speaker, the American people have one great common purpose. They are determined to win this war speedily and completely, at the least possible cost in blood and treasure. It is our duty as Representatives to bring about this result. The Seventy-seventh Congress will stand high or low in the Nation's history according to our fulfillment of this obligation. Our personal honor and self-respect depend upon our contributions to the effort.

We must rely on the leaders of our armed forces to plan and achieve the military victory. The high command will provide successful strategy, and implement it with good tactical disposition of our men, ships, and machines. The junior officers and the noncoms will make excellent use of the new mechanized devices and weapons of modern warfare. The American buck privates and sailors will, as always, do a first-class job. There are no better fighting men in military history, measured in courage, intelligence, and discipline.

We in the Congress have our special share in the work. We must see that the victory won in the field is not accompanied by disaster at home. The men who risk their lives must not return to find their country changed through our mismanagement. The institutions for which they fight must be preserved intact during their absence.

One great responsibility we have is to prevent by ceaseless vigilance and tireless investigation all spendthrift waste of the Nation's funds. Our national resources will be strained to the breaking point by the necessary cost of this gigantic war effort. They must not be further drained by extravagance. More than ever before is there an urgent need for rigid economy.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I believe the RECORD should show at this point the type of service the gentleman from Illinois has rendered in his espousal of those causes for which he is presently contending. I believe the constituency he represents is to be complimented on his painstaking effort and close application to his work. If the economies we all hope for are brought about, I believe the gentleman's contribution and service here can have a very effective part in bringing about that result. Illinois is to be congratulated for the election of the gentleman now addressing the House.

Mr. PADDOCK. I thank the gentleman from Pennsylvania for his contribution.

This war is being financed not only by enormous taxes but by small contributions from every walk of life. In Evanston, Ill., my home city, a 12-year-old boy, Jimmie Healy, gave to a children's subscription campaign, which spread through other neighborhoods, the slogan "A penny a day buys a bomber by May."

When we are seeking war funds down into the schoolboys' pennies, we dare not spend except for the urgent essentials of the war. To permit waste of the money our people are giving with deep patriotic fervor, would be a brutal and indecent breach of trust.

There must be more than economy. There must be keen, vigorous efficiency in all Government operations. Every department and agency, executive or legislative, must function on a wartime basis. Until lately, Mr. Speaker, I believe that Washington was behind the rest of the country in getting down to realistic effort.

There was confusion and there was lost motion. There were alphabetical collisions in every corridor. The "ABC," organized to replace the "DEF," found its field already occupied by the "XYZ," moving in a different direction. Failures were sometimes removed by promotion, to fail again in the new positions. Important letters went unanswered for weeks, weighted down in some dark corner by hundreds of other communications, until the writers wrote their Congressmen and obtained the desired information. There were too many speeches and press releases, too little knowledge and understanding of the actual facts.

Now, the Donald Nelson type of vigorous, intelligent teamwork is increasing. The traditional efficiency of American business is being given a chance to handle America's all-time biggest job. The same vigor, courage, and determination which have made us world leaders in industry are penetrating the management of our war effort. Washington is on its way to be the Nation's real capital, the powerhouse for all our enormous undertakings.

With economy and efficiency in Government there must also be less interference by governmental action with the citizens who are producing our necessary goods, and are paying our needed taxes.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I have been listening with great interest to the gentleman's discussion of our general situation. He has just referred to the necessity of continuing our war effort without undue interference with business. It has seemed to me that the committee on which the gentleman so ably serves, the Committee on Interstate and Foreign Commerce, has been an example to the other committees, if I may say so, in its attempt to solve the intricate and perplexing problems of business, using as little interference with individual initiative and the rights of citizens as possible. I know the gentleman has taken an active and important part in that work. I therefore feel that when he makes such a general suggestion he knows whereof he speaks.

Mr. PADDOCK. I thank the gentleman from Ohio.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman from Ohio made reference to the Committee on Interstate and Foreign Commerce. I have been deeply interested in an investigation being conducted by that committee into the activities of the S. E. C. Is not the gentleman from Illinois one of the members of the subcommittee making that study?

Mr. PADDOCK. That is true.

Mr. MICHENER. I know the gentleman is working hard on that study. Is the subcommittee ready to report any progress? When may the House expect a report from the subcommittee?

Mr. PADDOCK. The subcommittee of which I am a member has only recently been appointed and will not in the near future have a report to make, but when it comes it will be an interesting report.

Mr. MICHENER. Who are the other members of the subcommittee?

Mr. PADDOCK. The other members of the subcommittee are the chairman, the gentleman from California [Mr. LEA], the gentleman from Ohio [Mr. CROSSER], the gentleman from Maryland [Mr. COLE], and the gentleman from New York [Mr. WADSWORTH].

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I wonder if the gentleman from Michigan will not agree with me that if any work is to be accomplished he feels confident that the gentleman from Illinois will bring a real contribution of helpfulness.

Mr. MICHENER. I do agree with the gentleman because I appreciate that the gentleman from Illinois is especially familiar with the type of work this committee is investigating. I am deeply interested in the whole matter because it is of national importance.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, friends on the other side have been sort of getting my friend in a little trouble. In order that the RECORD may portray

the true state of mind of the gentleman, I take it that the gentleman does not mean business as usual while we are engaged in war.

Mr. PADDOCK. I may say to the gentleman from Massachusetts that I mean business should be conducted on a basis which will help to win the war completely and speedily.

Mr. McCORMACK. That is what I assumed and that is the reason I asked the question, because unconsciously our friends on the other side had left the gentleman in the position where one could justifiably draw the inference that the gentleman's state of mind was otherwise.

Mr. PADDOCK. I thank the gentleman from Massachusetts.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I do think it is rather unfortunate that the distinguished majority leader failed to get the significance of the colloquies that have passed between several of the Members.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield.

Mr. McCORMACK. The gentleman from Massachusetts did not labor under any misunderstanding and that is the reason the gentleman from Massachusetts, respecting our colleague, asked him the questions. Furthermore, the gentleman from Massachusetts never suspected that the guilty conscience of my friend from Pennsylvania [Mr. DITTER] would react so rapidly.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield to the gentleman from Michigan.

Mr. MICHENER. I do not think it is fair to insert this colloquy into the bowels of our friend's speech here. As I understood the gentleman, the purport of what he said was that it was the duty of this country and of this Congress to bring this war to the earliest possible successful conclusion with the least sacrifice of blood and treasure. Is not that about it?

Mr. PADDOCK. That is my exact attitude and I am glad that the gentleman from Massachusetts [Mr. McCORMACK] and the other gentlemen here are in agreement with me, that the important thing to do is for all of us, the Congress and business and every other element in American life, to act together to win this war.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield.

Mr. VORYS of Ohio. I fear that my interruption provoked this colloquy. I merely want to make this statement. I feel sure that the gentleman in his committee work and in his subcommittee work wants to carry on, not the idea of business as usual, but efficiency as usual, as exemplified by the leadership of the Committee on Interstate and Foreign Commerce when our Speaker RAYBURN, who is now present, was chairman of that great committee.

Mr. PADDOCK. Government competition with business and many details of business regulation should be examined with great care to see what changes in policy will help win the war.

Enormous sums are spent every year by American business in preparing and processing the countless reports which come to Washington, many of them having no present value whatever. In each American year thousands of corporation employees spend time aggregating millions of days in this work. How can we reconcile such a waste of time and money with efficient use of American resources?

Many punitive laws, imposed to correct conditions long since past, need examination and revision in keeping with our present situation. One excellent example of legislation now out of step with wartime necessities is the policy contained in the so-called death-sentence provisions of the Public Utility Holding Company Act. This mandate, if rigidly enforced, would not only cause substantial damage to many thousands of investors, but would also compel the diversion of large sums of investors' capital which are greatly needed in war uses. These drastic provisions should certainly be suspended in many instances.

There should be a moratorium on attempts to create radical and widespread changes in our social conditions. While a nation must always move toward improved ways of life, our people in wartime have neither the willingness to discuss nor the patience to endure such plans to make over the America we have known. Many policies of the recent past are plainly beyond our means and must be abandoned or deferred. Every new proposal and all temporary legislation coming up for renewal must be met with this question, Will it help to win the war?

There must be no wartime profiteering. Those who contribute to the war effort in money, management, or labor must not go beyond a reasonable return. The tax collections must prohibit excessive profits, and our factories must work to their maximum power. It should be remembered that there is no 40-hour week on a submarine, and no time and a half for overtime in Bataan.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. PADDOCK. I yield.

Mr. SHORT. I dislike to interrupt the very able statement that our distinguished colleague is making, but I cannot resist the temptation to interrupt him in order to offer my congratulations to him. I want to say of the gentleman from Illinois [Mr. PADDOCK], whose tongue gives his brain an opportunity to function, that his unassuming modesty, his genuine sincerity, and his untiring industry in behalf not only of the people of his own district, but of the entire country, have won for him the respect and admiration of his colleagues on both sides of the aisle. This House needs more men with the courage and the character of the gentleman from Illinois, GEORGE PADDOCK. Knowing the people of his great district—and he has one of the largest in population and one of the richest districts in the United States—knowing them to be intelligent, as they are, I am sure they will return him to Congress this fall by an increased majority. I trust the gentleman does not blush too much. I am not trying to embarrass him, but I am simply saying these true words which he so richly deserves.

Mr. PADDOCK. I thank the gentleman.

These things our people have a right to demand, and these things they will require of us. A nation whose businesses and factories have been suddenly closed or transferred to different work is in no mood to tolerate a government which is not equally responsive to the needs of war. Taxpayers whose burdens cost not only the luxuries but the decencies of life will demand the best possible use of their payments. The men in uniform, and their anxious families, rely on us for service as loyal and as disciplined as their own.

Let it be said that the Seventy-seventh Congress, whose declaration of war responded to the enemy's attack, made certain the victory by its intelligent and patriotic actions. We can and must enforce economy and efficiency, and promote an all-American teamwork by which every section, and every citizen, can work well together toward the triumphant winning of the war.

PERSONAL EXPLANATION

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to speak for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, being very much distressed, and I might say alarmed, about some situations in some sections of the country, where it seems to me that the forces of disunity are at work, when people are being led to believe things about the war effort that are not true, I made a statement yesterday to the press, taken down by a stenographer when I said it. It was placed in the RECORD of yesterday by the gentleman from Massachusetts [Mr. McCORMACK]. I was trying, if I could, not to serve myself but to serve my country in letting the people know the truth. Very little of that statement was published in the newspapers. The interpretation given by most newspaper writers and many of the commentators on the radio mixed that statement up with the 40-hour week and the time and a half for overtime. I made not one utterance about legislation, prospective or otherwise, any sort of legislation, and I did not have in mind anything with reference to the wage-and-hour legislation. I trust in fairness to me that the newspaper writers and commentators over the radio may take notice.

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

LABOR AND THE WAR EFFORT

Mr. EBERHARTER. Mr. Speaker, during the past several weeks many speeches have been made on the floor of this House with reference to the labor situation, and particularly with reference to the 40-hour law. During the past week the drive against legislation which we passed a few years ago to bring labor up to a higher standard has been intensive. Of course, this drive has been led generally by those who never in the first instance favored a minimum-wage law or any maximum-hour law, and they see in this war situation, to my mind, a grand opportunity to go back to the days when we had the sweatshops and when very young folks of tender age were working all hours at very low wages. I think it wrong for these enemies of our social structure at this time to use the emergency we are in to attack the wages-and-hours law. I have not been able to find any responsible official of the Government who has taken part in the war-production effort or who has had an opportunity to study the situation who has advocated the repeal of the 40-hour law. Army officials and Navy officials who have been shouldered with the responsibility of speeding up production have in every instance that has come to my attention said it would be destructive of our best war effort to repeal the 40-hour law. I have not heard any chamber of commerce that represents business, I have not heard any of the so-called big-industry leaders, advocate the repeal of this law, and I do not know where the so-called demand comes from.

Certainly labor organizations are not demanding it, and it seems to me it is just an effort, as I said before, on the part of a few people who never really believed in this kind of legislation under any circumstances, to use our emergency to tear down this very advanced legislation. The repeal of that law at this time to my mind, and to the mind of anybody who really looks into the subject, would cause unutterable confusion. It would call for the revision of practically every contract that the Government has entered into with business, and some of those contracts have as much as a year or more to run. It would call for a revision of all of the contracts between industry and labor unions; and industry and labor unions have been getting along very well lately.

It was interesting to me to notice in the newspapers today a letter written to a Member of the other body by Mr. Donald M. Nelson, with reference to the charge that in New Jersey only about 49 percent of industry is functioning to its fullest extent. Donald M. Nelson, in his letter to the gentleman in the other body, cited several reasons why that condition existed, but not one of the reasons given mentioned any labor trouble or any labor disturbance. No hint whatsoever could be taken that labor was not contributing to its fullest extent in New Jersey, where they are only producing about 49 percent of capacity.

There is another phase of this subject that I think Congress should consider. It is my opinion that in about 6 months from now the demand for labor will greatly exceed the supply. Suppose that at the end of 6 months this labor demand is overwhelming and right at that time we are engaged in the process of trying to revise and have revised all these contracts between organized labor and industry.

Why, the situation would be uncontrollable. Nobody can predict what may happen. In such a situation it seems to me the unions and the workingmen will have a grand opportunity, if they have to revise their contracts, to demand higher and better wages, because of the increasing cost of living. This will contribute to inflation, and in many ways will be very destructive of our best war effort. There would be no ceiling on wages during the time the contracts were being revised, and the result would be a vast migration of labor to all of the war-industry centers. Farm labor would all flock to the industrial centers. The cotton picker from the South, from Mississippi, and the apple picker from Virginia would not want to stay in those sections where they get very low wages and do not have much protection. It would be a question of who would pay the highest price for the labor he could get. Perhaps wages would rise as they did in the last World War, where on some occasions just ordinary, common labor was offered $20 a day. So that is what you are facing if you try to go at this problem in a destructive way rather than in a constructive way. This is no time to make any drastic changes in our social structure. It seems to me we are getting along fairly well right now. The sensible thing is to go about it in a constructive manner, not under the pressure of a hysteria.

I might call the attention of some of those who are blaming labor for all of our troubles right now to the time not so very long ago when Government was very anxious to get the cooperation of business in the manufacture of materials, both for those who are now our Allies and for our own production for defense, when business was very reluctant to cooperate with our efforts, when they, in effect, said, "We cannot go ahead in the manufacture of these materials until the Congress changes certain laws that we do not like—laws with respect to profits and laws with respect to taxation." The Congress, believing that the preparation for our defense was the most important thing, gave in to business and revised and repealed some acts so that we could get the cooperation of business.

Mr. Speaker, I think we should go at this problem in a calm, logical manner and try to attack it as statesmen and not take advantage of this opportunity to tear down our social structure. As the gentleman from Illinois [Mr. PADDOCK] just said to the House a few minutes ago, we want to maintain our structure if we possibly can, because by doing that everybody in the country will work harder and it will be conducive to a better war effort.

In conclusion, Mr. Speaker, I want to say I agree with the President that there is in the public mind a good deal of misinformation regarding our wage-and-hour law. But I hold that some responsibility for the misconception and misinformation is on the labor leaders themselves. I do not think that the labor leaders have properly informed the people of the country of the statutes that are being complained about now. I believe that William Green, President of the American Federation of Labor, I believe that Philip Murray, President of the C. I. O., and I believe that the presidents and members of all of the local organizations all over the country should take it upon themselves to explain to their neighbors and their friends and to all those who do not understand how this wage-and-hour law works, just how it does work and how necessary it is that that law remain on the statute books.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may extend his remarks in the RECORD and include therein some tables affecting an appropriation bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, on behalf of my colleague the gentleman from Connecticut [Mr. SHANLEY], who has just been called from the floor, I ask unanimous consent that he may extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LABOR AND THE WAR EFFORT

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I listened with a great deal of interest to the statement by my colleague from Pennsylvania [Mr. EBERHARTER], with respect to the current misinformation regarding our national defense effort insofar as it relates to various statutes which are on the books regarding labor. I call the attention of the House to two very informative articles appearing in the current issue of the American Federationist, the official organ of the American Federation of Labor, by men who are exceptionally well qualified and who can speak authoritatively regarding the operations not only of the Wages and Hours Act but of the 40-Hour Week Act. I refer to an article written by General Fleming, the present Federal Works Administrator, and until recently the Administrator of the Wage and Hour Division. This is a concise and fully informative article regarding the misinformation which has been disseminated, and all too often reiterated, even on the

floor of this House. Accompanying that article is one by the Assistant Secretary of Labor, Mr. Tracy.

I would also call the attention of the membership at this time to something that took place in the hearings before the Committee on Naval Affairs on the latest bill introduced by the distinguished gentleman from Virginia [Mr. SMITH]. We had before that committee this morning the Under Secretary of War, Judge Patterson. When these hearings are in print I hope every Member of this House takes the trouble to read them, because after he reads those hearings and the remarks of Judge Patterson he will be in possession of real information and real facts. Bear in mind that Judge Patterson is charged with responsibility in the War Department for our effort in connection with production in war industries. He has stated very definitely that he can see no good to be served by any attempt to legislate these acts off the statute books. He stated very emphatically, as a matter of fact, that he thought it was very unwise and that we might seriously hamper and hinder the defense effort if we were to allow national defense to be used by some people to further their antagonism to certain statutes.

Judge Patterson stated that the War Department was very well pleased and that it was the Department's position that they did not recommend any legislation at this time. I hope every Member of the House will read his statement and will read the statements of others who appear from time to time. Then I shall be willing to let them decide if the judgment of those who are advocating this kind of legislation is sound or whether they are acting without real information with respect to the efforts being put forth by labor in our defense industries.

Mr. KOPPLEMANN. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I shall be pleased to yield.

Mr. KOPPLEMANN. I think on the question of production it might be well for the distinguished gentleman from Pennsylvania to know something that was given to me on Monday of this week, in my town, Hartford, Conn., is located the Colts Patent Firearms Co. They are perhaps the largest producers in the country of machine guns. Last Monday morning their men came to work, but in one of the largest departments they were told there was no work for them due to the fact there was no raw material for them to work with—specifically steel. I feel that when we talk about war production we ought to talk about those who are responsible for not giving the workers of America the things they need with which to produce.

Mr. BRADLEY of Pennsylvania. I thank the gentleman for his contribution.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GIFFORD. Mr. Speaker, much has been quoted today from the remarks in the RECORD of today, from the address entitled "The Great 40-Hour-a-Week Lie," by General Fleming, an appointee of the President. How about Judge Patterson and the whole military outfit that built the cantonments at enormous waste and expense and where they seemed to be perfectly willing to allow the unions to charge a man $75 before he could obtain work on defense projects for a possible 6 weeks and a charge of $25 before being allowed to do even simple manual labor of any sort? Who is the Commander in Chief? Yet you ask us to accept statements from those under him as the last word, as against conditions that we all are fully aware exist.

The gentleman from Pennsylvania may be in favor of 40 hours, time and a half for overtime, and double time for Sundays, and then a lay-off on Monday. Perhaps many of you agree with him. Perhaps it ought to be 32 hours, according to General Fleming's article.

Mr. EBERHARTER. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. The gentleman does not want to place me in the position of condoning any racketeering that may be happening in any isolated instances or anything of that sort. Does not the gentleman agree that if time and a half is paid to workers that the workers will produce more and be willing to render greater effort than if they are held to the same wage?

Mr. GIFFORD. Fleming says if they work eight and a half hours they are inefficient the last half hour. Quote him correctly. The article is printed here for all to read. The gentleman says those who want to emasculate this law are those men who were against the wage-hour law. I was for the wage-hour law and openly advocated it. Do not put me down as one of those who is against labor. I am not. After all it does not matter who is for or against it. We should consider the proposition on its merits.

Mr. EBERHARTER. Does the gentleman want to repeal it?

Mr. GIFFORD. No; I do not want to repeal it permanently, but I want to change that 40-hour law under present conditions.

Mr. EBERHARTER. I am delighted to hear the gentleman say that.

Mr. GIFFORD. We wanted that law when labor was plentiful and there was not work enough to go around. Now, we need more laborers and they needs must work longer hours. The ordinary person knows that 40 hours a week, time and a half for overtime and double time for Sundays is not right in this emergency. Does the gentleman deny that?

Mr. FBERHARTER. I will tell the gentleman definitely that I favor the retention of that law on the books and time and a half.

Mr. GIFFORD. Because of contracts that have been awarded?

Mr. EBERHARTER. Time and a half for overtime, I certainly favor that.

Mr. GIFFORD. Does the gentleman favor double time on Sunday and let a man lay off on Monday?

Mr. EBERHARTER. I have not come to any conclusion on that.

Mr. GIFFORD. The gentleman is trying hard to support the administration.

Mr. EBERHARTER. I am inclined to believe that the labor organizations and industry will get together on that proposition of double time for Sundays and that will be ironed out without Congress butting into that proposition.

Mr. GIFFORD. Has it been ironed out in the past?

Mr. EBERHARTER. One more question.

Mr. GIFFORD. I want to read from this remarkable speech by General Fleming:

> The Bureau of Labor Statistics has reported upon a highly revealing survey covering this point. * * * The survey, as I recall it, covered some 70 industries, including the principal ones now concerned in the war effort. It was made for the month of January 1939, and it showed that every one of those industries could have increased the working week to 48 hours, paid time and a half for the 8 hours of overtime, and made greater profits than the considerable profits they did make.

Does this sound persuasive to you?

I have not language to express myself on that. Somebody made a survey and somebody made that report, but it goes against common sense, and I have a little of that left, I trust. I attended the hearing this morning, and I heard the gentleman from Pennsylvania question the witnesses. It was very entertaining. He had read this article carefully, and his questions reflected the Fleming argument perfectly. I ask all of you to read it. There is much in it, if you will read it carefully, that reflects a great desire to protect somebody by a greatly strained defense.

Mr. EBERHARTER. Has the gentleman heard of any group of workers that has refused to work more than 40 hours a week?

Mr. GIFFORD. I do not think so; certainly not with time and a half and double time. The boys made big money building those cantonments with double-time payments. Does the gentleman believe in a man paying $75 to join a union to work on national defense projects?

Mr. EBERHARTER. More than 40 hours?

Mr. GIFFORD. Does the gentleman believe in paying $75 to a union in order to work?

Mr. EBERHARTER. I think a laborer is worthy of his hire.

Mr. GIFFORD. Does the gentleman believe in paying $75 to a union in order to go to work?

Mr. EBERHARTER. Well, now, in some instances that may be perfectly all right, if it is a skilled labor organization.

Mr. GIFFORD. I had difficulty in extracting that admission. The gentleman

is apparently finding some difficulty in defending his awkward position in this matter.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WEISS (at the request of Mr. EBERHARTER), indefinitely, on account of serious illness in his family.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2198. An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p. m.), pursuant to the order heretofore adopted, the House adjourned until Monday, March 23, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Saturday, March 21, 1942, at 10 a. m., hearings will be resumed on H. R. 6444, to provide for the registration of labor organizations, business and trade associations, etc., before Subcommittee No. 3 of the Committee on the Judiciary. The hearings will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1516. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army dated November 6, 1941, submitting a report together with accompanying papers, on a preliminary examination of Wray, Colo., on the North Fork of the Republican River, authorized by the Flood Control Act, approved on June 28, 1938; to the Committee on Flood Control.

1517. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army dated November 4, 1941, submitting a report, together with accompanying papers on a preliminary examination of the Sonoma Creek, Calif., authorized by the Flood Control Act, approved on June 28, 1938; to the Committee on Flood Control.

1518. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army dated November 6, 1941, submitting a report, together with accompanying papers, on a preliminary examination of the Smokes Creek at Lackawanna, N. Y., authorized by the Flood Control Act, approved on June 28, 1938; to the Committee on Flood Control.

1519. A letter from the Secretary of War transmitting a draft of a proposed bill to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPARKMAN: Select Committee Investigating National Defense Migration. Submit a report pursuant to House Resolution 113, Seventy-seventh Congress, first session; without amendment (Rept. No. 1911). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 4579. A bill to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; without amendment (Rept. No. 1933). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTENGER: Committee on Claims. S. 1563. An act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of Albert M. Howard; with amendment (Rept. No. 1912). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. S. 1619. An act for the relief of the Bell Grocery Co.; without amendment (Rept. No 1913). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 1766. An act for the relief of John Snure, Jr.; without amendment (Rept. No. 1914). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 1776. An act for the relief of Mrs. Agnes S. Hathaway; without amendment (Rept. No. 1915). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. S. 1801. An act for the relief of Eugene Jackson; without amendment (Rept. No. 1916). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 2175. An act for the relief of Bibiano L. Meer; without amendment (Rept. No. 1917). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 2187. An act for the relief of Tom G. Irving; Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale; without amendment (Rept. No. 1918). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 488. A bill for the relief of Kathryn O. Sweeney, Mary Kay Sweeney, Nancy Lee Sweeney, and Alex H. Sweeney (collectively); with amendment (Rept. No. 1919). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 1736. A bill for the relief of Lillian Last; with amendment (Rept. No. 1920). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 2424. A bill for the relief of Clarence J. Meteyer, Lester W. Engels, and Dorothy B. Engels; with amendment (Rept. No. 1921). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 4462. A bill for the relief of the indigent and dependent heirs of Ted Vaughan; with amendment (Rept. No. 1922). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 4941. A bill for the relief of J. C. Lemon; with amendment (Rept. No. 1923). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H. R. 5210. A bill for the relief of E. M. Conroy; with amendment (Rept. No. 1924). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5454. A bill for the relief of David Caron; without amendment (Rept. No. 1925). Referred to the Committee of the Whole House.

Mr WEISS: Committee on Claims. H. R. 5625. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.; with amendment (Rept. No. 1926). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5713. A bill for the relief of George W. Lyle under the jurisdiction of the United States Employees' Compensation Commission; without amendment (Rept. No. 1927). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H R. 5772. A bill for the relief of Mr. and Mrs. Glenn A. Hoss; with amendment (Rept. No. 1928). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 6457. A bill for the relief of Lacey C. Zapf; with amendment (Rept. No. 1929). Referred to the Committee of the Whole House.

Mr McGEHEE: Committee on Claims. H. R. 6748. A bill for the relief of Fred Farner and Davis M. Schroeder; without amendment (Rept. No. 1930). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. S. 836. An act for the relief of John C. Crossman; without amendment (Rept. No. 1931). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. S. 984. An act for the relief of Mr. and Mrs. James C. Loard; without amendment (Rept. No. 1932). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURDOCK:

H. R. 6813. A bill for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California; to the Committee on Indian Affairs.

H. R. 6814. A bill to provide for a 48-hour workweek during the present war in wartime industries, to provide compensation for overtime, and for other purposes; to the Committee on the Judiciary.

By Mr. THILL:

H. J. Res. 206. Joint resolution authorizing the President of the United States of America to proclaim March 22, 1942, National Prayer Sunday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GORE:

H. R. 6815. A bill for the relief of Timothy Williams; to the Committee on Invalid Pensions.

By Mr. McINTYRE:

H. R. 6816. A bill for the relief of Homer C. Chapman; to the Committee on Military Affairs.

By Mr. THOM:

H. R. 6817 (by request). A bill for the relief of Lloyd A. Emick; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2580. By Mr. HILL of Washington: Petition of the Iota Sigma, Walla Walla, Wash.; to the Committee on Military Affairs.

2581. By Mr. CUNNINGHAM: Petition of sundry citizens of Des Moines, Iowa, advocating the enactment of Senate bill 860 so as to give the young men of 1942 the protection their fathers had in 1918; to the Committee on Military Affairs.

2582. By Mr. LANE: Petition of the Teamsters Joint Council, No. 10, of Boston, Mass., and vicinity, providing for an immediate congressional investigation to determine the exact extent of the available stock of rubber supply both raw and manufactured to the end that proper facilities be established as soon as possible to insure necessary tires for equipment engaged in transportation facilities; to the Committee on Rules.

2583. By Mr. VAN ZANDT: Petition of members of the Palestine Methodist Church, Morrisdale, Pa., urging that the sale of intoxicating liquor be banned from Army camp areas; to the Committee on Military Affairs.

SENATE

FRIDAY, MARCH 20, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

O Christ of God, who art the Master Builder of the temple of man's soul, into which our three score years and ten sweep their thoughts, their dreams, and hopes, together with their prayers and tears, committing all this treasure into the hands of Him who slumbers not nor sleeps: Help us, we beseech Thee, by the exercise of reason and of conscience, so to beautify the galleries of memory, the chambers of affection, and the halls of our imagination, that when trouble and adversity lend gloom to our experience, hope will abide to lighten any shadow that may be cast by our bewilderment.

Reveal to us the fact that at such a time as this, full oft a Form Divine enters this earthly scene, that thoughts and hopes that are not ours knock at our door like messengers unbidden, to aid us in our work.

O Saviour of the world, who dost set keepers to guard the living city of man's soul, do Thou give Thy holy angels charge over the fallen hero, the dying mother, the helpless child, for Thou hast taught us in Thy Holy Word that man's soul is the Father's living temple, not built by earthly hands, but eternal in the heavens, with this comfort may our lives be abundantly refreshed throughout this day. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 19, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6554. An act to amend war-risk insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort; and

H. R. 6600. An act providing for the issuance of documentary evidence of United States citizenship.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones, and it was signed by the President pro tempore.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of the Treasury, Interior, Agriculture (3), and Labor; the Federal Security Agency (2), and The National Archives (4), which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A paper in the nature of a petition from Annie Pearl and several other citizens of New York, N. Y., praying for the enactment of legislation to outlaw strikes and to repeal the 40-hour workweek provision of law during war time; to the Committee on Education and Labor.

A resolution of the Council of the City of Cincinnati, Ohio, protesting against the enactment of proposed legislation which would exempt from State and local taxation the sale, purchase, storage, use or consumption of tangible personal property and services used in performing defense contracts; to the Committee on Finance.

A resolution of the Kern County Pomona Grange, Buttonwillow, Calif., requesting that the United States Bureau of Reclamation make studies in relation to the economic problems which may arise upon completion of the Central Valley project in California; to the Committee on Irrigation and Reclamation.

A resolution of Local Union No. 2528, United Brotherhood of Carpenters and Joiners of America, of Rainelle, W. Va., favoring the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. CAPPER:

A petition of sundry citizens of Abilene, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

RESOLUTION OF BOARD OF COMMISSIONERS OF WICHITA, KANS.—TAXATION OF MUNICIPAL SECURITIES

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and referred to the Committee on Finance a resolution adopted by the Board of Commissioners of the City of Wichita, Kans., protesting against the taxation of municipal securities.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas in the past municipal securities have been sold by the city of Wichita, Kans., at a favorable interest rate, so as to maintain a reasonably low tax levy, and low cost of municipal financing in the city of Wichita; and

Whereas, according to the best opinion available, a Federal tax on the interest from municipal securities would increase the interest rate thereon, by from 1½ to 2½ percent above present interest rates, which increase would necessarily have to be raised by local taxation; and

Whereas the city of Wichita, Kans., and other municipalities are already raising by local taxation, and expending large sums of money in defense activities that are essential to a successful prosecution of the war; and

Whereas the great bulk of local taxes in the city of Wichita are raised by levies on real estate, and any increase in the tax levy would place a direct burden on thousands

of small home owners in the city of Wichita: Now, therefore, be it

Resolved by the Board of Commissioners of the City of Wichita, Kans., That we hereby protest the taxing of municipal securities, and hereby record our opposition to any proposal to impose a Federal tax on the interest from municipal securities; be it further

Resolved, That the city clerk be, and he is hereby, directed to forward certified copies of this resolution to members of the House Ways and Means Committee, to members of the Senate Finance Committee, and to the United States Senators from Kansas, and to the Congressman from this district.

RESOLUTION OF SHELTON BEATY POST, NO. 18, AMERICAN LEGION—WORK STOPPAGES AND WAR PRODUCTION

Mr. REED. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by Shelton Beaty Post, No. 18, of the American Legion, department of Kansas, urging the enactment of legislation to abolish the 40-hour week, strikes in defense industries, and to limit all profits from war contracts to a reasonable percent.

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas the men on the battlefield and in all branches of the service of the United States are not observing a 40-hour week and they have no right to strike, although they draw only a small amount for risking and giving their lives in order that liberty will not perish from this earth; and

Whereas public opinion is now and will be more aroused in the future if the greatest country on earth does not get into mass production of implements of war, in order that our Army may be fully equipped and an offense be started instead of defense, all because of strikes and the 40-hour week in defense industries; and

Whereas there is now pending before the Congress of the United States of America legislation to abolish the 40-hour week, strikes in defense industries, and to limit all profits from war contracts to a reasonable percent; and

Whereas we have the utmost confidence in the ability, integrity, and abdominal fortitude of our Representatives in Congress, but we feel there are some spineless Members who have been unduly influenced by certain labor leaders who are blind to the situation and selfish in their desire to sacrifice lives for their own personal gain: Now, therefore, be it

Resolved, That Shelton Beaty Post, No. 18, of the American Legion, department of Kansas, hereby urge our Representatives in the Congress of the United States to urge other Members of said Congress to vote for this legislation and demand that the Members of said Congress from Kansas cast their vote in favor of such legislation; be it further

Resolved, That we, as individual members, will vote 100 percent against and use such prestige as we may have to defeat any Member of said Congress from Kansas who shall cast his vote against such legislation; be it further

Resolved, That a copy of this resolution be sent to our Representatives in Congress.

REPORTS OF A COMMITTEE

The following reports of the Committee on Interstate Commerce were submitted:

By Mr. GURNEY:

S. 975. A bill to amend the Interstate Commerce Act, as amended, by amending certain provisions of part II of said act, otherwise known as the Motor Carrier Act, 1935; with amendments (Rept. No. 1186).

By Mr. WHEELER:

S. Res. 228. Resolution calling on the Civil Aeronautics Authority for a report on transport aircraft production since 1938 and plans for future development of the air transport industry (submitted by Mr. GEORGE on March 9, 1942); with amendments (Rept. No. 1187).

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred, for examination and recommendation, three lists of records transmitted to the Senate by the Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following executive reports of committees were submitted:

By Mr. GILLETTE, from the Committee on Foreign Relations:

Executive A, Seventy-seventh Congress, second session, a protocol on uniformity of powers of attorney which are to be utilized abroad, signed for the United States on October 3, 1941; without amendment or reservation (Executive Rept. No. 2).

By Mr. THOMAS of Utah, from the Committee on Education and Labor:

The nomination of Herbert Emmerich, of Illinois, to be Administrator of the United States Housing Authority; favorably reported.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

The nomination of Joseph H. Vachon, to be postmaster at Saco, Maine, in place of A. R. King, removed; favorably reported; and

The nomination of Laverna O. Ramsey, to be postmaster at Pleasant Hill, La., in place of L. O. Ramsey; adversely reported.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. McFARLAND:

S. 2390. A bill to facilitate the construction of water conservation and utilization projects under the Interior Department Appropriation Act, 1940, approved May 10, 1939 (53 Stat. 685); to the Committee on Irrigation and Reclamation.

By Mr. McCARRAN:

S. 2391. A bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the Government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

By Mr. MEAD:

S. 2392. A bill to authorize the presentation of a medal of honor to Dorie Miller; to the Committee on Naval Affairs.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 6554. An act to amend war-risk-insurance provisions of the Merchant Marine Act, 1936, as amended, in order to expedite ocean transportation and assist the war effort; to the Committee on Commerce.

H. R. 6600. An act providing for the issuance of documentary evidence of United States citizenship; to the Committee on Immigration.

AGRICULTURAL DEPARTMENT APPROPRIATIONS—AMENDMENT

Mr. WHEELER submitted an amendment intended to be proposed by him to House bill 6709, the Agricultural Department appropriation bill for the fiscal year ending June 30, 1943, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 85, line 18, to strike out "$1,000" and insert "$3,000."

PROGRESS OF THE WAR-PRODUCTION PROGRAM—STATEMENT BY DONALD M. NELSON (S. DOC. NO. 187)

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed as a Senate document the testimony before the Senate Committee on Appropriations given on yesterday by Mr. Donald M. Nelson, Chairman of the War Production Board.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESS BY SENATOR MAYBANK BEFORE SOUTH CAROLINA COUNCIL FOR NATIONAL DEFENSE

[Mr. McFARLAND asked and obtained leave to have printed in the RECORD an address delivered by Senator MAYBANK at Columbia, S. C., on March 16, 1942, before the South Carolina Council for National Defense, which appears in the Appendix.]

PRODUCTION AND LABOR—RADIO DIALOGUES BETWEEN THEODORE GRANIK AND WILLIAM H. DAVIS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a dialogue with respect to production and the labor situation between Theodore Granik and William H. Davis, chairman of the National War Labor Board, broadcast over the Mutual network on Wednesday, March 18, instant, which appears in the Appendix.]

PRODUCTION AND LABOR—ADDRESS BY L. METCALFE WALLING

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on war production and labor delivered by L. Metcalfe Walling, Administrator, Wage and Hour Division and Division of Public Contracts, United States Department of Labor, on March 18, 1942, which appears in the Appendix.]

ATTITUDE OF LABOR TOWARD PRODUCTION AND THE WAR—ARTICLE BY WILLIAM GREEN

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an article entitled "Free Men or Slaves," written by William Green, president of the American Federation of Labor, and published in the American Magazine for April 1942, which appears in the Appendix.]

ATTITUDE OF LABOR TOWARD PRODUCTION AND THE WAR—ARTICLE BY PHILIP MURRAY

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an article entitled "What Labor Is Fighting For," written by Philip Murray, president of the C. I. O., and published in the April number of the American magazine, which appears in the Appendix.]

LABOR AND LABOR'S EMPLOYERS—EDITORIAL FROM BERGEN EVENING RECORD

[Mr. BARBOUR asked and obtained leave to have printed in the RECORD an editorial from the Bergen Evening Record, Hackensack,

N. J., of March 18, 1942, entitled "America's Greedy Employers of Labor," which appears in the Appendix.]

DEPLETION-ALLOWANCE PROVISION OF PROPOSED INTERNAL-REVENUE LAW

[Mr. LEE asked and obtained leave to have printed in the RECORD a letter to him dated March 12, 1942, from R. Elmo Thompson, president of the Superior Oil Corporation, of Tulsa, Okla., on the subject of the depletion-allowance provision of the proposed internal-revenue law, which appears in the Appendix.]

PRODUCTION OF SYNTHETIC RUBBER

Mr. MALONEY. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an article by Dale McFeatters, which appeared in the Washington News of March 18, and refering to the subject of synthetic rubber. I also ask unanimous consent that there may be printed at this point in the RECORD an editorial entitled "Rubber," which appeared in the Hartford Courant on March 14.

I dislike to needlessly add to governmental expense by publishing of outside material in the RECORD, but I am so terribly concerned about the synthetic rubber situation that I want to focus attention upon it and assist in the effort to stimulate action on the part of those charged with the responsibility of advancing the synthetic rubber program. There has been too great a delay. I make no personal criticism, but I do know that much time has been lost and that a further needless delay may bring additional business people within the sphere of war casualties, and that the success of our war effort may be unnecessarily hampered.

It is not pleasant to offer a criticism of governmental officials who are heavily burdened, but if those in charge of this particular program are so hampered by other work as to be unable to meet the needs of the time, some competent person without much else to do should be promptly assigned to the direction of the synthetic rubber program.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of March 18, 1942]

SYNTHETIC-RUBBER PROGRAM SNARLED

(By Dale McFeatters)

The synthetic-rubber program is in danger of bogging down.

At the rate the project is advancing, the Nation will be lucky to get half the synthetic capacity scheduled for the next 3 years. Certainly the civilian motorist will not benefit.

These are conclusions drawn from discussions with representatives of the rubber industry, authorities on synthetic rubber, and Government officials, and from a study of available figures on present and projected capacities.

The major source of trouble apparently is the divergence of opinion among industries and agencies involved—the oil companies which will produce raw materials, rubber factories which will fabricate the material, the Defense Plant Corporation, which is financing plants and equipment, and the War Production Board, which is overseeing the project.

BOTTLENECK CREATED

A bottleneck has been created by a lack of—or failure to utilize—authority to cut through the differences and turn paper plans into plant sites, buildings, and machinery.

Facilities to provide thousands of tons of the badly needed rubber substitute are being held up by disagreement over where they should be located.

The oil industry, whose labor is largely unorganized, reportedly is unwilling to put its butadiene and styrene plants alongside the synthetic plants of rubber companies whose workers are solidly unionized.

If the processes were performed at a distance, there would be needless loss of time in shipping raw materials. Moreover, pressure tank cars—hard to get in these days of metal shortages—would be required.

PLANTS NOT SELECTED

As far as is known, the Government hasn't decided which companies are to get contracts. A War Production Board spokesman said the butadien. process hadn't yet been perfected. The oil and rubber industries say they have the know-how; all they need is the equipment.

At least 10 oil and chemical companies are making butadiene, either from alcohol or as a byproduct of 100-octane gasoline.

The rubber and oil companies have been sparring, each suspicious of the other's post-war plans. There was a joining of forces when the B. F. Goodrich and Phillips Petroleum Cos. organized the Hydrocarbon Chemical & Rubber Co. to produce synthetic rubber.

Oil concerns entering the butadiene field would like to progress into the manufacture of synthetic rubber itself and possibly compete with natural rubber after the war.

ONE MORE SNAG

Another snag is a want of steel, copper, nickel, and other materials. Given construction materials and labor, any demand for synthetic rubber can be filled, W. S. Farish, president of the Standard Oil Co. of New Jersey, said recently.

War Production Board draws a long face when materials are mentioned. There has been no assurance that they will be forthcoming for facilities already counted on in the Government's plans for rubber.

Meanwhile truck fleets of more than 200 companies are rolling on synthetic-rubber tires—demonstrating their practical value. These tires were produced more than a year ago and the companies say they are giving good service.

Such tires are no longer being made, due to diversion of all synthetic-rubber output to military needs.

[From the Hartford Courant of March 14, 1942]

RUBBER

The President of the Standard Oil Co. of New Jersey, Mr. W. S. Farish, speaks optimistically of the possibilities inherent in artificial rubber of the so-called buna type. For large scale production, including the raw materials needed, an investment of between seven hundred and eight hundred millions would be sufficient to supply the entire needs of the country, military and civilian. To put it another way, the investment required to produce buna rubber is $1,000 for each ton of yearly capacity. Even in the quantities mentioned, the cost would be about 30 cents a pound as against the normal price of 15 cents for natural rubber. But under the British-Dutch monopoly we once paid as high as $1.25 a pound. To the extent that plants for the manufacture of the product can be built without diverting construction materials and labor from more vital war purposes, Mr. Farish says that any conceivable demand for buna rubber can be met.

If only the lack of natural rubber could justify an investment so large as Mr. Farish mentions, the fact remains that we most certainly lack natural rubber and there is no way of procuring it in any such quantities as we need. Fully 95 percent of our supply came from Malaya and the Dutch East Indies and that supply is now entirely cut off. In time we can get some relief from guayule rubber, guayule being a shrub which flourishes easily in California, Texas, Arizona, and New Mexico. But for the present it looks as if artificial rubber must be our chief source of reliance. If it lacks much of the elasticity of the natural product it can be made to serve admirably for tires, being more resistant to oil and heat than real rubber.

Prior to the attack on Pearl Harbor, the domestic affiliates of the Standard Oil Co. of New Jersey were making about 5,000 tons a year of buna rubber and it had under construction plants that would provide 15,000 tons of additional capacity. Since then this company has undertaken to produce for our Government and the Canadian Government a total of more than 200,000 short tons—a short ton is 2,000 pounds—a program that is expected to be in full swing by the middle of next year. So far as the raw materials are concerned, they can be had in abundance without drawing upon those essential to other kinds of war production. No patent questions are involved, and agreements have been entered into between the Government and Standard Oil of New Jersey whereby the royalty would amount to about 2½ cents on a $15 artificial rubber tire.

The importance of keeping our motor vehicles running because they are an essential part of the Nation's transportation system needs no demonstration but, of course, they cannot run without tires and tires will become increasingly scarce the longer the war continues. Apparently the situation can be relieved only by increasing as rapidly as possible the capacity for making artificial rubber. Results will be quicker achieved by turning the whole problem over to private industry, with such Government subsidies as may be necessary. We can, by the expenditure of effort and energy make ourselves as independent of natural rubber as Germany now is through her development of the artificial product. To keep our cars rolling will help almost as much as anything else to keep our planes flying.

AVOIDANCE OF DUPLICATION OF EFFORT

Mr. MALONEY. Mr. President, at recent committee hearings high officials of the Government, including Mr. Donald Nelson of the War Production Board, have spoken of an intense desire to avoid duplication of effort. In that connection I should like to offer for the record, and to be printed at this place in the RECORD, a letter which I have received from Mr. Sidney E. Cornelius, manager of the Manufacturers Association of Hartford County, Hartford, Conn.

Mr. Cornelius, in his letter, refers to the inconvenience caused to industrialists by duplicated demands of governmental agencies. Perhaps the letter will be helpful to those engaged in the war effort.

And I also ask unanimous consent, Mr. President, that there be printed at this point in the RECORD a letter which I have received from Mr. E. E. Legge, general manager of the Hart Manufacturing Co., Hartford, Conn., referring to the same subject.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MANUFACTURERS ASSOCIATION
OF HARTFORD COUNTY,
Hartford, Conn., February 16, 1942.

Senator FRANCIS T. MALONEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MALONEY: Among many things that are disturbing manufacturers and, in great measure, hampering their willing efforts to speed production is one, at

least, in which we feel relief might be afforded.

We refer to the multitude of voluminous inquisitorial forms that emanate, it would seem, from nearly every possible department and alphabetical bureau in Washington. Many of them seek almost identical information to that solicited by others.

Many of these questionnaires palpably can afford no practical results in facilitating, as might seem their intent, the allocation and distribution of materials for fabrication. All of them cause the loss of valuable time and effort.

As an example, may we direct your attention to a most recent questionnaire known as PD 275 issued January 27, 1942, by the War Production Board through the Bureau of the Census. As you glance over this lengthy form to be prepared in quadruplicate you will recognize the fact that many companies, because of their inventory methods, would not be able to answer it in the detail required. Furthermore, the operations, for instance, of September 1 last year and to December, which it calls for, would probably have very little bearing upon the material demands of today, even if this information could be compiled in Washington immediately, and we seriously doubt that it will be.

There are a host of experimental forms that are being developed continually with a demand that the attention and time of chief executives be focused upon them, diverting attendance upon more important matters directly concerned with defense production.

Is there not some way in which this situation might be investigated to the end that the number of these questionnaires be minimized? This matter has been given serious consideration by the board of managers of the Manufacturers Association of Hartford County and we are sure reflects the sentiments of manufacturers in this area.

Sincerely yours,

MANUFACTURERS ASSOCIATION
OF HARTFORD COUNTY,
SIDNEY E. CORNELIUS, *Manager*.

THE HART MANUFACTURING CO.,
Hartford, Conn., February 19, 1942.

The Honorable FRANCIS T. MALONEY,
The United States Senate,
Washington, D. C.

DEAR SIR: Mr. Sidney E. Cornelius, of the Manufacturers' Association of Hartford County, has shown us a copy of his letter addressed to you, and dated February 16, 1942, concerning the very disturbing condition of the multitude of paper work requested by the innumerable alphabetical bureaus in Washington. This letter comes to us at a time when we, as a defense manufacturer, have about reached the end of our patience in trying to comply with such requests.

We therefore would like to take this opportunity of seconding Mr. Cornelius' complaint, and solicit your best efforts to see that appropriate action is taken to eliminate the snowstorm of papers now required to operate a business. Because of the very intricate and detailed information required in these forms, it is necessary that this work be digested and compiled under the direction of top executives and keymen.

Between priorities, limitation orders, the production requirements plan, and this most recent PD-275 questionnaire, I can honestly say that over 50 percent of my time is consumed in such matters, to the detriment of our production facilities and efforts to greater participation in the war effort.

If some magical form could be devised that would suit conditions and problems of the various manufacturers, it would not be so difficult to organize. However, because of the large number of diversified problems, these forms present hundreds of individual problems that must be solved before they can be adequately submitted.

We assure you that we are making every effort to fall in line with the essential requirements of the defense plan, but we cannot help but feel that our real efforts are being hampered by a lot of bureaus whose prime object is to take records rather than to break records.

We sincerely hope that your own investigation of this situation will make it possible for you to take the necessary action to prevent a continuation of these inquisitorial forms and thereby establish a sensible and practicable system to produce the maximum war effort.

Very truly yours,

THE HART MANUFACTURING CO.,
E. E. LEGGE, *General Manager*.

DESTRUCTION OF SCRAP LUMBER IN ARIZONA

Mr. McFARLAND. Mr. President, the other day I received the following telegram from Tucson, Ariz.:

TUCSON, ARIZ., *March 17, 1942.*

United States Senator ERNEST W. MCFARLAND,
Senate Office Building,
Washington, D. C.:

At Florence, Ariz., Tuesday, I saw a pile of scrap lumber which I estimate at 100 yards long, 10 to 25 yards wide, and 4 to 10 feet high being destroyed by fire for riddance. Deputy sheriff and highway patrolman told me this fire had been burning for 38 hours. This area almost destitute of firewood, and while this fire burning I saw within one-quarter mile of this Army construction project two ragged civilians gathering mesquite and cholla firewood in two-wheeled desert carts drawn by burros. Same deputy said he had seen good lumber thrown among this scrap. This message is being duplicated to Senator BYRD.

WESTBROOK PEGLER.

In reply to that telegram I sent a telegram to the sheriff of Pinal County, Ariz., in which the camp is located, and asked him for a report, for I knew that I would receive an impartial report from him. To my inquiry I received this answer:

FLORENCE, ARIZ., *March 19, 1942.*

ERNEST W. MCFARLAND,
United States Senator:

Information you have is correct as to quantity of lumber burned. This was scrap lumber. While of no value for Government construction, would have been valuable to individuals in this community. Government engineer in charge refuses to give information as to who ordered lumber burned.

JAMES SHERRON, Jr., *Sheriff*.

Mr. President, while I am not one quick to criticize and to call for investigation, at this time, when we are trying to eliminate waste in our defense efforts, I feel that this matter deserves investigation by the Truman committee, and I am, therefore, asking that investigation be made by that committee.

The VICE PRESIDENT. The telegrams will be referred to the Special Committee to Investigate the National Defense Program.

LAG IN WAR PRODUCTION—PRINTING OF TELEGRAMS IN RECORD

Mr. O'DANIEL. Mr. President, for a number of days I have been inserting in the RECORD telegrams which I have received from interested, honest, patriotic citizens of Texas and some other States, expressing their indignation of the lag which we are experiencing in the production of war materials and urging that the Congress take some legislative action which would speed up war production.

I inserted these telegrams in the RECORD in order that Senators who might not be present at the time when they were presented would be able to read them in the RECORD, thinking I was performing a service to the Senate and to the citizens of my State.

I came here, Mr. President, under the belief that this was a government of the people, by the people, and for the people, and that the voice of the people should be heard in Government circles and should not be muzzled in any manner. I hope that is not a misapprehension. However, this morning my secretary handed me the following statement:

Senator HAYDEN called. Said that the telegrams inserted into the RECORD took up so much space that he was having complaints about it. He is chairman of the Committee on Printing, and this is the reason he is interested.

Under the circumstances, of course, I do not know whether it is the amount of space and the small expense incurred in printing these few telegrams that has brought complaint or whether it is the character of the telegrams that is somewhat disturbing to the conscience of some Senators who do not desire to take action or who have some of these bills locked up in committees and will not bring them before the Senate for consideration.

Whatever the cause may be, I desire to act in cooperation and in agreement with Senators, and I shall not for the time being further trespass by asserting the right which I have to offer these telegrams for insertion in the RECORD. But for the information of any Senators who would like to see the telegrams, I shall hold them in my office in order that Senators may come there and see them. Of course, all the telegrams I have inserted in the RECORD have been inserted by unanimous consent of all Senators present, but I shall for the time being oblige the Senators who have complained by refraining from asking for unanimous consent to have them inserted in the RECORD as I have been doing. During this truce I trust the Senate will take some action to speed up war production. But if action is not taken, then, of course, it may become necessary for me to exercise my senatorial rights, under the Senate rules, by reading more telegrams and letters into the RECORD.

Mr. President, I should like, however, to now read the first telegram on the pile which I have here this morning. It comes from Houston, Tex., and is signed by Mr. and Mrs. H. G. Hord, Jr., 2608 Morrison Street, Houston, and reads as follows:

HOUSTON, TEX., *March 20, 1942.*

Senator W. LEE O'DANIEL,
Washington, D. C.:

We have two sons in our armed forces. Our oldest son, who is married, is helping to build bombers on the west coast. The last letter we have received from our sons in the armed forces is that one of them has been issued tropical uniform, the other furs. We respectfully request you immediately pass legislation that will require our oldest son, as well as other bomber, tank, or ship builders, work as long as necessary on straight time to help protect our two younger sons.

H. G. HORD, Jr.
MRS. H. G. HORD, Jr.

The other telegrams are along the same line, but inasmuch as objection has been offered to their insertion in the RECORD, because of the space they take

up, as I have said, I shall hold them in my office for Senators who may desire to read them.

Mr. GUFFEY. Mr. President, I should like to have the junior Senator from Texas, if he will, insert in the RECORD the names of the senders of the telegrams, and their addresses, so that I can send them some accurate information and a copy of the speech delivered by the senior Senator from Utah [Mr. THOMAS] Tuesday concerning the working situation in the United States. I should appreciate the Senator inserting the names in the Appendix of the RECORD.

Mr. O'DANIEL. I shall be very glad to furnish the Senator from Pennsylvania with the names and addresses and the telegrams, if he cares to read them. I assure him that my people in Texas are truly aware of actual existing conditions regarding the causes of this lag in production of war materials, but they are continually seeking more information, and, of course, they want reliable information. If the Senator from Pennsylvania believes that which they have received is unreliable, and he has the only reliable information, they will indeed be glad to hear from him, because they are reasonable people, they are patriotic people, they are honest people trying to do their part, and they want to take their part in this Government, in which they think they hold some interest.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. MURDOCK. Mr. President, proceeding with the discussion of the LANGER case, I wish to say that the Senate has been very generous to me—very patient—and I hope that within half an hour this morning, if I am not interrupted, I may conclude my discussion.

Recurring to the bond issue, which we were discussing last evening, I desire to read from page 170 of the printed record—from the testimony of Mr. Brewer. He was being interrogated by Mr. Lowry, of petitioners' counsel:

Mr. LOWRY. Now, Mr. Brewer, as a practical bond broker and dealer who made this arrangement whereby these bonds—the county bonds—were to be delivered to the Bank of North Dakota and to be paid for, and then you were to pick the bonds up and give a check on this bank in Iowa, whose arrangement was that?

Mr. BREWER. Well, there was no such an arrangement as that. As a matter of fact, if I may explain our procedure, to buy municipal bonds—county bonds—as I have said, we have to go before the county boards to buy the bonds. After we have arranged with the county to buy the bonds and have contracted to take them under this particular law that has been explained, I believe, by Mr. Duffy, partially, then we have got a period of time when we must complete the legal proceedings and get out the resolutions and public notices, etc., before the bonds can be delivered to us. It has been a policy of the banks over the country to charge a commission or a fee for the collection of both principal and interest payments against municipalities. As a result of that, we started out on a plan to have all the bonds we bought in North Dakota payable at the Bank of North Dakota because that bank had the municipal funds in most cases and did not charge them any commission. If we could take delivery of our bonds through that bank as against the other banks, we saved, either for the municipality or us, the collection fees that otherwise went to the banks in Minneapolis or Des Moines or Chicago or wherever the bonds may have been delivered.

I read this quotation for the reason that it shows conclusively that Brewer and Brunk had been dealing with counties in North Dakota not only for weeks, but for months, and in some instances for as long as 2 years, on the refinancing job they were doing for the counties. He explains here that they first had to meet with the officials, work out the legal proceedings, work out the contract on the bonds, then, of course, arrange for delivery at a certain place, as he stated. In the transactions he handled, due to the fact that the Bank of North Dakota did not charge a commission, the bonds were delivered by the county to the bank, to be delivered to him or to whomsoever he might designate on payment by him of a check for the bonds. He states in his testimony that he would issue checks on a bank in Des Moines, Iowa, in payment for the bonds.

I continue reading from Brewer's testimony:

Mr. LOWRY. Now, these different counties that tried to sell their bonds to the State commissions who had authority to invest in county bonds and were refused—these bonds that you succeeded in buying—when they succeeded in interesting you, and you had them delivered to the Bank of North Dakota, did the Bank of North Dakota pay for those bonds?

Mr. BREWER. No; we gave the Bank of North Dakota our check to pay for those.

Mr. LOWRY. When?

Mr. BREWER. When the bonds were delivered, which, under the law, had to be at least 60 days after we arranged to buy the bonds.

Mr. LOWRY. In no case did the Bank of North Dakota pay or credit the county with the amount, the principal of those bonds, before you paid for them?

Mr. BREWER. Well, not to my knowledge. If they did, they were their bonds, not mine. They were not my bonds until I——

Mr. LOWRY (interposing). I think it has been testified by Mr. Duffy—and I suppose you heard his testimony?

Mr. BREWER. Yes, sir.

Mr. LOWRY (continuing). That you paid the bank for the bonds within just a matter of a few hours, or days, just a few days after the bonds were delivered to the bank; is that right?

Mr. BREWER. That is right. I mean, we get an approved legal opinion from recognized bond attorneys, and the bonds are delivered to us at a bank of our designation, and we immediately have to take them up.

Mr. LOWRY. Those bonds, you paid for without the opinion of an attorney?

Mr. BREWER. No, sir; we never lift bonds without that.

Mr. LOWRY. How can you explain to the committee that the State commissions and boards had a right to buy county bonds; the counties could not sell those bonds to the Bank of North Dakota, and yet you could sell them to them in 12 hours, or 2 hours, or 36 hours?

Mr. BREWER. Would you repeat that, please?

Mr. LOWRY. I say, will you explain to the Senate committee how it is that the 14 or 16 counties that tried to sell bonds to the different State commissions and boards who had authority to buy them were not able to sell them to those commissions and boards, yet they could sell them to you and you could turn right around in a few hours and sell them to the Bank of North Dakota; can you explain that?

Mr. BREWER. Well, of course, I could not turn around in a few hours and do it, as I have explained, the procedure——

The CHAIRMAN. We are not particularly interested in the question of time. We want to know why a county could not sell bonds to the Bank of North Dakota and you could.

Mr. BREWER. Well, as Mr. Duffy stated, the bank pursued the policy, so far as I know, of trying to buy short-time bonds and did not want complete issues where they ran over a period of 20 years.

Now, since the bank has been organized, all dealers have sold bonds to the Bank of North Dakota, so we could sell those; I can see where the bank might have turned some of them down.

I read further from Mr. Brewer's testimony on page 172:

Senator LUCAS. What was your practice prior to 1937 and 1938 in selling bonds to the State Bank of North Dakota?

Mr. BREWER. Well, whenever we had bonds that qualified we sold them there, and as a matter of fact—that part—if I can explain this: In 1934 we started on a program to finance and refinance and put on a financial basis, as far as we could, the distressed counties of North Dakota. That was a plan we set out on in 1935, on that particular plan. We took our first contract in Morton County.

Senator LUCAS. Whom did you sell those bonds to?

Mr. BREWER. Those bonds we sold in the market, most of them; we either exchanged or sold them. Mr. Duffy explained to you that the counties were distressed and that they had warrants and certificates of indebtedness and old bonds outstanding, some of them in default, counties without funds, and our plan was to put counties on a cash basis; and at that time we not only handled their refunding and funding bonds, to clear them up and put them on a cash basis, but we also reached out and bought from them certificates of indebtedness that have been referred to, to give them cash to operate on.

So we find Brewer explaining that he began on this particular plan in 1935, and that during that period he was purchasing certificates of indebtedness and warrants of the counties, furnishing them the cash on the warrants which they could not pay, and drawing 6 and 7 percent interest on them.

Mr. LA FOLLETTE. Mr. President, will the Senator suffer an interruption at that point?

Mr. MURDOCK. I yield.

Mr. LA FOLLETTE. On page 70 of the majority report this statement appears:

It is apparent from the evidence that Brewer used the State Bank of North Dakota to finance these transactions. In other words, Brewer would arrange with the bank for the disposition of the county bonds between the date that the bonds were authorized and the fiscal delivery of the bonds to the bank.

Mr. MURDOCK. I think "physical" is the word intended.

Mr. LA FOLLETTE. I presume that is a typographical error. The report reads further:

Thereupon the bank, upon delivery, would credit the county with the price Brewer had paid for them and deliver to Brewer the difference between that and the par value or better, which was the profit made by Brewer.

In other words, Brewer was able to make these profits without any outlay of his own finances or without making any other financial arrangement.

As I understand the excerpt from the testimony the Senator has just read into the RECORD, it is stated that, in order that Brewer might secure delivery of these bonds from the Bank of North Dakota, which was acting, as I understand, as a transfer agent——

Mr. MURDOCK. That is correct.

Mr. LA FOLLETTE. He drew a check for the contract price of the particular issue of bonds, payable to the Bank of North Dakota, upon some other bank in which he had funds. Is that correct?

Mr. MURDOCK. That is absolutely correct. It is not only the testimony of Brewer, but it is the testimony of Stangler, that they never in any way financed any transaction for Brewer; but, as he stated in his testimony, the Bank of North Dakota, without charging a commission, received the bonds of the county with instructions to deliver them to Brewer on his payment for the bonds; and, of course, "payment" meant payment of the contract price. Stangler testified that when Brewer would issue his check on the Des Moines bank, or some other bank, and deliver it to the State Bank of North Dakota, the bonds would be delivered to him or to some person he would designate. There is not, however, a scintilla of evidence in the record to support the statement made in the majority report that the State Bank of North Dakota ever financed Brewer in any transactions.

Mr. LA FOLLETTE. Mr. President, in my opinion, the statement I have just quoted from the majority report is the most serious charge and implication contained in the whole report, and if the statement of the Senator from Utah is correct—that there is not a scintilla of evidence to support this statement contained in the majority report, either in the printed volume, the so-called green book, or in the "grab bag" which the Senator refers to as the testimony of an ex parte nature taken by the investigators—I say it is a most shocking thing, so far as I am concerned.

Mr. MURDOCK. If the Senator from Wisconsin or any other Senator can find any evidence in the record that the State Bank of North Dakota financed Brewer in these transactions he will do more than I can do. I am unable to find it. I think the Senator from Wisconsin has stated the facts as they are, at least as I understand them to be, and I have diligently searched the record.

Mr. President, I ask unanimous consent that the remaining testimony of Mr. Brewer on page 172 and also that on pages 173 and 174, be printed in the RECORD at this point.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Senator LUCAS. Those bonds that you spoke of in this one county went on the open market?

Mr. BREWER. Pardon me?

Senator LUCAS. Those bonds in Morton County went on the open market?

Mr. BREWER. Yes; to dealers in the Twin Cities

Senator LUCAS. The State Bank of North Dakota had nothing to do with those bonds?

Mr. BREWER. Nothing at all, so far as I know.

Senator LUCAS. What was the next issue that you purchased in 1935?

Mr. BREWER. I think the next issue was Ward County.

Senator LUCAS. What happened to those bonds?

Mr. BREWER. Well, I believe that those were sold through dealers.

Senator LUCAS. Did you ever sell any bonds to the Bank of North Dakota prior to 1936?

Mr. BREWER. Oh, yes. In 1936, and then—I mean prior.

Senator LUCAS. In 1935, and this is prior to 1935?

Mr. BREWER. Yes, sir.

Senator LUCAS. Well, will you name the issues that you sold to the Bank of North Dakota prior to the time when Senator LANGER was Governor?

Mr. BREWER. Well, I sold them some—is your question county bonds?

Senator LUCAS. County bonds I am talking about.

Mr. BREWER. I think I sold them some bonds from Bottineau County, in 1935 or 1936. I did not sell them any Ward County; I believe I sold them some McHenry County, either bonds or certificates, and I think I sold them some short-term Mountrail County.

Senator LUCAS. Now, were those transactions made on the same basis, arranged in the same way with the State Bank of North Dakota, as they were when Governor LANGER was Governor?

Mr. BREWER. Exactly identical, so far as I know.

Senator LUCAS. So you want to tell this committee now that this practice of purchasing these bonds from the counties and then selling them to the State of North Dakota started before the time LANGER was Governor?

Mr. BREWER. Oh, yes. The State departments and the bank have, for years, from the time the bank has been organized.

Senator LUCAS. That has been the common practice has it, in North Dakota, notwithstanding they have a law to the contrary which would give the State the right to go out and purchase these bonds direct?

Mr. BREWER. That is right.

Senator LUCAS. Is there any question about that in your mind at all?

Mr. BREWER. None whatever.

Senator LUCAS. That is all.

The CHAIRMAN. Proceed.

Mr. LOWRY. These bonds, Mr. Brewer, that you refinanced for the counties—let us bear in mind the 14 or 16 counties—were they short-term or long-term bonds?

Mr. BREWER. The new bonds we bought?

Mr. LOWRY. No; the ones you bought, the old bonds you bought.

Mr. BREWER. The old bonds that we refunded?

Mr. LOWRY. Yes.

Mr. BREWER. Well, most of them were, as I remember it, fairly short-term bonds that were coming due sooner than they could pay them.

Mr. LOWRY. All right, short-term bonds.

Now, a statement was made by Mr. Duffy here, and you just repeated it, that the excuse or the reason why the Bank of North Dakota did not buy these bonds was because they wanted to keep a percentage of liquidity, they did not want to buy long-term bonds, and that the short-term bonds were much more attractive to the Bank of North Dakota?

Mr. BREWER. That is right.

Mr. LOWRY. Yet the bonds that you bought and advised them to issue were long-term bonds, weren't they?

Mr. BREWER. The bonds that I bought from the counties, refunding their debts, were longer.

Mr. LOWRY. Were long-term bonds?

Mr. BREWER. Yes, sir.

Mr. LOWRY. Now, then, the bonds that were outstanding, the short-term bonds which should have been attractive to the bank, were 7-percent bonds, weren't they?

Mr. BREWER. No, sir.

Mr. LOWRY. What were they?

Mr. BREWER. The bonds that we took up, under the law, they could not exceed 6 percent on the bonds.

Mr. LOWRY. Were they 6 percent?

Mr. BREWER. They were from 5 to 6, I would say offhand.

Mr. LOWRY. Now, then, they refunded those bonds with long-term bonds at 4 percent interest?

Mr. BREWER. That is right.

Mr. LOWRY. Then, can you account for why you could buy those bonds at 92, a long-term bond at a lower interest rate, and then turn around and sell them to the bank at a premium of 8 or 9 points, and the bank would then buy a long-term bond with the 4 percent interest when they could have bought the outstanding bonds at that time drawing 5 or 6 percent interest in a short term; is that consistent?

Mr. BREWER. That would not be if it were true, but that is not the case.

Mr. LOWRY. Explain it.

Mr. BREWER. The case was, the counties not only had outstanding bonds which may have been short or long, they had certificates of indebtedness, and they had 7 percent outstanding floating warrants representing a floating——

Mr. LOWRY (interposing). They had 7-percent money and 6-percent money?

Senator LUCAS. Let him finish his explanation, Mr. Chairman.

The CHAIRMAN. Yes. I am very anxious to hear it.

Mr. BREWER. Now, a county in North Dakota that has bonds outstanding of any maturity, whatever it may be, certificates of indebtedness outstanding, and the certificates of indebtedness, under the law, of 24 months, callable at any time, they have many, and floating warrants outstanding bearing 7 percent, those counties, many of them, were distressed and they needed money, and it not only relieved them but it was part of our program in trying to establish a State credit, to get these counties, first, and put them on a cash basis and get the counties in a position where they would not be paying 7 percent on outstanding warrants, and so every time they bought a piece of machinery or spent any of the taxpayers' money, they would not have to pay for it with a warrant that the seller of the article discounted 10 percent and put in his bids; so we set out not only to refund these bonds outstanding, which may have been either short or long, and I do not recall for sure, I said they were not as long as the new ones issued, and we put them where we paid up to the limit in these bonds.

Now, that law required, as has been mentioned, that any bonds issued—and this is no new law in 1937; it was in 1935 and 1933 and on down—and under that law these bonds had to contain an optional privilege in them permitting the investor who owned them to turn them in for cancelation any time the municipality wanted to call and pay off the bonds; and I mention that because any of you familiar with bonds know that a prepayment privilege on 6 months means that the only way you can handle a bond and have any profit on it, you must buy it at a discount.

Now, it has been common practice with the bank out there, as far as I know, and so far as I know, with State departments, if a municipality sells its bonds, it can come in, if it has money, and the departments have taken the money, and cancel the bonds. So, in the market that way, we prefer a bond that does not contain an option, and that is the reason for refunding, we just included the outstanding bonds with these other items.

Does that answer your question?

Mr. LOWRY. No; it does not answer this question.

The CHAIRMAN. Just a minute, gentlemen. It is after 4:30, and I know the Senators have work to do in their offices, so this seems to be a good time to adjourn.

Mr. MURDOCK. That is the entire testimony of Mr. Brewer.

Mr. President, I now wish to turn to the testimony of Mr. Brunk. He is the man who bought the land; that is, he was one of the large stockholders in the realty company which bought the land from Governor LANGER. I ask that his testimony appearing on page 785, beginning with the interrogation by the Senator from Wisconsin [Mr. WILEY] down to the end of the long paragraph on that page, which includes the testimony of Mr. Brunk, be printed in the RECORD at this point.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Senator WILEY. I think it would be fair for you to probably give us a little explanation. Apparently in buying this land, from your previous statement you felt that the land was worth the purchase price, but you felt also that you were aiding a friend; is that right?

Mr. BRUNK. That is exactly correct. When I say "worth the purchase price," I do not believe I could go out and sell it at public auction the day I signed the contract for the money.

Senator WILEY. I understood you to say, in answer to one of my questions, that you were not only a friend but you were a follower of his political philosophy.

Mr. BRUNK. Well, I consider myself a friend. I would be less than frank if I did not think that. In addition to that, I had two other relationships to him. One of them, I believed he was the only man that had the heart and courage to speak the language he speaks, and I have dealt with public officials and watched their political relationships a good deal. In addition to that, my friend Reno told me that exactly. He said, "I have watched them come and go, and the only man who has the courage, the mind, and talent and willingness to stand the gaff of the people, of the people who make it easy for you not to do it, is this good man WILLIAM LANGER."

And I have watched it and I have seen it. In my own city of Des Moines right now we have a municipal-ownership fight for the electric and gas plants, and one of the arguments for our program is that we pay too much for our waterworks, and this man, when he had that problem, got the Federal people to come out to investigate the water supply and, instead of paying what the owners of the plant asked for it, he cut the price to one-third. I heard that story, because Brewer, years before he knew me, bought the paper out there at public auction, as I understand it, for the Burleigh County waterworks.

I knew about this feud between him and Judge Miller from more places than he. Judge Miller represented the Standard Oil in that State and, as I understood it, lost his job because this man, as State's attorney, made the Standard Oil and the railroads and a few elevators pay $1,250,000 in taxes. I know, because I have seen some of it, how much easier it is not to make that kind of a fight; and when you get to the capacity where you can make it, there are offers that come to you where you do not need to make it.

Mr. MURDOCK. Mr. President, a few days ago the Senator from Illinois [Mr. LUCAS] read extensively from my cross-examination of Mr. Brunk. I think he wanted the Senate not to convict Senator LANGER on the evidence that was given by Mr. Brunk, but he wanted the Senate to convict Senator LANGER on my cross-examination. I hardly think that is fair. Of course, I am highly complimented to think that the Senator from Illinois should select my cross-examination of Mr. Brunk and put it in the majority report. I do not know whether I should be complimented, or whether I should consider it as perhaps one of the tricks of the legal profession of putting the counsel or the party on the other side rather in a hole by reason of his cross-examination. I am willing to be complimented by it, but it can be looked upon from the other angle or view. I wish to read from my cross-examination on page 786 of the printed record:

Senator MURDOCK. Is not that the very thing that they would do if they had something to cover up, is to reach out in all directions and see what they could do to cover up, and is that not exactly what you have done in this case?

Mr. President, I will admit that that was a pretty good question. I will admit also that it might be a little argumentative on my part, but the question was answered by Mr. Brunk, and it is Brunk's answer, and not my question which should be weighed in the minds of Senators. Of course, it is always agreeable to a prosecutor if he can convict the accused on the basis of his cross-examination. I have been a prosecutor; I was one for 6 years; but in a court of law the instructions always were that it was the evidence that counted, and not the cross-examination of counsel. I read Mr. Brunk's answer:

Mr. BRUNK. No; that is not exactly what I did. I might have followed a formula which you, as rational men would have done if you had the one motive of trying to cover it up, but that is not what I did.

Senator MURDOCK. I will agree with you thoroughly that as a business transaction it cannot be explained on any rational basis, but as a cover-up transaction it seems to me that it is just exactly the type of thing that you could reach out and cover up with.

That was my question.

Mr. BRUNK. Well, would you believe that it would be rational under those circumstances to pick a corporation that the secretary of state's office in Iowa showed to belong to me and to be used by me in many other transactions?

In other words he asks in answer to my question if it would be reasonable in the mind of a rational man, conceding that I am rational, to pick out his corporation registered in the secretary of state's office, and use that as the grantee in the deed? I will leave it to the Senate whether his answer was a reasonable one.

Senator MURDOCK. Yes; after listening to you here on the witness stand I can very well conceive you can do that very thing. I can also conceive, after listening to you on the witness stand, that you would handle a transaction by check instead of cash.

Mr. BRUNK. Well, I did.

Senator MURDOCK. What is irrational as a business deal, if all the details are not thought out, it may even be irrational as a cover-up scheme. That is the picture that I got.

Mr. BRUNK. Well, I am aware that the petitioners have that picture, and I am quite aware that many of my fellow townsmen at home would have that picture, but that is not my picture.

That is Brunk's answer.

Senator MURDOCK. The thing we are trying to get at—you say it is irrational as a business deal. Now, I say that as a cover-up thing is it not the very thing that you would do? I would like to have your explanation on that.

Mr. BRUNK. Well, in the first place, I did not think these county-bond transactions involved the Governor's vote. I thought this thing was in momentum.

That is his answer; that he did not think the Governor had anything to do with the county commissioners' action in this matter, and that, having dealt with the county commissioners, having bought the bonds from the county commissioners, the "thing was in momentum." Of course, it was in momentum. I think the Senator from Illinois said he did not understand what Mr. Brunk meant by "momentum." What he meant was that the deals with the county commissioners had been consummated, and the transaction was in motion, in momentum, at the time the land deal was made with Senator LANGER.

I now turn over to page 788:

Senator MURDOCK. And the point that I am trying to make is that just this type of transaction would be the kind of cover-up transaction you would be looking for.

I submit I was rather tenacious, rather persistent in that line of questioning. This is Mr. Brunk's answer:

Pardon me, Senator, I think you are making an argument to me.

Mr. President, I will leave it to the Senate whether my questions were argumentative. I am inclined to believe they might have been so construed.

Mr. BRUNK. Pardon me, Senator. I think you are making the argument to me. I do not agree with those premises. The first check to him was dated the same day as the first contract, May 11, and possession was taken that day.

Senator MURDOCK. Yes; I can see that.

Mr. President, I think this is important, and it probably answers the very subtle cross-examination which the Senator from Illinois referred to on my part:

Mr. BRUNK. Maybe that is the way you cover up things, to send your man out to take possession of land that is as well known as the Langer land. I do not know. Maybe that is it, but I do not think so.

Mr. President, I will leave the decision on that point to Members of the Senate. In answer to my question Mr. Brunk said to me, "That may be the way you would cover up, Senator MURDOCK, but if that is a covering up, by issuing a check on the very day of the transaction"—he could have done it with currency, could he not? "And sending my man out to take possession of the land which is so well known as Senator LANGER's land, if that is your method of covering up I cannot understand it." But that is what Brunk did. He not only sent his man out to take possession, but the deeds were recorded on all lands on which the taxes were paid. Land on which the taxes are not paid, under the North Dakota statute, as I understand, is not eligible to recognition.

Senator MURDOCK. If you wanted to make the real estate deal look genuine, that is exactly what you would do, is it not?

Mr. BRUNK. Well, it is genuine. I had $2,300 or $2,400 off of it this year, which indicates some genuineness to it.

Mr. President, I do not want to rationalize the deal as a good business deal, but I call the attention of the Senate to the fact that contiguous pieces of land had received in loans from the Federal land bank, which loans were only on the basis of 50 percent of the land value, amounts equal to the amount that Brunk paid for this land on a per acre basis.

We come now to the interrogation by the Senator from Wisconsin [Mr. WILEY]:

What was the result of that investigation?

That is the Clyde Duffy investigation to which I have referred. Clyde Duffy made the investigation of the bond transactions, as Senators know, for Governor Moses.

Mr. BRUNK. Well, I can give you both positive and negative results. One result was that Mr. Duffy filed a written report, and another result was that no criminal charges or indictments were had of any kind, and another result was that Governor Moses, as the new Governor in the industrial commission, continued to deal with Brewer, although he had run for office on the basis that he would eliminate both Brewer and LANGER.

That is the record as to what Governor Moses did, so far as Mr. Brewer was concerned. After the Duffy report was filed, notwithstanding the fact that Governor Moses ran on a platform calling for the prosecution of Governor LANGER and of Brewer if, on investigation, the bond transactions disclosed corruption, not only were no indictments filed but Brewer was employed for the very purpose of continuing bond transactions in North Dakota. That is not denied in the record, and I ask any Senator to show where it is denied, except that it was questioned by one of the attorneys representing the petitioners.

This testimony is important, Mr. President. I wish Senators to listen to it. The chairman of the committee, the Senator from New Mexico [Mr. HATCH], was speaking:

The CHAIRMAN. May I interrupt right there about the criminal charges? I am asking for information. Did Mr. Duffy testify that they could not bring criminal charges because the statutes under which they were proceeding bore no penalty?

Mr. BRUNK. I did not hear any testimony to that effect.

The CHAIRMAN. Mr. Duffy, did you say something like that? I am just asking for information.

Mr. DUFFY. No; I did not say that. I was speaking then about the criminal prosecution in connection with the highway, not the bond deals.

The CHAIRMAN. Yes; all right.

Mr. WHITE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Utah yield to the Senator from Maine?

Mr. MURDOCK. I yield.

Mr. WHITE. Am I correct in my understanding that the appraisers who were sent out by the committee valued the land at approximately $5,600?

Mr. MURDOCK. I think that is the correct figure.

Mr. WHITE. That was the same land for which Brunk testified he received something like $2,300?

Mr. MURDOCK. $2,300 or $2,400.

Mr. WHITE. On the basis of a return of $2,300 on land which was appraised at $5,600, he received a return of approximately 40 percent?

Mr. MURDOCK. Yes.

Mr. LA FOLLETTE. Mr. President, will the Senator permit another interruption?

Mr. MURDOCK. I yield.

Mr. LA FOLLETTE. In this connection I wish to read from page 74 of the majority report:

Your committee further reports that it caused to be sent to the State of North Dakota three disinterested and competent appraisers, men who had many years' experience as farm appraisers throughout the central and northwest; and after an exhaustive study of every tract involved in the Brunk-Langer deals, the appraisers testified before your committee that the 3,990 acres of land sold by LANGER to Brunk had an equitable value of $5,718.46.

I find in the minority report the statement that the Federal land bank had made loans upon contiguous property at a valuation higher than that placed upon the Langer land at the time the deal with Brunk was made. Did that testimony come from the green book or from the "grab bag"?

Mr. MURDOCK. I am not sure; but it will be found in one or the other.

Mr. LA FOLLETTE. Is it in either the green book or the "grab bag"?

Mr. MURDOCK. It is.

Mr. LA FOLLETTE. Then I say, Mr. President, that as a Member of this body my sense of fairness and justice is again shocked and violated by the majority of this committee making an unequivocal statement concerning a so-called disinterested appraisal, and not mentioning the fact—if it be in the record—that a Federal land-bank loan upon contiguous land was made at a very much higher valuation, a valuation, in fact, higher than that placed upon the Langer land at the time of the transaction with Brunk. I say that, Mr. President, because it is a matter of knowledge on the part of every Senator that we cannot read all the testimony in the "grab bag." I do not even know how much there is. I have been told that 10,000 or more pages of RECORD size would be required to print it.

In the two respects to which I have called attention today it is shocking to me, as a Senator who must vote upon the right of this man who has come here from North Dakota to retain his seat, to find two such glaring omissions of facts which should enter into the consideration of every juror sitting in this case.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. ELLENDER. The Senator from Utah has laid much stress on the testimony of Mr. Brunk, and, for that matter, so has the distinguished Senator from Illinois [Mr. LUCAS]. But if Senators will read the testimony of Mr. Brewer, they will discover that it was Mr. Brewer, acting individually and for the Brewer Co., who handled all the bond transactions, and Mr. Brunk had nothing at all to do with them. Furthermore, it will be found from the record that it was not the money of Brewer & Co. or of Brewer which was used to buy these lands, bonds, or what not, but that it was that of Mr. Brunk. I think Senators will remember that there is testimony in the record that when Mr. Brewer found out that Mr. Brunk had made these purchases, he was rather shocked. He had no knowledge of them.

Mr. MURDOCK. The land deal was made by the corporation, and I am sure that Mr. Brunk was one of the large stockholders. Whether or not Mr. Brewer was a stockholder——

Mr. ELLENDER. He was not. The record positively shows that all the stock of the Realty Holding Co., which purchased the Langer land, belonged to Mr. Brunk, and that Mr. Brewer had absolutely no financial interest in it, nor did he participate in its transactions. The record further shows, as I have stated, that not one single, solitary dollar of Mr. Brewer, or the Brewer Co. as such, was used to buy these lands. May I further point out that the so-called Realty Holding Co. was organized in 1933 by Mr. Brunk, and had been utilized by him to handle most of the land transactions in which he had or acquired an interest?

Mr. MURDOCK. I thank the Senator for that contribution.

Turning to page 789, we find the following:

Senator AUSTIN. There was one question that I wanted to ask. Summing up, all of the money that you received, the gross receipts of your company for all of the service that your company performed over all of these years, I would like to know what you honestly think about the compensation, whether it was reasonable, whether it compared reasonably with other compensations in other deals, whether it compared reasonably well with compensation in other deals by other dealers. What do you say about that?

Mr. BRUNK. Well, Mr. Senator, there was a man at the luncheon that Mr. Henshaw gave to the Governor in New York by the name of Norman Taber. The Legislature of the State of Tennessee employed him to work out a refunding plan for the State of Tennessee. I do not know the accuracy of this statement; I have never seen the contract; but hearsay says that he was paid more than $200,000 for a contract, and he did nothing whatever in assembling the bonds or in distributing them.

I can give some tests of this compensation, if you please, sir. The State bonds were blacklisted in the eastern markets. The Chemical Bank & Trust Co. published an annual report and in this annual report they listed with a footnote the State of North Dakota bonds with the definition that they had been called in a disorderly proceeding and therefore that committee violated the terms of their basic-credit relationships. The bonds were not eligible for a good many savings banks and trust funds. There was no market in the East for those bonds, the only market was in institutions of the State of North Dakota, and they had a large number of North Dakota bonds to the point that even Mr. Stangler testified here the other day that he did not see the end of the road at that time.

Now, by virue of these efforts and the publicity in the Wall Street Journal, and Dun & Bradstreet, and the Commercial and Financial Chronicle, and since we have been having hearings here the New York Times of November 8, 1941, publishes a table of offerings and yields of municipal bonds and it states:

"The approximate status of the municipal bond market is reflected in the following list of representative high-grade State, city, and county bonds legal for savings banks in New York State now offered by dealers: Alabama, California, Georgia, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, Tennessee, and West Virginia."

So, as the result of the bond transactions of Brewer and Brunk in North Dakota, we find that during the hearings which were proceeding before the Senate committee North Dakota bonds were listed with other high-grade State bonds. I wonder if there could have been too much corruption and fraud in those bond transactions when as late as the hearings which were held by the committee, the bonds were listed with other high-grade bonds.

Continuing with the testimony:

And it lists the North Dakota 4½-percent bonds, 1958, on a 1.90 basis, and that is approximately about 136 to 138, and the bonds that we took out of the Bank of North Dakota went into the Bank of North Dakota at substantial discounts. The New York Times of November 15, which was Saturday, carries the same type of table with the same definition of representative high-grade State bonds, and I submit to any one of you not one of you ever heard of North Dakota in the terms of high grade in the daily press of the State of North Dakota, and they list 5-percent bonds of 1959 on a 2.00 basis, and if I had any mathematics in this thing I think that is a premium of about 1.50.

That is the testimony of Mr. Brunk when he was being interrogated by the Senator from Vermont [Mr. AUSTIN] on the question whether the compensation they received was reasonable for the job they did.

I read further from the testimony of Mr. Brunk, pages 790 and 791:

Now, you cannot give credit for this difference in market value solely on our efforts, because the market conditions have improved, too; but I believe the value of the bonds which are left in the workmen's compensation fund, in the school funds, and in the hail funds, and in the Bank of North Dakota up there are reasonably worth a good deal more than $1,000,000 more today than they were when we started on the experience in this thing.

I think the credit of every municipality in the State has been improved by our efforts, because you cannot say a good word about the State without carrying with it that implication that there was a good word that had been said for the county, for the school district, or the township, or the swimming pool, or the armory. We have done such a good job with the thing that everybody will buy the bonds, and these bonds are being traded in terms of quarters and eighths where they were trading in terms of 2 and 3 points when you could not get free of Twin Cities within 3 points of what they thought they could sell the bonds at. They were in such shape that the Twin Cities banks would not own them. The First National Bank of Minneapolis sent out a report to their counsel recommending the sale of the State of North Dakota in either the year 1936 or 1937, and one of the largest owners, as I remember it, was the Farmers Mechanics Bank of Minneapolis, called up a special board meeting in the First National Bank of Minneapolis and said: "We bought these bonds in 1919, 1920, and 1921 upon your recommendation. One-half of the State's debts has been paid, and now you recommend we sell them. What kind of language is that?" They said: "Well, with a man like Governor LANGER there you never know what is going to happen to the credit." That is as I understood it. That is hearsay.

My own judgment is that this service has been of such substantial value to the State as to make the amount we took out of it very, very small, and when you men count that amount taken out of it and carry in mind I must pay income taxes on the differences between what I get and what I pay for land, you find I have had a lot of labor of love in a case I believed in.

It has added other things, to me, the recognition of doing that thing, like the Lehman Bros. deal in South Dakota, the recognition of that, like that deal that is in the city of Des Moines, where Lehman Bros.' man introduced me to my school board and introduced me as an expert to my people. I was humble in it. Like the deal with reference to the Des Moines Electric relationship, which we are presently hoping to buy by the city. I am proud of those things. It has also let Mr. Moses name Mr. Brewer fiscal agent. It has let all the Twin Cities banks join with him in that representation and not to overlook the thing I told you the first time I was here, that included the little dealer in Minneapolis who thought he was entitled to be in. The refunding bill that was proposed at the State legislature would have been adopted, their debt would have been spread over, and, so, also, the interest relationship that was being discussed here, where they have to levy three and four millions and more, until they changed the interest rate.

Senator AUSTIN. Is this a correct interpretation of what you have just said; namely, that starting from the assumption that the amount of cash for the amount of the bond issue was high, neverthless that the effect of your service was so good that the price paid for your service was reasonable in these special circumstances?

Mr. BRUNK. That is right, and there is another factor. I do not think this is an artistry like a movie deal, that if a movie actress has 2 years at $100,000 a year and then no more work her whole lifetime, that her whole lifetime's work is involved in that 2 years. The fact that has been done in North Dakota now, with a public market and public bidding for every security in the State to the point where profits are just covering the relationship up there until anybody is willing to go and buy up their bonds now. The very success of the deal, to put the bonds on an amortization basis, eliminated the very necessity for future certificates.

Then the Senator from Vermont asked this question:

Senator AUSTIN. Let me ask you this question: If these county bonds had been marketed directly by the counties instead of by your concern, what would you say as to whether the effect upon the credit of North Dakota would be less good than it is now?

That was a fair question to put to Mr. Brunk. In effect, the Senator from Vermont was asking, "In other words, if the profit that you got had been eliminated from the transactions, Mr. Brunk, would not the value of the North Dakota bonds be just as great as it is today?"

Of course, it is a reasonable question and an intelligent question.

Let us see what the answer was. The answer of Mr. Brunk to that question should go far, in my opinion, toward aiding the Senate to reach the correct conclusion regarding the bond transactions. Here is the answer:

Mr. BRUNK. Had the counties had the equipment to have done that, had the personnel who had the understanding of it, why, that would have been true, but that overlooks one other thing.

Digressing for just a moment, let me ask if his answer was fair. He said "Yes" to the Senator from Vermont—that if they had had the facilities, if they had had the personnel to go out and do it, certainly it would have brought the same results.

I continue to read:

But that overlooks one other thing. In this Divide County deal, if you please, sir, no county could have dealt with the certificates without talking to Mr. Brewer, because he owns them, and they had to deal with the owners to make a refunding deal, because they could not force him to come in.

Let us consider for a moment that testimony. There was a man who stated that for 2 years he had been dealing with the counties of North Dakota; he stated that he became the owner of many of the securities of indebtedness, of warrants, and what not, issued by districts and counties in order to keep going; and Mr. Brunk pointed out that "that would have been true," even admitting that the counties had the facilities and the personnel, but that there was one other factor—the fact that Brewer had been in the field in North Dakota, picking up those securities, and that he had them in his possession, and that they must deal with him.

Perhaps Mr. Brewer was wrong in engaging in the bond business; but the bond business in this country is a very common one. It is the way we finance almost everything. Brewer had the same right any other broker had to buy the bonds, if he thought there was a profit in them; and I do not know of any of us who does not work on the profit basis. That is what we usually do in private life; we make all the profit we can make, whether it is in dealing in bonds, the practice of law, farming, or anything else.

Mr. Brewer was legitimately entitled to go to the counties of North Dakota and make a profit, if there was a profit to be made; and he was in the field, and had to be contended with when the counties began refunding their bonds.

I continue to read the testimony:

That may not be true exactly in certificates that could have been callable, but there were many certificates involved in these deals.

The whole South Dakota deal was based on the Farmers Union Cooperative idea that we each help each other. There was not anybody that held South Dakota bonds that was not callable. It took cooperation. I learned this in our Farmers Union Cooperative. You have got to get people that can launch the certificates. Lehman Bros. are doing just that thing now with a $100,000,000 deal in Philadelphia; according to the plan, or this document here, Mr. Brewer owns one-half interest of any copyright out of it. I submit to you, Senator, the good firm of Lehman Bros. does not concede a half interest in anything unless he thought of the whole thing.

Mr. Brunk pointed out that Mr. Brewer, because of his expertness in bonds, attracted the attention of the firm of Lehman Bros., of New York, and, by reason of the splendid system he had developed for the handling of the bonds of the Dakotas and other bonds in which he was dealing, Lehman Bros. copyrighted his plan and gave him a half interest in it. If he was such a crook, if he was such a scalawag, would the great firm of Lehman Bros. have conferred with him and used his plan in bond issues in which they were interested? I do not believe that such firms as that can afford to have dealings on a 50–50 basis with crooks or scalawags. I do not believe they could take such a chance. The evidence with reference to Lehman Bros. is set forth in the hearings.

Next, I read from the testimony appearing on page 792. This testimony has a bearing, and that is why I have marked it:

Mr. McGUIRE. What interest did you compute on that for the back payments?

Mr. BRUNK. Well, it is quite obvious that there has been no final settlement with the Senator—

Referring to Senator LANGER—

He has told me repeatedly since these charges were filed that when they are out of the way we will straighten out the details to all the lands. He says his word is good, and I believe it.

That is the end of the answer. Why is it significant? I think that someone—perhaps the Senator from Illinois—made some point about there still being some encumbrance against the land or some unpaid taxes; but in that answer, Brunk stated that the deal was not concluded; he said that Senator LANGER said he would straighten out the details, and that he still had confidence in the Senator's words.

I continue to read from the testimony on page 792:

Mr. McGUIRE. This transaction was supposed to have been completed in 1938, was it not?

Mr. BRUNK. I do not think it was supposed to have been completed in 1938.

Mr. McGUIRE. I mean you paid the purchase price?

Mr. BRUNK. I paid all the money; yes.

Mr. McGUIRE. In 1938?

Mr. BRUNK. That is right.

Mr. McGUIRE. And a subsequent time elapsed without any settlement?

Mr. BRUNK. That is righ.

Mr. McGUIRE. The charges were not filed for some time after the $56,800 was paid?

Mr. BRUNK. That is right.

Mr. McGUIRE. How do you explain that?

Mr. BRUNK. Well, I explain that on the basis that I thought he still needed help. I gave him $2,000 more when he was in the hospital bed in 1940, and I would do it again if he had need for it.

Mr. Brunk explained his land transaction with Senator LANGER on the basis that for years they had been good friends, that he had for years been interested in the political and economic program of Senator LANGER in North Dakota, and that, regardless of land values or anything else, he wanted to help him and wanted him to be able to carry on his program. That is the way he explained the transaction, rather than to try to explain it as a rational business deal. He did point out to me that he had received in revenue from the place $2,300 or $2,400; and the Senator from Maine [Mr. WHITE] called our attention to that income as compared with the valuation fixed by the expert appraisers whom the committee sent out.

I read further from the testimony:

Mr. McGUIRE. You have repeated two or three times this afternoon that as a result of your efforts Governor Moses had such confidence in Mr. Brewer that he was made fiscal agent for the State.

Mr. BRUNK. I do not want to conclude confidence. What I say is I prepared a resolution in Des Moines, which Governor Moses changed in minor details, and unanimous vote of the industrial commission directed the Bank of North Dakota to hire assistance to do it.

Mr. McGUIRE. It did not say anything about Mr. Brewer in the resolution, did it?

Mr. McGuire was trying to ignore the fact that Governor Moses employed Brewer even after the investigation of Duffy.

I read Brunk's answer to Mr. McGuire's question:

Mr. BRUNK. I just haven't that belief at all, that Governor Moses would come here and say he did not know that the Bank of North Dakota was employing Mr. Brewer the same day he passed that resolution when he had in his possession a letter from me addressed to Mr. Brewer enclosing the form of resolution which was passed.

Mr. McGuire was trying to throw out the implication that that did not happen, but Brunk said, "I cannot see how you can explain your position when I knew that he had a resolution in his pocket and a letter from me with reference to Brewer." Brunk just could not understand it, and Governor Moses never denied it before the committee.

Coming now to the question which was raised last evening, that the State of North Dakota probably could not get these witnesses back, even if they wanted to prosecute a criminal case, let us see what are the facts in regard to that:

Mr. McGUIRE. That is right. That is the first time we had an opportunity to prepare the table after these proceedings started.

Mr. BRUNK. It has not been the first time that the Government people have had that information. I have been giving it off and on since the summer of 1938 to whoever asked for it.

Is there anything in the record, Mr. President, that even indicates that the law-enforcement authorities of North Dakota ever tried to get hold of Brunk and bring him back to North Dakota to testify? He says here that he has been handing out this information and opening his records to anyone who came and wanted to see them, including Government officials. Is it reasonable, is it fair to presume or assume in this body without some record evidence, that either Brewer or Brunk was unwilling to go to North Dakota and testify? The record is replete with testimony to the effect that Brewer was still carrying on bond negotiations and activities in the State of North Dakota.

Mr. LUCAS. Mr. President, will the Senator yield on that point?

Mr. MURDOCK. I yield.

Mr. LUCAS. The Senator will recall also that Brunk testified before the committee that a transaction under Governor Moses' administration in the way of selling bonds, was carried on under the name of Shambaugh when, in fact, Brewer was the real agent in the transaction. Brunk testified that this was done because Brewer had received such a bad name in the State of North Dakota. Brunk testified that it was a dummy transaction.

Mr. MURDOCK. I do not think it was a dummy transaction.

Mr. LUCAS. That is exactly what it was.

Mr. MURDOCK. I think the Senator is right that some transactions were carried on in the name of Shambaugh, and I believe—I desire to be fair with the Senator—that Brunk testified very frankly that, by reason of the accusation against Brewer there and against him, they did use the name Shambaugh in a transaction or two, but that has no bearing at all on the question of bringing either Brewer or Brunk back to the State of North Dakota in case a criminal prosecution was contemplated.

Mr. President, while I am referring to "criminal prosecutions," I stated last evening that, if the Senate finds that Senator LANGER is guilty, it cannot find him guilty without finding Vogel and Stangler and also the other members of the commission in North Dakota guilty. I asked the question, Why has not Governor Moses gotten rid of this man Vogel and this man Stangler if there is any question about their honor, their integrity, and their wrongdoing? The Senator from Vermont [Mr. AUSTIN] replied that the Governor of North Dakota probably could not get rid of Vogel because of the other members of the industrial commission. I thought at the time that was rather an unfair implication for the Senator to make, but he says it was based on a process of reasoning. I say now, Mr. President, that we should not by presumption, we should not by imagination, nor should we by some process of reasoning, send a man to the penitentiary or expel him from the United States Senate, but we should depend on clear and convincing evidence.

Now, as to what Governor Moses thinks of Mr. Vogel, I wish to refer to a statement in a newspaper under an "AP" heading and under the date line "Bismarck, N. Dak." In large headlines are the words "Moses lauds bank record."

Can the Senator from North Dakota give me the date of the article.

Mr. LANGER. The date was February 6, 1940.

Mr. MURDOCK. February 6, 1940. The article reads:

MOSES LAUDS BANK RECORD

BISMARCK, N. DAK.—Gov. John Moses, Monday, complimented Frank Vogel, manager of the Bank of North Dakota, upon the economy shown in the expenses of handling the banking and the collection and land departments.

The bank filed with the Governor its report of expenditures for the first 6 months of the present biennium, July 1 to December 31, 1939.

The report shows the legislative appropriation for expenses in running the banking

department for the biennium was $233,132, while for the collection and land department it was $360,316. Although the legislature appropriates the money, it must come from earnings of the bank and the collection and land department.

Further down in heavier type I read from the same article:

"I have no doubt," the Governor continued, "that during the winter months the bank will be able to dispense with some of the field men and that the travel of the field men will be greatly reduced, resulting in further reductions."

Then in quotation marks:

"I am sorry that other State departments have not found it possible to effect the reductions which the bank has put into practice during the past 6 months of the biennium."

When the newspapers of North Dakota publish such a statement—and I must admit that this is outside the record, but I do not believe that anyone can object to it; if the statement is taken from an article in a North Dakota newspaper, and, of course, its authenticity may be verified at any time—can anyone doubt that Governor Moses holds in the highest regard Frank Vogel and is complimenting him through the public press?

Now I read from page 795 of the record:

Mr. McGUIRE. Now, you mentioned something about having deeds recorded. To how many parcels of land did you have the deeds actually recorded?

Mr. BRUNK. The three around Tappen and the 80-acre tract.

Mr. McGUIRE. Let us take the tracts. Tell us when was the deed recorded for tract No. 1.

Mr. BRUNK. Do not try to make me fit into pigeonholes any tract No. 1, because I do not know those.

Evidently the attorney had them listed numerically, but Mr. Brunk did not know to which tracts he referred by the numerals.

Mr. McGUIRE. This is your land.

Mr. BRUNK. Sections 9, 11, and 15, the deed is recorded.

The CHAIRMAN. When was it recorded?

Mr. BRUNK. In July 1938. At the same time the deed to the south half of the southeast quarter of 18-140—71 was recorded and the others were not. I do not want the committee to think that they are recorded when they are not. You cannot record them until all the taxes are paid.

So the deeds to tracts which could be recorded it seems were recorded but the deeds to tracts on which the taxes were not paid, he states, were not recorded.

Mr. President, there is just one other matter to which I desire to refer with reference to the bond deals. I read from the interrogations by Senator AUSTIN on page 791:

Senator AUSTIN. I gather from what you said, in a nutshell you mean this kind of deal required special skill, study, and service.

Mr. BRUNK. And intense industry. I will show you some of the nature of the industry just from these files here. There is a file of every little municipality in North Dakota with financial statistics, clippings, whatever goes into it [indicating]. We just live lives there, that is all.

Indicating the industry, the time, and the skill that they had to have in order to get the bond transactions in the proper shape to be handled.

Mr. President, I wish now to refer briefly to the question whether or not the bond issues were discussed in the campaigns in North Dakota. I read from page 793, where Mr. Brunk states:

It has not been the first time that the Government people have had that information. I have been giving it off and on since the summer of 1938 to whoever asked for it.

Mr. McGUIRE. That was not in the campaign for Senator in 1940, was it?

Mr. BRUNK. I do not hold myself out as knowing about all there was in that campaign.

Mr. McGUIRE. I am only asking you for your own knowledge.

Mr. BRUNK. I know there was a charge that had something to do with $20,000 worth of land that I bought. I think it was the Tappen land that was being discussed.

Mr. McGUIRE. In connection with that bond sale?

Mr. BRUNK. Yes. One of the Brewer associates in Des Moines was buying land as a cover-up; that was discussed.

So, we have Mr. Brunk's testimony about what was discussed in the campaign. He testified that the discussions were particularly with reference to a $20,000 land purchase by him, and that the Tappen land tracts were being discussed.

We now go to the interrogation by the Senator from Illinois of Mr. Duffy, and we find on the question of whether the transaction referred to was an issue in the campaign these questions and answers:

Senator LUCAS. And if I understood you correctly, you stated a moment ago that at least some witnesses have stated that these bond transactions in these various counties were the subject of a great deal of political debate during the campaign in which Mr. LANGER was elected Senator?

Mr. DUFFY. They were the subject of some discussion. My recollection is that they probably were emphasized more in the 1938 campaign, when he was defeated for Senator, than they were in the 1940 campaign, when he was elected although I believe that Mr. Lemke did comment to a considerable extent on those bond deals in the 1940 election.

Senator LUCAS. Well, so, in 1938, in the 1938 campaign and the 1940 campaign, these bond transactions were the subject of political debate in every county throughout the State of North Dakota?

Mr. DUFFY. I presume so.

Senator LUCAS. Do you know what the election returns show in these respective counties where these bond transactions took place as to who was first and second and third in that fight?

Mr. DUFFY. Well, of course, I cannot tell you that accurately. I would say that most of these bond transactions, I think all of them, occurred in the western part of North Dakota, and I would say that it would be an unusual county in the western part of North Dakota that Senator LANGER did not carry.

The very counties in which these bond transactions were had were the counties which elected Senator LANGER to the Senate of the United States. I read further:

Senator LUCAS. Why is that; why do you make that statement?

Mr. DUFFY. Well, because that is where his strength has always been, in the western part of the State. He will lose the valley by 30,000 votes—the night after election he is licked by 30,000 votes, but when the votes get in from the western half of the State, when the election returns come in late, about 2 days later, he was carried by the vote in the western section.

Mr. President, let us look at this campaign issue question for a moment. Mr. Duffy's testimony is that the transaction was discussed more widely in 1938 than in 1940. Senator LANGER was defeated in 1938, and Governor Moses was elected. Governor Moses employed Duffy to investigate the bond deals immediately after he went into office in 1939. He had the Duffy report in 1940, and he again went into the campaign on the bond issue, and Mr. Brunk tells us that a particular transaction involving him and the land deal with Senator LANGER was discussed in the campaign, and that references were made to the Tappan land and to a $20,000 item. In the face of that will any Senator rise and say that the people of North Dakota did not go into these bond transactions in the 1938 and the 1940 campaigns?

We also have the testimony of Representative USHER L. BURDICK that the bond transactions and all the other charges against LANGER were discussed from one end of the State to the other.

In addition to Mr. BURDICK'S testimony, Senator LANGER himself testified that he had to meet each and every one of these charges not only once, but that every time he ran for office he was called upon by his enemies to answer to these charges.

Mr. President, I think I have concluded my argument on the facts and on the law, with the exception of summing up very briefly what I think are the issues and what the Senate is confronted with.

Mr. SMITH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brooks	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	La Follette	Spencer
Butler	Langer	Stewart
Byrd	Lee	Taft
Capper	Lucas	Thomas, Idaho
Caraway	McCarran	Thomas, Okla.
Chandler	McFarland	Thomas, Utah
Chavez	McKellar	Truman
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Maybank	Vandenberg
Danaher	Mead	Van Nuys
Davis	Millikin	Wheeler
Doxey	Murdock	White
Ellender	Murray	Willis
George	Nye	
Gerry	O'Daniel	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from New York

[Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

Mr. MURDOCK. Mr. President, in summing up the case, I desire to call the attention of the Senate to the charges as they first came to the Senate. Originally they included a charge of irregularities and fraud in the election itself. It is my opinion that whenever a contest involving the legality of an election comes to the Senate it is not only our right to look into it but it is absolutely our duty to do so.

I also wish to call the attention of the Senate to the fact that the original petition contained a charge that Senator LANGER accepted a bribe for issuing a pardon and referred to the State courts of North Dakota for the purpose of substantiating that charge. Before the preliminary examination was concluded it was announced that that charge was absolutely unsupported and absolutely false, and that what petitioners were talking about was the acceptance by Senator LANGER of a fee in a lawsuit which was settled by a court action before he ever took his seat as Governor.

I mention that for the reason that it shows on the part of the petitioners a zeal and an anxiety but an utter disregard or indifference to facts of record in coming to the Senate to try and undo what the people of North Dakota had done in electing Senator LANGER.

The election charges were all thrown out. They are not before us at all. The only charges against Senator LANGER today are charges, as the majority of the committee put it, of moral turpitude prior to the time he was elected to the Senate.

Coming now to the question of facts, I think there are only three charges I desire to sum up. First, we have the question: Did Senator LANGER know during the time Judge Wyman was presiding over the criminal trials involving him in North Dakota that Gale Wyman, a son of Judge Wyman, was coming there to participate in any way in those trials?

Mr. President, the evidence on that point comes from Jimmy Mulloy, on the one hand, and, on the other hand, the testimony of Senator LANGER and Gale Wyman. Jimmy Mulloy is a self-confessed criminal, and is so styled by the distinguished Senator from Illinois [Mr. LUCAS]. He was admonished that his whole testimony could be thrown out because of that very fact.

All the Senate has to do with the particular question as to whether Senator LANGER knew that the son of Judge Wyman was coming to Bismarck is to consider the testimony on the one hand of Jimmy Mulloy, the self-confessed criminal, and on the other hand the testimony of Gale Wyman, corroborated by Senator LANGER, that Senator LANGER knew nothing about Gale Wyman until he arrived in Bismarck, and then Senator LANGER got him out of there just as quickly as he could.

The Senate can make its election, the Senate can make its choice, as to whether it believes the self-confessed criminal, Jimmy Mulloy, or whether it will take the testimony of Senator LANGER, twice the Governor of North Dakota, twice its attorney general, and prior to that, State's attorney. His testimony is corroborated by that of Gale Wyman; and the testimony of Gale Wyman is corroborated by that of Senator LANGER. The Senate can make its choice.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. On that point there was another witness in favor of Senator LANGER, and that was the presumption of innocence.

Mr. MURDOCK. The Senator very correctly calls my attention to that point.

Let me say at this time—it has been said on the floor of the Senate time and again—that no Senator should be ousted or unseated except on the gravest kind of a charge, supported by the clearest and most convincing evidence. The presumption of innocence should attend Senator LANGER here just as it would attend him in any court of justice throughout the land.

We cannot indulge in suspicion, accusation, and presumption. Under the laws and the Constitution of this country he can be convicted only on evidence submitted to the committee and made a part of the record. If he is convicted at all, that should be the basis of his conviction.

Coming to the Mexican land transaction, the Senate must decide whether or not Senator LANGER was bribed by Tommy Sullivan with the $25,000 which he paid for his stock in the Mexican Land Co. to reduce the taxes of the Great Northern Railroad in North Dakota.

The fact is that in the biennium of Governor LANGER the Great Northern Railroad paid $136,000 more taxes than it paid in the preceding biennium. If some Senators think it is unfair to decide the issue on the question of biennium against biennium and wish to restrict the issue to the biennium of Senator LANGER, then it must be remembered that after the contract with Sullivan was made, with respect to which Senator LANGER is accused by the majority of bribery, the tax valuation of the Great Northern was raised by $700,000. In 1938 it was lowered. We are then confronted with the question whether the lowering of the taxes in 1938 was corrupt and fraudulent or whether the reduction in the tax valuation can be and is predicated on facts.

On that question can there be any doubt as to the justification for the reduction? The figures show that in 1937 the Great Northern operated at a profit. In 1938 it was several hundred thousand dollars in the red. So we must decide the issue either on the question of biennium against biennium or on the basis of the 2 years of the Langer administration. If we decide it on the basis of biennium against biennium, there was an increase of taxes of $136,000, indicating that if Governor LANGER was bribed he failed to carry out the terms of the contract of bribery.

If we resolve the question on the basis of the 2 years of the Langer administration, then certainly the facts and figures in the record indicate no corruption; but they indicate that it would be unjust treatment of the railroad company to do anything but decrease the taxes.

Coming to the last question, the matter of the bond issue, we must have constantly in our minds the fact that the economic conditions in the counties in the western part of the State were as bad as they could possibly have been. Somebody had to step in, refinance the counties, and refund their indebtedness. Who were the logical persons to do it? The bond brokers throughout the country, of course, or those interested in such financial transactions.

The record is replete with evidence that for as long as 2 years before the advent of Governor LANGER in his second biennium Brewer had been busy buying up certificates of indebtedness and warrants, paving and preparing the way for refunding operations in those counties. I challenge anyone to find even a scintilla of evidence in the record that Senator LANGER ever had a thing to do with the issuance of any bonds by any county. If we are to find him guilty on the bond transactions, we must first find that he was part of a conspiracy when the bonds were sold to the brokers and when the refunding program and plans were outlined.

We pass on to the next question. What is it? Did Senator LANGER, by his influence as Governor, cause the State agencies to refuse to buy bonds directly and force them to buy through brokers? Is there any evidence in the record which has been submitted thus far that any such thing happened? If there is, I cannot find it. The evidence of Stangler, on whom the majority place so much reliance, and to whose testimony they give great credence and weight, is that during the Langer administration the business of the bank was carried on just as it had been carried on under the Welford administration. If there was anything wrong in any transactions which Stangler knew about, or which Stangler handled, Governor LANGER knew absolutely nothing about them.

As the Senator from Texas [Mr. CONNALLY] has pointed out, in addition to the witnesses I have mentioned, there is also another witness in favor of Senator LANGER, and that is the presumption of innocence. Certainly no lawyer will deny that he is as much entitled to it here as he would be in any criminal court. I do not see how the Senate, on the record before us, except by imagination and presumption, can find Sena-

tor LANGER guilty of the charges preferred against him.

Coming to a summary of the legal arguments which I have heretofore made, I say that this very proceeding before the Senate is the best evidence that Madison was right when, in the Constitutional Convention, he said that whatever qualifications were to be imposed on the electorate of a State in sending representatives to Congress should be written into the Constitution itself. It is my opinion that he never wavered from that position from the time he took it until the qualifications were written into the Constitution.

Those qualifications are simple. They are wise. They involve questions which can be easily determined. Certainly Madison and the other framers of the Constitution knew that we never could with justice and equity try a criminal charge on the floor of the Senate. As evidence of my statement I call attention to the vacant seats in the Chamber today. The framers of the Constitution never intended that moral or intellectual qualifications should be determined on the floor of the Senate. Again I call attention to the vacant seats when such an important issue is being debated.

This is not a matter of personalities. Senator LANGER is not involved. His family is not involved. I know that the majority of the committee are just as charitable as I am. From the personal standpoint they would no more indulge in accusations against Senator LANGER than I would. They would no more heap indignities on his family than I would. Those are not the matters which we are called upon to decide.

We are considering a principle which I think is one of the most vital that can come before the legislative bodies of this great Government. Today we are sending our boys to all parts of the world. Why? Because we believe in our Constitution; we are devoted to it; we will give our lives for it if necessary. If we are willing to send our boys and our wealth to the far corners of the earth to fight the battles of democracy, liberty, and constitutional government, then, in the name of God, let us not scuttle democracy on the floor of the United States Senate.

The very foundation and cornerstone of our democracy is the freedom of elections on the part of the people in sending their representatives to Congress. Senators talk about the dignity, prestige, and honor of the Senate. I am just as much concerned with those things as is any other Senator; but let us not destroy the dignity and integrity of the people of the United States.

The only issue before the Senate today from the standpoint of law is the question, Is the Senate going to take unto itself the right and the power, although they are not given by the Constitution, to say to the people of North Dakota, "You may not send WILLIAM LANGER to the Senate, notwithstanding what you think of him—notwithstanding the fact that you have twice elected him Governor and have elected him attorney general and State's attorney. Notwithstanding the fact that he has done so many things for the people of your State, you may not send him to the Senate because the Senate reserves to itself the right to hold in its conscience certain moral qualifications which we impose but which you do not know anything about."

Mr. President, I think the time surely has arrived when the Senate of the United States should come to a correct conclusion on this question, and should forever get rid of farces—for that is what they are—such as the Smoot case, which continued for 4 years, and such as the pending Langer case, which has been before the Senate for more than a year. We have not the facilities in this body—such as those delegated to the judiciary—to try criminal cases unless the cases arise after a Senator comes here and becomes one of us.

As I said the other day, a man belongs to the people of his State until he is elected. They know him; they have lived with him; and they send him here. After they send him to the Senate, he no longer belongs to the people of his State, in the sense he did prior to coming here, but belongs to the Nation, and becomes a part of the United States Senate. If, after becoming a Member of the Senate and taking the oath, he becomes guilty of acts involving moral turpitude, if he becomes guilty of disorderly conduct, if he becomes guilty of the commission of crime, the Constitution of the United States explicitly and definitely gives us the power to get rid of him by the concurrence of two-thirds.

In conclusion, I say that Senator LANGER is a Member of the Senate; he has been a Member for over a year; and, unless we evade the provisions of the Constitution, unless we violate the Constitution he cannot be expelled except by the concurrence of two-thirds of our membership.

Let all Senators remember that our action is final; there is no review of it. If Senator LANGER is guilty of committing a crime in North Dakota, I think he can still be tried there for it; but there is no review after we act. That is the end. I say that, under the Constitution, the Senate has no right to overthrow the will of the people of the State of North Dakota or of any other State. I hope that in this matter the Senate will see fit, when they vote, to vote favorably to Senator LANGER and to permit him to continue to occupy his seat in the Senate of the United States. I have no idea that he will ever contaminate this body; but if he should, we would have a way of protecting ourselves.

I thank the Members of the Senate for their indulgence. I have imposed on them more than I should have, more than I wanted to. I still have the highest respect for the majority of the committee, and have had all during the proceedings. They are sincere, honest men; and in my disagreement with them I still have the highest respect for them.

I thank the Senate.

ORDER FOR RECESS TO MONDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its session today it stand in recess until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. OVERTON obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. OVERTON. I yield.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reed
Barkley	Hayden	Reynolds
Bilbo	Herring	Rosier
Bone	Hill	Russell
Brewster	Holman	Schwartz
Brooks	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	La Follette	Spencer
Butler	Langer	Stewart
Byrd	Lee	Taft
Capper	Lucas	Thomas, Idaho
Caraway	McCarran	Thomas, Okla.
Chandler	McFarland	Thomas, Utah
Chavez	McKellar	Truman
Clark, Idaho	McNary	Tunnell
Clark, Mo.	Maloney	Tydings
Connally	Maybank	Vandenberg
Danaher	Mead	Van Nuys
Davis	Millikin	Wheeler
Doxey	Murdock	White
Ellender	Murray	Willis
George	Nye	
Gerry	O'Daniel	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

COURT JURISDICTION AND PROCEDURE IN CERTAIN CASES

The PRESIDING OFFICER (Mr. SPENCER in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 6005) to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McKELLAR. Mr. President, the Senator from Oregon [Mr. MCNARY], who was in the Senate Chamber just a moment ago, said that there was some matter on his desk which he desired to consult; but he has been called from the Chamber. I wonder if the matter to which he had reference was in connection with action on the bill just laid before the Senate.

Mr. McCARRAN. No; I think not.

Mr. McKELLAR. If it should happen to be otherwise, no doubt the Senator from Nevada would be willing to have reconsidered any action which may be taken on the bill referred to in the House message which has just been laid before the Senate.

Mr. McCARRAN. Certainly.

Mr. McKELLAR. Very well.

Mr. McCARRAN. I move that the Senate insist upon its amendments to the

bill, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McCARRAN, Mr. CONNALLY, and Mr. DANAHER conferees on the part of the Senate.

BESSIE WALDEN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1696) for the relief of Bessie Walden, which was on page 1, line 5, to strike out "$10,000" and to insert "$5,294.50."

Mr. WHEELER. I move that the Senate concur in the House amendment.

The motion was agreed to.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. OVERTON. Mr. President, after the exceptionally able and thorough presentation of the case now pending before the Senate by the Senator from Illinois [Mr. LUCAS], on the one side, and the Senator from Utah [Mr. MURDOCK], on the other side, perhaps I should not intrude myself into this debate. I am not a member of the Committee on Privileges and Elections; but I do desire to submit a few observations mainly for two reasons: First, I have a well-considered opinion of what the authority of the Senate is in cases of this character; and, second, I am of the opinion that the action taken by the Senate in this case will establish a precedent.

I entertain the view that the Senate of the United States has not heretofore established any precedent in cases of this character. What I mean by "precedent," Mr. President, is not a resolution authorizing an investigation, not a report of some committee, not, of course, any argument made by any individual Senator upon the floor of the Senate; but what I regard as a precedent is Senate action, either affirmative or negative, a resolution, for example, adopted by the Senate excluding by a majority vote a Senator-elect upon some ground unrelated to his election or his qualifications as prescribed by the Constitution, or a resolution, on the other hand, adopted by the Senate declaring, in effect, that, in view of the fact that Senator A has been elected and meets the qualifications prescribed by the Constitution, the Senate is without any authority by majority vote to exclude him from the seat to which he has been elected.

Mr. President, the nearest approach to such a precedent is the Thomas case, which has already been thoroughly discussed on the floor of the Senate. I had occasion when the Senator from Illinois was discussing that case, and other cases upon which he relied, to undertake to differentiate those cases from the case at bar. I say the nearest approach is the Thomas case; yet I cannot very well regard the Thomas case as in any sense a binding precedent upon the Senate.

In the first place, the Thomas case was acted upon by the Senate at a time when the bitterness and rancor engendered by the War between the States was at its height, and the attitude of the Senate was largely influenced, I take it, by that feeling of rancor and bitterness. In the second place, and perhaps more essentially, the Thomas case was predicated mainly upon the ground that Thomas came within the disloyalty clause of the fourteenth amendment of the Constitution. At the time that the Thomas case was acted upon by the Senate the Congress of the United States had adopted the fourteenth amendment, which disqualified anyone who had taken up arms against the Federal Government or given aid and comfort to its enemies. It had submitted that amendment to the people of the United States, and three-fourths of the States had, in fact, ratified the amendment, although it had not been in fact promulgated by the Secretary of State.

The main argument in the Thomas case was that Thomas, who had taken an oath as a member of the Cabinet to support the Constitution and the laws of the United States, had violated his oath by giving aid and comfort to the Confederacy in the War between the States. Therefore Senator Thomas was excluded by a majority vote. I admit it had nothing at all to do with an election, but there was a constitutional ground, not only by reason of the adoption of the fourteenth amendment but by reason of the fact that the Constitution itself prescribes that every Senator who comes before the Senate must take an oath to support the Constitution and laws of the United States, and that every Secretary in the official Cabinet of the President and all executive officers must take a similar oath, and Thomas had taken that oath and had violated it. Therefore I cannot regard it as a precedent.

I challenged the Senator from Illinois, during the course of the debate, to cite any other case upon which he relied as a precedent. He cited the Smith case and the Gould case, neither of which can be regarded as a precedent for any action to be taken in the case now before the Senate. It is not necessary that I should discuss the facts connected with the Smith and Gould cases; they have already been thoroughly presented and differentiated from the pending case. Therefore, Mr. President, I feel that we are about to take an action which will establish a precedent which may serve as a guide and a landmark to those who follow after us. I think we should do it with care and circumspection.

I have not familiarized myself with the facts of the record in the case. I have not done so because when I ascertained that, beyond any controversy whatsoever, the Senator from North Dakota had been elected to the Senate, that there was no question as to the validity of the returns, that there was no question that he had attained to the age of 30 years, had been for over 9 years a citizen of the United States, and was an inhabitant of the State of North Dakota at the time he was elected, the case was closed, so far as I was concerned. That should have ended the controversy, in my humble judgment, under the proper interpretation to be placed upon the articles of the Constitution applicable to this case.

I wish to make another observation, however, because when I learned from the Senator from Illinois, during the course of the debate, that the entire record in the case had not been printed, that perhaps only one-fourth or one-fifth of it had been printed, and that the report of the committee was based in part upon unprinted testimony, of which there was only one copy, or perhaps two copies, I took the position that if my interpretation of the Constitution were not correct, and that if we had a right to inquire into the facts of the case, we sat here as a tribunal, we sat here as judges, we sat here as component parts of the greatest tribunal in the United States—perhaps on the face of the globe—and that we should have reasonable access to the facts of the case in order that, as conscientious jurors, we might render an intelligent verdict.

If I felt that it was my duty, under the constitutional provisions, to inquire into any facts outside of the election and the constitutionally prescribed qualifications of the Senator from North Dakota, I should want to thoroughly familiarize myself with the facts before I would bring in a verdict of guilty or of condemnation against one of my colleagues. I felt the other day, and I still feel, that it is the duty of any Senator, before he determines to take action against the Senator from North Dakota, to familiarize himself with the facts of the case in order that he might do justice not only to the Senator from North Dakota but to the integrity of the Senate itself.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. McKELLAR. I have been very much interested in everything the Senator has stated, and especially in what he has so well said about the requirements of the Constitution. As I have read the charges made and discussed in this case, it has seemed to me that all the charges made set forth actions which were indictable in the State of North Dakota. Were they not?

Mr. OVERTON. I assume that to be correct.

Mr. McKELLAR. The Senate should not be required to pass on charges of that kind. If the respondent has committed indictable offenses, why should it not be left to the authorities of the State of North Dakota to take appropriate action?

Mr. OVERTON. I think the observation made by the Senator from Tennessee is pertinent; but, over and above that, transcendental and paramount to any other consideration, is the right of the sovereign State of North Dakota to send here, without question, as its choice, under a valid election, one who is qualified under the Constitution of the United States of America to officiate as its Senator. That is the crucial issue here involved.

Mr. McKELLAR. I am inclined to agree with the Senator that that is true, and I think it very desirable to set a precedent, and that this case is a very

proper one by which the precedent may be set, and the vote of the Senate will determine it. I was about to go a step further and state that, under our law and Constitution, when a crime is committed, when an indictment is to be returned and the person charged with the crime is to be tried, and either acquitted or convicted, the trial must be in the State and the locality where the crime is committed, and the Senate does not try such cases.

Mr. OVERTON. The able Senator from Tennessee is correct about that. While I do not wish to dwell particularly upon that phase of the question, at the same time I think that possibly I can reenforce the Senator's argument by making the observation that when we depart from the simple rules of the Constitution, the clear, unmistakable rules, when we say we are going to disregard the qualifications prescribed by the Constitution and are going to judge a man by such other qualifications as may suit our whim and our fancy, or as may suit the thought or factional politics of the hour, or as may suit this or that, or by a microscopic inquiry into his past, from the time when, as a boy, he robbed watermelon patches, up to the time he became Governor of a State—if we are to convert this Senate into a police court, then as has been the case in the present controversy, we are going to spend days upon days in going into the infinite and controversial details of little, petty charges. That was never intended by the founding fathers of this Republic. They gave us rules to follow which are clear and simple, and in my humble judgment unmistakable, and when we depart from them, we get into the very same trouble the able Senator from Tennessee himself pointed out.

Mr. WHITE. Would not the Senator agree that if we departed from a consideration of the constitutional standards, we would have no uniformity of qualifications whatsoever?

Mr. OVERTON. We would be like a rudderless ship at sea; we would be beaten by the waves; we would go this course and that course, withersoever the vagrant winds and waves of the times may direct us. Of course, in my humble judgment, we cannot do that. We have to stand upon the rock and foundation of the Constitution. Then we are firmly implanted. We have to use its provisions as our guide posts, and when we do that, we do not err, but when we depart from the Constitution, we get ourselves into trouble. With all due respect to the Committee on Privileges and Elections—and not for a moment am I criticizing them when I make this utterance—when we get away from the Constitution, as was done in the investigation of this case, we get into chicken-feed business.

I do not mean that describes all of it, but there is plenty of it. I have not read the record and do not propose to read the record, but I have heard enough of it on the floor of the Senate to know that we have gotten many trivial details which are unworthy of consideration by so august a tribunal as the Senate of the United States.

Mr. President, perhaps I might make a slightly different approach to an interpretation of the Constitution from that which has been made. I should like to take its provisions up in the logical order and sequence in which they were written by the framers of the Constitution. I think that if we take the picture as a whole, if we group the provisions of the Constitution in sequences, as put by the framers of the Constitution, we get a clearer view of what the framers intended.

The first provision relating to the authority of the Senate and the election of Senators is to be found in clause 1 of section 3, which reads:

> The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof.

En passant I should like to point out that there is no question at all as to the qualifications of the electors of Senators under this provision of the Constitution. The electors are the legislators of the respective States. That is not subject to any controversy. There is nothing ambiguous about that. I shall undertake to show in the course of what I hope will be comparatively brief remarks, that there is no ambiguity in any of the provisions of the Constitution relating to the question involved in the pending resolution. But here the framers of the Constitution clearly and unmistakably prescribed the qualifications of the electors. I am not talking now about the elected, but about the electors. They are the legislators in the various States.

The framers of the Constitution in the preceding section, section 2, also, with care and with clarity, prescribed the qualifications of the electors of Representatives. Section 2 provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Does that provision leave any question of doubt as to what are the qualifications of the electors for Representatives? Does the first clause of section 3 leave any question of doubt as to what the qualifications were at the time of the formation and adoption of the Constitution of the electors for Senators from the various States?

When we adopted the seventeenth amendment what did we do? We laid down equally as clear a rule as to the qualifications of the electors for United States Senators. We could not improve on the language which the framers of the Constitution put into the Constitution in reference to the qualifications of the electors of the Representatives, and we adopted identically the same language, and after declaring in effect that Senators shall be elected by popular vote, we declared that the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the legislature.

Therefore, Mr. President, at no time in our Government's history, from its establishment over 150 years ago, up to the present time, has there been any doubt whatsoever as to what the qualifications of the electors of Representatives and of Senators are. I ask Senators, has there been any doubt?

Mr. CONNALLY. Mr. President, will the Senator yield? I do not want to disturb his presentation.

Mr. OVERTON. Not at all. I am very glad to yield.

Mr. CONNALLY. With respect to the requirements in the Constitution as to age, residence, and citizenship, let me ask the Senator: If the members of the Constitutional Convention had intended that either the Senate or any other Federal arm of the Government could add to those qualifications, or should have the power to add to them, why did they not say so?

Mr. OVERTON. Exactly.

Mr. CONNALLY. I addition to providing that a Senator shall have been 9 years a citizen, and resident of the State, and 30 years of age, could not the framers have provided that he shall be a man of good moral character? Could they not have said that?

Mr. OVERTON. Indeed; yes.

Mr. CONNALLY. Then it would have been for the Senate to determine; but since they did not so provide, it is for the electing power to make the decision.

Mr. OVERTON. Yes. The able Senator is anticipating the argument I expect to make.

Mr. CONNALLY. I did not intend to do that.

Mr. OVERTON. I am glad to have the Senator do that or to interrupt me at any time he desires.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. SMITH. Does it not seem to be common sense, which seems to be absent from some, that if we have the power to determine the moral qualifications, it is our duty to outline them and furnish them to every State and say, "You must follow this line of morality in electing your representatives"?

Mr. OVERTON. Common sense and justice to the people who elect the Senators and Representatives would certainly indicate that we ought to follow some such procedure. Let me suggest to the able Senator from South Carolina: How would it do in establishing such a moral code in reference to Senators, first to take up the Ten Commandments and say that no one who——

Mr. SMITH. Oh, they are obsolete. Do not talk about them. I wish to talk about something that is now in effect.

Mr. OVERTON. I was about to make the suggestion that certainly if we are going to adopt a moral code we could very well start with the Ten Commandments.

Mr. SMITH. The thing that has impressed me ever since I have been here is that in the dual form of our Government there are certain delegated powers given to this body and certain powers reserved to the States and to the people. Which is the better judge of the qualifications of a Representative, the people who are intimately associated

with him in the State and in the county, or we in the Senate, a thousand miles away, perhaps, from the psychology and the state of morals obtaining in the State? Who are supposed to be the best judges, those who know him or those who simply imagine?

Mr. OVERTON. The Senator's question answers itself. It is perfectly obvious.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. McKELLAR. I wish to say with the utmost deference to my very splendid friend the Senator from South Carolina [Mr. SMITH] that I differ with him about the Ten Commandments being obsolete. I think they are not only not obsolete, but they are one of the greatest forces for good in this or in any other country on earth.

I should like to hear the Senator from Louisiana proceed with the illustration he was about to make. If we have the power to provide a moral code—of course, we do not have such power under the Constitution, but if we assume we have it—and want to set up a moral code for the information of the States and for their direction in selecting Senators——

Mr. OVERTON. Then we can very well use the Ten Commandments.

Mr. McKELLAR. One of the first requisites should be the Ten Commandments.

Mr. SMITH. Does the Senator from Tennessee wish the Senator from Louisiana to dwell upon each one specifically?

Mr. McKELLAR. No; I do not think it is necessary, but the Senator might finish his illustration.

Mr. OVERTON. Mr. President, the point I was undertaking to make, and which I wanted to emphasize, is that with great care the framers of the Constitution prescribed the qualifications of the electors. Would it not be strange, would it not be remarkable, that they should not prescribe the qualifications of the elected as well? I will reach that point in a few minutes. What I wanted to show in dealing with the first clause of section 2 in respect to the House of Representatives, and the first clause of section 3 in respect to the Senate, is that unmistakably the qualifications of those who could elect, who could make the choice, are prescribed by the framers of the Constitution.

Let us now proceed to the second clause of section 3, insofar as it is pertinent to this case. It provides.

> If vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

Therefore there is no question at all as to who has the power, in case of a temporary vacancy, to send anyone to the United States Senate; it is the governor. The framers of the Constitution did not leave that open to conjecture, just as they did not leave open to conjecture the qualifications of those who can choose and elect Senators and Representatives and send them here.

Let us now go a step further. What power is vested in the legislatures and in the governors by clauses 1 and 2 of section 3 in electing or appointing Senators? It is an unlimited power, it is an unqualified power, it is an absolute power. The legislatures under clause 1 of section 3 could send to the Senate of the United States anyone whom the legislatures selected. Clause 1 of section 3, standing alone and without reading further into the Constitution, vests an unlimited and uncontrolled power in the legislature to send as a senatorial ambassador from a State anyone whom it pleases. The legislature could send an old man in his dotage, it could send a minor, it could send a baby of 4 years of age, under this unlimited and unrestricted power. It could send a nonresident of the State. The Legislature of Massachusetts could send here an inhabitant of the State of Vermont.

The legislature could send an alien. Under the unlimited power vested in the first clause of section 3, the legislature would have authority to send someone who was not born in the United States and who had never set foot in the United States. The authority was unlimited and uncontrolled; and the power of temporary appointment vested in the Governor is equally unlimited and uncontrolled.

After the framers of the Constitution had said this, they said, "But hold on; there are certain persons whom you may not send to the United States Senate. You may not send one who has not attained to the age of 30 years. You may not send one who has not been a citizen of the United States for a period of 9 years. You may not send anyone who is not an inhabitant of the State at the time of his election."

It is contended by the proponents of the resolution that since the third clause of section 3 is phrased in the negative, the provisions are merely disqualifying provisions, and that the United States Senate may go over and beyond those disqualifying provisions and undertake to prescribe any qualifications it desires.

Why were the qualifications stated in the negative in the final framing of the Constitution? It seems to me that it is very logical that they should have been stated in the negative. It seems to me that that was the proper manner in which to state the qualifications of Senators. Why? Because the framers of the Constitution were saying to the people of the sovereign States, "Your legislators—or in case of temporary vacancies, your Governors—may send anyone they please to represent you in the United States Senate; but we say to you that you may not send certain persons here who have not the age which we prescribe, the residence which we prescribe, and the citizenship which we prescribe."

I think that is the reason why, in its final form, this constitutional provision was so phrased. For a better understanding of it, let me state that when this question first arose in the Constitutional Convention the provision was reported by the committee on detail. The committee on detail reported this provision in the affirmative. It declared, not that "no person shall be elected," and so forth, but in the affirmative:

> Every Member of the Senate shall be of the age of 30 years, at least, shall have been a citizen of the United States for at least 4 years before his election, and shall be at the time of his election a resident of the State for which he shall be chosen.

When the Committee on Detail made that report to the Constitutional Convention this provision was debated, and it was amended so that the citizenship, instead of being 4 years, should be 9 years; and the word "resident" was stricken out and the word "inhabitant" inserted instead.

So the Constitutional Convention, acting as a convention, adopted this provision in reference to the qualifications of Senators in the affirmative; and as adopted upon the report of the Committee on Detail, after amendment, it read:

> Every Member of the Senate shall be of the age of 30 years, shall have been a citizen of the United States at least 9 years before his election, and shall be at the time of his election an inhabitant of the State from which he shall be chosen.

Mr. President, in my humble judgment that indicates that it was the purpose of the framers of the Constitution to prescribe qualifications, and not disqualifications. If that provision had been retained as first adopted by the Constitutional Convention, expressing the regulation in the affirmative, I think it would completely end the argument on the other side, because the whole argument is based upon the theory that the framers of the Constitution pronounced disqualifications instead of qualifications of Senators.

After the convention has prescribed what the qualifications of Senators should be, the provision was referred to the Committee on Form and Style—I think that was the correct name of the committee. That committee reported back, and instead of the provisions to which I have referred being in article V, section 1, they were put into article I of the Constitution. They were placed in a little better and more logical sequence; but that was merely a matter of form and style. The thought was there.

As I undertook to observe a while ago, I think it was proper for the framers of the Constitution in the end to place the qualifications of Senators in the negative instead of in the affirmative, because they had reposed complete, unqualified, unrestricted authority in the legislatures to choose whomever they pleased as Senators; and then proceeded to make that right subject to the qualifications that no one shall be elected as a Senator who shall not have attained a certain age, have a certain residence, and have been a citizen for a certain number of years. Is not that logical? That is the proper interpretation to place upon it; and it seems to me it conclusively ends all the argument.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURDOCK. It is not to be assumed, is it, that Constitutional Convention, after having determined the

substance of a thing, would then delegate to a committee the power to change the substance? After the substance was adopted, all the Convention delegated to the committee was the power to improve the form if possible.

Mr. OVERTON. The Senator is absolutely correct.

Mr. MURDOCK. I agree with the Senator that it comes to us in an improved form over that first adopted.

Mr. OVERTON. The Senator is perfectly correct, and I thoroughly agree with him.

What did the framers of the Constitution do in reference to the qualifications of the President? They finally expressed those in the negative. The qualifications of the President of the United States are phrased in this language:

> No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution—

That part is now obsolete on account of the toll of death—

> No person except a natural-born citizen * * * shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of 35 years and been 14 years a resident within the United States.

I take it that every one of us will concede that the office of President is more than the office of Senator. After providing exactly the method in which a President of the United States should be elected, through the medium and office of the electoral college, the framers of the Constitution did just as they did in the case of Senators and Representatives. They then prescribed the qualifications of the President; and, just as they did in the case of Senators and Representatives, they placed those qualifications in the negative. Why? For the same identical reasons. The first clause of article II, section 1, vested full power in the electoral college to elect anyone President of the United States—man, woman, child, alien, or anybody else. Read the first clause of article II, section 1. An unlimited, uncontrolled, and unrestricted power was given to the electors to elect whomever they pleased President of the United States. Then the framers of the Constitution said "Hold on; he must have certain qualifications. Messrs. Electors, you may not elect to the Presidency of the United States anyone who is not a native-born citizen and who has not been for at least 14 years a resident of the United States, or who has not attained the age of 35 years."

Was not that the proper way to express the qualifications? In the first part of article II an uncontrolled, unqualified power was vested in the electors to elect whomever they pleased as President. The framers of the Constitution wanted to limit that power, which otherwise would be unlimited. So they limited it. That is all there is to it. Those are the qualifications of the President. The qualifications which I mentioned a while ago are the qualifications of Senators.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURDOCK. Does not the Senator think that, as guardians of the morals of the country, the Congress itself should be able to prescribe moral and intellectual qualifications to govern the selection of a President?

Mr. OVERTON. If I correctly understand the question of the Senator from Utah, I do not think so. I think we can trust the people of the United States to put the right sort of person in the office of President of the United States, and to select the right sort of persons to fill the office of Senator and Representative, subject to the simple qualifications prescribed by the Constitution.

Mr. MURDOCK. I asked the question rather facetiously; but if the Senate has the right to impose, in addition to the constitutional qualifications, moral qualifications on the electorate of a State in the sending a Senator here, is it not just as logical, considering the phraseology—that is, that the qualifications of the President are stated in the negative—to argue that, in order to protect the morals of the people and in order to put in the President's chair the proper person with the proper qualifications, the two Houses with the approval of the President should have the right by legislation to provide moral qualifications for a person elected President of the United States?

Mr. OVERTON. There is no question about that. Let us make a practical application. The majority of the committee are assuming the right to pass upon the qualifications of Senator LANGER—qualifications other than those prescribed by the Constitution. I contend, and many of us contend, that we have no such authority.

However, let us suppose that Senator LANGER had been elected President of the United States; let us suppose that in 1940, instead of being elected to the Senate, he had been elected President of the United States. What authority is there, by reason of any qualification not prescribed by the Constitution of the United States, to question the right of President LANGER to occupy the seat in the White House?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. LUCAS. Would the Senator have taken the same position with respect to Frank Smith, who in 1926 was elected United States Senator by the people of Illinois, if the people had elected him President of the United States with the same charges against him?

Mr. OVERTON. In the Frank Smith case?

Mr. LUCAS. Yes—and in view of the fact that he was excluded from the Senate on two different occasions. Would the Senator have taken the same position had he been elected President?

Mr. OVERTON. If the people of the United States elected Frank Smith as President of the United States?

Mr. LUCAS. Yes.

Mr. OVERTON. And if he did possess the qualifications prescribed by the Constitution?

Mr. LUCAS. Yes.

Mr. OVERTON. How could we do otherwise?

Mr. LUCAS. I am just raising the question; because the Senate did exclude Frank Smith after the people had passed upon the issues, so far as any moral issues were concerned and so far as any corruption in the election was concerned. In other words, in that case, as the Senator knows, the Reed committee investigated thoroughly the primary election. They found excessive use of money. They found large contributions from utilities. Those facts were before the people of Illinois in the general election. As I remember, a man by the name of Magill, ran on an independent ticket. He made a State-wide campaign based upon the facts discovered by the Reed committee. Everyone knew about the situation. Notwithstanding that, the people of Illinois elected Frank Smith by a majority of 80,000 votes.

The people passed on that issue. They said by their majority vote it did not make any difference whether Frank Smith was corrupt, whether the election was corrupt, or whether there was an excessive use of money. They said, "We want Frank Smith to represent us in the Senate." That, Mr. President, has been the theory of a good many Senators in the case before us. If that theory is now correct, I say that the Senate indicted the people of Illinois back in 1928 when it prohibited Smith from taking the oath; once when he was appointed and his credentials were unquestioned, and then following the presentation of his second credentials after the general election.

Mr. OVERTON. Mr. President, I said at the outset that I did not want to undertake, in the comparatively limited time that I have set for myself in the presentation of my views on this question, to discuss the various cases. However, let me say just briefly that the Smith case is easily distinguishable from the present case, because it is a case which did involve election fraud and corruption. However, that is not the point I was undertaking to make just a moment ago. I said that if Frank Smith were elected President of the United States, or if Mr. LANGER, in 1940, had been elected President of the United States, who could oust him from the Presidency? Yet we say that, because LANGER was elected to the Senate of the United States, we have the authority to oust him from the Senate upon grounds other than those prescribed by the Constitution of the United States. The office of President is much more important than the office of a Representative or a Senator.

Mr. McKELLAR rose.

Mr. OVERTON. I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, the Smith case occurred a long time ago. I was a Member of the Senate when Frank Smith knocked for admission at the door of the Senate; and it is my distinct recollection that he was charged with almost every conceivable kind of fraud in the election in Illinois, both in the primary and in the general election itself. He was not permitted to take his seat; he was not sworn in at all. He was denied his seat because, in substance, he had not been legally elected; because the

committee thought, and the Senate confirmed the committee's view in his case, that he had not been legally elected but had secured his election by measures so fraudulent that he could not be seated in the Senate. That case was entirely different from the present case.

Mr. LUCAS. Mr. President, will the Senator yield in order that I may reply to the Senator from Tennessee?

Mr. OVERTON. I am very glad to yield.

Mr. LUCAS. I thank the Senator. Let me say to the distinguished Senator from Tennessee that I am only attempting to answer a certain theory that has been continually advanced through these proceedings. It comes under the title of public policy. It is argued here rather vigorously by some that the people of North Dakota have passed upon all the issues we are now debating and therefore we are estopped to raise the question here.

Regardless of the degree of crime a man may be charged with, regardless of what frauds he may have committed before he came here, we of the Senate can do nothing about it. I challenge that doctrine as destructive of the democratic processes.

The point I have tried to make is that in the Frank Smith case the Senate at that time refused to adopt such a fallacious doctrine. Frank Smith was denied a seat in the Senate.

Mr. McKELLAR. The difference between that case and the pending case is that in the Frank Smith case the Senate held that Smith had not been elected, and, therefore, could not take his seat; that the votes he received had been fraudulently received, and, as a matter of fact, he had not been elected as a Member of the Senate.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from Oregon.

Mr. McNARY. Heretofore I have heard references to the Smith case. Before the debate is over I expect to present my views on that subject.

At this time it seems appropriate to correct some misapprehensions. Let me say that I was a member of the select committee headed by the then Senator from Missouri, Mr. Reed. On that committee I represented the Republicans and Senator La Follette represented the Progressives. I think the other members of the committee were Senator Reed and Senator King, of Utah, both now retired from the Senate.

The committee was appointed in August of that year. No finding was made by the committee until after Smith was appointed to succeed Senator McKinley, which appointment shortly followed the time of Smith's election. In August we started the hearing on the question that an excessive amount of money had been expended by Smith and his friends, and that he, while chairman of the utilities commission in Illinois, had accepted $125,000 from Insull, which fact disqualified him, because it was in violation of the statute of the State of Illinois.

However, in November Smith was elected by the people. We did not make our report until a year later. Then Smith came up for election again, and was overwhelmingly defeated. That is the story. It has no relation whatever to the case now before the Senate. I shall amplify my remarks upon that case at a later time.

Mr. OVERTON. I agree with the Senator from Oregon and the Senator from Tennessee that the Smith case is not a precedent for this case.

Mr. BONE. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BONE. I feel that, in fairness to those who have expressed a view which is more or less contrary to that of the spokesman of the majority of the committee, I should state that I think there is a very great distinction between the picture presented by the Smith case and the picture presented by the pending case.

The other day I referred to statements appearing in this record attributed to Senator Voorhees, of Indiana, who said that if a man were elected in an election in which there was fraud, he was not in reality elected at all, because the fraud in effect tainted the election to such an extent that it was completely vitiated.

Every Senator in this body who has had any practical experience in public life—and all of us have—knows what the use of an enormous amount of money means in a political campaign.

The effect of such things as the use of a vast flood of money to buy newspaper advertising and radio time, in order to influence, subtly or otherwise, newspaper opinion, the use of numerous billboards, and sending a vast amount of publicity matter through the mails can hardly be weighed with the accuracy we should weigh them. There is, however, not a Member of this body who does not know that a huge sum of money poured into a political campaign has a very definite influence. It is altogether different to attempt to mold public opinion in that fashion, where probably it cannot be answered by a poor man, than it is to criticize something in a man's personal record. His record is submitted to the people and they can pass on it. They can say whether they like the man, whether they like what he has done, or whether they like his public or private life; but that is a different thing than buying full-page advertisements in newspapers, day after day, week after week, and month after month, and buying unlimited hours of radio time, when no man, unless he be a multimillionaire, could hope to answer. Who could fight Frank Smith in Illinois, with the unlimited funds of a great public power utility magnate such as Sam Insull behind him? A poor man would be up against an almost impossible condition.

To show how tricky that situation was, not only did Sam Insull try to put his henchman, Frank Smith, into the Senate but he also tried to buy the Democratic candidate at the same time. He was not going to take any chances. What could the public do in that kind of a campaign? It was licked either way. Brennan, as I recall, was the Democratic candidate. I inquire of the Senator from Illinois is that correct?

Mr. LUCAS. Yes. Insull contributed $15,000 to Brennan's campaign and $125,000 to Frank Smith's campaign, but, right along that line, I should like to call attention to the evidence of the Reed committee showing that Bill McKinley spent $480,000 in that campaign. I make that reference to demonstrate with what Smith had to contend. It was big money versus big money in that Republican primary, but I remind the Senate that, notwithstanding the findings of the Reed committee and the action of the Senate, no criminal prosecutions were ever started against Frank Smith or anyone else connected with that historical campaign.

Mr. BONE. If a seat in the United States Senate were actually purchased by that sort of prodigal outpouring of money, it would make no difference whether Mr. McKinley were elected as the beneficiary or whether Mr. Smith were elected. It would be a reproach to this body to seat a man who had literally bought his seat with half a million dollars' expenditure, whether it was his own money or the money of a private power company. I think that the distinction is too plain to need argument. I might not like what Senator LANGER may have done in some of his personal relations with other persons, but there is not a syllable in the record that indicates that he used a lot of money to buy a seat in the Senate. The people passed on his private morals and his private relations as a public officer.

I want to refer for a moment—and I shall not burden my distinguished friend from Louisiana much longer—to a campaign in my State involving a power controversy. My State has been a battleground for such controversies for many years. For months and months in every issue of almost every weekly newspaper there appeared a full-page advertisement of the private power companies. Along with the advertisement went an editorial savagely denouncing the pending power proposal, and along with the editorial went a cartoon. In the daily newspapers in my State, where a full-page advertisement may cost anywhere from $250 to $500, frequently through the weeks as they went along appeared full-page advertisements. To show what money will do and how subtly it influences the judgment of men, let me say that in 1 week I cut about 50 editorials from 50 weekly newspapers, each of the editorials savagely denouncing the then pending public-power bill. The editorials read exactly alike, word for word. Every little community thought its local editor revealed an astounding amount of information and knowledge with regard to the power business. As a matter of fact, the editorials had been written in the office of a private power company in Seattle, which prepared the editorials for tired editors with brain fag. When they sent the full-page advertisement to the newspaper they in effect said to the editor—indeed they did say to him, "If you run this editorial denouncing this power bill you can have this full-page advertisement at political rates, but we want you to run the cartoon, too." I was active in that fight; I was a poor man; and how

could I—indeed, how in the world could anyone else—get to the people an answer to that sort of campaign buttressed by the use of so much money?

I consulted one of the ablest newspapermen in the Northwest and asked him what he thought that campaign cost. He made some rough calculations of the cost of the full-page advertisements, and said that the campaign cost approximately a million dollars.

Will some Senator tell me that that sort of campaign would not influence the thinking of people? I could not go into every community in the State and answer that sort of misrepresentation. Those editorials were deliberate misstatements of facts and perversions of facts. How could I answer them?

That picture is not in this case. Senator LANGER has not been charged here—and I have listened carefully to the argument which has been produced on both sides—with having perverted the election. He is charged with some misdeeds which might have been corrected by the people of North Dakota. If Senator LANGER were here at the bar of the Senate and we were confronted with the fact that he had spent half a million dollars being elected, and he was charged with perverting the election, that would present an entirely different picture.

I think I feel the reluctance that many other Senators feel about sitting in judgment on Senator LANGER'S personal affairs when he has been before a court and has been vindicated, and when the charges were again submitted to the people of North Dakota at that bar of public opinion which we call an election, and again he was vindicated. That is the situation, as I view it; that seems to be, by and large, the picture which is presented to us, and it is a million miles from the Smith case.

I want to close my statement by saying that if I had been here I would have voted against seating Frank Smith for reasons I have indicated, because I know precisely what the prodigal expenditure of money in a campaign means. I have seen it done in my State many times.

Mr. OVERTON. Mr. President, of course, the Senate had jurisdiction of the Smith case because that case involved an election; there is no question at all about the authority of the Senate to pass on an election case. That, however, is not the question which is now before the Senate. The Smith case is not a precedent at all. I was undertaking to show that the first thing the framers of the Constitution did was to vest the elective power in the legislatures of the respective States, and the appointive power for temporary appointments in the Governor, and then they prescribed the qualifications of Senators. What is the next thing the framers of the Constitution did? In section 4 it is declared that—

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Note how clearly everything is put forth in the Constitution by its framers. After providing that the legislature shall have the authority to elect a Senator, and prescribing what his qualifications shall be, then, they say:

> The times, places, and manner of holding elections * * * shall be prescribed in each State by the legislature thereof.

Observe how carefully this language is used and how well it is phrased. It does not entrench at all upon the authority heretofore granted to the legislature or upon the authority of the Governor to make appointments; it has nothing at all to do with the qualifications; but it goes a step further and provides the machinery of the election, not the authority of the election or the qualifications of Senators; that has all been taken care of. The paramount authority it gives to Congress over the legislature is authority—

> At any time by law to make or alter such regulations.

That is the regulations regarding the election. If it had been intended by the framers of the Constitution that Congress should have any authority over the qualifications of Senators over and above what was already prescribed, they could very well have said in section 4:

"The Congress may at any time, by law, make or alter such regulations, and each House may prescribe such additional qualifications as it may deem proper for Senators and Representatives."

But there is no such language as that anywhere in the Constitution.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator is making a wonderful constitutional argument, one of the best I have heard made in this body during my long service here, and it is as clear as a bell.

Mr. OVERTON. I thank the Senator.

Mr. McKELLAR. While the framers of the Constitution did exactly what the Senator has stated, out of abundance of caution they afterward added another provision to take care of any unusual contingency by giving to the Senate the power to expel a Member, but only by a two-thirds vote, showing that they knew exactly what they were doing. They were not leaving anything to chance, but set out specifically, as the Senator has so forcefully stated, the qualifications of Senators and Representatives and the method of their election. Then, out of an abundance of caution, they left to the two bodies, the House and the Senate, the right to expel a Member for improper behavior, if there could be obtained a two-thirds vote of the body from which the Member was to be expelled. I think the Senator's argument is not only sound but that it is unanswerable.

Mr. OVERTON. I thank the Senator. His observation as to the care with which the framers of the Constitution acted is absolutely correct. Insofar as protecting the integrity and dignity of the Senate is concerned, I think the framers of the Constitution took that matter into consideration, and said, "No bare majority shall oust a man whom a legislature has sent to the Senate, but it will take two-thirds to do it, and in that way the Senate may protect itself against the invasion of obnoxious or objectionable characters."

So much for that. I shall not dwell longer on section 4, except to point out that it provides the machinery of election, after the power of election had been provided, and after the qualifications of the electors had been provided, and after the qualifications of the elected had been provided.

What was the next thing the framers of the Constitution did? They said, "Well, these provisions will have to be applied to individual cases as they arise. There should be some tribunal to judge, when the legislature elects someone to the United States Senate, or when a Governor appoints, in the case of a vacancy, as to whether the Senator appointed or elected has the qualifications prescribed by the Constitution. So we are going to establish a tribunal, a court, to pass upon these questions." That was a proper thing to do, a logical thing to do, a sensible thing to do.

The framers of the Constitution could have vested this power in some court; they could have vested the power in the Supreme Court, which they had created. They could very well have said, "The Supreme Court of the United States shall be the judge of the elections, returns, and qualifications of Senators and Representatives," or they could have said that such questions should be decided by such inferior courts as the Congress might determine. In other words, it was not at all necessary to convert the Senate and the House into judicial tribunals. The makers of the Constitution could have taken some other tribunal, and vested it with judicial functions and judicial powers, and let it pass upon the question of the elections and qualifications of Senators and Representatives.

Let us suppose they had done so. Let us suppose the Constitution had provided that the Supreme Court of the United States, or some tribunal other than the Senate, taking the case of Senators only, should be the judge of the elections, returns, and qualifications of its Members. Would anyone contend that such an outside tribunal, even the Supreme Court of the United States, would have had the authority to add additional qualifications for a Senator? No; that could not be done. The framers of the Constitution said, "We think that, after all, each House is the best arbiter of the qualifications of its own Members, and we are going to make each House a judicial tribunal to pass upon them." Did it vest any other authority in this judicial tribunal than such as is vested in ordinary, usual judicial tribunals?

When we read this provision of the Constitution in section 5:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members—

the word which leaps from the page and strikes us right in the middle of the eye is the big word "judge." What is a judge? A judge does not make law, he does not regulate anything, he does not

prescribe anything, he has no legislative authority. He simply has the authority to pass on questions of fact according to well-established principles of law. He has the right to apply law, but he must have the law to apply. That, of course, does not apply to courts of equity, which follow a different procedure, not governed by strict rules of law. The function and authority of a judge is to apply law to a given state of facts.

If it is contended that the Senate has the authority to add qualifications because the Senate is a judge of the qualifications, why does not that argument apply to elections? The Senate is the judge of the elections. The Constitution states that the manner and the time and the places of holding elections shall be prescribed by the legislatures of the different States. Can the Senate say, "Well, we do not like the statutory law of South Carolina in reference to elections. We think something else should be done in order properly to represent the voice and will of the people. The law of this State provides that the polls shall be open at 7 o'clock a. m. and close at 6 o'clock p. m., and that does not give sufficient opportunity for the people to determine their choice, and for that reason we are going to say, since we are the judge of the elections, that we are not going to recognize any such election as that." But the framers of the Constitution had laid down all that was to be said in reference to elections, as to who should make the election, how the machinery should be provided for, and they made each House the judge of the elections and returns, and each election was to be judged according to the constitutional provisions and the applicable statutory law.

Mr. MURDOCK. Mr. President——

The PRESIDING OFFICER (Mr. CONNALLY in the chair). Does the Senator from Louisiana yield to the Senator from Utah?

Mr. OVERTON. I yield.

Mr. MURDOCK. I am impressed by the example the Senator gives us, the analogy he makes with reference to the fact that the Constitution could have delegated to the Supreme Court the power to judge of the qualifications of a Senator, just as it created the Senate itself as the judicial authority or agency to pass on the qualifications. As I understand the distinguished Senator's argument, it is that the word "judge" means exactly the same when we are acting in our judicial capacity, passing on the qualifications of a Senator, as it would mean had the framers of the Constitution delegated that judicial power to the Supreme Court.

Mr. OVERTON. Exactly; that is correctly stated. We have no more authority than a judge of the Supreme Court would have if the authority had been given to the Supreme Court to pass upon the qualifications. Can one for a moment imagine the Supreme Court of the United States saying, "Here is a case where a Senator's qualifications are in dispute, and while he has the age, the citizenship, and the residence, yet there is something which we do not like about the Senator, so we are going to send him back home, and the Senate shall not have the advantage of his counsels and his labor, and his selection by the people of his State is rejected."

Mr. President, I challenge anyone to point to any provision in the Constitution where the word "judge" is used in any other sense than in the ordinary and accepted sense in which it is usually used. When the framers of the Constitution desired to vest in the Congress of the United States, or in either House, any authority beyond that of judging, they expressed their meaning very clearly and unmistakably. For instance, it is declared that the House shall have the sole power of impeachment. That is perfectly clear. Articles of impeachment are to be preferred only by the House, and by no other body.

The Constitution declares that the Senate shall have the sole power to try all impeachments. So if articles of impeachment are brought from the House to the Senate, have we the right to say that we are going to depart from those articles of impeachment, and are going to find some other ground for the officer's impeachment? Certainly we do not have that authority.

When the framers of the Constitution undertook to vest a substantive right to act legislatively, or to make rules and regulations, they were not at a loss to find the appropriate words. Take section 8 of article I of the Constitution in which the powers are conferred upon the Congress of the United States:

The Congress shall have power to lay and collect taxes—

Is that not perfectly clear?

to regulate commerce—

There is the power to regulate. No such word as that is used in connection with the provision that each House shall be the judge of the qualifications. The Constitution does not declare that each House may regulate the qualifications of its Members.

to establish a uniform rule of naturalization—

Mark the word "establish." There is a grant of substantive power.

to provide for the punishment of counterfeiting—

To "provide." The Constitution does not say that each House may "provide" the qualifications of its Members, which word it could readily have used as it did when it granted authority in the Congress of the United States to provide for the punishment of counterfeiting.

To constitute tribunals inferior to the Supreme Court.

To "constitute." That is a clear word, and it is different from the word "judge."

To define and punish piracies and felonies.

The Constitution does not say that each House shall have the right to "define" the qualifications of its Members.

To make rules for the government and regulation of the land and naval forces.

To exercise exclusive legislation—

And so forth.

To make all laws.

In all cases in which it was the intention of the framers of the Constitution that there should be vested in either House or in both collectively, in the Congress of the United States, any authority other than to judge, the framers found no difficulty in expressing such authority in clear and unmistakable language.

Mr. President, I had intended to refer to certain authorities and I shall do so perhaps very briefly. I think the able Senator from Utah [Mr. MURDOCK] has referred to Mr. Madison's comments on the articles of the Constitution and the interpretation he placed upon them. If he did I shall repeat them but briefly, and only because I think they reinforce my argument.

Mr. MURDOCK. Mr. President——

The PRESIDING OFFICER (Mr. CONNALLY in the chair). Does the Senator from Louisiana yield to the Senator from Utah?

Mr. OVERTON. I yield.

Mr. MURDOCK. Many Senators have come to me this afternoon since the Senator began to speak and have commented on his argument with reference to the qualifications of electors. I simply wanted to suggest to the Senator, that in my commenting upon Madison's statements made in the Constitutional Convention I did not emphasize very thoroughly that important fact which the Senator has mentioned, and it might be well in quoting Madison to show that he, too, placed just as much emphasis on what could be brought about by delegating to this body the power to establish qualifications for the electors as well as for the elected. I think it might be well to do that.

Mr. OVERTON. I thank the Senator. Mr. Madison in the debates on the Constitution had this to say:

The qualifications of elector and elected are fundamental articles in a republican form of government, and ought to be fixed by the Constitution.

I may say that they not only are fundamental, as I think we can all agree, but they were fixed by the Constitution.

If the legislature could regulate those of either—

And Mr. Madison uses "legislature" in the sense of "Congress"—

If the (Congress) could regulate those of either—

That is the qualifications of either the electors or the elected—

it can subvert the Constitution. A republic may be converted into an aristocracy or oligarchy as well by limiting the number capable of being elected as the number authorized to elect.

So, no doubt at all is left as to the qualifications of the elected and the qualifications of the electors.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BROWN. I have just asked the Senator from Wisconsin [Mr. LA FOLLETTE] the same question I now wish to ask the Senator from Louisiana, and he has answered it in the negative. Does the Senator from Louisiana recall whether in the entire history of the

United States Congress a law has ever been passed which attempted in any way to set up the qualifications of a Senator or of a Representative?

Mr. OVERTON. I do not so recall, and I think I am quite sure the Congress of the United States has never undertaken to exercise such authority.

Mr. BROWN. Does not the Senator then conclude that that is a rather significant fact in our legislative history, which demonstrates that no one has ever felt that there was any power in the United States to lay down the qualifications of a Senator or a Representative, and that, therefore, the qualifications which are laid down in the Constitution itself are final?

Mr. OVERTON. I do.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. WHITE. In our common discussion here we speak of the qualifications of Senators; I think the Constitution itself uses the word "qualifications," and I take it that in a sense they are qualifications. It seems to me that in their real substance, however, they are limitations upon what would otherwise be the plenary and unlimited authority of the people of the States and of the Governors of the States, in appropriate cases, to choose their representatives in this body.

Mr. OVERTON. The Senator is absolutely correct about that, and that is the thought I have been trying in my feeble way to convey to the Senate.

Mr. WHITE. The Senator has conveyed it to me, and that is why I am referring to it. If we look upon these qualifications as limitations in their effect upon the power reserved to the States, I think it is perfectly clear that we cannot take from the people of the States their constitutional rights and privileges of election without an act of equal sanctity; that is, a constitutional provision. Does the Senator agree to that?

Mr. OVERTON. I agree.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kentucky?

Mr. OVERTON. Not quite yet.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. OVERTON. If the Senator from Kentucky will pardon me, I simply wish to emphasize what the Senator from Maine had to say, so long as we are dwelling upon that suggestion.

When it was desired to amend the Constitution immediately following the War between the States so as to impose the additional qualification of loyalty, we did so, and amended the Constitution disqualifying those who took up arms against the Government or gave aid and comfort to its enemies. That bears out the thought suggested by the Senator from Maine.

I now yield to the Senator from Kentucky.

Mr. CHANDLER. I simply wish to call this situation to the attention of my distinguished friend, the Senator from Louisiana: If the Senate decides to establish a precedent that it has no right to investigate charges of moral turpitude, then would not the Senate place itself in the position of refusing to examine the fitness of its own membership, whereas the President's appointments are examined carefully and minutely, and frequently rejected for reasons sufficient to the Senate?

Mr. OVERTON. But the power of rejection given to the Senate by the Constitution is unlimited.

Mr. CHANDLER. In my opinion, we are now about to say that the Senate cannot judge, even though the Constitution says it is the judge of its membership. I have always taken that to mean that if charges are brought and testified to, the Senate has the right by a majority vote to say whether the charges are true, and whether the Senator was entitled to his seat.

Mr. OVERTON. Regardless of what the charges may be, and regardless of whether they affect the Senator's election or constitutional qualifications?

Mr. CHANDLER. I am not talking about the election, because I think we all agree that if the charges affected the election the Senate has the right to make the decision. But if the Senate does not have the right to do what the Senate Committee on Privileges and Elections has been instructed to do by the Senate, I do not know what it may do in such a case. If such right does not exist in the Senate, I think we ought not to waste our time in what we are now doing. Many Senators have maintained that we did not have the right to do it in the first place, and if we do not have that right, we ought not to do what we have directed the committee to do.

Mr. OVERTON. That has been my view for a number of years.

Mr. CHANDLER. I do not think the Senate ought to put itself in the position of saying that we will not investigate our own membership if charges are made against our Members, but that we will investigate, through our committees, any appointee whose nomination is sent to us by the President of the United States, such as one named to the Supreme Court. Presidential nominations have frefrequently been rejected by the Senate for one reason or another, good, bad, or indifferent. It seems I can hardly get that matter explained to my satisfaction. I wish the Senator from Louisiana would try to explain it to me.

Mr. OVERTON. I shall be glad to do so. I have certainly lost my effort and wasted the fragrance of my argument, if any it has, upon the desert air, if first I have not undertaken to convey to the Senator from Kentucky my interpretation of the Constitution, that the sole power of election is in the different sovereign States of the Union, and that the qualifications are prescribed by the Constitution, and that the machinery for election are established either by congressional statutory law or by State statutory law.

Mr. CHANDLER. I understand.

Mr. AUSTIN. Mr. President——

Mr. OVERTON. Allow me to finish, and then I shall be happy to yield.

After those things are done, the Senate is made the judge to determine whether the qualifications enumerated in the Constitution exist, and whether the election has been held by the proper authority and in accordance with the statutory law in such cases made and provided. But when it comes to the other provision of the Constitution to which the Senator refers—that is, the power of appointment—the appointment is made how by the President? "By and with the advice and consent of the Senate." So the Constitution does not lay down any qualifications whatsoever as to nominees. It simply requires the Senate to give its advice and consent; and if it witholds its advice and consent, it is acting within its constitutional authority.

Mr. CHANDLER. The Senator will agree that if it withholds its advice and consent for reasons——

Mr. OVERTON. It does not have to have reasons.

Mr. CHANDLER. Usually reasons are presented; and my recollection is that in the past investigations of charges have been made with respect to prospective appointees, and they have been turned down. There has been failure to advise and consent.

In this case a Senator-elect presents himself, and there is no attack on his election, but there are petitions and charges which the Senate says it wants its Privileges and Elections Committee to investigate and report to the Senate. The Senate says to him, "Come in, Senator, and take your seat without prejudice, either to you or to the Senate, and we will make an investigation." I have not been able to satisfy myself that it would not have been just to have kept him out of the Senate on the first day until we had decided that question, if it is a question we have a right to decide. However, we let him come in, and now it is contended by some that a two-thirds vote is required to prevent him from continuing to occupy his seat.

I am only trying to get that matter cleared up because I am not in doubt about the charges. The Senator's argument intrigues me. If the Senate should decide that it has no jurisdiction in cases of this sort, we shall never have to work a year and a half on such a question, as we have worked on this case, perhaps futilely and foolishly.

My mail from some of the States asks, "Who is being tried, Senator LANGER or the committee?" If the committee is being tried, it is because the Senate directed the committee to do what it has done. Let me say to my distinguished and learned friend that I do not think the committee has done anything which it was not directed to do.

Mr. OVERTON. I think the Senator is making a very able argument in support of my view.

Mr. CHANDLER. I did not intend to avoid doing so if it is the correct view.

Mr. OVERTON. The Senator's argument is that the Senate has the same authority as if it were written in the Constitution that the people of the State may, with the advice and consent of the Senate of the United States, elect such Senators as they desire.

Mr. CHANDLER. The election is not under attack here.

Mr. OVERTON. No.

Mr. CHANDLER. The attack here is one of moral turpitude; but if the Senate has no jurisdiction in such matters, and has no right to take up that question, then it ought to pass upon it and settle it for the future, so that in the future we shall not be in a situation similar to the one in which we now are.

Mr. OVERTON. I am contemplating offering a substitute for the pending resolution in which I shall undertake to express that very thought.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. AUSTIN. In view of the fact that I shall discuss this question later, if I have the opportunity, I think what I am about to suggest should be brought to the Senator's attention, for I regard his argument as an extremely able one, and worthy of very careful consideration.

I have observed that in all the references to the convention in which the Constitution was adopted no Senator has yet referred to this particular provision, which is really under test in the debate. The Senator from Michigan [Mr. BROWN] asked a question relating to the delegation of power to the States and relating to the absence of action by the Congress to provide specific qualifications. That question was replied to by the Senator from Louisiana, the reply showing, I believe, that he has not in mind what occurred in the convention with respect to the subject of qualifications or disqualifications.

Mr. OVERTON. The Senator from Michigan was not asking me about what action the Constitutional Convention had taken.

Mr. AUSTIN. I understand that.

Mr. OVERTON. The question of the Senator from Michigan was whether Congress had ever undertaken, by enactment of statutes, to regulate the qualifications.

Mr. AUSTIN. Very well. I wish to ask the Senator from Louisiana if he intends to discuss the matter? I do.

From Madison's report of the discussion on this subject in the Constitutional Convention it appears that the provision regarding property qualifications arose in connection with the qualifications of Senators because the committee reported the following draft:

SEC. 2. The Legislature of the United States shall have authority to establish such uniform qualifications of the Members of each House with regard to property as to the said Legislature shall seem expedient.

SEC. 4. Each House shall be the judge of the elections, returns, and qualifications of its own Members.

Thereupon a debate occurred, in the course of which Mr. Pinkney said:

The committee, as he had considered, were instructed to report the proper qualifications of property for the Members of the National Legislature, instead of which they have referred the task to the National Legislature itself.

These are said to be quotations from Madison's report of the debates. In the course of the debate the following statement was made by Mr. Wilson:

It would be best, on the whole, to let the section go out. A uniform rule would probably never be fixed by the Legislature, and this particular power would constructively exclude every other power of regulating qualifications.

On that ground, therefore, they omitted section 2, which read:

SEC. 2. The Legislature of the United States shall have authority to establish such uniform qualifications of the Members of each House with regard to property as to the said Legislature shall seem expedient.

Mr. President, I shall not take the Senator's time on this point. I merely call it to his attention to give him a fair opportunity to discuss it, if he wishes to do so, and also to call to his attention another provision of the Constitution which has not been spoken of. I refer to the prohibition that no religious test shall ever be required as a qualification to any office or public trust in the United States. I call attention to that provision in connection with Senators and Representatives.

In other words, I ask the Senator, if he cares to do so, to discuss this question. The Constitutional Convention left it entirely up to the Legislature, without qualification, to judge of elections. The other prohibition is a prohibition which applies entirely to the States, and was for that obvious purpose, as was the fourteenth amendment.

Mr. OVERTON. I have read the debates, and my recollection is that it was suggested that different qualifications be prescribed by the Constitution in reference to those who were to be elected. One of the suggested qualifications was a property qualification. Some others were suggested during the course of the debate. The report of the debates is not very full and complete. I was undertaking, in a rather short time, to consider the articles of the Constitution as they stand today, and place the proper interpretation upon them. I undertook to give the historical background in reference to the article of the Constitution prescribing qualifications.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURDOCK. In line with the suggestions made by the distinguished Senator from Vermont, a very important action was taken, which was omitted by the Senator from Vermont. Gouverneur Morris proposed an amendment to strike the word "property," which, had that section been adopted, would have given the legislature absolute power in the way of prescribing qualifications; but Gouverneur Morris failed in his effort to strike out the word "property." Madison was emphatic in saying that it was important in a republican form of government to write into the Constitution itself whatever qualifications were to be imposed. That is the argument which he made.

If the Senator will further yield, in answer to what the Senator from Kentucky suggests, it seems to me that the Senator from Kentucky has suggested a very important angle in this debate. He says that we have the right, on any nomination made by the President, to go carefully into the qualifications of the person nominated. Why is that? Because the Constitution gives us that power. Why does it give us the power? It is a power reserved on the part of the ambassadors from the States to pass on the qualifications of proposed appointees of the President; but, on the other hand, the mere statement that we may judge of the qualifications of our own Members certainly applies to those qualifications in the Constitution itself, and nothing else.

As the Senator suggested to the Senator from Kentucky, if we had been given the power to pass on the qualifications of proposed Members, or if the section had been written so that the States, by and with the consent of the Senate, might send Members here, we should have exactly the same situation; but the framers of the Constitution did not say that.

Mr. OVERTON. I thank the Senator for his contribution.

I wish to hurry on, as I desire to complete my argument in a very few minutes.

I will say to the very able Senator from Vermont that I expect to be present and listen to his argument, because I know that he is not only a great lawyer, but also a profound student of the Constitution. He has devoted a great deal of thought to this question, not only on this particular occasion but for a number of years. Of course, I may be wrong. I am simply undertaking to construe the Constitution as I think it should be construed, and as I think the framers of the Constitution intended it to be construed. I do not know that it would be particularly illuminating if I were to go through the debates on the Constitution, and show that it was proposed that the Legislature—that is, Congress—should have certain authority, and then, after the debates, it was determined that it should not have such authority; and that certain qualifications were suggested, and that afterward it was determined that such qualifications should not be provided. I think it is sufficient, at least for the purposes of my argument, to point out that, as it now stands, the Constitution gives to the States the sole power to make their own elections of Senators, and prescribes the qualifications; and, subject to those qualifications, full authority is vested in the State agencies—that is, first the legislature and now the people.

Mr. CHANDLER. Mr. President, will my friend yield for a question?

Mr. OVERTON. Very well; I shall be very glad to yield.

Mr. CHANDLER. Does the Senator from Louisiana agree that if the charges had been made against the Senator from North Dakota after he had become a Senator, they properly could have been the subject of investigation by the Senate?

Mr. OVERTON. Under the power to expel?

Mr. CHANDLER. Under the power to investigate the conduct of its Members, and to expel him if he should have been expelled.

Mr. OVERTON. In my opinion, the Senate would have the authority to investigate, under the power of expulsion.

Mr. CHANDLER. If it had been charged that such acts had been committed after the Senator from North Dakota became a Senator, would the Senate

have the right to investigate such charges?

Mr. OVERTON. Oh, indeed; under the right of expulsion; certainly.

Mr. CHANDLER. The question I desire to ask is, Why could not the charges be investigated if the acts were proved to have been committed before he became a Senator?

Mr. OVERTON. Because the right of expulsion is uncontrolled and unlimited. I know that there is a considerable difference of opinion on that point.

Mr. CHANDLER. Yes; there is.

Mr. OVERTON. There is a school of thought—and it is in the preponderance—that the expulsion power of the Senate is not entirely unlimited, but can be exercised only in the case of high crimes and misdemeanors and other grossly improper conduct—for example, moral turpitude, depravity, and so forth; but not for trivial things. I assume that it would be the interpretation of the Senate that, regardless of its power to pass upon the charges, it would not exercise the authority in an arbitrary manner.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senatory from Kentucky?

Mr. OVERTON. I do not yield quite yet, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana declines to yield.

Mr. OVERTON. I read the expulsion provision:

Each House may determine the Rules of its Proceedings—

At that point there is a comma—

punish its Members for disorderly Behavior—

At that point there is a comma. Mark you, the punishment of its Members is for a specified reason—disorderly behavior.

The comma is followed by the word "and," followed by another comma, and then the following:

with the Concurrence of two third, expel a Member.

There is no limitation on the authority of expulsion if a literal interpretation is given to the language of the Constitution.

When we expel we are exercising an unrestricted authority which is vested directly in us by the Constitution, but when we sit as judges to pass on qualifications, we have to be guided by the qualifications prescribed by the Constitution.

Mr. CHANDLER. Mr. President, will the Senator yield now?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kentucky?

Mr. OVERTON. I yield.

Mr. CHANDLER. The point I desire to make is this: Assuming the same charges which have been made here, charges based upon acts supposed to have been committed prior to Senator LANGER'S coming to the Senate, is it the contention of the Senator from Louisiana that if the charges were based on crimes alleged to have been committed since the Senator has been a Member of the Senate, we should have a right to investigate and to expel him?

If the Senator's answer to that question is "yes," I wonder why we cannot investigate and pass upon charges based on similar acts if they were committed before the Senator came here.

Mr. OVERTON. I have been endeavoring all afternoon to answer the Senator's last question, and I am sorry that I have so hopelessly failed in attempting to do so.

Mr. CHANDLER. I do not contend that the Senator has failed; but the question is one which touches the gist of the whole matter.

Mr. OVERTON. The Senator injects into his question a new phase of the case, which is in reference to the power of expulsion. I say that under a literal interpretation of the Constitution we have the unlimited power to expel; we can investigate any Senator, regardless of the time when he was elected, and can undertake to expel him for any reason.

Mr. CHANDLER. On the basis of charges identical to the present charges?

Mr. OVERTON. Yes; or any other charges.

Mr. CHANDLER. On the basis of charges identical to the present charges, if deemed sufficiently grave, and if proved?

Mr. OVERTON. Yes.

Mr. CHANDLER. On charges identical to the present charges?

Mr. OVERTON. Does the Senator qualify the question by including charges based on events and acts which occurred after Senator LANGER'S election?

Mr. CHANDLER. Yes, sir.

Mr. OVERTON. I then give an affirmative answer to the question.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. STEWART. As the junior Senator from Kentucky said, the very point which was under discussion is one about which the Senator and I have been somewhat disturbed. The question, as I understand it, involves a construction of probably two words. The Constitution uses the word "expel," and says that this body may expel a Member by two-thirds vote; but the question involved in the interrogation propounded by the Senator from Kentucky brings in the word "exclude," which has been used in the debate—that is, to repel, so to speak, the entrance of the man into the Senate, which requires only a majority.

As I understand, with respect to exclusion, we have a right to go back and inquire into acts which the Member under investigation committed prior to the election.

Probably I am not able to make myself clear; but it is on the proposition of exclusion that I think a majority vote is required. Is that not correct?

Mr. OVERTON. That is correct; and exclusion can be made for certain reasons prescribed in the Constitution, having to do with election and qualifications.

Mr. STEWART. That is correct. It is the insistence of the Senator from Louisiana, as I understand, that the present case is not one of exclusion but of expulsion, and that, therefore, a two-thirds vote of the Members of this body is required in order to expel the Senator on trial; is that correct?

Mr. OVERTON. I shall answer the Senator's question in the affirmative, subject, however, to the qualification that I do not know whether the proof in the record is sufficient to justify a judgment of expulsion on the part of the Senate, because I have not read the record, and do not propose to read it. I say that for the reason that the committee has submitted a report declaring that Senator LANGER is not subject to expulsion but declaring that he is subject to exclusion by a majority vote. When I became satisfied that he had been elected, and met the qualifications prescribed by the Constitution, it was not necessary for me to read the record, because, in such circumstances, I was not going to vote to disqualify him.

Mr. STEWART. Then the Senator is talking about the very thing that has concerned me more than any other in this proceeding. I have given some thought to it and have taken opportunity very recently to study the precedents, or what appear to be the precedents, with respect to whether this is a case of exclusion or expulsion, and whether it will require a two-thirds vote or whether it will require a bare majority. That is the point I am more concerned about at this time than any other, if I may say so to the Senator from Louisiana. I have listened with a great deal of interest to the Senator's discussion of that question today, and I think it has been very helpful.

If the Senator will permit me a digression, I will ask if he does not agree with me that the method of procedure we have adopted in this case, when a man has been permitted to enter the Senate, is wrong? I doubt, perhaps, if the statement made by the majority leader on the morning of the day the Senator from North Dakota was sworn in will save the situation.

The Senator from Kentucky gave notice that certain charges had been filed against the Senator from North Dakota, and that he would agree, so far as he was concerned, that the newly elected Senator from North Dakota take the oath and be sworn in without prejudice to the Senate or to the Senator himself.

It was over a year ago when the charges were preferred; the Senator was sworn in on that very morning, and the majority leader made the statement to which I referred. He has served here for a period of almost a year and a half, or, since January 1941. During that time he has drawn his salary as a Senator, I assume; he has had his office force; they have been paid by the Government; he has exercised every right and performed every function which every other Senator of this body has a right to perform. He has a seat here; he has engaged in debate; he has voted, if you please, on every measure which this body has considered. On one occasion—and perhaps such an instance will never occur again—he actually voted on the question of seating one of his colleagues in a contest from the State of West Virginia. If I remember correctly, there was only a difference of one or two votes on the roll call on that occasion. I have not checked to see whether his vote would have changed the result, but I know that in a number of instances

when amendments to bills which were before the Senate were under consideration and the yeas and nays were called, there was a difference of only one or two votes either way. I know that this body, since the Senator from North Dakota has been sworn in, has declared war on three other nations, and he voted in each instance for the declaration of war against Germany, Italy, and Japan.

I say, without regard to the facts of the case, that, as a matter of public policy, as a matter of orderly, sensible procedure as soon as this case is disposed of, the Senate ought to agree upon some rule of procedure in cases such as this that will not throw the Senate into such confusion.

For a year this gentleman has been here and mixed and mingled with his fellow Members of this body and ingratiated himself with them, if that is the way I may speak of it, not purposely doing anything improper—I do not mean to charge that he has ever done that. We have become acquainted with him, and it is not easy to vote against a man with whom you have rubbed shoulders for a year and with whom you have mixed and mingled.

I say the procedure is wrong; it ought to be changed, and I think we ought to take it up seriously and work it out as soon as this case is disposed of.

I say that by way of digression. I thank the Senator from Louisiana for permitting me to impose upon his time in order to enable me to get that off my chest.

Mr. OVERTON. I am very happy to yield to the Senator.

Mr. President, I should like to proceed for a moment without interruption. I ask unanimous consent to have published at this point as a part of my remarks certain quotations from Mr. Justice Story, Judges Cooley and Cushing and Foster, and one or two other authorities.

The PRESIDING OFFICER. Without objection, the matter will be inserted in the RECORD.

The quotations are as follows:

Beginning in section 612, a discussion of "the qualifications of the elected," Mr. Justice Story, in his work on the Constitution, third edition, declares:

"Among the American colonies antecedent to the Revolution, a great diversity of qualifications existed; and the State constitutions, subsequently formed, by no means lessen that diversity Some insist upon a freehold or other property of a certain value; others require a certain period of residence, and citizenship only; others require a freehold only; others a payment of taxes or an equivalent; others, again, mix up all the various qualifications of property, residence, citizenship, and taxation or substitute some of these as equivalents for others

"The existing qualifications in the States being then so various, it may be thought that the best course would have been to adopt the rules of the States, respectively, in regard to the most numerous branch of their own legislatures. And this course might not have been open to serious objections. But, as the qualifications of members were thought to be less carefully defined in the State constitutions and more susceptible of uniformity than those of the electors, the subject was thought proper for regulation by the convention. And it is observable that the positive qualifications are few and simple. They respect only age, citizenship, and inhabitancy."

Judge Cooley, in his work on constitutional limitations, page 78, states:

"Another rule of construction is that where the Constitution defines the circumstances under which a right may be exercised or a penalty imposed, the specification is an implied prohibition against legislative interference, to add to the condition, or to extend the penalty to other cases. On this ground it has been held by the Supreme Court of Maryland that where the Constitution defined the qualifications of an officer, it was not in the power of the legislature to change or superadd to them, unless the power to do so was expressly or by necessary implication conferred by the Constitution."

In Cushing on law and pra ices of legislative assemblies, second edition, page 27, section 75, the author states:

"The Constitution of the United States having prescribed the qualifications required of Representatives in Congress, the principal of which is inhabitancy within the State in which they shall be respectively chosen, leaving it to the States only to prescribe the time, place, and manner of holding the election, it is a general principle that neither Congress nor the States car impose any additional qualifications. It has, therefore, been held, in the first place, that it is not competent for Congress to prescribe any further qualifications or to pass any law which shall operate as such."

In Foster on the Constitution, page 367, the author says:

"The principle that each House has the right to impose a qualification upon its membership which is not prescribed in the Constitution, if established, might be of great danger to the Republic. It was on this excuse that the French Directory procured an annulment of elections to the Council of Five Hundred, and then maintained themselves in power against the will of the people, who gladly accepted the despotism of Napoleon as a relief."

Mr. OVERTON. Mr. President, I simply want to say in conclusion—and then I will yield the floor unless some Senator wishes to ask a question——

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Connecticut?

Mr. OVERTON. I yield.

Mr. DANAHER. In addition to the constitutional disqualifications set forth by article VI and referred to a while since by the Senator from Vermont—

But no religious test shall ever be required as a qualification to any office or public trust under the United States.

There is another in section 6 of article I, and I think it should be stated because it is an express limitation:

And no person holding any office under the United States shall be a Member of either House during his continuance in office.

So far as I know, Mr. President, that is the only directly stated limitation upon the right of any person to hold office in either branch of the Congress and constitutionally set forth. Inviting the Senate's attention to article I, section 2 of the Constitution, I should like to read so much thereof as states that:

The House of Representatives shall be composed of Members chosen every second year.

Then:

And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Mr. President, I ask the Senator from Louisiana whether it is not significant that there was no statement whatever in the Constitution as to the qualifications of those who might choose the Senators who were to be selected by the legislatures of the several States. Pursuing the question further, I direct his attention to the fact that it was not until the seventeenth amendment was adopted that we ever prescribed a set of qualifications for electors who should act with reference to the election of Senators of the United States.

Mr. OVERTON. I think the Senator is in error when he states that the Constitution originally did not prescribe the qualifications of electors of Senators. Is that the point made by the Senator?

Mr. DANAHER. I hope I made myself clear.

Mr. OVERTON. Did the Senator make that observation?

Mr. DANAHER. I did not.

Mr. OVERTON. Then I am sorry I made the statement I did make.

Mr. DANAHER. I wish to ask the Senator whether it is not significant that it was not until the seventeenth amendment was adopted we ever found in the Constitution a declaration of any kind whatever as to what qualifications were requisite for electors in the States from which Senators were selected.

Mr. OVERTON. I understand the Senator.

Mr. DANAHER. I ask the Senator from Louisiana, who has made such a splendid argument, whether he knows of any statement in the Constitution anywhere which requires even so much as citizenship of an appointee of the President of the United States.

Mr. OVERTON. None that I can recall, and I do not think there is any.

Mr. DANAHER. I think that has a bearing on the colloquy the Senator had a while since with the Senator from Kentucky with reference to what duty, if any, devolves upon us when we are called upon to assent to a Presidential appointment. It is at that point that we have a right to test the qualifications which we then impose, but which are not imposed by the Constitution or any statute as to Presidential appointees, but it rests upon a completely different bottom from the argument offered by the Senator from Louisiana, I submit.

Mr. OVERTON. I thank the Senator for his contribution, and I wish to make just one closing observation.

Much has been said about the dignity and integrity of the Senate. Certainly I am just as jealous of the dignity and the integrity of the Senate as is any other Senator upon this floor, and I do not wish to detract one iota from the dignity and integrity of the Senate, either by my vote or by any argument I might make. But there is a greater dignity, there is a higher integrity, and that is the dignity and integrity which existed before the Constitution existed and before the Senate existed, the dignity and integrity of the sovereign States of the Union, the dignity and integrity of the sovereign States of the Union which adopted the Constitution through which the Senate was created, the dignity and integrity of the people of the States in the selection of their Senators.

Mr. President, I do not desire by my vote to undertake to override the dignity and integrity of any State of the Union, through a mistaken interpretation of the Constitution of the United States. I do not wish to deprive any State of the Union of its sovereignty, a sovereignty which it had enjoyed before the Constitution was framed, and which, in the express language of the Constitution, it retains unless it has delegated those rights to the Federal Government, or unless it is prohibited in the Constitution from the exercise of those rights.

Mr. President, that is the paramount consideration, in my opinion. The Constitution vests the power to elect in the people of the different States. That is a power which we are to respect, that is a majesty of government which appeals to me. It is the voice of the people making the selection of their own officers, and we cannot sit here, the Senate of the United States, as a committee of rejection, and, for any whim or fancy, slam the door upon the entrance of anyone whom a sovereign State of the Union sends here as its ambassador.

SYSTEM OF LONGEVITY PAY FOR POSTAL EMPLOYEES—CONFERENCE REPORT

Mr. McKELLAR. Mr. President, I ask unanimous consent for the immediate consideration of the conference report on House bill 1057 regarding the longevity pay of postal employees.

The PRESIDING OFFICER. The Chair is advised that the conference report has heretofore been read; but without objection, it will be again read by the clerk.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) to establish a system of longevity pay for postal employees having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendment insert the following: "as a reward for continuous service heretofore rendered or to be rendered hereafter, shall be granted $84 per annum in addition to their base pay as now or hereafter fixed by law upon completion of 10 years' service; and an additional $60 per annum upon the completion of an additional 5-year period of service thereafter: *Provided*, That no credit shall be given for service after the fifteenth year of employment: *Provided further*, That in computing an employee's length of service, credit shall be given for substitute service"; and the Senate agree to the same.

KENNETH McKELLAR,
JAS. M. MEAD,
PAT McCARRAN,
JAMES J. DAVIS,
Managers on the part of the Senate.

M. A. ROMJUE,
T. G. BURCH,
FRED A. HARTLEY, Jr.,
N. M. MASON,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. McNARY. Mr. President, I have no objection to the consideration of the conference report, but I wish to make a brief observation, if the Senator from Tennessee does not desire to proceed.

Mr. McKELLAR. No; I yield.

Mr. McNARY. I have a letter from the National Union of Postmasters, expressing their disappointment that the longevity bill does not contain the provisions for third- and fourth-class postmasters which were in the bill as passed by the Senate. The provision covering them was stricken out in conference, as I recall.

Mr. McKELLAR. The Senator refers to certain third- and fourth-class postmasters?

Mr. McNARY. Yes.

Mr. McKELLAR. That provision was in the Senate bill; but in conference, upon objection of the House, it was left out.

Mr. McNARY. That is what I was stating; it went out in conference?

Mr. McKELLAR. Yes.

Mr. McNARY. I have a telegram from the secretary of the Oregon branch of the National League of District Postmasters, which reads:

Please oppose conference report on longevity bill unless third- and fourth-class postmasters are included—

And so forth. I express very deep regret that the Senate conferees yielded on this vital matter. May I say to the Senator that I assume that he will give consideration to third- and fourth-class postmasters in a subsequent bill which may come before the Congress?

Mr. McKELLAR. There is such a bill already before the Congress, and I am sure that will be done. I wish to say to the Senator that the conference was the result of long consideration and very considerable compromise. The Senate bill, as the Senate will remember, provided an increase of $60 for the first 10 years and a $60 increase for the next 5-year period. That was stricken out in conference and a provision making $84 the first increase and $60 the second increase was adopted. The House originally provided $100 in each case, and it was a question of agreeing to the figures. After a long conference, and after making every effort to arrange this measure in a manner which the committee thought was just, the conferees finally agreed upon the report, and I hope it will be adopted.

The PRESIDING OFFICER. If there be no objection to the present consideration of the report, the question is on agreeing to the report.

The report was agreed to.

EXCLUSION OF JAPANESE FROM CITIZENSHIP

Mr. STEWART. Mr. President, I wish to address the Senate for a few minutes upon a matter entirely foreign to the question which has been under discussion today.

On Monday a subcommittee appointed by the chairman of the Committee on Immigration will begin hearings on several immigration bills, at least three, one of which is a bill having for its purpose the exclusion of Japanese in this country from citizenship, regardless of whether they were born in this country or in any of its possessions.

Since the bill was introduced and hearings were announced, we have received a great many letters from people throughout the country making inquiry about the type of legislation proposed, some of them challenging the right of the Congress to pass such legislation, and referring to Supreme Court decisions which have heretofore given to native-born Japanese the right to claim American citizenship; that is, referring to those born in continental United States and those born in our island possessions.

I wish to say a word or two about that matter. So far as this country is concerned, the situation is somewhat serious. There are not a great many native-born Japanese in continental United States, or, for that matter, many Japanese aliens. There are a few thousand, principally in the western States, in California and the other coastal States, and in a few of the inland States there are Japanese who claim citizenship by reason of birth, as well as Japanese who have come here from Japan.

It is well known that by reason of laws which have been on our statute books for many years, Japanese cannot become naturalized. It is also known that children born to Japanese who themselves cannot claim citizenship by naturalization, not having been born here, may claim citizenship by reason of the mere incident of birth, as it was recently stated in one Supreme Court decision.

The situation is not so serious in continental United States as it is in the islands. I am told that on the island of Oahu alone, where Pearl Harbor is located, there are about 140,000 or perhaps 150,000 Japanese. It also has been charged—and probably to some extent has been proven—that on the 7th of December, when the Japs attacked our forces at Pearl Harbor, some acts of sabotage were committed, and that particularly after the attack had begun there was constant and continual radio interference which prevented the American forces on the island, both of the Navy and the Army, from communicating by radio at all. So the most serious situation concerning America with reference to the Japanese exists on the islands in the Pacific, for the reason that, while we now seem to be fighting on the seven seas, one of the main theaters of war is in the Pacific Ocean. We are being assailed and attacked seriously and dangerously by the Japanese Nation at this time, and in order successfully to combat and resist, of course, everyone knows that the Hawaiian Islands will probably constitute the chief base of operations. Located as they are, I think, roughly speaking, about half way between our country and Australia, whatever the distance may be, they are essential to America as a base of operations, and it is my belief, borne out by such facts as we have at hand—and it is the belief in the heart of every American citizen, I think—that every Jap of the

entire 140,000 or 150,000 on Oahu constitutes a potential spy and enemy. The Japanese on that island outnumber those not of Japanese origin by 100,000 or more, so the Japanese are vastly in the majority. It is my belief, based upon information I have received from many who, I believe, have knowledge which is well worth believing and listening to, that the presence of these Japanese constitutes a serious threat on the island of Oahu, and unless they are removed it will be practically impossible to use the Hawaiian Islands as a base for operations.

I know the argument is made that by reason of a long-standing decision of the Supreme Court of the United States we are dealing with persons who claim American citizenship. That is true, but there has always been a question about their right to citizenship. That question was decided by a divided Court. I refer to the Wong Kim Ark case about which I spoke the other day—a case decided nearly half a century ago. I think that decision, as I stated at that time, was wrong in theory and in reason, and ought to be overruled or reversed.

One of the purposes of the bill which we shall consider at the hearings beginning next Monday is to give to the War Department full power, right, and authority to deal with these Japs, though native-born they are, in the same manner as though they were actually born upon foreign soil. I have been asked why that is considered to be necessary. I have stated some of the reasons. Other reasons are, of course, that these orientals are not in any sense constituted as are the American people. They do not think as we do. Their ideas of government, religion, and everything else are entirely different from the ideas of the American people. They should be dealt with accordingly.

The other day I said I think a Jap is a Jap anywhere, and I believe that if we do not take full cognizance thereof we may have serious cause to regret it, for we cannot wait much longer to begin aggressive operations in the Pacific.

I think the time has come for America to "get tough" in this war. We in this country are not accustomed to accepting defeat, and yet every newspaper we pick up tells the story of a British retreat and a Japanese advance, in Java, now in Burma, in New Guinea, and elsewhere in the western theater of war, in the Pacific theater. Every newspaper we pick up tells the story of the sinking of a tanker, and some of them have actually been sunk within sight of our shores, off the Jersey Coast, and off the North Carolina Coast.

Some time ago I made a statement in the Senate, and others have made the same statement, that we should immediately take possession of the island of Martinique, and the other islands in the Atlantic near our shores, and near the Western Hemisphere, which might be taken and used as bases of operations for submarines. That idea has been discussed many times by those of us who believe that something along that line should be done, but nothing has been done. All we know is that the submarines of some nation which is certainly not friendly to America have been sinking American vessels off the eastern coast. I forget the number, but, as I recall, 50 or 60 tankers and other vessels have been sunk within sight of the shores of the United States.

Where is the base of operations of these submarines which are sinking these vessels? Is it Martinique? Is it on one of the other islands nearby? Everyone knows that but few submarines can travel a great distance; so it seems to me the base of operations is bound to be reasonably close. Therefore I say it is time for America to "get tough."

I wish to see real action taken, and so do the people of this country. For the past 2 or 3 years we have been repeatedly warned by the great President who sits in the White House today that this situation was going to develop. He has upon his shoulders today the greatest burden that was ever carried by any man who has occupied the chair of the Chief Executive of this Nation. He has completely and thoroughly done his part, and it behooves all of us, in Congress on the home front, and abroad, to stand squarely behind him.

No criticism is worth while if it is not constructive, or unless suggestions can be made as to what might wisely be done. I make no claim to superior intellect, nor to be a military strategist; but I know we need many ships. Recently, the enemy has been sinking our boats at quite a rapid rate. Some say they are being sunk even faster than we are able to build them. We need ships both in the Atlantic and in the Pacific.

We all know where there is a great navy which is not being used. It is now in harbors of France or in waters off the French coast. I speak of the French Navy. What nation is there on the face of the earth that owes any more to America than does France?

A quarter of a century ago America sent her soldiers to France, and American blood was spilt upon the battlefields of France, in order that the French Nation might be saved from an ignominious defeat. France was saved, and we believe it was saved because of the intervention of America. Now France has a great navy. This time France did not have America to help her when she was attacked, and she was overrun. In my judgment, and in the belief, I think, of nearly everyone else, the Vichy Government in France is under the complete dominion and control of the Nazi Government, and in my opinion, if someone does not take over that French Navy pretty soon Mr. Hitler will have it. Recently, we have heard extensive rumblings to that effect.

Two or three months ago I made a similar statement, and I was told that it would not be wise to give the subject too much publicity; that negotiations were going on which might lead to something worth while along that line. I am tired of negotiating. Mr. Hull was negotiating in the State Department Building when the Japs blew hell out of Pearl Harbor, and he sat there in the presence of those slant-eyed devils when he received the message that American blood was being shed in Hawaii.

It may be asked, "How are we going to get possession of the French Navy? You have made a fine, constructive suggestion, but how are we going to get possession of the French Navy?" Perhaps it is a fine, constructive suggestion; perhaps it is not. The French Navy, however, in the possession of the German Nation would represent the balance of power upon the high seas. If the American Navy and the British Navy—assuming we could get the British to fight a little with us—cannot take that navy and sink it, then who can do so, and if we do not go there and sink it where it is, then we shall have to fight it after it has been scattered upon the high seas, in command of Nazi officers. That is my belief, and I think it is time that we begin to give thought to such things. I think that fleet will spread upon the oceans of the world, just like an infection which does not receive medical attention spreads until the poison from it finally gets into the blood stream and affects the entire human system. We shall have to sink those ships one at a time out upon the high seas sooner or later. I wish to see America give serious attention to that question.

Mr. President, much is said about the people of this country being complacent. We hear a great deal about complacency on the radio, and we read a great deal about it in the newspapers. I cannot speak for the other sections of the country, but I will say that the people of Tennessee are not complacent. If Senators do not believe that statement, I suggest that they come to my office and read some of my mail, or make a trip into that mountain section all the way from Memphis to Bristol. The people of Tennessee are concerned about the war. They are ready to do their part. They want to know why it is that America is taking a licking in the Pacific Ocean, and why it is that tankers are being sunk along the Atlantic seaboard, and why it is that this, that, and the other is not taking place. They are doing their part by way of subscribing to defense bonds. They are contributing their part to the war effort. They are contributing their sons, they are doing everything that should be done, and they are wondering why they are said to be complacent. No complacency exists in that section of the country. Other Members of this body can speak for their own sections, but I feel they would say about theirs what I say about mine. I speak only of the sentiment that exists in Tennessee.

Mr. President, it is late. I had some other things in mind to say, but I shall not detain the Senate longer. At the proper time, later, after we have progressed further with the hearings on the Japanese bill, I shall have more to say on that subject. I think that situation is a serious threat to America.

In this connection I will say that there is not a thing in the Japanese bill about which I have been talking which would affect the Chinese. It is frankly aimed at the Japanese.

Someone asked me whether it would affect the members of the colored race, and whether there was a purpose or intention to try to take citizenship away

from the Negro race. My answer to that question is "Absolutely no." I am advised that the Negroes throughout America are standing four-square behind the American flag and behind our President. On behalf of one Negro, Joe Louis, I will say that by giving the entire purse which was collected at one of his recent fights to the Navy relief fund he has contributed more than have many other individuals. The colored people in Tennessee and in the southern sections of the country are 100 percent behind the United States in its war effort. There is nothing in this bill except what is aimed at aliens, and particularly at the Japanese. I want to see America get rid of them.

HOURS OF DUTY OF POSTAL EMPLOYEES

Mr. McKELLAR. Mr. President, I dislike at this late hour in the day to ask for the consideration of a bill by unanimous consent. However, I will say that I have spoken to the minority leader [Mr. McNARY], and also to the Senator from Vermont [Mr. AUSTIN].

I ask unanimous consent for the present consideration of House bill 6759. The bill, which would change the hours of service of some of the employees in the Post Office Department, is very strongly recommended by the Department. The Department is very anxious that it be put in operation as soon as possible. The proposed act would be operative only for the period of the emergency and for 6 months thereafter.

The PRESIDING OFFICER. The Senator from Tennessee asks unanimous consent for the present consideration of a bill which will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6759) to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McKELLAR. Mr. President, a few days ago the Senator from Nevada [Mr. McCARRAN] objected when the bill came up. He wished to look into it further. He is now present, and is willing that the bill be passed. For the information of all Senators—there being very few now present—let me say that if any Senator who is not present objects to the bill he may ask for reconsideration on Monday, and I shall have no objection. However, I should like to have the bill passed this afternoon, as it is very necessary to the Department that it be passed at the earliest possible date.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2360, an identical bill, will be indefinitely postponed.

WAR PROGRAM OF THE UNITED STATES MARITIME COMMISSION

Mr. CHANDLER. Mr. President, the importance of ships to the people of the United States in this emergency cannot be overestimated. Prior to the outbreak of the war the Maritime Commission was at work on a long-range program. There were two parts to the program. The first was to meet the immediate needs of defense and the lease-lend program. Since the war, and at the President's direction, the Maritime Commission has stepped up its activities until its program now calls for 8,000,000 dead-weight tons of merchant ships in 1942. In 1943 it expects to build 12,000,000 dead-weight tons.

I agree with the Senator from Tennessee [Mr. STEWART] as to the very great importance of ships to the people of our country in this emergency. In terms of ships rather than dead-weight tons, the Commission's program calls for 2,877 vessels. Of these, 157 had been delivered into the service of the country on the 1st of March.

More than 750 others are due to be ready to haul men and materials by the end of this year. Next year a thousand ships or more will be put into operation. The only thing which would prevent this from being done would be failure of a constant flow of steel and labor. I know how anxious the people of the country are with respect to this important program.

I ask unanimous consent to have printed in the RECORD following my remarks an interview between Mr. Theodore Granik, chairman of the American Forum of the Air, and Admiral Vickery, Vice Chairman of the Maritime Commission, which goes into greater detail with respect to this important matter.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

ANNOUNCER. What Price Victory? Mutual presents another program in its series of interviews with leading Government officials. Our purpose in this public-service feature is to bring you answers to some of the significant questions that men and women everywhere are asking about our war effort. Tonight's interview deals with the problems of our shipbuilding program. The man who conducts these interviews, who will ask the questions you want answered, is Theodore Granik, well-known attorney and chairman of the American Forum of the Air. His guest tonight is Rear Admiral Howard L. Vickery, United States Navy, Vice Chairman of the United States Maritime Commission. And now here is Mr. Granik, our John Q. Public.

Mr. GRANIK. Admiral Vickery, one fact about this war, I believe, is crystal clear to the American public. And that fact is—this is a war of ships.

Admiral VICKERY. Quite so, Mr. Granik. It is a war of distances—thousands of miles between the various theaters of the war, with vast stretches of water in between.

Mr. GRANIK. Between the United States mainland, in its role of arsenal for the United Nations, and, for example, the fox holes of Bataan on the other side of the Pacific.

Admiral VICKERY. Exactly. And it is taking ships, more ships, and still more ships to carry men and guns and tanks and all the implements of war to those distant points where we are engaging the enemy in combat.

Mr. GRANIK. And the Maritime Commission, Admiral, is the sole Government agency charged with the responsibility for building these ships?

Admiral VICKERY. It is.

Mr. GRANIK. And now, Admiral, is the Maritime Commission's program operating on schedule?

Admiral VICKERY. Generally speaking, Mr. Granik, it is. We have got to do better, we can do better, and we will do better. The story of our shipbuilding effort is substantially the same as that in all lines of war production. We are stepping on the gas harder each day as we increase the speed of our travel toward that ultimate and inevitable destination—total and absolute victory over the enemy. It may surprise you, Mr. Granik, to know that in the 14 years prior to 1937 only two freighters—cargo ships—for the overseas foreign trade were built in this country. But between now and the end of 1943 more than 18,000,000 dead-weight tons of merchant shipping will be built in American shipyards.

Mr. GRANIK. You said something there about dead-weight tons, Admiral. I'm a dry-land sailor. What do you mean when you speak of dead-weight tons?

Admiral VICKERY. Dead-weight tons, Mr. Granik, are the most accurate measure of the amount of cargo a ship carries.

Mr. GRANIK. Then that's the actual weight in tanks and munitions and foodstuffs which this victory fleet will carry?

Admiral VICKERY. That is substantially correct.

Mr. GRANIK. I see you have before you, Admiral, your production figures—the story of exactly what the shipyards of the United States have done to help win the war during the month of February. The purpose of this series of radio broadcasts is to bring to the American public the facts about our war effort. Suppose you give us the score for February.

Admiral VICKERY. During that month, Mr. Granik, there were delivered from these yards 28 ships. That's 1 a day.

Mr. GRANIK. I notice you say delivered, Admiral. You mean these ships were put into actual operation at the rate of one a day?

Admiral VICKERY. Right. There was a time when we talked in terms of launchings, but now we talk about deliveries. In other words, Mr. Granik, from the first day of February through the last day of February a total of 28 ships were outfitted and put into war service of one sort or another. And while those 28 ships were being commissioned a like number were sliding down the ways right after them. And farther, back along the production line the keels for about twice as many more ships were being laid.

Mr. GRANIK. The last time the Maritime Commission's program was the subject of one of these broadcasts, Admiral Vickery, I recall that a prediction of a ship-a-day launching was made. I see now that a ship a day is actually being delivered.

Admiral VICKERY. That's right, Mr. Granik. And by midsummer we will be delivering two ships a day. But I want to make myself perfectly clear about this business of building ships for the greatest war the world has ever known. Remember, I just said a minute ago that for 14 years prior to 1937 only two cargo ships for the overseas foreign trade were built in American shipyards.

And then I told you that in the month of February we delivered a ship a day, and by midsummer it will be two ships a day. The speed-up there is pretty obvious.

Mr. GRANIK. It certainly is.

Admiral VICKERY. All right. Now equally obvious is the fact that this mighty program is only possible of attainment if everything clicks. We have the blueprints and we have the money and we have the yards. But we have to have labor and materials. We've got to have a continuous flow of steel into the shipyards. We've got to have a continuous flow of labor. There must be no strikes. This is war—total war. I am sure the American public is convinced of that fact by now. And when you have total war, Mr.

Granik, you don't have time for unnecessary delays. Management and labor must cooperate to see that stoppages of work in shipyards do not occur.

After all, the men who own the shipyards and the men who work in them have just as much at stake as the men in uniform at the front. If they don't build ships so that they can be delivered on schedule or ahead of schedule, and this war of ships doesn't come out the way we want it to, those shipyard owners and those shipyard workers will be minus their liberties, their homes, and probably their lives.

Defeat is unthinkable—and so is a lag in shipbuilding.

Mr. GRANIK. And a serious lag in shipbuilding could bring the actual fighting right on to our own shores?

Admiral VICKERY. I'll accept your observation, Mr. Granik.

Mr. GRANIK. Well, Admiral, what can you tell us about the strike situation as of tonight?

Admiral VICKERY. Management and labor are cooperating. There is room for improvement—and I look for that improvement. Each of us can and must work harder. Each of us can and must synchronize our efforts with those of the man working next to us. That's what I mean when I say that everything must click.

Now, during the first 10 months of 1941, we did have strikes in our shipyards and in the ship repair industries—the two must be considered together. Those strikes cost the ship program more than 5,000,000 man-hours.

Mr. GRANIK. What would that figure be in the terms of ships, Admiral?

Admiral VICKERY. Just about 10 of the Liberty type. Those are the emergency-cargo vessels, for the merchant marine, Mr. Granik. I feel sure I am speaking for everyone under the flags of the United Nations when I say that we don't want any more stoppages like that. We can't afford to have them.

Mr. GRANIK. While I think of it, Admiral, we read a lot in the newspapers these days about sabotage.

Admiral VICKERY. I suppose you are thinking about the *Normandie?*

Mr. GRANIK. As a matter of fact, I was.

Admiral VICKERY. I'd like to make an important point there, Mr. Granik. I don't mean about the starting of the fire but about what happened after the fire got out of hand. That could never have occurred on the *America,* for example, which was one of the first ships built under the Maritime Commission's program. We are building more ships than we ever built before. We are building them faster. And we are building fireproof-type construction on our standard long-range vessels. We are not sacrificing safety for speed in the yards or on the ships. I think by that statement I am answering, as best I can, your question about the dangers of sabotage.

Mr GRANIK. Thank you, Admiral. The war-production program of the United States has grown to such proportions that it is difficult for anyone of us to visualize it. We talk about billions of dollars and millions of man-hours of labor. Suppose you tell our radio audience, as simply as possible, just what the Maritime Commission program calls for.

Admiral VICKERY. I am glad to report, Mr. Granik, that way back in the days when the country was debating defense measures——

Mr. GRANIK. That does seem like a long time ago, Admiral.

Admiral VICKERY. Well, when the argument was going on about whether or not the war would come to our shores, the Maritime Commission was at work on a long-range program. There were two parts to this program, both being carried out simultaneously. One was for the immediate needs of defense and lend-lease. The other was for the rebirth of the United States, after the war, as a maritime nation second to none.

The defense and lend-lease phase of this program was so well developed that it was a relatively simple matter to step it up to a war program. Soon after Pearl Harbor, President Roosevelt issued a directive to the Commission. That directive called for 8,000,000 dead-weight tons of merchant ships in 1942, and another 10,000,000 dead-weight tons of shipping in 1943. Since that time, the quota for next year has been boosted in our schedules to about 12,000,000 dead-weight tons.

In other words, Mr. Granik, the shipyards of the United States are engaged in a production program greater than that of all the rest of the shipyards throughout the world combined. In terms of ships, rather than dead-weight tons, the Commission's over-all program calls for 2,877 vessels. Of these, 157 had been delivered into service up to March 1. More than 750 others are due to be ready to haul men and materials of war by the end of this year. And next year, another 1,000 ships or more will be put into operation. But remember, I said at the beginning of this interview, everything must click and that means principally an uninterrupted flow of steel and of labor.

Mr. GRANIK. And where is all this work being done, Admiral Vickery?

Admiral VICKERY. On the Atlantic, the Pacific, and the Gulf coasts, Mr. Granik, with certain types of ships being produced on the Great Lakes. And back in the inland States, remote from the coastal shipyards, factories converted to war production are turning out engines and lifeboats and a thousand other essential parts of a ship.

Mr. GRANIK. How is it, Admiral, that we have been able to accelerate shipbuilding to such an extent? Did we have anything like this in the last war?

Admiral VICKERY. First of all, Mr. Granik, in World War No. 1 the best over-all record was established at Hog Island. The time from keel laying to delivery was 7 months and 24 days.

The average was somewhere between 10 and 12 months. Today many of our yards are scheduled to turn out Liberty ships at the rate of 105 days from keel laying to delivery. That's 60 days on the ways and 45 days for outfitting the ship.

Mr. GRANIK. That certainly is speed and more speed, Admiral Vickery.

Admiral VICKERY. As you know, Mr. Granik, shipbuilding in American yards fell away to practically nothing after the last war. As recently as 1937 we had only 10 yards in operation capable of building big oceangoing ships. Now there are more than 50. Our production capacity has been increased fully 500 percent.

Prefabricating of ship sections was practiced to a small degree just before the end of World War No. 1. Now it is the accepted procedure in every yard. Modern shipbuilding is being accomplished along assembly-line methods. Also, welding is being used to a greater extent than ever before. This is one of the greatest timesavers in the industry. Now the prefabricated sections of a ship are sewn together or fused by the welder's arc. Formerly they were riveted together. Not only does this save time which we dare not lose but it saves precious steel by reducing the overlapping of the ship's plates.

Mr. GRANIK. And to make the best possible use of these modern methods of shipbuilding, Admiral, we need——

Admiral VICKERY. Steel and men. And our machines must be kept working around the clock every day. Waste must be eliminated. Shipworkers must be trained at the highest rate of speed consistent with their acquisition of a thorough understanding of the job they are about to do. But remember—and I want to emphasize this point—everything must click if we are to have the ships we need to win this war.

Mr. GRANIK. Just one last question, Admiral. In your inspection trips through the shipyards, what impression have you gained in regard to the morale of the workers?

Admiral VICKERY. Last week, Mr. Granik, I made a trip to the Gulf coast to inspect certain shipyards constructing vessels for the Commission. As I passed through the fabricating shop of one plant, I was greatly impressed by what I saw. Every man was busy. Nowhere was lost motion evident. Glancing up I noticed a huge traveling crane coming toward me from the far end of the shop. Emblazoned upon it in red, white, and blue letters were these words, which have been going through my mind ever since, and which in closing I leave with you: "The guy who relaxes is helping the Axis."

Mr. GRANIK. Thank you, Admiral Vickery. I'm sure our radio audience has benefited by your clear-cut report on our war shipbuilding.

Admiral VICKERY. And thank you, Mr. Granik, it has been a pleasure to participate in this broadcast.

ANNOUNCER. What price victory? Mutual has presented another program in its series of interviews with leading Government officials. This series, a public service feature, is conducted by Theodore Granik, well-known attorney and chairman of the American Forum of the Air. His guest tonight was Read Admiral Howard L. Vickery, U. S. N., vice chairman of the United States Maritime Commission.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations in the Coast and Geodetic Survey, which were referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

RECESS TO MONDAY

Mr. McKELLAR. In conformity with the order previously entered today, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 42 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, March 23, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 20 (legislative day of March 5), 1942:

COAST AND GEODETIC SURVEY

To be hydrographic and geodetic engineer with rank of captain in the Coast and Geodetic Survey from the 19th day of January 1942:

Jean H. Hawley
Frederick B. T. Siems

To be hydrographic and geodetic engineer with rank of commander in the Coast and Geodetic Survey from the 19th day of January 1942:

Kenneth T. Adams	Raymond P. Eyman
Frederic L. Peacock	Charles Shaw
Ray L. Schoppe	Carl A. Egner
Jack Senior	

To be hydrographic and geodetic engineer with rank of lieutenant commander in the Coast and Geodetic Survey from the 19th day of January 1942:

Edgar H. Bernstein	Earl O. Heaton
Ronald R. Moore	William M. Scaife
John A. Bond	Robert F. A. Studds
Cornelius D. Meaney	Henry C. Warwick
Augustus P. Ratti	Benjamin H. Rigg

Ralph W. Woodworth	Kenneth G. Crosby
Leo C. Wilder	Glendon E. Boothe
Albert J. Hoskinson	Earle A. Delly
Elliott B. Roberts	Leonard S. Hubbard
Henry E. Finnegan	Philip C. Doran
Charles M. Thomas	John C. Bose
Charles Pierce	Hubert A. Paton
Thomas B. Reed	Walter H. Bainbridge
Jack C. Sammons	Carl I. Aslakson
Robert W. Knox	Riley J. Sipe
H. Arnold Karo	Samuel B. Grenell
George L. Anderson	Paul A. Smith
Isidore Rittenburg	

To be hydrographic and geodetic engineer with rank of lieutenant in the Coast and Geodetic Survey from the 19th day of January 1942:

Ira T. Sanders	John Laskowski
Edward R. McCarthy	Ross A. Gilmore
Francis B. Quinn	Gilbert C. Mast
Emil H. Kirsch	Fred A. Riddell
Henry J. Healy	Ira R. Rubottom
John H. Brittain	Maurice E. Wennermark
Walter J. Chovan	
George A. Nelson	Fred Natella
Wilbur R. Porter	Jeremiah S. Morton
Clarence A. Burmister	Robert A. Marshall
Percy L. Bernstein	Edward B. Brown, Jr.
James D. Thurmond	John C. Ellerbe
Charles A. Schanck	Maurice A. Hecht
Joseph P. Lushene	John C. Tribble, Jr.
Curtis LeFever	James C. Tison, Jr.
Henry O. Fortin	Kenneth S. Ulm
George W. Lovesee	Clarence R. Reed
Edwin C. Baum	Edmund L. Jones
Lawrence W. Swanson	William C. Russell
Gilbert R. Fish	Junius T. Jarman
Franklin R. Gossett	Herman C. Applequist
Ernest B. Lewey	William F. Deane
John C. Mathisson	Edgar F. Hicks, Jr.
George E. Morris	John C. Bull
Clifton J. Wagner	Arthur L. Wardwell
Roswell C. Bolstad	Emmett H. Sheridan
Arthur N. Stewart	Ernst E. Stohsner
Clarence A. George	Joseph E. Waugh, Jr.
Max G. Ricketts	Dorland H. Konichek
Robert A. Earle	Paul Taylor
Harry F. Garber	Horace G. Conerly
Karl B. Jeffers	Charles F. Chenworth
Vawter M. Gibbens	

To be junior hydrographic and geodetic engineer with rank of lieutenant (junior grade) in the Coast and Geodetic Survey from the 19th day of January 1942:

Charles A. Schoene	Dale E. Sturmer
William R. Tucker	Fair J. Bryant
Philip A. Weber	Charles W. Clark
William N. Martin	Joseph W. Stirni
Harold J. Seaborg	Glen W. Moore

SENATE

MONDAY, MARCH 23, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend Zeb Barney T. Phillips, D. D., offered the following prayer:

O Giver of life and light, we beseech Thee to look down with infinite pity upon this Thy world, for at the threshold of the dawn Thou art wont to meet us as we wake anew to life with its responsibilities. O Thou who art the Lover of men, show us how we may better serve with what we have, and do Thou give us strength for each new duty, power to resist temptation, the vision to recognize each opportunity, and the wisdom with which to meet it.

Teach us the lesson so needful for our time, that only he who stoops to wear the yoke of law becomes the child of liberty, that in the kingdom of the soul obedience is strength which blossoms into beauty as it obeys the simple law of sacrifice.

Remember those who, despite their grief or pain, must take up heavy burdens, grievous to be borne; comfort the woeful and heavy-hearted, and bring each one of us to the close of day at eventide, free from conscious wrong, to the feet of Him upon whose lips tremble words of mercy and of healing, even Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, March 20, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on March 21, 1942, the President had approved and signed the following acts:

S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy; and

S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 6543) to amend certain provisions of the Internal Revenue Code relating to the production of alcohol, and it was signed by the Vice President.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Byrd	George
Austin	Capper	Gerry
Bailey	Caraway	Gillette
Bankhead	Chandler	Glass
Barbour	Chavez	Green
Barkley	Clark, Idaho	Guffey
Bilbo	Clark, Mo.	Gurney
Bone	Connally	Hayden
Brewster	Danaher	Herring
Brown	Davis	Hill
Bulow	Doxey	Holman
Butler	Ellender	Hughes
Johnson, Calif.	Murray	Spencer
Johnson, Colo.	Nye	Stewart
La Follette	O'Daniel	Taft
Langer	O'Mahoney	Thomas, Idaho
Lee	Overton	Thomas, Okla.
Lucas	Pepper	Thomas, Utah
McCarran	Radcliffe	Truman
McFarland	Reed	Tunnell
McKellar	Reynolds	Tydings
McNary	Rosier	Vandenberg
Maloney	Russell	Van Nuys
Maybank	Schwartz	Wheeler
Mead	Shipstead	White
Millikin	Smathers	Wiley
Murdock	Smith	Willis

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

MANUFACTURE AND DISTRIBUTION OF NARCOTIC DRUGS: PROVISION FOR DOMESTIC CONTROL OF PRODUCTION AND DISTRIBUTION OF THE OPIUM POPPY AND ITS PRODUCTS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to discharge more effectively the obligations of the United States under certain treaties relating to the manufacture and distribution of narcotic drugs, by providing for domestic control of the production and distribution of the opium poppy and its products, and for other purposes (with an accompanying paper); to the Committee on Finance.

STATUS OF CERTAIN NATIVES AND INHABITANTS OF THE VIRGIN ISLANDS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation relating to the status of certain natives and inhabitants of the Virgin Islands (with accompanying papers); to the Committee on Immigration.

TEMPORARY APPOINTMENT OR ADVANCEMENT OF OFFICERS OF THE COAST AND GEODETIC SURVEY DURING WAR OR NATIONAL EMERGENCY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the temporary appointment or advancement of commissioned officers of the Coast and Geodetic Survey in time of war or

national emergency, and for other purposes (with an accompanying paper); to the Committee on Commerce.

REPORT OF SECRETARY OF COMMERCE COVERING WAR AND DEFENSE ACTIVITIES OF RECONSTRUCTION FINANCE CORPORATION AND ITS SUBSIDIARIES

A letter from the Secretary of Commerce, transmitting a report dated the 21st instant of the activities of the Reconstruction Finance Corporation and its subsidiaries in connection with the defense and war effort, dealing specifically with the commitments, loans, and advances made by the Defense Plant Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company, War Insurance Corporation, Export-Import Bank, and the Reconstruction Finance Corporation, and not including the normal operations of the Reconstruction Finance Corporation (with an accompanying report); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented, and referred as indicated:

By the VICE PRESIDENT:

A paper in the nature of a petition signed by Tom J. Collings, of New York City, N. Y., representing a committee, praying for the enactment of legislation to declare, for the duration of the war in commemoration of Pearl Harbor dead, the 7th day of each month as Defiance Day, to the end that the American people may pay their respects on that day in terms of supreme war-work effort and defiance to all enemies of the Republic; and also requesing that the Treasury Department establish a cumulative rehabilitation fund so that those who desire may voluntarily contribute their proceeds or pay on the 7th day of each month for the use of our combat troops when the war is over, and enclosing one dime as an initial contribution to such proposed rehabilitation fund; to the Committee on Military Affairs.

A resolution adopted by the Norfolk (Va.) Council of American Legion Posts, favoring the enactment of legislation to provide for a continental defense force and transmitting a draft of proposed legislation to aid in accomplishing such purpose (with an accompanying paper); to the Committee on Military Affairs.

A concurrent resolution of the Legislature of the State of New York; to the Committee on Commerce:

STATE OF NEW YORK—IN SENATE,
Albany, February 23, 1942.

(By Mr. Young)

Whereas passage of persons and movement of commodities across the border between this country and Canada are hampered and affected by many governmental restrictions and regulations; and

Whereas during this time of perilous conflict in which both nations are allied and mutually engaged for the preservation of freedom and the defeat of dangerous enemy nations it becomes particularly urgent that all unnecessary barriers which tend to injuriously affect the common war effort shall be eliminated; and

Whereas continental solidarity and friendly exchange are not only desirable but extremely essential to successful prosecution of the war, and irritating and distressing border conditions are not only undesirable but harmfully inimical to those essentials: Now, therefore, be it

Resolved (if the assembly concur), That the Legislature of the State of New York hereby respectfully requests the Congress of the United States to speedily bring about and put into effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and that travel of persons and movement of products may be facilitated for the purpose of promoting a harmonious, an efficient, and a victorious prosecution of the existing war; and be it further

Resolved (if the assembly concur), That copies of this resolution be transmitted to the Secretary of the Senate and the Clerk of the House of Representatives of the United States and to each Member of Congress of the United States from the State of New York.

By order of the senate:

WILLIAM S. KING, *Clerk.*

In assembly, February 24, 1942. Concurred in without amendment.

By order of the assembly:

ANSLEY B. BORKOWSKI, *Clerk.*

By Mr. CAPPER:

A petition of sundry citizens of Wichita, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. VANDENBERG:

A resolution of the Friesian-Holstein Association of Livingston County, Mich., favoring the maintenance of parity prices on farm products; to the Committee on Agriculture and Forestry.

A petition of sundry citizens of Grand Rapids, Mich., praying that action be taken to prevent the destruction of 2,000,000 acres of wheat in the State of Kansas under an alleged Agricultural Adjustment Administration order; to the Committee on Agriculture and Forestry.

A resolution adopted by farmers of Branch County, Mich., members of the Michigan Marketing Quota Protest Association, protesting against alleged regimentation under the Agricultural Adjustment Administration program and favoring abolition or removal of the program in its entirety; to the Committee on Agriculture and Forestry.

A resolution of the Genesee County (Mich.) Taxpayers Association, protesting against the proposal to improve the St. Lawrence waterway during the present emergency; to the Committee on Commerce.

A resolution of the Michigan State Farm Bureau favoring that prompt and necessary steps be taken to prevent further delays in the operation of war industries due to strikes and labor disputes; to the Committee on Education and Labor.

A resolution adopted by a mass meeting of citizens at Flint, Mich., favoring the granting of a fair and impartial opportunity to Negroes, both men and women, of the city of Flint and Genesee County, Mich., along with other groups, to be trained, hired, and to work in the several plants now in operation and under construction or to be constructed in that vicinity; to the Committee on Education and Labor.

The petition of members of the Grandville Ladies Literary Club, of Grandville, Mich., praying that all partisan politics be forgotten in the interest of the common good; that the 40-hour workweek be abandoned for the duration of the war; that a ceiling be placed over the prices of essential civilian goods, wages, rents, and profits derived from war materials; that an effort be made to operate all war industries on a 168-hour week, and also that all items not essential to the prosecution of the war and the minimum necessities of the Government be eliminated from the National Budget; to the Committee on Education and Labor.

Resolutions of the commission of the city of Monroe, Mich., protesting against the proposal to tax income derived from municipal bonds, and also the enactment of any legislation that might deprive the city of Monroe of the right to levy taxes on defense industries; to the Committee on Finance.

The petition of members of the Dearborn district of the Michigan Education Association, of Dearborn, Mich., praying that the State sales tax be not removed from materials purchased in the State of Michigan for the manufacture of military supplies because of its effect in lowering the revenue available to the State treasury for the maintenance of State governmental agencies; to the Committee on Finance.

A resolution of the Dickinson County (Mich.) Board of Supervisors, protesting against the enactment of the so-called big truck bills now pending in Congress; to the Committee on Interstate Commerce.

A resolution of the Michigan State Farm Bureau, favoring the prompt enactment of legislation to make it an act of sabotage to interfere in any way with the orderly delivery of agricultural commodities to market and their final consumption or storage; to the Committee on the Judiciary.

A petition of sundry citizens of Traverse City, Mich., praying for abolition of the Office of Civilian Defense; to the Committee on Military Affairs.

A resolution adopted by the mayors and other officials of the cities and villages of western Wayne County, Mich., protesting against the enactment of legislation to build a new city at Willow Run and the expenditure of sums of money and vital materials to duplicate facilities alleged already to exist in their communities; to the Committee on Military Affairs.

A petition of sundry citizens of Alpena, Mich., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. BONE. Mr. President, I am in receipt of a communication from Mr. C. S. Longacre, general secretary of the American Temperance Society of the Seventh Day Adventists of the city of Washington, D. C., who submits with the letter a petition signed by a large number of citizens of the State of Washington, praying for the enactment of Senate bill No. 860, known as the Sheppard bill. The bill has been reported and is on the Senate Calendar, and, therefore, I think the petition perhaps may not properly be referred to a committee, but I shall ask the Chair to see that it is properly disposed of.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Washington will be received and lie on the table.

OPERATION OF MANUFACTURING PLANTS AT FULL CAPACITY ON WAR WORK—PETITION

Mr. MALONEY. Mr. President, I present for reference to the appropriate committee a petition signed by Merle M. Wetzel, John R. Beccia, Irving Hansen, C. M. MacWilliams, and many other citizens of Connecticut, and referring to strikes, lock-outs, or refusal to convert plants, and so forth. This petition is addressed to me and to my colleague, the junior Senator from Connecticut [Mr. DANAHER], and to Representative JOSEPH

E. TALBOT, of the Fifth District of Connecticut.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Connecticut will be received and referred to the Committee on Education and Labor.

PREPARATION FOR PEACE—PETITION

Mr. MALONEY. Mr. President, I also present for reference to the appropriate committee a petition signed by Miss Mary Ware Dennett, chairman of World Federalists, and many other citizens of the State of Connecticut, referring to the need that we "prepare in time of war for lasting peace," and suggesting the "calling at the earliest possible moment of a convention of representatives of all free peoples to frame a world federal constitution."

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Connecticut will be received and referred to the Committee on Foreign Relations.

RESOLUTION OF LOYALTY BY CITIZENS OF BRISTOL, R. I.

Mr. GREEN. Mr. President, I have received and now present a resolution passed by the patriotic citizens of the town of Bristol, R. I., pledging their loyalty to our Commander in Chief in this world-wide war. I ask that the resolution be printed in the body of the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Resolved, Whereas we, the citizens of the town of Bristol, R. I., assembled as free citizens in our time-honored and democratic annual town meeting, mindful of our historical heritage extending back of the date of the adoption of our National Government and proud of the patriotic support which our citizenry has given to our Nation and our State in every period of crisis, do now pledge our loyalty to our Commander in Chief, the President of the United States, and solemnly bind ourselves to do everything in our power to bring victory to our country in this world-wide conflict; and be it further

Resolved, That a copy of this resolution be spread upon the records of the town and that a certified copy be forwarded by the town clerk to the President of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SMITH, from the Committee on Agriculture and Forestry:

H. R. 6360. A bill to amend the act known as the "Perishable Agricultural Commodities Act, 1930" (46 Stat. 531), approved June 10, 1930, as amended; without amendment (Rept. No. 1188).

By Mr. REYNOLDS, from the Committee on Military Affairs:

S. 2387. A bill to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes; without amendment (Rept. No. 1189).

By Mr. GURNEY, from the Committee on Military Affairs:

S. 2380. A bill to suspend for the duration of the present war all prohibitions against the marriage of officers of the land and naval forces of the United States; with an amendment (Rept. No. 1190).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On March 18, 1942:

S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy;

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; and

S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors.

On March 19, 1942:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1669 An act for the relief of James Franklin Smith;

S. 1777. An act for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley;

S. 2063. An act to authorize certain officers and enlisted men of the Army of the United States to accept emblems, medals, orders, and decorations that have been tendered them by governments of the Western Hemisphere; and

S. 2198. An act to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPENCER:

S. 2393. A bill relating to the publication in places where branch banks are operated of statements of resources and liabilities of banks, the deposits of which are insured under the provisions of section 12B of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

By Mr. BILBO:

S. 2394. A bill to provide for the use of scientific tests to determine degree of intoxication of motor-vehicle operators in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(Mr. CLARK of Idaho introduced Senate bill 2395, which was referred to the Committee on Mines and Mining, and appears under a separate heading.)

By Mr. McCARRAN:

S. 2396. A bill to amend the Taylor Grazing Act for the purpose of providing for greater participation by district advisory boards in administration of the act; to the Committee on Public Lands and Surveys.

(Mr. BILBO introduced Senate bill 2397, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. THOMAS of Oklahoma:

S. 2398. A bill authorizing the sale of certain parcels of land reserved for public purposes in the patent issued with respect to the townsite of Fletcher, Okla.; to the Committee on Public Lands and Surveys.

By Mr. McKELLAR:

S. 2399. A bill to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938, as amended; to the Committee on the Judiciary.

SUSPENSION OF ASSESSMENT WORK ON CERTAIN MINING CLAIMS

Mr. CLARK of Idaho. Mr. President, recently the War Production Board issued an order denying priority for equipment to mines in the West in which the production of gold or silver is in excess of 30 percent of the dollar value of the entire production. This will work a very measurable hardship on the holders of small gold and silver claims. Consequently, I ask consent to introduce a bill to suspend, for the duration of the war, the assessment work which the law provides must be done on mining claims in the West.

There being no objection, the bill (S. 2395) to suspend, until July 1 next succeeding the termination of the war, the provision of section 2324 of the Revised Statutes requiring the performance of $100 worth of labor or the making of $100 worth of improvements annually on certain mining claims, was read twice by its title and referred to the Committee on Mines and Mining.

AMENDMENT TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. BILBO submitted an amendment intended to be proposed by him to House bill 6709, the Agricultural Department appropriation bill for the fiscal year ending June 30, 1943, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 75, at the end of line 21, to insert a colon and the following: "*Provided further*, That, not withstanding any other provision of law, persons who in 1942 carry out farming operations as tenants or sharecroppers on cropland owned by the United States Government and who comply with the terms and conditions of the 1942 agricultural-conservation program, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, shall be entitled to apply for and receive payments, or to retain payments heretofore made, for their participation in said program to the same extent as other producers."

LIMITATIONS ON CAPITAL AND LABOR

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a statement by him and an article from the Washington Post of March 22, 1942, relating to limitations on capital and labor, which appear in the Appendix.]

LABOR AND WAR PRODUCTION—EDITORIAL FROM THE TULSA (OKLA.) TRIBUNE

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial from the Tulsa (Okla.) Tribune of March 1942, entitled "The People Are in Command," which appears in the Appendix.]

THE 40-HOUR WEEK—EDITORIAL FROM THE TOPEKA (KANS.) JOURNAL

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial entitled "A Startling Statement," referring to a statement by the Under Secretary of War concerning the 40-hour week, which appears in the Appendix.]

ARMY AND NAVY SCHOOLS

[Mr. BILBO asked and obtained leave to have printed in the RECORD an editorial from the Washington Times-Herald of March 23, 1942, entitled "More Army and Navy Schools for Young MacArthurs," which appears in the Appendix.]

COMMENT ON ARTICLE OF DAVID LAWRENCE

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD two letters from the Princeton Alumni Weekly concerning an article written by David Lawrence entitled "The New Alibi," which appear in the Appendix.]

SUPPORT OF THE PRESIDENT

[Mr. LEE asked and obtained leave to have printed in the RECORD an editorial written by Mr. J. C. Nance, of Oklahoma, entitled "Wave the Flag and Support the President," which appears in the Appendix.]

ARMY AND NAVY SCHOOLS

Mr. REYNOLDS. Mr. President, some time ago I introduced a bill providing for additional appointments to the Military Academy at West Point and the Naval Academy at Annapolis. This morning I read in the Washington Times-Herald an editorial entitled "More Army and Navy Schools for Young MacArthurs." I had intended asking that the editorial be inserted in the Appendix of the RECORD in support of the bill to which I have referred, but I understand the editorial has already been ordered printed in the RECORD at the request of the Senator from Mississippi [Mr. BILBO].

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 27) authorizing certain clerical changes in the enrollment of the bill (S. 2208) to further expedite the prosecution of the war.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1696) for the relief of Bessie Walden, and it was signed by the Vice President.

TOTAL MOBILIZATION FOR WAR

Mr. BILBO. Mr. President, the greatest problem confronting our Republic today is to make absolutely certain the winning of the war. To do this we must utilize all our manpower, womanpower, every dollar, all our resources, and potential production in the speedy and effective prosecution of the war.

In his annual message to the Congress on January 6, this year, President Roosevelt pronounced the following production aims:

First. To increase our production rate of airplanes so rapidly that in this year, 1942, we shall produce 60,000 planes; the rate of increase to be continued so that in 1943 we shall produce 125,000 planes—a total of 185,000.

Second. To increase our production rate of tanks so rapidly that in this year, 1942, we shall produce 45,000 tanks; and to continue that increase so that next year, 1943, we shall produce 75,000 tanks—a total of 120,000.

Third. To increase our production rate of antiaircraft guns so rapidly that in this year, 1942, we shall produce 20,000 of them; and to continue that increase so that next year, 1943, we shall produce 35,000 antiaircraft guns—a total of 55,000.

Fourth. To increase our production rate of merchant ships so rapidly that in this year, 1942, we shall build 8,000,000 deadweight tons as compared with a 1941 production of 1,000,000; and to continue that increase so that next year we shall build 10,000,000 tons—a total of 18,000,000 tons for the 2 years.

There is a great hue and cry about the lag in production of war equipment. The officials in charge of our war-production program tell us that airplane plants, for example, are operating at a rate of only 125 to 150 hours a week when their facilities could be used 168 hours a week. They tell us that loss in production in the aviation industry during the past three and a half months, alleged to be due to various inexcusable causes, has cost this country 3,000 planes which might have been built.

Just think what those 3,000 planes would have meant to our deathless heroes in the fox holes of the Philippines who are going through the tortures of hell in this mighty conflict between civilization and barbarism. Just think what they could mean to the magnificent MacArthur and his heroic troops now in Australia. Mr. Herbert V Evatt, Australian Minister of External Affairs, who arrived here 2 or 3 days ago, has told us emphatically that aircraft must be provided at once. He said:

> We can destroy Japanese aggression, but to do so aircraft must be provided at once. Next month may be a month too late.

Mr. Donald Nelson, head of the War Production Board, has stated that if all our plants and equipment now involved in war production were used 24 hours a day, 7 days a week, we would practically double our present production. We must double or treble our present rate of production if we expect to attain the goal to which we are pledged. Production recently stepped up to the rate of about 3,000 planes a month; but we must do much better than that.

We know that time is of the essence. The Allied Nations are agreed that "time is but a treacherous ally, ready to fight on either side," and that an Allied victory in this globe-embracing war calls for speed and more speed in the production of more and more planes and tanks and ships and guns.

We know concentration of control over raw and manufactured materials in the hands of a few larger corporations or holding companies has endangered our chances of success in the war; and that it is absolutely imperative that we take immediate steps to correlate all our facilities and resources in order to win the war.

We know that every extra year of war will mean hundreds of thousands, perhaps millions, more killed and wounded, and billions of dollars more in expenditures to finance the war.

There is a rising tide of bitter protest because of the manner in which labor is behaving, or misbehaving. Volumes of scathing words have been hurled forth in acrimonious criticism of the Congress, the President, and the whole Democratic administration, including the Army, Air Corps, and Navy, charging us with coddling labor, condemning us for not making labor behave more patriotically. I must say that I have found most of this criticism to be highly exaggerated propaganda. I am told that as of March 17 there were between seven and one-half and eight million men in the United States at work in war industries and fewer than 100 on strike. It is manifestly unfair to lay all the blame at the door of organized labor. There has been too much of a tendency to single out labor as a horrible example.

Yes; it is true that before the infamous attack at Pearl Harbor we had far too many strikes, lay-offs, and stoppages in the war-industry plants of the Nation, but all these delays cannot be charged to organized labor, because in many cases the fault was in the employer or management. Capital and organized labor should share equally this responsibility for delay or failure, but since Pearl Harbor, be it said to the credit of both organized labor and industry, the delays and stoppages in the war industry of the Nation have been infinitesimally small when compared to the eight or ten million hard-working and patriotic men who have faithfully toiled to produce speedily the implements with which to win this war. Only in a very few cases in the thousands of war industrial plants throughout the entire Nation should a few unpatriotic, trouble-breeding labor leaders and greedy, selfish, profit-crazed industrialists have been promptly "shot at sunrise" or, as they would say in Germany, "liquidated."

Yes; many newspapers, columnists, politicians, and others in letters to the Congress are demanding that the President and the Congress "crack down" on organized labor and take away from labor many of the legal rights and gains they have attained in a fight and struggle over a period of 50 years—a battle, a struggle, to give the men and women who toil and produce a real "break in life"—freeing them from oppression, from the selfish, profit-mad employers and industrialists, freeing them and their families from virtual slavery, long hours of toil at low wages, unsanitary and hazardous labor conditions, and low, miserable living conditions and standards of life.

I have only one boy, and he is possibly on his way to Australia. Therefore, I share the feelings of anxiety and impatience of the many well-meaning critics who want to "crack down" on labor, industrialists, or on any other person who would for a moment delay the production of much-needed ships, planes, tanks, guns, and other implements of war, when our boys are being rushed to practically all the battle fronts all over the world to fight and to die to save our own country and all our people from slavery and oppression by powerful, well-trained, and

highly equipped armies—foes whose ultimate aim is to crush and put in slavery the American people.

My countrymen, do not mistake the issue. It is the United States that Germany and Japan are seeking to defeat and destroy. They know that because of our wealth, resources, and our great industrial production and the fighting strength of our manpower and womanpower, made strong because of our faith in and loyalty to the ideals of a truly democratic form of government, America is the last and only obstacle in the way to defeat their dreams of world conquest and total domination and enslavement of all the races of mankind in the world today.

Thank God the American people are still free as the winds, even if we are in the midst of war; all free except our soldier boys—they must take orders and do or die or be shot for disobedience. The laboring man in a war plant today is as free to work or play as the farmer in his fields. Suppose we should lose our heads and follow the advice of some of our wildest critics and "crack down" on organized labor, rob them of their dearly bought and precious rights and gains, the ten or twelve million skilled and trained industrial workers could walk out of every war plant in America, and our whole program would be bogged down overnight. They would not need to strike—just walk out. They would not have to form picket lines or try to keep others by force and violence from working in these plants. There would be no one to take their places because these men are highly skilled. It takes months, and in some instances years, to learn to manipulate the highly mechanized and complicated machines which are now turning out the instruments of death and destruction which are so sorely needed by our boys on the battle fronts throughout the world.

I warn my colleagues and my countrymen that we had better keep our feet on the ground. These are dangerous times. Go slow. Yes; stop sometimes and think. We could lose this war by our own mistakes.

Mr. President, please let me say in this connection that I bitterly resent the charge which is so often made by some members of the press, by politicians, and a few persons, that the President and the Congress are afraid to enact certain legislation because we are afraid of the political influences of the farm bloc, the labor group, or any other group or groups. I hate to think that my colleagues or any of them in the Senate would, in the face of the desperate war situation which confronts the Nation today, be influenced in any vote or action on any question for purely party, partisan politics, or even for his own political fortunes, and thereby jeopardize the welfare and safety, yea, the very life of the Republic.

There is a great outpouring of patriotic declarations on the part of millions of good citizens who say that they want to do their part to help win the war if they only knew what to do. "How can I help?" "Where could I best fit into the war effort?" These are oft-repeated questions we hear on every side. Of course, there is not a place in the armed forces for everyone who wants to do his bit toward winning the war. For every man that goes into the armed forces, 18 men or women must stay busy here on the home front to produce the supplies and materials of war. Gen. Ben Lear recently declared:

> Your sons are being made into fighters. Their instruction may be varied and require professional skill, but their mission is simple—to destroy the enemy on land, on the seas, and in the air. Their families at home, their neighbors around the corner, their teamworkers in the factories and on the farms, they, too, belong grimly, determinedly, unselfishly, in the ranks of the warriors of the Republic. They, too, must fight for every advantage that may be given their men and their allies on the battle fronts. At home as greatly as on the seas, in the deserts, among the jungles, and over the mountains and plains—fighters will win.

Multiplied thousands of men and women are being thrown out of work because their former occupations have been disrupted by war priorities. In all, I think there are about five or six million unemployed workers in the United States at this time.

So, on the one hand, we have the spectacle of lagging production in essential war industries. On the other hand, we have the spectacle of millions of people wanting and needing work, but who have been unable to find their peculiar niche in the war program. This is indeed an ironic situation. It is a baffling enigma; a conflicting situation leading to disunity, discontent, insecurity, and ineffectiveness in our war effort.

Everyone agrees that we have a tremendous job to do. No one doubts that in the long run the American people will necessarily shoulder the major burden of winning the victory and writing the peace that follows; because we have the preponderance of potential manpower and womanpower, the greater share of the basic resources, and the greater wealth. We are just about the only nation that has enough food even now, and before this titantic struggle is over we shall have to help feed and clothe the whole world. Our vast resources are not only an important element in the war itself, but our possession of these things may well be expected to give us a larger influence in rebuilding the world after the last gun is fired.

Even the man on the street visualizes the immensity of the task before us if we are lick the beast of Berlin, the yellow gorilla of Japan, and the windbag of Italy. He knows that Hitler has been boasting for a long time that today he is the ruler of Europe and that tomorrow he will rule the world; that the Japs already have their blueprints made for ruling America from the White House in Washington. Yes; even the man in the street knows that what we must do to the Axis terrorists is to meet them, beat them, and destroy them for all time to come.

After much deliberation on the problem confronting us, I have reached the conclusion that the solution lies in complete mobilization of our people and all that we possess for a successful prosecution of the war. It is my modest opinion that we must work out an orderly system whereby each individual and our diverse resources will be placed at the service of the country, to be utilized where most needed. This is my answer to the swivel-chair generals who have found it so easy to sit behind polished desks and dispatch caustic messages to Washington criticizing what has been done, without offering anything better to take its place.

My answer to the carping critics is: Then let us have total mobilization of all the people and all our resources, organized into productive units to serve according to the mandates of necessity.

> Each man to his place, O Israel, and drive thou on to victory!

I propose that we amend the Selective Training and Service Act of 1940 so as to require every citizen of the United States and every other person residing in the United States, 18 years of age or older, to submit to registration in the same manner that the young men from 20 to 44 already have been required to register for military service.

I propose that the President of the United States be authorized and empowered to order any such person or persons to perform any work or duties which he is capable of performing and to fix the terms and conditions upon which such work or duties shall be performed and to prescribe the compensation to be paid therefor.

I propose that the President of the United States be authorized and empowered to requisition any property of any nature whatsoever that is needed for the defense of the country or for prosecution of the war.

Mr. President, I believe a large percentage of our people will be inclined to favor this method of integrating and coordinating our manpower, womanpower, and our material resources or properties. I am sure that every father and mother who have a son facing shot and shell, every wife whose husband is risking his life at the front, every sister and brother of boys daily risking their lives on some battleground somewhere in the world, and every patriotic citizen who daily prays for the lives and safety of our boys will approve of this all-out total mobilization of the country's all to back up and protect our boys while they fight and die and to make certain our victory. Our boys are taking the great risk, giving their all, 24 hours a day, and many are dying for us and our country. We at home can at least give freely of all our time and all we possess—that they may win and that more of them may live.

But whether others agree with me today or not, I know that in a little while when the long black boxes, draped in the folds of Old Glory, containing the last remains of our immortal heroes who gave their all that this Republic might live, begin to pour into every little hamlet, town, and city of the Nation everyone will then wish we had given our all, for it would have saved the precious lives of so many.

A recent Gallup poll survey disclosed that the country is already prepared to accept total mobilization by the overwhelming vote of nearly 2 to 1. It revealed that of all the people interrogated as to their willingness to exchange their present job for one in a defense factory at whatever pay the defense job would offer, a total of 57 percent answered "Yes"; 40 percent answered "No"; and 3 percent were undecided.

The public-opinion poll on the question of drafting women for war training and war work revealed that 73 percent of the women polled voted "yes," and that 63 percent of the men were in favor of it.

A few days ago President Roosevelt warned the Nation that "no American man, woman, or child can escape the consequences of this war." He warmly approved the following excerpt from a book entitled "This Is Your War" by Marquis W. Childs:

> No American man, woman, or child can escape the consequences of this war. No other national effort in our history has required so much from each of us in sacrifice and effort. Every single aspect of your daily standard of living is going to be affected. Some of these changes you have already learned about from the newspapers. A pampered nation in the past, America is inexperienced in war.

Nearly all the major nations at war have the power to conscript their entire populations and their possessions for the war effort. The best way for us to evaluate the probable effectiveness of such a plan in our country is to judge how it has worked elsewhere in actual practice. So let us see how total mobilization is working out in England.

In the recent report by Lord Halifax, the British Ambassador, on what Britain has been doing in the two and a half years of war, he made some very interesting and heartening revelations. He proved beyond a shadow of a doubt that England is truly "stripped for action." This report showed that one-fifth of the entire British people have been shifted from their home communities to places where they are more urgently needed for war-production purposes. This mass shift of war-production workers affected 9,000,000 persons. The report also disclosed that 60 percent of England's national income has been devoted to war purposes, and that taxing "almost reaches the confiscation point."

When it became necessary to conscript women for war work to replace men workers called in combative service, it is said that at first there was a great deal of opposition in staid, conventional old England to the induction of women into factory life. But since the program has gone into effect, it has proved and is proving increasingly satisfactory and effective. Women are found everywhere in factories turning out engines for long-range bombers, in machine-tool works, and in small-arms factories, doing both skilled and unskilled work, and doing it expertly. Now that they understand that victory rests as much with them as with the men in the armed forces, those fine British women are deriving great satisfaction from doing a man's work while the men go out to the battle fronts. Morale is greatly improved; nerve tension has been notably lessened; and a realistic democracy such as had never before been witnessed in England has developed.

In Russia millions of women have been called into the service of the country to do men's work. They do all sorts of tasks in the factories. They drive locomotives and tractors; serve as engineers on ships and pilots on planes. They are said to be so numerous in munitions factories that there is hardly a weapon or shell that has not been touched by a woman's hand. Thousands of Russian women are engaged in actual combative service. During a recent Russian celebration two Russian women received awards for having ambushed a German supply train, destroying 3 tanks and 11 automobiles.

China has universal mobilization. Her citizens are recruited on the basis of conscription, trained under one system, uniformly equipped, strictly disciplined, and taking orders from a unified command. In addition to the 5,000,000 actively engaged in warfare, there are 10,000,000 reserves and 49,000,000 potential fighting men. We are reminded, too, that the classification "fighting men" includes the womenfolk. It includes the well-known Kevangsi battalion of Chinese women at the front.

I am reliably informed that in those countries where it is mandatory that every citizen do his part there is a tremendous boon to morale in working together in a common cause. As one writer expressed it:

> It is the same lift that is imparted by a great choir of voices, or by a full-throated band, a tremendous orchestra vibrating to a single theme. It is a lift that actuates the thousands of pilots, the tens of thousands of marching men who are pouring like a resistless avalanche through the mountain passes and into the valleys.

Australians apparently have found regimented manpower and womanpower and wealth highly satisfactory. At least they have retained throughout the past quarter of a century certain phases of the program which was inaugurated during the World War No. 1 era. Throughout this quarter century they have continued to have pay scales and working conditions fixed by law. The basic wage or salary at the present time, mandatory for all adults no matter what the job, is $22 a week—worth about $50 a week by New York standards. Their Government is patterned after the United States, having an elective house of representatives and senate. So, if the people did not like the system, they easily could have changed it long ago. I understand that there is no unemployment and no illiteracy in Australia—though, of course, banishment of all colored people except the aborigines, by the White Australia Act of 1901, has helped tremendously to cut down illiteracy in that country.

A day or two ago I saw a photograph of a group of Australian women being recruited for training in war industries. The legend beneath the picture indicated that those women would be sent from Sydney to Killara, where they are to take a 3-week training course before being sent to positions where they are most needed. They were a confident-looking group of strong women, obviously happy to be making ready to help produce the goods that will help destroy the Axis hoodlums.

I believe, Mr. President, that total mobilization, a truly all-out war effort, would do for us in America what it is doing for our Allies. It would be almost certain to accomplish these things and more:

Put an end to the alleged coddling, pandering, pampering, or bundling of or among any group or groups of workers.

Automatically eliminate all strikes, walk-outs, and slow-downs.

Locate at once all trained, skilled, and semiskilled industrial men and women now scattered throughout the United States and place them at work in the thousands of war industrial plants so that we will have plenty of proper labor to operate every war plant in the Nation three shifts, 24 hours a day, and in most cases 7 days a week.

Men and women who cannot qualify to train for active service at the front will be put into training at once for war factory work so as to take the places of those who can fight on the front.

Place all of Uncle Sam's nieces and nephews on the home front on the same footing as regards war efforts and war sacrifices, including the relinquishing of any personal possessions or properties that might be needed for defense or for successful prosecution of the war.

Discover and bring into usefulness many latent talents among our people.

Establish a central clearing house for jobs for employables now out of employment, placing workers according to their peculiar talents or skills.

Minimize petty jealousies and dissensions between various groups of capital, commerce, industry, labor, agriculture, and so on.

Accelerate our production program to such an extent that we can do the job we have to do in much shorter time and thereby save perhaps millions of lives as well as billions of dollars.

Sound the death knell for a luxury-softened era of playboys and glamour girls. Rout and corral the lounge lizards, parasites, sons and daughters of the rich, and the politically powerful who may have tried or may yet try to escape their part in this war effort by pressure on draft boards, and the able-bodied clerks and employees of the county, city, State, and Federal agencies, whose places can be filled with women and men who, on account of age or physical defects, cannot fight on the front. We have over a million employees on the Federal pay rolls today. We could take from these rolls enough young men between the ages of 20 to 44, inclusive—and I am sure they are anxious to fight—to whip half the Japanese Army. Their places could be filled overnight by a million women and men not eligible for combative service—all anxious to get these jobs—and the work of the Federal Government would move smoothly and effectively along.

We would do away with profiteering by contractors and manufacturers. We would put practically all the labor racketeers in the front lines; and those who were left after examination we would put to work producing instead of consuming. Even John L. Lewis and William Green would be subject to the orders and commands of their Government—a democracy really at war. I am sure organized labor would wholeheartedly approve of total mobilization, because then there would be no reason to modify or repeal any of the rights of labor under the law for the duration of the war, and they would then know of a certainty that we meant to and would win the war, forever making safe the liberties and freedoms of this great country, where even the humble laboring man has the opportunity of a decent living for himself and his family. He would know that when we win this war it will bring freedom to his brother laborers throughout the world, for he knows that at this very moment half the world is in abject slavery under totalitarian taskmasters. Laborers are half starved, working long hours with no pay.

Serve notice on our enemies that we are a determined Nation of busy, patriotic Americans working and fighting in a common cause to wipe "totalityranny" from the face of the earth.

Boost immeasurably the morale of the men in the armed forces by proving to them that while they fight for us in the lines we are fighting for them behind the lines with all our manpower, womanpower, and material resources.

Of course, there will be objections to this proposed total mobilization plan. Some of the objections will be inspired by selfishness. Certain persons will object on the alleged grounds that such a plan would give too much authority to our President and foster a dictatorship. It would do no such thing. In the first place, it would be only for the duration of the war, automatically repealed when the war is over, and could be repealed by a concurrent resolution by Congress—a resolution which would not require the President's signature—at any time during the war, should it prove ineffective or otherwise unworthy. In the second place, there cannot be such a thing as a dictatorship in this country, where our people have a regular system of elections whereby public officials have to go before the people and ask their permission to hold office. The President himself is elected by the sovereign voice of the people—than which there is no more powerful or more eloquent voice. By their votes the citizens of the United States choose their legislative representatives and their President. By the same token they select the Commander in Chief of their armed forces, because the President is the Commander in Chief. It would be impossible for President Roosevelt to become a dictator even if he so desired—which he most certainly does not—because his term expires at the end of 1944; and it will be the people's prerogative and inalienable right to say who shall be the next President.

In a dictatorship the men who are in control can be removed in only one way, and that is by destroying them. This great difference between dictators in totalitarian countries and duly elected representatives of the people in a true democracy such as ours is one of the principal things we are fighting to preserve. We are very conscious of that difference, too, in these perilous times when our precious liberties and freedoms are at stake.

I honestly believe that complete mobilization is the best conceivable plan for making everybody in the country feel that he or she truly belongs in this great democracy of ours. I am sure it would be the most satisfactory means of making each and every person shoulder his or her share of the burdens of war for the preservation of a way of life which has conveyed so many blessings to so many people.

It does not take a prophet or the son of a prophet to know that integration, concentration, and coordination of all our talents and our material resources will be required to win this war. I reiterate that I am firmly convinced we can best accomplish this noble objective by a total mobilization of our people and our possessions. Prompted by this conviction, I am introducing a bill for passage by the Congress, to provide for complete mobilization of the people and the resources of the United States for our own national defense and for prosecution of the war, in the form of amendments to our Selective Training and Service Act of 1940.

I ask unanimous consent that the bill be printed in the RECORD at this point as a part of my remarks.

There being no objection, the bill (S. 2397) to provide for total mobilization of the people and resources of the United States for prosecution of the war, was read twice by its title, referred to the Committee on Military Affairs, and ordered to the printed in the RECORD, as follows:

Be it enacted, etc., That the first section of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new subsection:

"(d) The Congress further declares that the preservation of a free society is an end which justifies requiring the members thereof to perform for so long as may be necessary any type of work or duties which such members are capable of performing and which is most likely to contribute to the preservation of that society."

SEC. 2. Section 2 of such act, as amended, is amended to read as follows:

"SEC. 2. Except as otherwise provided in this act, it shall be the duty of every citizen of the United States, and of every other person residing in the United States, who, on the days fixed for the first or any subsequent registration, is 18 years of age or older to present himself for and submit to registration at such time or times and place or places, and in such manner and in such age group or groups, as shall be determined by rules and regulations prescribed hereunder."

SEC. 3. Such act, as amended, is amended by adding at the end thereof the following new section:

"SEC. 19. (a) Every person required to register under the provisions of section 2 of this act, except persons of the classes referred to in sections 5 (c) (1) and 5 (d), shall be liable, during the continuance of any of the wars in which the United States is engaged on the date of the enactment of the Total Mobilization Act, to perform any work of a civilian nature or any duties relating to home defense which the President may deem appropriate, including work as a self-employer, as an employee of the Government or any department or agency thereof, or as an employee of any other person, or of any firm, corporation, or other business organization. The President is authorized from time to time to order any such person or persons to perform any work or duties which he is liable to perform under this section; and the President is further authorized to fix the terms and conditions upon which such work or duties shall be performed and to prescribe the compensation to be paid therefor. The compensation of any such person who is ordered by the President to perform work or duties for the Government or any department or agency thereof shall be paid by the United States and the compensation of any person who is ordered by the President to perform work or duties for any other person or for any firm, corporation, or other business organization shall be paid by such other person, firm, corporation, or business organization. The President is authorized to utilize the Selective Service System for the purpose of selecting persons for the performance of work and duties for which they are liable under this subsection, and to utilize such system and such other agencies of the Government as he deems appropriate for the purpose of assigning such persons to the work or duties they are ordered to perform and for the purpose of otherwise administering this act with respect to such persons.

"(b) Any person who willfully refuses or fails to perform any work or duties which he is liable to perform under the provisions of subsection (a) of this section and which he has been ordered by the President to perform shall, upon conviction thereof, be punished by imprisonment for not more than 5 years or by a fine of not more than $10,000, or by both such fine and imprisonment.

"(c) The provisions of subsection (a) of this section shall be effective only (1) during the continuance of the wars in which the United States is engaged on the date of enactment of the Total Mobilization Act, or (2) until such earlier time as the Congress, by concurrent resolution, may designate; but no prosecution of any person for a violation of the provisions of subsection (b) of this section which occurred during the period of effectiveness of subsection (a) shall be barred by reason of the expiration of the period of effectiveness of such subsection (a)."

SEC. 4. The first section of the act entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States," approved October 16, 1941, is amended to read as follows:

"That (a) whenever the President, during the continuance of any of the wars in which the United States is engaged on the date of the enactment of the Total Mobilization Act, determines that the use of any property of any nature whatsoever is needed for the defense of the United States or for the prosecution of such wars, he is authorized to requisition such property upon the payment of fair and just compensation therefor to be determined as hereinafter provided, and to use or dispose of such property in such manner as he may determine is necessary for the defense of the United States or the prosecution of such wars. The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this act and the fair value of any property returned under section 2 of this act, but each such determination shall be made as of the time it is requisitioned or returned, as the case may be, in accordance with the provision for just compensation in the fifth amendment to the Constitution of

the United States. If, upon any such requisition of property, the person entitled to receive the amount so determined by the President as the fair and just compensation for the property is unwilling to accept the same as full and complete compensation for such property he shall be paid 50 percent of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code (U. S. C., 1934 ed., title 28, secs. 41 (20) and 250) for an additional amount which, when added to the amount so paid to him, he considers to be fair and just compensation for such property. Such courts shall also have power to determine in an appropriate proceeding any questions that may arise with respect to the amount of the fair value to be paid upon the return of any property under section 2 of this act, regardless of the amount in controversy in any such proceeding.

"(b) No power to requisition property conferred upon the President by this section shall be exercised by him after (1) the termination of the wars in which the United States is engaged on the date of enactment of the Total Mobilization Act, or (2) such earlier time as the Congress, by concurrent resolution, may designate."

SEC. 5. Section 2 of such act of October 16, 1941, is amended to read as follows:

"SEC. 2. Whenever the President determines that property acquired under this act and retained is no longer needed for the defense of the United States or for the prosecution of such wars, he shall, if the original owner desires the property and pays the fair value thereof, return such property to the owner."

SEC. 6. This act may be cited as the "Total Mobilization Act."

DEVELOPMENT OF ST. LAWRENCE WATERWAY

Mr. DAVIS. Mr. President, I have consistently opposed the proposal to build the St. Lawrence waterway. I am opposed to it now for all the reasons I have opposed it in the past. I am opposed to it for a number of other reasons which have become urgent since the beginning of our war effort.

We are told that we do not have enough steel for guns, tanks, planes, and battleships; and yet those who propose to build the St. Lawrence waterway are asking that vast quantities of steel be diverted from war production to undertake a project that cannot possibly be completed for 5 or 6 years.

We are told that we do not have enough rubber to enable citizens to keep their automobiles in operation; and yet the advocates of the St. Lawrence waterway propose to use truck service to haul materials to the site of this vast building project.

We are told that we lack skilled workers, engineers, and mechanics to win the war; and yet the advocates of the St. Lawrence waterway propose to divert numbers of these necessary production experts to a task not now required of us.

We are told that we must double and triple our tax rates and buy large additional amounts of Defense bonds to win the war; and yet those who advocate the building of the St. Lawrence waterway want to add to a tax burden already great beyond the mind of man to understand.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an article from the Harrisburg Patriot of March 10, 1942, entitled "Threat to Pennsylvania." It refers to the threat of the St. Lawrence waterway to the economic life of Pennsylvania.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Harrisburg (Pa.) Patriot of March 10, 1942]

THREAT TO PENNSYLVANIA

Despite Nation-wide protest, "pork-barrel" legislation at Washington still includes public funds for the extravagant and wasteful St. Lawrence waterway.

Camouflaged as a defense and navigation proposal, it is essentially another Federal hydroelectric project and, as such, threatens one of Pennsylvania's great bulwarks, the coal industry and all its dependents.

Should Congress finally approve the St. Lawrence project, not only would many millions of tax dollars be taken from the American people for a job that would be years in building, but afterward and for endless years many millions of dollars would be taken from the operators and miners of coal because of the substitution of water for steam in the generation of electricity. Furthermore, it would cut into the supply of materials urgently needed for war.

So incalculable is likely to be the loss suffered by Pennsylvania from this fantastic and uneconomic Federal program that selfish as well as patriotic interest suggests an all-Pennsylvania effort to eliminate it. The threat to the State's welfare and one of its basic industries is so real that the full extent of it should be ascertained by expert investigation.

To this end Governor James would be justified in summoning a nonpartisan conference of capable Pennsylvanians, who could plan the raising of sufficient funds to employ experts and engineers to study the paralyzing effects not only on the mining industry but the railroads of this State, once the generation of power on the St. Lawrence starts competing with power generated by steam from Pennsylvania coal.

Such a study would reveal to what extent steam-generated power is more economic than power from the costly installation of dams and other works on the St. Lawrence. It could find to what extent the coal mines of the State would be crippled and the loss of coal tonnage the railroads would suffer if coal now or to be used later in the generation of electric power loses its present and potential markets.

The findings of such a conference would make hard-hitting ammunition for Pennsylvania's United States Senators and Congressmen in smashing the St. Lawrence project in Washington. Certainly these representatives of the people can offer no excuse against doing their utmost to protect the welfare of their home State.

Federal projects like the St. Lawrence inflict double punishment on such coal-producing States as Pennsylvania. Not only are the taxes of Pennsylvania used to build such projects, but later through competition with water power, the dollars of investment, capital, wages, railroad rates involved in the mining and transportation of coal, are impaired.

As has been said repeatedly, if the Federal Government has concern for the welfare of Pennsylvanians, it will nurse rather than curse the ailing coal industry of this State. Instead of suffocating mining, it would stimulate it, revitalize the stricken coal districts, create more jobs for idle miners, supply tonnage for railroads with corresponding increases in jobs and in mercantile and other sales throughout the State.

Pennsylvania ought not sit dumb before this threat to its welfare. It need not. With the findings of an expert commission, Pennsylvania can go to Washington and "spike" the St. Lawrence waterway for the unwise, ill-timed, discredited fantasy its dreamers have made of it.

One reason Governor James called the legislature in special session was to consider war-time emergencies. The threat to Pennsylvania in the St. Lawrence waterway is a wartime as well as peacetime danger. The legislature could recognize and meet it with appropriate action.

ALLENE RUHLMAN AND JOHN P. RUHLMAN—CONFERENCE REPORT

Mr. BROWN. I submit two conference reports and ask for their immediate consideration.

Mr. DANAHER. What are the bills, please?

Mr. BROWN. They are conference reports on two claims bills, which I should like to have now considered. I first submit the conference report on House bill 5473.

The VICE PRESIDENT. The conference report will be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5473) for the relief of Allene Ruhlman and John P. Ruhlman, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the figures "$2,721" insert "$4,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the figures "$1,185" insert "$2,185"; and the Senate agree to the same.

PRENTISS M. BROWN,
JAMES M. TUNNELL,
ARTHUR CAPPER,
Managers on the part of the Senate.

DAN R. MCGEHEE,
EUGENE J. KEOGH,
THOMAS WINTER,
Managers on the part of the House.

Mr. BROWN. I ask unanimous consent for the immediate consideration of the conference report and move its adoption.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the conference report was considered and agreed to.

HARRY KAHN—CONFERENCE REPORT

Mr. BROWN. I submit a conference report on House bill 4665 and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The conference report will be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4665) for the relief of Harry Kahn, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and

agree to the same with an amendment, as follows:

In lieu of the figures "$2,500" insert "$3,000"; and the Senate agree to the same.

PRENTISS M. BROWN,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.

DAN R. MCGEHEE,
EUGENE J. KEOGH,
THOMAS WINTER,
Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the conference report was considered and agreed to.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220), which is as follows:

Resolved, That the case of WILLIAM LANGER does not fall within the Constitutional provisions for expulsion or any punishment by two-thirds vote because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

Mr. OVERTON. Mr President, I offer an amendment in the nature of a substitute to Senate Resolution 220, which is now pending before the Senate, and ask unanimous consent to have the clerk read it for the information of the Senate.

The VICE PRESIDENT. The clerk will read for the information of the Senate the amendment in the nature of a substitute submitted by the Senator from Louisiana.

The CHIEF CLERK. It is proposed to strike out all after the word *"Resolved"* and in lieu thereof to insert the following:

That since it appears that WILLIAM LANGER has been duly elected a Senator of the United States from the State of North Dakota, and that the returns of such election and the credentials submitted to the Senate by the said WILLIAM LANGER are valid, and since it further appears that the said WILLIAM LANGER has attained the age of 30 years, has been 9 years a citizen of the United States, and was, when elected, an inhabitant of the State of North Dakota, the said WILLIAM LANGER cannot, by majority vote, be excluded from, or deprived of, a seat in the Senate of the United States.

Mr. OVERTON. Mr. President, I desire to state that the amendment in the nature of a substitute, which I offer, represents the views which I undertook to express last Friday in my argument on the pending resolution.

The VICE PRESIDENT. Does the Senator desire to have the amendment lie on the table?

Mr. OVERTON. No; I offer it now as an amendment in the nature of a substitute for the pending resolution.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Louisiana [Mr. OVERTON] in the nature of a substitute for Senate Resolution 220.

Mr. GREEN. Mr. President, this morning the Committee on Privileges and Elections held a meeting and requested me in its behalf to propose an amendment to Resolution No. 220, declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

The amendment consists in striking out lines 1 to 5, inclusive, and in lieu thereof to insert the following:

Resolved, That the case of WILLIAM LANGER does not fall within the constitutional provisions for expulsion by a two-thirds vote.

Furthermore, I was instructed by the committee to ask that under rule XVIII of the Rules of the Senate the two propositions contained in Senate Resolution No. 220 be divided.

The VICE PRESIDENT. The request will be granted, under the rule.

Mr. GREEN. Furthermore, in view of the debate hitherto and in connection therewith, I have received from John Moses, Governor of North Dakota, a telegram which I ask to have read by the clerk, together with a copy of a letter which Governor Moses sent to the former chairman of the Committee on Privileges and Elections, dated November 26, 1941, to which reference is made in the telegram.

The VICE PRESIDENT. The telegram will be read.

The legislative clerk read as follows:

BISMARCK, N. DAK., *March 22, 1942.*

Senator THEODORE FRANCIS GREEN,
Chairman, Senate Committee on Privileges and Elections,
Washington, D. C.:

My attention has been called to certain statements made on the floor by Senator MURDOCK in connection with Langer hearings, involving me as Governor of North Dakota. After the closing of the committee hearings I was advised of certain statements made by Attorney Francis Murphy to the effect that I, as Governor, had continued dealing with Brewer. There being then no opportunity to put testimony in the record, I wrote the chairman, Senator HATCH, at length concerning the matter. Request that letter be placed before the committee with the view to presenting it to the Senate in answer to Senator MURDOCK's statements.

JOHN MOSES, *Governor.*

The VICE PRESIDENT. Does the Senator from Rhode Island also wish to have the letter read?

Mr. GREEN. I think it should be read in compliance with the request of Governor Moses, since his name has been brought into the discussion.

The VICE PRESIDENT. The letter will be read as requested.

The legislative clerk read as follows:

STATE OF NORTH DAKOTA,
OFFICE OF THE GOVERNOR,
Bismarck, November 26, 1941.

Hon. CARL A. HATCH,
Chairman, Committee on Privileges and Elections,
United States Senate,
Washington, D. C.

DEAR SENATOR HATCH: I have purposely avoided taking any part in the proceedings involving the seating of WILLIAM LANGER as Senator from North Dakota. I have for many years opposed Mr. LANGER politically. I belong to a different party. If he were denied a seat, the duty would devolve upon me to fill the vacancy. In view of these circumstances, it appeared proper that I avoid any part in the controversy to make certain that my personal feelings did not color my official action.

However, the argument advanced before your committee by counsel for Mr. LANGER makes it necessary for me to place before you certain facts. I decline to be placed in the position of having in any manner sanctioned or condoned Mr. LANGER's methods while Governor of this State.

In the course of his argument (p. 1998 of transcript) counsel said:

"The undisputed evidence shows here that he (Moses) consents to the employment of this man Brewer, in 1941, as the fiscal agent of the State. Now, how do you reconcile that, gentlemen, down here in Washington? How do you reconcile the conduct of the Governor of the State of North Dakota, whom everybody admits is a political enemy of Governor LANGER, with the idea of any belief on his part as Governor, that there was any fraud connected with the bond transactions."

This statement, apparently, is based upon the testimony of Mr. Brewer and Mr. Brunk. A thorough study of the testimony discloses no other possible basis for it. In volume 3, at page 399 of the transcript I find that Mr. Brewer testified as follows:

"Question. Mr. Brewer, sometime during this year or the year 1940 did the Industrial Commission authorize the designation of a fiscal agent of the State to handle securities?

"Answer. Yes, sir.

"Question. Who was designated as such fiscal agent under that authorization?

"Answer. I was

"Question. And you are now fiscal agent under that designation?

"Answer. Under that designation; that designation has never been repealed as far as I know."

At page 1843 of the transcript Mr. Brunk testified:

"The Governor of North Dakota (referring to myself) introduced a resolution which named this man Brewer fiscal agent of the State to prepare a similar plan for refunding the State debt."

The argument of counsel is certainly not justified by the documentary evidence which was placed in the record, and the testimony of Mr Brewer and Mr. Brunk is absolutely contrary to the facts. Mr. Brewer was never employed as fiscal agent of the State. I never consented to his employment in that capacity or in any other capacity.

The resolution adopted by the industrial commission on July 11, 1941, upon motion of Mr. Strutz, and a copy of which was placed in your record, provides:

"Be it resolved by the Industrial Commission of the State of North Dakota, That the Bank of North Dakota, as fiscal agent, be, and it is hereby, authorized to cause to be prepared a comprehensive plan for the refunding of the debt of the State of North Dakota; be it further

"Resolved, That the Bank of North Dakota be, and it is hereby, authorized to employ such legal and financial assistance as it may deem advisable in the preparation of said plan to enable the State to refinance this indebtedness."

You will note that the Bank of North Dakota, not Mr. Brewer, is designated as fiscal agent of the State, and that it was the Bank of North Dakota and not Mr. Brewer which was directed to prepare a refinancing plan. It is apparently true that F. A. Vogel, the manager of the Bank of North Dakota, did have the assistance of Mr. Brewer in preparing the plan which was later submitted to the industrial commission by the bank of North Dakota, but he did not consult with nor have the approval of the industrial commission nor of myself as Governor of North Dakota in employing Mr. Brewer in this connection.

Perhaps I should explain that the Bank of North Dakota is a State owned and operated

agency of the State; that it is governed by the industrial commission, composed since 1939 of Math Dahl, commissioner of agriculture and labor; Alvin C. Strutz, attorney general; and myself, as Governor. The active management of the bank is in the hands of a manager appointed by the commission. Mr. Vogel, the manager, is not an appointee of mine, but has held over since the preceding administration.

When the refinancing plan was presented by Mr. Vogel it was not approved either by myself nor by the commission. On the contrary, and on January 27, 1941, upon motion of Mr. Dahl, it was resolved that "the industrial commission go on record as favoring submission to the Legislative Assembly of North Dakota now in session of the matter of refinancing the State's bond indebtedness as set forth in the proposed special message aforesaid (referring to the Governor's message), including the two refinancing proposals thus far in the hands of the industrial commission, to wit: (1) the so-called first plan, submitted by the Bank of North Dakota, and (2) the so-called second plan, submitted by the Charles T. Fuller Co. and Ballman & Main, together with any other and further refinancing proposals from whomsoever submitted which may come to the attention of the industrial commission."

Upon my recommendation the legislature provided for the refinancing through State agencies of certain early maturities without payment of commissions to any bond brokers, and it declined to approve either of the refinancing plans submitted to it.

There would seem to be no reason whatsoever why Mr. Brewer or Mr. Brunk should be laboring under any misapprehension as to the facts. This matter was very definitely clarified at the time the two plans were submitted to the legislature. After the second refinancing plan was submitted to the industrial commission, it developed that someone associated with Mr. Brewer complained to Ballman & Main, one of the sponsors, that it was unethical to submit a plan because the State of North Dakota had already entered into a contractual relationship with Mr. Brewer. Thereupon the Chicago brokers asked to withdraw their proposal. When it came to my attention that a claim was being asserted that Mr. Brewer had some contractual relationship, I called on Mr. Vogel and he assured me that he had not entered into any such relationship, and, of course, I knew that the industrial commission had not done so. Thereupon I issued a public statement, as follows:

"Mr. Main declared in his letter asking to withdraw from participation in the plan that it was reported to his company that there was some contractual relationship between the Bank of North Dakota, the industrial commission, and proponents of the other plan. Mr. Main further said that until the other (bank) plan was accepted or rejected, he felt it was not ethical that another plan be offered and that he was ignorant that the bank plan had been submitted already.

"The industrial commission will advise Mr. Main that his offer to withdraw will not be accepted, as there has been no contract entered into with proponents of any plan.

"Mr. Vogel appeared before the industrial commission and when questioned as to whether or not the Bank of North Dakota had entered into any contract with Brewer & Co. he said 'No.'

"Mr. Vogel said that he had corresponded with Brewer & Co. and had advised them to submit a proposal at its expense, and he said in no manner was any contract entered into."

That statement has never been challenged by Mr. Brewer or Mr. Brunk or Mr. Vogel. The present attempt to distort the facts is somewhat less than candid.

In view of the letter written by Mr. Vogel to Brewer & Co. on July 11, 1940, there may arise a question as to whether or not Mr. Vogel and Mr. Brewer were attempting to give Mr. Brewer some prior position in connection with the proposed refinancing of State indebtedness. If so, it was done entirely without the knowledge or consent of myself or the Industrial Commission.

Counsel further said:

"He (Mr. Brewer) kept right on doing business in 1940 in the State of North Dakota and made a large sum of money, I think the testimony shows something like $100,000 during the year 1940."

While the statement does not say it directly, it infers that Mr. Brewer made this profit from doing business with State agencies; the same as he had in 1937 and 1938. That inference is not borne out by the testimony presented to the committee. The only evidence bearing on the subject which I have been able to find appears on page 1911 where Mr. Brunk testified that the "gross deposits" of V. W. Brewer Co. in 1940 were $96,684.57. There is, apparently, nothing to show how much of these gross deposits represented profits nor is there, apparently, anything to show how much of the profits came out of North Dakota business and how much came out of other business. It does appear that in 1939 Mr. Brewer started doing considerable business in South Dakota.

In this connection the testimony of Mr. Brunk appearing at page 503 of the transcript may be enlightening. He said:

"I think there were some bonds delivered later to institutions in North Dakota when Governor Moses was Governor and that the name Brewer had achieved so much distaste up there that he preferred they be delivered in another name, and I think Shambaugh was a dummy in that transaction."

I assume Mr. Brunk meant that Mr. Brewer preferred to have the bonds delivered through a dummy. Certainly, I knew nothing about it and of course it is impossible for me to say just how much business has been transacted by Mr. Brewer through the use of dummies with the various State agencies which are still controlled by political associates of Mr. LANGER. But the admission that the name of Brewer had achieved so much distaste that the use of dummies was necessary is hardly compatible with the suggestion that he was selected as fiscal agent for the State.

Counsel also argued at page 1997 of the transcript:

"Three years have elapsed, approximately, since Governor Moses has been in there, and he never has at any time taken one single, solitary step indicating that he believes that there is any evidence whatever of any fraud on the part of Governor LANGER in his official capacity. Now, that is very significant, because, obviously, if Governor Moses and his investigators could have found one particle of evidence that they considered sufficient to justify either a civil or criminal prosecution it would have taken place long ago."

In this connection may I say that not until the investigation of this matter by the special investigators for the Senate were all the facts brought to light. The special State examiner appointed by me did develop the fact that during 1937–38 many North Dakota counties had been unable to sell their bonds direct to the State agencies, but that these same bonds could be and were sold to these same State agencies by Mr. Brewer, and that through this system Mr. Brewer had made a profit of nearly $200,000 in less than 2 years' time. But, unfortunately, neither the special State examiner nor any other official of North Dakota had authority to go into Iowa and compel Mr. Brewer or Mr. Brunk to open up their books or to open up the books of the Realty Holding Co., an Iowa corporation. Hence it was not until the Senate investigators, with ample power for that purpose, were able to investigate those books was it revealed that during the period when Brewer was making these large profits on bond deals his associate was using a share of these profits to purchase large tracts of land from Governor LANGER at excessive prices.

I do not undertake to pass judgment. That is the function of the United States Senate. But, in view of the implications of the argument advanced by Mr. LANGER's counsel, I think it is only fair to this committee, to myself, and to the people of North Dakota to say that neither I nor they approve the action of any Governor in accepting financial favors from those who are dealing with the State and making large profits out of apparent favoritism.

It is true that during my campaign for Governor I promised to investigate these bond transactions. It is true that I appointed a special State examiner for that, among other, purposes. It is also true that I requested an appropriation from the 1939 legislature to conduct an efficient investigation and this request was denied by the house of representatives, dominated by adherents of Mr. LANGER. The investigation I was able to make was handicapped by lack of funds, as well as by lack of sufficient authority in compelling the production of evidence. Not only was it impossible to compel the production of the Brunk books, but it was likewise impossible to compel T. V. Sullivan to disclose his relationship with the matter of railroad taxes or his purchase of Mexican land stock from Mr. LANGER. The 1941 legislative assembly created the office of special investigating commissioner, made an appropriation for him, and gave him ample authority to secure evidence within the State. Of course, he, too, is handicapped when, as in so many transactions covered by the Senate investigators, the trail leads to other States. The action of the legislature in making this appropriation and my direction of further investigations pursuant to that authority imply quite an opposite conclusion from that of approval as is suggested by counsel.

Sincerely yours,

JOHN MOSES,
Governor.

Mr. GREEN. Mr. President——

Mr. MURDOCK. Mr. President, will the Senator from Rhode Island yield to me?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Utah?

Mr. GREEN. I will conclude in a moment.

Mr. MURDOCK. I should like the Senator to yield to me before he takes his seat.

Mr. GREEN. I will.

Mr. President, I simply wish to add that the letter written by Governor Moses came to the committee after its hearings were closed, and, for that reason, does not appear as a part of its record.

I now yield to the Senator from Utah.

Mr. MURDOCK. If I remember correctly, the letter which has just been read to the Senate, and which, of course, constitutes an argument by the Governor of North Dakota on the evidence in the Langer case, was called to the attention of the committee by the Senator from New Mexico [Mr. HATCH], and a discussion was had before the committee whether it was proper to let the letter go into the record. If I remember aright the action of the committee, it was that because of the fact that the Governor had not presented himself for interrogation or cross-questioning, it would be highly improper, after our hearings were closed, to make that letter, which, as I have said, is obviously an

argument, a part of the record. So, if I remember correctly, the action of the committee was that the letter should be excluded. It now seems that in his telegram to the Senate with reference to statements made by me he again asks that his letter become a part of the record, as I understand. The only statement I made with reference to Governor Moses, and the employment of Brewer, is supported by the evidence of Mr. Brunk, to which he refers. I do not think I claimed, and if I did certainly it was not intentional, that Mr. Brewer was ever employed as fiscal agent. I did claim, on the evidence of Mr. Brunk, that the power to employ someone to present a refinancing plan to the State was delegated to the Bank of North Dakota, and that the Bank of North Dakota employed Brewer to submit a financing plan. I do not know that they employed him, but at least they arranged with him.

I inquire of the Senator from Rhode Island if what I have stated is not what happened before the committee with reference to this letter?

Mr. GREEN. As I stated before, the letter did not reach the committee until after its hearings were closed.

Mr. MURDOCK. That is true.

Mr. GREEN. And for that reason, as I understood, it was decided, after the matter was discussed, that nothing that was offered after the hearings were closed should be made a part of the records of the committee.

I do not know whether the exceptions taken by Governor Moses to what was said on the floor of the Senate are justified. I do know that the Governor of North Dakota has assumed that he should reply, and because of his request, I offered his letter.

Mr. MURDOCK. Mr. President, it seems to me that if we are to allow the Governor of North Dakota to come in, by way of a letter, and make an argument in this case, certainly in fairness and justice to the Senate and to Senator LANGER the hearings should be reopened and Governor Moses should be requested to present himself and give the attorneys for Senator LANGER an opportunity to cross-examine him. To allow this kind of ex parte argument on the part of Governor Moses in a matter pending before the Senate is highly prejudicial, and I think unfair. I think the statements I made about what happened were absolutely taken from the record and from no other place.

Mr. McNARY. Mr. President, I am amazed at the display of feeling by the chairman of the Committee on Privileges and Elections against one who has a seat in the Senate. I had assumed that this case would be tried on its merits, and fairly. It seems that some fail to take the attitude of jurors in the case but desire to prosecute.

Here we have exhibited a letter written in November of last year, which the Senator from New Mexico [Mr. HATCH] himself, in all fairness, thought should not be introduced into the record. It appears here today after the testimony was closed, after the case had practically been submitted to the Members of the Senate. It is not a statement from the Governor, it is a brief by the Governor, attempting to place his own analysis on the testimony which was submitted to the committee.

No opportunity was given to Senator LANGER or the Senator's counsel to cross-examine the Governor. The letter was withheld from the evidence. It appears here when no opportunity has been given to anyone to study the proposition, to answer the brief—it is not a letter—or to go before the committee.

I am surprised that the chairman of the committee did not first have this letter referred to the committee. I am amazed that the chairman of the committee should attempt to introduce into this case evidence of this kind and in this fashion. It does not square itself with common fairness. I appeal to those who wish to give Senator LANGER a fair trial, a fair hearing, that testimony and a brief of this kind, which was formulated in November of last year and which was rejected by the committee because it came after the hearings were closed, should not be read at the desk without reference to the committee.

Had I been present when consent was asked I would have objected to its being read, because it is not competent, it is not fair, and really, in my opinion, casts a cloud upon the chairman of the committee who attempts to influence Senators who should be jurors in a case of this kind.

Mr. LUCAS. Mr. President, the chairman of the Committee on Privileges and Elections has apparently left the Chamber. I shall undertake to reply to the able Senator from Oregon by calling his attention to page 2764 of the CONGRESSIONAL RECORD of Friday last. Before so doing, let me say that I have not read the telegram signed by Governor Moses to which he has referred, and I am not certain I know its exact purport. I ask unanimous consent that the telegram be reread for my information.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The legislative clerk again read the telegram, as follows:

MARCH 23, 1942.

Senator THEODORE FRANCIS GREEN,
Chairman, Senate Committee on Privileges and Elections,
Washington, D. C.:

My attention has been called to certain statements made on the floor by Senator MURDOCK in connection with Langer hearings, involving me as Governor of North Dakota. After the closing of the committee hearings I was advised of certain statements made by Attorney Francis Murphy to the effect that I, as Governor, had continued dealing with Brewer. There being then no opportunity to put testimony in the record, I wrote the chairman, Senator HATCH, at length concerning the matter. Request that letter be placed before the committee with the view to presenting it to the Senate in answer to Senator MURDOCK's statements.

JOHN MOSES, *Governor.*

Mr. LUCAS. Mr. President, I was not present in the Senate Chamber on Friday last when there occurred what I am about to call to the attention of the Senate, or I should probably have taken the same position the very able minority leader takes at this moment with respect to the matter written by Governor Moses which has just been read by the clerk. However, the first information outside and beyond that appearing at the hearings was put into the record by those defending the respondent and not from the majority of the Senate Committee on Privileges and Elections or any member thereof. I refer to the time when the Senator from Utah [Mr. MURDOCK] on Friday last was discussing Mr. Vogel as the head of the State Bank of North Dakota. The able Senator from Utah [Mr. MURDOCK] was so overzealous in seeing that Mr. Vogel, LANGER's political, business, and social companion of many years, be given a clean bill of health, that he read into the record a newspaper article dated February 6, 1940, containing the headline "Moses lauds bank record." The Senator from Utah said:

Now, as to what Governor Moses thinks of Mr. Vogel, I wish to refer to a statement in a newspaper under an "AP" heading and under the date line "Bismarck, N. Dak." In large headlines are the words "Moses lauds bank record."

This is the article:

Gov. John Moses, Monday, complimented Frank Vogel, manager of the Bank of North Dakota, upon the economy shown in the expenses of handling the banking and the collection and land departments.

The bank filed with the Governor its report of expenditures for the first 6 months of the present biennium, July 1 to December 31, 1939.

The report shows the legislative appropriation for expenses in running the banking department for the biennium was $233,132, while for the collection and land department it was $360,316. Although the legislature appropriates the money, it must come from earnings of the bank and the collection and land department.

Then the Senator from Utah further said:

Further down in heavier type I read from the same article:

"'I have no doubt,' the Governor continued, 'that during the winter months the bank will be able to dispense with some of the field men and that the travel of the field men will be greatly reduced, resulting in further reductions.'"

Then in quotation marks:

"'I am sorry that other State departments have not found it possible to effect the reductions which the bank has put into practice during the past 6 months of the biennium.'"

Mr. President, there is a direct quotation from a newspaper article. I do not say the Senator read it in the same sense with which the Senator from Oregon charges the committee with proceeding. I think the Senator from Utah probably thought he had a right to put that statement into the RECORD. But when we find statements as late as Friday last being inserted in the RECORD, as a part of respondent's defense, then I submit with all the candor and fairness I possess that we have a right to have the Moses letter inserted. The newspaper article can only be construed as something that would help the respondent by using the present Governor of North Dakota as his witness. Surely under such circumstances Governor Moses' letter was proper as a reply.

If newspaper articles of this kind were going to be read into the record after this case was closed, the Governor had the right to renew his request that the

letter which came some time ago to Senator HATCH after the hearings had been closed also be read into the record.

Mr. President, I regret that my very able friend, the minority leader, the Senator from Oregon [Mr. MCNARY], has seen fit to charge the committee with prosecution and persecution.

Mr. MCNARY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MCNARY. I did not mention the committee's name. I stated I thought it was irregular, and unfair for the chairman of the committee, to offer this testimony after the case had been closed. I have never criticized the committee. I have never criticized the able Senator from Illinois. I think he has acted very fairly and judiciously in this matter. But this is a practice which I do not think the Senator from Illinois favors at all or thinks is fair, in his honest, good judgment.

Mr. LUCAS. Mr. President, I am in absolute accord with the position taken by the Senator from Oregon in that respect, and I say to the Senator again that had I been present at the time I probably would have objected to the reading into the record of any articles appearing in newspapers.

Mr. President, I submit that was unfair. If we are going to let down the bars and permit this sort of ex parte testimony on the one side to be admitted after the hearing is over, it seems to me that we have a right to do the same thing without being subjected to severe criticism.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield the floor.

Mr. MURDOCK. Mr. President, when the other day I read to the Senate the article to which the Senator from Illinois refers, I believe the RECORD will show that I first called the Senate's attention to the fact that it was not a part of the record. If I remember correctly, the Senator from Vermont [Mr. AUSTIN] was sitting in his seat at the time, and I said that the reason I called the Senate's attention to this article was that the Senator from Vermont on the previous day, through certain reasoning, as he explained it, inferred that there was some reason why Mr. Vogel had not been removed; probably because of the fact that a majority of the Industrial Commission of North Dakota was so favorable to Senator LANGER. If there had been the slightest objection from anyone at the time I called the Senate's attention to the newspaper article I certainly would not have insisted upon reading it. Does the Senator from Illinois entertain the view that my position in the United States Senate is the same as that of the Governor of North Dakota? Here is a letter read to the Senate, a letter which was considered by the members of the committee at the time it was received as being improper to go into the record. I wonder if the Senator from Illinois would place an argument made by the Governor who would appoint the successor to Senator LANGER in the same category as a newspaper article made public in the State of North Dakota quoting the Governor of North Dakota?

Mr. LUCAS. All I shall say in answer to the very able Senator from Utah is that he is the first Senator who let down the bars by introducing a newspaper article which attempted to bolster his case in connection with the argument he was making. No line of demarcation can fairly be drawn in connection with a matter of this kind once we leave the hearings upon which the reports are based.

Candidly, I do not like the attitude of some Members of the Senate who feel that we on this side who are attempting to do our duty in this case, as we understand it, are attempting to do something wrong all the time. I agree with the impropriety of a thing of this kind going in, but, in my humble opinion, Governor Moses sent the telegram as a result of what he saw in this newspaper article.

Mr. MURDOCK. Mr. President, I ask if there is anything in Governor Moses' letter which referred to my statement or the statement contained in the newspaper article?

Mr. LUCAS. Whether there is or not, the Senate has the right to draw the inference that he certainly must have been thinking about something he read in connection with this case.

Mr. MURDOCK. Certainly.

Mr. LUCAS It goes further——

Mr. MURDOCK. I refuse to yield further at this time. He was thinking, of course, of the statements in the record which he criticizes in his letter and which were referred to by counsel for Mr. LANGER in his argument to the committee, or of similar statements made by me which were based on the record itself. He does not refer in his letter at all to the statement contained in the newspaper clipping.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I do not yield further at this time.

Mr. MCNARY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. MCNARY. Should not the Senator who asked that the telegram and letter from the Governor of North Dakota be read at the desk have exercised as much discretion and fairness as did the former chairman of the committee [Mr. HATCH] in respect to that letter?

Mr. MURDOCK. I do not believe that any proper comparison can be made between the reading of the letter from Governor Moses and a Senator on this floor calling attention to the fact that he was reading from a newspaper article which was outside the record. If the Senator from Illinois can justify what has happened in connection with Governor Moses' letter by the fact that I read a newspaper article the other day, then I simply do not understand the Senator from Illinois.

I now yield the floor.

Mr. LUCAS. The Senator from Utah will probably never understand the Senator from Illinois. He certainly has not understood him throughout this case—and to that I make no objection. We do not understand one another insofar as the fundamentals of the Langer case are concerned. The only point I wish to leave with the Senate before I take my seat is that the Senator from Utah, who has been handling the defense of this matter throughout, was the first individual who violated the propriety of the rule in submitting the newspaper article.

Mr. MURDOCK. Of course, anyone could have objected to it.

Mr. LUCAS. But the same situation arose a while ago; anyone who wanted to could have objected to the reading of the letter from Governor Moses. The Senator from Oregon said that had he been present he would have objected to it. Nevertheless, no objection was made. The point I make is that once you start the violation of the rule you cannot tell the opposition just what they can put in and what they can leave out.

Mr. MURDOCK. Does the Senator accuse me of violating any rule of the Senate in reading a newspaper article?

Mr. LUCAS. Not in the sense in which the Senator is now speaking. The Senator can read from now on until doomsday.

Mr. MURDOCK. Then why accuse me of violating the rule?

Mr. LUCAS. The only thing the Senator from Oregon [Mr. MCNARY] and I have been talking about is that the evidence is closed.

Mr. MURDOCK. Yes; the evidence is closed, but my argument was not closed.

Mr. LUCAS. No; the Senator's argument is not closed yet.

Mr. MURDOCK. Of course not.

Mr. LUCAS. But the Senator from Oregon and I are taking the position that none of these outside matters which were not disclosed before the committee should be read into an argument or given to the Senate for its deliberations. I simply wish to state that those who violated that proposition in the first instance were not the majority members of the committee who are supposed to be persecuting and prosecuting the Senator from North Dakota.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I think the majority of the Senator's argument was made based on the "grab bag" instead of what is in the printed record.

Mr. LUCAS. The Senator is at liberty to believe anything about me he wishes. My duty is plain. I have performed it to my own satisfaction.

Mr. TUNNELL. Mr. President, I was one of those, perhaps unfortunate Senators, who were members of the Committee on Privileges and Elections, to which was referred the Langer case. I assumed that the Senate was anxious that there be an investigation of the serious charges which had been made.

When the Senator from Illinois [Mr. LUCAS] began to prepare his report as chairman of the subcommittee and as a member of the committee it soon became very apparent that, so far as many Senators were concerned, the Committee on Privileges and Elections was certainly under suspicion. It was very clear that the subcommittee was in a very bad way;

and, so far as the Senator from Illinois was concerned, all that seemed to remain was that he should be sentenced. I have never seen such a spirit of animosity toward the report of a committee as has been shown in this particular case.

We were instructed to investigate this situation. There have been what appear to the average mind to be many instances of criminality. The first reply, which was made by the Senator from Utah [Mr. MURDOCK] is that even though there were such cases the Constitution prohibits their consideration by the Senate. In other words, as I understand the arguments of those who are defending the record of Governor LANGER, the Senate has no power to consider moral turpitude.

I think perhaps there is some reason back of this dissent. I have heard Senators in their enthusiasm insist that we have no right, in considering moral turpitude, to go back of the election at which a man was elected. I think the provision in the Constitution has been a little annoying to those who have taken that attitude. The Constitution states in unequivocal language that the Senate is to be the judge of the qualifications of its Members. If it is not the judge, then the Constitution should be changed. If it is the judge, then the committee has done no wrong in considering the alleged acts of moral turpitude.

I have no doubt that jury tampering, interference with the court, and the bribing of a Governor are acts of moral turpitude; and I have no doubt that those are acts which can be and should be considered by the Senate.

Oh, we are told with great gusto that the State of North Dakota alone has the right to consider the qualifications of Governor LANGER or any other man it sends to the Senate. The contention is made that the United States Senate, or the United States itself, with perhaps a thousand times the interest which North Dakota has, shall have nothing to say about the qualifications of any man seated in the Senate.

On the question of moral turpitude Senators rushed into the Senate chamber in relays. One Senator suggested that the things which are considered moral turpitude are a matter of geography. Another Senator said to me that we from the effete East could not understand just what this situation meant. I do not know. I have the idea that moral turpitude is moral turpitude in North Dakota, Delaware, or any other State of the Union; and that moral turpitude is moral turpitude in the Senate of the United States.

Another Senator suggested that there were certain organizations in the West known as vigilantes, impliedly suggesting that Governor LANGER was a vigilante, and that the acts which he performed, even though criminal, should be considered less so because of the location.

I do not think anybody claims that in the various matters which have been discussed, and which I shall also discuss, Governor LANGER was attempting to uphold law and order. If guilty, he was trying to destroy law and order. If not guilty, that is another question; but that is one of the things which the Senate is now to consider.

I am of the opinion that under the Constitution the United States Senate has broad powers in determining whether persons who are sent to the Senate come free from moral turpitude. I know that there are those who sneer at the efforts of the committee. I know that there are those who think the Committee on Privileges and Elections has gone far beyond its authority, particularly when it considers the moral side of the questions involved.

It seems to me that the Senate has a right to consider not only whether a man is guilty of an act of moral turpitude in one particular instance, but also whether his whole record is such as to indicate that his whole career is characterized by such acts, and that his standards are on a corresponding level. There are those who sneer at such a position. I read from the CONGRESSIONAL RECORD, on page 2326, on the 12th of this month.

> Now, Mr. President, I want to say what I have got to say, but I do not feel much like speaking. I do not like the precedent of going back into the history of Senators for 25 or 30 years. If we apply the same rule generally which it is sought to apply in the present instance, we would not have a quorum here.

That comes from a man who has been in the Senate longer than any of the others of us. He does not say anything about the guilt or innocence of Governor LANGER; but applying the same test here, he says that a majority of Senators are criminals. In other words, at least 49 Senators are criminals. He says that if we should apply the rule of moral turpitude to the Senate there would not be a quorum left. If that statement is correct there should be wholesale resignations; if it is a false statement, there should be one.

I continue to read:

> I think some of us are like an old Negro, Uncle Bill, who was honest and truthful, and who had a son named Wes, who was a playmate of mine. One day my brother caught Wes stealing eggs, caught him red-handed. My brother said, "Wes, take these eggs and walk with me to your Uncle Bill." So they went to Uncle Bill and my brother said, "I caught Wes stealing these eggs; here they are." Old Uncle Bill reached over and pulled down a limb from a peach tree and said, "I will teach you not to let the buckra catch you stealing." He was not beating him for stealing eggs; he was beating him for letting the buckra catch him.

As I gather, if that statement has any application at all, Senator LANGER is to be condemned because he has been caught.

But that is not all the Senator said:

> Some of us may not be immune from attack because we have not as yet been found out.

He has found out that a majority of us are guilty. That is nearly enough.

The Senator further said:

> I think that the Biblical expression, "Let him without sin cast the first stone," is very applicable.

That is not a happy slogan, because the implication is that the person about whom he is talking is guilty. So that expression does not exactly fit his theory of the case.

I heard one of the Senators, as he rushed down the aisle, in his enthusiasm in this case say, "Well, you must fight fire with fire." Oh! The committee was being attacked, and they must be fought with fire. That is another unhappy slogan, as it seems to me. If it is at all applicable, I do not see why he did not shout, "You must fight jury tamperers with jury tamperers," or "Fight those who tamper with the courts by tampering with the courts," or "Fight murder with murder." So we might go on down the line.

When the committee was first given the assignment, it was the supposition that the seat from North Dakota was what was in question. It seems to me that, as the argument has proceeded, first it was the committee itself that was being tried, and now I suspect that in the ears and eyes and minds of a great many people in the United States, the Senate of the United States is being tried. I suspect that they will have the opportunity to give their own decision as to this claim.

It was said here by the same Senator:

> It smells more like turpentine than turpitude—

Sneering at the search which has been made into the records of North Dakota, sneering at the efforts of the men who for 13 months have attempted to find out the facts as to an election in North Dakota.

Mr. McFARLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DOXEY in the chair). Does the Senator from Delaware yield to the Senator from Arizona?

Mr. TUNNELL. I yield.

Mr. McFARLAND. When the Senator from South Carolina stated:

> I do not like the precedent of going back into the history of Senators for 25 or 30 years. If we apply the same rule generally which it is sought to apply in the present instance, we would not have a quorum here.

Was it the Senator's interpretation of that statement that all the Senate was guilty of the charges or that the Senator from North Dakota was not guilty of the charges made against him?

Mr. TUNNELL. I shall repeat the language and see if the Senator from Arizona will have any difficulty in telling what he meant:

> If we apply the same rule generally—

That is, the rule that moral turpitude, as I understand it, is represented by interference with courts, by bribery of Governors—

> If we apply the same rule generally which it is sought to apply in the present instance, we would not have a quorum here.

Mr. McFARLAND. If the Senator is asking me for my interpretation——

Mr. TUNNELL. I have not asked for it.

Mr. McFARLAND. I presume the Senator meant that, in his opinion, the Senator from North Dakota was not guilty of the charges. I did not think he meant we were all guilty of those things.

Mr. TUNNELL. Then, I should like to ask the Senator what he meant by saying that there would not be a quorum here.

Mr. McFARLAND. He meant that if we should apply that rule, if all of us were charged, if all that had to be done was to place charges and not to prove them, we would not have a quorum. That was my interpretation of what he said.

I am not trying to defend the Senator from South Carolina; I am trying to defend the Senate. I simply do not give to the Senator's remarks the same interpretation the Senator from Delaware gives them.

Mr. TUNNELL. Mr. President, I do not think it is susceptible of the interpretation which the Senator from Arizona places on it.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. TUNNELL. No; not at this time.

The PRESIDING OFFICER. The Senator from Delaware declines to yield.

Mr. TUNNELL. There is in this case something which is serious. It is not a matter of turpentine, as the Senator said. Turpentine has a very sweet smell to those who come from the South; it means profits; it means business; and I have no objection to that. However, I do object to the sneering which has been indulged against the committee after it has seriously tried to do its duty in this case.

Only on Friday last, a Senator stood before the Senate and said that he was astounded at what the committee had done. One Senator told us today that he was dismayed, I believe, at what had been done. It seems to require no judgment whatever to condemn the Committee on Privileges and Elections. So far as a great many of the Senators who have manifested that idea are concerned, all of us are convicted beforehand. One of the good Senators on our committee, one who has not been a member any longer than I have, said to me the other day. "When you listen to these men, do you not feel that we have committed some great wrong?" I said, "Yes; if I took their statements at face value, I should."

The question is not a new one from the standpoint of interpretation of the Constitution. If we are wrong in saying that acts such as those which have been described indicate moral turpitude, that is an indication of a difference between other Senators and Senators who are members of the committee as to what constitutes moral turpitude; but I suspect that the people of the United States consider the acts which have been described here to involve moral turpitude; and that is what I meant when I said that the people of the United States may be trying the Senate. Perhaps this is a trial of the Senate itself.

The Committee on Privileges and Elections met day after day and hour after hour. Its members are not men who trifle with their oaths; and I will—excluding myself—put them, man for man, in opposition to those who have seen fit to criticize them, either in the Senate or outside. We were challenged on immaterial points to stand up and say what we had to say, as if we were bad children who needed spanking. That seemed to be the attitude. The challenge usually was made upon some question which had nothing or very little to do with the real point in issue.

I believe that a majority of the committee were just as anxious to be fair to Governor LANGER as they were to be fair to themselves. I do not think there was any stacking of the committee. I do not think there was any disposition to condemn a man without evidence, and I do not think the record will so show.

I was very much impressed by the argument of the Senator from Utah so long as he stuck to the position that the Senate has no authority to try moral turpitude. I am not impressed when it comes to the point whether the acts charged involve moral turpitude or whether the Senate has a right to consider them as so doing.

In the report of the Committee on Privileges and Elections the various charges against the respondent are numbered and set out separately. The first of the charges mentioned in the report is that in the case of Emma Oster. It has been suggested that this is one of milder offenses with which the respondent is charged. That is true. Mr. and Mrs. Oster first met the respondent some time in 1929—record page 412. At that time the Osters were in court in an attempt to get a divorce.

I heard a statement made on this floor that they were divorced because the prosecuting attorney wanted the wife to be able to testify against the husband; but the very first time that Governor LANGER ever saw Emma Oster she was trying to get a divorce. At that time the respondent claimed that he was responsible for their reconciliation. I have no doubt, if he was, that he performed a very laudable act.

As to the kind of people they were, in referring to them the respondent states that he told the judge that they were "pretty nice." They were "pretty nice people" according to the respondent. A few days later Oster killed a man by the name of Peterson because of his relationship with Mrs. Oster. "Nice people."

There is, so far as I have been able to determine, no statement in the record that an attempt was made to get a divorce for the purpose of qualifying Mrs. Oster to testify against her husband. However, the respondent appeared at the divorce trial and resisted the attempt of Mrs. Oster to get a divorce. The respondent then offered a man by the name of Jake Broeckel $50 to obtain for him a chance to talk to Mrs. Oster. So we have the case of an attorney, who was representing Mr. Oster, offering $50 for a chance to talk to Mrs. Oster.

The divorce was granted Mrs. Oster notwithstanding the opposition of the respondent. The respondent then said to Mrs. Oster, "I should like to have you remarry Mr. Oster." That was one of the acts of the respondent. She was not very anxious to do it, he said, but she finally said, "If you will see that I get a divorce if I want to, in case Jake is convicted, I will get married again." When the divorce was granted a clause was put in the decree under which the parties could not marry within a year. On page 420 of the record, in a copy of a letter dated February 13, the respondent admits that he promised to get Mrs. Oster a divorce free if she would remarry Oster.

It is admitted—page 421 of the record—that the respondent had assured Mr. and Mrs. Slovark that she had been divorced from Oster. Mrs. Oster was considered by the respondent as being capable of taking care of the children, and it twice appears in the record that LANGER succeeded in having Mrs. Oster placed in charge of the children.

That may not be interference with a court or tampering with witnesses; but when the respondent went to the jail, had himself sworn in as a deputy sheriff, and, as a deputy sheriff, took Mr. Oster to South Dakota—an attorney taking his client accused of murder out of the State—he committed not only an unprofessional act but a criminal act, which would, in most of the States of the Union, have resulted in his sentence and imprisonment.

It would appear from the record that there must have been at least a dozen suits brought against the respondent at different times, some of them civil and some criminal. On page 51 of the report we find a statement from the record as to the respondent breaking down the doors of the jail and entering the desk of the sheriff in order to see a client.

It was a challenge to him. He could not bear to be challenged. The law stood in his way. There was an officer, or some one representing an officer, before him. He could not bear that; it was a challenge to LANGER. So he breaks in and gets the keys and sees his client. I do not know what would have happened in your State, Mr. President; perhaps in your State that would not be considered to be an act of moral turpitude; perhaps it may be that moral turpitude is a matter of geography, as was suggested by one of the Senators; but I know that in my State it would be considered an act of moral turpitude and would also be considered a criminal act. I should hate to attempt to pursue such a course of conduct as that and stay on the outside of a jail.

On page 52 of the report we find where the respondent was arrested for inciting a riot.

On page 53 we find that he was arrested for seizing telephone lines in connection with a liquor raid.

On page 53 of the report we find that the respondent declared martial law after the supreme court had determined to oust him as Governor.

In a declaration of independence, issued on that date, the respondent signed an order to suspend and prevent the service of civil process and to prohibit unlawful assembly based on a written preamble that there was a mob assembled at the Capitol Building, that peace and order were being threatened, and that the situation was growing worse hourly. On page 630 of the record the respondent testified that there was not any mob at all there at the time in question.

These instances are cited to show the desperate character of the respondent.

What had happened was that the court had found that he was to be ousted from his office as Governor, and, in order to prevent the service of civil process, he suspended civil process. That would have been insurrection if it had not been that the Adjutant General had greater respect for the law than the respondent had, refused to obey the command of the then Governor, and let the civil process be served, notwithstanding the order of Governor LANGER that civil process was suspended for no other reason than to see that Governor LANGER was not ousted. Not only did he do that, but he went away and hid in a shanty a half or three-quarters of a mile from the town of Bismarck.

Oh, no; there is nothing in the nature of moral turpitude, it is just outlawry, it is not mortal turpitude, according to some gentlemen.

After suspending all civil process, the respondent disappeared and went into a small cabin a half or three-quarters of a mile out of town, where it was unlikely that the sheriff would be able to find him if he should attempt to serve an ouster order upon him.

The second conspiracy trial was one in which the name of Gale B. Wyman, son of Judge A. Lee Wyman, appeared. Leedom was a citizen of South Dakota, and was located approximately 450 miles from Bismarck. But it was said he was close to the judge. So Governor LANGER had him sent for. A man by the name of Mulloy, who was very close to Governor LANGER, went to South Dakota, to see Leedom, and Leedom was engaged by James Mulloy to participate in the manipulations in the interest of this respondent.

Leedom had the reputation of being a "fixer." The Senator from West Virginia [Mr. KILGORE] asked if Leedom was not a "fixer." Wyman said he was a fellow who got what he wanted, or what he went after.

Governor LANGER sent for Leedom, and he went to Bismarck, and he remained around Bismarck, drunk a good deal of the time, a free spender, a friend of the court. Oh, no, Governor LANGER did not hire him, his agent did the hiring.

I do not know how much he was paid. The testimony in one place indicates that it was $1,700 or $1,800, and Governor LANGER said $700 or $800, as I recall. But he was there. He was there, they said, to watch the jury. "To watch the jury." Ye Gods! Send 450 miles to get a drunk to watch the jury, and to be a free spender around Bismarck while the trial was going on—a free spender. Oh, yes, Governor LANGER, the vigilante.

The respondent wanted some one who had the confidence of Judge Wyman. I say now that I am not attempting to try Judge Wyman, and I am not interested in his conduct except insofar as this respondent was attempting to influence him.

Leedom was paid from $1,700 to $1,800, as will be found in the record, page 23. The ostensible purpose of the employment of Mulloy was to watch and see that the jury was not tampered with. The jury was supposed to have occupied rooms 402 and 403 at the hotel. Leedom, who had become a free spender around Bismarck, was registered at room 407; in some places in the record it appears he was registered at 408; and the deputy marshal was registered at 406 in the same hotel. Just how they expected to keep the jury pure by having a drunk next door or across the hall is not very clear.

Apparently Leedom was a very influential politician in South Dakota.

Mr. HUGHES. North Dakota.

Mr. TUNNELL. No; South Dakota. He lived in South Dakota. But this job took a professional; it took someone with technique to handle this situation in Bismarck, so they sent to South Dakota for this "fixer."

This question was asked by the Senator from West Virginia [Mr. KILGORE], referring to Leedom.

He was considered as one of the men who fixed everything up, compromised all differences, settled everything in South Dakota?

Wyman, who was testifying, answered:

No; I would not say that exactly. He was a very influential politician, though.

Senator KILGORE. Did he not bear the reputation of being one of the best fixers in South Dakota?

Mr. WYMAN. Not as a matter of fixing, as far as I know. He had a lot of influence. You would not class it all as fixing. He was considered a powerful politician; there is no question about that.

The Senator from Utah [Mr. MURDOCK] then asked the following question:

You had to live up to his reputation in this case, didn't you?

Mr. WYMAN. Well, he got what he went after, I guess.

And he did. "He got what he went after."

Let me show what kind of man Mulloy was. He had been appointed by Governor LANGER secretary of the North Dakota Industrial and Securities Commission on January 10, 1933, immediately after the installation of Governor LANGER. Mulloy traveled with Governor LANGER a great deal. On one occasion they left Bismarck together and went to a telephone at Mandan, as to which trip Mulloy stated with reference to LANGER, "He had told me that the wires were tapped there. We figured it would be safer to call from Mandan than it would from Bismarck." They were at that time trying to find Leedom, the fixer.

It appears from the testimony, on page 16 of the record, that Mulloy went to Deadwood, and when Leedom was interviewed by Mulloy, Leedom said, "By God, Jim, we have got to save LANGER."

Mr. President, that is a better slogan than some of the others which have been used with reference to this case, such as "Fighting fire with fire," and "Let him who is without sin cast the first stone." Those are slogans suggested, but Leedom has a better one, "By God, Jim, we have got to save LANGER." And Leedom and Mulloy went to Bismarck for the purpose of saving LANGER.

Now as to the purpose of engaging young Wyman, the judge's son. Of course, this may not indicate moral turpitude, I do not know, it may be that it is not moral turpitude in North Dakota. It has been suggested that moral turpitude is a matter of geography. This is what Mulloy said about the employment:

I told him, "That is exactly what I am down here for."

He was talking to Wyman.

And we talked—well, for the balance of the afternoon he impressed upon me, and I already knew, that he was very, very close to Judge Lee Wyman. He also discussed with me and told me of the boy, Gale Wyman, and the influence that Gale Wyman would have with his father.

Mr. BURKE. That is a son of Judge Wyman?

Mr. MULLOY. Yes.

Mr. BURKE. Is he a practicing lawyer in South Dakota?

Mr. MULLOY. Yes.

Mr. BURKE. Located where?

Mr. MULLOY. At Deadwood, S. Dak.

Mr. BURKE. Did Mr. Leedom make any suggestion with reference to Mr. Wyman, junior?

Mr. MULLOY. Yes. Here is just what he said, he said, that the old man thought—or that the kid was the apple of the old man's eye. He said, "By God, I'll bring him up tonight."

That was the first time he went to get Leedom.

Mr. BURKE. Did he?

Mr. MULLOY. Yes; he did.

Mr. BURKE. Was that the first occasion you had met young Wyman?

Mr. MULLOY. To my knowledge, I had never met Gale Wyman before.

Mr. BURKE. Well, that evening, tell us the high lights, tell us as to what was the conversation between yourself, Mr. Leedom, and the son of Judge Wyman.

As if there could be any "high lights" in a transaction of this sort.

Mr. MULLOY. We discussed the case, both the case where the Governor had been convicted—and we discussed all angles of it, and they both impressed me with the good that they could do and the influence that they would have.

Mr. BURKE. Influence on whom?

Mr. MULLOY. On Judge Wyman.

Mr. BURKE. Was anything said about what specifically they were to do?

Mr. MULLOY. Well, we discussed the amount of money that was to be sent to Gale Wyman, but I had no authority from either Mr. LANGER or Mr. Vogel to offer any specific amount.

Mr. BURKE. Did Mr. Gale Wyman indicate what he thought his services ought to bring?

Mr. MULLOY. The amount that we agreed on, subject to the approval of Governor LANGER, was $500. That is, there was to be $500 sent to him immediately upon our return to Bismarck, in case that the Governor approved of the deal.

One Senator defied us to show any connection whatever between LANGER and the buying of the services of young Wyman. Here was the offer that was made to Wyman, "subject to the approval of Governor LANGER," and it must have been approved, because the money was paid. That is admitted by all three—Mulloy, Wyman, and LANGER. LANGER paid him the balance, and he did not deny at that time that $250 had been paid on account. Governor LANGER did not say, "No; I have not paid you anything on this $500," but he said there had been $250 paid, and he paid him $275, which was the balance due, together with $25.

Mr. CHANDLER. Mr. President, will the Senator from Delaware yield?

Mr. TUNNELL. I yield.

Mr. CHANDLER. Has the Senator from Delaware any doubt in his mind, from the testimony he heard and from the statements of witnesses as they appeared, that these parties took up with young Wyman the question of fixing his father? The other side made great capital of the fact that the judge was not fixed.

I wish the Senator would elaborate on the matter, because I have the distinct impression that they talked to Gale Wyman about fixing his father, and that he said he was not able to fix his father, but one must believe that he accepted the $525 either to fix his father, to secure a miscarriage of justice, or to tell his father they were going to give him a banquet.

Mr. TUNNELL. There is not the slightest question about the purpose for which Wyman was employed. He himself said that it was understood that he was to use his influence with his father.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. AIKEN. I should like to ask the Senator from Kentucky or the Senator from Delaware on what page of the testimoney we will find the impression given that anyone talked to Gale Wyman about fixing the judge?

Mr. TUNNELL. I am reading it to the Senate. It will be found on page 17 of the record, if the Senator from Vermont will take the record and read it.

Mr. AIKEN. That is where we will find that there was a discussion about fixing the judge?

Mr. TUNNELL. As I read on I think the Senator will find that I shall read enough to satisfy him.

Mr. CHANDLER. Oh, it is in the record. It can easily be found.

Mr. TUNNELL. Yes. I read:

> The amount that we agreed on, subject to the approval of Governor LANGER, was $500. That is, there was to be $500 sent to him immediately upon our return to Bismarck, in case that the Governor approved of the deal.

If the Governor approved, $500 would be sent, and $500 was sent by the Governor, and $250 of it was kept by Chet Leedom. Governor LANGER himself paid the remaining $250, together with $25.

Mr. CHANDLER. I call the Senator's attention to the testimony on page 111 in the green book.

Mr. Burke said:

> And I read you that portion of your statement appearing at the top of page 17, which I now repeat—

This is Wyman speaking—

> I told them from the standpoint of a fixing policy it would be a physical impossibility for me to do any good.

They talked about fixing, because if they had not talked about fixing that boy would not have made the statement he made that from a fixing standpoint he could not do them any good.

Mr. TUNNELL. He said it was understood.

Mr. CHANDLER. It is claimed that the Senator from North Dakota did not know anything about it, but either he or his agents talked fixing with the judge's son, and they paid him $525 either to fix the judge or to try to fix him, or to tell his daddy they were going to give him a banquet. Qui facit per alium facit per se. What a man does through his agent he does himself.

Mr. TUNNELL. I want to call attention to the fact that the first $250 which was to be paid in case LANGER approved, was paid at the first trial.

Mr. CHANDLER. Yes.

Mr. TUNNELL. And that the remaining $250, together with $25, was paid after the second trial was completed. That made a total of $525. At that time Governor LANGER acknowledged the payment by his agent of $250 on account of this bribe to the judge's son.

> Mr. BURKE. That was for Gale Wyman himself?
>
> Mr. MULLOY. Yes.
>
> Mr. BURKE. What about Mr. Leedom?
>
> Mr. MULLOY. There was no arrangement made with Mr. Leedom. Mr. Leedom came back with me, and he and the Governor discussed the financial part together.
>
> Mr. BURKE. Was their discussion at this first meeting with Gale Wyman about the release of the jury list and complaint that Judge Miller, at the first trial, had refused to release the jury list in advance, and so their style had been cramped in checking up on the jurors?
>
> Mr. MULLOY. Yes; there was.

On page 18 of the record in discussing——

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. TYDINGS. I have been reading over page 17, and while an inference may very well be drawn that young Wyman was employed because of his influence on the judge, who was his father, I fail to find any specific words to justify more than an inference. Am I correct in assuming that there are no words set forth to justify more than an inference?

Mr. TUNNELL. No; I shall not give the page right now, but Gale Wyman himself stated that that was understood.

Mr. TYDINGS. What was understood?

Mr. TUNNELL. That he was to influence his father if he could.

Mr. TYDINGS. How?

Mr. TUNNELL. They did not go into the details as to how it was to be done. He said he could not do it, but he said that was the purpose for which he was hired. He said he told them at that time that he could not influence his father.

Mr. TYDINGS. If any Senator comes across the exact statement in the testimony I should like to have it.

Mr. TUNNELL. I think I have it; yes.

Mr. TYDINGS. I rose only for the purpose of finding just where that statement was made in the record. I do not find it on page 17.

Mr. TUNNELL. If the Senator will turn to page 111 of the testimony he will find the following on the point he has raised:

> I read you that portion of your statement appearing at the top of page 17, which I now repeat:
>
> "I told them from the standpoint of a fixing policy it would be a physical impossibility for me to do any good."
>
> Do you wish to say to the committee that when you referred to a "fixing policy" that that was the first time that that had been mentioned in the conversation between Mr. Leedom and Mr. Mulloy and yourself, that the only thing they had suggested for which they wanted your services was in reference to this banquet and the relief of the jury list?
>
> Mr. WYMAN. That is all that they suggested to me at the time. However, there were possibly some inferences drawn during the conversation which caused me to describe it in that way. I cannot recall the exact conversation.
>
> Mr. BURKE. Now, Mr. Wyman, is it unfair to say that you knew perfectly well when Leedom called you down there and Mulloy and Leedom talked to you and wanted you to take some part in this case, they were willing to pay you, apparently, whatever you asked; $500 you said, that they wanted you to use your influence in whatever way you could with your father to get the result they wanted in the case? You knew that that is what they wanted, did you not?
>
> Mr. WYMAN. Well, that was understood.

That was Mr. Wyman's answer to Senator Burke as to whether or not young Wyman knew that they expected him, in return for the money paid him, to use his influence with his father to get the result they wanted in the case. He said, "That was understood."

On page 18 of the record, in discussing the employment of Wyman, Mulloy stated as follows:

> Well, of course, the idea was that he was to use his influence on his father, saying "Blood is thicker than water."

LANGER claims that he did not know of the hiring of Wyman. Perhaps he did not. He at least knew of the payment. He admits that.

On page 19 of the record Mulloy states as to the payment to Wyman:

> Mr. LANGER handed me five $100 bills, and I delivered them over to Mr. Chet Leedom in the Grand Pacific Hotel. That was the money that was to be sent to Gale Wyman.

It might be well to inquire who is this Mulloy who testified to such damaging facts with reference to the history of Governor LANGER. On page 10 of the record Mr. Mulloy states that he was appointed secretary of the North Dakota Industrial and Securities Commission on January 10, 1933. This was by appointment by Governor LANGER. We find that the Governor used Mulloy as his companion and trusted lieutenant for a number of years. We find on page 15 of the record that he took Mulloy with him when he went to Mandan to try to get in touch with Leedom in preparation for the second criminal trial of the Governor at Bismarck.

On page 16 we find that the Governor asked Mulloy to secure the services of Chet Leedom in Deadwood, S. Dak.

On page 90 of the record we find the following letter of recommendation of Mulloy by Governor LANGER, dated April 14, 1939:

To Whom It May Concern:

I take exceptional pleasure in recommending James Mulloy, who during the time that I was Governor of North Dakota was secretary of the industrial commission, as a man

who is entirely trustworthy, capable, and efficient

Mr. Mulloy has had a great deal of experience in business, both in a private and public capacity. He had charge of a department which had charge of millions of dollars in money and property and did his job on behalf of the people of this State very well. You may hire him with the full assurance that you can repose confidence in him.

Very truly yours,

WILLIAM LANGER.

This is the same Mulloy who testified to this maneuvering at the instance of Governor LANGER, for the purpose of influencing the court which was to try him.

In the first trial for conspiracy, in which he was tried by Judge Miller, LANGER was convicted. On page 11 of the record we find that Mulloy suggested to the Governor that steps be taken to secure the assignment of Judge Wyman to this case. After it became apparent that there was to be a second trial, the first thing to be arranged was to get a judge who would be satisfactory. I read from page 11 of the record:

Mr. BURKE. What steps were taken to secure the appointment or assignment of a different judge?

Mr. MULLOY. The only thing that I knew, I told Bill that if he could succeed in getting Judge Wyman appointed that I knew a fellow that I thought would appear to me to have influence with that judge.

Mulloy, the man so highly recommended by Governor LANGER, made that statement. On the same page Mulloy states that two or three times he had conversations with Governor LANGER relative to LANGER's endeavor to get Judge Lee Wyman appointed to try the case. This matter seems to have been pursued much further, as shown by the testimony on page 13. This testimony shows the interest the Governor was taking to bring about the assignment of Judge Wyman to the case. On page 15 Mulloy was asked how the assignment of Judge Wyman was brought about. I read:

I want to say that Mr. Mulloy had an awfully fine father. The first time I ever knew Mr. Mulloy—you may wonder why he got into the State employ at all. I did not know Mr. Mulloy at all, but the county executive committee of Eddy County, headed by the officials there, and Mr. F. F. Almers, came to see me originally with him. Mr. Almers was supposed to be the wealthiest farmer at that time in the county. At that time I understood he had 2 or 3 years' crop of wheat in his granaries. They said, "We would like to have this young man get a job, because his father is an outstanding citizen, for 35 or 40 years lived in Walsh and Eddy Counties, and his brother is a Catholic priest, outstanding Catholic priest," who later was chosen the head of the Catholic Rural Life of the United States, as I remember it, and they said that he came from a very fine family, as far as they knew. I did not do much inquiring with that kind of endorsement. We simply put him to work. Never had any trouble. He was very efficient and did his work well all the time he worked there, with the exception that he became intoxicated once. The industrial commission met. It consisted at that time of Mr. Arthur Gronna, who is now the judge of the district court, and Mr. John Hushy. We simply passed a resolution on the books, and he was there at the time we passed it, that if he became intoxicated again we would fire him from the job as secretary of the industrial commission (p. 731).

Later he gave this letter of introduction, and for years almost slept with him—I think he did.

With reference to what was done to get the judge assigned, we have the following:

Mr. BURKE. Did you find out?

Mr. MULLOY. No; I did not. The only thing that the Governor ever told me, he said there was an attorney in Kansas City who lived in some part of the house with Judge Stone, and it was Judge Stone who had assigned him to try the case, and later I found out that Judge Gardner had assigned the original designation and it later was approved by Judge Stone.

We find also on page 14 that the announcement of the assignment of Judge Wyman was about October 1, 1934.

After the assignment of Judge Wyman, the next step was to engage someone who was close to Judge Wyman to go to Bismarck for the trial. We find on page 16 the following testimony with reference to the steps which were taken:

Mr. MULLOY. I told Governor LANGER that I had no money to make the trip for my expenses. He first told me not to be surprised if I found the money in the compartment of the car, and the next time, or the next thing I told Vogel that I had no car, and Vogel offered me the use of his car. So we drove back to Bismarck, and I prepared to leave that day with them, and did leave, and drove as far as Mott, N. Dak., that night, just about 15 or 20 miles from Bismarck, and registered at the Weeks Hotel in Mott. I stayed there that night. The next morning I got up and drove to Deadwood, S. Dak.

Mr. BURKE. Did you see Mr. Leedom while you were there?

That was the first trip. Governor LANGER did not know Leedom at that time. He simply knew that he was supposed to be close to Judge Wyman, and that Judge Wyman had been assigned.

Mr. MULLOY. Yes. I registered at the Franklin Hotel in Deadwood. I went up to my room, and I was just finishing taking a bath, and Chet knocked at the door and came walking in, and just as he came in he put out his hand to shake hands with me. He said, "By God, Jim, we have got to save LANGER."

On page 17 the conversations between Mulloy, Leedom, and the son of Judge Wyman are set out. On page 18 the purpose of the employment of young Wyman is set out, and the medium of Mrs. Pat Woods for communication between Leedom and Wyman. It was not thought safe for Leedom and Wyman to be meeting. So they arranged that communication should be through Mrs. Pat Woods, who was a close friend of Leedom's. However, Leedom went with Mulloy to Bismarck. Leedom stayed in Bismarck the whole time of the trial.

On page 23 of the record Mulloy states that Leedom was paid $1,700 or $1,800, including the Wyman money, about which more will appear later. It appears that young Wyman had sufficiently impressed the LANGER alliance so that preparation was made to pay Gale Wyman a certain amount of money. At the bottom of page 19 we find that $500 was paid by LANGER to Mulloy, that Mulloy turned the $500 over to Chet Leedom, and that Leedom gave one-half of it to the son of the judge who had recently been assigned to this case.

Remember, the first case was a conspiracy case, tried by Judge Miller. The second case was a conspiracy case tried by Judge Wyman. The first case had resulted in a conviction of LANGER. The second case was the one over which Leedom exercised such close control. This is shown by the testimony of Mulloy on page 20 of the record, as follows:

Mr. MULLOY. Gale and I went over to the First National Bank on Saturday afternoon. The bank was closed. We could not get in to cash it—

That was after the check had been paid by LANGER. He did not draw the check to Wyman. He drew the check to Mulloy, and Mulloy endorsed it to Wyman. They went over to the bank and the bank was closed. Then they went to the Patterson Hotel, but the hotel did not have that much money—

so we went down to the Patterson Hotel, attempted to get the cash there, and they did not have that much currency on hand. So I endorsed the check and turned it over to Gale Wyman just before he left for the airport to go back to Deadwood.

There was no mistake about this money being intended for Wyman by LANGER, because later in the testimony of LANGER he says that he drew it for Mulloy, and that Mulloy turned it over to Wyman. He says that the amount was that which Wyman told him was still due on the $500 which it had been agreed at the first trial that Wyman should receive.

Mr. BURKE. The evidence in the record—there is no dispute about it—indicates that at a certain bank following that some time—I do not recall the exact date—Mr. Gale, Wyman cashed Mr. LANGER's $275 check and received the proceeds. That is all set out in the record.

During the first trial before Judge Wyman, or the second trial altogether, the activities of Leedom are described on page 21 in the following language:

Mr. BURKE. That would mean a trial of a couple of weeks; would it not?

Mr. MULLOY. Yes; it would be 2 weeks or possibly 3 weeks.

Mr. BURKE. And Mr. Leedom was there in Bismarck during the entire time of that trial?

Mr. MULLOY. Yes, sir; he was.

Mr. BURKE. And reporting to you very frequently?

Mr. MULLOY. Yes.

Mr. BURKE. And you, in turn, reporting to Mr. LANGER?

Mr. MULLOY. Yes.

Mr. BURKE. Do you know, of your own knowledge, whether Mr. Leedom was in touch with Judge Wyman during the period the trial was going on?

Mr. MULLOY. Yes, sir; I do.

Mr. BURKE. How do you know that?

Mr. MULLOY. Because I saw him go in his room; I saw Judge Wyman opening the door.

Mr. BURKE. On one, or more than one occasion?

Mr. MULLOY. On more than one occasion.

Mr. BURKE. These messages, or the statement that Mr. Leedom made to you, and that you passed on to Mr. LANGER, what was the nature of them, of those statements?

Mr. MULLOY. Well, Leedom would come back over, or contact me mostly at my room, or in his room, and tell me that Judge Wyman had said in regard to that day's doings

at the trial, and I remember one occasion when he came back and told me—it was after the Government had introduced witnesses in the trial—showing that the efficiency of the highway department had been impaired by these solicitations, and he advised me to get word to the boys to have somebody subpenaed the next day or shortly thereafter, to contradict that testimony.

It was never shown by the respondent that no such testimony was introduced. So far as I know, that statement was allowed to stand uncontradicted.

The testimony of various witnesses may be confusing. The first trial was that of the Governor and others before Judge Miller on the conspiracy charge. The second trial was the one in which Leedom appeared at Bismarck. There a hung jury resulted, the jury standing 10 to 2 in favor of conviction.

Young Wyman did not go to Bismarck until the third trial, which was the trial of LANGER for perjury. On page 668 of the testimony Senator LANGER was asked if he had agreed to pay the necessary expenses and fees of Leedom, the following language being used:

Senator LANGER. Yes, sir; I did. I told him to go down—

Speaking now of Mulloy—

and make the arrangements and get him up there for that trial.

That was LANGER. He was sending for Leedom, the man who was drunk at the trial a good deal of the time, spreading money—a free spender—with a room across the hall from the jury. LANGER admits that he paid him $700 or $800.

Mr. BURKE. Did it occur to you at the time that there might be any impropriety, or anything worse, in making that kind of an arrangement with a close political and other kinds of friends with the new judge who was coming up?

Senator LANGER. No; I don't think there was impropriety in it, and I would do it again tomorrow. It is something any defendant has a right to do, is to protect himself. That first jury was tampered with. I had a right to protect myself the same as the Government had a right.

That is the theory of the Senator who said that one must fight fire with fire. Governor LANGER said he would do it again:

The government looked up those jurors and knew who they were going to be. I certainly had the same privilege.

LANGER states that he and Mulloy went out riding quite often. That testimony is on page 669 of the record.

Having been successful in the assignment of Judge Wyman to try his cases, the next step was to get the jury in line. On page 23 of the testimony, the following information is given, showing the steps to get in touch with the jury:

Mr. MULLOY. Well, I can tell you about that, and it will probably clear it up; that is, as to what I know about it.

When I came back from Deadwood, young Wyman had told me to contact one of the lawyers and have him wire to his father to get him to release the jury list, or ask for the jury list.

Well, I did not want to contact Murphy, so I contacted Murray; and Murray wired to the judge at Sioux Falls, S. Dak., asking for the jury list. That day at noon, Gale Wyman called from Sioux Falls and informed us that there would be a telegram along sometime during that day very shortly. That afternoon J. K. Murray received a telegram from Judge Wyman at Sioux Falls, and my memory is it was a copy of the telegram that he sent to the clerk of court at Fargo, N. Dak., ordering the clerk to turn over the jury list if there were no regulations against it in that district of North Dakota.

In other words, the judge did order the list, just as Gale Wyman, his son, had said he would; and the telegram came in confirmation of that arrangement. Of course, Gale Wyman wanted to prove to LANGER that he was really doing something; that it was not merely a case of pouring out some money for him.

On page 24, the activities along this line are described in the following language:

Mr. BURKE. Tell us about that.

Here is more as to the jury. The judge is all right now, according to their theory; they had gotten the man that Governor LANGER wanted for judge; he was assigned.

The answer is as follows:

Mr. MULLOY. Governor LANGER sent letters out to practically every precinct in the State, and asked these precinct captains or lieutenants to be available near a phone for those 2 days.

Mr. BURKE. For what purpose?

Mr. MULLOY. So that we could call them, or he could call them, or his lawyers could call them, or get the dope on whoever was selected for the jury.

That is very important. The judge being assigned, the next thing to do was to get the jury in line. The evidence in the case is that there are twenty-two-hundred-and-some precincts in North Dakota, and that he sent out letters to practically every precinct in the State, telling someone to stand by the telephone and tell him about jurors. He got some answers too.

I continue reading Mr. Mulloy's statement:

I believe there was a letter sent out also at that time, or prior to that, to different people over the State, to write in the names of anybody they found who was serving on the jury, or had received notice that they were called for jury duty.

Mr. BURKE. Do you recall the name of 1 of the 12 men selected to serve on this jury in the second trial, by the name of Rich?

Mr. MULLOY. Yes; I do.

Mr. BURKE. Did you know him prior to that time?

Mr. MULLOY. No; I did not.

Mr. BURKE. Did anyone talk to you about him prior to the trial?

Mr. MULLOY. Yes, sir.

Mr. BURKE. Who was that?

Mr. MULLOY. George Schonberger, from Casselton, N. Dak.

Mr. BURKE. Who was he?

Mr. MULLOY. He had been connected with the highway department. I think he was maintenance superintendent, or something.

Mr. BURKE. While Mr LANGER was Governor?

Mr. MULLOY. Yes, sir.

Mr. BURKE. Where did he talk to you?

Mr. MULLOY. In front of the Patterson Hotel.

Mr. BURKE. Did he give you a message to deliver to anyone?

Mr. MULLOY. Yes, sir; he did.

Mr. BURKE. What did he say?

Mr. MULLOY. He told me that he had somebody talk to this man Rich and that Rich was all right.

Mr. BURKE. What did you do with that information?

Mr. MULLOY. Well, I gave it to Bill.

Mr. BURKE. Were you requested to do that?

Mr. MULLOY. Yes sir

Mr. BURKE. That is, this Mr. Schonberger came to you and wanted to pass on this information to Mr. LANGER, and told you that Juror Rich had been contacted and it was all right?

Mr. MULLOY. Yes; that is what he said.

The second conspiracy case was tried on November 15, 1935. The jury stood 10 for conviction and 2 for acquittal. One of the two who voted for acquittal was Reich, and Reich was later paid, according to the uncontradicted evidence, $950. Governor LANGER did not make the payment; the payment was made by his fellow indictee, Vogel.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TUNNELL. Yes; I yield.

Mr. LUCAS. Governor LANGER bitterly complained about the first trial under Judge Miller, claiming that Judge Miller was prejudiced against him and claiming that the jury was tampered with, but based on all the evidence I think it is a fair assumption—and I believe it is not challenged at any place in the record—that the second conspiracy trial showed a judge of whom no one on either side complained; but after all the watching that was done by Leedom and the other fellows who were employed for that purpose the jury, at the close stood 10 to 2 for conviction.

Mr. TUNNELL. That is correct.

After the effort was made to find out what jurors would be all right, after sending out letters to 2,200 precinct captains, and getting their replies, one return was that Reich was all right; and evidently the Langer attorneys saw to it that Reich was on the jury. Not only was he on the jury but he and one other juror held the jury from a conviction, and later Reich was paid $950 by check.

Mr. HUGHES. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the junior Senator from Delaware yield to the senior Senator from Delaware?

Mr. TUNNELL. I yield.

Mr. HUGHES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. VANDENBERG. Mr. President, will the Senator withhold his request for just a moment?

Mr. HUGHES. I withhold it for a moment.

Mr. VANDENBERG. I merely desire to observe that I am glad the Senator from Delaware has suggested the absence of a quorum. At the moment there are on the floor 6 Members of the jury of 96. If I were to have the misfortune to be tried in court I should want to have more than 10 percent of the jury in my case present to listen to the presentation of the case. This is not a trial; it is a travesty.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	O'Mahoney
Austin	Green	Overton
Bailey	Guffey	Pepper
Bankhead	Gurney	Radcliffe
Barbour	Hayden	Reed
Barkley	Herring	Reynolds
Bilbo	Hill	Rosier
Bone	Holman	Russell
Brewster	Hughes	Schwartz
Brown	Johnson, Calif.	Shipstead
Bulow	Johnson, Colo.	Smathers
Butler	La Follette	Smith
Byrd	Langer	Spencer
Capper	Lee	Stewart
Caraway	Lucas	Taft
Chandler	McCarran	Thomas, Idaho
Chavez	McFarland	Thomas, Okla.
Clark, Idaho	McKellar	Thomas, Utah
Clark, Mo.	McNary	Truman
Connally	Maloney	Tunnell
Danaher	Maybank	Tydings
Davis	Mead	Vandenberg
Doxey	Millikin	Van Nuys
Ellender	Murdock	Wheeler
George	Murray	White
Gerry	Nye	Wiley
Gillette	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin.

The message further announced that the House had passed a bill (H. R. 6738) to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade, in which it requested the concurrence of the Senate.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to a seat in the Senate from the State of North Dakota.

Mr. TUNNELL. Mr. President, the second conspiracy case was tried November 15, 1935, and the jury stood 10 for conviction and 2 for acquittal, 1 of the 2 voting for acquittal being this man Reich. In the testimony on page 555 of the record, Senator LANGER spoke of thanking 2 jurors who had hung the jury, they being Mr. Carvoneau and Mr. Reich.

The Governor had secured the appointment of the judge he wanted—and I am not reflecting at all on the judge; he had gotten the information with reference to the jury; he had gotten the report that Reich had been seen and was all right and his attorneys saw that he was placed on the jury. LANGER then admitted that he thanked the 2 members of the jury for hanging the 10-to-2 jury.

It will be remembered that at the first trial before Judge Wyman, Mulloy had gone into Scuth Dakota and had gotten Leedom to come up to Bismarck. At the same time he had engaged young Wyman to help out in the case, but not to come to Bismarck. It was understood that he would not be there. In the first case there was a conviction of LANGER. In the second the jury was hung 10 to 2 in favor of conviction, 1 of the 2 jurors being the one who had been contacted and was reported to LANGER as being all right, and then LANGER thanked the 2 gentlemen for their conduct.

It appears in the record that later on LANGER received a check for $950, to which a person who had been selling machinery, I think it was, thought he was entitled. He endorsed the check and handed it over to this man Vogel, I believe, and it was by him handed to Reich. Governor LANGER did not hand it to Reich, but Vogel, who was jointly indicted with LANGER, did.

When the date for the third trial, the trial of the perjury case, approached, the Governor wanted Leedom back again; he wanted back this free spender, this fixer, this man who hung around the jury, staying drunk much of the time, boasting, as the record shows, of his influence with the judge of that court. Senators, how inspiring it is to see these vigilantes as they protect law and order in North Dakota. LANGER sent down again for the man who had made that sort of a record. Leedom was not present at the first trial, and LANGER was convicted. In the second trial, with Leedom present, there was a hung jury. When the time approached for the third trial, LANGER sent for Leedom. What was he to be there for? Why did he need this man? Why was Leedom so necessary that he had to be brought 450 miles to Bismarck, with a record such as he had, of rooming across the hall from the jury, and boasting of his nearness to the judge and of his influence with the judge?

Mr. President, that is an inspiring incident. The Governor of North Dakota was being tried, and Governor LANGER must be saved. The Governor again sends for this fixer, despite his previous record, and he was found to be too drunk to come this time. That was at the time of the perjury trial, as I have stated.

Now comes a very interesting and illuminating disagreement between Mulloy and the Governor. When Mulloy went to get Leedom for the perjury trial and found him to be too drunk to come to town, he called up the Governor. Senators, remember that Gale Wyman was the man who had already been paid $250 of the Governor's money. The Governor said he did not know it. Either the Governor sent Wyman the $500, $250 of which did not reach him, or else he paid Leedom so much money that Leedom could afford to pay Wyman out of that without even missing it, because $250 had been paid to Wyman at the first trial presided over by Judge Wyman.

Mulloy called up LANGER and said, "I cannot get Leedom there. I am going to bring the other fellow." Who was "the other fellow"? The one to whom he paid $250. Governor LANGER is anxious to have Senators to believe that he said "another fellow," because "the other fellow" who was employed and paid by LANGER and LANGER's agent was Wyman. LANGER does not want Senators to believe that he knew that Wyman was the other fellow, though he had already paid him the $250, and thought he had paid him $500. Leedom had taken his toll of $250 out of it, and only $250 reached Wyman. That is the reason for and the significance of the Governor's testimony when he said, "He told me he was going to get another fellow" instead of "the other fellow," who was the one he had already paid.

That testimony is very damaging, it is very significant, it is very illuminating, to anyone who reads it and understands its true significance.

The perjury case came up for trial before Judge Wyman on December 6, 1935. LANGER said that Wyman was employed for the purpose—of what? He was to see that the jury list was delivered, as it perhaps should have been; I do not know as to that. He was also to warn his father against going to one of the banquets—the testimony says a LANGER banquet. LANGER's friends or attorneys, or those who spoke for him, apparently wanted it understood that it was not a LANGER banquet. I do not know that it was. We will let it go either way. I think Senators will find testimony both ways in the record. Certainly, Senators will find it testified to as a LANGER banquet, but the Langer people deny it, as I understand, and it is not important that we take a stand in that respect.

Here was a young man, the son of the judge, paid $500. He was paid $250 first. Why? Because the defendant wanted a list of the jurors. We are told it was his right to have a list of the jurors. If so, why did he have to hire the judge's son to obtain the list? Why was not the usual motion made by his regular attorneys? It was not made by them. Wyman had delivered, so far as the jurors were concerned. He had obtained the list. A telegram was sent saying that the list of jurors would be sent that afternoon, and the list came. Of course, that was something LANGER's attorneys could have done. It was not necessary to hire the judge's son to obtain the list of jurors.

Mr. President, the Langer people say they wanted him to warn his father not to go to a certain banquet. It must have been a hostile banquet—at least the Langer people must have thought it was. They wish Senators to believe that they paid the judge's son $525 to get him to tell his father not to go to a banquet. That does not make good sense. It is not logical. The employment of Gale Wyman was not because of any sense of ethics. The judge's son was hired—there is no denying that—in connection with this trial. No one has denied it. He was hired. Governor LANGER said he paid him the $275, and he would have paid him $1,000 to get him away, because he, LANGER, was being tried by his father, but he

waited until the trial was over, and the father had given binding instructions to the jury, before he paid the son the second payment. He waited for the delivery of the thing for which he paid out the money.

Senators, it is said there is no moral turpitude involved in that transaction. Moral turpitude is a matter of geography, we are told. The vigilante of North Dakota was looking after the honor of the United States court, and in doing so he admits he sent his special envoy to hire the friend of the judge; that the envoy could not get him because he was too drunk, and so he got "the other fellow," the man whom LANGER had employed, through his agent, before, and to whom he had paid half the fee. Mr. President, what an inspiring sight we see then. The judge of the United States court is at the hotel in the town where the trial takes place, and his son registers at that hotel, under an assumed name, for it would not do to let it be known that the judge's son was hired; it would not do to let it be known that the judge's son was there with his father. It would not do for all those things to be so plain. The judge's son was on the inside. He says he could not do any damage anyway. We are not talking about that. We are talking about the man who paid him $525 because he thought he could. There is no denial of the fact that he received the $525. LANGER says he paid $275 of it by check, and that he would have paid more if he had been asked to do so.

Mr. BROWN. Mr. President, will the Senator yield.

Mr. TUNNELL. I yield.

Mr. BROWN. I have been puzzled throughout the trial—if I may use that expression—of this case on this particular issue. Is there any direct evidence—not evidence based upon inference, but direct evidence—that Mr. LANGER had anything to do with the hiring of Gale Wyman, the judge's son? I understand, of course, that he paid him after the trial was over, but that he and his friends contend that he did not know, prior to the end of the trial, that Wyman was hired by his friends in his behalf. If the Senator has the facts, I should like to have him tell me whether there is any direct evidence showing that LANGER knew that Wyman was being hired at the time he was hired.

Mr. TUNNELL. I will state the evidence as I remember it—and I think I remember it correctly. LANGER sent his agent, Mulloy, to Deadwood, S. Dak., I believe, 450 miles, to get Leedom. While there, that very night, Leedom and Mulloy discussed this case, and Leedom, after exclaiming, "By God, we must save LANGER!" and after telling what the son could do, sent for Wyman. Young Wyman was not known to Mulloy. So young Wyman came to the room where Mulloy and Leedom were, and there he was told the whole situation. That was before the second trial. He was asked how much money he would want. Leedom, Wyman, and Mulloy finally agreed on $500, but that was subject to the approval of Governor LANGER. Then Mulloy states that he went back to Bismarck and told the Governor about the arrangement, got $500 from the Governor—five $100 bills, I believe is the statement—and that he gave those to Leedom to give to his friend Wyman.

The money was paid. Mulloy says it was paid by LANGER to him for that purpose, and that he passed it on to Leedom. Leedom paid $250 of the money to Wyman. There is no doubt about that. The testimony bears that out, and there is no contradiction.

When we come to the second trial before Judge Wyman, the perjury trial, when Leedom could not get there because of his intoxication, Mulloy then called up the Governor and told him that he could not get Leedom, but that he could get "the other fellow," the fellow who, as it turned out, had received $250 of the Langer money. He could get the other fellow. Governor LANGER says he told him he could get "another fellow." There is a great difference. Governor LANGER himself admits that after the first trial Wyman told him that he owed him $250 from the first contact; that he had received but $250 of the $500 he was to receive; and that he thought he ought to have $25 more for his expenses, or a total of $275. Governor LANGER paid him the $275 without any protest or any denial that he had paid him $250. He did not claim to Wyman, and he did not say that he claimed to Wyman, that he had not previously paid him $250. He said that he paid the $275 by check to Mulloy. There is no place in the record where anybody except Mulloy saw Governor LANGER deliver the first $250. Mulloy says he did. He says he delivered it to Leedom, and the Governor says that Wyman said he had received $250, but had not received all of the $500. Does the Senator understand the situation?

Mr. BROWN. Yes.

Mr. TUNNELL. The perjury case came up for trial before Judge Wyman. The trial continued up to and including December 6, 1935. Gale Wyman appeared in Bismarck for the perjury case at the instance of Mulloy. Mulloy had sent for Leedom, the free spender, who had been present at the first conspiracy trial. Leedom was drunk, and Mulloy conditionally employed Wyman. Wyman went to Bismarck with Mulloy for the perjury case.

On page 547 of the testimony LANGER tells of his first knowledge that Gale Wyman had appeared in Bismarck for the perjury case. It will be noted that Governor LANGER was in touch with Gale Wyman as soon as he could possibly see him after his arrival in Bismarck. Senator LANGER's testimony, on page 547 of the record, is as follows:

> Senator LANGER. Mr. Mulloy telephoned me either the day following the telephone conversation that I referred to or 2 days afterward, saying that he was with Gale Wyman, the judge's son.
>
> I was very much surprised. I said, "I want to see him as soon as I possibly can."
>
> A short time after that, Mr. Wyman and Mr. Mulloy came over to my house. We have a den down there in the basement. A few minutes later, Mr. Mulloy stepped out and I asked Mr. Wyman what he wanted up there.

That is significant. Mr. Mulloy did not stay to hear the conversation or the bargain between LANGER and Wyman.

> A few minutes later, Mr. Mulloy stepped out and I asked Mr. Wyman what he wanted up there.
>
> He said, "Well, Mr. Mulloy talked to me. He said maybe I could get into this lawsuit."
>
> I said, "We have all the lawyers we need." He said, "I told him that. I told him you did not need any lawyers. I want to tell you that Mr. Mulloy is doing a good job, doing the best he could, did the best he could to get Mr. Leedom back."

He did. He had been down there at each trial, the second and the third, to get Leedom back to Bismarck.

> "Mr. Mulloy promised me $500 for my services. I done some work for him when he was down there before. All I received was $250."
>
> I said, "Well, I will be very glad to pay the rest."

He said "the rest," knowing that part of it had been paid, and admitting that part of it had been paid.

> I said, "Well, I will be very glad to pay the rest." He said, "Well, I think I should have $25 more for coming up here, for expenses." I said, "I am very glad to give you a check for $275. Come to the office. I will write out the check. I will give it to Mr. Mulloy and he will give it to you."
>
> That is the substance of it.

Why did he not draw the check to Gale Wyman? He did not want that check to appear here as an admission that he had hired the judge's son, so he did not draw the check to Gale Wyman; but he did draw it to Mulloy, and he promised Wyman that he would draw it to Mulloy. He did so, and he delivered the $275 check. He had then paid $525 altogether.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr BROWN. It seems to me that if the statements in the minority report are accurate, there is some ground and some justification for Mr. LANGER handling that matter as he did. If, as I understand the facts, Mr. LANGER knew nothing about the employment of Wyman, and when he did find that Wyman had been employed without his knowledge he thereupon called him and told him that he did not want him in the case, it seems to me that it is rather reasonable to assume that he would not want to have a record by a check to the effect that he had paid the judge's son any money. Looking at this situation from the standpoint of the innocence of LANGER rather than from the standpoint of the guilt of LANGER—and I think that is the course which we as jurors should take in this case—it seems to me that it is not unreasonable to assume that Mr. LANGER would prefer not to make a check to the judge's son.

If his statement is that he did not hire him and that he discharged him immediately upon hearing that he had been hired by others in his behalf, I say that, viewing the matter from the standpoint of innocence rather than guilt, it is not unreasonable for me to assume that under those circumstances a reasonable man would take the course he did take in paying the check.

Although my inclinations are very strong in this case, I am still retaining an open mind about it. I have asked the question for the purpose of pointing out to the Senator—and I should be very

glad to have him indicate to me where I am wrong—that it was not unreasonable for a man in Mr. LANGER's position to pay in the way he did.

Mr. TUNNELL. I ask the Senator if he does not think it is fairly reasonable for a man who had hired and had paid through an agent, and whose agent said he took $500 in cash from LANGER, to have said—as Mr. LANGER is reported to have said—"Let us pay this through someone else." I think it is just as reasonable and consistent as is the Senator's theory of innocence, if not a good deal more so.

Mr. BROWN. So far as the Senator from Michigan is concerned, he is trying the case as a juror, under the rule which usually is applied in criminal cases. The Senator from Delaware and the majority of the committee must make a stronger case; they must convince me beyond a reasonable and fair doubt that Mr. LANGER is guilty as charged. If the matter can be explained in the way I have explained it, and if that explanation is as fair and reasonable as the way the Senator from Delaware is now explaining it, I shall take the view of the defendant rather than that of the prosecution. I think that is my duty under all the circumstances.

Mr. STEWART. Mr. President, will the Senator yield to me, so that I may ask a question regarding the point raised by the Senator from Michigan and other Senators who have engaged in the colloquy—not a question directed particularly to the Senator from Michigan?

Mr. TUNNELL. I yield.

Mr. STEWART. The Senator from Michigan said that probably the view should be taken that is taken in criminal cases, that the defendant is presumed to be innocent, that there is a presumption of innocence in his favor. Does the Senator think that the rule which applies in criminal cases, requiring that the evidence shall convict beyond a reasonable doubt—which I believe is the rule, if I remember it correctly—should be applied in this case, or that the rule in civil cases, which requires merely a preponderance of the evidence, should be adopted by the Senate? I have given considerable thought to the matter and I should like to have an answer to the question.

Mr. BROWN. In reply to the Senator's question, let me say that I, myself, in attempting to reach my own decision in the case, have adopted the rule applying in criminal cases. I think that the present case is tantamount to a criminal case. I think that the punishment which may be inflicted upon the Senator from North Dakota as a result of the judgment of the Senate is one of the most serious punishments which could possibly be inflicted against any man.

Mr. STEWART. That is true.

Mr. BROWN. So far as I am concerned, I have made up my mind that I must be convinced beyond a reasonable and fair doubt that the Senator from North Dakota is guilty of some one—any one—of the charges, before I shall vote to oust him from the Senate.

Mr. STEWART. Before I take my seat I should like to observe that, of course, I can see a reason for the position taken by the Senator from Michigan. I myself have thought about the same question. However, I do not know whether a rule so harsh as the usual criminal rule should apply; because, as I understand the matter, after all, nothing more than a property right is involved. There would be no incarceration if there should be a conviction. All that is involved is a property right—the right or title to an office. Of course, it might be argued that the question of moral turpitude is involved, and that for that reason the rule should be the rule applying in criminal cases.

I simply desired to state my view regarding the matter and to understand the Senator's viewpoint.

Mr. TUNNELL. Mr. President, let me say to the Senator from Michigan that it does not make any difference to me which way any Senator may vote. However, in the present case we have not only the testimony of Senator LANGER but the testimony of both Mulloy and Wyman himself that LANGER paid the balance of the money.

Mr. STEWART. Mr. President, will the Senator yield to me for a moment at that point?

Mr. TUNNELL. Yes; I yield.

Mr. STEWART. Of course, we have the direct testimony of Mulloy that the whole transaction was agreed to, consented to, and planned by the Senator from North Dakota, along with Mulloy and probably others.

Mr. TUNNELL. Oh, yes.

Mr. STEWART. To say that there is no direct testimony is not an accurate statement. There is testimony, because Mulloy told about it. Probably the answer to the question depends upon the credibility of Mulloy, and the extent to which he may be believed. However, some Senator stated on the floor of the Senate that Mulloy was a self-confessed criminal. At any rate, probably it might be well to point out that he was admittedly an associate of the Governor at that time. In addition, there is the evidence of one or two others, which I shall not take time to discuss.

Mr. TUNNELL. There is the testimony of Mulloy and Wyman, and that of LANGER himself, which makes a string of testimony amounting to far more than what I conceive to be required should we adopt the position suggested by the Senator from Michigan. There can be no possible solution of the situation based on human evidence unless we can have LANGER himself say, "Yes; I paid those fellows for the purpose of getting Wyman to influence his father."

I do not expect such an admission. I think that is the only remaining step to a complete and overwhelming list of witnesses and of evidence.

The perjury case came up for trial before Judge Wyman, and the trial continued up to and including December 6, 1935. Gale Wyman appeared in Bismarck for the perjury case. Mulloy had sent for Leedom, the free spender who had been present at the second conspiracy trial. Leedom was drunk, and Mulloy conditionally employed Wyman, and Wyman went to Bismarck with Mulloy for the perjury case. On page 547 of the testimony, LANGER tells of his first knowledge that Gale Wyman had appeared in Bismarck for the perjury cases.

It will be noted that Governor LANGER was in touch with Gale Wyman after the trial had ended. We have the testimony of Governor LANGER that he had sent his agent into South Dakota and that the agent called him and told him that he was going to bring someone else, that he was going to bring "the other fellow," who was Gale Wyman. Having that testimony, I do not think we are called upon to be quite so meticulous as to say that Governor LANGER did not know that he had a man in South Dakota after he had sent him down there and the man had called him on the telephone and told him he was going to bring "the other fellow," and all that. I think it would be going beyond reason or the evidence to say that LANGER did not know he had a man there.

I think that the giving of the check for $275 to Wyman and making Mulloy sign it is only one other step in a bribery case.

I read further from the testimony of Senator LANGER:

> That is the substance of it. I notice Mr. Wyman testified he talked to me half an hour. I do not think he talked to me more than 10 minutes.
>
> Mr. MURPHY. Is that the only talk or conversation you ever had with Mr. Wyman?
>
> Senator LANGER. That is the only time I ever had a talk with Mr. Wyman. I wanted to get him out of the town as fast as I possibly could.

However, he waited until after the trial was over before he got him out.

On page 550 Senator LANGER tells of his payment to Wyman, and the reason for such payment. He states that at the time he gave the money to Wyman, Wyman's father was going to try him. As a matter of fact, the date of the check shows that at the time he paid Wyman the trial was over, and binding instructions had been given by the father of Gale Wyman to acquit Governor LANGER.

On page 27 of the transcript of the hearings the following testimony of Mulloy appears:

> From Gale's office I went back to the hotel, and I think Mr. Wyman went home, as far as I know. The next morning I met him at the hotel, and he had—I think it was his car. He was in the car, anyway, and we drove from Deadwood out to the airport near Spearfish, and Mr. Roberts had the plane all ready, and we took off and got to Bismarck; it was at the noon hour, between 12 and 1 or 1:30.
>
> Mr. BURKE. Where did you go when you arrived at Bismarck?
>
> Mr. MULLOY. Gale went to the Patterson Hotel, where his father was stopping, and I went up with the pilot to LANGER's law office. It was closed. So I went over to the Grand Pacific Hotel, and the pilot was to see the Governor later about getting his pay.
>
> Mr. BURKE. When did you see Gale Wyman next?
>
> Mr. MULLOY. It was that afternoon some time, later in the afternoon.
>
> He came to my room in the Grand Pacific Hotel, and my memory is that Gale Wyman slept with me at the Grand Pacific that evening, or that night, without registering.
>
> Mr. BURKE. What did he do after that about staying there?
>
> Mr. MULLOY. I do not know whether it was that afternoon or the next afternoon that he

went and registered at the Patterson Hotel, the hotel where his father stopped, and he registered under an assumed name.

Thus we have further inspiring light on the record of the respondent—hiring through an agent the son of the judge and the son of the judge coming to Bismarck and registering under an assumed name. More vigilante activities.

On page 28 of the hearings, Mulloy testified as follows:

Mr. MULLOY. Mr. Leedom told Governor LANGER, he said, "I can get the old man to make a speech from the bench for you, Bill, that will be worth 30,000 votes."

Mr. BURKE. Were you present in court when Judge Wyman, from the bench, made his remarks, at the time of discharging the jury or directing them to return a verdict in favor of the defendants in the perjury trial?

Mr. MULLOY. Yes, sir; I was.

Mr. BURKE. What do you have to say about that?

Mr. MULLOY. Well, of course, when the judge made the speech, I figured that Leedom had delivered; I know that afterward Governor LANGER put it in his book, that he put out during the campaign, The Fighting Governor.

Leedom was to get a speech from the judge that would be good for 30,000 votes. There appears in Governor LANGER's book, The Fighting Governor, the speech of the judge which had been promised would be such a wonderful vote getter for him. The following is taken from page 96 of The Fighting Governor, and is said to have been the language used by Judge Wyman in the course of the trial of LANGER:

"I have no quarrel with that rule at all, Mr. Lanier," Judge Wyman said, "If you will confine your examination of this witness as to his knowledge of facts which are in any way material to the issues here, he will be permitted to answer questions.

"But we are not concerned with what his impression was, or conviction was, or whether he was affected by his speech one way or another. That is not the idea. The allegations in the affidavit of prejudice merely tend to state the conclusions of the men signing the affidavit—their reactions, their impressions, and if they are honest in their opinions, why then it can never be made the basis of a perjury suit. We cannot prosecute men for their opinions—that is, we can't do that in America—not yet. There may be a time when we can, but to date we cannot."

Leedom had said that he would have him deliver such a speech or a speech that would be worth 30,000 votes.

Proceeding on pages 38 and 39 of the record, the following testimony appears:

Sometime after the Federal trials were over Congressman BURDICK met me out in front of the Patterson Hotel and we started discussing the trials and particularly the trials under Judge Wyman. He informed me that Senator Norbeck had come to him in th House Chamber, here in Washington, when Judge Wyman was appointed, and had leaned over his desk and whispered in his ear and told him "that the judge was all right."

The third conspiracy case commenced on December 10, 1935, and continued up to and including December 19, 1935.

On page 129 of the testimony it appears that Judge Wyman knew of the connection of his son, Gale Wyman, with the respondent's difficulties, as appears by the following quotation from the statemen of Judge Wyman to the investigator:

Shortly after I received notice of my assignment my son, Gale B. Wyman, who resides at Deadwood, S. Dak., called me over the long distance phone at Sioux Falls, and told me that some parties from North Dakota were in his office and had endeavored to employ him to act as one of the attorneys for the defense in the trial of the Langer case, and advised me that, because of the fact that I was to preside at the trial he had refused to consider their proposition, and had told them he would have nothing to do with it because of the fact that I was to be the presiding judge.

He also told me that the parties had informed him that the clerk at Bismarck, N. Dak., had refused to permit them to inspect the jury list, and that they had requested him to ask me if there was any way in which they could be permitted to see this list before the trial. I told him that if they would make an application to me for an order directing the clerk to submit the jury list to them for inspection, I would issue such order if there was no local rule to the contrary.

The judge admits that he had knowledge that his son was taking an interest in that trial. Of course, it is generally held to be unethical for a judge's son to appear before the judge in a case; there can be no doubt about that; and it is still more unethical for the son of a judge to accept money to appear under an assumed name at the trial, and to associate with the judge, giving the impression to those with whom he was associated that he could do something there for the defendant.

On page 115 of the record the apparent affluence of Leedom is discussed in Wyman's testimony, in the following words:

Mr. BURKE. If I may interrupt you on that point, you say in your testimony, book I, page 27, "After Chet got back from North Dakota after the first trial he was flush; he got dough up there, as I understood, and he stayed drunk pretty near most of the time." That is his condition that you are now testifying about?

Mr. WYMAN. Yes, sir.

Mr. BURKE. That is, he had opportunity to have plenty of money, did he, as you testified?

Mr. WYMAN. He had plenty of change. He did not have any trouble getting it, and he did not run out.

Mr. BURKE. Is it not a fact that up to the time of his appearance in this case he had been very short of money?

Mr. WYMAN. That is true.

Mr. BURKE. All right. Go on, then.

Mr. WYMAN. Well, then, when Jimmie decided that he could not take him back up there he said, "Let's go over to your office." So we went over to my office and discussed the matter further over there, as to what he should do. And he did not know how he was going to satisfy BILL LANGER, because he said that Bill was expecting Chet back up there, and he had to have some kind of alibi for not being able to bring him back, and he had intimated to me at that time that Chet had drawn considerable money, and some in advance, you might say, because the job was apparently just half done. While he was up there, originally, for just the one trial, these other trials developed after the first one, with no anticipation at the beginning that there would be two or three trials.

I quote now from page 111 of the testimony:

Mr. BURKE. Now, Mr. Wyman, is it unfair to say that you knew perfectly well when Leedom called you down there and Mulloy and Leedom talked to you and wanted you to take some part in this case, they were willing to pay you, apparently, whatever you asked, $500 you said, that they wanted you to use your influence in whatever way you could with your father to get the result they wanted in the case? You knew that that is what they wanted; did you not?

Mr. Wyman's answer was:

Well, that was understood.

Wyman knew what he was supposed to do, though he said he could not do it, but he did take the money for doing whatever he could along the line suggested. He said, "It was understood."

Both Gale Wyman and Lee Wyman have stated that the judge knew of Gale Wyman's connection with the case. The judge even stated that his son called him up with reference to what he was asked to do.

The case was tried, and the results were eminently satisfactory from the standpoint of Governor LANGER. The first trial before Judge Wyman resulted in a hung jury. The second trial, the perjury case, resulted in a binding instruction for acquittal. That was the third trial, really, but the second before Judge Wyman. The third case, being a conspiracy case, resulted in an instruction for acquittal.

The second case has attracted a good deal of attention because it involves the testimony of one of Governor LANGER's old associates. The testimony of Mr. Feist, who was the chauffeur for Governor LANGER on February 28, 1940, shows that Governor LANGER was taking a Mrs. Kolstad on a trip from somewhere near Bismarck to a place 12 miles west of Jamestown, in North Dakota. It appears that Feist was driving at a speed of about eighty to eighty-five miles an hour, and that Governor LANGER and Mrs. Kolstad were sitting on the back seat. The testimony of Feist appears on page 305 of the record. The car was overturned, and Mrs. Kolstad was so seriously injured that she died within a few days. Feist testified, as appears on page 307 of the record, that LANGER approached him with reference to the sort of testimony he was to give. This appears on page 307, as follows:

Mr. MURPHY. That he was going to make a statement and wanted you to verify it?

Mr. FEIST. Yes.

Mr. MURPHY. Did he tell what he was going to say?

Mr. FEIST. He did.

Mr. MURPHY. What was he going to say?

Mr. FEIST. He was going to testify to the fact that—we were not going to lie about the speed—he was going to tell the truth about speed, and he says, 'I am going to testify that as we were coming along here, we were talking about this convention," and he says, "I was talking to you and Mrs. Kolstad and I said, 'Isn't that right, Andy?' and you did not pay any attention to me, and I tapped you on the shoulder and you turned around and, of course, you lost control of the car."

Mr. MURPHY. Yes? Then, what did you say?

Mr. FEIST. I says, "Well, Bill, I don't know about that," and he says, "What do you care? I am taking the blame."

Mr. MURPHY. And did you so testify before the coroner's inquest?

Mr. FEIST. I did.

Mr. MURPHY. Well, now, you say that that is not true?

Mr. FEIST. That is not true.

Mr. MURPHY. At all?

Mr. FEIST. No

Mr. MURPHY. He did not tap you on the shoulder, or you did not turn your head?

Mr. FEIST. I did not.

Mr. MURPHY. You testified at the coroner's inquest, did you not, that Mr. LANGER had drawn your attention and you looked back, and when you looked ahead again it was too close to the ditch?

Mr. FEIST. I did

Mr. MURPHY. And you tried to bring the car back, and you went down into the ditch and went plunging in the ditch probably 200 feet or little better?

Mr. FEIST. That is right.

Mr. MURPHY. And you say that is not true?

Mr. FEIST. That is right.

Mr. MURPHY. It is not true?

Mr. FEIST. Yes; that is what I testified to.

Mr. MURPHY. Yes; that is what I am asking you.

Mr. Feist, you say you cannot read very well, but you can write, can you not?

Mr. FEIST. Not very much.

Mr. MURPHY. I show you exhibit No. 3 and ask you if that is in your handwriting?

Mr. FEIST. It is not.

Mr. MURPHY. Is the signature on it yours?

Mr. FEIST. It is.

Mr. MURPHY. Andrew B. Feist?

Mr. FEIST. That is right.

Mr. MURPHY. And that is the statement, is it not, that you gave to either Mr. Sullivan or Mr. Fleck?

Mr. FEIST. I think Mr. Fleck took this; I was at Mr. LANGER's that day, and he did most of the talking on that.

Mr. MURPHY. We offer exhibit No. 3 as a part of the record.

Mr. MCGUIRE. No objection.

The CHAIRMAN. Without objection, it will be admitted

(The document referred to was marked and received in evidence as "LANGER's exhibit No. 15.")

LANGER's exhibit No. 15 was in the following language:

Just prior to the happening of said accident and at the time of the accident I was watching the road; I did not look sideways, nor did I look to the rear of the car but was looking forward. The accident did not occur through any carelessness on my part, but it was simply an accident over which I had no control.

The gist of the Feist incident was that Feist was an employee of the Governor, driving his car, and the Governor was anxious to have some reason, some excuse, for the accident. He was anxious that the driver, Feist, should be shown to have been interfered with, even by himself, so he persuaded Feist to swear that the Governor had tapped him on the shoulder, which Feist told us later was not the truth.

Governor LANGER is particularly unfortunate in that those around him seem to lose confidence in him. Here are Mulloy, and Wyman, and Feist, all testifying as to things which are incriminating as against LANGER.

LANGER was attempting to take advantage of the statute requiring proof of gross negligence to enable one to recover from the owner of the car in any suit involving transportation for hire. Feist admitted that he did give false testimony, and that he did it at the request of Governor LANGER. Governor LANGER could give no explanation, or any reason for Mr. Feist giving false testimony.

Perhaps it is not a matter involving moral turpitude to ask a witness to swear to something which is untrue. I know some who are in a good deal of difficulty at this moment in a United States court for having sworn before a grand jury to something that was false. They have pleaded guilty to the charge, but they have not yet been sentenced. It is considered in my State, in the United States court, not only a matter involving moral turpitude, but it is considered a very serious criminal offense.

This experience of Feist was entirely in line with the case of Deis against Langer, as shown on page 291 of the record.

This was a suit of a husband for either alienation of affections, or some statutory act which in the testimony is called ruining her reputation. One of the persons who was relied upon to establish the case was Mrs. Oster, or Mrs. Slovark. On pages 292 and 293 it appears that Mrs. Slovark was a witness for Mr. Deis in this case. Mrs. Slovark stated that Mr. LANGER had taken her and Mrs. Deis to Mrs. Slovark's home one evening, and that she had gotten out of the car, and that Governor LANGER and Mrs. Deis had left together. On page 293 it is stated that Mr. Feist was approached by Governor LANGER to get Mrs. Slovark to change her testimony. She was assured by Feist that if she would change her testimony and state that she and Mrs. Deis had gotten out of the car together at her home, she would not be cross-examined, and that certain embarrassing questions would not be asked her. She agreed to change her testimony to that effect, and she was not cross-examined. The result was that no judgment was found against Governor LANGER.

The next case that attracts our attention is that of the sale of the Mexican land to the agent for the Great Northern Railroad Co. The special duties of this agent of the Great Northern Railroad had reference to taxation. I think 2 or 3 days of the argument by those favoring the respondent were devoted to attempting to prove that nothing was delivered for the $25,000 paid. In other words, the argument for Governor LANGER, or Senator LANGER, as the case may be, was that while he took the $25,000, he did not give anything for it except the stock.

There is no denial of the fact that this corporation, which had purchased a large amount of Mexican land, had not been a successful venture. The corporation was formed and the land purchased in 1907, 1908, or 1909, in that neighborhood. Thirty years later, after there never had been a dividend, except a stock dividend, when the stock was worth absolutely nothing from a commercial standpoint—and no one claims that it was worth anything—a man by the name of Sullivan, who was the tax representative of the Great Northern Railroad, appears. His office was in Chicago, and Governor LANGER went to Chicago. Sullivan did not come to him; he went to Sullivan. He told Sullivan that he had some of this stock of the Mexican Land Co., and that he was ready to sell him a one-half interest in his $55,000 worth of the stock.

Governor LANGER took the $25,000 in different payments. The contract was entered into in May 1937. He never delivered anything to the purchaser. Asked where the stock was that he had sold to the purchaser, he said he wished he knew. He never notified the company that he had sold a share of his stock. He never took any steps to make it appear to be a transaction entered into in good faith. All he did was to accept the first payment on the $25,000 in May 1937, when the contract was made. So far as we know, and as it appears from the testimony of LANGER, this contract was made in the office of Sullivan in Chicago the same afternoon the deal was suggested. When it was suggested by LANGER, Sullivan, without any hesitation, bought $25,000 worth of this worthless stock. Some Senators say, "Oh, that stock is not worthless." One Senator took perhaps the greater part of a day, at least he spoke for a long while, telling us how the stock might turn out to be very valuable in the future. If that stock was worth anything, why did not LANGER produce witnesses to show that it had some value? The president of the company, Mr. Lemke, testified in this case, and he said the stock had no commercial value. Yet Sullivan paid $25,000 for it to the Governor of North Dakota, who, as Governor, had control of the particular taxing body with which Sullivan was then dealing. If the Governor never delivered any reduction of taxes—and that is the contention—then he defrauded this man Sullivan, because no one doubts for a second that Sullivan expected to get a good return for his money.

Let us see what actually did happen. It is said, "Oh, well, in 1937, right after this sale was agreed to, the valuation of the railroad for tax purposes was raised." That is true. The valuation was raised $700,000 in 1937, but was reduced $3,000,000 in 1938. Did Mr. Sullivan get anything in return? The two actions with respect to valuation resulted according to the testimony in a reduction in the tax amounting to $58,000.

It is said, "Sullivan did not get anything; therefore there was no moral turpitude involved." I believe that is something about which the people of the United States have a different idea. I do not believe the payment of $25,000 by the tax representative of a great railroad company will be taken by the people of the United States to be such an innocent transaction. The payment was made to the Governor of a great State, who had a veto power with respect to anything taking place before the tax commission of the State.

The land in question, or a part of it, was expropriated by the Mexican Government at the time of the sale of the stock. Mr. Lemke told the investigators in this case, and it is a part of the record, that the stock of the land company had no commercial value. The agreement to pay $25,000 for this stock was made at a time when Governor LANGER was in serious financial difficulties. What a blessing it is when you are in serious financial difficulties, even though you are a governor, that some good angel comes forward and agrees without hesitation, and on the same afternoon that a sale of stock is suggested, to pay you $25,000 for the stock.

The land, or a large part of it, as I said, was expropriated by the Mexican Government, and Sullivan, apparently without any investigation of the land or the value of the stock, gave to Governor LANGER, while he was Governor of North Dakota, and in control of the taxing commission of that State, a contract to pay him $25,000 for one-half interest in the stock which belonged to Governor LANGER, which stock was never delivered to Sullivan. It was most fortunate for a man who was in dire financial condition, as it is claimed Governor LANGER was at that time, to have an angel, in the form of an attorney for the Great Northern Railroad Co., hand him $25,000. LANGER had had the stock all along. He had had the stock when he could not pay his grocery bills, as he said. He had the stock when he said he could not pay his tailor; when he said he could not pay his gas bill. He had $25,000 worth of stock all this time. When the Committee on Privileges and Elections was taking the testimony, Governor LANGER testified that Sullivan agreed to buy the stock right offhand. A man who could not pay his ordinary bills had stock lying around worth $25,000, and at that time his wife was threatened with having the gas shut off in her house.

The corporation which had been organized largely by Representative Lemke and Governor LANGER had not been a profitable venture. It was Mr. Lemke who stated that the stock had no commercial value. If it had a commercial value, Governor LANGER knew all the persons who were connected with the company, and could have brought them before the committee and proved the value, but he did not do so. My recollection is that he himself stated that the stock had no commercial value.

Mr. LANGER went to the office of Sullivan in Chicago, and Sullivan, without any investigation, agreed to pay $25,000 for what had always proved to be worthless stock. Whether the execution of the contract was on the date on which LANGER called upon Sullivan in Chicago is not quite clear. LANGER very clearly knew that Sullivan was anxious to get as low a rate of tax valuation on the Great Northern Railroad Co.'s property in North Dakota as was possible. LANGER stated that Sullivan expressed a good deal of confidence in Representative Lemke, and LANGER suggested that if Sullivan had so much confidence in the honesty and business ability of Representative Lemke, he buy some of his stock. This was his suggestion to Sullivan; not Sullivan's suggestion to him, the implication being that he was very much dissatisfied with the stock of the company with which Lemke was connected.

So far as the record shows there was no investigation on the part of Sullivan after this, and he agreed to take $25,000 worth of stock without hesitation.

Much discussion had taken place as to whether Governor LANGER delivered anything of value, in addition to the stock, in return for this money. Sullivan did not appear on behalf of the Great Northern Railway Co. at any time in any court of record. There was much discussion as to whether the records of the Great Northern Railroad Co. show the charge against it on account of Sullivan's payment of $25,000 to the Governor of North Dakota. This is rather a far-fetched supposition.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Does the Senator from Delaware yield to the Senator from Tennessee?

Mr. TUNNELL. I yield.

Mr. McKELLAR. I ask the Senator if he will yield at this time for the purpose of having the Senate go into executive session.

Mr. TUNNELL. I yield for that purpose.

Mr. McKELLAR. Will it suit the Senator just as well to continue his remarks tomorrow?

Mr. TUNNELL. Yes; it will.

PAY OF CERTAIN ENLISTED MEN

Mr. REYNOLDS. Mr. President, I ask unanimous consent that the bill received from the House of Representatives today having to do with the pay of certain enlisted men of the Army and Marine Corps be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 6738) to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade, was read twice by its title.

Mr. REYNOLDS. Mr. President, I ask unanimous consent that the bill be considered at this time. It is identical with Senate bill 2344, and the only effect of the enactment of the bill will be to add at the proper place in the selective-service law the words "of the seventh grade."

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 6738) to limit the initial base pay of $21 per month for enlisted men of the Army and Marine Corps to those of the seventh grade was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2344 will be indefinitely postponed.

EXECUTIVE SESSION

Mr. McKELLAR. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair) laid before the Senate messages from the President of the United States submitting several nominations in the Navy and the Marine Corps, which were referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Frank J. Duffy, of Nogales, Ariz., to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz. (reappointment); and

Several doctors to be assistant surgeons in the United States Public Health Service.

By Mr. BAILEY, from the Committee on Commerce:

Several officers for appointment and appointment and promotion for temporary service in the Coast Guard; and

Sundry persons and officers for appointment or appointment and promotion in the Coast and Geodetic Survey.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Albert A. Stebbins, to be postmaster at Garber, Okla., in place of F. N. Jones, removed.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

UNITED STATES HOUSING AUTHORITY

The Chief Clerk read the nomination of Herbert Emmerich to be Administrator of the United States Housing Authority.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTER—NOMINATION RECOMMITTED

The Chief Clerk read the nomination of Laverna O. Ramsey to be postmaster at Pleasant Hill, La., which nomination had been adversely reported from the committee on Post Offices and Post Roads.

Mr. McKELLAR. Mr. President, before anything is done with this nomination I should like to make a statement. I do not have the calendar before me, but this nomination has been adversely reported. At the request of both Senators from Louisiana, I ask that the nomination be recommitted to the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. Without objection, the nomination will be recommitted to the Committee on Post Offices and Post Roads.

POSTMASTER

The Chief Clerk read the nomination of Joseph H. Vachon to be postmaster at Saco, Maine.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

PROTOCOL ON UNIFORMITY OF POWERS OF ATTORNEY

Mr. CONNALLY. Mr. President, I wish to take up at this time Executive A, Seventy-seventh Congress, second session, a protocol on uniformity of powers of attorney, which are to be utilized abroad, signed for the United States on October 8, 1941, which appears on the calendar.

Mr. AUSTIN. Mr. President, does the Senator find it necessary to have this matter passed upon tonight?

Mr. CONNALLY. I will say to the Senator that there is no great pressure except that the protocol has been before us for some time. Does the Senator object to the present consideration of the protocol?

Mr. AUSTIN. I have no objection. I have not had an opportunity to examine

the protocol. I feel that I should like to have an opportunity to confer with members of the Committee on Foreign Relations.

Mr. CONNALLY. I have no objection to the protocol going over. It has been unanimously reported by the Committee on Foreign Relations. There are eminent minority Members on that committee. I shall not press my request; but I give notice that the next time we have an executive session I shall insist on action.

RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 38 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 24, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 23 (legislative day of March 5), 1942:

APPOINTMENTS IN THE NAVY

Capt. Monroe Kelly to be a rear admiral in the Navy for temporary service, to rank from the 25th day of November 1941.

MARINE CORPS

Brig. Gen. John Marston to be a major general in the Marine Corps for temporary service from the 20th day of March 1942.

Brig. Gen. Alexander A Vandegrift to be a major general in the Marine Corps for temporary service from the 20th day of March 1942.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 23 (legislative day of March 5), 1942:

UNITED STATES HOUSING AUTHORITY

Herbert Emmerich to be Administrator of the United States Housing Authority.

POSTMASTERS

Joseph H. Vachon, Saco, Maine.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 23, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who are the author and giver of every perfect gift, whose presence and power underlie all life, to Thee we pray. Because of Thy mercies we would offer to Thee the fruits of the spirit—love, long suffering, faithfulness, and temperance. Dear Lord, we confess that we too often forget the depth of sincerity, the influence of simplicity, and the conquering force of goodness. May we be clothed with that devotion which shall set forth in actual daily life the grandeur and beauty of character.

We pray for our entire citizenship that it may turn to its most impelling tasks without doubt or fear and with the deepest consciousness of its responsibility. Forbid that any section of our land should stand in the humiliating and distressing lurid lights of indifference or disunity. O God, others are suffering and waiting, others are surrendering life and love to preserve our heritage. Forbid that untrue criticism and weaknesses should come trooping into our Nation's soul. O America, be not disquieted within thee; hope thou in God, for we shall yet praise Him, who is the health of our countenance. Through Christ and in His name. Amen.

The Journal of the proceedings of Thursday, March 19, 1942, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 27. Concurrent resolution authorizing certain clerical changes in the enrollment of the bill (S. 2208) to further expedite the prosecution of the war.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1696. An act for the relief of Bessie Walden.

The message also announced that the Senate insists upon its amendments to the bill (H. R 6005) entitled "An act to authorize cases under the Expediting Act of February 11, 1903, to be heard and determined by courts constituted in the same manner as courts constituted to hear and determine cases involving the constitutionality of acts of Congress"; disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCARRAN, Mr. CONNALLY, and Mr. DANAHER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) entitled "An act to establish a system of longevity pay for postal employees."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2208) entitled "An act to further expedite the prosecution of the war."

The message also announced that the Senate recedes from its disagreement to the House amendments numbered 32 and 47 to said bill.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of Labor.
4. Department of the Treasury.
5. Federal Security Agency, Social Security Board.
6. The National Archives.

MILITARY AREAS OR ZONES

The SPEAKER laid before the House the following communication from the Clerk of the House:

MARCH 20, 1942.

The honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to the special order agreed to on yesterday the Clerk received from the Secretary of the Senate the engrossed bill of the House of Representatives (H. R. 6758) entitled "An act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones," attested by the Secretary as having passed the Senate without amendment March 19 (legislative day of March 5), 1942.

Yours very truly,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

The SPEAKER. The Chair desires to announce that pursuant to the authority granted to him on March 19, 1942, he did on Friday, March 20, 1942, sign the enrolled bill of the House (H. R. 6758) to provide a penalty for violation of restrictions or orders with respect to persons entering or remaining in or leaving military areas or zones.

AMENDMENT OF SELECTIVE TRAINING AND SERVICE ACT

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6738) to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 12 (a) of the Selective Training and Service Act of 1940 (54 Stat. 885) be, and it is hereby, amended by adding the words "of the seventh grade" after the word "men" in line 7 of said section.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, will the gentleman explain the amendment?

Mr. MAY. Mr. Speaker, when the Selective Training and Service Act was passed, by some oversight or inadvertence a comma was inserted in the wrong place in section 12, and in construing the act the Comptroller General, by reason of the misplacement of that comma, held that soldiers in the seventh grade, which covers the selectees originally selected and all volunteers in the regular services, can be paid only $21 per month. That is the part of the act which provides that they shall be paid that amount for the first 4 months.

The situation is simply this: The Army is trying to make up a number of divisions to be sent into foreign service to engage in expert and specific work that requires men who cannot afford to be taken out of industry and whom the Army cannot in fact take out of industry and put into such places. For instance,

it requires a mechanic with certain technical knowledge to put together an airplane that is shipped knocked down in a boat. The Army must have men of that type. If it took them, it would have to pay them $21 per month under the law as it now exists.

Mr. MICHENER. Do I correctly understand the gentleman to say that by reason of wrong punctuation found in the law, the Comptroller General has construed the law differently than the House intended it to be construed?

Mr. MAY. That is exactly the situation. I think it occurred in the consideration of the conference report on the Selective Training and Service Act.

Mr. MICHENER. In other words, a semicolon was put in the bill when a comma should have been used?

Mr. MAY. That is right.

Mr. MICHENER. Is the matter satisfactory to the minority members of the committee?

Mr. ANDREWS. The statement of the chairman is exactly correct.

Mr. RANDOLPH. Reserving the right to object, Mr. Speaker, I have no intention of objecting, but I feel we can cut nonessential spending and give more money to our soldiers. I ask the distinguished chairman of the Committee on Military Affairs if it is not his opinion that Congress should at this time give careful consideraion with a view to raising the basic pay of the privates in the Army.

Mr. MAY. I believe such a bill is pending in the House Committee on Military Affairs at this time. We plan to have hearings on it at such time as we can conveniently do so, considering the press of other important legislation.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs be permitted to sit during the sessions of the House for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SECOND WAR POWERS BILL

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 27.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That in enrolling the bill (S. 2208) to further expedite the prosecution of the war, the Secretary of the Senate is authorized and directed to make all necessary corrections in title and section numbers and cross references as may be necessary by reason of the omission from the enrolled bill of title VIII.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Petroleum World entitled "A Job for the Military," and in another extension to include an article from the San Francisco Call-Bulletin.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program today and following any special orders heretofore entered I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am inserting in the RECORD today an article from the Petroleum World, entitled "A Job for the Military." It appears that our petroleum interests in California are not being properly patrolled, and this article calls the attention of our people to the situation existing there.

A second extension of my remarks has to do with the shortage of rubber. It is stated by the writer of the article I am including in my remarks that we can reclaim 450,000 tons of rubber. If this can be done, I see no reason why it should not be done. An ear should be lent to such suggestions as this. I hope all the Members of the House will read the article.

At the conclusion of the legislative program today I expect to address the House on the subject of the 40-hour week, and I expect to tell Mr. Phil Murray some of the things he ought to know.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ROLPH. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks in the Appendix of the RECORD and to include therein an editorial from the San Francisco Examiner entitled "Fair Trade Practices."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROLPH. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the San Francisco Call-Bulletin.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, it has been suggested that the Congress recess and go home in order to learn of the attitude of the people on the question of strikes, the 40-hour week, war production, and war profits. I would hate to think that the House is so blind and insensible that it does not already know the wishes of the people on these questions. The wishes of the people have been obvious for a long time, and a Member of Congress who does not now know the will of the people when it is so crystal clear must have an amazing method of isolating himself from the people whom he represents.

Mr. Speaker, in my opinion it will be an outrage if this House votes to recess before voting on legislation effectively suspending the 40-hour week, speeding up production, and eliminating industrial graft and excess profits. Effective legislation should be passed immediately, not at some indefinite future date. MacArthur and his men did not take a recess. They did what was necessary and they did it without delay or hesitation. This Congress can do no less

For my part, I shall vote against a recess until we have voted on the legislation referred to and I ask for a roll call vote on the record at the proper time on the question of a recess.

In regard to strikes and racketeering, it is only fair to point out that the House last December passed effective legislation, and the bill now reposes in the Senate.

JESSE H. POWELL

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

[Mr. COCHRAN addressed the House. His remarks appear in the Appendix.]

LETTER TO WAYNE COY

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. VORYS of Ohio addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by Roger Babson.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and I also ask unanimous consent that I may be permitted to address the House for 10 minutes today following any previous special order and after the regular legislative program of the day.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. SCHULTE addressed the House. His remarks appear in the Appendix.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following any previous special order and the regular legislative program of the day.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute at this time.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I rise to put my head into the lion's mouth and to protest against an editorial appearing in the Washington Daily News entitled "The Speaker Squawks."

In my judgment, the statement of the Speaker of the House commenting on agitation going on throughout the country and pointing out the vast importance of national unity was an altogether proper statement. I found nothing whatsoever in that statement objecting to fair and honest criticism of Congress. In my further judgment, the position of the National Legislature in the United States, regardless of what the opinion of Members of the House or of other people may be about specific issues, is of the most fundamental importance to the preservation of democracy. The very first necessity of dictatorship is destruction of the national legislative body. In my judgment, all the Speaker asked for and all that I am asking for is that people tell the truth when they offer criticism. The Congress can and should stand all honest criticism. But neither this nor any other institution can stand continued misrepresentation. In this very editorial Congress is taken to task for having provided for "self-allocated pensions for Congressmen." I am wondering whether the writer of the editorial knows that that measure was wiped off the statute books. I believe we must have criticism, we must have debate, we must have disagreements, but we and everyone else must understand that nothing is to be gained for our country by either new dealers or old dealers trying to use this war to try to prosecute their own aims. And when anyone says, "We can have national unity as soon as Congress does just what I want them to do," he is asking something which is quite impossible in a democracy. No one can have his way altogether.

The Speaker of the House is the symbol of the House. I rise to express my protest against this editorial.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend in the RECORD an address delivered by Mr. Archibald MacLeish.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASEY of Massachusetts. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an editorial from the Boston Post.

The SPEAKER. Is there objection?

There was no objection.

JAPANESE LANGUAGE SCHOOLS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HINSHAW. Mr. Speaker, it has been found that the so-called Japanese-language schools have been used for years for the purpose of indoctrinating the American-born children of Japanese descent with the ideals of that country and their ancestry, in order to fasten upon them such ties to Japan as may make them suitable material either for the Japanese Army or Navy, their spy system, or fifth-column work. Many of the graduates of these Japanese-language schools have been required to go to Japan for 1 or 2 years' training and then return to the United States.

Doubtless a good number of those postgraduates are ready and willing to carry out any orders which may be given to them by the Japanese Government, and yet they retain their American citizenship, granted them by virtue of their birth in this country. Similar schools may be operating in this country under the aegis of the Nazi, Fascist, or other foreign governments—in the future, if not now.

The two bills which I have introduced are for the direct purpose of wiping out these educational mills for the production of American-born fifth columnists and saboteurs. I hope that one of these bills will be adopted by the Congress and approved by the President without delay, and I hope that the stronger of the two will be the one adopted. To let these things go on without legal restriction would be the height of folly.

VALIDITY OF PROTEST AGAINST CERTAIN LABOR LAWS

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RIZLEY addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution adopted by the Independent Gas Association of Kansas.

The SPEAKER. Is there objection?

There was no objection.

FORTY-HOUR WEEK MUST GO

Mr. HOPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOPE. Mr. Speaker, we cannot afford the luxury of a privileged class in this country at a time when the Nation is fighting for its very life. That is why the 40-hour week must go. While our soldiers and sailors, our farmers and small business men, and millions of other American citizens are working long and sometimes unlimited hours to prepare the Nation for victory, we have a special group whose leaders declare that its members will not work more than 40 hours per week unless they receive a pay increase of 50 percent. I do not believe that the workingmen of this country want to put themselves in a privileged class. I think that they want to do their part without favoritism or special privileges.

I believe that if you would leave the matter to these patriotic American workingmen the vote would be overwhelming to do away with the 40-hour week. I believe that if the leaders of labor organizations are wise and farsighted they will agree with the almost unanimous sentiment of other Americans that for the duration of this emergency there must be no 40-hour week, no time and a half for overtime, and no special privileges for any group or class in this country.

LABOR RACKETEERS

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, the people of this Nation are aroused because the labor racketeers are permitted to take advantage of the national emergency to force closed-shop agreements and other unjustifiable demands on industries engaged in war production. Each group and every individual in this country must be willing to make sacrifices to win this war. We must speedily increase war production. We cannot expect to obtain national unity and maximum production until Congress curbs the labor racketeers and the war profiteers.

The rank and file of labor are patriotic and willing to make sacrifices. It is the racketeers who are forcing the workers to pay tribute before they are permitted to contribute their skill toward increasing our war production. The 40-hour week should be suspended during this war period. The open shop must be preserved on Government contracts.

Industry and organized labor are not alone concerned in these wage agreements. The public everywhere is vitally concerned. The people of Nebraska are deeply concerned in the terms of the wage agreement now being negotiated in Detroit between General Motors and the C. I. O. They know they must help pay the bill.

The elimination of double time on Sundays will not satisfy the people of this Nation. If this Congress refuses to pass the necessary labor legislation, you may be assured an aroused public will send a Congress here that will take the necessary action.

CENTRAL VALLEY PROJECT

Mr. ELLIOTT of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. ELLIOTT of Califronia addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Nashville Tennesseean.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from Prof. R. A. Schwegler, Sr., of the University of Kansas.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, also I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an editorial from the Fort Scott Tribune.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the St. Louis Globe-Democrat.

The SPEAKER. Is there objection?

There was no objection.

L. METCALFE WALLING

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARDEN. Mr. Speaker, I have asked this time to read a paragraph from an editorial appearing in this morning's Washington Post, which is as follows:

MR. WALLING'S SMEAR

No more irresponsible statement has come to our attention since the war began than that of L. Metcalfe Walling, recently appointed Administrator of the Wage and Hour Division, before the National Consumers League in New York on Saturday. "The Nazi propaganda machine," Mr. Walling is quoted as saying, "is behind this whole movement to do away with wage-and-hour standards, although I cannot cite chapter and verse, and the newspapers have been taken in."

I suggest, Mr. Speaker, that we send a committee down to Mr. Walling and inform him that this Nation is at war, and at the same time invite him to the Capitol to appear before a committee and give that committee some of this valuable information which he claims to have.

LABOR IN DEFENSE INDUSTRIES

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. MCGEHEE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein extracts from two letters concerning reclamation.

The SPEAKER. Is there objection?

There was no objection.

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a letter from a constituent.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Minneapolis Daily Times.

The SPEAKER. Is there objection?

There was no objection.

YOU CAN'T MAKE AIRPLANES OUT OF TAX EXEMPTIONS

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, the gentleman from Missouri recently sponsored a bill to exempt defense contractors, subcontractors, and sub-subcontractors from the payment of one and a half to two billions of State taxes. On this floor last Tuesday he said that if his bill were to be passed it would pay for 20,000 fighting airplanes, 180 destroyers, or 333 submarines. He implied that if we pass the bill we will get that many airp'anes, destroyers, or submarines.

If he is right, then we ought to pass two or three bills like this. If he is right, we ought to exempt all these contractors from all of their Federal taxes, too. But Donald Nelson knows, and we know, that you cannot make planes or destroyers or submarines either by passing bills or by exempting anybody from taxes. The gentleman from Missouri should find that out.

Planes and destroyers and submarines can be made only out of materials which have to be transported to the places where they are needed, and by workers who must live in security. The States must keep the roads in repair for the heavy trucks. They must maintain police and fire protection and sewage disposal and other services for defense workers. If they do not we can all expect the defense program to slow down. If we take away the funds with which they maintain these services, we can expect some hearty guffaws from Berlin and Tokyo, but we can hardly expect any applause from General MacArthur.

It was a mistake to introduce this bill. A worse mistake would be to bring it up for a vote. The worst possible mistake would be to pass it.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I have two unanimous consent requests. I ask unanimous consent to extend my remarks in the RECORD in two instances and that I may be permitted to insert in each of those a short letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my remarks by including in the Appendix a letter from the Pennsylvania State administrator of the National Youth Administration.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein an editorial on compulsory savings appearing in the Oregon Democrat News.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. COPELAND was granted permission to extend his own remarks.)

HON. PHILIP F. LA FOLLETTE

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks and include therein an article written by former Gov. Philip F. La Follette.

The SPEAKER. Is there objection?

There was no objection.

[Mr. GEHRMANN addressed the House. His remarks appear in the Appendix.]

LABOR IN DEFENSE INDUSTRIES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I desire to read to the House a telegram addressed to me this morning:

DETROIT, MICH., *March 22, 1942.*

Representative HOWARD SMITH,

House Office Building, Washington, D. C.:

Your recent recommendations to Congress are most heartening. Since our last meeting we have been forced to operate continually under severe and never-ending attacks by antique craft labor union in spite of 100-percent cooperation under our own Congress of Industrial Organizations contract. Since December 1, we have started mass production of 1,500 housing units, nearly one-half on direct and urgent War Department orders for Sault Ste. Marie, Mich., Army post. Each of our projects and

all our plants have been and are now harassed by pickets who make every effort to cripple our efforts. Their unwarranted attacks have seriously hampered our production. These pickets represent no Currier employees; they make no demands, formal or informal, on management; they simply wreck production and stifle our sincere attempt to help house America's defenders in factory and field. Is there no recourse from such irresponsible action? Does not this case make liars of labor leaders who solemnly promise full defense cooperation? Does it not arouse natural suspicion of fifth-column activity? We urge an immediate and thorough investigation of this pitiful condition which harasses American efforts and seems to give aid and comfort to our enemies.

CURRIER LUMBER CO.,
P. J. CURRIER, *President.*

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks and include two editorials from the Chicago Times.

The SPEAKER. Is there objection?

There was no objection.

MR. GEORGE E. SULLIVAN

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, on March 11 I made a speech on the floor and then inserted certain names of those who have been used by Mr. George Sylvester Viereck, the chief Nazi operative in the United States. Among those names was included that of Mr. George E. Sullivan, who has called to my attention, by a very strong letter, that he was not "Slap-Happy Eddie" Sullivan, and that he was not an investigator for the Dies committee. The boys in the office inadvertently used the name George E. Sullivan instead of the Sullivan who was so known and who was an investigator for the Dies committee.

I desire to correct the RECORD to show that Mr. George E. Sullivan is not "Slap-Happy Eddie" Sullivan and was not an investigator for the Dies committee. As I stated, Mr. George E. Sullivan was attorney for former Congressman Thorkelson, as he admits in his letter. I also recollect that he wrote an article which Thorkelson inserted in the CONGRESSIONAL RECORD June 7, 1940, which article with others were disseminated by James True and other intolerant propagandists.

In his letter Mr. George E. Sullivan states to me that he is not a Nazi and that he is more opposed to them than I am, and that he has written a certain book, which I regret I did not have time to read. But from his letter, unfortunately, it does appear that he does believe in the Nazi ideology.

I hope that all these gentlemen by this time will come to realize that this is not for the best interest of the country—to create discord, prejudice, and intolerance in our country.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter replying to some information about Puerto Rico, published in the magazine the New Republic.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a statement filed by me with the Ways and Means Committee.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I desire to submit three requests. I ask unanimous consent that I may revise and further extend in the Appendix of the RECORD matter that I extended in the Appendix of the RECORD on the 16th of March.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Second, Mr. Speakers, I ask unanimous consent to extend my own remarks in the RECORD; and third, I ask unanimous consent to address the House for 1 minute and to revise and extend these remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LABOR POLICIES

Mr. HOFFMAN. Mr. Speaker, the gentleman from Indiana [Mr. SCHULTE] and the gentleman from North Carolina [Mr. BARDEN] referred to the statement made on Saturday by Mr. Walling, in which he said that these letters demanding labor legislation we have been receiving are inspired by the Nazis. Mr. Walling is either unaware of the authorship of those letters or he does not tell us the fact. The gentleman from North Carolina [Mr. BARDEN] suggested that Walling be called before a committee of the House. Anticipating there would be some such suggestion, I prepared a resolution this morning asking for the appointment of a committee so that this gentleman may come up and be sworn and that we may learn whether he is willfully misrepresenting what he does know or whether he does not know what he is talking about, or whether he is just spreading propaganda to keep us from representing our constituents here.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, the most conclusive proof that the country is aroused about this labor situation is the fact that the high moguls of the C. I. O. met in Washington yesterday, came here from all over the country, and they are offering to give up Sunday double time and the extension of the closed shop for the duration. They know that this country is aroused but they want to hold the big baby, time and a half for over 40 hours, and that is the thing when that bill was passed that that was intended to discourage the employer most positively. I sat in on all the joint hearings of the two committees. The idea was that it would spread labor and penalize the employer if he worked men over 40 hours. Now they insist on penalizing Uncle Sam, the greatest employer, and make a racket of it in a national emergency when hours of labor are badly needed and when hourly pay is superhigh. We should not recess till this law is set aside.

[Here the gavel fell.]

LABOR-UNION DUES

Mr. BOREN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOREN. Mr. Speaker, I have numerous letters and affidavits from Oklahoma indicating that it is a widespread, if not universal, practice on defense projects in Oklahoma to make exorbitant fees and dues a condition of receiving employment on those projects, and also indicating that a man receiving employment on that basis, after paying such tribute, very frequently as soon as the tribute was completely paid was put off the job in order that a new employee might be put on, who would pay another exorbitant fee. Indications are that this is of such widespread practice that, in my judgment, the Congress should investigate the circumstances on all the defense projects. I propose to introduce a resolution indicating the need of such investigation and providing such an investigation with a view to bringing out legislation that will put a stop to such practice.

PERMISSION TO ADDRESS THE HOUSE

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. GREEN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GREEN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution from the Citrus Exchange.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix.]

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. COX]?

There was no objection.

Mr. COX. Mr. Speaker, I quarrel with no man because of difference of opinion. While I might not like what some people say, I do not think we can afford to dignify a charge similar to the one against which the gentleman from Michigan [Mr. HOFFMAN] complained of a few minutes ago by seriously considering a congressional investigation.

There has been talk about the House taking a spring recess. That is fine. I would like to see every Member given a couple of weeks' rest, but we might just as well settle that question in our minds right now. Public sentiment is not going to let us go home until we do something with reference to the labor situation. I have said in the past and I say again that next to the stand of MacArthur and his men in the Philippines this expression of discontent and dissatisfaction on the part of the public is the finest exhibition of America in action that I have witnessed in many years.

Mr. HOFFMAN. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Mr. Walling is the administrator of the wage-hour law.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. PLUMLEY] may address the House for 10 minutes tomorrow after all business on the Speaker's table has been disposed of and at the conclusion of any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

PROGRAM FOR BALANCE OF WEEK

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute?

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. MICHENER. Mr. Speaker, may I ask the able majority leader what the program for the rest of the week will be, and also if he can indicate in any way what the program will be for next week?

Mr. McCORMACK. Mr. Speaker, the program for the rest of the week is about as follows: Today is District day. On tomorrow the Interior Department appropriation will be taken up, and the consideration of that bill will probably require Tuesday, Wednesday, and Thursday. Then there is a deficiency bill, and, of course, the time that is taken up depends on when the Interior appropriation bill will be finished. The deficiency bill contains a $17,000,000,000-plus recommendation recently made by the President. It is hoped that bill will be finished by Saturday. I do not know whether that will take all day Friday and Saturday or not. It is hoped that it may be finished by Saturday. There will be some conference reports, at least one, that will come up. Outside of that, I know of no other legislation.

Mr. MAY. May I inquire if the deficiency bill that is to come up contains any items other than the $17,000,000,000?

Mr. McCORMACK. I think it does; yes.

Mr. MAY. I would like to know what they are.

Mr. TABER. There are 15 pages of other items. Some of them are small, some of them large, but none of them very large. There are about $700,000,000 in estimates for the Navy in addition to the $17,000,000,000 for the Army.

Mr. McCORMACK. I thank the gentleman from New York.

So far as next week is concerned, I have no knowledge of any legislation coming up next week. Of course, the Members have worked very hard, and the House has done a very good job, as we look over the whole picture. With the deficiency appropriation bill out of the way, so far as the House is concerned, I know of nothing important for next week that will come out of any committee.

Reference is made to labor legislation. Of course, the House cannot act until a committee reports. What the situation will be I am unable to state now, but I assume the House will be advised some time later in the week from a proper source. Perhaps the chairman of the committee will some time later in the week take the House into his confidence as to when he thinks his committee might report a bill out of the committee, if the committee does report a bill.

It is my personal desire, it is my personal hope, that the House will take a recess. Of course, there is no such thing as a permanent recess. I mean a recess of 3 days at a time.

Mr. MICHENER. Right along that line, nearly the whole morning has been taken up by 1-minute speeches in opposition to having any recess until something is done in connection with labor legislation introduced and now pending before committees. May I hope that the distinguished majority leader will confer with the members of the administration, especially with the leaders who appeared before the committees in opposition to any labor regulatory legislation, and see if something cannot be worked out that will help to assure the earliest possible successful conclusion of the war with the least cost in blood and treasure. The majority leader knows and I know there is no possibility of enacting legislation concerning labor as long as those charged with the war production program and the President take the position they do in reference to it. When the representatives of the President come before the committees and insist that this legislation would be detrimental to the war program, it places the House in a rather peculiar position.

The country should fully understand this situation. If the President will but indicate a willingness for legislation, the purpose of which is to eliminate strikes and provide for wartime working hours during the emergency, the Congress undoubtedly will act. Without that consent there is little prospect.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Georgia.

Mr. COX. I wonder if the gentleman from Massachusetts does not agree with me that public opinion is such that this House could not take a recess prior to doing something with reference to the labor situation without giving grievous offense.

Mr. McCORMACK. The gentleman from Georgia has his own opinion, and I thoroughly respect it, just as he said a moment ago he respects the opinions of others with whom he may disagree. I believe there are certain sections of the country—and I say this without going into the issues involved—that certainly have been given information about as incomplete and as inconsistent with the truth as I have ever heard. If the gentleman would talk about the country as a whole, I would give one answer to his question, but if he should ask me about certain sections of the country, my answer would be entirely different. In certain sections of the country the people have certainly been given an awful lot of misinformation.

Mr. COX. As to the communities where there is an abundance of evidence of an angry public opinion, I wonder if the gentleman would agree with me that that aroused and indignant public opinion is because of the trickling in of a little of the truth rather than the dissemination of false information.

Mr. McCORMACK. The gentleman is asking a hypothetical question.

Mr. COX. That is where we differ.

Mr. McCORMACK. For example, I think one of the most vicious things is to compare the man who is working with the man in the Army who is getting $21 a month for the first 4 months. I served as a private in the Army and got $30 a month. Certainly I did not think that because I got $30 a month I should attack a man who was married, with a wife and children dependent upon him. Such a man has his responsibilities. He gets a much larger salary but he has to pay his rent, he has to pay for his clothing, his food and everything else, not only for himself but for his wife and children. I think that is an unfair if not an odius comparison, yet it is one that is sold to the country.

Mr. COX. Is not the responsibility that rests upon the married man or the man holding a lucrative job just as great as the responsibility on the boy who has been taken from school and sent into the Army?

Mr. McCORMACK. It happened that I had been a lawyer for 6 or 7 years when I enlisted as a private, but I certainly would not compare my financial situation as a private in the Army with the lawyer in private life who has to bear the responsibilities and the expenses of private life.

Mr. COX. Does not the greater responsibility rest upon the man who has the experience?

Mr. McCORMACK. Responsibility rests upon everyone; but the man in civil-

ian life certainly has greater financial burden and greater obligations than the man in the service.

Mr. MICHENER. Mr. Speaker, we are getting a long way away from the program about which I inquired.

[Here the gavel fell.]

REPUBLICAN RIVER COMPACT

Mr. WHITE. Mr. Speaker, I call up the conference report on the bill (H. R. 5945) to provide for granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska, with respect to the use of the waters of the Republican River Basin, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5945) to provide for granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreements to the amendment of the Senate to the bill.

COMPTON I. WHITE,
JOHN R. MURDOCK,
DEWEY SHORT,
THOMAS WINTER,
Managers on the part of the House.

J. H. BANKHEAD,
JOHN H. OVERTON,
PAT MCCARRAN,
CHARLES L. MCNARY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5945) granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The Senate amendment agreed with the House bill as passed insofar as the compact between the States was concerned, but did not conform to the last three sections of the bill which provided for the Federal Government to make proposals with respect to compacts between States. After full discussion, the managers on the part of the House came to a full agreement and receded from their position with respect to the three sections referred to and accepted the Senate amendment.

COMPTON I. WHITE,
JOHN R. MURDOCK,
DEWEY SHORT,
THOMAS WINTER,
Managers on the part of the House.

Mr. STEFAN. Mr. Speaker, will the gentleman explain the conference report?

Mr. WHITE. I may say for the benefit of the gentleman from Nebraska that the conference report is the result of an agreement between the conferees of the House and the Senate. It is a report of the minority as well as the majority and was unanimously accepted by all concerned.

Mr. MICHENER. What does it do?

Mr. WHITE. It ratifies the compact that has been entered into by the States of Colorado, Kansas, and Nebraska with regard to the use of the waters of the Republican River. It goes along with the ideas of the people from those States as expressed by their legislatures.

Mr. STEFAN. Those of us from Nebraska are very much interested in this matter as it affects the Republican River in Nebraska. How does this conference report affect the Republican River in Nebraska?

Mr. WHITE. The water that is covered by the compact is divided in accordance with the compact between the States.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. WHITE. I yield.

Mr. MICHENER. These compacts between States are sometimes of vital importance to the Nation; in fact, the compacts are so important that States cannot enter into those compacts with each other without the express consent of the Congress.

As I take it, this bill to which the gentleman refers provides for the entering into of a compact or agreement between certain States affecting some particular thing in which those particular States have a particular interest. Now, the House passed the bill permitting a compact. The matter went to the Senate and the Senate passed a bill permitting a compact, but there was some difference between the House and the Senate bills and the conferees have composed those differences. Now just what are the differences composed by the conferees?

Mr. WHITE. I think, if the gentleman will read the report, he will find out that the best interests of all the States through which the Republican River flows are safeguarded.

Mr. MICHENER. The conference report is not available.

Mr. WHITE. I think the gentleman will find that those things have been taken care of and that the rights of the several States have been fully protected.

Mr. MICHENER. The gentleman has asked me to read the report, but the report is not available.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. Will the gentleman yield to me, Mr. Speaker?

Mr. WHITE. I am yielding to the gentleman from the State of Michigan [Mr. MICHENER]. I may say that the Representatives from the States of Kansas and Nebraska and Colorado have been consulted. Lengthy hearings have been had on the bill, an agreement has been reached, and it has been approved by the Members from these particular States in the House. It has also been approved by the ranking Member on the gentleman's side of the House, and it is now entirely unanimous.

Mr. MICHENER. I may say to the gentleman from Idaho that since I inquired a second ago, I have been furnished with the report which the gentleman from Idaho asked me to read. I have the report in my hand and it is about five or six lines long and simply says that the conferees have agreed. It does not say upon what you have agreed. I believe the House would like to have the distinguished gentleman from Idaho tell us about what the conferees have agreed upon.

Mr. HILL of Colorado. Mr. Speaker, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Colorado.

Mr. HILL of Colorado. I simply want to say that the Legislatures of Colorado, Nebraska, and Kansas agreed on the manner and method of dividing the water between the three States on this particular river, which is the Republican River. The Kansas Legislature, both the house and the senate, approved this compact. The Colorado Legislature, both the house and the senate, approved this compact. The Nebraska Legislature, both the house and the senate, approved this compact. Then it had to come back here to the Federal Government to have it approved here. Now what more do you want from the State of Michigan other than the fact that these three great States have agreed on the division of this water?

Mr. MICHENER. If I may be permitted to answer the gentleman, I may say that after the gentleman has been here some time and has gone over a lot of these compacts and understands the distribution of water in these Western States—and I do not come from that section myself—he will find that very often States upstream enter into compacts as to the distribution of water which is very agreeable to the States upstream, but to the lower riparian owners and the States downstream below those States the compacts might mean destruction to the lower States. This is the very purpose and reason that these matters must and should come before the Congress, and the facts should be explained to the Congress, other than simply to say that the two or three States that want to take the water out of a public stream and convert it to their own use should control even though they have agreed. I have not heard anything from the lower water users. Maybe they are satisfied but I am speaking in their behalf.

Mr. WHITE. I will state to the gentleman from Michigan that I did not know that the water of the Republican River ran through the State of Michigan, and I will say further that all the States through which this river passes are in agreement and in accord and are parties to this compact.

Mr. MICHENER. If the gentleman does not have any more definite information than that about it, certainly this conference report should not be accepted.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. WHITE. I yield.

Mr. MICHENER. The gentleman from Utah is a man who knows something about it.

Mr. ROBINSON of Utah. I think I can explain the matter in just a minute. This bill was heard by the Committee on Reclamation and Irrigation of the House,

was very carefully considered, and that committee thought certain amendments should be made to the compact which would explain the compact. Those amendments were proposed by the various departments, and when the bill was considered by the Senate, the Senate was opposed to these amendments and thought that the way the question should be handled would be to agree to the compact as it was entered into between the States, because if that was not done, then the compact would have to go back to the State legislatures.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. Yes; I will yield, but I think I will come to the point the gentleman has in mind in just a minute.

There was a disagreement as to whether these amendments should be put in the bill or not. The House conferees have agreed with the Senate that the amendments are really not necessary and that the compact should be agreed to as it was passed by the three States. The three State legislatures have passed this compact and it is agreeable to all the people on the river and there is nothing with reference to it in dispute. Long hearings were had and the only thing in dispute and the only thing that the conferees were to decide upon was whether or not certain amendments that were proposed to the compact were necessary. The House conferees have concluded, after conference with the Senate, that these amendments are not necessary and should not be adopted, because if they were adopted the compact would have to go back to the respective State legislatures.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. Yes.

Mr. CURTIS. And all of these States in any way affected by this basin are signatory States to this compact.

Mr. ROBINSON of Utah. That is correct.

Mr. CURTIS. And if they were not it would not bind any State that was not a party to it?

Mr. ROBINSON of Utah. That is correct, as I understand it.

Mr. CURTIS. And the fundamental purpose of this compact is to divide the water by volume for its use in the various States?

Mr. ROBINSON of Utah. That is also correct.

Mr. CURTIS. And no one raises objection to that?

Mr. ROBINSON of Utah. No.

Mr. CURTIS. No Government department or agency?

Mr. ROBINSON of Utah. Not so far as I am informed.

Mr. STEFAN. And it is perfectly agreeable to the State legislatures?

Mr. ROBINSON of Utah. Yes. The only question involved was the question of nonnavigability, and the Department felt that it should be explained in the way the amendments provided.

Mr. CURTIS. And is it not also true that so far as this bill is concerned, it involves no authorization or appropriation or contemplated Federal work of any kind?

Mr. ROBINSON of Utah. None whatever.

Mr. MICHENER. It is just one of the ordinary compacts?

Mr. ROBINSON of Utah. That is correct.

Mr. MICHENER. The thing that I am vitally interested in is this. Does this compact affect the lower basin?

Mr. ROBINSON of Utah. It does not, and the lower basins made no objection, after careful hearing. It was a unanimous vote in the Senate and a unanimous vote in the House, with the exception of these amendments, and the House concluded that it would be better not to amend it, due to the fact that it would have to go back to the State legislatures.

Mr. MICHENER. The gentleman is familiar with cases where States have entered into compacts as to the use of water, and such use prevented the water getting back into the streams.

Mr. ROBINSON of Utah. Yes; I am.

Mr. MICHENER. And it is possible for some States to enter into compacts for the use of water, and thereby prevent any of that water from getting back into the stream and serving those below to any extent

Mr. ROBINSON of Utah. That is correct, but every State interested in this is satisfied.

Mr. COFFEE of Nebraska. And is it not a fact that no new precedent is established in reference to this compact?

Mr. ROBINSON of Utah. That is correct also

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to, and a motion to reconsider laid on the table.

PERMISSION TO SPEAK FOR 1 MINUTE

Mr. GREEN. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

The SPEAKER. The gentleman has already had permission to speak for 1 minute today, has he not?

Mr. GREEN. Yes.

The SPEAKER. The Chair will not recognize the gentleman to speak again the same day under the 1-minute program.

A CEILING ON WAGES

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, the United States News has asked a number of Members whether we believed Congress should place a ceiling on wages to prevent inflation. This was my reply:

If we really intend to control prices and prevent inflation, of course, Congress will have to place a ceiling on wages as on other things.

How can you control the price of coal or lumber or cotton or steel or laundry if there is no ceiling on wages of any other product where labor is a large or even important item in cost?

It should be remembered, however, that when you fix a ceiling the fluctuation will be below that level, not at it and never above it. Only peak wages will ever touch it.

Your letter referred to farm prices held at approximately 110 percent of parity. That is a common but tragic delusion. A ceiling of 110 percent does not bring prices to that point. It stops them there. The fluctuation is all below that point. Farm prices will reach it, if ever, once or twice a year. They probably will not average plain parity; certainly they cannot if wages are free to soar.

The point should be remembered, however, in thinking of a ceiling for wages. Only peak wages, not average wages, will ever reach the ceiling.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following communications.

The Clerk read as follows:

MARCH 20, 1942.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation, effective March 20, 1942, as a member of the Committee on the District of Columbia.

Sincerely yours,

HARRY SAUTHOFF.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

DISTRICT OF COLUMBIA LEGISLATION

The SPEAKER. This is District of Columbia day.

The gentleman from West Virginia [Mr. RANDOLPH] is recognized.

Mr. RANDOLPH. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. MCGEHEE] for the purpose of presenting a conference report.

CONSOLIDATING POLICE AND MUNICIPAL COURTS OF THE DISTRICT OF COLUMBIA

Mr. MCGEHEE, from the Committee on the District of Columbia, submitted the following conference report and statement on the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes, for printing in the RECORD:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5784) to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as "The Municipal Court for the District of Columbia", to create "The Municipal Court of Appeals for the District of Columbia", and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate to the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, be, and they are hereby,

consolidated into a single court to be known as 'The Municipal Court for the District of Columbia.'

THE MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

"The court shall consist of ten judges appointed by the President with the advice and consent of the Senate, one of whom shall be designated by the President as chief judge.

"The terms of the judges shall be in accordance with the following schedule: The first two appointments shall be for a term of ten years each; the second two appointments shall be for a term of eight years each; and the remaining six appointments shall be for a term of six years each. The judges of the Police and Municipal Courts of the District of Columbia holding office on the effective date of this Act shall, however, serve as judges of The Municipal Court for the District of Columbia hereby created until the expiration of their respective commissions and until their successors are appointed and qualified.

"The Court shall adopt and have a seal, and shall be a court of record.

"SEC. 2. Subsequent appointments and reappointments to this court shall be for a term of ten years each. All judges shall continue in office until their successors shall be appointed and qualified. Each judge shall be subject to removal only in the manner and for the same causes as are now or hereafter provided for the removal of Federal judges. The salary of the chief judge shall be $8,500 per annum and the salary of each associate judge shall be $8,000 per annum. Each judge, when appointed, shall take the oath prescribed for judges of courts of the United States. No person other than a bona fide resident of the District of Columbia, and maintaining an actual place of abode therein for at least five years immediately prior to his appointment, or who shall have been a judge of one of the courts of the District of Columbia, shall be appointed a judge of The Municipal Court for the District of Columbia: *Provided, however*, That not more than two non-resident persons may be appointed and serve as judges of the said Municipal Court at any one time. Further, all appointees shall have been actively engaged in the practice of the law in the District of Columbia for a period of at least five years immediately prior to their appointment. Service during the present emergency in the armed forces of the United States shall be included in the computation of the five-year requirements herein specified.

"SEC. 3. (a) The chief judge shall, from time to time and for such period or periods as he may determine, designate the judges to preside and attend at the various branches and sessions of the court. He shall have the power to determine the number and fix the time of the various sessions of the court, to arrange the business of the court, and to divide it and assign it among the judges. He shall also be charged with the general administration and superintendence of the business of the court.

"(b) The chief judge shall give his attention to the discharge of the duties especially pertaining to his office, and to the performance of such additional judicial work as he may be able to perform.

"(c) It shall be the duty of the chief judge and the associate judges to meet together at least once in each month in each year, at such time as may be designated by the chief judge, for the consideration of such matters pertaining to the administration of justice in said court as may be brought before them.

"It shall be the duty of each associate judge to attend and serve at any branch or session of the court to which he is assigned. Each associate judge shall submit to the chief judge a monthly report in writing of the duties performed by him, which report shall specify the number of days attendance in court of such judge during said month, and the branch courts upon which he has attended, and the number of hours per day of such attendance, and such other data as may be required by the chief judge, and in such form as the chief judge shall require.

"The chief judge shall submit to the Attorney General of the United States and to the Commissioners of the District of Columbia a quarterly report in writing of the business of the court and of the duties performed by each of the judges of the court during the preceding three months. A copy of said report shall be filed in the office of the clerk of the court and shall be available and subject to public inspection during business hours.

"In the event of the absence, disability, or disqualification of the chief judge, his duties shall devolve upon and be performed by the other judges in the order of seniority of their commissions.

"Each judge shall be entitled to vacation, which shall not exceed thirty-six court days in any one calendar year, and which shall be taken at such times as may be determined by the chief judge.

"The court shall have authority to appoint and remove a clerk of the court, whose salary shall be fixed by the court in accordance with the Classification Act of 1923, as amended, and the clerk so appointed shall have and exercise the powers and authority heretofore had or exercised by the clerk of the Police Court of the District of Columbia and the clerk of the Municipal Court of the District of Columbia.

"The clerk of the court shall have authority, subject to the approval of the chief judge, to appoint and remove such deputy clerks and such other employees as he may deem necessary, and to have their compensation fixed by the chief judge in accordance with the Classification Act of 1923, as amended, and shall have supervision and direction over them, except clerks serving the respective judges, who shall be appointed and removed from office by the respective judges, their compensation to be fixed by the respective judges in accordance with the Classification Act of 1923, as amended.

"The court shall have authority to appoint and remove a probation officer of the court, whose salary shall be fixed by the court in accordance with the Classification Act of 1923, as amended, and the probation officer so appointed shall have and exercise the powers and authority heretofore had or exercised by the probation officer of the Police Court of the District of Columbia.

"The probation officer of the court, subject to the approval of the chief judge, shall have authority to appoint and remove such assistant probation officers and such other employees of the probation office as he may deem necessary, and to have their compensation fixed by the chief judge in accordance with the Classification Act of 1923, as amended, and shall have supervision and direction over them.

"All officials and employees of the Police Court of the District of Columbia and of the Municipal Court of the District of Columbia holding office on the effective date of this Act shall continue in office unless and until they are removed therefrom; and all appropriations for the said Police Court or the said Municipal Court shall be available for the payment of the salaries and expenses of The Municipal Court for the District of Columbia as hereby established.

"SEC. 4. (a) The Municipal Court for the District of Columbia, as established by this Act, shall consist of a criminal and a civil branch. The court and each judge thereof shall have and exercise the same powers and jurisdiction as were heretofore had or exercised by the Police Court of the District of Columbia or by the Municipal Court of the District of Columbia or the judges thereof on the effective date of this Act, and in addition the said court shall have exclusive jurisdiction of civil actions, including counterclaims and crossclaims, in which the claimed value of personal property or the debt or damages claimed, exclusive of interest, attorneys' fees, protest fees, and costs, does not exceed the sum of $3,000 and, in addition, shall also have exclusive jurisdiction of such actions against executors, administrators and other fiduciaries: *Provided, however*, That the District Court of the United States for the District of Columbia shall have jurisdiction of counterclaims and cross claims interposed in actions over which it has jurisdiction. The court shall also have jurisdiction over all cases properly pending in the Municipal Court of the District of Columbia or the Police Court of the District of Columbia on the effective date of this Act.

"(b) Service of process in the criminal division of the court shall be had as provided under existing law for the Police Court of the District of Columbia; service of process in the civil division of the court shall be had as provided under existing law for the Municipal Court of the District of Columbia, or in such other manner as may be prescribed by rules of court.

"(c) All judgments entered by The Municipal Court for the District of Columbia on or after the effective date of this Act shall remain in force for six years and no longer unless the same be docketed in the office of the clerk of the District Court of the United States for the District of Columbia. Upon payment of a fee of 50 cents the clerk of The Municipal Court for the District of Columbia shall prepare a copy of any judgment of the said court whether heretofore rendered and in force and effective on the effective date of this Act or hereafter rendered, and the same upon being docketed with the clerk of said District Court shall have the same force and effect for all purposes as if it had been a judgment of said District Court. For the docketing of the same the clerk of said District Court shall charge a fee of 50 cents.

"SEC. 5. (a) If, in any action, other than an action for equitable relief, pending on the effective date of this Act or thereafter commenced in the District Court of the United States for the District of Columbia, it shall appear to the satisfaction of the court at any pretrial hearing thereof that the action will not justify a judgment in excess of $1,000, the court may certify such action to The Municipal Court for the District of Columbia for trial. The pleadings in such action, together with a copy of the docket entries and of any orders theretofore entered therein, shall be sent to the clerk of the said Municipal Court, together with the deposit for costs, and the case shall be called for trial in that court promptly thereafter; and shall thereafter be treated as though it had been filed originally in the said Municipal Court, except that the jurisdiction of that court shall extend to the amount claimed in such action, even though it exceed the sum of $3,000.

"(b) The Municipal Court for the District of Columbia shall have the power and is hereby directed to prescribe, by rules, the forms of process, writs, pleadings and motions, and practice and procedure in such court, to provide for the efficient administration of justice, and the same shall conform as nearly as may be practicable to the forms, practice, and procedure now obtaining under the Federal Rules of Civil Procedure. Said rules shall not abridge, enlarge, or modify the substantive rights of any litigant. After their effective date all laws in conflict therewith shall be of no further force or effect: *Provided, however*, That nothing in this section shall be construed to require any change in the existing rules, procedure, or practice now in effect in the small claims and conciliation branch of the presently constituted Municipal Court of the District of Columbia; nor shall this Act or any section thereof in any way repeal or modify the provisions of

the Act of March 5, 1938 (52 Stat. 103, ch. 43), establishing said small claims and conciliation branch

"(c) The Municipal Court for the District of Columbia shall have the power to compel the attendance of witnesses from any part of the District of Columbia by attachment, and any judge thereof shall have the power to punish for disobedience of any order, or contempt committed in the presence of the Court by a fine not exceeding $50 or imprisonment not exceeding thirty days.

"THE MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

"SEC. 6. There is hereby established and created an intermediate appellate court for the District of Columbia to be known as 'The Municipal Court of Appeals for the District of Columbia,' for the hearing of appeals from judgments and orders of The Municipal Court for the District of Columbia as established by this Act, and of the Juvenile Court of the District of Columbia, as hereinafter provided.

"The court shall adopt and have a seal, and shall be a court of record.

"The said court shall consist of three judges appointed by the President with the advice and consent of the Senate, two of whom shall constitute a quorum, and one of whom shall be designated by the President as chief judge."

No person other than a bona fide resident of the District of Columbia and maintaining an actual place of abode therein for at least five years immediately prior to his appointment, or who shall have been a judge of one of the courts of the District of Columbia, shall be appointed a judge of The Municipal Court of Appeals for the District of Columbia. Further, all appointees shall have been actively engaged in the practice of the law in the District of Columbia for a period of at least five years immediately prior to their appointment. Service during the present emergency in the armed forces of the United States shall be included in the computation of the five-year requirements herein specified.

"The chief judge shall be appointed for a term of ten years and the associate judges shall be appointed initially for terms of eight and six years each.

"Subsequent appointments and reappointments to this court shall be for a term of ten years each. All judges shall continue in office until their successors shall be appointed and qualified. Each judge shall be subject to removal only in the manner and for the same causes as are now or hereafter provided for the removal of Federal judges. The salary of the chief judge shall be $9,500 per annum and that of each associate judge shall be $9,000 per annum. Each judge, when appointed, shall take the oath prescribed for judges of courts of the United States. In the event of the absence, disability, or disqualification of any judge of The Municipal Court of Appeals for the District of Columbia, or in the event of a vacancy in the office of any such judge, the chief judge of said court may designate and assign any judge of The Municipal Court for the District of Columbia to act temporarily as a judge of said court. Likewise the chief judge, whenever he finds it in the public interest to do so, may designate and assign any judge of said Municipal Court of Appeals to act temporarily as a judge of The Municipal Court for the District of Columbia. In the event of the absence, disability, or disqualification of the chief judge of said court, his powers shall be exercised by that judge of said court next in seniority according to the date of commission.

"The said court shall appoint and remove a clerk who shall exercise the same powers and perform the same duties in regard to all matters within the jurisdiction of the court as are exercised and performed by the clerk of the United States Court of Appeals for the District of Columbia, so far as the same may be applicable, and his compensation shall be fixed by the court in accordance with the Classification Act of 1923, as amended. The clerk of the court, subject to the approval of the chief judge, shall have authority to appoint and remove such deputy clerks and such other employees as he may deem necessary, and to have their compensation fixed by the chief judge in accordance with the Classification Act of 1923, as amended, and shall have supervision and direction over them, except clerks serving the respective judges, who shall be appointed and removed from office by the respective judges, their compensation to be fixed by the respective judges in accordance with the Classification Act of 1923, as amended.

"SEC 7. (a) Any party aggrieved by any final order or judgment of The Municipal Court for the District of Columbia, as created by this Act, or of the Juvenile Court of the District of Columbia, may appeal therefrom as of right to The Municipal Court of Appeals for the District of Columbia. Appeals may also be taken to said court as of right from all interlocutory orders of The Municipal Court for the District of Columbia whereby the possession of property is changed or affected such as orders dissolving writs of attachment and the like: *Provided, however,* That reviews of judgments of the small claims and conciliation branch of the Municipal Court of the District of Columbia, and reviews of judgments in the criminal branch of the court where the penalty imposed is less than $50, shall be by application for the allowance of an appeal, filed in said Municipal Court of Appeals. Said application shall be on a standard form, in simple language, prescribed by The Municipal Court for the District of Columbia. When the appealing party is not represented by counsel, it shall be the duty of the clerk to prepare the application in his behalf. The application for appeal shall be filed in The Municipal Court of Appeals for the District of Columbia within three days from the date of judgment. It shall be promptly presented by the clerk to the chief judge and to each of the associate judges for their consideration. If they or any one of them are of the opinion that the appeal should be allowed, the appeal shall be recorded as granted, and the case set down for hearing on appeal, and given a preferred status on the calendar, and heard in the same manner as other appeals in said court. If the chief judge and both associate judges shall be of the opinion that an appeal should be denied, such denial shall stand as an affirmance of the judgment of the trial court, from which there shall be no further appeal.

"After the effective date of this Act, no writs of error or appeals, except in respect of judgments theretofore rendered, shall be granted by the United States Court of Appeals for the District of Columbia to the said Municipal Court or to the said Juvenile Court.

"(b) The Municipal Court of Appeals for the District of Columbia shall have the power to prescribe by rules what parts of the proceedings in the court below shall constitute the record on appeal, and to require that the original papers be sent to it instead of copies thereof, and generally to reguate all matters relating to appeals, whether in the court below or in said The Municipal Court of Appeals for the District of Columbia.

"(c) The Municipal Court of Appeals for the District of Columbia shall not require the record or briefs on appeal to be printed, and if they are printed, the cost of printing shall not be taxed as costs in the case. Said court shall review the record on appeal and shall affirm, reverse, or modify the order or judgment in accordance with law. If the issues of fact shall have been tried by jury, The Municipal Court of Appeals for the District of Columbia shall review the case only as to matters of law. If the case shall have been tried without a jury, The Municipal Court of Appeals for the District of Columbia shall have the power to review both as to the facts and the law, but in such case the judgment of the trial court shall not be set aside except for errors of law or unless it appears that the judgment is plainly wrong or without evidence to support it.

"(d) This section shall not apply to any judgments rendered prior to the effective date of this Act.

"SEC. 8. Any party aggrieved by any judgment of The Municipal Court of Appeals for the District of Columbia may seek a review thereof by the United States Court of Appeals for the District of Columbia by petition for the allowance of an appeal. The petition shall be in writing and shall be filed with the clerk of said United States Court of Appeals within ten days after the entry of such judgment, the contents of the petition to conform to the requirements which said United States Court of Appeals may by rule prescribe. Said Court of Appeals may prescribe rules governing the practice and procedure on such applications, the preparation of and the time for filing the transcript of the record in such cases, and generally to regulate all matters relating to appeals in such cases. If said Court of Appeals shall allow an appeal, the court shall review the record on appeal and shall affirm, reverse, or modify the order or judgment in accordance with law.

"SEC. 9. (a) The Municipal Court of Appeals for the District of Columbia shall have the power and is hereby directed to prescribe, by rules, the forms of process, writs, pleadings and motions, and practice and procedure in such court, to provide for the efficient administration of justice, and the same shall conform as nearly as may be practicable to the forms, practice, and procedure now obtaining under the Federal Rules of Civil Procedure. Said rules shall not abridge, enlarge, or modify the substantive rights of any litigant. After their effective date all laws in conflict therewith shall be of no further force or effect.

"Service of process shall be made by the United States Marshal for the District of Columbia.

"(b) The Municipal Court of Appeals for the District of Columbia, or any judge thereof, shall have the power to punish for disobedience of any order or contempt committed in the presence of the Court by a fine not exceeding $50, or imprisonment not exceeding thirty days.

"SEC. 10. The Municipal Court for the District of Columbia, and The Municipal Court of Appeals for the District of Columbia as established by this Act, shall have full power and authority to censure, suspend, or expel from practice, at their respective bars, any attorney for any crime involving moral turpitude, or professional misconduct, or any conduct prejudicial to the administration of justice. Before any such attorney is censured, suspended, or expelled, written charges under oath against him must be presented to the court, stating distinctly the grounds of complaint. The court may order the charges to be filed in the office of the clerk of the court and shall fix a time for hearing thereon. Thereupon a certified copy of the charges and order shall be served upon the attorney personally by the marshal or such other person as the court may designate, or in case it is established to the satisfaction of the court that personal service cannot be had, a certified copy of such charges and order shall be served upon him by mail, publication, or otherwise, as the court may direct. At any time after the filing of said written charges, the court shall have the power, pending the trial thereof, to suspend from practice at its bar the person charged.

"SEC. 11. (a) Any judge of The Municipal Court for the District of Columbia, any judge of The Municipal Court of Appeals for the District of Columbia, as established by this Act, or any judge of the Juvenile Court of the District of Columbia, may hereafter retire after having served as a judge of such

court for a period or periods aggregating twenty years or more, whether continuously or not. Any judge who so retires shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of thirty years, the same to be paid in the same manner as the salary of such judge. In no event shall the sum received by any such judge hereunder be in excess of the salary of such judge at the date of such retirement. In computing the years of service under this section, service in either the Police Court of the District of Columbia or the Municipal Court of the District of Columbia, or the Juvenile Court of the District of Columbia, as heretofore constituted, shall be included whether or not such service be continuous. The terms "retire" and "retirement" as used in this section shall mean and include retirement, resignation, or failure of reappointment upon the expiration of the term of office of an incumbent.

"(b) Any judge receiving retirement salary under the provisions of this Act may be called upon by the chief judge of The Municipal Court for the District of Columbia or the chief judge of The Municipal Court of Appeals for the District of Columbia to perform such judicial duties as may be requested of him in either of said courts, or in the Juvenile Court of the District of Columbia, but in any event no such retired judge shall be required to render such service for more than ninety days in any calendar year after such retirement. In case of illness or disability precluding the rendering of such service such retired judge shall be fully relieved of any such duty during such illness or disability.

"SEC. 12. If any provision of this Act, or the application thereof to any person or circumstance, shall be held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby; and if any provision hereof becomes inoperative, either by reason of failure of appropriations or otherwise, it shall not affect the legality or operative effect of any or all of the remaining features and provisions hereof.

"SEC. 13. The appropriations in the 1942 District of Columbia Appropriation Act, approved July 1, 1941, for the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, are hereby continued available for the purposes specified therein, and for the expenditures authorized by this Act. And there is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States to the credit of the District of Columbia not otherwise appropriated, such funds as may be necessary to carry out the provisions of this Act.

"SEC. 14. The provisions of this Act authorizing the appointment and salaries of the judges of The Municipal Court of Appeals for the District of Columbia and the clerk, deputy clerks, and other employees of said court, shall take effect one month after approval of this Act. The other provisions of this Act shall take effect three months after the date of its approval.

"The expression 'effective date of this Act', as used in this Act, means three months after the approval of this Act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

DAN R. MCGEHEE,
EVERETT M. DIRKSEN,
OREN HARRIS,
Managers on the part of the House.

PAT MCCARRAN,
JOHN H. OVERTON,
HAROLD H. BURTON,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying report.

The House conferees agreed to Senate amendment to strike all of the language of the House bill and substitute in lieu thereof language of the Senate, with the exception of that which purported to determine an area, roughly described as a radius of 10 miles from the District of Columbia line, from which persons might be selected to serve as judges of the courts created by the bill. In lieu of that language, the conferees agreed that two nonresident persons may be selected to serve as judges of the Municipal Court, but not of the proposed Municipal Court of Appeals, provided those selected shall have been actively engaged in the practice of the law in the District of Columbia for a period of not less than 5 years immediately prior to appointment.

DAN R MCGEHEE,
O. HARRIS,
EVERETT M. DIRKSEN,
Managers on the part of the House.

Mr. MCGEHEE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 5784) to consolidate the police and municipal courts of the District of Columbia, and for other purposes.

The conferees of the House reached an agreement with the conferees of the Senate on last Friday. The House was not in session and not in a position to file the report under the rules of the House so that it could be taken up today. This being District of Columbia day, I think the matter should be disposed of.

I may say to the membership of the House that this bill was passed by the House unanimously 2 or 3 weeks ago. This conference report is a unanimous report from both Houses. The only material change made in the act as passed by the Congress was changing the title; also the bill as originally passed by the House contained a provision that those judges appointed to the municipal or police court of the District of Columbia should be residents of the District and shall have practiced law for a period of 5 years or more within the District. The amendment suggested by the Senate conferees and agreed to by the House conferees is this, that there may be two judges appointed who may not live within the boundaries of the District of Columbia. That is, they may live in Chevy Chase, Md., or over the line in Virginia, but they must comply with the provisions of the act relative to the number of years that they shall have practiced law in the District of Columbia.

There is a further provision that in the event anyone appointed judge who shall enter the armed forces of the country during this emergency period shall not have that counted against him as not being a resident.

Another minor provision was that the House bill provided that the clerk of the court should be appointed by the presiding judge. The clerk then had authority to appoint all clerks and help under him. The Senate amended the House bill by providing that the clerk should make the appointments by and with the advice and consent of the presiding judge, to which the conferees of the House agreed.

Those are the only amendments affecting the bill as passed by the House unanimously 2 or 3 weeks ago.

Mr. MICHENER. Mr. Speaker, reserving the right to object, there are some important changes made in the bill. No notice has been given that the conference report was to be called up. Of course it is not necessary but is always advisable when possible. But certainly no one can object, inasmuch as this is District day and this is a District matter. Those especially interested in District matters are here present. I know of no reason why this is not the proper time to consider this particular conference report.

Mr. MCGEHEE. I may say to the gentleman from Michigan that there were some other changes, but it was merely transforming the language of the bill which I think more streamlines it.

The SPEAKER pro tempore (Mr. PATMAN). Is there objection to the request of the gentleman from Mississippi [Mr. MCGEHEE]?

There was no objection.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ASSIGNMENT TO DETECTIVE FORCE OF THE METROPOLITAN POLICE

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 6782) to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes; and I ask unanimous consent that the same may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter the Commissioners of the District of Columbia may assign to duty as assistant to the inspector commanding the detective bureau in the Metropolitan Police Department any officer or member of the Metropolitan Police force and, during the period of such assignment, the said officer or member shall hold the rank and receive the pay of a captain of police and shall be eligible for assignment, by the said Commissioners, as chief of detectives. For the duration of such latter assignment such officer or member shall hold the rank and receive the pay of an assistant superintendent of police.

SEC. 2. That section 1 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924 (43 Stat. 174), is amended by striking therefrom (1) the colon following the phrase reading "lieutenants, $2,700 each" and (2) the proviso reading "*Provided*, That the lieutenant assigned as assistant to the inspector commanding the detective bureau shall, during the period of such assignment, hold the rank and receive the pay of a captain."

Mr. RANDOLPH. Mr. Speaker, I ask for recognition.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation, which is brought to the House from the Committee on the District of Columbia, is to authorize the Commissioners to assign any officer or member of the Metropolitan Police force to duty as assistant chief of detectives. That officer, for the duration of the assignment which had been made, would hold the rank and receive the pay of a captain, and be eligible for assignment as chief of detectives.

The bill simply expresses the intention of the committee and translates into legislation a worthy proposal. It makes it possible for the utilization of the services of such officers as the Commissioners believe best qualified for duty in the particular fields to which they may be assigned.

I may say to the membership there will be no additional expense involved if this bill becomes law. The Budget Bureau has given its approval to the measure.

Mr. Speaker, I yield the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, at this time I yield to the gentleman from Indiana [Mr. SCHULTE].

AMENDING THE ACT TO REGULATE BARBERS IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 5444) to amend the act to regulate barbers in the District of Columbia, and for other purposes, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore (Mr. PATMAN). Is there objection to the request of the gentleman from Indiana?

Mr. SMITH of Ohio. Reserving the right to object, Mr. Speaker, I want to know whether on page 4 of the bill there is a provision requiring a religious test for keeping a barber shop open on another day than the accepted Sabbath?

Mr. SCHULTE. The gentleman from Ohio [Mr. SMITH] spoke to me about this the other day, and I explained it to him as well as I could.

The bill in its present form would authorize the Board of Barber Examiners to fix the opening and closing hours for all barber shops in the District on the basis of the preference of the majority of licensed barbers, and on the same basis to fix 1 day in 7 consecutive days on which all barber shops in the District shall remain closed.

I want to say that this bill was reported out of the committee unanimously.

Mr. SMITH of Ohio. Further reserving the right to object, Mr. Speaker, the fact remains that the question of religion does enter into this particular section of the bill.

Mr. SCHULTE. I may say to my good friend from Ohio that the gentleman who probably gave him that information is the same fellow who appeared before this committee and has personally informed me that he was bitterly opposed to this and would continue to oppose it no matter what happened.

I may say to the gentleman from Ohio that the religious issue that has been brought into this thing by this particular individual is out of all proportion to the provisions of the bill. All the bill does is to say that if the barber belongs to a sect that has a Sabbath on some other than the accepted Sabbath, that all he need do is to appear before the Board and make that statement. Could anything be more clear-cut than that?

Mr. SMITH of Ohio. Mr. Speaker, I do not propose to permit the gentleman to tell me that I do not know my own mind about this proposition.

Mr. SCHULTE. The gentleman from Indiana is not trying to tell the gentleman from Ohio anything.

Mr. SMITH of Ohio. I am merely saying that this raises a question of religion. What is the reason? Has any particular religious organization violated any particular law or indicated that it intends to violate the barber-shop law?

Mr. SCHULTE. Let me say to my good friend from Ohio that he will not get me into any religious argument at any time.

Mr. SMITH of Ohio. Mr. Speaker, this is a very important bill. I have no objection at all to the consideration of the remainder of this bill, but I am going to object because this provision raises a religious question. I want the bill brought up so that it may receive proper consideration.

Mr. SCHULTE. The gentleman is not opposed to labor, is he?

Mr. SMITH of Ohio. Not at all, and this has nothing to do with labor or the rights of labor.

The SPEAKER pro tempore. Objection is heard.

Mr. SCHULTE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 5444, to amend the act to regulate barbers in the District of Columbia, and for other purposes; and pending that I would like to arrive at an agreement as to time for general debate. Would 15 minutes a side be sufficient? I want the gentleman from Ohio to have an opportunity to air his views.

Mr. DIRKSEN. Mr. Speaker, reserving the right to object, I think the time should be allotted in the regular way and that the ranking minority member of the committee should have control of time on the minority side.

Mr. SCHULTE. Would the gentleman be satisfied with 30 minutes equally divided between the majority and the minority?

Mr. DIRKSEN. That would be agreeable to the minority.

Mr. SCHULTE. I make that request, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that debate on the bill be limited to 30 minutes, to be equally divided and controlled by himself and the gentleman from Illinois. Is there objection?

Mr. SMITH of Virginia. Mr. Speaker, reserving the right to object, I just want to say I am opposed to the bill and want an opportunity to be heard very briefly.

Mr. SCHULTE. I will give the gentleman an opportunity to be heard. I shall be pleased to yield him part of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

The SPEAKER pro tempore. The question is on the motion to go into the Committee of the Whole.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, for the consideration of the bill H. R. 5444, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. SCHULTE. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, I had hoped to have time to explain an amendment which the gentleman from West Virginia [Mr. RANDOLPH] has suggested to this bill, which is fairly satisfactory to me, and I think it ought to be satisfactory to the House. I want to explain briefly the section involved in this bill to which I object.

It provides that the Board of Barber Examiners after they have ascertained the majority preference for the 1 particular closing day in the 7——

Mr. STEFAN. What section is the gentleman referring to?

Mr. SMITH of Ohio. Page 4, beginning in line 8.

> Excepting that any barber-shop proprietor of the District of Columbia may keep open his shop on the day voted by the majority to close, upon a proper showing duly made to the Board of Barber Examiners by the proprietor to the effect that the adopted closing day conflicts with the tenets of his religion and provided that his shop shall remain closed on the particular Sabbath of his religion.

The act provides that in the event such person may be aggrieved, he has the right to appeal through the courts for relief.

There is no reason why anyone having a different religious faith than I have, and I happen to be a Methodist, should have his religion dragged into a law of this sort. The amendment suggested by the gentleman from West Virginia [Mr. RANDOLPH], and I think he will allow me to refer to his name in connection with it, removes the necessity of an aggrieved person involved appealing to a court for redress.

The persons who would be adversely affected want to obey the law, and if I know anything about the particular religions that are aimed at in this bill, the people belonging to them are regarded as very law abiding, the same as those belonging to other religions. My amendment provides:

Except that any barber-shop proprietor of the District of Columbia may keep his shop open on the day voted by the majority to close, provided he has closed his shop for 24 consecutive hours or 1 whole day of each week, the day beginning either at midnight or at sunset.

I have not talked the matter over with any of the parties involved in this controversy, but I think the amendment relieves the situation somewhat. It takes away from this measure a provision which I do not think belongs there. One of the most dangerous issues a legislative body can raise is that of religion.

It is not so much what may be involved in the particular phraseology of the bill under consideration. The question is what it may lead to hereafter. I think we could dispose of this whole controversy in very quick order if the gentleman from Indiana would see fit to agree to this amendment.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. RANDOLPH Will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Mr. Chairman, the chairman of the Committee for the District of Columbia has shown to the gentleman from Ohio [Mr. SMITH] a proposed amendment which he has read to the House. Of course, I always attempt to cooperate fully with the committee of which I am the head, and when the committee voted to report this legislation to the floor without the amendment which I had suggested in the committee, I felt at that time that if there was a general disposition in the House to go ahead with the measure as presented I would not press the issue; however, when the gentleman from Ohio and others here allude to this problem of religious preference it brings me back to a certain responsibility on my own part in connection therewith. For that reason, at the proper time in the reading of the bill, it would be agreeable to me that the gentleman from Ohio offer the amendment.

May I say in explanation of my feelings on this matter that I belong to a faith, the Seventh Day Baptist Church, which would be affected by a closing on a certain day which we recognize as the Sabbath. I do not want to bring myself into the discussion personally, because I like to look at these matters objectively always. We have the orthodox Jew, we have the Seventh-day Adventist, we have the Seventh Day Baptist, and certain other faiths, some of them large in numbers, some of them, to be sure, only small numerically; but they feel deeply on this subject, and for that reason I feel that their case should be properly handled in a bill of this kind. I would suggest that during the reading of the bill the gentleman from Ohio, if in agreement with the amendment which I believe might solve the problem, if he cares to, offer the amendment, that the issue be resolved.

Mr. SMITH of Ohio. I thank the gentleman. I have just one more remark to make. Just because a Member of this House finds something in a measure pertaining to labor that he feels is not correct is no indication at all that that particular Member of the House is against labor.

I resent strongly the inference that simply because I happen to be interested in removing the religious test provided for barbers in the District of Columbia or anywhere else that I am opposed to labor. I am sincere in my opposition to this particular provision because I believe it violates the principle of religious liberty. I repeat that we must be very careful about raising religious questions of this kind, because they can lead to a great deal of damage.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Ohio. I yield.

Mr. RANDOLPH. There are those of certain religious faiths who hold to the observance of the Sabbath as a day going from one sundown until another, and not from 12 o'clock to 12 o'clock, which is popularly considered to be the Sabbath.

Mr. SMITH of Ohio. I thank the gentleman.

[Here the gavel fell.]

Mr. SCHULTE. Mr. Chairman, the amendment the gentleman from Ohio proposes to offer would sabotage the bill and wreck everything the barbers in the District of Columbia have gained for a number of years. If it is the gentleman's intention to wreck the betterment of conditions these men are trying to bring about, well the amendment he offers is the thing to do it; if he does not agree with them, then certainly I would rather withdraw the bill than accept his amendment, because the effect would be that it would just kill every piece of legislation and every help they would receive here. It would again allow them to go back to barbering 24 hours each day, 7 days a week.

This bill has been suggested by the majority of the barbers in the District of Columbia. Each and every one of them has gone over this bill very thoroughly. It has been sanctioned and endorsed by the people of the District of Columbia, and by practically every civic organization. They are very much in sympathy with it.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Texas.

Mr. RUSSELL. Is it not a fact that no barber in the District is objecting to the bill?

Mr. SCHULTE. The gentleman is correct. There is not a barber in the District of Columbia that has objected to this bill, not one.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman has made a very interesting statement. I am trying to find out about the bill. In what way does it affect the rest of the barbers if one barber shop wants to close on Saturday and remain open on Sunday, in accordance with the religious tenets of the owner? What does it do?

Mr. SCHULTE. There is one individual in the District of Columbia who gloats over the fact that he has wrecked every barber bill that has been introduced, so that they can continue to work on Sunday. He has gloated over that fact. The religious angle is injected into this matter by this particular individual. He brought in the religious phase of it, saying that he wanted his people protected. The barbers in the District of Columbia, not wishing to offend anyone's feelings, suggested that merely by this particular individual's going before the Board of Barber Examiners and there saying that it conflicts with his religious tenets, he can keep open his shop on Sunday.

Mr. HINSHAW. But he closes on Saturday.

Mr. SCHULTE. He closes on the day of his Sabbath.

I may say that the majority of the committee—I would say 99 percent of them—were very much in sympathy with emphasizing the fact that these barbers could not keep open on Sunday, but to relieve the pressure on the mind of this one individual we have gone along to accept this and place it in the bill so it would protect one barber in the District of Columbia. We are sacrificing about 300 so 1 man will be appeased.

Mr. HINSHAW. Under this bill, as the gentleman has proposed it, as I understand, it is possible for this one man to go before the Board and obtain permission to remain open on Sunday?

Mr. SCHULTE. Yes; it is.

Mr. HINSHAW. Then what difference does it make whether he remains open on Sunday on his own volition or goes before a board and receives permission to do it?

Mr. SCHULTE. It is simply that we want him to go down there and be placed on record that he is of that particular religion. If that is not done, it will be just the same as in the case of any other law; you will have a lot of folks who will evade it. Everybody will be of that particular religion, not that they have ever gone to that church or worshiped there, but because this would allow them to use this as a method by which they could work 7 days a week.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Nebraska.

Mr. CURTIS. What would the gentleman say would be the answer in a case where five or six barbers in a shop were of a particular religious faith and did not observe the Sabbath as the first day of the week, but where the proprietor did observe Sunday? This bill would compel a showing that the proprietor's religion was such that he could not keep open on Sunday, and he would be unable to make that showing, but the religious faith of every barber in his shop might be such that they would not want to work on that day.

Mr. SCHULTE. I may say to my good friend that in the District of Columbia all the barbers have the same feeling about this bill that the majority of us have, that they do not want to keep open on Sunday.

Mr. SHAFER of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Michigan.

Mr. SHAFER of Michigan. Is not that just where this amendment is better for the bill?

Mr. SCHULTE. No; it is not. If the gentleman will read the amendment thoroughly, he will find that the amendment does nothing but place them right back where they are today, and they would just as soon have no bill at all.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield.

Mr. SMITH of Ohio. Under what phraseology of the present law would this bill put the situation back where it was before?

Mr. SCHULTE. By virtue of the fact that men are going to evade the religious tendency part of it which I was just trying to explain. I do not see how anyone will be hurt. Does the gentleman object to going down and telling the particular board what religious faith he adheres to?

Mr. SMITH of Ohio. I object to any law that compels a person to prove his religion before he is allowed to work.

Mr. SCHULTE. I do not; so that is a difference of opinion. I am proud of my religion and proud of the fact that I have the pleasure of attending it.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield.

Mr. CURTIS. Does the gentleman feel that we could constitutionally enact a law that would compel a citizen to go before a governing body and prove his religious faith in order to gain a privilege or obtain a license to operate? Does this not amount to a religious test?

Mr. SCHULTE. I would say so, because our Government has always recognized one's religious faith, your Government and mine. We were the first to do that.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to my good friend from Iowa.

Mr. GILCHRIST. Why is there so much circumlocution here in this bill on page 2, where the bill uses hundreds of words in order to designate the name of the first day of the week, meaning Sunday—a word of six letters? I am for the bill. I am for Sunday observance, but I do not understand why we must leave this thing to a vote of the barbers themselves when we all know that they are going to vote that the day when they will close their shops is the day we call Sunday. Let us write it that way.

Mr. SCHULTE. That is right.

Mr. GILCHRIST. That is positively true.

Mr. SCHULTE. Yes; that is right.

Mr. GILCHRIST. Then another thought with regard to the same thing is this: Do the barbers have a right to enact or vote a law? Why do we not ourselves enact the laws and say that the barber shops shall be closed on Sunday with an exception as proposed by the gentleman from Ohio that those who have a different religious idea about observing the Sabbath shall have the right to observe their Sabbath? What I am putting to the gentleman is this: Why not write Sunday in this bill to start with?

Mr. SCHULTE. I grant the gentleman that and Sunday is the day I would close them if I were in charge of it. I want to say that no one, and this is the peculiar thing about it, outside of the gentleman from Ohio—not a barber in the District of Columbia, not a one of those who would be vitally affected, has objected to this bill, not one.

Mr. GILCHRIST. I am asking why we do not write in there the word "Sunday," and that will suit the barbers.

Mr. SCHULTE. Absolutely, it will, but it will not suit my friend from Ohio.

Mr. GILCHRIST. I think it would if we also put in a provision that those who have different scruples about Sunday and want to observe the seventh day can do so. That would suit the gentleman from Ohio, I believe.

Mr. SCHULTE. If they will go down and say they are of that particular religion, but they object to that.

Mr. GILCHRIST. I think that all the gentleman from Ohio wants to do is to protect such good people as the Seventh-day Adventists and others who believe in observing the seventh day of the week as their Sabbath.

Mr. SCHULTE. I want to say to my good friend that I want to protect them, too.

And I will be the first one to protect them, but I am not going to stand idly by and see them go around and circumvent this bill and bring back the same conditions that exist in the District of Columbia today, and that is what the gentleman's amendment will do.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Texas, a member of the committee.

Mr. RUSSELL. If that amendment is adopted and a condition arises where there is a four-chair barber shop, then two of them can claim that they are of a certain faith and they want to observe their Sabbath on Saturday, and the other two can claim to be of an opposite faith, and then the other two will hold open the shop on Saturday and the two then can come back and keep the shop open on Sunday.

Mr. SCHULTE. That is it exactly.

Mr. RUSSELL. That will be the effect of the amendment should it pass.

Mr. SCHULTE. That is the reason I am opposing the gentleman's amendment. The gentleman says he is very much in sympathy with the men who work for a living, and I believe he is. Therefore, he should refuse to offer his amendment, and I am sure he would if he had seen the things we have seen and listened to the testimony of the men directly involved in this matter.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I am for the gentleman's bill, especially for the barbers having 1 day of rest. I wish the gentleman would explain to me the effect of the language which states an exception as to any barber shop or proprietor of a barber shop in the District who may keep open his shop except on the day voted by a majority to close the shop after making a proper showing. Suppose you had a Seventh-day Adventist or a man of the Hebrew faith who was the proprietor of the shop, and suppose he had 8 or 10 people who worked in the shop and wanted to observe Sunday and not the Sabbath. What becomes of those 7 or 8 people there working in the shop?

Mr. SCHULTE. They just do not work, I will say to my good friend.

Mr. ROBSION of Kentucky. So then they have 2 days when they must be off.

Mr. SCHULTE. We have rewritten this bill several times to meet the objections of one individual. I do not believe a committee in Congress has ever gone so far to try to appease one individual. We have rewritten this bill several times at the suggestion of one gentleman, who will not work under its provisions, but simply is a pretended friend of the barbers.

Mr. ROBSION of Kentucky. The gentleman wants to accept this as it is so as to fix the responsibility of the man who tries to get out from under the law as it affects barbers?

Mr. SCHULTE. Yes; that is it; so that he cannot get away with that and not be fair and honest with men and take advantage of other barbers.

Mr. ROBSION of Kentucky. I want the barbers to have 1 day of rest.

Mr. SCHULTE. We all do.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. Yes.

Mr. SMITH of Virginia. Will the gentleman explain what the evil is that exists under the present law?

Mr. SCHULTE. We have a great many barber shops here that are open 24 hours of the day and 7 days in the week. We have barbers who work in one particular shop 8 hours and then who go into another barber shop and work for 4 hours, and then we find some more who work 6 hours on Saturday and will go into a Sunday barber shop and work all day Sunday; and several members of the committee have voiced their opinion that they are very much opposed to the 24-hour barber shop.

Mr. SMITH of Virginia. And they feel that a man is entitled to a day of rest.

Mr. SCHULTE. Several of the owners have taken advantage of these conditions and forced the men to work the 72 hours, and it is with that thought in mind that the barbers themselves—and I reemphasize that—are in favor of this bill 100 percent, and it is some outsider that is opposing it. Certainly the barbers themselves ought to be able to do what they want.

Mr. SMITH of Virginia. Is there any other profession or skilled workmen than the barbers who are permitted to fix the hours of work? In other words, if we pass this bill, we delegate to the barbers the right to fix the hours of work?

Mr. SCHULTE. Oh, no; we merely set up a board.

Mr. SMITH of Virginia. But you provide for a questionnaire, and if a majority of the barbers vote to work 6 hours a

day, that is the law. Is that a condition that is peculiar only to barbers?

Mr. SCHULTE. In my State; yes.

Mr. SMITH of Virginia. In Washington?

Mr. SCHULTE. In Washington; no. Throughout the country in the various States this bill exists in a great many of them, and some of the bills go much further than this bill. Some of them emphasize the fact that they cannot be open on Sunday, but because of one individual who is not a barber, and who has no men under him who are barbers, but has openly stated that he has kept this bill from passing, we find him in the picture again.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. Yes.

Mr. MURDOCK. I have read the bill, but I want to ask specifically about one thing. I am in agreement with the committee in regard to the provision for 1 day's rest in 7, but of course there are various religious groups that have different views as to what that day should be. Is there a provision in this bill to take care of that matter?

Mr. SCHULTE. Let me say this relative to religion. All over the United States the Sunday has been accepted as the Sabbath, throughout the entire Nation, that is, all through the country except here. In a great many instances they do not work on Sundays, irrespective of what they profess. That is so in my State.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. Yes.

Mr. RANDOLPH. I think we can better expedite the proper consideration of this bill and solve the problem the gentleman from Arizona raises, by proceeding with the reading of the bill and letting the amendments be offered. There is one amendment that will cover this subject.

Mr. DIRKSEN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. RICH].

WIN WITH WORK—WORK AND WIN

Mr. RICH. Mr. Chairman, win with work is the only way that the American people will ultimately be able to defeat our enemies and be victorious in the war we are now engaged in. That means everybody in America. We are on the spot, and the only way that we can hope to save our liberty, our independence, and the four freedoms is by giving our all to win the war.

I regret exceedingly that I must bring to the attention of the House of Representatives the case of Miss Genevieve Samp, an employee of the National Stamping Co., of Detroit. It so happened that Genevieve Samp, a 25-year-old American citizen and native of the State of Michigan, was employed by the National Stamping Co., of Detroit, on the production of metallic belt links for machine-gun ammunition, which is of critical importance to the armed forces of our country. It is very essential to offensive warfare, not only for our troops but for the aircraft armament. This young lady, by her diligence, has earned the right to be considered by the company which employed her as one of their most desirable employees. But what has happened? Because of the fact that she tried to do more work in production—more than the average employee probably would or could do—and because of her zeal in trying to increase the amount of work she turned out, the unions, because of this increased production, stated that she was not in good standing and by the terms of the contract between the company and the C. I. O. union the company agrees to remove seniority from any employee upon written demand by the union which indicates that the union deems such employee to be not in good standing. Because of this language in the agreement, as interpreted by the union, it means in effect that the company must discharge an employee upon the demand of the union for any cause the union may trump up by the device of designating the individual to be not in good standing. Because the company was hesitant to discharge the subject employee without written demand by the union, and because the company did not deem a communication from the union to be in accordance with the union contract, the rank and file of the entire shift, about 300 in number, threatened to strike unless Miss Samp was discharged and removed from the plant.

Members of the House, is it not about time that America woke up? Is it not about time that the House of Representatives, the Senate of the United States, and the President of the United States woke up to the dangers confronting us? Because an employee tries to produce too much the unions demand that she be discharged. Let me say to the House of Representatives and to the country at large, Miss Genevieve Samp should be awarded a Distinguished Service Medal of some kind for the spirit she showed in trying to produce machine-gun belts and ammunition for the soldiers who are so badly in need of these implements of warfare. She ought to be lauded by the American people, especially by the labor unions, for trying to preserve our form of government and the four freedoms. But, gentlemen, instead of that, the labor unions demand that she be discharged, and the management had to fire her to prevent a strike. What are we coming to? Where are we headed? It is time that these radical labor leaders who make such demands be placed in concentration camps. The company would be glad to reemploy Miss Genevieve Samp, but they dare not do so because this would displease the unions and they would call a strike. It seems reasonable to think that one cause for Miss Samp's discharge was her willingness to comply with the request of the President of the United States to increase the productivity of men and machines because the President seemed to feel that this increased productivity was in the public interest in time of war. A further reason for her being thrown out of her job was that she did not choose to repudiate the pledge to the President of the United States made in her behalf by Philip Murray, who has assured and reassured the President, Mr. Donald Nelson, and the public that any lagging, any failure to utilize every talent or strength toward inevitable victory must be regarded as criminal.

I ask the House of Representatives to pass some laws that will make it a crime for anybody to create a slow-down in industry or for any reason to object to the American citizens furthering the interest of this country in winning this war, and I ask that these laws make it a crime against the country punishable by imprisonment or internment in a concentration camp for the duration.

Mr. Chairman, I have been further informed that there have been slow-downs over the week end at the Aluminum Co. of America plant in Cleveland, Ohio, and that some of the furnaces are operating at only 50 percent of capacity and others at 30 percent of capacity and some at 20 percent of capacity, these figures being based on production figures as of the 18th of this month. The unions take the attitude that there is no slow-down, and company officials point to the production and show that there is. and aluminum as we know is one of the principal items necessary for our airplanes and we ought to have 100-percent production every day. We find that on the 21st at the Aluminum Co. of America at Cleveland, 900 men were out of work due to lack of material for the sand foundry. It required the services of a colored man to go before the workers and plead with them for production, and finally to cause the men to speed up their operation. This man was Mr. Earl Burns, who showed his patriotism by doing what he did. Some of the men in this plant were trying to spoil the material and one of the employees pulled the thermocouple out because he wanted the furnace temperature to run higher. This results in inferior metal which would crack up in planes. After this thermocouple had been replaced, the same employee pulled it out again. A man like this should be put behind bars.

It seems to me we need to take action, and do so at once, to govern radicalism in our country if we do not lose our form of government. Will the Congress act? Let us hope they do and do it before it is too late.

Mr. SCHULTE. Mr. Chairman, I ask that the Clerk read the bill for amendment.

The CHAIRMAN. The Clerk will read the bill.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the entire bill be considered as read, and any portion thereof may be open to amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That this act may be cited as the "District of Columbia Barbers' Opening and Closing Hours of 1941."

SEC. 2. That the following provisions and regulations of this act are declared to be enacted in the interest of the public health, public safety, and general welfare of the people of the District of Columbia, and that by legislative determination the profession of barbering and the operation of barber

shops are hereby declared to be affected with a public interest.

SEC. 3. The Board of Barber Examiners for the District of Columbia shall have the power to submit to each licensed barber of the District of Columbia a questionnaire providing for the licensed barber to state his preference as to the opening and closing hours for barber shops in the District of Columbia. That the Board of Barber Examiners shall be empowered to require a reasonable time, within which each licensed barber of the District of Columbia shall complete and return the questionnaire to the Board of Barber Examiners. That the Board of Barber Examiners shall inspect all the completed questionnaires on the next day after the time limit for their return has expired, and that the Board of Barber Examiners shall ascertain from the completed questionnaires which opening and closing hours for barber shops are preferred by the majority of licensed barbers of the District of Columbia. That the opening and closing hours for barber shops preferred by the majority of licensed barbers of the District of Columbia, as disclosed by the completed questionnaires, shall be adopted by the Board of Barber Examiners for all barber shops of the District of Columbia, and that the adopted opening and closing hours shall become effective for all barber shops in the District of Columbia 30 days after the date on which the Board of Barber Examiners ascertained the majority preference for opening and closing hours. That immediately after ascertaining the majority preference for opening and closing hours, the Board of Barber Examiners shall post a public notice in its offices concerning its findings on the majority preference for opening and closing hours, and shall cause to have published in two District of Columbia newspapers its findings on the majority preference for opening and closing hours.

SEC. 4. That the Board of Barber Examiners for the District of Columbia shall have the power to submit to each licensed barber of the District of Columbia a questionnaire providing for the licensed barber to state his preference as to the 1 day in 7 on which barber shops of the District of Columbia should remain closed. That the Board of Barber Examiners shall be empowered to require a reasonable time within which each licensed barber of the District of Columbia shall complete and return the questionnaire to the Board of Barber Examiners. That the Board of Barber Examiners shall inspect all the completed questionnaires on the next day after the time for their return has expired, and that the Board of Barber Examiners shall ascertain from the completed questionnaires the 1 day in 7 on which the majority of the licensed barbers of the District of Columbia prefer to have barber shops of the District of Columbia remain closed. That the closing day preferred by the majority of licensed barbers of the District of Columbia, as disclosed by the completed questionnaires, shall be adopted by the Board of Barber Examiners for all barber shops of the District of Columbia, and that the adopted closing day shall become effective for all barber shops in the District of Columbia 30 days after the date on which the Board of Barber Examiners ascertained the majority preference for the 1 particular closing day in 7, excepting that any barber shop proprietor of the District of Columbia may keep open his shop on the day voted by the majority to close upon a proper showing duly made to the Board of Barber Examiners by the proprietor to the effect that the adopted closing day conflicts with the tenets of his religion, and, provided, that his shop shall remain closed on the particular Sabbath of his religion.

SEC. 5. The Board of Barber Examiners shall adopt and enforce all rules and orders necessary to carry out the provisions of this act. All rules and orders of the Board of Barber Examiners, under the provisions of this act, shall be printed and posted for public view in the offices of the Board.

SEC. 6. When the uniform opening and closing hours for all barber shops of the District of Columbia have been approved and adopted by the Board under the provisions of this act, and have become effective, it shall be unlawful for the owner of any barber shop or for any agent or employee of such owner to permit such barber shop to be open for the business of barbering for revenue, pay, free, or otherwise, outside of the opening and closing hours adopted by the Board for all barber shops. It shall likewise be unlawful for the owner of any barber shop or for any agent or employee to permit such barber shop to be open for the business of barbering for revenue, pay, free, or otherwise, on the day of the week which the Board of Barber Examiners has adopted under the provisions of this act as the one on which all barber shops shall be closed, subject to the exception provided in section 4 of this act.

SEC. 7. The Board of Barber Examiners, upon due notice and opportunity of hearing to the licensee, may suspend or revoke any barber's license when the Board is satisfied that the holder of such license has violated any provision of this act. Any licensee who considers himself aggrieved by an action of the Board suspending or revoking his license may, within 30 days after receipt of the order of the Board, take an appeal from the action of the Board to the District Court of the United States for the District of Columbia, which court shall have jurisdiction to reverse, vacate, or modify the order complained of, if, after hearing, such court is of the opinion that such order was unlawful or unreasonable. Upon service of notice of such appeal, the Board shall, with its answer, file a transcript of testimony taken during the hearing before the Board, and the original papers, or duly authenticated transcripts thereof. No proceedings to vacate, reverse, or modify a final order rendered by the Board shall operate to stay the execution or effect thereof, unless the court, on application, and 3 days' notice to the Board, shall allow such stay.

SEC. 8. If any clause, sentence, paragraph, or part of this act or any rule of the Board adopted pursuant to it shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be limited in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which the judgment shall have been rendered.

SEC. 9. That all expenses incidental to the administration of this act shall be paid from the funds of the Board of Barber Examiners in the manner and form governing other expenditures of that Board.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 4, line 8, after the comma, following the word "seven", strike out down to and including all of line 14 and insert the following in lieu thereof: "excepting that any barber-shop proprietor of the District of Columbia may keep his shop open on the day voted by the majority to close, provided he has closed his shop for 24 consecutive hours or 1 whole day of each week, the day beginning either at midnight or at sunset."

Mr. SMITH of Ohio. Mr. Chairman, I have already explained the import of this amendment. It is not as satisfactory as I would like to have it. I am sorry matters of this kind have to be raised here at all. Making religion a test for anything, I repeat, is very dangerous. If you trace the history of the persecution of certain groups in Europe you will find it goes back to their religion. Religious persecution led to confiscation of property and many things worse than that.

It is not because I fear this particular provision in the act so much that I object to it. It is fear of what these things may lead to that concerns me. Because if you can raise a religious test in a case of this kind, certainly you can raise it in many others.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman.

Mr. RANDOLPH. I believe that when an individual is called on to go into the courts or before a board and prove the tenets of his religion as it affects legislation under which he operates his business, as the gentleman well says, we are going into a field which holds dangerous implications for the exercise of religious liberty in America.

Mr. SMITH of Ohio. I thank the gentleman for his contribution. There is no question about that at all.

This amendment which I am offering, as I stated, is not as satisfactory as I would like to have it. I do not want to injure the gentleman's bill. I think he is mistaken when he says that this will in effect destroy the entire proposed act. I do not believe that at all.

The gentleman has made the statement that there is only one individual in the entire District of Columbia who is involved in this provision. Am I correct in that statement? Is that the statement that the gentleman made, that there is only one person in the District of Columbia who is involved?

Mr. SCHULTE. As chairman of the subcommittee which held hearings on this bill, I will state there was only one person who appeared in opposition to it; one individual who has consistently and repeatedly opposed any and all legislation that would help the barbers.

Mr SMITH of Ohio. I, perhaps, misunderstood the gentleman.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Michigan.

Mr. CRAWFORD. It is absolutely immaterial to me whether one man or a hundred million men oppose a proposition if my individual right is being trod upon—a right guaranteed to me by the Constitution. I have a right to oppose that so long as I live. My duty is to hand that right, as an inalienable right, down to my offspring. To me that is very fundamental.

I would like to submit this question: As the gentleman understands this bill, Is it designed in such a way that it will prohibit a barber from closing his shop all day long any day he pleases?

Mr. SMITH of Ohio. No. I would not go that far; but I will say this, the power is in the hands of the Board. It depends on what it does in the matter. It can act arbitrarily and so can do that very thing. To be sure, the person aggrieved can go to the courts and there seek redress.

Mr. CRAWFORD. I am not interested in going into court. I do not like the

courts. I have never been in court on a case of my own in my life, and I do not intend to go there if I can keep out. I have not studied this bill. Is this bill designed in such way that the Board can tell me when I must close my shop and when I cannot keep my shop open?

Mr. SMITH of Ohio. The gentleman from West Virginia can, perhaps, explain that better than I can.

Mr. RANDOLPH. I think the question is very pertinent because it goes to the whole body of the bill. I think the religious matter for the moment can be set aside, because I am in complete agreement with the gentleman from Michigan. Under the provisions of the bill as brought to the House, the Board itself would not have the power that the gentleman suggests, of arbitrarily closing for a certain day or a certain number of hours, but the barbers themselves, by a vote of their own membership, would decide those questions.

Mr. CRAWFORD. Is the bill designed in such a way that a group of barbers, by a majority vote, can say to me, "You must close your shop on a certain day and you must keep it open every other day of the week"?

Mr. SMITH of Ohio. Precisely so, on the basis of a religious test.

Mr. CRAWFORD. Now, suppose something happened in my family that I could not possibly get down to operate my one-chair barber shop, what are you going to do in a situation like that?

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, the point which the gentleman from Michigan raised is the important one. It is not a matter of how many people are involved, but one of principle; that is what we are concerned with here. There is not, as I stated, anything in this amendment that can in the main be objected to. It does relieve in a large measure the religious test in order to operate or not to operate a barber shop on a particular day. I submit my amendment is fair and should be adopted.

Mr. SCHULTE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, again I say that what the gentleman has said is certainly something that we do not agree with for a minute. If this amendment is adopted we are right back to where we started and there will be 24-hours-a-day barber shops

I think we have had enough discussion of the matter on both sides, so I am going to ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and the Chair being in doubt the Committee divided and there were—ayes 24, noes 19.

Mr. SCHULTE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently there is not a quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 45]

Baldwin	Hart	Osmers
Barry	Holbrook	O'Toole
Beam	Hook	Peterson, Fla.
Bender	Houston	Pfeifer, Joseph L.
Bishop	Jarrett	Plauché
Boehne	Johnson, Lyndon B.	Ramsay
Boggs	Kee	Rivers
Bolton	Keefe	Romjue
Bradley, Pa.	Kelley, Pa.	Sacks
Buck	Kelly, Ill.	Sanders
Buckler, Minn.	Kennedy, Michael J.	Satterfield
Buckley, N. Y.	Keogh	Scanlon
Byrne	Kleberg	Schaefer, Ill.
Byron	Klein	Scott
Cannon, Fla.	Kocialkowski	Scrugham
Capozzoli	Kopplemann	Shannon
Celler	Kramer	Sheridan
Chapman	Lesinski	Short
Cole, Md.	Lewis	Smith, Pa.
Courtney	Lynch	Smith, Wis.
Crowther	McGranery	Somers, N. Y.
Cullen	McKeough	Stratton
Dickstein	McMillan	Sweeney
Dies	Maciejewski	Thomas, N. J.
Dingell	Maciora	Tolan
Ditter	Magnuson	Vreeland
Eliot, Mass.	Marcantonio	Wadsworth
Fitzpatrick	Martin, Mass.	Walter
Fulmer	Merritt	West
Gale	Mitchell	Wheat
Gamble	Myers, Pa.	Wigglesworth
Gavagan	O'Day	Woodrum, Va.
Gerlach	O'Hara	Worley
Gifford	Pace	Wright
Gillette		

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 5444) to amend the act to regulate barbers in the District of Columbia, and for other purposes, and finding itself without a quorum, he had directed the roll to be called, when 330 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the journal.

The SPEAKER. The Committee will resume its sitting.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Ohio. What is the parliamentary situation?

The CHAIRMAN. The vote is on the amendment offered by the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Is the vote taken over again?

The CHAIRMAN. Yes.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the amendment may again be read for the information of the Committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

The Clerk read the amendment offered by the gentleman from Ohio [Mr. SMITH].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 65, noes 53.

Mr. SCHULTE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. SCHULTE and Mr. SMITH of Ohio to act as tellers.

The committee again divided; and the tellers reported there were—ayes 77, noes 59.

So the amendment was agreed to.

Mr. SCHULTE. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and Mr. PATMAN having taken the chair as Speaker pro tempore, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 5444) to amend the act to regulate barbers in the District of Columbia, and for other purposes, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question will be ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 68, noes 32.

Mr. SCHULTE. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER pro tempore. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 117, nays 170, not voting 144, as follows:

[Roll No. 46]

YEAS—117

Andersen, H. Carl	Culkin	Hill, Colo.
Andresen, August H.	Curtis	Hinshaw
Andrews	Dewey	Hoffman
Arends	Dirksen	Holmes
Barden	Dondero	Hope
Baumhart	Douglas	Hull
Bennett	Dworshak	Jenkins, Ohio
Blackney	Eberharter	Jennings
Boren	Edmiston	Johns
Bradley, Mich.	Elliott, Calif.	Johnson, Ill.
Brown, Ohio	Elston	Johnson, Ind.
Carlson	Engel	Johnson, Okla.
Cartwright	Fellows	Jones
Case, S. Dak.	Fish	Jonkman
Chenoweth	Ford, Leland M.	Kefauver
Chiperfield	Ford, Thomas F.	Kilburn
Clason	Gearhart	Knutson
Clevenger	Gore	Kunkel
Cluett	Grant, Ind.	Lambertson
Costello	Guyer	Landis
Cox	Hall, Edwin Arthur	Lea
Cravens	Hall, Leonard W.	McGehee
Crawford	Halleck	McGregor
Crowther	Hancock	Mahon
		Mason
		May

Michener	Randolph	Smith, Ohio
Moser	Reed, Ill.	Smith, Va.
Mott	Reed, N. Y.	Stearns, N. H.
Mundt	Rees, Kans.	Sumner, Ill.
Murdock	Rich	Talbot
Murray	Rizley	Tibbott
Nelson	Rockefeller	Tinkham
O'Brien, N. Y.	Rockwell	Vorys, Ohio
Paddock	Rodgers, Pa.	Wilson
Pheiffer, William T.	Rogers, Mass.	Wolcott
	Rogers, Okla.	Wolfenden, Pa.
Pittenger	Secrest	Young
Ploeser	Shafer, Mich.	Youngdahl
Plumley	Simpson	Zimmerman
Priest	Smith, Maine	

NAYS—170

Allen, La.	Gilchrist	Pearson
Anderson, N. Mex.	Gillie	Peterson, Ga.
	Gossett	Poage
Angell	Graham	Powers
Arnold	Granger	Rabaut
Barnes	Grant, Ala.	Ramspeck
Bates, Ky.	Green	Rankin, Miss.
Beckworth	Gregory	Rankin, Mont.
Bell	Gwynne	Reece, Tenn.
Boggs	Hare	Richards
Boland	Harness	Robertson, N. Dak.
Bonner	Harrington	
Boykin	Harris, Ark.	Robertson, Va.
Brooks	Harris, Va.	Robinson, Utah
Brown, Ga.	Harter	Robsion, Ky.
Bryson	Healey	Russell
Buck	Hébert	Sabath
Bulwinkle	Hendricks	Sasscer
Burdick	Hill, Wash.	Sauthoff
Burgin	Hobbs	Schuetz
Butler	Holbrock	Schulte
Camp	Hunter	Shanley
Canfield	Imhoff	Sheppard
Cannon, Mo.	Jackson	Smith, Wash.
Casey, Mass.	Jarman	Smith, W. Va.
Chapman	Jensen	Smith, Wis.
Cochran	Johnson, Luther A.	South
Coffee, Nebr.		Sparkman
Coffee, Wash.	Kean	Spence
Collins	Kerr	Springer
Colmer	Kirwan	Starnes, Ala.
Cooley	Lane	Stefan
Cooper	Lanham	Stevenson
Copeland	Larrabee	Sullivan
Creal	Leavy	Taber
Crosser	LeCompte	Taile
Cunningham	McCormack	Tarver
D'Alesandro	McIntyre	Tenerowicz
Davis, Ohio	McLaughlin	Terry
Day	McLean	Thill
Delaney	Manasco	Thom
Disney	Mansfield	Thomas, Tex.
Domengeaux	Martin, Iowa	Thomason
Doughton	Meyer, Md.	Traynor
Downs	Mills, Ark.	Van Zandt
Drewry	Mills, La.	Vincent, Ky.
Duncan	Monroney	Voorhis, Calif.
Eaton	Nichols	Ward
Ellis	Norrell	Wasielewski
Englebright	Norton	Weaver
Flannagan	O'Brien, Mich.	Welch
Fogarty	O'Leary	Wheichel
Folger	Oliver	Whitten
Forand	O'Neal	Whittington
Ford, Miss.	Pace	Wickersham
Gathings	Patman	Williams
Gehrmann	Patrick	Wolverton, N. J.
Gibson	Patton	

NOT VOTING—144

Allen, Ill.	Cullen	Howell
Anderson, Calif.	Davis, Tenn.	Izac
Baldwin	Dickstein	Jacobsen
Barry	Dies	Jarrett
Bates, Mass.	Dingell	Jenks, N. H.
Beam	Ditter	Johnson, Calif.
Beiter	Durham	Johnson, Lyndon B.
Bender	Eliot, Mass.	
Bishop	Faddis	Johnson, W. Va.
Bland	Fenton	Kee
Bloom	Fitzgerald	Keefe
Boehne	Fitzpatrick	Kelley, Pa.
Bolton	Flaherty	Kelly, Ill.
Bradley, Pa.	Fulmer	Kennedy, Martin J.
Buckler, Minn.	Gale	
Buckley, N. Y.	Gamble	Kennedy, Michael J.
Burch	Gavagan	
Byrne	Gerlach	Keogh
Byron	Gifford	Kilday
Cannon, Fla.	Gillette	Kinzer
Capozzoli	Haines	Kleberg
Carter	Hart	Klein
Celler	Hartley	Kocialkowski
Clark	Heffernan	Kopplemann
Claypool	Heidinger	Kramer
Cole, Md.	Hess	Lesinski
Cole, N. Y.	Hook	Lewis
Courtney	Houston	Ludlow
Lynch	Plauché	Sutphin
McGranery	Ramsay	Sweeney
McKeough	Rivers	Thomas, N. J.
McMillan	Rolph	Tolan
Maas	Romjue	Treadway
Maciejewski	Sacks	Vinson, Ga.
Maciora	Sanders	Vreeland
Marcantonio	Satterfield	Wadsworth
Magnuson	Scanlon	Walter
Martin, Mass.	Schaefer, Ill.	Weiss
Merritt	Scott	Wene
Mitchell	Scrugham	West
Myers, Pa.	Shannon	Wheat
O'Connor	Sheridan	White
O'Day	Short	Wigglesworth
O'Hara	Sikes	Winter
Osmers	Smith, Pa.	Woodruff, Mich.
O'Toole	Snyder	Woodrum, Va.
Peterson, Fla.	Somers, N. Y.	Worley
Pfeifer, Joseph L.	Steagall	Wright
	Stratton	
Pierce	Sumners, Tex.	

So the amendment was rejected.

The Clerk announced the following pairs:

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.

Mr. Burch with Mr. Baldwin.

Mr. Kleberg with Mr. Rolph.

Mr. Peterson of Florida with Mr. Stratton.

Mr. Gavagan with Mr. Ditter.

Mr. Cannon of Florida with Mr. Treadway.

Mr. Keogh with Mr. Osmers.

Mr. Courtney with Mrs. Bolton.

Mr. McMillan with Mr. Kinzer.

Mr. Satterfield with Mr. Keefe.

Mr. Cole of Maryland with Mr. O'Hara.

Mr. Boehne with Mr Scott.

Mr. Cullen with Mr. Fenton.

Mr. Fulmer with Mr. Cole of New York.

Mr. Plauché with Mr. Bishop.

Mr. Martin J. Kennedy with Mr. Allen of Illinois.

Mr. Hart with Mr. Maas.

Mr. Clark with Mr. Bender.

Mr. Rivers with Mr. Woodruff of Michigan.

Mr. Michael J. Kennedy with Mr. Vreeland.

Mr. Bland with Mr. Short.

Mr. Beam with Mr. Gifford.

Mr. Hook with Mr. Gillette.

Mr. Bloom with Mr. Johnson of California.

Mr. Johnson of West Virginia with Mr. Winter.

Mr. Barry with Mr. Hartley.

Mr. O'Toole with Mr. Anderson of California.

Mr. Pierce with Mr. Wadsworth.

Mr. Beiter with Mr. Jenks of New Hampshire.

Mr. McKeough with Mr. Hess.

Mr. Kocialkowski with Mr. Bates of Massachusetts.

Mr. Kilday with Mr. Gale.

Mr. Lewis with Mr. Wheat.

Mr. Kopplemann with Mr. Jarrett.

Mr. Lynch with Mr. Heidinger.

Mr. Kelly of Illinois with Mr. Gamble.

Mr. Ludlow with Mr. Wigglesworth.

Mr. Maciejewski with Mr. Gerlach.

Mr. Capozzoli with Mr. Carter.

Mr. Lesinski with Mr. Howell.

Mr. Celler with Mr. Buckler of Minnesota.

Mr. Davis of Tennessee with Mr. Marcantonio.

Mr. Byrne with Mr. Dingell.

Mr. Haines with Mr. Joseph L. Pfeifer.

Mr. Ramsay with Mr. Bradley of Pennsylvania.

Mr. Dickstein with Mr. Eliot of Massachusetts.

Mr. Durham with Mr. Fitzgerald.

Mr. O'Connor with Mr. Merritt.

Mr. Klein with Mr. Flaherty.

Mr. Myers of Pennsylvania with Mr. Mitchell.

Mr. Dies with Mr. McGranery.

Mr. Fitzpatrick with Mr. Magnuson.

Mr. Vinson of Georgia with Mr. Somers of New York.

Mr. Kee with Mr. Tolan.

Mr. Walter with Mr. Snyder.

Mr. Kramer with Mr. Sutphin.

Mr. Steagall with Mr. Weiss.

Mr. Romjue with Mr. Sweeney.

Mr. Wene with Mr. Sikes.

Mr. West with Mr. Schaefer of Illinois.

Mr. Sheridan with Mr. White.

Mr. Izac with Mr. Sacks.

Mr. Kelley of Pennsylvania with Mr. Jacobsen.

Mr. Houston with Mr. Smith of Pennsylvania.

Mr. Sanders with Mr. Heffernan.

Mr. Maciora with Mr. Wright.

Mrs. O'Day with Mr. Faddis.

Mr. Buckley of New York with Mrs. Byron.

Mr. Claypool with Mr. Lyndon B. Johnson.

Mr. Scanlon with Mr. Worley.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. SMITH of Ohio. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. SMITH of Ohio. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 114, noes 33.

Mr. CRAWFORD. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and ninety Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 222, nays 42, answered "present" 2, not voting 165, as follows:

[Roll No. 47]

YEAS—222

Allen, La.	Coffee, Nebr.	Gibson
Anderson, N. Mex.	Coffee, Wash.	Gilchrist
	Colmer	Gillie
Andresen, August H.	Cooley	Gore
	Cooper	Gossett
Andrews	Copeland	Graham
Angell	Cravens	Granger
Arends	Crosser	Grant, Ind.
Arnold	Crowther	Green
Barden	Culkin	Gregory
Barnes	Cunningham	Gwynne
Bates, Ky.	D'Alesandro	Hall, Edwin Arthur
Baumhart	Davis, Ohio	
Beckworth	Davis, Tenn.	Halleck
Bell	Day	Harness
Blackney	Delaney	Harrington
Boggs	Dewey	Harris, Ark.
Boland	Dirksen	Harris, Va.
Bonner	Domengeaux	Harter
Boykin	Dondero	Hendricks
Bradley, Mich.	Douglas	Hill, Wash.
Brooks	Downs	Holbrock
Brown, Ga.	Duncan	Holmes
Brown, Ohio	Dworshak	Hope
Bryson	Eberharter	Hull
Burdick	Edmiston	Hunter
Burgin	Elliott, Calif.	Imhoff
Butler	Ellis	Jackson
Camp	Elston	Jarman
Canfield	Engel	Jenkins, Ohio
Cannon, Mo.	Englebright	Jennings
Cartwright	Fellows	Johns
Case, S. Dak.	Fogarty	Johnson, Ill.
Casey, Mass.	Folger	Johnson, Ind.
Chiperfield	Forand	Johnson, Luther A.
Clason	Ford, Thomas F.	
Clevenger	Gathings	Jones
Cochran	Gehrmann	Jonkman

Kean	Oliver	Smith, Wash
Kefauver	O'Neal	Smith, W. Va.
Kirwan	Paddock	Smith, Wis.
Knutson	Patman	South
Kunkel	Patrick	Sparkman
Landis	Patton	Spence
Lane	Pearson	Springer
Lanham	Pheiffer, William T.	Stearns, N. H.
Lea	Pierce	Stefan
Leavy	Pittenger	Stevenson
LeCompte	Priest	Sullivan
McGregor	Rabaut	Sumner, Ill.
McIntyre	Ramspeck	Talbot
McLaughlin	Rankin, Miss.	Talle
McLean	Rankin, Mont	Tarver
Maciora	Reece, Tenn.	Tenerowicz
Mahon	Reed, Ill.	Terry
Manasco	Rees, Kans.	Thill
Mansfield	Robertson, N. Dak.	Thom
Martin, Iowa	Robertson, Va.	Thomas, Tex.
Mason	Robinson, Utah	Thomason
May	Robsion, Ky	Tibbott
Meyer, Md.	Rockefeller	Tinkham
Michener	Rockwell	Traynor
Mills, Ark.	Rodgers, Pa.	Van Zandt
Mills, La.	Rogers, Mass.	Voorhis, Calif.
Monroney	Rogers, Okla.	Ward
Moser	Rolph	Wasielewski
Mundt	Russell	Weaver
Murdock	Sasscer	Welch
Murray	Sauthoff	Wheichel
Nelson	Schulte	Whitten
Norrell	Secrest	Whittington
Norton	Shanley	Wickersham
O'Brien, Mich.	Sikes	Williams
O'Brien, N. Y.	Smith, Maine	Wilson
O'Connor	Smith, Va.	Wolverton, N. J.
O'Leary	Somers, N. Y.	Young

NAYS—42

Andersen, H. Carl	Guyer	Plumley
Bennett	Hall, Leonard W.	Rich
Boren	Hancock	Rizley
Chenoweth	Hill, Colo.	Shafer, Mich.
Costello	Hobbs	Sheppard
Cox	Hoffman	Smith, Ohio
Crawford	Jensen	Smith, Va.
Curtis	Johnson, Calif.	Starnes, Ala.
Drewry	Kilburn	Taber
Eaton	Lambertson	Vincent, Ky.
Ford, Leland M.	Larrabee	Vorys, Ohio
Ford, Miss.	Mott	Wolcott
Gearhart	Peterson, Ga.	Wolfenden, Pa.
Grant, Ala.	Ploeser	Youngdahl

ANSWERED "PRESENT"—2

Chapman	Randolph

NOT VOTING—165

Allen, Ill.	Faddis	Kerr
Anderson, Calif.	Fenton	Kilday
Baldwin	Fish	Kinzer
Barry	Fitzgerald	Kleberg
Bates, Mass.	Fitzpatrick	Klein
Beam	Flaherty	Kocialkowski
Beiter	Flannagan	Kopplemann
Bender	Fulmer	Kramer
Bishop	Gale	Lesinski
Bland	Gamble	Lewis
Bloom	Gavagan	Ludlow
Boehne	Gerlach	Lynch
Bolton	Gifford	McCormack
Bradley, Pa.	Gillette	McGehee
Buck	Haines	McGranery
Buckler, Minn.	Hare	McKeough
Buckley, N. Y.	Hart	McMillan
Bulwinkle	Hartley	Maas
Burch	Healey	Maciejewski
Byrne	Hébert	Magnuson
Byron	Heffernan	Marcantonio
Cannon, Fla.	Heidinger	Martin, Mass.
Capozzoli	Hess	Merritt
Carlson	Hinshaw	Mitchell
Carter	Hook	Myers, Pa.
Celler	Houston	Nichols
Clark	Howell	O'Day
Claypool	Izac	O'Hara
Cluett	Jacobsen	Osmers
Cole, Md.	Jarrett	O'Toole
Cole, N. Y.	Jenks, N. H.	Pace
Collins	Johnson, Lyndon B.	Peterson, Fla.
Courtney	Johnson, Okla.	Pfeifer, Joseph L.
Creal	Johnson, W. Va.	Plauché
Cullen	Kee	Poage
Dickstein	Keefe	Powers
Dies	Kelley, Pa.	Ramsay
Dingell	Kelly, Ill.	Reed, N. Y.
Disney	Kennedy, Martin J.	Richards
Ditter	Kennedy, Michael J.	Rivers
Doughton	Keogh	Romjue
Durham	Kerr	Sabath
Eliot, Mass.	Kilday	Sacks
Sanders	Somers, N. Y.	Weiss
Satterfield	Steagall	Wene
Scanlon	Stratton	West
Schaefer, Ill.	Sumners, Tex.	Wheat
Schuetz	Sutphin	White
Scott	Sweeney	Wigglesworth
Scrugham	Thomas, N. J.	Winter
Shannon	Tolan	Woodruff, Mich.
Sheridan	Treadway	Woodrum, Va.
Short	Vinson, Ga.	Worley
Simpson	Vreeland	Wright
Smith, Pa.	Wadsworth	Zimmerman
Snyder	Walter	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. Bulwinkle with Mr. Reed of New York.
Mr. Creal with Mr. Powers.
Mr. Doughton with Mr. Carlson.
Mr. Hare with Mr. Simpson.
Mr. McCormack with Mr. Cluett.
Mr. Flannagan with Mr. Thomas of New Jersey.
Mr. McGehee with Mr. Hinshaw.
Mr. Richards with Mr. Fish.
Mr. Hébert with Mr. Sabath.
Mr. Kerr with Mr. Schuetz.
Mr. Johnson of Oklahoma with Mr. Zimmerman.
Mr. Pace with Mr. Healey.
Mr. Nichols with Mr. Buck.
Mr. Collins with Mr. Poage.
Mr. Sumners of Texas with Mr. Disney.
Mr. Merritt with Mr. Wright.
Mr. Ramsay with Mr. Marcantonio.
Mr. Shannon with Mr. Wadsworth.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SALARIES OF METROPOLITAN POLICE AND OTHERS

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 6386) to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia, and also to conform with wages paid in many cities of the Nation, and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

Mr. DIRKSEN. Mr. Speaker, I must object to that request.

Mr. SCHULTE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6386); and pending that, Mr. Speaker, I ask unanimous consent that general debate be limited to 20 minutes to be equally divided between the gentleman from Illinois [Mr. DIRKSEN] and myself.

The SPEAKER pro tempore (Mr. PATMAN). Is there objection to the request of the gentleman from Indiana?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6386, with Mr. HOBBS in the chair.

The Clerk read the title of the bill.

Mr. SCHULTE. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHULTE. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the bill pending provides for increases in the pay of policemen and firemen below the rank of captain in the District of Columbia. It involves a total of about $776,000.

Let me give you five reasons why this bill should be defeated. The first reason is that Commissioner Russell Young, of the Board of District Commissioners, who is directly responsible for the police and fire departments, is opposed to the bill, and stated in the hearings before the subcommittee that "Frankly and bluntly, we cannot afford it."

The second reason is that they come for promotions aggregating about three-quarters of a million dollars at a time when thrift and economy is demanded by the country and also by the residents of the District of Columbia. Let me point out to you that the increase here directly for the police department will be $393,020. Now, in addition to that, you must add $117,000, for after you have increased the salaries the proportion for retirement upkeep out of the District treasury, of which the District pays more than 82 percent, will, after the first of the year, aggregate $117,000 a year. In addition to this, there are some White House policemen who share in the benefits to the extent of $18,000, according to the Auditor of the District of Columbia. Finally, there is a $140 per year promotional set-up in the bill, which will account for another $111,000. So the total amount involved is about three-quarters of a million dollars, directly and indirectly. And I submit to you, as a second reason, because of the cost that is involved at this time, the bill should not pass.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Briefly.

Mr. STEFAN. I wonder if the gentleman would not agree with me that, in view of the fact that the District of Columbia appropriation bill is going to be reviewed by our committee, perhaps early in May, and there has been some suggestion that it is outmoded and we ought to go all over the budget again, this bill should be deferred until we take up the appropriation bill?

Mr. DIRKSEN. The gentleman is exactly correct.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VORYS of Ohio. What is the scale of pay of the policemen and firemen?

Mr. DIRKSEN. The scale is set out in the bill itself, H. R. 6386. I have not tried to keep all the scales in mind. That brings me to the third reason as to whether or not this increase is necessary at this time.

I recognize that living cost goes up in the District of Columbia as it goes up

elsewhere, but the fact is that these cannot be such ill-paid jobs for otherwise you would not have a long list of applicants trying to get on the police force of the District of Columbia. The fourth reason is that once you start a promotional increase for the police and firemen in the District of Columbia you are setting a precedent, and others will be here for increases in pay of one kind and another, and you set in motion a spiral which cannot be stopped. It will establish a very bad precedent at this particular time, and that is an additional reason why this bill should not pass.

And, finally, what about the other thousands of District employees? Are you going to pick out the policemen and firemen and make them a preferred group? What about the clerks, what about the stenographers, what about the men who ride the garbage wagons, what about that great host of people in the employ of the municipal government of the District of Columbia at the present time? There is nothing said here about promotional increases and wage increases for them. I regard it as altogether bad legislation for the Congress, in considering the welfare of the District of Columbia, to take two selected groups out of all the employees of the District of Columbia and confer upon them promotions in pay, no matter how modest they may be.

There are the reasons. In the first place, the Commissioners are opposed, particularly Commissioner Young, who is charged with the operation of the police and fire departments; secondly, it will cost three-quarters of a million dollars; third, it starts a very bad spiral, which will have repercussions at the other end, and in a little while they will all be on the bandwagon and want promotions; fourth, it does not take account of thousands of other District of Columbia employees; and lastly, it occurs to me that that is pretty fair pay at this time, as indicated by the great number of applicants for places on the police and fire departments.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. PLUMLEY. Am I to understand that the police department and also the fire department of the District are under one administrative head.

Mr. DIRKSEN. Commissioner Young looks after the policemen and the firemen in the District of Columbia. They share responsibility as between the two nonengineer Commissioners, although properly speaking, Commissioner Young is the one who has taken cognizance of this matter, and who has testified before the committee upon it. I look to him as sharing the major responsibility, and he has stated that he is frankly and bluntly opposed to this bill upon the ground that the District of Columbia cannot afford it.

If an additional reason is needed, let me say that it then becomes necessary for the subcommittee of the District of Columbia Committee to find additional revenues, and you cannot pay money out of thin air, or pick money off gooseberry bushes; you have to raise taxes by raising the rate upon real estate and in other ways find new sources of taxation, because the District can spend only so much money as is provided, either by a lump sum appropriation from Congress, or as provided by property owners, and people who reside here, in the form of taxation. So it becomes necessary to find an additional three-quarters of a million dollars in revenue. It was stated in subcommittee that there is a surplus from year to year. About two or three or four hundred thousand dollars are sometimes tagged as a surplus, but the important thing is that it is an apparent, rather than a real, surplus, for while they may be kicking back two or three hundred thousand dollars into the Treasury in other funds, there is as much as over a million dollars in obligations unpaid at the end of the year. So, when they talk about surpluses, by the time you have cast the books, and reckoned all the surplus against all obligations not requited, you will find it is no surplus, after all.

There is nothing more for me to say. This bill came before the House once before. At that time the amount of promotion was twice as much as is carried in the present bill. The proponents then scaled it down, believing a smaller amount might have a greater appeal, but no amount of increased Government cash has any appeal for me at this time, and particularly so since the country is insistent on economy, and gentlemen should not forget, when we talk about the country, that it also includes the Nation's Capital, officially styled the District of Columbia. The people of that District are entitled to a break, as well as the taxpayers in other sections of the country.

I yield back the remainder of my time.

Mr. SCHULTE. Mr. Chairman, I yield myself 10 minutes. It is no easy task to be a member of the committee on the District of Columbia, when we take into consideration all of the other committees that we have the pleasure of serving on, but we are trying to do the best we can for the District of Columbia and its people whom we serve. We are subjected to all sorts of criticism and condemnations by those who write editorials in newspapers, charging that the members of the Committee on the District of Columbia are trying to become dictators because of the fact that we have the audacity to raise our voices in protest of some of the things that happen here. It is a headache every minute that you are on the committee, but someone has to do the job.

This bill seeks to increase the pay of policemen and firemen who are employed in the District of Columbia. I am very much in sympathy with their problems, and I feel this increase is absolutely justified. I know of no other city in the United States where the work is as hard and as tedious as it is here, in speaking of our police department. You are in the National Capital, and anything can happen here. These men are not working just 8 or 9 hours a day, which was attested to not later than this morning by the Superintendent of Police. They are on duty 10 and 12 and 16 hours a day in a great many instances, and they are doing exceptionally good work in apprehending burglars, thieves, and other criminals that do exist in the Nation's Capital.

They say if we increase the policemen and firemen, certainly we will have to increase the man who collects the garbage. The work of the garbage collector is not one-tenth as hazardous as that of the police department. Just this morning a police officer was shot while apprehending four criminals. They do not know yet whether he is going to live or not. It is not an easy job serving in the police or fire departments in Washington. Those men are living in a city where living conditions are much higher than they are back in our respective districts. There is not a Member of this House who will not admit that fact, that rents have gone up; that the cost of food and clothing has gone up. A great many of the boys refuse to buy in the District of Columbia because of the excessive costs. They wait until they go home. But the policemen and firemen of the District of Columbia have to live here. Their rents have increased. I dare say that 99.9 percent of the policemen and firemen are married men. Those who are single of course will be drafted into this war, but the married men will have to stay here and face this tremendous increase in the cost of living. Over 200 cities in the United States have increased the salaries of their policemen and firemen—over 200; mine, yours, and many other cities throughout this Nation. We were here just a short time ago asking for a pay adjustment of $600 per year. I say to you that has been cut right in half. Certainly that is not asking an awful lot. You have a graduated scale here. It increases progressively as it goes along.

Now, the gentleman from Illinois [Mr. DIRKSEN] says we cannot get the revenue. I do not know of a city in the United States where the tax rate is as low as it is in the District of Columbia. Yet, my friends, that will be contradicted when they say, "Oh, it is assessed on 100-percent valuation." Ninety percent of the cities in the United States are assessed on 100-percent valuation, and men from the East, the West, the North, and the South will attest to the fact that they are paying $35 and $40 per thousand. Yet here they pay $17.50. It is about time that the taxation on real estate is raised here.

This morning I offered a suggestion. There is not anyone of us who wants to hurt the little home owner. We should do as our Federal Government is doing. It has set the precedent. The little fellow who owns his own home costing below $7,000, will pay the same rate, $1.75 per hundred. Let it remain there. Let us go up from $7,000. Let us increase it progressively. Then you will get the very fellows who are living on the cream of the crop, who are making all the money in the District of Columbia.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield.

Mr. STEFAN. I would like to tell my colleague, who was born in my district in the little village of St. Bernard, the people pay three times as much real estate

taxes as they pay in some cases here. I agree with him that there is a lot of merit to the promotion and reward for service for our police force in Washington.

But I call his attention to the fact that we are going to be called upon—I say "we" meaning the members of the subcommittee which makes appropriations for the District of Columbia—for perhaps a hundred more policemen, or even more than that. We should have a resurvey of the Budget estimate, which was made up last September and which is now out of date. I am sure that my chairman, the gentleman from Texas [Mr. MAHON] is very agreeable to that. It is my suggestion that we go into conference with the legislative Subcommittee on the Fiscal Affairs of the District of Columbia, and in view of the fact that we are going to go all over this proposition of appropriations for the District of Columbia, salaries of police officers, salaries of firemen, salaries of everybody in the District of Columbia, that we lay this over until we have some real chance to discuss it sanely around the table, where we can actually get some official figures and know what we are doing. I think 20 minutes of debate on an important bill like this is a very, very short time. But I do not want to be in the position of being on record as unappreciative of the work of the police department and the fire department in this city. I happen to be a member of a volunteer fire department in my home town and I know some of the work that is being done by firemen in Washington, and policemen as well. It is getting more difficult to secure good policemen and good firemen. But I believe at this particular time it is inopportune to make an increase without taking into consideration the future of the police department, that has to be reviewed entirely by the committee.

I would like to say to the gentleman that I have 2 minutes of my own time which I yield back.

Mr. SCHULTE. I certainly thank the gentleman from Nebraska.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I gladly yield to the gentlewoman from New Jersey.

Mrs. NORTON. I just wanted to ask how the rate of pay compares with that in other cities comparable to Washington?

Mr. SCHULTE. We are below other cities that are in the same category as Washington would be.

Now, coming back to the financing of it, there is no question in my mind that so long as we continue to set this back and set it back, these men will never get an increase. If I am not mistaken, it has been 15 or 16 years since they have had an increase of any kind in the District of Columbia. Now, that is a long time. They have been the goats, so to speak, on this thing. They have not had a chance to present their case. They are presenting it now through the District of Columbia Committee.

I am frank to say that there were very, very few objections in the full committee on District of Columbia affairs. The subcommittee was unanimously in sympathy with it because of the fact that most of those men, like myself, are paying exorbitant rents, exorbitant prices for food and cost of living.

We can readily appreciate what these men are going through, and I do hope that the House in its deliberate judgment will see fit to pass this bill. If we do not pass it now, Mr. Chairman, it is never going to pass, and these men are never going to get an increase in pay. I hope you will agree with the members of the District of Columbia Committee and vote for this bill.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I yield.

Mr. RANDOLPH. I take occasion during this debate to commend the gentleman from Indiana [Mr. SCHULTE] for his service on the District Committee, and especially his chairmanship of the Subcommittee on Police and Firemen. He has also given much attention to the Subcommittee on Public Health, Hospitals, and Charities, and other subcommittees of the full committee. He has given much time to the study of District affairs. I, of course, do not need to remind the membership of the long hours the members of the committee devote to the subject of District legislation. At times some of us on the committee or in the House are not in agreement on all matters that the gentleman endorses or presents to the membership, yet I think it is highly proper that as chairman of the full committee I once express my appreciation for attention to duties as exemplified by the work of the gentleman from Indiana.

On this subject I shall make only brief comment. These men to be helped are employed in a hazardous occupation. They have not been given increases which their labors merit. It is my hope that the proposal will be supported today.

Mr. SCHULTE. I thank the gentleman from West Virginia.

Mr. Chairman, I reserve the balance of my time.

Mr. DIRKSEN. Mr. Chairman, will the gentleman from Indiana yield?

Mr. SCHULTE. Mr. Chairman, I yield 1 minute to the gentleman from Illinois.

Mr. DIRKSEN. Mr. Chairman, I wanted this time merely to state that during this year we have added 183 members to the police force of the District, and the Commissioners have testified that in the fiscal year 1943 they are going to ask for 100 more. Certainly with this added number the hours of duty can be so readjusted that there should be no complaint on the part of any individual policeman as to long hours.

I hope the bill will not pass, since it represents three-quarters of a million dollars.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Illinois has expired; all time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That Public Law No. 489 of the Seventy-first Congress (S. 2370) approved July 1, 1930, is hereby amended by striking out sections 1, 2, and 3 thereof, and inserting in place thereof the following new sections:

"SEC. 1. That the annual basic salaries of the officers and members of the Metropolitan Police, the United States Park Police, and the White House Police shall be as follows: Major and superintendent, $8,000; assistant superintendents, $5,000 each; inspectors, $4,500 each; captains, $3,900 each; lieutenants, $3,350 each; sergeants, $3,050 each; privates, a basic salary of $2,000 per year with an annual increase of $140 in salary for 5 years, or until a maximum salary of $2,700 is reached. All original appointments of privates shall be made at the basic salary of $2,000 per year, and the first year of service shall be probationary.

"SEC. 2. That the annual basic salaries of the officers and members of the Fire Department of the District of Columbia shall be as follows: Chief engineer, $8,000; deputy chief engineers, $5,000 each; battalion chief engineers, $4,500 each; fire marshal, $5,000; deputy fire marshal, $3,300; inspectors, $2,960 each; captains, $3,300 each; executive officer (captain), $3,300; lieutenants, $3,140 each; sergeants, $2,900 each; superintendent of machinery, $5,000; assistant superintendent of machinery, $3,300; pilots, $2,900 each; marine engineers, $2,900 each; assistant marine engineers, $2,760 each; marine firemen, $2,400 each; privates, a basic salary of $2,000 per year with an annual increase of $140 in salary for 5 years or until a maximum salary of $2,700 is reached. All original appointments of privates shall be made at the basic salary of $2,000 per year, and the first year of service shall be probationary.

"SEC. 3. That privates of the Metropolitan Police, the United States Park Police, and the White House Police, and privates of the Fire Department shall be entitled to the following salaries: Privates who have served less than 1 year at the rate of $2,000 per annum; privates who have served more than 1 year and less than 2 years, at the rate of $2,140 per annum; privates who have served more than 2 years and less than 3 years, at the rate of $2,280 per annum; privates who have served more than 3 years and less than 4 years, at the rate of $2,420 per annum; privates who have served more than 4 years and less than 5 years, at the rate of $2,560 per annum; privates who have served more than 5 years, at the rate of $2,700 per annum."

The provisions of this act shall be effective February 1, 1942.

Mr. SCHULTE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PATMAN) having resumed the chair, Mr. HOBBS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 6386) to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia, and also to conform with wages paid in many cities of the Nation, directed him to report the same back to the House without amendment with the recommendation that the bill do pass.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. SCHULTE) there were—ayes 34, noes 40.

Mr. SCHULTE. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. Obviously a quorum is not present.

The roll call is automatic.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 139, nays 123, not voting 169, as follows:

[Roll No. 48]

YEAS—139

Anderson, N. Mex.	Gregory	Ploeser
Arnold	Haines	Powers
Barnes	Hall, Edwin Arthur	Rabaut
Bates, Ky.	Harris, Ark.	Ramspeck
Bloom	Harris, Va.	Randolph
Boggs	Harter	Rankin, Miss.
Boland	Healey	Rankin, Mont.
Bradley, Mich.	Hendricks	Reed, Ill.
Butler	Hill, Wash.	Richards
Byrne	Hobbs	Robertson, Va.
Canfield	Hull	Robinson, Utah
Cannon, Mo.	Hunter	Rodgers, Pa.
Cartwright	Imhoff	Rogers, Mass.
Clason	Jackson	Rogers, Okla.
Cochran	Jacobsen	Rolph
Coffee, Wash.	Jarman	Sasscer
Collins	Johnson, Ind.	Sauthoff
Copeland	Kerr	Schulte
Costello	Kirwan	Secrest
Courtney	Kunkel	Shafer, Mich.
Cravens	Lambertson	Shanley
Crosser	Landis	Short
Crowther	Lane	Smith, Maine
Cunningham	McCormack	South
D'Alesandro	McLaughlin	Sparkman
Davis, Ohio	Maciora	Spence
Davis, Tenn.	Manasco	Starnes, Ala.
Delaney	Mansfield	Stevenson
Dewey	Mason	Sullivan
Douglas	May	Talbot
Downs	Mundt	Tenerowicz
Dworshak	Murray	Terry
Eberharter	Nelson	Thill
Edmiston	Norrell	Thom
Ellis	Norton	Traynor
Engel	O'Brien, Mich.	Van Zandt
Fish	O'Brien, N. Y.	Voorhis, Calif.
Fogarty	O'Leary	Weaver
Forand	O'Toole	Welch
Ford, Leland M.	Patman	West
Gearhart	Patrick	Whelchel
Gehrmann	Peterson, Fla.	Wolcott
Gilchrist	Peterson, Ga.	Wolfenden, Pa.
Graham	Pfeiffer, William T.	Woodrum, Va.
Granger	Pittenger	Young
Grant, Ind.	Rees	Youngdahl
Green		

NAYS—123

Allen, La.	Ford, Miss.	Moser
Andersen, H. Carl	Fulmer	Nichols
Andresen, August H.	Gathings	Paddock
Angell	Gibson	Pearson
Arends	Gillie	Poage
Barden	Gore	Priest
Baumhart	Gossett	Reece, Tenn.
Beckworth	Grant, Ala.	Reed, N. Y.
Bell	Gwynne	Rees, Kans.
Bennett	Halleck	Rich
Bonner	Hancock	Rizley
Boren	Hare	Robertson, N. Dak.
Brooks	Harness	Robsion, Ky.
Brown, Ga.	Heidinger	Rockefeller
Brown, Ohio	Hill, Colo.	Rockwell
Bryson	Hoffman	Russell
Bulwinkle	Holmes	Sheppard
Camp	Hope	Smith, Ohio
Carlson	Jenkins, Ohio	Smith, W. Va.
Carter	Jennings	Smith, Wis.
Chapman	Jensen	Springer
Chenoweth	Johns	Stearns, N. H.
Chiperfield	Johnson, Ill.	Stefan
Clevenger	Johnson, Luther A.	Sumner, Ill.
Coffee, Nebr.	Jones	Taber
Cole, N. Y.	Jonkman	Talle
Cooley	Kean	Tarver
Cooper	Kilburn	Thomason
Crawford	Lanham	Tibbott
Creal	Larrabee	Tinkham
Curtis	Lea	Vorys, Ohio
Dirksen	LeCompte	Ward
Disney	McGregor	Wasielewski
Domengeaux	McIntyre	Whitten
Dondero	McLean	Whittington
Doughton	Mahon	Wickersham
Duncan	Martin, Iowa	Williams
Durham	Meyer, Md.	Wolverton, N. J.
Elliott, Calif.	Michener	Woodruff, Mich.
Elston	Mills, Ark.	Zimmerman
Englebright	Mills, La.	
Folger	Monroney	

NOT VOTING—169

Allen, Ill.	Gillette	Murdock
Anderson, Calif.	Guyer	Myers, Pa.
Andrews	Hall, Leonard W.	O'Connor
Baldwin	Harrington	O'Day
Barry	Hart	O'Hara
Bates, Mass.	Hartley	O'Neal
Beam	Hébert	Osmers
Beiter	Heffernan	Pace
Bender	Hess	Patton
Bishop	Hinshaw	Pfeifer, Joseph L.
Blackney	Holbrook	Pierce
Bland	Hook	Plauché
Boehne	Houston	Plumley
Bolton	Howell	Ramsay
Boykin	Izac	Rivers
Bradley, Pa.	Jarrett	Romjue
Buck	Jenks, N. H.	Sabath
Buckler, Minn.	Johnson, Calif.	Sacks
Buckley, N. Y.	Johnson, Lyndon B.	Sanders
Burch	Johnson, Okla.	Satterfield
Burdick	Johnson, W. Va.	Scanlon
Burgin	Kee	Schaefer, Ill.
Byron	Keefe	Schuetz
Cannon, Fla.	Kefauver	Scott
Capozzoli	Kefauver	Scrugham
Case, S. Dak.	Kelley, Pa.	Shannon
Casey, Mass.	Kelly, Ill.	Sheridan
Celler	Kennedy, Martin J.	Sikes
Clark	Kennedy, Michael J.	Simpson
Claypool	Keogh	Smith, Pa.
Cluett	Kilday	Smith, Va.
Cole, Md.	Kinzer	Smith, Wash.
Colmer	Kleberg	Snyder
Cox	Klein	Somers, N. Y.
Culkin	Knutson	Stagall
Cullen	Kocialkowski	Stratton
Day	Kopplemann	Sumners, Tex.
Dickstein	Kramer	Sutphin
Dies	Leavy	Sweeney
Dingell	Lesinski	Thomas, N. J.
Ditter	Lewis	Thomas, Tex.
Drewry	Ludlow	Tolan
Eaton	Lynch	Treadway
Eliot, Mass.	McGehee	Vincent, Ky.
Faddis	McGranery	Vinson, Ga.
Fellows	McKeough	Vreeland
Fenton	McMillan	Wadsworth
Fitzgerald	Maas	Walter
Fitzpatrick	Maciejewski	Wene
Flaherty	Magnuson	Wheat
Flannagan	Marcantonio	White
Ford, Thomas F.	Martin, Mass.	Wigglesworth
Gale	Merritt	Wilson
Gamble	Mitchell	Winter
Gavagan	Mott	Worley
Gerlach	Murdock	Wright
Gifford	Myers, Pa.	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hartley for, with Mr. Keefe against.

General pairs:

Mr. Boykin with Mr. Martin of Massachusetts.

Mr. Hébert with Mr. Simpson.

Mr. Holbrock with Mr. Johnson of California.

Mr. Cannon of Florida with Mr. Treadway.

Mr. Martin J. Kennedy with Mr. Allen of Illinois.

Mr. Burch with Mr. Baldwin.

Mr. Satterfield with Mr. Stratton.

Mr. Gavagan with Mr. Ditter.

Mr. Keogh with Mr. Osmers.

Mr. Bland with Mrs. Bolton.

Mr. McMillan with Mr. Kinzer.

Mr. Cole of Maryland with Mr. O'Hara.

Mr. Boehne with Mr. Scott.

Mr. Cullen with Mr. Fenton.

Mr. Rivers with Mr. Cole of New York.

Mr. Plauché with Mr. Bishop.

Mr. Hart with Mr. Maas.

Mr. Clark with Mr. Bender.

Mr. Michael J. Kennedy with Mr. Vreeland.

Mr. Beam with Mr. Gifford.

Mr. Hook with Mr. Gillette.

Mr. Kefauver with Mr. Winter.

Mr. Johnson of West Virginia with Mr. Anderson of California.

Mr. Pierce with Mr. Wadsworth.

Mr. Beiter with Mr. Jenks of New Hampshire.

Mr. McKeough with Mr. Hess.

Mr. Kocialkowski with Mr. Bates of Massachusetts.

Mr. Kilday with Mr. Gale.

Mr. Lewis with Mr. Wheat.

Mr. Kopplemann with Mr. Jarrett.

Mr. Kelly of Illinois with Mr. Gamble.

Mr. Ludlow with Mr. Wigglesworth.

Mr. Maciejewski with Mr. Gerlach.

Mr. Lesinski with Mr. Howell.

Mr. Celler with Mr. Buckler.

Mr. Barry with Mr. Marcantonio.

Mr. Flannagan with Mr. Thomas of New Jersey

Mr. McGehee with Mr. Hinshaw.

Mr. Leavy with Mr. Andrews.

Mr. Cox with Mr. Wilson.

Mr. Patton with Mr. Plumley.

Mr. Thomas of Texas with Mr. Knutson.

Mr. Vincent of Kentucky with Mr. Burdick.

Mr. Colmer with Mr. Day.

Mr. O'Connor with Mr. Eaton.

Mr. Flaherty with Mr. Case of South Dakota.

Mr. Thomas F. Ford with Mr. Blackney.

Mr. Murdock with Mr. Culkin.

Mr. Vinson of Georgia with Mr. Guyer.

Mr. Steagall with Mr. Cluett.

Mr. Harrington with Mr. Fellows.

Mr. Pace with Mr. Leonard W. Hall.

Mr. O'Neal with Mr. Bradley of Pennsylvania.

Mr. Buck with Mr. Heffernan.

Mr. Ramsay with Mr. Sabath.

Mr. Sanders with Mrs. Bryon.

Mr. Romjue with Mr. Izac.

Mr. Burgin with Mr. Dickstein.

Mr. McGranery with Mr. Sweeney.

Mr. Tolan with Mr. Smith of Pennsylvania.

Mr. Sumners of Texas with Mr. Kramer.

Mr. Snyder with Mr. Smith of Washington.

Mr. Drewry with Mr. Somers of New York.

Mr. Dies with Mr. Magnuson.

Mr. Fitzpatrick with Mr. Walter.

Mr. Wright with Mr. Faddis.

Mr. Capozzoli with Mr. Sacks.

Mr. Schaefer of Illinois with Mr. Claypool.

Mr. Dingell with Mr. Sheridan.

Mr. Joseph L. Pfeifer with Mr. Houston.

Mr. Scanlon with Mr. Casey of Massachusetts.

Mr. Scrugham with Mr. Schuetz.

Mr. Wene with Mr. Sikes.

Mr. Lynch with Mr. Weiss.

Mr. Merritt with Mr. Mitchell.

Mr. Eliot of Massachusetts with Mr. Johnson of Oklahoma.

Mr. Lyndon B. Johnson with Mr. Fitzgerald.

Mr. Kee with Mr. Kelley of Pennsylvania.

Mr. Buckley with Mr. Shannon.

Mr. Myers of Pennsylvania with Mrs. O'Day.

Mr. Klein with Mr. Smith of Virginia.

Mr. BOGGS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, this completes the legislation on the District of Columbia Calendar for the day.

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made by Wheeler McMillen.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimcus consent that on tomor-

row after the regular business of the day has been disposed of and at the conclusion of any special orders heretofore entered I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

EXTENSION OF REMARKS

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech by the Honorable William Curran.

The SPEAKER pro tempore Is there objection to the request of the gentleman from Maryland [Mr. D'ALESANDRO]?

There was no objection.

Mr. HEALEY Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio speech delivered by L. Metcalfe Walling, of the Wage and Hour Division, and also to include an article appearing in yesterday's New York Times.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Monsignor Ready, and an article by Brandon Bracken.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORI and to include a poem written by a friend of mine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SAUTHOFF]?

There was no objection.

Mr. PATRICK. Mr Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. It there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

LT. ERNEST H. DUNLAP, JR.

Mr. PATRICK. Mr. Speaker, I take this time to have the opportunity to place in the CONGRESSIONAL RECORD citation in my congressional district of which I am very proud, the citation of Lt. Ernest H. Dunlap, Jr., one of the real heroes of Pearl Harbor.

It will be pleasant to stand here and describe his acts of heroism, but this I shall not do save to present herewith the citation itself. It follows:

The Navy Cross was awarded and presented to Lt. (Jr. Gr.) Ernest H. Dunlap, Jr., at 4 p. m. Thursday, March 19, being cited in the following language:

Citation: "For distinguished service in line of his professional exceptional courage, coolness, and devotion to duty during the attack on the fleet in Pearl Harbor, T. H., by Japanese forces on December 7, 1941. When Lieutenant (Junior Grade) Dunlap found that his services in the fourth top as Spot O, on the U. S. S. *Nevada*, were not required, he joined the secondary battery, supervised manning of guns and organization of ammunition supply, and maintained an accurate fire on low-flying enemy aircraft until seriously wounded by the explosion of an enemy bomb. Despite his wounded condition he assisted with the wounded until he himself collapsed."

FRANK KNOX,
Secretary of the Navy.

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Kewanee Star Courier, of Kewanee, Ill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. CHIPERFIELD]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow and also on the succeeding day at the conclusion of the legislative business in order for the day and after any special orders heretofore entered, I may be permitted to address the House for 10 minutes on each day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. If those who have special orders for today do not object. There are three or four prior special orders.

Mr. LELAND M. FORD. Mr. Speaker, due to the fact my colleague from Indiana [Mr. SCHULTE] has to catch a train and I am on ahead of him, I would like to yield my place to him with the understanding that I immediately follow him, and I ask unanimous consent that that may be done.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Indiana [Mr. SCHULTE] is recognized for 10 minutes.

WHY DISCRIMINATE AGAINST THE MILK PRODUCER IN THE MIDDLE WEST?

Mr. SCHULTE. Mr. Speaker, may I take this opportunity of thanking the gentleman from California [Mr. LELAND M. FORD] for his kindness—and he has always been that way since he has been a Member of this House.

Mr. Speaker, there is a condition existing in this country today affecting the farmers who produce milk in my district in Indiana which also affects the milk-producing farmers in the districts of many of the Members of this Congress which I think ought to be brought to the attention of the Congress and of the people of the United States. The Department of Agriculture has gotten the dairy industry in the United States so completely mixed up and so completely befuddled that it is impossible for any farmer to know where he stands and why he stands there. In the hope that something will be done very quickly to change present conditions of the milk markets throughout the United States, I am going to tell you very briefly what it is all about and suggest some remedies.

The most outstanding feature of this situation is that the farmers in my district in Indiana who produce milk, although they are paying identical prices for dairy feed with farmers in the East, less a freight differential, and although our farm labor costs us considerably more than that in the East, we are getting less money for our milk than the farmers in the East. The remarkable part about this is that the Department of Agriculture, through its Marketing Division, is controlling the price to be paid to the farmers in my district and is controlling the prices to be paid to the farmers in the eastern districts, to which I shall refer. For some unknown reason I am getting in the neighborhood of $2.44 per hundredweight for my milk, which is shipped to the Chicago market for the consumption of the people of that city, while the farmers who ship milk to the city of Washington at the present time receive for first-class milk, including premiums for cattle and barn scores, approximately $4 per hundredweight. This represents a difference of approximately 12 cents a gallon. Everybody who has had any experience in the dairy business knows that if a farmer can make 3 cents a gallon profit he can quickly become well fixed if he has more than 10 cows. What I have been trying to find out for a long time, and what I think this Congress ought to find out now, is why the Department of Agriculture, through its Marketing Division, has fixed the price of milk to the farmers in my district in Indiana at something in the neighborhood of 12 cents a gallon less than that same Department has fixed to be paid to the farmers in Maryland and Virginia, who supply the District of Columbia with its milk. I think it is time for this Congress to seriously ask and to insist on being told why this terrific discrimination is made against my constitutents and the constituents of many others who are in this Congress. I think it is time for this Congress to find out also why the Department of Agriculture, with the millions of dollars which we appropriate for this operation, seems to be devoting itself to the fixing of these discriminatory prices against your constituents and mine, and fixing prices for a large proportion of the fluid-milk markets of the United States, and have their noses stuck so deep into the milk situation that they cannot see straight; but the Department

of Justice has to be the one to discover that over 100 individuals and corporations in the Chicago area have been guilty of a conspiracy to fix cheese prices and thereby control the cheese markets in the United States.

With all the money we appropriate for the Department of Agriculture it certainly seems to me that we ought to ask why the Department of Agriculture in its control of the milk situation did not long ago do something about the cheese situation which the Department of Justice has unearthed and which constitutes a major scandal.

Some years ago we were told that the law of supply and demand had to be scrapped and thrown out the window, and that so far as farm products were concerned, the Department of Agriculture, through its Marketing Division, was going to solve the whole matter by what they called a planned economy and a full granary program. Now they have picked out certain milk-producing areas in the East which are strongly organized and, therefore, politically powerful, and have given to them tremendous increases in the prices they receive for their milk, and have attempted to justify it by saying that these markets are short of milk, and that the law of supply and demand must fix the price. In other words, when they want to give to some favored farm areas in the East a big boost in price, they reduce the process of the planned economy, and chuck it overboard in favor of the old natural law of supply and demand. As a matter of fact, there is no shortage and never has been a shortage of milk in the United States. There is more than enough milk in this country today to take care of all of our needs, both for fluid milk, cheese, and other byproducts, but these "highfalutin," eastern fluid-milk markets which command these more attractive prices have been rigged through the setting up of stringent health regulations with fancy frills and didos, paraded under the guise of health, but actually designed as barriers to keep milk from coming from my district in Indiana and from the districts of many of you gentlemen here, into these eastern markets and competing for this attractive price.

I want to warn this Congress now, and I want to warn the Department of Agriculture now, and particularly do I want to warn its Secretary, that unless something is done to protect the milk-producing farmers in my district, and in the other districts so affected, that I am going to do everything in my power to prevent the future appropriation of millions and millions of dollars to the Department of Agriculture which we have appropriated in the past for the purpose of straightening out this situation, and unless the Secretary of Agriculture gets busy now and actually does something about equalizing the fluid-milk prices among all farmers in the United States. It is high time that somebody does something to keep this country from being divided up into 48 sovereignties with trade barriers in between so as to effectively create a surplus in one location and effectively create a shortage in another, to the detriment of the one section and to the benefit of the other section. It is high time that this Congress got serious about this matter and did something about it; but even if I have to stand up here alone, I promise you that I am going to do everything in my power to protect the milk-producing farmers of the United States who have been discriminated against by the Department of Agriculture in favor of others, to the point of objecting to every appropriation which the Marketing Division of the Department of Agriculture asks for, and to keep on doing it until I get some results, or until the Secretary of Agriculture fully realizes and appreciates his responsibility to my constituents, and to those of many others of you who are listening to me, and straightens out this unholy mess.

Mr. Speaker, please let it be understood that I am not advocating an increase in price to the consumers of Chicago, or to the consumers of any other market in the United States. I believe that the people of this country are paying enough for this milk at this time, but some attention has got to be paid by somebody to the terrific profits which are being made by the distributors of fluid milk. They must be told that they will have to cut out all the frills and doodads they have been using for many years. It is common knowledge in the industry that the business of producing milk is so extravagantly conducted that nobody, except the gigantic monopolistic corporations, can remain in the business in the big cities because of the terrific competition which they create through their expensive methods. Why, gentlemen, they literally throw money away to create highly adorned and fancy-shaped bottles. They spend millions a year on special deliveries. I have known milk distributors to send a truck 10 miles through the city of Washington to deliver a gill of cream to a customer. That gill of cream costs the customer about 18 cents, and costs the distributor about $2 to deliver it. They do this because they want to eliminate the small distributor by making it impossible for him to compete with this kind of service. They put all kinds of fancy caps on the bottles under the guise of health, and in many large areas these distributors refuse to put a deposit on the bottle bought in a store so as to reduce their cost and allow the milk to be sold to the consumers at a low price. I am very reliably informed that in the city of Washington alone it costs the dairies over half a million dollars a year for bottles. You all know that the consumer is paying for this, and I say to you that the paying of a deposit of 3 cents on each bottle purchased at a store would practically entirely eliminate this cost and give the distributors almost half a million dollars to return to the consumers in the form of a lower priced milk.

With the war situation as it is today, and with full knowledge that rubber tires for milk trucks may very soon be unavailable, the distributors of milk throughout this country are going merrily on their way with everyday deliveries, and in some instances, two deliveries a day, wearing out the tires, wearing out the precious metals in the trucks, burning precious gasoline and lubricating oils, and using labor very badly needed for war production, all for the purpose of keeping the price of milk to the consumer at a high level and eliminating the small man from the business.

Now, I ask you all, when are we going to do something about this, and what are we going to do? It is a challenge to this Congress, and I say to you that so far as I am concerned, I shall never cease my efforts to bring about some orderly procedure by the Department of Agriculture in the fixing of prices to be paid to farmers which will give every farmer, no matter in what part of the country who may produce milk, a decent price for his milk which will allow him to have a fair margin of profit. I intend to bring this matter to the attention of this Congress again, particularly when appropriation time rolls around and when the Secretary of Agriculture comes up here and tells us what a swell job he is doing for the farmers of America. But for the present, I want to challenge the Secretary of Agriculture to tell us why the farmers in my district, of whom I am one, now receive approximately 12 cents a gallon less for their milk than do the farmers in this eastern market, although both markets are under rigid supervision and control of the Secretary of Agriculture.

I said to you that I was going to suggest some possible remedies to this situation and how they can be brought about. Here they are: In the first place, the Secretary of Agriculture should be required to explain why he is favoring one milk market over another and told that he must equalize the markets and do it immediately. He has full power and authority under the Agricultural Adjustment Act, passed by this Congress, and all he has to do to bring about the change is to properly use the power of this legislation. The farmers can be given a decent price for their fluid milk all over the United States if these trade barriers between the States, erected under the guise of public health, are torn down, and the citizens of every State given an equal opportunity to buy and sell their product in every other State without the payment of tariffs in the form of large money expenditures to comply with foolish and unnecessary so-called health regulations.

Through the powers conferred by this Congress on the President of the United States and on various administrative agencies, to effectively and vigorously prosecute our war effort, the gigantic corporations which control the distribution of fluid milk in this country can certainly be made to do certain things which will effectively reduce their cost of operation and which will effectively permit a substantial reduction in the price of fluid milk to the consumer and at the same time permit a decent profit to be paid to the farmer. May I suggest that the first thing that these distributors be compelled to do is to eliminate all of these high costing and fancy bottle caps, which are costing the industry millions of dollars a year; a compulsory deposit on every bottle of milk which is sold in the stores of the large cities; a

compulsory every-other-day delivery of milk instead of daily and sometimes twice-daily deliveries; the elimination of all special deliveries except in cases of real emergencies; the elimination of costly frills in the adornment of milk bottles and cartons; the elimination of all foolish, unnecessary, and costly health regulations.

This latter remedy can be brought about through the compulsory adoption in the large metropolitan areas of the United States of the United States Public Health Service fluid milk regulations. All of you gentlemen may not know it, but this Congress has appropriated literally millions of dollars to the United States Public Health Service to develop a simple, plain, expedient, and inexpensive set of regulations governing the production and distribution of fluid milk. The Chicago market has adopted these regulations and nobody will contend that the people of that city are or have been in danger because of these regulations. Other large cities have adopted these regulations and they are working beautifully, but we find in the East many large markets which have completely ignored the Public Health Service regulations and have set up their own silly and highly costly rules. In these cases do we find the Secretary of Agriculture attempting to encourage the adoption of United States Public Health Service regulations for the purpose of reducing the cost of producing milk? No. To the contrary, we find the Secretary of Agriculture encouraging the continuance of other regulations by fixing a price to the farmers which will enable them, not only to comply with these costly regulations, but to continue to build them up. I have told this Congress before about some of the silly things which are provided in the health regulations of the District of Columbia. Every cow on this market must be furnished daily with four hemstitched towels, but you Members of Congress, who go to the Mayflower Hotel for dinner, only get one, and if you eat three meals a day there you will only get three altogether.

Now, who is paying for these hemstitched towels which the cows are using? The farmer must buy them and in order to stay in business he must pass the cost along to the consumer. United States Public Health Service regulations have no such silly rules, but the trouble is we cannot get the Department of Agriculture to support the United States Public Health Service program which is another department of our Government and which has been universally recognized by the people as a sound and sensible set of health rules in the production of milk.

It is my hope and expectation that this Congress will really do something to bring about a decent and sensible solution of the milk problem for the farmer and the consumer. Let us begin by breaking down the trade barriers between the States, so that if the good people of New York or Philadelphia and the other eastern cities want milk from my district, they can get it at a fair price. As it is now, they can't get it at any price. The health authorities of these cities keep it out. What we need to do is to say to the people of the United States that all milk produced under reasonable health regulations is fit to drink and let them get it at a reasonable price no matter where it comes from. This will help all the farmers of the country and will assist in building strong minds and bodies so badly needed by our people in this grave hour of peril.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Michigan.

Mr HOFFMAN. The gentleman is a distinguished Democrat from a district that is very close to mine. Our interests are much the same. I wonder if the gentleman thinks our farmers in Michigan are being treated fairly.

Mr. SCHULTE. No; I do not. That is the reason I have included your farmers, because they come under that Chicago milkshed that attempts to establish a price for us of $2.44 for the same kind of milk for which these men here are receiving $4. That is the point I cannot understand.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr. SCHULTE. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. May I add that because of climatic conditions we must build more securely and soundly, and have a heavier investment.

Mr SCHULTE. By far, I would say. In addition, in this particular area we find that they graze about 2 months in the year longer than we do, which, of course, gives them a decided advantage here; yet, in spite of all this, our prices fluctuate but theirs remain stationary.

As I said before, I do not want the cost of this milk to the consumer to be increased, because the minute that happens, consumption will be cut down, and we are trying to get milk to the people. Yet I cannot understand why that terrific differential should exist between the Middle West and the East, and why these barriers should be established, and established by the Department of Agriculture. If it is true that they can establish sheds which would be barriers for milk, which they are, why can they not establish barriers for potatoes, for butter, for eggs, for meats, or for anything else, if that is legally right?

The SPEAKER. Under a previous order of the House, the gentleman from California [Mr. LELAND M. FORD] is recognized for 15 minutes.

SUSPENSION OF THE 40-HOUR WEEK

Mr. LELAND M. FORD. Mr. Speaker, I was tremendously interested in two items that appeared on the front page of the Washington Post, Saturday, March 21. These items pertained to the fight that is put on against the suspension of the 40-hour week.

I was particularly interested in Mr. Philip Murray's statement that this was a "blitzkrieg on the part of labor baiters and enemies of government." Also at the top of the item, "C. I. O. calls 'extraordinary' meeting of constituent unions here Monday to resist Capitol drive for labor legislation." On that same page in the adjoining column and to the lower right appeared another heading, "General Motors, union clash over double pay for holidays." In this item it stated that the C. I. O. are clashing with the General Motors over the question of double pay for work on holidays and that they wished to include Armistice Day in the holiday list. They also demanded flat $1 a day wage increase with wage boosts every 90 days and a $100 defense bond in lieu of vacation pay and the strengthening of the shop steward system.

I have always said that the C. I. O. union was one of the most destructive forces in our war program that could be found; that it was shot through with subversive interests who did not have the welfare of this country at heart; that the leadership was made up in many instances of socialistic, communistic, highjacking, un-American, outlaw labor leaders that were misleading, overriding, betraying, and selling out for their own financial interest, the decent American rank-and-file men, who had been forced into the union against their will; that this great rank and file had never been permitted to honestly vote on strikes; that the orders were shoved down their throats, whether the rank and file liked it or not; that the C. I. O., in order to bolster its false position for those in power, had to resort to forgery, as they did in the Allis-Chalmers strike wherein 2,200 forged votes were used to control a strike election.

You are all familiar with the despicable Japanese negotiations prior to December 7. You know that Japan had its peace envoys here in Washington talking peace while at the same time it was moving its ships in to strike at Pearl Harbor.

It appears to me that Philip Murray now occupies this same position, in that he comes to Washington and prates in his demagogic way about what we have to do in our war effort. He would like to create the impression that he is here at Washington to help the war effort. He carries his demagogic, honey-coated words in his left hand about help to America, but in his right hand he carries the long, double-edged knife with which he would disembowel American war efforts, and this is their demand for more pay, more money, while thousands of our men are dying for the want of material, which his outfit is refusing now to furnish and has refused to furnish in the past because he has to have more money.

Can you square this action with the fact that men are dying for $21 a month and a man like Murray is demanding more money, refusing to work over 40 hours a week, wanting time and a half for weekdays and double time for Sundays and holidays and where his men's lives are not in danger at all? I cannot square this out; neither can 95 percent of the American people.

Is it possible that Philip Murray, together with his other socialistic, outlaw labor subchiefs, has become so insatiated with the idea of his power that he has an acute case of dementia praecox with delusions of grandeur; that he has seen where they have beaten into submission so many honest labor men that he can now beat into the same submission the whole population of the United States?

My opinion is that if this is true, this gentleman, Philip Murray, is due for quite a shocking cure of his disease of dementia praecox with delusions of grandeur, because the American people are not going to send their sons and relatives to battle to die and have this man sabotage their war program.

Let us look into this man's past record. Is not this the man who might be dubbed "Short Memory" Murray? "Short Memory" Murray conveniently forgets that he is the man responsible largely for the loss of 17,000,000 man-days between January 1 and August 1 of last year, and God knows how many more prior to that date. "Short Memory" Murray would now like to get a scapegoat to blame for his own past actions. "Short Memory" Murray would try to forget when the generals of our Army and the admirals of our Navy pled with him to cease his strikes and told him that he was then ruining the war program of the United States. "Short Memory" Murray was told then that we did not have any powder. "Short Memory" Murray was asked to cease his strikes, his slow-downs, and the insistence upon his socialistic rights while denying any rights whatsoever to the rank and file of the laboring man—namely, his right to vote on strikes—and to the rank and file of the average American citizen who wanted to have an effective and efficient defense program. "Short Memory" Murray forgets that he tried to make O. P. M. his scapegoat and lay the blame upon them, when the responsibility, the fault, and the guilt for our armed forces not having airplanes, munitions, tanks, and so forth, was clearly his. "Short Memory" Murray would like to forget that he was told that at least he should come into the court of public opinion with clean hands and not with hands dripping in the blood of the men whom he had betrayed and who were then and now trying to defend this country.

The gall of such men as Murray is unbelievable, but, after all, is not this the kind of gall that goes with an acute case of dementia praecox with delusions of grandeur?

Does this "Short Memory" Murray now expect us, or any part of the American population, to have any confidence in him after he has so thoroughly sabotaged our program in the past? Does he think he can now come in and insinuate himself into a responsible and prominent position in this program and have the American people accept him? I say that he cannot, and that he should not be permitted to have a single word to say; that upon the ground of his past record I say further that I believe it to be the duty of the President of the United States to throw this man Murray out of the picture in no unmistakable terms. If the President wanted to really create more confidence in our people, he would do this and perhaps he would include those who have helped Murray such as Hillman, Perkins, Bridges, Freytag, and all of this ilk, and perhaps he would turn a little attention to the Attorney General, who is prone to consider the rights of the minorities, split hairs over them, and destroy the rights of the great majority.

"Short Memory" Murray has stated that the demand for the suspension of the 40-hour week is propaganda. Perhaps this is because it did not emanate from his highjacking, racketeering, socialistic, outlaw minority saboteurs in the C. I. O. Mr. Murray is going to learn another lesson here and find out that this demand comes from about 98 percent of the great American people who are fed up with such of his actions as they have been in the past, and they are now fed up to the point where they are no longer going to tolerate any of the past procedure.

I think that "Short Memory" Murray is just as insincere in his statements and professions here as he was when he said he would give all-out aid to our defense program in the past. He made those professions with one hand and continued to strike with the other.

Reviewing the past record, Murray and others were told that they would rue the day when these things went on and that there would be a day of reckoning.

That day of reckoning has now arrived and if Mr. Murray has not realized it, he has caused the loss of thousands of lives, millions of dollars worth of equipment, loss of tremendous territory, all of which can be attributed to his refusal to properly produce while there was still time, and it is now summed up in the defeats we are handed with the explanation "too little—too late." "Short Memory" Murray, I indict you here and now and say that the guilt and responsibility is still yours regardless of your honey-coated words. If ever a man has injured the United States you have done so, and in my opinion your injury has been far worse than that of Benedict Arnold, and further than that I see no reason in God's world why you should not be subject to the same penalty as any traitor in time of war should be subject to. Further, in my opinion, this continual demand for more money, your refusal to work the necessary hours, your demand for socialistic set-ups in industry are far worse in this hour of stress, need, and crisis, than any treason or fifth column activity could possibly be.

"Short Memory" Murray, if you have not realized it yet you have injured the cause of honest unionism far more than any man ever did.

We have stood on the floor of Congress for a series of years and pointed out to you the things that you were doing, and told you what was happening, but apparently you saw nothing except the money you could place in the pockets of the subversive racketeers within your ranks and that increase of sinister power that these small minorities consisting of yourself and a few others were wielding over the helpless and defenseless worker. You have done well for yourself, at least temporarily, but when the final story is written there may be an entirely different picture, as far as not only yourself, but every person in the United States is concerned. I say this, having in mind the parallel actions of your counterpart in France. In my opinion you have certainly carried out that European program, and that has been pointed out to you many, many times. You cannot say you were uninformed, but if your ideas prevail this country may be as prostrate before the enemy as is prostrated France today.

This country is at war today, and I say it is the duty of the administration to come out with a strong statement in which it will be backed by 95 percent of the public, in connection with the suspension of the 40-hour week. Is this administration going to ask that our people do without automobiles, without sugar, without gasoline, and let this "Short Memory" Murray get away with the things that he is trying to get away with? If it is necessary, our people will do without everything that they are asked to do without, but at the same time, they are not going to do without these things and see these outlaw racketeers enrich themselves at the people's expense, and neither are they going to much longer sit idly by and see these socialistic gains go on under the guise of social advances and see billions of dollars of our Treasury funds thrown away and wasted and paid out to racketeers. Particularly, when their sons and men are fighting and giving their lives, spilling their blood for $21 a month. I say to the administration, that it had better open its ears to public opinion, because this public is now thoroughly aroused, on not only this matter, but many others and they are no longer going to stand for the things which have been going on. This administration cannot join forces with "Short Memory" Murray and through their publicity departments say that this demand for the suspension of the 40-hour week is propaganda of any small group of American citizens. This demand comes to me from all over California, and after consulting my colleagues, I find that it comes from practically every State in the Union.

Every single one of us would give everything that we have to help win this war but we are not going to sit idly by and see our men die on foreign fields, and at the same time be betrayed and sold out at home, and particularly in our Nation's Capital. I think I am a friend of the administration when I advise them of these things and ask that this action which amounts to treason be stopped and stopped immediately.

Does this administration believe that it instills any confidence in the buyers of our war-saving stamps and bonds, where poor people are asked to contribute their nickels and dimes to find out that these men are demanding 10 and 12 times as much per month as our fighters are getting, who are dying in the field? Does the administration think that it inspires confidence in these buyers to see the billions being handed to the group headed by "Short Memory" Murray? If so, it had better lend an ear to the voice of the great American people.

The SPEAKER pro tempore (Mr. PATMAN). Under a previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

PRODUCTION OF ALUMINUM

Mr. VOORHIS of California. Mr. Speaker, in southern California is located more than 50 percent of the total air-

craft production capacity of the country. Airplanes require a tremendous amount of aluminum for their construction, and at present the principal bottleneck is to be found not in labor or airplane management or production facilities but in the supply of metals. It would have seemed logical, in view of the fact that the aluminum had to be used in southern California, to have located some of the new aluminum plants built with Government money in that area. Indeed, a very large aluminum ingot plant is being constructed there at present. But when it came to locating the aluminum sheet rolling mills, it was decided to locate part of this capacity in the vicinity of Spokane, Wash., and part of it near Chicago. I am utterly unable to see the logic of this decision. It means that raw material will be shipped to Los Angeles to be made into aluminum ingots at the new ingot plant, and then the ingots must be shipped either to the Canadian border or else to Chicago or Louisville in order to be rolled into sheets, and then the sheets must be shipped back to Los Angeles again to be put into the airplanes. The unnecessary burden on our transportation system in this situation is obvious.

Southern California does not expect a lot of new war industries to be located in our area. But we do think it is wise and no more than fair for us to have a balanced industrial unit for aircraft production instead of leaving us with everything except the sheet rolling mill which would have enabled us to supply the requirements of our aircraft industries with a very small transportation cost indeed.

If the objection is raised that new plants should be located in the interior because the Japs might bomb our coastal areas we would reply that we would enter no argument whatsoever against the location of brand-new aircraft or other factories at further distances from the coast, but that in the case of this sheet mill, we feel the situation is altogether different. The Japs will not try to bomb us any harder if we have the sheet mill than they would without it. And furthermore, if anybody is going to indulge in wild conversation about moving whole factories away from the Pacific coast we want to ask them what they are going to do about the oil wells and the shipyards which cannot possibly be moved and also about the three and one half million people who live in the Los Angeles area. The simple truth about the business is that we must, we can, and we will successfully defend this area against attack and I do not believe there is anyone who would disagree with me about that.

I return therefore, to ask the question once again: "Why was the one vital and final link that would have given southern California and the Nation a balanced industrial unit for the production of airplanes in our area taken away from us and moved 1,400 and 2,000 miles away?"

I do not know the reasons nor question the motives that led to this. I do know it will make it more difficult after the war for effective competition to be established in the production of aluminum. I also know it will place the automobile companies now going into airplane production in a more favorable position in comparison to our experienced aircraft manufacturing companies when it comes to getting necessary materials.

I have absolute confidence in Mr. Donald Nelson. But I reiterate here what I have said many times before and what I have put into a bill, namely, that Mr. Nelson ought not to have to depend upon the assistance of anyone who draws his pay from any private corporation or organization or who is not directly and exclusively on the pay roll of Uncle Sam.

Mr. Speaker, I want now to address myself to another subject which has been very much before the House in recent days—that is, the subject of labor legislation. I have studied this question. I have studied everything about it. I shall cast my vote in accordance with whatever I believe to be best for winning this war for the United States. I shall not cast it in accordance with any reference to my own opportunities or chances for reelection. I think the consideration of it should be pointed at the question of what is going to increase production, and I do not think any other consideration should enter. I do not think, for example, that this is a good time, with the cost of living going up, to institute a Nation-wide wage cut. Yet that is what some people are advocating, without perhaps knowing it.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman from California believe it to be necessary to provide incentive pay to workmen or anybody else in the country to get them to produce to win the war?

Mr. VOORHIS of California. I do not believe it to be necessary to do anything to get labor to produce in this country. My belief is that the average worker and the average everyone else is eager to do just one thing—to help America win this war. Further, I think that for anybody to even suggest that there could possibly be a general strike or anything like it is extremely bad policy and harmful and unfair. There just are not going to be any strikes that interfere with our war effort. What happened at North American Aircraft settled that once and for all.

I believe it would be a mistake for Congress to pass a bill which would amount simply to a blanket wage cut over practically all the country, but particularly among unorganized, low-paid workers, who are not organized and have no collective-bargaining agreements. I have taken the trouble to investigate the average number of hours that are now being worked. The average number of hours worked in all our war industries is in excess of 48, as I believe it should be. Therefore, if we repeal the Wage and Hour Act, or suspend it, without taking any other action at all, we shall not have increased the number of hours worked, and all we shall have done is institute a pay cut.

Now it occurs to me, that unless the House wants to cut the wages of labor by law—and I do not believe it does—then if the House is going to consider extending the standard workweek to 48 hours at the same time there could and should be an adjustment of basic pay rates to make up for that loss. On the basis of present hours being worked, if we suspend the Wages and Hours Act we will not increase hours, but we will cut pay about 8 percent in most of the industries of the country. I ask the Members—will that help win the war?

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield there?

Mr. VOORHIS of California. I yield.

Mr. SMITH of Ohio. The gentleman does believe, however, that no group of people in the United States needs incentive pay to carry on their part of the war program?

Mr. VOORHIS of California. Let me answer the gentleman in this way. We are operating all our industry at present on the theory that industry requires a certain margin of profit, are we not? And, in some cases, industry is getting a very gigantic margin of earnings which I think is a problem Congress needs to deal with because I think some of these profits are unconscionable. Indeed, I proposed to the Ways and Means Committee that top excess-profits tax rates should be 95 percent. If that were done we would be in a much different position asking sacrifices from other groups. At the same time, we have little businesses that are going broke because they are not in this field and this is not just and equitable. I think we ought to recognize this in our tax laws too, and I propose a $10,000 exemption for small businesses for that reason. We have got to recognize this, I will say to the gentleman from Ohio, and either we have got to make up our minds we are going to go ahead permitting a margin of profit and a fair wage, doing the best we can with the nearest approximation we can make to our ordinary system in America. If we decide to go ahead on that basis there are bound to be some maladjustments from time to time—some places where things will not work perfectly. We have either got to do that and take a constructive attitude toward our production effort or else we have got to say we cannot get along this way.

Then we will have to consider what people really mean when they talk about drafting capital and labor and what that involves. Of course, you could cut out all these things; you could cut out all profits, all overtime pay, all labor-union activities; but if you are going to do those things, then it must be Uncle Sam that everybody is working for, directly and not a private employer. We can draft people to work for their Government, just as we have drafted men for the Army. But we cannot draft anyone to work for another man's profit. Now, I hope and believe we can win through without taking these extreme steps. But some of the demands now being made on Congress for putting everyone more nearly in the same boat with the men in the armed forces have got to be thought through fearlessly to see what they lead to.

Mr. SMITH of Ohio. If the gentleman will allow this observation, he undoubtedly has read the Truman committee report?

Mr. VOORHIS of California. Yes; I have.

Mr. SMITH of Ohio. Does the gentleman think Congress has done as much as it should to correct the situations which were revealed in that report?

Mr. VOORHIS of California. Does the gentleman refer to the latest report they made just after they returned from the Pacific coast?

Mr. SMITH of Ohio. It is called the Truman report, and it is the one that refers to the building of all of these cantonments. I refer to the overcharges and graft in connection with contractors involved in the construction of cantonments, defense houses, and so forth, as was revealed by the Truman report.

Mr. VOORHIS of California. I thank the gentleman and I will say to the gentleman that I think we could do more. I think we could end these excess profits. I think we could provide severe penalties against provable graft by anyone—contractor, walking delegate, or anyone else. I think there are certain things that labor has been responsible for which have retarded production. Some of them frankly I do not know how to get at by legislation. I am afraid there are a few instances where there have been restrictions on production imposed. Such things should be stopped. I do not find the wage-hour law has retarded production up to this date at all. I do think double time for Sundays and holidays has, and that there should not be double time paid unless a man has worked more than 6 days in a week. But I think the biggest bottleneck of all that we have had has been the shortage of certain metals which is the direct result of the refusal of some of the great monopoly corporations to permit expansion of that industry to take place sooner than it did. Now you ask me whether Congress has done the best it could. Congress is a National Legislature. Congress can lay out matters of general policy, but it cannot go out and organize production nor can it build ships or airplanes. But, Mr. Chairman, let me say that the one thing Congress could do that would help more than anything else would be to lay down a policy now for the duration of the war and then quit agitating against the fellows who are actually building the planes and tanks and guns every couple of weeks and keeping everybody upset about the matter. If we are going to legislate at all I think we ought to put in this bill a broad statement or policy regarding the important questions that may come before the War Labor Board for the duration of the war. Such action would have to be fair and just all around, but it might be a great help to the Board.

If I can be shown anything that is really retarding production, I will vote against that thing. But I will not support a move to cut low-paid labor just because it can be gotten away with on the pretext of it being a war measure when in reality it is no such thing.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Mobile Register.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

THE 40-HOUR WEEK

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. NORTON. Mr. Speaker, there seems to be so much misinformation going to the country from various sources that I shall attempt to present a few facts in the hope that they may be published as widely as has been the misinformation.

This House has for some days listened to attacks on the Wage and Hour Act. Some of the gentlemen who have made them fought this legislation when it was introduced. They are still fighting it. All the groups which opposed enactment of a statute to give underprivileged workers a living wage are once more active and vocal in their denunciation of what they call the 40-hour law, and their point of view is receiving wide circulation from the press, by way of radio, and through the propaganda activities of certain groups.

All this clamor has built up the impression in the minds of many people that American workingmen are quitting their jobs on war production when they have worked a 40-hour week. That is the impression certain groups and individuals want to create for the purpose of destroying all laws which protect labor. Their tactics serve to arouse discontent among Americans and to breed disunity, and thus to play the game that Hitler wants played and that cashes in the chips for him and his gangsters.

Now, as to the facts, and they show conclusively that the plants where men are making the guns, tanks, planes, and ships, and other war equipment, are working many more than 40 hours per week.

Here is the record from a recent survey of war industries by the Bureau of Labor Statistics: 80.3 percent of our aircraft plants are working 120 hours or more a week; 64.2 percent are working 140 hours or more a week; 37.4 percent are working 160 hours or more a week.

In the aluminum industry 85 percent are working 80 hours or more, 55 percent 120 hours or more, and 30 percent 160 or more.

On blast furnaces 99.5 percent are working 80 hours or more each week, 97 percent 120 hours or more, and 80.3 percent 160 or more hours a week.

In chemicals, 100 percent are working 120 hours or more a week, and 85.1 percent 160 hours or more.

In shipbuilding, 92.1 percent of the yards are working 80 hours or more, 72.5 percent 120 hours or more, and 33.3 percent 160 hours or more.

Other war-industry plants surveyed show the same high percentages of plants working three- and four-shift operations of 40 hours each every week.

A compilation of data showing the proportion of workers employed overtime and the average amount of overtime worked by these workers in 16 important war industries in January 1942 showed that 96 percent of the workers in the machine tool accessory industry were working about 56 hours a week, 91.2 percent in the shipbuilding industry were working an average of 12.3 hours of overtime each week, 91.2 percent in the locomotive industry were working an average of 12.8 hours overtime every week, and in the engine industry 66.5 percent of the workers worked an average of 14.3 hours of overtime a week.

That is the answer to those who would have us believe that patriotic American workers are holding war production down to a 40-hour week.

The so-called 40-hour week does not, and never has, restricted the hours of work a man may put in. It simply provides that time and a half be paid for the hours he works over 40 each week. It has relieved the plight of a large underpaid group of workers. Without its protection—and I am quoting from an editorial in the St. Louis Post-Dispatch of March 8:

> The unorganized workers in textile mills and the southern lumber industry, for instance, would soon sink back into their former misery and poverty.

Maybe that is exactly what some people want to see happen.

There has been the same sort of a campaign of misrepresentation against labor in connection with industrial disputes. Such propaganda has apparently taken hold, for many letters are being written indicating widespread belief that strikes are seriously impairing the war production effort and that legislation is needed to prevent strikes in the interest of the all-out war effort.

But the fact is that both the War and Navy Departments are on record that no such legislation is necessary. That also goes for the War Production Board.

The record shows that for the months of January and February 1942 the man-days lost by work stoppages in war plants was equal to about three-one-hundredths of 1 percent of the time worked. None of these strikes was authorized by the national officers of the unions, they were all of very short duration, and the lost time per capita did not average over 2 days.

American labor is patriotic. American workingmen and women are committed to an all-out effort for the land they love, for the institutions they cherish, and for the rights and privileges which they enjoy and which they will hand down to their children. They can be counted upon to fight, to work, and to sacrifice like every other patriotic American group. They do not deserve to be made the pawns of propagandists whose game, unwittingly, happens to lend aid and comfort to the enemy by stirring up discontent and disunity among our people.

STATE SALES TAXES

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, during the morning hour the gentleman from California [Mr. LELAND M. FORD] indicated in his remarks that he was not satisfied with the protection that the Government was giving his State, California.

California, due to its long coast line, is today receiving more protection from the United States against attack and invasion than any State in the Union; more ships, more planes, more tanks, and more men are in that section of the country and on the high sea off of the coast protecting California than any other place in this country. Despite that, Mr. Speaker, California has had a lobby here for over 2 months, endeavoring to defeat legislation which, if it is defeated, will enable the State of California to bleed the United States Government; to say to the United States Government, "You cannot manufacture; you cannot assemble ships, tanks, planes, or munitions of war in our State unless you pay us a tax." California today has, by far, more national defense contracts than any State in the United States. Its Representative asks for protection and the State wants to charge the Government to manufacture implements to protect the State.

Mr. ROLPH. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Just a minute and I will give the gentleman from California a chance.

California has more defense contracts than any State in the Union, by far. It has a 3-percent sales tax. When hearings were conducted on this bill the gentleman from Tennessee [Mr. COOPER] brought out the fact from the representative of your State tax division that your sales tax in California had jumped nearly $40,000,000. Remember you did not get a dollar of taxes in increasing your revenue that you cannot get after this bill passes.

I was the author of the original bill that they are trying to defeat. The last bill, introduced by the chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON], does not take from the State of California $1. It does not take away one right that the State of California had, up to last November. I repeat that in nearly $40,000,000 increase in sales taxes, not a dollar of this kind of money was represented.

The gentleman from Colorado [Mr. HILL] also complained about the bill. He said we were trying to take away from his State money that would enable them to construct and maintain roads. Back in 1917 when we started the Federal-aid program for roads it was specifically stated in the organic act that we were participating for the purpose of building roads to be used for military purposes; to build roads to carry the mail. Since 1917 we have an investment in the Federal highways of this country of $4,400,000,000. Now the hour has arrived when we need them for military purposes, and Utah and California are complaining because we are using them for military purposes without paying them for so doing. What are we using them for in California? To protect the State of California from invasion and attack. Listen to this and remember it. The gasoline tax has not been disturbed in this legislation. In fact, it has been made broader. States will be able to collect more money from the gasoline tax under the terms of this bill than they could have collected last November before the decision of the Supreme Court which makes this legislation necessary.

The States of this Union are not in bad shape. I was in Maryland about a month ago and I heard the Governor of Maryland make a speech. He was talking to real-estate men. He said:

> Now I have some good news for you. Next year, due to our financial condition, we are going to reduce the tax on real estate 20 percent.

That is pretty nice.

I was in New York last week end and I read where Governor Lehman announced to the people of New York:

> We are not only going to take away that 1-percent emergency tax on income that we had last year, but when you pay your income tax on April 15 this year, that will be wiped out and 25 percent more.

New York this year on the net income of 1941, is reducing taxes 26 percent. It is not like California and Utah and six other States.

My own State, Missouri, collected $10,000,000 more in sales tax last year than it did the year before. It has gradually gone up. By reason of the tremendous amount of national defense contracts in my State, I predict it will go up $20,000,000 more this year. It is bound to do so. That is not money coming out of the Federal Treasury. Those taxes were levied on the purchases of skilled and unskilled labor, who receive approximately 50 percent of our national defense expenditures. There is turn-over and turn-over, and each turn-over is taxed.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection.

There was no objection.

Mr. COCHRAN. As I said, there is turnover and turnover, and every time that money is spent you collect sales tax.

That is what is responsible for the increase. I say to you, as I have repeatedly shown in the RECORD, that unless this legislation is passed, two or three billion dollars will be handed out to the States. There are 22 States in this Union today that have a sales tax. Only 8 of those States are asking for taxes. There are 14 States that do not want to bleed the Government, but if we do not pass the legislation, then it behooves all the 48 States of the Union, not counting the municipalities, to get busy and pass laws so they will get their end of these sales taxes.

Do you think the State of New York, that does not have a sales tax, is going to pay all the taxes it pays to the Federal Treasury and let other States in the Union collect money for national defense expenditures without New York's acting? Why, of course it is not. These gentlemen who are talking about this legislation will do well to investigate and read the bill and not listen to some State officials as to what the bill contains. Now I yield to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. The gentleman from California [Mr. LELAND M. FORD] does not need any defense at my hands. I am surprised to hear the statements made by the gentleman from Missouri, from the city of St. Louis, which really sponsored California, for many of the covered wagons outfitted in St. Louis and came out in 1848 and 1849 to build up California. The gentleman ought to be proud to think that the State of California is now fifth in population and fifth in wealth and that it is one of 8, 9, or 10 of the States of the country that are putting more money into the Federal Treasury than they are taking out.

I do not know of any lobby here in Washington that has been lobbying against the gentleman's bill.

Mr. COCHRAN. I have been before the committees many times, but I have never been before a committee where there was any question touching taxes but what the California men were there; in fact, before the Rules Committee the other day there were so many Representatives from California that I said to one of them: "You had better change your song from 'California, Here I Come,' to 'California, Here I Am,'" because most of your delegation was there opposing this rule. The gentleman was not there but many of his colleagues were there.

Mr. ROLPH. Mr. Speaker, will the gentleman yield further?

Mr. COCHRAN. I yield.

Mr. ROLPH. I am one Representative from California who was not before the committee. If the gentleman wants to know why California has so many contracts it is because California has the plants and California has the goods. We have the plants, and that is the reason we have the contracts.

Mr. COCHRAN. Those Californians who are fighting this bill ought to be ashamed of themselves for the way you are attempting to tax the Federal Government. If I were a Californian I would be lowering my head in shame at what the State officials are trying to do to the Federal Government at this time. If the people of my State try to do to the Federal Government what the people of California are doing I will condemn them just as severely as I condemn the officials of California.

Everytime you tax a contractor that tax is added to the cost and is passed to the Federal Government and paid by the Federal Government. This legislation is not a bill to protect contractors but to protect the Federal Treasury and ex-

pedite production. Read the bill before you condemn it.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan.

There was no objection.

Mr. HOFFMAN. One reason for taking this time is to ask the gentleman from Missouri [Mr. COCHRAN] the question whether he is striving for unity, whether he is trying to get California back into the Union if she has been out? I did not know she was ever out.

Mr. COCHRAN. California ought to get out of the Union if it will not go along—if she persists in her taxing of the Federal Government that protects her.

Mr. HOFFMAN. I yield to the gentleman further if he wants to make another declaration that California ought to get out of the Union. Now, tell us why.

Mr. ROLPH. I was just going to ask that question.

Mr. COCHRAN. Who are we fighting the war for if not the 48 States. California wants to tax the Government for the privilege of manufacturing munitions of war to be used to protect California.

Mr. HOFFMAN. I supposed the war was being fought for the preservation of the United States of America.

Mr. COCHRAN. What is the United States of America other than the 48 States?

Mr. HOFFMAN. And it is being fought, we were told, to extend the "four freedoms" to all the world, including India. Believing, of course, as I do that Great Britain should soon grant independence to India if the "four freedoms" are to be carried to all the world, I hope she will not wait until it is too late.

I want also to say that the statement of the gentlewoman from New Jersey [Mrs. NORTON] was another great unity speech, especially that part of it where she charged directly—or if not directly, at least indirectly and by inference—that those of us who wanted labor legislation were inspired by the Nazis. Now, that surely will smooth things over, will it not? It is right in line with the statement that Mr. Walling made Saturday in New York to the effect that these letters we have been receiving demanding labor legislation came from Nazi propagandists. I want to read a copy of a letter which was sent to me, the original of which was sent to the President of the United States. It is from the McDonald Dairy Omitting the salutation, it reads:

McDONALD DAIRY CO.,
Flint, Mich., March 18, 1942.

It is you who are misinformed. Make no mistake about it. The people of this country understand that men can work more than 40 hours if they want to, so far as the law is concerned, if they are paid enough.

The people are much better informed than you are because they know in Flint, for instance, that night before last the Fisher Body local, United Automobile Workers, passed a resolution against working any faster in the war effort. The resolution was published in the newspaper. They know that on the tank plant the surveyor rodman was stopped from driving his own stakes and a needless man sent along to drive them. They know that bricklayers are restricted ridiculously in the number of bricks they are permitted to lay in a day on some Government projects. They know that union men prevent their fellow workers turning out the amount of work that can be done very comfortably. They know that Robert Travis, who called a strike in a California bomber plant, causing you to send soldiers there, is now in a key position in the Congress of Industrial Organizations, and Flint people know that this is the same Robert Travis that caused the switches to be pulled in the electric power plants supplying Flint.

Misinformation there certainly is, but it is not on the part of the people who see and know these things first hand. We don't get our information from William Green, or Philip Murray, or John Lewis, head of the Workers and Peasant Party. We can lose this war. In fact, we are losing this war. You had better let Congress alone in this matter of bringing about more work. More work is one of the things essential to winning and paying for the war.

Yours very truly,

W. A. McDONALD.

Now, I will say to the gentlewoman from New Jersey [Mrs. NORTON] that she gets just nowhere except into trouble by calling names. If she, or any other new dealer or Communist, thinks she or they are the only loyal citizens, then they having ears hear not, having eyes they see not.

Neither she nor anyone else is frightening anyone by falsely charging others with a lack of patriotism. Such charges are not only silly but show a self-satisfied complex that is amusing.

[Here the gavel fell.]

Mr. Speaker, I yield back the balance of my time and ask unanimous consent to revise and extend my remarks and include therein the letter referred to.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech recently made by Judge Leo H. Leary, of Boston, Mass.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

L. METCALFE WALLING

Mr. FOGARTY Mr Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER protempore. Is there objection to the request of the gentleman from Rhode Island [Mr. FOGARTY]?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the name of L. Metcalfe Walling was mentioned three or four times here today, and I want to inform the House that Mr. Walling is a constituent of mine, and I want to say a word about this young man who has been maligned here on this floor for the horrible crime of standing up for the man who works for a living.

Metcalfe Walling, who was recently appointed as Administrator of the Wage and Hour Division of the Department of Labor, has had a great deal of training for the post he occupies. His appointment was not a flash in the pan, but came about because of his long, hard work in his chosen field—that of labor relations.

He was born a member of a conservative Republican family, in December 1908, in the town of North Smithfield—one of my State's oldest and most conservative towns. He was graduated from Philips-Exeter Academy in Andover, Mass., and received his degree from Brown University in 1930. He received his LL. B. from Harvard Law School in 1933. The following year he was admitted to the bar of the State of Rhode Island.

He was named labor compliance officer and legal adviser to the N. R. A., and in 1935 was named director of labor for the State of Rhode Island, while the present junior Senator from Rhode Island was the Governor of my State. During this period, with Senator GREEN in the executive office, the present Lt. Comdr. Robert E. Quinn, the State's Lieutenant Governor, and Metcalfe Walling, the State's director of labor, there was enacted the greatest program of social legislation my State had ever known. In fact, it was the greatest such program any State had put into action in such a short period of time. There was enacted a minimum-wage law—48 hours for women and children—a child-labor law—and mind you, a child-labor law which was considered the finest in the country. There was set up for the first time a special division of women and children in the department of labor. The State set up its unemployment compensation division, and enacted many far-reaching amendments to the Workmen's Compensation Act, including an amendment providing for occupational diseases, which inclusion had hitherto been frowned upon. The State enacted a prevailing wage law for public works—roads and bridge construction—and set up the State and Federal reemployment agencies.

There were more accomplishments—many of which never saw print—but many of which are deeply imbedded in the minds of the people of the State who saw themselves receiving the treatment which is accorded decent citizens of the State, and with no one making excuses for according them that treatment to which they were entitled.

Metcalfe Walling, in 1937, was named head of the Public Contracts Division of the Labor Department, and headed the administration of the Walsh-Healey Act. He has served in that capacity with honor and distinction until his recent appointment to the Wages and Hours Division.

Here men, elected by the people to serve the peoples' interest, are preaching unity and doing their level best to destroy the greatest exhibition of unity that this country has ever witnessed. Gentlemen from Michigan, Georgia, and Virginia stand here and renew their attacks on labor and find they have willing followers in men who are misguided by the press of the country, who in its zeal to follow past paths and continue the de-

struction of labor, as usual, are rapping every member of organized labor, even though in the State blamed for the inauguration of this alleged crusade—Oklahoma—there has never been a strike in a defense industry. These men stand here and attack a young man whose greatest sin is that he has the courage of his conviction and he follows truth, and serves truth, no matter what the consequences and no matter whose toes are stepped on. Do you plead the cause of subservient men? Do you ask for men who can be dictated to by the press—the press who will serve itself first, no matter what the consequences? Or do you want a man who recognizes justice and fair play—and who knows, in all this cry of doing away with the 40-hour week, that there is in the country an army of over 4,000,000 unemployed—this in the midst of the greatest demand for workers the country has ever seen?

This is not a member of organized labor who has been attacked here on this floor; this is a member of your Government and my Government. This is a man who is trying to serve his country, and who has proved by past performances his ability to serve his country well and faithfully.

This is a man who tries to defeat his country's enemies' attempts to undermine our unity, to show a solid front to the enemy, and as his reward for his faith in his fellow man he receives from this—this high tribunal of the House of Representatives—ridicule and abuse. If that is serving the country's cause, then I have been gravely misled.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARE, for 3 days, on account of death in family.

EXTENSION OF REMARKS

Mr. ROLPH Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and to include an editorial from the Daily Commercial News entitled, "A New Era Dawns on the Water Front."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. ROLPH]?

There was no objection.

Mr. ROLPH. Mr. Speaker, for nearly half a century the Daily Commercial News has served the business and commercial fields in San Francisco. This interesting paper is published every day except Saturdays, Sundays, and holidays.

Theo F. Coleman is its energetic capable editor and on March 16, 1942, he wrote an editorial captioned "A new era dawns on the water front.

The article sets forth a spirit of complete cooperation in San Francisco's shipping industry for all-out effort to win the war.

The Maritime Industry Board mentioned in the article will settle by decision within its own membership any questions in dispute.

Americans everywhere I am sure will be interested in reading Mr. Coleman's editorial which follows:

[From the San Francisco Daily Commercial News of March 16, 1942]

A NEW ERA DAWNS ON THE WATER FRONT

The power to increase longshore efficiency in the loading and discharging of vessels in Pacific coast ports.

The power to waive collective bargaining agreements "and any rights therein of either party" if such agreements interfere with the war effort.

The power to promulgate its own rules and regulations for the performance of its duties.

These, in substance, are the powers of the Pacific Coast Maritime Industry Board, created last week by executive order of Admiral Emory S. Land, with full approval of President Roosevelt.

Admiral Land acted after consulting with Dean Wayne L. Morse, a public member of the National War Labor Board and coastwise arbitrator under the Congress of Industrial Organizations longshore contract.

He established the board as an agency of the War Shipping Administration, of which he is chairman He made it clear that he had but one purpose in mind—"to raise production levels of the longshore industry of the Pacific coast to the maximum."

Explaining the situation more fully, Dean Morse in a recent address before an assembly at the University of Oregon, where he is dean of the law school, had this to say:

"For the past 6 years there have been quarrels and wrangles over employer claims of a slow-down and union claims of a speed-up. As far as I am concerned as arbitrator under the longshore contract, I want to hear no more of that argument.

"I want, the country wants, our armed forces have the right to expect a longshore speed-up and more speed-up, and then some more

"I have allowed the longshoremen under present conditions wages sufficiently high so that they should have every incentive to exert the maximum of energy and effort in clearing our west-coast docks of cargo just as fast as there are ships in which to put it."

The board is definitely an instrument of the United States Government. And never before in the history of American labor relations has any such board been given powers more sweeping or far-reaching than those held by this agency.

Morse is chairman of the board but will leave actual running of the organization to his personally selected vice chairman, Professor Paul Eliel, director of industrial relations at Stanford University, who, in the absence of the chairman, will have full power in all decisions, voting in the Chairman's place.

Besides the chairman and vice chairman, the board will consist of four regular members, two representing employers and two representing labor.

In addition, there will be six alternates. Two will stand by for the employer members, two for the Congress of Industrial Organizations International Longshoremen's and Warehousemen's Union and two for the American Federation of Labor International Longshoremen's Association, who will sit on the board in place of Congress of Industrial Organizations members when the agency is considering disputes or investigations in the American Federation of Labor ports of Tacoma, Anacortes, and Port Angeles.

All appointments are made by Admiral Land, but unions and employers will nominate members they seek to have represent them. It is understood that both sides already have made nominations. Admiral Land is not required to follow the recommendations, but it is expected he will. Thus far Dean Morse and Professor Eliel are the only two persons actually named to the board. The other appointments will be made shortly.

The board marks the beginning of a new era in labor relations on Pacific coast docks. It has the power to suspend obsolete and cumbersome working rules in order to speed up production. It must and will use that power.

THEO. F. COLEMAN.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6543. An act to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1696. An act for the relief of Bessie Walden; and

S. 2208. An act to further expedite the prosecution of the war.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On March 20, 1942:

H. R. 6758. An act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones.

On March 23, 1942:

H. R. 6543. An act to amend certain provisions of the Internal Revenue Code relating to the production of alcohol.

ADJOURNMENT

Mr. FOGARTY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 24, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds on Tuesday, March 24, 1942, at 10 a. m., for consideration of H. R. 6483. The hearing will be held in room 1304, New House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. on Tuesday, March 24, 1942. Business to be considered: Hearings on H. R. 6799, flying hours of air pilots.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing at

10:30 a. m. on Wednesday, March 25, 1942, ond H. R. 6529 and private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1520. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942, to remain available until June 30, 1943, amounting to $1,700,000, for the Department of Justice (H. Doc. No. 682); to the Committee on Appropriations and ordered to be printed.

1521. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 142 items, which certain Government agencies have recommended for disposal; to the Committee on the Disposition of Executive Papers.

1522. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill relating to the status of certain natives and inhabitants of the Virgin Islands; to the Committee on Immigration and Naturalization.

1523. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to discharge more effectively the obligations of the United States under certain treaties relating to the manufacture and distribution of narcotic drugs, by providing for domestic control of the production and distribution of the opium poppy and its products, and for other purposes; to the Committee on Ways and Means.

1524. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated September 30, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of, and a review of report on the Saco River, Maine, authorized by the Flood Control Act approved on June 22, 1936, and requested by resolutions of the Committee on Flood Control, House of Representatives, adopted on March 27, 1936, and the Committee on Commerce, United States Senate, adopted on March 28, 1936; to the Committee on Flood Control.

1525. A communication from the President of the United States, transmitting a supplemental estimate of appropriations for the Department of the Interior for the fiscal year 1943, amounting to $366,370, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 683); to the Committee on Appropriations and ordered to be printed.

1526. A letter from the Secretary of Agriculture, transmitting a report of the Administrator of the Agricultural Adjustment Administration, 1941; to the Committee on Agriculture.

1527. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to authorize the temporary appointment or advancement of commissioned officers of the Coast and Geodetic Survey in time of war or national emergency, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee of conference on the disagreeing votes of the two Houses. H. R. 5784. A bill to consolidate police and municipal courts of District of Columbia, and for other purposes; without amendment (Rept. No. 1934). Ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6812) for the relief of Robert C. Duff; Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 6810) granting a pension to Amelia Branson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 6818. A bill authorizing the temporary appointment or advancement of commissioned officers of the Coast and Geodetic Survey in time of war or national emergency, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mrs. ROGERS of Massachusetts:

H. R. 6819. A bill to provide that written statements required by the Civil Service Commission may be made without the formality of an oath, and for other purposes; to the Committee on the Civil Service.

By Mr. HINSHAW:

H. R. 6820. A bill to provide for the closing of certain foreign language schools in time of war; to the Committee on Education.

H. R. 6821. A bill to promote the defense of the United States by prohibiting the conducting of foreign language schools; to the Committee on Education.

By Mr. BEITER:

H. R. 6822. A bill to extend the benefits of the United States Employees' Compensation Act to certain persons, and to the widows, children, and dependents of certain persons, injured while fighting fires on property under the exclusive jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. PETERSON of Georgia:

H. R. 6823. A bill to amend an act entitled "An act to expedite the prosecution of the war effort," approved December 18, 1941; to the Committee on the Judiciary.

By Mr. RANKIN of Mississippi:

H. R. 6824. A bill to make temporary disability ratings of World War veterans permanent after 10 years; to the Committee on World War Veterans' Legislation.

By Mr. POWERS:

H. R. 6825. A bill to provide for the award to civilians of the Lincoln Cross and the Lincoln Medal, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. COLMER:

H. R. 6826. A bill to provide for the reclassification under the Selective Training and Service Act of 1940 of employees engaged in war production participating in strikes; to make it unlawful for persons to conspire to stop or slow down production in war contracts; to suspend the 40-hour week and provisions for overtime compensation; to limit the profits on war contracts; and for other purposes; to the Committee on Military Affairs

By Mr. GEHRMANN:

H. R. 6827. A bill subjecting the Indians of the States of Michigan, Minnesota, and Wisconsin to laws of the respective States; to the Committee on Indian Affairs.

By Mr. KNUTSON:

H. R. 6828. A bill to amend Public Act 274 of October 16, 1941 (ch. 445, sec. I, 55 Stat. 742), entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States"; to the Committee on Military Affairs.

By Mr. MAY:

H. R. 6829. A bill to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes; to the Committee on Military Affairs.

By Mr. RANKIN of Mississippi:

H. R. 6830. A bill to provide emergency relief for certain tornado victims and for the restoration and reconstruction of certain devastated areas; to the Committee on Banking and Currency.

By Mr. VINSON of Georgia:

H. R. 6831. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. WHITE:

H. R. 6832. A bill to repeal section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone; to the Committee on Interstate and Foreign Commerce.

By Mr. WEISS:

H. R. 6833. A bill for the purpose of conserving gasoline and oil; to the Committee on Interstate and Foreign Commerce.

By Mr. MAY:

H. R. 6834. A bill to authorize the Secretary of War to approve a standard design for a service flag; to the Committee on Military Affairs.

By Mr. THOMAS of Texas:

H. R. 6835. A bill to remove limitations on the hours of employment during the continuance of the present war; to the Committee on the Judiciary.

By Mr. WHELCHEL:

H. R. 6836. A bill to readjust the compensation of men in the armed forces of the United States of America; to the Committee on Military Affairs

By Mr. DIRKSEN:

H. R. 6837. A bill to amend section 43, title 2, United States Code, relating to mileage of Senators, Representatives, and Delegates; to the Committee on Expenditures in the Executive Departments.

H. R. 6838. A bill to amend the Banking Act of 1876, as amended; to the Committee on Banking and Currency.

By Mr. MAAS:

H. R. 6839. A bill to provide for the appointment in the Naval and Marine Corps Reserves of persons with physical disabilities, and for other purposes; to the Committee on Naval Affairs.

By Mr. McLAUGHLIN:

H. R. 6840. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H. Res. 464. Resolution to appoint a committee to investigate pro-Nazi charge; to the Committee on Rules.

By Mr. BOREN:

H. Res. 465. Resolution to establish a special committee to investigate the payment of fees and dues as a condition of employment on national defense projects with a view to presenting legislation to the Congress to curb and correct such practices; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York memorializing the President and the Congress of the United

States to pass legislation to change the laws and regulations affecting the border between this country and Canada; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM:

H. R. 6841. A bill for the relief of The Tours Apartment Hotel; to the Committee on Claims

By Mr MACIEJEWSKI:

H. R. 6842. A bill for the relief of Robert J. Eitel, Max Eitel, and E. J. Coyle, of Chicago, Ill., a copartnership doing business under the name of the C. & E. Co.; to the Committee on Claims.

By Mr. WILLIAM T. PHEIFFER:

H. R. 6843. A bill for the relief of Dr. Manfred Sakel; to the Committee on Immigration and Naturalization

H. R. 6844 (by request). A bill for the relief of Emil Chalupa; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2584. By Mr. ROLPH: Resolution of the American Legion, C. C. Thomas Navy Post, No. 244, San Francisco, Calif., regarding war production; to the Committee on the Judiciary.

2585. By Mr. CULLEN: Petition of the Legislature of the State of New York, respectfully requesting Congress to speedily bring about and put into effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and that travel of persons and movement of products may be facilitated for the purpose of promoting a harmonious, an efficient, and a victorious prosecution of the existing war; to the Committee on Ways and Means.

2586. By Mr. CUNNINGHAM: Petition of 2,536 members of the Northwestern Union of Telephone Workers, protesting against inclusion of the Bell System pension plan under the pending Morgenthau tax proposal for pension trust funds; to the Committee on Ways and Means.

2587. By Mr. FITZPATRICK: Petition of the New York State Legislature, requesting Congress to effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and movement of persons and products facilitated for the purpose of promoting the harmonious, efficient, and victorious prosecution of the existing war; to the Committee on Ways and Means.

2588. By Mr. KEOGH: Memorial of the Legislature of the State of New York, respectfully requesting the Congress to speedily bring about and put into effect any necessary changes in our laws and regulations affecting the border between this country and Canada to the end that unnecessary restrictions may be removed and that travel of persons and movement of products may be facilitated for the purpose of promoting a harmonious and efficient and a victorious prosecution of the existing war; to the Committee on Ways and Means.

2589. By Mr KRAMER: Petition of the Eagle Rock (Calif.) Chamber of Commerce, urging the speedy removal of aliens from along the Pacific coast line to interior concentrations, isolating them from both the coast line and water-supply sources where sabotage would most likely occur; also urging the Congressmen to take a firm and positive stand against strikes of any kind that interfere with the war production program; to the Committee on Military Affairs.

2590. Also, petition of the Fresno (Calif.) Chamber of Commerce, urging immediate removal of all aliens and Japanese citizens or aliens into protective custody of the United States, and that all property of such persons be taken into protective custody of the United States; to the Committee on Immigration and Naturalization.

2591. By Mr. WEAVER: Petition of sundry citizens of Hendersonville, N. C., supporting Senate bill 860; to the Committee on Military Affairs.

2592. By the SPEAKER: Petition of L. A. Nordan, of San Antonio, Tex., petitioning consideration of their resolution with reference to the wage-hour law; to the Committee on Labor

2593. Also, petition of the Council of the City of Cincinnati, petitioning consideration of their resolution with reference to House bills 6617 and 6750; to the Committee on Ways and Means.

2594. Also, petition of the assistant secretary, State Board of Agriculture of the State of California, petitioning consideration of their resolution with reference to construction of dams necessary to the Central Valley project; to the Committee on Irrigation and Reclamation.

2595. Also, petition of the American Legion, Middletown Post, No. 218, Middletown, Ohio, petitioning consideration of their resolution with reference to all-out aid and unity to win the war; to the Committee on Expenditures in the Executive Departments.

SENATE

TUESDAY, MARCH 24, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Ruler of the nations, we entreat Thee in this hour of the world's anguish to have pity upon us, for in Thee is our only hope. Inspire in us, Thy children, the courage to do and to dare our utmost; increase our faith in the religion of our Saviour, which alone can subdue the world by its transmutation of suffering into triumph, of a crown of thorns into a crown of glory, of a shameful cross into a symbol of salvation.

In this Passiontide, dear Lord, teach us anew the mysterious meaning of the cross which brings to men the death of death, the defeat of sin, the beatification of martyrdom, the raising heavenward of voluntary sacrifice, the defiance of pain. Give to us all the certitude which sets no store by the apparent or the tangible, but which, piercing through the mystery of things, shows us joy shining through tears, making of suffering a sacred trial sent by Eternal Love to purify the souls of men. We ask it for the sake of Him in whom dwells all the fullness of the Godhead bodily, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. MEAD, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 23, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on March 23, 1942, the President had approved and signed the following acts:

S. 1564. An act for the relief of Pauline Caton Robertson;

S. 1898. An act for the relief of the heirs of Mrs. Nazaria Garcia, of Winslow, Ariz.;

S. 1906. An act for the relief of the estate of O. K. Himley; and

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5444. An act to amend the act to regulate barbers in the District of Columbia, and for other purposes;

H. R. 6386. An act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia, and also to conform with wages paid in many cities of the Nation; and

H. R. 6782. An act to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2208) to further expedite the prosecution of the war, and it was signed by the Vice President.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITIONS

Mr. CAPPER presented petitions, numerously signed, of sundry citizens of Abilene and Fort Scott, Kans., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

Mr. WHITE. Mr. President, I ask consent to now present for appropriate disposition a petition signed by various citizens of the State of Maine, praying for the enactment of Senate bill No. 860, known as the Sheppard bill.

The VICE PRESIDENT. Without objection, the petition presented by the

Senator from Maine will be received and lie on the table.

SPEED-UP OF WAR-PRODUCTION EFFORT—PETITION

Mr. AUSTIN. Mr. President, I ask consent to place in the RECORD at this point in my remarks, without all the signatures attached thereto, a petition directed at the stoppage of strikes, the doing away with overtime and double pay for Sunday work for the duration of the war, and calling for all-out production and action. This petition is headed and signed in the first instance by Hon. Flora J. Coutts, of Newport, Vt., who has served the State of Vermont well as State senator from Orleans County in two separate sessions, 1937 and 1939, of the General Assembly of Vermont. She is now actively engaged in civic affairs as executive secretary of the Orleans County Development Authority. On this petition also are the names of many citizens of Newport, Vt. I request that the petition may be received at this juncture and appropriately referred.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Vermont will be received, referred to the Committee on Education and Labor, and printed in the RECORD without all the signatures attached.

The petition is as follows:

Hon. WARREN R. AUSTIN,
United States Senator,
Washington, D. C.:

We want action taken to speed up production for defense, to stop strikes, and to do away with overtime and double Sunday pay for the duration of the war. We want all-out production. We want passing the buck stopped and efficiency begun. We want action now.

FLORA J. COUTTS.
(And sundry other citizens of Newport, Vt.)

RESOLUTION OF KANSAS INDEPENDENT OIL AND GAS ASSOCIATION—PERCENTAGE DEPLETION ALLOWANCE

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks and appropriately referred a resolution adopted by the Kansas Independent Oil and Gas Association at Wichita, Kans., on March 18, protesting against the Treasury proposal to eliminate the 27½-percent so-called depletion allowance in computing income-tax returns.

I desire particularly to call attention and to add my strong endorsement to the following statements of the resolution:

The independent operator is justified in his request that this percentage depletion be continued because of the risks he takes each time he drills a well. For the presence of oil cannot be determined without the expenditure of large sums of money. Even if oil is found, it cannot be measured. The amount of oil in place can only be estimated.

A manufacturer or merchant can replace their stocks by making new purchases. An oil operator cannot replace the oil he pumps out of his wells; he must drill more wells in order to discover new production. This results in his drilling many dry holes, and their cost is rightfully chargeable to the producing wells.

We believe that any reduction of the depletion allowance will result in the taxation of capital invested in the oil industry and will make it impossible to develop new reserves which are vital to our war effort.

Mr. President, if the Congress eliminates or decreases to any great extent the depletion allowance, I fear it will result in stopping development of new oil supplies just at the time when oil is vitally needed for national defense. The Treasury proposal should be rejected.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

The recommendation of the Treasury Department that the percentage depletion allowance be eliminated is to be considered by the Ways and Means Committee on March 23 and 24.

From 1918 to 1942 it has been commonly recognized that oil in place is capital and that this capital should be returned to the oil industry, free of tax. In order to return this capital free of tax, Congress determined in 1918 that the value of oil in place should be based either on cost, the fair market value as of March 1, 1913, or the fair market value within 30 days from the date oil was discovered. This method, however, of arriving at the amount of capital involved was difficult to administer and was expensive to the Government and to the oil industry.

To simplify the computations of allowable depletion, Congress in 1926, passed the percentage-depletion method, which allowed 27½ percent of the gross income from the oil and gas produced by a property during each year, to be deducted from Federal income, but in no event was this to be more than 50 percent of the net income from the property. This depletion allowance passed by Congress in 1926, has been approved by Congress in each succeeding revenue act; and, the fact that this method of computing depletion has stood for the past 16 years is evidence that it is fair, just and equitable, to both the taxpayer and to the Government. The further fact that most State income-tax departments have approved this method of depletion allowance argues in favor of its fairness.

The independent operator is justified in his request that this percentage depletion be continued, because of the risks he takes each time he drills a well. For the presence of oil cannot be determined without the expenditure of large sums of money. Even if oil is found, it cannot be measured. The amount of oil in place can only be estimated.

A manufacturer or merchant can replace his stocks by making new purchases. An oil operator cannot replace the oil he pumps out of his wells; he must drill more wells in order to discover new production. This results in his drilling many dry holes, and their cost is rightfully chargeable to the producing wells.

We believe that any reduction of the depletion allowance will result in the taxation of capital invested in the oil industry and will make it impossible to develop new reserves which are vital to our war effort: Therefore be it

Resolved by the Kansas Independent Oil and Gas Association, That the provisions of the present law are fair and equitable; that they return no more to the industry than the capital consumed and that its elimination or reduction would discourage an essential industry, necessary to the welfare and defense of the Nation.

STATEMENT RELATIVE TO PETITION AND RESOLUTIONS RECEIVED FROM WISCONSIN

Mr. WILEY. Mr. President, I have received from the State of Wisconsin, as set forth on the sheet which I hold in my hand, several papers, all in the nature of petitions, which I shall identify: A petition from sundry citizens of Madison, Wis., praying for the enactment of Senate bill 860, known as the Sheppard bill; also resolutions from the Council of the City of Kenosha, Wis., and the Kenosha Industrial Unior Council favoring the enactment of House bill 6559, to the end that the men and women who, by virtue of the conversior of plants from peacetime to wartime production, are left unemployed may receive during such idle period a decent, livable unemployment benfit; also a resolution from the League of Wisconsin Municipalities, Madison, Wis., urging Members of the Congress and the various war agencies to put forth every effort to aid in providing necessary funds for the promotion of the Bureau of Plant Industry, and also a resolution from the Portage County,, Wis., Board of Supervisors favoring the suspension of labor-union activity for the duration of the war.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WHEELER, from the Committee on Interstate Commerce:

H. R. 6387. A bill to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes; without amendment (Rept. No. 1192).

By Mr. MALONEY, from the Committee on Immigration:

S. 1944. A bill for the relief of Thomas Samuel Wuriu; with an amendment (Rept. No. 1193).

By Mr. HOLMAN, from the Committee on Immigration:

H. R. 1541. A bill for the relief of Jacques Hailpern, Max Hailpern, and Sally Hailpern Zaharia; with an amendment (Rept. No. 1194).

By Mr. MAYBANK, from the Committee on Immigration:

H. R. 2922. A bill for the relief of Albert Edward Whiteside; without amendment (Rept. No. 1195).

REPORT OF THE COMMITTEE ON APPROPRIATIONS

Mr. THOMAS of Oklahoma. Mr. President, on behalf of the Committee on Appropriations I report back from that committee, with amendments, for the calendar, the bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, and I submit a report (No. 1191) thereon. I give notice that at the earliest opportune moment I shall call up the bill for consideration by the Senate.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. BROWN introduced Senate bill 2400, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. BUTLER:

S. 2401. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and

render judgment upon the claims of William Quinlan; to the Committee on Claims.

OVERTIME PAYMENTS TO EMPLOYEES UNDER GOVERNMENT CONTRACTS—PURCHASE OF UNITED STATES BONDS BY GOVERNMENTAL OFFICIALS AND OTHERS

Mr. BROWN. Mr. President, I ask consent to introduce a bill for reference to the Committee on Finance, and I wish briefly to state what it contains.

The bill proposes, first, that hereafter all overtime pay received by workmen engaged on Government contracts shall be paid in the form of United States Savings bonds.

Second, that the salaries of all officers of corporations engaged in Government war work which exceed $400 a month, approximately $5,000 a year, shall be paid, to the extent of 5 percent thereof, in United States war bonds.

Third, that the salaries of all Government employees, including, I may say, Senators and Representatives, judges, and other officers and employees of the United States, receiving salaries in excess of $400 a month, slightly under $5,000 a year shall be paid to the extent of 5 percent thereof in United States Savings bonds.

Of course, the major purpose of the proposed legislation is, first, to raise money; second, to postpone the buying power of salaries from the present time to the period after the war. These bonds are to be substantially similar to the present United States Savings bonds, except that they are to be nonnegotiable, and nonredeemable until 6 months after the termination of the war such termination to be as defined in the Second War Powers Act.

Mr. HUGHES. Could the bonds be used for the payment of taxes?

Mr. BROWN. No; they could not be.

Mr. HUGHES. What will we use for the payment of taxes?

Mr. BROWN. The Senator will have to save something out of his salary with which to pay taxes.

Mr. President, this bill, I hope, will be anti-inflationary in result. It affects three groups of wage and salary earners. It proposes that all overtime pay to workers on Government contracts, both primary and secondary, shall be in the form of nonnegotiable war bonds issued on a discount basis to the full amount of the overtime pay substantially in the form of the present Treasury issues except that they are not cashable or redeemable until 6 months after the end of the war as defined in the Second War Powers Act. The bill also will require payment of 5 percent of all salaries paid by corporations engaged in war work which are in excess of $400 per month. With the same kind of bonds as above described, the third class I seek to affect in the same manner is all Government officials and employees drawing salaries in excess of $400 per month.

I think it fair under all circumstances to give serious consideration to a similar provision for corporate dividends and I introduce the bill with the hope that we can find some method of reaching corporate dividends. I have not suggested any form in my bill, but take this means of calling attention to the need and hope that when considered in committee, we may find some means of reaching corporate dividends based upon war contracts in a substantially similar manner as overtime and salaries are reached.

It will be noted that the main purpose of the bill is the postponement of buying power from the present to the post-war period. It is a step toward compulsory savings. I am not wedded to the rate of 5 percent, as suggested, nor to the $400 base. These may be changed in accord with what seems proper after hearing. I am able to say that the Treasury is studying the matter. They have announced no position. I discussed the ubject matter publicly before the Finance Committee of the Senate on March 13 during the hearing on the Public Debt Act. I have also discussed the matter further with Secretary Morgenthau and Under Secretary Bell of the Treasury. I have also discussed the overtime question with representatives of labor and of management. I have received no definite answer from either, but was assured by both that the subject matter was worthy of most serious consideration.

There being no objection, the bill (S. 2400) relating to overtime payments to employees under Government contracts, was read twice by its title and referred to the Committee on Finance.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 5444. An act to amend the act to regulate barbers in the District of Columbia, and for other purposes;

H. R. 6386. An act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia, and also to conform with wages paid in many cities of the Nation; and

H. R. 6782. An act to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the detective bureau of the Metropolitan Police Department, and for other purposes.

DEVELOPMENT OF MINERALS, ELECTRICAL FACILITIES, AND NATURAL RESOURCES—AMENDMENTS

Mr. JOHNSON of Colorado submitted amendments intended to be proposed by him to the bill (S. 2378) to promote the development and production of minerals belonging to the United States, to authorize the construction and operation of electrical facilities, to promote utilization of the natural resources of the Nation, and for other purposes, which were referred to the Committee on Public Lands and Surveys and ordered to be printed.

THE TAX PROBLEM—ADDRESS BY SENATOR TAFT

[Mr. BROWN asked and obtained leave to have printed in the RECORD a radio address on the tax problem delivered by Senator TAFT on Monday, March 23, 1942, which appears in the Appendix.]

PROSECUTION OF THE WAR—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address delivered by him at Chippewa Falls, Wis., on March 18, 1942, which appears in the Appendix.]

PRE-WAR STATEMENTS BY SENATOR SMATHERS AND FORMER SENATOR EDGE

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article from the Atlantic City Press, Atlantic City, N. J., of March 23, 1942, containing statements by former Senator Edge and Senator SMATHERS, which appears in the Appendix.]

ADDRESS TO THE ORDER OF AHEPA BY THE ATTORNEY GENERAL

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an address delivered by the Attorney General of the United States at the Ahepa dinner, March 23, 1942, at the Mayflower Hotel, which appears in the Appendix.]

PROBLEMS INVOLVED IN THE WAR EFFORT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio program in which Theodore Granik interviewed James M. Landis, Director of the Office of Civilian Defense, which appears in the Appendix.]

WARTIME RESPONSIBILITY TO YOUTH—ADDRESS BY DR. V. T. THAYER

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an address entitled "Our Wartime Responsibility to American Youth: Shall We Scrap the National Youth Administration and the Civilian Conservation Corps?" delivered on February 15, 1942, in New York City, by Dr. V. T. Thayer, educational Director, Ethical Culture Schools, and leader of the New York Society for Ethical Culture, which appears in the Appendix.]

LABOR AND WAR PRODUCTION—EDITORIAL FROM THE MONTGOMERY (ALA.) ADVERTISER

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an editorial entitled "Must Our Nation Be Torn to Pieces?" published in the Montgomery (Ala.) Advertiser of March 22, 1942, which appears in the Appendix.]

THURMAN ARNOLD—ARTICLE BY FRANK C. WALDROP

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Frank C. Waldrop regarding Assistant Attorney General Thurman Arnold, which appears in the Appendix.]

MACARTHUR PROMISES "THE TRUTH" ABOUT THE WAR—ARTICLE BY HAROLD GUARD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "MacArthur Promises 'the Truth' About War—Requests Cooperation" written by Harold Guard, United Press staff correspondent at General MacArthur's headquarters, Australia, which appears in the Appendix.]

WAR PRODUCTION AND LABOR POLICIES

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD two letters discussing war production and labor policies which appear in the Appendix.]

HEED NELSON'S WARNING—EDITORIAL FROM CHICAGO TIMES

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "Heed Nelson's Warning," published in the Chicago Sunday Times of March 15, 1942, which appears in the Appendix.]

BONDS VERSUS BONDAGE

[Mr. MURDOCK asked and obtained leave to have printed in the RECORD a statement entitled "Bonds Versus Bondage," by James Shenos, president District of Columbia Chapter, Order of Ahepa, which appears in the Appendix.]

TEXANS DEMAND ACTION

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an article from the Washington Times-Herald of March 24, 1942, relating to a mass meeting in Dallas, Tex., which appears in the Appendix.]

EFFECT OF CONCENTRATION OF DEFENSE INDUSTRIES ON SMALL BUSINESS

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD an article from the Preston (Md.) News of March 12, 1942, relating to defense industries and small business, which appears in the Appendix.]

CALL OF THE ROLL

Mr. MEAD. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Hayden	Rosier
Bilbo	Hill	Russell
Bone	Holman	Schwartz
Brewster	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	Langer	Spencer
Butler	Lee	Stewart
Byrd	Lucas	Taft
Capper	McCarran	Thomas, Idaho
Caraway	McFarland	Thomas, Okla.
Chandler	McKellar	Thomas, Utah
Chavez	McNary	Tobey
Clark, Idaho	Maloney	Truman
Clark, Mo.	Maybank	Tunnell
Connally	Mead	Tydings
Danaher	Millikin	Vandenberg
Davis	Murdock	Van Nuys
Doxey	Murray	Wagner
Ellender	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	Wiley
Gillette	Overton	Willis

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. BUNKER], the Senator from Iowa [Mr. HERRING], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. TUNNELL obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator from Delaware yield?

Mr. TUNNELL. I yield.

Mr. VANDENBERG. While I have no doubt there is a constructive quorum present, I should like to have the RECORD show that there are just 24 out of 96 jurors present.

Mr. WHITE and Mr. BREWSTER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Delaware yield and, if so, to whom?

Mr. TUNNELL. I yield to the Senator from Maine.

(Mr. WHITE presented a petition which appears under the appropriate heading.)

Mr. CONNALLY. I rise to a point of order.

The VICE PRESIDENT. The Senator from Texas is recognized to state the point of order.

Mr. CONNALLY. The Senator from Michigan [Mr. VANDENBERG] made the point that there is not a quorum present, and under the rules of the Senate the roll must be called. The Senator from Michigan made the point that there are only 24 Senators on the floor. Whether he used the words, "I suggest the absence of a quorum" or not, he did suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Delaware [Mr. TUNNELL] has the floor. Does the Senator from Delaware yield for the purpose of calling the roll?

Mr. TUNNELL. I do not.

Mr. CONNALLY. Mr. President, the Senator from Maine [Mr. WHITE] has the floor.

The VICE PRESIDENT. The Senator from Delaware [Mr. TUNNELL] yielded to the Senator from Maine, but failed to designate whether it was the junior or senior Senator.

Mr. CONNALLY. Mr. President, I make the further point of order that when the Senator from Michigan made the point that there was no quorum present it then became the duty of the Chair to proceed to order the calling of the roll, irrespective of whether the Senator from Delaware [Mr. TUNNELL] would yield for the purpose or not. I do not care to have the roll called, but in the interest of correct procedure I wish the RECORD to show that the Senator from Michigan has observed that there is not a quorum present.

The VICE PRESIDENT. The presence of a quorum had just been announced. The Chair did not undertake to ascertain the veracity of the statement of the Senator from Michigan [Mr. VANDENBERG], and understood that the Senator from Michigan was speaking in a highly humorous mood.

Mr. TUNNELL. Mr. President, I shall first answer the question asked by the Senator from Maryland [Mr. TYDINGS] yesterday. In addition to the quotation from page 111 of the record, which I read yesterday in response to the question asked by the Senator from Maryland with reference to Gale Wyman, I shall now read from page 112 of the record:

Mr. BURKE. Did you tell your father on that occasion that the representative of Mr. LANGER had agreed, subject to Mr. LANGER'S approval, to pay you $500 for such services as you might render in the matter?

Mr. TYDINGS. Will the Senator give me the pages again?

Mr. TUNNELL. The first page I gave was 111. The second one is 112. On both are to be found evidence relating to the activity of Mr. Gale Wyman. I will not read again what I read yesterday from page 111.

Mr. TYDINGS. Will the Senator specify the exact sentences?

Mr. TUNNELL. Yes; on page 111, near the top of the page, will be found this language:

And I read you that portion of your statement appearing at the top of page 17, which I now repeat:

"I to'd them from the standpoint of a fixing policy it would be a physical impossibility for me to do any good."

Do you wish to say to the committee that when you referred to a "fixing policy" that that was the first time that that had been mentioned in the conversation between Mr. Leedom and Mr. Mulloy and yourself, that the only thing they had suggested for which they wanted your services was in reference to this banquet and the relief of the jury list?

Mr. WYMAN. That is all that they suggested to me at the time. However, there were possibly some inferences drawn during the conversation which caused me to describe it in that way. I cannot recall the exact conversation.

Mr. BURKE. Now, Mr. Wyman, is it unfair to say that you knew perfectly well when Leedom called you down there and Mulloy and Leedom talked to you and wanted you to take some part in this case, they were willing to pay you, apparently, whatever you asked, $500 you said, that they wanted you to use your influence in whatever way you could with your father to get the result they wanted in the case? You knew that that is what they wanted, did you not?

Mr. WYMAN. Well, that was understood.

Mr. TYDINGS. I still say that that language can be interpreted strictly, it can be interpreted literally, or it can be interpreted conservatively, and one can arrive at many different meanings from that language.

Mr. TUNNELL. And they are all crooked.

Mr. TYDINGS. There is nothing here——

Mr. TUNNELL. I say all the meanings are crooked, are they not?

Mr. TYDINGS. I do not think so. I should say that when a judge's son practices law in his father's own bailiwick,

not infrequently persons will employ the judge's son because they feel that there will be no antipathy on the part of the bench toward the trial attorney. I am not passing on the ethics of such a practice, but there is nothing illegal about it, there is nothing improper about it, in the sense that we are discussing this case. It was no secret that Mr. Gale Wyman was to appear in open court. He was not hired to go into court in a disguise. He was in open court. I cannot find any direct statement in the record from which it may be assumed that he was asked to do something which was improper.

Mr. STEWART. Mr. President, will the Senator from Delaware yield to me?

Mr. TUNNELL. I yield.

Mr. STEWART. Has the Senator from Maryland read the testimony of Mulloy?

Mr. TYDINGS. I have read these different quotations, and I can draw inferences from them.

Mr. STEWART. Mulloy said that Gale Wyman was hired for the purpose of fixing his father. That is the substance of his testimony.

Mr. TYDINGS. On what page is that?

Mr. STEWART. There are several pages of it, I will say to the Senator. Mulloy's testimony would have to be read pretty nearly in its entirety. In addition to that, it was specifically understood that Mr. Gale Wyman was not to appear in court because it would not look right.

Mr. TYDINGS. What I should like to have is the specific statement.

Mr. STEWART. One of the unfortunate things about the whole procedure is that all the testimony has not been printed. The other day, when a similar question arose, I undertook to have the entire testimony printed. A part of the testimony was not included even in the little green book which appears on Senator's desks. By that I mean statements taken by the investigators. I believe it should all have been printed and placed on the desk of each Senator who might desire to avail himself of it. I think it behooves Senators to read every word of this testimony. The committee sat for about a month listening to testimony. It was one of the most unpleasant duties I have ever had to perform in the Senate or anywhere else. We saw the witnesses who appeared before us. That was one of the occasions in my life when I had impressed upon me the correctness of the old idea of the importance of seeing the witnesses and observing their demeanor on the stand. I became greatly impressed with the tremendous difference between reading a cold record and seeing and hearing the men who came before us and made the record and testified in flesh and blood. I had that experience in this case.

Mr. TYDINGS. Mr. President, will the Senator from Delaware again yield?

Mr. TUNNELL. I yield.

Mr. TYDINGS. The only purpose for which I rose yesterday was to say that the statement had been made that Senator LANGER, then Mr. LANGER, through his agents, Mr. Mulloy and the other gentleman who was associated with him, had employed Gale Wyman, the judge's son, for the purpose of influencing his father improperly, and I said that I could not find any specific statement in the record to that effect. I did find statements from which such an inference could be drawn, quite properly, if one wanted to do it; but I wanted the exact page and the exact statement where that assertion was made, and I have not yet been able to find it.

Mr. TUNNELL. I will say to the Senator that on page 111 Gale Wyman states that it was understood, when he agreed to do this work for Senator LANGER, whatever it was, that he was to use his influence with his father in whatever way he could to obtain the desired result. If it is proper to pay money to the son of a judge to influence the father in a case which the father is trying, then I am entirely wrong.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. SMATHERS. The distinguished Senator from Maryland said that the hiring of the judge's son was a matter of record. That is not a fact, is it? The judge's son was not one of the attorneys of record.

Mr. TUNNELL. He was not one of the attorneys of record; but the fact that he was hired is a matter of record in the green book.

Mr. TYDINGS. That is what I meant. He did not appear in court, but he was one of the attorneys hired in the case.

With the Senator's permission I should like to read the next three or four sentences:

Mr. BURKE. Yes. And you told them, and your testimony bears that out fully, that you were sure your father was not that kind of a man.

Mr. WYMAN. Yes.

Mr. BURKE. The attempt to influence him would not bring the result?

Mr. WYMAN. Yes.

Mr. BURKE. That is correct, according to your statement?

Mr. WYMAN. Yes.

Mr. BURKE. You never varied from that?

Mr. WYMAN. No.

Mr. BURKE. But in spite of that, and after the conversation went on they insisted that they still wanted you in the case and were willing to pay you for it?

Mr. WYMAN. Yes, sir.

Mr. BURKE. You have already testified that following that conversation you went over across the State to Sioux Falls and talked to your father?

Mr. WYMAN. I did.

So, according to Mr. Wyman's testimony, adduced by Senator Burke, if there had been any supposition that he was to be hired for any irregular purpose, it was definitely understood when Mr. Wyman left the room that influence was out of the question.

Mr. TUNNELL. I do not think so.

Mr. TYDINGS. Let me read it.

Mr. TUNNELL. I have read it more times than the Senator has.

Mr. TYDINGS. Listen to this:

Mr. BURKE. The attempt to influence him would not bring the result?

Mr. WYMAN. Yes.

Mr. BURKE. That is correct, according to your statement?

Mr. WYMAN. Yes.

Mr. BURKE. You never varied from that?

Mr. WYMAN. No.

Mr. BURKE. But in spite of that, and after the conversation went on they insisted that they still wanted you in the case and were willing to pay you for it.

All that means is, without any influence being a matter of consideration at all.

Mr. TUNNELL. That is where the Senator and I differ.

Mr. TYDINGS. The witness answered "Yes."

Mr. TUNNELL. That is where the Senator and I differ.

Mr. SMATHERS. Mr. President, will the Senator yield so that I may ask the Senator from Maryland a question?

Mr. TUNNELL. I yield.

Mr. SMATHERS. If the judge's son was not an attorney of record, and if he did not participate in the trial of the case, why was he hired, and what service could he render the defendant?

Mr. TYDINGS. That is a matter of inference. The Senator very properly says that the employment was not orthodox; but I am not dealing with that phase of the matter. The assertion was made here that it was stated that Mr. Wyman was employed to influence his father, and I said that I had not been able to find in the testimony an affirmative statement to that effect.

Mr. SMATHERS. Nothing more than an inference.

Mr. TYDINGS. There was an inference that that was true; but I think it is important to draw a distinction between an inference and a fact. I only wanted to keep the record straight.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. LUCAS. On the theory that perhaps the Senator from Maryland has not had the time to read the entire record let me invite his attention to the fact that during the trial the judge's son, Gale Wyman, went to Bismarck, N. Dak., and registered at the hotel under an assumed name. He was not an attorney of record. No one, with the exception of Leedom, Mulloy, and the respondent, knew in reality who he was or what he was doing there.

Mr. TUNNELL. Let me repeat what I said yesterday. On page 111 it is stated precisely that the purpose of hiring young Wyman was understood to be that of influencing his father. I do not change that statement because that statement is in the record. That is the statement of Gale Wyman.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. TUNNNELL. I yield.

Mr. STEWART. I was about to call the attention of the Senator from Maryland to pages 16 and 17 of the record in the green book. If I may have the permission of the Senator from Delaware I should like to read a little of that testimony.

Mr. TUNNELL. I am glad to yield for that purpose.

Mr. STEWART. Mr. Mulloy testified as follows:

We started driving back toward Mandan again, and we discussed it with Vogel.

I had been in a car accident up near Rugby with the Governor prior to that. My car was in the garage up there being repaired.

So, after discussing it with Vogel, we all decided that we would leave that night for Deadwood. So we turned around and came back to Bismarck.

Without going back, I am sure he was riding in the car with Governor LANGER.

Mr. TUNNELL. Yes.

Mr. STEWART. Continuing to read from the testimony of Mr. Mulloy:

I told Governor LANGER that I had no money to make the trip for my expenses. He first told me not to be surprised if I found the money in the compartment of the car, and the next time, or the next thing I told Vogel that I had no car, and Vogel offered me the use of his car. So we drove back to Bismarck, and I prepared to leave that day with them, and did leave, and drove as far as Mott, N. Dak., that night, just about 15 or 20 miles from Bismarck, and registered at the Weeks Hotel in Mott. I stayed there that night. The next morning I got up and drove to Deadwood, S. Dak.

Mr. BURKE. Did you see Mr. Leedom while you were there?

Chet Leedom, of course, was supposed to be the close political and personal friend of Judge Wyman.

Mr. BURKE. Did you see Mr. Leedom while you were there?

Mr. MULLOY. Yes. I registered at the Franklin Hotel in Deadwood. I went up to my room and I was just finishing taking a bath and Chet knocked at the door and came walking in, and just as he came in he put out his hand to shake hands with me. He said, "By God, Jim, we have got to save LANGER."

The Senator from Maryland is not now present in the Chamber.

Mr. Burke then asked this question:

Mr. BURKE. I understood you to say that in your telephone conversation with Mr. Leedom you had not referred specifically to the reason why you wanted to see him. Is that true?

Mr. MULLOY. That is correct.

Mr. BURKE. Nevertheless, the first words that Mr. Leedom said to you on seeing you were as you have just stated?

Mr. MULLOY. That is correct. He had all the angles figured out.

Mr. BURKE. What did you say to Mr. Leedom when you got into conversation with him about the matter?

This is on page 17 of the record. The Senator from Maryland wanted something specific pointed out.

Mr. MULLOY. I told him—

That is, Chet Leedom—

I told him, "that is exactly what I am down here for." And we talked—well, for the balance of the afternoon he impressed upon me, and I already knew, that he was very, very close to Judge Lee Wyman. He also discussed with me and told me of the boy, Gale Wyman, and the influence that Gale Wyman would have with his father.

That is the same boy and the same judge about whom the Senator from Maryland was speaking a moment ago.

Mr. BURKE. That is a son of Judge Wyman?

Mr. MULLOY. Yes.

Mr. BURKE. Is he a practicing lawyer in South Dakota?

Mr. MULLOY. Yes.

Mr. BURKE. Located where?

Mr. MULLOY. At Deadwood, S. Dak.

The testimony goes on to tell how the whole deal was made and the purpose for which it was made. If that is not plain, then I do not understand what I have read. The testimony to which I have referred appears on pages 16 and 17 and numerous other pages of the record in the greenbook. The whole record must be read by Members of the Senate before they can definitely understand not only the Judge Wyman case, but also the bond transaction with the Iowa broker, Mr. Brunk, and the other transaction, which involved the sale of worthless Mexican land stock to a lawyer named Sullivan, who represented the Great Northern Railroad, the valuation of which was reduced at the time $25,000 was paid, in broken doses, to the then Governor LANGER.

The whole record must be read. There is no one page which can be specifically pointed out which would convict anybody of undertaking to bribe or influence the judge by improperly hiring somebody, whether it was his son or his friend. The entire record must be read and digested by every Senator. That is the thing which has impressed me since the beginning of this trial in the Senate Chamber. This is a tremendously important matter. I wish the whole record had been printed and placed on the desk of each Senator. I think every Senator ought to read the contents of the green book, but I think the whole record ought to be printed. If we are to continue debating this case, I think I shall renew my motion along about the "shank" of the spring sometime and try to have the entire record printed after all.

Mr. TUNNELL. Mr. President, the Senator from Tennessee is entirely correct. I am unable to follow the argument of the Senator from Maryland. It is specifically stated by Gale Wyman that it was understood that he was to attempt to influence his father in whatever way he could, though he says he told them he could not do it.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. STEWART. What difference does it make whether he influenced him or not?

Mr. TUNNELL. It does not make any difference. That is the point.

Mr. STEWART. If he was hired for that purpose, the man who undertook to hire him—if he really undertook to do it—is just as guilty as though he had accomplished his purpose.

Mr. TUNNELL. That is the point.

I was unable to complete my statement to the Senator from Maryland. With reference to the same subject, inasmuch as it has been opened up, I read from page 112:

Mr. BURKE. Did you tell your father on that occasion that the representative of Mr. LANGER had agreed, subject to Mr. LANGER'S approval, to pay you $500 for such services as you might render in the matter?

Mr. WYMAN. I told him upon my arrival at Sioux Falls, after telling him what they wanted, I told him that I had been promised $500.

Mr. BURKE. What did your father think about that, if that is a proper question?

Mr. WYMAN. I told him the circumstances under which I was accepting it, and told him I was not driving across the State for nothing, and if they had $500 they wanted to pay me for that service, that I was going to take it.

Mr. BURKE. Is it not a fact that Mr. Mulloy testified yesterday that this matter of going over to Sioux Falls to see your father at that time in reference to the jury list, that that came up incidentally, and you said, well, you were going to Sioux Falls on some other business and you would talk to your father about that at that time?

Mr. WYMAN. That is not a fact.

Mr. BURKE. What did you next hear about the $500 payment that was to be made to you?

That amount was promised by the agent of Senator LANGER.

Mr. BURKE. What did you next hear about the $500 payment that was to be made to you?

Mr. WYMAN. I think it was 2 or 3 days after I got back from Sioux Falls that I got a registered letter with $250 in currency in it.

Mr. BURKE. Who was the sender of the registered letter?

Mr. WYMAN. Chet Leedom.

Mr. BURKE. How much was in it?

Mr. WYMAN. $250.

Mr. BURKE. You expected, when you opened the letter, to find $500?

Mr. WYMAN. I did.

In other words, if the $500 or if the $250 did not come from Mr. LANGER, the only other explanation is that it came from Chet Leedom. Does anyone believe that Chet Leedom was paying $250 to Gale Wyman for any purpose except for the purpose of delivering the money which Governor LANGER had sent him?

Here is the statement of the man who had received the money from Chet Leedom. Chet Leedom was paying the agent of Governor LANGER; and no one, it seems to me, can with any degree of sincerity say that he believes Leedom was paying the money out of his own pocket.

I continue to read from the testimony:

Mr. BURKE. And while we are on that subject we will close that up. Did you later get the balance of the $500?

Mr. WYMAN. I got $275 in the form of a check that was drawn payable to Jim Mulloy for the trip to Bismarck, N. Dak.; yes, sir.

Mr. BURKE. Drawn by him?

Mr. WYMAN. Mr. LANGER.

Mr. BURKE. And were you present in Mr. LANGER'S office when he got out his check book and drew that check?

Mr. WYMAN. No, sir.

Mr. BURKE. But you received the check?

Mr. WYMAN. I did.

Mr. BURKE. From Mulloy?

Mr. WYMAN. I did.

Mr. BURKE. Mr. Mulloy endorsed it, did he?

Mr. WYMAN. He did.

Mr. BURKE. Did you go with him to the Bank of Bismarck and attempt to cash it but found that the bank was closed?

Mr. WYMAN. That is true.

Mr. BURKE. And could not get the money at the hotel, so you took the check when it was properly endorsed and cashed it at some other bank?

Mr. WYMAN. Yes, sir.

Mr. BURKE. Going back now for a moment to your statement that although you were sworn to tell the truth there may be some parts of it that were not quite true, would you indicate any other part of the statement, your rather lengthy statement, which you now wish to either repudiate or qualify in any particular?

Mr. Wyman said he wanted to take out the profanity, so the gist of the statements was not affected. He eliminated only the profanity.

On page 120 of the record we find the following testimony given during the cross-examination:

Mr. MURPHY. Was at any time any statement made in your presence by Leedom or Mulloy, at either the first or second time that Mulloy came down there, or any other time that Mr. Leedom was up there for the purpose of influencing your father in the conduct of these trials?

Mr WYMAN. It never was brought up in that way. The first knowledge I had that Chet was doing anything or attempting to do anything like that, or apparently doing anything like that, was when Mulloy came down after Chet the second time, and on the way back he told me how he got his foot into it, and how it was going to be necessary for somebody to straighten the situation out.

Mr MURPHY What did he tell you?

Mr. WYMAN. He just said that Chet had been getting drunk up there and he had been running off at the mouth and advertising the fact that he was trying to influence the court; that he was a close friend of the judge's and that he knew what was going on, and things like that; and it was making it very embarrassing for Mulloy and LANGER, under the circumstances.

Mr. MURPHY. That is, Mulloy himself was embarrassed because this man Leedom, while intoxicated, had talked too much.

Mr WYMAN Yes.

Mr. MURPHY And claimed he was trying to influence the court?

Mr WYMAN Yes.

Mr MURPHY. When, in fact, he was not up there for that purpose at all?

Mr WYMAN That is true.

Leedom was the man whom Mr. LANGER insisted upon having, and sent for after the trial was over, in order to have him for the next trial. Leedom was at Bismarck, telling whatever persons he saw that he was influencing the court or attempting to do so; and, notwithstanding that fact, Mr. LANGER sent for him again, and Mulloy went to Deadwood for him.

Next, I read the testimony at the point at which the then chairman, the Senator from New Mexico [Mr. HATCH] took part in the examination of Wyman:

The CHAIRMAN. You are not exactly gullible, are you?

Mr. WYMAN. No; I do not think so.

The CHAIRMAN. You knew they did not hire Chet Leedom to go up there and represent a newspaper, did you not? Let us be frank about it.

Mr WYMAN. I will say "Yes" to that.

That was Gale Wyman's statement. He knew that Chet Leedom had not been hired to go there for the purpose of representing a newspaper.

The testimony continues, as follows:

The CHAIRMAN. That is all.

Mr. WYMAN. Under this circumstance, that at the time he was hired, at the first time that he went up there, that was the only explanation, that was the only situation that anybody knew about. Chet advertised that fact himself. And, as far as BILL LANGER was concerned, under the circumstances, he did not have anything to do with the situation, other than through his lieutenant, Jimmie Mulloy, and when Mulloy came down there, I did not know what their transaction was, prior to the time that they called me to come down to the room.

The CHAIRMAN. But you knew what they wanted, did not you?

Mr. WYMAN. Well, Chet Leedom intimated to me that there was going to be a chance for him to make some money.

The CHAIRMAN. If you did not know what they wanted, why did you refuse employment as a lawyer, and why did you accept employment to go around under cover, under an assumed name?

Mr. WYMAN. Well, I did not give them any services as a lawyer, as a record lawyer in the case I would not have taken any part of it.

The CHAIRMAN. But you were ready to do the other?

Mr. WYMAN. As an individual under the circumstances, why I did the other, and I agree with the inferences that are raised, it was a foolhardy, very, very expensive and embarrassing situation.

The CHAIRMAN. And you said in your statement before the investigators that Jim Mulloy told the truth in large part?

Mr. WYMAN. Well, in the details of his meetings and things like that there is not any question in my mind but that he told the truth.

Those are the statements, and I call particular attention to the answer of Gale Wyman to the question propounded by the Senator from New Mexico, the then chairman:

The CHAIRMAN. You knew they did not hire Chet Leedom to go up there and represent a newspaper, did you not? Let us be frank about it.

Mr. WYMAN. I will say "Yes" to that.

He knew what Leedom was there for, and he took Leedom's place.

On page 119 of the record we find the following questions and answers:

Mr. BURKE. Would you want to give the committee any reason why upon going to the hotel in North Dakota, after having visited with your father you registered under an assumed name, knowing, as I assume you did as a lawyer, that it is a misdemeanor I believe under the laws of the State of North Dakota, as well as generally? Why did you follow that course?

Mr. WYMAN. Because I felt like I should not have been there in the first place.

Mr. BURKE. Ah! You knew all the time you should not be in the matter at all, did you not?

Mr. WYMAN. Yes, sir.

Mr. BURKE. And you have regretted it many times, that you took the $500 or had anything to do with it?

Mr. WYMAN. That is true.

The foregoing gives the general situation with reference to Gale Wyman. He admitted at two places in the examination that he knew he was expected to do something which was not legal or ethical. He was supposed to try to influence his father. At all times Gale Wyman said he could not do it. There is no doubt about that; but the stigma and the burden do not lie in the fact that they could not get Gale Wyman to do it; the burder and the stigma lie in the fact that Governor LANGER, through his agents, employed persons for the purpose, as he says, of influencing Gale Wyman's father. That is the burden of this charge. There is the act involving moral turpitude. I do not think we have reached such a stage in the development of the American system of government and political science that it is ethical to employ persons to influence a judge or to pay a member of his family $500 to induce him to go to the place where the judge is conducting a trial in order to influence the judge. Even though the young man was protesting that he could not succeed, he was hired and paid for that purpose.

Mr. CHANDLER. Mr. President, will the Senator yield on that point?

Mr. TUNNELL. I yield.

Mr. CHANDLER. I think it important to show that Wyman became conscience stricken because of what he had done. I should like to call the Senator's attention to the testimony appearing on page 119. Gale Wyman had gone to the hotel in North Dakota, after visiting his father, and registered under an assumed name; and when Mr. Burke asked him why he had done so, Mr. Wyman said:

Because I felt like I should not have been there in the first place.

Mr. Burke then asked:

Ah! You knew all the time you should not be in the matter at all, did you not?

Wyman replied:

Yes, sir.

Mr. Burke asked:

And you have regretted it many times, that you took the $500 or had anything to do with it?

Mr. Wyman said:

That is true.

If he had had good motives, if there had been nothing wrong with the transaction, he would not have been conscience stricken. If the whole transaction had been on the up and up and out in the open, so that everybody could have understood it, he would not have to entertain the regret which he manifestly expressed for having had a part in the matter.

Mr. TUNNELL. That is right, and I thank the Senator.

Mr. President, starting where I left off yesterday——

Mr. LUCAS. Mr. President, will the Senator yield to me before he proceeds on another line?

Mr. TUNNELL. I yield.

Mr. LUCAS. At the risk of being charged with repetition, I should like once again to place in the RECORD the very important fact that it is admitted by all in connection with this investigation, whether it be those representing the respondent or those representing the petitioners, that no one in South Dakota knew about the Wyman transaction until the investigators of the Senate committee went there last year and discovered it.

Mr. TUNNELL. The Senator's statement is correct. No one, so far as I remember, has suggested at any time that that incident was known to the voters of North Dakota, and until this morning I have never had the thought that anyone would suggest that there could be any proper motive imputed to the hiring of Gale Wyman by Leedom and Mulloy. It is a stigma on the whole transaction.

The suggestion was made that the committee should have inquired of the Great Northern Railroad Co. as to whether it had a charge put down on its

books for the purchasing of the worthless stock in the Mexican Land Co. Was there such a charge on the books of the railroad company? Such a supposition is rather farfetched. The railway company certainly was not going to charge on its books $25,000 as a bribe to the Governor of North Dakota to influence him with reference to its taxes in the State of North Dakota. Any company that had no more sense than to put a charge like that on its records or on its books would be so silly that it could hardly continue in business. Any company which resorts to the payment of large sums of money to public officials in the hope that there may be some good flow from such a transaction to the corporation or to an individual would certainly be too squeamish about its records to show information of a criminal nature.

The thought that this payment of $25,000 for the stock in question was a legitimate transaction is not worthy of the consideration of an intelligent person. The stock itself was never delivered; it is not even clear that there was any stock in existence at that time. Certainly Senator LANGER could not tell us where it was. He said he wished he knew. It was stock something like 30 years old, and, as I said yesterday, if that stock had any value, it was within the power of Senator LANGER to prove it.

What has proof that the Governor did not reduce the taxes of the railroad company got to do with the charge of moral turpitude? If he did not deliver anything for the bribe which was paid, does that excuse Mr. LANGER? Is the doctrine to go forth from the United States Senate that one can offer bribes, if he wants to, and an official can take bribes if he wants to, but, unless there is something delivered of an official character, there is no stigma attached to the transaction? I never heard such a theory advanced until I reached the Senate of the United States. I do not believe that that is the opinion of the Senators or lawyers in or out of the Senate or of prosecuting attorneys. It is the most ridiculous suggestion I have ever heard. Yet I will say that it comes from Mr. Murphy, who is said to be a good lawyer and who impressed us, in many respects, as being a good lawyer. Here is his statement on pages 840 and 841 of the record:

> Mr. MURPHY. But I want first to convince you of the fact that, unless it appears by competent evidence in this record that the $25,000 is directly related to his official conduct in lowering the taxes, then it has no relevancy whatsoever.
>
> In that event it is of no importance to this committee whether LANGER deceived Sullivan or whether Sullivan was just giving him $25,000, or what not.

Mr. Murphy, the attorney, says that it was of no importance if Senator LANGER did deceive Sullivan. In other words, it was of no importance if Senator LANGER made Sullivan believe that he would deliver something for the $25,000 which he took. To what depths have we sunk when men will seriously make a statement that it does not make any difference, as affecting, of moral turpitude, whether the Governor of a great State deceives someone on the theory that his official conduct would be influenced by the receipt of money if, in fact, his conduct was not influenced?

I continue to quote from Mr. Murphy's statement in the record:

> Because the whole theory, let alone the pleadings, but the theory upon which this charge has been brought, and the theory toward which the evidence is offered to sustain it was that the two are connected.
>
> I am now trying to demonstrate to you that they were not connected, that there was no service of that sort given by Governor LANGER, and we produce the records here to show it.

There the statement recurs that Governor LANGER did not deliver. It was no crime to take the money and steal it; it was no crime to take something that was offered as a bribe, just so he did not deliver anything of an official nature for the bribe. That is suggested here by Mr. Murphy, Mr. LANGER's attorney.

It was intimated a few days ago that moral turpitude is a matter of geography, but, if that is either good law or good morals, then that kind of geography is in a section of a country with which I am not familiar.

Mr. Murphy continues:

> In addition to this record is the record of the board of equalization, carrying the statement of Mr. Dorety, as general counsel for the railroad company, as to the railroad's position, the charts that are here showing it, and the telegrams here from the surrounding States showing that there was a general lowering of taxes at that time.

In other words, the Governor did not deliver.

> So I say that there is no competent evidence here, nothing except suspicion and innuendo, and attempting to tie together these two wholly independent transactions that have no relation to one another at all.

The payment of $25,000 to the Governor of a State and the fact that that year or the year following there was a net reduction of taxes of $58,000 is of no significance, says Mr. Murphy. I do not know that it is of significance except as corroboration. The crime was committed; there was an act involving moral turpitude when Governor LANGER took the $25,000 for worthless stock, knowing what the other man held and the other man knowing what Governor LANGER could do for him when he paid the $25,000. Mr. President, if you had $25,000 of Mexican Land Co. stock, do you think you could have gotten par for it; do you think you could have sold to Sullivan for par the $25,000 of worthless stock? Mr. Lemke says it is worth nothing. Governor LANGER never said it was worth anything. He says the company has some property, but a large acreage of the land has been expropriated, and taken over by the Mexican Government. There is no serious contention that this stock has 5 cents' worth of value today. I venture to say one could get al' he wanted of it for practically nothing, and if anyone wants some of it, I think I can put him on the trail of it.

I am asked why Sullivan gave the $25,000. Mr. LANGER has testified why he gave it. Mr. LANGER told Sullivan that he had this stock, and that he had so much confidence in Lemke he would like to sell it to him at par. Mr. LANGER at that time was in serious financial condition, he has said, though the records show that during that month he had sold $56,800 worth of land to another man. He said he was in bad condition, but these two transactions, from which the Governor of North Dakota obtained $25,000 in one and $56,800 in the other, in all $81,800, were within 16 days of each other. He was hungry for money about that time, and he got it.

As I have said, he did not deliver anything for the $25,000, and therefore he committed no crime. He never has delivered anything for it; he never has delivered a share of stock, and never has communicated with the company telling them that a share of that stock belongs to Sullivan, the so-called purchaser, who gave the $25,000. I do not know when the idea that the money was for the stock was developed. Senator LANGER says a contract was written then. I do not know. I do not know whether he had any stock then or not.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. LUCAS. Throughout the hearings and some of the arguments upon the floor of the Senate an attempt has been made to show that Sullivan purchased this stock for speculative reasons. The evidence shows that Sullivan had speculated at one time in land in Florida. Does the Senator know of anyone buying stock for speculative purposes, and paying par value for it when at the time it was the common knowledge that the stock was practically worthless?

Mr. TUNNELL. I have never known of such a thing. That, again, may be a matter of geography.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. MURDOCK. In the statement made by the Senator from Delaware, and in that made by the Senator from Illinois, are they not absolutely disregarding the testimony of Sullivan himself?

Mr. TUNNELL. One of the criminals; yes.

Mr. MURDOCK. What is that?

Mr. TUNNELL. One of the criminals in the case, the man who offered the bribe.

Mr. MURDOCK. He is not in jail; so far as I know, he has never been accused of crime.

Mr. TUNNELL. I am told it is pretty had to put Senator LANGER's friends in jail in North Dakota.

Mr. MURDOCK. It was not very hard, was it, to get a conviction against Senator LANGER? It was not very hard to have the Supreme Court of North Dakota oust him as Governor.

Mr. TUNNELL. There did not seem to be much trouble in causing that conviction to be set aside.

Mr. MURDOCK. Does the Senator imply that the circuit court of appeals was crooked in reversing the case?

Mr. TUNNELL. I am not implying anything. I have not gone into that. The Senator from North Dakota was the respondent.

Mr. MURDOCK. The Senator has not gone into that; he has not gone into

Sullivan's testimony, but I think the Senator wants to convict Senator LANGER, not on the evidence——

Mr. TUNNELL. I am not going to yield for a speech by the Senator who has already taken a week of the Senate's time giving his views.

Mr. LUCAS. Mr. President, will the Senator further yield for one observation?

Mr. TUNNELL. I yield.

Mr. LUCAS. I should like to make a further observation for the RECORD, in view of the question raised by the able Senator from Utah.

Jim Mulloy, before he testified before the committee, went to see a lawyer in North Dakota to ascertain whether the statute of limitations had run against all the criminal violations of which he had been guilty over a series of years while he was with the respondent.

Mr. TUNNELL. That is correct.

Mr. LUCAS. He was advised by his lawyer friend that the statute of limitations had run against these crimes he had committed, and then it was that he took the chance to tell what he knew about the situation in North Dakota. So, if the statute of limitations had run against the criminal acts of Jim Mulloy in North Dakota, the statute of limitations has run against the actions of every other individual who has been an accessory to these crimes.

Mr. MURDOCK. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Delaware yield to the Senator from Utah?

Mr. TUNNELL. Not for a speech.

The PRESIDING OFFICER. The Senator from Delaware yields for a question.

Mr. MURDOCK. I was very generous in yielding.

Mr. TUNNELL. The Senator never yielded to me, because I never asked him to do so.

Mr. MURDOCK. The Senator did not ask me, and if he does not wish to have me ask him a question, I shall not do so; but I desire to call the attention of the Senator from Illinois to the fact, if I may, that it is on the testimony principally of Jim Mulloy that he is asking that Senator LANGER be convicted.

Mr. TUNNELL. Is that a question?

Mr. LUCAS. The only reply I desire to make to the Senator from Utah is that Jim Mulloy was the greatest friend Senator LANGER had in North Dakota during all the trials and the troubles he had. Jim Mulloy is a self-confessed perjurer and criminal. He so admitted before the committee. However, it is significant that the man who made that confession was secretary of the industrial commission under Governor LANGER. He was his campaign manager when Senator LANGER was running for Governor. He is the same individual who befriended Senator LANGER throughout all his trials. Mulloy did all the dirty work in connection with the conspiracy and perjury trials. He traveled far and near to protect Governor LANGER. He was a friend in need at that particular time. But he now admits that he is a criminal, as the result of the very things he did in connection with those cases. He admits that before the committee. He admits that the statute of limitations has run against the crimes he committed in connection with those cases. So I say again that the statute of limitations has run against the deeds of everyone else who had anything to do with the bribery, chicanery, the fraud, and the outrages which were committed in North Dakota. Therefore it makes no difference what anyone says about prosecutions in North Dakota. The people could not prosecute if they wanted to. Until the committee investigators went into North Dakota, no one knew about the so-called bribery charge we are now discussing.

Oh, if it was such an ethical thing, if it was something on the up and up, why did not someone at some time, somewhere, since then come forward and give the information to the people of North Dakota? That was never done. All those concerned remained as silent as the tomb upon this very important matter. Everyone knows that, and the Senator from Utah will not deny the fact that nowhere in the record was it stated by any witness that anyone in North Dakota knew anything about this bribery transaction involving $525.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield for a question.

Mr. MURDOCK. I wish to make a brief observation with reference to what the Senator from Illinois has said about me.

Mr. TUNNELL. Very well.

Mr. MURDOCK. Let me say, first, that Senator LANGER is not the first man who has had his friends betray him and try to destroy him.

As to whether the people of North Dakota knew about the Wyman transaction, if there is nothing in the record on the subject, then I ask the distinguished Senator and lawyer from Illinois whether the presumption should not be indulged in behalf of Senator LANGER instead of against him.

Mr. LUCAS. The only answer I shall make, if the Senator from Delaware will pardon me for one further observation, is that during the debate the point has been made time and time again that the people of North Dakota having passed upon all these issues, therefore the Senate of the United States should accept the verdict of the people of North Dakota as final. We should accept the ambassador they have sent here.

One of the things which influenced the committee, which sat for weeks and months in attempting to analyze the evidence in such a way that we could properly present it to the Senate, was the very fact that the people of North Dakota knew nothing about this particular transaction; it was never brought out in any campaign; it was never discussed with the people of North Dakota; it was never passed on in any election. When we are dealing with the courts of this country, I am led to say that if there is one thing I have had respect for throughout my life, it has been the judiciary. I have been raised in a section of the country where the courts have always been honest. I have more respect for the judiciary than for any other branch of the Government. When I see what was attempted in this case in the effort to influence the court, I am shocked. Some Members of the Senate have openly expressed themselves as being shocked at a statement or two in the majority report. But this Wyman transaction to some apparently is as pure and undefiled as a new-born babe.

I cannot see how the independent thinking Members of a great legislative body such as the Senate can condone the conduct of the respondent on a consideration and analysis of the record in the Wyman matter alone, if they are to uphold the integrity, the honor, and the dignity of this historic body. Mr. President, I speak not for myself, not for any Member of the Senate, but for the preservation of the rights and the security of this great Nation of ours in the future. Read the record, my fellow colleagues. There is not a single thing in the record of this proceeding from beginning to end that does not show disrespect for law and order.

Oh, yes; we were chided in the beginning because we dared to put in a few of the things that happened in the early career of this man; but, Mr. President, those things showed the pattern, the characteristics of this man from the beginning. That is the reason the committee thought it necessary to place in the record those strong-arm tactics of the respondent. That testimony fell from the lips of the Senator from North Dakota voluntarily. No one asked him for it. We did not depend upon that to convict. This early despotism showed the beginning of the pattern which we developed day after day, month after month, in listening to this testimony, until it wound up in the Wyman case, the land-bond deals, and the Mexican land-stock transactions.

Mr. President, this record reeks with acts involving moral turpitude from the beginning to end. Read and analyze the testimony, as 13 members of the committee did over a long period of time. Obviously I would not condemn any Senator for making a decision different from mine. I accord to my distinguished colleagues the same privilege which is mine, but to me, Mr. President, it is appalling, knowing the record as I do, to contemplate what some Senators are going to do in this case.

Mr. President, I wonder and I marvel sometimes how great questions are decided in a democracy. Some whim, some prejudice, or something having nothing to do with the facts helps make the final decision for many people.

Mr. President, the Senate of the United States has always been considered a great deliberative body by the entire world. Since I was a boy studying history out in the Douglas-Lincoln country I have always looked with pride and jealousy upon the symbol that the United States Senate represents. Candidly speaking, those early impressions are sometimes disturbed. They are being slightly jarred in what I believe to be a case that may mean a turning point in the pages of American history.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TUNNELL. I am becoming quite tired of yielding, but I yield again.

Mr. MURDOCK. The point I wanted to make again for the benefit of the Senator from Illinois, who has just left the floor, and for the benefit of the Senator from Delaware, is this: The Senator himself says there is no evidence in the record on the question of whether the people of North Dakota knew of the Wyman case at the time of the election. I agree with him that there is no such evidence in the record, but I make the further statement that if there is nothing in the record upon which he bases his conclusions, then certainly under the law of the United States the presumption of innocence must be indulged in behalf of Senator LANGER. On that point, and every other which the committee failed to look at——

Mr. TUNNELL. Mr. President, I decline to yield further.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The Senator from Delaware declines to yield further.

Mr. TUNNELL. The Senator knows it was admitted from the start that there was nothing known to the people of North Dakota with reference to the Wyman transaction.

Mr. MURDOCK. I do not know of any such admission.

Mr. TUNNELL. I refuse to yield further.

The PRESIDING OFFICER. The Senator from Delaware declines to yield.

Mr. MURDOCK. Very well.

Mr. TUNNELL. We can argue and equivocate on that point all today, and we would not change the result.

I shall continue to read from Mr. Murphy's statement:

> Mr. Sullivan has testified here why he gave it. I can't testify. I wasn't there.
>
> Now, you have evidence here by Mr. Lemke that in 1937 that land was worthless, and yet you have his affidavit here which he files with the commission formally, under oath, in which he states that it is worth so much money, some $900,000 for the portion of it only that has been expropriated by the Mexican Government, although the testimony shows that the company is still functioning, they still have a manager down there, and that there is a great deal of valuable land still in their possession.
>
> Now, Mr. Sullivan tells why he gave it. He tells you about his speculative character, and that he has speculated other places—Florida, I think, and Alabama or Tennessee or some other State—and that in discussing it with Mr. LANGER, and with his wife, who had been the secretary for many years to Mr. Lemke, he thought it was a good gamble. Well, of course, LANGER would be glad to sell it to him, because the testimony showed that at that particular time he was certainly terribly hard up, as a result of these persecutions.

I do not know whether it was the result of persecution, or what it was, but I do know that Governor LANGER should have been getting in thoroughly good financial condition, since this was the second of two transactions in the same month, aggregating over $80,000, for stock he had sold.

These people were not buying land; they were not buying bonds; they were buying a Governor, or they thought they were. They say they did not get him. It is said that he did not deliver, and that therefore there is no question of moral turpitude involved. That is the only answer made to this charge. There is no denial that $25,000 was paid. Mr. LANGER does not deny it. Sullivan does not deny it. Sullivan says he paid it. Mr. LANGER says he received the money. He tells the Senate what he did with it, but he fails to show what he gave in return for it. He fails to show that the stock had a cent's worth of value at that time, after it was shown by the president of the company that it was worth nothing.

Mr. President, our friend the Senator from Utah [Mr. MURDOCK] attempts to tell us that we are depending on the testimony of Mulloy. We are not depending on the testimony of Mulloy with respect to these deals. Sullivan and LANGER are the two persons upon whom we rely for the facts with respect to the $25,000 deal. Governor LANGER delivered nothing—not even the worthless stock—in return for the money he received. Remember, Mr. LANGER went to Sullivan and suggested this deal, and Sullivan paid him the money, and took neither certificates, nor deeds, nor anything else. He has not yet asked for anything of that sort. That deal was made in 1937, nearly 5 years ago.

Mr. President, a Senator made the suggestion that the desk of Mr. LANGER had been broken into and the stock stolen. I do not know whether that is correct. I have not been able to find such a statement in the testimony. I found a statement which contained the suggestion that the desk of Senator LANGER had been broken into at some time, but nowhere do I find that anyone said that the stock was stolen, and I do not think that even Senator LANGER so stated. It is not sufficiently material for us to waste any time upon whether that stock, 30 years old, of no value then or now, was stolen. I do not know who would want to steal it. I think a thief who would steal that stock could get a premium on himself, not on the stock, from anyone who would take it.

Mr. President, we have before us the case of a railroad company whose taxes in North Dakota amounted to more than a million dollars a year. Its attorney, whose business it was to look after its interests in State tax matters, paid the Governor $25,000, distributed over the period when the Governor was in position to be of benefit to the company as to taxes. There we have sufficient evidence of dishonesty on the part of both the corporation and the Governor to require no further proof as to the intention of the parties.

The Senator from Utah asked me a few minutes ago if I intended to question the judgment of the court. I shall not question the action of the court. I say it was very easy to get a reversal of the decision made by Judge Miller. After the first trial, the case again came up for trial, and at that time there were 10 jurors out of 12 who thought that Senator LANGER was guilty and who so decided. By the time, however, the third and fourth cases were reached, the Governor had his machinery working, and there was no question about a conviction. A conviction could not be obtained even at the second trial. He had his man there, who had been reported to him as being all right. That man was on the jury, and he remained on the jury, and the Governor thanked him for taking the position he did. Not only did he thank him but he was paid $950 in cash.

Let us consider the last one of these very serious charges, and that is the one with respect to the sale of land at or near Bismarck. Oh, it may be said, the bonds are involved in that deal. The bonds are perhaps involved in it, but, to my mind, the sale of the land very largely affected the sale of bonds in which Brunk and Brewer were interested. Senator LANGER received $56,800 from a poor man. That man says in the record he was not a wealthy man, and is not yet, but he gave $56,800 to the Governor, and he gave it right along as the profits came to him from the deal which he was able to make through Senator LANGER.

Senator LANGER had this property in April 1937. Experts were brought before the committee. I know that those who are supporting the claimant say that we cannot rely on experts. Those experts said that the value was not more than about $5,600. Why was not someone who was not an expert brought before the committee to contradict that testimony? If experts are not reliable, why did not the supporters of Governor LANGER have real-estate agents from Bismarck come before the committee and testify that the land was worth $56,800 at the time Senator LANGER sold it, and that it was worth the $25,000 of mortgages on it, in addition to the unpaid taxes against it at that time? There were obligations against the land of more than $80,000; and when the experts examined it they said that the equity in the land was worth not more than $5,000 or $6,000. Never was there a more beautiful chance for a defense than was given to Senator LANGER, if he had any defense—which he had not.

If experts are so unreliable, why did he not show by ordinary, average citizens of North Dakota that the land was worth more than $5,600, which was the valuation the experts placed upon it, and that it was worth $56,800? He could not do so. He could not find anybody in North Dakota who would swear to that kind of a lie, because it would be known everywhere that it was a lie. He could not obtain such proof. Although the opportunity lay before him throughout the whole hearing, he did not avail himself of it.

We are told that Brunk said that he was a great philanthropist. Philanthropists at the rate of $56,800 in the case of a man who is not wealthy are pretty scarce, and they should be put in asylums.

However, Brunk told us that he had had some experiences in other States where he had not paid, and when he went into North Dakota he made up his mind that he would begin by paying. He began at the top, with the Governor, who was in control of the taxing power, the selling power, and the investment power. He was in control of the activities of the Bank of North Dakota in buying or re-

fusing to buy various bonds. It is said that he did not exercise such control. Again, according to his friends, he took the money but failed to deliver. He took the $56,800. I have heard no Senator say that he would have done the same thing. I have heard no Senator say that such action was ethical, or that it was not criminal to accept money if the purpose for which it was given was what plain, common, ordinary horse sense tells us it was.

This is the statement of Governor LANGER, from page 605 of the record:

So I had this property in 1937 and that is about the time that I described to you that I was talking to Mr. Brunk about getting money to keep financing the Nonpartisan League. So, when I was talking to Mr. Sullivan down there in Chicago one day, in his office, we got into an argument about Mr. Lemke, and he was telling me about his honesty and fairness and so forth.

This statement is entirely with reference to the stock deal, but I shall read it through because I intended that it should be in the RECORD:

He was telling me about his honesty and fairness, and so forth, and finally I spoke up and said if he was so confident in Mr. Lemke's business ability and all that sort of thing, I had some stock a long time that I was perfectly willing to sell at $25,000.

He had had the stock a long time, and it never paid a cent of cash dividends in that time.

And the upshot of it was that, after some talk, we drew up a contract on the 27th of May 1937, by which Mr. Sullivan bought $25,000 worth of land, that land. I might add that Mr. Sullivan is well fixed. He had donated money to the campaign funds in North Dakota and later had donated $4,000 in cash to Senator NYE's campaign, and he was in that shape financially.

On page 609 the following appears:

There is one thing that I should mention, and that is when I got hard up I borrowed money on my life insurance, and it seems that a lot of people in North Dakota thought that I had a lot of money because the fact got out that I had at one time $100,000 in life insurance which I had accumulated over a period of years, and part of which was paid up, and the papers came out and pointed out the fact that here was a man who held $100,000 worth of life insurance, and practically all of that was taken out and a good part was paid up before I became Governor; and the result was that, because of the publicity, the newspapers played the thing up, much to my disadvantage.

You gentlemen know just what you are up against: One man will come to you and borrow $25 or $50 or $75, and other people will come around and want to borrow various sums and have investments that they want you to make; and the result was that I was in pretty desperate shape; and I mentioned it to Mr. Sullivan, and he knew the shape I was in; I had told him about it just as I had told Gregory Brunk; and I had the life-insurance policies with the Northwestern Mutual Life Insurance Co. pledged, had borrowed as much as I could; and, as I say, some of that money was payable, and when he gave me that money one of the first things I did was to get the life-insurance policies out of hock; and I told him, "I will give you one-half interest in what I have, which is a little more than $25,000," and he gave me a check for twelve-thousand-and-some dollars, and I took that check and promptly sent it to the life-insurance company, because I didn't know the amount of interest that had accumulated, and they sent me back a check for four-thousand-and-some-odd dollars difference.

The reason for that explanation seemed to be that Senator LANGER, when he received the check for twelve-thousand-odd dollars, instead of depositing it in his home bank, sent it to the city where his insurance company was located and had them send him a check, so there was no way by which the people at home could know what the Governor was doing at that time.

The transaction with Sullivan took place on May 27, 1937, as shown by the following questions and answers in the record at pages 701 and 702:

Mr. BURKE. Was that during the year 1937?
Senator LANGER. I think so; in 1937.
Mr. BURKE. You think it was—I wanted to get that definitely.
When did you first talk to Mr. Sullivan about your Land Finance Co. stock?
Senator LANGER. In May 1937.
Mr. BURKE. At or about the time the agreement was signed?
Senator LANGER. Yes.
Mr. BURKE. The same day; May 27?
Senator LANGER. That is my recollection.
Mr. BURKE. Where was that conversation held?
Senator LANGER. In Chicago, in his law office.

In other words, Senator LANGER had gone to Sullivan's office. Sullivan had not gone to the Governor to offer him $25,000. Senator LANGER went to Sullivan's office, and this conversation took place on the same day the contract was drawn up to sell Sullivan—as Senator LANGER says—$25,000 worth of stock.

Continuing:

Mr. BURKE. You were at that time Governor of North Dakota?
Senator LANGER. Yes.
Mr. BURKE. But you were in Chicago for some reason, and you called on Mr. Sullivan, and this agreement resulted?
Senator LANGER. I think I can tell you why I was there:
In 1937 I employed John Sullivan, his firm, in connection with some school trouble we had at the agricultural college—I don't know whether it was before that time or after that time.
Mr. BURKE. That is not material—you were in his office?
Senator LANGER. Yes.
Mr. BURKE. And this matter of Mr. Lemke came up, and you said you had this talk, and as a result of the conversation Mr. Sullivan said that he would like to buy $25,000 worth of the stock at par?
Senator LANGER. Yes.
Mr. BURKE. And your being in his law office, you had that agreement drawn right there at that time; is that right?
Senator LANGER. I could not say as to that, but that is my best recollection; I think it was drawn right there.

Everyone who knew anything about the transaction or who listened to the testimony knows that the stock was worthless. The statement by the president of the company is that the stock was worthless. Sullivan did not give $25,000 at par for stock which he could have obtained for practically nothing. It had no commercial value. Senator LANGER admits that to be so.

So far as the record shows, when Sullivan was called upon by Governor LANGER, without any delay or investigation, on the same evening, Sullivan signed a contract to pay for stock which was then and now is without merchantable value, and which I am reliably informed can be bought for very little.

Now let us come to the testimony with reference to the land deal. Brunk was working with a man by the name of Brewer. They had made a "killing" in dealing with New York and other cities with reference to the bonds of North Dakota. Brunk testified that he made more money in 1937 and 1938, during the 2 years of Governor LANGER's occupancy of the office of Governor, than he ever made before in his life.

I desire to remind the Senate that all the payments which were made to Governor LANGER were practically in the proportion of 25 percent of the profits made on the various deals which Brunk was enabled to bring about in North Dakota.

The chairman asked the following question of Mr. Brunk:

The CHAIRMAN. * * * Now, what time was it that you made this transaction for the purchase of the land?
Mr. BRUNK. The first transaction was on the 11th day of May, 1937.

The stock deal was on the 27th day of May 1937.

The testimony continues, as follows:

The CHAIRMAN. And what was that?
Mr. BRUNK. This was a transaction the original document of which from my files appears as committee exhibit No. 4, and it was the sale of sections 9, 11, and 15, in township 139 north, range 71 west, Kidder County, N. Dak.
The CHAIRMAN. Was that the date that the man from your company went to North Dakota and made the deal?
Mr. BRUNK. That is right.
The CHAIRMAN. Now, before that, when did you first have a conversation with Senator LANGER about the transaction?
Mr. BRUNK. I do not know, in going through my files, whether I ran through any dates.
The CHAIRMAN. Just give us your best recollection.
Mr. BRUNK. A month or so before, I would think.

He said he sent his man down and told him to do what the Governor said with reference to the purchase of the $56,800 worth of land—a purchase by a poor man.

Leaving out of consideration the fraud connected with the sale of the bonds in the State of North Dakota, which was gone into so fully by the Senator from Illinois, let us consider the transaction of the purchase of the land just referred to by Brunk. This is very well described on pages 822 and 823 of the record in the argument of G. R. McGuire on the part of the petitioners:

During the exact period that Brewer was making this $300,000 in profits—

That is what the firm made in profits in dealing in North Dakota bonds in 1937 and 1938, approximately $300,000—

his partner, Mr. Brunk, was paying Mr. LANGER $56,800, ostensibly for land. The appraisers say respondent's equity was worth one-tenth of that amount. It is interesting to note that the first substantial sale of county bonds, made by Brewer to State agencies in 1937 was in April.

They made the first substantial sale in April 1937, and made the purchase in May 1937, the next month.

Mr. McGuire's argument continues, as follows:

The first land contract is dated May 11, but Mr. Brunk says his oral negotiation with Mr. LANGER was a month earlier (transcript of November 17, 1941). Hence these negotiations bear remarkable relation in point of time with the April bond sale. The tabulation of Brewer profits and the payments to Mr. LANGER appearing in volume 10 at pages 1706–1709 show an equally remarkable relation. Mr. Brunk tried to show that errors had been made, but there are none of any substantial nature. Certain items of profits in the earlier months of 1937 are omitted from the tabulation because there is nothing in the record to show that these sales were made to State agencies. Likewise the profits from the sale of certain municipal bonds are omitted for the same reason. Two things remain outstanding: The payments to Mr. LANGER in 1937 are equal to almost exactly 25 percent of the Brewer profits on county bond deals; and when the payments fell substantially below that figure in September the insurance commissioner was promptly refused permission to purchase $50,000 of Hettinger County bonds from Brewer.

The halter was pulled on Brewer immediately when business—by way of money being paid to Senator LANGER—began to fall off.

Mr. McGuire's argument continues:

Very little business is registered by Brewer until November And now we have the coincidence that on November 15 Brunk entered into two more contracts to purchase land from respondent for something over $32,000 and within a few days he paid respondent $9,000 and simultaneously Brewer resumed making very substantial profits from sales of county bonds to the State.

Brunk admits buying this land practically sight unseen, letting Mr. LANGER fix his own price. He admits paying for it in full when there were incumbrances against it exceeding $20,000 which he claims respondent had agreed to pay. Brunk says that Mr. LANGER or himself has until December 1 to clear the title by paying taxes but surely he does not have until December 1 to clear the title to the Bert Smith land where title has already passed to the State on mortgage foreclosure, nor to clear title to the land in Morton County which has already gone to a tax deed. Mr. Brunk admits the transaction cannot be considered a good-faith purchase on any rational basis. He says he did it because he wanted to help respondent. It is truly remarkable how those who were profiting from their contacts with the State administration wanted to help respondent. Not only was the respondent, as Governor in control of the Bank of North Dakota but he was in control of the State industrial commission which had control over the bond purchases for both the bank and the State agencies. The respondent has so stated in a book entitled "The Nonpartisan League" written by the respondent and from which the chairman quoted at the hearings.

The facts of this case were elicited from Brunk, principally by the Senator from Utah [Mr. MURDOCK], as shown by testimony on pages 786, 787, and 788.

The Senator from Utah [Mr. MURDOCK] devoted a great deal of time in an attempt to prove that we cannot exclude a man from the Senate because of what he did before the time of his election. However, at the hearings the Senator from Utah was the one who, perhaps more than any other, devoted much time and attention to proving acts involving moral turpitude on the part of Senator LANGER in conjunction with Mr. Brunk.

The testimony, which begins at page 786, is as follows:

The CHAIRMAN. Any other questions to Mr. Brunk?

Senator MURDOCK. I would like to ask this question.

Mr. BRUNK. All right, sir.

Senator MURDOCK. You say, as a land transaction, you think that the transaction between you and Senator LANGER is very irrational; is that right?

Mr. BRUNK. Yes; I do. I do not think any businessman would approve of any part of it.

Senator MURDOCK. I agree thoroughly with you. If your Scotch wife has a little trouble understanding it, you would not blame the Senators here if they did not?

Mr. Brunk had said that his Scotch wife could not understand the transaction. But he said more than that; he said that his partner Brewer was horrified when he found out that he had agreed to pay $56,800 to Senator LANGER. He said his partner was horrified. His partner had some idea of moral turpitude, I take it.

Mr. Brunk's reply is as follows—and he was speaking of his wife:

Mr. BRUNK. No; she agrees with all of you.

Senator MURDOCK. Now, if a group of men were looking for something to cover up, if they were doing a job that needed covering up, is it not quite rational for them to reach out and bring in a land deal such as you gentlemen did in this case?

Mr. BRUNK. Well——

Senator MURDOCK (interposing). Is not that the very thing that they would do if they had something to cover up, is to reach out in all directions and see what they could do to cover up, and is that not exactly what you have done in this case?

What was it? It was a cover-up. The Senator from Utah [Mr. MURDOCK] asked if that was not the very thing that they had done.

Mr. BRUNK. No; that is not exactly what I did. I might have followed a formula with you, as rational men, would have done if you had the one motive of trying to cover it up, but that is not what I did.

Senator MURDOCK. I will agree with you thoroughly that as a business transaction it cannot be explained on any rational basis, but as a cover-up transaction it seems to me that is just exactly the type of thing that you could reach out and cover up with.

Mr. BRUNK. Well, would you believe that it would be rational under those circumstances to pick a corporation that the secretary of state's office in Iowa showed to belong to me and to be used by me in many other transactions?

Senator MURDOCK. Yes; after listening to you here on the witness stand I can very well conceive you can do that very thing. I can also conceive, after listening to you on the witness stand, that you would handle a transaction by check instead of cash.

Mr. BRUNK. Well, I did.

Senator MURDOCK. What is irrational as a business deal, if all the details are not thought out, it may even be irrational as a cover-up scheme. That is the picture that I got.

Mr. BRUNK. Well, I am aware that the petitioners have that picture, and I am quite aware that many of my fellow townsmen at home would have that picture, but that is not my picture.

Senator MURDOCK. The thing we are trying to get at—you say it is irrational as a business deal. Now, I say that as a cover-up thing is it not the very thing that you would do? I would like to have your explanation on that.

Mr. BRUNK. Well, in the first place, I did not think those county-bond transactions involved the Governor's vote. I thought this thing was in momentum.

Senator MURDOCK. You told us early in your testimony that you found out in handling deals similar to this that you had to get the opposition out of the way, you had to buy them off, you had to do something for them, and as the result of your having failed to do that you lost a big deal.

Mr. BRUNK. That is right.

He was not going to lose this one.

Senator MURDOCK. You had learned your lesson?

Mr. BRUNK. But that official was not a public official.

The one who had to be bought off for was not a public official, Brunk said:

Senator MURDOCK. You said you had learned your lesson when you came into the North Dakota deal.

Mr. BRUNK. The South Dakota deal, pardon me.

Senator MURDOCK. You knew Governor LANGER was one of the directors of the State Bank of North Dakota?

Mr. BRUNK. Yes; but I certainly did not consider him then, nor now, as opposition.

I presume he could get everyone else to agree that Senator LANGER was not "opposition"—not after he got $56,800, anyway.

Senator MURDOCK. You knew he was a director, did you not?

Mr. BRUNK. I knew he was Governor.

Senator MURDOCK. You knew if he was opposed to this transaction, which meant a profit from counties that could not afford to pay it to bond brokers, that you would have to get him out of the way to put it over, under your own theory; is that not true?

Mr. BRUNK. No; that is not true, and that had no part in the decision of this matter.

Senator MURDOCK. I know that that is what you say, but under your theory, if there had been opposition, and if there was opposition from the men handling the Bank of North Dakota, then under your theory you would have to get them out of the way, would you not?

Mr. BRUNK. Well, let us not——

Senator MURDOCK (interposing). That can be answered either "Yes" or "No," can it not?

Mr. BRUNK. Well, there was no opposition, and I did not think, through reasoning processes, that there would be demonstrated opposition. I did not believe it, and the statement of the deposits in the Brewer Co. indicates that the county deals were already in process before a single land contract was signed. I do not know whether it was deliberate to eliminate the three or four items that came in January of 1937 from this deal, and the one of April 7. There were many county transactions, I listed them here, four anyway, with this one of May 7, of April 7 here and of April 30 here, which total $14,000 here before a land contract was signed. These were in process of being done. There was no opposition. This was an accepted thing.

Senator MURDOCK. Yes; I can readily conceive of that, but before any checks were delivered to Senator LANGER the land transaction was consummated, according to you.

Mr. BRUNK. That is right. I think the first check was May 11, 1937.

So, at the time of the Sullivan deal, he had already sold the land and had gotten a check. The Sullivan deal was on May 27.

Senator MURDOCK. And the point that I am trying to make is that just this type of transaction would be the kind of cover-up transaction you would be looking for.

Mr. BRUNK. Pardon me, Senator. I think you are making the argument to me. I do not agree with those premises. The first check to him was dated the same day as the

first contract, May 11, and possession was taken that day.

Senator MURDOCK. Yes; I can see that.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Michigan?

Mr. TUNNELL. I yield.

Mr. VANDENBERG. Noting the absence of 88 of the 96 "jurors," I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Hayden	Rosier
Bilbo	Hill	Russell
Bone	Holman	Schwartz
Brewster	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	Langer	Spencer
Butler	Lee	Stewart
Byrd	Lucas	Taft
Capper	McCarran	Thomas, Idaho
Caraway	McFarland	Thomas, Okla.
Chandler	McKellar	Thomas, Utah
Chavez	McNary	Tobey
Clark, Idaho	Maloney	Truman
Clark, Mo.	Maybank	Tunnell
Connally	Mead	Tydings
Danaher	Millikin	Vandenberg
Davis	Murdock	Van Nuys
Doxey	Murray	Wagner
Ellender	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	Wiley
Gillette	Overton	Willis

The PRESIDING OFFICER. Eighty-one Senators having answered to their names, a quorum is present.

Mr. TUNNELL. Mr. President, when the suggestion of the absence of a quorum was made I was reading from the colloquy between Mr. Brunk and the Senator from Utah [Mr. MURDOCK].

Mr. BRUNK. Maybe that is the way you cover up things, to send your man out to take possession of land that is as well known as the Langer land. I do not know. Maybe that is it, but I do not think so.

Senator MURDOCK. If you wanted to make the real-estate deal look genuine, that is exactly what you would do, is it not?

Mr. BRUNK. Well, it is genuine. I had $2,300 or $2,400 off of it this year, which indicates some genuineness to it.

Senator MURDOCK. That is all I have, I believe

Senator TUNNELL. I would like to ask one or two questions.

The CHAIRMAN. Senator TUNNELL.

Senator TUNNELL. I understood you to say that you took this land over, did you?

Mr. BRUNK. I own all of the Realty Holding Co.

Senator TUNNELL. Why did you use the expression "horrified" with reference to Mr. Brewer? Why was he horrified?

Mr. BRUNK. Because he could see very promptly what you rational people see here.

Senator TUNNELL. He thought it looked crooked?

Mr. BRUNK. He thought it would appear to be bad, and he had not been dealing that way.

That is very illuminating when we consider that the man himself says that his conduct was irrational. He says that his conduct was irrational from any business standpoint. He says that his wife has never been able to understand it. His partner was horrified. Horrified at what? Horrified at his giving the Governor of North Dakota $56,800. Yet we are told that there is nothing of which the Senate should take notice, when the very persons most intimately connected with Brunk were wondering what it meant, or were horrified.

I wish to mention another thing at this point. Brunk says that he derived $2,300 or $2,400 from that land that year. If he obtained $2,300 or $2,400 from the land, that is not a large return on an investment of more than $80,000. I do not know at what rate he was able to obtain money, but certainly interest and taxes would amount to something. He does not say that he received that much net, but he received that amount from the land that year. There is no denial of the fact that the land was heavily encumbered.

Yesterday—or perhaps it was Friday—the Senator from Wisconsin [Mr. LA FOLLETTE] discussed that subject in a very horrified way. He said that he was astounded when he found out that apparently $2,300 or $2,400 gross receipts were obtained from that land. I think all the rest of us, especially those on the committee, were astounded, when the Senator made that statement without going into the question of how much profit there was, that he should be astounded at the committee.

Various expressions of feeling have been uttered during this debate. A few days ago the Senator from Utah [Mr. MURDOCK] was "surprised" at the Senator from Illinois [Mr. LUCAS]. Yesterday the Senator from Oregon [Mr. MCNARY] was "amazed" at the Senator from Rhode Island. I believe that was the word he used. The Senator from Wisconsin was "astounded." In this morning's newspaper I see the headline, "McNary blisters Green." I remember the so-called "blistering" attempt yesterday. I saw the Senator from Rhode Island last night. He seemed to be all right standing up. Today I notice that he is all right sitting down. [Laughter.] So perhaps the "blistering" was not so bad.

As I understand, the thing for which the Senator from Rhode Island was taken to task was this: A few days ago the Senator from Utah [Mr. MURDOCK] laid down the rule that nothing was to be introduced into the RECORD now. After he seemed to be surprised at something which the Senator from Illinois said, the first person to violate his rule was the Senator from Utah himself. He read a newspaper article into the RECORD.

The Senator from Oregon, not knowing that a Senator favorable to Senator LANGER had been the first to violate the rule, became amazed at the very thought that the chairman of the Committee on Privileges and Elections should have permitted an answer to go into the record. Being amazed is not so bad as being astounded. I think the Senator from Oregon was not so much amazed after he found out the history of this procedure, and that, as a matter of fact, the Senator from Utah had laid the foundation for just what happened

I was somewhat interested in the statement of the Senator from Wisconsin [Mr. LA FOLLETTE] that he was astounded at the committee. As I listened to him I decided that the committee must have committed some criminal offense. I found out what it was. As I remember, the first thing which astounded the Senator was the fact that the committee had not said any more about the $2,300 or $2,400 which had been received by Brunk from the land, as appears from the record, though the expenses in connection with the land do not appear in the record, and we never had that information.

What seemed particularly to astound the Senator was the fact that the committee had not obtained figures as to the value of land contiguous to the land which LANGER had sold to Brunk. Just what that had to do with the question I do not know, and I do not know why anybody should be astounded. The value of the land had been proved. It had been proved to be about 10 percent of what the Governor of North Dakota had obtained for it from the man who was making $300,000 out of deals with the government of North Dakota. In fact, he said he was getting so much money out of his deals in North Dakota that he decided to put some of it back. The trouble was that he did not put it back into the State treasury. He put it back into the pocket of the Governor, and that sort of a transaction has not yet been recognized as legitimate in most of the States. Apparently it was considered all right in North Dakota, but I have a notion that the people of North Dakota did not understand all about these things. I have a notion that the people of North Dakota are just as clear in their mental and moral perceptions as are the people of other States. I have a notion that the people of North Dakota are no worse than the people of other localities. I have a notion that the criminal element which tampers with juries and attempts to influence judges is no worse in North Dakota than it is in some other States. I think it has been better organized in North Dakota than in most other States. I think it is a little more difficult to convict members of that organization.

Do Senators remember the procedure when the Governor was about to be tried the second time? Letters were sent to almost every precinct in the State to stand by and to let him or his attorneys know about the jurors in the 2,200 precincts in North Dakota.

Apparently the replies were not all favorable, but one reply was. The message came back to the Governor, "Reich is all right." Reich was thanked by the Governor. He was one of the two who prevented a conviction. The record shows that the Governor thanked him. But that was hardly enough for a man who had done so much, so he was given $950 in cash by one of the persons indicted with the Governor. Reich has not been heard from since.

There are several little things which I intend to add to the record. I have said that Brunk was not a wealthy man, but the record shows it. On page 770, we find the following:

The CHAIRMAN. Were you a wealthy man then?

Mr. BRUNK. No; not then, nor now. That is the chief complaint of my friends—that I do not wait until I get solvent before I do these things.

Mr. LUCAS. Mr. President, will the Senator yield before he proceeds to another point?

Mr. TUNNELL. I yield.

Mr. LUCAS. The reason I ask the Senator to yield is in connection with the Senator from Wisconsin [Mr. LA FOLLETTE] carrying on a debate sometime ago with respect to the yield on this land. I think some questions were asked by the Senator from Maine [Mr. WHITE] with respect to the yield on the land. In the minority report, which was written by a distinguished lawyer from North Dakota, Mr. Murphy, we find this statement:

The yield to Mr. Brunk at the time of his purchase was figured at 2.36 percent.

A similar statement appears on page 35 of the report, and the only testimony in this connection was that given by Brunk himself in the hearings on page 235.

I should like to call the attention of the Senate to what the same Mr. Brunk, who is the essence of purity, said before the investigators in Des Moines, Iowa, as to what the yield of the land was. I refer to page 69 of the investigators' hearings, where there was a discussion of the tract of land which was purchased by Mr. Brunk:

Question. Has the property carried itself generally with the average income from it—carry the taxes and upkeep?

Answer. It hasn't yet.

Yet that was the same Mr. Brunk to whom the minority report referred as saying that the land had yielded 2.36.

I point that out simply to show how consistent the eccentric Mr. Brunk was when he was before the investigators at one time and when he was before the committee at another time.

Mr. TUNNELL. I thank the Senator. Apparently the Senator from Wisconsin had the idea that the committee had the burden of ascertaining the value of the land, and all that. The committee sent investigators, and the investigators said that the land was worth only about one-tenth of what the Governor had obtained from Brunk.

There was the chance to which I referred earlier today. It may be that it is hard to ascertain the value of certain stock which never had any value. That might be hard for even Governor LANGER to prove. However, it was not hard for him to prove the value of the land in the vicinity of Bismarck, if it had some value; but he did not do that.

The Senator from Wisconsin—I am referring to the senior Senator from Wisconsin; I do not want to arouse the antagonism of another Senator by this statement—took the committee to task because it did not call in the neighbors. I suppose, then, we should have called in the neighbors' neighbors, and so on, ad infinitum, in order to determine the value, saying nothing about the fact that the value had been established by the best way of which we knew, and that the value so established was not contradicted by the best way the Governor knew, a way which it was in his power to adopt.

One of the things which make this deal all the more suspicious, as it seems to me, is the fact that, as appears by the record, Brunk did not have any money. He gave Senator LANGER checks; and then he said that the checks had to be held until he would have the money in the bank; and he gave the checks in small amounts, comparatively speaking—a thousand dollars.

On page 772 the chairman asked:

Will you tell the committee, Mr. Brunk, why on August 16, 1937, you issued a check to WILLIAM LANGER in the sum of $1,000; on the same day you issued another check to him in the sum of $1,000; on the same day you issued another check in the sum of $1,000; and on the same day you issued the fourth check in the sum of $1,000, all drawn on the Bankers Trust Co. Bank of Des Moines, Iowa?

Mr. Brunk stated that his reason was that he had to wait until there was cash there; but the check payments corresponded with the profits he was making out of North Dakota bonds in selling to or buying from organizations under the control of the Governor; and he would make the payments at a rate of about 25 percent of the profits he was making.

In other words, he had a partner; no doubt his partner was getting one-half; and Senator LANGER and Brunk were dividing the other half—$56,800.

On page 774 of the record we find the following testimony:

Mr. BRUNK. I think that is right.

The CHAIRMAN. Did you ever telephone him a single time to cash or not to cash a check?

Mr. BRUNK. Yes; I did.

The CHAIRMAN. You did?

Mr. BRUNK. Yes; I did.

The CHAIRMAN. When?

Mr. BRUNK. I do not have in my mind the dates, but certainly ahead of some of these checks.

The CHAIRMAN. Did you ever tell him not to cash any one of these checks that are here?

Mr. BRUNK. Well, it was the other way around; he was not to cash them unless I told him to. I had to have money in the bank before they were good.

The CHAIRMAN. Then each time you sent him these checks he held them until you communicated with him and told him to cash them?

Mr. BRUNK. That is right.

The CHAIRMAN. It is strange the Senator did not remember that, is it not?

Mr. BRUNK. Well, I haven't read this testimony. I do not know what he remembered.

The CHAIRMAN. In your direct examination when you were on the stand before, you said something which I have not understood and I want you to make plain to this committee. You said that this transaction consisted of mixed emotions on your part.

"Mixed emotions." That language puzzled the committee, and it has never been made very clear. It was not entirely a business transaction. He had "mixed emotions." He had made some money, and he was handing some of it back to the Governor, who made the profits possible; but he had "mixed emotions."

The testimony continues:

Mr. BRUNK. That is right.

The CHAIRMAN. Part of them good and part of them bad. Just what did you mean by mixed emotions?

Mr. BRUNK. I think I said, as it now appears, some of them were not good.

The CHAIRMAN. Well, what ones were not good, Mr. Brunk?

Mr. BRUNK. Well, I did not avoid the appearance of evil, and that is not good. I would not be here had I avoided that, and that is not good.

The CHAIRMAN. Well, I still do not quite understand.

Mr. BRUNK. Well, I think, Mr. Chairman, if you would know 47 years of my life you would understand that better.

The CHAIRMAN. Well, unfortunately, the only period of life that this committee knows anything about is the period covered by these particular transactions.

Mr. BRUNK. That is right. That is unfortunate and that is not good.

The CHAIRMAN. That is not good?

Mr. BRUNK. I say it is not good that that is all you know.

The CHAIRMAN. Is that your explanation of what you mean by "mixed emotions"?

I think there was not a member of the committee who could not have given a better idea of what he meant than Brunk did.

Mr. Brunk replied:

No; that is not all the explanation—

If anyone can make any sense out of this, I hope he will do so—

I had representation of myself when I bought land; I had representation of Mr. Brewer when I was thinking in terms of bonds; I had representation of Governor LANGER when I was talking on the Wicks matter, and when I was talking to the Saturday Evening Post about the trial he had and the prosecution, and what have you. Those are not simple motives—

If anyone can tell what that means—

I did not have just one thing I was treating about. I had other clients at home; I had other problems at home. I said then and I say now I did not have one simple representation. And, therefore, it was not a simple representation. I do not know whether that makes sense or not, but that is it, Mr. Chairman.

I said later about some other things that I have learned to get some of my emotions simpler because of widespread publicity in the daily press of North Dakota in the election of 1938. Sometimes it seems I am awfully hard to learn. I have to learn from the outside instead of from the inside. I said to the good Senator at the corner there, with reference to the South Dakota deal, that I had learned that there were lots of things that are not the way you do things, and there was not a single man, or politician, or campaign fund, or any type of influence in South Dakota, because I read so many newspapers in North Dakota in connection with this relationship.

Again, I do not know what he means. I quote further from the testimony:

The CHAIRMAN. Mr. Brunk, I do not want to draw any unfair conclusions. I am trying to arrive at the truth of this transaction. That is all I want to know. I want to ask you if this is a fair opinion, that your profits, the large profits you made in these transactions, were made during the years 1937 and 1938?

Mr. BRUNK. The largest profits we have made on just—not the largest profits I ever earned, but the largest profits I was ever able to take any part of were made in 1937 and 1938; that is right.

The CHAIRMAN. It was during those years that you were making these payments to Senator LANGER?

Mr. BRUNK. That is right

The CHAIRMAN. Do you draw any connection between those transactions?

Mr. BRUNK. Do I draw a connection?

The CHAIRMAN. Yes.

Mr. BRUNK. Well, obviously, I cannot prove to anybody else that two things that had happened at the same time are not connected, but I do not draw the connection in that. I think when I show you figures that I worked out from these tables in the noon hour you will see the conclusion that is drawn here is entirely erroneous, is an entirely erroneous one from the facts.

I read now from page 784 of the testimony:

The CHAIRMAN. All right. Now, there is one other question. You have testified that you have paid the entire purchase price.

Mr. BRUNK. That is right.

The CHAIRMAN. The evidence shows there is some $20,000 or $25,000, or whatever it may be——

Mr. BRUNK (interposing). Not now.

The CHAIRMAN. How much is it now?

Mr. BRUNK. He has paid off a mortgage and some other things.

The CHAIRMAN. What would you say it is now?

Mr. BRUNK. $15,000 to $20,000.

The CHAIRMAN. $15,000 to $20,000 still unpaid?

Mr. BRUNK. That is right.

The CHAIRMAN. In that sense Senator LANGER is indebted to you in that amount?

Mr. BRUNK. He is; that is right. He admits it, too.

The CHAIRMAN. He admits it? Suppose he does not pay that; do you intend to collect it from him?

Mr. BRUNK. I think if I were to add myself to the long list of plaintiffs against him, and prosecutors of him, I would not be true at all to what inside me I believe in him, and I would not attempt to collect it.

The CHAIRMAN. In other words, Mr. Brunk, you would not try to force the payment?

Mr. BRUNK. No; I would not. He is liable to me, and the contracts show it.

But that was not such a debt as he would collect even though he pretends it was a part of the agreement. He admits that he never intends to collect it from Senator LANGER.

Mr. President, there has been much sneering at the so-called grab bag. What is meant by the grab bag? Those who have so referred to it have in mind some testimony taken by investigators sent to North Dakota by the committee which itself was appointed by the Senate of the United States. I heard one Senator say on the floor that he would not be governed by such testimony. I heard another Senator, who is usually very careful, say that no court in the United States would receive testimony so taken. I thought of the thousands of masters appointed in the courts of chancery throughout the country who go out and take testimony and return it to the chancellor. I thought of the commissioners who go out to take testimony in other States. I thought of my own State, where for many years persons were appointed to take testimony in divorce cases, hear all the evidence, and make a recommendation to the court.

Oh, but it is said, in this case the other side was not represented. Both sides were asked to produce witnesses. However, since I have been in the Senate, a little more than a year, I have been engaged in taking testimony in the case of claims against the United States when the United States had no notice and was not represented. Only a few days ago I was asked to take testimony in a case of that kind. I am satisfied that that testimony will be used; and yet Senators stand on the floor and say that no such testimony would be received in any court in the United States. That was the statement made from the floor, although we know that testimony is taken in that way all the time, all over the United States, and is received by the courts.

I have never seen so much enthusiasm exhibited, I have never seen the spirit of the crusader so much evidenced, as has been apparent on the part of those who seem to be anxious to condone the acts which are referred to here as the acts of Senator LANGER. They say, "You have not a right to go back into his record. Here [exhibiting] is the report in the Arthur Gould case in Senate election cases from 1913 to 1940, and on page 277, with reference to the Arthur Gould case, I notice this:

Senate Resolution No. 278, submitted the previous day by Mr. Walsh, was placed before the Senate for consideration. There was some contention that the Senate had no authority under the Constitution to investigate the qualifications of a Senator beyond questions of age, residence, and citizenship, and that it had no jurisdiction to inquire into an alleged offense committed prior to the election of a Senator.

Does not that sound fairly familiar?

Constitutional provisions as well as precedents in both the House and Senate were reviewed, and it was pointed out that the House of Representatives had never denied that it had the right to exclude a Member-elect, even when he had three constitutional requirements.

Not expel, but exclude.

In behalf of Mr. Gould it was pointed out in the debate that during the campaign the people of his State were thoroughly familiar with the charges and that they had subsequently vindicated him by electing him to the Senate by the largest majority, in proportion to the vote cast, that had ever been received by a Senator candidate in the State of Maine.

That also sounds very familiar. Nevertheless the Senate went ahead and referred that case to the committee.

I have never seen so many classes appealed to as have been appealed to in the record in this case. In the first place, Senator LANGER refers to the fact that he was chairman of some committee in the Progressive campaign when Senator LA FOLLETTE's father was interested in the result and when the Senator from California [Mr. JOHNSON] had some interest in the campaign, as I recall. They have been appealed to indirectly, and it is placed in the record. If one is a Republican, Senator LANGER says, if ever he needed Republican help it was then, and that he had stood by the Republicans in every farming State whenever he was asked to do so. If one is a Democrat, he is referred to the fact that Mr. LANGER supported President Roosevelt in some of his campaigns. That is put in the record. Not only that, but the fact that he is connected with the Nonpartisan League has been shown. Then, once in a while it is injected into the record that he and the junior Senator from Vermont [Mr. AIKEN] were the only two Republicans elected in some campaign.

Has there been an investigation in some State? If so, then the Senator appeals to his friends to resent the investigation, and we find persons who seem to be much interested in the general subject of investigations who resent them. The last of the particular appeals sent out was this, I think: "Do you belong to the W. C. T. U.? If you do, Senator LANGER is a life member." That is put into the record. Every appeal possible has been made to every class.

Mr. President, today the junior Senator from Utah [Mr. MURDOCK] became very much enraged when it was suggested that possibly a court of the United States was being reflected upon in the debate. I wish to read one paragraph from page 764 of the record:

Senator MURDOCK. Along the line that you are speaking, and, of course, I do not wish to imply that there is any evidence here that might reflect on the judicial conduct of Judge Wyman, but when Judge Wyman knew that his son was mixed up in this thing—

In this thing—

as he certainly must have known when he made the trip to Sioux Falls, I am wondering if after that happened and after a telephone call to Bismarck and he allowed his son to come up there, if that is not at least sufficient to put the conduct of the judge in question, even though he may not be on trial at this time?

That was the suggestion of the Senator from Utah, if you please. It appears on page 764 of the record. I do not think anyone has made a plainer reference or a plainer implication against Judge Wyman, or any judge in this case, than was made by the Senator from Utah in that statement.

Many communications to Senators with reference to portions of the testimony taken by the committee, were put into the record by the consent of Mr. Murphy, the attorney for Senator LANGER, who when the Senator from New Mexico [Mr. HATCH], then the chairman of the committee, asked whether the communications should be admitted, said, "I see no objection to having them placed in the record."

I now read a letter from Mrs. Herbert Roberts, which appears on page 799 of the record:

I protest testimony of WILLIAM LANGER regarding padlocking of store at Shields, N. Dak. As Morton County attorney, he padlocked my confectionery store on a false charge of selling poison without a permit. No question of sale of liquor was ever involved. I later sued him to recover possession of a drug stock which had been stored in the place while my then husband, John Hamre, was seeking a drug-store location.

Next is a letter from Arthur W. Fowler, as follows:

Advised LANGER testified before your committee that I paid Mulloy money in connection with his making affidavit against LANGER. This is an unqualified falsehood. Mulloy never solicited money, nor did I pay him any. Will be glad to appear and testify if required by your committee.

Third, Theodore F. Jeffries writes:

Following telegram sent to James Mulloy: "Have valuable information Langer case.

Frasier Owen and LANGER are lying. Received gas, oil, and money to campaign for LANGER. If you furnish expenses, will tell the committee many things you have left out. Answer Western Union. If I had money to come, would pay my own expenses. Only receiving an O. A. A. check. If you are interested and will pay my expenses, I will appear in behalf of the Government."

Next I read a letter from Mrs. James Mulloy:

DEAR SENATOR HATCH: I wish to most emphatically state that testimony given by Senator WILLIAM LANGER and J. H. Hanley pertaining to my husband's abuse of our small child, and statements of my husband's physical condition is absolutely false.

At no time have I ever made any such statements to either of them. I distinctly remember telling Mr. Hanley, as I told your investigators, that Jim is, and always has been, a very fond father. No one knows this better than Senator LANGER himself.

I had the assault and battery charge brought against my husband mostly because he was intoxicated, and I refer you to Mr. George Register, State's attorney, for all details.

In fairness to myself and our small daughter, I most urgently request of you to be given a chance to be heard or to face my accusers, for I again repeat that both statements are deliberate falsehoods.

On November 17, 1941, V. E. Sandberg wrote the following letter, addressed to the Honorable CARL HATCH:

Because Senator LANGER has seen fit to bring the city of Minot into his testimony before the Senate Committee on Elections, I am forced as mayor of Minot to advise you to completely disregard it. If the remainder of his testimony contained the same percentage of factual distortions, misstatements, and libels, then his entire story should be stricken from the record.

Senator LANGER is quoted as stating that he brought some 50 detectives to Minot. As a matter of fact, not over 6 detectives were brought here and paid by the State's attorney of Ward County.

Senator LANGER says he disguised himself as a laborer and stayed in Minot 3 weeks before the raid. Investigation proves this untrue. The man who served as State's attorney at the time says Mr. LANGER arrived in Minot the night the raids were to be made, bringing with him his press agents.

Senator LANGER is quoted as stating that 156 bawdy-house keepers were arrested—153 convicted. The statement, of course, is too ridiculous to deserve attention. There were in all less than a dozen such cases, and the only one in which an acquittal resulted was the single case tried by Mr. LANGER.

Senator LANGER is quoted as stating that Minot was so tough "lawyers feared to enter it at night." No honest lawyer, or crooked one either, ever needed fear being harmed in Minot unless his conscience was bothering him.

Senator LANGER's testimony was a libel of the city of Minot. It was vicious and without foundation of fact and, as a matter of fact, goes a long way to establish in the minds of the people who know the facts the very charges of moral turpitude that have been preferred by petitioners.

V. E. SANDBERG,
Mayor, City of Minot.

Next I read a letter addressed to Senator WALTER F. GEORGE:

DEAR SIR: Enclosed is a clipping taken from the Minneapolis Tribune regarding the drug store at Shields, N. Dak.

This store belonged to my parents, John O. Hamre, and I wish to brand Mr. LANGER's story regarding it as a dirty, rotten lie and utterly false.

At no time were my folks accused of selling liquor. My mother was accused of selling poison [arsenic] without a license. My father was out of the town at the time.

There is much more to the letter, but it does not seem to be material to the issue before the Senate.

Mr. President, I am about to close. As I see it, the whole subject is one which requires a good deal of consideration because the evidence is so disconnected; in other words, the testimony of Mulloy would have to be taken at one time, the testimony of Wyman would have to be taken at another, and the testimony of Senator LANGER would have to be taken at another. The transcripts of the testimony are therefore found in different parts of the volume of testimony, yet the various pieces of the testimony would have a good deal of connection, and in most instances the witnesses corroborate each other almost completely.

Mr. President, it has been said that the majority of the committee, in order to justify their finding, depend upon the testimony of Mulloy. I think I read to the Senate the recommendation which Senator LANGER gave to Mulloy. In it he said that Mulloy was a man who could be trusted with millions of dollars in money; that he was a man in whom the people of North Dakota had the utmost confidence. This was a recommendation from the respondent himself.

The charges which have been made are established by evidence which, in my humble opinion, would convict any man before any unprejudiced jury in the criminal courts of the United States. I think the presentation of at least three or four of the cases would bring a conviction in any criminal court.

Mr. President, it has been said that the conclusions arrived at by the majority of the committee are on the basis of guess. It is not a matter of guess at all. The testimony presented in a number of these cases with respect to Senator LANGER was direct, positive, and usually by two witnesses; by persons who took part in the proceedings, who were trusted by Senator LANGER at the time he was attempting to interfere with the orderly processes of the court, when he was attempting to juggle the processes of judgment and of orderly procedure in the State of North Dakota.

No, Mr. President, Senator LANGER has never been convicted in North Dakota, and he will not be convicted so long as he can use the machinery which he has been using in the State to prevent a conviction. Senator LANGER had the machinery with which to juggle the jury in the case in which there was a 10 to 2 division of the jury. If a man is allowed to indulge in such procedure, if he is allowed to control the machinery, what meaning can attach to a statement made before the United States Senate that he has never been convicted? He never will be convicted until he is taken before an unbiased jury. The jury which tried him was not an unbiased jury. He knew it was not an unbiased jury when he was told that Reich was "all right," when he found that Reich was all right, after he had, through his agents, tampered with the jury.

Mr. President, it is said, "No, a conviction cannot be obtained." He was convicted in the United States Court, but the next time he was tried he had two men on the jury. One of them received $950. I do not know what the other received. There is no evidence as to that. But the committee itself has no special interest in the way any Senator votes on this particular case.

One suggestion was made yesterday by the Senator from Michigan [Mr. BROWN] with respect to which I wish to comment briefly. He said that he himself would have to be convinced that Senator LANGER was guilty in one case. That is something which is true. If in one case moral turpitude is shown, and if Senator LANGER does not show a reformation or change, he should be excluded from the Senate. The Senator from Michigan called attention to that yesterday, and that is true. Senator LANGER is faced by a charge involving moral turpitude in each one of these many cases. Any one of them shows moral turpitude. Any one of them shows the commission of a criminal act.

Mr. President, I have heard of the enthusiasm manifested in certain quarters during the consideration of this case. One Senator would be reminded of the political work done by Senator LANGER. Another one would be asked if anything had occurred to change his mind since last he was talked to. Oh, the enthusiasm of the crusader, the enthusiasm of the early evangelist, has seemed to be in the offing at this time. The case should not be decided in that way. The case should be decided upon the evidence which is before the Senate, and not upon imagination or suggestion, as has been stated by some Senators. No Senator is expected to decide the case in that way. To do so would be a reflection upon the Senate. To try to bring in the shades of those who are dead, those who formerly were Members of this body, with the idea of prejudicing Senators, or of changing their votes, is to cast a reflection upon the Senate. Senators should vote their convictions, and should vote to uphold the Constitution of the United States.

Mr. President, if any one of these cases, especially the important cases, the large cases, do not establish moral turpitude, I do not understand the meaning of the words "moral turpitude." If those cases do not establish the fact that this man should be among those who have been excluded from the Senate in the past, I am entirely at a loss to understand the true situation.

Mr. President, I have spoken much longer than I intended to speak. I can only say that I think each Senator will and should do what it is his duty to do, to cast his vote in this case according to the evidence, according to his conscience, according to the oath he has taken, and under his duty to the God who has established this sort of government in the New World, and for the best interests of the country which is anxiously struggling today to prevent cor-

ruption from without getting control of the land. Let us, as our duty demands, prevent the overcoming of the Nation by corruption from within.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) to establish a system of longevity pay for postal employees.

GENERAL MACARTHUR'S APPEAL—PRODUCTION FOR WAR

Mr. O'DANIEL. Mr. President, I wish to say a few words with reference to the deplorable conditions existing in this Nation, which have aroused the righteous indignation of the good people in my State and in many, if not all, the 47 other States of the Nation. The conditions of which I speak are those which are retarding the production of essential war materials needed by our brave men who are at the battle's front, outnumbered, underarmed, and underprotected.

I believe the Senate should give consideration to the masterly appeal for help by Gen. Douglas MacArthur, who, from one of the last outposts of retreat—Australia—in the far Pacific, has sent these words:

> I have every confidence in the ultimate success of our joint cause, but success in modern war requires something more than courage and willingness to die. It requires careful preparation. No general can make something out of nothing. My success in the future will depend primarily upon the resources which the respective governments place at my disposal.

Mr. President, let us now analyze that urgent appeal for war material. Let us not simply casually read it as another news item and pass it by to go down in history for our great-grandchildren to memorize, as some of us as children memorized the Preamble to our Constitution, Lincoln's Gettysburg Address, and other great state documents. In the first place, Mr. President, that appeal by General MacArthur was aimed directly at the United States of America. According to our Constitution all legislative power of the United States of America is vested in a Congress, consisting of a Senate and a House of Representatives. Therefore I consider that urgent appeal by General MacArthur was aimed directly at you and at me and at every Senator holding membership here.

What are we doing about it? I will tell Senators what we are doing about it. We are sitting here debating a political matter, the settlement of which can place in General MacArthur's hands not one additional weapon of defense with which to save the lives of his brave men or save the life of this Nation.

On top of that, it has been quite generally rumored in news circles that as soon as this week is ended—it being the third week of this prolonged Langer case debate—both branches of Congress may take a recess or Easter vacation of 2 weeks. O God, the irony of the circumstances—while our brave boys perish at the battle fronts, and General MacArthur appeals for help, our Senators and Representatives may desert their posts of duty by recessing under the pretense of observing the resurrection of our Saviour!

Why this postponement of duty, Mr. President? Why not do something to help General MacArthur? That is the question. Why does the Senate of the United States of America not try, at least, to do something in answer to the urgent plea of General MacArthur?

We are not even trying. We are wholly ignoring General MacArthur's appeal from Australia. We are ignoring it as fully and completely as General Wainwright ignored the demand of the Japs for his surrender. Why this apparent inattention to General MacArthur's appeal? Even though every Senator individually knows of nothing that can be done to help him, surely we could bring the subject up on the floor for discussion. Surely we could at least offer a Senate resolution acknowledging his plea and pledging interest in his case. But no; we are ignoring General MacArthur's urgent appeal for help.

As for me, Mr. President, I have some ideas in mind as to how the Senate can help General MacArthur and his brave men. I, for one, am convinced that his plea is more important than the Langer case right at this particular time. I, for one, am convinced it is more important than a 2-week Easter vacation for Members of the Congress. I am convinced it is more important than 40 hours' work per week; time-and-one-half wages for overtime, and labor-leader-racketeer hold-up fees for the right of honest laboring men to work. I am convinced it is more important than the right of thugs to beat honest laboring men over the heads with clubs just because those honest laboring men want to work at a job open to them. I am convinced it is more important than for war profiteers to get rich while our boys fight and die for our country.

Because these matters are controversial, however, or for other reasons, we shirk our duty and responsibility in this matter. While MacArthur pleads in vain, our men die on foreign soil, and the strong, greedy hands of aggression clutch ever and ever nearer to our throats and the heart of our Nation, we take no action.

Yes, Mr. President; I have some suggestions as to what I think the Senate should do, and should do today, or as soon as possible.

My suggestion is that the Members of the Senate acknowledge General MacArthur's urgent appeal and give it immediate consideration. I also call upon the committees which have my labor bills, and other bills of like nature, locked up in their files, or under consideration, to bring those bills out on the floor of the Senate and let us debate them, and honestly vote on each one of them by a yea-and-nay vote.

Mr. President, I admit the Langer case being discussed is important, and I congratulate the Senators who are doing their duty in debating the case. The point I am making is that I consider the appeal of General MacArthur and the winning of this war to be more important than that, and I urge the Senate to give immediate consideration to legislation which will speed up the production of war materials.

WAR PRODUCTION AND LABOR

Mr. McFARLAND obtained the floor.

Mr. AUSTIN. Will the Senator yield to me for the purpose of suggesting the absence of a quorum?

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Does the Senator from Arizona yield for that purpose?

Mr. McFARLAND. I do not care to yield for that purpose. I thank the Senator, however.

Mr. President, during the last several weeks I have received daily an increasing number of letters and telegrams from individuals and organizations in my State urging and demanding that immediate action be taken to put our war industries on a maximum-production basis, 24 hours a day, 7 days a week. I consider these communications to be the most important I have received since I have been a Member of the United States Senate. Some of them are the pleas of the parents, wives, brothers, sisters and loved ones of the men fighting our battles on the war fronts of the world. All of them call to mind the solemn obligation we at home have to keep faith with those who have gone forth to give their lives, if need be, that this great Nation of ours may continue to endure. They come from school children in whose young minds there is beginning to form the awful doubt whether America is and can remain invincible. They proclaim the readiness of an aroused and angry America to cast aside freedoms, rights, privileges, and traditions which we have held sacred since our country was founded, if that be necessary, or if that will more quickly win the war.

Mr. President, if I needed to be aroused, if I needed to be impressed, the voices of the people of my State and the voices of the people in every part of our Nation would have certainly done the job. In fact, however, I have been at all times and am now willing to do anything that is necessary to win this war, and to do anything that is necessary to win it as quickly as is humanly possible. No American worthy of the name can know what is at stake in this hour and yet fail to cast aside personal interests, personal advantage, and any thought of consequences which may follow to him personally because he does his duty. But in our attempts to solve the problems which confront us today we must be careful that we do the things that will accomplish the desired ends. It is easy to criticize and, when the news from the battle fronts is not encouraging, it is human to want to do something different from what is already being done. As Members of Congress we still have the obligation and the duty of coolly and deliberately surveying the problems before us, of carefully analyzing the defects in our war effort, and of making certain that the action taken will better the situation and not make it worse.

Insofar as the letters and telegrams which I have received urge specific action by Congress, they ask legislation on two subjects: Strikes and the repeal or suspension of Federal wage-hour laws. It is my intention at this time to deal principally with those subjects.

Practically all those urging that I support legislation which would prohibit strikes have supported their views with figures, usually quoted from the press or the radio, indicating that production is being very seriously hampered by strikes. Representative of the figures given me are charges that strikes in defense industries in January of this year numbered 43, and in February, 76; that more than 2,000,000 man-hours of labor were lost in February through strikes, and that the man-hours lost through strikes in February would have built 2,000 bombers. I have made a thorough investigation of these figures and I am convinced that they are entirely inaccurate. The records of the Bureau of Labor Statistics, Department of Labor, and the National War Labor Board, which are official figures, show that strikes affecting war production in January numbered 10, and in February, 21; and that, with approximately 7,500,000 persons employed in war industries during the period from January 1, 1942, to date, 99.97 percent of those employees did not lose a single minute as a result of strikes.

Further than this, it should be pointed out that not a single strike which has occurred since December 7, 1941, has been authorized by a labor organization; that such strikes as have occurred took place against the advice, policy, and attitude of the labor organizations and in spite of organized labor's efforts to prevent them; and that, according to Mr. Donald Nelson, Chairman of the War Production Board, organized labor has fully, faithfully, and sincerely kept its word to the President and to him, that no strikes would be countenanced or authorized for the duration of the war, and has cooperated fully in settling and terminating such unauthorized work stoppages as have taken place.

Because of the confidence which I know our people have in Mr. Nelson and in our Army and Navy officers who are in charge of the problem of war production, I feel that it should be noted that at a meeting held March 17, 1942, attended by representatives of the War Production Board, the Army, the Navy, the Maritime Commission, the War Labor Board, and the Department of Labor, the strike situation was reviewed and a public announcement was made that there existed no work stoppages which "significantly affect the war-production program."

I know it will be contended that one strike or one hour of labor lost through strikes at this critical hour is too much, and that the damage to the Nation's welfare is as grievous if a strike is unauthorized as if it were authorized. I fully agree with that argument; but the real question before Congress is whether the three-one-hundredths of 1 percent of labor can best be brought into line by legislation which, rightly or wrongly, is opposed as unjust and uncalled for by the millions of American workmen who are working and patriotically doing their duty, or whether it should be brought into line by the influence of public opinion, the counsel of its leadership, and the example of its fellow workers. In this connection, I feel that Congress, in answering the question, must give consideration to the fact that every single man who represents the Government and the people in the production effort, from Mr. Nelson on down, has opposed taking the way of legislation, for the reason that it would do more harm than good.

The communications received by me indicate that some of our people have the understanding that workers in war industries are prohibited by Federal law from working in excess of 40 hours per week. This is incorrect. There is no Federal statute which makes it unlawful for men to work in any industry more than 40 hours a week. In proof of this statement, let me cite the following figures as to the average weekly work hours in certain defense production industries for the month of January 1942, which show that defense workers are actually putting in substantially in excess of 40 hours a week.

Industry:	*Hours*
Foundries and machine shops	46.9
Machinery	47.1
Brass, bronze, and copper products	46.1
Machine tools	55.0
Aircraft	48.7
Shipbuilding	48.2
Engines, turbines, etc	51.1

There are two factors which should be borne in mind in connection with the figures for weekly hours cited here. The first is that the figures are for hours actually worked, not merely scheduled hours; time lost by workers through accidents, illness, or for other reasons have, of course, reduced the average hours. The other is that the figures are for January 1942; and I am informed that the present figures for some of the industries are higher.

Most of the people who have written to me advocating the repeal or suspension of the wage-hour laws have expressed the view that this action should be taken for the reason that the laws, and the regulations and practices which have sprung up thereunder, require payment of extra time for all hours per week in excess of 40 and for any work done on Saturday afternoon, Sundays, or holidays. The common opinion of these citizens, as I gather it from the mail I am receiving, is that the necessity of paying this extra time is likely deterring some war production plants from working longer hours, that payments for extra time are adding very heavily to the cost of our defense, and that war workers are or should be patriotic enough to work longer hours at regular rates during this emergency. These arguments are very persuasive; and if one would feel justified in acting on the basis of these arguments alone, he might very well reach the conclusion that the present situation with respect to overtime payments should be altered.

However, what all of us want, primarily, is more war production. We want to see all of our defense production industries working 24 hours a day 7 days a week. To that end Mr. Nelson has been placed in full charge of the production effort and told to produce or else. He has, we all feel, made a splendid beginning; he has the confidence of the people that he can get the production; and he himself is confident that the job will be done. I feel compelled, therefore, in considering legislation with regard to war production, to give serious thought to his opinions and his recommendations. I am not bound by his views, but I certainly am not at liberty to disregard them and yet expect him to get results.

On Thursday last, at a hearing before an appropriations subcommittee, Mr. Nelson testified concerning overtime pay, and I summarize his views as follows: He is opposed to any change in the practice of paying time and a half for hours in excess of 40 per week, for the reason that it provides an incentive to workers to work longer hours and provides an incentive for needed workers to enter war production industries. He stated, also, that overtime payments were being to some extent absorbed in living costs; and it was his opinion that the effect of eliminating such payments would be to precipitate requests for increases in regular hourly rates, with resulting disruption and interference with production. On the question of the payment of double time for Saturdays, Sundays, and holidays, Mr. Nelson stated that he was opposed to such payment except when the Saturday, Sunday, or holiday was the seventh consecutive day worked by an employee; in other words, he opposes the payment of double time merely because the day's work was done on Saturday, Sunday, or a holiday. Mr. Nelson said, further, that legislation was not, in his opinion, necessary or advisable in order to eliminate the double time to which he objected, that the matter could best be handled by the War Labor Board's establishment of a war-labor policy.

During the hearing to which I am referring, Mr. Nelson was asked the plain question:

> What legislation can Congress enact at this time which would help you in your efforts toward increased production?

His reply was substantially as follows:

> It is my considered opinion that I cannot be helped by legislation, and I might be seriously hurt by ill-advised legislation. I do not see any particular legislation which would help; all the factors in production are within the hands of ourselves, labor and management, and the problem can be solved by our mutual determination, spirit, and energy. If and when I conceive that any legislation may be necessary or helpful in the matter of production, I will recommend it immediately. I would consider myself derelict in my duty to the Nation at war if I did not do so.

These are, in substance, the views of the man who, by appointment from our Commander in Chief, carries the responsibility for our war production.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HUGHES in the chair). Does the Senator from Arizona yield to the Senator from Washington?

Mr. McFARLAND. I yield.

Mr. BONE. I wonder if Mr. Nelson gave the committee any indication of the loss of man-hours of labor because of industrial accidents and sickness. The other night I heard given over the radio some figures which were astounding, and I think they might well be brought to the attention of the Members of both Houses of Congress, because they presented such a staggering picture of the loss of time, due to accidents and sickness of one kind or another.

Perhaps some forms of sickness, due to factory conditions, could be corrected. Nevertheless, the figures presented a very startling picture; and, contrasted with man-hours lost because of strikes, they create some very unique comparisons.

Mr. McFARLAND. I thank the Senator for the suggestion. I, too, feel that the figures would be enlightening. I think they should be produced.

Mr. MURRAY. Mr. President, if the Senator will yield to me, I should like to supply the figures at this time. I think they should appear in the RECORD at this point.

Mr. McFARLAND. I yield for that purpose.

Mr. MURRAY. I understand that the loss of man-hours because of strikes amounts to approximately 30,000,000, and that the loss of man-hours because of accidents amounts to 460,000,000.

Mr. BONE. In other words, that is the comparative status?

Mr. MURRAY. Yes; that is the comparative status.

Mr. BONE. Thirty million hours were lost——

Mr. MURRAY. Thirty million hours of labor were lost because of strikes, and 460,000,000 hours were lost because of industrial accidents.

Mr. BONE. In other words, if we had two lines of varying lengths, one would represent the 30,000,000 hours and the other would represent the 460,000,000 hours? That is the comparison the Senator draws, is it?

Mr. MURRAY. That is correct; and no discussion whatever is being had with reference to the loss of time because of accidents. The whole argument seems to be relative to the loss of time because of strikes.

Mr. BONE. Of course, from whatever source the loss arises, it is a loss, and it should be considered on that basis; because the loss accrues to the country; and during a death struggle it is immaterial to the country from what source the loss arises, provided anything can be done to stop it.

Mr. McFARLAND. I thank the Senators for their suggestions.

Mr. President, we can conscientiously permit Mr. Nelson to remain in his position only so long as we have confidence in him and are willing to give weight to his recommendations. I, for one, feel that he is entitled to an opportunity to demonstrate the soundness of his position and the accomplishments that can be made under his program.

I realize fully, Mr. President, that, while I have here made no mention of them, there are other phases and aspects of the production problem which are receiving the thought and attention of the Members of the Senate at this time. I realize also that there are important steps to be taken toward placing our war economy and our war effort on a sound basis. In this latter connection I want to express the hope that we shall shortly have an opportunity to give full and serious consideration to legislation which will limit war profits and legislation which will establish wage ceilings for the duration of the war.

Mr. President, while I am speaking I wish to make a brief statement with reference to another and related subject. Many of the letters and telegrams from my people repeat charges recently made in the press and on the radio to the effect that in enacting the provisions of the price-control bill with reference to agricultural commodities and in enacting the legislation which restricts the Commodity Credit Corporation in the disposition of certain agricultural commodities which it has acquired, the Congress surrendered to the demands of a "farm bloc" and "sold out" for the farm vote. I shall take a few moments to explain just why Congress was justified in giving separate consideration—not special consideration, mind you—to the farmers of America, who are being called upon to produce as never before in order that the United Nations may have the food and sustenance which are indispensable to victory in this war.

For many years past our Government has been making every effort to insure parity prices to producers of agricultural commodities—which is saying no more than that our Government has been making every effort to insure farmers that the prices they receive for their products will be just and equitable in comparison with the prices they must pay for the things they buy.

Such governmental policy and purpose has had the support of the overwhelming majority of our people because the great mass of our people recognized the justice and economic merit of any governmental assistance which might be necessary in order to bring the income of the farm people into reasonably close balance with the income of the rest of our people. I feel that it can also be said that our involvement in the war has made more important than ever before the attainment and maintenance of fair relationships between the incomes of our various population groups. No particular class is entitled to profit by the war, and no class should be discriminated against in our war economy.

If, as I feel we must concede, the granting of parity to farmers was proper and correct in peacetime, if it is necessary in wartime in order to enable farmers to contribute as they should to the whole war effort, wherein are the provisions of the price-control bill with reference to agricultural commodities wrong and unfair? It is pointed out that the price ceiling for farm products is fixed at 110 percent of parity, and not simply at parity; it is argued that, although farmers are justly entitled to parity, the bill gives them 110 percent of parity. Let me demonstrate that if the bill fixed parity as the ceiling it would never be possible for the farmer to obtain parity. Obviously, if cotton, for example, were allowed to rise in price until it reached parity, and the ceiling were then imposed, the price of cotton would not, in the very nature of things, remain at parity; it would fluctuate between parity and some point below parity. More likely than not, as soon as it reached parity, and its rise halted, there would be a reaction driving it below parity. Thus it can be seen that if the farmer is to get an average which will give him parity the ceiling must be fixed at something a little above parity.

When the price-control bill was pending before the Congress there was a great deal of contention concerning the provision which requires the Administrator to have the approval of the Secretary of Agriculture prior to fixing a price for agricultural commodities, the criticism being that the provision ignored the interests of consumers of farm products. I feel that that argument has been fully answered by the record of the manner in which the provision has actually operated and the cooperative spirit in which both the Administrator and the Secretary have entered upon their duties under the law.

Turning now to the legislation with reference to the Commodity Credit Corporation and its commodity stocks, I point out that it was introduced in Congress at a time when Government officials announced a policy of using stocks of corn, wheat, and cotton in order to keep those products at 85 percent of parity. The bill relative to the Commodity Credit Corporation and its commodity stocks was passed because a substantial majority in Congress felt that the proposed policy of using the stocks of commodities in order to keep the prices of such commodities at 85 percent of parity was an absolute reversal of a sound, public-approved agricultural program, and would result in the lowering of prices for the commodities affected, notwithstanding such prices were still below levels which have for years been considered fair and just. It should be noted, further, that even those who opposed the legislation proposed, as I understood them, to adjust the farm income with that of other groups through the medium of parity payments amounting to several hundred millions of dollars, to be paid out of the Public Treasury. In other words, the real issue was whether the farm group would obtain parity through the operation of natural economic processes or through a continuance of Government payments.

I am aware that many of those dealing publicly with the action of Congress in this matter were very ready to hurl the charge of "politics," and to accuse those voting for the legislation of attempting to get the farm vote. I have heard and read many such charges, but I have yet to find one such gentleman who is willing or able to support his accusations with facts. Uniformly, such discussions are absolutely devoid of factual data, but are long on bald charges that Congress voted to increase the cost of living. None of those making such charges has attempted to explain why the Senator from Nebraska [Mr. NORRIS], who has announced his intended retirement from the Senate at the conclusion of his present term, should be sufficiently

interested in politics to vote for the bill, or why the Senator from California [Mr. JOHNSON], who ordinarily does not even have an opponent in his race for the Senate, should "sell out" to the farm bloc.

I do not for a moment contend that the cost of living is not too high, or that nothing should be done about it. The point I make is that the legislation I have been discussing is not the reason why foodstuffs and other agricultural products have risen in price beyond justification. When we remember that the farmer gets as little as 20 percent of the price we pay for many of the foods that come to our tables, it becomes apparent that attention may well be given to the part others than the farmer have had in price rises.

Mr. President, regardless of the fact that I cannot share the views of all who have communicated with me concerning the problems which are before us, regardless of the fact that much of what has been written to me is critical of Congress and myself, I say with all sincerity that nothing which has occurred since the outbreak of the war has heartened and encouraged me nearly as much as the flood of expression from the people at home. It gives me renewed assurance that America has the will and the determination to fight and to win. It demonstrates to me just how wrong are those who preach that a great and genuine democracy is incapable of arming itself and fighting through to victory. I am grateful to my people, and I pledge them that during these days of trial there will be for me but one test by which I will determine every question and issue which is presented to me: Is it for the best interests of my country at war?

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. TAFT obtained the floor.

Mr. OVERTON. Mr. President, will the Senator from Ohio yield?

The PRESIDING OFFICER (Mr. ROSIER in the chair). Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. TAFT. I yield to the Senator from Louisiana.

Mr. OVERTON. Mr. President, I offer an amendment in the nature of a substitute to the amendment of the Senator from Rhode Island [Mr. GREEN] to Senate Resolution 220 declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota. I ask that the clerk read the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be read.

The LEGISLATIVE CLERK. In lieu of the amendment offered by Mr. GREEN to Senate Resolution 220, it is proposed to insert the following:

That since it appears that WILLIAM LANGER has been duly elected a Senator of the United States from the State of North Dakota, and that the returns of such election and the credentials submitted to the Senate by the said WILLIAM LANGER are valid, and since it further appears that the said WILLIAM LANGER has attained the age of 30 years, has been 9 years a citizen of the United States, and was, when elected, an inhabitant of the State of North Dakota, the said WILLIAM LANGER cannot, by majority vote, be excluded from, or deprived of, a seat in the Senate of the United States.

Mr. McNARY. Mr. President, will the Senator from Ohio yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oregon?

Mr. TAFT. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Ohio yield for that purpose?

Mr. TAFT. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Glass	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Bankhead	Gurney	Reynolds
Barbour	Hayden	Rosier
Bilbo	Hill	Russell
Bone	Holman	Schwartz
Brewster	Hughes	Shipstead
Brown	Johnson, Calif.	Smathers
Bulow	Johnson, Colo.	Smith
Burton	Langer	Spencer
Butler	Lee	Stewart
Byrd	Lucas	Taft
Capper	Maloney	Thomas, Idaho
Carawav	Maybank	Thomas, Okla.
Chandler	McCarran	Thomas, Utah
Chavez	McFarland	Tobey
Clark, Idaho	McKellar	Truman
Clark, Mo.	McNary	Tunnell
Connally	Mead	Tydings
Danaher	Millikin	Vandenberg
Davis	Murdock	Van Nuys
Doxey	Murray	Wagner
Ellender	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	Wiley
Gillette	Overton	Willis

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. TAFT. Mr. President, the legal questions involved in connection with the resolution now pending have been so well discussed by the Senator from Utah [Mr. MURDOCK], and the Senator from Louisiana [Mr. OVERTON], very much along the line I intended to follow, that I shall speak briefly, and only for the purpose of explaining why I intend to vote against the committee resolution.

The resolution reads in a rather awkward form:

Be it resolved, That this case does not fall within the constitutional provisions for expulsion or any punishment by two-thirds vote, because Senator LANGER is neither charged with nor proven to have committed disorderly behavior during his membership in the Senate.

Be it resolved, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

I understand an amendment has been offered by the chairman of the Committee on Privileges and Elections to the first section of the resolution, but the effect would be the same, a declaration that this is not a matter for a two-thirds vote, but is to be decided by a majority vote.

By this resolution it is proposed to exclude from the Senate, by a majority vote of the Senate, a man duly and properly elected by the people of a sovereign State. No question whatever is raised as to the validity of his election, and all charges regarding irregularities in connection with the election have been dismissed by the committee.

We are asked to exclude Mr. LANGER, not because of any disqualification by an express provision of the Constitution, but simply because of alleged defects of personal character. We are asked to exclude him because of moral turpitude said to be proved by various acts which took place prior to his election as Senator. Certainly the Senate should hesitate a long time and seriously consider before it excludes or expels any man because it disapproves of his character.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. I should like to ask the Senator for his view on one point. After a man has been elected Senator, when there is no question as to his title, or measures up to the three negative qualifications set forth in the Constitution, is there any way by which he can be gotten out except through expulsion? Is it not a question purely of expulsion?

Mr. TAFT. In my opinion it is, and I intend to develop reasons for that view.

Mr. CONNALLY. If I may interrupt just a moment longer, in this case, if Senator LANGER is not to be a Senator because he is too bad to sit here with us, that is a situation which calls for expulsion, and not exclusion.

Mr. TAFT. It appears to me clear that even on the committee's charges it can only be expulsion, and cannot be exclusion.

Mr. CONNALLY. I thank the Senator.

Mr. TAFT. In my opinion, our action can only be taken under the provision of the Constitution which authorizes the Senate to expel a Member, and therefore can only be taken by a two-thirds vote.

I do not attach any importance to the contention that the Senator has been sitting here for the last year, having been sworn without prejudice. That is a procedure which I myself would never agree to again. I think that if a man is charged with something which should exclude him from the Senate, he should stand aside at the time he presents his credentials, but should be given an immediate trial, and the matter should not drag on for months and years, but should be decided immediately. So far as the proceedings we are now considering are concerned, it seems to me the matter should be decided on the merits of the question. In other words, if the kind of thing for which we are asked to exclude Senator LANGER is a matter which is a proper cause for exclusion, then it should be decided by a majority vote. If it is a proper matter for expulsion only, I think the decision should be by a two-thirds vote.

The resolution of the committee is based on the power given each House to judge of the qualifications of its own Members. In my opinion, the word "qualifications" as here used refers to the

qualifications contained in the Constitution itself and does not authorize the House to impose any qualifications it sees fit to impose. If the Senate can say that the absence of moral turpitude is a qualification, it can impose qualifications based on the morals, the religion or lack of religion, or the philosophical or political views of any person elected. This would be such a dangerous power that it certainly should not be implied unless entirely clear. The existence of such power would give to the majority of either House the ability to exclude those who disagreed with the opinions of the majority. Atheists, perhaps Communists, might be excluded today, Socialists tomorrow, and Republicans or Democrats in good time. It may be said that this is a fantastic possibility, but it is a possibility which was foreseen by the founders of the Constitution.

More and more the Federal Government and its various branches are coming to a position where they feel that they can tell the States exactly what they shall do, that they have a right to overturn the opinions of the local communities, and more and more the power claimed, to exclude one by a majority vote for elements of character, is a power which is likely to be exercised today than when the Constitution was adopted.

It is my belief that section 5 of article I was only intended to make each House the final judge of whether a man was properly elected, and whether he met the qualifications prescribed by the Constitution itself. The question was debated in the Constitutional Convention. The first draft of the Constitution, as has been pointed out by the Senator from Utah [Mr. MURDOCK] contained this additional section:

> The Legislature of the United States shall have authority to establish such uniform qualifications of the Members of each House, with regard to property, as to the said Legislature shall seem expedient.

That was stricken out. It seems fairly obvious that the fact that it was proposed shows that the founders did not believe that Congress had any such power, except when it was expressly provided in the Constitution, that the word "qualifications" meant qualifications prescribed by the Constitution.

Madison opposed that proposal, and I suppose Madison is as valuable an interpreter of the Constitution as anyone in the history of the United States. He opposed the proposal to give this authority, because he said it vested—

> an improper and dangerous power in the legislature. The qualifications of elector and elected were fundamental articles in a republican government and ought to be fixed by the Constitution. If the legislature could regulate those of either, it can by degrees subvert the Constitution. A republic may be converted into an aristocracy or oligarchy as well by limiting the number capable of being elected as the number authorized to elect. In all cases where the representatives of the people will have a personal interest distinct from that of their constituents there was the same reason for being jealous of them as there was for relying upon them with full confidence when they had a common interest. This was one of the former cases.

Mr. Madison continued:

> The British Parliament possessed the power of regulating the qualifications both of the electors and the elected, and the abuse they had made of it was a lesson worthy of our attention. They had made changes in both cases subservient to their own views of political or religious parties.

Of course, there were religious qualifications prescribed by the English Parliament. The Wilkes case, I think, is one which has been relied on, in which they went far beyond anything the founders of our Constitution would have approved.

As a result of Mr. Madison's objection, this article giving the Congress power to prescribe qualifications was eliminated. Surely it must follow that the Convention did not intend to confer indirectly and in individual cases the right which they refused to grant in general terms. Mr. Madison evidently felt that the qualifications stated in the Constitution were exclusive.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BROWN. The other day, when the question dealt with in the argument which is now being made by the Senator from Ohio, was under consideration, I called attention to the fact that in the entire history of the United States Congress there has never been so far as I was able to recall, an attempt to set up the qualifications of a Senator or Representative by statutory action on the part of Congress. I call attention to the fact that the only time we ever did attempt to make a change was when the fourteenth amendment was submitted to the people of the United States. In that amendment a new qualification was set up; that is, that no person could be a Senator or a Representative who, having previously taken the oath as a Senator or Representative, thereafter participated in insurrection against the United States. That was not done by statute. Congress in 1866 evidently concluded that the only way it could be done was by constitutional amendment. I think that strongly supports the position which the Senator from Ohio is now taking.

Mr. TAFT. I agree entirely with the Senator from Michigan. It seems to me that the fact that the Congress felt a constitutional amendment was necessary showed that they thought they could not do it themselves; that not only could they not do it by law, but could not do it in an individual case where a man had been a traitor to his country, which certainly would have been a cause for expulsion. They felt an amendment was necessary in such a case to exclude him.

Mr. BROWN. Certainly the temper of the Senate and the House at that time, immediately after the Civil War in 1866, would have been such that they easily could have passed such legislation if they deemed they had the constitutional right to do so, but they did not do so. They felt that a constitutional amendment was necessary to change the qualifications of Senators and Representatives.

Mr. TAFT. Mr. President, I think the Senator's argument is very effective.

The qualifications of Senators are prescribed in negative terms, and that fact has been referred to. Personally, I see no difference whatever between the stating of these qualifications in negative terms and in affirmative terms. I do not see that either of them are any more or any less exclusive than the other, and I attach no importance to the change that was made by the committee on style. I do not believe it was intended to effect any change in the actual substance of the Constitution. I do not think it has a substantial bearing here.

The qualification section in the first draft of the Constitution was stated affirmatively as follows:

> Every Member of the Senate shall be of the age of 30 years at least, shall have been a citizen of the United States for at least 9 years before his election, and shall be at the time of his election a resident of the State in which he shall be chosen.

This language was changed by the committee on style to the negative form in which it now appears, and it is said that the negative form is not so exclusive as the affirmative form. Frankly, I can see no difference between them. To me they mean exactly the same, and the committee on style was simply changing the style without any intention of changing the substance. In fact, they had no power to change the substance. It is merely a change of phraseology.

The matter is discussed in the Federalist several times, and that is clear evidence of the views of Mr. Madison and Mr. Hamilton as to the meaning of the Constitution. The author of the Federalist, No. 52, says:

> The qualifications of the elected, being less carefully and properly defined by the State constitutions, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the convention. A Representative of the United States must be of the age of 25 years; must have been 7 years a citizen of the United States; must at the time of his election be an inhabitant of the State he is to represent, and during the time of his service must be in no office in the United States. Under these reasonable limitations the door of this part of the Federal Government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith.

There is no suggestion whatever that any other qualifications can be imposed. In fact, in No. 57 the author says:

> Who are to be the objects of popular choice? Every citizen whose merit may recommend him to the esteem and confidence of the country. No qualification of wealth, of birth, of religious faith, or of civil professions is permitted to fetter the judgment or disappoint the inclination of the people.

It apparently had been argued that the poor might be excluded from Congress, but Alexander Hamilton, conceded to be the author of No. 60, answers this in the following language:

> The truth is that there is no method of securing to the rich the preference apprehended but by prescribing qualifications of property either for those who may elect or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution and are unalterable by the legislature.

This position is supported, in my opinion, by the great weight of authority.

Mr. President, it seems to me that the views of the founders of the Constitution ought to be final. There are many precedents. There are some precedents one way, and there are precedents other ways. I believe that legislative precedents have much less effect than judicial precedents for the simple reason that since Congress has the power to do things, it is very likely to do them whether it has any right to do them or not. I cannot give to legislative precedents the effect I give to the opinions and views of those who wrote the provisions of the Constitution.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. OVERTON. When the Senator rose a few minutes ago he yielded to me, and I offered an amendment to the pending Green amendment. My amendment provides:

> That since it appears that WILLLIAM LANGER has been duly elected a Senator of the United States from the State of North Dakota, and that the returns of such election and the credentials submitted to the Senate by the said WILLIAM LANGER are valid, and since it further appears that the said WILLIAM LANGER has attained the age of 30 years, has been 9 years a citizen of the United States, and was, when elected, an inhabitant of the State of North Dakota, the said WILLIAM LANGER cannot, by majority vote, be excluded from, or deprived of, a seat in the Senate of the United States.

If I correctly follow the able argument being made by the Senator from Ohio, he entertains the same view—that is, that when a Senator has been duly elected and meets the qualifications described by the Constitution, he cannot be excluded from his seat by a mere majority vote.

Mr. TAFT. Yes; I agree entirely with the Senator's amendment on that point. I have not read all its terms.

Mr. OVERTON. I understand that; but the Senator agrees with the principle of my amendment?

Mr. TAFT. I do entirely.

Mr. OVERTON. Of course, if such an amendment were adopted, then it would still leave with the Senate the power of expulsion, and a resolution could be submitted providing for the expulsion of Senator LANGER.

Mr. TAFT. I believe the Senate can expel any Member, and I believe it could even expel him for past offenses, but on the question of expulsion, I think he can only be expelled by a two-thirds vote.

Mr. OVERTON. I agree with the Senator. I think the authority to maintain the honor and dignity of the Senate is contained in the power of expulsion, and does require a two-thirds vote, and I think very properly requires it.

Mr. TAFT. Mr. President, I disagree completely with the first resolution proposed by the committee. As I read this resolution, it takes the position that the provision for expulsion requiring a two-thirds vote can only be used for "disorderly behavior during membership in the Senate." There is certainly nothing in the language of the Constitution to justify such a conclusion. I see the committee itself has offered a substitute. No limitation whatever is expressly stated on the power of either House to expel a Member, except that two-thirds of the other Members must concur. Simply because this power is contained in the same sentence with authority to determine the rules of proceedings and the punishment of Members for disorderly behavior, seems to me no justification whatever for confining the power of expulsion.

The committee's own report does not support the suggestion that expulsion can only be for disorderly conduct. On pages 5, 6, and 7, Mr. Justice Story is cited to the effect that expulsion may be inflicted for criminal conduct committed in any place, and his view is supported by the early cases of William Blount and John Smith, charged with being parties to Aaron Burr's treason. They certainly were not guilty of disorderly behavior in the Senate. I believe that a Senator may be expelled, but not excluded, for moral turpitude, or treason, or even for views like communism, if they involve a belief in the overthrow of the Government by force, but only if the case is clear beyond doubt.

Mr. Story is inclined to the view that expulsion cannot take place for a crime committed before the Senator is inducted into office, and there is a good deal of language to this effect to be found in various cases. I myself cannot understand why there should be any such limitation. I suggest that many of those who have said that expulsion could not be inflicted for crimes committed prior to a Senator's term have really believed that neither expulsion nor exclusion could be inflicted for past crime. If Tom Mooney, for instance, had been elected to the Senate after his release from prison, I think I should have voted to seat him.

Whether a Communist should be excluded or not, certainly a man should not be excluded because he was once a Communist. Even in the present case it appears to me that the committee is not attempting to exclude Mr. LANGER because of his alleged past crimes, but because of the alleged moral turpitude now existing as revealed by those past crimes. So in the Smoot case, to which I shall refer later, the disqualification was sought on the ground of the Senator's membership in the Mormon Church, continuing after he took his seat.

My conclusion is that the Senate's power to expel is unlimited, except that it must be based on a two-thirds vote, and must be exercised with the greatest restraint. I shall state the reasons for that. It can be exercised in the case of moral turpitude or any other derogatory characteristics, certainly if the condition continues into the Senator's term. But the very fact that a two-thirds vote is required is a warning that this power should be exercised only when the case is clear beyond the shadow of a doubt.

In the Constitutional Convention Mr. Madison insisted on the danger of this power. I quote from the reports of the convention:

> Mr. Madison observed that the right of expulsion (art. VI, sec. 6) was too important to be exercised by a bare majority of a quorum: and in emergencies of faction might be dangerously abused. He moved that "with the concurrence of two-thirds" might be inserted between may and expel.
>
> Mr. Randolph and Mr. Mason approved the idea.

By a vote of all but one State, the requirement of a majority was changed to two-thirds.

The result of the committee's position is an extraordinary one. If a man commits a crime after being inducted into the Senate, a crime of which the facts are easy to discover and to judge, he can be expelled only by a two-thirds vote. If he committed a crime 10 years before his induction, and the facts are clouded in uncertainty and contradiction, as in this case, he can be excluded by a majority vote. Certainly the wise men who drafted the Constitution had no such result in mind.

PRECEDENTS

It is true that there are a few precedents for excluding a man on account of past crime by a majority vote, but there has always been a conflict of opinion, and the reasoning which requires a two-thirds vote for expulsion seems to me very much sounder. In the cases I have read there was hardly ever action the other way without dissent.

One of the cases relied on was that of Philip F. Thomas, of Maryland, who was excluded in 1868 on the ground of disloyalty. The principal advocate of that course was Senator Sumner, of Massachusetts; and his speech shows the bitter feeling which existed during the reconstruction period, and at least suggests that the decision was the result of passion and prejudice. Senator Sumner's argument was that loyalty to the Government of which one is about to become a member is a necessary and implied qualification. His entire argument is based upon that proposition, and would not apply to moral turpitude or any other quality.

The case of B. F. Whittemore, in the House of Representatives, was based on a crime committed during one term, which resulted in Whittemore's resignation. He resigned to avoid trial; and when he was reelected he was excluded because the House thought he was trying to avoid the penalty of a crime committed during his first term in the House. The case was not thoroughly considered by anyone, and seems to have relied largely on the Wilkes case in England. But the Wilkes case was no precedent, because the English Parliament has always been a law unto itself; and the makers of our Constitution attempted deliberately to change that condition.

The principal reliance—and I think the only really substantial authority—for the committee's argument is the Roberts case. I am convinced that anyone who reads the reports and the debates in that case will be satisfied that the minority opinion is very much better argued and very much stronger. Roberts was a polygamist. The House was determined to be rid of him, and the minds of Members were not open to consider the constitutional questions involved.

On the other hand, there is plenty of authority the other way, besides that of

the founders of the Constitution which I have already cited. The most similar case—in fact, a parallel case—is that of Reed Smoot. He was accused of being a member of the Mormon Church, and apparently admitting the authority of that church to be supreme over the authority of the United States Government. He, himself, of course, was not a polygamist. That condition existed before he presented his credentials. It continued after he presented his credentials.

He was sworn in without prejudice, just as Senator LANGER was sworn in without prejudice. The case—as in this case—continued for some 2 years, while the investigation went on and the committee acted. In other words, the case seems to be parallel to that claimed to exist here, for the condition of moral turpitude of which the committee accuses Mr. LANGER existed before he presented his credentials and is alleged to continue today. The Committee on Privileges and Elections in the Smoot case recommended the exclusion of Mr. Smoot by a majority vote, as it has recommended in this case with respect to Mr. LANGER. The Senate decided, after debate, that the proper procedure was to expel him and not to exclude him, and so the resolution was amended to provide for a two-thirds vote. I know of no other basis for such a decision. The Senate then refused to expel Mr. Smoot on the facts found to exist. The action of the Senate in the Smoot case would require the Senate to amend the present resolution to require a two-thirds vote.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AUSTIN. I merely wished to have the Senator read the resolution and see if it called for expulsion.

Mr. TAFT. No; the Senate debated that question and turned down the resolution for expulsion and then inserted in the resolution a provision requiring a two-thirds vote. By what possible logic could it insert a provision in the resolution requiring a two-thirds vote except on the ground that expulsion was the proper remedy?

Mr. AUSTIN. My answer is that there was no logic in it.

Mr. TAFT. Of course, I have been maintaining that there was no logic in the precedents cited by the Senator from Vermont, so I have no objection to his feeling that there is no logic in the precedents cited by me; but they are precedents just the same. In that case the Senate decided that a two-thirds vote was required, which, it seems to me, could only be on the ground that expulsion was the proper remedy.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LUCAS. Is it not a fact that in the Reed Smoot case the provision for a two-thirds vote was added to the exclusion resolution?

Mr. TAFT. No. I think it was added to a resolution, but I do not think the word "exclusion" was used in the resolution after it was amended.

Mr. LUCAS. The original resolution reported by the committee was in the same form as the second part of the pending resolution, which simply states:

> *Resolved*, That WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

The resolution was based strictly on exclusion. The point I am making is that ultimately the Hopkins amendment, which added the provision for a two-thirds vote, was more or less of a legislative monstrosity, because it added an expulsion proposal to what seems to me to have been purely an exclusion resolution.

Mr. TAFT. However, the resolution providing for a two-thirds vote was not an exclusion resolution. It did not say it was. It was simply a resolution that he was not entitled to a seat. A two-thirds vote was required to make that declaration. The only possible interpretation is that the Senate felt that it had to expel or not act at all. As a matter of fact, that was the principal subject of debate in the Senate.

I also call attention to the case of Benjamin Stark, a Senator from the State of Oregon, who presented his credentials in 1862 and was accused of disloyalty. The committee found that this disloyalty had existed before Mr. Stark was elected. Nevertheless, the Senate considered only a resolution to expel, which was finally defeated on the facts of the case.

The argument which I have made was most completely and soundly presented in the Smoot case by Senator Philander C. Knox, of Pennsylvania. I have not improved, and I do not want to improve, on the argument made by him in that case, to the effect that exclusion could not be supported except on the ground of lack of qualifications expressly stated in the Constitution. I think his authority is most effective. He had been Attorney General of the United States under President Theodore Roosevelt. At that time he was a United States Senator. He was subsequently Secretary of State for 4 years; and following that was again elected to the Senate. In my opinion he was one of the best constitutional lawyers we have seen, at least since 1900.

It is my view that many of those who have said that a Senator should not be expelled for crime committed before his election have taken that position only because they believe that no action whatever should be taken for past crime in any case. Every argument which can be used against expulsion for past crime is certainly a valid argument against exclusion for past crime.

Certainly if a man has changed his views, or has changed the position in which he was, the Senate should not go back into past history. The Senate should act only if his present character is affected. That is the only ground I can see on which action could be taken. The committee itself admits it. If it is the present character of a man which governs, then the case is a proper case for expulsion. That certainly seems to me to exclude the necessity for any exclusion resolution or any need to argue that the power exists.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AUSTIN. I presume the Senator would be glad to discuss a part of the record, in the Smoot case. Robert W. Taylor conducted the presentation of the case against Mr. Smoot. Among other things, he said:

> In the present case the power of expulsion could be invoked, because the claim is made that the status of Senator Smoot, his relation to this law-defying hierarchy, his own attitude toward law, the view that he takes of his capacity to receive revelations from Almighty God, all indicate a present status that, if necessary, brings it within the power of the Senate to expel.

That was a case in which the characteristic of an act or a condition existed during the term of membership, and fell directly within the language of the Constitution providing for expulsion.

Mr. TAFT. However, certainly the committee is not going to exclude someone because 10 years ago he was guilty of moral turpitude, if since that time he "got religion," let us say. I cannot see any basis whatever for either expulsion or exclusion, as a matter of fact, for past crime in and of itself unless there is some present, existing condition, and I think that is what people mean when they refuse to expel for past crime. I think the Smoot case shows clearly that they thought they could expel for a condition which existed before, and continued into the time of the Senator's service.

Mr. AUSTIN. The last remark of the Senator does correspond to the subject of my interrogatory. What he said before did not.

Mr. TAFT. Mr. President, my conclusion is that, under the circumstances alleged in the present case, the Senate has power only to expel Mr. LANGER, but it has such power only by a two-thirds vote. I believe that the first section of the committee resolution should be rejected, and the second section amended to require a two-thirds vote before action is finally taken.

In considering the question of expulsion, action should be taken only in the clearest possible case. I do not say that the Senate should not in some cases expel for conditions revealed by past crimes, but I do say that it is a dangerous power. It may be used by majorities to exclude minorities from participation in the Government; it may be used to defeat the very freedoms which a democratic form of government was intended to assure.

Perhaps the most justifiable use of the power would be when no other remedy could be found to secure a deserved punishment. Thus, if a Senator had complete control of the machinery of justice in his own State, the Senate should be more inclined to act, but in this case a political opponent of Mr. LANGER is now Governor. Two of the charges against Mr. LANGER are charges of bribery during his last term as Governor. If they are charges of bribery they should be prosecuted in the courts of North Dakota, because in the courts a much fairer trial can be had than can ever be conducted by a legislative body, even by the Senate of the United States. I feel very strongly that Congress should not set

itself up to try a man for past crime or moral character unless it is the only possible method of procedure. Legislative justice is the poorest kind of justice.

I should like to read what Dean Roscoe Pound, formerly of the Harvard Law School, and, I think, the greatest student of jurisprudence in the world today, has to say about legislative justice and the necessity of avoiding a legislative trial of any kind, if it can possibly be done.

He says—referring to examples of legislative justice:

Examples of legislative justice may be found in the Greek trials before popular assemblies, in the Roman capital trials before the people and appeals to the people in criminal causes, in the Germanic administration of justice by the assemblies of freemen, in the judicial power of the English Parliament, in the power of the French Senate to "pass judgment upon the President of the Republic and the ministers and to take cognizance of attacks upon the security of the state," in the judicial power of the German Bundesrath, in the exercise of judicial power by American colonial legislatures and to some extent by State legislatures after the Revolution, in legislative impeachments, and in the disposition of claims against the State in most of our Commonwealths today. Some of these instances are of no great value for our purposes, because they are taken from primitive societies in which all justice was crude. But for the most part they are modern, or relatively modern, and enable us to determine with assurance the characteristics of legislative justice. Examining the actual operation of legislative justice in the several cases named, it may be said without hesitation that in action it exhibits all the bad features of justice without law.

In the first place, legislative justice is unequal, uncertain, and capricious. Bills of attainder, even in modern times, were too often merely legislative lynchings, and bills of pains and penalties, of which there were many examples during and immediately after the Revolution, were enacted capriciously, were procured on grounds of ill will in relatively trivial cases as well as in the grave cases involving danger to the Commonwealth for which they were supposed to be reserved, and became deservedly odious. In Rhode Island, we are told, legislative divorces were sought and granted in cases that were "too flimsy or too whimsical for judicial treatment."

Again—

In the second place—

legislative justice in its relatively short history in this country and in the relatively small number of cases in which it was exercised showed the influence of personal solicitation, lobbying, and even corruption far beyond anything which even the most bitter opponent of our judicial system has charged against the courts in the course of a long history and after disposition of a huge volume of litigation.

Thirdly, legislative justice has always proved highly susceptible to the influence of passion and prejudice. This was very marked in the Greek popular courts and was, indeed, so much a matter of course that rhetoricians taught the principles of appeals to the passion and prejudice of the tribunal and considered the cases where such appeals were expedient.

This feature of legislative justice was one of the chief causes of the odium which attached to acts of attainder and bills of pains and penalties at the end of the eighteenth century. It is equally marked in legislative impeachments.

Closely related to the foregoing characteristic of legislative justice is a fourth, namely, the preponderance of purely partisan or political motives as grounds of decision. This is a conspicuous feature of legislative determination and adjustment of claims against the state. It is conspicuous also in legislative impeachments. It was notorious in the appellate jurisdiction of the House of Lords, until the settled practice that only law lords should vote turned the judicial side of that body into an ordinary court of justice. It furnished one of the chief reasons for the abolition of the appellate jurisdiction of the senate in New York in 1846.

Finally, legislative justice has been disfigured very generally by the practice of participation in argument and decision by many who had not heard all the evidence, and participation in the decision by many who had not heard all the arguments. This was notorious when lay peers passed upon causes in the House of Lords, and is often conspicuous in analagous cases of impeachments and legislative investigations. Such a practice is wholly unknown in judicial justice, nor would the public tolerate it in judicial tribunals.

Of course, the pending case exhibits a number of those faults. The Senator from Illinois, in making his opening statement, said that of course the Senate was not bound by any rules of evidence. Hearsay evidence was taken—evidence was taken without opportunity to cross-examine. I do not blame the committee, I merely say that is part of legislative procedure. Documents were put in the record without the slightest chance to determine their validity or to determine the facts regarding which they purported to speak. "Everything goes" in a legislative trial.

In many instances there has been no cross-examination, I am told; and unless the committee is very unlike other committees of the Senate, I think it is certain that many members of the committee were absent at practically all of the hearings held by the committee. They participate, as Dean Pound said in the decision, without having heard all the evidence. Certainly no one can claim that a majority of the Senate has been present at any time during the trial of Senator LANGER. The RECORD shows a quorum from time to time, but the quorum is merely a temporary quorum. After all, our way is not the way of a court, and no legislative body can act as a court can act.

The conclusion to which all of this leads us is that we should avoid such trials if we possibly can. If the facts are clear, if convictions have been obtained, if the evidence can simply be analyzed and passed upon, the danger is not so great. However, certainly I do not think that the Senate should ever go back, as the committee went back, and go through the whole record of a man's past life, act as an investigator and a prosecutor, and dig up the facts; and certainly it seems to me rather extraordinary that, if we did undertake a trial, there should be anything in the record or in the reports except what is contained in the green book. I know that the Senate's legislative procedures are peculiar, but personally I do not think that that kind of procedure should be tolerated.

In conclusion, I can only state that I believe the Senate should be exceedingly loath to expel any man on the ground of moral character as exhibited by alleged past criminal acts. I do not believe the Senate should undertake to investigate the complicated facts of a dozen alleged crimes spread over the last 20 years.

I think I have read the whole of the record contained in the green book. I have not read the rest of the affidavits and testimony, which has never been printed; but I have read the green book; and there are still many facts which I cannot judge, many contradictions which it is impossible to reconcile. A judge who passed on this kind of a record would merely come back and say, "Give this gentleman a new trial; I want to get all the facts on the case before I pass on it at all."

It seems to me that the Senate should not go back and undertake an elaborate trial on the facts; and I object to having to determine one way or the other the facts which are presented in the present record.

Some of the conclusions are not found in the record at all, but in a file of affidavits which has been available to the committee. In every case the committee's conclusions are questioned and disputed. In the record which I have read I do not find the evidence required in my opinion to expel from the Senate a man elected by the people of a sovereign State.

Mr. AUSTIN. Mr. President, before the Senator takes his seat, will he yield?

Mr. TAFT. I yield to the Senator from Vermont.

Mr. AUSTIN. I assume that if the Senator has made an inadvertent mistake he would like to have his attention called to it now; is that correct?

Mr. TAFT. I should be glad to have that done.

Mr. AUSTIN. I understood the Senator to rely upon the Blount case as a case illustrating the expulsion of a Member of the Senate for an act committed before his membership. Did I correctly understand the Senator in that connection?

Mr. TAFT. No; I did not refer to the Blount case in that connection. As a matter of fact, the Blount case and the Smith case I cited only to dispute the committee's resolution that we could expel only for disorderly conduct in the Senate. That is the way the committee resolution reads.

I said that in those cases there was no disorderly conduct. During their terms those two men were accused of acts which took place way west of the Allegheny Mountains—in connection with the Burr conspiracy, as I remember. So I did not purport to rely upon the Smith and Blount cases in the connection to which the Senator refers.

However, I cited the Stark case, in Oregon, as a case involving acts which had occurred before the man's term began.

Mr. AUSTIN. In order to keep the record straight, the Blount case was not connected with the Aaron Burr conspiracy, as I understood the Senator from Ohio to claim, but involved corrupt practices in connection with the administration of the Indian Department.

The Smith case arose during Smith's term of office. The letter on which he was expelled was dated during his term of office; and the Smith case, which was connected with the Burr conspiracy,

arose during the term and membership of the Senator expelled.

Mr. TAFT. The Senator is entirely correct; both the Blount and Smith cases involved crimes which occurred during the terms of office of the Senators. I did not cite them for the purpose of proving anything otherwise.

Mr. LUCAS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. LUCAS. The very able Senator from Ohio has discussed the question of procedure and seriously objected to what has been done in connection with the investigation of the case against Senator LANGER. In order to keep the record straight, I should like to refresh the recollection of the Senator.

The senior Senator from Texas [Mr. CONNALLY], as chairman of the Committee on Privileges and Elections in the early history of this case, brought in a resolution—Senate Resolution 118—which was submitted to the Senate, and which was unanimously adopted. The resolution gave the committee and the investigators the authority to do what has been done in this particular case. I merely mention that in the hope that the Senator from Ohio will take his share of the responsibility for what was done in the way of investigation.

Mr. TAFT. I had no criticism to make of the committee; I did not claim that the committee did not have authority to do what it did. Of course, at the time the resolution was adopted we gave no consideration whatever to the question; we merely passed what the committee asked us to pass. Now that I have had time to examine the question, I think what we did was a mistake. I have whatever responsibility any Member of the Senate has who voted for the resolution.

I make no criticism of the committee. My criticism is of the attempt to conduct a trial for past crime in the Congress of the United States. I should like to read Dean Pound's conclusion. He says:

> Moreover, administration of justice by large bodies of this sort, along with or in the intervals of political business, is necessarily cumbersome and expensive. In sum, legislative justice is uncertain, crude at its best, and capricious at its worst, cumbersome and expensive, with no corresponding advantages. Hence from the Twelve Tables to modern constitutions men have agreed in prohibiting it. The provisions of modern constitutions in this respect represent more than the influence of eighteenth-century theory. They represent a universal experience of the ills involved in legislative justice.

We may have to perform the task of determining who shall be Members of the Senate, of passing on them at times, but certainly we should in all but the very clearest cases avoid the task of attempting to conduct here a legislative trial.

INCREASE IN THE DEBT LIMIT—CONFERENCE REPORT

Mr. GEORGE submitted a conference report, which was ordered to lie on the table, as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the Senate recede from its amendment.
>
> WALTER F. GEORGE,
> HARRY F. BYRD,
> *Managers on the part of the Senate.*
>
> R. L. DOUGHTON,
> THOS. H. CULLEN,
> JERE COOPER,
> FRANK CROWTHER,
> HAROLD KNUTSON,
> *Managers on the part of the House.*

EXECUTIVE SESSION

Mr. ELLENDER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ROSIER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Frank J. Duffy to be collector of customs for customs collection district No. 26.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTER

The legislative clerk read the nomination of Albert A. Stebbins to be postmaster at Garber, Okla.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of John Warren O'Donnell to be assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Stephen John Lange to be assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Fred L. Wommack to be assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard.

Mr. ELLENDER. I ask unanimous consent that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. ELLENDER. I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast and Geodetic Survey are confirmed en bloc. That concludes the calendar.

Mr. ELLENDER. I ask that the President be immediately notified of all confirmations of yesterday and today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all confirmations.

PROTOCOL ON UNIFORMITY OF POWERS OF ATTORNEY

Mr. CONNALLY. Mr. President, there is on the calendar a protocol, Executive A, Seventy-seventh Congress, second session, which I should like to have ratified at this time.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the protocol, Executive A, Seventy-seventh Congress, second session, a protocol on uniformity of powers of attorney, which are to be utilized abroad, which was read the second time, as follows:

THE ENGLISH TEXT OF PROTOCOL ON UNIFORMITY OF POWERS OF ATTORNEY WHICH ARE TO BE UTILIZED ABROAD

The Seventh International Conference of American States approved the following resolution (No. XLVIII):

"The Seventh International Conference of American States, resolves:

"1. That the Governing Board of the Pan American Union shall appoint a Commission of five experts, to draft a project for simplification and uniformity of powers of attorney, and the juridical personality of foreign companies, if such uniformity is possible. If such uniformity is not possible, the Commission shall suggest the most adequate procedure for reducing to a minimum both the number of different systems of legislation on these subjects and the reservations made to the several conventions.

"2. The report should be issued in 1934, and be given to the Governing Board of the Pan American Union in order that it may submit it to the consideration of all the Governments, members of the Pan American Union, for the purposes indicated."

The committee of experts appointed by the Governing Board of the Pan American Union pursuant to the above resolution prepared a draft of uniform legislation governing powers of attorney to be utilized abroad, which was submitted by the Governing Board to the governments, members of the Pan American Union, and revised in accordance with the observations of the said governments.

A number of the governments of the American Republics have indicated that they are prepared to subscribe to the principles of the said draft, and to give them conventional expression, in the following terms:

ARTICLE 1

Powers of attorney granted in the countries, comprising the Pan American Union, for utilization abroad, shall conform to the following rules:

1. If the power of attorney is executed by or on behalf of a natural person, the attesting official (notary, registrar, clerk of court, judge or any other official upon whom the law of the respective country confers such functions) shall certify from his own knowledge to the identity of the appearing party and to his legal capacity to execute the instrument.

2. If the power of attorney is executed in the name of a third person, or if it is delegated or if there is a substitution by the agent, the attesting official, in addition to certifying, in regard to the representative who executes the power of attorney, or delegates or makes a substitution, to the requirements mentioned in the foregoing paragraph, shall also certify that such representative has in fact the authority to represent the person in whose name he appears, and that this representation is legal according to such authentic documents as for this purpose are exhibited to said attesting official and which the latter shall mention specifically, giving their dates, and their origin or source.

3. If the power of attorney is executed in the name of a juridical person, in addition to the certification referred to in the foregoing paragraphs, the attesting official shall certify, with respect to the juridical person in whose name the power is executed, to its due organization, its home office, its present legal existence, and that the purposes for which the instrument is granted are within the scope of the objects or activities of the juridical person; which declarations shall be based on the documents which for that purpose are presented to the official, such as the instrument of organization, bylaws, resolutions of the board of directors or other governing body, and such other legal documents as shall substantiate the authority conferred. The attesting official shall specifically mention these documents, giving their dates and their origin.

ARTICLE II

The certification made by the attesting official pursuant to the provisions of the foregoing article, shall not be impugned except by proof to the contrary produced by the person challenging its accuracy.

For this purpose, it shall not be necessary to allege falsity of the document if the objection is founded only on an erroneous legal construction or interpretation made by the official in his certification.

ARTICLE III

It shall be unnecessary for the grantee of a power of attorney to signify therein his acceptance of the mandate; such acceptance being conclusively presumed by the grantee's acting under the power.

ARTICLE IV

Special powers of attorney to authorize acts of ownership granted in any of the countries of the Pan American Union, for use in another member country, must specify in concrete terms the nature of the powers conferred, to enable the grantee to exercise all the rights necessary for the proper execution of the power with respect to property as well as to the taking of all necessary steps before the tribunals or administrative authorities in defense thereof.

General powers of attorney for the administration of property shall be sufficient, if expressly granted with that general character, to empower the grantee to consummate all manner of administrative acts, including the prosecution and defense of law suits and administrative and judicial proceedings, in connection with the administration of the property.

General powers of attorney for lawsuits, collections or administrative or judicial proceedings, when so worded as to indicate that they confer all general powers and all such special powers as, according to the law, ordinarily require a special clause, shall be deemed to be granted without any limitation or restriction whatever.

The provisions of this article shall have the character of a special rule which shall prevail over such general rules to the contrary as the legislation of the respective country may establish.

ARTICLE V

Powers of attorney granted in any of the member countries of the Pan American Union, which are executed in conformity with the rules of this Protocol, shall be given full faith and credit, provided, however, that they are legalized in accordance with the special rules governing legalization.

ARTICLE VI

Powers of attorney granted abroad and in a foreign language may be translated into the language of the country of their destination and the translation incorporated as part of the text of the instrument thereof. In such case, the translation, so authorized by the grantor, shall be deemed accurate in every particular. The translation of the power of attorney may also be made in the country where the power is to be utilized, in accordance with the local usage or pertinent laws of such a country.

ARTICLE VII

Powers granted in a foreign country do not require as a prerequisite their registration or protocolization thereof in designated offices. However, this rule will not prevail when the registration or protocolization of such instruments is required by the law as a special formality in specific cases.

ARTICLE VIII

Any person who may, pursuant to the pertinent legislation, intervene or become a party in a judicial or administrative proceeding for the defense of his interests, may be represented by a volunteer, on condition, however, that such representative shall furnish the necessary legal authority in writing, or that, pending the due substantiation of his authority, such representative shall furnish bond, at the discretion of the competent tribunal or administrative authority, to respond for the costs or damages which his action may occasion.

ARTICLE IX

In the case of powers of attorney, executed in any of the countries of the Pan American Union in accordance with the foregoing provisions, to be utilized in any other member country of the Union, notaries duly commissioned as such under the laws of their respective countries shall be deemed to have authority to exercise functions and powers equivalent to those accorded to native notaries by the laws and regulations of (name of country), without prejudice, however, to the necessity of protocolization of the instrument in the cases referred to in article VII.

ARTICLE X

What has been said in the foregoing articles with respect to notaries, shall apply with equal force to the authorities or officials that exercise notarial functions under the laws of their respective countries.

ARTICLE XI

The original of the present Protocol in Spanish, Portuguese, English and French, under the present date shall be deposited in the Pan American Union and opened for signature by the States, members of the Pan American Union.

ARTICLE XII

The present Protocol is operative as respects each High Contracting Party on the date of signature by such Party. It shall be open for signature on behalf of any of the States, members of the Pan American Union, and shall remain operative indefinitely, but any Party may terminate its own obligations hereunder three months after it has given to the Pan American Union notice of such intention.

Notwithstanding the stipulations of the foregoing paragraph any State desiring to do so may sign the present Protocol AD REFERENDUM, which Protocol in this case, shall not take effect, with respect to such State, until after the deposit of the instrument of ratification, in conformity with its constitutional procedure.

ARTICLE XIII

Any State desiring to approve the present Protocol with modifications may indicate, when signing the Protocol, the form in which the instrument will be given effect within its territory.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Protocol on behalf of their respective governments, and affix thereto their seals on the dates appearing opposite their signatures.

The foregoing document has been deposited on this date with the Pan American Union and opened to the signature of the States, members of the Pan American Union, in accordance with the resolution of January 3, 1940, of the Governing Board of the Pan American Union.

WASHINGTON, D. C., *February 17, 1940.*

(S) L. S. ROWE,
Director General of Pan American Union.

[Translation]

FOR VENEZUELA:

The Representative of Venezuela signs the present Protocol with the following modification of section 1 of the first article:

"1. If the power of attorney is executed by or on behalf of a natural person, the attesting official (notary, registrar, clerk of court, judge or any other official upon whom the law of the respective country confers such function) shall certify that he knows the person executing the instrument and that he has the legal capacity to execute it, according to the documents he has produced."

(S) DIÓGENES ESCALANTE
February 20, 1940 [SEAL]

FOR PANAMA:

(S) JORGE E. BOYD *ad referendum*
April 10, 1940 [SEAL]

FOR EL SALVADOR:

(S) HÉCTOR DAVID CASTRO
ad referendum
May 21, 1940 [SEAL]

(The Salvadorean instrument of ratification was deposited with the Pan American Union on February 6, 1941. Contains the following "modifying reservations":

"(a) Article IX, as respects its application in El Salvador, shall be considered as reading as follows:

"'Article IX. Powers of attorney executed in any of the countries of the Pan American Union in accordance with the foregoing provisions and in conformity with the laws of the country of origin to be utilized in any other country of the Union, shall be considered as having been executed before a competent notary of the country in which they may be utilized, without prejudice, however, to the necessity of protocolization of the instrument in the cases referred to in Article VII.'

"(b) The reservation is made to Article VIII that unauthorized action by the attorney, as plaintiff or defendant, cannot be admitted in judicial or administrative matters for which Salvadoran laws require that representation be accredited by a special power of attorney.")

FOR COLOMBIA:

"The Plenipotentiary of Colombia signs the Protocol on the Legal Régime of Powers of Attorney *ad referendum* to approval by the National Congress, making the reservation that Colombian legislation set forth in Article 2590 of the Civil Code, provides that notaries

are responsible only for the form and not for the substance of the acts and contracts which they authenticate."

(S) GABRIEL TURBAY
May 25, 1940 [SEAL]

FOR NICARAGUA:

(S) LEÓN DE BAYLE *ad referendum*
May 27, 1940 [SEAL]

FOR BRAZIL:

(S) CARLOS MARTINS PEREIRA E SOUSA
September 6, 1940 [SEAL]

FOR BOLIVIA:

"The Plenipotentiary of Bolivia signs the present protocol with the following clarification of Article I, Section 2:

"For the correct application of Article I, Section 2, of the Protocol on Uniformity of the Legal Régime of Powers of Attorney in the territory of the Republic of Bolivia it is necessary that the notary or official charged with the authentication of documents insert in the Powers of Attorney which are executed by delegation or by substitution the integral text of the original Powers of Attorney and of all those documents which prove the legal capacity of the person conferring the Power of Attorney."

(S) LUIS GUACHALLA *ad referendum*
September 26, 1940 [SEAL]

FOR THE UNITED STATES OF AMERICA:

(S) CORDELL HULL *ad referendum*
October 3, 1941. [SEAL]

I hereby certify that the foregoing document is a true and faithful copy of the original, with the signatures affixed thereto up to the present date, of the Protocol on Uniformity of Powers of Attorney which are to be Utilized Abroad, deposited in the Pan American Union and opened for signature by the States, members of the Pan American Union, on February 17, 1940.

Washington, D. C., *October 7, 1941.*

[SEAL] PEDRO DE ALBA,
Secretary of the Governing Board of the Pan American Union.

Mr. AUSTIN. Will not the Senator make a statement concerning the protocol?

Mr. CONNALLY. Mr. President, this is not a matter of very transcendent importance. It is a convention with Latin-American nations relating to powers of attorney to be utilized in dealings between nationals of our Government and those of the signatory nations. The Committee on Foreign Relations reported the protocol unanimously, and the acting minority leader, the Senator from Vermont [Mr. AUSTIN], I understand, has no objection.

The PRESIDING OFFICER. The protocol is before the Senate and open to amendment. If there be no amendment to be proposed, the protocol will be reported to the Senate.

The protocol was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-seventh Congress, second session, comprising a protocol on uniformity of powers of attorney which are to be utilized abroad, signed for the United States on October 3, 1941.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the protocol is ratified.

RECESS

Mr. ELLENDER. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 25, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 24 (legislative day of March 5), 1942:

COMMISSIONER OF IMMIGRATION AND NATURALIZATION

Earl G. Harrison, of Pennsylvania, to be Commissioner of Immigration and Naturalization, United States Department of Justice, vice James L. Houghteling, resigned.

REGISTERS OF THE LAND OFFICE

Thomas F. Corbally, of Montana, to be register of the land office at Great Falls, Mont. Reappointment.

William G. Johnson, of Wyoming, to be register of the land office at Cheyenne, Wyo. Reappointment.

APPOINTMENT IN THE NAVY

Capt. Clifford E. Van Hook to be a rear admiral in the Navy for temporary service, to rank from the 28th day of November 1941.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Albert W. Darby, Florence, Ala., in place of A. W. Darby. Incumbent's commission expired December 16, 1941.

ARKANSAS

Lee Rea, Caraway, Ark., in place of Lee Rea. Incumbent's commission expired November 27, 1941.

Samuel K. Purdy, Carthage, Ark., in place of S. K. Purdy. Incumbent's commission expired November 27, 1941.

William E. Carpenter, Cave City, Ark., in place of W. E. Carpenter. Incumbent's commission expired February 2, 1942.

Clarence G. Cooper, Fouke, Ark., in place of C. G. Cooper. Incumbent's commission expired December 18, 1941.

Ralph T. Ferguson, Marshall, Ark., in place of W. S. Daniel, resigned.

James L. Willson, Moro, Ark., in place of J. L. Willson. Incumbent's commission expired August 23, 1941.

Samuel C. Scott, Wheatley, Ark., in place of S. C. Scott. Incumbent's commission expired November 27, 1941.

CALIFORNIA

Walter D. Cannon, Campo, Calif. Office became Presidential October 1, 1941.

Charles M. Rice, Hamilton City, Calif., in place of C. M. Rice. Incumbent's commission expired November 30, 1941.

Emelia S. Schutt, Lafayette, Calif., in place of E. S. Schutt. Incumbent's commission expired November 30, 1941.

Ernest Lavagnino, San Juan Bautista, Calif., in place of Anna McMichael, resigned.

Floyd M. Filson, Tennant, Calif., in place of F. M. Filson. Incumbent's commission expired November 30, 1941.

Benjamin H. Steeg, Twentynine Palms, Calif., in place of B. H. Steeg. Incumbent's commission expired December 23, 1941.

CONNECTICUT

Thomas P. Smith, Brooklyn, Conn., in place of T. P. Smith. Incumbent's commission expired December 1, 1941.

Samuel M. Bella, Centerbrook, Conn., in place of S. M. Bella. Incumbent's commission expires March 25, 1942.

FLORIDA

Thomas F. Connell, Weirsdale, Fla., in place of T. F. Connell. Incumbent's commission expired December 1, 1941.

GEORGIA

Homer Roy Cobb, Ball Ground, Ga., in place of H. R. Cobb. Incumbent's commission expired December 20, 1941.

Luther P. Goolsby, Carlton, Ga., in place of L. P. Goolsby. Incumbent's commission expired November 30, 1941.

Paul C. Sewell, Cave Spring, Ga., in place of P. C. Sewell. Incumbent's commission expired March 24, 1942.

Fannie M. Vaughn, Jeffersonville, Ga., in place of F. M. Vaughn. Incumbent's commission expired March 24, 1942.

Dewey G. Burnette, Rockmart, Ga., in place of D. G. Burnette. Incumbent's commission expired February 24, 1942.

Clarence B. Cooley, Sandersville, Ga., in place of C. B. Cooley. Incumbent's commission expired February 4, 1942.

Alice V. Ethridge, Sparks, Ga., in place of A. V. Ethridge. Incumbent's commission expired November 30, 1941.

Bertha L. Boyd, Union Point, Ga., in place of B. L. Boyd. Incumbent's commission expired March 24, 1942.

Robert B. Bryan, Wrightsville, Ga., in place of R. B. Bryan. Incumbent's commission expired March 24, 1942.

IDAHO

Matt H. Moshinsky, St. Maries, Idaho, in place of M. H. Donovan, resigned.

ILLINOIS

Melvin Manecke, Argenta, Ill., in place of Melvin Manecke. Incumbent's commission expired December 2, 1941.

Gerd Willms, Crescent City, Ill., in place of Gerd Willms. Incumbent's commission expired December 2, 1941.

Alice D. Condit, Elsah, Ill., in place of A. D. Condit. Incumbent's commission expired December 2, 1941.

Warthen K. Kimball, Gurnee, Ill., in place of W. K. Kimball. Incumbent's commission expired December 1, 1941.

Keith K. Angle, Hillview, Ill., in place of K. K. Angle. Incumbent's commission expired December 2, 1941.

Urban A. Tempel, Ivesdale, Ill., in place of U. A. Tempel. Incumbent's commission expired December 2, 1941.

Henry Dwyer, Ladd, Ill., in place of Henry Dwyer. Incumbent's commission expired June 19, 1941.

Virginia D. Wall, Nebo, Ill., in place of V. D. Wall. Incumbent's commission expires March 25, 1942.

Charles T. Gilbert, New Canton, Ill., in place of C. T. Gilbert. Incumbent's commission expired December 2, 1941.

Mollie E. Patterson, Waltonville, Ill., in place of M. E. Patterson. Incumbent's commission expired December 2, 1941.

Martha H. Prevo, West Union, Ill., in place of M. H. Prevo. Incumbent's commission expired December 2, 1941.

INDIANA

Marjorie I. Stevens, Cynthiana, Ind., in place of M. I. Stevens. Incumbent's commission expired December 6, 1941.

Jane Agnes Quinlan, Holy Cross, Ind., in place of J. A. Quinlan. Incumbent's commission expired December 6, 1941.

Theodore V. Koontz, Monticello, Ind., in place of A. R. Staggs, deceased.

IOWA

Ida D. McCauley, Lucas, Iowa, in place of I. D. McCauley. Incumbent's commission expired December 7, 1941.

Vivian A. Meredith, Norway, Iowa, in place of V. A. Meredith. Incumbent's commission expired December 7, 1941.

Ida E. Heffernen, Peosta, Iowa. Office became Presidential July 1, 1941.

Martin S. Copenhaver, Ralston, Iowa, in place of M. S. Copenhaver. Incumbent's commission expired December 7, 1941.

Oscar G. Sharp, Seymour, Iowa, in place of O. G. Sharp. Incumbent's commission expired December 23, 1941.

KANSAS

Clarence E. Yockey, Erie, Kans., in place of C. E. Yockey. Incumbent's commission expired December 10, 1941.

Elizabeth Brackman, Scranton, Kans., in place of Elizabeth Brackman. Incumbent's commission expired December 18, 1941.

KENTUCKY

Robert Bailey Huddleston, Fulton, Ky., in place of R. B. Huddleston. Incumbent's commission expired November 27, 1941.

Hugh A. Reynolds, Junction City, Ky. Office became Presidential July 1, 1941.

Walter R. Guilfoile, Mays Lick, Ky., in place of C. C. Rees. Incumbent's commission expired November 27, 1941.

LOUISIANA

Joseph Hugh Goldsby, Amite, La., in place of J. H. Goldsby. Incumbent's commission expired December 20, 1941.

Robert Lee Pettit, Baton Rouge, La., in place of R. L. Pettit. Incumbent's commission expired February 26, 1942.

Beckie D. Bradford, Tullos, La., in place of B. D. Bradford. Incumbent's commission expired December 7, 1941.

Bernice B. Lyons, Vinton, La., in place of S. A. Fairchild, retired.

MARYLAND

Cecil E. Trinkaus, Oella, Md., in place of C. E. Trinkaus. Incumbent's commission expired November 30, 1941.

MASSACHUSETTS

Joseph W. Gorman, Upton, Mass., in place of J. W. Gorman. Incumbent's commission expired December 16, 1941.

MICHIGAN

Melvin B. Mills, Benzonia, Mich., in place of R. W. Maddock, deceased.

Geraldine E. Fox, Falmouth, Mich. Office became Presidential July 1, 1941.

Mildred Irene Asher, Orchard Lake, Mich., in place of M. I. Asher. Incumbent's commission expired December 20, 1941.

William H. Riekki, Palmer, Mich., in place of W. H. Riekki. Incumbent's commission expired November 30, 1941.

MISSISSIPPI

Walter Darracott, Aberdeen, Miss., in place of Walter Darracott. Incumbent's commission expired November 27, 1941.

Bonnie H. Curd, Pace, Miss., in place of B. H. Curd. Incumbent's commission expired November 27, 1941.

Thelma Z. Landry, Waveland, Miss., in place of T. Z. Landry. Incumbent's commission expired November 27, 1941.

MISSOURI

Pearl E. Bussert, Wardell, Mo., in place of P. E. Bussert. Incumbent's commission expired December 21, 1941.

NEBRASKA

Edward L. Kimball, Butte, Nebr., in place of E. R. Johnson, removed.

NEVADA

Meryl J. Larson, Manhattan, Nev., in place of M. J. Larson. Incumbent's commission expired August 14, 1941.

Julia E. Whipple, Montello, Nev., in place of M. W. Craig, resigned.

NEW JERSEY

Ernest B. Helmrich, Hopatcong, N. J., in place of E. B. Helmrich. Incumbent's commission expired December 6, 1941.

Edith B. Brooks, Kingston, N. J., in place of E. B. Brooks. Incumbent's commission expired December 6, 1941.

Anthony J. Ciocci, New Providence, N. J. Office became Presidential July 1, 1941.

William J. Morris, Wyckoff, N. J., in place of W. J. Morris. Incumbent's commission expired August 21, 1941.

NEW MEXICO

Thomas M. Rivera, Hanover, N. Mex. Office became Presidential July 1, 1941.

Leon Panebouef, Vaughn, N. Mex., in place of Leon Panebouef. Incumbent's commission expired December 23, 1941.

NEW YORK

Eva Purcell, Barryville, N. Y., in place of Eva Purcell. Incumbent's commission expired February 5, 1942.

William Burns Kirk, De Witt, N. Y., in place of W. B. Kirk. Incumbent's commission expired November 30, 1941.

Agnes H. Brink, Endwell, N. Y., in place of A. H. Brink. Incumbent's commission expired November 30, 1941.

Ralph N. Schaack, Gowanda, N. Y., in place of W. E. Dorson, deceased.

Raymond H. LaClair, Huntington, N. Y., in place of R. H. LaClair. Incumbent's commission expired March 1, 1942.

Grace S. G. Davies, Lake Kushaqua, N. Y., in place of G. S. G. Davies. Incumbent's commission expired February 5, 1942.

Harold H. Sly, New Hampton, N. Y. Office became Presidential July 1, 1941.

Mary L. Doyle, Tannersville, N. Y., in place of J. F. Lackey, resigned.

Catherine J. McMahon, Wyandanch, N. Y., in place of C. J. McMahon. Incumbent's commission expired December 23, 1941.

NORTH CAROLINA

Colus W. Williams, Fallston, N. C. Office became Presidential July 1, 1941.

August D. Wessell, Hallsboro, N. C., in place of A. D. Wessell. Incumbent's commission expired December 15, 1941.

James R. Crowder, Peachland, N. C. Office became Presidential July 1, 1941.

NORTH DAKOTA

Robert H. Leavy, Granville, N. Dak., in place of M. A. Leavy, resigned.

Olaf L. Svidal, Starkweather, N. Dak., in place of O. L. Svidal. Incumbent's commission expired December 23, 1941.

OHIO

Cora M. Burns, Beloit, Ohio, in place of C. M. Burns. Incumbent's commission expired November 27, 1941.

Dora M. McGonagle, Junction City, Ohio, in place of D. H. McGonagle. Incumbent's commission expired December 20, 1941.

Walter W. Farra, Lewisburg, Ohio, in place of W. W. Farra. Incumbent's commission expired August 23, 1941.

Henry W. Myers, Luckey, Ohio, in place of H. W. Myers. Incumbent's commission expired November 27, 1941.

Marjorie M. Bankes, Malta, Ohio, in place of M. M. Bankes. Incumbent's commission expired February 24, 1942.

Harry E. Miller, New Concord, Ohio, in place of H. E. Miller. Incumbent's commission expired February 24, 1942.

George R. Daubenmire, Pleasantville, Ohio, in place of G. R. Daubenmire. Incumbent's commission expired November 27, 1941.

Ralph W. Detrick, Quincy, Ohio, in place of R. W. Detrick. Incumbent's commission expired November 27, 1941.

Albert E. Beardmore, Salem, Ohio, in place of A. E. Beardmore. Incumbent's commission expires March 25, 1942.

Winifred Hine, Tallmadge, Ohio, in place of Winifred Hine. Incumbent's commission expired November 27, 1941.

Algy R. Murphy, Troy, Ohio, in place of A. R. Murphy. Incumbent's commission expires April 1, 1942.

OKLAHOMA

Woodrow R. Chambers, Cardin, Okla., in place of C. M. Masters. Incumbent's commission expired December 10, 1941.

Grace E. Wandell, Coyle, Okla., in place of G. E. Wandell. Incumbent's commission expired April 1, 1941.

Vivian P. Waddill, Milburn, Okla., in place of V. P. Waddill. Incumbent's commission expired December 10, 1941.

PENNSYLVANIA

Orabel Rarick, Barnesville, Pa., in place of Orabel Rarick. Incumbent's commission expired December 9, 1941.

Hazel E. Hetrick, Beavertown, Pa., in place of H. E. Hetrick. Incumbent's commission expired December 9, 1941.

Margaret A. Helfrich, Bruin, Pa., in place of M. A. Helfrich. Incumbent's commission expired December 9, 1941.

Marlin W. Dissinger, Campbelltown, Pa. Office became Presidential July 1, 1941.

Loy W. Oligher, Clymer, Pa., in place of L. W. Oligher. Incumbent's commission expired December 21, 1941.

Daniel Warne Rankin, Dunbar, Pa., in place of D. W. Rankin. Incumbent's commission expired August 23, 1941.

Thomas R. Lawler, Jessup, Pa., in place of T. R. Lawler. Incumbent's commission expired December 9, 1941.

Howard E. Bixler, Manchester, Pa., in place of H. E. Bixler. Incumbent's commission expired December 9, 1941.

Joseph F. Gallagher, Olyphant, Pa., in place of E. F. Lawler. Incumbent's commission expired June 1, 1940.

James M. Gates, South Fork, Pa., in place of J. M. Gates. Incumbent's commission expired December 21, 1941.

Nellie M. Graham, Torrance, Pa., in place of N. M. Graham. Incumbent's commission expired May 7, 1941.

Sadie L. Brunner, Worcester, Pa., in place of S. L. Brunner. Incumbent's commission expired December 9, 1941.

PUERTO RICO

Jose G. de Iturrondo, Carolina, P. R., in place of J. G. de Iturrondo. Incumbent's commission expired December 1, 1941.

Francisca Rodriguez, Juana Diaz, P. R., in place of Francisca Rodriguez. Incumbent's commission expired December 1, 1941.

Monserrate Figueron, Lajas, P. R. Office became Presidential July 1, 1941.

SOUTH CAROLINA

Fore J. Watson, Kingstree, S. C., in place of F. J. Watson. Incumbent's commission expired February 4, 1942.

Gordon W. Morris, Society Hill, S. C., in place of G. W. Morris. Incumbent's commission expired December 7, 1941.

Mollie S. West, Tucapau, S. C., in place of M. S. West. Incumbent's commission expired December 7, 1941.

Lottie M. Vernon, Welliford, S. C., in place of L. M. Vernon. Incumbent's commission expired August 23, 1941.

Palmer A. Matthews, Winnsboro, S. C., in place of P. A. Matthews. Incumbent's commission expired February 26, 1942.

SOUTH DAKOTA

Glennie Flathers Whites, Iroquois, S. Dak., in place of G. F. Whites. Incumbent's commission expired December 23, 1941.

TENNESSEE

Hollis M. Caldwell, Lookout Mountain, Tenn., in place of H. M. Caldwell. Incumbent's commission expired February 24, 1942.

Roy B. King, Madison College, Tenn., in place of R. B. King. Incumbent's commission expired December 8, 1941.

TEXAS

Ramiro R. Gonzales, Benavides, Tex., in place of Servando Caballero, deceased.

George C. Lain, Kopperl, Tex., in place of J. A. Greer, transferred.

James Thomas Coleman, Livingston, Tex., in place of J. T. Coleman. Incumbent's commission expired February 24, 1942.

Joe H. Victery, New Willard, Tex., in place of J. H. Victery. Incumbent's commission expired November 27, 1941.

Laura A. Bruening, Westhoff, Tex., in place of L. A. Bruening. Incumbent's commission expired November 27, 1941.

VERMONT

Murray K. Paris Lyndon, Vt., in place of M. K. Paris. Incumbent's commission expired November 30, 1941

Adelbert G. Dudley, Shoreham, Vt., in place of A. G. Dudley. Incumbent's commission expired November 30, 1941.

VIRGINIA

Ireland M. Baker, Hays, Va., in place of I. M. Baker. Incumbent's commission expired December 1, 1941.

Ruth H. Underwood, Meadows of Dan, Va., in place of R. H. Underwood. Incumbent's commission expired December 1, 1941.

Edna E. Dudley Turner, West Graham, Va., in place of E. E. D. Turner. Incumbent's commission expired December 1, 1941.

WASHINGTON

Henning E. Johnson, Du Pont, Wash. Office became Presidential July 1, 1939.

WEST VIRGINIA

Queenie V. Keagy, Bruceton Mills, W. Va. Office became Presidential July 1, 1941.

John Speicher, Hopemont, W. Va., in place of John Speicher. Incumbent's commission expired February 18, 1939.

Herbert A. Frazier, Winfield, W. Va., in place of H. A. Frazier. Incumbent's commission expired August 23, 1941.

WISCONSIN

Mildred M. Dwyer, East Troy, Wis., in place of J. F. Clancy, resigned.

Ludy J. Droison, Lake Nebagamon, Wis., in place of L. J. Droison. Incumbent's commission expired November 30, 1941.

WYOMING

Richard M. Turner, Frontier, Wyo., in place of R. M. Turner. Incumbent's commission expired December 7, 1941.

Oscar W. Dahlquist, Mountainview, Wyo. Office became Presidential July 1, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 24 (legislative day of March 5), 1942:

COLLECTOR OF CUSTOMS

Frank J. Duffy to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

POSTMASTER

Albert A. Stebbins, Garber, Okla.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE ASSISTANT SURGEONS

John Warren O'Donnell
Stephen John Lange
Fred L. Wommack

UNITED STATES COAST GUARD

TO BE A VICE ADMIRAL FOR TEMPORARY SERVICE

Russell R. Waesche

TO BE REAR ADMIRALS FOR TEMPORARY SERVICE

Stanley V. Parker
Edward D. Jones

TO BE A LIEUTENANT

Randolph Ridgely 3d

COAST AND GEODETIC SURVEY

TO BE HYDROGRAPHIC AND GEODETIC ENGINEERS

Jean H. Hawley	Jack Senior
Frederick B. T. Siems	Raymond P. Eyman
Kenneth T. Adams	Charles Shaw
Frederic L. Peacock	Carl A. Egner
Ray L. Schoppe	Edgar H. Bernstein
Ronald R. Moore	George W. Lovesee
John A. Bond	Edwin C. Baum
Cornelius D. Meaney	Lawrence W. Swanson
Augustus P. Ratti	Gilbert R. Fish
Earl O. Heaton	Franklin R. Gossett
William M. Scaife	Ernest B. Lewey
Robert F. A. Studds	John C. Mathisson
Henry C. Warwick	George E. Morris
Benjamin H. Rigg	Clifton J. Wagner
Ralph W. Woodworth	Roswell C. Bolstad
Leo C. Wilder	Arthur N. Stewart
Albert J. Hoskinson	Clarence A. George
Elliott B. Roberts	Max G. Ricketts
Henry E. Finnegan	Robert A. Earle
Charles M. Thomas	Harry F. Garber
Charles Pierce	Karl B. Jeffers
Thomas B. Reed	Vawter M. Gibbens
Jack C. Sammons	John Laskowski
Robert W. Knox	Ross A. Gilmore
H. Arnold Karo	Gilbert C. Mast
George L. Anderson	Fred A. Riddell
Isidor E. Rittenburg	Ira R. Rubottom
Kenneth G. Crosby	Maurice E. Wennermark
Glendon E. Boothe	
Earle A. Deily	Fred Natella
Leonard S. Hubbard	Jeremiah S. Morton
Philip C. Doran	Robert A. Marshall
John C. Bose	Edward B. Brown, Jr.
Hubert A. Paton	John C. Ellerbe
Walter H. Bainbridge	Maurice A. Hecht
Carl I. Aslakson	John C. Tribble, Jr.
Riley J. Sipe	James C. Tison, Jr.
Samuel B. Grenell	Kenneth S. Ulm
Paul A. Smith	Clarence R. Reed
Ira T. Sanders	Edmund L. Jones
Edward R. McCarthy	William C. Russell
Francis B. Quinn	Junius T. Jarman
Emil H. Kirsch	Herman C. Applequist
Henry J. Healy	William F. Deane
John H. Brittain	Edgar F. Hicks, Jr.
Walter J. Chovan	John C. Bull
George A. Nelson	Arthur L. Wardwell
Wilbur R. Porter	Emmett H. Sheridan
Clarence A. Burmister	Ernst E. Stohsner
Percy L. Bernstein	Joseph E. Waugh, Jr.
James D. Thurmond	Dorland H. Konichek
Charles A. Schanck	Paul Taylor
Joseph P. Lushene	Horace G. Conerly
Curtis LeFever	Charles F. Chenworth
Henry O. Fortin	

TO BE JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEERS

Charles A. Schoene	Dale E. Sturmer
William R. Tucker	Fair J. Bryant
Philip A. Weber	Charles W. Clark
William N. Martin	Joseph W. Stirni
Harold J. Seaborg	Glen W. Moore

TO BE AIDES

Edward G. Cunney	V. Ralph Sobieralski
Robert H. Randall, Jr.	Raymond M. Stone.
G. Albion Smith	Lorin F. Woodcock

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 24, 1942

The House met at 12 o'clock noon.

Rev. George F. Kettell, D. D., pastor of St. Mary's Church and past national chaplain of the American Legion, Rochester, N. Y., offered the following prayer:

Almighty and Eternal God, who hast said, "Where two or three are gathered together in my name there shall I be in the midst of them," we dedicate this assemblage to Thy honor and glory and convene it in Thy name.

Here are gathered together the Representatives of the people of a great Nation which Thou hast founded as a haven for all liberty-loving peoples. Here is exercised the authority to rule which has come from Thee through Thy people to this body; theirs it is to give us under Thee, O God, life, liberty, and happiness.

O God, we humbly ask Thee to dwell in the midst of this legislative body; inspire them with Thy counsels; shower upon them Thy holy grace that they may proceed with patience, wisdom, courage, and unselfishness; that they prove to be a mighty bulwark of true godly Americanism against which the storms of tyranny, cruelty, selfishness, and ungodliness may dash in vain, and behind which bulwark the government of the people, by the people, and for the people will never perish from the earth.

If there ever was a time in our history when we—Government and people—needed to sincerely evoke from our hearts the soul-stirring refrain of our fathers, "In God we trust," it is now. War clouds darken our vision; the powers of evil have been loosed against us; mighty war machines threaten to encompass us and beat us flat to the ground; threaten to ravish our altars, our homes, and our hearth fires; threaten to destroy the God-given principles of liberty, justice, and humanity which we were founded by God to protect. Again as of old with the apostles of Christ we cry out, "Lord save us, we perish," and with our fathers we repeat, "In God is our trust."

O God, we humbly beseech Thee to bless our Government and our people. Pray for us as Thou didst for Thy apostles in the garden of sorrow that we—Government and people—may be one, as Thou and Thy Heavenly Father are one; unity of leaders and people founded on loyalty, courage, and sacrifice; a people ready to hold up the wearying arms of our representatives carrying the torch of liberty 'til the battle with the Philistines is won; leaders ready to subordinate all personal political considerations, working and sacrificing to one end and one end only, that victory and a peace of justice may once again add a lustrous halo to our beloved flag—our Star-Spangled Banner.

May God bless America forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 6738. An act to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; and

H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 4665. An act for the relief of Harry Kahn; and

H. R. 5473. An act for the relief of Allene Ruhlman and John P. Ruhlman.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials from the Chicago Sun, one on freedom of the press and the other on new labor bills.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. AUGUST H. ANDRESEN addressed the House. His remarks appear in the Appendix.]

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. MANSFIELD addressed the House. His remarks appear in the Appendix.]

THE 40-HOUR-WEEK DISPUTE

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I have asked for this time in order to read a letter with respect to the 40-hour-week controversy. The letter is from Ralph E Flanders, president of the New England Council, Statler Building, Boston, Mass. It reads as follows:

DEAR CONGRESSMAN CASEY: It may be helpful in reaching an amicable conclusion regarding the 40-hour week and overtime if a formula is adopted which provides time and a half for all work performed on the sixth consecutive day, and double time for the seventh consecutive day, regardless of the days on which these occur. It then does not matter on which weekday the worker begins his shift schedule.

This progressive increase acts as a brake on excessive overtime costs and overfatigue. I offer this as a suggestion.

Sincerely yours,

RALPH E. FLANDERS, *President*.

Mr. Flanders, president of the New England Council, is one of the leading manufacturers in the northeastern part of the country. He is a prominent Vermont Republican, who has long been keenly interested in the public affairs of his State, of New England, and of the Nation. His unselfish devotion to the common good, combined with his great experience as a manufacturer and an employer of many men, gives an unusual significance to his suggestion for the settlement of the present 40-hour-week dispute.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. YOUNG addressed the House. His remarks appear in the Appendix.]

Mr. COLMER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, with reference to the statement just made by the gentleman from Massachusetts [Mr. CASEY] with reference to the 40-hour week, I would like to take occasion in commenting on that to advise the House that on yesterday I introduced a bill that would meet the very suggestion that the gentleman made about the 40-hour week.

I would also like to call attention to the fact that that bill contains three other provisions, one of which would outlaw strikes by making those who strike in defense or wartime industries amenable to draft service immediately, and the bill also would make it unlawful to conspire to bring about a strike and would limit war profits.

EXTENSION OF REMARKS

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a speech made by the Honorable Paul V. McNutt.

The SPEAKER. Is there objection to the request made by the gentleman from Connecticut?

There was no objection.

PROPOSED RECESS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I understand a program is outlined by some with reference to an Easter recess of 2 weeks, and while I am always glad to cooperate with our distinguished floor leader, I want to give notice now that so far as I am concerned, as one Member of the House, I shall oppose and vote against and do everything I can to prevent any recess or any adjournment until Congress passes legislation with reference to the slow-down of production in our munition plants.

EXTENSION OF REMARKS

Mr. BENDER. Mr. Speaker, I have two requests, one to revise and extend my own remarks in the RECORD and the other to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, our chaplain this morning made a fervent prayer. We thank him for his prayer, especially at this time, for we sorely need guidance, here and in the entire Nation. In my home town on Sunday a bomb or pineapple was planted on the porch of a labor leader. You would think that our people today would use their pineapples for the Japanese. When you read about a concern in my home town, the Jack & Heintz Co., receiving $600 from the Navy Department for a piece of equipment which cost about $270 to produce, you can appreciate that we need to be prayed for in America today.

Mr. RANKIN of Mississippi. The gentleman means in Ohio.

Mr. BENDER. Yes; Ohio, New York, Illinois—every State, and Mississippi in particular.

We are grateful to the Naval Affairs Committee of the House for turning the searchlight on the nefarious practices of those who are impeding the war effort.

PROPOSED RECESS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, the reading of last night's newspaper provided at least three items of news which should give us serious cause for thought.

The first was the report that a Mr. William Jack, of Bedford, Ohio, has received an increase in salary and bonuses of over $100,000 last year over what he received the year before and that he paid his secretary $39,000. Mr. Jack's firm is engaged in making war supplies, Mr. Speaker, so these fabulous salaries were paid out of the pockets of the taxpayers while their boys shoulder arms at $21 per month.

The second story reported labor disputes and work stoppages and pointed out how much less than 24 hours a day the production lines of America are actually working.

The third item stated it was planned for Congress to take a 2-week recess starting next Monday. Mr. Speaker, I submit that in justice to the boys of Bataan and the rest of our armed forces Congress should stay steadily in session until we have done whatever it is necessary to do to get full 24-hour production

going in every shop and factory of America and to stop unconscionable war profiteering wherever it is taking place, by either labor leaders or industrialists. I realize that many Members would like to get home because of impending primary elections. In that respect I am no different from the rest as I have a primary opponent who is campaigning against me day and night as is his right. I, too, would like to be home to correct misrepresentations and do some campaigning of my own but in times like these, politics, privilege, and profits must give way so that America can be on with the job of winning this war.

America will survive whether any of us return to Congress or not but America will not succeed unless we make it possible to produce weapons needed by our boys, so they can change retreat into victory. Congress must not recess now. We must not make the mistake Nero made when he chose the wrong period of Roman history in which to do his fiddling.

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

PROPOSED RECESS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. POAGE. Mr. Speaker, others have already expressed their feeling that we should not recess until we have taken action on the pending proposals to speed up production and limit profits. There is now pending in the Committee on Naval Affairs legislation which I think is of vital importance to the people of the United States. I refer to the Vinson bill, and to the companion Smith bill, which I understand is before the Committee on Military Affairs. I do not think this House should recess for one single day until we have acted upon that legislation. Those bills are, in my opinion, of vital importance to the Nation. We owe it to our armed forces to put a stop to any unconscionable profits on defense work. We owe it to America to have done with the racket of charging American citizens for the right to work on Government jobs. We owe it to the free people of the world to see to it that our industry runs 24 hours per day.

I know that there are Members who think that if we would go home and talk with the people it would cause us to more readily vote for this legislation. Others seem to think that such a visit would have exactly the opposite effect. I think it is always well for Representatives to visit with the people they represent just as often as possible. It makes for better and more representative government. I have no fear of the result of a visit with the people on the outcome of the vote on this legislation. Under ordinary circumstances I might go along with those who want to recess to give an opportunity for contact with the people. But, these are not ordinary times. We need action. Some of us have tried to show this House the necessity for action for many months. At last I believe that a majority agrees we should act. Let us, therefore, stay here on the job until we have taken action.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman yield?

Mr. POAGE. Yes, I gladly yield to the distinguished gentleman from Virginia.

Mr. WOODRUM of Virginia. I am in sympathy with what the gentleman says, but we are told that this committee cannot possibly get this bill in here for 10 days or 2 weeks. What is the gentleman going to do in the meantime?

Mr. POAGE. I do not know why the committee cannot get it in next week with all ease. They have had all this week and a good part of last week. The committee can have a bill in here next week, and it should have.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, the influence of labor unions starts to rise as a result of excesses on the part of employers. The influence of labor unions starts to decline as a result of excesses on the part of walking delegates. At the present time the influence of labor unions in this country has dropped tremendously and is still dropping, because of the excesses of the walking delegates. I am not so sure but that it would be better for the walking delegates to be given 2 weeks more of rope and have the Members of the House and Senate go home and find out how the people feel and what the actual situation is that the walking delegates have created. It is a menace to America and it is a menace to the workingmen of America.

COMPENSATION OF GOVERNMENT WORKERS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not propose to enter into the merits of the controversy that is revolving around Mr. Guthrie, who lately retired from the Office of War Production. I do want to point out that on principle Mr. Guthrie is correct in that Mr. Nelson should have under him people who are working for the Government who derive their entire compensation from the Government, and not from any other source. I have said that before and still believe it. I am not shooting at any individual. But if they are determining governmental policy, I think they ought to be governmental employees, and on no other pay roll.

Mr. RANKIN of Mississippi. If the gentleman will investigate the income-tax returns, he will find that many of the multimillionaires of the last 20 years were dollar-a-year men in the last war. I agree with the gentleman from California thoroughly; these men ought to draw their compensations entirely from the Government, and not be obligated to someone else.

Mr. VOORHIS of California. I refer the gentleman to H. R. 6443, a bill I introduced long ago that would forbid anyone to hold one of these positions and remain on any private corporation or organization pay roll. And I thank the gentleman for his contribution.

The SPEAKER. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a resolution from my home town, Concordia, Kans.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a constituent.

The SPEAKER. Is there objection?

There was no objection.

LABOR LEGISLATION

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I am tremendously serious when I say that before we can whip Hitler in Berlin and the Japs in Tokyo, we at least have to dehorn Phil Murray in Washington, D. C. It does not make any difference whether we go home for 2 weeks or not. I am arranging meetings for the next 2 weeks in my district, to let the people tell me just how they feel about all these things. We can go home and stay 2 weeks or 4 weeks and it will not make any difference. There is only one man in this Nation who stands between the Smith bill and its success. Until he changes his mind nothing can be done, because he controls Congress. From that second ledge behind me I heard him say to us once:

> Don't be an ostrich; don't hide your head in the sand.

Now it is his turn.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks and print therein an article from the Florida Catholic, the official newspaper of the diocese of St. Augustine, Fla.

The SPEAKER. Is there objection?

There was no objection.

LABOR LEGISLATION

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, I have listened to several Members of this body voice objection to the adjournment of Congress until we will have passed legislation eliminating certain statutes which are interfering with war production. I do not agree with them. I want this Congress to recess for 2 or 3 weeks. I want every Member to go home and

talk to his people as I have recently talked with mine, because, if they do go home and do talk to their people, they will come back here and repeal all of that legislation with such speed and positiveness that, in comparison, the bat of an eye would seem like slow motion.

[Here the gavel fell.]

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, personally it makes no difference to me whatsoever whether we take a 2 weeks' recess or not, but anybody who has heard the 1-minute speeches yesterday and today might well come to the conclusion, if they noticed the heat with which various Members have spoken, that perhaps a cooling-off period of about 2 weeks might do the Members of Congress a little bit of good. So I suggest that if we do not recess, we at least try to keep cool and not pass any legislation hurriedly and under pressure of what I think is hysteria.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a mother in my district, which for its simplicity and forcefulness is to my mind a fine classic.

The SPEAKER. Is there objection?

There was no objection.

LABOR LEGISLATION

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am glad at least to see that we are getting some recruits to fight for those principles that some of us have been fighting for on this floor during the past 2 or 3 years. I think we can now say we were justified in the things we said in the Well of this House.

However, I did not rise for that purpose. I rose for the purpose of saying that I have an answer to the gentleman from Missouri [Mr. COCHRAN] who took us from the State of California to task because we had the temerity to ask for protection and we had the temerity to ask if we still have State rights and the right to pass our own laws with reference to State taxes.

I hope the Members of this House will read the reply I am going to put in the RECORD to the gentleman from Missouri [Mr. COCHRAN].

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement I made before the Ways and Means Committee this morning.

The SPEAKER. Is there objection?

There was no objection.

LABOR AND PROFITS LEGISLATION

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I do not rise in the House for the purpose only of occupying 1 minute in addressing my colleagues. I would not do it on this occasion if I did not feel deeply about the vital need for prompt action being taken against those persons and firms who are apparently reaping huge returns from war contracts.

On December 4, 1941, the day following our vote on the so-called antistrike legislation in this House I pleaded in this Well that we carry on with the program of stopping racketeering, not only in labor's ranks, but also in the ranks of employers as well. I contended then that our vote of December 3d should be followed very quickly by legislative action in this body against profit patriots and defense brokers who are using the war effort to further selfish gains.

I have been amazed at the testimony given before the House Naval Affairs Committee in relation to the unwarranted contracts for materials going into the prosecution of the war. Gentlemen, we cannot delay longer in this responsibility. These culprits of corruption in management must be driven from our industrial system.

[Here the gavel fell.]

RECESS OF CONGRESS

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I do not know whether we are going to take a couple of weeks off or not. I know one thing, however. If I live and do well, I expect to get off some way and go down to see my folks for a few days and shake hands with them regardless of whether the rest of you go or not. I want to know what the people I represent are talking about. Somebody may be blaming me with the responsibility of passing that thing they call the Congress pension act. I cannot let that go. You know I did not vote for it, and it was no pension if I had.

Now, I am not going to get up here, a member of one committee, and tell you how quickly another committee should get legislation out on the floor; that is its responsibility. If they need to take some more time to study it, I am not going to assume to state they cannot have it. Those who talk the other way are not fooling anybody but themselves. They feel just like I do, too; they are not kidding anybody.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a news item and a portion of a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LONGEVITY PAY FOR POSTAL EMPLOYEES

Mr. ROMJUE. Mr. Speaker, I call up the conference report on the bill (H. R. 1057) to establish a system of longevity pay for postal employees, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the Bill (H. R. 1057) to establish a system of longevity pay for postal employees, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendment insert the following: "as a reward for continuous service heretofore rendered or to be rendered hereafter, shall be granted $84 per annum in addition to their base pay as now or hereafter fixed by law upon completion of ten years' service; and an additional $60 per annum upon the completion of an additional five-year period of service thereafter: Provided, That no credit shall be given for service after the fifteenth year of employment: Provided further, That in computing an employee's length of service, credit shall be given for substitute service."; and the Senate agree to the same.

M. A. ROMJUE,
T. G. BURCH,
FRED A. HARTLEY, JR.,
N. M. MASON,
Managers on the part of the House.

KENNETH MCKELLAR,
JAS. M. MEAD,
PAT MCCARRAN,
JAMES J. DAVIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1057) to establish a system of longevity pay for postal employees, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House conferees agreed to Senate amendment 1 to strike out of page 1, line 3, postmasters of the third and fourth classes. It was then agreed to accept the House language pertaining to the longevity provisions of the bill with the exception of the amounts to be added to the base pay of employees at the end of ten and fifteen years service; those amounts were agreed upon as $84 per annum at the end of ten years continuous service and an additional $60 per annum upon the completion of an additional five-year period of service thereafter.

The effective date of the act was fixed as July 1, 1942, the date carried in the bill as reported to and passed by the House July 23, 1941.

M. A. ROMJUE,
T. G. BURCH,
FRED A. HARTLEY, JR.,
N. M. MASON,
Members on the part of the House.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. MICHENER. There have been a lot of inquiries concerning this conference report. While the statement is quite adequate, I wish the gentleman would state the reduction made in the Senate bill over that in the House bill, for there is quite a reduction.

Mr. ROMJUE. Mr. Speaker, I yield for that purpose to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, when the House passed this longevity pay bill by an overwhelming vote it carried two increments: One of $100 a year and a second increment of an additional $100 a year after 5 more years of service. The Senate reduced these increments each to $60 per year. In the conference it was agreed that the House should recede on its first increment of $100 a year and accept $84, which is $7 per month. The House receded. On the second increment the conference committee agreed on the Senate provision of $60 per year.

Third- and fourth-class postmasters were also cut out of the benefits of the bill by the conference committee.

These are the main changes. The bill now carries a considerable deduction over the House bill.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield.

Mr. STEFAN. Why were third- and fourth-class postmasters eliminated? I have received a lot of letters from third- and fourth-class postmasters complaining that they were eliminated from the bill, and they want to know why.

Mr. MASON. The elimination was because of the fact their inclusion would mean an additional amount of money; and it was also very difficult to figure how longevity pay could be applied to them. The entire proposition was taken out.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. ROMJUE. I yield.

Mr. TABER. This bill passed the House, of course, before Pearl Harbor. Does the gentleman believe the general public is going to be happy about bills carrying increases in compensation to employees of the Government?

Mr. MASON. Yes; I do if that increase if justified; and I consider this probably the most justifiable increase we could give to this class of Government employees. Certainly it is more justifiable than any straight increase in pay because it establishes the longevity principle, which is one of the soundest and sanest principles to be adopted in any employment policy.

Mr. TABER. This, as I understand, will call for an increase of about $9,000,000 a year.

Mr. MASON. Approximately; yes.

Mr. BULWINKLE. I will ask the gentleman right there if it does not run closer to $12,000,000 a year?

Mr. MASON. It may, because we have cut out the third- and fourth-class postmasters. We have reduced it, but we do not know how much.

Mr. RICH. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Pennsylvania.

Mr. RICH. The Post Office Department, about 10 years ago, increased the first-class postal rates from 2 cents to 3 cents, giving the Post Office Department $100,000,000 additional revenue. Then you made various changes in your laws, increasing the salaries of everybody in the Postal Service. You have used up the $100,000,000, and last year you were $40,000,000 in the red. How are you going to raise that money? Will you put on additional revenue for the Post Office Department to take care of the deficit as well as the amount you are going to pay extra here so that the Post Office Department will not draw on the Federal Treasury but will pay its own way?

Mr. ROMJUE. I may say to the gentleman that his statement does not in any way attach itself to this legislation. The statement he has made about increasing the salaries of postal employees is not correct. I decline to yield further to the gentleman.

Mr. RICH. But the Post Office Department is in the red at this time.

Mr. CURTIS. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Nebraska.

Mr. CURTIS. I would like the gentleman to state a little bit more the reason why third- and fourth-class postmasters were left out of this bill.

Mr. BURCH. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Virginia.

Mr. BURCH. The conferees considered that matter for sometime, and I may say we were in and out on it. We finally reached the conclusion, in addition to what the gentleman from Illinois has said, that the postmasters were in a different class or in a different group from the regular employees of the Postal Service and if we included the third- and fourth-class postmasters and not first- and second-class postmasters it is very probable that it would be considered discriminatory. May I say to the gentleman further that this House has passed a bill that is very helpful to the fourth-class postmasters. It is much more beneficial than this would be. That bill is now in the Senate and I notice that Senator MCKELLAR has stated it is probable the bill will be passed by the Senate, perhaps with some amendments, in a short time. I am hoping that legislation will come through that will take care of the fourth-class postmasters to a great extent. As to the third class we might consider some amendment.

Mr. FORAND. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Rhode Island.

Mr. FORAND. Considerable confusion seems to have arisen from the wording of the amendment. A great many of the post-office employees have asked me for a clarification of it. I have spoken to the conferees and I am informed it is the intent of this legislation that men with 10 years' service will get the $84, then will have to wait 5 years to get the additional $60. Men with 15 years' service would automatically get $144.

Mr. ROMJUE. That is correct.

Mr. FORAND. It is feared that the Comptroller General may misinterpret the intent of this amendment.

Mr. ROMJUE. We have discussed that with the Post Office Department and their legal authorities think they will get their $84 after the first 10 years and in the next 5 years they will get $60 additional, plus the $84.

Mr. FORAND. Those men who have already 15 years' service will get the two instead of having to wait 5 years to get the second increment

Mr. ROMJUE. That is correct.

Mr. BURCH. All who have served 10 years but not to exceed 15 years get $84 annually. All who have served 15 years will get $144.

Mr. LECOMPTE. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Iowa.

Mr. LECOMPTE. Will the gentleman tell us this: Does it include all postal employees—railway mail clerks, rural route men, and city carriers?

Mr. ROMJUE. All who deal with the mail. I may say to the gentleman that since this bill was passed by the House the Pearl Harbor incident has occurred. Since we have gotten into the war and up to January 1 over a thousand men out of the Postal Service, expert postal men, have gone into the Army or Navy—in other words, have gone into the service. This recent draft will take out from twelve to fifteen thousand experienced men from the Postal Service. Of course, the mail is piling up.

Mr. LECOMPTE. It includes substantially everybody in the Service then except the third- and fourth-class postmasters?

Mr. ROMJUE. Yes.

Mr. BENDER. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Ohio.

Mr. BENDER. Is it not a fact that the postal employees have not had an increase in pay since 1924? The argument has been offered that this bill was introduced before Pearl Harbor. Is it not further a fact that the cost of living in some of these cities has gone up anywhere from 9 to 15 percent since Pearl Harbor? Is it not a fact, further, that this branch of the service represents regular employees, not extra employees, and that they deserve this consideration at the hands of Congress?

Mr. ROMJUE. Yes; and I may say also that this legislation was passed for the purpose of establishing the longevity principle.

Mr. MICHENER. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Michigan.

Mr. MICHENER. There seems to be some misunderstanding about postmasters. Postmasters are not affected at all by this bill, are they?

Mr. ROMJUE. That is right.

Mr. MICHENER. This bill deals entirely with the personnel working in the post offices?

Mr. ROMJUE. That is right; the employees handling mail.

Mr. MICHENER. It deals with the longevity service, and it will be an incentive to keep in the Department the men who are now leaving the Department because of higher wages in industry. Is that true?

Mr. ROMJUE. That is right.

Mr. MICHENER. Something has been said about the increasing cost of living. The gentleman from Ohio referred to an increase of 15 percent. I may say that in Detroit it has increased 20 percent, I am advised. Many of our postal employees, naturally, are thinking about going into industry, where they may receive higher wages. I think we ought to do what we can to keep those men in the Postal Service.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Can the gentleman from Missouri tell me what is the content and intent of the bill pending in the Senate relative to fourth-class postmasters?

Mr. ROMJUE. I have forgotten just who introduced that bill.

Mr. BURCH. If the gentleman will yield, I may say that the fourth-class postmasters are now on cancelation.

Mr. BROWN of Ohio. That is right.

Mr. BURCH. The bill passed by this House and now in the Senate puts the postmasters of the fourth class on a salary basis.

Mr. BROWN of Ohio. Will their income be larger than it is at the present time?

Mr. BURCH. Yes. As an illustration, the average postmaster earning, say from $400 to $450, would have a salary of $572; those receiving from $450 to $500 would get $608; those receiving from $500 to $600 would get $684; and it continues along at that rate.

Mr. BROWN of Ohio. The fourth-class postmasters are probably the lowest-paid employees in the Federal service.

Mr. BURCH. May I call attention to one other matter in regard to the postal employees? In the last week we passed a bill in this House—and it is agreeable to the postal employees—by which they go on a 48-hour week without overtime pay.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Pennsylvania.

Mr. HAINES. The bill referred to by the gentleman from Ohio I do not believe in the final analysis will cost the Post Office Department an additional penny, because it will eliminate much of the unnecessary work now performed in auditing and computing the compensation to which the fourth-class postmaster is entitled. The present system is a very complicated method and very unsatisfactory. I believe the passage of the bill now pending in the Senate, and which was passed by this House, will be very helpful and not cause any additional expense to the Department.

Mr. MICHENER. These postal employees, as suggested by the gentleman from Virginia just a moment ago, will go on a 48-hour week. You are not increasing the pay for the 48-hour week. If what the gentleman says is correct, these employees are going on a 48-hour week. We are hearing lots about 40-hour and 48-hour weeks. When those employees accept a 48-hour week, I think we ought to think twice before we act too hastily on some of these bills.

Mr. O'BRIEN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Michigan.

Mr. O'BRIEN of Michigan. I understand that the words "for continuous service heretofore rendered" apply to the increase for the 15-year bracket as well as the 10-year bracket, so that a man who has had 15 years of continuous service at the time this bill takes effect would get the $144 per annum increase. Is not that the intent of this language?

Mr. ROMJUE. I believe that is right.

Mr. O'BRIEN of Michigan. I understand that was the intent of the committee.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr ROMJUE. I yield to the gentleman from Michigan.

Mr. SAUTHOFF. The gentleman speaks about a thousand men going into the military or naval service of the country. If those men are in the service let us say for a year or 2 years, is the period of that service to be added onto the 10 years they may have served up to this time in the Postal Service?

Mr. ROMJUE. I do not think they will lose anything by being in the military service.

Mr. SAUTHOFF. That is not what I am asking. I am asking, are they going to get credit for those 2 years on the 10 years they have already been in the service? If not, they ought to get it, in my judgment.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Arizona.

Mr. MURDOCK. Do I correctly understand that this does not apply to any postmasters? But only to other postal employees?

Mr. ROMJUE. That is right.

Mr. MURDOCK. It applies to the employees in the first- and second-class offices?

Mr. ROMJUE. That is right.

Mr. MURDOCK. But not the third- and fourth-class offices. I think it unfortunate that all employees could not be included, and included on the more generous terms as the bill included before Pearl Harbor, but even this is fairly good as the beginning of longevity pay.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Alabama.

Mr. PATRICK. I believe the situation in regard to the question asked by the gentleman from Wisconsin [Mr. SAUTHOFF] was not made entirely clear. As I understood the question asked by the gentleman from Wisconsin, it covered this sort of a condition: A postal employee goes into the service. A substitute takes his place and, if I correctly understand the postal regulations, becomes a regular. When the former employee returns from the military service, he goes back into the Postal Service.

Mr. ROMJUE. That is right.

Mr. PATRICK. What happens as far as the 2 years that employee was in the military service is concerned? Is that counted as a part of his Postal Service?

Mr. ROMJUE. I doubt if that is involved in this bill.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. With the gentleman's permission, may I ask the gentleman from Virginia this question: In the bill recently passed that provides for a 48-hour week, is it not true that provision is made for payment of overtime in excess of 48 hours?

Mr. BURCH. It provides for regular pay.

Mr. WHITTINGTON. It provides for regular straight pay. I want to understand that. It does not provide for overtime pay in excess of 48 hours.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 80, noes 6.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1943

Mr. JOHNSON of Oklahoma, from the Committee on Appropriations, reported the bill (H. R. 6845) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes (Rept. No. 1935), which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. RICH reserved all points of order against the bill.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6845) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that debate may be equally divided between the gentleman from Pennsylvania [Mr. RICH] and myself.

Mr. RICH. Mr. Speaker, reserving the right to object, general debate will continue for today?

Mr. JOHNSON of Oklahoma. I think it will depend altogether on how many Members ask for time. On this side of the House we have not received very many requests for time, and I was hopeful we might conclude general debate within the next 2 or 2½ hours and actually start reading the bill for amendment.

Mr. RICH. I have a good many requests for time, and I would suggest that we continue with general debate for a while.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

APPROPRIATION FOR DIES COMMITTEE

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Missouri.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, the gentleman from New Jersey [Mr. THOMAS] has just released to the press the most unwarranted attack that has ever come to my notice in my long service here upon a committee of this House. The language of the gentleman from New Jersey [Mr. THOMAS] is such that I know, beyond a shadow of doubt, that I could rise to a question of personal privilege and be recognized for that purpose if I so desired, but I am not going to avail myself of that privilege.

The gentleman accuses the Committee on Accounts of refusing to appropriate additional money for the Dies committee.

I want to say to the Members of the House that immediately following the passage of the resolution extending the life of the Dies committee, I called a meeting of the Accounts Committee, and I endeavored to get in touch with the gentleman from Texas [Mr. DIES]. I could not find him. I was told at his office that he was around the city somewhere. Finally, after 2 days, I was advised by his secretary he had gone to Texas. I thereupon called the meeting off.

The Accounts Committee is not going to consider the resolution appropriating money to carry on the activities of the Dies committee in the absence of the gentleman from Texas [Mr. DIES], unless the gentleman is sick or advises me he cannot appear in person.

The gentleman from New Jersey [Mr. THOMAS] says they have little money. There was $6,000 to the credit of the Dies committee this morning which shows the gentleman from New Jersey [Mr. THOMAS] does not know what he is talking about.

After accusing the administration of bleeding the Dies committee to death, the gentleman from New Jersey [Mr. THOMAS] said this is—

> a situation highly gratifying to the Communist Party and the various Nazi and Fascist organizations that were unsuccessful in blocking the continuation of the committee on the floor of the House.

And he then accuses the administration of deliberately moving to cut off the committee's funds. He continues by saying that the latest attack is the most insidious and successful attempt to date to throttle the committee, made at a time when there has never been a greater need for its existence.

The gentleman from New Jersey talks at random, and as chairman of the Committee on Accounts permit me to say that no member of this administration has ever approached me with any such a suggestion. As I have repeatedly stated, the Accounts Committee is an agent of the House and when the House provides for a select committee it is the duty of the Accounts Committee to appropriate money so that it can carry out the duties imposed upon it.

The Accounts Committee has always made it a policy, especially where the time of a select committee has been extended, to require the chairman and members of the committee to justify their demand for an appropriation. That policy will be followed in connection with the Dies committee.

As those who have followed the activities of the Dies committee know, the Congress has appropriated $385,000 during its life, which is more than has ever been appropriated for a select committee in its history. The Accounts Committee will, when the chairman of the Dies committee and the members of the committee justify an additional appropriation, bring in the proper resolution for that purpose, and not before.

I say to the gentleman from New Jersey the members of the Accounts Committee are not of that type who listen, as he says, to Fascists, Nazis, or members of the Communist Party.

On behalf of the committee, I resent the attack made by the gentleman from New Jersey.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, will the gentleman from Oklahoma yield to me?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the testimony of Commissioner of Reclamation Page before the Committee on Appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1943

The SPEAKER. The question is on the motion of the gentleman from Oklahoma.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6845, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, in submitting for your consideration the annual bill for appropriations for the Department of the Interior for the fiscal year 1943, let me say at the outset that I feel that the committee has done a reasonably good job. The hearings began on February 23 and continued morning and afternoon every day, including Saturday, for approximately 1 month. This is not an easy bill to handle. As many of you know, there are more items in the Interior Department appropriation bill than any other annual appropriation bill that has or will come before the Congress.

The committee, in considering the bill, was, for the first time in many years, without the valuable advice and counsel of our late distinguished and beloved chairman, Hon. Ed Taylor, of Colorado, who a few months ago, as all of you recall, passed to his reward after more than 30 years of very honorable service in this House. He was a member of the Appropriations Committee for more than 20 years, and for 18 years was a member of this particular subcommittee. We have missed him in advice and wise counsel.

The present distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], appeared before the committee at the opening session and made a valuable statement and questioned what may correctly be called the main witness, the Secretary of the Interior. Chairman CANNON demonstrated that he is very familiar with the items in the bill. And the Secretary of the Interior also demonstrated that he has a wealth of information. He speaks direct to the point and is not evasive, nor does he deal in glittering generalities.

Every member of the committee, both the majority and the minority, attended the hearings faithfully, appeared on time, and stayed until the last rap of the gavel, figuratively speaking. Many times we sat through the day without lunch, in order to expedite the hearings. I am glad to say that the minority members of this committee rendered very faithful and efficient service. There was mighty little partisan politics in evidence in the consideration of this bill. Although we were not always in agreement on certain items, and we sometimes had pretty hot discussions, generally speaking we got together on the items and this is more nearly a unanimous report from our committee than any other committee on which I have had the honor to serve. Of course what I say about the minority members applies also to the majority members of the committee. I told the full Committee on Appropriations this morning that we had divided up our work, that I assigned certain members to the various activities and that we found that method had facilitated and expedited our hearings and we believe that we approached the subjects in a more intelligent manner than we have ever before been able to consider a bill of this character and magnitude.

I cannot refrain from mentioning in particular one member of our committee who sat with us this year throughout the long ordeal of hearings, who will not be with us next year. I refer, of course to our beloved and distinguished colleague, the gentleman from Washington [Mr. LEAVY], who has recently received a very important judicial appointment in the State of Washington, and who, I understand, will be leaving soon for his new position. It is, of course, needless for me to tell you who know him that the gentleman from Washington is a tireless worker as well as one of our most effective and conscientious members. We shall miss him greatly,

and as he goes to his new field of endeavor where he will make a great Federal judge I am sure I speak the sentiment of every member of the committee and the House when I say that we wish him well in his wider scope of activity.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. MURDOCK. I rise to second the remarks just made concerning our colleague the gentleman from Washington, Judge LEAVY. As one coming from the far West, where irrigation is so supremely important, I value highly the work that the gentleman from Washington, Judge LEAVY, has done on the committee, especially with reference to reclamation. As I said before the gentleman's committee, I am saddened to think that we are losing him, but I congratulate the great cause of reclamation in that he, as a newly appointed Federal judge, is going on the bench at a time when judicial interpretations and decisions are to be made involving new uses and rights of water in arid lands. Such matters will come before him in the future for judicial as well as similar problems in the past for statesmanlike consideration. As I said also before the committee, I feel that we will have to have the due perspective of history in order to discern fully the work that he has done in the 5 years he has been a Member of this House and of this subcommittee. The gentleman from Washington, Congressman LEAVY, has been a statesman of the first order, working for legislation and governmental action such as would benefit generations yet unborn as well as for the benefit of those who occupy the land today.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I thank the distinguished gentleman from Arizona for his very splendid statement, and I am sure what the gentleman has just stated reflects the sentiment of every Member of this House on both sides of the aisle.

Mr. Chairman, there are 26 agencies and activities of Government within the Department of the Interior. It is not an easy thing to get the detailed information one needs to make an intelligent appropriation for any particular agency, when one has so many agencies to deal with. I am going to make a statement now that some may not appreciate, but I think I ought to make it. Thirty Members of the House appeared before our committee. Twenty-odd other witnesses also appeared, all of whom gave testimony to the needs of the various agencies and activities or projects in which they were particularly interested. The record discloses that each and every Member of Congress, including one able and distinguished United States Senator, asked the committee to appropriate funds in excess of the Budget estimate. I am safe in saying I think that if the committee had heeded the advice and suggestions of those 30 Members of Congress, instead of being able to bring in a report many millions of dollars below the Budget estimate, and many more millions below what it took to operate the Department of the Interior last year, this committee would have been forced to appropriate many, many millions of dollars more than the Budget estimates and possibly more than it will take to operate this Department of Government for the current fiscal year.

I repeat that not one single Member of Congress appearing before the committee was able to point out wherein the committee might be able to reduce an appropriation below any Budget estimate.

May I call your attention to the fact that the Department of the Interior, without asking for it and possibly without any desire on its part, has become to a large measure a defense agency. I might almost call it a war agency. Except for the Army and the Navy, the Department of the Interior today is much more a defense or war agency than any other department of Government. That, of course, made it necessary, in some instances, to increase appropriations. I will mention some of those as I go along.

For example, the Bureau of Mines, which has always been an important agency, is now exerting practically all of its activities to an all-out war effort.

While we were holding our hearings there came in supplemental estimates for this Bureau, and I assume there will be additional supplemental estimates in those agencies that have been called upon by the War Department to render special service in connection with war activities.

There is the Geological Survey that has been called upon to do special work for the War Department.

There is the Reclamation Service that, to all intents and purposes, is a war activity or a defense activity. It is well known that an efficient war program cannot be carried to a successful conclusion without a tremendous supply of electrical energy. The Reclamation Service is engaged in a desperate effort to complete several large power projects in order that it may assist in relieving the power shortage which now threatens the country and the war program. Vast amounts of power being developed and about to be developed in connection with several of our reclamation projects, and power being developed at Bonneville Dam, which, as you know, was constructed by the engineer department of the Army, are vitally essential in the reduction of ores containing minerals of strategic importance such as zinc, lead, copper, tungsten, magnesium, and other minerals. The processing of ores to secure these essential minerals requires tremendous quantities of electrical energy and the production of this power on reclamation projects and at Bonneville Dam has proved of inestimable value to the war effort.

In connection with the Bonneville power development and the Grand Coulee power development, I am sure Judge LEAVY and others will discuss these items in some detail in connection with this bill.

May I pause long enough to say that in times past it has been somewhat difficult to get appropriations for some of these departmental agencies and activities.

For example, we have been told in years past that we were wasting money on some of these great reclamation projects; that there was no need of additional power; that there was no need for additional reclamation projects, but today we find ourselves in a position where the Government is actually faced with a shortage of power in many of those areas.

I am wondering, Mr. Chairman, what would have happened if we had not had some far-sighted men on this committee like the gentleman from Washington, Judge LEAVY, for example, who have fought from the very beginning for more power and more reclamation projects to create more power. I am wondering what we would do for magnesium and many of the strategic ores and materials that are so essential for the prosecution of the war if we had not made a fight for some of those activities for which the committee in the past has been seriously criticized, both in and out of Congress?

In an annual appropriation bill that was passed a few days ago we heard a great deal about travel pay, and many items of travel pay were cut. So your committee especially investigated and considered that part of the bill, and I am glad to report to you that travel expense has been cut from 5 percent in the strictly war activity agencies, like the Bureau of Mines, to more than 75 percent in some of the strictly nondefense activities. Altogether, we have cut travel pay in the various departments over $571,000, or an average of nearly 20 percent, which occurs to me is a drastic cut.

Mr. NELSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. NELSON. Reference has been made as to reduction of travel allowances, not only in this bill, but in another previously considered. Recalling the support given by the gentleman in charge of the bill now under consideration, when efforts, some successful, were made to reduce travel costs in the Agriculture appropriation bill, I heartily congratulate him. Travel costs have for years increased without reason. In some instances they are little short of scandalous. Such waste and extravagance simply has to stop. So much Pullman travel and palatial hotel entertainment, while to be condemned in peacetime is absolutely inexcusable in wartime. In every effort looking to travel reduction costs the gentleman from Oklahoma [Mr. JOHNSON] has been active, as in everything looking to proper economy so as to lighten the burden which taxpayers must bear.

Mr. JOHNSON of Oklahoma. I appreciate the gentleman's very kindly contribution and will say to the gentleman that travel pay had already been cut in this bill tremendously before the committee began consideration of the bill.

Before taking up a detailed discussion of the bill, let me say I have just received from the Interior Department a special itemized statement as to the revenues of that Department. Possibly some Mem-

bers of Congress do not really understand that the Interior Department is one of the few departments that each year actually produces revenue to and for the Treasury.

I will discuss some of those a little later.

The total revenues of the Interior Department, as just handed me, amounts to $52,922,624. I will include in my remarks an itemized statement showing where those revenues come from. For instance, there are revenues from the Grazing Service of more than a million dollars. Revenues from the Bonneville Power Administration of more than $6,000,000. Revenues from the General Land Office of more than $7,000,000. Revenues from the Bureau of Indian Affairs of more than $7,000,000. Revenues from the Bureau of Reclamation, and how much do you suppose? Over $15,274,000. Revenues from the National Park Service of more than $2,000,000. Revenues from the Fish and Wildlife Service, $1,761,000. Revenues from Government and Territories of more than $5,000,000. Here is the itemized statement to which I referred:

Department of the Interior—Estimated receipts by bureaus, fiscal year 1942

Bureau	General fund	Special funds	Trust accounts	Total
Office of the Secretary	$440			$440
Grazing Service	577,500	$600,000	$200,500	1,378,000
Bituminous Coal Division	[1] 5,134,489			5,134,489
Bonneville Power Administration	6,476,550			6,476,550
General Land Office	862,900	6,505,500	112,000	7,480,400
Bureau of Indian Affairs	1,520,600		5,968,305	7,488,905
Bureau of Reclamation	3,201,000	12,000,000	73,000	15,274,000
Geological Survey	48,000			48,000
Bureau of Mines	45,000	50,000		95,000
National Park Service	2,202,255		38,140	2,240,395
Fish and Wildlife Service	1,548,160	98,000	135,200	1,781,360
Government in the Territories	425,085	5,000,000	100,000	5,525,085
Total	22,041,979	24,253,500	6,627,145	52,922,624

[1] Revenues collected by Internal Bureau.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOUSTON. In other words, the revenue is about one-quarter of the total appropriation for the next fiscal year; is that not correct?

Mr. JOHNSON of Oklahoma. I believe that is about correct.

Mr. HOUSTON. That is a remarkable showing.

Mr. JOHNSON of Oklahoma. I thank the able gentleman from Kansas, and will agree that is a remarkable showing.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the distinguished gentleman from New York.

Mr. WILLIAM T. PHEIFFER. I think it would be interesting to learn just what disposition is made of this revenue. Is it used for the operating expenses of the various departments that bring in the revenue, or is it put into a general fund of some sort?

Mr. JOHNSON of Oklahoma. Some of it is used for that purpose, but the major portion of it goes into the Treasury of the United States, and, judging from what I hear, the depleted Treasury can use that $52,922,624 at this time.

Mr. WILLIAM T. PHEIFFER. It is a credit against this appropriation?

Mr. JOHNSON of Oklahoma. In effect; yes.

Now, I know what you gentlemen want to hear. You want to know the exact figures—how much the appropriation has been cut.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. FITZPATRICK. The gentleman did not mention the Bituminous Coal Commission. There was $1,500,000 turned in last year, and this year it will come close to $3,000,000.

Mr. JOHNSON of Oklahoma. Yes; I thank the gentleman for reminding me. The fact is there are several other items that I failed to mention specifically. I have, however, placed the itemized statement in the RECORD giving that information in some detail.

The Budget estimates considered for the fiscal year 1943 by the committee amounted to a total of $180,317,266.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

The committee recommends appropriations totaling $162,634,845. You will note that the amount recommended by the committee effects a reduction under the Budget estimate of $17,662,421.

The bill provides a reduction under the 1942 appropriation of $75,466,435.

Mr. HARRIS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Arkansas.

Mr. HARRIS of Arkansas. Is the greater part of this reduction due to the reduction of appropriations for special projects, or is a percentage of it also with reference to the operation of the Department?

Mr. JOHNSON of Oklahoma. I may say to the gentleman from Arkansas that it is both a reduction of projects and other agencies. I will discuss reduction of travel pay later, but suffice to say this has been drastically reduced. The committee, as it were, went through this bill with a fine-tooth comb and reduced it wherever it was humanly possible to do so, without seriously impairing the efficiency of the agency or activities in question.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOPE. I noticed in hurriedly going through the brief résumé in the back of the report that there were several items for increases in salary for various purposes. Will the gentleman explain that if he has not already done so?

Mr. JOHNSON of Oklahoma. I may have mentioned the fact to the committee a while ago that in every agency the committee allowed, of course, for Ramspeck promotions, for there was nothing that could be done about that and I believe there is nothing that either the committee or the Congress wants to do about that. Aside from the Ramspeck promotions, however, I believe the gentleman will find few if any increases in salary in the bill. On the other hand we eliminated salaries; in fact, nearly every proposed new salary was eliminated.

Mr. HOPE. I notice an item in the Secretary's office for salary increases of $62,000 above the last fiscal year. Is that brought about by the Ramspeck Act?

Mr. JOHNSON of Oklahoma. No; not altogether. That is brought about largely because the Division of Investigation of the Interior Department has been eliminated altogether and transferred to the Secretary's office, as the gentleman will see if he will turn to page 18 of the report. Does that explain what the gentleman has in mind?

Mr. HOPE. Then that does in large measure account for the increase in salary in the Secretary's office.

Mr. JOHNSON of Oklahoma. The gentleman is correct.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WILLIAM T. PHEIFFER. I think it is rather germane to the general explanation of the bill which the gentleman is so admirably making to call attention to a notification of a project which came to my desk just a few days ago, in fact, under date of March 16, the sponsor being the Department of the Interior National Park Service. It seems to me it bears directly on the item of $208,000 for the administration, protection, and maintenance, and so forth, of the national historical parks and monuments. This item is for $69,050 and is to improve buildings and facilities and grounds at the Statue of Liberty National Monument on Bedloe's Island, New York Harbor. It seems to me this item should more properly be considered in connection with the appropriation of $208,000 carried on page 115 of the bill for the very same thing.

Mr. JOHNSON of Oklahoma. I may say to the gentleman from New York that an item for construction at the Statue of Liberty was eliminated by the committee, on the theory that it is not such an urgent necessity that it cannot wait awhile.

Mr. WILLIAM T. PHEIFFER. That clears that up then.

Mr. JOHNSON of Oklahoma. As I recall there was a Budget estimate for it, but the committee eliminated that as it did many other construction items.

Mr. WILLIAM T. PHEIFFER. Consequently there is no duplication as between the Work Projects Administration program and the Department of the Interior program.

Mr. JOHNSON of Oklahoma. The gentleman is correct. As the gentleman from New York [Mr. FITZPATRICK] mentioned a moment ago, the committee made a substantial reduction in funds for the Bituminous Coal Commission. We have recommended a cut in this agency amounting to $178,246, yet this is one of the few agencies that brings substantial revenues to the Government.

Mr. HOUSTON. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. HOUSTON. Does not the gentleman believe that is a pretty severe cut, in view of the fact that, as just stated, they are likely to have an income of about $3,000,000 in revenues?

Mr. JOHNSON of Oklahoma. Yes; I agree that it is severe, and, frankly, that is exactly what the committee has endeavored to do this year in connection with this as well as other activities in this bill.

Mr. HOUSTON. It is a false economy and going a little too strong.

Mr. JOHNSON of Oklahoma. Possibly so. Some members of our committee think we have cut too drastically in this as well as other agencies. I may say to the gentleman that, in my opinion, there are many items in this bill that are cut severely, but again I must say that it was done deliberately, not as a slap or criticism of this or that agency. I believe the time has come when the Congress must cut and cut to the bone, and then cut again, especially in all nondefense activities.

Mr. HOUSTON. There is another item that I notice has been cut. That is in Indian schools. Does the gentleman offhand remember how Haskell was treated in that?

Mr. JOHNSON of Oklahoma. I will discuss the Indian Service presently; however, I am pleased to say in reference to Indian schools that Haskell got about the same appropriation that it received last year. There is no change in the appropriation and although living conditions are higher they will simply have to pull in their belt at Haskell, like everybody will have to do every place else, and live on a little less, as their contribution to the war effort.

This bill was originally cut about $50,000,000 below the 1942 appropriation by the Bureau of the Budget. This original Budget came into the Department the day—the Saturday before Pearl Harbor. A cut of $50,000,000 seemed so severe to certain department heads and others. Now, let me give you a bit of history with reference to this Interior bill.

I know there are some Members of the Congress who do not particularly admire the Secretary of the Interior.

They may not like the way he parts his hair or they may not have liked some statements he has made in reply to those who have crossed swords with him in debate, but let me tell you what he did. On Sunday when he heard about Pearl Harbor, he did not wait until Monday. Nor did he wait for orders from anyone, not even Congress. Secretary Ickes immediately put the Interior Department on a war basis. On Monday when ordinarily one in his position might have complained about the $50,000,000 cut below what it had taken to operate the Interior Department the current year, the Secretary of the Interior said, "We are going to voluntarily take another $10,000,000 cut."

Did you ever hear of a Federal governmental agency doing that before? You never did. I will tell you why. Because it is the first time in the history of the Federal Government—and I measure my words—when any Federal agency or department ever voluntarily asked the Budget to cut them $10,000,000 below any Budget estimate. Since that time some other agencies have followed the example of the Secretary of the Interior but up until then no other Federal agency or department or activity had ever done any such thing.

So when the Secretary and his representatives came to our committee and presented their bill it was not $50,000,000 below last year's figure but, in round figures, a cut of $60,000,000. Our committee, after hearing the evidence and after running through this bill, as I say, figuratively speaking, with a fine-toothed comb, reduced it still another $17,700,000.

Mr. HOUSTON. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. HOUSTON. I notice another item here—coal and mining inspection and investigation, a reduction of $61,000. Does that affect the safety of the inspection of mines at all?

Mr. JOHNSON of Oklahoma. Well, the committee felt that inasmuch as this is a new service it could take this drastic reduction without seriously interfering with the efficiency of the Department.

Mr. HOUSTON. I hope it works out all right, but that is a very serious matter. We have had a lot of losses in the last few years.

Mr. JOHNSON of Oklahoma. Again I must agree with the gentleman from Kansas that it is a very serious matter, and is a very drastic cut.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

Mr. ROBERTSON of Virginia. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Virginia.

Mr. ROBERTSON of Virginia. I have not been able to analyze where the cuts in the Fish and Wildlife Service will be principally applied. I have heard a rumor to the effect that one cut will necessitate the closing of 12 fish hatcheries now being operated; is that correct?

Mr. JOHNSON of Oklahoma. I regret to tell the gentleman that the rumor is well founded. It will necessitate the closing of some 12 fish hatcheries. Now, I think fish hatcheries are splendid activities; I believe that they can be justified from any viewpoint. Furthermore, in my judgment they could even be justified in time of war on the basis that there might be a shortage of food supplies; but, on the other hand, considering there was no Budget estimate for the hatcheries proposed to be closed, the committee felt that among the many activities and agencies of the Department that no serious results would come from temporary closing of those hatcheries.

Mr. ROBERTSON of Virginia. Will the gentleman state how much the committee proposes to appropriate for the operation of the fish hatcheries?

Mr. JOHNSON of Oklahoma. I do not have the exact figures at my fingertips, but I am sure you will find them in the hearings.

Mr. ROBERTSON of Virginia. I have another question based upon that.

Mr. JOHNSON of Oklahoma. Looking at the report, on page 43, column 3, the gentleman will find that $906,715 is being made available for the propagation of food fishes next year.

Mr. ROBERTSON of Virginia. Nine hundred thousand dollars?

Mr. JOHNSON of Oklahoma. Nine hundred and six thousand dollars, which is a reduction of $162,840.

Mr. ROBERTSON of Virginia. That is the point I want to raise. You take $100,000 from the Fish and Wildlife Service, which is the old Bureau of Fisheries and the old Biological Survey, curtailing a benefit to all the people, in order to continue the payment of $700,000 for the shooting and trapping of coyotes in the West. That is something that I cannot understand in effecting an economy in this program.

Mr. JOHNSON of Oklahoma. I am not surprised at what the gentleman says. We may talk rigid economy and think we are economy minded. When it is proposed to reduce or curtail any agency of Government in which Members are familiar with and are personally interested in, well that is a horse of a different color. I do not mean to be critical. I know the gentleman has had an important part in getting some of these hatcheries started and maintained, and I commend him for it, and yet, as important as they are, they might wait for awhile as a contribution to an all-out total war effort.

Let me say, however, in answering the gentleman's question, that the item for trapping coyotes in the West and Middle West has also taken a tremendous cut.

Mr. ROBERTSON of Virginia. Sixty thousand dollars.

Mr. JOHNSON of Oklahoma. That is the reduction by the committee. I might add that the trapping of coyotes and other predatory animals, which the gentleman apparently feels is of such little importance, affects a majority of the States of this Union. The gentleman might have difficulty convincing cattle and sheep raisers that the trapping of coyotes and wolves that prey on their sheep and cattle is of such minor importance.

Mr. ROBERTSON of Virginia. I do not criticize any cut on a reasonable basis in a peacetime nonessential—from the standpoint of war—activity. I raise no issue about your cutting the appropriation for the Pittman-Robertson Act $1,000,000. I raise no question about the general reduction in this item. The point I raise is, Why appropriate to the Fish and Wildlife Service $700,000 for the stockmen of the West, when everybody

at all familiar with how the money is expended knows that it is an expensive kind of operation to spend $700,000 in that way, and in order to maintain that expenditure cut something else that affects practically the whole Nation and affects a fish supply that, if once too badly depleted, we may be years and years in bringing back again? It is not that I question the cuts, it is the discretion you have exercised as to where the cuts should be made.

Mr. JOHNSON of Oklahoma. I think if the gentleman had listened to the testimony of the representatives from the Bureau of Fisheries and had the full facts that he probably would agree that the committee did the best it could, considering there was no Budget estimate for any of the hatcheries to be closed. The total cut in the rodent-control item was $249,300, which includes a cut of $65,000 by the committee. The amount recommended by the committee provides a sum 50 percent less than was appropriated for this purpose 2 years ago.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Michigan.

Mr. DONDERO. The statement the gentleman made with regard to eliminating 12 fish hatcheries in the country challenged my attention. As the gentleman knows, I come from Michigan. We have more than 12,000 inland lakes in that State. It is a great recreational State. There is only one Federal fish hatchery in Michigan. I rise to inquire whether or not you eliminated that one. It happens to be within my congressional district.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that I share his anxiety, since one of the Federal fish hatcheries happens to be situated in the district I represent in Congress. I must confess I do not know. As far as the record shows, however, there is no information that the gentleman's hatchery is one of the hatcheries that may be scheduled to be closed.

Mr. DONDERO. In other words, the Federal hatchery at Northville, Wayne County, Mich., is not to be eliminated?

Mr. JOHNSON of Oklahoma. I cannot give such assurance, though I wish I could. That is, of course, up to the Fish and Wildlife Service.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from California.

Mr. LELAND M. FORD. We realize the responsibility you men feel in trying to make these cuts, and generally we want to make them. On the other hand, in connection with fish hatcheries and similar activities, we must proceed on the premise that they must have been reasonable and desirable expenses to begin with or they never would have been in the bill.

Mr. JOHNSON of Oklahoma. That is correct.

Mr. LELAND M. FORD. Inasmuch as that is true, and insofar as we go back and look at the record—and I represent California, where there are thousands of lakes in the mountains and where there are also commercial fisheries along the coast—we find that the number of fish has been dropping, that there have been fewer and fewer and fewer of them every year. I know that from my own personal knowledge and what I have been told by others. There have been tremendous losses in the stock of fish. Does the gentleman think it wise to cut this appropriation, which may possibly result in wiping out these fish in many instances, particularly in view of the fact that fish is a food source?

Mr. JOHNSON of Oklahoma. I would dislike very much to see any fish hatchery in the United States closed that can actually justify its existence, where the local people are cooperating, and where it has been successful. I am very much in favor of fish hatcheries. I believe in them. I think there is nothing that the local people appreciate more than fish hatcheries.

Mr. LELAND M. FORD. May I observe that perhaps cuts should not be made horizontally. I think there is a more intelligent way to make them than to go into the final effect this will have on the cost of this particular Department. If we wipe out these fish, think what it will cost eventually to restore them. This either is or is not a necessary function. If it is necessary, it should be kept. I make the suggestion that the committee give further thought to this matter.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

May I make this general statement in reference to fish hatcheries. Let me again emphasize the fact that your committee did not arbitrarily withhold funds from 12 fish hatcheries in order to close them. I repeat that there was no Budget estimate for those 12 hatcheries and as I recall of the 30 Members who appeared before the committee only 1 Member, as I recall, the gentleman from Arkansas, even mentioned fish hatcheries.

Mr. LELAND M. FORD. There was no Budget estimate at all?

Mr. JOHNSON of Oklahoma. That is correct. There was no Budget estimate for the 12 fish hatcheries, and I may say that neither the Bureau of the Budget nor the Department gave the committee a list of the hatcheries that it proposed to close.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Nebraska.

Mr. STEFAN. Can the gentleman tell me on what page of the hearings I can find what 12 hatcheries are to be eliminated?

Mr. JOHNSON of Oklahoma. That is impossible. The committee was not supplied with that information.

Mr. STEFAN. That is in the discretion of the Department?

Mr. JOHNSON of Oklahoma. Yes; it is in the discretion of the Department. Possibly the Department itself does not now know. It is only fair to say that this suggestion was not made to the Budget on the part of the Bureau of Fisheries.

Mr. STEFAN. Of course, the people want cuts made in every category that represents nondefense items wherever they can possibly be made. We are all agreed on that, but I want to ask the gentleman a question about these cuts. Has there been anything done that will deprive the people of my State of stocking their lakes and streams with fish?

Mr. JOHNSON of Oklahoma. Of course, if the gentleman has a fish hatchery, and that hatchery should happen to be closed along with 11 other big fish hatcheries that will be closed, it may deprive some of his citizens from having as much fish in the future as in the past. That is conceivable and it will happen in my State, I am sure, as well as in other States.

Mr. STEFAN. The gentleman knows that in his own State and in my State we have had a drought, but rains have now come back to us again and lakes have been filled and people have just begun stocking these streams and lakes. We send applications to the Bureau of Fisheries for fish when the people back home send us the applications. We are just beginning to stock these streams and lakes. I agree with my colleague from Virginia that if we stop now the people in Nebraska and in your State and in some other States who have just begun rehabilitating and stocking these streams will have done a lot of things that are never coming back to them again. The people who live on the coasts and in the States that have a lot of lakes do not realize what it means to us in Nebraska to have water come back again and have lakes again and have fish again. We in the Middle West like fishing. But we will forego some of our pleasure if we are sure we are not being discriminated against. We are for everything that will help win the war. But give us equal treatment with other States.

Mr. JOHNSON of Oklahoma. I agree with the gentleman in his splendid statement and also in his conclusions.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to my friend from Mississippi.

Mr. RANKIN of Mississippi. I was astounded at the gentleman's statement to the effect that the Bureau of the Budget had decided to close some of these fish hatcheries and did not condescend to tell Congress which fish hatcheries they were going to close, although these fish hatcheries and the Budget are all creations of the Congress. Now the people are appealing to us to represent them and to maintain democracy, which means representative government. Does not the gentleman think it is time that the Congress looked after these changes that are being made with reference to these institutions of long standing that have proved of such great benefit to the people in the various States?

Mr. JOHNSON of Oklahoma. I agree with the gentleman but I am sure the gentleman understands that the Bureau of the Budget did not appear before the committee.

Mr. RANKIN of Mississippi. That is true, but I do not believe the Bureau of the Budget has the right to dictate to Congress about killing enterprises that the American people want and that they

are willing to pay for and that Congress has created. I would like to see some of the $16,000,000 that was appropriated the other day for travel pay for the Department of Agriculture used to maintain these fish hatcheries that have proved their worth. I do not think the Congress ought to capitulate and let the Bureau of the Budget destroy them.

Mr. JOHNSON of Oklahoma. Again I agree with the gentleman and I may say that when we reach the amendment stage in the consideration of the bill the gentleman will have an opportunity to offer an amendment to the bill.

Mr. RANKIN of Mississippi. Let me say to the gentleman that I respect his opinion and I am very fond of him, as he knows. I have great confidence in him and often follow his leadership, and I will be delighted to follow his leadership now if he will offer an amendment to put these funds back into the bill for the retention of all these fish hatcheries that are now in operation.

Mr. JOHNSON of Oklahoma. I wish I could assure the gentleman I could do so, but a majority of the committee might not agree with me.

Mr. RANKIN of Mississippi. Will the gentleman tell us just where in the bill this provision comes and the amount that has been stricken? I want to save money, but as the Negro preacher said, I do not want to "strain at a gnat and swallow a camel."

Mr. JOHNSON of Oklahoma. If the gentleman will look up the item in the bill under the caption "Propagation of food fishes," he will find where he can offer such an amendment. If the members of this Committee agree with the gentleman—and he has very persuasive powers and I may say is a man of power on this floor—he will have an opportunity to raise the amount for this purpose in the bill. But I will say, in passing, I would a lot rather be criticized for cutting this bill too drastically than to have anybody say that we are sloughing off money and refusing to cut nondefense activities.

Mr. RANKIN of Mississippi. The amount, as I see it, is $906,715.

Mr. JOHNSON of Oklahoma. Yes; that is correct.

Mr. RANKIN of Mississippi. And what was the amount last year?

Mr. JOHNSON of Oklahoma. It was $1,069,555 last year.

Mr. RANKIN of Mississippi. Would that be a sufficient amount to carry on these activities for the coming year?

Mr. JOHNSON of Oklahoma. It would be more than enough and I will be glad to discuss with the gentleman the exact amount necessary if the gentleman wants to offer that amendment.

Mr. ROBERTSON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Virginia.

Mr. ROBERTSON of Virginia. Has the gentleman's committee ever gone into the question, with the stockmen of the West, of the most efficient and economical method of predatory control, the bounty system as compared with the employees of the Government getting $200 or more a month and all expenses?

Mr. JOHNSON of Oklahoma. I think I may say to the gentleman that while there have been some statements in the past with reference to that matter, the committee has never made any detailed investigation along the line the gentleman has in mind.

Mr. ROBERTSON of Virginia. I hope at some future time when you can do so you will take some testimony along that line, because I believe we can save some money and get better results.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his valuable suggestion, and I now invite him to appear before the committee and make any suggestions that he has whereby we can save a dollar. I know the committee would be persuaded to follow the gentleman's invaluable advice which all of us deeply appreciate.

Mr. DONDERO. Mr. Chairman, will the gentleman yield to me again?

Mr. JOHNSON of Oklahoma. Yes.

Mr. DONDERO. I want to be sure I understood the Chairman correctly when he said as to the amount that was eliminated, that there was not given to the committee a list of the 12 fish hatcheries that were to be eliminated from the schedule of fish hatcheries throughout the country. Is that correct?

Mr. JOHNSON of Oklahoma. Let me say again that no such list of hatcheries that are proposed to be eliminated was given to the committee. The amount of the appropriation, of course, is in the bill.

Mr. DONDERO. That is the amount that has been decreased.

Mr. JOHNSON of Oklahoma. Yes.

Mr. MURRAY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. MURRAY. In view of the fact that the gentleman from Oklahoma demonstrated his desire to cut nondefense expenditures in the consideration of the agricultural appropriation bill last week, I ask him if he would be willing to tell us about this money for irrigation, realizing that during the past 2 years, without any criticism of irrigation as a system of agriculture, we have been appropriating five and ten times as much for irrigation as we did previously and at the same time we have been spending millions, up to billions, of dollars to curtail production. I wish the gentleman would give us a little information on that.

Mr. JOHNSON of Oklahoma. The gentleman raises a very interesting issue. I doubt whether he and I could reach an agreement in the next few minutes or hours with reference to the agricultural appropriation bill. I have not always been in accord with certain features of the agricultural measures as they have passed this House, but I say this to the gentleman, that, so far as irrigation projects are concerned, there has been a considerable amount of money spent by the Government to construct and maintain them, and there will be more money spent in the future.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 minutes more. The gentleman's argument in peacetimes might be sound, but I am very much of the opinion that it would not be wise to curtail production if we are going to win this war. Of course, all of us know that we are going to win the war, and I have no patience with those who say that we might lose it, because America will never live in a world dominated by either Nazis or Japs. But we are not going to win this war solely with battleships, planes, powder, or guns, or torpedo boats, important as they all are. We are going to win this war when the Axis Powers run short of food and materials, and then God help America if we are in the same situation. That must not be. Yet I am fearful that the time is not far distant when the United States of America is likely to be found short of many food supplies that we now need unless we make sure that it does not occur.

Mr. MURRAY. That does not answer the question. I would like to know how this $70,000,000 compares with the other appropriations.

Mr. JOHNSON of Oklahoma. I say to the gentleman that, so far as reclamation projects already in operation are concerned, the committee followed the Budget estimate more generally than it has in many other of the items. For instance, a reclamation project might have 10,000 additional acres within its scope, which it is proposed to have operated next year. The committee in some instances has felt it would be justified in providing for the continuation, and in some cases for the expansion of some of those reclamation projects. If the gentleman will examine the bill, however, he will find that practically every dollar of increase in the bill is for power development. I have in my possession a letter, which I cannot put in the RECORD, of a confidential nature, from a responsible governmental agency advising that there is now a serious shortage of power in the United States, so serious that I will tell the gentleman off the record what it means in the reduction in the building of certain elements of vital importance in speeding up production and winning the war.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Certainly.

Mr. CRAWFORD. I am very much interested in the gentleman's observation about the shortage of food. For a year or more I have felt that we would have a tremendous shortage in this country. Can the gentleman give us the benefit of his thought upon that, as to what he thinks will be the primary cause of the shortage?

Mr. JOHNSON of Oklahoma. To begin with, it is the war, which is No. 1.

Second, I would say that many, many workers will be called into the Army, the Navy, the air forces, and into the industrial centers, thereby taking them from the farm. There is now developing a very serious shortage in certain agricultural areas.

Mr. CRAWFORD. Shortage of farm labor?

Mr. JOHNSON of Oklahoma. Shortage of farm labor.

Mr. BENDER. Will the gentleman yield to me?

Mr. JOHNSON of Oklahoma. I yield.

Mr. BENDER. The gentleman made the point of there being a shortage of power. Is it not possible to generate power by the use of coal?

Mr. JOHNSON of Oklahoma. That is correct. I may say that generally the production of power by coal is equally as cheap or cheaper than water power, provided an abundance of coal is available at or very near the power plant in question. But that situation is not always possible in many areas.

Mr. CRAWFORD. Will the gentleman yield for one other question?

Mr. JOHNSON of Oklahoma. I yield.

Mr. CRAWFORD. Does the gentleman feel that our obligations as to food under the Lend-Lease Act places upon us an absolutely unknown factor insofar as food requirements are concerned?

Mr. JOHNSON of Oklahoma. Oh, I think that is undoubtedly true. Of course, we know that we have sent to the Old World, especially to our Allies, several million tons of food. I am thankful that we had the food to send.

Mr. CRAWFORD. Three and one-half billion pounds.

Mr. JOHNSON of Oklahoma. I am glad we sent it, but, of course, I think our first obligation is to feed our own people and to see that there is no shortage of anything essential to winning the war.

Mr. CRAWFORD. And to count the cost?

Mr. JOHNSON of Oklahoma. Certainly.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. STEFAN. I want to finish the colloquy on fish.

Mr. JOHNSON of Oklahoma. I imagined the gentleman would come back to that.

Mr. STEFAN. I want to ask the gentleman, who is a very fine statesman——

Mr. JOHNSON of Oklahoma. I thank the gentleman. I appreciate that. It is like when my wife used to tell me she thought I was good looking. I was very suspicious that she did not mean it, but I appreciated it just the same.

Mr. STEFAN. But I do mean it. The gentleman and I have worked together on much legislation in which we had a common interest. He has helped me many times on good farm legislation. But I just wanted to finish the colloquy on fish. I wanted to be sure that there is nothing in this bill by which we are expending money for the propagation of fish or the stocking of streams with fish from the United States in Central or South America, a thing which we have done heretofore. The gentleman's committee has eliminated considerable money for cultural work among the foreign Indians in their various activities. I would rather help the American Indian first. Is there anything in this bill by which we are expending money for the propagation of fish in Central and South America?

Mr. JOHNSON of Oklahoma. I will say to the gentleman there is not a line of testimony nor a sentence in this bill that would so indicate.

Mr. STEFAN. I am happy to hear that because we in the Committee on Appropriations for the Department of State had some of that activity, and the committee was wise enough to eliminate some of it. Now, the gentleman has discussed very ably the proposition that there may be a great food shortage in this world. I want to say that I agree with him in everything he had to say, including the statement that we are going to win this war.

The question of food will have a great bearing on that victory, because it has been my own experience, and I wish to tell my colleagues of it, in foreign countries when war was raging to see the peasants and the old people who were left back home searching the fields of Europe for that last head of wheat or that last head of barley because the last gleanings meant a badly needed loaf of bread. There is a food shortage in Europe now. People there have been crying for food a long time. Many have already died there because they had no food. There is a great food shortage in the Far East where some of us have seen the beggar boats of China gather around the ships that came into harbor. Hungry people with their nets, trying to catch just a little bit of food that is thrown away. Those food ships come there no more. Those particular hungry people have no more food. Thousands upon thousands have died. Many more thousands will die. I wish to tell the able chairman of this subcommittee that we in America do not yet realize how precious fod will be in the future. We are wasteful and do not appreciate our farm producers. We are throwing into the slop barrels of America enough food to feed hundreds upon hundreds of thousands of people in foreign countries who are hungry today. Don't underestimate the great store of food our farmers have produced for you. We thank God for it.

The gentleman has indicated that labor might have something to do with that. He and I, coming from farming sections, know that we may have a shortage of farm labor.

I want to ask the gentleman if he has told the membership of the committee anything about that section of the bill which will be found on page 80 and which in my opinion is subject to a point of order, which has something to do with the moving of Japanese away from the west coast—Japanese who might be brought into some parts of my State. My people may not want those Japanese. I would like the gentleman to explain just what this section means.

Mr. JOHNSON of Oklahoma. I will say to the gentleman it was certainly not with any degree of pleasure that any member of this committee voted to put that particular item in the bill.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman has consumed 1 hour.

Mr. BENDER. Mr. Chairman, a point of order. I suggest the absence of a quorum.

Mr. JOHNSON of Oklahoma. I hope the gentleman will withdraw that request. We want to get through and start reading the bill today, if possible. I want to discuss that just a moment. Will the gentleman kindly withdraw it, at least for the moment?

Mr. BENDER. I will withdraw it, but we ought to have a larger audience present.

Mr. JOHNSON of Oklahoma. Well, I am sure there is a quorum present. However, some committees are in session and Members know they can inform themselves about this bill by reading the RECORD and hearing the discussion under the 5-minute rule tomorrow and possibly Thursday.

I ask unanimous consent, Mr. Chairman, to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I hope I may be able to conclude in 10 additional minutes. I would like to explain this one situation before I yield.

I said a moment ago that no member of the committee took any pleasure in putting that in the bill. I do not feel I ought to go into detail and say why it is in the bill further than to say it came as a special and we felt an urgent request. If you will read this morning's paper you will find that some 20,000 aliens and others are being shipped into certain areas, and I believe you will understand why it was necessary to put this in the bill without further discussion of details.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield right there?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOUSTON. I understood the gentleman to say there is a shortage of farm labor.

Mr. JOHNSON of Oklahoma. That is right.

Mr. HOUSTON. We all know that is true, we all know there is a shortage of farm labor. Why do we not curtail the activities of the N. Y. A. and the C. C. C. under present conditions?

Mr. JOHNSON of Oklahoma. Well, I do not care to go into that now. I am strong for a drastic reduction for all nondefense activities, but surely the gentleman understands that the N. Y. A. does not fall in that category. It is today a defense agency. Every nondefense activity in the N. Y. A. in every State of the Union, so I am officially advised, was some time ago ordered eliminated—not curtailed but eliminated. In my State, for instance, and I assume it is the same in the gentleman's State, practically the only activities left in N. Y. A. are the master shops, where thousands of ambitious young men have received excellent training under seasoned, well-trained foremen. These master shops have turned out several hundred fine young men in recent weeks who have gone to Wichita, Kans., the gentleman's home city, a city that is a seething beehive of industrial activity. I wonder if my good friend, the distinguished gentleman, has in mind the training of those master shops as one of the activities he proposes to curtail?

Mr. HOUSTON. Oh, I am in favor of keeping any defense activity going.

Mr. JOHNSON of Oklahoma. I thought the gentleman would be in favor of that. The fact is it would be a very serious blow to the several defense industries in his home city if the defense training program in Kansas, Oklahoma, and other nearby States were suddenly cut off.

Mr. HOUSTON. But as to the C. C. C. camp in my district, when they moved the camp out of there they burned the mattresses and sawed the handles off the shovels. Does the gentleman think that is good business?

Mr. JOHNSON of Oklahoma. No; of course not.

Mr. HOUSTON. That is why I want it eliminated.

Mr. JOHNSON of Oklahoma. Well I know how the gentleman feels; they moved my C. C. C. camps also. After July 1, however, I am told they will all be eliminated except those on military reservations.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. STEFAN. If this particular section of the bill was made for defense purposes I, of course, am not going to raise a point of order against it. The reason I call the gentleman's attention to it is because I believe the membership of the committee should know something about it. So far as I am concerned I do not believe the people in my State would like to have a lot of Japs come in on them.

Mr. JOHNSON of Oklahoma. I agree with the gentleman. I do not believe the people of my State would like it either.

This particular item was put in with the approval and, I believe, at the suggestion of the National Reclamation Association.

Mr. SMITH of Ohio and Mr. LELAND M. FORD rose.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am very hopeful of concluding in 10 minutes. I do not want to speak too long. I yield first to the gentleman from Ohio.

Mr. SMITH of Ohio. I am trying to reconcile some of the January Budget figures with the committee's figures. Can the gentleman from Oklahoma tell us the approximate amount that will be devoted to power in this bill?

Mr. JOHNSON of Oklahoma. It would have to be a guess on my part. The gentleman from Washington [Mr. LEAVY] will discuss this within a few minutes. My guess would be approximately $50,000,000.

Mr. SMITH of Ohio. The estimate contained in the Budget submitted by the President in January was $71,297,000 for total Interior Department appropriations.

We have an appropriation before us of $162,634,000 or a little more. I am trying to find out what constitutes the difference in these figures.

Mr. JOHNSON of Oklahoma. I do not quite understand what figures the gentleman refers to.

Mr. SMITH of Ohio. The estimate of appropriations given by the President in January

Mr. JOHNSON of Oklahoma. From what page in this is the gentleman reading?

Mr. SMITH of Ohio. I am referring to the 1943 Budget estimate submitted by the President in January.

Mr. JOHNSON of Oklahoma. For what?

Mr. SMITH of Ohio. For the Department of the Interior. The total amount was $71,300,000.

Mr. JOHNSON of Oklahoma. You mean for the Interior Department in its entirety?

Mr. SMITH of Ohio. That is right.

Mr. JOHNSON of Oklahoma. I fear the gentleman is mistaken.

Mr. SMITH of Ohio. Then I do not understand the figures.

Mr. JOHNSON of Oklahoma. The gentleman has the wrong figures. The estimate was $180,000,000.

Mr. SMITH of Ohio. That is the estimate the gentleman has here, but that certainly is not the estimate contained in the January Budget. The figure in the January Budget is $71,297,366.

Mr. JOHNSON of Oklahoma. I have not the slightest idea what figures the gentleman is reading.

Mr. SMITH of Ohio. I am reading from the Budget submitted in January.

Mr. JOHNSON of Oklahoma. A few supplemental estimates came in since the Budget figures were submitted. But I am quite sure the gentleman is confused.

Mr. SMITH of Ohio. Possibly I can show the gentleman the figures to which I refer.

Mr. JOHNSON of Oklahoma. We will settle this once and for all. If I am mistaken, I am willing to be corrected.

Mr. SMITH of Ohio. I am wondering whether the estimates of appropriations that the committee refers to in its report may not in some respects be different than the estimates given by the President in his Budget.

Mr. JOHNSON of Oklahoma. The only Budget I have seen is the one that came to the committee, and the figures are exactly as I have given them, $180,000,000 plus.

Mr. SMITH of Ohio. I wish the gentleman to understand that I am not questioning his figures. I am merely trying to reconcile them with the January Budget figures.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that the figures he has here were not submitted to our committee and, of course, they would not be in line with the appropriations for last year. The figures the gentleman gives do not take into consideration the public works appropriation, the appropriations in the public works chapter of the Budget.

Mr. SMITH of Ohio. The gentleman does not remember what that amount is?

Mr. JOHNSON of Oklahoma. Yes; I can give the figures to the gentleman. That figure is $116,346,875. Add that to the $71,000,000 and I think he will find that $180,000,000, exactly as I gave it to him, is correct. Now, I wonder if I may be permitted to conclude without interruption. Later I will be glad to answer any questions.

The members of the committee are unanimous in the feeling that we should retrench expenditures which are not directed to war efforts. In this connection let me discuss briefly the rather drastic reductions in travel. I will give you some figures of reduction in travel expenses.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, as much as I regret to do so, I must ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, travel expenses for the next year have been reduced for the Bituminous Coal Commission alone $65,000. The total travel reduction, which I believe I gave you awhile ago, was $571,000. The travel item has been cut by the committee nearly 20 percent.

The soil and moisture item has been referred to as a nondefense item and therefore some have suggested that it also be drastically cut. The committee heard witnesses with reference to that work and decided it is doing a very splendid job. They administer 279,000,000 acres of land. Think of that, 279,000,000 acres of land in the Grazing Service, the Park Service, the Land Office, the Indian Office, the Bureau of Reclamation, and the Fish and Wildlife Service. A large portion of this vast area is very seriously eroded. Much of such land is situated on the Colorado River shed above Boulder Dam. The committee was advised that 100,000 acre-feet of soil have been washed into Lake Mead above Boulder Dam since its construction. The committee feels that every possible precaution must be taken to stop this threat on the continued value of the dam.

The General Land Office. The gentleman from California [Mr. CARTER] will probably discuss that in some detail. May I say that this is another one of the Federal agencies in the Interior Department that is saving money to the Treasury. Last year it turned into the Treasury $7,000,000.

We now come to the Bureau of Indian Affairs, which I will discuss only briefly. We have cut $718,000 from this Bureau. We have eliminated funds provided in the estimate for the National Indian Institute which was mentioned a few moments ago, I believe by the gentleman from Nebraska. I may say to the gentleman that the committee after hearing the evidence decided to eliminate every dollar asked for by the Indian Service and recommended by the Bureau of the Budget. So there is not a dollar of appropriation in this bill for proposed Indian culture in South America or Mexico. We are much more interested in Indian culture in the United States of America.

Mr. STEFAN. I want to commend the gentleman and his committee for that attitude.

Mr. JOHNSON of Oklahoma. I thank the gentleman.

Mention has been made that the Bureau of the Budget suggested that one lump-sum appropriation be made for 18

Indian schools. This is not the first time the Bureau of Indian Affairs and the Budget have made such suggestions. The fact is that in 1934 the Bureau of the Budget sent to our committee a Budget estimate proposing to make the entire appropriation for the Indian Service in just a few, probably 8 or 10, lump-sum appropriations. Every year without exception the committee has refused to yield to the demand on the part of the Indian Service to make these lump-sum appropriations.

The main proposed lump-sum appropriation in this bill, so far as the Indian Office is concerned, was the proposal to put in 1 lump-sum appropriation item funds for the operation of 18 Indian schools. The Indian Office did not hesitate to tell us that it proposed to close 5 Indian schools, 3 of which had none but orphan Indian children, or children from broken homes. I am glad to advise that the committee refused to follow the suggestion of the Indian Service to make this lump-sum appropriation and we refused to follow the suggestions of the Bureau of the Budget. We made available funds to continue these little weak schools that are attended by the poorest children on the face of the earth. We took sufficient funds and from other departments and agencies to keep those schools going and made a sizable saving. One saving effected was to eliminate the funds requested for the Indian culture proposal.

The committee has not made an appropriation to continue the Leupp School and hospital in Arizona, because of a War Department request. While the committee was holding its hearings we got such a request. While the matter has not been finally determined we are reliably informed that the War Department will make use of this school and hospital.

I wish I had time to discuss the situation among the Indians in Alaska. Tuberculosis in Alaska is about 13 times as prevalent among the Indians as it is among the Indians of the United States and much more so than among other natives. It is many more times as prevalent, I understand, among Indians than among white residents in Alaska. That being true, it is a deplorable fact that there are only 32 beds available in one hospital for tubercular Indians in Alaska.

I may say here that last year the committee made available $250,000 to construct a hospital in Alaska to meet this very urgent situation last year, but again the Bureau of the Budget decided that the committee did not know what was best, I assume, and in the name of economy impounded those funds, and that particular hospital has not been constructed.

I simply wish to express the hope here, as I did in the committee this morning and as I did before the subcommittee, that the Bureau of the Budget will find it feasible, practical, and humane to release the funds for that particular hospital in Alaska.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Has the gentleman any figures showing the percentage of active tuberculosis among the school children of Alaska?

Mr. JOHNSON of Oklahoma. I do not have that percentage, but I know it is alarming.

Mr. CRAWFORD. I wonder if the Delegate from Alaska can answer that.

Mr. JOHNSON of Oklahoma. The Delegate from Alaska is here and will no doubt discuss the matter somewhat in detail later and answer any question the gentleman may propound. The gentleman may be able to answer the gentleman's question now; and if so, I yield to him for that purpose.

Mr. DIMOND. I thank the gentleman.

As the chairman of the subcommittee has so well said, the incidence of tuberculosis among the native Indians, Aleuts, and Eskimos of Alaska is about 13 times as great as in the United States as a whole. The incidence of that dread scourge among the children is equally high. It is one of the most serious problems we have with respect to the natives of Alaska to try to check and finally wipe out the tuberculosis which now rages among them. I am profoundly grateful to the gentleman from Oklahoma for the effort he has so unselfishly put forth to help us secure funds to enable us to take care of this distressing condition among the natives of Alaska.

Mr. CRAWFORD. I think the official records will show that in Japan, which is somewhat similarly situated, the figures exceed 60 percent of active tuberculosis among school children.

Mr. JOHNSON of Oklahoma. In Japan? Well, as much as I despise the Jap war leaders, and as deeply as I feel that Japanese aggression must be destroyed, I would not want even our enemies to die with that dreaded disease of tuberculosis.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, again I am forced to ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. FITZPATRICK. I asked Mr. Collier or someone else connected with the Bureau of Indian Affairs as to the increase in the incidence of tuberculosis, and found that since the white man established his way of life in Alaska tuberculosis has increased. We should do something to eliminate it.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his very splendid statement.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Michigan.

Mr. DONDERO. May I ask how that percentage compares with the percentage of tuberculosis among the Indians in the United States?

Mr. JOHNSON of Oklahoma. It is about 13 times more than among the Indians in the United States, so I am advised.

I should like to discuss the road item for a minute. My distinguished colleague the gentleman from Oklahoma [Mr. CARTWRIGHT], the distinguished chairman of the House Roads Committee, and members of his committee, will be especially interested in this. The committee has made a reduction of $1,302,000 in Indian road appropriations. For some years we appropriated $5,000,000 for this important item. We were able to come before you and say that this $5,000,000 would keep 10,000 or 15,000 unemployed Indians at work throughout the year. Year after year this item has been reduced. It came to us this year with a very substantial reduction. In spite of that, the committee, adhering to its determined policy to cut nondefense activities where humanly possible to do so, reduced this item of Indian road appropriations $1,302,000.

The construction program for the Indian Service has been practically eliminated. Only $366,000 is provided for all the construction work of its many activities, as compared with $1,903,445 for the current year. Only items for essential repairs and to correct faulty sanitary and health conditions have been included in the bill.

Before I leave the Indian section of the bill, may I refer to one interesting discussion in the committee that I feel may be of interest to some Members. The discussion had to do with the service being rendered now to our country in the military and naval services by Indians of all tribes in many States of the Union.

Seventy-five Indians have been serving, and as far as we know are now serving, on the Bataan Peninsula, where General MacArthur and his brave men have made such a heroic stand. Most of these Indians are from Arizona, New Mexico, and Oklahoma.

You may be interested to know that General Tinker, who is in command of the air forces in Hawaii, is an Osage Indian, and was educated at Haskell Institute.

The Indian Bureau told our committee that it had information that the percentage of Indians of draft age who voluntarily joined the military forces is considerably higher than that of any other group in the entire United States.

I have discussed the Geological Survey briefly, and the Bureau of Mines, and touched on the Parks Service.

I may say that the Park Service is reduced to a greater extent than any other service. The total amount recommended is $5,322,000, which is $140,890 below the Budget estimate. This reduction in the estimates of $140,000 is reflected by a reduction under the current appropriation bill of $9,287,000.

You may be interested in knowing that the Travel Bureau, about which there has been some discussion in the past, had more than $75,000 last year for the operation of that Bureau. Now, because

of the fact that the Nation is in the throes of war and it is reasonable to expect that travel will be curtailed drastically during the next year, the Travel Bureau item came to our committee cut from $75,000 to $20,000, and after hearing the witnesses the committee cut it again half in two. I may say for the benefit of my colleague the gentleman from Oklahoma [Mr. MONRONEY], who did a good job in his efforts to cut travel pay in another bill and who I believe was not present when I discussed travel pay, that the travel pay is drastically cut in this particular item, as it is in practically every other item in this bill.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. ANDREWS. Why do you not cut out the Travel Bureau entirely?

Mr. JOHNSON of Oklahoma. The committee, after hearing the representative of the Bureau, felt that it is rendering a service that would not justify its being eliminated entirely.

There is one item under the fish-and-wild-life service that I think I ought to discuss briefly. A while ago I discussed some other items in connection with this activity, but I want to refer now to one item where the committee cut $1,000,000 for the Federal aid to wildlife restoration, a reduction of $1,500,000 below the 1940 appropriation. While this fund is secured through a special tax for particular purposes and a bookkeeping credit is set up for it on the books of the Treasury, a full expenditure of receipts will work toward depletion of general funds in the Treasury and it is believed that the sports people of America will recognize the situation and will cooperate with the Congress in letting this fund accumulate until our financial structure is in a stronger condition. The question has been raised that this is not money from the Treasury, that these are funds received from the sports people of America and why cut the funds? It is in a similar position to that of a tribe of Indians who come before our committee and say, "You cannot cut our funds for this, that, or the other purpose because these are our own funds." I realize and appreciate the force of that argument, and yet after all, it is our responsibility and the members of the committee feel that we may forego the spending of some of these funds at this time in view of the war, and build up a spending fund here of several millions of dollars to be used in post-war days that we hope are not too far around the corner.

I have one more item to mention and that is with reference to territories which I am sure the gentleman from Alaska and others will discuss in detail. The committee has brought in an appropriation of practically the same amount for the islands as was recommended by the Budget. This includes Alaska, Hawaii, and the Virgin Islands, and as I have said, there are few changes.

In conclusion, let me say in a general way, as I stated at the outset, some of these cuts may be too drastic, and if so you will have an opportunity at the amendment stage of the bill to increase them. Some of the items may not be cut enough, and if so I welcome an amendment from anybody who can find a place where they can further reduce this bill. But, on the whole, remembering the fact that the bill came to the committee $60,000,000 below what it took to operate the same Department last year, and remembering also that this is the first department of the Government that voluntarily reduced its appropriations for next year after the Budget had made a drastic cut, it occurs to me that the committee has done a reasonably good job in further reducing the appropriations $17,700,000 below the Budget estimate.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, what I shall say, perhaps, relates to what you might call the Interior, but not specifically to this Interior bill. I think the Congress is entitled to have the benefit of a situation which I discovered over the week end on a visit back to my State of Wisconsin. It relates specifically to a loophole that appears in the tire-rationing program of this country. If there is any one thing that is threatening the economic stability of our Nation than any other it is the tire-rationing program. It concerns almost every person in the country that has used the automobile as a means of conveyance.

Under the tire-rationing program there have been set up in all counties of this Nation tire-rationing boards. I will confine my remarks to the tire-rationing board in my own county, which is headed by a patriotic citizen who is devoting his time without pay in an effort to carry out the purposes of the tire-rationing program.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-two Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

Baldwin	Gore	Marcantonio
Barry	Hare	Martin, Mass.
Beam	Hart	Merritt
Bishop	Healey	Mitchell
Boehne	Holmes	Myers, Pa.
Bolton	Hook	O'Day
Bradley, Mich.	Howell	Osmers
Bradley, Pa.	Jarrett	Pfeifer, Joseph L.
Buck	Johnson, Lyndon B.	Pierce
Buckler, Minn.	Kee	Plauché
Buckley, N. Y.	Kelley, Pa.	Ploeser
Byron	Kelly, Ill.	Rivers
Cannon, Fla.	Kennedy, Martin J.	Robinson, Utah
Celler	Kennedy, Michael J.	Sacks
Clark	Kilday	Satterfield
Cole, Md.	Kleberg	Scanlon
Courtney	Klein	Schaefer, Ill.
Culkin	Kocialkowski	Schulte
Dies	Kramer	Scrugham
Dingell	Lambertson	Shafer, Mich.
Ditter	Lesinski	Shannon
Domengeaux	Lewis	Sheridan
Durham	McGranery	Short
Eaton	McKeough	Smith, Pa.
Elliot, Mass.	McMillan	Smith, Va.
Faddis	Maciejewski	Smith, Wis.
Fitzgerald	Magnuson	Stearns, N. H.
Flannagan	Mahon	Stratton
Gale	Thomas, N. J.	Sumner, Ill.
Gavagan	Tolan	Sweeney
Gifford	Treadway	Vreeland
	Voorhis, Calif.	Wadsworth
		Walter
		Ward
		Weaver
		Wene
		White
		Worley

The Committee rose; and Mr. MCCORMACK having assumed the chair as Speaker pro tempore, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 6845, found itself without a quorum, that he thereupon caused the roll to be called, when 331 Members answered to their names, and he handed in the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Wisconsin will resume.

Mr. KEEFE. Mr. Chairman, when I was interrupted I was discussing the question of tire rationing. We are all familiar with the fact that the Office of Price Administration is vested with authority to issue regulations with respect to the rationing of tires, and the Nation has been told that only those falling within the classifications set out in those regulations will be able to procure tires. I call to your attention a situation that has developed in my country, which I think offers a loophole in that law, which is causing grave concern and a great deal of discontent among the people of the Middle West. Under the regulations issued by Mr. Henderson's organization certain people in certain classifications may, upon application to the local tire administrator or the local tire rationing board, secure a certificate, which will permit them to go to a tire dealer and buy a tire. Among those falling within those regulations are farmers. Farmers are permitted to make application to the tire rationing board for tires to equip certain types of farm vehicles and equipment which are specified in the regulations. This situation has developed: For many, many years the manufacturers of farm vehicles have been selling in the open market through the farm-implement dealers types of light farm wagons, and to my certain knowledge those wagons have been sold to the farmers without tire equipment.

They have advertised the sale of those wagons to the farmers, advising them that if they will purchase a light farm wagon and can get hold of four old tires, if they will bring the tires into the shop selling the wagon the proprietor would mount the tires on the farm wagon, using pneumatic tires. The wagon itself is in the stock of the farm implement dealer. That has been a customary practice for years and years, and the practice has been for the farmer to buy a little light wagon, and then go out some place and get some second-hand tires with which to equip it. Every dealer in my district selling light farm wagons today, with the exception of the Sears, Roebuck Co., are continuing to maintain that practice. They all advertise and sell a standard light farm wagon that is built to be equipped with pneumatic tires, and they equip it with tires by going out and purchasing a used tire that is within the permitted class of tires that can be purchased without getting a certificate from

the Tire Rationing Board. What is Sears, Roebuck doing with the situation? They are advertising to the public, Come into our branch, and we will sell you a farm wagon at a cost of approximately $147, and we will now sell you that wagon equipped with four standard new tires and tubes that are adapted to the use of an ordinary standard automobile. I said to the tire rationer in my county, "That cannot be possible, because the regulations have indicated that no new tires may be sold without a certificate from the Tire Rationing Board." He replied, "That is exactly what we thought the situation was—that is, as we interpreted the law—that if a farmer had bought the farm wagon and had come to the Tire Rationing Board for a certificate to enable him to furnish four new tires, we, under the regulations, give him that certificate, but as a condition of granting that certificate under the regulations, he would be required to sign an affidavit setting forth under oath that those tires for which the certificate is given by the Tire Rationing Board, are to be used upon that farm-equipment wagon and for no other purpose.

If he took those tires off of that wagon, having bought his tires through a certificate from the Tire Rationing Board and put them on his automobile, he would then be subjected to the criminal penalties that are provided in the law, and could be prosecuted. One such prosecution has resulted already in my district.

Now, that same farmer can go to Sears, Roebuck & Co., buy a farm wagon equipped with four standard automobile tires. He does not have to sign a certificate under oath to a Government official, such as the tire-rationing administrator. He is simply required to sign a little statement which does not put him within the provisions of the criminal act relating to this subject. He signs a mere statement that it is his intention to use those tires on that farm wagon. He takes the farm wagon home, takes off the new tires, and puts them on his car, and takes the old tires off of his car and puts them on the wagon, and thus by that subterfuge he has acquired a brand new set of tires without ever having gone near the Tire Rationing Board.

The situation has become so acute that traveling salesmen and others who are not farmers are now buying farm wagons from Sears, Roebuck & Co., getting four new tires, taking off the tires and putting them on their car, remounting them upon the farm wagon, and then selling the farm wagon, thus acquiring four new tires for less than they would have to pay if they got the tires from an ordinary dealer on a certificate issued by the Tire Rationing Board.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. O'HARA. Is there some special regulation that applies to Sears, Roebuck that does not apply to the rest of the tire dealers?

Mr. KEEFE. Well, I do not know that, but I know that the facts disclose that when this tire-freezing order went into effect Sears, Roebuck had on hand one of the largest stocks of automobile tires of any company in the United States.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CARTER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KEEFE. When this matter came to the attention of the chairman of the tire-rationing board in my county he was amazed to see the loop-hole that existed in this law. He immediately wrote to the State administrator at Milwaukee and wanted to know how it was that these tires were being shipped in by Sears, Roebuck & Co. and being sold without the purchasers having to secure a certificate from his Tire Rationing Board. Each county is given a quota of tires, a very exceedingly small quota in my county at least. He was told by the State administrator, "Why do you worry about it? Those tires are not charged to your quota and so it is not any of your business."

Now, I say to you Members of Congress and to the public, it seems to me, without making any charges whatever, that there is a situation which ought to call for an immediate and thorough investigation.

If this company, Sears, Roebuck, can dispose of tires in that manner and circumvent the law in that manner, and thus insure the mounting and ever-growing sale of farm wagons at the same time, so as to get people to buy farm wagons in order to get tires when they do not need a farm wagon but want the tires, and are thus circumventing the plain mandate of the law, as the public has been told it was, it seems to me we ought to find out just where the regulation came from that would permit Sears, Roebuck to do what no other company in my territory at least is privileged to do. No other person selling light farm wagons can sell a wagon equipped with four standard automobile tires, but Sears, Roebuck is doing it. Why?

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CRAWFORD. We might just as well put the cards on the table. I am subject to questioning by the people of this country, as a Member of this House. We are at war. Mr. Leon Henderson is Price Administrator. Mr. Donald Nelson is head of the War Production Board. He is a former official of Sears, Roebuck & Co. Those two gentlemen are in charge. They are subject to being questioned by the people of this country. If there is anything to these charges, let those two public officials put their cards on the table and straighten up the case and get it behind us.

Mr. KEEFE. I do not know what there is to the charges except what I have told on this floor. I am making no charges. I am giving the Congress and the people of this country some facts—facts which I have checked on a recent visit back to my district this past week-end. I want to tell the Members of this Congress, with all the sincerity at my command, if we do not do something about these things the people of this country are in revolt, and properly they should be. The man who has got the money to go out and buy a farm wagon can get a set of tires, but his neighbor who does not have $147 to lay down on the line and comply with the law is denied tires. Think of the break-down of morale in that situation, which is one of the most vital, affecting the economic status of our people today. If one person is going to be denied tires they should all be denied tires. That is what I say.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. HOFFMAN. Does not the gentleman believe that under the A. A. A. program, this farm-rehabilitation program, the farmer might be able to borrow money to buy the wagon if he agreed that he would not say anything against the A. A. A. until the loan is repaid? On the official blank "Application for Rehabilitation Goods," appears this condition—I quote:

> I agree that at any time prior to the final liquidation of my loan from the Rural Rehabilitation Corporation to do nothing in opposition to the Agricultural Adjustment Administration program.

Mr. KEEFE. This thing should not affect the farmer. The farmer can get an order from the Tire Rationing Board for tires to put on a farm wagon not equipped with tires, but he has got to sign an affidavit that those tires will not be removed from that farm wagon, and if he does remove them and put them on his car, he can be criminally prosecuted; but he can go down and get them from Sears Roebuck on a mere statement that he intends to keep them, and he is not bound by the criminal provisions of the code. They are buying farm wagons, taking the tires off and putting them on their cars. I do not blame them, but look at the loophole that exists.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. HOUSTON].

HOW WAR AFFECTS SMALL BUSINESS

Mr. HOUSTON. Mr. Chairman, we are indebted to the Bureau of Foreign and Domestic Commerce under the able and intelligent leadership of Carroll L. Wilson, for a report on what war does to a region's normal economy. The Bureau has taken a leading role in the conversion of facilities from a peacetime basis to a wartime footing.

The Bureau's report shows that defense centers are areas of great activity, and in general small business in these areas, whether engaged in retailing, wholesaling, services, or in manufacturing, are sharing in the boom. However, certain types of retail and wholesale establishments have been definitely injured by restrictions on materials, and certain manufacturers have been forced to curtail activities through inability to obtain the necessary stocks of raw materials or finished or semifinished goods.

Outside defense areas the story is different. In general, business is becoming depressed; population is moving away. A high percentage of vacancies in residential and business property is the rule, and towns and cities are faced with lower valuations and greatly reduced revenues.

This is taking place in spite of the fact that cash farm income has greatly improved, and indications are that it will continue high in the current year.

Small business firms have felt the impact upon labor supply and labor cost of the brisk demand for skilled labor to man war-production lines. Shortages of highly skilled workers characterize the defense areas. While unemployment is still prevalent and no general shortage of labor exists, many skilled workers have been lost to war plants. This is, of course, partly the result of lay-offs due to the curtailment of civilian output. Looking forward to the time, however, when the plant facilities of these small manufacturers are mobilized into the vast structure of national war production, they will have the serious problem of rebuilding skilled working forces.

There is much idle machine-tool equipment. Even the most active firms engaged in war work are operating for no more than one shift, with few exceptions. In such instances two or three shifts could be added. In the main, however, the problem of putting these idle machines to work is one of conversion through subcontracting, pooling, or other means.

A very large portion of firms are operating with a high percentage of normal staff. Several reasons probably account for that. In some cases the firms are one- or two-man concerns in which reduction is impossible. Some firms maintain their workers on a part-time basis. In many instances the firms have been operating for years far below full capacity and normal staff has been adjusted to that basis.

To a large extent, firms reporting no Government orders, either on a prime contract or subcontract basis, are outside the defense centers. Companies in defense areas appear to have had much greater success in obtaining subcontracts. A general complaint of small subcontractors is that such contracts are obtainable only on an unprofitable basis.

Those firms which find it possible to continue in business are experiencing higher labor costs. Wage rates have advanced as Government contractors have striven to extend the roster of war workers. For those companies endeavoring to carry on in the face of sharply reduced operations, the problem of labor costs has been accentuated by lowered plant efficiency.

Kansas alone among the States in the Kansas City region has an increase in employment. Workers continue to migrate to Wichita for employment in aircraft plants. There are local dislocations in less-favored communities, of which all but a few have suffered a loss of population. The young people have gone into the armed forces or have moved to defense areas and that trend is expected to continue.

The trend in population which has not only reduced numbers in small towns but also raised the average age of the population, is of course not conductive to local business activity. An important offsetting influence this last year, however, has been the highest cash farm income since 1920. Farm returns will be maintained at high levels in the current year. Nevertheless, these small towns and cities outside of defense areas have been faced with high percentages of vacancies in both residential and business properties, lowered valuations, and decreased revenues.

In the last few weeks, the situation has become worse. In many small towns, some of the principal businesses have been automomobile agencies, repair shops, and filling stations. Restrictions on automobiles and tires have crippled an important segment of the economic life of these towns. Moreover, many persons formerly engaged in these businesses are now moving to defense areas for a livelihood.

In other ways, also, tire rationing may have the effect of reducing population in outlying towns and cities. Many workers found it convenient to commute to defense areas, maintaining their homes and families in the old home. Still others lived apart from their families during the week, and drove back each week end. The movement of workers and their families away from small towns has been accelerated by tire rationing. A radical increase in this trend is already indicated.

Further evidence of the plight of small towns is furnished by the experience of utility companies. An independent telephone company reported that in 90 percent of the towns served in Kansas the number of stations has been reduced. Sizable declines in the number of gas, electric, and water meters have been reported.

Machine shops in many small towns of Kansas employ normally from one to five people. Some are entirely idle and many are running at not more than 10 percent of capacity. Workers have been laid off and reemployed in war work in distant centers. In a few cases, the machines have been stored and the owner has joined the exodus to defense centers. Many machine-shop owners have already sold some of their equipment; such sales are increasing, and the end of the war may find the small towns without adequate machine-shop facilities.

Shortages of seasonal farm labor as a result of declining population in small towns threatens to become serious. Even though higher farm wages are paid, seasonal farm work cannot meet the competition of sustained employment in the war industries.

In only a few cities has population been maintained and these were generally located in or near defense areas. The centralization of war production is taking a heavy toll of the small towns, modifying the traditional patterns of life in the Middle West.

It is not too late to start an orderly approach to the whole subject of mobilization of industry and manpower and a better distribution of war facilities.

Mr. CARTER. Mr. Chairman, I yield 25 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman——

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. VOORHIS of California. I have a very real affection for the gentleman from Pennsylvania and just hope that in the beginning of his 25 minutes he will take it sort of easy, because before he gets through I know he will be going strong.

Mr. RICH. May I say to the gentleman from California that I have great respect for him. I know that whenever he takes the Well he goes to town and puts all the energy and steam into it he can. I will try to keep from breaking any blood vessels, do the best I can, I assure the gentleman.

Mr. Chairman, we have before us today the Interior Department Appropriation bill. I want first to pay my respects to the committee, the gentleman from Oklahoma [Mr. JOHNSON], chairman; the genial gentleman from New York [Mr. FITZPATRICK]; the gentleman from Washington [Mr. LEAVY]; and our good friend from California [Mr. SHEPPARD], on the minority side; and then coming over to this side we have the genial, good-looking ALBERT CARTER, from California, and my standby, the gentleman from Ohio [Mr. JONES], who is always on the job and working hard. They are all fine fellows and they have worked hard on this bill. I certainly want to pay them my respects for their diligence in trying to perfect the bill we bring before you this afternoon which we call a perfected bill but which needs a few changes.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield for an interrogation?

Mr. RICH. Certainly.

Mr. SHEPPARD. I wonder if the gentleman wants to change the general percentage of the House when he puts in the RECORD the statement that I and my colleagues on this side represent the minority? Does the gentleman mean that?

Mr. RICH. I will leave that for the gentleman to determine for himself.

Mr. Chairman, we will win the war with work, we will win the war with production, we will not win the war with spending. Ever since I have been a member of the Interior appropriations subcommittee we have had very great difficulty in trying to hold this bill down. The committee has always had so many demands made upon it not only from members of the committee but from every Member of the House trying to get something in the bill for his own particular district that it has been an almost impossible task heretofore. This year, however, we got help from all the members of the committee in trying to cut this bill down, and this is really the first time since I have been a member of the committee that we have all had the common thought in mind of trying to reduce the expenditures. This change of attitude has been brought about because we realize we are in a situation today where we must spend only for the essentials of the operation of Government; that the nonessentials should be left until after we win this war. That was the thought in the minds of the members of the committee, but before we complete this bill we are going to have an opportunity to reduce a number

of items still more. Some of them I will call to your attention now.

The Grazing Service is one where I think we can reduce the amount considerably.

Now, there is the Bituminous Coal Commission. You heard on the radio this morning the recommendation that the people fill up their coal bins now, because it is believed that it will be difficult for them to secure coal in order to fill their bins later on this fall. There will be no difficulty in the coal operator securing a price up to the point that Mr. Henderson will permit them for coal. The demand is here. Therefore we do not have to spend the same amount of money that we have been spending during the last 4 or 5 years on the Bituminous Coal Commission. The people in this Commission ought to be given jobs in other places in the Government where they can be employed at gainful occupations and in something that will be to the best interest in winning this war. We can eliminate at least half of this organization and put those people in other branches of the Government service.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. RICH. I yield to the gentleman who had charge of this branch of the bill in the committee.

Mr. FITZPATRICK. The former chairman of the Bituminous Coal Commission, Mr. Gray, testified before our committee that if we eliminated the Bituminous Coal Commission or even a part of it they would have to set up a new commission to take over the distribution of fuel in the United States and that their salary would come out of the taxpayers direct, while if we continue the present Commission there will be about $3,000,000 turned back into the Treasury of the United States.

Mr. RICH. If Mr. Gray cannot handle this job with half the men he has, we ought to get somebody in place of Mr. Gray. I am sure however, Mr. Gray can do the job. The Bituminous Coal Commission for 7 or 8 years has been a large organization trying to determine the price of coal. It has gone into the matter from every angle. That body is not essentially necessary as I see it today in the handling of this branch of the Government.

Mr. CRAWFORD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Would the gentleman go so far as to say, based upon his study, that it is very good practice and perhaps a necessary practice for the people of this country to now fill up their coal bins in order to avoid as much of a load on the transportation system next fall as is possible?

Mr. RICH. I think that is a wise thing. I think the people of this country should fill up their coal bins soon after the 1st of April so that they will relieve the railroad companies of this burden next winter. The railroad companies will be able to deliver now, the miners will have full work during the summer and this will be a great help in winning the war. The people then will be able to take care of themselves and will not have to depend on the Government to do it later on this fall.

We come now to the soil and moisture conservation operation for which there is in this bill $1,300,000. It seems to me we ought to make a great cut in this part of the bill.

The printing and binding section of the bill ought to have a still further cut than we have been able to make.

We come next to the Bonneville power project out in the State of Washington from where my good friend the gentleman from Washington [Mr. LEAVY] hails. The gentleman from Washington [Mr. LEAVY] is probably the best go-getter we have in Washington, so far as I know, but we have in there an item for transportation of power for building up new lines and for securing contracts for the use of this electricity. If the statements that have been made before in reference to the securing of contracts and the demand for power are true we certainly can cut this item in half.

Then we have an item in here for surveying public land. There has been more money spent in surveying public land in the last 3 or 4 years than has ever been spent in all the history of our Nation for surveying. This could be deferred until after we win the war and thus save those engineers, to be used on other Government work. The Government needs many engineers at this particular time.

We also have an item in here for rehabilitation of needy Indians, $1,000,000. It seems to me that with the demands we have for labor now the Indians could be given work on the outside that would relieve this item a considerable amount, if the Indian Bureau will use its best endeavor in trying to see that these men are given jobs. I am sure they can do that, and we ought to reduce the item.

Then we have the reindeer service in Alaska, $91,160. Do you remember what a good time we had during the last 3 or 4 years talking about Santa Claus and the reindeer? The majority party put over a bill to buy those reindeer up in Alaska. The United States Government now owns them. It has cost the Government a million dollars all told. Because we put up a fight we did to save a couple of million dollars in the purchase price, but we do have the reindeer. Every member of this subcommittee I think admits that the purchase of these reindeer has proven a failure, but we still have in the bill $91,000. If we would give the natives of Alaska a bounty of $50 apiece for catching wolves we would do more to aid the reindeer industry in Alaska than any other thing we could do. We would save the men up there who are acting as herders and men who are looking after the reindeer. The elimination of those wolves will do more for the reindeer and to furnish food for the Alaskan people than anything I could suggest.

Mr. CRAWFORD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In reference to the reindeer proposition, from the committee's report I notice a statement to the effect that there have been 34,000 head of reindeer lost on account of the depredations of wolves and from other causes. What does the committee understand is likely to happen to the 50,000 reindeer left in the herd?

Mr. RICH. Unless we get rid of the wolves, I do not know how you are going to maintain the herds up there. I might cite you this: In the State of Pennsylvania 30 years ago we had very, very few deer. We paid a bounty on wildcats and other obnoxious animals that would kill the deer, and prohibited the running of dogs. Today we have more deer in Pennsylvania than were ever known in that State. The year before last, when we permitted the killing of both does and bucks, several hundred thousand of them were killed.

If they would do the same thing in Alaska, if they would offer a bounty large enough so that the natives would trap the wolves, they would do more, in my judgment, to aid in the raising of reindeer than by hiring three times as many herders as we have trying to keep the wolves away from the reindeer, because they are unable to keep the wolves away. I am told that one wolf will kill a reindeer each day. He will just take out of the deer that part that he likes, which is the blood from the neck and part of the front quarters and the heart. Then he will let the carcass lie there. If we make an effort to rid Alaska of these wolves, we shall be doing more than anything else to save the reindeer of Alaska.

Mr. CRAWFORD. But there is nothing in the bill to provide for any such bounty?

Mr. RICH. No. I understand that in Alaska a small bounty is paid on wolves, but if the Federal Government would spend the money we are spending here and eliminate the herders and give a $50 bounty on wolves, I venture the assertion that we would not have 25,000 deer destroyed this year. And we would kill or capture hundreds of wolves.

I am not going to take much more time pointing out the various items in this bill that I think ought to be cut. We shall do that with amendments when we start reading the bill for amendment tomorrow. I hope you will all be on the floor then so that you can aid those of us who are desirous of cutting this bill still further, because, as I said before, if we want to win this war we must conserve on nonessential Government expenditures, and we have a good opportunity in this bill to do so.

As to the National Park Service, I suggest that you place a 10-percent cut on the operation of all the national parks in this country, and take it off in 1 item. That would be the quick way to do it, and it would probably be just as good as if you would knock 10 percent off of each item. By doing that we would save offering about 50 amendments to the bill.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman has discussed how we might get rid of the

wolves in Alaska. Would the gentleman care to discuss how we might get rid of the wolves in Washington?

Mr. RICH. I suppose the gentleman from Ohio in referring to wolves means those who are getting out of the Government things which do not rightfully belong to them, or getting more than their share of the currency of the United States for doing a little work. Is that what the gentleman means?

Mr. VORYS of Ohio. I mean those who are getting juicy meat that belongs to the Government. The gentleman and all other Members of Congress know what I mean. It is a problem that is worrying us and worrying the people.

Mr. RICH. If I wanted to do that, first I would say to the War Department and the Navy Department, as well as the President of the United States, who have the greatest amount of money to spend that has ever been given to any three departments of the Government in all history, that if they do not scrutinize the expenditures you are making and keep the wolves from getting more than a fair profit—and by that I mean industry, by that I mean radical labor leaders, by that I mean everybody who is getting too much for the service he is rendering to the Government—this country will be on the road to bankruptcy. We will not be able to endure it. We cannot win this war and keep it up.

When this administration came in power in 1933 they talked about the money changers in the temple. I remember, oh how well, they sang the song here in the House of how they would drive the money changers out of the temple. I can remember when President Roosevelt made his first inaugural address he talked about driving the money changers out, but goodness knows he has been the greatest money changer this Nation has ever seen. He has changed the money from the people of this country that have to the have-nots, and the first thing he knows he will break everybody and break the country. He has $35,000,000,000 to give away under lease-lend. I wonder whether some day when this is all given away, and remembering the $15,000,000,000 these foreign nations owe our country, will we have anything left?

I think the Congress of the United States is responsible for that. The men who voted to give him that power should take it away from him and assume that responsibility so that we have no wolves. It is your duty and it is mine to see that we do not have the spending that is going on in this country.

I picked up a paper yesterday morning and saw where some girl made $13,000 in the month of February. No girl or no man in this Nation should make $13,000 profit out of the United States by working 6 or 8 hours a day, I do not care who he is or where he comes from.

Have I answered the question of the gentleman from Ohio?

Mr. VORYS of Ohio. The gentleman certainly has given an answer that shows he understood the question.

Mr. RICH. You know what I think about it.

Mr. VORYS of Ohio. I wonder if the gentleman does not think that $11,000 in 3 days for a secretary of a company, as was stated in this morning's paper, is not pretty good reindeer meat to get out of the Government?

Mr. RICH. If she got $1,000 in 3 days it would be too much money.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The gentleman has mentioned the case of Jack & Heintz, Inc., of Ohio. In my opinion, the Congress will have to answer on that proposition. Let me submit this question to the gentleman as a member of the Committee on Appropriations. After Congress appropriates these tens of billions of dollars for the war effort, what control have we as a Congress over the expenditure of these dollars?

Mr. RICH. The Congress has nothing to do with it because you have put that power into the hands of the Chief Executive and the Army.

Mr. CRAWFORD. Then let us make that clear to the country.

Mr. RICH. The Army does anything the President wants, and Mr. Roosevelt is responsible for those contracts, and I want to go further and say that Congress has no business giving him that power.

Mr. CRAWFORD. I agree with the gentleman on that, but he has the power. Now, let us go a step further. There is a Priorities Board, is there not?

Mr. RICH. I think so; yes.

Mr. CRAWFORD. And that Board can say to every industry in this country exactly what it can have in the way of materials. That is true, is it not?

Mr. RICH. That is right.

Mr. CRAWFORD. Then there is a Department of the Army and a Department of the Navy, and a general set-up of the Government for making contracts.

Mr. RICH. That is right.

Mr. CRAWFORD. And the administrators of these contracts agree with these companies as to what prices they may charge for equipment of airplanes and the ships and the field guns and everything else. That responsibility is not upon the Congress of the United States, is it?

Mr. RICH. No; it is the President's responsibility, and that practice is wrong.

Mr. CRAWFORD. Let us straighten that out now.

Mr. RICH. It should not be permitted, because the ones who are issuing those contracts should certainly know that when a man is making 50 percent or 100 percent as a profit, that is too much, and they should never give anybody a contract of that kind.

Mr. CRAWFORD. There are plenty of ways for the administrators of these contracts to find that out.

Mr. RICH. Absolutely. They should get the information if they do not have it.

Mr. CRAWFORD. There is no difficulty whatever in finding that out, and my question is this: Is that responsibility upon the Congress of the United States at this time, or is it upon those Government officials who let the contracts?

Mr. RICH. That responsibility is upon those officials who let the contract since the Congress has given those men that right. That right was given to the President of the United States and the Army and they are the ones who are responsible after the Congress did what it has done. I say the Congress should never have given the President and the Army that power.

Mr. CRAWFORD. I agree with the gentleman on that. Now let us see if we can do it in this way. Would the gentleman recommend that we repeal that part or that power and, if so, what procedure would the gentleman set up for letting the contract?

Mr. RICH. We should repeal that power to the President. I will tell you that the people of this country today are all interested in winning this war. If there is anybody who wants to win the war, I am that person, but I was opposed to getting into this war—get me right there—and we could have stayed out of it if we had run things in the right way. But that is neither here nor there now. I am for winning the war. Now, anybody who criticizes the administration for anything that is for the best interest in the direct winning of the war, they are criticized and they want to call you or me or whoever criticizes the administration fifth columnists, but we are only looking after the interests of the Federal Government when we act in that way. We are not fifth columnists. You are not a fifth columnist and I am not a fifth columnist. We are only trying to serve our Nation in doing those things which are for the best interests of the people so that we will have enough money to support this war to the bitter end, furnishing MacArthur and his men with the guns and the ammunition to prosecute the war until we do win it. To maintain our Government and our liberty.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield 20 minutes to the gentleman from Vermont [Mr. PLUMLEY].

FRIVOLOUS FOLLY

Mr. PLUMLEY. Mr Chairman, because of a popular uprising against the way civilian defense was being operated, the fan dancers, et cetera, there has been recently transferred from the Office of Civilian Defense to the Office for Emergency Management and put under the direction of the Honorable Paul V. McNutt, a division which is concerned with the promotion of sports—not what you think but games and other forms of recreation for civilians—when we are at war. It is not funny.

Now, I know that the health and the fitness of American youth is essential. I know also that for years the fathers and mothers, the schools and colleges, and every other instrumentality which has had in mind the upbuilding of the physical qualifications of the coming generations, have devoted their time and effort to developing the Americans of tomorrow along the lines of physical fitness for whatever the future might hold in store. Those organizations are already estab-

lished, functioning, and all-out to do their part to help win the war without Government interference.

A FANTASTIC EXTRAVAGANZA

To suggest that the Federal Government should undertake to tell the fathers and mothers, and the States and towns and villages of this land that only it, the Government, could know who was fit to undertake to act as physical fitness director, at the expense of the taxpayers of the States, is so ridiculous, so foolish, so asinine, as to make everybody who had anything to do with the establishment of such a program look exactly as you think he does. If you want to know how they look, all you have to do is ask the public, which thinks it is a joke, but a joke at its expense, and it is getting sick and tired of this type of humor.

UNCOMIC RELIEF

The attitude of the public in fairly reflected by the Chicago Daily Tribune in an editorial which appeared on March 18, 1942, entitled "Most Uncomic Relief," and which reads as follows:

Looking at the Office of Civilian Defense, one would be justified in concluding that it was devised to provide low comedy relief for a war-harassed population. But inasmuch as the agency was organized on the assumption that American civilians may some day face the same hazards that war has brought to civilians in Europe and Asia, its frivolous antics are distinctly unfunny.

Senator BYRD recently called attention to the Office of Civilian Defense's Division of Physical Fitness. No sooner had he done so than Office of Civilian Defense Director Landis sloughed it off—not off the shoulders of the taxpayers, to be sure, but to the pay rolls of Social Security Director McNutt. The boondogglers aren't fired; merely shuffled.

The activities of the Director of the Division, Jack B. Kelly, seem designed to make the public forget even the frivolities that Mrs. Roosevelt sponsored during her disruptive and unhappy tenure in the Office of Civilian Defense. His specialty is the appointment of a national coordinator for every athletic activity that any one in the country has ever attempted. At last report he had 61 of them, not including log birling. He has, however, not neglected such esoteric pastimes as weight lifting, horseshoe pitching, and code ball.

Code ball, it appears, is a distinct relative of golf in which the player kicks the ball without the usual formality of first throwing his clubs into the nearest water hazard. He has no clubs to throw. The inventor, and thus the natural candidate for national coordinator of the sport, is Dr. W. D. Code, an estimable physician of this city. Dr. Code, with the benevolent patronage of Mr. Kelly, may be depended upon to use the war emergency to the limit to popularize his particular pastime, just as the principal manufacturer of bowling supplies has been successful in installing an executive of the agency which handles its advertising as the coordinator of bowling.

SPORTS OR SPORT

The place of sports in the war effort, meaning games, not those selected as administrators, is at best an unimportant one. The American people have been devoted to 61 varieties of sport that Mr. Kelly has dug up to coordinate, and in war as in peace will, no doubt, continue their participation so long as they have any money for it, after paying their tax and grocery bills. It is impossible to see why their activities in this direction need coordination, but the reason why it is provided is simple. It flows from the same social-worker cast of mind that in every conceivable direction is turning the conduct of this war into another New Deal boondoggle. This is the cast of mind that firmly believes that the people are incapable of doing anything for themselves and must have directions from a more enlightened source to conduct the simplest of their affairs.

BUSY BEES

Mr. Kelly and his busy bees in the Office of Civilian Defense are as firmly convinced that the ping-pong players can't get along without guidance as the bureaucrats in the Agricultural Adjustment Administration are convinced that the farmers of the United States haven't sense enough to plant the proper crops unless they have an Agricultural Adjustment Administration quota system to tell them what not to plant.

Mr. Kelly has asked Congress for an appropriation of a million dollars with which to carry on his fantastic program, and is quoted by Senator BYRD as saying that unless he receives at least $300,000 he will resign. This appears to be a heaven-sent opportunity for Congress.

CRAP-SHOOTER COORDINATOR

One of my long-time colored-boy friends said to me on my way over to the Capitol today, "Mr. PLUMLEY, I make application to be appointed crap-shooter coordinator for the Capitol air-raid shelters if this recreation business I hear about comes true." That is the answer.

HORSESHOES AND MARBLES

The Pittsburgh Sun-Telegraph had this to say editorially on March 17:

What can be the matter with our Government, anyway?

Do children's marble games in public schoolyards speed the production of airplanes and tanks and ships?

Can Hawaii be defended by canoeing in the Rappahannock River?

Can the Philippines be redeemed by lifting weights in Trenton?

Can Australia be saved by archery in the Adirondacks?

Does it help MacArthur and his gallant men if young men pitch horseshoes in Philadelphia or in Hohokus?

Pastimes are all right in their proper time and place; but what have such pastimes as billiards and badminton to do with the grim and grisly business of winning a "total" war?

PATERNALISTIC PROFLIGACY

Or why must a war Government, on which the despairing hopes of humanity rest, pause in its stern duties to lavish profligate and infantile paternalism on nursery games and penthouse "athletics"?

And this Office of Civilian Defense extravaganza is only a part of official Washington nowadays.

The terrible disorganization existing in the Government, the conflict of irreconcilable interests existing there, the waste of tax money, the dispersal of effort—the sheer confusion, in brief—has become so complete as to comprise almost a pattern in itself.

Maybe it is not an accident or the product of boundless incompetence, after all.

Maybe the new dealers have "planned it that way."

POOR, PURE PATERNALISM

I say that for the Federal Government to go so far outside the boundaries established for it, and to so far interfere with the lives and the liberty and the habits and the customs of the people of the several States is paternalism gone mad. It would be almost unbelievable were it not for the fact that so much has been done along similar lines of late, without any justification or reason, and always at the expense of the taxpayer, measured in dollars and cents, and sense, and in every other way.

The truth is some people have just gone crazy with their egocentric notions that it is up to them to save the world while they have the chance to demonstrate their superiority complex.

The time has now come for a showdown and for reflection, glamour girls or not. We must get back onto the bare ground of reality. Let us forget Hollywood and Eleanor for a minute, or forever, which would be all right with me. It is time to realize that there is a bottom to the barrel of money into which the taxpayers have poured their all and out of which have flowed the funds to finance all these senseless theories and experiments and fantastic folderol.

WE ARE AT WAR

We are at war, despite which fact so many seem bound and determined to carry on their program of wasteful extravagance and useless expenditure of the hard-earned dollars of the people, who profit least by reason of what is being done to them under the pretense of doing something for them.

Now here comes this physical fitness program to break the camel's back, following a period when these same proponents, who now urge this program, protested vigorously against training for physical fitness of those in the Civilian Conservation Corps. The program they offer does not make sense in any respect, and it should not be permitted to be carried out.

I agree with the distinguished dean of the minority, the gentleman from Massachusetts [Mr. TREADWAY], who said recently:

To my mind, nothing is doing more to undermine public confidence than the bungling and frivolous manner in which a vital and important branch of our defense program—the matter of civilian defense—has been and is being carried on.

Of course, the Office of Civilian Defense is a relatively new agency, organized to deal with a matter about which we, in this country, have had no previous experience. Some mistakes might therefore be anticipated and condoned, but we have the right to expect that the responsible officials of that agency would at least have some slight conception of the object and purpose for which it was primarily created, or ought to have been created, namely, the protection of civilian life and property. The sad fact is, however, that they have not demonstrated any such understanding. Instead of concentrating their activities on air-raid precautions, they have used a large part of their funds to carry on various sociological and entertainment programs more related to Sunday-school picnics than to the fierce realities of war.

While our people throughout the country have been crying out for instructions as to what to do in case of an air raid, and how to take measures for their protection; while they vainly seek instruction in the use of gas masks, in the handling of incendiary bombs, and in first-aid work; while they await the production and distribution of gas masks, steel helmets, auxiliary fire-fighting apparatus, and other necessary equipment, what do we find the vital and important Office of Civilian Defense to be doing?

Up until the time Dean Landis recently took charge of that agency, it was devoting its

energies and funds in a large measure to such frivolous activities as these:

Hiring a professional dancer, at $4,600 per year, to "develop dancers, rhythmic exercises, and the like, particularly for children who might be congregated together in times of disaster, such as air raids and the like."

Hiring a Hollywood movie star to arrange for public entertainments.

Hiring a colored track star, at $3,200 per year, to serve as a "roving staff assistant" on racial relations.

Hiring a number of racial relations advisers at $4,600 per year.

Hiring a newspaperman, at $12.77 per day and expenses, to go around the country writing "human-interest stories" relating to civilian defense.

Hiring a football coach, at $4,600 per year, to promote sporting exhibitions of all kinds and encourage physical recreation programs.

Hiring a consultant on labor problems at $22.22 per day.

Setting up a Know Your Government Division, with a chief receiving $8,000 per year, consultants receiving up to $22.22 per day and expenses, and a number of other highly paid executives.

Setting up a Physical Fitness Division, with a large number of high-salaried employees receiving up to $5,600 annually.

Setting up a Youth Activities Division to carry on various activities among the younger people.

None of these activities and others I could mention have the slightest relationship to the ostensible purpose of the Office of Civilian Defense, which ought to be to provide for the protection of life and property in case of air raids. Just why they should have been allowed to have been carried on in the first place is difficult to understand, but what is most deplorable is that many of these activities are still to be continued under the new head of the agency, Dean Landis, of the Harvard Law School.

It is true that Mr. Landis has made some changes in the organization which he inherited from his predecessor, which do away with some of the criticisms which have been leveled against it.

However, in the case of the Physical Fitness Division, its activities and personnel are simply being transferred to another Government agency, under Mr. McNutt. The public money will thus continue to be spent for the physical-fitness programs.

I therefore have offered a resolution which reads as follows:

Whereas there has been transferred from the Office of Civilian Defense to the Office of Emergency Management a division now under the head of Defense Health and Welfare Service, Paul V. M. McNutt, director, which division is concerned solely with the promotion of sports and other forms of recreation, headed by a so-called physical fitness director, and consisting of approximately 50 branches under the supervision of so-called national coordinators and their staffs; and

Whereas such activities are entirely unrelated to the purposes for which the Office of Civilian Defense was created; and

Whereas such activities constitute an unwarranted and wasteful expenditure of public funds, and are, in every respect contrary to sound public policy in such a crisis as that which confronts the Nation at the present time: Therefore be it

Resolved, That it is the sense of the House of Representatives (1) that the President should immediately order the discontinuance of all such activities by the Office of Emergency Management, and (2) that such activities should not be transferred to any other department or agency of the Government.

Mr. SHEPPARD. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, I know that upon occasions of this kind it is quite right and customary to pay tribute to your colleagues on the subcommittee who work with you in the preparation of the bill that is being submitted. I shall recognize that worthy custom. This is my last address on this floor under general debate on an appropriation measure that I have had the pleasure of participating in writing.

Most of our subcommittee has worked together for the full 6 years I have been here. I have found great satisfaction in being on three different subcommittees, all of them made up of splendid men. However, the one that writes the Interior Department appropriation bill, I think, has a greater task and a greater responsibility, if I may thus express myself, than any other general supply bill. For the first time, after a lot of hard work, a great amount of earnest effort, we have reported here a bill for the Interior Department that more nearly meets with general approval of all the subcommittee than ever before written by the committee, and it was reported out of the full committee this morning without any dissent.

Two weeks ago, when we were considering the agricultural appropriation bill, I heard Members on both sides of the aisle, good friends of mine, repeatedly say, "Wait until we reach the Interior bill, and that is where we are going to do some cutting." Now that the bill has been reported, and the result of the careful, painstaking work that has been done by the subcommittee is taken into consideration, I think there are grave doubts in the minds of many of the Members of this House that the amount ought to be further reduced.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes; I yield to my distinguished friend from Kansas.

Mr. LAMBERTSON. I just want to remind the gentleman that the agricultural appropriation bill went through the full committee just as serenely as this one did. I suggest that the gentleman do not take too much for granted.

Mr. LEAVY. And I may say to the gentleman from Kansas that I take nothing for granted in this House, and never have.

Mr. BROWN of Ohio. But there is one thing that we can depend upon—it will not have any rougher voyage than the agricultural bill had.

Mr. LEAVY. I am convinced that if it is treated anything like the agricultural bill was, in view of what the committee has done in the way of reductions, we might just as well eliminate the Interior Department in the Government and turn it over to the War and Navy Departments. I know that no gentlemen think that either good judgment or wisdom.

Mr. HOFFMAN. This bill involves an expenditure of $162,000,000, does it not?

Mr. LEAVY. Yes.

Mr. HOFFMAN. And the gentleman notices, of course, that there are less than 40 Members on the floor.

Mr. LEAVY. I have not counted the Members.

Mr. HOFFMAN. I have.

Mr. LEAVY. But I assume that the Members read the RECORD, like the gentleman from Michigan does, when he is not on the floor.

Mr. HOFFMAN. Can the gentleman tell me when I was not on the floor? I do not recall an incident of that kind.

Mr. LEAVY. I am not keeping track of that or having a check upon the gentleman.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes.

Mr. STEFAN. I merely want to answer the roll call.

Mr. LAMBERTSON. It ought to be noted of course that we are just in general debate all this afternoon.

Mr. LEAVY. That is correct, and I don't think that any one, even the gentleman from Michigan [Mr. HOFFMAN] will challenge the good faith of the membership in the performance of their duty, because they do not happen to be here at the moment. I know that the membership individually has a multitude of responsibilities and duties, and they must of necessity have some time in their offices to take care of things other than those that are pending on the floor at the moment.

Mr. HOFFMAN. And I am sure that if the membership had known that the gentleman, who is a judge now, or about to become a judge, were going to speak, they would all be here. I am not criticizing the Members for not being here, but it does seem, when we have these bills appropriating such large sums of money under consideration, that we should have more on the floor. I know that Members are receiving hundreds of letters insisting that we adopt some labor legislation, and, of course, some of the Members are in trouble and naturally they want to answer a lot of those questions.

Mr. LEAVY. Of the 435 Members of this House, I cannot for the life of me say this afternoon that any one is soldiering on the job that he has, and I do not believe that you can gather together in America anywhere the same number of men and women as constitute this House and find a more serious-minded, a more patriotic, more intelligent, and industrious group than we find in this American Congress.

I wish the American people would come to a full appreciation of the earnestness with which their Representatives seek to serve them. I can say this, because I am not a candidate for reelection this year.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Arizona.

Mr. MURDOCK. It delights me a great deal to hear the gentleman say this, because he can say it properly, not being a candidate for reelection, and also because he is a gentleman of sound judg-

ment. His distinction and view of what constitutes loyalty and patriotic devotion to public duty is of the highest order, and I want to thank the gentleman for saying exactly what he has said. I find a great deal of expression from those outside, that Members of Congress are simply sitting here playing politics, everything they do being done with the idea of gaining votes. The gentleman's statement just made will go far toward clearing up that very erroneous conception in the public mind.

I wanted to ask the gentleman a question. That is why I rose. Does the gentleman not feel that the difficulty we have with the Department of Agriculture appropriation bills and Department of the Interior appropriation bills arises largely out of the fact that what we pay out of the Public Treasury is so very evident, and what comes in, or what the Nation gets in return, is not always so very evident? For instance, I have heard gentlemen say there ought to be cuts made. The gentleman who just preceded you mentioned several. He mentioned the Grazing Division. It may be that there is a certain item in the bill for the Grazing Division, but if I remember rightly the chairman of the subcommittee earlier today stated that more than $1,000,000 income from that Division was received annually.

Mr. LEAVY. That is right.

Mr. MURDOCK. That is something which the public is overlooking. What the gentleman failed to mention this morning is the fact that not all of the receipts from grazing go into the Public Treasury. A share of it goes into the local treasuries, which is overlooked.

Mr. LEAVY. The gentleman is correct in his statement.

Mr. MURDOCK. I will not take more of the gentleman's time, but I do feel that we have a great asset in our partly developed West. Those States out yonder in the Rocky Mountain area, beyond the Mississippi River, serve as a source of supply not only for the needed things of today but for the future. They are the raw-products States. They constitute the national treasure chest. We must take care of our stewardship that we do not waste that heritage of the Nation, and it can be wasted by neglect.

Mr. LEAVY. I thank the gentleman.

Mr. MURDOCK. I wish to compliment and thank the gentleman for his part during the past 5 years in taking care of that stewardship so well by his actions in this committee and in the House.

Mr. LEAVY. I thank the gentleman for the splendid contribution he has made with reference to the functions of the Interior Department.

This year for the first time we had a new chairman of the Interior Department subcommittee, the distinguished gentleman from Oklahoma, JED JOHNSON. I feel that it is due him to state that I do not believe any chairman of any subcommittee of the Appropriations Committee in the history of the Congress has devoted himself more faithfully, patiently, and carefully to a consideration of the responsibility than has the able and distinguished gentleman from Oklahoma [Mr. JOHNSON].

The attitude of the entire committee was to economize, was to reduce, was to make cuts. My own considered and deliberate opinion and judgment is that this bill has been cut beyond a degree where it should have been. It has been cut to the point that certain essential activities of Government are going to suffer, and unless some of those cuts are restored, either by this Committee or when this bill reaches the other body, a most important agency in our American system of Government—the Interior Department—in the most critical time of our Nation's existence, is going to suffer, and suffer substantially.

I know there are certain personal feelings that reflect themselves, sometimes improperly so in my judgment, in the matter of writing an appropriation measure. I know there are some Members here who do not have the same acquaintanceship, the same knowledge of the able and distinguished Secretary of the Interior, Harold Ickes, that I do, who believe that cuts should be made, merely because that individual heads the Department. For my part, I am glad to say that even though there may be times when the Secretary would appear to be very direct, in my judgment he is one of America's great men, and he heads one of the great departments of this Government.

Harold Ickes is an intelligent, able, forceful, courageous, and patriotic man. In all that he has done—and he has done much for the great West—the breath of scandal has never touched his garments. The department he heads has spent billions of dollars—not millions but billions of dollars—since 1933. Some of us may differ with the wisdom of the expenditures, but no man can stand upon this floor or anywhere else and challenge the integrity of the man who has directed the expenditures, Harold L. Ickes.

I want to pay passing tribute to the clerk who prepared these hearings. They are splendidly indexed and well edited. For the first time a young man in the Appropriations Committee, who in keeping with the best traditions of the clerical staff of that committee, Bob Williams, had charge of editing these hearings, and is entitled to great credit; he did his work under the able direction of Jim Scanlon, editor in chief. Then, of course, the clerk of this committee, Bill Duvall, to whom we all turn for information and advice, is always entitled to commendation.

I am particularly interested in reclamation, and I will tell you why. I have only one small Federal reclamation project in my district. It is a very insignificant one. Six years ago when I was assigned by the then chairman of the Appropriations Committee to the Interior Department subcommittee, I was told by that chairman that from that time on, so long as I remained here, he wanted me to become familiar with reclamation and to take the laboring oar in connection with it. That was our much beloved and great chairman, Ed Taylor. I have tried to be faithful to the responsibility he imposed upon me. I have tried to familiarize myself fully on that subject.

I have tried to view reclamation not as a matter affecting my district or my State, but as one affecting the entire United States, and I have sought, beyond the understanding of some of my colleagues on the committee to get more liberal allowances for reclamation, because I could see in it not alone the development and salvation of the great West, but in large measure a great contributing factor to making America great and powerful as she is at this time.

This year reclamation, so far as bringing water to arid acres is concerned, is dreadfully curtailed; I think injuriously and harmfully curtailed. I believe the wisest thing we could do would be to add $8,000,000 to $10,000,000 for reclamation of lands, insofar as it could be carried on, where priorities are not involved, because every agricultural commodity that is going to be produced in the West is certainly going to be needed in this next year. Reclamation has been reduced very largely to only a development of projects that have to do with increasing the electrical energy output of the Nation. I fortunately come from a district that has within it the greatest power project in all the world. I refer to Grand Coulee Dam. For 6 years I have worked earnestly to see it fully completed and I have had splendid support. It is now about completed. The dam itself is finished, two giant generators are turning now—each of them producing enough electrical energy to take care of the needs of a city of 300,000 people. If the appropriation carried in the pending bill is allowed, within 2 years seven additional generators will be installed. An additional powerhouse is being built on the east side of the dam that will house 9 more of these mighty giants. I am proud of my contribution to this unusual project. All reclamation has been taken out of the Grand Coulee project for the time being. Donald Nelson, Chief of the War Production Board, has carefully examined the estimates for Grand Coulee, Bonneville, and those involving the other major power projects. In these hearings you will find his letter in response to one by the chairman written last week, stating that it was his considered and deliberate judgment that every one of these projects should move forward as rapidly as possible because of the part they play in the war effort. He also recognized their right to priorities. So I am trusting at least that the members of this committee will not reduce these items. I say to you that if you feel the urge of economy upon you so strongly that you must cut them, you had just as well cut them out entirely and assume the whole responsibility for it insofar as it would hinder our war effort. We know what will take place: They will be transferred, as they will have to be, because the needs of the Nation are such that they cannot get along without them—transferred to the War Department, the Navy Department, or some new agency, and the cost of administration would likely go up manyfold.

On other reclamation projects—those in California I have in mind particularly—there are some slight increases made. In my judgment the increases to bring additional land here are wise

and essential. I disagreed with changes that affected power projects on Central Valley, but I am not going to take time to discuss that at length now.

Reclamation is about 30 percent of this whole bill, and nearly all of that deals with power. The gentleman from Pennsylvania, the ranking Member on the minority side, said that Bonneville ought to be cut further in the item "marketing." Let me tell you something about this, because it will undoubtedly come up tomorrow—something in connection with this item of "marketing." It does not stand alone any more than travel pay as it appears through these various bills is travel expense standing alone.

[Here the gavel fell.]

Mr. SHEPPARD. Mr. Chairman, I yield 5 additional minutes to the gentleman from Washington.

Mr. LEAVY. Travel pay includes per diem in practically every instance. The same here for the Bonneville item that has been designated "marketing." It is the operation and maintenance of hundreds of miles of lines and scores of great substations. To cut those down beyond that which is wise is merely to make useless great facilities that must operate 24 hours a day, because 40 percent of the aluminum production in the next year is going to come from out in the region supplied by the power from Bonneville and Grand Coulee, and it would be a matter of short-sightedness and foolishness to reduce them. It would be a national calamity.

Reference was made to grazing. Grazing, of course, cannot be directly tied in to national defense, but it is certainly a second line of defense. Do you know that the grazing agency of this country has to administer 200,000,000 acres of land? And do you know that our beef production and our wool production is dependent on how that great estate is administered?

Reference is made to the Park Service. I agree that under existing conditions perhaps it should be reduced over what it was last year. Now do you realize that the Park Service has been reduced from $14,000,000 for the current year to $5,000,000 for next year? Would you ask a further reduction without a very careful consideration?

In conclusion, Mr. Chairman, may I say that there was not a great amount of discord on the part of the subcommittee in the writing of this bill. We discussed matters pro and con at great length, but we gave serious, careful, earnest consideration to every item, and as I said a moment ago, we cut some beyond what they should have been cut, in my opinion. If you propose a further cut, be sure that you familiarize yourself with the facts surrounding that particular activity and can say with a degree of certainty that you should possess that there ought to be further cuts made. Likewise, if you propose an increase you ought to be able to prove that, too, by the facts.

We, this committee, your agents, have done the best we could in writing the bill here, and I hope that no Member, for the mere satisfaction of saying, "I tried to cut it again," will come in and attempt to reduce a bill that has already been cut 40 percent.

I want to make this assertion—and I challenge anyone to deny it—that 50 percent of the amount in this bill for the next fiscal year goes to national defense. If you cut those items, then wait a few days when we will have a seventeen-and-one-half-billion-dollar national defense bill in here, and fine-tooth comb that a little.

Mr. MONRONEY. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. The gentleman is to be congratulated on the 40-percent reduction; also, I understond that the careful work of the committee in combing through this appropriation has eliminated approximately 25 percent of the travel amount. Would the gentleman be good enough to insert in the RECORD the comparative figures for 1942 and 1943? Because of the great reductions made in the bill below the Budget, it is impossible to know exactly how much of this appropriation will be allocated to travel.

Mr. LEAVY. I will be delighted to do that. It is as follows:

Comparative statement of appropriations and estimates for travel and amounts recommended in bill

Bureau or office	Estimated obligations for travel		
	Appropriations for 1942	Budget estimates for 1943	Amounts recommended in bill for 1943
Office of the Secretary	$442,945	$315,257	$203,956
Commission of Fine Arts	5,100	5,100	2,500
Bonneville Power Administration	320,000	477,000	320,000
United States High Commissioner to the Philippine Islands	38,000	8,000	6,000
General Land Office	250,740	180,490	160,350
Bureau of Indian Affairs	627,934	605,049	502,740
Bureau of Reclamation	227,564	193,905	151,308
Geological Survey	436,954	278,107	251,557
Bureau of Mines	308,035	426,962	387,933
National Park Service	110,816	380,660	68,500
Fish and Wildlife Service	378,482	306,669	255,769
Government in the Territories	21,573	30,073	25,350
Total	3,138,143	2,907,292	2,335,963

	Amount	Percentage
Reductions by committee:		
Under 1943 Budget	$571,329	19.6
Under 1942 appropriations	802,180	25.5

I thank my colleagues for so patiently listening to me, and I trust I have helped, at least in a small way, to a better understanding of this important bill.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. LAMBERTSON].

CHAMPION BOONDOGGLE OF 1935 BLOSSOMS INTO COMMON PARKING LOT IN 1942

Mr. LAMBERTSON. Mr. Chairman, the champion boondoggle of 1935, the projected $30,000,000 Jefferson National Expansion Memorial in St. Louis is about to blossom forth in 1942 as a common parking lot. This I predicted years ago. Many of the Members present will no doubt recall the early history of the project. You will remember that when we were asked to pass the joint resolution creating the United States Territorial Expansion Memorial Commission, we wrote into the resolution a disclaimer of any responsibility on the part of the United States.

At that time the proponents of the resolution disclaimed any intention of coming to Congress for funds, and technically they have kept that promise. However, the ink was hardly dry upon the President's signature making the resolution a law before the promoters were looking for some way to hook the Government, so it came to pass that in the spring of 1935, Architect Louis Le Baume, acting for a group of St. Louisans, applied to the Public Works Administration for a loan and grant of $22,015,000. This original application catalogued as Missouri Docket No. 1006, was turned down when the engineers reported:

The proposed project has social desirability but cannot be classed as a public necessity.

Meanwhile the citizens of St. Louis were given all kinds of assurance the memorial was sure to be built at once. Mayor Dickmann promised to "have the dirt flying on the river front in 10 days," if only the people would cooperate and vote some local money at the special election to be held on September 10, 1935.

In spite of all these wild promises, the election did not attract the people, and we were not surprised to find out later that a favorable return for the bond-issue proposals had been obtained by frauds in every ward in which the proposals carried.

After the September 1935 election, Mayor Dickmann hustled down to Washington to get $22,500,000 in Federal funds for the project, as he had promised the people he would do.

But when Attorney General Cummings held that this sum could not be allocated for the project, because it was not available, Mayor Dickmann retired from the Washington scene, but only for a few days. Then he returned and pulled every conceivable string, until, finally, the President, by Executive order, allocated $6,750,000 of Emergency Relief funds to the project, to be matched by $2,250,000 of the funds of the city of St. Louis.

Thus the project was whittled down from $30,000,000 to $9,000,000. But the promoters did not whittle down their appetites one iota. They kept right on promoting, and so it came to pass the Government finally acquired all of the projected site, 37 blocks in all, by condemnation, over the protests of many of the property owners, evicted some of the tenants, and during 1939 and 1940 they wrecked the buildings and spent nearly all of the Federal and the contributed funds as well.

So here we are in 1942 looking over the wreckage of what was started here in 1934. What was once a busy commercial and manufacturing section of downtown St. Louis is today only a windswept waste of broken bricks and mortar

which the National Park Service is trying to cover up with earth and clay hauled to the site and distributed with W. P. A. workers.

The $9,000,000 has nearly all been spent, and when June 30, 1943, comes around I predict it will be more than spent if the Budget figures are correct. Yet the memorial is as far away as Mrs. O'Leary's stable and cow pasture is from the heart of Chicago, which I suggested might just as well be restored.

Mr. Chairman, last week I learned that National Park Concessions, Inc., a nonprofit organization working with the approval of the National Park Service, is conducting a survey of the parking situation in St. Louis to determine whether or not to establish a temporary parking lot on the memorial site. Think of it—a parking lot on this $9,000,000 site. Now, this is the same corporation that operates concessions at Mammoth Cave, in Kentucky. I would like to suggest that in their survey of the St. Louis situation they also study the past history of this famous boondoggle, with a view to working out some kind of a side agreement with former Mayor Dickmann and the rest of the memorial promoters, whereby a little space in Mammoth Cave might be reserved for these gentlemen in which to shed their tears and hide their disappointments.

At that, some of them must have gotten more than they expected after the St. Louis Post-Dispatch and the St. Louis Star-Times exposed the corruption in connection with that special bond-issue election in September 1935. But our officials here in Washington were not interested in the ethics of the matter, so St. Louis got its memorial, fraud and all.

Now, what did they get? Nothing much to brag about. The city lost the income from all the taxable property in the area, and, besides, have to pay the annual interest on the $2,250,000 worth of bonds that were sold to make up the city's contribution. The Federal Government is out $6,750,000 for the property and will have to pay the interest on this money for many years to come.

So I say this was the champion boondoggle of 1935, for everybody lost, and not even Thomas Jefferson has been glorified.

Watch this champion boondoggle now blossom into a common parking lot. And let us resolve to write "finished" to its career here as far as appropriations go.

Mr. RICH. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. WINTER].

Mr. WINTER. Mr. Chairman, I have taken this time to discuss what to my mind is a very serious situation which involves Stephen, or H. S. Raushenbush, chief of the Research and Planning Section of the Power Division of the Department of the Interior, whose salary is included in this appropriation bill, and which vitally affects the very fabric of free enterprise in America.

On December 1, 1941, in a speech on the floor of the House I charged Mr. Raushenbush with being a Socialist-Communist, and a draftsman of the blueprint of communism for America, and I quoted from a statement which I charged Raushenbush made to a group of Communists and Socialists.

Mr. Raushenbush took exception to this statement and wrote me denying that he was either a Socialist or a Communist and stated that in the speech I referred to he spoke as a liberal to a gathering of liberals and Socialists. Parenthetically it is a known fact that actual members of the Communist Party can and do publicly disavow membership—whether Raushenbush was and is an actual member of the party is immaterial. Communism is not only a political party in America but a political theory with as many shades of pink as Joseph's cloak.

Rather than injure an innocent man I looked up Raushenbush's history. I have his life story—chapter and verse—and he adheres to the theory of communism whether he belongs to the party or not. He is one of the original and principal architects of the so-called new order. His long-time aim is the destruction of the profit system—free enterprise—the American way of life. His immediate objective, admittedly, is the destruction of the major sections of our industrial system beginning with the production of electric power.

In this book, The Socialism of Our Times, published in 1929, Raushenbush wrote:

> While the long-time aim of the liberal and radical groups is the abolition of the profit system for private use, our present strategy should be to make and take every opportunity to prove that there is something better than the profit system. Within the next 10 years we are going to have a chance such as we have not had for the last 40.

Raushenbush differs, not as to objectives, but only as to methods by which these objectives can be obtained in liberty-loving America. According to his own words, he long ago realized that the frontal assault by violence in the United States could not obtain the objective of a Communist state and with confessed reluctance abandoned the idea of overturning the Government by bloodshed and violence by which the minority would impose its will on the majority, for the more practical approach to the Communist state by means of "encroaching control."

Listen to what Raushenbush wrote and which is recorded on page 83 of this book, The Socialism of Our Times:

> The very subject Transitional State implies that we have accepted the alternative of encroaching control in place of the dream of cataclysmic socialism which has engrossed people dissatisfied with the world for so many years. * * * It is not pleasant to give up that dream of violent triumph. We are sensitive about it.

Despite his reluctance to abandon a violent triumph he urged his proposed technique of encroaching control as more practical to the American nature of things than the method adopted by the murderers of the Kremlin in 1917. He advised his fellow travelers to lay aside the dream of violent triumph—revolution and civil war, if you please—merely on the grounds that it is not, and I quote his own language, "pragmatic."

He urged a Uriah Heap system of worming from within, since he recognized that neither bullets nor ballots could persuade the American people to depart from free enterprise and democracy and adopt the totalitarian scheme of the Marxian state.

No; Raushenbush never actually joined the Communist Party—so he says—but few more energetic, few more clever operatives ever sought to destroy the America of Washington, Jefferson, and Lincoln than he. His whole life record is that of an ardent, clever—and I might add "slick"—worker for the Marxian dream of a Communist state in the United States. I charge that he believes in communizing America and is doing his subtle best to achieve that end.

Mr. RICH. Will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. From where does this gentleman hail?

Mr. WINTER. I do not know where he hails from, but I know where he is working. He is in the Interior Department, Power Division; Chief of the Power Division of the Department of the Interior of the United States Government.

Mr. RICH. Where did he make those statements that the gentleman is referring to?

Mr. WINTER. He made one of them in a speech he was making to a group of liberals and socialists, as he says, in New York City, and the second that I quoted he wrote in this book.

Mr. RICH. The gentleman is quoting from him?

Mr. WINTER. Yes.

Mr. RICH. He has made some very bad statements and it seems to me the F. B. I. ought to investigate that gentleman.

Mr. WINTER. They certainly should, and he should not be on the pay roll.

Mr. LEAVY. Will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Washington.

Mr. LEAVY. I know the gentleman wants to be accurate in his statement of facts that are within his knowledge to ascertain. He states that Mr. Raushenbush is Chief of the Power Division?

Mr. WINTER. I beg your pardon. The research and planning division of the Power Division.

Mr. LEAVY. I know he never appeared before our committee.

Mr. WINTER. That is true. He is chief of the research and planning section of the Power Division of the Department of the Interior.

Mr. LEAVY. So far as I know the Chief of the Power Division is a perfect gentleman.

Mr. RICH. Will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. It seems to me that the majority side of the House should call a special meeting of our subcommittee, call that gentleman before us and find out whether these statements are true. If they are, it seems to me the responsibility is on us and if he is down there

in that department advocating those things we ought to write something in this bill that will eliminate him from the Department of the Interior.

Mr. WINTER. Raushenbush is on record as supporting political ownership and political operation of all basic industries, of which electric utilities would be the starting point. If that is not communism what is it? Call it Marxianism, call it socialism, or give it a dash of eau de cologne and call it industrial democracy, it remains the same, the death of free enterprise which is the good right arm of democracy.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Idaho.

Mr. WHITE. The gentleman speaks about free enterprise. Does not the gentleman think these natural monopolies must be controlled?

Mr. WINTER. I certainly do. I think they should be controlled, but I do not think they should be taken over lock, stock, and barrel, and have everybody working for the state.

Mr. WHITE. Is there any other way of controlling them except through Government control?

Mr. WINTER. I do not care to argue that with the gentleman here. I should like to finsh the remarks I have to make.

Mr. WHITE. I thank the gentleman for his courtesy.

Mr. WINTER. As long ago as 1927 Raushenbush, in the New Leader, the then official Socialist newspaper of the Socialist Party in America, speaking of the electric industry wrote:

> Here is an industry in which $8,000,000,000 are invested already and another billion is added every 2 years. We have made three attempts at control * * *. A fourth attempt, which I look upon as much more hopeful, is the one which seeks to set up through Government ownership at Muscle Shoals, at Boulder Dam, and on the St. Lawrence, yardsticks by which the efficiency of private ownership under regulation may be measured.

Elsewhere in this same article Raushenbush wrote:

> We cannot hope to take over the whole $8,000,000,000 industry successfully, even if it were generally thought advisable to do so at the moment. * * * But a scattered series of great generating plants selling their power within 300-mile radiuses might be expected to have a very considerable influence upon the extension of public ownership to the transmission lines and the whole industry.

In another paragraph in this same article Raushenbush wrote:

> Our long-time aim is the abolition of the profit system for private use. Our strategy is to make and take every opportunity to prove that it works. We must force our experts on agriculture, trusts, coal, power, subways, housing, milk, etc., to tell us correctly which the next steps are, and then take them and identify ourselves with their success.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. Where did he make that statement, in New York also?

Mr. WINTER. Yes. That is one of the statements he made before this Socialist and Communist group, that I charged he was making, and he said he was speaking to liberals and Socialists.

Mr. RICH. What prompted him to make those statements? Does the gentleman believe that is his belief?

Mr. WINTER. I think he believed what he was writing. His whole life history goes along this same line. He was speaking to a group of liberals and, he says, Socialists.

Mr. RICH. He is down in the Department of the Interior under Secretary Ickes?

Mr. WINTER. Yes; right now.

Mr. RICH. We, as Members of Congress, permit these Communists to infest the bureaus. Evidently the responsibility seems to be ours. I am going to ask the chairman of the subcommittee if he will not call a special meeting of our subcommittee and call this Mr. Raushenbush before us, and I hope we can get these statements.

Mr. WINTER. You certainly can. You can have them any time and many more.

Mr. RICH. We should ask him and find out whether these are his ideas. If they are, it seems to me it is about time that we clean up this Government and clean it quickly, before they clean us up and cause us to lose our form of government and our liberty.

Mr. WINTER. I hope the gentleman can be successful.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. I want to question the statement of the gentleman from Idaho that electricity is a natural monopoly. Coal and natural gas are, but electricity is made; it is not a natural monopoly.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Washington.

Mr. LEAVY. Does not the gentleman now feel that Boulder Dam, Bonneville, Grand Coulee, and even the T. V. A., with its various dams, are a godsend to the Nation and a blessing in this hour of trial?

Mr. WINTER. I think they are one of the finest things we have. I am not arguing that point at all.

Mr. LEAVY. The gentleman does not mean to advocate that they should be turned over to the private power companies?

Mr. WINTER. I am not arguing that point here at all.

Mr. LEAVY. The gentleman would not advocate that?

Mr. WINTER. No, I never have.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman know anything about the book Mr. Raushenbush wrote entitled "The March of Fascism"?

Mr. WINTER. He sent it to me and asked me if I would read it. I have gone through about half of it. It is a very, very illuminating document. If the gentleman would like to borrow it, I should be glad to let him have it and read it.

Let me quote further from Raushenbush:

In this same New Leader article Raushenbush explained why the violent triumph, that he is so sensitive about giving up, is not a pragmatic approach to communism in America. He wrote:

> We have no caste system in this country. We do not have quite the inferiority complex of the European workers upon which to found our philosophy. The workers of this country are climbing through marriage, the education of their children, and the like, out of the proletariat as rapidly as they can go about the business. * * * The chances are against the amalgamation in the near future of these various class struggles into one against the whole profit system.

In other words, free enterprise and democracy are so successful in this country that the public just is not interested in communism, so the new order must find a way to make America over in the Communist pattern without the people of the Nation being any the wiser until it is too late.

Mr. Raushenbush, years before the New Deal came to power, preached adoption of a method of achieving the planned state in America without resort either to the violence of bullets and bayonets which had proven successful in Russia or to a coalition of voters which proved sufficiently successful in France to cause the political confusion which lead to the defeat of that nation.

Raushenbush always rejected both bullets and ballots as a means to overthrow the American way of life. He said neither method was practical to the American scene. He advocated the Uriah Heep method of boring from within. He suggested that all young liberals coming from colleges, avoiding formal membership in radical party organizations, should infilter into the service of the Federal Government and by the process of promotion obtain key positions from which they could wreck the American system of free enterprise. He proposed that the first key industry to be wrecked and taken over by the Federal Government must be the electric-power industry.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Kansas.

Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. I wonder if the gentleman from Washington would subscribe to the doctrine as advocated by this gentleman of taking over all industrial enterprise.

Mr. LEAVY. I do not think I should be called upon to subscribe to any other person's doctrines. Frankly, I do not think this is the place where we can try people, but if the House feels that it should pass upon the reputation, character, and philosophy of some particular individual, that is a matter for their concern. I frankly tell you that I believe those great projects we have in the West——

Mr. RICH. That is not the question I asked. I am asking whether the gentle-

man subscribes to the doctrine of taking over all industry, as advocated by this gentleman.

Mr. LEAVY. In the first place, I do not know whether that is that man's doctrine or not. That is not my doctrine and I do not subscribe to it.

Mr. RICH. The gentleman has answered the question. I am glad to know it is not his doctrine. It is not mine, either.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman from Ohio.

Mr. JONES. May I point out that last year the Department of Justice in the Department of Justice appropriation bill had $100,000 of the funds for the F. B. I. earmarked for an investigation of all subversive people and groups in all the departments. If you look at the hearings on the Justice Department appropriation bill for the fiscal year 1943 you will find that the F. B. I. has made a report, and this man may be in the report, but the Attorney General of the United States has stood in the way of the Congress getting that report. We could then act intelligently without having to try people on this floor. We are being thwarted by the Attorney General of the United States by his keeping Mr. Hoover, the F. B. I. Director, from giving Congress a report. This is the reason it is necessary for the gentleman to take the floor to expose the philosophy of this Mr. Raushenbush among many others, and in passing I may say that in 189 cases where the F. B. I. sent reports to the department heads, they received no replies. In 11 cases only did the department heads dismiss such employees.

Mr. WINTER. I thank the gentleman.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. LAMBERTSON. I think the gentleman from Washington [Mr. LEAVY] will be delighted to hear your honest opinion because it is not often we have a man who is not running for reelection from whom we can get the low-down from a good legal mind.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. BULWINKLE. I want to say to the gentleman I agree with what he is saying about this matter and I cannot understand how we can get away from this statement. Just let me read you this sentence which I do not think the gentleman has read, in which he says:

> We have to give up our dream—our dream—of a violent overthrow of the Government.

I do not know what kind of a doctrine it is that a man preaches, I do not care where he is, that man ought not to be in the service of this Government and there is no question about it, unless he can show that he has changed entirely.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I yield the gentleman from Kansas 5 additional minutes.

Mr. BULWINKLE. I repeat, unless he can show that he has changed his sentiment since he wrote this in 1929.

Mr. WINTER. Those are my sentiments exactly and I am glad to hear the distinguished gentleman make that statement.

Mr. BULWINKLE. And this was copyrighted in June 1929.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield to the gentleman.

Mr. SMITH of Ohio. That was perhaps before he had a position in the Government. They are not so anxious to overthrow the Government once they get on the inside.

Mr. WINTER. I think that is true.

Once all manufacturing and most of the transportation and commercial life of the Nation became dependent upon the Federal Government for its lifeblood, electric power, a few shrewd officials in control of that power would find easy the bureaucratic conquest of the balance of the free enterprise economy of America, the Siamese twin of our free democratic system, the one of which cannot live without the other.

One of the most significant paragraphs from the Raushenbush outline for a sneak attack on free enterprise and the American way of life is to be found on page 86 of this book The Socialism of Our Times, when he wrote:

> The students coming from the colleges today can do something more than be filled with wholesome and cleansing indignation. They can be of enormous use to the movement as Government officials, starting in small and definitely working on the reasonable hope that in the course of another 10 years we shall have Government control of a much more definite kind over our trusts, banks, and general industries; that there will be Government corporations operating and managing, not only the Port of New York and Muscle Shoals, but many other developments. There is a chance here for young men not only to keep the liberal groups informed about the dirty work going on and times and ways to prevent it, but also to look forward to careers of usefulness in executive positions, making the Government control over industry more adequate, pioneering in a field of essential importance.

And then further on, on page 86, is one of the most startling remarks of the whole article, in the light of the present key position Raushenbush holds as Chief of the research and planning section of the Power Division of the Department of the Interior:

> One good man with his eyes, ears, and wits about him, inside the Department—whether it be the Interior where the oil scandal started and the Boulder Dam bill received most active support, or the Treasury, where the taxation scandals breed and the Government tax policies originate—can do more to perfect the technique of control over industry than a hundred men outside.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. SHEPPARD. I would like to ask the gentleman if this has ever been brought to the attention of the Secretary of the Interior, or does the gentleman know?

Mr. WINTER. Not to my knowledge.

Mr. TABER. Mr. Chairman, if the gentleman will yield, may I say he is pretty busy in the egg business?

Mr. WINTER. And then on page 85 of this book we find Mr. Raushenbush making this astounding statement:

> This side of revolution (Russia, Italy, and Germany) we can only take what opportunities we can make ourselves or are offered for illustrations in socialist practice to convince both the workers and the middle class that we are right, that the abolition of the profit system is to their interest and will result in higher real wages, greater security, freedom from wars, and other forms of autocracy.

I wonder if he has changed his mind about the Fascist revolution since the day he wrote those amiable words?

Of course, since he presently disavows—as do 90 percent of all practicing Communists—his alliance with communism it must be embarrassing to him now to have his words, like birds of ill omen, come home to roost. I refer particularly to his quotation on the founder of communism, Lenin, as the shining exemplar for American "liberals," found on page 87 of this most illuminating document, wherein Raushenbush wrote:

> The very idea of saying to people that you want Government ownership of railroads or electric power, not because it is eternally right, but because it is cheaper for the workers and can be so proved, will be hailed by some as a compromise or betrayal of socialism. But, as I understand it, Lenin himself summed up each situation by itself and met it as he could, practically and pragmatically, and after that was done sat down to write these long, dry theses of rationalization proving that Engels and Marx would have agreed.

At one time Raushenbush was a member of the executive committee of a well-known Socialist transmission belt organization known as the League for Industrial Democracy. He admitted to me in his letter that during his college days he was a member of a college organization called the Intercollegiate Socialist Society.

Raushenbush says he is not a Communist, that he is not a Socialist, but by his own published statements he establishes himself as a lifelong radical, with brains and ability, who practices his own preachings of boring into key positions where the most damage can be done to the American system of free enterprise

We, as Members of Congress, hold a sacred obligation to the boys who are fighting and preparing to fight to save the four freedoms outlined in the Atlantic Charter to preserve for them, until the time when they shall return to the ways of peace, that American way of life which is embodied in our system of free enterprise. Congress can help to discharge that obligation by refusing to appropriate funds to pay the salaries of high Government officials who, in the name of liberalism, are seeking to break down great segments of our democratic system of free enterprise.

A good deal of confusion exists in this country about the meaning of communism. Because there is a Communist Party in America which is dedicated to the establishment of a Communist state by means of violent overthrow of our Government, it is natural that we should think of all Communists as believing in attaining their objectives by such means. In truth, communism is not a political party, but a political theory.

The Communist Party of America, as such, actually represents a sort of denomination in the whole religion of communism. At the time of the Russian revolution there were two major denominations of communism in Russia. The larger group were the Mensheviks, who did not believe in bloody revolutionary methods. The small group of Bolsheviks used the Mensheviks for a while, then turned on them and destroyed them as ruthlessly as they destroyed the land owners. Here in America not 10 percent of those who believe in a Communist state belong to the Communist Party or believe in revolution as the means of achieving a Communist state in this country.

They have shelved the violent triumph method merely because it is not realistic or practical. They are men of cunning and they realize that they are so vastly outnumbered and that there is so little genuine sentiment for their cause in this country that a revolutionary attempt would be a puny, farcical failure.

They are not without a plan, an alternative solution by which they can achieve a communist state in this country. It is a "realistic" plan, to use their own expression, for achieving their end without resort either to bullets or ballots.

They plan to seed their fellow travelers throughout the Government and by administrative action and abuse of power, force the direction of Government further and further to the left, toward communism. They plan to plant their bright young men in key positions where, unnoticed, they can work their mischief behind the scenes. In the name of liberalism and of reform they plan to break down our democratic system of economy.

No matter by what name you call it, this radical concept which Raushenbush has advocated all his life can be carried out only as a planned state, owned and controlled by a self-perpetuating bureaucracy, which in turn must be ruled by an inner clique of superplanners who have at their head a diabolically clever man as the dictator, the tyrant in the classical sense, who will tell the American people where and how to live, what and how much to eat, what to wear, and what and what not to think; control their religious worship and dictate their economic life. Freedom of speech, freedom of press, free enterprise—all the freedoms which have made America the greatest Nation on the face of the earth—would disappear if a Communist state should be achieved.

Day by day, termites who believe and work for that kind of a Federal Government, hundreds upon hundreds of them, are now operating along a definite plan as paid officials of the United States Government. Associated with them in many of these activities are hundreds more who are innocent, ignorant dupes who are blind to the direction in which their activities are taking this Nation.

That the Communist state of Russia happens to be, by an accident of history, the war ally of the democratic state of America, has no bearing on this issue. Russia would resent and resist infiltration of democratic doctrines into the Kremlin with far more vigor than we in America resist Communist infiltration. All praise to Russian defense of their homeland since that defense aids our war effort. But let us have no false sentimentality toward an alien political philosophy just because they are our allies. We don't have to like their sour-cream soup just because we happen to be in the same war with them.

We, as Members of Congress, have given a solemn oath to preserve our American institutions. We are honor-bound in this time of national danger and travail to all of our constituents, whom we are asking to give of their treasure, their sons, their blood, and their toil, to preserve at home the freedoms for which our boys are fighting and laying down their lives to defend.

Certainly the least we can do is to see that not one dime of the taxpayer's money is appropriated to pay the salary of any saboteurs of democracy who are operating from within the framework of our Government to promote a political theory at the expense of the freedoms which this Nation is giving its life's blood to defend.

Mr. RICH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, if the gentlemen will look at the hearings at page 40 they will see something of the appetite of bureaucracy gone wild before the first bomb dropped at Pearl Harbor. Great credit has been given to the Secretary of the Interior. I have no personal feeling against him at all—if no praise. I differ over policy and the way he does things; I differ with his method. Look at this figure here of how much the Secretary asked for before Pearl Harbor and think of it. I asked him:

Mr. JONES. Then the amount you requested (from the Bureau of the Budget) was how much?

Secretary ICKES. Our total request was for $349,756,568

I would like to have known what program they had in mind with that amount of money. A few pages later the Secretary in the hearings claims great wisdom for being able to foresee that the Presidential office should not have shipped oil and scrap iron to Japan. He was one of the first that went out over the highways and byways to get us into this war. So, as I look at his budget request of $349,756,568, I would like to know what was in it. I wonder if the Secretary had a scheme to fill the Grand Canyon with beer by means of a bucket brigade.

I wonder if the Secretary of the Interior would have proclaimed Fish and Wildlife as a super national-defense bureau. He might then have spent money to make black-out pants for lightning bugs. Sure national defense is in some parts of this bill. It is hard to draw the line where seminational defense starts and where boondoggling stops. Even the shoe cobbler is in national defense. But MacArthur comes first.

Mr. Chairman, certainly we can put first things first, and we can deprive ourselves of a lot of recreation in national parks, in favor of getting bombs and guns and tanks and equipment to our beleaguered forces throughout the four corners of the world. It is only a question of differing over points, and what comes first. I contend there is room for another $15,000,000 cut in this bill, if we put first things first, and get the tanks and machinery and guns to MacArthur.

Now let us examine Mr. Ickes' cuts. It comes with poor grace, it seems to me, for the Secretary to wait until a near disaster comes over us at Pearl Harbor to say to the Budget Bureau, "You're a bunch of pikers; we will take a voluntary cut of $10,000,000 more." I am thinking of another day a year ago The gentleman from Pennsylvania [Mr. RICH] asked the Secretary if we could not cut out some of these same expenditures. He asked him particularly about the information service, and if the gentleman will look at the hearings last year they will see where Mr. Ickes was proposing to illustrate and dramatize the department by means of cartoons. Yes; he did that, but the little lion of the penthouse on C and Twentieth Streets NW. did not have the courage to ask for superman comics for his annual report this year. The test of a man's frugality is: What did he do before Pearl Harbor?

Let us take a look at the record and see what took place last year on the regular supply bill. The amount of the Budget estimates for the 1942 fiscal year was $186,496,348. The amount of the bill as it passed the House was $177,027,078. The amount of the bill as it passed the Senate was $185,119,813. You can see when it left the House, the Senate, had a few ideas of its own on raising the House version of the appropriation for the Interior Department by $8,000,000.

Some items in the House side were lower than the Senate side; and some of the Senate side were lower than on the House side, but the conference took the highest figures in each case and reported the bill back to the House and the Senate that was $3,206,110 above the Senate version of the bill and $11,298,845 above the House version of the bill, making a total conference bill of $188,325,923.

Vainly a few of us on the minority side, especially the gentleman from Pennsylvania, and I, tried to cut items from the bill. Not one cent were we successful in cutting.

Yes; there was loyalty on the part of the majority members of the committee—loyalty to the Secretary, belief in his program, and they were sincere about it; and I admire them for it, because he is a "Mouthful" of their party, but there was not one cent of cut. Every amendment was defeated, even to the amount of spending $30,000 to put the Government into the park and hotel business in Alaska, where just a few patrons come to visit it.

I made a motion to recommit the bill when it was before the House, when it carried the sum of $177,027,078. My motion to recommit would have sent the bill back to the committee with instructions to cut it to the 1941 appropriation of $155,549,932.

Bear in mind that the 1941 bill only carried national defense items as claimed by the Department of $38,875,400. For the benefit of those who might wish to know what departments and agencies were claimed then as national defense, I wish to read to you the national defense items in the 1942 supply bill:

Appropriation items for national defense projects considered for the Interior bill for 1942

Appropriation title	Budget estimate	Approved by House	Approved by Senate
GENERAL OPERATIONS			
Bureau of Reclamation: Protection of reclamation projects	----------	----------	$50,000
Geological Survey:			
Salaries	$25,000	[1]	25,000
Topographic surveys (mapping for military use)	987,500	[1]	987,500
Strategic and critical minerals	195,000	$195,000	195,000
Total Geological Survey	1,207,500	195,000	1,207,500
Bureau of Mines:			
Mineral mining investigations (chromium studies)	100,000	100,000	100,000
Economics of mineral industries	[2] 47,000	40,000	50,000
1. Scrap iron and steel statistics.			
2. Cooperation with other American republics in production of strategic minerals.			
Investigation of domestic sources of mineral supply	425,000	425,000	425,000
Helium plants and investigations	350,000	350,000	350,000
Manganese beneficiation pilot plants and research	930,000	930,000	930,000
Production of alumina from low-grade bauxite and aluminite	[3] 85,000	----------	85,000
Total, Bureau of Mines	1,937,000	1,845,000	1,940,000
Fish and Wildlife Service: Inquiry respecting food fishes (surveys of stream pollution resulting from defense activities)	[3] 35,000	----------	35,000
Government in the Territories: Construction, operation, and maintenance of roads, Alaska	50,000	----------	50,000
Total, general operations	3,229,500	2,040,000	3,282,500
GENERAL PUBLIC WORKS—(CONSTRUCTION)			
Bonneville Power Administration: Construction, operation, and maintenance, Bonneville power transmission system	18,142,900	18,142,900	18,142,900
Bureau of Reclamation:			
Reclamation fund:			
Kendrick project, Wyoming	----------	----------	200,000
General fund:			
Boulder Canyon project	1,000,000	1,000,000	1,000,000
Bullshead project, Arizona-Nevada	5,000,000	5,000,000	3,000,000
Parker Dam project, Arizona-California	2,000,000	2,000,000	2,000,000
Central Valley project, California	11,250,000	7,250,000	[4] 4,250,000
Grand Coulee Dam project, Washington	[5] 6,000,000	3,000,000	6,000,000
General investigations	----------	----------	1,000,000
Total, Bureau of Reclamation	25,250,000	18,250,000	[6] 17,450,000
Total, construction	43,392,900	36,392,900	35,592,900
Grand total	46,622,400	38,432,900	38,875,400

[1] Eliminated by House committee with recommendation that necessary funds for mapping for military use be appropriated to the War Department.
[2] Includes supplemental estimate submitted to the Senate in the amount of $7,000 for statistics on scrap iron and steel (S. Doc. No. 61).
[3] Supplemental estimate submitted to the Senate (S. Doc. No. 61).
[4] The Senate amendment reducing this item added a contract authorization in the amount of $10,000,000 for this project.
[5] Includes supplemental estimate submitted to the Senate in the amount of $3,000,000 (S. Doc. No. 61).
[6] A Senate amendment also provided contract authorizations totaling $7,450,000 for several reclamation projects including the following amounts for projects involving power development: Colorado-Big Thompson project, $1,500,000; and Boise project, Anderson ranch, $500,000. Senate amendments also transferred construction and administrative expense funds totaling $6,950,000 from the reclamation fund to the general fund, thus permitting construction to proceed more expeditiously on several projects involving power development which are related to the national defense program.

I would not be surprised but that real national defense is confined to these same bureaus in the 1943 bill. I do not think there is any doubt but what we have been boondoggled out of the difference between the $38,875,400 claimed by the Department as national defense and the $188,000,000 as passed by the adoption of the conference report of the 1942 Interior Department supply bill.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. JONES. I yield.

Mr. SMITH of Ohio. Am I to understand that all this praise which was showered upon the Secretary of the Interior this afternoon by the chairman of the subcommittee, that he had of his own free will volunteered a reduction of $10,000,000 in the appropriation for the Department of the Interior, that involved the $349,000,000? Is that the figure he based his reduction on?

Mr. JONES. No. It is worse than that. Before Pearl Harbor Secretary Ickes asked for $349,756,568. Then the Budget Bureau cut the amount down to a figure $50,163,179 under the appropriations for last year. The Budget Bureau sliced $161,818,467 from Mr. Ickes' pipe dream of $349,756,568, leaving $187,938,101.

Mr. SMITH of Ohio. Where does the $10,000,000 reduction come in?

Mr. JONES. Then the $10,000,000 was taken from $187,938,101. You can see it on pages 4, 26, and 36 of the hearings. Then came the war, and Mr. Ickes has the effrontery to tell the Budget Bureau he is taking another cut of $9,811,360. Then, in effect, the Secretary said to the Budget Bureau, "You are all wrong. You missed some of my boondoggle. I can find $10,000,000 more you can cut."

Mr. SMITH of Ohio. That was some of this padding he had fixed up in the first place?

Mr. JONES. Then the committee received additional estimates of $2,190,525 and you add that to $178,126,000 and you see how the Budget estimate on page 47 of the report was arrived at. The committee cut $17,682,421 from that and you have the amount of $162,634,000 in round numbers in the bill before you for consideration.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. RICH. My colleague from Ohio [Mr. JONES] since he has been a member of this subcommittee, has been for cutting down these expenditures in government. One instance the gentleman might tell the House about is Secretary Ickes and his organization spending over three and a half million dollars in setting this country up in the sugar and rum business in the Virgin Islands, and then after they spent that money they incorporated for $30. This last year they went in the red $60,000 on a $30 capitalization. That is some business enterprise.

Mr. JONES. You can refer to the hearings this year and last year. The gentleman has covered that each time in the hearings.

In addition to the amounts appropriated last year in the deficiency and in the regular supply bill, look at page 34 and you will see the amounts that have been transferred from other departments of Government, from the President's emergency fund, to bring the total amounts of funds in the hands of the Secretary of the Interior, over and above the amounts that we appropriated to him.

On page 35 you will find the Ramspeck promotions carried in this bill are $571,250. Turning to page 45 of the hearings you will see there the report of the cost of the Information Service. We maintain an Information Service at each of the branches of Government. They can give you information on anything except what they cost the Government—the taxpayers.

I tried last year to get the cost and if you will refer to the hearings, page 1139, last year you will find where they reported "information" cost for the Department of the Interior was $76,530. This answer was given to the following question:

Mr. JONES. Would it be possible to put in the record a detailed statement of the cost of the entire Information Service of the Department of the Interior?

This year I took it up with them and I told them:

In regard to the Information Service of the Department of the Interior, last year I asked for a complete break-down showing the total cost of the Information Service, but I do not think the answer to the question was entirely comprehensive. It covered the personnel, but I want for the record a statement showing the paper cost, distribution cost, cost of messenger service, etc. I would like to get an answer to that question again this year, giving the entire or total cost. What

further need is there for this Information Service at this time, in view of the fact that after Pearl Harbor we have a united country?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RICH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JONES. If you will look at pages 44, 45, 46, and 185 of the hearings you will find very unsatisfactory answers as to the cost of the Information Service. On page 185 I am given a figure by Mr. Straus. Just listen how misleading it is. Mr. Straus says:

For the departmental information service which includes my office; the photographic section which services all of the 12 bureaus, such as the Bureau of Reclamation, the National Park Service, and so forth, and all of the service from publication section through which every item passes that goes from the bureau or any department to the Printing Office such as those standard forms and the other items; and also for the radio section serving all bureaus and the Department—the total was $97,360.

That sounds like the "real McCoy." But let me give you the break-down that I have figured from letters that followed these unsatisfactory answers when I saw them appear in the hearings. I will give them to you. Just think of the time and effort it has taken to get this information.

For publications in the Department of the Interior it cost a total, for 369 man-years of personnel, $879,379; other obligations, $550,499; making a total for publications of $1,429,878.

Now, we will turn to press service. For total personnel services, 30 man-years, salary $64,898; other obligations, $4,178; making a total of $69,076.

For radio broadcasting, for 9.95 man years, $28,612 in salaries; other obligations, $3,929; making a total of $32,541.

I will put in the RECORD a complete statement of the different categories from radio broadcasting, group contacts, paid advertisements, exhibits, motion pictures, lantern slides and like material, photography, correspondence, individual contacts, educational cooperation with schools; posters; making a total of $1,765,471 for salaries, and $665,306 other obligations, making a total cost of $2,430,777.

Mind you, this is the kind of expenditure after Pearl Harbor. I tried to get figures for the current year—these are for the fiscal year 1941. The best and latest figures I could get are the ones I have submitted. I asked the Clerk to send down for them. They included those they were required by law to get out and then the press service sneaked in others as mimeograph operators. I still have not got a satisfactory answer I can analyze tonight. The total amount for personnel included in this exhibit is $2,000,000 plus for publication and propaganda service. It covers a total of 115 full-time employees and 1,918 part-time employees. It took the gentleman from Massachusetts [Mr. WIGGLESWORTH] a year and a half to get from the Bureau of the Budget the break-down of personnel as I have it here. The break-down of the figures given to me by the Department of the Interior does not show any such break-down, but shows a total of man-hours, 723.3 for the entire Department, and in the field. There is a sample of the arrogance of the departments, and it shows you how far the bureaucratic tail of Government has gone in wagging the dog.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. RICH. Can the gentleman by any stretch of the imagination see anything in the matters he speaks of that aids national defense?

Mr. JONES. I cannot think of a thing in it that aids national defense. The only thing this activity does is to disturb our people and put class against class in a power fight where public and private interests should unite to produce goods and guns for MacArthur's forces.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Ohio.

Mr. JONES. For several years we have discussed the Jefferson Memorial. This year you will see from the testimony on page 43 of the hearings that the Park Service is still continuing to use city of St. Louis funds as trust funds to sponsor a W. P. A. project. This Congress let its mandate be known to the Department by saying that it did not want any more Federal funds spent on the St. Louis memorial project. The Park Service uses this subterfuge to get around the positive mandate of Congress; and by reading page 47 of the hearings you will find another case of the arrogance of the Department of the Interior where I asked the Secretary about the entertainment of British soldiers and sailors in the parks of the United States. The disquieting thing that stands out like a sore thumb in the answers to all these questions is that nobody knows when we get through with the examination who paid for this entertainment. I insist that the Secretary of the Interior or the head of any other department coming before our committees should answer fully and completely and not play hide-and-go seek with a Member of Congress whether he be a member of the majority or minority party. Mr. Ickes said—and I will put this in the RECORD more fully when I revise my remarks:

I do not think you need to explain that further, Mr. Burlew.

I believe we are entitled to a full explanation at any time we want it.

Further taking up the matter of the publicity of the Department, we have $2,430,000 now for publicity. You will find in the hearings at pages 108 to 114 a discussion of the Tugwell plan of resettlement of the Puerto Ricans. I asked Mr. Swope, of the Division of Territories, to furnish enough copies for each member of the subcommittee and several Members of Congress who had asked me for a copy, asked them to bring it with them when they came to testify the next morning. The next morning it developed that they had forgotten to get the report. Thus they could not be examined on it. They did bring up two copies in the afternoon when the testimony had been completed—two copies, one for the clerk and one for me.

The Solicitor's Office carries the sum of $322,720. With the cuts that have been made in this supply bill it seems to me we ought to be able to cut his office considerably.

On page 145 you will find the Soil and Moisture Conservation item of $1,300,000. This effort has been going on for a good many years, but in the interest of the war effort, certainly for 1 year we ought to be able to cut out this item in order to get equipment to MacArthur.

On page 324 of the hearings you will find that for the investigation of reclamation projects they are asking this year, the fiscal year 1943, for $1,450,000.

Mr. TABER. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. TABER. Is a lot of that money spent for printing these nice picture books that have been sent out all over the country?

Mr. JONES. I think it has.

Mr. TABER. To entertain the babies?

Mr. JONES. That is right, of all kinds. You will find in the hearings an entire and complete study of the park situation that was ordered before Pearl Harbor, and which serves no useful purpose now. It might just as well have been eliminated. It is now selling at the Government Printing Office for $1.25 each. The point is, could we have gotten along without it, not how much you get for it.

I ask you to look at page 324 of the hearings. You will see there the number of projects that have been completed or will be completed with 1942 funds.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. JONES. Mr. Chairman, last year they had $1,750,000 for investigations. They have a backlog of investigative work that covers somewhere around 17 States. With the funds already given them they have completed and have ready for construction $453,197,784 worth of public works that they can go on with. The investigation is completed with reference to that amount. That is enough of a backlog for post-war work. We can cut the entire amount for investigations during the fiscal year 1943 and we can pick it up after the war is over if we see it is necessary.

Mr. DONDERO. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Michigan.

Mr. DONDERO. What was the total amount that the gentleman stated?

Mr. JONES. $453,197,784.

Mr. AUGUST H. ANDRESEN. If you cut out that item you would throw some of these planners out of a job.

Mr. JONES. That is the whole issue, trying to save these fat officeholders who might go into productive war work, who might be designing tanks, and airplanes, and doing something for General MacArthur. They could be transferred to the Geological Survey to do topographic map work that is necessary for the War Department. But, no, they want to continue these investigations covering rivers in many States. You will find it all covered on page 326. It is not necessary, it

should be discontinued, and it will be a crime and a shame if there is 1 penny left in this bill for investigation in 1943.

On page 329 you will find the progress of the development of dams and power facilities, and I invite your attention to that item before we come to it tomorrow.

With the enormous amount of money we spent and will spend for the fiscal year 1942 for reclamation, guess how many acres of land have been brought into production as a result of that program? You will find on page 402 that 72,207 acres have been brought into production at a cost of $99,667,000. How much does that cost an acre? Think of it.

Then you will find on other pages of these hearings where they tried to justify the continuance of these wide investigations on reclamation construction projects on the ground of taking up the slack of a billion and a half dollars of imports that come into this country from South America.

These are but a few of the kisses in the dark missed by the subcommittee. As we read the bill I will cover some of the other items.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, during the several minutes that I was out of the House Chamber I am advised that the gentleman from Kansas [Mr. WINTER] raised the question of loyalty to the American form of government with reference to one employee connected with the Power Division of the Department of the Interior. I am advised that he at first referred to him as the head of the Power Division, but later, I believe, corrected that part of his statement. I merely want Members to know that I never heard of the gentleman in question. I did not know there was such a person connected with the Power Division as the gentleman he mentioned.

The committee heard the head of the Power Division, Mr. Fordyce, who appeared before the committee and made a very fine statement. If the person mentioned by the gentleman from Kansas is actually connected with the Power Division, and I assume, of course, that he is correct, and if he is in any kind of responsible position and has written a book in which he has stated some things that are not in keeping with the ideas and ideals that Americans hold dear, then I would be the last person on earth to try to defend such a person. I have no love and very little patience with any American who would bite the hand that feeds him; who would accept a salary from our Government and at the same time advocate the overthrow of his Government. It occurs to me, however, that if the gentleman from Kansas had such information when the committee was in session, and I believe the statement was made that he had it for 3 months, it would have been the fair and reasonable thing to have apprised the committee of this information and at the same time given the accused an opportunity of being heard. That is the American way.

There are several thousand people working in the Department of the Interior. The committee, I know, will be glad to learn that the F. B. I. was invited to go through the Department of the Interior and make the same kind of an investigation it has made or will make in all of the other departments of government. I am not telling any secret when I say they have not yet completed that investigation, but they have completed it sufficiently that one employee of that Department has already resigned. I feel that Members have absolute confidence in the F. B. I. It will do a good job.

It has no friends to reward or enemies to punish. It will be fair and thorough. I think I can say to the House that when the F. B. I. report is made that the Department will act accordingly and without delay.

Mr. COFFEE of Washington. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. Might it not be fair to the gentleman under discussion to accord him even a chance to explain his side of the case without trying and convicting him in the House of Representatives?

Mr. JOHNSON of Oklahoma. I cannot believe that the House wants any ex parte or star-chamber proceedings here. The gentleman who has been mentioned so many times, it seems to me, should have been accorded the opportunity of appearing before the committee and presenting his side of the question

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman 2 additional minutes and ask him if he will yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman.

Mr. RICH. May I say that I never heard of this gentleman, I feel sure that the chairman of our subcommittee has not heard of him, and I do not believe that any member of our committee knows anything about him; but if the statements made by the gentleman from Kansas on the floor a few minutes ago are true, then the chairman of the subcommittee should call the committee together tomorrow morning at some convenient hour, we should invite that man to appear before our subcommittee, read the statement that was given here this afternoon, and find out whether he subscribes to those things or whether he has written them. If he did, we should then write something into this bill that would bar him from receiving any salary from the Department. I feel confident that the chairman of our subcommittee will do some such thing as that, give the man an opportunity, and then let us see whether we can correct such a situation as this.

Mr. JOHNSON of Oklahoma. May I say to the gentleman that a far more practical method, and I am certain a more sure one, was adopted by the committee. May I call attention of the gentleman to the language of this bill. I refer the gentleman to page 140, line 13. This is not a provision that refers to one person only; it speaks for itself:

Provided further, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any appropriation contained in this act, shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

Mr. RICH. If he wanted to sign an affidavit that he did not subscribe to those things he has written, then he would evidently have changed his mind and he could get away with it, but I think we ought to know something about this, and I hope the chairman now, since we have started on this matter, will call the gentleman before our committee tomorrow morning and let us get the facts.

Mr. JOHNSON of Oklahoma. I may again assure the gentleman that the F. B. I. is taking care of the situation in that department, as it is in every other department of Government. When the F. B. I. finishes its investigation it is safe to say that the gentleman in question, as well as all employees, as well as the Congress, and the country will get a square deal—no more, no less.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Ohio.

Mr. JONES. I wonder if the gentleman would consider calling on the Attorney General's office to make a report to us so that we may learn about their investigation in that Department.

Mr. JOHNSON of Oklahoma. I would say to the gentleman that I have already asked the Department for a report and feel certain that the report will be forthcoming to the committee just as soon as this investigation has been finished. I think that is the fair, practical, reasonable, and businesslike way to do the job.

Mr. JONES. In order to satisfy this particular incident, would it be possible to get a partial report on those concerning whom they have already completed their investigation?

Mr. JOHNSON of Oklahoma. I do not know about that, but I think the committee would like to see the entire job done. I assure the gentleman it is being done, and I am very hopeful it will also be done not only in that department but in every other department and agency of the Government within the next few weeks or months. As far as I am concerned, the F. B. I. cannot investigate them too quickly to suit me.

Let us bear in mind that we are considering an appropriation bill, and that this committee is not an investigating committee. If the House wants to appoint an investigating committee now or any other time to go into that department or any other department, that is one thing. But to stop now in the consideration of the pending Interior bill to make an investigation, and especially one without giving the accused this constitutional privilege of being heard, is too absurd to be given serious consideration.

Mr. RICH. Suppose we report him to the Dies committee and let them take him for a ride.

Mr. JOHNSON of Oklahoma. Well, the gentleman from Pennsylvania might appoint himself as a committee of one to do so.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman from Kansas [Mr. REES] such time as he may desire.

Mr. REES of Kansas. Mr. Chairman, I believe we are at what may be termed as "the fork of the road" in the prosecution of our war effort.

This Government, this Congress, and groups of people in all walks of life including industry, labor, farmers, business and all of them must determine whether we can carry on as we are now doing, in view of the critical situation with which our country is confronted.

Mr. Chairman, the United States of America is in the most crucial period of its history. The American way of life is being challenged. Our democracy is threatened. We are in the most bloody, the most ruthless war the world has ever known and, it has only just begun.

More than 2,000,000 of the flower of our manhood have been called into service of their country. Millions more will be called. Thousands have been sent to the four corners of the world, and thousands more are on their way. Many of them will not return. Billions are being spent for munitions and war equipment of all kinds and we don't have half enough. This and more is required to protect our country from a ruthless enemy that seeks to destroy our very civilization.

Mr. Chairman, in the light of the critical situation we find ourselves today, it seems to me we must be more realistic, more frank about it. We have got to face the facts as they are, here and now.

Mr. Chairman, the risk is far too great for the people of this country to expect to bring this war to a successful conclusion and at the same time hope to maintain all of the so-called social and economic gains.

Mr. Chairman, I believe those charged with the prosecution of this war as well as industry, labor, farmers, and everybody must come to a common realization and understanding that to save this country from disaster and to keep faith with the men who are on the battlefront, and on the high seas, and in the air, they must lay aside demands for personal gains and not spar for special advantage. We must realize the only way to save this country is through common sacrifice on the part of everybody everywhere.

Until we have a realization that all Americans, and I use the words in broadest significance, are willing to demand and accept less rather than more, and do it in good faith, we stand a chance of losing this war.

Nowhere in the world can you find more loyal and patriotic people than among the rank and file of American workmen and American farmers. They have a big responsibility. They are willing. All they really want is fair play and a chance to do the job. Industry is becoming better prepared every day.

War production must be increased to the very limit. Industry must not demand or have excessive profits. Labor everywhere will need to work longer hours. Farmers must produce more food. People, generally, whether in Government, in the shop, on the farm, or in the office, must realize demands for personal gains and profits must be submerged and secondary in this crucial hour. Our country's destiny will be determined by our actions in the immediate future.

Mr. Chairman, Congress can appropriate billions, which is only a start. People buy bonds—that is absolutely necessary, but the thing that really counts is transforming these dollars into the sinews of war.

Our attention has recently been called to glaring cases of individuals who seek to extort such profits. A contractor with an investment of $35,000 is said to have made a profit of $200,000 on a war contract last year. Profits as high as 75 to 100 percent have been reported. There is the case of an individual who formerly held high position in the Government, and who is engaged as an "agent" to procure war contracts for certain firms. He demanded a fee of $700,000 for securing a big contract for a New York firm. Of course, these are exceptions, but the grabbing of huge profits must be curtailed.

Mr. Chairman, the taking of excessive profits by a Cleveland firm that was broke a year ago, as shown by a naval committee report, is not only inexcusable but absolutely scandalous. The president of the firm admitted that from profits on Government contracts he drew a salary last year of $145,000. His secretary drew $39,300 and $949,000 was divided among other officers.

Mr. Chairman, such a thing is disgraceful. It should be stopped. The money, all of it, should be refunded and those who took it should be penalized.

Mr. Chairman, extravagance and waste must be stopped. To permit waste of the people's money cannot be excused. Waste is bound to lead to corruption.

Mr. Chairman, the Government in Washington, and all who have a part in it, should set the example for efficiency and economy.

We need to streamline bureaus and agencies according to the absolute needs of the hour. There are about 165 of these agencies. Many are valuable, but not necessary now. Activities of others can be reduced and expenses cut.

Do you know our Government spent more than $150,000,000 last year just for traveling expenses of its executive employees in the departments. Some of it is needed, but not all of it—not now.

Mr. Chairman, I do not know how much need there is for the new temporary building on Pennsylvania Avenue being built at a cost of $600,000 and known as Mellett's Madhouse. I am advised it will be a bureau of information and will house hundreds of additional employees who will give advice relating to war production for those seeking contracts. Why not use some of the many information bureaus that are already set up and not needed in the present emergency.

Mr. Chairman, the recent resignation of Mr. Guthrie, one of the officials in the War Production Board, calls attention to the possibility of officials who may have taken advantage of their positions for financial gain. I do not think that such a thing is the practice. I believe nearly all of them are of the highest motives, but such practice should not be tolerated for a minute. Such facts should be made known. Whether they are dollar-a-year men or whether they received $10,000 or $15,000, they should be discharged.

Mr. Chairman, I realize that because it is for the best interest of our country much information cannot be disclosed. Those charged with the prosecution of the war should be just as frank and fair as possible in providing information to the American people concerning our war effort, without disclosing facts that may be helpful to the enemy. The American people "can take it," good or bad.

Mr. Chairman, the question of politics has been mentioned a good many times recently. Mr. Speaker, the situation is far too serious and too critical for favoritism or political maneuvering outside or within the administration. Those charged with the grave task of guiding our ship of state in this terrific storm should call into the Government, regardless of politics, the very best and most capable men in our country, and give them responsibilities in the production line, or wherever they may be used, just as you would do if they were to go on the battle line.

Mr. Chairman, the Americans are deeply concerned, and rightly so. They are willing and glad to contribute their share, and more, but they want to be assured that all efforts are being used for war purposes and not for nonessentials or boondoggling purposes. They demand everything be done to provide implements and materials of war before it is too long—and too late.

Mr. Chairman, we must reexamine our situation—not as of a year ago, or last month or last week, but today. We are living in a blundering, bleeding world. Democracy is on trial. Our very civilization is threatened.

Mr. Chairman, all groups and all classes will have to work together with a realization that it is for a common cause—to save our country from disaster.

The obligation to our boys in Australia, in Burma, in the foxholes of Bataan, and on the high seas and in the air is a tremendous one. Anything less than the best we have got is not enough.

Mr. Chairman, the task is gigantic. It can be accomplished. It can be done when the American people, working together, accept the challenge of these boys by giving them everything we have got. Nothing less will suffice.

Mr. Chairman, the task is tremendous. America will emerge victorious, but it will take work, and sweat, and blood, and tears before it can be accomplished. Let us hope and pray it may not be too long.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, I have noticed that certain forces are engaged

in an apparent attempt to discredit one of the most valuable agencies of the United States Government, the National Youth Administration. Their latest attempt is to show that this agency has in its possession a great quantity of machines and tools that could more profitably be used by war production industries.

Having been from the beginning an ardent supporter and admirer of the work of the National Youth Administration, I have made it my personal business to inquire into the merit of the attacks being made upon this organization, and I find the following are the facts: This agency does have a great quantity of machines and equipment, which it is using for the training of workers for war production industries as well as workers for the shore yards of the Navy and the arsenals of the Army. My inquiry also brings out that the N. Y. A., on the whole, began assembling these machines some 2 years ago—long before some other groups saw the necessity of doing the same. Rather than meriting the condemnation carried in these newspaper articles and in some of the comments of the Members of Congress, it seems to me that this agency deserves the sincere commendation of everyone who is sincerely interested in the winning of the war. There can be no doubt that any agency which has put together the vast number of work and training facilities which the N. Y. A. has done has achieved a herculean task.

My investigation discloses that most of the machines which the National Youth Administration has been able to rebuild and secure are excellent for training purposes but are not of the most modern type nor of the heavy caliber or amperage required by the industries having war contracts.

I am informed that defense training facilities of the National Youth Administration now in operation include the following mechanical shop units and work stations:

Type of production activity	Number of—	
	Shop units	Work stations
Total	1,670	38,817
Machine and metal working (total):	1,134	25,097
Machine shop	365	9,571
Sheet metal	328	7,948
Welding	207	6,117
Foundry	33	490
Forge and blacksmith	101	971
Radio	97	1,956
Electrical	44	612
Automotive maintenance and repair	163	2,900
Aviation services	27	1,103
Patternmaking	43	490
Other woodworking	97	2,800
Industrial sewing	65	3,859

Another aspect of this agency's work has been the wisdom and foresight that was shown in the location of these shops and training centers. I understand that they are located in every State in the Union and exist in the greatest number in those places where there are labor surpluses and the fewest opportunities for employment or training for war production industries. After completion of training, facilities were established by this agency whereby these young people, from those sections of the country having labor surpluses and no war contracts, could be transported to sections having war contracts and a labor shortage, thereby making available a very valuable source of workers at critical points in the war production structure.

I do not wish to be understood as being opposed to giving every possible assistance to those industries producing needed war material. I feel that if any of the N. Y. A. equipment can be shown to have a more valuable use in any war production industry than it is now achieving in the N. Y. A. training program, then such industries should have priority in its use. In saying this, I am merely supporting the position that has been adopted by the National Youth Administrator from the beginning of the defense, and now, war program. This is clearly attested to by the statement of Mr. Sidney Hillman, head of the Labor Supply Section of the W. P. B., whose statement I quote as follows:

> Several months ago National Youth Administrator Williams, in conferences with Labor Division officials, agreed to turn over any useful machine tools for defense production purposes, if the proper authorities decided such action was to the best interests of the production program.
>
> Most of the tools held by the National Youth Administration are old, reconditioned, and largely unsuitable for war production.
>
> On November 8, the Labor Division instructed all training agencies, including the National Youth Administration, to utilize machine tools available for training on a 24-hour basis. These instructions were deemed necessary because of the anticipated shortage in machine-tool operators. This shortage has since developed.

The attack upon this agency would have little or no public interest if it were not aimed at an activity which, on the record of its performance, is of vital importance in the war effort. We are all aware of the repeated statements that only part of our industrial plant is now in full operation due to the fact that properly trained and qualified workers, as well as a shortage of basic materials, makes the full employment of this machinery impossible. Therefore, the training of workers becomes one of the critical and vital elements of the production of the goods necessary for an offensive war. That the National Youth Administration has been making a significant and valuable contribution to our war effort is attested by every responsible official in the Federal Government. This could hardly be otherwise for last year approximately half of all those in the age group which N. Y. A. serves, who secured employment in private industry received their preemployment training in its work centers. In 1941 alone, 419,000 young people went from N. Y. A. projects into private industry, 210,000 of these are known to have gone into war industries. In addition, there were another 300,000 who quit projects before completion of training, for whom no records are available as to where they went to work. In one month alone, January 1942, 35,000 young people went from the training projects of the National Youth Administration into war-production industries.

From all the facts in this situation, I feel that we owe this agency a vote of commendation that it foresaw a great need, and, with incredible efficiency and drive, has moved heaven and earth to do its part in meeting that need. We now see that we need every agency that we have—the schools, the training-within-industry—Labor Division, War Production Board—and the facilities of the N. Y. A. to help in speeding up a supply of experienced and trained workers for the war-production industries. It would obviously cripple and retard the war effort, at this time, to do anything that would weaken, curtail, or limit the work of the National Youth Administration. The simple truth is that instead of crippling and weakening and limiting this agency, we need to facilitate its fullest possible operation.

The economy of its effort is obvious to everyone who will take the trouble to inquire into its cost of operation. In one State alone, there were approximately 12,000 persons in preemployment training for war-production industries, 9,000 of these are in the shops of the N. Y. A. The other 3,000 are receiving training in the schools and in industry and are receiving an hourly rate which approximates the beginner's rate of pay in industry, whereas the youth on N. Y. A. are receiving only 15½ cents per hour. The cost of training the 3,000 is between 250 and 350 percent more than the cost of training the N. Y. A. youth.

In addition, the N. Y. A. youth are producing needed parts for the shore yards of the Navy and the arsenals, 1 shop alone having produced 28,000 parts for the Navy shore yards in a period of 3 months.

I have elected to make this statement solely because of my interest in helping to win this war and in the interest of truth.

Mr. RICH. Mr. Chairman, I yield the gentleman from Michigan [Mr. HOFFMAN] such time as he may desire.

NO MONOPOLY OF PATRIOTISM

Mr. HOFFMAN. Mr. Chairman, yesterday the Member from New Jersey [Mrs. NORTON], speaking in opposition to the attempt which is being made to do away with pay and a half and double pay, demanded by some of those who are working in defense industries and to end the un-American practice of permitting certain labor politicians and racketeers to force the patriotic American worker to stand and deliver before going upon a defense job, said (RECORD, 2834):

> Their tactics serve to arouse discontent among Americans and to breed disunity, and thus to play the game that Hitler wants played and that cashes in the chips for him and his gangsters.

That statement by the Member from New Jersey [Mrs. NORTON] not only tends to breed disunity, but it does breed disunity. She charges those who insist that, in wartime at least, the un-American policy of compelling an American citizen to stand and deliver before he can work in defense of his country, with playing the game of Hitler.

That charge is false and the Member from New Jersey should know it is false. Even a woman's prerogative of scolding

and verbally spanking those who are near and dear to her is no excuse for such a statement. That sort of a statement assumes that the one who uttered it has a monopoly of patriotism, of good, hard common sense, and is never mistaken.

The Member from New Jersey may defend, if she wishes—for that is her right—those gangsters who charged $57.50 to loyal Americans who wanted to work in the construction of the cantonments. She may defend, if she wishes—for that is her prerogative—those who have compelled members of their craft to stand and deliver as much as $1,000 for membership in a union before they would be permitted to work.

She may defend, if she will, those who demand double pay for every hour worked on a Sunday or a holiday in defense of their country. She may follow whatever course she wishes, and the right of free speech, as practiced here in America, permits her on the floor of the House to slander and to vilify other people, presumably just as patriotic, just as intelligent, as is she. That same rule and the falsity of her charge permits the insertion of a statement of the facts on the same subject.

Those who insist that this Government act to protect those who desire to work without being compelled to join a union; those who insist that in time of war the Nation should not be compelled to pay a price and a half and a double price for all munitions of war manufactured on overtime or on holidays or Sunday, are just as patriotic, and some think more patriotic, than those who follow the opposite course.

The Member from New Jersey [Mrs. NORTON] had quite a little to say yesterday about the percentage of employees who were working in various industries. She said nothing at all as to the amount of money which was paid for overtime or for work on Sundays and holidays. She made no statement whatever as to the added cost of our war efforts caused by the payment of a wage and a half and a double wage. She was silent as the grave on the question of the amount of money, the millions of dollars, which American workers have been forced by union officials to pay before they could take part in the defense of their own country.

She failed to call the attention of the House to the fact that the demand for the closed shop, for double pay on Sundays, is so unpatriotic that the rank and file in at least one union has repudiated those demands. In a controversy which involved 8,500 employees of the Pittsburgh Plate Glass Co and the Libby-Owens-Ford Co., which was pending before the War Labor Board, the Federation of Glass, Ceramic and Silica Workers of America withdrew its demand for time-and-a-half pay for Sunday work and for a union shop and for the check-off.

Action by another union, the Automotive Workers Industrial Union, which is not affiliated with either the A. F. L. or the C. I. O., whose members include employees of the Diamond T Motor Car Co., proves what every informed person knew—that the rank and file was not behind many of the demands of the leaders. This union, according to the press, writing the President, said that failure of the national administrative agency to adopt a uniform labor policy has seriously affected the efficiency of the war production program. That union further wrote the President:

> We also believe that dues-picketing, union raiding, labor pirating, the cessation of work over the question of a closed shop and other forms of sit-down strikes or slow-downs should be abolished during the war period.

The union further urged a 48-hour week, but did ask for pay and a half for work in excess of the 48 hours. The company and the employees manufacture trucks for the Army.

The common sense, patriotic action of those unions should bring home to the labor politicians and to those who speak for them the fact that the rank and file of American labor is willing to assume its share of the war burden and that it is time for those who seek political or financial advancement through special demands by insisting that special privileges be granted to a group are not supported by public opinion.

The statement of the Member from New Jersey in substance and to the effect that those who are advocating a national labor policy are playing into the hands of Hitler is equal only in its lack of foundation, in its tendency to promote controversy and disunity, by the statement made last week in New York by the recently appointed Administrator of the Wage and Hour Division, L. Metcalfe Walling, when he said:

> The Nazi propaganda machine is behind this whole movement to do away with wage-and-hour standards, although I cannot cite chapter and verse, and the newspapers have been taken in.

It is fortunate for Mr. Walling that he does not go about the country repeating that statement, for he could be confronted by hundreds of thousands of loyal, patriotic, two-fisted Americans, who know that his statement is absolutely false.

It would be well for him to take a trip of a few days throughout the country and ascertain the will of the people. Let him talk with a few mothers, fathers, brothers of those who have gone to war, and let him in person tell them that they are the tools of Hitler. He will have on his hands a little private war of his own. His appointment has apparently swelled his head or stopped his thinking machinery.

Nothing is gained by ignoring the facts. Statements that there are no strikes only tend to create a lack of confidence in those making them, for the people know better. Whatever signs of repentance, promises of good conduct there may be from certain labor leaders, the strikes still continue, as note the following from the United States News dated March 27, 1942:

STRIKES

Thirty-one strikes, slow-downs, and other disputes which held up industrial production were reported in Washington last week. More than 9,394 employees were involved. The number of strikes represents an all-time peak since this country became involved in war, December 7.

The totals:

Eighteen American Federation of Labor strikes, involving more than 5,268 employees

Eleven Congress of Industrial Organizations strikes, involving more than 4,050 employees.

One independent union strike, involving 50 employees.

One strike of 26 employees, involving no union.

In the list below the figures are the approximate number of employees involved in each strike.

INVOLVING AMERICAN FEDERATION OF LABOR UNIONS

Building trades: Aluminum Co. of America, Mobile, Ala., 850; defense housing project, Wentzville, Mo.; Ford bomber plant, Willow Run, Mich.; J. L. Williams & Sons, Sheridan, Ark., 275; Kurz-Root Co., Appleton, Wis.; Pendleton Lahdy shipyard, New Orleans, La., 75.

Electrical workers: Fisher-Memphis Aircraft Division, Memphis, Tenn.

Garment workers: Cosmopolitan Manufacturing Co., Cambridge, Mass., 200; Leon Bros., Los Angeles, Calif., 80; Schwarzembaca-Heber Co., New York, N. Y., 1,500.

Metal trades: Fisher Tank Arsenal, Grand Blanche, Mich., 8; Marion Malleable Iron Works, Marion, Ind., 680; Todd-California Shipyard, San Francisco, Calif., 1,000; Walker Electrical Co., Atlanta, 100.

Potters: U. S. Stonewear Co., Tallmadge, Ohio.

Pulp & Papermill Workers: Sealright Corporation, Fulton, N. Y., 200.

Miscellaneous: Armstrong Cork Co., Braintree, Mass., 300; Consolidated Molded Products Co., Scranton, Pa.

INVOLVING CONGRESS OF INDUSTRIAL ORGANIZATIONS' UNIONS

Auto workers: Hydraulic Devices, Inc., Detroit, Mich.*; National Stamping Co., Detroit, 730*; Thorrez-Maes Manufacturing Co., Jackson, Mich., 600*; Universal Products Co., Dearborn, Mich., 600.

Clothing workers: Crescent City Laundries, Inc., New Orleans, La., 1,400.

Mill & Smelter Workers: Aluminum Co. of America, Cleveland.*

Rubber Workers: Seiberling Rubber Co., Akron, Ohio.

Steel workers: Atlas Press, Kalamazoo, Mich.*; Matthews Manufacturing Co., Worcester, 350; P. Wall Manufacturing Co., Pittsburgh, Pa., 220; Republic Steel Corporation, Niles, Ohio, 150.

INVOLVING INDEPENDENT UNIONS

Morrison Products Corporation, Cleveland, Ohio, 50—Mechanics Educational Society of America.

INVOLVING NO UNION

Ansin Shoe Co., Athol, Mass., 26.

*Indicate the slow-downs

Mr. RICH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BENDER].

INTELLIGENT CENSORSHIP VERSUS CENSORSHIP

Mr. BENDER. Mr. Chairman, the people of America want to believe most of the things they read. They want to know that the dispatches they read, date-lined "Washington, D. C.," tell the truth, the whole truth, and nothing but the truth. We know that information from Tokyo, from Berlin, from Rome, is often deliberately designed to conceal and distort the truth. It is our pride that our Government does not need to hide

bad news from the American public. When we read an official denial by Nazi Germany, we instinctively believe that the story is true. It must be the job of American censorship to see that this does not happen here.

The people of America want to win this war in the quickest possible time. We want to do everything necessary, and everything possible to achieve this result. Our Nation understands the importance and the significance of producing military equipment and getting it into action at the earliest moment. We have scarcely begun to grasp the importance and the significance of words in this tremendous conflict.

Americans are inclined to get tired of mere talk. We believe in action. Deliver the goods and stop talking so much about it, is what we want. So far as we are concerned, the ideological conversations which have ripped Europe and Asia apart are not vital to our being. We believe in our democracy and the struggles of the "isms." Fascism, nazi-ism, and communism in other lands are of real concern to only small parts of our population.

All this has led to an almost instinctive dislike of such new elements of modern warfare as propaganda and censorship. We know that in many nations every line of information is blue-penciled. We know that every word sent from other countries has been dictated by a controlled agency.

But we do not know ourselves the importance of these weapons. We do not recognize that a goodly part of this war is a battle of words. Words are fighting battles in China, in India, throughout the continents of Europe and Asia. Battles may not be won with them alone, but many a battle has been lost because of their influence.

Our Government has embarked upon a program of censorship. For some 2 months now, Byron Price, a newspaperman, has been carrying on bravely as chief of our censorship. But despite his efforts, the American people continue to be mystified. When censorship was first begun by Mr. Price, it seemed perfectly acceptable. The basic rules for our newspapers were clean and simple. Naturally, we were not to print anything which might furnish aid and comfort to the enemy. Troop movements, shipping news, technical details of new weapons, maps describing the location of ammunition dumps—all of these things were so obviously matters of military consequence that no one raised a word of objection.

What has happened has been almost incomprehensible. When our soldiers arrived in North Ireland, that news was proclaimed to the world. It was good news, news for which many of us had been waiting expectantly. But it required something like painful surgery to dig out the information that our boys came from the Middle West. For some reason the Army seemed to believe that this was a military secret. Just how it would help the Nazis, Japs, or Italians to know that our North Ireland boys came from Ohio, or Indiana, or Illinois is not very clear.

But this is only a sample of the kind of censorship which is driving American newspaper correspondents into premature senility. Our Army Procurement Division recently turned thumbs down on a request for permission to print information dealing with new aircraft factories. Within a few hours from the refusal, a Washington official gave out the entire story personally. Information dealing with the details of war production was rigidly withheld from the representatives of the press in Washington for weeks. A military service journal proceeded to publish the whole story in specific terms without batting a type stick.

Mr. Price has told us that the censorship program is being enforced entirely through the voluntary cooperation of our publishers, but the Army has threatened to use the 1917 Espionage Act to enforce its views on what may and what may not be printed.

Perhaps the censorship problem is only one more manifestation of the confusion which prevails throughout our high command in Washington. The recent statement of Secretary of the Navy Knox to the effect that Los Angeles had been frightened half out of its wits by nonexistent planes followed almost immediately by Secretary of War Stimson's insistence that unidentified commercial aircraft had flown on a reconnaissance flight over California which was followed in turn by denials that such a flight was even remotely possible, bear out the point. Then, too, the amazing story of a convoy en route to Australia which blasted its way onto our front pages scarcely reflects an intelligent use of our censorship.

Almost incredible as it may seem, the British censorship, after 2½ years of vicious warfare, is recognized everywhere as far less inclusive than our own. The British press has printed news of American aviation developments which were withheld from our own people.

But for a classic example of confusion worse confounded, the last 3 weeks have been unprecedented. The Secretary of War blandly informed us that material reinforcements had been dispatched to the defense of Java while the fighting was still at its height on that strategic island. A few days later the Japanese declared that some 5,000 British and Americans had been captured when Batavia's defenses failed. To this charge our newspapers printed the indirect rebuttal that only 600 Americans had been in Java and all of these were attached to our air force.

On Saturday morning, March 7, 1942, the London Daily Mail printed a dispatch dealing with American convoys to Australia and unparalleled battles in the Pacific under the byline of its correspondent, Walter Farr. According to the story, it was dispatched "aboard an American warship at sea." From London and Melbourne, Australia, this story was cabled to American newspapers.

Secretary of the Navy Knox immediately denied that the dispatch had been filed from an American warship. On Sunday the Navy Department declared that Farr had filed his report from Honolulu and then went on to say that the story had "no factual information about movements to Australia which had not been published by the American press prior to the London Mail publication." Where had this story appeared before?

These curious word battles have lent heat rather than light to the censorship picture. The Secretary of War believed that the route of the Alaskan Highway is a military secret. The Canadian Government at Ottawa promptly published the entire business. Our American censors banned all references to the building of a new American naval base in Eritrea, Africa. The British Government announced it and British censors O. K.'d its publication. President Roosevelt immediately denounced the release of the information.

All this confusion is a serious threat to every American publication which regards itself as a responsible organ of information. Too much news which offers neither aid nor comfort to the enemy is being blacked out for utterly incomprehensible reasons. Nothing is gained by these tactics, but much that we regard as valuable and meaningful in our lives is challenged needlessly.

We must have censorship in wartime. Let that censorship be consistent. Let it be intelligent.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may desire to the gentleman from Utah [Mr. GRANGER].

CHAMBER HITS AT STRIKES IN WAR PLANTS—ASKS MEMBERS TO DEMAND FEDERAL ACTION

Mr. GRANGER. Mr. Chairman, an article appearing in the Salt Lake Tribune with the heading "Chamber hits strikes in war plants." This will be my reply to the Salt Lake Chamber of Commerce to its executive secretary, Gus P. Backman:

I note by a news item in the Salt Lake Tribune that you had sent notices to all members of your organization to "demand legislation prohibiting strikes, dispensing with the closed shop, and cleaning up the labor rackets."

Well, the boys on Main Street have responded moderately, but have disregarded the strike and cleansing process; but all want to repeal the 40-hour week, and time and a half for overtime. I suppose they overlooked strikes at this time because strikes in war industry are almost nonexistent, according to the War Production Board.

This sort of propaganda is of the supposedly now defunct and discredited America First Committee type, and I recognize some familiar names of individuals who were fighting the defense program and the protection of the United States prior to Pearl Harbor, now posing as superpatriots, many of whom would risk the losing of the war if they could but discredit the President and destroy labor—whether or not it is loyal, patriotic labor.

Some of your members suggest that perhaps I might serve in the armed forces at $21 a month. As a matter of fact, I did exactly that in the last war, for which I am proud as all you must be who had that experience, therefore I neither yield to you nor any organization in the matter

of patriotism. I am greatly disturbed when I think of what these fine soldiers will have to meet, but I am sure that their patriotism and service will be no less whether they get $21 per month or $221 per month. This is the real test of love of country, this is their moment of history—the connecting link of a hopeful future with a glorious past.

It is my opinion your organization is using the patriotism of young men, and the anguish of the mothers of these men, to gain a long cherished selfish end, namely, discredit the administration and humble the laborers, at a time when the War Production Board, with the Army and Navy, is working with success to smooth out problems with management and labor in a democratic way, and to correct some of the things that have long needed correcting. Now the labor haters are fearful this plan will succeed, hence their unjust and un-American activities at this critical time.

During the debate on our foreign policy prior to the Pearl Harbor affair, I was never quite sure of the right thing to do. But when I considered the insight and unlimited information of those in high and responsible positions, I felt they were in a better position to know the best course to take, and I therefore thought it wise to follow their leadership. I did this over the screaming protests of propaganda similar to this put out by your organization now. In view of the fact that the leadership was dead right then, and the critics were wrong, there is no reason why I should follow the critics at this time—and I do not intend to do so.

The President of these United States, the Chief of the War Production Board, the War and Navy Departments, and responsible labor organization leaders, agree that tremendous production has been realized and that maximum production can be had without spite legislation directed at either management or labor. Let labor and management not become involved in quarrels at this time, when our very existence as a great free Nation might be impaired.

Mr. SHEPPARD. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. SMITH].

BONNEVILLE—ALUMINUM PRODUCTION

Mr. SMITH of Washington. Mr. Chairman, I have asked for this time in order to urge that the committee's recommendation on Bonneville appropriations be accepted, as to do otherwise will seriously interfere with the very foundation of our supply program.

It may be recalled that I offered the first Bonneville bill in 1937, and have for the last 10 years been a member of the House Rivers and Harbors Committee which has considered all basic Bonneville legislation.

The Washington side of the Bonneville Dam is in my district, and as a result of the availability of this low-priced abundant power, my district is now making perhaps the largest contribution to the base-metal requirements of the air program of any district in the country. I can speak, therefore, with a considerable degree of intimate knowledge on this subject. Because of this experience, I wish to point out the salient facts as to aluminum production and the part that this production plays in our air program.

Aluminum production

In 1929 the primary production of the virgin aluminum in the United States totaled 222,000,000 pounds. Today two plants in my district are actually producing at the annual rate of around 240,000,000 pounds, or in excess of the total American production in 1929.

In 1939 the primary aluminum production in the United States had risen to 287,000,000 pounds. In 1940 when the National Defense Advisory Committee assumed responsibility for the metals program, their first goal was 400,000,000 pounds per year, which was to be gained by the new plant at Vancouver, Wash., and the expansion of the plants at Alcoa, Tenn., Massena, N. Y., and Baden, N. C.

You will remember the early controversy over the supply of aluminum and the war requirements. Between June 1941 and today we find that the Army and Navy requirements as to aluminum have been gradually but increasingly raised. In January 1941 the requirements were set around 600,000,000 pounds, and in May 1941, when Mr. Batt appeared before the Truman committee he admitted that the requirement level had been raised to one billion and later to one and a half billion pounds per year. We now find that within the last 2 months the aluminum requirement level has been raised to 2,200,000,000 pounds.

The advance in the amount of the metal requirement for airplane production is significant, and brings out the power requirements of the President's expanded program. It takes approximately 1 kilowatt working continuously for a year to produce a thousand pounds of aluminum or magnesium. A heavy bomber requires about 24,000 pounds of light metal per plane, the smallest bomber 16,000 pounds, a pursuit plane 10,000 pounds, and a trainer plane about 6,000 pounds of light metal, such as aluminum and magnesium. The average bomber, therefore, requires about 20,000 pounds of light metal.

The President's annual message to Congress last January set a new goal for our national supreme resources mobilization effort. In this message he ordained that immediate steps were going to be taken to increase the production rate of airplanes from fifty to one hundred and twenty-five thousand per year.

Northwest aluminum production

The Aluminum Co. of America's plant at Vancouver, Wash., located in the third Washington congressional district, is now producing at the rate of 180,000,000 pounds of ingot aluminum per year with the electrical demand of 178,500 kilowatts. This plant was energized on August 31, 1940. The Reynolds metal plant located at Longview, Wash., has an annual capacity of 62,225,000 pounds of aluminum per year. This plant was energized on September 11, 1941. In addition to these two going plants, there is a new plant under construction at Troutdale, Oreg., with a capacity of 96,000,000 pounds per year and using 105,000 kilowatts. This plant is scheduled for completion on May 1 of this year. There is a fourth ingot aluminum plant under construction at Tacoma, Wash., with a capacity of forty-one and a half million pounds per year and an electrical demand of 46,000 kilowatts, which is scheduled for completion on August 1, 1942. The fifth ingot plant is under way at Spokane, Wash., scheduled for completion in May 1942. The Spokane plant will have a capacity of 123,000,000 pounds with an electrical demand of 130,000 kilowatts. Therefore, present northwest ingot aluminum plants will be producing in the middle of this year around 508,000,000 pounds or about one-half of the present production and around one-quarter of the ultimate production. About 520,000 kilowatts of Columbia River power will be at work on aluminum production this year. This production rate is equivalent to 50,000 pursuit planes, 21,000 large bombers, and 32,000 average bombers per year. These rounded figures will give to this House an idea of the contribution being made by Columbia River power to the defense program.

Defense metals

It is becoming obvious that this country must be the principal supply source of the nations combating the Axis Powers, and in this supply, electric power will be a large factor in the production effort. Modern machines needed for warfare are built of high-quality, lightweight, and high-strength material. Such materials can only be produced in the electrical furnace or in the electric cell.

The program

In his message to Congress, the President announced his plan of increasing airplane production from 50 to 125,000 per year, tank production from 45 to 75,000 per year, antiaircraft guns from 20 to 35,000, and merchant ship tonnage from 8,000,000 to 10,000,000 tons; all of these rates to be realized by 1943. With this production rate applied to the major implements of war, it will be necessary that other rates be increased proportionately. Therefore, this involves large increases in the production of metals and raw materials like steel, aluminum, magnesium, copper, tin, zinc, synthetic rubber, and chrome in amounts much larger than previously contemplated. In all of this production electric power is the base of the program.

Defense dollars per kilowatt hour

The basis of the power requirements for the defense program has been estimated by various agencies from 2.25 to 3.5 kilowatt-hours per dollar of defense expenditure. The tentative figure of the War Production Board is now around 2.25 kilowatt-hours per dollar, whereas the Federal Power Commission estimated 2.75 and the Brookings Institution 3.5 kilowatt-hours. This means that one kilowatt working every hour in the year will turn out from $2,500 to $4,000 worth of defense metals. The total annual expenditure for war of $72,000,000,000 represents about $55,000,000,000 of defense production with an estimated power requirement of about 17,000,000 kilowatts

on the basis of the lowest estimates presented. The higher estimates would be 50 percent in excess of this figure. This electrical requirement in the next 18 months must be met in two ways. First, by new capacity, and secondly, by displacement and curtailment. It is, therefore, apparent that this Nation must bring into service every kilowatt that can be quickly and expeditiously obtained within the next 2 years.

Columbia power source

The four Bonneville units totaling 216,000 kilowatts, which capacity has not been included in any of the production figures I have previously given, will come into service in the early part of 1943. This is the quickest and best power obtainable in America for the defense effort. In addition three Coulee units totaling in excess of 300,000 kilowatts will also come into production in 1943. Therefore, next year two Columbia River plants will be able to make an additional defense contribution in excess of a half million kilowatts. I now predict that all of this capacity and more will be needed in the victory program. The appropriation which is now before you is for the purpose of carrying this power to the point where it will be turned into the implements of victory. This House cannot afford at this time to disturb the figures submitted by the committee.

Plant locations and how the energy will be utilized is beyond the control of the Bonneville Power Administration. For strategic and other reasons, with which some of us do not always agree, these plants are set by the military authorities. When these locations are set it is incumbent upon the Bonneville administrator to transmit and transform the power from the generating source to the point of use. It is impossible to tie this appropriation down to specific items when the rapidly changing military situation may require the shift of large blocks of power on very short notice.

Checks and balances

The actual expenditure of this money will be controlled by two checking agencies. The first of these is the War Production Board, which will control the allocation of the basic materials used in line and substation construction. This agency will not grant priorities for any construction not used in the war program. In addition, the Bureau of the Budget has a control over the release of these funds, and the funds will not be released except for defense activities. Plant locations are more or less on wheels because of the raw material and military situation; therefore, of necessity, flexibility is required in the allocation of funds. Some of us may not agree with the individual items which make up this estimate. Nevertheless, it is apparent that the total sum will be needed in the fiscal year 1943 to take the new power to the point of use. Therefore, I again urge that this body carefully weigh the facts so as to avoid any decision that could impede the flow of this electric current into quick and needed war production.

Mr. RICH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GEARHART].

HETCH HETCHY POWER FOR ALUMINUM PRODUCTION

Mr. GEARHART. Mr. Chairman, the appropriation bill before the Committee includes a small sum for the Division of Power in the office of the Secretary of the Interior. It is to support this item that I have asked recognition.

Largely through the work of this Division, a giant, new aluminum plant—which will produce almost 100,000,000 pounds of aluminum annually—will soon be producing this vital war metal in Stanislaus County, Calif., near Modesto. This plant will use power generated at the great Hetch Hetchy development which is owned and operated by the city of San Francisco. The project was made possible by the Raker Act passed by the Congress in 1913. This act required that the power generated at Hetch Hetchy be sold directly to consumers.

Ever since the first kilowatt-hour of energy was generated at Hetch Hetchy, there has been controversy over the method of selling this power. In 1940, the Supreme Court of the United States decided that the city was selling the power in violation of law. The result of the Court's decision was that the powerhouse would have to be closed down on July 1 of this year unless some means could be found of selling the power directly to consumers.

Instead of letting the ax fall and allowing this power to be shut off by operation of law at a time when it is critically needed, the Division of Power in the office of the Secretary of the Interior set to work to find a means of compliance with the Raker Act which would be beneficial to the city of San Francisco and would further the war effort. I know that this was a tremendous job, a job of real difficulty, because I have myself been in consultation since the inception of the program with the Federal officials who had jurisdiction over the matter. The men in the Division of Power were able to work out an arrangement by which Hetch Hetchy power could be supplied to a new aluminum plant to be located near Modesto.

This great achievement will mean a lot to the people of my district; it will mean revenues to the people of San Francisco and a decreased tax burden; and it will mean more fighting planes and bombers to our forces in Australia, the Philippines, and throughout the world. I think that this achievement of the Division of Power, standing alone, would more than justify its small appropriation which has been approved by the committee. I sincerely trust that it will be approved by this body as a vital national defense item.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. GREEN].

WAR VETERANS ARE DOING THEIR FULL PART IN PRESENT CRISIS AND DESIRE FURTHER SERVICE

Mr. GREEN. Mr. Chairman and my colleagues, I invite the attention of all of you, but particularly the attention of our membership which serves on the House Military Affairs and also the House Naval Affairs Committees. I have received an unprecedented number of letters from World War veterans who are now desirous of again serving with our armed forces. Many of these World War No. 1 veterans have spoken to me personally concerning their desire to be of helpfulness and service during the present war. Of course, some of them are in the Officers' Reserve Corps and in this manner have been able to go into active duty and a few others have in the regular routine gained admittance to the Army and Navy. I have also had quite a few communications from Spanish-American War veterans who feel they are physically able to resume service with the armed forces. These veterans desire to serve our country in some helpful capacity.

I believe that the Congress should promptly enact a general law which will permit all veterans who are able to meet reasonable requirements to enter the armed forces. Their World War and Spanish-American War training and their civilian occupation and experience since the war have prepared them for most useful services. Thousands of them have been engaged since the last war in the professional world or in administrative and directory capacities or in skilled labor capacities, and in fact, all of them who are physically able to follow gainful employment have been active in some qualifying line of work which renders them now by far of greater usefulness to the armed forces than an inexperienced man. It is true that a relatively small number may be physically able to endure exacting combat duty but with their knowledge, training, and experience, they could very well be offered service with the forces primarily in noncombat capacity. They could train and whip into Army shape the thousands of men now entering the armed forces; they could do clerical duty, administrative duty, police and guard duty, construction supervising duty, transportation, and mobilization supervision, production and supervision duty, and in fact, there are numbers of assignments which could be better performed by them than by any new person in the armed forces, and such assignments would be within the physical ability of a large percentage, particularly of the World War veterans.

Practically all of these veterans have dependent families and many of them are without income except from their own earnings. It would be necessary for reasonable and comparable compensation to be allowed them. In other words, practically every one of these veterans could qualify for capacities which ordinarily require officer's rank and pay. If such capacity should be in noncombat duty, then a scale of pay, perhaps under regular officer's pay, could be arranged for special veterans' officers corps. Recently, I sent the following communication to the President:

WASHINGTON, D. C., *March 3, 1942.*

MY DEAR MR. PRESIDENT: I strongly urge that further consideration be given to the utilization of World War veterans in the present war program. Many of the war veterans are in good physical condition, and an unusually large percentage of them have sufficient health to enable them to perform some kind of useful service during the war program. They are tried, true and patriotic men and are, indeed, well experienced in

practically all problems now facing our war-program officials.

Those who are not physically capable of actual combat service could be utilized in active duty as camp officials, intelligence officers, in training of draftees and new recruits, and in guard duty. An arrangement of this kind would relieve many younger men in other services and would increase the number of existing trained officers for more active duty.

Practically all of these veterans have families and other responsibilities which would make it, in nearly all cases, imperative for them to have greater pay than that allowed privates. It would be my thought that a special and appropriate officership arrangement might be well worked out which would allow commissions to practically all war veterans whose services are utilized as outlined above. The grade of pay allowed for the respective commissions given veterans could be slightly under the scale of the existing regular Army officers' pay.

A veteran who served as a private in World War No. 1 undoubtedly could now be worth far more to our armed forces at this time than he was during his war service, this because of his World War No. 1 training and experience and his civilian service and utilization since World War No. 1. A reasonable pay scale especially arranged for and provided for such war veterans who now enter the service for special duty and for the duration of the war would enable the minimum maintenance of their homes and at the same time permit them to fulfill their heart's desire for service now with our armed forces.

Of course it is my thought that enlistment for such service should be optional with the veteran. An arrangement, however, as indicated above, would successfully invite the service of thousands of war veterans, and their service would be of inestimable value to our armed forces and our Nation's security.

I receive letters daily from patriotic veterans who feel that they are physically able to perform at least some reasonable assignment in the role of our country's defense. Practically all of them prefer assignment in accordance with their physical ability directly in the armed forces of our country.

I make this suggestion to you as the Commander in Chief of our armed forces, and with the hope that some worth-while plan may evolve which will be not only for the help of our war veterans but also for substantial aid to our armed forces in the defense of our country.

With very kind personal regards, I am

Sincerely yours,

LEX GREEN.

Mr. Chairman, in our appropriate committees will give consideration to constructive and reasonable legislation along this line, a surprising number of worthy and capable veterans will thus be invited to return to the service. In fact, an unduly large percentage are now clamoring for enrollment, even for unpaid duty. I hope favorable consideration can be had.

DISABILITY ALLOWANCE AND INCREASES

At this particular time, when industry has been seriously displaced by war necessity and when the cost of living has increased, it would seem most timely to me for the House to give consideration to general pension legislation for World War veterans. I have during the past several Congresses introduced legislation for this purpose. H. R. 1440, which I introduced for this purpose, is now before the House Committee on World War Veterans' Legislation. Under the provisions of this bill, disability pay would be as follows: Ten percent, $12 per month; 25 percent, $20 per month; 50 percent, $30 per month; 75 percent, $40 per month; total disability, $60 per month. The bill further provides that World War veterans and dependents who are now drawing compensation would have an automatic increase of 10 percent in such payments. There are other provisions in the bill for liberalization of existing laws. I have in my files a large number of veteran cases which I believe in fact are service connected but from one cause or another, the veteran has been unable to prove to the satisfaction of the Veterans' Administration that service connection exists. This bill would take care of all these border-line cases by automatically giving compensation

WIDOWS' AND ORPHANS' BILL

In this connection, I may mention that we have twice passed in the House and sent to the Senate a bill for compensation benefits for dependents of World War veterans without service connection. Our last bill was H. R. 4, and passed the House on June 16, 1941. This is one of the most meritorious pieces of legislation that I ever voted for, and I hope that the other legislative branch will promptly act in order that these widows and orphans and dependent parents of deceased veterans may have these justified benefits.

It is true that the Congress has made large appropriations for disabled World War veterans and for their dependents and for their hospitalization. In my State we now have some 4,000 Spanish-American War veterans who draw pension and some 11,500 World War veterans drawing compensation or pension. The total amount paid for all purposes to all veterans, dependents, for hospitalization, and so forth, in Florida for 1941, was a little over $11,000,000. I include herewith in this connection a statement recently given me by the Veterans' Administration.

VETERANS' ADMINISTRATION,
Washington, February 11, 1942.

Hon. LEX GREEN,
House of Representatives,
Washington, D. C.

MY DEAR MR. GREEN: Reference is made to your letter dated February 9, 1942, requesting information relative to the amount disbursed in the State of Florida for the fiscal years 1940 and 1941.

The following table indicates an approximate distribution of expenditures in the State of Florida during the fiscal years 1940 and 1941, and the number of beneficiaries on the roll June 30, 1940 and 1941.

	Number on roll June 30, 1940	Disbursed during fiscal year 1940	Number on roll June 30, 1941	Disbursed during fiscal year 1941
Compensation and pension benefits:				
World War:				
Living veterans	6,582	$3,428,752	7,127	$3,822,002
Deceased veterans	1,794	973,481	1,953	1,034,798
War of 1812				
Mexican War (deceased veterans)	4	2,368	4	2,371
Indian War:				
Living veterans	35	30,245	40	28,843
Deceased veterans	50	14,411	47	17,082
Civil War:				
Living veterans	37	56,128	27	33,554
Deceased veterans	603	290,032	534	256,094
Spanish American War:				
Living veterans	3,930	3,058,047	3,904	3,207,359
Deceased veterans	1,014	367,809	1,086	403,787
Regular Establishment:				
Living veterans	659	227,864	693	289,104
Deceased veterans	182	54,582	204	62,964
Total compensation and pension benefits:				
Living veterans	11,243	6,801,036	11,791	7,380,862
Deceased veterans	3,647	1,702,683	3,828	1,777,096
Military and naval insurance	378	313,064	325	256,641
Adjusted service and dependent pay		12,661		8,318
Administration [1]		1,479,267		1,581,544
Construction		400,559		91,792
Total disbursements		10,709,270		11,006,253

[1] Administration includes expenditures incident to the maintenance and operation of all offices, hospitals, and all forms of medical, hospital, and domiciliary care.

Very truly yours,

FRANK T. HINES,
Administrator.

These expenditures do not take care of the pressing and just requirements. Passage of H. R. 1440 or its substance is not only justified but is just and should be done. I ask your support for this bill.

For all purposes, veterans and dependents, hospitalization, and so forth, in Florida the past 12 years, there has been expended possibly $84,000,000. We have in Florida two splendid facilities for veterans—one at Lake City and the other at Bay Pines, Fla. In my efforts for these facilities, I have uniformly had the fullest cooperation of Florida veterans. In fact, this cooperation has been had in all things which were for the benefit and betterment of our great Nation and our democratic form of government. I am grateful for this cooperation and understanding which exists in my State.

VOTED FOR BONUS PAYMENTS

Soon after my vote for payment of the bonus, Frank E. Altman, senior vice commander, Department of Florida, Veterans of Foreign Wars, and also president, Veterans' Voting League, wired me:

Your vote yesterday (for bonus payment) has been recorded in our sacred archives. Call on me or our State-wide organization for anything you may need in future.

Also, J. J. Skillman, national councilman, Veterans of Foreign Wars, wired as follows:

Congratulations on the courage of your conviction to honor the Nation's heroes by

your support in voting for the bonus bill. The veterans of the State of Florida will never forget your courage and gratitude shown to them by you.

The CONGRESSIONAL RECORD of January 10, 1936, roll call No. 3, shows that I voted to pass the bonus bill. I also was the only Florida Congressman who signed the petition on the Speaker's desk to force consideration of this bill. The CONGRESSIONAL RECORD of January 24, 1936, page 987, roll call No. 11, shows that I voted to pass the bonus bill over the veto of the President. This is the bill under which the bonus was paid to the veterans.

Gordon B. Knowles, former commander, the American Legion, Department of Florida, wrote me as follows:

I wish to express to you on behalf of the American Legion, of the Department of Florida, and particularly on behalf of my associates on the committee that recently went to Washington about the Lake City Hospital, our very sincere thanks for your cooperation and kindness in connection with the project and our visit to Washington. You were more than courteous, thoughtful, and hospitable to us and we are all very grateful.

Hon. Frank J. Wideman, former Assistant Attorney General, wrote me as follows:

I congratulate you on your good work in the matter of establishing a branch of the National Home for Disabled Volunteer Soldiers in Florida.

Raymer F. Maguire, former member of Florida Board of Control, wrote me:

I appreciate the Fletcher-Green bill providing for the establishment of National Home for Disabled Soldiers in Florida. I am sure of one thing, and that is that you never miss an opportunity to put in your oar and paddle for the interest of Florida.

Howard Rowton, a most prominent Florida Legionnaire, wrote me:

I want to thank you for the fine support that you have always given the ex-service men of Florida, and we feel that in you we have a real friend.

J. W. Gooding, past department commander, Florida United Spanish War Veterans, wrote me:

I wish to take this opportunity to thank you for the good work you have done for the State of Florida in reference to the branch of the National Soldiers Home for Florida (Southern States) and for your wires to me as department commander. I especially wish to thank you for all your work in behalf of our organization, the United Spanish War Veterans. As retiring department commander for Florida for 1929–30 I personally as well as for the organization express my appreciation.

The great veterans' facility now at Bay Pines, Fla., was established as a result of the bill which I introduced in the House and the late Senator Fletcher, of Florida, in the Senate.

LEGION DISTINGUISHED SERVICE AWARD

One of the greatest honors which it has been my lot to receive was the Legion distinguished service award for 1933, of the American Legion post of my home county.

If there is doubt in the minds of any present as to the patriotism and desire of World War veterans to serve our country in the present armed conflict, I hope you will listen to the following communication:

UNITED STATES AMERICAN LEGION,
St. Petersburg, Fla., March 6, 1942.

Hon. LEX GREEN,
House of Representatives,
Washington, D. C.

DEAR LEX: Your letter of the 20th ultimo, enclosing the copy of the American's Creed, was read to the entire membership in open meeting, and a motion was made and passed that this letter be sent expressing our sincere appreciation.

Many of our members have expressed their desire to again serve our country in this hour of need, but apparently their age prohibits the use of their services. However, we all stand ready and willing to serve in whatever capacity possible.

Personally, I took an examination for recommission in the service on January 13 and have just been ordered to have my blood pressure rechecked, although I haven't missed a day from the office in many years.

Assuring you it is always a pleasure to be of service and with kindest personal regards, I am

Respectfully,

MARTIN H. TEWES,
Adjutant.

I was deeply impressed by a statement recently carried in the Florida press and made by State Commander Rupert Caviness, of the American Legion, Department of Florida. Mr. Caviness is a highly patriotic, thoughtful, and well-informed gentleman. His views are indeed entitled to the consideration of the Congress. His statement, in part, was as follows:

In my opinion, we are very fortunate in having the brainiest men of the world at the head of our Army and our Navy. Our Army and Navy represent the "cream of manpower" not only of our Nation but of the whole world.

I have all of the confidence in the world in these men, and I know that they are capable of doing a better job than is possible by any other manpower of the world, providing they are furnished with a sufficient amount of the proper equipment.

The United States Army and Navy is composed of the highest quality men that can be found in the world. They are in there because of the enlistment, or because of selective service. We should be doing things to let these men know that we are proud of them. Our task is to build their spirits and try to make them believe that we are with them 100 percent.

The quickest way for us to win this war would be for every true American citizen to be called into some kind of service and thereby carry his or her part.

Suppose we take another idea from Britain and put a ceiling on the amount of money that every United States citizen may earn in a year. Is any civilian worth more pay than the man who is fighting and offering his life to preserve what we have?

The veterans are responding nobly to the call of duty and are doing all within their power for our war effort. They desire to participate further. If arrangements can be made for further participation, the veterans will be not only happy but will respond and our civilization will be benefited.

We are now facing the most critical period in the history of our Republic. Civilization is at the very cross roads. The liberty and freedom of not only the American people but of mankind is at stake. The suppressed and enslaved people of many nations now look with longing hope for rescue by the people of the United States. Their freedom has been blasted. They are now writhing under the iron heel of Hitler and his hordes. Unity and supreme effort of America are the only hope for freedom's victory over Germany, Italy, and imperial Japan. Men of character, experience, and ability are needed to help guide the destiny of our Nation and world freedom. Let us do all possible to utilize the services of these patriotic and qualified veterans.

The Clerk read to line 6, bottom of page 1.

Mr. LEAVY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MCCORMACK having assumed the chair as Speaker pro tempore, Mr. COOPER, chairman of the Committee of the Whole House on the state of the Union reported that that Committee had had under consideration the bill H. R. 6845 and had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. GREEN. Mr. Speaker, I ask unanimous consent to extend the remarks I made this afternoon and include two or three short letters.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very excellent address by the Commissioner from the Philippine Islands [Mr. ELIZALDE].

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ELIZALDE. Mr. Speaker, I ask unanimous consent to extend my remarks by including a speech by Mrs. Pearl Buck.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks and include an item from the New England News Letter for the month of March.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MODIFICATION OF THE WALSH-HEALEY ACT

Mr. HOBBS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4579) to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. This bill affects the Walsh-Healey Act?

Mr. HOBBS. Yes, sir.

Mr. MICHENER. Will the gentleman explain what the changes are and whether the bill has the support of the gentleman from Massachusetts [Mr. HEALEY] and those who represent organized labor as well as the others who are

vitally interested in this type of legislation in the House.

Mr. HOBBS. Mr. Speaker, I am delighted to answer the gentleman's question. This bill brings the Walsh-Healey Act into line with the Fair Labor Standards Act, and makes the two in accord with respect to annual wages and hours. The distinguished gentleman from Michigan is one of the ranking members of our committee as well as in the leadership of the minority of the House, knows that this bill has the unanimous favorable reports, both of the subcommittee and the full Committee on the Judiciary. It has the cordial support of Mr. HEALEY, who is one of the joint authors of the Walsh-Healey Act. It has the support of L. Metcalfe Walling, who was the administrator of the Walsh-Healey Act and now is the Wage and Hour Administrator.

So far as our committee is advised, no one opposes it, and it has the hearty approval of everyone who has studied the problem it solves.

There are a few employers who have agreed with their employees, bargaining collectively, upon an annual income for working not more than 2,080 hours annually, as permitted by the Fair Labor Standards Act. Such firms cannot participate in the war effort on that basis because of the weekly hour maximum fixed by the Walsh-Healey Act. Hence, this bill amends the latter act to make it conform, in this particular, with the former act.

Due to the laudable, intelligent, and diligent efforts of the author of this bill, the gentleman from Wisconsin [Mr. KEEFE], and the author of an identical bill or a similar bill, the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], all of the elements have been brought into accord and there is no opposition whatever so far as we know.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (c) of section 1 of an act entitled "Public No. 346," Seventy-fourth Congress (S. 3055), be amended by inserting the following proviso after the end of said subsection (c): "*Provided*, That the provisions of this subsection shall not apply to any employer who shall have entered into an agreement with his employees pursuant to the provisions of paragraphs 2 and 3 of subsection (b) of section 7 of an act entitled 'Fair Labor Standards Act of 1938.'"

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BOEHNE (at the request of Mr. LUDLOW) for 1 week, on account of official business.

ADJOURNMENT

Mr. LEAVY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 25, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing at 10:30 a. m. on Wednesday, March 25, 1942, on H. R. 6529 and private bills.

THE SUBCOMMITTEE ON PETROLEUM OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Subcommittee on Petroleum of the Committee on Interstate and Foreign Commerce will hold a meeting at 10 a. m. on Friday, March 27, 1942, to hear Mr. Elliot E. Simpson, director of the Drexsage Rubber Co. of New York in respect to rubber.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1528. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1941, submitting a report, together with accompanying papers, on a review of reports on the Great Pee Dee, Lynches, Little Pee Dee, and Waccamaw Rivers, S. C., with a view to determining if improvement of Big Bull Creek, with a view to flood control, is advisable, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on October 4, 1940; to the Committee on Flood Control.

1529. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1941, submitting a report, together with accompanyihg papers, on a preliminary examination and survey of the Nooksack River, Wash., authorized by the Flood Control Act approved on June 22, 1936; to the Committee on Flood Control.

1530. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated December 4, 1941, submitting a report, together with accompanying papers, on a review of reports on the White River Basin, Mo. and Ark., with a view to determining the advisability of undertaking flood-control works on the Cache River, requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on April 14, 1937; to the Committee on Flood Control.

1531. A letter from the Acting Administrator of the Federal Works Agency transmitting a draft of a proposed bill designed to authorize the Federal Works Administrator to appoint a Deputy Federal Works Administrator and to define his duties; to the Committee on Expenditures in the Executive Departments.

1532. A letter from the Secretary of War transmitting a draft of a proposed bill to authorize officers and enlisted men of the armed forces of the United States to accept decorations, orders, medals, and emblems tendered by governments of cobelligerent nations or other American republics; to the Committee on Military Affairs.

1533. A letter from the Secretary of Commerce transmitting a report of the activities of the Reconstruction Finance Corporation and its subsidiaries in connection with the defense and war effort; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of Oklahoma: Committee on Appropriations. H. R. 6845. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes; without amendment (Rept. No. 1935). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. H. R. 6799. A bill to increase the monthly maximum number of flying hours of air pilots, as limited by the Civil Aeronautics Act of 1938, because of the military needs arising out of the present war; with amendment (Rept. No. 1944). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HART: Committee on War Claims. H. R. 1147. A bill for the relief of Dr. Henry Clay Risner; with amendment (Rept. No. 1936). Referred to the Committee of the Whole House.

Mr. HART: Committee on War Claims. H. R. 1280. A bill for the relief of Meta De Rene McLoskey; without amendment (Rept. No. 1937). Referred to the Committee of the Whole House.

Mr. O'BRIEN of New York: Committee on War Claims. H. R. 1336. A bill for the relief of Leah A. Brownell; without amendment (Rept. No. 1938). Referred to the Committee of the Whole House.

Mr. MILLS of Louisiana: Committee on War Claims. H. R. 1578. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, adjudicate, and enter judgment on the claim of Carl G. Allgrunn against the United States for the use of his invention in rifling guns during the war and thereafter by the Symington-Anderson Co. at Rochester, N. Y., said invention being shown and described in his Letters Patent No. 1,311,107, issued by the Patent Office of the United States on or about July 22, 1919, and conferring jurisdiction upon said Court of Claims to reopen and further adjudicate the claim of said Carl G. Allgrunn for the use of his invention by companies or in shops other than the Symington-Anderson Co. in 1918 and 1919, which claim has heretofore been settled on the basis of the judgment of the Court of Claims of February 3, 1937, awarding the said Carl G. Allgrunn the sum of $56,043.76 with interest thereon, on which judgment the said Carl G. Allgrunn was paid on or about April 11, 1938, the sum of $119,030.80; without amendment (Rept. No. 1939). Referred to the Committee of the Whole House.

Mr. WORLEY: Committee on War Claims. H. R. 1744. A bill for the relief of Lizzie Berry; without amendment (Rept. No. 1940). Referred to the Committee of the Whole House.

Mr. HART: Committee on War Claims. H. R. 2219. A bill for the relief of Mary G. Person; without amendment (Rept. No. 1941). Referred to the Committee of the Whole House.

Mr. WILLIAM T. PHEIFFER: Committee on War Claims. H. R. 3176. A bill for the relief of Agnes Brodahl; with amendment (Rept. No. 1942). Referred to the Committee of the Whole House.

Mr. O'BRIEN of New York: Committee on War Claims. H. R. 4624. A bill for the relief of John August Johnson; without amendment (Rept. No. 1943). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Oklahoma:

H. R. 6845. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes; to the Committee on Appropriations.

By Mr. DIMOND:

H. R. 6846. A bill to amend an act entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes," approved August 24, 1912; to the Committee on the Territories.

By Mr KOPPLEMANN:

H. R. 6847. A bill to assure to all persons within the District of Columbia full and equal privileges of places of public accommodation, resort, entertainment, and amusement, and for other purposes; to the Committee on the District of Columbia.

By Mr. PLUMLEY:

H. Res. 466. Resolution expressing the sense of the House of Representatives that activities of the Office of Civilian Defense concerned with the promotion of sports and other forms of recreation should be discontinued immediately; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DICKSTEIN introduced a bill (H. R. 6848) granting jurisdiction to the United States Circuit Court of Appeals for the Second Circuit to reopen and readjudicate the case of Robert L. Demuth, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2596. Mr. VINCENT of Kentucky: Petition of Hon. George Street Boone, of Elkton, Ky., and numerous citizens and residents of Elkton and Todd County, Ky., petitioning for a ceiling over all prices, including wages, agricultural products, manufactured articles, and rents, to be fixed at a reasonable value, with the request that the price ceiling fixed be firmly enforced, etc.; to the Committee on Banking and Currency.

2597. By Mr. MOTT: Petition signed by Mrs. H. Francis Meeker and 67 citizens of Clackamas County, State of Oregon, requesting the passage of Senate bill 860; to the Committee on Military Affairs.

2598. By Mr. GRAHAM: Petition of 33 members of the Young People's Organization of the Portersville Presbyterian Church, urging the passage of the bill now before Congress to forbid the sale of beer and liquor in areas where there are training camps for our soldiers; to the Committee on Military Affairs.

2599. Also, petition of 34 members of the Portersville Presbyterian Church, urging the passage of the bill now before Congress to forbid the sale of beer and liquor in areas where there are training camps for our soldiers; to the Committee on Military Affairs.

2600. By Mr. KRAMER: Petition of the Los Angeles County Board of Supervisors, Los Angeles, Calif., expressing opposition to the bill H. R. 6750, which is a substitute for both H. R. 6617 and H. R. 6049, contending that the principle of the proposal is not to the best interests of the small communities or local Government agencies; to the Committee on Ways and Means.

2601. Also, petition of the California State Board of Agriculture, urging that the Farm Security Administration be granted sufficient budgetary and other support to enable it to provide mobile camps for seasonal workers and to deal with problems of transporting such workers within and to areas where their services are needed, that the United States Employment Service in California be provided with a sufficient additional staff to enable it to perform properly its important functions in connection with recruiting and supplying necessary seasonal labor; to the Committee on Appropriations.

2602. By Mr. LUTHER A. JOHNSON: Petition passed by the Council of the City of bureau of identification of the police department, Corsicana, Tex., favoring House bill 6256; to the Committee on the Judiciary.

2603. By Mr. SMITH of Wisconsin: Resolution passed by the council of the city of Kenosha, Wis., opposing provisions of House bill 6750, to promote the prosecution of war by exempting from State, Territorial, and local taxes the sale, purchase, storage, use, or consumption of tangible personal property and services for use in performing defense contracts, and for other purposes; to the Committee on Ways and Means.

2604. By Mr. ROLPH: Resolution of the Railroad Commission of the State of California, at San Francisco, Calif., approving the enactment of House bill 6156, or other appropriate measure, for the purpose of amending section 321 of title III, part II, of the Transportation Act of 1940; to the Committee on Interstate and Foreign Commerce.

2605. By Mr. SMITH of Wisconsin: Resolution of the Pure Milk Association of Chicago, Ill., recommending that no priorities be granted for new public buildings unless it be shown that such buildings are absolutely necessary and will directly aid in winning war; to the Committee on Public Buildings and Grounds.

2606. Also, resolution of the Pure Milk Association of Chicago, Ill., urging Congress to pass legislation prohibiting interstate shipment and sale of oleomargarine containing any dairy products, which is yellow in color and which imitates butter in respect to color, taste, and appearance; to the Committee on Agriculture.

2607. Also, resolution of the Pure Milk Association of Chicago, Ill., urging legislation to protect the human and animal life of the United States by establishing a permanent system of sanitary inspection and control over the importation of animals and their products from foreign countries, and to provide for the imposition of mandatory embargoes against such importation where there is danger of spreading disease to this country; to the Committee on Agriculture.

SENATE

WEDNESDAY, MARCH 25, 1942

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

O God, Thou Father of our spirits, whose greatness separates Thee not from us but rather brings Thee near and enfolds us in Thy care: Teach us to live, though sometimes it were easier far to pass away, closing our eyes upon earth's twilight and wakening at the dawn; teach us that harder lesson, how to live and serve Thee in life's darkest moments; to live no more for sin and self, wasting life's precious hours in seeking our own pleasures, but employing heart and hand to do Thy bidding cheerfully, with kindly words for all. And let this be our highest, holiest joy, so to fill the common days with harmonies divine, that, when for us all working days are o'er, the heavenly music, gladsome and soothing, sweet and clear, shall rise in purest harmony through all eternity, stealing away the strain of every aching heart, healing the long-borne pain. In our Saviour's name, we ask it. Amen.

THE JOURNAL

On request of Mr. GREEN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, March 24, 1942, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed a bill (H. R. 4579) to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R 1057. An act to establish a system of longevity pay for postal employees;

H. R. 5945. An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin;

H. R. 6738. An act to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; and

H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

JAMES D. PRESTON

Mr. CHAVEZ. Mr. President, in these hectic days of strife and turmoil, it appears to me to be fit and proper to say a few words of appreciation of the loyal and intelligent services of one of the Senate's faithful employees. Today marks the anniversary of 45 years of service of James D. Preston to the Senate.

The Senator from Wyoming [Mr. O'MAHONEY], the Senator from Maine [Mr. WHITE], the Senator from Wisconsin [Mr. LA FOLLETTE], and I are former employees of this body. We were fortunate in that in days gone by we were fellow employees of Jim Preston, and I am happy that we who worked with him—and the Senate itself—can sincerely say while Jim Preston is still alive, "Well done, thou good and faithful servant."

CALL OF THE ROLL

Mr. GREEN. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Reed
Austin	Guffey	Reynolds
Bailey	Gurney	Rosier
Bankhead	Hayden	Russell
Barbour	Hill	Schwartz
Bilbo	Holman	Shipstead
Bone	Hughes	Smathers
Brewster	Johnson, Calif.	Smith
Brown	Johnson, Colo.	Spencer
Bulow	Langer	Stewart
Burton	Lee	Taft
Butler	Lucas	Thomas, Idaho
Byrd	McCarran	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Caraway	McKellar	Tobey
Chandler	McNary	Truman
Chavez	Maloney	Tunnell
Clark, Idaho	Maybank	Tydings
Clark, Mo.	Mead	Vandenberg
Connally	Millikin	Van Nuys
Danaher	Murdock	Wagner
Davis	Murray	Walsh
Doxey	Nye	Wheeler
Ellender	O'Daniel	White
George	O'Mahoney	Wiley
Gerry	Overton	Willis
Gillette	Pepper	
Glass	Radcliffe	

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. BUNKER], and the Senator from Iowa [Mr. HERRING] are necessarily absent.

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense, and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF ADMINISTRATOR OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report of the operations under sections 7 to 14, inclusive, of the Soil Conservation and Domestic Allotment Act, for the fiscal year ended June 30, 1941, consisting of a bulletin entitled "Report of the Administrator of the Agricultural Adjustment Administration, 1941" (with an accompanying report); to the Committee on Agriculture and Forestry.

PROVISION FOR DEPUTY FEDERAL WORKS ADMINISTRATOR

A letter from the Acting Administrator of the Federal Works Agency, transmitting a draft of proposed legislation to provide for a Deputy Federal Works Administrator, and for other purposes (with an accompanying paper); to the Committee on Appropriations.

SALES OF TIRES TO FARMERS—APPEAL AND PROTEST OF CITIZENS OF LINN COUNTY, KANS.

Mr. CAPPER. Mr. President, I have just received and present for reference an appeal and protest from a large group of farmers of Centerville, Kans., asking that tires shall be sold to owners of trucks engaged in the delivery of milk and other necessary food products, and that trucks engaged in hauling alcoholic liquor be not permitted to buy tires during the national emergency. I might add that this appeal has strong support throughout the agricultural localities of the Middle West.

The protest is as follows:

We, the undersigned citizens of Linn County, Kans., petition our legal representatives in Washington, D. C., to use their influence in seeing that persons or companies owning trucks used in hauling milk and other necessary food products be allowed to buy tires for those trucks during the national emergency, and to further use their influence to see that persons or companies owning trucks used in hauling alcoholic beverages shall not be allowed to buy tires for those trucks during the national emergency.

While I have the floor, Mr. President, I desire to say that I have learned of dairymen going out of business in Kansas communities because they cannot get tires for their delivery trucks, while the beer trucks apparently rate new tires as needed to make their deliveries.

The VICE PRESIDENT. Without objection, the paper presented by the Senator from Kansas will be received and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHANDLER, from the Committee on the Judiciary:

S. 2221. A bill to provide for the adjustment of certain tort claims against the United States and to confer jurisdiction in respect thereto on the district ocurts of the United States, and for other purposes; with an amendment (Rept. No. 1196).

By Mr. ELLENDER, from the Committee on Claims:

H. R. 3732. A bill for the relief of Ida Baird; without amendment (Rept. No. 1197);

H. R. 4955. A bill for the relief of Geoffrey Orme; without amendment (Rept. No. 1198);

H. R. 5069. A bill for the relief of George Garcavy; without amendment (Rept. No. 1199);

H. R. 5500. A bill for the relief of the estate of Charles L. Clark; without amendment (Rept. No. 1200);

H. R. 5504. A bill for the relief of H. J. Abney; without amendment (Rept. No. 1201); and

H. R. 5686. A bill for the relief of Lewis J. and Mary Black; without amendment (Rept. No. 1202).

By Mr. SPENCER, from the Committee on Claims:

H. R. 2192. A bill authorizing and directing the Secretary of the Treasury to reimburse Carrol D. Ward for the losses sustained by him by reason of the negligence of an employee of the Civilian Conservation Corps; with an amendment (Rept. No. 1203);

H. R. 5452. A bill for the relief of Emmett Armstrong; without amendment (Rept. No. 1204); and

H. R. 5866. A bill for the relief of the city of Atlanta, Ga.; without amendment (Rept. No. 1205).

By Mr. ROSIER, from the Committee on Claims:

H. R. 4092. A bill for the relief of E. P. Corley; with an amendment (Rept. No. 1206);

H. R. 5559. A bill for the relief of William Horsman; without amendment (Rept. No. 1207); and

H. R. 5977. A bill for the relief of Mr. and Mrs. F. Wilder Temple; without amendment (Rept. No. 1208).

By Mr. CAPPER, from the Committee on Claims:

H. R. 639. A bill for the relief of Edd Nevins; without amendment (Rept. No. 1209);

H. R. 4464. A bill for the relief of Henry J. McCloskey; without amendment (Rept. No. 1210); and

H. R. 6714. A bill for the relief of Daniel Elliott and Helen Elliott; without amendment (Rept. No. 1211).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On March 23, 1942:

S. 1696. An act for the relief of Bessie Walden.

On March 24, 1942:

S. 2208. An act to further expedite the prosecution of the war.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 2402. A bill for the relief of Lee D. Hoseley; to the Committee on Claims.

By Mr. BILBO:

S. 2403. A bill to provide for use of net weights in interstate-commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. REYNOLDS:

S. 2404. A bill to authorize officers and enlisted men of the armed forces of the United States to accept decorations, orders, medals, and emblems tendered by governments of cobelligerent nations or the other American republics; to the Committee on Military Affairs.

By Mr. GEORGE:

S. 2405. A bill to discharge more effectively the obligations of the United States under certain treaties relating to the manufacture and distribution of narcotic drugs, by providing for domestic control of the production and distribution of the opium poppy and its products, and for other purposes; to the Committee on Finance.

By Mr. WALSH:

S. 2406. A bill to authorize the Secretary of the Navy to proceed with the construc-

tion of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. McCARRAN:

S. 2407. A bill to provide for the extension of time within which China Trade Act corporations may file annual reports; to the Committee on Foreign Relations.

(Mr. McCARRAN also introduced Senate bill 2408, which was referred to the Committee on the District of Columbia, and appears under a separate heading.)

HOUSE BILL REFERRED

The bill (H. R. 4579) to amend subsection (c) of section 1 of Public, No. 846, Seventy-fourth Congress (S. 3055), an act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes, was read twice by its title and referred to the Committee on Education and Labor.

WOMEN'S ARMY AUXILIARY CORPS—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (H. R. 6293) to establish a Women's Army Auxiliary Corps for service with the Army of the United States, which was ordered to lie on the table and to be printed.

EQUALIZATION OF ARMY PAY—AMENDMENT

Mr. WALSH submitted an amendment intended to be proposed by him to the bill (S. 2387) to equalize the rates of pay of all personnel in the United States Army, the Philippine Scouts, and the Philippine Commonwealth Army, and for other purposes, which was ordered to lie on the table and to be printed.

PREFERENCE RATING AFFECTING DELIVERY OF MINING MATERIALS

Mr. McCARRAN submitted the following resolution (S. Res. 232), which was referred to the Committee on Mines and Mining:

Resolved, That the special committee created pursuant to Senate Resolution 187, Seventy-fourth Congress, agreed to August 16, 1935, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation with respect to the origin of, and the necessity for, the amendment made on March 2, 1942, to Preference Rating Order P-56 (relating to preference ratings for deliveries of materials for mining enterprises) under which mines are excluded from the benefits of such order if more than 30 percent of their production in dollar value consists of gold or silver, or both. In connection with such investigation the committee shall ascertain and determine the extent to which consideration was given in making the amendment to such order on March 2, 1942, to the effect of such amendment on (1) the mining industry in general, (2) the economy of hundreds of communities which are wholly dependent upon mines producing gold or silver, or both, (3) the creation of additional unemployment in mining communities, (4) the extent to which silver may be used in the war effort as a substitute for strategic minerals, (5) the activities of prospectors searching for new discoveries of strategic minerals needed for the war effort, and (6) the losses in tax revenue to the Federal, State, and local governments resulting from the closing of mining enterprises which are unable to secure materials for their continued operation. The committee shall report to the Senate, at the earliest practicable date, the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses, and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

STATEMENT BY SENATOR CONNALLY ON ONE HUNDRED AND TWENTY-FIRST ANNIVERSARY OF BEGINNING OF GREEK WAR OF INDEPENDENCE

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a statement issued by him today with reference to the one hundred and twenty-first anniversary of the beginning of the Greek War of Independence, which appears in the Appendix.]

THE PUBLIC POWER PROGRAM—ARTICLE BY DREW PEARSON AND ROBERT S. ALLEN

[Mr. LEE asked and obtained leave to have printed in the RECORD an article appearing in the Washington Daily Merry-Go-Round column of the Washington Times-Herald by Drew Pearson and Robert S. Allen, relative to the public-power program, which appears in the Appendix.]

PROBLEMS OF SMALL BUSINESS

[Mr. WILEY asked and obtained leave to have printed in the RECORD a statement issued by him on March 25, 1942, relating to the problems of small business, which appears in the Appendix.]

HARMONY IN INDUSTRIAL RELATIONS—ATTITUDE OF UNITED STATES CHAMBER OF COMMERCE

Mr. THOMAS of Utah. Mr. President, I am unhappy today that I have to come before the Senate with information I wish to give. All Senators know the remarkable agreement brought about between industry and labor, in which it was agreed that there should be no strikes or lock-outs, that all disputes should be settled by peaceful means, and that the President of the United States should set up proper machinery to bring about a settlement of disputes in accordance with the theory of settlement by peaceful means.

No sooner was that agreement entered into than elements in our country tried to wreck it. Probably in the history of industrial labor relations in the United States there was never a more momentous event than the making of this agreement, brought about voluntarily for the purpose of uniting our country, and allowing all elements of industry and labor which had been in dispute to come together and meet a general objective. Everyone realized that there would be an expansion of that agreement by voluntary methods, and within the last week we have seen the development of that expansion, until now we can almost add a third agreement, which would read something like this:

That the 40-hour week for figuring base pay shall be continued, with time and a half for all hours over 40 hours, but there shall be no extra pay for a Sunday or holiday, unless such Sunday or holiday is the seventh consecutive day the individual works.

Mr. President, that agreement has been readily accepted by the leaders of labor and by the leaders of industry. All agree that there should be a day of rest on the Sabbath. All know that consecutive work without one day of rest is not good for man, for animal, for machine, or for a whole plant. Therefore, all accept the rest period theory, knowing that efficiency is maintained thereby.

Even that agreement, however, seems to bring dissatisfaction to certain people in our country, although time after time they have protested extra pay for Sunday, and when it is about to be abolished, they turn to something else.

Mr. President, there is nothing finer government can do than to bring about settlement of differences by voluntary action; but there are elements in our country, as in all others, which like to think of coercion, of forcing somebody, of demanding that there be a law, failing to realize that a law without enforcement is no law at all.

Even when we set up the Selective Service Act, and guaranteed to the people of our country the voluntary method, on the first day the Selective Service Act went into effect someone tried through regulation to interfere with voluntary enlistments, because it was assumed we must have a completely "swat down" law, under which no one would have a right to do what he desired to do.

The United States Navy to this day has not accepted the theory of a conscript navy. I think I did as much as anyone else toward bringing about the enactment of the selective service law, but never did I want the door closed to voluntary action on the part of an individual citizen of the United States who wished to serve his country, and I do not want voluntary action in industry and labor relations interfered with. Incidentally, neither do those who are real leaders in labor and real leaders in industry want it.

That which I am about to present I am presenting because I do not believe that the members of the United States Chamber of Commerce, the leaders of industry in the United States, will condone for 1 minute that which their organization is doing at this time.

In order that the Members of Congress may have a warning about what is coming to them, I want to read a letter which I am sure industry will condemn quite as much as it will be condemned on the floor of the Senate and on the floor of the House of Representatives. I want to show how the "grass roots" opinion of our country has its origin and where the great avalanche of letters which is about to descend upon each one of us will have its origin in this particular case. The source is not the farm, not the laboring

men who are working by themselves, but a marble hal. in the city of Washington. That is where the movement is being organized.

We know the origin of some other propaganda campaigns. I am bringing this matter to the attention of the Senate now so that Senators may be prepared for the avalanche, and because I believe that the leaders of industry who are as patriotic and who are as straightforward and who are as anxious to bring about united action as any people in the United States, will repudiate that which their organization has done through agencies in the organization made up of men who live by their wits.

On March 20, 1942, the United States Chamber of Commerce sent from Washington a communication to the organization membership, which is signed by the board of directors of the Chamber of Commerce of the United States:

The board of directors of the Chamber of Commerce of the United States urges that local and State chambers of commerce, trade, and industrial associations become aggressive in bringing widespread expressions of opinion to Congress on desirable labor legislation. It seems apparent that the do-nothing policy is not in the public interest and is not, more specifically in the interest of winning the war.

"Do-nothing policy!" When, in the history of the Congress of the United States; when, in the history of the Government of the United States, has there ever been worked out voluntarily by industry and labor and lived up to very well, an agreement that there will be no more strikes and that all disputes will be settled by pacific means? When could Congress have brought about such an agreement by legislation? When would it have been possible to enact a law bringing about such a fruitful result?

Mr. President, I think it goes without saying that I am proud, as I believe the whole country is proud, of the leadership displayed by both industry and labor in bringing about that very desirable agreement, and it is a matter of pride also that that agreement is being expanded to overcome the abuses which may exist at the present time and which make it possible for the advantage-taker to realize profit at a time when he should not realize profit. The letter continues:

Purposely, no analysis of proposals before Congress now is submitted herewith—

Just write—write condemning anything. It does not make any difference what is condemned. Is not that a glorious way to unite our country? Anything to condemn Congress, to put the individual Congressman on the spot. It is like the organization of the "Bundles for Congress." This letter did not have its origin in the minds of the two low men who had perverted their citizenship and spent their lives trying to help foreign countries. No, this comes from the United States Chamber of Commerce.

I will not for a moment assume that the two low men who started the "Bundles for Congress" campaign are related in any way with anyone connected with the United States Chamber of Commerce, but the evil which will be done will be even worse because the United States Chamber of Commerce can stand in a position of condemning the one institution which stands for representative government in the United States, and which forms the policy of the United States, and of making the members of that institution fidgety, wondering whether they ought not to be acting in the spirit of this letter. I read further:

Purposely, no analysis of proposals before Congress now is submitted herewith, as this might be confusing.

But stir all the confusion in the world; make the country confused; cause it to become disunited; write any kind of a letter about any kind of a thing, and urge Congress to bring about some kind of legislation which will interfere with the voluntary methods for uniting industry and labor—methods which are uniting the country in pushing forward the war.

Why do they want to interfere? Is it because of patriotism? Is it because of zeal? They do not know the history of the country when they do such things. They are acting merely to interfere with the unity of our country.

Our objective—

The letter goes on to say—

is to get from businessmen and their organizations their own expressions directly to their Congressmen and their Senators.

About what? "We will not make an analysis. We just want your opinion. What bill are you going to be for?" That is not stated. Anything which may be offered.

Probably in the history of the United States no greater confusion-engendering document was ever sent out to the people of the United States. Sent out to whom? To local and State chambers of commerce and to trade and industrial associations from one end of our country to the other, in order to agitate, to irritate, and to make Congress miserable, and do something to interfere with a voluntary peaceful process of uniting industry and labor as they never have been united before in our history. I continue reading:

Our objective is to get from businessmen and their organizations their own expressions directly to their Congressmen and their Senators.

You are already familiar with the National Chamber's broad policies on this subject. A summary is attached. In addition, your own organizations undoubtedly have established policies. Now is the time to act on behalf of constructive legislation from Congress.

Quick action is important.

BOARD OF DIRECTORS, CHAMBER OF COMMERCE OF THE UNITED STATES.

Mr. President, I am sure that the heads of all large organizations which have war contracts and are now carrying on that work will repudiate the action of the Chamber of Commerce of the United States. The remarks I am making are not directed against those men, because they are striving as hard as anyone else to bring about the unity which will result in victory.

Attached to the letter, and bearing exactly the same date, March 20, 1942, is this other page:

Policies to which the National Chamber has been committed by its membership and in effect until changed or supplemented by action at the annual meeting next month.

In other words, this is sent out, ignoring completely the President's Executive order and the agreement entered into between industry and labor, for the purpose of introducing confusion into our Nation.

I continue to read:

The defense of our Nation, its institutions, and its people against any aggressors from without is the steadfast purpose of this organization.

It is imperative that defense production be given the right-of-way all down the line.

All available productive manpower, working at maximum productive efficiency, will be required if we are to accomplish our supreme effort.

The tremendous volume of mechanical equipment for airplanes, ships, guns, and other machinery of defense challenges the resourcefulness and capacities of American enterprise.

The protection of personal rights—

No one can object to the protection of personal rights, but surely a legal contract entered into between man and man is a personal right—

which include the right to work for defense, should be maintained. There should be removed from the law all sanction of the closed shop.

Is there a Senator who knows of a law which is to be repealed which gives a sanction to the closed shop? Has anyone introduced a bill repealing a law of the United States which gives sanction to the closed shop?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. Of course, the National Labor Relations Act gives a sanction to the closed shop, and provides that it shall be legal. The Senator simply asks if there is a law which gives legal sanction to the closed shop. I suppose that is what they refer to, and there is sanction in the law for the closed shop in the National Labor Relations Act. They have the right to want to repeal it. I would not be in favor of repealing it, but there is such a sanction in the law.

Mr. THOMAS of Utah. I thank the Senator from Ohio for that statement. Does the Chamber of Commerce of the United States want us to enact a law repealing the National Labor Relations Act? They do not say so. They say the closed shop is given sanction, but there is no law guaranteeing the closed shop, as everyone knows. I thank the Senator from Ohio for giving us that much light on the subject.

I should think the Chamber of Commerce of the United States, if it wants the National Labor Relations Act repealed, would say, "Write to your Senator and have the National Labor Relations Act repealed." I should not think the Chamber of Commerce would simply say, "Write to your Senator and get some kind of a law which will repeal the sanction for the closed shop," which does not exist.

I continue to read:

Every form of coercion and intimidation against workers should be outlawed.

The purpose of the law on the statute books is, of course, to overcome coercion and intimidation against workers. Anyone who will read the speeches made in favor of those measures when they were under consideration will know that that was the fundamental purpose.

The difficulties and hardships caused by the Wages and Hours Act will increase. This law should be repealed. Its humanitarian aspects relating to oppressively low wages are the responsibilities of the States.

Mr. President, that philosophy is as archaic as it could be. One of the reasons for the Wages and Hours Act was the necessity of bringing about uniformity in our country because of the differing standards in the various States. Would it not be an anomalous situation if today the United States, in trying to carry on its active military campaign, still had the competitive method, and discovered that it had to give all its contracts to one State which had a certain wage level, and could not give any of them to the other States with higher wage levels? Mr. President, if anything would introduce chaos, uncertainty, and actual hardship it would be the repeal of the Wages and Hours Act. No Senator and no Member of the House has ever suggested it. I do not think any Member of the Congress would suggest it. The Wages and hour week, for example, had its basis, mass of 40,000,000 or 50,000,000 workers in our country, what organized labor had already accomplished for itself. The 40-hour week, for example, had its basis, first, in individual contracts, and second, in some State legislation, and was never given national sanction until the passage of the Wages and Hours Act.

This law should be repealed. Its humanitarian aspects relating to oppressively low wages are the responsibilities of the States.

Mr. President, I for one will say that the Federal Government has some responsibility to the citizens of the United States.

The Walsh-Healey Act regulating hours and providing overtime for contractors—

I shall need an interpretation of that statement. If the Senator from Ohio [Mr. TAFT] is present, perhaps he can tell me what it means. Does the Walsh-Healey Act provide overtime for contractors? Is that one of the purposes of the Walsh Healey Act? Who would understand this statement? I ask would anyone within the hearing of my voice to write to his Senator or Representative and say, "Repeal this law because it provides overtime for contractors." Is that the kind of information which the men who work for the United States Chamber of Commerce give to the members of their organization?

The statement continues:

The Walsh-Healey Act regulating hours and providing overtime for contractors, including war contractors, has demonstrated the impropriety of this form of Federal regulation of working conditions and should be repealed.

Mr. President, unless I have forgotten—I may be mistaken about this—I am pretty sure that the Walsh-Healy Act can be suspended in time of emergency or whenever the defense of the United States demands its suspension. The suggested repeal of the Public Contracts Act would bring about such confusion in bidding and awarding contracts as to create endless trouble in our effort.

Mr. President, while I am on my feet, let me say that Admiral Land has submitted to our committee a statement in regard to strikes in the maritime industry. Of course, we all know that probably the most serious of all our shortages is the ship shortage. There is not a Senator present who would not want to overcome any great interference with our shipbuilding plans. I wish to read, in its entirety, the statement which came to the committee from Admiral Land, because the Senate should have it.

Mr. GUFFEY. Mr. President, will the Senator yield for a question before he reads that statement?

Mr. THOMAS of Utah. I yield.

Mr. GUFFEY. What officer of the chamber of commerce signed the letter which the Senator read?

Mr. THOMAS of Utah. The letter was signed by the board of directors of the Chamber of Commerce of the United States.

Mr. GUFFEY. Does the Senator have a list of the board of directors?

Mr. THOMAS of Utah. No; I have not.

Mr. GUFFEY. Will the Senator obtain such a list and add it to his remarks today? It should be very informative. Possibly some of the members of the board of directors would like to have the information.

Mr. THOMAS of Utah. I should like to do so, because my hope is that the board of directors will repudiate the letter.

Mr. GUFFEY. The best way to get them to repudiate it is to publish the list.

The VICE PRESIDENT. Is there objection to printing the list referred to?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

OFFICERS AND DIRECTORS OF THE CHAMBER OF COMMERCE OF THE UNITED STATES, 1941–42

President: Albert W. Hawkes, president and chairman of the board, Congoleum-Nairn, Inc., 195 Bellgrove Drive, Kearny, N. J.

Vice presidents: George S. Hawley, president, Bridgeport Gas Light Co., Bridgeport, Conn.; I. N. Tate, vice president, Weyerhaeuser Sales Co., St. Paul, Minn.; Eric A. Johnston, president, Brown-Johnston Co., Spokane, Wash.

Senior council: Henry I. Harriman, New England Power Building, 441 Stuart Street, Boston, Mass.; Harper Sibley, manager, Sibley Farms, 100 Hiram Sibley Building, Rochester, N. Y.; George H. Davis, president, Davis-Noland-Merrill Grain Co., Kansas City, Mo.; W. Gibson Carey, Jr., president, The Yale & Towne Manufacturing Co., Chrysler Building, New York, N. Y.; James S. Kemper, president, Lumbermen's Mutual Casualty Co. of Chicago, Mutual Insurance Building, Chicago, Ill.

Chairman, executive committee: John W. O'Leary, United States Chamber of Commerce, 1615 H. Street NW., Washington, D. C.

Treasurer: Robert V. Fleming, president and chairman of board, Riggs National Bank, Washington, D. C.

Secretary: Ralph Bradford, United States Chamber of Commerce, 1615 H Street NW., Washington, D. C.

Directors: Clifford S. Anderson, secretary and general counsel, Norton Co., Worcester, Mass.; L. Ward Bannister, Bannister and Bannister, attorneys, 801 Equitable Building, Denver, Colo.; Thomas C. Boushall, president, Morris Plan Bank of Virginia, 800 East Main Street, Richmond, Va.; G. D. Brooke, president, The Chesapeake & Ohio Ry. Co., Terminal Tower Building, Cleveland, Ohio; Hamilton F. Corbett, vice president, Corbett Investment Co., Corbett Building, Portland, Oreg.; Frederick C. Crawford, president, Thompson Products, Inc., 2196 Clarkwood Road, Cleveland, Ohio; Carl F. Danner, president, American Hide & Leather Co., 17 East Street, Boston, Mass.; E. W. Demarest, president, Pacific National Lumber Co., Tacoma Building, Tacoma, Wash.; George A. Eastwood, president, Armour & Co., Union Stock Yards, Chicago, Ill.; Joseph W. Evans, Evans & Co., Cotton Exchange Building, Houston, Tex.; Chester O. Fischer, vice president, Massachusetts Mutual Life Insurance Co., 1295 State Street, Springfield, Mass.; James D. Francis, president, Island Creek Coal Co., Huntington, W. Va.; Carlyle Fraser, president, Genuine Parts Co., 475 West Peachtree Street, Atlanta, Ga.; Kerwin H. Fulton, president, Outdoor Advertising Inc., 60 E. Forty-second Street, New York, N. Y.; Fitzgerald Hall, president, The Nashville, Chattanooga and St. Louis Railway, 930 Broadway, Nashville, Tenn.; Arthur M. Hill, president, Atlantic Greyhound Corporation, Kanawha Valley Building, Charleston, W. Va.; Roy C. Ingersoll, president, Ingersoll Steel and Disc Division, Borg-Warner Corporation, 310 South Michigan Avenue, Chicago, Ill.; F. A. Irish, president, First National Bank & Trust Co., Fargo, N. Dak.; William K. Jackson, vice president, United Fruit Co., 1 Federal Street, Boston, Mass.; Carl N. Jacobs, president, Hardware Mutual Casualty Co., 200 Strongs Avenue, Stevens Point, Wis.; Herbert F. Johnson, Jr., president, S. C. Johnson & Son, Inc., Racine, Wis.; Herbert N. Lape, president, The Julian & Kokenge Co., 280 South Front Street, Columbus, Ohio; Leroy A. Lincoln, president, Metropolitan Life Insurance Co., 1 Madison Avenue, New York, N. Y.; Albert C. Mattei, president, Honolulu Oil Corporation, 215 Market Street, San Francisco, Calif.; Francis P. Matthews, chairman of board, Securities Acceptance Corporation, 516 Insurance Building, Omaha, Nebr.; Charles P. McCormick, president, McCormick & Co., McCormick Building, Baltimore, Md.; Bernard F. McLain, secretary-treasurer and general manager, Hart Furniture Co., 1933 Elm Street, Dallas, Tex.; Benjamin H. Namm, Namm Department Store, 452 Fulton Street, Brooklyn, N. Y.; Edgar V. O'Daniel, vice president, American Cyanamid Co., 30 Rockefeller Plaza, New York, N. Y.; John W. O'Leary, chairman of board, Arthur J. O'Leary & Son Co., 221 N. LaSalle Street, Chicago, Ill.; Edward P. Palmer, secretary-treasurer, Senior & Palmer, Inc., 50 Church Street, New York, N. Y.; Frank Purnell, president, Youngstown Sheet & Tube Co., Stambaugh Building, Youngstown, Ohio; W. S. Rosecrans, president, W. S. Rosecrans, Inc., 1151 South Broadway, Los Angeles, Calif.; E. H. Sexauer, general manager, George P. Sexauer & Son, Brookings, S. Dak.; Otto A. Seyferth, president, West Michigan Steel Foundry Co., 1148 West Western Avenue, Muskegon, Mich.; James W. Spangler, vice president, Seattle First National Bank, Seattle, Wash.; Thomas J. Strickler, vice president and general manager, Kansas City Gas Co., Kansas

City, Mo.; John M. Thomas, president, National Union Fire Insurance Co., 139 University Place, Pittsburgh, Pa.; Oliver S. Warden, publisher, Great Falls Tribune, Great Falls, Mont.; Oscar Wells, chairman of board, First National Bank, Birmingham, Ala.; George W. West, president, First Federal Savings & Loan Association, 46 Pryor Street NE., Atlanta, Ga.; Charles E. Wilson, president, General Electric Co., 570 Lexington Avenue, New York, N. Y.; Charles F. Zimmerman, president, First National Bank, Huntingdon, Pa.

DIRECTORS, BY DISTRICTS AND DEPARTMENTS, AND YEAR TERM EXPIRES

First election district: Clifford S. Anderson, Worcester Mass., 1942; Chester O. Fischer, Springfield, Mass., 1943.

Second election district: Charles E. Wilson, New York, N. Y., 1942; Edward P. Palmer, New York, N. Y., 1943.

Third election district: Thomas C. Boushall, Richmond, Va., 1942; Charles P. McCormick, Baltimore, Md., 1943.

Fourth election district: Fitzgerald Hall, Nashville, Tenn., 1942; Oscar Wells, Birmingham, Ala., 1943.

Fifth election district: Frederick C. Crawford, Cleveland, Ohio, 1942; Herbert N. Lape, Columbus, Ohio, 1943.

Sixth election district: Roy C. Ingersoll, Chicago, Ill., 1942; Herbert F. Johnson, Jr., Racine, Wis., 1942.

Seventh election district: Thomas J. Strickler, Kansas City, Mo., 1942; Bernard F. McLain, Dallas, Tex., 1943.

Eighth election district: F. A. Irish, Fargo, N. Dak., 1942; E. H. Sexauer, Brookings, S. Dak., 1943.

Ninth election district: L. Ward Bannister, Denver, Colo., 1942; Oliver S. Warden, Great Falls, Mont., 1943.

Tenth election district: Albert C. Mattei, San Francisco, Calif., 1942; Hamilton F. Corbett, Portland, Oreg., 1943.

Agriculture: George A. Eastwood, Chicago, Ill., 1942; W. S. Rosecrans, Los Angeles, Calif., 1943.

Construction and civic development: Vacancy, 1942; George W. West, Atlanta, Ga., 1943.

Domestic distribution: Carlyle Fraser, Atlanta, Ga., 1942; Kerwin H. Fulton, New York, N. Y., 1943.

Finance: Charles F. Zimmerman, Huntingdon, Pa., 1942; Francis P. Matthews, Omaha, Nebr., 1943.

Foreign commerce: James W. Spangler, Seattle, Wash., 1942; William K. Jackson, Boston, Mass., 1943.

Insurance: Carl N. Jacobs, Stevens Point, Wis., 1942; John M. Thomas, Pittsburgh, Pa., 1943.

Manufacture: Otto A. Seyferth, Muskegon, Mich., 1942; Carl F. Danner, Boston, Mass., 1943.

Natural resources production: James D. Francis, Huntington, W. Va., 1942; E. W. Demarest, Tacoma, Wash., 1943.

Transportation and communication: G. D. Brooke, Cleveland, Ohio, 1942; Arthur M. Hill, Charleston, W. Va., 1943.

DIRECTORS AT LARGE AND YEAR TERM EXPIRES

Joseph W. Evans, Houston, Tex., 1942; Leroy A. Lincoln, New York, N. Y., 1942; Frank Purnell, Youngstown, Ohio, 1942; John W. O'Leary, Chicago, Ill., 1943; Benjamin H. Namm, Brooklyn, N. Y., 1943; Edgar V. O'Daniel, New York, 1943.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. CONNALLY. The Senator from Utah mentioned Admiral Land. I did not hear all the Senator said about Admiral Land's attitude. Let me ask the Senator if he knows that Admiral Land, before the Judiciary Committee in open hearing, advocated the passage of a bill introduced by me, which is now pending, and for which I hope to obtain consideration soon, which freezes labor relationships in defense plants? Does the Senator further know that yesterday Admiral Land, in appearing before the Truman committee, reiterated his advocacy of that bill and stated that, if it were enacted into law, he would apprehend no trouble whatever in shipbuilding plants; that the difficulties arose not in connection with wages but in connection with labor relationships?

My bill would freeze those relationships as they existed prior to taking over a strikebound plant. Other members of the Truman committee are present and are prepared to verify what I say on that point. Admiral Land has not in any wise receded from that attitude. Of course, that does not relate to the 40-hour week, but it does relate to the freezing of relationships. I see that the Senator from Missouri [Mr. TRUMAN], who is chairman of the committee, is present in the Chamber. I think he will verify what I say, to the effect that Admiral Land expressed enthusiastic approval and the hearty desire that the bill be enacted. Let me say that I think this matter is of equal importance with the matter of seating the Senator from North Dakota [Mr. LANGER].

Mr. TRUMAN. Mr. President, will the Senator yield to me for just a moment?

Mr. THOMAS of Utah. I yield.

Mr. TRUMAN. The able and distinguished Senator from Texas does not need any confirmation from me. The statement which he made is entirely correct.

Mr. CONNALLY. I thank the Senator.

Mr. THOMAS of Utah. Mr. President, let me repeat what I said. I did not hear Admiral Land's statement, and I have not studied his statement before the committee. In order that I may not do Admiral Land any injustice, I wish to read for the benefit of the Senate what the Admiral has said in the statement which he sent to me, in regard to strikes in the maritime industry. Instead of having the statement inserted in the RECORD I wish to read it, because I am sure that it will be of great interest to the Senate:

REVISED SUMMARY OF STATISTICS CONCERNING CHARGES AS TO STRIKES

Note: Except insofar as the comparison between 1941 and 1942 is concerned, these statistics and this statement were submitted by Admiral Emory S. Land, Chairman of the United States Maritime Commission, to the appropriation subcommittee of the Senate, under the chairmanship of Senator THOMAS of Oklahoma, on Wednesday, March 18, 1942. At the time this statement was prepared, there was available to us only the data for employment of shipyard workers during the last quarter of 1940, when 1,500,000 workers were reported engaged in the war program. In a matter of days thereafter, we obtained figures indicating that during the first quarter of 1941, 2,400,000 workers were engaged in the war program.

Accordingly, the comparisons herein cited are based upon the later figures; namely, those for the first quarter of 1941, when 2,400,000 workers were engaged in the war program, rather than upon the 1,500,000 workers engaged in the war program during the last quarter of 1940.

CHARGES ARE MADE THAT STRIKES ARE INCREASING—CHARGES ARE MADE THAT IN FEBRUARY STRIKES INCREASED 76 PERCENT OVER JANUARY

Just as the devil can quote Scripture to support his position, superficial statistics can be cited to make it appear that an increase in the number of strikes presents a serious situation when none actually exists. Except as otherwise noted, the figures given below have been gathered from industry and various Government agencies by the War Production Board.

The facts are that, comparing January of 1942 with January of 1941, strikes did not increase in number (in discussing these charges, the strikes and stoppages which are considered are those actually affecting the war program). In January 1942 the number of strikes actually decreased.

There were 10 strikes in January of 1942, as compared with 13 strikes in January of 1941. In February 1942, the number of strikes increased. There were 21 strikes or stoppages, as compared with 16 in February of 1941. As to numbers, then, strikes increased in February 1942, over January 1942, and also over February 1941.

But let us take other factors into consideration and see what insignificance attaches to merely the number of strikes occurring in the comparative periods.

The Bureau of Labor Statistics is authority for the statement that during the first quarter of 1941, 2,400,000 workers were engaged in the war program. During the first quarter of the current year, the preliminary figures indicate that 7,500,000 (or three times the number for the first quarter of 1941) are engaged in the war program. Thus, each man-day lost in 1942 has a statistical significance of only one-third of each man-day lost in 1941.

The 13 strikes in January of 1941 affected 26,100 workers, with a resultant 142,380 man-days lost. The 10 strikes in January of 1942 affected 3,000 workers, with 7,100 man-days lost. In January 1942, less than one-eighth of the number of workers were affected and the loss of man-days was only one-twentieth of what it was in January 1941. The significance (because of the threefold increase in the total number of workers in 1942) is that only one-sixtieth potential productive loss occurred during January of 1942, as compared with January of 1941.

January 1941 compared with January 1942

The time lost, compared with the potential work hours of a 26-day month, in January 1941, was between 0.003 percent and 0.004 percent. This computation is arrived at by figuring 26 workdays for 7,500,000 workers and establishing a potential work month of 26 days at 195,000,000 man-days of work. Of 195,000,000 man-days of work, 7,100 man-days were lost, which, on a percentage basis, is a bit less than 0.004 percent.

The 13 strikes in January of 1941, however, resulted in a loss of 142,380 man-days out of a potential 62,400,000 man-days. The loss, on a percentage basis, was almost 0.23 percent, a ratio almost 60 times as great in 1941 as in 1942.

February 1941 compared with February 1942

During February of 1942, 14,800 workers were involved in stoppages, resulting in a loss of 33,800 man-days, as compared with the 39,900 workers who lost 378,050 man-days in February of 1941.

During February of 1942, which would be a 24-day workmonth, 7,500,000 employees had a potential workmonth involving 180,000,000

man-days, of which 33,800 man-days were lost. This is a loss in the potential workmonth of 0.018 percent.

During February of 1941 the potential workmonth amounted to 57,600,000 man-days for 2,400,000 workers, who lost 378,050 man-days, or approximately 0.66 percent of the potential workmonth. This is cited merely to show how figures can be turned. Although there were 6 more strikes in February 1942 than in February 1941, far less than one-half of the number of workers were out in February 1942 as compared with the number of workers out in February 1941—14,800 in 1942 against 39,900 in 1941—and each worker in 1942 lost on an average less than one-tenth of the time due to stoppage than the workers in 1941—33,800 man-days lost from a total of 180,000,000 man-days in 1942 against 378,050 from a total of 57,600,000 man-days in 1941. Thus when a comparison on the basis of the potential workmonths is made, the ratio of time lost in February 1941 is found to be almost 35 times that in February 1942—0.66 percent loss in February 1941 as against 0.018 percent in February 1942.

Tabulated, the picture is approximately this:

	Total workers in war production	Potential 26-day workmonth in man-days	Number of stoppages	Number of employees concerned	Total man-days lost
January 1941	2,400,000	62,100,000	13	26,100	142,380
January 1942	7,500,000	195,000,000	10	3,000	7,100
		Potential 24-day workmonth in man-days			
February 1941	2,400,000	57,600,000	16	39,900	378,050
February 1942	7,500,000	180,000,000	21	14,800	33,800

That is why superficial figures tell us practically nothing of the real situation.

The time lost, however, is not all that should be considered. Far more significant than the time lost and the number of workers involved is the question of what they are working on, the consequential damage in addition to the direct damage. On the whole, though, it seems that the charges made—that strikes are increasing and that in February strikes increased 76 percent over January—do not stand out as any serious matter when other essential factors are analyzed. Since December 7, 1941, of course, the loss of 1 day is a loss that at some time in the future we may reckon almost infinitely great.

Mr. President, I ask unanimous consent that a table accompanying the statement, showing the stoppages of 1 day or more in the shipbuilding industry since December 7, 1941, be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Stoppages of 1 day or more in shipbuilding industry since Dec. 7, 1941

GENERAL STOPPAGES

Date of stoppage	Name of shipyard	Location	Number of men involved	Duration	Number of man-days lost
Dec. 12, 1941	John H. Mathis Co.	Camden, N. J.	330	1 day	330
Jan. 24, 1942	Staten Island yards of Bethlehem Steel Co.	Staten Island, N. Y.	90	do	90
Feb. 14, 1942 [1]	Bethlehem-Fairfield	Baltimore, Md.	2,000		
Feb. 19, 1942	Noank Shipbuilding Co.	Hartford, Conn.	75	1 day	75
Feb. 25, 1942	Bethlehem Steel Co.	Hoboken, N. J.	200	2 days	400

STOPPAGES DUE TO INDEPENDENT WELDERS CONTROVERSY

Dec. 20 to 30, 1941 [2]	Bay district	San Francisco, Terminal Island, Oakland, and Richmond	1,000		(3)
Dec. 20 to 26, 1941 [2]	Los Angeles district	Los Angeles, San Pedro, Wilmington, Alameda, and Long Beach	1,500		(3)
Jan. 24 to Feb. 15, 1942 [2]	Northwest district	Seattle, Tacoma, and Portland	1,500		(3)
Feb. 16 to 23, 1942 [4]	Gulf district	Chickasaw, Ala.	800	3 days average	2,400

[1] At Bethlehem-Fairfield Yard, Baltimore, Md., a number of crane operators conducted a demonstration for 2 or 3 hours on Feb. 14, 1942. Work in the plant was seriously hampered during this period, but, due to the fact that the men returned to work before the loss of more than one-hal day, and the difficulty of computing the total delay of the plant in terms of man-days, no estimate on the damage caused by this incident is given.

[2] Unable to determine.

[3] With respect to the independent welders strikes on the Pacific coast, many thousand man-days of work were lost, and there is no effort being made to minimize the damage to the war effort caused by the same. Nevertheless, the exact figures as to man-days lost are difficult to compute because of the return of welders to work on an irregular basis. It would be safe to assume that no less than 20,000 man-days were lost with respect to the whole Pacific coast.

[4] After 2 days, the welders started back to work and continued until 7 days after the first interruption, at which time a normal force was again at work.

Mr. HILL. Mr. President, let me ask the Senator from Utah if it is not a fact that, of the strikes which have occurred since Pearl Harbor, all of them have been unauthorized by either the C. I. O. or the A. F. of L., and that not a single strike has been authorized by either the A. F. of L. or the C. I. O. since Pearl Harbor.

Mr. THOMAS of Utah. According to the testimony given us by the Secretary of Labor, all the strikes which occurred were called wildcat strikes by her, and I think that is exactly what the Senator from Alabama means.

FORTIFICATION OF WINES—CONFERENCE REPORT

Mr. GEORGE submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5802) to amend certain provisions of law relative to the withdrawal of brandy for fortification of wines and production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate, and agree to the same.

WALTER F. GEORGE,
DAVID I. WALSH,
TOM CONNALLY,
Managers on the part of the Senate.

R. L. DOUGHTON,
FRANK H. BUCK,
FRANK CROWTHER,
Managers on the part of the House.

The conference report was agreed to.

INCREASE IN THE DEBT LIMIT—CONFERENCE REPORT

Mr. GEORGE. Mr. President, I now desire to call up the conference report on House bill 6691, which is now on the table, and ask for its immediate consideration. The report was submitted yesterday, and printed in the RECORD.

The VICE PRESIDENT. Without objection, the report will be again read for the information of the Senate.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

WALTER F. GEORGE,
HARRY F. BYRD,
Managers on the part of the Senate.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
FRANK CROWTHER,
HAROLD KNUTSON,
Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. TAFT. Mr. President, I should like to ask the chairman of the committee why it was thought necessary to recede from the Byrd amendment, which proposed that there be included, in figuring the debt limit, all fully guaranteed obligations of Government corporations?

Mr. GEORGE. The House conferees refused to accede to the amendment. The Senator from Virginia [Mr. BYRD] was one of the conferees; and after we had gone into the matter fully, the Senator from Virginia himself agreed to recede from the amendment, in the interest of quick agreement on the debt-limit bill.

The House conferees took the position that representatives of the Treasury had appeared before the Ways and Means Committee and had stated that a limit of $125,000,000,000 on the public debt would meet all the necessities of the Treasury. The Senate conferees presented very strongly the case for the Senate amendment, to wit, that under the amendment, henceforth included in the public debt, would be the obligations of those agencies of government whose evidences of indebtedness sold to the public were fully guaranteed both as to principal and interest, and that it was highly desirable, as we thought, to include in the public debt such obligations as those issued by the R. F. C. and other agencies whose obligations were fully guaranteed both as to principal and interest.

However, the House conferees took the position that, since the Treasury itself had said that a limit of $125,000,000,000 would meet all the needs of the Treasury, to place before the House at this time an amendment which would raise the debt limit to $130,000,000,000 would open the whole bill to so much question in the House that its prompt enactment might not be secured. Since it was desired to enact the legislation promptly, the Senate conferees, after long argument with the House conferees, agreed to recede from the amendment.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

Mr. GREEN. Mr. President, it is with reluctance that I add to this already long-drawn-out debate on the report of the Committee on Privileges and Elections and the resolution based thereon declaring that WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota.

This matter was referred by the Senate to the committee on January 3, 1941, at the time he took the oath of office, and "without prejudice." At that time it was stated that the Senate reserved the right to determine by a majority vote his fitness and his qualifications to become a Member of the Senate. It was to fulfill this condition that the matter was referred to the committee. Prior to its reference the Senator from Vermont [Mr. AUSTIN] remarked that "the State from which the Senator comes is entitled to speedy consideration of the subject"; the Senator from North Dakota [Mr. NYE] expressed the wish "that very early consideration may be given the charges which have been filed"; and the Majority Leader, the Senator from Kentucky [Mr. BARKLEY], stated that "the right to a speedy determination of this matter is not only one to which the Senator-elect is entitled, but one to which the State of North Dakota is entitled. It is not a matter which ought to be delayed and dragged out unnecessarily, because as long as it is dragged out and not determined it may operate to some extent as a cloud upon the title of the Senator to occupy a seat here"; and he concluded that he was "satisfied that under the chairmanship of the Senator from Texas that course will be pursued." The Senator from Texas [Mr. CONNALLY], in reply to these statements, assured the Senate that the committee would "be glad to consider this matter at the earliest opportunity, and to act with such speed as is permissible under the well-known rule of giving those interested an opportunity to be heard, and not entirely to abolish the recognized rules of procedure and proper consideration."

From January 3, 1941, until today is about 14 months, and one unfamiliar with the facts might claim that the assurance of the then chairman of the committee had not been kept. Such, however, is not the case. The matter has been long drawn out simply because it has been a complicated one and because it has been thoroughly investigated. The hearings before the committee began within less than a week after the matter was referred to it, and were held with reasonable promptness from time to time as the report of its investigators warranted. A subcommittee was appointed, of which the distinguished Senator from Illinois [Mr. LUCAS] was chairman, and I may state, although I was not a member of the subcommittee, that it did an admirable piece of work, which formed the basis of the conclusions which the Senate committee ultimately reached.

It was necessary to reach certain legal conclusions in connection with this investigation. These conclusions were reached after discussion based on a thorough investigation of the precedents. The legal conclusions reached were, like the final report of the committee itself, nearly, but not quite, unanimous. Two of the Senators did not participate in any of the votes of the committee. The remaining 16 voted as follows: The committee voted to overrule the objection to lack of jurisdiction by a vote of 14 to 2. The committee voted that the case does not fall within the constitutional provision requiring a two-thirds vote for expulsion, by a vote of 13 to 2, 1 Senator not voting. The committee voted that the case must be considered by the Senate under its constitutional and inherent obligation to examine into the qualifications of its Members, by a vote of 14 to 2; and the committee finally voted that "WILLIAM LANGER is not entitled to be a Senator of the United States from the State of North Dakota" by a vote of 13 to 3.

Thus, as I said before, the committee reached all its conclusions by an almost unanimous vote. The committee consists of able Senators. I was impressed by the fact that they all acted under a sense of the great responsibility resting upon them. They acted without regard to partisan differences and, I believe, without personal prejudices. Although they believed they had the right to pass on the qualifications of a Senator, they believed also that this right should be exercised with the utmost care, lest the right be abused. They acted as a sort of jury from whom there was an appeal to a higher court, the Senate itself, on whom rested the ultimate decision.

The fact that there was a majority and a minority vote on all these questions shows only that none of them are entirely free from doubt. It must be remembered that during the century and a half this Government has been functioning there have been relatively few precedents on which these conclusions have to be based. Each precedent was based on the special set of facts of the case itself, and it is only by comparing all the cases that the principles underlying them can be deduced and established. It is in this fashion that the English common law grew up, which forms a large part of our American law. It is thus that the law applicable to this case of Senator LANGER has grown up.

In all such cases, where principles are deduced from a line of precedents, there is room for honest difference of opinion. It is unnecessary to claim that all the precedents are uniform in favor of these conclusions. It is more unnecessary to claim that all the statements made in connection with these cases can be defended on the same underlying principles. The committee believed, and in my opinion was justified in believing, that the principles on which they acted represent the preponderant weight of the decisions previously reached by the Senate during this past century and a half, and that these conclusions are not only justified by the weight of precedent but are justified on principle as well.

I stated that there was room for honest difference of opinion. For that reason I do not question in the least degree the sincerity of those few Senators on the committee who disagreed with the great majority of their fellow members. I believe further that the Senators in this Chamber, in reaching the decision in this case, will be guided by the same sincere desire to do the right thing, to face squarely their constitutional duty, and to use in the interest of our common country the discretion given them by the Constitution.

Let me elaborate a little this point of view, that our duty as United States Senators is to exercise this discretion in the interest of the whole country. It is true that each Senator is elected by the voters of his State, but though he comes from a particular State and his is the voice of that State in the Senate, yet he becomes an official of the United States and

not of any one State. The interest of all the people of the United States in the actions and votes of that Senator is far greater than is the interest of the State by whom he was sent here. Matters of greatest national importance, and matters of even international importance, may be decided here by his vote. So his vote should be cast in the interest of the United States as a whole and not of any part of the United States, even if that part is responsible for his being here and is nearest his heart. Therefore I for one thoroughly disagree with the point of view that the people of a particular State ought to have the sole right to determine the qualifications of the man they choose to exercise in part this great power which affects all the people of our country. I believe it is for that reason that the Constitution has provided that the Senate shall be the judge of the qualifications of its own Members. It has been claimed that this authority is too great, since the Senate must act both as judge and jury. It is a great authority. For that reason, as I said before, the committee believes that it must be exercised with great restraint and under a sense of high responsibility. But the power must exist somewhere, and if it were transferred to some other than the legislative branch of the Government, it might upset the balance of powers between the three branches of the Government set up under the Constitution.

Since, then, the qualifications of a Senator are to be determined by the Senate itself, the chief qualification to be determined is not, of course, his personal morals; it is not his belief in this or that economic or social or political theory. His chief qualification must be his fundamental character for honesty in public office. We do not always have the basis of forming such an estimate, but in the case before us we have. Senator LANGER has had a long career in public life. The committee has examined into, not his private life or his sense of personal honesty, but his public life and his sense of public honesty. It has regretfully come to the conclusion that he is not an honest public servant.

Some criticism has been made of the fact that the committee has gone into a long series of public acts dating far back, and many of them of minor importance. That is true, but the purpose of this was to make the study comprehensive. The conclusion of the committee is not based on isolated instances; it is not based solely on recent instances of what the committee believes to be dishonesty in his acts as Governor; it is not based solely on any individual acts or series of connected acts. It is based on its estimate of Senator LANGER's character as shown by his own continuous disregard of fundamental moral principles involved in his whole career as a public official.

I have stated that the committee's work has been analogous to that of a jury and judge. One who sits as a member of a jury and hears the oral testimony of the witness has an advantage over one who sits in his office and reads that testimony. The juryman sees the witness, notes how he testifies, as well as what he testifies; he notes whether the witness admits wrongdoing shamefacedly or reluctantly, or brazenly, or with apparent lack of comprehension of the significance of his admissions. Much of the testimony on which the committee's conclusions were based was given by Senator LANGER himself, with apparent lack of comprehension of the moral issues involved.

Various Senators here have stated in one way or another that this or that act of which Senator LANGER is accused was not sufficient to warrant the conclusion the committee reached. Some Senators have quoted Scripture, more or less correctly, to the effect that "He that is without sin among you, let him first cast a stone." The reference is to John VIII, 7. They have deprecated a "holier than thou" attitude. We need not claim that every Senator has led a blameless public life. Many men in public life can recall things in their past which they regret, even some things which they must be ashamed of. However, having listened to all the witnesses in this case, including especially Senator LANGER himself, I do not believe there is a Senator in the present Senate who would not be ashamed to confess to a record such as Senator LANGER'S.

It is a most distasteful experience to have to pass judgment on a colleague. It becomes, however, for each of us a solemn duty. Since the Constitution imposes upon us, not only the right but the duty to judge of the qualifications of our fellow Members, we cannot shirk that duty because it is distasteful. We should not vote to seat a Senator here if we conclude from his past record that he will be guided in his votes in committee, and in his votes on the floor of the Senate, by dishonest motives. The welfare of all the people of this United States, the welfare of the world today, depends upon our voting in accordance with our honest convictions, even though those convictions be mistaken. It should not depend, even in part, on the votes of a man whose career has shown him to be lacking in comprehension of the duties of an honest public official.

I shall not attempt to summarize either the evidence or the law in this case. They have been ably presented by the member of the committee best fitted for that purpose and therefore chosen by the committee to present them. He has had a hard and disagreeable task to perform, and has performed it well, in spite of many hindrances. The course of his argument was often interrupted by questions which led him into a discussion of minor matters, so that they were made to appear as of major importance. Time and again he had to abandon the orderly presentation of facts or argument by those who wished to present their own. His admirable presentation has been supplemented by the addresses of other Senators on both sides of the question and it seems to me nothing new on facts or law remains for me to say.

There is however, one Senator on whom we are still waiting, and that is Senator LANGER himself. Last December there appeared in the press a statement by him:

> I'm going to write myself a hell of a speech and deliver it when this comes up in the Senate.

We are ready to hear him. He owes it to himself to speak. He owes it to the Senate. He owes it not only to the people of North Dakota, but to the people of the United States, since the latter are those chiefly interested.

The duty of the committee is to make a thorough investigation of a matter such as this, reach its own conclusions, give the Senate the benefit of both, and then leave the final decision to the Senate itself, and abide loyally by the result. It is not the duty of the committee to try to persuade other Senators to act contrary to their own views of the law or of the conclusions to be drawn from the evidence. The members of the committee have sought to give the other Members of the Senate what aid they can give. It seems to me their duty stops there. If some Senators choose to decide this question without reading the reports of the majority and minority members of the committee and Senator LANGER'S own statement, if they have not made the opportunity to read the record of the hearings before the committee, it seems to me that is their responsibility and not that of the committee.

Mr. President, I trust that this debate may soon come to an end and that this matter may be settled, so that the Senate may proceed to other business. While I join with the large majority of this committee in the conclusions it has reached after such prolonged investigation and consideration, yet I do not question the good faith of the few members of the committee who have reached other conclusions, nor do I question the good faith of any Senators who differ with the conclusions of the committee. I believe that as a result of the publicity given this case it would be most unfortunate if the Senate appeared to the people as not caring whether or not a man with Senator LANGER'S public record is admitted to the Senate. However, far more important than this is the question of the principles involved and the precedent to be established, and I trust this case may be determined on principle alone.

The PRESIDING OFFICER (Mr. DOXEY in the chair). The question is on the amendment in the nature of a substitute proposed by the Senator from Louisiana [Mr. OVERTON] to the amendment of the Senator from Rhode Island [Mr. GREEN].

Mr. MCNARY. As the Chair well knows, I am not in charge of the proceedings, but I think that perhaps at this time, in the absence of a quorum, I should suggest that there is not a quorum present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Reed
Austin	Guffey	Reynolds
Bailey	Gurney	Rosier
Bankhead	Hayden	Russell
Barbour	Hill	Schwartz
Bilbo	Holman	Shipstead
Bone	Hughes	Smathers
Brewster	Johnson, Calif.	Smith
Brown	Johnson, Colo.	Spencer
Bulow	Langer	Stewart
Burton	Lee	Taft
Butler	Lucas	Thomas, Idaho
Byrd	McCarran	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Caraway	McKellar	Tobey
Chandler	McNary	Truman
Chavez	Maloney	Tunnell
Clark, Idaho	Maybank	Tydings
Clark, Mo.	Mead	Vandenberg
Connally	Millikin	Van Nuys
Danaher	Murdock	Wagner
Davis	Murray	Walsh
Doxey	Nye	Wheeler
Ellender	O'Daniel	White
George	O'Mahoney	Wiley
Gerry	Overton	Willis
Gillette	Pepper	
Glass	Radcliffe	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present.

REINCORPORATION OF CERTAIN VIRGINIA LANDS INTO THE DISTRICT OF COLUMBIA

Mr. McCARRAN. Mr. President, I desire at this time to ask unanimous consent for the introduction of a bill; but before introducing the bill I think a statement to the Senate is quite proper.

For the past several years the Federal Government has been appropriating tens of millions of dollars for the construction of buildings across the Potomac River in the State of Virginia, in territory and on lands which I contend belong to the District of Columbia.

In order that my position in the matter may be made clear, a little review of history will do no harm. It was Washington's idea that the Federal Government should have its seat of government on territory to be ceded by the respective States, and that such territory—not to exceed 10 miles square—should be remote from any jurisdiction, but should be exclusively occupied as the seat of the Federal Government.

The framers of the Constitution provided in article I, section 8, that a territory not to exceed 10 miles square, to be ceded by the respective States and accepted by the Congress of the United States, should be the seat of government. Pursuant to that provision many States made tender of territory with the idea of having the seat of the Federal Government within their boundaries. Virginia made the first tender of territory. Maryland followed with a tender. Pennsylvania also made a tender. Finally a commission selected what was known thereafter until 1846 as the District of Columbia, ceded partly by the State of Virginia and partly by the State of Maryland. A territory 10 miles square, definitely marked, was accepted by the Congress of the United States in keeping with the specific provisions of the Constitution.

That was as far as Congress could go. That was the limit set by the organic law. When Congress accepted the territory 10 miles square it did all that the organic law provided. There was no provision in the Constitution for a retrocession or abandonment of the territory set up pursuant to the constitutional provision and accepted by Congress. Notwithstanding that, in 1846 Congress retroceded to the State of Virginia all the territory south of the Potomac River which had formerly been ceded by the State of Virginia to be a part of the Federal territory, on the specific condition that the territory so ceded should be the perpetual seat of government of the United States.

Following the tender by Virginia, Maryland made a like tender on a similar condition, that the territory so selected should be the permanent seat of Government of the United States. Nineteen property owners owning property in fee simple within the territory so selected also made tender to the Federal Government on condition that the territory so selected should be the permanent seat of Government of the United States.

So not only did the act of Congress rest upon article I, section 8, but it also rested upon article I, section 10, of the Constitution of the United States, because in the latter provision it is declared that no ex post facto laws shall be enacted. It is also declared that the right of contract shall never be violated. There was a solemn contract, a quadripartite contract, among four distinct parties capable of contracting, and having a valid consideration. There was the State of Virginia; there was the State of Maryland; there were 19 property owners in the territory selected; and there was the Federal Government. Each of the four parties met all the conditions precedent to the formation of a valid contract, and there was a good and valuable consideration for the contract, namely, the perpetual seat of Government of the United States.

So there enter into consideration in the matter of the retrocession of the territory to Virginia in 1846 two provisions of the Constitution which, to my mind, cannot be set aside. Therefore it is my position that the act of 1846 returning to the State of Virginia all the territory south of the Potomac River which Virginia had ceded under the specific provisions of a contract and under the specific terms of the Constitution was a vain, unconstitutional, illegal act, and that the territory on the other side of the river on which we are putting tens of millions of dollars in Federal buildings—territory which we now so badly need in the seat of Government—belongs to and is a part of the District of Columbia, and should come back under the jurisdiction of the District of Columbia.

With that in mind, I ask unanimous consent that I may at this time introduce a bill for that purpose, and that the bill may be printed in the RECORD at this point.

There being no objection, the bill (S. 2408) to repeal the act retroceding the County of Alexandria, in the District of Columbia, to the State of Virginia; to define the boundaries of the District of Columbia; and for other purposes, was read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the act entitled "An act to retrocede the county of Alexandria, in the District of Columbia, to the State of Virginia," approved July 9, 1846, is hereby repealed.

SEC. 2. The District of Columbia shall consist of that portion of the territory of the United States ceded by the States of Maryland and Virginia for the permanent seat of Government of the United States, including the river Potomac in its course through the District, and the islands therein.

SEC. 3. (a) The President shall appoint a commission of five members, of whom one shall be an officer of the United States, one shall be an officer of the District of Columbia, one shall be a resident of the State of Virginia deemed by the President to be qualified to represent the interests of the State of Virginia, one shall be a resident of that portion of the District of Columbia which was ceded to the United States by the State of Virginia, and the other shall be chairman of the commission. The commission may function notwithstanding vacancies, and a majority of the members in office shall constitute a quorum. The members of the commission shall not receive any compensation for their services as such members. The President, or the Commissioners of the District of Columbia at his direction, shall furnish for the use of the commission office facilities, supplies, and equipment, and legal, clerical, and other necessary assistance. The commission is also authorized to utilize any other services or facilities which may be made available to it.

(b) The commission is authorized and directed to make a study and investigation of the problems involved in the resumption by the United States of the exercise of exclusive jurisdiction over that portion of the District of Columbia which was ceded to the United States by the State of Virginia. The commission shall make a report to the Congress within 60 days after the date of enactment of this act, with such recommendations for such remedial legislation as the commission deems necessary and appropriate with respect to matters within the scope of its study and investigation.

SEC. 4. The first two sections of this act shall take effect 120 days after the date of its enactment.

NATURALIZATION OF FORMER CITIZENS SERVING WITH ALLIED FORCES

Mr. RUSSELL. Mr. President, there is on the calendar Senate bill 2339, Calendar 1203, which the War Department is very anxious to have considered by the Senate at the very earliest possible date. I do not think the consideration of the bill will require more than 2 minutes. It is a bill to provide for the naturalization of citizens of the United States who have lost their citizenship by taking the oath of allegiance to our Allies in this war. In other words, it provides for the return to the American armed forces of approximately 20,000 American citizens who, prior to December 7, 1941, enlisted in the Canadian and British forces. There are some 5,000 of these men who are members of the Royal Air Force and the Canadian Air Corps. The remainder are in the other branches of the service. Since the entry of this Nation into the war these men, of course, are very anxious to be associated with the American Army rather than with the Canadian and British Armies. I have been advised that they are calling at the American Embassy in London at the rate of more than 50 a day seeking to be admitted into the American Army.

The War Department officials testified, when the bill was pending in the Immigration Committee, that arrangements had already been perfected with

the Canadian Government and with the British Government for the release of these men and their enlistment at comparable ranks in the armed forces of the United States. However, before these men can be paid, it is necessary that they become American citizens, and this bill provides a simple method of restoring their citizenship. It applies only to citizens of the United States who were enlisted in the armed forces of Canada and the British Empire and other nations who are resisting the aggression of Japan and the Axis Powers throughout the world today.

I ask that the bill be now considered. I cannot conceive of any possible objection to it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2339) to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 323 of the act of October 14, 1940 (54 Stat. 1149), entitled "An act to revise and codify the nationality laws of the United States into a comprehensive nationality code," is hereby amended to read as follows:

"SEC. 323. A person who, while a citizen of the United States and during the first or second World War, entered the military or naval service of any country at war with a country with which the United States was or is at war, who has lost citizenship of the United States by reason of any oath or obligation taken for the purpose of entering such service, or by reason of entering or serving in such armed forces, and who intends to reside permanently in the United States, may be naturalized by taking before any naturalization court specified in subsection (a) of section 301, the oaths prescribed by section 335. Any such person who has lost citizenship of the United States during the second World War may, if he so desires, be naturalized by taking, before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335. For the purposes of this section, the second World War shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in a state of war. Certified copies of such oath shall be sent by such diplomatic or consular officer or such court to the Department of State and to the Department of Justice."

SENATOR FROM NORTH DAKOTA

The Senate resumed consideration of the resolution (S. Res. 220) declaring WILLIAM LANGER not entitled to be a United States Senator from the State of North Dakota.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. OVERTON] in the nature of a substitute for the amendment of the Senator from Rhode Island [Mr. GREEN] to Senate Resolution 220.

Mr. LUCAS. Mr. President, I ask for the yeas and nays.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Reed
Austin	Guffey	Reynolds
Bailey	Gurney	Rosier
Bankhead	Hayden	Russell
Barbour	Hill	Schwartz
Bilbo	Holman	Shipstead
Bone	Hughes	Smathers
Brewster	Johnson, Calif.	Smith
Brown	Johnson, Colo.	Spencer
Bulow	Langer	Stewart
Burton	Lee	Taft
Butler	Lucas	Thomas, Idaho
Byrd	McCarran	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Caraway	McKellar	Tobey
Chandler	McNary	Truman
Chavez	Maloney	Tunnell
Clark, Idaho	Maybank	Tydings
Clark, Mo.	Mead	Vandenberg
Connally	Millikin	Van Nuys
Danaher	Murdock	Wagner
Davis	Murray	Walsh
Doxey	Nye	Wheeler
Ellender	O'Daniel	White
George	O'Mahoney	Wiley
Gerry	Overton	Willis
Gillette	Pepper	
Glass	Radcliffe	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

Mr. OVERTON. Mr. President, I desire to modify the pending amendment, which is the amendment submitted by me yesterday to the amendment offered by the Senator from Rhode Island [Mr. GREEN] to Senate resolution 220.

The PRESIDING OFFICER. Under the rule, the Senator has a right to modify his amendment.

Mr. OVERTON. I desire to modify the printed amendment submitted by me by inserting in line 10, after the words "North Dakota", the following: "and holds no other office under the United States, and has not engaged in insurrection or rebellion against the United States or given aid and comfort to the enemies thereof."

Mr. LUCAS. Mr. President, reserving the right to object, I ask the Senator, does the modification merely add to the qualifications set out in article 1, section 3, of the Constitution, the qualifications set out in the fourteenth amendment to the Constitution?

Mr. OVERTON. Yes. It adds the qualifications under the fourteenth amendment and the one under what may be called the dual office-holding clause of the Constitution.

Mr. LUCAS. In other words, it is all-inclusive?

Mr. OVERTON. The purpose is to present a complete picture of the constitutional qualifications.

The PRESIDING OFFICER. The pending question now is on the amendment offered by the Senator from Louisiana [Mr. OVERTON], as modified, to the amendment offered by the Senator from Rhode Island [Mr. GREEN] to Senate resolution 220.

Mr. McNARY. Mr. President, after conversations and consultations with various Members of the Senate having to do with the petition which is now before the Senate for action, involving the right of Senator LANGER, of North Dakota, to a seat in the Senate, and expressing the desire personally, and, I think, on behalf of other Members of the Senate, that we conclude as quickly as possible the remainder of the debate on the resolution and the amendments which have been offered thereto, I propose a unanimous consent agreement and ask for its present consideration.

The PRESIDING OFFICER. The clerk will read the proposed unanimous consent agreement.

The Chief Clerk read as follows:

Ordered, by unanimous consent, that after the hour of 3:30 p. m. on Thursday, March 26, 1942, no Senator shall speak more than once nor longer than 30 minutes on the pending resolution, Senate Resolution 220, or any amendment or motion relating thereto.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, I desire to make one observation. It has been brought to my attention since the preparation of the proposed unanimous-consent agreement that it is in the nature of an obligation, I think, upon the part of the Senate that some member of the committee should be permitted to occupy a portion of the closing time during the last 30 minutes. I express that as a view. It is not in the unanimous-consent request, and each Senator will have to take his chances on securing recognition. The matter, however, was brought to my attention, and I see no objection to an understanding of that kind, inasmuch as the majority of the committee in these matters always present a proposal, and naturally they feel that they should have an opportunity to be heard during the closing hours of the debate. As I have said, that is not a part of the request, but it probably should be kept in mind when we consider it finally and operate under it.

Now, Mr. President, I should like to have the question put on the request for unanimous consent.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request proposed by the Senator from Oregon?

Mr. LUCAS. Mr. President, while no one can control the time in debate on the floor of the Senate, I think the RECORD should show that it is more or less agreed, while it cannot be definitely agreed, that the senior Senator from Vermont [Mr. AUSTIN] should receive recognition from the Chair at noon tomorrow. I say, in behalf of the suggestion, that the Senator from Vermont has been one of the most diligent of men in the performance of his duties in connection with the majority report. I do not think there is a Senator who attended more committee meetings, and who followed the case more closely than did the very able and distinguished senior Senator from Vermont, and, in my opinion, in fairness to the Senator and to the Senate, as well as to the majority of the committee, it should be understood, and we hope it will be, that the occupant of the chair when the Senate meets tomorrow will recognize the Senator from Vermont.

The PRESIDING OFFICER. That will be in the province of whoever may be occupying the chair when the Senate meets tomorrow.

Mr. LUCAS. Of course, I understand that.

Mr. McNARY. While agreements of the kind suggested by the Senator from Illinois do not appear in writing, for reasons which are very obvious, what he has in mind is one of the matters we took into consideration in the preparation of the proposal which I have submitted. The matter can be arranged, of course, with the occupant of the chair tomorrow. It is quite true, as the able Senator from Illinois recounts, that it was in collaboration with the able Senator from Vermont that the majority report was prepared, and I concede that the time between 12 and 3:30 o'clock tomorrow, if the Senator from Vermont desires that much time, should be allotted to him to explain his position, and his interpretation of the law and the precedents. I concur in the attitude of the Senator from Illinois, and the matter can no doubt be worked out. Of course, that really has nothing to do with the proposal I have suggested.

Mr. OVERTON. Mr. President, there is no provision in the unanimous consent request which the Senator from Oregon prefers as to whether Senators shall be allowed to speak only once; is there?

Mr. McNARY. Yes; that each Senator may speak once, and not longer than 30 minutes. I think once is enough, and that 30 minutes is a sufficiently long time.

Mr. OVERTON. I was merely asking for information.

Mr. McNARY. The able Senator made one of the finest arguments I recall in my 24 years of service in the Senate, and I am sure he would be content with 30 minutes more.

Mr. OVERTON. After that compliment, I shall probably not speak again.

The PRESIDING OFFICER. Is there objection to the unanimous consent request preferred by the Senator from Oregon? The Chair hears none, and it is so ordered.

Mr. WILEY. Mr. President, the debate on the pending question has continued over a long time, and I do not expect to consume much time in presenting my position and my convictions. In the interest of clarity and brevity, I ask that I be permitted to present my views without interruption, and after I have concluded I shall be very happy to attempt to answer any question any Senator may desire to propound to me.

I had not intended to speak in this matter until some remarks were made on the floor in relation to the committee, and even then I had not made up my mind until this morning, when, reading over the RECORD, I came across this very significant statement, which was made on the floor yesterday by the senior Senator from Ohio [Mr. TAFT]:

> I believe that a Senator may be expelled, but not excluded, for moral turpitude, or treason, or even for views like communism, if they involve a belief in the overthrow of the Government by force, but only if the case is clear beyond doubt.

When I read that statement yesterday, the thought occurred to me that I owed an obligation to make my position clear.

My reason for feeling that it was incumbent upon me to speak was, first, that I felt there had been an attack upon the committee, and I felt that this was part of a program such as has so often been pursued in court, to get away from the issue and attack persons. Personally, I have always followed a rule, which I have found beneficial. It is couched in these homely words:

> There is so much good in the worst of us,
> And so much bad in the best of us,
> That it hardly behooves any of us
> To say anything about the rest of us.

Mr. President, I have stated that I had not finally made up my mind to speak until I read the statement made by the Senator from Ohio [Mr. TAFT] yesterday, so this morning I dictated my remarks, and I have not even had time to go over them and correct them.

In my daily living, and even in my political campaigns, I have refrained from indulging in personalities and mud slinging, but have tried to argue the issues and principles involved. As a very young lad the statement "Judge not lest ye be judged" had great significance to me. As the years have filed by, the inner meaning of those words has added weight to their significance.

Three years ago last January I appeared at the door of the Senate and was admitted as a Member of this great body. I took the following oath:

> I, ALEXANDER WILEY, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Soon afterward I was assigned to the Committee on Privileges and Elections, and since that time I have had occasion to learn much as an active member of that committee.

Like every other member of the committee, when the instant case came before it, I felt it was obligatory on me to become acquainted with the law applicable to the facts of the case. I assumed that when the resolution was passed by this honorable body directing the committee to conduct hearings and file its report with the Senate, we were acting in a quasi judicial manner.

I had no prejudice one way or the other. Living in the Middle West, I had known about the partisan politics in North Dakota in a general way but had formed no preconceived notion in the matter now before us, nor had I any prejudice for or against Governor LANGER.

Mr. President, there are three obvious questions which must be answered in arriving at a determination of this case:

First. Does the Senate have the authority to go beyond the enumerated constitutional qualifications stated in section 2, article I, of the Constitution, into acts prior to election which allegedly involved moral turpitude?

Second. If the Senate does have the authority to go beyond the constitutional qualifications, was Governor LANGER guilty of moral turpitude to such a degree as to render him unfit to be a Member of this body?

Third. If he was guilty, and if the Senate does have the authority, then, in view of the fact that he has been permitted to take his seat without prejudice to either the Senate or himself, is he subject now to expulsion or exclusion?

The first question is whether the Senate has the authority to go beyond the negative disqualifications in the language of section 2, article 1, of the Constitution, to exclude under section 5 of article I of the Constitution?

It will be recalled that section 3 of the article provides:

> No person shall be a Senator who shall not have attained to the age of 30 years, and been 9 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Section 5, article I of the Constitution is a grant of power—without limitation unless it is limited by section 3—and I say this after going through the decisions, reading the history, and reading what I consider to be the finest brief ever presented on the subject, a brief by Hon. Brice Wickersham, of Kansas City, Mo., which became Senate Document No. 4 in the Seventieth Congress, first session. The language in section 3 is negative. It was changed in the Constitutional Convention from a positive list of qualifications to a negative list of disqualifications for the very reason, according to one member of the Convention that—

> A partial enumeration of cases will disable the legislature from disqualifying odious and dangerous characters.

That was the language used in the Constitutional Convention.

John Randolph elaborated this very point in Congress in 1807, and this view was further sustained in the Maryland contested-election cases reported in the Annual of Congress, volume 1808, page 908.

There is no conflict between section 5 granting full authority to the Senate and section 3 which merely sets up "negative clauses" or disqualification of age, citizenship, and residence.

Members of the Senate are familiar with Madison's report of the Constitutional Convention, and will recall that in these debates it was evident that the Convention believed that the provision "each House shall be the judge of the election returns and qualifications of its own Members" was ample to give each House plenary power—and I emphasize those words—plenary power to judge qualifications, a power without limitation.

All the authors of plans submitted to the Convention agreed that this power should be conferred without limitation.

It is my opinion that the Senate is omnipotent in this field, whether it be (a) expulsion; or (b) refusing to seat a Senator—with this exception, that when a Senator has committed an offense during his term of office which is the basis for expulsion, the Constitution requires, under section 5, article I, a two-thirds vote of the Senators present. That is the only limitation.

Mr. President, I said that in my opinion the Senate was omnipotent. It can make its own rules.

In my opinion, all the precedents hold that when a Senator comes to the door of the Senate and the question is raised as to his eligibility to be seated, only a majority vote is necessary to deny him a seat.

However, in view of the fact that the Senate is omnipotent, it need not follow precedent. "Omnipotent"—let us bear in mind what that means. It means that the Senate does not have to follow precedents. This power is a constitutional power. The Senate today can make precedents and the next Senate need not regard them as precedents. It can make its own rules.

In my opinion, section 5, article I, of the Constitution, calling for expulsion, has no application to this case. The mere fact that Governor LANGER was permitted to take his seat under the circumstances he was, with the distinct understanding and provision that it was without prejudice, places Governor LANGER now at the door of the Senate, and if we follow precedents, the majority rule should apply.

It has been argued that because he was permitted to take his seat the Senate should now change what has been a well-established rule, but which I agree has only the force of precedent, and which this Senate has changed. The Senate can say that 90 percent of its vote is necessary, or that 95 percent of its vote is necessary, because, under the constitutional provision, the Senate is the judge of the qualifications of its own Members. It can regard precedent made last year, a century ago, just as the Supreme Court can, or it can disregard it. It is omnipotent in that field.

Mr. President, it was my lot to hear most of Governor LANGER'S own testimony and explanation of the charges laid against him.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. WILEY. I said in the beginning that I preferred not to be interrupted.

Mr. CONNALLY. I was not in the Chamber then; therefore I am not bound.

Mr. WILEY. No; the Senator from Texas is never bound by anything.

Mr. CONNALLY. I do not wish to insist, but I simply wanted to ask the Senator on the point he was developing: Is it the Senator's contention that the Senate may exclude a Member for any cause that it sees fit?

Mr. WILEY. Yes.

Mr. CONNALLY. I thank the Senator.

Mr. WILEY. I realize that the question of the distinguished Senator and my answer may be a two-edged sword. The point I made was that the Senate was omnipotent. The Senate is the result of a basic law, a fundamental law, called the Constitution, and when the fathers created this body—and the discussion is very clear, as set forth in the record—they saw that it was necessary for this great body which they created, the Senate of the United States, to be omnipotent in that respect.

Now that I have gotten off the particular subject I was following, let me say that, in my opinion, there is not a great legislative body in the world which does not possess inherently, as a matter of utter necessity, because of the law of self-preservation, that great power to protect its own interests, and that is especially true when the fundamental law is made and created as the result of a confederation of States, when the law itself does not limit that power.

Mr. President, I said it was my lot to hear most of Governor LANGER'S own testimony and his explanation of the charges laid against him.

In this particular case there were a number of charges reaching back a number of years and culminating in (a) what has been called the so-called stock deal, that is, the sale of stock to Mr. Sullivan, attorney for the railroad company; and (b) the so-called bond and real-estate deal, in connection with which Governor LANGER sold his real estate to Brunk for some $58,800, which was paid in cash, although there existed a $15,000 to $20,000 indebtedness against that land, which had not been paid; which means that up to date Governor LANGER got in the neighborhood of $80,000 for that land. Brunk and Brewer were the manipulators of the county and municipal bonds in North Dakota.

Governor LANGER was Governor in 1937 and 1938. As such he was the chief servant of all the people in that Commonwealth. He represented a great public interest. His obligation was to look after the public interest. As a public servant representing the public interest he could not deal with others who had an antagonistic interest in the public.

Let me quote to the Senate what is the law established by all the decisions in this land:

> Public office is a public trust. Under our system of government officers are the servants of the people. A public officer is a trustee and acts in a fiduciary as well as an official capacity and is amenable to the rule—

Listen, Senators—

> And is amenable to the rule which forbids an agent or trustee to place himself in such an attitude toward his principle or sequi que trust as to have his interest conflict with his duty.

Mr. President, note those words. He must not place himself in a position where his acts as servant conflict with his duty to his master, the State.

Mr. President, this rule antedates our law and the common law. It reaches way back into antiquity. In the Book of Books it was said:

> No servant can serve two masters—for either he will be false to the one and love the other, or else he will hold to the one and despise the other. Ye cannot serve God and Mammon.

So, Mr. President, it has been bone of our bone and blood of our blood in this country that no public servant can serve special interests or deal with special interests. He represents the public, and if he attempts in any way to mix up the obligation he owes to the public with his own special interest, he is renegade to public duty.

Mr. President, we have heard much said about the so-called Smith case, of Illinois. The gist of that case was that the Senate, through its committee, ascertained that Mr. Smith at the time of his election was chairman of the Illinois Public Service Commission, and that when Smith ran for office, Samuel Insull, of the utility interests, contributed $125,000 to his campaign fund. Samuel Insull did not give it to him, but gave it to his election committee, and the conscience of the Senate was aroused, and rightly it should have been aroused. What was Mr. Smith? Mr. Smith was simply the servant of the State of Illinois; he was chairman of the public-service commission, but the Senate could not in good conscience see that Mr. Smith's campaign committee had a right to accept $125,000 contribution from a private interest in connection with his election.

Mr. President, I say the conscience of the Senate was aroused, and the result was that Mr. Smith was not seated. Why should a private interest make such a contribution, the Senate asked? In fact, the moral conscience of the Senate would not swallow such action. Yet it was not proven that Mr. Smith had made any deal with the utilities; but the question arose: Why, why should private interests support a man for high office in the Senate with such contributions? Is it proper for a man sitting on a public commission of a State, running for the high office of Senator, to accept a contribution of $125,000 from those who might have been favored, such as the Insull interests? The Senate said, "No; we cannot abide by such transactions."

That is the gist of the Smith case. Had I the time I would show how the conscience of the Senate was aroused time and time again to the point where it saw that no man who was renegade to a public trust had a "divine right" to present himself at the door of the Senate. No; the Senate is not impotent to handle such a situation.

In this particular case Mr. LANGER'S own testimony is very clear. In the case of the stock, which was proved very clearly to have been worthless, in 1937 he went to the office of a railroad attorney in Chicago and sold the stock for $25,000. He was the Governor of a great State. He received part payment in 1937; then some 15 days before the board of equalization met in 1938—the valuation of the railroad property in North Dakota was reduced in 1938—he was paid the remainder of the $25,000, the check being sent to LANGER, who sent it through the Northwestern Mutual Life Insurance Co., of Milwaukee, Wis.

Can the Senate approve a transaction like that, in which the Governor of a great Commonwealth, representing the public interest and having a vote on the commission which determines railroad valuations, dealt with a railroad company attorney and received $25,000 for stock which he did not even transfer and which has never been reissued to the purchaser? The purchaser has never asked for the stock. If the conscience of the Senate was shocked by an act which was an out-and-out contribution to a political fund, can it smugly pass over this act?

Some years ago the conscience of the Senate was aroused when it was rumored that a Member of the Senate was interested in tariff schedules and was using

his knowledge to profit personally. That was some years ago; but again the conscience of the Senate reacted to a challenge to its integrity. The conscience of the Senate was aroused.

As we have heard, no public official should use his office for private gain; and no public official should put himself in a position in which it appears that he cannot impartially determine the issues which he is called upon to determine.

Mr. President, in these critical times when our boys are dying on the sea, in the air, and in foreign lands, how are we to look at our responsibility? Again I say, no public official should use his office for private gain.

The bond and real-estate deal involved transactions in which, in 2 years, Brunk and Brewer made $300,000 net profit. By what methods? By using their heads and the State agencies of North Dakota, including the Bank of North Dakota. It was the theory of North Dakota laws that bond issues raised by the counties and municipalities should be purchased by the Bank of North Dakota and by other agencies of the State. In this particular case the issues were so handled that they were sold to Brunk and Brewer at various discounts, ranging, as I remember, up to 15 percent, the Bank of North Dakota then buying the bonds from Brewer and Brunk at par.

Mr. President, the transaction does not end there. The Governor, who was the business manager of the great institution called the State of North Dakota, had an obligation to see that the bank, which managed the funds of North Dakota, did not pay more for bonds than it should pay. Of course, as Governor—executive—his obligation was to execute, to manage, to serve. As a matter of fact, the transaction went further.

In that respect the evidence is all undisputed. I am taking the testimony of the Governor himself. The transaction did not end there. What I have related was bad enough in the case of an executive sworn to see that the laws of the State were lived up to. But that is not the criticism here.

We must remember that in 1937 and 1938 North Dakota was in bad straits financially. As the Governor's own statement shows, on his land and upon tens of thousands of other properties taxes were unpaid for 5, 6, 7, or 8 years; and yet two manipulators could come in and take bonds from the counties and arrange matters so that the bonds passed through to the Bank of North Dakota with a resulting "clipping" of $300,000.

Who paid the $300,000? The Bank of North Dakota paid it; but the farmers of that State, who were paying through the nose, have had to pay every cent of it. The manager of a great business institution who carries on business in that manner, and who is renegade to his trust, is chargeable with malfeasance in office.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. WILEY. Please let me continue.

The same rule applies to the executive of a great State. It is his business—that is what we elect men to high office for—to use his judgment to the end that the people, the taxpayers, and the property owners, will not be mulcted by anybody.

The transaction did not stop there, Mr. President. After Brunk and Brewer had received the $300,000, something truly pathetic happened. We find that the Governor of the State entered into a transaction whereby he sold his land for $56,800 in cash. He received the cash over a period of 2 years, during which the bond transactions matured. The record shows how he got it. During the same period the citizens of North Dakota could not pay their taxes; but now they have to pay for those bonds.

As I have stated, it was the theory of North Dakota's laws that the bond issues raised by counties and municipalities should be purchased by the Bank of North Dakota and by other agencies of the State. In this particular case the issues were so handled that they went through Brunk and then back to the Bank of North Dakota, and the citizens lost $300,000.

As I say, the transaction did not end there. That was bad enough. The testimony of the Governor and his own record show that he was the boss of North Dakota. North Dakota was under the control and domination of the Governor; but the Governor had some 6,000 acres of land, some of it mortgaged, much of it with taxes unpaid for 3, 4, 5, 6, 7, or 8 years. He sold that land to Brunk for $56,800. Brunk had not seen the land. The Governor stated that under the agreement he, the Governor, was to give clear title and pay up the taxes and mortgages. Brunk paid him $56,800; but according to his statement there was a total indebtedness against the land of between $15,000 and $20,000, which has not been paid. So Governor LANGER really received about $75,000 for the land.

How much was the land worth? Appraisers found that it was worth about $6,000. Was that an understatement? Fortunately in this case we have evidence in addition to what is in the record. We remember what the situation was in 1937 and 1938. It is a matter of public knowledge. There is evidence outside the record which this body cannot ignore, which it knows as a matter of public knowledge. It knows the financial condition of the country during those years. It knows that the farmers of this country, especially in the Middle West, could not pay their taxes, and had not been able to pay them for years. In fact, on Governor LANGER's own land there were unpaid taxes for a number of years. This body knows that the value of land went down, and down, almost to the vanishing point. Why? Because the farmers could not make their land pay. Everyone knows that in county after county throughout the Middle West the county had to buy in the land. The farmers could not make a living. Insurance companies took tens of thousands of farms, and the Government foreclosed on its loans. The value of the land went down, down, down, until the land became practically worthless. We know that as a matter of public knowledge. Nobody wanted to buy land. Land was nonproducing property. In 1937 we had what was ironically called the recession. It was just another depression.

Mr. President, week before last I listened to the arguments which were made in relation to the railroad case. One argument was that because the valuation was raised $700,000 in 1937 and reduced $3,000,000 in 1938 by the board on which the Governor sat, nobody would pay $25,000 to save $56,000 in taxes.

Well, Mr. President, we are not as naive as that. We know that railroads and great financial institutions were fighting for their lives, we know that during those years the farmers of the country were bleeding to death, and we know that at that time practically the only worth-while taxable property in the State of North Dakota was the railroads. We know, too, that the question of valuation is not the chief consideration in taxation. The question of what the tax rate is going to be is the chief consideration.

Suppose that in that case the valuation of the railroads had been increased approximately $2,000,000, and suppose that the tax rate had been increased. What would have happened to what the railroads had to pay? We must consider the situation existing at that time, and must recognize that there was a crisis in the Nation, there was a crisis for the railroads, there was a crisis for the farmers, and that during that crisis the Governor of the State dealt with a railroad attorney and put himself in a position which no Member of the Senate dares stand up and approve, a position which no Member of the Senate dares say was a tenable position.

I do not know why Mr. Sullivan paid $25,000 for worthless stock; but I do know, as a matter of public knowledge, that in 1937 and 1938 property in Mexico—which the worthless stock was supposed to represent, especially property which had been nonproductive since 1908—was considered of no value, because of Mexico's attitude toward the United States. I know that during that period anyone who held property in Mexico considered it worthless. All of us know the situation which then existed in Mexico. That was one of the most critical periods we have had on this continent. The stock was supposed to represent an interest in property which, since 1908, when the company was organized, had yielded no returns; and besides, some persons in the record said the property was worthless. Nevertheless, the executive of a State reached out and dealt with a railroad company's attorney, at a time when the situation required the railroad company to come before the State executive as a deciding factor in the determination of the railroad's valuation.

Mr. President, I also know, as a matter of public knowledge, that at that time it was unconscionable for a public servant to be entering into deals with anyone who had an interest contrary to the interest of the public; and I believe it is still unconscionable. I believe that if we are to sit here and set an example for future generations we cannot approve such acts.

What was the explanation which the Governor gave of those deals? He said that he made them; he said they were fair. That is in substance what he said.

We must remember that in the so-called real-estate deal the Governor received $56,800 in cash for land which the appraisers said was worth $6,000. We should also remember that the land was heavily mortgaged, and that there were a great many unpaid taxes outstanding against it. Brunk testified that he paid the $56,800 in installments, as shown on page 726 of the printed record.

I now turn to page 726 of the printed record. It is very interesting to look at the page. It shows that, as Brunk and his partner received profits during 1937 and 1938, installments of the $56,800 were paid to the Governor—a fact very interesting to note. It is also interesting to note that nothing was held back with which to pay the outstanding mortgages and the outstanding taxes, but the entire $56,800 was paid.

Mr. President, I am thinking in terms of the chief executive of a State, during a period when he, too, was—as he testified—hard up, squeezed, as everyone knows; I am thinking in terms of his representing the public interest of North Dakota, and dealing directly with men who were mulcting the people of North Dakota of $300,000—money obtained as profits—although it was the theory, the policy, the practice, and the law of the State that such bonds should be handled directly by the Bank of North Dakota, and some of the other State agencies, instead of in a roundabout manner by which a third party could make a "cleaning" of $300,000. I am thinking in terms of the obligation under the oath taken by a chief executive, the obligation under the oath taken by a United States Senator; and I am thinking in terms of what that means to the people of the country, when they have a chance to analyze the situation.

Oh, I know that now the people of the country are sick and tired of hearing about the pending matter. Our sole thought and purpose is to win the war. That is right. We have one primary purpose, and that is to win through to victory. If the pending case had been debated 6 or 8 months ago, as perhaps it should have been, at a time when the people of the country could have analyzed it, we should have seen a great public interest in it. Perhaps it is well that there is not such public interest in it; because now the matter will be decided first, on the law and, second, on the facts, without any outside influence.

I said that I do not know why Sullivan paid $25,000 to get worthless stock which was not even transferred to him, which he has not even asked to have transferred to him. He did make a statement—someone did, and Brunk did too—that the money was paid because they had a great interest in the Governor, because they believed somewhat in his philosophy, because they were friends. That is in the record. However, Mr. President, the Governor of a great Commonwealth, representing a great public interest, has an obligation to keep his fingers clean, not to put himself in a position in which, as the Good Book says, he will be false to the one and true to the other.

I called attention to page 726 of the printed record; I called attention to the fact that the payments were made over a period of 2 years. If any Member of the Senate will turn to the record and notice the dates on which the payments were made, he will see that they were made so as to synchronize with the profits made on the bonds—a very significant fact. When we consider that there was between $15,000 and $20,000 of unpaid taxes and indebtedness outstanding against the land, I ask this question: If any one of us entered into a transaction in relation to real estate which was encumbered by a mortgage and outstanding unpaid taxes, and if a purchaser were willing to pay $56,800 for it, is it not natural to expect that the first thing he would do would be to take out the tax money and the mortgage money; that he would clear the mortgage, and would pay the taxes, and then would say, "Here is the balance; now give me a clear title"?

Instead of doing that, $56,800 was paid. The taxes were never paid. The mortgage was never paid. There we have a transaction which on its face is suspicious enough, but when it is made with an executive of a State who has taken an oath to serve the public interest we have a situation which calls for meticulous scrutiny.

Mr. President, I emphasize the fact that the various incidents which occurred through the years, which were discussed at such length during the opening days of the debate, are but straws in the wind indicating the characteristics of a man with much ability, a strong-willed and determined man, a man who, while a lawyer and Governor, had taken this oath:

> I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Dakota, and that I will faithfully discharge the duties of the office of Governor according to the best of my ability; so help me God.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. WILEY. I yield.

Mr. CHANDLER. I desire to ask the Senator if any Senator on the floor has undertaken to justify the transaction in which the people in the little counties of North Dakota lost approximately $300,000 because some bond syndicate was permitted to buy their bonds and to finance them through the Bank of North Dakota. The bonds could not be sold without the approval of the Governor and his commission; if he vetoed the transaction, it could not take place. I wonder if any Senator has been willing to approve the transaction of selling stock to a railroad company's lawyer for $25,000, although the stock was never delivered, was of no value, and is now worthless.

I wonder if the Senator does not think it is significant that no Senator has sought to approve, in good conscience, in good government, and in decent, clean business dealings, either of those transactions.

Mr. WILEY. I will say to the distinguished junior Senator from Kentucky that I had to be absent last week; however, after going over much of the record, I have no recollection of any Senator taking the floor and justifying those acts. As I understand it, the main purpose of the argument of the opposition is, first, to insinuate that the committee has been very unfair, and, second, to proceed on the theory that the Senate of the United States has no power to refuse a seat to one who comes here, from a great State, with a properly attested certificate of election as United States Senator.

Mr. President, I call attention to the last clause of the Governor's oath:

> I will faithfully discharge the duties of the office of Governor according to the best of my ability; so help me God.

It may be said that in those very critical times there might be some excuse for permitting Brunk and Brewer to make $300,000 from this bond deal. When I sat in the committee I said to myself "I want to hear all the evidence on that point."

But, Mr. President, there is no justification, even though they make $300,000, for the Governor whose business it was to supervise the fiscal affairs of the State to make a deal with them, to transfer to them property which in the judgment of the majority of the committee—practical men, some of whom own land there, who are familiar with land values there, and who knew the situation in 1937 and 1938 there—was not worth over $6,000, and that he should collect from them, $56,800 in cash, and not pay the $15,000 to $20,000 indebtedness against the land. That sir, is a transaction which cannot be explained away.

I reiterate that if any Senator of the United States uses his position here so that it may profit him, he is renegade to his obligation. He is here to serve all the people, just as the Governor of a State occupies his office to serve all the people of the State and not himself, and he cannot in good conscience use his position, directly or indirectly, to profit himself. Yes; the evidence shows that Governor LANGER was a bold and daring individual.

Criticism has been made of the committee because they went back into the man's past beyond the period when he was a public official. Mr. President, there is ample precedent for that, if precedent be desired. Under the Constitution we are the judges of the qualifications of those elected to this body. We have a right to know the men who are sent here. The Gould case will be recalled. That case did not happen so long ago. The conscience of the Senate was aroused when Gould came to the Senate, and there was filed a statement that he had paid a bribe of $100,000 to a Canadian official. Did the Senate hesitate because that bribe was claimed to have been paid 10 years previously? No; the Senate went into that case and investigated the facts.

When this honorable body directed the Committee on Privileges and Elections, of which I have the honor to be a member, to go ahead with the investigation of the Langer case, the committee took it for granted that the Senate wanted the committee to be thorough in its investigation. The committee, in particular, spent much time investigating the

acts and conduct of Governor LANGER as a lawyer. A lawyer belongs to a special privileged class. He takes an obligation of the court and to his country. The committee also spent much time investigating his life as a public official.

I said Governor LANGER was a bold man. The evidence distinctly shows that he was a dominant man. He had the benefit of an education in one of the great universities of this country, Columbia University. We are a nation of laws. If a man becomes dictator-minded, he violates the concepts of our Government. If a man becomes the law instead of obeying the law, then there ensues such a situation as exists in Europe. An education, whether in school or in the university of hard knocks, which creates in a man such a complex that he deems himself to be above the law, not only endangers society but, I say to you, Mr. President, it imprisons the man.

Throughout this record in the early years, we do find boldness and courage, a fighting man in whom there is much one can admire, if you please, but we also find a disregard for law. I say that without rancor. That characteristic is manifested through every page of the record in this case, so much so that we find a declaration of martial law under circumstances which indicate "I am the law." There was also a declaration of independence for North Dakota issued by the Governor.

When this honorable body directed its committee to go ahead, I presume it wanted it to go ahead. We went ahead. I repeat, the committee found, as indicated on page 23 of its report, that its conclusions were based primarily on acts committed when Governor LANGER was a public official.

Mr. President, it seems to me that right here is the crux of this entire matter. A number of Senators have felt that if we were to vote to unseat Governor LANGER for his acts as Governor, we would open the field wide so that there would be constant attacks upon the right of Senators to be seated, and several hypothetical cases have been cited, not one of which fits into the groove of malfeasance in office of a public official. That is a distinction which can be drawn here without opening the door an inch.

It is true that we should not in the Senate of the United States make "the sky the limit" for complaints against one elected to this high office, but the Senate of the United States cannot, it must not, "pass the buck" when a challenge as serious as this is presented to it. It must meet the challenge head-on, not as individuals but as public officials, as men sworn to perform their duty under the Constitution. Not as individuals but as public officials do we act in this case. I can say, as has been said by others, Mr. President, I believe that there was not a member of the committee, in the minority or the majority, who had any personal feeling in this matter. There is much to admire in Governor LANGER. He has a brilliant mind, coupled with much native ability and talents which he acquired in the school of hard knocks as well as in the university which he attended; but, Mr. President, we are not judging merely an individual in this case; we are laying down a course of conduct for the Nation. When a man, even though he was Governor of a great Commonwealth, presents himself at the door of the Senate, can we brush aside lightly the facts which have been developed in this case? I do not think the Senate will do so.

Not as individuals, I repeat, do we judge, but as Senators charged with the duty of preserving the integrity of this Nation and the machinery thereof—the integrity of the Senate.

Here, Mr. President, I should like to bring to your attention something that Lincoln said. It seems paradoxical to say it now, with a tremendous danger from without confronting the United States, with the Axis Powers triumphant for the time being; but what did Lincoln say? He said in substance that the danger to America is not from without, but from within.

I agree with that sentiment. If the Senate shall take the position now, for the first time in its history, that it has not the power to say who shall enter its doors, then, as I shall show later, we are turning the hands of the clock back, and, perhaps, bringing about the very thing that most of us do not want to have brought about, and that is injury to parliamentary government all over the world. I agree with Lincoln's sentiment. We are in a great world war; the danger from without is imminent; but Lincoln's words are still true, and there is a danger from within, whether it be from the lack of morale, whether it be from officers in high position who will sell their responsibilities and obligations for pelf. Yes, the cancer within is as dangerous as is the enemy without. Webster said in the Senate—and I echo his sentiments—

> I wish to speak as an American, and a Member of the Senate of the United States. It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity and its own high responsibilities, and a body to which the country looks, with confidence, for wise, moderate, patriotic, and healing counsels.

Mr. President, I saw how members of this committee, many of whom are numbered among the most distinguished in the Senate, analyzed this case, and the whole matter was sifted down to this issue: What will be Governor LANGER's explanation of the $25,000 stock deal and the $70,000 real-estate deal? Read his explanation. Bear in mind he was the elected head of a great commonwealth. It was his function to serve the State, not to make himself a competence out of his office. Bear in mind that land involved in the charges was appraised at $6,000. Bear in mind that the Committee on Privileges and Elections voted 13 to 3 to deny admission.

The distinguished Senator from Utah [Mr. MURDOCK] phrased the issue in this manner:

> My position is that we do not have the right under the provisions of the Constitution to add to the qualifications. The State is the sole judge of the intellectual and the moral qualifications of the representatives it sends to Congress. The Senate does not have the right to exclude anyone who comes here clothed with the proper credentials and possessing the constitutional qualifications.

The able Senator adopts the interpretation which other distinguished men have held; but it is not the rule adopted by this body. In all the past no such rule of interpretation has been strictly applied by the Senate.

Section 5 of article 1 of the Constitution states:

> Each House shall be the judge of the elections, returns, and qualifications of its own members and a majority of each shall constitute a quorum to do business.

Section 3 of article 1 provides that—

> No person shall be a Senator who shall not have attained the age of 30 years and been 9 years a citizen of the United States and who shall not when elected be an inhabitant of that State for which he shall be chosen—

and it is contended that that provision covers the qualifications.

The Constitution in section 5 does not undertake to prescribe specific qualifications. It says—

> Each House shall be the judge of the * * * qualifications of its own Members.

The Constitution—the fundamental law—designates clearly to the Senate the power it possesses, to wit, by a majority vote it may pass on the qualifications of its Members. The only restriction is that found in the Constitution itself.

In other words, when section 5, article 1, was adopted, it granted power to the legislative branch of Government, through the fundamental law, the Constitution. Down through the years the Senate and the House recognized its power and used it. Always there have been a few who have arisen and contended for the doctrine now contended for by the distinguished Senator from Utah. These folks have been known as "State righters." But the Constitution expressly confers power without limitation. The framers' intent is plain. English history and our own history support this theory. The general welfare demands that the Senate exercise the power.

In great legislative assemblies, I think the right is inherent in the assemblies to deny a seat to anyone whom the assembly may feel has not the proper qualifications.

That is sustained, I think, as I have stated, by English precedent, by the precedent in the Colonies before we were a Nation, and by precedent in the Senate and House of Representatives since we became a Nation.

In these days, when the parliamentary system is being attacked and legislative bodies decimated throughout the world, it is not well that we here should limit our own right to protect ourselves. It has been said that if a murderer showed his credentials to this body we could not exclude him. I suppose it would likewise be contended that if a man with proper credentials were afflicted with leprosy we could not exclude him. The idea is ridiculous. We are the judge of the qualifications of our Members. The reason we are the judge is that the founding fathers saw it was necessary to

keep the Government intact, to keep its legislative life-stream pure.

To hold otherwise in this great challenging period would seem to be a step backward. In other lands legislative bodies have gone down before the onslaught of dictators and tyrants. We certainly should not, in this critical hour, attempt to limit our own authority to keep our house clean and worthy.

In the determination of whether Governor LANGER's past acts have rendered him unfit for membership in this body, I have one simple criterion, which was suggested by the junior Senator from Kentucky [Mr. CHANDLER]. Let me read it to the Senate:

I have one simple criterion: Is there one Senator here who is willing to state here and now that under similar circumstances he would do as was done by the chief executive of the State of North Dakota? If any Senator is willing to make that statement, then, and only then, can he consistently accept these acts as consistent with the standards of the Senate.

APPROPRIATIONS FOR CIVIL FUNCTIONS OF WAR DEPARTMENT

Mr. THOMAS of Oklahoma. Mr. President, I ask that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 6736, the War Department civil functions appropriation bill.

The PRESIDING OFFICER (Mr. AIKEN in the chair). Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. THOMAS of Oklahoma. Mr. President, I ask that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that committee amendments be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the first amendment of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Corps of Engineers—Rivers and Harbors", on page 5, line 23, after the word "law", to strike out "$57,502,500" and insert "$66,802,500."

The amendment was agreed to.

The next amendment was, under the subhead "Flood control", on page 7, line 5, after the word "law", to strike out "$128,273,700" and insert "$152,062,700."

The amendment was agreed to.

The next amendment was, on page 7, line 23, after the word "from", to strike out "March 6, 1942" and insert "the tenth day after the effective date of this act."

The amendment was agreed to.

The next amendment was, under the heading "The Panama Canal", on page 18, line 5, after the word "vehicle", to strike out "if such purchase or exchange interferes with the priorities or quotas for military and naval purposes, as determined, respectively, by the Secretary of War and the Secretary of the Navy" and insert "without the specific approval of the Chairman of the War Production Board."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent that a copy of the report of the Committee on Appropriations be printed in the RECORD at this point.

There being no objection, the report (No. 1191) was ordered to be printed in the RECORD, as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 6736) making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes, report the same to the Senate with various amendments and present herewith information relative to the changes made:

Amount of bill as passed House	$333,950,826
Amount of increase by Senate	33,089,000
Amount of bill as reported to Senate	367,039,826
Amount of regular and supplemental estimates for 1943	365,580,696
Amount of appropriations, 1942	299,620,828
The bill as reported to the Senate—	
Exceeds the estimates for 1943	1,459,130
Exceeds the appropriations for 1942	67,418,998

The changes in the amounts of the House bill recommended by the committee are as follows:

INCREASES AND LIMITATIONS

Corps of Engineers:	
Rivers and harbors:	
Construction of lock and auxiliary works at Sault Ste. Marie on the St. Marys River, Mich	$9,300,000
Flood control, general:	
Bull Shoals Reservoir, Ark	16,700,000
Table Rock Reservoir, Mo	2,106,000
Tulsa and West Tulsa project, Oklahoma	213,000
Clearing and snagging work, Salt and Gila Rivers, Ariz	50,000
Mermentau and Vermilion Rivers, La	970,000
For preparation of detailed plans and specifications for authorized projects or projects included in basin plans approved by Congress so as to provide a reservoir of projects on which the Corps of Engineers could start work immediately following the present war should Congress appropriate the funds therefor	3,750,000

(The committee recommend this amount in addition to the $1,000,000 provided by the House for detailed designs for authorized projects not yet undertaken.)

The committee recommend that the following proviso in the bill be amended as indicated: ": *Provided further*, That no part of appropriations made available to the Secretary of Agriculture for preliminary examinations and surveys, as authorized by law, for run-off and water-flow retardation and soil-erosion prevention on the watersheds of flood-control projects, shall be obligated from [March 6, 1942] *the tenth day after the effective date of this act* to June 30, 1943, for initiating work upon new projects or for prosecuting work upon projects heretofore commenced, unless they accord with priorities specifically approved by the Secretary of War and the Secretary of Agriculture"

Total, flood control, general	$23,789,000
Total, Corps of Engineers	33,089,000

The committee recommend that section 6 of the bill be amended to read as follows:

"SEC. 6. No part of any money appropriated by this Act or any other Act, except the appropriation 'Contingent expenses, Executive Office,' and Acts making appropriations for the Military and Naval Establishments, shall be used for the purchase or exchange of any motor-propelled passenger-carrying vehicle [if such purchase or exchange interferes with the priorities or quotas for military and naval purposes, as determined, respectively, by the Secretary of War and the Secretary of the Navy] *without the specific approval of the Chairman of the War Production Board.*"

Total increase	33,089,000
Amount of bill as reported to Senate	367,039,826

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6736) was read the third time and passed.

Mr. THOMAS of Oklahoma. I move that the Senate insist on its amendments, ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. BAILEY, Mr. REYNOLDS, Mr. BRIDGES, and Mr. LODGE conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. THOMAS of Oklahoma. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. AIKEN in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for appointment or promotion, and sundry citizens for appointment as second lieutenants, all in the Marine Corps.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. THOMAS of Oklahoma. I ask unanimous consent that the President be immediately notified of the confirmations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. THOMAS of Oklahoma. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 21 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 26, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate March 25 (legislative day of March 5), 1942:

APPOINTMENTS IN THE NAVY

Capt. Martin K. Metcalf, United States Navy, retired, to be a rear admiral on the retired list of the Navy, for temporary service, to rank from March 21, 1942, and to continue during his assignment as Director of Convoys and Routings in the office of the Chief of Naval Operations, Navy Department.

Capt. George S. Bryan, United States Navy, retired, to be a rear admiral on the retired list of the Navy, for temporary service, to rank from March 21, 1942, and to continue during his assignment as hydrographer in the Navy Department.

Capt. William O. Spears, United States Navy, retired, to be a rear admiral on the retired list of the Navy, for temporary service, to rank from March 21, 1942, and to continue during his assignment as Director, Pan-American Division, in the office of the Chief of Naval Operations, Navy Department.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 25 (legislative day of March 5), 1942:

POSTMASTERS

MISSOURI

Edgar R. Schott, Benton.

Walter E. Pace, La Monte.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 25, 1942

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, most holy, O Lord, most mighty, with quiet thought, quiet duty, grant that the freshness of energy may steal back upon us. We rejoice that we are still the creatures of hope which is written on the forehead of the morning and is the master light of revelation, the highest reason, and the sweetest poetry of human life. Let us exultingly open our hearts to the full noon of that life which radiates from the Son of God.

Thou who art the Good Shepherd, no storms can disturb the serenity of one who abides in Thy presence, which leads on and on, winding through the valleys of human experience, where the tree of life stretches above the enchanted gaze of the praying soul. Communion with Thee, faith in Thy promises, give comfort beyond all gratifications of time and sense, exceeding the utmost privilege and glory of the carnal life. We entreat Thee that nothing may be allowed to eclipse the power and splendor of "the God of Peace who brought again from the dead the Great Shepherd of the sheep with the blood of the eternal covenant, even the Lord Jesus." We pray that Thine eternal word and life on earth may be our canticle of character. Amen.

The Journal of the proceedings of yesterday was read and approved.

TO INCREASE THE NATIONAL DEBT LIMIT

Mr. COOPER submitted a conference report and statement to accompany the bill (H. R. 6691) to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes.

PARTIAL SUSPENSION OF PROCESSING TAX ON COCONUT OIL

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6692) to suspend in part the processing tax on coconut oil, which was unanimously reported by the Ways and Means Committee.

The Clerk read the title of the bill.

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. COOPER. With pleasure.

The bill was unanimously reported by the Committee on Ways and Means after hearing and thorough consideration. It is requested by the War Production Board and the Board of Economic Warfare. The Office of Price Administration, the Commerce and Treasury Departments were all heard on the bill.

The purpose of the legislation is to make it possible to obtain supplies of copra and coconut oil from outside the United States for the purpose of obtaining therefrom materials essential to national defense.

The provision of the Internal Revenue Code, section 2470 (a) (2), which is here sought to be suspended, imposes on the first domestic processing of coconut oil a tax of 2 cents per pound. That was imposed in 1934, for the purpose of giving the Philippine Islands a virtual monopoly of the United States market for copra and coconut oil. The law did have this effect. With that source of supply obviously cut off because of the war it is found that this product is very badly needed for the manufacture of glycerine and other products so essential to the war effort. This bill suspends this 2-cents-per-pound tax on the first processing of coconut oil.

Mr. MICHENER. Is this permanent legislation or merely a suspension for the duration?

Mr. COOPER. It is only intended to apply during the present emergency.

Mr. MICHENER. There is a termination to the operation of this law, then, without the direction of Congress?

Mr. COOPER. Under the terms of the bill the President is authorized to issue a proclamation terminating it as soon as the emergency situation will permit.

Mr. MICHENER. Does the commodity referred to in the bill come in competition with dairy products and cottonseed oil in its use in the national defense program?

Mr. COOPER. I believe this statement will serve to clarify that situation: Under the law as it has stood and as it is today we have been receiving, as the report on the bill shows, about 600,000 tons a year of this product from the Philippines. This source of supply is cut off. The estimate given to the committee is that we could not possibly hope to secure from other sources more than one-third of this amount, or 200,000 tons a year, as against the 600,000 tons we have been receiving.

Mr. HULL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Tennessee if there are not vegetable oils produced in this country which could be used for the very purpose for which they today import coconut oil?

Mr. COOPER. We were given the information that the vegetable oils of this country primarily needed for edible purposes would not be adversely affected by this. They need this primarily, so the War Production Board and those in positions of responsibility tell us, principally for the purpose of securing glycerin and products vitally necessary for the manufacture of explosives and other war requirements.

Mr. HULL. Glycerin is very widely used in soap making.

Mr. COOPER. I may also point out to the gentleman that it is shown in the report that this will be in the interest of the dairy industry because the cake which is a byproduct from the pressing of the copra is widely used as feed for dairy cattle.

Mr. HULL. So is the cake and cottonseed and soybean.

Mr. Speaker, I would like to have a longer time, and I want to hear this discussed at greater length. For this reason I object to the immediate consideration of the bill.

AMENDMENT TO CIVILIAN PILOT TRAINING ACT OF 1939

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 5695, to amend the Civilian Pilot Training Act of 1930 so as to provide for the training of civilian aviation mechanics.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. BULWINKLE. Mr. Speaker, this bill has been unanimously reported by the Committee on Interstate and Foreign Commerce and provides that the Civil Aeronautics Authority shall undertake, in addition to the training of pilots, which it has done for some years, the training of mechanics. I shall offer an amendment to insert the words "and technicians." They are absolutely needed in the present emergency.

Mr. MARTIN of Massachusetts. This is simply for the training of technicians and mechanics?

Mr. BULWINKLE. Yes. The original act is only amended by inserting the words "and mechanics and technicians."

The purpose of this bill H. R. 5695 is to expand the program now in operation of training of civilian aircraft pilots under authority of the Civil Aeronautics Administration through certified training schools so that there may be included the training of men and women for service as aircraft technicians and mechanics.

We have an insufficient number of properly qualified technicians and mechanics to properly and efficiently service the present airplanes, and with our constantly expanding air program there will be a greatly increased need for trained technicians and mechanics to keep the added planes flying.

Under the pilot-training program, thousands of young men have successfully taken the training, and many of them have since passed into our military and naval services. It is understood that the percentage of rejections of the trainees who have qualified under the Civil Aeronautics instruction has been very much lower than among those who entered service without the benefit of such instruction.

There is apparently a very substantial reservoir of training facilities quite widely distributed over the country that can be utilized to further the proposed training program for technicians and mechanics, largely through the same schools which have been certified by the Civil Aeronautics Administration for the training of civilian aircraft pilots.

The bill does not confine the training of technicians and mechanics to men. Experience has clearly demonstrated the ability and efficiency of women to train for and perform many classes of technical and mechanical work faithfully and efficiently. Many such women doubtless will avail themselves of the proposed training under this program with credit to themselves and with considerable benefit to the country.

The training program is expected to create a valuable reservoir of men and women available for technical and mechanical service in our civil and military air services, but it will also provide an economic asset to the Nation, since these men and women can and will readily adapt themselves to many technical and mechanical lines of work requiring skill and precision. In conclusion, I wish to say that the author of the bill, the gentleman from West Virginia, Hon. JENNINGS RANDOLPH, has had for years a great interest in civil aviation.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 2 of the Civilian Pilot Training Act of 1939 is amended to read as follows: "The Civil Aeronautics Authority is authorized, within the limits of available appropriations made by the Congress, to train civilian pilots and mechanics or to conduct programs for such training, including studies and researches as to the most desirable qualifications for aircraft pilots and mechanics."

Mr. BULWINKLE. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BULWINKLE: Page 1, line 7, after the words "civilian pilots", insert the words "technicians and."

Page 1, line 9, after the words "aircraft pilots and", insert the words "technicians and."

Amend the title so as to read: "To amend the Civilian Pilot Training Act of 1939 so as to provide for the training of civilian aviation technicians and mechanics."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter I wrote on March 16, 1942, to Dr. M. W. Swartz, of Indianola, Miss.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

There was no objection.

Mr. GUYER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. GUYER]?

There was no objection.

Mr. HESS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a speech delivered by Mr. Doherty, president, National Association of Letter Carriers.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. HESS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that at the conclusion of business on the Speaker's table and after any special orders heretofore entered I may be permitted to address the House today for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my own remarks in the RECORD, and to include a brief newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

[Mr. SMITH of Washington addressed the House. His remarks appear in the Appendix.]

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. LYNCH]?

There was no objection.

[Mr. LYNCH addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address by J. Edgar Hoover; and, secondly, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the Senate of the State of New York addressed to the Congress of the United States.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, at this time of difficulty and danger the great State of Ohio, as usual, is at the front in fulfilling its patriotic duty. Even the splendid soil in the foothills of Licking County is bringing forth products which are symbols of victory.

I am this morning in receipt from the Weiant Gardens of Newark, Ohio, of these cucumbers which are grown in the shape of a V. May I read from a card accompanying the vegetable:

Here is your victory, vitamin, vegetable. Let's put the Japs in a pickle.

So may I say to you, Mr. Speaker, when you become discouraged, remember the "pickle family" in Ohio.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in answer to the gentleman from Missouri in regard to his attack on the California sales tax and our request for defense.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. ROBERTSON of North Dakota asked and was given permission to extend his own remarks in the RECORD.)

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include

therein an editorial from the Altoona Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter to a constituent.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter, and further ask to extend my remarks and include certain newspaper editorials.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PUBLIC AGITATION FOR BETTER GOVERNMENT

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, to try to suppress public agitation for better Government by calling names is going to prove just about as effectual as if I were to command the sun to stand still. The people of this country are beginning to see with their own eyes, to think with their own minds, and to speak with their own mouths. They believe that the country is being "bunkoed" and they do not like it. They are demanding that the revolutionists cease "revoluting" until after we have won the war.

[Here the gavel fell.]

PROTESTS FROM PATRIOTIC AMERICANS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I am getting tired of the insinuations to the effect that the people who are writing their Congressman about this labor situation are being prompted by any ulterior or unpatriotic motive. Let me tell the gentleman from Illinois [Mr. SABATH] that the people who are writing me protesting against this labor racket and these industrial profiteers are patriotic Americans whose boys are fighting and bleeding and dying in this war, dying for lack of the very material they are denied because of these rackets.

Nobody prompted the people I represent. They have given us hades, as they have a right to do. They have a right to petition their Congressmen, and to demand that we respond to the will of the American people. I have shown them that the bill we passed is now sleeping in the United States Senate, and now they are turning their fire to that body. This is still a republic, Mr. Speaker, and the American people have a right to be heard.

Congress passed these crazy labor laws, and Congress has a right to change or repeal them.

The House has passed a bill to correct these evils. Now let the Senate act.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1943

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6845) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6845, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, including a special assistant to the Secretary of the Interior to be appointed without reference to civil-service requirements, at a salary of not to exceed $5,000, and including $28,520 for the National Power Policy Committee, to be used by said committee in the performance of the functions prescribed for it by the President of the United States, $1,027,170: *Provided*, That no part of the appropriation made available to the office of the Secretary by this section shall be used for the broadcast of radio programs designed for or calculated to influence the passage or defeat of any legislation pending before the Congress.

Mr. TABER. Mr. Chairman, I make a point of order against the words beginning in line 8, on page 74, with the word "and" and including the following words which I shall read—

and including $28,520 for the National Power Policy Committee, to be used by said committee in the performance of the functions prescribed for it by the President of the United States—

on the ground that this is not authorized by law, that it is legislation on an appropriation bill, and that there is no authority anywhere for this appropriation to the National Power Policy Committee.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the words to which the gentleman refers are conceded by the committee to be subject to a point of order. I think I should state, however, that the figures referred to by the gentleman were included in the Budget estimates and the committee, after consideration, was of the opinion—and I believe I can say unanimously of the opinion—that this was and is desirable, and it had been hoped that no point of order would be raised against it. I trust the gentleman may withdraw his point of order.

Mr. TABER. Mr. Chairman, I want to say to the gentleman that this is an absolute and complete duplication of the work of the Federal Power Commission. If we are going to scatter all over the lot all kinds of activities in the departments and duplicate other activities, we are going to be conducting an anti-defense program. I refuse to subscribe to that doctrine and I shall insist upon the point of order.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman withhold his point of order for a moment?

Mr. TABER. Yes; I withhold it.

Mr. JOHNSON of Oklahoma. This will be the situation. They will be able to continue operations without the language to which the gentleman refers, but the committee felt that the money should be spent for this particular purpose. Of course, if the language is deleted it will be possible to spend it for any purpose. If the gentleman wants the money spent for some other purpose rather than for the purpose intended, that, of course, is his responsibility.

Mr. TABER. I want the money cut out of the appropriation.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman from New York yield?

Mr. TABER. Certainly, I yield to the gentleman.

Mr. RANKIN of Mississippi. Let me say to the gentleman from New York that in my opinion he will be crippling a very important and a very valuable agency of this Government if his point of order has any effect at all. In the first place, the language will probably be put back in the Senate, but even if it is not, I am of the opinion that the President has the right, under certain legislation that has been passed, to allocate funds for this purpose now, and I disagree very violently with the gentleman from New York that this Power Policy Committee is superfluous and unnecessary, because I think, and I have had considerable experience with it, it has done a very valuable work in helping to coordinate, if not to develop and use, the power resources of this Nation in this emergency.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman from New York yield further before he presses his point of order?

Mr. TABER. I yield to the gentleman.

Mr. JOHNSON of Oklahoma. I am sure the gentleman is aware of the fact that a point of order will not lie against the money in the bill, and if the gentleman insists on the point of order, which we admit is good, it will not lie against the money but will simply permit them to spend the money for something else. If the gentleman wants to take that responsibility, that is a matter for him to decide.

Mr. TABER. In my opinion, the Comptroller General's Office would be obliged to head it off, and, Mr. Chairman, I insist upon the point of order.

The CHAIRMAN (Mr. COOPER). The gentleman from New York makes a point

of order against certain language quoted by him. The point of order is conceded by the chairman in charge of the bill, and therefore the point of order is sustained.

Mr. TABER. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 2, line 11, after the comma, strike out "$1,027,170" and insert in lieu thereof "$998,650."

Mr. TABER. Mr. Chairman, this is an amendment designed to cut out the funds that are carried in the total for the Office of the Secretary of the Interior for the activities of the National Power Policy Committee. This committee is headed by H. S. Raushenbush, Chief of the Research and Planning Section, who receives $8,000 a year. His record and the communistic book that he has written, designed to create a socialistic state, and indicating just what he has in mind, and his object in being in this kind of a position, were clearly exposed on the floor yesterday by the gentleman from Kansas [Mr. WINTER].

If any of you has any doubt about the desirability of getting rid of this man and the whole gang, I suggest that you read what Mr. WINTER had to say yesterday.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. TABER. This thing is an absolute duplication of the work of the Federal Power Commission. The Federal Power Commission is being called on by the President for all sorts of plans and studies with reference to power development, and there is absolutely no sense in maintaining the Federal Power Policy Committee headed by Leland Olds. Let me name the personnel: Leland Olds, Claude L. Draper, Basil Manly, John Scott, and Clyde L. Leavey.

Mr. Chairman, if we are going to scatter all over the lot and spend our money in a way that is absolutely ridiculous, then I suggest that we keep this money in this bill; but if we want to use any sense and cut it out, that is the way to promote the defense of the United States. I am in hopes that this amendment will be adopted and the money stricken out. The outfit not being authorized by law, and there being absolutely no justification for the expenditure of this money as long as this language which I have referred to has been stricken out on a point of order, I hope we will adopt the amendment. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. Mr. Chairman, I ask the gentleman from New York if he has had time to read or investigate the statement made by Senator VANDENBERG with reference to this man on the floor of the Senate a few years ago when this same question was raised?

Mr. TABER. No. Does the gentleman mean that the man has reformed? He would not want to create a duplicating agency such as this, if he had reformed.

Mr. RANKIN of Mississippi. Oh, I do not mean that a man necessarily has to reform after Senator VANDENBERG approves him, but I do submit that his approval is more convincing than is the criticism of the gentleman from New York. They raised this question then with reference to Mr. Raushenbush's credentials, and, among other things, Senator VANDENBERG said:

I desire to state for the RECORD at this point that President Ernest M. Hopkins, of Dartmouth College, gave Mr. Raushenbush his unqualified endorsement as a reliable, worthy, patriotic, effective, useful servant.

Then Senator VANDENBERG added his own endorsement to that statement, as did Senator NYE and also Senator CLARK of Missouri and the Senator from Georgia [Mr. GEORGE].

Mr. TABER. Oh, I have not the time to yield further to the gentleman. I simply say that the gentleman to whom the gentleman from Mississippi refers, Mr. Raushenbush, has written a book, parts of which were read here yesterday by the gentleman from Kansas [Mr. WINTER], and the gentleman from North Carolina [Mr. BULWINKLE], which statements are absolutely revolutionary. They are all in the RECORD of yesterday, and I am not going to read them because gentlemen can read them just as well as I can. I do not believe that this House wants to sponsor that kind of a fellow, nor does it want to go on duplicating the same kind of service all over the Government departments. I hope the amendment will be adopted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LEAVY. Mr. Chairman, this amendment if adopted would not accomplish the purpose sought by the gentleman who proposes it at all. Mr. Raushenbush, a gentleman whom I do not know, has had his reputation injected in here, whether wisely or unwisely, wittingly or unwittingly, for the purpose of creating prejudice. He was tried on the charge that was leveled at him yesterday 8 or 9 years ago in the Senate, and there, after a thorough investigation, given a clean bill of health. Now, Mr. Raushenbush is in no way identified with the National Power Policy Committee. The National Power Policy Committee was set up by the President, by Executive order, in 1934, and recently, for the purpose of avoiding duplication, and for the purpose of economy, the National Power Policy Committee, and the National Defense Power Committee were consolidated in one body, and the National Power Policy Committee consists of the following agencies: The Interior Department, the Federal Power Commission, Department of War, Security and Exchange Commission, Tennessee Valley Authority, Rural Electrification Administration, Reconstruction Finance Corporation, Bonneville Power Administration, Federal Works Agency, and the National Resources Planning Board.

For all of those agencies which were consolidated into one policy-making agency the sum of $28,000 is here sought, and the man against whom some would vent their spleen is not involved in this.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. RICH. Is not this man Raushenbush Chief of the Research Planning Division of the National Power Commission in the Interior Department?

Mr. LEAVY. No. Mr. Raushenbush is with the Power Division of the Interior Department and is not with the National Power Policy Committee.

Mr. RICH. Is not this man appointed by Mr. Ickes? Mr. Ickes has charge of this division, and he will put him right into this job.

Mr. LEAVY. Mr. Ickes happens to be chairman of this committee and the committee is made up of the heads of these various departments whose names I have read to you. It would seem to me that now when the confusion is cleared up there would be no reason whatever to vote in support of the amendment offered by the gentleman from New York [Mr. TABER], because it does not accomplish the thing that I am sure the proponent of it thought he was accomplishing.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. JOHNSON of Oklahoma. Permit me to state to the committee that the gentleman from Washington [Mr. LEAVY] has stated the situation exactly as it is, and the amendment offered by the gentleman from New York [Mr. TABER] does not go to the place he has in mind at all.

Mr. RICH. Will the gentleman yield further?

Mr. LEAVY. Yes; I yield.

Mr. RICH. I feel that the gentleman from Oklahoma is absolutely wrong because Mr. Ickes is behind this man and he is going to put him in this National Power Policy Committee. If he is not there now he will be when this is established.

Mr. JOHNSON of Oklahoma. It may be that the gentleman knows what Mr. Ickes has in mind, but those of us on the Democratic side are unable to say.

Mr. RICH. No; I do not.

Mr. JOHNSON of Oklahoma. Nor do I. The gentleman from Washington [Mr. LEAVY] has stated the position very clearly and has given you the facts, if Members desire them.

Mr. LEAVY. Mr. Chairman, I am sure that the membership, having an understanding of what this is, surely is not going to support the amendment that has been proposed.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. CARTER. Since this language has been stricken out, regardless of the personality that has been discussed here, what objection does the gentleman have to taking out the money that accompanies the language?

Mr. LEAVY. Because it is highly essential, with power being one of the major necessities to carry on this war, that there be some policy in the Government itself, rather than a policy fixed by the private utilities of America. Unfortunately that battle has injected itself to the detriment of the Nation's war effort.

Mr. CARTER. But the language has been stricken out. What objection is there to reducing the appropriation by that amount?

Mr. LEAVY. The objection is that this activity will need to be carried on.

Mr. CARTER. Well, it cannot be carried on under the terms of the bill.

Mr. LEAVY. Oh, yes, it can.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I wonder if we cannot agree on about 10 minutes for the discussion of this matter?

I ask unanimous consent, Mr. Chairman, that all debate on this amendment be limited to 25 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. JONES. Mr. Chairman, reserving the right to object, I have a substitute amendment to offer for the amendment offered by the gentleman from New York.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this amendment be limited to 25 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will state that the following five gentlemen are listed as being entitled to recognition during this time: Mr. WINTER, Mr. VOORHIS of California, Mr. RANKIN of Mississippi, Mr. ELLIS, and Mr. RICH.

The gentleman from Kansas [Mr. WINTER] is recognized for 5 minutes.

Mr. WINTER. Mr. Chairman, I rise in support of this amendment. Personally I have no objection whatever to the work that the Power Division of the Department of the Interior is carrying on insofar as the development of the national resources of this country are concerned, but I am vitally interested in the question of whether or not we should permit the salary of a man to be paid out of the taxpayers' pockets, who writes articles which any sane man after reading can come to no other conclusion except that the man is a Communist.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. WINTER. Yes; I yield.

Mr. SHEPP\RD. If that is the gentleman's purpose—and I have no criticism of the gentleman's purpose—why would it not be advisable to write into the amendment the name of the gentleman whom you wish to remove from the Department?

Mr. WINTER. That would be satisfactory with me.

Mr. SHEPPARD. It might be a great deal more advantageous than the proposal now pending.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. FITZPATRICK. Assuming the amendment is carried, it will not eliminate the person you refer to.

Mr. WINTER. It is my understanding it will.

Mr. FITZPATRICK. Because he does not belong to the Power Policy Committee.

Mr. WINTER. But he is Chief of the Planning and Research Division of the Department.

Mr. FITZPATRICK. But he has nothing whatever to do with the Power Policy Committee.

Mr. WINTER. As I understand, his salary of $8,000 is carried in that particular item. If I am wrong on that, I am more or less inclined to agree with the gentleman, if that is not a true statement of fact.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. RICH. I would like to ask some gentleman on the other side to show us where in the bill his salary is carried if it is not in this particular item.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. VOORHIS of California. The gentleman, I believe, is in receipt of a letter from Mr. Raushenbush, is he not?

Mr. WINTER. Yes.

Mr. VOORHIS of California. In which Mr. Raushenbush states explicitly that he is not a Communist and that he has never been one.

Mr. WINTER. That is true.

Mr. VOORHIS of California. Does not the gentleman feel that in all fairness before charges of this kind are made there ought at least to be a hearing and the man given a chance to reply?

Mr. WINTER. I have not said anything except that if the gentleman will read what was written by Mr. Raushenbush in this book under his own signature—if the gentleman will take time to read it, I do not see how he can come to any other conclusion except the one I do, whether or not Raushenbush admits he is a Communist. He has been writing articles, the object of which seeks to break down the American way of life, yet he is down here in the Department of the Interior drawing $8,000 a year of the taxpayers' money. Regardless of whether Raushenbush states he is a Communist or even if he states he is not a Communist, he admits he is a liberal, he admits in that letter that he was a liberal, that he was making that speech to a group of liberals and Communists. I admit that the word "liberal" is subject to a great deal of misuse, but if the gentleman has read this book The Socialism of Our Times, I do not see how he can come to any conclusion other than that this man believes in overthrowing the form of government we have; and he says that he hates to give up the dream of doing that very thing.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WINTER. I yield.

Mr. TABER. I just want to say to the gentleman that the job of Chief of the Research and Planning Division in the power set-up is not on the list of the Power Division employees that was given to the committee and is set out at page 58 of the hearings. It must therefore be included in this Power Committee item. That is the only place in the world it could be.

Mr. WINTER. There is no question but what that is where it is. I want to say a word now with reference to what my good friend the gentleman from Mississippi [Mr. RANKIN] said a distinguished member of another body said about Mr. Raushenbush. If you will take the trouble to find what the member of the other body said you will find it was in the nature of commendation for the work Raushenbush did in investigating the munition manufacturers after the close of the first World War. The result of that investigation was that practically every munitions factory was closed and it was regarded as almost a crime to be connected with a munitions factory. The result was that when we were confronted by our present emergency we had no private industry able to manufacture the needed munitions of war for us to carry on. They were not commending him upon his character or anything from that standpoint, they were commending him upon the fine work they thought he had done in making that investigation; and I may add that just after that was done Dorothy Detzer, the most notorious woman Communist in the United States, reported to one of her organizations that she secured his appointment to make this investigation.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS] for 5 minutes.

Mr. VOORHIS of California. Mr. Chairman, the gentleman from Kansas who just preceded me has accused two people of being Communists, in both of whose cases I am just as certain as a man can be of anything that they are not. The gentleman just got through saying that Miss Dorothy Detzer was a Communist. I do not necessarily agree with some of her views, but I know she is not a Communist, but a very earnest and loyal citizen of the United States.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I have only 5 minutes, I hope the gentleman will let me proceed.

Mr. RANKIN of Mississippi. I just wanted to call attention to the fact that that book was written in 1929, at the peak of the Hoover depression—that was enough to drive anyone crazy.

Mr. VOORHIS of California. The gentleman is correct. There were plenty of the most thoughtful people in our country who wondered then which way we should turn. I hope I may have the attention of the Members for just the short 5 minutes I have.

I am going to say some things that I feel very, very deeply about. We have been called upon here, and properly, by a number of Members to adjourn politics during the period of the war. For my part, I am ready to do that, and I mean it, but may I say with all the solemnity I can that there is at present being attempted throughout this country an effort to identify reaction with patriotism to such an extent as literally to drive from the Government both elected and appointive officials who may even be progressive in their views. It is an attempt to attack not only things which we should suspend for the period of the war but even the supplying of our Nation with absolutely necessary electric power with which to manufacture the things our soldiers need if forsooth that power happens to be generated by a public agency instead of for private profit.

Mr. Chairman, that is not an abandonment of politics; it is the worst kind of

prostitution of war for the purpose of gaining particular political ends.

If you want to reach back into a man's past and quote what he wrote in 1929, and I have not had an opportunity to read what the gentleman had to say, and I might not agree with it at all, but if you want to do that, then I ask you to read some of the things that certain Members of Congress may have written. I have said things in past years that I do not believe now. But the thing that counts is where I stand today.

America needs all the earnest, loyal people in this country cooperating together with a whole heart if we are to win this fight. She cannot get along with just the people who believe that no one can be a true American unless he is extremely conservative in his views. I do not necessarily subscribe to anything any individual has said, but I do say that what the gentleman from Mississippi quoted which Senator VANDENBERG and other Senators had stated about Mr. Raushenbush was not only in response to the work that he did as secretary of the Munitions Committee, but as the result of an investigation that Senator VANDENBERG made concerning him.

Now, then, unless there can be a distinction made between Communists and Nazis and Fascists on the one hand, and people who are fundamentally loyal to America and her institutions, whether they agree with you or not, on the other hand, we are going to be in a sorry state indeed.

Mr. WINTER. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Kansas.

Mr. WINTER. May I ask the gentleman this question? The gentleman states that we have all written things that we do not believe in now. I would like to ask the gentleman, Does he approve of this kind of a statement or does he think any man ought to be on the pay roll who makes such a statement?

Mr. VOORHIS of California. I hope the gentleman will not take up all my time with it.

Mr. WINTER. This is very short. He goes on and states here about the transitional state and the revolution, and then says:

> It is not pleasant to give up that dream of a violent triumph We are sensitive about it.

Does the gentleman think a man who believes and writes that way ought to be on the Federal pay roll?

Mr. VOORHIS of California. I do not believe he does think that.

Mr. WINTER. Why did he write it and publish it to the world?

Mr. VOORHIS of California. That was, as has been stated, many years ago. I would like to read the whole thing. Certainly I do not like the tone of what the gentleman read. But you cannot judge a man's loyalty today by one sentence from a book of 14 years ago.

Mr. WINTER. Take it and read it, then.

Mr. VOORHIS of California. Nor do I stand sponsor for anything he may have said, but I have read the letter he wrote to the gentleman, and I say it is a very convincing letter. I am willing to stand on the determination of any fair-minded committee of this House, evenly divided between both sides of the aisle, that will call this man before it, give him a fair hearing, and find out where he stands now—whether he is a patriotic American or not—and I say in the final analysis that is the essential thing.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN of Mississippi. Mr. Chairman, the trouble is this man is for public power. The gentleman from Kansas [Mr. WINTER] rises and reads from a book that this man wrote under the terrible conditions of the Hoover depression of 1929, although this man has been in the service practically ever since 1933.

I find that everyone who is in favor of the Tennessee Valley Authority or rural electrification is more or less of a Communist in the opinion of the gentleman from Kansas, and the crowd with whom they train.

They have accused David Lilienthal of the T. V. A. of being a Communist. As head of the T. V. A. he has done one of the greatest jobs ever accomplished in this country.

In 1935 this man was discussed on the floor of the Senate. He was given approval by Senator VANDENBERG, by Senator NYE, Senator CLARK of Missouri, and Senator GEORGE. Why, to hear some of these self-appointed guardians of the Constitution, you would think this was some wild-eyed alien who had broken into this country. But his people have been here for six generations and his parents, his father, and his grandfather were Presbyterian ministers.

But what is he doing? He is down here in the Department of the Interior helping to develop the public power which is so necessary for the conduct of this war and for the use of the American people when the war is over. The Appropriations Committee here struck out the money for a stand-by plant and also for a transmission line in California for power for the Shasta Dam. Whose pressure did that?

Did you know that we only have four railroads to the Pacific coast? Did you know that in case we are threatened with invasion it is going to be necessary to use every kilowatt-hour of power that we can have generated in that section to provide the implements of defense? But, no, these men who are trying, in my opinion, to destroy the T. V. A., these men who have tried to destroy rural electrification, these men who would like to turn Bonneville and Grand Coulee over to the Power Trust, are not in favor of building this stand-by plant and this transmission line now when it is absolutely necessary for the safety, protection, and welfare of the people of California, as well as the rest of the Nation.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from California.

Mr. VOORHIS of California. Does not the gentleman believe that we need to judge a little bit on the record and realize that when any intelligent person knew that additional power was going to be needed for America to provide for her defense and to fight this war the representatives and the highest representatives of the power industry were telling us we would have no shortage of power, that there must not be any expansion? If we had not had the public power agencies to give us the power they have given us we could not be producing the aluminum, the planes, and everything else we are producing now.

Mr. RANKIN of Mississippi. The gentleman from California is correct.

But the gentleman from Kansas [Mr. WINTER] has not been so vociferous on anything as in persecuting the power agencies of this Government since he was out on the plains of Kansas running for Congress in 1940 urging the election of Wendell Willkie, who now goes before the Supreme Court of the United States and files a brief in which he says that being a Communist ought not to bar a man from becoming a citizen of the United States, even though he is a member of the Communist Party that is dedicated to overthrowing this Government. even though he is a member of the Communist Party that is dedicated to destroying the white man's civilization in America—especially in the South, even though he is a member of a party that would take away every foot of land the American people have and turn it over to public agencies, even though he is opposed to the entire capitalistic system or the right to own private property.

I wonder if the gentleman from Kansas now repents of his vociferous support of Wendell Willkie, the attorney for the Communists before the Supreme Court of the United States, when he comes in here and attacks these agencies that are rendering a public service to the American people in trying to save and develop our public power and accuses them of being communistic.

Mr. JONES. Mr. Chairman, I offer a substitute to the pending amendment.

The CHAIRMAN. Permit the Chair to say to the gentleman from Ohio that only 10 minutes of debate remain. The Committee by unanimous consent agreed that that 10 minutes shall be consumed by the gentleman from Pennsylvania [Mr. RICH] and the gentleman from Arkansas [Mr. ELLIS].

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. That was only on the pending amendment, but it does not interfere with the gentleman from Ohio offering a substitute.

The CHAIRMAN. Permit the Chair to state that the unanimous-consent agreement was on the amendment offered and all amendments to that amendment.

Mr. RICH. No, Mr. Chairman; that was not the request. We would have objected to that.

The CHAIRMAN. The Chair withdraws the statement. The Chair was misadvised.

Mr. JONES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JONES. Will I have time to present an argument on the amendment I offer as a substitute?

The CHAIRMAN. Yes. The unanimous-consent agreement applied only to the amendment. The Chair was in error as to the situation.

The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, the gentleman from New York [Mr. TABER] made a point of order against the National Power Policy Committee section of the bill and it was stricken out. He now asks that this item be reduced as to the amount that would be required to administer it. This seems like commonsense business. One of the ideas we have in mind in seeking to reduce this amount is to eliminate any Communists who may be employed by our Government.

The gentleman from California said that we should get together. Nobody knows that better than I do. If this country does not hang together we will hang separately. The Communists will take us over. But may I say to the gentleman from California that whenever we have people in this country in the employ of our Federal Government who have made statements such as has this Mr. Raushenbush, who is Chief of the Research and Planning Division of the National Power Policy Committee under the Secretary of the Interior, Mr. Ickes, and we permit men of that character to remain in government and do the directing of affairs, then we are following a dangerous course. I say to the gentleman from California, for whom I have the greatest respect—I cannot understand why yesterday he asked me the question he did when we started this discussion; whether or not he has any respect for me I do not know, but that makes no difference in this bill—I am here to fight the men in government who are trying to destroy this Government of ours, and I do not care who they are, where they come from, or what their names happen to be.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from California.

Mr. VOORHIS of California. First of all, may I say that the only reason I asked the question of the gentleman yesterday which I did is that he and I are the same sort of fellows. We get pretty tense. I assure the gentleman it was with the greatest friendliness that I said what I did.

Mr. RICH. I am glad to know that, because I admire you for your sense of duty and gentlemanliness, and I personally like you very much.

Mr. VOORHIS of California. I knew that if I had 25 minutes, before I got through with it I would be very tense indeed, and I just did not want the same thing to happen to the gentleman from Pennsylvania.

On this other matter, as I understand, the writings to which the gentleman refers were written long ago. All I am asking is this. I think the determination as to whether a man is a Communist or not is a matter of tremendous importance.

Mr. RICH. I agree with the gentleman; and Mr. Raushenbush has written a book that will convict him as being a Communist.

Mr. VOORHIS of California. Earnest as I am about not having Communists or Nazis or anybody like that connected with our Government, I think by that very token it is most important that we be fair and just. The F. B. I. at present is making an investigation of every employee of the Government to determine those things.

Mr. RICH. May I say to the gentleman from California that if the man who wrote this book about 12 years ago believes the same today as he did then, he should not be in the Government and we should eliminate him at once. As far as giving him a trial is concerned, we have asked the F. B. I. for information about him, but we have not received it yet. We want to be fair with everybody, but we are at war and we want to eliminate these Communists just as quickly as we can and get them out of our employment. When we know we are right, we should not take a chance. We could even put them in concentration camps or lock them up. We are at war and we have no time to quibble and fool; we want action. We must have action before it is too late.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. DONDERO. If that gentleman is a patriot now, he should repudiate what he said in that book.

Mr. RICH. That is right. Let him repudiate his book and repent, and if he will do that, I will be the first one to stand here and read his statement on the floor of the House and send it out in the CONGRESSIONAL RECORD all over the country. I do not want to harm any man, but I do not want to be fooled either.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Aside from these things that he has said heretofore that would indicate he had a Communist cast of mind, and without any reference to whether or not he has retained or gotten rid of that sort of belief, are his services necessary now in that set-up?

Mr. RICH. We can find men whom we do not have to question their sincerity to our form of government to take any Government office at the command of the department heads.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. RICH. I shall have to yield to my good and genial friend from Mississippi. He and I agree in principle in many things and on many we differ, and our differences are our honest opinions.

Mr. RANKIN of Mississippi. And we never get excited.

Let me ask the gentleman this question. The gentleman from Pennsylvania says that no man should be on the pay roll of the United States Government who believes in communism or approves of communism. Is that correct?

Mr. RICH. Yes; that is exactly the statement that I made. I am against any Communist, because I believe that Communists would destroy our form of government, and any man who would destroy our form of government is not fit to be on the pay roll of the United States Government.

Mr. RANKIN of Mississippi. Then that repudiates the gentleman's support of Wendell Willkie, who is now the attorney for the Communists and his brief before the Supreme Court of the United States says that being a Communist should not bar a person from becoming a citizen of the United States.

Mr. RICH. I am not advocating Mr. Willkie right now, and I do not agree with him in many things.

Mr. RANKIN of Mississippi. I know that, but the gentleman will probably have to vote for him in 1944.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I cannot yield right now.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Too bad—too bad. Communism is an important thing to the welfare of our country and I am against anything or anybody who would destroy our Government.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, if it be true that a Communist would receive his pay from this fund, then would not the proper thing be to introduce here and pass upon an amendment providing that no funds contained herein should be paid to that individual? That is what we have done in cases heretofore. I do not know whether he is a Communist or not. If he is, his services should most certainly be dispensed with; but this is not the proper way to reach him.

Years ago a committee was set up for the purpose of working out some kind of program between the various Government agencies with regard to power. Today we have seven different agencies of this Government having to do with power, most of them with the actual distribution of power. Today we are facing a power shortage in this country, yet today you are trying by this amendment to abolish and eliminate the policy committee for power in this Nation, at a time when we are going to need every kilowatt of it to win this war. You have in this amendment the usual attempt to do away with all public power in this country at a time when we need it most.

This is the old power fight. This Congress has been under a blitzkrieg from the corrupt power companies now for about 2 months, and some Members of the Congress, apparently, are yielding to it. This $28,000, every penny of it, can still be used, regardless of the point of order that was conceded by the committee, for the Power Policy Committee.

Mr. Chairman, it is unfortunate that this particular item had to be in any particular departmental bill. This particular item applies to seven different

departments of the Government, because there are seven different departments dealing with power, and it really applies to more than that because there are two or three that do not actually have the distribution of power. All the departments that have to do with the distribution of power are members of this committee.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. RANKIN of Mississippi. Did the gentleman know that the representatives of the Pacific Gas & Electric Co., one of the worst tentacles of the Power Trust, appeared before the committee and got these provisions for the building of this generating plant and this power line stricken from the bill in order that they might get their hands or their tentacles into the Shasta Dam power?

Mr. ELLIS. Yes; and I know that this town of Washington has been filled all winter with a power lobby that perhaps outdoes any lobby that ever struck Washington.

Mr. RANKIN of Mississippi. With the possible exception of the railroad lobby.

Mr. ELLIS. Yes; possibly. I know, too, there is more scandal right now over some of the things that the power moguls, who have worked their way into the departments of this Government, and particularly the War Department, have done than anything else that I know of. You are going to hear about them in the next day or two.

Mr. RANKIN of Mississippi. Has the gentleman seen a list of the power moguls who have been in the employ of the O. P. M. endeavoring to sabotage the administration program?

Mr. ELLIS. Yes; I put them in the RECORD on November 19.

Mr. RANKIN of Mississippi. Will the gentleman put them in his speech?

Mr. ELLIS. Yes; I will put them in again.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield for a question there?

Mr. ELLIS. Yes; I yield.

Mr. SHEPPARD. When the gentleman puts that information in, will he kindly put in also the names of the individuals responsible for those people being there?

Mr. ELLIS. I am not sure that I can do that.

Now, Mr. Chairman, let me call attention to this one thing——

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. Yes; I yield.

Mr. RANKIN of Mississippi. I think the gentleman can almost answer the gentleman from California by giving the last branch of the Power Trust that they served under before they got on the Government pay roll.

Mr. ELLIS. You are going to hear in the next 2 or 3 days a lot about money that has been wasted in power contracts, but I venture the assertion that you will not hear any objections from the people who, today, are sponsoring amendments like this one. Let the gentleman from Kansas [Mr. WINTER] attempt to defend the Power Trust on the scandal of the Cookson Hills, Okla., cantonment. This amendment should be defeated.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired. All time has expired on the Taber amendment.

Mr. JONES. Mr. Chairman, I offer the following amendment as a substitute for the Taber amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES as a substitute for the amendment offered by Mr. TABER: Page 2, line 11, after the comma, strike out "$1,027,170" and insert "$855,650".

Mr. LEAVY. Mr. Chairman, I wonder if we cannot agree upon time upon this amendment and all amendments to this paragraph.

Mr. JONES. Mr. Chairman, I wish the gentleman would withhold that until I get through, because I intended to ask for an additional 5 minutes, in which to discuss this amendment.

Mr. LEAVY. Then, Mr. Chairman, I ask unanimous consent that all debate upon this paragraph, and all amendments thereto close in 20 minutes, the committee to have the last 5 minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 20 minutes, and the committee in charge of the bill to have the last 5 minutes, the gentleman from Ohio to have 5 additional minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for 10 minutes.

Mr. JONES rose.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. TABER. I understand that the amount that I had proposed to deduct is included in what the gentleman proposes to deduct.

Mr. JONES. That is correct.

Mr. TABER. Mr. Chairman, I shall therefore favor the amendment of the gentleman from Ohio, because I understand there are other items that should go out.

Mr. JONES. Mr. Chairman, that is correct. In this amendment we will cut the following things: It cuts $34,020 off the Division of Investigation, that part of it that is transferred to the Secretary's office. It will cut 40 employees of the Information Service, or a total of $100,080. It cuts $28,500 off the National Power Policy Committee, which went out on the point of order, and it will also cut $8,000 for the salary of Stephen Raushenbush. Here is the situation: The Interior Department has 461 employees set up in the Budget for this $1,028,370. Something was said yesterday about the Secretary of the Interior being magnanimous and cutting an additional $10,000,000 from his Budget, after Pearl Harbor. I want you to look at the hearings, and you will find that the first cut that the Secretary made in his own Department was in the Grazing Service. Turn to your bill, and you will see that the Grazing Service comes a few pages after the Secretary's office. Bear in mind that the Secretary is the one who is calling for sacrifice and cutting down in the consumption of gasoline and oil. Why does he not put the shoes on his own feet?

I call attention to the hearings on the bill last year, at page 1148, when I asked the Secretary of the Interior what about the report of the Dies committee of subversives in his office. I asked the question:

Has the F. B. I. made a report to you of the truth of the charges against them or any of them?

Mr. BURLEW. No.

Mr. JONES. Do you contemplate keeping them on the pay roll?

Mr. BURLEW. Yes; because we cannot discharge employees merely on suspicion. We have investigated a number of employees during the past year who have been charged with un-American activities, or as being Nazi sympathizers, or Communists, but we have been unable to substantiate the charges in any single instance.

Further, I asked the following question:

Please explain what disposition you have made of the accusations against those reported by the Dies committee.

Mr. Burlew then replied as follows:

In one instance where there were sufficient charges of the Dies committee on which to make an investigation, and the former First Assistant Solicitor of the Department of the Interior personally reviewed all of the allegations and concluded that they were not supported by facts.

Since that time an amendment has been adopted and made a part of the law, granting $100,000 for investigation by the F. B. I. of all of the departments. Let us see what happened to that investigation. In a number of cases they have made reports to the department heads. In 190 cases the F. B. I. sent reports to the department heads, and they have not been answered—no answer at all, and in only 11 cases were the people involved discharged. That is why it is necessary for the Congress to take positive action and name names to get this type of people off the pay roll. This procedure is the only way that Congress has a chance, and I am surprised that the gentleman will challenge this method, when the Secretary of the Interior brings a reflection upon the Dies committee and says that the number of people they reported as being subversive are not backed up by the facts.

Mr. VOORHIS of California. The Dies committee, in the list it sent to the Department of Justice, sent a very large list because of the request of the Attorney General that it send all names that appeared in any connection whatsoever.

The purpose of sending the list was for purposes of investigation, not for purposes of accusation. I would like to ask the gentleman what the F. B. I. reports say in the 198 cases. Did they recommend dismissal of those people in the 198 cases?

Mr. JONES. I do not know what they said. I would be extremely happy if the facts warranted their clearing every one. I would rest easier if I knew subversives were not on the pay roll. My point is that the Attorney General should not be

standing in the way of this report. Every time we have a supply bill there are two or three names that come up which we have to dispose of by excluding them by name. The F. B. I. report should be made. The F. B. I. is willing; the Attorney General begs for time—time till their salaries are voted for another year.

That is enough for Raushenbush and his kind. I think in the absence of positive proof that he denies his principles at the time he wrote the book, he ought to be excluded from the Federal pay roll.

What reason is there, with employees numbering 461 in the entire Secretary's office, to add 12 detectives from the Division of Investigation? Is it necessary for national defense? Will it get more guns and tanks and planes to MacArthur?

With reference to the Information Service: Read the hearings at pages 45, 46, and 185, and see how difficult it is to get the cost of the Information Service of the Interior Department. They have information on everything except their cost to the Government. Throughout the entire Government the entire pay roll is $27,000,000. Think of that amount. It so happened in the several bureaus and independent establishments this considerable volume cannot be found in any of the hearings for any of the departments, because the hearings are filled with subterfuge information. Here is a considerable volume prepared by the Bureau of the Budget of many hundreds of pages telling the break-down and the detail of the Information Service in all of the departments making up a pay roll of $27,000,000. Is it necessary for national defense? Yesterday there was a challenge put out that more than 50 percent of the funds in this entire bill were for national defense. Well, here are some items that are not for national defense. This is the first part of the $2,400,000 in this bill for information and propaganda purposes. It does not deliver one more plane or one more tank to our beleaguered forces throughout the world. Is there anybody here who can defend the Information Service? Is it necessary?

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. SMITH of Ohio. Is there anything in this bill more than $21,770,000 that pertains to defense?

Mr. JONES. I would like to defer that for a different time. I will answer the gentleman later.

Now, with reference to the cuts that the committee made, we only cut new items asked for. They are page 1 of our justification. You will find numbers of employees that were cut, who were just new employees. If this amendment is not adopted the Secretary's office has observed none of the sacrifices that the people of America, from top to bottom, are led to believe are necessary to win this war. In the name of the men at the front, I ask you to support this amendment, because we must preserve those things that are essential, and by the same token cut out those things that are nonessential. All of these employees draw fat salaries. There is enough here to get out the Saturday Evening Post in the Secretary's office, totaling $100,000.

The Director of Information gets $8,000. If he is any good he would be running a newspaper. The Assistant Director of Information gets $5,600, and the Civil Service Commission recently raised him to $6,500, by reallotment.

Here is another fat, juicy job, Assistant to the Director, in addition to the one I just mentioned, $4,000. Writer and research assistant, $2,600; chief clerk, $2,600; secretary to the director, $2,600.

Now, here is a nice, luscious radio section, $19,400 for broadcasts. How many planes and tanks and guns would that give to MacArthur? If you are claiming national defense for this bill let us be honest about it and cut out the things that are not for national defense. Who will stand up and say anything for the radio section of the Department of the Interior for national defense? Time after time we closed down and shut the door and went off the record because it was material of strategic importance; because it was material that would be valuable to the enemy. We went off the record so the public could not know; so that Members of Congress could not know; so that the enemy could not know. Then, tell me why is it necessary to have an information service that went from $96,000 in 1941 to this figure of $100,000 in 1942?

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. JENKINS of Ohio. Last year when this bill was being considered, the gentleman made a fight on the same proposition. I remember I perused his remarks in the RECORD, and I made some investigation. I could not find out who it was who got that enormous sum that was paid for radio manipulation. I wonder if you have been able to identify who it was who got that money?

Mr. JONES. I do not have the names of the people who are drawing this salary, but I have the positions listed here.

[Here the gavel fell.]

Mr. JONES. I hope the amendment will be adopted.

The CHAIRMAN. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Chairman, the gentleman from Ohio [Mr. JONES] proposes to reduce the administrative expenses for the Secretary's office by about $225,000. In 1942 the Secretary had a little over $964,000. Now they have reported $1,027,170. So that notwithstanding all the argument, the Secretary has been increased by the Budget Bureau and by the committee $62,600, including, of course, the assignment of some new duties and functions to his office. He is well over 1942. The statement inserted in the hearings shows that in January he had 546 people working in his office. As the gentleman from Ohio pointed out, they have some rather interesting jobs: The Informational Director at $8,000; the Assistant Informational Director at $6,500; the Director of the Radio Section at $5,200; the Assistant Information Director at $4,000; the chief of the photographic section at $3,800; a chief script writer at $3,800; an editorial technician at $3,200; an assistant chief photographer at $3,200. Here is an interesting position. I do not know what it is for; I would like to know. It is listed in the Budget break-down as an expert on social functions, customs, and procedures, at $3,800. It may be that he advises folks in the Department of the Interior whether to sit on the right-hand side or the left-hand side at dinner, what salad fork to use, and what spoon. Well, that is a rather interesting expenditure to impose on the Treasury of the United States—an expert on social functions, customs, and procedure.

It occurs to me that some of these could be cut out. The informational personnel has been quite busy. They announce with some éclat that they issued 1,126 public announcements in the fiscal year 1941. How interesting. Those were the hand-outs they sent to the press and to the Members of Congress. They announced that they used 2,340 hours of donated radio time in the fiscal year 1941. Must they be selling these functions and services at a time when the country is at war? Must any agency of Government be advertising constantly when that effort ought to be put into the effort for victory and for unity? They have participated in 169 programs, or are handling 169 programs, within the Department of the Interior for outside agencies, including the Office for Emergency Management and for the Navy Department. They announced, according to their own report, that they had over 616 requests in 1941 for various kinds of publications that ranged in size from 16 to 1,460 pages each. Now, if you want to go along with that sort of thing it is quite all right with me, but it seems to me the whole record is chock full to the limit with evidence to support the contention of the gentleman from Ohio, and that his amendment ought to be adopted by an overwhelming majority. I say this on all the evidence before the committee and in the Interior Department's own report for 1941.

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from Oklahoma desire recognition?

Mr. JOHNSON of Oklahoma. I desire recognition for 2 of the 5 minutes remaining on our side.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 2 minutes.

Mr. JOHNSON of Oklahoma. The gentleman from Illinois, who has pointed out the apparent increase in the Secretary's office, has overlooked the fact that a portion of the Division of Investigation which heretofore appeared in a separate item is now, under this bill, transferred to the Secretary's office. If he will examine the report, he will see that the item for the Division of Investigation has been entirely eliminated; so the apparent increase is not an actual increase as the gentleman from Illinois seems to think. I am rather amazed that he has overlooked that obvious fact.

The gentleman from Ohio [Mr. JONES] made the statement a moment ago, if I understood him correctly, that there were no existing positions eliminated from the

bill—nothing but new salaries. He stated that these were the only ones eliminated. Again the gentleman is in error. If he will examine the bill, he will find there are 3 old salaries in this item alone, one of those a $9,000 position.

It is one thing to stand up here and make a critical statement, but it is another to be accurate in that statement; and I am going to ask the gentleman from Ohio to stay by the record. There were 3 existing salaries eliminated and all of the new salaries, except, I believe, in the Power Division, but practically every new proposed salary in every item in this bill, where new positions were requested, was disallowed. In this item alone, I repeat, 3 salaries were eliminated.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY] for 3 minutes.

Mr. LEAVY. Mr. Chairman, if I understood correctly, the substitute amendment would effect a cut of $171,420 in a total of $1,028,000. This item was cut by the committee to the extent of $34,000. It was considered carefully and painstakingly by the subcommittee and had the support of every Member except the gentleman from Ohio, as I recollect. To just blindly make a cut of $171,420 would be disastrous to an agency of this kind. It might be said, "Well, there should not be a radio division down there."

Mr. RICH. Will the gentleman yield on this national power policy?

Mr. LEAVY. I am not discussing the national power policy. I am discussing the overall for the Department of the Interior, the $1,028,000.

Mr. RICH. We have gotten that. We have cut it down. We tried to do our job in the committee.

Mr. LEAVY. I thought the gentleman was satisfied.

Mr. RICH. Oh, no, no.

Mr. LEAVY. I know the gentleman is difficult to satisfy. If we are just to cut without any consideration of the facts involved here, it does not seem to me it requires any argument to convince any one of you that you may so damage this Department and its activities that it cannot render service to the essential needs of the Government. That is why I suggested yesterday when amendments are offered to reduce this bill that the proponent of such amendments ought to be able to specifically show that he is proposing a reduction that will result in economy and not in destruction of essential governmental activities.

In this item there is a transfer in investigation work from another department or agency in Interior to this division. It does not show here, but it is in the hearings.

I trust after we have so drastically cut this bill, and even the minority member of the subcommittee, the gentleman from Pennsylvania [Mr. RICH] went along with us, I trust you will not reduce it further. We considered it carefully; we debated it fully and completely: but the gentleman from Ohio [Mr. JONES] stated he expected to offer an amendment to further reduce it because we did not quite see as he did.

In the interest of that which is wise, I trust the substitute amendment and the amendment will be voted down.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The question is on the substitute offered by the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, I ask unanimous consent that my substitute may again be reported by the Clerk.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. JONES]?

There was no objection.

The Clerk read the substitute amendment offered by Mr. JONES.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Ohio [Mr. JONES].

The question was taken; and on a division (demanded by Mr. LEAVY) there were—ayes 82, noes 58.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNSON of Oklahoma and Mr. JONES to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 84, noes 52.

So the substitute amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New York, as amended by the substitute.

The amendment as amended was agreed to.

The Clerk read as follows:

OFFICE OF SOLICITOR

For personal services in the District of Columbia and in the field, $322,720.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 5 additional minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. NICHOLS]?

There was no objection.

Mr. NICHOLS. Mr. Chairman, a thing has just happened in the awarding of a contract for the sale of power to a cantonment in my district that I would not have believed to be possible, and even at this time I would not take the time of the House to discuss the matter for fear I might cause unrest in the country but for the fact it is already in the press.

Camp Gruber, in my congressional district, is being constructed. As most of you know, we have in Oklahoma a power project in operation known as the Grand River Dam Authority, which project was built by the State of Oklahoma and recently taken over and put under the control of the Federal Government.

Bids were asked a few days ago for the power that will supply the lights for this camp. The Grand River Dam Authority offered to supply the power to the camp at 5 mills per kilowatt-hour. The Oklahoma Gas & Electric Co., a private public utility, bid 10.8 mills per kilowatt-hour to furnish the same power. It is going to be necessary to construct approximately 11 miles of line no matter which one of the bidders gets the contract. The Corps of Engineers awarded the contract to the Oklahoma Gas & Electric Co. at 10.8 mills per kilowatt-hour.

I could hardly believe that. So I put in a call this morning to Colonel Montgomery, of Tulsa, Okla., the officer in charge for the Corps of Army Engineers for that area, and I asked him if it were right and correct, and he said, "Yes; substantially so." "Well, Colonel, did the Grand River Dam Authority bid 5 mills?" "Yes." "Did the Oklahoma Gas & Electric Co. bid 10.8 mills?" "Yes." "Was the contract awarded to the Oklahoma Gas & Electric Co.?" "Yes," said the colonel. "Well, why?" I inquired. "Congressman," said the colonel, "you will have to get that information from my superior officer in Washington." "Colonel, whom shall I call to make the inquiry?" "Call General Robins, of the Corps of Army Engineers." I called the general, and the general told me that my information was substantially correct. I said, "General, I want to know why this thing happened. You better have a good explanation or I am going to be, as my people are, awfully mad about this thing."

He said, "Well, I think that we awarded that contract to the Oklahoma Gas & Electric Co. because somebody in the War Production Board told us that it was going to require more strategic material to give the contract to the Grand River Dam Authority, a governmental agency, than to give it to the Oklahoma Gas & Electric Co." That is all I could get from General Robins, though I inquired further from him.

Then I called the War Production Board, told them what information I was seeking, and was put in connection with a gentleman who talked to me about it but who said that he knows nothing about it; he can find nothing in the War Production Board files which shows why this was done or that they ever had any knowledge of it.

That is not all. The Oklahoma Gas & Electric Co. and the Grand River Dam Authority have an arrangement whereby they exchange power with each other on peak loads. The Grand River Dam Authority sells that power to the Oklahoma Gas & Electric Co. for 4 mills a kilowatt-hour, so that if the Oklahoma Gas & Electric Co. gets this contract, in peak loads they will be buying power from the Federal Government, or from the Grand River Dam Authority, at 4 mills a kilowatt-hour, and seling it back to the same Government for 10.8 mills per kilowatt-hour.

Am I supposed to keep still?

Only a few weeks ago in the same camp in my district a contract was awarded for gas to furnish fuel to this camp, despite the fact that the camp is within 50 or 60 miles of the biggest coal deposits, the biggest coal fields in Oklahoma and Arkansas, mines that have been working only part time for lo these many months. It was necessary to lay pipe lines to the camp in order to get the gas there. I tried to stop this. I have been laboring under the impression that the steel and iron it takes to build pipe lines are strategic materials. On the one hand, it was necessary in order to get the gas to Camp Gruber to use strategic materials to build the pipe line

On the other hand, the reason that a private utility was given the contract at over double the bid of a Government bidder was that they understood, they say, that it would take more strategic materials for the Grand River Dam Authority to furnish the power than it would for the Oklahoma Gas & Electric Co. to do so.

I inquired a little further of Colonel Montgomery—nobody else gave me any information—and said, "How could that be?" He said, "Here is the difference. The Grand River Dam Authority proposed to use a heavier gage copper wire than the Oklahoma Gas & Electric Co. did, so probably that is the reason." Is not that a sweet one? Do yo suppose in the name of common sense they are going to attempt to tell me and the people of this country, whose backs are being broken by the payment of taxes—and they are happy to pay them—that if a 1-gage wire would carry current for the O. G. & E. the same gage wire would not carry current for the Grand River Dam Authority? I do not think they are. Maybe they will say, "Well, it was a matter of priorities." Then are they going to tell me that a private utility in Oklahoma can get priorities on strategic materials when a Government agency cannot get priorities on the same strategic materials?

I am talking about this here today because I want to serve notice on whoever is responsible, and I care not who he is, that there had better be forthcoming a good explanation of this thing or a country boy from Oklahoma is about to start a one-man investigation that is going to blow somebody's head off.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. If the gentleman will turn to page 114 of the Agriculture Department appropriation bill hearings, he will get some information about who is responsible. He will find there are some 15 or 16 of these high-powered dollar-a-year gentlemen from the private utilities companies who have the final decision.

[Here the gavel fell.]

Mr. ELLIS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, this is the matter to which I referred earlier today, that there is an enormous scandal connected with certain contracts the War Department is making. This Cookson Hills cantonment is very close to my district. The Grand River Dam is very close to where I live. The Grand River Dam Authority, the Federal Works Agency, that is now operating it, the War Department, and the Defense Plant Corporation, have been engaged in making various contracts involving the use of power from that dam for several months now, and I have been in on the fight.

What the gentleman from Oklahoma [Mr. NICHOLS] tells you is true according to the most reliable information. It is utterly indefensible. What he did not tell you is that the Power Trust has for a long time to a great extent been dominating the politics of Arkansas and Oklahoma, and we have been under the iron heel of those dictatorial and monopolistic interests out there for many, many long years. In Oklahoma and Arkansas we have about the highest power rates on earth, and it appears that certain individuals of the War Department are endeavoring to perpetuate that vicious monopoly in that area.

This is what will happen. This cantonment at Cookson Hills will use 19,710,000 kilowatt-hours of electricity per year. At the rate which they have contracted to pay Oklahoma Gas & Electric Co., the taxpayers of this Nation will pay for power per year $212,868, whereas if they had purchased the power from the Federal Works Agency operating the Grand River Dam they would have obtained the same power for $100,521, and would have saved $112,347 per year. That is the kind of thing we are having to tolerate out in the Arkansas-Oklahoma country.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. COOLEY. Why would it not be a good idea to call this situation to the attention of the President in the hope that he may be able to correct the matter?

Mr. ELLIS. I thank the gentleman, and I think that should be done. I am happy to advise the gentleman that I have already written the Truman committee asking for an investigation.

Mr. COOLEY. It would be well, of course, to call it to the attention of the Truman committee, but it seems to me it is a matter of importance and one that should be called to the attention of the gentleman in the White House.

Mr. ELLIS. I agree that it should be done.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. POAGE. The gentleman will recall that a short time ago the War Production Board issued an order instructing the Brazos River Transmission District to discontinue certain lines and build only the Marlin, Tex., line from the Morris Sheppard Dam, and build a certain number of substations. Does the gentleman know that on yesterday the Texas Power & Light Co. proceeded to build, or it was made public yesterday that they had built, a substation closer to the dam which the War Production Board had prohibited the Brazos River District from building, and which they told me yesterday they were authorizing a private utility to build? But it was built because the private utility had refused to accept the offer of the Brazos River District to interchange power with them at Marlin, Tex., where a substation already exists and is ready to make the change any day.

Mr. ELLIS. That is right, and the gentleman in the War Department who has charge of power, Colonel Damon, by his own admission before the Faddis subcommittee, has been for 14 years with these power companies, a part of which time he has been with the Electric Bond & Share Holding Co., a part of it with the Utah Power & Light Co., a subsidiary of Electric Bond & Share, and that gentleman in the War Department, in my opinion, is most responsible for the power scandal that is going on in the War Department. I call upon the Secretary of War to fire Colonel Damon at once.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

For personal services in the District of Columbia, $126,145.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 2, line 22, strike out "$126,145" and insert "$120,785."

Mr. RICH. Mr. Chairman, I am only striking this $5,360 under "Office of the Secretary" for the purpose of striking at the propaganda agency that is under that office.

I cannot understand why we need propaganda advocates in these departments for their operation. Let me call your attention to the fact that in the Virgin Islands alone we spent money for the purchase of the Bethlehem Sugar Mill and for a rum distillery and a warehouse and bottling plant which represented an amount of $2,546,404.50. We have spent on these same properties under the Federal Emergency Relief Administration, $200,000, the Federal Surplus Relief Corporation, $150,000; Emergency Relief Administration, $168,813.27; Farm Security Administration, $257,531; Work Projects Administration, 1940, $48,000; Work Projects Administration, 1941, $35,000; which makes a total of $859,344.50. These two greater sums, added together, equal $3,405,749 for the rum and sugar plants in which you are all stockholders, as well as every other citizen of the United States, and for the bottling works and the sugar mill and sugar land.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. RICH. Just for a question.

Mr. ANDREWS. Is not this just a small part of what is used to advertise what we know as Government House Rum?

Mr. RICH. We have a contract for Government House Rum. It runs 5 years, and the same price obtains for the whole 5 years. That long-term contract never should have been made by the Department. But the point I want to make is this. We capitalized this rum plant and sugar plantation, not for the $3,405,000 we put into it, but for the sum of $30. The Secretary of the Interior has one share of $10, the Assistant Secretary has one share of stock of $10, and the Governor of the Virgin Islands another share of stock of $10. They are held in trust for all the American people. You all own stock in a rum plant and sugar plantation. On that great, enormous capitalization of $30, we went into the red last year $60,456.30.

The point I make is this. Each year we are appropriating for a deficit in the operation of the rum works, it is not a very good investment. That does not

come in this particular item. I shall move to strike it out when we come to the Virgin Islands, but the item I favor striking out now is the sum of $5,360 that is used for propaganda. I see no reason under the sun why we should have these agencies using propaganda agents. They are not necessary to uphold a corporation that is capitalized for $30, and into which you have put three and one-half million dollars, which is going in the red at the end of the year $60,436.20. It does not make sense, it is not good business. Let us strike out this $5,360. I leave it up to the Committee.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 2 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman from Pennsylvania has made another most excellent speech against the rum program in the Virgin Islands. As a matter of principle, I agree with him. I deeply regret to see the Government connected, in even the remotest way, in the rum business. I never have been sympathetic to the rum-making program anywhere. I am opposed to a lot of things as, for instance, the 1,700 local saloons in the city of Washington, but neither that nor the rum business in the Virgin Islands has the remotest connection with the amendment that the gentleman from Pennsylvania has offered. He says, over and over, that this is for propaganda purposes. I am surprised to hear the gentleman make that statement. The record shows this will eliminate all of the funds for promotion under the Ramspeck Act. Could that possibly be classified as propaganda purposes? The gentleman knows that this committee should not—in fact, has no moral right to eliminate the money for the Ramspeck Act, providing the promotions that Congress has ordered made. Yet that is what the gentleman proposes to do, and, also, to eliminate two or three or four clerks, stenographers, and typists.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Not now. The gentleman's amendment has about as much actual connection with rum in the Virgin Islands as it has with Mars.

Mr. RICH. Does the gentleman mean to say that the Division of Territories and Island Possessions has nothing to do with the Virgin Islands?

Mr. JOHNSON of Oklahoma. This has to do with money in the city of Washington, money under the Ramspeck Act, and I repeat the gentleman's amendment would apply only to salaries in the District of Columbia. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. FITZPATRICK) there were—ayes 54, noes 51.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNSON of Oklahoma and Mr. RICH to act as tellers.

The Committee again divided; and the tellers reported—ayes 73, noes 59.

So the amendment was agreed to.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I move to strike out the last word. In considering these various amendments to take some of the padding out of this bill, I believe it well to call to the attention of the House an amazing situation, the disclosure of which may cause many a lifted eyebrow in this Chamber. I do not believe that it is fully realized that even when a congressional committee itself declines to recommend an appropriation for a particular item which has been requested by a department of the Government, that that department sometimes adopts an ingenious way of still getting the money to finance the item which has been rejected by the committee. I pay my respects to the committee and extend my compliments for the conscientious job they did in trying to reduce these appropriations, and culling out the nonessentials. Yesterday in a colloquy with the distinguished chairman of the subcommittee, which is reported on page 2875 of the RECORD for yesterday, I asked the gentleman from Oklahoma whether any money is provided in this bill for construction or repair work at the Statue of Liberty on Bedloes Island in New York Harbor. The gentleman from Oklahoma replied as follows:

> I may say to the gentleman from New York that an item for construction at the Statue of Liberty was eliminated by the committee on the theory that it is not such an urgent necessity that it cannot wait a while.

Further, the gentleman from Oklahoma said, as I recall, that there was a Budget estimate for it, but the committee eliminated that as it did many other construction items. Three cheers for the committee. I think that was fine work. But what do we find the Department of the Interior doing? I have here a notification of a project approval from the Federal Works Agency under date of a week ago last Monday, March 16, which presumably was after the negative action taken by the committee on the Statue of Liberty item.

This project is apparently for the same thing which was rejected by the committee, and it is in the sum of $69,050 "for improving buildings, facilities, and grounds at the Statue of Liberty National Monument on Bedloes Island."

At the bottom of the notification card is a statement that the sponsor of this work-project item is the United States Department of the Interior, National Park Service. Yet we have the statement of the distinguished chairman of the subcommittee that a similar item was deleted from this appropriation bill by the committee, and properly so, because it was considered that it was such a project as could wait until the present emergency is over.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. WOODRUM of Virginia. Just for the purpose of clarification, I do not know anything about the merits of the proposition. I am confident that the committee acted wisely in deleting the item from the 1943 bill, but the gentleman, of course, should bear in mind the fact that the action taken on this bill is for the next fiscal year beginning July 1. It would not provide funds out of which the allotment to which the gentleman refers has been made. There would be no way that the Department could know what action had been taken on this bill until it was reported by the committee yesterday. So I think that statement should be made in connection with what the gentleman has just said.

Mr. WILLIAM T. PHEIFFER. The significant feature in connection with the gentleman's observation, is that this Work Projects item was approved about 10 days ago, contemporaneously with the hearings which were being held on this bill. But the point I am making is this, What does it profit us to cut extraneous and extravagant items from an appropriation bill and feel that we are saving the taxpayers money and then find that the Government department has gone to the Work Projects Administration and arranged for the financing of a project that has failed to run the gantlet of the Appropriations Committee or of the House?

Mr. LEAVY. For what purpose was the item which the gentleman has in mind?

Mr. WILLIAM T. PHEIFFER. I will be glad to read the notification. It is as follows:

NOTIFICATION OF PROJECT APPROVAL

The President has designated the Work Projects Administration project described herein as acceptable for inclusion in the program.

This project is now eligible for operation at the discretion of the State Work Projects Administrator. His decision will be governed largely by availability of funds, and of certified relief labor of the types and skills required, and other considerations that may be important in the State or locality.

State No.: 15515. Registry No.: 706436. State: New York. County: New York. City: New York City. Official Project No.: 265-2-97-53. Federal Funds: $69,050.

Description: Improve buildings, facilities, and grounds at the Statue of Liberty National Monument on Bedloe's Island. The work includes rehabilitating existing buildings, including painting and plastering and performing carpentry, masonry, iron, steel, brick, and concrete work; providing utility tunnel, retaining and sea walls, and curbing; demolishing buildings and radio towers; making general ground improvements, including excavating, filling, and grading; and performing appurtenant and incidental work.

Publicly owned property.

Sponsor: United States Department of the Interior, National Park Service.

Is it not reasonable to conclude that the Department of the Interior is sponsoring this costly and nonessential project through the Federal Works Agency because of the knowledge that the Appropriations Committee would not sanction such an item in this time of crisis as a part of the regular departmental appropriation bill now before us? It seems to me that such a conclusion is inescapable, particularly in the light of the statement made to me by the chairman of the subcommittee, in our colloquy of yesterday, that an item for construction at the Statue of Liberty was eliminated by the committee on the theory that it is not such an urgent necessity that it cannot wait a while.

The CHAIRMAN. The time of the gentleman has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the act of June 28, 1934 (48 Stat. 1269), and as amended by the acts of June 26, 1936 (49 Stat. 1976), and July 14, 1939 (53 Stat. 1002), and not including contributions under section 9 of the act of June 28, 1934, $74,800: *Provided*, That expenditures hereunder shall not exceed 25 percent of all moneys received from grazing districts under the provisions of said act of June 28, 1934, as amended, during the fiscal years 1942 and 1943.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Chairman, this morning the gentleman from Mississippi [Mr. RANKIN], commenting on the mail we have been receiving with reference to the labor policy, stated that the House was not to blame for the failure to decide upon a policy and to put it into force. We all know he was right, nevertheless we are getting the blame. We all know that the President has authority to do many things under the power which was given him. We know that section 13 of Public, 671, approved June 28, 1940, gives him the power to remedy many of the practices which are hindering production. We all know that the House passed the so-called Smith amendments and sent them across the corridor, where they are still pigeonholed.

But unless we can do something here to divert the wrath of the people they are going to vent it right on us, come election day in November. That is not right. It is not fair. It is not just. Nevertheless, the people are going to do it. The people will hold us responsible—for one reason, they cannot get at the President, they can get at us in November. So it behooves us to get busy and give the people the legislation they are demanding.

The gentleman from Illinois [Mr. SABATH] held up some papers here and said that those protests, those demands for legislation which are coming to us were inspired. He intimated that they came from some wicked source, that some dirty money was being used to send those messages to us. He said he was going to find out about it, uncover those who were back of the letters and telegrams that were overwhelming us. The gentleman is chairman of the Rules Committee. Yesterday, or the day before, I introduced a resolution asking for the appointment of a committee of three to investigate that very thing. I think we ought to know. I would like to vote with the labor politicians, Mr. Murray and Mr. Green, and they have asked for an investigation. So, for once, I propose to support those gentlemen in that demand, so that we can learn how much it is costing those two organizations to get their members all down here to lobby against any labor legislation.

If the gentleman from Illinois [Mr. SABATH] is really in earnest about it, and I gathered this morning from his manner and his words that he was all "het up" on the question, I hope that you on the majority side will prevail upon him to go through with that threat of his so that we can uncover some of those folks who are trying to influence us improperly, if any are so doing.

The letters I get are very few in number and come from people I know.

They write, in addition to labor legislation, that we ought to go ahead and cut out all unnecessary expenditures. As the President said, we must put first things first.

Over on the Republican side there is a member who has a boy in the Army. I do not know much about the Army, but it seems it has been the custom to give each soldier four shirts. This Member said his boy is only going to get two shirts now instead of the usual four because the Government has not enough shirts for the men who are doing the fighting. With Dubinsky and Hillman on the job it does seem as though we ought to at least be able to give the boys in the Army enough shirts to wear. There ought to be enough shirts to go around so that the boys in the Army will all have shirts.

You know, this man Walling said these protests were inspired by the Nazis and the chairman of the Labor Committee of the House on the floor day before last said that these protests that were coming to us, these demands for labor legislation and a labor policy—she said that those who favored that were being used by Hitler. She used the expression that "we were letting Hitler cash in his chips." I do not know what she meant by that. Maybe she meant some kind of a game. But the Member from New Jersey is way wrong. She is mistaken. These protests come from the homes of America.

So I hope we can get that legislation out of committee because, despite the announcement, if you will read it carefully, of Mr. Green and Mr. Murray, who say there is not going to be any more double pay on Sundays and holidays, you will find that that is not correct. There will still be pay and a half and double pay unless we legislate.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Salaries and expenses: For all necessary expenditures of the Bituminous Coal Division in carrying out the purposes of the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), as amended by the act of April 11, 1941 (Public, No. 34), including personal services and rent in the District of Columbia and elsewhere; traveling expenses; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment; typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed $3,250 for purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including one for use in the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary; and not to exceed $1,800 for purchase and exchange of newspapers, lawbooks, reference books, and periodicals, $2,442,254.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 5, line 19, after the word "periodicals", strike out "$2,442,254" and insert "$1,642,254."

Mr. RICH. Mr. Chairman, I have proposed by this amendment to strike out of this Bituminous Coal Section the sum of $800,000. The situation is just this: Since 1937, when we established this Bituminous Coal Commission we have spent something like $17,495,000 on this set-up. It was established at a time when and because the operators in the bituminous-coal industry did not have a price for their coal, a market for their coal, and were all going into bankruptcy. They wanted to do something to aid and assist the coal operators because, in turn, the jobs of hundreds of thousands of miners depended upon the rehabilitation of the bituminous-coal industry. I was in sympathy with the coal miners at that time and was likewise in sympathy with the operators in the bituminous fields because of their plight. The industry was in bad shape.

They set up at first a board of five members who got to fighting among themselves. This unsatisfactory condition continued for 2 or 3 years during which they spent and wasted $3,500,000 a year. Then they substituted a one-man board for the five-man board. That was a good move. Mr. Howard A. Gray, I believe has been a good man in this field and has handled it quite satisfactorily. You heard on the radio this morning, and I heard, as we hear every morning urgings to start filling your coal bins on the 1st of April and this is no April fool joke, the Federal Government will have such great need for transportation that much of it will be taken from the coal fields and they will not be able to haul as much coal as they can now. The coal operators and the coal miners are all busy. The operators are getting a price for their product and the miners a wage for their labor. As stated by the Coal Administrator, there is no difficulty now in selling the coal, there is no difficulty in mining the coal, there is no difficulty in transporting the coal. This being so why do we have to continue the same great organization to manage and handle this industry that was necessary in the last few years while the system was being perfected? We could as a matter of fact cut a few more hundreds of thousands of dollars from this item. I am not cutting it nearly enough, I am not cutting it as much as I ought to cut it. I feel this conscientiously, but I feel I shall have some opposition from my colleagues and I do not want to press for the limit and lose all, for I do want to save at least $800,000 from this item in the bill.

We can win this war with work. When we work we win; but we must not have unnecessary officials and employees on the pay rolls of these bureaus. Goodness gracious! Here are at least half a dozen bombers we can furnish with this saving, and how badly they are needed in the Philippines and in Australia and in England, Africa, and in the United States.

The taxpayers of this country have been burdened to death with taxes. My colleagues are going to reply that this does not add a single extra dollar to the burden of the taxpayer, that the bituminous-coal operators themselves have got to pay it. Remember, however, that every tax placed upon the operator or the manufacturer is passed on to the consumers. The consumers of this country pay the bill and the consumers are the taxpayers, they are people of this country; so do not be fooled by any statement of that kind. It is just like the argument advanced in connection with the sugar quota bill the other day to say that the operators themselves pay the $47,000,000 fund provided in that bill, when the cost goes to the people. We all know however that that tax is passed on to the consumers. Who are the consumers of sugar? They are the American citizens, the same people who consume coal. Any unnecessary expense is a tax regardless of how it is assessed. Bituminous coal goes into the manufacture of power, into the manufacture of steam for the heating of your home.

In the Bituminous Coal Commission we have two part-time employees at $5,690 each for propaganda in this organization. I have included them in this $800,000.

I do hope you will save the $800,000 I propose in this amendment. It is up to you. Where are you going to get the money? Do you want to economize in the operation of government? If you do, support the amendment.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FITZPATRICK. Mr. Chairman, I should like to be recognized for 3 minutes.

The CHAIRMAN. The gentleman from New York is recognized for 3 minutes.

Mr. FITZPATRICK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, there appeared before our committee Mr. Wheeler, the Acting Director of the Bituminous Coal Commission, and Mr. Gray, the former director of the Commission, but now Acting Director of the Office of Solid Fuel Coordination.

I believe that the Bituminous Coal Commission has done a good job for both the mine owners and workers. Last year the Commission turned into the Treasury of the United States $1,500,000. This year they claim that they will turn in between three and four million dollars as they expect to handle about 600,000,000 tons of coal. Therefore, in place of taking something out of the Treasury, they will be placing money in the Treasury.

I asked Mr. Gray the question: "Assume that we abolish this Commission or cut down the appropriation, what effect will it have on your Department?" He said, "The Government would have to set up a new organization because of the war and it would cost more than it is costing now, and at the same time the money would come directly out of the Treasury of the United States, and not from the 1-cent tax on coal now in effect."

Mr. Chairman, I believe in sound economy. I do not believe in the political economy which is being played on both sides of the aisle during this session. If we adopt this amendment it will cost the taxpayers more money.

The committee cut the Budget recommendation of $2,620,500 to $2,442,254, which is $178,246 below the Budget recommendation and $65,000 of this cut was from the travel fund.

I hope the Committee will defeat the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

Mr. JENNINGS. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Tennessee.

Mr. JENNINGS. As a matter of fact, this Guffey Act was advocated—that is, its passage was advocated—both by the coal operators and the coal miners; it is financed by a special tax on the price of coal?

Mr. FITZPATRICK. That is true.

Mr. JENNINGS. It is functioning to the entire satisfaction of everybody?

Mr. FITZPATRICK. That is my understanding.

Mr. LEAVY. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Washington.

Mr. LEAVY. Is it not a fact there are something over 16,000 bituminous-coal operators in the United States?

Mr. FITZPATRICK. That is true.

Mr. LEAVY. And of that 16,000 there are less than 300 who have not complied?

Mr. FITZPATRICK. That is the statement made to our subcommittee during the hearings.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CARTER].

Mr. CARTER. Mr. Chairman, as was stated by the gentleman from Pennsylvania, at one time the Bituminous Coal Commission was in very bad shape; however, they have reorganized their set-up and I think are carrying on very splendidly at the present time.

This appropriation has been cut $757,746 under the appropriation of last year. The committee cut it $178,246 under the estimate of the Bureau of the Budget. I have been for cutting down the items not only in this appropriation bill but in all other appropriation bills, in which I have had a voice, that have been brought to the floor of the House during the past several years. This is the first bill that has been really severely cut since I became a member of the Appropriations Committee, and I am decidedly glad to see that it has been cut down. I know that all our appropriation bills must be cut down, but I feel that this particular appropriation for the Bituminous Coal Commission has been given sufficient pruning up to the present time, and I am unwilling to further interfere with the coal industry at this critical time.

Mr. RICH. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Pennsylvania.

Mr. RICH. How much has this bill been cut under last year?

Mr. CARTER. Seven hundred and fifty-seven thousand seven hundred and forty-six dollars, as I stated awhile ago, and $178,246, according to our report, under the amount allowed by the Bureau of the Budget.

Mr. RICH. What good will there be to having this organization set-up when you have the price of coal already established by the Coal Administrator, when the industry has all the business it can do? Why keep these people on the pay roll now when it is not necessary? Let us put them into active war work for the duration at least.

Mr. CARTER. If they are no good, and if I felt as the gentleman feels, I would not move to reduce the amount, I would move to cut it out altogether, but I am unwilling to do it at this time because they have brought order out of chaos in the coal industry, and I want to see it carried on.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 31, noes 43.

So the amendment was rejected.

The Clerk read as follows:

For all necessary expenses of administering and carrying out directly and in cooperation with other agencies a soil and moisture conservation program on lands under the jurisdiction of the Department of the Interior in accordance with the provisions of the act entitled "An act to provide for the protection of land resources against soil erosion," approved April 27, 1935 (16 U. S. C. 590a–590f), and Reorganization Plan No. IV, including such special measures as may be necessary to prevent floods and siltation of reservoirs; the improvement of irrigation and land drainage; the procurement of nursery stock and the establishment and operation of erosion nurseries; the making of conservation plans and surveys; the dissemination of information; and the purchase, erection, or improvement of permanent buildings; and including personal services in the District of Columbia (not to exceed $100,000), and elsewhere; traveling expenses; furniture, furnishings, office equipment and supplies; not to exceed $2,000 for the purchase of books and periodicals; operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles, including not to exceed $12,500 for the purchase of such vehicles, $1,300,000: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed $2,500, and all such improvements shall be on Government-owned or Indian lands: *Provided further*, That this appropriation shall be available for meeting

expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Department of the Interior, and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling), to be reimbursed to the appropriation for soil and moisture conservation operations current at the time such reimbursement is received: *Provided further*, That reproductions of such aerial or other photographs, mosaics, and maps as shall be required in connection with the authorized soil and moisture conservation operations of the Department of the Interior may be furnished to cooperating persons or agencies and to Government agencies at the estimated cost of furnishing such reproductions, and to other persons or agencies at such prices (not less than estimated cost of furnishing such reproductions) as the Secretary may determine, the money received from such sales to be deposited in the Treasury to the credit of this appropriation: *Provided further*, That any part of this appropriation allocated for the production or procurement of nursery stock shall remain available for expenditure for not more than 3 fiscal years.

Mr. JONES. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 5, line 20, strike out all of line 5 and the remainder of the page, all of page 6, and the first 20 lines on page 7.

Mr. JONES. Mr. Chairman, I shall not take long in the presentation of this amendment, but just as a background for this presentation I should like to continue the discussion about the cuts in the Interior bill.

In 1941 the entire amount appropriated for the fiscal year was $155,000,000. In 1942 the House passed a bill in the amount of $177,027,078. Then the bill went over to the Senate and they raised it to $185,119,813. In between the House version and the Senate version there were some items the House cut out and the Senate added. There were some items, therefore, that were higher in one than the other. So when the bill went into conference, this was the result. The conference committee raised the Senate version by $3,206,110 and raised the House version by $11,298,845.

In all that entire appropriation for the 1942 fiscal year, the enormous amount of $188,325,923, how much do you think was for national defense? If you will turn to the CONGRESSIONAL RECORD of yesterday you will see that for national defense there was the sum of $38,875,400. The rest of it by a good share was boondoggling. If you look at page 2895 of the RECORD you can see the amounts set out by bureaus that were claimed by the Department to be national defense. Here they are:

Bureau of Reclamation, protection of reclamation projects; Geological Survey; Bureau of Mines; Fish and Wildlife Survey, covering a small item of $35,000 for investigation of food fishes; Government in the Territories, covering the construction, operation, and maintenance of roads in Alaska; the Bonneville Power Administration; the Bureau of Reclamation, construction items, the reclamation fund, and the general fund—making a total of $38,000,000.

It is reasonable to assume, Mr. Chairman, that these same agencies are still the national defense agencies. The rest of them still have a lot of pap, patronage, and boondoggling in them. I would consider myself unworthy of the job if I did not try to cut out the same kind of boondoggling we cut out earlier in the day, when we cut out some $100,000 for propaganda, $35,000 for the Power Policy Committee, which duplicates the work of the Federal Power Commission, and $34,000 for the Detective Bureau Branch of the Department of Investigation, which was disbanded this year; the rest of them going to contingent expenses and to the Grazing Service.

If the people want these nondefense items brought down, let us do the job they want done. As between the taxpayers and these bureaucrats, whose organizations we are trying to save for a future day when the emergency is over, when the danger from outside is removed, now is the time to cut them out and if we need them we can call them back. What harm can be done by removing them from the pay roll? Yes, we have friendships, perhaps, with appointees down there we have recommended, but there is a law that transcends the law of friendship, that is the law of duty to our Government. Yes, there are things we would like to do if we could afford them, but now is the time to cut them out in favor of the guns and tanks and ships that MacArthur and our beleaguered forces need.

In regard to this fund, they showed some pictures when they came before the subcommittee. They may have all been true, but how long has this erosion been going on? Since the beginning of time. We would not have any mountains to fasten the dams to or to anchor them to if erosion had not gone on. One year's elimination of this work will not change the erosion law of nature, and $1,300,000 can be saved. The engineers in this service can be put to productive work in designing tanks and guns and ships.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

The distinguished gentleman from Ohio, for whom I have a very high regard and who worked diligently on the committee, has made an excellent speech on the subject of boondoggling. His impassioned oratorical effort, however, dealt primarily in glittering generalities. If his amendment really applies to boondoggling, then the only fair thing for this committee to do is to adopt his amendment and eliminate this entire item. It is one thing, however, to talk in glittering generalities about boondoggling and it is another thing to determine whether or not it applies to this item. If there are any Members on either side of this aisle who believe that conserving and reclaiming the precious soil of this Nation at any time, and especially a time like this, is boondoggling, then they ought to follow the leadership of the gentleman from Ohio.

Some years ago I read a book about the travels in Europe of a very splendid American woman. She told about how she and her distinguished husband had flown over China, and before they got within 500 miles of China they saw the yellow soil from the Yangtze River flowing out into the ocean. The thing she apparently was fearful of as far as national defense for China was concerned was the soil that had washed away. That very same situation obtains to a large measure in several Western States of the United States.

I assume, of course, that most Members are familiar with the fact that the Interior Department has a Soil Division similar, though not, of course, on as large a scale, to the Agriculture Department. It is rendering a most valuable service to the Government, especially at this time. It is headed by a gentleman who is recognized as one of the best authorities on soil conservation in all the country—Mr. Muck, assistant to the Secretary of the Interior in charge of land utilization, with 25 years of actual experience in this important work of conserving the soil of the land.

The Director of this Division is Mr. Kavanagh, who has been before our committee and shown us many pictures as to how they have saved and reclaimed thousands of acres of land throughout the West and Middle West. Others of the technical experts are Mr. Myrick and Mr. Musgrave. Last year they spent only $2,178,000 for this entire program. This organization administers 279,000,000 acres of land under various bureaus of the Department of the Interior.

This year the Bureau of the Budget reduced that agency from $2,179,000 to $1,500,000, a most drastic cut, a cut that cannot really be defended considering its importance in time of peace and, especially, in time of war, but your committee following its determination to reduce expenditures of government wherever humanly possible to do so, made another cut. It reduced the appropriation from $1,500,000 to $1,300,000 in this one item.

Now let me tell you one of their particular activities at this time. The evidence disclosed that there has been 100,000 acre-feet of soil that has gone down the Colorado River shed into Boulder Dam or rather into Lake Mead above Boulder Dam, and for the past few years they have concentrated a large part of their efforts above Boulder Dam. The Soil and Moisture Division is carrying out a wonderful program, a program that I feel every Member of Congress, whether he happens to be from the city or from the far-flung prairies of the West, will admit is, in the final analysis, one of the greatest national defense programs in the entire country. After all, the conservation of our soil, the production of crops, and the assurance that there will be no shortage of food are far more important to the winning of the war than the saving of a few dollars as proposed by the pending amendment.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in support of the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield to me to submit a unanimous-consent request?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, my good friend from Oklahoma [Mr. JOHNSON] just made the best speech anybody could make in support of the amendment offered by the gentleman from Ohio [Mr. JONES]. The gentleman from Ohio proposes to cut out entirely the item of $1,300,000 for soil-moisture operations in the Department of the Interior on the public lands. The Budget Bureau was so deeply impressed with these operations that it sliced out $678,000. It took away one-third of the appropriation, to begin with, as compared with last year. Evidently the Interior did not sell the Budget Bureau on the idea that this is an indispensible operation. Then the subcommittee comes along and eliminates another $200,000. If this operation were as good as the gentleman from Oklahoma maintains he would be standing on this floor defending the item of over $2,000,000 in 1942, and asking for more money. But the subcommittee was not sold and the Budget Bureau was not sold, so they whittled it down from $2,178,000 to $1,300,000, and $878,000 has been taken out of this item. I think the sensible thing to do is to delete it entirely, and I will tell you why. They state in their justification that they are administering 230,000,000 acres of public land, and they say in their own language that these lands "require prompt remedial action." How much action did they get last year? They reseeded 300,000 acres, and that is one eight-hundredth of the whole domain. So if they continue on this basis they will get around to reseeding this land in 800 years, and that is going to be a long, long time.

You know these things are relative. It is just a question of whether $1,500,000 in good, hard dollars is more important than this operation, and in my judgment 1,500,000 iron men preserved in the Treasury is just now, in the hour of conflict, more important than the continuity of this operation and it can be dispensed with. They say in their justification that they are going to preserve areas to develop foods for defense and foods for freedom. Well, we had a farm appropriation bill here the other day, and it has $450,000,000 in it, for what purpose? To take out some of the most lush and fertile acres of God's footstool and pay for keeping them out of cultivation. So now we come along and pay $1,500,000 to bring more acreage into the domain. Does that make sense? Certainly not. There is a grand inconsistency there. I think if we judge this from the standpoint of relative values, the thing to do now is to take this out altogether.

I think what they are more concerned about here is the possible erosion of positions down in the Department of the Interior, because if you will notice on page 6 of this item, in line 9, it says "and including personal services in the District of Columbia not to exceed $100,000." This is nearly 8 percent of the whole item. You see they are going to do most of this conserving down here at the other end of the Avenue in the Department of the Interior.

I suggest, in light of all this, and in the light of the infinitesimal effort now being made and in view of the fact that, relatively, dollars are more important than this work, that the amendment of the gentleman from Ohio [Mr. JONES] be adopted.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Miss SUMNER of Illinois. It seems pretty funny to me that some of our farmers today in Illinois are being drafted and they are having to give up their homes and they are selling their herds and will not have food and meat, but at the same time we are putting a lot of men to work on public lands, although we are asked to give up our farms in Illinois.

Mr. DIRKSEN. And there is the additional fact that there is some of the finest land in the world there, and we are now dipping into the same Federal Treasury to pay benefits to take that land out of cultivation. Yet we propose to dip into the same Treasury with the other hand to bring some of the domain into cultivation for reseeding and grazing purposes.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. RICH. Is not that about the best sleight of hand to get money out of the Treasury that the gentleman has ever seen?

Mr. DIRKSEN. Yes; it is a great bit of legerdemain.

Mr. LEAVY. Mr. Chairman, this is an item that should be fully understood. I hope we are not going to vote on this as we have voted on some of these other amendments. Let me tell you what this amendment is. The Soil and Moisture Conservation Act was passed 5 or 6 years ago. It was passed practically without opposition. It was administered and is administered by the Department of Agriculture, with the exception of this item, where lands under the Interior Department are concerned. Within the last 3 weeks $20,000,000 was passed through here for the Department of Agriculture to administer this activity on private lands. The act as a whole applies to private lands, public lands, Indian lands, reclamation lands, and national-park holdings and they are all intermingled. Those lands under the jurisdiction of the Interior Department are being worked in cooperation with the Department of Agriculture, and the work that the Department of Agriculture is doing, will be undone if you leave some of the higher public lands lying back of the private lands unprotected. Last year, without hesitation, this Congress gave for this item $2,178,000, and the Budget, after Pearl Harbor, with the consent and upon the suggestion of the Department of the Interior took off another half-million dollars, and reduced the amount to $1,500,000. It is not even that much now, for the committee reduced it still further by $300,000. If you want to adopt the amendment offered, then you should also have offered an amendment on the Agricultural Department bill, and cut out the whole activity. This a a valuable service, and it is set up, and it is a going service. It is going to operate 90 percent, whether we leave anything here or not, under the Department of Agriculture, but to leave nothing here is to undo the very work that is being done by the Agriculture Department down on the lower lands privately owned. I trust that we will approach this purely upon its merits and not in any other manner.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. Yes.

Mr. RICH. Does the gentleman mean to say that we are trying to cut out these appropriations simply because we are Republicans?

Mr. LEAVY. No; I would not want to say that. I know, however, on the teller votes that we have had here thus far, the vote on your side was pretty solid.

Mr. RICH. If the gentleman is trying to criticize the Republican Party for trying to bring about economies, and cut out all of these unnecessary things——

Mr. LEAVY. Oh, the gentleman knows that there is a vast difference between economy and destruction. The adoption of these ill-considered amendments simply means destruction of essential governmental activities.

The CHAIRMAN. The time of the gentleman from Washington has expired. All time has expired. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 47, noes 54.

Mr. JONES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. JONES and Mr. JOHNSON of Oklahoma to act as tellers.

The Committee again divided; and the tellers reported—ayes 54, noes 75.

So the amendment was rejected.

The Clerk read as follows:

PRINTING AND BINDING

For printing and binding for the Department of the Interior, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $280,000, of which $75,000 shall be for the National Park Service, $100,000 for the Bureau of Mines, and $30,000 for the Fish and Wildlife Service, including the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they may direct.

Mr. DIRKSEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 10, after line 4, strike out all of lines

5 to 15, inclusive, and insert in lieu thereof the following:

"For all printing and binding for the Department of the Interior, including work produced on the multilith, multigraph, and other similar equipment, including the purchase of reprints of scientific and technical articles published in periodicals and journals, $450,000, of which $25,000 shall be payable from the reclamation fund for work done in connection with expenditures herein appropriated for out of the reclamation fund, including the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they may direct."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill.

The CHAIRMAN. Will the gentleman point out the language in the amendment which he claims to be legislation on the pending bill?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have not the amendment before me, but I submit that it is more than a limitation.

The CHAIRMAN. Is there any money in the pending bill for multigraphing?

Mr. JOHNSON of Oklahoma. Oh, yes, there is money in the bill for it, but in other items, not in this.

It seems to me it said something about the method of distributing of bulletins. I do not have the amendment before me, but it sounded like legislation to me.

Mr. DIRKSEN. It preserves the language of the bill with respect to the distribution of bulletins.

The CHAIRMAN. Has the gentleman from Oklahoma concluded?

Mr. JOHNSON of Oklahoma. Yes.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule. The gentleman from Illinois [Mr. DIRKSEN] offers an amendment which has been reported. The gentleman from Oklahoma [Mr. JOHNSON] makes a point of order against the amendment on the ground that it is legislation on an appropriation bill. The Chair has examined the language of the amendment offered with considerable care and compared it with the language of the pending provision of the bill. The Chair invites attention to the fact that the following language appears in the paragraph of the bill to which the amendment is offered:

An equal proportion of four-fifths of the bulletins to be delivered.

Certainly bulletins are dealt with in this provision of the bill and dealt with in the amendment offered.

The Chair also invites attention to the fact that if there be any legislation in the amendment it does not go beyond that contained in the paragraph for it repeats much that is contained therein.

The Chair is constrained to the opinion that the amendment is in order and therefore overrules the point of order.

The gentleman from Illinois [Mr. DIRKSEN] asks unanimous consent to proceed for 3 additional minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I wonder if we may agree on closing debate in 10 minutes on this amendment? I ask unanimous consent to that effect.

The CHAIRMAN. Is there objection?

Mr. RICH. Mr. Chairman, I object to that until we see what is going to happen and what this is all about.

The CHAIRMAN. Objection is heard. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 8 minutes.

Mr. DIRKSEN. Mr. Chairman, this amendment was drafted after substantial consideration in the hope that I might offer something constructive on this whole prolix and amazing problem of printing and binding. You will notice in the pending bill that the Budget estimate was $342,000, while the committee reported $280,000. It made a substantial cut below the Budget Bureau. But that is only half the story, or perhaps less than half, because you will find, for instance, that departments are now resorting to the art of multigraphing and multilithing and duplicating in increasing degree. The Congress took cognizance of that in the legislative appropriation bill last year, because they included a provision that the departments report through the Budget Bureau how much they are using for multilithing and multigraphing. Just keep those items in mind. It looks like the Department took a very serious cut and that it has only $280,000 for printing and binding. Now, let us look at the language on page 45 of the 1943 Budget. When they required that the Department report multilithing and multigraphing which they use now for getting out books, pamphlets, and circulars, you will find $340,070, with an additional sum of $137,070 for duplicating. When you put it all together you have about $508,220 that they requested of the Budget Bureau in addition to the money that is carried in the bill.

Now, where is all that money carried? It is scattered all through this bill in the form of printing and binding items. If this amendment is adopted, I say to the House frankly it will keep me busy for the next 2 days finding these items and deleting them and correcting the totals, unless that can be done by unanimous consent. But they are giving the Department of the Interior $280,000 for printing and binding. In addition to that, the Department requested $508,000 more. I think that is something of an abuse which requires attention.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. TABER. Would the gentleman tell us where the appropriation for the multigraphing and multilithing and other items other than those included in this paragraph appear?

Mr. DIRKSEN. The Budget lists them all on page 45. I will give you some items. For instance, there is the Bonneville Power Administration, $29,000, in addition to what is in the bill. Indian-school support, $20,000, in addition to what is in the bill. For Reclamation Bureau out of the construction fund, $21,300, with which to carry on duplicating, multilithing, and multigraphing. There is $4,000 for water conservation and utility projects. There is $75,300 out of the general construction reclamation fund. Then under "Duplicating," $55,060 for the Bituminous Coal Commission, in addition to the general printing and binding item.

It has gotten to be one of those amazing things that has grown up, like Topsy, and even members of the Appropriations Committee, with long, hard work, find it difficult to dig out all these prolixities and find out where this money has gone.

In consequence, I thought perhaps we could consolidate the whole business of printing and binding. The language of this amendment says, "for all printing and binding." That will include multilithing, multigraphing, and duplicating, as well as the general printing and binding item. I have raised the amount, over-all, from $280,000 to $450,000, but that will be a substantial saving of about $338,000 out of the whole amount. That is also scattered through the bill in addition to what you will find on page 10 under "Printing and binding."

It occurs to me that if this is done we can get a better view of the whole printing item and we can find out what they are doing with the money and probably effect some real, substantial economy and bring a little order out of chaos in this business of printing and binding.

Mr. DONDERO. How will the gentleman be able to tell that the other items scattered throughout the bill are deleted?

Mr. DIRKSEN. I shall have to delete them. I hope the membership will help with that, unless we can agree to correct the totals in the bill. I am trying to consolidate this item of printing and binding so we can know how to place some kind of limit on it.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. FITZPATRICK. Does that include the rental of machines?

Mr. DIRKSEN. No; there is no rent in this item. All this item includes is multilithing, multigraphing, mimeographing, and similar duplicating processes.

Mr. FITZPATRICK. But it has nothing to do with the rental of machines.

Mr. DIRKSEN. No; this is duplicating and reproduction work. I wish you would read the hearings carefully, then you would see why I am interested. A little while ago I told you that the Department had issued 1,126 public announcements last year. Again, I ask: While we are at war, do we have to sell these governmental services to the people of the country? They had 2,340 hours of radio time last year; and, of course, there had to be preparations, there must be announcements, so that becomes a part of the printing and binding. And finally they had 600 requisitions from their own agencies for books and pamphlets which, according to their own annual report, ranged in size from 16 pages to 1,460 pages.

I certainly am not going to put myself in the unreasonable and capricious position of wanting to cut out all the money for this purpose, because I realize they must have forms, stationery, letterheads, rate cards, and many other things, including necessary publications and announcements. But it does seem that $450,000 for a single department for a single year ought to be ample for that purpose. That is the purpose of the amendment: To consolidate printing and binding, to bring some of these seemingly hidden and undisclosed items to the light, and to put on some limitation whereby we can better examine it before appropriating year after year.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CRAWFORD. Where does the gentleman recommend—if he does recommend—appropriations to print bulletins for Members of the House to send out? So far as I am concerned, my constituents do not want any of them—under present conditions, I mean.

Mr. DIRKSEN. I may say to the gentleman from Michigan that in this amendment I have followed the language of the bill. That item is subject to a point of order, but I did not raise it to the original bill, and the language is included in my amendment in order to conform to the language as reported by the subcommittee.

Mr. CRAWFORD. Has the gentleman any idea what that proportion of the cost would be?

Mr. DIRKSEN. I do not know what it would be, I have not had time to figure it out; but I sincerely recommend to the careful consideration of the membership this amendment consolidating printing and binding to bring these items to the light and to save over $338,000.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. RICH. In support of the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, I am only thinking this, that in writing these appropriation bills the item of printing and binding recurs for every department, for every bureau. You will recall that a few weeks ago when we had the Treasury Department appropriation bill before us I pointed out innumerable places where items for printing and binding occured. It is most difficult for us to fathom just the amount of printing and binding that is done for the bureaus and departments as a total. We have been investigating these items to try to learn just what a department actually needs. We know that every department of Government asks for printing and binding, asks all the money it can get. Then, as the gentleman from Illinois stated, they have projects for the mimeograph and multigraph machines in addition. Certainly we ought to know something about this reproduction. It is too voluminous. One just cannot go into the details of it. Possibly the wisest thing to do would be to allot a specific amount to each department to use for this purpose. We would be better off in the end. We could save money.

I do not know whether we are going to be able to find every item of this nature in this bill if we do adopt the amendment offered by the gentleman from Illinois. If I thought we could, that would be the logical and proper way to do it; but certainly we ought to strike something from the appropriation for printing and binding, certainly we ought to keep these departments down. Today we are in need of paper, we have not got the paper and cannot get it to print the things that are necessary, and it seems to me the House of Representatives should do something to cut these items down in order that we might hold the bureaucrats to some sense of the responsibility which is ours to the Amerian people to try to save wherever we can if it is only a few thousand dollars.

I think, if we adopt this amendment, we can probably get at it that way. If you do not adopt this amendment, then adopt the one that we will send to the desk later on; but certainly cut down these items somehow, someway, sometime, for the best interests of the Department and the best interests of the Government.

Mr. CRAWFORD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If we take the $280,000, in line 8, page 10, and increase that to $450,000, which is an increase of $170,000, can any member of the committee tell us whether or not that increase of $170,000 roughly accommodates the remaining items in the bill? Is it more or less?

Mr. RICH. There is not a man on the committee who can tell you whether that is going to take it all in, because, as I say, we try to dig these things out from the witnesses who come before us, but you only get what you dig out. They do not tell you anything. They are after all the money they can get. It is a terrible thing to think that we, as responsible citizens of the country, who are sent here by the people to try to legislate for them, have to battle at all times with our witnesses and departments to get information. I never heard but one or two fellows make a suggestion as to how you can cut down expenses in their departments. They never make suggestions of that kind.

I want to be fair to Secretary Ickes and to his associates. They did say that they cut down, because the Bureau of the Budget wanted them to, several million dollars from this appropriation, and I want to hand it to them for that attitude. Of course, the Pearl Harbor incident had happened, or I know that would not have been done. If it had not been for Pearl Harbor, they would not have done it. Because of Pearl Harbor, they came in and made a suggested cut.

Mr. DIRKSEN. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Illinois.

Mr. DIRKSEN. If this amendment is adopted, I shall prepare a limitation to offer at the end of the bill which will cure any difficulty that may arise if any of these items are missed. This will represent a net saving of $338,000.

Mr. RICH. If the gentleman can do that he is good, and I am for him and his amendment.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this section close in 6 minutes.

Mr. TABER. Does the gentleman mean on this paragraph?

Mr. RICH. Mr. Chairman, then I object.

Mr. TABER. Let us find out.

Mr. JOHNSON of Oklahoma. On this amendment and all amendments thereto.

The CHAIRMAN. The gentleman from Oklahoma [Mr. JOHNSON] asks unanimous consent that all debate on this amendment and all amendments thereto close in 6 minutes. Is there objection?

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. The gentleman stated "on all amendments thereto." Does that mean that we will not be able to offer another amendment to this paragraph?

The CHAIRMAN. No. The gentleman's request is that debate on this amendment and all amendments thereto close in 6 minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, the gentleman has offered an amendment to increase, not decrease, this item from $280,000 to $450,000. Then he says if this is agreed to, if the Committee follows him now, and then if it should follow him again, he proposes to do something else later on. But do not fool yourselves. When you vote for this amendment you are voting to materially increase it. What we may do hereafter is something else.

Frankly, I am just a little surprised that some of our Republican brethren cannot get together on this item.

I said yesterday in my opening statement that the gentleman from Pennsylvania had done a splendid job, and I may have pointed out that this was one of the outstanding examples of his good work. And I honestly thought he had. I did not knowingly give my colleagues here any misinformation. He is supposed to be our committee's expert on printing and binding, and he went all through these items on pages 46 and 47 of the subcommittee print of the bill with great care. By examining this document, it will be found that there are many items—not a dozen items but probably a hundred or more—to which this refers, including the Bureau of Mines and other defense activities in the Department of the Interior. All of these will be affected by this amendment and the one that is proposed to be offered if the committee should follow the gentleman from Illinois

instead of the gentleman who conducted the hearings.

Those of us on the committee, especially on this side of the aisle, do not pretend to be experts on printing and binding; but the gentleman from Pennsylvania is admitted to be. So I assigned this task to him, and, after the witnesses were heard and the many questions asked by the distinguished gentleman from Pennsylvania who, bear in mind, had complete charge of this particular hearing this year as well as last, he made certain recommendations, and, as is well known, his suggestions here were written into the bill without a single change in the dotting of an "i" or the crossing of a "t." My notes show that the gentleman suggested a cut of $62,000 in the item. The members of the committee, considering the fact that many of them were in connection with or closely related to defense items, that they had become very important, such as the Bureau of Mines, felt the gentleman's figures were rather drastic. Yet, we went along with the gentleman because of our sincere desire to curtail expenses where possible and also for the reason that we thought that we had assurance that the gentleman from Pennsylvania would actively support the action of the committee on the floor of the House.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman speaks about my trying to cut down these items. Does he remember last year? I had about a hundred and I did not get one cut. Now, I am trying to cut them down and I did get the help of the gentleman from Oklahoma, that is, I did in part, and we did a fair job. There is only one item I shall not talk about. The gentleman sealed me to secrecy on that item because we cut it down 50 percent. I cannot talk about that item and I will not. That is the only one he sealed me to secrecy on in the whole bill. I will not mention it, I will not try to raise it or lower it.

Mr. JOHNSON of Oklahoma. Well, obviously, the gentleman sidesteps the issue and talks about what he tried to do last year. Frankly, I am surprised and amazed that the affable gentleman from Pennsylvania would now disown his own work and call on Members to support the Dirksen amendment. There is secrecy about. His own speech was a terrible condemnation of his work. I thought he had done a swell job. I somehow still believe that in spite of the gentleman's speech, in spite of his plea a moment ago for us to support the Dirksen amendment, that the gentleman from Pennsylvania did a sincere, conscious, and capable job.

He went into every one of these items in his usual vigorous manner. He shook his fist at the witnesses. He raked and scraped over the items as one might do with a fine comb. Then he proposed to reduce it, not $20,000, which some of the members of the committee thought would be a very reasonable reduction, but $62,000, the highest figure that was suggested. Again I say, the committee, having absolute faith in the gentleman, in his integrity, in his statesmanship, and in his desire to help a depleted Federal Treasury, threw up its hands and accepted the figures handed to the committee by the gentleman from Pennsylvania; yet now he turns on himself and admits that he did a poor job and asks us to accept the amendment of the gentleman from Illinois. Oh, gentlemen, hear my plea; save the gentleman from Pennsylvania from himself.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, the point at issue here is that the amount mentioned for printing and binding does not cover the entire printing for the Department of the Interior.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Illinois.

Mr. DIRKSEN. May I say to my friend from Oklahoma that the hearings are absolutely barren of any allusion to the hidden item for printing and binding of $508,000. The gentleman from Oklahoma, who is the chairman of the subcommittee, was not tongue-tied when Mr. Straus was before the committee on this item of printing and binding. Where was the gentleman, and why did he not say something about it? Let the gentleman look in the hearings and he will find it.

Mr. JOHNSON of Oklahoma. The gentleman from Pennsylvania was there and had charge of the hearings. I may say to the gentleman that he did make a very splendid reduction there. I commended him for it, and I still commend him for it, in spite of his own statement.

Mr. JONES. In order to help the Congress know just exactly what this item is—and you can raise it to cover what is reasonable for duplicating work—I shall offer an amendment to the section to limit all printing and binding and duplicating to the figures presented in this paragraph.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The amendment was rejected.

Mr. CARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER: On page 10, line 8, strike out "$280,000" and insert "$250,000."

Mr. CARTER. This amendment would cut the $280,000 item on page 10 by $30,000.

As has been stated here, we scanned this particular printing item rather carefully in the committee, but I believe this to be one of the places we can cut a little more in this bill without doing any harm. I stated a while ago that I was quite well satisfied with the bill because it had undergone some very substantial reductions, but there are a few places that I feel can stand a little more reduction, and this is one of them.

We all know that we get not alone from the Department of the Interior but from every bureau and department of the Government a multitude of pamphlets, bulletins, and publications, most of which we drop into the wastebasket without ever looking them over. Therefore, I feel that it will do no injustice whatever to the Interior Department to adopt this amendment. They will have an ample amount for printing and binding with the $250,000 that will be left after my amendment is adopted.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I shall be glad to yield to the gentleman from Pennsylvania [Mr. RICH] to defend this item, if he desires to. It is his baby.

Mr. RICH. I can say, Mr. Chairman, that we tried. We tried to cut down all we thought we could in the committee, but there are items in the bill that we are still trying to cut down. We have not finished our job; it takes work, and hard work; that is what we are here for.

I appreciate the kind things the gentleman says of me, and I say the same thing of him. I know the gentleman from Oklahoma [Mr. JOHNSON] worked diligently, as did the other members of the committee. We tried in many ways to cut down the amount in this bill. We did not realize, however, the fact that every day as we go along we are getting nearer and nearer to the day when we must win this war. We cannot fight a defensive war, we must fight an aggressive war if we are going to win. The greatest job we have in America today is to win this war. The only way we can win it is to finance it. The only way we can finance it is to cut down every penny we possibly can in every item of governmental expense. The responsibility is not only mine, it is yours.

The National Park Service and every other agency of the Government ought to stop everything that is not essential for the duration of the war. I hope they will do that.

As far as cutting $30,000 out of this item is concerned, we can do that and it will not cripple anybody. It is only going to help my committee. I want to stand by those boys over there on this committee. They worked hard, every one of them. There is not a man on this committee that did not work hard, and try to do his best; yet we can still do more.

This is one item. The National Park Service has gotten out many bulletins about the parks. They are given out free. Every car that comes along with four or five passengers gets some. They are nice picture books. Every child that could get one of these books would be glad to get it. We could cut that expense from the Park Service, and there are many other items on which we could economize.

Mr. Chairman, I believe we can adopt this amendment and not hurt the printing at all. The fact of the matter is it will help the Department and help the Government. Certainly it will help the taxpayer.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am sure all Members appreciate the great defense, the convincing argument the gentleman has made in support of his own item, and without further discussion I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. CARTER) there were—ayes 34, noes 49.

Mr. HOFFMAN. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Michigan makes the point of order there is not a quorum present. The Chair will count. [After counting.] One hundred and twenty-seven Members are present, a quorum.

So the amendment was rejected.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 10, line 15, after the word "direct", strike out the period, insert a colon, and the following: "*Provided*, That all printing, duplicating, or reproduction of printed matter for the entire Department of the Interior shall be paid exclusively from the funds provided in this paragraph."

Mr. JONES. Mr. Chairman, I shall not take long to present this amendment. The purpose of it is to get an honest accounting from the entire Interior Department for all kinds of printing. What the gentlemen on the two sides of the House here talked about a few moments ago with regard to the agreement on the printing and binding item did not contemplate in any way the cost of the duplicating service, because that is not in this item in any way, shape, or form. The purpose of my amendment is to make the Department honest with Congress as to the extent of the duplicating and lithographing and other duplicating work.

I went along with the gentlemen on the majority side when they restored the different school items instead of consolidating them in one paragraph. I thought their argument against lump-sum appropriations was a good one. We restored the 13 schools so we could provide for them and know how much was spent in each particular instance. The Indian Service of the Interior Department wanted a lump-sum appropriation so they could determine the policy and where they would conduct the schools, where they would spend the money, and how much. This is another sample of that same thing, and I ask the Members of the majority to go along with this argument so we can tell exactly what this will cost.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. FITZPATRICK. Did the gentleman propose this limitation to the subcommittee?

Mr. JONES. I did not, because for the moment I thought I would get the extent of the duplicating service from Mr. Strouse. We correct some of this difficulty this morning by cutting out the salaries of the information service in the Secretary's office, but this will curtail the work so that Congress may know the extent of the duplicating work. My amendment provides for honesty in the Department. Who can stand up against that principle? I do not care about the amount. If you want to add a little more to the printing and binding item in this paragraph to make it reasonable to carry on necessary duplicating work, that would be all right, because the amount is not the point. I am not arguing about the amount here. I am arguing about the principle of getting an honest report of the facts to the Congress. How much are they printing on these lithographing and duplicating machines? You did not know till Mr. DIRKSEN gathered the information from outside sources. I hope the amendment will be adopted.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman from Ohio [Mr. JONES] has made a most excellent speech, as he usually does, and, furthermore, I certainly have no quarrel with him so far as the principle of having all of these items in one is concerned. Possibly the gentleman is right in theory and it ought to be done. If such a suggestion had been made to the committee, it certainly would have received very careful and serious consideration. But, as the gentleman knows, he never suggested it, and the gentleman handling this particular matter did not do so. No doubt, the committee could have reached an agreement and worked it out in a fair, practical, and reasonable way. This goes, of course, to the whole policy of the Government. I say this might be done, but let me also say to the gentleman that there are 50 other items affected, involving $508,000. This goes much further than the Dirksen amendment. This unreasonably drastic amendment would, of course, eliminate all the printing and binding in more than 50 items.

I do not think the gentleman really intends to do that. If the committee were in session, or if the members of the committee could sit down and work this thing out, we might be able to reach an agreement and bring it in under one item, and the gentleman might offer his amendment in committee next year and I will assure him now that if he does that it will receive every possible attention and consideration.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I will be glad to yield to the gentleman.

Mr. JONES. We could meet tomorrow morning and get the total cost for each one of the bureaus or departments and have it all settled by unanimous consent tomorrow.

Mr. JOHNSON of Oklahoma. Of course, that suggestion has been made many times in the past. Often we have seen Members get suddenly excited about an item they forgot to mention in a committee and ask that we stop consideration of the bill on some little item and start up the hearings again. But in my somewhat extended experience here and on this committee, I have never seen it done. Frankly, I am rather surprised that the gentleman would make such a suggestion when he knows we have already passed several items that contain money for this purpose. Surely he is not serious.

Mr. Chairman, I ask for a vote on the amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes, 41; noes, 57.

So the amendment was rejected.

The Clerk read as follows:

COMMISSION OF FINE ARTS

For expenses made necessary by the act entitled "An act establishing a Commission of Fine Arts," approved May 17, 1910 (40 U. S. C. 104), including the purchase of periodicals, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, $10,175, of which amount not to exceed $6,755 may be expended for personal services in the District of Columbia.

For all printing and binding for the Commission of Fine Arts, $300.

Total, Commission of Fine Arts, $10,475.

Mr. STEFAN. Mr. Chairman, I move to strike out the last word, and ask the attention of the chairman of the subcommittee. I take this time to inquire of the chairman of the subcommittee in respect to this item about the Commission of Fine Arts. It is a small item. What I want to know is whether or not the hearings developed any duplication on the part of this Commission with the work being done by the City Planning Commission?

Mr. JOHNSON of Oklahoma. Mr. Chairman, we have no information to that extent. I think I can assure the gentleman that there is no duplication whatever. This is a very small item, and has been cut somewhat already.

Mr. STEFAN. Does the gentleman think that the Commission is now useful in view of the fact that we have a City Planning Commission here? Does he not think that this could be eliminated for the duration?

Mr. JOHNSON of Oklahoma. This is altogether different and has a different function to perform from the City Planning Commission. This Commission has nothing to do with the many Government buildings that are being constructed.

Mr. STEFAN. Does this Commission have something to do with the Jefferson Memorial and the K Street construction?

Mr. JOHNSON of Oklahoma. This Commission did have something to do with that.

Mr. STEFAN. Then it has a continuing program?

Mr. JOHNSON of Oklahoma. The Commission makes investigation and makes recommendation as to the design and type of architecture to be used in the city of Washington. The committee feels that there is no duplication whatsoever.

Mr. STEFAN. It is not a defense activity?

Mr. JOHNSON of Oklahoma. Not a defense activity.

Mr. STEFAN. I wonder if the committee gave any thought to eliminating it temporarily?

Mr. JOHNSON of Oklahoma. I do not think the committee did, and I know that the war would not be lost if we should eliminate this altogether. However, it is doing a good job, and I think the people of the United States are proud of their Capital. We should have some agency that should have some say as to kind of architecture used here.

Mr. STEFAN. I know that this is a very small item, yet in view of the fact that we have a City Planning Commission and a Park Planning Commission and other commissions to take care of this work, I think it might be eliminated. Mr. Chairman, a parliamentary inquiry. Would it be in order at this time for me to move to strike out this item?

The CHAIRMAN. The gentleman from Nebraska may offer an amendment.

Mr. STEFAN. Then, Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STEFAN: Page 11, line 5, strike out "$10,475."

Mr. STEFAN. Mr. Chairman, the amendment is self-explanatory, and it merely strikes out the Commission of Fine Arts.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment. I am sure that my distinguished friend, for whom I have a very high regard, is a little confused about the functions of this Commission. It does not duplicate the work of the City Planning Commission. This agency was established by act of Congress of May 17, 1910, and consists of outstanding architects. The members of this particular Commission serve without pay. They do it as a patriotic duty. There is one distinguished architect on this Commission who lives in California.

Mr. STEFAN. Is that gentleman on a salary?

Mr. JOHNSON of Oklahoma. He is not on a salary.

Mr. STEFAN. Who gets the $10,000?

Mr. JOHNSON of Oklahoma. That is for the expenses of the Commission, traveling expenses, and the secretary of the Commission.

Mr. STEFAN. Does not the gentleman feel that we could really get along without it?

Mr. JOHNSON of Oklahoma. Oh, yes; we can get along without it, if the gentleman wants to accept that responsibility. I am convinced, however, that the public would not want this item eliminated at this time. It is not a drop in the bucket as compared with other items. Bear in mind that these outstanding architects are giving their time gratis. Probably they would like to be relieved of the duty, so far as their own individual business is concerned, but they perform this as a patriotic duty to the Nation. I can hardly believe that the gentleman will insist upon his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The amendment was rejected.

The Clerk read as follows:

For all expenses necessary to enable the Bonneville Power Administrator to exercise and perform the powers and duties imposed upon him by the act "To authorize the completion, maintenance, and operation of the Bonneville project, for navigation and for other purposes," approved August 20, 1937 (50 Stat. 731), including personal services, travel expenses, purchase and exchange of equipment, printing and binding, and purchase and exchange, maintenance, and operation of motor-propelled passenger-carrying vehicles, to remain available until expended, $21,707,000, of which amount not exceeding $18,300 shall be available for personal services in the District of Columbia and $1,350,000 shall be available for expenses of marketing and operation of transmission facilities, and administrative costs in connection therewith.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 11, line 16, after the word "expended", strike out "$21,707,000" and insert $21,357,000."

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. LEAVY. I wonder if the gentleman from Pennsylvania would yield to me to see if we cannot fix a time for discussion of this whole paragraph. Let us find out how many there are who want to speak.

Mr. RICH. I do not think there is going to be much controversy. If you let it go 5 or 10 minutes I do not think there will be many requests for time.

Mr. LEAVY. Well, I think we should fix the time now if we can.

Mr. RICH. The gentleman is so genial that I hope he will not be contrary now.

Mr. LEAVY. I hope the gentleman will not object to a unanimous-consent request that all debate on this paragraph and all amendments thereto close in 30 minutes.

Mr. RICH. Mr. Chairman, reserving the right to object, it does not seem to me that this matter will be very controversial. I hope the gentleman will not press that. I would like to cooperate with him.

Mr. LEAVY. I am willing to suggest to the gentleman from Pennsylvania that he be given an additional 2 minutes.

Mr. RICH. Five minutes is enough; less than that probably.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington that all debate on this paragraph and all amendments thereto close in 30 minutes?

There was no objection.

The CHAIRMAN. The Chair will call the list of those persons who will be entitled to recognition: Mr. JONES, Mr. HILL of Washington, Mr. PIERCE, Mr. LEAVY, Mr. ANGELL, and Mr. BENDER. Are there any others who are seeking recognition?

Mr. LEAVY. Mr. Chairman, the committee would like 5 minutes in reply.

The CHAIRMAN. And the gentleman from Oklahoma [Mr. JOHNSON].

The gentleman from Pennsylvania [Mr. RICH] is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, I have said this time and time again, and I am going to reiterate it: The gentleman from Washington [Mr. LEAVY] is one of the grandest men I ever knew in all my life. I do not know of any man I ever knew that I like better than I do the gentleman from Washington [Mr. LEAVY]. This Bonneville and Grand Coulee is something that is dear to his heart. All these men who come from Washington and Oregon are interested in it, but we have in this item $1,700,000 for marketing and operation of the transmission lines, and so forth. We have already spent hundreds of millions of dollars, and we will still spend many more millions of dollars on the Grand Coulee. But the worm has turned. Now, it is a national defense power project. I am for it. I am for the general development of it. But in the committee we agreed to cut down this item of marketing and operation to $1,000,000. We agreed to cut $700,000 out of it. The next day something happened and they put $350,000 back in. I did not want that, and I do not want it now, because I do not think it is necessary. They had men going all over the States of Washington and Oregon trying to secure contracts for this power. You know and I know that the war industries demand power today, and that they have all the demand for power that they need as fast as they can furnish this power. They do not need to send men out over the country soliciting contracts for it.

I do not like to come on the floor and take this time of the committee, but $350,000 is a whale of a lot of money to me. I think the gentleman from Washington [Mr. LEAVY] and all you other men from Washington should say that we should eliminate that $350,000 now and go on with the bill. I think you ought to do it. You owe it to yourselves. You owe it to your constituents and you owe it to the country. Let us say right now, "We will accept this amendment," and then go on with the bill.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. RICH. I would have to yield if it was the last minute of my life.

Mr. LEAVY. The gentleman would not want to cut out this $350,000 if he thought for a moment it was going to result in a reduction of the ability to produce magnesium for the manufacture of aluminum?

Mr. RICH. You know I would not. And I do not think it will.

Mr. LEAVY. I am sure that is exactly what it would do.

Mr. RICH. Well, you know more about this than I do, but in the building of these transmission lines, when they intended to build the transmission lines down along the west coast, then they switched around and changed them and now they are going to build them out at Spokane, 500 miles inland; you will not require nearly as much money to build those transmission lines, because you know the distance is less. I think you ought to cut this out. You have got a lot of money left over from last year

for building these lines. Now, please let us help the Treasury that much. If you find out you must have this money in a deficiency bill, I will be for it.

Mr. LEAVY. The gentleman will remember we cut $500,000 off of the feeder lines.

Mr. RICH. But we figured that was necessary. I know on these lines you will agree with me that we can get this money later on and if it is necessary, I will be for you.

Mr. LEAVY. I always regretted that the gentleman did not come and see for himself.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. JONES. Mr. Chairman, I have an amendment, which I send to the desk.

The CHAIRMAN. Does the gentleman offer it as an amendment to the pending amendment?

Mr. JONES. I would just like to have it read for information at this time.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment proposed by Mr. JONES: On page 11, line 21, strike out the period, insert a colon and the following: "*Provided*, That no funds in this paragraph shall be used directly or indirectly to influence public utility districts elections."

Mr. JONES. Mr. Chairman, this amendment does not cut the amount in this bill one iota. It is claimed that this is a national defense item from the beginning to the end.

It is argued that Members on one side of the aisle or the other are against public power and in favor of private power. I am not interested in that controversy but I am interested in seeing that the Federal Government does not spend money—and I think there is a considerable amount of it in this marketing division—to thimble-rig elections in Washington and Oregon. I believe the figures of the Bureau of the Budget showed some 265 part-time employees of the Bonneville Power Administration for that kind of work. It is damnable that money should be spent in that way when it is claimed in behalf of these appropriations that they are all for national defense.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. LEAVY. If the gentleman has any evidence at all that would be acceptable anywhere to establish facts supporting the assertion he makes, why has he not submitted them so that those respondsible might be prosecuted if they are violating the Hatch Act or any other act?

Mr. JONES. I may say to the gentleman that I am not the Attorney General. I would like to see the Attorney General prosecute violators of the Hatch Act. The gentleman knows there are many horse theives who were never prosecuted. It is not my responsibility.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. HOFFMAN. I will say to the gentleman from Washington that when the gentleman from Virginia [Mr. SMITH] did uncover a violation of the statute by the National Labor Relations Board in using money to influence elections it was brought to the attention of the Attorney General, but to this day, although almost 2 years have elapsed, there has not been a single prosecution.

Mr. LEAVY. I have no knowledge of the statement the gentleman makes.

Mr. HOFFMAN. I have.

Mr. LEAVY. We are talking about Bonneville.

Mr. Chairman, will the gentleman yield further?

Mr. JONES. I yield.

Mr. LEAVY. Has the gentleman submitted facts or information to anyone who would have the responsibility of investigating and prosecuting the violation of the law in connection with the matter on which he now takes issue?

Mr. JONES. I have not, because the information just came to me yesterday. Justification just came from the Budget Bureau for the information service. There was none before the committee. Dishonestly the justifications are presented. I received a report from the Budget Bureau that in the field there are 265 employees working part time, drawing salaries of $57,698, and other expenses making a total of $103,000 in this appropriation for that kind of work, for thimble-rigging elections. I think it is a damnable disgrace that it should be continued. You are on the horns of a dilemma: Either this is all for national defense, or it is not, and if not, there is some boondoggle in it. I will ask you to look at page 261 of the hearings. There you will find a statement that I compiled after many months of research on the elections in the State of Washington and the elections in the State of Oregon. I asked the Bonneville Power Administration to comment on those elections. Here is the answer:

Your compilation is noted.

Then my next question was:

Is this statement substantially correct? If not, comment upon it in detail?

This answer came:

I am unable to verify this statement.

That is an evasion, not an answer to the question. The point is that the Budget Bureau in this report that I received shows the amounts and the people who are supposed to be working on national defense that are in that type of work. My amendment would stop this abuse. I hope, if you believe in the Bonneville power project as a national defense item, that you will adopt this amendment so you will keep it that way.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. HILL] for 5 minutes.

Mr. HILL of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks if I am not able to finish them in the limited time at my disposal.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Washington. Mr. Chairman, in Congress as well as out of Congress there are many people whose hindsight is a good deal better than their foresight. Many years ago when the Bonneville and the Coulee Dams and the Roza project were suggested men arose on this floor and opposed them. I am glad to see that some of them now are beginning to come over to our side and see that these dams were absolutely necessary. How would our defense program be carried on now without such sources of power as Bonneville and Grand Coulee, and even Roza? Now, however, some Members begin to say they are nondefense projects. My contention is that anything that will promote the winning of a complete victory over the Axis is essentially a defense project. A farmer and a factory worker, a little business man and a clerk, are just as essential in the winning of this war as a soldier and a sailor. Let none of them nor their sincere efforts and sacrifices be minimized. The morale of the people at home is as important as the morale of the Army and the Navy.

Mr. Chairman, is it not just as necessary to feed and clothe the men who are fighting as to make guns, tanks, and airplanes for them? All of these things depend on the production of the farms and the factories. I say such projects as Bonneville and Grand Coulee are absolutely necessary.

I want to read here a letter from Donald M. Nelson, written to Paul J. Raver, Bonneville Administrator, in reference to this proposition. It is as follows:

WAR PRODUCTION BOARD,
Washington, D. C., March 6, 1942.
Administrator PAUL J. RAVER AND EMPLOYEES,
Bonneville Power Administration,
Portland, Oreg.

MY DEAR DR. RAVER: The prosecution of a successful war program by this Nation on fighting fronts throughout the world requires a vast army of workers wholeheartedly devoting their efforts to greater and greater production of machines and materials necessary for the armed forces. World War No. 2 will be won by our fighting men equipped with superior airplanes, tanks, guns, ships, and other implements of modern warfare.

As one of the Nation's greatest sources of power for war industries producing machines, equipment, and supplies for the armed forces, the Bonneville-Grand Coulee Power Administration is vital to the successful prosecution of the war. Every employee of your organization should realize fully his participation in the Nation's vital war production effort. While you and your employees are not in military uniforms, nevertheless, I want you to feel that your all-out contribution of conscientious productive effort to supply electric power to essential war industries is of vital importance to the Nation's war program. Bonneville Power Administration is a basic war production agency.

Very truly yours,

DONALD M. NELSON.

There are Members of the Congress who are new who had better have the foresight to see that it is just as necessary for farms to produce, for factories to operate, as it is for men to fight. We need more land in cultivation. That is why we need the Columbia River Basin. We need more power. This money that is being withheld from Bonneville and Grand Coulee is not economy. As the gentleman from Washington [Mr. LEAVY] said, it is destruction. In legislative halls as well as in the executive department are needed men with foresight and vision for the future. When this second World War shall have passed into history

Coulee Dam and Bonneville and Roza will stand as fitting monuments to the wisdom and courage of President Roosevelt, Secretary Ickes, and to Members of Congress from Washington and Oregon, who with these two splendid leaders made it possible to start these fine projects and carried them through to a successful completion. Coming generations, who will greatly benefit therefrom, will ever remember them with gratitude.

Mr. Chairman, I feel that in the consideration of the Bonneville-Coulee items in the bill now before this House that attention need be given to certain salient facts, which I will briefly recite:

First. These items are needed to meet northwestern defense power requirements and the over-all estimate, has by the record, been certified by O. P. M. Director, General Knudsen, and W. P. B. Director, Nelson. In the face of such a record, this House is in no position to substitute individual judgment tempered by the personal equation.

Second. Bonneville revenues in the fiscal year 1941 totaled nearly $1,900,000 and will exceed $5,000,000 in the fiscal year 1942, and $11,000,000 in the fiscal year to which the pending bill applies. I have asked Bonneville for their earnings in the 1941 calendar year, and have been advised that they amounted to $3,486,472.72.

Third. By law, the power items in the pending bill are self-liquidating.

Fourth. In 1943 over one-half million additional kilowatts will be brought into service at Bonneville and Coulee. It is obvious that provision must be made to put this power to work. The pending bill provides funds to transmit and transform this additional capacity. We should look at the bill as an over-all estimate, similar to the approach that has been made by General Knudsen and Director Nelson. We cannot at this time tie any item down to specific locations as W. P. B. and the War Department have not finally decided upon exact locations to use this 1943 incoming capacity.

DEFENSE CONTRIBUTION

To give this House some idea of the contributions that Bonneville and Grand Coulee are making in the defense program, I have gathered some figures to summarize this situation:

	Kilowatts
1942 installed capacity at Bonneville powerhouse	302,400
1942 installed capacity at Grand Coulee powerhouse	324,000
Total 1942 installed capacity	626,400
This 1942 rated installed capacity has overload possibilities up to	690,000
1943 additional installed capacity, Bonneville, units 7 to 10, inclusive	216,000
1943 additional installed capacity, Grand Coulee, units 4 to 6, inclusive	324,000
Total rated installed capacity 1943 in 2 plants	1,166,400

Early in 1944 Grand Coulee will bring in 324,000 additional kilowatts, with the authorized units 7 to 9, inclusive.

DEFENSE LOADS

The Bonneville-Grand Coulee system is at present supplying loads totaling 259,000 kilowatts to five defense industries producing ingot aluminum, chemical chlorates, and shipbuilding. The two largest industries of these five are the Aluminum Co. of America, using 182,000 kilowatts, and the Reynolds Metal Co., using 60,000 kilowatts.

Nine defense plants are under construction on the Bonneville-Grand Coulee grid system and will be in operation in 1942. These nine plants under construction will use 322,500 kilowatts of Bonneville power in the manufacture of ingot aluminum, sheet aluminum, ferro-alloys, steel, manganese, and shipbuilding. In addition, contracts for seven proposed plants are being negotiated totaling 231,500 kilowatts. These plants will be dedicated to the manufacture of ferro-silicon, manganese, chlorates, aluminum, phosphorus, and TNT. The location of any of these seven has not as yet been fixed, and it is anticipated that this load will come into service early in 1943.

WAR PRODUCTION POWER

In table I, I am setting out load capacity requirements in kilowatts for the Bonneville and Grand Coulee system allocated to war production in plants built, in process of building and proposed for construction. The information in table I indicates the type of defense load Bonneville and Coulee will be handling during the calendar years 1942 and 1943.

TABLE I.—*Bonneville and Grand Coulee Power allocated to war production in plants built, building, and proposed*

PRODUCT AND CAPACITY IN KILOWATTS	
Aluminum reduction:	
Producing	242,500
Plants building	208,500
Proposed increase	71,000
Aluminum rolling mill	59,000
Magnesium-ferrosilicon method	50,000
Ferro-alloys and manganese	40,000
Phosphorus	65,000
TNT	12,500
Chlorine and chlorates	11,000
Carbide	2,000
Shipbuilding	41,500
Steel	10,000
Total	813,000

CONCLUSION

It is obvious that provisions must be made to carry the 1943 additional generation to the points of defense load use, therefore, it is apparent that it is in the part of wisdom not to attempt to disturb the committee's recommendation.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I rise in opposition to both amendments. I am surprised that the gentleman from Ohio should offer an amendment of this kind. I have been in the Northwest for nearly 60 years. I have been in the electric business and I know the game. Where the people have been able to gather together $1 to bring about public ownership the private utilities have spent a hundred dollars in opposition and have charged it up to the rate payers. That has been true every year for a half century or more. Recently the Federal Power Commission made an investigation of private utility election expenditures in the Northwest and it found that there had been over a million dollars spent by the private utilities to prevent the public ownership and cooperative distribution of the power of the Columbia River.

Mr. Chairman, one of the great and outstanding achievements of this administration is the construction of dams on the Columbia River at Grand Coulee and Bonneville. When we have all passed away, when the things we have quarreled over here are gone, when the war will be a matter of history, those dams will still be there on the Columbia and they will be generating electric power. If the projects are not appropriated by the Wall Street group, and if the people can keep them, they will prove to be the great outstanding achievement of the Roosevelt administration. I can remember when it was a struggle to secure appropriations for Bonneville and Grand Coulee.

Mr. Chairman, what would we do today for airplane aluminum without the power that is being developed at Grand Coulee and Bonneville, a half-million kilowatts at Bonneville alone, as much as is being developed at Niagara on the American side? Four times as much as that will ultimately be developed at Grand Coulee. If this war in which we are now engaged is a war of exhaustion and we have to develop magnesium and aluminum in quantity to make airplanes, as many people believe, we shall have to rely upon that power of the Pacific Northwest.

I am opposed to any cut in these appropriations by this Committee of the Whole, and especially am I opposed to any amendment such as that offered by the gentleman from Ohio, which provides that Bonneville employees cannot give information to the people in regard to cooperative use of that power. They are not propagandists; they are explaining the operation of a law enacted by Congress. People have a hard time getting such facts and meet at every turn all sorts of publicity from the private utilities. They are being hemmed in and prevented from carrying on their elections and organizing themselves into groups so that they can cooperatively distribute the power which the Government is developing and offering to sell at such a low rate.

I, who have long been associated with Bonneville legislation, appreciate the defense contribution made by this committee and the Interior's subcommittee over the past 5 years. The foresight of this committee in providing defense electric facilities for the Columbia River plants, as well as the foresight of the committee headed by the gentleman from Pennsylvania [Mr. SNYDER] in providing generating capacity, has made our air program more easily possible. This House should therefore accept the committee's verdict, which is a result of demonstrated, combined experience rather

than persuaded emotional appeals prompted by outsiders whose principal interest is the profit motive.

KRASCO'S EFFORTS

If those interested in this subject will go back and review the committee hearings on both sides of this Capitol and the House floor debates when the Interior supply bills for 1940 and 1941 were under discussion, they will see that the Washington Water Power Co., the organization that spent $107,000 of the rate-payers' funds in one election and attempted to kill Bonneville appropriations and thereby strangle the defense effort. Fortunately for the defense program these profit-motivated attempts failed. If Mr. Robinson, president of the Washington Water Power Co., had succeeded in his attempts for the past 4 years, our national aluminum-production program would have been greatly curtailed.

From a quick reading of the hearings on this bill I can see evidences of the same profit-motive forces at work. Outsiders have no right to inject themselves to the point of attempting to control Federal activities. I need not comment further on such activities at this time, as I feel certain that this body will not permit such tactics to control prudent defense construction. I need only to say that it was the influence of these people that has kept large Federal power-line capacities out of eastern Oregon. The private transmission lines in eastern Oregon and Washington do not have sufficient capacity to justify defense plants locating on these lines. Copper is now so badly needed for ordnance and munitions that my district will be prevented from making the defense contribution that its resources and manpower justify. At some later date I intend to trace the activities of the Washington Water Power Co. and its associates to show how their efforts have curtailed development in eastern Oregon.

POWER SITUATION

This country faces a power shortage, and this House should be cautioned not to repeat previous mistakes, all of which led up to a condition of scarcity in the war effort. It should be remembered that the amounts reported by the committee provide for transmitting 1943 incoming power to points of defense use; by law these appropriations are self-liquidating.

On numerous occasions I have pointed out the coming national power shortage. I have followed various estimates of power-load growth and power demands, and I am convinced that actual demands are constantly exceeding estimates. We need to utilize every kilowatt available in the country if our defense program is to be rounded into a victory program.

It must be realized that in these days of rapidly expanding industrial processes it is difficult to estimate electric loads with accuracy even for a few months in advance. There is sufficient evidence available as to this condition. The Federal Power Commission's reports show definitely that the private power companies' estimates of defense load growth have always been under the load actually developed.

PRODUCTIVE CAPACITY

The most single important industrial factor in winning this war will be our productive capacity for making and fabricating aluminum and magnesium. Without large blocks of continuous and low-cost power, not 1 pound of either metal can be made. At this very moment the generating machines at Bonneville and Grand Coulee are now delivering about 245,000 kilowatts to aluminum-reduction plants at Vancouver and Longview, Wash. Before the end of this calendar year these two plants will be supplying three more aluminum-reduction plants and a large aluminum rolling mill with an additional 275,000 kilowatts of Columbia River power. By the end of this year Columbia River power will be turning out about 510,000,000 pounds of ingot aluminum in five ingot-reduction plants. This amount of basic aluminum production exceeds the amount produced in the United States less than 2 years ago, when I first pointed out the light-metal situation to Mr. Stettinius and Mr. Batt. These five ingot plants will require the delivery of 520,000 kilowatts of Columbia River power.

These new figures can be reduced to equivalent airplanes. Such an ingot production represents about 50,000 pursuit planes per year, and around 25,000 bombers. I doubt if any other single section of the country can make such a contribution to the fighting men of this Nation and their Allies.

Gentlemen, you must realize that this is no small contribution, as we know our soldiers in the Far East have been fighting to hold territory, and are being forced, by the lack of adequate air defense, to retreat before an inferior enemy.

I venture to predict that the airplanes made possible by the aluminum produced from Columbia River power in 1942 and 1943 will be the factor that will turn reverses into victory.

In addition to providing ingot aluminum, Columbia River power will be turning out 240,000,000 pounds of rolled-aluminum sheets for airplane bodies, as well as miscellaneous airplane-engine parts.

MAGNESIUM

Aluminum is not the only defense contribution made by Columbia River power. Without magnesium the aluminum-magnesium alloys used for airplane manufacture could not be made. Magnesium, which is one-third lighter than aluminum, is used for airplane-engine parts and for other plane-operating equipment. The extreme lightness of aluminum enables our plane builders to reduce the weight of the plane, thereby increasing its speed, maneuverability, and bombing load.

The Pacific Northwest is an ideal location for magnesium production because it possesses all the essential elements required for making this lightest of all metals. Owing to the emphasis placed on aluminum, no northwestern magnesium plants were included in the War Production Board's first 460,000,000-pound plant capacity allocation by the O. P. M. in 1941. However, the Bonneville Administration has energetically pointed out the favorable situation for magnesium production in the Northwest. I did this initially with Mr. Stettinius and Mr. Batt 2 years ago. As a result of the combined magnesium effort, and especially the work of the distinguished gentleman from Washington [Mr. LEAVY], one magnesium plant is now scheduled for construction on the Grand Coulee transmission lines, using about 50,000 kilowatts. I predict that more Bonneville power will be allocated to magnesium production.

WAR POWER USES

Other war metals than aluminum and magnesium are also being, or will be, produced from Columbia River power. I need only mention ferro-alloys, steel, manganese, ferro-silicon, chlorine, phosphorus, and TNT.

THIRTY MAN-DAYS FOR 5 CENTS

The Bonneville wholesale transmitted rate of $17.50 per kilowatt-year figures out to be 4.8 cents per kilowatt-day. After making due allowance for repairs, this rate is practically equivalent to a nickel per kilowatt-day.

In terms of human effort, a kilowatt-day is equivalent to 10 men working constantly for 24 hours or 30 men working throughout an 8-hour shift.

Is there reason for us to wonder at the new order of machines and machine warfare? For well over a century industrial processes have been undergoing a change. This started with Watt's development of the steam engine. However, this early evolution was slow and continued at a slow pace up to about the time of the Wright brothers' first flight at Kittyhawk. Since that time, however, progress has accelerated. Mechanical power under the old order only saved drudgery for common labor, but with the advent of electricity and automatic controls, electric power has become a supplement for the most highly skilled human labor. Moreover, the field of electric power is now advanced beyond the possibilities attained by the most skilled human effort. It is this automatic use that has made possible the high-quality, high-strength, and light-weight metals needed for aircraft and other ordnance production. We must realize that a new industrial day has dawned in which electric power is the prime factor.

The Japanese pay their Chinese labor 8 cents for 8 hours of work. By certain automatic electric processes we can now obtain mass-production results superior to the most skilled human effort for an equivalent of one-sixth of a cent per man-day, or 30 man-days for a nickel. This simple comparison gives us the reason for things we now see, hear, and read. Without large blocks of power our victory production program could not be realized. This is the reason why power possibilities cannot be too strongly emphasized even if we run the risk of speaking too often on this subject.

POWER AND DEFENSE

Electric power is the most vital single element necessary to accomplish the goal

of our war program in every phase of this activity. Power will be required in increasing amounts and at a rate never before anticipated. Power must be made instantly available to meet industrial demands if this Nation is to provide a victory supply. The production of such material as ships, airplanes, shells, and tanks requires great quantities of material and large blocks of power. New developments in the fields of electrochemistry, electrometallurgy, and electroheat processes must be adopted to meet the increasing demands for calcium, manganese, steel, chromium, copper, lead, zinc, and cellulose.

It must be realized that this is a war of technology. It is a war of materials which require an all-out mobilization of our national resources and industries. Early in 1938 I addressed this House on the war power demands for the period 1915 to 1919, and then pointed out the power reserves needed in any modern effort. The new technology of metal requires large blocks of power ranging from 150,000 to 750,000 kilowatts for a single plant. Such plants must be located where power can be made quickly available. That is the reason why such types of industry will, of necessity, have to use the power and mineral resources of the Pacific Northwest.

At the Bonneville plant the War Department is speeding up the installation of four additional generators so that by early 1943, 216,000 additional kilowatts of Bonneville power will be available for the defense effort. During the same interval three now authorized machines should be brought in at Grand Coulee, totaling some 325,000 kilowatts, or, in all, a total of a half million additional kilowatts to be transmitted and transformed in 1943.

EXAMPLE OF ENERGY REQUIREMENT

I do not think that all of us realize the part that electric energy must play in the war production. It has been estimated that in one bombing attack on London 700 bombs were used, in which 500 bombers participated, with a loss of 10 percent, or 50 bombers. To replace the 50 bombers and to provide the necessary explosives it would require 10,000,000 kilowatt-hours. If this war is to be won this Nation must be capable of supplying many times such requirements. It is far better to overestimate and overallow than it is to bear the song of "too little and too late."

I therefore respectfully urge that this House approve the power portions of the Interior bill as written by the committee.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. ANGELL.]

Mr. ANGELL. Mr. Chairman, I rise in support of the appropriation set forth in the original bill and in opposition to the amendment offered by the gentleman from Pennsylvania. With reference to the proposed amendment to be offered by the gentleman from Ohio, may I say that I am quite in accord with appropriate action being taken against anyone who seeks to use funds from the Bonneville Administration or any other governmental appropriation for illegal purposes. We have criminal laws on the statute books of both the State of Oregon and the Federal Government which will take care of any condition of that sort. According to my judgment, the amendment is not essential so far as the consideration of the appropriation for Bonneville at this time is concerned.

The two great electric projects in the Columbia River area, Bonneville and Grand Coulee, are doing a marvelous job in the battle for the preservation of America. They are at the present time supplying almost 50 percent of the light metal which is being used in airplane construction and in connection with the ultimate program of 2,200,000,000 pounds of aluminum for use in airplane construction under an all-out defense and war program, 30 percent will come from this area alone, Grand Coulee and Bonneville.

The dams are now fully completed. All of the generating plants in Bonneville are either in or will soon be in operation, perhaps all within a year. A portion of those in Grand Coulee are in operation. Seventy percent of the power which will be utilized in America in our war effort will come from T. V. A., Columbia River, and Boulder.

Fortunately, as was stated by one of my colleagues a moment ago, we were well along in the construction program of both Coulee and Bonneville before the war broke on us. If we had not been, we would have been in a much more serious situation than we are now. We know that we are in a very serious situation at present with reference to the furnishing of aluminum for airplane construction. If the airplanes which can be produced at Bonneville alone or at Grand Coulee alone were constructed and in the hands of the men on Bataan Peninsula, in General MacArthur's hands, and in the hands of those who are fighting our battles in Batavia and other places where we have had to meet the enemy with inadequate arms and equipment, it would have been an entirely different story than what has taken place up to the present time.

This appropriation of $21,700,000 is for transmission facilities, means the marketing of the power and transmitting it to production centers. Only in this way can the power be put to work in war production.

Mr. Chairman, I call your attention to the fact, as shown on page 216 of the hearings, that during the fiscal year ending June 30, 1942, the receipts of the Bonneville Power Administration were $5,323,170, and for the next fiscal year, ending June 30, 1943, the receipts will be $11,443,340. So while this is a war program and a war industry, you will see that it is a self-liquidating one that is paying its way. We are getting real money for the sale of the power which is being generated by these two great plants. The $350,000 which is sought to be cut from the appropriation is to be utilized in the marketing of this immense amount of power, involving almost $12,000,000 in receipts.

Mr. Chairman, I am supporting the Bonneville items as reported by the committee, as I believe from first-hand and intimate knowledge that any curtailment of the amount reported by the committee will interfere with speedy and vital defense production. The Bonneville plant is in my congressional district, and therefore I can speak from actual experience and a long study of the uses of such hydropower.

I am anxious to make every saving possible, but we cannot, in the exercise of sound judgment, make a cut in an essential war-production activity.

This House can ill afford to make a hasty decision on any item that might delay some vital war requirement. There have been too many errors made within the past 18 months which are hindering our war-production program. For the relatively small amount involved in the pending Bonneville appropriation, this House cannot afford to place any barrier before a program which is the very foundation of our most vital war-production effort.

MACHINES

Under the conditions of modern warfare, machines have displaced the technique of fighting infantry masses, Maginot lines, and concentrated fixed artillery. Present fighting machines are built from new metals which are nothing more than frozen kilowatts. Without large quantities of low-priced firm hydropower such machines would not be possible. There are very few places on this continent where such a type of hydropower can be obtained, and of all such power sources the Columbia River leads in speed volume and development cost. In making this statement I do not intend to discount the firm capabilities of Boulder, the T. V. A., and the proposed St. Lawrence developments; but none of these streams have the water volumes or the falls like the Columbia, between Grand Coulee and Bonneville.

Boulder, T. V. A., and the Columbia together will provide around 70 percent of all the metals required by our proposed air program. This calendar year Bonneville and Grand Coulee will provide about one-half of the light metals required by our air program, or in excess of the total amount of such metals manufactured in these United States a year and one-half ago. The ultimate aluminum program has now been placed at 2.2 billion pounds of ingot metal, about one-third of which will come from Columbia River power.

METAL SITUATION

Mr. Chairman, it is common knowledge that our strategic-metal supply is in a critical condition. May 1940, I analyzed and pointed out the coming metal crisis. I presented the situation to this House 2 weeks before the President's first defense address to Congress and before the first defense commission was created. I then discussed in detail the supply of these strategic metals and offered suggestions as to the ways and means to correct the existing situation in order that our country might obtain metal independence. Very few of the suggestions I offered to this House in May 1940 have been carried out.

The lack of metals and rubber is not in any way traceable to those who have

advocated or administered to the Bonneville project as all who were acquainted with the situation, early advocated the immediate use of the Columbia River power for creating defense material reserves. I need not at this time discuss the failure of those charged with providing the necessary materials for our fighting forces. The purpose of these remarks is to stress the fact that we must avoid compounding past errors.

ADDITIONAL BONNEVILLE UNITS

Over 2 years ago, Mr. Chairman, through a misunderstanding this House made an error in placing a limitation on the number of the Bonneville units. When the matter reached the floor, I realized that an inaccurate picture had been painted and proceeded to do my part in correcting an obvious mistake. Largely through the efforts of Senator HOLMAN, the Senate corrected the mistake and authorized the last four Bonneville units. When the matter came back to the House after the Senate action, several of us presented the true facts and the House concurred in the Senate change. Looking back, we can now say that this was a fortunate action. As a result the last four Bonneville units totaling 216,000 kilowatts are nearly completed and will be installed and ready for service in the early months of the calendar year 1943.

These four units represent the quickest and largest block of power now obtainable in America. This new additional power after it leaves the water-wheel generator must be transformed and transmitted to new defense industries. The cost of such transformation and transmission is included in the pending bill and this House should take no action which will impair the delivery of this incoming power to vital defense plants. Some of us may not agree with the details comprising the submitted estimate, but nevertheless we cannot afford in any way to hamper the delivery of this incoming power. I feel certain that sufficient checks now exist to insure that the appropriation reported by the committee will all be used in placing this new power to work; my approach is on this basis.

In addition to the 216,000 Bonneville kilowatts, around 350,000 kilowatts from three new Coulee units will also be brought into service during 1943. The sum of these two Columbia power amounts coming into action in 1943 will be in excess of one-half million kilowatts and it can easily be seen that at a very modest unit figure of $50 per kilowatt at least $25,000,000 will be required to transform and to transmit this amount of new generation. Under the law, these appropriations are self-liquidating. Earning statements have been presented to the committee.

GERMANY AND JAPAN'S POWER SUPPLY

Mr. Chairman, Germany and Japan's success is due entirely to a rapidly expanding power, light metal, and air production program. Since 1933 both countries have rapidly expanded their power base either through new construction or by conquest. Let us look at a few outstanding power statistics. Those parts of Europe now controlled by the Axis countries have about one-third of the world's potential water power. There are 11 European countries involved in Germany's power set-up and the developed water power in these countries totals practically 14,000,000 kilowatts, compared with eleven and three-tenths millions developed water power in the United States. The water power susceptible of development in these 11 countries totals nearly 32,000,000 kilowatts or nearly equal to the total assured central station steam and hydro capacity in the United States.

There was a reason behind the German conquest of Norway. This conquest brought to the Axis countries the largest seized acquisition. In taking over Norway, Germany acquired around two and one-half million hydro kilowatts, which was sufficient to meet the aluminum requirements of its air program. Norway's developed kilowatts per thousand of population exceeds all countries in the world. The 2,000,000 hydro kilowatts developed in Sweden and the one and three-quarters million developed kilowatts in Switzerland have also become available to the German war machine.

As is well known, Italy is a "fuelless" country. Mussolini early saw this weakness, and within the past 10 years has developed about 4,000,000 hydro kilowatts from waterfalls located in the foothills of the Alps. The last accurate information we have from the Axis countries points out that in the 6 years the electrical output has been quadrupled. It is this electrical output which is the base of the German war effort.

Japan is also a "fuelless" nation, but this lack is compensated by heavy rainfall and sharp waterfalls. Japan, under German encouragement, has developed large hydro power sources. Japan, it is estimated, has nearly 5,000,000 potential hydro kilowatts, with over 70 percent of this power actually developed. Japan has been using this hydro power to convert Korean clays into the light metals required for airplanes.

The cited facts as to Axis hydro developments should become a lesson to those who, having not understood the true situation, have attempted to question the construction and expansion of the Columbia River plants.

IMPORTANCE OF POWER

The importance of fully developing the authorized Columbia River plants is obvious. The Bonneville Dam is completed, likewise the foundations for all the generating units. All that is now needed is to turn out the water wheels and the generators and place them in the empty flumes, and transmit this power.

The Coulee Dam, the greatest power source on the American continent, is also completed and the foundations are already in place for 18 units of 108,000 kilowatts each. Of this total number of 18, 3 are completed, and an additional 6 have been authorized, 3 of which should easily be placed in service during the calendar year 1943.

This appropriation is also subject to checks and balances. The existing priority system will prevent any material being allotted to nondefense lines or substations. In addition, the Budget Bureau has the requisite authority to impound any funds not needed for defense projects. Therefore, priority use and Budget control will insure the use of appropriated funds for defense projects. The estimate which was before this committee, I understand, was prepared last October, and sufficient flexibility exists to allow these funds to be used when and where required by defense.

There is another fact that we cannot overlook, and that is that the States of Oregon and Washington may become a large supply base for our Alaskan outposts. Any military supply base requires large quantities of power, and Congress should provide the tools to maintain such a base, if Japan should next center its attack on Alaska and the Aleutian Islands.

SHIPBUILDING

Shipbuilding has become one of the most active defense construction activities in my district and the contiguous Washington side of the Columbia River. Bonneville power is being or will be used in the three shipyards now actively at work or under construction. About 1,000 kilowatts of Bonneville power is required for each shipway. The Oregon Shipbuilding Co. of Portland, Oreg., has been using about 8,500 kilowatts of Bonneville power since May 24, 1941. This company, of late, has been launching a ship a day, cargo vessels probably about five or six thousand tons each.

Since the estimates now before this House were prepared, 2 new shipbuilding facilities have been authorized for the lower Columbia. The first is to be located on Swann Island, Portland, which will require 10,000 kilowatts with 10 shipways. It is planned that this new Swann Island yard will be brought into operation the 15th of May 1942. The Swann Island development will be about 20 percent larger than the Oregon shipbuilding project.

In additon, 10 new ways have just been authorized for Vancouver, Wash., with an electrical requirement of 10,000 additional kilowatts. The Swann Island and Vancouver shipyards were initiated several months after the preparation of the estimates now before this House. Therefore, to meet such emergency construction, such costs will have to be absorbed out of the feeder-line allowances in the pending estimate. I submit these cases as a justification for liberality in allowance for flexible feeder-line items. It takes nearly 6 months after an estimate is initiated before final congressional action is secured. An interval of 6 months is too great a period to allow any adequate defense set-up.

JUSTIFICATION FOR FEEDER LINES

Mr. Chairman, the Bonneville Power Administration is one of the first-line war agencies of the Nation. Its functions are so important to the war-production program that any effort to reduce this appropriation can only result in delays in the production of essential and strategic materials necessary for the victorious conduct of the war. When it is

considered that the principal activities of the Bonneville agency are the furnishing of power to war plants requiring about 520,000 kilowatts for the production of aluminum ingots, or 500,000,000 pounds of aluminum per year, which is more aluminum than was produced in the entire Nation a year ago, a rolling mill capable of processing 240,000,000 pounds of sheet aluminum per year, a 50,000-kilowatt magnesium plant, a 25,000-kilowatt ferro-silicon plant, three shipyards which will turn out one large ship a day, and many other war requirements, it seems absurd to seek to economize on such an agency which is doing this kind of war job, if we want to win the war.

The Administration also has items in this appropriation request for funds to serve other major wartime industries and military establishments. In addition, the War Production Board has requested Bonneville to coordinate all public and private power resources of the region and to make such expenditures for interconnections as are required to achieve this purpose.

When the War Production Board decides upon the location of a plant in the Northwest, then it becomes the responsibility of Bonneville to furnish the facilities necessary to serve that plant. Ordinarily this power is needed as soon as the war plant is completed, and the time element involved is often not more than 60 days. The Administration requires a fund to meet these emergency needs. As an example, the Administration has been making extensive plans for coordination and interconnection possibilities to meet emergency war conditions. It probably will be necessary to make additional connections to tap new power supplies from private industries to increase the power supply of the region for the war needs. Such interconnections involve expenditure of substantial sums of money. Unless funds are made available through this feeder line and service connection item, the Administration will be unable to make these connections rapidly, and the war effort of the Nation will suffer to that extent.

Mr. Chairman, I trust that no action will be taken which will have an injurious effect on the war effort of this agency. I again call attention to the fact that the Bonneville agency is one activity of the Government which will pay its own way. As soon as these remaining generators are installed and put into production and the transmission facilities completed, large revenues will be received from the sale of power.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, both of these amendments to the Bonneville item ought to be voted down. The amendment offered by the gentleman from Ohio [Mr. JONES] is based upon an assumption there has never been the slightest bit of evidence to establish that assumption, he assumes that the Bonneville Administration is in part engaged in a controversy between public power and private power. The controversy between private power and public power, is entirely one provoked by the Power Trust, and the people in Washington and Oregon are simply fighting back. No proof is offered of that charge that Bonneville Administration is engaged in this struggle, it is a mere assumption, and nothing more. If there is proof of employees of Bonneville violating the law, it ought to be submitted. Then the employee so engaged could be discharged and could even be prosecuted under existing laws.

It is true that in my State and in the State of Oregon a terrific battle for years has been in progress between the advocates of public power and of private power. God Almighty gave us the greatest hydroelectric region in the world. We have fought to retain it, and have only partially succeeded because the private utilities have lavishly spent money to influence elections. The Government has developed a part of our power for the good of the Nation as a whole. The Bonneville Administration has not been a factor in the fight between the people and the Power Trust other than that they sell the power to public bodies when they desire it. Congress gave them a mandate, that whenever a public body made a request for power they must give it a priority, and that was done by congressional mandate.

The demand for power, even out there where it is so plentiful, indicates that in the Northwest by next October or November we shall actually be rationing electrical energy to the people in their homes. Electric refrigerators, electric lights, electric ranges, and other domestic uses are being threatened with great reductions or with being completely wiped out because of the war demands for the energy, and this will include both public and private power.

I do not have time in 5 minutes to prove to you that this item and every dollar in it is for war purposes. It was submitted in detail to Donald Nelson, Chairman of W. P. B., by the chairman of this subcommittee, Mr. JOHNSON, under date of March 11, and on page 1109 of the committee print of the hearings you will find a copy of that letter. Then on page 1110 of same hearings, under date of March 19, 8 days later, after Mr. Donald Nelson had made a careful investigation, he reported back. You will find his letter there. I wish every Member would take time to read it. He says that Bonneville and Coulee Dam are 100 percent war necessities.

In view of this fact let me ask you, Do you want to assume the responsibility for cutting them out or reducing appropriations to where they will be crippled? I think we did an unjust, an unreasonable, and an unfair thing when we cut Bonneville appropriations at all. The amendment of my eminent and much-loved colleague from Pennsylvania says $350,000 for marketing is to be further taken from this item. This money is for operation and maintenance primarily.

Bonneville has 1,500 miles of high-tension transmission lines and 1,500 more under construction. By September this year 3,000 miles of high-power transmission lines and some 60 great substations will be completed. There are 4,000 employees in this organization. This is one of the greatest electric power distributing agencies in the world. Most of the employees are engaged now in either construction or operation and maintenance. We cut the operation and maintenance item in the committee $350,000. I am sure we made a serious mistake. The gentleman from Pennsylvania has offered an amendment to cut it another $350,000. We cut $500,000 off the feeder lines, and soon the Government may decide to build a plant of some type, such as an aluminum plant, a magnesium plant, a ferro-silicon plant, or any war plant, at some city or town inland, and a new line will have to go up. It is true that they could come to the deficiency committee, possibly, and get an appropriation for it, but why not let them be prepared to meet the problem? Donald Nelson, in his letter to the committee, rightly wrote, "Time is of the essence," the necessity for every item was shown. I think in the interest of national defense, totally divorced from the question of public power or private power, because we know that fight must be put at rest for the duration, both these amendments should be defeated.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 17, noes 46.

So the amendment was rejected.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 11, line 21, strike out the period and insert a colon and the following: "*Provided*, That no funds in this paragraph shall be used directly or indirectly to influence public-utility district elections."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 36, noes 43.

Mr. JONES. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. JONES. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of lawbooks and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, and return, utilizing Government vessels whenever practicable; operation, maintenance, and repair of motor vehicles,

and all other necessary expenses, $163,500, of which amount not exceeding $10,000 shall be available for expenditures in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of $10,000 and $9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of $100.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word. Mr. Chairman, either fortunately or unfortunately, I have not been able to attend much of the debate that has taken place with reference to the pending bill. I have been engaged in hearings before the Ways and Means Committee. However, I have been on the floor sufficiently to see that an effort is being made on the part of some Members of the House to reduce the amount of money carried in this bill, and some items, I believe, have already been reduced. I believe if some of you gentlemen could have been before the Ways and Means Committee for several days during these hearings you would realize what a Herculean job it is to raise $7,000,000,000 of new revenue to carry on simply the defense program. Our work in this respect has hardly begun.

Just to fortify those who are trying to keep down nondefense expenditures I thought just a few words along that line might be worth while:

Up to March 20, 1942, 263 days of the fiscal year 1942 had elapsed. During this time, the administration had spent $19,000,000,000, or an average of more than $70,000,000 per day.

During the first 20 days of this month—March 1942—the average daily expenditure had increased to $112,000,000 per day.

On March 20, 1942, expenditures were $138,000,000. Thus the trend of expenditures is increasing daily.

In the fiscal year 1943 the administration expects to expend $59,000,000,000 or an average of $160,000,000 per day.

The magnitude of the expenditure can be gaged by the fact that in the pre-World War No. 1 period we ran the entire Government on $700,000,000 annually, or as much as the administration proposes to expend next year in 4½ days.

The enormous drain upon the people for national defense will be borne without complaint if the administration will eliminate nondefense expenditures. The frills, the fancies, and all the thousands of boondoggling projects must go.

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I take this time in order to ask the chairman of the committee one or two questions with reference to the paragraph which has just been read with regard to the High Commissioner of the Philippines.

Will the chairman tell us whether or not, if it is proper to do so at this time, the committee intends this money to be spent in the Philippines, and if the High Commissioner cannot operate an office or a place of business in the Philippines, what consideration was given by the committee to changing this appropriation?

Mr. JOHNSON of Oklahoma. My answer to the gentleman is that, of course, the gentleman realizes that this money will not become available until after July 1 next. The representative of the High Commissioner appeared before the committee and made a statement off the record. After having made that statement, he simply requested that the item not be cut one dollar, stating that the psychological effect in the Philippine Islands would be disastrous. I may say to the gentleman that there is a feeling that General MacArthur might be back on the Bataan Peninsula sometime during the present year. If so, the money will probably be spent and spent in the Philippine Islands.

Mr. CRAWFORD. I will say to the chairman that his explanation is entirely satisfactory to me. I thought it should be made for the benefit of the committee as well as the country.

Mr. Chairman, a day or two ago a colloquy took place between the gentleman from Wisconsin [Mr. KEEFE] and myself. I believe the gentleman from Wisconsin is a member of the Appropriations Committee. The colloquy appears at page 2883 of the RECORD. At that time I remarked that the cards should be put on the table. I have in my hand an official statement from T. V. Houser, vice president of Sears, Roebuck & Co., in charge of merchandise, in which Mr. Houser states:

All implement dealers and manufacturers sell farm trucks or wagons using standard 6.00 by 16 tires under authority of Office of Production Management order dated last December 28. This order was intended to make equipment available for farmers to carry out their part of the war effort. We believe that we have done everything within our power to observe the spirit as well as the letter of the order. Sears' management through repeated bulletins and meetings has instructed its store managers and store personnel to see that the trucks are sold only to active farmers and for farm use exclusively. We have many instances on record of orders refused, others where sales were canceled and the customer's money refunded on the suspicion that the truck and tires would not be put to this farm use.

Sears, Roebuck & Co. has no privilege that it is not extended to and exercised by every other manufacturer and seller of farm equipment and farm trucks in this country.

Mr. Chairman, further hoping that all the cards will be put on the table, it seems to me now that if Mr. Donald Nelson and Price Administrator Mr. Leon Henderson will state their side of the Keefe case, the country will have a better understanding of the situation as described by the gentleman from Wisconsin [Mr. KEEFE].

Mr. Chairman, I yield back the balance of my time and ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $600,000, including not to exceed $5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed $5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed $10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Mr. RICH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 14, line 6, strike "$600,000" and insert in lieu thereof "$200,000."

Mr. RICH. Mr. Chairman, this amendment will strike $400,000 off the General Land Office appropriation for survey of public lands. Several years ago when we were hunting jobs for the people of this country, we started in to make a resurvey of all of the public lands. That means all over the United States, wherever we have any public lands. We increased the appropriation to great heights. We spent more money in the last 5 years for surveying public lands than was ever spent in the previous 40 years in the Department of the Interior. Today engineers and surveyors in this country are in great demand for the Army. We do not need to survey these public lands. Keep the job until after the war is won. I am leaving in this bill $200,000 for the Department to keep up any surveying necessary, to administer the General Land Office for the year 1943. I am convinced in my own mind that that is enough money and more than they will need for that purpose. We know that these engineers and surveyors in this country are needed in the Army today. I cannot even understand how anybody in our committee would not want to agree to this amendment. We have heard the gentleman from New York [Mr. REED] say that they are working in the Ways and Means Committee to do everything they can to find out how to get money from the taxpayers of this country. Here is where you can get $400,000 that will not hurt anybody. I know that there will be nobody hurt, nobody thrown out of a job. What more do we want? I have sympathy for the Interior Department, but I know that they do not need this fund

to exist; they will go on. Let us eliminate the $400,000 and help the Ways and Means Committee in raising a little bit of money. You raise money when you stop spending money, and you economize in government when you stop spending for unnecessary things.

Mr. REES of Kansas. Just what is this $600,000 used for?

Mr. RICH. There are many items here, but a great deal of it is used for surveying public lands. It might all be used for that purpose. The people of this country are so busy that they have not had time to think about public lands. They want jobs, they want to do something to win this war, and if you want to do something to win this war, you will agree to this amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes; I yield to the distinguished gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. The War Department is now calling on this Department for surveyors in Alaska and in the United States.

Mr. RICH. It is the Geological Survey that is getting that $1,558,000 and they are making maps for the War Department, and the War Department has given them $1,550,000 for making surveys and topographical maps and pictures.

Mr. JOHNSON of Oklahoma. Does the gentleman contend that this has anything to do with the making of maps? We are talking about surveys.

Mr. RICH. I am talking about surveys, and the Land Office makes pictures and maps as well. A blueprint is a map, in my judgment.

Mr. CARTER. Mr. Chairman, I rise in opposition to the amendment. Through the courtesy of the chairman of the subcommittee I was designated to conduct the hearings with reference to the General Land Office. I have gone over each and every one of these items. While it is true that the Geological Survey is making certain maps, the General Land Office is called on to do a great deal of surveying in connection with our national defense activity. The Government is purchasing more land now than it has ever purchased before; and if gentlemen will refer to the top of page 276 of the hearings, they will see that referred to in speaking of the reduction made by the Bureau of the Budget:

> The decrease in this item is made to further the war emergency program, and will be met by curtailing surveying activities, especially miscellaneous surveys, not directly related to national defense.

The testimony before the committee was that a great deal of these surveying activities would be carried on in connection with the national defense.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield.

Mr. CASE of South Dakota. I notice that the committee cut $50,000 below the Budget estimate. The only $50,000 item that I see in the projects was the one for the surveying of mineral lands, such as coal, phosphate, oil, gas, potash, and so forth. I hope that that $50,000 cut does not mean that that is to be applied to that item, which is very important in connection with strategic materials.

Mr. CARTER. That would be within the discretion of the General Land Office as to where it is applied.

Let me call this fact to the attention of the committee, that the General Land Office is one branch of the Government that actually turns in to the Treasury many more dollars than is appropriated to carry on its activities.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield.

Mr. SHEPPARD. I would like to ask the gentleman if it is not also a fact that since the Transportation Act recently passed by the House became law, they had an additional burden of surveying, in order to take that land back?

Mr. CARTER. Yes; what the gentleman states is true.

I wanted to quote a few figures to show that from 1937 to 1941 millions of dollars more than the annual appropriations have been turned in to the Treasury of the United States. I am only going to read 1 year, but you will find this statement on page 271 of the hearings. For 1941 the receipts from the General Land Office amounted to $7,732,341.93. The expenditures amounted to $2,116,078, or a net balance in favor of the Department of over $5,000,000 for that year.

I think it is good business to give these people a reasonable appropriation, and that is just what the committee has done for carrying on this work, particularly in view of the fact that they turn a substantial sum, over and above their appropriation, into the Treasury each year.

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Chairman, I rise in opposition to the proposed amendment.

The proponent of the amendment, the gentleman from Pennsylvania [Mr. RICH] is undoubtedly sincere in his desire to save money for the Government, but he shows a total unfamiliarity with the problems dealt with by the Land Office. The Land Office brings in something like $7,000,000 a year to the Government. This supposed saving of $400,000 has absolutely no merit whatever, because it would probably cause a loss of more than that amount in revenue. A primary defense item he overlooks is that the Government is engaged in laying out many bombing ranges and target ranges on unsurveyed lands. In my own State there is an area of more than 4,000 square miles already set aside as a bombing range, which must be surveyed at once to establish more definite boundaries.

In addition, the lessons learned in the Asiatic conflict make it necessary to provide more target ranges for airplanes. Those are usually established on the unsurveyed lands.

In conclusion I refer to the figures on page 279 of the hearings, which show very conclusively that with such a vast amount of unsurveyed lands, these surveys are needed in many places and are accomplishing a most worth-while thing. I earnestly ask you not to approve the amendment.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. SCRUGHAM. Yes; I yield.

Mr. RICH. Whenever the General Land Office does surveying for the Army or for any other branch of the Government, that branch of the Government pays the General Land Office, does it not?

Mr. SCRUGHAM. The gentleman is mistaken. These unsurveyed lands to be selected must be mapped by the General Land Office. When an area is selected for a bombing range or a target range the Army or Navy sends for the maps to see what open land is available. The surveys made by the Geological Survey are topographical surveys. They are contour maps.

Mr. RICH. The General Land Office were using their force for surveying the land trying to make permanent surveys during the last several years.

Mr. SCRUGHAM. That is true.

Mr. RICH. There is no necessity for them going ahead and surveying all the public lands under present-day conditions.

Mr. SCRUGHAM. Yes; because if there ever was a time when public-land surveys are needed more than at present I do not know when it was.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and amendments thereto close in 10 minutes.

Mr. CLEVENGER. Mr. Chairman, I would like to have 5 minutes.

Mr. JOHNSON of Oklahoma. I will make it 15 minutes.

Mr. JONES. I object. There are five Members standing. That will mean only 3 minutes for each Member.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that all debate on this paragraph close in 15 minutes.

The CHAIRMAN. And does the gentleman include the paragraph and all amendments thereto?

Mr. JOHNSON of Oklahoma. And all amendments thereto.

Mr. JONES. There were only four Members and one of the members of the committee asked for 5 minutes.

Mr. JOHNSON of Oklahoma. I will withdraw the motion, and I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The following gentlemen will be recognized for 5 minutes each: Messrs. REES of Kansas, ANDERSON of New Mexico, CLEVENGER, and JONES.

The gentleman from Kansas [Mr. REES] is recognized for 5 minutes.

Mr. REES of Kansas. Mr. Chairman, I do not think anyone believes these items are not worth while; certainly they are. No one believes the committee would bring in these items unless they felt they were of value. It seems to me the question involved is whether or not we can get along without spending this money at this crucial time. Certainly, as the gentleman from Nevada has told us, the proposal is worth while. The gentleman from California suggested we ought to do it because we happen to take in a little more money through the Land Office than the Land Office pays out in expenses; and therefore we should spend more money on their behalf; but some-

where along the line we are going to have to decide pretty fast whether or not we are going to work on a basis of all-out war and see that we save wherever it is possible to do so, even though it be just a little money in each place.

It seems to me, after examining the items listed in the table here for which this money is used, that we can get along without spending the entire $600,000. I appreciate the effort of the committee to cut these figures down, but if it is at all possible, let us cut them still further. Look at the items in the hearings: "Original survey: Agricultural, including Taylor Act grazing lands, $115,000; nonagricultural and mineral, $50,000; cooperative, $100,000; miscellaneous, $20,000; resurveys in the foregoing classifications, $200,000; office work, $165,000." These items are not very close to the war effort.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. In just a minute. I realize that the Members from the far Western States are deeply interested in the work of the General Land Office. So am I, but I suggest to them that if it is at all possible to cut these items we ought to do it. I believe if we follow the gentleman from Pennsylvania we can save this $400,000 and not really work any particular injury to the United States Government but save some money for the people of this country. I believe this amendment ought to be adopted. As I said a moment ago, we must aproach this thing on the basis of first things first, of allowing only what is absolutely necessary. The first thing now is to save our country in a terrible crisis.

I know yield to the gentleman from California.

Mr. CARTER. I may say to the gentleman from Kansas that a considerable portion of this survey is national defense survey. If we decrease the amount of this appropriation there will be a corresponding decrease in the amount of revenue. Does not the gentleman believe it to be pretty good business to invest $1 in this appropriation and get $7 back?

Mr. REES of Kansas. I wish I had the time to argue that point with the gentleman. I believe he would not contend that if we spend $1 and get $7, as he says, back that spending of this money will produce more funds. I contend it will not.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I shall be glad to yield to the gentleman from Pennsylvania who has given this whole problem such careful and painstaking study.

Mr. RICH. On page 278 of the hearings the question is asked:

How much land remains to be surveyed?

The gentleman from California who was doing the interrogating stated that he wanted it segregated as between the United States proper and Alaska. The witness, Mr. Havell, stated that—

There is unsurveyed 496,357,920 acres, including Alaska. The area of unsurveyed land in Alaska is 375,889,122.

I ask the gentleman, What purpose is to be served by surveying all this land now? Does it have to be done during wartime? Can we not put it off until after the war is over?

Mr. REES of Kansas. The gentleman's questions answer themselves.

Mr. RICH. If we are going to win this war, we must cut down some of these items.

Mr. REES of Kansas. The gentleman is right. We ought to reduce all such items that are not absolutely necessary for civilian purposes and use it for the prosecution of the war.

Mr. RICH. I have been impressed the last few weeks with the line of argument that has been developing, based on the premise that for these expenses we get back more than we pay out. It is the greatest game around here. We always take in more money than we pay out, yet look at our deficit. Look at the Treasury statement. Has anybody seen it? Why, it is terrible.

Mr. REES of Kansas. Yes; I have examined it.

Mr. RICH. It is getting worse.

Mr. REES of Kansas. It is getting worse every day. And we are not doing very much about it.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New Mexico [Mr. ANDERSON] is recognized for 5 minutes.

Mr. ANDERSON of New Mexico. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I desire to point out if there is one thing this country needs at the present time it is this surveying. The Army of the United States is badly in need of mapping at this time. There are 3,050,000 square miles of land in this country, and, according to the last report, 810,000 square miles only have been adequately mapped. Seven hundred and forty thousand square miles were mapped more than 40 years ago. They were mapped by hand-leveling devices, which today we know are not accurate.

I have before me a communication from General Reybold, head of the Army Corps of Engineers, which, strangely enough, is dated December 6, 1941, 1 day before Pearl Harbor. In this letter he points out to me that it is necessary for this country to spend $117,000,000 for surveying and mapping before the War Department can adequately conduct a defense of this country.

We do not have today a map that gives topographical information on the entire San Diego area, and you know that is a critical area. I have the figures on that. There are 27,000 square miles in that area and 20,000 square miles have not been mapped. In the San Francisco area there are 38,600 square miles, of which 20,000 have not been mapped. In the southwestern Arizona district there are 14,000 square miles, of which 10,000 have not been mapped. We should remember this.

These public-land States along the western coast contain areas that badly need mapping at the present time. We need to have information on them. The War Department has said that $5,000,000 should be spent each year. That is the minimum that you should spend on mapping. The Department has never been able to get it from the Congress of the United States. You Members know that part of the Hitler technique has been that when a bridge is destroyed he knows exactly the width of that river in order that he may shove a movable type of bridge across it. We do not know the width of one river in the entire western part of the United States. This money is the foundation of a system of mapping. You must start with metes and bounds and corners established only by the Land Office before you can get into the system of topographical mapping that this country needs.

If you will check with the War Department you will find plenty of justification for this request. You will find, in rough figures, that 25 percent of the area of the United States has been adequately mapped, that 25 percent has been inadequately mapped more than 40 years ago, that 50 percent has never been mapped at all. You cannot start to make the new maps until the public-land survey has a chance to make a survey of the areas involved.

Mr. REES of Kansas. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I was under the impression that a great amount of the funds are used for surveying public lands.

Mr. ANDERSON of New Mexico. That is correct.

Mr. REES of Kansas. Not private land. This only affects public lands owned by the United States Government. It would not affect lands around San Diego and places of that kind.

Mr. ANDERSON of New Mexico. The gentleman should realize that almost all the public land of the United States is located in the 11 public-land States of the West and in this area where the War Department today needs more information than anywhere else. This item should be increased by millions of dollars.

Mr. LEAVY. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Washington.

Mr. LEAVY. Is it not a fact that where a survey has not been made upon public land and a discovery is had of a useful, essential, critical mineral, no patent can issue on that land?

Mr. ANDERSON of New Mexico. That is right, and all prospecting on this land for critical and strategic minerals ties into this item.

Mr. BURDICK. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from North Dakota.

Mr. BURDICK. In the opinion of the gentleman, does he not believe that these amendments, if adopted, would interfere with national defense?

Mr. ANDERSON of New Mexico. Yes; absolutely.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. May I say to the gentleman that, in my judgment, within 30 or 60 days there will be supplemental estimates come before this

committee covering this very same work; so we are haggling over a thing we will have to spend several thousands, probably several hundred thousand dollars, on during the current year.

Mr. ANDERSON of New Mexico. I thank the gentleman. May I point out that when you get your military bills, as we go along, you are going to have to include $25,000,000 for this very purpose, and it is these public-land surveys to which the military surveys must be tied.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. CLEVENGER].

Mr. CLEVENGER. Mr. Chairman, having in mind the threat of war and need for munitions, and looking toward a production of a supply of alcohol from excess corn and wheat stored from 1937 to 1941, last fall when agricultural interests inquired as to the need, the National Defense Board advised that the requirements for alcohol would not exceed 20,000,000 gallons for 1942. They missed it by about 95 percent. We are now melting edible sugar to produce the needed alcohol.

We are paying hundreds of millions of dollars for crop restrictions in the humid areas of the United States. Why, oh, why, must $454,000,000 worth of reclamation projects be put into the hopper to add to the burden of our present surpluses? Many of these would be pressed for immediate consideration if it were not for the incident at Pearl Harbor.

Must all the development be made in 1 day and generation? Will not these projects await the day of need and a time when there remains some vestige of money and credit in our National Treasury?

On pages 310, 311, 324, 393, and 394 of the hearings we have the testimony of Mr. Page, replying to questions of the gentleman from Washington [Mr. LEAVY], and I ask you to read it. In view of this testimony as regards facilities for producing sugar from beets, are we to use Government money to build these refineries and factories without any regard as to what becomes of them when peace returns? Are we to expect private capital to build them at a time when our State Department is busily engaged in trading away our domestic sugar business?

During the past winter a fine sugar plant in my State—the plant at Rossford, Ohio—was being junked because it was unable to get a sugar-marketing quota to continue in the sugar business. Oh, strange, indeed, are the ways of the New Deal. Can it be that the right hand knows not what the left wing doeth?

Why, oh, why, may we not get down to the serious business of getting bombs and bombers, shells and guns; yes, just cotton shirts and cartridges for our troops in uniform?

Last night my own son was required to turn in two of the four cotton shirts issued by the Government because they did not have sufficient shirts to dress the boys in the line.

Cut out all the trimmings and let us get down to the serious job of winning this war. The millions of parents of American soldiers, sailors, and marines will not hold that man guiltless who delays that flow of supplies. Men die while do-gooders dream and plan. Let us keep faith with these men and win this war. Let dreaming wait until solvency returns.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 25, noes 49.

So the amendment was rejected.

The Clerk read as follows:

Salaries and expenses of land offices: For salaries (except registers) and all necessary expenses incident to the operation and maintenance of district land offices and the disposal, supervision, and management of the public lands, including not to exceed $1,500 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, $166,700: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 15, line 13, strike out "$166,700" and insert "$136,700."

Mr. RICH. Mr. Chairman, they have refused to give the people of this country automobile tires, and now in this bill we carry an item of $166,700 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles.

About the only kind of vehicles we have in this country any more are automobiles. We have to go back to the good old "horse and buggy" days. We are not going to get the tires to ride on. So I have offered an amendment here to cut this item only $30,000. Let us go back and give the farmers a chance to raise a few old Dobbins. Let us get out the old emblem of the Democratic Party, the old jackass, and let us ride a few more of those. Let us get a few more mules. Let us get a few more oxen, if necessary. We cannot buy automobiles. Let us save $30,000, which is a small sum.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from California.

Mr. SHEPPARD. May I ask the gentleman if he would not also include an earmarking to buy a couple of tin elephants?

Mr. RICH. If necessary, let us get a couple of elephants; let them ride elephants. Let them ride anything. They cannot ride automobiles. Let us cut them out. Why spend $30,000 here for automobiles when you cannot get them or at least they should not get them?

We are working like everything, I am perspiring, I am doing everything I can to cut this down, but we are not getting much result. Give us a hand now. Vote to save just $30,000; that is a whole lot of money to me. To some of you it is not even pin money. Your taxpayers think it is a lot, I am sure.

Mr. SCRUGHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I repeat that an amendment of this kind shows a lamentable lack of knowledge of the work done by the Land Office registers. In my own State they have more than 50,000,000 acres of land to supervise. This is the Land Office agency that takes in the money. I am sure if the gentleman understood the weight of the work these people are doing, and the vast area of land over which they have jurisdiction he would not offer such an amendment.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Pennsylvania.

Mr. RICH. Will the Government issue automobile tires for these men to run around on as they have been doing?

Mr. SCRUGHAM. They certainly would be entitled to priorities, if their work warranted urgent inspections, especially for national defense projects on the public domain.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 22, noes 43.

Mr. RICH. Mr. Chairman, I object to the vote on the ground that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. RICH. Mr. Chairman, I withdraw my point of order.

So the amendment was rejected.

The Clerk read as follows:

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $604,280.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 18, line 6, strike out "$604,280" and insert "$595,384."

Mr. JONES. Mr. Chairman, the purpose of this amendment is to cut the Information Service employees out of the Office of the Commissioner of Indian Affairs.

I have a statement from the Bureau of the Budget showing that in the Office of Indian Affairs there are 9 part-time employees consuming 1.9 man-years at a salary of $8,896. This is a part of an entire appropriation for the Interior Department, as reported to me by the Bureau of the Budget, of over $2,430,777.

May I ask the gentleman on the majority side this in regard to the amendment? All this amendment does is strike out a bunch of publicity experts? It has nothing to do with defense?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. TABER. The gentleman is just trying to cut out the nice picture books and the fancy propaganda that goes out of this office, that is all?

Mr. JONES. That is all. I want to cut out the absolutely nonessential ex-

penditures in this Department. True, these are items that I did not have before me at the time we had these hearings. I tried to get them, but I did not receive any help from anybody else on the committee in trying to get the information. The clerk and I worked valiantly to get the information from the Department of the Interior. They had the information at the time they testified before our committee but they did not send it up in a letter until a few days ago. After I got the information I had to get the help of a public accountant to dig it out from the mass of figures they gave me. Now I have it confirmed by the Bureau of the Budget. This amendment will help cut out a small portion of the $2,430,777 steal that Information Service tried to hide when they testified before our subcommittee. Do you want to let them get away with it?

I would like to ask the Members whether they think this item I am seeking to have cut out will help to win the war?

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I will say to the gentleman this this question was not raised when the committee was in session. If the gentleman has had the information that he states he now has, this is the first moment he has advised any member of the committee about the fact. It seems to me it would have been the proper thing for him to have discussed the matter or at least raised the issue while the committee was in session.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. In a moment. The gentleman evidently feels he has discovered something but it is nothing new. It is an important worthwhile function of the Department, and this particular division is doing excellent work. They have made a very good record, and for that reason I regret to say I am unable to agree with the gentleman from Ohio.

Mr. JONES. I will say to the gentleman that I will be glad to submit the entire schedule, based upon these figures from the Bureau of the Budget, for the examination of the gentlemen on the majority side. I tried to raise the issue in the subcommittee the last day we met in marking up the bill, but I had not received any response. I tried to offer an amendment to cut out the information service, but I did not have all the information, and I have just had it confirmed by the Bureau of the Budget now.

Mr. JOHNSON of Oklahoma. But does not the gentleman think that his sudden discovery comes mighty late? Possibly the gentleman, running true to form, did suggest in the committee that we eliminate the entire Information Service, not only here but in other places, but the committee did not agree with the gentleman then and I do not believe the committee agrees with him now. He, of course, realizes that the Indian Service has been cut more drastically this year than in any year, with which I am familiar, in the past.

I challenge the record in that respect. The travel pay appropriation has been cut drastically, as has almost every item in this bill. Let me say that a majority of the members of this committee, I am certain, were laboring under the very definite impression that the minority members of the committee were going to defend this bill rather than snipe at their own work. The fact is, practically every suggested cut of minority members was made here in whole or part. My own thought is that some of the items were reduced too drastically for efficient service.

Mr. RICH. Does the gentleman think this item will help win the war?

Mr. JOHNSON of Oklahoma. Oh, the gentleman knows that this particular item will not win the war any more than many other items in this bill. That is an unfair question and the gentleman knows it. But why take out any quarrel we may have with the Japs on the Indians of this country? Let us be fair and reasonable and handle this thing in a sensible manner.

Mr. RICH. Mr. Chairman, this amount would buy three jeeps, and if we had the three jeeps over in Australia they would help a whole lot. Six thousand dollars will buy two or three jeeps, and if that is going to be an item in winning the war, I want to send the three jeeps over to Australia, or any place they may be needed.

The gentleman from Ohio [Mr. JONES] just got the information from the Bureau in reference to this amount, I will admit, and I will admit frankly, in going over these appropriations, when we get the justifications we get a lot of information, whether we get them on the floor of the House or at any time until the bill is passed. We never get all our information in the justifications from the Department.

There are several things we did not know were in the bill at the time, because, as I have said here time and time again this afternoon, the administration does not tell you all of these things. They are interested in this information service that they have. They are interested in getting out propaganda to the American people in order that they might perpetuate themselves in office. They are interested in holding their jobs. Gracious goodness, at the time Mr. Roosevelt came into office in 1933 up until today you have had a 300-percent increase in the number of employees in the Government, and you had more than a 200-percent increase in the number of employees in the Government before we ever thought of Pearl Harbor. Do you think the American people can go ahead in the manner they are going now? I do not. I think we are on the road to ruin insofar as the operation of the affairs of our own Government are concerned. Now, since Pearl Harbor, $6,000 is $6,000.

I would stand up here and work for an hour for $6,000, if I could save it for the Government, and if I was working for it myself, I would work for a year. I would do anything to get $6,000, if I could get that far enough ahead. If you make $6,000, the Government would take half of it away from you in taxes.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. CURTIS. The gentleman from Pennsylvania is a very good authority on the fiscal policies of this Government. He has studied it for many years. I ask him, is the predicament we find ourselves in right now, with an ever-increasing national debt, high taxes, search for more taxes, due entirely for a defense program, or was there something else before?

Mr. RICH. Oh, no; we have had a program for the last 12 years where you have been going into the red. The Government cannot stop it under the New Deal. We have gone into the red more than three and a half billion dollars a year for the past 9 years, until last year, when we went into the red five and a half billion. We are going into the red $18,000,000,000 this year, and next year more than $36,000,000,000. You cannot attribute that all to the war. What do I attribute it to? To putting these things in the Government that ought to be cut out, and we ought to be sensible enough and sane enough to do the job right now. I am here working like everything to cut $6,000 out. Give the gentleman from Ohio [Mr. JONES] and myself a little help and we will cut this $6,000 out of this appropriation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOORHIS of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. BENDER. Mr. Chairman, I make a point of order. I have been on my feet for some time asking recognition, and I suggest the absence of a quorum.

The CHAIRMAN. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count.

Mr. VOORHIS of California. Mr. Chairman, I am very glad to give way to the gentleman from Ohio.

The CHAIRMAN. The Chair has always made it a practice to alternate between the two sides. The Chair recognized the gentleman from Pennsylvania [Mr. RICH] on that side, and he thought he should in justice recognize someone on the other side.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 6845 and had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter that I have written in regard to the W. P. A. workers in Puerto Rico.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARCANTONIO. Also, Mr. Speaker, I ask unanimous consent to revise my remarks and include a proposal of the United Electrical, Radio, and Machine Workers of America.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. DONDERO. Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN] has a special order of 10 minutes for today. He is not here, and he requested me to ask unanimous consent that he may be granted that time tomorrow.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a newspaper article.

The SPEAKER. Is there obection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that on tomorrow, after the regular business of the day and after the address by the gentleman from Michigan [Mr. HOFFMAN], I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, after disposition of the regular business of the day and any other special orders my colleague the gentleman from Michigan [Mr. WOODRUFF] may address the House for 8 minutes.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech made by Mr. J. Edgar Hoover, Director of the F. B. I., before the Fourth Degree Knights of Columbus.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. DONDERO] is recognized for 15 minutes.

DELAYS IN PRODUCTION OF WAR MATERIALS

Mr. DONDERO. Mr. Speaker, like many other Members of this House, I have been receiving a considerable amount of mail from people not only in the congressional district which I represent but from all parts of the country protesting the war effort of their Government. The letters indicate a degree of impatience bordering on anger at the apparent delay in the production of materials of war.

They cannot understand frequent strikes, time and a half and double time for overtime and Sunday work, and the 40-hour week. They believe that these conditions should not only be remedied but completely eliminated for the duration of the war. These letters are not propaganda inspired by any group or special interest. It is the sincere opinion of honest and stalwart American citizens. One such letter reached me yesterday from a substantial American family at Pontiac, Mich. It was a courteous letter, written in a forthright manner on the subjects I have mentioned. That letter contained this paragraph, and I quote:

> We also feel that it is time for some of our officials in Washington to put aside partisan interests and think more of winning this war rather than preserving the interests of special groups. We are looking to our Congressman from this district to see that nothing hinders this goal.

My colleagues, there is only one conclusion that any of us can reach after reading that statement and that is that the people are laying the blame at the door of Congress for conditions that now exist.

A few days ago Mr. Donald M. Nelson, head of the United States War Production Board, asserted that in some plants work on defense contracts, could be increased 50 percent and he believed through the country generally it could be increased 25 percent.

It is my purpose, in the brief time that I have, to point out that the remedy for the conditions alleged to exist does not lie with the Congress but that Congress has already acted in these matters and conferred the necessary powers on the President of the United States; and that he now has the authority to vacate the regulations in regard to the 8-hour day, the 40-hour week, and time and a half and double time for overtime, and other regulations and restrictions. I point out that this House, by nearly a 2 to 1 vote, as long ago as December 4, 1941, 3 days before Pearl Harbor, passed what is commonly known as the Smith bill, that has direct bearing upon the complaints now being made by the American people. That legislation lies dormant in another legislative body in this Capitol.

Considering the statutes that now exist and which existed even when that bill was passed, I do not believe that further or other legislation is necessary to authorize the President to deal with these problems at the present time. The President has stated that he does not want any other legislation to dispose of these problems. I make this statement knowing full well that a committee of this House is now holding hearings and considering new legislation on these very subjects. I refer to the Committee on Naval Affairs.

Before proceeding to present to the House the statutes which I believe cover the subjects and show conclusively that Congress has heretofore dealt with these subjects in prior legislation, I desire to present to the House the result of a survey made in the State of New Jersey on these troublesome questions and to quote from a radio address made by the well-known commentator, Mr. H. V. Kaltenborn, on March 8, this month:

> The people of the United States owe an important debt of gratitude to a Congress for Industrial Organizations labor leader. His name is Irving Abramson. He is president of the State Industrial Union Council of New Jersey. He has had the courage to call the attention of the President and the people of the United States to the fact that the industrial plants of the State of New Jersey which are now turning out war material for our soldiers and sailors are working at less than half of their capacity. For more than half the time the New Jersey machines which turn out materials to build ships, planes, tanks, and guns are idle.

A few days before this statement was made, the President stated in his Washington Birthday address to all the people of the Nation that—

> We shall not stop work for a single day.

I am sure the American people applauded that statement and joined wholeheartedly in the spirit of that declaration that the war effort of this Nation should not hesitate for a single day no matter what the dispute might be. If any dispute should arise, said the President, it should be settled by mediation, conciliation, or arbitration. We in this Chamber, regardless of party affiliation, applauded that sane and sensible position and we heartily supported the President in that position. But the survey that was made in the State of New Jersey shows that on the very day that statement was uttered, many thousand workers stopped their work, remained idle and the defense effort was delayed and retarded. As far as I know nothing was done about it but much valuable time was lost over a labor dispute. This survey was not made by any Government agency but by the C. I. O. and showed that there were just two plants in New Jersey that were working the full 168 hours called for by Donald Nelson, and, as the radio commentator said:

> Which certainly proves that it takes more than Rooseveltian eloquence or Nelsonian demands to get things done either in the State of New Jersey or anywhere else in the United States.
>
> Out of 77 war production plants surveyed in the State of New Jersey less than one-half do any work at all on Saturdays, and only 10 out of the 77 work on Sundays. Which means that while Japan is winning the war because we lack the tools of victory the war workers of the United States are still on a 5-day week. For don't imagine that conditions are much better in any of the other 48 States.

I am conscious, however, that in spite of the problems confronting us, American labor is as loyal, patriotic, and eager to do its part as any other group of citi-

zens in our land. There are usually two sides to every question. If time and a half and double time were eliminated, I doubt if it could be made retroactive to affect contracts heretofore entered into by our Government with industry and the contracts entered into by industry with labor. If it did affect such contracts, then, in fairness and justice to the Government, whatever amount was added to these contracts to cover the additional cost of labor should be returned to the Government by industry.

The fullest cooperation and united effort on the part of the entire Nation, regardless of station in life, is imperative in winning the war. The fate and destiny of this Republic is at stake and the way of life of free men and women is hanging in the balance. War is a burden placed upon all and all must bear their just share of that burden. Everyone must sacrifice and no one must be permitted to enrich his or herself from the blood and tears of others. Profits on war products should and must be reduced to the minimum. Industry has no right to ask unconscionable profits, and no group or special interest in the country, no matter who they might be, has any right to take advantage of any regulation or restriction which might benefit them in the Nation's effort to provide the means of national defense. All must serve a common objective in the winning of this war by making and offering patriotic and individual sacrifices. Such sacrifices on our part will be little enough indeed when compared with the sacrifices the armed forces of our Nation are compelled to make in facing death itself.

I desire to return to the question of whether or not the President now has authority to deal with the problems I have been discussing and whether or not additional legislation is necessary for that purpose. I call to the attention of the House that on June 30, 1936, Congress enacted a law which, among other things, provided as follows—section 1 (b) and (c), Public, No. 846, Seventy-fourth Congress:

That all persons employed by the contractor in the manufacture or furnishing of materials, supplies, articles, or equipment used in the performance of the contract will be paid, without subsequent deduction or rebate on any account, not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages for persons employed on similar work or in the particular or similar industries or groups of industries currently operating in the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under said contract.

(c) That no person employed by the contractor in the manufacture or furnishing of the materials, supplies, articles, or equipment used in the performance of the contract shall be permitted to work in excess of 8 hours in any one day or in excess of 40 hours in any one week.

It will be noted that this statute fixed the hours of work per day and the 40-hour workweek.

On June 28, 1940, more than a year and a half ago, Congress enacted further legislation which conferred upon the President the absolute power to suspend any or all of the provisions of the law I have quoted above, and I quote from section 13 of Public, No. 671, Seventy-sixth Congress, entitled "An act to expedite national defense and for other purposes":

SEC. 13. Section 6 of the act approved June 30, 1936 (49 Stat. 2036; U. S. C., Supp. V, title 41, secs. 35–45), is hereby amended by adding: *"Provided,* That whenever in his judgment such course is in the public interest, the President is authorized to suspend any or all the representations and stipulations contained in section 1 of this act."

You will notice that the above section authorizes the President to suspend any or all of the provisions contained in section 1 of the law which I quoted a moment ago.

I also desire to call attention to the further provisions of this act by quoting a part of subdivision (a) and all of subdivision (b) of section 5 of said act to expedite national defense. They read as follows:

That notwithstanding the provisions of any other law, the President is hereby authorized, in his discretion, to prescribe regulations to establish such uniformity among the War and Navy Departments and the Coast Guard and their field services in regard to hours of work and compensation for overtime of their civilian employees as he may deem necessary in the interest of national defense.

(b) During the national emergency declared by the President on September 8, 1939, to exist, the provisions of the law prohibiting more than 8 hours' labor in any 1 day of persons engaged upon work covered by Army, Navy, and Coast Guard contracts shall be suspended.

It will be observed that these two provisions I have just quoted, clothes the President with power to prescribe all regulations necessary in regard to hours of work and compensation for overtime in contracts in the War and Navy Departments and the Coast Guard. I call especial attention to the Members of the House that the law prohibiting more than 8 hours' labor in any 1 day shall be suspended upon work covered by contracts affecting the Army, Navy, and the Coast Guard.

It must be apparent to all of us that the President now has full and complete authority and power to deal with the problems which are believed to be retarding the defense work of this Nation and that no further legislation is necessary.

Many of us in this House are in accord with the President in this conclusion. My purpose in making this address is to present to you, my colleagues, and to the country the undisputed fact that the Congress of the United States has made provision for these matters and has met its duty and responsibility to safeguard the Nation's defenses and to promote the general welfare of the Republic of the United States.

[Here the gavel fell.]

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1057. An act to establish a system of longevity pay for postal employees;

H. R. 5945. An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin;

H. R. 6738. An act to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; and

H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1057. An act to establish a system of longevity pay for postal employees;

H. R. 5945. An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin;

H. R. 6738. An act to limit the initial base pay of $21 per month for enlisted men in the Army and Marine Corps to those of the seventh grade; and

H. R. 6759. An act to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended, so as to permit payment for overtime for Saturday service in lieu of compensatory time.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until tomorrow, Thursday, March 26, 1942, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Subcommittee on Petroleum of the Committee on Interstate and Foreign Commerce will hold a meeting at 10 a. m. on Friday, March 27, 1942, to hear Mr. Elliot E. Simpson, director of the Drexsage Rubber Co. of New York in respect to rubber.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, April 14, 1942. Business to be considered: Hearings along the line of the Sanders bill, H. R. 5497, and other matters connected with the Federal Communications Commission.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLLINS:

H. R. 6849. A bill to provide that printing, binding, and blank-book work for field services of the Government may be done outside the District of Columbia, and for other purposes; to the Committee on Printing.

By Mr. HARTLEY:

H. R. 6850. A bill to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PIERCE:

H. R. 6851. A bill to provide for the conservation of fish and wildlife on Indian lands, and for other purposes; to the Committee on Indian Affairs.

By Mr. KRAMER:

H. R. 6852. A bill to require granting of licenses under patents during periods of war, and for other purposes; to the Committee on Patents.

By Mr. SABATH:

H. J. Res. 297. Joint resolution to permit the diversion of waters from Lake Michigan to safeguard the public health; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLINS:

H. R. 6853. A bill conferring jurisdiction upon the District Court of the United States for the Southern District of Mississippi, to hear, determine, and render judgment upon a claim of Myrtle F. Wilson against the United States; to the Committee on Claims.

By Mr. GILLETTE:

H. R. 6854. A bill granting an increase of pension to Ellen Carr; to the Committee on Invalid Pensions.

H. R. 6855. A bill granting an increase of pension to Maria Eberhardt; to the Committee on Invalid Pensions.

By Mr. REECE of Tennessee:

H. R. 6856. A bill for the relief of Dr. B. M. Chambers, and others; to the Committee on Claims.

By Mr. ANDERSON of New Mexico:

H. R. 6857. A bill for the relief of Mrs. Maryemma Lethart; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2608. By Mr. SCOTT: Petitions of the Philadelphia Board of Trade, of Philadelphia, Pa., opposing assessment of a tax upon heretofore tax-exempt municipal and State securities and approving a Federal final sales tax; to the Committee on Ways and Means.

2609. By Mr. ANDREWS: Resolution adopted by the Senate and Assembly of the State of New York, requesting the Congress of the United States to put into effect any necessary changes in laws and regulations affecting border between this country and Canada to remove restrictions so that travel of persons and movement of products may be facilitated for promotion of a harmonious and victorious prosecution of the war; to the Committee on Ways and Means.

2610. By Mr. JENSEN: Petition of various citizens of the Riverton, Iowa, Woman's Christian Temperance Union organization, who respectfully urge and petition the Congress to approve Senate Bill 860 as a contribution to a wholesome defense program and a reenactment of legislation similar to that of 1917 and so give to the young men of 1942 the protection their fathers had in 1917; to the Committee on Military Affairs.

2611. By Mr. ROLPH: Resolution of the State of California Board of Agriculture, adopted at Sacramento, Calif., urging that the United States Bureau of Reclamation undertake careful studies of the economic problems, arising out of the construction of dams and other engineering works necessary to the Central Valley project; to the Committee on Appropriations.